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Congressional Record

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of America

PROCEEDINGS AND DEBATES OF THE 88th CONGRESS, FIRST SESSION

SENATE

Tuesday, May 14, 1963

(Legislative day of Monday, May 13, 1963)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou whose throne is truth: From all the traditions which separate us and write our names in different camps of thought and conviction, we pause for the upward look which makes us one in solemn, yet glad, communion with Thee.

We are but frail creatures of dust, serving our brief day on the world's vast stage; but when a revealing sense of Thy eternity seizes us, we would set our little lives in the midst of Thy infinity and feel Thy completeness flowing around our incompleteness; and around our restlessness, Thy rest.

Facing together the tasks that center in this Chamber, we come asking that Thou wilt lead us to a rebirth of faith, because when faith dies, the deepest meanings of our lives fold up their tents and disappear. But if faith in ourselves, in others, and in Thee is regnant, then life again clothes itself with purpose and significance, and we have treasures worth living for and worth dying for.

May our faith in America at its best, as that faith is fed by the dedication and stamina of our own characters, reach out until we shall covet for the whole world its emancipating light in the midst of today's falsehood and darkness.

We ask it through riches of grace in Christ Jesus, our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 13, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON DISASTER RELIEF—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 111)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Public Works:

To the Congress of the United States:

I have the honor to transmit herewith a report of activity under authority of Public Law 875, 81st Congress, as amended, and required by section 8 of such law.

Funds which have been appropriated to accomplish the Federal assistance determined eligible under this authority are specifically appropriated to the President for purposes of disaster relief.

JOHN F. KENNEDY.

THE WHITE HOUSE, *May 14, 1963.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 3191. An act to exempt life insurance companies from the act of February 4, 1913, regulating loaning of money on securities in the District of Columbia;

H.R. 4273. An act to amend section 7 of article I of the act of February 24, 1925; and

H.R. 4276. An act to provide for the creation of horizontal property regimes in the District of Columbia.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 3191. An act to exempt life insurance companies from the act of February 4, 1913, regulating loaning of money on securities in the District of Columbia;

H.R. 4273. An act to amend section 7 of article I of the act of February 24, 1925; and

H.R. 4276. An act to provide for the creation of horizontal property regimes in the District of Columbia.

TRANSACTION OF ROUTINE BUSINESS—LIMITATION OF STATEMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection with the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Retirement of the Post Office and Civil Service Committee was authorized to sit during the session of the Senate today.

Upon request of Mr. JAVITS, and by unanimous consent, the Subcommittee on Small Business of the Senate Committee on Banking and Currency was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

VIENNA CONVENTION ON DIPLOMATIC RELATIONS AND OPTIONAL PROTOCOL CONCERNING COMPULSORY SETTLEMENT OF DISPUTES—REMOVAL OF INJUNCTION OF SECRECY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from Executive H, 88th Congress, 1st session, the Vienna Convention on Diplomatic Relations and the Optional Protocol Concerning Compulsory Settlement of Disputes, signed at the Federal Ministry for Foreign Affairs of Austria, and the United Nations Headquarters in New York, transmitted by the President to the Senate today; that they be referred to the Committee on Foreign Relations, and the President's message printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the Vienna Convention on Diplomatic Relations, together with the Optional Protocol Concerning the Compulsory Settlement of Disputes, signed at Vienna under date of April 18, 1961. The Convention and Protocol remained open for signature until October 31, 1961 at the Federal Ministry for Foreign Affairs of Austria and subsequently, until March 31, 1962, at the United Nations Headquarters in New York. During that period the Convention was signed on behalf of 63 states, including the United States of America, and the Protocol was signed on behalf of 31 states, including the United States of America. The Convention and Protocol remain open for accession.

I transmit also, for the information of the Senate, the report which the Secretary of State has addressed to me in regard to the matter, together with the enclosures thereto.

I recommend that the Senate give early and favorable consideration to the Convention and Protocol submitted herewith and give its advice and consent to their ratification.

JOHN F. KENNEDY.

THE WHITE HOUSE, *May 14, 1963.*

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Wilhelm A. Wulff, and sundry other persons, for appointment in the U.S. Coast Guard;

Lavine Hubert, and sundry other persons, for appointment in the U.S. Coast Guard;

Edward J. Ard, and sundry other persons, for appointment in the U.S. Coast Guard; and

Anthony Reid Adams, and sundry other persons, for appointment in the U.S. Coast Guard.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

COUNCIL OF ECONOMIC ADVISERS

The Chief Clerk read the nomination of John Prior Lewis, of Indiana, to be a member of the Council of Economic Advisers.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

SECURITIES AND EXCHANGE COMMISSION

The Chief Clerk read the nomination of Manuel Frederick Cohen, of Maryland, to be a member of the Securities and Exchange Commission for the term of 5 years expiring June 5, 1968.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED NATIONS

The Chief Clerk proceeded to read sundry nominations in the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations to the United Nations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report on Title I Agreement Under Agricultural Trade Development and Assistance Act of 1954

A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, with India and Turkey (with accompanying papers); to the Committee on Agriculture and Forestry.

Reports of Secretaries of Defense, Army, Navy, and Air Force

A letter from the Secretary of Defense, transmitting, pursuant to law, his report, for the fiscal year 1962, together with the reports of the Secretaries of the Army, Navy, and Air Force (with an accompanying document); to the Committee on Armed Services.

Report of Secretary of Defense on Installations and Facilities Required for Advanced Research Projects

A letter from the Secretary of Defense, reporting, pursuant to law, on installations and facilities required for advanced research projects, for the 6-month period ended December 31, 1962; to the Committee on Armed Services.

Authorization of Voluntary Election by Employees of Annual Premium Compensation Instead of Saved Pay Rate

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to authorize the voluntary election by employees of annual premium compensation instead of the saved pay rate (with an accompanying paper); to the Committee on Armed Services.

Report on Strategic and Critical Materials Stockpiling Program

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on the strategic and critical materials stockpiling program, for the 6-month period ended December 31, 1962 (with an accompanying report); to the Committee on Armed Services.

Report on Department of Defense Procurement From Small and Other Business Firms

A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, covering the month of March 1963 (with an accompanying report); to the Committee on Banking and Currency.

Report on Liquidation Activities of Reconstruction Finance Corporation

A letter from the Administrator, General Services Administration, Washington, D.C., reporting, pursuant to law, on the liquidation activities of the Reconstruction Finance Corporation, for the quarter ended March 31, 1963; to the Committee on Banking and Currency.

Report on Activities of the Federal Aid in Fish Restoration Program

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on activities of the Federal aid in fish restoration program, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Commerce.

The Educational, Scientific, and Cultural Materials Importation Act of 1963

A letter from the Secretary of State, transmitting a draft of proposed legislation to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950 (with accompanying papers); to the Committee on Finance.

Amendment of Section 1504 of Social Security Act, Relating to Assignment of Wages for Federal Employees

A letter from the Acting Secretary of Labor, transmitting a draft of proposed legislation to amend section 1504 of the Social Security Act regarding the assignment of wages for Federal employees (with accompanying papers); to the Committee on Finance.

Supplemental Report on Tariff Classification Study

A letter from the Chairman, U.S. Tariff Commission, Washington, D.C., transmitting, pursuant to law, the fourth supplemental report on the Tariff Classification Study, dated May 9, 1963 (with an accompanying report); to the Committee on Finance.

Report on Fiscal Operations of the United Nations

A letter from the Secretary of State, transmitting, pursuant to law, a report on the fiscal operations of the United Nations, as of December 31, 1962 (with accompanying papers); to the Committee on Foreign Relations.

Report on Uneconomical Practices in Administration of Employment Service and Unemployment Compensation Programs, Bureau of Employment Security, Department of Labor

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the uneconomical practices in the administration of employment service and unemployment compensation programs, Bureau of Employment Security, Department of Labor, dated May 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Policies and Practices Regarding Treatment of Terminal Leave in Determining Unemployment Compensation for Former Federal Civilian Employees and Ex-Servicemen

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of policies and practices regarding treatment of terminal leave in determining unemployment compensation for former Federal civilian employees and ex-servicemen, Department of Labor, dated May 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Proposed Drainage and Construction Work on Wellton-Mohawk Division, Gila Project, Arizona

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on proposed drainage and construction work on the Wellton-Mohawk division, Gila project, Arizona (with accompanying papers); to the Committee on Interior and Insular Affairs.

Amendment to Concession Contract at Crater Lake National Park, Oreg.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to the concession contract with Crater Lake Lodge, Inc., Crater Lake National Park, Oreg. (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Receipt of Project Proposal Under Small Reclamation Projects Act of 1956

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the receipt of a project proposal from the Jackson Valley Irrigation District, at Ione, Calif., under the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

Rehabilitation of Guam

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to provide for the rehabilitation of Guam, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Inclusion of Certain Officers and Employees of General Services Administration With Provisions of the United States Code, Relating to Assaults

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to include certain officers and employees of the General Services Administration within the provisions of the United States Code relating to assaults upon, and homicides of, certain officers and employees of the United States as constituting a crime (with accompanying papers); to the Committee on the Judiciary.

Improvement of Financing of Civil Service Retirement System

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to improve the financing of the civil service retirement system (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Foreign Relations:

"House Concurrent Resolution

"Whereas the Center for Cultural and Technical Interchange between East and West in Hawaii was established by the Congress of the United States in 1960 as a means of improving understanding between East and West; and

"Whereas the Center is attracting increasingly greater interest in Asia and the Pacific; and

"Whereas the University of Hawaii and the State of Hawaii have met and will continue to meet their obligations in implementing the purposes of the Center for Cultural and Technical Interchange between East and West in Hawaii; Now, therefore, be it

"Resolved by the House of Representatives of the Second State Legislature of the State of Hawaii, general session of 1963 (the senate concurring), That the Congress of the United States be and it is hereby respectfully requested to continue and increase its support of the East-West Center so that an expansion of its programs will be possible; and be it further

"Resolved, That copies of this concurrent resolution be sent to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the respective chairman of the following committees of the U.S. Congress: the Senate Committee on Appropriations, the Subcommittee on Departments of State and Justice and the Judiciary and Related Agencies of the Senate Committee on Appropriations, the Senate Committee on Foreign Relations, the House Committee on Appropritions, the Subcommittee on Departments of State and Justice and the Judiciary and Related Agencies of the House Committee on Appropriations, the House Committee on Foreign Affairs; the Secretary of State, the Assistant Secretary for Educational and Cultural Affairs of the Department of State, and to Hawaii's delegation to the U.S. Congress.

"Elmer F. Cravalho,
"Speaker, House of Representatives.
"Shigeto Kanemoto,
"Clerk, House of Representatives.
"Nelson K. Doi,
"President of the Senate.
"Seichi Hirai,
"Clerk of the Senate."

A joint resolution of the Legislature of the State of Tennessee; to the Committee on the Judiciary:

"Senate Joint Resolution 26

"Joint resolution to ratify the proposed amendment to the Constitution of the United States of America relating to the qualifications of electors

"Whereas the 87th Congress of the United States of America, at its 2d session, by a two-thirds majority of both Houses, has made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

" 'Joint Resolution

" 'Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

" ' "Article —

" ' "Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

" ' "Sec. 2. The Congress shall have power to enforce this article by appropriate legislation" '; Now, therefore, be it

"Resolved by the Senate of the 83d General Assembly of the State of Tennessee (the House of Representatives concurring), That the said proposed amendment to the Constitution of the United States of America, be and the same is hereby ratified; and be it further

"Resolved, That certified copies of this resolution shall be forwarded by the secretary of state of Tennessee to the Governor of Tennessee; to the Administrator, General Services Administration, Washington, D.C.; to the President of the Senate of the United States of America; and to the Speaker of the House of Representatives of the Congress of the United States.

"Adopted March 21, 1963.

"James L. Bomor,
"Speaker of the Senate.
"William H. Sorry,
"Speaker of the House of Representatives.

"Approved March 25, 1963.

"Frank G. Clement,
"Governor."

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PASTORE. Mr. President, on behalf of the junior Senator from Rhode Island [Mr. Pell] and myself, I send to the desk a certified copy of resolution (H. 1881) entitled "Resolution memorializing the Congress of the United States to study the merger of railroads and to take action necessary to postpone approval of any further mergers pending the outcome of such study," passed by the General Assembly of the State of Rhode Island and Providence Plantations at the January session, A.D. 1963.

I ask that this resolution be appropriately referred. There being no objection, the resolution was referred to the Committee on Commerce, as follows:

House Resolution 1881

Resolution memorializing the Congress of the United States to study the merger of railroads and to take action necessary to postpone approval of any further mergers pending the outcome of such study

Whereas various railroads in the United States have initiated mergers to the detriment of other railroads essential to the industry and economy of our Nation and State and to the convenience and well-being of our people; and

Whereas these mergers and proposed mergers, if continued, will have further deleterious effects on our economy; and

Whereas determinations of proposed railroad mergers have not always given due consideration to the total effects of such mergers on other factors, including unemployment in the railroad industry as well as in allied industries and in industries dependent on railroad transportation and the rapid transit needs in urban and suburban areas; Therefore be it

Resolved by the General Assembly of the State of Rhode Island, That the Rhode Island general assembly hereby memorialize the Congress of the United States to undertake a comprehensive study of the effects of recent and proposed mergers of the various railroads in the United States on the industry and economy of the areas directly affected and of the Nation as a whole and on the convenience and well-being of the people; and be it further

Resolved, That the Congress of the United States take such action as may be necessary to postpone further approval of any pending or proposed railroad merger, including the proposed Pennsylvania Railroad-New York Central Railroad merger, until such study has been made and until such study and any recommendations contained therein shall be considered by the Congress; and be it further.

Resolved, That copies of this resolution, duly attested, shall be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress elected from the State of Rhode Island.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBERTSON:

S. 1528. A bill to establish daylight saving time uniformly throughout the U.S. time zones each year, to make such time the only legal time during the period it is in effect, and to provide additional time zones for the States of Alaska and Hawaii; to the Committee on Commerce.

(See the remarks of Mr. ROBERTSON when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON (by request):

S. 1529. A bill for the relief of Ilias Panagakos; to the Committee on the Judiciary.

By Mr. SALTONSTALL (by request):

S. 1530. A bill for the relief of James W. Boyer, Jr., to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 1531. A bill to increase the appropriation authorization for the completion of the construction of the irrigation and power systems of the Flathead Indian irrigation project, Montana; and

S. 1532. A bill to provide that certain lands shall be held in trust for the Assiniboine Tribe and the Sioux Tribe of the Fort Peck Reservation in Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BIBLE (by request):

S. 1533. A bill to amend the Act of July 24, 1956, granting a franchise to D.C. Transit System, Inc.; to the Committee on the District of Columbia.

By Mr. ANDERSON (for himself, Mr. JACKSON, Mr. MANSFIELD, Mr. DIRKSEN, Mr. BIBLE, Mr. BENNETT, Mr. CANNON, Mr. CARLSON, Mr. CHURCH, Mr. GRUENING, Mr. HAYDEN, Mr. JORDAN of Idaho, Mr. MAGNUSON, Mr. MECHEM, Mr. METCALF, Mr. MOSS, and Mr. SYMINGTON):

S. 1534. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MILLER:

S. 1535. A bill to amend section 5(b) of the Area Redevelopment Act in order to make certain farming areas of the country eligible for asistance under such act; to the Committee on Banking and Currency.

(See the remarks of Mr. MILLER when he introduced the above bill, which appear under a separate heading.)

By Mrs. NEUBERGER (for herself and Mr. MORSE):

S. 1536. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CLARK:

S.J. Res. 79. Joint resolution to authorize the President to designate Philadelphia, Pa., as the site of a world's fair commemorating the 200th anniversary of the signing of the Declaration of Independence; to the Committee on Foreign Relations.

(See the remarks of Mr. CLARK when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. DOMINICK:

S.J. Res. 80. Joint resolution to provide for the designation of June 9, 1963, as American Veterinary Medicine Day; to the Committee on the Judiciary.

(See the remarks of Mr. DOMINICK when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

REVISION AND SIMPLIFICATION OF INTERNAL REVENUE CODE OF 1954

Mr. DIRKSEN submitted a concurrent resolution (S. Con. Res. 41) relative to a general revision and simplification of the Internal Revenue Code of 1954, which was referred to the Committee on Finance.

(See the above concurrent resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

RESOLUTION

USE OF RADIO OR TELEVISION IN REPORTING PROCEEDINGS OF THE SENATE

Mr. JAVITS (for himself and Mr. MORSE) submitted a resolution (S. Res. 140) relative to the use of radio or television in reporting proceedings of the Senate and in the Press Gallery, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

STABILIZATION OF DOMESTIC LEAD AND ZINC INDUSTRY

Mr. ANDERSON. Mr. President, there can be no question that adequate supplies of lead and zinc are essential to our national security and to our economic growth. Use of these metals dates back into ancient civilizations, and need for them is continuing to grow with our expanding defense requirements and rising standards of living.

Our country is blessed by nature with vast reserves of lead and zinc. They are mined in 20 of our States. We have the skilled workers and the industrial know-how to produce, efficiently and effectively, a very large part of our consumption from our own mines and smelters, using our own labor, with direct benefit to our own economy.

Yet for some years past now we have been dependent for more than half our annual needs upon ocean-borne supplies of these basic metals from distant sources in foreign countries that might not necessarily be accessible to us in time of need for one reason or another. Because of these excessively high imports, our own lead and zinc mines have been closing, our skilled mineworkers thrown out of work and dispersed, and a most important segment of our economy has been suffering and is in danger of total extinction.

This situation is nothing short of perilous to our country.

Accordingly, Mr. President, on my own behalf and that of a number of distinguished Senators from both sides of the aisle, I am introducing a bill the purpose of which, in the language of the measure itself, is "to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry."

I ask unanimous consent that the text of the bill, together with a summary of its provisions, be printed in the RECORD at the conclusion of my remarks, and that the measure be held at the desk for a period of 1 week so that other Senators who wish may join as sponsors.

Mr. President, this measure brings up one of those relatively rare cases of concurrent or overlapping jurisdictions on the part of two or more Senate committees. Under section 101(m) of the Legislative Reorganization Act, the Committee on Interior and Insular Affairs has responsibility for "mining interests generally" as well as for the development of the mineral resources of the public lands, where a substantial part of our lead and zinc reserves are to be found.

The measure I am sponsoring is most certainly in the interests of mining—of the mining of lead and zinc in particular—and hence clearly a matter for the Interior Committee to consider.

Yet a means of accomplishing the bill's purpose would be through the imposition of adjustable or flexible quotas. While there are no provisions relating to tariffs in the bill, import quotas are a part of the jurisdiction of the Committee on Finance, whose chairman is the distinguished senior Senator from Virginia, one of the substantial lead and zinc producing States in the country. I have the honor to serve under Senator BYRD's leadership on the Finance Committee.

Therefore, Mr. President, I ask unanimous consent that the bill be referred to the Committee on Interior and Insular Affairs and that when the Interior Committee has completed its consideration of the measure, it be rereferred to the Committee on Finance for further consideration.

I trust a number of other Senators will study this bill, acquaint themselves with the facts with which it deals, and then join me and the other sponsors in our efforts to stabilize the domestic lead and zinc industry of our country.

The VICE PRESIDENT. The bill will be received and referred, as requested by the Senator from New Mexico; and, without objection, the bill and summary will be printed in the RECORD, and held at the desk, as requested.

The bill (S. 1534) to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes, introduced by Mr. ANDERSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Lead and Zinc Stabilization Act of 1963."

TITLE I—LEAD

SEC. 101. As used in this title—

(a) The term "lead" means lead metal, as defined in subsection (b), and the lead content of lead ore, as defined in subsection (c).

(b) The term "lead metal" means lead bullion or base bullion, lead in pigs and bars, lead dross, reclaimed lead, scrap lead, antimonial lead, antimonial scrap lead, and type metal, which, if imported into the United States, is subject to duty under paragraph 392 of the Tariff Act of 1930, as amended, and all alloys or combinations of lead not specifically provided for in such paragraph, which, if imported into the United States, are subject to duty under the Act.

(c) The term "lead ore" means lead-bearing ores, flue dust, and mattes of all kinds, which, if imported into the United States, are subject to duty under paragraph 391 of the Tariff Act of 1930, as amended.

(d) The term "imported into the United States" means entered, or withdrawn from warehouse, for consumption within the meaning of the Tariff Act of 1930, as amended.

(e) The term "ton" means two thousand pounds.

(f) The term "quarter" means calendar quarter.

SEC. 102. No lead shall be imported into the United States in any quarter, beginning with the first quarter which begins after the date of enactment of this Act, after the amount of lead imported into the United States during such quarter equals the import quota for lead for such quarter established under section 103.

SEC. 103. (a) For purposes of section 102 the import quota for lead for any quarter shall be whichever of the following amounts is the lesser:

(1) (A) Forty-five thousand tons, in the case of the first four calendar quarters which begin after the date of enactment of this Act, or

(B) Sixty thousand tons, in the case of a calendar quarter thereafter, or

(2) the amount by which the domestic consumption of lead in the second quarter preceding such quarter exceeded the domestic production of lead in such preceding quarter. *Provided*, That subsection (a) (1) shall not apply for a quarter if for any one of the first three of the four calendar months preceding the quarter the average price of common pig lead, free on board New York, as reported in the Engineering and Mining Journal "Metal and Mineral Markets" exceeds 13½ cents per pound.

(b) For purposes of subsection (a) (2), the domestic production of lead for any quarter shall be the sum of (1) the amount of recoverable lead reported by the United States Department of the Interior, Bureau of Mines, in the monthly report of mine production of lead in the United States produced by mines in the United States during such quarter, (2) the amount of antimonial lead produced at primary refineries (lead content) and the amount of lead (both reported and estimated) recovered by secondary smelters in the United States during such quarter as reported in the United States Department of the Interior, Bureau of Mines, monthly lead report titled, "United States Lead Industry", and (3) the amount of lead released from United States Government stockpiles or inventories for consumption in the United States, during such quarter. The domestic consumption of lead for any quarter shall be the amount of pig lead (both reported and estimated) consumed in the United States as reported in the United States Department of the Interior, Bureau of Mines, monthly lead report titled, "United States Lead Industry", during such quarter.

(c) The amount of lead metal which may be imported into the United States during any quarter shall not exceed 10 per centum of the total quarterly lead import quota established under provisions of this section.

TITLE II—ZINC

SEC. 201. As used in this title—

(a) The term "zinc" means zinc metal, as defined in subsection (b), and the zinc content of zinc ore, as defined in subsection (c).

(b) The term "zinc metal" means zinc in blocks, pigs, or slabs, old and worn-out zinc, fit only to be remanufactured, zinc in dross, and zinc skimmings, which, if imported into the United States, are subject to duty under paragraph 394 of the Tariff Act of 1930, as amended.

(c) The term "zinc ore" means zinc-bearing ores of all kinds, except pyrites containing not more than 3 per centum zinc, which, if imported into the United States, are subject to duty under paragraph 393 of the Tariff Act of 1930, as amended; zinc sinter, zinc fume, deleaded zinc fume, Waelz zinc oxide and sintered Waelz oxide and other materials, not specifically provided for, composed wholly or in chief value of zinc and used primarily for manufacture of zinc metal and zinc pigments.

(d) The term "imported into the United States" means entered, or withdrawn from warehouse, for consumption within the meaning of the Tariff Act of 1930, as amended.

(e) The term "ton" means two thousand pounds.

(f) The term "quarter" means calendar quarter.

SEC. 202. No zinc shall be imported into the United States in any quarter, beginning with the first quarter which begins after the date of enactment of this Act, after the amount of zinc, imported into the United States during such quarter, equals the import quota for zinc for such quarter established under section 203.

SEC. 203. (a) For purposes of section 202 the import quota for zinc for all foreign countries for any quarter shall be whichever of the following amounts is the lesser:

(1) (A) Eighty thousand tons, in the case of the first four calendar quarters which begin after the date of enactment of this Act, or

(B) One hundred thousand tons, in the case of a calendar quarter thereafter, or

(2) the amount by which the domestic consumption of zinc in the second quarter preceding such quarter exceeded the domestic production of zinc in such preceding quarter.

Provided, That subsection (a) (1) shall not apply for a quarter if for any one of the first three of the four calendar months preceding the quarter the average price of Prime Western slab zinc, free on board East Saint Louis, as reported in the engineering and mining journal "Metal and Mineral Markets," exceeds 13½ cents per pound.

(b) For purposes of subsection (a) (2), the domestic production of zinc for any quarter shall be the sum of (1) the amount of recoverable zinc, reported by the United States Department of the Interior, Bureau of Mines, in the monthly report of mine production of zinc in the United States, produced by mines in the United States during such quarter, (2) the production of secondary slab zinc as reported by the United States Department of the Interior, Bureau of Mines, in the zinc monthly report of the United States zinc industry, and (3) the amount of zinc released from United States Government stockpiles or inventories for consumption in the United States, during such quarter, less (4) the zinc content of zinc ores and concentrates consumed during such quarter used in the production of zinc oxide reported as such by the United States Department of the Interior, Bureau of Mines, in the zinc oxide monthly report, during such quarter. The domestic consumption of zinc for any quarter shall be the amount of slab zinc consumed (both reported and estimated) in the United States as reported by the United States Department of the Interior, Bureau of Mines, in the zinc monthly report of the United States zinc industry, during such quarter.

(c) The amount of zinc metal which may be imported into the United States during any quarter shall not exceed 10 per centum of the total quarterly zinc import quota established under provisions of this section.

TITLE III—MANUFACTURED LEAD AND MANUFACTURED ZINC

SEC. 301. As used in this title—

(a) The term "manufactured lead article" means: lead pigments, litharge, orange mineral, red lead, white lead, all pigments containing lead, dry or in pulp, or ground in or mixed with water, not specifically provided for, which if imported into the United States are subject to duty under paragraph 72 of the Tariff Act of 1930, as amended; babbitt metal, solder, lead in sheets, pipe, shot, glazier's lead, and lead wire, which if imported into the United States are subject to duty under paragraph 392 of the Tariff Act of 1930, as amended; articles or wares not specifically provided for, if composed wholly or in chief value of lead, whether partly or wholly manufactured, which if imported into the United States are subject to duty under paragraph 397 of the Tariff Act of 1930, as amended; electric storage battery and parts thereof, storage battery plates, and storage battery plate material, partly or wholly manufactured, all the foregoing of the lead-acid type and not specifically provided for, which if imported into the United States are subject to duty under paragraph 320 of the Tariff Act of 1930, as amended; lead acetate white, lead acetate brown, gray, or yellow, lead nitrate, lead arsenate, lead resinate, and all other lead compounds not specifically provided for, which if imported into the United States are subject to duty under paragraph 46 of the Tariff Act of 1930, as amended.

(b) The term "manufactured zinc article" means: zinc oxide and leaded zinc oxides containing not more than 25 per centum of lead, in any form of dry powder, ground in or mixed with oil or water, lithopone and other combinations or mixtures of zinc sulphide and barium sulphate containing by weight less than 30 per centum of zinc sulphide, which if imported into the United States are subject to duty under paragraph (77) of the Tariff Act of 1930, as amended; zinc dust, zinc in sheets, zinc in sheets coated or plated with nickel or other metal (except gold, silver, or platinum), which if imported into the United States are subject to duty under paragraph 394 of the Tariff Act of 1930, as amended; zinc wire, which if imported into the United States is subject to duty under paragraph 316 of the Tariff Act of 1930, as amended; articles or wares not specifically provided for, if composed wholly or in chief value of zinc, whether partly or wholly manufactured, which if imported into the United States are subject to duty under paragraph 397 of the Tariff Act of 1930, as amended; zinc chloride, zinc sulphate and zinc sulphide, which if imported into the United States are subject to duty under paragraph 93 of the Tariff Act of 1930, as amended.

(c) The term "imported into the United States" means entered, or withdrawn from warehouse, for consumption within the meaning of the Tariff Act of 1930, as amended.

(d) The term "quarter" means a calendar quarter.

SEC. 302. (a) No manufactured lead article shall be imported into the United States in any quarter, beginning with the first quarter which begins after the date of enactment of this Act, after the amount of such manufactured lead article imported into the United States during such quarter equals the quarterly import quota for such manufactured lead article established under section 303.

(b) No manufactured zinc article shall be imported into the United States in any quarter, beginning with the first quarter which begins after the date of enactment of this Act, after the amount of such manufactured zinc article imported into the United States during such quarter equals the quarterly import quota for such manufactured zinc article established under section 303.

Sec. 303. The quarterly import quota for each manufactured lead article and each manufactured zinc article shall be one-quarter of the average yearly amount of such article imported into the United States during the calendar years 1953 through 1957.

Sec. 304. Upon the expiration of the fourth quarter during which the restrictions imposed by section 302 are in effect, and annually thereafter, the Secretary of Interior shall make an investigation to determine whether the imports of manufactured lead articles and manufactured zinc articles bear approximately the same relationship to the consumption of such articles in the United States as the average imports during the calendar years 1953 through 1957 bore to the average consumption of such articles in such years, and shall make such adjustments in quotas as he finds necessary to maintain approximately the same relationship.

TITLE IV—GENERAL PROVISIONS

Sec. 401. The import quotas provided for in titles I, II, and III of this Act shall be determined by the Secretary of Interior. An initial determination of such quotas shall be made as promptly as possible after the date of enactment of this Act. The determination of quarterly import quotas provided for in section 103(a) and 203(a) of this Act for subsequent quarters shall be made as promptly as possible after the close of the second quarter preceding the quarter for which such quotas are determined.

Sec. 402. Notwithstanding any other provision of this Act, the Secretary of Interior may, in his discretion, establish classifications of manufactured lead articles and manufactured zinc articles, which classifications may but need not be the same as classifications established under the Tariff Act of 1930, as amended, and, in lieu of establishing a separate quota for each manufactured lead article or each manufactured zinc article within a classification, establish a single quota for all articles within such classification.

Sec. 403. The quotas provided in this Act as determined by the Secretary of Interior shall be administered by the Secretary of the Treasury.

Sec. 404. The Secretary of Interior and the Secretary of the Treasury are authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.

Sec. 405. Any person who knowingly violates any provision of this Act or any rule or regulation of the Secretary of Interior or the Secretary of the Treasury issued under this Act shall be fined not more than $, or imprisoned for not more than , or both.

Sec. 406. The quotas provided for by Proclamation numbered 3257 of September 22, 1958, shall be discontinued on the date that quotas established by this Act become effective.

The summary presented by Mr. Anderson is as follows:

Summary of Provisions of Proposed Anderson Lead-Zinc Bill

1. Import quotas would be established independently for lead and for zinc by one of two methods on a quarterly basis, using the smaller figure determined as follows:

(a) Whenever the market price of the metal concerned during a prescribed period was less than 13½ cents per pound, an absolute quota restriction would apply.

(b) Whenever the domestic market price of the metal concerned exceeded 13½ cents per pound during a prescribed period, the quarterly import quota would be an amount equal to the difference between the United States domestic consumption and domestic production of that particular metal during a previous quarter used as a base period for this calculation. Production and consumption figures would be based on official U.S. Bureau of Mines reports.

2. Quotas shall be on a global basis eliminating the U.S. governmental problems of allocation amongst friendly nations. It would also eliminate the future needs for adjustment of quotas amongst nations caused by changes in supplies of concentrates and metal as new mines and plants come into production.

3. The allowable imports of metal (pig lead and slab zinc) could not exceed 10 percent of the total allowable lead and zinc quota. This is an additional restriction compared to the present quota regulations and would provide additional protection to the importing custom smelters, by limiting metal imports—their direct competition—and providing the necessary supply of concentrates to maintain the operation of their plants.

4. The lead absolute quota has two figures: 45,000 tons per quarter the first year, and 60,000 tons thereafter (providing the price is under 13½ cents). Similar figures for zinc are 80,000 and 100,000 tons per quarter. The lower figure for the first year is required to expedite the liquidation of present excessive metal stocks and permit prices to rise to a level at which domestic lead and zinc mining would be profitable.

5. Manufactured items containing lead and zinc are not presently restricted by quotas. Excessive imports of these goods effectively displace domestic production, and imports of most items have increased since quotas went into effect. This plan would place a quarterly import quota on lead-zinc manufactured items in an amount not to exceed the average imports during the calendar year 1953–57, the base year for the present quota regulations.

6. Quotas would be determined by the Secretary of the Interior and administered by the Secretary of the Treasury.

7. The present quotas established by Proclamation No. 3257 would be discontinued as this act becomes effective.

This type of adjustable quota, sensitive to needs and adequate supply, will protect the U.S. miner, will provide the custom smelters and consumers with needed supplies at a reasonable price and will provide the importer with a fair share of our markets at prices more beneficial to his business. The domestic mining industry can prosper with permanent provisions of this proposed legislation.

AMENDMENT OF SECTION 5(b) OF AREA REDEVELOPMENT ACT

Mr. MILLER. Mr. President, I introduce, for appropriate reference, a bill to amend section 5(b) of the Area Redevelopment Act in order to make certain farming areas of the country eligible for assistance under such act.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1535) to amend section 5(b) of the Area Redevelopment Act in order to make certain farming areas of the country eligible for assistance under such act, introduced by Mr. Miller, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. MILLER. Mr. President, in connection with certain hearings that are currently being held by the Senate Banking and Currency Committee on appropriate amendments to the Area Redevelopment Act, Public Law 87–27, I have introduced a bill, which has been brought to the subcommittee's attention, setting forth certain amendments to the act which I believe are needed.

It seems to me that the problem of areas of chronic unemployment is analagous to the problem of flood control. When the Federal Government attacks a flood problem—at Cairo, Ill., for example—we do not go to Cairo to build a large dam merely to contain the flood waters at Cairo. Instead, we begin work near the source of the problem—as far away as Montana—by building a system of small dams designed to hold the waters upstream. This takes the pressure off the focal point of the flood waters.

It seems to me that the flow of workers into major areas of unemployment or of potential unemployment is not being stopped under the present Area Redevelopment Act. This flow of workers aggravates the unemployment problem and also the problems of congestion, schools, and slums in these areas.

One writer asks me, "Why can't some of the Federal funds for activities under the Area Redevelopment Act and the Public Works Acceleration Act be spent at the source of the flow—in the agricultural areas, particularly—using the rural areas as reservoirs to catch the excess labor supply which will otherwise flow into the metropolitan areas?" I believe the point is well taken, and it is for this reason I submit the bill which I have sent to the desk.

The amendments set forth in the bill are self-explanatory. They would be readily enforcible because the Secretary of Agriculture has access to data which will enable him to render proper advice regarding the migration of farm operators and farmworkers and their families from the farms.

I would point out to the subcommittee that during 1961 and 1962 alone our farm population throughout the United States declined 1,322,000. The number of farms decreased by 260,900 and over 367,000 farm operators and farmworkers left the farm. These figures indicate that the flow of workers is great, and as long as it continues—and we are told that it will continue for a number of years—areas of chronic unemployment are likely to continue.

THE SPIRIT OF LIBERTY—PHILADELPHIA WORLD'S FAIR, 1976

Mr. CLARK. Mr. President, I introduce, and ask that it be referred to the Committee on Foreign Relations, a joint resolution to authorize the President to designate Philadelphia, Pa., as the site of a World's Fair commemorating the 200th anniversary of the signing of the Declaration of Independence. I ask that the joint resolution be referred to the Committee on Foreign Relations, because it calls for action by the Federal Government to support a petition by the city of Philadelphia to the Bureau of International Expositions, of Paris, France, and also because the companion joint resolution, introduced by Representative

William J. Green, of Pennsylvania, has been referred to the House Committee on Foreign Affairs.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 79) to authorize the President to designate Philadelphia, Pa., as the site of a World's Fair commemorating the 200th anniversary of the signing of the Declaration of Independence, introduced by Mr. Clark, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. CLARK. Mr. President, my home city of Philadelphia, Pa., the City of Brotherly Love, has, as its historic symbols, Independence Hall and the Liberty Bell. These are, indeed, the symbols—around the world—for freedom.

In 1776, with the signing of the Declaration of Independence in what was then the Pennsylvania State House, designed by the remarkable lawyer and architect, Andrew Hamilton, our Nation was conceived. Ten years later the Founding Fathers, meeting in the same place, successfully hammered out a Constitution for our country.

But Philadelphia represents more than political liberty; it is also a symbol of spiritual freedom. William Penn's "Holy Experiment" in religious toleration brought to the shores of Pennsylvania a diversity of peoples and faiths which incalculably enriched the life of the Nation. It is not generally known that Penn's experiment inspired Beethoven to attempt a new symphony, which—unfortunately—was never completed.

Philadelphia stands as a symbol, too, for freedom of inquiry. Here much of American science was born. Benjamin Franklin; the botanist, Bartram; the astronomer, Rittenhouse; and the physicians Wistar and Rush made Philadelphia an early seedbed for American scientific progress.

Philadelphia represents freedom of expression, for in our city the American press burst into full flower.

Political liberty, freedom of the spirit, freedom of inquiry, freedom of expression—these are the rocks upon which we have reared the world's oldest continuing democracy.

Mr. President, the revolution which persevered through the freezing winter at Valley Forge was more than our own national protest against oppression. The American Revolution was, and is, a global revolution. In these times when the status quo is so much admired, I think it wise for us to remember that we are a revolutionary nation born of armed revolt against a tyrant. Our Revolution was the spark which ignited the rising tide of expectations and struggle for self-determination that is still underway over most of the earth. The events in Philadelphia nearly two centuries ago are today remaking the faces of ancient civilizations in Asia, Africa, Europe, and Latin America.

In 1976, we celebrate the 200th anniversary of the most significant event in this American Revolution—the signing of the Declaration of Independence. It is also a significant event in the role of the Democratic Party in our country, because its founder, Thomas Jefferson, was also the author of the immortal Declaration of Independence; and those of us on this side of the aisle like to think that his principles in support of liberty and justice are still the basis on which we gather together in our Democratic Party.

Mr. President, the proposed World's Fair will memorialize 200 years of the struggle for political liberty, for religious freedom, for freedom of inquiry, and for freedom of expression.

It is fitting that such a world celebration be held on that historic date in our City of Brotherly Love.

The city of Philadelphia is now engaged in a renaissance, both physical and spiritual. It is rebuilding itself to fit the terms of the age of space, while preserving the rich fabric of history. We like to think that our city is run by creative people who look forward with confidence to the future and are prepared to meet its problems as we move along.

The plans for a new Philadelphia are keyed to 1976, when a rejuvenated city will extend from the waterfront Penn's Landing through the Independence National Historical Park and a gleaming new downtown, to the fair site on the banks of the Schuylkill River.

The city is already laying down its capital program to accommodate such a world's fair.

Mr. President, we do not ask for any substantial contribution from the Federal Government to this World's Fair, but merely that there be a U.S. building and exposition, as we hope there will also be buildings and expositions from most of the other free nations of the world.

It is necessary that we take action now on this important matter, Mr. President, in order that we may abide by international arrangements dealing with world fairs. There can be only one world's fair in each hemisphere every 15 years. The Seattle World's Fair closed last October. Therefore, we would like to have the assistance of the Federal Government in supporting the petition of the city of Philadelphia to the Bureau of International Expositions, at Paris, France, to set aside, as the next World's Fair in the United States within the period of 15 years, the proposed World's Fair for Philadelphia.

AMERICAN VETERINARY MEDICINE DAY

Mr. DOMINICK. Mr. President, in view of the context of the bill which we have been discussing today, I think the joint resolution which I am about to introduce is most appropriate. This is a joint resolution which would authorize June 9 to be recognized as American Veterinarian Day. The veterinarians in this country, who have laid the foundation to maintain a high level of livestock health and efficiency, have been largely responsible for the improvements that have gone on in the livestock industry for a great number of years. Their research and their experiments have benefited, and continue to benefit, human health. By their significant contributions in these fields it seems to me they have benefited the entire United States. It gives me pleasure, therefore, to send to the desk, for appropriate referral, a joint resolution under which we would ask the President to authorize June 9 as American Veterinarian Medicine Day.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 80) to provide for the designation of June 9, 1963, as American Veterinary Medicine Day, introduced by Mr. Dominick, was received, read twice by its title, and referred to the Committee on the Judiciary.

COMPREHENSIVE STUDY AND INVESTIGATION OF THE INTERNAL REVENUE LAWS

Mr. DIRKSEN. Mr. President, I submit a concurrent resolution, and ask that it be printed in full at the conclusion of my remarks. The resolution directs that the Joint Committee on Internal Revenue Taxation make a comprehensive study and investigation of the internal revenue laws, and submit to the Congress its recommendations for a general revision and simplification of the Internal Revenue Code of 1954. The Joint Committee is to report to each House from time to time; but its report dealing with the portion of the code relating to income taxes must be submitted to the two Houses not later than January 31, 1965.

Mr. President, if I underscored but one word in the text of this resolution, it would be the word "simplification." The necessity for a simplified revenue code far outweighs the need for a few reforms. The average taxpayer today is simply lost in our legal maze of tax law. The average businessman is required to employ accountants and tax attorneys in order that he can operate his business without fear of penalty from the Revenue Service. This situation has simply gone too far. It must be corrected. The code must be simplified, or it will collapse of its own weight.

Two recent experiences, with which all Members are familiar, portray this situation all too vividly. The expense-account regulations—the last of which was issued in April—made pursuant to legislation of last year, leave businessmen in a helpless state. They do not know what they can and what they cannot do under the law or the regulations. As a result, there has been a severe decline in this segment of business and a sharp increase in unemployment, all because the law and regulations are too complex for comprehension.

The Committee on Ways and Means of the other body have had the administration's tax proposal under study since February 6 of this year. The committee and its efficient staff have had the benefit of weeks of explanation by Treasury experts. Think what the helpless taxpayer will be faced with if this hodgepodge of so-called reforms is enacted.

I should like to use one more illustration, Mr. President: A young graduate student at the University of Illinois, who was receiving some assistance from the university, applied for a refund. The code provides that such assistance is not to be included as income. He applied for a refund. Forty-four months have elapsed; yet he has not received his refund. Why? Because the Revenue Service cannot decide what the law means, despite the fact that one Federal district court has passed on this question. At the University of Illinois, alone, there are more than 1,000 graduate students who are receiving such assistance. Neither they nor the university know what the law means; neither does the Revenue Service. This is an unconscionable situation.

The U.S. Tax Court has a backlog of 10,000 cases awaiting decision—all a result of this complexity of the tax law. Taxpayers are engaged in expensive litigation, lasting for 2, 3, or 4 years, in attempting to obtain a clarification of the code. These 10,000 cases do not include criminal prosecutions.

Mr. President, think what the position of the average taxpayer must be. The code to him must represent tax chaos.

Mr. President, I know that a simplified tax code will not be easily prepared. Yet, it can be done; in fact, it must be written. The committee will have access to the most eminently qualified and practical tax authorities in the preparation of a simplified tax code. The task will be hard; but failure to act could have dire consequences.

I am reminded, Mr. President, of the old proverb that the longest journey begins with the first step. Let us proceed to take that first step, and let us continue until we have a new simplified tax code.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 41) was referred to the Committee on Finance, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Internal Revenue Taxation is hereby directed to make a comprehensive study and investigation of the internal revenue laws and to submit its recommendations for a general revision and simplification of the Internal Revenue Code of 1954.

SEC. 2. (a) The Joint Committee shall, from time to time, report to the Senate and the House of Representatives the results of its study and investigation. The first report shall deal with the portion of the Internal Revenue Code of 1954 relating to income taxes, and shall be submitted to the two Houses not later than January 31, 1965. Reports dealing with other portions of the Internal Revenue Code of 1954, including the administration of the internal revenue laws and procedures thereunder, shall be submitted as soon as practicable thereafter.

(b) Each report of the Joint Committee under subsection (a) shall set forth in detail the recommendations of the Joint Committee for revising and simplifying the portion of the Internal Revenue Code of 1954 dealt with by such report and the reasons therefor, and shall contain a full discussion of the issues involved.

TV COVERAGE OF SENATE SESSIONS

Mr. JAVITS. Mr. President, for myself and the distinguished Senator from Oregon [Mr. MORSE], I send to the desk a resolution to permit television and radio coverage of selected Senate sessions during great debates on major issues, and ask that it be appropriately referred.

The resolution would give the Senate Committee on Rules and Administration authority to determine the times and conditions under which television and radio broadcasters would be permitted to cover the Senate proceedings.

There are only about 300 seats for the public in the Senate gallery. The right to witness public business should not be confined only to those whom the Senate Chamber will hold.

The resolution is designed to take account of those who fear television's effect on the legislative process. It is a reasonable and modest approach and essentially experimental. It would permit the Rules Committee, now composed of nine Senators of both parties, to determine if a particular debate was of sufficient public interest to warrant television coverage, much as congressional committees now determine if they will open hearings to television coverage.

I believe if we try this on a limited scale at first, we will be convinced that television coverage will have a beneficial effect on the legislative function. I believe, for example, that it would speed the often agonizing deliberative process because there would be less need to dramatize issues by extended debate. I believe also it will result in less time-consuming and more action-producing Senate procedures. I feel that filibusters on measures of urgent national interest would be most likely to yield soonest in practice—and perhaps even by rules changes—to such exposure. In short, it will result in a more informed citizenry and a more responsive Senate.

This is not an idea without precedent. Senate committees for several years have permitted the televising of selected committee investigating sessions, and these have been generally successful. In some cases, they have aroused widespread national interest leading to reform and other desirable objectives. The impact of television coverage of major United Nations debates is well known. In the past 3 years, legislative proceedings were open successfully to television in at least five States. In other States, legislative committee hearings and even some judicial proceedings were televised successfully.

This year a sure major debate will be on the tax cut, a vital issue that directly affects nearly every American. The American people should have a front seat in such a crucial debate. I can see only positive results from bringing Congress closer to the people in this way.

We have tried many ways to stimulate the interest of our people in Government. Television has proved it can awaken this interest effectively. I believe the time has come for the Senate to make a start toward using the great modern medium of television to advance the public interest.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 140) was referred to the Committee on Rules and Administration, as follows:

Resolved, That (a) the second paragraph of rule XXXIV of the Standing Rules of the Senate is amended by inserting therein, immediately after the first sentence thereof, the following new sentence: "Such regulations shall make appropriate provision for the reporting of proceedings of the Senate by radio or television at such times and under such conditions as may be specified in such regulations or by resolution of the committee from time to time."

(b) The second sentence of the second paragraph of rule XXXIV of the Standing Rules of the Senate is amended by inserting therein, immediately after the words "radio, wire, wireless", the term "television,".

FEED GRAIN ACT OF 1963—AMENDMENTS

Mr. CURTIS submitted amendments, intended to be proposed by him, to the bill (H.R. 4997) to extend the feed grain program, which were ordered to lie on the table and to be printed.

NOTICE OF HEARING ON S. 433

Mr. JOHNSTON. Mr. President, as chairman of the Committee on Post Office and Civil Service, I wish to announce that public hearings on S. 433 have been scheduled to begin at 10:30 a.m. on Wednesday, May 22, 1963, in Room 6202 New Senate Office Building.

S. 433 would repeal the provisions of law relating to the fixing by the Postmaster General with the consent of the Interstate Commerce Commission of rates of postage on fourth-class mail.

Representatives of the Post Office Department will be first to testify. Others wishing to be heard on this measure will be given an opportunity to do so at a later date.

NOTICE OF HEARINGS ON THE AUTOMATIC ADMISSION OF LICENSED ATTORNEYS TO PRACTICE BEFORE ADMINISTRATIVE DEPARTMENTS AND AGENCIES

Mr. LONG of Missouri. Mr. President, as chairman of the Subcommittee of Administrative Practice and Procedure of the Committee on the Judiciary, I wish to announce that hearings will be held before the subcommittee on S. 318 and S. 1466. These bills provide for the right of licensed attorneys to practice before administrative departments and agencies without meeting admission requirements of the departments and agencies. The hearings will be held at 10 a.m. on Tuesday and Wednesday, June 4 and 5, 1963.

All persons desiring to be heard are requested to notify the office of the Senate Subcommittee on Administrative Practice and Procedure by telephone to CA 4-3121, extension 5617, or by mail to Room 3216, New Senate Office Building, Washington 25, D.C.

It is requested that prospective witnesses, in compliance with subcommittee practice, file 25 copies of their statements with the subcommittee at least 24 hours before the hearings.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Herbert J. Lidoff, of the District of Columbia, to be an examiner-in-chief, U.S. Patent Office.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Tuesday, May 21, 1963, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING ON NOMINATION OF FRANK KOWALSKI TO BE A MEMBER OF THE SUBVERSIVE ACTIVITIES CONTROL BOARD

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, June 4, 1963, at 10:30 a.m., in room 2228, New Senate Office Building, before the Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws, on the nomination of Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board, for term expiring August 9, 1966.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

DONATION OF FEDERAL SURPLUS PROPERTY TO STATE PARK AGENCIES—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Indiana [Mr. Bayh] be added as a cosponsor to the bill (S. 1238) to permit the donation of Federal surplus personal property to State park agencies, and that his name be included in the next printing of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bill and resolution:

Authority of May 8, 1963:

S. 1476. A bill to provide for the establishment and administration of the Lincoln Trail Memorial Parkway in the States of Kentucky, Indiana, and Illinois, and for other purposes: Mr. Dirksen and Mr. Douglas.

Authority of May 2, 1963:

S. Res. 133. Resolution for a White House Conference on Cancer: Mr. Javits.

OAKLEY DAM AND RESERVOIR, SANGAMON RIVER, ILL.

Mr. DIRKSEN. Mr. President, the Oakley Dam and Reservoir, on the Sangamon River, Ill., to provide for flood control, water supply, and recreational purposes by the construction of a dam and reservoir with a capacity of 148,000 acre-feet, including 11,000 acre-feet for a permanent water supply for the city of Decatur, and a recreation pool, was authorized by the Rivers and Harbors Act, approved October 23, 1962.

The sum of $125,000 for preconstruction planning of the project was included in the Public Works Appropriation Act of 1962. There is in the approved budget recommendations for fiscal year 1964 an item of $200,000 to continue the advanced engineering and design of the Oakley Dam and Reservoir.

On May 6, 1963, the City Council of Decatur passed a resolution in support of the $200,000 item. I ask unanimous consent to have a certified copy included at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

City of Decatur,
Decatur, Ill., May 8, 1963.

U.S. Senator Everett M. Dirksen,
U.S. Senate,
Washington, D.C.

Dear Sir: The City Council of the City of Decatur, Ill., adopted the attached certified copy of Resolution R-454, supporting appropriation bill in the Congress of the United States for $200,000 in additional planning funds for work on the Oakley Dam and Reservoir project.

Yours very truly,

David R. Kirk,
City Clerk.

Resolution R-454

Whereas there has been introduced in the Congress of the United States a bill to appropriate $200,000 in additional planning funds for work on the authorized Oakley Dam and Reservoir project; and

Whereas the city of Decatur has expressed its great concern and support for this project by its willingness to contribute $5 million toward its cost; and

Whereas said dam and reservoir is necessary for the flood control, water supply and recreation needs of this whole area: Now, therefore

The City Council of the City of Decatur does resolve to support and urge the early passage of this appropriation by the Congress; and further

Directs that a copy of this resolution be sent to each U.S. Senator and Representative from this State and district as an expression of support and interest.

Adopted: May 6, 1963.

Ellis B. Arnold,
Mayor.

Attest:

David R. Kirk,
City Clerk.

SENATE ANTITRUST AND MONOPOLY SUBCOMMITTEE'S MINORITY STAFF

Mr. DIRKSEN. Mr. President, on March 19 of this year, the Senate adopted Senate Resolution 56, with amendments, which provided some, but not all, of the additional funds that the Senate Judiciary Committee, by unanimous vote, agreed to give to the Antitrust and Monopoly Subcommittee's minority, to increase its staff. By way of background, the subcommittee originally asked for $475,000 for a 12-month period. I moved, and the Senator from Nebraska [Mr. Hruska] seconded the motion, to reduce that amount to $375,000. That motion was defeated. Before the Senate Judiciary Committee, Senator Hruska and I urged that the Senate Antitrust and Monopoly Subcommittee be permitted to have five additional minority staff members—three professional and two secretaries—from the existing appropriation, so that the minority would have sufficient help to keep pace with the expanded activities of the Senate Antitrust and Monopoly majority, which in reality was operating as three special subcommittees within a subcommittee. The Senate Judiciary Committee unanimously voted, however, to give the Antitrust Subcommittee $60,000 additional funds to appoint five additional minority staff members.

When the matter was argued on the floor of the Senate on March 19, 1963, the Rules Committee amended the original report and made available to the minority what amounted to $41,000 for the additional staff people.

Mr. President, Senator Hruska, Senator Keating, and I, who are the three minority members of the subcommittee, believe we have a fine selection of staff members who will do credit not only to the minority, but also to the Senate as a whole. They are, as follows:

Peter N. Chumbris, of Washington, D.C., who has been senior minority counsel since 1957. He will serve as chief counsel to the minority.

Kirkley S. Coulter, of North Dakota, who until recently has been serving as Chief, International Commercial Relations Division, U.S. Tariff Commission, has been named the economist for the minority.

Ronald D. Raitt, of Nebraska, a minority counsel of this subcommittee for the last year and one-half, has served as Assistant U.S. Attorney in Nebraska.

James F. Bailey, of Colorado, a minority counsel for the past year, served as minority counsel to the Senate Commerce committee.

Abbott A. Leban, of New York, a former Assistant U.S. Attorney for the District of Columbia, will serve as a minority counsel.

Joining the subcommittee on June 1 of this year is Bernard J. Waters, of Illinois, a former Assistant U.S. Attorney in Illinois, who presently is serving as minority counsel to the Senate Constitutional Rights Subcommittee.

We believe that the above-named professional staff members have an excellent background, and in the past each has given dedicated Government service.

The subcommittee is fortunate to have a very fine secretary to the minority, Esther H. Esmond, who has been with the subcommittee for the past 3 years. One additional secretary will join the subcommittee in the near future.

Mr. President, I bring the minority staff to the attention of the Senate, so that Members may know who they are, and also may know that we have kept faith with the Senate in appointing a minority staff that will be dedicated to the best interests of the Senate and our country.

U.S. MILITARY PERSONNEL OF KOREAN WAR STILL HELD PRISONER

Mr. DIRKSEN. Mr. President, in our country there is still great concern concerning American military personnel of the Korean war who are still being held prisoner. In support of efforts to free these men held prisoner behind the Iron Curtain, there is an organization known as the Fighting Homefolks of Fighting Men, with headquarters at Glenwood Springs, Colo. This organization is headed by Capt. Eugene R. Guild, U.S. Army, retired. Captain Guild's son, Marine Lt. John Guild, was killed in Korea in 1950, and was awarded the Navy Cross. Captain Guild has sent to me a petition, addressed to Congress, supported by 2,061 signers, of whom 16 are from my State of Illinois, urging our Government to take resolute action to liberate from Communist imprisonment these American prisoners from the Korean war and other American prisoners to whose capture there are no surviving eyewitnesses.

Mr. President, I ask unanimous consent that this petition; a State Department note of July 16, 1956, to the Kremlin; a newsclipping on return of Italian prisoners of war, dated August 9, 1959; Department of Defense Document P–28.1; a Department of Defense news release 1121–53, and an article from the Rocky Mountain News be inserted at this point in the RECORD, as part of my remarks.

There being no objection, the petition and the accompanying papers were ordered to be printed in the RECORD, as follows:

AN URGENT PETITION TO THE CONGRESS OF THE UNITED STATES

We, the undersigned, petition our representative in Congress for help in getting the Government to take resolute action to liberate from Communist imprisonment 389 American prisoners from the Korean war and other American prisoners to whose capture there are no surviving eyewitnesses.

There is evidence that the 389 were alive in Communist hands; some of the evidence consisted of letters written by the POWs from Communist prison camps, telling their kin that they were alive and well. There is absolutely no evidence that they have died between the time when they were known to be alive and the present time.

Therefore we believe that they are still alive in Red China or the Soviet Union, because of the Communists' well known habit of holding POWs of all nations, sometimes for over 13 years, while they were denying holding any POWs. Our men have been missing only a little over 9 years from "big switch."

We are strengthened in this belief by a note from our State Department to the Kremlin, dated July 16, 1956, stating: from "reports, so persistent and detailed, and so credible, the U.S. Government is informed and compelled to believe" that the Soviets are holding some of 22 named airmen shot down by the Soviets 6 years and 4 years before the date of the note (in 1950 and 1952). And because, what is even more significant, paragraph 3 of that same note stated: "It may well be that the Soviet Government has in custody members of the crews of other U.S. aircraft, engaged on behalf of the U.N., in Korea since 1950."

War should not be necessary in order to liberate these men. There are many severe economic and diplomatic pressures available which have not been used by the U.S. Government.

The abandonment of captured soldiers is appeasement and is a degenerate act. The American soldier is not receiving a loyalty from his country equal to the loyalty which he gives his country by pledging to give his life for it. The soldier is beginning to realize that fact, and the morale of the Armed Forces is sinking because he does realize it. If the military morale should fall below a certain point, the United States would be defenseless despite all of its armaments.

We urge that you be satisfied only with resolute action, not token negotiations and doubletalk.

William R. Stratton, Arlington Heights, Ill.; Rod Frazier, Wilmette, Ill.; Carl Hixon, Arlington Heights, Ill.; Donald M. Gwaltney, Chicago, Ill.; Virgil C. Jones, Jr., Park Ridge, Ill.; Burt Manning, Chicago, Ill.; Krieg Park, Lombard, Ill.; Charles Blakemore, James S. Wilson, Evanston, Ill.; Don Geronsky, Eric Stegler, Chicago, Ill.; Leonard Ellior, Skokie, Ill.; Carl T. Miller, Chicago, Ill.; Theodore R. Marston, Evanston, Ill.; Harry I. Jell, Frank H. Kaiser, Chicago, Ill.

DEPARTMENT OF STATE,
July 16, 1956.

SOVIET DETENTION OF U.S. AIRCRAFT INCIDENT SURVIVORS

Following is the text of a note delivered to the Soviet Ministry of Foreign Affairs by the American Embassy in Moscow today concerning Soviet detention of U.S. aircraft incident survivors:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics and has the honor to refer to the question of the detention of U.S. military personnel in the Soviet Union.

"The U.S. Government has for some time received from persons of various nationalities freed from Soviet Government imprisonment during the last several years, reports that they have conversed with, seen or heard reports concerning U.S. military aviation personnel, belonging either to the U.S. Air Force or to the U.S. Navy Air Arm, in actual detention in the Soviet Union. The U.S. Government has sought in all such cases to obtain, if possible, precise identification of American nationals detained by the Soviet Government, although it notes that by international law and international practice the Soviet Government is obliged to inform the U.S. Government first of any American nationals whom the Soviet Government holds in custody or to permit such nationals to communicate with the proper U.S. authorities.

"The reports concerning such personnel have now become so persistent and detailed, and so credible, that, although the U.S. Government is not able to identify by name these American nationals now detained by the Soviet Government, it requests the Soviet Government to inform the U.S. Government in detail concerning each American military person who has been detained in the Soviet Union at any time since January 1, 1949, of whom the U.S. Government has not heretofore been informed by the Soviet Government, giving in each case the name of the person and the circumstances underlying his detention.

"Specifically, the U.S. Government is informed and is compelled to believe that the Soviet Government has had and continues to have under detention the following:

"1. One or more members of the crew of a U.S. Navy *Privateer* type aircraft which came down in the Baltic Sea area on April 8, 1950. The U.S. Government has since that time received reports that various members of the crew of this U.S. aircraft were, and are, detained in Soviet detention places in the far eastern area of the Soviet Union. In particular, it is informed, and believes, that in 1950 and in October 1953, at least one American military aviation person, believed to be a member of the crew of this U.S. Navy *Privateer*, was held at camp 20 allegedly near Taishet, and collective farm 25, approximately 54 kilometers from Taishet, said to be under sentence for alleged espionage. This American national was described as having suffered burns on the face and legs in the crash of his aircraft and using crutches or a cane.

"Reports have been received from former prisoners of the Soviet Government at Vorkuta that in September 1950, as many as eight American nationals, believed to be members of the crew of the U.S. Navy *Privateer* to which reference is made, had been seen in the area of Vorkuta and specifically, that one person who was interned at Vorkuta in September 1950, stated that he was serving a 25-year espionage sentence and had been a member of a downed U.S. aircraft.

"For the information of the Soviet Government, the crew of the U.S. Navy *Privateer* when it departed for its flight over the high seas of the Baltic consisted of the following U.S. Navy personnel, all nationals of the United States:

"Fette, John H., Lieutenant, 320676 U.S. Naval Reserve; Seeschaf, Howard W., Lieutenant, 264095 U.S. Navy; Reynolds, Robert D., Lieutenant (j.g.), 368573 U.S. Navy; Burgess, Tommy L., Ensign, 506762 U.S. Navy; Danens Jr., Joe H., AD1, 3685438 U.S. Navy; Thomas, Jack W., AD1, 2242750 U.S. Navy; Beckman, Frank L., AT1, 2799076 U.S. Navy; Purcell, Edward J., CT3, 2540438 U.S. Navy; Rinniar Jr., Joseph Norris, AT3, 2542600 U.S. Navy; Bourassa, Joseph Jay, AL3, 9539864 U.S. Navy.

"2. One or more members of the crew of a U.S. Air Force B–29 which came down on June 13, 1952, either over the Sea of Japan or near the Kamchatka area of the Soviet Union. An officer, believed by the U.S. Government to have been a member of this crew, was observed in October 1953, in a Soviet hospital north of Magadan near the crossing of the Kolyma River between Elgen and Debin at a place called Narionburg. This officer stated that he had been convicted, wrongfully, under item 6 of article 58 of the Soviet Penal Code.

"For the information of the Soviet Government, the U.S. Air Force personnel on board the B–29 which has been missing since June 13, 1952, were as follows:

"Busch, Samuel N., major, AO733811; Sculley, James A., first lieutenant, AO693414; Service, Samuel D., first lieutenant, AO752509; McDonnell, Robert J., first lieutenant, AO2222264; Homer, William B., master sergeant, AF7025704; Moore, David L., master sergeant, AF15229915; Blizzard, William A., master sergeant, AF19244175; Monserrat, Miguel W., master sergeant, AF13164064; Berg, Eddie R., staff sergeant, AF17281746; Bonura, Leon F., staff sergeant, AF18359162; Becker, Roscoe G., staff sergeant, AF19391813; Pillsbury, Danny H., A LC, AF18245964.

"3. While the foregoing specific cases involve the crew members of two aircraft, it may well be that the Soviet Government has in its custody members of the crews of other U.S. aircraft, particularly crew members of aircraft engaged on behalf of the United Nations Command side of the military action in Korea since 1950.

"The U.S. Government desires that the Soviet Government make its inquiry on the foregoing subject as thoroughly as possible, but that it keep this Embassy informed of progress as soon as possible."

Italy Still Seeking Lost Army of 63,000

ROME, August 8.—Italy has been unsuccessful in a 16-year effort to determine the fate of 63,000 of her soldiers lost in the battle of the Don, inside the Soviet Union during World War II, according to a "green" book of protest issued by the government section in charge of repatriation of prisoners.

By contrast, the United States, Britain, and France returned or accounted for all prisoners within a few months of the Italian surrender in World War II. The United States sent back 51,420, Britain 158,225, and France 35,589, reported a total dead of 833 and added that some had stayed behind voluntarily as permanent residents, 1,330 in England and 780 in France.

The green book lists both the public and unpublicized efforts Italy has made since 1943 in dealings with the Soviet and Polish Embassies in Rome, with the Soviet Foreign Ministry and with the United Nations in an effort to get death certificates, at least, on those that have died, and information on the fate of those still alive. According to the book, repeated Soviet statements that the repatriation of Italians is over and that none are any longer detained in the Soviet Union are unconvincing because at least 68 in three groups were released between 1947 and 1957, after the Soviets had insisted that the matter was closed. In the case of four ex-soldiers released between 1954 and 1957, their families already were drawing death pensions.

The missing men were part of a force of 220,000, the components of nine divisions, who were defeated in the battle of the Don in December 1942 and January 1943. Some 30,000 were frozen or wounded and 85,000 dead or missing. The questioning of those who succeeded in getting back to Italy established the death toll at 11,000. The Soviets in 1946 returned 10,030. Since then, the Soviets have reported the death of several hundred others, leaving 63,654 for whom no accounting ever has been possible.

The issue has remained as a thorn in the side of Italian-Soviet relations. Although diplomatic contact is now on a normal basis and occasional trade and cultural missions are exchanged, the Italian grievance over the prisoners has thwarted every Soviet effort to establish more cordial ties with Italy.

DEPARTMENT OF DEFENSE

Tentative final report of U.S. battle casualties in the Korean War [1]

	Total Department of Defense	Army	Navy	Marine Corps	Air Force
1. Total casualties (sum of lines 3, 4, 5, and 6)	142,091	109,958	2,087	28,205	1,841
2. Total deaths (sum of lines 3, 4(*a*), 5(*a*) and 6(*a*))[2]	33,629	27,704	458	4,267	1,200
3. Killed in action (total)	23,300	19,334	279	3,308	379
4. Wounded in action (total)	105,785	79,526	1,599	24,281	379
(*a*) Died of wounds	2,501	1,930	23	537	11
(*b*) Wounds not mortal	103,284	77,596	1,576	23,744	368
5. Missing in action (total)	5,866	4,442	174	391	859
(*a*) Died while missing	5,127	3,778	152	391	806
(*b*) Returned to military control	715	664	13	0	38
(*c*) Currently missing	24	0	9	0	15
6. Captured or interned (total)	7,140	6,656	35	225	224
(*a*) Died while captured or interned	2,701	2,662	4	31	4
(*b*) Returned to military control	4,418	3,973	31	194	220
(*c*) Refused repatriation	21	21	0	0	0

[1] These data indicate the cumulative number of permanent and temporary losses from effective military strength as the result of enemy action during the period June 25, 1950, to July 27, 1953. The figures reflect findings of presumptive death and other determinations, changes in status, and revisions processed through Sept. 30, 1954.

[2] Includes 4,735 findings of presumptive death under the Missing Persons Act; 61 removed in '90 from list of 452; 4,674 still missing, including the 389 known to have been captured and under negotiation at Panmunjom and Warsaw.

DEPARTMENT OF DEFENSE,
OFFICE OF PUBLIC INFORMATION,
Washington, D.C. November 20, 1953.

Army To Make Presumptive Finding of Death in About 4,000 Cases of Men Missing in Action

The Department of the Army announced today that a presumptive finding of death will soon be made in the cases of about 4,000 officers and men who have been missing in action in Korea for more than 1 year and for whom there is no information that would indicate they might still be alive.

The contemplated action is in accordance with section 5 of the Missing Persons Act, which reads as follows:

When the twelve months' period from date of commencement of absence is about to expire in any case of a person missing or missing in action and no official report of death or of being a prisoner or of being interned has been received, the head of the department concerned shall cause a full review of the case to be made. Following such review and when the twelve months' absence shall have expired, or following any subsequent review of the case which shall be made whenever warranted by information received or other circumstances, the head of the department concerned is authorized to direct the continuance of the person's missing status, if the person may reasonably be presumed to be living, or is authorized to make a finding of death. When a finding of death is made it shall include the date upon which death shall be presumed to have occurred for the purpose of termination of crediting pay and allowances, settlements of accounts, and payments of death gratuities and such date shall be the day following the day of expiration of an absence of twelve months, or in cases in which the missing status shall have been continued as hereinbefore authorized, a day to be determined by the head of the department."

Emergency addressee(s) will be notified of the presumptive finding of death in each case, with notifications to be made during January, 1954.

At the present time, there are about 6,300 personnel being carried on Army rolls as "missing in action." The Army expects to resolve the remaining cases of this overall total by administrative actions based upon evidence furnished by recently repatriated servicemen, by recovery of remains in battle areas, or information obtained from other sources.

In the meantime, the Army will continue to carry those missing in action for less than 12 months as missing, but after January 31, 1954, they and their beneficiaries will not be entitled to any further accrual of benefits provided by the Missing Persons Act unless that act's duration is extended by the Congress.

Presumptive finding of death is optional not mandatory as alleged by State and Defense.

[From the Denver (Colo.) Rocky Mountain News, Feb. 27, 1959]

Fight To Get Help to Missing GI's Is Being Continued

GLENWOOD SPRINGS, Feb. 26.—A 63-year-old retired U.S. Army captain said Thursday he and the organization he heads will keep on fighting to try to get help to missing American servicemen held prisoner behind the Iron Curtain.

"I believe I was the first parent to protest publicly against the treatment by our Government of our soldiers fighting in Korea," said tall, white-haired Eugene R. Guild.

"I always have felt our men were fighting with one hand tied behind their backs because the Government refused to give them all the weapons available to us to crush the enemy."

SON WAS KILLED

Guild's son, Marine Lt. John Guild, was killed in Korea in 1950 and was awarded the Navy Cross.

Soon afterward, the father founded the organization he calls Fighting Homefolks of Fighting Men.

"It's a very loose organiaztion, with no formal membership," he said. "It's made up of parents, wives and other relatives of Americans held by the Communists, and we all are trying to do something about it."

Three weeks ago Guild wired President Eisenhower, urging him to accept Premier Khrushchev's invitation to visit Russia.

He said the President might have a chance to visit camps where American airmen, shot down by the Soviets, reportedly are held, and "your visit could result in the liberation of our sons.

NO COMMENT

Since then letters from missing airmen's relatives have gone to the President from Pennsylvania, Louisiana and Indiana. James C. Hagerty, presidential press secretary, said Wednesday there would be no White House comment.

Guild said Thursday that a decision by the President to go to Russia would strengthen servicemen's morale and would "show the Communists we are not ready to surrender our captured soldiers—or surrender our other liberties."

Guild served with the Army artillery in France duirng World War I and later in the Philippines.

"Our philosophy," Guild said in referring to his Fighting Homefolks organization, "is that the American soldier is not receiving loyalty from his Government equal to the loyalty he pledges to his Government."

THE MOON SHOT

Mr. DIRKSEN. Mr. President, the minority policy committee, under the direction of the Senator from Iowa [Mr. HICKENLOOPER] and Mr. Teeple, as the staff director, have published a very interesting study under the title "A Matter of Priority," which is an examination of the budget and the benefits of the Moon shot, in relation to other national problems. I think the study merits wide currency. To that end, I ask

unanimous consent that it be printed in the Record as a part of my remarks.

There being no objection, the study was ordered to be printed in the Record, as follows:

A MATTER OF PRIORITY

INTRODUCTION

The history of mankind has been that of expanding horizons, from cave mouth to farmstead, until now we stand at the rim of the universe. It has been a long and tortuous development and few reasonable men seriously advocate a pulling back at this point in human development.

The question is not then, whether man will ultimately reach the Moon and beyond. The question is rather, how shall it be done, and whether other aspects of human needs should be be bypassed or overlooked in the one spasmodic effort to achieve a lunar landing at once.

Space exploration must and will come. But what priority should be applied to it in the total national effort? The decision of priorities must be made on the basis of overall benefit to the free world and not on the adolescent desire to beat the Russians in a space race.

For an American to set foot on the Moon is a proper objective of national policy, but whether it justifies the major concentration of scientific talent to the exclusion of other endeavors is a matter open to debate.

No fruitful discussion can be held unless the emotional trappings, the verbal excesses are removed. A cold, careful examination is past due.

Our generation must ask itself—and answer—some basic, unpleasant questions:

Is it more important to have a man on the Moon than to conquer cancer which will take the lives of 40 million Americans now living?

Is lunar exploration more important to mankind than freeing ourselves from the tragic chains of mental illness, which now accounts for one of every four American hospital beds?

Is a fistful of lunar dust meaningful to the 17 million Americans who, we are told, go to bed hungry each night?

Is a pathway to the Moon more vital than a highway system devoid of the slaughter which now claims 40,000 lives annually?

Is seeing the other side of the Moon more important than seeing our children free of leukemia?

Of what value are the charts of the Moon to the 129 Americans now entombed in an uncharted ocean?

Is being there first more important than insuring an adequate water resource for our great metropolitan centers?

Is applying our national intellect to a Moon race more valid than educating our heirs so they can become useful, productive members of society?

Is putting a man on the Moon more important than developing techniques for making use of our stored natural resources?

Is manned lunar flight of more value than bringing order to a world of emerging nations?

The United States has been committed to a race for the Moon, partly at least due to our own emotional drive always to be first, always to be best in whatever we try. This race, for which the prize is perhaps a propaganda triumph over the Soviets will cost us up to $40 billion (estimates vary from day to day and scientist to scientist).

Top priority has been assigned to Project Apollo, our Moon shot, designed to place three astronauts on the Moon before the end of this decade. Priority decisions are political and are not made by the scientists and technicians.

For momentary transcendence over the Soviet Union we have pledged our wealth, national talent, and our honor.

IN SUPPORT OF MANNED LUNAR EXPLORATION

Those in favor of a crash program and an all-out immediate effort to place an American on the Moon during this decade usually support their belief with four basic advantages to be gained. These are:

1. Military: It is maintained that the first nation to explore and conquer the Moon will have a distinct military advantage. It is pointed out that missiles located on the Moon would dominate the entire terrestrial globe. It is also pointed out that the Moon would serve as a large stable observation post from which the conquering nation could observe freely and accurately all happenings on Earth.

2. Propaganda: The proponents of speeded up manned lunar exploration maintained that the propaganda advantage for the first nation placing one of its citizens on the Moon would be tremendous and lasting. The United States, they say, cannot afford to allow any other country to obtain this advantage over us. The shock to the free world, they say, would be permanent and traumatic if the Soviets were to accomplish this manned exploration before the United States. By inference, they say that the same thing would be true of the Communist bloc should the United States be first.

3. Technological fallout: This phrase describes the side-effect benefits to science and humanity through the experiments and the research necessary to place a man or men on the Moon. These side effects, the proponents maintain, involve all fields of scientific endeavor, medicine, communications, radiation, astronomy, etc. For example, they point out, the communications system which will be necessary to maintain contact between our lunar explorers and Earth will greatly enhance the on-Earth communications network. The facts which we learn in this research will ultimately benefit the homeowner who wants to telephone the grocery store.

4. Scientific advantage: This is perhaps the most important of the arguments by the proponents of a crash lunar race. The immediate data brought back by our space travelers is not the essential scientific gain. It is pointed out that Earth's atmosphere so interferes with light rays that our astronomers are seriously handicapped in their efforts to study the universe around us. There is no atmosphere on the Moon and therefore the astronomers could set up the kind of observatory which would enable human eyes to penetrate many millions of light years beyond our present limitations. This, proponents say, would enable mankind to unlock many more of the doors which have barred us from knowing and understanding what has been going on and is going on in the far reaches of outer space. This, they say, obviously would permit us to make even further gains in exploring space and new worlds.

IN OPPOSITION TO A CRASH PROGRAM

There is a body of American and European scientific thought which discounts the four basic arguments as reasons for a crash program to place an American, or for that matter a Soviet, citizen on the Moon. Their arguments generally run like this:

1. Military: Scientists point out that a missile placed on the Moon and aimed at an earth target is 240,000 miles away. It is, they say, infinitely more difficult to place a warhead on target and any slight miscalculation could be disastrous. These scientists also say that the cost of such a missile is approximately a thousand times more than a missile located on Earth. As for observation, astronomers who oppose the crash Moon exploration program say that 240,000 miles of space makes the kind of observation necessary for military surveillance very difficult, even impossible.

Another significant and perhaps imperative consideration is the effect upon our national defense program caused by the diversion of electronic and missile experts to the far outer space probes.

Many maintain it is essential that the United States produce and stockpile the most efficient and reliable system of intercontinental ballistic missiles to guarantee the security of the United States and the free world from any conceivable aggressive move.

At the present time this has not been accomplished to the satisfaction of many military experts.

Intrinsic prudence, according to some, demands that we concentrate on the development of families of missiles operating in the suborbital and orbital areas rather than to devote such a large proportion of our effort to lunar shots.

To allow the Soviet Union to dominate the atmosphere 100 miles above the Earth's surface while we seek to put a man on the Moon could be, in the opinion of many, a fatal error.

2. Propaganda: Opponents of the crash program concede that there would be momentary advantage to whichever nation first lands a manned space craft on the Moon. However, they note that after the Alan Shepard suborbital flight, there was only a temporary exhilaration in the United States; and this same held true for the John Glenn orbital flight. World reaction, they say, soon cooled off after both the Soviet triumphs and the American exploits. This orbiting of the Earth, they point out, has become practically routine. The same reaction, they say, will prevail after the first enthusiasm engendered by a landing on the Moon. They feel it is hardly worth $40 billion to get a few weeks of headlines.

3. Technological fallout: Opponents of the crash program maintain that this is highly overrated. Dr. Philip H. Abelson, editor of Science magazine, published by the American Association for the Advancement of Science, in an April 19 editorial had this to say: "The National Aeronautics and Space Administration has sought examples of technological fallout in its program. To date, those cited have not been impressive. The problems of space are different from the earthly tax-paying economy."

Others in the scientific field have contended that whatever fallout occurs is more than offset by the tremendous raid on the scientists and technicians being made in the name of "Project Apollo." A group of scientists is quoted in hearings before the Senate Committee on Aeronautical and Space Sciences (transcript of hearings, Apr. 24, 1963, p. 26) as saying that if NASA's program is carried out "at least 60 percent of the men in the physical sciences will be working as Government employees for NASA." This point was argued and NASA spokesmen conceded the figure would be between 7 percent and 10 percent. Even this lower figure, scientists say, may cripple efforts in other vital fields of research.

4. Scientific advantage: Here, even opponents of the crash program concede, lies the only major benefit to be achieved. However, they point out that, as does Dr. Polycarp Kusch, Nobel laureate in physics at Columbia University, "instrument exploration is almost certainly more effective and cheaper." Instruments are more accurate than humans, and are more sensitive to light, heat, and cold than would be a spaceman in his insulated, pressurized suit. Dr. Kusch adds: "I'd rather see us explore space in a more temperate and well-thought-out way."

5. Lack of order: Opponents to our crash program point out that in our exploration of outer space we must be careful not to make the same mistake that apparently has been made in the development of atomic power. In this field, instead of proceeding in a scientific orderly fashion by constructing and testing various types of atomic

reactors, we hastily began to install in populated areas uneconomic and perhaps hazardous reactors just so we could brag that we were producing electricity through atomic fission. The billions of dollars thus far expended in this area undoubtedly would have vastly enriched our knowledge of reactor technology and perhaps even produced a safe economical product (which we do not now have) if more orderly scientific procedures had been used.

Summing up, opponents to a $20 billion to $40 billion crash lunar program maintain that the arguments for such a program are either specious or not important. They do say that eventually man, if he follows an orderly and logical course, will reach the moon. However, they contend that there is no hurry and that it would be a lot less costly, and far greater values would accrue to mankind, if we take it easy and try to accomplish our ultimate purpose step by step. We have by no means exhausted the scientific gains to be made from orbital flights and space platforms. Crash program opponents suggest that instead of putting all of our wealth into Project Apollo we concentrate on developing an orderly approach to space exploration and try to assimilate some of the scientific data which we have already acquired through such projects as Mariner II.

In connection with Mariner II, the National Aeronautics and Space Administration has admitted to the Senate Aeronautical and Space Sciences Committee that most of the scientific data acquired has not been distributed. As far as the general public is concerned, all we know now with greater certainty about Venus, that we didn't know a year ago, is that Venus is hot. A great deal of valuable information was sent back to Earth by the spacecraft but only NASA scientists have had access to this information to date.

Scientists who oppose the lunar exploration race also make the point that five Ranger shots at the Moon by the United States have failed. Their contention that only second-rate technicians have been used for the Ranger program because all of the top, good scientists have been put on Project Apollo.

To date NASA has spent approximately $8 billion. Over $4 billion has been spent on the Apollo project, much of it devoted to building a rocket, the Saturn series, which at best is not as good as a 6-year-Russian rocket which first put a Sputnik in orbit.

By the end of fiscal year 1964, NASA will have spent $8.6 billion on Apollo and we will still be a long way from the moon. NASA administrators maintained total cost of Apollo will be about $20 billion. They say that the heavy construction costs are in the past and that a great deal of basic research—very expensive research—has already been done. NASA's budget has doubled each year under the Kennedy administration, from $1.8 billion in fiscal 1962 to $5.7 billion in fiscal 1964. NASA's budget is now fourth largest for the Federal Government, trailing only those for Defense, Treasury, and Agriculture.

This $5.7 billion figure represents one-twentieth of our total Federal budget. In other words, of every $100 our Government spends for all purposes, $5.75 goes for the Moon race.

NASA's 1964 budget exceeds by over $1 billion the total Federal budget for 1933 ($4.5 billion) and exceeds by $500 million the total receipts of our Government in 1940 ($5.1 billion).

Of each year's budget, approximately $3.9 billion will be spent for Apollo. It is hard, administrators say, to see how this money can physically be spent. Scientists, they say, will be sitting on one another's laps.

NASA concedes that there may be some duplication between what it is trying to accomplish and what the Department of Defense is doing. It also concedes that there has not been adequate communication between the two agencies. For instance, medical test centers for astronomers are being operated by Defense and new ones will be constructed by NASA. The Senate committee was puzzled as to why one such center couldn't do for both.

It was also brought out in hearings in late April that NASA plans to build its own navy. The agency told the committee it needed three communications ships at a cost of $30 million each located at strategic points around the globe to track and contact the Apollo astronauts on their long day's journey to the Moon. The Senators asked agency spokesmen if they had ever considered contacting the Department of Defense to see if perhaps some of our surplus naval vessels might not be adequate for the job. Subsequently, a Defense Department spokesman told the committee that the Navy could provide five tracking ships completely adequate for the job at a total cost of $80 million. NASA will have its Navy, a bigger one than originally planned but at a saving of $10 million to the taxpayer.

This example, according to both scientists and business administrators, demonstrates the kind of waste which must be present in a vast, crash program of any kind, whether in space, oceanography, or in atomic energy.

Opponents of Apollo also contend that there is a serious danger that the pathway to the Moon may become America's own Maginot line.

PROBLEMS IN SEARCH OF A SOLUTION

As the world moves through the 20th century, new and perplexing problems have developed in every field of endeavor. On many of these we have been working for generations but have yet to find the answers.

The problems are not new, but have been complicated by an expanding and more mobile population. The shift from a predominantly rural to an urban society has brought with it new medical, technical and social problems to both the urban centers and the abandoned rural areas. Increasing life span has introduced all the problems concerning the aged.

Many civic and scientific leaders feel that these problems have an equal right with moon travel to the best talent available in this country. It is their contention that without resolving these problems on Earth, lunar exploration will have little ultimate meaning.

Unlike the ocean tides, the ebb and flow of human problems are not controlled by the Moon and neither should be their solutions.

In outlining some of the basic problems of our civilization, no advocacy of large government spending programs is intended. However, within the framework of fiscal responsibility, these problems should, perhaps, be examined side by side with the Moon shot program. It is felt by many scientists, among them most of the American Nobel prize winners, that there are other areas as important to the future of the United States as a crash program of lunar exploration. Among the problems:

Disease

It has been estimated that 40 million Americans now alive will die of cancer. This disease is not new nor are its dangers unrecognized.

The fiscal 1964 Federal budget for cancer research totals $145 million. This is equivalent to the cost of four Saturn V rocket motors. Each of these motors will flame for 2 minutes and then be forever lost.

One of every four hospital beds in the United States is today occupied by someone who is mentally ill. Some few of them can today expect to return to a normal life and to take up once again their duties and responsibilities in society. Too few of them will ever become useful citizens again unless a first-rate program of research and development is pushed on a national level and pushed hard.

For fiscal 1964 mental health programs in the National Institutes of Health will receive $190 million. This is equivalent to the rocket motors alone for six Saturns to be used eventually to put three men on the Moon.

Each year in the United States alone 900,000 persons die of heart diseases.

There are 10 million Americans now suffering from some form of heart disease.

The National Government through the National Heart Institute in 1964 will spend approximately $13 for each of these Americans to develop cures, new surgical techniques and new medicines. The fiscal 1964 budget for the National Heart Institute is $133 million, the equivalent of three or four Saturn rocket firings with a total useful life of 8 minutes.

Some scientists and medical men of sound reputation feel that far too many of our medical researchers are being channeled into a space medicine program devoting their undivided attention to developing safeguards for a handful of astronauts while the medical sciences are not devoting enough time or talent to find solutions to diseases now killing or crippling millions of men, women, and children in our own country and even greater numbers in other parts of the world.

Education

During the decade in which we are concentrating our national wealth in getting 3 men to the moon, 7.5 million young Americans will enter society without a high school education and, thus, without the basic skills needed to become productive citizens with a secure future.

For these 7.5 million, the future will be a long struggle on the brink of economic and social disaster.

For these 7.5 million Americans the moon will only deepen the shadow in which they will walk.

Our Government's space race effort in fiscal 1964 will spend in 5 days the total proposed budget for vocational education of all types. While willing to spend $15 million daily on the space race, the Government has recommended a total vocational education budget of $73 million.

It is difficult for many educators and scientists to equate the hoped-for benefits to be gained from being first on the moon with the obvious benefits to human individuals and our Nation as a whole if these 7.5 million young people could be educated to take their place in society, to add to our economy, rather than be a burden on it. We either have to employ them, or through some social welfare program, provide for them.

Nuclear waste

Among the most serious problems facing us today is the one involving the question of what to do about the waste products of the world's nuclear programs.

As nuclear programs expand, the problem becomes more serious and the potential for disaster more pressing. We have stored in this country alone nuclear waste with a radioactive capacity approximately equal to 200 million grams of radium.

Scientists concerned with this problem point out that few top-quality scientists are assigned to the problem. In our society, garbage disposal, although essential, is neither glamorous nor well-paying.

In this particular case, however, such disposal is vital to civilization's future.

Water resources

By the time, at decade's end, a Moon traveler has reached his goal, many American urban centers will be in serious trouble. Some of our cities already face a serious water problem; for most of our major cities this problem will be of crisis proportions within a very few years. The problem is not uniquely American but affects most nations and cities of the world.

To meet this problem we may well have to turn to the seas around us, to develop an economic and workable method of extracting potable water through a desalinization process. So far, every process developed either through government research or by private enterprise has been far too costly.

Experts in the area estimate it will cost in the vicinity of $110 million for basic research by 1970. This is exclusive of actual equipment costs for cities facing water shortages.

One week of our Moon race expense would cover a 5-year saline water development program—and possibly save our drought-confronted cities.

CONCLUSION

The problems outlined here have not gone unnoticed by the Kennedy administration. They are obviously of concern to the President and his top advisers.

Secretary of Commerce Luther H. Hodges has pointed out that the Federal Government spends more than $15 billion a year for research, of which more than three-quarters goes for defense and space work. He added: "The national research and development effort is not the incubator of demand and productivity increases that people think it is, or that the country needs for a growing, healthy economy."

Dr. Jerome B. Wiesner, the President's top science adviser, last August, told a House Committee that "military research is pricing private research out of existence."

In his Economic Report to the Congress this past January, President Kennedy said: "The Federal Government is already the main source of financial support for research and development in the United States * * *. The defense, space, and atomic energy activities of the country absorb about two-thirds of the trained people available for exploring our scientific and technical frontiers * * * in the course of meeting specific challenges so brilliantly, we have paid a price by sharply limiting the scarce scientific and engineering resources available to the civilian sectors of the American economy."

This problem of where and how the total national scientific intellect should be utilized is one of serious proportions, both now and for the future.

Manifestly the ultimate responsibility for administrative decisions in the space program lies in the hands of the President of the United States. It is his duty to assert leadership in this area.

A decision must be made as to whether Project Apollo is vital to our national security or merely an excursion, however interesting, into space research.

If our vital security is not at stake, a less ambitious program may be logical and desirable. Greater emphasis might be placed on the multitude of human problems we face here on Earth. Since our resources in dollars and manpower are not inexhaustible, the entire question becomes a matter of priority.

FACT, FICTION, AND NATIONAL SECURITY—ADDRESS BY SENATOR JACKSON

Mr. RIBICOFF. Mr. President, last Friday, the distinguished junior Senator from Washington [Mr. JACKSON] addressed the annual meeting of the business council. His speech is most provocative, and it will be of interest to all Members of Congress. Therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

FACT, FICTION, AND NATIONAL SECURITY

(By Senator HENRY M. JACKSON)

I am pleased and honored by your invitation. At a conference like this, you listen to all kinds of proposals to meet the world crisis.

I am reminded of the inebriate who stopped a man on the street to ask the time. The man looked at his watch and gave him the time. The drunk scratched his head and said, "All day long, different answers."

Tonight, I have no intention of setting forth another program. My aim is a modest one. I want to examine with you some of the false assumptions that have crept into public thinking.

The longer I work at the problems of national security, the more I have come to share Jefferson's view that a person "is less remote from the truth who believes nothing, than he who believes what is wrong." Or as Josh Billings has said: "It isn't ignorance that causes so much trouble; it's what people know that isn't so."

For it is harder to deal with error than with ignorance. Error, after all, is a child of our minds and we love it as our very own.

We live in a dangerous world, where a fresh crisis arrives as regularly as the morning paper. Faced with complex issues and understandably hoping for simple answers, it is not surprising that convenient but false assumptions work their way into some people's thinking. If the American people are to come to grips with the real dangers and the real problems, roadblocks to clear and honest thinking need to be removed.

The FBI has its list of most wanted criminals. I have mine of most wanted errors. And I think mine are a greater threat to public safety than the FBI's. Let me discuss a few with you that crop up repeatedly.

First, one false notion is that the Soviet challenge is overrated and that the Soviet Union is really a paper bear.

With this way of thinking, it follows that our problems will melt away if we deliver an ultimatum to Russia, demanding peace on our terms. Demagogs claim that the Communist threat would dissolve if our Government would but state its demands as forecefully as the demagogs do at their weekend rallies.

It will not. Communist power is a reality. They are continuing to build a vast military machine—and to use force where circumstances seem favorable. We face a long-term threat that has been mounting for many years, and will not be suddenly reversed in a few days.

Nor does discord between Moscow and Peking necessarily reduce the threat. In fact, the danger is that in their rivalry both Khrushchev and Mao are under greater pressures to show success in achieving Communist goals. Each is pushed to demonstrate that he is best qualified to preside over the final burial of the West.

Second, at the opposite extreme is a fallacy held by many fine and decent people who let their wishes prevail over their reason. It is that the Soviet challenge will fade away if we will take the lead in what could be called a policy of minus-tit-for-minus-tat.

Recently, for example, some psychologists have developed a mirror-image explanation of Communist behavior. They argue that the Communists see us as we see them. It follows, they say, that if we trust the Communists, they may trust us. Therefore, we should take some unilateral initiatives to quiet their suspicions; they would reciprocate; we would take new steps; and so on.

Of course, this view ignores the fact that diplomacy largely consists of unilateral initiatives designed to produce a desired response by the other side. We have taken a great many initiatives aimed at encouraging tension-reducing, trust-increasing responses by the Soviet Union. Usually the response has been like that of the Russians in frustrating serious and honest discussions on arms control.

But leaving this aside, consider India's experience. No state has tried harder than India to find security by a deliberate policy of inoffensiveness. India has had to learn the hard way, as others have, including ourselves, that expansionist states do not respect weakness. I am sure Mr. Nehru does not relish this on-the-job training program, but it may save others from a similar schooling.

As Reinhold Niebuhr has said: "If the democratic nations fail, this failure must be partly attributed to the faulty strategy of idealists who have too many illusions when they face realists who have too little conscience."

Third, another frequent error is the idea that the problems of today can be dealt with by our hopes for a world order tomorrow.

No one, of course, would deny the attraction of the ideal of the rule of law in international affairs. It is fine for spiritual leaders to hold this goal before us. But, as many of them know, the rule of law is not a practical alternative to the present crisis.

There is at present no body of commonly held legal principles actually practiced and applied by the states of the world. Since 1917 Soviet international lawyers and leaders have held, in effect, that traditional international law is but a capitalistic device and has no validity.

The United Nations is, and should continue to be, an important avenue of American foreign policy. The charter describes the kind of world we hope for, and provides the closest approximation we have to a code of international good conduct. United Nations bodies serve as useful forums of diplomacy and cooperative action, for some purposes.

Obviously, however, the United Nations is not an operational world community capable of enforcing international law. The maintenance of peace depends on the strength and will of those members of the United Nations who want to uphold the charter. In our deeply divided world, peace depends on the power and unity of the Atlantic Community, on the skill of our direct diplomacy, and, most of all, on our own resolve to defend our liberties and, it may be, from time to time on our readiness to use force, if necessary, to put down an aggressor and lawbreaker.

The United Nations is not a substitute for national policies wisely conceived and administered to uphold our vital national interests. And we cannot subcontract to the U.N. the responsibility for national decisionmaking.

Fourth, another mistaken idea is that nuclear weapons impose a restraint only on us and not on the adversary.

We are constantly warned that some free world action is too dangerous because the adversary may be provoked and plunge the world into nuclear war. The final logic of this position could be to tie our hands, while leaving the way open to Sino-Soviet initiatives.

Last October we all glimpsed the new dimension in a President's risk taking. Great power and great difficulties go hand in hand. But an American President is not the only one restrained by the knowledge that a miscalculation or unwise move can bring into play the catastrophic weapons. Mr. Khrushchev also is constrained to proceed with some care and to calculate the costs of policies to his own cause.

To say this is not, of course, to argue for impatient action or foolish risk taking. It is to say that in formulating our policies, we should recognize that the adversary is also calculating risks and weighing alternatives in light of their consequences.

Fifth, another persistent illusion is that an armaments buildup leads inevitably to war. A common line of argument goes as follows:

(1) Arms races have always led to war.

(2) Disarmament alone will reverse the arms race.

(3) Therefore, disarmament is the only road to peace.

The conclusion does not follow logically from the premises—and the premises are false. Yet we have all heard arguments that amount to nothing more than this.

It was not an arms race that led to World War II. On the contrary, the failure of the democracies to prepare for war did more than anything else to convince Hitler that he could achieve his goals by force.

It would be nearer the truth to say that peace and security—they are not identical—depend on a certain imbalance of forces, an imbalance which will persuade would-be aggressors not to be.

In theory, disarmament might result in such a power relationship. But a precondition is that the would-be aggressor abandon any idea of pursuing his goals by force, and accept an inferior military position. It is hardly necessary to add that this is not in the cards.

And not just because of Soviet-American relations. At least as serious an obstacle to disarmament is the balance of forces within the Communist bloc. Does anyone suppose that Mao will disarm? Or that the Kremlin will disarm unless Peiping disarms at least as fast?

The great majority of Americans are members of the peace movement in the sense that they want peace. The debate is over means. The debate needs to receive our most thoughtful, honest, tough-minded attention.

And we will keep trying to achieve a system for controlling and limiting arms. But it is a disservice to conjure up visions of catastrophe unless success is achieved in 5 or 10 or 20 years. It does not advance the cause of peace to propound the dogma that every disarmament conference is the last best hope of mankind.

Sixth, another misleading view is that a nuclear test ban will prevent the proliferation of nuclear weapons. We are told that success at Geneva in securing a test-ban agreement can stop the spread of nuclear capabilities.

All of us, I am sure, regret that these capabilities are spreading. What if there were—as President Kennedy told us recently there may be 10 years hence—a multiplicity of nuclear powers, each capable of setting off irreparable consequences? I wish this was not the prospect. Certainly efforts to limit the spread of nuclear capabilities deserve attention.

But how could a test-ban agreement between the United States, the United Kingdom, and the Soviet Union stop atomic development in China or France? Or in any other country which is able and willing to invest substantial resources in the effort? The answer is that it would not stop it.

Moreover, atomic research and testing are not the only means by which proliferation could occur. Governor Rockefeller has shown considerable realism about a test ban. But a few days ago he publicly—and I believe mistakenly —advocated the sale of nuclear weapons to Western Europe under certain political conditions. If this advice were followed, obviously atomic capabilities could spread without any testing.

Seventh, some people go so far as to hold that any test-ban agreement is better than none. The logic of this position is to go on making one concession after another, regardless of whether there is matching evidence of a spirit of reasonable compromise by the other side and regardless of whether the end result is an enforceable agreement.

What we should be after is not just something called a test ban, but a system that will reduce the risks in the world without adding to them. This is not simply a matter of terms which will safeguard against cheating. The principal peril in the test ban is the danger of Soviet abrogation of an agreement without warning.

I fear that our tactics in the test-ban negotiations have gone a long way to harden the general Soviet position and to convince Khrushchev that we may be weak enough in spirit to give way under pressure.

Even some of our good friends abroad are wondering just how really determined is our will to come to their defense in a pinch.

I deeply believe that in national security matters we should act according to an order of national priorities which puts first things first, and second things second. What is really important is to protect our military deterrent—to maintain a position where our deterrent power and our will to use it are credible not only to the Russians but also to our allies. If there is a conflict between a test-ban agreement and a credible deterrent, the deterrent must come first.

To me the order of priority is crystal clear.

Eighth, another widespread illusion is that much of our present difficulty is due to the so-called "military-industrial complex." It reminds me of Senator Nye and the "munitions-makers." We so nearly persuaded ourselves that the munitions lobby had caused World War I that we almost ignored the Nazi threat.

Is there any historical evidence to prove that democratic nations with a large industrial base start wars? I know of none. Certainly, many military conflagrations have been lit by countries which were weak, and did not even have a munitions industry. Others have been started by dictatorships in which a demagog like Hitler, bent on aggression, had managed to seize power.

Some people talk as though the reason for our big defense program is a conspiracy of some sort between the military and industry—not the Soviet threat.

This recalls an occasion when the Duke of Wellington was approached by a man saying, "Mr. Peabody, I believe." The Duke replied, "If you believe that, you can believe anything."

Obviously, the price of national security these days is high. Obviously, too, this country has relied chiefly on private industry to do most of the research and build nearly all of the new weapons systems needed for national defense. I don't think any of us would want it otherwise.

Those who think our defense program is unnecessarily large should say where they think it could safely be reduced. Nothing is gained when they attack a vague, undefined "they" by giving them an ominous and conspiratorial label.

In conclusion, let me say this: History does not award its prizes in terms of the merits of one's cause—but in terms of the efficacy of one's efforts on behalf of his cause.

Ours must be the steady spirit in an unsteady world.

Communism thrives on crises and strives to produce them. One of Khrushchev's goals is to break our will. He believes, as Hitler did before him, that we won't be able to stay the course, and that out of sheer frustration, we may make the fatal errors that will fulfill his prophecy of a funeral for the West.

But Khrushchev has forgotten something. As someone put it, "The first essential of a quiet funeral is a willing corpse," and we and our allies are certainly not that.

The frightened and frustrated few may make the most noise—and in our free society we are all free to make as much noise as we can. It is our tradition to tolerate extremists of many hues. But it is also our tradition not to follow them.

The future of the Nation and of individual liberty depends on the calm, sensible, and level-headed. Our forefathers kept their wits about them, their heads clear, and their powder dry, and I am confident that we will do the same.

ONE HUNDRED FIFTH BIRTHDAY OF MRS. AMANDA J. STEPHENSON, OF KINGSPORT, TENN.

Mr. GORE. Mr. President, a fine Tennessee lady will reach another milestone in her life this week. On Thursday, May 16, Mrs. Amanda J. Stephenson of Kingsport, Tenn., will celebrate her 105th birthday.

Born in the Commonwealth of Virginia in 1858, Mrs. Stephenson's extraordinary life has spanned a period in the Nation's history from the uncertain days preceding the armed conflict between North and South to the ideological conflict between the free world and communism.

Mrs. Stephenson still takes seriously her responsibilities as a citizen and should be an inspiration to all Americans. Despite her advanced years, she still votes in every election. I am pleased to add, parenthetically, that she is a life-long Democrat and my constant supporter.

Mr. President, I am sure that my colleagues join me in extending birthday greetings to this grand lady as she completes her 105th year.

THE FEED GRAIN ACT OF 1963—PROPOSED UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I propound a unanimous-consent request to the Senate, which was objected to yesterday. I am hopeful the objections have been removed. Therefore, I ask unanimous consent that, beginning at the end of the morning hour tomorrow, there be allotted 1 hour to each amendment, 30 minutes to a side, with the exception of an amendment to be offered by the Senator from Iowa [Mr. HICKENLOOPER], on which there will be 2 hours, 1 hour to a side.

I further ask unanimous consent that, within this unanimous-consent agreement, there be a final vote on passage of the pending measure at 4 p.m. Thursday.

The VICE PRESIDENT. Is there objection?

Mr. COTTON. Mr. President, reserving the right to object, and I regret that I must do this—I have always tried to cooperate with the majority and the minority leaders, to the very best of my ability, because I realize the difficulty of their tasks, and I respect and regard them so highly—there have been many speeches in the Senate in oratorical language, and many commentaries outside the Senate, to the effect that this Chamber is the last place on earth where minorities have a weapon, and that weapon is free debate.

In my opinion, the bill under consideration works a hardship on the people of my State. I think it is a bill that has to be jammed through so it can be used as an incentive or a whip, whichever term one wishes to apply, on a referendum that is to take place in this Nation next Tuesday.

I do not know how many other Senators may feel as I do, but I am not masquerading under any pretense that I am not willing to avail myself of the rules of the Senate to delay action on a measure that I regard as unwise for the Nation and unfair to the people and the State I represent.

I will be very frank with the majority leader: I would like the opportunity to ascertain whether there are other Senators in this body who feel as I feel—that this once we are justified in taking all the time we need to take, whether it is called constructive debate or filibuster, or whatever term one chooses to apply. Until I have had an opportunity to appraise the situation further, I am constrained to object to the proposed unanimous-consent agreement.

Mr. DIRKSEN. Mr. President, will the Senator withhold his objection?

Mr. COTTON. Yes.

Mr. DIRKSEN. Let me say to my distinguished friend, the Senator from New Hampshire, that it was the majority leader's hope that perhaps action on this bill could be consummated as of today. Then we bargained a little about Wednesday, and we bargained a little about Thursday, as the estimated time for final passage. I could do only one thing, and that was to confer with the minority members of the Committee on Agriculture and Forestry. The distinguished Senator from Vermont [Mr. AIKEN], the distinguished Senator from Iowa [Mr. HICKENLOOPER], and the distinguished Senator from North Dakota [Mr. YOUNG] were of the opinion, and I shared that opinion, that perhaps, after canvassing the interest and determining how long the speeches would last, and what amendments might be offered, Thursday, at 4 o'clock, would be a convenient time for final passage, with the understanding, of course, that no amendment would be precluded, and that there would be 30 minutes on a side for each amendment, with the exception of the Hickenlooper amendment, on which there would be an hour a side.

That arrangement appeared to be quite agreeable, and as a result the majority leader advanced this unanimous-consent request yesterday. There was objection, but not for the reason assigned by the distinguished Senator from New Hampshire. The reason then was with respect to including the germaneness provision, because the Senator from New York [Mr. JAVITS] wanted to keep that provision open in case, because of the unpleasantness in certain areas of the country, he might feel impelled to offer an amendment which was not germane.

I understand that, after a discussion of that subject this morning, he will not object and will not press the point. The majority leader, on the basis of that understanding, has now offered his unanimous-consent request all over again.

Mr. MANSFIELD. What the distinguished minority leader has said is correct. On this side I consulted the chairman of the Committee on Agriculture and Forestry and other members of the committee, who are for or against the pending measure, and they indicated to me that a limitation on debate and final vote at 4 p.m. on Thursday would be reasonable, and would meet with their approval. In view of the fact that the distinguished senior Senator from New Hampshire has entered an objection, which he has withheld temporarily, I see no other action that I can take at this time, and shall, therefore, await the course of events.

Mr. AIKEN. Mr. President, yesterday I had no personal objection to voting on the bill on Thursday afternoon, although I had some qualms lest any subject intervene which would use up all the time so that there would not be much opportunity to present our amendments and to debate fully the feed grain bill, which is now before the Senate.

I fully understand the fears of the senior Senator from New Hampshire, because I realize that poultry growing means a great deal to the people of his State. They feel that the bill is directed at them, with the idea of perhaps getting New Hampshire out of the poultry business eventually. Yesterday afternoon I offered an amendment in behalf of the Northeast Poultry Growers Association, because they are really alarmed. They want to make sure that, in addition to having to pay a much higher price for their feed, which, as I understand it, is one of the principal objectives of the feed grain bill, they would not also be discriminated against in the matter of Government-owned feed. They feel they are discriminated against at present in that certain parts of the country, which are even farther distant from the source of the feed than the New England States, are getting it for a somewhat lower price.

In view of the position of the Senator from New Hampshire, which I can fully understand, living across the river from him as I do—in fact, if Vermont had not been generous in giving up 35 towns to New Hampshire, the senior Senator from New Hampshire would be a resident of Vermont, instead of New Hampshire—I see nothing to do except to proceed with the debate. I do not know how many speeches are to be made. I know the Senator from Iowa [Mr. HICKENLOOPER] wishes to speak.

Mr. DIRKSEN. Mr. President, I want to make one further comment. There was no disposition to be peremptory. That is the reason the minority leader consulted with all Senators on this side of the aisle who had expressed some interest.

I understand that our distinguished colleague from New York does not propose to offer any kind of civil rights amendment to the pending bill. At least that issue has been disposed of.

I commend the distinguished Senator from New Hampshire. He is fully within his rights under the rule. Obviously, he is compelled to protect the interests of one of the dominant enterprises of his State. I compliment and commend him. I wish him to know that this subject was resolved on the basis of an amicable understanding by all of those whom I esteemed to be in charge of the bill on the floor of the Senate.

Mr. AIKEN. Mr. President, I did not know that the feeling in New England was quite so intense until fairly late yesterday afternoon. There is a very heartfelt feeling on the part of the people of New England, especially the poultry producers; and any Senator from Maine, New Hampshire, and probably Massachusetts and Connecticut would be quite vulnerable and culpable if he did not take the part of his poultry-growing constituents, and of the dairy producers too.

Mr. MANSFIELD. I can understand the feeling of the Senator from New Hampshire. Of course he is fighting for the interests of his State, and no one fights harder for New Hampshire than he does. Therefore, I can understand his feeling, even though I hope he will reconsider his objection.

Mr. COTTON. Mr. President, I should like to make it plain that the Senator from New Hampshire is not in any sense suggesting that the leadership on either side of the aisle was making an agreement without due regard to all Members of the Senate. Anyone who knows either of the leaders knows that both of them lean over backward to protect the rights of every Member of the Senate, no matter where he sits.

It so happens that I was required to be in New Hampshire yesterday. Any arrangements that were made were not made with my knowledge or consent. That is perfectly natural, because I had not asked to be informed.

I would also like to make it crystal clear that the objections which I have to the bill are not confined to the fact that I feel it is a bad measure and a dangerous measure to the people I represent. The objections I have to the measure are far more fundamental than that. I believe it represents a type of proposed legislation toward which we constantly have been traveling. Having expressed my due regard for the leadership in the Senate, I should say that there has been too great a tendency in the Senate of late to enter into unanimous-consent agreements, to rush measures through. If we spent more time in session, and if we had more opportunity to debate these measures, I feel the Senate would be better discharging its duty to the country. I am beginning to wonder if all tears that have been shed about preventing the invoking of cloture are not crocodile tears, because it has seemed to me that more and more frequently we wake up to the fact that a unanimous-consent agreement has been entered into. I want to make it perfectly plain that if I find sufficient opportunity to debate the bill and to offer amendments to the bill, I will have no intention of objecting to fixing a time for voting. If I cannot find sufficient support, and if it becomes a hopeless task, I will still want an opportunity to have a few things to say about the bill sometime during the debate.

For the present, I am compelled again to state my objection to the proposed unanimous-consent agreement.

THE FEED GRAINS BILL—CIVIL RIGHTS AMENDMENTS

Mr. JAVITS. Mr. President, yesterday there was debate on the floor in regard to the feed grains bill and the possibility that I might submit to that bill an amendment on the civil rights issue. At that time I caused objection to be made, in order to keep the door open for such an amendment.

I now make the following statement on that subject: The culmination in Birmingham, Ala., of swift-moving events which have given such cause for alarm makes it essential that Congress carry out its responsibilities to the Nation in connection with civil rights legislation. I am convinced that the key piece of civil rights legislation under present conditions is one giving the Attorney General authority to sue in representative civil cases to safeguard by court order the rights of U.S. citizens under the 14th amendment to the Constitution, which also includes the right of peaceful assembly and petition under the 1st amendment.

To offer such an amendment to the pending feed grains bill would, I am convinced, tend to shatter, rather than to cement, the bipartisanship which is so essential to the passage of the proposed civil rights legislation I have described; and I am, therefore, foregoing the opportunity to offer such an amendment to the feed grains bill.

However, I am joining my colleagues of both parties in urging the administration's espousal of such a civil rights measure on a high priority basis. We will not see an end to the dangers of violence and racial conflict unless some peaceful means of expression and redress of grievances is available to Negro citizens. The Congress can and must make its contribution for that purpose. I shall join with other Senators, and reserve the right individually to move amendments myself, in seeking action by suitable amendments to pending bills or original legislation, as the opportunity to do so is presented.

I recall to the Senate that such an amendment was recently presented on the supplemental appropriations bill in relation to the Farmers' Home Administration appropriation, and will be presented on other appropriation bills and measures of general legislation.

Let no one interpret this decision on the feed grains bill as avoiding a showdown on this crucial national issue. The showdown must and will come on the Senate floor, and every Member of this body will have an opportunity to stand up and be counted on this epic domestic struggle for equal justice under law, which dominates our age.

DEATH OF FEDERAL JUDGE ALEXANDER BICKS OF THE SOUTHERN DISTRICT OF NEW YORK

Mr. JAVITS. Mr. President, I call attention to the decease in New York of one of our most distinguished judges, Judge Alexander Bicks, at the early age of 62. He was one of the early appointees of President Eisenhower. Judge Bicks made an extraordinary record. It is also a great tribute to our Nation that Judge Bicks, who was born in Russia and was brought to this country as a child, rose to such high office and great distinction in our community.

I ask unanimous consent that the obituary notice in respect to Judge Bicks be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 10, 1963]

ALEXANDER BICKS, JUDGE, 62, IS DEAD

Federal Judge Alexander Bicks of the Southern District of New York died yesterday in University Hospital at the age of 62. He lived in 965 Fifth Avenue.

Nominated for appointment to the Federal bench by President Dwight D. Eisenhower in April 1954, Judge Bicks was sworn in on June 10 that year. He was known as a humane and understanding jurist.

One of the better known cases that came before him was that of six second-string Communist leaders, who were convicted of conspiracy and sentenced by him for from 1 to 5 years in prison in 1956. The convictions were reversed by the U.S. Court of Appeals later that year.

Another case Judge Bicks handled was that of the narcotics conspiracy trial of Vito Genovese, sometimes called "king of the rackets," and 13 other men and 1 woman.

Judge Bicks sentenced Genovese in 1959 to 15 years in jail and gave the others sentences ranging from 5 to 20 years each.

BORN IN RUSSIA

The jurist was born in Russia and was brought to this country as an infant. He received his law degree at New York University in 1922 and was admitted to the bar in 1924. He specialized in corporate and real estate law and was a founder of the Practicing Law Institute, where he became an instructor in real estate law.

Before his appointment to the bench Judge Bicks was active in several political campaigns as a Republican. He was a member of the Ninth Assembly District Republican Club, the City Bar Association, and the New York County Lawyers Association.

Judge Bicks leaves his wife, the former Henrietta Isaacson; two sons, Robert A. and David P. Bicks; and four grandchildren.

A funeral service will be held for Judge Bicks at noon on Sunday at the Central Synagogue.

GERMAN-AMERICAN RELATIONS UNDER THE FRANCO-GERMAN TREATY

Mr. JAVITS. Mr. President, in view of our deep interest in the application to German-American relations of the Franco-German treaty, which was concluded between Chancellor Adenauer and President de Gaulle, and the light cast upon that treaty in a speech made here by Heinrich von Brentano, the distinguished majority leader of the West German Bundestag and former foreign minister of the Federal Republic, I ask unanimous consent that the speech be printed in the RECORD at this point in my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE FRENCH-GERMAN TREATY

I am very glad to have this opportunity to speak with you again during this short visit to the United States.

There was no special reason or purpose for my trip. I came here to talk over with old friends our common concerns and tasks. In doing so I have gained the impression that I chose the right time.

Here in the United States the signing of the German-French treaty has given rise to doubt and concern which I sincerely regret. Now, at the conclusion of the conversations I have had here, I feel that I can say that I have been successful to a large extent in dispelling these concerns.

It is precisely here in the United States that we have always found a favorable and understanding response to German efforts to reach a final understanding in French-German relations and to create the basis for genuine and lasting friendship in place of tension and national rivalries. You may rest assured that the French-German treaty which was signed in Paris on January 22, 1963, was intended to serve this goal alone and that we have no other motives in concluding this treaty.

My political friends and I are steadfastly resolved to advance the policy of European integration begun by our efforts to establish the Coal and Steel Community, the European Economic Community, and Euratom. Again and again during the past few years we have called upon other European countries, particularly Great Britain, to participate in these efforts to unify Europe. That is why we so heartily welcomed the decision of the British Government to participate in the efforts directed toward European unification. Following the interruption of negotiations with Great Britain, the Federal Republic will continue its efforts to have Great Britain accepted as a member of the Common Market with all the rights and responsibilities connected with such membership.

We feel that the content and spirit of the Rome treaties obliges us to do this. Beyond this we feel that there can be no pause in the process of European unification. And we are convinced that only through the unification of Europe can we create the basis whereby we can make the bold concept of the American Government a reality, tying a strong and unified Europe to your continent by means of an insoluble Atlantic partnership. We have already encountered many setbacks on the road to European unity. Setbacks of this kind have not caused us to quit; they have simply strengthened our political will.

The French-German treaty will exercise just as little influence on the Federal Republic's policy toward NATO. We are convinced that this mighty alliance of the free nations of the world must be developed further. The Federal Republic did not hesitate one moment in accepting the proposal of the American Government to create a common multinational or mulilateral nuclear striking force within the framework of NATO. We want to make this concept a reality in order to strengthen the defensive strength of the free world. In doing so our concern is not to take over rights but rather it is solely to assume additional responsibilities.

There can be no doubt over the relations between Germany and the United States either.

The close friendly working relationship with this, the greatest of all nations of the free world, a relationship which is based on mutual trust, is the unalterable mainstay of German foreign policy. My conversations here in Washington have again confirmed how deep rooted is the unanimity which has grown between these two countries in the last decade.

We Germans know the efforts that the American Government and the American people have made. We know that we could never have carried out the reconstruction of our economy and our social and political life without the generous support of the United States. We know that the idea for the Atlantic Alliance system originates here in the United States and that the United States transformed it into reality. We know that, thanks to the policies of the United States, the 55 million Germans in the Federal Republic and in Berlin are able to enjoy the guarantee of a life in freedom. And we know too that only in cooperative arrangements of mutual trust with the United States and all the other partners of NATO can we protect and defend this freedom. Beyond this we know that the hope of the 17 million Germans in the Soviet-occupied zone—the hope for the restitution of their civil and human rights—can only be realized within the framework of such relationships.

The German people have made an irrevocable decision. In the struggle with world communism there is no refuge to be found in a world devoid of moral values. There can be no middle ground between freedom and slavery, between justice and injustice. We would be sorely offended to find someone who doubted this position.

All with whom I talked I found to be convincing and sincere in their desire to continue this common policy. On Sunday I will leave your country with the firm conviction that the United States and the Federal Republic, the American and the German people, are conscious of their common high responsibility and that they must make their decisions, regardless of what areas they affect, in the knowledge that we are responsible for guaranteeing the freedom and human dignity of each individual citizen who has placed his trust in us—and I mean to include those of like mind who live beyond our borders.

In the past few years Germany has gained in strength and influence, thanks to the consistent pursuit of this idea. On behalf of my political friends and the whole German people I say to you today that we will not depart from this concept. And this is also the best way in which we can give expression to our recognition of and gratitude toward the efforts of the American people.

THE WAR OF WILLS

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the body of the Record an article entitled "The War of Wills" by Maj. Gen. Henry Cabot Lodge, Jr., USAR, which appeared in the May issue of Army magazine.

This thoughtful article by my good friend and former colleague in the Senate touches on matters of concern to all Americans. General Lodge is eminently qualified to write on a subject such as this because of his wide and varied experiences. As a military man having served with the 7th Army during World War II where he was charged with the responsibility of maintaining liaison with the French, and also as an active member of the U.S. Army Reserve, he brings to this a unique capability, not only because of his former service in the U.S. Senate, but also as a deeply concerned citizen of the United States. For this reason I am pleased to bring this article to the attention of the Senate.

There being no objection, the article was ordered to be printed in the Record, as follows:

The War of Wills

(By Maj. Gen. Henry Cabot Lodge, Jr.)

Recently I completed a 2-week briefing in the Pentagon, as a member of the U.S. Army Reserve. I came away greatly impressed with the imagination and inventive spirit of the men who are running the show. The everyday citizen would be gratified if he could see our professional military leaders so free from ritualism. There could be no group more determined not to get into a rut, not to spend their time fighting the last war, or more eager to prepare America to emerge victorious from whatever eventual dangers may arise. The new weapons alone, ranging from a pin-size dart, which can penetrate thick steel, to an antimissile missile, which can neutralize nuclear attack, compel admiration and confidence.

All three services are indispensable and deserve the gratitude and support of all Americans. The leaders of all three inspire confidence. My recent experience, naturally, impressed me in particular with the fact that the Army gives us the chance to win without worldwide annihilation, to survive without surrender. "We must not," to use President Kennedy's excellent phrase, "be in a position of having to answer every threat with nuclear weapons or nothing."

If, at the time of the Cuban crisis last October, for instance, we had faced the alternative of either unleashing all-out nuclear war with a hundred million American dead, on the one hand, or submitting to the Soviet domination of Cuba on the other, we could properly have criticized those responsible for allowing us to get on such a desperate spot.

Instead, however, we had, in addition to the photographic flights of the Air Force and the quarantine by the Navy, the presence of an armored division brought from Texas to Florida and obviously capable of going ashore if the need arose, in addition to the infantry and airborne troops which were also ready. This certainly showed Chairman Khrushchev that he did not have us impaled on the sharp horns of the dilemma of either doing nothing or else bringing on world war III. Thanks to the Army, we can defend our vital interests without wiping out millions of American homes.

It is impressive that when times get dark in Berlin, the President orders out the Army Reserve, or that when communism threatens in southeast Asia, Army personnel go to Vietnam.

If in Europe we want to avoid all-out nuclear war in the future—and also to refuse abject surrender—our Army and those of our allies must be strong enough to enable us to take on the Communist armies on their own terms and win. The Army thus gives us the chance to fight, to win—and then to survive.

All-out nuclear war would destroy millions on both sides, which is evidently why Chairman Khrushchev does not want to use it.

But he would like nothing better than for both sides to abjure nuclear war, leaving him with the only big army in the world and free to impose his will. This is one reason why we and our allies must have strong armies. Another is found in the fundamental fact that the land is the natural habitat of man and, therefore, the airplane and the ship must base themselves on the land.

Obviously, it is nuclear superiority which wipes out the danger of an aggressor starting a nuclear war. Obviously, too, superiority in the ability to wage other types of war would wipe out the danger of these other types of war. We are superior in category No. 1, but not yet superior in category No. 2. If we were superior in both, we would then force the struggle between the free world and the Communists into ideological channels. When war becomes mutually too dangerous to be profitable, the conflict of ideas becomes the way to win without fighting battles.

In addition to the overwhelming nuclear forces which we already have, we of the West therefore need two things: (1) overwhelming strength in the ability to wage other types of war, and (2) an aggressive strategy in the psychological field. We must, therefore, be ever mindful of the transcendent importance of the meaning of words. Unless our words voice aims which are in tune with the spirit of the age, they can defeat us. For we are deeply engaged in a war of wills and ideas. In such a war a strategy based on containment, a strategy which can merely react to the enemy's offensives instead of attacking and counterattacking can, as the great British student, General Fuller, said, lead only to defeat and degradation.

There has been one brilliant free world initiative since the end of World War II: the Marshall plan, which saved Europe from Communist domination. The Common Market, now under a shadow, looked like the second. But many of the other creditable achievements of U.S. diplomacy have been essentially reactions. NATO was a reaction to the Communist seizure of Czechoslovakia. The Korean war was a reaction to a Communist attempt to take all of Korea. The able handling of the Cuban crisis last October was a reaction to the presence of Soviet missiles.

We must now expect to be constrained to react again in other places and at other times. The Communist thrust on our threshold in Cuba may be followed by another thrust on their threshold, say, for a warm-water port in south Asia. We must not only learn to live with these threats, but also to take the initiative ourselves.

TAX CUT LOGIC

Mr. LAUSCHE. Mr. President, I have repeatedly said that I favor tax reductions but under proper and prudent circumstances. There should be logic in any action to reduce taxes, so ably pointed out in an editorial appearing May 7 in the Cleveland, Ohio, Plain Dealer.

I ask unanimous consent that this editorial be printed at this point in the body of the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Tax Cut Logic

We cannot follow the logic in the reasons the Kennedy administration has given for its proposal to reduce Federal income taxes.

A few months ago the President was saying that a tax reduction was necessary in order to avoid a recession. Now Treasury Secretary Dillon is saying that because of the business pickup, it is more imperative than ever that taxes be reduced because it would do more good when the economy is fairly buoyant than when it is merely limping along.

The only conclusion we can draw from these conflicting reasons is that the administration wants a tax cut, period, and is justifying it by cutting the sail to fit the cloth. And of course it has occurred to us that a tax reduction could be good medicine in an election year.

The Plain Dealer favors a reduction in income taxes, believing the economy would be stimulated if people were allowed to spend more of their own money on the things they want, not what some Government bureaucrat believes they ought to have.

But the Plain Dealer also believes that any reduction in income taxes should be accompanied by a corresponding reduction in Government spending. Unfortunately, neither Congress or the administration has shown much inclination to do this.

IS THE STAGE BEING SET FOR A POLITICAL POWER GRAB IN THE PENTAGON?

Mr. GOLDWATER. Mr. President, Mr. Claude Witze, who recently won the Aerospace magazine award of the Aviation Space Writers Association, has written a very clear outline of the current argument over the TFX in the current issue of Air Force and Space Digest. Mr. Witze puts the whole argument in proper perspective by asking the question, "Is the stage being set for a political power grab in the Pentagon?" He pursues the question with clarity and brevity, and so valuable do I think the article is to my colleagues that I ask its insertion in the body of the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Is the Stage Being Set for a Political Power Grab in the Pentagon?

(By Claude Witze)

Let it be made clear at the outset that nobody, in uniform or out, in Congress or out, has questioned the integrity of Robert S. McNamara. The Secretary of Defense, hypersensitive to printer's ink, has said, "The press of this country has been fully implicit that I am either subject to political influence, self-interest, or stupid."

The truth is that the press has implied no such thing. It has, in covering the current tempest over Mr. McNamara's imperial award of the TFX contract to the General Dynamics-Grumman team, been insinuating in a clumsy way that persons with less integrity than Mr. McNamara could use a position as powerful as his for nefarious purposes. It is fair to say that the spotlight of publicity, emanating from both Congress and the press, is looking for such villains.

What could be done with the kind of power Mr. McNamara legally wields must be stated as plainly as our universal confidence in the personal honor of this particular Secretary of Defense. As exemplified by the TFX decision, his legal right to boss the Defense Department bears the seeds of potentially the biggest power grab in the Nation's history. From the Teapot Dome scandals to Harold Talbott's inept use of his stationery in the Office of the Secretary of the Air Force, for which he was fired, the Nation has never faced a potential menace of this magnitude. The distribution of the Defense Department budget, now running far in excess of $50 billion a year, can determine the flow of wealth and can, literally, buy votes.

There also can be no reasonable challenge to the thesis, offered here, that the pattern being laid down by Mr. McNamara begets a procurement system that is easily corruptible. It is not the purpose of this essay to debate the merits of the General Dynamics and Boeing Co. proposals. Nor the applicability of titanium and thrust reverses to the TFX design, nor commonality, nor the relative importance of improved aircraft range and load capacity. That is for the technicians, the engineers, and the men who will risk their skins and their missions with this hunk of hardware.

We do submit, however, that the Secretary of Defense is substituting the judgment of a handful of men for the carefully weighed decision of a small army of experts. The former are political appointees with political gains to seek if, unlike Mr. McNamara, they choose to do so. The latter are removed from the political arena by their training, their experience, and their dedication. Their input comes from so many angles and is subject to so many internal checks and balances that the political factor, aggressive as it may be, never has failed to be secondary.

Failure of the Secretary of Defense to recognize this situation and the problem of another administration in another day to replace him with a man of equal caliber, perhaps is nothing more than one facet of his own almost incredible näiveté. Even the unlamented Charles Wilson, with his provocative homilies about bird dogs and patronizing reference to Senators as "you men" was less exasperating to tribunals on Capitol Hill. Mr. McNamara's relations with the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations and its chairman, Senator John L. McClellan, of Arkansas, have at this writing degenerated to the point where they menace the legislative welfare of many military programs. The haymakers thrown by the Defense Department, contemptuous and discreditable to the solons and military services alike, are Mr. McNamara's responsibility just as fully as his decision to buy the TFX from General Dynamics. The difference is that nobody can argue with his right to place a contract. They can differ with his judgment, both in overruling the Source Selection Board and the reckless use of calumny when his judgment is challenged.

The Secretary of Defense and at least two of his official faimly—Arthur Sylvester, Chief of Public Affairs, and Roswell Gilpatric, Deputy Defense Secretary—have been on the stand before Mr. McClellan to give apologetic clarifications of their language in the public prints. It is interesting and significant that most of what has been said about political influence and self-interest came out of these sessions. Here was the stuff of which headlines were made.

Mr. McNamara himself acknowledged that he could be a man who acted from political motives, personal interest, or simple error. One of the first things he did on the stand was to submit, of his own free will and accord, an accounting of his personal wealth, which is substantial but alien to issues in the current controversy. He called the accounting a matter of appropriate interest to the committee, a truism that would be uncalled for in explaining a source-selection decision that came out of existing and proven military machinery.

It is unfortunate that, so far, this machinery has not been placed under scrutiny to any worthwhile degree. The procedures followed for the TFX have been used by the Air Force since at least 1955 and applied in that time to determining the contractor for 65 new systems. In the case of the TFX, a joint service project, contributions were added from the Navy. The result is that deliberations of the Evaluation Group and Source Selection Board involved more than 250 persons, a large majority of them civilian experts in the employ of the Air Force and Navy.

When this procedure was set up 8 years ago it was recognized by the U.S. Air Force that security was essential, and there has been a closed door outside the proceedings ever since. The reason for this has appeared in official publications, which acknowledge that secrecy helps guard against special appeals and pressure. This could come from contractors or Congressmen, to cite the two most obvious examples, and it could delay a program and embarrass the U.S. Air Force. It could imperil the selection of a system and a contractor, or relations with industry, the Defense Department, and Congress itself. U.S. Air Force personnel, military and civilian, stand under threat of punishment if they violate this confidence. Transgressions are not unknown, but they are rare.

Input to the source selection procedure comes from all pertinent commands from headquarters down to the people who will train the crews and provide the logistics that support the system in the field. Members of the Source Selection Board represent the military's highest level of competence, and while the setup is not always efficient, there never has been a challenge to its effectiveness. It has offered maximum defense against political and economic pressures and checked the possibility of abuse of the vast power of contract placement.

There is no better way to prove the system's effectiveness, and none more timely in 1963, than to point to the fact that the much discussed and maligned military-industrial complex, admittedly a potent combination, has provided the security we need. And it has provided it without becoming the menace that its detractors had envisioned. An important reason for this is the system of checks and balances built into the source selection procedure.

While Congress was away for its Easter lull Secretary McNamara, perhaps unwittingly, lent credence to the possibility that the balance of power can be shifted. But he did not appear to accept the possibility that the shift could be to a man, or men, less honorable than himself.

In an address to the American Society of Newspaper Editors he said, "Any Secretary of Defense must make certain kinds of decisions, not because he presumes his judgment to be superior to his advisers, military or civilian, but because his position is the best place from which to make those decisions.

"This same kind of argument applies when economic interests affected by Defense decisions generate, as they inevitably will, political pressures on Defense officials."

He did not lament these pressures and even saw some merit in them, seeing it as his duty, and that of any Secretary of Defense, to resist them, if they are not compatible with the national interest.

What if under the aegis of Mr. McNamara, the military-industrial complex were replaced by a political-industrial complex, and passed along to a man considerably less honorable than Mr. McNamara?

If this axis prevailed—and the trend is in that direction—the safeguards against political manipulation would be gone. That they are in danger is illustrated, it must be added hastily, not by the TFX decision out of Mr. McNamara's office, but by the ambition of his civilian secretariat to revolutionize procurement procedures. There is a serious proposal, under review by the military services for the past several months, that would revise the bidding and source selection procedures for major research and development contracts.

Authored by John Rubel, one of Mr. McNamara's more restless aids, the proposal has the single merit of aiming to reduce the number of contractors who put time, talent, and money into formal proposals. From there on it almost certainly will destroy the objectivity of the U.S. Air Force's evaluation and source-selection system, impair industry confidence, and open the door for political pressures. Mr. Rubel would put the determination of what is significant in a proposed research-and-development program at the secretarial level and have the Service Secretaries pick the contractor, with the aid of the Defense Department.

In addition to inviting pressure on the single point where the decision is made, this will not insure the using commands and those who support them of any control over the timing, quality, and cost of weapons headed for the inventory. Mr. Rubel admits his plan would bring political and industrial pressures on the civilian hierarchy, but adds that the final decisions "should be made by the most responsible decision makers." On Capitol Hill, if not in the Armed Forces, he will find critics who will challenge his concept. In fact, a subsequent paper has watered down his proposal, but the intent and the philosophy are clear.

On top of this, there is an ad hoc study underway in the Pentagon that is considering the impact of simply abolishing the procurement organizations of the Army, Navy, and Air Force. The full task, under this program, would be assumed by the Defense Department in a modern and overwhelming Service of Supply. The argument behind this effort, if it materializes, probably will be that the fighting forces today are in specified and unified commands in event of war and that their logistic support justifies the unified approach. Congress has made it clear it does not intend to let unification go this far.

The serious consideration being given to these proposals may, in fact, be responsible for some of the Defense Department's conduct before the McClellan subcommittee. There is strong evidence that Mr. McNamara has gone to extremes in his response to the TFX inquiry to discount the effectiveness of the U.S. Air Force source-selection procedure.

In his initial reaction, the Secretary told the hearing, in a 32-page defense of his action, that his decision was determined by: (1) the fact that the competing designs both met the requirements and (2) that the General Dynamics proposal provided "minimum divergence from a common design" for the Air Force and Navy and (3) that General Dynamics was more realistic about its costs.

On this basis, there was no uniformed U.S. Air Force witness who would contradict the Secretary. On the basis of these standards, the early testimony discloses only that the military were disappointed, not that they would be contentious or make any effort to refute the Secretary's case. Then, in one of the most inexplicable moves of the entire conflict, Mr. McNamara, accompanied by Robert F. Kennedy, brother of the President and friend of Mr. McClellan, marched up to Capitol Hill and gave the Senator a list of questions to be put to the military witnesses.

Mr. McClellan acceded, and the result was that three generals and an admiral were forced to challenge their civilian boss on the record, however reluctantly. The questions went into technical details far removed from the factors the Secretary himself had cited as the basis for his decision, and with which the uniformed men did not quarrel. The effect of Mr. McNamara's queries was to shift the focus to explosive points where the military men had no choice but to dispute his judgment.

On top of the fact that Mr. McNamara did not consult with U.S. Air Force and Navy Chiefs before reversing their decision, this conduct has not gone past U.S. Air Force procurement officers without causing a shudder. Designed to force military witnesses to express disagreement, the motive in Mr. McNamara's questions would appear to make the TFX imbroglio look to the public and Congress like a revolt of the generals.

There has been no such revolt. Gen. Curtis E. LeMay, U.S. Air Force Chief of Staff, told the committee he was not bothered by the reversal and said it was the prerogative of the Secretary to do what he did. He did say he was surprised to some degree, because the U.S. Air Force never had been reversed before and because the secretariat did not find it necessary to discuss the reversal with him.

Mr. McNamara may find this hard to believe, but there is nothing in the record to indicate that Congress or the military services want anything but a procurement system that is above reproach. They thought they had it. They are confident that a military contribution to the source-selection system has virtues that cannot be guaranteed by a political contribution.

The civilian secretariat in the Pentagon is made up of political appointees. It is the job of these policymakers to improve the effectiveness of military participation, not to kill it, or to substitute a grab for power that would menace not only our security but our very pattern of government.

LAW OBSERVANCE AND INDIVIDUAL RIGHTS

Mr. MUSKIE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an address entitled "Law Observance and Individual Rights," delivered by Chief Judge David L. Bazelon, U.S. Court of Appeals for the District of Columbia Circuit, before the Federal Bar Association in Washington, D.C., on April 30, 1963.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAW OBSERVANCE AND INDIVIDUAL RIGHTS

(Address by David L. Bazelon, Chief Judge, U.S. Court of Appeals for the District of Columbia Circuit)

For three quarters of a century the first day of May has been an occasion on which people in America have marked their aspirations for a better social order. The May Day demonstrations of the 1880's by American trade unions seeking the 8-hour day are, so far as I am aware, the beginning of this tradition in our country; long, be it noted, before the emergence of Communist regimes which have made May Day an occasion for parading symbols of might rather than of right. Today we find the observance of May 1 extended from the labor movement to the Nation at large and from the limited and long-achieved goal of an 8-hour day to the broader goal upon which depends all social reform and advance in a democratic society: the rule of law.

Remarks in connection with our May 1 observance of Law Day often cover a broad spectrum: international affairs, communism, democracy, and many aspects of our system of government. Speaking on the eve of Law Day, I want to consider only some aspects of law observance in our own city of Washington. My remarks will be addressed to our observance of the criminal law and the rights of individuals. The two must always go together.

The popular concern growing out of our much-publicized crime problem here in the District of Columbia is not with white collar crime or with organized crime, but with crimes of violence, robbery and the like. More precisely, it is with the supposed "excess" of such crimes. Violence has always been with us but now we are really alarmed, and some of us are afraid to be out on the streets. We are alarmed with some cause, but we must retain a proper perspective. As Berl I. Bernhard, staff director of the Civil Rights Commission, pointed out earlier this month, there is a general impression that this District has the highest crime rate among the major cities of the Nation, whereas FBI figures show that, in number of crimes per thousand of the population, Washington actually ranks thirteenth among the 25 largest cities. And Mr. Bernhard reports that "compared to a national crime increase of 7 percent for the calendar year 1962 over the year 1961, the crime rate in Washington increased only 4.9 percent."

Unlawful behavior in the District has been attributed to a variety of causes—the Mallory rule; the previously existing cussedness of the human race; the Durham rule, of course; and soft sentencing policies—a charge which nicely ignores statistics showing that District of Columbia felons average a longer stay in prison than do felons in the States or in other Federal jurisdictions. The average length of time served by felons in the District of Columbia is 40.4 months; in the States it is 28.3 months; and the average of all Federal jurisdictions is 19.5 months. Other alleged causes have included the former inadequate number of juvenile court judges, the absence of corporal punishment and a consequent breakdown of discipline in our school system, and [illegible]n. Still other reasons have been reac[illegible] or and found. Not yet sunspots, however.

I don't know the whole answer, if there is one, to our crime problem, but I think I know some parts of it. One part was forcefully brought home to me one September when I returned to the city after being away for several weeks. There had been a phenomenal rise in the crime rate during August—something like 16 or 18 percent. I discussed the increase with a friend of mine, a veteran police officer. "For such a marked rise," I said to him, "you must have some sort of explanation." "Oh yes, it's quite simple," he replied, "You see, August was a very wet month." When I pressed him further, he pointed out: "These people wait on the street corner each morning around 6 or 6:30 for a truck to pick them up and take them to a construction site. If it's raining, that truck doesn't come, and the men are going to be idle that day. If the bad weather keeps up for 3 days," he continued, "we know we are going to have trouble on our hands—and sure enough, there invariably follows a rash of purse snatchings, housebreakings and the like." Then he added: "These people have to eat like the rest of us, you know."

Thus one gets a painfully sharp illustration of the direct relationship between unemployment, poverty, and crime—a theme to which James B. Conant has drawn attention in his significant study, "Slums and Suburbs." The mass of school dropouts who are without employment and without hope of employment constitute the combustible material which Conant fears will burst into a crime explosion on a scale we have never known.

Both crime and morality have their generative conditions. So we need a probing awareness of the conditions of physical and mental life which are essential to the standards of law and morality we have adopted. We must face up to the absence of the essential conditions and not merely cluck our tongues about it. Only then will there be any real chance of altering personal circumstances and behavior in the right direction.

This was recognized by the District Commissioners' Crime Council of which former U.S. Attorney Oliver Gasch was cochairman. It pointed out that "all of the police forces, public recreational facilities, and wholesome activity programs that money can buy will not miraculously turn a youth from antisocial behavior, if his share of city life reveals only deprivation and discrimination. Substandard housing, unequal job opportunities, and many other discriminatory practices lend themselves most powerfully to the creation of a psychological climate hardly conducive to good citizenship."

We must ask ourselves these questions: Does the citizen of a free, affluent society have a right to health and development, and to the adequate upbringing on which these depend? Do we want this included in our concept of modern democratic citizenship? If we do, then the illness and other failures of our citizens who have been denied such an upbringing must be seen as failures of society as well. An alternative view is that society need accept only limited responsibility for the sick and miseducated individuals it creates; need give only limited recognition, for example, to mental illness in criminal proceedings; need not recognize that mental illness is a large part of the problem of crime and that social illness accounts for much of the remainder. By that alternative, "we," the more successful part of society, get off easy.

When rules are enforced against individuals who lack the training and capacity to follow them, the rules become instruments of oppression. It is not always the moral prescriptions that are wrong. What is always wrong is our failure to recognize the conditions that are essential for their observance. For I take it that morality is a real thing, but also that its functioning is based on real conditions; on the educative conditions which give an inner structure to the individual, and the interwoven social conditions in the context of which the individual acts out his fate.

Many people feel that any discussion of criminal law and morality which does not concentrate on the issue of free will evades the real question. I am neither a philosopher nor a theologian and have no desire to discuss free will in the usual abstract terms. I am satisfied that the concept of morality relates to choices—real choices, the grounds of which are never exclusively spiritual, because they also concern the multiform conditions of social life. If belief in free will necesarily assumes that there is always a choice and that all choices are equally available to differently situated actors, then I heartily disagree. Intellectual, physical, and emotional capacity, wealth, social status, all extend or limit the area of choice. To impose moral responsibility where there is no real choice is exactly what leads to Sunday morality, since it equates the illusion of choice with actual choice. We would all do well to return again and again to the irony of Anatole France when he said: "The law, in its majestic equality, forbids the rich as well as the poor to sleep under the bridges, to beg in the streets, and to steal bread."

One evades all sorts of disturbing problems if one talks in terms of complete free will instead of examining the range of actually available choices; attributes antisocial conduct to inborn evil instead of questioning how the evil got there; adheres to the strict responsibility of criminals and ignores the other side of the coin, responsibility for criminals.

What are society's responsibilities? They can be discussed from scores of viewpoints, including the educational and job opportunities we offer our young and our reaction when badly socialized human beings annoy us by getting into trouble. But I suggest that most problems concerning the responsibility of society finally come down to a question of the allocation of resources—material and emotional; what we give and what we fail to give; finally, understanding and money. One might even say, love and money.

This assertion of society's responsibilities may smack of "welfareism." But is there really any other way of looking at the matter? The most violent opponent of the welfare state concept probably acts much like a welfare state toward his own family. Even if he rules his roost with an unforgiving iron hand, he would never admit that he had been parsimonious toward his children with his affections and his funds. Even when social Darwinism was in vogue, its most convinced exponent was paternalistic at home. He may have been a stern Victorian father but he took seriously his responsibilities toward his dependents.

Social Darwinism, like isolationism, persists in America only as a nostalgic dream. It persists sub rosa, as a mood, but it has ceased to be intellectually respectable. The balanced budget promises to take its place as the No. 1 rationalization of social irresponsibility. Though social Darwinism is not the pleasing source of self-righteousness it once was, the motif of economy in the allocation of resources still accomplishes what social Darwinism intended. It is not easy for the strong and fortunate to give up the idea that the weak and miserable should be left to their own scant resources. There is probably no area in the entire administration of the criminal law which is not affected by preoccupation with economy of money and economy of human feeling. That our wealthy society approaches its responsibilities in forma pauperis, as it were, is a national scandal. It daily contradicts the democratic humanism under which we profess to live.

While we debate how and whether to attack the roots of the problem, what measures do we and should we take against those who endanger us by violent crimes? No one would deny that we need vigorous law enforcement. But should this entail, for example, the use of terror evoked by the threat of setting beasts against human beings? I refer, of course, to the use of police dogs. Although I am not aware that this use has reduced the crime rate, the police assert that it is effective. Assume for the moment that it is. A full-scale reign of terror might be effective, too. But could we respect ourselves if we instituted one? Can we pretend that resort to such tactics will foster respect for the law and not merely respect for brute force? By measures such as these, perhaps you can force even the most unsocialized and antisocial people into a kind of submission—and not have to bother to look for the reasons for their plight. But at what a price? As a practical matter, the head of one municipal police force has explained to me, only respect for the law can insure public safety upon the thousands of city blocks of a large metropolis. It isn't feasible to maintain a policeman on each block 24 hours a day, even if that were thought desirable.

Many people persist in thinking that withdrawal of legal rights and safeguards from those accused of crime would have a beneficial effect. We are told that crimes cannot adequately be solved if the police are not permitted to make arrests for investigation. And we hear that the rules established in the Mallory and Durham decisions increase our crime rate by enticing offenders into the District of Columbia from outlying areas. I doubt that the perpetrators of crime calculate nicely the length of time during which they may be interrogated by the police before deciding where to snatch a purse, or consider that, if caught, the chance of being sent to a mental hospital instead of a prison may be greater here than it would be elsewhere.

I suspect that the causes of aberrant behavior run a good bit deeper than this, and that the factors which trigger it are less subject to rationalization. But suppose I am wrong. Suppose, for instance, it could be shown that the Durham rule increases the crime rate. Then we should have to weigh the morality of punishing mentally ill people by prison or by death. Perhaps we would even go so far as to abolish the insanity defense. But as Justice Cardozo remarked: "If insanity is not to be a defense, let us say so frankly and even brutally, but let us not mock ourselves with a definition that palters with reality. Such a method is neither good morals nor good science nor good law."

Some of the measures which are advocated to deal with the problem of crime raise serious issues under our Bill of Rights. We have generally assumed that we are not subject to arrest unless the police have probable cause to think we have committed a crime. But the police tell us they need to make arrests without probable cause and solely for investigation in order to solve crime. Such experience as we have had since the District Commissioners' courageous action to halt arrests for investigation does not bear them out. But even if the position of the police should later prove to be factually correct, we should have to decide whether such arrests violate the fourth amendment, as the local bar is convinced that they do; and if so, then whether the fourth amendment must be abandoned in an attempt to stem the crime wave. But we should heed the warning of Justice Douglas in *Jones* v. *United States* that "Though the police are honest and their aims are worthy, history shows they are not appropriate guardians of the privacy which the fourth amendment guarantees."

I urge that we face the constitutional issues which lurk in some of the proposed solutions to the crime problem. I do not mean that we should see if the words of the Constitution can be juggled so as to reach a desired end, but whether what is planned would in fact offend the letter and the spirit of the Constitution. I suspect that sub rosa infringements of constitutional guarantees are more dangerous than frontal attacks. With the latter we can see just how far our basic principles are being surrendered; with the former, the erosion may go a long way before we understand what is happening.

We should be aware that if the protections of the Bill of Rights are restricted we shall, in practice, be affecting directly the rights of only one section of our population. When we talk about arrests for investigation, lengthy police interrogation prior to arraignment, and the like, the subject under discussion is not you or me. We don't get arrested without probable cause because, to put it plainly, we don't look as if we would commit acts of violence and we do look as if it might not pay to trfle with our rights. Nor would you or I be subjected to long interrogation by the police without the benefit of counsel. Nor do you and I live in neighborhoods where the police dragnet is used, and where suspects are subjected to wholesale arrest.

So the issue really comes down to whether we should further whittle away the protections of the very people who most need them—the people who are too ignorant, too poor, too ill-educated to defend themselves. On Law Day it is appropriate to inquire whether we can expect to induce a spirit of respect for law in the people who constitute our crime problem by treating them as beyond the pale of the Constitution.

Though the direct effect of restricting constitutional guarantees would at first be limited in this way, indirectly and eventually we should all be affected. Initially the tentacles of incipient totalitarianism seize only the scapegoats of society, but over time they may weaken the moral fiber of society to the point where none of us will remain secure.

A debate earlier this month at a meeting of the District of Columbia Bar Association showed the healthy concern of the legal profession with the perennial and inevitable conflict between police demands and constitutional mandates. The overwhelming vote which followed that debate demonstrated that lawyers are still in their rightful place at the forefront of the movement to protect civil rights. There could have been no better prelude to Law Day than that.

Our attitude toward crime reflects our view of the value of the individual in society. In our deepest democratic and national commitments, we are a society of individuals. It is for the protection of individuals and of society that one who is accused of crime is deemed innocent until proved guilty and is afforded all the other legal safeguards. In protecting him, we protect ourselves. In a sense the entire system of criminal jurisprudence is "symbolic," since every part of it stands for something more than itself, namely, the preservation of the worth of each individual in the society of individuals. We must deter not only crime, but also the debasement of the individual.

THE 175TH ANNIVERSARY OF NEW HAMPSHIRE'S RATIFICATION OF THE FEDERAL CONSTITUTION

Mr. McINTYRE. Mr. President, we in New Hampshire have a deep sense of historical pride, having had the opportunity to play a prominent part in the formation of this country from the days preceding the birth of a United States. New Hampshire men have bled and died in every battle to make and keep this Nation free. The names of three Granite Staters are affixed to the Declaration of Independence, and from that time to this, New Hampshire statesmen have played a part in the operation of our National Government.

But I know of no single event in our long history of which we are prouder than having been the ninth and deciding State to ratify the Constitution of the United States.

The New Hampshire Federal Convention was called on February 13, 1788. More than 4 months later the final vote on ratification was taken in the Old North Meeting House in Concord.

The news was met with great joy and celebration in some of the other States. A Boston newspaper of the day recorded the event in these words:

> The arrival of Mr. Reed, on Sunday last, from Concord, N.H., with the news of the adoption of the new Federal system by the convention of that State, on Saturday last, diffused joy through all ranks in this metropolis—as by this great event the Federal edifice is reared, and the future good government of the States in general secured to the people.

George Washington took note of the news from New Hampshire in a letter describing the happiness of the people of Alexandria on Virginia's vote to ratify. Washington said the people's "exhilaration was greatly increased, and a much keener zest given to their enjoyment, by the arrival of an express with the news that the Convention of New Hampshire had, on the 21st instant, acceded to the new Confederacy."

Mr. President, next June 21 marks the 175th anniversary of New Hampshire ratifying the Federal Constitution. The event will be commemorated with appropriate ceremonies in Concord. This will be a proud day for the old Granite State and all her sons and daughters.

ELECTRIC POWER AS A PUBLIC SERVICE

Mr. MORSE. Mr. President, on April 30, my good friend and colleague, Senator ENGLE, of California, gave a very excellent and impressive keynote address to the delegates attending the convention of the American Public Power Association at Cleveland, Ohio. Senator ENGLE gave such a penetrating analysis of the role of the private electric utilities in our Nation today that his speech deserves consideration by every Member of the Senate and House of Representatives.

I was particularly impressed by the manner in which Senator ENGLE demonstrated that the private electric utilities are by their very nature engaged in the business of carrying on a public function. The Senator from California performed a great service by pointing out that in advertisements appearing in certain magazines throughout the Nation, the private electric utilities very carefully avoid referring to themselves as "privately-owned utilities" and prefer to characterize themselves as "investor owned."

Senator ENGLE brought home this fact very forcefully when he stated:

> To me the emphasis on the term "investor owned" reveals where their major interest lies.
>
> Is it with the people—the consumers of electric power? No.
>
> According to the private owners themselves, their primary concern is with their own investors.

Mr. President, I ask unanimous consent that this outstanding address of Senator ENGLE of California, entitled "Electric Power as a Public Service," be set forth in its full text at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ELECTRIC POWER AS A PUBLIC SERVICE

(Keynote Address by Senator CLAIR ENGLE, Democrat, of California, Before Convention of American Public Power Association, Cleveland, Ohio, April 30, 1963)

Mr. Chairman, I am very glad to be here among good friends. It is a pleasure and a distinction to be invited to deliver the keynote address to the convention of the American Public Power Association.

I should like to start out with the dictionary. Webster says that my job here is to "present the essential issues." A keynote, he says, is "the fundamental fact or idea."

With this guidance, I might be able to conclude my address in a paragraph or so. The fundamental idea of this convention—the keynote of the American Public Power Association—is the same as that of the Congress—public service.

However, I won't sit down just yet. Because I want to pursue this fundamental idea a bit further.

I want to examine the relationship of electric power to public service and define some of the other terms we commonly deal with in this business. I mean terms such as "public utility," "private utility," "privately owned public utility," or as the private companies prefer to call themselves these days, "investor-owned utility."

Public service means serving all of the people, to the fullest possible extent—not just some of the people, or a privileged segment of the people, or some special interest group.

In this business of providing electric power service there really is no such thing as a private utility. By their very nature all electric utilities are public in purpose, or should be.

Electric service in America today is essential to our public economy, our public health and public life in general. This service is essential regardless of who owns and operates the utility.

And here we come to the fundamental distinction between public power and private power. It is a distinction of ownership and management. Let us ask ourselves the question of what difference, if any, that distinction makes to the people. I think the evidence is clear that it does make a difference.

One of our best clues comes from the companies themselves. They don't like the expression "privately owned utility" any more. In their advertising and publicity they describe themselves as "investor owned." To me the emphasis on the term "investor owned" reveals where their major interest lies.

Is it with the people—the consumers of electric power? No.

According to the private owners themselves, their primary concern is with their own investors.

Now there is nothing wrong wtih private investment, which I respect, or with private profit on private investment. I'm not flinging any charges; I'm merely comparing objectives. But I do believe that in public service, which embraces the entire electric utility industry, the general public interest which is the consumer interest ought to come ahead of the investor interest.

I regret to say it does not, so far as many privately owned utilities are concerned. The evidence is not confined to their advertising. It has been clear for many years in their high rate schedules and profits. And they have waged constant political warfare on public power projects.

The Government cannot be looked upon as an intruder in the field of generation and transmission. As Secretary of the Interior Udall stated some months back: "The fact that investor-owned companies must obtain licenses, permits, and franchises from governmental agencies is evidence of the fact that supplying power is a governmental responsibility and has been accepted as such for a good long time."

More than a half a century ago the Congress enacted legislation establishing the time-honored preference clause which has been and continues to be the foundation of existence for many of the systems represented here today. Because of this governmental action dating back to April 16, 1906—known as the Town Sites and Power Development Act—those of you in areas covered by the Federal power marketing agencies are able to obtain power at reasonable rates for prolonged periods of time.

You can plan ahead to meet the future without the vagaries of sudden contract cancellation or rate increases that might otherwise hamper your operations.

One more difference I want to tie down a bit is the term "private enterprise." I am all for it, just as I am for private profit. But I reject the implication that enterprise is exclusively a private reserve. Or that public enterprise is suspect. Public enterprise also has rights in public service. You people, too, can be enterprising without becoming socialistic.

To be specific, a field in which public enterprise ought to have precedence all the way from producer to consumer is in our great multipurpose river projects.

Given the responsibility for flood control, for irrigation, for municipal water supply and other public purposes, our Federal and local public agencies quite properly take on the burden of building multipurpose projects, many of which also produce electric power.

Fine, say our private power friends. Let the Government build the big dams and canals and pumping plants. We will gladly cooperate. Then in a magnanimous display of enterprise, the private companies offer to take on the responsibility of building and operating the electric power features.

Is their objective here lofty public service? Are they being philanthropic?

I don't have to tell this audience that it is the dams and water supply structures that are the more costly components of our river basin projects—components which the people must pay for.

But it is the powerplants and the transmission lines which produce the most revenue. Well, cooperation is fine, and partnership may be too if it is genuine. But this particular brand of partnership between Government and business—which in essence is, you build the dams, we'll handle the power—is obviously good business if you can get it, but it isn't good government.

On the Central Valley project in California, with which I have been intimately connected for the 20 years I have been in Congress, we rejected the private partnership power proposals. We held on to the electric power as an integral part of the project.

What has been the result? The result today is that the Central Valley project so far has returned to the U.S. Treasury a net operating income of $106 million, 77 percent of which has come from electric power—and low-cost power at that. Irrigation repayment has accounted for about 20 percent; municipal and industrial water sales 3 percent. Obviously, in western reclamation, power is the paying partner.

Especially power transmission lines—more and more they are the key. In the technology of moving electric power we have reached the point where interstate transmission systems have just as much impact nationally upon the conservation and utilization of our power, our water, and our fuel resources as does the operation of the electric plants themselves.

New techniques make it possible to economically transmit large quantities of electric power at extra high voltages for distances of a thousand miles or more. That is why I believe the Federal Power Commission should have the authority, which it now lacks, to regulate interstate high-voltage lines.

I have introduced a bill (S. 350) to provide for FPC regulation of the construction and operation of interstate transmission lines of 230 kilovolts or higher. Senator BURDICK, of North Dakota, is a cosponsor. Congressman JOHN MOSS, of California, has introduced an identical bill (H.R. 2101) in the House.

Our bills contain a provision to require that such high-voltage lines be operated as common carriers to the extent that capacity may be available. This legislation is consistent with and in effect an extension of the Federal regulation recently put in effect by the Department of the Interior and the Department of Agriculture with respect to the granting of rights-of-way for non-Federal transmission lines over Federal lands.

I commend Secretary Udall, who is here today, and Secretary Freeman for reinstituting this sensible rule which, for no good reason, was rescinded by the prior administration in 1953.

We are on the verge in this country of a great program of transmission line interconnections. A major intertie is proposed on the west coast to link the Columbia River power system in the Pacific Northwest with the Central Valley project system and the Colorado River system in California.

To start building this intertie, President Kennedy's fiscal 1964 budget includes $24½ million, divided between the Bonneville Power Administration and the Bureau of Reclamation. I solicit your support for these two budget items which will come up in the regular public works appropriation bill.

The essential issue in this intertie program is, Which agency or group shall control power rates and power utilization? In other words, who shall control the transmission? Should it be the Government or the private companies?

A combination of four private companies in the West has announced a counterproposal to build a private west coast intertie. They have selected four specific public agencies that they would be willing to serve, at prices and terms that are not disclosed. Their scheme would exclude all other public agencies, including the Federal Government and all Central Valley project customers except one. The private line between the Pacific Northwest and the Southwest would not be a common carrier.

But on the Columbia River, in the Central Valley, and on the Colorado River the Government has built the big dams—multipurpose dams. The Government ought also to build and control the transmission intertie between them. As I have put it, whoever owns the store ought also to own and control the cash register.

I do not suggest that the private companies be barred from participation. They will not be under the common carrier intertie plan that is proposed in the President's budget. They participate substantially already in power service from Bonneville, from the Central Valley project, and from the Boulder Canyon project. They can continue to participate when these great public projects are publicly interconnected. Everybody will benefit, provided the public interest is protected by Government control of the interties.

I will give one example of the benefits of the west coast intertie. The people of my State voted a bond issue of $1,750 million to build the great California water project. This is a State, not a Federal project. But the deputy director of the California Department of Water Resources estimated last December that a Federal west coast intertie would reduce pumping costs of the State water project by some $37 million annually.

The calculation comes from comparing current Bonneville rates, plus 1 mill for transmission, with current private company rates in California. Furthermore, he said such a reduction in power costs could bring a corresponding reduction in water costs of more than $10 per acre-foot for water delivered in southern California.

These savings border on the sensational. And it is just one example. Benefits would flow both ways on the west coast intertie because of the complementary hydrology of the Columbia River and the shorter California rivers. The benefits are worth fighting for. They can come out of the intertie cash register. They represent another compelling reason why you and I should support the administration's public intertie plan as against the various private proposals which seek transmission control—cash register control.

We need men of courage and vision to cope with the demanding challenges that lie ahead in this nuclear age. The American Public Power Association is fortunate to have the leadership of men who have toiled tirelessly for these things in which you and I believe. The essential requirement—the keynote, as I said in the beginning—is our faithful dedication to public service.

FEED GRAINS BILL WILL SERVE THE NATION AS WELL AS FARMERS

Mr. YARBOROUGH. Mr. President, freedom to plan for profitable harvests is a feature of this feed grain program, and helps explain the widespread support for it in Texas. Freedom to plant the best adapted grain, the grain most in demand, the grain of the farmer's personal choice is provided. The possibility of making a greater profit, the opportunity to participate with others in adjusting our grain supplies to market needs are, in this feed grain program, the only elements of compulsion.

For this is truly a voluntary program. No feed grain producer has to come into the program. If a farmer desires to continue, or to begin to plant corn, grain sorghum, barley, oats, and rye from fence to fence in his fields he is free to do so. He will not be penalized.

But if he chooses to take part, and to continue the good work begun in 1961 and 1962, and continuing this year, he may do so with the assurance of 3 years of successful operation of similar programs.

The man who grows both wheat and feed grains will find the 1964 wheat programs and the 1964 voluntary feed grain program afford him the new flexibility he has long desired in working with other farmers to successfully meet market needs and opportunities. The substitution clause of the wheat program, which provides that acreages of grain may be freely interchanged will be in effect for the farmer who chooses to take part in both programs.

Wheat may be grown on feed grain acreage that is not diverted. Or feed grain may be grown on the wheat allotment. This is a practical measure. It has been requested by farmers themselves. It can work to their advantage by making it possible to grow the best adapted grain, or the grain for which there is the greatest need in a particular area. I believe many farmers will see the merit of this provision, which will result from providing practical programs farmers can understand.

This feed grain bill should be passed prior to the May 21 wheat referendum vote so the farmers will be assured of a wider range of planting choice for next year. A yes vote in the wheat referendum would mean approximately $42 million more income to Texas farmers next year.

It is important that we realize, however, that this interchange of wheat for feed grain acreage, or feed grain acreage for wheatland, will not bring about an imbalance in grain production. Whichever grain is chosen for planting and harvest will be grain produced in place of, not in addition to, grain that would otherwise have been produced. Total grain production—with diversion of land through both programs—will not be increased. Supplies in the Government's hands can continue to be reduced in an orderly manner to a level we can expect to meet the needs of any emergency.

Grain sorghum producers in various parts of Texas are concerned that this important legislation be passed and become a public law. I have heard from all quarters regarding the 1961 and 1962 feed-grain programs, and there is overwhelming support for extension of the program.

Grain sorghum, of the highest quality, is the principal feed grain grown in Texas and I would, therefore, like to point out a few factors in relation to that important crop. The price support for grain sorghum in 1962 was $1.93 per hundredweight. That support price went to $2 in 1963. The support price of corn is up to $1.25 per bushel in 1963, 14 cents higher than in 1960. Since 1960 feed grain in Government storage have been reduced 28 percent, with a consequent savings in insurance and storage charges. The 1961 feed-grain program alone reduced corn in Government storage by 368 million bushels. The 1962 program continued this reduction by 340 million bushels and preliminary reports and estimates indicate that feed grain stocks will be further cut by the 1963 feed-grain program. It is almost redundant to point out to this great body that reduction of Commodity Credit stocks have cut the cost of shipping and handling to the Federal Government.

Agricultural income in Texas is approximately $2½ billion a year. More than one-third of our people in Texas earn their living in agriculture and related industries directly dependent on agriculture.

Mr. President, the feed grain problem can be reduced to a fairly simple statement—the need for bringing supply into balance with the demand.

I would like to summarize five important objectives of the legislation now pending:

First. To increase farm income and reduce Government stocks.

Second. To assure consumers of continued fair and stable prices for meat, poultry, dairy, and cereal products.

Third. To afford producers the means of growing needed quantities of feed grains without risk of overproduction which in itself depresses prices to farmers and increases storage costs to the taxpayers.

Fourth. To further reduce current feed grain stocks to the level of an adequate safety reserve.

Fifth. To strengthen the historic national objective of a strong system of owner-operated family farms.

In Texas, as in many other areas of this great United States, farm income is far too low. To that end, I should like to quote you a statement from the executive committee meeting of an old and respected farm organization that originated at Point Texas, in 1902, the National Farmers Union:

> Farmers everywhere should join forces this year to work with responsible farm organizations and farmers' friends in Congress and the administration to insure a prosperous and stable agricultural and national economy.

REPORT OF BOARD OF VISITORS TO U.S. NAVAL ACADEMY

Mr. CASE. Mr. President, I have had the honor of serving on the Board of Visitors to the U.S. Naval Academy for 1963. Our final report has now been submitted to the President. Because of the general interest in this subject in Congress, I ask unanimous consent that the full text of this report be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF THE BOARD OF VISITORS TO THE U.S. NAVAL ACADEMY 1963

THE BOARD OF VISITORS TO THE U.S. NAVAL ACADEMY, 1963, APPOINTED BY THE PRESIDENT

Mr. Thomas J. Deegan, Jr., chairman, Thomas J. Deegan Co., Inc., New York, N.Y. (term expires December 30, 1965).

Mr. David J. McDonald, president, United Steel Workers of America, Pittsburgh, Pa. (term expires December 30, 1963).

Dr. Edgar F. Shannon, Jr., president, University of Virginia, Charlottesville, Va. (term expires December 30, 1964).

Mr. Stanley M. Stalford, chairman of the board, Fidelity Bank, Beverly Hills, Calif. (term expires December 30, 1965).

Mr. Guy Stillman, consulting engineer, Phoenix, Ariz. (term expires December 30, 1963).

Mr. William H. Vanderbilt, real estate development, former Governor of Rhode Island, Chestnut Hill, Mass. (term expires December 30, 1964).

APPOINTED BY THE VICE PRESIDENT

Senator E. L. BARTLETT, of Alaska.

Senator J. GLENN BEALL, of Maryland.

Senator A. WILLIS ROBERTSON, of Virginia.

APPOINTED BY THE SPEAKER OF THE HOUSE

Representative DANIEL J. FLOOD, 11th District of Pennsylvania.

Representative ELIZABETH KEE, Fifth District of West Virginia.

Representative WILLIAM E. MINSHALL, 23d District of Ohio.

Representative K. W. STINSON, Seventh District of Washington.

EX OFFICIO MEMBERS OF THE BOARD [1]

Senator CLIFFORD P. CASE, of New Jersey.

Representative OTIS G. PIKE, First District of New York.

REPORT

ANNAPOLIS, MD.,
March 15, 1963.

The PRESIDENT OF THE UNITED STATES.

SIR: The Board of Visitors to the U.S. Naval Academy convened at Annapolis on Monday, March 11, 1963, and continued its deliberations until Friday, March 15. Mr. William H. Vanderbilt was elected Chairman and Comdr. Richard T. Lyons, Secretary; Lt. Comdr. Paul D. Lawler and Dr. W. S. Shields served as Assistant Secretaries.

The Board organized into two committees: one on curriculum, academic procedures, faculty, and admissions; and the other on morale, discipline, fiscal affairs, and physical plant.

Committee on Curriculum, Academic Procedures, Faculty, and Admissions: Senator Clifford P. Case, Representative Otis G. Pike, Dr. Edgar F. Shannon, Jr., Mr. Guy Stillman.

Committee on Morale, Discipline, Fiscal Affairs, and Physical Plant: Representative Elizabeth Kee, Representative K. W. Stinson, Mr. William H. Vanderbilt.

The Board voted that the 1964 meeting of the Board of Visitors would be held during the period of March 5 through 8.

We concur most heartily with President Kennedy that funds spent for the education of our youth are our country's best investment in the future. This certainly pertains to the U.S. Naval Academy. It is with this in mind that the Board of Visitors to the U.S. Naval Academy submits the following report.

Curriculum

The Board of Visitors has been favorably impressed by the progress made under the revised curriculum established 4 years ago as a result of the study conducted by the Naval Academy faculty and leading American educators. The class graduating this June is the first to have had the benefit of the new program during its entire 4 years at the Academy. We have found wholehearted approval on the part of both faculty and midshipmen. The entire administration and faculty, both officer and civilian, have joined in making the substantial changes in educational philosophy and physical plant which were required. We believe that the new curriculum is providing the graduates of the Naval Academy with a broader educational base and at the same time more effectively preparing them to meet the constantly changing needs of the future in technology and science as well as weaponry and operations.

The validation program, coupled with the large number of elective courses now available, allows each midshipman to advance at a rate commensurate with his educational capacity and also to acquire additional knowledge in the field of his special interest.

Faculty

The Navy itself is a continuing educational process, the foundation of which is the U.S. Naval Academy. Therefore, officers who are encouraged to take further education are not only an asset to the Academy as instructors, but are a distinct asset to the service as a whole.

The Board of Visitors is gratified at the emphasis that the Superintendent of the Naval Academy is placing upon strengthening the qualifications of the faculty. The quality of the faculty, both officer and civilian, determines the total educational quality of the Naval Academy and the success of the Academy in accomplishing its mission. The Naval Academy requires a highly trained faculty uniquely dedicated to developing and inspiring young men to become outstanding career officers in the naval service.

The Board of Visitors applauds the steps that already have been taken to enlarge the number of officers with graduate training and degrees assigned to the faculty beginning in June 1963. It urges increased assignment of officers with a minimum of a master's degree in addition to the basic baccalaureate degree and continued progress toward a higher proportion of officers on the faculty holding a doctor's degree. In assigning officers with high academic qualifications to the faculty, great care should be given to selecting those officers with demonstrated teaching ability and outstanding qualities of personality and leadership. Further, the Board strongly recommends that the Department of the Navy attach great importance to duty on the faculty of the Naval Academy in an officer's career and in his prospects for advancement in the naval service.

The Board of Visitors heartily endorses the proposal of the Superintendent of the Naval Academy for the establishment of a Naval Academy education program to provide a continuing supply of outstanding naval officers with graduate training at least to the master's level in the disciplines taught at the Naval Academy. This program should provide adequately for graduate training and advanced degrees not only in the sciences, mathematics, and engineering, but also in the social sciences, languages, and the humanities.

Since the Board notes with approval the progress made with instituting the new curriculum, the validation program, and the expanded number of electives, it, therefore, urgently supports the request of the Superintendent of the Naval Academy for 80 additional civilian faculty members as a minimum. Further additions may be necessary in order to maintain an adequate plan of leave of absence or sabbatical leave.

The Board of Visitors believes that maintaining and recruiting able and distinguished civilian members of the faculty in the face of increasing competition from government, industry, and other academic institutions will require increasing attention and effort. The Board believes that a civilian educator of national stature should be appointed academic dean. Such an appointment would be especially important in the effort to maintain and augment an outstanding faculty. The establishment of the new civilian salary scale with payments made during 10 months instead of 12 has been of utmost importance to the caliber of the civilian faculty, but the Board emphasizes the necessity of further increases in the salary schedule if the Naval

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[1] The chairman of the Committee on Armed Services of the Senate and the chairman of the Committee on Armed Services of the House of Representatives, or their designees, are, by law, ex officio members of the Board.

Academy is to remain in a position competitive with other leading academic institutions.

We believe also that there should be continuing review of the retirement and other fringe benefits. Consideration should perhaps be given to the possibility of an optional participation in the TIAA-CREF program for persons joining the faculty who have been on this program in another institution.

Members of the civilian faculty should be allowed the privilege of the midshipmen's store for the purpose of buying books. This would be in keeping with normal college and university practice. The Board recommends that appropriate administrative action be taken or, if necessary, that special legislation be sought to accomplish this purpose.

Effort should be made to reduce the number of hours in the teaching load. Much more clerical help is essential for the faculty to carry out their teaching duties effectively and without dire waste of their capabilities. Such help is also an important factor in the morale of the entire faculty, both officer and civilian.

Opportunities for postdoctorate as well as predoctoral research are essential to maintaining the vitality and the quality of the faculty. The faculty should be encouraged to engage in research; and adequate space, facilities, and funds should be planned for and provided at the Academy for this purpose.

Appropriate procedures must be instituted permitting members of the faculty to receive compensation for time spent on research under contracts and grants.

Interservice transfers upon graduation

The members of the Board of Visitors have been increasingly impressed during their stay at the Academy with the validity of the position taken by Admiral Kirkpatrick and other officers running the Brigade of Midshipmen regarding the question of interservice transfers upon graduation. The Naval Academy provides its midshipmen with a sufficiently well-rounded education so that they may, without scholastic loss or loss in their military careers, transfer upon graduation to either the Army or the Air Force. The law permits them to do this. We feel, however, that this law, which had its roots in the need to require some graduates of both West Point and Annapolis to transfer to the Air Force in the days when there was no Air Force Academy, is no longer necessary and is, in fact, a handicap to the proper achievement of the basic mission of the Naval Academy. The basic mission of the Naval Academy is to produce career officers for the U.S. Navy and the Marine Corps. When the Naval Academy sees 80 of its graduates—and some of its top graduates—electing to transfer to other services, it naturally feels that the time and effort which it has spent in trying to motivate these young men toward a naval career has been to a large extent wasted time and wasted effort. The initial years of the young naval officer, after graduation from the Academy, are frequently more onerous than those of the graduates of the other academies. They are required to spend long periods of time at sea, away from home and from their families or fiances. Neither has the Navy made available postgraduate work on as immediate a basis as has the Air Force or the Army, because the Navy wants its officers to continue their education at sea.

We support the Navy both in its goal and in its reasoning on this matter. While we approve the postponement of postgraduate work in favor of an appropriate period of sea duty and training, we strongly urge upon the Navy that opportunities for graduate work equal to those offered by the other services be made available to its officers as early as possible. We also recognize the dangers both to morale and discipline which arise from the opportunity awarded a midshipman who perhaps may not have expended his best effort at the Naval Academy to start with a clean slate in another service.

The Naval Academy has an excellent indoctrination program in which the upperclassmen are personally responsible for the indoctrination of one or more plebes. The impact upon the lowerclassmen when they find that the individual who has indoctrinated them into a naval career is himself electing upon graduation to pursue some other career is obvious. We believe, with the staff of the Naval Academy, that the privilege of transferring from the naval service to other services upon graduation from the Naval Academy should be eliminated either by agreement within the executive department or, if necessary, by legislation.

Modernization and construction program

The Board concurs with the report of the Special Advisory Commission (appointed by the Chief of Naval Personnel, June 10, 1961, and composed of outstanding educators, engineers, and businessmen) and strongly endorses the recommendations of the 1961 Board of Visitors. We reiterate the statement of that Board that "we consider that the need for the science building and the enlisted barracks is acute and urge immediate action on these items."

We further believe it is essential that the overall program recommended by the Commission be implemented at the earliest possible time so that the entire construction and rehabilitation project can be conducted in an orderly manner looking toward completion in 1967. (See Secretary of Defense program change decision of November 24, 1962; program change 7-04-10-01-2-1 Naval Academy.)

Fiscal year 1964: Rehabilitate wings 1 and 2, Bancroft Hall (fourth and final increment); acquire Naval Academy Athletic Association land (17.3 acres); construct new science building.

Fiscal year 1965: Replace central heating plant; convert Dahlgren Hall to weapons building; rehabilitate and expand utilities systems (first increment); construct laundry and drycleaning plant; construct public works shops.

Fiscal year 1966: Construct auditorium (4,000 seats); modernize academic facilities; rehabilitate and expand utilities systems (second increment).

Fiscal year 1967: Modernize library; modernize administrative and support facilities; relocate Dorsey Creek Bridge to straighten road.

We have found existing conditions in many of the classrooms and faculty offices to be far below minimum standards in any first-class educational institution. We believe that the faculty and staff of the Academy have done an amazing job in carrying on their work in areas originally designed for use by approximately 800 midshipmen, whereas today the brigade consists of nearly 4,000. Most faculty members, whether officer or civilian, are crowded into large rooms, desks back to back, with absolutely no facilities for private study or consultation with students. We believe that this is a most pressing problem and of vital importance to the educational process at the Naval Academy. This problem can best be corrected by the construction of the new science building.

We should like to point out that the Department of Defense has reduced the approved planning figure for construction of the science building from the estimated cost by $2 million though the Department has retained the original square footage. The total floorspace recommended by the Commission is essential and has been accepted by the Department of Defense. There is serious question whether with rising costs such a building can be constructed for approximately $33 per square foot as compared with the approximate $43 per square foot estimated by the Commission.

Maintenance

We confirm the statements contained in the reports of the Board of Visitors in 1960 and 1961 that over the years sufficient personnel and funds have not been provided to maintain the Naval Academy plant on a sound basis. While the Congress appropriated an additional $1.4 million in 1961 for deferred maintenance projects, there now exists a backlog of $3.5 million in deferred maintenance. We also confirm the findings of the two previous Boards that the Academy facilities are deteriorating and in spite of the heroic efforts of the administration to make do with seriously inadequate funds and personnel, the deterioration is now obvious. The Naval Academy appears unfavorably by comparison with other service academies. We cannot urge too strongly the immediate appropriation of the necessary funds to overcome this backlog and to provide an adequate annual maintenance budget.

Midshipmen's financial status

The Board concurs in the recommendations of the Board of 1961 on the proposal of a pay increase to midshipmen to relieve their financial distress and further recommends that, due to differences in the law relating to the various military academies, an allowance of $250 a year be paid midshipmen for educational and required expenses at the Naval Academy which are not otherwise absorbed by appropriated funds. This would equalize the midshipmen's financial position with cadets at the Military Academy. The Board recommends a uniform allowance for midshipmen upon graduation of at least the same adequate amount presently allowed Reserve officers.

The Board takes exception to the directive of the Department of Defense reducing the ration allowance to the service academies, and in particular the Naval Academy from $1.35 to $1.20 a day. The Board feels that, with the emphasis on physical fitness, athletics, and the rigorous schedules required of a midshipman, the ration allowance should be at least 15 percent more than the minimum for the service academies contained in the directive.

Age at admission

We concur in the recommendation of the previous Board that the upper admission age limit for midshipmen entering the Academy be reduced by 1 year. The high attrition rate of 46 percent among the 21-year-old candidates continues, and we believe that candidates should be accepted only if they have not reached their 21st birthday by July 1 of the year of admission.

Personal leadership

We believe that Adm. C. C. Kirkpatrick is performing outstanding service in his capacity as Superintendent and that he and his most efficient staff have introduced practices that have brought about a closer relationship with the midshipmen which is having far-reaching beneficial effects on the morale and attitude of the entire Brigade of Midshipmen. Both the Admiral and his staff are to be highly commended for these innovations and activities.

The Board of Visitors commends the chaplain for his program of training midshipmen for religious lay leadership. The Board feels that this is an important aspect in the training of the midshipmen. The qualifications gained by the midshipmen in conducting religious services here at the Academy should carry over to those ships and stations wherein no chaplain is assigned.

Report on midshipmen

We were much impressed by the character, intelligence, and interest of the midshipmen with whom we talked. While military formations are an important part of their daily life at the Academy, their thinking is certainly not regimented. They are interested in and thinking about a large number of subjects, both within and without the Navy, and express a great variety of ideas and opinions. One may agree or not with their opinions but we feel that the fact that they are keenly interested, are thinking independently and are willing to express themselves is of the utmost importance and encouragement.

Summer cruise program

The 1963 summer cruise program consists of ocean cruises for the first and third-class midshipmen. The majority of first-class midshipmen will join deployed fleet units of the Atlantic, Pacific, and Mediterranean fleets. A number of first classmen will sail in the U.S. Coast Guard training ship *Eagle* or participate in one of the 20 foreign exchange cruises with Latin American and NATO navies. Third-class midshipmen and a minimum number of first classmen will cruise in the midshipmen's practice squadron in the Atlantic for 5 weeks and visit United States and Canadian ports.

The Board of Visitors feels that the above program is not only justified but deserves to be expanded in view of the obvious effect which cruises have upon motivating the midshipmen themselves toward a lifelong naval career. In speaking to the midshipmen out of the presence of any officers, we were impressed by the statement that many of them arrive here motivated only toward being midshipmen at the Naval Academy but not motivated toward a naval career.

We were further impressed by statements from the same source that nothing during their 4 years at the Naval Academy contributed more toward a genuine desire to make a career out of the Navy then actually sailing with the Navy on the summer cruises. Keeping in mind the essential mission of the Naval Academy, it seems to us that every effort should be utilized to expand this program which truly gives these midshipmen the feel of the sea and the desire to make it their lifelong occupation.

We express our appreciation to Admiral Kirkpatrick, the Superintendent; Captain Minter, the Commandant; Captain McNitt, the Academic aide; their staffs and the faculty members, both officer and civilian, for their many courtesies and excellent cooperation. We extend our special thanks to Cmdr. Richard T. Lyons, Lt. Comdr. Paul D. Lawler, and Dr. W. S. Shields for their invaluable help.

William H. Vanderbilt, Guy Stillman, Elizabeth Kee, Bill Stinson, Clifford P. Case, Otis G. Pike, Edgar F. Shannon, Jr., R. T. Lyons, Commander, U.S. Navy, Secretary to the Board of Visitors.

STATEMENT TO THE BOARD OF VISITORS SUBMITTED BY THE SUPERINTENDENT OF THE U.S. NAVAL ACADEMY, MARCH 11, 1963

Gentlemen, it is an honor and a pleasure to welcome you to the U.S. Naval Academy. We look forward to these next several days as an opportunity to discuss with you the program of the Naval Academy and to gain the benefit of your experience and judgment.

Although many changes have been made over the years in the physical plant, in the size of the brigade, in the faculty, and in the curriculum, the Naval Academy's central purpose has remained constant. Our business is to produce career officers for the naval service.

Life at the Naval Academy provides many things to accomplish this purpose. The midshipmen are given a sound undergraduate education for which the bachelor of science degree is awarded upon graduation. They are taught and given experience in the responsibilities of naval leadership and in professional naval studies. They learn a way of life, of comradeship and loyalty and fun and adventure. They develop physical stamina and competitive spirit. They learn how to get along with one another and to earn respect, and they develop a sense of duty. Their desire for a naval career results from a complex of influences, not the least of which is the central purpose of the Naval Academy which pervades every aspect of our program.

Our country counts upon the officers who command our ships, planes, and fleets to defend it against foreign aggression. It counts upon their devotion to duty, their integrity, and their abiding sense of responsibility. Within the brigade, the commandant of midshipmen, assisted by his officers of the executive department, conducts a carefully designed program specifically aimed at the development of these attributes.

From the moment a young man enters the Academy he is given definite tasks for which he is held accountable. As he progresses through the 4 years, he advances from individual responsibilities to group responsibilities in command situations, culminating in the actual administration of the brigade during his final year. He experiences the importance in a military organization of consistently carrying out assigned duties with completeness and dispatch. The honor concept of the brigade is a vital and integral part of his daily life. He learns what high standards of moral integrity are expected in the naval service. He discusses, lives by, and administers the honor concept so that it becomes a part of him, a determinant of his thoughts and actions. Midshipmen who fail to live up to these standards are judged by their class and brigade honor committees. Serious offenses result in recommendation by the Superintendent for discharge from the Naval Academy and the naval service. The character building and screening process of the Academy is one of its most important functions in providing a continuing source of dependable career officers.

ADMISSIONS

The young men who enter the Naval Academy are an outstanding group. They represent every State in the Union. They are in excellent physical condition and they are enthusiastic. They bring with them a splendid record of scholastic honors, class offices, extracurricular activities, athletics, and highly favorable recommendations by their principals, teachers, and others who have known them in their high school years.

Of the 6,219 nominated for the class of 1966, we admitted 1,307. The scores which they made on the college board tests compare very favorably with scores made by other college candidates. The average scores of the class of 1966 were 586 and 655 on the verbal and mathematical sections of the scholastic aptitude test and 594 and 661 on the English and mathematics achievement tests. Ninety-six percent had completed a course in physics, 97 percent in chemistry, 97 percent in trigonometry, and 92 percent had completed at least 2 years of a modern or ancient foreign language. Approximately 90 percent stood in the top half of their high school class, with 68 perecnt being in the top quarter.

This summer the Naval Academy participated for the first time in the scholastic screening of candidates for the Naval Academy Preparatory School. This step should pay dividends in the future in providing better qualified candidates from the fleet for the Academy. The Chief of Naval Personnel also reduced the upper age limit by 1 year for Naval Academy candidates ordered to the Preparatory School. We should like to see the maximum age at admission reduced for all candidates, but so far the other services have preferred to hold to the existing age limits. Under present law a candidate must have reached his 17th birthday and must not have passed his 22d birthday on 1 July of the year of admission. Our experience over a long period of years has been that attrition at the Naval Academy is considerably higher among the older candidates.

CURRICULUM

The midshipmen have a demanding academic schedule. The basic curriculum consists of 160 semester hours over the 4 years, exclusive of summer terms. The physical sciences, mathematics and engineering occupy 50 percent of the curriculum, 25 percent is devoted to the social sciences and humanities, and 25 percent to such professional naval studies as navigation, weapons systems analysis, naval operations and leadership.

We are in the 4th year of a significantly revised curriculum, the present graduating class being the first to benefit from 4 full years of the new program.

It would be a mistake to think that we have devised a curriculum with which we can relax and be satisfied. In this age of dramatic speed and change, we must be constantly on the alert for new concepts which must be taught and new methods which must be employed. Our curriculum must be under continuing review. In the face of the proliferation of knowledge which confronts us, we must also be selective. We must make sure that, within the 4 years we have at our disposal, we provide the education which will be most meaningful to our graduates in the years ahead. This means that we must not dwell on the details of equipment that may be outmoded in a few years, no matter how fascinating it may seem today. We have to insure that we devote our efforts to teaching fundamental principles and logical reasoning. We must incorporate new concepts which will provide a sound basis for understanding rapidly changing new developments. These things we are doing and we shall continue to do in a constantly evolving program.

Since 4 years are becoming such an increasingly short period in which to give an undergraduate education in terms of today's knowledge, we must avoid needless repetition. Our advanced placement program minimizes such repetition. If a midshipman can demonstrate his proficiency in any course of our basic curriculum, we exempt him from that course. He may then take the next sequential course in the same department or he may take an elective course. Validation examinations for this purpose are held during the summer for the fourth class and as needed for upper classmen. In the class of 1966, there were 302 midshipmen who validated a total of 842 one-semester courses.

Our elective program includes 127 courses covering a wide range of subjects. A midshipman who wishes to go beyond the basic curriculum in atomic and nuclear physics, organic chemistry, advanced calculus, political theory, literature or scientific Russian, to name just a few, has the opportunity to do so. He must, of course, be eligible academically to undertake an elective in addition to his basic program. The elective program enables a midshipman to develop his talents and interests to the extent of his ability. He may either broaden the scope of his undergraduate education or he may choose to concentrate his elective work in a particular field and obtain one of the departmental majors.

FACULTY

It is my firm opinion that a well qualified faculty is essential to the proper conduct of the program of the Naval Academy, or of any other educational institution. In our faculty I have found significant areas of strength which I regard as highly valuable for the midshipmen's education. These areas must and will be given full support and encouragement. I have also found areas which are in need of special attention in order to bring the total faculty effort to the proper level of effectiveness. Recommendations have been made to the Navy Department to accomplish this end.

Prior to reporting to the Naval Academy as Superintendent, I studied the various statements and evaluations which had been made in regard to our faculty, including the Report of the 1961 Board of Visitors, visited the other service academies, conferred with civilian educators, and made my own study of the composition of our faculty. I submitted to the Chief of Naval Personnel an outline study and proposal for faculty improvement.

The present officer faculty of the Naval Academy, which constitutes slightly over half of our faculty, includes only 15 percent who have graduate degrees. This shortcoming in educational preparation of a substantial segment of the faculty was recognized by the 1961 Board of Visitors, which stated in its report:

"The serious problem of the academic preparation of officers for their teaching duties requires unequivocal and immediate action by the Navy Department. We regard it to be educationally imperative that every officer ordered to the Naval Academy for the instruction of midshipmen possess a master's degree as a minimum. We consider the policy of utilizing both officers and civilians on the faculty to be sound. The civilian faculty is highly qualified. The educational level of the officer faculty must be brought up to an acceptable standard."

The Secretary of the Navy has stated emphatically his desire that steps be taken to ensure that no officer instructors be ordered to the Academy without adequate educational and teaching qualifications.

In September I forwarded to the Navy Department two proposals which, if put into effect, would solve the serious problem of academic preparation of officers.

One of these proposals was designed to meet our immediate needs by replacing each officer who will complete his present Naval Academy tour in the summer of 1963 or 1964 with an officer having the specific preparation needed for his instructional assignment. The replacements would come from the Navy's current inventory of officers with education at the master's degree level and from the Navy's postgraduate programs. In June 1963, there would be required 51 officers with master's degrees and 42 with at least 1 year of postgraduate work. In June 1964, the numbers from these categories would be 51 and 45, respectively. This interim program would permit an orderly and proper replacement of officers being detached at the completion of their normal tours during the next 2 years. The outlook for this program is highly encouraging. The Chief of Naval Personnel has directed that special attention be given to the assignment of officers to the Naval Academy in June of 1963 with a view to meeting our requirements. It now appears that nearly all officers ordered to the Academy this summer will possess the educational qualifications which we requested.

The second proposal concerned the establishment of a Naval Academy education program to provide a continuing supply of outstanding naval officers educated at least to the master's degree level in the disciplines taught at the Naval Academy. The initial group of officers selected for this program would begin their graduate work no later than the fall of 1963, preferably in civilian universities, and upon completion of their graduate work would be assigned immediately to the Naval Academy to complete a total time at graduate school and the Naval Academy of 4 years. This program would keep the Academy fully manned with qualified officer instructors, in the numbers and fields desired, for academic year 1965–66 and thereafter. Although this educational program was designed particularly to suit the needs of the Naval Academy, the advanced education received by the officers who participate in it should be valuable to them in subsequent assignments. So far, the Navy Department has not found it possible to establish this program. Without some such continuing program, however, it remains to be seen whether an annual flow of officers fully qualified for instruction at the Naval Academy can be maintained.

A third proposal for faculty improvement submitted to the Navy Department set forth the need for a Naval Academy faculty of adequate size to handle the expanded curriculum and requested authorization to increase the civilian faculty from 240 to 320. The tremendous changes in our curriculum, which now includes 127 elective courses in addition to the 55 courses of the basic curriculum taught 4 years ago, have had great educational advantages. Each midshipman is enabled to move ahead in the basic curriculum as rapidly as his talents and educational background permit, and he can enrich his education through carrying courses supplementary to the basic curriculum. Such a program clearly demands substantial faculty effort. The advanced placement program increases the necessity for individual counseling and scheduling. The quality of the individual elective courses themselves will continue to depend on faculty members of specialized background who are able to devote the time and energy to the preparation and refinement of such courses. In determining the size of the faculty which would be considered adequate to handle the basic curriculum and the electives and validation program, we adopted the concept of a maximum instructional load of 12 semester hours and a 40-hour week for those tasks associated directly with the preparation, administration and counseling required. Our request for the authority to employ the 80 additional civilian faculty members, including an Academic Dean, is currently under consideration in Washington.

In its report of December 1961, the Board of Visitors urged adoption of the proposal by the Chief of Naval Personnel to place the civilian faculty on a 10-month salary schedule. The plan was approved by the Secretary of the Navy and put into effect on the first of September 1962. Members of the civilian faculty will now have the months of July and August available for study, research, or additional employment. In accordance with the Secretary of the Navy's policy, salary increases were given to the civilian faculty comparable to those granted in October to Federal employees under the Classification Act. A more favorable scale has resulted which will place us in a better position for the attraction and retention of qualified professors.

We have continued to provide tuition assistance for officer and civilian members of the faculty desiring to pursue courses in nearby universities. During the past year, 1,452 semester hours were completed by officers and 123 semester hours by civilians under this program. This academic year, five members of the civilian faculty are taking sabbatical leave, one during the first term and four during the second term. Two are engaged in postdoctoral research, and three are completing requirements for their Ph. D. degrees. During the past summer, 10 members of the science, engineering, and mathematics faculties attended National Science Foundation summer courses. Within funds available we have assisted faculty members to attend meetings of educational and professional scocieties, 82 such trips having been supported last year at an average cost of $152 per trip.

Opportunities for research and consultant work are significant factors in attracting new faculty members and in increasing the capabilities of those already on the staff. With a view to developing more such opportunities, we have enlisted the support of the Chief of Naval Research to determine which laboratories of the Navy's research establishment in the vicinity of Annapolis could be used by our faculty, especially during the summer months. We have also invited colleges and universities in the Baltimore-Washington-Annapolis area to consider the possibilities of mutual assistance in the utilization of research facilities. A first meeting of representatives from these various institutions was held at the Naval Academy in November for that purpose, as well as to investigate the use of exchange professorships.

Our foreign officer exchange program continues to be of extraordinary benefit to the midshipmen and to the foreign languages faculty. With the arrival during the past summer of an officer from the Brazilian Navy, we now have five foreign officers teaching their respective languages, one each in the French, German, Italian, Portuguese, and Spanish language courses.

We have had the assistance of special scientific and industrial talent from the Washington-Baltimore area for presentation of material in highly technical aspects of our instruction in navigation. The Naval Observatory is providing professional astronomers to cover such topics as solar physics and astrometry. The Sperry Rand Corp. is assisting in the coverage of the ships inertial navigation system. Other agencies providing guest lecturers for navigation courses are the Navy Oceanographic Office and the Naval Research Laboratory.

We are continuing the presentation by Atlantic Fleet-type commanders which proved so successful last year in enhancing the midshipmen's understanding of the Navy's role in the nuclear age. Another continuing program which brings outstanding talent to the Academy is the advanced science and mathematics seminar, at which 10 eminent scientists, mathematicians, and engineers lectured last year.

Specialists in foreign affairs participate in the Naval Academy foreign affairs conference. Speakers at our conference last year, which dealt with Latin America, included the Honorable deLesseps S. Morrison, U.S. Ambassador to the Organization of American States; U.S. Senator John Tower; Mr. Felix Larkin, executive vice president of W. R. Grace & Co.; Read Adm. A. F. Schade; Mr. Tad Szulc, of the New York Times; Mr. Harry Jarvis, president of the Creole Petroleum Co.; and the Honorable Philip H. Coombs, Assistant Secretary of State for Educational and Cultural Affairs. Representatives from foreign embassies, Government agencies, university faculties, and 140 college students from 60 colleges and universities attended. Our next conference, which will be held from April 24 to 27, 1963, has as its theme, "Problems of U.S. foreign policy in the southeast Asia area."

MIDSHIPMEN'S FINANCIAL STATUS

The financial status of the midshipmen is a matter which I regard with serious concern. In 1955 the midshipmen's pay was $111.15 a month. Despite the fact that they must now meet increased costs for necessary items and services, their pay is still $111.15 a month. Moreover, since the amount of Federal income tax withheld from their pay is greater now than it was in 1955, they have actually experienced a pay reduction in the face of increased expenses. The net result is that after the class of 1963, unless adequate remedial measures are taken, midshipmen will approach graduation having spent more than the pay they received during their midshipmen days. In addition, they must locate the funds to purchase the necessary uniforms and equipment which will enable them to be ready in all respects to assume their duties as commissioned officers. I feel very strongly that steps must be taken to ensure that the newly commissioned officer not be obliged to enter upon his career in debt.

The Naval Academy's proposals to correct this situation, along with similar proposals from the other service academies, have been under consideration by the Department of Defense. The Department's study group on military compensation has included recommendations for an increase in the compensation of midshipmen. Present indications are that this would be an increase of $13.85 a month ($11 after taxes) and a $250 uniform commissioning allowance.

MAINTENANCE

In December 1961, the Board of Visitors recommended that the Bureau of Yards and Docks and the Bureau of Naval Personnel make a joint study to determine the proper size of the maintenance organization and the level of funding required to adequately maintain the Naval Academy. This detailed study was completed in March 1962. It indicated a need for 735 men, or an increase of 187 men, and an annual maintenance and operation budget of $5,800,000 (increase of $1,600,000). The Bureau of Naval Personnel was unable to provide this increase in funds during fiscal year 1963.

The Congress appropriated $1,400,000 in special maintenance funds in fiscal year 1962. The special funds permitted improvements in classroom lighting, interior wiring and window replacement. Other items accomplished were structural and roof repairs, interior painting, and utilities repairs.

The current backlog of maintenance, repair and alterations work exceeds $3,470,000. Most of the projects included therein are deferred maintenance items, the postponement of which causes accelerated deterioration and an eventual repair cost approaching that of facility replacement. It is heartening to note that the accomplishment of military construction program for fiscal years 1965–67 for the Naval Academy, as approved by the Secretary of Defense, will eliminate the maintenance backlog. There will still be required funding of projects in the repair and alteration category totaling approximately $350,000 yearly.

It is deemed vital that both the personnel ceiling and the funds determined to be necessary by the maintenance study of 1962 for the adequate maintenance of the Naval Academy be included in the Navy budget for fiscal year 1964. These requirements must be the subject of continuing study as the construction and modernization program progresses.

FACILITIES

Improvements in midshipman housing are continuing with great benefit to the Academy. The $40,670,000 expansion and rehabilitation of Bancroft Hall is now 67-percent complete. The completion of wings 7 and 8 in 1961 increased the capacity of Bancroft Hall to 4,000 midshipmen. The rehabilitation of wings 4 and 6 was completed in September 1962. Wing 5 will be occupied in April 1963. A $7,970,000 contract for rehabilitating wing 3, the galley, mess hall, and central section was recently awarded to J. S. McShain Co., of Baltimore. Completion of this third increment of the rehabilitation is expected in August of 1964. It is hoped that Congress will fund the fourth increment, containing wings 1 and 2 in fiscal year 1964. With this approval, Bancroft Hall rehabilitation should be complete by the fall of 1964, with major improvements in midshipman living conditions and attendant reduced maintenance costs.

The Congress has appropriated $1,779,000 for construction of an enlisted man's barracks (504 men) to replace the two barracks ships, with their undesirable living conditions. Contract drawings are being prepared now, with construction to begin in the summer of 1963. Completion in 1964 is anticipated.

In January 1962, the Special Advisory Commission appointed by the Chief of Naval Personnel, chaired by Adm. Ben Moreell, CEC, U.S. Navy (retired), submitted its report. The Committee, which was composed of outstanding educators, engineers and businessmen, studied, in depth, the facilities and future requirements of the Naval Academy. Of the detailed recommendations submitted by the Committee, the following projects have been approved by the Secretary of Defense, to be accomplished over the 4-year period indicated, provided that the $38,250,000 to be requested is authorized and appropriated by the Congress:

Fiscal year 1964: Rehabilitate wings 1 and 2, Bancroft Hall (fourth and final increment); acquire Naval Academy Athletic Association land (17.3 acres); construct new science building.

Fiscal year 1965: Replace central heating plant; convert Dahlgren Hall to weapons building; rehabilitate and expand utilities systems (first increment); construct laundry and dry cleaning plant; construct public works shops.

Fiscal year 1966: Construct auditorium (4,000 seats); modernize academic facilities; rehabilitate and expand utilities systems (second increment).

Fiscal year 1967: Modernize library; modernize administrative and support facilities; relocate Dorsey Creek Bridge to straighten road.

The new science building is at the heart of the modernization program. Its construction must precede the modernization and rehabilitation of the academic, administrative, and support buildings. Although proposed new construction will be located on existing Naval Academy land, the Secretary of Defense has expressed a desire to have appointed a joint committee of interested parties, to include officials from the city of Annapolis, Md., State historical societies, Department of the Interior, and Department of the Navy to develop a plan for future acquisition and use of land by the Naval Academy.

The need for modernization and expansion of Naval Academy facilities is genuine and pressing. Modern methods of teaching, with research facilities for both midshipmen and professors, demand properly equipped classrooms and laboratories. Rehabilitation of existing buildings, structures and utilities systems is an integral part of the modernization and expansion program. This will provide the basis for a sound maintenance program.

CONCLUSION

The Naval Academy's mission of producing career officers for our Naval Service is of utmost importance. I have outlined what I considered to be our major requirements for carrying out that mission with greatest effectiveness. In summary, our most pressing needs are:

Improvement in the educational preparation of officer instructors and increase in the size of the civilian faculty.

Improvement of midshipmen's financial status.

Adequate funds for maintenance.

Accomplishment of the modernization and construction program as approved by the Department of Defense and the Department of the Navy.

C. C. KIRKPATRICK,
Rear Admiral, U.S. Navy,
Superintendent, U.S. Naval Academy.

VANCE HARTKE TESTIMONIAL DINNER

Mr. BAYH. Mr. President, I ask unanimous consent to have printed in the RECORD the remarks and addresses made by several distinguished citizens about my colleague, VANCE HARTKE, at the Vance Hartke testimonial dinner.

There being no objection, the remarks and addresses were ordered to be printed in the RECORD, as follows:

REMARKS AND ADDRESSES, VANCE HARTKE TESTIMONIAL DINNER, WASHINGTON, D.C., APRIL 24, 1963

(Invocation: the Reverend Dr. Oswald Hoffmann, Lutheran Church, Missouri Synod)

Me, Lord? Why me, Lord? Why did you pick me to do this for our country and for the world?

Help me, Lord, to fulfill my mission in life by doing instead of waiting—doing for You at home, in church, in the Nation and—yes, Lord, we know we have a big load to carry these days—in the world.

Stand by me with Your grace, Lord. I am not so much that I don't need Your forgiveness and help. Forgive me for what I did and shouldn't have done, and for what I could but didn't do.

Stand by me with Your power. By Your grace I am what I am. With You standing by, when I am weak then am I strong.

Thanks, Lord, for Your good gifts—for my wife and children (keep them under Your watchful care), for good friends and faithful neighbors (reward them, Lord, for sticking with me through thick and thin), for my associates in the pursuit of peace and prosperity for our fellow citizens (honor them with Your presence), for my staff and all who help here and at home (keep me mindful of what their loyalty has done for me).

Give me a humble spirit, willing to walk worthy of this calling. Keep me mindful of the needs of others, putting them ahead of my own personal wants or desires. Lead me into the paths of righteousness for Your name's sake.

Preserve in us all a sense of responsibility to Your divine authority and of honor to one another, that our country may answer with dignity the call to leadership it has received from You, the Lord of history.

Thanks to you, Lord, for the past and for the present. The future belongs to You. I put myself in Your hands, certain that everything fits into a pattern for good to those who truly love You.

Bless all who have come here tonight, and our being together. Bless this food which comes from our farms and fields, but ultimately from Your bountiful hand. Bless, Lord Christ, Saviour of our world. Amen.

ADDRESS BY HON. DANIEL K. INOUYE, SENATOR FROM HAWAII

Yesterday I called upon Senator HARTKE's office, for a biographical sketch of VANCE and he sent me a 4-page affair condensed. I would like to read the first page for you, it says a lot. But I realized that what I'm going to read is nothing new because you know about him. The sketch starts off by saying that 2 years after he came to the U.S. Senate, VANCE HARTKE was appointed to the fourth highest position of the majority leadership, chairman of the Democratic senatorial campaign committee. This is the story of Senator HARTKE's life. It is a success story that stretches from a tiny coal mining town in the hills of southern Indiana to the U.S. Capitol in less than 40 years. In Washington, HARTKE is known as a working Senator. A man who gets things done, he is a member of the powerful Finance Committee where he has concentrated on tax problems, social security matters, and veterans affairs.

He was one of the chief architects of the present life insurance tax law. He is the author of several liberalizing changes in the social security law, including those raising limits on income and those easing the burdens of blindness. As a member of the Commerce Committee, Senator HARTKE is best known for his diligent and uphill fight for air safety, his keen interest and service in building our foreign trade and for his efforts to obtain a fair political broadcasting code. Also a member of the District of Columbia Committee, which governs the Nation's Capital, Senator HARTKE heads the Judiciary Subcommittee. He has become known a champion of home rule and of methods to fight juvenile delinquency. This sketch continues by briefly touching upon his own interests, and concerns. It speaks of foreign commerce and unemployment. It speaks antirecession. It says that he is part of flood control and water resources. It also speaks of his realistic approach to taxation. But these things are nothing new to us, the VANCE HARTKE I've known is a bit different. He is not a VANCE HARTKE who can be simply described by a black and white biographical sketch. For example, a few days ago while in the midst of a conversation with him, I brought up the subject of unemployment. He immediately looked at me, with great seriousness and, in fact, he was a bit solemn, and he said, "DAN, do you want to know why I am so concerned about unemployment? Do you want to know why I do everything to wipe this blight off the map of this earth? Do you know why I feel that we must spend money?" As a junior Senator I am interested. So I said, "VANCE, go ahead; you prove your case."

So he went further, and he said, "DAN, have you ever experienced the plague and hardship of a man who has to walk the streets every day visiting offices, hat in hand begging for a job, and be turned down? This humiliation and this despair is enough to make any man feel that he is on the last road. Can you imagine his anguish when he has to come home and face his wife and children and tell them he failed to get a job? Tell his wife and children that they have to go along for another day, possibly a week, a month, on just one meal a day. Can you imagine the anguish of his family in facing the possibility of eviction the following day. All his children who may have to go to school the next day on an empty stomach. I've seen these things happen many times, DAN, I've experienced it. I know the anguish of these Americans. I know of their despair. Now I hope you realize why I've decided that everything has to be done to help these unfortunates. I realize that some of the proposals that I may support may not be with the full support of the business community or other fortunate Americans. I know that my stand may cost many votes, but as a fortunate American I will not sit by and watch my fellow Americans suffer." And he closed by saying, "I would rather be a budget breaker than a home breaker." This is the VANCE HARTKE I know. A man with a big heart, certainly like all of you have said, he is a working Senator, and he is a hard-working Senator, but, believe me, he's not a machine, he's very sensitive.

Then on another occasion, not too long ago, I actually saw this, I saw him talking to a group of people. These people had very lonely faces, and they were talking about their problems. The scene took place in our city in one of the worst slum areas; there was no news photographer, because VANCE had no desire for publicity. He was there to find out firsthand about the slums of our city, of juvenile delinquency, of unemployment, and the other human ills that beset our community. Here was a man who decided that the only way one could fully appreciate and understand the problems of the unfortunate was to see with his eyes, to smell the horrible stink with his nose, to feel the filth with his fingers. Here again I saw VANCE HARTKE, the VANCE HARTKE I know, the man with a big heart.

Several weeks ago I asked VANCE "why do you spend so much time concerning the problems of the District of Columbia?" He said, "Well, I would like to tell you that I spent a lot of time with problems of my State, and of my constituents, but as Senator, as an American, I do not see how I can close my eyes to the problems of the District of Columbia. After all, the residents of the District are Americans, and they are just as deserving of assistance like all other Americans. I hope someday the people of Washington will have a voice in Congress, the voice of an individual selected by them." This is the VANCE HARTKE I have known for a long time, this is the man who is always available, a man who is constantly on the go, but most important to me, this is VANCE HARTKE, a man with a heart.

We are here this evening to honor him not solely because he was the chairman of the Democratic senatorial campaign committee, nor because he serves on very powerful and important committees in the Senate, or because he takes personal interest in the problems of the District. But we are here VANCE, believe me, because we love you. We admire you as a truly great American. So as we say in Hawaii, to you VANCE, and I am certain all of you join me, aloha. Thank you.

REMARKS OF JOHN F. NAGLE, CHIEF, WASHINGTON OFFICE, NATIONAL FEDERATION OF THE BLIND

We, the organized blind of America, are happily and proudly here tonight to join with others in paying a much-deserved tribute to Senator VANCE HARTKE, of Indiana.

You will hear much tonight about Senator HARTKE—his prowess as a politician, his skill and sagacity as a campaigner, his profound understanding of the complexities of statecraft, and his high purpose and able statesmanship—and those who describe these attributes will speak from a knowledge gained by close association, will speak from personal experience.

We will speak differently of Senator HARTKE, for we know him differently—but we too, speak from personal knowledge and experience.

Surrounded tonight by many persons of high position and distinguished consequence, we, the organized blind, are ordinary citizens, sharing in common the disability of blindness—also sharing in common with all here tonight an admiration for Senator HARTKE, an appreciation of his many talents and services.

We are rank and file Americans, from every part of the Nation, and we are representative, in background and circumstance, of every sector and activity of the Nation's social and economic life.

We are blind men and women, joined together in the National Federation of the Blind, seeking by our combined efforts to gain for all persons without sight a fair and equal opportunity to live independently and interdependently, participating fully with all others in the risks, the responsibilities, and rewards of unqualified citizenship.

We are blind Americans with a just cause—and Senator HARTKE, recognizing this, has made our cause his concern.

We are blind Americans engaged in a crusade—and Senator HARTKE has joined our ranks.

Senator HARTKE has joined his strength with ours, his voice with ours—and we have been strengthened—we have been heard and listened to.

Sharing our belief that dependence upon public welfare should not be the only way of life for many blind persons when they want to work—when they are qualified to work and earn their own living—when they are fully capable, given a fair chance, of supporting themselves and their family, contributing by their talents and taxes to the strength and richness of America. Senator HARTKE has worked with us to transform this belief into congressional enactments.

And, because of his efforts, some of our proposed solutions to lessen or eliminate the problems of blind people are now Federal law.

Because of Senator HARTKE's efforts, needy blind persons have been given increased opportunity to achieve restoration to normal living and regular livelihood.

This is why we are here tonight paying tribute to Senator HARTKE—stanch and steadfast comrade and supporter, vigorous advocate of a philosophy of aroused hope and encouraged self-help, militant worker for equality of opportunity for all—that each may have a fair chance to live and work according to his desires, abilities, and labors, that none may live needlessly in want because of forces beyond his control—the Honorable VANCE HARTKE, senior Senator from Indiana, has served us well, we, the blind of America, he has served with us well and with distinction.

In conclusion, Mr. Chairman, I would like to quote from an award presented to Senator HARTKE last year by the National Federation of the Blind for "distinguished statesmanship in blind welfare."

The certificate states: "His faith in the blind was and remains the faith the blind have in themselves; that with opportunity the blind can be normal, productive, independent, and equal citizens."

ADDRESS, HON. CARL HAYDEN, SENATOR FROM ARIZONA, PRESIDENT PRO TEMPORE OF THE SENATE

Mr. Chairman, Senator HARTKE, my fellow Senators, ladies and gentlemen: It is certainly an honor and a privilege to be invited here tonight to speak in behalf of my colleagues who were reelected to the Senate last year and to express our gratitude to the distinguished Senator from Indiana for his efforts in our behalf for the past 2 years.

In 1960 the people of the United States elected one of our former colleagues to the Presidency of the United States, John F. Kennedy. Shortly thereafter he started this country moving again with a bold new program that he recommended to Congress and which was passed with all possible dispatch by the U.S. Senate. This was a courageous, necessary program, though not always a popular one. We passed it because we felt it was good for the country.

We knew that an abundance of prognosticators were predicting Republican gains and Democratic losses in the off-year election of 1962. We also knew that the man whom we must select to be chairman of the Democratic senatorial campaign committee must be chosen for his exceptional ability, for his courage as a man and for a will to win.

Such a man was available and that man was VANCE HARTKE, of Indiana. In 1962 there were 39 seats in the U.S. Senate up for election, more than ever before in our history.

With off-year elections and a Democratic administration in the White House, people kept saying it was "too bad for the Democrats."

Apparently VANCE HARTKE didn't hear them. If he did, he did not listen to them because when he came back to Washington in January there were four more Democratic Senators here than when we left.

Of some of the Democratic Senators reelected, one was a vigorous young fellow named HAYDEN, from the State of Arizona. And with HAYDEN came the most promising new Democratic Senators I have seen in a long time. Needless to say I am particularly grateful for the help that I received with all the John Birchers after me.

The record that Senator HARTKE made while chairman of this committee speaks for itself. It is recorded in the album of history and no amount of praise that we might shower upon him tonight can be enough for the tremendous job that he has done. To you, VANCE HARTKE, we say congratulations and a job well-done, and extend to you a heartfelt thanks and best wishes for many more years in continuous service in behalf of the Democratic Party, the State of Indiana, the American people, and the Senate of the United States. I thank you.

ADDRESS BY VICE PRESIDENT LYNDON B. JOHNSON; SENATOR VANCE HARTKE TESTIMONIAL DINNER

I have a long script here and I think I could get this speech over with if I just stayed with it, but I believe I would really enjoy talking from the heart a little more than talking from the script.

I want to say how very proud I am that we have friends, citizens and members of our party who will take the time, and spend the money to come here on an occasion like this.

Such action not only makes it possible for us to win campaigns, and return a good man to public office but also shows the fainthearted, the kind of people that make up our party.

I have known, respected and liked VANCE HARTKE and Martha and their seven children ever since I met them. I have known some of them longer than others. They have a rather remarkable family life, when you realize that they have one child in college, and one in the crib. I am so thankful that the good Lord permitted me to come here tonight to look into the eyes of those assembled. I am grateful for what my country has done for me, and for what it has done for the citizens of my land. I am particularly appreciative that a humble son of a humble postmaster, who married and ran a rooming house as he started off his career, now is one of the most effective, most beloved Members of the U.S. Senate, the greatest deliberative body in the world.

We live in a world of 3 billion people, in a world of 110 governments. We are a very small part of that world, we have only 187 million population, and only one of the 110 governments. But we are the leader of the free world and the rest of those nations look to us for examples. Our per capita income is the highest of any people in the world. It is almost in excess of $2,000 per person.

I have not come here tonight to salute VANCE and to attend his testimonial in order to talk about hates and fears. They have no place in the Democratic Party, and he is a leader of the Democratic Party.

If he had been afraid, he would have calculated the last election that we would probably lose four or five seats in the Senate, but instead of that we won four or five seats.

We won them by hard work, by diligence, by hope, by faith, by application, by all of us being willing to give of ourselves so that we could get our message to the people of this country.

The ancient enemies of all humanity are poverty, disease and illiteracy. They are enemies of the United States as well as the rest of the world—they exist in the rest of the world to a much larger degree.

The Democratic Party is dedicated to doing something about those enemies of humanity, those enemies of mankind. We want to see a more secure, a more prosperous world, a world where our children are better fed and better clothed, and better housed; a world where our people are better educated, where our citizens have the best of health, and the longest longevity possible.

We are part of those things, and we are doing something about it. The party that is against those things and against many other things spends its time preaching doom, and fear, and hate. And the more it is exposed and the greater opportunities it has for circulation, the less seats it has in the U.S. Senate.

I saw in the first days of my minority leadership in the Senate that the Republicans had come to power on the coattail of a very popular war hero. They had a substantial majority in the House and the Senate. They had control of all the executive departments; they had a popular President. But because they spent their time preaching doom, fear, and hate, and being against things instead of being for things, trying to preserve the status quo instead of moving the country forward, it took them just 2 years to lose the House and the Senate—that was 1954. Now almost 10 years later, they haven't recovered.

Last year VANCE HARTKE did such a good job of bringing the message of the Democratic Party to the people of the country that we not only gained new Senators, but he gained a new colleague. The people of Indiana decided that they wanted two of a kind instead of one of a kind, and one of the finest things that's happened to us is that BIRCH and Mrs. Bayh have joined us. Now they tell me that the Republicans have looked to the efficiency of HARTKE and BAYH and have come up with the conclusion that they must do something about it. They have reorganized their party and they have named as their national committeeman in Indiana, a man who makes Alka-Seltzer. When one of the committee aids told me that, I said, what significance does that have? He said, "Well, Mr. Vice President, the Republicans of Indiana have so many campaign headaches that they just decided they might as well treat them wholesale."

There are two great philosophies at each other's jugular veins tonight for supremacy in the world—that of the free world and that of the Communist world.

Russia has us outnumbered—her population is a little over 220 million and ours is 187 million. She has more people, more land, she outstrips us in mineral and water resources in many other respects; she has more manganese; she has more oil resources, and if we just look at those things, it would not be a very bright picture.

But with a third of the arable land possessed by Russia, we produce twice as much meat and one and a half times as much food. We also produce one and a half times as much housing.

The real test is not going to be actually, in the end, our resources. The real test is going to be our system of government. That system is the kind that produces men like those who sit at this table tonight. The system that gives to sons of fathers and grandfathers who immigrated to this country opportunity to become men who now proudly sit in the greatest deliberative body in the world.

This is one of the things that is going to help determine whether our system is superior to the Soviet system.

I think that all you need to do is to look at this head table tonight, and to see the people who make up that system to determine the answer to our future. And if you can't judge that, you can look across these tables and view people who left home tonight to come here and pay respect to VANCE and Martha Hartke. And you will get your answer there.

I am so happy, after having visited thirty countries of the world and having seen the poverty and the disease, the discrimination and the illiteracy, that I could come back home and see all the prosperity and the luxury and the abundance represented here tonight. Not that it has been handed down to VANCE HARTKE from afar, not that he has inherited it, but that he is a part of a system of government which says to every poor boy:

"If you are willing to work hard, get up before daylight, and work until midnight, do unto others as you would have them do unto you, the opportunity is here in America for you to rise to the top." And VANCE has.

If you expected me to come here and tell you how fearful I am of the future, how sorry I am for you, and to talk about a major complex, you are going to be disappointed. But if you expected me to tell you how happy I am that I am an American, how proud I am that we have public servants like Martha and VANCE HARTKE, how privileged I am to live in a land that extends to not only VANCE, but all these seven little ones of his, the kind of opportunity that is opened to them, then you will understand why I am here.

We want to do for VANCE in 1964 what he did for so many others in 1962.

We want to preserve a government that realizes when it is not strong enough to protect the many who are poor, it will not be powerful enough to save the few who are rich.

The man VANCE HARTKE helped bring to the Senate, and the Senators who are his colleagues, who come here to do him honor are for a prosperous economy, they are for better government, better schools. They are for more expansion, they are for tax reduction, and the development of our resources. They don't hate and they are not afraid, because they know the world is constantly moving forward, and if a peaceful revolution among our people is impossible, then a violent resolution is inevitable.

The Democratic Party has never been a party of status quo or vested interest. The Democratic Party has always been the party of the people. And it was never more skillfully, or more ably, or more courageously led than it is tonight by that man who bears the burden of the high office of the President of the United States, John F. Kennedy.

I'm glad that I have had the chance to participate in some of the work of that party through the years. I am so thankful that you have indulged me to come here and tell you there is no soldier in the ranks, there is no veteran to whom we are more indebted, no Senator of whom we are more proud, than the one we honor tonight, the stalwart son of Indiana who is going to be reelected by an overwhelming vote next year. In that election each of you can take a very special pride and a very special sense of achievement.

You are asked, from early in the morning to late at night, to come to many dinners, I know. And I also know what your problems are and that is why I appreciate your coming so much. Thank You.

ESTABLISHMENT OF LINCOLN TRAIL MEMORIAL PARKWAY

Mr. BAYH. Mr. President, last week the senior Senator from Indiana introduced a bill, of which I am a cosponsor, that would provide for the establishment and administration of a Lincoln Trail Memorial Parkway in the States of Kentucky, Indiana, and Illinois.

I rise today on the Senate floor to publicly voice my support for this legislation and to urge other Senators to join us in cosponsoring this bill.

Abraham Lincoln has cast a long shadow across this land of ours. The heaviest and darkest part of that shadow fell here, on this city, where the years of hardships, frustrations, and failures, blossomed into courage, decisiveness, and victory. He truly belongs to the ages and he belongs to all America. But, prior to the time when his greatness was imminent and his living legendary, Abraham Lincoln roamed the hills, hollows, and byways of Kentucky, Indiana, and Illinois acquiring that knowledge of life that would eventually make him a giant in the pages of history.

Those of us from Illinois, Indiana, and Kentucky like to think that our States independently and collectively played an important role in President Lincoln's trek into history.

His spirit still stalks this land bringing with it inspiration, warmth, wisdom, and greatness. Along the Lincoln Trail these feelings are most profound. There, if you will listen, can be heard the creak of wagon wheels going to a new home, the blade of an ax striking a fallen timber, the heavy silence that accompanies the death of a loved one, the lusty cheer from a political gathering, the joyous whistle of a train en route to the Nation's Capital, the ringing words of "Four score and 7 years ago," the booming guns of Civil War, an assassin's shot, and finally, the forlorn wail of a train whistle returning to Springfield.

I am hopeful that this Congress will look favorably upon this legislation that will guarantee this station of his life in our heritage. By providing the citizens of this Nation an opportunity to "walk where he walked" will foster those principles to which he was dedicated and that insure America's continued safety, freedom, and strength.

RELATIONSHIPS AND OUR POLICIES WITH RESPECT TO PORTUGUESE ANGOLA

Mr. THURMOND. Mr. President, the distinguished representative of the First District in South Carolina, the Honorable L. Mendel Rivers, has issued a very important public statement in South Carolina on the subject of our relationships and our policies with Portuguese Angola. I take pleasure in calling this statement to the attention of the Senate and ask unanimous consent that it be printed in the body of the Record so that it will be available to all Members of Congress.

Last year, I had the privilege of visiting in Portugal and received there an excellent briefing on Angola and the attitude of Portugal as a result of our policies which seem to be fairly consistently running counter to the interests of our stanch friend and ally, the Government and people of Portugal.

Congressman Rivers has brought out some vital points in his statement on the frustrations of these people with regard to our policies and also on the importance in maintaining our ties with the people of Portugal. I commend him for his forthright statement and recommend it highly to the Members of this body.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Representative Rivers Cites Danger in Angola

Portuguese Angola was described yesterday by Representative L. Mendel Rivers as "one of the most potentially explosive situations confronting the United States today."

In a statement released yesterday, Representative Rivers said this country is doing little—if anything—to alleviate the factors aggravating this tense situation in west Africa. "In fact," he continued, "it appears to me that our very silence virtually condones the exploitation of Portuguese interests and lends aid and comfort to terrorist raids.

"And Portugal, one of our very important North Atlantic Treaty Organization allies, is understandably angry and bitter over our attitude.

"The aspect of the Angolan problem I refer to specifically at this time is the maintenance on Belgian Congo soil of a camp to train terrorists for an invasion of Angola.

"There can be little doubt but that the Congo government of Cyrille Adoula openly supports this movement aimed at the Portuguese province. Moreover, the revolutionary camp has active support from Algerian Premier Ben Bella, who, you may recall, came here to negotiate for American aid. Then as quickly as he could, he went to Havana where he pledged undying support for Fidel Castro.

"Even the most dewey-eyed innocent can see Adoula's support of this camp is a clear violation of the Charter of the United Nations. But, I am certain that Portuguese protests will fall on deaf ears in that quarter.

"Here again is another example of how our best interests are sold down the river, because in assisting our proven allies, we indirectly help ourselves.

"This being the case, the entire question comes back to Washington and the attitude of the U.S. Government, for Adoula's regime exists primarily through U.S. dollars.

"While the Congo budget is roughly $400 million annually, that country's internal income is only about $160 million each year. Thus someone must pick up the tab, and in this case, it is the United States. For example, last year we contributed some $200 million.

"I can readily understand the Portuguese anger over our indifference to the steady flow of arms and trained guerrillas from the training camp.

"If we took a firm stand against Adoula's tacit participation in a program of armed aggression, there is little doubt but that we would be compelled to comply.

"From my viewpoint, help to a stanch ally such as Portugal only makes commonsense. And, to say the very least, the United States attitude on the question of Portuguese provinces is confusing and contradictory.

"In March, 1961, we voted against Portugal at the U.N. on the Angolan question. Then, late the following year, we pulled away from the Afro-Asian bloc and voted against resolutions urging sanctions and other punitive measures aimed at Portugal.

"But today, we have the most important decision yet to make concerning Angola.

"Shall we continue to acquiesce in the maintenance of a terrorist camp, aimed at Angola, or shall we demand Adoula halt such activities, and thwart the eventual slaughter of innocent Portuguese people in another African bloodbath.

"Such a decision must rest with the conscience of American leaders."

NATIONAL SECURITY

Mr. THURMOND. Mr. President, I am pleased to call to the attention of the Senate the report of the American Legion's National Security Commission as presented to its national executive committee on May 2, 1963. This report sets forth the American Legion's position in those areas of national security which the Legion members feel are of greatest import to this Nation and its people.

The views expressed in this report are consistent with the mandates adopted by the 1962 national convention and represent the will of the nearly 2¾ million members of this great organization.

In view of the importance of the American Legion and its deep interest in national security, I feel that this report should be printed in the Congressional Record and I, therefore, ask unanimous consent that this report be printed in the Record at the conclusion of these remarks.

In closing my remarks, Mr. President, I wish to commend the director of the National Security Commission, Mr. James R. Wilson, Jr., the chairman, Mr. William C. Doyle, and the subcommittee chairman for this report, former Governor of North Dakota, Mr. John E. Davis, and other members of the Commission for the outstanding work they have done in preparing this forthright statement of views which I feel represent policies which, if implemented, would insure for our Nation a defense force second to none in the world, and would put our Nation on the road toward victory in the cold war.

There being no objection, the report was ordered to be printed in the Record, as follows:

National Security Report to the National Executive Committee, May 2, 1963

The National Security Commission and committees when they met in Washington, D.C., March 12–14, 1963, delved deeply into the myriad facets of national defense. Our members were briefed by key leaders from industry, the military and the Congress. Against the background of American Legion policy, our current mandates from the 1962 national convention together with our current deliberations we conclude:

1. First and foremost this Nation must at all times possess a credible and unquestioned military superiority over any potential enemy.

2. That the eradication of communism in Cuba is essential to the security of this Nation.

3. Within the limits of national security the American people should be told the truth regarding situations which directly affect their lives and property.

4. Wherever possible economy should be effected so long as it does not jeopardize our ability to defend our Nation.

5. The traditional and proven role of the reserve components must be preserved through the maintainance of flexible manning levels and the equipping of these forces with modern weapons and proper training.

6. Civil defense is a coequal of military defense both as a deterrent and as the means of reducing the loss of lives and property in the event of enemy attack, and should be given the highest priority. Greater use of

reservists in civil defense should be encouraged at all levels with adequate credit given reservists for these assignments.

7. Reserve officer training should be retained and expanded in our high schools and colleges. Uniform standards should apply to all services so that one cannot offer financial or other incentives which serve to give them an advantage over the other services. Furthermore, the required ROTC in colleges and universities has proven itself as the greatest single source of reserve officers and should be retained.

8. We view the elimination of strategic weapon systems of proven value to be detrimental to this Nation's defense needs. Experimentation and production of advanced weapon systems compounds the defense problems of our enemies and strengthens our own defense, therefore, we urge accelerated efforts toward the development, production, and deployment of a supersonic manned bomber and an effective antimissile system as essential to the best interests of the Nation.

9. We strongly urge that civilian leadership in the Defense Establishments utilize to the greatest possible extent the advice and counsel of trained military experts, particularly those who by statutory authority are charged with military assessments.

The report covering these basic tenets of American Legion National Security were the work of a five-man subcommittee chaired by former Gov. John E. Davis, now a member of the National Security Commission. The findings of the subcommittee were also approved by the National Security Commission and committees.

In its studies the committee concluded that the American Legion can visualize no adequate substitute for a strong balanced military force in being. This is to say we do not believe this Nation, in this decade of decision can afford anything less than a long-range, carefully planned military force comprised of the best weapon systems our industry can devise. We view as extremely shortsighted the abandonment of weapon systems such as the RS–70 when our foes continue to develop high-performance aircraft. History apparently teaches our defense planners little or nothing. Take for example our Navy. Instead of the 70 ships per year which are indispensable to combat obsolescence the Defense Department proposed to Congress for construction this year a mere 29 and mind you this is only proposed in the current defense appropriation measure.

In the wake of the Skybolt fiasco Great Britain has been encouraged to place its principal reliance in the Polaris missile and nuclear submarines. Yet, in scrutinizing our own current defense appropriation measure we observe instead of eight Polaris submarines there are but six authorized for construction.

Present-day military strategy has placed America's reliance for its strategic strike power in missiles: A weapon system yet untested in combat. The Soviet Union has likewise placed great store in its missiles. Is it not logical then to assume that the greatest possible urgency should be assigned to the development and production of the most promising antimissile system. Granted, Nike-Zeus has still not proven itself the perfect weapon, however, it has proven its ability to intercept and destroy long-range missiles. In the event of a missile exchange destruction of some enemy missiles is better than none at all. Consistent with the mandate from our 1962 national convention we urge the speedy development, production and deployment of an antimissile system at the earliest possible time.

In response to the protest of our national commander and many spirited minded organizations and individuals the high school ROTC program was extended for 1 year. We can think of no better source than history as a guide in judging the merits of military training for our youth. The records show conclusively were it not for our reserves, many of whom received their training in ROTC, the outcome of these conflicts could well have been vastly different. We strongly urge the Congress and the military services to continue and expand the high school ROTC program because, it builds better citizens, and is the nucleus of America's citizen military leadership.

Two legislative measures of vital importance to our national security have been acted upon by the Congress. Both are supported by mandates from our 1962 national convention in Las Vegas and American Legion testimony has been presented on both measures. The first extending the Universal Military Training and Service Act for 4 years (Res. No. 5) has been enacted into law and extends the induction authority of selective service for 4 years.

The second measure is the military pay bill, which substantially accomplishes the provisions of 1962 National Security Resolution 397. Unfortunately, the bill which has been passed by the full House Armed Services Committee, does not provide for recomputation of retired pay for those members of the Armed Forces who retired prior to June 1, 1958. Recomputation is American Legion policy and efforts are now being made in cooperation with other like-minded organizations to support an amendment to the pay bill when it comes up for vote by the House of Representatives.

To return again to the requirement for balanced military forces, the American Legion has since its very inception been a stanch advocate of airpower. Quite aside from the fact the elimination of manned bombers greatly simplifies Soviet defense problems we will be committing again the shortsighted error of allowing our enemies to become preeminent in a field predominated by the United States since the days of Kitty Hawk. Time lost through agonizing reappraisals, of off again on again research and development and a host of other time consuming devices, cannot be recaptured.

In July 1961, the United States was shocked, when at the Tuschino Air Show, the Soviets unveiled their latest longrange, supersonic jet bomber, the "Blinder." From its configuration our aeronautics experts were able to judge that this was a bomber better than anything we had in our present Air Force. An airplane in the Mach 2 range. Why if manned bombers are obsolete are the Soviets "Pouring money down a rathole"? Why do they continue their research and development and production of high performance, longrange bombers?

The American Legion recognized the fact that this Nation can spend itself into oblivion just as surely as it can reduce its military power beyond a wise and prudent point. We urge the elimination of waste and duplication.

That America has won the major wars into which it was drawn offers some indication that our organization for defense has been sound. In their wisdom the architects of our present Defense Establishment build in checks and balances so that the wisdom and judgment of defense officials could be tempered by experienced military judgment. The Joint Chiefs of Staff and the Reserve Forces Policy Board are two sources of experienced military personnel whose judgment and training was made available to the Secretary of Defense and his staff. The Secretary is not required to adhere to the considered opinion of these sources, yet to consistently ignore these experts is dangerous indeed. The civilian control has been one of the pillars of American military philosophy. The exclusion or disregard of trained military judgment may well be carrying civilian control too far.

We are likewise concerned, as has been so well expressed by the Hardy subcommittee in its August 1962, report that "the Congress has lost control of the organization of the Department (Defense) and cannot carry out its responsibility unless we (the Congress) amend the National Security Act * * *." In the past few years, the Congress has made its feelings on major items of defense known to the Defense Department only to have these decisions ignored and appropriated funds lay unexpended.

We are gratified that the Defense Department has seen the wisdom of not cutting back the Army Reserve and National Guard beyond the minimum of 300,000 and 400,000 respectively. We feel strongly that the National Guard must be given more flexibility to temporarily exceed unit and overall strength. The American Legion has long maintained that our standing forces must be backed by strong and ready reserve structures capable of immediate and selective mobilization in a limited or cold war situation and general mobilization in the event of broad-scale hostilities. The American Legion would also like to acknowledge its heartfelt thanks to the thousands of reservists who responded so magnificently during the Berlin and Cuban crises.

Maintaining our Reserve and National Guard at minimal strength is not by itself enough. To be fully effective these forces must be properly equipped and trained with the latest implements of war. The National Guard at the earliest possible time should be provided with substantial numbers of modern Century-series fighters, tanks, ammunition and guns.

The continued existence of a Soviet vassal state in the Western Hemisphere poses a military and politically intolerable threat to this Nation and its neighbors. The presence of Soviet troops not only presents a real military threat to the Americas, but assures that the people of Cuba will not soon have the opportunity to throw off the yoke of communism. For the Cubans to rise in revolt promises no less an ignominious death than was meted out to the Hungarians who sought a nobler way of life.

This great Nation was born amidst bloodshed to be free. If we are to preserve our cherished freedom then communism must be fought with the same relentless tenacity communism is bringing to bear to communize the world. The complete eradication of the Red dictatorship in Cuba and the restoration to the Cuban people of the right to choose their own government through free elections is inexorably linked with our own future. Time is not on our side. History's pages are indelibly soiled with the miserable record of Communist duplicity. Their code of ethics is not the same standards of honesty and morality upon which we base our relations with other nations. How, then, except through the imposition of economic or military pressure can we hope to halt or turn back the everwidening spread of this Godless dictatorship.

A candid appraisal of the degree of success achieved by Communist troublemaking throughout the world demands sober, painful decisions on our part. There is no easy solution to problems deliberately created to aid worldwide Communist aims. Whatever the decision our leaders must make we strongly recommend that they be absolutely backed by a credible, modern military force in being. The recommendations presented in this report are directed to those areas where we feel greater attention and support must be accorded.

FALLOUT MONITORING: WE MUST DO BETTER: WE COULD HARDLY DO WORSE

Mr. BARTLETT. Mr. President, recently I had occasion to address the Senate on the potential hazards present in radioactive contamination of the arctic food chain: lichen—caribou—Eskimo. I am continuing to investigate this problem, and it is my intention to speak further upon it in the near future.

Today, however, I should like to discuss several questions which have been raised in my mind by the exceptionally high levels of iodine 131 fallout which were reported last fall in Salt Lake City, Utah, and in Palmer, Alaska. These high levels were of short duration but long enough to raise the yearly totals substantially in these areas. I ask unanimous consent that a table on iodine 131 contamination in milk and explanatory material supplied by the Radiological Health Division of the U.S. Public Health Service be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the material was ordered to be printed in the RECORD. (See exhibit 1.)

Mr. BARTLETT. From this table it will be seen that a child in Palmer consuming 1 liter of milk per day for the past year—March 1, 1962–March 1, 1963—would have received 38,220 micromicrocuries of iodine 131.

The guide established by the Federal Radiation Council for a 12-month intake of iodine 131 sets 36,500 micromicrocuries as "an acceptable health risk for large general population groups for a lifetime, compatible with the orderly development of nuclear industry of the United States."—Public Health Service press release, April 4, 1963. This is the level set for those most vulnerable in the population—infants, children, and the unborn. When this level is exceeded, public health countermeasures to limit the intake of contamination should be considered and surveillance increased according to the Public Health Service.

According to a study financed by the Division of Radiological Health, 10 percent of all male infants under 1 year of age drink 40 fluid ounces of milk a day or more. Forty fluid ounces is equivalent to 1.3 liters.

It is thus reasonable to assume that as much as 10 percent of the infant children in the Palmer area received last year in the range of 50,000 micromicrocuries of iodine 131.

The milk samples analyzed by the Radiological Health Division are a mixture of milk taken from the different dairies in the area. These differing milk supplies may themselves vary considerably in radioactivity content. So it is quite possible that some Palmer children received substantially more and others substantially less iodine 131 in their milk.

It is important to point out that the radiation protection guide levels of acceptable radiation for iodine 131 have been set very conservatively. The 36,500 figure was specifically designed to guard the increased vulnerability of children and infants against radiation from iodine. This increased sensitivity of infants is due to the fact that practically all iodine 131 introduced into the body tends to settle in the thyroid gland. Children's thyroids are, of course, a good deal smaller than those of adults. Thus for a given amount of contamination intake, a child's thyroid tissue receives higher concentrations of contaminant per gram tissue than would an adult.

Extremely intensive doses of iodine 131, far higher than any levels experienced from fallout, have been shown to cause cancer of the thyroid. Children are, therefore, presumably more sensitive to this hazard. The effects of iodine 131 radiation upon infants yet unborn are, for all purposes, still unknown.

The Palmer levels, as measured against these intensive, laboratory-obtained results, are quite low. The April 4 Public Health Service press release states that "exposures even many times above the guide levels would not result in a detectable increase in the incidence of disease." However, Mr. President, the word detectable carries a heavy burden in the last sentence. It is very difficult to detect slight increases in the incidence of disease in a large population over a large area. Our investigative skills are not yet competent to handle the job. We do not yet know the effect continued low-level radiation of large populations will have over a period of many years.

The United Nations Scientific Committee in its second report issued October 1962, on the effects of atomic radiation, said that estimates of somatic effects on population groups of low levels of radiation are "largely speculative":

> It is clearly established that exposure to radiation, even in doses substantially lower than those producing acute effects, may occasionally give rise to a wide variety of harmful effects including cancer, leukemia and inherited abnormalities which in some cases may not be easily distinguishable from naturally occurring conditions or identifiable as due to radiation. Because of the available evidence that genetic damage occurs at the lowest levels as yet experimentally tested, it is prudent to assume that some genetic damage may follow any dose of radiation, however small.

The Joint Committee on Atomic Energy of the Congress in its summary analysis of hearings, Radiation Standards Including Fallout, 1962, pointed out:

> Cumulative levels of iodine 131 in milk are in some areas approaching or possibly exceeding the acceptable levels recommended by the Federal Radiation Council for environmental sources generated by peaceful applications. That levels of this nuclide can be tolerated for exposure of a population from fallout have not been established.

The summary analysis went on to say:

> Development of an approach toward evaluating transitory high dietary or air levels of one or more short-lived nuclides is needed. The committee believes that recurring periods of such levels will be experienced from time to time.

It is also of interest to note that the committee stated:

> The concept that the acceptability of every exposure to radiation depends on the reason for the exposure requires many standards related to all the reasons for accepting exposure. Thus if a reason for accepting the exposure is inadequate the exposure must be too high.

A thoughtful reader of the foregoing might conclude, since Palmer has recorded unusual levels of iodine 131 in the past and since it may be expected to experience occasional high levels in the future, that protective public health measures have been taken by the Public Health Service. They have not.

Such countermeasures do exist. I ask unanimous consent that an article from the September 1962, Consumer Reports be made a part of the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the reports were ordered to be printed in the RECORD. (See exhibit 2.)

Mr. BARTLETT. Mr. President, this article outlines steps that might be taken to counteract the hazards which abide in iodine 131 contamination.

Although such action might appear reasonable, it has not been recommended by either the Public Health Service or the Federal Radiation Council. In a statement issued September 17, 1962, the Council stated:

> In some localities in the United States average annual intakes of radioactive iodine have approached the upper level of range II and in one locality have slightly exceeded range II. This has let to actions and proposed actions involving countermeasures or preventative health measures. The Federal Radiation Council does not recommend actions under present circumstances.

When the radiation protection guides were first promulgated in 1961, we were told that "intakes within range III would result in exposures exceeding the radiation protection guide if continued for a sufficient period of time." The Federal Radiation Council "recommended that measures limiting intake of radioactive materials should be considered when indications are that levels averaged over a year will be within range III"—Public Health Service, 1962.

Now we are told that countermeasures are not called for even though the iodine 131 average over a full year's period in Palmer is well within the third range.

This raises substantial questions as to what purposes radiation protection guides are to serve. As first announced in 1961, they were to be used in evaluating radiation from normal peacetime nuclear uses—atomic powered generators, X-ray machines and so forth. However, from the beginning the standards have been used to evaluate measurements of fallout. They have been so used by the Division of Radiological Health, by the Atomic Energy Commission, and by scientific and lay groups.

For example, in the Consumer Reports article on iodine 131 in fallout which I have placed in the RECORD, it was said "for brief periods its level in milk soared high above the radiation protection level." Later it was said, "It is repeated high exposures—raising the possibility of an average daily intake of 100 micromicrocuries or more over a full year—that the Federal Radiation Council has warned against." And later, quoting Surgeon General Luther Terry:

> Several areas in the midcontinent section of the country where the estimated thyroid doses of infants based upon the concentration of radioiodine in milk had already approached the radiation protection guide recommended by the Federal Radiation Council.

For over 2 years these radiation guides have been applied to atomic fallout. They are still constantly referred to in this regard by experts and nonexperts alike.

Now, however, when third range levels have been reached we are told that populations may be exposed to radiation levels "many times above the guide levels" without "a detectable increase in the incidence of disease"—Federal Radiation Council, September 17, 1962. We are told, in effect, to disregard the radiation protection guide, that it does not mean a thing.

Apparently this is designed to allay public concern over high-ranging levels.

What it does is increase public confusion.

Apparently, what the Radiation Council is trying to point out is that a substantial safety factor is included in the calculations of the radiation protection guide—as so it should have been. Measuring radiation exposures for general populations is at best a very general business. Areawide figures are at best only estimates of fallout levels. In recent intensive studies of strontium 90 fallout in England, it was found that neighboring localities may have levels as much as 10 times above or below the national average.

General population standards must also take into account the high sensitivity of embryos, infants, and children to radiation. Acceptable general population radiation levels are, therefore, far less permissive than the levels allowable for industrial employees working with nuclear reactors. Again this is as it should be. Industrial workers are kept under constant surveillance. They wear protective clothing, they have sensitive film devices measuring their daily exposure. Cumulative radiation totals are kept for each individual and they are not allowed to exceed tolerable levels.

For this reason an atomic worker can, with reasonable assurance of safety, be exposed to far higher levels of radioactivity than may large population groups.

The current position of the Federal Radiation Council, disregarding the radiation protection guide in certain cases, leaves us in limbo without standards.

If countermeasures are not called for when radiation protection guide range III levels are reached, and if press releases are issued saying that levels many times above the guide levels are acceptable, then apparently the guides themselves are to be disregarded.

If the radiation protection guide does not apply to population groups, what does?

If the radiation protection guides are not to be applied to radioactive fallout levels, why is reference constantly made to them by responsible officials?

I fail to understand the distinction between radiation caused by normal peacetime use and radiation caused by atomic fallout. Surely the sources of radiation do not affect its potency.

It is true, of course, that the guide assumes constant levels of radiation of the type to be expected from a reactor. It is, however, the average annual exposure that matters and it only takes several days of extremely high-level fallout to bring up the average annual intake of a population to radiation protection guide range III levels.

The Federal Radiation Council in the Federal Register, September 26, 1961, took notice of this fact:

> Controls should be based upon an evaluation of population exposure with respect to the radiation protection guide. For this purpose, the total daily intake of such materials averaged over periods of the order of a year constitutes an appropriate criterion.

The radiation protection guide levels for strontium 90, cesium 137, iodine 131, and so forth, are based upon an acceptable and tolerable radiation exposure for an individual equivalent to 0.5 rems in any given year and 0.17 rem/year for a general population, based upon constant exposure levels over a 30-year period. This level is reached at the threshold of range III for exposure to any single radionuclide. The fact that large populations are exposed to not one but several radionuclides drifting out of the sky is but another reason for the high safety factor allowed in the calculation of acceptable limits. Very little is known about the cumulative effects upon a population of increased levels of exposure from more than one radionuclide source.

It has been stated that the reason countermeasures are not required when the average annual exposure to radioactivity from fallout in a community exceeds range III is that such a high level of fallout is unusual and that it is unlikely such levels will be maintained for 30 years.

This, it appears to me, is unacceptable thinking. While we all hope that an international agreement to end atomic testing will be achieved, I do not believe that it is fair to the safety of our people to assume that an agreement is assured. It is quite possible that atomic testing will not only continue in future years but increase. As ever more nations develop their own atomic weapons, there will be more tests and it is highly probable that these tests will be extremely dirty. Although iodine 131 is extremely shortlived, the other radioactive products of atomic tests retain their vigor for many years. Dr. Chadwick of the Division of Radiological Health pointed out only a few weeks ago in hearings before the House Appropriations Committee that only a small percentage of the radioactivity in the atmosphere has as yet settled to the earth. Levels of contamination are on the increase and they will continue to increase. It is very foolish to think otherwise.

I understand that if range III levels were obtained from peaceful nuclear sources, positive steps would be taken to reduce the population exposure.

In a few cases, range III levels are being reached from nuclear testing sources. There is no particular reason to believe that the total of annual average levels in such communities will drop over the next 30 years—although they no doubt will vary erratically from year to year.

Why then are not countermeasures introduced in these cases?

I have seen no acceptable answer to this question.

The Radiation Protection Council appears to be telling us not to apply radiation protection guide standards to general population exposure to radioactive fallout; and yet we are not given any other standards by which to evaluate the statistics of radioactive hazard.

We are given radioactive fallout data on a daily, weekly, and monthly basis. They are reported in the press and on the air. It is imperative that we have available to the general public a standard by which to evaluate these statistics.

As an example of the needless confusion and public concern which is caused by the present inadequate methods utilized in the handling of radiation statistics, I ask unanimous consent that an article which appeared in the Washington Post, May 2, 1963, be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE ALASKA CITY HAS RADIATION

Fallout radiation from Russian nuclear tests appears to be declining throughout the country, but Palmer, Alaska, is still receiving a warning-level dose of radioactive iodine, the Government reported yesterday.

For the seventh consecutive month, the Public Health Service reported that Palmer was the only U.S. city receiving a 12-month accumulation of iodine 131 that was above the acceptable health risk level.

None of the 62 radiation monitoring stations across the Nation recorded accumulations of strontium 89 or the more dangerous strontium 90, that approached the warning range.

Mr. BARTLETT. Mr. President, Senators will note that the Public Health Service is reported as saying for the seventh consecutive month Palmer, Alaska, was the only city in the United States to have an accumulation of iodine 131 that was above the acceptable health risk level. The article states that Palmer is still receiving a warning-level dose of radioactive iodine. The truth of the matter, Mr. President, is that levels of iodine 131 at Palmer have been well within the acceptable level ever since last

September. It was during the month of September that the extraordinary fallout occurred. The Federal Radiation Council has said, as I have pointed out, that no countermeasures are necessary. And yet, Mr. President, and yet the Public Health Service keeps publishing week after week these reports that Palmer is receiving more than an acceptable health risk and that it is experiencing warning levels of fallout. No wonder this causes worry among the public.

It is no wonder there is confusion among the general public for apparently there is confusion and uncertainty in the Federal Radiation Council itself.

If, Mr. President, there was an outbreak of cholera in Washington, D.C., the Public Health officials would not stand about arguing as to the number of cases required before an epidemic could be declared and countermeasures taken.

The Public Health would take all countermeasures possible.

This analogy points out, I feel, an important lesson. One case of cholera would not call for public panic or unrest. It would call, however, for Public Health countermeasures.

The protection of the public health is a very important task. Government, at whatever level, has no more important responsibility. In this day of dizzying change and unequaled altering of man's environment, the health of the public receives threats from many quarters—not the least of which are the increasing levels of radiation in our daily environment. The importance of comprehending the total implications of this rise has been recognized by the National Advisory Committee on Radiation and by the National Committee on Environmental Health Problems. In 1959 the National Advisory Committee on Radiation outlined a program of growth for the Division of Radiological Health of the Public Health Service which is charged with responsibility in this field. The committee called for an annual budget in 1964 of $50 million a year.

This program of expansion was endorsed by the Environmental Health Committee—the Gross committee—which pointed out that the Division has immediate need for $10 million for basic facilities. Mr. President, the Environmental Health Committee in its 1961 report made seven recommendations regarding radiological health. I ask unanimous consent that these may be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report was ordered to be printed in the Record. (See exhibit 3.)

Mr. BARTLETT. Mr. President, it is 2 years since this committee has reported. It is 4 years since the Radiological Advisory Committee made its recommendations. Yet in this time little has been done to implement these recommendations. The budget request sent to the Congress this year included but $18,776,000 to be used for research, surveillance and protective action, if needed, with regard to the radioactive hazards from all sources facing the whole Nation.

This is not enough.

Mr. President, our radiation surveillance and control program is no more than an ineffective gesture.

First. Contamination is increasing and will continue to increase.

Second. Our facilities for measuring contamination levels are almost completely inadequate.

Third. Our knowledge of the effects of continued low-level radiation upon large population groups is inadequate.

Fourth. Our guidelines for public health action are unclear and apparently inappropriate.

Fifth. Our Government is apparently unwilling to make positive decisions concerning the application of what standards it has.

Sixth. The people are confused and uneasy.

Well they should be.

Mr. President, the distinguished junior Senator from Connecticut, so recently the Secretary of the Department of Health, Education, and Welfare, has announced his intention to hold hearings on the extent of the environmental health hazards which face our people and on the efficacy of Federal programs for meeting these hazards.

I am today addressing a letter to the Senator asking that he include within the consideration of the subcommittee the state of our radiological health program. I ask unanimous consent that this letter be included in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the Record. (See exhibit 4.)

Mr. BARTLETT. Mr. President, for a long time cancer was a hidden fear. People did not speak of it in polite society. Now, fortunately, our outlook has changed. Our outlook is more healthy. We have brought cancer out into the open and we have mounted a massive campaign, both private and public, to conquer it. It will be conquered.

It is time, Mr. President, to stop treating radiation as once we treated cancer. It exists, it threatens us. It must not be hidden away as cancer once was. There is no reason to panic. Present levels do not call for alarm. There is every reason to act sensibly and to develop an adequate program of research and development on public health policy to insure adequate national safeguards.

Exhibit 1

Background for Milk Radioactivity Reports

The accompanying table provides the most recent information available concerning concentrations of radioactivity in milk samples collected at the stations of the national Pasteurized Milk Network operated by the Public Health Service in cooperation with State and local governmental agencies. Every State is represented in the network.

Regular public reports are made on the most recent monthly data available on iodine 131, strontium 89 and strontium 90. Beginning in November 1962, the monthly report also includes 12-month totals of average daily amounts of these radionuclides in one liter of pasteurized milk at each sampling station.

The data given in these reports are in terms of micromicrocuries per liter of milk (1.05 quarts). A micromicrocurie is one-millionth of one-millionth of a curie. A curie is the equivalent of the radioactivity produced by one gram of radium.

The radioactivity in one liter of milk in a given area provides some indication of the radioactivity intake of the population in that area. Milk provides most of the daily intake of iodine 131 by infants and young children, and this age group consumes, on the average, not more than 1 liter of milk per day. In the case of strontium 90, studies suggest that the total daily intake is approximately 20 to 30 percent higher than the strontium 90 content of 1 liter of milk, because of contributions from other foods.

Some evaluation of the significance of estimated intake levels can be obtained by comparison with the following Federal Radiation Council guides. These guides apply to normal peacetime nuclear operations where control of release of radioactivity to the environment is possible. These daily intakes, averaged over a year, are considered an acceptable health risk for large general population groups for a lifetime, compatible with the orderly development of nuclear industry of the United States:

Iodine 131: 100 micromicrocuries per day, or 12-month total of 36,500 micromicrocuries.[1]

Strontium 90: 200 micromicrocuries per day, or 12-month total of 73,000 micromicrocuries.

Strontium 89: 2,000 micromicrocuries per day, or 12-month total of 730,000 micromicrocuries.

In a statement dated September 10, 1962, on their applicability to nuclear test fallout the Council emphasized that these guidelines were not to be interpreted to mean that protective health measures must be taken when upper levels of Range II (represented by the values given above) are exceeded. This was stated as follows:

"The Council believes, based on competent scientific advice, that any possible health risk which may be associated with exposures even many times above the guide levels would not result in a detectable increase in the incidence of disease.

"The radiation protection guides are not a dividing line between safety and danger in actual radiation situations nor are they alone intended to set a limit at which protective action should be taken, or to indicate what kind of action should be taken. As applied to fallout, guides can be used as an indication of when there is a need for detailed evaluation of possible exposure risks and when there is a need to consider whether any protective action should be taken under all the relevant circumstances.

"The Federal Radiation Council recognizes the need for additional guidance related to fallout. The Council has directed appropriate Federal agencies to keep it continuously advised on the fallout situation, particularly with respect to local situations requiring evaluation. The Council, acting through its member agencies, will, when requested, provide consultation and technical assistance in the event that there is concern about fallout levels in any part of the country."

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[1] The guide for iodine 131 is set for the most susceptible group—infants and very young children. For adults the iodine 131 guide could be tenfold larger, or 365,000 micromicrocuries per year.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—PUBLIC HEALTH SERVICE—DIVISION OF RADIOLOGICAL HEALTH, RADIATION SURVEILLANCE CENTER

Pasteurized milk network—strontium 89, strontium 90, and iodine 131: I. Average daily radionuclide levels for January and February. II. 12-month total of average daily amounts of specified radionuclides in 1 liter of milk

Station location	I. Average daily level for the month [1] (μμc per liter)			II. Total for past 12 months [2] (μμc from 1 liter daily)		
	January 1963		February 1963, I^{131}	As of January 1963		As of February 1963, I^{131}
	Sr^{89}	Sr^{90}		Sr^{89}	Sr^{90}	
Department of Health, Education, and Welfare region I:						
Connecticut, Hartford	5	12	<10	8,070	3,927	7,670
Maine, Portland	<5	20	<10	10,800	5,299	8,160
Massachusetts, Boston	5	18	<10	11,360	5,992	7,950
New Hampshire, Manchester	5	20	20	10,415	5,362	7,710
Rhode Island, Providence	10	14	10	9,190	4,697	8,580
Vermont, Burlington	5	16	10	10,975	4,298	8,380
Department of Health, Education, and Welfare region II:						
Delaware, Wilmington	10	16	10	13,195	4,977	11,870
New Jersey, Trenton	<5	14	<10	9,925	4,158	7,990
New York:						
Buffalo	10	15	<10	8,980	4,228	8,720
New York	<5	16	<10	10,555	5,075	11,660
Syracuse	<5	16	<10	9,555	4,228	9,980
Pennsylvania:						
Philadelphia	10	18	<10	10,415	4,781	10,820
Pittsburgh	<5	19	10	12,215	5,754	14,810
Department of Health, Education and Welfare, region III:						
District of Columbia, Washington	10	13	<10	12,760	5,285	8,440
Kentucky, Louisville	30	21	<10	28,210	7,294	10,540
Maryland, Baltimore	<5	15	<10	11,815	5,544	8,690
North Carolina, Charlotte	25	25	<10	20,790	7,259	3,370
Puerto Rico, San Juan	150	12	30	[3] 24,745	[3] 3,395	[3] 5,960
Virginia, Norfolk	20	18	<10	17,395	6,552	6,410
West Virginia, Charleston	15	19	10	21,070	6,853	6,970
Department of Health, Education, and Welfare, region IV:						
Alabama, Montgomery	80	15	<10	23,555	5,474	6,590
Florida, Tampa	30	12	20	9,415	3,633	6,660
Georgia, Atlanta	85	18	10	30,800	6,608	9,040
Mississippi, Jackson	170	25	20	55,020	8,792	9,530
South Carolina, Charleston	60	20	20	24,780	7,014	7,010
Tennessee:						
Chattanooga	70	22	<10	42,910	8,197	7,850
Memphis	95	22	<10	38,010	7,798	10,050
Department of Health, Education, and Welfare region V:						
Illinois, Chicago	<5	14	<10	10,800	4,116	13,690
Indiana, Indianapolis	10	15	<10	13,930	4,949	12,010
Michigan:						
Detroit	5	16	<10	9,855	4,242	12,820
Grand Rapids	10	15	10	8,560	3,794	9,560
Ohio:						
Cincinnati	20	18	10	17,780	5,481	14,600
Cleveland	5	15	<10	10,730	4,438	11,100
Wisconsin, Milwaukee	10	9	10	8,455	3,136	14,460
Department of Health, Education, and Welfare region VI:						
Iowa, Des Moines	20	14	<10	23,960	4,718	21,840
Kansas, Wichita	30	12	<10	18,620	4,270	21,740
Minnesota, Minneapolis	15	20	<10	20,285	6,216	16,170
Missouri:						
Kansas City	30	16	<10	30,940	5,404	30,240
St. Louis	20	12	<10	19,390	4,963	12,530
Nebraska, Omaha	25	16	<10	21,035	4,889	19,390
North Dakota, Minot	15	28	<10	16,655	7,294	14,910
South Dakota, Rapid City	25	15	10	20,215	5,740	14,670
Department of Health, Education, and Welfare region VII:						
Arkansas, Little Rock	125	29	20	50,365	10,906	14,670
Louisiana, New Orleans	160	30	30	58,170	11,046	9,600
New Mexico, Albuquerque	20	6	<10	6,185	1,617	7,040
Oklahoma, Oklahoma City	65	17	10	26,180	6,230	18,380
Texas:						
Austin	70	9	<10	11,655	2,702	11,040
Dallas	130	18	20	30,275	5,593	18,840
Department of Health, Education, and Welfare region VIII:						
Colorado, Denver	10	13	<10	10,310	3,731	5,720
Idaho, Idaho Falls	10	13	<10	8,875	3,486	9,240
Montana, Helena	25	14	10	16,590	4,487	14,630
Utah, Salt Lake City	15	12	10	11,220	3,367	31,920
Wyoming, Laramie	20	15	<10	19,165	3,864	19,710
Department of Health, Education, and Welfare region IX:						
Alaska, Palmer	25	12	<10	19,095	3,808	38,220
Arizona, Phoenix	25	5	<10	6,460	1,176	4,270
California:						
Sacramento	15	3	<10	7,055	1,393	5,050
San Francisco	60	5	<10	13,020	1,981	4,940
Hawaii, Honolulu	40	6	20	10,045	1,918	5,250
Nevada, Las Vegas [4]	10	6	<10	5,040	1,162	4,240
Oregon, Portland	70	12	<10	30,485	5,026	9,770
Washington:						
Seattle	35	9	<10	21,945	5,523	9,940
Spokane	20	13	10	13,530	4,655	21,910
Network average	35	15	<10	----------	----------	----------

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[1] In general, the average daily levels for January are based on 2 samples per week from each station; for February, average daily levels are based on 1 sample per week.

[2] The average daily level (μμc per liter) is multiplied by the number of days in a month to estimate the total for the month; the monthly totals are added to obtain the 12-month total. For this computation the number of days in a month is assumed to be 28 or 35, depending upon whether there are 4 or 5 calendar weeks (Sunday through Saturday) ending within the month. For both January and February, 28 days are used. 4 complete calendar weeks from Dec. 30, 1962, through Jan. 26, 1963, end in January 1963; also 4 complete calendar weeks from Jan. 27 through Feb. 23 end in February 1963.

[3] 11-month total; no analysis data for November 1962.

[4] January totals are for 7 months; February total is for 8 months; station included in pasteurized milk network, July 1962.

EXHIBIT 2

[From Consumer Reports, September 1962]

IODINE 131 IN FALLOUT: A PUBLIC HEALTH PROBLEM

Last fall a particularly hazardous kind of radioactive fallout came into prominence when, as a result of nuclear weapons tests by the U.S.S.R., high levels of iodine 131 were reported in the milk sold in many U.S. cities. This spring and summer the U.S. tests in the atmosphere caused high levels of iodine 131 again in a number of cities. Now the announcement of additional tests by the Russians has given rise to further serious concern.

Although radioactive iodine had been detected in milk during previous rounds of nuclear tests, its potential menace was not then as well recognized as it is today. In 1959 the International Commission on Radiological Protection set a maximum permissible concentration (MPC) for the population at large at roughly 700 micromicrocuries of iodine 131 per liter of milk. (The equivalent figure for the more familiar strontium 90 is 33 micromicrocuries.) Last year the Federal Radiation Council, a body of U.S. officials of Cabinet rank, issued a radiation protection guide in which it set a guidance level for children of 100 micromicrocuries of iodine 131 per day over a year's time, beyond which level "appropriate positive control measures" should be instituted. This level takes account of the greater sensitivity of children's thyroids to damage from iodine 131.

Because it decays at the rapid rate of one-half its residual radiation each 8 days, iodine 131 reaches the table only in foods fresh from the farm, chiefly milk. In the form of iodine salts (iodides), the hot element concentrates, like stable iodides, in the thyroid gland. If present in sufficient quantities over long intervals, iodine 131 may produce cancer of the thyroid in some individuals. Not only are the thyroid glands of children more sensitive to iodine 131 than adult thyroids; because children in this country drink much more milk than adults, they also are exposed to larger doses of iodine 131.

Fallout of this particular contaminant, while it persists for only a few days to a few weeks after the nuclear explosion that produces it, follows geographic patterns as divergent as the vagaries of wind and weather and thus far as unpredictable in terms of iodine levels in milk. In the two series of weapons tests during the past year, certain localities seem to have borne the brunt of the stuff. For brief periods, its level in milk soared high above the radiation protection guide level. These episodic doses, each by itself, may not be cause for much concern. It is repeated high exposures—raising the possibility of an average daily intake of 100 micromicrocuries or more over a full year—that the Federal Radiation Council has warned against.

How likely is this possibility? In St. Louis, where the U.S. Public Health Service has been making periodic checks on iodine 131 in milk since 1957, children who drank a liter of milk a day had an average daily intake of 250 micromicrocuries, according to the Greater St. Louis Committee for Nuclear Information, during the year from May 1957 through April 1958—2½ times the present guidance level. Recently Public Health Service figures revealed that from last September through May of this year the accumulated dose from milk in Des Moines and Minneapolis reached two-thirds of the annual level warned against. In May alone, as the table below shows, Wichita, Kans., had an average of 220 and a 1-day peak of 660. In June the daily average in Spokane, Wash., was 350 and the peak 1,240. Dr. Luther L. Terry, Surgeon General of the United States, commented in June that since last September there were "several areas in the midcontinent section of the country where the estimated thyroid doses of infants, based upon the concentration of radioiodine in milk, [had already] approached the radiation protection guide recommended by the Federal Radiation Council." In July health officials in Utah reported a peak of 2,050 in Salt Lake City, and, for the first time, fresh milk was diverted from the market to dry-milk plants.

A recent report to Dr. Terry by the National Advisory Committee on Radiation laid down some basic principles concerning measures to meet the problem: "The primary objective of a public health program to deal with radioactive contamination of the environment is to prevent undue radiation exposure of the population. To attain this objective, a public health authority must possess (a) a capability to measure as rapidly and completely as necessary the levels of contamination prevailing in those components of the environment which have public health importance; (b) an ability to evaluate these measurements in relation to national radiation protection standards; and (c) a capability to evaluate, recommend, and apply appropriate countermeasures when warranted."

The public health problem was discussed by Dr. Russell H. Morgan, professor of radiological science at the Johns Hopkins University and Chairman of the National Advisory Committee on Radiation, at the hearing in June of the Joint Congressional Committee on Atomic Energy.

Excerpts from his testimony are pertinent:

"It is important that responsibility for countermeasure application be well defined. If one is well prepared to face a radiocontamination incident, regardless of causes, public concern over the hazards of ionizing radiation may be expected to diminish substantially.

"It has not been clearly established who in Government is responsible for the initiation of countermeasures when they are needed. However, since radiocontamination is primarily a health problem, it appears fairly evident that public health authorities must carry an important part of this responsibility. Indeed, when the contamination arises from such sources as nuclear reactors, industrial plants, and other domestic facilities engaged in the use of radioactive materials, there can be little question that the responsibility for countermeasures resides squarely with State and local health authorities, with the Surgeon General of the Public Health Service providing competent technical and administrative guidance.

"When the contamination is due to nuclear weapons testing, the initiation of countermeasures is more complex. Under these circumstances, one is faced with enormous international as well as domestic problems. Also, if the contamination results from U.S. testing, the wisest countermeasure may be one which calls for a slowing or cessation of testing until the contamination falls to lower levels. Since the President, alone, has authority to change testing schedules, it is evident that it must be the President on whom responsibility must fall for the determination of when and what countermeasures should be applied to combat undue radiocontamination from weapons tests. The Surgeon General of the Public Health Service also has a major responsibility to provide the President with the best possible information on prevailing radiocontamination levels and estimates of anticipated biological damage.

"A countermeasure to be useful must fulfill a number of requirements. First, it must be effective; that is, it must substantially reduce population exposures below those which would prevail if the countermeasures were not used. Second, it must be safe; i.e., the health risk associated with its use must be considerably less than those of the contaminant at the level at which the countermeasure is applied. Third, it must be practical. The logistics of its application must be well worked out; its cost must be reasonable; and all legal problems associated with its use must be resolved. Next, responsibility and authority for its application must be well identified. * * * Finally, careful attention must be given to such additional considerations as its impact on the public, industry, agriculture, and Government.

"One of the first countermeasures to consider against iodine 131 is the placing of all children of early age, lactating mothers and pregnant women on evaporated milk or powdered dry skim milk. This provides protection for the most susceptible individuals in the population. Since the average transit time for evaporated milk and powdered milk to reach the consumer is at least 2 months, close to 100 percent reduction in iodine 131 intake is provided. The countermeasure produces no deleterious side-effects to health. The dairy industry has sufficient capacity to supply the additional quantities of processed milk which the women and children may need. Costs are reasonable and no legal problems are foreseen.

"The addition of stable iodine (in the form of iodine salts) to the diet and the medical administration of thyroid extract are two countermeasures which have received considerable study in recent years. Evidence is at hand which indicates that relatively small amounts of stable iodine, 1 mg. in children and 5 mg. in adults when taken daily, will induce gradually over a few days a reduction of about 80 percent in radioiodine accumulation by the thyroid gland; greater and more rapid reduction can be achieved by larger doses. The medical administration of thyroid extract also prevents radioiodine uptake when sufficient doses to suppress the function of the thyroid gland are given. In spite of the ability of both methods to reduce radioiodine accumulation, their use as countermeasures should usually be reserved for limited application due to the dangers inherent in the administration of food additives and medicants to large population groups."

With respect to the use of canned or powdered milk to protect the thyroid from the effects of iodine 131, it is estimated that the available commercial supply of such substitutes for fresh milk equals nearly 2-weeks consumption by the entire population, adults as well as children, though unequal distribution no doubt would find some cities with shorter or longer rations. An adequate monitoring system, however, could quickly pinpoint the areas of high iodine 131 concentration, and the required milk substitutes could be moved to those areas as needed.

As Dr. Morgan stated, radiocontamination is a public health problem; it cannot be dealt with by individual action alone. Meeting it would require that Government authorities really plan for the appropriate steps to be taken when necessary. And certainly one of those steps is that the public be kept better informed than it has been.

Highest peak levels of iodine 131 in milk during the past year

[Micromicrocuries per liter]

	Single-day peak	Average for the month
September 1961:		
New Orleans, La	530	90
St. Louis, Mo	500	170
Jackson, Miss	460	150
New York, N.Y	440	140
Pascagoula, Miss	400	200
Atlanta, Ga	320	80

Highest peak levels of iodine 131 in milk during the past year—Continued

[Micromicrocuries per liter]

	Single-day peak	Average for the month
October 1961:		
Omaha, Nebr.	730	250
Palmer, Alaska	620	280
Seattle, Wash.	350	120
Portland, Oreg.	300	200
St. Louis, Mo.	290	150
November 1961:		
Wichita, Kans.	340	180
Des Moines, Iowa	310	230
Omaha, Nebr.	310	150
Portland, Oreg.	300	220
Kansas City, Mo.	300	200
Oklahoma City, Okla.	300	160
Seattle, Wash.	290	130
May 1962:		
Wichita, Kans.	660	220
Kansas City, Mo.	600	200
Des Moines, Iowa	300	90
Minneapolis, Minn.	290	120
June 1962:		
Spokane, Wash.	1,240	350
Kansas City, Mo.	780	240
Oklahoma City, Okla.	460	160
Wichita, Kans.	340	130
July 1962: Salt Lake City, Utah	2,050	650

NOTE.—Radiation Protection Guide for children is 100 micromicrocuries per day over a year's time.

Sources: U.S. Public Health Service and Utah Health Department.

EXHIBIT 3

REPORT OF THE SUBCOMMITTEE ON RADIOLOGICAL HEALTH

RECOMMENDATIONS

1. The Public Health Service should assume primary responsibility for the development of a sound radiological health program in the United States. Particular attention should be directed to (a) research on radiation protection standards; (b) the continued development of a comprehensive surveillance network for the measurement of environmental radiation levels; and (c) the development and application of appropriate countermeasures where radiation hazards exist.

2. The Service should carry out this responsibility through its Division of Radiological Health. This Division should be provided with (a) a scientific staff of high competence and (b) facilities which include central administrative and laboratory units and a series of regional field stations wherein the technical operations and suitable portions of the research and training programs of the Division may be conducted. The central units might well be developed as part of a PHS Center for Environmental Health although delay in the development of such a center must not be allowed to hold up the construction of additional facilities for the Division. Estimates for facilities needed immediately are $10 million of which $7 million are for central administrative and laboratory units and $3 million are for additional regional laboratories. Substantial additional funds will be needed in the not-distant future to meet the rapidly expanding demands being placed upon the Division of Radiological Health.

3. The Division of Radiological Health should give increasing attention to its programs to support university research through grants and contracts. The current extramural research program of the Division is far behind the schedule laid out by the National Advisory Committee on Radiation 2 years ago and strong efforts should be made to bring this program to its proper place in the activities of the Division.

4. The program of the Division of Radiological Health to promote and support training programs for radiation health specialists and radiation technicians within universities and public health agencies should also be substantially increased. Annual support at a level of $5 million is needed immediately to meet the anticipated demands for radiological health personnel over the next 10 years.

5. The Division of Radiological Health in the development of its programs should place special emphasis on problems arising from the use of medical and industrial radiation sources and should pay particular attention to regional problems that transcend State and local authority. The measurement of environmental levels of radioactivity and the application of appropriate countermeasures where excessive levels are found to exist constitute one set of such problems.

6. A Radiation Hazards Research Liaison Committee should be established between the Public Health Service and the Atomic Energy Commission, to give direction and coordination to the radiation hazards research programs of the two agencies.

7. Finally, the growth of the budget of the Division of Radiological Health should be allowed to proceed at the pace outlined in the 1959 report of the National Advisory Committee on Radiation. This calls for an annual budget of $50 million by 1964. Currently this growth is behind schedule, a circumstance that should not be allowed to continue in view of the rapidly increasing responsibilities of the Division in today's troubled world.

EXHIBIT 4

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
May 14, 1963.

Hon. ABRAHAM A. RIBICOFF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RIBICOFF: I congratulate you upon your initiative in undertaking hearings on environmental health hazards and the adequacy of Federal programs to cope with them. Such a study has been long needed and will be highly valued. No man in the Senate is better qualified to make it.

I am enclosing two statements which I have presented to the Senate. The first speaks of the radioactive contamination of the Arctic food chain: lichen—caribou—Eskimo. This contamination has risen to high levels in the Scandinavian Arctic. There are indications that it is rising even higher. The same sources of contamination exist in Arctic Alaska, but so far our knowledge and measurements of the problem have been inadequate for purposes of evaluation.

The second statement speaks in some detail of the confusion and disarray apparent in our national program of radiation measurement and control.

Contamination caused by radioactive fallout is a national problem. It is a public health problem. As such, the Federal Government has the responsibility to see that intelligent, encompassing action is taken to insure the public safety.

The Division of Radiological Health of the Public Health Service, staffed as it is with able and skilled civil servants, has neither the funds nor the organization to cope with the task.

If it is convenient to your plans, I would urge you in your investigation of environmental health to give attention to the pressing need for improved radiological health measures.

With highest regards, I am
Sincerely yours,
E. L. BARTLETT.

SOUTHWEST CONFERENCE ON SOCIAL AND EDUCATIONAL PROBLEMS OF RURAL AND URBAN MEXICAN-AMERICAN YOUTHS

Mr. ENGLE. Mr. President, on April 6, the 12th Annual Southwest Conference met in Los Angeles to discuss the social and educational problems of urban and rural Mexican-American youth. I have just seen the conference's report containing the recommendations that resulted from its meetings. It contains some very constructive proposals.

I ask unanimous consent to have printed at this point in the RECORD the full text of the conference's recommendations.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

SOCIAL AND EDUCATIONAL PROBLEMS OF URBAN AND RURAL MEXICAN-AMERICAN YOUTH—RECOMMENDATIONS FROM SECTION MEETINGS OF 12TH ANNUAL SOUTHWEST CONFERENCE, OCCIDENTAL COLLEGE, APRIL 6, 1963

I. SELF-DEFINITION

Leader: Martin Ortiz, executive director, east-central area, Welfare Planning Council; recorder: the Reverend Antonio Hernandez, director, Cleland House of Neighborly Service.

Recommendations

1. That we emphasize the Americanism of people of Mexican descent and that further effort be made to assimilate and enrich their contribution to American culture.

2. That persons of Mexican descent be informed of their rich cultural background, both Indian-pagan and Spanish-Christian.

3. That accelerated efforts be made to inform the Mexican-American of his rights and privileges in this country.

4. That recommendations be made to the Los Angeles city schools and other agencies working with people of Mexican descent to institute programs for better understanding of people of Mexican-American background.

5. That scholarship programs offered to Mexican-American youth be established for the purpose of providing greater educational opportunities and that in some way these scholarship programs be coordinated.

6. That Mexican-American groups avail themselves of the resources of community newspapers for the purpose of informing the total community of the educational and cultural activities of these groups.

II. FAMILY ORGANIZATION

Leader: David P. Macpherson, probation director, Los Angeles County Probation Department; recorder: Faustina Solis, California Department of Mental Health.

Recommendations

1. (a) That a specialist in family organization of the Mexican-American be designated or assigned within agencies at the State and national level to develop research, coordination, and training; (b) that an interdepartmental council composed of these staff specialists be formed; and (c) that community advisory committees composed of professional and lay personnel be appointed to serve in an advisory capacity to the interdepartmental councils.

2. That individuals of competence, awareness and knowledge be appointed to governing boards in order to relate the formulation of policy to meet the needs of Mexican-American families.

3. That grants be appropriated for action projects related to health, education, and welfare services for the Mexican-American family which would provide training opportunities for Spanish-speaking students.

4. That training funds be appropriated for upgrading of personnel of existing agencies.

5. That, in the educational area, schools be requested to utilize community organization personnel and knowledge to promote the Mexican-American family's greater participation in and sense of responsibility to the total school program.

6. That local branch offices of agencies be encouraged to develop neighborhood councils to advise on local problems or needs and

provide information on cultural patterns in that area.

7. That the Laboratory in Urban Culture of Occidental College develop a professional resource group who are knowledgeable about Mexican-American culture and who could be available to organizations, institutions and agencies for training and consultation.

8. That, to follow up the conference, material from this work group be documented for use by agencies and training personnel who work with Mexican-Americans and that this documentation be assisted by the Los Angeles County Commission on Human Relations.

III. EDUCATION

Leader: John Burma, Ph. D., chairman, department of sociology, Grinnell College; recorder: Jan Pluim, principal, Riis High School.

Recommendations

1. That vocational and personal guidance programs in the public schools, and all schools, be strengthened.

2. That schools develop a program to stimulate greater pride and understanding of the cultural heritage of the Mexican-American child.

3. That school boards establish a strong, positive statement of policy toward the acculturation of the Mexican-American child.

4. That schools provide an intensive oral language and enrichment program, preferably in the prekindergarten years.

5. That schools teach both English and Spanish in the elementary grades.

6. That schools and teachers recognize that some students come with Spanish as a first language and that English should be taught accordingly.

7. That schools should be encouraged to recruit, hire, and place in appropriate positions counselors who speak Spanish and have an understanding of the Mexican-American child.

8. That schools develop methods and programs to bring parents and others into full participation in the school community.

9. That schools encourage the establishment of a liaison position to interpret the school program and viewpoint to Mexican-American parents.

10. That school boards establish an in-service training program for teachers in order to help them understand middle-class values and to translate these values in their relationships with pupils from other classes.

11. That the vocational training program in the comprehensive high school be expanded and strengthened and that the vocational scope of the junior colleges be broadened.

12. That these recommendations be brought to the attention of all school boards in the area that are concerned with Mexican-American students.

13. That at a future conference, representatives of the various schools be prepared to indicate ways and methods by which these recommendations have been implemented.

IV. HEALTH AND COMMUNITY NEEDS

Leader: Thelma Herold, health education, Northeast District; recorder: Raymond W. Craig, M.D., National Institute of Mental Health.

Recommendations

1. That the Southwest Conference encourage a pilot project to develop a family health center in the Mexican-American neighborhood which would provide the following: (a) Comprehensive services, including diagnosis, treatment, and followup; (b) professional personnel able to communicate in the Spanish language and present at convenient hours; and (c) training of community aids, recruited from the neighborhood, included in the program of the family health center.

2. That professional personnel within agencies dealing with Spanish-speaking people, both groups and individuals, be trained in the Spanish language, and that personnel not only be encouraged to learn Spanish but also receive either time off or extra salary or a bonus in order to facilitate proficiency in this language.

3. That an immediate study be made of the policies and programs of existing health and welfare agencies which impede utilization and service of available Spanish-speaking people.

4. That the Southwest Conference recommend that the National Service Corps program include urban as well as rural areas.

V. COMMUNITY ORGANIZATION AND LEADERSHIP

Leader: Joe Maldonado, executive director, Alameda County Council of Social Planning; recorder: Annette Gromfin, training coordinator, Youth Studies Center, University of Southern California.

Recommendations

(NOTE.—The Mexican-American community has many organizations, but they need better coordination and more adequate means of communication; further, there is existing leadership in the community which could be better utilized through the above methods; also, coordination and communication are needed to develop youth leadership and indigenous adult leadership.)

To accomplish this, it is recommended:

1. That this conference explore the possibility of establishing a regional action organization to be concerned with the problems of Mexican-Americans, and that this organization be a clearinghouse with at least the following four components: (a) Securing factual data on problem areas; (b) developing a priority system in identifying and working on problem areas; (c) gathering knowledge of existing programs and disseminating these; and (d) making action recommendations to the various kinds of groups concerned.

2. That this organization may wish to be called by the name of this conference.

VI. JOB PLACEMENT

Leader: Herbert R. Sigurdson, associate director, Youth Studies Center, University of Southern California; recorder: Dennis Fargas, chief, Equal Employment Opportunities Section, Office of Employment, U.S. Air Force.

Recommendations

That the conference, or a committee established as a result of the conference, should:

1. Provide support, in writing, for the Youth Opportunities Board's proposal to establish a special manpower development training and youth program for the East Los Angeles area.

2. Communicate to the President of the United States, the Department of Defense, and the President's Committee on Equal Employment Opportunities the urgent need to have U.S. Government contracts contain clauses which specify that part of the training allowance provided to contractors be spent for youth training or apprenticeship programs.

3. Take action to encourage a more intensive use of Spanish-speaking religious leaders for the purpose of communicating to Mexican-American parents the increasing importance of education as a prerequisite to employment.

4. Approach a private foundation to provide funds for the establishment of an agency which would carry forward and seek implementation of the recommendations of this and other similar conferences on minority employment.

5. Communicate to the Governor of the State of California and the Governors of other Southwestern States the need to increase manpower in a number of State agencies so that a continuing program of developing equal employment and training opportunities may be extended to include a larger spectrum of private enterprise firms (e.g. Phoenix's careers for youth program, Higher Horizons, etc.).

6. Communicate to the Chairman of the U.S. Civil Rights Commission (Dr. Cotter) commending the Commission for its support of Dr. Samora's research and urging publication of his report without delay because of its significant contribution to understanding the problems of Spanish-speaking Americans.

JAMES K. CARR MAKES CHALLENGING PROPOSAL FOR SAVING CALIFORNIA'S NATURAL ELEMENTS

Mr. ENGLE. Mr. President, I invite the attention of my colleagues to a forceful and stimulating speech made in February by James K. Carr, Under Secretary of the Interior, before the California Municipal Utilities Association.

In his address Mr. Carr laments the sharp deterioration of California's natural endowments which he attributes to commercialism, indifference, and ignorance. He paints a bleak picture of cities that "slobber over into the countryside, cluttered with billboards, spawning sleazy development that have brought new, ugly words to our California lexicon—slurbs and slurburbia." The picture is a dismal one but the note on which Mr. Carr concludes his remarks is a positive and challenging one. I applaud Jim Carr's proposal for saving California. I agree with him that it cannot be done alone by greater State and Federal expenditures. And I endorse his call for a citizens' crusade to get people of every age and in every walk of life to participate in a statewide effort to improve the quality and character of the State of California.

The ideas that Mr. Carr presents will interest everyone who is concerned about the development and preservation of our country's natural resources. I ask unanimous consent to have printed at this point in the RECORD the entire text of Mr. Carr's address.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE MOST POPULOUS STATE'S FUTURE—QUANTITY OR QUALITY

(Remarks of James K. Carr, Under Secretary of the Interior, at the 1963 Annual Conference of the California Municipal Utilities Association, Sacramento, Calif., February 27, 1963)

Mr. Chairman, ladies and gentlemen, it is a distinct privilege to address this audience. This is a very timely opportunity. Many of the leaders of State government are here and we have the key officials of the cities and publicly owned districts in the California Municipal Utilities Association. The members of this association serve either water, electricity, gas, or a combination of these services to about 75 percent of the people of the most populous State in the United States.

Few audiences could be better qualified to ponder the subject of my remarks, "The Most Populous State's Future—Quantity or Quality." Actually, the subject must be, "The Most Populous State's Future—Quantity and Quality," because the quantity, the continued increase of population, will occur whether we like it or not.

I speak to you as a former member of this association, a former member of Governor Brown's administration, as the Under Secretary of the Interior, but primarily as a third-generation Californian who shares with millions of others concern about the future of this State—occupied by the largest group of people in these 50 United States.

When my grandfather Carr migrated to California in the 1870's, Los Angeles was a relatively small, sleepy pueblo. In population and activity it couldn't match Shasta, the place where he settled—now a ghost town. Today, Metropolitan Los Angeles, western America's leader in population, has 7 million people—southern California has 10 million people. Population estimates indicate southern California may have 30 million residents in less than four decades. The migration of the gold rush was insignificant compared to the western migration of today.

Today, I want to talk to you about California and conservation. When I speak of conservation, I mean development as well as preservation of natural resources. President Kennedy said it so well in his message to the Congress on March 1, 1962. He said: "We must reaffirm our dedication to the sound practices of conservation which can be defined as the wise use of our natural environment; it is, in the final analysis, the highest form of thrift—the prevention of waste and despoilment while preserving, improving, and renewing the quality and usefulness of all our resources."

A similar objective was in mind when Secretary of the Interior Udall said: "It is the conviction of this administration that we should plan the use of our land resources so that material progress and the creation of a lifegiving environment will go hand in hand."

Because of my past associations with you, some will expect me to talk about development of water and power and energy. These are the necessary foundations on which we build an expanding economy. I shall, however, leave those subjects to others. Suffice it to say that the State of California, local agencies represented here, and the Federal agencies, are making great strides forward in these fields.

Today, I want to discuss with you some broader conservation challenges which also relate to our lifegiving environment. This is the "quiet crisis" as Secretary Udall terms it. These challenges refer to the task of renewing the quality and usefulness of the State's natural gifts.

When California was recently caught up in the holiday spirit, and celebrated achieving the title of the most populous State, many recalled the comment of Chief Justice Warren, a former great Governor of this State. He said: "I would not celebrate with fireworks, or by dancing in the street. I would make it a day of contemplation as to how we might better provide for the happiness of these millions."

So I should like to speak even more to the point. You know as well as I do the ugly illustrations that make up the sad story of failure to maintain the quality of the Golden State. Smog too often hangs like a pall over all our cities, causing discomfort, damage, and even death. In a single generation we have almost ruined the superb Mediterranean climate of southern California. Some shorelines foam with detergents, fish and wildlife are threatened, and scenic beauty is destroyed. Cities slobber over into the countryside, cluttered with billboards, spawning sleazy developments that have brought new, ugly words to our California lexicon—slurbs and slurburbia.

Campground and recreation areas are overflowing with people. They are simply seeking living and breathing space.

California has one of the best highway systems in the United States, built to meet fantastic demands. But, in many places, our precious scenery falls under the tyranny of the automobile and the highway designer. There is need for more effort to build esthetically and to take advantage of the scenic approach as has been done so well on some of the parkways in the east. "Cracking up" 200 automobiles as a result of one accident on a southern California freeway, and 150 more in another accident within rifle shot of this room, is evidence enough that we have a lot to learn. More speed and straighter lanes of concrete are not the answer.

The shores of Lake Tahoe, the jewel of the Sierras, already bear the permanent scars of uncontrolled, unplanned commercialism unchecked; this kind of "slurbanization" can despoil forever our cherished, scenic, recreation areas. What a price to pay for so-called civilization.

And in the coastal mountains, California's special gift of the Creator, the redwoods, noble sentries of this "unique bright land," are increasingly victims of the chain saw, being logged in many places with no other control than the laws of the marketplace, as though these trees were just another species of timber. Should the economics of the lumber industry be the sole standard of value? In some instances, the logged-over hillsides bleed silt into the streams where fish no longer swim. As a result, the floodwaters roar unchecked down the denuded hillsides and destroy giant trees in the glorious groves downstream where State and private effort has combined to save the redwoods. When these centuries-old trees are gone, they cannot be replaced for a thousand years.

One of the great commentators of our generation, Eric Sevareid, recently predicted that our last frontiers of serenity and space will: "disappear unless we learn * * * that progress has to be defined to mean preserving and cherishing as well as changing and improving."

And there is another area where I think we should ask ourselves whether the sole consideration of the marketplace is leading us astray. Many of the rich bottom lands of this State are being filled with subdivisions. For a variety of reasons, primarily inadequate zoning, taxes go up, forcing the farmers to sell out. Losing forever valuable agricultural land is a reflection on all of us. We haven't given enough consideration to the future, nor to the problems of the farmers, or to the problems of the homebuilders. The result is that throughout California, agricultural lands which cannot be replaced are disappearing in this great "Garden of Eden." It will take planning, courage, energy, and proper zoning laws to reverse the trend. One apparent need is to establish a tax policy to protect the individual who finds himself the victim of circumstances.

If nothing can be done to save the land from being overrun by subdivisions, we will have to establish Orange Grove State Park in southern California to show future generations a real orange grove. And, in the beautiful Santa Clara Valley, we will have to authorize an Orchards State Park so people can have some idea of how that famous, bountiful valley appeared before we overran it because of lack of planning.

There is and has been a longstanding controversy over the construction of a new powerplant on one of the most beautiful headlands along the California shoreline, Bodega Head. At one time this point was designated as a highly desirable location for a State park. It's not enough to blame the power company. The company makes the point that it is in the business of producing power as economically as it can for its customers. It does not have the full responsibility for planning land use for the entire State. But we must find a way for private enterprise and Government agencies to plan our future together and not on a single-purpose basis.

There are many who say the powerplant could be built elsewhere, saving this part of California's vanishing coastline for public recreation. If this shoreline is lost to the people of California and the Nation, it is your fault and mine for not insisting earlier that we have the kind of comprehensive land-use planning that is essential to protect the interests of all Californians and our children and grandchildren.

If the bleak picture I have just reviewed with you presents the entire story, there would be little reason for my speaking here today. Fortunately, the people of the State are beginning to be aroused. There is much being done. There is far more that we can and must do. With leadership from groups such as this, we can reverse the trend. We can keep California the "unique bright land."

Today I want to propose a California conservation crusade—a citizens' crusade—one that will permit people of every age to make their contribution toward improving the quality—the character—the livability of the State of California. This cannot be done alone by greater State and Federal expenditures, although such expenditures may be necessary to acquire land and to accomplish certain specific objectives. But, success in such a drive depends on using all the latent human and financial resources that can be channeled into a conservation crusade if we provide the leadership. We cannot merely legislate conservation achievements. It is the result of a state of mind.

Only last week the Commissioners of the District of Columbia were told that in this country a commercial building has a constitutional right to be an eyesore if that's the way the owner wants it. We must combat this interpretation of community responsibility or fall victim to crass commercialism.

As an example of an opposite viewpoint, let us focus for a moment on one of California's most beautiful cities, Santa Barbara, with its flowers, attractive buildings and tree-lined streets. It is uniquely situated on a shelf between the mountains and the sea. It just didn't happen that way. Thomas M. Storke, the distinguished Pulitzer Prize-winning publisher of the Santa Barbara News-Press has written warnings about the constant threat to the beauty of Santa Barbara. In his autobiography, California Editor Storke writes: "Santa Barbara can remain a city of dreams if rigid zoning controls are maintained, if smokeless industry is encouraged, if building codes are not relaxed, and if fly-by-night subdividers with no stake in Santa Barbara's future are not permitted to despoil the natural beauty of our surroundings."

Has this emphasis on character, on quality, caused Santa Barbara to suffer economically? Hardly—it is the hub of one of the fastest growing counties in the State, and through vigilance the city is maintaining its charm.

If this same determination to build beautifully for the future—this leadership is multiplied in hundreds of other California communities, our job will already be half done. We will have reversed the trend. No longer will books be written entitled, "Dreadful California".

There are many things on the plus side. Governor Brown, Speaker of the Assembly Unruh, and many others are moving forward on a program to acquire land for parks and recreation. President Kennedy and Secretary Udall are joining with key congressional leaders to establish a Land and Water Conservation Fund. It will be used to assist States in planning for outdoor recreation and in acquiring the necessary land under both State and Federal programs.

Governor Brown, State Resources Administrator Hugo Fisher, and members of the legislature, are taking action to establish more State park land such as the proposed interstate park at Lake Tahoe. And, there are excellent examples of cooperation between the Brown administration and the Kennedy administration. Just recently the Federal Government turned over to the State of California almost all the remaining land on Angel Island, the gem of San Francisco Bay, for enlargement of the State park. The State of California is already at work. More facilities will be built there and reforestation will take place. By a brief boat ride over the waters of San Francisco Bay, visitors will be able to go from the congested city to this green sanctuary where, in a few years, much of the natural forest growth can be restored. Angel Island will be a living example of what this land was like before the coming of the white man—a magic island in the San Francisco Bay area for recreation and the renewal of the mind and the spirit.

There are many other hopeful developments in California. The Point Reyes National Seashore is a legislative reality, a major step toward saving some of this State's vanishing shore line. And, up in the northern part of the State, an even larger new national recreation area may be opened up as a result of plans worked out between the Department of the Interior and the Department of Agriculture. Legislation has been introduced in this session of the Congress to establish there a national recreation area of more than a quarter of a million acres in the spectacular mountain region around the triangle of manmade lakes of the Central Valley project at Whiskeytown, Shasta, and Trinity.

Much of the land is already in Federal ownership. The area will be developed for intensive recreation use with water sports, fishing, hunting, hiking trails, riding trails. We are recommending to the Congress that the areas in the national forest be administered by the U.S. Forest Service, and the remaining areas by the National Park Service, but by national recreation standards rather than national park standards. This will permit intense, diversified land and water recreation use for tens of thousands of Californians.

In southern California the next step is to move forward to establish a national park on the Channel Islands off Santa Barbara. Also, we need to plan now for a scenic parkway down the coast range of mountains from Siskiyou to San Luis Obispo. Speaking of southern California, we must find ways to control fires, and prevent building in such a way that floods cause buildings to slide into canyons. Conservation means wise development of all of our resources. We suffer the consequences when we do things piecemeal.

Now a comment about conservation and local government. Without State or Federal help the citizens of the Big Sur country drew a master plan for zoning to protect the rugged coastline against those who would despoil its incomparable beauty. County and city governments have their responsibilities in the wise use of resources.

There are many other examples of individual and group effort in other States that can be a pattern for Californians. The record of Troop 29 of Leland and Lake Leelanan, Mich., should be an inspiration to every Boy Scout troop in America. In the magazine of the National Wildlife Federation of December–January 1962–63, there is a highly deserved tribute to Troop 29, the Boy Scout troop whose conservation good deed has lasted 13 years.

There are thousands of Boy Scouts, members of youth groups, conservation classes in schools, retired people, Californians in every walk of life who will join a California Conservation Crusade if we but show them the way. The job can never be done by Federal and State efforts alone.

We must establish ways through which people can implement their eagerness to contribute. Resources Administrator Hugo Fisher talked to me about this in Washington, D.C., 2 weeks ago.

Private groups must do their share and in many cases they are doing so. The Southern California Edison Co. has an excellent conservation record. It has done considerable work in reforestation and the development of fish and wildlife resources. The Pacific Gas & Electric Co. is stepping up its interest in recreation use of reservoirs. Many of the oil companies are assisting the conservation movement.

The real problem is to mobilize the willingness of individuals who want to help. Representatives of the Pacific Telephone & Telegraph Co. are exploring the feasibility of my suggestion that we make conservation education as close as your telephone. All that would be necessary is to dial seven letters—C-O-N-S-E-R-V. State or Federal agency personnel would then give information by telephone as to how one can participate in conservation programs and particularly in their immediate area.

Your host utility, the Sacramento Municipal Utility District, has set examples of what many organizations in this Association can do. The district has joined others in a drive to "plant the right tree in the right place," a community beautification program that will have lasting benefits. The district is landscaping substations where they must be located in residential districts. Programs have been set in motion so homeowners and homebuilders can place unsightly power facilities underground. It is not an easy program to administer, but prudent conservation of our environment is seldom easy. The district also has established an excellent record in the protection and enhancement of fish and wildlife resources.

One thing above all should be made clear, and I would like to say this particularly to my fellow members of the engineering profession: Too many of us labor under the fallacy of thinking that the best way to get a job done is the short-term, cheapest way. Too often we ignore the fact that the facilities we build have a long-term impact on the community completely over and above the particular function they serve.

We engineers should never forget that our job is not merely to save money or to move traffic or to produce power, but to create better conditions of life for all of the people. We must have in mind every moment our higher obligations to our communities. Too often there isn't any chance for the people who pay the bill to have a voice in saying how roads should be built, utility systems established, a similar public works carried out, even when they would be willing to pay more to have the job done the right way. And by the right way I mean doing it so as to improve the beauty, the character, the livability of our communities.

So maybe all of us, particularly the engineers and tightfisted managers here today, should examine our consciences. We should ask ourselves whether it is worth saving a few dollars in the process if what we build is to remain throughout our lives and our children's lives—a monument to beauty or a monument to ugliness. Let's find a way for the people who pay the bill to have more voice in these decisions. Man needs these essential services, but he also needs food for the spirit.

Let's periodically ask ourselves, "What kind of a State do we want California to be 25 years from now—50 years from now?"

If we answer honestly we will answer the call to arms—a California Conservation Crusade to preserve and improve the beauty, the character, the quality of California. We will act to preserve this blessed land from blight, to keep it from becoming a neon wilderness and an asphalt jungle. We can do our part to prevent overlogging and oversmogging. We can have clear air to breathe, clean water to drink and to swim in—land to produce our crops and, at the same time, meet our recreational needs. We are stewards for a relatively short time. We cannot permit, in our day, the "slurbanization" and ruination of California's matchless resources.

So, it is my hope today that with the help of the members of this association, and the assistance of the leaders in State and local government, we can begin a conservation crusade as the Nation's most populous State—a model for other States—a crusade aimed at one goal—the preservation of California's great gifts and the creation of the highest quality of living possible. If we embark in this direction, with undefeatable determination, then we and our children and their children can live in a golden land which the California Indians a long, long time ago called the "terrestrial paradise."

REFORM OF THE IMMIGRATION QUOTA SYSTEM

Mr. HART. Mr. President, our distinguished colleague, the senior Senator from Connecticut [Mr. Dodd], recently participated in a Regional Conference on Immigration and Manpower sponsored by the Nationalities Service Center of Greater Bridgeport, in this home State of Connecticut.

This excellent conference, similar to others held during the past 2 years throughout the United States, brought together community leaders to reexamine our immigration policies in the light of current needs and problems.

The Senator from Connecticut [Mr. Dodd], made a notable and constructive contribution towards a better understanding of the objectives which he and many of us seek in enacting legislation to revise our present outmoded and outdated immigration quota system. His remarks and the work of the Bridgeport conference have moved us closer to the day when responsible and reasonable reform of our immigration quota system will be realized.

I ask unanimous consent that the speech of the Senator from Connecticut [Mr. Dodd] be printed at this point in my remarks.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by Senator Thomas J. Dodd, of Connecticut

I am pleased and honored to have been invited to take part in this Regional Conference on Immigration and Manpower, conducted by the Nationalities Service Center of Greater Bridgeport.

We are principally concerned tonight with the immigration policy of this country and with legislation which we hope will remedy the many inequities and shortcomings existing in our present policy.

I suppose the first question to arise is: "Why should we allow and encourage further immigration to our shores?"

Thirty years ago, in a celebrated speech before the Daughters of the American Revolution, Franklin D. Roosevelt put this question in proper perspective when he said: "Except for pureblooded Indians we are all immigrants or descendants of immigrants, including those who came over on the *Mayflower*."

This is just as true today as it was 30 years ago. It is particularly true here in Connecticut where 40 percent of the people of our State are either immigrants or the first generation descendants of immigrants. And this figure does not even count second generation descendants like myself.

It seems to me, then, that if our people are to be true to our traditions, we ought to take a sympathetic view toward this matter of immigration. But that is only a part of it. There is not a person in this room who does not reflect from time to time upon his good fortune in being an American. There is not a person here who does not say to himself from time to time: "Thank God that I live in this country."

This imposes an obligation upon us, an obligation to share with others those things that we treasure, to give others the chance that has been given to us.

But this matter of immigration is certainly not just a question of altruism on our part. The historic truth is that America needs immigrants just as much as immigrants need America. I will not try to cite for you even a small portion of the endless contributions made to our country by immigrants, from the time of Casimir Pulaski and Alexander Hamilton down to Albert Einstein and Enrico Fermi in our own day. Suffice it to say that from the earliest days, immigrants have shared equally with native Americans in fighting the wars of this country, doing the work of this country, dreaming the dreams and drawing the plans of this country which have brought us to our present position of prosperity, freedom and leadership in the world.

The need for immigrants has remained constant, although the type of need has changed. Where once they provided the heavy labor necessary to turn a virgin continent into a highly complex industrial society, today the need which immigrants are filling is the need for skilled workers, for technicians, engineers, doctors, professional people.

During the past 10 years we have admitted 31,000 immigrant engineers. This figure is almost equal to 1 year's output of engineers from our Nation's universities and it is only one index of the way in which the immigrant is meeting critical national needs. Another index is the fact that during the past decade more than 100,000 immigrants possessed skills declared to be in critical short supply in our country. During the same period immigration gave us 14,000 badly needed physicians, 28,000 nurses, 5,000 chemists and 1,100 physicists.

In skills, in professional training, and in education, the attainments of immigrants to our shores, as a group, are higher than that of the American population as a whole.

And so, when we liberalize our policy, we will not only be helping people all around the globe; we will be helping ourselves, we will be helping to build a stronger and better America.

Objections to a positive immigration policy are principally of two kinds: The first kind comes from those who, through prejudice and bias and a narrow outlook on life are just opposed to foreigners and foreign ideas. This kind of objection I dismiss out of hand as unworthy and un-American.

There is another objection voiced by sincere and thoughtful people. They point to the fact that we currently have several million unemployed workers, and they fear the consequences of increased immigration.

I believe that a careful study of the facts will prove this fear to be unwarranted. The unemployment we are having arises from peculiar circumstances; it exists primarily among those without skills, those employed in declining industries and those who live in certain areas of the country that are plagued with chronic unemployment due to peculiar circumstances, not typical of the country as a whole.

Existing alongside this unemployment there is a growing shortage of many skills, trades and professions, which can be met in part through immigration.

Yesterday I called the census bureau and inquired what the population of this country will be by the year 1980. The answer surprised me—260 million. This means that in the next 17 years normal growth will increase our population by 75 million. Alongside this, the proposed goal of 4 million immigrants during the same period is only a drop in the bucket. It is not large enough to add any significant percentage to our population but it is large enough to be of critical help in terms of the kind of people we need.

There are several things wrong with our present immigration policy. First of all, it does not allow enough people to enter. Second, it discriminates against immigrants from southern and eastern Europe and excludes Asians almost entirely. Third, it deals inadequately with the problems of separated families. Fourth, it is hampered by needless obstacles to the admission of persons who possess talents and skills urgently needed here. And fifth, it deals inadequately with the tragic problem of refugees.

In recent years I have sponsored legislation to deal with each of these problems. Because of the difficulty of getting a bill passed through the Congress which would deal with all of these problems in a single package, I have introduced several bills, separately, each dealing with one facet of the total problem. Some success has been achieved through this piecemeal approach. Two years ago we got through a modest refugee program and last year we achieved some improvements in the situation of relatives of American citizens.

This year, under the leadership of Senator Philip A. Hart, of Michigan, and with the solid backing of the administration, we are making a major effort to reform our immigration laws across the board. On February 7th of this year I was happy to join with Senator Hart and 34 other Senators in cosponsoring S. 7474.

This bill would provide for the annual admission of 250,000 immigrants, more than doubling present quotas. It would end discriminatory qotas and substitute a new formula based on equality and fair play. It would foster the reuniting of families by extending nonquota status to relatives of certain U.S. citizens and to the immediate families of immigrants with special skills. It would eliminate needless obstacles to the admission of persons who possess skills that are urgently needed here. And it would provide a continuing program for the yearly admission of 50,000 refugees or escapees without regard to quota areas.

To give you some concrete examples of the effect of this bill, it would raise the annual quota for Greece from 308 to 3,500; for Hungary from 865 to 4,500; for Italy from 5,700 to almost 16,000; for Latvia from 235 to 2,300; for Poland from 6,500 to 14,000; for Portugal from 438 to 1,900; for Israel from 100 to 810.

I am hopeful that we will make progress with this legislation during the 87th Congress. As a result of the election of 1960 and 1962, the makeup of the Senate Judiciary Committee, which passes on immigration matters, has been significantly changed. There is now a majority of members on the committee, including myself, in support of a more liberal policy and I am convinced that if we hammer away, as I am sure we will, we will get the Hart bill out on the floor of the Senate, and it will pass.

In the meantime, I am going to reintroduce my several immigration bills each of which deals with a part of this problem.

If we do not achieve a total solution, and I hope that we will, we must press on and achieve what we can, piece by piece.

It is inevitable that when we talk about immigration bills we talk in terms of numbers and statistics. Yet we all know that each statistic represents a compelling human problem. I am constantly reminded of this by the letters that come across my desk each day.

I would like to briefly cite to you three such examples, each of which prompted me to introduce a private immigration bill to overcome the harshness of present law.

One such case involved a young Italian boy living in Calabria, Italy. His natural parents were physically handicapped, the father by epilepsy, the mother by blindness, and they were therefore unable to care for him and to provide for his future.

He was legally adopted by a childless couple from Meriden, Conn., in order that he might come to this country where he could be properly cared for and given a chance in life. Because of the rigidity of our immigration laws this 14-year-old boy was prevented from entering the country. Years passed, and after many disappointments and after every remedy was tried, the couple turned to me. I introduced special legislation which was quickly passed by a sympathetic Congress. Michelangelo, now 18, is presently at school in Meriden, with the same future open to him as to other American boys.

Another case I recall is that of an 18-year-old girl from Cyprus named Evanthia. She is one of six children of a family living on the island of Cyprus whose sole support is the oldest brother, a 20-year-old boy. Her father had died when she was only 2 years old and her mother is almost blind. The poverty of the family had made life very difficult for the girl. She had to leave school during the eighth grade. And her future seemed even more bleak, since her family was unable to provide the kind of marriage dowry customary in Cyprus, which is essential to a proper marriage under the traditions of the island.

Evanthia has an aunt and uncle in Bethel, Conn., who have a large family of their own but who wanted to adopt her so that she could come to the United States, complete her education, and enjoy the full and rewarding life that is possible for young women in this country.

We found that the immigration quota for Cyprus was already so heavily oversubscribed, that under normal circumstances Evanthia would have to wait for many years. I introduced a private immigration bill which in a short time was unanimously passed by the Senate and is currently scheduled for action in the House.

I am sure that this story will end happily, but what of all the others?

About a year ago, I received a letter from a young man in Danbury, Conn., a disabled veteran of World War II. He told of a visit to Italy in 1954 to settle a family affair during which he met and married a young Italian girl. He had to return to the United States almost immediately after the marriage and his bride was to follow. But because of family difficulties, the girl was unable to leave Italy.

After 3 years Bernard had his marriage annulled by the Superior Court of Connecticut. He never remarried and continued to correspond with Caterina.

In 1961 he returned to Italy and saw her again. In his own words: "Our feeling for each other was still there and she informed me she would be only too happy to join me in the United States."

But now the couple began to encounter what seemed to be insurmountable legal obstacles.

Under the laws of the United States they were not married and Caterina could not, therefore, be admitted as Bernard's wife. But, under the laws of Italy, they were still lawfully married and therefore could not be married again. Nor could they be remarried in another European country.

Bernard closed his letter by saying:

"I don't know where to turn in this moment of my life and I thought that perhaps through your good graces and assistance I may be able to have peace of mind again by being reunited with my wife and I pray to God that you will be able to help me in this time of crisis."

Well, we went to work on this case in Washington. We knocked on doors in the Immigration Department. We introduced a private bill, we knocked on more doors, we got our bill approved by the Judiciary Committee, and then by the Senate, and finally by the House of Representatives.

President Kennedy signed the bill and he was kind enough to send me the pen that he used in signing it. I remember the feeling of satisfaction I had in preparing a letter to this man informing him that all obstacles to his reunion with his wife had been overcome. I quote part of that letter:

"It is a genuine pleasure for me to present you with the pen that President Kennedy used in signing the legislation admitting your wife to the United States.

"I send this to you, not only as a memento of a very significant event in your lives, but as a symbol that should have great meaning for all of us. For it is a reminder that the Government of this Republic, beset though it is with vast national and global problems, is ever ready to pause in its deliberations in order to minister to the personal needs of its private citizens.

"Important as this pen is to you, it is equally important to our country, since it signifies that the passage of time has not altered the character of free government and that the humblest citizen may yet appeal to his Congress and his President in the confidence that he will receive justice and, indeed, mercy."

Whenever I think about immigration legislation I think of these individual cases. For there is a unique story behind every immigrant to our shores. The cases which I have cited had a happy ending but there are thousands who are today waiting for entrance into this country, thousands of families still separated, thousands of children whose future is in doubt.

If we can begin to think of these people as individuals, each with a compelling personal story, each with a contribution to make to this country, I think we can build up some steam behind the Hart bill and put some life and zeal into this struggle for immigration reform which has been dragging along lethargically for so many years.

We have a great cause here and all of you who have taken part in it can be justly proud of what you have done. I think we are going to win a major victory during this Congress on the immigration front; a victory for justice, a victory for humanitarianism and a victory for the future of this country.

PROHIBITION ON PRODUCTION OF NUCLEAR WEAPONS AND OFFENSIVE MISSILES IN THE NEAR EAST

Mr. HART. Mr. President, last week I was pleased to join with other Senators in sponsoring Senate Resolution 135, a resolution favoring an agreement among States of the Near East prohibiting the production of nuclear weapons and offensive missiles.

I regret I was not present when this resolution was introduced by the Senator from Minnesota [Mr. HUMPHREY], for I feel this is a most important item of business for the Senate.

The moral and legal obligation of the United States to protect the integrity of Middle East nations is clear. We signed the Tripartite Declaration of 1950. We must not breach this compact.

Our commitment to the world is to do all things possible to maintain peace and encourage the forces of freedom in the face of international communism. This requires constant thought and vigilant action.

The introduction of nuclear arms in this part of the world is a threat to peace. This threat alone requires us to pursue means of prevention.

Unless we are prepared to act on our promises to the Republic of Israel, democratic institutions all over the world will suffer.

Israel, the symbol of a successful free democratic society in an area of oppression and tyranny, must be protected. Passivity is not the answer. We must move now to seek solutions.

Therefore, I wholeheartedly joined in sponsoring this resolution and I endorse the eloquent remarks of the Senator from Minnesota on its introduction.

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it recess until 10 o'clock tomorrow morning.

The VICE PRESIDENT. Without objection, it is so ordered.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

The VICE PRESIDENT. The Chair lays before the Senate unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H.R. 4997) to extend the feed grain program.

The VICE PRESIDENT. The bill is open to amendment.

Mr. McGOVERN. Mr. President, I have given careful study to the feed grain legislation which is before us today. Basically, this pending legislation represents a continuation of the type of voluntary feed grain program which we have had for the past 3 years, and which I believe has been a very successful program.

My conclusions are based on an analysis of how this program has affected, not only the farmers of South Dakota and the Nation, but also how this program has affected consumers and taxpayers.

To get the entire picture of what has been happening in feed grains during the past few years, let us examine trends both before and after the new feed grain program was started. Since 1952 production of feed grain consistently outran consumption until the feed grain program was started in 1961. Each year more and more unneeded feed grains were being piled higher on already top-heavy supplies. To get a measure of what was happening, the carryover of feed grains increased from 27 million tons in 1952 to a peak of more than 84 million tons in 1960, the alltime high year.

In 1961, the Congress passed a new type of feed grain program, one designed to bring some order into the chaotic picture. Despite the fact that the new program was not completed by the Congress until well along toward planting time, the farmers hastened to join up. That first year, even though the program got off to a late start, farmers managed to reduce the output of corn and grain sorghums some 13 million tons below utilization. In other words, the carryover was cut back by 13 million tons, the first reduction in 10 years.

The following year the carryover was reduced by another 11 million tons. And for the current year, it is expected that the reduction will amount to another 7.7 million tons.

Now let us consider what these savings mean in terms of dollars. We must remember that each bushel of grain going under loan as part of the price support program requires an initial outlay by the Commodity Credit Corporation. But this is only a starter. To this is added each year the storage charges, the interest charges, the losses of value as the stored grain grows older and less desirable. It does not take long for these charges to mount up. In not too many years the accumulated charges against the stored grain amounts to even more than the original cost or value of the grain.

Here are some figures the U.S. Department of Agriculture has released showing the savings being realized through the workings of the feed grain program. These are estimates of the ultimate net savings, after deducting all costs of the program including the acreage diversion payments. The savings to taxpayers under the 1961 program will amount to $591 million. In 1962 the savings will amount to $634 million. And for 1963 the savings are expected to amount to $143 million. For the 3 years together, total savings will be $1,368 million or more than one and a third billion dollars. Certainly savings of this magnitude cannot be taken lightly.

Of course the fundamental test of a farm program is its impact on the agricultural economy and the income of farm families. Let us look then at the State of South Dakota, a great agricultural State, as a good example of the feed grain program's impact.

Those of you who are familiar with farming activities in my State know how important our livestock industry is. The total value of all livestock in South Dakota on January 1, 1963, amounted to nearly $700 million, one of the biggest livestock investments in the country. Naturally, with such an imposing livestock population, an adequate and stable supply of feed is of the highest concern. If the quantity fluctuates too widely, if the price of feed shoots up one year and down the next, the livestock industry is unsettled. Unregulated production of feed grains leading to large supplies of cheap feed encourages rapid expansion in livestock numbers, something that the established livestock farmer views with alarm. What the successful livestock producer needs is orderly growth in his industry, not a succession of booms and busts. He knows that cheap feed means, sooner or later, cheap livestock.

This is why the outcome of the vote on the feed grain bill is of such high importance to the farmers of my State.

They have seen how the program works. They have experienced its benefits. They know that largely as the result of this program the total value of feed grains produced in South Dakota rose from $97 million in 1961 to $108 million in 1962. While it is still early in the season, there is every reason to think that the value of this year's feed grain crops will approximate that of last year.

The operation of the feed grain program over the past 2 years has helped assure the South Dakota livestock producer—and indeed livestock producers in all parts of this country—of an ample supply of feed grains. And it has done this at the same time the continued growth of unneeded supplies of feedstuffs have been halted. This has been done without hurting the feed grain producer. In fact, the payments to farmers for transferring land to conserving uses and out of growing feed grains has supplied these farmers with additional income that has come in very handy in these days of rising farm costs.

From the standpoint of the farmer I would like to summarize the benefits of the feed grain program. It brings stability into the feed grain picture, thus permitting the livestock farmer to plan his operations ahead. It whittles down topheavy stocks of feed grains. It brings down the cost of storing these large supplies of unneeded grains. And it does all this on a voluntary basis. Those farmers who want to take part are free to do so. And those who, for reasons best known to them, do not want to participate, are perfectly free to ignore the program. It seems to me it would be hard for even the most ardent critics to find something to complain about here. And the beauty of all this is that it is saving the taxpayer money at the same time.

There is one other aspect to this pending legislation which I feel is very important. That is the timing. Last year this Congress passed a new wheat program. This program is new in that while it had been discussed for nearly 30 years, and even passed by Congress, only to be vetoed by the President, it had never been taken out of the ASC offices to the individual wheat producers and explained to him in detail. In the months since passage of the bill, the Department of Agriculture has been doing this, and I might add, in my judgment, has been doing it very well. But they have been handicapped, and farmers have been handicapped by one missing link in this important new wheat program. That is, the knowledge that there would be a feed grain program for 1964 and thereafter; and therefore, that the substitution clause would be operative. This is mighty important to farmers in my State where wheat and feed grains are quite commonly produced on the same farm. If the substitution clause is available, grain farmers in South Dakota will have the opportunity to substitute acre for acre feed grains for wheat, and vice versa. I think everyone can see how important this is to the individual farmer, how it gives him the maximum degree of freedom and flexibility in his farm management operations, and how it lets him decide what grain or what combination of grains are best from the standpoint of his own personal farming operation.

Because this is so vitally important and so integral a part of the wheat program, it is only fair and right and proper that the farmers not only in South Dakota, but throughout the Nation, who must make a very important decision next Tuesday, May 21, have every available bit of information before them as they cast their ballots in the national wheat referendum. Unless we act promptly on H.R. 4997, the farmers of South Dakota and the Nation will be denied needed information.

So, in addition to the significant savings to the taxpayers as a result of the operations of the feed grain program in 1961, 1962, and 1963, and in addition to the benefits in improved income and the stable prices that it has meant to the farmers of my State and the Nation, I would add this third reason for urging prompt and favorable enactment on H.R. 4997.

Mr. METCALF. Mr. President, I urge my colleagues to vote for the passage of the feed grain program—H.R. 4997—without further delay. It has been delayed too long already. In all too short a time now the grain producers of my State will be called upon to make one of the most important decisions which has faced them for a generation. I refer, of course, to the wheat referendum in which they will vote on May 21, either for or against the wheat certificate program which the Congress enacted last year.

I cannot overemphasize how important this referendum will be to the welfare of the farmers of, not only Montana, but of the country as a whole. On the correctness of this decision rests the fate of thousands of family farms. They cannot survive another downturn in farm income.

The farmers of Montana need to be able to see beyond the clamor of misleading slogans to which they have been subjected, and sort out the facts on which their destiny hinges.

This legislation is needed in order that the Nation may, first, continue the good progress toward bringing our surplus supplies of feed grains in line with our needs; second, reduce the costs of the program; third, and most important of all, protect the income of the family farmer.

Without this bill we will return, under the permanent law, to a program of unlimited production and low-level price supports which, in the decade of the fifties, resulted in alltime record supplies and storage costs, and a decade of farm depression which forced over 2 million farms out of business. We must not repeat that disastrous experiment.

Farmers in Montana or any other Great Plains State need to know whether or not they are going to be able to plant feed grain in place of wheat or wheat in place of feed grains. This flexibility is of critical importance in a semiarid region where adaptability has proven to be the most important fact in economic survival.

Take for example, a Montana wheat farmer with 960 acres in crop and growing about 400 acres of wheat before the year 1953. By 1961, his wheat allotment was down to 270 acres, and with almost no other alternative his feed grains were up to 130 acres. You just cannot imagine how important it would be to him to know that under the program if this bill passes, he can plant any combination of grains on those 400 acres, by diverting a small acreage, and still be assured of stable prices.

Mr. President, this feed grain program provides a rationality to northwest agriculture which has long been needed, a flexibility which is almost imperative and a promise of farm income improvement which warrants our enthusiastic support.

Mr. President, in my State of Montana grain and beef cattle are by far the most important sources of income. It is true we have our mines and our forests which are also great resources, but grain and cattle are the combination constituting our greatest asset in the long run.

Analyzing the livestock industry since this program first started shows an ever increasing favorable effect on hog and cattle production and prices compared to prior recent years. It has proven to be a considerable protection against the sharp declines that would have taken place in cattle and hog prices without a feed grain program.

In other words, oversupplies of cheap feed grain produce oversupplies of cheap cattle and hogs. This is a fact perhaps better known to economists than it is to some livestock growers. But I believe the truth of it is beginning to sink in to even the most rugged of our livestock producers.

It has been plainly demonstrated that the feed grain program is the most effective means yet devised to assure fair and reasonable livestock prices.

So sure of this fact, is the Department of Agriculture, that Secretary Freeman say that it has no plans, nor is it prepared to support any proposal, for a supply management program in livestock.

Mr. President, there is no authority after 1963 for a diversion payment on feed grains. This is serious enough in itself, but the law directs the Secretary of Agriculture to establish price supports for feed grains at such levels as will not add to surplus stocks. This means 80-cent corn and comparable low levels for barley and other feed grains. This is a return to disaster levels of the Benson days. I do not believe Montana farmers want that. It would certainly mean disaster to our cattle industry in Montana which has already experienced sharp drops in prices because we are feeling the effects of increasing cattle number in the long-range supply cycle.

Mr. President, I hope that a vote will be taken on this bill at the earliest possible time.

STANDARD TIME

Mr. ROBERTSON. Mr. President, I am introducing, for appropriate reference, a bill to establish daylight saving time uniformly throughout the United States during the months of June, July, and August of each year, not because I favor daylight saving time but because

I think the present lack of uniformity is deplorable.

This bill is a refinement of S. 1394, which I introduced on April 26. For purposes of comparison, I ask that the bill which I am introducing today be printed in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1528) to establish daylight saving time uniformly throughout the United States time zones each year, to make such time the only legal time during the period it is in effect, and to provide additional time zones for the States of Alaska and Hawaii, introduced by Mr. ROBERTSON, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that (a) the Act entitled "An Act to save daylight and to provide standard time for the United States", approved March 19, 1918, as amended (40 Stat. 450; 15 U.S.C. 261–264), is amended by adding at the end thereof the following new sections:

"SEC. 6. (a) During the period commencing at 2 o'clock antemeridian on the last Sunday of May of each year and ending at 2 o'clock antemeridian on the first Sunday following Labor Day of each year, the standard time of each zone shall be advanced one hour.

"(m) The standard time of each zone in effect under subsection (a) shall be known and designated as 'daylight saving time' of such zone, and, during the period prescribed by such subsection, shall be the standard time of such zone for all purposes.

"(c) Within the respective zones established under the first section of this Act, the standard time of each zone in effect under subsection (a) of this section shall, during the period prescribed by such subsection, govern—

"(1) the movement of all common carriers in intrastate commerce,

"(2) the time of performance of any act by any officer or department of any State or political subdivision thereof under the laws, ordinances, orders, rules, and regulations of such State or political subdivision, and

"(3) the time within which any rights shall accrue or determine, or within which any act shall or shall not be performed by any person, under any such law, ordinance, order, rule, or regulation.

"(d) No State or political subdivision thereof shall prescribe any time to be observed within such State or such political subdivision, as the case may be, during the period prescribed by subsection (a) which is in conflict with the provisions of this section. Nor shall any State or political subdivision thereof prescribe daylight saving time or any other advanced time to be observed within such State or such political subdivision, as the case may be, during any period other than the period prescribed by subsection (a).

"SEC. 7. (a) If any person fails or refuses to comply with any provision of section 6 of this Act or with any rule, regulation, requirement, or order thereunder, the Interstate Commerce Commission or its duly authorized agent may apply to the district court of the United States for the district in which such failure or refusal occurs, or in which such person is found, for the enforcement of such provision or of such rule, regulation, requirement, or order. Such court shall have jurisdiction to enforce compliance therewith by injunction or by other process, mandatory or otherwise, restraining such person, or the officers, agents, employees, and representatives of such person, from further failure or refusal to comply with such provision or with such rule, regulation, requirement, or order, and requiring compliance therewith.

"(b) Any person who fails or refuses to comply with any provision of section 6 of this Act or with any rule, regulation, requirement, or order thereunder shall forfeit to the United States the sum of $200 for each such failure or refusal, and, in the case of a continuing failure or refusal, not to exceed $100 for each additional day during which such failure or refusal continues. All forfeitures provided for in this subsection shall be payable into the Treasury of the United States and shall be recoverable in a civil action by the Interstate Commerce Commission, or its duly authorized agent, brought in the district where such failure or refusal occurs or where such person is found. All process in any such action may be served in the district in which such person resides or in which such person is found.

"(c) Any person who knowingly and willfully violates any provision of section 6 of this Act or any rule, regulation, requirement, or order thereunder shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500 for each violation. Each day of such violation shall constitute a separate offense.

"(d) The Interstate Commerce Commission shall execute and enforce the provisions of section 6 and this section of this Act. Upon the request of the Commission, it shall be the duty of any United States attorney to whom the Commission may apply to institute in the proper court, and to prosecute under the direction of the Attorney General of the United States, all necessary proceedings for the enforcement of the provisions of section 6 of this Act and of the rules, regulations, requirements, or orders thereunder, and for the punishment of all violations thereof. The cost and expenses of any such prosecution shall be paid out of appropriations for the expenses of the courts of the United States."

(b) The Act entitled "An Act to permit the Board of Commissioners of the District of Columbia to establish daylight-saving time in the District", approved April 28, 1953, as amended (D.C. Code, sec. 28–2804), is repealed.

SEC. 2. (a) The first and second sentences of the first section of the Act entitled "An Act to save daylight and to provide standard time for the United States", approved March 19, 1918 (15 U.S.C. 261), are amended to read as follows: "That, for the purpose of establishing the standard time of the United States, including the States of Alaska and Hawaii, the territory of the United States shall be divided into seven zones in the manner provided in this Act. The standard time of the first zone shall be based on the mean astronomical time of the seventy-fifth degree of longitude west from Greenwich; that of the second zone on the ninetieth degree; that of the third zone on the one hundred and fifth degree; that of the fourth zone on the one hundred and twentieth degree; that of the fifth zone on the one hundred and thirty-fifth degree; that of the sixth zone on the one hundred and fiftieth degree; and that of the seventh zone on the one hundred and sixty-fifth degree."

(b) Section 4 of such Act of March 19, 1918 (15 U.S.C. 263), is amended by striking out "and that of the fifth zone shall be known and designated as United States standard Alaska time" and inserting in lieu thereof the following: "that of the fifth zone shall be known and designated as United States standard Yukon time; that of the sixth zone shall be known and designated as United States standard Alaska-Hawaii time; and that of the seventh zone shall be known and designated as United States standard Bering time".

SEC. 3. The first section of this Act shall take effect at 2 o'clock antemeridian on January 1, 1964. Section 2 of this Act shall take effect at 2 o'clock antemeridian on the Sunday following the sixtieth day after the date of the enactment of this Act.

Mr. ROBERTSON. Mr. President, although the present bill and S. 1394 have a common objective—that is, to eliminate the patchwork of time—there are several significant differences. First of all, the bill which I am introducing today makes it clear beyond any doubt that Congress intends to extend daylight saving time to all persons and operations throughout the United States during the 3 summer months. S. 1394 in its amendment to the Standard Time Act of March 19, 1918—40 Stat. 450—applied expressly only to interstate carriers, to the operation of Federal offices, and to the performance of acts required of persons subject to the jurisdiction of the United States.

My revised bill would extend the uniform time standard beyond those to the movement of all common carriers in intrastate commerce, to the time of performance of any act by any officer or department of any State or political subdivision thereof under its laws and ordinances, and also to the time within which any rights shall accrue, or within which any act shall or shall not be performed. The present bill would further insure uniformity by repealing the act permitting the Board of Commissioners of the District of Columbia to establish daylight saving time in the District—D.C. Code, section 28, 2804. In short, this bill leaves no doubt that Congress intends to preempt the field in its establishment of daylight saving time across the board during the 3 summer months.

Second, the new bill provides that daylight saving time will go into effect at 2 o'clock antemeridian on the last Sunday of May of each year, and end at 2 o'clock antemeridian on the first Sunday after Labor Day in September. Like S. 1394, this provision would incorporate the months of June, July, and August. However, by making the change to and from daylight saving time on a Sunday, unnecessary dislocations in the workweek would be avoided. Furthermore, by providing that daylight saving time is to end on the first Sunday after Labor Day, the bill would insulate that long weekend, which traditionally ends the summer season, from the consequences of the time change.

Third, I have added provisions to my revised bill which would establish new time zones for the States of Alaska and Hawaii. Finally, in order to assist the Interstate Commerce Commission in the performance of its administrative duties, I have incorporated the enforcement provisions of S. 1033, a bill which was introduced by the distinguished chairman of the Commerce Committee at the request of the ICC.

The recent adoption of daylight saving time in a number of areas calls attention once more to the problems and unnecessary expenses that occur in the spring and in the fall due to the lack of uniformity in time. The confusion, inconvenience, and unnecessary expense constitutes a wasteful drain upon our economic resources and is therefore a stumbling block in gearing the Nation's economy to maximum performance. Recent years have seen revolutionary scientific and economic contributions to the welfare of our country and its people. Our system of time, however, has lagged behind with the result that more of our citizens and businesses have become frustrated by the lack of uniformity in the observance of time.

The variations in time during this period of the year are extensive. First of all, those State and local jurisdictions which adopt daylight saving time have not provided for uniform commencement or termination dates. Furthermore, a number of States permit local options under which each community may adopt a time standard of its own choice. As a result, within an individual State the various cities and communities frequently are under different standards of time. It is reported, for example, that in the State of Iowa there are 19 cities adopting daylight saving time this year commencing on seven different dates and ending on six different dates.

The need for congressional action on daylight saving time is illustrated by the situation that exists in my own State, Virginia. Many Virginians do not want any fast time, but the legislature voted to extend it throughout the State, with two exceptions, for the 3 months of June, July, and August. The exceptions affect northern Virginia, where in order to conform with the District of Columbia, there will be 6 months of fast time and the city of Bristol in the western part of the State where, in order to conform with adjoining Tennessee, there will be none.

The problems created by the lack of uniformity throughout the country in time observance affect a large area of activity both business and personal. This includes banking, finance, broadcasting, communications, transportation, in fact business activity generally.

The problems are particularly troublesome in the transportation and communications industries. The very nature of these industries, providing numerous communities with essential services as they do, causes their activities to be vitally affected by the patchwork of time in the areas served.

In the railroad industry, for example, the short line railroads as well as the large long-distance carriers are plagued by lack of uniformity. The expense of reprinting timetables and making other necessary adjustments resulting from the lack of uniformity in time has been estimated by the railroad industry to approximate as much as $1 million annually. A great amount of difficulty stems from the fact that common carriers are required by the Standard Time Act of 1918 to perform services under the federally prescribed standard time while many of their patrons, both passenger and freight, are observing another standard of time. It has been estimated to cost one railroad alone from $35,000 to $40,000 a year simply to adjust its information service at passenger stations in order to provide the additional staff required to explain the standard time feature of railroad service to patrons living on daylight saving time, for example, who ask whether the 3 o'clock train leaves at 2 o'clock or 4 o'clock.

The problem is also clearly illustrated by the provision of motorbus service. I understand that Greyhound bus service offered over the 35-mile highway distance between Steubenville, Ohio, and Moundsville, W. Va., during the daylight saving time season, operates through seven different time changes. The concurrent maintenance of two different time standards in the same locality or of different standards in adjacent localities is not only economically wasteful, but it also imposes a heavy burden upon the public convenience. The result is bewildering uncertainty and confusion in the minds of the shipping and traveling public.

The lack of time uniformity and the confusion and expense that results is particularly frustrating because it is unnecessary. While we are awaiting committee reports on more vital subjects the Congress should give consideration to the desirability of uniform time.

Mr. President, today's multiplicity of time results from the controversy between urban workers and those who live in rural areas. Since the advent of daylight saving time rural residents have opposed fast time as an unnecessary nuisance, principally on the ground that it is the sun and not the clock which establishes the time for work to be done. Office workers and industrial workers on the other hand maintain that daylight saving time enhances their recreational activities in the evening by providing an extra hour of daylight.

In both urban and rural areas there is the additional problem which arises when daylight saving time is in effect while school is in session. When a child is accustomed to waking with the sun, it is confusing to tell him, "Wake up. I know it is not light yet, but breakfast is ready just the same;" or "Yes, the sun is still up, but it is past bedtime."

Personally, I could get along well on the time observed by our Founding Fathers, that is, apparent solar time, or "sun time," which is based directly on the sun's position in the sky. Nevertheless, for the general good, some compromise must be reached which will end our chaotic multiplicity of time.

Mr. President, my bill would seem to be the best of all compromises since by providing for 3 months of daylight saving time, it draws a fair line between those who want 6 months of fast time and those who want none at all. Furthermore, by limiting the 3 months of daylight saving time uniformly throughout the country to the 3 summer months, my bill would avoid the frustrations of parents and school children which a longer period of daylight saving time would cause.

The response which I have received from the general public indicates that my earlier proposal has broad acceptance. The response from the transportation and communications industries has also been very favorable. These industries have indicated that they prefer, if Congress will approve, the uniformity of this type of legislation to the patchwork of time which S. 1033 would prolong through the establishment of subzones in each of the eight standard time zones. Although the ICC and I have common objectives—that is to establish time uniformity and to do so in such a way as to compromise between those who wish 6 months of daylight saving time and those who wish none at all—I submit that my proposal is simpler and substantially less difficult to administer.

HISTORICAL ASPECTS

During our colonial era the village watch repairman was often the only official source of what was assumed to be the correct time for the community. The only basis the repairman had for a determination of the time was by checking his own clock with the instant a noon shadow fell directly along a true north-to-south line.

Cities and larger towns determined the correct time according to sun-time at a city hall or other designated spot. This was necessary for within the limits of a large city noon calculated from the moment the sun crossed the meridian in the eastern section of the city would not agree with the noon calculated in the western section. For instance, there was a difference of about 67 seconds between the arrival of noon in eastern and western Chicago.

It was a Virginian, named Matthew Fontaine Maury, who was the first scientist in this country to recognize the importance of a Government agency to record and disseminate correct time. It was Maury whose monumental work on wind and current charts cut 1 month of sailing time around the Cape of Good Hope, and who published a book called "Physical Geography of the Sea and Its Meteorology" which provided the groundwork for the laying of the first Atlantic cable. While serving as head of the Navy Department's Depot of Charts and Instruments in 1842, Commodore Maury caused to be established 2 years later what was named the Naval Observatory. The primary purpose of the Naval Observatory is to provide for the essentials for the safe navigation of ships and aircraft, accurate time, and other astronomical data that are necessary for guiding ships across the trackless oceans by the stars, and for navigating aircraft on transoceanic or other long distance flights where other means of navigation are lacking.

It is one of the few institutions in the world, and the only one in the United States, at which fundamental positions of the sun, moon, planets, and stars are continually determined. These positions are determined principally by specially designed telescopes that are restricted to motion in one plane, and cannot be used to view an object except during the short interval when it is near the meridian.

Some years ago, when I was in the factory of Patek Philippe & Co. of Geneva, Switzerland, one of the most famous watchmaking firms of the world and which has perhaps the world's largest collection of time recording instruments, the president of that company told me that he considered the time signals his company received from our Naval Observatory to be the most accurate of any sent out by any nation in the world. However, before our Naval Observatory was in operation, the British had taken the initiative in solving the problem of finding one's longitude on the seas. It secured world adoption of the meridian of its Royal Observatory at Greenwich, England, as the zero or prime meridian for world time. A number of nations, at one time or another, repudiated what we call Greenwich time but later were forced to return to it. It was adopted as our standard to be used by shipping by an act of Congress in 1850.

Shortly after the Civil War, railroads to facilitate their operating schedules urged time standards and on November 8, 1883, clocks governing the operation of trains were set into conformity to the time belt in which they were located. Needless to say, there was opposition here and there to standard time for the railroads. President Arthur authorized standard time in the District of Columbia in 1884 but it was not until March 19, 1918, as a war measure, that Congress approved a Standard Time Act, which ratified the time standards then in use by the railroads and authorized the Interstate Commerce Commission to fix four standard time zones.

CONSTITUTIONAL ASPECTS

I think it is appropriate at this time to discuss briefly the constitutional justification for legislation of this type. I have long been a firm advocate of States' rights. On many occasions I have emphasized that our Federal Government is one of delegated powers. Senators will recall numerous occasions on which I have argued against proposed legislation which, in my opinion, would have violated the 10th amendment, which provides:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

I have reviewed the constitutional implications of the legislation which I have proposed and I am convinced that the bill which I am introducing today is constitutional under the power delegated to the Congress in clause 5, section 8 of article I, which provides:

> The Congress shall have power * * * to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

Insofar as Congress has never attempted to preempt the field in the application of daylight saving time uniformly throughout the United States, the judicial authority on this point, as might be expected, has limited value. Two cases, however, are instructive.

In *Massachusetts State Grange* v. *Benton*, 272 U.S. 525, the Supreme Court held that there was no inconsistency between daylight saving acts of Massachusetts and the act of Congress of March 19, 1918, which fixed standard time with relation to interstate carriers, to the operation of Federal offices, and to the performance of acts required of persons subject to the jurisdiction of the United States.

Mr. Justice Holmes, speaking for the majority noted that:

> The Court below found no inconsistency between the two acts and we have seen no sufficient reason for differing from it upon that point.

The lower court had found no conflict between State and Federal acts. It stated at page 576 that:

> The plaintiffs urge that, in providing a standard time for the United States, Congress acted under article 1, section 8, paragraph 5 of the Constitution, which says that "the Congress shall have power to * * * fix the standard of weights and measures," and also that such power is soundly grounded upon the commerce clause.
>
> (2) An answer to this contention is that, assuming that Congress has constitutional power under the standard of measures clause, or the commerce clause, or under both clauses, to provide a standard time application to all persons subject to the jurisdiction of the United States, it has not yet seen fit to go further than to make such standard time applicable only (1) to the movement of common carriers engaged in interstate and foreign commerce; (2) to its own officials and departments; and (3) to all acts done by any persons under Federal statutes, orders, rules and regulations. So construed the Federal Standard Time Act is not exclusive of State action on the same subject matter; there is no conflict between the two acts (*Massachusetts State Grange* v. *Benton*, 10 F. (2d) 515).

In United States against Porter, the court held the Federal Standard Container Act of 1928 (45 Stat. 685) to be a constitutional exercise of the power of Congress under the weights and measures clause. Although the decision deals with standards of weight and not measures of time, the language of the court at pages 235 and 236 is persuasive in terms of general application:

> The second exception (to the libel against some nonstandard containers filed by the United States) raised is the question of the interpretation of article I, section 8, clause 5 of the Constitution. It is claimed that this provision gives Congress the power only to adopt a unit of weight or measure, and that the power to regulate the standard unit, not having been delegated to the United States, was reserved to the States. Many States, acting under the police powers, have prescribed the weights under which packages of certain commodities must be sold. The specific question has never been judicially determined.
>
> The purpose of this (standard container) act was to avoid the difficulties caused by the use of varying weights and measures in the several States.
>
> It is my view that the provision is constitutional (*United States* v. *Porter*, 12 F. Supp. 234 at pp. 235, 236).

A cardinal principle of interpretation prescribes that the Constitution be interpreted in accordance with the intention of those who drafted this document and the amendments thereto. Although clause 5, section 8, of article I was adopted at the Constitutional Convention without debate, there is persuasive authority that our Founding Fathers intended the phrase "standard of weights and measures" to include the measure of time.

On July 4, 1790, Thomas Jefferson reported to the Speaker of the House on a "Plan for Establishing Uniformity in the Coinage, Weights, and Measures of the United States"—American State Papers, miscellaneous, volume I, pages 13–20. His report clearly establishes that at this early date the phrase "standard of weights and measures" was understood to include the measure of time.

In the report Jefferson uses a "second of mean time" in computing a standard of linear measure. He observes that:

> To obtain uniformity in measures, weights, and coins, it is necessary to find some measure of invariable length, with which, as a standard, they may be compared (p. 14).

In determining this "measure of invariable length," Jefferson uses a time standard, that is, a "second of mean time." He discusses the "second of mean time" as follows:

> The motion of the earth round its axis, though not absolutely uniform and invariable, may be considered as such (standard) for every human purpose. It is measured obviously, but unequally, by the departure of a given meridian from the sun, and its return to it, constituting a solar day. Throwing together the inequalities of solar days, a mean interval, or day, has been found, and divided, by very general consent, into 86,400 equal parts.
>
> A pendulum, vibrating freely, in small and equal arcs, may be so adjusted in its length, as, by its vibrations, to make this division of the earth's motion into 86,400 equal parts, called seconds of mean time. (Ibid.)

Quite clearly our Founding Fathers were well aware that the weights and measures clause included the measure of time. In fact, commonsense dictates that any contemplation of time include a simultaneous contemplation of the measurement of time. Only an abstract philosopher could separate time from its passage. And if we may go one step further, the absence of qualifying words and exceptions in the weights and measures clause confirms that, if it so chooses, Congress has power to preempt the field by fixing uniform standards.

Mr. President, since the advent of daylight saving time the United States has enjoyed the advantages of uniform time for but two short periods—the two great wars. Will it take a world war III to end, if only temporarily, the time confusion which Americans experience today? And who will claim that the nature of children has changed since their friend, Robert Louis Stevenson, wrote:

> And does it not seem hard to you,
> When all the sky is clear and blue,
> And I should like so much to play,
> To have to go to bed by day?

Mr. McNAMARA. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Does the Senator from Virginia yield to the Senator from Michigan?

Mr. ROBERTSON. I yield.

Mr. McNAMARA. I ask the Senator if he has taken into consideration the fact that there are some States, like my own State of Michigan, which, by act of the State legislature, have established that the official time of the State shall be eastern standard time, with no daylight saving time. Would the Senator force on those States a plan for daylight saving time, when the State legislature has for years enacted laws which provide that there must be uniform eastern standard time throughout the State? I hope the Senator will make an exception in those circumstances.

Mr. ROBERTSON. That is a consideration. I said in opening my remarks that I did not advocate daylight saving time. I have voted against it every time when the qestion has been before the Senate. But there is terrible confusion.

As I have said, one railroad estimates that it takes between $35,000 and $40,000 annually to answer the question as to whether the 3 o'clock train leaves at 2 o'clock or at 4 o'clock.

A bus line which runs from Steubenville, Ohio, to Moundsville, W. Va., says that in 35 miles it travels through seven different time zones. Who knows what time the bus will be at any given point?

The value of a uniform system of time cannot be overestimated. When Major Cooper completes his mission into space today or tomorrow—and the prayers of all Americans will go with him—his capsule, if all goes well, will land by standard time, 7 hours behind us.

Over 100 years ago we adopted Greenwich time as standard time. Nearly all the world accepts it.

In 1918 Congress authorized the ICC to establish zones, and the ICC established four zones. Virginia is in the first zone. Michigan, I assume, is in the second zone.

Mr. McNAMARA. No; Michigan is in the first zone.

Mr. ROBERTSON. Michigan is in a good zone then.

Although Virginia is in a single zone, there are three different times, as I have stated. If I wish to make a speech, I have to find out where I am going and ask, "What time are you using there?" That is true all over the United States.

The ICC bill which I have discussed could—under the provision of setting up subzones—saddle Virginia with 6 months of fast time. We do not want that.

So, under the circumstances, does the Senator not think, in the interests of uniformity, that those of us who do not want any fast time could well afford to compromise with those who want 6 months of fast time and say, "We will take the 3 summer months, but no more. We will both gain by the adoption of a uniform standard applying to everybody throughout the United States?"

Mr. McNAMARA. Mr. President, if the Senator will yield——

Mr. ROBERTSON. I will gladly yield, because I am hoping to obtain the support of the Senator from Michigan.

Mr. McNAMARA. I would support the bill if States like my own would be exempt, where State legislatures had taken positive action discarding the theory that we were saving time, because of the confusion involved. The Senator, by his bill, is going to build confusion into a situation in which there is no confusion.

Mr. ROBERTSON. I think the Senator is mistaken about their being no confusion. Where people go merely from one small town to another in a State, there may be no confusion, but the people moving out of Michigan to some more distant destination will have plenty of confusion. I would like to go fishing in Michigan some time. The standard of time which the fish follow in biting would probably be no more complicated than the patchwork of departure and arrival times between Washington and Michigan.

Mr. McNAMARA. We have no problems. We are on eastern standard time. But the Senator's bill would give us problems. I would just as soon that we be exempt.

Mr. ROBERTSON. If there are exemptions, there will be no standards. Some areas will select 6 months of fast time; others will have 3 months; others none at all. What will be the result? There will be the same confusion which we now have. We would have accomplished nothing. One hundred percent of the people cannot be pleased, no matter what we do.

Mr. McNAMARA. I agree with the Senator. Knowing of his basic concepts with regard to States rights, I hope the Senator will go along with my suggestion, because our State has spoken, as far as this matter is concerned.

Mr. ROBERTSON. Yes, I do believe in States rights. I believe that those powers not delegated to the Central Government are reserved to the States, or to the people thereof.

I maintain, as I have stated, that under clause 5, section 8 of article I—the weights and measures clause—the Central Government has been delegated the power to adopt a uniform standard of time.

It is quite simple. Our Central Government is one of delegated power. This is one of them. My bill would, therefore, be clearly constitutional.

Let us talk about standards of weights and measures. We see advertisements talking about the "big gallon." Is that gallon bigger than any other gallon?

Mr. McNAMARA. It is said to be.

Mr. ROBERTSON. It is claimed that by using a certain gasoline, a person can get 20 miles to a gallon—maybe more, if one uses a car manufactured by the company of the next presidential nominee, perhaps, for the other party.

Mr. McNAMARA. God forbid.

Mr. ROBERTSON. But the particular gasoline is advertised as a "big gallon." Do the people in Michigan fix the standard for what a gallon is? No. Congress says everybody must use the same standard for a gallon. Everybody knows what a gallon is. It is composed of 4 quarts. If we buy a gallon in Michigan, or anywhere else, does the Senator argue that a State should have the right to fix the standard for that measurement? Of course not.

Are not corn flakes manufactured in Michigan?

Mr. McNAMARA. Yes.

Mr. ROBERTSON. If the manufacturers of corn flakes in Michigan are going to put up a pound package of corn flakes, would the Senator say that, under the doctrine of States rights, packages containing only 13 ounces could be sold as pound packages?

I believe in States rights, but I do not believe the States should have, or do have, the power to change a standard of measure set by Congress. They cannot say, "Count us out. We want to measure some other way." If everybody would agree with the Senator from Michigan and me, that there should not be fast time, there would be no problem. However, since the problem exists, we must solve it by adopting the best possible compromise. I feel that my bill is the answer.

Mr. McNAMARA. I thank the Senator for yielding.

Mr. ROBERTSON. Mr. President, I have enjoyed listening to and answering the questions put to me by the distinguished Senator from Michigan. I hope I will get his support, but I am uncertain about that result. I am afraid, by following his suggestion, we would lose the uniformity of time which, I feel, must be our most important objective. This is the clear objective of my bill, and I refer it to my colleagues for careful consideration.

Mr. President, since my opportunity to study the constitutional aspects of a uniform time law was limited, I sent telegrams on April 29 to the president of the senior class of each of five outstanding law schools, asking that some member of the class interested in constitutional law give me an expression of opinion concerning the constitutional right of the Congress to enact a uniform law and preempt the field in doing so.

I have received interesting replies from students of the Law Schools of the University of Virginia, University of Richmond, Yale, and Harvard.

My Senate colleagues will be interested to know that the reply furnished by George Beall, president, University of Virginia Law School student body, is the son of our distinguished colleague from Maryland, J. GLENN BEALL.

I ask unanimous consent that those replies be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the memoranda and communications were ordered to be printed in the RECORD, as follows:

MEMORANDUM OF LAW

FACTS

A Federal statute has been proposed which would establish four U.S. time zones and prescribe their respective standard times. The separate States and their political subdivisions would be prohibited from creating or countenancing any variation from the applicable standard time. A Federal agency would be granted the discretion to establish zones wherein the effective time, from the last Sunday in April to the last Sunday in October inclusive, would be 1 hour earlier than the standard time created by the act of Congress.

QUESTIONS PRESENTED

I. Whether the Congress of the United States possesses power to enact a national standard time law under article I, section 8 of the Constitution.

II. Whether Congress can legitimately delegate to an executive agency discretion to establish zones for daylight saving time during the specified months.

ANALYSIS OF QUESTION I

Article I, section 8, clause 3 of the U.S. Constitution empowers Congress "to regulate commerce * * * among the several States." The true scope of this power is uncertain today, notwithstanding Chief Justice Marshall's early interpretation of the commerce clause in *Gibbons* v. *Ogden*, 22 U.S. (9

Wheat.) 1 (1824), and establishment of three significant principles inherent in it. First, "commerce" is broadly defined to include "intercourse" and is not limited to "buying and selling, or the interchange of commodities." Id. at 189–90. Second, "among the several States" means "commerce which concerns more States than one" and is not intended to "comprehend that commerce, which is completely internal." Id. at 194–95. Finally, the power itself is defined in broad terms and "like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations, other than are prescibed in the Constitution * * * ." Id. at 196–97. As a result of this decision Congress has been acknowledged to possess a broad range of authority limited only by correlative constitutional provisions (e.g., the fifth amendment), the doctrine of separation of powers, the principle of nondelegation of legislative authority, and the consideration that its regulation should relate to conduct or interests of those engaged in interstate activity.

To backtrack momentarily, the Supreme Court early granted to Congress the authority to enact "all appropriate legislation for" the "protection and advancement" of interstate transportation and commercial carriers. *The Daniel Bull,* 77 U.S. (10 Wall.) 557, 564 (1870). Further, "its authority * * * necessarily embraces the right to control their [interstate carriers'] operation in all matters having such a close and substantial relation to interstate traffic that the control is essential or appropriate * * * to the efficiency of interstate service * * * without molestation or hindrance." *Houston, E. & W. Tex. Ry.* v. *United States,* 234 U.S. 342, 351 (1914). This viewpoint is entirely consistent with the intention of the framers that the commerce clause be employed to minimize "unneighborly regulations of some States, contrary to the true spirit of the Union * * * [which in the past] have * * * given just cause for umbrage and complaint." The Federalist No. 22, at 126 (Lodge ed. 1892) (Hamilton). The rationale is that Congress has the power of regulation which "in the sense intended is to foster, protect, control, and restrain," *Mondou* v. *N.Y., N.H. & H.R.,* 223 U.S. 1, 47 (1912), the legal interests, conduct, and legal relationships of persons engaged in or having a substantial connection with interstate commerce. The problem usually is whether a Federal statute governing people who come in contact with interstate commerce is a reasonable regulation when the needs of unimpeded commerce are balanced against their personal interests as people operating primarily in intrastate commerce.

This balancing process is a product of the line drawn in *Gibbons* v. *Ogden,* supra, which operates to prevent Congress from exerting its power over completely internal concerns of the several States, while simultaneously permitting Congress to regulate pursuant to the commerce clause those internal concerns [of a State] which affect the States generally. Id. at 194–195. For example, the Child Labor Act was held unconstitutional as a measure intended to control a purely local matter. *Hammer* v. *Dagenhart,* 247 U.S. 251 (1918). In his dissenting opinion (id. at 281), Justice Holmes thought that the child labor statute, albeit purely local, nevertheless dealt with internal concerns which affect the States generally and was within Congress' commerce power. As a comparison, the Court several years later upheld the Packers and Stockyards Act of 1921, 42 Stat. 159, as amended 7 U.S.C. sections 181–229 (1958), which regulated the activities of commission men and livestock dealers, on the theory that protection of interstate carriers and packers outweighed the intrastate character of the controlled activity. *Stafford* v. *Wallace,* 258 U.S. 495 (1922).

Because the stockyard cases and the Stafford viewpoint sustained a vast national power, they were ultimately rejected, otherwise * * * there would [have been] * * * virtually no limit to the Federal power, and for all practical purposes we should have a completely centralized government. *A.L.A. Schecter Poultry Corp.* v. *United States,* 295 U.S. 495, 548 (1935). The more limited view of Hammer was adopted in *NLRB* v. *Jones & Laughlin Steel Corp.,* 301 U.S. 1, 30 (1937), when the Court approved the National Labor Relations Act, 49 Stat. 449 (1935), as amended 29 U.S.C. sections 151–158 (1958), authorizing the NLRB to prevent unfair labor practices affecting commerce and stated that "the authority of the Federal Government may not be pushed to such an extent as to destroy the distinction, which the commerce clause itself establishes, between commerce 'among the several States' and the established concern of a State."

Nevertheless, it was found that this distinction was not destroyed in the statute which purported to reach only what may be deemed to burden or obstruct interstate commerce. Id. at 41. As a result of this case it is clear that intrastate activity may have such a close and substantial relation to interstate commerce that its control is essential to the unobstructed, free flow of that commerce. This became particularly evident in *United States* v. *Darby,* 312 U.S. 100 (1941), which validated the same regulation which Hammer had declared unconstitutional as a purely local matter. Both NLRB and Darby are justified by a return to Marshall's statement that the power of Congress over interstate commerce is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution. *Gibbons* v. *Ogden,* supra at 196–97. The ultimate step in the gradual expansion of the commerce power came in *Wickard* v. *Filburn,* 317 U.S. 111 (1942), when the Court recognized that cultivation of wheat for private consumption in excess of a farmer's allotted acreage may yet be interstate commerce and subject to congressional control. Although activity be local and though it may not be regarded as commerce, it may still, whatever its nature, be reached by Congress [if] * * * it exerts a substantial economic effect on interstate commerce * * *. Id. at 125. Reliance on *Gibbons* v. *Ogden,* supra is manifest, yet it is difficult to find any acknowledgment of Chief Justice Marshall's caveat that the commerce power does not extend to completely internal State matters. In fact, the power today appears without discernible limits and is as broad as the economic needs of the nation. *American Power & Light Co.* v. *SEC,* 329 U.S. 90, 104 (1946).

With the thought in mind that today's commerce power certainly reaches any intrastate activity which, when multiplied over the 50 States, creates a threat to the interstate economy in the sense that it causes a burden on interstate commerce, it is important to note lower court handling of past standard time laws.[1] At the outset, however, the current statute relating to the national time zones, 15 U.S.C. section 261 (1963), was enacted in 1918 with a daylight-saving time provision which was repealed not because of any constitutional infirmity, but solely due to objections from agrarian interests. In the entire congressional debates on the repeal of this daylight provision there is no intimation that Congress had exceeded its commerce or wartime authority by creating a nationwide daylight-saving time. Fifty-eighth CONGRESSIONAL RECORD 1304–1336 (1919). This is significant in that 15 U.S.C. section 261 has been the law for 45 years and its overall purpose of creating the time zones "for the convenience of commerce" has never been challenged as an unconstitutional congressional enactment. In at least one instance a Federal court tacitly acknowledged that Congress possesses authority under the commerce clause "to provide a standard time applicable to all persons subject to the jurisdiction of the United States * * *." *Massachusetts State Grange* v. *Benton,* 10 F. 2d 515, 516 (D. Mass. 1925) (dictum), aff'd, 272 U.S. 525 (1926). See also, *Hamilton* v. *City of Louisville,* — Ky. —, 332 S.W.2d 539, 540 (1960); *City of Louisville* v. *Louisville Livestock Exch.,* — Ky. —, 195 S.W.2d 75, 77 (1946); *State* v. *Badolati,* 241 Wis. 496, 501, 6 N.W.2d 222, 223 (1942). The uniform rationale behind these cases has been that "[I]t seems to be established with fair conclusiveness that courts and legislative bodies * * * have recognized * * * that inconvenience, confusion, and conflict arise when it is sought in the same community to operate business upon more than a single standards of time, or for different standards of time in separate communities thrown into close business relations." *Phillips* v. *State,* — Tenn. —, 304 S.W.2d 614, 616 (1957) (dictum). In the opinion of lower Federal and State courts the present statute, of which the proposed legislation is but an extension, is within the commerce power of Congress.

As an additional consideration there is logic to support the argument that, notwithstanding the fact that "standard time is commercial in its relations, and not astronomical," Dupuis, "Measures and the Measurement of Time" 89 (Jackson Press 1940), Congress is empowered to establish and regulate the measurement of time under article I, section 8, clause 5 of the Constitution, the weights and measures provision. Analogous Federal statutes are already in effect dealing with electricity, 15 U.S.C. section 223, 64 Stat. 370 (1963), standard gages for iron and steel, 15 U.S.C. section 206, 27 Stat. 746 (1963), and standard barrels for apples, 15 U.S.C. section 231, 37 Stat. 250 (1963), or other fruits, 15 U.S.C. 234, 38 Stat. 1186 (1963). Establishing a nationwide, uniform time network based upon standard and daylight systems appears as worthy of congressional regulation under the weights and measures clause as any of the above-mentioned subjects.

COMMENT

In view of past Supreme Court decisions and the present breadth of Congress' commerce power it seems unquestioned that a statute establishing a nationwide daylight-saving time would be constitutional. The present confusion and inconvenience created by the hodgepodge of time zones during the summer months provides a substantial impediment to the free flow of interstate commerce. Interstate traffic, especially common carriers, is immeasurably inconvenienced, radio-telephone communications are hindered, and private persons are forced to endure incongruous local times which can be classified only as a nuisance. The impact of time on interstate commerce in the sense of exerting a substantial economic effect, *Wickard* v. *Filburn,* supra, may be open to question, but interstate commerce itself is undoubtedly disrupted and materially hampered by present conditions.

Thus, since there are no related constitutional provisions which would invalidate such a statute and the principle of nondelegation of legislative power is surmountable, it appears that the proposed statute is within article I, section 8 of the Constitution. As a short statement of the present breadth of the commerce power one textwriter recently remarked that a bed with casters would probably be regarded as being in interstate commerce.

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[1] Act of Mar. 19, 1918, ch. 24, 40 Stat. 450, as amended 15 U.S.C. 261 (1963); act of Aug. 20, 1919, ch. 51, 41 Stat. 280, repealing sec. 3 of prior law which had created daylight time; act of Jan. 20, 1942, ch. 9, 56 Stat. 9, establishing wartime daylight saving time; act of Sept. 25, 1945, ch. 388, 59 Stat. 537, restoring standard time.

QUESTION II

Whether Congress can legitimately delegate to an executive agency discretion to establish zones for daylight saving time during the specified months.

ANALYSIS OF QUESTION II

The doctrine against delegation of legislative power derives from article I, section 1 of the Constitution which provides that "all legislative powers herein granted shall be vested in a Congress of the United States." In principle this nondelegation of legislative authority is ineluctable, yet practical considerations have produced a considerable modification of the constitutional theory. Notwithstanding the fact that the legislature may not abdicate its policymaking function, "power should be delegated when there is agreement that a task must be performed and it cannot be effectively performed without the assistance of a delegate or without an expenditure of time so great as to lead to the neglect of equally important business." Jaffe, "An Essay on Delegation of Legislative Power," 47 Columbia Law Review 359, 361 (1947).

So long as Congress retains the power to make the law, it may delegate authority as to its execution. This delegation is legitimate if Congress sets a standard for executive discretion in implementing the legislature's policy. For example, "the Constitution has never been regarded as denying to the Congress * * * its function in laying down policies and establishing standards, while leaving to selected instrumentalities the making of subordinate rules within prescribed limits and the determination of facts to which the policy as declared by the legislature is to apply." *A.L.A. Schecter Poultry Corp.* v. *United States*, 295 U.S. 495, 530 (1935).

There is no yardstick of required elements which such a standard must contain. In fact Congress need not create specific guidelines for each executive act in carrying out a policy, but may merely specify "the basic conditions of fact upon whose existence or occurrence * * * its statutory command shall be effective." *Yakus* v. *United States*, 321 U.S. 414, 424–25 (1944). Various factors must be considered. The legislative history of the statute, *Butterfield* v. *Stranahan*, 192 U.S. 470 (1903), its subject matter, *Federal Radio Comm'n* v. *Nelson Bros. Bond & Mortgage Co.*, 289 U.S. 266 (1933), or the agency to which power is to be delegated, *New York Cent. Sec. Co.* v. *United States*, 287 U.S. 12 (1932), are all elements of possible significance. The basic limitation seems to be that Congress shall specify what authority is granted, phrased in the form of an intelligible statement of purpose, definition or standard which is not an outright surrender of significant legislative prerogatives. *Opp Cotton Mills* v. *Adm'r*, 312 U.S. 126, 144–146 (1941). See *National Broadcasting Co.* v. *United States*, 319 U.S. 190 (1943) (Communications Act of 1934); *United States* v. *Rock Royal Co-op.*, 307 U.S. 533 (1939) (Agricultural Marketing Agreement Act); *Currin* v. *Wallace*, 306 U.S. 1 (1938) (Federal Tobacco Inspection Act); *Sunshine Coal Co.* v. *Adkins*, 310 U.S. 381 (1939) (Bituminous Coal Conservation Act of 1937); *Mulford* v. *Smith*, 307 U.S. 38 (Agricultural Adjustment Act of 1938); *Interstate Commerce Comm'n* v. *Louisville & N.R.R.*, 190 U.S. 273 (1912) (Interstate Commerce Act).

For example, under the Emergency Price Control Act of 1942, 56 Stat. 765, the Price Administrator was authorized to fix maximum prices whenever in his judgment prices have risen or tend to rise to an extent inconsistent with the purposes of the act. Such a delegation was upheld on the ground that the prescribed standards were clear. *Yakus* v. *United States*, supra. It is notable that the standards upheld in this case are actually no more definite than those invalidated as being too general in *Panama Ref. Co.* v. *Ryan*, 293 U.S. 389 (1935) and *Schecter Poultry*, supra. As a result the delegation of legislative power is no longer invalid per se, but will be sustained where practicality, expediency and the circumstances so dictate. Cushman, "The Independent Regulatory Commissions" 428–33 (1941).

To indicate that Congress need not supply administrative officials with a specific formula for their guidance in a field where flexibility and adaptability to conditions is desired, *Carlson* v. *Landon*, 342 U.S. 524 (1952), reference can be made to the Hot Oil Act, 49 Stat. 30, 15 U.S.C., section 715c (1963), which was enacted due to the *Panama* case. Here the President is given authority to suspend operation of the statute whenever he finds that "the amount of petroleum * * * moving in interstate commerce is so limited as to be the cause * * * of a lack of parity between supply * * * and consumptive demand * * * resulting in an undue burden on * * * interstate commerce." It appears likely that a similar delegation of authority regarding the discretionary establishment of daylight saving time zones in accordance with a Federal statute would be valid. This assumes that the subject, mode and goal of such legislation is clearly stated.

COMMENT

If the proposed daylight saving time statute contains a clear statement of its purpose and scheme of implementation there is no question that discretion to administer the act can be delegated to the executive branch of the Government. Congress would not be abdicating any lawmaking function, but would be committing to an agency the ordinary regulationmaking functions with which Federal agencies are replete. This was done under 15 U.S.C. 261 by putting administration of our standard time in the hands of the Interstate Commerce Commission. The same delegation could be made for daylight saving time.

For the authors of such legislation it might be well to consider a general grant of discretion to the President rather than specifically to the ICC. With the advent of air travel and decline of railroads this agency finds its largest client dwindling in size. Discretion could be better delegated to the executive branch through the President so that other interested agencies (Federal Communications Commission, Civil Aeronautics Board, etc.) would not be precluded from regulating daylight time. Similarly, should Congress feel that the commerce clause was not broad enough to permit a uniform time law among all the States and their political subdivisions, the same end could probably be achieved by requiring that all Federal instrumentalities follow the statute. By "instrumentalities" are meant post offices, national banks, Federal offices, and perhaps even Federal contractors. This alternative, while clearly unchallengeable on constitutional grounds, would not achieve the same immediate uniformity as the proposed legislation.

Respectfully submitted.

GEORGE BEALL,
President, University of Virginia Law School Student Body.

STUDENT BAR ASSOCIATION,
UNIVERSITY OF RICHMOND LAW SCHOOL,
Richmond, Va., May 4, 1963.

The Honorable A. WILLIS ROBERTSON,
U.S. Senate,
Washington, D.C.

SIR.: In response to your telegram on April 29, 1963, and after considerable research, I submit the following statement regarding a standard time law for the United States of America:

Question: Can the Congress enact a standard time law under the provisions of section 8 of article I of the Constitution of the United States?

Answer: Yes. Article I, section 8 states that Congress shall have the power to regulate commerce among the several States. It also states that Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers vested by the Constitution in the Government of the United States, or in any department, or officer thereof.

In *Gibbons* v. *Ogden*, 9 Wheaton 1, 6L. Ed. 23, decided in 1824, the Supreme Court of the United States, in an opinion written by Chief Justice John Marshall, held: Power to regulate means to prescribe the rule by which commerce is to be governed. Chief Justice John Marshall in that case said, "This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations, other than are prescribed in the Constitution."

A standard time law would come under the so-called commerce clause in section 8 of article I, because a standard time law would regulate commerce among the several states. Train schedules, airline schedules, and bus schedules would be affected by a standard time law. Presently, hundreds of dollars are spent printing new schedules every time a State or locality changes its time law. Airline, train, and bus corporations could save hundreds of dollars each year in printing schedules, if there were a standard time law.

In section 8 of article I, after granting to Congress power in 20 particular instances, the people say that Congress may pass all additional laws that the time and circumstances may make necessary or proper to give full execution and efficiency to each and all of the 20 grants of power. A standard time law is necessary, under the circumstances, to effectuate the commerce clause, which is one of the 20 grants of power.

As to every one of the 20 grants of power, Congress has from time to time enacted laws which it deemed necessary to make the power effectual. This is what has fitted the Constitution to new or unforeseen conditions as they arose, and kept it the controlling force in the development of 13 scattered agricultural communities into a Nation of 50 great States of vast material wealth, of great political freedom, and of high educational and social advantages.

Thus, I submit that Congress could pass a standard time law under the provisions of section 8 of article I of the Constitution of the United States.

Question: If Congress can pass a standard time law under the provisions of section 8 of article I of the Constitution of the United States, can Congress delegate to an agency of the executive branch of the Government power to vary the standard time so fixed by Congress in zones to be established at said agency's discretion?

Answer: Yes. Congress, when enacting a law, has the power to make provisions in the wording of the law, which it deems necessary to make the law effectual. This power vested in Congress is a necessary and practical power, which has withstood the test of time. Without this power, the laws of Congress would mean very little.

Congress could delegate, to an agency of the executive branch of the Government, power to vary the standard time so fixed by Congress in zones to be established at said agency's discretion, if Congress deems it necessary to do so, for the purpose of making the standard time law effectual.

Question: Would the States and their political subdivisions be prohibited from varying the time zones and from varying the standard time of each?

Answer: Yes. In a Supreme Court of the U.S. case In re *Rahrer* (140 U.S. 545, 11 S.

Ct. 865, 35 L. Ed. 572) decided in 1891, Chief Justice Fuller stated in the opinion that the power of Congress to regulate commerce among the several States, when the subjects of that power are national in their nature, is exclusive. If a law passed by a State in the exercise of its acknowledged powers comes into conflict with a law passed by Congress, the State law must yield. The Congress and the State cannot occupy the position of equal opposing sovereignties, because the Constitution declares the supremacy of Congress and the supremacy of the laws passed by Congress. *Brown* v. *Maryland* 12 Wheat. 419, 488 * * *, held "that which is not supreme must yield to that which is supreme."

Thus, I submit that the States and their political subdivisions would be prohibited from varying the time zones and from varying the standard time of each.

A standard time law would put the Nation's clocks together, and greatly facilitate commerce between the several States.

Thank you for giving me this opportunity to comment on the law regarding the standard time bill now being considered by the U.S. Senate Commerce Committee. If I can be of any service to you in the future, please do not hesitate to call on me.

Respectfully,

Harvey T. Harris, Jr.,
Justice, University of Richmond Law School Honor Court.

Cambridge, Mass., *May 10, 1963.*

Hon. A. Willis Robertson,
U.S. Senate, Washington, D.C.

Dear Senator Robertson: The following is in response to your telegram of April 29.

1. Congress has power under the Constitution to regulate time zones.

The commerce clause of the Constitution and cases arising under it sustain the contention that Congress may regulate time zones in the United States. Decisions concerning Federal power under the commerce clause no longer rest on distinctions between "direct" and "indirect" effect upon commerce; nor do they use such concepts as "manufacture", "production", etc. * * * as criteria in defining the scope of the Federal power. The prevailing rule is that enunciated in *Wickard* v. *Filburn,* 317 U.S. 111 (1942) where it was held that as local an authority as a farmer's growing wheat on his own farm was subject to commerce clause regulation because it affected interstate commerce, in the sense that home grown and consumed wheat competed with wheat in commerce. As Justice Jackson said in *U.S.* v. *Women's Sportswear Mfgrs. Assn.,* 336 U.S. 460, p. 464 (1949), "if it is interstate commerce that feels the pinch, it does not matter how local the operation which applies the squeeze."

Applying the above reasoning, the regulation of time, though seemingly a local matter, is clearly within the reach of Congress under the commerce clause. Differing time zone laws of the various States and communities within States have a very significant effect on interstate commerce as evidenced by the problems encountered by the communications and transportation industries.

The argument can be tested by considering whether Congress could prevent a State from disregarding the Gregorian calendar in favor of the Ptolomaic calendar. Certainly the disruption between States that would result from such an extreme diversity of calendar systems could be remedied by congressional regulation. The present local regulation of time zone laws presents problems of the same order.

A second possible source of congressional authority for the regulation of time zones is the congressional power to fix the standard of weights and measures. Einstein has made us aware that we do not operate in a world of three dimensions, but that each event is unique in time. Time is as important a dimension for purposes of measurement as are weight and length.

2. Congress may delegate the power to regulate time zones to an administrative agency.

There seems to be no impediment to the delegation by Congress of its power to regulate time zones to an administrative agency. Only twice has congressional delegation been held invalid. (*Schecter Poultry Corp.* v. *U.S.,* 295 U.S. 495, 1935, and *Panama Refining Co.* v. *Ryan,* 293 U.S. 389, 1935). Never has congressional delegation to a regularly constituted administrative agency been held invalid.

Though the Court appears to insist upon Congress' providing adequate standards as guides to administrative action, it has upheld such vague standards as "just and reasonable," "public interest," and "public convenience, interest or necessity." Here, the public interest and convenience is implicit in Federal regulation and standardization of time zones.

The establishment of the standard time by Congress would provide a clear framework within which the agency could set up zones.

Sincerely,

Wendy Marcus,
Harvard Law School, Class of 1963.

New Haven, Conn., *May 6, 1963.*

The Honorable A. Willis Robertson,
U.S. Senate, Washington, D.C.:

There seems little doubt that an act regulating time zones in the United States is well within the scope of the power to regulate commerce between the States. Measures far less directly related to commerce, however narrowly that term is constructed, have been upheld. Similarly the delegation to establish 1-hour variances seems unquestionable. Far broader and less precise delegations invariably pass constitutional muster. Citation and elaboration of these points will have to await the end of our examination period.

Sincerely,

Lee A. Albert,
Editor in Chief, Yale Law Journal.

Mr. ROBERTSON. Mr. President, I yield the floor.

AUTHORIZATION FOR MANPOWER AND EMPLOYMENT SUBCOMMITTEE OF COMMITTEE ON LABOR AND PUBLIC WELFARE TO MEET DURING SENATE SESSIONS ON MAY 20 THROUGH 23

Mr. CLARK. Mr. President, having cleared with both the majority leader and the minority leader the request I am about to make, I now ask unanimous consent that the Manpower and Employment Subcommittee of the Committee on Labor and Public Welfare have consent to meet on Monday, Tuesday, Wednesday, and Thursday of next week, for the purpose of receiving testimony, regardless of whether or not the Senate is then in session.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I discussed this matter with the distinguished Senator from Pennsylvania. I know there will be a number of out-of-town witnesses at the subcommittee hearing, and I have no objection to this request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEVENTY - EIGHTH ANNIVERSARY CONVENTION OF THE AMERICAN ASSOCIATION OF HEALTH, PHYSICAL EDUCATION, AND RECREATION

Mr. HUMPHREY. Mr. President, I ask unanimous consent that excerpts from an address that I delivered before the opening of the general session of the 78th anniversary convention of the American Association of Health, Physical Education, and Recreation be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

A Charter for American Youth

(Excerpts of statement prepared for delivery by Senator Hubert H. Humphrey, of Minnesota, before opening general session, 78th anniversary convention, American Association of Health, Physical Education, Recreation, Leamington Hotel, Minneapolis, Minn., May 3.)

(Note.—Including a six-point Federal program for youth fitness and achievement: (1) Financial assistance to the States for school facilities for physical education, (2) enactment of Senate-approved youth employment bill; (3) followthrough on report by Outdoor Recreation Resources Review Commission; (4) strengthen fitness coordination in Health, Education, and Welfare Department; (5) give mandate to President's Fitness Council; and (6) approve adequate finances for Olympics.)

It is an honor to address this great convention. I join with your devoted members throughout Minnesota in reiterating their warm welcome to associates from all over the Nation.

You meet at a time of the year when nature, itself, speaks a message of health and fitness, so to speak. No season reminds us more clearly of the unquenchable forces of life, thrusting upward, reaching outward. Actually, springtime speaks a universal lesson of rebirth and of growth. It speaks of energy and vitality to all who see and hear nature's wonders.

This is a part of the basic theme of my remarks tonight. For I am going to speak of another vital force—a force which is also filled with unquenchable energy—a force which also seeks the greatest fulfillment in life—the force of America's youth.

You of this audience are privileged to help serve, to build and mold this mighty force. We, who represent you in public office, are privileged to work with you. Our joint mission is to help the coming generation realize its greatest potential.

America's youth are, of course, America's future. Every young mind and body you train today is a mind and body which will protect this Nation and advance this Nation tomorrow.

Protect us from what? A look at the headlines in this evening's newspapers will remind all of us. Look at the stories, datelined, "Saigon."

It is springtime in Vietnam tonight. But there are 10,000 Americans all over that beleaguered country who have little time to enjoy it. Their minds and bodies are being

tested—in or close to combat—ferrying troops in helicopter operations, advising infantry while it is battling in the jungles and rice paddies.

The physical fitness **of these American forces is a matter of life and death necessity.** But there are other operations in the four corners of the globe—less dramatic, less in the news, **but where fitness is just as crucial.**

There are, for example, thousands of selfless Peace Corps members, working under the most grueling climatic and other conditions throughout the world.

And so, the question may rightly be asked: In view of these and other illustrations, where may the youth, who are now in your gymnasia, **be called upon to serve—5 or 10 or 15 years from now? No one** in this audience can predict the answer.

But this we do know: (1) The generation in your care must be prepared to serve anywhere—and to be **effective everywhere, if this country is to endure; (2) the opposite numbers of our American youngsters—the young men and women of the Soviet Union, Eastern Europe, Mainland China, North Korea and Vietnam, Cuba—are being trained to fulfill the goals of their society; and (3) a crucial test has long been shaping up. It is** the test between: (a) the training democracy gives, and (b) the training communism gives.

It is the test between their discipline and self-discipline and ours. It is a test between their educators and educated and ours.

The outcome of this test may not be seen quickly or even dramatically. But the outcome may be a vital factor in deciding the future of men everywhere; (4) "everywhere" means just that. It means the home front and foreign fronts. Speaking very practically, only a relatively small proportion of our youngsters may ultimately have to serve abroad—either in uniform or as civilians. The largest proportion may never be called to the national colors. And in the case of our young ladies, relatively few will enter the Federal service, as such.

But a strong home front is every bit as important as a strong foreign front. Physically fit mothers are just as important, if not more so, as physically fit fathers.

And the idea of "anywhere" in this world has now come to mean "anywhere" out of this world, as well. In the vast reaches of outer space, the young astronauts of the United States are still in the early stages of competition with the young cosmonauts of the U.S.S.R.; (5) meanwhile, there is a universal test in "inner space," the crucial space in our own minds. You and I know that a nation cannot be strong unless it is strong in mind, in character and in body.

Strong convictions, strong ideas, strong will, strong muscles—we need them all.

We need whole men and women—well rounded, fulfilling their highest potential in every aspect of life. The physical educator joins, therefore, with the educators for all of life's disciplines—for the arts, humanities, science, and technology—in building tomorrow's citizens; (6) and so, I am here tonight for several reasons: To pledge to you that this Senator is dedicated to your goal of victory in this test with our foe; to let you know that even if there were not a Communist adversary in this world, there is definitely a larger test in which we are eternally engaged. It is the test of helping mankind, including our own countrymen, to realize its birthright. I mean a world of peace and plenty, a world where man vanquishes his ancient "external" enemies—poverty, disease, illiteracy, hunger—and his "internal" enemies—sloth, indifference, and ignorance; and I am here to let you know that I, for one, feel that you—your profession, your membership—stand high in the ranks of those responsible for the very future of our Nation; that your "calling" is a noble one; and that your success is urgent; and, then, most important, perhaps, I am here to share with you a view from Washington as to the Federal Government's role in enabling you to do your worthy job.

As a U.S. Senator, I am naturally interested in what the U.S. Government should do. But you and I know, that over and above what the Federal Government does or does not do, the real challenge is the one confronting State, county, and local governments.

The future of American physical education rests primarily in the hands of physical educators, and in the hands of principals and other faculty, local school boards, State boards of education, mayors, Governors, yes, in the hands of parent-teacher associations, also.

The Federal Government cannot do—should not do—for others what they can do, must do by themselves to strengthen physical education.

But neither must the Federal Government shirk for one instant meeting head on its own Federal obligations.

The executive and the legislative branches have theirs cut out for them.

Insofar as the President is concerned, I believe you will agree with me on this fact: With but perhaps one or two exceptions; e.g., Teddy Roosevelt, there has never been a Chief Executive in the White House, more deeply or more continually interested in physical education than John F. Kennedy.

The President, his personal family and his entire Cabinet family have "lived, breathed, talked, and acted for fitness."

They will continue to do so. The goals of a strong America, a strong younger and senior generation—are goals implanted in the very fiber of the heroic survivor of PT–109.

The President will be working with the Congress for a comprehensive fitness program for our country.

Many of the elements of that program are already beginning to emerge in the legislative and administrative process.

I believe we should view these elements as a total program for the total well-being of our country, particularly our youth.

It is not enough that we set up mere segments of a youth program—the parts should fit together in a harmonious whole. They should be balanced, one with the other, so that we do not "go overboard" along any one line at the expense of other key elements.

I am going to propose tonight a few principles for what might be called a charter for American youth.

It is a charter for their freedom—freedom from fear, from want, from deprivation—physical, mental, economic or social.

It is a charter for the second half of the sixties and for the upcoming seventies. It is a charter to embrace the needs of city and country, of individual and group, of private life and government.

Few, if any, of the elements of this charter will come as a surprise to members of this association. Your AAHPER has been in the forefront of working with the Congress toward virtually all of the ends which I will mention. Time after time, other legislators and I have called upon your association for counsel and other assistance. You have never failed in our appeal. I hope that we will not fail in yours.

The charter would note that American youth is entitled to the fullest opportunities that American society can provide—opportunities for individual growth, for achievement, for fulfillment—mentally and physically, vocationally and avocationally.

Every American youth is entitled to his and her dignity—the dignity which comes from being recognized as an individual who has something unique to contribute personally to the world.

But now, let's get specific on the fitness front. Every American youth is entitled to a body as healthy and fit as heredity, medical science, physical training and facilities can help make possible.

Every American youth is entitled to be enabled to reach and remain at the highest level of physical proficiency he or she can attain and retain.

What does this really mean? It means that in every school of our land, regardless of whether the area is wealthy or depressed, regardless of whether the child's family is rich or middle income or poor, the child must be enabled to meet standards of the highest physical well-being of which he or she is capable.

It means that we need more varsity athletes in our country. But far more important, we need to have a whole youth population which enjoys physical achievement in individual and group sports just about as much as those few who do become champions.

The fun of achievement, the joy of cracking one's own former record, the zest to beat the other fellow or team—fairly and squarely, or if losing, to do so, with honor and no regrets—this is what we want and need.

We need a Nation which is tough, but in the finest sense of that word—tough, not in the sense of cruelty or callousness, but tough in that we do not cringe or whimper before the test and adversity, tough in that we can dish it out to hard foes, and tough in that we can take whatever these foes or life, itself, have to offer us.

I am a parent and a grandparent. This is what I want to see in my young loved ones. This is what I know you want to see in your children and grandchildren, and in your neighbor's youngsters.

We cannot afford to waste a day or even an hour.

If the "Battle of Waterloo was won on the playing fields of Eton," the cold war or the hot brush fire wars, or worse, of the future can be won in the gymnasia and playgrounds of this Nation.

If there is one thing which is fairly certain, it is that for the rest of our lives, we are going to face crisis after crisis, challenge after challenge from international communism. We are also going to face an almost unending series of challenges to help the hundreds of millions of people in the neutral and uncommitted areas of the world.

And we are going to face the challenges of a home scene which is changing in incredible ways, some welcome, some unwelcome, but nonetheless, often unavoidable. Our schools are bursting at the seams; so are our playgrounds, our seashores, our national parks and other facilities.

The President's committee headed by Secretary of Labor Wirtz has warned of the critical needs for youth employment and upgrading of youth skills.

Each day automation is changing and eliminating jobs. The very locale in which we live is changing. The central core of many cities is decaying, the suburbs are sprawling in every direction. Existing services for youth are groaning under rising burdens.

In our search to deal with mass problems, we must never lose sight of the individual.

It was the poet, Edwin Markham, who wrote:

"Why build these cities glorious if man unbuilded goes? In vain, we build the world, unless the builder also grows."

Let us get on with the task of building individual men and women. That is, of course, the job of education.

Throughout this entire country, there is, as you know even better than I, a great ferment in primary, secondary and higher education. There is a battle to reshape the school curriculum along many lines, many of which are conflicting with one another. I would carry "coals to Newcastle" to tell you that there is widespread disagreement as to how many school hours to devote to this or that subject.

I would not presume to suggest to any educational authorities what the best distribution of time should be. But I do know that we cannot starve physical education for time, as well as for manpower and facilities, and expect to develop the strength of our youngsters. We cannot, in other realms, expect boys and girls to become lifetime thinkers if we tell them to think only "1 hour a week." And so, in your realm, we cannot develop in youngsters a pride in exercise and sports on the basis of a mere 1 hour or so in a week.

Somehow, we must find the way and the means to provide for a better allotment of resources to this vital goal of fitness.

Somehow, we must reshape the essential values of youth as well as of some elders.

A youngster is certainly not a "square"—as he is sometimes called—if he zealously disciplines his body to peak performance, if he trains day after day, whether he is asked to or not, and a teacher who devotes his or her life to physical education is not just a so-called "gym teacher," something "different" or "apart from" or "lower than" all other types of teacher. Far from it, you who work to develop the bodies of our youngsters, and simultaneously, their minds' attitudes toward their bodies—have as important a role to play as any in American education. There is unbounded honor in making the human body the finest possible instrument of human performance.

It was Ralph Waldo Emerson who said:

"Our chief want in life is somebody who shall make us do what we can."

It is you who help youngsters do what they can, as much or more, as any other educator.

But now, what of our Federal obligations? What of the program of the U.S. Government? Let me offer a few specific points on fitness, designed to help fulfill the general points in the charter for youth.

1. The Congress should provide a new title on physical fitness, when it extends and broadens the present national defense education law. This new title should provide long-needed financial assistance to the States for the wherewithal of physical education throughout the Nation's school system. It takes hard money to enable our less advantaged States to come to grips with physical education needs. There is no use "lecturing" States to meet the highest national standards if many of these States simply do not have the means to do so.

Funds are urgently needed for inservice education of health and physical education teachers through leadership institutes comparable to those conducted for science and mathematics teachers. Programs of this type would be the most certain way to improve the fitness efforts of the Nation's schools and colleges. Such a plan of institutes would provide the leadership to improve programs in physical education, swimming, recreation, youth conservation camps, and community schools.

2. The House of Representatives should enact the youth employment bill, already approved by the Senate and by House committee. This bill will deal directly with the twin needs to channel youths' energies creatively into: (a) conservation work, in the great outdoors—on behalf of all of us—and; (b) urban service projects, on behalf of other youths.

3. Both the Federal Government and the States should move rapidly ahead for the fullest implementation of the historic report by the Outdoor Recreation Resources Review Commission. As you know, a Bureau of Outdoor Recreation and a Cabinet-level Recreation Advisory Council have been set up for the important task of conducting Federal programs and assisting the States. There is still immense work to be done in, by, and for the States—as regards fish and game, park, recreation, and conservation agencies at all levels of government. Fortunately, a Citizens Committee for the Outdoor Recreation Resources Review Commission report has been formed.

Organizations such as the American Association for Health, Physical Education, and Recreation should be encouraged to expand their efforts in outdoor education through leadership preparation and program development. As you and I know, vigorous outdoor activities having lifelong values contribute greatly to the sustaining of fitness and should be included in the curriculums and programs of schools, colleges, and community agencies.

4. Our able new Secretary of Health, Education, and Welfare, Anthony Celebrezze, should proceed with his vigorous program of greater coordination within that vast Department.

Several years of review of the individual activities of major HEW units has confirmed, in my judgment, that, unfortunately, in none of these units is there as strong a focus for physical fitness as there should be. That means in the U.S. Office of Education, in the Public Health Service, and in the Children's Bureau.

In the Department as a whole, coordination has tended to be relatively "pro forma," not dynamic and continuous. The Public Health Service has a particularly important role to play in working with the Nation's physicians toward improved fitness for our youngsters. The National Institutes of Health—the Federal Government's principal medical research arm—has not begun, in my judgment, to provide the research leadership which is necessary. It does not have a focus for fitness research responsibility. It has not encouraged the evaluation and the use of research information which has long since piled up. It has not yet identified areas of additional research which are needed so as to fill up gaps. It has not systematically supported training of predoctoral and postdoctoral research manpower.

One meritorious approach would be to locate a UNESCO Fitness Research Institute in the United States. No such UNESCO institutes have as yet been established in our country. A UNESCO Fitness Research Institute could cooperate with needed research on a worldwide basis.

5. The President's Council on Fitness should be given a permanent statutory mandate. The Council has done an outstanding job with relatively limited financial resources. And those resources have been "doled out"—in bits and pieces—by other Federal agencies rather than being requested formally in the President's budget and allocated directly by the Congress, as should be the case. An annual process of congressional appropriations directly to the Council would provide a much needed national "dialogue" on exactly where we stand, and where we are heading in federally encouraged physical fitness efforts.

6. The Federal Government, in cooperation with Amateur Sports, should take a new look at our international sports efforts. We, as a nation, are seriously lagging in these efforts.

It is 13 years since Congress chartered what was called the U.S. Olympic Association. This private organization has done a fine job in many respects. But our modest U.S. showing in the Rome Olympics in 1960 and the poor prospects for Tokyo in 1964 speak eloquently of the need to reappraise the organization's role.

Meanwhile, we need a focus of sports interest in the executive branch. The President's Council should be given a broadened mandate for such a sports focus.

For a number of years, the State Department has been in charge of our international—I emphasize—international cultural exchange program. This program includes funds for exchange of coaches and teams. The Department does so under a law which I personally cosponsored. The administration of the law has, by and large, been competent. Unfortunately, however, the funds available for the overall program have never been increased above the level they started at—namely, a mere $2½ million.

Athletic exchanges, for example, have been supported by no more than $300,000 in Federal assistance in recent years. This is mere pocket money compared to the enormous sums spent by foreign governments on both sides of the Iron Curtain.

The governing bodies of American amateur sports should, of course, continue to enjoy complete independence and freedom of action and should continue to bear fundamental responsibility—financial and otherwise. The Department of State, as the spearhead of American foreign policy, should continue to have responsibility for actual oversea arrangements. But a relative handful of experts in the President's Council, such as its great executive, Coach Bud Wilkinson, could, if authorized to do so, do a tremendous job as the center of specialized interest in amateur sports in the executive branch. Right now, no such center exists in a single domestic department or agency.

The issue of shortage of funds remains critical. The U.S. Olympic Committee has never had a fraction of the financial resources which some countries one-tenth of our population have made available on a continuous, not a once-every-4-years basis.

Now, we are coming close to the 1964 Tokyo Olympics. Once more, we Americans face the dismal prospect of an 11th hour crisis in fundraising by passing the hat.

Recently, I have explored the issue of whether or not a direct, one-time appropriation of $1 million might or should be made for pre-Olympic purposes. The Amateur Athletic Union has urged a specific Federal grant. Other observers have emphasized that it is inconsistent for Uncle Sam to pay the expenses of an American coach or of a small team going overseas for a binational or regional meet, while ignoring the most crucial international contest of all—the Olympics.

But very frankly, there is strong apprehension in some quarters over a possible Federal grant for the Olympics. There is a feeling that even with the best of intentions, even with, as envisioned, independent administration of the funds by the U.S. Olympic Committee in cooperation with other amateur bodies, direct Federal grant might be undesirable. Traditionally, the National Collegiate Athletic Association has felt this way—against Federal assistance for our U.S. Olympic effort.

The Congress respects—and rightfully so—the judgment of the U.S. Olympic Committee, the AAU, the NCAA, the National Athletic Intercollegiate Association, the U.S. Track and Field Federation and other groups.

I know of no one in the Congress who presumes to tell these expert groups about detailed issues to which they and their dedicated sports personnel have devoted entire lifetimes.

But the Congress does have an interest and a responsibility to all 180 million of us. Like the President, the Congress watched with concern the long family quarrel in amateur sports. It applauded the President's sound decision, designating General MacArthur to serve as impartial arbitrator of the quarrel.

Now that there has at least been agreement on a moratorium in the dispute, Members of the Congress turn to the crucial issue: what will amateur sports now do affirmatively? What will it do about broadening the base for American sports talent—in every hamlet of our land? What will amateur sports do about the persistent financial problem? Will sports leaders set up, as I have urged, the equivalent of a National Fitness Foundation? Will amateur sports set up a real, continuing, Olympic development program which is adequately financed?

Amateur sports has the ball. It has always had the ball. No one outside amateur sports wants to or expects to take the ball from it. It is amateur sports ball.

But this Nation does not intend to sit idly by while we proceed to take another beating in the Olympics—in 1964 or in 1968 or ever.

The time has come for definitive action. The hour is already desperately late as regards preparing athletes for the competition in Tokyo. But the time to begin with a broad-gauged long-range Olympic program is now.

Our international athletic showing is, of course, but one phase of our country's fitness interest. But it is an important phase.

The charter for youth should be a blueprint for victory—victory at home and abroad.

The victory will be forged in every gymnasium and playground of our land, or it will not be fully achieved.

You and I will be hearing further from the President of the United States, both on the fitness and sports fronts. I will not presume to predict what the President will do or say and when. Issues relating to the Olympics have received and are receiving his personal attention. It can be stated with certainty that the President intends to work with amateur sports for a strengthened 1964 and a longer range Olympic effort.

Your President regards the great Tokyo and other sports events as a real frontier in their own right. He means to achieve American excellence in that frontier.

Athletic excellence in every school in the land is your goal and mine.

As I stated at the outset, springtime is the herald of life's fulfillment. Springtime is a charter of nature's excellence.

Let us by our deeds write a charter for our boys and girls—of which we and all those who follow after us—will everlastingly be proud.

Mr. HUMPHREY. Mr. President, my address was delivered on the night of May 3 at the Leamington Hotel in Minneapolis. The convention itself included anywhere from between 3,000 and 4,000 participants, representing the directors of physical education throughout all the schools, colleges and universities in the United States. I found the conference to be very interesting and considered it a privilege to be invited to deliver the keynote address.

THE PEACE-KEEPING CAPACITY OF THE UNITED NATIONS

Mr. HUMPHREY. Mr. President, on Friday, April 26, members of the American Society of International Law heard a remarkable speech by the able Deputy Assistant Secretary of State for International Organization Affairs, Mr. Richard N. Gardner. Many veterans of the 87th Congress will recall Mr. Gardner's incisive defense last year of the proposal to buy U.N. bonds. The U.N. bond issue was then the most readily available means of bailing the United Nations out of its critical financial difficulties. The proposal was especially hard to defend because many nations who benefited from the existence of the United Nations were unwilling to pay their share of the cost of specific international policing actions which were designed, in Mr. Gardner's words, "to contain violence and to prevent it from widening into a global conflict."

Therefore, when Richard Gardner speaks on "The Development of the Peace-Keeping Capacity of the United Nations," his words deserve respectful attention. The basic financial crisis which the bond issue was supposed to alleviate has not been solved. Indeed, the special 21-Nation Working Group on the Financing of United Nations Peacekeeping Operations has reported failure in its attempt to "arrive at any general agreed recommendation on a special method for the financing of peace-keeping operations." Moreover, the working group could not decide whether to levy new assessments for the peacekeeping expenses incurred since last June 30 or whether to cover all emergency expenses from proceeds of the bond issue. Finally, it could not even agree, thanks to Communist obstruction, on a plan to collect arrears, now amounting to more than $100 million, on past assessments for the U.N. Emergency Force in the Middle East and the U.N. operation in the Congo.

Mr. President, these very questions are today being considered at a special session of the United Nations. The U.N. is hopefully endeavoring to arrive at an agreement on the financing of the peacekeeping operations of the United Nations. That session of the U.N. will be a very important one, because if the peacekeeping operations of the United Nations cannot be adequately financed, then I am of the opinion that American foreign policy, which is designed to keep peace and to keep it without sacrificing freedom, will have suffered a very serious blow.

Despite these unsolved problems and the undoubted limitations of the U.N., Mr. Gardner makes it crystal clear that this International Organization has a peace-keeping authority which far outweighs the physical or monetary resources at its disposal. The world has come to expect things of the U.N. which it could expect of no individual sovereign state. The wonder is not that the U.N. has its limitations, but rather that it has developed, gradually and sometimes almost by accident, a capacity for keeping local disputes within bounds. On more than one occasion the U.N. has diverted potentially explosive conflicts into nonviolent channels. The U.N. has indeed proved itself to be indispensable as a public forum, as a center of negotiation, and in extreme cases as an "action agency able to mount economic, administrative, and policing operations in situations where action by one country or even a group of countries might prove politically inexpedient."

Your office and mine, Mr. President, receive their daily quota of mail from citizens who rail at the U.N. for an incredible variety of un-American activities. That is their explanation of the activities of the U.N. Yet I for one, Mr. President, am humbly thankful that the U.N. took action to repair a very dangerous breach of the peace in the Middle East, that a U.N. Commission was willing to report objectively on the suppression of liberty in Hungary, that a courageous Secretary General had the foresight to assume direct political functions instead of being content to remain an international bookkeeper. I am thankful that a U.N. International Force went into the Congo and despite all criticism and obstructionism saved that country from a deterioration which, if it had gone unchecked, would have meant the spilling of American blood for an uncertain outcome. I am immensely thankful that we had a U.N. and a great Secretary General during the Cuban crisis of last October. Where but in the Security Council could the free world have found the forum to make full public disclosure of Soviet aggressive preparations? Where else could it have found the machinery to allow the aggressor to back down peacefully without excessive loss of face?

In other words, Mr. President, the United Nations serves the United States well and faithfully in the fulfillment of the objectives of American foreign policy, particularly in those areas in which the policy is to keep the peace and to thwart the ambitions of imperialistic aggressors. I cannot imagine how anyone could look upon the United Nations as anything else but a force for international peace and good will, one of incredible help to the United States of America, and to all other peace-loving countries.

Only recently the United Nations has liquidated an operation which could rightfully be called peace keeping. I am speaking of the transfer of sovereignty over West Iran—a most delicate operation in which the U.N. played the role of a temporary caretaker. It is among the major accomplishments of the U.N. that the West Iran dispute was settled virtually without bloodshed between the Netherlands and Indonesia. I congratulate all those who contributed to this settlement and who implemented it without a hitch.

The U.N., therefore, is playing an essential role which is worth every penny the organization has received and every penny that is owed it. The important task is to recognize the potential of the United Nations and to neglect no opportunity to strengthen it.

This is where Mr. Gardner's speech has performed its greatest service. It is a clear statement of administration policy to be vigorously promoted in the months ahead. Mr. Gardner has outlined 10 ways in which the peace-keeping function of the United Nations can be expanded and strengthened. His 10 steps involve gradual, evolutionary action. They do not postulate a sudden jump from contemporary nationalism to the utopia of a future world federation. Instead, they build on the structure that now exists. It is a program worthy of our support.

I invite the attention of Congress to the fact that it is a program which represents the administration policy relating to the United Nations and the conduct of American foreign policy.

Mr. Gardner proposes maintenance of the "efficiency and political independence of the Secretary General" as an essential ingredient of effective peace keeping. He advocates the use of rapporteurs or conciliators to report on the facts of international disputes and to recommend solutions. He advocates repeal or modification of the Connally amendment which limits our acceptance of the compulsory jurisdiction of the World Court. He proposes reconstitution of the International Law Commission to aid in the codification and progressive development of international law. He holds forth the "warm support" of the United States for a United Nations Institute.

Recommendations which bear even more directly on the U.N. peace-keeping function include: An intensive review and analysis of the Congo experience; expansion of the military staff unit which reports directly to the Secretary General; and the prompt liquidation of the arrearages owed on the Middle East and Congo operations—a result to be achieved, if necessary, through strict application of the charter provision which would disfranchise those countries which have fallen 2 years behind in their organization dues or assessments. This recommendation is fully in accord with the spirit of the Congress and with last summer's historic advisory opinion of the World Court. In addition, Mr. Gardner, speaking for the administration, calls for sensible ad hoc financial arrangements for future peace-keeping operations which will accompany rather than follow the decisions to authorize such operations. Mr. President, this last point is absolutely essential, and I am glad to see it stated so unequivocally by an official of this administration.

Two of Mr. Gardner's recommendations deserve particular emphasis. First, he rightly proposes that the U.N. have at its disposal special forces for use in peace-keeping emergencies. Three peace-loving northern countries—Denmark, Norway, and Sweden—have already taken the first step in this direction by deciding to form a 3,000-man Scandinavian force ready to carry out the will of the U.N. in meeting sudden emergencies. The Scandinavians, having borne much of the human sacrifice of past peace-keeping operations, are concerned that any such actions in the future be carried out quickly and efficiently. They are to be commended for their admirable initiative.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GORE. The Senator will recall that 2 years ago the junior Senator from Tennessee proposed that, as a part of the foreign aid bill, certain funds be made available to the Organization of American States for the creation of a limited but integrated, unified force which could be used within the Western Hemisphere for peace-keeping operations.

The example of the Scandinavian development, it seems to me, should be an object lesson for the Organization of American States, which today finds itself without such a unit. Indeed, it seems to me that this example could well be studied by the Senate Committee on Foreign Relations and should be contemplated by the Organization of American States, not only for the creation of such a unit for use within the hemisphere, but also as an additional force to be available for the United Nations.

Mr. HUMPHREY. I recall the Senator's suggestion. I also recall that I was happy to support his proposal, because it was a constructive and valuable proposal.

I hope that, when the Senate considers the aid authorization bill again this year, this provision can be included as one of the amendments to that particular authorization, because there is no doubt that a force, of such limitation and yet readily available, would be most helpful in the hemisphere, and, as the Senator has said, could be very helpful in the activities of the United Nations.

I believe that this is needed, and I intend to support such a proposal.

Mr. GORE. I thank the Senator. I shall again offer it. The need for it has been clearly demonstrated in the present crisis in Haiti. I appreciate the Senator's support.

Will the Senator yield for one further statement?

Mr. HUMPHREY. Yes; of course, I am happy to yield to the Senator.

Mr. GORE. I listened with great interest to the address of the distinguished Senator from Minnesota. I was particularly impressed with his remarks about the fiscal problems of the United Nations. I have been encouraged to read that several nations, including an Iron Curtain nation, have moved to pay their assessments to preserve their ability to vote in the session of the United Nations just beginning.

Mr. HUMPHREY. I noticed that. I believe I heard such a report over the radio. I see it is in the press. In other words, the decision of the World Court relating to the right of a nation state to participate actively in U.N. voting if it was in arrears over 2 years has had its effect. Also, I believe the debate in the Senate a year ago on the U.N. bond issue, in which the whole subject matter of the financial position of the U.N. was gone into in considerable detail, has had its effect. The Senator will recall that he and other Senators spoke out rather forcefully about the share of the costs we were bearing in the United States and the necessity for certain countries, limited in their share, to pay their assessments. Yet they were sitting in the U.N. and exercising all their priviliges and rights.

Mr. GORE. The fact that a satellite country has moved to keep itself qualified to vote is a significant portent for the future.

Earlier today I recommended—and I hope the Senator from Minnesota finds himself in agreement—that the U.S. Government make the point of order, if necessary, against any nation's voting in the current session unless the 2-year equivalent of assessments had been fully complied with.

Mr. HUMPHREY. I am sure our Government is prepared to take very stern action on that subject, from what I have heard from a briefing that the Committee on Foreign Relations, of which the Senator from Tennessee is also a member, has received. It seems to me the time is at hand to ask the United Nations members to pay up or to forgo their rights under the Charter to be active participants in the voting processes of the U.N.

Mr. GORE. As of now, I think only one nation, or possibly two nations, would be subject to a point of order; but unless the ruling of the International Court of Justice is applied in this initial instance, it might set a precedent for failure to do so next year when other nations might be in arrears.

Mr. HUMPHREY. The Senator is correct.

Mr. GORE. So I am hoping that the ruling of the World Court will have a real and effective meaning. The fact that an Iron Curtain country has paid up its assessments demonstrates that the ruling has already had such an effect.

Mr. HUMPHREY. The Senator's observation is very much to the point. The ruling has had an effect, and I think it will have more effect if we insist on it, as the Senator has indicated.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CARLSON. I appreciate very much the comments of the distinguished Senator from Tennessee in regard to the voting rights of nations in the United Nations that have not paid their dues or are in arrears; but I wonder if the Senator would include nations which are in arrears in paying their contributions to the security or peace-keeping operations of the United Nations, which I understand many nations have not paid?

Mr. GORE. Mr. President, will the Senator from Minnesota yield so that I may reply?

Mr. HUMPHREY. I yield.

Mr. GORE. The purport and real effect of the decision of the World Court was to place all such assessments in the same category, and if any country is in arrears in assessments to the equivalent of 2 years, the voting privilege of that nation could be forfeited.

Mr. HUMPHREY. That is the understanding of the Senator from Minnesota concerning the World Court's opinion.

Mr. GORE. Therefore I place them in the same category.

Will the Senator yield further?

Mr. HUMPHREY. I yield.

Mr. GORE. It is my view that the number of dollars which the United States might or might not pay is not nearly so important as the principle of proportion, the principle of mutuality of responsibility, in the world organization. If any nation, however small its contribution might be, believes it should have the privilege of belonging to the United Nations, without living up to its responsibilities, it seems to me that is a disease which might eventually destroy the United Nations. It is a world organization based upon equality of sovereignty, but also of full responsibility of every member, however great or however small.

Mr. HUMPHREY. The Senator from Tennessee has expressed my thinking on this subject much more clearly than I, myself, could do it. I thank him.

In order to be effective the United Nations must not only grant rights and privileges to the members, which it does, but must also insist on fulfillment of duties and obligations. I have long been of the opinion that we had a tremendous stake in the peace-keeping operations of the United Nations because we want world peace and because, in view of our great power, we would find ourselves thrust too often in the midst of all sorts of difficulties and troubles which would require our own forces unless there were peace-keeping operations by the United Nations.

Therefore, it has been my view that the peace-keeping operations of the U.N. are not only in our national interest but in the interest of international peace. But again it is not the question of whether or not we pay a larger amount than somebody else that is important. What is important is that, when a decision is made by the Security Council or the General Assembly to enter into peace-keeping operations, the assessments, which are arrived at on the basis of the thinking of a majority of the members of the United Nations, are paid and that every nation undertakes its obligations to pay such bills and assessments.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. HUMPHREY. Let me conclude by saying it is a matter of vital concern that the peace-keeping functions and operations of the U.N. be maintained and improved. That is why I am of the opinion that the action of the Scandinavian countries, to which I have just referred, is of such great importance. These countries are making available a force of equipped manpower, which to my mind is a greater contribution than any number of dollars that could be offered to the United Nations. Dollars or money are needed as well as manpower, but I am of the opinion that if this force of the Scandinavian nations were called into action and, let us say, there were 50 percent casualties, no amount of money could compensate their loved ones or their families or their countries, and that such a contribution for the peace-keeping operations supersedes any contribution of money. Up to date the United States, with the exception of the Korean action, has not been involved in the peace-keeping operations of the U.N. except insofar as concerns our payments for part of the bill.

Mr. GORE. To the small nations, whose people may look at the great national income of the United States, and feel that because of the disparity of national wealth and income the United States should bear all the burdens of the peace-keeping operations, or a much larger part, and the small nations would bear none, I say that they should contemplate the fact that in the United States many people are disturbed by the equality of sovereignty in the United Nations—one nation, one vote.

It may well be that this equality of sovereignty has been the cause of great support for the U.N. by the small nations; indeed, this equality of sovereignty may have saved the U.N.

I believe it is an important principle; but we must recognize the fact that many people are disturbed that Uganda has one vote, and that the United States has one vote. If the American people are to be expected to accept equality of sovereignty, it seems to me that all other member nations, however small, must be willing to accept mutuality of responsibility on a proportionate basis.

Mr. HUMPHREY. The Senator's remarks are a distinct contribution to this discussion. I am pleased that this discussion is taking place, because all too often inadequate attention is given to the United Nations—its functions, its purposes, indeed, its limitations, and some of the dilemmas that we face within the U.N. structure; and now, of course, the responsibilities of countries for a mutuality of obligation, as the Senator has stated, within the resources of any particular country.

I am hopeful that in the days ahead it will be possible to review the operations of the international organizations in some detail, because our Nation needs to have a better understanding of such organizations.

Finally, I wish to comment on another aspect of the excellent address that was delivered by Mr. Gardner, who is the Deputy Assistant Secretary of State for International Organization Affairs. Mr. Gardner has called for a full-scale U.N. observer corps to serve, as I have previously suggested, as the "eyes and ears of the U.N." wherever needed around the world.

It has been my view for some time that the mere physical presence of U.N. observers has the effect of leveling off certain tensions and aiding in the maintenance of peace. We desperately need such an observer corps in the Middle East. We need it not only to guard borders and separate belligerents but also to supervise any future regional arms control agreement and to carry out the functions of inspection teams. No proposal is more important at the present time.

Mr. President, if the administration holds to the policies set forth in Mr. Gardner's talk to the American Society of International Law, the U.N. will strengthen its indispensable role in the regulations of international conflicts. I fully agree with the conclusion of the New York Times that in its general outlines the program "deserves the support of all men of good will."

I urge Mr. Gardner to press his case within the confines of the State Department. I say this because there is always a tendency in any government which has the responsibilities and the power of our country, to undertake its own policy in a bilateral arrangement rather than through multilateral organizations. It is easier that way. There is less difficulty. Programs move more rapidly that way. However, it is in our national interest, as I see it, to strengthen the machinery and the institutional structure of the United Nations, and to lend all possible support to it, in order to give it additional respect and influence and power in the conduct of international relations.

I ask unanimous consent that the text of Mr. Gardner's speech be printed at this point in the RECORD together with a summary of the talk which appeared in the New York Times of April 27, and an editorial from the New York Times of April 28.

In addition I wish to share with Senators the April 12 issue of the Independent Observer, edited by Marion McVitty, which describes in trenchant terms the continuing financial plight of the U.N. It is a most intelligent discussion, and I am grateful to my friend the distinguished Senator from Pennsylvania [Mr. CLARK] for bringing this item to my attention.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE DEVELOPMENT OF THE PEACE-KEEPING CAPACITY OF THE UNITED NATIONS

(Address by Richard N. Gardner, Deputy Assistant Secretary of State for International Organization Affairs, before the American Society of International Law, Washington, D.C., Apr. 26, 1963)

In his latest book, "Thinking About the Unthinkable," Herman Kahn imagines a nuclear war with "millions, perhaps tens of millions of people killed," which is suddenly called off when President Kennedy sends Chairman Khrushchev a copy of "World Peace Through World Law" by Louis Sohn and Grenville Clark and proposes that they adopt the book's proposals forthwith.

Kahn has the President say to Khrushchev:

"There is no point to your reading this book; you will not like it any more than I did. I merely suggest you sign it right after my signature. This is the only plan which has even been roughly thought through; let us therefore accept it."

Thereupon Kahn has Chairman Khrushchev "accepting the offer and signing."

Like this charming allegory, much current discussion about the control of violence in the nuclear age is at once apocalyptic and Utopian. We are told that unless a particular brand of Utopia is accepted—whether it be called "world peace through law," or "general and complete disarmament"—we are doomed to incineration in a nuclear holocaust.

Too often the spokesmen for a particular brand of Utopia are satisfied merely to state the stark alternatives. Few of them stop to answer the question: "How do we get from here to Utopia?"

I do not pretend to know the answer to this question. But I suspect it is composed of a number of elements—among them, the maintenance of our deterrent capacity, the building of the material basis of freedom through aid and trade, and the development of the political cohesion of the free world through regional and functional organization.

Tonight I should like to emphasize another element of the answer—the development of the peace-keeping capacity of the United Nations.

I

There are two sides to the U.N.'s peace-keeping coin:

The first side, which corresponds roughly to chapter VI of the U.N. Charter, is preventive diplomacy—measures of pacific settlement to keep disputes from erupting into violence.

The second side, which corresponds roughly to chapter VII of the charter, is international policing action to contain violence and prevent it from widening into a global conflict.

How do these peace-keeping functions of the United Nations help us get from here to utopia? They do so in two principal ways:

In the first place, they help avoid global conflict and preserve the values of a free society during the dangerous ideological, political, and military confrontation in which we now find ourselves.

This value of the U.N.'s peace-keeping role is fairly well understood.

The U.N. serves as a forum for ventilating grievances and for mobilizing public opinion and political pressure against breaches of the peace and acts of aggression.

The U.N. serves as center of negotiation in which the settlement of disputes can be sought through quiet diplomacy, with the special advantage of a third man in the person of the Secretary General to get negotiations started where neither side is willing to take the first step.

The United Nations is an action agency able to mount economic, administrative, and policing operations in situations where action by one country or even a group of countries might prove politically inexpedient. The United Nations has special advantages of acceptability and noninflammability because its actions are taken in the name of the community of nations as a whole.

It is often said in criticism of the United Nations that it has not been able to keep the great powers together. The point is, however, that the U.N. has been able on numerous occasions to keep the great powers apart.

In disputes between small states, or in areas where the withdrawal of a colonial regime has left a power vacuum, the involvement of the United Nations through debate, negotiation, or a peace-keeping presence has helped insulate a potentially dangerous situation from the cold war.

And even in confrontations between the Soviet Union and the United States, the United Nations has demonstrated its value as a vehicle for great power disengagement.

In the recent Cuban crisis, for example, the United Nations offered a valuable channel of negotiation which helped keep Soviet ships clear of our quarantine fleet. It also indicated future potential when both the Soviet Union and the United States agreed to U.N. inspection in Cuba to verify the withdrawal of Soviet missiles.

In the second place, and beyond these immediate benefits, the peace-keeping functions of the United Nations are an indispensable element in plans to escape from the balance of terror and to create a disarmed world under law.

This value of the U.N. as a peace-keeping agency is less well understood. But in getting us "from here to Utopia" it is scarcely less important. For if general and complete disarmament is ever to be achieved, there will have to be a major buildup in the U.N.'s peace-keeping role—its capacity for peaceful settlement and for controlling international violence by all means including the employment of international peace forces.

The fact is that nations will never be willing to eliminate their arms until they have some substitute means of protecting their territorial integrity and vital interests. As President Kennedy told the U.N. General Assembly in September 1961:

"To destroy arms * * * is not enough. We must create even as we destroy—creating worldwide law and law enforcement as we outlaw worldwide war and weapons."

The U.S. draft outline of a disarmament treaty recognizes the inescapable relationship between peace-keeping and disarmament when it states at the outset that the objective of the treaty is to insure that disarmament is accompanied "by the establishment of reliable procedures for the settlement of disputes and by effective arrangements for the maintenance of peace in accordance with the principles of the Charter of the United Nations."

The outline goes on to specify a number of measures for the development of the U.N.'s peace-keeping role—among them, the acceptance of the compulsory jurisdiction of the International Court of Justice, the improvement of nonjudicial methods of peaceful settlement, the establishment of a U.N. peace observation corps for information and factfinding, and the buildup by the end of the disarmament process of a U.N. peace force with sufficient armed forces and armaments so that no state could challenge it.

This recognition of the importance of developing the U.N.'s peace-keeping capacity in order to get us from here to Utopia is one of the major points separating the Western countries and the Communist bloc.

It is an unhappy fact of life that the Soviet Union has never accepted this concept of a disarmed world under law. The most highly publicized difference between ourselves and the Soviets has been on the subject of inspection. But our difference on the peace-keeping role of the United Nations has been no less wide and no less fundamental.

Some 18 months ago, during the summer of 1961, we engaged in lengthy negotiations with the Soviets in Washington, Moscow and New York on a draft statement of principles governing general and complete disarmament. At the end of the negotiations we did achieve an agreed statement which noted, among other things, that the goal of negotiations is not only general and complete disarmament but also "the establishment of reliable procedures for the peaceful settlement of disputes and effective arrangements for the maintenance of peace in accordance with the principles of the United Nations Charter."

As a matter of fact, the joint statement not only provided for the establishment of a United Nations peace force but specified: "Arrangements for the use of this force should insure that the United Nations can effectively deter or suppress any threat or use of arms in violation of the purposes and principles of the United Nations."

As a result of this agreement, some people were encouraged to believe that the Soviets had at long last accepted the need for the building up of worldwide law and law enforcement as an accompaniment to general disarmament.

These hopes were quickly destroyed.

In the negotiations which followed in Geneva, Soviet spokesmen attacked the emphasis placed by Western delegations on the relationship between disarmament and peace-keeping. Indeed, the Soviet delegate, Mr. Zorin, had this to say:

"In the statements of the Western representatives a definite distortion of view is discernible. The fact that disarmament itself will be the surest and most certain means of securing peace and the security of state is disregarded. When the means of waging war are destroyed, when states dispose of neither armies nor armaments, no one will be able to start a war and no one will be able to apply force or the threat of force in international relations."

This Soviet position, of course, is sheer nonsense. The magnitude of the nonsense is revealed when one notes that under the Soviet disarmament plan nations would be permitted to maintain—even at the end of the disarmament process—national forces for the "safeguarding of frontiers." Without effective international measures for settling disputes and suppressing aggression, it is only too obvious that these forces—and even citizens armed with ordinary firearms—could be used to threaten the security of other nations.

Indeed, bloc spokesmen in the disarmament negotiations have clearly reserved the right of Communist countries to continue to pursue their goals of world domination in a disarmed world through indirect aggression and subversion and so-called "wars of national liberation."

To be sure, the Soviets pay lip service to the concept of peace-keeping. But their concept is devoid of substance. The disarmament plan tabled by the Soviets proposes a United Nations peace force operating under the Security Council (where they have a veto) and controlled by a military Troika (where they would have another veto).

The informed public is reasonably well aware of one obstacle to progress on disarmament—the refusal of the Soviets to accept effective inspection. We should do much more to develop public understanding of the second obstacle to progress—the Soviet approach to the peace-keeping issue.

Khrushchev has made great play of his 4-year plan for general and complete disarmament. But no one is entitled to a hearing on his brand of utopia unless he has a serious proposal on how to get there.

The Soviets have steadfastly shut their eyes to the peace-keeping problem. They cannot claim sincerity about general and complete disarmament until they are prepared to face up to it.

II

In the 17 years of its existence the United Nations had demonstrated a significant capacity for keeping the peace. Some aspects of its peace-keeping role have followed lines clearly anticipated at San Francisco. Others have taken directions which the framers of the Charter did not anticipate.

In the field of pacific settlement, the statute of the International Court of Justice approved together with the Charter provided impressive machinery for judicial settlement. In addition, the Charter itself offered pacific settlement through nonjudicial machinery—including negotiation, inquiry, mediation, conciliation, arbitration, resort to regional arrangements, and discussion by the Security Council and General Assembly.

Looking back over the last 17 years, I think we must admit candidly that the original hopes for judicial settlement were somewhat exaggerated.

The International Court has had comparatively little business, about two cases a year on the average.

Few countries have been willing to accept the compulsory jurisdiction of the Court without reservations. And the adversary proceedings brought to the Court as a result of voluntary agreement between the parties have been relatively few.

The main reason for this has not been, as some people assert that international law is too vague or ambiguous. It is rather that there are relatively few disputes which both parties are willing to have decided on the basis of the existing law.

The major conflicts of our time are typically "nonjusticiable" in the sense that at least one party is challenging the legal status quo. The disputes between the Soviets and the West over Berlin, between Red China and the Republic of China over Formosa, and between the Arab countries and Israel over Israel's existence, are obvious examples. Clearly these are not disputes which are susceptible to solution by judicial settlement.

This is not to say that the role of the International Court has been insignificant. The Court has performed a useful function in a number of adversary proceedings. It could render further useful service if States could be persuaded to be more forthcoming in taking justiciable disputes to it. Moreover, in its advisory jurisdiction the Court has acted with distinction as a kind of constitutional court for the United Nations system. In this latter function its recent opinion affirming the binding character of peace-keeping assessments more than justified its existence.

Nevertheless, the primary means of pacific settlement in the last 17 years has been through nonjudicial machinery. The principal U.N. successes in this area are well known:

In 1947 a U.N. Commission for Indonesia was able to help arrange a political settlement which gave independence to that country.

In 1948 the U.N. Commission for India and Pakistan helped achieve a cease-fire in Kashmir.

In 1947-49 Count Bernadotte and Ralph Bunche served as U.N. mediators to help bring about an armistice between Israel and the Arab countries.

In 1958, and subsequently, a U.N. presence in Jordan helped ease tensions between Jordan and her neighbors.

Within the last year, a U.N. mediator played a central role in bringing about a settlement in West New Guinea.

And only in recent months U.N. intermediaries have helped ease relationships between the new Yemen Arab Republic and its neighbors.

Looking back across 17 years of U.N. experience in pacific settlement, one major theme is unmistakable. This is the impressive development of the political role of the Secretary General.

The Security Council and the General Assembly have, as anticipated in the Charter, made important contributions in pacific settlement. What the drafters at San Francisco perhaps did not fully anticipate was the potential importance of Articles 98 and 99—the Secretary General's progress, to use Michel Virally's apt description, from "moral authority to political authority."[1] For some of the major accomplishments of the U.N. in pacific settlement have resulted from political initiatives taken by the Secretary General or his agents.

With respect to policing, the growth of the U.N. has been no less significant. Here the landmarks of accomplishment are equally well-known:

In 1950 the Security Council, assisted by the voluntary absence of the Soviet Union, authorized the defense of South Korea against Communist aggression.

In 1956 the General Assembly established the United Nations Emergency Force in the Middle East and made possible the resolution of the Suez crisis.

In 1958 the Security Council dispatched a U.N. observer group to Lebanon to help prevent the illegal infiltration of arms and personnel across the borders of that country.

In 1960 the Security Council established the United Nations operation in the Congo to protect the territorial integrity and political independence of that country.

These U.N. policing actions have involved personnel from 54 countries. In the Congo alone, there were 20,000 U.N. troops contributed by 21 different members.

Just as in pacific settlement, the U.N.'s development in policing has also taken courses not fully anticipated at San Francisco. The framers of the Charter placed primary emphasis on Article 43 and the conclusion of agreements which would have made available to the U.N. contingents of national military forces for use in dealing with aggression.

As everyone knows, these agreements never came into existence. In their place the principal instruments for U.N. policing were two:

The first was the uniting for peace resolution, enacted in 1950, which provided for the calling of an emergency special session of the General Assembly at 24 hours notice upon the vote of any seven members of the Security Council in the event that the Council was prevented from exercising its primary responsibility for international peace and security.

Under this resolution the General Assembly can make appropriate recommendations to members for collective measures including, if necessary, the use of armed forces. This was the instrument for the establishment of the United Nations Emergency Force in the Middle East.

The second instrument for the U.N.'s policing role has been action of the Security Council. But in the absence of the armed forces made available to it under Article 43 the Council has called upon members to supply forces on an ad hoc basis, with much of the responsibility for directing those forces resting on the Secretary General.

The Soviets have challenged the legality of carrying out the U.N.'s policing responsibilities. They have cited the so-called "principle of unanimity," by which they mean the U.N. can undertake and maintain policing action only with the agreement at every step of the way of all five permanent members of the Security Council.

Such an assertion, of course, is a perversion of the U.N. Charter and of the veto provision. Certainly it was originally hoped that there would be sufficient unanimity among the great powers to enable the organization to require the mandatory action of all the members to repel aggression. But in the absence of that unanimity resort has been made to other provisions of the Charter enabling the United Nations to maintain security through the voluntary action of its members.

The United Nations Charter does provide that a major power can prevent its own forces from being used for policing actions with which it does not agree. It does not provide that a major power can prevent other powers from using their forces in a course of action to which they have agreed. To put the meaning the Soviets do on the "principle of unanimity" is justified neither by history nor reason. It would condemn the United Nations to impotence and frustration—to being a debating society devoid of executive capacity.

It is true that U.N. policing actions have been carried out in ways which may not have occurred to the draftsmen at San Francisco. But this is no basis for challenging their legality or propriety. As Oscar Schachter has put it: "There are certainly no logical reasons why the admittedly vague and imprecise language of the charter must be restricted in meaning. The charter is surely not to be construed like a lease of land or an insurance policy; it is a constitutional document whose broad phrases were designed to meet changing circumstances for an undefined future."[2]

Some time ago Mr. Justice Stone noted in our domestic context: "If we remember that 'it is a constitution we are expounding' we cannot rightly prefer, of the possible meanings of its words, that which will defeat rather than effectuate the constitutional purpose."[3] The principal constitutional purpose of the United Nations is the maintenance of international peace and security. The accomplishments of the U.N. during the last 17 years both in pacific settlement and in international policing have implemented that purpose through measures consistent with the charter and have provided a firm foundation for future efforts at building a stable world order.

III

Despite the considerable progress made during the last 17 years in the development of the U.N.'s peace-keeping ability, we have no cause for complacency. Indeed, the accomplishments are still inadequate when weighed against the needs. This is true whether we measure the needs in terms of keeping the peace in the dangerous present or facilitating future progress toward general and complete disarmament.

There is no lack of proposals for strengthening the U.N.'s peace-keeping role. The problem is to select those which represent significant steps forward and which have some chance of political acceptance in the world in which we live. The following is a 10-point program which meets both tests and for which we shall seek support in the months ahead:

1. The political role of the Secretary General: The continuing political role of the Secretary General is a vital element in the U.N.'s effectiveness as a peace-keeping agency. To maintain this role, the Secretary General should continue to use his senior aids and resident country representatives as agents in missions of peaceful settlement. Continuing efforts will also be needed to maintain the efficiency and political independence of the international secretariat without which effective peace-keeping cannot take place.

2. Rapporteurs: The League of Nations made successful use of rapporteurs or conciliators in contentious cases to report on the facts and recommend possible solutions. Greater use should be made of this device in disputes before the General Assembly and Security Council.

3. International Court of Justice: The present administration, of course, continues to support repeal of the Connally amendment which provides that our acceptance of the compulsory jurisdiction of the International Court does not apply to matters within United States domestic jurisdiction as determined by the United States. It would be desirable to secure the acceptance by free world nations of the compulsory jurisdiction of the Court at least with respect to the interpretation of international agreements—matters which are clearly not within a nation's domestic jurisdiction. This is a possibility which merits careful consideration.

4. International Law Commission: Consideration also should be given to reconstituting the International Law Commission on a full-time basis. The Commission now meets only about 10 weeks each year. At its present rate of progress, it may well take 10 years to complete the three subjects which the General Assembly has assigned it on a priority basis—the "Law of Treaties," "State Responsibility," and the "Succession of States and Governments"—and at least 25 years to get through these and other important topics on the Commission's agenda. The codification and progressive development of international law is too urgent a matter to be dealt with on a part-time basis if it can be better dealt with. While the difficulties of putting the Commission on a full-time basis may be substantial, we are now in the process of taking a good look at the possibilities of overcoming them.

5. U.N. Institute: The General Assembly last Deecmber called upon the Secretary General to study the feasibility and desirability of establishing a U.N. Institute. The Institute would arrange programs to train personnel for service in the U.N. system in both diplomatic and development operations. It would also serve as a center for operations research in major areas of U.N. activity. Distinguished persons from member countries associated with the Institute as faculty members, research fellows, lecturers, or seminar participants could be selected, on occasion, by the Secretary General for important special missions. The United States warmly supports the establishment of the Institute.

6. Analysis of peace-keeping experience: The Congo presented the U.N. with peacekeeping problems of unprecedented difficulty. It raised questions about the training, supply, intelligence, public relations, military command, and political control of U.N. peace-keeping operations. An intensive

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[1] "The Political Role of the Secretary-General of the United Nations," L'Annuaire Francais de Droit International, IV, 1958.

[2] Review of Kelsen, "Law of the United Nations," 60 Yale L.J. 189 (1951).

[3] *United States* v. *Classic,* 313 U.S. 299, 316, 320 (1941).

review and analysis of the Congo experience would help the U.N. do better in the future.

7. U.N. military staff: To promote the success of future peace-keeping operations, the Secretary General needs an expanded military staff unit at U.N. Headquarters. The recent appointment by the Secretary General of a permanent military adviser is a step in the right direction.

8. Earmarking and training of national forces for U.N. use: In future peace-keeping emergencies, we must avoid the dangerous vacumm which might arise from delays in assembling U.N. forces. We must also avoid the erosion in the U.N.'s authority which would result from thrusting into peace-keeping actions national forces without special training in situations unique to the purposes and methods of the U.N. U.N. members should therefore be encouraged to train and maintain in readiness special forces which could be employed by the U.N. in peace-keeping emergencies. We welcome the decisions just taken by Denmark, Norway, and Sweden to establish a 3,000-man Scandinavian force available for U.N. service.

9. U.N. Observer Corps: The U.N. already has a Peace Observation Commission which was created in 1950. Observer Corps have demonstrated their utility in the past and will continue to be needed in the future. For example, the U.N. is expected soon to undertake important observer functions in Yemen.

10. Financing peace-keeping operations: The decision of the International Court of Justice, accepted overwhelmingly in December by the General Assembly, affirmed that peace-keeping assessments are binding on all members of the U.N. But the principle of collective financial responsibility has not yet become a fiscal practice as well as a legal theory. As of March 31, 1963, arrearages owed on the Middle East and Congo operations amounted to about $100 million, of which $63 million was owed by the Soviet bloc and $14 million by France. Although some countries have started paying up on the peace-keeping accounts since the International Court ruling, there are still 46 countries who have paid nothing for the Congo and 24 countries who have paid nothing for UNEF. The minimum condition for maintaining the U.N.'s peace-keeping capacity is the prompt liquidation of these arrearages, the application of article 19 against defaulting countries who are subject to its provisions, adequate provision by the forthcoming special session of the General Assembly for financing the Congo and UNEF operations during the last half of 1963, and sensible ad hoc financial arrangements for future peacekeeping operations which will accompany rather than follow the decisions to authorize such operations.

IV

The 10 points outlined above represent the commitment of the United States to the progressive strengthening of the U.N.'s peace-keeping capacity. We can expect a large measure of support on many of these proposals from other countries of the free world. The same cannot be said, of course, of the Soviet bloc.

In recent years the Soviet Union has—

Rejected in both principle and practice the independent character of the international secretariat which is essential to effective peace-keeping;

Attacked as illegal the U.N. peace-keeping actions in the Congo and the Middle East; and

Refused to pay its assessed share of these peace-keeping operations.

These Soviet actions are disquieting. But they do not doom the U.N. to frustration as a peace-keeping agency.

The whole history of the organization—in Korea, the Congo, and elsewhere—proves that the contrary is the case. This will continue to be so as long as the United States and other free nations work together to maintain and strengthen the U.N. as a peace-keeping agency on the basis of the common interest of the vast majority of U.N. members in peace and freedom.

Communist obstruction alone will not destroy the U.N. as a peace-keeping agency. But the peace-keeping role of the U.N. could be jeopardized by a failure of support within the free world.

The fact is that the Soviet leaders are not the only ones who oppose the buildup of the U.N.'s capacity to keep the peace. There are even some Americans who proclaim that the development of the U.N.'s peace-keeping role, and particularly the peace-keeping provisions of our disarmament treaty, are a threat to our national security.

These American critics are prisoners of dangerous illusions which prevent them from understanding the thoroughgoing transformation in international relations wrought by the advent of modern weapons.

In an age when the Soviet Union and the United States have in their arsenals weapons, each of which has the destructible power of all the bombs dropped in the Second World War—in an age when no matter how many weapons one side may build, neither side can escape unimaginable destruction in a nuclear holocaust—in an age when the danger of war by accident or miscalculation grows with the increasing complexity of weapons systems—in such an age there is no rational alternative but to develop a civilized system of collective security under the aegis of the United Nations.

Obviously the difficulties involved in building a disarmed world under law are enormous. But the difficulties of failing to do so are even greater.

We must continue to struggle with the problem of getting "from here to Utopia."

Men who describe themselves as "realists" regard the peace-keeping provisions of the United States disarmament plan as visionary.

They are mistaken.

It is those who look forward to a world several decades hence without disarmament and effective peace-keeping who are the real visionaries.

It is those who work untiringly for disarmament and the strengthening of the United Nations as a peace-keeping agency who are the down-to-earth realists.

[From the New York Times, Apr. 27, 1963]

United States Offers Plan To Bolster U.N.—High Aid's Speech Suggests 10 Ways To Strengthen Peace-Keeping Role

Washington, April 26.—The United States suggested today 10 ways in which the United Nations could be progressively strengthened for peace-keeping operations.

The program was outlined to the American Society of International Law by Richard N. Gardner, Deputy Assistant Secretary of State for International Organization Affairs, with a pledge that the administration would promote it in the months ahead.

Mr. Gardner said the program was one effort to answer the question how the world might move from its present difficulties toward the "utopia" of international safety and cooperation.

His 10 points amounted to an extension of past proposals by Washington, with no major departures. But he said some Americans as well as the Soviet Union were opposed to improvements in the peace-keeping machinery of the world organization.

STIFFEST PART OF PLAN

The stiffest feature of Mr. Gardner's plan called again for strict enforcement of United Nations financial assessments upon member states. He indicated that Washington would move to enforce the United Nations Charter against any nation whose debt exceeds established limits.

The Soviet Union and France will be the first nations to face the loss of their votes in the General Assembly in 1964 unless they agree before then to pay their shares of peacekeeping operations in the Congo and the Middle East.

The world organization is owed about $100 million for those two operations, Mr. Gardner said, of which $63 million is due from the Soviet-bloc nations and $14 million from France. Thus far, he added, 46 countries have paid nothing for the Congo forces and 24 countries have paid nothing for the United Nations forces in the Middle East.

Besides enforcement of the charter, Mr. Gardner proposed "sensible" arrangements for future military or supervisory efforts.

OTHER RECOMMENDATIONS

Mr. Gardner's other recommendations included the following:

Encouragement of member nations to train and earmark military forces for future United Nations assignments on the pattern of a recent decision by Denmark, Norway and Sweden to establish a 3,000-man Scandinavian army for international duty.

Expansion of the military staff and headquarters in the office of U Thant, the Secretary General.

Creation of a United Nations institute to train personnel for service in both the diplomatic and economic-development operations of the world organization.

Reviews and orderly analyses of experiences in the Congo to prepare for future problems of training, supply, intelligence and public relations.

Reconstruction of the international law commission so that it can work full time at codifying the most essential and basic legal concepts involved in treaties, national obligations and other problems.

In addition, Mr. Gardner said the United States favored a continuation of political activity by Mr. Thant and his senior aids, greater use of special conciliators to report the facts of disputes to the General Assembly, greater commitment of disputes to the International Court of Justice and continued use of the United Nations observer corps to watch difficult situations, such as that in Yemen at the moment.

[From the New York Times, Apr. 28, 1963]

Strengthening the U.N.

When the United Nations General Assembly meets in special session May 14, it will have before it a detailed American program to save this world organization from bankruptcy and strengthen it as an agency to keep peace in a world ruled by law.

The program, outlined by Deputy Assistant Secretary of State Gardner, calls for strict enforcement of both the Charter and the World Court decision that all members must pay their special assessments for the peace-keeping operations in the Congo and the Middle East, or lose their vote. It also urges a further buildup of the United Nations peace-keeping forces under a truly independent Secretary General and military staff. As a basis for their operations, it calls for the development of international law under the compulsory jurisdiction of the World Court. This would entail repeal of the Connally amendment restricting our own submission to the Court's jurisdiction.

This program will undoubtedly run into opposition not only from the countries now refusing to pay but also from many underdeveloped countries which seek to shift the financial burdens to the big powers, principally the United States. But, in its general outlines, it deserves the support of all men of good will.

[From the Independent Observer, Apr. 12, 1963]

SIGNIFICANCE OF EVENTS AT THE U.N.

THE MOST CRUCIAL U.N. QUESTION TODAY

It was the United States that fought for 4 years, almost singlehanded, to establish the principle that there must be collective financial responsibility among United Nations members for collective political decisions to take U.N. peace-keeping actions. Now that the World Court has endorsed that principle and a substantial majority of U.N. members have accepted the Court's opinion, will the United States refuse to make implementation of that principle practicable? Or will the United States take a new and more generous position on U.N. emergency assessments? The answer lies with Congress.

SPECIAL U.N. FINANCE COMMITTEE REPORT

The United Nations Working Group of 21 nations has issued its report on financing of United Nations peace-keeping operations. After 18 meetings, and a number of informal consultations, the Committee records it has not been able to "arrive at any general agreed recommendation on a special method for the financing of peace-keeping operations."

The Working Group also discussed financing the present cost of the United Nations Emergency Force and the Congo operation for which no assessment has been made on the members since June 30, 1962. No decision was reached as to whether assessments should be levied for the period July 1, 1962–December 31, 1963, for the last 6 months of 1963 only, or whether these emergency expenses should be covered entirely out of proceeds from the sale of U.N. bonds.

Finally the Working Group considered the problem of collective arrears on past assessments for UNEF and ONUC. Opposition by Bulgaria, Mongolia and the U.S.S.R. prevented the Committee from reaching agreement on some suggested approaches to the collection (perhaps on an installment plan) of arrears presently amounting to over $100 million.

This factual statement of failure on all counts is less discouraging than it would seem. Although no new financing formula was agreed, the negotiations reflect some positive improvement in the positions of certain member states. Hence, though inconclusive, some progress was made, which may be pushed further when the special assembly takes the matter up in mid-May, or, failing that, at the regular assembly in the autumn.

Latin American representatives, and those of some other smaller nations, put forward new proposals in the working group. These proposals indicate that such nations may be willing in future to accept smaller reductions than they have received in the past on their regular budget shares for their emergency assessments. At the same time, these same nations and others suggested assessments above the regular budget percentages for all industrialized states. Heretofore, they had emphasized almost exclusively, the special financial responsibility of the five permanent members of the Security Council. In short, the new proposals would spread emergency assessments more evenly over the total membership by involving a greater number of well-to-do nations in covering a smaller percentage reduction for states less able to pay.

THE U.S. POSITION IN THE WORKING GROUP

A major obstacle to agreement in the Committee on UNEF and ONUC assessments now, or on a formula for financing future peacekeeping operations, was the inability of the United States to accept any share for this Government which would exceed 33⅓ percent of the total. This one-third limitation on any U.S. assessment by the U.N. was fixed by Congress a number of years ago. Until 1962 the American delegation had interpreted this prohibition to apply strictly to assessments, but not to voluntary contributions.

In 1962 the congressional act permitting the President to purchase up to $100 million of the U.N. bond loan on a matching basis included the following stipulation: "The proceeds of such loan shall not be used to relieve members of the United Nations of their obligations to pay arrearages on payments of any United Nations assessments, and shall not be used to reduce regular or special assessment against any such members."

This condition related to the bond purchase, and the tenor of the congressional debate on that issue, apparently convinced the U.S. administration that Congress would no longer countenance U.S. voluntary contributions which had since 1957 been specifically designed to reduce special assessments against U.N. members less able to pay emergency costs. In the working group, therefore, the U.S. representative clung to the present U.N. assessment rate of 32.02 percent for the United States. The American delegation, presumably, will be forced to continue to hold this position unless and until Congress eases its former attitude toward U.N. appropriations. Meanwhile, UNEF and ONUC costs continue with no accompanying financial assessment on U.N. members.

A SECOND LOOK AT THE UNITED NATIONS BOND ISSUE

The sale of U.N. bonds has been the principal source of revenue for defraying the expense of peacekeeping operations in Congo and the Middle East since the end of June last year. Something over $148 million worth of bonds have been subscribed out of an authorized total of $200 million. Reckoning the costs of UNEF and ONUC as about $120 million annually, proceeds from the bonds will be virtually exhausted by the end of this year in the absence of any assessment for 18 months.

When the 1961 U.N. Assembly approved the bond issue, it authorized the Secretary General to "utilize the proceeds from the sale of such bonds for purposes normally related to the Working Capital Fund." (This Fund is a revolving fund to provide cash for regular, or extraordinary and unforeseen U.N. expenses, pending payment by member states of their contributions, and it is reimbursed as governments forward their assessments.) Although the Assembly resolution gave no other directions to the Secretary General as to the use of the proceeds, the Assembly debate at that time seemed to contemplate that the loan would be applied to cover U.N. emergency expenses for the last 6 months of 1962, while the bond drive was on, and to pay off pressing debts due to arrearages.

Governments, however, have apparently put different interpretations on the purposes of the bond issue. It is said, for instance, that the United Kingdom and Australia, in seeking appropriations to purchase U.N. bonds, assured their Parliaments that none of the bond money would be used for future emergency costs in the Congo or Middle East. The U.S. Congress, on the other hand, was assured that any money appropriated for U.N. bonds would be applied only to ongoing emergency expenses for those two actions. In Britain and Australia the Congo operation was not a popular undertaking, whereas, in the United States, there was concern lest U.N. bonds be used to relieve other nations of their past obligations to pay for UNEF and ONUC.

It is not easy for governments to take positions that are both nationally and internationally palatable, or to achieve politically successful results on both fronts. Over the U.N. bond issue, the U.S. administration had a particularly difficult time in reconciling the international community's estimate of the relative ability of the richest country in the world to pay for U.N. operations with the congressional view that this country must not be mistaken for Santa Claus.

In reviewing how the U.N. emergency police actions had been financed thus far, the Congress was dismayed to find that the United States had been paying 47 to 49 percent of the total cost, because the United States had been almost alone in making a voluntary contribution above the regular assessment. When this was added to the fact that the Soviet Union, and certain other nations, had refused to pay anything at all on these obligations, Congress was understandably unsympathetic toward lending the U.N. additional funds.

It is, perhaps, ironic that the U.S. position on financing U.N. peace-keeping operations by a workable formula of assessments on all members was a casualty of the successful fight to gain congressional approval to purchase U.N. bonds. Yet, in effect, it was the case that, in consenting to buy U.N. bonds, the national legislature made untenable the U.S. position on U.N. emergency financing just when the position was succeeding best in the international Assembly.

LOOKING TOWARD THE SPECIAL U.N. ASSEMBLY

It has been generally agreed that the U.N. bond loan was a "one shot" expediency which should not be repeated. If the Special Assembly levies no assessment for emergency costs, the bond proceeds will be spent by the end of the year, and financial crisis will again threaten the two U.N. policing actions. A last minute reprieve might be produced by the regular Assembly, if it became able to vote retroactive assessments for part, or all, of this year's costs.

The more reasonable position taken by a number of representatives in the Working Group may be said to be due to a removal of the financial problem from the politics of the crises which made UNEF and ONUC necessary. The Special Assembly should be able to take advantage of the greater objectivity about the appropriation of funds, which has apparently been induced by the passage of time and a lessening of tension over the emergencies, themselves. In regard to financing future peace-keeping operations, adoption by the Assembly of a special scale agreed in advance would help to insulate financial responsibility from the politics of new crises which may arise.

The rather complex assessment formula, put forward in the Working Group by Argentina, Brazil, Cameroon, India, Nigeria, Pakistan and United Arab Republic, provides that all money required for future peace-keeping operations should be derived from assessments without recourse to voluntary contributions. This would insure that higher percentages were levied on all industrialized nations equitably, rather than relying upon their good will to make additional gifts; a system which, in the past, devolved almost exclusively on the generosity of the United States. This seven-power formula might be adapted for application to current emergency costs, although that does not seem to have been contemplated by the sponsors.

The same seven nations appended to their assessment formula a proposal to create a voluntary peace-keeping fund which might be built up in periods of calm and be available when a new emergency arose. Contributions to such a fund would be entirely divorced from the politics of any situation which might later arise, and application of that fund to a specific emergency could be sufficiently automatic to insulate its use from the conflicting passions aroused by the event. However, in the absence of an immediate danger, it would be difficult to persuade governments to make significant funds available on a purely voluntary basis.

It is unlikely that the Special Assembly will consider seriously any plans to finance U.N. peace-keeping operations from nongovernmental sources. Within the U.S. delegation, and within the U.N. Secretariat, there is little, if any, enthusiasm for proposals of this sort. It is contended, rather, that the sums of money required for all U.N. purposes are relatively small, and can quite easily be raised from the treasuries of member governments, if the will to support U.N. undertakings really exists within nations. Governments, which for political reasons, do not wish to accept peace-keeping assessments today, are likely to be equally unwilling (for the same political reasons) to permit a surtax on international communications, passports, or the like. So long as the U.N. is an organization of governments, attempts to inject private companies, private institutions, or private persons into the financial formula are more likely to create national political problems than to remove international political obstacles to financing U.N. peace-keeping operations.

THE POSSIBILITY OF A NEW U.S. POSITION

Certainly a majority of U.N. members now concur that peace-keeping operations must be financed by some special scale likely to cost the United States more than 33⅓ percent of the total.

Hope must be sustained for a more flexible U.S. position on U.N. emergency financing in the circumstances now prevailing. It is at least possible that this country might find the seven-power formula a basis for negotiation of a special scale of assessments for U.N. peace-keeping operations.

If this formula were adopted, the United States share would be no more than 40 percent and could be as low as 35 percent. Thirty-five percent is not much of an increase over the present U.S. one-third limit, and even 40 percent compares favorably with the 47 to 49 percent which this country was moved to contribute voluntarily in past years.

It should be borne in mind that U.N. assessments for the regular budget and for the proposed special scale are based on the relative ability of members to pay, as expressed in terms of national income. In the case of the United States, 33⅓ percent does not express in those terms its real capacity to pay.

Although the arbitrary ceiling on the U.S. contribution may be justified for its regular U.N. budget assessment, emergency operations should, perhaps, be considered as giving this country good value for a slightly increased share of their cost. Had the U.N. Charter been fully implemented for collective security, the United States would have had to contribute a large portion of the U.N. armed forces. It would have had to foot the bill for them, and it would have had to risk the lives of its own citizens. As things have worked out the United States has shared in a collective security provided by contingents from many smaller nations.

It is, perhaps, not generally realized that these smaller nations also make a very substantial voluntary contribution to U.N. peace-keeping operations by providing their troops free of charge. The U.N. reimburses them only for such extra costs as arise because of service in foreign countries. This is in contrast to the United States which has, except for the first month, billed the U.N. for the total cost of its services in transporting U.N. men and supplies.

In looking to the immediate future, it is to be hoped that the U.S. position will be taken on the merits of its own principles, and interests, rather than in response to the less consequential perversity of the Soviet Union.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL ASSISTANT SECRETARY IN THE TREASURY DEPARTMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 155, S. 1359.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1359) to provide for an additional Assistant Secretary in the Treasury Department.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, it is my understanding that the bill was reported unanimously by the Committee on Finance. I ask unanimous consent to have printed at this point in the RECORD a statement of the reasons for the necessity of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

The Department of the Treasury has fewer presidentially appointed Assistant Secretaries than most other departments. The Treasury Department has only 3 such posts whereas the State Department has 12, the Defense Department has 16, the Justice Department has 8, the Post Office Department has 5, and the Departments of the Interior, Commerce, and Labor have 4 each.

In a letter dated April 10, addressed to the chairman, the Secretary of the Treasury stated that the present limitation on the number of Assistant Secretaries is a distinct handicap from an organizational standpoint and the creation of an additional assistant secretaryship would alleviate this situation.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1359) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 234 of the Revised Statutes, as amended (5 U.S.C. 246), is amended by striking out "three Assistant Secretaries of the Treasury" and inserting in lieu thereof "four Assistant Secretaries of the Treasury".

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. MANSFIELD. Mr. President, again I wish to propound a unanimous-consent request on the same basis as I did earlier today, namely, that beginning at the conclusion of the morning hour tomorrow, the debate on each amendment be limited to 1 hour, 30 minutes to a side, with the exception of the amendment to be offered by the distinguished senior Senator from Iowa [Mr. HICKENLOOPER], to which 2 hours will be allocated, 1 hour to a side; and that the vote on the passage of the bill occur at 4 o'clock p.m. on Thursday next.

Mr. COTTON. Mr. President, reserving the right to object, how much time does that proposal allow for debate on the bill?

Mr. MANSFIELD. It is anticipated that the Senate will convene at 10 o'clock tomorrow morning and at 10 o'clock on Thursday morning.

Mr. COTTON. But should there be a large number of amendments requiring 30 minutes to a side, plus amendments to which a longer time may be allocated, it might well be that some Senators would be deprived of the opportunity of debating the bill itself.

Mr. MANSFIELD. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. MANSFIELD. I assure the Senator that, so far as the leadership is concerned, there would be no thought of deprivation so far as times goes; and, if need be, the Senate could remain in session until quite late in the evening, so that every Senator who wished to offer an amendment would be protected and given the fullest possible consideration.

Mr. COTTON. Late into the evening of what day?

Mr. MANSFIELD. Tomorrow, or even tonight, because I understand that one or more amendments may be offered today, and debate on such amendments would be exclusive of the time limitation.

Mr. COTTON. Mr. President, earlier today the senior Senator from New Hampshire objected to the unanimous-consent request made by the distinguished majority leader. At that time the Senator from New Hampshire was perfectly frank and candid with the Senate and for the record, perhaps unwisely so, in stating that he desired to prevent the adoption of any unanimous-consent agreement if he found that a sufficient number of Senators entertained the sentiment which he entertains and were prepared to express themselves to the Senate and, more important, to the country. The Senator from New Hampshire now will continue his policy of complete candor and say that he has sounded out the sentiment of Senators on his own side of the aisle. He has not presumed to discuss the subject with any Members of the majority party.

He finds to his disappointment and acute distress that any attempt even to stay the execution of the passage of the bill before the Senate would be futile, because the Senator from New Hampshire would stand almost alone, although he finds that some other Senators feel as he does. He is extremely grateful to them; perhaps he should not say "grateful," because this is a subject of concern not only to the Senator from New Hampshire; but he respects, admires, and thanks those Senators for their willingness to participate with him.

I should like to make my point crystal clear. I am taking a little time to do so, because I doubt whether I shall have anything more to say during the debate, and I expect, at the conclusion of what I have to say now, to withdraw any objection to the request of the majority leader. Before doing so, I should like to say that, in the first place, I look across the aisle at the vast array of seats—not all of them occupied at the moment—allocated to the overwhelming, more than two-to-one Democrat majority in the Senate; and then I look at the seats occupied by Members of my own party, the number of whom has dwindled since I came to the Senate 9 years ago. I am beginning to understand the reason. The reason is not that the administrations represented by the Democrats have actually given to the country any great boon or conferred any great benefits upon the so-called poor, common people, for whom their hearts bleed. In my opinion, the reason is that we have not been meeting to its full extent the obligation which any minority party must exercise; namely, to be a potent force, no matter how few may be our number.

I have been a Member of Congress for 17 years. I have served in Republican Congresses and in Democrat Congresses. I express my admiration and congratulations to those who are in the seats of the mighty today—the majority party.

Mr. President, what do you suppose would happen if a Republican occupied the White House today, and if the Republicans had a two-to-one majority in the Senate, if a plan were promulgated and advanced to the American people, and a referendum were to take place next Tuesday on that plan? And what would happen if a Republican Secretary of Agriculture had made use of the county committees, paid for by the taxpayers, and had made use of every power and artifice at his command to carry that referendum, right or wrong, I am not discussing its merits now? And what would happen if it were necessary, in order to give added incentive and to place in the hands of the administration a longer, harsher whip to force a decision by the American people, and orders had come from a Republican President to a Republican majority to force a bill through Congress before Saturday night?

At the moment I do not see in the Chamber my dear friend the Senator from Oregon [Mr. Morse], whom I greatly respect. I do see in his seat in this Chamber a Senator under whom I have served and whom I love, respect, and admire—the distinguished senior Senator from Minnesota [Mr. Humphrey]. As I look around the Chamber, I see some of the stalwart sons of the Southland; and I have seen them stand, few in number, all alone, and use every weapon justly given them under the rules of the Senate, to fight for the section of the country they represent and for the principles they espouse. I see my friend the Senator from Illinois [Mr. Douglas], whom I have seen assert his power on the floor of the Senate.

Let me remind Senators that if there were a Republican President in the White House and if there were a Republican majority in the Senate, there would not be any more prospect of voting on this bill before the referendum next Tuesday than certain Members of Congress have of going to heaven when they die—and I do not name them. [Laughter.]

Mr. DOUGLAS. Does the Senator from New Hampshire include himself in the last-mentioned category?

Mr. COTTON. Yes; I am not denying that this may be an autobiography.

Mr. DOUGLAS. I thought it was.

Mr. AIKEN. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I shall yield in a moment. But first I wish to complete my statement, in order that my position may be perfectly clear.

Mr. President, it is wicked and sinful to filibuster. The word "filibuster" is a forbidden word. It is wicked and sinful to employ dilatory tactics; and that is a forbidden term. We cover the unpleasant words over; we talk about "debating the issues."

There are men of principle in the Senate; but when the cards are on the table and the chips are down, the Senate is the last place in the world where weapons are left in the hands of a minority. However, Mr. President, if the minority does not exercise those weapons, it loses them.

I wish to make clear that I am not criticizing my own leader. I question whether he could get five speakers on this floor in the next 5 hours. I am not reflecting on any of my comrades on the Republican side of the aisle who represent the great wheat-growing States of the West, and who could hardly be expected to do anything which would in any way threaten to damage the rights or the desires of their constituents. I am merely saying that I regret that the time has come when there are only three Members, so far as I can ascertain, on this side of the aisle—and I include myself—who are willing and eager to stand up and say, "No. We are not going to have a unanimous-consent agreement until we have had time to explore the subject and give to the country all the facts about the tactics which have been employed in forcing the will of the President and of the Secretary of Agriculture upon the farmers of this country." Those who advocate such a course may be correct; the administration may well be right, for we are not infallible.

Mr. President, this bill represents a long, last, great step in the regimentation of our country's agriculture. I do not believe in it, and I will not vote for it. But I do not demand that other Senators agree with me.

The steps we are about to take in connection with the feed grains bill—And I have no illusions about any possibility of preventing its passage—are suicidal for the State of New Hampshire, which I represent, and for other New England States. I have a feeling that if any Senator who represents a New England constituency votes for the feed grains bill, he will never cease to regret such a vote. But those things go to the merits of the issue. Part of them are sectional for the people I represent.

I will not object again to the proposed unanimous consent agreement. So far as I am concerned, the Senate can vote on the feed grains bill at any time Senators want to vote on it—in fact, in an hour, if Senators wish to vote on it then. I merely wish to say to my friends and colleagues that I greatly deplore this situation. If we continue to sit back and say, "We do not have enough votes to stop this thing; they have us overwhelmed, 2 to 1; let us surrender," it will be a long, cold day before the people of this country will give us added voices in the Senate.

Mr. President, what this country needs is a two-party system in which men stand for their principles and fight to the limit, using every single recourse and weapon at their disposal.

I have just returned from my own State. While I was there, I talked with some of our farmers. Only yesterday I talked with members of our county committees. When the time has come that the taxpayers' money is used and when those who are under the pay of the Federal Government are used to campaign in an attempt to influence a great national referendum, and when we in the Senate are willing to supinely say, "Oh, yes; we probably could not stay execution until next Tuesday," we put another weapon into the hands of those who are insisting on having their own way, up to the very last iota.

Mr. President, at this time our country is in a serious condition.

This bill will be passed; and then we shall have entered another epoch in the story of Federal Government domination. The bill will be passed rapidly; it will be passed under a unanimous consent agreement. But, Mr. President, I have made up my mind that from now on either we are going to be a deliberative body or we are not. If we are going to be stampeded into instant action whenever the executive branch—no matter how sincere and well advised it may be—swings the bullwhip, the Senate of the United States will have lost much of its dignity and power.

Not one word I have uttered is intended as a reflection on any individual Senator, nor is it intended as a reflection on the President of the United States or those who are serving him to the best of their ability, and who undoubtedly sincerely believe that what they are doing is needed by the agriculture of the country and is needed to promote our export policy and our foreign markets. Instead, my words have been directed to questions of procedure.

We are more than halfway through the month of May. Congress has been in session since early in January. We have met and adjourned, met and adjourned, and met and adjourned. The tactics have been that when a measure has come along which, it is said, requires instant action, we go into action under a unanimous-consent agreement. In the closing weeks or months of the present session—and we shall be lucky if we get home for Thanksgiving dinner—some of the vital issues that face our country could be permitted to remain unconsidered until the eve of adjournment, when every Senator wishes to return home. At such a time an important proposal might be thrown before the Senate with the statement, "If you do not pass it, you cannot have a weekend off. If you do not pass the bill, we cannot adjourn in time for you to get home and campaign. If you do not pass the measure, you must remain here on Thanksgiving Sundays, and even to the New Year."

I do not accuse the Democrats, because I have seen the same procedure followed under Republican administrations.

It is part and parcel of the carelessness that we are beginning to display in relation to the dignity of the Senate. We allow proposed legislation to pass on unanimous-consent agreements when such requests conveniently come so often at a time when we all desire a good long weekend to do some of the necessary things that we wish to do at home.

Mr. President, I have spoken emphatically but not in anger. I now regret that it was necessary to make those statements, but I doubt if I shall regret them in the years to come. I think they had to be said.

Mr. MILLER. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator yield?

Mr. COTTON. I yield.

Mr. MILLER. I know something of the frustration and unhappiness which the Senator from New Hampshire has expressed. While I have been in the Senate only a little more than 2 years, I have shared them with him during that period of time.

But I would like to call the attention of the Senator from New Hampshire to the fact that the Senator from Iowa was not consulted by him with a view to determining to what extent the Senator from Iowa would participate in an extended debate on the bill.

If the Senator from New Hampshire had asked the Senator from Iowa that question, he would have found that the Senator from Iowa would have joined with him wholeheartedly and would have been more than willing to have carried his share—in fact, more than his share—of the load. I should like to make that point for the record. I trust that the Senator from New Hampshire was not directing his comments at any particular Senator in connection with his survey.

I recognize the truth of what the Senator from New Hampshire has said about the failure of the Senate to stand on its own feet as one of the great independent branches of the Government. I have been sorely disappointed to note that during my 2 years or more in the Senate, with only two exceptions—and those were by a hair's breadth—the Senate has served as a rubberstamp for the executive branch of the Government. Consider the yea-and-nay votes. Any time that the White House has desired something—except for the urban affairs bill and the medicare bill in the last session—it has received it.

So I understand and appreciate the frustrations the Senator from New Hampshire must feel; he has been feeling them for much longer than I have. At the same time I wish to make clear that I do not think we should proceed from those frustrations to another point of absurdity.

The Senator from New Hampshire mentioned the filibuster that was conducted on the Telstar communications satellite bill. It was my observation that while that filibuster was rather effective for a period of time, it became rather an absurdity. The filibuster did not have very much effect. If anything, Senators who participated in the debate suffered from it. I would hesitate to engage in a prolonged debate merely for the purpose of delay.

I would also like to make a further point with the Senator from New Hampshire. I think the country well knows—and it will know a little better after we have disposed of the bill—what is happening in relation to the feed grains bill. It is known that the green light has been turned on from the White House. We saw what happened in the rather brief consideration which the Committee on Agriculture and Forestry gave the measure. We know what kind of record was made in the committee. Had it not been for the bipartisan efforts of a few Senators, the bill would not even have received hearings.

We know how the bill came rapidly from the committee, how it was made the pending order of business by directions from the White House, and how it is to be pushed through before the wheat referendum, if any power that is necessary can be used to do so.

There ought to be a little resentment on the part of the farmers of our country who are affected by the wheat referendum, not only directly, but indirectly. I would hope that anyone who doubts how he is going to vote on the referendum would be inclined to vote "No" on it on general principles, on the basis of being unhappy about the way the measure has been literally forced through the Congress at the direction of the executive branch of the Government.

I would not desire my remarks to be considered at all critical of our great majority leader. He is merely carrying out his instructions. I suppose were I in his position, I would be doing the same thing. But I think that it is very unfortunate for the executive branch of the Government to try to usurp the powers of the Federal Government which properly belong in the legislative branch, and that by ramming the measure through, and by obviously trying to do so before the wheat referendum, we are endangering the separation of powers of our Government.

I make those statements to the Senator from New Hampshire so that he will know that there are others of us on this side of the aisle—and I am sure on the other side of the aisle—who share his deep concern over the situation.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. COOPER. In his statement, the Senator from New Hampshire said that this side of the aisle had suffered defeat or admitted defeat. I would like to make a point which I do not think has been widely considered on our side, by the Congress, or by the President. The very fact that the administration is pressing so vigorously for a voluntary feed grains bill is an admission that for 2 years they have been wrong, and have suffered a defeat.

I should like to state my reasons.

As Senators know so well, in 1961 and 1962 the Senate voted on a feed grains bill three times. A voluntary feed grains bill was passed in three votes—in two instances by direct vote on a bill, and in one instance on a conference report. The voluntary approach was the approach that was advocated on this side, with some help from Senators on the other side—particularly, I might mention, on the part of the Senator from Florida—in 1961 and 1962. I speak as a member of the Committee on Agriculture and Forestry and as one who heard the Secretary of Agriculture and his assistant. For 2 years they pressed before us the argument that the only possible way to meet what they called the great problem of feed grains surpluses, which were not too large, was by compulsory feed grains programs. There was no other way. They based the policy on that compulsory approach.

Senators will remember that practically all of us on this side of the aisle opposed the compulsory feed grain approach and pointed out, correctly, that under that approach there would be many farmers in this country who, for the first time in their farming existence, could not raise feed grains even on their own farms to feed their own livestock, their own poultry, or for use even by the farmer's wife. We made that an issue.

Now, after 2 years, the Secretary of Agriculture, the Department, and the President have admitted that they were wrong. They have admitted defeat. They have admitted that the farmers of this country were correct; that they would not take the compulsory approach. We know that it was their policy to place all the feed grain farmers in this country under the absolute control of the Secretary of Agriculture, to tell them whether or not they could even raise feed grains on their own farms.

I should like to make the point, in deference to my good friend from New

Hampshire, that we have won a victory. Moreover, the farmers of this country have won a victory for not being placed under a compulsory feed grain program, under which many of them could not raise even enough feed to feed their cattle and livestock, or chickens. That is exactly what was meant.

Mr. CURTIS. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I should rather not exercise my prerogatives and hold the floor too long. I will yield to the Senator, however.

Mr. CURTIS. I shall be glad to wait, but I thank the Senator for yielding.

It is the opinion of the junior Senator from Nebraska that all proposed legislation is entitled to be considered upon its merits. I think this is a "must" in connection with proposed agricultural legislation. Our agricultural program involves considerable sums of money, now being spent. One does not have to be a wise man to ascertain that there are many things fundamentally wrong with existing agricultural law, and many unsolved problems in connection with agriculture.

I do not believe that we serve our constituencies by making agricultural legislation a pawn in some other controversy. I do not think agricultural legislation should be hurried through Congress to influence a referendum; neither should it be delayed. There should be no connection. If a proper outcome of the referendum is dependent upon something which happens now in Washington, D.C., then the Government has failed to properly state an intelligible choice for the farmers to exercise.

If, on the other hand, defeat of the referendum were dependent upon delaying something in Congress, again I would say we had not wrestled with the real problems of agriculture.

The junior Senator from Nebraska may have a couple of amendments of his own to offer. I am interested in many phases of agriculture. This is likely to be the only agricultural legislation to be passed this session.

I have no objection to limiting the time for consideration of amendments. There is much merit in having such a limitation. Senators can come to the Chamber and can hear both sides of the argument and make a decision. The argument does not have to be repeated three or four times before the Senate reaches a vote.

However, I believe that a unanimous-consent provision, before any amendments are discussed, to fix the time of the vote on the question of passage of the bill, is not sound legislative procedure. I do not believe that is considering proposed agricultural legislation on its merits. If such an agreement is entered into, certain amendments may not be discussed. Certain meritorious amendments may not receive 1 hour's discussion. Or amendments may be discussed in the wee hours of the night, when Senators are worn out, tired, and restless, and in a rather hopeless attitude.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CURTIS. I am happy to yield. I shall not object to a unanimous-consent request to limit the time on amendments, but if there is to be a provision, before any of the amendments are discussed and disposed of, that a time be set for the vote on the question of passage, I shall object.

Mr. COTTON. Will the Senator withhold his objection for one moment?

Mr. CURTIS. Yes. I have not objected. I merely stated my position.

Mr. COTTON. I do not wish to take more time, but I should like to say to the distinguished majority leader and the distinguished minority leader that I voted for the distinguished minority leader, and if I had to vote for another one every day this year, I would always vote for him; and if I were a Democrat—and perhaps, if the Congress becomes what it is drifting toward, a mere ratification body, all Senators will have to be—I would vote for the majority leader.

I have been compelled to say these things. I am glad to know, from the Senator from Kentucky, that this is a victory. I think it is a pyrrhic victory.

I am encouraged that the Senator from Iowa and the Senator from Nebraska have taken this position, which I feel is so sound.

I close by saying that, so far as I am concerned, I shall not object to a unanimous-consent agreement on the bill, but I think the time has come, I say with all friendliness to the distinguished majority leader, when there may be some objections on my part, and I hope on the part of other Senators.

I feel a sense of failure. My people sent me to Congress to stand my ground. The time has come to assert the independence and dignity of every Member of the Senate—and that is no reflection on the leadership.

Mr. MANSFIELD. Mr. President, I find little fault with what the distinguished Senator from New Hampshire has said. There are some points on which we must disagree, but I point out that before a unanimous-consent request is made, I confer with the distinguished minority leader. I confer with interested Senators on the Democratic side; and I know that the minority leader confers with interested Senators on the Republican side.

We thought this was a means to achieve a reasonable consensus in the consideration of the bill.

I say to the distinguished Senator from Nebraska [Mr. CURTIS] that some amendments have already been discussed on the floor. Others are at the desk. In my opinion, there will be ample time. I hope the Senator will reconsider his statement, because it is not a case of the carrot or the stick. It is a case of trying to arrive at a time when all Senators will be fully aware that a final vote will be taken on a most important measure. Such an agreement would serve as an accommodation and convenience to them.

I say to my distinguished friend the junior Senator from Iowa [Mr. MILLER] that, so far as the majority leader is concerned, there has been no pressure on the part of the White House on the Senator from Montana. The bill was considered in the regular committee and was reported by a majority vote; the report contains both the majority and minority views; and there has been no undue haste in regard to this particular proposal.

If the Senator will look at the calendar, he will find that it is fairly clear. I hope we shall be able to arrive at a reasonable solution of the problem which confronts us.

If the Senator from Nebraska wants to object to a final vote at a time certain, that is his privilege, and his objection will be honored; but I hope he will reconsider, on the basis that, so far as any amendment he or any other Senator wants to offer is concerned, it will be given due and full consideration.

Mr. YOUNG of North Dakota. Mr. President, some of these arguments are a bit strange. I hear Republicans say it is wrong to pass a feed grain bill before the wheat referendum. All the passage of the feed grain bill would do now, so far as wheat is concerned, would be to give farmers the opportunity to substitute feed grain for wheat acreage or wheat for feed grain acreage. This freedom to plant is a program Republicans have been preaching for years. What is wrong with that?

If the bill does not pass, everybody knows the price supports on feed grains will be dropped to 50 percent of parity. The support on corn would drop from $1.25 to 80 cents a bushel. I think anyone would agree that would be disastrous to agriculture.

Let me read a statement from Charles B. Shuman, president of the American Farm Bureau Federation, at our hearings the other day. I asked him a question:

> Your argument now is that an overabundance of cheap feed grain does have an adverse effect on meat prices?
>
> Mr. SHUMAN. Yes. Cheap feed means cheap livestock.

If we do not pass this bill, feed grain prices will drop disastrously. It would be disastrous to every producer in the United States, even to the producers in the State of my friend from New Hampshire. The Senator from New Hampshire makes a good case for a feed deficit area. For the short pull, lower feed prices might help, but over the long pull, as the president of the American Farm Bureau Federation and other farm leaders have said, low feed grain prices would be disastrous for all agriculture.

I do not think the passage of this bill will be very significant in connection with the wheat referendum. I believe the wheat referendum is going to lose largely for a "no" vote, because of the adverse and inaccurate propaganda. It is very difficult to obtain a two-thirds vote when there is a powerful campaign in opposition to it, not based on accuracy and facts. In my State there is more radio and television time and newspaper advertising, and advertising even on billboards, than took place in the last general election, and practically all of it in opposition to a "yes" vote. If this kind of opposition campaign cannot get a one-third vote, I would miss my guess. I do not think there is much prospect of getting a "yes" vote. So the passage of this bill would make little difference.

Mr. HOLLAND. Mr. President, reserving the right to object—and I shall not object—while the distinguished Senator from North Dakota and I happen to be of different judgment as to the wisdom of this particular bill, I agree with him completely on one aspect of the question. I believe the bill should be passed upon after reasonable debate, and prior to the wheat referendum. So far as I am concerned, I do not know whether it will have an adverse or helpful effect on the wheat referendum. If I were a wheat farmer—and I am not—I think it would have an adverse effect, because it would look as though somebody was trying to push it down my throat; and that he was afraid I would not swallow it unless he did some pushing.

The reason why I think the bill should be passed upon is that persons of equally honest approaches and with a long background in agriculture vary as to the wisdom of this bill. The distinguished chairman of the Agriculture Committee, the Senator from Louisiana [Mr. ELLENDER], certainly has at heart the good of agriculture and agricultural interests.

My friend the Senator from North Dakota [Mr. YOUNG] also has the same objectives at heart.

Yet sitting next to him is the distinguished Senator from Iowa [Mr. HICKENLOOPER], who has the same objectives at heart, but who reaches a different conclusion from the one I mentioned.

Sitting next to him is another distinguished Senator, from Vermont [Mr. AIKEN], who I think has probably served longer on the Agriculture Committee than has any other Member of the Senate, unless it be the Senator from Louisiana, and he has the same view as the Senator from Iowa [Mr. HICKENLOOPER], which, by the way, is the view I happen to have; and I think I am interested in serving agriculture.

By the way, I hope my distinguished friend the former Secretary of Agriculture [Mr. ANDERSON], who is now present in the Chamber—and who I think was the best Secretary of Agriculture we have ever had, will pardon me if I say I think he has distinct views on the bill, which he can announce for himself, as to the wisdom of it. But when there are views that are so different, I think a vote should be taken in time for it to be of any value that it can be. I do not know whether it will be helpful or hurtful.

Therefore, I have been agreeable to having the vote taken on Thursday afternoon, and I still am, provided the agreement is not encumbered by something else that will bring on long debate, and perhaps no chance of passage of this legislation in any form.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. YOUNG of North Dakota. I think the Senator from Florida has been very reasonable. At no time has he indicated that he wanted to postpone action on the bill until after the wheat referendum. He has been fair. He wants reasonable debate, which is a correct view. I think he has taken a reasonable position.

Mr. HOLLAND. I thank my friend for that statement. The Senator from Florida has certainly tried to take a reasonable position.

To return to what I was saying, I think the vote should come before the weekend, for whatever effect, good, or bad, the vote will have in what is, very largely, another picture; namely, the wheat referendum.

I see no reason for postponing the vote beyond this week. I hope unanimous consent can be obtained to vote sometime during this week. The Senator from Florida canceled a trip to Canaveral. In view of what happened today, I am glad I did. Because of a defect in a diesel engine, the scientists were unable to get Major Cooper off the ground, as I learned over the radio. But I canceled that trip when it was very difficult for me to do so. I am ready to remain here until the vote. I hope there can be a unanimous-consent agreement, followed by debate, and that the issue can be disposed of in good humor, one way or the other.

Mr. President, I desire to ask the majority leader one question. Do I understand correctly that, as now proposed, the unanimous-consent agreement contains the usual stipulation to the effect that amendments which are not germane to this legislation cannot be considered?

Mr. MANSFIELD. The answer is "Yes."

Mr. HICKENLOOPER. Mr. President, reserving the right to object with respect to the majority leader's request, I understood his statement to except an amendment which I would offer, on which there would be 2 hours of debate. I call his attention to the fact that I have a number of amendments. There is one particular amendment, which is at the desk at the present time, on which there would be a 2-hour limitation.

I did not want to leave in the RECORD the connotation that I had only one amendment to offer to the bill.

Mr. MANSFIELD. There is one amendment to which a 2-hour limit has been allocated.

Mr. HICKENLOOPER. Yes. That particular amendment with the 2-hour limitation has already been indicated as being at the desk.

Mr. MANSFIELD. Yes.

Mr. DIRKSEN. Mr. President, what is the parliamentary status?

The PRESIDING OFFICER. (Mr. KENNEDY in the chair). The question is on agreeing to the proposed unanimous-consent agreement. Is there objection?

Mr. DIRKSEN. Reserving the right to object, I am inexpressibly grateful to the distinguished Senator from New Hampshire for the candor with which he expressed himself on the floor of the Senate, paid his respects to this great deliberative body; indicated what he proposed to do in the future, and then very graciously indicated that he would not object to the unanimous-consent request. For that, I am sure, a great many Senators will be grateful to him.

However, Mr. President, I cannot allow the opportunity to pass without making sure that the record has been made. The majority leader in all good grace—and certainly he is not in an enviable position—undertook earlier in the week to procure a unanimous-consent agreement, if possible. His intent and hope was that the Senate could conclude work on the bill as of tonight.

Then the bargaining began; and at long last, after consultation with Senators in charge of the bill on both sides of the aisle, we concluded that perhaps if we had a vote at a time certain on Thursday, and allowed 1 hour on all amendments except the indicated Hickenlooper amendment, that that would suffice for discussion.

Under the procedures of the Senate, there must be something to occupy the Senate's time. We can recess for 5 minutes or an hour or two, or 2 days or 3 days, if we like. However, there must be some rule to cover the Senate session at every moment. When there are no speakers, the majority leader has no choice except to recess or adjourn the Senate. When I attended to our policy luncheon today, I made it manifest that there were no speakers on the floor, and that the majority leader had indicated to me that he would recess or adjourn the Senate early this afternoon. That could have happened at least an hour ago.

We, as the minority, have a responsibility, no less than the majority. If we have a job to do, if we have a principle to uphold, it is our responsibility to be present and support it. It certainly is not the responsibility or obligation of the minority leader or of the majority leader to do all the talking in the Senate. If anything, they ought to be the most self-effacing Members of this body, because when all is said and done, they are the engineers and operators, rather than the leaders, working with 100 diverse personalities and trying to accommodate the schedule of the Senate to the time of Senators, and still take thought of the monumental impact of the kind of bill that now engrosses the attention of the Senate.

I believe my good friend from New Hampshire was a little disturbed about the deliberative quality of this body. He could have put it in a comparative frame, because sometimes when I think about it, I get into that frame of mind myself. I had intended at some time to make a speech, in view of the criticism that has been made of this great body, and I wondered if it had been done before. Lo and behold, I found documentation, and usually in periods of stress and tension.

Back in 1857, on the 12th day of September, the Philadelphia Pennsylvanian had this to say about Congress generally:

> Had we more statesman and fewer mere politicians the country would not have been reduced to its present distressing and humiliating condition.

That was said more than a hundred years ago.

I note that back on October 24, 1873, the New York World said:

> If the Constitution is wiped out and Congress is without restraint, where are we? Having a Government controlled by a body of men without limitation as to power, no Constitution to restrain them, but—

Meaning this body—

> but acting according to their own will and interest, we have the most odious despotism ever permitted to be established.

So we see that back in the depressed period that was brought on by Black Friday in 1873, people under stress and tension began to point an accusing finger at this great legislative body.

Senators have not heard anything yet. On October 10, 1893, in the Cleveland period, the New York Evening Post, quoting the Portland Oregonian, said:

> The Senate is in the pitiable state of a body that abdicates its legislative functions through sheer weakness and cowardice.

I believe I heard something this afternoon about abdication of functions and weakness.

Incidentally, I say to the majority leader: "After you had indicated that you were about to adjourn the Senate this afternoon, speaking for myself I would not have been very proud of having the Senate recess or adjourn in the middle of the afternoon, when so much has been made of the momentous issue that is confronting the country and the farmers. I am sure that with respect to my own party that might have been misinterpreted, and I was anxious not to have it done, if it could be helped."

My distinguished friend, the Senator from New Hampshire, came to the floor with his customary candor and amiability, ventilated his views. This was the second appearance, because we had been to the Policy Committee meeting, where there was a rugged and vigorous discussion, and I had insisted that some Senator must occupy the floor in order to keep the show going, if we want to call it that, and make it unnecessary for the majority leader to move to adjourn the Senate.

The New York Evening Post, on September 27, 1893, in quoting the Indianapolis News, asked this question:

> Does the Senate understand that at the present writing it is the most thoroughly despised body of public men in the world?

That is pretty all inclusive.

Then on November 9, 1893, Leslie's Weekly, in quoting the Louisville Courier Journal, said:

> The U.S. Senate is revealed as the most ridiculous deliberative body that human indulgence has yet permitted to evolve itself out of an originally good institution.

Find any period in history, and I will find an editorial comment as to how little we mean in the scheme of things.

Therefore, it is not astonishing that at a time like this, with this challenge confronting us, that much might be made of our failures and foibles.

Back in 1837—and I did not go back that far—the New York Herald spoke about the indolence and folly of Congress.

We can pick up any Washington newspaper today and read about the indolence of a do-nothing Congress.

I have always contended that perhaps the less we do, the better off the country will be.

I say to my good friend from New Hampshire that I will vote a resounding "nay" along with him when the feed grain comes to a vote on passage, because I share his conviction that it is putting our feet just a little higher on the ladder of enslavement, and that farming as a way of life would no longer be a free way of life.

It will be a regimented life. They will dictate from here, and they will vindicate the prophecy of Jefferson, who once said that when Washington dictates when to sow and to reap, that will be the day when freedom for that moment will come to an end It will be the beginning of the end of other freedoms.

So I congratulate the senior Senator from New Hampshire on his candor. But the leadership must defend itself. This proposal was presented yesterday. It might have been adopted while the Senator was in New Hampshire. But the distinguished Senator from New York [Mr. Javits] was present, and he was alarmed about the unpleasantness of the untoward situation in Birmingham and elsewhere. He would not consent to the germaneness provision that is usually implied in a unanimous-consent request. Immediately a division of opinion manifested itself, because the distinguished Senator from Florida [Mr. Holland], who is in the Chamber, and who is one of the Senators in charge of the bill, said that if the germaneness provision were not included, he would object. So we were torn between the horns of a dilemma, and the question had to await a conference at 5 o'clock last evening. Today, at long last, we were given the word that the distinguished Senator from New York would not object.

It was not until later that I discovered that the Senator from New Hampshire had a possible objection; and he will never know how diligent I was in seeking to find him. I called his committee, and it was in executive session. I called his office, and was informed that the Senator was in attendance on the committee. I called the committee and was informed that the Senator had left the committee. We stationed one man at the Senators' dining room and one man at the policy committee dining room, to be sure that we would find the Senator from New Hampshire, and that he would respond to my call. He had guests, and I am glad he did. But he did respond and did come to the Chamber.

I said to the distinguished majority leader, "I must consult the very distinguished Senator from New Hampshire to find out the nature of his objection." So we made it easy for the Senator from New Hampshire to object, and he is still in a position in which he can object, if he so desires.

Mr. COTTON. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield with pleasure.

Mr. COTTON. I thank my beloved leader for all this attention. As was said on a certain historic occasion by one of our colleagues, "I know now just how the pancake feels when the sirup is poured over it." [Laughter.] I am very glad I returned in time to hear this very fine presentation by my leader. I never fail to admire him as he fights for his principles; and every time I hear him, I like him better.

In yesterday's situation, the Senate was on the horns of a dilemma. All I was trying to do today was to accomplish two things: First, to stir up my leader to the very heights of his eloquence—which I have done; and second, to indicate to the Senate that what is needed on the bill during this week is more horns and more dilemmas.

Mr. DIRKSEN. Mr. President, still under my reservation of objection, the Senator from New Hampshire can furnish a dilemma and can furnish a horn; I would be the last to stand in the way. He indicated awhile ago, in his usual gracious manner, that he would not object to the proposed request; but that hereafter he would be almost stentorian as he delivered his objection in the interests of the deliberative qualities and attributes of this body. However, I wish to place in the Record what the problems of the leadership are when we try to confer. Senators would be surprised at the number of times I have spent public money on long distance telephone calls to Senators in Colorado or New York, or elsewhere, to get the benefit of their views before agreeing to a consent request.

But this body must go on; we cannot obstruct. It would be in poor grace if we obstructed. Still there is available under the rule the right of any Senator to object if he believes that more deliberation is necessary; and I will respect the objection. I shall never stand in the way, and I will always make a determined attempt to bring to the attention of all Senators, if possible, particularly those on this side of the aisle, what is proposed, so that if an objection forms in a Senator's mind, he can be present to utter it.

So, Mr. President, I let that subject stand. I observe the distinguished Senator from Nebraska [Mr. Curtis] on his feet. For myself, at least, I withdraw my reservation of objection.

Mr. CURTIS. Mr. President, reserving the right to object, I dislike to be put in the position of being a troublemaker or of agreeing to a unanimous-consent request that could not be defended anywhere. If there is a Senator, be he a part of the leadership or otherwise, who can tell me how many amendments will be offered and how many hours will be consumed in debating them, I shall then gladly agree to a time when the final yea-and-nay vote should take place. That is what we are asked to agree to. But no one knows how many amendments will be offered, how many will be adopted, how long it will take for yea-and-nay votes, how long it will take to have quorum calls, or whether the intention is that the Senate remain in session unil 8 o'clock, 11 o'clock, or all night.

I believe the farmers of America are entitled to have the proposed legislation considered on its merits. I disagree with those who would like to have it passed or delayed for the effect it might or might not have on a referendum. Our responsibility should embrace many other things. If I may have an answer as to the number of hours that will be consumed in proposing and opposing amendments, then I shall be happy to consider a unianimous-consent request as to when the Senate shall vote.

Mr. MANSFIELD. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I yield.

Mr. MANSFIELD. The Senator from Nebraska is asking a question which it is obviously impossible to answer. With respect to any given legislation, no one in the leadership could give a specific answer to the question raised by the Senator from Nebraska. He knows that as well as we do.

Mr. CURTIS. That is why I raised the point. The Senator from Montana has asked us to agree to an impossible unanimous-consent request.

Mr. MANSFIELD. Mr. President, will the Senator further yield?

Mr. CURTIS. I yield.

Mr. MANSFIELD. I do not believe the request is unreasonable, because on the basis of knowledge which the leadership had yesterday, as I recall, there were six amendments at the desk. Upon inquiring on both sides of the aisle, we found that one or two more amendments might be offered. Nothing was certain. So we thought that on the basis of the request first enunciated yesterday, we would allow plenty of time, so much time, in fact, that it might be possible, if there were no further amendments, to have other matters, of not too controversial a nature, considered in the meantime.

The Senator from Nebraska has a point, as he always does; but he should recognize that the leadership has a responsibility in matters of this kind. This is not unusual. We do not believe we are steamrollering or ramrodding legislation through the Senate. If the Senator objects to the proposed request, that is perfectly all right. We have done the best we can. We have tried three times to reach a unanimous-consent agreement which we thought had been cleared on both sides of the aisle. Any Senator can overturn such a request, and he can do so within his rights. Certainly there will be no animosity on the part of the leadership if any such action is taken, because the day may come when, in similar circumstances, one of us might wish to do the same thing.

I repeat: We are not trying to ramrod or to steamroller. I am not acting on instructions from the White House; I am acting on the recommendation of a committee of this body, regularly constituted, which has considered the bill and which has filed a report which includes minority views. The bill has been placed on the calendar, and the leadership stated last week that it would be brought to the floor of the Senate on Monday of this week.

So I want the record clearly understood, and I wish to assure Senators—for the third time—that I have not heard from the White House on this matter, and the White House is not putting any pressure whatsoever on me.

Mr. CURTIS. Mr. President, further reserving the right to object, let me say I may have had an incorrect understanding. I assumed this legislation was proposed for the benefit of the farmers of the country. The prices of hogs and cattle are disastrously low. The imports of live animals, meat, and meat products have a tremendous impact on the market prices. Sixty percent of the farm income of the State I have the honor to represent in part comes from livestock; and I propose to offer an amendment to restrict the importation of livestock and meat and meat products. So I am not going to agree to submit the amendment at 11 o'clock at night or 2 o'clock in the morning, or to have it voted upon without debate. If some are playing games as between the Secretary of Agriculture and his opponents, or vice versa, I am not interested in that. I am interested in the prices of farm products; and I wish to have an opportunity to present the case for restricting imports. If Senators agree to a time certain for the vote on the question of passage of the bill, they will not know what may happen. There may be ample time. Perhaps the Senator's guess is accurate. I do not know whether we are operating a gentlemen's club or legislating for the benefit of agriculture.

If the proposed unanimous-consent agreement specifies a certain time for the final vote, I shall object to it. I think we can make considerable progress if there is agreement on a limitation on the debate on each amendment.

Mr. MANSFIELD. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I yield.

Mr. MANSFIELD. Then, Mr. President, with the concurrence of the distinguished minority leader, I modify my request as follows: That beginning at the end of the morning hour on tomorrow, there be 1 hour for debate on each amendment, with the exception of the Hickenlooper amendment now at the desk, on which there be a total of 2 hours—or 1 hour to a side—of debate.

Mr. DIRKSEN. Mr. President, reserving the right to object, let me ask a question: I understand the proposed agreement, as modified, does not specify a time certain for the taking of the vote on the question of the passage of the bill.

Mr. MANSFIELD. That is correct.

Mr. CURTIS. Is the proposed agreement, as now modified, limited to the amendments which now are at the desk?

Mr. MANSFIELD. No; but it is limited to germane amendments.

Mr. DIRKSEN. Will it also include an opportunity to move to recommit, if that is desired?

Mr. MANSFIELD. Yes.

Mr. DIRKSEN. And also an opportunity for debate on the bill itself, before the vote on passage is taken?

Mr. MANSFIELD. That is correct.

Mr. CURTIS. Mr. President, will the Senator explain what he means by "germane amendments" within the purview of the proposed unanimous-consent agreement?

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. The majority leader yielded to a request by me that the unanimous-consent agreement contain the usual provision confining the amendments to those germane to the subject matter of the bill. That was not a suggestion by the majority leader; it was suggested by the Senator from Florida.

Mr. CURTIS. Let me ask whether an amendment dealing with agricultural imports is germane.

Mr. MANSFIELD. In my opinion, it is, without question.

Mr. CURTIS. Very well.

Mr. HOLLAND. I made my suggestion when it was suggested from some sources that various civil-rights amendments would be offered to the bill. I thought they would run far afield, and would defeat the purpose, which some of us have, to have the bill passed sometime this week.

Mr. CURTIS. Let me ask whether it is the intent of the Senator from Florida, who takes responsibility for this part of the proposed unanimous-consent agreement, that any amendment dealing with agricultural imports, pricing, marketing, and so forth, would be considered germane.

Mr. HOLLAND. My feeling is that any amendment dealing with feed grains or wheat or with their products would be held to be germane.

Mr. CURTIS. I am not indulging in playing games. I will state exactly what my two amendments are. One of them deals with imports. The other one is to attach, as an amendment, a proposal I have espoused for a number of years and which, in one form or another, has been passed by the Senate several times. It deals with industrial uses of agricultural surpluses.

Mr. HOLLAND. I think the Chair is the only one who can rule on the question of germaneness. I have no opinion on that matter, other than to state that I hope those amendments will be held to be germane.

Mr. DIRKSEN. Let me make a suggestion to the Senator from Nebraska. I do not know whether his amendments have been printed. But if his amendments are printed and are at the desk, he could request that those amendments be considered germane to the bill.

Mr. CURTIS. Mr. President, if the Senator from Montana will yield, I ask unanimous consent that the amendments I have sent to the desk, both of which are copies of bills heretofore introduced by me, one of them dealing with agricultural imports, and the other with industrial uses of farm surpluses, be considered germane for the purpose of consideration in connection with the pending bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I make the same request with respect to one amendment dealing with warehouses and surpluses and with phasing out Commodity Credit Corporation operations.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HICKENLOOPER. Mr. President, reserving the right to object, and in view of the comments by the Senator from New Hampshire and the comments made by other Senators, including those of the Senator from Nebraska, later on I expect to make some remarks on this bill. But a while ago I noticed that the Senator from New Hampshire [Mr. COTTON] was, as we say, rather "steamed up" about this situation, and expressed himself quite vigorously. I call his attention to the fact that, at least from the standpoint of my blood pressure, he was not "steamed up" half as much as I was last week, when I thought I was being "put upon," and with some vehemence I lost whatever control I had and expressed myself rather vigorously to some of my good friends. A little later, I regretted it very sincerely.

Be that as it may, I state that the Senator from New Hampshire [Mr. COTTON] has no monopoly on being irate in discussing methods which I think are still being used in an effort to cause rather precipitate action to be taken by the Senate on this measure.

I point out that whereas the bill was ordered to be reported from the committee, amendments which in my judgment are essential were voted down with the synchronized regularity of a metronome, and as rapidly as it was possible to vote on them. Nevertheless, the staff memorandum sets forth in 7 pages the differences between the bill desired in 1954 and the bill now proposed. In my judgment, those differences merit serious consideration by the Senate, in connection with some very serious facts. Nevertheless, Mr. President, yesterday we discussed this matter rather thoroughly.

I recall that in 1917 and 1918 there was a little "altercation" in which some of us took a small part.

Senators understand that I do not play poker. But a man in our outfit used to like to play poker occasionally. He was a great bluffer. Every time he tried to bluff in a poker game, someone would call him with a better hand. He would throw down his cards and say, "The trouble with you so and so's is that you do not know when you are beat." He would get up and walk out broke.

Finally, I learned that lesson. In the particular situation we confront I came to the same conclusion. Yesterday I agreed—and I still agree—to the original request which the majority leader made. It was thoroughly discussed yesterday. I have not withdrawn from that agreement or the consent which was requested. I still believe that reasonable, adequate, and essential attention was not given either to preparation for hearings or the conduct of hearings on the bill.

Be that as it may, I do not object. However, I do not want my silence to indicate that I think the procedure is necessarily proper, although yesterday I consented to the request for various reasons. There are various complicated reasons why, when I considered the question late yesterday afternoon, I decided that I would consent to the request. Basically I did so because I did not have much choice. I finally learned when I was licked. I succumbed to superior force on that score.

But it is a serious bill. It affects the feed grain area of our country. I merely wish to go on record now that while I have agreed to the unanimous-consent request—and I will stay by my agreement—the feed grain area of our country is too important in agriculture to be treated as cavalierly as this great piece of proposed legislation has been treated, and perhaps for reasons which, in a way, are collateral to the basic purposes of this particular act. I shall have more to say on that subject later.

The PRESIDING OFFICER. Is there objection to the proposed agreement as modified? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Wednesday, May 15, 1963, at the conclusion of routine morning business, during the further consideration of the bill (H.R. 4997) to extend the feed grain program, debate on any amendment (except one amendment by the Senator from Iowa [Mr. HICKENLOOPER], designated as amendment No. 77, which shall be limited to 2 hours), motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received, except as to amendments numbered 87, 89, and 90.

Mr. MANSFIELD. Mr. President, after three attempts and 3 hours of debate, I suggest that we have heard the longest unanimous-consent dialog in which I have ever been involved.

Mr. SIMPSON. Mr. President, with respect to the feed grains bill we have been discussing today, I take this opportunity to state my disappointment in the way this administration is forcing the leaders of the U.S. Senate to push through this body of Congress a feed grains bill. It is disappointing to think that legislation which has been prepared by the executive branch of Government and forced through the House of Representatives is now being pushed through the Senate so that the bill will have a chance of being signed by the President prior to May 21, 1963.

I object to these tactics—uselessly, I grant.

The proposed legislation is premature at this time.

Congress should delay its decision on a feed grain program until we know what reaction the grain producers have to the 1963 feed grain program; and, until the multiple-price wheat referendum has been held and the result is known. Without going into detail, the number of farmers who are participating in the 1963 feed grain program indicate that it is not popular; 32,384,300 acres were signed up in 1962 and 25,676,475 acres were signed up in 1963.

If the complicated, restrictive, multiple-price wheat program is approved in the upcoming referendum, one set of circumstances will prevail. On the other hand, if it is voted down, substantially different conditions for wheat, feed grain, and livestock producers will be created. If this happens, the Senate would certainly want to reanalyze the entire wheat, feed grain, and livestock problem in order to do justice to all producers. The Senate should not tie its own hands by acting prematurely, without having all the facts necessary for sound judgment.

Indications from my State are that the marketing quotas will be defeated. It is not fair to the wheat growers that they should be treated differently. The administration is coercing the farmers to vote yes on the multiple price certificate wheat plan. In effect, this plan opens the door to Government supply management. I feel that before we act on the feed grains bill we should wait and see what the wheat farmers want. Do they want the freedom to farm or do they want the Government to manage the supply?

If the wheat farmers do vote against the marketing quotas, legislation should be enacted, along with a feed grain bill, which will give the farmer the freedom to farm and permit the farmer the opportunity to establish a free market for his produce.

This bill which we are considering today takes us toward total regimentation of agriculture in this Nation. The administration attempts to pass a simple bill on feed grains. Some Senators have stated that this bill is simply an extension of earlier acts, though in somewhat different form. It is my contention that never before has there been legislation which goes as far as this bill does in giving the Secretary of Agriculture so much authority and discretion. This bill virtually gives the Secretary of Agriculture control of agriculture in America: if the feed grains of this country are controlled by the Government—and this is the worry in the West—the Government will be able to manipulate and control the cattle, sheep, hog, poultry, and dairy industries.

I believe in self-determination, and I think the Senate should have enough confidence in American democracy to permit the farmers to choose the type of market and economic system they desire. Let the Senate of the United States show that this country believes in individual rights and the expression of those rights in the ballot box. I ask that the wheat farmer be permitted to express his will without the Federal Government's further intervention. If we were to pass this bill, the Kennedy administration would use the bill, as they already have used other devices, to pressure the wheat farmers into voting yes in the coming election.

If we have faith in America, let us express it by postponing a vote on this premature legislation until after May 21, 1963.

This is a bad bill, Mr. President. We have had bad farm bills for years, but the bills have been particularly bad under this administration.

I take hope in the fact that no proponents are present, though it seems, evidently, they need not be heard.

I reiterate that the deck is stacked, both on the farm level and in the Senate, with respect to the proposed legislation.

How long, oh Lord, how long shall we delegate the authority of this body to the various executive agencies of this Government?

Our farmers oppose this bill for many reasons, including the reasons I previously stated. I urge my colleagues in the Senate to give it careful consideration, and to vote against it.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield to the Senator from Colorado.

Mr. DOMINICK. I congratulate the Senator from Wyoming for a very fine statement. I know that the Senator from Wyoming feels quite strongly about this proposal. I share with him his doubts as to the advisability of bringing the bill before the Senate for a decision before the wheat referendum takes place on the 21st of this month.

As was stated earlier, since the Congress has been in session for some 4½ months—it seems to me perfectly apparent that adding another week or so to the consideration of a bill of this magnitude would not cause difficulties, so far as the farm economy of this country is concerned, and would not adversely affect the question of other business of the Senate.

I have real concern over the fact that there is an urge to rush, to bring the bill before the Senate and to vote on it before the referendum.

This falls into a pattern, it seems to me, when I consider the letters and telegrams and other forms of communication by which the people from my State of Colorado have been protesting against the action of the ASC committees, in giving out information on the wheat referendum.

That is not, of course, specifically on the question of the bill we shall be considering today and tomorrow, but it is an indication of what the administration is trying to do in order to obtain a favorable vote on the wheat referendum.

I have been told that the information which has been given out by many members of the ASC committees is erroneous. Whether or not this was done willfully, I do not have any idea, but these people are as knowledgeable in the field of agriculture as anybody else, and I should think that if they were giving wrong examples they must have known it when they were doing it.

There have been advertisements in the newspapers, without the advertisements being tagged. Whether those are free, under the guise of public information, I cannot tell. The advertisements are wrong. The examples they give are wrong.

This is one more indication of the endeavor to influence the farmers to vote in favor of the wheat referendum. This obviously is something the farmers themselves ought to decide. They ought to make up their own minds, based on their own experience and their own knowledge. They should not be propagandized and pressured by people who are on the public payroll, being taken care of largely at the taxpayers' expense.

This is one of the main points for which I wish to congratulate the Senator from Wyoming, since he touched upon it so hard. I sincerely appreciate his bringing it up.

Mr. SIMPSON. I thank the Senator from our sister State on the south, Colorado. I say to the Senator that the people of the West—the people of his State and of mine, and the people of the other cattle-growing States—are extremely worried about the insistence upon passage of this bill under the present circumstances, especially in the light of the fact that the cattle industry, as we know, has always withstood the blandishments of the Government, has fought off Government controls, and has very well taken care of itself.

When the Government of the United States or any executive agency procures a feed grain bill such as this, with the regimentation that will go with it, the cattlemen feel, and rightly so, as do the other livestock producers of the West, that it will sound the death knell to the warding off of Government controls by the cattle industry. Members of the industry know that the agency which controls the feed grains of the land will control the livestock industry.

I thank the Senator from Colorado for his very astute observations. I concur in what he said. It is a source of great worry to have such precipitate haste on the part of the administration to have the bill passed prior to the wheat referendum on May 21. It is unseemly. We do not understand it.

There have been bad agricultural bills before. We do not want a worse one. This is the worst agricultural bill ever presented to the U.S. Senate.

Mr. ELLENDER. Mr. President, yesterday I promised the distinguished Senator from Vermont [Mr. AIKEN] that I would obtain an explanation of the difference in base acres for the years 1961, 1962, and 1963. I have obtained that explanation, and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

EXPLANATION REGARDING THE NATIONAL BASE ACREAGE DATA FOR THE 1961, 1962, AND 1963 FEED GRAIN PROGRAMS

The facts regarding the increase of the 1963 feed grain base over that for 1962 follows: In fact, there is no real increase. During the 1961 and 1962 program, no allowance in the national base was made for lands tied up under conservation reserve contracts. Instead, when an individual farmer's conservation reserve contract expired, and if he was interested in participating in the feed grain program, he contacted his county Agricultural Stabilization Committee office. Under the conservation reserve law, his base was protected. Thus the county committee added his reserve base to the county figures. This, of course, was carried up through the State and to the national base. It is obvious that this caused considerable additional paperwork and some additional administrative expenses.

To avoid this in 1963, the feed grain bases on all conservation reserve contracts were included in the national base. This amounts to about 9 million acres and accounts for the difference between the 1962 figure of 123.3 million acres and the 1963 figure of 132.2.

It should also be pointed out that this feed grain base acreage will become available to farmers when, and only when, their conservation reserve contracts expire. In other words, these 9 million acres will be eligible for diversion under the feed grain program only when they come out from under the existing conservation reserve contracts, be it 1963 or some subsequent year.

Thus, the 9 million apparent difference is in fact a paper or bookkeeping change and does in no way affect the base acreages eligible for diversion for 1963 or any other particular year. The individual base acreages from which farmers will divert in 1963 are almost exactly the same as last year.

In 1961 the corn and grain sorghum base amounted to 107,891,000 acres. In 1962 the corn and grain sorghum base amounted to 107,247,000 acres. However, the inclusion of 16,045,000 acres of barley base in 1962 raised the total base for the three feed grains to 123,292,000 acres. In 1963, the base for corn and grain sorghums amounted to 106,900,000, and barley 16,000,000 acres for a total of 122,900,000 acres not including the 9 million from the conservation reserve program.

AMENDMENT OF TITLE IX OF SOCIAL SECURITY ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 156, H.R. 4655.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 4655) to amend title IX of the Social Security Act with respect to the amount authorized to be made available to the States out of the employment security administration account for certain administrative expenses, to reduce the rate of the Federal unemployment tax for the calendar year 1963, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H.R. 4655), which had been reported from the Committee on Finance, with an amendment, on page 4, after line 6, to insert a new section, as follows:

SEC. 4. Nothwithstanding section 901(c)(1)(A) of the Social Security Act, the limitation in the amount authorized to be made available for the fiscal year ending June 30, 1963, for the purposes specified in such section 901(c)(1)(A) is hereby increased to $407,148,000.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 4655) was read the third time and passed.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. H.R. 4997, the Feed Grain Act of 1963.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Am I correct in stating that, under the unanimous consent agreement entered into, at the conclusion of routine morning business tomorrow, 1 hour, to be divided 30 minutes to a side will be allocated to consideration of each amendment, with one exception; and that on the Hickenlooper amendment—one of several, but a particular one—there will be an allocation of 2 hours, to be divided 1 hour to each side?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. I thank the Chair.

Mr. HICKENLOOPER. Mr. President, this afternoon, for a little while, I wish to discuss the pending bill, before we get into the restriction of limited time on the amendments tomorrow, and to place some information in the RECORD which I hope will be helpful in getting a proper perspective of the legislative situation in connection with the agricultural problem which confronts us.

A number of Members of the Senate have served here longer than I have, but even before I came to the Senate, for a good many years the so-called farm problem was of vital importance in the farm belt of the Middle West. We have run the spectrum of proposals for its solution.

Many proposals which seemed in the past to have had a good deal of promise have never been put into effect. I think that is especially true of the basic proposals and policies in the farm program of the previous administration. That program was never put into effect in its entirety, and there was never any opportunity to see whether or not it would have worked. I think it would have worked very well. Above all, it would have maintained the freedom of action of one of the last great free enterprise systems of responsibility in the United States.

But here we are again, after a good many years, considering another program for next year.

I agree with those who have said that this is the worst farm bill that has been brought to the floor of the Senate for action, because it and some collateral measures are, in my opinion, definitely designed to further bureaucratic control of the agricultural plant of this country, the ultimate objective of which is to have bureaucrats in the Department of Agriculture tell the farmer what he can plant, when he can plant it, how much he can plant, when he can sell it, and how much he can get for it. He will be put finally in that straitjacket of control which destroys initiative and progress.

Let us look at the record for a moment. We have heard a great deal from Mr. Freeman's department, and statements by Mr. Freeman, about the so-called success of the program in the last couple of years. I have heard such statements before. They have been made a number of times. I am reminded of the man who said that he could not lay an egg, but he could tell a good one from a bad one.

Regardless of the programs we have had, consider the results. What are the results today? Today, in spite of the claims of this administration, in spite of the claims of Mr. Freeman and Dr. Cochrane, who is the guiding genius of the philosophy of controls and the philosophy of this administration, we find that the parity ratio in this country is the lowest it has been since 1931. The possible exception is that a claimed increase of 1 point in the month of April-May has brought the ratio up to equal 1934, or approximately that level.

In any event, the parity ratio, which is a yardstick for evaluation in agriculture—not necessarily a means for price fixing, but a yardstick for evaluation—under these programs and under this administration, is the lowest it has been since the depression in the 1930's. That fact should be of some significance to those who look at results rather than political speeches.

The bulletin I hold in my hand from the U.S. Department of Agriculture arrived yesterday. If we look at the Commodity Credit Corporation operating results and the status of Commodity Credit price support as of March 31, this year, what do they show? The results show that last year, on March 31, the total of loans and inventories, under the heading of "Investment of Commodity Credit Corporation," was $7,405,087,019. That was on March 31, 1962.

What is the situation of the loans and inventories under the heading of "Investment of Commodity Credit Corporation" on March 31, 1963, a year later, under the programs which are said to have been so successful? That value, as shown by these statistics, is $8,165,360,294. That is about $700 million more this year in commodity credit responsibilities and stocks in inventories than last year.

Does that show the success of a program which purports, if one believes in the statements of its sponsors, to reduce surpluses, and storage costs, and to cut down surpluses? Of course not.

Mr. President, these figures bear out the criticisms which some of us directed at the Secretary of Agriculture more than a year ago when he started to "monkey around" with the support price for soybeans, on the idea that it would be an intriguing thing for farmers to increase production of soybeans, thereby decreasing the production of corn. At that time soybeans were carrying themselves in an open market. They were not dependent upon Government supports. The oil and the cake were moving freely. Soybeans were operating in a free, independent market, and the price was good. It was somewhere between $2.50 and $2.60.

What is the present situation with regard to soybeans? On March 31, 1962, last year, there were 894 bushels—not thousands or millions, but 894 bushels—of soybeans in storage. In other words, practically none. Soybeans were carrying themselves, moving in a free enterprise market.

After the officials got through tinkering with soybeans, raising the support prices, and inducing increased production, what happened? This year, on March 31, there are 9,405,915 bushels of soybeans stored, because the surplus has gone up under the programs of control that this administration has put into effect.

Are those the figures of a successful agricultural program to reduce surpluses, to relieve the country of the products that have been piling up to the point where they must be given away in order to maintain a program? Not at all. If we go through these figures we will find a net book value of commodities in the Commodity Credit Corporation of almost $770 million more this year than on March 31 of last year. Does that indicate a successful program?

We now see brought to the Senate from the other body a bill which is alleged to be a continuation of the farm bill we passed last year, operating for 1963, but to apply to the crop of 1964, far in advance. But, is it the same bill?

I have in my hand the study made by the staff of the Senate Committee on Agriculture and Forestry. It is a most able staff. On the subject of agriculture we have some experts there. Here are nine pages of differences in the bill we are asked to take, without amendment, without reasonable preparation for hearings, and without hearings. We are asked to accept this bill. There are nine pages of differences, including some that are fundamental. The interesting thing is that the bill came over about a week ago from the other body. Let us bear in mind that it does not apply to this year's crop. It applies to 1964.

Under the guise of "emergency legislation," it was forced through the Committee on Agriculture and Forestry, and adequate time was not given for preparation for hearings or for full study of nine pages of differences. These are nine pages of differences and variances from last year's bill. The interesting thing is that before the Committee on Agriculture and Forestry the other day, there was proposed the cotton bill, which is declared to be an emergency bill for the cotton industry, in which it was said an emergency exists. What did the committee do? The committee set aside 10 full days for preparing hearings; not to hold hearings, but to prepare for them.

However, we had to start hearings on the pending bill over the weekend, after it came to us from the House. Why? The reason has been revealed, not only in committee but also on the floor of the Senate. Certain provisions in the bill refer to ability to plant other crops on retired acres if the wheat bill is approved. In my judgment such provisions are considered to be bait for farmers—although they will not work out that way—to vote "yes" on the wheat referendum, which is a control bill for the wheat farmer. Therefore, it is essential to pass the pending bill without amendment before the wheat referendum is held next Tuesday.

A bill that goes to the vital structure of the American feed grain industry is not permitted to be amended. A number of amendments which will be offered are vitally important and should be adopted to make the bill conform. As I have said, these amendments will be voted down with the regularity of a metronome. They will be voted down with the overwhelming power of the Democratic majority, being supervised and directed by the Department of Agriculture and the administration in the White House. That is what will happen. I am a realist enough to know that.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ELLENDER. I know that the Senator would not wish to misrepresent the situation. There is nothing major in the pending bill with regard to the wheat program. The Senator well remembers that last year in the wheat bill that was enacted into law there was included this provision, section 328 which provided for substitution as between wheat and feed grains:

> Sec. 328. Effective with the 1964 crop, during any year in which an acreage diversion program is in effect for feed grains, the Secretary shall, notwithstanding any other provision of law, permit producers of feed grains to have acreage devoted to the production of feed grains considered as devoted to the production of wheat and producers of wheat to have acreage devoted to the production of wheat considered as devoted to the production of feed grains to such extent and subject to such terms and conditions as the Secretary determines will not impair the effective operation of the program for feed grains or wheat.

As I remarked yesterday, and as I am saying now, it is imperative for the wheat and feed grain growers to know whether or not there will be a feed grain diversion program in effect before wheat farmers can vote intelligently. As I said, there is nothing major in the pending bill that even refers to the wheat bill on which the referendum will be held, or has anything to do with it. However, the fact that many feed grain producers also grow wheat makes it mandatory that all knowledge of the laws that will affect such producers be on the books before the referendum. How else could a producer vote intelligently?

Mr. HICKENLOOPER. Mr. President, I call attention to the language on page 7 of the pending bill, beginning at the second line from the top, which reads:

> The term "feed grains" means corn, grain sorghums, barley, and, if for any crop the producer so requests for purposes of having acreage devoted to the production of wheat considered as devoted to the production of feed grains, pursuant to the provisions of section 328 of the Food and Agriculture Act of 1962, the term "feed grains" shall include oats and rye.

This provision ties it into the wheat bill.

Mr. ELLENDER. But that is for the purpose of adding rye as an additional commodity.

Mr. HICKENLOOPER. The Senator from Louisiana and I might argue technicalities for quite a while. The net result, whether it is the wheat bill or the feed grain bill, is that a combination is attempted to be created between the pending bill and the wheat bill, and the pending bill is to be used as a lever to get a "Yes" vote on the wheat bill. There is that interchangeable feature; and whether it is in the wheat bill or in the feed grain bill makes very little difference. It is the mechanical operation that is important.

Mr. ELLENDER. Does not the Senator concede that in voting on the wheat bill a farmer is entitled to know whether there will be a feed grain program, so that it will conform with the section from which I have read?

Mr. HICKENLOOPER. Nothing was done last year, when the referendum was set up, to provide that he would know what the feed grain program would be later.

It was all contained in the same bill.

Mr. ELLENDER. I understand, but that refers to 1964.

Mr. HICKENLOOPER. This is a new bill.

Mr. ELLENDER. But it refers to feed grains in 1964. At that time it was stated that the law would be extended.

Mr. HICKENLOOPER. Mr. President, before I proceed to another portion of the subject, I ask unanimous consent to have printed in the Record an analysis of the difference between the bill now being considered and the legislation already on the books, consisting of the eight or nine pages to which I referred a while ago, and as developed by the staff of the Committee on Agriculture and Forestry.

There being no objection, the analysis was ordered to be printed in the Record, as follows:

Sec. 3. 1964 and 1965 crop feed grain diversion programs: Section 3 authorizes voluntary feed grain diversion programs similar to the 1963 program, but differing from that program in the following respects:

1. The Secretary was directed to carry out the 1963 program, whereas the bill authorizes 1964 and 1965 programs only if the feed grain supply would otherwise be excessive;

2. The 1963 program applied to corn, grain sorghums, and barley, while the bill includes, in addition, oats and rye if the producer so requests for purposes of having acreage devoted to the production of wheat considered as devoted to the production of feed grains pursuant to section 328 of the Food and Agriculture Act of 1962. Inclusion of oats and rye would not affect the acreage of corn, sorghums, or barley required to be diverted as a condition of price support;

3. Diversion payments under the 1963 program were based on the 1962 basic county support rate adjusted to reflect the difference between the 1962 and 1963 national support rate and the farm's adjusted average yield for 1959 and 1960. A special adjustment was authorized to reflect increased yields since 1959 and 1960 resulting from the improvement or adoption of an irrigation system in certain cases. Under the bill diversion payments are based on the estimated basic county support rate and the adjusted average yield for 1959–62, inclusive, in the case of the 1964 program, and 1959–63, inclusive, in the case of the 1965 program. No special adjustment is provided with respect to irrigation systems;

4. The 1963 authorizing legislation provided for (i) payments in cash or kind on an acreage equal to 20 percent of the base acreage (and this provision is frequently construed as fixing the minimum participation in the program), and (ii) payments in kind only on up to an additional 30 percent. The Secretary has elected to make all payments under the 1963 program in kind. (The producer actually receives cash if he so desires, since the Commodity Credit Corporation will advance him the full face value of his payment in kind certificate and market his certificate for him.) The bill provides that all payments shall be in kind;

5. The bill adds mustard seed to the crops which the Secretary may permit to be planted on the diverted acreage subject to a reduction in the diversion payment;

6. The bill provides that the average acreage of wheat produced on the farm during the crop years 1959, 1960, and 1961, for use on the farm pursuant to the exemption provided by section 335(f) of the Agricultural Adjustment Act of 1938 (prior to amendment of section 335 by the Food and Agriculture Act of 1962) in excess of the small farm base acreage for wheat shall be considered as an acreage of feed grains produced in 1959 and 1960 for purposes of establishing the feed grain acreage for the farm, and a fair and reasonable payment rate shall be determined for the diversion of such acreage. The crop years 1959, 1960, and 1961 are understood to mean the years in which the 1959, 1960, and 1961 crops were produced. No similar provision was contained in the 1963 program, since the feed wheat exemption provided by section 335(f) is effective through the 1963 crop of wheat;

7. The bill authorizes the Secretary, upon unanimous request of the State committee, to adjust farm feed grain bases within any county or within the State to the extent necessary to establish fair and equitable bases. This provision was added by an amendment offered by Congressman Smith on the House floor and is not comparable to any provision of the 1963 program.

8. The bill limits the amount of feed grain price support and diversion payments for any acre involved to not more than 20 percent of the fair market price of such acre. This was added on the floor of the House by an amendment offered by Congressman Michel and is not like any provision of the 1963 program.

9. The bill provides that up to 1 percent of the estimated total feed grain bases in any State for any year may be deducted from the farm feed grain bases and apportioned to farms on which no acreages were devoted to feed grains on the basis of specified factors and such other factors as the Secretary deems appropriate. Farms receiving such apportionments would not be eligible for

conservation payments for the first year for which apportionment is made. The 1963 program contained no similar provision;

10. By an amendment offered on the floor of the House by Congressman MICHEL, the following language, which was included in the law covering the 1963 program, and in H.R. 4997 as reported by the House Committee on Agriculture, was deleted from the bill:

"Obligations may be incurred in advance of appropriations therefor and the Commodity Credit Corporation is authorized to advance from its capital funds such sums as may be necessary to pay administrative expenses in connection with such program during the fiscal year ending June 30, 1964, and to pay such costs as may be incurred in carrying out paragraph (4) of this subsection."

The deletion of this language has the effect of requiring that an appropriation for administrative expenses of the Secretary be obtained before the program can be promulgated. Other provisions which remain in the bill, not affected by the amendment, authorize the Secretary to use Commodity Credit Corporation to finance the program costs by redeeming certificates and assisting producers in the marketing thereof, but the change will mean that the Department will have to obtain an appropriation covering administrative expenses of the Secretary before it can proceed with the program.

11. Under the law applicable to the 1963 program the value of feed grains delivered by Commodity Credit Corporation in redemption of payment-in-kind certificates was not required to include an allowance for carrying charges. (However the Department administratively committed itself to include such an allowance.) The bill provides that in the case of diversion payment-in-kind certificates, the feed grains shall be valued at not less than the current support price, minus that part of the current support price made available through payments in kind, plus reasonable carrying charges.

12. The law applicable to the 1963 program authorized the Secretary to limit participation in the program in the event of emergency or a threatened shortage. The bill does not contain such a provision, but authorizes the Secretary, by mutual agreement with the producer to terminate or modify any agreement if necessary because of such an emergency or threatened shortage. The 1963 provision is not considered needed in the bill since the Secretary is not required to promulgate programs in 1964 or 1965 as he was for 1963. The new provision would take care of emergencies arising after the program has been made effective.

Section 3 of the bill adds a new section 16(h) to the Soil Conservation and Domestic Allotment Act to provide that for the 1964 and 1965 crops, the Secretary may, if he determines that the total supply of feed grains will likely be excessive in the absence of an acreage diversion program, formulate a feed grain program under which payments shall be made to producers who divert acreage from the production of feed grains to an approved conservation use and increase their average acreage devoted in 1959 and 1960 to designated soil-conserving crops or practices, including summer fallow and idle land, by an equal amount. Such payments shall be made in kind in an amount not in excess of 50 percent of the estimated basic county support rate, including that part of the support price made available through payments in kind, multiplied by the normal production of the acreage diverted from the commodity based on its adjusted average yield per acre. The base period for the purpose of determining the adjusted average yield for payments for the 1964 crop shall be the 4-year period 1959–62 and for payments for the 1965 crop shall be the 5-year period 1959–63.

The Secretary may permit the diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, and flax, when such crops are not in surplus supply, subject to the condition that no price support shall be made available for the production of such crop and payment for such acreage shall be at a rate determined by the Secretary to be fair and reasonable not to exceed one-half the regular rate.

The term "feed grains" under the new section 16(h) means corn, grain sorghums, and barley. The term "feed grains" also includes oats and rye if the producers on a wheat farm so request for the purpose of having acreage devoted to the production of wheat considered as devoted to the production of feed grains pursuant to section 328 of the Food and Agriculture Act of 1962. However, permitted acreages of oats and rye under the diversion program may not be planted to corn, grain sorghums, and barley.

The acreage eligible for participation in the program shall be such acreage as the Secretary determines necessary to achieve the acreage reduction goal for the crop but not in excess of 50 percent of the average acreage on the farm devoted to feed grains in 1959 and 1960 or 25 acres, whichever is greater.

The average acreage of wheat produced on the farm in 1959, 1960, and 1961, pursuant to the exemption in section 335(f) of the Agricultural Adjustment Act of 1938 prior to amendment of section 335 by the Food and Agriculture Act of 1962, in excess of the small farm base for wheat established under section 335, as so amended, will be considered as an acreage of feed grains for purposes of establishing the feed grain base and the rate of payment for diverting such acreage shall be established in a fair and reasonable amount in relation to the rates of payment for diverting feed grains.

The bill contains authority allowing the Secretary to provide that malting barley producers can plant 110 percent of their 1959–60 barley acres to an acceptable variety of malting barley and still participate in the program for corn and grain sorghums.

Not to exceed 1 percent of the estimated total feed grain bases for all farms in the State for any year may be reserved for apportionment to farms with no 1959 and 1960 history on the basis of specified criteria and such other factors as may be appropriate. Farms on which feed grain bases are established from this reserve shall be ineligible for diversion payments for the first year the base is established.

The Secretary may make adjustments in acreages and yields as he determines necessary to correct for abnormal factors affecting production and to give due consideration to tillable acreage, crop-rotation practices, type of soil, soil and water conservation measures, and topography. If the producer proves the actual acreages and yields for the farm, such acreages and yields shall be used in making determinations. Upon unanimous request of the State committee, the Secretary may adjust farm feed grain bases in any State or county to the extent necessary to establish fair and equitable feed grain bases for farms in such State or county. The sponsor of this provision, Congressman SMITH of Iowa, stated that it would not increase the total base acreage, or the base acreage for the State, but would provide authority to adjust acreages between farmers.

The Secretary may make not to exceed 50 percent of any payments to producers in advance of determination of performance. The diversion and price support payments made in 1964 or 1965 with respect to any acre of land could not exceed 20 percent of the fair market value of such acre. It should be noted that price support payments are made with respect to planted acres and diversion payments are made on diverted acres, so that there would not be both types of payments on the same acre. In other words, price support payments would be limited to not more than 20 percent of the fair market value of the acreage on which feed grains are produced, and diversion payments would be limited to not more than 20 percent of the fair market vaalue of the acreage diverted.

Payments are to be shared among producers on the farm on a fair and equitable basis and in keeping with existing contracts.

The bill provides that payments in kind are to be made through the issuance of negotiable certificates redeemable by the Commodity Credit Corporation for feed grains. Commodity Credit Corporation will assist the producer in the marketing of such certificates. Feed grains with which Commodity Credit Corporation redeems the negotiable certificates shall be valued at not less than the current support price minus that part of the current support price made available through payments in kind, plus reasonable carrying charges. If a certificate is not presented for redemption within 30 days of its issuance, reasonable costs of storage and other carrying charges may be deducted from the value of the certificate.

Under the terms of the bill, the Secretary could, by mutual agreement with the producer, modify, or terminate any agreement previously entered into if he determines such action is necessary because of an emergency created by drought or other disaster to alleviate a shortage in the supply of feed grains.

Mr. HICKENLOOPER. Mr. President, another phase of the proposed legislation which I think is very important is the unprecedented and, I believe, illegal activities of the ASC committeemen throughout the country who were coerced by the authority and power of the Secretary of Agriculture and the Department of Agriculture into lobbying for a "yes" vote on the wheat referendum. I say coerced because I believe there was coercion; I say illegal because I believe it is contrary to the law creating the ASC Committees, and setting forth their responsibilities and duties, that those committeemen should be used for the affirmative promotion of legislation in the National Congress. I believe the law is clear that the responsibilities and duties of ASC committeemen are limited to the explanation of laws already enacted and in effect, and to service to farmers in connection with the law in effect, and that it is illegal and contrary, not only to the spirit, but also the letter of the law, that committeemen be urged and practically directed to go out in their townships and among their members and friends to urge that farmers vote for or against a proposal of this kind.

Mr. LAUSCHE. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. What about the interests of the taxpayer who does not agree with the program, but whose tax money is used by the Department of Agriculture to espouse a cause to which the particular taxpayer does not subscribe? I have in mind the situation that prevails in labor unions, in which a part of the dues is used to promote the cause of one political party as against that of another political party. I do not subscribe to what has been happening in the expenditure of tax money in promoting a cause to which perhaps I do not subscribe. I should like to have the Senator from Iowa discuss that aspect of the situation.

Mr. HICKENLOOPER. I thoroughly agree with the Senator's view. It is a reprehensible practice; there is no question about it. I refer the Senator to the hearings, for which, unfortunately, there was very little time to prepare. The Secretary of Agriculture testified at the hearings. A substantial portion of the time was devoted to an examination of him by me with regard to the use of the Federal franking privilege, the use of Federal stationery, and the authority of the ASC county committees and directors of the ASC to urge an affirmative vote on this proposal, while presenting only the arguments of the Secretary of Agriculture, but never presenting to the farmers the arguments on the other side of the question. The hearings contain evidence of the use of Federal machinery to send out editorials on the "yes" side of the question; but there is no evidence of the sending out of any editorials or articles calling attention to the control features and the dangers to a free agriculture which would result from the proposed legislation. It is a one-sided presentation.

There is evidence of $900 being furnished to one county—I do not know how many $900 payments were made to other counties—for the purpose of having ASC committees hold social events among farmers, so as to induce them to vote "yes" on the referendum. That is public money. It is the money of the Senator from Ohio; it is my money. I think it is the most flagrant use of public officials, who under the law are not supposed to be used in that way. It is the greatest, most flagrant, coercive effort I have ever known to get Government employees to go out and present, at the grassroots, a particular idea which may be advanced or espoused by the Secretary of Agriculture or his mentor, Dr. Cochrane. I think it is a serious thing. American farmers and the American agricultural plant should be aware of it.

Mr. LAUSCHE. Mr. President, will the Senator further yield?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. In Ohio there are 150,000 farmers; 120,000 of them devote less than 15 acres to the growing of wheat. They grow Soft Winter wheat, which is not in scarcity. I am sure there will be substantially divided opinion on whether severe controls should be put into effect. It strikes me that those who do not agree with the Secretary of Agriculture should not be exploited by having their money used to finance a propaganda program contrary to what their thinking is. I do not believe that that is morally proper. Whether the law permits it or does not permit it, I do not know; but I believe the Department of Agriculture ought to impose some restraint upon itself and give all farmers an equal opportunity to present their cause, and not use the taxpayers' money solely for the promulgation of the thinking of the Department of Agriculture and those who agree with the Department, while the thinking of the farmers and other citizens who do not agree with those recommendations is negated.

Mr. HICKENLOOPER. I thank the Senator from Ohio. I agree with him. I call the Senator's attention to the record of the hearings. I did not ask to have the full text of each speech placed in the record of the hearings. However, I have a list of speeches made by Department of Agriculture officials, including the Secretary of Agriculture. I have copies of those speeches before me, with the passages marked in each speech, repeatedly calling for a "yes" vote. Those speeches were made to various farm groups and farm organizations throughout the country. They do not include all the instructions or speeches to the people at the grassroots to spread out and advance this philosophy, to make it perfectly clear.

I believe the Secretary of Agriculture has a right and a responsibility personally to propose and advance theories, whether I agree with them or not. That is his right and responsibility.

Mr. LAUSCHE. I agree to that.

Mr. HICKENLOOPER. He is a part of the administration, and he may do that. And those in policymaking positions under him are privileged to support those opinions.

My complaint goes to the use of the power of the Secretary of Agriculture and those under him in policymaking positions over the jobs of the ASC committeemen at the grassroots, as to which the law is clear that it is not a part of their responsibility. In fact, under the connotation of the law, they are prohibited, in my judgment, from taking a partisan view of such a proposal. Nevertheless, the word has gone down the line, "Boys, go out on the highways and byways, knock at the farm doors, and get a 'yes' vote on this referendum."

Mr. LAUSCHE. Will the Senator from Iowa elaborate on the distribution of the $900 to certain counties?

Mr. HICKENLOOPER. Yes. I have one of the bulletins, which went out, giving notice on that subject. It also states what kind of entertainment should be provided, and so forth.

Mr. LAUSCHE. It strikes me, on the basis of commonsense and the application of simple rules of ethics, that the money of the taxpayers should not be used to promote one cause, but should not be used at all to promote the cause of the opponents. What right has the Federal Government to use my taxes to advocate, through the expenditure of that money, a program with which I do not agree?

Mr. HICKENLOOPER. It has no right to do so.

Mr. LAUSCHE. Furthermore, I think the Secretary of Agriculture owes the people of the country the duty of expressing his views.

Mr. HICKENLOOPER. I agree. I have tried to state that in committee, and I have also stated it on the floor. But there is a difference between carrying out his responsibility as a policymaker and the duties and restrictions, under the law, applying to Government employees at the grassroots, whose duty it is to serve the farmers, rather than to coerce or, in some cases, through their arguments do what I believe amounts to misleading the farmers as to the benefits of this program.

I hold in my hand a copy of the bulletin which was issued. It is on the stationery of the U.S. Department of Agriculture, Agricultural Stabilization and Conservation Service, Circle, McCone County, Mont. A letter was addressed to Representative JIM BATTIN, signed by E. R. Merriman, chairman, McCone County ASC Committee; Harold Meissner, vice chairman, McCone County ASC Committee; Milo O. Hilstad, regional member, McCone County ASC Committee; and Francis D. Kelly, county office manager, McCone County ASC. In this letter are set out the instructions which had been received; and they were objecting to them, because they were outside their duties. But in the letter they say:

> Those instructions were, in brief:
>
> 1. The county committee was to select and contact four local farmers who favor a "yes" vote to serve as promotional men between now and referendum day. It was our understanding that these people would work with the newly formed Wheat Commission in disseminating material on the wheat referendum.
>
> 2. The county officials were informed—

These were the ASC officials—

> that a fund slightly in excess of $900 had been made available and was earmarked for use in McCone County to promote a "yes" vote.

That is Government money, and that was admitted, finally, by the Secretary at the hearings.

I read further:

> It was suggested that this money be used in the following manner—Hold three meetings with the community committee to discuss and encourage a "yes" vote. It was suggested that one of these meetings be held in the evening with a "potluck" dinner where the wives would be present and county office officials could socialize with community committeemen and their wives for the purpose of encouraging conversation on ways to get out a "yes" vote.

That is Federal money.

Here is a photostatic reproduction of the Billings Gazette, of Billings, Mont., of Saturday, April 27, 1963, giving the story of these McCone County officials who objected to that use of Federal money and objected to their being directed to engage in that kind of lobbying activities.

Mr. LAUSCHE. Mr. President, will the Senator from Iowa yield for a further question?

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Does the Senator from Iowa yield to the Senator from Ohio?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. What logical explanation, if any, is given to justify the expenditure of the taxpayers' money in prosecution of the program outlined in that letter?

Mr. HICKENLOOPER. The rather strange explanation, in effect, given by the Secretary of Agriculture was that he had a duty to inform the people. I could agree that he has a duty to inform the people. But this situation is something like that of the man who said he was going to be neutral: If he is more neutral on one side than on the other, that is not a neutral operation. The entire gist of his so-called "informing the public" was to present only one side of the issue, rather than to explain both sides of it. We have illustrations of that—and they are set out in the hearings. They show that Government mailings were used in various counties to send out certain editorials which advocated a "yes" vote. But, so far as we know, they never sent out even one news story pointing out the evils which would result to the farmers. I referred to one illustration, because it was so apt: In another State, an editorial from the Des Moines Register, of my home State, was circulated, which advocated a "yes" vote. It was circulated through the medium of the ASC's; but in the same newspaper there was an article, written by one of the most famous and able columnists in Washington, who represents the publication; and in the article he pointed out that the farmer's freedom would be destroyed if the policies followed the lines of the wheat referendum.

The Department of Agriculture picked up the favorable "yes" story and circulated it at Government expense, but it did not pick up and circulate the story that pointed out the evils and pitfalls in the wheat referendum. It is that kind of business to which I object.

So far as I know, for a good many years every Secretary of Agriculture prior to the present Secretary has taken the position that neither ASC committeemen nor other employees of the Department at the working level of the farmers are to be used for such purposes. In fact, it is illegal to use them. There is evidence of that.

What has happened? I do not know whether Senators have heard about the so-called famous loyalty oath that the Secretary has now forced on the ASC committeemen in our country, but here it is. It is contained in the March 1, 1963, issue of the Federal Register.

Bear in mind that when something is published in the Federal Register, it becomes the law and the gospel. But it is not contained in the basic law at all. What the Secretary has said and published in the Federal Register appears under the title "County and Community Committeemen." The statement is as follows:

> The terms of office of county and community committeemen and alternates to such office shall begin on the first day of the month next after their election, provided, however, that before any such county committeeman or alternate county committeeman may take office—

I ask Senators to listen particularly to the following:

> he shall sign a pledge that he will faithfully, fully, fairly, and honestly perform, to the best of his ability, all the duties devolving on him as a committeeman—

What follows is really the meat of the statement:

> and that he will support the programs he is called upon to administer. A term of office shall continue for 12 months or until a successor has been elected and qualified.

When that statement was called to the attention of the Secretary in the hearings, he said, "That is merely a repetition of what has been on the books for a long time, with a little embellishment."

We checked it out and found that it was unprecedented and an innovation. It is a new loyalty oath which would swear the people concerned to support anything the Secretary of Agriculture tells them to support, whether they believe it or not. It takes them out of the category of people serving the farmers and makes them tools at the political direction of the Secretary of Agriculture.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. WILLIAMS of Delaware. Is not what the Senator read an extension of a directive issued about a year ago by the Secretary to the employees of the Department of Agriculture directing them not to make speeches against the administration's program, but when we got into the question and examined it, we found that the employees were threatened with being fired if they made speeches against the program. Finally Mr. Macy, Chairman of the Civil Service Commission, overruled that decision and made the Department change it.

Mr. HICKENLOOPER. Yes; it is a part of the same pattern.

Mr. WILLIAMS of Delaware. There has been an effort and determination on the part of the administration to make the farmers fall into line, or else.

Mr. HICKENLOOPER. The Senator is correct. I should like to present the final clincher as it appears in the Federal Register on the same date, March 1, 1963. We all know that if the ASC committeemen do not perform their duties under the law, or refuse to do so, they can be fired as any other employee can be fired, for cause. But I ask Senators to listen to the following statement entitled—"Secretary, Administrator, or Deputy Administrator not precluded from exercising authority."

The following is the provision:

> Nothing in these regulations shall preclude the Secretary, Administrator, Agricultural Stabilization and Conservation Service, or Deputy Administrator, State and county operations, Agricultural Stabilization and Conservation Service, from administering any or all programs or exercising other functions delegated to the community committee, the county committee, State committee, or any employee.

The provision states in a few words that at any time the Secretary desires to do so, he may fire the whole kit and caboodle. He may take over their jobs. They are out. He may substitute other people for them, in spite of the fact that the ASC people are supposed to be elected by their friends and neighbors and serve their friends and neighbors. The Secretary can remove them at any time he wishes to do so. A life and death decision over jobs is held in the Department of Agriculture under that provision.

The provision continues:

> In exercising this authority, either the Secretary, Administrator, or Deputy Administrator may designate a person or persons of his choice to be in charge with full authority to carry on the programs or other functions without regard to the committee, committees or their employees for such a period of time as may be necessary.

If we wish to talk about the spoils system, direction, control and coercion from the top, we have it in the loyalty oath and the ability which the Secretary has created for himself to fire at will and to take over responsibilities at will without any cause whatsoever.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. The Secretary of Agriculture might be justified in expecting the employees of his Department to perform fully their duties required under existing law. I can see that he could exact from an employee a commitment that he will faithfully enforce existing laws, and see that they are carried into effect.

Mr. HICKENLOOPER. And administer the law. The Senator is correct.

Mr. LAUSCHE. Seemingly, under that oath the Secretary of Agriculture could exact from an employee an absolute commitment that the employee would further and support a program not then in existence.

Mr. HICKENLOOPER. There is no question about it.

Mr. LAUSCHE. On the latter aspect of the problem, I would say that simple rationality and a simple ethical approach would not justify the Secretary of Agriculture in saying to an employee, "You commit yourself to support this new program which has been evolved, and unless you support that new program you put yourself in danger of being severed from the administration."

Mr. HICKENLOOPER. I point out to the Senator that it goes even further than that. The regulation which I last read to the Senator does not provide that the Secretary or his subordinates may move in and take over if the committees or committeemen do not do their job. It does not so provide at all. It blankly provides that any time the Secretary desires to move in and take over, regardless of cause, he can move in.

The regulation had provided that in the event any committeeman or committees failed to perform the necessary functions of administering the existing law, the Secretary is warranted in moving in and replacing the deficient committeeman or committeewoman who is failing to do his or her duty. There would be nothing wrong with that, in my opinion. The statement I have read does not so provide. The Secretary would not need an excuse. A committeeman might be working like a beaver, and yet the Secretary could throw him out and put somebody else in, in spite of the fact that the committeeman had been elected by his friends and neighbors.

Mr. LAUSCHE. I thank the Senator.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Louisiana.

Mr. ELLENDER. Is it not a fact that several letters were produced by the distinguished Senator from Iowa, wherein the committeemen were opposed to the program, and the Secretary made no effort to remove them?

Mr. HICKENLOOPER. Some letters were produced, to show that committeemen were opposed to the program.

Mr. ELLENDER. The Senator from Iowa produced them.

Mr. HICKENLOOPER. I say, some letters were produced, to show that the committeemen were opposed. I do not know whether the Secretary made any effort to remove them or not, and I do not know what he will do after the bill is passed.

Mr. ELLENDER. The record shows he did say that.

Mr. HICKENLOOPER. He had not, up to that time.

Mr. ELLENDER. He did say that he would not remove them, that he had no right under the law to do so. That was the effect of it.

Mr. HICKENLOOPER. It is clear and unequivocal under this regulation. I do not know how anyone could read it any other way.

Mr. ELLENDER. That is administrative, as the Senator from Ohio stated.

Mr. HICKENLOOPER. Certainly.

Mr. ELLENDER. With respect to doing regular work one might apply that provision, but the Senator cited case after case, as I remember, in which a committeeman was opposing the referendum, and nothing has been done. Nothing will be done.

Mr. HICKENLOOPER. I would not be able to say.

Mr. ELLENDER. So the Secretary of Agriculture stated.

Mr. HICKENLOOPER. I am willing to concede, on the record, that nothing had been done up to that time. I am not willing to concede that nothing will be done about these men when they get this thing out of the woods. I would rather tremble for their jobs, if they want to keep them.

Mr. ELLENDER. They are not appointed by the Secretary; they are elected by the farmers.

Mr. HICKENLOOPER. They could be removed, under this regulation, without any excuse, at the whim of the Secretary.

Mr. ELLENDER. But they are elected by the farmers.

Mr. HICKENLOOPER. Yes.

Mr. ELLENDER. Exactly.

Mr. HICKENLOOPER. That is the curse of it. They are elected by the farmers, but the Secretary could remove them at will without cause or shortcoming, if he so desires, under this regulation.

Mr. ELLENDER. The Senator asked a question about the $900, as shown at the bottom of page 75 of the hearings before the Senate committee. I read from the hearings:

> Senator Hickenlooper. I thought in view of the discussion awhile ago about the $900 being available in this one county for holding barbecues and meetings and socializing affairs, that it might probably extend to per diem and mileage and so on, of the ASC committees. But I think the record will have to show that at some later date when we can get to it.
>
> Secretary Freeman. The $900 is to conduct the referendum.
>
> Senator Hickenlooper. Conduct the election? Including the socializing meetings and the free eating for advocating.
>
> Secretary Freeman. Sir, you are very persistent to put words in my mouth. What I said was the $900 was to carry forth the referendum because the county committee in question had not allowed funds to do this. They asked for some $8,000 increase. They got $900. We had the mandate of the Appropriations Committee very much in mind and we did not give them what they asked.

As the Senator recalls, certain pamphlets were printed which were distributed in this particular county and in other counties, and that is what the $900 was to be used for. It will be used, as the Secretary stated, to conduct the election. They will need booths.

Mr. HICKENLOOPER. Again I will read what the county committeeman there said about the $900, so that there will be no uncertainty about it.

Mr. ELLENDER. He was the one against the referendum, was he not?

Mr. HICKENLOOPER. There are four of them. Four of them signed the letter. They said:

> The county officials were informed that a fund slightly in excess of $900 had been made available and was earmarked for use in McCone County to promote a "yes" vote.

That does not say anything about conducting a referendum. It says "to promote a 'yes' vote."

Mr. ELLENDER. Who signed that?

Mr. HICKENLOOPER. I read the names awhile ago.

Mr. ELLENDER. I understand they were against the referendum.

Mr. HICKENLOOPER. It was signed by E. R. Merriman, chairman, McCone County ASC; Harold Meissner, vice chairman, McCone County ASC; Milo O. Hilstad, regional member, McCone County ASC; and Francis D. Kelly, county office manager, McCone County ASC.

I read further from their letter:

> It was suggested that this money be used in the following manner:
>
> Hold three meetings with the community committee to discuss and encourage a "yes" vote. It was suggested that one of these meetings be held in the evening, with a potluck dinner where the wives could be present, the county officials could socialize with community committeemen and their wives for the purpose of having conversation on ways to get out the "yes" vote.

Nothing is said about a referendum. It was "to get out the 'yes' vote." That is what they say the $900 was for. I was not there. I did not see any part of the $900. All I know is what these people stated in their letter.

Mr. ELLENDER. I am sure the Senator wishes to be accurate. Let us see what the Secretary of Agriculture said about this:

> Senator Hickenlooper. I think it is easily established——

Mr. LAUSCHE. Mr. President, from what is the Senator reading?

Mr. ELLENDER. I am reading from the top of page 91 of the hearings:

> Senator Hickenlooper. I think it is easily established—the fact is easily established that the instructions went out from that local headquarters. Whether they went back up and were authorized and directed at the top, I am not certain.
>
> Secretary Freeman. This is not correct. I think that we ought to be a little accurate if we are going to mention the $900 so that there will be that—I know that you would want a factual record—that there was a discussion between a farmer fieldman and a county chairman as to certain funds that had been requested by the county. Now, the nature of that discussion and what was said seems to be very strong difference of opinion about it.
>
> What you relate is what the county chairman said the farmer fieldman said. What they believe was said to the county chairman is quite diametrically different; and therefore, I guess in that kind of thing you take your choice, but this is, certainly not an established fact and the record ought to show that.
>
> Senator Hickenlooper. In Arizona the ASC organization there, the chairman of the Arizona ASC State committee, sent to all county and community ASC committeemen and county office managers, on the stationery of the Department of Agriculture, a bulletin on May 21, 1963—no; it was sent out on April 11, 1963—they have a date of May 21, 1963, on it. I got the date of the referendum first.
>
> Mr. O. W. Rugg signs this. He does that apparently as State chairman. Among other things, this says:
>
> "For whatever reason, an organized campaign is being waged to coerce the wheat farmers of the country into voting no.
>
> "The issues involved are not being accurately or impartially discussed and analyzed. Misinformation, distortion, emotionalism, and all manner of pressure tactics are being employed. Whether or not the wheat farmers understand specifically why they should vote no, or whether or not such a vote would be in their own or the Nation's best interests, aren't being given such consideration."
>
> This is in the official bulletin sent out to the community ASC committeemen, the county office managers by the chairman of the Arizona State committee.
>
> He says further, under the heading of "Misinformation," which he referred to above:
>
> "The new act and the economic importance of wheat would make it necessary for us to assign the highest priority to the wheat program even if there were no organized opposition. Unfortunately, so much misinformation is being spread that we must work doubly hard to make the program understood.
>
> "An illustration is recounted in a news story in the Des Moines Register, March 30. The reporter, Charles Bailey, states:
>
> "'The actual text of Freeman's remarks indicates that the quote used by Shuman is not only out of context, but inaccurate. This reporter was among a half a dozen newsmen who flew from Washington and heard these speeches.'"
>
> I am not too sure that is appropriate to my particular comment.

The Senator admits that, I presume. The Senator remembers that, does he not? It is in the hearings.

Mr. HICKENLOOPER. Remember what?

Mr. ELLENDER. That the quotation was inappropriate to what he was trying to prove. That appears at the bottom of page 91 of the hearings.

Mr. HICKENLOOPER. Yes. I said that.

Mr. ELLENDER. Certainly.

Mr. LAUSCHE. Mr. President, will the Senator read again the oath that is required?

Mr. MANSFIELD. It appears on page 35.

Mr. LAUSCHE. Mr. President, will the Senator yield for a statement?

Mr. HICKENLOOPER. Yes, I yield.

Mr. LAUSCHE. It seems to me that, regardless of what the Secretary of Agriculture says his action will or will not be with regard to a violation of that oath, the fact remains that when the oath is exacted the person who takes the oath is placed under a threat, and the result must in many instances be a fear of violating the oath. Whether the persons are to be separated from their employment, or whether disciplinary action is to be taken or not taken to alleviate the wrong, the fact is that everyone who is working in pursuance of this program realizes the commitment which was made and that the violation of it might bring disciplinary action.

Mr. HICKENLOOPER. This is an "or else" order—"You either do it or else."

Mr. LAUSCHE. Yes. Even though nothing is done, the fact is that it has a coercive impact.

Mr. HICKENLOOPER. That is correct. There is no question about it.

Mr. LAUSCHE. I do not believe the Senator from Louisiana has heard what I have said, but it is no answer to me to say that the Secretary of Agriculture has made the statement that no disciplinary action has been taken, and that no action will be taken. The state of mind of the person upon whom it operates must be "I have taken an oath. I must support the program. Even though the Secretary says he will not take disciplinary action, to be honest with myself, to be honest with the declared commitment I made, I had better support the program which the Secretary of Agriculture is promulgating."

Mr. HICKENLOOPER. Yes, because the man can well say, "Because I have already signed a commitment to do it, I had better do it."

Mr. LAUSCHE. That is what I had in mind.

Mr. HICKENLOOPER. He could also say, "I was required to sign and required to commit myself in advance, before I was permitted to take office."

Mr. LAUSCHE. To the contrary, if the Secretary did not expect the oath to be fulfilled, why did he ask that the oath be taken? Does he mean to say that a breach of the oath is thoroughly proper? He certainly cannot say that.

Mr. HICKENLOOPER. The Senator has raised a point of administrative morals. There is no question of it. What is the purpose of the oath if violators of the oath are not to be punished?

Mr. LAUSCHE. If the Secretary states that, "Even though you violate the oath, no action will be taken," does he mean to imply that he exacted an oath and did not expect it to be fulfilled? If he contemplated that course of action, I think the whole subject would become more reprehensible than it was in the beginning.

Mr. HICKENLOOPER. I thank the Senator for his contribution.

Mr. KEFAUVER. Mr. President, does the Senator from Iowa yield the floor?

Mr. HICKENLOOPER. No. I still hold the floor. I may not be speaking loud enough for the Senator from Tennessee to hear me——

Mr. KEFAUVER. Will the Senator yield for a short time?

Mr. HICKENLOOPER. I am just looking for a paper that has been mislaid on the desk. How long does the Senator wish me to yield to him?

Mr. KEFAUVER. Five or six minutes.

Mr. HICKENLOOPER. I could not yield for that length of time, because I expect to be through in that time, myself. If the Senator will be patient, I shall finish very shortly.

Mr. President, I shall have an opportunity tomorrow to put certain information in the Record. I have a confusion of papers at my desk, and I misplaced one I wanted to use.

I ask unanimous consent to insert in the Record at this point in my remarks an article in Wallace's Farmer of April 20, 1963, under the heading of "Washington Report—Wheat Vote Will Leave Scars!"

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Wallace's Farmer, Apr. 20, 1963]

Washington Report—Wheat Vote Will Leave Scars

"Were it simply a matter of winning this thing on a vote-for-vote basis, I believe we could do it; I wouldn't be worried. But when you need two votes for your opponents' one, it's a different situation. I just can't be very optimistic."

This studied appraisal by a high Federal official refers, of course, to the upcoming wheat referendum. A career man here says it even more succinctly: "We are running scared."

Despite, or perhaps because of, this attitude of underdogism (an attitude which policymakers do their best to hush) USDA wages a no-punch-pulled battle to salvage a victory. The fact that both sides are determined to win regardless of cost becomes increasingly obvious each day.

Win or lose, the cost promises to be high. In dollars alone, it's big money. But the cost will not be paid in dollars alone. Scars from the battle may long outlast results of the referendum itself.

Justified or not, USDA—as a Federal agency—draws more than its share of criticism for conduct of the ensuing battle. USDA men contend they were left no choice other than to defend the certificate plan in an effort to offset the smear efforts of opponents. Insists one Freeman defender, "The Secretary has an obligation to see that farmers understand both alternatives."

Even so, criticism alleging improper activities persists * * * dwelling on USDA's extensive propaganda campaign.

While official leaflets to be distributed to farmers exhibit usual technical objectivity, statements by ranking officials show sharply less detachment.

Administration men, insist their efforts are strictly educational. In a recent talk, Freeman said "my role and the role of the Department, is not to tell the farmer how he should vote, or even to advise him how to vote. Our function," said the Secretary, "is to present the facts and provide the farmer with the information he will need in order to make an informed decision in the referendum."

That the above should be the role of the USDA is agreed to by almost everyone. That it has, in fact, been the role of USDA is agreed to by almost no one.

Assertions that "farmers will have $700 million more income if they vote 'yes' ", and "it would be 'tragic' if our progress to develop reasonable trade relations on wheat were destroyed by a minority" appear difficult to jibe with the Secretary's contention he is by no means advising a farmer how to vote.

The tempo of the campaign likewise causes resentment within USDA ranks. Career Government employees fume—although usually silently—over having been recruited for a role in what has become a partisan fight.

Some feel the forced involvement undermines their agency's hard-earned confidence of farmers and, in turn, their ability to serve farmers.

Outside USDA, critics accuse the farm agency Secretary of pitting urbanites against farmers * * * placing farmers in a poor public light should they reject marketing quotas on wheat. Case in point is Freeman's recent comment: "The consumer and taxpayer will watch this referendum with special attention to determine whether the farmer is really serious about cutting surpluses and taxpayer costs."

Congressmen also complain in increasing numbers. An off-and-on Democratic backer of the administration calls USDA activities "completely out of line."

The often-voiced Capitol Hill comment is this: "In passing the 1964 wheat law calling for a referendum, Congress said, in effect, 'either outcome would be acceptable national policy; it should be a question of which one farmers preferred.' If the Department of Agriculture believed one of the possible alternatives would be unacceptable, it shouldn't have supported the bill. And the President shouldn't have signed it."

No less of an eventual dilemma faces Washington should quotas lose and the clamor begin for new legislation. So absolute have both Government men and lawmakers been in insisting there will or won't be new legislation that some may find themselves "politically embarrassed."

Similarly, USDA in its insistence on "this or nothing" may have neatly backed itself into a corner. "How," asks one observer, "can the Department insist in one breath that a quota defeat would be disastrous, and in the next breath contend—as the President has—that no new legislation would be needed?"

Mr. HICKENLOOPER. I ask also unanimous consent to have printed in the Record at this point in my remarks a letter signed by A. B. Thompson and William J. Thompson, of Grafton, N. Dak., which was published in the Christian Science Monitor of May 6, 1963, under the newspaper's heading "A Reader Writes: Federal Wheat Program."

There being no objection, the letter was ordered to be printed in the Record, as follows:

A Reader Writes: Federal Wheat Program

To the Christian Science Monitor:

It has always been our impression that the intention of the Federal wheat program was to support the price of bread wheat. The wheat supported was wheat intended for milling purposes, not feed. Most of the wheat held by Government now in storage is not good milling wheat, so we are just fooling ourselves. It is not fit in most cases for anything but feed. It has been just about impossible for the Government to get rid of it on the feed market because by law they can't sell it below certain price levels which are too high for feed. In the foreign markets the bread wheat held by the Government is so out of condition by long periods of storage or impurities that have been blended into it that the foreign markets don't want it.

It is our opinion that the past operation of the Federal support program has not been to the benefit of the bread wheat grower or to the durum wheat grower as he has lost millions of acres under this rationing type of program. Under the present and proposed program, wheat is considered wheat; there is too little regard as to the use factor. Wheat that doesn't have the best milling characteristics is supported at the same overall price. If the wheat referendum vote defeated the Federal Government program, much of the quality bread wheats, in our opinion, would again recapture their traditional markets.

The new proposal is supposed to bring supply into better balance with the market. This no one can count on, for who can control the weather? The small growers take the brunt of the volume cut because there are so many of them. This works against the purpose of the Federal program because it was passed with the intention of helping the small farmer. The only farmer it has helped is the big farmer, who started out with a big allotment at a guaranteed price. The small farmer has been cut across the board on his acreage the past few years to the point that along with higher growing costs he has very little benefit left to him. How can acreage or bushel allotment based on past production possibly help the small farmer?

Any Government program that tries to control the whole programing of a commodity such as wheat on a national scale has to be so broad in its coverage and application that it loses the very things that it was passed to do. We think a better plan would be one where the hard spring wheat or durum growers, for example, would organize along their own particular class of wheat and promote their own program. If they want to set a floor price, this could be done with controls among themselves. Contracts should be made between growers and users. On good authority it has been stated that foreign markets now would contract durum wheat at good profitable prices to the grower. There are plenty of grower organizations now which control directly or indirectly huge volumes of wheat that can act as a mediator for these contracts.

As we see it, the new wheat program as presented by Secretary Freeman will be as unworkable as the ones in the past. It will take more administrators because it calls for more controls. Under it the traditional wheat areas will take another acreage cut. The small farmer will be further restricted because his volume will be so small that his unit cost will be too high for him to compete successfully with the large grower.

A. B. THOMPSON
WM. J. THOMPSON.

GRAFTON, N. DAK.

Mr. HICKENLOOPER. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point in my remarks an editorial entitled "Wheat Controls: Yes 'or Else'?" which was published in Life magazine for May 10, 1963.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHEAT CONTROLS: YES "OR ELSE"?

Secretary Freeman and his mortal enemy, the Farm Bureau Federation, are in a brass-knuckle fight over wheat controls. The outcome may go a long way to determine whether the Government can ever get out of the farming business. On May 21 wheat growers will vote on Freeman's new production-control plan, the tightest ever. Two-thirds of the voters have to approve the Secretary's mandatory 10-percent acreage cut for it to take effect, and the outcome is in doubt.

Freeman denies that the Department of Agriculture is twisting farmers' arms to vote "Yes." However, the Department is using a blackjack argument in the 5 million copies of seven booklets and leaflets now being circulated, in the speeches of Department employees and in radio tapes starring Freeman himself. "With a 'yes' vote," Freeman tells audiences, "the price of wheat will be $2 a bushel; with a 'no' vote, $1 a bushel." You can't state an "or else" more baldly than that.

The Farm Bureau, which is against controls, and the National Federation of Grain Cooperatives, which is for them, certainly have the right to spend all the private money they want to influence the referendum. Freeman says his Department's campaign expense will be nominal. Nominal or not, it's still public money, causing critics of the Department to raise the question of propriety.

Moreover, Freeman doesn't know that wheat will go down to $1 a bushel if the farmers reject his plan. He is merely theorizing that, with his plan dead, farmers will grow wheat without regard to the market, drive the price down and cut their own throats. That isn't necessarily so.

At stake here is a principle much bigger than $2 wheat or $1 wheat. That is whether the role of Government in agriculture is to be reduced or vastly increased. The latter is what many people fear will happen if Freeman gets his "Yes" vote, and that's why we hope he doesn't get it.

Mr. HICKENLOOPER. Also, in connection with my remarks which I made earlier, at the beginning of my discussion about the investment in loans and the inventory of the Commodity Credit Corporation, comparing March 31, 1962, with March 31, 1963, I ask unanimous consent to have printed in the RECORD a bulletin of the U.S. Department of Agriculture recently released, namely USDA 1488-63. I would just as soon have it go at the end of my remarks, because I failed to put it in the proper place when I made the remarks awhile ago.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CCC OPERATING RESULTS AND STATUS OF CCC PRICE SUPPORT PROGRAM AS OF MARCH 31

Price-support loans and inventories: The U.S. Department of Agriculture reported today that as of March 31 the total investment of Commodity Credit Corporation in price-support loans and inventories amounted to $8,165,360,294 This total investment includes loans outstanding of $3,429,150,703 (lending agencies financed $1,313,726,002 of these loans) and inventories amounting to $4,736,209,591.

The March 31 estimate of the loss which will be realized upon ultimate disposition of price-support inventories amounted to $1,284,437,000 comprised of $153,225,000 estimated loss on commodities under loan and $1,131,212,000 estimated loss on inventories. These amounts of estimated losses are reflected as reserves for losses in the March 31 financial statements of the Corporation.

A comparison of total investment, the reserves for losses, and the net book value as of March 31, 1963 and 1962, follows:

	Investment	Reserve for losses	Net book value
Mar. 31, 1963:			
Loans	$3, 429, 150, 703	$153, 225, 000	$3, 275, 925, 703
Inventories	4, 736, 209, 591	1, 131, 212, 000	3, 604, 997, 591
Total	8, 165, 360, 294	1, 284, 437, 000	6, 880, 923, 294
Mar. 31, 1962:			
Loans	2, 908, 016, 352	138, 218, 000	2, 769, 798, 352
Inventories	4, 497, 070, 667	1, 156, 889, 000	3, 340, 181, 667
Total	7, 405, 087, 019	1, 295, 107, 000	6, 109, 980, 019

Items as of Mar. 31

Commodity	Quantity			Value	
	Unit	1963	1962	1963	1962
Grains:					
Barley	Bushel	40, 686, 329	39, 959, 445	$32, 858, 499	$33, 751, 781
Beans, dry edible	Hundredweight.	1, 852, 697	3, 884, 778	13, 347, 551	26, 433, 665
Corn	Bushel	907, 684, 791	851, 795, 530	1, 020, 795, 012	953, 711, 669
Flaxseed	do	5, 453, 380	395, 380	15, 329, 791	1, 094, 282
Grain sorghum	do	227, 539, 061	208, 149, 323	255, 983, 768	227, 075, 073
Oats	do	34, 859, 027	34, 901, 075	18, 497, 938	18, 432, 665
Rice, rough	Hundredweight.	2, 573, 611	1, 330, 395	13, 052, 806	6, 893, 483
Rye	Bushel	3, 467, 077	1, 984, 804	3, 124, 784	1, 755, 981
Soybeans	do	60, 386, 782	102, 925, 701	134, 973, 489	234, 156, 833
Wheat	do	274, 037, 205	217, 980, 636	574, 507, 158	392, 427, 619
Cotton:					
Extra long staple	Bale	35, 025	8, 921	9, 022, 544	2, 357, 050
Upland	do	5, 361, 554	3, 896, 312	835, 487, 684	655, 206, 716
Oils and peanuts:					
Peanuts	Pound	145, 710, 540	149, 193, 967	16, 615, 805	17, 669, 262
Tung oil	do	986, 227	7, 428, 720	236, 694	1, 791, 940
Tobacco:					
Rosin	do	163, 611, 888	63, 462, 784	16, 927, 155	6, 129, 115
Tobacco	do	641, 914, 388	476, 660, 051	468, 191, 046	326, 812, 916
Almonds	do		9, 839, 373		1, 967, 874
Honey	do	1, 609, 212	2, 833, 489	198, 979	348, 428
Total				3, 429, 150, 703	2, 908, 016, 352

Items in price-support inventory of CCC as of Mar. 31

Commodity	Quantity			Value	
	Unit	1963	1962	1963	1962
Grains:					
Barley	Bushel	27,908,626	32,002,180	$24,110,815	$27,422,648
Beans, dry edible	Hundredweight.	515,022	329,914	3,302,126	1,962,278
Bulgur	Pound	36,532,185		1,970,928	
Corn	Bushel	748,116,255	981,259,260	881,490,536	1,166,647,564
Flaxseed	do	113,743		376,943	
Grain sorghum	do	512,451,202	555,076,098	540,680,599	586,603,788
Oats	do	15,007,960	7,515,860	9,017,153	4,702,797
Rice, rough and milled	Hundredweight.	43,968	1,213,277	416,037	6,661,448
Rye	Bushel	500,008	3,223,446	542,860	3,185,355
Soybeans	do	9,405,915	894	22,326,820	2,098
Wheat	do	1,010,410,225	1,076,745,688	1,966,480,807	2,123,659,545
Wheat, rolled	Pound		9,360		920
Cotton:					
Extra long staple	Bale	15,865	14,868	4,350,337	4,127,249
Upland	do	4,684,086	1,448,627	809,720,414	245,273,034
Dairy:					
Butter	Pound	396,535,699	271,040,979	232,281,667	163,834,488
Butter oil	do	42,900,702		34,517,781	
Cheese	do	80,164,446	67,011,196	29,936,315	25,638,829
Ghee	do	455,322		369,883	
Milk, dried	do	698,712,991	425,091,846	104,084,352	71,250,465
Oils and peanuts:					
Cottonseed oil, refined	do	8,339,550		1,014,923	
Peanuts:					
Farmers' stock	do	31,251,604		3,399,995	
Shelled	do	31,269,869	5,597,496	5,897,553	653,133
Vegetable oil products	do	95,784,762	18,612,626	17,606,758	3,414,080
Turpentine	Gallon	926,233	1,729,744	486,018	907,639
Honey	Pound	1,037,746		129,950	
Exchange commodities: Strategic materials.				41,698,021	61,123,309
Total				4,736,209,591	4,497,070,667

The loan and inventory figures do not include "purchase agreements" which provide for purchase by CCC of stipulated quantities of price-support commodities if offered by producers at the end of the loan period. The estimated maximum commitment on outstanding 1962 crop purchase agreements at March 31, 1963, was $111,222,000. The estimated maximum commitment on outstanding 1961 crop purchase agreements at March 31, 1962, was $105,378,000.

Price-support extended: The total of price-support extended on 1962 crops alone through March 31, 1963, amounted to $3,626,670,685, consisting of price-support loans made, direct purchases made, purchase agreements entered into and purchases under special purchase programs. This compares with $3,146,326,102 on 1961 crops through March 31, 1962.

Movement into and out of CCC's price-support inventory: Agricultural commodities purchased or otherwise acquired by CCC in March had an acquisition cost value of $61,789,033 bringing the total for the first 9 months of the 1963 fiscal year to $1,736,069,401. For the same 9-month period a year earlier purchases and acquisitions amounted to $953,896,958.

Movement of agricultural commodities out of CCC's inventories in March totaled $272,172,160, acquisition cost value basis, making the fiscal year 1963 total through March of $1,498,374,484. The outmovements for the first 9 months of fiscal year 1962 totaled $2,044,093,833, acquisition cost value basis.

Borrowing authority: CCC operations are financed largely by borrowings, mostly from the U.S. Treasury, under its statutory borrowing authorization of $14.5 billion, this amount being the limit on borrowings that may be outstanding at any one time. CCC reserves a sufficient amount of this borrowing authority to purchase at any time all loans and other obligations held by private lending agencies under the Corporation's programs. As of March 31, CCC had in use $14,082,726,000 of this authority; actual borrowings from the Treasury amounted to $12,769 million and obligations to purchase loans financed by private lending agencies amounted to $1,313,726,000. This left a statutory borrowing authority available of $417,274,000.

Losses from operations: The Corporation's total net loss from all operations, including adjustments to reserves for losses, amounted to $1,674,619,092 for the 9-month period ended March 31, 1963, as compared to $1,690,683,509 for the same period a year earlier.

These losses for the months of fiscal year 1963 and 1962 as of March 31, are summarized as follows:

	Fiscal year 1963 through March 1963	Fiscal year 1962 through March 1962
Realized program gains and losses:		
Commodity inventory operations:		
Losses on dispositions	[1]*$318,856,338	*$527,131,124
Carrying charges:		
Storage and handling	[2] *279,655,444	*299,166,959
Transportation	[3] *82,946,797	*72,739,405
Total	*681,458,579	*899,037,488
Export payments and allowances	*119,356,035	*181,398,962
Special milk program for children	[4] 338,575	*73,920,211
Feed grain programs	*632,235,757	*719,597,742
Wheat stabilization programs	*261,040,262	*56,206,619
Reseal loan storage expense	*55,321,944	*53,723,574
Other	*1,730,943	1,534,852
Total program losses	*1,750,804,945	*1,982,349,744
Interest and other general income and expense (net)	*336,888,147	*274,933,765
Total realized losses	*2,087,693,092	*2,257,283,509
Adjustment of reserve for losses:		
Price-support programs	$413,030,000	$560,724,000
Other	44,000	5,876,000
Total adjustment	413,074,000	566,600,000
Net total loss	*1,674,619,092	*1,690,683,509

*Indicates loss.

[1] This net amount includes $365,120,992 losses relating to commodities acquired from 1961 and 1962 production.

[2] Includes $87,554,689 relating to storage and handling on commodities acquired from 1961 and 1962 production.

[3] Includes $25,317,988 relating to transportation on commodities acquired from 1961 and 1962 production.

[4] Represents refund of unused amounts advanced for prior fiscal years. This program for fiscal year 1963 is not financed by CCC.

Mr. HICKENLOOPER. I ask the majority leader at this time if he anticipates further business. I am about to conclude my remarks.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. MANSFIELD. It is my understanding the Senator from Alaska has a speech to make. I believe the Senator from Tennessee also has a speech to make.

Mr. KEFAUVER. A rather short one.

Mr. HICKENLOOPER. If I have any control over the situation, I would like the Senator from Tennessee to be recognized, because he asked me to yield to him. Then I assume the Senator from Montana plans to have the Senate recess until tomorrow, under the order.

Mr. MANSFIELD. Yes; after the Senator from Alaska speaks.

Mr. HICKENLOOPER. As a matter of convenience or procedure, because I am ready to yield the floor, I wish to call up my amendment numbered 85, if it is appropriate to make it the pending amendment in connection with the bill.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HICKENLOOPER. Mr. President, the amendment goes directly to the question of coercion of ASCS committeemen to go out and support the wheat program. There is no need to read the amendment. I ask unanimous consent that it may be printed in the RECORD at this point. It will be called up for consideration tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 12, after line 13, add the following new section:

"SEC. 105. Notwithstanding any other provision of law, local, county, and State committees created pursuant to the provisions of section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, shall not be used to influence farmers in regard to any legislation being considered by the Congress of the United States; to compel, coerce, or bring undue pressure upon farmers to participate in voluntary programs of the United States Department of Agriculture; or to provide other than factual information to farmers. None of the funds authorized to be appropriated by this Act nor any other funds which have been or will be appropriated to the United States Department of Agriculture shall be used to finance the foregoing prohibited activities."

Mr. ELLENDER. Mr. President, I ask unanimous consent, in connection with my colloquy with the distinguished Senator from Iowa awhile ago, to insert in the RECORD at this point answers of the Secretary of Agriculture on the question of the $900 item as well as the loyalty oath and efforts to influence the referendum to which reference has been made.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(Page 33 of committee hearings:)

Secretary FREEMAN. Let me answer that this way, if I may, Senator, that my instructions are to all employees of the Department to inform themselves and to respond to questions, to attend meetings, if you will, to present information, so that the farmers are informed as they vote on the referendum which the Congress directed that the Department should sponsor on wheat. And they are directed not to be advocates. I, personally, would, certainly, never dream of trying to tell anybody how to vote. But they are rather seeking to inform as to what the alternatives are on a rather complex question.

There have been a number of such allegations in connection with the campaign. There is an issue about which there is some feeling. And in most such contests, I am sure that there will be allegations, but my instructions—and I believe they are being carried out—are to inform the farmers, certainly, not to exhort them.

Senator AIKEN. Then it is your contention that neither you nor any other officials of the Department, with your knowledge, have undertaken to organize sentiment in favor of any vote on the wheat referendum?

Secretary FREEMAN. To my knowledge, all I can say is that I believe that our directives are being carried out.

* * * * *

(On page 34:)

Secretary FREEMAN. * * * this was brought to my attention in the House, I have looked into it. In this instance the letter refers to a conversation held between a former fieldman and his elected county committee pursuant to a request by the county committee for an additional allocation of funds. I believe that they asked for $5,000, because they were short of money. There have been or will have been two referendums held in this fiscal year. Obviously, this is a lot of work and is somewhat expensive. The State committee did not allocate the amount asked. They did allocate $900. And they told them that the $900 should be used to be sure that the referendum was properly carried forward and that the farmers within the area in which they have jurisdiction were adequately informed in connection with the issues. And that is the extent of it.

* * * * *

(On page 35:)

Senator AIKEN. I would like to ask the Secretary one more question. I happen to be reading the rules and regulations which were issued on March 1. I find when it comes down to the county and community committeemen, their terms of office, that is, it states: "County and community committeemen and alternates to such office shall begin on the 1st day of the month next after their election: *Provided, however,* That before any such county committeeman or alternate county committeeman may take office he shall sign a pledge that he will faithfully, fairly, and honestly perform, to the best of his ability, all of the duties devolving upon him as a committeeman and that he will support the program he is called upon to administer."

Does this mean under that regulation that you would hold that a county committeeman or a community committeeman would have authority to advise his wheatgrowers to vote "no"?

Secretary FREEMAN. Yes, sir.

Senator AIKEN. In the referendum?

Secretary FREEMAN. Yes.

Senator AIKEN. He would?

Secretary FREEMAN. Yes. I might comment on this, because it has raised some questions. I know that this committee is aware of the fact that the administration of the farm program, I think, is unique in the annals of government in any country that I know of. I do not know of any similar institution where elected county committeemen administer a program and make decisions involving the expenditure of many millions of dollars for which the Secretary of Agriculture is held responsible to the Congress and the people of the United States. Because of this structure, I think a good look, periodically, is healthy.

I appointed a bipartisan committee which made a study on the operations of the committee system. One of the recommendations was that in view of the responsibility of the Secretary and the necessity for effective administration that they thought that the people, in order to serve on county committees and community committeemen, ought to believe in the programs they carried forward and not be critical and hostile to them. And they recommended that the regulations be amended to provide that they should do so.

In view of that recommendation a proposed change in the regulations has been published in the Federal Register for all to see and give comments thereto. This does not mean that anyone is signing a blood oath, but it does say that they will honestly and faithfully carry this forward and in effect that if they do not believe in the program in question that they ought not to stand for election, because once elected they are called on to carry forward the programs passed by the U.S. Congress which I am responsible to administer.

And it seems to me that this is only logical and rational and as such this regulation has been promulgated in the Federal Register.

* * * * *

(On page 66:)

Secretary FREEMAN. I have carefully read these laws and regulations and feel that it is quite clear that it is one of the responsibilities of the ASC's and of the Department as a whole to inform the farmers of the alternatives of a decision that the Congress by law has set down for them to make.

Senator HICKENLOOPER. But do you—have your people been informing them of the alternatives or only giving them one side of the story, and that is the affirmative side, to vote "yes"?

Secretary FREEMAN. My instructions have been to give both sides, and we have had a number of pieces of literature prepared to that effect, that present both sides. There have been meetings held frequently in which there has been thorough discussion. As such, I feel that we are not acting improperly, but that we are only doing what we have a mandate to do.

* * * * *

(On page 74:)

Senator HICKENLOOPER. Now, Mr. Secretary, I would like to ask you, in view of the regulation and what has been referred to as the loyalty oath of ASC committeemen and community committeemen, which is now required to be signed by these people for eligibility for office, which I think is an innovation, and in view of the fact that the Department is clearly committed in its own opinion and your opinion to the desirability of an affirmative vote on this wheat referendum, if a county committeeman or a community committeeman go out and advise the farmers in their areas to vote no on this wheat referendum, does that violate their loyalty oath?

Secretary FREEMAN. Of course not.

Senator HICKENLOOPER. And are they perfectly free to do that, if they want to?

Secretary FREEMAN. Of course. Obviously, you have just read a letter from one of them. He didn't seem very frightened. The county committeeman that wrote the letter the Senator just read was not very afraid.

Senator HICKENLOOPER. I think they have a right to. I agree with you thoroughly.

Secretary FREEMAN. Sure.

Senator HICKENLOOPER. He was objecting to what he said was the pressure of the Department using the Department funds and ASC committee people to support this thing on the affirmative side, as a Government operation.

Secretary FREEMAN. Honestly, Senator, I think one of the problems that probably stems from his letter is that the fact, when you present both sides and the results are so overwhelmingly affirmative in favor of the benefit of the wheat farmer to vote yes, that those people who philosophically oppose the program then feel that there is a campaign on rather than a presentation of the honest facts.

That has been the problem.

* * * * *

(On page 75:)

Senator HICKENLOOPER. I thought in view of the discussion awhile ago about the $900 being available in this one country for holding barbecues and meetings and socializing affairs, that it might probably extend to per diem and mileage and so on, of the ASC committees.

But I think the record will have to show that at some later date when we can get to it.

Secretary FREEMAN. The $900 is to conduct the referendum.

Senator HICKENLOOPER. Conduct the election? Including the socializing meetings and the free eating for advocating.

Secretary FREEMAN. Sir, you are very persistent to put words in my mouth. What I said was the $900 was to carry forth the referendum because the county committee in question had not allowed funds to do this. They asked for some $8,000 increase. They got $900. We had the mandate of the Appropriations Committee very much in mind and we did not give them what they asked.

* * * * *

(On page 83:)

Secretary FREEMAN. May I just add, in response to that, I appreciate the Senator's comments. I, as a matter of policy, have not tried to exhort, because I was not trying to tell any farmer how to vote. Occasionally, if I were asked pointblank, if I were a wheat farmer, how I would vote, I would have said that I would vote "yes" and I would have said that honestly. On the other hand, I would assure you that there is not one iota of compulsion on anybody in any committee to do anything in connection with the referendum except the directive from the Secretary to participate in the process of distributing information, to answer questions, to attend the meetings, and to make available to the wheat farmers who will be called on to vote in the referendum such help, and there is no connection whatsoever between what you refer to as the loyalty oath. Moreover, I repeat again that the oath is not yet a matter in force and effect since the actual wording of the pledge itself has not yet been decided upon by the Department. They have no connection whatsoever.

The proposed regulation, as I said this morning, is a product of the recommendations of the advisory committee that worked for many months on it, that felt that this would serve to tighten up some of the regulations, some of the things that were needed, but has no relationship whatsoever. And as to my knowledge it has never been referred to in connection with the wheat referendum at all.

* * * * *

(On page 90:)

Senator HICKENLOOPER. I think the editors of quite a few newspapers are against the program. I do not believe there is as much support for it as many of us would like to believe.

We have already discussed the instructions to the people in McCone County, which is quite an interesting revelation.

Secretary FREEMAN. I would think that the record should show that no such instructions have been proven or established. This is purely a letter, and it is totally hearsay.

Senator HICKENLOOPER. Well, I presume that the people who got the letter did not have the facility to go back here to the Department of Agriculture and find out. They probably took it on its face value, because it came out from officials of the ASC there and they undoubtedly assumed that it was, whether it is true or not. I am not going to the complete authenticity of it.

Secretary FREEMAN. I am glad that you acknowledge that it is not an established fact, along with proving that it was merely conjecture, a biased statement.

Senator HICKENLOOPER. No.

Secretary FREEMAN. By county chairmen who allegedly are so coerced by the Department that they tremble in their boots and would not dare oppose a program.

The CHAIRMAN. Is he still a member?

Secretary FREEMAN. He was and is a committee member.

Senator HICKENLOOPER. You have got your record of these protests; have you taken action here?

Secretary FREEMAN. Not that I know of.

Senator HICKENLOOPER. No?

The CHAIRMAN. Is he still a member—has he been thrown out?

Secretary FREEMAN. No. There would be no basis for throwing him out.

Senator HICKENLOOPER. I think it is easily established—the fact is easily established that the instructions went out from that local headquarters. Whether they went back up and were authorized and directed at the top, I am not certain.

Secretary FREEMAN. This is not correct. I think that we ought to be a little accurate if we are going to mention the $900 so that there will be that—I know that you would want a factual record—that there was a discussion between a farmer fieldman and a county chairman as to certain funds that had been requested by the county. Now, the nature of that discussion and what was said seems to be very strong difference of opinion about it.

What you relate is what the county chairman said the farmer fieldman said. What they believe was said to the county chairman is quite diametrically different; and therefore, I guess in that kind of thing you take your choice, but this is, certainly, not an established fact and the record ought to show that.

Senator HICKENLOOPER. In Arizona the ASC organization there, the chairman of the Arizona State committee, sent to all county and community ASC committeemen and county office managers, on the stationery of the Department of Agriculture, a bulletin on May 21, 1963—no; it was sent out on April 11, 1963—they have a date of May 21, 1963, on it. I got the date of the referendum first.

Mr. O. W. Rugg signs this. He does that apparently as State chairman. Among other things, this says:

"For whatever reason, an organized campaign is being waged to coerce the wheat farmers of the country into voting no.

"The issues involved are not being accurately or impartially discussed and analyzed. Misinformation, distortion, emotionalism, and all manner of pressure tactics are being employed. Whether or not the wheat farmers understand specifically why they should vote no, or whether or not such a vote would be in their own or the Nation's best interests, aren't being given such consideration."

This is in the official bulletin sent out to the community ASC committeemen, the county office managers by the chairman of the Arizona State committee.

He says further, under the heading of "Misinformation," which he referred to above:

"The new act and the economic importance of wheat would make it necessary for us to assign the highest priority to the wheat program even if there were no organized opposition. Unfortunately, so much misinformation is being spread that we must work doubly hard to make the program understood.

"An illustration is recounted in a news story in the Des Moines Register, March 30. The reporter, Charles Bailey, states:

"'The actual text of Freeman's remarks indicates that the quote used by Shuman is not only out of context, but inaccurate. This reporter was among a half a dozen newsmen who flew from Washington and heard these speeches.'"

I am not too sure that is appropriate to my particular comment. [Laughter.]

Secretary FREEMAN. Please finish.

Senator HICKENLOOPER. I say—the reason I say that is that if necessary, we will get the whole statement to see whether it was taken out of context or not. This did not go particularly to the point that I was trying to make, but the whole speech, and the question of whether or not it was taken out of context or not, I think is subject to judgment by anybody who sees it and I did not intend to go into that at this particular moment, because it is collateral to this matter.

Also, this letter on Government stationery quotes Drew Pearson's radio broadcast, March 24, which is carried at company expense in Mr. Pearson's column, apparently, at least this portion of it, which is as follows:

"Well, there was a lot of protest against doctored photographs in Joe McCarthy's day, but the American Farm Bureau has now distributed an interesting doctored radio broadcast to 500 radio stations. It carries a speech by Charles Shuman, head of the Farm Bureau, with parts of a speech by Secretary of Agriculture Freeman. Secretary Freeman's voice is given in an angry, stepped-up tone, while Shuman's voice is calm and resonant.

"In situations of the kind illustrated here, we will have a hard job getting the plain facts of the program separated from the emotional fog and clearly understood. But we must succeed."

This last is Mr. Rugg's statement. Mr. Shuman's voice is calm and resonant ended the quote.

Secretary FREEMAN. It is very uncomplimentary to me.

Senator HICKENLOOPER. This is a cumulative part of the practice to build up what the Department is doing and putting pressure on the people down at the grassroots.

Secretary FREEMAN. I am sure that we would disagree with that. The facts should be clearly understood. I am sure that you will not disagree with that.

Senator HICKENLOOPER. You say that I would disagree?

Secretary FREEMAN. I am sure that you will agree with that.

Senator HICKENLOOPER. That I thoroughly agree with you. That is why I say that you should be presently given the other side of it.

Secretary FREEMAN. Really, that letter you would consider a sensible piece of work by the chairman in question.

Senator HICKENLOOPER. Well, I do not know how sensible it is. I still think that you sent only part of it and it does not discuss the other side of it.

Secretary FREEMAN. He wanted to be sure that they got the facts. He did not discuss anything.

Senator HICKENLOOPER. I think that if you read this letter, he did. That is the whole thing. Anybody votes no is crazy, is what it says.

Well, be that as it may, I do not mean to go into the merits of the matter except to show the cumulative buildup of facts.

Senator PROXMIRE. Can I read that letter?

Senator HICKENLOOPER. Yes.

Senator YOUNG. I am not clear what you are trying to bring out. Do you think that the Government should explain all other alternatives?

The Government's only obligation is to explain the law? Are you advocating that the Government explain all other alternatives, too?

(On page 96:)

Senator EDMONDSON. This letter here that you referred to a minute ago of April 1963, from the Arizona ASC, rather than creating a prima facie case of coercion, I believe, almost proves conclusively that there is no coercion. In this the chairman of the Arizona ASC State Committee states this:

"It is our duty as employees and representatives of ASCS to provide the wheat farmer with factual information about this program. It is our obligation to him to insure that the vote he casts in this referendum ('yes' or 'no') is based on his own conclusions drawn from a thorough understanding of the issues involved.

"If he goes to the polls prepared to vote 'no' solely because he has been high-pressured into doing so, without being given a fair chance to form his own opinions and make up his own mind, we will have failed."

Senator PROXMIRE. Read the last paragraph.

Senator EDMONDSON (reading):

"We want the wheat farmer who casts his vote on May 21 to be a well-informed person, who will vote according to his own best judgment. This is our responsibility and our challenge."

Rather than create any impression of a prima facie case as to the Department of Agriculture, it is the contrary. I think it should be admitted into the record.

The CHAIRMAN. I thought that it was put in the record.

Senator HICKENLOOPER. I thought that it was put in.

The CHAIRMAN. Without objection, that letter will be put into the record.

(The letter is as follows:)

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION AND
CONSERVATION SERVICE,
Phoenix, Ariz., April 11, 1963.

To: County and community ASC committeemen, county office managers.

From: Chairman, Arizona ASC State Committee.

Subject: Wheat program for 1964.

MAY 21, 1963

Although Arizona is not a major wheat-producing State, I am sure all of us are aware of the significance of this date.

On that day the wheat farmers in the Nation will cast their ballots in the 1964 wheat referendum.

Normally, after having been fully informed of the provisions of a farm program through our State and county committees, the growers who will be affected by the outcome of a referendum are permitted to make their own decisions on how they will vote.

However, in this case it is not so. For whatever reason, an organized campaign is being waged to coerce the wheat farmers of the country into voting "no." The issues involved are not being accurately or impartially discussed and analyzed. Misinformation, distortion, emotionalism, and all manner of pressure tactics are being employed. Whether or not the wheat farmers understand specifically why they should vote "no," or whether or not such a vote would be in their own or the Nation's best interests, aren't being given much consideration.

This situation is summarized in the following statement from Horace B. Godfrey, Administrator, ASCS:

"Misinformation: The new act and the economic importance of wheat would make it necessary for us to assign the highest priority to the wheat program even if there were no organized opposition. Unfortunately, so much misinformation is being spread that we must work doubly hard to make the program understood.

"An illustration is recounted in a news story in the Des Moines Register, March 30. The reporter, Charles Bailey, states: 'The actual text of Freeman's remarks * * * indicates that the quote used by Shuman is not only out of context, but inaccurate. This reporter was among a half-dozen newsmen who flew from Washington and heard the speeches.'

"The news story starts out as follows:

" 'The specter of American farmers reduced to the status of faceless punchcards in a brainless electronic machine is being raised by the American Farm Bureau Federation in its campaign against the Kennedy administration's wheat plan.'

"Drew Pearson's radio broadcast March 24 included this:

" 'Well, there was a lot of protest against doctored photographs in Joe McCarthy's day, but the American Farm Bureau has now distributed an interesting doctored radio broadcast to 500 radio stations. It carries a speech by Charles Shuman, head of the Farm Bureau, with parts of a speech by Secretary of Agriculture Freeman. Secretary Freeman's voice is given in an angry, stepped-up tone, while Shuman's voice is calm and resonant.'

"In situations of the kind illustrated here, we will have a hard job getting the plain facts of the program separated from the emotional fog and clearly understood. But we must succeed."

The attached excerpt from a talk by Under Secretary of Agriculture Charles F. Murphy sheds more light on the issues at stake in this referendum.

You have already been furnished a good deal of material explaining the provisions of the 1964 wheat program. More will be supplied as it becomes available.

It is our duty as employees and representatives of ASCS to provide the wheat farmer with factual information about this program. It is our obligation to him to insure that the vote he casts in this referendum ("yes" or "no") is based on his own conclusions drawn from a thorough understanding of the issues involved.

If he goes to the polls prepared to vote "no" solely because he has been high-pressured into doing so, without being given a fair chance to form his own opinions and make up his own mind, we will have failed.

We want the wheat farmer who casts his vote on May 21 to be a well-informed person, who will vote according to his own best judgment. This is our responsibility and our challenge.

I know we will meet it.

O. W. Rugg.

On page 109:

Senator Proxmire. Mr. Secretary, I want to commend you for the way that you have handled the vigorous, hard-hitting, and powerful, and protracted cross-examination from my distinguished colleague from Iowa.

I think you have held up extraordinarily well, and I think that this case which the Senator from Iowa so skillfully built on "direct coercion" impresses me with this fact.

There are, as I understand it, 1,600,000 farmers eligible to vote roughly in the new referendum?

Secretary Freeman. Yes, sir. Depending upon the number of small farmers who sign up to participate.

Senator Proxmire. And a million are expected to vote in it.

There are approximately 9,000 county ASC committeemen throughout the country, maybe two-thirds or half of whom are interested actively in this program; 80,000 community ASC members, and yet I have not heard one single instance, not one, not a single one, of any ASC man who has told a farmer that he should vote "yes."

Now, it is true that there have been some editorials sent out from one ASC level to another that advocate a "yes" vote from an Iowa newspaper, but I have not heard of a single instance of violation of the order you have given ASC personnel to provide information and not tell farmers how to vote.

And it is remarkable to me that this referendum is being conducted in this way when there are so many people involved who feel so deeply, and who have such a tremendous economic stake.

And I want to congratulate you not only on the restraint that you have exhibited but on the remarkable discipline in your Department and among your people.

They have apparently been faithful to the directions which you have given them and they have done their best to inform the farmers on what the issues are without becoming advocates.

And nothing, nothing is harder, particularly in our country, where we are so active and vigorous and proud of our political position.

We go out and say, "Vote for Freeman," or "Vote against Freeman," or "Vote for Proxmire," or "Vote against Proxmire."

But these people have been successful in maintaining this kind of discipline.

I think exhibit 15, of the Senator from Iowa's "Case for Coercion" which the Senator from Oklahoma read, certainly should be a banner exhibit on your side in this cause as he read those paragraphs.

That particular ASC official instructed other ASC officials to be very sure that they only informed farmers what the facts were, and that they let them make up their own minds.

Mr. HICKENLOOPER. Mr. President, I have found the papers for which I was looking. I shall conclude my remarks with the request that they be printed in the Record at this point. I refer to an editorial entitled "Wheat Fact and Fancy" which was published in the Des Moines Register of my home State, on March 6, 1963. It was circulated in the form of a bulletin by the Twin Falls County, Idaho, ASCS Committee on March 26, 1963. It criticizes the opposition to a "yes" vote in the referendum. I understand that the editorial was also circulated by the ASCS Committee of Monroe County in Michigan.

Later an article entitled "Wilson Sees Wheat Vote 'Yes' As Disastrous" was published in the Des Moines Register of April 7, 1963. The ASCS Committee did not see fit to circulate the Wilson article.

This shows a pattern of scattering this information. The ASCS people use Government stationery and Government time only to scatter information of a favorable type to them, but do not use any information published in the same newspaper arguing on the other side of the question. I ask unanimous consent that the editorial and the article be printed in the Record at this point in my remarks.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Des Moines (Iowa) Register, Mar. 6, 1963]

Wheat Fact and Fancy

The Farm Bureau is conducting a major drive to defeat the new wheat program which will go into effect in 1964 if two-thirds of the growers vote in favor of it in a referendum in June of this year. The Bureau says the basic issue is "whether the farms of America are to be managed by farmers or by a Government bureaucracy." It says a favorable vote would "give a great boost" to the administration's efforts to expand "supply management" to other commodities, but a "no" vote would be interpreted as a sign farmers do not want additional compulsory supply management programs.

This view of the wheat referendum seems unduly apocalyptic.

If farmers vote for the program, they will not be committing themselves to it for all time to come, but only for the 1964 wheat crop. If the program proved in practice to be as bad as the Farm Bureau says it is, surely this would be apparent to farmers, and they could reject the program on the next vote. And Congress could change it. What farmers are voting for in this referendum is not a new direction for all farm programs, as the Farm Bureau says, but a trial of a new plan for wheat.

The Farm Bureau is sounding dire warnings about the wheat "controls" which Charles B. Shuman, president of the organization, says are the "tightest, most restrictive ever proposed for any farm crop." That is extreme language, and it is careless language. Many kinds of controls have been proposed since 1920.

The wheat controls are no tighter than those which have been in effect for tobacco and cotton for years and are not as tight as the controls for sugar. The Farm Bureau consistently backs these programs.

If two-thirds of the farmers vote in favor of the programs, every wheatgrower will be required to comply with his acreage allotment. He can grow as much wheat as he is able to grow on the allotted acres but he will receive the full support (about $2 a bushel) only on a number of bushels to be determined as his share of the national supply used for domestic food consumption plus a portion of exports.

There are no more controls on the farmer than in the case of any crop where mandatory acreage allotments are in effect, as they have been in wheat for years. The main difference in the new program is that the price support will be a two-price deal: The grain not eligible for the top price support (probably about one-seventh of production) will receive a lower support comparable to feed grain supports, about $1.25 a bushel. Growers also will get a land-retirement payment for acres taken out of wheat.

The Farm Bureau correctly says that this new program will result in some decline, probably small, in the total net income received by wheatgrowers (but not in average income, because the number of growers is dropping). The two-price support plan results in a lower blend price support for wheat.

But rejection of the new plan would mean a much larger drop in wheat income. Price supports for all wheat produced would drop to 50 percent of parity, about $1.25 a bushel.

It is hard to see how the Farm Bureau leaders can get so wrought up about "compulsion" and "dictatorial controls" which do not go into effect unless two-thirds of the producers vote to accept them. What the Government is saying is that, if two-thirds of the producers favor the controls, then everyone who chooses to grow wheat will have to go along. Every business has regulations, governmental or private.

It seems not unreasonable that the Government ask farmers to cooperate in limiting production if they want a guaranteed price for their product. If they don't want to comply with acreage allotments in return for a higher price, well that settles that. But it isn't an issue of Government management of farms, nor is it setting the course of farm policy forevermore.

Sincerely yours,

J. Osmer Lowe,
Office Manager.

[From the Des Moines (Iowa) Register, Apr. 7, 1963]

WILSON SEES WHEAT-VOTE "YES" AS DISASTROUS

(By Richard Wilson)

WASHINGTON, D.C.—Thirty years ago this month the New Deal was beginning the most audacious adventure in economic control ever undertaken. Now it is $48 billion and six Secretaries of Agriculture later. The farm problem of 30 years ago is in some respects worse than ever. Human misery is no longer involved, but not even a close approach has been made to an economically sound and permanently workable solution. Political problems have been eased. Farmers as a class are fewer, smarter and better off.

After the passage of all this time and the spending of a vast treasure to increase farmers' incomes the great farm technocracy is facing a key decision: Whether to take the final plunge into the strictest form of control and regimentation of private enterprise ever seriously proposed in this country.

FASTER FOOD

The issue rises because the loose and circumscribed control systems of the last 30 years, in all their myriad forms, have not worked satisfactorily. On the whole, surpluses have continued to mount until it costs nearly $1 billion a year merely to carry them. Every agricultural program devised has fallen afoul of technological progress.

The issue turns on a new control system for the production and marketing of wheat. About half the farmers in the Nation grow wheat. They have operated under a control system involving limitation of acreage and marketing and fixed prices. But never have the producers of wheat, or any other commodity, submitted to the strict controls of planting and marketing which would virtually convert their farms into State enterprises.

WOULD BE HARNESSED

Now, under law, such a program of controlled acreage and controlled marketing is to be submitted to the producers of wheat in a referendum on May 21. Under this program, Agriculture Secretary Orville Freeman would hear every grain of wheat that falls. Bushel by bushel, wheat would flow into its various uses by Government permit and certification and at Government prices. Farmers would be harnessed in a system providing fines up to $5,000 for violating regulations and jail sentences up to 10 years for fraud.

A wheat farmer could oppose this program with all his heart and mind, and go out of business if his convictions were strong enough. For the Government pays him nothing for an independent conscience. If two of his three neighbors want the program and he does not, he is sacrificed to the general interest; he conducts his business their way or not at all. The new wheat program will be mandatory on all if it is approved by two-thirds.

EXTENSION TO OTHERS?

It is widely believed that if wheat farmers approve the new program the way will be opened for a similar State enterprise system for the producers of corn, feed grains, livestock—and in the end all forms of agricultural control will take this pattern.

Farmers now are faced by the facts of stringent Government control, and they must ask themselves if this is really what they want. If wheat farmers say "No" on May 21, they can change the whole course of the Freeman-Kennedy farm program. They can, in fact, blow it out of the water.

This choice is made by a semblance—some think it a travesty—of democracy. In a previous referendum only 235,700 farmers voted, perhaps no more than one-sixth of the total farms on which acreage allotments existed. By every means that is legal the vast agricultural bureaucracy is trying to sway the vote in favor of the State enterprise system.

The absurd claim is made by Secretary Freeman that farmers are choosing between $2 per bushel and $1 per bushel wheat. This is not even statistically correct. Freeman is trying to persuade farmers that Congress and Kennedy will leave them in the lurch if they turn down the new control program, and there will be nothing but an old control program that will cut their income in half. This is so unrealistic that few farmers will be fooled.

Farmers won't be left in the lurch. They are given a chance now to escape a new regimentation that they will come to hate even more than some of them detest their present restrictions. If the wheat farmers say "No," Congress will come immediately to grips with this problem again, and there is no lack of effective programs which could be enacted.

The choice is not between $2 and $1 wheat. It is a choice of freedom and responsibility or the intensification of control systems which haven't yet been able to do the job.

Mr. HICKENLOOPER. I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1227) authorizing the Association of Universalist Women—a nonprofit corporation in the District of Columbia—to consolidate with the Alliance of Unitarian Women—a nonprofit corporation in the State of Massachusetts.

The message also announced that the House had agreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 119) to print as a House document the Constitution of the United States, with an analytical index and ancillaries regarding proposed amendments.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2440) to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5517) making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 10, 12, 30, 34, 41, 42, 43, 44, and 56 to the bill, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 11 and 27 to the bill, and concurred therein, each with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendment of the Senate numbered 76 to the bill.

INCREASE IN TRANSATLANTIC AND TRANSPACIFIC AIRLINE FARES

Mr. KEFAUVER. Mr. President, a very serious and far-reaching matter has been debated in foreign capitals and here in Washington during the past few weeks, and it now deserves the earnest attention of all of us. I refer to the recent attempts by the International Air Transport Association—IATA—to force upon the U.S.-flag carriers substantial increases in transatlantic and transpacific airline fares, which increases had been flatly rejected by our own Civil Aeronautics Board, under powers invested in the Board by Congress.

This debate involved something deeper than the proposed fare increases. It concerned the advisability of continuing the present system of monopoly price-fixing by this private cartel, particularly when its decisions affect the public interest of millions of Americans who will provide the bulk of the air traffic overseas during the coming years. It concerned the whole philosophy of whether we should continue to allow an international air rate policy which would hold a large umbrella over inefficient carriers and at the same time discourage air travel by unreasonably high rates. It brought into sharp perspective the fundamental difference between our American airline policy of competition and lowest possible fares, and the protectionist doctrines of foreign governments who seek to keep their national airlines flying no matter what the cost to the passengers.

Into this debate stepped the Civil Aeronautics Board with the force of a tiger. The Board held hearings on the proposed increases, analyzed the facts, and came out with two orders, in substance stating that it was fed up with the IATA policy of pushing up rates to the accommodation of the protective philosophies of foreign governments. It notified its flag carriers that it would not approve the new increased fares because in its judgment they were not in the interest of the American public. This meant any attempt by the American carriers to follow the IATA increases would subject them to possible criminal prosecution and other sanctions in this country.

Chairman Alan Boyd, speaking on behalf of the majority of the Board, then flew to meetings in London and elsewhere in Europe, and warned all foreign carriers and their governments that the United States would not countenance another fare boost from IATA, especially when facts proved that American carriers can operate at a profit under present fares to the benefit of the public interest. Mr. Boyd was unbending and appeared to go all out in his attempts to convince our friends overseas that this time we meant business, despite the consequences.

Many of us here in Congress applauded this action by the Board and the strong stand taken by Chairman Boyd. On May 2, 1963, I wrote a letter to Mr. Boyd, urging him to hold fast to his position. Mr. President, I ask unanimous consent to have this letter printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 2, 1963.

Hon. ALAN S. BOYD,
Chairman, Civil Aeronautics Board,
Washington, D.C.

DEAR ALAN: I want you to know that I have been following with serious interest your recent attempts to prevent an increase in certain airline fares on the Atlantic and Pacific routes. I commend you and other members of the Civil Aeronautics Board for the courageous, hardline-stand you are taking in the public interest at the present International Air Transport Association rate meetings.

I know I speak for many Senators and Congressmen who have become increasingly concerned as to the power of this international cartel to dictate fare boosts in the face of a growing traffic potential, the lion's share of which is, and will be, provided by the United States. I personally have been very disturbed over the prior policy of the CAB to sit by in quiet acquiescence allowing each round of IATA rates to go forward without challenge in the public interest.

Your presence in London, and the recent decision of the Board finally to reject the rates proposed by this cartel is an overdue necessity. I most sincerely urge you to hold fast to your position, even if this may eventually result in the declaration of an "open competitive rate" for American carriers, and the possible dissolution of the IATA combination. Our American aviation policy has always been one of promoting competition and innovation both in fares and service to greater benefit of airline passengers and shippers. Certainly where this country is the fundamental source of such customers, the CAB has the basic duty to see that they are fairly charged commensurate with the reasonable protection of a continuing competitive air network.

I am informed that there is a possibility that foreign carriers which desire these rate increases may effectuate some sanctions against our air carriers if they do not cooperate with the agreed upon IATA rates. I most certainly hope that the foreign carriers will make a special effort to understand the importance of our country's position on this rate matter, and not see fit to test our determined stand through moves of retaliation which can only lead to counter moves by our Government to protect its interests.

Therefore, I compliment you, the other Board members and the CAB staff in the position you are asserting, and I urge that you will not deter from your course, but rather make it crystal clear to all foreign carriers that this country will not accept the international rate increases and will utilize all available powers to protect itself from any adverse consequences arising out of any retaliation.

You are in a position of strength with the public interest of airline customers on your side. You are right, and your position must be respected.

I would very much appreciate meeting with you when you return to Washington for a discussion of this problem and the need for possible legislation directed to furthering the protection of the public interest in this regard.

Sincerely,

ESTES KEFAUVER.

Mr. KEFAUVER. Mr. President, the Senator from Washington [Mr. MAGNUSON] chairman of the Senate Commerce Committee, in a speech before this body solidly denounced the efforts of IATA and the foreign governments to threaten our country into following the cartel, and he stated:

> The issue is not whether international air fares should be lowered, increased, or otherwise modified, but rather whether this country will withstand pressure to compromise its position and in so doing, principle. Our Government through its properly delegated agency, the Civil Aeronautics Board, has determined that a fare increase is not warranted and is contrary to the public interest. In this connection it might be well to point out that American citizens represent the primary source of the international air travel market—it will be American citizens who must bear the major burden of any fare increase. My personal concern is not whether foreign carriers raise their rates but rather that foreign governments do not dictate fares to our carriers contrary to the expressed mandate of our Government. Our carriers operate efficiently and profitably at current fares. If foreign carriers cannot compete at these levels perhaps some soul searching as to the need for their continued existence would be in order. In any event, American citizens are not to be denied the choice of lower fares which our carriers are willing and able to provide.

Senator MAGNUSON then set forth a number of existing powers which the Civil Aeronautics Board and the Executive have to counter the threatened retaliation by the foreign governments, and he warned:

> There are apparently some who, perhaps with some justification when reviewing negotiations of the past, hold to the conviction the United States will at the last minute acquiesce. This conviction has been nurtured by certain individuals, although fortunately very few, who have publicly supported the U.S. position and privately sought its retrenchment. To those few I seriously commend a studious review of our criminal statutes.

Finally, Senator MAGNUSON spelled out what most of us thought to be the U.S. position:

> The United States has made clear its position in this matter and its determination to take whatever action may be appropriate to maintain it. If, as a consequence, inconvenience or hardships are imposed upon some of our citizens, I think they all would nevertheless urge that we stand firm in what we think is right. If in the past this country has been too modest to show others that it has more backbone than they might suspect, today and tomorrow may shock them. Theodore Roosevelt's big stick has been taken out of storage.

At the very time that Chairman Boyd was asserting the CAB's strong stand in conferences with foreign representatives, the President issued a major report setting forth positive U.S. policy concerning international air transportation. That report reasserted our belief in a strong, competitive international airline network, and gave notice that this country would make every effort to press for lower fares and continue to disapprove IATA rates "if they are clearly unreasonable." It expressed a U.S. determination to pursue and protect our public interest position aggressively and vigorously. There appeared to be little doubt that there had been a departure from prior policy, and that we were now really going to fight these cartelized increases.

Now, Mr. President, look what has happened. At 3 o'clock today, practically on the eve of crucial negotiations to be held in Bermuda, the CAB has announced that it is backing off—capitulating to the demands of the United Kingdom that we push up our fares to the new IATA level. This is apparently being done at the insistence of the State Department, but on this we need clarification.

The story is that the United Kingdom has warned our American carriers that they cannot land on British soil if they refuse to charge the higher fares, and that American planes will be impounded in Britain. This is an extraordinary action, and an insult to our sovereignty. The British have taken this action apparently without substantial notice, and before we had the opportunity to negotiate further with them and the carriers at the Bermuda conference.

The State Department, knowing full well that we have existing powers of retaliation to contain these threats by the United Kingdom, has nevertheless retreated to a protectionist, conservative position and in doing so it has turned its back on the public interest. It has held us up to our European neighbor as bluffers, weak when the in-fighting gets the toughest, and a country without power to protect our basic economic beliefs when the time comes to stand up and be counted.

What is this British power, when the lion's share of transatlantic traffic is American inspired, to attempt to reform our American airline policy by such egregious threats and retaliation? The sad fact may well be that the British carriers are just not as efficient as American carriers, and should do some drastic soul-searching to find out how to operate at a profit at reasonable rates. One thing the State Department should have remembered is that American consumers do not intend to subsidize the inefficiencies of foreign competitors. Yet by giving into these foreign dictated rates, that is precisely what we are doing.

You may ask me, Mr. President, what is it that I would have wanted the State Department and the CAB to do. I have no difficulty in answering that because I anticipated the answer when I first supported Chairman Boyd. Go all the way to protect our interests against these sanctions. Chairman MAGNUSON, an expert here, has given the State Department a full briefing on our powers. The important ingredient of the issue here—the public interest—is far too great to be jettisoned by State Department surrender.

I am well aware of the traditional attitude of our diplomatic representatives who desire harmony among our allies and protection of American property interests. I also appreciate that they do not like the idea of waving sticks at the United Kingdom—but we have a vital issue here. We are tired of being the victim of IATA, tired of being dictated to by foreign cartels. We are absolutely entitled to a strong, progressive, get-tough policy when our economic rights of competition are threatened in the manner of the recent British action.

I say, gentlemen, this is an astonishing precedent. We hold ourselves out as giants fighting for a universal cause of the public good—lower, competitive fares, where the situation can support it, and yet on the eve of our strongest hour, the rug is pulled out from under us by the State Department, when there is sufficient power, sufficient protection now existing to embark upon a tougher American policy.

We have to face up to these international economic problems. There is a distance between the cartel approach—the protectionist approach of British and European thinking—and the antimonopoly, free, competitive approach of the United States.

We have to stand firm. Congressional policy demands we stand firm and fight for our principles. Our future as an international competitor requires us to stand firm. This indeed, Mr. President, is not the end of the matter. Much exploration must now be done to find where and why we failed today. I intend to cooperate with Senator Magnuson in finding the answers to this issue. There are many antitrust implications. The Senate Antitrust and Monopoly Subcommittee staff has been watching these developments closely, and I have now given them new instructions to step up their investigation of the antitrust aspects of all international airline operations. We have just begun to look under the rug here.

Finally, Mr. President, there is talk of the need for legislation. Well, we can wait for "clarifying" legislation for ages. We are always waiting for good legislation. I will support strong legislation setting forth powers which are equal to those of other governments. However, in the meantime, there is plenty of power around right now to meet this U.K. action, and meet it we should have done, fast and firm.

I hope there will be a reconsideration by the CAB and the State Department for we have gotten off to an unfortunate start in this most important international issue, and there is little time to remedy the damage done.

THE PAN AMERICAN HIGHWAY GROWS LONGER; MUCH WORK REMAINS TO LINK ALASKA WITH THIS INTERCONTINENTAL ARTERY

Mr. GRUENING. Mr. President, earlier this year delegates to the Pan American Highway Congress drove from Panama to the District of Columbia. This historic event culminated with the first meeting of the Congress in the Nation's Capital.

On Monday, May 13, members of the Senate Committee on Public Works and members of the House Committee on Public Works met in joint session in the New Senate Office Building with delegates to the Pan American Highway Congress.

The near completion of the highway uniting South, Central, and part of North America comes as a result of cooperative venture of the United States and other nations through which the road crosses, the U.S. investment being two-thirds of the cost. I consider the investment necessary and suggest that there is much remaining to be done.

The Darien Gap in southern Panama must be conquered and that program will be funded as has the rest of the development. There also is urgent need to complete all of the highway. Alaska is a part of the United States and the Pan American Highway, properly, should extend from the north of the 49th State to the southernmost extremity of Argentina, thereby linking all of the Americas. To do this there must be expansion through Canada so that the North as well as the South can merge and there must be highway development within the State of Alaska.

I was, therefore, gratified and pleased to hear the remarks concerning the important work ahead made by the distinguished Senator from West Virginia, the Honorable Jennings Randolph, who is chairman of the Public Roads Subcommittee on which I have the honor to serve.

Senator Randolph said, in part:

> We can already perceive the time, as my distinguished colleague, Representative Fallon, mentioned, of the final closing of the Darien Gap. We can, Senator Gruening, look forward to the time when the Alaska Highway will be completed; and all of us, I am sure, can anticipate when certain national systems will be joined with the Inter-American Highway. This monumental undertaking will then connect Fairbanks in Alaska with Tierra del Fuego at the southern extremity.

Senator Randolph termed the Pan American Highway "a symbolic monument of our efforts to turn the technology of modern civilization to the peaceful arts of trade and commerce; and these will bind our national identities together—together in friendship, together in security, and together in progress, and together in faith."

During the joint session the Honorable Tomas Guardia, Jr., of Panama, delegate of his nation to the Pan American Highway Congress, delivered the response of Pan American Highway Congress to the two congressional committees. Speaking in English, he too, in a message of friendship, noted the need to complete the highway. Senor Guardia said, in part:

> However, the subject of paramount importance for all of us in this meeting is the discussion of the completion, the final completion, of the great Pan American Highway which as you know when terminated will go from the top of Alaska down to the tip of South America at Tierra del Fuego, a distance of some 20,000 miles.

An earlier speaker at the session was Representative Jim Wright, of Fort Worth who recently inspected the work underway on the Darien Gap and elsewhere along the highway in Central America. Representative Wright, distinguished Texan, spoke to the delegates in Spanish. He pointed out that highway development must be a mutual program if it is to work. Because of the importance of his speech I asked Congressman Wright for an English translation which could be shared by all of the Congress.

Mr. President, I ask unanimous consent that portions of the remarks by Senator Randolph and Delegate Guardia and the full text of the address by Representative Wright be reprinted in the Record at the close of my speech.

The PRESIDING OFFICER (Mr. Brewster in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, there were many highlights at the Monday session.

Senator Carl Hayden was honored by the Pan American Highway Congress for his wonderful and continuing support of highway development, and special comment on Senator Hayden's efforts in this important area was made by Senator Spessard Holland, of Florida, who has served on the Public Works Committee and now is a member of the Appropriations Committee.

Mr. President, I will not attempt to describe fully the program on Monday over which the chairman of the Senate Public Works Committee, the Honorable Pat McNamara, of Michigan, so ably presided. We are making great strides in linking the nations of the Western Hemisphere. We will build on this strong foundation an economy and friendship which will, I trust, inspire other areas in our world to emulate.

EXHIBIT 1

REMARKS BY THE HONORABLE JENNINGS RANDOLPH, U.S. SENATOR FROM THE STATE OF WEST VIRGINIA, AT THE U.S. SENATE COMMITTEE ON PUBLIC WORKS AND HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC WORKS JOINT MEETING WITH THE PAN AMERICAN HIGHWAY CONGRESS, MONDAY, MAY 13, 1963

Mr. Chairman and delegates to the Ninth Pan American Highway Congress, this is indeed a high moment for all of us. There are many reasons for such feeling. One would be that this is the first time that the Pan American Congress has held its sessions in the Capital City of the United States. Those of us in this room who have recently completed the tour of the highway from Panama to Washington know that this 4,500 miles of road through seven countries is giving reality to the long-desired aim of hemispheric solidarity. Perhaps more than the protocols and the conferences of diplomats, this link between our countries and our peoples will aid in the establishment in a true sense of a community of respect and understanding, to which we all subscribe and, more importantly I think, to which we aspire.

We can already perceive the time, as my distinguished colleague, Representative Fallon, mentioned, of the final closing of the Darien Gap. We can, Senator Gruening, look forward to the time when the Alaska Highway will be completed; and all of us, I am sure, can anticipate when certain national systems will be joined with the Inter-American Highway. This monumental undertaking will then connect Fairbanks in Alaska with Tierra del Fuego at the southern extremity.

So, the Pan American Highway is a monument in the most fundamental sense of the word. It is a symbolic monument of our efforts to turn the technology of modern civilization to the peaceful arts of trade and commerce; and these will bind our national identities together—together in friendship, together in security, and together in progress and together in faith.

Remarks by Hon. Tomas Guardia, Jr., Delegate of Panama, on Behalf of the Pan American Highway Congress

Mr. Chairman and Members of Congress of the Joint Public Works Committee, and members present of the Appropriations Committee, fellow delegates and ladies and gentlemen, in following the precedent of Congressman WRIGHT, I shall endeavor to speak to you in the rich, forceful, ever-growing English language, which I have been trying very hard for many years to master. I humbly hope that I do as well as he did.

Mr. Chairman, I am deeply honored to have been chosen by my fellow delegates to the Ninth Pan American Highway Congress to address this august chamber on this important occasion. We bring you our warm greetings and those of our Governments and people. We also bring you our best wishes for the success of your delicate legislative efforts, and for your personal well-being.

We have been meeting here in this beautiful city of Washington for the past week and will be meeting for a few more days in connection with the sessions of the Ninth Pan American Highway Congress. Many important subjects pertaining to the highway development in all its phases, and its allied subjects, such as tourism, transit, and others, are being discussed by the leading authorities which have been set by their respective Governments to represent them at this meeting.

However, the subject of paramount importance for all of us in this meeting is the discussion of the completion, the final completion, of the great Pan American Highway which as you know when terminated will go from the top of Alaska down to the tip of South America at Tierra del Fuego, a distance of some 20,000 miles. The deliberations will be resolved, and resolutions will be transmitted as recommendations to the Governments of the member countries to the Congress, and many good things will come of it.

As far as the Pan American Highway is concerned, it may be well to make a short review of its present status. All of us in this room are familiar with its development through the 40 long years since that date in 1925 when men of great vision met at Santiago, Chile, and proposed the construction of an international highway to join the countries of the Americas.

Remarks by Representative Jim Wright, of Texas, Before a Joint Meeting of the U.S. Senate and House of Representatives Public Works Committee, May 13, 1963

Our esteemed friends, fellow laborers in the sometimes thorny vineyards of democracy, fellow citizens of the new world, and builders of roads to progress, it is indeed a great pleasure for us to welcome you to Washington and to this historic capital we regard as a citadel of freedom for all men, and to this committee room of the Congress where upon the anvils of debate and mutual agreement have been forged links in the chain of our Nation's progress.

It is a high endeavor which you pursue in your meetings here. The Pan American Highway stands as a towering monument to the ability of freemen to work together. When finally it shall be completed and one ribbon of concrete will connect our hemisphere from the ice-locked tundra of Alaska to the southernmost tip of the Americas, it will rate in historical significance with the communications network by which Alexander the Great connected Asia Minor in his day, and as a feat of engineering magnitude will surpass the elaborate system of trails by which the Roman Empire first connected Europe.

Solomon said, "Where there is no vision, the people perish." When a highway for the Americas first was proposed, many met the proposal with scorn and derision and said that it could never be done. For more than 30 years men of vision, of good will, and of good work have been proving them wrong. They have overcome barriers, both physical and economic, to push construction of this highway to its present state of near completion. Mile by tortuous mile, through mountains, jungles, rock, mud, water, and desert, this work has progressed until today the goal of a completed Pan American Highway is within sight. Those of you whose dreams, whose toil, whose sweat have gone into the planning, design, and building of this road deserve our heartiest congratulations.

Still, it is not a time to pause for idle and self-flattery of complacent self-congratulation. Both obstacles and opportunities remain to be conquered. To make this project fulfill its total purpose will challenge the best that is in us.

For one thing, our nations jointly need to be assured beyond doubt that our mutual investment will be protected. My Nation has invested approximately $178 million in that portion of the highway known as the Inter-American Highway between the Texas border and Chepo in Panama. Your nations have given unstintingly of their treasure to assist in this effort. Just as no man would invest in a home for his family only to let it deteriorate and fall apart for want of maintenance, no intelligent people would put its wealth into a highway only to see it deteriorate.

Secondly, the great unrivaled potential for good to the people of your nations which this highway represents can never be adequately realized until it forms the basis for a national network of roads in each of your countries.

The time must come when no longer will entire communities of people be condemned to live their lives in isolation from their neighbors and fellow countrymen, separated by distance and geography from the benefits of civilization. They too have a destiny to fulfill and great contributions to make to the culture and economy of every country in our hemisphere. Roads alone can bring to them the 20th century with its new opportunities for development, friendship, economic sufficiency and self-realization. Secondary roads must one day connect with the Inter-American Highway like blood vessels with the main artery. The Inter-American Highway is like the spinal column. It serves its principal purpose only when it forms the basis for the ribs and arms and legs that make a complete person. It is like the trunk of a tree which bears fruit only when limbs and branches have sprouted from it.

It is encouraging to observe that you have made progress in exploring the means for assuring continuous maintenance through some Inter-American institution. Ultimately it may be necessary to create a uniform system of revenues paid by those who use and profit from the road. Perhaps ultimately a system of road user taxes can be derived from gasoline and fuel and from those businesses which provide tourist accommodations, and a portion of this could remain in each country for the building of needed secondary roads, and a portion devoted to a system of uniform maintenance and preservation of the Inter-American Highway.

The last link in this highway remains to be forged. The brooding jungles of the Darien will one day be crossed, and the nations of our hemisphere connected. It will cost money and time and effort, but the Darien is a treasure house of opportunity and a new frontier which can yield both land and resources for the teeming populations of the central section of our hemisphere.

It is not an easy matter for the Congress to levy heavy taxes upon our own people to finance needed expenditures in other countries. Each of us in the Congress must satisfy his own conscience that such expenditures are wisely directed in necessary and useful pursuits. But our people are deeply interested in the future of your countries. We believe that the future of this hemisphere is indivisible. We believe that your future and the realization of your aspirations are inseparably connected with our own future and with the future of free men everywhere.

The future of democracy itself depends upon all of us in this hemisphere to demonstrate that free men, working together in human dignity and individual liberty, can accomplish more than slavemen under the whip of an authoritarian and autocratic government. Ours is the mutual tradition of men who would rather die on their feet than live on their knees.

Our heritage in this New World, is a common heritage. The legacy of Miguel Hidalgo, Simon Bolivar, Jose San Martin, George Washington, Thomas Jefferson, Abraham Lincoln, and Franklin D. Roosevelt is the same. They dreamed the same dreams. They thought the same thoughts. They worked for the same things, fought for the same things, lived and died for the same ideals.

The Alliance for Progress has raised hopes throughout the whole hemisphere. But it remains for us, working together, to give flesh and blood to the skeleton program for it to live and breathe. Unless it is a mutual program, yours as well as ours, it will not work. The amount of money which my country will be able to devote to loans and grants will not be nearly enough unless it stimulates other private investments and public reforms. It is like a small seed which the forester plants in the ground, and from it can grow a huge tree. But the tender sapling must be watered and cultivated, and only your countries can do that.

We hope that the progress which we are attempting to help create will be that in which all of the nations of a united hemisphere can participate. We hope that its good will be shared not only with the few, but with the many. We hope that it will reach to the most humble homes and warm the hearts of the most humble citizens of our hemisphere with realized aspirations. We hope that this mutual progress can be achieved in harmony and peace, with individual liberty and national self-determination. Laboring together toward a common goal, we extend our hand and offer to you our hearts.

OFFSHORE RUSSIAN FISHERMEN OUTNUMBER RUSSIANS IN CUBA

Mr. BARTLETT. Mr. President, up to 1 year ago, the United States had become accustomed to seeing Soviet fishing vessels in the North Atlantic and Bering Sea. This Soviet fishing activity dated back several years. But Russian fishing activity off our coast has increased dramatically month by month during the past year. It began last summer, at approximately the same time Russia was moving into Cuba. At that time Soviet vessels entered the Gulf of Alaska for the first time with well over 100 Russian vessels sighted—some engaged, intentionally or otherwise, in destroying our crab gear close to Kodiak Island. They approached within 30 miles of Cordova, Alaska. An advance exploratory guard of several vessels was sighted later off the coasts of Oregon and Washington State.

During the same time a parallel advance was being made in the Atlantic. As many as 160 Soviet vessels were sighted off the North Atlantic coast last year. Last fall, after the Oregon and Washington State sightings, Soviet vessels were reported off the mid-Atlantic States and several moved along the coast of the Carolinas as far south as Florida. This development coincided with the Soviet announcement that a fishing base was being established for Soviet fishing operations off Cuba. Our consulate in Veracruz reported in January of this year that several Soviet vessels have been operating in the Gulf of Mexico, using the port of Veracruz for supplies.

This advance across the Gulf of Mexico early this year completed the encirclement—all intentionally or otherwise timed with the dangerous and daring move to Cuba.

Estimates have varied as to the number of Russians immediately off our coast in Cuba, which lies approximately 90 miles off the tip of Florida. The official estimate has been that there are approximately 17,500 in Cuba, including troops and technicians.

Estimates vary also as to the number of Russians in fishing vessels off our coast. The most conservative estimates would place the number of Russians in fishing vessels immediately off our coast at a figure comparable to the 17,500 estimate regarding Russians in Cuba. But, Mr. President, it is agreed that the figure is likely to far exceed the number of Russians in Cuba and could be as high as 30,000. It is estimated that at least 360 Russian fishing vessels have been off our coast during the past year. Some of the new Soviet fishing vessels, such as their floating cannery mother ships, range between 12,000 and 16,000 tons and carry up to a complement of 640 men. This exceeds the size of our World War II heavy cruiser. However, Russian trawlers are usually of the 2,000 to 3,000 ton class, comparable to our World War II destroyers.

Incidentally, we have no fishing vessels of the size of the smaller Russian vessels, to which I have referred.

Mr. President, we know that the Soviet Union requires no sharp distinction between its military and its economic activities. In fact, an effort is made by the Soviets to make its aggressive economic and military actions complement each other—we are faced with both an economic and military engagement. Soviet military submarines help the Soviet fishing fleet by identifying fish concentrations. We cannot but expect the Soviet fishing fleet has as at least part of its mission something other than that of catching fish. I relate this not for the purpose of warning that the presence of Russian fishing vessels in international waters off our coast present an immediate and serious military threat. Those responsible for our defense undoubtedly are aware of this major shift of emphasis and realize the military significance of having Soviet operational units of this magnitude deployed at all times immediately off the strategic coastline of the United States. I might add this deployment of fishing vessels is frequently considerably closer than the 90 mile Cuban stretch, and is at times within 20 to 30 miles off our coast.

I do believe that the day may come when our military and defense interests may require a reconsideration of extending our territorial waters in respect to international fishing rights. I know that some action similar to this may be required to protect our economic fishing interests. From the joint communique issued by President Kennedy and Prime Minister Lester Pearson, I gather that Canada may soon come to the same position. From reports, I gather that an extension of the territorial waters of a number of European countries may come from the recently proposed meeting between members of the Common Market, the European Free Trade countries, Iceland, the Irish Republic and Spain.

I wish I could forecast a brighter day, or a withdrawal of this Soviet threat, but this would be misleading. I actually anticipate an acceleration of Soviet fishing activity immediately off our shores.

Mr. GRUENING. Mr. President, will my colleague from Alaska yield?

Mr. BARTLETT. I am glad to yield to my colleague from the great sovereign State of Alaska.

Mr. GRUENING. First, I commend my colleague for his calling attention—and it is not the first time he has done so—to the encircling menace of Russia—encirclement in the military sense, and I think I may say, since they have gone into deep sea fishing, their offensive in depth. This is a very serious problem, both militarily and economically.

I wonder whether the Senator does not share the view that the Department of Defense should recognize the presence of Russian ships in Alaskan waters by the permanent stationing of an American vessel or vessels, there, merely to reassure the people of Alaska that they are a part of the United States, so that they will see not only the flags of Russian fishing vessels and of other nations, and will be reminded that their Government is not wholly forgetful of their interests.

Mr. BARTLETT. The Senator knows that there is a separate naval district within Alaska—the 17th Naval District, based at Kodiak. He likewise knows that the entire Navy available to the admiral commanding consists of one landing barge.

So I would wholeheartedly agree with him that it would not be out of order for a fighting ship of the Navy to serve in those waters now and then.

Mr. GRUENING. The fact is that the admiral who is stationed there has the pretentious titles of Commandant of the Alaska Sea Frontier, in addition to the title of Commandant of the Seventeenth Naval District. However, actually, judging by the vessels under his command, his naval forces are scarcely greater than those of an "admiral of the Swiss Navy."

Mr. BARTLETT. Yes; that is certainly a fair description of what his duties are and have been for a number of years, in terms of the availability of Navy fighting ships.

Mr. GRUENING. The senior Senator from Alaska has introduced a very excellent bill which is designed to give a little assistance to our fisheries, in line with the things he has pointed out, in whatever way each recipient State deems best, particularly as a result of the Russian fishing activities. It is a rather striking fact, a pathetic paradox, is it not, that while we are helping 18 foreign countries—with our taxpayers' dollars—rehabilitate their fisheries, there may be some difficulty in getting this desirable bill passed by the Congress. Can my colleague explain the strange disparity and the strange dual standard which seems to exist in that respect?

Mr. BARTLETT. No. It exists in reference to the situation described by my colleague, and also in reference to another situation. Let me say that this afternoon I attended a hearing conducted under the leadership of our good friend, the senior Senator from Alabama [Mr. HILL], on matters having to do with the National Institutes of Health, to which the Government of the United States is now making available, every year, hundreds of millions of dollars for research. In my judgment, this money has been well spent. In fact, this afternoon some thrilling testimony was received, from doctors associated with the universities and doctors in private practice, illustrating how much good has been accomplished by the expenditure of these Federal grants, and relating to the progress which has been made in eliminating diseases in certain cases, and in curbing the devastation wrought by others.

Although since this morning I have come to the conclusion that the views of my colleague and my views on this matter do not reflect the unanimous viewpoint of this body, I would think our country could well spend the comparatively small sum requested in this bill for research for the fisheries all over the country—only between $5 million and $6 million a year, and to continue for only 5 years, with the Federal Government contributing 75 percent of the needed research funds, some of which would go into physical facilities, and the States would make available 25 percent. That would be an extension of the cooperative effort between the Federal Government and the State governments, which has proved practical and useful in ever so many fields.

Mr. GRUENING. Is it not also a fact that since these great advances in the technical aspects of fishing have occurred in other nations, notably in Russia, the position of the United States among the great fisheries nations has dropped very sharply?

Mr. BARTLETT. Certainly that is true—and lamentably so. For example, last year our country, which used to have one of the prime fishing efforts of the world, was in a sad fifth position, and was outranked not only by Japan, which always has been a leading fishing nation, but also by Peru, Red China, and Soviet Russia. So our country is now in a sad fifth place. However, that is not the worst of this situation: Unless we do something soon—not in the next decade, but right away—we shall not be able even to brag that we are in fifth position. Instead, we shall be so far down the list that those who compile it will not even bother to include the United States in the statistical figures which are compiled at the close of each fishing year.

Mr. GRUENING. Is not there something of a paradox also in the fact that our country is preparing to spend millions of dollars to send a man to the moon before Russia does, if we can, whereas our country overlooks the present necessity of doing something right on this earth and in the waters of the earth to enable our country to compete with nations such as Russia which now are moving ahead of us?

Mr. BARTLETT. I think so. I had three interesting hearings on this bill to provide a relatively small amount for fisheries research. We had scientists come from all over the country to beseech that the bill be passed. They told of the need for it. We had wonderful testimony from my colleague from Alaska, who now is engaging in this debate with me, and also from the Senators from Massachusetts [Mr. SALTONSTALL and Mr. KENNEDY], and from Governor Peabody, of Massachusetts, who came to the hearing to make a special plea that Congress do something about this matter, not next year or later on, but right now.

Personally, I believe this is when it must be done, if it is to be effective. But this alone will not be sufficient. We must also take other steps, simultaneously, if we are to be restored to our former position, and if we are to make protein available on a continuing basis to our people, and if we are to occupy the place in reference to the fishing industry that we are entitled to occupy for very good reasons.

In this connection, I should like to add that tomorrow morning, at 11 o'clock, there will be shown in the auditorium of the New Senate Office Building a motion picture showing the presence of foreign fishing fleets off the North Atlantic coast, and with—as I understand—special emphasis on the presence there of Russian fishing vessels. The film is being made available by the junior Senator from Massachusetts [Mr. KENNEDY]; and the Chairman of the Senate Commerce Committee, the Senator from Washington [Mr. MAGNUSON], has already sent to all Members of the Senate a letter inviting them to be present at the showing of the film at 11 a.m., tomorrow. That invitation is also extended to the members of Senators' staffs and to the attachés of the Senate.

Mr. GRUENING. I hope nearly everyone in the Senate will attend. I have seen a graphic demonstration of the highly technical development of the Russian freezer ships, and it is both an impressive and a frightening demonstration.

In speaking of some of these paradoxes which alarm and puzzle us and make us wonder why we do not do certain things which obviously seem to be desirable, I wish to point out the strange contrast between the expenditures our country has made and continues to make in behalf of those who produce food from the land—and I have no objection to such expenditures—and the paucity of the funds our Government provides to those who produce food from the sea—a vast, untapped reservoir, although it will not remain vast and untapped, so far as we are concerned, if we allow other nations to get ahead of us.

Mr. BARTLETT. Furthermore, I believe it imperatively necessary that we do something about these food resources of the oceans. As has already been stated here a day or two ago by our friend, the Senator from Washington [Mr. MAGNUSON], a very great forward step was taken when the President appointed former Senator Benjamin A. Smith, of Massachusetts, to represent the United States at the forthcoming negotiations with Japan and Canada concerning the North Pacific Fisheries Treaty. It is my understanding that Senator Smith will hold the rank of Ambassador, and will report directly to the White House. We could not have a more skilled or more able or more knowledgeable man heading our negotiating team, and I am sure that the word of his appointment has brought cheer and comfort to scores of thousands of fishermen throughout the land.

Mr. GRUENING. I agree with my colleague; it is a wonderful appointment. If Senator Smith had done nothing else during his devoted service in the Senate but deliver his great speech on the problems of our fisheries and on the things which need to be done to solve those problems, that speech alone would have made his Senate service notable and unforgettable.

Mr. BARTLETT. I agree.

Mr. GRUENING. I would say further, in connection with my colleague's statement that earlier in the day he appeared before a committee headed by the distinguished senior Senator from Alabama. Tomorrow morning I intend to appear before a subcommittee on that same committee in behalf of the President's education bill.

It is a rather depressing fact to realize that when the President sent up his magnificent omnibus bill, pointing to the various needs in the field of education—including elementary education, secondary education, vocational education, and university education and assistance of all kinds—all needed for education—probably only a small part of that package will be enacted, and yet we see all those activities which he prescribed for the American people being carried on with our taxpayers' dollars in more than 60 foreign countries.

Does not my friend think that is something the Congress should awake to, and provide at least equality of treatment and opportunity to American citizens compared with what we are assuring to those in foreign countries?

Mr. BARTLETT. I do, of course. I remember a few years ago being in Seward, Alaska, where great new discoveries of shrimp had recently been made. The people involved desired very much to have a biologist who was technically competent on such problems to come to Alaska, and not one could be sent because they were all abroad on loan to foreign countries.

Mr. GRUENING. That is a very common experience. I remember when I appeared before the Committee on Public Works trying to get an expert to help us on our road situation. We found that the man desired had been sent to Burma to build the road to Mandalay made famous by Kipling's verse and song.

Mr. BARTLETT. Attractive as Mandalay might be to someone who had read the poem and who had been inspired by it, still duty here might necessarily come first. There is a pressing need for more biologists concerned with the fisheries. They are coming from the schools in very small numbers.

The Senator referred to the educational program of the President. That fits in with that situation exactly, because we must have skilled technicians in every walk of life if we are to compete in these perilous days.

Mr. GRUENING. In connection with the shrimp industry, it is a depressing fact that we are, instead, spending large sums of money abroad in promoting the shrimp fisheries of foreign countries. In many cases we are building up foreign industries with lower labor costs than ours, and which then compete disastrously with ours. That is happening in many fields increasingly. I consider it folly.

Mr. BARTLETT. I assure my friend from Alaska that I, as a member of the Committee on Commerce, having listened to thousands of words of testimony on that vital subject, could not be more convinced that we must act affirmatively, and that we must act soon in the national interest.

Mr. GRUENING. I hope that the Senator's modest but important fishing bill—modest because of the Senator's knowledge of the fact that it is always difficult to get something through for the United States, but easy to get something for those abroad—I hope will be the beginning of a larger program which will help us to catch up with the great growth of fisheries in Russia, Red China, Japan, and elsewhere.

Mr. BARTLETT. I hope so, too, but my optimism is not at the same height as it was 24 hours ago.

I appreciate the expression of concern by the Senator from Alaska over this urgent problem. Working together, those of us who know of it can do something about it.

I see in the Chamber the senior Senator from Michigan [Mr. MCNAMARA]. The bill to which we are referring would fit exactly the perilous straits into which the Great Lakes fishery finds itself, because the sea lamprey has devastated the whitefish and the trout. We need more money for research so that that great fishery can be revived. Admittedly, the bill under consideration would not make available all the money that is needed. It would provide a start and help. For that reason, as well as for many other reasons, I hope that before the present session is over, the bill will become law so the State governments and the Federal Government can work together in that area.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BARTLETT. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 10 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, May 15, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate May 14 (legislative day of May 13), 1963:

IN THE ARMY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. Guy Stanley Meloy, Jr., O16892, Army of the United States (major general, U.S. Army).

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

Lt. Gen. Hamilton Hawkins Howze, O18088, Army of the United States (major general, U.S. Army), in the grade of general.

Maj. Gen. William Childs Westmoreland, O20223, Army of the United States (brigadier general, U.S. Army), in the grade of lieutenant general.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. John Farnsworth Smoller, O19416, U.S. Army.

Brig. Gen. George Vernon Underwood, Jr., O20679, Army of the United States (colonel, U.S. Army).

Brig. Gen. Beverley Evans Powell, O20237, U.S. Army.

Brig. Gen. Richard Giles Stilwell, O21065, Army of the United States (lieutenant colonel, U.S. Army).

Brig Gen. James William Sutherland, Jr., O24202, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Robert Carson Kyser, O19535, U.S. Army.

Brig. Gen. Oren Eugene Hurlbut, O19077, U.S. Army.

Brig. Gen. Benjamin Franklin Evans, Jr., O20368, U.S. Army.

Brig. Gen. Selwyn Dyson Smith, Jr., O20194, U.S. Army.

Brig. Gen. Robert Francis Seedlock, O20609, Army of the United States (colonel, U.S. Army).

Brig. Gen. Welborn Griffin Dolvin, O21980, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Arthur Sylvester Collins, Jr., O21260, Army of the United States (lieutenant colonel, U.S. Army).

Brig. Gen. Albert Ollie Connor, O20699, Army of the United States (colonel, U.S. Army).

Brig. Gen. Edward William Sawyer, O19918, U.S. Army.

Brig. Gen. George Merle Powell, O19340, Medical Corps, U.S. Army.

To be brigadier generals

Col. Charles Marsden Duke, O21753, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Vincent Wilson, O23564, Army of the United States (lieutenant colonel, U.S. Army).

Col. Raymond Bradner Marlin, O21899, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Jack Girard, O34110, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Cantrell, O22682, Army of the United States (lieutenant colonel, U.S. Army).

Col. William Herbert Birdsong, Jr., O33945, Army of the United States (lieutenant colonel, U.S. Army).

Col. Roderick Wetherill, O23158, Army of the United States (lieutenant colonel, U.S. Army).

Col. Olinto Mark Barsanti, O34037, Army of the United States (lieutenant colonel, U.S. Army).

Col. Wesley Charles Franklin, O45565, Army of the United States (lieutenant colonel, U.S. Army).

Col. Tobias Raphael Philbin, Jr., O34406, Army of the United States (lieutenant colonel, U.S. Army).

Col. Randolph Charles Dickens, O20290, U.S. Army.

Col. John Denis Crowley, Jr., O25016, Army of the United States (lieutenant colonel,, U.S. Army).

Col. Clarence Joseph Lang, O40705, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Milton Hightower, O23531, Army of the United States (lieutenant colonel, U.S. Army).

Col. James Arthur Hebbeler, O24518, Army of the United States (lieutenant colonel, U.S. Army).

IN THE AIR FORCE

The following person for reappointment to the active list of the Regular Air Force, in the grade indicated, from the temporary disability retired list, under the provisions of section 1211, title 10, United States Code:

To be lieutenant colonel

Oliver K. Jones, 32914A.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be major, USAF (Judge Advocate)

Michael R. Caporale, Jr., AO1860338.

To be captains, USAF (Judge Advocate)

Joel K. Carter, Jr., AO2232912.
John L. Rich, AO3020784.

To be captains, USAF (Chaplain)

Ronald D. McConnell, AO3009526.
John B. G. Roberts, Jr., AO3060936.

To be captains, USAF (Medical)

Robert R. Burns, AO3122925.
Kenneth E. Cottle, AO3076188.
Kenneth W. Curtis, Jr., AO3092823.
Richard A. Gams, AO3114151.
Elmer R. Hermann, Jr., AO3110405.
Frederick R. Jones, AO3078233.
James W. H. Neisler, AO3075108.
Lawrence A. Spitalny, AO3113738.

To be captains, USAF (Dental)

Russell G. Boyd II, AO3078505.
Anthony N., DeBello, AO3077939.
James C. Leslie, AO3044923.
Bernard F. Podlin, AO3045407.
Paul J. Rehg, AO3090599.
Dick W. Sanders, AO3089164.

To be captains, USAF (Nurse)

Martha G. Klajnowski, AN3044604.
Evelyn C. Lau, AN2243168.
Margaret M. Martinsen, AN3045790.
Corrine J. McIlquham, AN3044753.
Jeannine V. Normand, AN2242991.
Elaine F. Schleif, AN2242836.
Herbert V. Staudenmaier, AN3044756.
Russell C. Swansburg, AN3044751.

To be first lieutenants, USAF (Judge Advocate)

Thomas E. Chilcott, AO3102909.
Kenneth E. Ratcliff, AO3102133.
George L. Sirgo, Jr., AO3120970.

To be first lieutenant, USAF (Chaplain)

John F. Shea, AO3041527.

To be first lieutenants, USAF (Dental)

Wayne G. Pullen.
Earl O. Williams, AO3114254.

To be first lieutenants, USAF (Nurse)

Lois J. Baker, AN3088542.
Joseph T. Duffy, AN3114569.
Salvatore LoPalo, AN3123211.
Helen H. Owens, AN3112254.
Gerald C. Tegen, AN3075881.

To be first lieutenant, USAF (Medical Specialist)

John L. Boyd, AR3090188.

To be second lieutenant, USAF (Medical Specialist)

Roberta K. Eyler, AJ3111777.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be captains

George F. Fischer, AO1859588.
Paul T. Hartung, AO1864668.
Edwin C. Hudson, AO3046679.
Arnold G. McManamon, AO1863050.
Jerome G. Peppers, AO2230578.
Richard H. Snyder, AO3051047.
Roland E. Thomas, AO2248943.

To be first lieutenants

Abbey, Wayne T., AO3055814.
Abraham, Victor E., Jr., AO3098621.
Ackerson, Robert D., AO3123292.
Ackroyd, Robert A., AO3086862.
Adams, Floyd P., AO3069970.
Adams, James J., AO3087923.
Adams, Lynn D., AO3094251.
Adams, Richard E., AO3099276.
Adkins, Charles W., AO3093182.
Adley, Francis, AO3096853.
Albo, Charles W., AO3102096.
Albright Daniel E., AO3087139.
Albright, Ray E., AO3082394.
Alcini, Anthony J., AO3094815.
Alden, Gary L., AO3086931.
Alderman, Duaine E., AO3102350.
Aldrich, James L., AO3081916.
Alewel, Roger L., AO3097219.
Allee, Richard K., AO3081629.
Allen, Lawrence H., AO3070895.
Allen, Richard H., AO3099193.
Allison, Robert G., AO3101524.
Allison, William R., AO3083003.
Alman, Frederick R., AO3085945.
Altman, Maxalene E., AL3060763.
Ambers, Leonard V., AO3080995.
Ames, Richard K., AO3101086.
Ammon, Joseph W., Jr., AO3093798.
Ammons, Charles B., AO3086272.
Anderson, James R., AO3093382.
Anderson, John P., AO3080859.
Anderson, Paul M., AO3085544.
Anderson, Roger L., AO3081886.
Anderson, Roy A., AO3102218.
Andress, Harold W., Jr., AO3101526.
Andrews, Charles T., AO3082351.
Anelli, Robert L., AO3067568.
Angel, Marion M., AO3082041.
Angell, David R., AO3094288.
Angell, Jerry W., AO3067540.
Ankerstar, Bradley D., AO3055234.
Arcieri, Joseph D., AO3087178.
Armbruster, Joseph W., AO3101457.
Armentrout, Robert E., AO3082395.

Arneson, Donald G., AO3074232.
Arnold, Glenwood, AO3086162.
Arnold, Robert L., AO3065143.
Arnold, Thomas P., AO3052325.
Arthur, Paul M., AO3110169.
Auclair, Michael D., AO3082125.
Auten, Dale N., AO3102097.
Authier, Arthur W., AO3056295.
Avitabile, James J., AO3095781.
Axelton, Larry E., AO3055571.
Axtell, Kenneth C., Jr., AO3082459.
Ayer, Kenneth R., AO3101610.
Ayers, Tommy K., AO3099095.
Baca, Cres C., AO3087706.
Baccus, Euell B., AO3094237.
Bach, Shirley J., AL3060944.
Bache, Alexander D., AO2204957.
Bachner, Gerald T., AO3082420.
Bacik, Joseph D., AO2206481.
Backes, Clarence M., AO3085634.
Bailes, Onnie L., Jr., AO3065349.
Bailey, Grady E., Jr., AO3082352.
Bailey, John R., AO3051922.
Bailey, Thomas W., AO3085684.
Bair, Richard C., AO3082656.
Baird, Kenneth R., AO3067649.
Baker, Dean F., AO3101417.
Baker, Eugene W., AO3094199.
Baker, Hugh H., AO3027777.
Baker, William E., AO3071480.
Balamoti, Michael D., AO3057508.
Bald, William G., II, AO3049772.
Bales, Arthur W., III, AO3103301.
Ball, Harold R., Jr., AO3029340.
Ballance, Robert O., Jr., AO3094286.
Ballard, Jack D., AO3099112.
Ballasch, Thomas L., AO3103324.
Banta, John W., AO3029881.
Barbay, Lawrence, AO3054027.
Bardis, George N., AO3050583.
Barfield, James E., AO3102246.
Barinowski, Robert G., AO3069927.
Barker, Cole W., AO3080010.
Barnard, Michael W., AO3070879.
Barnes, Alden L., AO3093799.
Barnes, Donald W., AO3056481.
Barnes, Ronald C., AO3082180.
Barnett, John A., Jr., AO3102932.
Barnette, Benjamin H., Jr., AO3085835.
Barnhart, William C., AO3087071.
Barnhill, Gary D., AO3080607.
Barr, Larry R., AO3080826.
Barr, Winston J., AO3094850.
Barrios, Julius A., AO3032705.
Bartlett, Henry C., Jr., AO3066247.
Bartlett, Leslie J., AO3081213.
Bartlett, Ralph E., AO3094403.
Bastian, Kenneth E., AO3097703.
Batchelor, William K., AO3082341.
Bates, David B., AO3048806.
Bath, William J., AO3066301.
Bauer, Fred L., AO3067652.
Bauer, Norman C., AO3094724.
Baughman, Joseph D., AO3102297.
Beaghen, Thomas W., AO3067542.
Beamer, Harold F., AO2209979.
Beasley, Horace G., AO3066580.
Beasley, Larry P., AO3092699.
Becker, Kenneth R., AO3072096.
Beckett, Roderick G., AO3080854.
Beckmann, Franklin L., Jr., AO3093139.
Beers, Larry D., AO3094141.
Beesley, Jack R., AO3029454.
Bell, Carl E., AO3015802.
Bell, William D., AO3055361.
Belles, Robert G., AO3066096.
Belt, Charles D., AO3084166.
Benedict, Donald D., AO2218439.
Benjou, Paul., AO3081728.
Benner, William H., Jr., AO3086220.
Bennett, Edgar C., AO2209451.
Bennett, Harry E., Jr., AO3086239.
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Bitschnau, Rosemarie, AL3101613.
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Blackmon, Zeb. Jr., AO3066196.
Blair, Dean H., AO1861277.
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Burt, John W., AO3065904.
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Bushman, William J., AO3099530.
Bushwar, Oscar M., AO715468.
Bussard, Neil C., AO3066418.
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Butler, William N., AO3065830.
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Cairnes, Lewis W., AO3002808.
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Campbell, Bobby L., AO3101357.
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Colonero, Alfred G., AO3053183.

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Constantine, Gary R., AO3086191.
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Coolidge, John K., AO3066648.
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Crane, Jimmie R., AO3095201.
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Craver, Emmette E., AO2259905.
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Crochet, Calvin J., AO3066280.
Crye, Robert N , AO3021841.
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Cyr, Peter P., AO3067053.
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Dabbs, Travis D., AO3070315.
Dabney, Robert L., AO3095471.
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Daley, Thomas S., AO3065838.
Daloia, Silvio, Jr., AO3065162.
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Derrick, Harold B., Jr., AO3098715.
Derue, Richard J., AO3097647.
Devilbiss, Jere A., AO3097300.
Dibble, Hugh W., AO4020963.
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Fournet, Daniel J., AO3070384.
Fowl, Alvin F., AO2217807.
Fox, James E., Sr., AO2227786.
Fox, Joaquin, AO3083077.
Fox, Roger A., AO3102456.
Franco, Justin, III, AO3072417.
Franco, Robert T., AO3087111.
Frantz, John J., AO3093672.
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Henson David L., AO3101654.
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Sargent, John V., Jr., AO3101478.
Saunders, David C., AO3097567.
Sawyer, Donald W., Jr., AO3096979.
Schaefer, Charles R., AO3099368.
Schaefer, Joseph D., AO3093706.
Schamens, Maurice J., AO3085166.
Schaming, Ronald F., AO3098570.
Schaub, Louis J., AO3068036.
Schaufler, Charles H., Jr., AO3056451.
Schell, John J., AO3037279.
Schell, Thomas J., Jr., AO3065781.
Scheuermann, Franz P., AO3093707.
Schlender, James E., AO3085801.
Schlosser, Martin G., AO3082745.
Schmidt, Eugene H., AO3101296.
Schmidt, Gerald A., AO3056452.
Schmidt, Harrison J., AO2208813.
Schmidt, Ronald E., AO3102798.
Schmidt, Thomas B., AO3027195.
Scholz, James J., AO3087726.
Schritter Robert W., AO3102898.
Schubert, Richard T., AO3087160.
Schuler, John W., AO3101751.
Schweigerdt, David, AO3102125.
Schwening, William F., Jr., AO3037405.
Scopel, Eurelio P., AO3101480.
Scott, James L., AO3071261.
Scott, Jerry D., AO3102288.
Scott, Richard F., AO3082229.
Scott, Richard W.., AO3101482.
Scott, William A., III, AO3056564.
Sealey, John D. Jr., AO3101299.
Seeley, John P., AO3101199.
Sekaquaptewa, Eugene, AO1861100.
Selph, James, AO3101420.
Semanco, William F., AO3095282.
Sercer, Peter E., AO3087027.
Serrano, Arturo V., AO3102037.
Severance, Donald M., Jr., AO3080521.
Sgarzi, Louis A., AO3086509.
Shackelford, Bernard E., AO3020347.
Shackleton, Dwayne M., AO3101564.
Shaffer, Frank M., Jr., AO3085732.
Shaffer, Howard R., AO3101580.
Sharland, Robert L., AO3084572.
Sharp, Jerry C., AO3101565.
Shaw, Christopher C., Jr., AO3102083.
Shaw, Millard M., AO3082268.
Shay, William H., AO3086159.
Shea, John B., AO3095159.
Shearer, William A., Jr., AO3087219.
Shelton, James A., AO3013698.
Shepard, Ronald L., AO3102683.
Shinmori, Bill, AO2204814.
Shipley, Dale F., AO3087727.
Shiraishi, Paul N., AO3084110.
Shoemaker, Alan M., AO3087125.
Shover, Kenneth E., AO3081903.
Shupp, Thomas L., AO3086625.
Siebers, Jerome O., AO3031955.
Silvia, Thomas A., AO3092116.
Simenson, Thomas D., AO3085135.
Simmons, John A., AO3094575.
Simmons, Philip C., AO3093537.
Simon, Thomas J., AO1061547.
Sims, Robert L., AO3109621.
Sincoski, Charles, AO3101304.
Singer, Ronald M., AO3099505.
Sirmans, John C., AO3086057.
Skaggs, Stephen L., AO3053451.
Skidmore, John W., AO3071953.
Skokan, William J., AO3094882.
Skouson, Garth W., AO3053950.
Sloan, Joseph W., AO3081962.
Slocum, William H. L., AO3093975.
Slowey, Richard, AO3102387.
Smiley, James G., AO3082205.
Smith, Bobby D., AO2213553.
Smith, Byron L., AO3095097.
Smith, Deane E., AO3069267.
Smith, Donald B., AO3095825.
Smith, Donald H., AO3066219.
Smith, Donald V., AO3075736.
Smith, Douglas L., AO3047354.
Smith, George D., AO3080461.
Smith, George N., AO3070727.
Smith, Howard H., AO3087493.
Smith, James M., AO3101308.
Smith, Jedford E., AO3047932.
Smith, Lawrence E., AO3056570.
Smith, Raymond W., AO3087734.
Smith, Robert B., AO3087319.
Smith, Robert G., AO3082510.
Smith, Robert G., AO3101757.
Smith, Scott W., III, AO3055230.

Smith, Tom C., AO3099109.
Smoker, Stephen M., AO3096265.
Smythe, Ralph E., AO3102973.
Snovel, Edwin, AO3047833.
Snyder, Charles A., AO3066683.
Snyder, Charles L., Jr., AO3101899.
Snyder, Ralph D., AO3070707.
Sobieszczyk, Neal A., AO3070819.
Soderlund, Walter C., AO3095803.
Solberg, Harold A., AO3069466.
Somma, Salvatore F., AO3082117.
Sommerfield, William V., AO3096068.
Sook, George R., AO3056459.
Sorrells, Thomas W., AO3099051.
Sotire, Charles H., AO3099529.
Soupene, George L., AO3098266.
Southard, Thomas G., AO3095908.
Spagnola, Kenneth L., AO3093732.
Spatz, Kenneth, AO3071063.
Speed, Thomas J., III, AO3093007.
Spencer, Carlos J., AO3082848.
Spencer, Frank E., AO3085118.
Spencer, James E., AO3054876.
Spillinger, Gordon, AO3068829.
Spivey, Lonnie R., AO3101490.
Spongberg, Donald E., AO3103141.
Spotswood, David T., AO3087617.
Springer, Warren L., AO3065683.
Spruill, Crosby L., AO3102974.
Stacy, Everett S., AO3084861.
Stallworth, Willett R., AO3095214.
Stamm, James D., AO3071712.
Stanley, Millard P., Jr., AO3055467.
Stanley Oliver H., AO3044404.
Stansell, George A., AO3098962.
Stanton, Benjamin D., AO3066410.
Stark, Lewis R., AO3101901.
Stasio, August M., AO3082425.
Stauffer, Russel F., AO3081991.
Stearle, Gerald F., AO3087873.
Steiner, Robert E., AO3102086.
Steinhauer, Elwood, III, AO3101902.
Stemple, Russell W., Jr., AO3055231.
Stephen, Edward H., AO3101310.
Stephens, James C., AO3081190.
Stephenson, David R., AO3087500.
Stepp, Ronald B., AO3069355.
Stern, Lawrence, AO3072241.
Stethen, Raymond D., AO3096612.
Stevens, Gene L., AO3041408.
Stevenson, Cary H., Jr., AO2205822.
Stevenson, John R., AO3053528.
Stewart, Albert G., AO3055374.
Stewart, John B., AO3101764.
Stewart, Tom E., Jr., AO3054754.
Stewart, William E., AO3094115.
Stewart, William M., AO3056574.
Stidham, James R., AO3096613.
Stirling, Ronald J., AO3070132.
Stone, Fred S., AO3067088.
Stoops, David E., AO3071369.
Stoops, Emerson F., AO3073940.
Storch, Henry C., AO3082058.
Storey, Thomas G., AO3036449.
Stovall, Floyd W., AO3103262.
Strandhagen, Harry I., Jr., AO3053980.
Straus, Albert E., AO3097673.
Strauss, Joseph L., Jr., AO3087619.
Strayer, Daniel E., AO3082607.
Strebel, Clarence E., AO3065818.
Stuart, John F., AO3101847.
Stumpf, Henry M., Jr., AO3068039.
Sugarman, Frank M., AO3012703.
Sullivan, James V., AO3102924.
Summer, James L., AO3055471.
Surico, Joseph C., AO2208670.
Surovik, John H., Jr., AO3018939.
Survil, Edward J., AO3066326.
Sutherland, Jack W., AO3066327.
Sutphin, Allen L., AO3109624.
Sutter, Franklin G., Jr., AO3102444.
Sutton, William R., AO3095283.
Swartz, John J., AO3097070.
Sweeney, John J., Jr., AO3068040.
Swift, Frederick W., AO3101311.
Taffe, Robert H., AO3071836.
Tabor, Charles I., AO3082014.
Taft, Joe H., AO3087040.
Talbott, James A., AO3098100.
Talmadge, Ronald H., AO3055296.
Tam, Calvin B. M., AO3096019.
Tanaka, James H., AO3051979.
Tankersley, James E., AO3102890.
Tappan, Robert M., AO3070955.
Taranto, Ramon L., AO3082374.
Tarlyn, Jerome M., AO3094315.
Tarr, Howard C., Jr., AO3095037.
Tatum, Walter F., Jr., AO3069952.
Taylor, Anton M., AO3102586.
Taylor, Donald C., AO2209839.
Taylor, Robert A., AO3015446.
Taylor, Thomas J., AO3071623.
Taylor, Vyrle J., AO3085749.
Teer, Walter F., Jr., AO3103143.
Telander, Silas R., AO3081718.
Tengan, Seijun, AO3082015.
Terrell, Joseph E., AO2206316.
Terzian, Aram L., AO3109627.
Thacker, William A., AO3086033.
Thalacker, Jimmy, AO3081812.
Thaler, Glen F., AO3069100.
Thomas, Bert H., AO3094243.
Thomas, John AO3094617.
Thomas, Kenneth W., AO3054635.
Thompson, Fred N., AO3080312.
Thompson, George W., AO3103144.
Thompson, John V., AO2211810.
Thompson, Vincent B., AO3025243.
Thurman, James S., AO3049061.
Tighe, Earl E., AO3101915.
Timblin, Gaylord L., AO3065896.
Todd, Clarke L., AO3098377.
Todd, James R., AO3027209.
Toland, James D., AO3081973.
Tole, George E., AO3097698.
Townsend, Willard F., AO3051223.
Trainor, Philip, AO3022689.
Trask, John H., AO3087882.
Traynham, Gene C., AO3087624.
Treacy, Charles P., AO3101769.
Treacy, John D., AO3093714.
Treece, James A., AO3080970.
Tucker, Robert J., AO3103025.
Tucker, Troy L., AO3087743.
Tulintseff, Nick G., AO3052355.
Turner, Lawrence D., AO3101316.
Turrin, Armand L., AO3093957.
Tutless, Peter J., AO3068718.
Uchida, Kenneth Y., AO3085603.
Udelhofen, Robert I., AO3081963.
Uffelman, Jack R., AO3066271.
Unruh, Daniel D., AO3086198.
Urich, Ronald K., AO3065760.
Urquhart, Donald J., AO3066643.
Valentine, John, AO3066060.
Valladares, Ronald L., AO3101182.
Van Hook, John P., AO3037284.
Vancitters, Darrell A., AO3048054.
Vancleave, Danny R., II, AO3095572.
Vandenbiesen, John A., AO3069269.
Vanderhoop, John O., AO3071423.
Vaterlaus, Thomas D., AO3083211.
Vaughn, Frank S., Jr., AO3080313.
Vaught, Wilma L., AL3059917.
Venable, Edward W., AO3057205.
Vidal, Lloyd J., AO3083823.
Vine, Norman R., AO3084539.
Virant, Richard A., AO3065209.
Volpel, John W., AO5507243.
Von Milton, K. S., AO3096022.
Vonbargen, Gerald C., AO3072204.
Vonredlich, Mark H., AO1865555.
Voorhies, James F., AO3093012.
Waddle, Gordon C., AO3101322.
Wagner, David L., AO3029592.
Wagner, Raymond E., AO3084405.
Waite, Leland K., AO3084283.
Walchshauser, Joseph A., AO3097215.
Waldman, Henry W., AO3082087.
Waldron, Charles S., AO3093116.
Waldrop, Park D., AO3110067.
Walker, Bert N., AO3087337.
Walker, John S., AO3082673.
Wallace, Roy G., AO3071338.
Walstrom, David L., AO3094319.
Waresh, John C., AO3102184.
Warner, Robert E., Jr., AO3069122.
Warren, Lee D., AO3102164.
Warsinske, James A., AO3033532.
Waskiewicz, Norman P., AO3065786.
Watkins, Church, Jr., AO3086844.
Watkins, Robert E., AO3058696.
Watson, Jerome A., AO3029289.
Weatherby, Jack W., AO3066626.
Weatherby, Jerry R., AO3084647.
Weatherford, Roscoe L., Jr., AO3054590.
Weaver, James R., AO3081806.
Webb, Donald F., AO3101778.
Webb, Ronald J., AO3096233.
Weber, Charles R., AO3103382.
Weber, Edward, AO3101779.
Weber, Waldon R., AO3069170.
Webster, Colonel H., AO3055090.
Weichsel, Howard B., AO3067893.
Weidkamp, Larry L., AO3087400.
Weisbrodt, James M., AO2209968.
Weisman, Sanford, AO3074651.
Wellford, Hugh P., AO3069675.
Wells, Stanley H., AO3056580.
Welton, Donald D., AO3082232.
Wenlock, Charles E., Jr., AO3087519.
West, Charles J., AO3068857.
West, Gregory R., AO3069565.
West, James C., AO3086270.
West, Joseph P., Jr., AO3098104.
Westberry, Henry L., Jr., AO3101324.
Westhausen, Gary H., AO3068382.
Whatley, Bill D., AO3065612.
Wheeler, Charles E., II, AO3081482.
Wheeler, Daniel F., AO3093960.
Whitaker, Ted, AO3101782.
Whitaker, William A., AO3054398.
White, Kenneth A., AO3101797.
White, Loyce L., AO3054263.
White, Milton E., AO3055232.
White, Richard S., AO3066257.
White, Richard W., AO3095000.
White, William B., AO3068048.
Whitener, James C., AO3068733.
Whitfield, Allen P., AO3071317.
Wichman, Roger E., AO3097331.
Wicker, Paul J., AO3072127.
Wiegel, William S., AO3101196.
Wikle, Kenneth C., Jr., AO3080124.
Wilcox, Chris N., AO3096273.
Wilger, James D., AO3086860.
Wilkinson, Kenneth D., AO3081721.
Wilkinson, Vance K., AO3081964.
Willard, Harold R., AO3087520.
Willett, Myron J., AO3102203.
Williams, Alfred L., Jr., AO3074340.
Williams, Barbara M. T., AL3059944.
Williams, Donald L., AO3068661.
Williams, Gary J., AO3101787.
Williams, Lorenzo N., AO3093049.
Williams, Richard G., AO2211595.
Williams, Waddell P., III, AO2210128.
Williamson, Gerard R., AO3082059.
Wilson, Harold F., AO2245603.
Wilson, John B., AO3033925.
Wilson, Juandell W., AO3056470.
Wilson, Robert H., AO3084349.
Wilson, Thomas, AO3056471.
Wilson, William L., AO3098741.
Wilz, John P., AO3056472.
Winegarden, Ronald D., AO3098542.
Winn, Wendell W., AO3083910.
Winsett, Byron B., Jr., AO3086608.
Winter, John H., AO3082020.
Winterfield, Louis A., AO3081164.
Wolf, Wayne J., AO3072305.
Wood, David B., AO3050475.
Wood, Douglas E., AO3086410.
Wood, Gary L., AO3093298.
Wood, Joseph W., AO3086849.
Wood, Philip A., AO3103214.
Wood, Richard A., AO3046574.
Woodrick, Joe O., AO3098792.
Woods, Jackie V., AO3094709.
Woods, James C., AO3081196.
Woosley, Hiram E., AO3054592.
Wootton, Mack E., AO3096236.
Worden, Robert D., AO3056582.
Wozniak, Ronald R., AO3102398.
Wright, Ivan C., AO3087376.
Wright, Jerdy A., Jr., AO3080629.
Wright, Richard J., AO3073504.
Wright, Richard W., AO3082122.
Wuamett, Stephen C., AO3086678.
Wylie, Jimmy W., AO3086285.
Yaeger, Joseph L., AO3071774.
Yaroch, Alger A., AO3101513.
Young, Carl E., AO3066414.

Young, Glenn W., AO3084009.
Zabel, Louis H., AO3082234.
Zaner, Howard W., AO3086628.
Zannini, Robert H., AO3101516.
Zavasky, John J., AO3098033.
Zenzen, David P., AO3101330.
Zimmerman, Robert G., AO2224645.
Zoner, Jon C., AO3102051.
Zucker, Robert, AO3097793.

To be second lieutenants

Abbott, Vernon B., AO3106354.
Abell, William A., Jr., AO3096619.
Abraham, Gary W., AO3103184.
Abram, Max L., AO2259620.
Abrams, Richard L., AO3115290.
Accuosti, Judith A., AL3110052.
Ackerman, Ronald R., AO3109931.
Adair, Frederick W., AO3098824.
Adams, James O., AO3115886.
Adams, Jerry C., AO3100227.
Adlington, Paul R., AO3104268.
Aehlich, Werner R., AO3105192.
Aehnlich, Paul C., AO3099955.
Agnew, Donald L., AO3115535.
Aker, George E., AO3093499.
Albano, August J., AO3100834.
Albright, Edward L., AO3105083.
Allerton, Robert W., III, AO3115669.
Alexander, Fred L., AO3094799.
Alexander, Larry D., AO3115887.
Alford, Wilbur J., AO3086764.
Allen, Charles R., AO3104915.
Allen, Ernest G., Jr., AO3116173.
Allen, George C., Jr., AO3115430.
Allen, Gerald N., AO3116390.
Allen, Joseph, AO3104732.
Allen, Lawrence W., AO3100011.
Allen, Robert L., AO3106972.
Alligood, Gilbert R., AO3105493.
Allison, Harry B., AO3115888.
Allton, John T., AO3067748.
Almquist, Gordon N., AO3105567.
Almy, Gene H., AO3106356.
Alspaugh, James D., AO3103438.
Altenhof, Robert R., AO3104733.
Alvarez, Esteban F., AO3106159.
Andersen, Einer E., AO3104821.
Andersen, Vernon K., AO3106278.
Anderson, Calvin C., AO3097926.
Anderson, Charles A., AO3100686.
Anderson, Edsel F., AO3100229.
Anderson, George W., Jr., AO3105718.
Anderson, Hollis D., AO3106297.
Anderson, Jim, AO3105054.
Anderson, Paul J., Jr., AO3104018.
Anderson, Warren L., AO3099842.
Anderson, William H., Jr., AO3105053.
Andrus, Jon H., AO3105862.
Angermiller, Roy L., AO3106358.
Angliss, William W., AO3106009.
Anselmo, Robert J., AO3104927.
Antonich, Lawrence J., AO3105008.
Anzivino, Angelo L., AO3106146.
Arellano, Gustavo O., AO3115431.
Armstrong, Donald R., Sr., AO3115675.
Armstrong, Thomas W., AO3106536.
Arnold, David H., AO3106360.
Ashworth, Pratt D., AO3103621.
Astle, Neil L., AO3047292.
Atkinson, James F., Jr., AO3104975.
Atkinson, Thomas S., AO3115724.
Atnip, David L., AO3099979.
Ator, Robert A., AO3115432.
Au, Wyman W. M., AO3100290.
Aube, Albert E., AO3106771.
Austin, Bobby L., AO3099732.
Austin, James T., AO3083553.
Austin, Philip R., AO3096995.
Austin, William R. II, AO3115433.
Auten, Jimmie D., AO3106550.
Auth, James F., AO3117204.
Autsch, Fritz A., AO3104928.
Averett, Ronald J., AO3116854.
Babione, William P., AO3100115.
Babitzke, Edward B., AO2220428.
Bacon, John M., AO3115665.
Bacon, Lawrence E., AO3100058.
Baertl, Charles E., AO3118281.
Bagley, Thomas, AO3105627.
Bagnell, Stephen F., Jr., AO3100965.
Bailey, Thomas F., AO3100171.
Baker, Alan S., AO3105380.
Baker, Arthur D., AO3104356.
Baker, Carol A., AL3115536.
Baker, Dale T., AO3100798.
Baker, Dennis F., AO3110022.
Baker, Donald R., AO3099981.
Baker, Duane S., AO3105919.
Baker, James N., AO3115602.
Baker, Mary E., AL3115537.
Baker, Willard K., AO3105535.
Balas, George R., AO3102815.
Baldassano, Robert S., AO3105282.
Baldwin, Nathan W., AO3100643.
Ball, Billy D., AO3105813.
Ballou, James R., AO3106990.
Banilower Howard, AO3053343.
Barcelo, Wayne R., AO3100897.
Barfield, Billy J., AO3106363.
Barkemeyer, Ogene W., AO3106364.
Barker, Sumpter H., AO3116856.
Barlow, Glenn B., AO3106695.
Barlow, Gordon J., AO3115538.
Barnes, Gene S., AO3100059.
Barnes, James E., AO3104916.
Barnes, Lindel L., AO3115434.
Barnes, Wymon J., AO3066166.
Baron, David A., AO3105643.
Barr, John H., AO3106834.
Barr, Sammie D., AO3106610.
Barr, Sumner, AO3104705.
Barrett, Donald L., AO3115670.
Barrett, Frederick W., III, AO3100966.
Barrett, Norman L., AO3109733.
Barrett, Robert F., AO3100762.
Barth, Vincent J., Jr., AO3110015.
Bartlett, William K., Jr., AO3105495.
Barton, John B., AO3107026.
Bartrug, Edwin M., Jr., AO3106786.
Barts, Duane A., AO3116857.
Bass, Jon D., AO3053692.
Bassett, David H., AO3105231.
Bassett, Donald A., AO3106335.
Bateman, Terry S., AO3085433.
Baten, Jimmie R., AO3109749.
Batten, Virgil F., AO3105496.
Batton, Robert N., Jr., AO3100884.
Baty, Richard S., AO3105217.
Baud, Kenneth W., AO3096074.
Bauer, Donald W., AO3106121.
Bault, William V., AO3115435.
Bayles, Dudley J., AO3115436
Bayliss, Paul M., AO3106835.
Beaman, Roy M., AO3116170.
Bean, Larry S., AO3105920.
Bear, Howard J., AO3081519.
Beazley, Charles E., AO3106365.
Bebernes, Ronald L., AO3105055.
Becht, Robert P., Jr., AO3105581.
Becker, Edward L., Jr., AO3117457.
Beckner, Stanley G., AO3097539.
Beerwinkle, Kenneth R., AO3106366.
Begasse, Joseph W., AO3105161.
Behler, Joseph A., AO3116396.
Behring, Darrel D., AO3105815.
Beke, Elmer H., AO3100478.
Bell, Cecil H., Jr., AO3109766.
Bell, James E., AO3095259.
Bell, James H., AO3084940.
Bell, James R., AO3100277.
Bell, Richard S., AO3085041.
Bell, Wayne A., AO3105693.
Bellanca, Thomas J., AO3095026.
Benda, Edward P., AO3106055.
Bender, Eduard, AO3105769.
Bender, Walter W., AO3104287.
Benjes, William D., AO3100076.
Bennett, Frank J., AO3104020.
Bennett, James P., AO3106787.
Bennett, John H., AO2260032.
Bennett, Michael D., AO3099764.
Bennett, Paul D., AO3105042.
Bennett, Richard A., AO3116858.
Bennett, Richard J., AO3117464.
Benson, Kent, AO3106696.
Bergdoll, William M., AO3103446.
Bergh, Roland T., AO3116859.
Beringson, Richard J., AO3104872.
Berle, Terence H., AO3105722.
Bernard, Samuel T., AO3104823.
Bernd, Robert D., AO3100013.
Bertram, Norman L., AO3110009.
Bertva, Don L., AO3104824.
Beshara, Thomas M., AO3106743.
Bestul, Bruce E., AO3115540.
Betsill, Sammy F., AO3117520.
Betts, Walter T., AO3100839.
Bever, Howard O., AO3115438.
Bevington, Alan L., AO3106122.
Beyeler, Kerry F., AO3104022.
Beyerle, Clifford R., AO3099831.
Biggar, Gordon M., AO3095876.
Biles, George L., Jr., AO3104917.
Billeaudeaux, Lionel C., AO3105218.
Billings, John H., AO3105136.
Binder, Donald H., AO3096747.
Binsack, Joseph H., AO3087180.
Birmingham, Edward P., AO3104182.
Birrittella, Bernard J., AO3097626.
Bishop, Joseph E., AO3104628.
Bishop, Marvin L., AO3097294.
Bishop, Max E., Jr., AO3103395.
Bisson, William J., AO3104682.
Bitschenauer, Albert E. K., AO3104736.
Bjorke, Erle L., AO3117144.
Bjornstad, Robert J., AO3106938.
Black, Gerald W., AO3105283.
Black, Raymond C., AO3105986.
Black, Robert S., AO3105092.
Blackburn, James H., Jr., AO3106368.
Blackmore, Ronald E., AO3106162.
Blackwood, Gordon B., AO3099910.
Blackwood, Robert S., II, AO3115541.
Blackwood, William R., AO3106369.
Blais, David N., AO3104706.
Blake, Hubert L., AO3106673.
Blakely, Aylmer D., Jr., AO3105043.
Blakney, Kenneth L., AO3116860.
Blankenship, Charles H., AO3104024.
Blase, Melvin G., AO3048987.
Blasingame, Frank E., AO3105546.
Blatter, Wilburt H., AO3103903.
Blaufuss, Edward A., AO3105139.
Bledsoe, Adolphus H., Jr., AO3117428.
Bliss, George W., AO3104522.
Blizzard, John D., Jr., AO3109777.
Blum, Lawrence J., AO3099860.
Blume, John H., AO3087208.
Blumenthal, Morris C., Jr., AO3099765.
Blumsack, Harvey L., AO3104612.
Bobek, Andrew S., AO3098472.
Bodnar, John A., AO3106010.
Boette, August E., AO3115404.
Bogart, Fredric I., AO3097043.
Bogren, Eric C., AO3104825.
Bohlson, John S., AO3107207.
Bolen, Edward S., AO3099702.
Boles, Jimmie K., AO3115539.
Boles, Robert H., AO3106237.
Boller, Ernest R., Jr., AO3094404.
Bomar, James S., AO3100230.
Bomgardner, Larry J., AO3109863.
Bond, Charles C., AO3100764.
Bonfield, John A., AO3117863.
Booth, Robert M., AO3115997.
Bordeaux, John C., AO3105547.
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Bott, Don C., AO3106370.
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Bradley, Stephen R., AO3105358.
Brady, James C., Jr., AO3117433.
Brady, Tim, AO3116256.
Brandon, Felix R., II, AO3104935.
Brandt, Rand, AO3117467.
Brannelly, John J., AO3115482.
Brannon, John J., AO3099230.
Brant, Roger F., AO3107056.
Braswell, Luther J., AO3041521.

Bratton, Richard V. D., AO3115673.
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Breeman, Leonard G.. AO3105498.
Breen, Paul F., AO3115919.
Breen, Terry H., AO3115544.
Breeze, Harrell R., AO3105816.
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Brennan, Charles L., AO3105010.
Brenner, Oliver D., AO3109764.
Brewer, James E., AO3105011.
Breza, Michael J., AO3100348.
Brian, Arthur W., AO3099153.
Bridley, Charles A., AO3100051.
Briesacher, Herbert A., AO3115674.
Bright, Edward G. D., AO3100150.
Brill, Frank Z., Jr., AO3106871.
Brinker, Michael P., AO3100118.
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Brislin, Robert J., AO3109775.
Britt, Verlon L., AO3100612.
Brittain, Claire E., AO3117706.
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Brod, William B., AO3106375.
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Brush, Lester D., AO3099927.
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Bryan, William E., AO3109769.
Bryant, Jon F., AO3117971.
Bryars, Frank K., AO3115360.
Bubel, Howard L., AO3099935.
Bucciarelli, Louis L., Jr., AO3097575.
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Buck, Virgil A., AO3106555.
Buckley, Martin J., AO3117097.
Bucky, Jean B., AO3086759.
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Buerk, William C., AO3117098.
Buff, Peter M., Jr., AO3115677.
Bugeda, Richard B., AO3105582.
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Burnett, William R., AO3116097.
Burney, David L., AO3115447.
Burnham, Richard A., AO3110116.
Burns, Charles D., AO3106168.
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Burnworth, Harold F., Jr., AO3087141.
Burris, Joseph B., AO3102747.
Burton, J. C., AO3106378.
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Buss, Larry H., AO3105309.
Busse, Robert C., AO3100601.
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Byerley, William H., Jr., AO3100127.
Byrnes, Donald J., AO3117375.
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Calhoun, William O., AO3105140.
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Callahan, Michael T., AO3115678.
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Capitani, Richard A., AO3105232.
Cappi, Albert E., AO3104361.
Caraway, Bobby R., AO3106674.
Care, Francis J., AO3117761.
Carey, Charles C., AO3115680.
Carlson, Charles J., AO3105057.
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Carr, Frank A., AO3105194.
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Catlin, Donald W., AO3100726.
Catterson, Bruce E., AO3105284.
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Caum, Nancy A., AL3116522.
Causey, John B., AO3100420.
Cavender, Henry J., AO3115681.
Cavitt, Robert J., AO3105818.
Cayton, John J., AO3106057.
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Celce, Frederick W., Jr., AO3105129.
Ceruti, Franklin D., AO3116523.
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Chance, Vernon B., Jr., AO3100234.
Chang, Robert H. H., AO3099863.
Chaplin, Anton S., AO3100175.
Chappel, Larry E., AO3116099.
Chappell, John E., AO3106725.
Charmoli, Leonard J., AO3100403.
Charney, William M., AO3081853.
Chase, Arthur D., AO3106380.
Chassay, Roger P. Jr., AO3100841.
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Cherry, Jackie F., AO3104363.
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Childers, Andrew N., AO3106622.
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Christensen, Wayne E., AO3105084.
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Christian, Robert E., III, AO3094992.
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Christopherson, Thomas G., AO3116524.
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Cicco, John A., Jr., AO3106058.
Cicero, Samuel R., AO3100842.
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Clack, Raymond R., AO3099821.
Clapp, David E., AO3100032.
Clapper, Jack K., AO3116055.
Clapsaddle, Ronald E., AO3117529.
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Clark, Freddie D., AO3106381.
Clark, Jerry K., AO3105904.
Clark, Larry H., AO3106623.
Clarke, Charles H., AO3115341.
Clarke, Colin A., AO3109780.
Clarke, George R., AO3106110.
Clary, John D., Jr., AO3100482.
Claus, Richard L., AO3115381.
Clauson, Richard C., AO3100647.
Clawson, Stewart H., AO3105867.
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Clement, Henry J., AO3107004.
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Cline, Roy L., AO3116867.
Clingenpeel, Conrad M., AO3106793.
Clisby, Edward V., AO3117100.
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Cochran, Wright E., AO3100691.
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Coe, Gary L., AO3115370.
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Collins, Lloyd H., AO3103203.
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Compton, Andrew J., AO3109791.
Condit, Bruce P., AO3108632.
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Conover, James H., AO3115928.
Conrad, Robert L., AO3106727.
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Cook, Warren W., AO3099984.
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Cooper, John M., AO3106337.
Cooper, Miller M., AO3099704.
Cope, James R., AO3099985.
Cope, Larry G., AO3099936.
Cope, Lawrence L., AO3103673.
Copenhaver, Howard W., Jr., AO3105500.
Cordell, William F., Jr., AO3106387.
Corder, John A., AO3103456.
Cordier, Kenneth W., AO3105771.
Cordova, Richard L., AO3104420.
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Cornelius, Arthur B., AO3104272.
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Cornwall, Don S., AO3106388.
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Cowie, James M., AO3105334.
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Cox, Donald C., AO3097299.
Cox, Harla D., AO3106390.
Cox, Pearson E., AO3115760.
Cox, Wesley A., AO3106942.
Cox, William L., AO3104920.
Coyle, Ronald W., AO3115511.
Craft, Wayne J., AO3100708.
Craig, James R., Jr., AO3105973.
Crandall, Gordon C., AO3116407.
Crane, Robert W., AO3109772.
Craver, George L., AO3105469.
Crawford, Robert R., AO3105998.
Creel, Joel D., AO3104030.
Cremin, Walter J., AO3117435.
Cress, Donald R., AO3085986.
Cress, Larry E., AO3100486.
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Croft, Raymond C., AO3116266.
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Croll, Jack R., AO3106943.
Croom, Bobby H., AO3105504.

Cross, Dale O., AO3105821.
Cross, Ray I., AO3104897.
Crow, Richard R., AO3105699.
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Crowell, Norman G., AO3099790.
Crum, James D., AO3106339.
Crum, John M., AO3099734.
Crum, Roger D., AO3115576.
Cruson, Emmett A., AO3106279.
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Cudd, George S., AO3106944.
Cuellar, Hector M., AO3104295.
Culp, Chesley K., Jr., AO3094553.
Culp, Larry F., AO3116376.
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Cumbee, Jack A., Jr., AO3099706.
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Cunningham, Robert J., AO3099822.
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Curran, Peter K., AO3100727.
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Cushing, Emery G., AO3104739.
Cuskey, Russell J., Jr., AO3107005.
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Dahlberg, Roger C., AO3100404.
Dailey, Fred D., Jr., AO3105311.
Daily, James W., AO3115929.
Daily, Sammy G., AO3110031.
Dale, David M., AO3100128.
Dalton, John F., AO3105222.
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Damico, Joseph L., AO3116059.
Damon, Richard E., AO3106394.
Damschroder, James W., AO3105648.
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Daniels, Ralph E., AO3105554.
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D'Arco, Silvio V., AO3104367.
Dardick, Steven M., AO3105999.
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Davis, Forrest W., AO3106174.
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Davis, Ronald R., AO3105015.
Davis, William V., AO3115552.
Davison, James W., AO3117651.
Dawson, John E., AO3115553.
Day, Foster H., AO3099736.
Day, Mark N., Jr., AO3115458.
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Dechant, William A., AO3103786.
Deem, Larry A., AO3104827.
DeFrank, Dale A., AO3115554.
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Dellangela, Silvio G., AO3105143.
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Devito, Luigi, AO3105165.
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Divich, Duane G., AO3115459.
Dixon, Clifford, C., AO3117478.
Dixon, Fremon P., AO3100207.
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Ellison James L., AO3109828.
Ellsworth, Darr K., AO3099156.
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Endo, Toki R., AO3116534.
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Engstrom, Robert C., AO3105241.
Ennis, Ralph B., AO1863425.
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Ensor, George J., AO3116876.
Epps, Dwain C., AO3105923.
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Etherton, Robert L., AO3100035.
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Evans, Alexander, III, AO3105337.
Evans, George G., AO3116612.
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Even, Robert H. C., AO3105363.
Evenson, David B., AO3115765.
Evers, Richard J., AO3100935.
Fairbanks, William Z., Jr.; AO3105959.
Falberg, Lee. H., AO3100329.
Falcinelli, Alexander J., AO3105146.
Fannin, Cathern, R., AL3115558.
Fanning, Robert J., AO3104123.
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Faulk, Renold I., AO3100888.
Fearon, Calvin C., AO3105313.
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Finnerty, Chester C., AO2259623.
Finnerty, Richard M., AO3116216.
Fischer, Eugene H., AO3058607.
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Fleer, Russell L., AO3116377.

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Flodstrom, Thomas E., AO3103871.
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Flory, John A., AO3097020.
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Flynn, George E., III, AO3099680.
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Folds, Joseph B., Jr., AO3117483.
Foley, Lawrence W., AO3106994.
Ford, James C., AO3105949.
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Forseth, Dean A., AO3109246.
Forster, John C., AO3117484.
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Fox, James, AO3116879.
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French James B., AO3106848.
French, Perry F., AO3099867.
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Fry, Richard A., AO3117485.
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Hardell, Wayne D., AO3115706.
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Harrington, Jeanette, AL3109854.
Harris, Alan, AO3104715.
Harris, Eugene C., Jr., AO3105001.
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Haynes, Jackie N., AO3095605.
Hays, David W., AO3118202.
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Hazlett, Charles C., AO3116066.
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Juvette, Kenneth J., AO3107008.
Kabel, Robert L., AO3050821.
Kacher, Leonard M., AO3100179.
Kahane, Richard A., AO3115403.
Kain, Reece A., Jr., AO3109673.
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Kalotay, Denes S., AO3098390.
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Law, Richard T., AO3117691.
Lawrence, Miles B., AO3100180.
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Lawton William P. III, AO3115491.
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Leggett, Dennis W., AO3115578.
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Lindley, Robert H., AO3115493.
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Lindsey, Joe W., AO3116648.

Lineback, Ronald C., AO3105797.
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Lisle, Frank C., AO3115581.
Little, Betty J., AL3115788.
Little, Larry S., AO3099993.
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Louwien, Rudolph W., Jr., AO3115717.
Loven, James V., Jr., AO3103580.
Loving, Ben A., AO3054598.
Lowe, Robert E., AO3099838.
Lowman, Ellene H., AL3109870.
Lu, Philip M., AO3116902.
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Lucas, Victor F., Jr., AO3106444.
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Lutz, Carl F., AO3067682.
Luzhak, Emil P., AO3105177.
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Lyle, Boyd L., AO3106909.
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Lyng, Reginald W., Jr., AO2115922.
Lynn, William H., II, AO3103929.
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Manz, Louis R., Jr., AO3116651.
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Muff, Robert C., AO3105994.
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Nagy, Michael D., AO3117705.
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Narken, Jan, AO3116013.
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Natori, Francis T., AO3095618.
Naujoks, Waldemar M., AO3104620.
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Needs, Robert L., AO3105543.
Neibergs, George J., AO3097733.
Neiburger, Norman A., AO3100517.
Neighbor, William A., OO3103047.
Neilson, David F., AO3116665.
Nell, Larry G., AO3099999.
Nelson, Donald K., AO3116080.
Nelson, Gary M., AO3104598.
Nelson, Jack E., AO3092983.
Nelson, Larry A., AO3100700.
Nelson, Maurice S., Jr., AO3095974.
Nelson, Phillip A., AO3100661.
Nelson, Robert J., Jr., AO3104753.
Nelson, Thomas B., AO3106618.
Nemeth, Sigfried, AO3105407.
Nesbitt, Carole A, AL3116572.
Nettle, Charles W., Jr., AO3116381.
Neubauer, James E., AO3100950.
Neukamm, David J., AO3074222.
Neulight, Irwin L., AO3105371.
Neumann, Dean A., AO3107013.
Newcomb, Fred R., AO3105800.
Newcomer, Edwin V., AO3102725.
Newell, William E., AO3106901.
Newell, William R., AO3100951.
Newman, James G., AO3074304.
Newton, Clyde L., AO3106923.
Newton, Ronald L., AO3103254.
Nichols, Mack G., AO3099724.
Nichols, Richard C., AO3100160.
Nickel, George H., AO3086143.
Nickols, Richard C., Jr., AO3109879.
Niemann, John P., AO3087133.
Niss, Keith F., AO3074305.
Nitsche, George R., AO3100384.
Nock, Edward L., AO3104102.
Noel, Donald R., AO3097373.
Noel, William P., AO3100258.
Nolta, George A., AO3099973.
Noneman, Charles H., AO3104223.
Nonnenkamp, Robert J., AO3108654.
Norden, Arnold F., AO3105181.
Norden, John A., AO3100064.
Norman, Wendell S., AO3053751.
Norris, Donald G., AO3105836.
Norris, Roland E., AO3105673.
Northcote, Philip S., AO3105944.
Norton, Luther P., AO3115953.
Norton, Richard D., AO3099878.
Norvell, Robert T., Jr., AO3109697.
Noto, John F., AO3100618.
Novak, Allan L., AO3105004.
November, Peter C., AO3106115.
Nowak, Frederick E., AO3106760.
Nugent, James A., AO3104158.
Nummi, Richard I., AO3107015.
Nunnally, Edward R., Jr., AO3115796.
Nupen, Curtis O., AO3106289.
Nuske, Arthur D., AO3104446.
O'Beck, Gary F., AO3106135.
Oberkrom, Herman F. W., AO3104315.
O'Brien, Patrick J., AO3115504.
O'Brien, Thomas G., AO3115505.
Ockerhausen, Bobby J., AO3104959.
O'Connor, James J., AO3093943.
O'Connor, Joseph J., Jr., AO3106820.
O'Connor, Thomas J., AO3098678.
Oda, Richard S., AO3100301.
O'Dell, Perry D., AO3105837.
O'Donnell, Robert D., AO3098616.
Oehlke, Chester A., AO3104052.
Ogawa, Sanford S., AO3100302.
Ogershok, Richard W., AO3106821.
O'Grady, Richard E., AO3100681.
O'Hara, William C., AO3105435.
O'Herin, Richard D., AO3099620.
Ohlendorf, Robert C., AO3106462.
O'Kane, John, Jr., AO3117307.
Olander, Emil E., Jr., AO3100001.
Oldham, David R., AO3100758.
Olds, Laurence R., AO3105638.
Oliver, Paul S., AO3105480.
Olivia, Charles A., AO3117992.
Olivito, Anthony A., AO3105182.
Ollila, Richard G., AO3100385.
Oloughlin, Arthur D., AO3105345.
Olsen, James G., AO3106712.
Olsen, Lawrence P., AO3116298.
Olsen, Oscar F., Jr., AO3105372.
Olson, John B., AO3104253.
O'Malley, James F., AO3104281.
O'Neill, John P., AO3116014.
Opgenorth, Carl R., AO3115957.
Ori, Richard G., AO3100631.
Ormand, James F., Jr., AO3115506.
Ortiz, Francis G., AO3105228.
Osada, Stanley H., AO3100304.
Osborn, William S., AO3097734.
Osgood, James D., Jr., AO3105111.
O'Shaugnessy, Gary W., AO3105275.
Ossinger, Donald L., AO3099390.
Osteen, Hubert D., Jr., AO3097244.
Ostrem, Obert M., AO3100412.
Ota, Charles M., AO3096016.
O'Toole, Patrick J., AO3093945.
Ott, Charles F., AO3105346.
Overstreet, Ronald P., AO3106924.
Owen, Robert E., AO3106822.
Owen, William M., Jr., AO3104112.
Owens, Denny K., AO3100469.
Owens, Donald P., AO3100186.
Owensby, Gearvie H., AO3115798.
Ownbey, James W., Jr., AO3116668.
Ozols, Modris, AO3100519.
Packer, James E., AO3099133.
Paine, Frank G., AO3105713.
Painter, Richard L., AO3100002.
Pall, Laverne J., AO3099779.
Palm, Francis A., AO3105573.
Palmer, Herbert E., AO3104621.
Palmer, Weymouth C., AO3108289.
Panarites, John P., AO3115508.
Pannier, Richard F., AO3105445.
Panzarella, Philip P., AO3104961.
Pappas, Constantine A., AO3097534.
Pappas, Fredrick G., Jr., AO3104160.
Paquin, William C., AO3106781.
Parham, Clayton E., AO3106331.
Park, Thomas N., Jr., AO3116916.
Parker, Alfred E., AO3117988.
Parker, Edwin B., III., AO3099880.
Parker, William D., AO3099725.
Parkhurst, Norman P., AO3105931.
Parkison, Robert G., AO3100386.
Parks, John H., AO3107060.
Parr, William D., AO3117202.
Parrish, William E., Jr., AO3115728.
Parrott, Lynn F., AO3104600.
Passmore, David A., AO3115729.
Pastore, Vincent J., AO3105276.
Patalive, Joseph A., Jr., AO3104698.
Pate, James D., AO3106465.
Patria, Louis, Jr., AO3105373.
Patterson, James F., AO1908100.
Patterson, Jasper E., AO3105216.
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Patzig, William D., AO3115509.
Paul, Gerald E., AO3109702.
Paulson, Richard D., AO3104317.
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Paxton, Warren K., AO3117449.
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Peck, Myron H., II, AO3106713.
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Pedrick, Richard J., AO3083489.
Peeler, Ross E., AO3116669.
Peeling, John H., AO3109046.
Penn, William E. F., AO3100576.
Pennefather, Michael, AO3116670.

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Perez, Carlos A., AO3100109.
Perkins, Toney R., AO3106981.
Perry, Gary C., AO3105482.
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Petroski, Bernard P., AO3116671.
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Pfister, Lewis M., Jr., AO3104602.
Pfleeger, John R., AO2259898.
Phair, Harold A., AO3099946.
Phalen, Thomas F., Jr., AO3104603.
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Phillipo, Richard J., AO3105113.
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Phipps, Robert B., AO3104282.
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Piccirillo, Albert C., AO3106036.
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Pickett, Duane M., AO3109881.
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Pirovitz, Rudolph J., AO3105375.
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Platt, Thomas H., AO3104319.
Pleister, Richard H., AO3116918.
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Pons, Thomas J., AO3105519.
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Poore, Roger C., AO3117450.
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Porter, David K., AO3097392.
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Prairie, Donald L., AO3096304.
Prall, Daniel E., AO3115731.
Pratt, Donald H., AO3100719.
Precious, Thomas D., AO3106903.
Prendergast, Robert F., AO3106136.
Presar, Don L., AO3115600.
Preston, Forbes D., AO3109882.
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Puckett, Benjamin C., Jr., AO3100260.
Puckropp, John E., AO3117405.
Pullen, Larry A., AO3116383.
Puls, Darwin M., AO3103996.
Purcell, Lynn E., AO3117406.
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Pytlinski, Anthony, AO3104388.
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Quinn, Jon A., AO3106857.
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Quinn, William H., AO3104640.
Quinney, William L., Jr., AO3106667.
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Rahn, Robert K., AO3116579.
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Rapp, Robert A., AO3055753.
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Rausch, Robert E., AO3105750.
Rawlings, Charles F., AO3105640.
Ray, William D., AO3106532.
Raymond, Herbert G., AO3097781.
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Re Nicholas, AO3100436.
Reale, Steven A., AO3116021.
Ream, Larry J., AO3106079.
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Rech, Adam, AO3116307.
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Reder, Frederick J., AO3105785.
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Reed, Robert D., AO3104758.
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Regira, Lawrence J., AO3100870.
Reichert, Robert A., AO3105751.
Reid, John R., AO3104962.
Reidinger, Francis C., AO3117126.
Reiersgaard, William L., AO3099645.
Reilling, Frederick A., AO3118404.
Reimers, Frederick A., AO3100262.
Reiners, Stanley J., AO3106290.
Reinsch, Kenneth J., AO3116922.
Reishus, John W., AO3054145.
Reither, Winslow E., AO3116022.
Remely, Barry E., AO3105034.
Remy, Daniel P. J., AO3104226.
Renaldi, Frank J., Jr., AO3100437.
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Renick, Joseph D., AO3106473.
Reno, Robert L., AO3105679.
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Reynolds, John C., AO3104759.
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Rhode, John R., AO3100067.
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Rhodes, Michael P., AO3100056.
Rice, Howard J., AO3106291.
Rice, Robert G., AO3109886.
Rich, John C., AO3096882.
Richard, Don R., AO3116674.
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Ricks, Emmett L., AO3115514.
Riebe, Harry J., Jr., AO3104451.
Rigby, Lee A., AO3106825.
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Riley, James T., AO3099664.
Rimer, Kaye O., AO3109888.
Rinehart, Ronnie O., AO3104056.
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Rinker, Gerald W., AO3105152.
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Rish, Thomas L., AO3107581.
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Rizzo, Donald J., AO3118071.
Roach, John B., AO3105252.
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Robertson, Martin J., AO3104807.
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Robsman, Igor V., AO3117606.
Rochelle, Ira S., AO3109004.
Rock, Leo P., Jr., AO3100162.
Roedema, Kemp P., AO3105204.
Rogers, Claude E., AO3106576.
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Root, Robert R., Jr., AO3106927.
Roper, Ennis, A., AO3116580.
Rosasco, Edward J., Jr., AO3105326.
Rose, Alan L., AO3107069.
Rose, Aloysius R., AO3104964.
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Rose, Fredric M., AO3097113.
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Rosenberg, Allen S., AO3116241.
Ross, Donald J., AO3106988.
Rossen, Richard D., AO3105681.
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Routh, William C., AO3105896.
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Rowlings, Robert S., AO3104641.
Roy, William L., II, AO3096978.
Royce, William C., AO3105116.
Ruby, Nelson B., AO3100026.
Ruesch, William A., AO3115607.
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Rundt, Jerry L., AO3117210.
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Ryon, Roy A., AO3116465.
Saastad, Paul D., AO3117500.
Sabey, Mark R., AO3118178.
Sackheim, Robert L., AO3099323.
Saddler, James L., AO3105715.
Saenger, John F., Jr., AO3105682.
Salinas, Manuel A., AO3106479.
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Sapp, Jerry L., AO3100341.
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Saulnier, Jean R., AO3104623.

Savery, Melvin E., AO3115608.
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Schacker, Edward H., AO3115520.
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Schaffer, John A., AO3116583.
Schake, Wayne E., AO3072200.
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Scharon, Donald G., AO3105755.
Scheeren, Alexander E., AO3105422.
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Scheyd, Fredric J., AO3100068.
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Schoeller, Carol E., AL3115522.
Schorr, Phillip A., AO3085906.
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Schroeder, Glenn L., AO2248639.
Schubert, Rudy C., AO3106483.
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Seal, Arlan B., AO3117613.
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Seitz, Christian E., AO3100606.
Seitz, Myron D., AO3097928.
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Sellin, Jon B., AO3099137.
Sendejo, Xavier R., AO3106486.
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Shatoff, Herbert D., AO3106004.
Shaver. Jerome L., AO3105447.
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Shaw, Jerome C., AO3105565.
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Sherman, George C., AO3099886.
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Sherwood, Danton T., AO3099617.
Shipp, William L., AO3104966.
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Sloop, Kenneth W., AO3116930.
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Zimmerman, Ronald L., AO3109753.
Zimmerman, William L., AO1908200.
Zimmermann, Frank L., Jr., AO3096237.
Zimmern, Jonathan E., AO3116696.
Zink, Arthur E., AO3104791.
Zollner, Ronald A., AO3104974.
Zukowski, Joseph K., AO3103551.
Zupke, Everett W., AO3100642.
Zych, Leonard P., AO3109692.

To be second lieutenants

Distinguished Officer Training School Graduates

Bruce Ackert, AO3135405.
Thomas G. Ash, AO3135422.
Thomas S. Batson, Jr., AO3135433.
Charles M. Beaky, Jr., AO3135436.
Dennis D. Behrens, AO3135440.
Arthur Bender, AO3135441.
Gene A. Berry, AO3128086.
Donald K. Bissonnette, AO3135452.
Norman G. Bittorf, AO3134836.
Jimmy D. Blackstock, AO3135453.
Bobby G. Bolinger, AO3134915.
Thomas M. Bomber, AO3135320.
Frederick E. Booth, AO3135460.
Clarence E. Botner, Jr., AO3135464.
Thomas P. Bradley, AO3135471.
Robert P. Breault, AO3135472.
John G. Briner, AO3135477.
Gerald F. Broening, AO3135480.
Jerry C. Brooks, AO3135481.
Ladd C. Brown, AO3128733.
George W. Buchanan, AO3135486.
Lawrence J. Bullock, AO3129363.
Keith E. Burres, AO3135492.
Edward H. Carey, Jr., AO3135501.
William R. Carlson, AO3134997.
Daryl M. Carpenter, AO3135506.
Thomas E. Charters, AO3135517.
Gerald L. Chatwood, AO3135518.
Gerald C. Chichester, AO3135520.
Dennis C. Coates, AO3135529.
Ned M. Cole, Jr., AO3134957.
David F. Conrad, AO3135259.
William W. Cooper, AO3135543.
John E. Cox, AO3135553.
Curtis M. Crandall, AO3135555.
Leo Crosta, AO3135561.
Nathan D. Crumpler, AO3135563.
Charles F. Dalton, Jr., AO3129595.
Eric W. Danielson, Jr., AO3135567.
Jo E. Davidson, AO3135570.
Jon L. Davis, AO3135572.
Robert F. Denny, AO3135578.
Elden L. DePorter, AO3128461.
George R. Dixon, AO3135585.
Wayne L. Downs, AO3135590.
Alexander R. Dulevitz, AO3128066.
William F. Dunbar, AO3134654.
Ross F. Early, AO3135599.
William A. Ehmig, AO3135603.
Burt S. Eldridge III, AO3135605.
Howard M. Epstein, AO3135617.
Gwil O. Evans, AO3135620.
Joseph N. Farley, AO3135625.
Donald J. Fenstermacher, AO3135626.
Ronald R. Finkbiner, AO3135627.
Gary D. Finkle, AO3135628.

Joseph W. Fischer, AO3134821.
Robert H. Flechtner, AO3135635.
Joseph J. Fox, AO3135649.
Frank M. Fulgham, AO3135340.
Stuart E. Garbutt, AO3134543.
Raymond P. Girouard, AO3135050.
Arthur Goldenstein, AO3135678.
Leonard R. Golke, AO3134815.
Jack D. Greene, AO3135688.
Sanford Greenstein, AO3135689.
Harry J. Hager, AO3135699.
Robert D. Haggard, AO3122571.
Thomas H. Hall, AO3135225.
John E. Halligan, AO3135209.
David B. Hallock, AO3135707.
John M. Harrington, AO3135210.
Floyd F. Hauth, AO3135730.
Earl L. Heeren, AO3135738.
John M. Hess, AO3134685.
Dean A. Hetrick, AO3135743.
Paul N. Higbee, AO3134947.
Bobby J. Higgins, AO3134544.
William R. Hockensmith, AO3134754.
David C. Honneus, AO3134758.
John F. Howell, AO3135759.
Phillip M. Hubbard, AO3135052.
Robert E. Humphreys, AO3135764.
Joseph C. Hunt, AO3135053.
Jack J. Hunter III, AO3135767.
Morgan Hunter, AO3135354.
Reginald E. Ivory, Jr., AO3135775.
Arthur D. Jacobs, AO3135777.
Bobby L. James, AO3135779.
Edwin A. Johnsen, AO3135782.
George A. Johnson, AO3135783.
Jay W. Kane, AO3135218.
Kenneth E. Keeler, AO3135796.
James M. King, AO3135810.
Thomas W. King, AO3135257.
Mark A. Klein, AO3121714.
Edward M. Klepper, AO3135815.
Virgil N. Kovalenko, AO3135241.
Peter M. Kreis, AO3134601.
Noble W. Lee, Jr., AO3135848.
James C. Lester, AO3134781.
Donald D. Litchford, AO3135860.
David F. Louis, AO3135866.
John A. Maas, AO3135211.
John R. Magmer, Jr., AO3134896.
Joseph E. Malloy, AO3134578.
George Manolis, AO3135876.
Jerry J. Martin, AO3135885.
Julius C. Martin, AO3134545.
Samuel L. Masdon III, AO3135886.
John G. Mauro, AO3135892.
Denny L. May, AO3135893.
John C. McCabe, AO3135894.
Albert G. McCoy, AO3135900.
John D. McCubbin, AO3135091.
Stephen M. McElroy, AO3135268.
Daniel H. McFadden, AO3135901.
John T. McGrath, AO3135904.
Robert A. McLaren, AO3135302.
Lawrence K. Meade, Jr., AO3135356.
Richard P. Meader, AO3135921.
Paul D. Merryman, AO3135924.
Ronald E. Meyer, AO3135070.
Thomas K. Miller, Jr., AO3135934.
Wayne C. Miller, AO3134579.
William W. Miller, AO3135216.
Roger D. Miracle, AO3135936.
Clinton C. Moore, Jr., AO3135942.
Ronald D. Morris, AO3135944
David L. Muzio, AO3135304.
Charles E. Neblock, AO3135952.
George W. Nichols, AO3134800.
Thomas S. Noble, AO3135960.
David L. Nohling, AO3135961.
Lawrence W. Odell, AO3135966.
Edwin R. Offer, AO3135969.
John B. Olansen, Jr., AO3135971.
Jon T. Overgard, AO3129590.
Walter L. Owen, AO3135975.
James D. Pack, AO3135185.
Joseph M. Panus, AO3134770.
Paul W. Peeples, AO3135992.
Donald G. Percy, AO3134559.
Robert G. Petrie, Jr., AO3134903.
William R. Phillips, AO3135072.
Garlin D. Pill, AO3136004.
James C. Pittman, Jr., AO3136007.
Peter P. Quist, AO3134665.
Charles H. Radoy, AO3135305.
Carl W. Reddel, AO3136021.
Jerry D. Reeves, AO3136024.
Manford J. Reeves, AO3135362.
Ronald W. Reilly, AO3139701.
Robert F. Riley, AO3136035.
Virginia L. Rodriguez, AL3136041.
Terry D. Romstad, AO3134611.
Craig A. Ross, AO3135221.
Donald E. Ross, AO3134839.
Douglas O. Ross, AO3136049.
Mario Ruggia, AO3136058.
James A. Ryan, AO3136062.
Robert L. Ryan, AO3136063.
Donald W. Ryter, AO3135231.
Barry E. Schoder, AO3136078.
Derel D. Schrock, AO3136080.
William A. Sherrard, AO3136090.
Rodney E. Showers, AO3136096.
Robert K. Simons, AO3136099.
Richard J. Skarke, AO3134706.
Albert D. Slater, AO3128533.
James E. Sloan, AO3136107.
Graham M. Smith, AO3136111.
Marion R. Smith, AO3136112.
Clyde A. Snell, AO3136119.
Richard D. Snell, AO3136120.
Robert Stanovich, AO3134846.
Neil E. Staten, AO3129853.
Bruce U. Stevens, AO3136135.
Laymon D. Stewart, AO3136137.
Leon F. Strawn, AO3135293.
Jon C. Suggs, AO3135107.
Mary J. Sutter, AL3136257.
Roger C. ter Kuile, AO3135369.
Royal R. Theberge, AO3135100.
John W. Thorne, Jr., AO3136156.
Bobby D. Throldahl, AO3136157.
Blaine F. Townsend, AO3136163.
William C. Tuttle, Jr., AO3135389.
Rodney E. Venables, AO3136178.
Donald L. Verhees, AO3136179.
Robert W. Ver Hoef, AO3136180.
Robert G. Walker, AO3134726.
Roger C. Watson, AO3134746.
Donald V. White, AO3136205.
Jerry L. Williams, AO3136212.
Merle E. Williams, AO3135284.
John H. Wilson, AO3136215.
David R. Wright, AO3136224.
Lyle B. Wullbrandt, AO3134636.
Albert H. Wunderlich III, AO3136226.
Louis Wynne, AO3135323.
George C. Young, Jr., AO3136230.

Subject to medical qualification and subject to designation as a distinguished military graduate, the following distinguished military student of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with date of rank to be determined by the Secretary of the Air Force:

John K. Crane

The following cadets, U.S. Air Force Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284, title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Alfred Phillip Adams
Lee Aaron Adams
Jerry Domenick Adinolfi, Jr.
Gerald Lee Ahmann
James Nezbert Allburn
Harry Roulon Allen, Jr.
Ulysses Spencer Allen
Michael Rex Anderberg
Albert Michael Anderer
Dale Leroy Anderson
Leslie Benjamin Anderson III
Mark Davis Anway
John Francis Arceneaux
William Edward Ardern
Richard LeRoy Arnold III
Erkki Bjorn Wilhelm Aspelin
William Claude Ayers
Ralph Henry Bacue
Wayne Roger Baker
William Jefferson Ball
George Lee Barnes
Francis Llewellyn Barrett
William Anthony Barry
Byron Bartlett
Frederick Clarke Bauer
Alfred Edgar Beauchemin III
John Enrico Bellotte
John Gary Bender
Barry Thomas Bielinski
Frank Anderson Black
Victor John Bliden
Michael Douglas Bock
James Joseph Bodnar
David Joseph Boeck
James Raymond Bogaert
Melroy Borland
John Lorin Borling
Grant Owen Bornzin
Edward Terry Boswell
John Sandford Bouchard
Jerry Keeler Bowers
Alfred Andrew Boyd, Jr.
Michael Francis Bradshaw
Robert Allen Breckenridge
Gordon Duwayne Bredvik
Robert Lewis Brenci
Harry Montague Brittenham II
Kenneth Elmer Broman
James Bartlett Brooks
Richard Max Brown
William Marcus Browning, Jr.
William Fred Bryant, Jr.
Park George Bunker
Joe Lee Burns
John Cole Burwell III
Charles Vernon Bush
Jimmie Howard Butler
James Stuart Butt
Douglas Holman Butterfield
David Nelson Byrne
George Vincent Byron
Joe Grice Cabuk, Jr.
Grant David Callin
Thomas James Cardoza
Donald Albert Carey
Thomas Oscar Carlson
Chapin Patrick Carnes
Patrick Peter Caruana
Bryan Scott Cary
Gerald Patrick Chapman
Michael Tipton Christy
Andrew Rostyslav Chubaty
Roger Douglas Clark
Thomas Edward Clark
John Richard Clavin
Joseph Lonnie Coates
Hugh Osborne Coleman, Jr.
Henry Clay Conant
James Richard Cowder
Joseph James Cox, Jr.
Bryant Phifer Culberson.
Terrence Lloyd Dake
Joseph Jed Dale
Earl Thomas Davis
Preston Hills Davis
David Ignatius Davoren, Jr.
Lawrence Eric Day
Drue Lemuel DeBerry
William Dee
Richard William Deilke
Leslie George Denend
Thomas Francis Derieg
Robert James William DeSanto, Jr.
Daniel Robert Dietz
James Henry Diffendorfer
Joseph Patrick Donahue III
Leo Francis Donahue
Robert Barry Donovan
Robert Steve Dotson
David Dougan
Logan Eugene Downing
Jerry Donald Driscoll
Paul Arad Drucker
Anthony Douglas Dunn
Thomas Austin Durham, Jr.
John Marion Dyer
Merrill Elmitt Eastcott, Jr.
Lawrence Richard Eastman

William Lyle Ebert
Vincent Clemence Joseph Eckelkamp
Danny Lloyd Eckles
John Lee Edwards
Donald Marvin Egeland
James Arthur Eggers
Leonard Charles Ekman
John Edwin Elfers
Roger Morris Emmert
John Thomas Evans, Jr.
James Allen Fain, Jr.
Norman Gregory Fairhurst
William Joseph Fanning, Jr.
James Oliver Fausey
Dennis David Fendelander
Stuart Vonne Fenske
Richard John Ferency
Michael Lee Ferguson
Thomas John Fiedler
William Francis Flanagan
William John Flynn
Ronald Robert Fogleman
Robert Michael Foley
William Thomas Foley
John MacGregor Fox
Thomas John Fox
John Jacob Francis, Jr.
Benjamin Barnes Frederick
George Lawrence Frederick, Jr.
Michael Lee Freeland
Frederick Lee Frostic
Thomas Albert Fryer
Robert Ray Fuller
Allen Walter Fullerton
William Edward Gabel
Timothy Nelson Gallagher
Howard Wayne Gardner
James Clinton Gaston
Grady Walter Gaulke
Louis John Gavin III
Charles Leo Gebhardt III
Michael Francis Gibbons
Robert Michael Gilchrist
Francis Bartley Gilligan
James Donald Goodman
Michael Dean Goold
Donald Lee Gordon
John Nicholas Goutas
Frederick Richard Graham
Roger Dean Graham
George Dickens Graves
William Thomas Green
John Lindsay Greenfield
George William Greer
Kenneth Hubert Grizzle
Dennis Grunkemeyer
Richard Eugene Guild
Lynn Evan Gulick
Otto Kendall Habedank
Hamilton Hagar, Jr.
Johnnie Harold Hall
Robert Windeck Hall, Jr.
Gregory Wayne Halley
John Halligan
John Joseph Haluska, Jr.
Raymond Allen Hamilton II
Ralph Peter Hammerton
Joseph Wallace Hanes
Clifford White Haney, Jr.
James Thomas Hannam
Robert Joseph Hanneken
Kenneth Cooper Har
Kent Erwin Harbaugh
Gerald Douglas Hardgrave
William Michael Harley
Lloyd Charles Harmon
Rufus David Harris
Wyman Clinton Harris
Eugene Crane Hart, II
John Hooper Hathaway V
James Pryor Hauser
Dwight Allen Haworth
Dennis Lynn Haycraft
Robert Luty Hayes
Jeffrey Thomas Heal
Robert Owen Heavner
Roger Joel Hegstrom
John William Heide
John William Heimburger
William Henry Heinlien
John Francis Helinski
William Henry Helker, Jr.
Karl Philip Hemeyer, Jr.
Clarence Joseph Hemmel
Eldon Devere Henderson
William Joseph Hentges
Dean Austin Hess, Jr.
Joe Leo Hicks
Roderick Earl Himelberger
John Marion Hockemeier
Rae Clyde Hodges
Henry Daniel Hoffman III
John Richard Hoffman
Larry Calvin Hoffman
Robert Faxon Hofmann
Michael Wayne Horner
Henry Turnage Horton
David Clella Jackson
John Dale Jacobcik
James Louwien Jamerson
Arthur Harold Johnson, Jr.
Christian Rodney Johnson
David George Johnson
Joseph Richard Johnson
James Robert Johnston II
Francis Vance Jones
Henry Milton Juister
Klem Franklin Kalberer, Jr.
Frank Joseph John Karasienski
Ronald Murrell Kautz
William Vincent Keenan, Jr.
James Deck Kennedy
James Joseph Kennedy
Robert Kennedy
George Ernest Kern
Michael Huguenin Keyserling
Frank Denis King
Corwin Michael Kippenhan
Harold Eugene Knudsen, Jr.
John Mathew Kochanski
Jeffrey Darrell Koehler
Bruce Fredrick Kohl
Richard Joseph Kominowski
Kenneth Daniel Kopke
Roger John Korenberg
Ronald Joseph Kos
Henry Ronald Kramer
Sherwin Howard Kraye
Edward Allen Kubat
James Clifford Kuhn, Jr.
James DeVore Lang, Jr.
Richard David LaReau
James Douglas Larson
Henry Leeroy Lavender
Norman Ingvar Lee III
Ralph Madison Lee
Wayne Hale LeFors
Owen William Lentz
David Howard Leveritt
Relva Lee Lilly
Frederick William Lindahl
William Edward Lindner
Michael Healy Lloyd
Keith Edwin Lockhart
David Peter Lohmann
Robert Gordon Lorenz
Leslie Andrew Lyons
Robert Bruce Macfarlane
Edward Alexander Maher, Jr.
Robert Vincent Mahoney, Jr.
Warren Ernest Manchess
James Austin Manuel
Roy Bramwell Marshall III
Bruce Martell
James Louis Martin
Richard Dwight Martin
Dominick Richard Martinelli
Jack Armand Martines
Brent Park Maxon
Phillip Van Maywald
Robert Mazet III
Robert Dale McBeth
Geoffrey William McCarthy
Jerry W. McClellan
Ronald Miller McCollum
Thomas Martin McCrackin
Daniel James McDonald, Jr.
James Allen McKean
Lloyd Milton McKnight
Larry George McLaughlin
John Bernard McTasney
Stephen Lee Meadows
Jon Earl Medina
Thomas Charles Meier
Charles Louis Melenyzer IV
Robert Joseph Melone
Gilbert Rowland Merkle
Frederick Lee Metcalf
Barry Michael Meuse
William Larry Meyer
David Wilson Milam
Delbert Franklin Miller
Jay Dunbar Miller
Thomas Barry Mitchell
William Booth Mitchell
Paul McMurray Moore, Jr.
Charles Raymond Mordan
David William Morgan
David Dalton Mullen
Harold Edward Murk
Robert Lewis Murphy
Jesse King Murray
Grover Eugene Musselwhite
Bert Lee Myers
George Anthony Macrelli
Andrew Michael Nassir
Calvin Floyd Nay
Donald William Neff
John Alan Nehring
Garet Louis Nenninger
Wayne Ellsworth Newberry
John William Newhouse II
Warren Susumu Nogaki
John Hammond Norris
David Arthur Nuss
Michael John O'Connell
Marvin LeRoy Odefey
Peter John Ognibene
Charles Douglas Ogren
Richard Joseph O'Lear
Carl Walter Oliver
William Harold Olson
John David Ott
Joseph William Palazzolo
Richard Donald Paprowicz
Charles Windley Parker
Robert Llewellyn Parlette
Wilson Henry Parma
Robert Joseph Parra, Jr.
George Arthur Pasquet
Arnold Dixon Patchin
Phillip Francis Patterson
Raymond Eugene Patterson, Jr.
John Booth Patton
Isaac Sanders Payne IV
Donald Joseph Pesmark
Joe Franklin Peters
Gary William Pfeifer
Norman Leigh Pfeifer
John Reed Phillips
William Edward Pickens III
Jack Hall Pierson
Thomas Charles Pierson
Joseph Samuel Pirruccello, Jr.
George Wilbur Pollitt
Robert Gene Pollock
Francis Willard Porch
Francis Carter Porter
William Ralph Condit Porter
Paul Harold Potenzo
William Roger Povilus
Douglas Roman Power
Curtis Andrew Preston
Lloyd Joseph Probst
Richard Fredric Rader
Frank Delzell Ralston III
Kent Wolcott Ransom
Robert Lee Rathburn
John Collins Rector
William Leonard Reemtsma
James Maurice Regelbrugge
Francis Michael Regnier
Berthold Roland Reinstein III
Edward Gary Reisdorf
Robert F. Rex
Randolph Smith Reynolds
Cyrus James Rickards
Gary Marshall Rigsbee
Daniel Lloyd Ringler
William Jerome Ritchie II
Ralph Robert Rohatsch, Jr.
Marvin Charles Roscoe
Edward Eugene Rosendahl, Jr.

Michael Joseph Carl Roth
David Hansel Rotz
John Gustave Roush
Glen Allan Rowell
Roger Wilfred Roy
William Timothy Rudd
Gary Harris Saban
Theodore Michel Sahd
Jerry Lamar Sailors
Steven Joel Savonen
Loran Carl Schnaidt
Ted Schroeder
Joseph Frank Schuchter
Norman Ernest Schulze, Jr.
Jimmie Dale Schuman
William Edwin Schweinle, Jr.
John Dennis Scott
Larry Lynn Severson
Scott Bradford Seward
Carl Glenville Shaffer, Jr.
William Aloysius Shagner III
Gerald Hardee Sherrill
Donald Dee Shillcutt
John Dusan Shmoldas
Jack Warner Shuck
Richard Andrew Shutack
Donald Ross Simmons
Carlton Skinner Simpson
Robert Barnsley Simpson
William Harold Simpson
Roger Bernard Sims
Lynn Charles Sirovatka
David Allan Skilling
John Peter Skoro, Jr.
Richard Andrew Slowik
David Walter Small
Edward Lee Smith
Harry Thomas Snow, Jr.
Roger Allen Sorensen
Neil Sorenson
John Howard Sprenkle
Larry Dean Springs
Loren Gene Steinbrink
Robert Douglas Storms
Stephen Frederick Suby
Richard Laddie Sula
Stephen Ray Sutton
James Phillip Tate
Francis Joseph Tax
Daniel James Taylor
John Russell Taylor
Russell Carl Teising
Victor Larry Thacker
Jerome Charles Thies
Leo Tarlton Thomas, Jr.
Lawrence Franklin Thompson, Jr.
James Reed Thyng
Larry Dean Tippens
Howard Michael Tomme
Donald Eugene Troutman
Richard Olsen Troy
Russell Morrison Turner
Peter Rockwell Van Allen
Mark Wayne Vande
Richard Francis Vara
Everett William Vaughn
Robert Edward Venkus
Paul Richard Verdier, Jr.
Gary Robert Verfuss
William Wyman Vincent, Jr.
John Martin Vogelsang
Richard Lee Voorhees
Arthur Albert Wallace
Gary Eugene Wallace
Barry Alan Walrath
George Andrew Ward, Jr.
Robert Calkins Ward
Raymond Melvin Warner, Jr.
Wayne Adams Warner
Donald Charles Washburn
Asa Waterman, Jr.
Allen Kaualani Watt
David J. Wax
James Landis Weaver
Hugh Kenneth Webb
Lynn Roy Weber
William Earl Wecker
Norman Earl Wells
Carlton Tabor West, Jr.
Sam Wilkins Westbrook III
Gerald Wilson Westerbeck
Clyde Barry Wetherington
Ralph Francis Wetterhahn
Wesley Eugene White
David Edward Wilson
Harry Follmer Wilson, Jr.
James Frederick Wilson
Joe Hans Robert Wilson
William Edgar Wilson
Robert Frank Winegar II
James Reynold Winzell
Allen Edwin Wolf
James Ignatius Woods
Patrick Edward Wynne
Dennis Kim Yee
Robert Joseph Zamboldi
John Edward Zimmerman
Roger Jon Zoeller
Jack Oliver Zygner

The following cadets, U.S. Air Force Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties of medical service officers. Date of rank to be determined by the Secretary of the Air Force:

Daniel Habura
Richard Henry Hubbard
James Edward Olson
Hollis Andrews Thomas, Jr.
Gary Wayne West

The following cadets, U.S. Military Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284, title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

David Britton Almy
Ronald George Barth
Warren Brooks Battis, Jr.
Arthur Joseph Bianco
Michael Joseph Bowers
Victor Frank Bunze
Robert Burita
Frank Cardile
Stephen Hughes Chapman
Robert Mitchell Clements
James Kent Creasy
Lawrence Gilbert Dapra, Jr.
James Vernon Dawson
Richard Edmond Dean
Gordon Andrew Dopslaff
Cary Andrew Fisher
Lloyd Stanley Foight
Joseph Daughety Godsey, Jr.
Arthur William Hall III
John Carel Hamel
John Wade Hayes
William Lorence Ivy
Gary King Klauminzer
Raymond Dennis Klopotek
William Robert Kuhns
Nicholas William Kuzemka
James Douglas Lang
Alan Arthur La Voy
George Henry Lippemeier
John Clough Littlefield, Jr.
Kenneth Louis Loren
Rocco Peter MacAllister
Peter James McCullough
William Leslie McDonald, Jr.
Anthony Francis McGann
John Nicholas McMullen
Michael Oakley Moorman
Raymond Howard Nickla
Arthur Roy Oxley
Derwin Brent Pope
Donald B. Reid
Leon Darius Rizio, Jr.
DeWitt Clinton Seward 3rd
John Wayne Baggett Shirley
William George Sipos
Larry Ross Spear
Jon Frank Van Zandt
Richard Gordon Waugh, Jr.
Michael Douglas White
Charles Edward Workman

The following midshipmen, U.S. Naval Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284, title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Clinton Davis Alley
Thomas Harry Aulenbach
James Randall Barnum
William John Beck III
Michael Allan Blackledge
Richard Withers Bolton
George Candelori
John Raymond Carroll
Peter John Chaney
Gary Christopher Comfort
Richard Albert Cuneo
Richard Henry Danhof
John Smithers Davis
Patrick Arthur Day
John Edward Dolby, Jr.
Jack George Dranttel
Donald John Duelfer
William Richard Dukes
Patrick James Frank, Jr.
Richard Thomas Frisbie
George Walter Gottlieb
William Edward Graham, Jr.
Bruce William Gunkle
William David Gunn
William Bailey Heard
Dudley Ferree Hendrick
William Murray Henghold
George Alan Huber
Gerard Griffin Johnson
William John Karpinski
Ralph Duce Kimberlin
Charles John LaBlonde
Stephen Charles Leisge
Lee Haltom Livingston
Virgil Donald Markus
Kent Alvah Maxfield
James Thomas McGrath
John Ross Middleton, Jr.
John Frederick Morgan
Robert Lee Nelson
James Presnall Newberry II
John Harry Nielsen
Paul Matthew O'Connor
William Robert Palafox
Birney Terrence Pease
Ronnie Reginald Radford
Ronald Ernest Reihel
Arthur Eugene Roper
Ronald Mitchell Saqui
Jack Emile Saux, Jr.
Lloyd Richard Smith, Jr.
John Bernard Sotman
John Paul Stafira
Gerald Joe Stiles
Peter John Vermaire
George Conrad Vermef, Jr.
Frederick Welles Vogel
Edward Aloysious Weathers, Jr.
Roy Lee Welch

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14 (legislative day of May 13), 1963:

COUNCIL OF ECONOMIC ADVISERS

John Prior Lewis, of Indiana, to be a member of the Council of Economic Advisers.

SECURITIES AND EXCHANGE COMMISSION

Manuel Frederick Cohen, of Maryland, to be a member of the Securities and Exchange Commission for the term of 5 years expiring June 5, 1968.

UNITED NATIONS

Adlai E. Stevenson, of Illinois, to be a representative of the United States of America to the fourth special session of the General Assembly of the United Nations.

Francis T. P. Plimpton, of New York, to be a representative of the United States of

America to the fourth special session of the General Assembly of the United Nations.

Charles W. Yost, of New York, to be a representative of the United States of America to the fourth special session of the General Assembly of the United Nations.

Jonathan B. Bingham, of New York, to be a representative of the United States of America to the fourth special session of the General Assembly of the United Nations.

Sidney R. Yates, of Illinois, to be a representative of the United States of America to the fourth special session of the General Assembly of the United Nations.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 14, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Matthew 5: 9: *Blessed are the peacemakers for they shall be called the children of God.*

O Thou who art the guiding intelligence in the life of men and of nations, Thou knowest how greatly our President, our Speaker, and our chosen Representatives need divine guidance in these days of national crises.

Wilt Thou restrain our people from those threats and outbursts of temper and violence which throw human relations out of perspective and cause life to become seared and sordid.

Show us how we may extinguish those hot embers of hatred and of animosity that are rankling in the souls of men.

Grant that we may see and understand that it is our solemn duty to resist and resent all attempts that are being made to stir up antagonisms between the members of the human family because of creed or color.

Restore unto our beloved country the blessedness of going on in peace and the joy of performing our tasks and responsibilities with charity toward all and with malice toward none.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on May 8, 1963, the President approved and signed bills of the House of the following titles:

H.R. 2833. An act to amend subdivision d of section 60 of the Bankruptcy Act (11 U.S.C. 96d) so as to give the court authority on its own motion to reexamine attorney fees paid or to be paid in a bankruptcy proceeding;

H.R. 2849. An act to amend section 47 of the Bankruptcy Act; and

H.R. 4549. An act to amend section 4103 of title 38, United States Code, with respect to the appointment of the Chief Medical Director of the Department of Medicine and Surgery of the Veterans' Administration.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1227. An act authorizing the Association of Universalist Women (a nonprofit corporation in the District of Columbia) to consolidate with the Alliance of Unitarian Women (a nonprofit corporation in the State of Massachusetts).

The message also announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2440) entitled "An act to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes."

PRINTING AS A HOUSE DOCUMENT THE CONSTITUTION OF THE UNITED STATES

Mr. HAYS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 119) to print as a House document the Constitution of the United States, with an analytical index and ancillaries regarding proposed amendments, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendments, as follows:

Line 6, strike out "twenty-five" and insert "one hundred".

Line 7, strike out "five" and insert "fifteen".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CORPORAL PUNISHMENT, DISTRICT OF COLUMBIA SCHOOLS

Mr. SICKLES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SICKLES. Mr. Speaker, it seems to me that enactment of H.R. 4274 yesterday, which repeals a decision of the Board of Education, erodes public confidence in the Board and seriously undermines its authority.

Congress does have the legislative authority to regulate the business of the District of Columbia. Congress does provide funds for the operation of the District of Columbia schools. It does not necessarily follow, however, that Congress should issue detailed rules and regulations affecting decisions of the properly constituted local Board of Education.

On April 13, a majority of the Board of Education voted against repeal of the existing restrictions on corporal punishment. The Board has the authority to reverse this decision even if we do not legislate on the subject.

If there is a need for repeal of this restriction a well-documented factual presentation should be made to the Board of Education and the District of Columbia school system should be governed by their determination on the issue. Any other course of action is extremely prejudicial to sound administrative procedure and the orderly governing of the District of Columbia.

SUGGESTED PLAN TO REVISE THE ACCOUNTING SYSTEM ON THE DEBT CEILING

Mr. BASS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BASS. Mr. Speaker, I am happy to see the gentleman from Texas [Mr. ALGER] on the floor of the House, because I want to refer to an article and a statement he inserted in the RECORD of May 9. In the Appendix of the daily RECORD he inserted an article from the Wall Street Journal which is critical of a plan that had been suggested to revise the accounting system on the national debt.

The gentleman from Texas [Mr. ALGER], in his preface to this article, stated:

> It is a sharp reminder of the ridiculous fiscal policies of the Kennedy administration and the fuzzy economic advisers surrounding him.

I would like to remind the gentleman from Texas [Mr. ALGER] that this plan was one proposed by the ranking minority leader, a Republican Representative from Wisconsin [Mr. BYRNES]. So if the President has any fuzzy economic leaders, it comes from the Republican side of the aisle on that situation.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. BASS. I yield to the gentleman from Texas.

Mr. ALGER. I do not believe the gentleman understands the full context either of that article or the philosophy of the gentleman from Wisconsin [Mr. BYRNES], or the recommendation he proposes.

Mr. BASS. The gentleman from Tennessee does understand, and I quote from the article:

> Just the other day in Washington some learned gentlemen proposed that the Government solve its debt limit problem by changing the accounting practices. They wanted to reduce the official debt by offsetting against it the cash on hand.

That was the suggestion made by the gentleman from Wisconsin in the Ways and Means Committee and I think he will bear me out.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that during general debate this afternoon the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs of the House be permitted to sit.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

Mr. HALEY. I object, Mr. Speaker.

THE USE OF KREBIOZEN

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I would like to address myself just briefly on the subject of Krebiozen about which the gentleman from Illinois [Mr. Libonati] has just spoken.

Mr. Speaker, this is a subject which has been bandied around the legislative halls in Illinois and now in the Congress of the United States.

Mr. Speaker, in my opinion, if someone has a known and authentic and valid cure for cancer there is no question but that it is going to be recognized by the medical profession, it is going to be hailed by the public and it is going to be something very important to the Nation. However, when a group of promoters undertake to advance their promotional schemes by using the facilities of our legislative halls for the purpose of carrying on a promotion which has not been tested and proved, then I think they are taking improper advantage of the legislative halls and of the Congress in this instance.

Mr. Speaker, it is true we appropriated a large sum of money in the State of Illinois for the purpose of carrying on with public funds an investigation of this drug. If it had any validity, it certainly would have shown up there.

We have found that the promoters are intent on expending public funds—and here is another instance occurring today in the Congress of the United States. If this drug is valid, certainly the medical authorities, the research people and the laboratories would be happy to receive and establish it and then market it for the benefit of all mankind. There is just no such proof.

THE NATIONAL DEBT CEILING

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, earlier there was a colloquy between the distinguished gentleman from Tennessee [Mr. Bass], and the distinguished gentleman from Texas [Mr. Alger] with regard to the debt limit. I felt that the gentleman from Texas [Mr. Alger] did not have ample opportunity to respond. Therefore, I have taken the floor to express my hope that the gentleman from Texas [Mr. Alger] would explain his statement further.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Texas.

Mr. ALGER. I thank the gentleman. I would like to simply call to my colleagues' attention that the gentleman from Tennessee [Mr. Bass], who brought forth the criticism—entirely properly—ought to be heard further. In fact, both of us should be heard further tomorrow when the debt ceiling legislation comes before this House.

Mr. Speaker, I hold in my hand a copy of the report on this bill which is available to every Member of the House. At page 12 of the report, in the separate views of the Republicans, I believe it would be well for all of us to have this material in mind when we come to the floor.

Mr. Speaker, I thank the gentleman from Washington for yielding.

THE WHEAT REFERENDUM

Mr. AVERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. AVERY. Mr. Speaker, not since the buffalo disappeared from the Kansas plains has there been a rumble to the extent of that which has been created by the debate over the wheat referendum which is to occur on next Tuesday. I want to announce, too, that it is my understanding that the Columbia Broadcasting System is to present a documentary film on the debate over this issue tomorrow evening. I trust it will be presented in fairness and that a balance will be given to the viewers on both sides of this issue. The film for the proponents of this issue was made in my district; the film for the presentation of the opponents was made in the area represented by my colleague, the gentleman from Kansas [Mr. Dole].

Mr. Speaker, it has been my impression that this is going to be a very close vote. I am sure the membership is aware that it must be approved by a two-thirds majority. My information and my interpretation of my mail indicated that it would be a very close vote. However, I was rather impressed by a series of reports printed in the Washington Post written by one of their correspondents, Julius Duscha, who has been out in Kansas and other neighboring States interviewing various persons in regard to the referendum.

Mr. Speaker, the point I want to make is this. I was surprised that the only support that he reported for the bushel management plan was by persons employed by the Department of Agriculture. There may be others, but these are the only ones that I have noted in these articles who were outspoken in support of the referendum. I will agree that there is a large number of employees in the Department of Agriculture, Mr. Speaker, but I do not believe there are quite enough to make the referendum carry.

THE NATIONAL DEBT CEILING

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, in the colloquy between the gentleman from Texas [Mr. Alger] and the gentleman from Tennessee [Mr. Bass] I suspected all the time that the gentleman from Tennessee understood perfectly what was in the Record. When the gentleman from Texas, through the courtesy of the gentleman from Washington [Mr. Pelly] got some additional time it was interesting to note that he did not deny that the original author of the plan in question was the ranking Republican member on the Committee on Ways and Means.

Mr. BASS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield.

Mr. BASS. When I made the statement I did not expect to get into a debate at this time with the gentleman on the debt ceiling increase. However, I did want to point out that if this is a fuzzy idea, the fuzzy idea came not from the Kennedy advisers but from the advisers on the Republican side. With reference to what the gentleman has said about discussing the debt ceiling tomorrow, I shall be more than happy to discuss it with him. I would also like to say that in discussing it tomorrow it might be that I shall refer to some of his remarks made when the debt ceiling was increased by the previous administration, when he was in support of the increase.

Mr. HAYS. Mr. Speaker, I would like to say to the gentleman, do not hesitate to get into a debate with the gentleman from Texas at any time; you would have nothing to worry about.

FEDERAL INTERVENTION IN ALABAMA

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, the President's action in moving Federal troops into Alabama is not satisfactorily explained by his reply yesterday to Governor Wallace.

Not only the people of Alabama and the South, but people throughout the Nation, can only wonder that the President now professes to have authority for

Federal intervention in our State, when only last week at his May 8 press conference, he publicly declared that no violation of any Federal statute was involved in the events in Birmingham.

I submit that under the terms outlined by the President's own declaration of May 8, no substantial change in the Birmingham situation has occurred to justify the recent move of Federal troops into that community's vicinity.

Moreover, I should like to point out that the critical situation brought about by racial agitation in Nashville, Tenn., is a far greater threat to the peace and order of that community than anything that has occurred at Birmingham in recent days. Nashville has been converted into a veritable city of fear by violence against legally constituted police authority. Yet, the very voices raised in behalf of the President's precipitate action in Alabama are not to be heard in defense of law and order in Nashville. It is this Federal double standard regarding State and local police problems in the South that is a source of deep concern to the people of my State and region.

If there was no reason or justification for Federal intervention in Alabama on May 8, then there certainly is no reason or justification for sending them into Alabama now. Local and State law enforcement has proven itself capable of meeting the threat to law and order in Birmingham, and the President's troop order can only serve to aggravate the existing situation there.

DISASTER RELIEF—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed:

To the Congress of the United States:

I have the honor to transmit herewith a report of activity under authority of Public Law 875, 81st Congress, as amended, and required by section 8 of such Law.

Funds which have been approved to accomplish the Federal assistance determined eligible under this authority are specifically appropriated to the President for purposes of disaster relief.

JOHN F. KENNEDY.

THE WHITE HOUSE, *May 14, 1963.*

SUPPLEMENTAL APPROPRIATION BILL, 1963

Mr. THOMAS. Mr. Speaker, I call up the conference report on the bill (H.R. 5517) making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 290)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5517) making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 23, 29, 31, 37, 74, 75, 77, 78, and 79.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 7, 8, 9, 17, 18, 19, 20, 21, 22, 24, 26, 32, 33, 35, 38, 40, 45, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, and 73, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"RURAL HOUSING FOR THE ELDERLY REVOLVING FUND

"For loans pursuant to section 515(a) of the Housing Act of 1949, as amended (42 U.S.C. 1484; 76 Stat. 671), including advances pursuant to section 335(a) of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1985), in connection with security for such loans, $1,000,000."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$625,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"STUDY OF HIGHWAY PROGRAM FOR ALASKA

"For expenses necessary to make engineering studies and estimates and planning surveys relative to a highway construction program for Alaska, as authorized by section 13 of the Act of October 23, 1962 (76 Stat. 1149), $400,000, to remain available until expended."

And the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, insert "Congress: *Provided further,* That no part of this appropriation shall be used for any Federal project that does not require a financial contribution from State or local sources except projects dealing with preservation of forests in the jurisdiction of the Department of Agriculture and the Department of the Interior"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,830,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,700,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$750,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$966,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"FOREIGN CLAIMS SETTLEMENT COMMISSION

Salaries and expenses

"For an additional amount for "Salaries and expenses", $37,500.

And the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,082,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,150,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,338,500"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert "$325,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 10, 11, 12, 27, 30, 34, 41, 42, 43, 44, 56, and 76.

ALBERT THOMAS,
MICHAEL J. KIRWAN,
CLARENCE CANNON,
FRANK T. BOW,
EARL WILSON,
Managers on the Part of the House.

JOHN O. PASTORE,
SPESSARD L. HOLLAND,
CARL HAYDEN,
RICHARD B. RUSSELL,
ALLEN J. ELLENDER,
LISTER HILL,
MILTON YOUNG,
LEVERETT SALTONSTALL,
KARL E. MUNDT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the further conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5517), making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I

Department of Agriculture

Amendment No. 1: Appropriates $2,000,000 for the Agricultural Stabilization and Conservation Service land-use adjustment program as proposed by the Senate instead of $150,000 as proposed by the House.

Amendment No. 2: Authorizes $1,222,900 for salaries and expenses of the Farmers Home Administration by transfer as proposed by the Senate instead of $1,122,900 as proposed by the House.

Amendment No. 3: Appropriates $1,000,000 for the Farmers Home Administration for the rural housing for the elderly revolving fund instead of $2,000,000 as proposed by the Senate.

Department of Commerce

Amendment No. 4: Appropriates $25,000 for the Office of Trade Adjustment for trade adjustment assistance as proposed by the House instead of deleting the item as proposed by the Senate.

Amendment No. 5: Appropriates $625,000 for civilian industrial technology instead of $500,000 as proposed by the House and $750,000 as proposed by the Senate.

Amendment No. 6: Inserts language proposed by the Senate and appropriates $400,000 for a study of a highway program for Alaska instead of $800,000 as proposed by the Senate.

Department of Defense

Amendment No. 7: Inserts heading as proposed by the Senate.

Amendment No. 8: Appropriates $15,000 for the Department of the Army for rivers and harbors and flood control, general investigations, as proposed by the Senate.

Amendment No. 9: Appropriates $25,000 for the Department of the Army for construction, general, as proposed by the Senate.

Amendment No. 10: Reported in disagreement.

Amendment No. 11: Reported in disagreement.

Funds Appropriated to the President

Public Works Acceleration

Amendment No. 12: Reported in disagreement.

Amendment No. 13: Restores House language amended to require a financial contribution from State or local sources for any Federal project except projects dealing with preservation of forests in the jurisdiction of the Department of Agriculture and the Department of the Interior. The exception for forests is intended to cover national parks, forests, and Indians.

Department of Health, Education, and Welfare

Amendments Nos. 14 and 15: Appropriate $8,830,000 for the Public Health Service for communicable disease activities instead of $5,430,000 as proposed by the House and $12,230,000 as proposed by the Senate; and authorize $8,700,000 to remain available until June 30, 1964, instead of $5,300,000 as proposed by the House and $12,100,000 as proposed by the Senate.

Amendment No. 16: Appropriates $750,000 for community health practice and research instead of $500,000 as proposed by the House and $1,000,000 as proposed by the Senate.

Amendment No. 17: Appropriates $290,000 for hospitals and medical care as proposed by the Senate instead of $315,000 as proposed by the House.

Amendment No. 18: Appropriates $175,000 for salaries and expenses, Bureau of Family Services, as proposed by the Senate instead of $288,500 as proposed by the House.

Amendments Nos. 19, 20, and 21: Appropriate $1,000,000 for grants for maternal and child welfare as proposed by the Senate instead of $3,500,000 as proposed by the House; and designate $800,000 for child welfare services and $200,000 for research, training, or demonstration projects in child welfare as proposed by the Senate instead of $3,000,000 and $500,000 for such purposes as proposed by the House.

Amendment No. 22: Appropriates $90,000 for salaries and expenses of the Children's Bureau as proposed by the Senate instead of $102,500 as proposed by the House.

Amendment No. 23: Appropriates $443,000 for salaries and expenses of Howard University as proposed by the House instead of $425,850 as proposed by the Senate.

Amendment No. 24: Authorizes $40,000 for salaries and expenses of the Office of the Secretary as proposed by the Senate instead of $75,000 as proposed by the House.

Independent offices

Amendment No. 25: Appropriates $966,000 for the Civil Service Commission for the Government payment for annuitants, employees health benefits fund instead of $955,000 as proposed by the House and $977,000 as proposed by the Senate.

Amendment No. 26: Inserts heading as proposed by the Senate.

Amendment No. 27: Reported in disagreement. The amount to be proposed for the Commission on International Rules of Judicial Procedure is to be the final appropriation to be provided. The conferees expect the Commission to terminate its affairs with the amount approved.

Amendment No. 28: Appropriates $37,500 for salaries and expenses of the Foreign Claims Settlement Commission instead of $75,000 as proposed by the Senate.

Amendment No. 29: Deletes language proposed by the Senate.

Department of the Interior

Amendment No. 30: Reported in disagreement.

Amendment No. 31: Restores language proposed by the House to transfer $1,000,000 to the upper Colorado River storage project.

Amendment No. 32: Strikes out language proposed by the House to appropriate $3,350,000 for the revolving fund, Virgin Islands Corporation, as proposed by the Senate.

Amendment No. 33: Appropriates $100,000 for the Bureau of Outdoor Recreation as proposed by the Senate instead of $200,000 as proposed by the House.

Amendment No. 34: Reported in disagreement.

The Judiciary

Amendment No. 35: Appropriates $70,000 for travel and miscellaneous expenses of courts of appeals, district courts, and other judicial services as proposed by the Senate instead of $130,000 as proposed by the House.

Department of Justice

Amendment No. 36: Appropriates $1,082,000 for salaries and expenses, United States attorneys and marshals, instead of $1,110,000 as proposed by the House and $1,054,000 as proposed by the Senate.

Department of Labor

Amendment No. 37: Appropriates $100,000 for trade adjustment activities as proposed by the House; the Senate had deleted the entire amount.

Amendment No. 38: Appropriates $22,000,000 for unemployment compensation for Federal employees and ex-servicemen as proposed by the Senate instead of $20,000,000 as proposed by the House.

Amendment No. 39: Appropriates $3,150,000 for employees' compensation claims and expenses, instead of $3,000,000 as proposed by the House and $3,300,000 as proposed by the Senate.

Legislative Branch

Senate

Amendment No. 40: Inserts heading, as proposed by the Senate.

Amendments Nos. 41–44: Reported in disagreement.

Amendment No. 45: Appropriates $5,000 for contingent expenses as proposed by the Senate.

Department of State

Amendment No. 46: Appropriates $6,338,500 for salaries and expenses, administration of foreign affairs, instead of $6,588,500 as proposed by the House and $6,088,500 as proposed by the Senate.

Amendment No. 47: Appropriates $325,000 for International Conferences and Contingencies instead of $250,000 as proposed by the House and $615,000 as proposed by the Senate; and deletes the Senate language earmarking $18,000 for official functions and $65,000 for the International Peace Corps Secretariat.

District of Columbia

Amendment No. 48: Appropriates $413,500 for general operating expenses as proposed by the Senate instead of $441,000 as proposed by the House.

Amendment No. 49: Appropriates $2,902,800 for public safety as proposed by the Senate instead of $3,170,000 as proposed by the House.

Amendment No. 50: Appropriates $526,601 for health and welfare as proposed by the Senate instead of $1,300,000 as proposed by the House.

TITLE II—INCREASED PAY COSTS

Amendment No. 51: Corrects printing error, as proposed by the Senate.

Amendment No. 52: Deletes the House proposal to appropriate $4,750 to the President's Advisory Committee on Labor-Management Policy.

Amendments Nos. 53–55: Insert Senate items to meet increased pay costs.

Amendment No. 56: Reported in disagreement.

Amendments Nos. 57–67: Insert Senate items to meet increased pay costs.

Amendment No. 68: Appropriates $35,775 for highways and traffic (District of Columbia) as proposed by the Senate instead of $125,970 as proposed by the House.

Amendments Nos. 69–71: Appropriate $289,738 for sanitary engineering (District of Columbia) as proposed by the Senate instead of $315,020 as proposed by the House; and make corresponding adjustments as to the source of funds.

TITLE III—CLAIMS AND JUDGMENTS

Amendments Nos. 72 and 73: Appropriate for claims and judgments as set forth in Senate Document No. 14, total of $20,567,545 as proposed by the Senate instead of $16,993,400 as proposed by the House.

TITLE IV

Amendments Nos. 74 and 75: Delete headings proposed by the Senate.

Amendment No. 76: Reported in disagreement.

Amendments Nos. 77, 78, and 79: Delete language proposed by the Senate.

ALBERT THOMAS,
MICHAEL J. KIRWAN,
CLARENCE CANNON,
FRANK T. BOW,
EARL WILSON,
Managers on the Part of the House.

Mr. THOMAS. Mr. Speaker, you recall that the House several days ago sent the conference report on this bill back to conference with instructions. Your instructions were to take from the conference report the amendment which added about $65,000 for the International Peace Corps Secretariat.

We went back as we were ordered and in good faith we attempted to follow your instructions. I think we did a fairly good job of it. The other body had added the provision that the House objected to. It had also added an item of $18,000 for entertainment. We were successful in getting the International Peace Corps Secretariat item stricken as well as the entertainment item. As to the overall amount, the other body had $615,000 and we bring the bill back to you without those two items and the bill now contains $325,000 for international conferences and contingencies.

Everything else is the same, and if there are no questions, Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on the conference report.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. BECKER. Mr. Speaker.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. BECKER. To make a parliamentary inquiry, Mr. Speaker. Is this the conference report on the supplemental appropriation bill?

The SPEAKER. It is.

Mr. BECKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 242, nays 129, not voting 62, as follows:

[Roll No. 45]

YEAS—242

Abernethy
Addabbo
Albert
Andrews
Ashley
Ashmore
Aspinall
Baker
Baldwin
Baring
Bass
Beckworth
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Bolling
Bonner
Bow
Brademas
Bray
Brooks
Brown, Calif.
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Cameron
Cannon
Carey
Casey
Celler
Chelf
Clausen
Cleveland
Cohelan
Colmer
Corbett
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Dowdy
Downing
Dulski
Duncan
Dwyer
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fino
Flood
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Gallagher
Gary
Gathings
Gavin
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Halpern
Hardy
Harris
Hawkins
Hays
Hébert
Hechler
Hemphill
Henderson
Holland
Horan
Huddleston
Hull
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
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Libonati
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Long, La.
Long, Md.
McDade
McDowell
McFall
Macdonald
Madden
Mahon
Mailliard
Marsh
Mathias
Matsunaga
Matthews
Meader
Mills
Minish
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Moss
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Murphy. N.Y.
Murray
Natcher
Nedzi
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O'Brien, Ill.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
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Passman
Patman
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Perkins
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Pucinski
Purcell
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
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St Germain
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Secrest
Selden
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Sickles
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Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Teague, Calif.
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Wallhauser
Watson
Watts
Weaver
Weltner
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Bruce
Byrnes, Wis.
Cederberg
Chamberlain
Clancy
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Cramer
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Dague
Derounian
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Harvey, Ind.
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Kilburn
King, N.Y.
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Laird
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Latta
Lipscomb
Lloyd
McClory
McCulloch
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McLoskey
Martin, Calif.
Martin, Nebr.
May
Michel
Milliken
Morton
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Norblad
Nygaard
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Pelly
Pillion
Pirnie
Poff
Pool
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Rich
Robison
Rumsfeld
St George
Schadeberg
Schneebeli
Schwengel
Short
Shriver
Sibal
Skubitz
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Snyder
Stafford
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Taft
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Ellsworth
Flynt
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Fulton, Pa.
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Garmatz
Giaimo
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Hanna
Hansen
Harding
Healey
Holifield
Horton
Jensen
Kee
Keogh
Lankford
McMillan
MacGregor
Martin, Mass.
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Ostertag
Patten
Philbin
Pilcher
Powell
Rains
Randall
Riehlman
Roosevelt
Roudebush
Schenck
Scott
Shelley
Sheppard
Shipley
Springer
Staebler
Taylor
Waggonner
Walter
Younger

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Walter for, with Mr. Oliver P. Bolton against.

Mr. Keogh for, with Mr. Ostertag against.

Mr. Cahill for, with Mr. Miller of New York against.

Mr. Multer for, with Mr. Schenck against.

Mr. Buckley for, with Mr. Younger against.

Mr. Miller of California for, with Mr. Riehlman against.

Mr. Garmatz for, with Mr. Gurney against.

Mr. Fogarty for, with Mr. Ellsworth against.

Mr. Giaimo for, with Mr. Horton against.

Mr. Shelley for, with Mr. MacGregor against.

Mr. Holifield for, with Mr. Minshall against.

Mr. Patten for, with Mr. Roudebush against.

Mr. Roosevelt for, with Mr. Griffin against.

Until further notice:

Mr. Philbin with Mr. Martin of Massachusetts.

Mr. Barrett with Mr. Jensen.

Mr. Donohue with Mr. Chenoweth.

Mr. Harding with Mrs. Kee.

Mr. Scott with Mr. Fulton of Pennsylvania.

Mr. Shipley with Mr. Curtin.

Mr. Rains with Mr. Springer.

Mr. Pilcher with Mr. Powell.

Mr. Forrester with Mr. O'Brien of New York.

Mr. Cooley with Mr. Healey.

Mr. Lankford with Mr. Waggonner.

Mr. Clark with Mr. McMillan.

Mr. Flynt with Mr. Edmondson.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: Page 8, line 1, insert the following:

"CLAIMS, DEFENSE

"Not to exceed $3,300,000 may be transferred from the appropriation for 'Retired pay, Defense,' fiscal year 1963, to the appropriation for 'Claims, Defense,' fiscal year 1963."

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 11: Page 8, line 5, insert the following:

"DEPARTMENT OF DEFENSE—CIVIL DEFENSE

"Civil defense, Department of Defense Research

"For an additional amount for research, including continuing shelter surveys, marking and stocking, $30,000,000, to remain available until expended."

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein with an amendment, as follows: In lieu of the matter inserted by the Senate insert the following:

"DEPARTMENT OF DEFENSE—CIVIL DEFENSE

"Research

"For an additional amount for research, including continuing shelter surveys, marking and stocking, $15,000,000, to remain available until expended."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 9, line 3, insert ", to remain available until January 31, 1964:".

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: Page 14, line 3, insert the following:

"SALARIES AND EXPENSES

"For expenses necessary for the Commission on International Rules of Judicial Procedure, $20,000, to be available from January 1, 1963, and to remain available until December 31, 1963.".

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$10,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 30: Page 19, line 20, insert the following:

"Construction and rehabilitation

"For an additional amount for 'Construction and rehabilitation,' $6,000,000, to remain available until expended and to be nonreimbursable."

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 30 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 21, line 12, insert:

"OFFICE OF SALINE WATER

"Salaries and expenses

"The limitation under this head in the Department of the Interior and Related Agencies Appropriation Act, 1963, on the amount available for administration and coordination is increased from $525,000 to $582,000.".

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 41: Page 24, line 7, insert:

"For payment to Imelda E. Chavez, widow of Dennis Chavez, late a Senator from the State of New Mexico, $22,500.".

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 41 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 42: Page 24, line 10, insert:

"For payment to Georgia Lowe Dworshak, widow of Henry C. Dworshak, late a Senator from the State of Idaho, $22,500.".

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 42 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 43: Page 24, line 13, insert:

"For payment to Grayce B. Kerr, widow of Robert S. Kerr, late a Senator from the State of Oklahoma, $22,500.".

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 43 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 44: Page 24, line 15, insert:

"SALARIES, OFFICERS AND EMPLOYEES

"Administrative and clerical assistance to Senators

"For an additional amount for administrative and clerical assistants to Senators, $7,600: *Provided,* That the clerk hire allowance of each Senator from the State of California shall be increased to that allowed Senators from States having a population of over seventeen million, the population of said State having exceeded seventeen million inhabitants, that the clerk hire allowance of each Senator from the State of Georgia shall be increased to that allowed Senators from States having a population of four million, the population of said State having exceeded four million inhabitants, and that the clerk hire allowance of each Senator from the State of Washington shall be increased to that allowed Senators from States having a population of three million, the population of said State having exceeded three million inhabitants."

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 44 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 56: Page 50, line 12, insert:

"Joint Committee on Reduction of Nonessential Federal Expenditures, $1,460, to remain available until expended;".

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 56 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 76: Page 55, line 24, insert:

"The Act entitled 'An Act to authorize the payment of the balance of awards for war damage compensation made by the Philippine War Damage Commission under the terms of the Philippine Rehabilitation Act of April 30, 1946, and to authorize the appropriation of $73,000,000 for that purpose,' approved August 30, 1962 (Public Law 87-616), is hereby amended to read as follows:

" 'That there is hereby authorized to be paid by the Government of the United States to the Government of the Republic of the Philippines the sum of $73,000,000 less the administrative expenses referred to in the third section of the Act: *Provided,* That such payment shall not be made until the Secretary of State shall have received assurances satisfactory to him from the Government of the Republic of the Philippines that such sum will be received by the Government of the Republic of the Philippines in full satisfaction and final settlement of any and all claims arising out of awards for war damage compensation made by the Philippine War Damage Commission under the terms of title I of the Philippine Rehabilitation Act of 1946 (60 Stat. 128) and that the Government of the Republic of the Philippines shall insure that no part of such sum shall be directly or indirectly paid to any former Commissioner or employee of the Philippine War Damage Commission as compensation for services rendered as attorney or agent in connection with any such claim.' ".

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Thomas moves that the House recede from its disagreement to the amendment of the Senate numbered 76 and concur therein with an amendment, as follows:

In lieu of the matter inserted by the Senate insert the following:

"TITLE IV

"Philippine War Damage Claims

"Notwithstanding any other provision of law, funds appropriated to the Foreign Claims Settlement Commission in the Foreign Aid and Related Agencies Appropriation Act, 1963, approved October 23, 1962 (Public Law 87-872), for 'Payment of Philippine War Damage Claims', shall be disbursed to each

> claimant in full satisfaction and final settlement of any and all claims of such claimant or the Philippine Government arising out of awards for war damage compensation made by the Philippine War Damage Commission under the terms of title I of the Philippine Rehabilitation Act of 1946 (60 Stat. 128) and/or any other source arising out of World War II, and no part of such appropriation shall be used directly or indirectly for payment to any former Commissioner or employee of the Philippine War Damage Commission, or to any corporation, association, firm or other individual or party whatsoever, as compensation for services rendered as attorney or agent in connection with any such claim and the claimant shall so certify upon receipt of settlement: *Provided*, That any person subject to the jurisdiction of the United States, or any United States citizen, who accepts, offers to accept, or who directly or indirectly solicits any commission, compensation or fee, for services in furtherance of a claim for any of the funds involved in this title, shall be fined not more than $5,000 or imprisoned for not more than one year, or both: *Provided further*, That it shall be lawful for any claimant to be represented before the Foreign Claims Settlement Commission with reference to the last sentence of section 1 and the third sentence of section 5(a) of Public Law 87–616, approved August 30, 1962, provided his representative is not a former Commissioner or employee of the Philippine War Damage Commission or its successor agencies, and remuneration may be made for such representation as authorized by section 6 of such Act".

The SPEAKER. For what purpose does the gentleman from New York [Mr. BARRY] rise?

Mr. BARRY. Mr. Speaker, I make a point of order against the amendment.

The SPEAKER. The gentleman will state the point of order.

Mr. BARRY. Mr. Speaker, I would like to reserve the point of order and give an opportunity to the gentleman to explain the amendment.

The SPEAKER. The gentleman from New York reserves the point of order.

The Chair recognizes the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I am delighted to yield to the request of our distinguished friend, the gentleman from New York [Mr. BARRY].

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Did the Speaker state that the Member had been recognized with his reservation?

The SPEAKER. If the gentleman from Texas desires to explain the situation, in response to the question of the gentleman from New York, the Chair would not interfere. The gentleman from New York has reserved a point of order, and he has asked a question of the gentleman from Texas.

Mr. THOMAS. Mr. Speaker, may I reply to the request of our able and distinguished friend from New York [Mr. BARRY].

The philosophy of this amendment is to make the funds payable to the people of the Philippines by the Foreign Claims Settlement Commission. That is No. 1.

No. 2: We seek to prohibit in penal terms any former Commissioner or any employee of the Philippine War Damage Commission or its successor agencies to participate in any of these proceedings and draw a fee for it.

We discussed this matter with the Chief Counsel of the Foreign Claims Settlement Commission, and he suggested there were about 1,500 cases where they would welcome some outside legal assistance. I am sure that our colleague is familiar with those facts, because he is certainly a fine student of this entire subject matter, and we recognize that. We spell that out in the act and we limit it, to be exact, to one particular phase which is pretty well spelled out in the act of 1962 passed by the House. It says:

> Anybody who is not residing in the Philippines—

Think about that. They must reside in the Philippines before they can get this money. The Commission itself must be satisfied that they will plow back this money into the Philippine economy.

The Commission said it would like and welcome some outside counsel. Then we go one step further and say that is legal, but no former employee or Commissioner of the Philippine War Damage Commission may collect a fee for that purpose. That is the sum and substance of it.

May I say to my colleagues, I, for one, have a deep feeling that this money should be paid by your regular agencies that you have set up, that the Congress has set up, that has been in operation. It has been in operation a long time, from 1946 on; and without any scandal or without any trouble they have done a splendid job.

I remember the very able and genial gentleman from Pennsylvania coming to the committee in 1946 or 1947 and saying:

> I am familiar with these types of claims. I want you to put a limitation of 3 percent on administrative costs.

He was able, very handsome, and very sensible. We adopted his suggestion, and the Commission did that job for less than 2½ percent.

So I think the people of the United States are indebted to the very able and distinguished Member, the gentleman from Pennsylvania [Mr. FULTON], our beloved friend. So I think this Commission ought to handle the payment of these claims. Under this act their decision is final, lock, stock, and barrel, and that is the way it ought to be.

I am going to yield back to my friend, the gentleman from New York, and if he wants to ask any further questions, I will do my best to answer them.

The SPEAKER. The Chair would like to inquire of the gentleman from New York what his point of order is.

Mr. BARRY. Mr. Speaker, in my opinion the amendment is not germane in that it adds language to the Senate amendment setting forth penalties in violation of the criminal code of the United States, and I insist on my point of order.

The SPEAKER. Does the gentleman from Texas desire to be heard on the point of order?

Mr. THOMAS. Mr. Speaker, we are all aware of the rule of germaneness, but you are dealing here with a single subject matter. You have not changed the subject matter. You have merely tightened it up by inserting a penal provision, and I think it is germane.

The SPEAKER. Does the gentleman from New York desire to be heard further?

Mr. GROSS. Mr. Speaker, may I be heard on the point of order? The gentleman from Texas has admitted that this amendment provides criminal penalties which were never contemplated in the Senate amendment.

Mr. THOMAS. We are dealing, may I say to my great friend from Iowa, with this act and the act itself of 1962 reads as follows:

> SEC. 6. Whoever, subject to the jurisdiction of the United States, violates this section shall be fined not more than $5,000 or imprisoned not more than one year, or both.

The SPEAKER. The gentleman from New York [Mr. BARRY] makes the point of order that the amendment offered is not germane. The amendment offered brings in an additional class other than provided in the Senate amendment. The language reads "or to any corporation, association, firm or other individual or party whatsoever" and so forth, and provides criminal penalties.

The Chair feels that with respect to the additional class for criminal penalties the point of order is well taken, and the Chair sustains the point of order.

Mr. BARRY. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

> Mr. BARRY moves that the House recede from its disagreement to Senate amendment No. 76 and concur therein.

Mr. GROSS. Mr. Speaker, I ask that that question be divided.

Mr. THOMAS. Mr. Speaker, I demand a division of the question.

The SPEAKER. The gentleman from Texas [Mr. THOMAS] demands a division of the question.

The question is, will the House recede from its disagreement to the Senate amendment?

Mr. THOMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. Mr. Speaker, is it in order for the chairman of the House conferees to make a short statement at this time on it?

The SPEAKER. The motion is debatable. The gentleman is recognized.

Mr. THOMAS. Mr. Speaker, will my friend, the gentleman from New York [Mr. BARRY], now be good enough to explain what he seeks to accomplish by his motion?

Mr. BARRY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARRY. Who has control of the time at this point?

The SPEAKER. The gentleman from Texas.

Mr. BARRY. Mr. Speaker, to the gentleman from Texas I can say that all the way through this legislation there has been a haste to pass this bill, to slip it by the U.S. Congress, and especially the House of Representatives. There only has been one rollcall on this bill. The claim bill was defeated by this House at that time. Afterward it was brought up on the floor when a very few Members were here, and it was slipped through.

Mr. Speaker, at that time the gentleman from Iowa [Mr. Gross] asked for a rollcall. There were not enough Members on the floor to see that there was a rollcall.

Mr. Speaker, the people of this Nation have not yet spoken on the Philippines war claims bill, and I insist that we go back and do this thing in a statesmanshiplike manner. That is my effort, and has been my entire effort from the beginning of this matter through today.

Mr. THOMAS. It is the theory of the gentleman that this money ought to be handed over to the Philippine Government, or does the gentleman want the money to be handed over to the citizens of the Philippines, or whoever lives in the Philippines by the Philippines War Damage Commission, or is the gentleman against the entire bill?

Mr. BARRY. I would like to say to the gentleman from Texas that I go back to the 1946 Rehabilitation Act which created the claim procedure as a way of generating the Philippine economy, which method of aiding the Philippines was cut off as of 1950 when a group of Congressmen went out there and came back with that recommendation. It was decided in 1950 to benefit the Philippines in other ways and to continue rehabilitating the Philippine Islands through aid projects. The manner set forth by the Senate amendment is the way agreed upon by the former administration—namely to give this money to the Government of the Philippine Islands, or if so decided by Congress—to give this money for aid projects or any other way that is agreeable to the House of Representatives of the United States. But I insist we do not handle this matter in such a slipshod manner and that we have some opportunity to know what we are doing when we vote on this issue. I do not feel that based upon the way this has been handled that there has been this opportunity.

Mr. THOMAS. I do not want to be argumentative with my able friend—and he is a very able and distinguished Member of this House—but would the gentleman clear me up on one point: Is it your objection to the handing over of $73 million, or is your objection to the method of handing it over? In other words, do you want the Philippine Government to receive the money and then they pass it out, or is that what the gentleman really objects to?

Mr. BARRY. I object to the method.

Mr. THOMAS. "To the method," you mean——

Mr. BARRY. I will say to the gentleman from Texas [Mr. Thomas] I object to the constant allusion to a moral obligation that we have to pay the claimants, which is not true, and this can be documented, very, very specifically documented.

Mr. THOMAS. I do not want to argue with my able friend. You object to giving the $73 million to them regardless of whatever route it comes from?

Mr. BARRY. I personally feel that after the August 4, 1959, agreement made between the Eisenhower administration and the Philippine Government, we had an obligation to pay them $73 million because we agreed to do it in settlement of some 10 or 12 differences that existed between the Philippine Government and ourselves. At that time the communique between the Philippine Government and ourselves stated specifically that it was to be to the Philippine Government, and it was only because of some maneuvering around the Congress of the United States that this thing has made us believe that the obligation was to the claimants. It is that cancer that I am trying to cut out and not our obligation to our great and valiant ally.

Mr. THOMAS. Mr. Speaker, I thank the gentleman very much; I think he has made his point. At this time I yield to our distinguished friend, the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, we find ourselves here in a deplorable situation, such as we have experienced so many times when the other body attempts to legislate on appropriation bills. We are here now discussing legislation that has been before this House on two occasions. It seems to me improper that we should attempt here again to legislate on the question of the Philippine war damage claims. We are in a position, if we want to do so, to send it back to the Committee on Foreign Affairs and the Foreign Relations Committee where it belongs. They are the ones who ought to be working this matter out. We should not be legislating here on the floor of the House on a matter of this importance, on a supplemental appropriation bill.

Things having taken the turn that they have, it seems to me we ought, through proper procedure, to get this matter right back into the committees where it belongs and then let them bring it out.

Mr. Speaker, this matter has gone on for years. It seems to me in order for the House to tighten up on the question of legislating on appropriation bills. We are permitting the other body to send these proposals over here as they have in this case. I do not approve of it and I hope we will be able to put ourselves in a position to rescind, to send it back to the legislative committees where it belongs. It is their job and they ought to be doing it.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Ohio [Mr. Hays].

Mr. HAYS. Mr. Speaker, I had hoped the point of order would not be made to the language worked out by the gentleman from Texas because, while it did not do everything that I thought ought to be done I thought that at least it would have been a partial remedy of a really bad situation. But when the point of order was made and was sustained we found ourselves in this position—and I said this the other day and it was quoted in an editorial of the Denver Post. I said that in the beginning this was a grab bag and it is still a grab bag. I do not know what is the right thing to do. But I will say this for the edification of the membership. I asked the Director of the AID program the other day, if we gave the $73 million to the Philippine Government, whether we could substantially reduce the amount of money that we would give them in foreign aid. He did not want to commit himself. He said he would like to take a look at it, but the implication was that he believed we could.

If you read the Senate report of their investigation, this desire for this additional money was whipped up by a group of lobbyists. The Congress is over a barrel on this. As I say, I talked with the gentleman from Texas and I thought that he had cured the situation so far as these lobbyists are concerned. But since the language is not in there, if this goes through the way it is now, it is an open invitation to come in and get all you can get.

I think the Congress has had enough of this. I am inclined to think we either ought to send it back to the legislative committee or pay the money to the Philippine Government and then cut down substantially on the amount for them in the foreign aid bill; give the American taxpayer a break for a change.

Mr. THOMAS. Mr. Speaker, let us see if we can summarize and see where we are. Let us look at the parliamentary procedure. The motion pending is to recede and concur in the Senate amendment. We have demanded a division of the question. The question to be voted on first, if I understand it, is the motion to recede. If you recede and concur then where are we? You go right back to the Senate language. What does the Senate language do? Listen: This House last year passed this Philippine bill. The membership voted on it and it passed with a big majority. You voted to give them $73 million. You voted not to open up any new claim. You voted for the Foreign Claims Settlement Commission to pass out that money to those claimants, and not for the Philippine Government to do the passing out. I am not going to tell you why you did it. You know why you did it, and I applaud your thought. You did the right and the sensible thing. You have that Commission set up here with plenty of help. They have done a magnificent job since 1946 in this particular field, with no complaint, no scandal.

Suppose you send this back, you recede and concur. Where are you? You will have opened the door wide open without any prohibition and without any penalty, to do what? To let the lobbyists go around and get rich.

Do you want to do that? That is the only reason we have it here now. Of course our friend the able gentleman from Ohio is correct about it. The legislative committee should have done it. But it was dumped in our lap by the other body. You had nothing to do with it, we had nothing to do with it. It was handed to us and we had to act. Now we have acted. We have done, we think, a good job. We have put penalties in here. We have tightened it up, and it is plenty tight. Do not doubt that for a minute. There will not be any more scandal, I will tell you that, on this matter of the fees. You can take my word for it.

But you made no mistake when you said in your original act last year that this money should be passed out by our people to the Philippine people. I firmly believe that it would be a tremendous error, tremendous, for this body to say by your vote that you are going to sustain the other body's position, and the other body says it ought to go to the Philippine Government. That in my humble judgment is a terrible thing.

Mr. BARRY. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. BARRY. The gentleman from Texas has made much over the fact that the other body is telling us what to do, but he fails to take into consideration that we in this body have not had an opportunity to have one of our committees study this matter. In fact, on the Senate side both the Senate Appropriations Committee and the Senate Foreign Relations Committee have approved the Senate amendment.

Mr. THOMAS. The Senate conferees did not approve it. They rejected it, and joined the House in rejecting it.

Mr. BARRY. The Senate agreed to direct the money to the Philippine Government, and that is why it got into the conference.

May I address myself to one or two other remarks the gentleman made. I think this body also would like to have one of its committees of the Congress consider this. I have great respect for the Appropriations Committee.

Mr. THOMAS. The gentleman is not on the Committee on Foreign Affairs. Did not that very able committee present this bill last year? That is the basis of it.

Mr. BARRY. I am on the Foreign Affairs Committee, but that has nothing really to do with the facts as they are now. A great deal of information is coming to light. I would like to say this to the House of Representatives:

The Senate investigation on this is not closed. It has only begun. There has only been 1 day of hearings on this. A great deal more is going to come out with regard to this entire episode. If we want to hurt the Congress, we will put this legislation through, that will continue this investigation and, believe me, when we find out all the reasons why each and everyone of us was propagandized a year ago into the move that we took, and it could be a lot worse picture than we know it to be today. If there is any doubt about this, I would respectfully refer you to the fact that the Senate hearings are not closed and the investigation is not closed.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from California.

Mr. BALDWIN. Could I ask what the order of events will be in the event the motion made by the gentleman from New York is voted down?

Mr. THOMAS. It is my understanding that the vote will come on the motion to recede and I respectfully ask my colleagues to vote it down and when that is voted down, I am going to offer a motion to concur with an amendment.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman.

Mr. BECKER. I would like to try to clear up one point here that has been bandied around today and constantly for a long time, that we passed this Philippine Claims bill because of intensive lobbying. Let the record be clear. When this bill came before the House despite any lobbying that may have taken place or any money that might have been spent, the House voted that bill down by a majority vote. It was defeated and I voted against it then. Let us clear this up. Later on, why did the bill come up again? Because of lobbying? It may be because the Heavens came down on us. All the news media of this country were condemning us because we defeated it. The President of the Philippines was saying that he would not come to the United States because we had offended the people of the Philippines. This is why the bill came up again and not because of any lobbying, in my opinion.

Mr. THOMAS. May I say to my colleague, I did not mean, and I am sure no one in the House infers that anybody had been lobbying with Members of the House.

Mr. GROSS. The statement was made here twice today.

Mr. THOMAS. I meant lobbyists getting fees for their services and not lobbying with Members.

Mr. BECKER. The bill was defeated and when it came up, we tried to get a rollcall vote the second time and on a voice vote, on a division vote, I voted against it and so did others, but I do not believe it had anything to do with lobbying.

Mr. THOMAS. I meant lobbying for fees and not with Members of the House.

Mr. BECKER. I think we ought to make that record clear.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. I would just like to point out first that I have a maximum of high regard for the gentleman from Texas. In 15 years, I think this is the first time I have disagreed with him. He does a tremendous job in his committee and makes a tremendous presentation on the floor of the House. I think the point that ought to be made here is if we recede and concur in the Senate amendment, this money will go to the Philippine Government and whatever they do with it at least we will have washed our hands of that phase of it. In the second place, I propose in the Committee on Foreign Affairs on the foreign aid bill to offer an amendment substantially cutting the amount available that we can give to the Philippines and let this operate in lieu of that. I really think it would be beneficial to the taxpayers. I think these lobbyists, as the gentleman from Texas rightly said, who would get these big fat fees from these claimants in the Philippines are going to be holding the sack except the one fellow who has already gotten a million dollars and I do not know how you are going to get that back from him.

Mr. THOMAS. Mr. Speaker, perhaps I used the wrong terminology a little while ago. I am going to move the previous question and then the vote, as I understand it, will come on the motion to recede and we should recede and I hope the membership will vote "aye." When we do that, then I will offer a motion to concur with an amendment.

Mr. Speaker, I move the previous question.

Mr. GROSS. Mr. Speaker, I would like to offer a substitute for the Barry motion.

The SPEAKER. The gentleman from Texas has moved the previous question.

Mr. GROSS. Mr. Speaker, he said he would move the previous question.

Mr. THOMAS. I thought I had and I do now move the previous question.

Mr. GROSS. Mr. Speaker, I have a motion at the desk.

Mr. THOMAS. Mr. Speaker, I thought I had moved the previous question, and if I did not, then I do now move the previous question.

The SPEAKER. The Chair may say that the gentleman from Texas has the floor, and he now moves the previous question.

Mr. JOHANSEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHANSEN. Mr. Speaker, if the privileged motion prevails, what will be the parliamentary situation with respect to the possibility of offering a motion to refer the matter back to the proper legislative committee?

The SPEAKER. Under present circumstances, that motion, in the opinion of the Chair, would not be in order.

Mr. MEADER. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MEADER. Would it be in order, either before the previous question is agreed to or thereafter, to offer a motion to further disagree with the Senate amendment?

The SPEAKER. The Chair will state that that can be accomplished, if desired, by voting down the motion to recede.

Mr. LAIRD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LAIRD. Mr. Speaker, as I understand, the gentleman from Texas moved the previous question merely on the question of receding. We will still have the question before us of concurring, and amendments may be offered?

The SPEAKER. The gentleman is correct.

Mr. BECKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BECKER. Mr. Speaker, what has happened to the preferential motion made by the gentleman from New York?

The SPEAKER. The motion of the gentleman from New York is the pending question. If the previous question is ordered, the first vote will be on whether or not the House will recede from its disagreement to the Senate amendment.

The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House recede from its disagreement to the Senate amendment No. 76?

The motion was agreed to.

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS moves that the House concur in the amendment of the Senate numbered 76 with an amendment, as follows: In lieu of the matter inserted by the Senate insert the following:

"TITLE IV

"Philippine war damage claims

"The Act entitled 'An Act to authorize the payment of the balance of awards for war damage compensation made by the Philippine War Damage Commission under the terms of the Philippine Rehabilitation Act of April 30, 1946, and to authorize the appropriation of $73,000,000 for that purpose', approved August 30, 1962 (Public Law 87-616), is hereby amended by adding at the end thereof the following:

" 'Funds authorized to be paid by the Government of the United States pursuant to the Act shall be disbursed to each claimant in full satisfaction and final settlement of any and all claims of such claimant or the Philippine Government arising out of awards for war damage compensation made by the Philippine War Damage Commission under the terms of title I of the Philippine Rehabilitation Act of 1946 (60 Stat. 128) and/or any other source arising out of World War II, and no part of such payment shall be used directly or indirectly for payment to any former Commissioner or employee of the Philippine War Damage Commission as compensation for services rendered as attorney or agent in connection with any such claim and the claimant shall so certify upon receipt of settlement.' "

Mr. BOW. Mr. Speaker, I reserve a point of order because we have had no opportunity to examine this.

The SPEAKER. The gentleman reserves a point of order.

Mr. BOW. Mr. Speaker, will the gentleman explain this amendment? We have had no opportunity to go over it to see what it is.

Mr. THOMAS. May I say to my distinguished friend, it takes out the criminal proceedings, and that is it.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Illinois.

Mr. DERWINSKI. In order to clarify the situation, under the gentleman's amendment, are we now at the stage where we were prior to the amendments that the Senate placed in this bill, and that we are back where we were when the House passed the bill in 1962?

Mr. THOMAS. I would say generally, yes.

Mr. BOW. I withdraw my point of order, Mr. Speaker.

Mr. GROSS. Mr. Speaker.

Mr. THOMAS. Mr. Speaker, I move the previous question.

Mr. GROSS. Mr. Speaker, I offer a substitute motion.

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Iowa for the purpose of offering a motion?

Mr. THOMAS. No; I do not yield for that purpose. If I did, I would lose control of the floor.

The SPEAKER. The gentleman declines to yield.

Mr. MEADER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MEADER. If the previous question is ordered and the vote is favorable on the motion of the gentleman from Texas, will there be an opportunity to move that the House further disagree to the Senate amendment No. 76?

The SPEAKER. At this point the Chair will answer the gentleman's parliamentary inquiry in the negative; no.

Mr. CURTIS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CURTIS. As I understand, any person seeking an opportunity for 20 minutes can have it because the previous question has been moved before there has been any debate on it.

The SPEAKER. Well, the Chair is not passing on that.

Mr. CURTIS. Mr. Speaker, I ask for recognition for 20 minutes.

The SPEAKER. The previous question has not been ordered yet.

Mr. CURTIS. Can I be recognized?

The SPEAKER. The gentleman from Texas has control of the time.

Mr. THOMAS. Mr. Speaker, I attempted to explain the situation, and I moved the previous question.

The SPEAKER. The gentleman from Texas moves the previous question. The Chair is very anxious to cooperate with all Members desiring to protect their rights under the rules, but the Chair is unable to read the minds of Members who might be standing.

Mr. JOHANSEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHANSEN. If the previous question is defeated, will it then be in order for the gentleman form Iowa to offer his motion?

The SPEAKER. If the previous question is defeated, any proper motion can be made at that time.

Mr. JOHANSEN. I thank the Speaker.

The SPEAKER. The question is on ordering the previous question.

The question was taken, and the Speaker announced that in his opinion the ayes appeared to have it.

The question was taken; and on a division (demanded by Mr. JOHANSEN) there were—ayes 104, noes 131.

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 168, nays 207, not voting 58, as follows:

[Roll No. 46]

YEAS—168

Addabbo
Albert
Ashley
Aspinall
Bass
Bennett, Fla.
Blatnik
Boggs
Bolling
Bow
Brademas
Brooks
Brown, Calif.
Burke
Burkhalter
Byrne, Pa.
Cameron
Carey
Chelf
Cohelan
Colmer
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Dorn
Dowdy
Dulski
Duncan
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Finnegan
Fisher
Flood
Friedel
Fulton, Tenn.
Gallagher
Gary
Gilbert
Gill
Gonzalez
Grabowski
Grant
Gray
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Hanna
Hansen
Hardy
Harris
Hawkins
Hébert
Holland
Hull
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kelly
King, Calif.
Kirwan
Kluczynski
Landrum
Leggett
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Mailliard
Matsunaga
Matthews
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien, Ill.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Passman
Patman
Pepper
Perkins
Pike
Poage
Price
Purcell
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Rodino
Rogers, Colo.
Rooney
Rosenthal
Rostenkowski
Roybal
Ryan, Mich.
St Germain
St. Onge
Senner
Sheppard
Sikes
Slack
Smith. Iowa
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Weltner
White
Wickersham
Willis
Wilson, Charles H.
Wright
Young
Zablocki

NAYS—207

Abbitt
Abele
Abernethy
Adair
Anderson
Andrews
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Barry
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Mich.
Berry
Betts
Bolton, Frances P.
Bonner
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burleson
Burton
Byrnes, Wis.
Cannon
Casey
Cederberg
Clancy
Clausen
Cleveland
Collier
Conte
Corbett
Cramer
Cunningham
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Downing
Dwyer
Feighan
Findley
Fino
Ford
Foreman
Fountain
Fraser
Frelinghuysen
Gathings
Gavin
Gibbons
Glenn
Goodell
Goodling
Green, Oreg.
Gross
Grover
Gubser
Haley
Hall
Halleck
Halpern
Harrison
Harvey, Ind.
Harvey, Mich.
Hays
Hechler
Hemphill
Henderson
Herlong
Hoeven
Hoffman
Horan
Hosmer
Huddleston
Hutchinson
Ichord
Jarman
Jennings
Jensen
Joelson
Johansen
Jonas
Kastenmeier
Keith
Kilburn
Kilgore
King, N.Y.
Knox
Kornegay
Kunkel
Kyl
Laird
Langen
Latta
Lennon
Lindsay
Lipscomb
Lloyd
McClory

McCulloch
McDade
McIntire
McLoskey
MacGregor
Marsh
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Mathias
May
Meader
Michel
Milliken
Moore
Morse
Morton
Mosher
Nelsen
Norblad
Nygaard
O'Konski
Osmers
Pelly
Pillion
Pirnie
Poff
Pool
Pucinski
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Roberts, Tex.
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Roush
Rumsfeld
Ryan, N.Y.
St. George
Saylor
Schadeberg
Schneebeli
Schweiker
Schwengel
Secrest
Selden
Short
Shriver
Sibal
Sickles
Siler
Sisk
Skubitz
Smith, Calif.
Snyder
Springer
Stafford
Stinson
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Tollefson
Tuck
Tupper
Utt
Van Pelt
Wallhauser
Watson
Weaver
Westland
Whalley
Wharton
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman

NOT VOTING—58

Alger
Barrett
Boland
Bolton,
  Oliver P.
Buckley
Cahill
Celler
Chamberlain
Chenoweth
Clark
Cooley
Curtin
Donohue
Edmondson
Edwards
Ellsworth
Flynt
Fogarty
Forrester
Fulton, Pa.
Fuqua
Garmatz
Giaimo
Griffin
Gurney
Harding
Harsha
Healey
Holifield
Horton
Kee
Keogh
Lankford
Miller, Calif.
Miller, N.Y.
Minshall
Multer
O'Brien, N.Y.
Ostertag
Patten
Philbin
Pilcher
Powell
Rains
Randall
Riehlman
Roosevelt
Schenck
Scott
Shelley
Shipley
Smith, Va.
Staebler
Taylor
Waggonner
Walter
Watts
Younger

So the previous question was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Walter for, with Mr. Griffin against.

Mr. Keogh for, with Mr. Oliver P. Bolton against.

Mr. Cooley for, with Mr. Gurney against.

Mr. Donohue for, with Mr. Taylor against.

Mr. Philbin for, with Mr. Younger against.

Mr. Boland for, with Mr. Miller of New York against.

Mr. Barrett for, with Mr. Cahill against.

Mr. Garmatz for, with Mr. Ellsworth against.

Mr. Giaimo for, with Mr. Schenck against.

Mr. Holifield for, with Mr. Harsha against.

Mr. Miller of California for, with Mr. Minshall against.

Mr. Multer for, with Mr. Chamberlain against.

Mr. Shipley for, with Mr. Ostertag against.

Mr. Fogarty for, with Mr. Alger against.

Mr. Celler for, with Mr. Riehlman against.

Mr. Buckley for, with Mr. Horton against.

Mr. Roosevelt for, with Mr. Chenoweth against.

Until further notice:

Mr. Clark with Mr. Curtin.

Mr. Lankford with Mr. Fulton of Pennsylvania.

Mr. Scott with Mrs. Kee.

Mr. Harding with Mr. Shelley.

Mr. Edmondson with Mr. Patten.

Mr. O'Brien of New York with Mr. Staebler.

Mr. Powell with Mr. Pilcher.

Mr. Forrester with Mr. Healey.

Mr. Rains with Mr. Lankford.

Mr. Watts with Mr. Waggonner.

Mr. Flynt with Mr. Fuqua.

Mr. STRATTON changed his vote from "nay" to "yea." The result of the vote was announced as above recorded.

Mr. JOHANSEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHANSEN. In the event, Mr. Speaker, that the House votes down the pending motions, will it then be in order to offer a motion to insist on our disagreement with the other body?

The SPEAKER. That motion would be in order if the two pending motions were voted down.

Mr. MEADER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MEADER. Who controls the time at this stage of the proceedings?

The SPEAKER. No one has the floor at this time.

Mr. MEADER. Mr. Speaker, I seek recognition.

The SPEAKER. The gentleman from Michigan is recognized.

Mr. MEADER. Mr. Speaker, I have listened to the debate on this amendment this afternoon, and I am very much impressed with the statements made by some of the members of the Committee on Foreign Affairs and also some of the news accounts that I have read in the papers concerning lobbying activities with respect to this item.

It seems to me that this $73 million should be passed upon and authorized by the House of Representatives only upon the basis of testimony, which has not been taken. And, it is clear from the evidence received by the Committee on Foreign Relations of the Senate that they acted originally, as did we in the House under a misunderstanding. We did not know that the principal witnesses who were proposing this $73 million to pay Philippine claims had a financial interest in the outcome of the legislation.

It seems to me, Mr. Speaker, that the only orderly way to protect the dignity and the honesty of the House of Representatives and the Senate and the Congress is to have this whole matter explored by the appropriate committees of the House and the Senate before any final action is taken. It is all right to say that we will turn this money over to the Philippine Government, when originally the House made it payable directly to the claimants after their claims had been allowed by a commission. Now, if the Philippine Government is given this money, when they were not the original beneficiaries under congressional action, my friend, the gentleman from Ohio [Mr. HAYS], says—

> We will deduct whatever they should not have had from this $73 million from the forthcoming foreign aid bill.

I do not think that is the proper way to legislate. The foreign aid amount for the Philippine Government and the foreign aid bill should be based upon its own merits and we should not do it by giving the money that belongs to claimants, if it does, and then deducting or reducing the amount we otherwise would have given the Philippine Government in the foreign aid program.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Ohio.

Mr. HAYS. Might I say that there is a difference of opinion in administration circles and in the previous administration about whether we should have given the money to the claimants or to the Philippine Government, or whether we should have given it to anybody. I am inclined to agree with the gentleman from Michigan [Mr. MEADER], that maybe that is the best way to do it. What I am trying to do is to seek some way out of a pretty bad situation. I took this course in lieu of something better. If I had my way and could do what I like to do it would be not to give anyone anything.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, in view of the response which the Speaker gave to my parliamentary inquiry, I ask the gentleman from Michigan [Mr. MEADER], and the gentleman from Ohio [Mr. HAYS], if it is not clear that we now have a parliamentary clear track in order to accomplish the desired results of putting this back into the hands of the House Committee on Foreign Affairs, to wit, to vote down the two pending motions and then to offer and adopt a motion that the House insist on its disagreement with the Senate.

Mr. MEADER. Mr. Speaker, if this motion of the gentleman from Texas [Mr. THOMAS] is voted down—that is, the motion to concur with an amendment and then the motion of the gentleman from New York [Mr. BARRY] to concur in the Senate amendment is also voted down—it will be my intention, and as I understand from the inquiry propounded by my colleague, the gentleman from Michigan [Mr. JOHANSEN], it would then be in order and it would be my purpose to offer a motion that the House insist on its disagreement with the Senate amendment No. 76. I am informed after inquiry about the parliamentary situation that that is the only way we can send this matter back to the conference committee for further consideration in the light of the consensus of opinion of this body.

The SPEAKER. The question is on the motion offered by the gentleman from Texas that the House concur in the Senate amendment, with an amendment.

The motion was rejected.

The SPEAKER. The question now is on the second part of the motion offered by the gentleman from New York that the House concur in the Senate amendment.

The motion was rejected.

Mr. MEADER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. MEADER moves that the House insist on its disagreement to the Senate amendment numbered 76.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan [Mr. MEADER] that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

AUTHORIZATIONS FOR AIRCRAFT, MISSILES, AND NAVAL VESSELS, FISCAL YEAR 1964

Mr. VINSON. Mr. Speaker, I call up the conference report on the bill—H.R. 2440—to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 289)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2440) to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That funds are hereby authorized to be appropriated during fiscal year 1964 for the use of the Armed Forces of the United States for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels, as authorized by law, in amounts as follows:

"PROCUREMENT

"Aircraft

"For aircraft: For the Army, $503,600,000; for the Navy and the Marine Corps, $1,938,700,000; for the Air Force $3,448,600,000.

"Missiles

"For missiles: For the Army, $565,700,000; for the Navy, $1,107,300,000; for the Marine Corps, $14,700,000; for the Air Force, $2,177,000,000.

"Naval vessels

"For naval vessels: For the Navy, $2,159,600,000.

"RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

"Aircraft

"For aircraft: For the Army, $79,748,000; for the Navy (including the Marine Corps), $198,083,000; for the Air Force, $676,986,000, of which amount $363,700,000 is authorized only for research, development, and test of the RS–70.

"Missiles

"For missiles: For the Army, $559,301,000; for the Navy (including the Marine Corps), $572,433,000; for the Air Force $1,028,332,000.

"Naval vessels

"For naval vessels: For the Navy, $284,208,000."

And the Senate agree to the same.

CARL VINSON,
L. MENDEL RIVERS,
PHILIP J. PHILBIN,
F. EDWARD HÉBERT,
LESLIE C. ARENDS,
LEON H. GAVIN,
WALTER NORBLAD,
Managers on the Part of the House.
RICHARD B. RUSSELL,
JOHN STENNIS,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2440) to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

LEGISLATION IN CONFERENCE

On March 13, 1963, the House of Representatives passed H.R. 2440 which was the fiscal year 1964 authorization for appropriations for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces. On April 12, 1963, the Senate considered the legislation and amended it by striking all language after the enacting clause and wrote a new bill.

Army

The Senate committee had deleted $8.3 million for the Iroquois helicopter. This sum was restored to the bill, with the Senate receding.

The Senate also had deleted $23.8 million for the Chinook. This sum was restored to the bill, with the Senate receding.

With respect to the Observation helicopter, the instrument trainer airplane, the Mohawk, the primary trainer helicopter, and the Caribou, the House conferees receded. The net sum involved with respect to these five aircraft was $18.5 million.

The Senate had cut $30 million for the Pershing missile. The conferees agreed that this cut should be limited to $15 million, the Senate receding with an amendment.

In research and development the Senate had imposed a 3 percent cut, totaling $19.7 million. The House recedes.

Navy

The Senate had cut 7 types of aircraft for a total of $117.3 million (Skyhawk, Intruder, Vigilante, Phantom II, Orion, Hawkeye, Gulfstream). The Senate receded with respect to all but $13 million for the Phantom II and $7 million for the Gulfstream.

The Senate receded with respect to the 3 percent cut in below the line items. This totaled $10.5 million.

SUBROC was cut by the Senate to the extent of $12.2 million. This sum was restored, the Senate receding.

The Senate cut eight naval vessels from the bill. The House recedes with respect to these naval vessels. The amount involved is $150.4 million.

The House had added to its bill two nuclear attack submarines. These were deleted by the Senate. The conferees agreed that these ships should not be included in the bill and the House recedes.

In research and development the Senate had imposed a 3 percent cut totaling $32.6 million. The House recedes.

Air Force

The Senate had cut the F–4C and the RF–4C by a total of $154.3 million. The conferees agreed to restore $84.3 million of this amount, the Senate receding with an amendment.

In the case of the T–38A the Senate had deleted $8 million. The House recedes. The House also recedes with respect to the $32.4 million deleted by the Senate for the HC–130E.

All of the Senate deletions of below the line items for Air Force aircraft totaling $35.3 million were restored by the conferees, the Senate receding.

$67.6 million for the Minuteman missile had been deleted by the Senate. All of this sum was restored to the bill, the Senate receding. All of the Senate deletions of below the line items for Air Force missiles, totaling $8.2 million, were restored by the conferees, the Senate receding.

The 3 percent cut in research and development, involving $41.5 million, was agreed to by the conferees, the House receding.

SUMMARY

The bill as presented to the Congress by the President totaled $15,358,691,000. The bill as reported out of the House totaled $15,856,391,000. The bill as it passed the Senate totaled $14,951,491,000.

The bill as agreed to in conference totals $15,314,291,000. This sum is $542,100,000 less than the bill as it passed the House and is $44,400,000 below the bill as presented to the Congress by the President.

CARL VINSON,
L. MENDEL RIVERS,
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WALTER NORBLAD,
Managers on the Part of the House.

Mr. VINSON. Mr. Speaker; the bill as presented to the Congress by the President totaled $15,358,691,000. The bill as reported out of the House totaled $15,856,391,000. The bill as it passed the Senate totaled $14,951,491,000.

The bill as agreed to in conference totals $15,314,291,000. This sum is $542,100,000 less than the bill as it passed the House and is $44,400,000 below the bill as presented to the Congress by the President.

Among the highlights of items restored as a result of the conference were $67.6 million for the Minuteman missile which represented the entire cut made by the Senate in this area.

The House conferees also were successful in returning to the bill $32.1 million for the Army's Iroquois and Chinook helicopters. The House conferees receded with respect to other low priority airplines and helicopters for the Army.

The Senate had cut out $30 million for the Pershing missile. The House conferees were able to put $15 million of this cut back in the bill.

In the case of the Navy, the Subroc missile had been cut by $12.2 million by the Senate. This entire sum was restored to the bill.

The Senate had cut seven types of Navy aircraft for a total of $117.3 million. The Senate receded with respect to all but $13 million for the Phantom II and $7 million for the Gulfstream.

In the area of ships, the House receded with respect to the eight ships cut out by the Senate. For the most part, they are auxiliary vessels of a noncombatant type. The House also receded with respect to the two nuclear attack submarines which it had added to the program in the House.

All in all, Mr. Speaker, I feel that the conference was a productive one and I can say that generally, all of the high priority combatant type items were restored to the bill.

Although from a practical standpoint the RS–70 was not a matter of disagreement between the House and Senate, I do want to point out that both the House version of the bill and the Senate version of the bill were identical with respect to the authority added for the RS–70. And the bill as agreed to in conference retains $363.7 million for this airplane.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Illinois.

Mr. SPRINGER. Do I correctly understand from what the gentleman has stated that the same amount of money is in here for the Minuteman that was in here when the bill passed the House?

Mr. VINSON. That is correct.

If there are no further questions, Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE ASSOCIATION OF UNIVERSALIST WOMEN TO CONSOLIDATE WITH THE ALLIANCE OF UNITARIAN WOMEN

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1227) authorizing the Association of Universalist Women—a nonprofit corporation in the District of Columbia—to consolidate with the Alliance of Unitarian Women—a nonprofit corporation in the State of Massachusetts.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Association of Universalist Women, a corporation established and existing under the laws of the District of Columbia by virtue of title 29, chapter 6, of the District of Columbia Code, 1961 edition, is hereby authorized to enter into a consolidation with the Alliance of Unitarian Women (formerly named National Alliance of Unitarian and Other Liberal Christian Women), a corporation established and existing under public statutes, chapter 115, of the laws of the Commonwealth of Massachusetts, and Acts in amendment thereto, under which consolidation said corporation shall thereafter become and be one corporation under a name to be adopted at the organizational meeting of the consolidated corporation, which consolidated corporation shall be a corporation existing under the laws of the Commonwealth of Massachusetts, only, and shall in all respects be a continuation of each of said existing corporations.

SEC. 2. Upon such consolidation becoming effective, all property of the Association of Universalist Women, including all bequests, devises, gifts, and transfers of any kind heretofore and hereafter made to or for its benefit, shall be transferred to and vest in the consolidated corporation without further act or deed. Said consolidated corporation shall have the same powers, rights, and privileges with respect to such property and with respect to such bequests, devises, gifts, and transfers as would have been possessed by said consolidated corporation had such bequests, devises, gifts, and transfers been made directly to it and for its purposes, so far as such powers, rights, and privileges can be legally conferred by this Act, and otherwise shall have with respect to such property and such bequests, devises, gifts, and transfers the same powers, rights, and privileges as would have been possessed by the Association of Universalist Women had such consolidation not been effected.

SEC. 3. The consolidated corporation shall be deemed to have assumed and shall be liable for all the liabilities and obligations of the Association of Universalist Women.

SEC. 4. The consolidated corporation shall be deemed to have agreed that it may be sued in the District of Columbia for any obligation or liability of the Association of Universalist Women and shall be deemed to have irrevocably appointed the Commissioners of the District of Columbia as its agent to accept service of process in any action for the enforcement of any such obligation or liability. As used in this Act, the term "Commissioners of the District of Columbia" means the Commissioners of the District of Columbia or their designated agent.

SEC. 5. The consolidation shall not be completed—

(a) unless the same shall have been authorized by appropriate legislation enacted by the Commonwealth of Massachusetts;

(b) unless at meetings called for the purpose, each of said existing corporations, by not less than a majority vote of those present and voting, shall have accepted this Act and any act of the legislature of the Commonwealth of Massachusetts relating to the consolidation; and

(c) unless after the aforesaid authorization and acceptance said existing corporations shall have called and held an organization meeting of the consolidated corporation to be held at such time and place anywhere in the United States of America or Canada as said existing corporations may by separate vote designate at such meeting of acceptance, and each of the existing corporations shall at said meeting of acceptance designate its delegates to such organization meeting of the consolidated corporation for the purpose of adopting bylaws for the consolidated corporation and of electing initial officers, directors, and other officers thereof.

SEC. 6. The consolidation shall be complete and effective upon the filing with the Commissioners of the District of Columbia of a certificate signed by the secretaries of said existing corporations who shall make affidavit setting forth detailed compliance with the provisions of section 5 and stating the names and addresses of the administrative board or board of directors and other officers initially elected by said organizing meeting. Said certificate shall be filed not later than sixty days after the date of said organizing meeting.

SEC. 7. This Act shall take effect immediately.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Upon the suggestion and powerful assistance of our Speaker, the Honorable JOHN W. McCORMACK, I am happy to request action today by the House Committee on the District of Columbia on legislation to authorize the consolidation of the Association of Universalist Women—a nonprofit corporation in the District of Columbia—with the Alliance of Unitarian Women—a nonprofit corporation in the State of Massachusetts.

I am pleased to call up on the floor of the House this legislation particularly because of the active interest of our beloved Speaker who has always taken such great and active interest in the passage of all humanitarian legislation such as this. There was not a dissenting voice in our committee to the enactment of this bill.

May I also commend the distinguished senior Senator from Massachusetts, Mr. SALTONSTALL, for his efforts on behalf of this legislation, and for introducing the same in the Senate and steering it through the District of Columbia Committee there.

My good friend and distinguished colleague, the gentleman from Massachusetts [Mr. MORSE], has likewise performed a fine public service in sponsoring this legislation in the House.

Since the Senate has acted first, our committee approved the Senate bill so that it might be acted upon at once and sent to the President.

The proposed consolidation of the two women's organizations, the Association of Universalist Women and the Alliance of Unitarian Women, is particularly desirable at this time for the reason that they are affiliated with the Universalist Church and the Unitarian Church of America, respectively, and a merger of these two churches has already taken place. Thus, the Congress in enacting this legislation will be permitting these organizations to assume an organizational structure commensurate to that of the churches pursuant to their merger.

Since the Alliance of Unitarian Women is a Massachusetts nonprofit corporation, authorizing legislation similar in nature to this measure was enacted by the legislature of the Commonwealth of Massachusetts on April 28, 1963—chapter 328, acts of 1963, Massachusetts Legislature.

When the consolidation of the two organizations does occur, the consolidated corporation, under the terms of the bill shall exist under the laws of Massachusetts, and an appropriate name shall be adopted at the organizational meeting of such corporation.

COMMITTEE ON EDUCATION AND LABOR

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 340 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, notwithstanding the provisions of H. Res. 103, Eighty-eighth Congress, the Committee on Education and Labor is hereby authorized to send two of its majority members and two of its minority members to attend the International Labor Organization Conference in Geneva, Switzerland, during June 1963.

It is *Resolved,* further, That Congressman JAMES ROOSEVELT, who will be one of the majority members of the Committee on Education and Labor attending the International

Labor Organization Conference, is hereby authorized to preceed from Geneva to Greece; Israel; Rome, Italy; and Paris, France, for the purpose of studying labor-management relations in said countries, and then return from Paris, via London, England, to the United States.

Notwithstanding section 1754 of title 22, United States Code, or any other provisions of law, local currencies owned by the United States shall be made available to the committee members engaged in carrying out their official duties under section 190(d) of title 2, United States Code:

Provided, (1) That no member or employee of said committee shall receive or expend local currencies or appropriated funds for subsistence in an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

The SPEAKER. The gentleman from California [Mr. SISK] is recognized.

CALL OF THE HOUSE

Mr. WILLIAMS. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. BASS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 47]

Barrett
Boland
Bolton, Oliver P.
Brown, Calif.
Buckley
Cahill
Celler
Chamberlain
Chenoweth
Clark
Cooley
Curtin
Diggs
Donohue
Edmondson
Flynt
Fogarty
Forrester
Fulton, Pa.
Fuqua
Garmatz
Griffin
Gurney
Hanna
Harding
Harsha
Hawkins
Healey
Hébert
Holifield
Horton
Kee
Keogh
Lankford
Miller, Calif.
Miller, N.Y.
Minshall
Multer
O'Brien, N.Y.
Ostertag
Patten
Philbin
Pilcher
Pillion
Powell
Rains
Randall
Riehlman
Roosevelt
Schenck
Scott
Shelley
Shipley
Staebler
Taylor
Thompson, La.
Waggonner
Walter
Whitener
Younger

The SPEAKER. On this rollcall, 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ADDITIONAL TRAVEL AUTHORITY TO THE COMMITTEE ON EDUCATION AND LABOR

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH]; pending that, I yield myself such time as I may consume.

Mr. Speaker, this resolution is self-explanatory. Under action taken by the Congress early this year it is necessary that consideration be given for special permission to members of certain committees to travel outside the United States. This particular resolution authorizes four Members of the House of Representatives to attend the International Labor Organization meeting in Geneva, Switzerland, this year.

As will be noted from the resolution, it does provide one additional bit of travel. It provides in addition to the travel of two members of the majority and two members of the minority party to Geneva for the International Labor Organization meeting that the gentleman from California [Mr. ROOSEVELT] may be permitted to proceed from there to the nation of Israel, to Rome, to Greece, to Paris, France, and return via London, England. This was included in the resolution because of statements made by the gentleman from California as to the need to look into certain labor situations that exist in these countries pertaining to national strikes.

I would simply like to say, Mr. Speaker, that the International Labor Organization is one of the oldest if not the oldest international organizations of which this country is a member. We have for many, many years sent representatives from the House to attend this particular Conference, that lasts for a month. It is my understanding that some very important votes are coming up before the International Labor Organization during their meeting in Geneva this spring. Therefore it is important, it would seem to me, and I would hope the Members of this House agree, that our representatives be there to cast a vote on behalf of the United States.

I personally have never attended an ILO meeting and am not particularly familiar with their activities, but it is my understanding that they have been of substantial value in our fight against communism worldwide. So it would be my hope, Mr. Speaker, that this resolution be adopted and that the House approve this travel on behalf of four of our colleagues.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Kentucky.

Mr. SNYDER. The gentleman says there are some serious questions coming up over there. Will these Members that travel over there vote the convictions of the United States or how do they vote? Can the gentleman explain that to us a little bit?

Mr. SISK. As I said in my statement, I have never attended an ILO meeting. I am sure there are Members here who have attended. But the official delegates to the International Labor Organization meeting will have a vote and will have an opportunity to cast that vote on the various issues which will arise on that occasion.

I am sure the gentleman knows these are not the only delegates that will be going from the United States. There is an official delegate from the Department of Labor. I believe that department will be represented by the Assistant Secretary of Labor for International Affairs, as an official. It is also my understanding that the other body will send representatives who will be voting delegates to the International Labor Organization.

The United States is a member of the International Labor Organization, and I am sure the gentleman understands that as such we have an equal right for our delegates to cast their votes on the great, major issues before this organization.

Mr. SNYDER. Are these people going to represent the United States or are they going to represent labor organizations?

Mr. SISK. They will be there representing the United States, as American representatives representing America.

Mr. SNYDER. Do we know who the other three Members are going to be, other than the one mentioned in the testimony before the gentleman's committee?

Mr. SISK. I personally cannot name them. I would assume that possibly the gentleman from California [Mr. SMITH], who is handling the rule on the minority side, may know who the two Members will be from the minority side.

I do not know. It is my understanding that the House will have one official delegate for the majority party and one official delegate for the minority party. This goes on for 1 month, which is quite a long while for any one Member of the House to be away from Washington. So we are providing for two Members of the majority and two Members of the minority so that one Member may go for a couple of weeks and return and then the other Member go. That is my understanding, in other words, so that the second man in each case is an alternate. So we actually only have two official delegates—one from the minority side and one from the majority side.

Mr. SNYDER. When the minority Member takes the floor, I will ask him who these two Members are from the minority side, and I will ask the gentleman now who the majority Members are?

Mr. SISK. It is my understanding that the official delegate from the majority party is the gentleman from New York [Mr. POWELL] and his alternate is the gentleman from California [Mr. ROOSEVELT].

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Pennsylvania.

Mr. DENT. I would like to clarify this situation. The Committee on Labor names Members, and the chairman names at his discretion, the Members to attend this International Labor Organization Conference. Any votes that are taken are merely a matter of policy votes and do no have any effect whatsoever on the internal affairs of the United States of America. They have nothing to do with how or what we do in our labor-management relations. This is an organization set up in the hope of bringing to the workers in other countries some kind of labor-management consideration patterned after the lines of those that we have in the United States. If his House turns down this right or authorization to use these funds, then the State Department must of necessity name the delegates suggested by the chairman of the committee and they will be paid from U.S. funds by the State Department. That is all there is to it. We are here testing whether or not a committee of the House can on a legitimate basis seek the support of the House for duties that have normally been duties of Members of the House, and whether the House will at this time admit that they are duties to be performed or whether it will say that due to the fact there has been a great deal of adverse publicity that all foreign trips will cease insofar as the membership of this House is concerned.

Mr. SISK. I thank the gentleman for his contribution. Of course, basically what we are authorizing here is the use of counterpart funds, if counterpart funds are available, for this travel rather than requiring appropriated funds.

Mr. GROSS. Mr. Speaker, will the gentleman yield for one question?

Mr. SISK. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. This does not provide that any of this delegation can travel to or from Puerto Rico; is that correct?

Mr. SISK. I might say to the gentleman that Puerto Rico is not mentioned in the resolution.

Mr. GROSS. I thank the gentleman.

Mr. RUMSFELD. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. RUMSFELD. In the past what has been the number of delegates that this country has sent to the Conference? Has it been one, two, or three, or four?

Mr. SISK. It is my understanding what this resolution seeks to do is identically the same thing we did last year and have done for a number of years in the past, and that is to provide for one majority and one minority official delegate from the House of Representatives to attend this meeting—and one alternate in each case.

Mr. RUMSFELD. Am I correct that this is the first time that we have sent four delegates as opposed to two?

Mr. SISK. No, it is not my understanding that is true. As I explained earlier, it is my understanding that what they propose at this time is that the official delegate go for 2 weeks and then return and that the alternate then go and spend the last 2 weeks at the meeting. This meeting, of course, goes on for a month. It is quite trying I think on any Member of the Congress to be away that long. I understand this is a normal procedure that has been followed. Of course, heretofore, as I am sure my colleague understands, it has not been necessary to come to the floor of the House to seek the right to use counterpart funds. So basically that is the only thing at issue here.

Mr. RUMSFELD. Does the United States have one vote or does each individual that goes have one vote?

Mr. SISK. It is my understanding each official delegate, and that includes the delegate from the Department of Labor, would have a vote.

Mr. RUMSFELD. We would have three votes?

Mr. SISK. No. We have representatives from the other body, I believe. I think there are several votes. Certainly I do not know how many votes we have.

Mr. RUMSFELD. Of the House Members they have two votes?

Mr. SISK. Yes.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Florida.

Mr. HALEY. May I ask the gentleman from California a question?

I notice one of these delegates is going to travel in Greece, Israel, Rome, Italy, and Paris, France. Is there some labor meeting there he is going to attend, or what is the occasion for this travel around over several nations?

Mr. SISK. I thank my colleague from Florida for his question. The gentleman from California [Mr. ROOSEVELT] came before our Committee on Rules and explained that his subcommittee of the Committee on Education and Labor had under consideration certain legislation and certain studies pertaining to what was termed national strikes; that is, strikes which might by a combination in the transportation and maritime industry, lock up the entire country. He stated to us it was his understanding, and I assume from what he said the understanding of other members of the Committee on Education and Labor, that certain other countries have had experience with these so-called national strikes and have written legislation on it and have certain laws governing national strikes. It was his hope to travel to these countries named to discuss with the leaders of those countries and with the prominent labor people, as well as governmental officials, what they were doing, and what could be gained in the way of knowledge that might assist or that we might use as examples in some approach to this matter.

Mr. HALEY. Of course I have visited in Paris several times, but as I remember it, certain strikes were not called over there. I have not recently heard of any strikes, particularly in the city of Paris or Rome, Italy.

Mr. SISK. If I might interrupt the gentleman, I am sure he does know of some very substantial strikes they have had in France—the coal miners and steel strikes of recent dates. I am not an expert on this matter and I do not know how much information the gentleman from California may be able to gain over there. But this was a request made before the Committee on Rules, and in our judgment we believed it would be proper to permit him to use counterpart funds to do that.

Mr. HALEY. Does this resolution pertain to the travel of just two delegates and two alternates? There are no administrative assistants or anything of that kind?

Mr. SISK. The gentleman is exactly right. It does not provide for staff people at all, only these four people.

Mr. HALEY. I thank the gentleman.

Mr. SISK. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, let me call the attention of the House to the fact that this is an original resolution from the Committee on Rules, which has jurisdiction. We are not simply working on adopting a rule and then looking forward to discussing this matter at further length. When the hour's time is up, the resolution will be voted up or down. As I understand it, the Speaker has had the authority for many years to appoint representatives to the International Labor Organization Conference in Geneva. In the past we have always had representation there. At the start of this session of Congress certain restrictions were placed in the committee resolutions regarding travel. This resolution is requested so that the members appointed by the Speaker can make this trip. As I understand it, the gentleman from New York [Mr. POWELL], contemplates leaving by ship around the latter part of May; I think he said the 27th. The Conferences open on June 4.

He contemplates staying there until around the 15th and returning home by airplane. I believe the gentleman from California [Mr. ROOSEVELT] contemplates leaving around the 15th, to report the following day in Geneva, and subsequent thereto going to the other countries, if permitted to do so in this resolution, where he believes he will need about 2 days in each of those countries to check the investigation that he intends to conduct therein.

On the minority side, as yet, we have had a little difficulty in getting Members to go to this particular meeting. It will take quite a good deal of their time away from Washington. In any event, I believe one Member has agreed to go for not to exceed 10 days during this particular period of time.

I believe that is all I have in explanation of this particular resolution other than I do reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I would like to say, as ranking minority member of the Committee on Education and Labor, that I do feel we should authorize members to go to the ILO Conference in Geneva.

I regret to say, however, that I was not aware that the problem was going to be discussed before the House Committee on Rules on the day that it was discussed, so I am in ignorance about just what is intended by this resolution. I am glad to see, in the initial part of this resolution, that provision is made for two minority members to attend the conference in addition to the two members of the majority. However, I am completely in the dark as to what is intended by the visits by the gentleman from California [Mr. Roosevelt] to Greece, Israel, Rome, London, and Paris except for what has been discussed here on the floor today. So far as I know, there was no discussion about what of value could be picked up in any of those countries. Nor do I have any idea why just a majority Member is to be authorized to make such a trip. It may be, I suppose, that it would be difficult for many of us to be away from Washington for so long a period. My regret is, if we do authorize travel to those countries, that there is not at least equal representation. I would like also to have a little more detailed explanation as to what the basic justification for anything beyond Geneva is. I would be glad to get that information either from the gentleman from California, or anybody else who might be able to shed some light on it.

Mr. SMITH of California. About the only thing I can say is the testimony by the gentleman from California [Mr. Roosevelt] before the Committee on Rules, along the lines stated by the gentleman from California [Mr. Sisk] that it was in connection with national strikes. They have had them in Paris, and he indicated there was one in Israel, and they have also had them down in Greece, and he wanted a couple of days in those countries to discuss it, how it was handled, how it could be stopped, because it was suggested that we might have the same problems.

Now, as to your comment of no minority Member going along on this trip, I will have to say, in all honesty, that I had not given it a thought until you brought it to my attention. If minority Members were to go, authority would have to be given for them to go.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from California.

Mr. SISK. I might say to my good friend from New Jersey that, of course, this was a specific request by the gentleman from California [Mr. Roosevelt]. And, I am inclined to believe—of course, it is up to my friend, the gentleman from California [Mr. Smith], to agree or disagree—that had we had any request from the minority members to join in this conference, I am sure our committee would have approved it.

Now, we had one request pending before the committee and, so, we acted on that request which we did have.

Mr. FRELINGHUYSEN. Even if any member of the minority had been there at the time the gentleman from California made his request with reference to traveling to these four countries, I doubt whether he would have made any effort to get minority representation. Certainly without further explanation as to just what the purpose of this visit would be, I am not pleading for an addition of a minority member to go to these countries. If the committee is seeking to discharge its responsibilities with respect to so-called national strikes, it seems odd for us to begin in Israel and Greece rather than in Washington. We have had 4 months to discuss this problem as it affects this country, but we have had no study begun here, nor have we even planned hearings here on this subject so far as I know.

Had I been asked, I would have been inclined to oppose the idea of further travel. I am at a loss to understand what committee business we would have in those countries, even though I am very strongly in favor of having official representation from the Congress to the ILO Congress in Geneva.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Illinois.

Mr. MICHEL. In the colloquy which was had between the gentleman from Florida [Mr. Haley], and the gentleman from California [Mr. Sisk], I understood the gentleman from California to say that this could not cover or involve employees. However, on page 2 of the resolution, lines 14, 18, and 20, I see the use of the word "employee," or "employees." Does that mean there are or there are not employees involved? Could conceivably an employee from Puerto Rico by some other means join up with the group in Paris or some place else and then draw on counterpart funds as authorized by this resolution?

Mr. SMITH of California. It is my understanding that it means two Members from the majority and two Members from the minority side. There will be no employees.

Is that the understanding of the gentleman from California [Mr. Sisk]?

Mr. SISK. If the gentleman will yield, of course, this language which appears on page 2 which the gentleman cites is standard language that is put in all resolutions which the Committee on Rules passes out, and has no effect on the number of people in this instance that we are authorizing to travel. We are authorizing for travel through the use of counterpart funds four people and four people only, and it does not include any staff or other people.

Mr. MICHEL. I thank the gentleman for that clarification. Otherwise it would be my view that I would object to this language and would move to strike the reference to the employees. But if it is a standard provision and given the assurance that the first paragraph will be carried out as it is written, involving two Members from the majority and two Members from the minority side, I would not object.

Mr. SISK. If the gentleman will yield further, I will assure the gentleman that that was my understanding and certainly my intent and to the extent that other Members of Congress join with me I assume that would be the intent of Congress in this instance, because the other language is written into every one of these resolutions by the committee.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. Yes, I yield to the gentleman from New York.

Mr. LINDSAY. Mr. Speaker, I do think a resolution of this kind, in order to avoid deterioration, really will have to be discussed purely on the merits of the resolution and not in terms of who the Members are and who will be delegates. It has to be stated, I think, that the ILO is in fact the oldest international organization of which the United States is a member. It goes back to immediately after World War I, as I recall.

I do not think there is any doubt but what the ILO has been more responsible in keeping out Communist penetration in worldwide labor movements than any other body that has existed. The U.S. delegate last year was the head of the ILO. The Executive Secretary is a U.S. citizen. Members of Parliament and Members of Congress can make a distinct contribution to organizations of this kind if they work. European Members of Parliament have no hesitation in working on things like this when they go as delegates from their countries.

I think this point has to be kept in mind. Assuming, as we have to assume, that Members of Congress, if they are going to be useful delegates to a conference of this kind, are really going to make a contribution, a resolution of this kind, if there will be more of them, will have to be discussed in these terms, and we will have to be very careful against any kind of deterioration or partisanship, particularly when we are talking about an organization of the stature, the tradition, the strength and the history of the International Labor Organization. It is really one of the great international organizations that exists today and has for many, many decades.

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ALGER. Mr. Speaker, it is refreshing to have a debate on the provisions of House Resolution 340 concerning Members of Congress traveling outside this country because of the widespread misuse of funds in the past, and the failure to report and/or divulge such information after their return.

Fundamentally, I believe that Members of Congress should be knowledgeable of world problems first-hand so that proper legislation may result. Toward this end, I believe it entirely proper that Members of Congress should travel the world on specific projects and then report their findings to the Congress and to the people.

However, so far as I am concerned I must oppose this resolution because insufficient justification has been given concerning why Members of Congress should attend the International Labor Organization Conference in Geneva and what the objectives of this Organization are, its accomplishments in the past and its goals in the future. Further, little reason has been given, as I see it, for our colleague, the gentleman from California, James Roosevelt, named in the bill, to travel on to Greece, Israel, Rome, and twice to Paris, for the alleged purpose of studying labor-management relationships in said countries.

True, I am pleased to observe that any reference to employees has been stricken from the bill and further that local currencies, that is counterpart funds, must be itemized and after the report of the individual Members has been made that these reports shall be open to public inspection. The limitation of per diem expenditures also seems to be sensible.

While this subject is very proper for the consideration of both Houses of Congress, yet in good conscience I cannot approve this resolution without, first, the answering of the questions which I mentioned, and, second, a complete accounting of the trips of the members of the Education and Labor Committee and other Members in the past. The chairman of the committee, the gentleman from New York [Mr. POWELL], has recently made this trip which now he will make again, and no report of his has yet been filed or open to the public. These reports have not been made public even if the individual Members made such report. Consistently, to keep faith with the taxpayers, though belatedly, this should be done. For these reasons I disapprove House Resolution 340.

Mr. SISK. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

RUSSIAN SHIPS INSIDE U.S. WATERS

Mr. ROGERS of Florida. Mr. Speaker, I have just been advised that two Russian fishing trawlers were located inside the 3-mile limit off the coast of south Florida this morning. The vessels, each over 100 feet in length and reportedly loaded with electronic equipment, were spotted in U.S. territorial waters at 9:15 a.m. and 12:15 p.m., respectively. Their presence inside U.S. waters has been confirmed by the Coast Guard, which at this moment awaits further orders from the Department of Defense in Washington. Whether these ships are based in Cuba has not been ascertained.

I urge that the U.S. Government take all steps necessary to prevent any continued or further instances of such violations of our territorial waters, and protect our space testing operations from any possible Soviet espionage.

Mr. SISK. Mr. Speaker, I yield 4 minutes to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

SAM G. SPAL

Mr. HARRIS. Mr. Speaker, it is my sad duty to advise the Members of the House of Representatives of the great loss which our Committee on Interstate and Foreign Commerce suffered last Friday on account of the untimely death of Sam G. Spal.

Sam Spal served our committee as a member of the professional staff since July 1, 1949. Sam came to our committee from the Interstate Commerce Commission where last he was employed as a statistical analyst in the Bureau of Transport Economics and Statistics.

Sam Spal was born in New York City where most of the members of his immediate family are living. He attended the College of the City of New York from which he received a bachelor of science degree in January 1937. He majored in mathematics and physics.

In 1938, Sam Spal joined the staff of the Interstate Commerce Commission as a junior statistician. While working for the Commission he continued his education in the fields of economics and transportation at American University. In June 1941 he received a master's degree from American University.

During the years 1943 to 1945 he taught corporation finance at Johns Hopkins University and also lectured at American University.

When Sam Spal joined the committee 14 years ago, Robert Crosser, of Ohio, was chairman of the committee. Subsequently he served under the chairmanship of Percy Priest. For the last years I have been privileged in having Sam work for the committee under my chairmanship.

In his years with the committee, Sam became an expert in the field of railroad retirement and assisted the committee in the drafting of legislation in that field, and also in the fields of motor and inland water, food and drug, and Federal trade legislation. He contributed greatly in the work of the committee through the preparation of numerous reports and participation in special studies.

Those of us who have known Sam Spal know how difficult it will be to fill the void which has been left on our committee. Sam Spal was a quiet and unobtrusive person. Person who would meet him for the first time might be apt to get an erroneous impression of Sam as a real person. His quietness and his reluctance to call attention to himself were indications of great inner strength rather than signs of lackluster.

Those of us who have known him well, and I consider it a privilege to have worked closely with him over the years, know that underneath this modest appearance there was an inner strength and resourcefulness which was of infinite help to those of us with whom he worked in close association.

Sam Spal was a deeply religious person but he did not carry his religion on his sleeve. He had a deep and abiding faith and his faith helped him to be the person that he was.

Sam was a devoted family man and his widow, Sue, his daughter, Dianne, and his son, Richard, will be painfully aware during every minute of their daily lives from here on out of the void which has been left in their home due to Sam Spal's untimely departure.

If there is any consolation for his family at all during these hours of mourning then it must be the quiet and resigned conviction that here was a man who contributed greatly not only to his family but also to his country.

We on the committee who have come to love Sam Spal and to depend on him greatly desire to express to his widow and to his children our deep-felt sympathy. We can only hope that the passage of time will help to make their great loss more bearable.

Mr. ROBERTS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Alabama, a member of the committee.

Mr. ROBERTS of Alabama. Mr. Speaker, I should like to be associated with the remarks of the distinguished gentleman from Arkansas, chairman of the Committee on Interstate and Foreign Commerce.

The passing of Sam Spal is a great loss to the Committee on Interstate and Foreign Commerce, to the Congress and to the millions of people who received the benefits and protection of legislation on which he labored.

The hours of hard work and dedicated effort by Sam Spal contributed meaningfully to the fine accomplishments of the Congress in the field of health, drug legislation, transportation, and many other important areas.

He was a quiet, unassuming, dedicated student of government whose achievements are well known to those who knew of his unusual abilities.

The members of the Committee on Interstate and Foreign Commerce will miss him. To his family, may the loving Father give his protective grace and care.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Minnesota, a member of the committee.

Mr. NELSEN. I wish to thank our chairman for the act he has performed here in calling the attention of the membership of this body to the great loss in our committee. Those of us who have known Sam in his quiet, dedicated way know he was a very profound, fine public servant, and it is very appropriate that we honor his memory here today. We extend to his family our most heartfelt sympathy.

I again thank the chairman for his action here today.

Mr. FRIEDEL. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Maryland.

Mr. FRIEDEL. I want to associate myself with the chairman of the House Committee on Interstate and Foreign Commerce in his remarks about Sam Spal.

I have had the pleasure of working with Sam for the past 8 years on the Subcommittee on Transportation and Aeronautics and I know we are going to miss his excellent services. Sam has been a member of the professional staff of our committee for more than 14 years and an expert on railroad retirement legislation.

During my years on the committee I have been particularly impressed by Sam's thoroughness and his devotion to his duties. He was truly a dedicated public servant and we will find him hard to replace.

I was shocked and distressed to learn of Sam's sudden death and want to extend my heartfelt condolences to his wife and two wonderful children, Dianne and Richard, in their hour of sorrow. I feel that I have lost a friend, but I know they have lost a devoted husband and father.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Texas.

Mr. ALGER. Mr. Speaker, I want to thank the gentleman for yielding and join with him in the statement he is making. I recall when I had the happy privilege of being a member of the Committee on Interstate and Foreign Commerce, I was privileged to be helped many times by Sam Spal. Since that time he along with other members of the staff of that committee, and the gentleman who brought us this sad news, has continued to extend that type of help to this Representative from Texas. I will miss Sam and I join with the chairman in condolences to his family.

Mr. Speaker, in my book Sam Spal was a scholar and a gentleman in every sense of the word.

Mr. POFF. Mr. Speaker, because the railroad industry is one of the major segments of the economy of the district I am privileged to represent, I have frequently had occasion to consult with Sam Spal. Because he was a master of the complexities and technicalities of the Railroad Retirement Act and other statutes which affect the welfare of the railroad industry, only seldom did Mr. Spal have to examine the books to get an answer to a question he was asked. In the death of this dedicated public servant, the Nation has sustained a loss of expertise which will be difficult if not impossible to recoup.

Mr. KILGORE. Mr. Speaker, the death of Sam G. Spal has affected me deeply.

Although I am no longer a member of the Committee on Interstate and Foreign Commerce, my memory of my service on that committee is still fresh and warm and strong. Sam Spal is an important part of that memory.

He had a vast store of wisdom and experience in his chosen field. I never knew him to thrust his wealth of ideas upon any Member. Yet, he was always on hand, always ready to go to work, when his special background was needed. He was a constant source of responsible information and firm judgment. Men of his competence are rare. To me, he embodied the true spirit of the ideal committee staff member.

It is difficult to honor Sam Spal because—through his years of selfless service—he has brought so much honor upon himself.

I miss him now. I will continue to miss him.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I also ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the unfortunate and untimely passing of our beloved staff member, Mr. Sam Spal.

The SPEAKER pro tempore (Mr. Thornberry). Without objection, it is so ordered.

There was no objection.

Mr. SMITH of California. Mr. Speaker, I yield to the gentleman from Ohio [Mr. Ashbrook].

Mr. ASHBROOK. Mr. Speaker, I rise in opposition to House Resolution 340. The purpose of this trip may be meritorious. Possibly, we will all gain from having representation at the International Labor Organization Conference. I feel, however, that this is not the point. The chairman of our committee has not and will not file a correct statement of counterpart funds already expended by the Committee on Education and Labor in 1962. For us to pass this resolution, to my way of thinking, simply condones this noncompliance with the statutory law which is in title 22, section XX 1754 and makes the illogical assumption that the law will be observed in this case. You will note at the end of page 2, lines 20 to 25 and in the first four lines on page 3, that the chairman is required to make a report. I point out however, if reports have not been filed in compliance with the law in the past, what reason is there for us to believe that suddenly we will get accurate and correct reports?

We see time and time again, Mr. Speaker, the fruits of allowing practices like this to prevail. In a nationally circulated publication, Look magazine, for example, which is read by millions of Americans, one of our esteemed fellow Members was held up to public contempt and portrayed as a big spender because he filed his reports correctly. The writer of this article based his reports on the figures presented to the Committee on House Administration and published in the Congressional Record. The gentleman from Louisiana [Mr. Passman] was held out as having spent far more than the gentleman from New York [Mr. Powell] when, in fact, the gentleman from Louisiana [Mr. Passman] had filed his reports honestly and correctly and the other gentleman had not filed his reports correctly. In their article, it was asserted that Chairman Powell's $1,544 tab was also puny compared to that of the gentleman from Louisiana [Representative Otto Passman], Democrat, who made a trip around the world and another to Europe at a cost of $4,558. I pointed out to Look that this report was inaccurate. The response of Look magazine when I brought this to their attention was, in my opinion, very plausible. They said this, in effect: "See here, the report filed on March 11, 1963, pursuant to law, on page 3967 of the Congressional Record indicates that the amount we reported in our article is the amount that was expended. If we can't believe the reports that are made pursuant to law and published in your official journal, what can we believe? If the House does not check these matters and passes them off as correct, do not criticize us for not digging below the surface."

I say, Mr. Speaker, that this is exactly the point. If we are going to make a mockery of reports and allow incorrect ones to stand without challenge; what hope is there to maintain the prestige of this body? I respectfully suggest that we refuse this travel request with a positive statement that until a correct report is filed by the chairman of this committee, no travel will be authorized outside of the country. To do otherwise, would be to condone further noncompliance with the law, the very laws which, I might add, we pass and in so doing we to assume a double standard whereby we tell 188 million Americans to observe our legislative directives and then we say on the other hand to ourselves, "These laws do not apply to ourselves."

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. SNYDER. You say an incorrect report was filed by the chairman of this committee previously. Could you give us some instance of irregularities in that report, sir?

Mr. ASHBROOK. I could give the gentleman from Kentucky many, many irregularities. Unfortunately, I do not have the time. I will give one example, however, in response to the gentleman's inquiry. The gentleman is a member of this committee and I feel he has a right to know.

On page 3968 of the Congressional Record, for example, Mrs. Louise Maxienne Dargans is shown as going to six countries. This report, filed pursuant to law, does not show any transportation despite the fact that title 22, section 1754, positively requires this. I have in my hand a statement of the Assistant Secretary of State saying that her travel was authorized by our chairman and counterpart funds expended. The American Export Lines informs me that she occupied stateroom 212 on the SS *Independence* which sailed on a Mediterranean cruise last November 24. It cost $1,435.50 less $478.50 advanced in cash to cover her husband's fare. Yet, that report failed to show this expense.

The so-called study trip by the gentleman from New York, Representative Powell, to inspect the Common Market situation is similar. Although he and his two secretaries, Miss Corrine Huff and Mrs. Tamara Wall, sailed on the *Queen Mary* with tickets purchased by counterpart funds, here too the law was not complied with and no report was made. Other irregularities have been demonstrated. Yet, the chairman refuses to submit a report which will meet the requirements of the law.

I suggest we do not condone further reports of this type until we have a correct filing by our committees. We should turn thumbs down on this travel request.

Mr. SNYDER. The gentleman has referred to $1,400. Does that appear in any report?

Mr. ASHBROOK. It does not appear in any report.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from California.

Mr. SMITH of California. I think the gentleman is confused on this particular resolution. I do not think that has anything to do with this matter. Let me give it to the gentleman once again. The Members are appointed by the Speaker of the House to go to the International Labor Organization meeting. It does not make any difference whether we pass this resolution or not so far as those going is concerned. The Speaker has appointed two of the Members. The State Department will send them over and will pay for them. We are authorizing these four Members to use counterpart funds. We are getting off on a subject that is not relevant, and even if we look forward and say, "Let us defeat the resolution," it is not going to keep the gentlemen from making that trip. They can go as soon as the Speaker appoints them. Further than that, I have been advised that the gentleman from Ohio [Mr. AYRES], who represents one of the largest labor districts in the United States, has agreed to go as one of the representatives to this particular Conference. I want this body to know that.

Mr. ASHBROOK. I am glad the gentleman from Ohio [Mr. AYRES] can go, but may I say further I believe as a matter of principle we should not countenance further travel from this committee until we get correct reports filed by the officers required under the law to file them. The gentleman says this is not a similar situation. I suggest it is exactly the opposite of what he says. The chairman must report on counterpart funds that have been expended, and if they have not been reported correctly in the past why should we believe that the requirement contained in House Resolution 340 will be honored? I suggest it will not and I again state that the situation is exactly identical.

Mr. SMITH of California. That is what we tried to do. The resolution was changed by the Rules Committee early this year to give us appropriate reports on these particular funds. Then, of course, the bill which passed the other day under the direction of the chairman of the Committee on House Administration was a further effort to correct the situation.

Mr. ASHBROOK. I encourage the Members of the House to oppose this bill. Let us stand on principle and say "No more travel until correct reports are filed."

Mr. SISK. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I would like to reiterate and reemphasize the statement made by my good friend and colleague, the gentleman from California [Mr. SMITH], with reference to attendance at the ILO meeting by the gentleman from Ohio [Mr. AYRES] and the gentleman from New York [Mr. POWELL]. It does not make a particle of difference whether this resolution is passed or not, these two gentlemen are going because they have been officially designated by the Speaker of the House as delegates. It is a matter of whether the State Department will pay their fares from appropriated funds. The Committee on Rules, in line with what we did in January in an effort to tighten up and require better reporting procedures, and to make sure there is nothing unethical done in the way of expenditure of either appropriated funds or counterpart funds, passed House Resolution 103. Today, all we are doing is giving these people an opportunity to use counterpart funds to the extent that counterpart funds are available for this travel rather than appropriated funds by the State Department. It is that simple.

So, in voting against this resolution, with some idea in mind that you are going to keep the gentleman from New York [Mr. POWELL] and the gentleman from Ohio [Mr. AYRES] from going to the ILO meeting is a futile gesture, Mr. Speaker, because they are going anyway as the designated delegates to the ILO.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I should like to refer to the language on page 2 regarding employees of the Committee on Education and Labor. The gentleman from California earlier in the discussion said there was no intention to authorize any staff employee of the committee to travel to Europe under this resolution.

May I ask the gentleman: If that is the case, can we get unanimous consent to strike all references to employees? I refer to lines 8, 14, 18, and 20. If we do not intend to have this resolution apply to anyone but Members who are authorized to make this trip, I think we should not have any reference to employees. This language would imply, perhaps, that the Members automatically are authorized to have a retinue of some kind to take with them.

Mr. SISK. I might say in answer to the question of the gentleman from New Jersey that so far as the intent of the Committee on Rules was concerned, we were authorizing these four Members of Congress only to travel and to use these counterpart funds, and it was not the intent of our committee to permit the travel of any employee, staff people or otherwise.

And, I would ask, Mr. Speaker, if it is in order, unanimous consent that wherever reference to "employees" is found on page 2 of House Resolution 340, that that reference be deleted. I ask unanimous consent that that be done.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. HALEY. Mr. Speaker, I reserve the right to object.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. HALEY. I yield to the gentleman from Mississippi.

Mr. COLMER. I am not sure I understand what the parliamentary situation is at the moment. Statements have been made here by both gentlemen from California that these appointments were to be made by the Speaker or had been made by the Speaker, and therefore that there was no necessity for this resolution; in effect, it did not make any difference. If that be true, then what does the first paragraph of the resolution mean where it says "notwithstanding the provisions" and so forth "the Committee on Education and Labor is hereby authorized to send two of its majority members and two of its minority members" and so forth. What does that language mean? I would just like to get that clarified. I understand the gentleman prepared it.

Mr. SISK. Mr. Speaker, are we proceeding under the reservation by the gentleman from Florida, or who has the time?

The SPEAKER pro tempore. The gentleman from Florida reserved the right to object to the gentleman's unanimous-consent request.

Mr. HALEY. And I yielded to the gentleman from Mississippi.

Mr. SISK. Would the gentleman from Florida yield to me to comment on the statement made by the gentleman from Mississippi?

Mr. HALEY. I will be very happy to.

Mr. SISK. Mr. Speaker, the explanation is, as I think the gentleman from California [Mr. SMITH] and I have both reiterated, to make possible the use of counterpart funds for this travel, to the extent that counterpart funds are available, which otherwise, of course, could not be used under H.R. 103, which this Congress passed.

Now, I want to be fair about this and indicate one other point in addition. Under the normal procedures which would occur if we pass the resolution, one member of the majority and one member of the minority could go. Here we are providing for alternates to attend, due to the fact that this meeting might last for a month and, frankly, a good many Members of Congress feel that that is entirely too long to be away from Washington and from their constituency. Therefore, this would provide the use of counterpart funds and, in addition, make possible the travel of alternates to attend a portion of this meeting. And, of course, as has been indicated, there is the further travel of the gentleman from California [Mr. ROOSEVELT] to the countries indicated.

Mr. HALEY. Will the gentleman explain this? In your first section of your resolution I see nothing in there that authorizes any other Members. What is the intent? It merely says "that notwithstanding the provisions of House Resolution 103, 88th Congress, the Committee on Labor" and so forth. There is no statement made there about any employees or anything. Yet your resolution further on apparently authorizes travel by employees.

Mr. SISK. I might say to the gentleman that traditionally the Committee on Rules in preparing resolutions for travel—and this is true not only for the 88th Congress, but for previous Congresses—over a period of years has added the language found on page 2 of this resolution. This is standard language having to do with controlling the expenses of staff people and employees if they were traveling. But, of course, I think the Committee on Rules made it very clear that in this instance we are authorizing two members of the majority and two members of the minority only to make this trip and that there cannot under this authority be counterpart funds or other funds made available for employees.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. HALEY. Mr. Speaker, further reserving the right to object——

Mr. COLMER. Mr. Speaker, will the gentleman yield to me at that point for a further question?

Mr. HALEY. I yield to the gentleman from Mississippi.

Mr. COLMER. My point is why this first paragraph of the resolution, if they are authorized already to go by the Speaker? Your resolution says "that notwithstanding the provisions of House Resolution 103 the Committee on Education and Labor is hereby authorized to send two of its majority members and two of its minority members"—and so forth—to attend this organization meeting. My point is why that language in the resolution if you already have the authority?

Mr. SISK. If the gentleman from Florida [Mr. Haley] will yield further, in order that I may comment on the question put by the gentleman from Mississippi [Mr. Colmer], I state again that the ILO is an international organization of which the United States of America is a member. Traditionally authority has been given for representatives from the House of Representatives, representatives from the other body and representatives from the Department of Labor and other departments, to attend as official delegates the ILO meeting. This is still in existence and all of the authority is still there. Of course these people will travel to the ILO.

House Resolution 103 which, of course, I am sure my colleague, the gentleman from Mississippi, is thoroughly familiar with as a member of the Committee on Rules, prohibits the Committee on Education and Labor from traveling and prohibits them from the use of counterpart funds except by special resolution. That is the reason this resolution is here today, because our committee in its good judgment in my opinion saw fit to bring to the House a resolution permitting the use of counterpart funds in this instance, if counterpart funds are available. That is the reason why the resolution is necessary, for that purpose and that purpose only.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. MEADER. Mr. Speaker, reserving the right to object——

The SPEAKER pro tempore. The Chair would like to advise the gentleman from California that his time is about to expire.

Mr. THOMPSON of New Jersey. Mr. Speaker, I demand the regular order.

Mr. SISK. Mr. Speaker, I withdraw my unanimous-consent request.

Mr. MEADER. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. MEADER. I reserve the right to object.

The SPEAKER pro tempore. Regular order has been demanded.

Mr. MEADER. There is a unanimous-consent request pending to which I have reserved the right to object.

The SPEAKER pro tempore. The regular order has been demanded. The gentleman can object if the gentleman wants to object.

Mr. SNYDER. Mr. Speaker, a parliamentary inquiry.

Has the gentleman from California withdrawn his unanimous-consent request?

Mr. SISK. Yes; I might say, Mr. Speaker, I withdrew my unanimous-consent request.

The SPEAKER pro tempore. The request has been withdrawn.

Mr. SMITH of California. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I do not want to mislead anybody. I should have gone further in my statement, as to paragraph 2, so far as it applies to the gentleman from California [Mr. Roosevelt]. He could not take the additional trips unless this resolution is passed. I would not want anybody to think that I had made a mistake in that regard. I wanted to clarify my statement.

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me for a parliamentary inquiry?

Mr. SMITH of California. I yield to the gentleman from Indiana.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HALLECK. As I understand, the gentleman from California [Mr. Sisk] has presented this resolution. Would it be in order for him to offer an amendment to the resolution in line with the unanimous-consent request that he previously presented and then withdrew?

The SPEAKER pro tempore. Inasmuch as the gentleman has the floor he may offer such amendment as he sees fit to the resolution.

Mr. GROSS. Mr. Speaker, will the gentleman from California yield to me?

Mr. SMITH of California. I yield to the gentleman from Iowa such time as he may require.

Mr. GROSS. Do I understand that if the House rejects this resolution that the delegation will go anyway? Was that the statement of the gentleman from California [Mr. Sisk]—that they will go anyway and be paid out of State Department funds?

Mr. SISK. It is my understanding—and I checked this this morning with the Assistant Secretary of Labor for International Affairs—that the situation is this. They have complete authority and this has been handled this way in years gone by. The State Department out of its funds has already authorized, and the regulations provide, that the official delegation will be the gentleman from New York [Mr. Powell], and, I understand, the gentleman from Ohio [Mr. Ayres]. They will attend this meeting, and have their transportation and per diem paid by the State Department. All we are pleading for is the right to use counterpart funds, plus the travel of alternates.

Mr. GROSS. If the open-handed State Department can engage in this kind of financing it will not make much difference if we take the employees out of this bill; they could send them over anyway, is that true?

Mr. SISK. I very seriously doubt, based on information given to me on this subject that there will be anyone sent other than the official delegates. I asked the question about alternates and I was told no, that they could not under their authority send alternates. They are only permitted the travel of one official delegate from the majority and one official delegate from the minority.

So I do not anticipate and I do not believe they anticipate that any employees would travel under this program.

Mr. MEADER. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I yield to the gentleman.

Mr. MEADER. If we take the word "employee" out of page 2 we simply remove the ceiling on the per diem and the requirement that they report, because the State Department can make these employees members of the delegation and pay them out of counterpart funds or any way they want to. If we take "employees" out of the resolution there will be no limitation.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. SNYDER. As I understand, if we fail to pass this resolution we will not be sanctioning two additional Members nor will we be sanctioning the additional trip of the gentleman from California to Greece, Israel, Rome, Paris, and London for purposes that we cannot determine today—something about national strikes.

Mr. GROSS. I think the gentleman has something there. If we pass this resolution we are putting our stamp of approval on it. If the State Department wants to send them over there and use their booze fund or some other fund to take care of them, it appears it can do so.

Mr. SNYDER. I concur in what the gentleman has said.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman from California yield to me for a parliamentary inquiry?

Mr. SMITH of California. I yield.

Mr. FRELINGHUYSEN. Mr. Speaker, I should like to ask if it would be in order to offer an amendment to strike all references to employees on page 2 of this resolution.

The SPEAKER pro tempore. If the gentleman from California will yield for that purpose.

Mr. FRELINGHUYSEN. Will the gentleman from California yield for that purpose?

Mr. SISK. Mr. Speaker, I yield to the gentleman for that purpose.

Mr. FRELINGHUYSEN. Mr. Speaker, I offer an amendment to strike the words "or employee"——

Mr. HALEY. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALEY. Is this resolution open to amendments?

The SPEAKER pro tempore. The gentleman from California yielded to the gentleman from New Jersey for the purpose of offering an amendment and the gentleman from New Jersey is recognized for that purpose.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FRELINGHUYSEN:

Page 2, line 8, strike out "or employee".

Line 14, strike out "or employee".

Line 18, strike out "or its employees".

Line 20, strike out "or employee".

The amendment was agreed to.

Mr. THOMPSON of New Jersey. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and twenty-seven Members are present, a quorum.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILLIAMS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 153, nays 217, answered "present" 1, not voting 64, as follows:

[Roll No. 48]

YEAS—153

Addabbo
Albert
Ashley
Aspinall
Ayres
Baldwin
Bass
Beckworth
Blatnik
Boggs
Bolling
Brademas
Brooks
Brown, Calif.
Brown, Ohio
Burke
Burleson
Byrne, Pa.
Cannon
Carey
Casey
Celler
Cohelan
Conte
Corman
Daddario
Daniels
Dawson
Delaney
Dent
Denton
Derounian
Derwinski
Diggs
Dingell
Dulski
Duncan
Edwards
Fallon
Farbstein
Fascell
Feighan
Findley
Finnegan
Flood
Fraser
Frelinghuysen
Friedel
Gallagher
Giaimo
Gilbert
Gill
Gonzalez
Goodell
Grabowski
Gray
Hagen, Calif.
Halleck
Halpern
Hansen
Hardy
Harris
Hawkins
Hays
Holland
Hull
Ichord
Jennings
Johnson, Calif.
Jones, Mo.
Karsten
Karth
Kelly
King, Calif.
Kluczynski
Leggett
Libonati
Lindsay
McDowell
McFall
Macdonald
Madden
Mahon
Mathias
Matsunaga
Michel
Mills
Minish
Monagan
Moorhead
Morgan
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
Norblad
O'Brien, Ill.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
O'Neill
Osmers
Patman
Pepper
Perkins
Pike
Pirnie
Poage
Price
Pucinski
Purcell
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Tex.
Rodino
Rogers, Colo.
Rooney
Rostenkowski
Roybal
Ryan, N.Y.
St. George
St Germain
Senner
Sickles
Sisk
Smith, Calif.
Smith, Iowa
Smith, Va.
Steed
Stratton
Sullivan
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Tollefson
Trimble
Udall
Ullman
Vanik
Vinson
White
Young
Zablocki

NAYS—217

Abbitt
Abele
Abernethy
Adair
Alger
Anderson
Andrews
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Baker
Baring
Barry
Bates
Battin
Becker
Beermann
Belcher
Bell
Bennett, Fla.
Berry
Betts
Bolton,
  Frances P.
Bonner
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Broyhill, N.C.
Broyhill, Va.
Bruce
Burton
Byrnes, Wis.
Cederberg
Chelf
Clancy
Clausen
Cleveland
Collier
Colmer
Cooley
Corbett
Cramer
Cunningham
Dague
Davis, Ga.
Davis, Tenn.
Devine
Dole
Dorn
Dowdy
Downing
Dwyer
Elliott
Everett
Evins
Fino
Fisher
Ford
Foreman
Fountain
Fulton, Tenn.
Gary
Gathings
Gavin
Gibbons
Glenn
Goodling
Grant
Griffiths
Gross
Grover
Gubser
Hagan, Ga.
Haley
Hall
Hanna
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hébert
Hechler
Hemphill
Henderson
Herlong
Hoeven
Hoffman
Horan
Hosmer
Huddleston
Hutchinson
Jarman
Jensen
Joelson
Johansen
Johnson, Wis.
Jonas
Jones, Ala.
Kastenmeier
Keith
Kilburn
Kilgore
King, N.Y.
Knox
Kornegay
Kunkel
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lesinski
Lipscomb
Lloyd
Long, La.
Long, Md.
McClory
McCulloch
McDade
McIntire
McLoskey
McMillan
MacGregor
Mailliard
Marsh
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Matthews
May
Meader
Milliken
Montoya
Moore
Morris
Morse
Murray
Natcher
Nelsen
Nygaard
O'Konski
Olson, Minn.
Passman
Pelly
Pillion
Poff
Pool
Quie
Quillen
Reid, Ill.
Reifel
Rhodes, Ariz.
Rich
Roberts, Ala.
Robison
Rogers, Fla.
Rogers, Tex.
Rosenthal
Roudebush
Roush
Rumsfeld
Ryan, Mich.
Saylor
Schadeberg
Schneebeli
Schweiker
Schwengel
Secrest
Selden
Short
Shriver
Sibal
Sikes
Siler
Skubitz
Slack
Snyder
Springer
Stafford
Staggers
Stephens
Stinson
Stubblefield
Taft
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Tupper
Tuten
Utt
Van Pelt
Wallhauser
Watson
Watts
Weaver
Weltner
Westland
Whalley
Wharton
Whitener
Whitten
Wickersham
Widnall
Williams
Wilson Bob
Wilson, Ind.
Winstead
Wright
Wydler
Wyman

PRESENT—1

Van Deerlin

NOT VOTING—64

Barrett
Bennett, Mich.
Boland
Bolton,
  Oliver P.
Buckley
Burkhalter
Cahill
Cameron
Chamberlain
Chenoweth
Clark
Curtin
Curtis
Donohue
Edmondson
Ellsworth
Flynt
Fogarty
Forrester
Fulton, Pa.
Fuqua
Garmatz
Green, Oreg.
Green, Pa.
Griffin
Gurney
Harding
Healey
Holifield
Horton
Kee
Keogh
Kirwan
Lankford
Miller, Calif.
Miller, N.Y.
Minshall
Morrison
O'Brien, N.Y.
Ostertag
Patten
Philbin
Pilcher
Powell
Rains
Randall
Riehlman
Roosevelt
St. Onge
Schenck
Scott
Shelley
Sheppard
Shipley
Staebler
Taylor
Thompson, La.
Waggonner
Walter
Willis
Wilson,
  Charles H.
Younger

So the resolution was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Walter for, with Mr. Morrison against.

Mr. Keogh for, with Mr. Taylor against.

Mr. Powell for, with Mr. Younger against.

Mr. Boland for, with Mr. Waggonner against.

Mr. Garmatz for, with Mr. Pilcher against.

Mr. Roosevelt for, with Mr. Forrester against.

Mr. St. Onge for, with Mr. Ellsworth against.

Mr. Buckley for, with Mr. Minshall against.

Mr. Fogarty for, with Mr. Gurney against.

Mr. Green of Pennsylvania for, with Mr. Oliver P. Bolton against.

Mr. Miller of California for, with Mr. Riehlman against.

Until further notice:

Mr. Barrett with Mr. Curtis.

Mrs. Kee with Mr. Miller of New York.

Mr. Kirwan with Mr. Bennett of Michigan.

Mr. Donohue with Mr. Schenck.

Mr. Philbin with Mr. Fulton of Pennsylvania.

Mr. Patten with Mr. Chenoweth.

Mr. Thompson of Louisiana with Mr. Griffin.

Mrs. Kee with Mr. Cahill.

Mr. Flynt with Mr. Ostertag.

Mr. Harding with Mr. Chamberlain.

Mr. Shelley with Mr. Horton.

Mr. Shipley with Mr. Curtin.

Mr. Clark with Mr. O'Brien of New York.

Mr. Holifield with Mr. Staebler.

Mr. Rains with Mr. Lankford.

Mr. Sheppard with Mr. Scott.

Mr. Edmondson with Mr. Willis.

Mrs. Green of Oregon with Mr. Fuqua.

Mr. Charles H. Wilson with Mr. Healey.

Mr. TUTEN changed his vote from "yea" to "nay."

Mr. GOODELL changed his vote from "nay" to "yea."

The vote was announced as above recorded.

KREBIOZEN

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, citizens interested in Krebiozen, a nontoxic drug, used in the treatment of cancer, and discovered by Dr. Stevan Durovic, of Chicago, Ill., and sponsored by Dr. Andrew C. Ivy, distinguished professor of physiology, for many years, at the University of Illinois are here on a mission of hope today.

Early in the 1950's, the then president of the University of Illinois, Dr. George Stoddard, placed a ban on the research of the drug which was being conducted by Doctors Ivy and Durovic, at the University of Illinois Medical Schools in Chicago. The prestige of the University was at stake in preventing freedom of research.

As a member of the Illinois State Senate, together with other senators and members of the house of representatives, I was instrumental in passing a resolution to investigate his alleged trespass in the field of research. After many hearings and an interval of time, subsequent to a determination of the hearings, Dr. Stoddard was relieved of his duties as president of the University of Illinois by the board of trustees, as being without their confidence.

The American Medical Association has used every professional tactic to prevent its members from using Krebiozen, and registered objections to the Department of Health, Education, and Welfare testing it. From my own personal experience I have procured Krebiozen for five terminal cancer patients who are still alive some 5 to 7 years after being sent home to die. In such clinics as the Mayo Clinic, tests show that these patients' cancers have disappeared and they are not now receiving Krebiozen, from the latest reports to me.

There are some 500 physicians presently using this drug, and the reports on their cases have been submitted to a Mr. B. Jones, of the Department of Health, Education, and Welfare, for his perusal, in accordance with requests.

There are presently 100 patients who are receiving Krebiozen and, if they are deprived of this drug, they will die.

Krebiozen shows biological activity and is nontoxic and, in 75 percent of the cases in which it has been used, it has assuaged pain, completely, after narcotics, such as morphine, and so forth, had become ineffective. In other cases, it has reduced the tumors in size, as in breast cancers, and, in still other cases the cancerous tissue has disappeared entirely. They have had success in 60 percent of the cases of leukemia treated, and have been highly successful in treatment of cancer of the bone—osteomyelitis.

All of these records were submitted to the Department of Health, Education, and Welfare. It is my understanding that they refused to test the drug because of the fact that there were not records of the patients previous to their treatment for the disease. It is to be remembered that the records presented were given by the physician who treated each case. And it is to be understood that this drug, Krebiozen, in the experimental stages, is only permitted to be given in terminal cases, when further medically known aid is deemed futile.

Under recent law, passed in the last session of the Congress, Krebiozen, not having been given governmental approval for the issuance of a license, cannot be administered to any patient. It is an established medical fact that the withdrawal of Krebiozen results in a progressive ravage of the disease.

The apprehension of the relatives and doctors of those patients in this group is understandable.

There are similar organized groups all over the United States, consisting of persons interested in the Krebiozen program, as well as relatives of persons receiving the drug. I know that the Congress did not intend, by operation of law, to deprive cancer victims of a drug to keep them alive. In tests by competent medical men Krebiozen has either prolonged life or gave relief from pain to hundreds such victims condemned to death.

I am transmitting to the Congress, with the utmost sincerity of purpose, the plea of these fellow Americans, that we intercede in behalf of the victims of cancer and their relatives, and that these victims be permitted to continue to receive Krebiozen, after the deadline of June 6, 1963, under the provisions of the recent law, and that the Department of Health, Education, and Welfare proceed to test Krebiozen, toward the determination of the issuance of a license for its manufacture and its use for experimental purposes.

The following telegram was received by me last Saturday from Mr. Booth, of New York City:

> At 4 p.m. Tuesday, cancer survivors on Krebiozen will bring their medical records to a reception in the Senate Office Building. All Congressmen are invited to attend. May I respectfully ask you to be sure this invitation is extended to the House of Representatives at their next meeting.

THE COMPETENCE OF LOCAL LAW OFFICIALS IN BIRMINGHAM

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, despite protestations of professional racial demagogs and despite certain horror pictures circulated in the news media, I believe a majority of the citizens of this country are aware of the fact that, during the recent, unfortunate incidents in Birmingham, the local police force has acted in a consistently commendable and competent manner. Fake charges of brutality were uncovered in a story in the Washington Star last Friday when one of the many comedians who flew into Birmingham to capitalize on the situation was asked to show the results of having his arm twisted and pummeled, which he reported had been done by the Birmingham police. He rolled up his left sleeve and was searching for the mark when the reporter who asked the question reminded him he had originally indicated it was his right arm which had been hurt. Similar reports of brutality have proved to be equally untrue.

As a matter of fact, I have been hearing from citizens from around the country who recognize the truth of the situation and who have commended the law enforcement officers on the scene in Birmingham for the outstanding job they are doing. I would like to read just one of the communications I have received from a citizen of this city, Washington, D.C., whose praising assessment of the situation is shared, I know, by many other citizens from every part of the United States. The letter, from Mr. Bolling B. Flood, of 2740 34th Street NW., Washington, is as follows:

> Hon. George Huddleston,
> *House of Representatives,*
> *Washington, D.C.*
>
> Dear Sir: As a citizen of the District of Columbia, I look with great admiration on the law-enforcement officers in Birmingham. The fact that no fatalities or serious injuries have resulted from the current racial unrest is something any city in the world could be justly proud of. If such a situation existed here I would only hope that our law-enforcement officers could do as well as these gallant men in Birmingham, Ala.
>
> Sincerely,
> Bolling B. Flood.

Mr. Speaker, throughout the past days, in the face of the worst sort of provocation, including, as I reported to the House last week, threats, epithets, spitting, bricks, and all the rest, the local law-enforcement officers have proved themselves capable not only of keeping order where potential chaos looms, but also capable of an admirable restraint, sense of duty, and emotional balance.

It is precisely because the local law-enforcement officers have, since the outset, been able to keep control of the situation from those who, with their so-called peaceful demonstrations have attempted to incite discord and lawlessness, that it was, in my opinion, totally unnecessary for the President to order troops to be sent to certain points in our State. I urged the President, in my telegram to him yesterday, to reverse his decision and I did so on two bases. One, because I believe he lacks the constitutional authority to employ Federal troops under the circumstances, and, two, because, to reiterate, the local law-enforcement officers in Birmingham have proved their unquestioned ability to preserve order under the most trying circumstances.

I simply want the role of the Birmingham police force and the other local law officials to be made perfectly clear and I want to publicly commend them one and all.

POLITICAL CRISIS IN HAITI

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, it must surely be a source of Kremlin satisfaction that a U.S. Government quick to move Federal troops into Alabama has been slow to react to the growing political crisis in Haiti.

The crisis in Haiti now has reached a dangerous climax. If our policy planners have indeed anticipated developments in Haiti, then the time has arrived for our policy to be quickly implemented by action. In short, we have reached a time of decision unless the tragedy of Cuba is to be repeated.

There is evidence—ominous evidence—that forces are at work to convert Haiti into the second Communist base in the Caribbean. Certainly the conditions in that unsettled country are ripe for Communist purposes. And let there be no doubt that Fidel Castro and the Kremlin's agents are ready, willing and capable of moving into any power vacuum left open by indecision and inaction on the part of the free nations of the hemisphere.

Immediate and firm action must be taken by the hemisphere to fill the vacuum that will be left in Haiti by the anticipated collapse of the Duvalier government. If the Organization of American States does not respond effectively to this need for action, the United States cannot be bound by that Organization's failure to meet its hemispheric responsibilities.

It was failure of hemispheric leadership that resulted in the establishment of Castro's Cuba as the first Communist base in the Americas. A similar failure regarding Haiti will all but convert the Caribbean into a Red Sea of the Western Hemisphere.

To prevent this, the U.S. Government must prepare to move, in force if necessary, to seal off Haiti from Communist designs. This means we must give unequivocal warning to the Kremlin and its Castro agents that any attempt to send arms, agents, or equipment into Haiti will result in a U.S. naval blockade, not only of Haiti, but of all the Caribbean area. We are bound under hemispheric agreement, as well as the interests of our own national security, to take whatever action is necessary to maintain Haiti as a member of the inter-American system.

Nor can we overlook the menace of a Communist takeover in Haiti from within, on the Cuban pattern. Our policy planners gravely misjudged Fidel Castro and miscalculated the true meaning of Castroism. Let bitter experience be our guide now in calculating the intentions of so-called Haitian agrarian reformers.

The hour of decision has struck for Haiti. We must act quickly and firmly so that future historians do not mark this hour as one in which the free nations of the hemisphere faltered and thus allowed Haiti to become the second Communist satellite of the Americas.

DOMESTIC LEAD-ZINC MINING INDUSTRY MUST BE KEPT ALIVE

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include certain tables and statistics.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, once again a group of my colleagues and I have embarked on a major and concerted effort to save the domestic lead-zinc mining industries from extinction. I hope that the approximately 40 Congressmen representing lead-zinc-producing districts will support our effort at the outset and that subsequently a majority of the House will do likewise.

We have come to this body in the past; and I think you know the basic facts revolving around the deterioration of the lead-zinc mining industry as a result of imports of ores and metal in excess of that which we think is the reasonable share of the market that should be available to foreign production. Stated another way, our case rests on the simple proposition that if lead and zinc are essential in time of emergency or possible war—and I think everybody agrees that they are—then it is imperative that as a matter of national policy we keep the domestic lead-zinc mining industry alive during peacetime by assuring it a fair share of the domestic market. We then do not say that foreign trade should be cut off and imports excluded; on the contrary, we recognize the place in foreign trade of lead-zinc imports but ask for equitable treatment of our domestic mining industry.

If this simple proposition is accepted, the remaining question merely concerns the determination of how the domestic market should be apportioned and the means most feasible by which to do so. We think that the bill that we have cosponsored today presents a reasonable solution by readjusting the existing quotas covering imports of lead and zinc to make them both realistic and flexible, the flexibility being built in to guarantee against undue restraints on foreign trade.

In order to provide for Members generally necessary background that brings us to this point, I am including, under permission previously granted, tables of pertinent statistical data.

Summary of lead-zinc statistics since 1950

LEAD

[In short tons of lead content]

Period	Production			Stocks end period		Dutiable imports	Industrial Consumption	Employees at lead and zinc mines and mills	Total employees at primary smelting and refining	Average price per pound
	Mine output	Secondary lead	Total lead metal	Producers[1]	Consumers'					
1950	430, 827	482, 275	990, 589	137, 669	139, 884	514, 954	1, 237, 981	----------	----------	13. 296
1951	388, 164	518, 110	935, 803	124, 080	102, 760	191, 649	1, 184, 793	----------	----------	17. 500
1952	390, 161	471, 294	944, 146	149, 778	122, 530	[1] 644, 217	1, 130, 795	24, 282	17, 889	16. 467
1953	342, 644	486, 737	954, 628	196, 340	113, 763	409, 004	1, 201, 604	----------	----------	13. 489
1954	325, 419	480, 925	967, 637	201, 850	124, 641	460, 197	1, 094, 871	17, 016	----------	14. 054
1955	338, 025	502, 051	981, 208	150, 822	117, 458	424, 413	1, 212, 644	----------	----------	15. 138
1956	352, 826	506, 755	1, 049, 063	159, 259	123, 995	420, 005	1, 209, 717	16, 845	17, 156	16. 014
1957	338, 216	489, 229	1, 022, 762	207, 912	129, 310	512, 289	1, 138, 115	----------	----------	14. 658
1958	267, 377	401, 787	871, 943	303, 316	122, 900	[2] 561, 263	986, 387	10, 500	13, 641	12. 102
1959	255, 586	451, 387	792, 318	230, 328	126, 496	347, 117	1, 091, 149	9, 893	13, 308	12. 211
1960	246, 669	469, 903	852, 339	305, 841	97, 268	354, 211	1, 021, 172	9, 430	13, 303	11. 948
1961	261, 921	452, 792	902, 357	312, 402	99, 140	354, 714	1, 027, 216	9, 312	13, 335	10. 871
1962 [3]	237, 386	440, 000	820, 200	236, 547	90, 695	340, 191	1, 080, 700	(4)	(4)	9. 63

ZINC

[In short tons of zinc content]

Period	Production			Stocks end period		Dutiable imports	Zinc consumption			Average price per pound
	Mine output	Secondary zinc	Total zinc metal	Producers'	Consumers'		Slab zinc	Ores consumed and secondary	Total	
1950	623, 375	66, 970	910, 437	8, 884	64, 206	394, 153	967, 134	383, 367	1, 350, 501	13. 866
1951	681, 189	48, 657	930, 290	21, 901	50, 071	285, 618	933, 971	392, 111	1, 326, 082	18. 000
1952	666, 001	55, 111	959, 590	87, 160	92, 579	[1] 599, 435	852, 783	358, 865	1, 211, 648	16. 215
1953	547, 430	52, 875	968, 980	180, 843	84, 863	653, 832	985, 927	356, 462	1, 342, 389	10. 855
1954	473, 471	68, 013	870, 438	124, 277	100, 981	630, 488	884, 299	296, 393	1, 180, 692	10. 681
1955	514, 671	66, 042	1, 029, 546	40, 979	123, 544	569, 639	1, 119, 812	349, 268	1, 469, 080	12. 299
1956	542, 340	72, 127	1, 055, 737	68, 622	104, 094	627, 071	1, 008, 790	314, 232	1, 323, 022	13. 494
1957	531, 735	72, 481	1, 058, 277	166, 660	88, 342	881, 953	935, 620	295, 593	1, 231, 593	11. 399
1958	412, 005	46, 605	827, 851	190, 237	93, 609	[2] 687, 189	868, 327	273, 838	1, 142, 165	10. 309
1959	425, 303	57, 818	856, 484	154, 419	102, 428	514, 112	956, 197	322, 179	1, 278, 518	11. 448
1960	435, 427	68, 731	868, 247	190, 810	68, 871	501, 899	877, 884	281, 054	1, 158, 938	12. 946
1961	466, 576	55, 237	902, 032	172, 586	93, 782	479, 624	931, 213	276, 256	1, 207, 469	11. 542
1962 [3]	505, 648	54, 905	940, 623	181, 513	75, 914	510, 121	1, 013, 949	332, 360	1, 346, 309	11. 5

[1] Import duties suspended Feb. 12, 1952, to June 24, 1952. The dutiable import figure includes 464,617 tons of lead and 599,435 tons of zinc on the free list.

[2] Quotas effective Oct. 1, 1958, permit maximum annual imports for consumption of 354,720 tons of lead and 520,960 tons of zinc.

[3] Preliminary.

[4] Not available.

The foregoing statistics illustrate a few things. For one thing, it is readily seen that domestic consumption has not made significant inroads in our stocks. Coupled with this we have the fact that domestic mines are capable of supplying the quantity of ore necessary to produce between 35 and 40 percent of the lead metal and between 55 and 60 percent of the zinc metal utilized annually within the United States. Therefore, the industry and its friends in Congress readily recognize and acknowledge that the balance of the supply for both lead and zinc must come from either reprocessed or secondary metal or from foreign sources.

Approximately 40 percent of our domestic consumption of lead metal and approximately 5 percent of our domestic consumption of zinc metal is provided from reprocessed or secondary sources. This leaves a need to import approximately 20 percent of the lead metal consumed in the United States and approximately 40 percent of the zinc.

The problem arises from the fact that in addition to the stocks that I mentioned a moment ago, our imports since 1950 have been sufficient to meet approximately 38 percent of our lead metal requirements and approximately 60 percent of our zinc metal consumption thereby contributing to the buildup of additional excessive stocks which in turn lead to lowered prices, decreased domestic production, and closed domestic mines. Parenthetically, I should like to call the Members' attention at this time to the fact that the assistance provisions of the Trade Expansion Act of 1962 are not capable of being used readily by domestic labor and industry with the ease that some of you might expect.

A demonstration of this fact arises from the closing of a zinc mine at Hanover, N. Mex., by New Jersey Zinc Co. The union representing the workers at the mine petitioned the U.S. Tariff Commission for assistance on the grounds that, as announced by the company, the mine had been closed because of import competition. The Tariff Commission rejected the petition of the union for its workers on the grounds that it had not been demonstrated that import competition was the major cause of the mine closure. Under permission previously granted to extend my remarks, I include at this point the Tariff Commission's decision:

TARIFF COMMISSION REPORTS TO THE PRESIDENT ON ZINC WORKERS' PETITION FOR ADJUSTMENT ASSISTANCE

The Tariff Commission today reported to the President the results of its investigation No. TEA-W-1, conducted under section 301 (c)(2) of the Trade Expansion Act of 1962. The investigation was made in response to a workers' petition for determination of eligibility to apply for adjustment assistance. The petition was filed with the Commission on January 9, 1963, by the International Union of Mine, Mill & Smelter Workers on behalf of a group of 126 workers of the zinc mine and mill at Hanover, N. Mex., owned and operated by the New Jersey Zinc Co. These workers were laid off when production operations at the mine and mill ceased on December 1, 1962. The whole of the Commission's report cannot be made public, since it contains much data received in confidence, such as that pertaining to the operations of an individual concern. However, the following excerpts from that report give the Commission's finding and summarize the principal considerations in support of the finding:

"On the basis of its investigation the Commission unanimously finds that unmanufactured zinc [1] is not, as a result in major part of concessions granted under trade agreements, being imported in such increased quantities as to cause the unemployment of a significant number or proportion of the workers at the zinc mine and mill of The New Jersey Zinc Co. at Hanover, N. Mex."

Before the Commission can make an affirmative finding under section 301(c)(2) of the Trade Expansion Act of 1962, it must determine (1) that the imports in question are entering the United States in increased quantities; (2) that the increased imports are due "in major part" to trade agreement concessions; and (3) that such increased imports are "the major factor" in causing, or threatening to cause, unemployment or underemployment of a significant number of the workers of the firm or subdivision of the firm in question.

In the instant case, the Commission determined that unmanufactured zinc is not being imported in increased quantities. Commercial imports for consumption [2] of unmanufactured zinc have not increased since 1958 * * *. Such imports have been prevented from rising since October 1, 1958, as a result of the imposition of absolute quarterly quotas equal, on an annual basis, to 80 percent of the average annual imports during the years 1953–57.[3] Annual commercial imports during 1953–57 averaged 651,300 tons. The import quota, on an annual basis, was established at 520,960 tons * * *. In the last 4 years, 1959–62, actual commercial imports averaged 501,406 tons per year, or 23 percent less than the rate during 1953–57. The average annual commercial imports during 1959–62 also were considerably smaller (by 22 percent) than the average for the preceding 7 years, 1952–58.

The absolute import quotas reduced the flow of imports below the rate that had prevailed (under the trade agreement concessions) for a period of about 7 years prior to the imposition of the quotas. The Commission therefore finds that unmanufactured zinc is not "being imported in increased quantities," within the meaning of the statute. The petitioners' contrary claim rests on the ground that the average annual imports were much higher in 1959–62 than in 1946–50—a decade and a half ago. Even if the Commission accepted the petitioners' claim, it could not agree that the alleged increase in imports occurred "as a result in major part of concessions granted under trade agreements" inasmuch as the concessions have been largely or completely offset by the absolute quotas imposed on imports of zinc.

In filing the petition in this case the workers were seeking a determination of eligibility to apply for adjustment assistance under chapter 3 of the Trade Expansion Act. Among other things, chapter 3 provides for trade readjustment allowances to be paid to "adversely affected" workers. In the report of the Committee on Ways and Means of the House of Representatives on H.R. 11970 (which, after various amendments, ultimately became the Trade Expansion Act of 1962), the provisions of the bill relating to adjustment assistance to workers are discussed. On page 30 of the report it is stated:

"Your committee believes that the scale of trade adjustment allowances [for workers] is appropriate in view of the fact that the finding that the unemployment was caused by increased imports resulting from the removal, in whole or in part, of tariff protection implies that continuation of the prior tariff would have provided full job protection. This worker assistance is, therefore, in the nature of an adjustment to conditions brought about by removal of prior job protection."

Thus the committee defined the "concession" as meaning "the removal, in whole or in part, of tariff protection."

The tariff protection that was "removed" by trade agreement concessions on unmanufactured zinc consisted of the removal of part of the duties originally established for such zinc under the Tariff Act of 1930. The changes in the rates of duty since the act of 1930 are summarized below:

Item	Zinc-bearing ores (cents per pound on zinc content)	Zinc blocks, pigs, or slabs (cents per pound, gross weight)	Zinc scrap, dross, and skimmings (cents per pound, gross weight)
Effective date:			
June 18, 1930	1.5	1.75	1.5
Jan. 1, 1939	1.2	1.4	----------
Jan. 30, 1943 [1]	.75	.875	.75
Jan. 1, 1948 [1]	.75	.875	.75
June 6, 1951	.6	.7	----------
Total rate reduction since June 18, 1930	.9	1.05	.75

[1] The trade agreement with Mexico, which became effective Jan. 30, 1943, was terminated Jan. 1, 1951. The duties did not change as a result of the termination, however, because the same rates established by the agreement with Mexico were provided for, effective Jan. 1, 1948, in the General Agreement on Tariffs and Trade.

As reported above, the first concessions on unmanufactured zinc became effective on January 1, 1939, and the most recent ones became effective on June 6, 1951. The rates shown above were the only import restrictions imposed on unmanufactured zinc until the quotas were imposed. The increased protection afforded the domestic zinc industry by the subsequent imposition of the import quotas offsets in the main, if not entirely, the reduced protection that had resulted from the trade-agreement concessions. It is clear that the "remnant" of the original trade-agreement concessions after modification by the import quotas could not contribute in major part to the alleged increased imports.

In the course of its investigation, the Commission obtained considerable evidence to indicate that even if it could regard imports of unmanufactured zinc as entering in increased quantities, it could not find that the claimed increase was the major factor leading to the recent closure of the Hanover mine and mill.

The Commission's report then summarizes the evidence in support of that position, and concludes with the following observation:

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[1] The term "unmanufactured zinc" refers to zinc-bearing ores; zinc in blocks, pigs, or slabs; old and wornout zinc; and zinc dross and zinc skimmings. These articles are provided for in pars. 393 and 394 of the Tariff Act of 1930.

[2] The term "commercial imports for consumption" refers to direct entries for consumption plus withdrawals from bonded warehouses for consumption, exclusive of imports for U.S. Government account and exclusive of imports free of duty under bond for smelting, refining, and export.

[3] The quotas were established on a quarterly basis by Presidential Proclamation No. 3257 following an escape-clause investigation by the Tariff Commission under sec. 7 of the Trade Agreements Extension Act of 1951, as amended. The years 1953 through 1957 were used as a base period by the three Commissioners who had recommended the imposition of quotas and also by the President.

> "In view of the considerations set forth above, it appears that the closing of the Hanover mine and mill was based primarily on ordinary business considerations. While competition from imports was no doubt a factor in the decision, it was not the major factor. In any event, since the level of imports has been stable for the past 4 years (and may be expected to remain so in the absence of change in the tariffs and absolute quotas applicable thereto), increased imports could not have been the major factor that caused the New Jersey Zinc Co. to close the Hanover mine and mill."

The problems of the lead and zinc industries are, of course, not new problems. Since 1950 the U.S. Tariff Commission has on eight separate occasions reviewed the problems of these industries and recognized substantial injury. Duty increases were recommended in 1954, but President Eisenhower rejected the Commission's recommendations and directed acceleration of military stockpiling, which has created an additional overhang on the market today.

The end of Government acquisition programs coincided with the advent of the 1957-58 recession which struck the lead-zinc industries with great severity. Consumption in the United States declined and prices fell. Imports, however, continued with little abatement. A Republican administration, supported by Democratic and Republican friends of the industry in Congress, sought a broad program of stabilization payments in the nature of subsidies, but the necessary legislation was not enacted.

In April 1958, the U.S. Tariff Commission made a unanimous finding of injury and three of the Commissioners recommended that maximum allowable tariffs and maximum quotas be imposed restricting imports to 50 percent of those actually effected during the period 1953-57. However, when President Eisenhower finally acted to implement this recommendation he imposed no increase in tariff rates and permitted importers to have a quota at 80 percent of the 1953-57 base period level. In calculating the quotas, sales to the United States for use in the stockpile were not included in the base with only competitive exports that were sold in commerce being considered.

As indicated a moment ago the quotas, which have remained constant since they were established in October 1958, have given a disproportionate share of the market to foreign producers.

Although various solutions to the continuing problems of the lead-zinc mining industries were sought by administrative and legislative groups and agencies, including a United Nations-sponsored lead-zinc study group, the condition of the lead-zinc industries in the United States continued to deteriorate. Your Committee on Interior and Insular Affairs conducted a special study of the impact on the small domestic producer who had been called upon to expand his production for World War II, the Korean war, and the stockpiling program.

Pending the attainment of an overall solution, we favorably reported to the House, and the Congress enacted, the Lead-Zinc Small Producers Stabilization Act of October 3, 1961—75 Stat. 766—specifically designed as a stopgap measure to help small producers only. The law we adopted embraces a modest program, on a declining phaseout basis, where the greatest assistance is given in the first years of operation on a declining basis. The theory was and is that between 1961 and the end of the program in 1965 we would in the meantime have found a long-range solution for the entire lead-zinc industries.

Members in both Houses of Congress from lead-zinc producing States can no longer wait while conditions of the industries deteriorate further. This deterioration has continued despite prophecies that there are some prospects for increased consumption that might create greater demands for these metals despite the intensified competition with other materials.

The administration not having come forward with a program, we have devised a plan that is keyed to our actual domestic needs of imported lead and zinc at a reasonable price under a formula fair to all concerned. We think the plan is fair to domestic miners, domestic smelters, and U.S. consumers while at the same time not imposing an increased tariff. The legislation we introduce today provides for an adjustable quota that would fluctuate as the price of lead and zinc fluctuate, in lieu of the rigid quota established in 1958 on an unrealistic basis.

Recognizing the danger of oversimplification, I should like to summarize the proposed legislation for Members by saying that quota restrictions would become more restrictive whenever the market price of either lead or zinc on the domestic market was less than 13½ cents per pound, with restrictions relaxed whenever the domestic market price exceeds 13½ cents per pound. We would, however, still use the 1953-57 period to calculate quotas on imports of manufactured items which are in direct competition with the domestic production of lead and zinc.

Mr. Speaker, I urge all Members as well as interested officials of the executive departments, to study this legislation. I trust that the committee to which the bills are referred will promptly obtain the administration's views and hold hearings.

I am confident that when this matter has been given full consideration, the legislation we have introduced today will be enacted.

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. HORAN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HORAN. Mr. Speaker, it is indeed a pleasure for me to join with my colleague, the gentleman from Colorado the Honorable WAYNE ASPINALL, in the introduction of a measure which would fix a formula for sharing the American market with other producers of lead and zinc. Ever since the passage of the Foreign Trade Expansion Act, I feel that it has become increasingly clear that formulas should exist for the sharing of the American market, and I believe the formulas should be written in ink instead of in water. I believe the formula as expressed in this legislation is fair, and it will tend to be of some protection to our American lead-zinc industry.

DANGER LURKS IN PRESIDENT'S LACK OF A PROGRAM

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, the United States badly needs a leader and a policy. Any program of action, domestic or foreign, is dangerous without both.

Mr. Speaker, the tragedy of this day in history is the failure of President Kennedy to assume his proper role as the leader of the Nation. It is evident the President has no long-range policy or program to meet the pressures at loose in the country and in the world. His every action is based on the expediency of the moment.

The very lack of a program and the attempt to solve each crisis on the basis of expediency poses a serious danger. For instance, I have been among those who have been calling on the President to take action to rid Cuba of its Communist dictator and to end the Communist aggression in this hemisphere. I am convinced this must be our ultimate goal. Any action the President takes, however, must be within the framework of an overall program, not just a sudden impulse to send American troops to Cuba because of pressure generated here in Congress or among the people. Such an overall program would include, I should think, reimposing the Monroe Doctrine, an effective blockade of Cuba to stop the flow of military essentials such as oil, the setting of a time limit for the removal of Russian troops and weapons, and effective alliances with other Western Hemisphere nations to prevent the spread of Communist aggression, and, of course, recognize a government in exile so the Cuban people could free their own homeland.

The President has never accepted the positive suggestions offered by many Members of Congress and knowledgeable citizens for any of the problems we face. Instead, he has reacted to each individual situation, attempting to put out small fires, while the flames spread with consuming intensity in all other parts of national and world structure. As a result the President has become the victim of pressure from all sides and retreats whenever organized pressure is implied or a fact.

Witness our dealings with the Soviet Union since the advent of the Kennedy administration. The President has made brave speeches, but failed to follow through with brave action, turning instead to accommodation of the Soviets.

The result has been the steady advance of Communist influence in the world and loss after loss of U.S. prestige with increased threats to our security.

Witness the Kennedy approach to the matter of race relations. Failing to make the progress for the Negro he hoped by reason of law, he now succumbs to the pressure of massive demonstrations to urge compliance with the demands of Negro leaders with the result we are witnessing an increase in racial tensions, a breakdown of authority and a growing disrespect for the forces of law and order which, if carried to its logical conclusion, will hurt the Negro race most of all.

Witness the President's handling of labor relations. In case after case the administration has reacted to the threats of labor leaders to call widespread strikes by pressuring industry to accede to labor's demands under threat of losing Federal contracts.

Mr. Speaker, John F. Kennedy was elected President by the people of the United States because the majority believed he had the qualities of leadership essential to our survival in this nuclear decade. I implore you, Mr. President, to justify the faith your fellow citizens placed in you, to assume the role of leadership a strong and free nation expects and to which the people are entitled, to refrain from making impulsive decisions based on expediency, and to set forth in strong and forceful language a domestic and foreign policy within the framework of the Constitution and the traditions upon which this free Nation was founded and has grown to its present greatness.

The President's returning to his campaign pledges would be a beginning and only a beginning. What we really need is a clearly understandable and understood domestic and foreign policy with long-range objectives based on the abiding principles of constitutional government, the limited role of government known as the Republic within a democracy which preserves capitalism with its individual freedom and the sovereignty of the United States.

CONGRESS SOUNDED OUT ON TIES WITH HUNGARY

Mr. STINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include an article.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, in reading the Evening Star last night, I noted an article in which the State Department proposes to sell out the freedom fighters of Hungary, who once fought and died so valiantly in the streets of Budapest. The State Department is sending up a trial balloon to get the reaction of Congress to the restoration of diplomatic relations with the butchers of Budapest.

The logic behind the State Department's proposal is absurd. Are we to resume diplomatic relations with this Communist government simply because on the surface it appears to be mellowing? Of course not.

I am strongly opposed to the resumption of diplomatic relations with the murderers of the Hungarian freedom fighters during the 1956 revolution. I am opposed to opening the way for taxpayers' money to be poured into Hungary for the support of Khrushchev's puppet. This move by the United States could once again be used as persuasive propaganda on the millions locked behind the Iron Curtain to indicate that the United States is willing to condone and coexist with the oppressors of freedom.

Mr. Speaker, I wish to insert this article from the Evening Star so that my colleagues might have the opportunity to review the State Department's proposal and its reasoning. I only hope that I am not alone in my opposition to this outrageous plan:

Congress Sounded Out on Ties With Hungary

The State Department thinks the time may be right for resuming full diplomatic relations with Communist Hungary and is sounding out key Members of Congress to see if they agree.

The means is an informal memorandum being circulated among members of the Senate Foreign Relations Committee and the House Foreign Affairs Committee. It contends the Hungarian Government has been relaxing its oppressive rule.

Among the recent developments cited—a March 21 amnesty that the Department estimates freed 3,000 to 4,000 people, and efforts by the Kadar government to work out "some sort of accommodation" with the Roman Catholic Church.

SANCTION UNNEEDED

The United States has declined to send a top-ranking diplomat to Budapest since the bloody 1956 fighting which crushed an uprising by the Hungarian people and put Premier Janos Kadar in power.

Legally, congressional sanction is not required to restore full diplomatic relations with Hungary. However, the Department would be reluctant to take the step if it felt a storm of protest would erupt on Capitol Hill.

CITE CULTURAL PARLEY

One problem on which recent negotiations have been reported between the Kadar regime and the Vatican has been freedom for Joseph Cardinal Mindszenty. He took refuge in the U.S. Legation at the time of the revolution and has lived there since.

Apart from the amnesty and the effort to improve relations with the church, the Kadar government, the memorandum said, has for 2 years "followed a conciliatory policy toward the intellectual and cultural community in Hungary," adding:

"More United States and Western movies are being shown in Hungary than in any other Soviet bloc country except Poland. Passport and visa restrictions have been relaxed to permit a comparatively large increase of travel from Hungary to the West and from the West to Hungary.

"There is wide agreement among observers that Hungarians today can express themselves with a latitude unusual in the Soviet bloc."

There also have been relaxations of Red economic restrictions on Hungarian peasants, the memorandum reported, and the Kadar regime has achieved "some degree of autonomy in its relationship with Moscow."

WHAT PRICE LOYALTY?

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, I have today introduced a resolution which would exempt farmer-elected county agricultural stabilization and conservation committeemen from taking any loyalty oath binding them to support administration farm programs.

The resolution would rescind the following regulation promulgated by Secretary of Agriculture Orville L. Freeman on March 1, 1963:

> *Provided, however,* That before any such county committeeman or alternate committeeman may take office he shall sign a pledge that he will faithfully, fairly, and honestly perform to the best of his ability all of the duties devolving upon him as a committeeman, and that he will support the programs he is called upon to administer.

My resolution would also amend the Soil Conservation and Domestic Allotment Act to bar the Secretary from requiring any statements, either verbal or written, from any farmer-elected committeeman or alternate committeeman, pledging their loyalty, allegiance, or support to any farm program or proposal of the national administration, nor shall any such committeeman be discharged for any reason, other than for cause as provided by this section.

The committeemen are elected by their own neighbors and are not employed by anyone in the U.S. Department of Agriculture. There is ample existing authority to remove them for just cause, and moreover, farmers themselves could oust any county committeeman who is not doing a satisfactory job by not reelecting him. It was never intended by Congress the Secretary of Agriculture should seek to intimidate or coerce farmer-elected committeemen to support or oppose any specific farm theory or program. In fact, Congress has traditionally established and supported a policy of independence and separation of power for such committeemen. Secretary Freeman, by administrative order, would now compel these farmer-elected committeemen to become an integral part of the administration propaganda team, requiring them to support programs which they, and the farm neighbors who elected them, might flatly oppose.

It is one thing to pledge fair and honest performance of duty, but quite another to take an oath to support programs advocated by Secretary Freeman, or any successor. You can imagine a farmer committeeman's dilemma if a new Secretary of Agriculture with other ideas were appointed. Certain provisions of the Freeman oath are apparently conflicting, for it would be impossible at all times to fairly and honestly perform if a committeeman supported a Freeman program as suggested by the USDA hierarchy in Washington. The USDA propaganda barrage preceding the May 21 wheat referendum has contained half-truths, but in accordance with the Freeman oath a committeeman would have a solemn duty to support his program by fully utilizing all USDA propaganda. Many committeemen favor Freeman programs but are opposed to tactics employed by the USDA. Frankly, I have the highest regard for the farmer-elected committeeman system and, in my opinion, this ridiculous oath insults the intelligence and integrity of farmers required to sign it.

I can find no precedent for this loyalty oath promulgated by Freeman. The House of Representatives requires of its own employees an affidavit to the effect they do not advocate overthrow of the Government and will not strike against the Government. There is the oath to support and defend the Constitution of the United States taken by all Government employees. The National Defense Education Act of 1958 requires a similar oath from students participating in its loan program, but there is no evidence that any agency has ever required its employees to sign an oath to follow the leader even though he might be wrong.

If the Freeman concept of absolute ideological loyalty should be adopted by other agencies, Mortimer Caplin might require of all Internal Revenue Service agents an oath to work for limitation of charitable deductions and other reforms suggested by Caplin; Secretary Celebrezze might demand from each HEW employee a signed pledge of support for medicare financed through social security; Newton Minow's minions within the Federal Communications Commission—even those who surreptitiously watch the TV westerns—might be required under oath to view only cultural programs. And what of the Defense Department? Ponder the fate of the bureaucrat who preferred to believe that Boeing, not General Dynamics, should have received the TFX contract.

It seems we have arrived at a point where Congress needs to rescue Mr. Freeman from himself before he suggests putting farmer-elected ASC committeemen in special uniforms.

The resolution is as follows:

H.J. Res. 412

Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen

Whereas county and local agricultural stabilization and conservation committeemen are farmers elected to their offices by farmers in their local communities; and

Whereas such committeemen are not employed by the United States Government; and

Whereas such committeemen have for many years provided administrative continuity during the terms of offices of a number of different Secretaries of Agriculture; and

Whereas section 503 of the Agricultural Act of 1954, as amended, specifically prohibits the Secretary from imposing any limitation upon the number of terms for which members of county committees may be reelected; and

Whereas Congress has traditionally and historically established and supported a policy of administrative independence and separation of power for such committees: Be it

Resolved, That:

1. The proviso in section 7.18 of the regulations promulgated by the Secretary of Agriculture on March 1, 1963 (volume 38, Number 42, Federal Register, page 1979) reading as follows is hereby rescinded:

"*Provided, however*, That before any such county committeeman or alternate county committeeman may take office he shall sign a pledge that he will faithfully, fairly, and honestly perform to the best of his ability all of the duties devolving on him as a committeeman, and that he will support the programs he is called upon to administer."; and

"(2) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, is amended by adding at the end of the first paragraph the following new sentence: "'Notwithstanding any other provision of law, the Secretary of Agriculture shall not require any statements, either verbal or written, from any farmer-elected committeeman or alternate committeeman, pledging their loyalty, allegiance, or support to any farm program or proposal of the national administration, nor shall any such committeeman be discharged for any reason, other than for cause as provided by this section.'"

ANTIDUMPING AMENDMENT

Mr. KNOX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KNOX. Mr. Speaker, I am today introducing legislation which will amend and strengthen the Antidumping Act of 1921. Many Members are aware of the difficulties being experienced by some of our domestic industries which can be traced at least in part to dumping in this country by foreign manufacturers.

One point that should be kept in mind concerning the Antidumping Act is that this act is not basically a tariff law imposing restrictions upon international trade. It is designed to promote a free, but fair competition, just as the antitrust laws are designed to promote the same thing in the domestic sphere. Its purpose is to prevent producers in foreign countries from selling their products in this country at prices lower than those at which they sell in their home markets.

From the domestic producers' point of view there are two serious deficiencies in the Antidumping Act, as it is now written. The first is the delay in procuring determinations on an antidumping complaint. My bill attacks this problem by imposing a time limit of 6 months on Treasury proceedings on antidumping complaints. The second problem faced by a domestic producer is that of proving injury. One section of my bill would require the Secretary of the Treasury to aggregate complaints regarding the dumping of the same class or kind of merchandise. The Treasury now sends cases to the Tariff Commission on a country-by-country basis, which in many cases makes proving injury difficult.

This legislation represents a needed step forward in solving the difficult problems facing our domestic producers in trying to meet the unfair competition which is thrust upon them when foreign products are dumped in the United States. I feel strongly on this matter; and in addition to wholehearted support of this bill, I also hope that in the course of consideration by the Committee on Ways and Means we will go even further and will find, within the reference of existing legislation, other ways to combat this serious problem. It appears to me that the injury provisions might be strengthened by requiring the Tariff Commission to make a finding of injury to the domestic industry if imports of foreign goods accounted for 10 percent or more of our domestic sales of that type of goods.

Adoption of this legislation will be a step forward in solving this difficult problem of dumping.

MERLIN DIVISION, ROGUE RIVER BASIN PROJECT, OREGON

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon.

There was no objection.

Mr. DUNCAN. Mr. Speaker, I have today introduced a bill to authorize the Secretary of the Interior to construct, operate and maintain the Merlin division, Rogue River Basin project in the State of Oregon. Companion legislation is being introduced in the other body today by the Senators from Oregon.

I have been informed that the report by the Bureau of Reclamation on this proposed project is now on the desk of the Secretary of the Interior for final approval, and that it will probably be transmitted to the Congress very soon. I am hopeful that the Interior Committees of both bodies will be able to give early consideration to this authorization.

The development of the Rogue River Basin in my congressional district is a matter of the highest priority to the residents of the area. This particular project has a most favorable ratio of benefits to cost and is certain, in the long run, to return its original investment many times over, part of it directly in payments to the Federal Treasury and part of it indirectly in long-term benefits to the area in irrigation, flood control, conservation and recreation.

Mr. Speaker, I am proud to sponsor this legislation. I would like to include in the Record at this point the text of a release issued from my office in connection with the introduction of the bill.

Congressman Robert B. Duncan, Democrat, of Oregon, today May 14, introduced a bill in the House of Representatives to authorize the Secretary of the Interior to construct and operate the Merlin division of the Rogue River Basin project. The bill was introduced simultaneously by Senators Wayne Morse and Maurine Neuberger.

Duncan said the principal works of the division would consist of Sexton dam and reservoir, diversion and distribution facilities, and drainage facilities. The completed project would provide irrigation water for approximately 9,300 acres. It would also provide for flood control, conservation and development of fish and wildlife, and would provide for recreation benefits.

The bill authorizes an appropriation of $14,750,000, Duncan said.

Reimbursable costs of the project would be repaid over an extended period of 50 years. However, DUNCAN pointed out that certain costs of the undertaking would not be repaid and these would include costs of investigation, planning, operation, and maintenance plus an appropriate share of the joint costs of the project.

EMERGENCY COMMITTEE FOR U.N. ACTION ON HUNGARY

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a telegram.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, I hold in my hand a telegram from Mr. Christopher Emmet, who is on the Emergency Committee for U.N. Action on Hungary. It is my opinion that the Members of the House will be interested in having this information. He has sent this telegram, I believe, to a few other Members.

Mr. Speaker, I read the telegram, as follows:

MAY 14, 1963.

Representative KATHERINE ST. GEORGE,
House Office Building, Washington, D.C.:

Have sent following telegram to Secretary Rusk and Under Secretary of State Harriman. Hope you will make similar appeal:

"We are deeply alarmed by State Department memorandum forecasting change U.S. policy on Hungary in United Nations, based on Hungarian amnesty. Memorandum admits real scope of amnesty unknown. Moreover, amnesty does not affect substance of U.N. resolutions on Hungary.

"Last December when U.S. resolution was passed by U.N. Assembly ending Sir Leslie Munros mission Members of Congress and citizens groups were assured that this involved no change in U.S. policy.

"There have been no important developments in Hungary, aside from the amnesty, since then. Yet the reported intention of the U.S. Government not to oppose acceptance of Kadar delegates credentials at Assembly session opening today, represents abrupt and fundamental U.S. policy reversal.

"Moreover, this change would be made with only 24 hours notice to American public and Congress. In view of past assurances by authorized spokesmen, we respectfully submit that this would amount to a breach of faith of which we are sure you are not aware.

"Moreover, it would breach precedents established at all previous sessions of General Assembly, which never considered changing credentials decision arrived at by a previous regular session. The widespread reports that U.S. plans to abstain on this credentials issue this week for first time amounts to inviting Communists to raise this issue.

"If such action is planned we earnestly appeal to you to reverse it now. The Hungarian issue has stirred conscience of American people more deeply than any other question since war in which U.S. interests were not directly involved. If U.S. policy is to be changed we urge that it be done after fair chance for public debate not with only 24 hours warning."

CHRISTOPHER EMMET,
Emergency Committee for U.N. Action on Hungary.

APPROVING CREDENTIALS OF THE HUNGARIAN DELEGATION TO THE U.N.

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I was pleased to hear the remarks of the gentlewoman from New York [Mrs. ST. GEORGE], and I subscribe fully to what she has said.

The current decision of our delegation at the U.N. to abstain on the issue of approving the credentials of the Hungarian delegation is one that friends of the captive nations of Europe will view with deep misgivings.

The U.N. has already terminated the mission of Sir Leslie Munro which originally was charged with the duty of investigating the situation in Hungary subsequent to the suppresssion of the revolt in order to determine whether or not democratic processes had been eliminated in that country. Instead of the Munro mission, this resposibility was transferred to Secretary U Thant. Now it appears that we are withdrawing from the fight on another issue.

I would be the first to admit that there is a process of change going on in Hungary and in others of the Captive Nations of Europe. I recognize, too, that some of the elements of this change are moving in the direction of greater freedom of religious worship and the restoration of the rights of individuals. On the other hand, the scope of the change is unclear and the specific extent of the amnesty granted to political prisoners is by no means definite.

I submit that we should have a better idea of what we are talking about and what the scope of change in Hungary really is before we back down further on a matter of principle. I personally do not have enough facts to warrant any change of attitude.

I call attention to one other matter which is worthy of notice in this connection. There is a strange double standard extant in the matter of colonialism. Some of our officials seem to die a thousand deaths whenever the Communists talk critically of our association with allies, such as Portugal, which still maintain colonies. They are quick to disclaim any intention on our part of contributing to the maintenance of colonialism. Prominent in this attack on colonialism are the new African countries.

It is, indeed, strange however that these same countries are the very ones which now apparently refuse to support the firmness of the United States on the question of the Communist colonialism which is now being practiced with white countries in Europe.

I recognize that to some extent the question of the credentials of the Hungarian delegation is an academic one, since the delegation is presently sitting and voting. At the same time this, too, is an important matter of principle and I would prefer that the United States vote on principle even if that meant being on the losing side, while those countries who have become bored, or fatigued, at the task of supporting the rights of our fellow men behind the Iron Curtain would be free to vote to sweep the question under the rug.

UNEQUAL RIGHTS PREFERENCE BILL SMOKESCREENS GRAB TO CONTROL NATION'S KILOWATTS

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, today the Irrigation and Reclamation Subcommittee began hearings on S. 1007 and related House bills aimed at legislating a superpreference over U.S.-generated power benefiting public bodies and private corporations in the Pacific Northwest. Ostensibly this unequal rights legislation is designed to protect the monopoly on low-cost, subsidized public power enjoyed by the Pacific Northwest's favored class for the last quarter of a century. In this geographical area $1.7 billion of U.S. taxpayers' money has been poured out of the Federal Treasury for construction of the hydroelectric projects, transmission lines, and other public properties of the Government's Bonneville Power Administration. In this area public power bodies, spawned by the attraction of cheap power, in many cases subsidized by bargain basement 2-percent interest REA loans, and spoonfed by State and Federal tax exemptions, plus other largess from the public purse, have been the constant beneficiaries of a modern-day distortion of the Robin Hood philosophy.

Now, by the terms of S. 1007 that philosophy is not, any more, just the old Socialist hocus-pocus of "take it from the rich and give it to the poor." Now that philosophy, by force of Federal legislative fiat, is to be "take it from both the rich and the poor in the rest of the country and give it to anybody in the Pacific Northwest, including corporations smart enough to locate high power consuming plants in Oregon and Washington."

Notwithstanding almost three-quarters of a century's precedent for allowing public bodies preference in the purchase of power generated in U.S. taxpayer financed facilities, S. 1007, in effect, says these public bodies now shall come second to both public bodies close to the generation facilities and private companies close to them, too.

At a time in U.S. history when equal rights is hotter than the proverbial $2 pistol, electricity consuming citizens are going to be made second-class citizens unless they live in the shadow of electric generators paid for by their Federal tax dollars. If this were happening in Birmingham, Ala., there would have been parades and fire hoses all around the subcommittee's hearing room this morning. If the Kremlin had any interest in it, we would have a "Women's Strike for Kilowatts" descending on the Capitol.

But this is just a supposedly small matter of the fiscal rape of a few tens of millions of U.S. taxpayers, so hardly a ripple crosses the congressional sea. I suppose things of this sort have become so commonplace today that it arouses but slight indignation in the public at large. Nevertheless, it has me considerably bothered. Perhaps this is because I happen to be close to it and because large numbers of the citizens of the State I am privileged to have a part in representing will be victims of the crime. Perhaps it arouses fighting instincts in me because I have been hearing so much equal treatment lipservice around town for the last couple of years that I believe it actually should apply to everybody, even when there is not a Kennedy vote mixed up in it somehow. Maybe all this is even because I am an anachronism or some kind of a non-Ivy League nut or something. I did not go to Harvard or MIT and even am a little happy about it. Nobody ever taught me that private corporations and private citizens living in Washington and Oregon are better and should be more favored than anybody else. They did not even hint that other Americans, including you and me, ought to shell out for the light bills and the power bills of this superpreferred, superior, better than you and me, nondesegregated master class. Neither did they teach me that semianonymous bureaucrats in the Department of the Interior ought to be granted their craving for czardom over the Nation's electric energy resources. I am glad about this, too, however it may upset those semianonymous inheritors of the Harold Ickes' delusion of operating the country from that great block-square marble temple the Old Curmudgeon managed to have F.D.R. put in the WPA program.

Of course, the story I am telling must be heard with an understanding of the foregoing. It comes from someone whose ancestors fled Europe to get away from the awesome dictation of centralized executive power. It comes from someone whose public ethics are what a Presidential adviser calls "puritanical." It comes from someone who really believes Americans have enough sense and courage and ability and even a natural right to take a major part in determining their destiny. So it is just possible this speech may be coming 50 or 75 or 100 years too late. I hope not, but it sure is a possibility. Every time I hear the latest word from Stewart Udall and the White House I have a feeling the possibility is more and more real.

Now, back to the story to be told: Once upon a time, a long while ago, somebody who worked for the Government in Washington became intrigued with the idea of the zestful living substantial control over a country's energy resources offered anyone who grabbed it. Since it is no secret the Constitution fixes such powers in the people and their elected representatives, that document is an obstacle, but not an insurmountable one to those seeking the zestful way of life. Some charge that those so seeking are members of a Fabian socialist plot. Some people say it is just a typical psychosis of anyone who feeds at the public trough long enough to get into the middle and top echelons of bureaucracy. Others say it just is the accelerated application of Parkinson's first law on the self-proliferation of bureaucracy. Whatever the reason, observers of the Interior Department and its Bureau of Reclamation particularly, and departments and agencies and commissions in Washington generally, cannot but see a constant management of things aimed at grasping more and more electric kilowatts to use as foundation stones for building the zestful life.

Closer observation of the process of pulling power away from the people and their elected representatives into the hands of semianonymous bureaucracy reveals a real workable system for doing it. The system revolves around getting large numbers of voters in key States a constantly increasing vested interest in Federal power. You pick States with relative small populations, their Senators have the same vote as any others. You give them the vested interest by building Federal generators there and giving public bodies preference on their output and pricing it low. You encourage multiplication of public bodies by exempting them from taxes and granting them loans at giveaway rates. In little or no time you can depend on a solid phalanx of powerful lobbies to work day and night to make sure ample appropriations are passed to keep the ball rolling. Every kilowatt counts in this game and you can multiply them pretty fast with that kind of political support. Even so, the free enterprise system is just so darn workable that the private enterprise guys somehow keep building up kilowatts too. So you really have to keep on your semianonymous bureaucratic toes. You must think not only about out-kilowatting the bad guys, but about how to grab some kind of control over their kilowatts, too. Even though you had good luck driving them out of the TVA area back in the 1930's and 1940's, getting at them on a national scale is lots tougher. You do know kilowatts have to be moved from the generators to the consumers, so you get smart and try to figure some way to grab control over the transmission lines and make those private enterprise guys do business under your regulations and according to your terms. Then you will have them by the balance sheet.

You are semianonymously sitting in your semianonymous office in the Ickes Temple figuring out how to do this by moving Interior and the Federal Power Commission in on short haul transmission lines when some scientific and engineering types throw a large banana in your semianonymous electric fan. They come up with new long haul transmission technology. Instead of wheeling electric power only 300 or 400 miles, now they make it possible to transmit it over a thousand miles. It now becomes feasible to tie together the various regional power pools of the country into one national power grid. If you are not going to shift from semianonymous to really anonymous, you have to rethink the whole problem and come up with a way to control the national grid. As you think about it, the possibilities become really intriguing. Here is an opportunity, finally, to get all the Nation's kilowatts in one basket and if you can just grab the handle, the bad guys have had it and you are in control.

About that time your semianonymous lawyer comes in with more fuel for the fan. He tells you that if the Government builds these regional interties you have been thinking about as the way to grab control, it will be selling power all along the line. Knowing the situation so well, you immediately see its dangerous implications. Your public power supporting in areas of origin of Federal kilowatts will now have competition from your public power supporters in nonorigin areas. Yikes, the preference people you have counted on to lobby solidly for your transmission line appropriations will now be fighting amongst each other for your bargain basement electricity. You shake and tremble. You will be hearing more from all of them and enjoying it less. You will be enjoying it less from the powerful political forces who do not want massacre raids on their traditional regional monopoly on cheap power. You will be enjoying it less from the powerful political forces who want to cut themself in on some other region's cheap power, now that it is technically possible. You have a giant rethink job to do. If you do not do it right and get the warring factions back arm-in-arm behind your transmission line appropriations, the bad guys will build the lines and you will have had it. It will be an ignominious way to expire, too, because former allies will have helped put the torch to your plans. The public groups of regions afraid of the massacre raids will do all they can to promote the private interties, simply because the private lines will insulate them from preference demands of public bodies outside their region.

After long, agonizing, aspirinizing reappraisal, you come up with your master plan. You haul in the Secretary of the Interior and the Secretary of Agriculture from their 50-mile hikes long enough to sign a new joint regulation. This makes private interties crossing Federal land subject to a condition that any excess wheeling capacity must be made available to the Federal Government. This takes away from private interties their feature insulating a region from outside preferred demands because Federal power can be sold direct to the customer even over private interties. You have pulled the rug out from under the public bodies who were starting to see a protective virtue for their regional interest in the private interties. They no longer have any place else to go. They will have to come back to you. You sweeten things up by announcing big plans for enough Federal kilowatts for all the preferred in order to hasten the return of the prodigals.

Next, you shut up the noisiest and most politically powerful regional public power group, that one out in the Pacific Northwest. In response to your reliable hypnotic suggestions, Stewart Udall tells Congress to give them their regional super preference. You have him tell the remaining, second class, nonequal righted regions to shut up, get back in line, put their lobbies back to work, get appropriations for Federal interties, and generators, boost FPC control over private lines—and then they will get theirs, too.

You are very smart, in your semianonymous way, so all this is timed and executed real good. The right speeches are made at the right places. The mimeograph machine is managing the news with a barrage of press releases, all is going fine. The Senate was a breeze. You got the super-preference, second class region unequal rights PNW bill through without any trouble at all. Now, if all goes according to plan, you will do the same thing with the House.

After that all you have to do is bit-by-bit—about $1 billion a bit—get some $8 billion out of the U.S. Treasury to build the regional interties needed to put the national power grid together.

That is all it takes to bring to reality your dream of a zestful life of power. Electric power. Political power. Economic power. Almost any other kind of power you can think of. Czar Udall will rule it all, but you will rule Czar Udall and all his successors. Insofar as the United States of America can be ruled and dominated by the control of its electric power resources, you will rule it because you will be exercising that control and exercising it tightly. Moreover, the time span of your control will be unlimited. You do not have to run for office every 2 or 4 or 6 years. So long as you keep your nose clean and keep yourself semianonymous, Civil Service regulations will permit you to enjoy your zestful way of life for a long, long time.

To those who hear or read this speech and conclude that I am disgusted and bitter, let me say these few words of reassurance: You are 100 percent right.

What is being perpetrated in the Subcommittee on Irrigation and Reclamation today is to my mind one of the most flagrant examples of the self-mutilation of the principles and philosophy of democracy the world has ever seen. The pity is that this Nation is not seeing it at all, yet it is there to see in all its masochistic magnitude.

AFRICAN SUMMIT MEETING

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I have said many times that as Africa goes so will go the world. I cannot repeat that often enough.

The shortest crossing of the Atlantic Ocean is from Liberia in Africa to Brazil in South America. This should emphasize how closely knitted are the Western Hemisphere and the Continent of Africa.

The African nations comprise a third of the membership of the General Assembly of the United Nations. This should emphasize how important it is to our interest that there should be mutual sympathetic understanding of the aims and aspirations of our people and the aims and aspirations of the peoples of Africa.

Considering the great potential wealth of Africa and the restless drive of her people to make up for the years that are lost, I envision in the not too far away future an African nation that will be one of the great world powers. I know many of the African leaders, and I have confidence in their intelligence, their dedication to their tasks and their determination not to permit the colonialism of communism to entrap them.

On the eve of the convening of a 32-nation African summit meeting in Addis Ababa, Ethiopia, I am happy as the chairman of the Subcommittee on Africa, for myself and I believe for all the members of the subcommittee, to extend every good wish to the 32 African nations in their search for a blueprint for a future of continental development to assure by united effort the rapid and orderly attainment of worthy objectives.

Mr. Speaker, this summit meeting at Addis Ababa, starting on May 22 is one of the tremendously important events of the times. I have just received a copy of the oversea release of the Associated Negro Press, of Chicago, and I am extending my remarks to include from the material in this release an article by David A. Talbot.

TALBOT'S LONG AND RICH BACKGROUND

Mr. Talbot is a veteran of nearly 30 years as correspondent on the African scene.

Born in British Guiana, Talbot took his B.A. and M.A. degrees at New York University, then traveled extensively throughout Europe and Africa. After serving as editor of the African, monthly devoted to African thought and opinion, he joined the War Labor Board as a junior economist before taking up overseas work in Ethiopia, where he has performed notably in several capacities.

Talbot first went to Ethiopia in 1934, with the late Colonel John C. Robinson, American Negro air ace who served as pilot to Haile Selassie, taking the Emperor on trips to the Ethiopian front after the Italian invasion in 1936. Talbot has maintained residence in Ethiopia since the middle 1930's.

In 1946, Talbot founded the American Institute, which he continues to direct. Under his editorship, the Ethiopian Herald has become the leading English-language daily. Formerly press consultant to the Imperial Ethiopian Ministry of Information, he is now adviser on English publications. He has secured 50 scholarships enabling Ethiopian students to study abroad, and 30 of these students, now returned, are filling important posts in government and national life.

Mr. Talbot's article follows:

EMPEROR HAILE SELASSIE'S VIEWS

(By David A. Talbot)

ADDIS ABABA.—What are some of the aims of the historic 32-nation African summit meeting which will be held here May 22–25?

Many people in all parts of the world, filled with anticipation as to what will be the nature of the summit, are asking this question.

Emperor Haile Selassie, in his official role as host, has thrown a great deal of light on the approaching African heads of states conference. In a timely intervention during a recent press conference, His Imperial Majesty declared that the purpose of the conference could be reduced to three salient points:

First, to speed independence for territories still in a subservient position; secondly, to exchange views on joint problems, such as raising the peoples' living standards and improving conditions in the fields of economy, culture and politics; thirdly, drawing of an African charter for unity.

That the impending summit is historic is surely beyond question. Although called on the Government level, it is certain that many other levels of African corporate organizations will be represented. True, observers from dependent Africa will have carte blanche, because, as His Majesty the Emperor clearly stated, one of the many objectives of the May summit will be concerned with the complete emancipation of the continent.

It was not coincidental that the Emperor placed first on the list the subject of decolonization. "To speed the attainment of independence of those areas in the continent that are still in a state of dependency," was the categoric statement made to the press. All too evident, if the African summit is to achieve the broad aims that are pertinent to its terms of reference, the stamping out of colonialism must be one of the vital plans in its platform.

The Emperor and many other leading African statesmen have repeatedly voiced the idea that no independent state in Africa could feel secure in its independence while other areas of the continent remain in a colonialist status. For the summit to be worth the effort, ways and means must be elaborated to assist the African freedom fighters in their struggle for independence.

By and large, the mere meeting of all the independent African States is a bold stroke in the field of African unity. If a sign were needed to indicate the purposefulness of the African heads of states, surely the May summit is clear and unequivocal.

In his statement to the press, in which the Emperor gave a broad outline of why such a meeting has been called, he said:

"For the first time in the continent's history, one of the points in the purpose of the summit is to lay basic foundations for unity, to exchange views that will help to resolve common problems so that the standard of living of our peoples could be raised and so that ways and means of improving the economic, cultural, and political aspects of life of the continent could be provided."

The May summit, constituting as it will, the most important conclave of its kind in the history of the continent, will bring together ideas, problems, plans, and aspirations of more than 200 million persons. The heads of states also represent the various sections and areas of the continent. As such, it will provide a springboard for practical and forthright proposals concerning the problems that face the 32 nations and the continent as a whole.

Beyond question, these problems are many; without doubt, many of them strike at the very heart of the nations' existence as sovereign states. And since each nation cannot but cherish and safeguard its hard-won independence, it is readily obvious that they must use the unique opportunity afforded by the summit to their best advantage.

Africa has had a slow start and must double its efforts to gain the time lost.

There are, therefore, frontiers in every field of human progress that must be conquered. How to do this will be one of the principal challenges facing the meeting. Africa is, as it were, engaged in a series of crusades, none of which could be carried on successfully singlehandedly.

This points to the stubborn fact that after independence the next step is interdependence. And for this to be more than a mere slogan, as the Emperor told the press conference, foundations for the prosecution of common beneficial aims must be laid down. The summit will therefore strive to initiate a modus operandi as a guideline to effective continental cooperation in all major fields.

A universal charter for Africa is therefore envisioned. The story of the search for unified and effective action is now well known. The Casablanca, Monrovia, and Malagasy trials have been proven fragmentary. In them all, however, are to be found proposals and principles that could be woven into an acceptable pattern. This, I believe, is the reason why the date for the beginning of the Foreign Ministers Conference was advanced.

In moving toward an enlarged community there are problems, some known and others unforeseen. A universal African charter could act as a compass to meet some problems and to avoid others. Close consultation and collaboration will be necessary.

As his Majesty the Emperor said: "To construct the necessary machinery for contacts among heads of states" would be one of the positive results of the May summit.

It seems to me that with sobriety and healthy give and take the African heads of states could expect to lay the groundwork for a period of constructive cooperation on a continental level in several basic areas. They are expected "to elaborate procedures by which the independent African States could advance toward mutually beneficial goals and to safeguard their security."

Matters not from what angle the May summit is viewed, it is clear that it will mark a significant turning point in the history of Africa. There is work to be done, and the African leaders, by this meeting, have shown their awareness of the complex tasks ahead and the need for concerted action.

The challenge calls for dedication, for it comes from a cause on which hangs the future not only of Africa but that of the whole world. "A united Africa," declared the Emperor, "will not only win her deserved place in world councils, it will contribute remarkably to world peace and security."

Mr. Speaker, I am further extending my remarks to include another article from the release of the Associated Negro Press, as follows:

PONDERING OUTCOME OF ADDIS ABABA SUMMIT

WASHINGTON.—Aware of the seven major regional groups in Africa with several states having interlocking membership, observers here in the U.S. Capital hold the impression that the Addis Ababa conferees will place high on their list the question: How will the 32 independent African nations organize themselves?

The trend toward regionalism, as noted by these observers, resulted in two rival blocs with different concepts of relations to the former metropoles—the Casablanca states and the Monrovia states. However, it is further noted that while these differences may continue to some degree, the emphasis on continentwide unity is winning ground. This trend is evident since both the Casablanca and Monrovia groups are meeting under one roof—Ethiopia's Africa Hall. All the states heeded Emperor Haile Selassie's early bid for 100-percent attendance at the May summit talks.

With regard to organization of the African States there are at least three types of proposals:

1. The Lagos Charter of December 22, which looks toward a grouping of African nations similar to the Organization of American States.

2. Taking as a model of the Casablanca Charter of 1961: A far closer unification of states than envisaged by the Lagos Charter—approaching a federation.

3. The reported recent proposal of Ghana's President Kwame Nkrumah for an all-African organization involving a legislature (parliament) and other federal institutions.

Most students of African affairs in the U.S. Capital feel it is too early to guess exactly what will emerge from the Addis Ababa Conference in terms of an approach to organization.

The seven regional groupings, listed alphabetically, are:

1. The African and Malagasy Union. The 13 members are Cameroun, Central African Republic, Chad, Congo (Brazzaville), Dahomey, Gabon, Ivory Coast, Malagasy Republic, Mauritania, Niger, Rwanda, Senegal, and Upper Volta. All were formerly under French rule except Rwanda, which with Burundi formed the Belgian-administered United Nations trusteeship of Ruanda-Urundi. The UAM (the organization's French initials) maintains a permanent Secretariat at the United Nations.

2. Casablanca charter states: The six member nations are Algeria, Ghana, Guinea, Mali, Morocco, and the United Arab Republic.

3. Council of the Entente: Members are Ivory Coast, Dahomey, Niger, and Upper Volta.

4. The East African Common Services Organization: The three members are Kenya, Uganda and Tanganyika with partial Zanzibar participation. An outgrowth of the British colonial administration which has been Africanized, its present functions are economic but may form the basis for some type of political federation following Kenya and Zanzibar's independence, expected by the end of the year.

5. Equatorial states: Members are Central African Republic, Chad, Congo (Brazzaville), Gabon. The group has an effective common market with a common external tariff.

6. Inter-African and Malagasy Organization: The charter was initiated in December and is expected to be signed at Addis Ababa on May 23. However, some observers believe it might never come into being if a Pan-African charter is signed in the Ethiopian capital. Member nations are Cameroun, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ethiopia, Gabon, Ivory Coast, Liberia, Malagasy Republic, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Somalia, Togo, Upper Volta. The original Monrovia group included Libya, Sudan, and Tunisia, both of which attended the initial May 1961 meeting in Liberia. Congo (Leopoldville), then in a state of turmoil, did not attend the Monrovia meeting.

7. Pan African Freedom Movement for east, central and southern Africa (Pafmecsa). Membership: Ethiopia, Somalia, Tanganyika, Uganda, Congo (Leopoldville) and major African nationalist political parties in non-self-governing territories.

As the name implies, this body is devoted to the struggle for independence of the remaining African territories by assisting the organization of freedom parties, giving financial aid, and recommending policies such as economic sanctions against south Africa and Portugal and an appeal to the North Atlantic Treaty Organization powers against supplying arms to Portugal and providing scholarships to African political refugees.

CLAUDE BARNETT'S COMMENTS

Mr. Speaker, I am further extending my remarks to include the following article by Claude A. Barnett, director of the Associated Negro Press, which he founded at Chicago in 1919. He has maintained close personal relationships with African leaders since his first trip to the continent in 1947. In all he has made 12 African tours, the most recent in 1962 following attendance at the Lagos Conference of African heads of state. His article follows:

Thirty-two African countries, which during the past score of years have won their freedom from colonization and white European domination, are scheduled to have their leaders gather together at Addis Ababa, Ethiopia, May 23 to 25. A week earlier, the foreign ministers and their staffs of experts met in the same city to decide on the issues to be discussed and to draw up an agenda.

The title of "Summit Meeting" is being tossed at the gathering. Although, to call it a conference, where the various leaders with their differing personalities, backgrounds and languages can get better acquainted and find a basis upon which to thrash out the main problems facing all African nations today, might be more appropriate.

Efforts to bring these leaders together are not new. There have been half a dozen more or less formal attempts of this sort.

Among these were:

The Casablanca Conference, with five countries attending, was held in Morocco, January 1961, at which the Arab influence was felt; the Monrovia Conference, called by President William V. S. Tubman, of Liberia, in May 1961, and attended by 21 states; and the Lagos Conference, a followup meeting of the Monrovia gathering, in January 1962, with 19 nations represented.

Perhaps one of the first such meetings was the First Conference of Independent African States, held at Accra in April 1958, and attended by eight nations. The Second Conference of Independent African States was held at Addis Ababa, in June 1960, attended by 11 independent African States.

Another Accra Conference, in November 1958, launched President Kwame Nkrumah's idea of a Union of African States. Ghana and Guinea proclaimed their union and were later joined by Mali. The three states approved a charter in May 1961.

There have been meetings which were regional or based on common language. For example, there was an East African Conference, attended by those states and territories which avail themselves of the Common Services Organization, a group which seeks to find common ground because it served the various countries with common technical skills needed by all of the areas represented. Other meetings have been held by the French-speaking countries, which have been functioning as a "community"; the African and Malagasy Union; and the Equatorial States Group, which contains some of the more recently recognized countries which have won their freedom.

Most of these groups have been seeking a formula which will enable them to form some sort of alliance which would permit a degree of cooperative economic effort while remaining separate from a purely governmental standpoint.

Dr. Nkrumah has carried the idea a step farther. It was his bold break from the dominance of England, in 1957, which sparked many of the efforts toward freedom and from his beginning, he has sought an all-African organization which might be tied together in some kind of federation.

Most of the countries have seemed to shy away from any really definite bond along rigid political lines. Even Guinea and Mali, which formed for a while a sort of triumvirate with Ghana, are gradually seeking less binding relationships.

It has been interesting to observe the leadership which has emerged from Ethiopia and from which Emperor Haile Selassie has issued the invitation to the current meeting. Selassie has been an outstanding leader at three of the conferences, serving as host at two. The Ethiopian Emperor commands the respect of all the nations.

After all, his is the oldest of all African countries.

I observed at the gathering of heads of states at Lagos, 16 months ago, the almost worshipful respect that was held for him by other participants. He gave the keynote address, speaking in Amharic which had to be translated into English and French—an exercise which consumed most of the morning.

The Emperor's views undoubtedly laid a platform for the younger nations to stand upon. In his first word, the Ethiopian leader laid down the premise that he was first, last and foremost an African and dedicated to the advancement of all the nations on the continent of Africa.

The United States, Europe, Asia, the United Nations, and indeed, the rest of the world, will be watching this African Conference at Addis Ababa as an indication of what is going to happen to the peoples of the world's second largest continent and the part they may be expected to play in the affairs of the world in the foreseeable future.

STATISTICS ON AFRICAN STATES

Here is a table showing the area and population of the 32 African states attending the Addis Ababa summit, as given in the release of the Associated Negro Press:

Country	Area (square miles)	Population
Algeria	852, 600	10, 300, 000
Burundi	11, 000	3, 000, 000
Cameroun	183, 381	4, 907, 000
Central African Republic	241, 000	1, 227, 000
Chad	513, 600	2, 730, 000
Congo (Brazzaville)	132, 046	795, 000
Congo (Leopoldville)	905, 378	14, 150, 000
Dahomey	44, 695	1, 934, 000
Ethiopia	443, 350	23, 000, 000
Gabon	103, 000	440, 000
Ghana	91, 943	6, 691, 000
Guinea	96, 865	3, 000, 000
Ivory Coast	127, 520	3, 300, 000
Liberia	43, 000	2, 750, 000
Libya	679, 400	1, 400, 000
Malagasy Republic (Madagascar)	228, 000	5, 487, 000
Mali	465, 000	4, 900, 000
Mauritania	419, 000	727, 000
Morocco	172, 100	11, 600, 000
Niger	494, 000	2, 870, 000
Nigeria	356, 669	42, 000, 000
Rwanda	11, 000	2, 500, 000
Senegal	80, 600	3, 300, 000
Sierra Leone	27, 925	2, 600, 000
Somalia	246, 000	2, 000, 000
Sudan	967, 500	12, 109, 000
Tanganyika	362, 688	9, 404, 000
Togo	21, 850	1, 444, 000
Tunisia	48, 332	4, 168, 000
Uganda	93, 981	6, 596, 000
United Arab Republic	386, 198	26, 059, 000
Upper Volta	105, 900	3, 635, 000

THREATENED COMMUNIST TAKEOVER IN HAITI

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. PILLION] is recognized for 1 hour.

Mr. PILLION. Mr. Speaker, the present policies of the United States, directed toward Haiti, are following the same pattern that proved to be so self-defeating in Cuba. Our fumbling diplomacy aided Castro and abetted the Communist movement to produce the existing shameful and dangerous Soviet-Cuban military-political threat to this Nation.

The Soviet-Communist forces are pursuing the same pattern in Haiti that assured the Communist takeover of Cuba. The Communist officials in the Duvalier Cabinet are planning, encouraging, and diabolically carrying out a campaign of bloody terrorism in Haiti.

At the same time, the Communists in Cuba, in the United States, and in Latin America are building a hostile image of Duvalier as a bloody-voodoo dictator. This propaganda is intended to create a world opinion for the liquidation of Duvalier.

A political vacuum would thus be created. And, only the Communists are prepared to fill this political vacuum and seize political control of Haiti.

This was the exact pattern used to destroy Batista and to create Castro's Communist Cuba.

The State Department and our Government are fiddling and finagling while the international Soviet-Communist forces are calculatingly coverting Haiti into a second Soviet satellite at our back door.

In contrast to the realistic plans and actions of the Communist Party, the U.S. State Department has followed its normal pollyanna policies.

The present Communist influences around Duvalier are concrete proof of the success of the Communist policies and the utter failure of the U.S. State Department's policies, programs, and diplomacy.

The U.S. military mission, military assistance, economic, and technical aid have been a failure in Haiti, just as they proved to be a failure in Cuba.

The State Department has withdrawn military and economic aid from Haiti. This cutoff of funds drove Duvalier to seek Communist assistance. The U.S. decision to withdraw aid was based upon the misuse of these funds.

The State Department knew so little about Haiti, that they did not and do not today realize that U.S. aid has been purposely with malice aforethought sabotaged by the Communist officials in the Haiti Government.

Mr. Speaker, the United States can no longer permit our State Department to act as the general manager for the delivery of the free world to Soviet-Communist forces on the installment plan.

Mr. Speaker, I have read recent American newspaper attacks upon President Duvalier. Haiti accuses the U.S. State Department of inspiring this campaign. I agree with Haiti. These articles and editorials follow the State Department's mistaken hope that if President Duvalier is removed from office, our problems with Haiti will be solved.

Now, the issue in Haiti is not whether President Duvalier believes in voodooism. The security of the United States is not directly threatened by the murders and the terrorism reported in Haiti, as shocking as they are to us.

The anti-Duvalier press campaign in the United States and around the world does not reveal but, in fact, conceals the actual issue.

The fundamental issue posed by Haiti is that the Communist forces in Haiti, aided and abetted by the Communist parties of Cuba, France, Czechoslovakia, Poland, and the Soviet, are now in the process of seizing and consolidating de facto political power in Haiti.

The Communist control in Haiti will first bring into Haiti, Czechoslovak, and Polish technicians, to be followed by Soviet troops, armaments and nuclear missiles.

Mr. Speaker, President Duvalier is a sick man.

He is surrounded by a cunningly organized network of Communist agents. They have isolated him from non-Communist contacts.

Who are these Communist agents?

Clovis Desinor was the former secretary to Duvalier. He is a confirmed Communist. He is the No. 1 Communist in respect to influence over Duvalier. He is now a member of the Cabinet, the Minister of Commerce and Industry.

Dr. Herve Boyer was brought into the Government by Desinor. Boyer is a French-trained Communist. His wife is also a French Communist Party member. Boyer is also a member of the Duvalier Cabinet, Minister of Finance.

Luckner Chambronne is another Communist member of the Duvalier Cabinet. He is Minister for Public Works. He is also the personal financial adviser and secretary to President Duvalier.

Jules Blanchet is another French-trained Communist. He is the representative of the Haitian Government in Europe. He is charged with maintaining contacts, and with bringing foreign military and economic assistance to Haiti from France, Czechoslovakia, Poland, and the Soviet.

Dr. Jacques Fourcand is a well-known Communist. He is the personal physician to President Duvalier. He is also Director of Social Welfare Bureau of the Department of Labor and Welfare.

Lucien Montas, another Communist, is Director of the Political Division of the Ministry of Foreign Affairs.

These men, backed and supported by Castro in Cuba, and the Communist Parties of Europe, are the brains and brawn behind the Communist influence over President Duvalier. These are the men who are now in the process of delivering Haiti into the Soviet-Communist camp.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, without meaning to anticipate the remarks of the gentleman, who has done an excellent job of outlining the detail in which the Communist web has been formed around Haiti and neighboring states, could the gentleman tell us if he will be able to give any alternative or plans that our State Department might have to combat this development?

Mr. PILLION. The State Department has no plans to fill this vacuum that has been in effect, I think, since last August. There is a complete vacuum of thought in the CIA and the State Department as to how effectively to deal with the Haitian question.

Mr. DERWINSKI. Would I be erroneous, in the gentleman's opinion, if I stated that the State Department policy seems to be to minimize the situation in Haiti, hoping for the better?

Mr. PILLION. They are completely impractical in their approach to the Haitian problem. That is my confirmed judgment after talking with a number of representatives of our Government.

Mr. DERWINSKI. I certainly hope as a result of the gentleman's discussion this afternoon we can prod the State Department into either developing a program or demonstrating that they are at least thinking about it.

Mr. PILLION. I am afraid the time is gone for the State Department to be able to take effective action. The situation in Haiti has deteriorated to a point where action must be taken far beyond the capabilities of the State Department.

Now, I address myself to you, President Duvalier:

The Communist Parties are planning and are prepared to remove you from the Presidency of Haiti either by execution or exile. Your days are numbered. Your fate is already sealed.

Thus, for the sake of your Haitian people, I ask you, Mr. President, to officially request U.S. military intervention in Haiti for the purpose of restoring and maintaining order, and for the further purpose of assisting you to get rid of the Communists who seek to destroy you and your country.

Mr. President Duvalier, Haiti and the United States have a mutual interest to be attained by our military assistance for intervention in Haiti.

You can prevent the Communists from stealing your country, from converting Haiti into a Soviet puppet and satellite.

The United States is not interested in permanently occupying Haiti. But, the United States is vitally interested in preventing Haiti from becoming a second Cuba-Soviet military and political base for Communist operations that would threaten the security and independence of the United States and all of Latin America.

The further consolidation of Communist power in Haiti would be a tragedy for the people of Haiti. It would constitute another major and political disaster for the United States.

Mr. Speaker, Communist domination of Haiti would greatly increase the Soviet-Communist threat to both our naval base in Guantanamo and to the Panama Canal.

A Communist government in Haiti would exert constant Communist pressures, threatening the independent status of the Dominican Republic.

If our Government now permits Cuban-Soviet-Haitian Communist forces to consolidate their power in Haiti, then worldwide distrust of our leadership, and further disintegration of our resistance to communism will be accelerated.

Mr. Speaker, this Nation can no longer afford to wholly entrust the security and survival of this Nation to the State Department.

If we continue to watch and wait while the international Communist forces work and win, Haiti will soon become a second Soviet offensive military base.

If we wait any longer, we will be confronted not by Haitian Communist forces, but by Soviet troops, armament, and missiles in Haiti.

Our Government, today, is hopefully looking toward the Organization of American States or to the Dominican Republic to provide an all-encompassing solution to the Haiti problem.

We must keep in mind that President Bosch's charges made to the United Nations did not deal with the penetration and consolidation of Soviet-Communist power in Haiti.

Therefore, the referral of this question by the United Nations to the OAS excludes the consideration of this vital question from their agenda.

Mr. Speaker, this Nation cannot rely upon the Dominican Republic or upon the OAS to pull our chestnuts out of the Haitian fire.

The OAS lacks the organization, the military capabilities, the finances, and the leadership to take effective action for the protection of the vital interests of the United States in Haiti.

Mr. Speaker, there is only one practical alternative left to the United States: I call upon our President to immediately land sufficient military forces in Haiti to occupy for the purpose of protecting the vital security interests of both this Nation and this hemisphere.

I call upon the President at the same time to invite all members of the Organization of American States to participate in this military occupancy, designed, not to overthrow any legitimate chief of state; but to prevent a new Communist seizure of power in the Western Hemisphere.

I further call upon the President to warn Cuban, Russian, Czechoslovakia, Polish, and Red Chinese Communists to keep their hands off Haiti.

Mr. Speaker, defeat of this Communist scheme to seize power, will free the people of Haiti to develop an independent government of their choosing, and our forces can and must then be withdrawn.

Mr. Speaker, our Government has many justifications for taking this necessary action.

There is ample precedents for this action in international law.

The Monroe Doctrine, long a firm cornerstone of our foreign policy, declares, in effect, that the United States will consider it hostile and dangerous to the United States if any foreign power establishes any form of absolutist government in the Western Hemisphere, directly or through third parties. This is what Communists have done in Cuba, and what they now intend to do in Haiti.

The Caracas Declaration of Solidarity of 1954 declared:

> The domination of control of the political institutions of any American state by the international Communist movement, extending to this hemisphere the political system of an extracontinental power would constitute a threat to the sovereignty and political independence of the American states, endangering the peace of America.

Mr. Speaker, the justification for immediate action can be found in our landing of forces in Lebanon in 1958 in order to assure the stability of the Government of Lebanon.

But, above all, our justification is the necessity of defending the national security of the United States.

Mr. Speaker, permit me to reemphasize the fact that the failure of the policies of our Government toward Haiti have left us with no practical alternative except that of military intervention.

International Communist forces are waging a war against us. They have declared this war. Their aim is to seize political power in one country after another until they rule the world.

The Communist strategists say that in this war, the political power of the enemy must be destroyed. The will of the people must be overcome, manipulated, and exploited to back Communist power seizures.

The State Department has been unable or unwilling to accept the fact that Communists are waging war against all free peoples for the political control of the world.

On October 2, 1962, I warned the President and the Nation that Haiti was in imminent danger of duplicating the path of Communist Cuba.

My statement at that time underscored the fact that the State Department's indecisive and do-nothing policies of "don't rock the boat" and "we can't lose if we do nothing" were opening the doors of the Western Hemisphere to rapid Communist conquest.

On March 15, 1963, I wrote to Secretary of State Dean Rusk warning that President Duvalier of Haiti was surrounded by Communists and that Haiti was in imminent danger of being captured by Communist forces.

In that letter I urged the State Department to formulate policies implementing the resolution of Congress of October 1962 to "prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or threat of force, its aggressive or subversive activities to any part of the hemisphere."

The answers of the State Department were evasive, and completely lacking in a practical approach to effectively deal with the Communist takeover in Haiti.

Any further delay in dealing with the Haitian crisis may put Haiti beyond our help. History will not forgive us another delay and another defeat.

Mr. Speaker, I urge the Members of this House to support this call upon the President for an immediate military occupancy of Haiti to protect the peace and security of this Nation and this hemisphere.

Mr. UTT. Mr. Speaker, will the gentleman yield?

Mr. PILLION. I am pleased to yield to the gentleman from California.

Mr. UTT. Mr. Speaker, I appreciate the gentleman's remarks with reference to the Communist takeover in Haiti. I should like to ask him if, to carry out his doctrine, if a Communist regime is established, this Government should do all within its power short of war to see that that Communist regime does not survive?

Mr. PILLION. I agree with the gentleman, but I do believe in this case an ounce of prevention is worth of a ton of cure. Now is the time to prevent the complete takeover of Haiti. There is a de facto occupancy by the Communist Party of Haiti, but they still have Duvalier to deal with. We could walk into

Haiti, I am quite sure, and get rid of the Communists around Duvalier by military occupancy. And that is the only way we can do it.

Mr. UTT. If we do not do this, is it the gentleman's opinion that their next move is to go into Santo Domingo?

Mr. PILLION. Yes, because right now they are in touch with Czechoslovakians. They have had a mission there. They have negotiated with the Poles. Communists have gone to Europe and gotten money for Duvalier from Iron Curtain countries. It is a progressive situation. Once a Communist government is firmly established in Haiti it is bound to flow over into the Dominican Republic. And the next in line is our own Puerto Rico. That is the next island that is going to go. It is just one step after another. As I say, an ounce of prevention is worth a ton of cure. If we are going to do anything about Haiti we had better do it now, because a year or 2 years from now we will be confronted, not with the Haitian Ton Ton Macout forces or with the shattered army that he has there today, but we will be confronted with Soviet tanks and nuclear missiles.

Mr. UTT. I thank the gentleman.

Mr. PILLION. I thank the gentleman for his interest. I know of his deep concern with this same problem.

Mr. STINSON. Mr. Speaker, will the gentleman yield?

Mr. PILLION. I am pleased to yield to the gentleman.

Mr. STINSON. I certainly want to commend the gentleman for exposing the Communist threat in Haiti. I should like to ask a question. Does the gentleman have any idea as to what individual the Communists will try to put in power in Haiti instead of President Duvalier?

Mr. PILLION. I would judge it would possibly be this chap Dupress who is now the top Haitian adviser of Castro in Cuba. That is my best judgment. He is a very active, very clever person. He is now in Cuba carrying on radio broadcasts to Haiti. I judge it might be he.

Mr. STINSON. I thank the gentleman.

A TRIBUTE TO EMANUEL CELLER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, kind words of tribute to the Congressman from my State's 10th District have been articulated in this great Chamber on the event of his 75th birthday anniversary. I should like to join in that refrain of appreciation by my congressional brethren and say that to this speaker it has indeed been a source of inspiration and good fortune to have been able to serve with such a congressional giant as the gentleman from New York, Emanuel Celler.

It has been some 23 years now since Manny first befriended me. During the course of those 23 years I have been particularly impressed by his fervency, his cordiality, his incomparable ability, his genuine humility, and his tremendous political acumen.

For me, his continuing congressional career serves as an indispensable inspiration. Whenever I come face to face with a crucial decision, I like to think of how Manny Celler would act given the same problem. Then the issue and the resolve somehow come into proper perspective.

The increasing majorities by which Manny has been returned to the Federal City are more than tributes to his ability. They are also votes of confidence for his evinced courage of conviction and his dedication to the prosecution of man's inhumanity to his fellow man.

For 40 years he has been a leading congressional friend of civil rights and a foe of cant and bias in all forms. The Cellerian contempt for bigotry was perhaps best characterized by the words of Manny himself when he wrote in his autobiography:

> I have no room in my heart for any temperance toward the degradation or despoiling of human dignity.

Manny's legislative accomplishment has had an everlasting impact on the American political scene, especially in the case of his dynamic advocacy for civil rights and antimonopoly legislation. His approach to the legislative process has been marked by a persistent concern for laws which guarantee our country's very social and economic freedom. He will be around for some time to come—let us pray for at least another quarter of a century—continuing his fight to make our great Nation an ever better place to live.

Manny, I am sure I speak for one and all, regardless of party affiliation, when I say that we, who have been privileged to have known you and to have served with you, respect, admire, and love you. And, in this affectionate regard, we could not be more partisan.

That the tree of liberty grows and flourishes in Brooklyn is a condition which you have helped to nurture by your matchless work in Washington.

FIFTEENTH ANNIVERSARY OF THE INDEPENDENCE OF ISRAEL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I wish to congratulate the people of Israel on the 15th anniversary of the independence of their sovereign state. As the last of the British mandatory forces left Palestine on May 14, 1948, the Jewish National Council issued their courageous declaration which established the Israel State and inaugurated a democratic government.

In the subsequent years, Israel has emerged from an underdeveloped state to one of self-sufficiency. Throughout the country, great progress is evident. New schools and apartments, new factories and oil refineries create a picture of prosperity. In fact just this past year, industrial production has increased by 13 percent.

However, because of the lack of water, the development of the Negev, the desert land in the south, has not been as rapidly expanded as other fields. Yet, in the near future, a pipeline will be completed which will carry water to the parched lands from the Sea of Galilee in the north. Dr. Ben-Gurion's dream of making the desert bloom may soon become a realized fact. However, industry around the Dead Sea has expanded above all expectations. Potash, marble, and salt products from this region are now being exported throughout the world.

The people of Israel have worked hard for their success. Yet, success has been attained, disproving the pessimistic prophesies of world opinion in 1948. They can surely be proud of their efforts and of their plans for future development. As a friend of the free world, their position in the world community is honored and respected. As a friend of the United States, I extend congratulations on their achievements.

As Israel celebrates its 15th anniversary, we in the United States may be proud of the part which we played in the development of this remarkable Middle Eastern country. Immediately after its proclamation of independence, our Government gave de facto recognition to the hard-pressed Israelis who were engaged in a struggle against attacking Arab forces. When the situation had become tenable, we began sending aid to the fledgling state. Through our efforts the hungry were fed, the immigrants settled, and the army supplied with equipment.

Yet, it was the ingenuity of the Israeli people that built their country into what it is today—a showplace for democracy. Through the efforts of the Israeli Army, the diversified people who came to Israel from all corners of the earth were molded into a homogeneous race, one devoted to the progress of their country. This development has included agricultural modernization, industrial production, oil refining, and education.

Through Israeli educational facilities, the nation has become a champion of the newly emerging States of Africa and a friend to many of the underdeveloped nations of four continents. From their schools go technicians and experts to other countries who will, upon request, set up similar facilities as exist in Israel, be it a shipping line, communal village, or agricultural center. More important, though, these goodwill ambassadors take with them the principles upon which their government is based—liberty, equality, and justice.

On this day, we salute the Israeli Government on its 15 years of achievement and express the wish that the friendship which exists between our country and Israel will continue to increase in peace and harmony.

A SALUTE TO ISRAEL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, 15 years ago, Israel was proclaimed a sovereign and independent nation and was recognized as such by the leading nations of the world. The dream of Jewish Zionists, forwarded by Herzl and Weizmann, had been fulfilled with the establishment of the national Jewish homeland on May 14, 1948.

From the day of its creation, though, Israelis have had to fight for their existence as freemen. Solidarity and determination have been the characteristics of the defenders of Israel. From their struggles with aggressive Arab forces have emerged a strong nation, bound together by pride, religion, and common aspirations.

Israel today is the most stable nation in the Middle East, where upheavals and coups are an everyday occurrence. To the world, Israel has become the symbol for peace and prosperity. Rapid economic development has taken place. Where once were deserts, cultivated fields now flourish. Cities have risen from the barren plains, and the ancient mining sites of Solomon reopened.

Israel has also become a seat of learning. Thousands of students from other nations have enrolled in the colleges and universities in Jerusalem and Tel-Aviv. Many more thousands of instructors have left Israel to teach the newly emerging nations of Africa the crafts of government and economic development.

We in the United States should recognize with pride the fact that we helped to make Israel what it is today—a strong bastion of democracy for the Western World. It is with gratitude that I am able to contribute this message of good will to the people of Israel as they celebrate their annual independence day anniversary.

A UNIFORM TIME BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, in an effort to bring order out of the confusion which plagues many areas of this Nation during the summer months, I am introducing a bill which would put the entire Nation on daylight saving time for 3 months of the year.

This legislation is companion to a bill being sponsored in the Senate by the Honorable A. WILLIS ROBERTSON of Virginia. Under it this Nation would observe daylight saving time from 2 o'clock ante meridiem on the last Sunday of May each year until 2 o'clock ante meridiem of the first Sunday after Labor Day in September.

This bill would make clear that it is the intent of the Congress to extend daylight saving time to all persons and operations in the United States during these 3 summer months. This action is in accordance with clause 5, section 8, article 1 of the Constitution which delegates to the Congress the power to fix the "standard of weights and measures."

In the past month we have seen several areas switch to daylight saving time. This annual change of time is a confusing process. It is an inconvenience for our common carriers who must meet and deal with schedules, for our communications industries, for broadcasters and banking and, in fact, for our business activity in general.

This variance in time can also be quite costly. It has been estimated, I am informed, that one railroad alone spends $35,000 to $40,000 a year to adjust its information service to its passengers, when this time change occurs. It sounds like something out of Lum 'n Abner to pose the question, "What time will the 3 o'clock train leave, at 2 or 4?" But this question is posed by these time changes, to the confusion of the public and the carrier.

The boundaries, geographical, and political, which regulate the observance of standard or saving time, add more confusion. Some States have made saving time illegal, thus placing a political boundary on the issue, while others leave it up to municipalities and local governing units to determine. Our time zones are now geographically fixed, but even here controversy has arisen.

The need for a rational and definitive coordination of time across this Nation is clear, and the Congress has the delegated power under the Constitution to bring it about. I feel this bill will achieve this.

STUDENTS AT PRINCETON UNIVERSITY GO ON A RAMPAGE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Delaware [Mr. McDOWELL] is recognized for 10 minutes.

Mr. McDOWELL. Mr. Speaker, only a few days ago nearly a thousand students at Princeton University, as the Wilmington (Del.) Morning News, pointed out in an editorial, engaged in "shocking rioting" and "cut loose with a senseless orgy of hooliganism. They tore down fences, threw fireworks into a dance hall, trampled hedges and gardens, tore out screens and upset garbage cans, broke windows, set fires, threw cherry bombs, staged a panty raid, and released a 1-ton air compressor on a highway where it went tearing down a hill, a menace to traffic and life."

In fact, the Wilmington Morning News commented on the "puberty rites" at Princeton.

I include here the editorial from the Wilmington Morning News, for the information of my colleagues:

[From the Wilmington (Del.) Morning News, May 13, 1963]

PUBERTY RITES AT PRINCETON?

The puberty rites of tribes we think of as backward vary widely and include a good deal of cruelty. But many of them seem to serve a social purpose. Perhaps they even prevent serious juvenile delinquency. If so, Americans might in their desperation consider promoting studies by a team of anthropologists to learn how primitive puberty rites can be effectively adapted to American society.

These reflections are promoted by two news items last week. One of them reports the remarks of Dr. Paul Z. Kaunitz of the Yale School of Medicine. He suggested that adolescent preoccupation with motor cars, excessive speed, and daredevil driving can be compared to the puberty rites of the Zuni Indians of New Mexico.

But, he said, there is a serious difference. The Zuni rites are dictated by tradition and approved by the tribe. The "rites" of our own teenagers evoke only disapproval. Once a tribesman has completed his puberty rights, which may involve great daring, suffering, and hunger, he is accepted as an adult and usually behaves responsibly. Our own teenagers, who are not following an accepted pattern, may graduate into further delinquency.

We might well ask to what extent the teenage Negro demonstrators in Birmingham, who were beginning to get out of hand, were unconsciously engaging in the counterpart of puberty rights. And we might well ask the same question about the shocking rioting that has taken place in Princeton.

Princeton students, though they are a bit older and should be more adult than the examples we have been citing, cut loose with a senseless orgy of hooliganism. They tore down fences, threw fireworks into a dance hall, trampled hedges and gardens, tore out door screens and upset garbage cans, broke windows, set fires, threw cherry bombs, staged a panty raid, and released a one-ton air compressor on a highway where it went tearing down a hill, a menace to traffic and life.

We civilized folks don't seem to know how to handle our teenagers. Maybe we should ask some savage tribes to send a "Peace Corps" to help us.

NEW DIRECTION FOR USES?

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CURTIS. Mr. Speaker, it needs no reaffirmation that one of the most important continuing problems of our country is that of unemployment. I applaud the actions which have been taken by Government at all levels and by private groups and corporations to strike at the heart of the unemployment problem—the question of skills which have become unmarketable due to the rapid technological progress we have experienced in our economy. Giving workers new skills when theirs can no longer support them, moving these new skills into the jobs which now go begging because there is no one to fill them with the skills they require is the basic path, in very simplified form, which we must follow.

One agency of our Federal Government which has a part to play in this process is the U.S. Employment Service, a division of the Bureau of Employment Security in the Department of Labor. This agency, the USES, works with the State employment services of the various States to attempt to find positions for the unemployed, places in which the skills they have may be used. Where these skills are no longer marketable, other programs—most importantly retraining—come into play.

Actions of the USES and its associated State employment services have taken a new direction. I seriously question whether the new direction which this agency is taking—turning its attention to finding workers to fill the jobs that are open rather than seeking out jobs for the unemployed—is justified. The distinction between the two may seem no more than two sides of the same coin, but it is deeper than that. The proper function of the Employment Service is to aid the unemployed, to act as their contact with the open jobs in the labor market. Job opportunities which come to the attention of the Employment Service should be used to assist those who have registered with the Service. If no one in the unemployed pool known to the Service has the skills to fit the job, this would open a chance for the utilization of the new Manpower Training Act to give one who is unemployed the skills to fit the job.

But, as I have noted, the Employment Service has turned away from this approach. It now has gone into direct competition with private employment agencies as a medium through which job opportunities are circulated to the community at large, not just among the unemployed. And, with the resources of the Federal Government behind it, the Employment Service enters this competition with a distinct advantage. The extent of the competition is well illustrated in the "help wanted" section of the classified advertisements of the St. Louis Globe-Democrat for the weekend of March 16–17. Ads by the Missouri State Employment Service, affiliated with the USES, are the more eyecatching, more expensive ads in the help wanted columns. Companies and private employment agencies face competition from a Government-sponsored entity willing, it appears, to spend several hundred dollars a week in the St. Louis community to seek out workers for jobs which are open, when it has as its primary task finding open jobs for the unemployed workers it is charged with aiding.

In addition, I am informed that the Employment Service has entered the college placement field, sending recruiters to the colleges and universities of the country urging that the Service be used as a way in which graduating seniors make their employment contacts. Again we see a Government agency running head on into private efforts, competing with private businesses in attracting skilled talent. We have a demand for skilled personnel in our economy, and this demand has long been in touch with the sources of supply to work out a proper accomodation without Government interference or control. Our unemployment problems are not among the skilled, the trained; the Employment Service does a disservice to the people it is in business to help—the unemployed—when it turns its attention and resources to the task of matching the employed or ready employables with job openings which exist.

I would urge the Employment Service to abandon this new area of operation into which it has entered. This is an area in which the free play of economic forces has fashioned procedures which meet our national needs quite adequately. There is an important job to be done by the Employment Service, and it is hurting its capability to do this job by using its resources to branch out into a field where it does not belong.

INTERPARLIAMENTARY UNION

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. St. George] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, the following brief, but excellent, account of the spring meeting in Lausanne of the Interparliamentary Union was submitted by our very able executive secretary, Dr. George B. Galloway.

The U.S. group was well prepared for their work at the Conference, and each of the five committees was covered by one U.S. delegate throughout the Conference.

As president of the group, I wish to pay my respects to all the delegates—Senators Ernest Gruening and Maurine Neuberger and Representatives W. R. Poage, Alexander Pirnie, and Emilio Q. Daddario—who were most diligent and hardworking during the entire Conference.

Report of the Executive Secretary, Interparliamentary Union Council and Committee Meetings, April 15–20, 1963

The spring meetings of the Interparliamentary Union Council and standing committees were held in Lausanne, Switzerland, April 15–20, 1963, in the Palais de Beaulieu. Nearly 200 members of Parliament from 42 different countries in all regions of the world participated. The delegation from the United States consisted of Representative Katharine St. George, chairman; Representatives W. R. Poage, Alexander Pirnie, and Emilio Q. Daddario; and Senators Ernest Gruening and Maurine Neuberger. Dr. George B. Galloway, executive secretary; Darrell St. Claire, fiscal officer; and Dr. Charles J. Zinn, law revision counsel of the House of Representatives, accompanied the delegation.

The Conference opened with a general session at which the delegates were welcomed by Swiss officials of Lausanne and the Canton du Vaud, and by the new IPU president, Raneiri Mazzilli; and heard an address on the history of Swiss political institutions by Mr. Friederich Wahlen, Swiss Foreign Minister.

Four days of the Conference were devoted to a series of meetings by the five standing study committees of the Union. The Political and Disarmament Committee, on which the United States was represented by Representative Pirnie, debated two topics: (1) Methods of increasing the effectiveness of United Nations' action in maintaining international peace and security; and (2) the creation of denuclearized and limited armaments zones as a first step toward general and complete disarmament. The Parliamentary and Juridical Committee, on which Representative Daddario represented the United States, discussed the reports of its subcommittees on space law and juvenile delinquency, and considered the adaptation of representative institutions to the social, economic, and political realities of the world today. The Economic and Social Committee, where Representative Poage represented the United States, debated the world problem of development, including (1) equality between states as an essential basis of international cooperation and development; and (2) relations between industrialized countries and states in process of development. A joint meeting of the Parliamentary and Juridical Committee and the Economic and Social Committee considered the problem of political institutions and administrative structures in developing countries. The Cultural Committee, on which Senator Neuberger represented the United States, discussed democratic access to educational facilities. And the Committee on Non-Self-Governing Territories, where Senator Gruening represented the United States, debated racial discrimination. On all these topics the U.S. delegation was equipped with position papers prepared or pertinent documents assembled in the Legislative Reference Service of the Library of Congress.

During the Conference the executive committee of the Union held its 128th session, and the Interparliamentary Council held its 92d session. Representative Katharine St. George represented the United States at both these sessions.

The five permanent study committees submitted an account of their work to the Interparliamentary Council which, at a meeting held on April 20, drew up the agenda for the 52d Interparliamentary Conference to be held in Belgrade from September 12 to 20, 1963.

The subjects to be discussed there will be (1) methods of increasing the effectiveness of United Nations action in maintaining international peace and security; (2) the creation of denuclearized and limited armaments zones as a first step toward general and complete disarmament; (3) space law; (4) the world problem of development; and (5) racial discrimination.

There will also be an exchange of views on the question of giving adequate hearing to the opinions of economic and social groups within Parliament.

The wide subject of "Democratic Access to Educational Facilities," studied by the Cultural Committee, was not made the subject of a draft resolution but was referred to a subcommittee for further study.

Finally, it was decided to take up study of the important problem of the "Adaptation of Representative Institutions to the Social, Economic and Political Realities of the World Today." This is a theme of particular interest for the Centre on Parliamentary Documentation and Research, which the Council decided to establish in Geneva at the time of its Lausanne session.

The Lausanne session resulted in the admission of four new member groups, all Africans, to the Union. They were Cameroon, Senegal, Sierra Leone, and Somalia. Two other groups, Monaco and Pakistan, were reactivated. The Union now has 69 members.

Respectfully submitted,

George B. Galloway,
Executive Secretary.

May 7, 1963.

CADMIUM

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Broomfield] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, if a business firm cornered the market on a key commodity, held this commodity off the market until an artificial shortage was created, and then released this commodity in dribbles to the highest bidder, it most certainly would find itself in trouble with the Justice Department for possible violation of our Nation's antitrust laws.

Yet, this is the identical situation we face in the cadmium market, a metal vital to a number of industries.

A year ago, a developing shortage of this important metal was brought to my attention by the metalplaters in my district. It was further discovered that the Federal Government had some 11 million pounds of cadmium stockpiled over and above its foreseeable maximum needs.

I introduced a bill in the last Congress to release 2 million pounds of this stockpiled metal. For one reason or another, the General Services Administration did not see fit to issue a favorable report on this bill until some 4 months later—too late for Congress to take action before adjournment.

I introduced an identical bill the first day of the current session of Congress. Through prompt and effective action on the part of the House Armed Services Committee and its Subcommittee No. 2, chaired by the gentleman from Massachusetts [Mr. PHILBIN], this issue was brought to speedy hearings in record time.

During these hearings, both cadmium producers and consumers voiced concern over the procedures that GSA proposed to use in disposing of the surplus cadmium.

However, GSA assured the committee that its procedures would not upset the market, and that the price of cadmium would not be driven upward. The committee agreed to let GSA try its procedures, as long as safeguards were taken not to disrupt the market, so that the cadmium could be released as quickly as possible.

The bill for the release of 2 million pounds of cadmium was passed by Congress and signed into law by the President.

The General Services Administration proceeded to establish what it called an "upset price" in this surplus commodity, and it has turned out that the price was, indeed, well named. It has upset entire industries, forced the market price up out of all reason and in effect has served to penalize those which Congress attempted to assist.

The General Services Administration first put out 150,000 pounds of cadmium to any and all bidders, despite statements in the hearings and the committee report urging GSA to limit cadmium sales to those who would use it in the domestic market.

Evidently, speculators stepped into the field, because the prices received were above all reason. Of the 10 successful bidders on the April 30 award, four were metal traders, one was an electroplating firm and the remainder were manufacturers with their own plating facilities.

The average price of the awards was $2.43 a pound. The Federal Government's cost of acquiring the metal was $1.94 a pound.

Immediately, the price of cadmium on the domestic market shot up to the price of the Government sale.

Where small business firms engaged in electroplating had been hurt badly by the reluctance of the Federal Government to release this metal it did not need, they now found that the procedures used by GSA had hurt them again by forcing up the price of this essential metal necessary to their continuance in business.

Another 118,000 pounds of cadmium contracts were awarded by GSA just the other day, and despite the fact that this amount was supposed to be set aside for small business, with no bids lower than the upset price, again speculation entered into the picture—speculation caused by the Federal Government's manipulations and faulty analysis.

Only 12 plating firms were successful bidders on 56,000 pounds of cadmium. Eight suppliers picked up 40,000 pounds, while four manfacturers with their own plating facilities picked up the remaining 22,000 pounds.

Further, a number of plating firms which bid identical prices as those who were awarded contracts did not receive a pound of cadmium for their efforts.

Suppliers got the cadmium. The users did not.

I feel that the will of Congress has been thwarted, that GSA through its manipulations has succeeded in hurting those which Congress was attempting to help.

There is no doubt in my mind that somebody has cleaned up because of the lack of proper action by GSA in disposing of these stores of cadmium. Furthermore, these people have cleaned up at the expense of small business firms engaged primarily in the electroplating business.

It is already too late to undo the damage which has been done by GSA and its public-be-damned and Congress-be-damned attitudes. However, there is still time for GSA to adjust its policies for the remainder of the cadmium surplus which is authorized to be disposed of in the next few months.

About a year ago, cadmium sold for $1.70 a pound before the Government-created shortage developed. Today, it is going for $2.50 a pound and better.

If GSA does not straighten out this mess within the next week or 10 days, I intend to introduce proposed legislation to release an additional 5 million pounds of stockpiled cadmium at no more than the cost of the average price at which the Government acquired it, which was $1.94 a pound.

I am sure that this proposed legislation would meet with the approval of cadmium users, responsible cadmium producers, and the vast majority of my colleagues in the House of Representatives.

ALLIANCE FOR PROGRESS STUMBLES IN BRAZIL

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. MEADER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MEADER. Mr. Speaker, in my judgment, there is no area in the world more important to the United States with respect to its defense and its economic vitality than Latin America.

For this reason, I welcomed the opportunity to participate in the studies of our aid program in this hemisphere conducted by the Foreign Operations Subcommittee of the House Committee on Government Operations. These studies included the taking of testimony in the principal capitals of South America in 1955, and the filing of a report on the technical assistance program in Latin America; the hearings and report of the subcommittee on the aid program in Peru; the holding of hearings in Mexico, Honduras, Jamaica, and Puerto Rico in 1960 and hearings on the Alliance for Progress, both in Washington and South American capitals in 1961.

During these various studies, I made it a point to discuss conditions and our governmental activities in the particular country with representatives of American business concerns located in South America, and I gained the impression from visiting these business operations and from my discussions with American businessmen and diplomatic officials that the investment of American capital in Latin America was making a lasting and beneficial contribution to the development of economic strength and the building of a middle class so desperately needed for the development of Latin American nations through free economic and political institutions.

I was distressed when the administration's tax bill in the 87th Congress did a complete about-face from the tax incentive principle for foreign investment of the Boggs bill, H.R. 5, which passed the House of Representatives in the 86th Congress. Instead of encouraging economic development abroad through private capital investment, the tax bill actually punished American businesses abroad by the taxation of foreign-earned income at its source and by the abrogation of tax treaties.

It is perfectly apparent that unlimited amounts of U.S. taxpayers' funds turned over to Latin American governments on the basis of promises rather than performance can never substitute for the healthy, lasting economic growth resulting from American business operations in Latin America.

A recent editorial in the Ann Arbor (Mich.) News is entitled "Alliance for Progress Stumbles in Brazil."

I can only add that unless there is a reversal of our approach in our efforts to assist our Latin American neighbors to attain economic strength and political stability, the Alliance for Progress will not only stumble, but will fall on its face.

I include the editorial at this point in my remarks:

[From the Ann Arbor (Mich.) News, May 11, 1963]

ALLIANCE FOR PROGRESS STUMBLES IN BRAZIL

One of the most important developments in foreign affairs during the last few days was the announcement by President Joao Goulart of Brazil that he will make no further effort this year to impose limits on pay raises for Federal employees.

This is scarcely a dramatic development compared to much of the recent news from Latin America, but the meaning is clear: Brazil is not going to stick by the agreement it made on March 25 as a condition for obtaining a $398 million loan from the United States, under the Alliance for Progress.

The conditions of that loan called for Brazil to launch a 3-year program to control inflation; Brazil's inflation is the worst in Latin America, and one of the greatest impediments to the Alliance for Progress. As a first step, Goulart agreed to hold increases in Federal employees' pay to 40 percent above the 1962 level.

He has now abandoned this agreement, seemingly without a fight. As soon as pay for Federal employees came under discussion a few days ago in the Brazilian Congress, spokesmen for Goulart said he would be willing to accept increases up to 60 percent over the 1962 level. This concession was made in the face of hundreds of demands from members of the Congress for Federal pay raises going even higher than 60 percent.

The easy response would be to say that Goulart showed bad faith in his negotiations with U.S. foreign aid officials. But U.S. officials specializing in Latin America are fully informed of Brazil's economic and political situation. They could scarcely have misjudged Goulart's ability to deliver on his part of the loan agreement.

But those who negotiated this latest loan to Brazil would have had great trouble winning support for it from Congress and the U.S. public if they had not obtained a promise from Goulart that he would take immediate steps against inflation. There is, in other words, a basis for suspecting that if bad faith has been shown, it has been mostly on the part of the officials who agreed to the terms under which U.S. funds are being loaned to Brazil. Goulart was probably willing to agree to practically any terms in order to get the loan.

Teodoro Moscoso, director of the U.S. Alliance for Progress agency, said in a recent interview with Ben F. Meyer of the Associated Press that "Intuitively, even those Americans who do not know the details are in favor of the Alliance." He listed Brazil along with Argentina, Chile, and Colombia as the most important South American countries, and said each has launched an economic stabilization program as the basis for receiving U.S. aid.

Goulart's announcement that he was reneging on a key part of Brazil's stabilization program came the day after Moscoso's remarks were published.

Moscoso is quite right in believing that most U.S. taxpayers are "intuitively" willing, even anxious, to do what they can to combat Latin America's economic and social problems. But U.S. taxpayers will quickly lose their enthusiasm for supporting a long-term aid program to Latin America if they are given many occasions for suspecting that their own officials are misleading them as to the program's accomplishments. In this case, Americans were misled on the extent to which Goulart had developed political support at home for an economic stabilization program.

THE INDEPENDENCE OF ISRAEL

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Cahill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CAHILL. Mr. Speaker, the struggle of Israel to obtain and maintain independence since her founding 15 years ago has excited the imagination of all those who love liberty and hope to see the rule of law become a worldwide principle.

The independent State of Israel was born in the mind of Theodore Herzl, whose words and deeds framed the dreams of Jews for the last 2,000 years to return to their homeland. Herzl, by his creation of the world Zionist movement, brought together the organizing talents of the Jewish leaders of a generation ago in the plan for a new Jewish state in the Holy Land, Palestine. Settlers were sent, Jewish community plans were established, and the British Government who controlled the Palestine area under mandate was appealed to for aid. However, before this new state could be formed the Jewish people were to go through their greatest agony—the Nazi extermination camps, in Hitler's mass campaign against the Jews of captured Europe.

At the end of the war there were some 900,000 people living in what was to become the State of Israel, then still under British control. Slowly a great number of those who survived the ghettos and death camps of Nazi-occupied Europe started to make their way to their homeland. Many succeeded against the greatest of obstacles, including the most important of all, the fact that this new homeland to which they were going was itself not yet free.

Yet on they came, and there shelter was made for them in the Holy Land—often it meant only a cave or mean shack, but with their tremendous determination and hope nothing found them daunted.

Finally, after agonizing months of fighting and terrorism against the British, and with the aid of the United Nations, Israel achieved its independence on May 14, 1948. The patriots who had fought so long laid down their arms and took up their plowshares to begin the process of creating out of a desert wasteland, a nation free and prosperous to which all Jews could come in freedom from want and fear.

The first years were rugged and survival precarious—a constant battle against both the unyielding land and the unyielding hostility of her Arab neighbors. But determination and strength of purpose, combined with judicious use of American aid funds and other grants in aid from the world Jewish community, saw victory, at least in land reclamation and the development of schools and community services in much of this desert land.

And now, in that small strip at the far end of the Mediterranean, the land to which Moses led his people from Egypt, new wealth has blossomed forth in a rich, fertile, and progressive Israeli State. Peoples of many nations, Yemenis, Germans, Russians, all have melted together as free citizens dedicated to defend their country from outside aggression, and to build it internally in freedom for all.

Israel, now a land of over 2 million people, has accomplished a miracle in our time and under our own eyes. We all should salute her success to date and wish her the continued peace she so ardently desires in which to work out her future.

NATIONAL POLICE WEEK

Mr. SISK. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOLAND. Mr. Speaker, I wish to call to the attention of the House the fact that we are currently observing National Police Week.

Members may recall that this body approved last October a joint resolution authorizing and requesting the President to issue a proclamation designating in each year the calendar week during which May 15 falls as a period of particular recognition of the services given by the men and women of our country's law-enforcement agencies.

May 15 itself was chosen to be designated, each year, as Peace Officers Memorial Day—in honor of the Federal, State, and municipal officers who have been killed or disabled in the line of duty.

In the United States, we are generally so accustomed to the benefits of law and order that we take them for granted and seldom give the matter any thought at all. Policemen are the object of public attention, as a rule, only in the event that some scandal touches them.

But we would do well to remember that the police task is one of the most difficult in contemporary society. The police do not deal with a tangible product, the marketing of which can be yearly measured as to increase or decline. Their work lies in the field of human behavior—a field involving a multitude of complexities as yet only dimly understood. Complicating this work is the obvious fact that the police themselves are open to human error and frailty as they try to restrain those weaknesses in others.

We are most fortunate to live in a land where the degree of success with which the police have met their difficult tasks is so established that it can be taken for granted. Their round-the-clock activities make it possible for us to live free of that constant fear of violence and disorder which can paralyze civilized pursuits.

Mr. Speaker, we observe our victories in war by honoring the veterans of the Armed Forces. It is to the Nation's credit that we now see fit to observe our internal victories over crime and disorder by honoring the continuing standing forces of our police agencies. I am sure many of my colleagues will be joining with me tonight in the observance of Police Week by attending the congressional dinner sponsored by the Policemen's Association of the District of Columbia.

Mr. Speaker, under unanimous consent, I include with my remarks President Kennedy's Peace Officers Memorial Day and Police Week proclamation, the proclamation by the District Commissioners of Washington, D.C.; the very poignant statement of Police Chief Robert V. Murray, of the Metropolitan Police Department in Washington, D.C.; and the always inspiring words of J. Edgar Hoover, Director of the Federal Bureau of Investigation:

PEACE OFFICERS MEMORIAL DAY AND POLICE WEEK BY THE PRESIDENT OF THE UNITED STATES OF AMERICA—A PROCLAMATION

Whereas from the beginning of this Nation, law enforcement officers have played an important role in safeguarding the rights and freedoms which are guaranteed by the Constitution and in protecting the lives and property of our citizens; and

Whereas through constant application of new procedures and techniques, such officers are becoming more efficient in their enforcement of our laws; and

Whereas it is important that our people know and understand the problems, duties, and responsibilities of their police departments and the necessity for cooperating with them in maintaining law and order; and

Whereas it is fitting and proper that we express our gratitude for the dedicated service and courageous deeds of law enforcement officers and for the contributions they have made to the security and well-being of all our people; and

Whereas by a joint resolution approved October 1, 1962 (76 Stat. 676), the Congress has requested the President to designate May 15 of each year as Peace Officers Memorial Day and the calendar week during which such May 15 occurs as Police Week: Now, therefore,

I, John F. Kennedy, President of the United States of America, do hereby designate May 15, 1963, and May 15 of each succeeding year, as Peace Officers Memorial Day, in honor of those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

I also designate the week of May 12 through May 18, 1963, and the calendar week during which May 15 occurs of each succeeding year, as Police Week, in recognition of the service given by the men and women who, night and day, protect us through enforcement of our laws.

I invite State and local governments, patriotic, civic, and educational organizations, and the people of the United States generally, to observe Peace Officers Memorial Day and Police Week in this year and each succeeding year with appropriate ceremonies in which all our people may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities, and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the city of Washington this 4th day of May in the year of our Lord 1963, and of the Independence of the United States of America the 187th.

JOHN F. KENNEDY.

By the President.

GEORGE W. BALL,
Acting Secretary of State.

POLICE WEEK, MAY 12–18, 1963—PEACE OFFICERS MEMORIAL DAY, MAY 15, 1963, BY THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA—A PROCLAMATION

Whereas the Congress by a joint resolution approved October 1, 1962, has authorized and requested the President of the United States to designate the week of May 12–18, 1963, as Police Week in recognition of the contribution the police officers of America have made to our civilization through their dedicated and unselfish efforts in enforcing the laws of our cities, counties, and States; and

Whereas the Congress also authorized and requested the President to designate May 15, 1963, as Peace Officers Memorial Day in honor of the Federal, State, and municipal peace officers who have been killed or disabled in line of duty; and

Whereas from the beginning of our Nation, peace officers have played an important role in safeguarding the lives of our people and in protecting their property, thereby adding immeasurably to a greater sense of security; and

Whereas it is important that our citizens know and understand the problems, duties, and responsibilities of the police department, and that members of our law-enforcement agencies are fully aware of their duty to serve our people, protecting them against violence or disorder; and

Whereas it is fitting to bestow proper recognition on those law enforcement officers who are devoting their efforts to the preservation of lives and the protection of property, and to all who have preceded them: Now, therefore,

We the Commissioners of the District of Columbia, do hereby designate the week of May 12–18, 1963, as Police Week and May 15, 1963, as Peace Officers Memorial Day in the Nation's Capital, and we urge that appropriate ceremonies be held in which all of our people may join in paying tribute to those officers who protect us through enforcement of the laws of our land and of our community and who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

WALTER N. TOBRINER,
F. J. CLARKE,
JOHN B. DUNCAN,
Commissioners of the District of Columbia.
APRIL 23, 1963.

To All Law Enforcement Officers:

The recent death of Pvt. Elmer L. Hunter on March 22, while in the performance of duty, starkly points out the dangers involved whenever a member of the force walks the streets of this city so that the citizens may live in peace and safety. While this was not the first time a policeman gave his life in the service of the people of Washington, D.C., in the more than 100 years this department has been in existence, it nevertheless was a shock to other officers and the citizens of this city.

Crime is on the increase both locally and nationally and the law enforcement profession becomes more demanding and dangerous each day. Patrolmen go forth daily in the never-ceasing battle of protecting the law-abiding citizens from the activities of the unscrupulous criminal.

It is fitting and right, therefore, that we should recognize all members of our law enforcement agencies by proclaiming Police Week and Peace Officers Memorial Day. I am proud to be a member of the profession and to be associated with the men and women who are part of our ranks. We perform our duties because we enjoy being of service to our fellow men.

We cannot handle our responsibilities, however, without the full cooperation and assistance of the people of this city. Police Week and Memorial Day can be another bridge between the citizens and law enforcement officers * * * to help each of us to better understand our work and problems and cooperate with each other in our efforts to make this a better world in which to live.

ROBERT V. MURRAY,
Metropolitan Chief of Police.

To the Policemen's Association:

The observance of Police Week provides me with a most welcome opportunity to extend greetings and best wishes to the members of the Policemen's Association of the District of Columbia.

This special period of richly deserved recognition for law enforcement should serve as a time of renewed dedication by our profession to the laws with whose enforcement we are charged. It is important that we reassess the challenge presented by the growing crime rate and reaffirm our devotion to the principles of integrity, honesty, and the dignity of man.

America's menacing crime problem threatens our heritage of freedom and justice. It is a matter of great concern to all citizens, and they look to our profession for protection and guidance. We can meet this challenge. Effective cooperation and constant striving for greater efficiency will enable law enforcement to check the spiraling crime trend which plagues the Nation.

JOHN EDGAR HOOVER,
Director,
Federal Bureau of Investigation.

"TO THINE OWN SELF BE TRUE"

Mr. SISK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BYRNE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, my good friend, the distinguished A. Leon Higginbotham, Jr., Commissioner of the Federal Trade Commission, gave a provocative speech at a testimonial dinner in honor of Dr. Horace Dadford West, president of the Meharry Medical College. His dissertation on an interesting and challenging subject was timely. His historical references and discussions on health were revealing. I am pleased to submit his address to the Members of the Congress:

TO THINE OWN SELF BE TRUE [1]

(Speech by A. Leon Higginbotham, Jr., Commissioner, Federal Trade Commission, testimonial dinner for Dr. Horace Dadford West, president of Meharry Medical College, Monday, February 25, 1963)

Dr. West, Dr. Cobb, distinguished guests, alumni of Meharry, leaders in medicine, and friends, on this my first trip to the great State of Tennessee, I am profoundly honored to be present at such an auspicious occasion.

I have always envisioned Nashville as the progenitor of great intellectual accomplishments—surrounded by a cluster of outstanding universities with Meharry Medical College as a preeminent center of medical knowledge and science.

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[1] Shakespeare, "Hamlet," act I, scene 3.

I note that you have three themes this evening—"Light, Liberty, and Learning."

As a lawyer who has been active with the NAACP and other civil rights organizations, liberty for all has always been one of my dominant concerns, and from your rich Tennessee heritage, I note that the great Tennessean, Andrew Jackson, has left a legacy in behalf of liberty, law and order which is instructive to all of us—particularly during these days when there is a rightfully accelerated demand to make America literally the "land of the free and the home of the brave."

In 1815 when it appeared certain that New Orleans would be invaded and conquered by the British, Andrew Jackson with a small brigade defeated them. The story goes that this battle was fought while women and children prayed in the streets for their city to be saved. During the midst of the campaign after he had declared martial law, Jackson had a newspaper editor arrested for an article written critical of Jackson's administration under martial law; when a Federal judge for the Territory of New Orleans issued a writ of habeas corpus to release the editor from jail, Jackson ordered that the judge be arrested or banished from the territory. When martial law was terminated and civil law reinstated, the first action of the judge was to issue a show cause order against Jackson for a contempt hearing. On the date of the trial, Jackson dutifully obeyed the order by appearing in the courtroom. On that day he wore civilian clothes rather than his usually colorful military regalia and thus was not recognized by the crowd when he first arrived. The judge found Jackson guilty and fined him $1,000 which, without appeal, he paid forthwith. Upon leaving the courtroom, he was greeted by a tumultuous crowd of his followers and admirers, waiting for him at the steps and courthouse yard. For the mass of folk in New Orleans on that day, Jackson was their savior and because of his heroic defense of their city, they had bestowed upon him the title of "The Hero of New Orleans."

Most persons there felt, due to the exigencies of a military invasion by the foreign enemy, that the fine and contempt verdict were unwarranted; accordingly they were willing to take whatever actions, riotous or otherwise, were suggested by Jackson. Yet, in this potentially explosive and rebellious setting, Jackson with total calmness made an impassioned speech for constitutional law and order when replying to the volatile crowd, as follows:

"I have during the invasion exerted every one of my faculties for the defense and preservation of the Constitution and the laws. On this day I have been called upon to submit to their operations, under circumstances which many persons might have thought sufficient to justify resistance. Considering obedience to the laws, even when we think them unjustly applied, as the first duty of a citizen, and I do not hesitate to comply with the sentence you have heard pronounced; and I entreat you to remember the example I have given you of respectful submission to the administration of justice."

Later as President of the United States, Jackson was confronted with a threatened secession by South Carolina in 1832. A State convention had declared null and void the 1828 and 1832 Federal tariffs and threatened that it would secede in 1833 if the Federal Government attempted to collect duties. For this defiance on December 10, 1832, Jackson issued a proclamation telling the people of South Carolina that disunion by force was armed treason, and said:

"I consider the power to annul a law of the United States, assumed by one State, incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed."

Thus, regardless of whatever eccentricities Jackson may have had, these quotations on the subject of liberty contain prophetic advice to every citizen and particularly for every State official, in every region of our country.

As to liberty and equality for the Negro, in my opinion we have today the most effective Attorney General in the history of this Nation. It is of significance that Attorney General Robert Kennedy's first formal speech was given at the University of Georgia Law School and there on May 6, 1961, he noted:

"In all cases * * * I say to you today that if the orders of the court are circumvented, the Department of Justice will act. We will not stand by or be aloof. We will move."

And in your State of Tennessee, you can note the impact not of promises but of movement. As an example, because of the heroic determination of Negro citizens and the appropriate supporting action of the U.S. Department of Justice, from 1960 to 1962 the "number of Negroes registered has increased from none to more than 2,000 in Haywood County, and from 58 to more than 3,000 in Fayette County."

Yet, we are here today to do more than merely catalog present accomplishments or acknowledge a theoretical landmark of Jacksonian democracy since we know that such heritage has often not been implemented for America's oft forgotten brother—the Negro. We are here to commend a great man, Dr. Harold D. West; we are here to salute a distinguished medical school, Meharry Medical College—for what both Dr. West and Meharry Medical College have done for the Negro in America—to make him a vital and healthy part of America, and for what this institution and man have done to assure that the American dream of life, liberty, and happiness applies to all men—both black and white.

As I again look at your theme of "Light, Liberty, and Learning," "Truth" is the one word which pervades all three elements. If my remarks were to be cast in a text, I would choose them from Shakespeare in Polonius' admonition to Laertes: "This above all: To thine ownself be true, and it must follow, as the night the day, thou canst not then be false to any man."

The highest praise that I can give to Meharry is that it has been true to itself and to its ideals. And those ideals are not the narrow ideals of one religion or race but rather the perfections toward which all men and women strive.

Let us look at some of the great truths of medicine and great truths of Meharry—first as to Meharry's impact: One who would dare to envision the impact of Meharry could first think in far-off Africa; there an African with malaria—perhaps a mother who could speak only Swahili—might yesterday have been saved from certain death, saved because she had been treated by a physician trained at Meharry; or saved because she had received medicine through a public health program initiated by an African who studied at Meharry. This thought is not based on conjecture, I have been in Africa, I have met some of your distinguished graduates such as Dr. Malikibu; I have noted their indomitable efforts to lift the health level of Africa. Indeed the sharp impact of their program is now being felt in the jungles and in the towns throughout that vast continent.

Perhaps tomorrow in New York City, as the result of an automobile accident, a child will have a basal fracture with a subarachnoid hemorrhage and subdural hematoma; and that child may be able to live because the pressure is released from the brain by the delicate and meticulous skill of a neurosurgeon who received his early medical training at Meharry. And this very night millions of Negroes will go to bed, perhaps some without knowing that their life expectancy is now greater than that of their parents, and the Negro's life expectancy is longer because hundreds of Meharry graduates are and have been providing for Negroes first class medical care in cities and towns where they would not have received any medical care if it had not been for Meharry.

Think of it. Meharry has trained 50 percent of the Negro physicians and dentists now practicing in this country. If there had not been Meharry, many American Negroes would not have had any physician and, I repeat, not any physician of any race or any color. Thus, the brutal fact of our heritage is that in many farms, hamlets and towns the choice would have been and still is either no medical care or a Meharry trained physician.

Tonight, we acknowledge and thank God that morticians and cemeteries have been deprived of profits because there have been Meharry doctors to make the sick recover and make the weak strong.

As we look at the truth of our America, we know that America is now stronger because there has been a Meharry. For the battles ahead in the fight against totalitarianism, America, because of Meharry physicians, has a greater capacity to survive; Meharry has caused the colored segment of the Nation to have steadily improving health so that they can apply their muscles to the wheels of industry and their brains to the technology of tomorrow. Thus tonight white America can sleep more securely because in their Nation's defense there is an extra margin provided by the increasing vigor and sturdiness of the Negro's body and mind.

The importance of the Nations' health was eloquently expressed by the President last week in his special message to the Congress for additional funds for an expanded program pertaining to professional health personnel and health facilities. He stated:

"Healthy people build a stronger nation, and make a maximum contribution to its growth and development. Good health for all our people (and I emphasize the word all) is a continuous goal. In a democratic society where every human life is precious, we can aspire to no less." Perhaps we are here today to also pay homage to another great truth—the truth of medicine—that no group and no nation can claim that it is the sole or exclusive contributor to medicine. Instead our sciences' greatness is derived from the very heterogeneity of its contributors. Dr. Cobb and his associates have presented commendable scholarly data to indicate that the earliest historical figure of importance in medicine was Imhotep in about 3000 B.C. Thus, Imhotep is a vivid reminder that before any other color, a black skin was associated with distinction in medicine. Negroes view with pride the great contributions made by Dr. Drew in blood plasma; Dr. Cobb in anatomy; Dr. West with amino acid; Dr. Wright and his distinguished daughter and hundreds of others who by the profoundness of their contributions have helped to obliterate disease and expand our life expectancy to the paradoxical point that the science of geriatrics, or old age, has become a household word.

Dr. Fosdick has captured the concept with greater eloquence than most when he said:

"Whether we wish it or not, an indelible pattern of unity has been woven into the society of mankind. There is not an area of activity in which this cannot be illustrated. An American soldier wounded on the battlefield in the Far East owes his life to the Japanese scientist, Kitasato, who isolated the bacillus of tetanus. A Russian soldier saved by a blood transfusion is indebted to Lansteiner, an Austrian. A German soldier is shielded from typhoid fever with the help of a Russian, Metchnikoff. A Dutch marine in the East Indies is protected from malaria because of the experiments of an Italian, Grassi; while a British aviator in North America escapes death from surgical operation because a Frenchman, Pasteur, and a German, Koch, elaborated a technique in peace as in war.

"We are all beneficiaries of contributions to knowledge made by every nation in the world. Our children are guarded from diphtheria by what a Japanese and a German did. They are protected from rabies because of a Frenchman. They are cured of pellagra from the researches of an Austrian. From birth to death they are surrounded by an invisible company—the spirits of men who never served a lesser loyalty than the welfare of mankind. The best that every individual or group has produced anywhere in the world has always been available to serve the race of men regardless of nation or color."

Another truth which we recognize and honor is that Meharry is a product of mutual cooperation of the races, by its founding and by its very development.

It seems that Meharry presents the formula of greatness to America. In honoring Meharry and Dr. West today, we honor the great foundations created by men sensitive to the needs of mankind, by men who have been willing to jettison their fortunes to create horizons for their less fortunate brothers—Meharry knows these foundations well: Carnegie, Rockefeller General Education Board, the Rosenwald Fund, the Harkness Foundation, the Kellogg Foundation, the Methodist Board, plus substantial contributions by many individuals.

As I view the procession of physicians who pass through our lives, I often am reminded of an old parable. Once three stonemasons were asked, one after the other, what they were doing. The first, without looking up, answered, "Earning my living." The second replied, "I am shaping this stone to pattern." The third lifted his eyes, paused and said, "I am building a cathedral" So it is with the men of medicine. The attitude and preparation of some show that they have no conception of their effort higher than making a living or purchasing a mink coat and Cadillac for their wife; others are dutiful but uninspired in trying to shape their research or practice to a work-a-day pattern; but it lifts the heart of all mankind when we recognize that some men of medicine, in the image of Dr. West and the other great men of Meharry, have recognized that they are building a cathedral for all humanity. We know that the great men of Meharry, if they had been concerned about merely earning a living, would never have stayed here for there are more profitable ventures than teaching and research; we know that if the great men of Meharry were merely trying to establish a successful research pattern—the commercial laboratories would have granted them more lucrative opportunities but only the men who wanted to build a cathedral, only the men who in their dreams saw the highest star or constellation, only the men who knew that when one builds a great medical school as with a cathedral, that a legacy is left to uplift all Negroes and all mankind for eternity, only men of such illumination would have been able to stay here for the decades that Dr. West has known the headaches, the heartaches, and the lonely moments which every administrator knows, when those around him, who seemingly could help him most, remain silent in the hour of greatest need.

These physicians and scientists were born into a world they never created—a world which greeted them with fear, prejudice and ignorance. It would have been easier to repay such a world with misanthropy and indifference. Instead they have constructed their own world both at Meharry and throughout all parts of the globe as a universe of dedication, of selflessness, and ministration to the fears and ills of all men.

In closing, it might be appropriate to mention one other parable:

In historic times, an old man stood on the outskirts of Damascus, and he observed Death walk by. He asked Death where was he going and how many people would be killed. Death replied—20,000 at Damascus. Some days later the old man still stood by the road, now with unlimited grief. As he saw Death approach he said, "Death you lied to me, you said you were going to take only 20,000 lives and instead you took 100,000." Death replied, "Old man I did not lie to you, I took 20,000, but fear took the rest, fear took 80 percent of those who unnecessarily died."

If we are going to think of what is the future of Meharry, perhaps tonight we should make a pact that fear will not be our companion. Instead we should recognize that Meharry's great capital improvement program can be accomplished only if each of us meets our responsibilities—to paraphrase Horace Mann—"Of being ashamed to die until you have won some great victories for humanity."

If we will abolish any fears of pettiness which separate us as individuals and as a race and give to Meharry the type of greatness and support that it has given to America, then Meharry's cathedral will be the brightest constellation of man's greatest horizon and greatest potential. Its scope will be worldwide; its depth from heaven to hell.

Though of course we urge total integration and total equality of opportunity in all medical schools, we should cast away the jibberish fear that alleged integration of the predominantly white medical schools will cause the demise of the great Negro institutions such as Meharry which have carried 99 percent of the brunt from slavery to date. The truth of the matter is that while in 1955 there were 216 Negroes enrolled in predominantly white medical schools, in 1962 there were only 164; thus a decrease of almost 25 percent.

The choice is not integration at other schools and a diminution of Meharry, the answer is a simultaneous insistence of equality of opportunity at all schools while at the same time building and expanding Meharry as the world's finest available for all; we cannot risk the future of the Negroes' health on the uncertainty of other schools absorbing the gap. I emphasize that this fact is basic. Even though I have never attended a university or college known as a Negro institution, and even though I was treated with total fairness at Yale and Antioch, I know that the trickle of graduates—black and white—into the Ivy League cannot by itself solve all of the problems of the human league.

Thus, let us as Shakespeare said, "To thine own self be true."

Let us conclude this evening by something more than a mere round of applause for Dr. West.

In his Gettysburg Address, Abraham Lincoln expressed the philosophical precept for the termination of this testimonial banquet. He said:

"The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. * * * It is rather for us to be here dedicated to the great tasks remaining before us. * * * We take increased devotion to that cause for which they gave the last full measure of devotion."

Let us here in every spiritual, material, and financial way possible this evening and forthwith be irrevocably "dedicated to the unfinished work" which Dr. West has thus far so nobly advanced; let us, not by applause or speeches which certainly the world will forget, but by what we do, give that "last full measure of devotion" so that Meharry will be the cathedral of science and greatness for all times to come—indeed for an eternity, for all of mankind.

PROF. CHARLES HICKMAN TITUS TO RETIRE

Mr. SISK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CORMAN. Mr. Speaker, in June of this year, academic circles will honor one of their most luminous minds as homage is paid to Prof. Charles Hickman Titus on the occasion of his formal retirement from the teaching profession. For the past 36 years Professor Titus has conducted his famous "Poli Sci 141" course at the University of California at Los Angeles. Of course, that university will feel the impact of his retirement most sharply, but academic circles through our country will be deeply affected also because the world of ideas, like any other, needs constant ferment to produce its best.

Professor Titus has been an iconoclast as a matter of principle. To spark thought among the more than 5,000 student who have flocked to his lectures, he has deliberately taken the opposite side of whatever current mode of thought seemed to be prevailing. Along the way, he has shattered many idols, bruised many feelings, and aroused much wrath. But few students have slept through his lectures.

Professor Titus puts it this way:

> If you find your car in a ditch and want to pull it back to the center, you've got to go the other way beyond the center to get it there. So if I find my students are lovely little conservatives I'm going to the left of center to pull them back. If I find them bright-eyed radicals, then I have to go to the right of center to pull them to the center.

With the ebb and flow of political ideas in America, it is not surprising that Professor Titus has been variously called a Communist, a conservative—his current characterization—an atheist, a militarist. Testimony to his success in disturbing complacency over the years have been the different attempts to have him fired from the university by such incompatible comrades in arms as the American Legion and the Communists. He survived these assaults with Olympian indifference. He was too busy with the mainstream of America to be deflected from his course.

Let no one doubt, however, that he is a man of this century, or believe that his efforts have been unrelated to today's realities. He has shared in the cataclysms of the 20th century, being old enough to be a sergeant in World War I and young enough to be in command of a signal Corps battalion during World War II.

He has lent his prodigious intellectual talents in official and unofficial positions to four administrations, from Hoover and Eisenhower to Roosevelt and Truman.

For the past 40 years—

Said Professor Titus—

> I have felt a professor of political science should be like a professor of chemistry. I think we'd laugh if a professor of chemistry were known to be for hydrogen and against nitrogen. I've taken the view that a professor of political science shouldn't be for Republicans or for Democrats.

As a one-man antidote to the "organization man," he has fought against regimented thinking. His objective in his long years of teaching has been to imbue his students with an untrammeled and probing approach to the problems of mankind. Every idea is to be closely scrutinized, his own included. Proof that his students valued his constant needling is attested to in the fact that five times he has been awarded the Distinguished Service Award as an "outstanding professor" by the Associated Students. Additionally he was one of two persons to receive the unusual recognition of having an entire edition of the Bruin, UCLA's student newspaper, devoted to a review of his life and teaching career.

Summing up his philosophy of teaching, Professor Titus said:

> The last thing in the world the college professor (should) do, it seems to me, is to be smooth and colorless and let people sleep.

We can be sure Professor Titus' students have not been sleeping. If we can solve the many complex problems facing our country in this difficult taxing era, since ideas travel in ever-broadening concentric circles from their original source, it is certainly conceivable that some of the seeds of their solutions could be traced back to the thrust toward fresh thinking planted by Professor Titus. On the other hand, if we should some day find our way toward universal peace and social equity and a just sharing of the world's natural abundance—in other words, if the millenium can ever be reached—I can just imagine the professor's reaction if he should still be around. "Come, come," he'd say, "let's take another look at this so-called millenium."

FEDERAL CHARTERS FOR MUTUAL SAVINGS BANKS—H.R. 258

Mr. SISK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MULTER. Mr. Speaker, this afternoon I addressed the 43d annual conference of the National Association of Mutual Savings Banks here in Washington.

My remarks—which follow—were concerned with the outlook for Federal charter legislation—legislation which I have introduced in each Congress since 1957. I urge that our colleagues study this proposal, which is incorporated in H.R. 258 and which is before the Banking and Currency Committee.

My remarks at the conference follow:

OUTLOOK FOR FEDERAL CHARTER LEGISLATION

(Address by the Honorable ABRAHAM J. MULTER, Representative from New York, before the 43d annual conference of the National Association of Mutual Savings Banks, May 14, 1963, Sheraton Park Hotel, Washington, D.C.)

The outlook for Federal charter legislation for mutual savings banks is excellent. Indeed, I would say eventual enactment is inevitable because it is sound, forward-looking legislation that will benefit the Nation and particularly communities now without savings banks.

If my judgment on the outlook proves wrong, it will only be because the two industries most directly concerned—mutual savings banks and savings and loans—fail to work together vigorously in seeking this beneficial legislation. What is needed, and needed now, is the kind of united, effective thrift industry action that was brought to bear in the recent tax controversy. This first united action was, in a manner of speaking, in a negative cause—to prevent enactment or minimize the prospect of harmful legislation. The opportunity has now come for joint action in a positive cause—to achieve enactment of progressive legislation that will weld savings and loans and savings banks together in a strong, unified, thrift industry.

There is no need for me to reiterate the broad benefits the Nation will derive from a nationwide dual savings bank system. The increased flow of more evenly distributed savings and mortgage funds, the reduced costs of credit to mortgage borrowers, the strengthening of the dual banking system, the broadened flexibility of investment powers of thrift institutions—these advantages have been indicated on several occasions by private industry, research and academic groups as well as by public bodies. They underlie the endorsement given to Federal charters by the commission on money and credit, by the Federal housing agencies, by the Nation's homebuilders, by the President's Committee on Financial Institutions.

All of these endorsements have been well publicized. One endorsement added recently, however, by a widely respected Federal housing official may have escaped your attention. I refer to the recent speech by J. Stanley Baughman, president of the Federal National Mortgage Association, in which he said: "In my opinion, the home financing picture would be greatly improved if a dual chartering system, similar to the commercial bank and savings and loan association setup, were to be established for mutual savings banks. The effect of such action would be an expansion of the mutual savings banking industry, an increase in the allocation of investment funds for housing, and the creation of more dynamic competitive conditions."

Thus, there is widespread, objective support for Federal charter legislation because of its recognized national economic benefits. Lacking only is convincing evidence that the thrift industry solidly supports this legislation. Given such support, you can be sure that the Congress will act promptly. My only wonder is why there is any hesitation at all on the part of either savings banks or savings and loans to embrace the Federal charter idea. I am convinced that the future of both institutions is tied directly to this proposal.

For savings banking, Federal chartering is the only practical means of implementing the longstanding objective of nationwide extension.

Efforts to achieve this objective through the State legislative route have been frustrated by the opposition of locally entrenched competitors. It took 2 years to establish one savings bank in Alaska, where the need for additional savings facilities clearly existed, as witness the phenomenal growth of the Alaska Mutual Savings Bank in little over a year.

The advantages of the dual banking system, long available to commercial banks and savings and loans, will become available to savings banks through Federal chartering. This does not mean that State chartered savings banks will rush to obtain Federal charters. It does mean that all savings banks will benefit from the system of checks and balances between Federal and State supervisory authorities. The competitive disadvantages under which many savings banks operate because of outmoded State laws would be erased.

Strangely enough, the executive vice president of the American Bankers Association, who opposes Federal charters for savings banks, summarized well the basic advantages of the dual banking system.

"The ability of banks to shift from one system to the other has certain very definite advantages. Supervisory procedures can become oppressive and harmful to the point where banks cannot adequately meet the needs of their communities. By maintaining a choice of systems, dual banking * * * assures that such oppressive supervisory procedures cannot long continue." One wonders, parenthetically, how Dr. Walker can be so inconsistent as, on the one hand, to advocate strongly the basic advantages of the dual banking system and on the other hand, to advocate just as strongly the denial of this system to savings banks.

Not the least of the advantages of Federal charters for savings banking is that it would make possible much broader representation of your causes in the Congress. To be perfectly blunt about it, you are more effective in Congress with 100 Senators worrying about savings banks in 50 States than you are with 36 Senators from the 18 States in which you are now operating. And after yesterday's speech of your president, John Kress, indicating the increasing influence of Washington in savings banks affairs, you should have no doubts about the importance of more effective representation in the Nation's Capital.

As for the savings and loan business, most of its leaders have now come to realize the advantages—yes, even the necessity—of broadening their loan and investment powers. It was only recently, however, that the conviction ran strong in savings and loan circles that continued specialization in home mortgage finance was the key to further sound growth. And the Federal Home Loan Bank Board under the previous administration opposed Federal charters for mutual savings banks on the main ground that the conversion of savings and loans with broadened powers would result in a reduced flow of home mortgage funds.

All of this is now changed since the demand for home mortgage credit has declined relative to saving flows. It is broadly recognized both by the current Federal Home Loan Bank Board and industry leaders that a financial business rapidly approaching $100 billion in assets requires investment flexibility and diversification if it is to operate soundly in our dynamic economy. This idea was well expressed in the recently issued report of the President's Committee on Financial Institutions, as follows:

"By inhibiting adequate diversification of loans among industries and sectors of the economy, specialization could make financial institutions more vulnerable to insolvency arising from adversity in the particular industries or sectors in which their lending is perforce concentrated. A related danger is that a restricted choice of lending power may induce institutions to reach out for unduly risky loans of the permitted type in an effort to invest funds fully when credit demands in the specialized area are declining."

With all of this I agree, and submit that the most logical route to accomplish broadened investment objectives is through merging the savings and loan and savings bank industries. This would represent the modern Magna Carta that savings and loans have been requesting. Such a merger, through the Federal charter bill, is the next logical step in the evolutionary development of the thrift system.

And several astute savings and loan men have recognized it as such a step. Witness the recent statement of that prominent savings and loan leader and student of finance, Mr. A. D. Theobald, president of the First Federal Savings & Loan Association of Peoria, Ill.:

"So, it seems to me that * * * we have * * * a great opportunity for modernization, for renewed development, for redirection in expanded service under the Federal savings bank law as we in the savings and loan business had under the Federal savings and loan law 31 years ago.

"The strength of my conviction goes to this: If the Federal charter law is adopted in approximately its present form the First Federal Savings & Loan Association of Peoria will convert to a Federal mutual savings bank charter * * * the benefits to the whole central Illinois area, to our members * * * are obvious."

Another distinguished member of the savings and loan community, now deceased, made the following observation not long ago when he was president of the Federal Home Loan Bank of Indianapolis: "I think the savings and loan associations might have more to gain than the mutual savings banks if they could get the mutual savings banks terminology. With the bank and deposit structure, they would be in better shape to do this 1965 to 1970 home financing job than they will be under the present structure."

There has, unfortunately, not been as much general savings and loan support for these views as I think there should be. At the same time, opposition to Federal charters for savings banks has been expressed in terms of fears of increased competition. This position is a shortsighted one and seems to reflect a general lack of knowledge of the contents and objectives of the Federal charter bill on the part of rank and file management.

I can only attribute this to the fact that only recently have the savings and loan trade associations informed their membership about this important legislation. I know that it is not a simple task to get all the facts before several thousand managers. Even in savings banking, a much smaller industry, there are many officers who do not yet seem to grasp the importance of federal charters for their industry. I am convinced that when the facts are fairly and ably presented, and when savings and loan managers have time for study, opposition to this legislation will dwindle. And part of these facts is that savings and loan leaders have worked diligently with savings bankers for years to shape the current bill to meet their needs.

Let me urge, therefore, that it is the duty of savings and loan managers everywhere to study the Federal charter bill carefully. Ask questions about it. Make suggestions for its improvement. I assure everyone of his day in court on this vital issue. But for savings and loan men to oppose the bill without being intimately familiar with its contents is to be derelict in their responsibilities to their savers and borrowers, to their communities and to their industry.

The organized savings and loan leadership is now seeking broader loan and investment powers through direct changes in the savings and loan statutes. As a practical matter, it will not be easy for savings and loans to go it alone in trying to win broader and more flexible loan and investment powers. For it is highly unlikely that the Congress will easily and quickly grant new powers to the savings and loan business. The mood and thinking of the Congress was reflected in the rather narrow definition they insisted on applying to savings and loan associations in enacting last year's tax legislation. It is well known, moreover, that the key executive agencies in the financial field regard savings and loans as specialized home mortgage lenders. They are likely to insist on fairly basic changes in structure and organization before agreeing to a fundamental reorientation in purpose and function.

In this connection, permit me to quote again from the report of the President's Committee on Financial Institutions: "In recommending only a relatively modest deviation from the present portfolio regulations of savings and loan associations, the Committee has been influenced by its endorsement of a system of federally chartered mutual savings banks. The existence of such a system would provide an alternative for savings and loan associations that desired to engage in more diversified lending and investing, under appropriate supervision and safeguards."

So you can see that the Committee is looking to a Federal savings bank system as a vehicle for major broadening of savings and loan powers.

If savings and loans insist on seeking their own legislation, however, and oppose Federal charters for savings banks, they may have to contend with the opposition of savings banking as well as of commercial banking in achieving their legislative goals. This kind of diverse opposition, on top of basic congressional and executive agency doubts, will provide formidable barriers to enactment of special savings and loan legislation. Moreover, the disunity created within the thrift system will nullify the gradual achievement of closer working relationships between savings and loans and savings banks over the years which culminated in the united front presented in the recent tax fight.

In discussing the Federal charter bill, one essential point needs immediate clarification. And that relates to the allegation of some opponents that we seek to create a new financial system. This is patently untrue. The legislation merely seeks to redress the present imbalance in the financial system which finds the savings bank industry the only one denied access to dual charters. "Rusty" Crawford, president of the Bowery Savings Bank put the case succinctly when he said:

"There are National and State commercial banks, there are Federal and State savings and loans, there are Federal and State credit unions * * * mutual savings banking, alone, though it represents more than $40 billion of the deposits of Americans, does not enjoy membership in the dual banking system. We ask, for the benefit of the country as well as for mutual savings banks and their deposits, that our long exile from dual banking be ended—and that it be ended now."

Let the record be set straight, then. We seek only to admit savings banking into the family of dual chartered institutions. Let all this nonsense about creating a third financial system cease.

Indeed, if the ultimate objective of the Federal charter bill is achieved, rather than create a third system, we will unite two separate systems—savings and loan and savings banking—into one strong national thrift industry. The paths of these two systems have been gradually converging over the years; by taking the best aspects of each system the resulting product will be stronger than the separate parts.

The ultimate will not be attained in the financial system, however, until petty differences and jealousies within the thrift industry are set aside in the national interest. Important in this respect are the national trade associations as well as individual financial institutions. Few industries can point with such justifiable pride to their professional staffs as can the savings bank and savings and loan industries. The National Association of Mutual Savings Banks, the U.S. Savings and Loan League, and the National League of Insured Savings Associations have, in the development of industry leadership programs, gained the respect and admiration of public and private groups alike. These associations should now work closely together in molding the Federal charter bill to perfection, so that the best interests of mutual savings banks and savings and loan associations will be served.

In any event, the Congress will not be impressed by arguments that smack of self-interest, no matter how well camouflaged. This is why I believe so firmly that Federal Charter legislation for mutual savings banks will eventually be enacted. The only opposition I have heard so far has come from industries who fear increased competition, or from groups who fear their own personal position will be jeopardized. This kind of opposition does not impress the Congress.

At the same time, it is hardly coincidental that all public and private groups who have viewed the Federal charter idea objectively, have strongly endorsed it. This kind of support does impress the Congress. When the national interest is the only issue, in other words, Federal charters pass the test handsomely.

I am convinced that the time has now come for action on the Federal charter bill. In the 6 years since the bill was first introduced in the Congress, it has been studied and reviewed by knowledgeable groups in and out of Washington. The next step is for the House Committee on Banking and Currency to hold hearings and focus the public spotlight on the main issues.

As you are aware, hearings have been started before the Subcommittee on Bank Supervision and Insurance, of which I have the privilege to be the chairman, on two of my bills, one to establish a Federal Banking Commission and the other to merge into one agency the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation.

What the Congress may do with those two bills I am in no position at this time to say. It is essential, however, that we determine, if possible, the thinking of the Congress with reference to the principles involved in those two bills before we move ahead on the Federal charter bill. If the sentiment is in support of either of those bills with the likelihood of enactment of either or both of them, then there will have to be some changes made in the Federal charter bill to meet the changes in the basic existing statutes. If it develops that there is not likely to be any immediate change in the basic statutes, then of course we will move forward promptly with hearings on the Federal charter bill.

In any event, I want to assure this audience that there will be hearings on the Federal charter bill during the current session of the 88th Congress. I anticipate that the various executive agencies of both the Federal and State Governments will submit important testimony that will go both to the question of whether the bill should be enacted and then also, despite any opposition that they may raise to the enactment of the bill, I would hope that they would submit suggestions about the contents of the bill on the assumption that a bill will be enacted.

I trust that the various segments of the banking industry will follow the same course in presenting their testimony for and against the bill and the various provisions thereof.

Among these groups, I will expect the savings bank leadership to establish the need for a Federal Savings Bank System.

This means that you must present a closely reasoned, fully documented brief substantiating the national economic and other public benefits expected to flow from enactment of the Federal charter bill. Your arguments will have to stand up under a withering crossfire of questioning. I am sure you will be able to meet this test because I believe the facts support you.

In addition to savings bank witnesses, we will want to hear from the savings and loan business—not only from organized trade association leadership but also from individual savings and loan representatives. I hope that after they have restudied the bill, many savings and loan men will recognize it as the Magna Carta for their industry.

There is no doubt but that there are some officers and directors of savings and loan associations that may be opposed to this bill.

Judging from comments and letters which I have received I believe that an overwhelming majority of them favor this bill.

It has been said that plagiarism is the highest form of flattery. If that is so, you are indeed to be complimented for having originated the idea of Federal chartering for savings banks. Despite the opposition of some of the savings and loan people, Mr. Frank B. Yeilding, president of the U.S. Savings & Loan League, in addressing a stockholders' meeting of the Federal Home Loan Bank of Greensboro, came up with almost the identical proposal except that he suggests that we amend their basic legislation so as to give them all the powers and authorities of savings banks and then let the savings banks convert into their system. This begins to sound like a battle not over the merits of the principle involved but a battle over who should get credit for enacting a good principle of law.

Other representatives from real estate, building and lending groups will be given an opportunity to come forth. We know that the National Association of Home Builders has already declared itself in favor of Federal charters and will likely wish to be heard. While the American Bankers Association is opposing the bill, mainly because of the fear of competition—although this is not their stated reason—as usual, many individual commercial bankers do not agree with the position of the association. Those who recognize the inconsistency of acclaiming the virtues of dual banking, except for savings banks, must disavow this American Bankers Association stand. They will be more than welcome to go on the record.

Individuals and groups, from the academic world, from research organizations, and from consumer, veteran and other segments of the public are all welcome to appear and testify at the hearings. The fact is that many groups have an interest in the Federal charter bill. They all have the opportunity to be heard.

Much as I would like to see this bill enacted, I want to assure all those who are interested, that even those who are opposed to the enactment of the bill will be given the same opportunity to present their views as will be given to the supporters of the bill.

In the meantime, the educational process should continue. Let me reiterate my conviction that an open minded, studious evaluation of the Federal savings bank idea will convert both the indifferent and the opposed to vigorous proponents for the current bill.

It has been observed that major banking legislation can only be enacted during a national emergency. This observation will soon have to be modified. No banking emergency is in sight. The Federal charter bill is major banking legislation. And it will be enacted.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Cahill (at the request of Mr. Halleck), on account of official business.

Mr. Fulton of Pennsylvania (at the request of Mr. Halleck), on account of official business.

Mr. Clark (at the request of Mr. Byrne of Pennsylvania), for today, on account of illness.

Mr. Lankford (at the request of Mr. Albert), for the remainder of the week, on account of official business.

Mr. Healey (at the request of Mr. Carey), for Tuesday, May 14, 1963, on account of illness.

Mr. Fuqua (at the request of Mr. Albert), for Tuesday, May 14, 1963, on account of official business.

Mr. Chamberlain (at the request of Mr. Halleck), for Tuesday, May 14, on account of official business.

Mr. Senner (at the request of Mr. Albert), for May 16 through May 23, on account of official business.

Mr. Patten, for May 14 and 15, 1963, on account of official business with Manned Space Flight Subcommittee at Cape Canaveral, where MA-9 Mercury project is scheduled.

Mr. Horton (at the request of Mr. Arends), for May 14 and 15, on account of official committee business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Cameron, for 1 hour, on Monday, May 20, and to revise and extend his remarks.

Mr. Halpern, for 5 minutes, today.

Mr. Halpern (at the request of Mr. Mathias), for 15 minutes, on Wednesday, May 15.

Mr. Curtis (at the request of Mr. Mathias), for 30 minutes, on May 16.

Mr. McDowell (at the request of Mr. Sisk), for 10 minutes, today, and to revise and extend his remarks.

Mr. Farbstein (at the request of Mr. Sisk), for 60 minutes, on Wednesday, May 15, and to revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. Mathias) and to include extraneous matter:)

Mr. Curtis.

Mr. Alger.

Mr. Burton.

Mr. Tollefson.

(The following Members (at the request of Mr. Sisk) and to include extraneous matter:)

Mr. Powell.

Mr. Roybal.

Mr. Flood.

Mr. Feighan in three instances.

Mr. St. Onge.

Mr. Gonzalez.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on May 13, 1963, present to the President, for his approval, a bill of the House of the following title:

H.R. 2842. An act to amend section 3238 of title 18, United States Code.

ADJOURNMENT

Mr. SISK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p.m.) the House adjourned until tomorrow, Wednesday, May 15, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

805. A communication from the President of the United States transmitting a draft of a proposed bill entitled "A bill to amend the Federal Aviation Act of 1958 to provide for the regulation of rates and practices of air carriers and foreign air carriers in foreign air transportation, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

806. A communication from the President of the United States transmitting a draft of a proposed bill entitled "A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a Special Advisory Commission, and for other purposes"; to the Committee on Ways and Means.

807. A letter from the Secretary of Defense, transmitting the Annual Report of the Secretary of Defense for fiscal year 1962, together with the reports of the Secretaries of the Army, Navy, and Air Force, pursuant to section 202(d) of the National Security Act of 1947, as amended; to the Committee on Armed Services.

808. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting the March 1963 report on Department of Defense procurement from small and other business firms, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

809. A letter from the Secretary of State, transmitting a semiannual report on the fiscal operations of the United Nations, which provides data concerning the United Nations financial situation as of December 31, 1962; to the Committee on Foreign Affairs.

810. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of a proposed bill entitled "A bill to terminate cost-of-living allowances for statutory-salaried Federal civilian employees in nonforeign areas, and for other purposes"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. S. 247. An act to authorize survey and establishment of a townsite for the Juneau Indian Village in Alaska; without amendment (Rept. No. 294). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 641. A bill to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project Washington, and for other purposes; without amendment (Rept. No. 295). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 2467. A bill to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak.; with amendment (Rept. No. 296). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 2905. A bill to donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, N. Dak., approximately 275.74 acres of federally owned land; without amendment (Rept. No. 297). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOWDY: Committee on the Judiciary. H.R. 4223. A bill to provide for audit of accounts of private corporations established under Federal law; with amendment (Rept. No. 298). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of this rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 6268. A bill to provide adjustments in order to make uniform the estate acquired for the Vega Dam and Reservoir, Collbran project, Colorado, by authorizing the Secretary of the Interior to reconvey mineral interests in certain lands; to the Committee on Interior and Insular Affairs.

H.R. 6269. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. HORAN:

H.R. 6270. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 6271. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 6272. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. OLSEN of Montana:

H.R. 6273. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 6274. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. BURTON:

H.R. 6275. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 6276. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industries, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 6277. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. MONTOYA:

H.R. 6278. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 6279. A bill to provide (1) that the United States shall pay the actual cost of certain services contracted for Indians in the States of Minnesota, North Dakota, South Dakota, Washington, Idaho, and Wisconsin; and (2) for a more equitable apportionment between such States and the Federal Government of the cost of providing aid and assistance under the Social Security Act to Indians; to the Committee on Interior and Insular Affairs.

By Mr. BRAY:

H.R. 6280. A bill to provide for the establishment and administration of the Lincoln Trail Memorial Parkway in the States of Kentucky, Indiana, and Illinois, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHELF:

H.R. 6281. A bill to provide for the establishment and administration of the Lincoln Trail Memorial Parkway in the States of Kentucky, Indiana, and Illinois, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DUNCAN:

H.R. 6282. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H.R. 6283. A bill to amend the United Nations Participation Act, as amended (63 Stat. 734–736); to the Committee on Foreign Affairs.

By Mr. FULTON of Tennessee:

H.R. 6284. A bill to establish daylight-saving time uniformly throughout the U.S. time zones each year, to make such time the only legal time during the period it is in effect, and to provide additional time zones for the States of Alaska and Hawaii; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLAGHER (by request):

H.R. 6285. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in Federal buildings for periods not to exceed 5 years, and for other purposes; to the Committee on Government Operations.

By Mr. GRAY:

H.R. 6286. A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; to the Committee on Government Operations.

By Mr. HALEY:

H.R. 6287. A bill to amend the act of June 25, 1910 (36 Stat. 857, 25 U.S.C. 406, 407), with respect to the sale of Indian timber; to the Committee on Interior and Insular Affairs.

By Mr. HAWKINS:

H.R. 6288. A bill to provide that no Federal financial or other assistance may be furnished in connection with any program or activity in the United States in which individuals are discriminated against on the ground of their race, religion, color, ancestry, or national origin; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 6289. A bill to provide that the Chicago Skyway (Calumet Skyway toll bridge) shall be operated as a freeway; to the Committee on Public Works.

By Mr. MURPHY of Illinois:

H.R. 6290. A bill to provide that the Chicago Skyway (Calumet Skyway toll bridge) shall be operated as a freeway; to the Committee on Public Works.

By Mr. O'BRIEN of Illinois:

H.R. 6291. A bill to provide that the Chicago Skyway (Calumet Skyway toll bridge) shall be operated as a freeway; to the Committee on Public Works.

By Mr. O'HARA of Illinois:

H.R. 6292. A bill to provide that the Chicago Skyway (Calumet Skyway toll bridge) shall be operated as a freeway; to the Committee on Public Works.

By Mr. KNOX:

H.R. 6293. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. McDOWELL:

H.R. 6294. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Affairs.

H.R. 6295. A bill to amend title 38, United States Code, to exclude, for purposes of dependent parent's benefits for service-connected deaths, income derived from sale of a personal residence under certain conditions; to the Committee on Veterans' Affairs.

By Mr. MacGREGOR:

H.R. 6296. A bill to amend the Agricultural Act of 1956 (70 Stat. 202) to provide donations of surplus food commodities to State and local penal institutions; to the Committee on Agriculture.

By Mr. MATSUNAGA:

H.R. 6297. A bill to amend the Agricultural Act of 1949 to provide for the stockpiling, storage, and distribution of agricultural commodities and products thereof for emergency purposes; to the Committee on Agriculture.

By Mr. GILL:

H.R. 6298. A bill to amend the Agricultural Act of 1949 to provide for the stockpiling, storage, and distribution of agricultural commodities and products thereof for emergency purposes; to the Committee on Agriculture.

By Mr. RIVERS of Alaska:

H.R. 6299. A bill to authorize the Secretary of the Navy to produce and sell crude oil from the Umiat field, Naval Petroleum Reserve No. 4, for the purpose of making local fuel available for use in connection with the drilling, mechanical and heating operations of those involved in oil and gas exploration and development work in the nearby areas outside Naval Petroleum Reserve No. 4, and for other purposes; to the Committee on Armed Services.

By Mr. MOORHEAD:

H.R. 6300. A bill to protect civil rights; to the Committee on the Judiciary.

H.R. 6301. A bill to provide that no Federal financial or other assistance may be furnished in connection with any program or activity in the United States in which individuals are discriminated against on the ground of their race, religion, color, ancestry, or national origin; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 6302. A bill to provide for the modification of the central and southern Florida flood control project; to the Committee on Public Works.

By Mr. UTT:

H.R. 6303. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. VINSON:

H.R. 6304. A bill to exempt certain officers of the Armed Forces from dual office and compensation restrictions; to the Committee on Armed Services.

By Mr. FASCELL:

H.J. Res. 405. Joint resolution to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property; to the Committee on Foreign Affairs.

By Mr. ANDERSON:

H.J. Res. 406. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. ARENDS:

H.J. Res. 407. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. BATTIN:

H.J. Res. 408. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. BEERMANN:

H.J. Res. 409. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. BROTZMAN:

H.J. Res. 410. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. CLAUSEN:

H.J. Res. 411. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. DOLE:

H.J. Res. 412. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. FINDLEY:

H.J. Res. 413. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. HALL:

H.J. Res. 414. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. HARVEY of Indiana:

H.J. Res. 415. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. HOEVEN:

H.J. Res. 416. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. KING of New York:

H.J. Res. 417. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. MacGREGOR:

H.J. Res. 418. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. MATHIAS:

H.J. Res. 419. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. MORTON:

H.J. Res. 420. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. NELSEN:

H.J. Res. 421. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. NYGAARD:

H.J. Res. 422. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. QUIE:

H.J. Res. 423. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. REIFEL:

H.J. Res. 424. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. SHORT:

H.J. Res. 425. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. SKUBITZ:

H.J. Res. 426. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. LATTA:

H.J. Res. 427. Joint resolution to prohibit the Secretary of Agriculture from requiring farmer-elected agricultural stabilization and conservation committeemen to support his programs; to the Committee on Agriculture.

By Mr. BELCHER:

H. Con. Res. 156. Concurrent resolution to express the determination of the United States with respect to the matter of general disarmament and arms control; to the Committee on Foreign Affairs.

By Mr. BARRY:

H. Con. Res. 157. Concurrent resolution reaffirming deep interest of the United States in preserving the peace, stability, and freedom of the independent nations and peoples in the Middle East; to the Committee on Foreign Affairs.

By Mr. GIBBONS:

H. Res. 345. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to equal rights for women; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Kansas, memorializing the President and the Congress of the United States relative to calling a convention for proposing an amendment to the Constitution of the United States, unless Congress shall sooner have submitted such an amendment, to provide for the election of the President and Vice President in a manner fair and just to the people; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Kansas, memorializing the President and the Congress of the United States relative to taking all necessary and appropriate action to secure continued access for U.S. agricultural exports to the countries comprising the European Economic Community; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Rhode Island, memorializing the President and the Congress of the United States to study the merger of railroads and to take action necessary to postpone approval of any further mergers pending the outcome of such study; to the committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOW:

H.R. 6305. A bill for the relief of Liliana Vrchkovska Pandoff; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 6306. A bill for the relief of Panagiotis P. Panagopoulos; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 6307. A bill for the relief of Mrs. Agnes Wilson Baxter; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 6308. A bill for the relief of Gerard Puillet; to the Committee on the Judiciary.

H.R. 6309. A bill for the relief of Alvin Roy Chin; to the Committee on the Judiciary.

H.R. 6310. A bill for the relief of Ronald Finlay Farmer; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 6311. A bill for the relief of Mr. and Mrs. Juan Antonio Rivas Lopez; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 6312. A bill for the relief of Sui Wan Lee, Yuk Lan Lee, and Michael Henry Lee; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 6313. A bill for the relief of Stanislaw Kuryj; to the Committee on the Judiciary.

By Mr. MAHON:

H.R. 6314. A bill to provide for the conveyance of certain mineral rights to Elmer M. Gandy, 602 Avenue N, Lubbock, Tex.; to the Committee on Interior and Insular Affairs.

By Mr. MONAGAN:

H.R. 6315. A bill for the relief of Mrs. Consiglia Di Giacomo Vozza; to the Committee on the Judiciary.

H.R. 6316. A bill for the relief of Generoso Bucci Cammisa; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 6317. A bill for the relief of Mrs. Rivka Zuraw; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 6318. A bill for the relief of Mrs. Zoraida Del Pilar; to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 6319. A bill for the relief of Vinicio Ferretti; his wife, Lubiana Vinette Ferretti; and their minor child, Maria Cristina Janette Ferretti; to the Committee on the Judiciary.

By Mr. VINSON:

H.R. 6320. A bill for the relief of Walter L. Mathews and others; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

118. By the SPEAKER: Petition of Michael P. Curran, assistant executive director, Massachusetts League of Cities and Towns, Boston, Mass., relative to commending the Advisory Commission on Intergovernmental Relations for its program of research and reporting on a multitude of problems and issues affecting Federal-State local relations and for its approach to metropolitan area problems; to the Committee on Government Operations.

119. Also petition of John F. Engelke, Evanston, Ill., requesting an immediate and thorough investigation of the severe injustices to American citizens, the destruction of American freedoms, and the subversion of American Government by a movement that is taking place throughout our land; to the Committee on the Judiciary.

120. Also petition of Ruth F. Morgan, deputy city clerk, Gardena, Calif., requesting that the President issue a proclamation designating the period July 1 through July 7 of each year as National Flag Week; to the Committee on the Judiciary.

121. Also petition of Joseph C. Knox, executive secretary, New England Interstate Water Pollution Control Commission, Boston, Mass., relative to going on record as unanimously opposed to section 4 of H.R. 3166 and S. 649; to the Committee on Public Works.

122. Also, petition of William V. Mount, clerk of City Council, Reading, Ohio, expressing the sense of the City Council of Reading, Ohio, relative to Communist goods being sold in the United States; to the Committee on Ways and Means.

123. Also, petition of Placido V. Alipio, municipal secretary, municipality of Orani, Bataan, Philippines, relative to opposing the proposed amendment of Public Law 87-616 transferring the balance of payment of $73 million to the Republic of the Philippines instead to the individual claimants; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Twelfth Annual Congress of the American Latvian Association of the United States

EXTENSION OF REMARKS
OF

HON. MICHAEL A. FEIGHAN

OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 14, 1963

Mr. FEIGHAN. Mr. Speaker, the 12th Annual Congress of the American Latvian Association of the United States was held in New York City on April 26, 1963. It was my pleasure to send a message of greeting to the delegates gathered for that congress from various parts of the United States. My message was as follows:

I am pleased to send warm greetings and best wishes for success to all the delegates attending the 12th Annual Congress of the American Latvian Association of the United States.

Your congress will, I am confident, turn a major part of its deliberations to the central issue of ways and means whereby Latvia may regain its freedom and national independence. It is natural that you should do this because the future of freedom throughout the world, including the United States, is in large measure dependent on the future of freedom in Latvia and the other captive nations. This imperatively underscores the importance of your deliberations as well as the need for concerted and united action by all who share the responsibilities for freedom's cause. I need not point out to you that every American citizen is duty bound to assume his or her full responsibilities in this cause. Some of us are privileged to assume a larger share of this responsibility by virtue of our position, training, or special knowledge of the issues. I would point out here that delegates to your congress have a greater citizen responsibility because so many of them have a firsthand knowledge and experience with the basic issues, which requires them to assume a leadership role in pointing up ways and means to return Latvia to her rightful place in the community of free nations.

It is in this spirit that my remarks are presented to your congress meeting.

I am confident you will agree with me that the prospects of liberating Latvia alone from the grip of Russian imperialism are small if not entirely lacking. To look at the present plight of Latvia as an isolated or singular problem of our time would deny the realities of contemporary international political affairs as well as condemn the people of Latvia to perpetual slavery. Obviously, no rational person would fall into this trap.

I am confident you will agree that liberation of the three Baltic Republics—Latvia, Estonia, and Lithuania—is equally improbable if we restrict our thinking and plans to this limited area of the overall problem. It is true that the Baltic States have much in common, that they suffered a common aggression at the hands of imperial Russia in 1939, and that there is need for a strong regional cohesion among the peoples of these nations. But more than this is necessary to bring a return of freedom and national independence to these nations.

Looking further, we observe that in recent years the Baltic States have been grouped with Poland, Czechoslovakia, Hungary, Rumania, and Bulgaria in many, if not most, of the nongovernmental actions calculated to advance the freedom of all those nations. In particular I have reference to the Assembly of Captive European Nations. While this grouping reflects a degree of unity, it nevertheless tends to obscure the total problem of captive nations. Moreover, this arrangement, whatever its origin or motivation, puts a false limit on the historical meaning of Europe by excluding other European nations which are no less a captive of imperial Russia. I have particular reference to Byelorussia, Ukraine, Georgia, Armenia, and several other nations. The result of this false and arbitrary division of Europe is to divide and weaken the cause of all the captive nations. Nowhere are evidences of this dangerous division of freedom's cause more evident than in the confusion which attends the present efforts to establish a House Committee on Captive Nations. This confusion serves no other purpose but to prolong the agony of the captive nations and provide comfort for imperial Russia.

It is my opinion that none of the captive nations will regain their freedom and national independence until all of them do. This judgment corresponds with a practical appraisal of the imperial system which holds them in captivity. That system must be broken, not one chain at a time, or several chains in isolated action, but all the chains in one concerted and unified program of international political action. I am confident that history provides adequate testimony for this judgment. We need only to look at the lessons learned in East Germany or Hungary. For those who are weighted down with continuing doubts or may be persuaded that a privileged few will be able to escape from the Russian prison house of nations, I would ask these questions:

1. How secure would Latvia and her sister Republics of the Baltic region be if regaining their national independence they were required to coexist with the U.S.S.R.?

2. How secure would the Baltic States and the Central European nations—Poland, Czechoslovakia, Hungary, Rumania, and Bulgaria be if regaining their national independence they were required to coexist with the U.S.S.R.?

3. Can peace with freedom be secure for any nation so long as imperial Russia is allowed to maintain its despotic rule over other nations?

I have other reasons for raising these questions before your congress delegates. I am convinced that an objective examination of these questions will serve to identify the source of the captive nations problem and underscore the urgent need for unity among all the non-Russian nations now held in captivity by Moscow. The human power in all these non-Rusian nations, taken as a collective force for freedoms cause, is much more powerful than all the nuclear bombs and missiles possessed on both sides of the Iron Curtain. Once this human power is fully unified and harnessed in the cause of freedom and independence for all nations, all threats of war will pass and peace will prevail on earth.

I know your congress meeting will make a significant contribution to this objective.

Independence of Israel

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. POWELL. Mr. Speaker, today Israel celebrates the 15th anniversary of her independence. On this memorable occasion, I wish to extend warm felicitations to His Excellency, the Acting President of Israel, Kadish Loz; and His Excellency, the Israel Ambassador to the United States, Avraham Harman.

For 15 years the nations of the world have witnessed the growth of the independent State of Israel. Ever since its establishment on May 14, 1948, we in the United States have been amazed at the industry and perseverence of the people of this country in their desire for progress and success in the world community. From a nation wracked by war and pillage, Israel has now become the shining example for the other newly independent states striving for status and stability.

The internal development of Israel progressed rapidly from the beginning. A succession of extraordinary achievements entitles the Israelis to call themselves citizens of the most progressive, most modern, most developed and most stable nation in the Middle East. In the Negev Desert, new cities are being constructed to house the ever-increasing immigrants who come to Israel seeking a new life. Eilat on the Red Sea has become a bustling port of approximately 7,500 inhabitants. In addition to its harbor facilities, the city now boasts numerous tourist accommodations. Within 5 years, the city planners will have enlarged these facilities so that it will rival the resort towns on the Sea of Galilee.

The Negev has also become important as the center for natural resources. Development within its confines of copper, iron, manganese, and phosphates has enabled Israel to be self-sufficient in these minerals.

Oil, the largest single item of expenditure in imports, has received a priority for development. Recent strikes have permitted the country to eliminate the import of certain crude oils while explorations are now being conducted in the Negev for the possibility of finding sufficient oil to enable Israel to become totally self-sufficient.

As a part of the government's planning, there has been inaugurated a program of technical aid to help requesting nations to achieve development. Begun in 1954, the program now has 83 recipient States and territories. Examples of such aid would include citrus and agricultural development in Liberia, the development of Port Harcourt in Nigeria, salt extraction methods for Ceylon, and the combating of sand flies in Ethiopia. Additional requests are continually being received. Recently the Congolese government has asked for help in training its army. Furthermore, the head of the nuclear chemistry branch of the nuclear energy laboratories has been requested by the United Nations to give advice to nuclear research institutes in Thailand and the Philippines.

For these remarkable achievements, one must pay tribute to the people of Israel, the worker as well as the government official. The guidance of Prime Minister Ben-Gurion, the representation abroad of Presidents Weizmann and Ben-Zvi, the molding by General Dayan of young Israelis into a unified army, have contributed to the strengthening of their country. Yet it is the laborer who builds the roads and constructs the towns, who mines the rich ores and phosphates, and who plants and harvests the grains and fruits—he is the lifeblood of Israel. His dedication to his country, and his single purpose of advancing his nation have made Israel what it is today. Nowhere, save in the United States, have so many different people come to live and to build for their children a permanent home, free from the persecutions and horrors of anti-Semitism.

We salute the people of Israel on their 15 fruitful years. We express, too, the hope that their nation will continue to progress as it has, and that the friendship between America and Israel will grow in peace and prosperity.

Brig. Gen. Joseph M. Tully

EXTENSION OF REMARKS

OF

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. GONZALEZ. Mr. Speaker, on May 1, a warrior passed away in San Antonio, Tex. This man, Brig. Gen. Joseph M. Tully, devoted his life to the service of this country and his service was distinguished.

General Tully was born in Orange, N.J., on October 4, 1893. He attended West Point and graduated there in June 1916. Commissioned a second lieutenant, he joined the 16th Cavalry which was then stationed at old Fort Travis on the Texas border. In April 1917, he married Miss Fanny Laura Smith in San Antonio, Tex.

Tully held the rank of colonel at the time of the outbreak of World War II and commanded the 4th Cavalry Regiment.

General Tully's troops were the first to land on the beaches of Normandy on June 6, 1944—D-day. His troops then joined the 81st and 101st Airborne Divisions which had landed earlier in a parachute assault.

By October of 1944, Tully was assistant division commander of the 90th Infantry and had attained the rank of brigadier general. He commanded the 80th Infantry Division during the occupation. General Tully was an intimate friend of Generals Wainwright, Marshall, Patton, Collins, and Ernest.

Following World War II, General Tully served as chief of staff of the 2d Infantry Division at Fort Lewis, Wash., and served in that same capacity in Korea. He retired to San Antonio, Tex., in 1951.

General Tully's sons are also military men. Capt. Joseph M. Tully, Jr. is now in Sanford, Fla., while Lt. Col. Larkin S. Tully is at Maxwell Air Force Base, Ala. Lt. Col. Robert Tully is in Washington, D.C., at this time.

Mr. Speaker, we have lost a distinguished warrior, and in this loss we are sorrowful. But he left behind the knowledge that he had led a devoted life. Indeed, he left behind his sons, who also serve as he did.

Croatian Independence Day

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. FEIGHAN. Mr. Speaker, on April 28 Croatian National Independence Day was observed at a great public rally in Cleveland, Ohio. It was my pleasure to send a message of greeting to that observance, which means so much to all Americans of Croatian origin and to the Croatian people in their homeland. By leave granted, I insert in the RECORD the message I sent on this occasion:

> I send warm greetings and salutations to all who are gathered in Cleveland to celebrate Croatian National Independence Day. This is a day of great significance to Croatians everywhere, throughout the free world and in the homeland, because it symbolizes the long struggle of the Croatian people to be masters of their national destiny. It serves to remind all that Croatia was once free and independent. It causes us to recall the manner in which Croatian national independence was destroyed by the Tito Communists, with the help of imperial Russia. And it heralds the resolve of Croatians everywhere to fight on for victory over the forces of imperial communism which victory will bring a return of national independence to Croatia.
>
> The struggle against Tito imperial communism has been long and trying. Our camp, the camp of freemen, has been beset with confusion and error in judging the character of the regime which now controls the Yugoslav Empire. Tito has been the most effective Trojan Horse in the history of mankind's struggle to be free. His mission as advance agent and provocateur for imperial Russia is clear to anyone who will take the time to review his record. Time and time again Tito has publicly stated his allegiance to the cause of Moscow. His actions in support of Moscow's global plans of conquest are too numerous to recite. In moments of crisis threatening the plans of Moscow it has been Tito who came to the forefront as the most faithful servant of imperial Russia. On no count does Tito's record provide evidence that he has in any way diverged from the solid Moscow line—in ruling over the

Yugoslav Empire or as Russian agent in international political affairs. That record makes him the most effective Trojan Horse in history.

Despite that record there are people in the free world who refuse to believe the obvious truth about Tito. Regretfully, some people holding high office in the Government of the United States are most adamant in refusing to face up to these facts. Perhaps the most notable in this regard is George Kennan, who has been as consistently wrong in his opinions about imperial Russia as he has been about his strange hopes for Titoism as an experiment in national communism. His resignation as Yugoslav Ambassador, recently announced in the press, results, so the story goes, from his inability to influence foreign policy in the Kennedy administration and his disappointment with Tito's firm allegiance to Moscow. President Kennedy deserves applause for rejecting Mr. Kennan's attempts to influence American foreign policy. We are in and have long been in serious trouble internationally as a consequence of Mr. Kennan's influence on all matters relating to the basic Russian problem. Mr. Kennan's disappointment in Tito's continuing allegiance to Moscow suggests that he is either unable or unwilling to understand the harsh realities of international political affairs. His tragedy is that he was born too late because his political outlook corresponds to that common during the era of empires, when the concert of monarchs maintained a balance of power and a precarious peace in Europe. His outlook is hardly in tune with the global spirit of national independence which is rapidly reforming both political life and geography on all continents. Let us hope that his passing from the diplomatic scene will open wide the doors for a complete and realistic revision of our policy toward imperial Russia.

Looking to the new spirit which is reforming international political life we observe that morality in international life is now returning to the forefront. That morality is based upon a growing recognition of the nature of man, an increasing acceptance of the dignity which attaches to all human beings and a striving for civil order which corresponds with the nature of the human family. Pope John XXIII, in his great encyclical "Pacem in Terris," calls out for a new order among men and nations based upon morality common to all men by their nature as children of God. Defining the rights and duties of man, the encyclical then prophesies the universal blessings of national independence for all peoples. This quote from "Peace on Earth" is most pertinent to this 22d anniversary of Croatian national independence:

"Finally, the modern world, as compared with the recent past, has taken on an entirely new appearance in the field of social and political life. For since all nations have either achieved or are on the way to achieving independence, there will soon no longer exist a world divided into nations that rule others and nations that are subject to others.

"Men all over the world have today—or will soon have—the rank of citizens in independent nations. No one wants to feel subject to political powers located outside his own country or ethnical group. Thus in very many human beings the inferiority complex which endured for hundreds and thousands of years is disappearing, while in others there is an attenuation and gradual fading of the corresponding superiority complex which had its roots in socioeconomic privileges, sex or political standing."

These words add new hope and vigor to the cause of the many nations held in bondage by imperial Russia and its colonial system—including the imperial Yugoslav appendage. Those who have claimed that Croatia has no right to national independence or who have turned their backs on the struggle of the Croatian people would do well to reflect upon these words of Pope John. As surely as day follows night this moral prophesy will be fulfilled. Let us, together, redouble our efforts to hasten that happy day. In so doing we advance the cause of genuine peace on earth.

Long live Croatia and her gallant people who struggle ever onward toward the goal of national independence.

Rumanian Independence Day

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. FEIGHAN. Mr. Speaker, under leave granted, I insert in the RECORD my remarks on the occasion marking the 86th anniversary of Rumanian national independence held in Cleveland on May 11:

RUMANIAN INDEPENDENCE DAY

Today we again observe Rumanian independence day as a tribute to the Rumanian people and their dedication to the cause of liberty, freedom, and self-government. This day has great meaning to the people of Rumania because it signifies three epics in their centuries long struggle against foreign occupation culminating in victory. All these epics remind us that the present foreign occupation of Rumania is transitory because no foreign power has ever been able to conquer the spirit of the Romanian people. It is the people and not governments which make up a nation. Governments come and go, but the people live on forever.

This 86th anniversary of Rumanian national independence presents an appropriate opportunity to review U.S. policy toward the captive nations and to raise several pertinent questions about it.

To begin with it appears as though we have two policies toward the captive nations.

The first is that enunciated by President Kennedy in numerous public statements of policy—at the United Nations, in reply to a Russian ultimatum on Berlin and Germany, in his state of the Union messages and in numerous other ways. That policy, briefly stated, is support for the universal application of the principle of national self-determination and opposition to all forms of colonialism and imperialism. President Kennedy, in his address before the United Nations, called for free and unfettered plebiscites in all quarters of the globe. He challenged the Russian imperialists to a debate in full on the issues involved. The Russians of course backed down from the challenge because their position as the world's leading imperialists is well known to all informed people. Nevertheless, President Kennedy has continued to stand up for justice and freedom for all nations and peoples. The public record is clear on this point.

The second policy is that being manipulated by the Department of State, rather I should say certain people in the Department. That policy is the same old bankrupt containment concept, dressed up in the fancy new phrase of political evolution. That policy holds that any action taken by the United States to support the aspirations of the now Russian nations behind the Iron Curtain for freedom and national independence will cause world war III. They argue the Russians will not give up any of their colonies without a fight. This leads to the obvious conclusion there is nothing we can do but accept as permanent the enslavement of Rumania and the other captive non-Russian nations. And that conclusion has led to an acceptance of a status quo with the Russian Empire—which the Russians refuse to accept because they have set upon a course to conquer the world. The evidence of failure of that constant and covert policy of the "Russian experts" in the Department of State are to be seen on all sides—in Laos, in India, in the Middle East, in Tito's Yugoslavia, and more lately in Cuba. The Russian imperialists cannot be "contained" and they will not evolve into civilized people.

I have long maintained that the covert Russian beachhead on American foreign policy established in the Department of State is a greater threat to the security of the United States than is imperial Russia. That entrenched group of Russia firsters have tied a Gordian Knot on our moral and political principles—paralyzing our Government from taking any meaningful political action against imperial Russia. They are more dangerous to our survival than 200 Red military divisions. The war in which we are engaged is not being fought by classical military methods—it is a political fight, an ideological fight in which all the powerful weapons in our American political arsenal are either outlawed or made inoperative.

Permit me to point out that Congress as the direct voice of the people has made its position clear with regard to the captive nations. That position is set forth in Public Law 86–90, the Captive Nations Week resolution. As is well known, that resolution makes crystal clear the political realities of the war in which we are engaged. It names imperial Russia as the enslaver of nations and the only threat to world peace. It finds that the aspirations of the people in the captive nations for freedom and independence is the most powerful deterrent to world war III and our best hopes for a just and lasting peace. That is why Congress called upon the President to proclaim Captive Nations Week each July and urged all our people to support the aspirations of the people in the captive nations. Congress thus put itself on record as opposed to a status quo with despotism and rejected the bankrupt concept of containment and its fancy dressed cousin political evolution.

It is fair to question who makes U.S. policy toward the Russian Empire. Is it President Kennedy or the Russian beachhead in the Department of State? Our Constitution says President Kennedy is responsible for setting that policy—that is the reason the American people decide every 4 years who will be and who will not be President for each 4-year term. Otherwise why have an election? Yet, the evidence is conclusive that President Kennedy's public statements of policy toward the Russian Empire have been put under the "Gordian Knot" in the Department of State.

It is equally fair to question whether the opinion of Congress, as expressed in a resolution enacted by that body, has any weight in law or practice. The Russian experts in the State Department have not only ignored the expressed wishes of Congress on this vital question, but they express a contemptuous disregard for the political principles and realistic findings of that law. Do those Russian experts in the State Department expect Congress to rubber stamp their defeatist notions and proven failures of the past as the basis for victory of freedom's cause? I say to you that as far as I am concerned, as a Member of Congress, the only stamp proper for them is exposure and dismissal from the Government.

Let me make this equally clear. There is no conflict between the public statements of policy made by President Kennedy and the findings of Congress in Public Law 86–90. The facts are, they are in harmony—like two peas in a pod, they move toward the same objective, both reflect a desire to use to the fullest all the weapons in the political arsenal of American democracy.

The final question is—in language all of us understand—who is boss of American policy toward the Russian Empire?

Until we get a clear and unqualified answer to that question the cause of human freedom will be delayed and the peril to our security as a Nation will grow more serious.

I am sure you will agree with me that until the issue of who makes and directs our policy toward the Russian Empire is settled, the return of freedom and national independence to Rumania remains in a dark shadow. You and I know that Rumania's independence depends upon concerted, coordinated action by the peoples of all the captive non-Russian nations, supported by the moral and political power of the United States. No one nation can escape from the Russian prison house of nations—but all of them working together against the common enemy possess a power many times more powerful than all the atomic weapons in the world. It is true to say that 90 million Russians cannot maintain their Empire without the acquiescence of the leaders of the free world. That truism stands as a challenge on this 86th anniversary of Rumanian independence.

I join with you in looking forward to the early emancipation of Rumania and all the captive non-Russian nations. You have my assurance that I shall continue to do all in my power to hasten that inevitable day.

Security Firing Without Appeal

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. ROYBAL. Mr. Speaker, as you know, the House recently passed H.R. 950, to amend the Internal Security Act of 1950, by a large 340-to-40 majority. I voted with the minority.

Last year the House also passed an identical bill, H.R. 12082, by an even larger majority, 351 to 24. However, the Senate failed to take action and the measure died with the end of the 87th Congress.

I know of no one who has any dispute with the stated objectives of this bill: To establish a legislative base for enforcing a strict security standard for the employment, and retention in employment, of persons in the National Security Agency; to achieve maximum security for the activities of the Agency; and to strengthen the capability of the Secretary of Defense and the Director of the Agency to provide such security.

The first section of the bill—301—provides that all employment by, detail to, or assignment to NSA, as well as access to classsified information must be "clearly consistent with the national security." Certainly, there is no quarrel with this section.

The second section—302—provides for a full field investigation before a new employee of NSA is cleared and establishes a board of appraisal to review cases in which the Director of NSA feels there is doubt whether access to security information would be clearly consistent with the national security. Again, there is no objection to these provisions.

The third section—303—provides for termination of employment of any officer or employee of NSA by the Secretary of Defense, notwithstanding any other provision of law, "whenever he considers that action to be in the interest of the United States, and he determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of that officer or employee cannot be invoked consistent with the national security."

This same section indicates that "such a determination is final."

Subsection (b) of this section indicates that an employee discharged under the provisions of the section will have to obtain a certificate of eligibility from the Civil Service Commission in order to seek or accept employment with any other department or agency of the United States.

The meaning and implications of this third section of H.R. 950 is what disturbed me and caused me to cast my vote against passage of the measure.

This section vests the Secretary of Defense with the summary and unreviewable power to discharge any employee of the National Security Agency. No hearing whatever is to be granted the employee. No matter how many years he may have been employed, he is not entitled to know what the charges are against him, nor who made them. The only standard by which the Secretary is to be guided is that his action is "in the interest of the United States."

I thoroughly and emphatically disagree with this procedure. For I do not believe that the requirement that an employee receive a full and fair hearing before termination of his employment need in any way jeopardize the personnel security of the National Security Agency.

In my opinion, the firing of Government employees, under security stigma, without charges, without opportunity to answer, without confrontation of accusers, without counsel and without fairness, is an affront to the historic American concept of due process of law.

This kind of legislation is not only not necessary for our national security, it can be an open invitation to punitive and vindictive personnel action.

The procedure for hearings, appeal, and review established in other sensitive agencies of the U.S. Government are effective and workable. They are an asset, not a liability, because they strengthen morale and diminish the chance of mistaken identity, prejudice, and other serious errors of judgment.

These adversary proceedings grow out of a long Anglo-American experience in the administration of justice—out of a knowledge that confrontation and cross-examination are invaluable devices for discovering the truth.

H.R. 950 abolishes the necessity to conduct hearings; it abolishes the normal right of an employee to have stated to him the reason he is being fired. The bill abolishes an employee's normal right to submit a statement on his own behalf, whether it be in secret or whether it be in public hearings. And it waives all of the existing provisions of law contained in the United States Code designed to give an employee minimum safeguards in the Government service.

Moreover, H.R. 950 abolishes any right of court review. Finally, there is the power of the Secretary to delegate this vast power to any subordinate employee he chooses.

When we are dealing with the ever-increasing power of the Central Government, proper and adequate procedures are often as important as the substance of the law being applied. And when you gather together this amount of potentially arbitrary dismissal power in the hands of the Central Government, with no review, no hearing, no check, and no appeal, then you have created something of which we all may well be afraid.

In short, the third section of this bill violates basic American constitutional concepts and is inconsistent with the principles of Anglo-Saxon jurisprudence.

It gives the Secretary of Defense the authority to summarily fire any employee of the National Security Agency without the benefit of the hard-won and jealously guarded rights of administrative due process—one of the hallmarks of our civilization.

H.R. 950 is a product of cold-war hysteria, a hangover from the regrettable days of McCarthyism. We do not need this kind of inquisitorial legislation in America. Our strongest weapon against totalitarian communism is our own Constitution and the Bill of Rights.

H.R. 950 is offensive to these concepts of justice and fairplay. It does not contribute one iota to our security, but rather sets an extremely dangerous precedent threatening the liberties of our fellow Americans.

We are ill advised to fight communism by adopting the star-chamber techniques developed to a fine point by world communism itself. Nor will we advance the cause of freedom and liberty by voluntarily and unnecessarily restricting and circumscribing our precious heritage of constitutional provisions guaranteeing those freedoms and liberties.

The Story Behind the Decline of the Dollar

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. ALGER. Mr. Speaker, if we continue the spending programs and fiscal irresponsibility of the Kennedy administration long enough we will solve the question of the purchasing power of the dollar, it will be worthless.

The following table is an analysis by our honored colleague from the other body, Senator HARRY BYRD, of why the value of the dollar declines, as it appeared in the Washington World:

WHY VALUE OF DOLLAR DECLINES

Here's BYRD's picture of the U.S. fiscal situation:

Foreign aid expenditures:

Fiscal year:	*Billion*
1961	$3.6
1962	3.9

Balance-of-payments deficits:	*Billion*
1960	$3.9
1961	2.5
1962	+2.0

The Dollar Decline. Worth 46.7 cents in October 1960, worth 46.3 cents in October 1961, worth 45.7 cents in October 1962 (based on 1939 index).

Loving Us to Death

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. CURTIS. Mr. Speaker, my very good friend and colleague from Missouri, Dr. DURWARD HALL, recently sent out an excellent newsletter to his constituents in Missouri's Seventh District. In it he analyzes how the political concept of liberalism has changed, how the political label "liberal" has grown away from the liberalism of thought and spirit which gave it birth, how today's political liberals have come full circle to embrace the very thing against which the spirit of liberalism arose—regimentation by a central authority. Now this regimentation is expressed in terms of concern for our fellow man—destruction of the individual is justified as the only way to his salvation.

DURWARD HALL has done an excellent job of pointing up these things in his newsletter. I believe it should be shared with the entire Congress and for that reason, under unanimous consent, I include it in the RECORD at this point:

YOUR CONGRESSMAN REPORTS FROM WASHINGTON

The differences that divide Members of Congress on most major issues today are based on much more than mere party affiliation.

Senators and Representatives tend to become identified either as conservatives or as liberals but over the years these labels have meant different things to different people.

The root word or derivative of liberal is the same as liberty. A few decades ago, those called liberal fought to take the power away from the kings and emperors and to give it to the parliaments; now it is the liberals who are anxious to give more and more power to the Executive at the expense of the legislative branch.

Jenkins Lloyd Jones, in a recent syndicated column, took note of the change that has taken place in liberal philosophy, saying that they are capable of a great degree of dogma, while imagining themselves to be the foes of dogma.

One of the chief characteristics of the professional liberal in America is his naive belief in the corrective power of law. (The attempt to solve a problem with a study group which inevitably recommends the problem be solved by "burying" it with money.)

Every time the liberal sees social maladjustment or a personal tragedy he wants to pass a law to correct it. Gradually, and with the best intentions, he weaves a web of do's and don'ts that paralyzes the individual.

If you keep on passing laws to obviate every possible or alleged injustice you arrive eventually at the ultimate injustice, the police state.

Although the liberal often professes contempt for money, he has almost a childlike faith in its power. What he can't cure with a law he thinks he can cure with an appropriation.

When taxpayers occasionally balk at such expenditures at the local level, he demands that the Federal Government take over, on the theory that the farther the taxing agency is removed from the individual, the more chance there is that the individual will be complacent about the tax. (It's easy to appear before the city council, but how many taxpayers can afford to go to Washington?)

The argument: "If Missouri doesn't take the money, Maine will," is a potent one. Even those who oppose the idea can be excused for their efforts to get some of their hard-earned tax dollars spent back home.

Therefore, the liberal arrives quite illogically at his advocacy of centralized power and bureaucracy. Centralized power is the device by which the normal caution of the taxpayer is overwhelmed by his desires. It outflanks our traditional system of checks and balances, and often negates patriotism.

Federal aid to all schools, the liberal believes, will provide more funds without raising school taxes. (Never mind that every school board in the country is far more solvent today than the Federal Treasury in terms of indebtedness.)

Ninety percent Federal highway money means, the liberal says, that he won't have to pay for a bond issue. Federal welfare, he thinks, means that local responsibility can be shirked. (A good way to avoid a nagging conscience when the Community Chest drive falls short of its goals.)

Under this same philosophy, no one pays for his own medical care, but everyone pays for everybody else's.

One problem with the liberal is that he's getting way behind the times. He can't adjust his dogmas to new forces. He is furious at the price-raising attempt by United States Steel, but unable to comprehend the cost-fixing powers of the United States Steel workers. (He is unable to be responsibly progressive.)

He is irate about the greed of corporations and the evils of stock options. But he pleads that the criminal in the park who stabs for $20 is a deprived person who wouldn't have gone wrong if there had been enough social legislation.

In his effort to cure injustice, he forgets that all the great struggles for freedom have been directed against the overblown force of big government.

The liberal, with minor interruptions, has been in power in America for 30 years. He won't admit error. He has concocted his medicine, and as our colic increases he merely calls for bigger doses.

"The liberal is a nice guy—but he is loving us to death."

The mass of laws and expenditures proposed by the New Frontier makes Jenkins Lloyd Jones look like a prophet. We have been regimented too long. We have subjected an entire generation to credit-card living.

Bills have been introduced in Congress to solve every problem—as though we could ever legislate our way to happiness.

It's so easy to spend at the Federal level where there are no worries about whether income equals outgo. And so we have a $300 billion national debt, an increasing outflow of gold, and a growing demand by everyone to get some of that free money said to be available in Washington. The Santa Claus complex has stifled self-help. It's still not too late to wake up—but the time is getting shorter.

DURWARD G. HALL,
Member of Congress.

APRIL 30, 1963.

Significant Views on Conservation Given by Hon. Wayne N. Aspinall

EXTENSION OF REMARKS

OF

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. BURTON. Mr. Speaker, every year the College of Forest, Range, and Wildlife of the Utah State University at Logan, Utah, designates 1 week in the spring as Conservation Week. During this period meetings are held at which the students have the opportunity of meeting with representatives of public conservation groups as well as Federal, State, and local agencies.

As a Representative in Congress from the State of Utah, I am pleased and proud to advise you that Dean J. Whitney Floyd in conjunction with the student leaders of the college had an excellent program this year during the week of April 29, 1963.

We were indeed fortunate to have as the climax of Conservation Week a message from the Honorable WAYNE N. ASPINALL, who is chairman of the House Committee on Interior and Insular Affairs, on which I have the honor to serve. Congressman ASPINALL has devoted his energies primarily on behalf of conservation and conservation measures. He is a recognized authority in the field of conservation, and even those who disagree with him on individual issues recognize this and respect his judgment.

I was very much interested in seeing that Chairman ASPINALL chose as the title of his paper the resounding statement that "Conservation Values Remain Constant." I agree with the chairman of my committee and commend him for having sent this message to those assembled at the conservation banquet at Utah State University at Logan on May 3, 1963. Mr. Speaker, I think that we should all refresh our memories concerning the conservation movement in the United States and its current posture today.

I suggest that all Members of the House as well as all others interested in the conservation of our natural resources and the administration of public lands will benefit from reading Chairman ASPINALL's remarks. Therefore, under leave previously granted, I include the full text of the chairman's address at this point in the RECORD:

CONSERVATION VALUES REMAIN CONSTANT

It is indeed a pleasure for me to be honored as the speaker at your conservation banquet, which tonight climaxes a weeklong observance sponsored jointly by the College of Forest, Range, and Wildlife Management and the Forestry Club of Utah State University. I know that you have, during your discussions, focused attention on the major conservation issues facing the Nation.

I am encouraged by the presence during these discussions of representatives of various groups interested in conservation. Because I realize that many of us would achieve our objectives through different means than those of our coworkers, I think it is particularly beneficial to have these interchanges of ideas among people dedicated to the conservation of our natural resources.

It is my purpose to speak to you this evening concerning the role of Congress in this field. I have stated on other occasions that I believe Congress to be a stabilizing influence in developing conservation policy. I have therefore titled these remarks "Conservation Values Remain Constant."

Everyone here is aware, I know, that conservation as an American philosophy was fathered in the latter part of the 19th century. As developed by Gifford Pinchot and President Theodore Roosevelt in the early part of the 20th century, conservation was both an ideology and an action program, with the dominant concept being wise use.

For the record, let us remind ourselves that the conservation movement began because of an increasing realization that the resources of our abundant continent were not inexhaustible. Decline in forest and fish resources were particularly rapid and noticeable. Pinchot, as one of the few trained foresters in the United States at that period, was in an excellent position to take note of and be deeply distressed by what he saw happening in his special field. Thus it may be said that the work of the Roosevelt conservationists was inspired primarily by the need of preventing waste. We also recognize that because a Federal grand jury, in 1904 and 1905, returned 26 indictments against timber groups, land speculators, locators, and Federal officials, the conservationists were spurred on in part by the frauds and evasions practiced under the existing laws. In summary, the Pinchot-Roosevelt philosophy recognized that notwithstanding our abundant resources, we are not so favored that we can either lock them up on the one hand or either throw them away or despoil them on the other.

Their concept was a positive one of use; conservation to Pinchot and Roosevelt was "wise use." This meant that they favored commercial development of the forest reserves, a system of timber sales, and a timber management plan; grazing of livestock was favored. President Roosevelt in 1901 said:

"The fundamental idea of forestry is the perpetuation of forests by use. Forest protection is not an end in itself; it is a means to increase and sustain the resources of our country and the industries which depend upon them * * *."

Speaking in 1903, Pinchot said:

"The object of our forest policy is not to preserve the forests because they are beautiful—or because they are refuges for the wild creatures of the wilderness—but the making of prosperous homes—every other consideration becomes secondary."

Conservation as "wise use" soon evolved into the idea of multiple use of resources. Resources formed an interrelated unity—it was not possible to control rivers without taking account of the orderly development of other natural resources. Above all, conservation was the wise use of the earth and its resources for the lasting good of people—the foresighted utilization, preservation and/or renewal of forests, waters, lands, and minerals for the greatest good of the greatest number for the longest time.

Some close students of the period find that conservation was not so much a moral crusade or a part of the progressive political revolt against monopoly, not so much the banner of a crusading political march against the interests led by one of the most able, vigorous, and successful President of our century; rather it was a scientific movement, in essence the application of rational planning to promote the efficient development and use of all natural resources.

Now I recognize and am appreciative of the fact that the fabric of American life in the 1960's is quite different from that at the turn of the century. I understand the changes that have taken place and that are taking place in the development of the Nation. From a predominantly agricultural economy we have shifted to a predominantly industrialized nation with most of our population centering around urban and suburban areas. From a nation of 76.2 million people in 1900, we have grown to a nation in excess of 187.6 million, with the prospect of accelerated population expansion highlighted through advances in science. Parenthetically, I note that this year there will be more babies born in the United States than the total population of 3.9 million counted in the first census of 1790.

We are, therefore, faced with an increased responsibility to satisfy the demands and needs of our people. All of the old needs, such as the homes that Gifford Pinchot spoke of, are still with us, as well as the less tangible things such as areas for mass recreation and primitive and wilderness-type areas to be preserved for man's solitude or for scientific research.

The really big problems that we have facing us, I submit, are: (1) How to develop the principles to guide us and (2) the delineation of procedures to be followed in accomplishing our objective.

The conservation ideas of Pinchot and Roosevelt are as valid today as they were 50 years ago. These ideas are the traditional conservation views of our country. I don't think anyone can or will quarrel with the Pinchot-Roosevelt objective of "the greatest good for the greatest number for the longest time." And I do not think that we can quarrel with the concept of "wise use." The only thing that has happened is that the types of use have increased with the intensified needs of the 1960's.

These concepts of conservation, of course, form the basis of our multiple-use philosophy. But this philosophy also recognized that there would be times when there should be limited use or even a single-purpose use of a given area. The U.S. Constitution places in the Congress the responsibility "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." In meeting its responsibility and exercising the power placed in it by the Constitution, the Congress has enacted many significant conservation measures. The underlying thread of these enactments has been that all of our public lands shall be administered under the principle of multiple-use, unless the Congress determines otherwise. I need not detail for this knowledgeable group a chronology of these conservation statutes. Let me just remind you for the record that in 1872 Yellowstone National Park was established by Act of Congress to be followed by many individual acts establishing individual parks throughout the country. In 1891, we authorized the establishment of forest preserves even though it was not until 1960 that Congress enacted the Multiple Act to govern the management of national forests.

Throughout the years, Congress met individual situations as they developed. In one after another we find that when called upon to grant delegations of authority to the executive branch, Congress has enunciated the basic principles of the Pinchot-Roosevelt philosophy. The Mineral Leasing Act of 1920, the Taylor Grazing Act of 1934, and the Disposal of Materials Act of 1947, as amended in 1955, all enunciate the major objectives of multiple-use to the maximum extent possible.

With the exception of laws specifically authorizing the retention of forest or park areas, all of our public land laws contemplate the ultimate disposition of the unreserved, unappropriated public lands. No general authority has been delegated to the Executive to withdraw lands for permanent retention. So, here too, if basic policy is to be changed, Congress should do so by delineating the areas, if any, to be withdrawn and retained in permanent Federal ownership.

In seeking to satisfy the needs of our expanded population, I think that these basic principles are still valid. I hope and expect the Congress to continue to follow these principles including, when necessary, the reservation of areas for limited or single-purpose use. I say that I hope this course will continue because Congress, as the direct representative of the people, is uniquely able to carry out its responsibility to make the decisions necessary in determining that the maximum benefit for the greatest number will result even though all the resources in a given area are not going to be developed until at some future period when the national welfare or security may demand another decision. And, I submit, the Constitution has quite properly empowered Congress alone to make these decisions.

Last October, I asked the President to join with us in a mutual effort to make provision for our current needs. The President's reply of January 17, 1963 recognized the need for a comprehensive review of the public land laws. He designated the Secretaries of the Interior and Agriculture to work with us. I am happy to advise you that we have been engaged in friendly and productive discussions.

I expect that in the not too distant future we will be prepared to place before the American people a program that will permit the enactment of legislation necessary to take care of the immediate needs while, at the same time, a review is undertaken of the patchwork of public land laws to determine the extent to which these laws must be revised in order to meet the demands of the 1960's.

In the meantime let me leave this message with you: Let your representatives in Congress know your views and in our democratic process the will of the people will prevail.

House Resolution 14: Special Committee on Captive Nations

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. FLOOD. Mr. Speaker, on March 8, 1961, I introduced a measure calling for the establishment of a Special Committee on Captive Nations in the House of Representatives. During the 87th Congress it was known as House Resolution 211, and earlier this year I reintroduced it and in the present 88th Congress it is known as House Resolution 14.

Mr. Speaker, there are not sufficient words to express my profound gratitude and personal delight to the more than 20 Members of the House who joined with me in that most stimulating and very enlightening discussion which took place on the subject of the captive nations—Congressional Record, volume 107, part 3, pages 3518–3544, "Russian Colonialism and the Necessity of a Special Captive Nations Committee."

The popular response to House Resolution 211, now House Resolution 14, has been so enthusiastic and impressive that I feel dutybound to disclose the thoughts and feelings of many Americans who have taken the time to write me on this subject. These citizens are cognizant of the basic reasons underlying the necessity of the proposed committee. They understand clearly the vital contribution that such a committee could make to our national security interests. In many cases, they know that no public or private body is in existence today which is devoted to the task of studying continuously, systematically, and objectively all of the captive nations, those in Eastern Europe and Asia, including the numerous captive nations in the Soviet Union itself.

Because their thoughts and sentiments are expressive and valuable, I include the following responses of our citizens to House Resolution 14 in the Record:

CLEVELAND, OHIO.

Subject: Congressman Flood's House Resolution 14.

Hon. Howard W. Smith,
Chairman, House Rules Committee,
New House Office Building,
Washington, D.C.:

The establishment of a special committee called by this resolution will provide for the national security and indicate the interest of the United States in the people behind the Iron Curtain. Furthermore, it will implement the policy of President Kennedy: "walk softly and carry a big stick."

We, the undersigned students of Cleveland and Kent, Ohio, urge you to support such a resolution in that it will be a manifestation against Russian colonialism and imperialism.

Sincerely yours,
Ihor A. Kunasz, Zenovia Torezanyre, Stefor Dziubre, Tetiana Fedorowycz, Bohdan Futent, Barbara Whittum, Ilena Maluyk, Romana Wyrsta, Roman Wowk, George Kulczycky, Kevitha Saluh, Tubomyka Steciak, Maria Fur, Oksana Pihulak, Martha Olukeyck.

UKRANIAN AMERICAN YOUTH ASSOCIATION, INC., UTICA, N.Y. BRANCH,
April 22, 1963.

Hon. Daniel J. Flood,
Member U.S. Congress, New House Office Building, Washington, D.C.

Dear Congressman Flood: On behalf of our organization, Ukranian American Youth Association, Inc., Utica branch, we urge you to submit the Flood resolution (H. Res. 14) to vote by your committee and ask you to give it your favorable consideration. Such a Committee on Captive Nations is vitally important both for our Government and the American people at large. While Communist Russia has been deceitfully championing the cause of "national liberation" in Africa and Asia, we as a nation are not doing much to help the enslaved and captive non-Russian nations which constitute a veritable weakness of the Soviet totalitarian empire.

A special Committee on Captive Nations in the House of Representatives would become a reservoir of true and unbiased knowledge and information on the plight of the captive nations, which knowledge will be of vital importance to our Government in carrying out its foreign policy.

Thank you.

Respectfully yours,
W. Rabosskyj,
President.
T. Fecouriol,
Secretary.

APRIL 26, 1963.

Representative Daniel J. Flood.

Dear Sir: Have done as you suggested. Read your request in the Tablet.

I have written to Representative Derounian, too. He is an honorable man, a loyal American and a fighter. God bless him.

Thank you for alerting me and God bless you, too.

Cordially,
Mrs. Elizabeth M. Linz.
Glenwood Landing, Long Island.

APRIL 26, 1963.

Hon. Howard W. Smith.

Dear Sir: This letter is written to you because of my deep concern for the survival of our beloved country. You, too, must be greatly disturbed about the critical position this country has been placed in by the advance of communism. Therefore, I ask you to do your utmost to obtain quick passage of House Resolution 14.

As a good American I'm sure you will.

Cordially,
Mrs. Elizabeth M. Linz.
Glenwood Landing, Long Island.

UKRAINIAN CONGRESS COMMITTEE OF AMERICA, NEW HAVEN, CONN., BRANCH,
April 23, 1963.

Hon. Howard W. Smith,
Chairman, House Rules Committee,
New House Office Building,
Washington, D.C.

Dear Congressman Smith: On March 23 a political rally was held by American citizens of Ukrainian descent in New Haven. The speaker was the present president of the anti-Bolshevik bloc of nations and former Ukrainian Premier Jaroslav Stetzko.

Your attention is called to the following quoted article, which was part of the resolutions passed unanimously:

"PART II—ARTICLE I

"We citizens of Ukrainian descent of New Haven, gathered at the rally held on March 23, 1963, support the resolution of the U.S. Congress on the Captive Nations Week and ask the House Rules Committee to place before the U.S. House of Representatives the draft resolution of Congressman Flood concerning the creation of a Special Captive Nation Committee."

With the wholehearted support of the Ukrainian assemblage demonstrated by the passage of the above resolution, we ask that you as chairman of the House Rules Committee consider favorably the Flood resolution and place it before the U.S. House of Representatives.

Thank you for your cooperation.

Sincerely,
Oleg R. Myketey,
Chairman, Ukrainian Congress Committee, New Haven, Conn., Branch.

APRIL 26, 1963.

Hon. Daniel J. Flood,
House of Representatives,
Washington, D.C.

Dear Congressman: Pursuant to your request (Tablet, Apr. 25, 1963) wrote to Chairman Smith and to my Congressman, Ogden Reid, of New York, along the lines you suggested. I hope it does some good. In both letters I gave the House Resolution 14 and the title "for a Committee on the Captive Nations." Also in my letter to Mr. Reid I requested him to get quick action as the above resolution and asked him if he would submit a similar resolution.

Sincerely,
Theodore P. Mangan.
Scarsdale, N.Y.

WOULD PROBE NATIONS CAPTURED BY SOVIET

Dear Sir: The Ukrainian Congress Committee of America and its extensive membership of Americans of Ukrainian ancestry have caused to be published a valuable brochure on the 45th anniversary of Ukraine's independence. The entire project with which I and others were happy to be associated, is in the fundamental interest of our Nation.

The unusual fiery reaction of Moscow and its puppets to the statements in this brochure underscores once again Moscow's fear of our exposing the Soviet-Russian imperio-colonial system in the U.S.S.R. and bringing to full light the status of the captive non-Russian nations in the Soviet Union. This evidence I shall soon present in our continued effort for a Special Committee on the Captive Nations.

Congress cannot for long ignore the pressing need for such a committee. To satisfy this need and to advance our position in the cold war, my colleagues and I are fighting for the passage of the measure establishing a Special Committee on the Captive Nations. Over two dozen resolutions are now before the House Rules Committee.

You can help us by (1) writing to Hon. Howard W. Smith, chairman, Committee on Rules, House of Representatives, Washington, D.C., urging that quick action be taken on H. Res. 14 (send me a copy of your letter), and (2) having your Congressman submit a similar resolution.

Representative Daniel J. Flood,
Democrat, of Pennsylvania.
Washington.

Federal-State Partnership in the Growth of Eastern Connecticut

EXTENSION OF REMARKS
OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 14, 1963

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the Record the text of an address I delivered on Monday, May 13, 1963, before the Greater Middletown Real Estate Board of Middletown, Conn., on the subject "Federal-State Partnership in the Growth of Eastern Connecticut." The address reads as follows:

FEDERAL-STATE PARTNERSHIP IN THE GROWTH OF EASTERN CONNECTICUT

(An address by Congressman William L. St. Onge, of Connecticut, before the Greater Middletown Real Estate Board, May 13, 1963)

Many years have now passed since the professors and the social workers realized that large centers of population in the urban areas provided our free society with problems which are not easy of solution and not solvable by themselves. In the largest cities of the Nation families crowded together in slum conditions were proof positive that the American way of life was but an empty dream for too many hundreds of thousands of youngsters.

Since our children are the greatest asset which this country has, because they are the ones who will carry on when our generation leaves off, it became imperative that something be done to alleviate at least the worst conditions in order to give all families an opportunity at life, liberty, and the pursuit of happiness. City blight was first seriously attacked in the Housing Act of 1949. The years that have intervened have given us an opportunity to assess the progress that has been made and a chance to look forward into the future to see whether steps already taken have headed us in the proper direction.

Let us, therefore, examine the Federal-State partnership in dealing with these conditions—particularly how it is helping in the growth of eastern Connecticut. First, a look at the local picture.

The State of Connecticut has once again proven to be a leader in this nationwide fight to improve living conditions. As we review renewal activities in Connecticut, we are impressed by several facts which emphasize the success of the renewal effort in our State:

1. By the end of 1962, there were 7 completed projects and 31 projects in execution, covering nearly 2,000 acres of land. An additional 1,500 acres of land in 23 projects were in the planning and preplanning stage of the renewal process.

2. During 1962, six renewal projects were completed and at least another six were approaching virtual completion.

3. A total of 235 acres of land in redevelopment areas have been disposed of by sale, lease or dedication.

4. Commercial and industrial reconstruction now underway or completed in renewal areas approaches 4 million square feet.

5. A total of 850 housing units have been provided or are under current construction in renewal areas.

6. Investment in reconstruction in redevelopment areas—mostly of a private nature—currently totals $100 million, and this investment may well reach $1 billion within the next decade.

7. Over 6,000 families from predominantly substandard housing have been relocated in renewal areas.

8. Redevelopment in Connecticut involves the expenditure or commitment of public funds totaling nearly $300 million, of which the Federal Government is providing $200 million, the State $43 million and the local governments $55 million.

The success of urban renewal as a means of revitalizing our communities was established in 1962. As I mentioned earlier, 6 urban renewal projects were completed in that year and, of the 31 projects in execution, several were approaching completion. Substantial rebuilding was underway in Ansonia, Hartford, New Haven, Putnam, Seymour and Torrington.

There is a multiplier effect in urban renewal which serves as a significant factor in promoting economic activity. Statistics developed by the U.S. Housing and Home Finance Agency indicate that the expenditure of $1 of public funds for redevelopment purposes generates an expenditure of over $3 of private capital. Since the net costs of renewal projects in Connecticut approximate $300 million of Federal, State, and local funds, private investment in urban growth resulting from these renewal projects will probably approach $1 billion in the next 10 years.

The value on completion of current construction in Connecticut's urban renewal areas is now approximately $100 million. New buildings valued in excess of $3 million have been erected in four of Connecticut's seven completed projects. Buildings valued at nearly $97 million are under construction or have been completed in 11 projects still in execution, in many of which more new construction will be undertaken in future months. In addition to 850 housing units, this investment involves the financing of approximately 4.5 million square feet of new commercial, industrial, and public floor space. This reconstruction exerts a significant impact on the economy of the State in terms of employment, production and business activity.

The revitalizing influence of urban renewal extends, however, much beyond the limits of the project areas themselves. Land, near or adjacent to the project areas from which the blight has been eliminated often provides choice sites for new commercial enterprises and new realty developments. This is sometimes described as peripheral redevelopment, and I am sure you know of many examples of such development which had a beneficial effect on the community and on private enterprise.

Unless large parts of redevelopment areas are used for nontaxable public purposes, there usually are substantial tax increments for the municipality when blighted land with substandard buildings is redeveloped and new residential, commercial, or industrial buildings are erected.

Business relocations, of course, have many ramifications in terms of loss of ethnic trade in the older neighborhoods, in difficulties in securing financing for new ventures, and in reluctance on the part of older business people to start anew in different surroundings. However, while marginal companies encounter such difficulties in adjustment, most business firms can adjust fairly readily and many of them grow and expand markedly after they relocate from blighted areas.

Let me cite just one example. As a result of urban renewal in Hartford's Front Street and Windsor Street areas, 260 commercial and industrial firms were assisted in successful relocations; and an additional 190 firms were relocated by reason of the East-West Highway, which in some instances overlaps these project areas. Only 56 firms went out of business during these operations. That's about 10 percent of all firms in the area, and many of these went out of business because of the age of the owners.

The 61 redevelopment projects in Connecticut, which I listed earlier as either completed, in execution or in planning, involve public funds in the amount of some $300 million. Of this total, I pointed out that the Federal Government provides $200 million, the State $43 million, and the local governments $55 million. By the end of 1962, the State had advanced to the communities grants totaling $12.5 million as its share of the cost of renewal. The balance of State participation consists in contracts for further assistance in the amount of $7.5 million, and in reservations for projects not yet covered by assistance agreements in the amount of $21.8 million.

The basic principle of the urban renewal process is that slums and blighted areas must be eliminated from the American scene. An underlying feature of this concept is that safe and sanitary housing should be available to all. In Connecticut we have over 3,500 acres of blighted land under renewal treatment. By now, more than 6,000 families have been assisted in relocating from predominantly substandard housing in redevelopment areas.

By the elimination of slums, and particularly slum housing, urban renewal makes possible the attainment of a higher standard of living for those who live, work, and seek rest and recreation in our urban areas. To the slum child, born in squalor and reared under the degrading influence of the slum environment, integration into a new community may do much more than provide standard housing, it brings him into contact with a way of life to which he had previously never been exposed. It helps to do away with the influence of the slum and, in its place, implants those standards which are the birthright of most Americans. Meaningful exposure to these standards is not possible for those living in slum conditions.

Many of our citizens in the blighted areas not only live but often work and seek recreation within the depressing confines of the slum. This confinement creates a dangerous condition involving not only fire and health hazards, but also social unrest and crime requiring continuing surveillance by municipal agencies. These social problems can be overcome only by the elimination of the slum and giving these people an opportunity to rebuild their lives in a new environment.

Integration of slum residents into standard neighborhoods may involve many problems, but the social gains to be realized through this integration will eventually justify the effort. Solution to the problems relative to this transition may be a lengthy process. State and local social organizations should take an active role in assisting the residents of blighted areas to become adjusted to their new environments.

While the elimination of blight is the basic and ultimate objective of urban renewal, there are a number of social goals which go beyond the leveling of slum buildings and the relocation of their inhabitants. These goals include also the establishment of parks, schools, and cultural and recreational facilities which will benefit the whole community. This aspect of renewal helps to create a living environment conducive to healthy growth and to the establishment of strong moral and spiritual values for all.

Smaller communities will encounter difficulties in financing these facilities. While tax increments resulting from the revitalization of business districts are not the major objective of renewal, they sometimes become an important factor since they help to provide the resources by which overall community renewal may be achieved.

As renewal programs progress toward the elimination of blight in our State, large tracts of land are being made available for industrial and commercial use. Land proposed for industrial and commercial use now totals 900 acres and if present patterns are continued and maximum redevelopment is achieved, industrial and commercial acreage opened for new use may total over 8,700 acres. The existence of this land with all essential utilities readily available throughout urbanized areas in the State will be a significant factor in the continuing growth and development of our economy and in the financial stability of our communities.

Although rehabilitation and conservation are considered essential to the renewal process, they have not been given as much recognition as has been accorded clearance and reconstruction. One example, however, is New Haven's Wooster Square project which has won national recognition for its rehabilitation work. As the most blighted areas are cleared and rebuilt, there is a growing awareness of the benefits of rehabilitation. A larger number of our communities are taking steps to insure against the recurrence of blight by establishing and enforcing sound housing and building codes and zoning regulations.

We now have over 3,500 acres of land under treatment for urban renewal in Connecticut, but estimates made by the Connecticut Development Commission indicate that there are nearly 15,000 acres of blight where no action toward renewal has been undertaken. Of this total, 2,400 acres are located in 29 communities which to date have shown no great amount of interest in urban renewal.

The existence of this blight is a challenge to the State and to its municipalities. While a limited amount of renewal may be undertaken by private interests, such as those who carry out peripheral projects, the vast bulk of this renewal must be carried out by public agencies if the needs are to be met. The development commission's studies point out that, if renewal is to continue at the present rate, by 1980, the blight may be reduced to between 6,000 and 8,000 acres, provided steps are taken to prevent the incidence of new blight.

This review of renewal achievements shows that during the 7 years since Connecticut first participated with the Federal Government and the local municipalities in the financing of urban renewal, much has been accomplished toward eliminating slums and revitalizing Connecticut's cities. At the same time, let us not ignore the fact that much blight still exists and much remains to be done if we are to achieve complete renewal. The need and the challenge are clear.

This need and challenge can be met by even closer cooperation on the three levels—local, State, and Federal. I am very happy that my background and experience in urban renewal are proving most helpful to me in Washington in discussions which I have had and continue to have with the administrators of urban renewal and public housing.

In this connection, I was very happy to vote last month in favor of the amendment to restore the sum of $450 million for the accelerated public works program for projects which are not a waste or boondoggle, but on the contrary, give to our communities, especially the small- and medium-size towns and cities, an opportunity to construct sanitation facilities, water systems, roads, harbor facilities, city streets, bridges, and municipal buildings. It is quite clear that without this Federal assistance the communities involved could not undertake such projects. These expenditures by the communities and the Federal Government later will pay for themselves over and over through more employment, improved services, better health, better living conditions, and happier communities.

The State of Connecticut, which, until the end of January of this year, received a total of $3,963,000 for various projects under the accelerated public works program, is vitally interested in legislation of this sort.

During the few months that I have been in Washington, I am happy that I have been able to intercede with the Administrators and the Commissioners of the Public Housing Administration, the Community Facilities Administration, the Urban Renewal Administration, the Area Redevelopment Administration, Department of Agriculture, the Corps of Engineers of the Department of the Army, and the Small Business Administration on behalf of our communities, our industries, and farmers, to furnish the necessary liaison and help between our National Capital and the communities of the Second District.

Probably the best example to be cited is the case of the city of Norwich, where 6 lives were lost and $3 million property damage done in the disastrous flood in March of this year. As a result of this type of intervention, it is expected that the city of Norwich will be granted matching funds for the reconstruction and improvement of the destroyed dam. This aid is expected to be expanded so as to provide additional fire protection facilities and recreational facilities for the population of that community.

I was recently able to call to the attention of the Subcommittee on Natural Resources and Power of the Government Operations Committee of the House of Representatives the very serious problem of water pollution in the State of Connecticut, especially as it affects our Second District. It is my sincere hope that the subcommittee will see fit to hold hearings in the very near future within the district. The pollution which exists in our rivers and streams has been a serious deterrent in some communities to the expansion of housing and industrial facilities.

There are many communities in eastern Connecticut that have sufficient water, but what is necessary is that this water be purified. I believe that this will result in making available to our State and our communities additional Federal funds, first to control and then to eliminate this pollution. This will help toward improving our living conditions, our opportunities for attracting new industry and creating the new jobs which are needed so badly, so that we may be able to absorb the graduates of our schools who are going to crowd the labor market within the next few years.

All of these activities, with honest, sincere cooperation on the part of our local, State, and Federal authorities, will result in making eastern Connecticut a better place in which to live.

The Future of American Seapower

EXTENSION OF REMARKS

OF

HON. THOR C. TOLLEFSON

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1963

Mr. TOLLEFSON. Mr. Speaker, one of the most excellent and timely speeches on the subject of seapower was delivered by our distinguished colleague, the gentleman from Georgia [Mr. VINSON], at the May 3 dinner of the American Society of Naval Engineers here in the Nation's Capital. Under leave to extend my remarks, I am inserting a copy of the speech in the RECORD with the hope that every Member of Congress will read it. The importance of seapower to our national defense cannot be overemphasized. What such an authority as Mr. VINSON has to say on the subject is worthy of consideration by everyone who is interested in the defense capabilities of our country.

The address follows:

THE FUTURE OF AMERICAN SEAPOWER

(Address by Hon. CARL VINSON, of Georgia, May 3, 1963)

Admiral Burke, Admiral Brockett, distinguished members of the American Society of Naval Engineers, and distinguished quests, it is a very great privilege to join with you on this historic occasion of your diamond jubilee.

There is no technical society in this Nation that can equal, or approach, your 75 years of dedicated service to our country.

I have known many members of your society in the past, and I know many of your members today.

I can say, with complete sincerity, that my life has been enriched by my association with the many members of your society who have done so much to further our way of life, and to preserve the heritage of our forefathers.

I am delighted to renew here tonight old friendships of many years, and that, in itself, gives me great pleasure.

But to be privileged to speak to you tonight is indeed an honor that I shall never forget.

There are among you here this evening many persons who have made outstanding contributions to our national security and our economy.

Some have received high honors in the naval profession.

Others have achieved great distinction in the design and construction of merchant and naval vessels.

But everyone present here tonight has one thing in common:

That is, a full appreciation of the importance of the sea, not only as a highway of commerce, or the outer defense of our mainland, but also because the resources of the ocean, its surface, and its depths, contain untold possibilities and challenges for the future generations of the world.

Today, we are making great strides in the conquest of space.

Travel above the sea, on the sea, and under the sea is now an accepted part of our daily life.

But we are merely on the threshold of knowledge of what the sea contains and what it still holds in store for all of us.

It has been my great privilege for many years to be closely associated with the development of our naval capabilities.

I became convinced in the 1930's that we had no choice but to engage in a substantial naval construction program in order that we might defend ourselves against the very real threat that was developing in the western Pacific.

We began that program, and I might say, none too soon.

Many members of this society here tonight will remember those days, for you played an important role in that vital naval expansion program.

I frequently find myself wondering what would have happened if we had not had a substantial number of naval combatant vessels under construction and near completion at the time of Pearl Harbor.

But those days are past and now we must look to the years ahead.

We must plan for the future, and remember that we achieved victory in the past because we exercised foresight long before the challenge was imminent.

But sometimes our memories are short.

At the end of World War II there were some who felt that the era of naval seapower had become a moldy page in history.

There were even a few who felt that amphibious operations were obsolete.

But it soon became apparent to others that the age of seapower was merely in its infancy.

Unfortunately, however, the importance of retaining the capability of defending our sealanes; of being able to conduct amphibious operations; and of being free of international complications as we transit the sea highways of the world, is a fact that must be constantly retold lest it be forgotten.

For reasons that I have never been able to fully understand, our naval superiority and capability seems to be taken for granted.

There are some who fail to realize that ships at sea or in mothballs do wear out.

There are others who do not seem to be convinced that technological progress in hull designs; new sources of power; longer cruising ranges; increased fire power; better maneuverability; and greater carrying capacity, must be constantly improved if we are to retain the one superiority we possess that no one can question.

And the Nation looks to you gentlemen for those indispensable improvements.

Today, thanks to you, we have the greatest Navy in the world—but, it is not necessarily an assured naval monopoly.

It is being challenged by the Soviet Union and unless we are willing to appropriate the funds that are necessary to preserve this superiority, we may one day awake to find that the challenger has surpassed us.

On any single day, 2,000 ships are engaged in traversing the sealanes between America and Europe. The cargo that is carried on the high seas is fantastic.

In 1961, approximately 300 million tons of cargo were carried by 100,000 shiploads to and from Europe and America.

More than one-third of the entire industrial production of the world, and one-half of the world production of raw materials is channeled to the needs of the economy of the United States.

Of 72 strategic and critical commodities indispensable to our economy in time of war, more than 40 are entirely imported from foreign sources.

Today, more than 75 percent of the commerce of the world is carried by some 16,000 ships of all flags.

By 1975, ships will probably carry annual cargoes in excess of 1,750 million tons.

And the significance of this forecast has not been lost by the Soviet Union. Since 1950, the seaborne foreign trade of the Soviet bloc has more than doubled.

It is impossible for anyone today to study a map of the world and not be made conscious of the importance of seapower.

But in studying a world map, there are certain road signs that cannot be overlooked.

The other day as I drove on a four-lane highway, I noticed a sign that said "Pavement narrows." A little further on, another sign said "Caution, one lane traffic only." And as I approached the single lane of traffic, a car broke down in front of me. In a matter of a few minutes all traffic on an otherwise beautiful, four-lane highway, going in both directions, came to a complete halt.

Translate that situation to the Straits of Gibraltar; to the Panama Canal; to the Straits of Malacca; to the Windward and the Leeward Passages; and that narrow strip of land between Denmark and Sweden, so narrow that even now a bridge connecting the two countries is under consideration.

These are vital areas of the world and if they are controlled by an enemy, a substantial portion of our world trade could be affected.

On the other hand, these same one-lane highways of the sea provide a great advantage to those who possess a naval capability, because each bottleneck is accessible to the sea.

Every area I have mentioned can be approached from the sea, and American seapower can be brought to bear whenever the control of the international sealanes is challenged.

In the years ahead, a large portion of the world will undoubtedly be sustained by the now untapped food sources that are contained in the sea about us.

Any nation that can deny hungry masses access to the sea may well control the world.

The indispensability of seapower is not waning—instead, it is waxing to a far greater extent than ever before.

If we will learn from the lessons of the past, we need only remember that our own victory at Yorktown was made possible by the blockade of the Chesapeake Bay by a French fleet.

If we go back further, we find that an English amphibious operation at Cadiz a year before the sailing of the Spanish Armada contributed greatly to the eventual defeat of the Spanish Fleet by Sir Francis Drake and others.

We need only look at Inchon and Lebanon, to be reminded of the fact that amphibious operations are not a thing of the past.

And in even more recent times, we need only remember the vital importance of the 7th Fleet and its ability to contain the Chinese in their desire to seize Formosa.

If there are still those who doubt the importance of seapower, let them refresh their memories on the quarantine of Cuba.

If there is one conclusion that can be drawn from this history of the past, it will be found on the Archives Building here in Washington where there is chiseled in granite the words—"What Is Past Is Prologue."

Today the Soviet Union is expanding its merchant fleet at a rapid rate. They are showing a very keen interest in the depths of the seas. And they are continuing to expand their submarine force and their surface craft.

They have not underestimated nor minimized the importance of seapower. Instead, they are readying themselves for the possible day when they may seek to challenge our seapower.

In my emphasis of the importance of seapower, I do not want to be considered parochial in any way.

The control of the seas, the urgency of continuing to expand our naval capability—under, on, and above the sea—is merely one element of our national security.

This was demonstrated clearly and unmistakably in the recent Cuban crisis.

Our intercontinental ballistic missiles stand as our major deterrent to nuclear war. With each passing day our missile capability increases.

But these are knockout weapons that would probably only be used as a last resort.

Long before that day arrives, and I pray that it will never arrive, the conflicting philosophies of the world will have matched their capabilities in a variety of ways.

It is for that reason that we must continue to modernize our Army so that it may possess both a conventional and nuclear capability.

It is for this same reason that the Strategic Air Force will, for years to come, play an essential role in our nuclear, limited nuclear, and conventional warfare capability.

But in addition, we must be ready to cope with guerrilla activities and all forms of counterinsurgency.

And because we know that there are other forms of mass destruction, we must continue our research in the fields of biological and chemical warfare.

Cuba proved the wisdom of the unified command structure system. It also demonstrated that the four separate services, each with its particular skills and techniques, can and do work together as a team under the overall direction of the Joint Chiefs of Staff, the Secretary of Defense, and the President.

And Cuba proved the wisdom of maintaining the separate identity of each of the four services.

What we have in our Armed Forces today is a variety of specialists, all of whom are qualified, in one way or another, to practice the skills of the military profession, but each an artist in his own field.

Fortunately, we have not succumbed to the desire of some that all of our services be reduced to the lowest common denominator.

For many years, the Joint Chiefs of Staff system has been under attack. The argument in favor of a single Chief of Staff sounds quite plausible. If one man makes a decision and there is no one to argue with him, it is obviously the correct decision.

This may be a fine philosophy for bachelors, but I doubt if it would work very well for the average husband and wife.

And for the same reason—in order that conflicting views may be considered—it would not work well in assuring our national security.

The Joint Chiefs of Staff system brings together the leaders of each of the separate services in order that their opinions may be expressed and all proposals considered. No single prevailing concept can throttle the advocates of another concept while the Joint Chiefs of Staff continue to function.

I have become more thoroughly convinced with each passing year that it is the finest military decisionmaking body any nation has ever possessed.

And so long as we maintain the separate identity of the four services, and preserve the present Joint Chiefs of Staff system, I am convinced we will possess and expand our military and naval versatility.

And with each passing day I become more fully persuaded that our ability to respond to any type of challenge is our greatest deterrent to war.

So long as we have modern naval forces, ready to meet any aggressor;

So long as we can deliver from the air a substantial number of troops equipped and ready to fight;

So long as we can keep on station, for long periods of time, submarines capable of discharging their missiles from underwater;

So long as we maintain mobile, trained divisions equipped with modern weapons;

So long as we keep in an alert status our manned bomber force whose pilots possess that unique human ability to make or be responsive to a decision;

So long as we have 190,000 fully trained Marines ready to land in any part of the world accessible from the sea;

And so long as we back all of this with an awesome missile might—then we will preserve the peace of the world.

But if we ever permit ourselves to be lulled into the adoption of a single defense concept and lose our flexibility to respond to any type of aggression, then we will threaten the peace of the world.

The challenges that lie ahead in the areas of the ocean alone, without regard to space and land, are fantastic indeed.

While we have made great progress, nevertheless we have not yet perfected an underwater detection technique that will pinpoint the location and identity of every submarine.

We are only beginning to learn something about the physical features of the vast land area that is submerged under 300 million cubic miles of water.

And somehow or other we must face up to the fact that we have no choice but to accelerate the replacement of our aging fleet.

The average age of our naval vessels in the active fleet is more than 15 years. The average life expectancy is 20 years.

No degree in mathematics is required to conclude that we have a fleet that is rapidly becoming obsolescent, and in a few years will become obsolete.

We are going to have to engage in an expanded naval shipbuilding program. And we cannot take comfort in the naive conclusion that a modern naval vessel can do the job of two older ships.

Life doesn't work that way. We can never assume that enemy capabilities remain dormant while ours improve.

But beyond that is the obvious fact that the ocean is playing an ever-increasing role in the ambitions of Communist imperialism.

Today our naval vessels are needed in the Atlantic, the Mediterranean, the Persian Gulf, the Indian Ocean, the Straits of Formosa, the Pacific, the Caribbean, and even as far south as the Antarctic Ocean.

As our problem areas expand, the requirement for seapower expands correspondingly to meet these threats to the peace of the world.

Recently we witnessed the invasion of India by China. There can be little doubt that further difficulties can be expected in this area.

We may very well have to commit a portion of our fleet to that part of the world, but if we do so now, it will have to be at the expense of weakening our capabilities in other parts of the world.

Mankind is becoming increasingly dependent upon the natural resources of the sea.

Our ability to utilize and protect these resources will depend upon the decisions we make now.

It is my considered judgment that seapower and our continuing ability to preserve the freedom of the seas and the availability of its products may well determine the future destiny of this Nation, and perhaps of all mankind.

The control of the seas is indispensable to our progress—and our survival.

The members of this great society have a tremendous responsibility—for the future of this Nation may well rest upon your ability to produce the ships that will maintain the freedom of the seas for generations of Americans yet unborn.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 15, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Acts 17: 26: *God hath made of one blood all people to dwell on all the earth.*

Almighty God, our Father, help us to understand the great truth that the blood, which Thou hast made to course through the veins of all mankind, is the very same human blood.

We humbly acknowledge, however, that we too frequently forget that all the members of the human family are spiritually akin.

Grant that we may declare plainly to the whole world that in this great Republic we have a democracy which cannot be vitiated by a false spirit of superiority and class and race distinctions.

May we rejoice that we can all work out our own destiny under the protection of the Stars and Stripes and under codes of laws and ethics which are just and righteous.

Inspire us to appreciate the many opportunities which we have, as American citizens, to live and labor together with mutual respect and thus fulfill Thy law of love and be worthy of Thy blessings.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1359. An act to provide for an additional Assistant Secretary in the Treasury Department.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4655. An act to amend title IX of the Social Security Act with respect to the amount authorized to be made available to the States out of the employment security administration account for certain administrative expenses, to reduce the rate of the Federal unemployment tax for the calendar year 1963, and for other purposes.

The message also announced the appointment of Mr. JORDAN of Idaho to be a conferee on the bill (S. 20) entitled "An act to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes" in place of Mr. ALLOTT, excused.

APPROPRIATIONS, TREASURY, POST OFFICE, EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES, FISCAL YEAR 1964

Mr. GARY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5366) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1964, and for other purposes, with Senate amendments thereto, disagree with the amendments of the Senate, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. GARY]? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. GARY, PASSMAN, CANNON, PILLION, and CONTE.

ELECTION OF RICHARD L. ROUDEBUSH AS A MEMBER OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 346), as follows:

Resolved, That RICHARD L. ROUDEBUSH, of Indiana, be, and he is hereby, elected a member of the Standing Committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MAJ. L. GORDON COOPER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, at 9:04 Washington time this morning, Maj. L. Gordon Cooper was launched into space as the fourth American astronaut to orbit earth.

If all goes as planned, he will make a 22-orbit, 34-hour flight in his "Faith 7" space capsule and will land tomorrow evening in the Pacific about 100 miles from Midway.

I am sure all Members join with me in congratulating this brave American for his courageous dedication to the advancement of American space goals.

Mr. Speaker, I am especially proud of Major Cooper. He is a native of Shawnee, Okla. Today, he is the spearhead of our Nation's efforts in space, and he belongs to all America.

His flight is a national undertaking. It was launched by the fuel of national resolve. It is guided by the historic courage of our people to cross a new horizon. It is sustained by the strength of Americans to do whatever must be done to meet any challenge and win.

Mr. Speaker, our prayers will be with Major Cooper and his family and all those in NASA and in our Armed Forces who are laboring so hard to bring this flight to a successful landing.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs may sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Messrs. HALEY and SAYLOR objected.

COMMITTEE ON SMALL BUSINESS

Mr. EVINS. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 of the Small Business Committee may be permitted to sit this afternoon and tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. GROSS. Mr. Speaker, I object.

MAJ. L. GORDON COOPER

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, all of us are elated over the successful launching of Astronaut L. Gordon Cooper this morning.

We all marvel at the precision instrumentation and meticulous calculations of this kind of undertaking. Gordon Cooper, however, is not the only one soaring to astronomical heights these days. Maybe it is just coincidence that on this very day we should be considering raising the national debt limit. Just as difficult as it is for us to comprehend all that is involved in Gordon Cooper's flight today, so is it just as difficult for the average citizen to comprehend how much $305 billion really is.

We might try to picture it this way: Astronaut Cooper is traveling at better than 17,000 miles per hour and is covering better than 25,000 miles in each of the planned 22 orbits. In total, he will cover a little better than 550,000 miles.

if he had the facility for laying out a string of $1 bills end to end along his orbital flight, he would have to stay in orbit for better than 50 times the 22 planned orbits, for it would take 28,882,575 miles of $1 bills laid end to end to total the debt ceiling we are talking about today of $305 billion.

CALL OF THE HOUSE

Mr. **BYRNES** of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 49]

Baring
Blatnik
Bolling
Bonner
Cameron
Celler
Davis, Tenn.
Diggs
Downing
Edmondson
Fogarty
Forrester
Gill
Grant
Green, Oreg.
Griffin
Hanna
Harding
Harsha
Healey
Horton
Kee
Kornegay
Lankford
Lindsay
May
Minshall
O'Brien, Ill.
Pepper
Powell
Purcell
Randall
Riehlman
Roybal
Schenck
Scott
Shelley
Taft
Taylor
Walter
Younger

The **SPEAKER**. On this rollcall, 393 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUBCOMMITTEE NO. 4 OF COMMITTEE ON SMALL BUSINESS—PERMISSION TO SIT

Mr. **ROOSEVELT**. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 of the Small Business Committee be allowed to meet tomorrow during general debate.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

Mr. **AVERY**. Mr. Speaker, reserving the right to object, I did not understand the request of the gentleman from California.

Mr. **ROOSEVELT**. I made the request to meet tomorrow during general debate, after talking to the gentleman from Iowa.

Mr. **AVERY**. I withdraw my reservation of objection, Mr. Speaker.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

TEMPORARY INCREASES IN THE PUBLIC DEBT LIMIT

Mr. **TRIMBLE**. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 337 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. **TRIMBLE**. Mr. Speaker, as is customary, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN], and myself such time as I may consume.

Mr. Speaker, the reading of this resolution indicates that this is a very simple procedure.

Mr. Speaker, House Resolution 337 provides consideration of H.R. 6009, a bill to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act. The resolution provides a closed rule, waiving points of order, with 4 hours of general debate.

H.R. 6009 provides a temporary debt limitation of $307 billion for the remainder of this fiscal year and a temporary debt limitation of $309 billion for July and August of 1963.

The temporary debt limitation applicable under present law to the fiscal year 1963 was $308 billion for the period from July 1, 1962, through March 31, 1963. For the period from April 1 through June 24, the present limitation is $305 billion and for the remaining week in the fiscal year the temporary limitation under present law will be $300 billion. As of July 1, 1963, the debt limitation reverts to the permanent limitation of $285 billion.

For the fiscal year 1962 the debt limitation was $298 billion for the period up to March 13, 1962, and $300 billion for the remainder of that year.

Mr. Speaker, I urge the adoption of House Resolution 337.

Mr. Speaker, I reserve the balance of my time.

Mr. **BROWN** of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Arkansas, a member of the Committee on Rules, has explained, this bill is to be made in order under a closed or gag rule which will prohibit the offering of any amendments except those prepared and offered by the Committee on Ways and Means, with 4 hours of general debate, and with the right, of course, to submit at the end of that debate one motion to recommit, either with or without instructions.

Mr. Speaker, I assume most Members of this body are well aware of the fact that I have taken the floor many times in the past, as I take it again today, to oppose the granting of a closed or a gag rule on this legislation, as I have on other legislation of a similar type, on the theory and in the belief that the House of Representatives has within its membership sufficient mental ability to pass judgment on legislation here on the floor of the House, and to consider all amendments thereto in a proper fashion, as has any other legislative body which may not be restricted by a closed or a gag rule, and where very free and open debate is permitted and the consideration of all amendments is in order.

Mr. Speaker, in what I have to say today in connection with this legislation I wish to assure the Members of the House that it should not be considered in any way as a reflection on the great House Committee on Ways and Means, or the membership of that committee, because I realize that committee does have the responsibility, and sometimes the very unhappy duty, of bringing to the floor of this House legislation dealing with placing upon the shoulders of the American people increased tax burdens or increased debt. This is an instance where again the Committee on Ways and Means of the House of Representatives is being used as an organization to bring before the Congress, and to try to sell to the majority of the House, the idea that we should again increase the national debt limit so we may again engage in deficit financing, and our Government may again go out into the marketplace and borrow money to operate and to meet the expenses of these programs and these various expenditures that the administration and the Congress too often approve.

Mr. Speaker, this bill as I understand it, which will be before the Members of the House today, would actually again increase the present temporary national debt limit, and would do so temporarily, up until June 30 immediately upon signature into law of this bill, once it has cleared the Congress, and then on that date, or on July 1, 1963, would increase it again to some $309 billion, to be effective as a debt ceiling until August 31, by which time undoubtedly, and I am sure if you will stop and think for a moment you will agree with me, the administration, or those in the control of our Government finances will be back in here using this same trouble-bitten Ways and Means Committee as an instrument to try to wring from the Congress another piece of legislation to increase the national debt limit further. That is, so deficit financing can continue, so we can continue to pile up, on our children and our children's children yet unborn, this ever-increasing tremendous burden of national debt.

If the whispers and the rumors I hear are correct, by late July or early August, if this legislation should be enacted, this House will be requested to fix a new national debt ceiling of at least $320 billion. And should there be a heavy or a sharp reduction in Federal taxes, as has been proposed, perhaps the increase in the national debt requested in turn, at that time, may be even higher or the deficit in our Federal budget become even higher.

In the last year we have had two different measures before us dealing with the national debt. Last July, if I remember correctly—and I am speaking extemporaneously and from memory—we passed a bill fixing a debt limit of $305 billion as of May 1, to be reduced on June 25 to $300 billion; and to drop back to the permanent debt limit of $285 billion at midnight on June 30. This proposal before us today is evidence that that which some of us claimed last July, and insisted and argued was correct, has come true, that the plan and the program that was then sold to us simply did not work, and will not work.

Year after year, since I have been in Congress, almost without exception, we have had legislation brought in here to increase the national debt limit so that we could borrow more and more money, so that, in the words of the gentleman from Missouri [Mr. CANNON], the chairman of the great House Committee on Appropriations:

> We could spend money we did not have for things we did not need.

And that is exactly what we have been doing, not only in this administration, but honesty and candor impel me to admit, has been done in other administrations as well, to the point where deficit financing and living beyond our national income has become a vicious habit, a sort of disease which has taken hold of our Republic, threatens continued existence of a free government, and threatens us, of course, with national bankruptcy.

I do not believe there is a single individual in this body who would knowingly or willingly sell his child, his grandchild, or his great-grandchild, into slavery; who would vote indenture upon such child and say by his or her vote in this body, "You shall be a slave to a great national debt we have built up in our generation, but placed upon your generation to pay.

"You must not only meet the problems which may arise in your day, when you reach manhood or womanhood, but you must also pay for those things which we have refused or failed to pay for ourselves because we have not been strong enough in character and in purpose to meet our own obligations; because we have taken the easy way; because we have followed the line of least resistance and have lived on borrowed money at your expense, your grandchildren and children's children yet unborn. We have failed in our generation to measure up, and you shall pay the terrible cost, whatever it may be, of our failure."

So I say to you, the time has come, in my opinion, and I believe in the opinion of growing millions of Americans, more and more every day and every year, to say, "No, you cannot have the right to borrow any more money. No, you must keep this Government in the black. No, you are not going to longer operate on borrowed money. Deficit financing is out.

"The national debt will not be increased further to permit you to borrow more and more to spend on programs of questionable value. You may have to embark upon some period of austerity; you may have to do without some of the things you would like to have if you could afford to pay for them; if you are to save this Republic; if you are to keep the Treasury of the United States solvent; if you are to maintain the purchasing power, the real value of the American dollar, and protect the savings of the American people."

I believe that day is here and now. As for me, I do not want, and I do not expect, to vote to increase the national debt further.

I am told by those who support this legislation what a terrible catastrophe would occur if suddenly we would say to those in charge of our Treasury and the administration of our Government, "You cannot borrow any more money. You will have to live within your income. No more deficit financing." We are told that immediately all sorts of dire things would begin to happen.

That may be so. Perhaps it would cause some trouble financially. But I know that if we continue on the path we have started down, and every thinking person knows that if we continue the programs and the policies we are embarked upon now, that sooner or later disaster and financial bankruptcy will come. So we might as well face the issue now, if that becomes necessary, as at any other time.

I know some of the things they predict will happen, and you will be told about them today. Dark and drab and terrible pictures will be painted as to what will happen to this beloved country of ours, to this wonderful governmental structure we have erected here on this continent, if we do not permit the spenders to have more money to spend, to let them go out and borrow more money to live on borrowed money and on deficit financing, and permit them to go madly on their way casting about the dollars that really belong to future generations.

But I know that some other things will happen, too. I know that within 24 hours, as I am sure you know just as sure as you know anything in the world, because you know human nature or you would not be here, after this House says "No" to the money spenders down in the temple, "No, you cannot have any further borrowing; no, you cannot increase the national debt," there will be new legislation sent up on the Hill to eliminate some of the wild expenditures which have been made, or are in the making, or being contemplated.

You know it and I know it. People will decide than they can do without some of the many proposals that have been sent to Capitol Hill, not yet been enacted into law, to spend more and more money and to cost more billions of dollars, not only this year, but in every year for years to come. Oh, yes, it might cause such a thing as this—that someone immediately telephone, or send a wireless for that matter, over to India and say, "Well, we are sorry, Mr. Nehru, we cannot build that great steel plant we promised you, or we have been talking about, to put India into competition with the private steel industry of the United States that pays taxes to support our Government. No, we cannot give you $5 billion more of our money."

They might even say to some South American country that has lived well recently off of us and who have their men in Washington right now, "We are sorry but you will have to go home without that additional $100 million you are asking for. We cannot do that." They might not be able to encourage socialistic endeavors that are in competition with private enterprise. They might instead encourage private enterprise in this country. They might find ways to do without some of the things that would be nice to have, if we could afford to pay for them.

Yes, Mr. Speaker, they might do a great many things if this bill should be defeated, and if we should say here to the spenders and to those who would live off borrowed money at the expense of children yet unborn—if we would send to them the message, "The picnic is over, the spending frolic has come to an end. From now on we are going to operate this Government of ours on a sound financial basis. We are going to pay as we go and we are going to try to pay off as much on the national debt as we can as time goes on."

Just stop and think for a moment, my friends. Just realize what has happened. Our interest on the national debt in this fiscal year of 1964 alone will be close to $10 billion, approximately three times as much as the entire Federal Government cost a generation ago to operate altogether. Let me point out some figures I have gathered here. What has happened? Why, we have spent more money since the end of World War II—this Federal Government, your Government and mine, has spent more money than all the U.S. Government costs from its very inception until the close of World War II—just in those few short years, believe it or not.

On December 31, 1955, and we do not have to go very far back—that is only 8 years—the outstanding gross national debt of this country was $280 billion.

On December 31 last, it was $304 billion, believe it or not.

The temporary debt limit was $281 billion. The permanent debt was $275 billion.

The temporary debt limit was pushed, up on December 31 of this last year, to $308 billion. Today it stands at $305 billion and we are being told that we cannot get along on that until June 30—we will have to have an increase between now and then—an increase just as soon as we can possibly rush this bill through and get it signed into law by the President. Then on June 20, at midnight, the debt limit would be increased, if this legislation is enacted into law, up to $309 billion until midnight August 31.

Why for 2 months only? I will tell you why and you people who have been around here a good while know why. Because between June 30 and August 31 there are high hopes in certain quarters that Congress may be prevailed upon to approve many of these huge new appropriation bills and a great many of these new spending programs, new ideas, new authorizations, to embark the Federal Government on new activities it had not been engaged in in the past, so that by August 31 midnight, or by late July or early August, the spenders will be back here saying: "You will have to increase the national debt limit to at least $320 billion," and perhaps they will say "$330 billion," for all I know, "because this spending has been authorized." "You have gone along with this program and after all we have to meet our obligations."

A good businessman does not incur obligations he cannot meet. He does not go out and buy on the basis he may possibly be able to borrow more a little later on.

Mr. Speaker, I had the question asked of me in the Rules Committee if I could run my little corporate business, small newspapers, on the same basis. My answer was, I do not run it that way. I do not buy anything I cannot pay for. I do not permit a publisher to order anything we do not have the money in the till to pay for. I do not go on dreams or promises, or on what the future may possibly hold, or what high hopes as to what we may be able to do, or what some college professor might tell us can be done, some man who never spent a day in the publishing business, for instance. I do not do that.

But I do know one thing. Under Ohio law if I ran my little corporation, and it is a small corporation, on the same basis that the Federal Government has been operating, if I were to treat my stockholders as the Federal Government has treated its stockholders, to wit the taxpayers, I would have been indicted and put behind bars for outright, downright fraud, long ago. The American people have been defrauded by the Federal Government of their life's savings through inflation. You know that and I know that because we have had, along with this huge tax burden, great inflation that has cheapened the value of our savings, which we put away to take care of us in our old age.

I know there will be a lot of strange things happen rather suddenly if this Congress has the courage to do that which the average Member, and a great majority of all Members, know should be done and say: "No" to the spenders, "No, you cannot borrow more money to run governmental affairs in peacetime."

There is no excuse for it, there is no reason for it. We should tell the spenders, "You must cut your cloth according to what you have, not what you would like to have. You must stop dreaming, and come back to the land of reality." Remember, after all, that public office is a public trust and that you do have some responsibility to the people who send you to Washington, whether it be as a bureaucrat, as a Member of the House, or as a Member of the other body, for that matter.

I am hopeful that today we will take some action which will guarantee the least we can do, that is, to refuse to increase the national debt any further and serve notice that the end of the story has been reached, and from now on it will be a new day and a sounder administration of the people's funds and the people's tax money.

I hope we may have the courage, the patriotism, the inspiration, and the will, to do that which we know, deep down in our hearts we should do and that is the right thing, put an end to this that has been going on and on and on by refusing to be sold another bill of goods in the form of another increase in the national debt limit.

Mr. Speaker, many of us have reached the place where we no longer want to be considered dupes, easy pushovers, for those who laugh at us after they get our consent to do as they please with the money of those we represent. So, I am opposed to this rule, yes, but above all else, I am opposed to the enactment of this legislation, to the increase in any way of our national debt limit now, or on June 25, or on June 30 midnight, or on August 31, or at any other time within the foreseeable future.

The only excuse at any time to go out and borrow more money is if our very existence is threatened; if we face a life and death struggle, to preserve this Republic, when all must be given. We are not at that stage today, and we have not been, despite that which we have been told, because, despite the fact we have spent something like $100 billion since 1946 in an attempt to make friends around the world, we probably have less friends on this old planet today than we had when we started.

I think the time has come when we should bring a little realism into our thinking, when we should give some consideration to our own needs, those of our own people, and above all else, to the rights and the future of our children and our children's children yet unborn.

So, I call, in my humble way, for the defeat of this legislation, because it would be a message which would be welcomed by the American people, such action will be applauded by all who believe in sound, responsible government; who want to maintain this Republic as a place where liberty and freedom actually exist; where we will not be a slave now, or our children and their children will not be slaves, to a huge national debt, a good deal of which has been built up unnecessarily and most unwisely.

Mr. Speaker, I reserve the balance of my time.

Mr. TRIMBLE. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

SOVIET TRAWLERS VIOLATING U.S. TERRITORIAL WATERS

Mr. ROGERS of Florida. Mr. Speaker, it has been confirmed by experienced seamen familiar with the south Florida area that Soviet trawlers were within the 3-mile limit yesterday thus violating U.S. territorial waters. These witnesses took soundings of the water's depth at the locations and times the trawlers were sighted. Their soundings range from 105 to 150 feet in depth and indicate that the trawlers were positioned from 1.1 nautical miles from the coastline at one point to up to 1.8 nautical miles from the coast at another point. At these locations it has been confirmed by the U.S. Coast and Geodetic Survey that no waters at the 3-mile limit and just beyond could be that shallow, that depths of a minimum of 400 to 500 feet would be encountered at the 3-mile limit.

Despite the questioning regarding violations of U.S. territorial waters, the Soviet trawler incident bears out that the surveillance of waters surrounding our coastline needs attention by the Congress to police these waters.

Time does not permit me to expand as fully as is necessary at this time. However, I do intend to address the House in detail on this subject this afternoon.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Speaker, I am always a little reluctant to take the floor under the rule when we have a bill from the Ways and Means Committee. I always get a feeling of an inferiority complex.

Mr. Speaker, we look to the members of the Ways and Means Committee as being experts in the field of public finance.

Mr. Speaker, I would not take the floor today except I am in a rather unusual position. I am one of the nine Republican members who left the party position when we had this matter before the House the last time, to vote with the majority position of the Ways and Means Committee. I do not think it is necessary to review my reasons for doing that because I stated then as clearly as I could when I announced under the rule last year that I was going to support the majority. Actually, I announced last year my position for today. I reviewed what I said in concluding my remarks last June. I stated that I was going to vote for the increase last year, but I concluded by saying:

> This is the last time I can in good conscience vote for or support on the floor of the House a bill of this nature unless it is demonstrated to me that we put a brake on some of the spending authorizations which are offered on the floor of the House.

Mr. Speaker, let us consider for a minute what has happened: First, we raised the debt limit last June. I will not go into the details. There were requests for additional spending which were made by the administration. If the administration had not continued to send up these requests to spend in this fashion, I think in good conscience I might still be able to go along with the gentleman from Arkansas [Mr. MILLS], who certainly is not a liberal. But to find these continuing requests for more and more spending and the projection of Federal jurisdiction further into the realms that historically have been reserved to the States, I would like to say that it is my hope that we put an effective ceiling on this debt limit.

The **SPEAKER**. The time of the gentleman from Kansas has expired.

Mr. **TRIMBLE**. Mr. Speaker, in view of the gentleman's past good sense, I yield the gentleman 2 additional minutes.

Mr. **AVERY**. Mr. Speaker, I think in view of that justification I should have 3 minutes, so that I could clearly state to the gentleman that I will not be prejudiced in my final vote and position by the gentleman's expression of generosity here today.

Mr. Speaker, let me return for a minute here. I think we had just as well recognize, and I depart from the position of the gentleman from Ohio in this regard, I do not think we can look at this as a limitation in fact on the debt limit; because it never has been. Do we stop? No, we always break through this limit. But nevertheless I think it does rather dramatically and significantly point up the responsibility of this body to the people that we represent and to the people that have to pay the bill. I do not know of any other issue that really brings this spending philosophy, if that is the right term, into public focus as does the debate over increasing the debt limit each time it becomes necessary. So, if there is any restraint or if there is any disposition for a restriction on spending I think perhaps it is more clearly placed in perspective by a debt limit debate. It may be a hypothetical debt limit, but at least we must put ourselves in a stipulated position to the people we represent in this body.

Here is a partial list of new spending proposals.

Mass transportation: If it were just the mass transit bill, I think I could go along and protest by no vote. But that is just a symbol. Federal aid to education to cost no one knows how much. Then we have the youth opportunities bill which involves another $100 million. And, if we are honest with ourselves, we know that it will eventually be $500 million, just like the Peace Corps which went from $15 to $100 million in less than 2 years' time. Then in mentioning the Peace Corps, we are reminded of a Domestic Service Corps to cost more millions. It does not matter what you call it, but I state here today, and I think it can be supported, that probably in 1964 we will have a $100 million request submitted in the budget by this administration for this Corps.

Then the farm legislation: I represent an agricultural area. I voted for the first farm bill this administration brought to the floor. Despite the fact that we were told it was going to save money, they have submitted a worse farm bill every year since, and the appropriation for the Department of Agriculture has in turn gone up every year since, nearly to $7 billion estimated for fiscal 1963.

So, Mr. Speaker, we are not Members to vote "no" on the rule, but I do ask you to vote for the motion to recommit.

Mr. **TRIMBLE**. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER**. The question is on the resolution.

The resolution was agreed to.

Mr. **MILLS**. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6009, with Mr. Gray in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. **MILLS**. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, H.R. 6009 was reported from the Committee on Ways and Means by a vote of 15 to 10. The bill would provide for a temporary debt ceiling not to exceed $307 billion between now and June 30 next. Then for the months of July and August, expiring on August 31, a temporary debt ceiling of not to exceed $309 billion.

Mr. Chairman, it is important for us, I think, as we consider this legislation to bear in mind what the legal situation is in regard to the ceiling itself. We have legislation now in effect that continues the temporary debt ceiling until June 24 of this year, at not to exceed $305 billion.

On June 25 of this year the temporary debt ceiling drops from $305 billion to $300 billion for the remainder of the fiscal year, or to the close of business on June 30 next.

On July 1, the temporary increase with respect to the debt ceiling will have expired, so that the only authority then in existence with regard to the debt ceiling is the permanent debt ceiling of $285 billion.

While H.R. 6009 was being considered in the Committee on Ways and Means in executive session a motion was made to amend the proposal to provide for a debt ceiling without termination date, as I understood it, of $305 billion. That is, the present debt ceiling of $305 billion, which would expire on June 24, would be continued beyond June 24 and into the future, on a permanent basis.

Mr. Chairman, I took that to mean as that motion was voted on affirmatively by 10 members of the Ways and Means Committee they joined the other 15 members of the Ways and Means Committee who voted to report H.R. 6009 in recognizing the fact that unless certain very dire results were to be incurred, the present law would have to be amended in some respects. They would provide for a ceiling in the future of $305 billion in lieu of the $300 billion and in lieu of the $285 billion which will go into effect. They did this in preference to voting, as I understand, for the higher figure of $307 billion through June 30 and $309 billion through August 31 which 15 of us voted for.

I could not reach any other interpretation of that vote than to accept as a fact recognition by all 25 men on the Ways and Means Committee of the necessity for doing something about the debt ceiling.

Let me ask the members of the Committee which I am presently addressing if they would then turn down what I think is the combined judgment of 25 members of your Committee on Ways and Means. Would they say, in spite of the conclusions which may be drawn from this committee vote, that there is no need today for doing anything about the debt ceiling? Would they, despite this, vote not only against a motion to recommit that may be offered but also vote against a change in the debt ceiling on final passage? Will you put your judgment in the final analysis against the judgment of the 25 members of the Ways and Means Committee who have carefully considered this? You are being asked by some who spoke today about the rule to do just that.

What is the suggested reason for voting against raising the ceiling? First of all, they seem to feel if you kick someone in the pants, do something now, as you might do in school to a child, it will serve some wholesome purpose and prevent someone from doing something now or in the future.

I can understand the desire of some people to kick somebody in the pants occasionally in that respect. But let us see if it would accomplish the purpose some would have us believe it would. We are talking today not about a debt ceiling for a 12-month period, we are talking about a debt ceiling effective for a period between now and August 31. Let us see what effect that action would have on the spending between now and August 31.

Would it cause a reduction in spending within that period of time? Perhaps, to a very minor extent, but not materially. You do not turn the faucet of spending off today and get results today from that action. When you decide today to bring about a change in the rate of spending at the Federal level, actually on any material basis, we would be unlikely to see any results in a period of 4 or 5 months, and probably not for 6 months.

Let me remind the Members, who are here listening, of the converse which happened during the Korean conflict. At that time we were most anxious that the rate of spending in defense be increased immediately. We set in motion the apparatus to bring about that increased spending. But, when did we reach the apex of it? About 2½ years after we set out to bring about the increased spending in the Department of Defense. So, my friends, it is not as easily accomplished as you may have been led to believe by some of the remarks made today.

Some may say that we do not need as high a level of debt ceiling as the majority of the Ways and Means Committee are recommending—that we can use some lesser debt ceiling by simply drawing down the cash balances within the Treasury at any given time. We have always, in determining the need for a debt ceiling, proceeded on the basis that the Secretary of the Treasury should have on hand approximately $4 billion in cash at any one time because—remember this—the total spending by the Treasury per day is around $400 million. These funds are not chargeable altogether to the budget of the Government, but out of these cash balances the Treasury has to make payments for budgetary and the trust fund items—such as, social security payments and the payments out of the highway trust funds and out of the civil service retirement and the railroad retirement funds and the State unemployment compensation funds. Out of all these funds, plus amounts chargeable to the budget, he makes daily disbursements which will reach a level of about $400 million a day. We are talking in terms of the 5-day working week. What we are providing in the bill is not an amount which is excessive relative to the needs of the Secretary of the Treasury for a cash balance between now and August 31.

But, let us assume that the motion that was offered within the Committee on Ways and Means—and I do not know what will be offered now—but let us assume that the motion that was offered in the Committee on Ways and Means—$305 billion—should be adopted by the Congress as the ceiling. Of necessity, between now and June 30, the cash balance in the Treasury would have to be drawn down.

Now, let us see what this cash balance is. As of last Friday there was about $5½ billion on hand in our commercial banks throughout the United States. These funds were on deposit in some 11,578 commercial banks where the Government has a tax and loan deposit account. There was in addition about a billion dollars on deposit in the Federal Reserve Banks. If these accounts are drawn down below desirable levels, or necessary levels, those moneys have to be withdrawn from local banks and placed in one or two central depositories. This you have to do when you have a very low cash balance in order to have a balance sufficient to cover withdrawals. We may then have a cash balance too low to provide the Secretary of the Treasury any degree of margin for contingencies; for such uncertainties as short falls of receipts, or larger expenditures than expected or uncertainties as to time of receipts or time of expenditures. In addition anyone who has had any experience in this field will say that at least $500 million should be on hand, in cash, to the account of the Secretary of the Treasury at all times just to take care of other contingencies.

The cash balance if it is once reduced by having a too tight ceiling does not accomplish any economy whatsoever. This simply makes it more difficult for the Secretary of the Treasury to handle the payment of bills, as well as the handling of the debt itself.

Let us see what he might do if we forced him to draw down his cash balance too low. One thing he may have to do is to prevent the issuance, on a rollover basis, of some $2,100 million of Treasury bills each week. If he does not have the authority within a debt ceiling to issue new bills he has to pay cash for maturing bills.

You may say, all right, that is what we want him to do, but do we really mean this? Do we really want the volume of Treasury bills reduced? The issuance by the Treasury of these Treasury bills in the last 2 or 3 years has done much to improve the balance of payments. Before that time the investment of American dollars abroad in securities on a short-term basis at high interest rates accounted for as much as half the contributions of the past to the imbalance in our dollar payments.

Do we want to say that we are by our vote today perfectly willing to have the Secretary reduce the $2.1 billion of these bills coming up each week to one billion or one billion and a half? What does this do to the short-term interest rate? It is bound to lower it because the fewer Treasury bills will absorb less money. This lower interest rate will make the American market less attractive for investments of short-term funds.

Where will they go if our short-term interest rate is lowered? They will go to Canada, to London, to Paris, to Switzerland and elsewhere overseas. This transfer of funds abroad will immediately be taken into consideration in determining our own balance of payments. But some may ask how serious is this? What other step does it lead to?

This larger imbalance in dollar payments gives rise to heavier withdrawals of gold from the United States. Just because some may want to take a step here, which they hope may be interpreted as an economy vote, do they really want to incur the possible dire results that can also accompany this vote in the creation of a further imbalance in our balance of payments?

I do not think we do, Mr. Chairman.

All right. Then we say if the Secretary is foolish enough within this limitation to issue fewer bills, that is his fault. He ought to do something else. What else can he do? When he gets to this ceiling one possible action he could take would be to stop the issuance of new series E savings bonds to those on a payroll checkoff plan. But do we want to stop the deduction against the paychecks of employees for new bonds at a time when we are beginning to make some real progress in attracting new funds into E-bonds? This year, up to now, we have improved the net holdings of our people in series E bonds by some $700 million in the first 4 months of this year; in the month of April net holdings increased $110 million. Now, do we want to stop that? No. Of course we do not.

All right. Then they again say the Secretary of the Treasury should not do that. What else might he do? He might be forced into a positon, which I hope he will not be forced into, of determining whether or not his stewardship of fiscal affairs for the Government outweighed his trusteeship of trust funds. What am I talking about? Between now and August 31 there will be paid in to the Treasury for the benefit of all these trust funds some $6.5 billion. About $3 billion will be paid out in that same period of time chargeable to these various trust funds. Now, it may surprise you to know that the Secretary of the Treasury does not have to invest the funds collected for the trust funds immediately in special certificates for these trust fund accounts. If he does not issue those certificates within this period of time, technically he has not increased the public debt. What has he done through this process of not increasing the public debt? He has access to the same number of dollars, even though he has not increased the debt. Just a $400 million transaction of this type means a loss to the trust funds each day of about $40,000 in interest. If we do not give the Secretary the leeway under the ceiling to put those certificates into those accounts, then the Congress ultimately would be charged with the responsibility of making an appropriation equal to the amount of interest that we had lost for these funds in the interim period.

I should like at this point to insert a letter I received from the Secretary of the Treasury dealing with a number of points I have made up to this point:

THE SECRETARY OF THE TREASURY,
Washington, D.C., May 14, 1963.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In answer to your request, I am setting forth the consequences that would flow from the maintenance of the debt limit at its present level of $305 billion.

As you know, the projections presented to your committee when it considered the matter and adopted the temporary limits of $307 billion and $309 billion, which H.R. 6009 would provide, show that the investment of trust fund receipts in the latter part of May will push the debt some $300 million above the present temporary limit of $305 billion. If the limit is not raised by that time, it will be necessary to use some device to reduce the debt by an equivalent amount and to allow for the accrual of savings bond interest which is added to the debt at end of each month.

There are three possible devices, all expedients, for doing this. Stopping the sale of savings bonds is not included, since these sales would not be in amounts necessary to accomplish the required end, and once the sales machinery was stopped temporarily it would be next to impossible to set it effectively in motion again. Nor have I mentioned any further sale of assets, since all sales that could affect the critical period have already been arranged (and their effects taken into account).

One expedient would be to replace only $1.7 or $1.8 billion of the $2.1 billion of the weekly Treasury bills coming due on May 30, rather than to replace all of them. Reducing the amount of Treasury bills available to the investing public at a time when market factors would be working in favor of a decline in the bill rate would make it extremely difficult to maintain bill rates at the levels required to check transfers of short-term funds abroad. Should such transfers increase, gold losses would also increase. The adoption of a $305 billion debt ceiling would thus deprive the United States of the flexibility in debt management which has served it so well in protecting the dollar during the past 2 years. It would shake the confidence of the international financial community in the determination of the

United States to defend the value of the dollar. For this reason alone, limitation of the debt to $305 billion would, under present circumstances, entail the gravest of risks.

A second expedient would be to invest the trust fund receipts in issues already available in the market, rather than in new special non-marketable obligations, which is the normal procedure. To make such purchases of $300 to $400 million would have disruptive effects on the money and securities markets since the purchases would have to be concentrated in long-term securities in order to obtain the interest return needed to meet actuarial requirements.

Another expedient would be to leave $300 to $400 million of trust fund receipts uninvested. This would deprive the trust funds of interest income at the rate of about $40,000 a day. It would also compel the Secretary of the Treasury to make a grim choice between a trusteeship to these funds and his stewardship for the public credit of the U.S. Government.

In addition to their grave consequences for our gold stock and for the markets, the first and second of these devices would deplete the Treasury's cash to such an extent that other difficulties might arise within a few days. On the basis of the projections supplied to your committee, the Treasury's cash balance will be at $3.5 billion on June 7, the bulk of which is carried, to prevent disturbing effects on the money market, in 11,578 commercial banks throughout the country. Pending calls against this balance, made in regular course to cover the payment of checks 4 to 7 days ahead, will leave the uncommitted balance in these 11,578 commercial banks at about $800 million. If Treasury cash were depleted by $300 to $400 million through devices necessary to prevent piercing the debt ceiling at the end of May, the net balance would be reduced during early June to such a low level that it would be impossible to spread it throughout the banking system, making it necessary to concentrate the deposits in a few large banks and eliminate Treasury deposits in many smaller banks throughout the Nation. This action would also have gravely disturbing effects on the money market.

If it should appear, moreover, that the cash balance might fall below this dangerous minimum, in order to insure against the financial breakdown that might ensue, a program of delaying the payment of bills as they come due—payments to contractors, Government salaries, benefits, grants to States, etc.—would have to be begun to preserve the Treasury's cash at least at this minimum. Again, apart from other consequences, this could only serve to shatter international confidence in our continued ability to assure the soundness of the dollar.

The projections which your committee had before it contemplated the borrowing of $1.5 billion of new money on June 12. It will be necessary to borrow $3 billion of new money before the end of July to pay the Government's bills. This can be done more advantageously if it is carried out in stages with a portion of the funds being obtained in June. A $305 billion debt ceiling would deprive the Treasury of the ability to raise these funds at the most favorable time and consequently be more costly to the taxpayer.

After the middle of June, the receipt of the heavy tax payments due June 15 and the retirement of the June tax anticipation bills will temporarily relieve the situation. However, revenue collections are low in July, and expenditures continue at their regular monthly rate. Therefore, the respite will be short lived, and, before the end of the month, the Treasury would again be forced to engage in undesirable expedients to stay within a $305 billion limit. Such a situation would adversely affect the scheduled refunding of the $6.6 billion of Government securities falling due on August 15. Toward the end of August, extreme measures such as are described below would become necessary.

Should there be no action by the Congress and should the debt limit be allowed to fall to $300 billion on June 25 and to $285 billion on June 30, only two alternatives would be open to the Treasury. Both might have to be used. The first would be a massive disinvestment of Government trust funds and the second would be postponement of payment of Government salaries and bills. Should $20 billion of the special issues held by the trust funds be retired, the interest cost to the trust funds would approach $2 million a day.

This loss would continue until such time as Congress provided new authority adequate to meet the obligations it had already created. At that time, it would also be necessary to replenish the trust funds to the extent of the income they had lost. This would require a special appropriation.

In closing, I would like to underline once more the grave dangers to our balance of payments and to the international standing of the dollar that would ensue should the Congress limit the debt ceiling to $305 billion and, by so doing, deprive the Treasury of the ability either to use debt management techniques in defense of the dollar or to manage the debt in accordance with sound financial practice.

Sincerely yours,

DOUGLAS DILLON.

Some may yet say none of the possible answers I have already outlined are necessary. All in the world the Treasury has to do is to dispose of some of the assets that the Government now holds. If it does this to the extent that we want it to do, it is then argued that there is no need of increasing this ceiling one iota. Yes, my friends, it is possible to have a crash sale on Government securities, but do we want this to happen? Oh, some may say "What about these REA loans that we have outstanding on which the interest is at 2 percent?" Do you think we could sell those securities anywhere at 2 percent? No, we cannot do that. We would have to discount them. If we sold them to provide investors a rate of interest—they are long term, remember—of about 4 or 4½ percent, we would have to dispose of these securities at least 30 points under what the Government has in them.

Oh, how about FNMA and other mortgages? They say at least $4 billion of mortgages are in the portfolio of the Government that could be disposed of in this 3-month period, and if there were, it is argued, there would be no need of increasing the debt ceiling. Yes; but $4 billion in a 3-month period is at the rate of $16 billion annually. Have those who have thought of this as a solution realized what they would be doing to the mortgage market of the United States and for years to come to those who are buying homes today? Have they figured out how many dollars it would actually cost the Federal Government to bring about any such crash sale as that?

Well, if you have not, you had better begin to think in these terms because if you sell $4 billion in today's market you will lose at least $100 million in Government money and you are going to absolutely dry up the market for home mortgages in the process. You are going to set back the capacity of even State and local governments during that period of time to float their own issues, because the money market will not absorb that much in that short period of time.

Mr. Chairman, we have studied this in the committee. We concluded in the committee that the disposition of about $2 billion of these assets in the fiscal year 1963 was proper procedure; that the disposition of another $2 billion of these securities in fiscal year 1964 is proper procedure and can be done at no cost to the Federal Government, at no cost in absorption ability of the money markets, or in reducing available funds for other uses.

So, we say, Mr. Chairman, that we have examined into all of these matters and we reached the conclusion—as much as we may dislike a ceiling at this figure, as much as we may dislike the necessity of it or anything else—that there are some things that you are being called upon today to do in the name of a vote for economy that will actually cost more money than the raising of the ceiling on this debt.

Now, Mr. Chairman, it is also said that we have some $7.5 billion of strategic minerals on hand and some argue that it would not hurt anybody to dispose of those strategic minerals. What do we have on hand? We have a lot of aluminum, we have a lot of copper, we have a lot of rubber, we have a lot of tin, we have a lot of lead, zinc, and copper. Yes, these are usable materials that I am talking about. They can be sold. But what happens, Mr. Chairman, if we bring about a crash sale of these strategic materials? What do we do to the industries involved? Have we thought that through? What do we do to our Western States and other States that produce many of these items, these strategic materials? Some are already depressed areas. Do we help them by breaking the price? Do we help them by putting them in a position where they cannot sell the products from their own mines and from their own smelters? I do not think we do.

Mr. Chairman, I think it is much better for us to approach this problem on the basis of some orderly method of disposal—such as that which is being developed by a Member of the other body—than to suggest that we do it all within a 3-month period and bring about the consequences of such action.

Mr. Chairman, I should like to insert at this point a letter I received from the Director of the Bureau of the Budget, dealing with certain material I have presented up to this point:

EXECUTIVE OFFICE OF
THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 8, 1963.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In discussions of the public debt limit during the recent hearings before your committee, it was suggested that a sharply stepped-up campaign of asset sales could, without adverse consequences, allow the Government to operate within a debt ceiling lower than that proposed by the Ways and Means Committee.

In my opinion, a crash program of asset sales forced by an arbitrarily low debt ceiling would be injurious to the economy and would impose substantial losses on the Government.

As you know, in accordance with a general policy announced in January, the administration has taken advantage of the unusually favorable money market conditions in the last few months to expand the sales of Government-held mortgages and other financial assets. As the attached table shows, we now expect to reach total sales (apart from CCC certificates of interest) of $1.1 billion in the current fiscal year. Moreover, if favorable market conditions persist, we expect to make sales of about the same amount in fiscal 1964.

It is important to note, however, that these sales have been made at current market prices. We have not undercut the private market. It has been an orderly disposal program, in which we have sought to obtain the best price possible for these valuable assets and to avoid disrupting money markets or drying up the flow of funds to private borrowers.

However, if we were forced to dispose of large additional quantities of mortgages and other assets in a short period, we would have to cut prices. A very large volume of mortgages is now for sale in FNMA, VA, and FHA portfolios. Buyers are now taking all of these assets they want at current prices; if we want them to take more, we will have to sell at cut rates.

If a debt ceiling squeeze compels us to conduct a distress sale of a large volume of mortgages and other assets, we would risk consequences which we believe the Congress would prefer to avoid:

First, since sales and purchases in the FNMA secondary market must by law be made "within the range of market prices," we would have the anomalous and disruptive situation of different Federal agencies asking different prices for comparable assets.

Second, with the Government forced to accept whatever price it can get, and with this fact known to potential buyers, the result is likely to be further depression of the market for these assets and even lower returns to the Government.

Third, a massive sale of mortgages by the Government will divert funds from the private mortgage market, and will tend to raise interest rates to homebuyers, thus discouraging new construction.

Fourth, a distress sale of assets will force substantial losses on the Government. For example, if the debt ceiling were set at $305 billion instead of $309 billion, and if this action compelled the Government to sell $4 billion in mortgages in a short period, a price reduction of at least 2 to 3 percent would be required. This would entail a cost to the Government of between $80 and $120 million.

For these reasons, I do not believe that a forced sale of assets would be in the best interests of the Nation. At the same time, I wish to assure you that we shall continue to liquidate financial assets as rapidly as is consistent with the protection of the financial interest of the Government and the maintenance of an ample flow of credit to finance new construction.

Sincerely yours,

KERMIT GORDON,
Director.

Sales of financial assets, fiscal years 1963–64

Budget accounts	Fiscal year 1963 sales		Fiscal year 1964 plans
	Estimated in January budget	Revised estimate for year	
Housing and Home Finance Agency:			
Special assistance	50	300	200
Management and liquidation	6	10	0
College housing	0	0	50
FHA purchase money	0	0	60
Public facilities	0	0	30
Veterans' Administration:			
Direct loan program	18	190	18
Loan guarantee program (vendee loans)	150	260	147
Export-Import Bank	60	312	565
Federal Savings and Loan Insurance Corporation	3	3	0
Small Business Administration	---------	7	7
Total (excluding Agriculture)	287	1,082	1,077
Agriculture (Commodity Credit Corporation certificates of interest)	639	1,000	825
Total	929	2,082	1,902

SALE OF STOCKPILE ASSETS

MAY 8, 1963.

The market value of the assets in the stockpile of strategic and critical materials is $7.5 billion; $3.4 billion of this amount represents assets which are in excess of stockpile objectives and eligible for disposal.

Over 70 strategic and critical materials are currently maintained in the stockpile. Following are some of the major high-dollar materials:

Commodity and market value

Aluminum	$908,638,200
Copper	706,835,800
Lead	277,126,200
Nickel	360,173,200
Rubber	684,709,100
Tin	863,501,800
Tungsten	177,398,500
Zinc	363,586,100

The markets for metals and minerals generally have been soft for some months. The production of steel has been estimated at 75 to 80 percent of industry capacity. Over 15 percent of the free world copper capacity has been idle. This condition has deterred disposals of stockpile surpluses. Recently the prices and demand for certain metals, particularly aluminum, have been firmer. Opportunities to dispose of stockpile materials with stronger markets are being carefully explored. Lead and zinc, on the other hand, represent industries with chronic weaknesses which are not relieved by sporadic improvements in the economy.

These examples are illustrative of the varying circumstances which can affect the disposal of stockpile surpluses. Progress is being made, however, in surplus disposals. Sales for fiscal year 1963 are expected to exceed $100 million.

There are several provisions in present law which restrict disposals of excess stockpile materials. The Strategic and Critical Stock Piling Act of 1946, for example, provides that disposal plans and dates of disposition of materials should protect the United States against avoidable loss on sales and protect producers, processors, and consumers against avoidable disruption of their usual markets. This clause would probably apply to large-scale disposal plans which could result in losses to the Government through discount sales and which would accordingly disrupt markets. The express approval of the Congress is also required by the above law for each disposal plan which is proposed. In some instances the pressure of other business delays approval of the plans until markets for the material are less favorable.

The Defense Production Act prevents the foreign sale of excess materials in defense production inventories because it requires that all sales be made at "domestic market prices." This law also blocks long-term purchases because it states that sales commitments for materials cannot extend beyond June 30, 1965. Corrective amendments to the Defense Production Act were proposed by the Office of Emergency Planning in the last session of Congress but were not enacted.

Mr. Chairman, it also has been argued by some that it would be all right to slow down some Government payments. Maybe we could slow down some of our commitments. Let me tell you, Mr. Chairman, it is possible to do that, to slow down payment. It is possible to do it. We can slow down some payments to contractors of the Department of Defense for 2 weeks and delay payment of some $500 million.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. MILLS. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, we can slow down some of the present commitments in space for 2 weeks to some of the contractors and save $50 million. We can do something in agricultural expenditures by slowing down payments and maybe save $200 million.

We can do something about payments by the Post Office Department, on rail and air payments contracts outstanding. We can ask them to hold them for 2 weeks and thus do something about the needs of the Secretary of the Treasury with respect to cash balance and the debt ceiling. Oh, yes, we can say to the States that we will just hold up for 2 or 3 weeks, or a month, the payments that we are committed to you in June with respect to the educational programs and defer $230 million of spending.

Mr. Chairman, we can hold up the moneys that ought to go into the States for Federal school aid to impacted areas, grants and loans that go into education, or withdrawal of unemployment benefits for 2 weeks. There are a number of things like that which we could do and, perhaps, save the need for 200 additional million dollars.

Yes, Mr. Chairman, we can save $575 million of need for cash in June by telling all Federal employees that we will pay you 2 weeks later than the due date of your check.

If we want to do that to the military personnel for about 2½ weeks we can avoid the need for a billion dollars in June. Mr. Chairman, we can avoid the need for $1,700 million if we ask the recipients of all of the benefits and pensions that are paid from the Federal Treasury just to forgo receipt for 2½ weeks. Mr. Chairman, the table below summarizes the possible delays in expenditures which could be made:

ROUGH PRELIMINARY ESTIMATES OF POSSIBLE EXPENDITURE DEFERRALS FROM FIRST PART OF JUNE TO LAST THIRD OF JUNE 1963

Department of Defense (military): Deferral of payments to contractors for a week or so starting first of June or thereabouts, with a pickup of the deferred payments after June 15, could shift expenditures by possibly, $500 million.

National Aeronautics and Space Administration: Through same procedure as described above for Defense could shift approximately, $50 million.

Department of Agriculture:

Commodity Credit Corporation: (1) Banks could be asked to hold up sight drafts after exporters have drawn down their lines of credit, but this would add to Government's interest payments to the bank. By holding up entire May and first half of June drafts until later in June, a shift is possible of perhaps $125 million.

(2) Storage payments normally paid early in June might be delayed up to a few weeks and shift $15 million.

(3) Payments to wool farmers due early in June might similarly be deferred and shift $40 million.

(4) Banks might be encouraged to hold outstanding certificates of interest a little longer by temporarily raising the interest rate on certficates. If high rates were too temporary, banks might not take much advantage of this—because of such unknowns the range of possible deferrals is rather large —$20 to $100 million.

Removal of surplus agricultural commodities (sec. 32): By deferring payments for commodity purchases early in June, until later in the month, a shift might be possible of about $25 million.

Post Office: Deferral for 1 week of rail and air payments, drawing down of postal savings deposits in commercial banks and other actions might possibly increase Treasury cash balance temporarily by $25 million.

Grants to States for public assistance: Deferral of monthly grants-in-aid to States for old-age assistance, aid to dependent children, aid to the blind and totally disabled, and medical assistance for aged, $230 million.

Deferral for a few days to a few weeks of various contract payments or grants (in the case of payments to States and local government units, efforts to work out some cooperative arrangements would have to be undertaken): (1) Federal school aid to impacted areas, $35 million; (2) certain civil construction contracts, including grants (covering Hill-Burton hospitals, waste treatment grants, Corps of Engineers, public works, etc.), $50 million; (3) grants, loans, etc., under National Defense Education Act, National Science Foundation, and National Institutes of Health, $50 million; (4) withdrawals by States for unemployment benefits—temporary deferral for a week or so might temporarily enlarge Treasury cash balance by $75 million; (5) other assorted payments covering veterans' loans, operations of the Housing and Home Finance Agency, and foreign economic assistance, $75 to $100 million.

Federal civilian wages and salaries: Deferral for 2 weeks of salary payments to civilian employees could shift expenditures of possibly $575 million.

Payments to military personnel: Deferral for up to 2½ weeks of these payments, starting with payroll due May 31, 1963, might shift into latter part of June perhaps as much as $1 billion.

Pensions, etc.: Deferral for 2½ weeks or so of benefits due under old-age and survivors' insurance, civil service retirement, railroad retirement, and veterans' compensation and pension programs could temporarily increase Treasury cash balance by approximately $1.7 billion.

Mr. Chairman, there are things of this sort that can be done, but I come back to the original thesis of my statement. We will not bring about in this 3-month period any material change in the real rate of spending if we adopt the Byrnes proposal, if he offers it here as he did in the committee or if we vote down this whole proposal.

Mr. Chairman, here today there are many people who think, "If I vote 'no' on this, somebody back home will pat me on the shoulder when I get back and say, 'Oh, Mr. Congressman, how good it is for you to vote for economy.'" Yes, Mr. Chairman, sometimes I get a little bit concerned. I know all of us want economy in Government, but I get a little bit concerned about the kind of vote for economy. This bill is not just concerned with a ceiling on a debt, bear in mind. This bill that you are considering today is a ceiling upon the Secretary of the Treasury's ability to finance the debt that already exists. This bill today is concerned with a ceiling upon his ability to pay bills and commitments that are already in existence, that have already been provided by the Congress of the United States. So I ask you, my friends, is it your job in the name of some such possibility—or in the name of getting credit for kicking somebody in the pants—to take the responsibility that you are taking, for making it impossible for the Secretary of the Treasury to satisfactorily manage the debt?

You must face up to the issue. Are you, in view of the consequences that may develop from your vote, justified in taking this course of action?

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Missouri.

Mr. CURTIS. I wonder if the gentleman will comment on the effects of the administration's cutback in November 1961, as a result of the President's Cabinet meeting, of about $1.2 billion in 6 months? Did it have all of these dire consequences?

Mr. MILLS. I do not know that the administration contends that there was a cutback of $1.2 billion in 6 months. However, I have not said one time that spending could not be curtailed. I have said that you will not reduce expenditures in the period before September, if you start now, by fixing a ceiling.

Mr. CURTIS. What I want to direct attention to is that the Executive, the President, did cut back $1.2 billion and these cuts were not made in the areas the gentleman mentioned. I will agree with the gentleman if the President does not want to, if he wants to play politics and cut back, he can do that.

Mr. MILLS. Just a moment. This business of playing politics is not a one-way street.

Mr. CURTIS. No, it is not.

Mr. MILLS. It is not a one-sided thing. Yet I like to play politics with the gentleman from Missouri sometimes, too. Yes, the President decided to cut back on spending. It was not accomplished, however, on the day he decided to do it, my friend knows that, nor within 3 months thereafter.

The way to reduce expenditures is right here with respect to appropriations, with respect to authorizations. I point out that the result he desires will not develop through the process of fixing a debt ceiling for 2 or 3 months, immediately ahead, and my friend knows it.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I rise, and in doing so I think I express the sentiment of Members on both sides of the aisle, to commend the gentleman on the logic of the great argument he is making.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. BAKER].

Mr. BAKER. Mr. Chairman, today we have before us a matter of the greatest concern—the public debt limit. It is a matter which if it is to be properly understood must be considered not only in light of present happenings but in light of history—history which has been made right here in this very Chamber.

May I recall why Congress in its wisdom created the Committee on Ways and Means and why, historically, Congress has served as a watchdog over the financial matters of our great Nation.

The Committee on Ways and Means was established in 1789 upon a motion by the Speaker of the House, Mr. Fitzsimons, of Pennsylvania.

During the 7 years that followed, both expenditure and revenue estimates were submitted to the House by the Secretary of the Treasury and the House resolved itself into a Committee of the Whole House on the State of the Union to consider the Treasury's requests. This procedure—the consideration of expenditure and revenue estimates by the Whole House without any preliminaries—proved to be highly unsatisfactory. Moreover, there was a growing awareness of the encroachment of the Executive power and especially of Alexander Hamilton's predominance in national finance.

Then, on December 16, 1796, when the Speaker laid before the House a letter and report of the Secretary of the Treasury, accompanied with the annual estimates for the support of the Government, "on motion of Mr. Gallatin it was resolved that a standing Committee of Ways and Means be appointed whose duty it shall be to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue as may be referred to them by the House; to inquire into the state of the public debt; of the revenue, of the expenditures, and to report, from time to time, their opinion thereon."

In 1865—after a period of about 70 years during which the Committee on Ways and Means had exclusive jurisdiction over the whole of appropriations, taxation, and the public debt—the Committee on Appropriations was appointed to take over all appropriation measures.

For my purposes here today, I feel that this is now an appropriate place to look forward as well as backward. My purpose in giving you this cursory review of the early history of our committee is to point out that not only did the committee originally have jurisdiction over expenditures, taxation, and the public debt, but that it was permanently established as a result of the growing fear that the executive branch of government was assuming too much power and influence in the area of national finance.

The power and influence of the Executive in national finance is still a matter to warrant our deepest concern.

Section 8 of article I of the Constitution of the United States gives Congress the exclusive and sole power to borrow money on the credit of the United States, and to pay the debts.

These three functions—the fixing of the national debt, the raising of revenue, and the appropriation of moneys—are within the exclusive power of Congress.

These are not responsibilities which we can take lightly or pass on to the Executive by default. We not only have a moral duty in these affairs but are charged with a binding and continuing constitutional duty under the terms of the Constitution of the United States.

We must remember that the debt limit is by no means an isolated matter. It cannot be considered in a vacuum, but must be considered in light of our revenue picture and the administration's announced level of spending. These matters are tightly interwoven or interrelated with each having a direct bearing on the others.

Today we are being asked once again—for the fourth time since this administration came to power—to amend the Second Liberty Bond Act of 1917. This was not always the procedure by which we increased the debt limit, nor did we increase it so frequently and steadily during the years past—that is, during years in which we were not engaged in a world war and in which our economy was moving forward.

Prior to the First World War, Congress passed a new law each time an anticipated increase in the national debt necessitated an increase in the debt limit. During this time, Congress maintained a much more active role in debt management than it does today. Congress set the interest rates and maturities, and identified the types of securities which were in turn to be sold by the Department of the Treasury.

At the onset of the First World War, the Department of the Treasury requested that it be given more authority in the management of the debt.

In 1917 Congress passed the Second Liberty Bond Act, which is the basic debt limit act in force today. Under the act the Department of the Treasury was given the authority to borrow an amount not to exceed roughly $7.5 billion.

Today's amendment to the Second Liberty Bond Act, if passed, will be the 28th such amendment. It will mean that this body has given its approval to a debt limit over 41 times the amount of the 1917 limit of $7.5 billion. From 1917 to today—46 years—the debt limit has increased on an average of almost $7 billion per year. Projecting this into the future by another 46 years, in the year 2009 we will have a debt limit of roughly twice that proposed in the committee bill—or approximately $612 billion—that is, if we refuse to face up to our responsibilities here today.

The question foremost in all our minds is, What power does Congress have to hold down expenditures by the Executive?

We can compel the President to hold the present 1963 level of spending by refusing to grant this $309 billion debt limit they are asking for—and by voting for the motion to recommit to be offered by my colleague from Wisconsin. The motion to recommit will require the administration to hold the line—and to reevaluate on a priority basis old and new programs.

The administration is in possession of financial data—revenue and spending figures—on a day-to-day basis that Congress does not have. It is the duty of the President to report to Congress on these matters.

Let us consider the present fiscal year for example. In the fiscal 1963 budget message, the administration laid claim to a budget which if approved would yield a $463 million surplus. Later in the year—during May and June—the administration admitted that the surplus had been wiped out and that we would have just a balanced budget.

Not until the midyear review—which was made public after Congress adjourned and after the November elections—did the administration admit that they expected a budget deficit of almost $8 billion.

For fiscal 1964, they are informing us at the outset that they are planning a large deficit in the amount of $11.9 billion—and from all indications this is only a "modest" admission. The deficit, if we fail here today, will be even larger.

By the Secretary of the Treasury's own statement before the Ways and Means Committee, we will be asked to vote a debt limit of about $320 billion before the year is out.

Mr. Chairman, I submit that a vote in favor of the committee bill is a vote cast Let us throw up an effective roadblock to lead us down the road to insolvency. and maintain the current debt limit.

Let us say to the President and the executive departments: You can spend up to the extent of your income and up to the extent of your present authority to borrow, but no further. As you approach this limit, you must exercise a system of priorities in spending, just as we do as individuals and families.

I urge you to vote for the motion to recommit, and if the motion to recommit should not prevail, then to vote against passage of the bill.

Let us say to the Nation and to the world that we have regained and restored our sense of fiscal responsibility and commonsense in the United States of America.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Chairman, I first want to commend the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. Mills], for a very fine presentation of the deep problems that are involved in the question of debt management. This in itself and the presentation I hope many people will read. I hope they will read the words of the chairman to bring home to them this problem of managing a Federal debt of the size of $305 billion which will go on if the expenditure program of the administration continues. In the immediate future, the Federal debt will go on to be $320 or $325 billion. Indeed, there are these dire consequences that the chairman pointed out.

However, as the chairman developed these points and went to one possible solution after another, first, the possibility of selling our assets, I noted he always talked about crash sales. You do not have to sell securities of the Fannie Mae, the Commodity Credit Corporation, and the mineral stockpile on a crash basis. Incidentally, I thought the President himself was advocating that we get rid of the mineral stockpile. You do not have to do it under a crash program. An administration that is properly handling its fiscal affairs, of course, sells off assets in an orderly fashion. You do not have to draw down on cash balances all of a sudden such as has been suggested, nor do we have to have these crash slowdowns or failure to pay contractors in cutting down on the expenditure rate.

The chairman of the Committee on Ways and Means mentioned many of the ways that we might wiggle and squirm to handle the debt or to manage the debt, with one exception, and that is the way in which we can move forward and avoid these consequences. It is on the expenditure side of the budget.

The issue really before this House today, and it is going to be again before us and this same debate will occur whatever is done here today at some time in July when the administration comes forward and asks for a debt ceiling of around $320 billion. The issue is Federal expenditure and Federal expenditure reform.

Let me say it is not just today and this July that we have to look forward to. The administration's economic and political theories project an unbalanced budget under its own estimates on into 1967 and a more realistic estimate of Dr. Arthur Burns, and to date I have not heard anyone successfully contradict it, is that this deficit financing is to go on until 1972, at which time the addition to the Federal debt will be around $75 billion.

Yes, this administration is resorting to some of the techniques that the gentleman from Arkansas [Mr. Mills] described in general terms. Only I want to say to you he did not happen to mention all of them specifically as he mentioned some of them. Let me illustrate one, the marketing of U.S. Government bonds not payable in U.S. dollars, but payable in the currency of foreign nations, in German marks, and in the currency of Switzerland and the currency of France.

What does this mean? There is a ready market for $500 million of U.S. securities payable not in dollars but payable in the currency of foreign nations. Why was there this ready market? I can suggest one very important reason, because this provides a very nice hedge for these countries against what some of them anticipate to be the devalution of the dollar. Sure. I asked Secretary Dillon: How does this fit in? What is the legality of it? I was surprised, and it is true, that this authority was given in the original Liberty Loan Act to which this bill is a basic amendment. It was given at that time. And then I said: But how does this fit in with the dollar limitation of the debt ceiling if the dollar goes down and the mark, for example, goes up? I asked: Does this automatically increase the amount of bonds in dollar value we have outstanding? And he said, "Yes." And, of course, that is so. We had on the floor of the House, though not too much attention was paid to it, the repeal of the Silver Act.

Now, I was not particularly in favor of bimetalism as the base of precious metal behind our currency. That was fully fought out on the floor of the House and the Senate of this Nation for many years. That was not the significance of the repeal of the Silver Act. As a matter of fact, the tragedy was that we really had to do something about repealing the Silver Act, because the value of a silver coin, the intrinsic metal in a quarter, was becoming worth more than the full faith and credit of the United States. And, this is another way of cashing in assets, $2 billion worth of precious metal which stands behind our currency. And, I asked for only one little reform in that bill. The Secretary of the Treasury said he had no intention of just getting rid of the $2 billion of silver bullion; he wanted to do this gradually over a period of 15 to 20 years. And I said, Why could not this restriction be in the legislation, because there are those who argue it should be done quickly.

No, the repeal of the Silver Act is only a symptom, a symptom of the disease that is infecting our economic well-being. It is a symptom of the devaluation of the dollar, because things with intrinsic value are becoming worth more in terms of the worth of the dollar or, what is happening is that they remain the same in effect, but the dollar as a measuring stick is being devalued.

So, the issue before us is this question of expenditure reform in context with an administration which now almost without disguise—there still is some disguise—wants to embark this Nation on a program of deficit financing that goes on until 1967. And, the question comes, What does the Congress do about this, or what can it to do about this? Of course, the obvious answer is, and all of us know it, to do something about the appropriation bills and the authorization bills. But, we also are aware of the fact—and this is to our discredit, and I share with all of us some of this blame—that we never have established a legislative budget. We bring in our budgets proliferated and consider each one, but never do we gather them all together at the end to see how it relates to our overall revenue. And, the nature of budget making—we are all aware of this—is that when you put a program in, the advocates of the program can well point out the merits of it. As I said, in balancing a budget, do not look for an easy out, where you can find a bad program, because it is easy enough to vote against a bad program or an extravagant program.

Responsible voting is the necessary vote in balancing a budget and that is when you deal with priorities where you have a program that is good and where you can say "Yes, I cannot say that that is not something that we should not do, and there are a lot of reasons why we should."

But then you say in conjunction with all the other things that are desirable and needed to be done, "We have got to place these in order when we have the revenue to pay for them—the priorities—and we have no setup in the Congress to do this." That is why—and I think the gentleman from Arkansas [Mr. MILLS] made a very good point, and I want to thank the gentleman for including the 10 Republicans in with the 25 members of the Ways and Means Committee—I have said to this House and will keep on saying on the floor that something has to be done about the debt ceiling, the $285 billion which is a permanent ceiling—and that is what it becomes on June 30, which is an impossible figure to deal with.

Mr. Chairman, many is the time up until last year I took the floor of the House as these ceilings came up to argue, just as the chairman did, that this had to be done: We have voted the appropriations. We have told the administration it can spend the money and we are no more than facing up to what we have done.

Mr. Chairman, I used the figure of speech that it is like trying to stop the progress of an elevator by grabbing hold of the elevator indicator. But then I began to dig into this subject in a great deal more depth, not seeing that we were moving along the line that we should with reference to cutting these authorization and appropriations bills, and facing up to this difficult problem of delaying desirable programs. I again must in all conscience say that it is difficult to vote against a good program—really not being against the bill—but that we can defer that for another year or into the future, until we get the money. We should face up to that.

Mr. Chairman, is there any possibility of making this debt ceiling legislation a proper vehicle where you can direct expenditure reform? I once again call to the attention of the Executive the fact that the Congress at any rate in speaking for the people thinks we are going too far in the expenditures field.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield for a question?

Mr. CURTIS. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Do I understand the gentleman to say or do I get the impression that it would be inconsistent for a person to vote for a program that was going to throw this out of line and then still vote against increasing the ceiling?

Mr. CURTIS. It might be. Let us put it this way, if I may say to the gentleman: Let us take a specific item.

Mr. JONES of Missouri. If the gentleman will yield further, yes; let us take a specific item such as voting for the military pay increase which was before the House last week. Anyone who would vote for that bill should vote for an increase in the debt ceiling; is that correct?

Mr. CURTIS. Possibly. But here is the reason I am putting the modification in: Again, you could well argue you have your own sort of budget. As one of the gentlemen from Texas, I believe, used to say each time he prepared his own sort of budget and put in it those things that he thought desirable and cut back other items. Suppose this were an item in your priority which was ahead of others, and you would cut out of the budget others? Then I think you could with consistency say in your own theory this increase need never occur. I would only have to say in other areas if you put your vote where your voice was and voted against other appropriations, then I think the gentleman would be consistent perhaps in so voting. It would depend on how he evaluated the other actions that relate to this debt ceiling. But here is the difficulty, if I may say this to the gentleman: so many people do come here and vote for increasing the appropriations in every area and never once do they show any discipline on the expenditures side and then they vote against the debt ceiling. I think that is completely inconsistent and has no merit at all.

Mr. JONES of Missouri. If the gentleman will yield further, in other words, the same thing would hold true if a person would vote for building unnecessary public facilities like monumental type post office buildings which would cost over $200,000 in a village of 2,500 people—a Member who would support that would be justified in supporting an increase in the debt ceiling?

Mr. CURTIS. That is right. The gentleman is making a good point there.

Mr. JONES of Missouri. I thank the gentleman very much.

Mr. CURTIS. I might say as far as my own voting record is concerned, some may have noticed it, but just to call attention to it, I have been consistently voting against all the appropriation bills, because I do not see how in bringing them all together they are going to be within what is a reasonable estimate of what our revenues will be.

That does not mean I do not think we should be spending money at the Federal level because, of course, I do. The only way I can drive home this thought is to try to get our appropriation bills in line.

Now, if I may I would like to develop this very important point, and it is not an easy one, of whether or not you can use the debt ceiling to bring about an expenditure reform. Let me again reiterate that it is a cumbersome way of doing it at best. It is not the right way, or the best way, I should say. It is a right way, but not the best. The best I have described, which is to dig into the appropriation bills and the authorization bills. It can be used, however, if properly done, because the President of the United States has a great deal of flexibility over his expenditure rate.

This is the point. Let us illustrate by fiscal 1964.

The President asked for new obligational authority of $108 billion. He has a carry-over balance of unused obligational authority, as of June 30, of $87 billion. That gives him the right to spend $195 billion, but he has said himself he is going to spend only at the rate of $98.9 billion which is, incidentally, a $5 billion increase from the expenditure rate of fiscal 1963. So, there is flexibility and every President of the United States, in my judgment, properly at times—there can be arguments both ways on each issue but every Executive has frozen funds at times and has slowed down programs at times. In fact, orderly budgetary procedures indicate that be done, because by the time the budget is voted, changed circumstances can really require that these programs be altered, and some slowed and some even accelerated. The test of this is—I tried to get the chairman of the Committee on Ways and Means to yield at this point but I got the point in—the test of this is what did the Executive do in November 1961, when he himself reviewed the budget picture, on the semiannual review which occurs around October of each year, and he saw his revenues falling off? This was done with a great deal of fanfare of publicity. He called in his Cabinet officers and said, "Gentlemen, I want you to cut back your expenditure rate." In 6 months they had cut back by $1.2 billion by their own testimony. Did anybody hear about contracts being cut back, crash sales, special programs eliminated that were desirable, post office services cut, and all of these things that the chairman of the Committee on Ways and Means was calling to your attention? No, he did not, and as a matter of fact, the fact that very few people know that this cut occurred indicates that an Executive who wants to exercise expenditure reform can certainly do it, and he can do it in a way that will actually help programs and not hurt them. That is why I uttered the word "political." Yes, the President can make a political issue by the manner in which he exercises the expenditure reform, but he can also do it and do it in the proper way as he, himself, demonstrated.

Let me call attention to what happened. Just a month and a half ago. The House of Representatives and the people of this country largely do not realize that on April 1 through the decision of the Committee on Ways and Means not to accede to the President's request to keep the ceiling at $308 billion, the debt ceiling on April 1 of this year went back to $305 billion.

I have before me tables prepared by the Treasury Department of the administration budget through the various years, and then I have interpolated the figures the Secretary of the Treasury gave me for fiscal year 1963. I am going to refer only to the columns of net expenditure.

There are three charts: First, the January 1962 estimate of expenditures; the second estimate is the midyear review estimate of November 1962. The third is the January estimate of January 1963. Then there was a fourth estimate in April of 1963.

Look at what happens. The first estimate of January 1962 was $92.5 billions. The second estimate, which was after we found out that there was going to be a fall off of revenue of $7.5 billion, and the President did not exercise expenditure reform in the light of this fact, actually increased, because the figure becomes $93.7 billions. It goes up $1.2 billions. Notice the flexibility, when there was no desire for expenditure reform.

The third figure is the second January estimate, January 1963, and again it goes up, to a figure of $94.3 billion. Now, here is the clincher. When the President had the debt ceiling kept at $305 billion, instead of our granting him what he wanted, $308 billion, when April comes around, when we have exercised this discipline by failing to change the debt ceiling from $305 billion, we find that April estimates go down to $93.9 billion. In other words, he exercised expenditure reform.

I must say at this point that what I am saying here on this latter is in the majority report on page 3. As indicated by this table of expenditures, now expected to be some $0.4 billion less than what was estimated last January, this is a demonstration of what the Executive can do if he desires to exercise expenditure reform.

I must say to our staff on the majority side that they left off a very important word when they took these tables from the Secretary of the Treasury and put them in the report. The Secretary of the Treasury's table says "Net expenditures." The word "Net" has been eliminated. It is very important, because net expenditures are not necessarily a decrease of expenditures, they can be an increase sale of capital assets. This is really where this $0.4 billion came from along with holding expenditures level. I wish it had been a decrease in expenditures but it happened to be a selling off of capital assets, which I happen to approve of. But this all points out the power that lies within the Executive to exercise expenditure reform.

So I come to my concluding remarks, which are these: I think that we have devised for the House of Representatives, those who want to exercise expenditure reform, a proposal that is fiscally responsible, one that tells the Executive we are going to keep the debt ceiling at $305 billion. We are not going to increase it. The President can avoid the dire consequences that the chairman of the committee points out in the field of debt management, in the field of crash sales, in the field of cutting back abruptly on various contracts. This can be done by a careful cutback in expenditure policy. But the issue is this, and it is a political issue and it is an economic issue. It is a political issue, because for years I have been trying to answer my people who say, "What is the difference between the two political parties?" In many instances I find it difficult to differentiate. In this instance I think we now have it. The Executive openly avows a program of deficit financing over a period of many years, not just the fiscal year 1964. He has some very fine people who support this theory, but make no mistake about this, that is the President's theory. I plead with the Democratic Party, if you believe this, then give the people of this country an opportunity at the polls to make a distinction between the two parties on this very major issue. That is because the Republican Party does believe this is an error and that balanced budgets are important and necessary to our national welfare.

Now let me get off the political aspects and I am anxious to do that because there are many people in the Democratic Party who I know do not agree with the present Executive's theory on expenditures and deficit financing and plead with them for the welfare of our country on the importance of exercising expenditure reform. Yes, Mr. Chairman, possibly what is necessary is for the Congress to take a stick out and, perhaps, spank the bottom of the President—as your metaphor was—if he will not exercise expenditure reform.

If, in our judgment, this is the kind of program that is best for our country, there is no other way.

So this is a clear-cut issue. The motion to recommit of the Republicans is a practical one. It has been tested. This will bring about, and can bring about, expenditure reform and in this kind of context I think we can move our country forward eventually to cut back taxes and, certainly, be on the basis of fiscal responsibility which is the real answer to our balance-of-payments problem.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. CEDERBERG. I want to associate myself with the remarks of the gentleman from Missouri. I have been reading with some interest the comments of Candidate Kennedy during the last presidential election and have been trying to compare them with the actual actions of his administration. I note in a speech made on November 4, 1960, in Roanoke, Va., he made three commitments. In the first commitment, he said:

> We, Democrats, do not intend to devaluate the dollar from the present rate and we will defend its value and its soundness.

Of course, when the cost of living goes up, the dollar is automatically devalued and the cost of living is the highest in history.

Second, he said:

> We will seek a balanced budget over the years of our administration seeking a budget surplus in good years as a brake on inflation.

The gentleman just said it appears that the administration's policy is other than a balanced budget. So this appears to be an abandoned political commitment.

Third—if I understood the chairman of the committee correctly, one of the situations now is that the interest on the national debt and the interest rate is higher; is that correct?

Mr. CURTIS. That is correct.

Mr. CEDERBERG. And, third, he said:

> We will place less reliance on a high interest rate policy which discourages investment and which, I believe, is vital to a growing economy and which has been a major contribution to two recessions in 1957 and 1958, and which has slowed down business in 1960 so that the rate of unemployment in the area of Virginia is higher than the national average.

Now these commitments, it appears to me, have not been kept. I would like to ask the gentleman if he thinks we could assist the President in carrying out these campaign commitments, if we keep the debt ceiling at $305 billion.

Mr. CURTIS. I believe so. All I am seeking is to make the President face up to the responsibilities which result from following the theory of deficit financing. The President can change his mind, as anyone can. If he believes his new theories are correct theories, then let him pursue them and let him and his party leaders not kid the public. If the Democratic leadership of the House believes that prolonged deficit financing in these times is correct policy, then fine, but let them not kid the public. After all the President and his administration spokesmen have said that balanced budgets are shibboleths, and one high official talked of this deridingly as a Puritan ethic. Every attempt of those of us who have been trying to cut expenditures here in the House have been met with ridicule by the President and ridicule by the leaders of the Congress in the majority party.

The CHAIRMAN. The gentleman from Missouri has consumed 27 minutes.

Mr. RUMSFELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Chairman, I want to congratulate my colleague, the gentleman from Missouri [Mr. CURTIS], on his thoughtful and important statement on this serious matter of the debt ceiling. His experience and service as an influential member of the Committee on Ways and Means are indeed a credit to the Congress.

I wish to associate myself with his remarks here on the floor, and to say that until today, I have heard all too little reference to the very real and indeed often overlooked responsibility of the Members to serve as assessors of legislative priorities. It is my firm belief that the Congress must demonstrate the political courage not only to reject undesirable programs, but also—and this is far more difficult—to place desirable, but not urgent, programs in some order of priority; and then, looking at proposed Federal expenditures as a whole, enact only those programs which this great Nation can afford in any given year.

I am opposed to the administration's profligate spending and to H.R. 6009, which would do nothing to discourage continued inflationary irresponsibility. I am convinced that, with careful management by the administration and if the administration refrains from resorting to intentionally self-destructive political techniques aimed at forcing the Congress and dissenting Members to knuckle under to a managed public opinion, the $305 billion debt ceiling, as proposed in the Byrnes motion, would be workable.

If the Kennedy administration is sincere in its thus far hollow protestations of efficiency and economy in Government, a ceiling of $305 billion should be adequate for the foreseeable future, and further, could serve as at least some restraint on Federal spending. For these reasons, I will support the Byrnes motion, and, if it fails, will oppose the bill on final passage.

Had I voted for the many spending programs proposed thus far this year, I could not, in good conscience, take this position. Further, if it were true that our Nation would be forced to default on our obligations or to dispose of some of our assets in a self-destructive manner, I could not take this position. Fortunately, this is not the case.

The Democrats in Washington have adopted the philosophy that all of the problems of this Nation can be cured by providing additional Federal funds, under the theory that this great Nation of ours can "spend itself rich." I cannot and do not subscribe to this fantasy and sincerely hope that this Congress will today publicly reject this dangerous course by supporting the Byrnes motion to recommit.

Unfortunately, a vote either way on this bill will not finally solve the fiscal problems of our country. In my opinion, the only solution—or to put it another way, the only device to enforce fiscal responsibility—would be to establish a truly permanent debt ceiling; and then, if the Congress continues to enact the President's spending programs in excess of revenues, the Congress would be literally forced to raise taxes to pay the bills of this country. I firmly believe that if this were the case, some of the big spenders here in Washington would be considerably more cautious when casting their votes.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman, it is obviously difficult for one to take the floor following the distinguished chairman of the Committee on Ways and Means although it at once makes it both easy and difficult for one to follow him.

My position at the moment is that it is doubly difficult, for I follow not only him but our distinguished colleague from Missouri [Mr. CURTIS]. Our chairman makes it easy for those who follow him because he always does a superb job, and makes it difficult because it is rather impossible for one to add to what he has said. As far as our colleague from Missouri is concerned, and I know from frequent opportunity to observe him in committee, that there is no Member of the House of Representatives who devotes himself more conscientiously and determinedly to the grave problems with which the country is faced. I must say to you of him that even on the relatively rare occasions when he designs to intrude into the area of politics, he brings to his discussion an objectivity that is heartening.

Mr. Chairman, I find these periodic discussions of the public debt limitation quite fascinating because they reveal the extraordinary breadth of some of our colleagues. Their discussions range from the policing of welfare payments to the timing of a moonshot.

I have great admiration for anyone who can, at the drop of a gavel, talk with complete confidence about such a range of topics. Nevertheless, the very range of topics raised is itself a problem which the House should consider. To put it more plainly, what does the timing of the moonshot have to do with the issue now before the House?

If one looks more carefully at this breadth of understanding that my colleagues display, some might be tempted to describe it as claim jumping. Annually, a certain group takes the occasion of the debt limitation legislation to berate the Treasury and the Budget Bureau for implementing some program passed by the Congress which the particular individuals did not and do not like and did not vote for. This is conspicuous each year in our public hearings and, more so, in our Executive sessions. There was a considerable discussion this year about the accelerated public works program that the Congress enacted in the last session. The view was expressed that, because of the debt limit situation, the Budget Bureau should have simply throttled the program. I call your attention to the discussion between the gentleman from Missouri [Mr. CURTIS] and Secretary Dillon, on page 27 of the committee hearings.

It seems to me reasonable that programs such as accelerated public works should be reviewed from time to time. I do believe, however, that the House should give serious thought to whether or not this review should come now. I personally have great confidence in the Committee on Ways and Means, but I will say frankly that at the present time, our jurisdiction is not narrow. I rather doubt that the House wishes to impose upon us the supervision of the accelerated public works program. I rather doubt that the House wants us to fix a figure for the debt ceiling with the thought that it is the purpose of this low figure that the committee might eliminate this or that public program. If we want this or that program eliminated, the House has adequate procedures for considering the issues.

The committee report contains separate views on the bill by the minority members of the committee. Overshadowing this debate today I think all must bear in mind that the Committee on Ways and Means, in one of its rare instances, comes to you with a sharply divided partisan vote.

The policy recommended in those minority views states as follows:

> The administration can only reduce its borrowing requirements by an additional sale of marketable Government assets.

One such example alluded to by our great chairman were the assets held by the Federal National Mortgage Association. It will be recalled that at one time several years ago—1958—the FNMA organization actually undertook to go into the market and buy mortgages, just as the Open Market Committee of the Federal Reserve performs a somewhat similar function.

Mr. Chairman, hoping to bring to this debate a degree of objectivity which our distinguished colleague always does, I call the attention of the members of the committee to the fact that in his economic message in 1959 the then President Eisenhower was pleased to report to the Congress, and to the public, that that very act of the purchasing of those mortgages by FNMA, in 1958 and 1959, did much to stabilize the construction industry and bring about the end of the recession of 1958.

What is my point, Mr. Chairman? My point is that it is perfectly simple, glibly, to say that if we set a ceiling so low that you are at the breaking point, you can always dispose of salable assets of the Government, and that may very well come at a time that will result in far more damage to the economy and far more expense to the future cost of government than if we do as we should do today, as we, I am sure, will do today, that is, to face up to the fact that the issue pending here is whether we will equip the responsible Treasury officials with the authority they say and we, the majority members of the committee, say they need properly to manage the public debt now and August 31.

The issue is that simple, Mr. Chairman, and my hope is that stripped of all the economic verbiage, stripped of all the high idealism that motivates all our Members all the time, that we will realize that today we are faced with just such a simple fact, and for us to turn our backs and to say "No, you do not need what you say you need; you do not need what the Congress has caused you to need, but you will only be given what we think you need," is, in my opinion, shortsighted, falling far from the high idealistic objective of those who argue thusly. It will, I am sure, Mr. Chairman, be rejected by the committee.

Mr. Chairman, with the New York Times I am not always in agreement, and particularly am I not in agreement with it when it seeks, as it does persistently and erroneously, to deprecate the ability, the effort and the energy of our beloved and distinguished colleague, the gentleman from New York, Representative CHARLES A. BUCKLEY, the chairman of the House Committee on Public Works.

The gentleman from New York [Mr. BUCKLEY] is as indestructible as the New York Times would like to think it is, and I doubt very much that the odds are in favor of the Times, but in favor of our distinguished colleague, Mr. BUCKLEY.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. KEOGH. Mr. Chairman, with some degree of reluctance, and inspired by the fact that momentary flashes of genius take over the editorial board of the New York Times, I would like to read from its editorial page of last Sunday:

> Congressional efforts to hold down the ceiling on the national debt may—or may not—be inspired by an honest desire to economize. But if the attempt to force down the ceiling is successful, it will add to Government spending—and in the most devious fashion. Why?
>
> The Treasury is obligated to find the funds that Congress appropriates. If a rigid ceiling prevents it from borrowing directly, it must resort to other and more expensive financing methods to maintain the credit of the United States.
>
> Forcing the Treasury into such a position is not the solution to stricter control over the administration's expenditures. If Congress is as serious about economizing as it claims to be, it has only to reduce its own appropriations. This, of course, would mean that many pet projects now considered invulnerable might be subject to cuts. Congress would have to shoulder its full share of the responsibility for economy, a responsibility it has preferred to shirk.
>
> There is no need for a ceiling on the public debt, if Congress practiced what it preaches. Without such a ceiling, the Treasury could do a more effective and cheaper job of debt management. But in continuing to throw up a smokescreen, congressional economizers are indulging in hypocrisy. They are increasing the costs of government while diverting attention from their own failure to reduce spending.

And, Mr. Chairman, I would like to point out that on March 13 of this year the House was debating the military authorization bill when a major amendment to the bill was proposed by one of our distinguished members of the Committee on Ways and Means. The amendment was a major reduction in programs. I suggest one test for the appropriatencss of that amendment. What was the reaction to it on the part of a group of legislators who know something about the subject at hand? My sample for this purpose would be the minority members of the Armed Services Committee. Twelve of the fifteen members recorded on that vote voted against the amendment to reduce, and only three voted for it.

Mr. CURTIS. Mr. Chairman, will the gentleman yield at that point?

Mr. KEOGH. Yes, I yield to the gentleman now.

Mr. CURTIS. I would call to the gentleman's attention that recently the Members of the other body who studied this same matter did almost exactly what the amendment I proposed did, and regrettably our conferees on the House side did not follow the other body's action. But there was one particular thing which remained in the conference report and that was cutting back, the 3 percent on the research and development, which was exactly one of the items to which my amendment was directed.

Mr. KEOGH. Thank you very much. I get the point, and I will simply say to the gentleman that I have long made it my principle and practice to be relatively unconcerned with what the other body does, right or wrong. The responsibility here is for us to decide and frequently in the first instance—and I simply point out to the gentleman from Missouri that with respect to his great and devoted campaign to undertake to effectuate reductions in the cost of administering Government that the gentleman obviously has very fertile soil right around the gentleman on which and in which the gentleman can work.

Mr. CURTIS. If the gentleman will yield further for one moment, I say that we had 149 Members voting this way.

Mr. KEOGH. Excuse me just a minute. It depends upon what the gentleman's definition is of a "moment." If it is mine, I will yield for a moment, but if it is the gentleman's, I do not think I have enough time.

Mr. CURTIS. I think it is yours. I think a vote of 149 of my colleagues, fortunately some on your side, supported the point I was making.

Mr. KEOGH. Well, again you prove you can tend in the direction of the political without becoming political. I compliment the gentleman. Mr. Chairman, I urge support of the pending bill.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Chairman, I ask unanimous consent that Members desiring to do so may extend their remarks on the subject matter before the Committee of the Whole at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BOW. Mr. Chairman, I take this time merely to call attention to further evidence of the need to amend the budget law to require the President to update his January budget along about midway of the session so that the Congress, in processing the appropriations and propositions of new legislation, will be in position more intelligently to pass on the questions. The further evidence is in the report of the Committee on Ways and Means on the pending debt limit bill.

In the budget submitted to Congress on January 17 last, the President estimated administrative budget expenditures—disbursements—for fiscal year 1963 at $94,311 million. Now we are told that last month the Budget Bureau reported that the fiscal 1963 administrative budget expenditure is expected to be $93,907 millions—or some $404 millions less. National security programs and a selected group of items characterized as "relatively uncontrollable" were revised upward by $642 million while all other items were revised downward by $1,046 million. Evidently no revision was offered in the January estimate of $85,500 million of budget revenues for 1963. But as I mentioned here on the floor on May 2, the Secretary of the Treasury told the U.S. Chamber of Commerce that budget revenues for the coming fiscal year 1964 might exceed the

President's January budget projection by perhaps a billion dollars.

I introduced House Joint Resolution 129 in January for the purpose of securing an authoritative updating of the President's budget totals at about midsession so that the Congress would have the most up-to-date budgetary outlook from the President as his legislative recommendations are being processed. We ought to have that at hand. Here we have evidence from authoritative sources, that the situation and the outlook does change—hard evidence that the January budget soon gets out of date and thus no longer relied upon as the last word on the subject.

Mr. WRIGHT. Mr. Chairman, many of us in the House have fervently hoped that a policy could be adopted which would permit regular reductions in the Federal debt rather than continual increases.

To this end, several of us have introduced bills which would have the effect of creating such a policy. I still very firmly believe that such a program would be in the long-range best interests of the United States.

In the immediate situation, however, we seem to have no alternative but to permit this temporary increase in the debt ceiling. Revenues have been less than anticipated a year ago, and the costs of operating certain of those programs authorized and approved by the Congress have been greater than anticipated.

The immediate question boils down to a simple one of whether or not the Government will be permitted to pay its bills. While some of us individually may not have voted for each of the programs by which expenditures have been committed, this is somewhat beside the point. The point is that these expenditures have been committed. They have been committed by the Congress, and they have been committed in good faith. The bills are coming due, and they can be paid at this particular time only by this temporary increase in the debt ceiling.

It is like a man whose wife has made certain bills to operate the household. The bills may be higher than he had expected. As a matter of pure principle, he may be opposed to the idea of borrowing from the bank to pay these bills. Yet the bills are due, and they must be paid.

To refuse would be like a fireman refusing to help put out a fire on the grounds that he did not start it and was not in favor of its being started.

This is, to me and to many of us, a disagreeable necessity. Yet let us look for just a moment at what would happen in the present situation if this bill were to be turned down.

If this bill should be rejected today, the Government itself could be put in the position of not being able to meet the day-to-day operational obligations to which it has been committed by acts of Congress. It would be difficult to imagine the utter chaos which might result if legitimate bills, presented to the U.S. Treasury, could not be honored due to insufficient funds.

The impact of such a situation both at home and abroad, could be intolerable. If the Government of the United States were forced to default on its bills, worldwide confidence in the dollar and in the good faith of the U.S. Government, could tumble dangerously.

Secondly, the Government would be forced to curtail and cut back its development of several vitally important new weapons systems. It is only by means of the expeditious and orderly development and delivery of these weapons systems that we are able to get ahead and stay ahead of the Russians and to provide that edge of continued military superiority which protects our Nation from armed danger.

If the Treasury were suddenly confronted with an inability to meet its pledged commitments, work would have to be stopped, delayed, slowed down or curtailed on such crucial new weapons systems as the TFX fighter, the Dyna-Soar rocket, the newer developmental work in intercontinental missile delivery systems, and new submarine missile delivery systems.

This is a price which I am sure none of us desires to pay. It could lose us the precious advantage of time, purchased at so dear a cost in several of these areas.

It is for these reasons that I shall vote for this temporary increase in the debt ceiling today. In the present circumstance, it seems the only responsible thing to do.

The top figure authorized temporarily in this bill is $307 billion. This is $1 billion less than the temporary ceiling of $308 billion which had been in effect on last March 31.

I for one continue to be deeply committed to the eventual adoption of a system of regular, orderly debt retirement. As a matter of long-range principle it goes against the grain to agree to even a temporary increase in the debt ceiling. But in the immediate situation, the alternative could be far worse and a greater violation of principle. For the alternative today could involve a defaulting of public obligations, a loss of confidence in the public commitments of the United States, and a dangerous lag in the development of our military readiness.

Mr. JOELSON. Mr. Chairman, although I respect the sincerity of those honest conservatives who are concerned about the national debt, I would remind my colleagues that many of them are endorsing spending and debt reduction at the same time.

The fact is that we have many split personality Congressmen who vote for every spending bill, but bewail the high national debt. This is double standard economics.

Where were the economizers last week when we added over a billion dollars to the military pay? Where were they several weeks ago when we voted over one-third of a billion dollars more than the Defense Department requested for the purpose of continuing the RX-70 program? Need I remind you that about 75 percent of our budget goes for programs, mostly for defense and space, which were enacted almost unanimously by this House?

I repeat a rhyme of mine: One day we vote for spending bills. The next—of debt we prate. Although it is irresponsible, politically it is great.

Mr. LANGEN. Mr. Chairman, I recall vividly the date of February 20, 1962, a little over a year ago. We were gathered in this Chamber to debate and consider a bill similar to the one before us today, a measure that increased the temporary national debt limit. On that day we received the joyful news that astronaut John Glenn had landed his space capsule safely.

Today, the scene is similar. We are once more discussing the national debt ceiling and we have an astronaut in orbit. Certainly all of us are praying for Gordon Cooper's safe and successful return.

As Astronaut Cooper circles the earth, we earthlings gather here to push our national debt limit into a still higher orbit than man has ever reached. It occurs to me that this is one field of exploration in which the Russians come in a poor second.

Theoretically, this bill would raise our debt ceiling from the current $305 to $307 billion for the remainder of this fiscal year ending June 30. Then the ceiling would be raised to $309 billion until August 30, when it would fall again to $285 billion. No one is naive enough to believe that this is really a temporary increase or that it will actually be allowed to drop after August 30. The only thing temporary about it is that we will gather here again this summer to raise the debt limit even further.

Mr. Chairman, this is a day of reckoning. We have not paid last year's bill, we will not be able to pay this year's bills, and we are busy appropriating money for next year, money we do not and will not have. We have to stop somewhere, sometime. Perhaps this is the day.

How did we get into this predicament in the first place? Whose fault is it? The easiest way to pass the buck, of course, is to blame whatever administration is in power. I am not the only one who noted our President's statement in 1960 that "it is extremely important that the United States maintain to the extent possible a sound fiscal policy and a balanced budget." I have pointed out often enough that his performance has left us with two staggering deficits and a request for a third planned deficit. It would be easier to blame the President and his economic advisers for our fiscal mess, but it would also be an admission that we, the elected representatives of the people, have failed to take our rightful position as protectors of the people's money.

No administration, regardless of who is President, can spend money that has not been appropriated. A request from the President or his economic advisers, or any department or bureau, does not give Congress any excuse for shirking its responsibilities.

It occurs to me that the people are getting wise to us; that they are beginning to worry about the "spend now, pay later" proposals that jam our lawmaking machinery. They are beginning to get excited about such things as the interest we pay on the debt, which now runs $10 billion plus a year. That is 10 percent of the annual budget. It is 10 cents out of every dollar we take in. That fact alone should give us the incentive to reduce the debt and balance the budget. We do not appropriate money for the interest payment. We do not even hold hearings on it so that the amount would be forcibly called to the attention of the people. It is a payment that is automatically paid before we pay for anything else. That $10 billion is the cream off the top, leaving skim milk for the rest of the budget. If it could be homogenized with the rest, it would benefit all of us.

We often hear the cries that national defense is to blame for our failure to balance the budget, and that you can not be against national defense without being un-American. Certainly our defense spending is enormous, but we should realize that even the defense spending proposed for fiscal 1963 represents an increase of only 12 percent above the amount spent during fiscal 1954, the year after the Korean war. During this same period of time, nondefense spending, as projected into fiscal 1963, will have increased 94 percent.

It has been argued that putting a limitation on the national debt ceiling is not the way to contain or reduce or to control Federal spending. That argument has merit. But I believe opposition to raising the debt limit can be of value if it awakens the people of this Nation to the dangers of continued deficit spending. Perhaps enough word of today's debate will reach them. Perhaps our people will get tired of seeing the cream of $10 billion being taken off the top of their milk to pay interest. Perhaps the people will voice their concern in a loud voice to their elected representatives. Then, and apparently only then, will this Congress resume its rightful role as controller of the purse strings.

Our determination today could well serve notice that we are not going to raise the debt limit any higher, that we will live within our means. Our concern must be reflected in future appropriations. If a sufficient number of us will oppose increased spending programs when we feel they are irresponsible or unneeded; if we will oppose all of the spending that makes increasing of the debt ceiling necessary; and if we will consistently oppose the raising of the debt ceiling, we could get our Government back on a sound fiscal basis.

Mr. BURKE. Mr. Chairman, I strongly support the bill reported by the Committee on Ways and Means. This bill does not go as far as the Treasury would have had us go, but I agree with the committee that in this bill we have given the Treasury the absolute minimum ceiling required for the efficient management of the debt and the maintenance of the credit standing of the U.S. Government. The substitute would in no way save money; on the contrary, it clearly will result in heavier costs and in resort to unsound and ill-advised expedients.

This will deserve bipartisan support. I support it essentially for the same reasons I voted for the debt ceiling request made by President Eisenhower in 1960. This legislation by all means should be nonpartisan and that is the way I so regard it.

The distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas, the Honorable WILBUR D. MILLS, has already described in detail the unsound alternatives to which the Secretary of the Treasury will have to resort if this committee bill is not enacted. I will not repeat what he has already told us. However, I would emphasize that the debt ceiling, indeed, comes after the fact; spending can be controlled only by opposing the authorizations and the appropriations at the time when they are made and not when it becomes time to pay the bills.

Mr. Chairman, I again say that I strongly support this bill for the same reasons that I supported the Eisenhower request: it is the sound, economical, businesslike thing to do.

Mr. BETTS. Mr. Chairman, the greatest benefit I see in this bill is that it brings to the attention of the American people the dangerous and frightening extent to which the Federal Government is going into debt.

Much has been said on the larger and more complicated issues involved in this bill, such as the budget, the deficit, debt management and the like. But, to the average person this is completely beyond comprehension. Tell him, however, that the interest on the national debt is $10 billion a year and he begins to realize the enormity of the obligation that is being saddled on him and his children and his grandchildren. Much publicity in recent weeks has been directed to the fact that it takes all the income tax payments of 41 million Americans earning up to $6,000 a year just to pay this interest on the debt. The average person understands this too and I find evidence of it in the letters I receive asking that something be done to reduce Federal spending and the debt.

The plain fact is that people are worried and deeply concerned about these issues. The situation is such that we should be spending our efforts in reducing the debt rather than increasing it. It calls for some major effort such as legislation or a constitutional amendment requiring that a portion of the Federal income be applied to the national debt each year, except in emergencies, and that all other non-defense expenditures be reduced accordingly.

Many of the spending programs could be classified as desirable, but few of us could afford to satisfy our desires without running the risk of bankruptcy. Neither can the Government which should have the same interest in solvency and fiscal responsibility.

The Washington News in a recent editorial stated the case in laymen's language as follows:

> So when Congress talks of raising the debt ceiling a couple of billion now, or a few more billion later, it is just fiddling around. Because, as everybody here in Washington knows, until the present rate of Government spending is stopped, and radically reversed, there is no real foreseeable limit on the national debt.

In my State of Ohio a bold and daring attempt is being made to achieve government efficiency and frugality. It has already resulted in a breakthrough toward restoring responsible order to our State's financial affairs. If Ohio can do it, the Nation can do it. If the Nation fails to do it everyone will have his economic opportunity impaired and his freedom from government domination diminished.

Mr. PURCELL. Mr. Chairman, I shall vote today to approve H.R. 6009, but I shall do so very reluctantly.

The Congress should begin to achieve the systematic reduction of our national debt. I have introduced a bill at this session, H.R. 1011, which would provide a method of reduction which I feel is both reasonable and within our financial ability.

As I said, I will support the temporary increase in our debt limit reluctantly. I will do so only because I feel that the time to cut our expenditures is not after the money and programs have been approved by the Congress. To cut expenditures effectively, we must start cutting when the requests for funds first come to us. We should not, I feel, approve the programs and the funds, and then refuse to increase the debt limit to allow Treasury to provide the funds we have previously voted.

Mr. Chairman, the prosperity of our Nation is growing. The outlook is bright and happy. This is the time for the Congress to act. This is the time for us to adopt a sound and realistic program to keep our expenditures within our income. This is the time for us to adopt a plan to decrease this monstrous debt which threatens to hang like a heavy weight over the heads of our children and grandchildren.

I have been very pleased to see meaningful reductions in a number of the budget requests sent to Congress this year. I will support, and I hope the Congress will adopt, many more such reductions before this year is out. We should make every attempt to stay as close as possible to a balance between income and expenditures this year. Next year we should be able to achieve a surplus to help pay off this monstrous debt.

By next year, I hope the Congress has seen fit to adopt H.R. 1011, or a similar measure, which will assure a surplus to be applied to debt reduction each year.

Except in case of national emergency, Mr. Chairman, I will find it very difficult to support any further increase in our debt limit. We must reduce our national debt.

Mr. PELLY. Mr. Chairman, in connection with debate on legislation to increase the national debt limit I should like to sum up what, to me, seems to be the basic issue.

First, let me remind my colleagues that there is much confusion with regard to budgets and in this connection I remind the Members of the House that it is Congress that authorizes the President to make expenditures. This authority comes through obligational legislation, but it is the President who has the control over the cash budget. I emphasize that it is the President who actually controls spending and is responsible for a deficit and an increase in the national debt.

This matter of who controls spending is the crux of the issue in our deliberations today. When the debt limit was increased last year Congress established a temporary statutory debt limitation. This set a ceiling of $308 billion from July 1, 1962, to March 31, 1963. During the period April 1, 1963, to June 24, 1963, this ceiling is down to $305 billion and then from June 25, 1963, to June 30, 1963, it will drop still further to $300 billion and finally on July 1, 1963, the debt limit will automatically revert to the permanent limit of $285 billion.

This system of automatic reduction was to allow proper provisions to be made for expected seasonal variations in expenditures and receipts of the Government in 1963, but it was not intended to cover deficit financing in this year, 1963.

The issue of this deficit is that the President could have reduced expenditures and had he desired to do so maintain a public debt in accordance with the statutory limitation. Instead he preferred to allow expenditures to exceed Government income, and therefore, we are faced with the problem of raising the debt ceiling.

Mr. Chairman, the Republican members of the House Ways and Means Committee have taken the position in favor of extending the debt ceiling to $305 billion. The members of this committee have felt that if the Kennedy administration is truly sincere in its protestations of desiring efficiency and economy in Government, this proposed ceiling will be adequate for the foreseeable future.

In the report accompanying the legislation which we are considering the minority members pointed out that unless the Kennedy administration is checked a debt ceiling of $320 billion will be required during the fiscal year 1964 and after that if this same policy continues the $320 billion ceiling will not suffice. The basic issue facing each Member of this House is: Do we support a policy of unlimited debt? The issue is whether we are a rubberstamp and obediently extend the administration's borrowing authority every time the administration's expenditures exceed its revenues, or whether we say to the President that you are the only one who can control the cash outgo and the only way we can make you, Mr. President, do so is to fail to increase the debt ceiling. The debt ceiling is our tool to curb spending.

In this connection, Mr. Chairman, I support extension of the existing debt limit of $305 billion so that this limit does not revert in June to $300 billion and then in July to $285 billion. Taking this position I do so feeling that I am acting responsibly and that the record will show the most recent estimates of cash receipts and expenditures of the Government indicate clearly that under the policy of efficiency and economy in Government a ceiling of $305 billion will be adequate for the foreseeable future. In other words this action on my part in support of a $305 billion debt limit is to force the Government to stop increasing Federal expenditures.

As a member of the minority party I have seen the deficit in the last 3 years amount to $27 billion. I have seen the Government grow and the number of Federal employees and the Federal payroll increase. Since President Kennedy took office, the number of these employees has gone up 217,734.

Congress has yet to vote on a number of new programs which would greatly increase spending and likewise increase the size of the Government. I do not intend to vote for these new programs and I hope Congress will not pass legislation increasing the administration's obligational authority. But as I said earlier, Mr. Chairman, the real job of placing a lid on spending and holding the line on the national debt is the responsibility of the President. If this was a matter of national defense spending and the future of our Nation was involved it would be a different question, but this administration is greatly increasing the cost of nonmilitary programs and at the same time proposes a substantial cut in taxes.

From a political standpoint such a fiscally irresponsible policy may be helpful, but from the standpoint of overall public interest I believe it is wrong. Therefore, Mr. Chairman, I shall support the motion to recommit this legislation with instructions to report it back with a $305 billion limitation. If that motion fails and the legislation contains a debt limitation of $307 billion for the remainder of this fiscal year and an increase in July and August temporarily to $309 billion, I shall be forced to vote against this measure.

Mr. WATSON. Mr. Chairman, I think all of us agree that the only thing truly temporary about what we are being asked to do today is the brief respite we shall receive before being asked again for another temporary increase in the Federal debt ceiling. The pattern is too well known to require recitation and no one, I am sure, will make more than a feeble pretense of believing otherwise.

The tendency of many in the face of this problem is to go to the wailing wall and cry: "Is there no end?" But there can be an end and it lies within our power to accomplish it today—here, right now. This House has not only the power but the responsibility to put a halt to the everlasting pyramiding of our Federal debt. And while it might be helpful to place the responsibility for the high level of debt on other shoulders, we must face up to the fact that a great portion of that responsibility rests right here.

I do not share the dire and gloomy predictions of those supporting this measure. If we do not authorize the increase, then our level of expenditures will simply be reduced. This is the only method which offers any ultimate hope of reduction of the debt and continued postponement of reality will not make it more palatable when we do decide to face it. Only by reducing expenditures and making a concerted effort to begin reduction of the debt can we ever hope to solve this problem. And it is a problem, a most serious problem, despite the lulling intonations of those who assure us otherwise or even go so far as to regard it as a blessing, if not a necessity.

Mr. Chairman, our Government has to pay bills as well as print bills. If our business firms had been run on the same basis as we have been operating, it is obvious that we would have succumbed long ago. How long can we expect fiscal sanity from others and show such flagrant disregard for it ourselves?

If deficit spending is such a wonderful stimulant to business and to increased national income, why has the course which we have followed with reckless abandon for so long failed to provide funds for some reduction in our national debt? Why can we not let our national prosperity move at a pace we can afford? Why must the Central Government provide everything for everybody?

Mr. Chairman, unless we pull our heads out of the clouds and make a realistic effort to live within our income, setting aside a portion for reduction of the national debt, we will be everlastingly besieged with proposals for increasing the debt. The magic of the word "temporary" has been lost upon our citizens and those who initially contrived its use will be hard put to come up with another pattern to assuage the American people. We can make a beginning toward fiscal responsibility today by defeating the bill before us. No reasonable alternative is available.

Mr. CLAUSEN. Mr. Chairman, today we have heard debate on a bill. This debate and the testimony presented to the body is, in my judgment, one of the finest presentations that I have heard since joining the House of Representatives. I want to commend the gentlemen on both sides of the aisle for their articulate presentations.

After carefully reviewing and digesting the information transmitted, I have concluded there is one fundamental, undeniable fact that must be readily apparent to anyone willing to take the time to analyze the testimony: A vote to temporarily increase the debt limit is an open invitation to continue inflation, irresponsible fiscal policies, and planned deficits. It has been clearly demonstrated that the tail still wags the dog and will continue to do so until such time as enough people vote the conviction and philosophy that a stronger America will be forthcoming only with the gradual withdrawal by the Federal Government from areas of responsibility that are none of our business and admonish the States and local units of government to exercise their own responsibilities if they are desirous of maintaining their own sovereignty. A vote to continue the increase in the debt ceiling is a vote for an increase in inflation. This makes about as much sense as the minister trying to cure the alcoholic by giving him another drink.

Mr. LINDSAY. Mr. Chairman, I intend to vote for the motion to recommit the committee bill, as I did in the 2d session of the 87th Congress, 1962. The substitute bill being offered by the minority is a thoroughly responsible substitute. It would continue the existing, temporary debt ceiling of $305 billion. The majority bill also asks for $307 billion and then $309 billion in July and August.

I am impressed with the point made by the gentleman from Missouri [Mr. CURTIS] and the gentleman from Wisconsin [Mr. BYRNES], that the administration would have found it entirely possible and practical, as it turned out, to live within the $306 billion proposed by the minority in 1962. When the administration presented to Congress its budget for fiscal year 1963, it was balanced "on paper." This argument was carried forward in the 1962 debt ceiling bill, and on the basis of this budget the debt ceiling bill provided that the ceiling would range from a peak of $308 billion to a low of $300 billion after June 25, 1963. Now either that budget was fictitious, which is an irresponsible way to treat Congress, or it was shockingly inept in its projections as to what expenditures actually would be. There seems to be no sense of priorities in the executive departments downtown. Each agency seems to be on its own. Education, for example, has been relegated to the cellar. Pork-barrel legislation for the Federal financing of local golf ranges is given highest priority. Having refused to be selective and to establish priorities, the executive branch now comes to Congress and asks us to rectify its mistakes. This is the fourth request in 2 years for new authority to borrow. I would not be troubled so much were it not so plain that the administration was not honest with Congress in its 1963 budget submission. It is impossible to come to any other conclusion.

If the substitute bill offered by the minority fails of passage there will be a vote on final passage. I intend to vote "no" on final passage for one reason, which is that there will be ample time for the administration to come back to Congress before June 25 with a new submission more carefully drawn and more in line with the minority substitute. I have seen this happen before in other measures; there is no reason why the Treasury Department cannot come back next week with a reasonable compromise. In 1962, when we voted on the debt ceiling increase we were up to the wire and there was no choice but to go along on final passage after the minority substitute failed. We are not up against that deadline this year. One of our functions, after all, is to double check the executive to make certain that the executive is honest with the people and has the fortitude to make choices and decisions. Is the moon race more important or is education and health more important? The administration should stop trying to be all things to all men. It should rather lay out areas of national needs according to priorities and submit an honest budget in accordance with those needs and priorities.

I referred to the fact that this is the fourth time in 2 years that the Treasury has come to Congress with requests for new borrowing authority. Each time Congress has given the executive exactly what it has asked. Is there not a right—even an obligation—to differ? If the committee bill is adopted the administration will be back again in August, without fail, for a fifth time within 2 years, for new borrowing authority.

I think it has been demonstrated beyond question that the executive can live with the minority substitute. The executive lived within $306 as proposed by the minority a year ago, and it can do it again if it will remove the padding.

Mr. Chairman, the separation of powers between the branches of Government requires that the legislature register its point of view. The motion to recommit is a constructive and positive point of view, and I think represents, in the long run, better government. The Congress is an independent branch of government and it should be consistent with its heritage.

Mr. HORTON. Mr. Chairman, the only reason we are faced with this debt dilemma today is the administration's refusal to put a brake on Federal spending. The principle of a balanced budget—matching expenditures to income—seems to matter little to the President's "spendthrift corps."

I am unalterably opposed to an extension of the public debt limit. To do so will only encourage additional deficit spending and put the country in a bigger financial fix.

The spotlight of public concern must be focused on this current wave of excessive spending. Steps must be taken to assure greater economy and efficiency in the function of all Government departments and agencies. And, Federal employment, which is expanding at a greater rate than our national population, must be contained.

It is only by applying congressional restraint to the mounting national debt that we can put the pressure on the administration to reduce the cost of Government and restore fiscal soundness to the Federal Government.

Mrs. REID of Illinois. Mr. Chairman, today, as we are considering H.R. 6009, which seeks to provide a temporary debt limitation of $307 billion through June 30 and $309 billion for July and August of 1963, each Member of the House must stop to remember that by casting his vote for the bill he is not only jeopardizing the future of his children and his grandchildren—but his country.

Very definitely, I do not subscribe to the theory of some of the new-type economists who have suddenly sprung up and who claim that there is nothing wrong or dangerous about a huge national debt. They do not explain, of course, why—if it is not a debt in the true sense of the word—we taxpayers still have to contribute $10 billion a year to meet the present interest charge on that debt. I personally feel that a debt is a debt whether it is owed by the national Government or by an individual. After all, if we want to carry this theory to the ridiculous extreme we could say that a debt owed by any one of us is of no concern—and go blithely on spending and spending and making more debts.

Frankly, I do not think an individual would be considered a sound financial risk for very long if he followed such a path; and I am equally convinced that the United States will not remain fiscally sound if we continue with reckless, wasteful, and unnecessary spending—with no thought given to balancing the budget and actually reducing the national debt. And, very frankly, as I have stated repeatedly, I am convinced that we must remain fiscally sound if we are to survive as a free nation.

In the 87th Congress, the administration came to the Congress three times for increases in the temporary national debt limit. I can find no evidence that any real effort was made by the administration to reduce spending in between such requests nor since the last increase was granted.

Now, with the 88th Congress only 4½ months old, we are faced with this present bill. Of course, we all know that this is just a start and when July arrives we will be asked to extend and increase the temporary debt limit again—this time probably to $320 billion. At this rate perhaps the 88th Congress can have the dubious distinction of granting a record four extensions and increases before it ends at the close of 1964 and eventually burden the taxpayers with an annual interest payment far exceeding the present $10 billion figure. This is in contrast to the situation just 30 short years ago when the total Federal debt amounted to only $22.5 billion.

I say that the Congress should serve notice now and demand a sound fiscal policy by defeating H.R. 6009. Only by so doing can we hope to force the administration to reduce its present fantastic rate of expenditures and to stop its irresponsible demands on the Congress for new programs which call for greater and greater spending and which, incidentally, would surely result in more control over the individual.

I personally am casting my vote against H.R. 6009 since I feel the only way to stop profligate, unnecessary and wasteful spending is to stabilize the national debt limit now.

Mr. SCHADEBERG. Mr. Chairman, I have profound respect for the ability and integrity of the gentleman from Arkansas, the very capable, and I am sure beloved, chairman of the Ways and Means Committee. I was deeply impressed by his very effective and moving remarks which he presented with such clarity and complete frankness.

He presented this House with a dilemma of shocking proportions. On the one hand, if we refuse to pass this bill to raise the debt limit we would be embarrassing the Secretary of the Treasury and would be acting irresponsibly. On the other hand—although he did not mention it—if we do support the bill we are partners with the administration in giving our approval to huge spending programs.

I am disturbed over the suggestion that Congress has no other course open to it than to provide an unlimited checking for those who consistently tell us that deficit spending is a boon to our economy.

I submit that for the record the House protect itself by putting the blame for the necessity of this critical action where it belongs—upon the President himself, who is not hesitant or bashful in his continuing requests for more and more programs which in turn claim more and more of our people's tax dollars and places a bigger and bigger mortgage on our children.

I must agree with the distinguished chairman, the gentleman from Arkansas [Mr. MILLS] that Congress does share the blame for deficit spending, because it authorizes the spending and the appropriations of the money for the programs the President proposes but it is the President who is primarily responsible for the presentation of the program that makes it necessary for the House to appropriate the money and ultimately, on all too often recurring occasions, to grant authority to increase the borrowing power of the Government.

I doubt very much whether many of the spending bills would have passed this House had it not been for the pressures put upon the Members of this House from many and varied sources to support the President's programs. After all, it is difficult, especially if you are a member of the President's own party to oppose him in his requests for programs he insists would decide whether the country will remain strong and virile or not. The Members of this House are not responsible for the presentation of the programs the President proposes but we do share the blame for spending when we authorize them and appropriate the money for them. As I see it, to agree to raise the debt limit to $309 billion is to open the floodgates for more and more wild spending and to assume the responsibility for our fiscal difficulties.

I oppose this bill because I believe that only when we come to the conclusion there will be no funds to pay for proposed programs can our taxpayers hope to get relief from the cold reality of Government taking more and more of their hard-earned income. The way to cut taxes—and this is deeply involved in what we are deciding today—is to cut spending by the Government and in the issue before us to withhold from the spenders the opportunity to get funds to fulfill their aims.

Mr. OSTERTAG. Mr. Chairman, once again, and no doubt this is not the last time, we are faced with the serious and far-reaching proposition to authorize an increase in the public debt limit. I might point out that I have consistently, but reluctantly, supported such legislation in the past because I felt we had no other choices in the matter. But I have made it known that I had no intention to do so indefinitely, and that some day we must reach the decision to call a halt to this practice and policy of headlong fiscal destruction.

As I understand it, H.R. 6009 provides for a temporary debt limitation of $307 billion for the remainder of this fiscal year and a temporary ceiling of $309 billion for July and August of this year.

It has been reliably reported that before this fiscal year is over the debt ceiling will from time to time be raised to $320 billion. This situation is prompted by the deficit spending now underway in both fiscal years 1963 and 1964. New obligational authority has increased by some $27 billion. It is evident that we must face up to the plain realization that this deficit spending will continue to skyrocket the national debt, and the time is long since past when we must reappraise the situation and find ways and means to cut the cloth to fit the pattern.

For the first time since I have been a Member of the House of Representatives, I shall vote against the raising of the debt limit. However, I do support the proposal to continue the present $305 billion ceiling, which is $20 billion higher than the $285 billion permanent limitation which is effective July 1 of this year, under present statute.

I believe it is possible and, I might add, desirable and necessary to bring into balance to an equitable degree both our spending and revenues. It can be done, it must be done. We can reduce the current budget by several billions of dollars. By the exercise of fiscal responsibility, we can put our house in order and I am opposing the increase primarily as a means to achieve that end. I am confident that a debt ceiling of $305 billion is adequate and will continue to be so if the spending is curtailed. For these reasons, I shall vote against the pending bill and support the $305 billion substitute.

Mr. VANIK. Mr. Chairman, the air of the House is charged and supercharged as to responsibility for the increase in the public debt. The attack has been directed against the burden of new programs authorized by Congress.

What about the tax cuts for business voted by Congress last year? The investment credit voted by Congress last year as a tax cut for business resulted in a revenue loss in fiscal 1963 which may exceed $1,100 million.

What about the 1962 tax cut for business provided by Executive order in the Treasury Department revision of bulletin F, the business depreciation schedule? This resulted in a revenue loss in fiscal 1963 of over $1,500 million.

Therefore, $2,600 million of this year's increase in the public debt is directly traced to tax cuts for business—a tax cut which will reduce Federal revenues at an even higher level from now on.

On April 29 of this year, this Congress voted business a tax cut of $181 million annually by reducing the unemployment compensation tax. What effect does this have on the public debt increase?

It appears quite obvious that a substantial $2.6 billion increase in the Federal debt this year is the proximate result of the last year's slash in business taxes by way of the investment credit and the Treasury revision of business depreciation schedules.

At least $2.6 billion in corporate and business black ink and extra cash flow this year was diverted out of the public treasury and packed on to the public debt. This is one new program which should be promptly stopped.

Mr. JENSEN. Mr. Chairman, I have constantly voted against raises in our debt ceiling because I feel certain along with many other Members of Congress that most every Federal agency head takes the position that did not Congress want and expect them to continue spending exorbitant amounts then Congress would long ago not have passed the debt ceiling. So the spending spree goes merrily on full speed ahead.

It is clear that these spending boys who are pros in spending the people's tax dollars by the billions, are no different than daddy's little boy who knows full well by past experience that if he spends more than his allowance, his good daddy will raise his allowance so he can pay the nice man at the soda fountain who has given him credit until next payday from daddy Sam Brown, who like our Uncle Sam, is being asked here to foot the bill. And let us not forget that Uncle Sam is you and you and you. Mr. Chairman, every time our debt ceiling is raised, the American dollar loses some of its popularity worldwide and thus nation after nation across the seven seas demand payment in gold for commodity imports to the United States.

The proponents of a raise in our debt ceiling say "Oh, Uncle Sam must pay his bills as they come due." Let me say the time comes in the lives of most every person, business, and industry, when they are obliged to inform their creditors that time must be given them to pay their bills.

Our Government should, can, and must in order to maintain a solvent U.S. Treasury, admit to its creditors that Uncle Sam has signed so many notes that now his credit is in jeopardy, hence he must reduce his expenditures in order to pay his bills at some future time as such bills fall due.

Mr. Chairman, all the book-trained economic advisers to the President can expound their ideas until doomsday to the contrary notwithstanding, the facts are to again raise our debt ceiling can only bring currency depreciation with its disastrous results to every American.

Mr. REUSS. Mr. Chairman, I want to warn the Members that imposition of an arbitrary $305 billion debt limit will cripple our efforts to protect our gold reserves while this country is still struggling to reduce a serious balance-of-payments deficit.

The administration has made some progress in reducing the payments deficit. In the years 1958–60, our annual deficits ranged between $3.5 to $4 billion per year. In 1961, the deficit came down to $2.4 billion and in 1962, to $2.2 billion. But more work needs to be done—we must eliminate the deficit entirely and we should aim for a surplus in our international transactions.

In the meantime, we must do all that we can to finance our deficit in a way that minimizes gold outflow. Last week we lost another $50 million in gold. But every method of financing involves the issuance of U.S. obligations. To do this, we must have adequate leeway under the debt limit.

The Treasury and the Federal Reserve are now engaged in issuing certificates, notes, and bonds to foreign governments, for two purposes: First, we acquire foreign currencies which can be used to prevent speculative attacks on the dollar in foreign exchange markets; second, by giving foreign governments an attractive way to hold added dollars in their monetary reserves, we minimize gold outflow.

For both purposes, we had outstanding at the end of April 1963, over $1 billion in special nonmarketable securities.

While I have disagreed with the Treasury and Federal Reserve on the adequacy of these two measures to protect the dollar and our gold reserves, putting ourselves in a debt limit straitjacket will prevent us from using better and more adequate techniques, as well as the one now being employed, to protect our gold reserves.

For example, many have been critical of the administration for not using our borrowing rights under the International Monetary Fund. These rights are an addition to our monetary reserves and can be used instead of gold in financing a payments deficit. To use these rights, however, we would need to issue noninterest-bearing obligations to the IMF in exchange for foreign currencies lent to us. By pushing down on the debt ceiling, we could foreclose this method of preventing needless attrition of our gold reserves.

As a supplement to our IMF rights, I have urged that we seek a better payments agreement than the one concluded in 1962 among the leading industrialized countries. Under an improved agreement, the United States should be able to get an immediate credit for all short-term money outflows and for a substantial portion of its basic deficit from surplus payments countries in the group. In exchange, we would have to issue some instrument of obligation to the group. We could not do so if we were held down by an artificially low ceiling.

Irrespective of the method used to finance our balance-of-payments deficit, I cannot emphasize too strongly the fact that we have to pay our international debts. If we are prevented from issuing dollar obligations, we will have to pay out gold. Those who would leave no freedom for maneuver under the ceiling should understand the consequences of their actions.

Mr. STAEBLER. Mr. Chairman, the question of raising the national debt limit is one of great concern to all our citizens, for we are a country of people who have been conditioned by experience to be cautious about debt.

In our families, in our businesses, and in the operation of our various levels of government, all of us recognize the need to maintain a proper balance between our income and our expenditures; between our assets and our liabilities or debts.

It follows, then, that when we talk about the national debt we should likewise take into consideration all the factors of our economy which bear on the question.

To do otherwise; to isolate the debt as a separate part, unrelated to the whole, is to invite misconceptions.

There are several significant misconceptions which constituents sometimes cite as reason enough for opposing any increase in the debt ceiling.

We hear often, for example, that the Federal debt has reached crushing proportions, that it is out of control. This is not the case.

Measured as a percentage of our gross national product—the total economic product of the country—the debt ratio actually has been decreasing in recent years.

In the 1947–62 period the debt increased 17 percent, from $258 billion to $298 billion. But during the same period our gross national product increased 135 percent, from $223 to $539 billion.

As a percentage of the gross national product, the national debt has fallen from 115 percent in 1947 to 53 percent.

Another misconception of many people is that the Federal Government is going into debt at a furious pace. The opposite is true.

The Federal Government has a better debt record than State and local governments; than private business, and even than the American consumer.

Last year the Federal debt increased 3 percent. At the same time, private business debt increased 6 percent and State and local government and consumer debt increased 11 percent.

Taking the 1947–62 period again, the Federal debt increased $40 billion or 15 percent; State and local government debt increased $56 billion or 332 percent; private business debt increased $271 billion or 189 percent; and consumer debt jumped $206 billion for the highest percentage increase of 371 percent.

In the same period the Federal debt on a per capita basis has declined 19 percent. Yet local per capita debt increased 219 percent while State per capita debt jumped 550 percent.

Much of the criticism we hear concerns the increase of Federal expenditures. We hear that we are adding new spending at a rate exceeding our capacity to pay.

It is true that our spending continues to increase. The increases, however, are primarily in the national security connected areas of our budget—defense, space, foreign aid, veterans payments and interest on the debt.

I include interest on the debt because nearly $230 billion of our current debt was incurred in the war years of the 1940's.

Nondefense domestic expenditures actually have been dropping.

In 1949, for example, nondefense domestic expenditures were 27 percent of the budget.

This dropped to 18 percent in 1960 and has been at 21 percent the past 2 years.

Finally, when we talk about Federal spending often we fail to consider that much of our national expenditures are for tangible investments.

Just as an accountant always looks at assets at the same time he looks at liabilities, we, too, should look at our assets as a nation.

The total assets in personal and real property owned by the U.S. Government in 1962 was $299 billion.

I think we can see, Mr. Chairman, that the proposal to increase the debt limit by $2 billion is neither unreasonable nor unsound.

Mr. ULLMAN. Mr. Chairman, the distinguished chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. MILLS], has made what, in my opinion, is an irrefutable case for the legislation now before the Committee. There is no one in the House more dedicated to fiscal responsibility and sound economy in Federal expenditures.

The basic fact before us is that anything less than the ceiling proposed in this bill will not allow the Government to meet its commitments during June, July, and August of this year.

Those who oppose this bill are saying in effect "we know the existing ceiling is not adequate to meet Government commitments already made, but we are passing the buck to you. Use any or all methods at your disposal to meet the crisis." We are in fact delegating to the executive branch unwarranted spending authority that constitutionally belongs to Congress.

What has the Government done in the past when the debt got too close to the ceiling?

One expedient which has been used in the past is the utilization of the borrowing power of Government agencies in order to keep within the debt ceiling. In 1953–54, $2.3 billion of Commodity Credit Corporation certificates of interest in a pool of loans were issued. A few years later FNMA management and liquidation program notes were sold—$570 million in 1955 and $1,599 million in 1957–58, including the refunding of the 1955 issue.

In each of these instances the operations were related in part to low-cash balances and the debt ceiling. They were costly expedients because higher interest rates had to be paid than would have been necessary on direct obligations of the Federal Government. And, of course, such expedients are temporary—there is only a short respite before agency issues of this type have to be refinanced or redeemed.

At other times a tight ceiling and a low cash balance have had effects on direct issues of Government obligations. In September 1957 the issue date on $657 million of 4-percent bonds offered for cash had to be delayed to October 1, so that cash redemptions on the October 1 maturities could leave some room under the debt ceiling. In October-November 1957 the Treasury had to limit two long bond offerings to small amounts—$657 and $654 million, respectively—because of ceiling limitations.

There have been occasions when the debt ceiling has made it necessary for the Treasury to use some of its free gold. For example, in November 1953, the Treasury used $500 million of its free gold in order to retire notes—held by the Federal Reserve System—slightly ahead of maturity, and thus keep a new Treasury offering within the debt limit.

As Secretary Humphrey stated at the time:

> Normally, the Treasury would have taken larger advantage of present very favorable market conditions to borrow enough money to maintain a more adequate balance. Since this is impossible under the present public debt ceiling, it is necessary to put to use a substantial part of the gold in the Treasury general fund.

Again, in February 1958, the Treasury used $100 million of its free gold to replenish the cash balance when leeway under the ceiling had become too narrow for new borrowing. At that time, available funds in the Federal Reserve banks and in tax and loan accounts in commercial banks were down around $1½ billion. Of this amount, however, only about $250 million represented funds not already called for use by the Treasury in paying the Government's bills.

In connection with these operations, it may be noted the Treasury's free gold now amounts to only $127 million—as of April 30, 1963.

I urge my colleagues to weigh carefully their decision on this important issue. I for one would not want to bear the responsibility for a vote either to recommit or kill this bill which could well create a financial crisis of unparalleled proportions extending far beyond the borders of our own Nation.

Mr. ROGERS of Florida. Mr. Chairman, I rise in opposition to the proposal to increase the national debt. Rather than considering any changes in our debt ceiling, I believe the Congress would do well to consider legislation to initiate payment of the national debt.

Each Congress the question of debt ceiling is considered, and each time the Congress gives in to the line of least resistance by voting an increase in the debt limit. Thus the trend toward increased Federal spending is aided, bringing with it greater and greater deficit spending.

And there is presently no law to require that our national debt be paid. The only real hope for repayment lies in the possibility that we will have a budget surplus, and that somehow some payment on the debt will be made from that surplus.

But as we all know, there has been a pronounced trend toward greater and greater deficit spending by the Federal Government since 1948.

For this reason, I urge serious congressional consideration to enact law to require annual payment on the national debt.

Such a plan is offered in H.R. 3981, a bill which I have introduced to provide that 1 percent of the debt principal shall be set aside in the Federal budget for annual payment on the debt.

Enactment of such a statute would not only guarantee systematic reduction of the debt principal, but interest as well. With 1 percent as the amount set aside in the budget, the estimated savings in interest alone would amount to some $19 billion over a 20-year period if the plan were placed in effect this fiscal year at the present debt ceiling.

At a time when our national debt is the highest it has ever been, and some 10 percent of the Federal budget is consumed by interest payments on the debt, I am sure the House will agree that good business judgment dictates our most serious examination of this plan.

Mr. ASHLEY. Mr. Chairman, I rise in support of H.R. 6009 and at the outset I want to express my high regard for the gentleman from Arkansas [Mr. MILLS] and the other members of the Committee on Ways and Means who have sought to bring the issue before us into some kind of clear focus.

Mr. Chairman, those who oppose the measure before us like to consider themselves as economic conservatives. In ringing tones they call for fiscal responsibility and a curtailment of Federal spending. But in many instances, particularly during the administration of President Eisenhower, they voted to authorize spending programs and later they approved the appropriation bills which actually supplied money to fund these programs. On numerous occasions they also voted to increase the debt ceiling. But now they see things differently.

Their strategy is interesting. They would have Congress abdicate its legislative role by establishing a debt ceiling low enough to force the administration to cut back on some of its deficit spending in areas determined not by the Congress but by the executive branch. In other words, Mr. Chairman, their strategy is to attack collaterally the very programs which the Congress itself has approved. What they are saying is that under no circumstances shall there be deficit spending, regardless of the value of the program or expenditure, regardless of national security, regardless of any other consideration. This kind of a straitjacket, Mr. Chairman, makes no sense at all. What we should be seeking is greater flexibility in the management of our economy, not less.

Nor is the strategy itself sound. As the gentleman from Arkansas [Mr. MILLS] has pointed out, the present administration would not cut back its spending, but instead would do what the Eisenhower government did when squeezed by the debt ceiling several times. It would resort to costly gimmickry.

One gimmick employed in Eisenhower's time of pinch was to have the Federal National Mortgage Association sell directly to the public some of its own notes, which technically do not count as part of the national debt, instead of drawing funds from the Treasury. Another trick was to have the Commodity Credit Corporation raise more of its money for agricultural price-support loans by selling to the public certificates of interest, similarly outside the legal debt, instead of pulling money from the Treasury.

These agencies had to offer investors a slightly higher return than would have been required through normal Treasury borrowing; by one calculation the Government ended up paying an extra $18 million in interest.

Besides repeating the old tricks, the Government could try plenty of new ones. Officials suggest, for instance, that the Veterans' Administration could raise some money by dumping its foreclosed mortgages on the market, but only at discount prices, and at the risk of drying up investment money needed to sustain private construction.

Mr. Chairman, this body made a spectacle of itself yesterday which appears to be habit forming. Instead of allowing congressional delegates to the ILO Conference to travel on counterpart funds, free of expense, we sternly insisted that attendance at this Conference be paid for twice by the American taxpayer: once in the form of counterpart funds which he has purchased and not used and again in the Treasury dollars that will finance participation in the Conference. I hope we can get back to legislation which speaks better for what we like to think of as the greatest deliberative body in the world.

Mr. WHARTON. Mr. Chairman, there are those who argue that the annual ritual of raising the public debt limit is a useless process. At times their argument, from an operative standpoint, might appear to be valid; however, the administration's sensitivity on this subject clearly indicates that this is an area which they would like to ignore because it is an irritant to their spending proclivities.

Many of the young men who represent the upper echelon of the present administration are indeed fortunate in that they have never been saddled with the financial woes which beset the average American. The realization that the Nation's debt and inflationary trends are interrelated is gaining recognition even among these philosophers. This suggests that an inflationary raise in the public debt is not in the best interests of the Nation.

Under the proposed legislation, we have a choice of going along with the spenders or calling a halt to their nefarious operations. Frankly, I prefer the latter.

We are warned of dire consequences in case the Government is faced with even a temporary halt to its accelerated spending program; many will miss their regular Government remittance.

The ways and means of living within our budget are at hand—if necessary, let us start at the top and skip a few payments at the executive level; next might well come the Judiciary and the Congress, just to drive home the general idea. By this time, I am sure ways and means could readily be found for the Government to live within its income. To those who scream "oversimplification," may I remind them that the House, even within the past few days, has passed some practical bills and the rising tide of resentment in the course of this annual ritual provides ample justification for a negative vote against further deficit spending.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. DEROUNIAN].

Mr. DEROUNIAN. Mr. Chairman, for the fourth time in less than 2 years this House is called upon by the Kennedy administration to increase the debt ceiling.

We are even told that there will be a fifth time later this session since the majority's proposal will be sufficient only to finance the Kennedy spending programs until August 31, 1963.

Increasing the debt ceiling is becoming an addiction for the Congress under the Kennedy administration. I suppose for some—the more often we do it—the easier it becomes to accede to the administration's repeated requests for additional borrowing authority.

On this occasion I would like to say, however, that the increase is wholly unwarranted. The Treasury is presently getting along pretty well under a debt ceiling of $305 billion. The Republicans are willing to extend this ceiling.

The Republican proposal is $5 billion more than the debt ceiling provided for in the administration's bill passed last year. Under that bill, the debt ceiling is due to drop to $300 billion on June 25 of this year.

The administration's spokesmen argue that a further increase—up to $309 billion—is necessitated by a deficit of about $8 billion for fiscal 1963, which the administration glibly attributes to a falloff in revenues.

The so-called falloff in revenues is a phony. It came about solely because the administration was unwilling to come before this Congress in January 1962, and admit that they were planning an $8 billion deficit for fiscal 1963. Revenues have not actually fallen off; the administration's estimates were inflated.

Now we are told that the money has been spent and it is up to Congress to pay the bills. Each time that the administration comes in for another debt increase, we hear the same story. It never occurs to the New Frontier that the money need not have been spent—that it is about time they started thinking about where they would get the money before they spend it.

I have no doubt that the debt ceiling of $305 billion will be adequate. In the first place, using the administration's own estimates, the $305 billion is $5 billion more than the administration said it would need last June. Deducting this from the $8 billion deficit projected for fiscal 1963, leaves a balance of $3 billion. There are many ways in which the remaining $3 billion can be absorbed without any increase in the debt ceiling.

For example, there was built into the Treasury's estimates last year a "cushion" of $3 billion, to take care of errors in estimating—including so-called short falls in revenue. The debt ceiling was $3 billion more than was actually needed just in case revenues should fall below expectations.

In addition, as the minority report shows, the administration has stepped up the sale of direct Government loans, thereby producing offsetting revenues for budgetary purposes. More than $1 billion extra will be added through this process during fiscal 1963—an increase of $1 billion over the original budget estimates. That makes another billion dollars to add to the cushion of $3 billion.

Finally, the administration has been loudly claiming savings through efficiency in Government. Just a couple of weeks ago, the Budget Director claimed that efficiencies in the Defense Department had saved $2 billion over budget estimates in fiscal 1963. I am not prepared to accept that claim at face value. But—if the claim is true—the savings should be reflected in the administration's borrowing requirements.

What does all this add up to? First, a debt ceiling of $305 billion is $5 billion more than the administration proposed last year.

Add to this the $3 billion cushion in last year's debt projection, making $8 billion of excess borrowing authority; add to this the additional $1 billion from the sale of assets and the $2 billion of savings in the Department of Defense—we get a total of $11 billion—to offset any need for additional borrowing due to deficits. This certainly should be adequate to finance a deficit of $8 billion.

There are even other items which I have not mentioned. We all know that there has been an improvement in the economy—that employment and wages have gone up. This immediately produces increased taxes through withholding on wages and salaries. The administration's requirements do not reflect this factor.

If the administration does have sufficient borrowing capacity at this time—what is the real reason for requesting an interim increase in the debt ceiling? I think the answer should be obvious to everyone.

The administration would like to run a $12 billion deficit for fiscal 1964. When coupled with prior deficits, we know that this might ultimately require a debt ceiling of $320 billion. I doubt very much whether this Congress would be willing to make the jump from $300 to $320 billion. Therefore, to ease the pain we are merely doing it in stages.

Do not fool yourselves. This is merely the first step to a $320 billion debt ceiling. I am against taking that step, and will, therefore, vote against any increase.

Mr. KARSTEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, it is never a pleasant experience to come before the House to request that the ceiling on the national debt be raised. Members who have voted for programs, which admittedly at least in part have contributed to the size of the debt, approach these votes with displeasure, as do those who have opposed such programs.

We must keep in mind, however, that the activities and programs of our Government which have been adopted in previous administrations, as well as this one, are the result of actions by the Congress, which represents the will of the majority of the American people. After all, it is the people, themselves, through their Representatives in the Congress, who have determined the kind of Government we shall have and how much Government we shall have. It is this latter category which has had a pronounced effect upon our public debt.

Perhaps there is no completely satisfactory way to measure the significance of our public debt, but I have found it helpful to consider our debt in relation to our total output, which the economists term our gross national product. When I first became a Member of this House, in 1947, our GNP was $239 billion and our debt was $257 billion. In that year, our Government owed more than 100 percent of our total annual output. With two or three exceptions, in 1950, 1954, and 1958, our public debt in relation to our GNP had steadily declined. Today, our outstanding debt is about 55 percent of our national output.

Within the short space of time I have served in this body, we have had ten increases and extensions of the debt ceiling. The bill before us provides a temporary debt ceiling of $307 billion through June 30, and a raise to $309 billion through August 31, with the prospect clearly in sight that there will have to be a further increase for the balance of the next fiscal year.

Perhaps the strongest arguments that could be made in support of legislation to raise the ceiling on the national debt are the statements of Republican members of the Committee on Ways and Means over the past 10 years. One of the best pleas came from the ranking minority member of the committee, the gentleman from Wisconsin [Mr. BYRNES] in support of President Eisenhower's request for a $15 billion increase in the debt ceiling, on July 31, 1953. That is a little more than we are talking about today, and let us see what the gentleman from Wisconsin had to say on that occasion:

> Mr. BYRNES of Wisconsin. Mr. Chairman, now and then we all in our daily lives as Members of Congress, or in our professions, have to face some unpleasant facts. That, I think, is what we are doing today. But, as conscientious men and women, we face up to them. We do not try to skirt around them or avoid them. That is what the administration is doing, and that is what this committee is doing today, by bringing in this bill, which will increase the debt limit by $15 billion.

Time will not permit me to quote the other delightful remarks of my friend from Wisconsin, but I cannot resist the last sentence, which was a plea to provide the Secretary of the Treasury with an adequate operating balance:

> To force the Secretary of the Treasury to operate on such a close margin would be foolhardy. If we are to accept our responsibilities and act as reasonable people, we will vote for this bill.

One of the best technical explanations of the issue before the House, on bills to raise the debt ceiling, was presented by the gentleman from Missouri [Mr. CURTIS], on June 19, 1959, on the occasion of the $12 billion increase in the ceiling, requested by President Eisenhower. After explaining that the proposal was better named, a bill on the public debt, rather than a bill to raise the ceiling on the national debt, he said:

> Now, then, the situation that is before the House now is this: We are doing nothing to the Federal debt. The debt is already there. It has been created by the appropriation bills and these back-door methods of hitting the Treasury.

After suggesting two or three alternatives, such as raising taxes, issuing greenbacks, and so forth, which he discarded, he advised:

> So, I say to my good conservative friends, "do not join the grasshoppers." I know the temptation there is to vote against evidencing the debt increase to show you were against this increase, but do not give the spenders respectability by joining with them and voting "no" on this.

Now, as good as this technical explanation was, the gentleman from Missouri [Mr. CURTIS], in my opinion, made a much better presentation on January 21, 1958, which was the occasion for raising the debt ceiling $5 billion. The argument was whether it should be $5 billion or whether it should be cut to $3 billion. Here is Mr. CURTIS, in perhaps his most eloquent presentation:

> Mr. Chairman, essentially, this bill is a question of managing the public debt and is not in any sense involved in an economy proposition. My record is pretty well known,

my views are pretty well known, in regard to appropriations.

I can assure you from having studied this debt matter that actually a vote against this bill would be a vote against economy because it would cost us money if we do not provide this necessary flexibility in the management of our public debt.

He used an excellent metaphor to illustrate his point. He said:

> You cannot stop the progress of an elevator by grabbing hold of the elevator indicator to try to stop it. That would be the effect of grabbing hold of the amount of the Federal debt and saying that by holding on to that you are going to stop the progress of the expenditures.

Then, after going into the merits of debt ceilings in general, he drove his point home with the following:

> In my judgment, and I think in the judgment of the Committee on Ways and Means, to most of us it seemed that 5 billion was the more intelligent figure to grant to the administration at this time. Three billion dollars would probably be uneconomic. Do not think for a minute that by voting for $3 billion you are casting an economy vote. The issue is simply one of good debt management.

My good friend, the gentleman from Michigan [Mr. Knox], on July 31, 1953, made an excellent statement in support of President Eisenhower's proposal to increase the national debt ceiling $15 billion. He concluded his excellent remarks with this:

> I am going to vote for this bill because I think it is necessary and in the interest of our country and it is only fair to do so.

Again, on June 19, 1959, the gentleman from Michigan [Mr. Knox], in support of another permanent and temporary debt ceiling increase, amounting to $12 billion, closed his presentation to the House with this plea:

> I feel constrained today to vote for this legislation although I have not been a liberal spender as far as appropriation bills are concerned.
>
> But there is one thing I hope never happens with my vote and that would be a situation where the Treasury Department is unable to meet the obligations which the Congress has imposed upon them. Therefore, I am going to vote for this legislation today.

The gentleman from Tennessee [Mr. Baker] took time out to commend the gentleman from Michigan in supporting the $12 billion increase in the debt ceiling, on June 19, 1959, with this fine statement:

> Mr. Baker. I want to compliment my colleague from Michigan for the very fine presentation he has made and to associate myself with him in support of this bill, although I would have much preferred not to have to vote for it. However, it is the only sensible thing to do from the standpoint of fiscal responsibility.

My good friend, the gentleman from Ohio [Mr. Betts], took a very reasonable position when he spoke, on June 19, 1959, in support of President Eisenhower's request for a debt ceiling increase of $12 billion. He said:

> I support this legislation because we must see to it that our national credit is not impaired. But it seems to me our national credit would be in better shape if we spent less, balanced our budget, and kept our dollars sound for the millions of Americans who have saved some for a rainy day.

Even my friend from Dallas, the gentleman from Texas [Mr. Alger], supported the $12 billion debt ceiling increase on June 19, 1959. Here was his reasoning:

> After we run up the bills we have to pay for them. And so with the Government, when we run up bills as a Government we have to pay those bills. That is all this increase is. If we are going to spend this money, we will have to pay the bill. We cannot limit the debt ceiling as the means to cut spending.

Now the Republicans of the Committee on Ways and Means have developed a new approach to the matter of the debt limit. The minority views in the committee report make it clear that they want the administration to respond to a decline in revenues because of poor economic activity by reducing Government expenditures in order to stay within the debt limit. This is exactly opposite of what their own administration did in the same circumstances.

The record is very clearly spelled out in the Economic Report of President Eisenhower, of January 20, 1959, in which he describes the reaction of the Republican administration in another shortfall in revenues of some $6 billion—which would be the same type of shortfall that occurred in the fiscal year 1963. President Eisenhower's Economic Report boasts about Government actions that were designed to restore healthy business conditions. His report states, and I quote:

> Steps were taken to accelerate Federal construction projects already underway and to speed up projects supported by Federal financial assistance. Activities under a number of Federal credit programs, in addition to those in the housing field, helped counter the recession. And the acceleration of defense procurement, which is being undertaken in line with national security policy, exerted an expansive effect.

The report of the Council of Economic Advisers in that year describes in detail these programs for expanding Government expenditure activity in response to the declining revenues that were related to the poor business conditions.

Now the Republican opposition has developed a theory that their administration's reaction to this situation should have been to reduce the level of Government expenditures below the programs intended to be accomplished by congressional legislation—quite the opposite of the actual procedure of the Republican administration.

Of course, they wanted to see their own administration carry out its program in the national interest. Our national interest is the same today as it was then.

I hope my Republican colleagues will reread their old speeches and again reach their conclusion of yesteryear because:

> Nor all their piety nor wit
> Can cancel half a line
> Nor all their tears
> Wash out a word of it.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. KARSTEN. I yield to the gentleman from California.

Mr. HOLIFIELD. I just want to compliment the gentleman on his statement today. He has placed upon the record an undeniable and irrefutable record of a change of position. We can only speculate, of course, on this change of position on the part of the minority group. I note here on page 2 of the committee report that on at least four different occasions the Republican members took the position which the gentleman has shown by quoting their arguments on the floor.

Mr. KARSTEN. Let me say their votes were better and I wish I had time to go over them.

Mr. HOLIFIELD. I am sure of that, but I think the Republican Party today stands indicted for a sudden change of position which, in my opinion, seems completely illogical. I hope some of their speakers will address themselves to this point: Why did they support a debt ceiling raise on at least four occasions in the Eisenhower administration and they now refuse to support such a change in this administration?

Mr. KARSTEN. I cannot answer that. Maybe there were at that time more liberal and moderate Republicans.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. Alger].

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Missouri.

Mr. CURTIS. I know the gentleman is going to develop this point, but it is very obvious from the previous speaker that he does not recognize the difference in the fiscal policy of the Eisenhower administration, which was criticized by the Democrats, in trying to get expenditures cut. The change is obvious and quite clear. This administration believes in deficit expenditures, planned deficits. Therefore, the change in the position of the gentleman from Missouri and his colleagues is quite clear. They arise from a change in the Executive's position on fiscal policy.

Mr. ALGER. Mr. Chairman, I cannot imagine having an opportunity to take the floor under more auspicious circumstances. Not only was I treated to being dignified on the floor yesterday by a speech of two of my colleagues, who said that today we will have sharp issues on these things, as you may read at the outset of yesterday's Record, but I am now able to respond to the views of the gentleman from Missouri [Mr. Karsten].

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-one Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 50]

Blatnik
Bonner
Celler
Clark
Davis, Tenn.
Diggs
Downing
Fogarty
Forrester
Grant
Green, Oreg.
Griffin
Hagan, Ga.
Hansen
Harding
Harsha
Healey
Hébert
Jones, Ala.
Kee
King, Calif.
Kornegay
Miller, N.Y.
Montoya
O'Hara, Mich.
Powell
Schenck

Scott
Shelley
Sheppard
Taft
Taylor
Teague, Tex.
Thompson, La.
Walter
Whalley
White
Younger

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Gray, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second-Liberty Bond Act, and finding itself without a quorum, he had directed the roll to be called, when 395 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. ALGER. Mr. Chairman, it seems to me that in the debate thus far we have a basic philosophic difference, which is the main issue before us today, balanced budget or deficit spending. There is no reason why we cannot reasonably disagree as long as we do not alter the facts. I pledge you I have done my homework as best I could and I will stick to the facts.

Mr. Chairman, as background to my having this opportunity, yesterday I was challenged by a few Members on the floor which you will see at the outset of the Record today as to some economic views. They also made mention of the debt ceiling.

Just prior to my addressing you the gentleman from Missouri [Mr. Karsten] quoted a number of Republicans and the views that they expressed at the time of the Eisenhower administration. I propose to show you in the next several minutes, if I am able, that there is a vast difference in what we seek today in debt ceiling increase compared to what we had under the Eisenhower administration. That difference can be spelled out very simply, I think. That difference is why we Republicans say: "Mr. President, you do not need more than $305 billion."

And even at that we Republicans are being responsible when we pick up the tab for a lot of spending for which we did not vote. Now we say we have gone far enough. More of that later.

I want to recapitulate because I have before me my earlier statements on the debt ceiling, thanks to my colleagues who yesterday intimated that my earlier views might be contested. I have all of them with me. I have here a list of my votes and I may say my views parallel many of the Republicans. So it is that you will find many Republicans who said: "We are picking up the tab for a lot of big spending. We regret that, because we do not believe in big spending." We reasoned that when you run up the bills you have to pay them. That was at a time and during the period of an administration that believed in a balanced budget, that believed in paying the bills when they came due rather than indulging in deficit financing, a planned deficit in financing our Government, which is now the proposition before us.

Further, as to history, some of us finally got tired of picking up the tab and even warned our colleagues we would have to change our position, that there must be more fiscal responsibility exercised by the Democratic-controlled Congress and by President Kennedy, who immediately changed the ground rules for the financing of our country, thereby repudiating his campaign promises.

To those who want to challenge me, I am here, and if you want to give me the time I will be happy to stay here and debate the matter as long as you like.

So it was in 1961 after the many times I supported the debt increase, I stated it is wrong to continue to run up these bills, we want fiscal responsibility, and I for one said: "You have gone too far."

On the floor of the House over 2 years ago I said:

> It is now obvious that the restraint on spending has to come from the Congress because this administration, unlike the previous administration, is designing a deliberate program and policy that plans for a deficit. I stress they are planned deficits. This is something new. I will concede this Congress since I have been here under Democratic leadership, has, generally speaking, been fiscally irresponsible. But I must say also that the Eisenhower administration endeavored to make both ends meet. I no longer see any attempt on the part of this administration to pay as we go or to have a balanced budget. That is the reason I am opposing this debt increase.

Then I went on to report what the gentleman from California [Mr. Utt] and I mentioned several times, in separate views, in 1961 and 1962, and they are implicit in the statement this year, that the use of a temporary debt ceiling is a gimmick and it ought to be eliminated.

Factually, we should now recall that when the Eisenhower administration took office in January of 1953 it was confronted with a Truman administration budget providing a deficit of $9.4 billion for 1953 and a planned deficit of $9.9 billion for 1954. The Truman administration, besides inheriting a spiraling deficit, also left a legacy of approximately $80 billion in unpaid bills without any money in the till with which to meet them.

Against that background of fiscal chaos from the Truman administration and the statement of sound Republican principles by President Eisenhower, it is significant to note what the Eisenhower administration did toward the accomplishment of its stated goal.

The Eisenhower administration reduced the planned deficit for fiscal year 1954 from its $9.9 billion Truman level to an actual deficit of $3.5 billion. The Truman spending that had reached a proposed high of $77.9 billion in fiscal year 1954 was reduced by the Republican administration working in cooperation with a Republican Congress to a low of $64.4 billion for fiscal year 1955. After that fiscal year the Nation's spending was approved by a Congress that was under the control of a Democratic majority and, of course, the spending level.

Under the Eisenhower administration inflation was halted, the largest tax reduction in history was passed, in excess of $7 billion.

Further, this administration passed on to the Kennedy administration balanced budgets for fiscal years of 1961 and 1962.

For only 2 years during the 8 years of the Eisenhower administration was there a Republican Congress, so that President Eisenhower was forced into spending programs by a Democrat controlled Congress, and then was falsely blamed for the big spending of the Congress.

With that as a background, let us go to the bill and let us, if you will, look at the separate views of the Republicans found on page 12 of this report. Here I will give you five reasons why we do not need to increase the ceiling and endeavor, if I can, at the same time to show you the difference between this administration and the previous administration, which makes it absolutely mandatory that many of us who believe in fiscal responsibility now necessarily are against this debt increase. No. 1. If you will look at pages 12 and 13, you will see a very damaging charge against this administration. I have heard no one contradict this charge on this floor that the President is guilty of a fictitious budget. As we state in the report, he has run up the revenues in anticipation of what he wanted to spend in order to send to us a fictitiously high balanced budget. If you recall, Secretary Dillon came before our committee, and the Committee on Appropriations studied and found that many of the increases in spending were not in defense, in the military, but in nonmilitary expenditures and welfare programs, and program after program was expanded without due regard to expenditures. And, of course, the fictitious "short fall," as the administration calls it, masqueraded the real problem; big spending, deficit financing, if you please, caused by the overgrown spending programs.

That brings me to point No. 2, why we cannot endorse this bill, as Republicans, at least why this Member cannot, and it has to do with the rate of spending. Now, up until the colloquy in the 1961 debt ceiling debate I had assumed that the President had to expend the money that Congress appropriated. And, if you please, it was no less a person than our Speaker today, who was majority leader at that time, who contested me, and he stated I was wrong. This was my mistake; I am willing to say I am perfectly willing to admit it. This colloquy will be found on pages 11201 and 11202 of the Record, and I shall now quote our Speaker, who was at that time the majority leader, to show you why we on the Committee on Ways and Means, using the Speaker's language, do not believe that this is fiscally responsible, because the President has not exercised due care on rate of expenditures.

The gentleman from Missouri [Mr. Curtis] pointed out, and this report points out—that the care that was exercised by our present President in November 1961 when he cut out $1.2 billion spending rate reduction in 6 months because he saw the revenues were falling off. Here is what the majority leader said concerning the President:

> Of course he is supposed to carry out the will of Congress, but we all realize there may be changed conditions between the time of appropriation and the time of expenditure, when the President in the exercise of his wisdom decides that the expenditure of these

> appropriated funds is unnecessary and he puts them in a freeze. It may be that before the fiscal year is over he might unfreeze. But the statement that the Congress forced upon the President the spending of money is not of itself correct.

Now, I then blamed the Congress for the big spending, and I said, Congress voted the appropriation, and, of course, the President had to spend it. It was at that moment that the colloquy took place, and then Majority Leader McCORMACK tried to get the gentleman from Wisconsin [Mr. BYRNES] to agree with him and that I was wrong. The President can control the rate of expenditures.

Now, Mr. Chairman, I will say to my colleagues that on point No. 2, we Republicans on the committee say the President not only is not trying to control the rate of expenditures at this time but, indeed, he is embarked upon a planned campaign with Mr. Heller and the fuzzy economists who are prevalent around the President to try to build up deficit spending as a means of fiscal solvency and economic growth, and with this fiscally irresponsible course we Republicans are opposed.

Then, Mr. Chairman, I come to points 3, 4, and 5, which are incidental to the first two.

Point No. 3 is that there are certain assets which this Government can sell that I think all of us would approve of if they are sold in a proper way. Of course, the President must exercise his judgment, no crash programs.

Mr. Chairman, point No. 4 is that the President through his Secretary of the Treasury, Mr. Dillon, made much of the fact before the Chamber of Commerce meeting in Washington recently that this administration can announce that revenues are estimated as going up $1 billion. That is point No. 4. The revenues are going up again, and these increases are not fictitious and not just on paper. This of course further negates the need for debt ceiling increase.

Fifth, the President—and we point this out in the report for those of you who would like to read it, at page 18, the President and his advisors are boasting about the fact that they have effected savings through efficiency and the elimination of waste to the tune of $2 billion. This is a fifth reason why we need not increase the debt ceiling. Normally, I would challenge such a statement in fact but I will accept his statement at face value.

Mr. Chairman, those are the reasons we Republicans no longer will continue to pick up the tab for the big spenders. These are the differences now compared to debt ceiling increases under the Eisenhower administration.

Now, I say to you that today there is a different climate on the floor of this House, throughout the Congress and in the administration than there was under President Eisenhower, and all of you know on both sides of the aisle that I was consistent, if you want to call it that, and not reluctant to criticize President Eisenhower. At one time I was the Republican who joined with the Democrats, to say that the Democratic program of pay as you go on highways was a good one, and President Eisenhower later said it was an acceptable program. Then I was alone, and I joined you, my colleagues, and I want to remind you of that. I do not want you to think I am talking about partisan politics. I am partisan when it comes to spending because I am on the side against big spending, like Chairman CANNON of the Committee on Appropriations, when he speaks of reducing appropriations. That is the way I believe and that is the way I vote.

Mr. Chairman, we say to you, by any test of fiscal soundness, based upon the amount of money on hand, $305 billion, in view of what I have told you of the five reasons, $305 billion is enough to get this Government through the period of this fiscal year. Indeed, we further want to eliminate the word "temporary." There is nothing more permanent than a temporary tag in Government. We do not need it. Let us have a permanent debt ceiling of $305 billion. And that is the motion to recommit. Why do we have to be for this? Because we concede you cannot revert back to a $285-billion level, nor will this happen if we defeat this increase. If voted down today, and also not recommitted, you can be sure further steps will still be taken to raise the debt ceiling. If voted down, the matter will come back to the Ways and Means Committee and, certainly, we will be back on this floor with another compromise before too long. Of course we can forestall that by voting to recommit the bill and bring it back here for approval in the sum of $305 billion.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. HERLONG].

Mr. HERLONG. Mr. Chairman, it is not my purpose today to engage in any partisan debate. But I do not think I am going to shock anyone here when I make the statement that I am a conservative. This is the political philosophy to which I subscribe, and one of which I am not ashamed.

Mr. Chairman, I do not have any quarrel with anyone whose political philosophy may differ from mine. I would hope, though, that all Members of whatever philosophy would vote only after you have a good understanding of what is involved and that you really know the effect of what you are doing in this instance.

I appreciate the fact that so many of you have paid such close attention to the fine explanations that have heretofore been made. I think only by hearing both sides of the issue can you really understand the effect of what we are about to do today. This is an awfully easy issue for one to vote on in accordance with some preconceived notion as to the image that the debt ceiling has in your own particular district. You may privately concede, and some of you have privately conceded to me, that we are right in what we are trying to do in increasing the debt ceiling, but they would rather go ahead and vote against raising the debt ceiling to an adequate amount at this time, than to have to go about their districts and, as one Member said, sit on every wagon tongue trying to explain to the people why they had voted to raise the ceiling.

I grant that this is the easy way but is it the right thing to do? I think that the greatest disservice that any of us who claim to be conservatives can do is, under the guise of conservatism, to follow policies which are not sound or to do things here that might give people a wrong impression as to just what our fiscal situation is; or, instead of doing anything to help correct this erroneous idea that they may have, this false image if you please, and that we actually follow policies here that will strengthen their position by what some of you have privately admitted to me is irresponsible action. In other words, I say we have a perfect right to be conservative, but it is absolutely inexcusable for us to be irresponsibly conservative.

The situation has been described to you. You know what it is. The present debt ceiling is $308 billion. It will go back to $285 billion if we do not do anything at all. If we do not take some action before June 25 the debt is going back to $300 billion and on June 30 it will revert to the $285 billion limit, and everybody admits that will be chaotic.

The bill we have before us today simply gives us a temporary debt limit of $307 billion through the month of June and a $309 billion ceiling from July 1 through August 31.

This motion to recommit, will make it $305 billion permanently. In the first place to set another permanent ceiling at this time is premature because we do not know yet what Congress is going to appropriate during this session. Nor do we know what kind of a tax bill will pass. If this motion to recommit prevails we are simply telling the American people we can get by with a ceiling of $305 billion during the foreseeable future. Goodness knows I wish we could. I will say that we can if we do not care what happens to our country. We can if we do not mind doing violence to the full faith and credit of the U.S. Government. We can, if we do not care how much extra it is going to cost the Government to set up this unrealistic and misleading symbol or image in the form of a $305 billion ceiling.

With a ceiling of $305 billion just what are we going to do during the month of June, about June 14 or 15, when we find bills coming in equaling $306.8 billion and they are coming in and nothing we can do now will stop them from coming. What are we going to do in July when normally our expenditures are $4 billion more than our receipts during that month, for the simple reason that collections are traditionally bad in July?

The other day in a conference with some of my colleagues about this matter, one of them said:

> We do not have to worry about this matter of the debt ceiling. We should vote for the lowest one possible. There are ways for the Government to raise money completely outside the debt ceiling.

He said he would prefer to let the Treasury follow these methods so he could vote for the lower ceiling.

This can be done, as has been explained to you, but if you borrow money outside the ceiling, in the first place, the principal and interest are not guaranteed by the Government. Therefore, it will cost you more interest, and you would still owe it. This is the important thing. You still owe the money, and you yourself know you owe it, and you are not kidding anybody, not even the folks back home.

It is just like having a line of credit at a bank of, say, $1,000, and then you, having spent all that money, suddenly find that there are some bills coming in for $300 more that must be paid. You do not want to go to the bank through normal channels and get an addition to your line of credit, which you could do with no difficulty, so what do you do? You go to a small loan office somewhere and borrow the other $300 you need at 2 percent a month. Then you try to tell the bank that the $1,000 you owe it is all you owe. Well, you may kid the bank for a while but you certainly are not kidding yourself.

This seems to be what we are trying to do in this instance. Of course, it is not as expensive as 2 percent a month, but it is certainly more expensive. How much more? Well, when we ran up against the debt ceiling during the Eisenhower administration they, not because of choice but because they had to, indulged in some of these extraneous methods of raising money. In 1954 and 1955 they raised $2,326 million by having the Commodity Credit Corporation issue nonguaranteed interest-bearing certificates and selling them on the open market and having the Commodity Credit Corporation turn this money over to the Treasury to reduce the amount of the revolving fund that they had authority to use. These certificates were not guaranteed, and because they were not guaranteed, the interest cost on them was from three-eighths to five-eighths of a percent in excess of the Government borrowing rate at that particular time. The total cost of financing this short-term operation was $7 million in excess of what it would have cost if we had done it through the normal channels.

Do you want to tell your people back home you would rather spend $7 million to maintain a symbol, a symbol that really does not mean anything because you still owe the money?

In 1955 and again in 1958 a similar procedure was used in dealing with some Federal National Mortgage Association certificates to the tune of raising $2,169 million. The interest rate on these issues was from one-half to three-fourths of a percent in excess of the Government borrowing rate at that time. Because it was for a longer period of time, this resulted in costing the taxpayers $25.5 million more interest than the Government would have had to pay if it had been permitted to borrow this same amount of money itself under normal procedure. I say, was this a conservative vote to force the Government into this type of financing?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman from Iowa.

Mr. GROSS. If I follow the gentleman's logic, why not just take the ceiling off altogether? Let the hide go with the horn.

Mr. HERLONG. I would say there are some people who believe in that. I do not happen to be one who does. I think a debt ceiling does have a salutary effect. It lets the people know what we do owe. But we ought to show them all that we owe, not hide part of it in a closet somewhere. We should not mislead them into thinking we owe less than we do.

Mr. GROSS. I would like to have some idea of where you would put the ceiling on.

Mr. HERLONG. Exactly as we have done in this bill. This is as low as we can put it and be safe and sound in our fiscal operations.

Mr. GROSS. This is to be the permanent ceiling?

Mr. HERLONG. This is not to be the permanent ceiling, of course.

Mr. GROSS. How far do you want to go?

Mr. HERLONG. We do not know what kind of tax bill is going to be passed this year. I will tell you, if we do not show some restraint in spending I am not going to vote for any kind of tax cut myself. But we are faced here with a fact, not a theory. The fact is we owe the money, it is coming due, and we have to do something about it. The attitude that the minority has set forth in the separate views that have been filed on this bill seems to be, "We told you so and now if you spend all this money, we are going to punish you for having done it." Well, when you are punishing the administration, remember it is your Government, too, and it is your taxpayers who are paying these extra bills you are going to run up, and you are punishing them, too. I do not think that attitude makes for sound government and I am speaking as one who was not a party to helping to make these debts. I think it could hardly be called responsible, conservative action to punish an entire government, a government that we all love just because maybe someone else goofed and you and I may not have been a party to that goofing. Please understand I am not saying that anyone did, but I am saying that these debts are there whether by accident or on purpose, and it is not responsible to say we are going to fix the Government so it cannot pay the bills because to do so would result in irreparable damage to our country.

Arguments have been made that we do not have to raise the money by these methods of borrowing; we can simply postpone payment on some defense or space contracts. May I remind you that if we do postpone these payments, these increments that are supposed to be paid on these defense contracts are moneys that the contractor had been counting on and this is a factor in arriving at the costs of the contracts. If the contractor has to go out to borrow money to meet his payments, then the interest he has to pay is passed on to the Government and your taxpayers pay it at the rate that this contractor has to pay which is in excess of the rate that the Government would have to pay if it borrowed and operated through a normal procedure.

The gentleman from Missouri stated that the chairman had gone into all of these methods of raising money and handling this problem except one, and that was the matter of the postponing of spending. I remind the gentleman that our distinguished chairman did say that we could make postponements—and the gentleman from Missouri said that we saved $1,200 million over a period of 6 months once before by doing this. He is right; we did save this over a period of 6 months, 6 months is the key. We cannot wait 6 months now. We have to have this money in 2 or 3 weeks to meet this June 14 deadline because this is the time when we are going to owe $306.8 billion.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I am happy to yield to the gentleman.

Mr. CURTIS. The point is that the administration has known that this was coming along and it had ample opportunity to schedule themselves as they did schedule themselves when we did not give them the $308 billion ceiling that they asked for on April 1. It went down to $305 billion and they came in and pointed out that they had saved $400 million. I think this is very much within reason.

Mr. HERLONG. The gentleman is right. They have not done what they could have done, but the fact that they have not done it does not change the picture. We still owe the money now and we have to get the money by the 14th of June.

Mr. CURTIS. They can get by. We are putting the squeeze on them, there is no question about that, but the cash balances will get them by with the $305 billion and I think that will do. There is going to be a squeeze, but they are going to have to do some reforming.

Mr. HERLONG. May I say to the gentleman, you are playing with dynamite on this matter of the cash balances.

Mr. CURTIS. I think the President is playing with dynamite in not cutting these expenditures.

Mr. HERLONG. I could not agree with you more.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman.

Mr. MILLS. The gentleman from Florida who is now addressing us from the well of the House has demonstrated his record in this Congress and has shown as high a degree of concern about the rate of Government spending as any Member of this House. There is no question about that in the minds of any of us. Let me ask my friend, the gentleman from Florida, does he think between now and the end of June, or between now and the end of July, or between now and the end of August, that action taken here with respect to the debt ceiling will have any material effect within that period of time on the rate of Federal spending?

Mr. HERLONG. If I know anything about such operations, of course, it will not have any effect on it.

I find, Mr. Chairman, that too many Members of the Congress to whom I have talked have been inclined to poohpooh this whole idea of increasing the debt ceiling, and without giving too much thought to it, simply saying that this is going to be their economy vote for this session of the Congress. Let me tell you, my friends, if we continue to practice that kind of economy, it will not be long before we will have a $500 billion debt ceiling rather than $307 billion or $309 billion.

Here is another thing I want to point out to you. This morning there came to my desk a memorandum information sheet on the national debt that was put out by the National Association of Manufacturers. On this sheet they did give some good factual information about the national debt. But then at the bottom of the second page they said, and this was the message they were apparently trying to get across:

> In the long run, assuming Congress doesn't raise the debt limit to meet expected expenditures, won't the Government have to cut back spending?

The answer they give is:

> Either that or take steps to increase revenue, by raising taxes or imposing new taxes. The original purpose of the ceiling was to hold down spending.

In the first place, may I say that statement is wrong because the original purpose of the debt ceiling was not to hold down spending. Prior to World War I when the Government had to borrow money they had to come to Congress to get approval of every bond issue. The original purpose then of the ceiling was to give the Secretary of the Treasury a top limit beneath which he might issue bonds when needed and not have to come to Congress every time they had another issue. It was therefore not for the purpose of holding down the debt ceiling.

I will say to the gentleman from Iowa I still think it is a good thing to have a debt ceiling regardless of the original purpose because it does let the people at home know how much we owe. But the original purpose was not to hold down spending.

In answer to the other part of his question, which says that if Congress doesn't raise the debt limit the Government would have to cut back spending implies in that that the Congress has charge of the debt ceiling but only the Executive does the spending. It is the Congress of course, that does the spending and we cannot escape the responsibility for it. The truly intellectually honest way to ask the question would have been to say, assuming the Congress does not raise the debt limit to meet expected expenditures, will not Congress have to cut down spending. And the answer would be "Yes." I am in favor of Congress cutting back. And I am going to do everything I can to see that it is accomplished.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman from Kansas.

Mr. AVERY. The reason I asked the gentleman to yield, and I appreciate his yielding and apologize for interrupting his speech, was to ask him this question: I made a speech in the well like the gentleman is making last year. My question is this: Even though there are those of us who did not vote for this additional spending authority, if we do not vote against this debt limit, what recourse do we have to file our objection and if we vote for this increase is it not an open invitation to more spending?

Mr. HERLONG. But you are not going to stop any spending. The gentleman said in his remarks a while ago when they get up to the debt ceiling they go on through it. They do not go through it, they go around it, and when you go around it, it takes more gas.

Mr. AVERY. Why are we here today then if they go around it?

Mr. HERLONG. They go around it through circuitous methods that cost us more money.

Mr. AVERY. Then they come back here and insist that we legalize what they have done.

Mr. HERLONG. You do it by authorizing these expenditures, and I mean the whole Congress.

Mr. AVERY. I accept that. The gentleman in the well and myself did not vote for these authorizations. Now, how else can we officially file our protest? Is this not our only other recourse, that is, to vote against this?

Mr. HERLONG. That is not an answer at all to the fact you are trying to hold down spending. That is no answer. That is advocating an uneconomic and unrealistic method that will cost the taxpayers of the gentleman's district more money, and I know the gentleman is not in favor of his taxpayers having to pay more money unnecessarily. The gentleman is not in favor of sacrificing his taxpayers on the altar of an unrealistic symbol.

Mr. AVERY. That is why I followed the gentleman last year, but it had no effect. And we do have more spending.

Mr. HERLONG. It had nothing to do with spending.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. I am speaking as one who has voted against increasing this debt limit over the years, both during the Eisenhower administration when it went up $20 billion, and during the Democratic administration, to try to show that I am opposed to going over this debt limit. What is wrong with setting a fixed, permanent debt ceiling, giving notice to the President when he sends his budget down here that that is the ceiling and he must keep within it? If you do not want to do that, why will not the gentleman and the other members of the Committee on Ways and Means bring forth a bill to bring about the levying of new taxes to pay the bills until the people realize they are paying this great debt? Otherwise they are not going to demand that it be cut.

Now, as I understand, you are going to have to come back here in August and ask for another ceiling; is that correct?

Mr. HERLONG. That is correct, provided the tax bill passes; provided we do not hold down on spending, to keep down to a level that we can keep under the $309 billion.

Mr. JONES of Missouri. Did I understand the gentleman correctly to say you were opposed to any tax decreases or tax cuts?

Mr. HERLONG. Unless we see some restraint in spending, and we have not seen any up to this point.

Mr. JONES of Missouri. I want to congratulate the gentleman for that; at least, we are joining each other in that respect.

Now, in this report it says that:

> Despite the fact that it has been possible through April of this year to work under the statutory debt limitation established last year on the assumption of a balanced budget.

How are we going to impress on the President that we want to see a balanced budget, if the Congress will not cut it, because of some Members who have little items in their districts that they are unwilling to ask be eliminated. They are not going to cut them out unless we force down spending. Do you agree with that?

Mr. HERLONG. I do, and I will say to the gentleman that as far as this Member is concerned, I have announced to the people of my district that I am going to vote against projects even in my own district, because I believe that economy should start at home, and unless enough other Members believe in that principle and practice it, we are not going to get anywhere.

Mr. JONES of Missouri. I have agreed to projects being reduced in the district I represent, in the same way.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman from Florida.

Mr. HALEY. In answer to the question by the gentleman from Missouri to the gentleman from Florida, I will tell you exactly how you can stop spending in this Congress. When the people bring in these pie in the sky spending programs and they vote for them, then make them go out and raise the taxes necessary to pay for this operation of the Government as we go along, and then you will not see so many people in the well of this House asking for all of these projects that they cannot pay for and never intend to pay for during their lifetime.

Mr. HERLONG. I will say to the gentleman from Florida that he is not one who votes for those projects.

Mr. HALEY. Mr. Chairman, if the gentleman will yield further, I do not vote for them and I do not feel obligated to vote to raise the national debt. Let the people who have brought this situation around to where it is today, and having to face up to it, let them be responsible for it; not the people who do not vote for these projects. Do not ask them to raise it. Make the people assume the blame that are responsible.

Mr. HERLONG. May I say to the gentleman that his logic is all right as far as it goes, but he is saying that because somebody else is doing this to the Government, therefore, he is going to punish the Government still further by not letting them operate in an orderly fashion. And, you are completely wrong in that.

Mr. BASS. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman from Tennessee.

Mr. BASS. When the people say that they do not want to vote for this increase because of the bearing it has on the national debt, I want to remind them that in the 9 years I have been in the Congress the increase in expenditures in Government has been 90 percent in defense—90 percent of the cost of the Government in 9 years has been in the defense budget. Check your figures. And, if you vote against defense spending, vote against this measure. It went from $38 billion to $52 billion since I have been in the Congress, 9 years.

Mr. CURTIS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. KNOX].

Mr. KNOX. Mr. Chairman, once again this House is faced with legislation calling for another so-called temporary raise in the national debt ceiling. This request comes to us against the following background, much of which is more than familiar to all of us, but which I feel must be restated for the record.

We have in the past 3 fiscal years run successive deficits of $3.8 billion, $6.4 billion, and $8.8 billion, the last amount being estimated for the current fiscal year.

We are being asked to increase spending in the current fiscal year by $5 billion and step up new obligational authority by $10 billion over fiscal year 1963.

We are being asked to cut taxes, and although the amount of a tax cut has not been determined it is clear that by the most conservative estimates we stand to have a $12 billion deficit in fiscal 1964. This deficit would run the total red ink of the first four Kennedy budgets close to $30 billion. This is a deficit, unlike the one in fiscal 1959, that comes in a time of relative prosperity and it is planned deliberately. This monstrous deficit, if it occurs, cannot be blamed on any recession, but solely on the spending proclivities and fiscal irresponsibility of this administration and the Congress that seems so willing to go along.

We have before us today the tools and weapons we need to fight this runaway deficit financing. True, one can argue that this Congress approved these deficits when authorizations and appropriations were made, and that we should not now complain over raising the debt ceiling, a move which our own indiscretions have forced. This however, does not tell the entire story.

The national debt ceiling was originally conceived as a limit on precisely the type of spending activities we have been engaged in. The only reason it has not worked is that the tool has not been used. Time after time, we pass temporary debt ceiling raises, vowing that the next time we will not back down. It is because this process of raising the debt ceiling has become virtually automatic that it no longer works as an effective check on spending. And only by putting teeth into national debt legislation and backbone into this Congress can we make the brakes on spending work.

There was a time that acting upon a temporary raising of the debt ceiling was an annual affair. Now it has become virtually semiannual or quarterly, and if one looks at the estimates of the future—at the likelihood that we will not have another balanced budget until at least 1972, by which time we will have added over $75 billion to the national debt, it becomes clear that this raising of the ceiling may become a monthly or even weekly affair. Perhaps by the end of the decade we will have a "Debt Ceiling Day" similar to our regularly scheduled District Day, Consent, or Private Calendar Day.

Seriously it seems to me that in the face of this background there are only two logical possibilities for the future of debt ceiling legislation. Either we can completely abandon even the formalities of appearing to be fiscally responsible and abolish the debt ceiling entirely, or we can stop this automatic process of raising the ceiling, put some teeth into the debt limit and restore it as an effective check on Federal spending. I intend to pursue the latter course.

The Secretary of the Treasury admits that the national debt for fiscal 1964 will be between $318 and $320 billion, not taking into account any tax cut that Congress may provide this year. This additional tax cut, no matter what the amount, will increase the national debt over the $318 or $320 billion. I predict that the national debt at the present rate of spending, plus a $3 billion tax cut will cause us to have a $323 billion debt for fiscal 1964. Former President Eisenhower has written in the May 18 edition of the Saturday Evening Post:

> No party doctrine is necessary to tell us that if the present generation keeps passing its bills to the next one, our children and grandchildren will inherit not a free country, bright with opportunity, but a vast wasteland of debt and financial chaos * * *. Any way you look at it, a nation is nothing more than a collection of families—about 47 million of them make up the United States—and it is their money that the Government is spending. They are going to have to carry the increased debt. It is their future that is being mortgaged. And they certainly are not going to be excused from paying in taxes the pyramiding interest charges on that debt. They and their children will pay and pay and pay. In effect, we are stealing from our grandchildren in order to satisfy our desires of today.

I urge you to vote against the legislation before us and support the substitute that will be presented to retain the present limit of $305 billion and discipline ourselves to vote against wasteful spending, and start to live within our means.

Mr. Chairman, I have listened with a great deal of interest to the colloquy between the membership here today on both sides of the aisle. I have not been convinced in my own mind that the increase of $307 billion to June 30, the step increase of $309 billion to August 31, is necessary at this time. I even have some reluctance to vote for a $305 billion ceiling.

Mr. Chairman, my good friend, the gentleman from Missouri [Mr. KARSTEN], of course, read back to the Congress a speech which I made in 1953. Well, we can go back to 1953. That was my first year here in the Congress, and President Eisenhower was serving his first term. President Eisenhower inherited an accumulation of debts from the Truman administration and also from the Korean war. I believe that I was fiscally responsible when I voted that year to increase the national debt, and if my remarks of July 31, 1953, are read in their entirety you will learn I explained the inheritance of the debts that had to be paid. I might also add that I had not voted for this spending of administrations previous to 1953, but I felt a responsibility in restoring the faith of the people under the circumstances. In 1959 President Eisenhower was our President, and he was sincere in bringing about sound economy and fiscal responsibility to our Government. But, however, we went into the 1958 recession and our revenues dropped off by $6 billion, and in order to try to pump some more breath into the economy, the Democrat-controlled Congress increased spending by $6 billion. So, what was there left to do but to vote for that increase?

Mr. Chairman, if my memory serves me right—and I think it does—with the $305 billion and with $4 billion of a revolving fund within the Treasury, and another $1 billion in the contingency fund, the administration can operate and keep this country on a sound fiscal basis.

Mr. Chairman, I am concerned about what is happening. This is not the end—$309 billion at the end of August. As my good friend, the gentleman from Florida [Mr. HERLONG] said, the administration will come back again at the end of August and ask for a further increase. Now, this was developed through my own interrogation of the Secretary of the Treasury, of which I speak. I asked the Secretary this point-blank question:

> At the present rate of spending and at the same rate of revenues, what will the national debt have to be for the year fiscal 1964?

His reply was $318 billion to $320 billion.

Now, that is not taking into consideration any possibility of a tax cut. This tax cut could well add another $3 billion onto the national debt.

Mr. Chairman, I predicted through our hearings that the national debt would reach $323 billion. I have made public statements on that figure based upon the present rate of spending and the anticipated cut in taxes that the administration has recommended. Now, there has been talk of tax reforms and, perhaps, this will develop. But today we do not know whether there are going to be any reforms in a tax cut. In fact, we do not know whether we are even going to have a tax cut because the committee certainly has not completed the work as far as the President's recommendations are concerned on a revision and the reforms and the tax cut. So we are faced with this and we may as well look it straight in the face because of the fact that when it comes August this House is going to be presented with an additional increase in the national debt. I pray and hope that it is not going to be $318 billion or $320 billion, but every indication is that it will be. Once again, my good friend from Florida, Mr. HERLONG, stated that he has not seen any cutback on spending. I agree with him. I certainly have not. Therefore I believe, and sincerely believe, that we may expect and that we are going to reach this point in the national debt.

Do you realize that the entire amount of revenue that comes into the Government from all of your excise taxes amounts to $10 billion? The interest on the national debt is a fixed sum, and that is going to be $10 billion. So all of the excise taxes that are levied on the people of the Nation are only sufficient to pay the interest on the national debt.

Mr. Chairman, I want to assure you that I am not going to vote for the $307 billion figure set forth in the bill, with a step-up increase to $309 billion through August 31, because I believe this is the only vehicle that we have of restraint upon the administration to cut back on spending. If they show some desire to cut back on spending and introduce some fiscal responsibility in our Government, then I would be willing to make the sacrifice on my own part and go along with them as far as getting the country on a fiscally sound basis is concerned. But under the circumstances which confront us here today I can assure you that I must be opposed to this bill which would increase the national debt ceiling to $309 billion.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield to the gentleman from California.

Mr. HOSMER. Perhaps the gentleman can explain this to me. If you have a ceiling on the national debt, and if we follow the policy in the original liberty loan, the purpose will be to keep a lid on expenditures, to keep them down; either to restrain Congress in further expenditures or the administration in further expenditures. Now, if you are going to be constantly moving this lid up, I do not see how you can keep these expenditures down. If one time we actually kept the lid where it was, despite such pleas as, "Well, we are in the last few days of a great emergency; if you do not do this the country is going to rack and ruin"—maybe it would compel them downtown, and maybe us up here on the Hill, to listen.

Mr. KNOX. We have gone to school here in the Congress for years on this subject matter and I think if we continue to increase the national debt limit, there certainly will be an admission on our part that we are willing to have the administration continue to spend and spend and spend regardless what the amounts involved are.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I for one am deeply disturbed about our present fiscal situation. It has been my unpleasant duty for the past 5 or 6 years to come in here and present to you a rule to make in order a bill to increase the debt limit. Sometimes we have had to do it twice a year. Each time I and others have admonished this House concerning our fiscal situation; that we could not continue just recklessly to vote authorizations and appropriations, spend money that we did not have and expect not to reach a critical situation sometime. That critical situation has been postponed from time to time. I do not know when it is coming, but commonsense seems to tell us all that if we keep on the course we are now pursuing the crisis will arise and we will not be able to meet it. What the consequences may be I do not know.

After those 4 or 5 years of experience when we increased the debt limit and increased appropriations, when we spent money we had to borrow and then had to increase the debt limit, and nobody paid any attention, or rather, the House paid no attention and the other body paid no attention to the necessity of balancing our budget, I concluded that so far as I was concerned I was ready to do something desperate about the situation. Last year I did not present that resolution, and I voted against any further increase in the debt limit. I expect to do that again. It is a drastic situation. It is a drastic thing to do.

I listened with great deference to the speech of the gentleman from Florida, whose conservatism and desire for a balanced budget I admire as highly as any Member of this House. I made the same kind of speech that he made today when I presented those resolutions to you over the past four or five Congresses. I have just reached the point of no return. I just do not see how we can keep on doing this thing, because I sit on the Committee on Rules, where these authorization bills come up, I sit there and see them pass. Then I see the appropriations pass, when every one of us knows we do not have the money to pay the bill. Nobody stops, looks, and listens to it. What is going to happen to us in the future?

Mr. HERLONG. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Not at this time. I will try to yield to the gentleman if I have time later on.

What are we going to do about it? I am deeply troubled about it. I do not know what the answer is and I do not know what to do about it. I know I am just not going to keep on pursuing this same old course of spending money we do not have.

I started to say when I was interrupted that these authorization bills come to the Rules Committee. We have them up there now, new projects, new expenditures, duplicating expenditures. How many of you realize that in the last 2 fiscal years our budget requests have increased from $87 billion to $107 billion, an increase of 34 percent and we have not increased the revenues to correspond?

Now, are we sensible people or are we not sensible people? What are we going to do about it? What have we done about it in this session when we had the $107 billion of requests? How many of these things have you turned down, these new projects? I do not know of any you have turned down.

We are coming to you next week, for instance, with an authorization for the expenditure of $500 million-and-some, for area redevelopment and a new mass transit bill that begins with half a billion dollars a year. Last week you put in an additional Treasury burden of a $1-billion-a-year increase in the armed services pay. I do not say that it is not justified, but there it is. It is that many dollars, that many dollars that you have to meet to pay the bills. What are you going to do about it?

I am not going to go any further with these programs, so far as I am concerned, until we get some assurance that there is going to be a diminution in these requests for authorizations and in these appropriations.

Some years ago I had an old colleague and friend in the other body. We were doing a lot of this wild appropriating at that time. I went over there to ask his advice about a bill that was coming up. It was going to mean a lot of expenditure.

I said to him, "Are you going to vote for this bill, and if so, why?" He said, "SMITH, I am going to vote for it." I said, "Why?" He said, "We are going to hell just as fast as we can and the sooner we get there, the sooner we can turn around and come back."

I think we have about reached the coming back point and so far as I am concerned, I am just not going to vote for any of these increases in our national debt until we see some light ahead or some disposition even though it may be feeble, to cut out some of these expenditures and to cut our coat according to the cloth that we have.

Now is that a sensible position or is it not? I do not know, but I know it is the position that I have reached after much prayerful consideration because I believe our country is in great danger at home from these extravagant expenditures and these new programs that will be coming in here which will increase these extravagances and these expenditures until no one knows where we are. I just am seriously bothered about the future. I heard it said here just a little while ago that these expenditures were—Oh, I believe it was 90 percent for defense purposes. The gentleman who knows more about spending for defense purposes than anyone else in this House is the gentleman from Texas [Mr. MAHON] who is chairman of that committee. He stood on this floor 2 years ago and told this House just what the story was. He said—and I have every reason to believe him, and I know he knew what he was talking about because he said he had the figures—that a very small percentage of the increase had occurred in the defense program and that a large percentage, I think he said 90 percent, was for these do-good programs where we are going to help everybody and we are going to give something to everybody and all these other programs, and if you take the old programs and the new programs, the programs that we have authorized in the past—and now we are increasing the authorizations every year for all these things.

Mr. BASS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to my colleague.

Mr. BASS. I thank my colleague for yielding.

The gentleman from Virginia referred to the statement I made about the increase in the costs. Since I have been in the Congress, this is what I have found. In the first year that I came to the Congress and had the opportunity to vote on a budget for our fiscal operations of the Government, the defense costs were $40 billion. All other costs, except the fixed costs, which include management of the debt, was $13 billion. For this fiscal year the President's request for defense purposes amount to $55 billion which is an increase of $15 billion. That is since I have been here in the Congress, as I stated before. The other requests outside of the fixed costs have gone up from $13 billion to over $14 billion, which is an increase of less than $2 billion. That is the record.

Mr. SMITH of Virginia. I think the gentleman from Texas [Mr. MAHON], knows more about that subject than both the gentleman from Tennessee and myself. His statement is in the RECORD and I can refer the gentleman to it because I kept it in my file and I quoted him in speaking on this subject last year. I believe he knows what he is talking about.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, it is all well and good for the spokesmen for the administration and the proponents of this legislation to come forward today and tell us that those who would vote against increasing the debt ceiling would, be, in fact, fiscally irresponsible. But let me remind you that fiscal responsibility is a two-way street. As far back as last November, this administration knew right well it was going to be faced with the fiscal problem before us today. Yet, it did absolutely nothing of any consequence, to cut back Federal expenditures. Now suddenly we are faced with this problem of providing an anesthesia to a fiscally sick patient knowing the patient is going to get increased dosages of the same quack medicine that made him sick in the first place. We have no indication from this administration or an indication from the leadership on the other side that there is any intent of cutting back spending. We know certainly we are going to be faced with increasing the debt ceiling to the astronomical figure of $320 billion before the end of fiscal 1964.

I for one—I know there are others in the House who feel the same way—am getting a little bit sick and tired of being the rubber stamp for all of the wild spending programs so that many Members of this House might bask in the political sunshine every 2 years because they support them. I am opposed to being a rubber stamp under any conditions.

We have to accept the fact that the debt ceiling must be raised. That may be true to some extent but I hasten to assure you, at the risk of being at odds with the gentleman from Florida [Mr. HERLONG] that the $305 billion ceiling, with the $4 billion revolving fund that is available, and approximately $1,250 million in contingencies is sufficient. The $305 billion ceiling might run a little closer to the line than the Treasury thinks is desirable, but it will not create any hardship.

I think the time has come when if the administration and the Members of this House who vote for all the new spending programs and increasing other programs, expect the rest of us to exercise some responsibility or sound fiscal judgment in supporting an increase in debt limits, it seems to me we have the right certainly to expect some degree of fiscal responsibility in return from them. I say this, and I think it is apropos, because of what we now face. We are faced with the whopping budget that was sent down to this Congress of $98.6 billion. And let us not forget that when this budget was sent down the administration and its financial advisers knew we were going to be faced with the problem of increasing the debt limit for the fourth and fifth times in less than 30 months of the Kennedy administration.

No, I cannot say it as eloquently as the speaker who preceded me, but I tell you today that in my humble opinion, the time is long past due when this Congress can continue to spend and spend and go further into debt as it has done and is doing. It seems to me that we have a solemn obligation to curb some of these huge expenditures and new spending programs lest we be headed to bankruptcy. We are heading so fast down that road, that if we are going to do anything toward correcting this sad fiscal situation today and if we are going to do anything to improve the very critical situation in our gold reserves, now is the time, I think, that we can do it. Stop and think about it. We must remember that our gold reserves have shrunk from $25 billion in 1946 to its present low of $15.9 billion; and bear in mind there are some $20 billion in foreign claims against roughly $4 billion in gold reserves, after we make allowance for the $11.2 billion that we must maintain as support of our domestic currency. The situation is critical and not getting any better.

And, I would hope that in the remaining months of this session of the Congress we might remember the advice given on this floor today, particularly that which was offered by the distinguished gentleman from Virginia, and exercise some fiscal discipline during the rest of this session of the Congress.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, I take this time to direct a question or two to the chairman of the Committee on Ways and Means in connection with the majority report. In the report on page 3 the statement is made "expenditures now are expected to be some $400 million less than was expected this last January." This is followed by table 2 on page 4 showing the revised estimates of the administrative budget expenditures for fiscal 1963.

My question, Mr. Chairman, is, Does the majority report imply that this table shows that there has been an actual reduction in Government expenditures or Government spending as compared with the January 1963 budget estimate?

Mr. MILLS. Yes. The January 1963 budget estimate on page 4, table 2, is $94.311 billion. The revised estimate of spending as given to us by the Bureau of the Budget as of April 1963 is $93.907 billion. Now, it should be borne in mind that that is a $404 million difference between the January 1963 and April 1963 estimates, the April figure being the lower. The April estimate in 1963 is still somewhat above—as the gentleman will see, or anyone, from reading this table on page 2—the budget estimate initially sent to the Congress in January 1962.

Mr. LAIRD. Is it not true that the reduction comes about only because of the sale of financial assets, however?

Mr. MILLS. No, not altogether. If the gentleman will look, you will see, for example, the difference between the January 1963 budget estimate and the revised estimate in April 1963. You will note that a large number of the detailed items in the April estimate are below the corresponding estimates made in January and many of these could not be concerned with the sale of assets.

Mr. LAIRD. Mr. Chairman, I think the gentleman knows that we have been trying to watch this on the Appropriations Committee on a daily basis, and that expenditures and the expenses—as a matter of fact have gone up, but we have increased sales of assets. In other words, the stockpile shows a $60 million shift. Increased sales of Export-Import Bank loans account for $250 million. Increased sales of Housing and Home Finance Agency loans account for $388 million, thereby reducing expenditures for that agency to $700 million.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Arkansas.

Mr. MILLS. It is my understanding that those figures should be reflected in the administrative budget as reduced expenditures. And as I understand these sales, they are reflected to some extent in the changes from the January 1962 budget estimates of spending to the January 1963 estimates and to some extent in the changes in the April 1963 estimates.

Mr. LAIRD. If the distinguished chairman of the Ways and Means Committee will follow down on this table, I cannot believe the statement is correct on page 3 of the majority report because every reduction comes about through the minuses that are inserted in this table through the sale of assets and not through the reduction in expenditures.

Mr. MILLS. That follows the traditional approach of the administrative budget.

Mr. LAIRD. Take, for instance, the minus sign—the first minus sign up on the top of the chart.

Mr. MILLS. That is stockpiling and defense reductions.

Mr. LAIRD. That would show a reduction as far as the overall table is concerned of some $60 million, because you go from a 24 expenditure to a minus 26. This is a sale of assets and there is no basis for the statement made on page 3 of this report that expenditures have been reduced.

Mr. MILLS. If the gentleman will yield further, it is clear, as the gentleman states, that with respect to this one item, to which the gentleman refers, there has been some increase in stockpile sales. But I call the gentleman's attention down to the topic of "Other programs" where there are 10 items where April estimates of expenditures are less than the January estimates. Certainly many of these do not involve the sale of assets. The difference there is an increase in the minus for Export-Import compared to January 1962.

Mr. LAIRD. Right. But that shows up and it gives the impression that that is a reduction in expenditures; whereas there is actually a sale of assets. That is what happened, as far as the Export-Import Bank is concerned. That was a sale of assets.

Mr. MILLS. The gentleman should realize that the sale of assets in the budget customarily are shown as negative expenditures. I am not arguing with the gentleman that there has been an increase in the sale of assets. But I do believe that there are other decreases as well. We asked for this table so the House could have full details as to current estimates of expenditures on the usual basis in the administrative budget.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I shall be happy to yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. This may clear up part of it: In another table that was submitted to the committee by the Treasury in which comparable estimates are found they made it clear exactly what they were doing and at that time and in that table they called them "net expenditures."

Mr. MILLS. That is true and it helps clear it up.

Mr. BYRNES of Wisconsin. The Treasury used the term "net" in order to safeguard their position in that it did reflect the sale of assets which then became converted to a net expenditure basis to a reduction of the expenditures such as is the case in the Export-Import Bank.

What should be done here under the table is to make it clear that estimated expenditures are the changes in the net expenditures after you take into consideration any recoupment by a sale of an asset and not by a reduction in the spending itself.

Mr. MILLS. If the gentleman from Wisconsin will yield to me on that point——

Mr. LAIRD. I would be happy to yield to the gentleman from Arkansas.

Mr. MILLS. I had so intended, and I appreciate the gentleman from Wisconsin [Mr. BYRNES], reminding me of that—the gentleman from Missouri referred to this earlier. It is true that this table is the table that we used in the committee and that the expenditures shown here are "net" expenditures. However, it is nothing new to refer to the sale of assets resulting in decreased expenditures—this is the customary classification. It may have been a typographical error as far as this particular table is concerned.

Mr. LAIRD. The problem involved here, I might say to the distinguished gentleman from Arkansas, is that the statement on page 3 of the majority report uses as a basis the table on page 4; and this statement on page 3 is certainly in error because there has not been a reduction in expenditures from the period January through April; as a matter of fact, just the opposite is true.

Mr. MILLS. In the overall, estimates of what is spent would be reflected in this table. There is a $400 million difference between the two figures.

Mr. LAIRD. I thank the gentleman.

Mr. MILLS. Although the sale of assets are generally considered to be negative expenditures I understand the gentleman's point. We can actually show, if we sold $1 million worth of some item, for example, a difference in the estimates in January as compared to April.

That is what I am trying to point out. This table would be clearer if it had the words "Net expenditures" included in it. However, it does follow the usual practice in the administrative budget. You are right as to the expenditure side, not counting the sale of assets.

Mr. LAIRD. Mr. Chairman, I thank the gentleman. I would like to make the point, however, that the report of the majority is in error when it says:

> As indicated by this table, expenditures now are expected to be some $400 million less than was expected this last January.

The facts are that the expenditure rate has gone up each and every month since January. If we will look at the budget document on page 308 we will note that in addition to the figures listed in this particular report there is a further expenditure increase which is planned by the separate transmittal of the supplemental appropriation bill, which has been acted upon by the House and I understand was acted upon by the Senate today; also the pay increases. We made some reductions in the pay increases in the Committee on Appropriations by some 5 percent. But the expenditure rate will show an increase over the budget document. When one subtracts the sale of assets—and I refer particularly to the sale of goods from the stockpile; Export-Import Bank loans in the amount of $250 million and FHA loans in the amount of $388 million—this does not represent a reduction in governmental expenditures. It merely represents the sale of assets held by the U.S. Government. We should not mislead any person in the United States to believe that expenditures have been reduced, because they have not.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I am happy to yield to the gentleman.

Mr. MILLS. If the gentleman will look at the total expenditures figure, which is the last figure on the bottom of this table 2, he will see where the $400 million we referred to comes from; in the figure $94.311 billion compared to $93.907 billion. That difference actually is $404 million. It can be seen that this figure presents some liquidation of some assets, but it is not limited to this. You can see this, for example, in connection with the Department of Labor you have a decrease of $7 million. This and many other items could hardly represent the sale of assets.

Mr. LAIRD. I would like to point out that difference and explain it to the chairman. There is a reason for that reduction up through April.

Mr. MILLS. For the decrease in the Labor Department expenditures?

Mr. LAIRD. I would like to point out the $7 million difference that shows up between January and April is directly attributable to the fact that it was the intent when this budget document was before us to pay unemployment compensation, to pay out to the States, for Federal workers and for veterans, an amount of money equal to that. We have not approved that. It is in the supplemental appropriation bill. Those funds will be paid out this next month.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

HOW WE GOT THE FEDERAL DEBT AND HOW TO GET RID OF IT

Mr. PATMAN. Mr. Chairman, since Congress has voted appropriations for our national defense, our space program, and for other expenses of Government, I assume that we will also vote to increase the debt limit so that the Government can pay its bills. The alternative would be to vote to increase taxes in order to pay the bills, but I do not imagine that such an alternative at this time would be either popular or wise.

I also assume that before we do vote we will hear a great deal of oratory. Experience over the years seems to have established these occasions when we raise the ceiling on the Federal debt as a kind of national oratory day, generating more eloquence perhaps than we hear on the Fourth of July, Memorial Day, or even Lincoln's Birthday. We will doubtless hear, as we have in the past, that the Federal debt has now reached backbreaking proportions, threatens to plunge the Nation into bankruptcy, that it all results from wild spending and this great country of ours is surely going to the dogs.

Reluctant as I am to throw cold water onto this warm ceremony, I believe that some note of realism may be in order. Let us examine in a factual way some of these questions. Is the Federal debt really becoming more burdensome; how did it get to where it is; why is it necessary that we now increase the debt limit;

and, finally, what can be done to reduce the debt?

THE DEBT IS BEING REDUCED RELATIVE TO ABILITY TO PAY

First, is the debt really increasing relative to our ability to pay? A family with a $10,000 debt and only a $2,000 income carries a large debt indeed, but that same debt of $10,000 is not such an oppressive debt to a family with a $20,000 income. And so it is with a nation.

At the end of the fiscal year 1946, as World War II was drawing to a close, the Federal debt was $269 billion. That was far in excess of our national income at that time—in fact, 148 percent of our national income.

In the fiscal year now drawing to a close, with a debt of $303 billion, we have a debt which is now down to 66 percent of our national income.

Furthermore, if the debt is actually increased to $307 billion in the fiscal year ahead, this will represent a reduction in the debt, relative to our ability to pay. The indications are that by the end of this year—that is to say midfiscal 1964—we will have a national income of $385 billion. So a debt of $307 billion would be equal to only 63 percent of our national income. This compares to a national debt of 91 percent of our national income in 1955, a very prosperous Eisenhower year. For those who may wish to see all of the data along with the sources, I will insert statistical tables as I go along:

TABLE 1.—*Public debt of the United States and national income—selected years*

[Billions of dollars]

Fiscal year ending June 30	Public debt [1]	National income [2]	Ratio—debt to income (percent)
1946	268.9	181.2	148.4
1950	256.7	217.7	117.9
1952	258.5	279.3	92.6
1955	273.9	301.8	90.8
1960	286.1	400.5	71.4
1961	288.9	415.5	69.5
1962	298.2	427.8	69.7
1963	[3] 303.2	458.0	66.2
1964	[4] 307.0	[4] 485.0	63.3

[1] Subject to debt ceiling.
[2] For year ending Dec. 31 (within fiscal year).
[3] As of Mar. 31, 1963.
[4] Estimated.

Source: Gross public debt, Departments of Treasury and Commerce.

DEBT INCREASE MADE NECESSARY BY HIGH INTEREST POLICY

By the same token, let us consider the question of why it is necessary to increase the debt limit. Does this come about from mounting Federal expenditures? No, in a realistic sense Federal expenditures have been holding steady or going down somewhat. In 1955, Federal budget expenditures amounted to 21.3 percent of our national income. In the present fiscal year just closing, Federal expenditures of $94.3 billion will equal 20.6 percent of our national income, a significant reduction since 1955. And in fiscal 1964 the proposed budget expenditures of $98.8 billion will represent a slight reduction from the present fiscal year, in terms of our national income.

The population keeps growing and our economy is growing. Since 1947, while the Federal debt has risen by 17 percent, the gross national product has grown by 135 percent; State and local government debt has grown by 330 percent; debt of business firms has grown by 230 percent; and consumer debt has grown by 390 percent.

Yes, of course, some people like to orate about the private debt too. They look at the total for all debt, Federal, State, and local government, plus consumer debt and corporate debt, divided by the total population and find that the debt averages about $5,000 per person. This leads to the famous line that "every baby born today is born with a $5,000 debt on its head."

TABLE 2.—*Ratio of budgetary expenditures to national income*

[Dollars in billions]

Fiscal year	Budget expenditures	National income [1]	Ratio (percent)
1945	98.3	[1] 182.6	53.8
1946	60.3	181.2	33.3
1950	39.5	217.7	18.1
1952	65.3	279.3	23.4
1955	64.4	301.8	21.3
1960	76.5	400.5	19.1
1961	81.5	415.5	19.6
1962	87.8	427.8	20.5
1963	[2] 94.3	458.0	20.6
1964	[2] 98.8	[2] 485.0	20.4

[1] For year ending Dec. 31 within fiscal year.
[2] Estimated.

But what this overlooks is that by the same method of computing the per person wealth of the country we could equally say that "every baby born today is born with $10,000 of assets with which to pay that $5,000 debt." Furthermore, the Federal Government has enough assets to pay off its debt if it chose to sell off these assets and leave the people without post offices, land in public parks, and so on.

RECENT DEBT INCREASES ARE CAUSED BY EISENHOWER HIGH-INTEREST POLICY

The real reasons for the increase in the Federal debt over the past decade have been the increased interest costs on the Federal debt and the periodic recessions, both of which have resulted from our Government's high-interest policy. This is a policy which was inaugurated with the Eisenhower administration and is still with us today.

If interest rates had been left where they were at mid-1952, the last year of President Truman's administration, the Federal debt today would be $16 billion less than it is and we would have no need to increase the debt ceiling.

We were already paying in excess of $6 billion a year in interest charges on the debt in 1952. What has happened in the years since as interest rates were raised is that we have had to borrow money to help pay the interest on the debt and then paid interest on the interest.

I had one of the senior staff members of the Joint Economic Committee make a computation showing what the Federal debt would have been year by year since 1953, if interest rates had been left at their 1952 levels. These computations set out in the table below show that in these 11 years we would have saved some $16 billion:

TABLE 3.—*Costs of higher interest rates*

[Millions of dollars]

Year	Actual debt [1]	Debt reduced by interest savings	2.329 percent (June 1952 interest level)	Actual interest	Savings if reduced level of interest rates were applicable
1953	263,997	----------	6,148	6,578	430
1954	268,990	268,560	6,255	6,470	215
1955	271,785	271,140	6,315	6,438	123
1956	269,956	269,188	6,269	6,846	577
1957	268,592	267,247	6,224	7,307	1,083
1958	274,798	272,370	6,343	7,689	1,346
1959	281,944	278,170	6,479	7,671	1,192
1960	283,380	278,414	6,484	9,266	2,782
1961	285,911	278,163	6,478	9,050	2,572
1962	294,886	284,566	6,628	9,198	2,570
1963 (estimated)	300,000	287,110	6,987	10,000	3,013
Total savings if reduced rates were applicable	----------	----------	----------	----------	15,903

[1] Represents interest-bearing debt. The debt subject to debt ceiling is $305,300,000,000 June 30 1963.

Source: 1963 Economic Report of the President, and Treasury Bulletin. Tabulation prepared by staff of Joint Economic Committee.

Today interest charges on the debt make the largest single item in the Federal budget, except only national defense and the space program.

We are now paying $10.1 billion in interest charges. This is almost half again as much as the budget for veterans' services and benefits. It is almost half again the amount we spent for agriculture and agricultural resources. It is almost half again the amount budgeted for health, education, and welfare.

But big as the increase in interest charges on the Federal debt has been, however, its effect on the budget has been slight indeed compared to what the high-interest policy has done to the budget through its effects on the general economy. The high-interest policy has brought about high unemployment of men and machines, tremendous losses of income and profits and, consequently, tremendous losses in tax revenues to the Federal Government, as well as to the State and local governments. It has, when money was tightened with special vigor, brought about recessions, during which even larger increases in the debt occurred because profits and incomes fell and tax receipts fell.

This is how the big debt increases have come about during the years since Korea.

It was thus in 1958 that the Eisenhower deficit of $12.8 billion set a record for any peacetime deficit, planned or unplanned. Of course, that deficit was unplanned insofar as the administration was concerned. It cannot be said to have been entirely unwillful insofar as the Federal Reserve is concerned. In 1957 we were having a boom in business investment—the building of new plants and business equipment of all kinds—but the Federal Reserve in its judgment decided that that boom was going too fast, that investment in new productive capacity was outrunning increases in consumer demand and the boom had to be stopped. Consequently the Federal Reserve tightened money and raised interest rates to choke off that boom and it did choke off the boom and precipitated the recession of late 1957 and 1958.

But we would have a far from complete story if we looked merely at the recession years when Federal revenues have dropped to find the causes of an increasing Federal debt instead of, as was Mr. Truman's policy, a reduction in the Federal debt.

The high interest policy has brought about chronically high unemployment, chronic underutilization of productive capacity, a chronically low rate of economic growth—and as a consequence Federal revenues greatly below what our past and present tax structure should have brought in.

TWO MEANS OF REGULATING LEVELS OF ECONOMIC ACTIVITY UNDER A DEMOCRATIC GOVERNMENT

In a market economy, or a so-called free enterprise economy, a government has two important ways of either stimulating or depressing economic activity. One is through the management of its fiscal affairs, and the other is through the management of its monetary affairs. Wisely or unwisely, these matters must be managed because there is no natural law to manage them. They must be the decision of government.

By fiscal affairs, we mean, of course, the Federal budget—the expenditures on the one side and the tax structure on the other side. Generally speaking, a deficit in the budget stimulates the economy because when we have a deficit the Federal Government is spending and placing more in the income stream than it is taking out of the income stream through taxes. It adds to total spending. Conversely, when the Federal budget runs a surplus it is taking more out of the income stream than it is putting back, and this depresses the economy.

Of course, the question of how much of a stimulant or how much of a depressant we get from a given deficit or surplus depends upon other things, most especially upon how the taxes are imposed. Generally speaking, a dollar of Federal spending stimulates the economy even when it is offset by a dollar of Federal taxes and the budget is in balance. The reason is that the dollar of spending is paid for at least in part by income which would otherwise have gone into savings. If the Government merely taxes away and spends a dollar which would have been spent anyway, then it adds nothing to economic activity, causes no increase in employment and no increase in production. So the stimulant or the depressant, as the case may be, depends to what extent the taxes are paid by the income receivers who characteristically save high percentages of their incomes, namely, the high-income families and the big corporations.

By managing our monetary affairs in ways to let the Nation's money supply grow in proportion to growth in the economy we can also stimulate the economy. Conversely, by reducing the supply of money and boosting interest rates, or by holding the money supply more or less steady while the economy is trying to grow, we can depress the economy.

In other words, under a democratic government, which places its faith and its preference in free enterprise, where the individual decisions of life are made in the marketplace, there are only two important ways by which the government can influence the general level of economic activity. By either of these two methods, government can put a brake on the economy or step on the accelerator. And if the two methods go in opposite directions, one method may be stepping on the brake while the other is simultaneously stepping on the accelerator.

TWO GOVERNMENTS IN WASHINGTON: ONE PUBLIC, ONE SECRET

The only trouble is that under our so-called democratic government, the two methods—fiscal management and monetary management—are in the hands of what are, for all practical purposes, two separate and independent governments. One is our constitutional Government making decisions through the legislative process, as provided by the Constitution. The other management is in the hands of the Federal Reserve System which regards itself as independent of the President, independent of the Congress, and independent of everybody else.

Specifically, monetary management is in the hands of what is called the Federal Open Market Committee. This should be made up, according to present law, of the seven members of the Board of Governors of the Federal Reserve System plus five Federal Reserve bank presidents, supposedly serving on a rotational basis. In actual practice, the Federal Open Market Committee is made up of 19 members, consisting of the 7 members of the Federal Reserve Board, plus the 12 Federal Reserve bank presidents.

These men meet in secret every 3 weeks, debate among themselves how much stimulant or depressant they think the economy needs, and then quietly impose their decision by setting in motion the machinery which will determine the Nation's money supply for the next 3 weeks and determine also what the level of interest rates will be. Twelve of these 19 men are neither elected nor appointed by the President. They are appointed by representatives of the private banks whose profits are affected by the decisions they make. The other seven, while appointed by the President and confirmed by the Senate, are appointed to a 14-year term, with the result that a President frequently finds his hands tied by men that previous Presidents have appointed. The President cannot fire these men and replace them with others in order to carry out his policies and the pledges on which he was elected.

ROOSEVELT AND TRUMAN ADMINISTRATIONS FOLLOWED DEMOCRATIC POLICIES TO REDUCE THE DEBT AND PREVENT INFLATION

In times of a national emergency, a strong President can, by the force of his office and public opinion, bring the Open Market Committee into the Government and bring about a coordination of monetary and fiscal policies. President Roosevelt was able to do this during World War II, and President Truman was able to keep the Federal Reserve System in the Government—that is, up until the beginning of 1951. At the beginning of 1951 the Federal Reserve withdrew from the Government and started following its independent policies, and pursuing its independent goals.

Even so, the only debt ceiling bill Congress enacted, or was asked to enact, during President Truman's administration was a bill to reduce the debt ceiling. The Truman administration made a very large reduction in the Federal debt.

The policies of both the Roosevelt and Truman administrations were the same as every Democratic administration from the time of Thomas Jefferson. These policies were to have an adequate supply of money, and a reasonable level of interest rates—in order to achieve full employment and full production—but also to have sufficient taxes to pay the Government's bills. Their policies were to keep the debt down and to have sufficient taxes to mop up excess purchasing power and prevent inflation in times when there was excess purchasing power.

For 12 years, 1939 through 1951, market yields on long-term Government bonds were never allowed to go above 2½ percent and, of course, all other long-term interest rates stayed down accordingly. During most of these years market yields on 90-day Treasury bills were not allowed to go above three-eighths of 1 percent, and all other short-term interest rates stayed down accordingly.

TWO GOVERNMENTS IN CONFLICT

Now how is it that the two main economic instruments of government—fiscal management and monetary management—can be either coordinated or made to go in opposite directions, one offsetting or outpulling the other?

A nation's money supply at any given moment, in any industrial nation is determined by the conscious and deliberate decisions of the people running the nation's central bank.

Some of us still think of the supply of money being limited by the natural supply of sea shells, beaver pelts, stones, bronze, gold, and other things, as has been the case in more primitive societies. Yet we know that this is not true in any modern industrial country of the world. In every economically advanced country in the world today, the supply of money is manmade, being governed by the decisions of the country's central bank—or, in our country, the Federal Reserve System.

The dollar is good for the purchase not just of gold or any other one commodity, it is good for the purchase of a tremendous variety of goods and services, such as our economy turns out. Consequently, our money is created as a claim to all kinds of goods and services, and created on the "backing" of all kinds of assets.

In truth, our money is created mostly by the private commercial banks. Our money is mostly in the form of demand deposits. Any time a commercial bank makes a loan or investment, it creates the money with which it makes that loan or investment. Specifically, it creates a demand deposit in the process of making the loan or investment, so the money is created with the "backing" of any kind of asset that private bankers consider to be a sound security—one that assures them that the money will not be lost.

What are the limits to the total amount of money private banks can create?

The limits are imposed by the rules, regulations, and decisions of the Federal Open Market Committee. In a nutshell, the Federal Reserve System maintains at all times a limit on the amount of money which may be in existence, and the profit motives of the banks keep the actual amount of money in existence very close to that legal limit.

When the money supply is allowed to grow in proportion to increases in the production of goods and services, then monetary policy has a neutral effect on economic activity. Indeed, when the Federal Reserve System was created, it was expected to be neutral and nothing else. It was expected to permit the money supply to grow automatically in proportion to the growth of the economy. Congress did not intend the System to try to regulate economic activity, either by increasing the money supply more rapidly than the economy grows or by suppressing the growth of the money supply.

But since the Federal Reserve seceded from the Government, in 1951, it has been using a very heavy hand in economic regulations. Officials of the System have held back the growth of the money supply, thinking, they said, that the economy needed a depressant in order to prevent inflation.

Just consider these striking facts: In 1951 the money supply amounted to 36 percent of the gross national product, but in the years since, as the gross national product has grown, the money supply has been reduced, relatively, until last year it was down to only 26 percent of the gross national product.

TABLE 4.—*Gross national product and money supply*

[Billions of dollars]

Period	Gross national product	Demand deposits adjusted and currency outside banks	Ratio: Money supply to gross national product
1951	329.0	119.2	36.2
1952	347.0	125.2	36.1
1953	365.4	128.3	35.1
1954	363.1	130.3	35.9
1955	397.5	134.4	33.8
1956	419.2	136.0	32.4
1957	442.8	136.7	30.9
1958	444.5	138.4	31.1
1959	482.8	142.3	29.6
1960	503.4	140.9	28.0
1961	518.7	143.2	27.6
1962	553.6	146.0	26.4

Inevitably, as the money supply has been held back, interest rates have gone up and up and economic activity has been suppressed.

Now there is very serious doubt whether high interest rates have caused an individual family or business firm to save more because of the higher rates the family or firm could get on its money. But high interest rates have changed the income distribution, putting relatively more income into the hands of the high-income groups, and this has undoubtedly increased the level of savings in the country. High income groups save a large percentage of their income anyway, so when they receive a larger share of the income, total savings in the country increase relative to total income.

But while high interest rates increase the country's savings from current income, they also reduce the level of investment. When families and business firms have to pay high interest rates on funds to invest, they invariably invest less. This is the reason we have high unemployment and unutilized capacity today. All individuals and business firms in the country combined are trying to save more than they are trying to invest.

The Federal Reserve people have brought us to this situation, notwithstanding huge Federal deficits which have tended to increase spending, employment, production and income. They have done this in the name of fighting inflation. Inflation was a bugaboo throughout the Eisenhower administration, and the Federal Reserve was still fighting "inflation" long after we had chronically high unemployment and unutilized capacity.

TABLE 5.—*Long-term interest rates before and after adoption of high-interest policy*

	U.S. Government bonds	Moody's Aaa corporate bonds
5-year average: 1940–44	2.34	2.77
5-year average: 1945–49	2.31	2.64
1950	2.32	2.62
1951	2.57	2.86
1952	2.68	2.96
1953	2.94	3.20
1954	2.55	2.90
1955	2.84	3.06
1956	3.08	3.36
1957	3.47	3.89
1958	3.43	3.79
1959	4.08	4.38
1960	4.02	4.41
1961	3.90	4.35
1962	3.95	4.33

HIGH INTEREST FOR BALANCE OF PAYMENTS IS A HOAX

During the Kennedy administration the excuse for high interest has been balance of payments. This is a hoax. The Joint Economic Committee has had expert investigations and studies made of this subject. All of these have come to the conclusion that the amount of funds which flow out of the country because of interest rate differentials, you could put in your eye. Funds flow out, yes. The banks make loans abroad, but for the purpose of financing exports or financing some other operations of a customer. American corporations build plants abroad and buy plants abroad, for a variety of reasons, but not because of interest rate differentials.

If the Federal Reserve people really thought the flow of funds to be a serious problem, they would have made some suggestion for checking these flows. They would have made some suggestion for limiting the amount of money that the banks can lend in Western Europe, for limiting corporate investment in Western Europe, and for tying more of our foreign aid dollars to the purchase of goods and services in this country. They have made no suggestions.

Between 1952 and 1960 wage and salary payments in this country rose by 58 percent while personal income from interest rose 112 percent, but we have not seen the end of the high interest policy yet. Between 1960 and March of this year—1963—personal income from interest has risen another 22 percent while wage and salary incomes have risen only 12 percent. The Federal Reserve has simply not permitted an adequate increase in the money supply. It has checked off employment, production, incomes, and Federal revenues.

I hope my colleagues on the other side of the aisle will listen to this. I want to quote from a paper delivered in January by Dr. Walter D. Fackler, associate dean of the Graduate School of Business, University of Chicago. Dr. Fackler said:

> For the past year, we have followed an essentially deflationary monetary policy, and I predict that we will suffer sad consequences therefrom. We have sacrificed the domestic interests of the country on an altar of gold and allowed the deficit in our international balance of payments to override all other policy considerations.

He then makes this pertinent observation:

> The fact is that an economy can no more be run without money than a car can be run without gasoline. We have set the monetary carburetor on the economy so lean that it simply cannot generate sufficient power to move forward.[1]

Dr. Fackler was until recently on the staff of the Chamber of Commerce of the United States and according to news reports, was a close adviser to Vice President Nixon up to and through his campaign for Presidency.

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[1] Walter D. Fackler, "Business Spending and Government Fiscal Policy," Journal of Business, January 1963 (University of Chicago Press), p. 2.

Over the years I have heard many Republican Members of this body deplore the Federal debt and deplore taxes; but I have never heard a Republican Member of this body deplore tight money or make any criticism of high interest.

BASIC DIFFERENCE BETWEEN THE TWO POLITICAL PARTIES

Since, but not including the administration of President Lincoln, this has been the basic difference between the two political parties:

The Republican Party has stood for tight money and high interest, resulting in a high-price, low-production economy, while refusing to enact the taxes necessary to pay the public bills. I believe this is what is called maintaining a sound dollar.

The Democrats, on the other hand, have stood for a policy of reasonable interest rates and a reasonable money growth, to let the economy grow, and for enacting or maintaining enough taxes to pay off the public debt.

The Eisenhower administration inaugurated the policy of ascending interest rates, and in 8 years it increased the public debt by $23 billion.

In contrast, the Truman administration reduced the public debt by $22 billion in the 5 years following the end of 1945. If President Truman could have had his way, furthermore, he would have reduced the debt a great deal more. He fought to retain some of the taxes which the 80th Congress repealed. And he fought for increased taxes during the Korean war, which the Congress finally enacted, but only to the extent of about half of the increases President Truman asked for.

The traditional difference between the political parties is not one of being for or against inflation, but one of how to fight inflation. On the record, the Democrats have a great deal better record of fighting inflation than the Republicans.

President Roosevelt fought a long and very disappointing battle throughout the war years to try to get the Congress to enact higher taxes in order to pay for a larger share of the cost of the war as we went along and most particularly, to mop up excess purchasing power. He implored the Congress to pass and enact sufficient taxes to pay for at least one half of the war as we went along, but this was not done. We paid for only about one fourth of the cost of the war as we went along. Because some 11 million men and women in the armed services were making a very great sacrifice for their country, President Roosevelt called for a ceiling on individual after-tax incomes of $25,000, but that too, was rejected. Let me remind you of some of the votes.

THE PARTIES' RECORD ON DEBT AND INFLATION

When Congress met in January of 1943, there was almost unanimous agreement that some kind of pay-as-you-go plan to collect taxes was necessary. One of these plans was the so-called Ruml plan which contained a gimmick in that it provided for 100 percent forgiveness of taxes due on 1942 incomes. President Roosevelt opposed the Ruml plan saying it would cost some $9.8 billion. The vote in the House was on May 4, 1943 in which the plan was defeated tentatively by only four votes. Among the Democrats there were only 14 "yes" votes for this inflationary plan and 192 votes against inflation. Among the Republicans, 188 voted for inflation and only 11 voted against inflation.

In July 1947, when inflationary pressures were still at a peak, the Republican-controlled 80th Congress enacted a very large tax-reduction bill. President Truman opposed that bill, and on July 8, Republicans in the House voted 233 for the bill and only 2 against. Among the Democrats, only 69 voted for the bill and 109 voted against this inflationary measure.

President Truman vetoed that inflationary bill, saying it was "untimely" and that it was more important to pay off some of the national debt. On July 18, the House voted to override the President's veto; 236 Republicans voted to override the veto and enact this inflationary measure, while only 2 Republican members voted against it. One hundred and five Democrats voted against it, and only sixty-three voted for it. Fortunately, on that occasion, the Senate refused to override the veto.

But, on February 2, of the next year, 1948, the House passed a bill again. Republicans voted 234 for the bill, and only 1 Republican voted against this inflationary measure. One hundred and eighteen Democrats voted against it, and only sixty-three voted for it.

Again President Truman vetoed that inflationary bill; but this time, the Congress overrode his veto. The vote in the House on April 2 was 229 Republicans for that inflationary measure, and only 3 Republicans against it. Among the Democrats, 82 voted for it and 83 voted against it.

The elections of 1948 should have demonstrated to all concerned that the American people want fiscal responsibility and know where fiscal responsibility lies. President Truman later said that he was the only man in history who had been elected President by reason of vetoing a bill to cut taxes.

Yet fiscal responsibility continued to be more talked about, in some quarters, than actually practiced. At the beginning of the Korean war, President Truman asked for a $10 billion increase in taxes to help meet the cost of that war on a pay-as-you-go basis and to avoid inflation. A bill providing for a $5.7 billion tax increase finally passed the House on October 19, 1951. But there were only 37 Republican votes for it, and 126 votes against it. Democrats voted 147 for the tax increase and only 84 against it.

It was shortly after President Truman's special message of February asking for a tax increase, and the poor reception this message received from Congress, that the Federal Reserve officials seceded from the Government and set up their own government to handle economic regulation in their own way. The so-called Federal Reserve-Treasury accord was announced to the public, and the Federal Reserve broke the 2½-percent interest-rate ceiling on Government bonds that had prevailed throughout World War II and post-War II years. They began raising interest rates and, except for some minor and temporary reversals, have been raising them ever since.

THE ACCUMULATED DEBT CAUSED BY INSUFFICIENT WARTIME TAXES AND EISENHOWER HIGH INTEREST

Here in a nutshell are the causes of the large public debt and also the causes of the inflation of the postwar years. First, the huge cost of World War II and Congress refusal to enact sufficient taxes to pay more of the cost of that war at a time when it could have been paid without causing any loss of production or unemployment, and when the taxes were needed to prevent inflation. Second, the high interest policy that began to be imposed on the economy at the outset of the Eisenhower administration.

I think most of us realized at the time what the results of our failure to enact sufficient wartime taxes would be.

Only yesterday I happened to be looking over some of the many speeches I made on the floor of this Chamber in those years.

For example, on March 8, 1944, I made a lengthy speech in the House pointing out these things, saying:

> FIRST AND SECOND CROP OF WAR MILLIONAIRES IN WORLD WAR NO. 2
>
> Imagine the discouragement of a Chief Executive who is trying to liquidate the debt in a reasonable time asking for $16 billion and getting a tax-remission bill of $7,500 million. Congress went in the opposite direction and created the first crop of war millionaires in this war. Then, on top of that, when he asked for more money this last year, and we passed another bill, instead of it being for $10,500 million that the Treasury asked for, it was supposed to be $2,500 million, but after you take the "deducts" out of it you had less than $850 million left.
>
> CONGRESS INFLATIONARY
>
> I am personally greatly disappointed in this Congress not raising the money to pay our huge war debt in order that it might be paid as much as possible as the war goes on and not pass it on the shoulders of these fighting men on the 55 fighting fronts of the world when they come back here and reassume their positions in civilian life. We should not do that. We should pay up this debt as we go along just as much as we can, but to that end this Congress has not cooperated.
>
> INFLATION CAN CAUSE LOSS OF WAR
>
> Inflation can cause the loss of this war. Inflation is serious. You cannot have two or three hundred billion dollars in money in a country with 135 million people and not have a serious inflation threat unless there are adequate, proper, and substantial inflation controls. This Congress has not cooperated to that end. This Congress has been going in the direction of ruinous inflation and in the direction of destroying those dams that are holding back that reservoir of purchasing power which is calculated to go over the dam at any time and destroy the purchasing power of the people's money.

Then here is a speech I made about a year later, on January 4, 1945, in which I said:

> HIGHER TAXES WOULD BE JUSTIFIED
>
> I believe in higher taxes right now, and I would vote for higher taxes.
>
> I think it is right that we should pay as much of the cost of this war as we go along as it is possible. Every dollar that is not paid now is borrowed on long-term bonds,

> and the history of long-term bonds is that by the time you have paid the long-term bonds you have paid a dollar in interest for every dollar you have borrowed.
>
> * * * * *
>
> Another reason why we should pay is that we have tens of billions of dollars of excess purchasing power floating around, the most serious menace, from an inflationary standpoint, facing our country today; and the more taxes we pay as we are able to pay them the more money we are siphoning off in the form of dangerous dollars that will assist us in preventing inflation. There are three good reasons why I believe we should pay just as much of the cost of this war as we go as it is possible for us to pay.

THE WAY TO SOLVE THE DEBT PROBLEM AND THE UNEMPLOYMENT PROBLEM IS FOR THE GOVERNMENT TO GOVERN

As to the second wrong policy—the high interest policy—I think most of us also recognize where this is leading. I have made quite a few speeches on this subject also, but will spare the Members any further quotations.

So here is the ridiculous posture these great United States are in today; two governments in effect: One a constitutional democratically elected government influencing the level of economic activity by laws enacted by a Congress and approved by the President; the other, a kind of private and secret government with powers to overrule and in all practical effect, veto the decisions made by the constitutional government. The constitutional government can and has gone deeper and deeper into debt in an effort to achieve certain goals spelled out in the law as to maximum employment, production, and purchasing power. The other private government, the Federal Reserve System, has offset these actions and defeated these goals, by tightening the supply of money, raising interest rates, and causing more unemployment than our constitutional government could offset by going into debt.

I see no way to eliminate the huge unemployment, to bring the United States into the family of nations enjoying rapid economic growth, to stop the deficits, and begin reducing the Federal debt, except by bringing the Federal Reserve back into the Government.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I was interested in hearing the gentleman from Texas speak of the do-gooders. He ought to know, he has been voting that way long enough. I would like to point out to him, if I may have his attention, one of the beneficiaries of his do-goodism all over the world.

An advertisement in one of the local papers a couple of weeks ago, reads as follows:

> NOTICE OF REDEMPTION—MATURING STATE OF ISRAEL BONDS
>
> The redemption of 1951 Independence Issue Savings Bonds wil begin on May 1, 1963. Payment of principal and accrued interest will amount to 150 percent of the original issue price. Bonds will be eligible for redemption on or after the 12th anniversary of the issue date.

Not bad, is it, Mr. PATMAN, 150 percent.

Mr. Chairman, I am glad the State of Israel's bonds are in such good condition, do not misunderstand me, but Israel is one of the annual beneficiaries of the foreign aid program which the gentleman from Texas has been voting for. Incidentally, Israel is running a foreign aid program of its own.

I might add that the multibillion dollars foreign aid program is a part of the spending by this free-wheeling Government that gets us into the situation we are in today.

On January 1, 1963, we had in this country $1,700 billion of public and private debt, and it is about time somebody applied the brakes. If the gentleman from Texas is so interested in interest rates, he can, as chairman of the Committee on Banking and Currency of the House of Representatives, initiate action to do something about it any time he wants to. I do not know whether his committee will follow him, but he can initiate the action any time he wants.

Now, I would like to say to my good friend from Arkansas [Mr. MILLS] that I hope he believes in balanced budgets. I would appreciate it very much if he would get my bill, H.R. 144, out of his committee and to the House floor. It provides for balanced budgets and orderly payments on the Federal debt. The gentleman does believe in a balanced budget?

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Arkansas.

Mr. MILLS. I certainly do, and if the gentleman's bill results in balanced budgets I will be most interested in it.

Mr. GROSS. It provides for a balanced budget.

Mr. MILLS. Does it balance the budget?

Mr. GROSS. Just get the bill out on the floor and let us see how many will vote against it.

I have felt a little left out today on this anniversary of the semiannual increase in the debt ceiling. The distinguished majority whip, Mr. BOGGS, did not send me a telegram this year asking me to be on the floor to help put this shenanigan across.

Despite the fact that he did not invite me to be here I have been on hand all afternoon and I have seen the messengers coming and going on the House floor, not Western Union messengers, but messengers serving the gentleman from Louisiana and others, apparently reporting on the nose count. Apparently there have been a lot of trips through the rose garden. I did not know we had one here on Capitol Hill, as well as at the White House. Anyway it has been interesting to watch the reports come to the floor of the House on how the Democrat vote on this bill stacks up.

Mr. Chairman, I repeat what I have said on other occasions when bills to increase the debt ceiling have been before the House: I will not vote to lock this yoke around the necks of American taxpayers, their children, and those yet unborn. There is but one solid answer to this staggering debt and deficit and that is to limit spending to revenues collected by the Federal Government. To pass on this unconscionable mortgage of debt to the innocent children of today and tomorrow is cowardly.

I cannot in good conscience vote to increase the debt limit for I am convinced that continued profligacy is the certain road to chaos and ruin for this Nation.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Chairman, I was very interested to hear the distinguished gentleman from Iowa refer to the proposed legislation as "shenanigans." I think maybe this reflects, at least in some degree, the amount of responsibility which the opposition has brought to this debate. In addition, the business about "pressures" being exerted to influence anyone's vote is also a subject that I should like to talk about, and I would like to talk about it at considerable length.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I would like, in the light of the debate today, to say that I, too, support this bill, and to say to the gentleman from Iowa that I have not been down to take a trip through the rose garden, or not since I have been in Congress.

Mr. GROSS. You are apparently the only one that has not.

Mr. STAGGERS. Maybe I have been neglected. But, I would like to say, in the light of circumstances today and our responsibility to the free world, I do not see how we can do otherwise than vote for this bill, if we are going to be prepared and keep our astronauts in space.

Mr. BOGGS. I appreciate the gentleman's remarks.

Just for the purpose of the RECORD—and I wish the gentleman from Iowa would give me his attention—I am sorry I did not send him a telegram. I will send him one the next time. I consider the gentleman a very able Member of the Congress. I know he is always here, and I know he does not need a telegram to remind him to attend a session of this body.

However, I was surprised to hear him use the word "shenanigans" in referring to this legislation. Now, during the 8 years of President Eisenhower's administration, I can say that not once but at least a half a dozen times Secretary George Humphrey, who I consider an able, responsible, partiotic American, came to me and other Democratic members of the House Committee on Ways and Means and asked us to support legislation increasing the debt ceiling. Mr. Humphrey was not the only Republican Secretary of the Treasury who did that, and there was not any rose garden involved and there were not any "shenanigans" involved. Mr. Robert Anderson, Secretary Humphrey's successor as Secretary of the Treasury, also came to me and to the gentleman from Arkansas [Mr. MILLS], and to the gentleman from New York [Mr. KEOGH] and other Democratic members of the House Committee on Ways and Means and asked us to increase the national debt ceiling for President Eisenhower's administration.

Mr. Chairman, without any arm twisting, without any shenanigans, we increased the debt ceiling not once, not twice, not three times but eight times. That is the record, and it speaks for itself. In reviewing this, I am not being critical of the gentleman from Wisconsin [Mr. BYRNES], or the gentleman from Indiana [Mr. HALLECK], both of whom spoke in favor of these debt increases. I have the quotes here. I could make them a part of the RECORD.

In any event, the point I make is that what was required for fiscal responsibility and fiscal stability then is required for the same identical objectives today.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I will be very happy to yield.

Mr. HALLECK. The gentleman has referred to me.

Mr. BOGGS. In a most complimentary fashion.

Mr. HALLECK. I understaand, and certainly any reference I make to him would be most complimentary.

Mr. BOGGS. Surely.

Mr. HALLECK. I just want to say that never at any of these times was there what we call a planned deficit; in other words, in my opinion, with all of the proposals for excessive governmental spending that are presently before us, I am not going to go along with an invitation to that kind of excessive spending. I think the time has come for us to call a halt, and I expect to vote that way today.

Mr. BOGGS. Well, I am not going to argue with the gentleman. I do not know what he means by "planned deficit." I know back in 1954, under the administration of President Eisenhower, we had a planned deficit, and I know that out of 8 years of the Eisenhower administration, if my memory serves me right, 5 years of those 8 years had deficits—either "planned" or "unplanned"—and some were the biggest in our history.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. BOGGS. No, I do not yield any further. I do not have but a few minutes.

Mr. Chairman, I would say further that during the Eisenhower administration we also had the biggest peacetime deficit in the history of the United States, $13 billion. Now that one may not have been planned and as a matter of fact——

Mr. HALLECK. Now, Mr. Chairman, will the gentleman yield?

Mr. BOGGS. Well, yes, I will yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman knows that during President Eisenhower's 8 years, for 6 years he had a Democrat-controlled Congress and you were voting money that he did not want you to vote. and you were trying to force him to spend it even sometimes over his veto.

Mr. BOGGS. I do not yield any further. If the people did not approve of the Democratic Congress they could have voted us out of office at least three times, because 6 years during your 8 years you had a Democratic Congress. So the answer is that the people of the United States must have approved of the Democratic Congress because they kept on reelecting us. I think that is the answer to the gentleman from Indiana. In addition to that, when 1960 rolled around they figured they had better have a Democratic President and they elected a Democratic President, too, and he is in office now.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. No, I cannot yield now.

Mr. Chairman, all I am saying to the Members on both sides of the aisle is that whether the gentleman from Indiana admits it or not, and whether he uses this fancy phrase about planned deficits or not, the facts are that when he was in power, when his President was in power, the Democrats almost to a man voted to give him the fiscal responsibility to manage this debt.

Mr. Chairman, the gentleman from Indiana [Mr. HALLECK] is using some fancy language to come up with an irresponsible result. I do not care how you cut it, that is what it amounts to. Why do I say that? Everyone knows that money is like everything else, and while I do not pretend to be an authority on it, I do know that the cost of borrowing varies with the condition of the market and the supply and demand, and that the leeway you give the Treasury will in large part determine whether or not it can borrow on favorable conditions.

So, Mr. Chairman, if the Secretary of the Treasury, whether he be Mr. Humphrey or Mr. Anderson or Mr. Dillon, has to manage that debt and has no leeway or just a small leeway in which he can operate and in which he can move, then all of the people who realize that situation will take advantage of it. Therefore, rather than saving the taxpayers' money, it costs them money.

Mr. Chairman, then there is another matter, and what I am saying is not Mr. Dillon's doctrine, because both Mr. Anderson and Mr. Humphrey told me this in substance, and I believed it: We have the question of the effect of this on balance of payments. There is the question of the effect of the failure to sell Government securities on the short-term interest rate. This failure would certainly reduce the short-term rate here and cause funds and therefore gold to flow abroad to seek a higher rate of return. So, again, rather than increasing our fiscal situation we do just exactly the opposite. We make our situation that much more difficult.

Mr. Chairman, I know that we will argue back and forth about the debt, about appropriations, and about planned deficits, and so on. But I say we are confronted with the fact that the issue here is whether or not this Government, as the governments which have preceded this one, whether they be Democratic or Republican—shall have the freedom in which to act to manage this debt for the best interest of all the people of the United States, whether they be Democrats or Republicans.

Therefore, Mr. Chairman, I say fiscal responsibility means to vote for that kind of program, and not against it.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, we have, I think, two issues before us today. One issue is how much borrowing authority must we give the Secretary of the Treasury in order to properly manage the debt and meet the bills that we know are coming due. And in that issue is the dollar amount that we authorize today.

As far as I am concerned the issue is between whether we shall continue the $305 billion of borrowing authority which the Treasury has today or whether we should do as the committee bill suggests, raise that to $309 billion for the next 90 days or so; in other words, give them $4 billion more borrowing authority than they have at the present time.

That is one issue. Then we come down to what I think is another and most important issue and maybe the overriding issue as it faces this Congress. That issue is the fiscal policy of the Nation. Are we going to put our stamp of approval on ever-increasing deficits, even planned deficits, by giving the Treasury and the administration everything it wants—great "comfort" in the limitation, so that the debt ceiling has no meaning as far as exercising any restraint on spending? Or are we going to call a halt to the administration's borrowing authority in the hope that by that we will make them live somewhat within their means?

This is the fourth request in 2 years for an increase in authority to borrow. In June of 1961 we increased it by $13 billion; in March of 1962 by an additional $2 billion up to the $300 billion level. And last July another $8 billion increase to $308 billion, although there was the variable in that increase. It has come down to $305 billion and will go down on June 24 to $300 billion, and then on June 30, unless something is done, down to $285 billion.

Now the fourth request of the administration is before us with the assurance that they are going to come in for a fifth increase within 90 days. The majority acknowledges, and the bill acknowledges by its termination date, that we will be back in here for a further increase, beyond the $309 billion proposed by the committee bill, for the period after August.

Now, for some maybe voting to increase the national debt may have become rather routine—a meaningless gesture.

We used to face this issue every couple of years. Then we narrowed it down so we considered the debt limit every year. Then we got down to figuring it almost on a 6-month basis. Now we are getting down to a 90-day basis. In a way that makes it a meaningless thing. And certainly to give the Treasury, every time they ask, every cent they want makes it a meaningless gesture. The $309 billion that they are asking for between now and August 31 is just what the Secretary said he wanted.

By approving the committee bill we will make the process meaningless. In addition, we put the stamp of approval on the administration's spending policy, including its policy of planned deficits.

Reference was made by the gentleman from Missouri [Mr. KARSTEN] and also by the gentleman from California [Mr. HOLIFIELD] to what they said was our difference in attitude when we considered some former debt increases and our position now. Another Member said the Members on our side and their side both supported increases in the debt limit in the Eisenhower administration.

Let me say that so far as attitude toward fiscal policy is concerned we have a difference as between night and day between the fiscal policy of this administration and the fiscal policy of the Eisenhower administration. This is not a matter of petty partisan politics. I think there is a great difference in fiscal philosophy between a great majority of the Members on the majority side and those on our side as to what is good, what is sound. I think that is one of the big differences between our parties today.

You will recall that during the Eisenhower years every conceivable effort was made by that administration to achieve a balanced budget, and we did achieve a balanced budget. Yet we were criticized in the political campaign and by some of the Members on the Democratic side who did not agree with that philosophy. We were accused of being too budget conscious, too dollar conscious, of being heartless because we did not support all kinds of new spending programs but instead tried to hold the line. The Eisenhower administration was trying to hold the line. Sometimes, Mr. Chairman, I will agree they did not try to hold it as tightly as I would like to have seen them do, but that was their announced effort and their goal, and I think everybody has to agree they make a solid effort in that direction. We were criticized, and maybe we lost some campaigns because of that, because we wanted to protect the value of the dollar, because we wanted to see balanced budgets, because we wanted to see a stop to inflation. Therefore, we resisted some of the new spending programs that were offered and as a result of our opposition we were called heartless. As you recall, that was the issue.

When our administration was trying to hold the line I said I would give them every penny they needed for proper management of the debt, and I will even give this administration what it has to have, but I am not going to give it one cent more than it has to have. That is the issue as far as the figure is concerned.

So I say to the gentleman from Missouri [Mr. KARSTEN] and the gentleman from California [Mr. HOLIFIELD] and the gentleman from Louisiana [Mr. BOGGS], you had an entirely different fiscal policy situation then than you have now, because there is no question that the administration believes that one of the ways to get the economy moving is greater Government spending and greater deficits. They told us they plan deficits to 1967 as a minimum. Other economists tell us that the deficits will go to at least 1972 under the proposals we have before us.

For fiscal 1963, the administration was able to get Congress to go along with this economic philosophy through the simple expedient of forecasting an unrealistic increase in Federal revenues—enough to meet the desired level of Federal spending. We had the fiction of a balanced budget.

In November of last year, after all of the appropriation measures had been enacted, and Congress adjourned, the fiction was abandoned. The administration then flatly predicted a deficit of over $8 billion due to a short fall of revenues.

For fiscal 1964, the administration has adopted a different approach. The administration now openly advocates a deficit of $12 billion. However, this time the administration adds a "sweetener" to the spending package—tax reduction to divert attention from its spending program.

I ask you, Can there be any doubt as to the administration's economic policies?

Professor Samuelson—one of the President's economic advisers—recently characterized the concern over Federal deficits as "upside down economics." The professor said that it was wrong to rely upon an improvement in Federal revenues as a source for reducing tax rates. Tax reduction, the professor wrote, was not designed for that purpose. Rather, tax reduction was intended to produce a larger Federal deficit.

There is no doubt but that is their plan. I just differ with them. I say that is not going to produce prosperity, it is going to produce inflation, it is going to raise havoc with our old people who are on pensions, with savings and investments. It is going to mean devaluation of the dollar. It is the thing that is going to hurt our balance of payments if anything does. That is the reason I cannot approve of their fiscal policy, and I cannot, therefore, lend my support to a bill that is geared to approving that fiscal policy.

It is just that simple.

We are here today because of a planned deficit as part of the administration's fiscal policy. Another debt bill will be up here again in August, if this committee bill is adopted for a further increase.

Does any Member really subscribe to the belief that we can deliberately continue to spend $8 billion, $10 billion, $12 billion each year in excess of what we take in in revenue? Those who do, those who believe that we should and can do that and who believe that no day of reckoning will come should certainly vote for this bill. But what they really should do, to be honest about it, is to say, let us repeal the debt ceiling. Why have a debt ceiling if that is your attitude? Why have a ceiling on the debt? Let them borrow whatever they want at any time to spend as fast as they can get the authority to spend and find ways and means to spend. But if you do not believe that we can continue to live beyond our means, then I think you have to take a real hard look at the legislation that is before us today. Then you will decide that you cannot give them more than $305 billion, the continuation of the present level, as far as their borrowing authority is concerned.

I was quite amazed at the chairman's description of the dire consequences that would result if we did not give the committee and the Treasury the full authority for borrowing that is asked by the committee. I agree, Mr. Chairman, that if we went to $285 billion that it would produce a situation that the administration could not live with. I agree they could not live with $300 billion. But I say to you, they can live with $305 billion, which is their present authority, and their own figures prove it. Just turn to the minority report and look at the table there. It shows they can live within it.

Let me give you a little history, Mr. Chairman. I do not know whether you will remember this, but I assume you do. The same appeal was made last year, and you did not adopt the Republican motion to recommit because of the dire consequences. The committee at that time proposed a ceiling of $308 billion at the high point in the year. At that time I said they could live within a debt ceiling of $306 billion. The motion to recommit that I made at that time called for a ceiling at that point of $306 billion. Look at the record. They got by with $305.5 billion of outstanding indebtedness at their high point. They did it.

This shows the padding that goes into the Treasury's basic requests. They tore their hair last year saying that we should have given them even more than the $308 billion. But I said that we could get by with $306 billion and we did. They could do it now with $305 billion.

The Treasury under a $305 billion debt ceiling can operate on an average cash balance of between $3 billion and $4 billion and with only a few days in which the minimum cash balance falls below the $3 billion level. Frankly, I am not even sure the Treasury needs this cash balance of $3 billion that they are talking about.

There has been an odd new argument that enters this debate. The chairman made it and the committee makes it in its majority report. We did not hear the argument made before the committee but it has something to do with the Treasury having to have some cash lying around in commercial banks on special deposit, sort of as favors to the banks or the area in which the banks are located. This is done, to use the phrase in the report, to smooth out the economic impact of Government operations in various areas of the United States.

The chairman suggested today it would be awful if we had to pull this money out and put it in some central bank, we could not leave it spread around. Let me remind you this money is not drawing any interest at all. Since when do we have to borrow money at high interest rates in order to have cash lying around in banks that we do not get any interest on? That is the new argument that is now being presented. If that is what we are borrowing money for, if that is what we are increasing the debt for, I think it is high time we stop raising the borrowing authority of this Government.

Another argument that the chairman made was something about the fact that our ability to sell 90-day notes helps our gold balance. As I sat there and listened to his argument, and I got the impression that he was suggesting that we had to keep borrowing, so we could keep selling 90-day notes. I know that is not what he was saying. The greatest advantage to our people would be a balanced budget and not having to borrow at all.

If the $305 billion debt ceiling is difficult, there are ways the Treasury can get out of any possible difficulty. One is cutting back on the level of spending. The Kennedy administration showed they could do that in 1961, as pointed out by the gentleman from Missouri [Mr. CURTIS], when they cut back $1,200 million in expenditures under Executive pressure. Let us put a little gumption behind the President and ask him to do it again, to do what he did in 1961.

Also the administration can sell assets. I am not suggesting the sale of assets, and I do not say that is necessarily always a good policy. But I do say that if that is what is essential at times to solve this debt management problem they are talking about, maybe that is a desirable thing to do. The administration did do it. They did it this year.

When the administration admitted they had not done anything to solve the problem resulting from the transition to a debt ceiling of $305 billion, some of us suggested, "What about improving your cash position by selling some of your assets that you have? You have a fine market for them today, they will bring more money than ever before, it is a good market for these securities." We said, "Try that."

The committee did not accede to the request and held the $307 billion ceiling at that time. So the administration did sell assets and sold them to their advantage.

We suggested various things they could do. The chairman made it appear that all the impact would fall on one suggestion. What we are suggesting is there are many means and all they have to do is to find the blend of those means in order to accomplish an improvement in their fiscal situation and in their cash situation.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, I commend the gentleman from Wisconsin for the statement he is making. The gentleman is one of the most able members of the great Committee on Ways and Means. He is a great student of our tax situation and our fiscal policy. If I understand him correctly, I agree with him completely. At this point in the conduct of the affairs of this Congress, we have coming before us most of the appropriation bills and we also have before us one new proposition after another for spending money.

Now, the issue, it seems to me, is simply this: Are we, by our action here today, going to invite the continuation of excessive appropriations and the imposition of new expenditure programs to the end that never shall we see again a balanced budget in this country? To my mind, that would be disaster pure and simple. As I said a little bit ago, I am not going to put my stamp of approval on it at this juncture. The gentleman has spoken of a motion to recommit. Do I understand he will, at the proper time, offer a motion to recommit?

Mr. BYRNES of Wisconsin. The gentleman from Indiana is accurate in both statements, both as to his conclusion as to the issue before us and as to the motion to recommit.

At the proper time I will submit a motion to recommit establishing a borrowing authority, continuing the present borrowing authority, of $305 billion.

Support of the motion to recommit which I will offer will not bring about disaster.

The adoption of a debt ceiling of $305 billion would not "wreck" any necessary Federal program. It would not in any manner impair the national defense.

It will not inhibit the normal operation of the Government's financing.

It will not even operate to "roll back" Federal spending—as much as I would like to do so.

It merely "freezes" the existing spending level.

In supporting such a bill, the Congress will be saying that Federal spending should be held in check at least until such time as we have the revenues to pay the bills. That is the only prudent course open to us.

The adoption of such a ceiling—$305 billion—would serve notice on the administration that the Congress—and the people—do not accept the concept of a planned deficit as being any less harmful than a deficit which has not been planned.

Are you—the Members of the House—prepared to meet in this Chamber every few months and vote an increase in the Federal debt? If you are perfectly willing to do that—or do not care—then vote for the administration's proposal. If not, the only recourse is to support the counterproposal of a $305 billion debt limit.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. BYRNES of Wisconsin. I yield.

Mr. HALLECK. I just want to say, first of all, that I will support the motion to recommit, and I trust on that we can call the roll. If the motion to recommit does not prevail, then certainly I am going to do everything I can to see that we call the roll on passage here.

Something has been suggested a time or two about the political consequences; that to win politically is to just spend more of the taxpayers' money. I do not believe that is very popular in the country today. If it is popular and if it is what the people of this country really want, then my mail does not speak the truth and, from conversations I have had, that the people I am privileged to represent do not speak the truth. On the contrary, I am convinced from everything I have seen that the people of this country are concerned about the increased excessive, extravagant Government spending, and they want us to do something about it. Here is the time and place to do something.

Mr. BYRNES of Wisconsin. I thank the gentleman and I certainly agree with him.

Let me repeat. The motion to recommit will provide for a continuation of the present ceiling. There is no reason in the world why they cannot live within that ceiling, and their own figures prove it. Just turn to the table in the minority report which shows what their situation would be under the $305 billion ceiling. It is a responsible position. I admit they could not live with $285 billion. We are not saying that they cannot have any more authority, but, Mr. Chairman, if we go beyond that, we will be simply putting our stamp of approval on spending, and that I cannot do.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. MILLS. Just for information, is the gentleman's motion to recommit an increase in the permanent debt ceiling from $285 to $305 billion.

Mr. BYRNES of Wisconsin. We weed out all this gobbledegook about temporary and permanent ceilings. We simply say that you shall have the same borrowing authority that you have today, $305 billion.

Mr. MILLS. And that is permanent?

Mr. BYRNES of Wisconsin. We are not suggesting that we are coming back in 30 or 60 or 90 days and give you any more. We will see how you get along and what kind of example you set. Also, how you perform, and then you come back and show us what you need and we will judge whether you should get it at that time.

That is really in a sense, Mr. Chairman, what we told them in the committee last February. We said you had better go and see what you can do and then come back and show us what kind of progress you can make to get yourselves out of your difficulties, and I would take the same attitude as far as that situation is concerned at the present time.

Mr. Chairman, I do not think we should tell them right off, as the committee bill does: "Do what you want, boys, because you can come back and we will give you another increase at the end of August." I say let us not give them any indication to come back. Let us tell them, "You get to work and live within the $305 billion, and if you try your best and do not succeed, then come back and we will take a look to see what we can do to help you out of your situation."

Mr. Chairman, I yield back the balance of the time on our side.

Mr. MILLS. Mr. Chairman, I yield the remainder of the time on this side to the distinguished leader of the House, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Chairman, under President Eisenhower there were eight specific occasions on which the Eisenhower administration asked the Congress for a change in the debt limit, or for a continuation of temporary increases in it. On one of those occasions a very distinguished Member of this House on the Republican side, on June 8, 1960, said, and I quote:

> Would you vote today against the temporary increase in the debt ceiling? If you would, then you had better be ready to vote

> not only for the extension of the taxes in this bill and the revenue involved, but you had better be ready to vote for additional taxes on our already heavily burdened taxpayers. Those are just the fiscal facts, and you had better face up to them.

Those are the remarks of the distinguished gentleman from Wisconsin [Mr. BYRNES].

Mr. Chairman, on another occasion, on June 26, 1961, another very prominent Republican Member in debate on a bill of this kind said:

> On this occasion, as in the past, I shall vote for this increase because, as I have heard from responsible people in our Government through the years, it would be unthinkable for the Government of the United States to default on its current obligations. It could mean chaos and a rough situation indeed both at home and abroad.

Mr. Chairman, those are the words of my distinguished friend, the minority leader, the gentleman from Indiana [Mr. HALLECK]. Those words were stated when President Eisenhower was in office.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Of course I yield to the distinguished gentleman.

Mr. HALLECK. Mr. Chairman, what year did the gentleman say that was? I understood the gentleman to say 1961.

Mr. McCORMACK. June 26, 1961, but on previous occasions the gentleman has said——

Mr. HALLECK. I did not mean to be rude about it, and I am sure my friend, the Speaker, for whom I have, he knows, the highest affection and regard, would understand that. But 1961 was a Kennedy year.

Mr. Chairman, might I just say, apropos of what I have done, I think when I came here that the national debt was about $17 billion, and it got up to about $300 billion. That was under Mr. Roosevelt, I suppose, and Mr. Truman, and as I remember I probably went along with those increases. But the circumstances at this time, as I pointed out, I might say to the Speaker, the circumstances as of today are completely different.

Mr. McCORMACK. Under the Eisenhower administration on June 1, 1956, on the passage of a bill to increase the debt limit, 186 Democrats voted for the passage and 29 against. On that same vote 142 Republicans voted for passage, and 42 against.

Mr. Chairman, the significance of that vote is to show that the Democratic Party, assuming its responsibility, recognized the fiscal importance involved and overwhelmingly voted for the passage of that bill.

On June 19, 1959, under the administration of Mr. Eisenhower, another bill was up. On that rollcall 167 Democrats voted for the passage of the bill and 69 Democrats voted against it. On that vote 88 Republicans voted for the passage of the bill and 48 voted against it. The significance of that vote is to show that the Democratic Members assumed under a Republican President their responsibility in connection with important legislation of this kind.

We have other votes during the 8 years of President Eisenhower's administration when the Democratic Members overwhelmingly supported the passage of the bill, and if they had not, such legislation would not have passed. We assumed our responsibility, recognizing that the very fiscal responsibility of our Government was involved.

In the 87th Congress, on February 20, 1962, under President Kennedy, on the passage of a bill of this kind we find that 191 Democrats voted for its passage and 46 against, but only 60 Republicans voted for its passage and 98 against.

On June 21, 1961, the year before, under President Kennedy 191 Democrats voted for and 35 against; and 40 Republicans voted for and 113 Republicans against.

In other words, the record is clear that during the 8 years of the Eisenhower administration the Democratic Members of the Congress overwhelmingly assumed their responsibility in connection with legislation of this kind. And the vote at that time was just as pressing upon us as it is today, upon all Members of the House, and particularly the Republican Members. I hope that a sufficient number of Republican Members will vote for the passage of this bill to show bipartisanship support in connection with this important legislation, such as the Democratic Members showed during the 8 years of President Eisenhower's administration.

The gentleman from Wisconsin [Mr. BYRNES] refers to the $305 billion ceiling. That was up until April 1, because on April 1 the $308 billion ceiling dropped down to $305 billion. But we must remember that the $308 billion ceiling of last year, dropping on April 1 to $305 billion, was based on a balanced budget at that time. Is that correct, I will ask the chairman of the committee?

Mr. MILLS. The gentleman is correct.

Mr. McCORMACK. He does not want to give any more money for an unbalanced budget which exists now, and we know it exists, than the Committee on Ways and Means and the Congress gave last year for a balanced budget.

Mr. Chairman, this is a very important bill. This is one that should appeal to all of us in our responsibility as American citizens and as legislators, without regard to our party. The record is clear that during the 8 years of the Eisenhower administration the Democratic Party assumed its responsibility, overwhelmingly supported increases and extensions. The record is now that last year the Republican Members overwhelmingly voted against such a bill and the evidence seems to be clear today that they are going to do the same thing. I hope that my Democratic friends will vote for this bill and that sufficient Republican Members will vote with us to give it an overwhelming majority.

The CHAIRMAN. All time has expired.

Under the rule, the bill is considered as having been read for amendment.

The bill is as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act, as amended (31 U.S.C. 757b), shall be temporarily increased—
>
> (1) during the period beginning on the date of the enactment of this Act and ending on June 30, 1963, to $307,000,000,000, and
>
> (2) during the period beginning on July 1, 1963, and ending on August 31, 1963, to $309,000,000,000. During the period ending on June 30, 1963, the limit provided by paragraph (1) shall be in lieu of the limits provided by the Act of July 1, 1962 (Public Law 87-512; 76 Stat, 124).

The CHAIRMAN. Under the rule, no amendments are in order to the bill except amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. MILLS. There are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. GRAY, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act pursuant to House Resolution 337, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BYRNES of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BYRNES of Wisconsin. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. BYRNES of Wisconsin moves to recommit the bill (H.R. 6009) to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment: Strike out all after the enacting clause and insert: "That (a) the first sentence of section 21 of the Second Liberty Bond Act, as amended (31 U.S.C. 757b), is amended to read as follows: 'The face amount of obligations issued under authority of this Act, and the face amount of obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), shall not exceed in the aggregate $305,000,000,000 outstanding at any one time.'
>
> "(b) The Act entitled 'An Act to provide for a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act', approved July 1, 1962 (Public Law 87-512; 76 Stat. 124), is repealed."

Mr. MILLS Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. BYRNES of Wisconsin. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 195, nays 222, answered "present" 1, not voting 15, as follows:

[Roll No. 51]

YEAS—195

Abbitt
Abele
Abernethy
Adair
Alger
Anderson
Andrews
Arends
Ashbrook
Auchincloss
Avery
Ayres
Baker
Baldwin
Barry
Bates
Battin
Becker
Beermann
Belcher
Bell
Bennett, Mich.
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burton
Byrnes, Wis.
Cahill
Cannon
Casey
Cederberg
Chamberlain
Chenoweth
Clausen
Cleveland
Collier
Colmer
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Dorn
Dowdy
Dwyer
Ellsworth
Findley
Fino
Ford
Foreman
Fountain
Frelinghuysen
Fulton, Pa.
Gathings
Gavin
Glenn
Goodell
Goodling
Griffin
Grover
Gurney
Haley
Hall
Halleck
Halpern
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hoeven
Hoffman
Horan
Horton
Hosmer
Huddleston
Hutchinson
Jensen
Johansen
Jonas
Keith
Kilburn
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Latta
Lennon
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
MacGregor
Mailliard
Marsh
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Mathias
May
Meader
Michel
Miller, N.Y.
Milliken
Minshall
Moore
Morse
Morton
Mosher
Nelsen
Norblad
Nygaard
O'Konski
Osmers
Ostertag
Passman
Pelly
Pike
Pillion
Pirnie
Poff
Pool
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Robison
Roudebush
Rumsfeld
St. George
Saylor
Schadeberg
Schneebeli
Schweiker
Schwengel
Short
Shriver
Sibal
Siler
Skubitz
Smith, Calif.
Snyder
Springer
Stafford
Stinson
Talcott
Teague, Calif.
Thomson, Wis.
Tollefson
Tuck
Tupper
Utt
Van Pelt
Waggonner
Wallhauser
Watson
Weaver
Weltner
Whalley
Wharton
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman

NAYS—222

Addabbo
Albert
Ashley
Ashmore
Aspinall
Baring
Barrett
Bass
Beckworth
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Buckley
Burke
Burkhalter
Burleson
Byrne, Pa.
Cameron
Carey
Celler
Chelf
Clancy
Clark
Cohelan
Cooley
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Dingell
Donohue
Downing
Dulski
Duncan
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fisher
Flood
Flynt
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Hagan, Ga.
Hagen, Calif.
Hanna
Hansen
Hardy
Harris
Hawkins
Hays
Healey
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Hull
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Matsunaga
Matthews
Miller, Calif.
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Patman
Patten
Pepper
Perkins
Philbin
Pilcher
Poage
Powell
Price
Pucinski
Purcell
Rains
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
Ryan, N.Y.
St Germain
St. Onge
Secrest
Selden
Senner
Sheppard
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Smith, Va.
Staebler
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Watts
Westland
White
Wickersham
Willis
Wilson, Charles H.
Wright
Young
Zablocki

ANSWERED "PRESENT"—1

Gubser

NOT VOTING—15

Bonner
Diggs
Fogarty
Forrester
Grant
Harding
Hébert
Schenck
Scott
Shelley
Taft
Taylor
Thompson, La.
Walter
Younger

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Taylor for, with Mr. Walter against.
Mr. Younger for, with Mr. Hébert against.
Mr. Gubser for, with Mr. Shelley against.
Mr. Schenck for, with Mr. Fogarty against.
Mr. Taft for, with Mr. Bonner against.

Until further notice:

Mr. Thompson of Louisiana with Mr. Grant.
Mr. Harding with Mr. Diggs.
Mr. Scott with Mr. Forrester.

Mr. GUBSER. Mr. Speaker, I have a live pair with the gentleman from California [Mr. SHELLEY]. Had he been present he would have voted "nay." I voted "yea." I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on passage of the bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 213, nays 204, not voting 17, as follows:

[Roll No. 52]

YEAS—213

Addabbo
Albert
Ashley
Aspinall
Barrett
Bass
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Buckley
Burke
Burkhalter
Byrne, Pa.
Cameron
Carey
Celler
Chelf
Clark
Cohelan
Cooley
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Dingell
Donohue
Downing
Dulski
Duncan
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Flood
Flynt
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Hanna
Hansen
Hardy
Harris
Hawkins
Hays
Healey
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Hull
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Martin, Mass.
Matsunaga
Matthews
Miller, Calif.
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Patman
Patten
Pepper
Perkins
Philbin
Pike
Pilcher
Poage
Powell
Price
Pucinski
Purcell
Rains
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Tex.
Rooney
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
Ryan, N.Y.
St Germain
St. Onge
Selden
Senner
Sheppard
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Staebler
Staggers
Steed
Stratton
Stubblefield
Sullivan
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Watts
Weltner
White
Wickersham
Willis
Wilson, Charles H.
Wright
Young
Zablocki

NAYS—204

Abbitt
Abele
Abernethy
Adair
Alger
Anderson
Andrews
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Barry
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Mich.
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burleson
Burton
Byrnes, Wis.
Cahill
Cannon
Casey
Cederberg
Chamberlain
Chenoweth
Clancy
Clausen
Cleveland
Collier
Colmer
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Dorn
Dowdy
Dwyer
Ellsworth
Findley
Fino
Fisher
Ford
Foreman
Frelinghuysen
Fulton, Pa.
Gathings
Gavin
Glenn
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Halpern
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hoeven
Hoffman
Horan
Horton
Hosmer
Huddleston
Hutchinson

Jensen
Johansen
Jonas
Keith
Kilburn
Kilgore
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Latta
Lennon
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
MacGregor
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
May
Meader
Michel
Miller, N.Y.
Milliken
Minshall
Moore
Morse
Morton
Mosher
Nelsen
Norblad
Nygaard
Osmers
Ostertag
Passman
Pelly
Pillion
Pirnie
Poff
Pool
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Robison
Rogers, Fla.
Roudebush
Rumsfeld
St. George
Saylor
Schadeberg
Schneebeli
Schweiker
Schwengel
Secrest
Short
Shriver
Sibal
Siler
Skubitz
Smith, Calif.
Smith, Va.
Snyder
Springer
Stafford
Stephens
Stinson
Talcott
Teague, Calif.
Thomson, Wis.
Tollefson
Tuck
Tupper
Utt
Van Pelt
Waggonner
Wallhauser
Watson
Weaver
Westland
Whalley
Wharton
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman

NOT VOTING—17

Bonner
Diggs
Fogarty
Forrester
Grant
Harding
Hébert
O'Konski
Schenck
Scott
Shelley
Taft
Taylor
Thompson, La.
Walter
Younger

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Walter for, with Mr. Taylor against.
Mr. Hébert for, with Mr. Taft against.
Mr. Shelley for, with Mr. Younger against.
Mr. Bonner for, with Mr. Schenck against.

Until further notice:

Mr. Thompson of Louisiana with Mr. Grant.
Mr. Scott with Mr. Forrester.
Mr. Fogarty with Mr. Harding.

Mr. HOLIFIELD changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those Members participating in the debate on the bill just passed may include in connection with their remarks tables, charts, and extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

AMENDING TITLE V OF THE AGRICULTURAL ACT OF 1949

Mr. SISK, from the Committee on Rules, reported the following privileged resolution (H. Res. 350, Rept. No. 302) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5497) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PROMOTING FEDERAL AND STATE PROGRAMS RELATING TO OUTDOOR RECREATION

Mr. MORRIS submitted a conference report and statement on the bill (S. 20) to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes.

AMENDMENT TO INSURE THAT THE DISARMAMENT PROGRAM WOULD NOT ELIMINATE PRIVATE FIREARMS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the Arms Control and Disarmament Act, which established the U.S. Arms Control and Disarmament Agency, was approved by the President on September 26, 1961. This act was passed by large majorities in the House and Senate.

The content of this legislation and Executive policy on this subject have generated much publicity and reaction throughout the country. Many patriotic organizations and individuals have been highly critical of the purposes and scope of the Disarmament Act. The general grounds for criticism have been that the implementation of this law would place the United States in a dangerous political, economic, and military position vis-a-vis the Communist bloc.

The language, temper, and range of the act are indeed broad. Certain perhaps unintended consequences could flow from the carrying out of its existing provisions, and conceivably such consequences could negate our most cherished rights. One such right is the possession and use of firearms by the law-abiding private citizen.

Thousands of Americans who own and enjoy firearms for defense and sport strongly feel that the continuation of this ownership and enjoyment is seriously threatened by the vague language and administrative interpretation of the disarmament statute. Assurances of the Director and other officials of the Arms Control and Disarmament Agency have not dispelled this fear.

I believe that there is substance to the apprehension of many of our citizens. The all-encompassing nature of the Agency pronouncements thereon speak for themselves.

Because of my genuine concern on this matter, I have introduced a bill to repeal the Arms Control and Disarmament Act and to eliminate the Disarmament Agency. I believe this is the course Congress should follow. However, while this proposal is under consideration and in order to make absolutely clear that the Arms Control and Disarmament Act does not include the elimination of private firearms as part of the proposed disarmament program, I submit also for consideration by the Congress a proposed addition to section 33 of title III of the act to read as follows:

Nothing contained in this Act shall be construed, held or applied as giving authority for any policy or action, by any official, department, agency or office of the Government, which would interfere with, restrict or prohibit the acquisition, possession and use of firearms by the individual for the lawful purposes of personal defense, sport, recreation, education or training.

USE OF DOGS AS LAW ENFORCEMENT TOOLS IS NATIONWIDE

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, the police dog as an effective law-enforcement tool is a well established fact. During the last 6 years there has been a tremendous growth of interest by cities using the dogs as an aid to regular law enforcement officers. For more than a hundred years the London, England, metropolitan police have used police dogs in carrying out their duties. The record of the London police force and its K-9 corps is an outstanding one.

However, many people do not realize that dogs have been used as law enforcement aids for thousands of years. More than 1,000 years before Christ records are found that the Egyptian armies used dogs as messengers and guards. The Romans were familiar with the methods of effectively utilizing dogs as law-enforcement tools.

During the 18th century, the French Government used dogs to guard the docks at their various ports. The Paris metropolitan police adopted the use of dogs as early as 1895.

Mr. Speaker, in the United States, within the last 6 years, since the city of Baltimore began their K-9 corps, more than 40 city and county police forces have adopted K-9 corps. According to the Journal of Criminal Law, Criminology and Police Science, in their September–October 1961 issue, the following cities, States, and counties use police dogs as law enforcement tools:

Sacramento, Calif.; Bridgeport, Conn.; Hartford, Conn.; Milford, Conn.; Norwalk, Conn.; Miami, Fla.; Indianapolis, Ind.; Lexington, Ky.; New Orleans, La.; Baltimore, Md.

Also Ocean City, Md.; Cumberland, Md.; Mt. Ranier, Md.; Birmingham, Ala.; Brentwood, Mo.; Kansas City, Mo.; Springfield, Mo.; Overland, Mo.; St. Louis County and City, Mo.

Also, Newport News, Va.; Richmond, Va.; Washington, D.C.; Clifton, N.J.; Trenton, N.J.; Santa Fe, N. Mex.; Rochester, N.Y.; Buffalo, N.Y.; Cincinnati, Ohio; Tulsa, Okla.; Lancaster, Pa.; Reading, Pa.; Wilmington, Del.; Atlanta, Ga.

Also, Denver, Colo.; Houston, Tex.; Minneapolis, Minn.; Philadelphia, Pa.; St. Paul, Minn.; Salt Lake City, Utah.; Alexandria, Va.; Montgomery County, Md.; Prince Georges County, Md.

Also, the State police in Delaware, Maryland, Michigan, and Virginia.

Mr. Speaker, in surveying these cities, counties, and States that have used police dogs, it was found by the Journal of Criminal Law, Criminology and Police Science that none of the agencies had plans to reduce their K–9 Corps or to eliminate their K–9 programs. However, 16 of the affected agencies were planning expansion programs. Additionally, most of the cities using police dogs experienced an initial sharp reduction in crime rates after the introduction of K–9 Corps. For instance, Col. O. D. Garton, chief of police, Richmond, Va., said the reduction in Richmond crime in 1958 amounted to 20 percent while the national rate of crime was rising some 13 percent. He attributed this sharp decline to the use of police dogs.

Here in the District of Columbia, after studying the methods of the Metropolitan Police Department of London, England, the use of police dogs was begun in December of 1959. In fact, the trainer of the dogs used here in the District of Columbia is an Englishman, a Mr. Terence Cahill. Police dogs have been very effectively used in the District. In May of 1962, Washington, D.C., Metropolitan Police Chief Robert D. Murray said, in testifying before the subcommittee of the House Committee on Appropriations, in reply to a question:

> I am very enthusiastic about the canine program. I think they are a very strong deterrent to crime, and they are also very good in apprehension.

Besides the large number of cities and counties that use police dogs, the military training development of dogs as law enforcement tools is well known. Mr. Speaker, less well known is the use of dogs by private industrial firms and department stores. For instance, Macy's department store in New York City has used dogs since 1952 and they have experienced no losses of merchandise due to break-ins during this period.

There is wide public acceptance of the use of dogs as law-enforcement tools. In the 1960 research report of the U.S. Conference of Mayors, a number of cities commented on the success of their K–9 program. Here is what the chiefs of police of six police departments had to say about their K–9 corps:

> [From research report, U.S. Conference of Mayors, March 1960]
>
> Baltimore, Md.: "During first 7 months of 1959 our K–9 corps made 477 arrests, responded by radio car to 2,295 calls and searched 180 buildings and 13 wooded areas. Included in overall arrest figures were 263 disorderly conduct, 49 for assault, 21 for larceny, and 13 for assaulting an officer."
>
> St. Paul, Minn.: "The experience has been so good we are adding another dog to supplement our small present K–9 corps of three dogs, their officers, and keepers."
>
> St. Louis, Mo.: "The K–9 division provides a special striking and crime deterrent force, to assist police districts in suppressing crime and to make available the services of trained man-dog teams to detect and search out the law violators."
>
> Springfield, Mo.: "The experience has shown that dogs have a definite psychological effect. The dogs have proven very successful in assisting in the search of large areas and thus reducing the number of police officers and time necessary for such work. They also have been helpful in finding lost persons and in apprehending fleeing criminals."
>
> Salt Lake City, Utah: "The general public has accepted this program wholeheartedly and the press has been most cooperative. The entire program has had the desired effect as an aid in deterring crime, and lawlessness within the city."
>
> Philadelphia Park Police: "The most important aspect of our dogs as aids to guards has been the deterrent factor in crowd and crime control."

Mr. Speaker, it has been proven in more than one city that the dogs have been especially effective in control of riots. By the wide use of dogs, one can readily see there is nothing remiss in the fact that the Birmingham Police Department has used police dogs in quelling the riots and demonstrations there. I think it is a real tribute to the competence and skill of the Birmingham Police Department that there has been no serious injury to any of the rioters or demonstrators in the more than 30 days of riot and demonstration activity. The use of dogs in Birmingham was effective in controlling the tense and dangerous situation.

It is apparent, from the wide public acceptance of police dogs and their effectiveness as deterrents to crime, both in fact and psychologically, that more and more cities will adopt the use of dogs in the future.

THE LATE MARTIN D. YOUNG OF RANDOLPH, MASS.

Mr. BURKE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE. Mr. Speaker, may I take this opportunity to bring to the attention of the Members of the U.S. Congress the sad news concerning the passing of a fine citizen from my congressional district. I take leave to include an article that appeared in the Brockton Daily Enterprise reporting the death of Martin E. Young, of Randolph, Mass., in his 68th year.

Martin E. Young had a full life in the service of his country, State, and local community. He devoted a lifetime in the service of his fellow man. A pioneer in the Democratic Party which he loved, he served in the great and General Court of Massachusetts with distinction and honor. He was loved and respected by all. Martin Young was affectionately known as "Mr. Democrat." He was a fine person, a patriotic citizen, and an inspiration to public officials like myself who benefited by the fine record he had in public and private life. The task of campaigning by young Democratic office seekers was made easy as the result of the groundwork done by Martin E. Young. My deepest sympathy goes to his beloved wife, Mrs. Lucy M. (Sillitoe) Young, a son, Eddy C. Young, and two daughters, Mrs. Dorothy Barmakian and Mrs. Sally Yourkewicz, all of Randolph, Mass.

The article reads as follows:

MARTIN E. YOUNG, PROMINENT RANDOLPH RESIDENT, DEAD—TOWN OFFICIAL WAS 67 YEARS OLD

RANDOLPH.—Martin E. Young, one of Randolph's most respected and civic-minded citizens, died Sunday at the Goddard Hospital after a short illness. He was in his 68th year.

He was born in Randolph and was a lifelong resident. As a young man he was well known as an athlete and in later years managed Randolph baseball and basketball teams.

Mr. Young was the head of the E. C. Young Co., Inc., which he took over from his father. In addition to the responsibilities of his own company, he served in almost every town office. He was a Randolph selectman, a member of the school board, a town meeting member, and on the planning board. He was currently serving on the water board. From 1932 until 1936 he represented the town of Randolph, Avon, and Holbrook in the State Legislature.

Earlier this year he was honored by the Randolph Democratic Town Committee as "Mr. Democrat" of Randolph and was guest at a banquet in his honor. Included in his wide list of activities were memberships in the Randolph Elks, Rotary, and Lions Clubs. He was a vice president of the Randolph Cooperative Bank and a director of the South Shore National Bank. Mr. Young was also a director of the Massachusetts Electric Co.

He was a member of the Randolph VFW and a past commander of the Lieutenant Thomas W. Desmond Post 169, AL. The Legion rites will be held tonight at 7:30.

Surviving are his widow, Mrs. Lucy M. (Sillitoe) Young, a son, Eddy C. Young and two daughters, Mrs. Dorothy Barmakian and Mrs. Sally Yourkewicz, all of Randolph. Also surviving are his stepmother, Mrs. Ena Young of Norwood, and eight grandchildren.

Funeral will be Wednesday from the Cartwright Funeral Home, 419 North Main Street, with services at the First Congressional Church at 2 p.m. Interment will be in Central Cemetery, Randolph, with Rev. Arthur Bowler, pastor of the First Congregational Church, officiating.

KREBIOZEN

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WEAVER. Mr. Speaker, throughout the controversy on the drug krebiozen and its use for cancer patients there has been a failure to analyze the facts. Any drug used for human consumption should be properly identified and labeled. This the sponsors of krebiozen have refused. Any drug used for a specific disease such as cancer should be investigated thoroughly, and the information by the researchers made available to other medical scientists. This the sponsors of krebiozen have refused to do.

It is my understanding that attempts at chemical analysis of this drug have revealed that krebiozen so-called was put in a mineral oil base and in such a small amount that it could not be detected in the mineral oil. Many of the cases that have been said to be relieved by this drug have not been clearly identified as cancer victims.

The Food and Drug Administration of the Department of Health, Education, and Welfare has carefully been the watch dog for medicines placed on the market in the United States. If it were not so, the drug thalidomide would have been placed on sale and many unsuspecting mothers would have deformed their unborn babies such as happened in Europe. Checks and investigations are necessary to prove that drugs are nontoxic, safe, and will do the job that their sponsors claim.

In my opinion the Food and Drug Administration has fairly warned the sponsors of krebiozen that they must submit to the normal investigative procedures if they are to continue in interstate distribution of the drug. It is my understanding that these sponsors have failed to do this. When sponsors of drugs fail to identify the chemical ingredients and fail to submit their previous research they are opening themselves to the suspicion of unfair profiteering on human suffering.

I urge the users of this drug to exert their influence upon Drs. Durovic and Ivy to submit to the ordinary discipline expected of any medical researcher in the appraisal of his scientific work. Unless the sponsors of the drug comply, they can be charged with being unfair to the American people and suspect of exploiting human sufferers of cancer for profit motives.

Any medical researcher with scientific experience freely interchanges his knowledge from his studies with his colleagues. This is basically understood by all. However, the sponsors of krebiozen put themselves above this, and have never properly revealed the composition of the drug.

I congratulate Dr. Frances O. Kelsey and the Food and Drug Administration for their efforts to protect the public against indiscriminate use of unproven drugs in the United States.

As part of my remarks, I include the following two statements which I have received from the Department of Health, Education, and Welfare:

STATUS OF KREBIOZEN AFTER JUNE 7, 1963

The Department has received inquiries whether the drug krebiozen will continue to be available after the investigational drug regulations, issued under the amendments passed by Congress last year, become effective on June 7. The answer depends on action to be taken by the sponsors of the drug.

Drs. Ivy and Durovic, the sponsors, were specifically advised by letter of January 31 that if they are to continue interstate distribution of the drug for investigational use, they are required by law to submit before June 7 their plan for continued investigation. This requirement is precisely the same that is applicable to all other drugs now in the investigational stage, and is designed to assure that such studies will be conducted by adequately qualified persons and in accordance with accepted scientific standards.

The Department will review any plan submitted by the sponsors of krebiozen and give them its comments as promptly as possible, but until such a plan is submitted there is no action the Department can take looking toward continued availability of the drug for investigational purposes after June 7.

The plan required by June 7 is a plan for continued investigation by nongovernmental experts. The acceptability of such a plan does not require that the Department be satisfied that krebiozen is effective in the treatment of cancer. What is required is that the sponsors present to the Department information about how krebiozen is made and controlled to assure its identity, strength, quality and purity, the information available from animal studies as to its toxicity, what results have been obtained from the past clinical investigations, and what the program for continuation of the investigation will be. To be acceptable, this program will have to establish conditions for safe use of the experimental drug by experts qualified as clinical investigators in the field of cancer chemotherapy. The regulations do not permit the commercial sale of investigational drugs.

The requirement of an investigational plan is unrelated to the proposal that the efficacy of krebiozen be tested by the National Cancer Institute. For the purpose, among others of facilitating a decision on whether such a test should be undertaken, an effort is now being made by the Department, with the cooperation of the drug's sponsors, to assemble complete medical records of cases which have been treated with krebiozen. When the records are available, a scientific evaluation of the data will be made. The decision on whether a test by the National Cancer Institute is justified must await this evaluation. It cannot be made by June 7.

REPORT ON THE CURRENT STATUS OF KREBIOZEN

Shortly after Dr. Kenneth M. Endicott became Director of the National Cancer Institute in July 1960, he met with Drs. Andrew Ivy and Stevan Durovic to discuss the possibility of a National Cancer Institute test of this drug. Drs. Ivy and Durovic agreed to analyze their data accumulated during the investigational study of the drug and to present the analysis to Dr. Endicott. Dr. Endicott agreed to study the report and to decide whether it provided a basis on which the National Cancer Institute could sponsor a clinical trial.

In April 1961, during the pendency of a libel suit between Dr. Ivy and Dr. Stoddard in the northern district of Illinois, District Judge Miner concluded that he could not decide the case without deciding whether krebiozen had any merit as a cancer treatment. He wrote to Dr. Endicott asking that the Department undertake an evaluation of the drug.

Secretary Ribicoff replied with a detailed statement of what would be needed to enable the Department to appraise the drug as a cancer treatment. Briefly, Judge Miner was told that we would have to have complete information about composition, how and where the drug was made, the controls exercised to assure its safety and effectiveness, the analytical methods available to control its composition, and full information about all of the claimed cures. Secretary Ribicoff's letter indicated that, since the drug had been used for a considerable period of time under an investigational use label, it had had a comprehensive human test, and that the records should show whether or not the drug had any merit in the treatment of cancer. He told the firm that the Department would have to have full documentation on each claimed cure, including the diagnosis (with biopsy), treatment given before and after krebiozen, details of krebiozen treatment, and the basis on which it had been concluded that krebiozen was effective.

On September 29, 1961, Drs. Ivy, Durovic, and Pick brought to Dr. Endicott (1) a voluminous rough draft report, (2) a manuscript to be considered for publication in the Journal of the National Cancer Institute, and (3) two small vials containing minute amounts (considerably less than the 10 milligrams they claim to have delivered) of a whitish material which was said to be krebiozen.

The manuscript was submitted to the editorial board of the Journal of the National Cancer Institute, and the vials were delivered to chemists for analysis. The editorial board rejected the manuscript on the ground that it did not meet established standards for publication in the Journal. Dr. Andervont wrote to Dr. Ivy on December 1, 1961, explaining the reasons for the rejection.

The analysis of the report and of the material in the vials required some months. On March 7, 1962, Dr. Endicott wrote to Drs. Ivy and Durovic detailing the inadequacies in the data and requesting additional information.

The next the Department heard on this was a letter from Dr. Ivy which was placed in the CONGRESSIONAL RECORD on July 20, 1962. A copy of this letter was delivered to Dr. Endicott's office on July 17, 1962. This letter challenges many statements in Dr. Endicott's letter of March 7, but it does not present any additional scientific data. Nothing that has been submitted to the National Cancer Institute, or has otherwise come to the Department's attention, lends, in our judgment, any scientific support to the claims published in the CONGRESSIONAL RECORD (vol. 108, pt. 11, p. 14287) under the heading "Improvement, Objective, and Subjective in 35 Tumor Types (Organ Groups) Treated with Krebiozen."

For some time krebiozen has been promoted and sold as a cancer remedy. On November 29, 1962, Commissioner Larrick, of the Food and Drug Administration, received a voluminous promotional piece for krebiozen, which includes the chart reproduced in the CONGRESSIONAL RECORD and claims that substantially all forms of cancer yield to Krebiozen therapy in a significant percentage of cases.

There is no license or approved new drug application for this product. Its sale without a license is prohibited by the biological control provisions of the Public Health Service Act. It is being distributed ostensibly for investigational use on human patients. That there has not been compliance with the regulations for the investigative use of drugs is evident from the fact that the records required to be kept and made available are not available.

The National Cancer Institute has stated that it cannot help to resolve this long-continued controversy without the scientific evidence on which the claimed merit of krebiozen rests. The Institute cannot design a clinical study and ask volunteers to submit to this drug without dependable information about how it is made, standardized and controlled, and without substantial evidence from preclinical studies to establish its safety and clinical evidence from the 12 years of its widespread use for investigational purposes to support the idea that the drug may possibly have merit in some types of cancer. This is the information which Drs. Ivy and Durovic were asked to supply by Dr. Endicott's letter of March 7.

The basic difficulty is that Drs. Ivy and Durovic either cannot or will not supply this necessary information. Perhaps to some extent they do not have it, but are relying on second-hand reports about the action of the drug. In their letter, which appears in the CONGRESSIONAL RECORD, they suggest "that the National Cancer Institute obtain the services of other Federal agencies with legal authority and power to secure this information from hospitals and physicians who have refused to give it to us."

The Food and Drug Administration and the Division of Biologic Standards of the Public Health Service are conducting an appropriate investigation to obtain the medical records of patients designated by Drs. Ivy and Durovic. They have asked Drs. Ivy and Durovic to cooperate by giving the names and addresses of treated patients and of the physicians who know about their cases. While the letter of July 17 states that the promoters of the drug have case reports attested to by licensed physicians, no such reports have yet been submitted to the Department.

The objective of our investigation is to learn the full details on the manufacture, standardization, and control of krebiozen; to obtain adequate samples for analysis; and to examine the complete reports on treated patients to arrive at a conclusion whether there is any scientific evidence to support the design and execution of a clinical trial. The investigation also will determine whether the drug is being distributed in accordance with the applicable regulatory laws.

If the drug is to continue to be sold, it will have to be licensed by the Public Health Service or approved as a new drug under the Federal Food, Drug, and Cosmetic Act. If it is to be continued as a drug for investigational use on human patients, it will have to comply with the requirements promulgated in accordance with the Kefauver-Harris drug amendments of 1962. These regulations provide that for drug investigations that were under way on August 10, 1962, the sponsor of the investigational program has 120 days from February 7, 1963, to gather and present to the Department the necessary information about the composition and identity of the drug, its preclinical investigations, the plan and results of clinical investigations carried out thus far, and a rational plan for the continuation of such investigations. These requirements are explained more fully in the attached statement on "Status of Krebiozen After June 7, 1963."

MORE DEFENSE BOONDOGGLING

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, the Navy Department is directly violating the provisions of the armed services procurement regulations. Specifically, it is violating the terms of A.S.P.R. 1.1003.3(a) (2), a regulation that was changed March 1, 1963, to comply with a request I made October 1, 1962.

I am here today to report to my colleagues that the Navy Purchasing Office, which is headed by Capt. C. A. Appleby, is completely ignoring this regulation; is continuing to operate in secrecy and out of the public view; and is constantly spending more of the taxpayers' money than need be.

On April 9, 1963, a full month after A.S.P.R. 1.1003(a) (2) was effective, Captain Appleby caused to be issued invitation for bid 600-892-63-S. In violation of regulations, he ignored his responsibility to announce the names of the firms which were to participate in the procurement. In so doing, he deprived hundreds of small manufacturers the opportunity to participate in the procurement on a second-tier level as subcontractors and subsuppliers.

Nor is this the only instance of violation of armed service procurement regulations that I have found in Captain Appleby's jurisdiction. I have made official inquiry into the Department of the Navy to ascertain the status of procurement of several other items being bought by the two-step procurement method. Procurement regulations were changed March 1 in so-called two-step procurements. These are purchases where companies are allowed to submit technical dissertations on equipment with the best companies, based on the strength of their dissertations, allowed to bid for a production contract. It is now the duty of the purchasing activity to announce the successful manufacturers competing for the contract. I mentioned this change in a floor speech on May 6, 1963. Those who are supposed to follow the change, however, continue as though they do not know the change exists. Something must be done.

Mr. Speaker, it simply makes my blood boil to see what happens in the Department of Defense between decision and implementation. I suggested a change to the Secretary of Defense. The regulation I named was changed to correct a glaring deficiency. But, when I follow up to see how the middle-grade civil servants and military officers do what they are told, I find them ignoring the new regulations as though they did not exist.

I want to assure my colleagues that I intend to pursue this matter relentlessly to guarantee better procurement practices and the proper implementation of policy and regulations by those in government who have the responsibility and the authority. If the Navy and Defense Departments will not bring these people to task, then it may well be time for the Congress to take drastic action to clean house for them.

DEMONSTRATIONS IN BIRMINGHAM

Mr. ROBERTS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an editorial and a letter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS of Alabama. Mr. Speaker, many persons outside of Alabama do not understand that recent outbreaks of violence in Birmingham have been caused primarily by public demonstrations in violation of local law and in defiance of a State court order. There has been no breakdown of local authority, and no violation of Federal law. So there is no justification for Federal interference in Birmingham.

I wish to put into the RECORD a copy of a letter I sent to the President on May 13 on this matter.

I also wish to put in the RECORD a copy of "A Telegram to the President," from Clarence B. Hanson, Jr., publisher of the Birmingham News, and printed on the front page of that newspaper on May 7—before the biggest and most provocative of the public demonstrations.

I call particular attention to Mr. Hanson's reminder to the President about the little-publicized statement of Father Albert S. Foley, chairman of the Alabama Advisory Committee of the U.S. Commission on Civil Rights. Father Foley, noting that Birmingham's new mayor, Albert Boutwell had pledged to help local white and Negro leaders establish "communication and actual results," said:

> I now call on Dr. (Martin Luther) King again, in the name of properly, peacefully achieved civil rights for all citizens, Negro and white, to do his part to bring about an end to the disorder in the streets and give Birmingham citizens, Negro and white, their opportunity to achieve the ends that Mr. Kennedy has set forth.

Texts of my letter and Mr. Hanson's telegram follow:

[From the Birmingham News, May 7, 1963]

A TELEGRAM TO THE PRESIDENT

DEAR MR. PRESIDENT: Birmingham expects that you as President of all the people will use your Office to encourage maintenance of law and order at all times.

Demonstrations have been unleashed in Birmingham by an organization which seems deliberately intent, having created open turmoil, on continuing it indefinitely.

Mr. President, if these were white marches, demonstrations, open defiances of uniformed law officers, we believe your administration would have taken vigorous action to discourage them.

Law and order, Mr. President, have been kept by local police and sheriff's departments. It is our expectation that this can be continued. But the strain is great daily. The way to eliminate such threat of violence is to prevent large crowds gathering. Police may contain the crowd, and have contained it. But the source of the demonstrations needs attention.

Mr. President, daily we risk peril of grave injury or even death.

The white community and Negro community do not want this to happen. Citizens of Birmingham believe it would grieve you deeply if injury or death should result—particularly to Negro schoolchildren who are being cynically used in this needless day-after-day provocation.

But, Mr. President, Negroes are gathered, are excited by speeches, and then are sent boldly into the streets where they openly taunt police and provoke not only the white community but the very law itself.

If serious injury or death should result, Mr. President, you would certainly then ask yourself whether everything had been done, in advance, to have prevented it.

We ask you, sir, to use the influence of your Office to end this open law violation and provocation.

The Attorney General of the United States himself has said that these demonstrations are ill timed. He has said repeatedly that law, that court orders, must be sustained. Responsible citizens here share that feeling, be the law Federal, State, or local. They believe law should apply equally to white and Negro.

Attorney General Kennedy has said that questions of justice should be settled in court, not in the streets. We agree. We are sure you do also.

We ask only that in Birmingham the same rule of law be applied equally to Negro and white. On that all men of honor profitably may stand. White respect for law, however, is assuredly damaged when Negroes seem with relative impunity to be able to foster open law defiance.

Mr. President, responsible whites of Birmingham understand that the other side of this coin is that they shall, themselves, take action to redress complaints of Negroes.

The U.S. Attorney General has noted publicly that such action now is in motion. He acknowledged publicly that "the elected mayor, Mr. Boutwell, already has made clear his intention to resolve the difficulties facing this community."

Mayor Boutwell is now awaiting only a final State supreme court decree to settle a legal issue as to when the newly elected city government will be seated. You will understand, Mr. President, his necessary desire to be certain, through the courts, as to his full authority before taking action.

On a television broadcast, Mayor Boutwell said, "When we are in undisputed authority we will give immediate and determined attention to resolving the difficulties that face us." He said local white and Negro leaders "can establish understanding, communication, and actual results."

"Actual results," Mr. President—isn't that what you as Chief Executive and what responsible Negroes want, "actual results?"

Father Albert S. Foley, Chairman of the Alabama Advisory Committee of the U.S. Commission on Civil Rights, has said without qualification that demonstrations impede sincere effort toward solution. He has said:

"Mayor Boutwell has made his move. I now call on Dr. [Martin Luther] King again, in the name of properly, peacefully achieved civil rights for all citizens, Negro and white, to do his part to bring about an end to disorder in the streets and give Birmingham citizens, Negro and white, their opportunity to achieve the ends that Mr. Kennedy has set forth."

That is the picture today, Mr. President. But apparently if there is to be order, and respect for law, and proper procedure through the courts as well as sincere white effort to meet this problem cooperatively, you, sir, must be the one to bring it.

Those who cause these demonstrations have ignored everyone else.

The basis for a solution already exists. This condition can only be jeopardized by continued open-street tumult.

Mr. President, it is our sincere belief that you, too, have a responsibility for this crisis. We recall that in the past some of these same demonstration leaders have met with you, presumably to discuss their problems and their goals.

Sir, what further you may do necessarily is the private judgment of the President of the United States. But may we now, most respectfully, ask that you consider whether your further counsel with Negro leaders of such demonstrations could serve a vital national and Birmingham objective.

Mr. President, our aim is the restoration of domestic tranquility, cessation of open disruption, and provision of a basis for calm negotiation toward concrete results which will answer legitimate complaints of Birmingham Negroes.

That, sir, is an honorable objective—for us and for you.

Respectfully,

CLARENCE B. HANSON, Jr.,
The Birmingham News.

WASHINGTON, May 7.—The White House said today it had received Birmingham News Publisher Clarence B. Hanson's telegram. A spokesman said there would be no comment.

MAY 13, 1963.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: I seriously question the legal authority of the Federal Government to intervene in the Birmingham, Ala., situation.

What has happened, other than in a matter of degree, which makes the present situation a legal one for Federal interference when you, Mr. President, so forcefully stated at your press conference a few days ago that no Federal laws were being violated? Although there was a most serious outbreak of violence on Sunday morning, the same overall situation still prevails.

I am not an expert in matters of constitutional law, but I have checked with legal authorities and I am told that unless there is a breakdown in representative government, the Federal Government cannot step into a State or local situation. There has been no breakdown of local authority. Action has already been taken to apprehend the bomb throwers. Most observers have praised the self-restraint and the calm and deliberate judgment used by the Birmingham and Jefferson County police officers.

Governor Wallace has stated that he stands ready to send in sufficient law officers to back up the efforts of the local peace officers. The local citizens of Birmingham, together with the leaders of the Birmingham Negro community have worked together in harmony and cooperation to iron out the differences and achieve some peaceful settlement of the situation. Clearly there is no justification for Federal interference in this situation.

It seems clear that the professional outside agitators are seeking Federal interference as an easy way to their objectives. It seems to me that the administration will be doing everything in its power to nullify a peaceful settlement if it moves in Federal troops.

I, therefore, urge you to remove any threat of the use of troops in this situation.

Respectfully yours,

KENNETH A. ROBERTS.

HOUSE JOINT MEMORIAL 15, STATE OF OREGON, ON GRAIN PRICE LEVELS

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DUNCAN. Mr. Speaker, on behalf of the gentlewoman from Oregon [Mrs. GREEN] and the gentleman from Oregon [Mr. ULLMAN] and myself, I wish to place in the RECORD a certified copy of House Joint Memorial 15, adopted by the 52d Legislative Assembly of the State of Oregon, now in session. This memorial addresses itself to the problem of establishing and maintaining stable and equitable price relationships among various grains and among the major grain-producing and grain-feeding areas of the Nation. I am pleased to bring this matter to the attention of the House:

HOUSE JOINT MEMORIAL 15

(Introduced by Representatives McKinnis, Flitcraft, Hansell and Senators Hopkins, Leth)

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas the livestock and poultry feeding industries are a vital and integral part of the economy of the State of Oregon and of the United States of America; and

"Whereas the ability of these grain-feeding livestock and poultry industries to survive and prosper in any area is heavily dependent upon the prices of grains in each and every other major grain-producing and grain-feeding area of the country; and

"Whereas through the years Federal grain programs have failed to stabilize grain price levels and relationships and have penalized some grain-feeding areas while benefiting others; and

"Whereas grain price levels and relationships are subject to modernization and are largely manageable by the programs authorized by the Congress and administered by Federal agencies; and

"Whereas grain feeders for many years have been unable to use wheat as a feed due to the relatively low prices of corn and milo: Now, therefore, be it

"Resolved by the Legislative Assembly of the State of Oregon:

"(1) The Congress of the United States is urged to (a) keep under constant scrutiny the grain price levels and relationships resulting from administrative regulations and practices of Federal agencies operating grain programs authorized by the Congress; and (b) retain or enact legislative provisions necessary to establish and maintain stable and equitable price relationships among the various grains and among the major grain-producing and grain-feeding areas of the Nation.

"(2) The secretary of state shall send a copy of this memorial to the President of the U.S. Senate, the Speaker of the House of Representatives of the United States, to each member of the Oregon congressional delegation and to the Secretary of the U.S. Department of Agriculture."

TECHNICAL ASSISTANCE TO DESEGREGATED SCHOOL DISTRICTS

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, on February 28, 1963, in a compelling and eloquent address to the Congress relative to civil rights, the President recommended a program of Federal technical and financial assistance to aid school districts in the process of desegregation in compliance with the Constitution.

Today I am introducing a bill which will allow the Commissioner of Education, upon the request of State or local educational agencies, to provide technical assistance in the preparation, adoption, and implementation of desegregation plans. This assistance could include the loan of Office of Education or other personnel specially equipped to assist in meeting educational problems occasioned by school desegregation, as well as the provision of information regarding methods of coping with such problems.

The bill would authorize the Commissioner, upon request of a local educational agency, to pay part of the cost of first, providing in-service training to its teachers, supervisors, counselors, and other personnel to better equip them to deal with special problems occasioned by desegregation of its public schools; and, second, employing school counselors and other specialized personnel the need for which is directly occasioned by the desegregation process. To qualify for such financial assistance, the local educational agency must show that the lack of such training and personnel is seriously impeding its efforts to desegregate and to cope with the accompanying special educational problems, and must also show that it needs Federal assistance to meet its special training and personnel requirements.

The bill would further authorize the Commissioner of Education to arrange, through grants or contracts, for the operation by institutions of higher education of facilities offering special training to improve the ability of teachers and other elementary or secondary school personnel to meet effectively the special educational problems occasioned by school desegregation. Stipends could be paid to individuals attending these institutes.

The purpose of this bill is to help facilitate the transition to desegregation in those areas which are conforming or wish to conform their practices to the law of the land. This transition for many areas is an enormously difficult one. Old traditions, incompatible with the Constitution and the national consensus, are crumbling. To supplant these unacceptable customs with constitutionally supportable practices is a feat needing encouragement, desire, and technical knowledge relative to the specific problems. This bill would make available the technical knowledge which would facilitate this transition.

Many of our Nation's communities lack the financial and personnel resources necessary to eradicate segregation in their public schools while at the same time assuring that educational standards will be maintained and improved. Furthermore, the problem has been compounded by a climate of mistrust, misinformation, and misunderstanding in many localities which has left many school officials with no qualified source from which to secure valid information and advice.

There is an existing need for technical assistance to assist local communities in preparing and implementing desegregation plans. This should include the dissemination of information on means which have been successfully employed to desegregate schools thus far. There is, also, an existing need for financial assistance to enable those localities which desire and need such assistance to employ specialized personnel, such as counselors, to cope with difficulties occasioned by desegregation and to train school personnel to ease the transition period. Some facilities for providing this type of assistance exist presently in the Office of Education, however, they are not adequate to the task.

Mr. Speaker, I request that this bill be assigned to the proper committee, where I hope it will receive early consideration and a favorable report.

PRESIDENT EISENHOWER'S ARTICLE ON SPENDING

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, former President Eisenhower has written an article on spending in the current issue of the Saturday Evening Post which deserves the study of all Americans.

His statement that "spending for spending's sake is patently a false theory" and that "no family, no business, no nation can spend itself into prosperity" is plain commonsense.

Further, former President Eisenhower makes clear the all-important distinction between a temporary and a "planned" deficit.

I commend his article to the Members of the House and include it in the RECORD following my remarks:

SPENDING INTO TROUBLE

(By Dwight D. Eisenhower)

I have no desire to be an alarmist. However, the time has come when my sense of duty as a citizen demands that I speak out bluntly regarding what I believe to be a clear danger which could threaten our free way of life and our security as a nation. That threat is the determined effort of our current political leaders to commit the United States to a risky, highly experimental fiscal adventure, based on a questionable theory which I call spending for spending's sake. That policy, which fails to heed the plain lessons of history, now has been unveiled in what I consider a vast, reckless scope, calling for a larger-than-wartime budget, a deep tax cut and a deliberate plunge into a massive deficit. Let us review the principal figures briefly: a budget of $98.8 billion, which actually calls for new obligational authority of about $108 billion; a tax cut estimated to reach over $10 billion a year by 1965; and an estimated deficit of $11.9 billion for fiscal 1964—on top of a current one of $8.8 billion—with further planned deficits extending into 1967, if not longer. The administration's theory, based on the so-called new economics it professes, is that in the long run the tax cuts would stimulate our economy enough to offset the immediate losses in revenue. My first reaction to these proposals was one of amazement—and no doubt many other Americans reacted the same way. What can those people in Washington be thinking about? Why would they deliberately do this to our country? I asked myself.

My concern is not merely with the vast amounts involved but what I firmly believe to be a foolhardy disproportion between income and outgo, plus the willingness of the policymakers to gamble on a grand scale with our economic lifeblood. Such a fiscal policy is bound to transfer more and more of the economic decisions of the country into the hands of the Federal Government: A greater share of our national endeavor will be directed by politicians and bureaucrats instead of by the millions of businessmen, shopkeepers, farmers, bankers, and workers whose composite daily judgments traditionally have determined the bread-and-butter activity of our country. To my way of thinking, it is obvious that the new economics out of which the administration has drawn its plans is not new at all; in the end it can be nothing more than the age-old shot-in-the-arm inflation, dressed up in fancy modern terms. It is the irresponsible, easy road of debt, a road which through history has lured nations to financial misery and economic disaster.

Of course, there is far more to our national life than dollar signs, debits, and credits, but at the same time the fiscal policies of the Government reflect its basic philosophy in the exercise of power—and few Federal powers have more direct daily impact on the citizens than the Government's authority to tax and spend. Nowhere is there greater need for restraint and careful balance if we are to maintain sound self-government. As usual, the would-be spenders have prefaced their requests for more money, more borrowing with noble-sounding statements that they have only the welfare of the country in mind. Well, I am not questioning their motives or their sincerity, but I have serious doubts as to their judgment and their sense of proportion. We might well ponder a quotation from the late Supreme Court Justice Louis D. Brandeis: "Experience should teach us to be more on our guard to protect liberty when the Government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evilminded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding."

Let me emphasize that I am not writing as a partisan. Responsible government is not a partisan issue and I would be just as alarmed if a Republican instead of a Democrat leadership were attempting to embark on such a fiscal program as the one now before Congress. No party doctrine is necessary to tell us that if the present generation keeps passing its bills to the next one, our children and grandchildren will inherit not a free country, bright with opportunity, but a vast wasteland of debt and financial chaos. Republicans and Democrats alike—even our smattering of Socialists—will suffer if our present trend takes the country into debt beyond the point of no return and plunges us into a spiral of increasing Federal powers over our purses, our jobs, and our lives.

The Federal Government's financial affairs are immense and complex, but their sound management is not a mysterious art; in fact, they are subject to the same time-tested rules as those followed by any farsighted householder or businessman. A wise family or a well-run enterprise makes a practice of spending less than it takes in; in good years the family builds up savings for its future needs, for sending the youngsters to college, for meeting possible emergencies such as ill health or unemployment; a business builds up reserves for carrying itself safely over poor years and for expansion and investment in new opportunities. This is simply commonsense. As Abraham Lincoln once wrote: "An individual who undertakes to live by borrowing soon finds his original means devoured by interest and next, no one left to borrow from—so must it be with a government."

Now I know that the economic theorists who advocate Federal overspending deride this analogy, having convinced themselves that normal financial laws don't apply to a nation. They tell us that a $300 billion national debt and interest costs of $10 billion a year are nothing to worry about. They imply that we can go on indefinitely mortgaging ourselves without impairing the Nation's credit. What counts, they claim, is the relationship between the debt and the gross national product—the total value of goods and services our country generates, a figure that ran $554 billion last year. As long as the debt doesn't grow out of proportion to the gross national product, they believe, the country will remain in sound financial condition. But what they don't point out is that nobody really knows where this theoretical peril point might be—how much leeway a nation actually can count on. Also they trot out the old cliché that the national debt can never become a problem, because, "After all, we owe it to ourselves." They speak of planned national deficits as an investment in the future.

Such justifications have a way of sounding plausible—just as does the spiel of the high-pressure salesman who wants you to buy something you really can't afford. But so did the theories of certain self-appointed investment experts who told us back in 1928 and 1929 that the country had entered a new era, a new plateau, that the old rules no longer applied to stock prices and the warning signals were meaningless.

I say that the time-tested rules of financial policy still apply. Spending for spending's sake is patently a false theory. No family, no business, no nation can spend itself into prosperity. Any way you look at it, a nation is nothing more than a collection of families—about 47 million of them make up the United States—and it is their money that the Government is spending. They are going to have to carry the increased debt. It is their future that is being mortgaged. And they certainly are not going to be excused from paying in taxes the pyramiding interest charges on that debt. They and their children will pay and pay and pay. In effect, we are stealing from our grandchildren in order to satisfy our desires of today.

Some of the things the spenders fail to tell us are more significant than the doubtful premise on which they base their sales talks. For example, they have neglected to outline any plans for preparing the Nation financially to meet costly national or international emergencies which have a way of popping up without regard to theoretical timetables. Any thoughtful person knows that a household, an enterprise or a nation which has built up a substantial reserve of savings and has kept its credit good has a much greater ability to weather depression or disaster than one which is mortgaged to the hilt. If the United States embarks on a grand spree of debt, how can we ever know that it can safely meet the extraordinary financial demands of a depression or war?

From experience I know the serious burdens imposed on the Federal Government by even a fairly modest recession. For the fiscal year 1959 we had planned a budget of $73.9 billion and were counting on a small surplus. Then came a sudden unforeseen slump in business, causing Federal income to fall more than $6 billion short of estimates; at the same time Government spending was stepped up to $80.3 billion, much of the increase going to pick up additional payments for unemployment compensation. It is right and just for the Government to use its borrowing powers to meet this kind of emergency. But I want to emphasize that this deficit was not planned, and once the crisis was under control we worked as hard as we could to get the budget back into balance as quickly as possible.

The strain of a recession is but a minor headache as compared to the imperative financial demands of war—not an all-out nuclear war, which would be destructive and costly beyond comprehension, but a more likely conventional defense against a probing enemy. Distasteful as such a prospect may be, we know from recent history in the Congo, Korea, Vietnam, and Cuba that we must accept such threats as part of the times in which we live. And we know any sign of weakness could bring a Communist thrust at any time. Even a fairly small test of our strength and will to resist could require us to increase spending quickly and substantially. The question now is: Are we then going to find ourselves in the position of a spendthrift family which has little or no leeway in time of trouble? I am not saying that the Nation would or should fail to meet its obligations. But all of us would feel more comfortable and secure if our national leadership exercised the foresight and self-discipline to balance its budget and to begin paying back something on the national debt. And just to dream a bit, imagine how much better the country would feel if it had no debt at all, but a healthy surplus.

The proponents of the new economics don't tell us, either, that if history has any validity their policies are almost certain to lead us into an eventual cheapening of the dollar and a corresponding rise in the cost of living. If we keep headed in this direction, we may soon have to find a new term, perhaps "dollarette," to describe accurately the buying power of our monetary unit. This doesn't mean that even financial conservatives such as myself believe that the buying power of our money can be held rigidly unchanged, regardless of any consideration. The three wars we have had in this century have had a strong inflationary effect. Not all of this could have been avoided by better governmental management. When I was a boy living on the outskirts of Abilene, Kans., I helped supplement the family income by selling eggs for 10 cents a dozen and milk—good Jersey milk—for 5 cents a quart, and in those years a dollar and "found" was a day's pay for a farmworker.

ROBBERY BY THE GOVERNMENT

We have come a long way in living standards and prices since those days, but the well-being and stability of the country still depend on maintaining our dollar as a fair, reasonably stable unit of buying power. We have the unfortunate example of the post-World War II period when the cost of living virtually doubled and the value of our dollar wasted away. During my administration we faced up to the situation and did our best to fight inflation with historically tested, conservative fiscal policies, realizing that no country, not even one as rich as the United States, can always afford everything it might want. I suppose the new theorists would scornfully call those policies reactionary. But the results speak for themselves. In the 7 years of the Truman administration, the cost-of-living index went up 47 percent. During my terms in office the rise of this cost curve was slowed to only a little over 10 percent in 8 years. I might add that we didn't accomplish all that we hoped—the freespending philosophy has been so deeply seeded into the country's political life that it is a slow process at best to weed it out.

Statistics on the cost of living don't tell the whole story, of course. It is the people, not the figures, which cause me to be so distressed by the fiscal policies that now seem to be espoused by the Federal Government. Were I a younger man, planning for the best possible future for my family and looking forward to eventual retirement, I would bitterly resent the effrontery of the politicians who so blithely plan to experiment with the future value of my savings, my insurance, and my pension. I would call it downright robbery for my Government to decide on policies that are nearly certain to shorten progressively the monetary yardstick so that when I received my annuity or savings I would get "dollarettes"—worth only half or a fourth as much as today's dollars.

In these times the impact of inflation could be even greater than in the past, because we now have something of a pension economy. More and more people employed in industry build their future around pensions, insurance annuities, and social security, rather than on investments in land and other property. If the Government is to keep faith with these people, it will not set out on a course which could make these future fixed incomes virtually meaningless. It is easy to say, "Oh, that can't conceivably happen here. We're going to build a greater prosperity." Well, it has happened time and again in other countries as the aftermath of inflationary policies. You have only to talk to a Frenchman, Japanese, a Greek, or a German who lived through the toboggan ride of devaluation to appreciate its toll on the lives of the people.

During the mild recession of 1954 I had a conversation with Dr. Ludwig Erhard, Minister of Economic Affairs of West Germany, and we were discussing what the Government might do about the situation. Dr. Erhard said, "I beg of you, don't worry about a slight depression. Just worry about inflation. We have lived through both, and we know there is no misery like that of inflation." While I am not prepared to agree that a recession is not serious, we should remember, too, that inflation often destroys more than the financial structure. In Germany it so weakened the moral fiber of the people and so demolished their faith in democratic government that they welcomed the dictatorship of an Adolf Hitler.

Advocates of spending for spending's sake also gloss over the fact that their policies would place increasing power over our lives and our institutions in the hands of a few politicians in Washington. They don't point out that, as a rule of thumb, the people must abdicate their direct responsibilities almost in direct ratio as they let Washington pick up the check. This doesn't mean that there aren't many functions, especially defense, which are rightful responsibilities of the National Government; rather, it emphasizes the need for us to understand what is right and proper for the Federal Government to do, and what isn't. On my desk I keep a handy reminder of this principle, a saying by Abraham Lincoln, who put it this way: "The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do, for themselves, in their separate and individual capacities. If all the people can individually do as well for themselves, government ought not to interfere."

Of course, Government now engages in many activities not considered essential a few years ago. Not long ago, while visiting with the presidents of several privately supported universities and colleges, I became curious as to the extent to which Federal financial power had invaded the campus, and I asked, "What would you do if the Government suddenly ended its research contracts with your schools?"

One president threw up his hands and exclaimed, "Why, we'd have to close our doors. We'd be virtually broke."

Another, heading an old, conservative university, said, "We would be badly hurt, but we've tried to look ahead, realizing that some breakthrough in disarmament might cause the cancellation of many defense research contracts. So we have paid all our key professors and scientists out of our own revenue."

This is one small sample. But it makes clear that at some point we should call a halt to the proliferating use of Federal money—which, after all, is our money—to control a larger and larger segment of our activities, including the very institutions on which our human dignity and freedom are based.

Another aspect of spending for spending's sake which the theorists fail to explore with candor is its possible effect on the value of the dollar in the eyes of the world. We long have been accustomed to unquestioned acceptance of the dollar as the dominant medium of commerce in the free world, but there are troublesome signs, such as the persistent deficit in our balance of international payments and the outflow of gold, which should warn us to be cautious. Many countries carry dollars or short-term dollar obligations as a part of their reserves, and as long as they believe that our fiscal policies are sound and we can and will meet our obligations, they see little reason to ship their dollars back to Washington and ask for gold. However, should this country get into large-scale deficit financing, if we get into an inflationary spiral with increasing production costs so as to shake the confidence of the rest of the free world in our currency, there could be a run on the bank—that is, on our depleted gold reserves. Then there would be great pressure on the apostles of the easy way to say, "Well, we don't need a gold standard. We will now repeal the law requiring our currency to be backed by 25 percent of its value in gold; we can't let an old-fashioned idea like that hobble our progress." And all the brakes on inflation would be off.

Let me emphasize that I don't for a minute believe that we are, as yet, in a precarious position. The dollar still is strong, and I'm sure the world has respect for our immense wealth and financial integrity. However, what bothers me is that we are heading in the wrong direction, and not enough of our people are viewing the matter with the care it deserves. Certainly one of the things not to do is to enlarge our deficit recklessly. What is required is the foresight and moral courage to use our national checkbook with restraint.

I believe in progress; I believe that government has a duty to create and maintain an economic atmosphere in which balanced and constant progress can be realized by the Nation. Indeed, how could any man who has lived through the marvelous development of the United States in this century not believe in the genius of the American people for progress? But I oppose visionary and costly programs placed in operation in the name of progress by the Government.

Many times recently I have wished our schools and our informational media were doing a better job of dramatizing for the American people, especially the younger generation, the vital story of the way in which this country has become strong, rich and powerful in world affairs under the rare climate of freedom and responsible self-government. These are more than pleasant phrases. They represent the unique fulfillment here of an ancient dream of mankind. For us, happily, the dream largely came true. It did so because our forefathers had the opportunity to build their own futures, starting with a great continent of tremendous, unmortgaged resources of land, water, minerals, timber, which an energetic people could shape to their needs without bowing to the restrictive hands of kings, dictators or oligarchs.

This American system, we must remember, is still an experiment and even today is being tested on many fronts. Of this we may be sure: That system's continued success depends on our ability to preserve the values which made it great, on continued freedom to work hard and to exercise our ingenuity—not in impulsively distorting that pattern. That is why I would hope that all of our young people, no matter how well-off their families, might have the experience of earning a living for themselves by their hands and their brains. The science of what I call constructive economics is more easily absorbed by people who have earned their own way than by those who recognize a dollar only as something provided by an indulgent parent.

Let us get specific about the several parts of the administration's tax-budget-debt package. First of all, every well-informed citizen must know by now that Federal taxes are too high, and the whole patchwork system of income taxes is unfair and inefficient. In our free society the primary function of taxes should be the production of enough revenue to meet legitimate Government expenses, not to rig the economy or to support unnecessary governmental programs. Necessary taxes should be collected in a manner that will be fair and just to every individual and will do the least damage to the economy.

By such a definition, we are much in need of a tax cut. I urgently favor one. Present income tax rates, ranging from a low of 20 percent to a high of 91 percent, seriously impair opportunties in our economy, becoming virtually confiscatory in the upper brackets. The men who originally set up our income tax system would be shocked by the rates today and the effect of the system. Recently I read an account of some of the debates prior to the adoption of the graduated income tax in 1913. The opponents argued that if the Government had the right to take 1 percent of an individual's income in taxes, it might in the future have the right to take as much as 5 percent or even 10 percent. The advocates of the tax replied that this was a foolish contention, because any government which attempted to take in taxes that large a share of the people's earnings would face revolution.

We haven't had a revolution, but the longer the delay in cleaning up the tax mess the longer the unfair rates will hold us back and the more difficult reform will become. Personally, I believe that we should lower the rates to the neighborhood of 65 to 70 percent in the top brackets and to 17 or 18 percent in the lowest ones. But that is only one man's opinion. More important than the exact range of the rates is a system which distributes the load fairly. And as a precondition to any reduction in taxes we must have the courage to cut spending. I still insist that the proposed budget is extravagant and can be cut by billions of dollars without harming a single essential Federal function.

The way to get basic tax reform, in my view, is to enlist a group of our ablest citizens to take a long, hard look at our whole tax system and to blueprint a complete overhaul that would get us back to solid ground. Such a group would be something like the Hoover Commission—which was notable for nonpartisan operation—with its attention devoted wholly to reforming our tax structure. It should include people from various walks of life—businessmen, union labor officials, farmers, lawyers, doctors, teachers and economists—even a few of what I call the wild-eyed kind, although they shouldn't dominate. These men would need to be highly public-spirited, because theirs would be a grueling, brain-fagging job. The present tax laws are not a system but a patchwork quilt of laws and amendments, many of them enacted to meet certain emergencies long since passed.

The swollen budget for fiscal 1964 has been defended as the most powerful single tool the Nation possesses to promote economic activity. However, this confidently stated proposition does not square with our economic history and our traditional free enterprise philosophy on several counts. For one thing, sheer weight of Government spending by itself never has been, nor do we want it to be, the principal force in our long-range growth. Certainly it does not produce the self-supporting kind of expansion that has been typical of private investment and development. Government spending does produce activity, of course, and if all we want is feverish activity, we could carry that proposition to its absurd conclusion and let the Government take over all spending. Then everybody would be working for the Government, and we no longer would have a democracy.

The Government formula now given us is: Spend more, collect less, go more in debt. Doesn't this whole proposition put the cart before the horse? If we reduce public spending and taxes at the same time, then our economy will have its best opportunity for showing new growth. When we reach that happy stage where, with lower tax rates, the budget shows a surplus, then we can see our way clear to pay off a bit of our debt and devote more money to Government services for an expanding population.

Of course, the country must have economic growth, but when so-called experts say that it must be a certain number of percentage points per year, I just think they don't know what they are talking about. It's like saying that each and every child should grow the same number of inches a year. And when they say that Government spending should be the controlling factor in expansion, I regard this as a pernicious myth.

Where do you start measuring this growth? It would be a blessing if such poor, underdeveloped countries as India or Egypt could increase their productivity by 10 percent or more a year, giving them the opportunity steadily to raise their standards of living. For some time countries of the Common Market area have been expanding faster than the United States, as is to be expected, because they started from a lower level, had to rebuild from war damage, and had accumulated needs and desires. Now they are breaking down trade barriers between states, as we did in the beginning, and are moving into the mass-marketing, automotive, mass-production age. In other words, many other countries, including Soviet Russia, are striving to catch up with our mature, highly developed society which has fulfilled far more of the material needs of its citizens than any other system on the face of the earth. The United States should not try to match some arbitrary percentage formula; rather its goal should be the maintenance of a climate in which our society can develop continually greater opportunities—both economic and cultural—for new generations.

For a moment let's think of national security and its costs. A key point to keep in mind is this: No matter how much we spend for arms, there is no safety in arms alone. Our security is the total product of our economic, intellectual, moral, and military strengths.

AN EASY WAY TO BANKRUPTCY

Let me elaborate on this great truth. It happens that defense is a field in which I have had varied experience over a lifetime, and if I have learned anything, it is that there is no way in which a country can satisfy the craving for absolute security—but it easily can bankrupt itself, morally and economically, in attempting to reach that illusory goal through arms alone. The Military Establishment, not productive of itself, necessarily must feed on the energy, productivity, and brainpower of the country, and if it takes too much, our total strength declines.

So how does one judge the limits of defense needs? That is the task of the statesman: to apply the rule of reason in judging what is clearly adequate but not excessive. The foibles and specialized viewpoints of human nature must be balanced off. For example, when I was President, it was not unusual for the Joint Chiefs of Staff to agree that the total defense budget was adequate—but later individual members would come to me to argue that the share of their respective service should be increased at the expense of the others.

The defense budget I left behind provided amply for our security at that time. Even though there have been costly developments in weapons since then, it does not seem that the spectacular increase of $10 billion in new obligational authority in 2 years, as is now requested, has been proved necessary. We already have the nuclear deterrent, the most valuable single element in our defense posture and one which, of course, must be kept up to date. One truth we should keep in mind at all times is that the other fellow, your potential enemy, doesn't want to be killed any more than you do. As long as he knows we are maintaining the power to destroy him if he dares attack us, as long as we keep our Nation fiercely proud, not only of its military strength but of its way of life, then we have the best possible defense in this imperfect world. Patriotism is as important as all the guns we can build.

Let us turn to the space exploration program, which I publicly have called downright spongy. Now clearly the strong competitive spirit of the American people has been aroused by the so-called space race. But let us step back for a moment from emotion and be objective. This is what my scientific advisers and I tried to do when we started space work back in 1955 and thereafter enlarged it into a comprehensive program. We didn't and don't want to be a second-best nation, not in any important field, and certainly not in total accomplishment. But can we best maintain our overall leadership by launching wildly into crash programs on many fronts? This is where we seem to have got out of focus.

Let me make it perfectly clear that we should have an aggressive program of research and exploration, so broadly based that in the long run there will be no question of our space leadership; but we should pursue it in an orderly, step-by-step way to enlarge systematically our knowledge of the scientific, military, and industrial potentials in space. This sort of a program would be a strong, steady push from the known into the unknowns of space science, accumulating along the way the techniques and skills to put our astronauts on the moon, among other developments. The annual cost would not include money for stunts and unnecessary contests.

Most of the scientists who advised me on space matters—all men of great knowledge and integrity—believed in this step-by-step program as most effective for the long pull, pointing out that the things we need to learn in space are almost as endless as space itself. Proud as we may be of our astronauts and our Venus probe and other accomplishments in space, this racing to the Moon, unavoidably wasting vast sums and deepening our debt, is the wrong way to go about it, as I see it. Because it has been stated that the country's prestige is at stake in this race, the average citizen may be loath to question the huge sums now being requested. But he should.

Many items in the budget have become distended beyond reason; several should be mentioned for the pattern they make. The $5.7 billion allotted for agriculture—and the actual spending could easily exceed the estimate—to a large degree represents subsidies, originally intended as wartime incentives for increased production, which now have become imbedded in our farm economy. Moreover, these subsidies are a prime instance of the way in which Federal controls usually go along with Federal money. Ask any farmer about his cropping system these days, and he will answer not in terms of his plans but in terms of the acres permitted for this crop and that under his Government allotment.

Or take the way in which the Federal Government seems to have decided that it must do much of the medical research, despite the multitude of State and private medical schools, hospitals, and research foundations. The item for medical research in the budget left to me by the outgoing administration in 1953 was $96 million. The same item is now around $900 million. In this, as in so many other fields, the Congress seems to believe that money will buy anything and everything.

This poses the question: Are private hands being pushed away from this kind of research? I'm afraid they are. Often in recent years I have talked with people who have been giving generously to worthy causes, such as the American Cancer Society, the Heart Association, crippled children's organizations, and so on, but who are beginning to feel they no longer should do so because they already are supporting such work through the taxes they pay. Again it seems the Government insists on taking over.

Finally, a few words about the most misunderstood and controversial of all Federal expenditures—foreign aid. Never has there been any question in my mind as to the necessity of a program of economic and military aid to keep the free nations of the world from being overrun by the Communists. It is that simple. Such a program, if well run and kept within the limits we can afford, offers the United States one of its best bargains in national security.

Unfortunately, foreign aid has suffered through its history from political maneuvering and lack of stability. Congressmen seeking reelection have found it a handy issue to kick around. They go back home and stir up voters with speeches saying, "You can be sure I'm not going to vote to give your money to Timbuktu when you good people so badly need more schools and hospitals." Because of this and other political factors, foreign aid never has been planned or administered on a long-range basis, although we know the Communist threat is going to be with us for a long time to come. Back in 1953 we inherited a foreign-aid budget of $7.6 billion and we cut expenditures to a more reasonable $4.8 billion, hoping to build a steady-going program. But we never were able to get Congress to assure the program the continuity in funds and personnel that are absolutely necessary if this important work is to attract and hold experienced, dedicated people.

That is why I agree with the recommendations of the Committee To Strengthen the Security of the Free World, headed by Gen. Lucius D. Clay. The Clay report follows the guidelines of rule of reason that I have been talking about. It recognizes that we should not increase the burden of foreign aid at this time but should strengthen the program in areas where our purposes are best served while phasing it out in areas where it is not effective. I applaud the administration for accepting the terms of the report and hope that Congress will act favorably on it.

People who talk with me about the threat of spending for spending's sake often wind up by asking, "But what can I, an ordinary citizen, do about it?"

The answer is: plenty. One of the first things you can and should do is to inform yourself on this critical situation. Just how much are you paying in taxes? What is your share of the national debt? How much is the interest on that debt costing you? You can join with your neighbors or like-minded people in probing into these things, in discussing the whole problem. Determining what taxes you pay isn't an easy job, because so much of the load is hidden or indirect. A development which has my hearty approval is the little sign which now often appears on the gasoline pump showing the customer just how much of the price goes for taxes. Business should do that with other products—with such things as cigarettes, liquor, luggage, and other items on which excise taxes are collected. Employers should make sure—and so should labor unions—that workers realize just how much of their wage is being withheld for income taxes. All too often the worker thinks of his take-home pay as his real wage and doesn't stop to think how much larger his earnings would be if the taxes were more reasonable. I wish that employers would—if permissible—adopt a system used some years ago by a company to dramatize the tax bite: At one window workers were given their full pay envelopes and then, at an adjoining "tax window" the amount to be withheld was collected from them. Every earner would soon begin to ask, I'm sure, "Why do we need to spend all this money?"

If you believe in self-government, it is your right and your duty to make your wishes known to Washington on an issue as vital as spending for spending's sake. Actually, the solution to the problem could be this simple: If enough citizens write to their Representatives and Senators asking why they have been voting so much money for racing to the moon, farm subsidies, and even for defense, Congress will get the message. Your Congressman will get it particularly well if you demand not just a polite, noncommital form reply, but a detailed, reasoned answer.

All of us will share the blame if continued spending and debt lead us not into lasting prosperity but into decadence and peril. This includes those who are seeking to lead us down this risky road. It includes the empire-building bureaucrats, too few of whom seem able to follow the wise doctrine of self-restraint. It includes Congress, holder of the purse strings, but all too often willing to give in to subsidy-seeking pressure groups or too eager to seek votes with pork barrel appropriations. But most of all it applies to us—private citizens—who allow our votes to be swayed by the carrots held out by the public spenders, who fail to look beyond an immediate Government check to ask ourselves, "How does this affect our children's future?"

PEACE, UNDERSTANDING, AND DIPLOMACY WITH UKRAINE AND BYELORUSSIA

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 60 minutes.

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, in the recent encyclical of Pope John XXIII, heavy stress is placed throughout on the goal of peace among peoples and nations. Titled "Peace on Earth"—Pacem in Terris—the encyclical is a strong plea for peace. It calls upon all men of good will to work hard for the full realization of this goal. It also admonishes us to soberly recognize the growing interdependence of peoples and nations in this contracting world. As the Pope points out, "the social progress, order, security, and peace of each country are necessarily connected with the social progress, order, security, and peace of all other countries."

AN EXPRESSION OF PEOPLES' HOPES

There can be no doubt that this historic encyclical gives eloquent and vivid expression to the supreme hope and desire of peoples everywhere. It also seeks to reinforce and implement the positions of governments everywhere that have continually emphasized their peaceful intentions. The roads to the cementing of peaceful bonds among peoples are many. One such road is diplomacy and all that it subsequently entails in the cultivation of understanding between and among nations.

U.S. UNDERSTANDING OF UKRAINE AND BYELORUSSIA

Mr. Speaker, in complete conformity with the main theme of the encyclical and also with the frequently stated positions of our Government and that of the U.S.S.R. we can now take a most constructive step toward understanding and peace in connection with two highly important Slavic nations of Eastern Europe. We can go beyond the expression of word to that of deed by offering to establish diplomatic relations with the Republics of Ukraine and Byelorussia. In the cause of peace and understanding between peoples, this would be our first concrete and fundamental step in molding our bonds of friendship with the 45 million Ukrainians and 10 million Byelorussians.

In the name of this cause for peace and understanding, I hereby submit a joint resolution in favor of establishing U.S. diplomatic relations with the Republics of Ukraine and Byelorussia. I urge that this resolution of constructive deed for peace and understanding between ourselves and these two historic Slovak nations be given immediate consideration by the Committee on Foreign Affairs. Also for the provision of background information on this essential subject and to the benefit of our Members, I request that the article on "Revived Interest in U.S. Diplomatic Relations With Ukraine and Byelorussia," the Ukraine Quarterly, autumn 1962, written by Dr. Lev E. Dobriansky of Georgetown University, be printed in full following the resolution:

HOUSE JOINT RESOLUTION 428

Joint resolution relating to United States diplomatic relations with the Republics of Ukraine and Byelorussia

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, Whereas in the words set forth recently in the papal encyclical, Pacem in Terris, "the social progress, order, security, and peace of each country are necessarily connected with the social progress, order, security, and peace of all other countries"; and

Whereas in the interest of world peace, it is clearly necessary to further our understanding of and relations with all aspiring peoples and nations, which includes the forty-five million Ukrainian nation and the ten million Byelorussian nation; and

Whereas the Government of the United States extends de facto recognition in the United Nations by recognizing the delegations selected to represent the Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialist Republic as accepted nations of the United Nations; and

Whereas respecting the sovereignty of these two non-Russian nations the Government of the Soviet Union strongly insisted upon the inclusion of these nations as original charter members of the United Nations; and

Whereas the sovereignty of the peoples of these two national Republics is expressed in the constitution of the Union of Soviet Socialist Republics which provides: "The right freely to secede from the Union of Soviet Socialist Republics is reserved to every Union Republic"; and

Whereas said Union of Soviet Socialist Republics constitution specified that each Union Republic has the right to enter into direct relations with foreign states and to conclude agreements and exchange representatives with them; and

Whereas said constitution legally reflects further the sovereign wills of these two non-Russian nations by providing that each Republic has the right to determine "the manner of organizing the Republic's military formations"; and

Whereas the distinctive national flags, anthems, and emblems of state maintained by the Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialist Republic, are evidenced to manifest symbolically the sovereignty and independence of these states; and

Whereas the Moscow Government in the Russian Soviet Federative Socialist Republic continually claims that these two non-Russian Republics are independent and sovereign to develop their national statehood and foreign relations; and

Whereas the people of the United States indirectly recognize the sovereignty of the Ukrainian and Byelorussian nations, which is in harmony with the ideas set forth in the Declaration of Independence of the United States, and, therefore, we stand ready to render to these nations and other peoples in the Soviet Union any assistance for the strengthening of bonds of friendship and good will; and

Whereas it is plainly incongruous from every viewpoint to rightly maintain recognition by this Government of the Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialist Republic in the United Nations without realizing the peace-strengthening opportunity to establish direct diplomatic concourse with their respective capitals of Kiev and Minsk: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that the Government of the United States in support of its policy of peace and understanding among nations should proceed to establish direct diplomatic relations with the Governments of the Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialist Republic, and in the creation of posts of representation in the capitals of Kiev and Minsk, respectively, consistent with diplomatic procedure in such matters.

REVIVED INTEREST IN U.S. DIPLOMATIC RELATIONS WITH UKRAINE AND BYELORUSSIA

(By Lev E. Dobriansky)

About 10 years ago, several farseeing legislators in the U.S. Congress took positive action on the proposal for the extension of U.S. diplomatic relations with Ukraine and Byelorussia. A special subcommittee established by the House Foreign Affairs Committee passed the measure unanimously. The full committee itself was known to be favorably disposed toward the resolution. In fact, it was only a question of time before the approved measure would reach the House for what appeared to be certain passage.

The Department of State, however, was not prepared at the time to pursue this diplomatic course. With the measure being legislatively processed, its representatives pleaded with Mr. Chipperfield, the chairman of the Foreign Affairs Committee, to postpone further action on the proposal so that State could study it more carefully. The request was granted.

Since 1954, it has been generally assumed that State conducted an intensive study of the subject. As will be shown later, there is no evidence to support this assumption. Nevertheless, in recent months there has been a revived interest in the prospect of extending U.S. diplomatic relations with Ukraine and Byelorussia. This interest has manifested itself on the highest levels of our Government. Equally significant is the fact that in some anti-Communist circles, which in the past opposed the proposal because of additional recognition given to Communist governments or because of espionage reasons, a similar interest has emerged. These are noteworthy developments that point to a different atmosphere surrounding this important issue than was the case nearly 10 years ago.

DULLES AND U.S. FOREIGN POLICY TODAY

As this revived interest develops further in the months ahead, there will be a need to satisfy it with many of the arguments and points of justification used in the past. An outline of such a response would necessarily entail the Dulles policy on diplomatic recognition and that observed by this administration, the salient points associated with the early House Concurrent Resolution 58, and the illuminating efforts undertaken by Congressman LEONARD FARBSTEIN, of New York.

Time and time again, spokesmen for the present administration, including the President himself, have affirmed the basic continuity of our foreign policy. This includes the grounds for diplomatic recognition. Our policy in this respect has not changed since the conclusion of the Eisenhower administration. To my knowledge, Secretary of State Dulles spelled out this policy in the most eloquent terms for both administrations.

In his address before the Overseas Press Club of America in March 1954, Secretary of State Dulles dwelled on several basic criteria of diplomatic recognition when he advanced his sound and rational justification for the nonrecognition of Red China. These criteria were submitted as forming the basis of general U.S. policy, and thus can be interpreted as enjoying general applicability in our relations with all nation-states. In view of the untenable position assumed in 1953 by certain elements in the Department of State toward the original House Concurrent Resolution 58, which called for the establishment of American diplomatic missions in Ukraine and Byelorussia, it is highly interesting and most instructive to relate these criteria to the issues bearing on that resolution.

The pertinent paragraphs of the Secretary's address read as follows:

"Let me first recall that diplomatic recognition is a voluntary act. One country has no right to demand recognition by another. Generally, it is useful that there should be diplomatic intercourse between those who exercise de facto government authority and it is well established that recognition does not imply moral approval.

"President Monroe, in his famous message to Congress, denounced the expansionist and despotic system of Czarist Russia and its allies. But he said that it would nevertheless be our policy to consider the government de facto as the legitimate government for us. That has indeed been the general U.S. policy, and I believe that it is a sound general policy. However, where it does not serve our interests, we are free to vary from it.

"In relation to Communist China, we are forced to take account of the fact that the Chinese Communist regime has been consistently and viciously hostile to the United States."

Extensive testimony submitted in support of House Concurrent Resolution 58 was founded on the very criteria set forth in this passage.[1] Indeed, as was demonstrated at the hearing, the problem dealing with Ukraine and Byelorussia is fundamentally dissimilar from and much simpler than that involving Red China. Whereas we do not—and I hope will not—extend de jure recognition to the Red Chinese regime, we have, by virtue of our consent to the admission of the Ukrainian and Byelorussian Soviet Socialist Republics into the United Nations, extended such recognition to these nation-states. Evidently in the light of international law itself, the United States already recognizes de jure the nation-states of Ukraine and Byelorussia.[2] The problem therefore, is merely one of logical consistency in our policy and the full seizure of advantage afforded us by this de jure recognition.[3]

THE CASE 10 YEARS AGO

It will be observed, then, that the criteria relevant to the subject matter of the early House Concurrent Resolution 58 are (1) usefulness of diplomatic intercourse, (2) absence of moral approval and (3) current intensity and power of hostility toward the United States. Each of these bears an interesting relationship to the issue of American diplomatic representation in Ukraine and Byelorussia.

With reference to the first point, the usefulness of direct diplomatic intercourse with the governments in Kiev and Minsk, the capital seats of Ukraine and Byelorussia, respectively, is naturally to be predicated entirely on the consideration of serving American interests solely. As was amply shown in the hearing, many absolute advantages of such direct diplomatic intercourse would devolve upon the United States. The enumerated advantages are informational, cultural, psychological, and historic in nature, and are related to the chief sources of weakness and still somewhat unstable areas in the Soviet Russian Empire. In meeting the superficial objections of the State Department group, it was clearly emphasized that if it is useful and advantageous to maintain diplomatic posts in Warsaw, Prague and in other so-called satellite capitals, by reason of strategic position it is even more useful and advantageous for us to establish posts in Kiev and Minsk.

Anyone who has read carefully and with knowledgeability the contents of House Concurrent Resolution 58 which was sponsored by the Honorable Lawrence H. Smith of Wisconsin, cannot but be profoundly impressed by the striking parallels that exist between the de facto governments in Kiev and Minsk and those in Warsaw, Prague, Budapest and elsewhere in the Soviet Russian Empire. Each exercises de facto governmental authority within the boundaries of its national jurisdiction, but all are basically and essentially subordinate to the will of Moscow. From a realistic and functional viewpoint the separation of these de facto governments on the basis of the satellite concept is pure fiction. Thus to maintain, as some State Department spokesmen have, that direct diplomatic intercourse would fortify the semblance of national independence in Ukraine and Byelorussia certainly backfires when our posts in Warsaw, Prague and elsewhere behind the Iron Curtain are taken into consideration. One is led to ask, then, whether Poland, Czecholovakia and others are to be construed as independent states? The dilemma is obvious.[4]

It can be unequivocally stated that the main reason why the absolute advantages of the proposed course of action were not fully understood had been due to the fact that there were too many in our Government who possessed only a slight acquaintance with the backgrounds and developments of Ukraine and Byelorussia in their strained relations with imperialist Russia. We've witnessed, for instance, the spectacle of a former counselor in the State Department who never even recognized the elementary distinctions between these nations, no less begin to appreciate the centrifugal political force represented by Ukraine and Byelorussia within the Soviet Union itself.

Another important reason for this condition is that many Americans had been unaware of the presence of Russia First elements in this country who have deliberately sought to play down the historic aspirations and the liberation movements of the Ukrainian, Byelorussian and other non-Russian nations in the Soviet Union. These elements still fear that overt manifestations of American interest in these captive nations may eventually lead to the final collapse of the Russian Empire, now partially in the guise of the Soviet Union. Thus, it was no accident nor wonder to close observers of this shadowy phenomenon that on House Concurrent Resolution 58 a curious and motley opposition was formed, consisting of Ukrainian Communists, certain anti-Communist Russian emigre groups, and the Kennanist cabal.[5]

The members of the special subcommittee under the chairmanship of the Honorable FRANCES P. BOLTON were, however, impressed by the stated advantages and usefulness of this diplomatic intercourse with Kiev and Minsk, and unanimously accepted with favor the Smith resolution as submitted. It was evident that they realized also the second relevant criterion advanced by Secretary of State Dulles, namely that such diplomatic intercourse does not imply moral approval. As in the misnomered satellite countries, governments representative of the will of the people also existed in Ukraine and Byelorussia before Russian expansionism and domination set in to establish national puppet regimes. Consequently, thoughtless statements to the effect that full passage of this resolution would engender the extension of diplomatic intercourse with two more Communist governments and thus imply the consideration of moral approval really has no application here on the basis of Secretary Dulles' second criterion. Furthermore, aside from the factor of advantage, whether relative or absolute, in the matter of principle there is no logical quantitative basis of measurement for the number of Communist governments we should or should not deal with.[6]

The third criterion on the current intensity and the power of hostility of a Communist government toward the United States is, in the light of present fact, no more applicable to the Ukrainian and Byelorussian governments than it is to the Communist governments in Moscow, Warsaw, Prague and elsewhere in Europe. In view of the fact that all Communist Governments in the Soviet Russian Empire are by tenet and precept hostile to the United States, this criterion can only be relatively applied. Obviously, with an eye to our experiences in Korea and the circumstances then surrounding Indo-China, Secretary Dulles rightly gave full application to this criterion in the case of Red China, involving the broader problem of de jure recognition. It follows, therefore, that if in the more limited area of procedural diplomatic intercourse this criterion is arbitrarily applied to the Ukrainian and Byelorussian governments, it should, quite logically, be equally applied to the Communist governments in Moscow, Warsaw, Prague and elsewhere. Consistency and clearness of thought couldn't have it otherwise, especially where all enjoy our de jure recognition.

The lack of such consistency in policy has exposed us to the crude charge of discrimination toward nations, whether large or small. If, as it has often been described, the presence of an American ambassador in a captive capital is to be viewed as a symbol of freedom and enduring American interest and hope in the eventual restoration of independence and freedom of the nation concerned, then, other things being equal, the maintenance of diplomatic missions in certain captive capitals and not others certainly furnishes credence to this charge. As was pointed out in the hearing, the tremendous psychological impact of this diplomatic step upon the peoples of the Ukrainian and Byelorussian (White Ruthenian, nations would be, in terms of this symbolic aspect, enormously salutary and beneficial to the United States. After all, one of the prime objectives of direct diplomatic intercourse is to weld peoples and nations together in peaceable bonds of friendship and mutual interest, despite the absence of moral approval toward a de facto government. Ukraine, for example, is the largest non-Russian nation behind the European Iron Curtain and surely bears great strategic and political importance to the United States. For its people, the presence of an American ambassador in Moscow is as meaningless in these symbolic terms as it is for the Baltic nations and the peoples of the other captive non-Russian nations.

In conclusion, it is evident that the original measure, House Concurrent Resolution 58, was completely consistent and in accord with the basic criteria of diplomatic recognition and intercourse as postulated by Secretary of State Dulles himself. That resolution demanded consistency in our diplomatic policy toward all nation-states, whether large or small. It was conceived as an implement of an unfolding American policy of freedom for all nations, of which there is, as yet, no concrete evidence. To merely assert, as some do, that it was a mistake to have recogized Ukraine and Byelorussia in the United Nations and that full passage and execution of this resolution would compound the alleged mistake indicates a complete lack of knowledge and understanding not only of the present factual and logical aspects of this matter but also of the paramount reasons that caused Moscow to press the admission of Ukraine and Byelorussia at the inception of the United Nations organization. If there was any mistake on this score, it was Stalin's mistake, resulting from his necessary appeasement of the powerful nationalist tendencies and pressure existing in Ukraine and Byelorussia. The insular motivations of others opposing the proposal on this and other grounds were easily discounted.[7] Indeed, our mistake will lie in a failure to pass and execute a similar resolution in order to compound Stalin's mistake for our own advantage. If it was a mistake to recognize any Communist representatives in the United Nations, this obviously implies a moral premise that is extraneous to the discussion at hand.

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[1] Hearing, Committee on Foreign Affairs, Special Subcommittee on H. Con. Res. 58, U.S. Government Printing Office, Washington, D.C., 1953.

[2] "House Concurrent Resolution 58 Consistent with International Law," daily CONGRESSIONAL RECORD, Apr. 14, 1954, pp. A2811–A2812.

[3] Halaichuk, Bohdan, "Has the United States Recognized Ukraine?" the Ukrainian Quarterly, vol. XI, No. 1, winter 1955, pp. 24–28.

[4] Dobriansky, Lev E., "The Dilemma of the State Department on Diplomatic Relations," The Ukrainian Quarterly, vol. X, spring 1954, pp. 159–166.

[5] House Concurrent Resolution 58, daily CONGRESSIONAL RECORD, Mar. 29, 1954, pp. A2384–2386.

[6] Dobriansky, Lev. E., H. Con. Res. 58, the Ukrainian Quarterly, vol. IX, spring 1953, pp. 158–165.

[7] Dobriansky, Lev E., "Three of a Kind—On House Congressional Resolution 58," the Ukrainian Quarterly, vol. IX, autumn 1953, pp. 343–350.

DEVELOPMENTS SINCE THE SUBMISSION OF HOUSE CONCURRENT RESOLUTION 58

When House Concurrent Resolution 58 was before the full Committee on Foreign Affairs, the issue of Red China's recognition was in the foreground of international affairs. The time was most ripe to pass the resolution as a counteroffensive to Communist efforts aimed at the placement of Red China in the United Nations. The State Department group succeeded in stalling the committee's favorable consideration of the resolution toward the close of the congressional session, despite the fact that its representatives were afforded ample opportunity to testify at the hearing in July, 1953. Feeling that their case was adequately presented in previous communications, they chose not to appear. Those in support of the resolution had no fear of any new objections that might be submitted by this group, if the acid test of rational and factual argumentation, as was observed by the Bolton subcommittee, was to be consistently and openly maintained. We sought only the earliest opportunity for this test. The subject was conveniently fortified by Secretary of State Dulles' own criteria of evaluation.

The untimely death of Congressman Smith and the emergence of other issues delayed further progress on the proposal. In 1956 the writer had a discussion on the subject with Undersecretary of State Murphy. It was admitted that State had not pursued any study of the matter since the 1953 hearing. The Undersecretary's attitude toward further congressional development of the subject was a favorable one. When this was initiated in the spring of 1958, Mr. Murphy's observations were more than confirmed. In response to an inquiry made by Congressman LEONARD FARBSTEIN, of New York, Assistant Secretary William B. Macomber stated that the "Department has no record of a study such as you described having been made subsequent to this time."[8] In an earlier letter the Assistant Secretary enclosed a copy of the communication sent in 1953 by State to Mr. Chiperfield, outlining State's objections to the Smith resolution, and in his cover-letter merely reiterated the archaic arguments.[9] Congressman FARBSTEIN had already been quite familiar with these arguments. On April 29, 1959, Mr. FARBSTEIN introduced House Joint Resolution 355, relating to U.S. diplomatic relations with the Republics of Ukraine and Byelorussia.[10]

Once again, preparations for and the success realized in the passage of the Captive Nations Week resolution in 1959 prevented the further development of the diplomatic proposal. Congressman FARBSTEIN himself backed the captive nations resolution with great enthusiasm and effort. It was decided to postpone further action until the turbulent events of the period had subsided.

Now, with the present administration just about determining its general course in our foreign policy toward the U.S.S.R., the matter of establishing U.S. diplomatic missions in Ukraine and Byelorussia is coming to the fore again. Its consideration will necessarily have to be undertaken within the historical and analytic framework cast here. For the Dulles criteria still are very much in vogue.

EMPLOYMENT SECURITY AMENDMENTS OF 1963

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. KING] is recognized for 30 minutes.

Mr. KING of California. Mr. Speaker, I am today introducing, at the request of the President, the administration bill entitled the "Employment Security Amendments of 1963." This bill was transmitted to the Congress in a letter from the President to the Speaker yesterday, May 14, 1963. The draft bill and the explanation which accompanied it was referred to the Committee on Ways and Means.

As the President's letter to the Speaker stated, the bill is designed to carry out a recommendation made in the President's Economic Report to the Congress for permanent improvements in our Federal-State system of unemployment insurance.

Mr. Speaker, for the information of the Members and the interested public, I am including as a part of my remarks the President's letter, a topical summary of the bill, and a detailed statement in explanation of the bill which I have today introduced at the request of the President.

These materials follow:

THE WHITE HOUSE,
Washington, May 14, 1963.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I am transmitting herewith a bill designed to carry out a recommendation made in my Economic Report to the Congress for long-overdue permanent improvements in our Federal-State system of unemployment insurance. The bill would extend coverage of the system to over 3 million more workers, increase the size, and duration of the benefits, improve the financing of the system, and make certain technical changes.

I cannot emphasize too strongly the need and importance of strengthening our unemployment insurance system. These improvements will not only ease the burdens of involuntary unemployment, but will add to our built-in defenses against recession.

The deficiencies of the present system of restricted benefits and coverage have been amply demonstrated in recent years. Twice, in 1958 and again in 1961, Congress found it necessary to enact temporary stopgap legislation to provide extended unemployment compensation benefits for the long-term unemployed. More and more workers have remained unemployed for long periods of time in the last few years. The percentage of the insured unemployed who were unemployed more than 26 weeks increased from 15 percent in 1956 to 29 percent in 1961, and remained at 21 percent in 1962.

The proposed bill would provide Federal extended benefits for those workers who have long work histories but who have exhausted their State benefits and remained unemployed for more than 26 weeks. The first 26 weeks of unemployment benefits would be left to the States. The Federal Government would assume responsibility for a maximum of 26 additional weeks for those with a much longer, firmer attachment to the labor force than is required under any State law. The maximum of 26 additional weeks of benefits is based on the fact that under the 1961 temporary extended benefit program nearly two-thirds exhausted the 13 additional weeks of benefits provided.

To qualify for extended benefits a worker would have to be employed in at least 78 of the 156 weeks preceding his unemployment, as well as in 26 of the last 52 weeks. In order to qualify for the maximum duration of 26 additional weeks of benefits, a worker must have 104 weeks of employment in the 3-year qualifying period.

Long periods of unemployment in the group of workers with firm attachment to the labor force involves a difficult period of personal adjustment to a changed situation. Unemployment insurance by itself is not a cure for such unemployment; nor is it the only measure necessary to deal with the problem. The Manpower Development and Training Act, the Public Works Acceleration Act, the 1962 Public Assistance Amendments, the strengthening of the Employment Service, particularly the services to those over 45 and to those under 21, are all invaluable tools we have already acquired for this purpose. Other measures we have proposed include the Youth Employment Act, the Senior Citizens Community Planning and Services Act, and the National Education Improvement Act now pending before Congress.

Unemployment insurance is, however, an invaluable additional tool because of its automatic response to economic conditions. It provides the worker with income and the community with purchasing power while other more individualized programs are getting underway for those for whom they are suitable.

Another major provision of the bill encourages the States to raise their basic benefit payments. Under present-day conditions weekly benefits are often too low in relation to lost wages to enable the worker to meet his basic and nondeferrable expenses. Thus the bill establishes an initial Federal goal of individual weekly benefits of 50 percent of individual weekly wages, up to a State maximum of 50 percent of statewide average weekly wages. This goal increases to 66⅔ percent by 1970.

The financing of the system would also be strengthened by the bill. A system of equalization grants to States is provided in order to spread the burden of excessively high unemployment compensation costs; and the amount of wages subject to taxation would be increased to $5,200 in calendar year 1966. The new benefits will be financed by a 0.3 percent increase in the net Federal tax.

I am attaching an explanatory statement which describes these administration proposals in detail. I urge that early consideration be given to this legislation. It will provide a much needed addition to the series of tools with which we can meet the unemployment problems of this country.

Sincerely,

JOHN F. KENNEDY.

SUMMARY OF OMNIBUS UNEMPLOYMENT INSURANCE BILL

The proposal would:

1. Provide Federal extended benefits for workers with substantial past employment who have exhausted State benefits and have been unemployed for 26 weeks. The benefits would begin July 1, 1964, for these who exhaust State benefits after January 1, 1964. Qualified workers would be paid at State weekly amounts (except where adjustment is necessary to meet the effective provisions of the benefit requirements) for 13 to 26 weeks based on length of past employment. The benefits would be payable at all times, regardless of unemployment levels.

2. Extend coverage to employers of one worker at any time, and to nonprofit religious, charitable, and educational institutions.

3. Amend the experience rating provisions to permit States to give nonprofit employers special consideration.

4. Increase the taxable wage base to $5,200 (same as OASDI proposal).

5. Set up a Federal goal of individual weekly benefits of 50 percent of individual weekly wages, up to a State maximum of 50 percent of State average wages rising to 66⅔ percent of such average wages by 1970.

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[8] Department of State communication, Aug. 1, 1958.

[9] Macomber, William B., communication, June 26, 1958.

[10] FARBSTEIN, LEONARD, House Joint Resolution 355, 86th Cong., 1st sess., House of Representatives, Apr. 29, 1959.

6. Limit tax offset credit for States not meeting goal to lesser of 4-year average cost rate and 2.7 percent.

7. Provide for equalization grants to States whose benefit costs for a year exceed 2.7 percent or the national benefit cost ratio for the year, whichever is higher.

8. Provide an additional Federal unemployment tax of 0.3 percent to pay the costs of the Federal benefit program and the equalization grants.

9. Provide a special 12-member Advisory Commission to study the effect of the amendments and report by September 30, 1966.

10. Change the annual certification date from December 31 to October 31, and make other technical and minor changes.

Statement in Explanation of a Draft Bill To Provide for the Establishment of a Program of Federal Unemployment Adjustment Benefits, To Provide for Equalization Grants, To Extend Coverage of the Unemployment Compensation Program, To Establish Federal Requirements With Respect to the Weekly Benefit Amount and Limit the Tax Credits Available to Employers in a State Which Does Not Meet Such Requirements, To Establish a Federal Requirement Prohibiting States From Denying Compensation to Workers Undergoing Training and Deny Tax Credits to Employers in a State Which Does Not Meet Such Requirement, To Increase the Wage Base for the Federal Unemployment Tax, To Increase the Rate of the Federal Unemployment Taxes, To Establish a Federal Unemployment Adjustment and Equalization Account in the Unemployment Trust Fund, To Change the Annual Certification Date Under the Federal Unemployment Tax Act, To Provide for a Special Advisory Commission, and for Other Purposes

This draft bill contains three titles. Together, the provisions would make permanent improvements in the coverage, benefit and financing provisions of the Federal-State unemployment insurance system.

Title I would amend the Social Security Act by establishing new titles XVII and XVIII and by amending present title IX. The new title XVII would establish a permanent national program of Federal unemployment adjustment benefits for unemployed workers with substantial labor force attachment who have exhausted the benefit rights provided for them by State law and title XV of the Social Security Act. Title XVIII would provide for Federal equalization grants to States with heavy unemployment in any year. Title IX of the Social Security Act would be amended to establish a new Federal unemployment adjustment and equalization account, and to make other necessary changes.

Title II would amend the Federal Unemployment Tax Act: (1) by extending coverage of the unemployment compensation system to more than 3 million workers in small firms and nonprofit organizations; (2) by providing that special contribution treatment of nonprofit organizations would not conflict with Federal experience-rating requirements; (3) by limiting the tax credits allowed on the basis of State laws which provide substanadard benefit amounts; (4) by denying tax credits to employers in States which deny benefits to workers who are taking approved training; (5) by increasing to $5,200 the wage base for the Federal unemployment tax; (6) by providing a Federal tax to finance the Federal unemployment adjustment benefits and equalization grants, and (7) by changing the annual certification date.

Title III provides for the establishment of a Special Advisory Commission to review the Federal-State unemployment insurance system and make recommendations to the Secretary, and for effective dates.

TITLE I.—AMENDMENTS TO THE SOCIAL SECURITY ACT

Federal unemployment adjustment benefits (FUAB)

A new title XVII in the Social Security Act would be established by title I of this bill. Under the program which this title would provide, the responsibility for the first 26 weeks of unemployment would be left primarily with the States. Unemployment of longer duration is made a Federal responsibility because long-term unemployment is a national problem. It results from economic factors, such as automation and other technological changes and relocation of industry, which transcend State lines. Its impact cannot be confined to the immediate areas of its origin. Its effective treatment is predicated upon both a local and an overall approach, which utilizes the resources of the entire Nation. A variety of measures to stimulate employment opportunities, to improve the skills of the work force, and to maintain the well-being of the individual and the economy are required to meet the Federal responsibility for long-term unemployment.

Unemployment insurance performs a vital function in maintaining the purchasing power of the economy and of the individual during the period within which other resources of the country can be marshaled as solutions. While benefits under an insurance program should be available for a prescribed period, rather than indefinitely, the limitations on the period should be established in the light of the situation in which the program operates. The increased incidence of unemployment lasting longer than 26 weeks calls for a reevaluation of old concepts of unemployment insurance duration.

No distinction would be made as between individuals who are unemployed during so-called recession periods and so-called normal periods. There would, of course, be a great increase in the volume of Federal benefits in periods of high unemployment. At all times, however, insurance benefits of over 6 months' duration would be limited to workers with substantial labor force attachment. Long unemployment of this group is largely structural, and involves a difficult period of personal adjustment to a changed situation. This adjustment will be facilitated by income maintenance as an earned right, which respects and preserves the dignity of the individual as a member of the labor force, rather than by subjecting him to the means tests of public assistance.

Long-term unemployment is more serious now than in the past. Even in nonrecession periods of recent years, the number of long-term unemployed has remained high. Among unemployment insurance beneficiaries, those unemployed 26 or more weeks represented 15 percent of the total in 1956, 29 percent in 1961, and 21 percent in 1962.

Title XVII would provide a self-supporting program of Federal unemployment adjustment benefits for weeks of unemployment beginning after June 30, 1964, and after this title is enacted, to the long-duration unemployed who meet the conditions of past attachments to the labor force and who have exhausted their benefit rights under State and Federal unemployment compensation laws after January 1, 1964. Long-duration unemployed are those whose entitlement to State or title XV benefits, plus weeks of unemployment after exhaustion of such entitlement, have been the equivalent of 26 weeks of total unemployment. These Federal unemployment adjustment benefits, payable without regard to the level of unemployment in the economy, would be payable only to those long-term unemployed who have had a substantial work history, as measured by a Federal formula, in the 3 years preceding their unemployment. Benefit rights established by a claim remain available for the ensuing 2 to 2½ years, and new benefit rights cannot be established until after such time. Therefore, a worker cannot establish a second series of these Federal benefits without substantial employment subsequent to his first claim.

To be eligible, a worker must have at least 26 weeks of employment in the State base period, and at least 78 weeks in the 156-week period consisting of his State base period and the 2 immediately preceding years—the "Federal qualifying period." (Since many State unemployment insurance laws do not use weeks of employment in their benefit formulas, alternative tests of employment are provided.) The bill provides for a longer and firmer past attachment than does any State unemployment compensation law.

To receive these benefits, the worker must have exhausted his rights to unemployment compensation under State laws and any other Federal unemployment insurance program, and must have been unemployed for at least the equivalent of 26 weeks of total unemployment since the beginning of his most recent State benefit year. The general intent of this provision is to restrict the Federal compensation to the long-term unemployed—that is, those who have been unemployed for more than 26 weeks—without limiting the program's application to workers who received 26 weeks of State benefits. For this purpose, an individual who exhausts his State or title XV benefits will be considered to have been unemployed for the number of weeks specified in the monetary determination or determination with respect to his most recent benefit year. Thus, a worker entitled to State benefits of 26 times his weekly benefit amount could become eligible for Federal unemployment adjustment benefits immediately after his exhaustion of State benefits (whether or not he actually received benefits for 26 weeks).

If he were entitled to benefits for less than 26 weeks, however, he would have to serve an uncompensated period of unemployment after his State exhaustion equal to the difference between his entitlement and 26 weeks. To be counted, the weeks should be weeks for which the claimant could have received benefits if he had been entitled to 26 weeks of State benefits; that is, he should be able to work, available for work and free from disqualification. Weeks of partial unemployment could be accumulated toward the 26 weeks, as they would have been under the State law. The bill provides that he would certify to his unemployment during the intervening weeks in accordance with regulations prescribed by the Secretary.

The Secretary's regulations would cover the manner in which individuals would establish the fact that they had been unemployed, able to work, available for work and otherwise not disqualified during the weeks between exhaustion of State or title XV benefits and eligibility for Federal unemployment adjustment benefits.

Federal unemployment adjustment benefits would ordinarily be payable at the same weekly amount for total unemployment as the individual received under State law. However, if his State benefit did not meet the requirements provided by section 206 of the bill, his Federal benefit would be computed in accordance with those requirements. It would be anomalous to establish a Federal benefit system which paid to workers in any State a weekly benefit amount less than would be required by another section of the bill. Therefore, the bill provides that, after the effective date of the benefit requirements, the weekly benefit amount of all Federal beneficiaries must meet those requirements through appropriate adjustments in any individual's State benefit amount. For example, if in 1969 the State law provides benefits of one twenty-sixth of high quarter earnings, but the maximum is $40 whereas 60 percent of average coverage wages would be $50, a worker who earned $1,220 in his high quarter would have his Federal weekly benefit amount adjusted upward from $40 to $47.

Federal benefits would be payable for at least 13 weeks to any worker who meets the basic eligibility requirement of 78 weeks work out of the 156 weeks in the Federal qualifying period. Additional benefits may be paid, to a total duration of 26 weeks, at the rate of 1 week of benefits for each additional 2 weeks of employment in that period. (Alternative formulas are provided for States which do not use weeks of employment in their unemployment insurance formulas.) A worker who has worked half of the last 3 years can draw 13 weeks of Federal benefits, and one who has worked two-thirds or more of the period can draw 26 weeks.

These 13 to 26 weeks of Federal benefits would be payable during a Federal benefit period which consists of the State benefit year and the 2 immediately succeeding years. Thus, a worker cannot draw substantial Federal unemployment adjustment benefits year after year. He cannot establish rights to a second or third series of Federal benefits without substantial employment following his first establishment of such rights.

The program proposed is designed to provide workers who have been regularly employed with adequate protection for a period of structural unemployment. The 26 weeks of protection over a 3-year period would give time enough and protection enough for most of them to make the adjustment. This does not mean that every claimant will receive 26 weeks, nor that everyone will be working at the end of his duration. Average actual duration is estimated at 13 weeks and the exhaustion ratio at 40 percent.

Support for the proposed duration is found in past experience with extended benefits. Of those who were entitled to 13 weeks under the 1961 TEUC program, about two-thirds exhausted those benefits.

The facts derived from the Pennsylvania experience (the only State where the actual effect of a duration longer than 39 weeks can be compared with a duration of 39 weeks) are meaningful in this respect. Under the 1958 TUC program all who qualified were entitled to 45 weeks combined State afnd Federal duration, while in the 1961 TEUC program the limit was 39 weeks. Even though the 1958 recession was more severe, the exhaustion rate under the extended program was 58 percent in 1958, but 70 percent in 1961.

Relevant, also, is the fact that in 1961, about 2.8 million workers were unemployed 27 or more weeks. About two-thirds of them, or 1,850,000, received State unemployment insurance. About 1.1 million of them could have received Federal extended benefits under this bill, and 660,000 of them would have been protected for the duration of their unemployment during the year.

If a worker who establishes a claim to Federal benefits has received more than 26 weeks of benefits for a single benefit year under State law, his potential weeks of Federal benefits will be reduced accordingly, and the State reimbursed for each such week.

In order to receive Federal benefits for a week, the worker must generally meet the terms and conditions for receiving unemployment compensation of the State law under which he exhausted his benefit rights. There are several exceptions:

A Federal disqualification—postponement of benefits for 6 weeks—will be imposed on a Federal claimant when the disqualification provided under the State law would last for the duration of the worker's unemployment or would cancel part or all of his benefit rights.

Neither of these types of disqualification is appropriate for a Federal program such as the one proposed. Disqualifications which last for the duration of the worker's unemployment are particularly severe in times of high unemployment, or for workers who have difficulty in finding new jobs. Insofar as cancellation is concerned, the proposed bill follows other Federal programs which provided additional Federal benefits (TUC, TEUC) none of which permitted cancellation of the Federal benefit rights.

There is also a special Federal disqualification for fraud in connection with the Federal benefits. A claimant would be disqualified for these benefits for a period of from 4 to 52 otherwise compensable weeks beginning with the week in which it is determined that he committed fraud, according to the gravity of the offense, within the 24-month period beginning with the date of the determination.

A Federal disqualification will be imposed for refusal to attend, or failure to make satisfactory progress in, training to which the individual is referred. Such a provision is justified in a program of additional benefits for the long-term unemployed, whose need for training as a step toward reemployment has become clear.

Some workers taking training will meet the eligibility conditions for both FUAB and training allowances under another Federal act such as the Area Redevelopment Act or the Manpower Development and Training Act. The bill provides that in such situations, the training allowance is payable rather than FUAB. The weeks of training allowances would not, however, be deductible from potential Federal unemployment adjustment benefit rights. Thus, if the worker should have weeks of unemployment after his training, and within his Federal benefit period, he could draw his Federal benefits for those weeks.

The bill makes it explicit that any worker who is drawing an employer retirement pension or a primary social security benefit must adequately demonstrate that he is not retired but is still an active member of the labor force. Such a claimant must demonstrate, in accordance with regulations of the Secretary, that he has made reasonable efforts to find suitable work. This provision is intended to emphasize the fact that an individual who has retired from the labor force is not entitled to unemployment insurance and is committing fraud when he files a claim. It recognizes, however, that many individuals receiving pensions or primary OASI benefits are nevertheless bona fide active members of the labor force. For example, employers sometimes provide early pensions for workers separated because of automation who meet certain conditions of age and seniority. Some of these workers will withdraw from the labor force, while others will make vigorous efforts to find other work. The employer pension may be drawn even though the individual is working full-time.

An employed individual over 65 is missing a source of current income if he does not claim his OASI benefits. Such benefits are not payable for weeks of unemployment, even though they are related to the individual's monthly and annual income from wages and self-employment. Full OASI benefits may be payable for a month in which the individual has substantially full-time employment in every week, or they may be withheld for a month in which he worked only 1 week, and was looking for work the rest of the month.

Thus, the receipt of a pension or OASI benefit is not necessarily evidence of withdrawal from the labor force, but should be a signal for careful examination of current eligibility status.

As is the case with other Federal unemployment payments, the Federal unemployment adjustment benefit program would be administered by the State employment security agencies under agreements with the Secretary. These agreements would be similar to those under which the States make payments under title XV of the Social Security Act.

The bill provides for the financing of the Federal benefits by an increase in the Federal unemployment tax.

Additional protection is necessary for workers with substantial past employment who are experiencing prolonged unemployment. The number of claimants who exhaust their State rights, even in nonrecession years such as 1955 or 1960, is increasing. Between the 1958 and the 1961 recessions, the number of unemployed out of work for more than 15 weeks never dropped below 700,000. In 1960, more than one-fifth of all State claimants exhausted their rights in States providing at least 26 weeks of duration to most or all claimants, such as Ohio, Pennsylvania, and Vermont.

Employment opportunities have declined markedly in many industries which formerly provided steady work at good wages and a secure future for millions of American workers. Steel, textile, automobile, and aircraft manufacturing, and coal mining illustrate situations where technical advances and productivity gains have made it possible to obtain greater production with a smaller work force from year to year. In many industrial centers, abandonment of older plants or shifts in methods have caused the separation of workers with long employment attachment despite the protection of seniority rules. Rapid technological changes including those resulting from automation may well displace over a million workers per year in the decade of the sixties at the present production rates.

Displaced semiskilled and unskilled workers, particularly those in the older age groups, remain out of work longer because they often do not have the education to perform the increasingly technical jobs called for by the growing industries which need more manpower. The fast growing trade, service, and research industries demand different skills and abilities than are possessed by displaced miners and factory hands.

Training is a valuable tool to helping long-term unemployed workers toward reemployment. Not all, however, need, or can profit from training. Training facilities are not—and may well not be—available for some who want training. In other situations, there may be no jobs for which to train workers.

Unemployment insurance is not a cure for unemployment, nor the only measure to deal with the problem. Unemployment insurance is, however, a valuable device, because of its automatic response to economic conditions. It provides the worker with income, and the community with purchasing power, while other more individualized programs are getting underway. This proposal is designed to keep unemployment insurance playing its proper role as a limited program of wage loss insurance, financed by an earmarked tax and payable as a matter of earned right to bona fide members of the labor force during periods between jobs.

Equalization grants

The bill would add a new title XVIII to the Social Security Act to provide for an equalization grants program. The Federal Government would underwrite two-thirds of the annual benefits costs in excess of a specified level for each State which meets the requirements of the FUTA, including the benefit requirements to be added by section 206 of this bill. Generally, the Federal Government would finance two-thirds of a State's benefit cost for a year in excess of 2.7 percent of State taxable wages for that year. However, in those years for which the national benefit cost rate exceeds 2.7 percent of taxable wages, the Federal Government would contribute only toward that portion of a State's costs in excess of the national rate.

Equalization grants provide a method for spreading the risk of heavy benefit costs among all States, by financing the excess costs from a common fund. Such grants reduce the amount of revenue which high cost States would otherwise have to raise, and therefore further one of the original purposes of the Social Security Act by minimizing interstate variations in unemployment tax rates.

Although benefit cost rate variations from State to State are affected by differences in benefit formulas, they are caused primarily by differences in the incidence of unemployment. Experience indicates that the rates of insured unemployment and of benefit costs vary widely from State to State. At present, a State with higher-than-average unemployment can have higher-than-average unemployment tax rates, or it can keep its costs to the average level by providing less benefits. Either of these approaches may aggravate the State's relatively unfavorable situation.

The higher tax rate may discourage industry, and thus increase the unemployment problem. Inadequate benefits are more serious in situations of high unemployment than at other times, since they affect more people and for longer periods.

The equalization grants provided by this bill would help such States meet their problem and still provide adequate benefits. States which do not provide benefits equal to the level of benefit adequacy established by section 206 of this bill will not be eligible for equalization grants.

The equalization grants are limited to two-thirds of the State costs in excess of the equalization level. Because the remaining one-third must be paid by the State, the State will have a financial interest in assuring that benefits are not excessive.

The effect of tax rates on the location or expansion of industry is not subject to precise measurement, and may be greatly overemphasized. The widespread belief in the importance of tax rates in attracting and holding industry is, nevertheless, persuasive to State legislatures and effectively limits the degree to which a State may impose tax rates above those in other States.

More importantly, it appears inequitable to impose upon employers in a particular State the full burden of disproportionately high costs, since the causes of such unemployment are largely beyond State control and result from the influence of national factors in the economy.

Financing of the Federal unemployment adjustment benefits and equalization grants

The bill provides for the financing of the Federal unemployment adjustment benefits and the equalization grants by an increase of 0.3 percent in the Federal unemployment tax rate. This increase will come into effect on wages paid in 1964. Under present law, there is a special 0.4 percent Federal unemployment tax due on 1963 wages to finance the TEUC program of 1961–62. The House has passed a bill, H.R. 4655, which would cut this tax to 0.25 percent. If H.R. 4655 is enacted, net Federal unemployment taxes will drop to 0.65 percent on 1963 wages. Under this bill, they would rise to 0.7 percent on wages in 1964 and subsequent years. Title II of this bill would also increase the amount of a worker's wages subject to the Federal Unemployment Tax Act.

Another provision of title I would amend title IX of the Social Security Act to establish a Federal unemployment adjustment and equalization account within the unemployment trust fund. Payments of Federal benefits and equalization grants would be made from this account. The proceeds of the additional 0.3-percent tax will be transferred to this account.

TITLE II—AMENDMENTS TO THE FEDERAL UNEMPLOYMENT TAX ACT IN THE INTERNAL REVENUE CODE OF 1954

Title II of the bill would amend the Federal Unemployment Tax Act in the Internal Revenue Code to extend the protection of the unemployment insurance system, beginning January 1, 1966, to about 3.3 million of the 14.3 million wage and salary workers now excluded from unemployment insurance. This would be accomplished by extending the Federal unemployment tax to employers of one at any time and to services for nonprofit religious, charitable and educational organizations. Changes in the Federal experience-rating requirements would permit States to give special contribution treatment to the nonprofit organizations. The amount of a worker's wages subject to the tax would be increased from $3,000 to $5,200. This title would also establish Federal requirements with respect to State weekly benefit amounts, and provide reduced tax credit for employers in a State not meeting such requirements, would deny tax credit for employers in States which deny benefits to workers who are taking approved training, and would provide an additional tax to finance the costs of the new Federal unemployment adjustment benefit and equalization grants programs provided under title I of the bill.

Employers of one or more

The bill would bring about 1.8 million more workers under unemployment insurance by extending the application of the Federal Unemployment Tax Act to employers of one or more workers, if the workers perform services covered by the act, as is now the case under the Federal Insurance Contributions Act (OASDI). Coverage would be achieved by deleting the definition of "employer" from section 3306 of the Federal Unemployment Tax Act and by making appropriate deletions from section 3301 and other sections of such act.

At present, the Federal Unemployment Tax Act applies only to employers who have at least four workers in at least 20 weeks in a calendar year. There are 28 State unemployment insurance laws with similar restrictions. The other 24 States already cover about 1.4 million more workers excluded from Federal coverage by the size-of-firm requirement.

Experience under OASDI and under the State unemployment insurance laws which cover employers of one worker at any time has demonstrated that such coverage is feasible to administer.

Experience has also demonstrated that the workers in firms which do not have four workers in 20 weeks need the protection of unemployment insurance. In general, in the States which cover firms with fewer than four workers, the proportion of workers who receive benefits is greater for small firms than for the larger ones. At the same time, the State experience indicates that coverage does not impose an unreasonable financial burden on these small employers.

When a State law covers small firms, workers from these firms receive the protection of Federal programs providing additional benefits, but their employers do not contribute to the Federal funds from which such compensation is paid, or to the Federal funds used to finance the operation of the program. In those States, the employer with three workers has an unfair competitive advantage over the employer who has four workers.

Nonprofit organizations

The bill would extend the protection of the unemployment insurance system to about 1.5 million employees of nonprofit religious, charitable, educational and humane organizations. The proposal would not cover the handicapped in sheltered workshops, ministers or members of religious orders, certain students and interns, and others performing services for nonprofit organizations if the remuneration is less than $50 in a calendar quarter.

About half of the workers who would be added are employed in hospitals, and about one-third by educational institutions. Only a small percentage are employed by religious and charitable institutions supported by donations.

The workers who would be covered are cooks and busboys, elevator operators, janitors, and scrubwomen, printers and typists, as well as teachers, nurses, and professional social workers. About 40 percent of the hospital workers are food, maintenance, and custodial workers.

While some of the professional groups in the nonprofit field may have the protection of tenure and stable employment, the same could be said for professional groups of presently covered workers. Other employees of nonprofit organizations, particularly in the nonprofessional occupations, are low paid and have a high rate of turnover which generally indicates unemployment. Such evidence as is available, in fact, indicates that nonprofit employees have a risk of unemployment and therefore need insurance against the risk.

The bill would amend the Federal provisions relating to State experience rating, so that with respect to services which are covered by an approved State law, a nonprofit organization could receive its full credit against the Federal tax, whether it paid a State tax or not. States would be permitted to provide for reduced contributions from nonprofit organizations on any basis the State legislature chose, without endangering the State law's conformity with Federal conditions for additional credit allowances for other employers. Thus, a State could provide a special, and lower, tax schedule for nonprofit employers, could permit them to reimburse the State for the costs of benefits, rather than pay contributions, or provide any other modification of the contribution schedule enacted by the State legislature.

This change is a recognition of the special tax status traditionally allowed to these organizations. It would permit State arrangements under which a nonprofit organization could be assured that its contributions would be no higher than necessary to cover the cost of unemployment benefits to its former workers.

Definition of wages

The bill would increase the wages taxable under the Federal Unemployment Tax Act from the first $3,000 of a worker's annual wages from an employer to the first $5,200 of wages, effective with respect to wages in 1966 and thereafter. The new wage base would not only make necessary increases in the amount of Federal revenue, but would also increase the potential State revenue for the States faced with low reserves.

The $3,000 limitation on taxable wages was established in 1939 to bring the unemployment insurance base into line with that for OASI and thus make reporting easier for employers. About 98 percent of wages in covered employment were taxable, even after the limitation was adopted.

Since 1939, average weekly wages have more than tripled; less than about 60 percent of wages in covered employment are now subject to the Federal Unemployment Tax Act. The wage base for OASDI has been increased repeatedly; it is now $4,800 and an increase to $5,200 has been recommended.

The adverse results of the $3,000 limitation on taxable wages are not confined to a lowering of revenue, serious as that is in some cases. Benefits, being related even though imperfectly to weekly wage levels, have increased proportionately more than employer contributions. Consequently, there has been a steady decline in State reserve funds. This is of concern to the Federal Government as well as to the States, because there is a national interest in a soundly financed program and a Federal responsibility for assisting States whose reserves become inadequate.

The low wage base, moreover, creates inequities between employers. Low-wage employers pay a much higher effective tax rate than do high-wage employers. A low-wage employer with favorable experience who pays a reduced rate of 2 percent may be paying a higher rate, in relation to his total wage bill, than a high-wage employer with such unfavorable experience that he nominally pays a penalty rate of 3 percent. Further, as benefit costs approach or exceed a rate of 2.7 percent of taxable wages, the scope of experience rating is narrower.

The unrealistically low limit on taxable wages means that the Federal revenue is becoming inadequate for its intended purposes. Within a few years, costs of administering the employment security program, even with a low level of insured unemployment, will exceed the revenue at 0.4 percent of $3,000. Administrative costs increase with the growth in the numbers of covered employers and workers, with improvements in the program, and with increases in the costs of goods and services; much of this latter increase is related to rising wage levels.

While taxable wages increase somewhat with the growth of the labor force and the number of covered employers, the $3,000 limit is so low that such growth is only partly reflected. There is almost no reflection of increases in wage levels.

Despite its apparent uniformity, the net Federal rate of 0.4 percent in fact varies as a percent of total payroll. The effective rate paid by low-wage employers is higher than that paid by high-wage employers. Consequently, the effective rate paid by employers in States with low average weekly wages is higher than the effective rate of employers in higher wage States. For example, an employer paying Arkansas' 1961 average weekly wage of $65 pays an effective rate of 0.34 percent, while one paying New York's average of $104 pays an effective rate of only 0.22 percent. An increase in revenue through an increase in the tax rate would add to the differential, whereas raising the wage base will decrease it. At a rate of 0.5 percent on $3,000, the Arkansas employer's effective rate would be 0.44 percent, the New York employer's rate, 0.28 percent. At a net rate of 0.4 percent on a wage base of $5,200, however, both employers would pay an effective rate of 0.4 percent.

Increase in the tax rate

For the purpose of financing the Federal unemployment adjustment benefits and equalization grants programs established under title I of the bill, title II would raise the net Federal unemployment tax from 0.4 percent to 0.7 percent, effective with respect to wages paid after calendar year 1963.

Benefit amount requirement

The bill would establish a Federal requirement for State weekly benefit amounts, which must be met if employers in a State are to receive full credit under the Federal tax-offset provisions. This requirement is basically very different from the present Federal requirements for State laws. Failure to meet present requirements will result in denial of tax credit to employers in the State, or in the withholding of administrative funds. By contrast, failure to meet this new requirement will not affect administrative funds, and will not cut off tax credit. It will merely limit the tax credit allowed with respect to a State which provides benefits below the requirement to the State's 4-year average cost rate.

Tax credit for employers in a State which meets the Federal requirement with respect to weekly benefit amount would be determined as it is now. Employers in States which met all the Federal requirements would be entitled to the full tax offset credit of 2.7 percent (apart from any reduced credit provisions applicable to particular States under other provisions of Federal law, such at title XII advances). Likewise, employers in a State with benefits below the Federal minimum would receive the full 2.7 percent offset credit if, on the average, the State is spending at least that much in benefits. But if the 4-year average cost of benefits is less than 2.7 percent in a State with benefits below the Federal minimum, the maximum tax offset credit allowed to any employer in that State would be the State's average cost rate. Costs are averaged over 4 years, the usual length of recent cycles, to avoid sharp year-to-year fluctuations in Federal tax rates.

For example, if, in a State which provided a maximum weekly benefit of 45 percent of State average wages, the 4-year average cost of benefits equaled 2 percent of State taxable wages, employers would receive offset credit against the Federal tax of 2 percent; thus they would pay a net Federal tax of 0.7 percent more than if the State had provided a maximum equal to the prescribed percentage of State average wages.

This provision of the bill is intended not only to assure workers in all States of a minimum level of benefit adequacy, but also to assure employers that their competitors in other States cannot receive a Federal tax advantage through providing substandard benefits.

The benefit requirement relates only to the amount of the weekly payment, and applies to both the individual workers' benefit amount and the State maximum. It would require that for benefit years starting after December 31, 1965, the weekly benefit amount payable to any individual for a week of total unemployment, exclusive of any amount payable with respect to dependents, be not less than 50 percent of that individual's average weekly wage, or the maximum weekly benefit amount payable under the State law, if lower. The maximum weekly benefit amount payable would have to be equal to at least the following percentages of the Statewide average weekly wage: (1) 50 percent for benefit years beginning during 1966 and 1967; (2) 60 percent for benefit years beginning during 1968 and 1969; (3) 66⅔ percent for benefit years beginning January 1, 1970, and thereafter.

Under this provision the great majority of covered workers would receive a weekly unemployment benefit equal to at least one-half of their average wage.

States could base benefits on quarterly earnings, or compute an average wage for the weeks the individual worked. Those States which now pay benefits higher than 50 percent of weekly wages could continue to do so, and States could, if they wished, provide additional amounts to individuals with dependents.

Training

The bill would add a new requirement which State laws must meet as a condition for employers in the State to receive normal tax credit. Under the new requirement, State laws would have to provide that compensation shall not be denied to an otherwise eligible individual for any week because he is attending training with the approval of the State agency. An individual in such training would not be deemed to be not otherwise eligible by reason of availability or active search for work requirements of the State law, or by reason of his having refused to accept work.

The change in occupational skills required by modern industry results in persistent unemployment of those who do not have the new skills. It has become clear, therefore, that for many claimants occupational training or retraining is essential if they are to be suitably reemployed. If, however, an unemployed worker may receive his unemployment insurance only when he is not taking training, financial pressure may discourage him from accepting training until after he has exhausted his unemployment insurance rights. This would prolong his spell of unemployment.

Through the Area Redevelopment Act and the Manpower Development and Training Act, the Federal Government is undertaking to encourage the unemployed to take training. There are, however, limitations on the payment of allowances under these laws which mean that some unemployment insurance claimants could not substitute a Federal training allowance for the unemployment insurance. Area Redevelopment Act programs are limited to depressed areas. Manpower training allowances are payable only to heads of families or of households with 3 years of work experience, or to youths. Moreover, under both programs, allowances are paid only with respect to attendance at courses arranged under the program. There may be other satisfactory training courses which unemployment insurance beneficiaries would like to attend if attendance did not result in loss of benefits.

The laws of about 24 States now permit the payment of unemployment insurance to vocational trainees attending courses with the approval of the agency. This is an increase over the number with such provisions or interpretations several years ago, but still does not represent even a majority of the States. To assure that unemployment insurance claimants in all States are not forced by financial considerations to postpone desirable available training, denial of unemployment insurance by reason of training would be prohibited.

Certification date

The bill changes the date on which the Secretary of Labor certifies State laws to the Secretary of Treasury. Instead of certifying on December 31 for the calendar year, he would certify on October 31 for the 12-month period ending on such October 31. The certifications would apply to tax credits for the calendar year in which such October 31 occurred. With the possibility of variations in State tax credit under the benefit standard provisions, the administrative problems require a lag between the determination as to what the credit will be, and the end of the taxable year involved.

TITLE III.—MISCELLANEOUS

Special Advisory Commission

The bill directs the Secretary to appoint a Special Advisory Commission to study the Federal-State unemployment insurance program, and to make recommendations for its improvement. The Commission is to be appointed by the Secretary in 1964, and is to make its report to him by October 1, 1966, at which time it shall go out of existence.

While the Special Advisory Commission may concern itself with any aspect of the Federal-State unemployment insurance program, it is specifically directed to consider the financing of the Federal unemployment adjustment benefit program to be established by the bill, and the gradual increase in maximum weekly benefits provided for by the bill, and to determine whether there is need for a Federal provision relating to wage and employment qualifying requirements of State laws.

The Special Advisory Commission is to consist of 12 members representing employers and employees in equal numbers, representatives of the Federal and State agencies administering the unemployment insurance program, outside experts, and the public.

The Commission is authorized to engage a technical staff. In addition, the Secretary is to provide secretarial and clerical assistance, and to make Department data available to the Commission.

> This Commission will provide the Secretary with an informed outside opinion as to whether the unemployment insurance program, particularly certain new features, is achieving its goals or whether changes should be proposed.

A BILL TO REQUIRE COMPULSORY AUTO INSURANCE IN THE DISTRICT OF COLUMBIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, I have today introduced H.R. 6367, a bill to require proof of financial security with respect to each person who registers a motor vehicle in the District of Columbia.

The District Commissioners have informed us that about 50,000 vehicles registered in the District of Columbia do not have liability or property-damage insurance. This is almost 25 percent of all registered vehicles. This is an intolerable situation and the Congress must correct it.

My bill is based upon the New York Financial Security Act and the New York Motor Vehicle Accident Indemnification Corporation Act. It provides that each registered owner must have liability insurance in an amount of at least $25,000 for personal injury or death and $1,000 for property damage.

I hope that suggestions and comments on this proposal will be forthcoming; particularly any which would tailor this bill more closely to the requirements of the District of Columbia.

NEW JERSEY'S SALUTE TO ISRAEL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RODINO. Mr. Speaker, when the Jewish National Council in Palestine proclaimed the independence of Israel on May 14, 1948, there was little hope and no indication that, 15 years later, the State of New Jersey would be able to commemorate this historic event. Throughout the world the pessimists had stated that this fledgling nation did not have a chance to succeed, much less to survive its infancy. Yet, as we review the events during those intervening years, we see clearly how and why Israel survived.

Compelled to fight with their backs to the sea, the Jews who were in Israel at the time of its birth united as one and drove back the combined armies of the attacking Arab States. Then came the engulfing flow of immigrants, seeking in Israel a refuge from persecution and memories of war, their presence created a serious problem which demanded an immediate solution. With its usual perseverance the Government initiated housing projects to shelter the newly arrived, gave them food, cared for their ills, and found them employment.

The economic blockade by its neighbors forecast disaster for the Israel economy, but a concerted plan of trade with Europe and the United States has thwarted this ruinous plot. Today, exports total $280 million, a satisfying increase from the 1948 figure of $29.7 million.

Water shortage has been, perhaps, the most serious problem to confront the Israeli Government. How to supply enough water for the new cities which are being constructed in the south and for the irrigation of the desert lands of the Negev were the questions which demanded answers. There was sufficient water in the north, with the Jordan River and Lake Kinneret. However, the expense of transporting that water to the arid regions in the south has been almost prohibitive. One pipeline is nearing completion at a cost of $100 million. Thanks to the foresight of the Israeli leaders, though, research in this field has had unstinted support, with the result that soon water will be supplied by means of solar energy from the seas which wash the coastlines.

Israel today is truly a success story. We feel proud that a part of its success is attributed to the efforts of the citizens of New Jersey. Gov. Richard Hughes has so aptly expressed my sentiments when he spoke at the 25th anniversary of the United Jewish Appeal during which he said:

> When you devote your efforts to saving Jewish lives and building Israel, you are making your contributions to the preservation of those precious concepts of freedom, human dignity and justice because you are insuring the existence of men and women who have cherished these ideas for 40 centuries.

Through our efforts, Israel is a modern and progressive state, the stronghold of democracy and the ally of the free world.

Credit is not ours alone, though. Deserved praise must be extended to the laborer in Israel who dug ditches, who layed brick and mortar, and who paved the roads. Just as the members of the labor unions are the backbone of the United States, so it is with the members of the labor organizations in Israel. Everywhere throughout the country, skyscrapers, city buildings, port facilities, factories and pipelines are the fruits of their efforts, living symbols of their devotion to make their nation what it is today: a model for the newly independent states of Africa and Asia.

The Governor of New Jersey paid further tribute to the people of Israel when he designated May 15 as New Jersey Salute to Israel Day in commemoration of the declaration of Israeli independence. Communities throughout the State, realizing the importance of this day, are holding celebrations honoring the historic event which has been so designated by the Governor. They recognize and cherish the part which they played in the founding and subsequent prosperity of the State of Israel, for with this cooperation has come a lasting friendship and mutual respect. As a Representative from New Jersey, I am proud to acclaim the actions of the Governor and of the communities who salute the citizens of Israel, our democratic and stable ally in the Middle East.

THE K'S AND LAW AND ORDER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. ANDREWS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANDREWS. Mr. Speaker, no one deplores violence any more than I. We are passing through a sad period in history in Alabama today. There has been trouble and bloodshed in Birmingham. In my opinion this trouble was deliberately provoked by outside professional agitators headed by one Martin Luther King. This man King creates trouble wherever he happens to go. He has made a business of stirring up racial strife. In my opinion not for the furtherance of race relations but for the sole purpose of making money. I have a letter sent out by King in connection with the Alabama disturbances in which he states:

> Our 1963 program in voter registration and leadership training is even more ambitious. We have the courage, dedication, and skill in our ranks but we are urgently in need of funds. As you can imagine, our finances have been strained to the limit. At this crucial turning point in the battle against segregation, we are counting on your financial help to sustain the momentum of the emancipation movement. Speed your support to the front where your dollars are reinforcements in the struggle for freedom. Help assure victory for human dignity and for the proud integrity of a truly democratic America. Please mail your contribution today.

There is a postscript to that letter which states: "Please make checks payable to S.C.L.C."

I have wired to the President and Attorney General requesting that Martin Luther King be persuaded by them, and in my opinion they have the influence over King to accomplish this, to leave Alabama, and assured the President and the Attorney General that if King leaves Alabama there will be no need for Federal troops in Alabama. In my opinion there was no need for troops in Alabama. According to all reports from Birmingham the ones making the trouble or causing the trouble were the Negroes who had been inflamed by King's speeches. No white citizens of Birmingham caused any trouble. The police department of Birmingham has done a magnificent job in maintaining as much order as can be expected when the Negro citizens of Birmingham respond as they did to the inflammatory speeches of so-called preachers.

Under unanimous consent, I include an editorial from the Danville, Va., Register. This is a very fine editorial, and I commend it to the attention of each

Member of the House as well as to every American.

The editorial follows:

The K's and Law and Order

As much as we dislike having to say it bluntly, the President of the United States and the Attorney General of the United States are setting poor and dangerous examples for persons sworn to uphold law and order.

The highly placed brothers are giving lip-service to law and order. Their actions are not promoting it in Birmingham.

As Commander in Chief of the Nation's Armed Forces, President Kennedy can, of course, move units about as he chooses.

But, in the guise of preparing to help enforce law and order in Birmingham in the wake of a riot that police curbed before daylight Sunday, President Kennedy announced that initial steps had been taken to call into Federal service the Alabama National Guard.

UPSETS NORMAL PROCEDURE

Under procedures long prevailing in this country, and in every part of it, what the President is doing is to deprive the Governor of Alabama of the law enforcement power created to help him reestablish law and order in civil disturbances.

Governor Wallace, in protesting the President's action in sending Federal troops to the outskirts of Birmingham and making the first steps toward activating the Guard in Federal service, said this constituted an affront to him and to the people and government of Alabama. It does indeed.

Under our system for multiple levels of government—local, State, and Federal—the primary duty in maintenance of law and order in a community rests upon the town or county government and its police or sheriff's department. When a locality cannot maintain order in a given disturbance, the mayor, or the sheriff calls upon the Governor for assistance. He provides it. When a disturbance grows to such proportions that a State, through its State and local police and its National Guard units cannot maintain law and order, then the Governor calls upon the President of the United States for assistance.

In all these conditions, the lowest authority does not call for outside assistance until there is some action or threat of action with which he cannot cope, or fears he will not be able to cope with.

That extremity has not occurred in Birmingham yet.

The mayor of Birmingham has not called upon Governor Wallace for State assistance. Birmingham police have handled the mobs of Negroes parading and singing and cluttering the streets as a form of pressure that halts normal business and other activities.

Since the local authorities at Birmingham have not found it necessary to call for outside help and since no major casualties have occurred, save one taxicab operator who was pulled from his cab and beaten by Negroes, Birmingham police and the city officials are confident they can continue to handle the disturbances without violation of the civil rights of its citizenry, white and colored.

Governor Wallace, watching the developing campaign in Birmingham, has been ready to respond for help in law enforcement should it come. He has the State police and the National Guard to call upon.

RESPONSIBLE TO WHOM?

But President Kennedy has not awaited a call for assistance from Alabama or Birmingham authorities. Instead, he has moved to deprive Governor Wallace of the use of the Alabama National Guard, should the Governor seek to use these troops.

Instead of helping preserve law and order in Birmingham and in Alabama, the President of the United States has applied pressure, and his brother, the Attorney General of the United States, has made known the Government's interest is to help force completion of the agreement the Attorney General yesterday said was made "by responsible" people in Birmingham.

Who are these responsible people?

The party of the first part is Martin Luther King and his colleagues in the organization of the mass marches to interfere with the normal, peaceful activities of life in Birmingham.

The party of the second part is the group of businessmen and collaborators whom King has found ready to capitulate to the pressure applied to disturb business and normal routine.

These are the "responsible people" of whom Attorney General Kennedy speaks. The Government (Federal), he says, wants to see the terms of their agreement complied with fully.

If these are the "responsible people," to whom are they responsible?

Not one of them was elected to office in Birmingham or in Alabama. So, they are not responsible to the voters of the city or State.

Not one of them is on the governing board of the city. Not one of them has any legal authority vested in him.

The agreement reached by the unofficial conferees is an extra-legal pact no one is forced to follow and no one is under any obligation to follow.

The mayor and city council and police in Birmingham are charged by law and are under solemn personal oath to enforce the ordinances of the city of Birmingham, the statutes of the State of Alabama, and the laws of the United States of America.

They are doing so in a responsible manner.

The courts of Alabama and of the United States are open to the Negroes of Birmingham for adjudication of any rights violated. The laws are all in their favor when any injustice is wrought. But it is not justice Dr. King and the rioters want. They want complete changes in customs and in the mores of the white people of Birmingham. They spurn the courts, just as they spurn preservation of law and order.

Yet the Department of Justice of the United States has officers in Birmingham trying to pressure authorities to carry out the terms of an extra-legal agreement by an unofficial body, including on one side representatives of a trouble-stirring, law-breaking, mob of rioters.

The President and the Attorney General are undermining rather than bolstering enforcement of law and order in Birmingham.

WHY MAINTAIN GUARD?

The sad conclusion of the action by the Kennedys and Dr. King is that the Government of the United States, as the tool of the Kennedys, cannot stand law and order in the South. Only by shattering enforcement of law and order, or by actions lending an impression that law and order has been shattered, can the full and brutal forces at the command of the Kennedys be applied against the people in the South who defend themselves against extra-legal action to bring about immediate total and complete race-mixing in any locality chosen by Dr. King and his colleagues in riotmaking.

The action of the President raises a serious question for all States in the South and, in fact, all 50 States. Can the support and maintenance of National Guard units be justified as a State activity and obligation? The National Guard has been considered a force at the command of the Governor and available as his ultimate resort in enforcement of law and order in any locality within the borders of a State. But, should the President, at the first disturbance of peace and quiet, call the Guard from the command of the Governor and thus deprive him of his most powerful defensive force, there is no reason for regarding the National Guard as a State military force. It isn't a State force if it is to be taken from the Governor at the first sign that they might be used legally by him in carrying out his sworn duties to maintain law and order.

The Governors and legislatures of the South well might consider turning the Guard units back to the Federal Government altogether and relying upon an expanded State police force to maintain peace and quiet for all its citizens to enjoy.

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL ON UNEMPLOYMENT INSURANCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. King] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KING of California. Mr. Speaker, under leave to extend my remarks, I wish to insert in the Record the statement by the AFL–CIO executive council on unemployment insurance at Bal Harbour, Fla., on February 19, 1963, as follows:

Of today's 4.7 million unemployed, 2.2 million or 47 percent are not drawing unemployment insurance benefits of any kind. They are the most tragic victims of America's continued failure to solve its unemployment problem.

These 2.2 million Americans are denied benefits because of limitations in the present jobless pay system which cry out for basic reform.

The administration and the Congress should give immediate attention to the necessity for establishing a system of Federal standards for unemployment insurance. While we in the AFL–CIO have long called for this basic reform, today's statistics of suffering make this need even more imperative.

Every week another 40,000 unemployed workers are exhausting their State benefit rights under the present laws without having found employment. For them and their families the future holds only more misery. To get the economy moving, these people need not only to be put back to work but also to have the cash in hand to enable them to become paying customers.

Low jobless benefits obviously impede our training and retraining programs. The weekly subsistence payments under the Manpower Development and Training Act are tied to unemployment benefits and the prospect of living on such inadequate amounts for 52 weeks is discouraging to the most highly motivated trainee.

The positive economic effect of the existing unemployment insurance program is small. Because of the limitations in coverage, eligibility and qualifying requirements coupled with the low weekly benefit payments, less than 20 percent of the wages lost due to unemployment are being compensated by the jobless pay program.

To rely on the State legislatures now in session to cope with the problem is unrealistic. The rivalry and competition among the States for industry is too great to expect any one State substantially to increase benefits when such increase would require higher employer taxes. Furthermore, long and continuous underfinancing and the cumulative depressant effects of experience rating have seriously depleted the funds of one-third of the States.

As a result, deliberations in State legislatures are now focusing on ways and means to maintain low tax rates despite the near insolvency of a number of State funds. Adequacy of benefits does not appear to be a central concern in any State legislature at the present time; proposals to reduce benefit payments still further are under serious consideration in six States. And this malady will spread from State to State.

The unemployment insurance program should be modernized in the following specific ways: (1) Cover 3 million more workers; (2) guarantee most wage earners a weekly benefit equal to at least half their wage loss in the event they lose their job; (3) provide additional benefit weeks for the long-term unemployed; (4) improve fiscal soundness by substantially broadening the taxable wage base. These improvements can be accomplished within the original intended tax rates established by Congress when the unemployment insurance program was first adopted in 1935.

The record of history is clear. These vital reforms can only be made by the Federal Government placing a uniform requirement on each State to bring its programs up to the standard that will enable it to meet the needs of the unemployed and to perform the economic functions that unemployment insurance is designed to perform.

CREDENTIALS OF THE KADAR REGIME OF HUNGARY, BEFORE THE UNITED NATIONS

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 10 minutes.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, in the last few days the press has carried reports of the fact that there is some move afoot in the United Nations to recognize the credentials of the Kadar regime in Hungary.

Mr. Speaker, if there indeed is such a move it would appear to me that this should be of great concern to every Member of Congress because it was Janos Kadar who directed one of the most despicable atrocities of modern times when the gallant freedom fighters of Hungary were crushed by his brutal forces in November 1956. This monumental atrocity committed upon the freedom fighters of Hungary by Kadar shook the conscience of the entire world. I say, Mr. Speaker, has the free world forgotten so soon this treacherous and fiendish conduct of Kadar when he enticed the freedom fighters' leaders to phony peace talks?

I doubt if the free world has forgotten the heroic efforts of Premier Imre Nagy and Gen. Pal Meleter who were seized at the peace talks and executed.

For anyone to suggest today that the time has come for the United Nations to accept the Kadar credentials is to make a mockery of freedom, justice, and human dignity. I am hopeful that our own Government will strongly resist any efforts to recognize the Kadar regime at this time, but there are those among our allies who naively argue that Kadar has engaged in some sort of an amnesty for the thousands of Hungarian freedom fighters, many of them women and children, who were herded like cattle into railroad cars and shipped to prison and slave labor camps after the heroic uprising in 1956. To believe this talk of amnesty is again to make a mockery of the truth, since to this date, as far as I know, the Kadar regime has refused to allow United Nations' observers into Hungary to get firsthand information on the horrors committed.

Mr. Speaker, a few minutes ago this House adopted a resolution to increase the national debt limit of the United States. The people of this country have generously invested billions upon billions of dollars in defense of freedom in the world. The people of the United States have assumed these obligations and these monumental costs because we honestly believe that we are carving out a social order for the world based on freedom, on justice, and decency, and humanity. And for our allies in the United Nations today to suggest that the time has come, because of some specious reports of amnesty, to recognize the Kadar regime credentials certainly raises some serious doubts about the United Nations. Moreover, Mr. Speaker, if the United Nations Assembly does indeed recognize the Kadar regime credentials on such flimsy evidence, then indeed the time has come when the American people had better engage in an agonizing reappraisal of the continued justification for our support of the United Nations.

I cannot believe that our allies would so quickly forget the atrocities that were committed in Hungary only 7 years ago. It is for this reason that I appeal to the conscience of our allies in the United Nations to take into consideration the fact that this is not the time to recognize the Kadar regime. If, indeed, the Kadar regime were to engage in a pattern of civilized behavior which would demonstrate to the world that it can conduct itself in a manner befitting the standards of the free world and if this regime does in fact prove to the world that all Hungarian political prisoners have been given their freedom; and if the Kadar regime through its conduct demonstrates a desire to recognize those agreements it made with the Hungarian people when it invited Premier Nagy to the peace talks, then would be sufficient time to consider accepting the credentials of the Kadar regime by the United Nations. But I submit that for the United Nations to acquiesce at this time in any manner or form, in the recognition of the Kadar credentials would be tantamount to paving the way for the admission of Red China into the United Nations in the near future. I say we must protest such prospects with all of our vigor. If the United Nations insists on this course, Mr. Speaker, then I say the time has come when we must seriously question how much we can depend on our allies in a situation which may someday imperil our own freedom. I make this statement as one who has steadfastly defended the United Nations as our only hope of collective action to preserve peace and freedom.

For this reason, Mr. Speaker, I rise to protest. I hope that these reports that a move is afoot to recognize the credentials of the Kadar regime at this time are in fact without basis. I hope that our allies and I hope that our own State Department will take a hard look at this possibility and recognize that one of the great disappointments of the free world will certainly be experienced if these credentials are accepted at this time. If the Kadar credentials are accepted at this time, the free world will have sealed the coffin on freedom's hope in Hungary—and yes, Mr. Speaker, freedom's hope throughout the world. This, we, in this Chamber, must never permit to happen.

MUSKOGEE SCHOOLS ADVANCE CLAIM TO NATIONAL FITNESS CAPITAL

The SPEAKER. Under previous order of the House, the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 5 minutes.

Mr. EDMONDSON. Mr. Speaker, I am proud to report that the teachers and children of the Muskogee, Okla., school system have just successfully staged their Second Annual Physical Fitness Festival, following a second year of all-out daily participation in the President's fitness program.

More than 5,000 spectators were on hand in Indian Bowl on Tuesday night, May 14, as thousands of pupils from the elementary grades to senior high school demonstrated their physical fitness and athletic proficiency.

The tremendous success of this pilot program at Muskogee fully justifies a strong claim to the title of Physical Fitness Capital of America, and I welcome this opportunity to advance and support that claim.

The achievements of the Muskogee program were noted in telegraphic messages from both President John F. Kennedy and Vice President Lyndon B. Johnson.

President Kennedy's telegram, sent to School Superintendent Francis Tuttle, expressed his delight with progress in the Muskogee program and declared all participating "have contributed significantly to the strength of our country."

The Vice President's wire, addressed to Program Director Alph Stanphill, congratulated the city upon its achievements in launching and continuing the program.

On hand as representatives of the Armed Forces, strongly supporting the program, were two distinguished officers: the commanding general at Tinker Air Base, Maj. Gen. Lewis Mundell, and the U.S. Navy's Capt. Frank Manson, himself a native of Oklahoma.

The idea of physical fitness is not new in Muskogee, Mr. Speaker, for this sports-minded community of nearly 40,000 has produced six All-American college football players since 1937, and a long series of outstanding athletes in other fields.

The President's program, however, headed up by Bud Wilkinson of Oklahoma University, has served to enlist the all-out participation of everyone, to a degree never before achieved in our fine school system.

There can be no question about the fact that this outstanding community endeavor has contributed significantly to the strength of our country, and I am sure that all Members of this body join me in this expression of appreciation.

BRUTALITY IN BIRMINGHAM

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. GALLAGHER] is recognized for 15 minutes.

Mr. GALLAGHER. Mr. Speaker, I am certain it is evident to all the fair-minded, thinking people of the United States, and I do not exclude those of any State, that force, brutally and violently brought to bear, will not serve to contain the determination of the American Negro to achieve full citizenship and the rights thereto.

On the contrary, as events of the past week in Birmingham, Ala., have again proved, bombings and other violent actions intended to intimidate the Negro, no longer will do so. What is happening in Birmingham is proof that the Negro is prepared to move forward in a peaceful and united effort to gain the rights guaranteed in our Constitution, but denied them by extreme segregationists.

In Birmingham we have witnessed the most brutal application of shock action by municipal and State police—the use of high-pressure firehoses, police dogs, armored cars, and clubs—to break up peaceful demonstrations.

As if this in itself were not enough to offend the conscience of the Nation and to bring shame upon us around the world, we have heard broadcast and read the vicious statements of some police officials, clearly indicating a determination to beat the Negro into submission.

There is no longer submission. There is courage and a determination to use every lawful means, including the right of assembly, to gain the full rights of citizenship. Certainly by now it should be obvious that the Negro will not be denied these rights by taunt, or bomb, or armored car.

The more violent the action of these who would forever deny the Negro, the more determined will be their stand and the more strongly will they be supported by the intelligent, fairminded people of the United States. We must recognize that the Negro can be pushed just so far, denied just so long.

Certainly, the intelligent, moderate leaders of the South realize this. Progress has been made in many areas, perhaps not enough and perhaps the pace is too slow, but at least in some States there has been progress without bloodshed.

If the moderate community leader in the South permits a ragged, brutal, and bigoted minority to operate in pockets of resistance, he is ignoring his responsibility. This community leader of the South must recognize that the Negro can no longer be denied and that the immediate granting of full civil rights is the only answer; they must realize, after what has happened in Birmingham, that shock action by police or unrestrained roughnecks will not contain the Negro's fight for freedom.

I am mindful of a fact stated some years ago by the then junior Senator from Massachusetts, John F. Kennedy, speaking on colonialism. He said:

> The most powerful single force in the world today is neither communism or capitalism, neither the H-bomb or the guided missile—it is man's eternal desire to be free and independent.

What we are witnessing today in the United States is that force at work—the determination of the Negro in the South to be free to enjoy the rights of citizenship.

ASSISTANT SECRETARY OF STATE AVERELL HARRIMAN

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, columnist George N. Crocker, writing in the San Francisco Examiner of May 5, discusses a matter of timely interest—the performance of Assistant Secretary of State Averell Harriman in the Laotian crisis.

Reference in this article traces Mr. Harriman's record as far back as the disastrous wartime conferences by which Presidents Roosevelt and Truman turned over Eastern Europe to the Communists. The tragic similarity between present foreign policy and that of World War II days is a matter that should concern us all.

[From the San Francisco (Calif.) Examiner, May 5, 1963]

EVER-SMILING MR. HARRIMAN

(By George N. Crocker)

The omen that Laos was to be permitted to slide deviously into the Communist basket appeared in March 1962, but only those with a sharp memory of the Franklin D. Roosevelt period perceived it. The omen was the dispatch of Averell Harriman to the scene, with plenipotentiary powers to "negotiate" a solution.

The aplomb with which this perennial itinerant in the shadowy regions of highest diplomacy can put a plausible legitimacy on international compacts which are in essence a delight to Soviet and Chinese Communists was well known by the late war President. Roosevelt brought Harriman to all of the important summit conferences during World War II.

Harriman looks and talks like a human epitome of good intentions and sweet reasonableness. Through the years, an undeviating personal loyalty to the President who takes him or sends him on the diplomatic travel circuit has always been his Procrustean law. It is characteristic that of all the top participants in World War II diplomacy, Averell Harriman stands virtually alone in one respect: He has never published his memoirs.

The coalition which Harriman pressured the pro-Western forces in Laos into accepting last summer at Geneva was immediately hailed in both Moscow and Peiping. Slow and covert—that is the Communist pattern for the subjugation of southeast Asia; avoid anything so blatant militarily as to arouse American opinion from its torpor. So the Laotian "peace" pact drew pious hosannas from Khrushchev, Mao Tse-tung, and Ho Chi Minh. They got what they wanted at that stage: the Pathet Lao chief, Red Prince Souphanouvong, to be a Deputy Prime Minister of the strategic little kingdom as well as economics czar; the rabid pro-Communist, Phoumi Vongvichit, stepping in as Minister of Information.

Now a fast grab has been made on the Plain of Jars, just before the monsoon season sets in over the royal palance at Luang Prabang; the Laotian version of the hammer and sickle will be raised in due course, but this need not be rushed. Then the whole process is to be repeated in South Vietnam and Thailand.

The echo of Joseph Stalin's triumphs at the council table reverberates, but are we listening? When, at Teheran in December 1943, President Roosevelt clandestinely acceded to Stalin's demand that 48 percent of the land of prewar Poland be torn away and annexed to the Soviet Union after the war, and that Germany be dismembered, Averell Harriman was there. When it was understood that the United States would cause Stalin no trouble over his brutal absorption of Latvia, Lithuania, and Estonia, Harriman was there.

When at Yalta, on February 8, 1945, Roosevelt went into a room in Livadia Palace with the Russian dictator and made the secret agreement which brought Russian troops swarming into North China at the end of the Japanese war, who was at Roosevelt's elbow? The eversmiling "Ave." And when, also at Yalta, Roosevelt accepted Stalin's pledge that free elections would be held in the countries of Eastern Europe—a pledge so preposterous that one who knew Stalin as well as Harriman did should have found it laughable—Harriman was present, and, so far as any record shows, uttered no objection to the agreement, which another American at Yalta, Adm. William D. Leahy, saw as making Russia "the dominant power in Europe" and as "a frightening 'sowing of the dragon's teeth.' "

In fairness, it should be said that Harriman's role has seldom been that of policymaker, but rather of courier, agent, sometimes adviser. No one can doubt his devotion to his country; but is fidelity enough when sound judgment is needed near the seat of power?

What is disturbing in the Harriman record is a willingness to be used in backstage deals, so many of which have turned sour. Nobody can imagine Averell Harriman ever pulling out with a public protest. With him in the picture, one always has the feeling that the dirt has been swept under the rug, and that the bland communiques will not be the end of the story.

So it is in the case of Laos.

SPENDING INTO TROUBLE — A SOUND EISENHOWER WARNING

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the American people as a whole and Congress in particular are very fortunate that President Eisenhower is taking the time and trouble on a regular basis to share with us his thoughts through a series of articles and speeches. Many of my colleagues and I miss his presence in Washington, and we are the richer for the views which he is expressing in the statements he is issuing these days.

This week's issue of the Saturday Evening Post has, as its lead article, a Dwight D. Eisenhower treatise, "Spending Into Trouble—We Are Stealing From Our Grandchildren in Order to Satisfy Our Desires of Today." In this article President Eisenhower discusses many things, including that "no family, no business, no nation can spend itself into prosperity," and "as a precondition to any reduction in taxes we must cut spending," and "many items in the budget have become distended beyond reason," and "What can those people in Washington be thinking about?" Plus many more provocative items such as this.

I hope that thoughtful citizens throughout the country, Members of Congress and their staffs in particular, and editors and commentators of the press will give very careful thought and vigorous support to the views expressed by our distinguished former President, our beloved Dwight David Eisenhower.

Below follows the complete text of the article:

SPENDING INTO TROUBLE

(By Dwight D. Eisenhower)

I have no desire to be an alarmist. However, the time has come when my sense of duty as a citizen demands that I speak out bluntly regarding what I believe to be a clear danger which could threaten our free way of life and our security as a nation. That threat is the determined effort of our current political leaders to commit the United States to a risky, highly experimental fiscal adventure, based on a questionable theory which I call spending for spending's sake. That policy, which fails to heed the plain lessons of history, now has been unveiled in what I consider a vast, reckless scope, calling for a larger-than-wartime budget, a deep tax cut and a deliberate plunge into a massive deficit. Let us review the principal figures briefly: a budget of $98.8 billion, which actually calls for new obligational authority of about $108 billion; a tax cut estimated to reach over $10 billion a year by 1965; and an estimated deficit of $11.9 billion for fiscal 1964—on top of a current one of $8.8 billion—with further "planned" deficits extending into 1967, if not longer. The administration's theory, based on the so-called "new economics" it professes, is that in the long run the tax cuts would stimulate our economy enough to offset the immediate losses in revenue. My first reaction to these proposals was one of amazement—and no doubt many other Americans reacted the same way. What can those people in Washington be thinking about? Why would they deliberately do this to our country? I asked myself. My concern is not merely with the vast amounts involved but what I firmly believe to be a foolhardy disproportion between income and outgo, plus the willingness of the policymakers to gamble on a grand scale with our economic lifeblood. Such a fiscal policy is bound to transfer more and more of the economic decisions of the country into the hands of the Federal Government: A greater share of our national endeavor will be directed by politicians and bureaucrats instead of by the millions of businessmen, shopkeepers, farmers, bankers, and workers whose composite daily judgments traditionally have determined the bread-and-butter activity of our country. To my way of thinking, it is obvious that the "new economics" out of which the administration has drawn its plans is not new at all; in the end it can be nothing more than the age-old shot-in-the-arm, inflation, dressed up in fancy modern terms. It is the irresponsible, easy road of debt, a road which through history has lured nations to financial misery and economic disaster.

Of course, there is far more to our national life than dollar signs, debits and credits, but at the same time the fiscal policies of the Government reflect its basic philosophy in the exercise of power—and few Federal powers have more direct daily impact on the citizen than the Government's authority to tax and spend. Nowhere is there greater need for restraint and careful balance if we are to maintain sound self-government. As usual, the would-be spenders have prefaced their requests for more money, more borrowing, with noble-sounding statements that they have only the welfare of the country in mind. Well, I am not questioning their motives or their sincerity, but I have serious doubts as to their judgment and their sense of proportion. We might well ponder a quotation from the late Supreme Court Justice Louis D. Brandeis: "Experience should teach us to be more on our guard to protect liberty when the Government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding."

Let me emphasize that I am not writing as a partisan. Responsible government is not a partisan issue and I would be just as alarmed if a Republican instead of a Democrat leadership were attempting to embark on such a fiscal program as the one now before Congress. No party doctrine is necessary to tell us that if the present generation keeps passing its bills to the next one, our children and grandchildren will inherit not a free country, bright with opportunity, but a vast wasteland of debt and financial chaos. Republicans and Democrats alike—even our smattering of Socialists— will suffer if our present trend takes the country into debt beyond the point of no return and plunges us into a spiral of increasing Federal powers over our purses, our jobs and our lives.

The Federal Government's financial affairs are immense and complex, but their sound management is not a mysterious art; in fact, they are subject to the same time-tested rules as those followed by any farsighted householder or businessman. A wise family or a well-run enterprise makes a practice of spending less than it takes in; in good years the family builds up savings for its future needs, for sending the youngsters to college, for meeting possible emergencies such as ill health or unemployment; a business builds up reserves for carrying itself safely over poor years and for expansion and investment in new opportunities. This is simply commonsense. As Abraham Lincoln once wrote: "An individual who undertakes to live by borrowing soon finds his original means devoured by interest and next, no one left to borrow from—so must it be with a government."

Now I know that the economic theorists who advocate Federal overspending deride this analogy, having convinced themselves that normal financial laws don't apply to a nation. They tell us that a $300 billion national debt and interest costs of $10 billion a year are nothing to worry about. They imply that we can go on indefinitely mortgaging ourselves without impairing the Nation's credit. What counts, they claim, is the relationship between the debt and the gross national product—the total value of goods and services our country generates, a figure that ran $554 billion last year. As long as the debt doesn't grow out of proportion to the gross national product, they believe, the country will remain in sound financial condition. But what they don't point out is that nobody really knows where this theoretical peril point might be—how much leeway a nation actually can count on. Also they trot out the old cliche that the national debt can never become a problem, because, "after all, we owe it to ourselves." They speak of planned national deficits as "an investment in the future."

Such justifications have a way of sounding plausible—just as does the spiel of the high-pressure salesman who wants you to buy something you really can't afford. But so did the theories of certain self-appointed investment experts who told us back in 1928 and 1929 that the country had entered a new era, a new plateau, that the old rules no longer applied to stock prices, and the warning signals were meaningless.

I say that the time-tested rules of financial policy still apply. Spending for spending's sake is patently a false theory. No family, no business, no nation can spend itself into prosperity. Any way you look at it, a nation is nothing more than a collection of families—about 47 million of them make up the United States—and it is their money that the Government is spending. They are going to have to carry the increased debt. It is their future that is being mortgaged. And they certainly are not going to be excused from paying in taxes the pyramiding interest charges on that debt. They and their children will pay and pay and pay. In effect, we are stealing from our grandchildren in order to satisfy our desires of today.

Some of the things the spenders fail to tell us are more significant than the doubtful premise on which they base their sales talks. For example, they have neglected to outline any plans for preparing the Nation financially to meet costly national or international emergencies which have a way of popping up without regard to theoretical timetables. Any thoughtful person knows that a household, an enterprise or a nation which has built up a substantial reserve of savings and has kept its credit good has a much greater ability to weather depression or disaster than one which is mortgaged to the hilt. If the United States embarks on a grand spree of debt, how can we ever know that it can safely meet the extraordinary financial demands of a depression or war?

From experience I know the serious burdens imposed on the Federal Government by even a fairly modest recession. For the fiscal year 1959 we had planned a budget of $73.9 billion and were counting on a small surplus. Then came a sudden unforeseen slump in business, causing Federal income to fall more than $6 billion short of estimates; at the same time Government spending was stepped up to $80.3 billion, much of the increase going to pick up additional payments for unemployment compensation. It is right and just for the Government to use its borrowing powers to meet this kind of emergency. But I want to emphasize that this deficit was not planned, and once the crisis was under control we worked as hard as we could to get the budget back into balance as quickly as possible.

The strain of a recession is but a minor headache as compared to the imperative financial demands of war—not an all-out nuclear war, which would be destructive and costly beyond comprehension, but a more likely conventional defense against a probing enemy. Distasteful as such a prospect may be, we know from recent history in the Congo, Korea, Vietnam, and Cuba that we must accept such threats as part of the times in which we live. And we know any sign of weakness could bring a Communist thrust at any time. Even a fairly small test of our strength and will to resist could require us to increase spending quickly and substantially. The question now is: Are we then going to find ourselves in the position of a spendthrift family which has little or no leeway in time of trouble? I am not saying that the Nation would or should fail to meet its obligations. But all of us would feel more comfortable and secure if our national leadership exercised the foresight and self-discipline to balance its budget and to begin paying back something on the national debt. And just to dream a bit, imagine how much better the country would feel if it had no debt at all, but a healthy surplus.

The proponents of the "new economics" don't tell us, either, that if history has any validity their policies are almost certain to lead us into an eventual cheapening of the dollar and a corresponding rise in the cost of living. If we keep headed in this direction, we may soon have to find a new term, perhaps "dollarette," to describe accurately the buying power of our monetary unit. This doesn't mean that even financial conservatives such as myself believe that the buying power of our money can be held rigidly unchanged, regardless of any consideration. The three wars we have had in this century have had a strong inflationary effect. Not all of this could have been avoided by better governmental management. When I was a boy living on the outskirts of Abilene, Kans., I helped supplement the family income by selling eggs for 10 cents a dozen and milk—good Jersey milk—for 5 cents a quart, and in those years a dollar and "found" was a day's pay for a farmworker.

ROBBERY BY THE GOVERNMENT

We have come a long way in living standards and prices since those days, but the well-being and stability of the country still depend on maintaining our dollar as a fair, reasonably stable unit of buying power. We have the unfortunate example of the post-World War II period when the cost of living virtually doubled and the value of our dollar wasted away. During my administration we faced up to the situation and did our best to fight inflation with historically tested, conservative fiscal policies, realizing that no country, not even one as rich as the United States, can always afford everything it might want. I suppose the new theorists would scornfully call those policies reactionary. But the results speak for themselves. In the 7 years of the Truman administration the cost of living index went up 47 percent. During my terms in office the rise of this cost curve was slowed to only a little over 10 percent in 8 years. I might add that we didn't accomplish all that we hoped—the free-spending philosophy has been so deeply seeded into the country's political life that it is a slow process at best to weed it out.

Statistics on the cost of living don't tell the whole story, of course. It is the people, not the figures, which cause me to be so distressed by the fiscal policies that now seem to be espoused by the Federal Government. Were I a younger man, planning for the best possible future for my family and looking forward to eventual retirement, I would bitterly resent the effrontery of the politicians who so blithely plan to experiment with the future value of my savings, my insurance and my pension. I would call it downright robbery for my Government to decide on policies that are nearly certain to shorten progressively the monetary yardstick so that when I received my annuity or savings I would get dollarettes—worth only half or a fourth as much as today's dollars.

In these times the impact of inflation could be even greater than in the past, because we now have something of a pension economy. More and more people employed in industry build their future around pensions, insurance annuities and social security, rather than on investments in land and other property. If the Government is to keep faith with these people, it will not set out on a course which could make these future fixed incomes virtually meaningless. It is easy to say, "Oh, that can't conceivably happen here. We're going to build a greater prosperity." Well, it has happened time and again in other countries as the aftermath of inflationary policies. You have only to talk to a Frenchman, a Japanese, a Greek or a German who lived through the toboggan ride of devaluation to appreciate its toll on the lives of the people.

During the mild recession of 1954 I had a conversation with Dr. Ludwig Erhard, Minister of Economic Affairs of West Germany, and we were discussing what the Government might do about the situation. Dr. Erhard said, "I beg of you, don't worry about a slight depression. Just worry about inflation. We have lived through both, and we know there is no misery like that of inflation." While I am not prepared to agree that a recession is not serious, we should remember, too, that inflation often destroys more than the financial structure. In Germany it so weakened the moral fiber of the people and so demolished their faith in democratic government that they welcomed the dictatorship of an Adolf Hitler.

Advocates of spending for spending's sake also gloss over the fact that their policies would place increasing power over our lives and our institutions in the hands of a few politicians in Washington. They don't point out that, as a rule of thumb, the people must abdicate their direct responsibilities almost in direct ratio as they let Washington pick up the check. This doesn't mean that there aren't many functions, especially defense, which are rightful responsibilities of the National Government; rather, it emphasizes the need for us to understand what is right and proper for the Federal Government to do, and what isn't. On my desk I keep a handy reminder of this principle, a saying by Abraham Lincoln, who put it this way: "The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do, for themselves, in their separate and individual capacities. In all the people can individually do as well for themselves, government ought not to interfere."

Of course, Government now engages in many activities not considered essential a few years ago. Not long ago, while visiting with the presidents of several privately supported universities and colleges, I became curious as to the extent to which Federal financial power had invaded the campus, and I asked, "What would you do if the Government suddenly ended its research contracts with your schools?"

One president threw up his hands and exclaimed, "Why, we'd have to close our doors. We'd be virtually broke."

Another, heading an old, conservative university, said, "We would be badly hurt, but we've tried to look ahead, realizing that some breakthrough in disarmament might cause the cancellation of many defense research contracts. So we have paid all our key professors and scientists out of our own revenue."

This is one small sample. But it makes clear that at some point we should call a halt to the proliferating use of Federal money—which, after all, is our money—to control a larger and larger segment of our activities, including the very institutions on which our human dignity and freedom are based.

Another aspect of spending for spending's sake which the theorists fail to explore with candor is its possible effect on the value of the dollar in the eyes of the world. We long have been accustomed to unquestioned acceptance of the dollar as the dominant medium of commerce in the free world, but there are troublesome signs, such as the persistent deficit in our balance of international payments and the outflow of gold, which should warn us to be cautious. Many countries carry dollars or short-term dollar obligations as a part of their reserves, and as long as they believe that our fiscal policies are sound and we can and will meet our obligations, they see little reason to ship their dollars back to Washington and ask for gold. However, should this country get into large-scale deficit financing, if we get into an inflationary spiral with increasing production costs so as to shake the confidence of the rest of the free world in our currency, there could be a "run on the bank"—that is, on our depleted gold reserves. Then there would be great pressure on the apostles of the easy way to say, "well, we don't need a gold standard. We will now repeal the law requiring our currency to be backed by 25 percent of its value in gold; we can't let an old-fashioned idea like that hobble our progress." And all the brakes on inflation would be off.

Let me emphasize that I don't for a minute believe that we are, as yet, in a precarious position. The dollar still is strong, and I'm sure the world has respect for our immense wealth and financial integrity. However, what bothers me is that we are heading in the wrong direction, and not enough of our people are viewing the matter with the care it deserves. Certainly one of the things not to do is to enlarge our deficit recklessly. What is required is the foresight and moral courage to use our national checkbook with restraint.

I believe in progress; I believe that Government has a duty to create and maintain an economic atmosphere in which balanced and constant progress can be realized by the Nation. Indeed, how could any man who has lived through the marvelous development of the United States in this century not believe in the genius of the American people for progress? But I oppose visionary and costly programs placed in operation in the name of progress by the Government.

Many times recently I have wished our schools and our informational media were doing a better job of dramatizing for the American people, especially the younger generation, the vital story of the way in which this country has become strong, rich and powerful in world affairs under the rare climate of freedom and responsible self-government. These are more than pleasant phrases. They represent the unique fulfillment here of an ancient dream of mankind. For us, happily, the dream largely came true. It did so because our forefathers had the opportunity to build their own futures, starting with a great continent of tremendous, unmortgaged resources of land, water, minerals, timber, which an energetic people could shape to their needs without bowing to the restrictive hands of kings, dictators or oligarchs.

This American system, we must remember, is still an experiment and even today is being tested on many fronts. Of this we may be sure: That system's continued success depends on our ability to preserve the values which made it great, on continued freedom to work hard and to exercise our ingenuity—not in impulsively distorting that pattern. That is why I would hope that all of our young people, no matter how well off their families, might have the experience of earning a living for themselves by their hands and their brains. The science of what I call "constructive economics" is more easily absorbed by people who have earned their own way than by those who recognize a dollar only as something provided by an indulgent parent.

Let us get specific about the several parts of the administration's tax-budget-debt package. First of all, every well-informed citizen must know by now that Federal taxes are too high, and the whole patchwork system of income taxes is unfair and inefficient. In our free society the primary function of taxes should be the production of enough revenue to meet legitimate Government expenses, not to rig the economy or to support unnecessary governmental programs. Necessary taxes should be collected in a manner that will be fair and just to every individual and will do the least damage to the economy.

By such a definition, we are much in need of a tax cut. I urgently favor one. Present income tax rates, ranging from a low of 20 percent to a high of 91 percent, seriously impair opportunities in our economy, becoming virtually confiscatory in the upper brackets. The men who originally set up our income tax system would be shocked by the rates today and the effect of the system. Recently I read an account of some of the debates prior to the adoption of the graduated income tax in 1913. The opponents argued that if the Government had the right to take 1 percent of an individual's income in taxes, it might in the future have the right to take as much as 5 percent or even 10 percent. The advocates of the tax replied that this was a foolish contention, because any government which attempted to take in taxes that large a share of the people's earnings would face revolution.

We haven't had a revolution, but the longer the delay in cleaning up the tax mess the longer the unfair rates will hold us back and the more difficult reform will become. Personally, I believe that we should lower the rates to the neighborhood of 65 to 70 percent in the top brackets and to 17 or 18 percent in the lowest ones. But that is only one man's opinion. More important than the exact range of the rates is a system which distributes the load fairly. And as a precondition to any reduction in taxes we must have the courage to cut spending. I still insist that the proposed budget is extravagant and can be cut by billions of dollars without harming a single essential Federal function.

The way to get basic tax reform, in my view, is to enlist a group of our ablest citizens to take a long, hard look at our whole tax system and to blueprint a complete overhaul that would get us back to solid ground. Such a group would be something like the Hoover Commission—which was notable for nonpartisan operation—with its attention devoted wholly to reforming our tax structure. It should include people from various walks of life—businessmen, union labor officials, farmers, lawyers, doctors, teachers, and economists—even a few of what I call the wild-eyed kind, although they shouldn't dominate. These men would need to be highly public spirited, because theirs would be a grueling, brain-fagging job. The present tax laws are not a system but a patchwork quilt of laws and amendments, many of them enacted to meet certain emergencies long since passed.

The swollen budget for fiscal 1964 has been defended as "the most powerful single tool the Nation possesses" to promote economic activity. However, this confidently stated proposition does not square with our economic history and our traditional free enterprise philosophy on several counts. For one thing, sheer weight of Government spending by itself never has been, nor do we want it to be, the principal force in our long-range growth. Certainly it does not produce the self-supporting kind of expansion that has been typical of private investment and development. Government spending does produce activity, of course, and if all we want is feverish activity, we could carry that proposition to its absurd conclusion and let the Government take over all spending. Then everybody would be working for the Government, and we no longer would have a democracy.

The Government formula now given us is: Spend more, collect less, go more in debt. Doesn't this whole proposition put the cart before the horse? If we reduce public spending and taxes at the same time, then our economy will have its best opportunity for showing new growth. When we reach that happy stage where, with lower tax rates, the budget shows a surplus, then we can see our way clear to pay off a bit of our debt and devote more money to Government services for an expanding population.

Of course, the country must have economic growth, but when so-called experts say that it must be a certain number of percentage points per year, I just think they don't know what they are talking about. It's like saying that each and every child should grow the same number of inches a year. And when they say that Government spending should be the controlling factor in expansion, I regard this as a pernicious myth.

Where do you start measuring this growth? It would be a blessing if such poor, underdeveloped countries as India or Egypt could increase their productivity by 10 percent or more a year, giving them the opportunity steadily to raise their standards of living. For some time countries of the Common Market area have been expanding faster than the United States, as is to be expected, because they started from a lower level, had to rebuild from war damage, and had accumulated needs and desires. Now they are breaking down trade barriers between states, as we did in the beginning, and are moving into the mass-marketing, automotive, mass-production age. In other words, many other countries, including Soviet Russia, are striving to catch up with our mature, highly developed society which has fulfilled far more of the material needs of its citizens than any other system on the face of the earth. The United States should not try to match some arbitrary percentage formula; rather its goal should be the maintenance of a climate in which our society can develop continually greater opportunities—both economic and cultural—for new generations.

For a moment let's think of national security and its costs. A key point to keep in mind is this: No matter how much we spend for arms, there is no safety in arms alone. Our security is the total product of our economic, intellectual, moral, and military strengths.

AN EASY WAY TO BANKRUPTCY

Let me elaborate on this great truth. It happens that defense is a field in which I have had varied experience over a lifetime, and if I have learned anything, it is that there is no way in which a country can satisfy the craving for absolute security—but it easily can bankrupt itself, morally and economically, in attempting to reach that illusory goal through arms alone. The military establishment, not productive of itself, necessarily must feed on the energy, productivity and brain power of the country, and if it takes too much, our total strength declines.

So how does one judge the limits of defense needs? That is the task of the statesman: to apply the rule of reason in judging what is clearly adequate but not excessive. The foibles and specialized viewpoints of human nature must be balanced off. For example, when I was President, it was not unusual for the Joint Chiefs of Staff to agree that the total defense budget was adequate—but later individual members would come to me to argue that the share of their respective service should be increased at the expense of the others.

The defense budget I left behind provided amply for our security at that time. Even though there have been costly developments in weapons since then, it does not seem that the spectacular increase of $10 billion in new obligational authority in 2 years, as is now requested, has been proved necessary. We already have the nuclear deterrent, the most valuable single element in our defense posture and one which, of course, must be kept up to date. One truth we should keep in mind at all times is that the other fellow, your potential enemy, doesn't want to be killed any more than you do. As long as he knows we are maintaining the power to destroy him if he dares attack us, as long as we keep our Nation fiercely proud, not only of its military strength but of its way of life, then we have the best possible defense in this imperfect world. Patriotism is as important as all the guns we can build.

Let us turn to the space exploration program, which I publicly have called "downright spongy." Now, clearly, the strong competitive spirit of the American people has been aroused by the so-called space race. But let us step back for a moment from emotion and be objective. This is what my scientific advisers and I tried to do when we started space work back in 1955 and thereafter enlarged it into a comprehensive program. We didn't and don't want to be a second-best nation, not in any important field, and certainly not in total accomplishment. But can we best maintain our overall leadership by launching wildly into crash programs on many fronts? This is where we seem to have got out of focus.

Let me make it perfectly clear that we should have an aggressive program of research and exploration, so broadly based that in the long run there will be no question of our space leadership; but we should pursue it in an orderly, step-by-step way to enlarge systematically our knowledge of the scientific, military, and industrial potentials in space. This sort of a program would be a strong, steady push from the known into the unknowns of space science, accumulating along the way the techniques and skills to put our astronauts on the moon, among other developments. The annual cost would not include money for stunts and unnecessary contests.

Most of the scientists who advised me on space matters—all men of great knowledge and integrity—believed in this step-by-step program as most effective for the long pull, pointing out that the things we need to learn in space are almost as endless as space itself. Proud as we may be of our astronauts and our Venus probe and other accomplishments in space, this racing to the moon, unavoidably wasting vast sums and deepening our debt, is the wrong way to go about it, as I see it. Because it has been stated that the country's prestige is at stake in this race, the average citizen may be loath to question the huge sums now being requested. But he should.

Many items in the budget have become distended beyond reason; several should be mentioned for the pattern they make. The $5.7 billion allotted for agriculture—and the actual spending could easily exceed the estimate—to a large degree represents subsidies, originally intended as wartime incentives for increased production, which now have become imbedded in our farm economy. Moreover, these subsidies are a prime instance of the way in which Federal controls usually go along with Federal money. Ask any farmer about his cropping system these days, and he will answer not in terms of his plans but in terms of the acres permitted for this crop and that under his Government allotment.

Or take the way in which the Federal Government seems to have decided that it must do much of the medical research, despite the multitude of State and private medical schools, hospitals and research foundations. The item for medical research in the budget left to me by the outgoing administration in 1953 was $96 million. The same item is now around $900 million. In this, as in so many other fields, the Congress seems to believe that money will buy anything and everything.

This poses the question: Are private hands being pushed away from this kind of research? I'm afraid they are. Often in recent years I have talked with people who have been giving generously to worthy causes, such as the American Cancer Society, the Heart Association, crippled children's organizations, and so on, but who are beginning to feel they no longer should do so because they already are supporting such work through the taxes they pay. Again it seems the Government insists on taking over.

Finally, a few words about the most misunderstood and controversial of all Federal expenditures—foreign aid. Never has there been any question in my mind as to the necessity of a program of economic and military aid to keep the free nations of the world from being overrun by the Communists. It is that simple. Such a program, if well-run and kept within the limits we can afford, offers the United States one of its best bargains in national security.

Unfortunately, foreign aid has suffered through its history from political maneuvering and lack of stability. Congressmen seeking reelection have found it a handy issue to kick around. They go back home and stir up voters with speeches saying, "You can be sure I'm not going to vote to give your money to Timbuktu when you good people so badly need more schools and hospitals." Because of this and other political factors, foreign aid never has been planned or administered on a long-range basis, although we know the Communist threat is going to be with us for a long time to come. Back in 1953 we inherited a foreign-aid budget of $7.6 billion and we cut expenditures to a more reasonable $4.8 billion, hoping to build a steady-going program. But we never were able to get Congress to assure the program the continuity in funds and personnel that are absolutely necessary if this important work is to attract and hold experienced, dedicated people.

That is why I agree with the recommendations of the Committee to Strengthen the Security of the Free World, headed by Gen. Lucius D. Clay. The Clay report follows the guidelines of rule of reason that I have been talking about. It recognizes that we should not increase the burden of foreign aid at this time but should strengthen the program in areas where our puropses are best served while phasing it out in areas where it is not effective. I applaud the administration for accepting the terms of the report and hope that Congress will act favorably on it.

People who talk with me about the threat of spending for spending's sake often wind up by asking, "But what can I, an ordinary citizen, do about it?"

The answer is: plenty. One of the first things you can and should do is to inform yourself on this critical situation. Just how much are you paying in taxes? What is your share of the national debt? How much is the interest on that debt costing you? You can join with your neighbors or like-minded people in probing into these things, in discussing the whole problem. Determining what taxes you pay isn't an easy job, because so much of the load is hidden or indirect. A development which has my hearty approval is the little sign which now often appears on the gasoline pump showing the customer just how much of the price goes for taxes. Business should do that with other products—with such things as cigarettes, liquor, luggage, and other items on which excise taxes are collected. Employers should make sure—and so should labor unions—that workers realize just how much of their wage is being withheld for income taxes. All too often the worker thinks of his take-home pay as his real wage and doesn't stop to think how much larger his earnings would be if the taxes were more reasonable. I wish that employers would—if permissible—adopt a system used some years ago by a company to dramatize the tax bite: At one window workers were given ther full pay envelopes and then, at an adjoining "tax window" the amount to be withheld was collected from them. Every earner would soon begin to ask, I'm sure, "Why do we need to spend all this money?"

If you believe in self-government, it is your right and your duty to make your wishes known to Washington on an issue as vital as spending for spending's sake. Actually, the solution to the problem could be this simple: If enough citizens write to their Representatives and Senators asking why they have been voting so much money for racing to the moon, farm subsidies, and even for defense, Congress will get the message. Your Congressman will get it particularly well if you demand not just a polite, noncommittal form reply, but a detailed, reasoned answer.

All of us will share the blame if continued spending and debt lead us not into lasting prosperity but into decadence and peril. This includes those who are seeking to lead us down this risky road. It includes the empire-building bureaucrats, too few of whom seem able to follow the wise doctrine of self-restraint. It includes Congress, holder of the purse strings, but all too often willing to give in to subsidy-seeking pressure groups or too eager to seek votes with "pork barrel" appropriations. But most of all it applies to us—private citizens—who allow our votes to be swayed by the "carrots" held out by the public spenders, who fail to look beyond an immediate Government check to ask ourselves, "How does this affect our children's future?"

PUERTO RICO

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BOW. Mr. Speaker, important hearings on the future status of Puerto Rico are about to begin in the Committee on Interior and Insular Affairs.

This is a delicate and extremely sensitive matter, and I wish to take this time to urge that all of us refrain from expressing final judgments on the issues until all of the evidence is in.

I have been a longtime friend of the Commonwealth and the people of Puerto Rico. My interest extends back through the years to and beyond the days when, as a member of the Interior and Insular Affairs Committee, I participated in the hearings on the present Constitution of Puerto Rico.

I have many dear friends in the island and have visited there many times. Some have considered me almost as an expert on the complex relationships between the Commonwealth and the 50 States. However, there are many problems yet to be determined for complete understanding and I think the hearings may be useful as they develop more information for Members of Congress and all of our citizens, both on the island and the mainland of the United States.

It is easy and apparently quite tempting to the newcomer or casual visitor to Puerto Rico who is uninformed to make judgments on some of the special relationships, with regard to taxation, for example, that exist between the Commonwealth and our Federal Government. May I say that each of these special situations had some reason for coming into being, most of them probably are still valid today, and one accomplishment of the hearings can be to determine whether any changes are in order at this time.

My Puerto Rican friends are proud of their American citizenship and many of them look forward to the day when the Commonwealth may become a State. They are proud of the brave record of thousands of Puerto Ricans who fought in our Army, and theirs, during three wars. Their heroic action in Korea will be a brilliant page in American history. They are proud of the record they are making in the economic progress of the island and they are very much aware of the fact that the $958 million of goods they purchased from the 50 States last year constituted a real contribution to our economy. They are now the fifth best customer of the United States and will soon become the third.

For all these reasons, they are understandably sensitive to ill-informed criticism. Particularly that of first-term Congressmen who become experts after a 4-day visit.

The American citizen or Member of Congress who goes abroad for a few days and returns to this country an expert on foreign affairs is a standing joke. It is no joke if the victims of such expertise are our fellow citizens in Puerto Rico, and I hope the hearings now beginning will be spared any unnecessary complications of this kind.

TAX RELIEF FOR SMALL BUSINESS

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Glenn] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GLENN. Mr. Speaker, I have today introduced legislation designed to give corporate tax relief to the Nation's small businesses.

My bill would amend the Internal Revenue Code to give small corporate businesses the benefit of a lower tax rate.

It would set a 30-percent corporate tax ceiling for small businesses having gross annual receipts of $1 million or less. Corporations, regardless of size, currently pay 30 percent on the first $25,000 of income and 52 percent on everything above $25,000.

It would also make the new corporate tax applicable to taxable years after December 31, 1963.

After extensive study of problems facing the Nation's small business, I feel the most important assistance the Congress can give this vital section of our national life lies in the area of tax relief.

The so-called fringe benefits previously given small business simply have not provided enough effective help to the small businessman in his struggle to keep enough money for physical expansion of facilities and expansion of inventory.

Because small business comprises the backbone of our free enterprise system, it just does not make sense for us to apply the same tax to the small businessman that we do to large corporations. In maintaining this policy, we are draining resources from the small business community that are desperately needed for growth.

I believe the reduced tax for small corporations is the one sound means by which we can help the small businessman meet the problems resulting from ever-increasing costs.

This is legislation which would benefit all small business—legislation which would strengthen business initiative and stimulate our entire economy by putting more dollars to work through the resultant expanded productivity of small business.

A BILL TO PLACE COOPERATIVES UNDER THE ANTITRUST LAWS

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am introducing, for appropriate reference, a bill proposing to amend section 2 of the Capper-Volstead Act of February 18, 1922. This bill simply transfers from the Secretary of Agriculture to the Attorney General jurisdiction for the determination of undue enhancement of prices by cooperative associations monopolizing or restraining trade.

For more than 70 years, the American system of free enterprise has been generally protected from monopoly and conspiracy in restraint of trade by various antitrust laws. A broad exception to this protective legislation, favoring "labor, agricultural or horticultural organizations" was written into the Clayton Act of 1914, and in 1922 Congress spelled out the exemption of farmer cooperatives in the Capper-Volstead Act in a manner that co-ops have ever since been immune to prosecution, regardless of evidence of monopolistic tendencies and restraint of competition.

Five years ago, when the Maryland-Virginia Milk Producers Association, a cooperative, and seven milk distributors in the city of Washington were indicted for price fixing, restraint of trade, and so forth, the secretary-treasurer of the cooperative told the court:

> Elimination of competition is a perfect legal right of a cooperative * * * the very end and purpose of a cooperative * * *. Of course we try to eliminate competition. And so long as we do it in our own self-interest we are within our rights. * * * It's our right to become a monopoly if we can, unless we unduly enhance prices in so doing.

On that argument and without further consideration of the evidence, the case was dismissed.

Antitrust action is properly the job of the Department of Justice. However, section 2 of the Capper-Volstead Act reads: "That if the Secretary of Agriculture shall have reason to believe that any such association monopolizes or restrains trade" then evidence "shall be taken under such rules and regulations as the Secretary of Agriculture may prescribe" and that "if upon such hearing the Secretary of Agriculture shall be of the opinion that such association monopolizes or restrains trade in interstate or foreign commerce to such an extent that the price of any agricultural product is unduly enhanced thereby, he shall issue and cause to be served upon the association an order reciting the facts found by him, directing such association to cease and desist from monopolization or restraint of trade."

Farmers' cooperatives are the creature of the Department of Agriculture and a division of the Department is devoted solely to their protection and promotion. The provisions of the Capper-Volstead Act putting the Secretary of Agriculture in charge of their prosecution for restraint of trade creates a basic conflict of interest.

Cooperatives have come a long way since the Capper-Volstead Act was passed more than 40 years ago. The law itself specifies "persons engaged in the production of agricultural products as farmers, planters, ranchmen, dairymen, nut or fruit growers," and it was to these individuals, "collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce" that the Congress sought to give preference.

Cooperatives were small and generally local affairs at that time. It was not until 10 or 15 years later that cooperation began to take on the habiliments of big business—not until even later that the fast-growing co-ops began with tax-free dollars to consolidate into even bigger corporations, by buying out competitors and by planning and in some cases actually achieving absolute control over production, marketing, and prices.

The Congress last year imposed some tax on cooperative earnings. The bill that I offer today proposes to give these giant cooperatives more of the grown-up stature of other big enterprises, by making them subject to the examination and review of the Justice Department instead of remaining the wards of the Secretary of Agriculture. To this date no Secretary of Agriculture ever has instituted antimonopoly action against a cooperative.

The Attorney General has jurisdiction over all other monopoly situations and there is no reason why monopolies developed by cooperatives should be handled in any different manner.

THE LATE SENATOR GEORGE McGILL

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Shriver] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SHRIVER. Mr. Speaker, I was saddened to learn this morning of the passing in Wichita, Kans., yesterday, of former Senator George McGill, of Kansas. Although his service in the Senate was much before my entry into governmental work, I know that the people of the great State of Kansas held him in great respect and confidence.

In 1930 he was elected as a Democrat to the U.S. Senate to fill the vacancy caused by the resignation of Charles Curtis. Senator McGill was reelected in 1932 and served in the Senate from December 1, 1930, to January 3, 1939.

I knew George McGill as a practicing attorney with offices in the same building in Wichita where I officed. I saw him almost daily. He always had a pleasant, friendly greeting. We often discussed legal questions and his assistance to younger lawyers was helpful and encouraging. Although a dedicated advocate of his own political party, he appreciated the other person's viewpoint with courtesy and respect.

He was born on a farm near Russell, Lucas County, Iowa, on February 12, 1879. He moved to Kansas with his parents and settled on a farm near Dundee, Barton County, in 1884.

Senator McGill was admitted to the bar in 1902 and opened practice in Hoisington, Kans. Two years later he came to Wichita and continued the practice of law. He served as deputy county attorney of Sedgwick County, Kans., from 1907 to 1911, and county attorney from 1911 to 1915.

During his career in the U.S. Senate, he served on the Senate Agriculture Committee. He, along with former Senator James P. Pope, of Idaho, sponsored legislation which established price supports on major farm products and set up a Federal Crop Insurance Corporation in 1937.

Following his service in the Senate, he was appointed in 1944 to the Federal Tariff Commission where he served for 10 years. Following his retirement from that post in 1954, he returned to Wichita to continue practicing law.

George McGill will be missed by his friends of both political faiths and by his fellow members of the Kansas bar.

FIFTEENTH ANNIVERSARY OF THE INDEPENDENCE OF ISRAEL

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Wyman] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. WYMAN. Mr. Speaker, 2 weeks ago the world witnessed the 15th anniversary of the independence of the State of Israel. Through the united effort of the Jewish people the world over, these courageous men and women have been able to establish a stable and democratic government in the midst of an area of constant political turmoil. In spite of the limited natural resources of their land, the Israeli people have put their nation well on the way toward a viable economy. Israel has become a shining example of what a young nation might accomplish, even in today's worried world.

The United States has found in Israel a strong ally for democracy and is proud to have been able to be of some assistance to these brave people in reestablishing their homeland. We shall continue to support this nation in its efforts to continue not only to be self-supporting, but to be able to extend aid as well. Theirs is indeed a most remarkable achievement and I join with Americans across our land in congratulating these men and women who through determination, strength and belief realized the age-old dream of their people.

NONCONFORMITY IN NEW FRONTIER CIVIL RIGHTS PROGRAM VARIES FROM USE OF ARMED FORCE TO DELIBERATE EVASION OF LAW

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Saylor] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I think all Americans believe in fairplay and want the laws of the land to be enforced uniformly throughout each of the United States. In this context, I viewed with some skepticism a number of recent press articles praising the progress of that portion of the New Frontier's civil rights program relating to equal employment opportunity.

I cannot believe the American people will long countenance a double standard in the administration of Government. Use of Federal Armed Forces in the South in enforcement of New Frontier civil rights program which may or may not comply with the U.S. Constitution, while at the same time Federal agencies in the Pacific Northwest provide for noncompliance with or circumvention of certain portions of the equal employment opportunity law, is not in accord with the American concept of fair play.

On May 7, 1963, I gave a speech on the floor of this House relative to this failure of the New Frontier administration to adhere to the provisions of a law it had promulgated. Yesterday I sent a letter to the Honorable Lyndon Johnson, Chairman of the President's Committee on Equal Employment Opportunity, inquiring as to the part his Committee played in the discussion or approval of the indicated evasion of existing law.

My letter to Vice President Johnson follows:

May 14, 1963.

Hon. Lyndon Johnson,
Chairman, Committee on Equal Employment Opportunity, Washington, D. C.

Dear Mr. Chairman: Executive Order No. 10925 filed in the Federal Register on March 7, 1961, established the President's Committee on Equal Employment Opportunity with you as the Chairman.

I have recently noted with a certain amount of skepticism, a number of press notices praising the progress being made by your Committee on the Equal Employment Opportunity portion of the civil rights program. The skepticism flows from recent disclosures that indicate this equal employment opportunity program is not being applied by Federal agencies on a uniform and nonpreferential basis.

I am enclosing a copy of a speech I made on the floor of the House on May 7, 1963, relative to some 70 or 80 Federal contracts entered into on April 12, 1963. I would have assumed that these contracts would strictly comply with the requirements of the equal employment opportunity law as set forth in Executive Order No. 10925. However, an examination of the contracts in question discloses that they have had an additional subsection added which provides for noncompliance or circumvention of a portion of the law as embodied in Executive Order No. 10925. The effect of this added subsection is to pull the penalty teeth from the nondiscrimination section of the contracts.

It is my understanding that the bankers advised the Washington Public Power Supply System that insertion of section 301 of the Executive Order No. 10825 in the Hanford power contracts between Bonneville, Washington Public Power Supply System, and others and between AEC and Washington Public Power Supply System would either preclude sale of the Hanford revenue bonds or would make the discount rate prohibitive.

It is my further understanding that the matter was taken up with you as Chairman of the President's Committee on Equal Employment Opportunity, to see if these contracts could not be exempted under the provisions of section 303 of Executive Order No. 10925. I have been advised that you would not approve the request for exemption. My question to you is whether my understanding, as stated above, is substantially correct, and if not, in what respect.

My next question is whether, after the denial of outright exemption, the matter of nullifying or providing for noncompliance or circumvention of portions of the nondiscrimination section of Executive Order No. 10925 was presented to your Committee and approval granted. If the requirements of law in Executive Order No. 10925 were modified without your knowledge or the knowledge of your Committee, do you not agree that proper action should be taken against the Federal officials involved?

A prompt reply is requested.

Sincerely,

John P. Saylor,
Member of Congress.

PUBLIC DEBT CEILING IS A FARCE

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Mosher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MOSHER. Mr. Speaker, the debt ceiling, as it has been used, is a farce. Regardless of what it might be in theory, in practice it has become simply a device for fooling the public, and actually for fooling the Congress. It is a trick, by which we pretend to have some degree of control over expenditures.

The way we have operated it, there is in fact no debt ceiling or limit. It is only seeming. It is only pretense.

The Congress constantly appropriates, without any real concern for the amount of revenue available, nor concern for whatever the legal debt limit may be at the moment. And then after the money has been committed, the legal limit is adjusted upward, merely as a matter of convenience.

I repeat, that procedure has become a farce, simply a ritual dance—our semiannual minuet—to divert the taxpayers' attention from Washington's lack of fiscal responsibility.

My vote today against raising the debt ceiling is a gesture against that senseless procedure. More than that, I count my vote as against the ceiling itself.

The Congress really has no intention of staying within whatever limit we vote today. I submit we would be far more honest with the taxpayers and with ourselves, if we did without the limit entirely, and instead began to develop the willpower here in the House, and somehow a more responsible procedure, by which we would exert some genuine self-control, some hard discipline over the revenues actually available to us to spend.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. King of California (at the request of Mr. Albert), for 30 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. Edmondson, for 5 minutes, today.

Mr. Pucinski, for 1 hour, Wednesday, May 22, 1963.

Mr. Dent (at the request of Mr. Pucinski), for 1 hour, on Wednesday, May 22, 1963.

Mr. Pucinski, for 10 minutes, today.

Mr. Stratton, for 45 minutes, Thursday, May 16.

Mr. Halpern, for 15 minutes, tomorrow, Thursday, May 16, 1963, vacating his special order of today.

Mr. Gallagher (at the request of Mr. Albert), for 15 minutes, today.

Mr. Rogers of Florida (at the request of Mr. Albert), for 1 hour Thursday, May 16.

Mr. Farbstein (at the request of Mr. Albert), for 1 hour, Thursday, May 16.

Mr. Landrum (at the request of Mr. Albert), for 1 hour, Tuesday, May 21.

Mr. Bray, for 30 minutes, on Tuesday, May 21.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Gross and to include a magazine article entitled "Foreign Aid a Dismal Failure."

Mr. Edmondson.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Gilbert.

Mr. Marsh.

Mr. Cooley.

Mr. Hanna.

Mr. HULL.

Mr. CELLER.

(The following Members (at the request of Mr. MATHIAS) and to include extraneous matter:)

Mr. DEVINE.

Mr. GROVER.

Mr. ALGER.

Mr. BURTON.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1359. An act to provide for an additional Assistant Secretary in the Treasury Department; to the Committee on Ways and Means.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2440. An act to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1227. An act authorizing the Association of Universalist Women (a nonprofit corporation in the District of Columbia) to consolidate with the Alliance of Unitarian Women (a nonprofit corporation in the State of Massachusetts).

ADJOURNMENT

Mr. ROSENTHAL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 53 minutes p.m.) the House adjourned until tomorrow, Thursday, May 16, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

811. A letter from the Secretary of the Treasury, transmitting a report covering the progress made in liquidating the assets of the former Reconstruction Finance Corporation for the quarterly period ending March 31, 1963, pursuant to 67 Stat. 230, and 22 F.R. 4633; to the Committee on Banking and Currency.

812. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to amend the act entitled 'An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes', approved August 11, 1950"; to the Committee on the District of Columbia.

813. A letter from the Acting Archivist of the United States, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

814. A letter from the Assistant Secretary of the Interior, transmitting a report on the activities of the Federal aid in fish restoration program for the fiscal year ending June 30, 1962, pursuant to 64 Stat. 430; title 16 United States Code, section 777; to the Committee on Merchant Marine and Fisheries.

815. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Export-Import Bank of Washington for the fiscal year ended June 30, 1962 (H. Doc. No. 113); to the Committee on Government Operations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 6016. A bill authorizing additional appropriations for prosecution of projects in certain river basin plans for flood control, navigation, and other purposes; without amendment (Rept. No. 299). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: From the delegation of the U.S. House of Representatives to the Eighth NATO Parliamentarians' Conference. Report on Eighth Parliamentarians' Conference (Rept. No. 300). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 4638. A bill to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President; with amendment (Rept. No. 301). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. H. Res. 350. Resolution for consideration of H.R. 5497, a bill to amend title V of the Agricultural Act of 1949, as amended, and for other purposes, without amendment (Rept. No. 302). Referred to the House Calendar.

Mr. ASPINALL: Committee of conference. S. 20. An act to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes. (Rept. No. 303). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 6321. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ALGER:

H.R. 6322. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 6323. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 6324. A bill to amend the Internal Revenue Code of 1954 so as to exempt from tax musical instruments sold to students for school use; to the Committee on Ways and Means.

By Mr. GLENN:

H.R. 6325. A bill to amend the Internal Revenue Code of 1954 to provide that the Federal income tax on a corporation having gross receipts of $1 million or less shall not exceed 30 percent of its taxable income; to the Committee on Ways and Means.

H.R. 6326. A bill to amend the Internal Revenue Code of 1954 to provide that special equipment for disabled individuals shall not be subject to the tax on automobile parts and accessories; to the Committee on Ways and Means.

By Mr. HAWKINS:

H.R. 6327. A bill to provide for the desegregation of public schools, with all deliberate speed, including nationwide first-step compliance by 1964, and for other purposes; to the Committee on Education and Labor.

H.R. 6328. A bill to provide that no Federal financial or other assistance may be extended to any educational institution which discriminates against students or prospective students on account of race, religion, color, ancestry, or national origin; to the Committee on Education and Labor.

H.R. 6329. A bill to amend section 625 of the Public Health Service Act to require that hospitals assisted under the Hill-Burton program shall not discriminate on the basis of race, creed, or color in selection of their staff or employees; to the Committee on Interstate and Foreign Commerce.

H.R. 6330. A bill to amend the Hospital Survey and Construction Act to prohibit discrimination in any respect whatsoever on account of race, creed, or color in hospital facilities; to the Committee on Interstate and Foreign Commerce.

H.R. 6331. A bill to provide that no Federal financial or other assistance may be furnished in connection with any program or activity in the United States in which individuals are discriminated against on the ground of their race, religion, color, ancestry, or national origin; to the Committee on the Judiciary.

H.R. 6332. A bill to protect the constitutional rights of individuals irrespective of race, creed, color, or national origin, and for other purposes; to the Committee on the Judiciary.

H.R. 6333. A bill to provide equal rights for all citizens; to the Committee on the Judiciary.

H.R. 6334. A bill to protect civil rights by providing criminal and civil remedies for unlawful official violence, and for other purposes; to the Committee on the Judiciary.

H.R. 6335. A bill to amend section 2004 of the Revised Statutes of the United States to provide that all citizens of the United States may vote at all elections without being required to take literacy tests; to the Committee on the Judiciary.

H.R. 6336. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.R. 6337. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to extend to clam planters eligibility for production disaster loans; to the Committee on Agriculture.

By Mr. JONES of Alabama:

H.R. 6338. A bill for the relief of certain employees of the Department of the Army at the Redstone Arsenal, Ala.; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 6339. A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a Special Advisory Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. LLOYD:

H.R. 6340. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 6341. A bill to designate the portion of Connecticut State Highway No. 8 between Stratford, Conn., and the Massachusetts-Connecticut State line a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 6342. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. O'BRIEN of New York:

H.R. 6343. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. RAINS:

H.R. 6344. A bill for the relief of Randolph County, Ala.; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 6345. A bill to facilitate desegregation in public education; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey:

H.R. 6346. A bill to provide for the establishment of a National Council on the Arts and a National Arts Foundation to assist in the growth and development of the arts in the United States; to the Committee on Education and Labor.

By Mr. WATSON:

H.R. 6347. A bill to amend the Federal Employees Health Benefits Act of 1959 to remove certain inequities in the application of such act, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL of Virginia:

H.R. 6348. A bill to amend the act of July 2, 1940, as amended, relating to the recording of liens on motor vehicles and trailers registered in the District of Columbia, so as to eliminate the requirement that an alphabetical file on such liens be maintained; to the Committee on the District of Columbia.

H.R. 6349. A bill to amend the Federal Employees Health Benefits Act of 1959 so as to authorize certain teachers employed by the Board of Education of the District of Columbia to participate in a health benefits plan established pursuant to such act and to amend the Federal Employees Group Life Insurance Act of 1954 so as to extend insurance coverage to such teachers; to the Committee on Post Office and Civil Service.

H.R. 6350. A bill to amend the act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto" approved June 6, 1892, as amended; to the Committee on the District of Columbia.

H.R. 6351. A bill to authorize the Commissioners of the District of Columbia to pay relocation costs made necessary by actions of the District of Columbia government and for other purposes; to the Committee on the District of Columbia.

H.R. 6352. A bill to amend the act entitled "An act for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended; to the committee on the District of Columbia.

H.R. 6353. A bill to amend the District of Columbia Unemployment Compensation Act, as amended; to the Committee on the District of Columbia.

H.R. 6354. A bill to amend the District of Columbia Traffic Act, 1925, as amended; to the Committee on the District of Columbia.

By Mr. CELLER:

H.R. 6355. A bill to include certain officers and employees of the General Services Administration within the provisions of the United States Code relating to assaults upon, and homicides of, certain officers and employees of the United States as constituting a crime; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 6356. A bill to amend section 2 of the act of February 18, 1922, so as to transfer from the Secretary of Agriculture to the Attorney General jurisdiction for determination of undue enhancement of prices by cooperative associations monopolizing or restraining trade and proceedings in connection therewith; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 6357. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such orders; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 6358. A bill to exempt certain officers of the Armed Forces from dual office and compensation restrictions; to the Committee on Armed Services.

H.R. 6359. A bill to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals to achieve rehabilitation and restoration to a normal, full, and fruitful life; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 6360. A bill to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare to assist the Secretary in the efficient administration of the Department; to the Committee on Interstate and Foreign Commerce.

By Mr. KING of California:

H.R. 6361. A bill relating to domestically produced fishery products; to the Committee on Agriculture.

By Mr. MOORE:

H.R. 6362. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. ROGERS of Colorado:

H.R. 6363. A bill to provide that the price at which the Coast and Geodetic Survey sells radio navigation charts and certain related material to the public shall not be less than the cost thereof; to the Committee on House Administration.

By Mr. SIKES:

H.R. 6364. A bill to amend the Arms Control and Disarmament Act in order to insure that the proposed disarmament program would not eliminate private firearms; to the Committee on Foreign Affairs.

H.R. 6365. A bill to amend the Federal Trade Commission Act to prohibit the use of the term "mahogany" in connection with woods and other products which are not in fact mahogany; to the Committee on Interstate and Foreign Commerce.

By Mr. MURRAY:

H.R. 6366. A bill to improve the financing of the civil service retirement system; to the Committee on Post Office and Civil Service.

By Mr. MULTER:

H.R. 6367. A bill to require proof of financial security with respect to each person who registers a motor vehicle in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. POOL:

H.R. 6368. A bill to exempt certain officers of the Armed Forces from dual office and compensation restrictions; to the Committee on Armed Services.

By Mr. GONZALEZ:

H.R. 6369. A bill to provide for a National Service Corps to strengthen community service programs in the United States; to the Committee on Education and Labor.

By Mr. MATTHEWS:

H.R. 6370. A bill to amend the Federal Trade Commission Act to prohibit the use of the term "mahogany" in connection with woods and other products which are not in fact mahogany; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 6371. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 6372. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. FARBSTEIN:

H.J. Res. 428. Joint resolution relating to U.S. diplomatic relations with the Republics of Ukraine and Byelorussia; to the Committee on Foreign Affairs.

By Mr. MILLS:

H.J. Res. 429. Joint resolution relating to the establishment of 1964 farm rice acreage allotments for certain producers and farms; to the Committee on Agriculture.

By Mr. ADAIR:

H.J. Res. 430. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. ASHBROOK:

H.J. Res. 431. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. HARRISON:

H.J. Res. 432. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. LAIRD:

H.J. Res. 433. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. LANGEN:

H.J. Res. 434. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. McLOSKEY:

H.J. Res. 435. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. SCHWENGEL:

H.J. Res. 436. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. BERRY:

H.J. Res. 437. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. BROMWELL:

H.J. Res. 438. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. DONOHUE:

H. Res. 347. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. DORN:

H. Res. 348. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. BURKE:

H. Res. 349. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

Mr. PRICE presented a memorial of the State of Illinois urging favorable consideration of H.R. 2332, the World War I Pension Act, which was referred to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 6373. A bill for the relief of Robert L. Nolan; to the Committee on the Judiciary.

By Mr. BURKHALTER:

H.R. 6374. A bill for the relief of Mrs. Alice T. Beacon; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 6375. A bill for the relief of Hugh A. Taylor, Jr.; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 6376. A bill for the relief of International Mortgage and Investment Corp., and others; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 6377. A bill for the relief of Sp. 5 Curtis Melton, Jr.; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 6378. A bill for the relief of Ordella Agatha Aldred; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 6379. A bill for the relief of Margaret Elizabeth Todd; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 6380. A bill for the relief of Dr. Consan Cu Dy; to the Committee on the Judiciary.

By Mr. MILLIKEN:

H.R. 6381. A bill for the relief of Celeste Vigneau; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 6382. A bill for the relief of Mrs. Whenna Eugenia Clark; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 6383. A bill for the relief of Kathleen Lothian; to the Committee on the Judiciary.

H.R. 6384. A bill for the relief of Giovanni Tabile; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 6385. A bill for the relief of Wolfgang Seidl; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

124. Mr. SHRIVER presented a resolution of the Board of Trustees of Flint Hills Rural Electric Cooperative Association, Inc., of Council Grove, Kans., favoring adequate appropriations to Rural Electrification Administration for capital expansion program, which was referred to the Committee on Appropriations.

SENATE

WEDNESDAY, MAY 15, 1963

(Legislative day of Monday, May 13, 1963)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, trusting only in Thy mercy, bringing nothing of merit in our hands—our selfish hands which we confess too often yield to the temptation to grasp at gaudy baubles—we come in contrition at the shrine of grace, that all our waiting tasks may shine with Thy benediction.

Undergird those who here strive to serve the best interests of this Nation of our love and prayer, to face their national stewardship in the confidence of Thy guidance, in the joy of Thy approval, and in the gladness of Thy service, as our brothers' keepers.

May the great causes that will mold the future of human life on this little spinning island in the sky into the pattern of Thy desire and design for mankind, that will heal the open sores of this worn and weary world, that will foster good will, and at last will usher in an abiding peace, gain the supreme allegiance of our love and labor as we serve our fleeting day in these fields of time.

We ask it in the name of the Master of all good workmen. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 14, 1963, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 4274) to amend section 2 of the act of June 20, 1906, as amended, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1227) authorizing the Association of Universalist Women (a nonprofit corporation in the District of Columbia) to consolidate with the Alliance of Unitarian Women (a nonprofit corporation in the State of Massachusetts), and it was signed by the Vice President.

HOUSE BILL REFERRED

The bill (H.R. 4274) to amend section 2 of the act of June 20, 1906, as amended, was read twice by its title and referred to the Committee on the District of Columbia.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may be a brief morning hour, not to exceed 10 minutes in length.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may meet during the session of the Senate today the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary, the Retirement Subcommittee of the Committee on Post Office and Civil Service, and the Education Subcommittee of the Committee on Labor and Public Welfare.

Mr. KUCHEL. Mr. President, objection has been lodged with the minority leadership against the holding today, during the session of the Senate, of any meeting of the Antitrust and Monopoly Subcommittee. Other than that, there is no objection to be interposed by the minority.

Mr. MANSFIELD. Then, Mr. President, I assume that unanimous consent will be given for the Retirement Subcommittee of the Committee on Post Office and Civil Service and the Education Subcommittee of the Committee on Education and Labor to meet today during the session of the Senate; and I so request.

Mr. KUCHEL. Yes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

U.S. COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the Coast Guard.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The **VICE PRESIDENT**. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ATTENDANCE OF SENATORS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **VICE PRESIDENT**. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **VICE PRESIDENT**. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest to the attachés of the Senate that they call Senators and ask them please to be on the floor, because we are having a very brief morning hour, and we are operating under limited time. If any Member of the Senate wishes to keep in touch with the Cooper orbit, there is in the leader's office a television set which Senators are perfectly at liberty to watch at their convenience.

EXECUTIVE COMMUNICATIONS, ETC.

The **VICE PRESIDENT** laid before the Senate the following communications and letters, which were referred as indicated:

REGULATION OF RATES AND PRACTICES OF UNITED STATES AND FOREIGN AIR CARRIERS IN FOREIGN AIR TRANSPORTATION

A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 to provide for the regulation of rates and practices of air carriers and foreign air carriers in foreign air transportation, and for other purposes (with accompanying papers); to the Committee on Commerce.

EMPLOYMENT SECURITY AMENDMENTS OF 1963

A communication from the President of the United States, transmitting a draft of proposed legislation to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a special advisory commission, and for other purposes (with accompanying papers); to the Committee on Finance.

REPORT ON PROGRESS MADE IN LIQUIDATING ASSETS OF THE FORMER RECONSTRUCTION FINANCE CORPORATION

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report covering the progress made in liquidating the assets of the former Reconstruction Finance Corporation, for the quarterly period ended March 31, 1963 (with an accompanying report); to the Committee on Banking and Currency.

TERMINATION OF COST-OF-LIVING ALLOWANCES FOR CERTAIN FEDERAL CIVILIAN EMPLOYEES IN NONFOREIGN AREAS

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to terminate cost-of-living allowances for statutory-salaried Federal civilian employees in nonforeign areas, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the executive departments.

The **VICE PRESIDENT** appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **VICE PRESIDENT**:

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Commerce:

"HOUSE RESOLUTION 1881

"Resolution memorializing the Congress of the United States to study the merger of railroads and to take action necessary to postpone approval of any further mergers pending the outcome of such study

"Whereas various railroads in the United States have initiated mergers to the detriment of other railroads essential to the industry and economy of our Nation and State and to the convenience and well-being of our people; and

"Whereas these mergers and proposed mergers, if continued, will have further deleterious effects on our economy; and

"Whereas determinations of proposed railroad mergers have not always given due consideration to the total effects of such mergers on other factors, including unemployment in the railroad industry as well as in allied industries and in industries dependent on railroad transportation and the rapid transit needs in urban and suburban areas: Therefore be it

"*Resolved by the General Assembly of the State of Rhode Island,* That the Rhode Island General Assembly hereby memorialize the Congress of the United States to undertake a comprehensive study of the effects of recent and proposed mergers of the various railroads in the United States on the industry and economy of the areas directly affected and of the Nation as a whole and on the convenience and well-being of the people; and be it further

"*Resolved,* That the Congress of the United States take such action as may be necessary to postpone further approval of any pending or proposed railroad merger, including the proposed Pennsylvania Railroad-New York Central Railroad merger, until such study has been made and until such study and any recommendations contained therein shall be considered by the Congress; and be it further

"*Resolved,* That copies of this resolution, duly attested, shall be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress elected from the State of Rhode Island."

CONCURRENT RESOLUTION OF IOWA LEGISLATURE

Mr. MILLER. Mr. President, I have received Senate Concurrent Resolution 21 from the Iowa Legislature. I ask unanimous consent that it be referred to the Committee on Commerce and printed at this point in the RECORD.

There being no objection, the concurrent resolution was referred to the Committee on Commerce, as follows:

SENATE CONCURRENT RESOLUTION 21

Whereas there is under the present Federal law mandatory requirements that the Interstate Commerce Commission regulate the minimum rates on transportation of freight by rail; and

Whereas greater reliance should be placed on the forces of competition and less reliance on the restraints of regulation relative to the matter of rates; and

Whereas although our Nation enjoys one of the most highly developed and diversified transportation systems in the world, it has been handicapped by many regulatory laws which are restrictive and which have failed to keep pace with advancing technology; and

Whereas the law should provide equality of competitive opportunity for all modes of transportation: Therefore be it

Resolved by the senate (the house concurring), That the Congress of the United States be encouraged in its efforts to lift the restrictions by regulation, on ratemaking in the transportation industry by favorable consideration of legislation now pending before the Congress, to make more consistent and comprehensive the framework of equal competitive opportunity; and be it further

Resolved, That a copy of this resolution be forwarded by the secretary of the senate to the President of the United States, and to each Member of the Iowa delegation of the Senate and the House of Representatives of the United States.

CARROLL A. LANE,
Secretary of the Senate.
W. L. MOOTY,
President of the Senate.

HONORARY CITIZENSHIP TO EAMON DE VALERA, PRESIDENT OF IRELAND—RESOLUTION OF GENERAL ASSEMBLY OF RHODE ISLAND

Mr. PELL. Mr. President, on behalf of myself, and my colleague, the senior Senator from Rhode Island [Mr. PASTORE], I am happy to present, for appropriate reference, a resolution of the Rhode Island General Assembly, memorializing Congress to offer honorary U.S. citizenship to Eamon de Valera, President of Ireland. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

HOUSE RESOLUTION 1868

Resolution memorializing the Congress of the United States to offer to the President of Ireland, Eamon de Valera, honorary U.S. citizenship

Whereas those citizens of this great country of ours of Irish ancestry have contributed greatly to its foundation, growth, and expansion; and

Whereas Eamon de Valera has for many years been a renowned world leader and has been President of the homeland of those aforementioned citizens of Irish ancestry since 1959; and

Whereas during the tenure of office of President Eamon de Valera our country has enjoyed the best of relations with the Emerald Isle: Now, therefore, be it

Resolved, That the General Assembly of the State of Rhode Island and Providence Plantations respectfully request the Congress of the United States to offer to Eamon de Valera, President of Ireland, honorary U.S. citizenship; and be it further

Resolved, That the secretary of state be and he is hereby authorized and directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States earnestly requesting that each use his best efforts to implement as soon as possible the purpose of this resolution.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BENNETT:

S. 1537. A bill to amend section 203(j) of the Federal Property and Administrative Services Act of 1949 to permit the disposal of surplus property for use in the development, operation, and maintenance of State parks and State recreational areas; to the Committee on Government Operations.

By Mr. GOLDWATER:

S. 1538. A bill establishing the rate of compensation payable to certain employees of the Department of Agriculture for performing inspection or quarantine services on Sunday; to the Committee on Agriculture and Forestry.

By Mr. MAGNUSON (by request):

S. 1539. A bill to amend the Federal Aviation Act; and

S. 1540. A bill to amend the Federal Aviation Act of 1958 to provide for the regulation of rates and practices of air carriers and foreign air carriers in foreign air transportation, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. KEFAUVER (for himself, Mr. DODD, and Mr. HART):

S. 1541. A bill to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY (for himself, Mr. CASE, Mr. HUMPHREY, Mr. HART, and Mr. JAVITS):

S. 1542. A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a Special Advisory Commission, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. McCARTHY when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN:

S. 1543. A bill to repeal that portion of the act of March 3, 1893, which prohibits the employment, in any Government service or by any officer of the District of Columbia, of any employee of the Pinkerton Detective Agency or any similar agency; to the Committee on Government Operations.

S. 1544. A bill for the relief of Joseph W. H. Smith; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 1545. A bill for the relief of Vito Portuese and his sisters, Maria Portuese and Maddalena Portuese; to the Committee on the Judiciary.

By Mr. LONG of Missouri (for himself and Mr. SYMINGTON):

S.J. Res. 81. Joint resolution designating July 6, 1963, as Tom Sawyer Day, U.S.A.; to the Committee on the Judiciary.

(See the remarks of Mr. LONG of Missouri when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

EQUITABLE DISTRIBUTION OF STAFF MEMBERS OF COMMITTEES

Mr. PROUTY submitted the following resolution (S. Res. 141); which was referred to the Committee on Rules and Administration:

Resolved, That the standing rules of the Senate be amended by adding a new rule, viz:

"RULE XLI

"Minority staff members

"1. Each standing committee of the Senate (other than the Committee on Appropriations) is authorized to appoint by majority vote of the committee not more than five professional staff members in addition to the clerical staffs on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office; and said staff members shall be assigned to the chairman and ranking minority member of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee by resolution adopted by them so request, at least 40 percentum of such professional staff members shall be appointed by majority vote of the minority members of such committee and shall be assigned to such committee business as the minority members of such committee deem advisable. Services of professional staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of professional staff members appointed by a majority vote of the minority members of such committee may be terminated by majority vote of such minority members. Professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.

"2. The clerical staff of each standing committee of the Senate (other than the Committee on Appropriations), which shall be appointed by a majority vote of the committee, shall consist of not more than seven clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee by resolution adopted by them so request, at least 40 per centum of such clerks shall be appointed by majority vote of such minority members. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if members of the clerical staff are appointed by the minority members of such committee, such clerical staff members shall handle committee correspondence and stenographic work for those members of the committee staff appointed by such minority members, and for the minority members, on matters related to committee work.

"3. In any case in which, pursuant to one or more resolutions of the Senate, a standing or select committee of the Senate, or any subcommittee of any such committee, is authorized to employ on a temporary basis one or more employees, such amount (not to exceed 40 per centum of the funds available or to be used for payment of the salaries of all such employees) as may be requested by a majority of the minority members of such committee shall be used for the payment of the salaries of an employee or employees selected for appointment by majority vote of such minority members. Any employee or employees so selected shall be appointed and shall be assigned to such committee or subcommittee business as such minority members deem advisable.

"4. Nothing in this rule is to be construed as requiring a reduction in the number of professional or clerical staff members authorized prior to the adoption of this rule to be employed by any committee of the Senate, or subcommittee thereof, or in the percentage of such members presently authorized to be appointed by the minority membership of any such committee or subcommittee."

AMENDMENT OF FEDERAL AVIATION ACT

Mr. MAGNUSON. Mr. President, I introduce, by request of the Air Transport Association, for appropriate reference, a bill to amend the Federal Aviation Act to authorize the Civil Aeronautics Board, among other things, to prescribe rates and practices and to suspend rates in certain cases, of air carriers engaged in interstate and oversea air transportation.

I ask unanimous consent that a section-by-section analysis of the bill, prepared by the Air Transport Association, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis will be printed in the RECORD.

The bill (S. 1539) to amend the Federal Aviation Act, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The section-by-section analysis presented by Mr. Magnuson is as follows:

Section-by-Section Analysis of Bill Introduced at the Request of the Air Transport Association

Section 1002 of the Federal Aviation Act of 1958 authorizes the Civil Aeronautics Board to prescribe rates and practices, and to suspend rates in certain cases, of air carriers engaged in interstate and oversea air transportation. No rate authority has been given the Board in the case of carriers engaged in foreign air transportation. The purpose of the proposed bill is to empower the Board to suspend rates relating to foreign air transportation when such rates appear to be unjust and unreasonable.

1. Subsection (d) of section 1002 of the act authorizes the Board to prescribe rates and practices of air carriers in interstate and oversea transportation, with a proviso that as to oversea air transportation the Board shall prescribe only a "just and reasonable maximum or minimum, or maximum and minimum rate, fare, or charge." Section 1 of the proposed bill would strike out the proviso with regard to oversea air transportation in order to give the Board the same authority to prescribe rates and practices of air carriers in oversea transportation as the Board now possesses with respect to interstate transportation. This change is necessary to standardize the Board's interstate and oversea rate authority and to necessarily distinguish between interstate and oversea transportation on the one hand and foreign air transportation on the other. This distinction is further necessary in view of the rate suspension authority with regard to foreign air transportation given the Board under section 4 of the proposed bill.

2. Section 2 of the proposed bill would change the heading of subsection (e) of section 1002 of the act to read: "Rule of Rate Making—Interstate and Overseas Air Transportation" in order to make clear that the Board's authority to prescribe rates applies to interstate and oversea transportation.

3. Section 3 of the proposed bill would change the heading of subsection (g) of section 1002 of the act to read: "Suspension of Rates—Interstate and Overseas Air Transportation" in order to make clear that the Board's authority to suspend rates under this subsection applies to interstate and oversea air transportation.

4. Section 4 of the proposed bill adds a new subsection (j) to section 1002 of the act. The new subsection would empower the Board either upon a complaint or upon its own initiative to suspend in the public interest a proposed or an existing tariff relating to foreign air transportation for a period not exceeding 365 days in the aggregate. If and when the Board should suspend a proposed tariff, the rate, fare, or charge in effect immediately prior to the filing of the new tariff shall be maintained. In the case of an existing tariff, this section would empower the Board either upon a complaint or upon its own initiative to suspend any existing tariff of a foreign air carrier which is not consistent with the public interest. Any such suspension would be for a period not exceeding 365 days in the aggregate. If and when the Board should suspend an existing tariff, the foreign air carrier concerned may use the lowest or most advantageous tariff or tariffs currently in effect and applicable to services provided by other air carriers engaged in providing the same foreign air transportation.

5. Section 5 of the proposed bill would add a new subsection (k) to section 1002 of the act. New subsection (k) sets forth some of the factors or criteria which the Board shall take into account in exercising and performing its powers and duties under proposed subsection (j). These include:

i. The requirements of section 1102 of the act which relate to international agreements. This would insure that all actions, taken by the Board under proposed subsection (j) would be fully consistent "* * * with any obligation assumed by the United States in any treaty, convention, or agreement that may be in force between the United States and any foreign country or foreign countries, and shall take into consideration any applicable laws and requirements of foreign countries.";

ii. That all relevant factors, such as cost of operation, reasonable profit, the characteristics of each service, and the rates charged by other carriers and foreign air carriers shall be taken into consideration by the Board in order to properly ascertain just and reasonable levels of rates; and

iii. That the public interest requires adequate, efficient, and dependable transportation by United States and foreign air carriers at the lowest cost consistent with furnishing such transportation and that a need for sufficient revenue exists to enable air carriers to provide adequate, efficient and dependable service under honest, economic and efficient management.

REGULATION OF RATES AND PRACTICES OF U.S. AND FOREIGN AIR CARRIERS IN FOREIGN AIR TRANSPORTATION

Mr. MAGNUSON. Mr. President, by request of the President of the United States I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 to provide for the regulation of rates and practices of air carriers and foreign air carriers in foreign air transportation, and for other purposes.

I ask unanimous consent that a letter from President Kennedy transmitting the draft bill, together with an attached letter from the Chairman of the Civil Aeronautics Board with an accompanying statement of purpose and a section-by-section analysis of the proposal be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letters, statement of purpose, and section-by-section analysis will be printed in the Record.

The bill (S. 1540) to amend the Federal Aviation Act of 1958 to provide for the regulation of rates and practices of air carriers and foreign air carriers in foreign air transportation, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letters, statement of purpose, and section-by-section analysis presented by Mr. Magnuson are as follows:

The White House,
Washington, D.C., May 14, 1963.

Hon. Lyndon B. Johnson,
President of the U.S. Senate,
Washington, D.C.

Dear Mr. President: I am transmitting for the consideration of the Congress a draft bill to provide for the regulation, by the Civil Aeronautics Board, of rates and practices of U.S. and foreign air carriers in foreign air transportation.

The statement of international air transportation policy recently submitted to me by an interagency steering committee recommends maintenance of the present mechanism for establishing international air transport rates, under which rates are recommended by the international carriers themselves, acting through the International Air Transport Association, and approved by the governments concerned.

The policy statement notes, however, that we cannot abdicate our responsibility to protect the traveler and the shipper, and that we should continue to press for rates we consider reasonable. It therefore recommends that Congress enact legislation giving the Civil Aeronautics Board authority, subject to approval by the President, to control rates in international air transport to and from the United States. The draft bill will carry out this recommendation.

The attached letter from the Chairman of the Civil Aeronautics Board, with the accompanying statement of purpose, provides more detailed justification for this bill.

I urge that prompt and favorable consideration be given to this legislation.

Sincerely,

John F. Kennedy.

Civil Aeronautics Board,
Washington, D.C., May 14, 1963.

The President,
The White House,
Washington, D.C.

Dear Mr. President: Submitted herewith is a proposed bill to implement the recommendation contained in the statement on international air transport policy, approved by you on April 24, 1963, that the Congress adopt legislation which would give to the Board authority, subject to approval by the President, to control rates in international air transport to and from the United States.

At the present time the only direct authority which the Board has over the rates and practices of either United States or foreign air carriers is the power to remove any discrimination found to exist after notice and hearing. Thus, the Board presently has no effective method by which it can protect travelers and shippers against foreign rates which are too high. The Board also lacks power to prevent the establishment of rates which are so low as to endanger the financial health of the carriers.

The proposed bill would give the Board discretionary authority to prescribe rates and practices and to suspend tariffs in foreign air transportation under the same standards now applicable to interstate transportation, and would place this Nation in a position to exercise the same powers that foreign nations presently possess. Action of the Board in both instances would be subject to the approval of the President. Moreover, carriers engaged in foreign air transportation would be required to establish just and reasonable rates and practices.

The bill is consistent with the objective of the air transport policy of the United States to provide a system of reasonable rates that will take into account both the interests of carriers and the needs of consumers.

The Board urgently recommends the transmission of the proposed bill to the Congress with a recommendation for favorable action.

Respectfully yours,

Alan S. Boyd, *Chairman.*

Statement of Purpose and Need for Proposed Legislation

A bill to amend the Federal Aviation Act of 1958 to provide for the regulation of rates and practices of air carriers and foreign air carriers in foreign air transportation, and for other purposes

The proposed legislation would amend the Federal Aviation Act of 1958 so as to give the Board power to regulate the rates and practices of U.S. flag air carriers and foreign air carriers in foreign air transportation similar to that which it now has with respect to domestic carriers. The legislation is in accord with recommendations of the report submitted by the interdepartmental committee established by the President to make a study of U.S. international air transportation policies and problems.

Air carriers have the duty under the act to provide interstate and oversea air transportation at reasonable rates. The Board may, under certain circumstances, prescribe the rates for interstate air transportation, prescribe maximum or minimum or maximum and minimum rates of oversea air transportation, and suspend operation of new tariffs for interstate or oversea transportation pending determination of the lawfulness of such tariffs.

The Board, however, has practically no direct authority over the rates and practices of either U.S. or foreign air carriers engaged in foreign air transportation. The only power now possessed by the Board (apart from the Board's power to disapprove agreements among air carriers and foreign air carriers fixing rates and practices in foreign air transportation) is that of ordering a carrier in foreign air transportation to remove a discrimination in its rate structure, if, after notice and hearing, such a discrimination is found to exist. Thus, the Board has no summary authority to prevent any carrier in foreign air transportation from placing into effect any rate, fare, or practice, and, even after full hearing, its power to order any change is restricted to the limited area of removing discrimination.

Over the years, the United States and other nations have participated in conferences and negotiations seeking the orderly development of international air services. However, foreign countries, like the United States, assert complete national sovereignty in respect of the airspace overlying their respective territories. These claims have been internationally recognized in the Convention on International Civil Aviation drawn up at Chicago in December 1944, since under that Convention each contracting country retains complete freedom of action with respect to the admission into its territory of foreign flag scheduled airlines.

In negotiations in which efforts have been made to improve the position of the United States in meeting foreign air transportation competition, this Government has found on numerous occasions that its international bargaining power has been restricted by the limited authority over rates and practices of foreign air transportation which is possessed by the Board.

The consequence of the Board's lack of authority under present law is that U.S. air carriers, far from being independent to fix whatever rates they choose, are subject to almost complete control by the foreign countries to which they operate. The enactment of rate control legislation would give the United States control over the rates and practices of our carriers which is now in foreign hands.

Likewise, enactment of the bill would give the United States the same degree of control over the rates and practices of foreign air carriers operating into U.S. territory as the foreign countries now have in respect of the rates and practices of U.S. air carriers which fly into their territories; namely, the right to insist that the passenger and cargo rates of such foreign air carriers operating into U.S. territory be fixed at fair and reasonable levels and that the practices or conditions of carriage which are embodied in the tariffs, waybills and tickets of such foreign air carriers be free from objectionable provisions.

The Board does not believe that there is any basis for the contention that bringing the Board's statutory authority over international rates and practices on a par with that of other governments will derogate or be in variance from this country's support of the International Air Transport Association (IATA) as the primary instrument for establishing and maintaining a sound and fair rate structure for international air services. On the contrary, the Board believes that the possession of effective regulatory power over international air rates and practices by the respective governments is the only proper basis for the delegation of initial ratemaking powers to an organization of international air carriers, and that neither the United States nor any other government should delegate, or has delegated, to IATA the governmental responsibility of insuring that the international rate structure is fair to the traveling and shipping public and in other respects is in the public interest. Moreover, the Board believes that effective Government control over the international rate structure, rather than being an obstacle to multilateral air carrier action through IATA, is essential to the proper and successful operation of the carriers' multilateral rate machinery. Need for Board regulatory action could arise not only from failure of IATA to achieve agreement in respect of certain rates and practices, but also from governmental disapproval of IATA agreements, or from rate action by air carriers not members of IATA.

For these reasons, the Board believes that it should be given authority over rates and practices of air carriers and foreign air carriers in foreign air transportation. However, this authority should be discretionary rather than mandatory, as in the case of interstate and oversea air transportation where it must be exercised if the Board is of the opinion that a rate or practice is contrary to statutory standard, since greater flexibility is required in the national interest in the field of international air transportation. Moreover, section 1102 of the act requires that actions of the Board must be consistent with outstanding international agreements. For these reasons, the legislation states the Board's rate-fixing powers in foreign air transportation in discretionary rather than mandatory terms.

The Board should also be given the same discretionary power to suspend the rates and practices of air carriers and foreign air carriers in foreign air transportation pending hearing as it now has in respect of domestic transportation. Most foreign governments have the power to suspend U.S. air carrier rates, and the United States should not voluntarily continue to tie its own hands so as to prevent it from taking like action where it is needed in the public interest. However, section 1102 of the act would require that any suspension action be consistent with outstanding international agreements. Certain bilateral agreements provide that a disputed rate shall go into effect provisionally pending arbitration.

The President's interdepartmental committee recommended that final approval of the exercise of the power to regulate rates in foreign air transportation be lodged in the President or his designee. In accordance therewith, the proposed legislation would provide that both orders of the Board, other than those relating to the removal of discrimination, directing an air carrier or foreign air carrier to discontinue a rate in foreign air transportation and actions suspending tariffs filed by such carriers for such transportation shall be subject to the approval of the President.

In addition to giving the Board discretionary power to control the rates and practices of air carriers and foreign air carriers in foreign air transportation, the proposed bill makes other changes affecting the duties and obligations of such carriers. Both air carriers and foreign air carriers will have the duty of establishing just and reasonable rates and practices relating to foreign air transportation. The changes affecting air carriers are the result of a belief by the Board that such carriers should be subject to the same duties and obligations in respect of rates in foreign air transportation as in interstate and oversea air transportation.

There is attached a section-by-section analysis of the proposed bill.

SECTION-BY-SECTION ANALYSIS OF A BILL TO AMEND THE FEDERAL AVIATION ACT OF 1958 TO PROVIDE FOR THE REGULATION OF RATES AND PRACTICES OF AIR CARRIERS AND FOREIGN AIR CARRIERS IN FOREIGN AIR TRANSPORTATION, AND FOR OTHER PURPOSES

Section 1: Amends subsection (a) of section 404 of the act, requiring air carriers in interstate and oversea air transportation to provide through service, adequate equipment and facilities, and establish just and reasonable rates and practices, by adding provisions making it the duty of air carriers and foreign air carriers to establish just and reasonable rates and practices relating to foreign air transportation. Since the Board is being given the power in section 5 of the bill to pass upon the justness and reasonableness of rates and practices of air carriers and foreign air carriers in foreign air transportation, such carriers should have the duty of establishing just and reasonable rates and practices for such transportation.

Section 2: Amends section 801 of the act, subjecting the issuance, denial, etc., of certificates for oversea or foreign air transportation and permits for the latter to Presidential approval, by adding provisions requiring that orders of the Board, other than those relating to the removal of discriminations, directing an air carrier or foreign air carrier to discontinue a rate or practice for foreign air transportation, and actions of the Board suspending tariffs filed by such carriers for such transportation, shall be subject to the approval of the President. Copies of such orders and of statements containing reasons for suspension must be submitted to the President prior to publication. Orders relating to the removal of discriminations have been excluded from Presidential approval since the Board presently has authority to issue such orders without such approval.

Section 3: Amends subsection (d) of section 1002 of the act, authorizing the Board to prescribe rates and practices of air carriers in interstate and oversea air transportation, so as to remove the limitation that the Board may prescribe only a "just and reasonable maximum or minimum, or maximum and minimum rate, fare, or charge" for oversea transportation. The amendment is required in order to avoid the anomaly of the Board having less authority over rates and practices in oversea air transportation than it would have in foreign air transportation under section 5 of the bill.

Section 4: Amends subsection (e) of section 1002 of the act, setting forth certain criteria for the determination, among other things, of the justness and reasonableness of rates and fares for the transportation by air of persons and property, so as to make its provisions applicable to foreign air carriers as well as to U.S.-flag carriers. Since section 5 of the bill gives the Board the power to pass upon the justness and reasonableness of foreign air carrier rates, the standards of subsection (e) should be applicable to the rates of such carriers as well as to those of U.S.-flag carriers.

Section 5: Amends subsection (f) of section 1002 of the act, permitting the Board to order an air carrier or a foreign air carrier to remove a discrimination, preference, or prejudice in its foreign air transportation rate structure if, after notice and hearing, such a discrimination, preference, or prejudice is found to exist, so as to give the Board discretionary authority to alter a rate or practice in foreign air transportation to the extent necessary to correct unreasonableness or discrimination. Such authority may be exercised only where the Board is of the opinion, after notice and hearing, that a rate or practice is unreasonable or unjustly discriminatory or unduly preferential. The Board also would be given discretionary authority to require discontinuance by the carrier of the unreasonable or discriminatory rate or practice, as well as to prescribe the lawful rate or practice, or the maximum and/or minimum of the rate. As stated in the discussion of section 2 of the bill, orders of the Board under this subsection, except for those relating to the removal of discriminations, are subject to the approval of the President under section 801 of the act.

Section 6: Amends subsection (g) of section 1002 of the act, authorizing the Board to suspend rates and practices of air carriers in interstate and oversea air transportation pending hearing, so as to give the Board the same authority to suspend the rates and practices of an air carrier or foreign air carrier in foreign air transportation pending hearing as the Board now has in interstate and oversea air transportation. Deletion of the words "interstate and overseas" gives the Board authority to suspend pending hearing the operation of any tariff filed by an air carrier, and this would include tariffs to be effective in foreign as well as in interstate and oversea air transportation. Insertion of the words "or foreign air carrier" following the words "air carrier" wherever they appear in the subsection, gives the Board authority to suspend the rates and practices of foreign air carriers in foreign air transportation pending hearing. However, as stated in the discussion of section 2 of the bill, actions of the Board suspending tariffs filed by air carriers or foreign air carriers in foreign air transportation are subject to the approval of the President under section 801 of the act.

Section 7: Amends subsection (i) of section 1002 of the act, authorizing the Board to prescribe through services and joint rates for interstate and oversea air transportation, so as to remove the limitation that the Board may prescribe only "just and reasonable maximum or minimum or maximum and minimum joint rates, fares, or charges" for oversea air transportation. The amendment is required in order to conform the provisions of the subsection to those of subsection (d) as amended by section 3 of the bill.

Section 8: Provides that the amendments made by the bill shall take effect 30 days after the date of its enactment.

PROHIBITION OF CERTAIN UNLAWFUL PRACTICES IN CONNECTION WITH THE PLACING OF MINOR CHILDREN FOR PERMANENT FREE CARE OR FOR ADOPTION

Mr. KEFAUVER. Mr. President, on behalf of Senators DODD, HART, and myself, I introduce for appropriate reference a bill to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent care or for adoption.

The sole purpose of this bill is to eliminate the insidious traffic in human beings, more commonly known as either the black market or gray market in babies.

I ask unanimous consent that the bill may be allowed to lie on the table for 5 days, so that other Senators who so desire may join as cosponsors; and I ask unanimous consent that a copy of the bill be printed in the RECORD at the conclusion of my remarks.

This bill is, in the main, similar to S. 654 which I introduced along with Senators DODD and Carroll in the last session of Congress and which passed the Senate on September 17, 1962. However, the legislation could not be considered in the House of Representatives because of the adjournment of the 87th Congress.

One of the changes in this new bill is to curtail the gray market in babies, created by attorneys and doctors who charge exorbitant legal or medical fees and who actual include in the fees charges for providing babies. Thus the word "reasonable" is inserted to restrict the fees to solely legal or medical services. Another change inserts the word "legal" where appropriate to distinguish a placement which is made under a statute from a placement which is not. In one section of the old bill, S. 654, there was a restriction on the reasonableness of expenses charged by authorized agencies licensed by the States. This is eliminated because the States themselves, rather than the Federal Government, control fees charged by their authorized agencies.

To insure the ability of the new legislation to accomplish its objectives, a new section was added which makes it a Federal crime for a broker to induce prospective adoptive parents to travel in interstate or foreign commerce for the purpose of adopting a child through a source other than an authorized agency.

Furthermore, based upon the recent research of the Senate Subcommittee to Investigate Juvenile Delinquency, certain words and phrases have been changed to eliminate vague and indefinite sections of the bill and to clarify other parts.

Section 1181 of the new bill would penalize the person who is trafficking for profit in interstate commerce in placing, or in arranging for the placement of, children for adoption or permanent free care. It would also penalize the unscrupulous lawyers and doctors who operate a gray market by charging exorbitant fees which actually include the cost of a baby. This section would not affect authorized or licensed State child-care and adoption agencies, whether public or private, as they are expressly excepted from the scope of section 1181. In addition, section 1181 expressly excepts the natural parents or the prospective adoptive parents of a child, since they are primarily the victims, and not the movers, of this interstate traffic. Finally, section 1181 would not affect those receiving reasonable fees solely for bona fide legal services in connection with obtaining an adoption decree or for bona fide medical services in connection with the prenatal care of the natural mother and the delivery, care, and/or examination of the child.

Section 1182 of the bill would penalize professional baby brokers for inducing or coercing the natural mother or adoptive parents to travel from one State to another in order to place, or to arrange for the placement of, a child for adoption or for permanent free care. Section 1182 expressly excepts from its scope interstate transportation arrangements by authorized or licensed State child-care and adoption agencies, whether public or private, by authorized or licensed maternity homes or shelters, and by the prospective adoptive parents.

Violation of the provisions of this act can bring a fine of up to $10,000 or up to 5 years' imprisonment, or both.

If enacted, this bill should in no way be misconstrued as having any effect on the operation of authorized, licensed, and accepted agencies, nor would it infringe upon the rights of attorneys for reasonable fees accruing from services rendered in connection with the obtaining of an adoption decree, nor with the rights of ethical doctors to obtain proper fees for necessary medical services rendered in connection with the obtaining of an adoption decree, nor with the rights of ethical doctors to obtain proper fees for necessary medical services performed in connection with prenatal care of the natural mother and in delivery and physical examinations of the child involved. Furthermore, this bill will in no way interfere with intrastate activities in this regard, nor will it encroach upon the regulation of domestic relations matters which has historically rested with the States.

I am very pleased to report that the National Conference of Catholic Charities, the National Jewish Welfare Board, and the various denominational groups of the Protestant Church support our efforts to insure that, insofar as possible, proper placement of the children is made. This, of course, is in accordance with the practices of these groups who have been rendering such a worthwhile service in these matters for so many years.

Representatives from most of these groups have expressed their approval of the extension of the safeguards they routinely take to all adoption proceedings, so that the welfare and interests of the children, adoptive parents, and natural parents, rather than monetary gain, will be the primary concern.

This legislative proposal will in no way affect the operations of these church agencies, and I am very appreciative of the cooperation they have extended to us in our investigation of interstate adoption practices.

This bill is, in effect, designed entirely and exclusively for the purpose of, first, protecting the more than 150,000 illegitimate babies born each year; second, protecting the mothers of these children; and third, protecting the prospective adoptive parents through Federal criminal sanctions against the transportation of these children across State lines by black- or gray-market operators whose only concern is to realize a monetary remuneration from their heinous operations. These scheming operators, and they include unscrupulous lawyers and mercenary doctors as well as notorious brokers, profit from human tragedy by compounding it. Humanitarian considerations have no part in their transactions.

The Senate Subcommittee To Investigate Juvenile Delinquency during the last year made a comprehensive poll of more than 500 public agencies concerned with child adoption practices relative to the bill I introduced today. In addition, officials and law enforcement agencies of the several States were questioned to determine their reactions to the legislation. The results of this study clearly show a most favorable reaction to the bill and a very strong consensus that it be enacted into law.

The report of the Senate Subcommittee To Investigate Juvenile Delinquency under its able chairman, Senator DODD, has also brought to light the fact that the gray- and black-market operations in the interstate traffic of babies continues to exist and flourish. There are indications from recent investigations of the subcommittee that there is a considerable commercial traffic in children for adoption throughout the country. Some examples contained in replies to the inquiries made by the Juvenile Delinquency Subcommittee, and which are currently being investigated, are as follows:

ARIZONA

> We frequently receive information that children are being placed from other States into Arizona for pay. These statements, however, have not been followed through for definite verification. In the instances we have heard about, payments involve around $1,000.

With regard to children from foreign countries, the respondent stated:

> It sometimes happens that children are placed in the United States for adoption and are found to be delinquents or physically or mentally handicapped.

CALIFORNIA

The department of social welfare has a large file of reports from social workers as to circumstances which they believed to be illegal or irregular. A special investigation in the black market adoption racket was conducted in California in 1960. Some of the specific findings were as follows:

First. Organized ring exists of doctors, lawyers, and others engaged in the business of buying and selling babies in direct violation of State law.

Second. Expectant mothers are enticed with public advertisements to contact this group and are exploited and sometimes coerced until they sign their babies over for adoption.

Third. Baby traffic centers mainly around the metropolitan areas of Los Angeles, San Francisco, and Sacramento.

Fourth. Placement of substantial number of children extends beyond the borders of California into Nevada, New Mexico, and as far east as New York, New Jersey, and Maryland.

Fifth. Many transactions for adoptive children appear more linked to a merchandising black market rather than reasonable fees for professional and medical services—payments from adopting parents were found ranging from $800 to $7,000 per child with the natural mother usually receiving about $200. We have quite a bit of information on irregular practices in California.

ILLINOIS

A certain agency recites knowledge of illegal placements from other States and goes on to state:

> Cannot identify individuals, but know that interstate traffic continues. Have suspicion of several attorneys, but evidence not conclusive; a missionary society arranges some independent placements. Argument always that intermediary "acts in behalf of the parent, does not arrange or place."

IOWA

> Some time ago an attorney from the southwest part of the country came to Sioux City, Iowa, and was paying girls at a maternity home there $500 for the privilege of taking their youngsters and placing them with families out of the State.
>
> Believe we have specific illustrations of a Minnesota couple procuring a child in Iowa, which child was later discovered to be deaf; of an Iowa couple which obtained a nonresident child through a local hospital, which child turned out to be a congenital defective and required much medical attention during the 15 to 18 months that it survived.

Reference is made also to an Iowa child born in another State and independently placed by a doctor in a third State:

> The child proved to be mentally defective and was returned to the doctor, who hired a woman to take the child without notice to the mother, who is now living in a fourth State. The mother was not at home when the baby was left in her room. Upon her return the shock was so great that she disappeared and has not been heard from since then.
>
> Some of the children being placed in Iowa come through a doctor's group in southern California * * * since there are a number of children regularly exchanged with Florida, we question if there is not a private agreement between some doctors.

MAINE

> Information indicates that transfers of unwed mothers into the State for delivery and transfers out of the State after adoption is quite common * * *. There are a number of attorneys, doctors, and private individuals who regularly place babies for adoption with couples who lack State residence.

MARYLAND

Reference is made to a black market operation in which as many as 50 babies may have been involved:

> Organizations and individuals have been helpful in bringing to the attention of the courts situations which may have appeared to be violations * * * there was prosecution and conviction of a black market interstate adoption operation.

NORTH CAROLINA

Reference is made to a Fort Worth, Tex., maternity home which advertised in North Carolina for the last 4 years. The ad offers care to unmarried mothers without charge and there is currently an investigation regarding a teenage high school girl who responded to the ad and was sent a free ticket to Forth Worth.

OREGON

Quite a few Oregon children are placed in adoption with families who come from another State to get them and who then take the children back across State lines. Most of these placements are made by persons who are forbidden under Oregon law to engage in child placing. Reference is made to several placements of children from California.

TENNESSEE

> We had a very serious problem here in Tennessee before the 1951 adoption law was enacted when the director of the Memphis branch of a licensed statewide adoption agency under voluntary auspices, now defunct, was found to be engaged in baby selling within the State and interstate (New York, California, etc.).

UTAH

> We have helped a couple who crossed States lines to take a gray-market baby. After 2 years the adoption was completed but the child appeared to be one-half Negro. The adoptive parents requested that we replace the child.
>
> This society has had numerous experiences of many kinds which it would be impossible to describe in a reasonable length of time. Attorneys and doctors in this State have professional contacts in other States. It has been reported to us that one of the newspapers in a city in this State accepts advertisements for children directly from attorneys in this State or from prospective adopting parents. Utah residents also sometimes go to the commercial maternity homes in various parts of the country.

WASHINGTON, D.C.

An attorney was recently convicted for arranging the adoption of a local woman's baby by a New York couple. Complaint is made that in the neighboring State of Virginia, the law enforcement officers do not take action or prosecute even though such violations have been brought to the attention of the local legal agencies. Respondent referred to an actual case where an infant from Washington, D.C., was placed in an adoptive home in Virginia:

> The placement was arranged by a Virginia attorney who had no knowledge of the adoptive family, only a telephone call from them asking for a baby * * *. It was later discovered that the infant was deaf and when reported to the attorney he agreed to take the infant back. He called the natural mother and returned the child to her, like poor merchandise.

The tremendous public concern over illegal and improper child adoptions has already caused much new State legislation to correct these nefarious practices. Moreover, there have recently been numerous intrastate prosecutions of baby brokers, lawyers, and doctors who have unscrupulously placed babies for adoption at exorbitant fees in complete defiance of the law. More and more the States are realizing the existence of the problem within their borders and are doing something about it. Nevertheless, the majority of the States do not make intrastate baby selling a crime, and even those States which do have statutes cannot control the interstate nature of this activity.

Because there is presently no Federal statute making interstate baby selling a crime, this obnoxious practice thrives, and it is quite clear that the unwholesome, but profitable commerce in human infants will continue to grow each year until effective Federal legislation is enacted.

The proposed bill will in no way proscribe the rights of States or municipalities in the adoptive measures that are currently—or will be in the future—statutory. It will have no effect on those adoption laws and practices within

the several States, subdivisions thereof, territories or possessions. Rather, it will plug existing loopholes which actually weaken the State laws by making unlawful certain interstate practices in connection with the placing of minor children for permanent free care or for adoption.

Mr. President, I submit that the measure is necessary to protect the more than 150,000 children who are born out of wedlock each year, their unfortunate mothers, and the prospective adoptive parents, all of whom are presently being exploited by mercenary amoral baby brokers, doctors, and lawyers. I submit that the measure will give added protection to the upright lawyer, the ethical doctor, the responsible adoptive agency, and the professional social worker who are normally and legally involved in the wholesome and humanitarian task of placing unwanted children in deserving homes where they are wanted and will be loved.

I wish to express my deep appreciation for the research and study given this problem by Louis Beck, a very able young attorney of New York City. Also Carl Perian, staff director of the Committee on Juvenile Delinquency, and other members of the staff deserve much credit for their work on this most important legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and will lie on the desk, as requested by the Senator from Tennessee.

The bill (S. 1541) to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption, introduced by Mr. Kefauver (for himself, Mr. Dodd, and Mr. Hart), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title 18 of the United States Code is amended by inserting at the end of Chapter 53, a new chapter as follows:

"CHAPTER 54—INTERSTATE PLACEMENT OF CHILDREN FOR PERMANENT FREE CARE OR FOR ADOPTION

"§ 1181. Placing child for permanent free care or for adoption for compensation.

"(a) Whoever, either by himself or through any agent or employee, or other person, directly or indirectly solicits, collects, or receives any money or anything of value, or the promise thereof, in any manner whatsoever, for placing or arranging for the placement of any child in any home for permanent free care or for adoption, under circumstances requiring or resulting in such child being transported in interstate or foreign commerce, shall be fined not more than $10,000, or imprisoned not more than five years, or both.

"(b) The provisions of this section shall not apply in the case of (1) money received by or paid to a child-care or adoption agency in any State, either public or private, which is authorized or licensed by said State to provide permanent care for children or to place children for adoption, as reimbursement for providing services by said agency; (2) reasonable fees received solely for professional legal services directly in connection with the obtaining of an adoption decree; or (3) reasonable fees received solely for professional medical services directly in connection with the prenatal care of the natural mother or delivery, examination, or treatment of the child.

"(c) Nothing in this section shall be construed to penalize (1) any person for placing or arranging for the legal placement of any child in any home for permanent free care or adoption, if such person is the natural parent of such child; or (2) any person who legally arranges, or seeks to arrange, for the placement in his home of a child for the purpose of adopting such child or providing him with permanent free care.

"§ 1182. Coercion or enticement of natural parents or adoptive parents.

"(a) Whoever, by himself or through any agent or employee or other person, whether in return for the payment or receipt of money or anything of value, or the promise thereof or without any such payment or receipt, in any manner whatsoever, persuades, induces, coerces or arranges for a parent of a child (including a child in ventre sa mere) to travel from or to another place in interstate or foreign commerce to place said child for permanent free care or for adoption when the placement is made or will be made in return for the payment of money or anything of value, shall be fined not more than $10,000, or imprisoned not more than five years, or both.

"(b) Whoever, by himself or through any agent or employee or other person, whether in return for the payment or receipt of money or anything of value, or the promise thereof, or without any such payment or receipt, in any manner whatsoever, persuades, induces, coerces, or arranges for a prospective adoptive parent, or prospective adoptive parents, to travel from or to another place in interstate or foreign commerce to obtain a child for the purpose of adopting such child or providing him with permanent free care, when the placement is made or will be made in return for the payment of money or anything of value, shall be fined not more than $10,000, or imprisoned not more than five years, or both.

"(c) The provisions of this section shall not interfere in any manner with arrangements for the transportation of a natural mother in interstate or foreign commerce by (1) any child-care or adoption agency in any State, either public or private, which is authorized or licensed by such State to provide permanent care for children or to place children for adoption; (2) any licensed or authorized maternity home or shelter; or (3) any person who legally arranges or seeks to arrange for the placement in his home of a child for the purpose of adopting such child or providing him with permanent free care.

"§ 1183. Definitions.

"As used in this chapter—

"(1) The term 'child' means any individual who has not attained the age of sixteen years; and

"(2) The term 'permanent free care' means the care given to any child on a permanent basis by any person who is not receiving compensation therefor, and is not either related to the child nor standing in such relation to the child or its mother as to create a legal interest in the child's welfare, but such term does not include the free care provided to any child by any licensed or authorized child-care agency or juvenile court."

Sec. 2. (a) The analysis of part 1 of Title 18 of the United States Code is amended by inserting after

"53. Indians........................ 1151"

the following:

"54. Interstate placement of children for permanent free care or for adoption................ 1181"

(b) that part of the index to Title 18 of the United States Code which describes the contents of part 1 of such title is amended by inserting after:

"53. Indians........................ 1151"

the following:

"54. Interstate placement of children for permanent free care or for adoption................ 1181"

Mr. DODD. Mr. President, in cosponsoring this bill, I would like to commend my colleague from Tennessee for his tireless efforts, both as a chairman and as an active member of the Senate Subcommittee to Investigate Juvenile Delinquency, to insure that unfortunate infants and children who do not have the birthright of every child their natural parents, will have the second-best thing, an adequate home and loving, adoptive parents.

Senator Kefauver knows of this problem firsthand, for 17 years ago he adopted his son, David, from the Cradle Society in Chicago. David became a healthy, happy member of the Kefauver family.

Many such youngsters are not so fortunate, however. And because of this, under the leadership of Senator Kefauver, this subcommittee has exposed over the years the callous traffic in infants conducted by unscrupulous persons who put monetary gain above the safety and welfare of the child. From the case histories uncovered by the subcommittee during recent months, I can only conclude that this traffic continues to flourish and more than ever before we need the type of Federal law being proposed today.

The black market in babies exists because there is only one child available in our legitimate adoptive agencies for every 20 applications. Thus the need is created by eager, child-hungry couples who must contend with delays, red tape, and, many times, rejection.

Then we have the 150,000 unwed mothers who, many times in desperation, are willing to do anything to hide the shame of an out-of-wedlock birth. These young girls are often penniless, without counsel and guidance, frantically seeking a solution to their acute situation.

Now enter the third party. Many times it is a wonderful organization such as the Florence Crittendon Home, or St. Anne's Home for Infants, or the Jewish Social Service Agency. All too often, however, it is the unscrupulous baby seller with no concern for the social or psychological consequences of his behavior who is only interested in making a sale to the highest bidder.

To the unwed mother, he offers shelter, usually substandard, and medical care in exchange for her baby. Once he has the mother sign the baby away for life, he will sell it to anxious parents for what the traffic will bear, from $3,000 to $7,000.

Under these conditions, there are no medical studies made of the infant, no background studies of the parents, no matching of infant to parents as in licensed adoptive agencies. Thus we found cases where congenitally defective babies were given to unsuspecting parents, where people with undesirable backgrounds have purchased babies and subsequently abused them, and where no effort was made to help the unwed mother overcome the emotional shock of giving up her child.

Yet with all of the dangers present in this business, the majority of States have no laws safeguarding the natural mother, the child, or the adopting parents. Neither is there a Federal law covering the interstate traffic in babies and it is to this problem that the present legislation is directed.

I know that Senator KEFAUVER has worked diligently for this proposal which, in the final analysis, is designed to protect the future unborn victims of adult society. I want to commend him for his leadership, Mr. President, and ask the Congress to act quickly on this important measure.

EMPLOYMENT SECURITY AMENDMENTS OF 1963

Mr. McCARTHY. Mr. President, I introduce for appropriate reference, a bill to establish a program of Federal unemployment adjustment benefits, to provide equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in any State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the Unemployment Trust Fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a Special Advisory Commission, and for other purposes.

Mr. President, this is the administration bill, and I ask unanimous consent that the letter of transmittal from President Kennedy, a statement of explanation concerning the provisions of the bill and the text of the bill be printed in the RECORD, at the conclusion of my remarks.

The Senator from New Jersey [Mr. CASE], the senior Senator from Minnesota [Mr. HUMPHREY], and the Senator from Michigan [Mr. HART], and the Senator from New York [Mr. JAVITS], join me in sponsoring this bill, and I ask unanimous consent that the bill lie on the table for 1 week so other Members who wish to sponsor the bill may have an opportunity to do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter of transmittal, statement, and bill will be printed in the RECORD, and the bill will lie on the table, as requested by the Senator from Minnesota.

The bill (S. 1542) to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the Unemployment Trust Fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a Special Advisory Commission, and for other purposes, introduced by Mr. McCARTHY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. McCARTHY. Mr. President, unemployment remains one of the most serious and most complex domestic problems of the Nation, and there is every indication that it will become more serious in the years ahead unless we develop a variety of policies and programs, both private and public, to meet it.

The administration and the Congress have, of course, taken a number of specific steps in the past 2 years to increase the gross national product, to provide special aid and grants to depressed areas, to establish manpower development and training programs, to encourage trade and to improve the tax structure. Yet for each of the past 5 years the rate of unemployment has averaged 5.5 percent or more. The rate of unemployment for January of this year was 5.8 percent, for February 6.1 percent, for March 5.6 percent, for April 5.7 percent.

We cannot avoid or evade the question: What is being done for the unemployed? And in my judgment the Federal Government shares some responsibility for the answer.

One of the areas where much can be done is that of updating and improving the Federal-State system of unemployment compensation. This extraordinary program of the 1930's has come to have general acceptance, but the system itself has had no thorough review or revision in the light of the changing economy since its adoption.

The bill incorporates provisions similar to those in previous proposals to extend coverage, raise the level of weekly benefits, and provide a more realistic method of financing the system. It also contains provision for a permanent national program of Federal adjustment benefits for workers who have a substantial labor force attachment and who have exhausted benefits under State law. In effect the States will be expected to provide benefits for the first 26 weeks along traditional lines, while the Federal Government will assume limited responsibility for the long-term unemployed. The Federal adjustment benefits would be paid up to 13 weeks for workers who meet the basic eligibility requirement of 78 weeks work out of the previous 156 weeks. Qualified workers with an employment record beyond the Federal qualifying minimum would be eligible for additional weeks of benefits to a maximum of 13 weeks. Eligibility for the Federal adjustment benefits under the proposal will require a longer and firmer attachment to the labor force than now exists under State laws and, of course, only a limited number would actually use the possible maximum of 26 weeks.

In 1958 I introduced in the House a companion bill to that proposed by Senator Kennedy in the Senate, providing for a general revision of the unemployment compensation system. I have supported similar proposals in the 86th and 87th Congresses. These measures have never been reported from the committees, but in the meantime we have been required to pass two emergency temporary unemployment compensation laws to prevent a complete breakdown of the Federal-State systems. I believe we cannot afford to delay longer the responsibility of adjusting the terms of the legislation of the 1930's to the realities of the 1960's. I am hopeful that the introduction of the new measure this year will begin a successful effort to secure a much needed adjustment and improvement in the system of unemployment insurance.

The letter of transmittal, explanation, and bill presented by Mr. McCARTHY, are as follows:

MAY 14, 1963.

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am transmitting herewith a bill designed to carry out a recommendation made in my economic report to the Congress for long-overdue permanent improvements in our Federal-State system of unemployment insurance. The bill would extend coverage of the system to over 3 million more workers, increase the size and duration of the benefits, improve the financing of the system, and make certain technical changes.

I cannot emphasize too strongly the need and importance of strengthening our unemployment insurance system. These improvements will not only ease the burden of involuntary unemployment, but will add to our built-in defenses against recession.

The deficiencies of the present system of restricted benefits and coverage have been amply demonstrated in recent years. Twice, in 1958 and again in 1961, Congress found it necessary to enact temporary stopgap legislation to provide extended unemployment compensation benefits for the long-term unemployed. More and more workers have remained unemployed for long periods of time in the last few years. The percentage of the insured unemployed who were unemployed more than 26 weeks increased from 15 percent in 1956 to 29 percent in 1961, and remained at 21 percent in 1962.

The proposed bill would provide Federal extended benefits for those workers who have long work histories but who have exhausted their State benefits and remained unemployed for more than 26 weeks. The first 26 weeks of unemployment benefits would be left to the States. The Federal Government would assume responsibility for a maximum of 26 additional weeks for those with a much longer, firmer attachment to the labor force than is required under any State law. The maximum of 26 additional weeks of benefits is based on the fact that under the 1961 temporary extended benefit program nearly two-thirds exhausted the 13 additional weeks of benefits provided.

To qualify for extended benefits a worker would have to be employed in at least 78 of the 156 weeks preceding his unemployment, as well as in 26 of the last 52 weeks. In order to qualify for the maximum duration of 26 additional weeks of benefits, a worker must have 104 weeks of employment in the 3-year qualifying period.

Long periods of unemployment in the group of workers with firm attachment to the labor force involve a difficult period of personal adjustment to a changed situation. Unemployment insurance by itself is not a cure for such unemployment; nor is it the only measure necessary to deal with the problem. The Manpower Development and Training Act, the Public Works Acceleration Act, the 1962 Public Assistance amendments, the strengthening of the employment service, particularly the services to those over 45 and to those under 21, are all invaluable tools we have already acquired for this purpose. Other measures we have proposed include the Youth Employment Act, the Senior Citizens Community Planning and Service Act, and the National Education Improvement Act now pending before Congress.

Unemployment insurance is, however, an invaluable additional tool because of its automatic response to economic conditions. It provides the worker with income and the community with purchasing power while other more individualized programs are getting under way for those for whom they are suitable.

Another major provision of the bill encourages the State to raise their basic benefit payments. Under present-day conditions weekly benefits are often too low in relation to lost wages to enable the worker to meet his basic and nondeferrable expenses. Thus the bill establishes an initial Federal goal of individual weekly benefits of 50 percent of individual weekly wages, up to a State maximum of 50 percent of State-wide average weekly wages. This goal increases to 66⅔ percent by 1970.

The financing of the system would also be strengthened by the bill. A system of equalization grants to States is provided in order to spread the burden of excessively high unemployment compensation costs; and the amount of wages subject to taxation would be increased to $5,200 in calendar year 1966. The new benefits will be financed by a 0.3 percent increase in the net Federal tax.

I am attaching an explanatory statement which describes these administration proposals in detail. I urge that early consideration be given to this legislation. It will provide a much needed addition to the series of tools with which we can meet the unemployment problems of this country.

Sincerely,

JOHN F. KENNEDY.

Statement in Explanation of a Draft Bill To Provide for the Establishment of a Program of Federal Unemployment Adjustment Benefits, To Provide for Equalization Grants, To Extend Coverage of the Unemployment Compensation Program, To Establish Federal Requirements With Respect to the Weekly Benefit Amount and Limit the Tax Credits Available to Employers in a State Which Does Not Meet Such Requirements, To Establish a Federal Requirement Prohibiting States From Denying Compensation to Workers Undergoing Training and Deny Tax Credits to Employers in a State Which Does Not Meet Such Requirement, To Increase the Wage Base for the Federal Unemployment Tax, To Increase the Rate of the Federal Unemployment Taxes, To Establish a Federal Unemployment Adjustment and Equalization Account in the Unemployment Trust Fund, To Change the Annual Certification Date Under the Federal Unemployment Tax Act, To Provide for a Special Advisory Commission, and for Other Purposes

This draft bill contains three titles. Together, the provisions would make permanent improvements in the coverage, benefit and financing provisions of the Federal-State unemployment insurance system.

Title I would amend the Social Security Act by establishing new titles XVII and XVIII and by amending present title IX. The new title XVII would establish a permanent national program of Federal unemployment adjustment benefits for unemployed workers with substantial labor force attachment who have exhausted the benefit rights provided for them by State law and title XV of the Social Security Act. Title XVIII would provide for Federal equalization grants to States with heavy unemployment in any year. Title IX of the Social Security Act would be amended to establish a new Federal unemployment adjustment and equalization account, and to make other necessary changes.

Title II would amend the Federal Unemployment Tax Act: (1) by extending coverage of the unemployment compensation system to more than 3 million workers in small firms and nonprofit organizations; (2) by providing that special contribution treatment of nonprofit organizations would not conflict with Federal experience-rating requirements; (3) by limiting the tax credits allowed on the basis of State laws which provide substandard benefit amounts; (4) by denying tax credits to employers in States which deny benefits to workers who are taking approved training; (5) by increasing to $5,200 the wage base for the Federal unemployment tax; (6) by providing a Federal tax to finance the Federal unemployment adjustment benefits and equalization grants, and (7) by changing the annual certification date.

Title III provides for the establishment of a Special Advisory Commission to review the Federal-State unemployment insurance system and make recommendations to the Secretary, and for effective dates.

TITLE I

Amendments to the Social Security Act

Federal Unemployment Adjustment Benefits (FUAB)

A new title XVII in the Social Security Act would be established by title I of this bill. Under the program which this title would provide, the responsibility for the first 26 weeks of unemployment would be left primarily with the States. Unemployment of longer duration is made a Federal responsibility because long-term unemployment is a national problem. It results from economic factors, such as automation and other technological changes and relocation of industry, which transcend State lines. Its impact cannot be confined to the immediate areas of its origin. Its effective treatment is predicated upon both a local and an overall approach, which utilizes the resources of the entire Nation. A variety of measures to stimulate employment opportunities, to improve the skills of the work force and to maintain the well-being of the individual and the economy are required to meet the Federal responsibility for long-term unemployment.

Unemployment insurance performs a vital function in maintaining the purchasing power of the economy and of the individual during the period within which other resources of the country can be marshaled as solutions. While benefits under an insurance program should be available for a prescribed period, rather than indefinitely, the limitations on the period should be established in the light of the situation in which the program operates. The increased incidence of unemployment lasting longer than 26 weeks calls for a reevaluation of old concepts of unemployment insurance duration.

No distinction would be made as between individuals who are unemployed during so-called recession periods and so-called normal periods. There would, of course, be a great increase in the volume of Federal benefits in periods of high unemployment. At all times, however, insurance benefits of over 6 months duration would be limited to workers with substantial labor force attachment. Long unemployment of this group is largely structural, and involves a difficult period of personal adjustment to a changed situation. This adjustment will be facilitated by income maintenance as an earned right, which respects and preserves the dignity of the individual as a member of the labor force, rather than by subjecting him to the means tests of public assistance.

Long-term unemployment is more serious now than in the past. Even in nonrecession periods of recent years, the number of long-term unemployed has remained high. Among unemployment insurance beneficiaries, those unemployed 26 or more weeks represented 15 percent of the total in 1956, 29 percent in 1961 and 21 percent in 1962.

Title XVII would provide a self-supporting program of Federal unemployment adjustment benefits for weeks of unemployment beginning after June 30, 1964, and after this title is enacted, to the long-duration unemployed who meet the conditions of past attachment to the labor force and who have exhausted their benefit rights under State and Federal unemployment compensation laws after January 1, 1964. Long-duration unemployed are those whose entitlement to State or title XV benefits, plus weeks of unemployment after exhaustion of such entitlement, have been the equivalent of 26 weeks of total unemployment. These Federal unemployment adjustment benefits, payable without regard to the level of unemployment in the economy, would be payable only to those long-term unemployed who have had a substantial work history, as measured by a Federal formula, in the 3 years preceding their unemployment. Benefit rights established by a claim remain available for the ensuing 2 to 2½ years, and new benefit rights cannot be established until after such time. Therefore, a worker cannot establish a second series of these Federal benefits without substantial employment subsequent to his first claim.

To be eligible, a worker must have at least 26 weeks of employment in the State base period, and at least 78 weeks in the 156-week period consisting of his State base period and the two immediately preceding years—the "Federal qualifying period." (Since many State unemployment insurance laws do not use weeks of employment in their benefit formulas, alternative tests of employment are provided.) The bill provides for a longer and firmer past attachment than does any State unemployment compensation law.

To receive these benefits, the worker must have exhausted his rights to unemployment compensation under State laws and any other Federal unemployment insurance program, and must have been unemployed for at least the equivalent of 26 weeks of total unemployment since the beginning of his most recent State benefit year. The general intent of this provision is to restrict the Federal compensation to the long-term unemployed—that is, those who have been unemployed for more than 26 weeks—without limiting the program's application to workers who received 26 weeks of State benefits. For this purpose, an individual who exhausts his State or title XV benefits will be considered to have been unemployed for the number of weeks specified in the monetary determination or determination with respect to his most recent benefit year. Thus, a worker entitled to State benefits of 26 times his weekly benefit amount could become eligible for Federal unemployment adjustment benefits immediately after his exhaustion of State benefits (whether or not he actually received benefits for 26 weeks).

If he were entitled to benefits for less than 26 weeks, however, he would have to serve an uncompensated period of unemployment after his State exhaustion equal to the difference between his entitlement and 26 weeks. To be counted, the weeks should be weeks for which the claimant could have received benefits if he had been entitled to 26 weeks of State benefits; that is, he should be able to work, available for work and free from disqualification. Weeks of partial unemployment could be accumulated toward the 26 weeks, as they would have been under the State law. The bill provides that he would certify to his unemployment during the intervening weeks in accordance with regulations prescribed by the Secretary.

The Secretary's regulations would cover the manner in which individuals would establish the fact that they had been unemployed, able to work, available for work and otherwise not disqualified during the weeks between exhaustion of State or title XV benefits and eligibility for Federal unemployment adjustment benefits.

Federal unemployment adjustment benefits would ordinarily be payable at the same weekly amount for total unemployment as the individual received under State law. However, if his State benefit did not meet the requirements provided by section 206 of the bill, his Federal benefit would be computed in accordance with those requirements. It would be anomalous to establish a Federal benefit system which paid to workers in any State a weekly benefit amount less than would be required by another section of the bill. Therefore, the bill provides that, after the effective date of the benefit requirements, the weekly benefit amount of all Federal beneficiaries must meet those requirements through appropriate adjustments in any individual's State benefit amount. For example, if in 1969 the State law provides benefits of one twenty-sixth of high quarter earnings, but the maximum is $40 whereas 60 percent of average covered wages would be $50, a worker who earned $1,220 in his high quarter would have his Federal weekly benefit amount adjusted upward from $40 to $47.

Federal benefits would be payable for at least 13 weeks to any worker who meets the basic eligibility requirement of 78 weeks work out of the 156 weeks in the Federal qualifying period. Additional benefits may be paid, to a total duration of 26 weeks, at the rate of 1 week of benefits for each additional 2 weeks of employment in that period. (Alternative formulas are provided for States which do not use weeks of employment in their unemployment insurance formulas.) A worker who has worked half of the last 3 years can draw 13 weeks of Federal benefits, and one who has worked two-thirds or more of the period can draw 26 weeks.

These 13 to 26 weeks of Federal benefits would be payable during a Federal benefit period which consists of the State benefit year and the 2 immediately succeeding years. Thus, a worker cannot draw substantial Federal unemployment adjustment benefits year after year. He cannot establish rights to a second or third series of Federal benefits without substantial employment following his first establishment of such rights.

The program proposed is designed to provide workers who have been regularly employed with adequate protection for a period of structural unemployment. The 26 weeks of protection over a 3-year period would give time enough and protection enough for most of them to make the adjustment. This does not mean that every claimant will receive 26 weeks, nor that every one will be working at the end of his duration. Average actual duration is estimated at 13 weeks and the exhaustion ratio at 40 percent.

Support for the proposed duration is found in past experience with extended benefits. Of those who were entitled to 13 weeks under the 1961 TEUC program, about two-thirds exhausted those benefits.

The facts derived from the Pennsylvania experience (the only State where the actual effect of a duration longer than 39 weeks can be compared with a duration of 39 weeks) are meaningful in this respect. Under the 1958 TUC program all who qualified were entitled to 45 weeks combined State and Federal duration, while in the 1961 TEUC program the limit was 39 weeks. Even though the 1958 recession was more severe, the exhaustion rate under the extended program was 58 percent in 1958, but 70 percent in 1961.

Relevant, also, is the fact that in 1961, about 2.8 million workers were unemployed 27 or more weeks. About two-thirds of them—or 1,850,000—received State unemployment insurance. About 1.1 million of them could have received Federal extended benefits under this bill, and 660,000 of them would have been protected for the duration of their unemployment during the year.

If a worker who establishes a claim to Federal benefits has received more than 26 weeks of benefits for a single benefit year under State law, his potential weeks of Federal benefits will be reduced accordingly, and the State reimbursed for each such week.

In order to receive Federal benefits for a week the worker must generally meet the terms and conditions for receiving unemployment compensation of the State law under which he exhausted his benefit rights. There are several exceptions:

A Federal disqualification—postponement of benefits for 6 weeks—will be imposed on a Federal claimant when the disqualification provided under the State law would last for the duration of the worker's unemployment or would cancel part or all of his benefit rights.

Neither of these types of disqualification is appropriate for a Federal program such as the one proposed. Disqualifications which last for the duration of the worker's unemployment are particularly severe in times of high unemployment, or for workers who have difficulty in finding new jobs. Insofar as cancellation is concerned, the proposed bill follows other Federal programs which provided additional Federal benefits (TUC, TEUC) none of which permitted cancellation of the Federal benefit rights.

There is also a special Federal disqualification for fraud in connection with the Federal benefits. A claimant would be disqualified for these benefits for a period of from 4 to 52 otherwise compensable weeks beginning with the week in which it is determined that he committed fraud, according to the gravity of the offense, within the 24-month period beginning with the date of the determination.

A Federal disqualification will be imposed for refusal to attend, or failure to make satisfactory progress in, training to which the individual is referred. Such a provision is justified in a program of additional benefits for the long-term unemployed, whose need for training as a step toward reemployment has become clear.

Some workers taking training will meet the eligibility conditions for both FUAB and training allowances under another Federal act such as the Area Redevelopment Act or the Manpower Development and Training Act. The bill provides that in such situations, the training allowance is payable rather than FUAB. The weeks of training allowances would not, however, be deductible from potential Federal unemployment adjustment benefit rights. Thus, if the worker should have weeks of unemployment after his training, and within his Federal benefit period, he could draw his Federal benefits for those weeks.

The bill makes it explicit that any worker who is drawing an employer retirement pension or a primary social security benefit must adequately demonstrate that he is not retired but is still an active member of the labor force. Such a claimant must demonstrate, in accordance with regulations of the Secretary, that he has made reasonable efforts to find suitable work. This provision is intended to emphasize the fact that an individual who has retired from the labor force is not entitled to unemployment insurance and is committing fraud when he files a claim. It recognizes, however, that many individuals receiving pensions or primary OASI benefits are nevertheless bona fide active members of the labor force. For example, employers sometimes provide early pensions for workers separated because of automation who meet certain conditions of age and seniority. Some of these workers will withdraw from the labor force, while others will make vigorous efforts to find other work. The employer pension may be drawn even though the individual is working full-time.

An unemployed individual over 65 is missing a source of current income if he does not claim his OASI benefits. Such benefits are not payable for weeks of unemployment, even though they are related to the individual's monthly and annual income from wages and self-employment. Full OASI benefits may be payable for a month in which the individual has substantially full-time employment in every week, or they may be withheld for a month in which he worked only 1 week, and was looking for work the rest of the month.

Thus, the receipt of a pension or OASI benefit is not necessarily evidence of withdrawal from the labor force, but should be a signal for careful examination of current eligibility status.

As is the case with other Federal unemployment payments, the Federal unemployment adjustment benefit program would be administered by the State employment security agencies under agreements with the Secretary. These agreements would be similar to those under which the States make payments under title XV of the Social Security Act.

The bill provides for the financing of the Federal benefits by an increase in the Federal unemployment tax.

Additional protection is necessary for workers with substantial past employment who are experiencing prolonged unemployment. The number of claimants who exhaust their State rights, even in nonrecession years such as 1955 or 1960, is increasing. Between the 1958 and the 1961 recessions, the number of unemployed out of work for more than 15 weeks never dropped below 700,000. In 1960, more than one-fifth of all State claimants exhausted their rights in States providing at least 26 weeks of duration to most or all claimants, such as Ohio, Pennsylvania, and Vermont.

Employment opportunities have declined markedly in many industries which formerly provided steady work at good wages and a secure future for millions of American workers. Steel, textile, automobile, and aircraft manufacturing and coal mining illustrate situations where technical advances and productivity gains have made it possible to obtain greater production with a smaller work force from year to year. In many industrial centers abandonment of older plants or shifts in methods have caused the separation of workers with long employment attachment despite the protection of seniority rules. Rapid technological changes including those resulting from automation may well displace over a million workers per year in the decade of the sixties at the present production rates.

Displaced semiskilled and unskilled workers particularly those in the older age groups, remain out of work longer because they often do not have the education to perform the increasingly technical jobs called for by the growing industries which need more manpower. The fast-growing trade, service, and research industries demand different skills and abilities than are possessed by displaced miners and factory hands.

Training is a valuable tool to helping long-term unemployed workers toward reemployment. Not all, however, need, or can profit from training. Training facilities are not—and may well not be—available for some who want training. In other situations, there may be no jobs for which to train workers.

Unemployment insurance is not a cure for unemployment, nor the only measure to deal with the problem. Unemployment insurance is, however, a valuable device, because of its automatic response to economic conditions. It provides the worker with income, and the community with purchasing power, while other more individualized programs are getting underway. This proposal is designed to keep unemployment insurance playing its proper role as a limited program of wage loss insurance, financed by an earmarked tax and payable as a matter of earned right to bona fide members of the labor force during periods between jobs.

Equalization grants

The bill would add a new title XVIII to the Social Security Act to provide for an equalization grants program. The Federal Government would underwrite two-thirds of the annual benefit costs in excess of a specified level for each State which meets the requirements of the FUTA, including the benefit requirements to be added by section 206 of this bill. Generally, the Federal Government would finance two-third of a State's benefit cost for a year in excess of 2.7 percent of State taxable wages for that year. However, in those years for which the national benefit cost rate exceeds 2.7 percent of taxable wages, the Federal Government would contribute only toward that portion of a State's costs in excess of the national rate.

Equalization grants provide a method for spreading the risk of heavy benefit costs among all States, by financing the excess costs from a common fund. Such grants reduce the amount of revenue which high cost States would otherwise have to raise, and therefore further one of the original purposes of the Social Security Act by minimizing interstate variations in unemployment tax rates.

Although benefit cost rate variations from State to State are affected by differences in benefit formulas, they are caused primarily by differences in the incidence of unemployment. Experience indicates that the rates of insured unemployment and of benefit costs vary widely from State to State. At present, a State with higher-than-average unemployment can have higher-than-average unemployment tax rates, or it can keep its costs to the average level by providing less benefits. Either of these approaches may aggravate the State's relatively unfavorable situation. The higher tax rate may discourage industry, and thus increase the unemployment problem. Inadequate benefits are more serious in situations of high unemployment than at other times, since they affect more people and for longer periods.

The equalization grants provided by this bill would help such States meet their problems and still provide adequate benefits. States which do not provide benefits equal to the level of benefit adequacy established by section 206 of this bill will not be eligible for equalization grants.

The equalization grants are limited to two-thirds of the State costs in excess of the equalization level. Because the remaining one-third must be paid by the State, the State will have a financial interest in assuring that benefits are not excessive.

The effect of tax rates on the location or expansion of industry is not subject to precise measurement, and may be greatly overemphasized. The widespread belief in the importance of tax rates in attracting and holding industry is, nevertheless, persuasive to State legislatures and effectively limits the degree to which a State may impose tax rates above those in other States.

More importantly, it appears inequitable to impose upon employers in a particular State the full burden of disproportionately high costs, since the causes of such unemployment are largely beyond State control and result from the influence of national factors in the economy.

Financing of the Federal unemployment adjustment benefits and equalization grants

The bill provides for the financing of the Federal unemployment adjustment benefits and the equalization grants by an increase of 0.3 percent in the Federal unemployment tax rate. This increase will come into effect on wages paid in 1964. Under present law, there is a special 0.4-percent Federal unemployment tax due on 1963 wages to finance the TEUC program of 1961–62. The House has passed a bill, H.R. 4655, which would cut this tax to 0.25 percent. If H.R. 4655 is enacted, net Federal unemployment taxes will drop to 0.65 percent on 1963 wages. Under this bill, they would rise to 0.7 percent on wages in 1964 and subsequent years. Title II of this bill would also increase the amount of a worker's wages subject to the Federal Unemployment Tax Act.

Another provision of title I would amend title IX of the Social Security Act to establish a Federal unemployment adjustment and equalization account within the unemployment trust fund. Payments of Federal benefits and equalization grants would be made from this account. The proceeds of the additional 0.3-percent tax will be transferred to this account.

TITLE II

Amendments to the Federal Unemployment Tax Act in the Internal Revenue Code of 1954

Title II of the bill would amend the Federal Unemployment Tax Act in the Internal Revenue Code to extend the protection of the unemployment insurance system, beginning January 1, 1966, to about 3.3 million of the 14.3 million wage and salary workers now excluded from unemployment insurance. This would be accomplished by extending the Federal unemployment tax to employers of one at any time and to services for nonprofit religious, charitable and educational organizations. Changes in the Federal experience-rating requirements would permit States to give special contribution treatment to the nonprofit organizations. The amount of a worker's wages subject to the tax would be increased from $3,000 to $5,200. This title would also establish Federal requirements with respect to State weekly benefit amounts, and provide reduced tax credit for employers in a State not meeting such requirements, would deny tax credit for employers in States which deny benefits to workers who are taking approved training, and would provide an additional tax to finance the costs of the new Federal unemployment adjustment benefit and equalization grants programs provided under title I of the bill.

Employers of One or More

The bill would bring about 1.8 million more workers under unemployment insurance by extending the application of the Federal Unemployment Tax Act to employers of one or more workers, if the workers perform services covered by the act, as is now the case under the Federal Insurance Contributions Act (OASDI). Coverage would be achieved by deleting the definition of "employer" from section 3306 of the Federal Unemployment Tax Act and by making appropriate deletions from section 3301 and other sections of such act.

At present, the Federal Unemployment Tax Act applies only to employers who have at least four workers in at least 20 weeks in a calendar year. There are 28 State unemployment insurance laws with similar restrictions. The other 24 States already cover about 1.4 million more workers excluded from Federal coverage by the size-of-firm requirement.

Experience under OASDI and under the State unemployment insurance laws which cover employers of one worker at any time has demonstrated that such coverage is feasible to administer.

Experience has also demonstrated that the workers in firms which do not have four workers in 20 weeks need the protection of unemployment insurance. In general, in the States which cover firms with fewer than four workers, the proportion of workers who receive benefits is greater for small firms than for the larger ones. At the same time, the State experience indicates that coverage does not impose an unreasonable financial burden on these small employers.

When a State law covers small firms, workers from these firms receive the protection of Federal programs providing additional benefits, but their employers do not contribute to the Federal funds from which such compensation is paid, or to the Federal funds used to finance the operation of the program. In those States, the employer with three workers has an unfair competitive advantage over the employer who has four workers.

Nonprofit Organizations

The bill would extend the protection of the unemployment insurance system to about 1.5 million employees of nonprofit religious, charitable, educational, and humane organizations. The proposal would not cover the handicapped in sheltered workshops, ministers or members of religious orders, certain students and interns, and others performing services for nonprofit organizations if the remuneration is less than $50 in a calendar quarter.

About half of the workers who would be added are employed in hospitals, and about one-third by educational institutions. Only a small percentage are employed by religious and charitable institutions supported by donations.

The workers who would be covered are cooks and busboys, elevator operators, janitors, and scrubwomen, printers and typists, as well as teachers, nurses, and professional social workers. About 40 percent of the hospital workers are food, maintenance, and custodial workers.

While some of the professional groups in the nonprofit field may have the protection of tenure and stable employment, the same could be said for professional groups of presently covered workers. Other employees of nonprofit organizations, particularly in the nonprofessional occupations, are low paid and have a high rate of turnover which generally indicates unemployment. Such evidence as is available, in fact, indicates that nonprofit employees have a risk of unemployment and therefore need insurance against the risk.

The bill would amend the Federal provisions relating to State experience rating, so that with respect to services which are covered by an approved State law, a nonprofit organization could receive its full credit against the Federal tax, whether it paid a State tax or not. States would be permitted to provide for reduced contributions from nonprofit organizations on any basis the State legislature chose, without endangering the State law's conformity with Federal conditions for additional credit allowances for other employers. Thus, a State could provide a special, and lower, tax schedule for nonprofit employers, could permit them to reimburse the State for the costs of benefits, rather than pay contributions, or provide any other modification of the contribution schedule enacted by the State legislature.

This change is a recognition of the special tax status traditionally allowed to these organizations. It would permit State arrangements under which a nonprofit organization could be assured that its contributions would be no higher than necessary to cover the cost of unemployment benefits to its former workers.

Definition of Wages

The bill would increase the wages taxable under the Federal Unemployment Tax Act from the first $3,000 of a worker's annual wages from an employer to the first $5,200 of wages, effective with respect to wages in 1966 and thereafter. The new wage base would not only make necessary increases in the amount of Federal revenue, but would also increase the potential State revenue for the States faced with low reserves.

The $3,000 limitation on taxable wages was established in 1939 to bring the unemployment insurance base into line with that for OASDI and thus make reporting easier for employers. About 98 percent of wages in covered employment were taxable, even after the limitation was adopted.

Since 1939, average weekly wages have more than tripled; less than about 60 percent of wages in covered employment are now subject to the Federal Unemployment Tax Act. The wage base for OASDI has been increased repeatedly; it is now $4,800 and an increase to $5,200 has been recommended.

The adverse results of the $3,000 limitation on taxable wages are not confined to a lowering of revenue, serious as that is in some cases. Benefits, being related even though imperfectly to weekly wage levels, have increased proportionately more than employer contributions. Consequently, there has been a steady decline in State reserve funds. This is of concern to the Federal Government as well as to the States, because there is a national interest in a soundly financed program and a Federal responsibility for assisting States whose reserves become inadequate.

The low-wage base, moreover, creates inequities between employers. Low-wage employers pay a much higher effective tax rate than do high-wage employers. A low-wage employer with favorable experience who pays a reduced rate of 2 percent may be paying a higher rate, in relation to his total wage bill, than a high-wage employer with such unfavorable experience that he nominally pays a penalty rate of 3 percent. Further, as benefit costs approach or exceed a rate of 2.7 percent of taxable wages, the scope of experience rating is narrower.

The unrealistically low limit on taxable wages means that the Federal revenue is becoming inadequate for its intended purposes. Within a few years, costs of administering the employment security program, even with a low level of insured unemployment, will exceed the revenue at 0.4 percent of $3,000. Administrative costs increase with the growth in the numbers of covered employers and workers, with improvements in the program, and with increases in the costs of goods and services; much of this latter increase is related to rising wage levels.

While taxable wages increase somewhat with the growth of the labor force and the number of covered employers, the $3,000 limit is so low that such growth is only partly reflected. There is almost no reflection of increases in wage levels.

Despite its apparent uniformity, the net Federal rate of 0.4 percent in fact varies as a percent of total payroll. The effective rate paid by low-wage employers is higher than that paid by high-wage employers. Consequently, the effective rate paid by employers in States with low average weekly wages is higher than the effective rate of employers in higher wage States. For example, an employer paying Arkansas' 1961 average weekly wage of $65 pays an effective rate of 0.34 percent, while one paying New York's average of $104 pays an effective rate of only 0.22 percent. An increase in revenue through an increase in the tax rate would add to the differential, whereas raising the wage base will decrease it. At a rate of 0.5 percent on $3,000, the Arkansas employer's effective rate would be 0.44 percent, the New York employer's rate, 0.28 percent. At a net rate of 0.4 percent on a wage base of $5,200, however, both employers would pay an effective rate of 0.4 percent.

Increase in the Tax Rate

For the purpose of financing the Federal unemployment adjustment benefits and equalization grants programs established under title I of the bill, title II would raise the net Federal unemployment tax from 0.4 to 0.7 percent, effective with respect to wages paid after calendar year 1963.

Benefit Amount Requirement

The bill would establish a Federal requirement for State weekly benefit amounts, which must be met if employers in a State are to receive full credit under the Federal tax-offset provisions. This requirement is basically very different from the present Federal requirements for State laws. Failure to meet present requirements will result in denial of tax credit to employers in the State, or in the withholding of administrative funds. By contrast, failure to meet this new requirement will not affect administrative funds, and will not cut off tax credit. It will merely limit the tax credit allowed with respect to a State which provides benefits below the requirement to the State's 4-year average cost rate.

Tax credit for employers in a State which meets the Federal requirement with respect to weekly benefit amount would be determined as it is now. Employers in States which met all the Federal requirements would be entitled to the full tax offset credit of 2.7 percent (apart from any reduced credit provisions applicable to particular States under other provisions of Federal law, such as title XII advances). Likewise, employers in a State with benefits below the Federal minimum would receive the full 2.7 percent offset credit if, on the average, the State is spending at least that much in benefits. But if the 4-year average cost of benefits is less than 2.7 percent in a State with benefits below the Federal minimum, the maximum tax offset credit allowed to any employer in that State would be the State's average cost rate. Costs are averaged over 4 years, the usual length of recent cycles, to avoid sharp year-to-year fluctuations in Federal tax rates.

For example, if, in a State which provided a maximum weekly benefit of 45 percent of State average wages, the 4-year average cost of benefits equalled 2.0 percent of State taxable wages, employers would receive offset credit against the Federal tax of 2 percent; thus they would pay a net Federal tax of 0.7 percent more than if the State had provided a maximum equal to the prescribed percentage of State average wages.

This provision of the bill is intended not only to assure workers in all States of a minimum level of benefit adequacy, but also to assure employers that their competitors in other States cannot receive a Federal tax advantage through providing substandard benefits.

The benefit requirement relates only to the amount of the weekly payment, and applies to both the individual workers' benefit amount and the State maximum. It would require that for benefit years starting after December 31, 1965, the weekly benefit amount payable to any individual for a week of total unemployment, exclusive of any amount payable with respect to dependents, be not less than 50 percent of that individual's average weekly wage, or the maximum weekly benefit amount payable under the State law, if lower. The maximum weekly benefit amount payable would have to be equal to at least the following percentages of the statewide average weekly wage:

(1) 50 percent for benefit years beginning during 1966 and 1967,

(2) 60 percent for benefit years beginning during 1968 and 1969, and

(3) 66⅔ percent for benefit years beginning January 1, 1970, and thereafter.

Under this provision the great majority of covered workers would receive a weekly unemployment benefit equal to at least one-half of their average wage.

States could base benefits on quarterly earnings, or compute an average wage for the weeks the individual worked. Those States which now pay benefits higher than 50 percent of weekly wages could continue to do so, and States could, if they wished, provide additional amounts to individuals with dependents.

Training

The bill would add a new requirement which State laws must meet as a condition for employers in the State to receive normal tax credit. Under the new requirement, State laws would have to provide that compensation shall not be denied to an otherwise eligible individual for any week because he is attending training with the approval of the State agency. An individual in such training would not be deemed to be not otherwise eligible by reason of availability or active search for work requirements of the State law, or by reason of his having refused to accept work.

The change in occupational skills required by modern industry results in persistent unemployment of those who do not have the new skills. It has become clear, therefore, that for many claimants occupational training or retraining is essential if they are to be suitably reemployed. If, however, an unemployed worker may receive his unemployment insurance only when he is not taking training, financial pressure may discourage him from accepting training until after he has exhausted his unemployment insurance rights. This would prolong his spell of unemployment.

Through the Area Redevelopment Act and the Manpower Development and Training Act, the Federal Government is undertaking to encourage the unemployed to take training. There are, however, limitations on the payment of allowances under these laws which mean that some unemployment insurance claimants could not substitute a Federal training allowance for the unemployment insurance. Area Redevelopment Act programs are limited to depressed areas. Manpower training allowances are payable only to heads of families or of households with 3 years of work experience, or to youths. Moreover, under both programs, allowances are paid only with respect to attendance at courses arranged under the program. There may be other satisfactory training courses which unemployment insurance beneficiaries would like to attend if attendance did not result in loss of benefits.

The laws of about 24 States now permit the payment of unemployment insurance to vocational trainees attending courses with the approval of the agency. This is an increase over the number with such provisions or interpretations several years ago, but still does not represent even a majority of the States. To assure that unemployment insurance claimants in all States are not forced by financial considerations to postpone desirable available training, denial of unemployment insurance by reason of training would be prohibited.

Certification Date

The bill changes the date on which the Secretary of Labor certifies State laws to the Secretary of Treasury. Instead of certifying on December 31 for the calendar year, he would certify on October 31 for the 12-month period ending on such October 31. The certifications would apply to tax credits for the calendar year in which such October 31 occurred. With the possibility of variations in State tax credit under the benefit standard provisions, the administrative problems require a lag between the determination as to what the credit will be, and the end of the taxable year involved.

TITLE III

Miscellaneous

Special Advisory Commission

The bill directs the Secretary to appoint a Special Advisory Commission to study the Federal-State unemployment insurance program, and to make recommendations for its improvement. The Commission is to be appointed by the Secretary in 1964, and is to make its report to him by October 1, 1966, at which time it shall go out of existence.

While the Special Advisory Commission may concern itself with any aspect of the Federal-State unemployment insurance program, it is specifically directed to consider the financing of the Federal unemployment adjustment benefit program to be established by the bill, and the gradual increase in maximum weekly benefits provided for by the bill, and to determine whether there is need for a Federal provision relating to wage and employment qualifying requirements of State laws.

The Special Advisory Commission is to consist of 12 members, representing employers and employees in equal numbers, representatives of the Federal and State agencies administering the unemployment insurance program, outside experts, and the public.

The Commission is authorized to engage a technical staff. In addition, the Secretary is to provide secretarial and clerical assistance, and to make Department data available to the Commission.

This Commission will provide the Secretary with an informed outside opinion as to whether the unemployment insurance program, particularly certain new features, is achieving its goals or whether changes should be proposed.

S. 1542

A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the Unemployment Trust Fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a Special Advisory Commission, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Employment Security Amendments of 1963."

TITLE I—AMENDMENTS TO THE SOCIAL SECURITY ACT

SEC. 101. The Social Security Act is amended by adding after title XVI thereof the following new title:

"TITLE XVII—FEDERAL UNEMPLOYMENT ADJUSTMENT BENEFITS PROGRAM

"Payment of Compensation

"Eligibility

"SEC. 1701. Federal unemployment adjustment benefits shall be payable for any week of unemployment which begins after June 30, 1964 and after the date of enactment of this title to any individual who meets the requirements of sections 1702, 1703, and 1704 in the amount specified in section 1705.

"Eligibility for benefits

"SEC. 1702. An individual shall be eligible for Federal unemployment adjustment benefits if he

"(a) establishes a Federal benefit period;

"(b) after January 1, 1964 has exhausted (within the meaning prescribed by the Secretary by regulation) all rights under any State law or title XV;

"(c) was eligible for (whether or not he received them) State or title XV compensation (regular and extended) for at least twenty-six weeks of total unemployment pursuant to any monetary determination or determinations with respect to his most recent benefit year, or, if pursuant to such a determination or determinations he was eligible for (whether or not he received them) State or title XV compensation for less than twenty-six weeks of total unemployment, has subsequent to his most recent exhaustion of State or title XV compensation had weeks of total unemployment (or the equivalent thereof in weeks of partial unemployment) equal to the difference between the number of weeks to which he was entitled and twenty-six weeks of total unemployment and in each such subsequent week of unemployment he was able to work, available for work and would not have been disqualified under the provisions of the applicable State law or title XV, except as otherwise provided in section 1704;

"(d) exhausted his State or title XV compensation under a law in which eligibility for compensation is based on

"(1) weeks of employment, if he has been employed in covered employment for not less than 78 weeks in the Federal qualifying period and for not less than 26 weeks in the base period;

"(2) high-quarter wages paid in the base period, if he has been employed in 6 of the 12 quarters ending in the Federal qualifying period and in that period was paid at least five times his high-quarter wages and was paid at least one and two-thirds times such high-quarter wages in such base period;

"(3) other criteria, if it can be demonstrated, under regulations issued by the Secretary, that he has a work history substantially equivalent to that required under subsections (1) and (2).

"Payment of Benefits

"SEC. 1703. Federal unemployment adjustment benefits shall be payable for a week of unemployment to an eligible individual

"(a) who files a claim for such benefits;

"(b) who has no rights (or potential rights) to unemployment compensation with respect to such week under any State or other Federal unemployment compensation law;

"(c) who meets the terms and conditions for the receipt of unemployment compensation of the State law or title XV under which he most recently exhausted his rights except as specified in section 1704.

"Additional Terms and Conditions

"SEC. 1704. (a) Except as otherwise provided in this section, a disqualification which cancels part or all of an individual's benefit rights or extends for the duration of his unemployment shall not be imposed, and in lieu thereof the disqualification shall be a postponement for a period of 6 weeks from the disqualifying act.

"(b) Federal unemployment adjustment benefits shall not be denied to an otherwise eligible individual for any week because he is in training with the approval of the Secretary; and such individual in training shall not be deemed to be not otherwise eligible for any such week by reason of any availability or active search for work requirement of a State law or by reason of his having refused to accept work.

"(c) If, without good cause, an individual refuses to take training to which he is referred by the Secretary or fails to attend or make satisfactory progress in such training, he shall be disqualified from receiving benefits until he accepts such referral, resumes attendance or makes satisfactory progress.

"(d) With respect to any week with respect to which an individual is receiving a retirement pension financed by an employer, or a primary benefit under title II of the Social Security Act, such individual shall be entitled to Federal unemployment adjustment benefits only if he has demonstrated, in accordance with the regulations of the Secretary, that he has made reasonable efforts to find suitable work.

"(e) Any individual who makes a false statement or representation of a material fact knowing it to be false or knowingly fails to disclose a material fact in order to obtain or increase for himself any payment under this title shall be disqualified, according to the gravity of the offense, for a period of 4 to 52 otherwise compensable weeks beginning with the date the determination is made and ending no later than 36 months from that date; except that no disqualifications shall be imposed on an individual if proceedings have been undertaken against him under section 1708(a).

"(f) For any week in which an individual is entitled to an allowance under the Manpower Development and Training Act of 1962 or the Area Redevelopment Act, he shall receive the allowance under such act in lieu of the Federal unemployment adjustment benefit, but receipt of such allowance shall not reduce his maximum aggregate Federal unemployment adjustment benefits.

"(g) (1) No individual shall receive benefits under this title for any week with respect to which he receives allowances under title III, chapter 3 of the Trade Expansion Act of 1962.

"(2) If an individual receives an allowance under title III, chapter 3 of the Trade Expansion Act of 1962 for any week in his Federal benefit period, such amount shall be deducted from his maximum aggregate amount computed under section 1705(c).

"Amount and duration of benefits

"SEC. 1705. (a) Except as provided in subsection (b), the Federal unemployment adjustment benefit payable to an individual under this title for a week of total employment shall be his regular weekly benefit amount under the State law or title XV under which he last exhausted his rights prior to that week. The Federal unemployment adjustment benefit payable to an individual for a week of less than total unemployment shall be computed in the manner prescribed by the applicable State law.

"(b) If the State law is not certified under the provisions of section 3309 of the Internal Revenue Code of 1954, the Federal unemployment adjustment benefit shall be determined, under regulations issued by the Secretary, in accordance with the requirements of that section.

"(c) The maximum aggregate amount of Federal unemployment adjustment benefits in a single Federal benefit period shall be determined at the time an individual files his first claim for that period, as follows:

"(1) for an individual who qualifies for benefits under section 1702(d)(1), the maximum aggregate amount shall be determined by multiplying his weekly benefit amount by the number which appears in the following schedule on the same line on which in the left-hand column appears the number of weeks he has been employed during the Federal qualifying period—

Number of weeks of employment in qualifying period	Maximum aggregate amount (number times weekly benefit amount)
78 but less than 80	13
80 but less than 82	14
82 but less than 84	15
84 but less than 86	16
86 but less than 88	17
88 but less than 90	18
90 but less than 92	19
92 but less than 94	20
94 but less than 96	21
96 but less than 98	22
98 but less than 100	23
100 but less than 102	24
102 but less than 104	25
104 and over	26

"(2) for an individual who qualifies for benefits under section 1702(d)(2), the maximum aggregate amount shall be determined by multiplying his weekly benefit amount by the number which appears in the following schedule on the same line on which in the left-hand column appears the ratio that his total wages in the Federal qualifying period is to his high-quarter wages in his most recent base period—

Ratio of total wages to high-quarter wages (total wages during Federal qualifying period divided by high-quarter wages)	Maximum aggregate amount (number times weekly benefit amount)
5 but less than 5.2	13
5.2 but less than 5.4	14
5.4 but less than 5.6	15
5.6 but less than 5.8	16
5.8 but less than 6	17
6 but less than 6.2	18
6.2 but less than 6.4	19
6.4 but less than 6.6	20
6.6 but less than 6.8	21
6.8 but less than 7	22
7 but less than 7.2	23
7.2 but less than 7.4	24
7.4 but less than 7.6	25
7.6 and over	26

"(3) for an individual who qualifies for benefits under section 1702(d)(3), 13 times his regular weekly benefit amount, and an additional amount if it can be demonstrated, under regulations issued by the Secretary, that he had a work history substantially equivalent to that required under subsections (1) or (2) above for additional amounts, but in no event to exceed 26 times his regular weekly benefit amount;

"(4) in the case of an individual who received State or title XV compensation in excess of 26 times his regular weekly benefit amount for a single benefit year, his maximum aggregate amount computed under (1), (2), or (3) above shall be reduced by the amount that his State or title XV compensation exceeded 26 times his regular weekly benefit amount; except that in the case of an individual whose regular weekly benefit amount is less than a weekly benefit amount paid to him for other weeks in the same benefit year, his maximum aggregate amount shall be reduced only if he received State or title XV compensation for more than 26 weeks of total unemployment (or the equivalent thereof in weeks of less than total unemployment) for a single benefit year and the amount of the reduction shall be the amount of compensation received for weeks in excess of 26.

"(d) The Secretary, under regulations prescribed by him, shall from time to time certify to the Secretary of the Treasury for payment from the Federal unemployment adjustment and equalization account to a State for credit to its account in the Unemployment Trust Fund an amount equal to the total reductions made under subsection (c)(4) on account of compensation paid by such State pursuant to State law.

"Agreements with States

"SEC. 1706. (a) The Secretary is authorized on behalf of the United States to enter into an agreement with a State, or with the agency administering the State law, under which such State agency will make, as agent of the United States, payments of Federal unemployment adjustment benefits in accordance with this title, and will otherwise cooperate with the Secretary and with other State agencies in making payments of such benefits.

"Amendment, suspension, or termination of agreement

"(b) Each agreement under this title shall provide the terms and conditions upon which the agreement may be amended, suspended, or terminated.

"No denial or reduction of State compensation

"(c) Any agreement under this title shall provide that regular compensation otherwise payable to any individual will not be denied or reduced for any week by reason of any right to Federal unemployment adjustment benefits.

"Review

"(d) Any determination by a State agency with respect to entitlement to Federal unemployment adjustment benefits pursuant to an agreement under this title shall be subject to review in the same manner and to the same extent as determinations under State law, and only in such manner and to such extent.

"Federal unemployment adjustment benefits in absence of State agreement

"In general

"SEC. 1707. (a) If an individual files a claim for Federal unemployment adjustment benefits in a State with which there is no agreement under section 1706 which applies to the weeks of unemployment concerned, or in the case of an individual in the Virgin Islands who has exhausted his rights to title XV compensation (regular and extended), the Secretary, in accordance with regulations prescribed by him, shall make payments to the individual from the Federal unemployment adjustment and equalization account in accordance with the provisions of this title.

"Utilization of other agencies

"(b) For the purpose of providing Federal unemployment adjustment benefits to individuals in a State described in subsection (a), the Secretary may utilize the personnel and facilities of such Federal and State agencies as may be appropriate, and for the purposes of providing Federal unemployment adjustment benefits to individuals who exhausted their rights to title XV compensation in the Virgin Islands, the Secretary may utilize the personnel and facilities of the agency in the Virgin Islands cooperating with the United States Employment Service under the Act of June 6, 1933 (29 U.S.C. 49 et seq.). The Secretary may delegate to the agencies described in this subsection any authority granted to him by this title whenever he determines such delegation to be necessary in carrying out the purpose of this title.

"Review

"(c) Any individual referred to in subsection (a) whose claim for Federal unemployment adjustment benefits has been denied shall be entitled to a fair hearing and review as provided in section 1503(c).

"Penalties

"False statements, and so forth

"SEC. 1708. (a) Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment under this title shall be fined not more than $1,000 or imprisoned for not more than one year, or both; except that this penalty shall not be imposed on any individual who has been disqualified under section 1704(e).

"Recovery of overpayments

"(b)(1) If a State agency or the Secretary, as the case may be, or a court of competent jurisdiction, finds that any person—

"(A) has made, or has caused to be made by another, a false statement or representation of a material fact knowing it to be false, or has knowingly failed, or caused another to fail, to disclose a material fact, and

"(B) as a result of such action has received any payment under this title to which he was not entitled, such person shall be liable to repay such amount to the State agency or the Secretary, as the case may be. In lieu of requiring the repayment of any amount under this paragraph, the State agency or the Secretary, as the case may be, may recover such amount by deductions from any benefits payable to such person under this title. Any such finding by a State agency or the Secretary, as the case may be, may be made only after an opportunity for a fair hearing, subject to such further review as may be appropriate under sections 1706(d) and 1707(c).

"(2) Any amount repaid to a State agency under paragraph (1) shall be deposited into the fund from which payment was made. Any amount repaid to the Secretary under paragraph (1) shall be returned to the Treasury and credited to the current applicable appropriation, fund, or account from which payment was made.

"Information

"SEC. 1709. The State agency shall furnish to the Secretary such information as he may find necessary or appropriate in carrying out the provisions of this title.

"Payments to States

"SEC. 1710. (a) There shall be paid to each State which has an agreement under this title, either in advance or by way of reimbursement, as may be determined by the Secretary, such sum as the Secretary estimates the State will be entitled to receive under this title for each calendar month, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimates for any prior calendar months were greater or less than the amounts which should have been paid to the State. Such estimates may be made upon the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency.

"Certification

"(b) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State which has an agreement under this title sums payable to such State under subsection (a). The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment to the State in accordance with such certification, from the Federal unemployment adjustment and equalization account.

"Money to be used only for purposes for which paid

"(c) All money paid a State under this title shall be used solely for the purposes for which it is paid; and any amount so paid which is not used for such purposes shall be returned, at the time specified in the agreement under this title, to the Treasury and credited to current applicable appropriations, funds, or accounts from which payments to States under this title may be made.

"Surety bonds

"(d) An agreement under this title may require any officer or employee of the State certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give a surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of the cost of such bond from funds for carrying out the purposes of this title.

"Liability of certifying officers

"(e) No person designated pursuant to an agreement under this title as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any Federal unemployment adjustment benefits certified by him under this title.

"Liability of disbursing officers

"(f) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this title if it was based upon a voucher signed by a certifying officer designated as provided in subsection (c) of this section.

"Cost of administration

"(g) For the purpose of payments made to a State under title III of the Social Security Act (but not for the purpose of the limitation specified in section 901(c)) administration by the State agency of such State pursuant to an agreement under this title shall be deemed to be a part of the administration of the State law.

"Regulations

"Sec. 1711. The Secretary is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this title.

"Definitions

"Sec. 1712. For purposes of this title—

"(1) 'Federal unemployment adjustment benefit' means the cash benefit payable under this title.

"(2) 'Benefit year' means the benefit year as defined in the applicable State law, or if the applicable State law does not define a benefit year, then such term shall have the meaning prescribed by the Secretary.

"(3) 'Base period' means the base period as defined in applicable State law, or if the State law does not define a base period, then such term shall have the meaning prescribed by the Secretary.

"(4) 'Federal benefit period' means the three-year period beginning with the first day of an individual's most recent benefit year with respect to which he exhausted his State or title XV compensation except that no Federal benefit period shall be established for an individual until he has filed a first claim, nor shall a Federal benefit period be established beginning with a benefit year with respect to which an individual exhausted compensation before the end of a previously established Federal benefit period.

"(5) 'Covered employment' means employment under any State law performed for an employer subject to such law and Federal service as defined in title XV.

"(6) 'First claim' means the first claim for determination of an individual's right to Federal unemployment adjustment benefits with respect to a Federal benefit period if it is determined that he has been employed in covered employment to the extent specified in section 1702(d), whether or not any Federal unemployment adjustment benefit is paid.

"(7) 'High-quarter wages' means the wages paid in the quarter of an individual's most recent base period in which his total wages were highest.

"(8) 'Regular weekly benefit amount' means the amount of compensation, including dependents' allowances, payable for a week of total unemployment under the State law or title XV with respect to an individual's most recent benefit year, but if more than one amount was paid in the benefit year, then the amount payable for the last week of total unemployment before the individual exhausted his benefit rights under such law.

"(9) 'Secretary' means the Secretary of Labor of the United States.

"(10) 'State' includes the District of Columbia and the Commonwealth of Puerto Rico.

"(11) 'State agency' means the agency of the State that administers its State law.

"(12) 'State law' means the unemployment compensation law of the State, approved by the Secretary under section 3304 of the Federal Unemployment Tax Act.

"(13) 'Title XV' means title XV of the Social Security Act.

"(14) 'Week', when used with respect to a week of unemployment, means a week as defined in the applicable State law.

"(15) 'Federal qualifying period' means the base period and the immediately preceding 104 weeks or 8 quarters, as the case may be."

Sec. 102. The Social Security Act is amended by adding after title XVII thereof (added by section 101 of this Act), the following new title:

"TITLE XVIII—EQUALIZATION GRANTS

"Qualifications and conditions

"Sec. 1801. Equalization grants shall be made to a State with respect to any calendar year after 1963 as provided in this section if—

"(1) the State law has been certified by the Secretary under section 3304(c) of the Internal Revenue Code, and

"(2) after October 31, 1966, the State law has been certified by the Secretary under section 3309(a) of the Internal Revenue Code, and

"(3) the head of the State agency (or the Governor of the State) applies therefor within sixty days after the calendar year for which the grant is requested, and the Secretary determines that the cost of unemployment compensation paid under the State law during the calendar year for which the grant is requested exceeded the greater of

"(A) 2.7 per centum of wages subject to contributions under the State law, or

"(B) a percentage of wages subject to contributions under the State law equal to the nationwide ratio of unemployment compensation payments in all the States to the total wages subject to contributions under all State laws.

For purposes of this section wages subject to the contributions provisions of State laws shall include only the first $3,000 paid a worker during each calendar year through 1965, and the first $5,200 paid a worker during each calendar year after 1965.

"Amount of Grants

"Sec. 1802. The equalization grant to a State with respect to a calendar year shall equal two-thirds of the amount by which the unemployment compensation paid in the State in the calendar year, exceeded the greater of (A) and (B) in section 1801.

"Payments

"Certification

"Sec. 1803. (a) The Secretary shall certify to the Secretary of the Treasury, no later than the June 30th following the calendar year with respect to which the equalization grant is to be made, the amount determined under section 1802. The Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, transfer from the Federal unemployment adjustment and equalization account to the account of the State in the Unemployment Trust Fund the amount certified under this subsection by the Secretary.

"Money to be used only for purposes paid

"(b) Amounts transferred to the account of a State pursuant to subsection (a) shall be used only for the payment of cash benefits to individuals with respect to their unemployment, exclusive of expenses of administration."

Sec. 103. Title IX of the Social Security Act is amended by adding after the words "under section 3304" in section 903(b)(1)(B) the words "or section 3309," and by adding at the end thereof the following new section:

"Federal unemployment adjustment and equalization account

"Establishment of Account

"Sec. 906(a). There is hereby established in the Unemployment Trust Fund a Federal unemployment adjustment and equalization account. For the purposes provided for in section 904(e), such account shall be maintained as a separate book account. Any moneys to the credit of the Federal unemployment adjustment and equalization account are hereby made available for the payment of Federal unemployment adjustment benefits provided by title XVII, the payments to States provided by section 1705(d) and the equalization grants authorized by title XVIII. There are hereby authorized to be appropriated, without fiscal year limitation, such amounts as are necessary to make the payments of benefits provided by title XVII to individuals by reason of the exhaustion of their rights under title XV, and any additional amounts necessary (as repayable advances) for the payment of Federal unemployment adjustment benefits provided by title XVII, the payments to States provided by section 1705(d) and the equalization grants authorized by title XVIII. The amounts so appropriated shall be transferred from time to time to the Federal unemployment adjustment and equalization account on the basis of estimates by the Secretary of the Treasury, after consultation with the Secretary of Labor, of the amounts required to make such payments. Amounts transferred as repayable advances shall be repaid without interest, by transfers from the Federal unemployment adjustment and equalization account to the general fund of the Treasury, at such times as the account in the Federal unemployment adjustment and equalization account is determined by the Secretary of the Treasury, in consultation with the Secretary of Labor, to be adequate for such purpose.

"Transfer from Employment Security Administration Account

"(b) Beginning on January 1 of the fiscal year ending on June 30, 1965, and for each fiscal year thereafter, the Secretary of the Treasury shall transfer (as of the close of each month) from the employment security administration account to the Federal unemployment adjustment and equalization account an amount determined by him to equal three-sevenths ($\frac{3}{7}$) of the amount by which—

"(1) transfers to the employment security administration account pursuant to subsection (b)(2) of section 901 during such month, exceed

"(2) payments during such month from the employment security administration account pursuant to subsections (b)(3) and (d) of section 901.

"If for any such month the payments referred to in paragraph (2) exceed the transfers referred to in paragraph (1), proper adjustments shall be made in the amounts subsequently transferred."

TITLE II—AMENDMENTS TO THE FEDERAL UNEMPLOYMENT TAX ACT IN THE INTERNAL REVENUE CODE OF 1954

Employers of one or more workers

SEC. 201. (a) Section 3306 of the Internal Revenue Code of 1954 is amended by striking out subsection (a).

(b) Section 3301 of the Internal Revenue Code of 1954 is amended to read as follows:

"SEC. 3301. There is hereby imposed on every employer for the calendar year 1964 and for each calendar year thereafter an excise tax, with respect to having individuals in his employ, equal to 3.4 percent of the total wages (as defined in section 3306(b)) paid by him during the calendar year with respect to employment (as defined in section 3306(c)) after December 31, 1938."

Nonprofit organizations

SEC. 202. Paragraph (8) of section 3306(c) of the Internal Revenue Code of 1954 is amended to read as follows:

"(8)(A) service performed by a duly organized, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; or

"(B) service performed in a sheltered workshop owned or operated by an organization described in section 501(c)(3) which is exempt from income tax under section 501(a), other than service performed by instructors, foremen, or other regular staff of the workshop. As used in this subparagraph the term 'sheltered workshop' means a facility conducted for the purpose (i) of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, or (ii) of providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market."

SEC. 203 (a) Section 3306(g) of the Internal Revenue Code of 1954 is amended by deleting the period at the end thereof, substituting a comma and adding: "and in the case of an organization described in section 501(c)(3) which is exempt from income tax under section 501(a) and services for which are covered by a State unemployment compensation law, 'contributions' means any payment required by a State law to be made by such organization into an unemployment fund, to the extent that such payments are made by it without being deducted or deductible from the remuneration of individuals in its employ."

(b) Section 3303(a) of the Internal Revenue Code of 1954 is amended by adding at the end thereof: "Without regard to the limitations of this section, the State law may provide for special methods for determining the contributions payable by organizations described in section 501(c)(3) which are exempt from income tax under section 501(a) if it also provides for the payment of unemployment compensation on the basis of service performed for such organizations in the same amount, on the same terms, and subject to the same conditions as unemployment compensation on the basis of service performed for other employers under the State unemployment compensation law."

Definition of wages

SEC. 204. Section 3306(b) of the Internal Revenue Code of 1954 is amended by deleting the amount "$3,000" wherever it appears and substituting therefor the amount "$5,200".

Increase in rate of tax

No Change in Credits

SEC. 205. Section 3302(d)(1) of the Internal Revenue Code of 1954 (relating to credits against tax) is amended to read as follows:

"(1) Rate of Tax Deemed to be 3 percent—In applying subsection (c), the tax imposed by section 3301 shall be computed at the rate of 3 percent."

Benefit requirements

SEC. 206. The Internal Revenue Code of 1954 is hereby amended by renumbering present section 3309 as section 3310 and inserting a new section 3309 as follows:

"SEC. 3309. (a) Certification—On October 31, 1966, and on October 31 of each calendar year thereafter, the Secretary of Labor shall certify to the Secretary each State whose law he finds provides for the twelve-month period ending on such October 31 that the weekly benefit amount and the maximum weekly benefit amount payable have been in accord with the requirements of subsection (b), but he shall not certify any State if, after reasonable notice and opportunity for hearing to the State agency, he finds that under the State law the weekly benefit amount or the maximum weekly benefit amount payable have not been in accord with the requirements of subsection (b), or that with respect to such twelve-month period the State failed to comply substantially with any such State law provision. For any State which is not certified under this subsection on any October 31, the Secretary of Labor shall within ten days thereafter notify the Secretary of the reduction in the credit allowable to taxpayers subject to the unemployment compensation law of each such State pursuant to section 3302(c)(4).

"(b) Requirements—

"(1) With respect to benefit years beginning on or after January 1, 1966, the weekly benefit amount of any individual shall be (A) an amount (exclusive of allowances with respect to dependents) equal to at least one-half of such individual's average weekly wage as determined by the State agency, or (B) the maximum compensation payable with respect to such a week under such law, whichever is the lesser.

"(2) The maximum weekly benefit amount of any individual shall be an amount equal to at least the following percentages of the statewide average weekly wage:

"(A) 50 percent for benefit years beginning during 1966 and 1967,

"(B) 60 percent for benefit years beginning during 1968 and 1969,

"(C) 66⅔ percent for benefit years beginning January 1, 1970 and thereafter.

Any weekly benefit amount payable under a State law may be rounded to an even dollar amount in accordance with such State law.

"(c) Definitions—

"(1) 'Benefit year' means a period not to exceed one year beginning subsequent to the end of an individual's base period with respect to which the limitation of maximum duration of compensation is applicable.

"(2) 'Base period' means a period of not less than fifty-two consecutive weeks or four consecutive calendar quarters ending not earlier than six months prior to the beginning of an individual's benefit year.

"(3) 'High-quarter wages' means the amount of wages for services performed in employment covered under the State law paid to an individual in that quarter of his base period in which such wages were highest, irrespective of the limitation on the amount of wages subject to contributions under such State law.

"(4) 'Individual's average weekly wage' means an amount computed in accordance with the State law equal to not less than (A) one-thirteenth of an individual's high-quarter wages, or (B) the amount obtained by dividing the total amount of wages (irrespective of the limitation on the amount of wages subject to contributions under the State law) paid to such individual during his base period by the number of weeks in which he performed services in employment covered under such law during such period.

"(5) 'Statewide average weekly wage' means the amount computed by the State agency at least once each year on the basis of the aggregate amount of wages, irrespective of the limitation on the amount of wages subject to contributions under such State law, reported by employers as paid for services covered under such State unemployment compensation law during the period of the first four of the last six completed calendar quarters prior to the date of the computation, divided by a figure representing fifty-two times the twelve-month average of the number of employees in the pay period ending nearest the fifteenth day of each month during the same four calendar quarters, as reported by such employers.

"(d) Notice to Governor of Noncertification—If at any time the Secretary of Labor has reason to believe that a State may not be certified under subsection (a), he shall promptly notify the Governor of such State."

No denial of compensation during training

SEC. 207. Section 3304(a) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new paragraph:

"(7) Compensation shall not be denied in such State to an otherwise eligible individual for any week because he is in training with the approval of the State agency; and such individual in training shall not be deemed to be not otherwise eligible for any such week by reason of availability or active search for work requirement of the State law or by reason of his having refused to accept work."

Limitation on credit against tax

SEC. 208. (a) Section 3302(c) of the Internal Revenue Code of 1954 is amended by adding at the end thereof a new paragraph (4) as follows:

"(4) If the unemployment compensation law of a State has not been certified for a 12-month period ending on October 31 pursuant to section 3309(a), then the total credits (after applying subsections (a) and (b) and paragraphs (1), (2) and (3) of this subsection) otherwise allowable under this section for the taxable year in which such October 31 occurs in the case of a taxpayer subject to the unemployment compensation law of such State, shall be reduced by the amount by which 2.7 percent exceeds the four-week benefit cost rate applicable to such State for such taxable year in accordance with the notification of the Secretary of Labor pursuant to section 3309(a)."

(b) Section 3302(c)(3)(C)(i) is amended by substituting the term "4-year" for the term "5-year".

(c) The heading for paragraph (5) of subsection (d) is revised to read "4-year Benefit Cost Rate", and the paragraph is amended to read:

"For purposes of subsection (c)(4) and subparagraph (C) of subsection (c)(3), the four-year benefit cost rate applicable to any State for any taxable year is that percentage obtained by dividing—

"(A) One-fourth of the total compensation paid under the State unemployment compensation law during the four-year period ending at the close of the first calendar year preceding such taxable year, by

"(B) the total of the remuneration subject to contributions under the State unemployment compensation law with respect to the first calendar year preceding such taxable year. 'Remuneration' for the purpose of this subparagraph shall include the amount of wages for services covered under the State law irrespective of the limitation of the amount of wages subject to contributions under such State law paid to an individual by an employer during any calendar year up to $5,200; for States for which it is necessary the Secretary of Labor shall estimate the remuneration with respect to the calendar year preceding the taxable year."

Change in certification date

Sec. 209. (a) Section 3302(a)(1) of the Internal Revenue Code of 1954 is amended by

(1) deleting the phrase "for the taxable year" following the word "certified",

(2) deleting the period at the end thereof and adding the following: "for the twelve-month period ending on October 31 of such year."

(b) Section 3302(b) of such Code is amended by

(1) deleting the phrase "for the taxable year" following the word "certified";

(2) inserting after the words "section 3303" the following: "for the twelve-month period ending on October 31 of such year";

(3) deleting the phrase "throughout the taxable year" following the words "required to pay if" and substituting therefor "in such twelve-month period."

(c) Section 3303(b)(1) of such Code is amended to read as follows:

"(1) On October 31 of each calendar year, the Secretary of Labor shall certify to the Secretary the law of each State (certified by the Secretary of Labor as provided in section 3304 for the twelve-month period on such October 31) with respect to which he finds that reduced rates of contributions were allowable with respect to such twelve-month period only in accordance with the provisions of subsection (a)."

(d) Section 3303(b)(2) of such Code is amended by

(1) deleting the phrase "taxable year" where it first appears and substituting therefor "twelve-month period ending on October 31";

(2) deleting the phrase "on December 31 of such taxable year" following the words "the Secretary of Labor shall" and substituting therefor "on such October 31";

(3) deleting the words "taxable year" following the phrase "contributions were allowable with respect to such" and substituting therefor "twelve-month period".

(e) Section 3303(b)(3) of such Code is amended by

(1) deleting the phrase "taxable year" where it first appears and substituting therefor "twelve-month period ending on October 31";

(2) deleting the phrase "taxable year" where it next appears and substituting therefor "twelve-month period".

(f) Section 3304(c) of such Code is amended by

(1) deleting the initial phrase "On December 31 of each taxable year" and substituting therefor "On October 31 of each calendar year";

(2) deleting the phrase "such taxable year" in the first sentence and substituting therefor "the 12-month period ending on such October 31".

(g) Section 3304(d) of such Code is amended by deleting the initial phrase "If, at any time during the taxable year," and substituting therefor "If at any time".

TITLE III—MISCELLANEOUS

Appointment of Special Advisory Commission

Sec. 301(a). The Secretary shall, during 1964, appoint a Special Advisory Commission on unemployment compensation for the purpose of reviewing the Federal-State program of unemployment compensation and making recommendations for improvement of this system, especially in relation to the financing of the Federal unemployment adjustment benefits established by this Act, the graduated increase in the maximum weekly benefit amount provided by section 206 of this Act, the need, if any, for a Federal provision relating to the wage and employment qualifying requirements for unemployment compensation under State laws, and any other matters bearing on the Federal-State unemployment compensation program.

(b) The Commission shall be appointed by the Secretary without regard to the civil-service laws and shall consist of 12 persons who shall be representative of employers and employees in equal numbers, representatives of State and Federal agencies concerned with the administration of the unemployment compensation program, other persons with special knowledge, experience, or qualifications with respect to such a program, and members of the public.

(c) The Commission is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Commission such secretarial, clerical, and other assistance, and such pertinent data prepared by the Department of Labor as it may require to carry out such functions.

(d) The Commission shall make a report of its findings and recommendations (including recommendations for changes in the provisions of the Social Security Act and the Federal Unemployment Tax Act) to the Secretary, such report to be submitted not later than October 1, 1966, after which date such Commission shall cease to exist.

(e) Members of the Commission who are not regular full-time employees of the United States shall, while serving on business of the Commission, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $75.00 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in Government service employed intermittently.

Effective dates

Sec. 302. The amendments made by sections 201(a) and 202 of this Act shall apply with respect to remuneration paid after 1965 for services performed after 1965. The amendments made by section 204 shall apply with respect to remuneration paid after 1965. The amendments made by section 203 shall be effective January 1, 1963, and the amendments made by sections 206, 207, 208, and 209 shall be effective January 1, 1966. The amendment made by section 201(b) shall apply with respect to wages paid after December 31, 1963.

DESIGNATION OF JULY 6, 1963, AS TOM SAWYER DAY, U.S.A.

Mr. LONG of Missouri. Mr. President, Missouri has had many great sons who have made major contributions to the growth and development of our Nation. But none have left a more lasting mark on our society than Samuel L. Clemens, better known as Mark Twain, born in 1835 at Florida, Mo.

With his pen, he painted for the world to see the story of the people who lived along the Mississippi. In his classic "Tom Sawyer," he immortalized the adventures, the happiness, the woes, and the visions of boyhood. Tom Sawyer stands for all time as an example of American youth—eager to undertake the magnificent, complicated schemes of youth which can lead only to the distress of adults, but always prepared to shoulder the responsibilities of life which come their way. Can anyone forget Tom and Huck Finn as they observe their funeral rites from the gallery of the church, or can anyone forget Tom's strength and courage when he and Becky Thatcher are lost in the cave.

In our present-day society as we concern ourselves with juvenile delinquency, its causes and its cures, it would do us well to occasionally turn our thoughts toward this boy of fiction who stands so tall. We might learn a lesson or two which would be of help in understanding today's problems. While the setting may be different, the American boy today is the same boy as the one who floated on the Mississippi, crept through the graveyard at midnight, and convinced his friends it was fun to whitewash a wooden fence.

Mr. President, I introduce, for appropriate reference, a joint resolution which would designate July 6, 1963, as Tom Sawyer Day, U.S.A.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 81) designating July 6, 1963, as Tom Sawyer Day, U.S.A., introduced by Mr. Long of Missouri (for himself and Mr. Symington), was received, read twice by its title, and referred to the Committee on the Judiciary.

FEDERAL AND STATE PROGRAMS RELATING TO OUTDOOR RECREATION—CHANGE OF CONFEREE

Mr. KUCHEL. Mr. President, I ask unanimous consent that the junior Senator from Idaho [Mr. Jordan] be substituted as a conferee on Senate bill 20, to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes, for the distinguished Senator from Colorado [Mr. Allott]. I am told that this has been approved by the conferees, and that the senior Senator from Colorado is absent on official business; and apparently the conference will meet today.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF HEARINGS ON INTERAGENCY COORDINATION IN ENVIRONMENTAL HAZARDS—PESTICIDE CONTROL

Mr. RIBICOFF. Mr. President, I wish to announce that the Subcommittee on Reorganization and International Organizations of the Committee on Government Operations will begin public hearings on May 16 on the control of pesticides and other chemical poisons. This is the first in a series of planned inquiries into problems of interagency coordination in environmental hazards.

Dr. Jerome Wiesner, Special Assistant to the President for Science and Technology, will appear as the leadoff witness. Scheduled to testify next week are Secretary of Health, Education, and Welfare Anthony Celebrezze, on May 21; Secretary of the Interior Stewart Udall, on May 22; and Secretary of Agriculture Orville Freeman, on May 23.

These hearings mark the beginning of our study of "Interagency Coordination in Environmental Hazards," announced by Subcommittee Chairman HUBERT HUMPHREY last month.

It is especially difficult to bring coordination to the fields of chemical poison research and regulation. Regulatory activities are carried on in both the Department of Agriculture and the Food and Drug Administration. Research is conducted in the Department of Agriculture, the Food and Drug Administration, the Public Health Service, and the Department of the Interior.

Moreover, various Federal agencies—Forest Service, Corps of Engineers, Public Health Service—actually use these products in their operating programs.

How do these various agencies administer the programs under their jurisdiction? How do they look at the pesticide problem itself? We will seek answers to these at our first hearings.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KEFAUVER:

Address delivered by Senator DOUGLAS on the subject of rail mergers at the convention of the Brotherhood of Locomotive Engineers in Detroit on May 8, 1963.

By Mr. CASE:

Statement by him relating to the award to the Emerson Public Library, Emerson, N.J., of a 1963 Book-of-the-Month Award.

TRIBUTE TO WILBUR D. MATSON

Mr. LAUSCHE. Mr. President, in rustic McConnelsville, on the Muskingum River in Morgan County, Ohio, lives and works Mr. Wilbur D. Matson, a distinguished citizen of our State. Morgan County has a population of 12,747; McConnelsville, its county seat, a population of 2,257. They are situated in the Muskingum Valley, through which flows the beautiful Muskingum River. It empties into the Ohio River, about 35 miles away.

No lovelier area was to be found anywhere in Ohio before its tree-covered, grass-covered, and shrub-covered hills were denuded of their vegetation by the strip miners of coal, who struck indifferently with huge claw shovels capable of removing 50 tons at each bite.

Wilbur D. Matson in his youth was a lawyer; his love, however, was in writing. In 1918, he became the editor of the Morgan County Herald. His natural gift as a writer and his clear and constructive thinking would have made him a success in journalism in whichever metropolitan center he might have settled. He has been devoted to good government and to the purpose of preserving the life of our country. He has fought to preserve the natural scenic beauty of his area, the cleanliness of the streams and creeks, and the life of the trees, the grasses, the shrubs, the flowers, and the other natural coverage of the land.

His affection for the Muskingum Valley, the town of McConnelsville, and the county of Morgan kept him in his native area. With due respect for other writers of Ohio, I am obliged to say that I have always found rich enjoyment in reading the writings of Mr. Matson, which, although in prose, have all the attributes of inspiring poetry.

On May 3, Mr. Wilbur D. Matson was honored by his fellow newsmen for his lifetime of outstanding service to journalism. No worthier person in all Ohio could have been chosen for that honor.

I want to join with his associates in expressing felicitation to this distinguished journalist.

Mr. President, I ask unanimous consent that a newspaper article which appeared in the May 5 issue of the Athens Messenger be included in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILBUR D. MATSON HONORED FOR LIFETIME OF SERVICE TO JOURNALISM

Wilbur D. Matson, veteran editor and copublisher of the Morgan County Herald, McConnelsville, was honored Friday night by fellow newsmen for his lifetime of outstanding service to journalism.

The occasion was the spring banquet of the Southeastern Ohio Newspaper Association and Sigma Delta Chi and Theta Sigma Phi, journalism fraternities. Dr. Alphus Christensen, president of Rio Grande College, was guest speaker.

The Matson award was made by William S. Miller, Logan, president of the SEO newspaper association. He said Matson was first a lawyer and in 1918 he became editor of the Morgan County paper.

His editorials have been reprinted in the New York Times, Wall Street Journal, New York Herald Tribune, Chicago Tribune and many Ohio newspapers. He is a personal friend of Herbert Hoover and was a friend of the late Robert A. Taft. A Republican leader, he was a delegate four times from his 15th district to the party's national convention.

Miller said, "The only important thing in a newspaper is content. The typography and appearance are only frills. Wilbur Matson has stood as a monument to that fact for 45 years."

"Journalism provides for the general public and the news industry the last source in English composition," Dr. Christensen said. Most English majors in colleges are literature majors, he said, probably because it is easier and more interesting. Writing is hard work, the president said. He predicted in the future colleges will be looking to journalism schools for composition teachers.

Dr. Christensen discussed both sides of the argument on the value of journalism schools compared with liberal arts studies. He said journalism courses offer composition, ethics, government, logic, philosophy and law in addition to the fundamentals of newspaper work.

Among those introduced were William Evans and Haskell Short, Columbus, United Press International; William Ortell, Columbus, executive secretary of the Ohio Newspaper Association; Dr. L. J. Hortin, director of the Ohio University School of Journalism; George Starr Lasher, former journalism school director; and former State Senator J. Sherman Porter, Gallipolis.

During the afternoon, the newspaper association elected Dwight Wetherholt, editor of the Gallipolis Tribune, as president; John Ward, news editor of the Athens Messenger, vice president, and Dr. Hortin was reelected executive secretary of the group.

After the business meeting the members toured new facilities at the Messenger.

OHIO'S PENDING STRIP MINE BILL

Mr. LAUSCHE. Mr. President, I am gratified to learn that there is now pending in the Ohio Legislature a bill which would substantially strengthen Ohio's present strip mine law. The bill has been introduced by State Senator Ed Witmer, of Canton, Ohio, and cosponsored by State Senator Oliver Ocasek, of Northfield, Ohio. I commend these two senators for their foresight and their acknowledgment of a very serious economic problem that is being faced by the 27 counties in which coal stripping is conducted. I am indeed hopeful that the Ohio Legislature will approve this bill, and that it will be enacted into law.

I want to congratulate the Ohio Legislature for turning down a recently introduced bill which would have permitted extensive strip mining operations in State parks, State forests, and on other public lands. Enactment of such a bill would have been disastrous.

I realize that without question there will be vigorous attempts by powerful lobby groups either to delay action on this bill or to weaken it. However, Ohio deserves and needs a strip mine law that will require more adequate and complete reclamation of spoil banks.

During my administration as Governor of Ohio, after many unsuccessful attempts, there was finally enacted a strip mine reclamation law requiring strip mine operators to restore the usefulness of the land by a degree of leveling of spoil banks and planting of them in grasses and trees. Although it has been helpful in land restoration, I have always felt that it should have required stricter conservation and restoration measures. Now, after more than 10 years of experience with the inadequate reclamation of spoil banks, Ohio should accept nothing less than the provisions contained in S. 322, the pending bill.

I want to point out that while strip mining in Ohio is a big business, and that although up to the present time only 183,000 acres in 27 counties have been stripped, it will grow much larger, spreading into new areas, and will ultimately consume upwards of one-half million acres, which is equivalent to the entire area of Franklin County and half of Pickaway County, Ohio. Unless adequate reclamation is done, the future economies of the affected counties will be very seriously threatened.

Recently, the Tennessee Valley Authority made an extensive appraisal of coal strip mining and its effects. The report reveals that stripping substantially reduces land values and ad valorem taxes. It pointed out that tax decreases following strip mining in one instance ranged from 13 to 53 percent. In another instance, the assessment of the land being stripped rose from $15 to $130 per acre, and then, after mining, dropped to 75 cents.

Mr. President, it is very easy to see that the future capability of many Ohio counties to support their schools and local governments is seriously threatened unless adequate restrictive measures are taken, as provided in this bill. Unless the self-sufficiency of this vast potential strip-mine area is preserved or restored, the same area will soon become dependent upon Federal help, through programs such as area redevelopment, aid to depressed areas, etc.

Mr. President, those opposing reclamation and restoration of strip-mine areas falsely point out that the cost is excessive, in relation to the profits from strip mining or the original value of the land. According to the TVA report, reclamation cost ranged from 1 to 3 cents per ton of coal mined through the strip-mining process. It is estimated that the cost per ton for practically complete reclamation, including reforestation of the spoil banks or the planting of the leveled land in grasses, would not exceed 5 cents per ton, on the average.

Here are some facts that are little known in Ohio: In 1960, according to a report given to me by the U.S. Internal Revenue Service, 265 strip mines in Ohio produced 23,883,289 tons of coal, at an average value of $3.64 per ton, f.o.b. mine. The estimated total gross value of this 1960 production was $86,935,171.96. Through a provision in our Federal tax laws, these strip mine operators were given, in 1960, a Federal subsidy amounting to $8,335,267.86—this resulting from the 10-percent depletion allowance.

For the year 1961, 260 strip mine operators producing 22,463,370 tons reported gross earnings of $80,194,230.90, and received their usual subsidy, through the 10-percent depletion allowance, of $7,682,472.54. Yet, many of these operators say that they cannot afford to spend a few cents per ton, out of their earnings, to reclaim the land they destroy.

Based on the tonnage in Ohio for 1960, considering the subsidy or depletion allowance for that year, the operators were given a Federal tax credit of 35 cents for every ton produced. Written into our Federal tax laws is a provision for a depletion allowance to firms engaged in the extraction of minerals, including oil, gas, coal, and so forth. The percentage of depletion allowance varies, depending upon the type of mineral. Supposedly, the purpose of this depletion allowance, which actually is a Federal subsidy, is to compensate the extracting industry for the ultimate exhaustion of the mineral, plus providing it with funds for the exploration of new sources or locations of minerals. Strip mine operators in Ohio have long known the exact locations of all strippable areas. This annual $8 million windfall to them is unnecessary for future exploration. It would be better if this money were used to reclaim the land that they have completely depleted.

Mr. President, the tremendous Federal subsidy through the 10-percent depletion allowance has astounded me. I had no idea that it reached such figures. I have before me tables, prepared by the Internal Revenue Service, showing the number of strip mining operations for the years 1960 and 1961 in 23 States. The tables give the State-by-State production in tons; the average value per ton, f.o.b. mine; the estimated total gross value in dollars; and, among other things, and most important, the total depletion allowance or subsidy allowed these operators. The Federal subsidy for the year 1960, for all States mentioned in these tables, was $44,024,049.44; for the year 1961, the total was $42,948,306.03. Mr. President, I ask unanimous consent that these two tables be placed at this point in the RECORD, as a part of my remarks.

Mr. President, I contemplate submitting to one of the tax bills that will come to the Senate an amendment requiring that at least one-half of the 10-percent depletion allowance granted to operators in each State be set up, by law, in special funds, allocated to the individual States affected by strip mining, to be used in land reclamation and restoration.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

SCHEDULE NO. 1

Estimated maximum depletion deduction allowable, bituminous coal, lignite (strip mining), year 1960

State	Number of strip mines [1]	Production (net tons) [2]	Average value f.o.b. mine [3]	Estimated total gross value	Estimated royalty exclusion at 15 cents per ton [4]	Estimated adjusted gross income depletable	Estimated depletion allowable at 10-percent rate [5]	Percent total coal production by stripping [6]
Alabama	39	2,558,414	$5.06	$12,945,574.84	$383,762.10	$12,561,812.74	$1,256,181.27	19.6
Alaska	6	655,489	8.90	5,833,852.10	98,323.35	5,735,528.75	573,552.88	90.7
Arkansas	10	296,249	7.30	2,162,617.70	44,437.35	2,118,180.35	211,818.04	72.4
Colorado	7	692,849	3.73	2,584,326.77	103,927.35	2,480,399.42	248,039.94	19.2
Illinois	69	22,670,585	4.01	90,909,045.85	3,400,587.75	87,508,458.10	8,750,845.81	49.3
Indiana	47	10,784,967	3.82	41,198,573.94	1,617,745.05	39,580,828.89	3,958,082.89	69.4
Iowa	25	867,924	3.41	2,959,620.84	130,188.60	2,829,432.24	282,943.22	81.3
Kansas	11	884,690	4.71	4,166,889.90	132,703.50	4,034,186.40	403,418.64	99.6
Kentucky	129	19,672,192	3.34	65,705,121.28	2,950,828.80	62,754,292.48	6,275,429.25	29.4
Maryland	37	487,636	3.32	1,618,951.52	73,145.40	1,545,806.12	154,580.61	65.2
Missouri	23	2,801,937	4.28	11,992,290.36	420,290.55	11,571,999.81	1,157,199.98	96.9
Montana	5	197,430	2.12	418,551.60	29,614.50	388,937.10	38,893.71	63.0
New Mexico	1	45,000	4.59	206,550.00	6,750.00	199,800.00	19,980.00	15.3
North Dakota	31	2,522,552	2.29	5,776,644.08	378,382.80	5,398,261.28	539,826.13	99.9
Ohio	265	23,883,289	3.64	86,935,171.96	3,582,493.35	83,352,678.61	8,335,267.86	70.3
Oklahoma	15	1,093,965	6.29	6,881,039.85	164,094.75	6,716,945.10	671,694.51	81.5
Pennsylvania	553	20,875,533	3.68	76,821,961.44	3,131,329.95	73,690,631.49	7,369,063.15	31.9
South Dakota	1	20,448	4.08	83,427.84	3,067.20	80,360.64	8,036.06	100.0
Tennessee	71	1,763,913	3.36	5,926,747.68	264,586.95	5,662,160.73	566,216.07	29.8
Virginia	35	1,370,864	3.17	4,345,638.88	205,629.00	4,140,009.88	414,000.99	4.9
Washington	1	16,177	9.75	157,725.75	2,426.55	155,299.20	15,529.92	7.1
West Virginia	140	6,754,001	3.66	24,719,643.66	1,013,100.15	23,706,543.51	2,370,654.35	5.7
Wyoming	9	1,713,384	2.80	4,797,475.20	257,007.60	4,540,457.60	454,056.76	84.6
Total or overall average	1,530	122,629,664	3.74	459,147,443.14	18,394,449.60	440,240,494.36	44,024,049.44	----------

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[1] Col. 1, from table 29, p. 86, Minerals Yearbook, 1960, vol. II, "Fuels," U.S. Department of the Interior, Bureau of Mines.

[2] Col. 2, from table 29, p. 86, Minerals Yearbook, 1960, vol. II, "Fuels," U.S. Department of the Interior, Bureau of Mines.

[3] Col. 3, from table 63, p. 137, Minerals Yearbook, 1960, vol. II, "Fuels," U.S. Department of the Interior, Bureau of Mines.

[4] Col. 5, assumed royalty payments based on estimated average of 15-cent-per-ton royalty, for bituminous and lignite.

[5] Col. 7, maximum percentage depletion allowable on 10 percent of adjusted gross income.

[6] Col. 8, from table 15, p. 67, Minerals Yearbook, 1960, vol. II, "Fuels," U.S. Department of the Interior, Bureau of Mines.

SCHEDULE No. 2

Estimated maximum depletion deduction allowable, bituminous coal, lignite (strip mining), year 1961

State	Number of strip mines [1]	Production (net tons) [2]	Average value f.o.b. mine [3]	Estimated total gross value	Estimated royalty exclusion at 15 cents per ton [4]	Estimated adjusted gross income depletable	Estimated depletion allowable at 10-percent rate [5]	Percent total coal production by stripping [6]
Alabama	44	2, 701, 052	$4. 79	$12, 938, 039. 08	$405, 157. 80	$12, 532, 831. 28	$1, 253, 288. 13	20. 9
Alaska	4	627, 537	8. 17	5, 126, 977. 29	94, 130. 55	5, 032, 846. 74	503, 284. 67	85. 2
Arkansas	10	230, 341	6. 75	1, 554, 801. 75	34, 551. 15	1, 520, 250. 60	152, 025. 06	58. 3
Colorado	6	521, 368	3. 68	1, 918, 634. 24	78, 205. 20	1, 840, 429. 04	184, 042. 90	14. 2
Illinois	61	22, 785, 504	3. 96	90, 230, 595. 84	3, 417, 825. 60	86, 812, 770. 24	8, 681, 277. 02	50. 4
Indiana	40	10, 497, 306	3. 79	39, 784, 789. 74	1, 574, 595. 90	38, 210, 193. 84	3, 821, 019. 38	69. 5
Iowa	26	779, 600	3. 43	2, 674, 028. 00	116, 940. 00	2, 557, 088. 00	255, 708. 80	84. 1
Kansas	9	661, 876	4. 67	3, 090, 960. 92	99, 281. 40	2, 991, 679. 52	299, 167. 95	99. 7
Kentucky	111	21, 453, 691	3. 36	72, 084, 401. 76	3, 218, 053. 65	68, 866, 348. 11	6, 886, 634. 81	34. 0
Maryland	33	470, 263	3. 21	1, 509, 544. 23	70, 539. 45	1, 439, 004. 78	143, 900. 48	62. 1
Missouri	19	2, 867, 037	4. 25	12, 184, 907. 25	430, 055. 55	11, 754, 851. 70	1, 175, 485. 17	2. 4
Montana	4	271, 008	2. 04	552, 856. 32	40, 651. 20	512, 205. 12	51, 220. 51	73. 1
New Mexico	1	15, 248	5. 03	76, 697. 44	2, 287. 20	74, 410. 24	7, 441. 02	3. 7
North Dakota	31	2, 724, 289	2. 25	6, 129, 650. 25	408, 643. 35	5, 721, 006. 90	572, 100. 69	99. 9
Ohio	260	22, 463, 370	3. 57	80, 194, 230. 90	3, 369, 505. 50	76, 824, 725. 40	7, 682, 472. 54	69. 7
Oklahoma	17	832, 844	6. 18	5, 455, 975. 92	132, 426. 60	5, 323, 549. 32	532, 354. 93	85. 6
Pennsylvania	535	20, 744, 848	3. 60	74, 681, 452. 80	3, 111, 727. 20	71, 569, 725. 60	7, 156, 972. 56	33. 1
South Dakota	1	17, 805	4. 20	74, 781. 00	2, 670. 75	72, 110. 25	7, 211. 02	100. 0
Tennessee	65	1, 761, 170	3. 39	5, 970, 366. 30	264, 175. 50	5, 706, 190. 80	570, 619. 08	30. 1
Virginia	36	1, 412, 341	2. 98	4, 208, 776. 18	211, 851. 15	3, 996, 925. 03	399, 692. 50	4. 7
Washington	1	6, 382	9. 71	61, 969. 22	957. 30	61, 011. 92	6, 101. 19	3. 3
West Virginia	154	5, 860, 083	3. 55	20, 803, 294. 65	879, 012. 45	19, 924, 282. 20	1, 992, 428. 22	5. 2
Wyoming	9	2, 224, 121	2. 91	6, 472, 192. 11	333, 618. 15	6, 138, 573. 96	613, 857. 40	83. 0
Total or overall average	1, 477	121, 979, 084	3. 67	447, 779, 923. 19	18, 296, 862. 00	429, 483, 060. 29	42, 948, 306. 03	------------

[1] Col. 1, from table 30, p. 96, Minerals Yearbook, 1961, vol. II, "Fuels," Department of the Interior, Bureau of Mines.

[2] Col. 2, from table 30, p. 96, Minerals Yearbook, 1961, vol. II, "Fuels," Department of the Interior, Bureau of Mines.

[3] Col. 3, from table 64, p. 148, Minerals Yearbook, 1961, vol. II, "Fuels," Department of the Interior, Bureau of Mines.

[4] Col. 5, assumed royalty payments based on estimated average of 15-cent-per-ton royalty for bituminous and lignite.

[5] Col. 7, maximum percentage depletion allowable on 10 percent of adjusted gross income.

[6] Col. 8, from table 14, p. 76, Minerals Yearbook, 1961, vol. II, "Fuels," Department of the Interior, Bureau of Mines.

THE CHANGING SITUATION IN HUNGARY

Mr. LAUSCHE. Mr. President, on February 12, I made the following statement:

> Recently, I expressed my concern about the foreseeable fate of the resolutions adopted in late 1956, and early 1957, by the United Nations condemning the wrongful intrusion of the military might of Communist Russia in subduing the uprising of the Hungarian patriots.
>
> As of this day the demands of the United Nations are still in force and still disregarded by Communist Russia. The resolutions adopted among other things called for free elections so that the people could choose their own government; for the withdrawal of Soviet troops from Hungarian soil; and for a general amnesty for the participants in the 1956 uprising.
>
> It is now 6 years later, none of the mandates of the United Nations have been carried into effect. The framework of repression by Communist Russia remains unchanged. It is a sad plight and bespeaks with vigor the ability of Communist Russia to defy the United Nations.
>
> In this session of the United Nations, Sir Leslie Munro, who has been the most vigorous proponent of the need of action on this issue against Red Russia has been, through the pressure taken by our Government, removed as the United Nations special representative on the question of Hungary and substituted by Mr. U Thant. To my distress and that of many others of the United States, the Secretary General, U Thant, intermittently and especially since the recent Cuban episode has been speaking in a degree far in excess of what the facts justify—about the peaceful purposes of Communist Russia and Khrushchev. In fact his words would seem to indicate that in the Cuban issue, U Thant is of the belief that Khrushchev is entitled to the gratitude of the people of the world for his willingness to follow a course avoiding all-out war. Mr. U Thant thus completely forgets the fact that it was Khrushchev and Khrushchev alone who initially procured the delivery of the missiles and the Russian troops in Cuba.
>
> The sympathizers of the Hungarian patriots of 1956 and of the plight of Hungary have reason to be apprehensive of what will happen in the United Nations with respect to this Hungarian issue.
>
> We have the recent revelation carried by an Associated Press story dated January 5, 1963, that through the orders of Mr. U Thant, the United Nations was not to beam any more messages to Hungary over their Geneva station.
>
> On January 16—not wanting to believe that this order was issued by Mr. U Thant—I wrote a letter to the State Department making inquiry about the report and protesting against the action if it in fact had taken place.
>
> Why have we suddenly decided that there shall be no more beaming of the truth to the people of Hungary? No reasonable answer can be given to that question, particularly, if we concede that the broadcasting of messages prior to this year was justified.
>
> Today, I have been informed that such an order was issued and that the U.S. Mission to the United Nations, "immediately protested the Secretary General's decision to discontinue the broadcasts and has raised the matter personally with him."
>
> That our Government protested the decision of Mr. U Thant is, of course, commendable but not adequate. Why did he issue this order? Doesn't his direction to discontinue the broadcasts into Hungary give credence to the rumor that the Hungarian issue will be swept under the rug? What faith can the people of the world have in us or in the United Nations if the flagrant conduct of Communist Russia against the Hungarians is to be forgotten or condoned?
>
> On May 10, 1962, the London Economist carried the story that Red Russia had agreed to vote for Mr. U Thant as the Secretary-General of the United Nations and to release Cardinal Mindszenty and some 20 other imprisoned leaders of the 1956 revolution, if the United States would discontinue its demands before the United Nations for a discussion of the Hungarian revolution issues.
>
> Our State Department has denied this story but in spite of the denials, the stories persist in the public press. Recent developments seem to have some relationship with the story carried as early as 8 months ago in the London Economist, on what was in the making.
>
> Mr. U Thant has been chosen as Secretary-General of the United Nations. Sir Leslie Munroe, the most vigorous proponent of the need of the United Nations taking action on the Hungarian issue against Red Russia, has been removed from his post, and the work of Sir Leslie Munroe specifically undertaken by Mr. U Thant.
>
> Orders were issued by Mr. U Thant that the United Nations was not to beam anymore messages out of its Geneva station to Hungary. The orders issued by the United Nations in late 1956, and early 1957, remain unobeyed by Red Russia.
>
> If the United Nations drops its demands for rectification of the wrongs committed by Red Russia against the Hungarian people related to the 1956 uprising in exchange for the release of Cardinal Mindszenty and some 20 imprisoned Hungarian leaders, a grave wrong will have been committed against the Hungarian people and the brave patriots living and dead who participated in the uprising. It would likewise constitute a wrong against the people of the United States. Red Russia and the present Hungarian government would be giving up nothing except doing what in good conscience and morals it ought to do. On the other hand, the people of the free world would be giving up the positive right to have the United Nations act officially upon a grave wrong committed by Red Russia and the puppet Hungarian government against the people of Hungary.
>
> I should venture to say that Cardinal Mindszenty and the twenty imprisoned leaders with their great heroic background

and devotion to the cause of free men would cry out vigorously against having the Hungarian people pay such a costly price for their liberation.

Mr. President, I am distressed now, more than ever, to learn that the thoughts which I expressed then are now being corroborated by the action which has occurred. A few days ago the State Department issued a report on the changing situation in Hungary. The report confirms the fear of Hungarian patriots and the friends of liberty throughout the world that we contemplate dropping, in the United Nations, our pressure to have the resolutions which were adopted in 1956 discussed and put into execution.

I believe a serious wrong is being committed. The Hungarian patriots and the Hungarian people are being wronged. I disapprove of the United States abandoning its duty to the administration of justice in the United Nations; for by doing so our image especially with the captive nations will be further marred and blemished.

The report of the State Department issued on May 9 reads as follows:

REPORT ON THE CHANGING SITUATION IN HUNGARY

1. Repression and revolution: From 1947 to 1956 the Stalinist regime of Matyas Rakosi subjected the Hungarian people to a ruthless and severely repressive rule. Its brutal excesses led ultimately, through a period of intense ferment, to the spontaneous national uprising of the Hungarian people in October–November 1956. The Hungarian revolution was suppressed by massive Soviet armed intervention and was followed by a period of harsh reprisals and renewed repression.

2. Lasting impact of Hungarian revolution: Despite its immediate aspect of tragic failure, the 1956 Hungarian revolution was a moment of truth not only for Hungary but also for all of the Soviet-dominated nations of Eastern Europe. It was an affirmation of the historic truth that no governing system or authority can with impunity totally ignore the rights and aspirations of the people. In this sense the impact of the revolution on both governments and peoples in Eastern Europe is enduring, and its ultimate effects cannot even now be fully assessed. The continuing impact of the revolution has doubtless influenced the Kadar government to move away from the system of repression with measures of moderation. Thus in 1960 and 1961 the Hungarian Government, under both external and internal pressures as well as encouragement from the United States and other Western governments, began to manifest increasing concern to achieve internal stability, a better working relationship with the people, and an easement in its relations with the West. By early 1962 this concern of the Hungarian Government was given a more definite and positive expression as an internal policy of conciliation and an external policy of improvement of relations with the West. The developments that have taken place are encouraging for they have substantially improved the situation and prospects of the Hungarian people.

3. General amnesty of March 22, 1963: A long-rumored and long-awaited amnesty of sweeping character was announced by Premier Kadar to the newly elected Hungarian Parliament on March 21; it entered into force the following day; and its implementation became effective immediately. Briefly summarized, the amnesty appears to apply to most, if not all, of the 1956 political prisoners as well as to various other categories of imprisoned persons not connected with the 1956 events. The number of persons affected by the amnesty has been estimated by some Western news agencies as high as 10,000 but more sober estimates place the total figure at between 3,000 and 4,000 of whom a large part were political prisoners.

The Hungarian Government itself has issued no figures or lists of names. It is known, however, that Prof. Istvan Bibo, a well-known member of Imre Nagy's last cabinet and outstanding intellectual of the 1956 revolution who was sentenced to life imprisonment, has been released. Various other prominent 1956 personalities known to have been in prison prior to the amnesty are reliably reported to have been released. While there are various detailed aspects of the amnesty and its implementation which cannot be definitely assessed for the present, its general scope and the progress of its implementation mark it as a constructive move.

4. Other measures of moderation: The Hungarian amnesty occurred against a background of other measures taken by the Hungarian Government during the past 2 years which reflect an amelioration of conditions.

In the party and government bureaucracy, the Kadar government has pursued a program of extensive de-Stalinization at both national and local levels. Rakosi, Gero, and 23 other political figures of the Stalinist period were formally expelled from the party in 1962. The Communist police apparatus has come under firmer control by high political authority, and arbitrary police powers and police terror, so characteristic of the Rakosi regime, have been curbed. The adoption of a new criminal code early in 1962 and the removal of several notorious figures from the upper ranks of the judiciary in September 1962 further emphasize the effort to correct judicial abuses. The conciliatory dictum affirmed by Kadar at the Hungarian Party Congress in November 1962 that "whoever is not against us is with us" is a sharp reversal of the concept applied by the Rakosi regime and deemphasizes the class struggle. Its practical application is reflected in the admission of qualified candidates, irrespective of social origin, to universities and of substantial numbers of nonparty candidates to elective positions and to technical and managerial jobs, including key posts in agricultural collectives.

There has been a gradual shift in the Hungarian Government's attitude toward relations with the churches since mid-1961. In marked contrast to the former policy of open hostility and systematic harassment, the present policy appears aimed at some sort of accommodation with the Vatican and a situation permitting the churches to exercise increased control over their affairs and to engage in more vigorous religious activity. During the past 2 years the Government has also followed a conciliatory policy toward the intellectual and cultural community in Hungary. More U.S. and Western movies are being shown in Hungary than in any other Soviet bloc country except Poland. Passport and visa restrictions have been relaxed to permit a comparatively large increase of travel from Hungary to the West and from the West to Hungary. There is wide agreement among observers that Hungarians today can express themselves with a latitude unusual in the Soviet bloc.

Some of the most interesting changes in the Hungarian internal scene have occurred in the agricultural field. While Hungary's agriculture is largely collectivized, Hungarian agricultural policy has been increasingly pragmatic. It has stressed the provision of material incentives to the peasants, official support for the permanent maintenance of small private holdings by members of cooperatives, and the importance to the national economy of the production from such household plots.

Finally it is noteworthy that the Hungarian Government has evidenced some regard for the Hungarian national spirit and some degree of autonomy in its relationship with Moscow. This is most clearly reflected, perhaps, in the increasing concern that the Government has manifested to improve the material welfare of the Hungarian people and to establish a broader base of popular cooperation.

5. Conclusions: The foregoing developments and policy shifts in Hungary should be viewed objectively and in proper perspective. Assessed by Western democratic standards, the changes may appear as relatively limited concessions to the rights and interests of the Hungarian people since Hungary continues to be a Communist state within the Soviet bloc. But present conditions are a decided improvement over those that prevailed during the Rakosi era or in the early aftermath of the 1956 revolution. It is also clear that the present situation of the Hungarian people is relatively better than that of the peoples in other Soviet bloc countries except Poland.

HEALTH CARE THE KERR-MILLS WAY

Mr. MILLER. Mr. President, 2 years ago the Iowa Legislature passed an enabling act to implement the Kerr-Mills Act. This year the Iowa Legislature passed a substantial appropriation in the amount of $1.68 million to implement the Kerr-Mills Act.

In the May 9 issue of the Des Moines Register appears a lead editorial entitled "Health Care the Kerr-Mills Way." The editorial comments on the action of the Iowa Legislature and points out that the legislature has now provided an opportunity to see whether or not the Kerr-Mills Act will meet the needs which its authors envisioned. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HEALTH CARE THE KERR-MILLS WAY

The legislature's action in voting $1.68 million to implement the Kerr-Mills Act assures elderly, needy Iowans of help in meeting their medical care needs.

How much help each individual gets is as yet undetermined. The State appropriation, together with Federal matching funds, will make possible a total medical care program of $4 million a year for those 65 and over whose incomes make them ineligible for old age assistance but who have difficulty providing for their health needs.

The legislature has given the State board of social welfare wide latitude to decide which services should be provided. The only legislative restriction is a requirement that care in nursing homes be limited to 180 days, following hospitalization. This is a wise restriction intended to discourage transfer of long-term nursing home patients on old age assistance to the new program. Many such patients have been transferred in other States despite the clear intent of Congress that this program should serve the "near needy", rather than the indigent already eligible for help.

The number of Iowans aided under the Kerr-Mills plan depends on the kind of health services made available, and how many can meet the eligibility standards established by the assembly. To qualify for help, an individual must have spent $50 of his own funds for medical assistance during the preceding 12 months. He cannot have annual income after deduction of medical expenses of more than $1,500 if single or more than $2,200 if married. A single applicant is not eligible if his total resources exceed $2,000 and married couples are ineligible for help if their resources exceed $3,000.

Opponents of the plan for medical care for all aged—regardless of income—financed through the social security system, look to the Kerr-Mills approach as a key answer to the problem of providing health care for the elderly. The extent to which the Kerr-Mills plan aids those needing help in Iowa will be watched with interest throughout the country. With 12 percent of Iowans in the over-65 age bracket, Iowa has the highest proportion of elderly persons in its population of any State. Senator Abraham Ribicoff, Democrat, of Connecticut, contended during his recent visit to Des Moines that Iowa has special need of Federal medicare because of this.

The action of the assembly in directing a private insurance agency to process claims and write checks for health services gives the Iowa program additional national interest. One main purpose of the requirement is to encourage health care for the "near needy" through private health insurance coverage with the aid of public funds.

Congress, in rejecting the Federal social security approach in favor of Kerr-Mills, in effect gave critics of Medicare a chance to prove their contention that they have a better way. The legislature has now provided such an opportunity in Iowa.

The VICE PRESIDENT. The time allotted for morning business has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that another 5 minutes be permitted for morning business, after which time I hope to bring up the conference report on the supplemental appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

FISCAL INTEGRITY IN THE FEDERAL GOVERNMENT

Mr. MILLER. Mr. President, the lead editorial in today's issue of the Wall Street Journal entitled "Oblivious of the Obvious," comments on the recent statements by former President Eisenhower relating to fiscal integrity in the Federal Government, and particularly his warnings relating to inflation.

I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Oblivious of the Obvious

As former President Eisenhower recognizes, his criticisms of Federal fiscal policy will impress Washington's economists as reactionary. To many other Americans they may seem more like statements of the obvious.

Yet one of the interesting things about the Government these days is that the obvious is too often ignored for the sake of tortured theorizing which enjoys scant support in anyone's experience. It adds up to what Mr. Eisenhower calls, in his Saturday Evening Post article, an economic policy of spending for spending's sake.

It ought to be plain, to begin with, that no organization can forever let its outgo greatly exceed its income without inviting serious trouble. The theorists of the new economics do, however, deny this self-evident proposition; they say the National Government is not subject to the cause-and-effect relationship that applies even to other levels of Government. They have simply written their own dispensation for license.

It ought also to be clear enough that the likely effect of a deliberate policy of bigger spending, deficits and debt is erosion of the dollar's value; that has been the effect under similarly inflationary policies during the past 30 years. The deficits must be financed, and the larger they are and the more they are financed through the banking system the greater the inflationary potential.

A new inflation, President Eisenhower perceptively observes, could have an even wider impact than in the past, for we have increasingly become a pension economy. An article in this newspaper just yesterday provides some dramatic detail: While wage and salary payments have almost tripled since World War II, fringe benefits including pensions have increased nearly sixfold. The increase of payments to private pension and welfare plans has been almost 700 percent.

"Were I a younger man," Mr. Eisenhower reflects, "planning for the best possible future for my family and looking forward to eventual retirement, I would bitterly resent the effrontery of the politicians who so blithely plan to experiment with the future value of my savings, my insurance, and my pension. I would call it downright robbery for my Government to decide on policies that are nearly certain to shorten progressively the monetary yardstick."

Nor is it only a matter of purchasing power. The former President raises other questions that perhaps are not so obvious. Under present policy, how much reserve does the Nation have to meet a new international emergency? How is national security served if a nation tries to bankrupt itself? And how is such a course calculated to maintain the international value of the currency or prevent an eventual run on our already deeply depleted gold reserves?

Not least is what such a policy can do to America's political structure and traditions. Spending for spending's sake, Mr. Eisenhower notes, must place increasing power over our lives and institutions in the hands of a few politicians in Washington; "as a rule of thumb, the people must abdicate their direct responsibilities almost in direct ratio as they let Washington pick up the check."

If there is anything in the current economic debate that deserves to be called reactionary, it is not the Eisenhower advocacy of restrained Government and individual freedom. It is the theory that the central political authority, through its power to tax and spend and control, should take over more and more of the citizen's responsibilities and prerogatives.

We have no great illusions that the general's call for a return to a rule of reason in Government affairs will sway the dominant economic theorists. But it is good that he is vigorously joining the debate in an attempt to remind the people of the risks of departing from sound policy and tested practice. In view of Washington's disdain for home truths, the obvious can hardly be stated too often.

DEFICIT-RIDDEN U.N.

Mr. MILLER. Mr. President, in today's issue of the New York Herald Tribune an article appears entitled "At Deficit-Ridden U.N.: A Face-Up." Also in today's issue of the Washington Post appears an article entitled "U.N. Averts Delinquent Nation Test," commenting on the current problem of the United Nations as a result of the failure of a majority of its members properly to pay their just dues to the United Nations. I ask unanimous consent that both of those articles be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

At Deficit-Ridden U.N.: A Face-Up

(By Darius S. Jhabuala)

United Nations, N.Y.—The U.N. General Assembly yesterday began its unwilling and uphill fight to pull the organization out of its financial morass.

Exactly at 3:15 p.m., President Mohammed Zafrullah Khan, of Pakistan, gaveled the fourth special session to order and with almost discernible reluctance the half-full Assembly began its deliberations.

After a minute of silence by the standing delegates and visitors, the Assembly reelected Mr. Zafrullah Khan as president for this session and quickly got down to the first item of business—the election of Kuwait as the 111th member of the world organization.

The rest of the evening was spent on welcoming Kuwait and its Minister of Foreign Affairs, Sabah al-Ahmed al-Sabah.

As for the main question on the agenda, finances, the Assembly promptly shunted it off to the fifth committee, one of the six main committees that deal exclusively with administrative and financial matters before the U.N.

It is this committee that will discuss the problem for the next few weeks and then make its report and recommendation to the plenary Assembly.

What has necessitated this special session is the looming deficit of nearly $100 million created by the organization's peace-keeping operations—in the Congo and in the Middle East. Of the two, the Congo is the more expensive one costing some $10 million a month.

As of April 30, 52 governments had not paid a cent toward that operation alone creating a deficit of $72.4 million. As a bloc, the 10 nations of Communist East Europe owe a total of $43.2 million out of which the Soviet Union alone accounts for $32.1 million. Another major debtor is France with $14.2 million.

In addition to these, there are scores of smaller countries that have not contributed, but the essential difference between them and France and the Soviet bloc is that they claim an inability to pay while the latter fail to do so because of "unwillingness" thereby exercising a tacit "financial veto" over U.N. policies of which they do not approve.

A working group of 21 nations set up by the General Assembly last year, after nearly 2 months of debate, came to only one firm conclusion: There is no general agreement on how the U.N. peace-keeping operations are to be financed.

U.N. Averts Delinquent Nation Test

(By Louis Fleming)

United Nations, N.Y., May 14.—The United Nations General Assembly today narrowly averted its first test of a charter provision that denies delinquent members their vote under certain conditions.

The Assembly opened with Haiti owing $28,400 more than the debt allowed by the Charter. Haiti stayed away.

A check was said to be en route to the United Nations but until it arrives the Haitians reportedly will stay out of all Assembly meetings.

Article 29 of the Charter specifies that a member nation loses its vote if it runs up obligations in excess of 2 years' assessments.

The only other time such a situation has arisen, the country involved stayed out of the meeting rooms for 24 hours until a check came through. Although Haiti followed the same procedure, there still could have been a test vote, but this was carefully avoided.

In the event of a rollcall, the Assembly President would have been forced to ignore Article 29, apply its provisions, or just omit Haiti's name from the rollcall. Any of these steps almost certainly would have triggered a protest.

Haiti was one of 10 members facing loss of their votes before the Assembly convened, but all the others paid up enough so that the Charter article did not apply. Two of them were Communist states—Hungary and Cuba.

The others were Argentina, Bolivia, Nationalist China, Guatemala, Honduras, Paraguay, and the United Arab Republic.

The Charter provision is regarded as critically important in the financial crisis facing the United Nations, particularly since it will affect the Soviet Union by 1964.

No nation is anxious for a test of the vote-denial clause at this time, however, and every effort reportedly will be made to avoid a showdown at this Assembly.

The only substantive action of the Assembly session today was the admission by acclamation of Kuwait as the 111th member of the United Nations.

A procedural decision of the Assembly today set the stage for eliminating Hungary as a center for controversy before the U.N.

The Assembly reappointed the same Credentials Committee that had operated last autumn. But this time around the United States will not oppose Hungary's credentials, merely reserving its position.

This will make possible Assembly action approving Hungary's credentials for the first time since the Soviet suppression of the Hungarian revolt in 1956.

Mr. MILLER. Mr. President, in connection with those articles that I have asked to be printed in the Record, I desire to comment that had my amendment to the U.N. bond bill which passed the Senate a year ago been adopted, I would hope that the problem which the U.N. now faces would not have been presented. The Senate will recall that my amendment provided that no foreign aid would be granted to any nation which was delinquent more than 2 years in its proper assessments to the United Nations unless the President of the United States made appropriate findings indicating economic reasons, or found that the delinquent nation would pay up its just dues within a reasonable period of time. I hope that when we get to the point of considering the foreign aid bill in the present session of Congress, we may see fit to put some kind of provision in that bill which will help the United Nations obtain its just dues from those delinquents.

THE WHEAT REFERENDUM TO BE HELD ON MAY 21

Mr. MILLER. Mr. President, the May issue of Successful Farming contains a clear, concise pro and con picture of the controversial wheat referendum to be held on May 21. It presents both sides of the coin, as seen by Secretary of Agriculture Freeman and the American Farm Bureau Federation. The article, by Fred Bailey, Jr., Successful Farming's Washington correspondent, warrants reading, and I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Wheat Vote: Historic Farm Election

(By Fred Bailey, Jr.)

Sometime in the early morning hours following "election day," a calculator will matter-of-factly click final totals to two columns of ballots. Then results of one of the most controversial referendums in which farmers have ever voted will be known.

The important election, as you well know, is the wheat referendum. Half of the Nation's farmers are entitled to a vote, and their votes are being eagerly courted. To be sure, a wheat referendum is nothing new. But this time it's different.

First difference: The old marketing quota law has been repealed. The 55-million acre national allotment is canceled, as are mandatory 75 to 90 percent price supports, the 15-acre exemption, and the 30-acre feed wheat exemption.

If approved by two-thirds of the growers voting in the referendum, the new quota program calls for national production curbs based on bushels instead of acres. Each grower will still get his allotment in acres, but it will have first been scaled to estimated demand in bushels. And as growers increase their yields, allotments go down.

Another change: the basic CCC loan. From now on it will be whatever wheat is worth for feed. A higher level of price support—representing the loan plus negotiable certificates—will be offered on a limited number of bushels (domestic requirements plus a percentage of exports).

One thing is not different: the 50 percent of parity price support alternative. It would be an oversimplification, however, to suppose that differences in the marketing quota program are responsible for a controversy of the present proportions. They are not. The added ingredient is that principles as well as programs are a major issue.

To a sizable farm policy faction championed by the 1,600,000-member American Farm Bureau Federation, the referendum is an opportunity for a vote of "no confidence" in Federal supply management—and in what American Farm Bureau Federation contends such management is leading farmers down the road to. By a rejection of marketing quotas, they hope Congress will take a fresh approach.

The challenge is met headon by Secretary of Agriculture Orville Freeman and several smaller farm groups (the National Grange insists it originated the program) which urge farmers to favor quotas. At stake, they say, is the hard-fought-for right to income protection through managed marketings.

So your vote will involve the obvious question, "Where do you stand on Government supply management?" Approval of quotas will mean more of it, an aim which USDA top officials by no means disavow. They view the alternative, as described by President Kennedy, "a return to depression conditions that preceded the initiation of price supports a generation ago."

Below are more highlights of the two leading viewpoints.

Are you in favor of a multiple-price plan for wheat for the 1964 crop?

"Yes," says Secretary Freeman. Here's why: The quota program will provide growers with the highest possible incomes consistent with production geared to demand.

The burden of excessive surplus accumulation will be gradually reduced without depressing farm prices.

Consumers will be assured a stable supply of wheat at reasonable prices. And U.S. export markets and International Wheat Agreement commitments will be protected.

If the vote fails, wheat production would go up from 1.2 billion bushels, estimated with quotas, to 1.5 billion bushels. In turn, prices would plummet to near $1 a bushel—and wheatgrowers' gross income from wheat would drop from $2.3 billion to as low as $1.3 billion.

Equally disastrous could be the impact of a "no" vote on the Nation's livestock economy. Coupled with 80-cent corn (assuming no feed grain program) the grain glut would mean higher feeding rates and lower prices. Hog prices as low as $12 a hundred pounds are predicted by USDA economists.

If marketing quotas are defeated, Congress cannot be expected to enact any new legislation for the 1964 wheat crop.

"No," Farm Bureau says, for these reasons: The marketing quota scheme provides the tightest, most binding Government controls ever seriously considered for any crop.

Quotas for wheat would increase pressure for feed grain controls and eventually would lead to compulsory controls for livestock, dairy, and poultry products.

The basic issue is whether the farms of America are going to be managed by farmers or by a Government bureaucracy.

With quotas, producers of low-quality wheat would receive the same share of the certificate market as high-quality producers.

Defeat of quotas could lead to expanded markets for U.S. wheat. Wheat prices following a "no" vote would be well above the $1 forecast by USDA. And the likelihood of an IWA violation are more imagined than real.

Instead of the multiple-price scheme, Farm Bureau will legislatively push for: (1) No wheat allotments or quotas; (2) price supports at the higher of the 3-year average world price (about $1.35) or 50 percent of parity (about $1.25); (3) a voluntary acreage diversion program; (4) no CCC wheat sales for unrestricted use at less than 115 percent of the support price plus carrying charges.

ARMED FORCES DAY

Mr. SALTONSTALL. Mr. President, Saturday, May 18, has been designated by Presidential proclamation as Armed Forces Day. This will be the 14th annual observance of this event. During the week of May 11 to May 19, American defense installations both at home and abroad will sponsor open house programs with exhibits, displays, and demonstrations to give the American public and our friends abroad an opportunity to see first hand the extent of our defense capability and the degree of our military preparedness. This is also an excellent time for us to honor the more than 2 million men and women presently on active duty with our Armed Forces, who are charged with the responsibility of protecting peace in our troubled world.

"Power for peace" has been selected again this year as the slogan for Armed Forces Day. In these three short words is embodied the fundamental premise on which our defense effort is built.

We are a people devoted to the establishment of a world of peace, with liberty and justice for all citizens. Only when peaceful conditions prevail can the rights to life, liberty, and the pursuit of happiness, held by our Declaration of Independence to be inalienable rights, be effectively protected by government and enjoyed by every individual.

Throughout our history, however, there have been forces which have threatened the survival of peace and liberty in the world. In our own century, two major world wars and one conflict of a more limited nature have tested our readiness to go to war in defense of the principles in which we believe.

We are opposed today by an enemy whose avowed objective is world domination. Theirs is a system in which the concept of peace with liberty and justice for all citizens is without meaning and without substance. Their tactics are varied, but because they do not allow the individual to live and develop in an atmosphere of freedom, they have to rely on the use of military power to accomplish their goal, and to preserve their control once it is established.

The Communist threat, the awesome, destructive nature of contemporary weapons, and the rapid advancements being made in weapons systems, require us to maintain a constantly alert Defense Establishment. As President Kennedy has stated, only so long as we can maintain a level and capability of armaments comparable to that of our enemy, can we have any confidence that the battle for freedom will be fought without resort to the use of the weapons which threaten us with nuclear holocaust and total devastation. Weakness on our part would invite aggression by our militaristic opponent.

As a result of our participation in the two world wars, and because we are the only nation in the free world with the natural, economic, technological, and human resources capable of meeting the requirements necessary to keep pace in the arms race, our defense commitments today extend far beyond the continental boundaries of the United States. This requires us to keep a sizable portion of our population on active military duty, charged with a variety of responsibilities. Many of these people are serving in or near the so-called hot spots of the world, where actual armed conflict or other warlike conditions exist. Theirs is a precarious existence, but their deployment in or near these danger areas serves as a constant reminder to any would-be aggressor that we are ready and willing to defend the interests of the free world wherever and whenever a threat arises.

It is the task of these men and women to prevent or contain open armed hostilities in these areas, to protect the lives and property of Americans living in these areas, and generally to serve as a deterrent to further Communist encroachments or advances. These are certainly awesome responsibilities and every citizen of the free world owes a large debt of gratitude to these watchdogs of peace.

A large portion of the money appropriated each year by Congress for defense purposes is kept here at home and utilized in a variety of different ways. We must, of course, continue to train personnel for effective military service. We must also continue to spend large amounts of money on the purchase of the most modern equipment available with which to equip our Armed Forces. Associated with this are expenditures for military research, development, test, and evaluation. This is one of the most important phases of our entire defense effort. Without the inventiveness, knowledge, and skills of the technicians and engineers now serving on active military duty in the volatile area of research and development, we would not be able to keep pace in the so-called arms race.

The prospects for an easing of world tensions in the immediate future are not bright. We will, therefore, have to continue to support an effective and alert Defense Establishment, and all Americans must be prepared to make the sacrifices that this requires. On Armed Forces Day, 1963, we extend our thanks and gratitude to the men and women of the Armed Forces for what they have done in the past to protect peace, and we reaffirm our faith that any future challenges to freedom will be met with the same devotion and energy which we have witnessed in the past.

MAN IN SPACE

Mr. **KEATING**. Mr. President, the successful launching and so far successful flight of Astronaut L. Gordon Cooper is a cause for rejoicing throughout the Nation. We are thankful that the first critical phase of the flight is now safely behind the astronaut and we shall all be watching and waiting in the next 34 hours and praying for the safety of this fine and courageous young man.

Mr. President, as we attend this latest effort of man to grope into the unknown mysteries of outer space, I cannot help but be reminded of the efforts that have been made throughout the years by Americans and others to penetrate new heights of space and new depths of the sea to extend the frontiers of human knowledge, and to protect the rights and liberties which Americans hold dear. As man seeks new knowledge and new controls over the universe in which we live, there are bound to be failures as well as successes. There are bound to be tragedies as well as triumphs.

In this connection, Mr. President, I have just received a letter from Adm. Hyman G. Rickover which I believe is most appropriate for inclusion in the Congressional Record on this day. Admiral Rickover writes:

> As a reminder of man's dependence on God, I present to each submarine captain as he completes his training in nuclear power a bronze plaque. On it is inscribed the prayer which has been used by Breton fishermen for hundreds of years: "Oh God, Thy sea is so great and my boat is so small."
>
> I pray that those of us responsible for submarines will learn to design, build, and operate them in a manner worthy of the men who gave their lives in the *Thresher*.

Mr. President, the same sentiments are eminently fitting and appropriate as we consider man's efforts to conquer outer space. Let us all hope and pray not only during the hours of this flight but also during the days and weeks and months of work and preparation that all of those who make the decisions and perform the work that is the basis of our space program will do their utmost to be worthy of the great responsibility that rests upon them.

Mr. President, I ask unanimous consent to have printed following my remarks the text of the letter I received from Admiral Rickover.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S.S. "Andrew Jackson" (SSBN-619),
Mare Island Naval Shipyard,
Vallejo, Calif., May 6, 1963.

Hon. Kenneth B. Keating,
U.S. Senate,
Washington, D.C.

Dear Senator Keating: We have just successfully completed the first sea trials of the U.S.S. *Andrew Jackson*. The *Andrew Jackson* is our 13th Polaris-type nuclear submarine; with this submarine we will have the capability of launching 208 missiles from hidden, mobile platforms. We also have in operation 17 attack type nuclear submarines, making a total of 30. When all nuclear submarines in approved programs are completed, we will have 41 Polaris and 47 attack submarines.

The trials of the *Andrew Jackson* are the first since the sad loss of the *Thresher*. There went down with her many fine young men; fine husbands, fathers, sons—a cross-section of the flower of American youth. I knew many of them personally; I helped select them for the Navy's nuclear program; they had been trained at our nuclear schools and land prototypes. As a reminder of man's dependence on God I present to each submarine captain as he completes his training in nuclear power a bronze plaque. On it is inscribed the prayer which has been used by Breton fishermen for hundreds of years: "Oh God, Thy sea is so great and my boat is so small."

I pray that those of us responsible for submarines will learn to design, build, and operate them in a manner worthy of the men who gave their lives in the *Thresher*.

Respectfully,

H. G. Rickover.

PLANT CLOSING IN NIAGARA FALLS

Mr. **KEATING**. Mr. President, most regrettably I was informed today that Union Carbide Metals Co. was closing down its Niagara Falls ferroalloy operations. The plant has been in operation since 1896. This decision may involve as many as 650 jobs, although I am assured by Mr. Feathers, president of Union Carbide, that every effort will be made to find places for present employees. The reasons cited for the shutdown are widespread ferroalloy overcapacity, imports of low-priced foreign alloys, and higher costs of power, transportation, and taxation involved in the Niagara Falls operation.

Mr. President, this move is deeply distressing to me. Although I have spoken with Union Carbide officials about the matter and am extremely sympathetic about the problems that they face, there can be no doubt that a closedown of this important facility will involve serious hardships for the Niagara Falls area where there is already serious unemployment.

Mr. President, I am contacting the Area Redevelopment Agency and the New York State Department of Commerce to see what steps can be taken to bring additional work or facilities into this critical area. With the appropriation of additional funds for the accelerated public works program, it is possible, and in my judgment would be highly desirable, to channel additional funds through the accelerated public works program to meet the problems that will now arise. It is my intention to maintain close touch with the situation so that any methods by which the Federal Government can appropriately be of assistance to these communities will be thoroughly explored and utilized.

Mr. President, I ask unanimous consent to include in the RECORD following my remarks the text of the letter I have received from the president of Union Carbide and the press release announcing this decision.

There being no objection, the letter and release were ordered to be printed in the RECORD, as follows:

UNION CARBIDE METALS CO.,
DIVISION OF UNION CARBIDE CORP.,
New York, N.Y., May 14, 1963.

The Honorable KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEATING: You will recall, I am sure, our recent conversation concerning the economic difficulties besetting our metals operations in Niagara Falls. At that time, I promised to keep you informed of any action we would be taking in resolving the problem.

I deeply regret to tell you that we have come to the conclusion that we have no alternative but to suspend our ferroalloy operations and substantially reduce our research and development program there.

The attached release, to be issued tomorrow, May 15, will give you specific details on the matter. Of special interest to you may be the statement that Union Carbide Corp. is exerting every effort to relocate other of its divisions into the Niagara facilities. It is too early to predict the outcome of these efforts.

Knowing of your keen concern for the welfare of the people of the Niagara area and New York State, I wish to assure you that this problem was given months of most careful and sympathetic deliberation. Unfortunately, the factors governing our final decision were beyond our control.

In the ensuing months, we will do everything within our power to keep to a minimum the economic impact of our move on employees and his community.

I thank you for your interest and understanding in this situation.

Very truly yours,
WILLIAM H. FEATHERS,
President.

[News release, Union Carbide Metals Co., May 15, 1963]

UNION CARBIDE METALS CO. ANNOUNCES CHANGES IN ITS OPERATIONS AT NIAGARA FALLS, N.Y.

NIAGARA FALLS, May 15.—Union Carbide Metals Co. will discontinue ferroalloy operations and substantially reduce its research and development program at Niagara, it was announced today by William H. Feathers, president of this division of Union Carbide Corp. Mr. Feathers cited widespread ferroalloy overcapacity, imports of low-priced foreign alloys, and higher costs of power, transportation, and taxation involved in Niagara Falls operations as contributing factors to the decision.

Fred L. Evans, plant manager, said that the shutdown of ferroalloy operations will be gradual and that no immediate changes are anticipated. He said it looks as though changes in the plant operations will begin early in 1964 and be completed by the middle or latter part of the year. According to Paul McVicker, director of technology, changes in the technology department will begin immediately and be completed by March of 1964. It is estimated that the total reduction in work force, including those scheduled in research and development, could reach 650. Current total employment at the Niagara facilities is about 1,300.

Mr. Evans emphasized that under present plans a significant part of the current operations will continue with the production of calcium carbide, acetylene, coke, lime, and Unionmelt welding flux. Acetylene produced from calcium carbide is delivered by pipeline to several local customers, including Du Pont, Hooker, Goodyear, and Goodrich. No changes are contemplated in the engineering and construction department and it will continue to service all Union Carbide Metals Co. facilities.

Mr. McVicker noted that in the past many of the research and development activities of the metals company have been on customers' products. As an example, he referred to the extensive development work which the company has done on stainless and other special steels. Many steel companies have now expanded their research programs to include much of this type of work and expenditures by the metals company for these activities can be substantially reduced. Mr. McVicker also pointed out that even though a sharp curtailment of research and development expenditures has become necessary, Union Carbide Metals will continue to have a technology program which, in terms of cost and quality, will compare favorably with any in the basic metals industry. The program will be devoted to the development of new alloys and new metallurgical processes.

"The plans announced today are the result of a planning study that has been in progress for many months, and that was made necessary by the many problems facing the U.S. ferroalloy industry," Mr. Feathers said. "The industry has averaged in recent years an operating rate of about 50 to 60 percent of its capacity. Excess capacity also exists in other parts of the free world. Imports of many alloys have increased to as high as 25 percent of the total U.S. demand—at prices considerably lower than U.S. market prices.

"Under these conditions, only the lowest cost producing facilities can remain in operation," he said. "Company management, as well as employees of the Niagara plant, have made a strenuous and positive effort to overcome the problems inherent in this location. Unfortunately, the cost reductions effected have not been sufficient to offset higher power, tax, and freight costs, and the inroads made by low-priced foreign competition."

Mr. Feathers said that Union Carbide would exert every effort to relocate other divisions of Union Carbide in its Niagara buildings and facilities. "The well-being of our employees is being studied from all possible angles. Company management will assist employees who will be laid off to find other employment," he said.

Union Carbide's other Niagara area operations will not be affected. These include plants and laboratories of National Carbon, Union Carbide Chemicals, Linde, and Union Carbide Olefins.

The Niagara plant, oldest of the metals company's installations, began producing calcium carbide in 1896 and ferroalloys in 1906. It has been a major factor in supplying the alloy needs of the United States and the world during peacetime and three world conflicts. Its research and development facilities have been responsible for many of the alloys used in industry today and have contributed greatly to the development of stainless and other special steels.

TRIBUTE TO MEDICAL PERSONNEL AT LORING AIR FORCE BASE, MAINE

Mrs. SMITH. Mr. President, earlier this year when I made my annual visit to the Loring Air Force Base in northern Maine—the most important heavy bomber base in the United States—I learned of a very fine and inspiring project conducted by the medical personnel at the base under the excellent direction of Col. George C. Bess.

Because I think it is a very dramatic illustration of how the military so often achieves peaceful, nonmilitary accomplishments that greatly enhance the health, safety, and welfare of our people, I bring this matter to the attention of the Senate.

There was an epidemic of what is commonly called strep throats at the Loring Air Force Base. It was a serious epidemic. But it was not only met and conquered successfully by the medical personnel at Loring Air Force Base—but brilliantly.

An intensive study and program was conducted and out of that effort has come knowledge and findings that will help every nation in this world fight streptococcal infections. It was a most significant medical research achievement that will save many, many lives in the years to come.

For this I salute Col. George C. Bess, commander of the 811th Medical Group of the Strategic Air Command, Loring Air Force Base, and the members of his staff. They deserve the highest commendation.

I also salute the Armed Forces Epidemiological Board—Dr. Gustave J. Dammin, Dr. Charles H. Rammelkamp, Dr. Richard Krause, their associates and all those who have made this project such an outstanding success.

I ask unanimous consent that two letters, which I have received from Dr. Dammin, president of the Armed Forces Epidemiological Board, be placed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF DEFENSE,
ARMED FORCES EPIDEMIOLOGICAL BOARD,
March 21, 1963.

Hon. MARGARET CHASE SMITH,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR SMITH: Your letter of the 13th was in my office when I returned from the spring meeting of the Armed Forces Epidemiological Board's Commission on Viral Infections which was held at the Walter Reed Army Medical Center. I mention this because I would like to tell you not only about the work of our Commission on Streptococcal Infections at Loring Air Force Base, but also about the achievements of the Commission on Viral Infections in contributing to the health of the Armed Forces. At the Walter Reed meeting, we learned that the Public Health Service was about to license a measles vaccine which was developed under the direction of Dr. John F. Enders, of the Harvard Medical School, whose research program was supported by the Army through the Armed Forces Epidemiological Board. I am enclosing a press release which I received just yesterday, which tells more about this accomplishment which will mean so much to our Armed Forces.

To return to the streptococcal study at Loring Air Force Base, may I say that this is a most appropriate example of the manner in which the Armed Forces Epidemiological Board and its Commissions help the military on problems which relate to preventive medicine. I would like to mention first, that as a result of our streptococcal study which was begun at Loring last October, a program of penicillin prophylaxis was instituted, and that the beneficial effects of this program are now apparent.

I would like to reconstruct the events at Loring which led up to the institution of the prophylactic program, in this brief paragraph. On October 4, 1962, I received a letter from Dr. Charles H. Rammelkamp who is Director of the Armed Forces Epidemiological Board Commission on Streptococcal and Staphylococcal Diseases, in which he described a report given by Capt. William F. Schneider, of Loring, at the annual seminar on streptococcal prophylaxis which was conducted by Dr. Harold Houser. Captain Schneider reported very high streptococcal rates for the personnel at this Air Force base, and upon hearing this report Dr. Richard Krause, of Washington University in St. Louis, and a member of the Commission, volunteered to visit Loring to conduct a survey. Dr. Rebecca Lancefield, of the Rockefeller Institute, also a Commission member, offered to assist in the survey.

With such assistance available to study a potentially dangerous streptococcal problem at an important base, Dr. Rammelkamp requested that I notify the Surgeon General of the Air Force, General Niess, of the willingness of the Commission to examine the problem. General Niess accepted this offer of assistance, and arrangements for travel and clearance were arranged promptly through Colonel Moseley, executive secretary of the Armed Forces Epidemiological Board, Main Navy Building. Within a week after my letter to General Niess, Dr. Krause, and Dr. Lancefield were at Loring Air Force Base. The data obtained made it quite clear that the coming months would be the most hazardous for those at the base because the peak of streptococcal infection could be expected in the early months of the calendar year. Dr. Krause with Dr. Rammelkamp proposed a prophylaxis program which was concurred in by the Armed Forces Epidemiological Board. Such a program of penicillin prophylaxis was instituted, as I mentioned above, with gratifying results already evident. Dr. Krause had nothing but the highest praise for the efforts made by Col. George C. Bess, M.C., of Loring, for his assistance with the surveys and the development of the program of prophylaxis against streptococcal infection.

In closing this initial response to your letter, I should say that the study conducted at Loring Air Force Base will be the subject of a report to be presented at the annual meeting of the Commission on Streptococcal and Staphylococcal Diseases which will be held at Brooks Air Force Base in San Antonio, Tex., on March 24–26. In order that you may have complete and current information, I shall ask Dr. Rammelkamp for a summary of this report as it is given and discussed at the Commission meeting, for transmittal to you.

I wish to thank you for your letter and also this opportunity to tell you how the Armed Forces Epidemiological Board and its Commissions, as a group of civilian scientists, are at work, and at hand, to help the Armed Forces when problems in preventive medicine arise.

Sincerely,

GUSTAVE J. DAMMIN, M.D.,
President.

DEPARTMENT OF DEFENSE,
ARMED FORCES EPIDEMIOLOGICAL BOARD,
May 10, 1963.

Hon. MARGARET CHASE SMITH,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR SMITH: In my letter of March 21, I related the events which lead to the field investigation of the streptococcal problem at Loring Air Force Base. I mentioned also that the Armed Force's Epidemiological Board's Commission on Streptococcal and Staphylococcal Diseases was to discuss the problem and the investigation of it by Dr. Richard M. Krause at its spring meeting which was to be held at Brooks Air Force Base in San Antonio, Tex. Dr. Krause reviewed his work at Loring and prepared a report on the streptococcal surveillance and prophylaxis program at Loring for Dr. Rammelkamp, Director of the Commission. In this report, a copy of which is enclosed, Dr. Krause describes the approach he used to reduce the attack rates of streptococcal pharyngitis. The key to control under these circumstances, was the use of penicillin prophylaxis in the children and bachelor military personnel. As Dr. Krause describes it, such penicillin prophylaxis resulted in a tenfold decrease in the attack rates in military and dependent personnel.

Should you have any questions about the streptococcal problem and the manner in which it was approached through penicillin prophylaxis, I hope that you will write. Copies of this report have been distributed to Colonel Bess at Loring Air Force Base, General Niess, Surgeon General, Department of the Air Force, and General Blount, commander of the U.S. Army Medical R. & D. Command which is the Department of Defense agency which funds the programs sponsored by the Armed Forces Epidemiological Board.

The report of the study conducted at Loring will be discussed at the May 20–22 meeting of the Armed Forces Epidemiological Board. Since you may be interested also in other activities sponsored by the Board, and the type of problem presented to the Board, I am enclosing a copy of the agenda.

Sincerely yours,

GUSTAVE J. DAMMIN, M.D.

ADDRESS BY SENATOR AIKEN TO VERMONT STATE LEGISLATURE

Mrs. SMITH. Mr. President, the distinguished senior Senator from Vermont [Mr. AIKEN] recently made an inspiring address to the Vermont State Legislature on May 9, 1963.

It should be a model for any speech by a U.S. Senator to the legislature of his or her own State. Because of this I ask unanimous consent that it be placed in the RECORD at this point so that it can be a ready reference for speech material by all other Members of this body if they are ever fortunate enough to be invited to address the legislature of their State.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR GEORGE D. AIKEN, TO THE VERMONT STATE LEGISLATURE, MONTPELIER, VT., MAY 9, 1963

Since I have been a member of the Foreign Relations Committee of the U.S. Senate, I have been asked many times to speak on world affairs.

Of course, one cannot cover this whole world at one time so it has been necessary to take up the subject area by area.

Everyone has his favorite region. Some like Europe—some prefer India—some are intrigued by the developing African nations—and so on. I, too, have a very special area of the world that I like to talk about and, with your permission, I shall do so today.

This section of the world, which I place on a plateau above all others, is not large, but in the beauty of its terrain, in its opportunity for development and in the quality of its people, it is unsurpassed.

This area, which I wish to discuss with you, is bounded on the north by Canada, on the east by New Hampshire, on the west by New York and on the south by Massachusetts.

I claim no monopoly on devotion to Vermont. I know that all of you here today feel about our State as I do.

Despite any differences as to what routes we should follow, we all have the same objectives—to make the best area of the world still better, to increase the opportunities for more people to live and work within this State, to improve still further our excellent system of education, to encourage our people to work together for the common good, and to create or make better conditions essential to a growing and healthy economy—industrially, recreationally, and agriculturally.

With our superior assets it would seem like an easy accomplishment to achieve these objectives. But, in our efforts to improve opportunity in Vermont, we have to realize that we are in competition with every other State for new business. I do not object to fair competition.

However, when organizations like the Greater Boston Chamber of Commerce or the New England Council advocate the reduction of our air service, the preemption of our water resources, the obstruction of waterway improvement in the Champlain Valley, or when they oppose our acquisition of low cost electric power and object to the extension of Federal industrial benefits to rural areas, then we can only conclude that their purpose is to place Vermont at a disadvantage in competing for new industry and new business and that their definition of fair competition may not coincide with our own.

The ingredients necessary to an inviting economic climate—whether it be for recreation, agriculture or industry—are adequate transportation facilities, adequate supplies of power at reasonable cost, plenty of clean, fresh water for all purposes, good homesites and a healthy climate in which to live and work.

As of now, Vermont has an exceptional supply of fresh, clean water. We have the environment in which people like to live. We have a good source of high grade labor and perhaps the most amicable labor relations of any State in the Union. We have for the time being an adequate supply of electric energy. Our highways are well kept and are steadily improving.

Our air transportation service is deteriorating and will continue to do so until we determine not only to recover the ground we have lost, but to improve this service until we at least achieve equality with other States. We have a real fight on our hands in this respect.

Competition for industry is exceptionally keen today and nowhere will Vermont come into keener competition for the acquisition of any new industry than with the States immediately to the south of us.

THE NEW ENGLAND COMPACT

That certain business interests of southern New England have not abandoned their efforts to appropriate or control the natural resources of Vermont is indicated by the reintroduction into this Congress of the so-called New England compact bill.

The compact, in effect, would jeopardize or limit authority now vested in the States and the Federal Government and place investigatory and recommendatory powers in the hands of a new commission to be financed largely by private contributions.

It could have an adverse effect upon the future development of Maine and Vermont even though these two States do not become members of the compact.

This bill is sponsored by the New England Council and is strangely reminiscent of the efforts made in 1931 by the utility interests of southern New England to take over our water resources and bring about the construction of 85 dams in Vermont alone.

The bill is strongly opposed by the municipal electric systems and rural electric cooperatives of New England.

It is also my understanding that some of our own utility operators have refused to be partners to this scheme.

Although four State legislatures, exclusive of Maine and Vermont, have ratified this compact, it is apparent that neither the people of those States nor even the members of their legislatures could have been correctly informed as to the real effect of this innocent appearing document.

A conscientious friend of mine in Connecticut stated "We simply have to have your water to support our fast-growing population."

He apparently did not know that the report of the New England-New York Interagency Committee published in 1955 showed that, with the exception of two small areas, neither of them in the Connecticut River watershed, Connecticut would have a surplus of water for the next 50 years.

The same situation generally prevails in Massachusetts.

Now, if Massachusetts and Connecticut have enough water in sight for domestic and industrial purposes for the next 50 years what is the real reason for this intensive drive on Vermont's water resources?

Simply this: Under the Federal flood control program 14 dams have been built in Vermont and New Hampshire. The Federal share of the costs of these dams has been about $80 million. Excluding the dam on the Little River in Waterbury, Vt., the only benefits derived from these dams, exclusive of very limited recreational facilities, have been flood control benefits.

When these dams were built, however, in each of them provision was made for the installation of a penstock making it readily convertible from a flood control dam to a multiple-use facility.

Under the program, if it can be shown that these dams can be of more value for other use than for flood control, such dams can be reallocated for other purposes including storage of water for power development.

The utility companies themselves could not afford to build these dams in competition with modern steam generation plants or atomic energy powerplants.

Since the dams have been built by taxpayers' money, however, and since the taxes paid on them are almost negligible (only $20,000 a year for those in Vermont) and are insured against any increase, then a conversion of any of the capacity of these dams from flood control to power development would inevitably be a bonanza to the southern New England power interests.

Nor should we forget that under the proposed compact, the compact commission is authorized to accept from the beneficiaries of a conversion program, contributions of cash, technical services, engineering facilities and almost anything else including help in writing recommendations to the Congress.

I do not object to the multiple use of federally constructed dams, where feasible, but in Vermont we have learned that stable water levels for recreational purposes are far more remunerative to the State than the unstable water levels of storage reservoirs.

The controversy over the use of the water resources of Vermont leads us directly to two subjects of vital interest to all of us.

Where will we get electric energy for the future?

How can the recreational potential of the State be developed most advantageously?

THE POWER SUPPLY

The problem of an impending shortage of electric energy is the result of our own success. Ten years ago the wholesale price of power in Vermont ran from 14 to 22 mills per kilowatt-hour.

The wholesale price of power in our State today is about 8 mills per kilowatt-hour.

However, after St. Lawrence and Niagara power became available and consumer rates were reduced, consumption increased so rapidly that instead of needing only 150,000 kilowatts of generating capacity we now require nearly 250,000 kilowatts. At the present rate of increase we will need to double our power supply by 1970.

Whether this need will be met by purchase from outside the State, atomic power development or a modern steamplant using conventional fuels, I cannot say.

A large-scale powerplant located in the Champlain Valley, using either conventional or nuclear fuel, would probably prove to be an excellent investment, if no better source is available.

I realize that the public service commission is working on this problem and will continue to do so with probable success. In any event our power supply of the future should be and can be competitive with or lower in cost than St. Lawrence power. It will be if we plan ahead.

RECREATION

Recreation is not only the fastest growing industry in Vermont but almost the fastest growing industry in the Nation. No State has a greater potential for recreational development than has Vermont.

This opportunity has already brought large sums of out-of-State capital and large numbers of out-of-State young people into the Green Mountains—to live and to work.

It is particularly heartening to see the way in which so many of our timberland owners are recognizing the recreation industry as a complement to forestry.

Good forestry practices and good recreational development go well together and with cooperation between the State, the U.S. Forest Service, and private ownership we may anticipate a rapidly accelerating growth in this field.

The rapid growth of the recreation industry in Vermont has been one of the most satisfying developments of recent years. Our neighboring States are quite envious of our success.

If there is a special reason for this success outside of the natural resources which lend themselves to progress, it is the fact that recreation in Vermont has been developed mostly by private enterprise and private investment.

The incentive to private capital to invest in Vermont recreational areas has not been the profit motive alone. The principal incentive has been the opportunity to exercise personal initiative—to enjoy the pride of superior workmanship and to be part of a public-minded team with a job to do—without the constant worry about executive orders and legislative sanctions which handicap the publicly owned and operated areas of other States.

The fact that recreation in Vermont has been primarily developed by private enterprise, however, does not relieve us from public participation and public investment.

Vermont now has many of the world's most famous ski areas. All are privately operated and nearly all are quite profitable.

It stands to reason, however, that if the State and the towns had not invested modest sums in roads and other improvements, the popular areas such as Mount Snow, Stratton, Killington, Sugar Bush, and Mount Mansfield would have had a much slower development.

As it is now, these areas represent new income of millions of dollars annually and the State will get back its full investment every few years in revenues which previously did not exist.

Recreational development in Vermont is now only well started. Every town in the State can share in this opportunity.

Make Lake Champlain accessible to the pleasure craft of the world and the recreational development of that valley will multiply many times over, bringing increased business to all the people of our State, including those who now shortsightedly seek to obstruct this improvement.

Develop the Victory area in a manner which will promote rather than destroy the recreational potential of that region and a new source of income—running into the millions each year—will incur to the landowners and business people of the northeast kingdom.

Improve Route 100 from Massachusetts to the Canadian border and many small towns now mentioned as candidates for legislative extinction will increase in population and become welcome and important sources of new revenue for the State.

The possibilities of future recreational development in Vermont are tremendous. The income now received by the State is but a small part of what we can expect in the not too distant future.

The investment capital needed will be very large. Most of it will be private capital. Investment by the State, however, will have to be very substantial. New lakes and ponds, roadside protection, travelers facilities, access roads and necessary public land acquisition will cost money. Where will the money come from?

Some of it could come from a revision of our tax laws, but I wouldn't start spending that right now. Some of it will probably come from increased income to the State from present sources of revenue. This is quite probable.

Some of it may come through participation in Federal programs that provide allocations to public works and recreational development.

A good deal of it will have to be borrowed. I dislike debt as much as most Vermonters. I resisted it as long as I could.

Perhaps a Member of Congress who has voted to authorize a national debt limit of over $300 billion ought not to talk to a Vermont Legislature about borrowing money.

However, the time is already past when we can adhere to a strictly pay-as-you-go policy.

A State, like a business enterprise, must meet competition.

If a merchant borrows from a bank in order to stock up with a fine line of goods attractively displayed—and his competitor persists in carrying only a hand-to-mouth supply in the back room of his store, there is little doubt about who will get the business.

How can we tell when borrowing money is advisable?

Well, I have a formula which I apply to the appropriations requests made of the Congress. I don't subscribe to the "meat ax" approach to appropriation bills. I firmly believe that each proposal should be considered on its own merits. And I apply my own formula to each proposal.

First, it is not so much the amount of money we spend as what we get for a dollar that counts. On capital investments, government, like private investors, should expect generous dividends.

Secondly, will a public investment make a broad expansion of private industry possible?

If it will, then we may expect to not only amortize the original cost but we may look forward to continuing satisfying dividends as well.

So long as the credit of Vermont is such that the State can borrow at a rate well below that which the Federal Government has to pay, I cannot get too alarmed, even though I sometimes get nostalgic thinking of the pay-as-we-go policy of yesterday.

As I stated earlier, in our efforts to provide greater opportunity in Vermont we encounter much opposition.

This comes from both informed and misinformed sources.

Opposition to an improved Champlain Waterway is spearheaded by the same elements that opposed St. Lawrence electric power for Vermont.

These opponents are terribly careless with the truth.

They try to scare property owners with the fear that Lake Champlain will become a cesspool—even though it has been found that in our larger harbors over 99 percent of the pollution comes from industrial waste and sewage—not from shipping.

They appeal also to the selfish instinct of those who don't like the idea of sharing the waters of Lake Champlain with more people.

These folks—good people as they are—have their counterparts in the mountains—who would like to have us revert as nearly as possible to the Elysian age of the forest primeval where the tired businessman from the city can rest his weary body on his own generous acres without having his rest disturbed by the whir of industrial wheels making jobs for our people or even the drone of a passenger airplane overhead or the purring of automobiles on a modern highway.

As far as I am concerned, the days when a person could come to Vermont and buy all the land in sight for a comparatively small sum and from which all others could be excluded have gone forever—gone with the scarlet fever, the scrub bull, the muddy road of springtime and the $9-a-week schoolteacher of yesteryear.

Then, we encounter the opposition of those who base all arguments against progress on grounds of economy. In other words, if it isn't for them we can't afford it.

I can give you any number of instances where persons—even an occasional Vermonter, cry out for economy and then—sometimes in the very same letter—ask for a substantial slice of taxpayers' money for themselves.

If I may give you just one little example of this form of hypocrisy, I would point out that the New England Council, which advocates the elimination of much of northern New England's air transportation ostensibly to save a few thousand dollars, strongly supports a $985 million program for the improvement of big city and international air service.

If this is their idea of conserving the taxpayers' dollar, I hope they never get started on a spending binge.

We may be excused if we believe that these people do not want northern New England made attractive to industry. If that is their hope they are doomed to disappointment.

Improvement of the Champlain Waterway is certain as anything can be. If Vermont cooperates fully in the study and planning for this development, it will likely be done our way. If we leave the planing to others, it is quite likely that the influence of heavy shipping will be dominant.

As for maintaining air service, we have, I hope, reached the low point.

Whether Northeast Airlines survives or not, I cannot say, but I have kept in close touch with the Civil Aeronautics Board. They assure me that they are watching the situation and do not intend to let us down. They have authority to direct and regulate service for our State, but until it is clear which airline may be expected to give such service the situation is necessarily held in abeyance.

STATE-FEDERAL RELATIONS

How does the Federal Government fit into our plans for the future? There seem to be some who feel that most of the functions of the Federal Government should be done away with.

In spite of the fact that some officials of our Federal Government are at times distressingly wasteful, intolerably despotic or painfully inept, it is my personal conviction that the Federal Government is here to stay.

Since Vermont became a part of the Union in 1791 and has subscribed to the Federal Government ever since, it may be assumed that we have enjoyed some benefits from our membership in this organization.

For instance, we secured St. Lawrence power by Federal action over the opposition of some of our neighbors. And, in a hundred other ways, we enjoy benefits from Federal programs which we could not obtain working as a State alone.

Therefore, it will pay us to take full advantage of Federal programs which can help in our industrial, social, agricultural, and recreational development.

At times, we find it necessary to fight for that which is rightfully ours. A recent example of this was the effort to transfer part of our internal revenue office to Boston for purely political reasons.

Temporarily, we have won a victory and the services will remain in Burlington, but eternal vigilance must continue to be our watchword. Although we subscribe to the Federal Government, we are rightfully concerned with the direction which it may take.

Government is comprised of men—who are human—to whom has been delegated authority to carry out programs and policies agreed upon by the citizens through their legislative bodies.

At times, some of these men get overambitious and dream of empire. We have to watch them.

Many of us vividly remember those days in the 1930's when the empire builders of Washington and the power interests of Boston were battling for the control of Vermont's natural resources. Those were interesting and ruthless times.

I well recall speaking at Plymouth, Vt., on August 8, 1937, and closing my remarks with this statement: "I do not know to what extent other States will go in maintaining the rights and property which properly belong to their people, but as for Vermont, I will say, in language that should be understood by everyone, that we will never willingly surrender, either to the Federal Government or to any private corporations, our resources, which are the heritage of our forefathers and the hope of our posterity."

So far as I am concerned, I still stand by that statement.

We still have people in Washington that need to be watched but, on the other hand, most of the career people of Government are conscientiously devoted to their work.

I will be among the first to stand up for them. I have found most agencies of Government helpful and fair.

The feasibility report of the U.S. Park Service, recommending State and private development of the Essex County area was a splendid piece of work. The economic report for the same area will be, I am sure, an equally encouraging document.

It takes cooperation between local, State, and Federal Governments and, above all, confidence on the part of private industry to keep our economy on the move.

Besides insisting on our rights as 1 of the 50 States of the Union we must remember that we have responsibilities to meet. Vermont has not been found wanting in this respect—in times of war or peace. No State has contributed more generously of its resources to the Nation than has Vermont. Our dead are buried on the battlefields of the world. Our living are among the leadership of every State.

We will give freely of our substance when the security of the Nation demands it.

Let me leave you with what I feel are two important thoughts.

First, don't let anyone—not anyone inside or outside our borders—run down our State without being challenged. We have the finest State in the Union.

In matters relating to education, care of our highways, State credit, social security programs, and in a hundred other ways we don't need to take a back seat for anyone. Our State university ranks with the best and our other colleges and schools have waiting lists. Our industries are of the highest caliber and we lead nearly all States in minimum wage coverage and unemployment compensation laws.

We can be proud of Vermont. We can boast about our State—exaggerate its virtues if we feel like it—but let us never, never permit it to be downgraded by anyone.

Second, when occasion demands strong action to protect our rights, take the initiative right here.

Your congressional delegation can make a much stronger case if we can show that we have the full direction and support of the State government and the legislature.

This is not a criticism, for this method has already worked successfully many times.

I am simply emphasizing its workability and the fact that by working as a team, we cannot only protect our State against marauding elements but can make greater progress toward the ends which we all desire.

I realize that I have spoken rather plainly.

My purpose has been to put some matters before you which are of greatest importance to the future of the State we all love.

And, I leave you to go back to Washington secure in the belief that this legislature—like its many predecessors—will faithfully and effectively protect the interests of Vermont.

RUMANIAN INDEPENDENCE DAY

Mr. DOUGLAS. Mr. President, 86 years ago on May 10, 1877, the nation of Rumania gained its independence when its ruler, Prince Charles, and his government declared their nation to be free and sovereign from Ottoman rule and entered with Russia into a war against the Turks. Rumania continued to pursue a policy of expansion until she became the largest and most powerful of the Balkan States. In 1881 the country was united under a king, forming the Kingdom of Rumania. With independence came industrial production, prosperity, and emancipation for the people.

Rumania valiantly preserved her independence until the advent of World War II when the Nazis were able to gain control and exploit her resources for their war effort. King Michael was finally able to overthrow the pro-Nazi regime and declare himself for the allied cause but he was in turn forced to abdicate by the Russians and in 1947 Rumania fell under the yoke of Communist oppression.

The people within Rumania are no longer free to openly observe their great national holiday; however, the 10th of May is commemorated by Rumanians throughout the world and by Americans of Rumanian descent. On this important anniversary it is fitting for us to pay tribute to the brave Rumanian people and to express our hope that Rumania will once again be free and her people will have the opportunity to enjoy the basic rights of liberty, justice, and sovereignty.

VOCATIONAL TRAINING IN THE SKILLS SO GREATLY NEEDED

Mr. JORDAN of Idaho. Mr. President, one of the greatest deficiencies in our modern education system is in the area of vocational education. About 80 percent of the Nation's high school population will not go to college. It is this major segment of our high school students who should be trained for the technical jobs that presently go unfilled.

Mr. John Corlett deals with this subject in his column in the Idaho Daily Statesman of May 11, 1963. Mr. Corlett, himself a competent writer and researcher on such matters, pays tribute to Senator Harry Nock who, as a veteran Idaho legislator, not only advocates more vocational training but actually instructs the young people of his own community in the skills so greatly needed.

I am pleased to join Mr. Corlett in commending State Senator Nock for his dedication to this important work. I am firmly convinced that a much greater effort is required in providing vocational education instruction to meet the demand for skilled workers in this age of automation.

Mr. President, I ask unanimous consent that Mr. Corlett's column be printed in the RECORD at this point in my remarks.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

POLITICALLY SPEAKING

(By John Corlett)

One of Idaho's most respected legislators is State Senator Harry Nock, of Valley County. He is the dean of the senate in point of service. In private life he is a mechanic and operates a garage at Cascade.

One of his major interests is the promotion of vocational education for boys and girls who either cannot go to college because of financial distress, or are simply not college material.

Nock can talk for hours about the need of changing America's educational system that will help develop vocational skills among the 80 percent of this Nation's high school population who do not get a college education.

In all of his years in the State senate, Nock has found it most difficult to get action, at the State level on what certainly now is a vital and serious problem nationwide—the training of youth in skills that do not demand a college education.

"We still are teaching our kids as if every one of them is going to be a doctor or a lawyer," said Nock. "The school administrators are bent on a program they hope will send every youngster to college. But the statistics bear out that hundreds upon hundreds of thousands of our high school students will enter the work force without specific skills sufficient to earn a living."

Nock said he was reminded of the statement of a scientist who pointed out that while it took only one astronaut to operate a spaceship, it took 5,000 men to build the missile that launched it, not counting the ship itself.

Juvenile delinquency, particularly in the big metropolitan cities, and chronic dependency are growing problems. Youth unemployment is the great problem that breeds delinquency and dependency.

Here in rural Idaho, youth unemployment is yet to reach the problem stage in terms of juvenile delinquency. Still, parents are known to bemoan the increasing difficulty of their high school children to obtain vacation jobs. And high school dropouts and those who don't go to college are finding it even harder to obtain employment.

The Kennedy administration has sought to meet the growing problem of employment of youths, including those seeking a livelihood in the work force. Through a Youth Conservation Corps, the National Service Corps, and the so-called Hometown Youth Corps. The U.S. Senate has passed the bill creating the Youth Conservation Corps and the measure now is before the House.

All of these efforts are of the make-work type, such as those in the depths of the depression in the 1930's.

While days spent by a youth in the forests of the United States under the Youth Conservation Corps program should benefit them, it does not mean he will learn skills that will provide him with a job when he returns to his home.

The real problem in youth unemployment lies in the failure of our public education system. As Nock said, it is geared to an academic program. The vocational part is forgotten.

Great social and economic changes have taken place in the United States in the last 30 years. Where once the city boy could get a job on the farm, just the reverse is true. Rural youths have been flocking to the cities for jobs. In the past 5 years on-farm job opportunities have fallen off by 800,000.

There has been a vast growth in such fields as electronics, which demand skills. These skills can be filled by technicians who need not be college graduates.

The American education system does not provide the vast majority of high school graduates or school dropouts with these skills. Yet the public schools are the place where needed skills could be acquired.

At the same time, statistics show that while the youth unemployment problem is serious, the demand for skilled workers is growing.

The Labor Department estimates that within the next 10 years, the demand for skilled workers will increase by 150 percent. If this is correct, it will mean the creation of another 13.5 million jobs. But each of them will demand acquired skill.

It appears that the vocational or technical school must soon come into its own to fill the void. Such schools are not the ultimate solution of the problems, but they would be of immeasurable help.

In the past year, of the total public school bill of $18.1 billion, only $254 million was spent on vocational education. To put it another way, only 4½ percent of the total public school budget was spent to supply skills needed by the 80 percent of the school population who will enter the work force without a college education.

The 1961 legislature appropriated $25,000 for a survey of higher education in Idaho. This survey was conducted by the Stanford Research Institute and it produced virtually nothing not already known.

Someday the legislature will find it necessary to take a broader look at vocational education in Idaho. It is to be hoped that Senator Nock is around to help lead the way.

NEW SCHOOL INTEGRATION RULING

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "New School Integration Ruling," written by David Lawrence, and published in the Washington Evening Star of May 15, 1963.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW SCHOOL INTEGRATION RULING—CITATION OF ILL EFFECTS OF FORCED MIXING BY U.S. COURT IN SAVANNAH IS REVIEWED

(By David Lawrence)

The law of the land can be a Federal statute or any provision of the Constitution, but a Supreme Court decision is the law of the case and holds good only for the facts and circumstances set forth in that particular case.

This differentiation now takes on new significance because of a decision just rendered by U.S. District Judge Frank M. Scarlett. He has ruled in a case tried at Savannah, Ga., that integration of the public schools can be harmful to both Negroes and whites, and that the evidence on which the Supreme Court of the United States based its decision in 1954 ordering desegregation of public schools was not supported even by tests previously made by one expert in the psychological field who had testified that segregation was harmful.

The net effect of the new decision if upheld by the Supreme Court, could be to limit the 1954 case to the principle of a political right whereby persons of any color are entitled to attend public schools, but are subject to educational standards which would be recognized as a valid basis for admission or rejection of applicants. The findings of Judge Scarlett are in part as follows:

"Plaintiffs' assumption of injury to Negro students by the continuance of segregated schools is not supported by any evidence in this case. Whatever psychological injury may be sustained by a Negro child out of his sense of rejection by white children is increased rather than abated by forced intermixture, and this increase is in direct proportion to the number and extent of his contacts with white children.

"Each study presented to the court, confirmed by the opinions of the witnesses, showed that the damaging assumption of inferiority increased whenever the child is brought into forced association with white children. The principal author of the studies relied on by the Supreme Court in the Brown case (1954 decision) used students from integrated schools in Northern States in getting the race rejection results which were then cited as showing such effects occurring from segregation. Moreover, the same author in an earlier study came to the conclusion that compulsory intermixture rather than racial separation in school was the principal source of the damaging loss of race identification.

"The adverse effects of compulsory congregation are particularly harmful in the early formative school years. Intervenors' witnesses noted that integration at the collegiate level is not only possible, but on a voluntary basis might be of advantage to both white and Negro students. The findings herein are accordingly limited to children of primary and secondary school ages."

The court further ruled that "selective integration would cause even greater psychological harm to the individual Negro children involved and to the balance of their group."

The intervenors in the current case charged in their brief before the court in Savannah that one expert who had testified in the 1954 school desegregation case was on the payroll of the National Association for the Advancement of Colored People and that this was not revealed to the Supreme Court. The brief contends also that the Court wasn't told that the same expert had earlier conducted tests which produced a different finding from that which he submitted to the Court.

Judge Scarlett's conclusions in the Savannah case are as follows:

"1. The white and Negro school children have equivalent rights before this court and are equally entitled to be considered in determining the scope and content of constitutional rights.

"2. A reasonable classification within the meaning of the equal protection clause of the Constitution would be one which secures the maximum result in the educational process for all students and a minimum injury to any.

"3. The classification of children in the Savannah (Chatham County) schools by division on the basis of coherent groups having distinguishable educability capabilities is such a reasonable classfication."

The decision of the 1954 desegregation case by the Supreme Court turned largely on allegations that Negro children were unable to get an equal education under segregation in public schools. The latest findings by Judge Scarlett say, in effect, that in integrated schools they will get even less of an education. For the tests showed the average of white pupils was far above the Negro average. The findings on this point are described in Judge Scarlett's statement as follows:

"These differences in test results, Savannah, Chatham County, are not the result of the educational system or of the social or economic differences in status or in environment of the students. These test results agree on a point-for-point basis with substantially identical results obtained from similar tests made in other areas of this country and abroad, and in both segregated and integrated situations.

"Failure to attain the existing white standards would create serious psychological problems of frustration on the part of the Negro child which would require compensation via tension-creating antisocial behavior. In other cities, this effect has created serious discipline problems for the teachers and school administrators, with consequent loss of schooltime. In New York, 37 percent of Negro truants questioned in a study stated that they had run away from home because of failure to keep up in school."

The statement of findings declares, moreover, that the difference in test results between white and Negro students "is attributable in large part to hereditary factors, predictably resulting from a difference in the physiological and psychological characteristics of the two races."

FRIGHT PEDDLERS

Mr. KEFAUVER. Mr. President, warm praise from all across the land has been accorded the distinguished assistant floor leader of the minority [Mr. Kuchel] for his recent speech in the Senate condemning the fright peddlers in this country.

Among the tributes he has received is an editorial from the Nashville Tennessean of May 4, and I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

GOP Whip Kuchel Aims a Well-Deserved Blast

The Senate Republican whip, Senator Thomas Kuchel, of California, has done his party and his country a service with his forthright floor speech in which he charged that rightwing extremists do "devil's work far better than Communists could do."

Senator Kuchel excoriated what he termed the "fright peddlers" who imagine plots against the country and "see our Government crawling with Communists." He specifically named the John Birch Society, but his indictment was broad enough to include those who wail of "no-win policies" and spread scare stories about Cuba with lies and half-truths as their foundation.

The fright peddlers, Senator Kuchel said, have in common "all-out, uncompromising hysterical demands" some of which are "very likely identical to the real hopes of the Kremlin." He listed some of these as stopping all foreign aid, abandoning NATO, and removing the United Nations from the United States, among other things.

Among the incredible stupidities bruited about are stories that cannibals are stationed in Georgia in Operation Water Moccasin, whose object is to take over the country for the U.N.; that all our Armed Forces are to be turned over to a Russian colonel at the U.N.; and that Chinese Communist troops are in Mexico, poised to attack California.

"It is disgusting," Senator Kuchel said, "to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anticommunism."

We live in a time of anxiety, under the shadow of the H-bomb. There are many who are more than willing to exploit our discontents and fears. Wrapping themselves in flags, the superpatriots foment hysteria with hobgoblins and foster frustration with scapegoats. If it's trouble in Cuba, or Laos, then it must be the "no-win clique" in the State Department which has allowed this to happen. The insinuation is bald and deliberately aimed at rousing the spirit of vigilantism.

Or, if not the State Department, then surely the U.N. where they are convinced the crafty rascals are plotting our downfall.

Senator Kuchel is more than a little right when he says these fright peddlers do "devil's work far better than Communists." Nothing would please the Communist world more than to have us divided and panicky at home, frustrated to the point of blindly striking out, distrustful of our own leadership and willing to wreck the alliance of our friends.

Thank heaven the vast majority of Americans are levelheaded enough to prefer reason to rhetoric, calmness to panic and courageous leadership to demagogues.

"America has enough immediate and deadly enemies without adding hobgoblins," said Senator Kuchel. He deserves the applause of all who are concerned about their world and the Communist menace but who know that courage, patience and faith will win more battles than blind panic.

TRIBUTE TO CAPT. WILLIAM R. ANDERSON, U.S. NAVY, RETIRED

Mr. KEFAUVER. Mr. President, I am delighted to learn that my fellow Tennessean, Capt. William R. Anderson, U.S. Navy, retired, is to become Director of the Domestic Peace Corps upon its creation by the Congress.

We in Tennessee are very proud of the distinguished record of Captain Anderson, as the skipper of the atomic submarine *Nautilus* and later as an aide to the Secretary of the Navy. For the past several weeks he has been serving his Nation again as an expert in submarine rescue and salvage.

His exploits while in command of the *Nautilus*, his work with American young people through a former position with the Freedoms Foundation, his personal magnetism—all are attributes which will serve him well when he takes up new duties as the Director of the Domestic Peace Corps.

Mr. President, an editorial in the Nashville Tennessean on May 7 saluted Captain Anderson upon his selection for this important position, and I ask unanimous consent that it be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Captain Anderson Is Wise Choice

Navy Capt. William R. Anderson, of Humphreys County, has been chosen to become Director of the Domestic Peace Corps if Congress passes the administration's bill creating the agency.

Captain Anderson early in life demonstrated traits of leadership and ability which led to a distinguished Navy career.

He skippered the atomic submarine *Nautilus* on its pioneering voyage under the ice cap at the North Pole. After 20 years of service he retired last year at the early age of 41.

He plunged immediately into politics and polled more than 200,000 votes last November as an independent candidate for Governor. He was called back to active duty last month to help the Navy strengthen its programs of undersea rescue and salvage.

Captain Anderson is a popular choice to head the Domestic Peace Corps. His fellow Tennesseans wish him every success.

THIRTIETH ANNIVERSARY OF TENNESSEE VALLEY AUTHORITY

Mr. KEFAUVER. Mr. President, the Washington Post on Sunday, May 12, took note of the 30th anniversary of the Tennessee Valley Authority by publishing what I regard as one of the best articles about TVA that I have read.

The author, Mr. Julius Duscha, has done a very good job of pointing up the goals and the achievements of this great agency against the background of its colorful and dramatic history. I particularly liked the simple way in which Mr. Duscha went to the heart of the lingering opposition to TVA, in these words:

> Nationally the opposition to TVA is led by the privately owned utilities. They talk about Federal subsidies, taxes, accounting practices and other details, but what really irritates them is the unquestioned efficiency of the TVA electric system.

Mr. President, I ask unanimous consent that the entire article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Deal Has Solid Monument in TVA

(By Julius Duscha)

Knoxville.—The eager young men who came to Knoxville 30 years ago to remake the Tennessee Valley are old and gray, but the unique Government agency they built is not yet fat and tired.

"It's still fun working for the TVA," Aubrey J. Wagner, Chairman, of the Tennessee Valley Authority, told me as we talked into the night about dams, the power system, the beautiful lakes, the forests, the chemical fertilizers and all of the other programs that have made the valley bloom.

"Red" Wagner arrived in the eroded and depressed valley in 1934 for what he thought would be a temporary job surveying reservoir sites. But like most of the other young men who came from the colleges of the Midwest and the South to work for the TVA in the midst of the depression, Wagner was soon convinced that nothing was more important than making Senator George Norris' dreams for the valley come true.

NEW DEAL MONUMENT

When President Kennedy visits Nashville and Muscle Shoals, Ala., Saturday to mark the 30th anniversary of TVA, he will be honoring an agency that is much more than a carefully controlled faucet for the once destructive Tennessee River. TVA remains an outstanding success long after most other New Deal agencies have withered or succumbed to hardening of the bureaucratic arteries.

TVA is a success, in Wagner's view, because it has been able to work directly and closely with the people of the valley. The papers are shuffled faster and with more purpose in TVA because the people who run the agency can see the results of their work, often by just looking out of their windows.

In the Tennessee Valley, there is no real opposition to the agency. When the U.S. Chamber of Commerce denounces TVA, local chambers quickly fire off protests to the national organization in Washington.

Nationally, the opposition to TVA is led by the privately owned electric utilities. They talk about Federal subsidies, taxes, accounting practices and other details, but what really irritates them is the unquestioned efficiency of the TVA electric system.

Throughout the world, TVA is recognized for the success that it is. More than 3,000 foreign visitors come to the valley each year, most of them from underdeveloped countries of Asia and Africa. They go home with the hope that someday they, too, can make a valley prosper.

Although TVA itself is only 30 years old, its genesis goes back to World War I when the Government began to build a huge dam on the Tennessee River at treacherous Muscle Shoals in northern Alabama.

The Tennessee River begins at the confluence of the Holston and French Broad Rivers just above Knoxville, flows south and west into northern Alabama and then turns north until it pours into the Ohio River at Paducah, Ky. Until the Army Engineers built Wilson Dam at Muscle Shoals, the Tennessee was not navigable beyond that point.

The dam was constructed to provide power for the wartime production of nitrate explosives, but World War I was over before the structure was completed. In the 1920's, Wilson Dam became the subject of heated controversy.

On the one side was Henry Ford, who wanted to buy the dam from the Government. On the other side were southern Congressmen who saw in Muscle Shoals a source of power for the manufacture of chemical fertilizers from nitrate and phosphorus.

FRUIT OF "100 DAYS"

Senator Norris, a Nebraska Republican and chairman of the important Senate Agriculture Committee became interested in the Tennessee Valley. Twice in the 1920's, legislation envisioning a TVA was passed and vetoed. In the famous first "100 Days" of Franklin D. Roosevelt's term, it was passed again and signed into law.

TVA began by building dams, and today it has 28 on the Tennessee and its tributaries. In the 1930's, TVA reforested and showed the people how to prevent erosion in the hills and hollows of the valley. TVA also eradicated malaria, a longtime scourge there.

In World War II, the Government located its first atomic energy installation at Oak Ridge, Tenn., because of the availability of TVA power. Many private industries have also come to the valley to take advantage of that cheap power.

The agency had some of its most difficult years in the 1950's. Former President Eisenhower called it "creeping socialism." Then came the Dixon-Yates contract, which would have taken the rich Memphis power market away from TVA and given it to private utilities.

Out of the controversies of the 1950's came a new financing setup under which the agency now gets funds for its power operations by selling bonds.

Over the last 30 years, $2 billion in Federal funds has been spent by TVA. About half of the money went for power facilities and the other half for reforestation, fertilizer and other development programs. The $1 billion spent on power will be repaid over the next 50 years.

This year, TVA is asking Congress for only $36 million. It will operate its power program with $400 million from the sale of electricity.

In addition to the ever-expanding power needs of the valley—two-thirds of the electricity is now generated in coal-fired steamplants because all of the river power has been harnessed—TVA is particularly concerned about the development of small tributary streams and recreation facilities around its lakes.

TVA is a giant utility. It is the largest user of coal in the United States. It operates the most integrated system of dams in the world. But the people who are TVA have never lost their idealistic zeal for reform, and the valley's prosperous farms, busy towns and cities and new industries are a tribute to their vision.

EXTENSION OF TERRITORIAL WATERS TO PROTECT FISHERY RESOURCES

Mr. BARTLETT. Mr. President, last week I noted several reports indicating that the United Kingdom has proposed an international meeting to consider the possibility of extending the territorial waters of most European nations in respect to access to their fishing grounds. This is particularly significant in view of the fact that the United Kingdom has maintained a 3-mile limit consistently dating back to the 18th century. However, this development comes as a surprise to no one. These European nations have experienced the same type of encroachment upon their coastal fishing resources as we have in the United States and particularly in the waters off Alaska and the North Atlantic coast and as other U.S. coastal areas soon will have. I understand that Britain has proposed and invitations have been extended to the meeting which would include the Common Market countries, the European free trade countries, Iceland, the Irish Republic, and Spain. I understand that the meeting would take place in the autumn. The timing of this meeting ties in closely with the statements made in the joint communique from President Kennedy and Prime Minister Pearson after their discussions in Washington and Hyannis Port last week, in which the Prime Minister suggested that a similar action may be necessary for Canada.

The waters off the coast of Alaska and other coastal areas of the United States have been subjected to increasing pressure from foreign fishing interests, primarily those of Russia and Japan. Last year Russian trawlers for the first time entered the Gulf of Alaska and severely damaged fishing gear of our king crab fishermen off Kodiak Island. I have recently received alarming reports that now the Japanese plan on possibly sending their fleets into the area to take the Alaska king crab off Kodiak. Mr. President, I have consistently called, and will continue to call, for adequate protection for these resources. We are a signatory to the International Convention on the High Seas, which includes a provision in which creatures of the Continental Shelf such as the king crab and our dungeness crab also are reserved for the use of our own nationals. Repeatedly I have asked that this be recognized. I ask at this point that my letters to Secretary Rusk on this matter be included in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., March 13, 1963.

Hon. Dean Rusk,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: I am writing this letter in behalf of Senator Gruening, Representative Rivers, and myself. February 28 the Alaska delegation received from the Secretary of State in Alaska a copy of Senate Joint Resolution No. 3, relating to the protection by international law of dungeness and Alaska king crab. The purpose of this letter is to inform you that the Alaska congressional delegation places itself directly in support of the position taken and expressed in this resolution.

We refer you specifically to article II of the International Convention on the Law of the Seas. This Convention on the Continental Shelf has been signed and ratified by the United States. It recognizes that a coastal State has sovereign rights in the exploitation of certain natural resources on the Continental Shelf. The resources include those organisms which "in the harvestable stage, either are immobile, or underneath the seabed, or are unable to move except in constant physical contact with the seabed or subsoil." Our position is quite simple and direct. We believe that it is quite clear. We believe that Alaska king crab and dungeness crab qualify as resources of the Continental Shelf. We believe that the king crab and the dungeness crab cannot move about voluntarily without their legs being in contact with the bottom. We believe that sufficient time has passed for adequate study to be completed, research material gathered, and a determination made that these resources should be protected under the convention. We believe that the U.S. Government should so declare.

We understand that at the present time the Russians and the Japanese are engaged in an extensive king crab operation in the Bering Sea on the Continental Shelf and have been for a number of years. We understand, also, that efforts may be made to extend this operation into the Gulf of Alaska. We believe it is necessary for our Government to take a clear position on this matter in time to establish clearly our exclusive rights in this area. Between 1957 and 1961 the U.S. catch of king crab expanded from 14 million pounds to over 43 million pounds. During this same period Japan caught each year in the Bering Sea approximately 34 million pounds in 1961 and a high of 47 million pounds in 1957. During the same years Russia was taking between 66 million pounds and 81 million pounds.

The critical nature of this problem, we believe, is clear. We would appreciate an early determination by the U.S. Government that these resources qualify for protection under the Convention on the Continental Shelf.

Sincerely yours,

E. L. Bartlett.

U.S. Senate,
Washington, D.C., May 11, 1963.

Hon. Dean Rusk,
Secretary of State,
Department of State,
Washington, D.C.

Dear Mr. Secretary: Reports have been circulating in Alaska and here in Washington that Japan intends to send several fishing vessels to the Kodiak Island area in the Gulf of Alaska for the purpose of experimental fishing for king crab. I have made my position known to the Department of State on more than one occasion that king crab along with dungeness crab must be protected as a resource on the Continental Shelf for exclusive use by American fishermen. I insist that the United States violently protest any encroachment on this natural resource by the Japanese in the Kodiak area. I insist that Japan be informed and immediately notified that no Japanese king crab fishing will be permitted in the Kodiak area. I insist that the U.S. Government immediately carry out its obligation under international law to protect this resource from any further encroachment by the Japanese in the Gulf of Alaska. And I insist that this be done without condition and be done without delay.

I look forward to your confirmation that this has been accomplished and that the Japanese have been clearly informed that such action as has been proposed by them in the Kodiak area will not be tolerated.

Sincerely yours,

E. L. BARTLETT.

Mr. BARTLETT. Moreover, Mr. President, the convention specifically recognizes the so-called baseline method of measuring our territorial waters. I have pled and other Alaskans repeatedly have pled that this method of measurement be adopted pursuant to the international treaty. During the same Conference on the International Law of the Seas, the United States and Canada jointly proposed the extension of our territorial waters to 6 miles for all purposes and an additional 6 miles for fishing rights. This proposal missed by only one vote of obtaining the required two-thirds majority with 52 nations voting with the United States and Canada, 28 voting against, 5 abstaining, and 1 absent. With other nations in Europe and with our neighbor Canada considering the extension of our territorial waters for the protection of fishing resources, I call again upon the U.S. Government to consider the protection of these resources by the implementation of the provisions of the International Convention on the High Seas and by an extension of our territorial waters in a manner that will give at least the same protection to our fishing resources and our fishermen as will be given to the fishermen and fishing resources off the coast of Canada and European countries.

Mr. President, I would like to add at this point a copy of a letter I wrote to Hon. Frederick G. Dutton, Assistant Secretary of State on May 10, regarding this proposed meeting and a copy of Senate Joint Resolution No. 10, introduced by Alaska State Senators Hansen, Kilcher, Begich, Smith, and Harrison.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

MAY 10, 1963.

Hon. FREDERICK G. DUTTON,
Assistant Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. DUTTON: News reports have reached me within the past week indicating that the British Government has announced its withdrawal from an agreement establishing the 3-mile limit on fishing. I understand that the British Government also has announced a meeting and invited members of the European Free Trade Association, the Common Market, Iceland, the Irish Republic, and Spain to a conference on fishing problems this fall. I would appreciate being advised as to whether the United States considers it likely that an extension of the 3-mile limit on fishing will be considered at this meeting and whether such an action is likely to result in an agreement among these nations as to the extent of their jurisdiction over fishing waters off their coasts.

Sincerely yours,

E. L. BARTLETT.

SENATE JOINT RESOLUTION 10

Joint resolution relating to the territorial waters of Alaska

Whereas the fisheries abutting the Alaska coast are of enormous economic value and represent the sole source of livelihood for scores of American nationals; and

Whereas American nationals have fished for years under carefully planned and stringent conservation regulations imposed to insure maximum sustained yield from the resource; and

Whereas recent years have seen an increased amount of foreign fishing effort in the waters abutting the Alaska coast; and

Whereas alien fishermen fish entirely free of conservation restrictions imposed on American citizens; and

Whereas the U.S. Government, charged with the obligation of protecting American fisheries from foreign encroachment, has taken insufficient action to protect the resource either through assertion of a greater territorial belt of water than 3 miles or application of the so-called base line method already sanctioned for use by the International Court of Justice; and

Whereas Gov. William A. Egan, of the State of Alaska, has attempted unceasingly to impress upon the U.S. Government the gravity of intrusions by foreign nationals into waters historically considered American and the necessity of establishing a broad claim to waters adjoining the Alaska coast; and

Whereas the Governor, faced with the complete lack of action on the part of the U.S. Government, has acted courageously in protesting the fisheries of Alaska through State action when circumstances required; be it

Resolved, That the Legislature of the State of Alaska offers its commendation to Gov. William E. Egan for his past action, and vigorously urges the U.S. Government to act quickly in establishing broad water areas adjoining the Alaska coast as subject solely to U.S. sovereignty; and be it further

Resolved, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable Dean Rusk, Secretary of State; the Honorable Stewart L. Udall, Secretary of the Interior; the Honorable John W. McCormack, Speaker of the House; the Honorable William A. Egan, Governor of Alaska; and the members of the Alaska delegation in Congress.

Passed the senate March 1, 1963.

FRANK PERATROVICH,
President of the Senate.

Attest:

EVELYN K. STEVENSON,
Secretary of the Senate.

Passed the house March 28, 1963.

BRUCE KENDALL,
Speaker of the House.

Attest:

PATRICIA R. SLACK,
Chief Clerk of the House.

IS BASEBALL AN UN-AMERICAN GAME?

Mr. McGOVERN. Mr. President, on May 2, the distinguished Republican whip and Senator from California [Mr. KUCHEL] delivered a significant address entitled "The Fright Peddlers." The Senator dealt at length on what he aptly described as "the danger of hate and venom, of slander and abuse, generated by fear and heaped indiscriminately upon many great Americans by another relative handful of zealots, in the ranks or clutches of self-styled 'I am a better American than you are' organizations."

The Senator from California called attention to the fact that the John Birchers and other fearmongers have accused such patriotic Americans as Dwight Eisenhower and John Foster Dulles of being traitors and Communist stooges. He also commented on the wild attacks being made on the United Nations by extremists both of the left and the right.

Although Senator KUCHEL detailed most of the favorite targets of the "freight peddlers," the current issue of Harper's magazine humorously warns us of a new potential "danger."

In an article entitled "Allston Wheat's Crusade," Mark Epernay—the pseudonym of an eminent public servant—projects the coming attack of the fearmongers on baseball and other team sports. The central figure in the article is a mythical character, Allston Wheat, author of a book entitled "The Menace of the Team." In pointing up the dangers of team sports, Mr. Wheat writes:

> America, as we know it, was built on the system of individual free enterprise. Under that system every individual stands on his own two feet, shoulders his own burdens, and fights his way to the top by his own two-fisted efforts.
>
> These are the principles of American individualism. But do we train our people in these principles? We do not. We consciously and deliberately train the youth of our Nation in principles that are completely opposed to the spirit of American individualism.
>
> Every healthy, able-bodied young American is encouraged to participate in organized athletic sports, to play on a team. There he is indoctrinated with the team spirit. This tells him to think not of himself but of the other players. It tells him he must not shine at the expense of others, for if he does so he is a bad team player. It tells him that he must always back up the other players, be responsible for them, do what they fail to do. He learns it is the team that wins, not the man. If there is a prize or reward, it goes not to the man but to the team. The team is the social group which always comes first. Society comes first, the individual last. At every point the young American is schooled against individualism. At every point team sports indoctrinate him in the principles and practices of collectivism and socialism.
>
> Nor is this all. The teamplayer is taught that he must accept without question the commands of the coach, captain, or quarterback. He must bow to the authority of the group or accept the consequences. This is authoritarianism, and since he must comply completely with the voice of authority, it is also totalitarianism. If a man has been schooled in totalitarianism on a sandlot or in the Yale Bowl, or even as a spectator at the

Yankee Stadium, is he likely to resist it in real life?

America is a country of team sports. We must see these sports for what they are. They are brainwashing stations for individualism. They are the training schools for collectivism, socialism, authoritarianism, and totalitarianism.

If you are looking for the real advance guard for modern communism, you should go to the fieldhouses and the football stadiums.

In other passages Allston Wheat, who was known as All during his college tennis championship days, draws attention to the alarming fact that the great expansion of football, baseball, and other team sports has occurred since the Russian revolution of 40 years ago—obviously a highly significant relationship.

Mr. President, for any possible edification it may offer, I ask unanimous consent that the Harper's article, "Allston Wheat's Crusade," be printed at this point in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Allston Wheat's Crusade

(By Mark Epernay)

(How a patriot (he says) is saving American youth from the most insidious subversive idea yet uncovered.)

In the fieldhouse locker room of a large midwestern university, a tall, serious-looking boy has just shaken hands with a little group of teammates and is saying goodby to the coach. The coach holds the boy's hand for a moment and pleads with him. The boy shakes his head, squares his shoulders a trifle, and walks slowly out the door. There is a sequel next morning. Students stare at the headlines in the university daily:

CAI CLAIMS ANOTHER AT STATE—BREJENSKI TURNS IN UNIFORM, LEAVES SQUAD

This scene hasn't been enacted as yet. But the day is not distant when it may be commonplace. For a crusade is in the making to convince America that team sports are subverting her youth. It is still too early to say whether it will succeed. If it does, it will plunge organized athletics into the most serious crisis of its existence. Men who have never heard of Karl Marx, who consider Joseph Stalin another troublemaker now safely with the majority, and who find the baseball averages rather high mathematics will be involved in one of the hardest political, philosophical, and ethical decisions of the decade.

The man who is sounding the tocsin is a solidly built, kindly-appearing Pennsylvanian with sharp blue eyes and an urbane self-assured manner who, despite a tendency to slight corpulence, carries himself with the easy grace of the athlete he once was. His name is Allston C. Wheat and until a few months ago his fame rested on having been one of the best tennis players ever graduated from Cornell and on a subsequent career as a wholesaler of ethical drugs, antibiotics, and rubber drug sundries in Philadelphia. He retired from business a few years ago when his company passed into the ownership of a chain of wholesale druggists and he now lives with his divorced daughter and two grandchildren in the town of Haverford.

The termination of his business career gave "All" Wheat, as he was called in his tennis days, the time to catch up on the reading which he had been forced to neglect as an active businessman. He delved into the works of Jeremy Bentham, Ludwig von Mises, Henry Hazlitt, William Buckley, Dr. Herschel McLandress, Ayn Rand, the National Association of Manufacturers, the American Medical Association, and Senator Barry Goldwater. He also made a full collection of the advertisements on social and economic policy of the Warner & Swasey Corp. and began to take serious interest in movements designed to alert America to the menace of domestic socialism and communism. This study and experience provided him, he has since said, with the basic insights for understanding the world of sport. These he presented in his thoughtful but plain-spoken pamphlet, "The Menace of the Team," which has been called the bible of his movement.

Allston Wheat's case against team sports is regularly cited by his admirers as an example of the powerful and logical mind of the modern conservative leader at work. The following quotations are from "The Menace of the Team" unless otherwise indicated:

"America, as we know it, was built on the system of individual free enterprise. Under that system every individual stands on his own two feet, shoulders his own burdens, and fights his way to the top by his own two-fisted efforts.

"American individualism means that the individual is guided by his own self-interest. He is not responsible for, or to, others. He is responsible for, and to, himself. He knows that because some win in the game of life some must lose. He is out to win. He is not concerned with what happens to those who lose. Nor does he want to be.

"The individualist is his own boss. He does not take orders from any commissar or bureaucrat. He is answerable only to himself. What he gets he keeps.

"These are the principles of American individualism. But do we train our people in these principles? We do not. We consciously and deliberately train the youth of our Nation in principles that are completely opposed to the spirit of American individualism.

"Every healthy, able-bodied young American is encouraged to participate in organized athletic sports—to play on a team. There he is indoctrinated with the team spirit. This tells him to think not of himself but of the other players. It tells him he must not shine at the expense of others, for if he does so he is a bad teamplayer. It tells him that he must always back up the other players, be responsible for them, do what they fail to do. He learns it is the team that wins, not the man. If there is a prize or reward it goes not to the man but to the team. The team is the social group which always comes first. Society comes first, the individual last. At every point the young American is schooled against individualism. At every point team sports indoctrinate him in the principles and practices of collectivism and socialism.

"Nor is this all. The team player is taught that he must accept without question the commands of the coach, captain, or quarterback. He must bow to the authority of the group or accept the consequences. This is authoritarianism and since he must comply completely with the voice of authority, it is also totalitarianism. If a man has been schooled in totalitarianism on a sandlot or in the Yale Bowl or even as a spectator at the Yankee Stadium, is he likely to resist it in real life?

"America is a country of team sports. We must see these sports for what they are. They are brainwashing stations for individualism. They are the training schools for collectivism, socialism, authoritarianism, and totalitarianism.

* * * * *

"If you are looking for the real advance guard for modern communism you should go to the fieldhouses and the football stadiums."[1]

Documenting his case, Allston Wheat shows that the great expansion in team sports—football, basketball, baseball, volleyball, hockey—has taken place in the last 40 years or since World War I. Thus its rise coincides almost exactly with the rise of socialism, communism, welfarism, and other forms of collectivism since the Russian revolution. It would be indeed naive, Mr. Wheat insists, to imagine that the two movements are unrelated.[2]

In fact Allston Wheat thinks our entanglement in collectivist athletics was a well-planned operation. Like most other collectivist ideas, team sports originated in the Ivy League colleges. Some Ivy League intellectuals certainly saw with considerable clarity what the role of team sports would be. Wheat especially notes the conclusions of Prof. Barton Wheeler some 50 years ago in his book, "The Social Instinct," as proof of this point:

"Although the higher anthropoids derive pleasure from each other's company and form themselves readily enough into social groups, until we get to man himself we find them deficient in the instinct to social cooperation. While they can be taught simple games, vide the baseball game made familiar by apes at the circus, there is no evidence of such play as a form of social skill or as a spontaneous manifestation of enjoyment. The reason is that a game is a highly developed social phenomenon involving a complex commitment to interdependence and a highly developed capacity for providing and accepting leadership. These social qualities are developed only at a relatively advanced state in man.[3]

Wheat thinks that what was clear to Professor Wheeler in 1911 was surely evident to other professors before and since. "Harvard introduced the ideas of Marx and Keynes to the United States," he says in "The Menace of the Team." "Why, therefore, should it draw the line at collectivist sports? The modern socialist state and modern collectivist athletics are both founded on the same fundamental idea, namely the subordination of the individual to the group—or mob."

In Allston Wheat's view, the individual's instinctive reaction to athletics is a precise index of his attitudes toward collectivism.[4] He scoffs at the idea that Dwight D. Eisenhower was either a conscious or an unconscious agent of the Communist conspiracy. Eisenhower showed his instinctive individualism by his preference for a strongly individualist game, namely golf. Many conservative businessmen and Republicans react naturally in the same way. Liberals have never liked golf. Herbert Hoover showed his extreme individualism by his preference for fishing—a sport which requires neither another player nor a companion. Franklin D. Roosevelt, by contrast, went sailing with a crew and, very significantly, insisted on being the captain. The Kennedys showed from the very outset by their impromptu games of touch football that they are collectivist to the core. And Nelson Rockefeller, he predicts, will show up in the baseball bleachers and at football games and otherwise play for the collectivist vote.

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[1] The last quotation is from an address by Mr. Wheat entitled "Athletics and Americanism," given at the Workshop on Athletic Individualism, University of Greater Dallas, Jan. 22–31, 1961.

[2] The parallel is, in fact, even more striking. In 1867 the first rules for collegiate football were drawn up in Princeton, N.J. That was the year of the publication of "Das Kapital." The National League (originally the National League of Professional Baseball Clubs) was organized just 9 years later. Basketball was invented in 1891 and the Socialist Labor Party ran its first candidate for President in the following year.

[3] Beacon Hill Press, Boston, 1911.

[4] Mention may be made here of the use which Wheat makes of the work of Dr. Herschel McLandress, the famed Boston psychometricist. Dr. McLandress has shown that successful participants in team sports have a McL–C that is substantially higher than that of most other celebrities. The McL–C or McLandress Coefficient measures the intensity of the individual's relation to self: the lower the coefficient, the higher the intensity. Wheat, who has checked his conclusions carefully with Dr. McLandress, considers the McL–C to be a good index of individualism.

"Ideas are all very well," Allston Wheat has said, "but to alert America to the menace of collectivism, there is no alternative to effective organization." Following the publication of "The Menace of the Team" he invited a group of likeminded patriots to meet with him to formulate a program of practical action. Over a dozen answered the call and the fruit of nearly a week of arduous planning and discussion at French Lick, Ind., early last year was the decision to launch the Crusade for Athletic Individualism, now popularly known as the CAI. The aim of CAI is a comprehensive educational program on the dangers of team sports, or as the French Lick Congress declared in its Call to Action, "The lifting of the storm warnings on the collectivist training of our youth in the principles of athletic cooperation."

No one in CAI minimizes the difficulty of the task. Other collectivist ideas—social security, socialized medicine, consumer cooperatives, publicly owned utilities, Government-owned communication satellites, farm price control, post exchanges, new TVAs—have been successfully attacked and their advocates have been exposed. But collectivist athletics have gone largely unnoticed.[5] It will not be easy to awaken people to their danger. Nevertheless, it is Allston Wheat's conviction that the American people invariably respond to any danger that is effectively presented.

The Communist Party has always placed its principal accent on youth. So, according to Allston Wheat, have the sponsors of collectivist athletics. And so will the Crusade for Athletic Individualism. Present plans call for an organization, called a Cell for Individualist Athletics, in every sizable American community and in every high school, junior high school, preparatory school, college, university, and at West Point, Annapolis, and the Air Force and Coast Guard academies. "You may depend on it," Allston Wheat said in a recent address inaugurating the Yale University Cell; "wherever sports for our youth are organized we will be organized." Wheat's first great triumph occurred 2 months ago when two Army divisional commanders, responding to his appeal, abolished all collectivist athletics in their commands. Their action was warmly endorsed by congressional supporters of Wheat's crusade who have warned Secretary of Defense McNamara against any effort to withdraw "The Menace of the Team" from the list of approved pamphlets for Army orientation programs.

In most American communities the crusade will concentrate initially on the Little Leagues. In Allston Wheat's view, if an 8- or 10-year-old can be sufficiently indoctrinated with the team spirit and the habit of submission to group authority he will become the finished raw material for collectivism for life. He says in "The Menace of the Team": "No 10-year-old who has been taught that he must submit to the authority of the team and that all glory accrues to the team will ever again be an unadulterated individualist." Wheat notes that the Little Leagues are a modern development and that our forefathers would never have thought of organizing children into teams. "They are the product of the same period and the same paternalist thinking that brought us the welfare state. In my book there is very little difference between the man who destroys the individualist character of our children and the man who molests them in a park."

In the colleges the Crusade for Athletic Individualism will work closely with Young Americans for Freedom and the Intercollege Society for Individualists. Together CAI, YAF, and ISI hope to bring coaching staffs into the same line of critical fire that has hitherto been concentrated on socialist and other semisubversive professors. There is no intention of interfering with established traditions of academic freedom and tenure. But it is believed that if the position of the coach can be made intrinsically uncomfortable and less remunerative, many of the more dangerous men will be driven from the profession. "One must suit the means to the ends," Allston Wheat has said. "The coaches the the training cadres of athletic collectivism."

However, the principal effort will be to enroll athletes in CAI which, of course, means their immediate withdrawal from team sports. A number of colleges and universities—the University of Southern California, Notre Dame, Georgia Tech, Swarthmore, Harvard, Ohio State, Brandeis—are expected to meet this step by requiring promising young athletes to sign pledges at the time of their recruitment that they will not join CAI. Allston Wheat has strongly denounced these "yellow dog contracts."[6]

One important function of Wheat and his followers will be advising corporations on their recreation and athletic programs. Many large firms—General Motors, General Electric, General Dynamics, General Mills, General Baking, General Telephone, General Aniline & Film, International Shoe—have used team sports in their company recreation programs or have encouraged their dealers to sponsor teams or have given moral support to team sports in their communities. This means, according to Wheat, that they have been unconsciously indoctrinating their executives, employees, and customers in the ideas of collectivist cooperation and leadership.

"General Motors would never allow the organization of its younger executives into production brigades, communes, stakhanovist groups, work cooperatives, or industrial shock troops. It knows that these ideas belong to the Russians and the Red Chinese. Yet it encourages athletic teams which are constructed on exactly the same principles. Both insist on the absolute supremacy of the group over the individual and of socialist achievement as compared with individual achievement. The modern American corporation—deploying as it does great resources in money and manpower—is the natural defender of individualism. It should be the leader in the fight against collectivist indoctrination on the playing fields. It has not yet begun to shoulder its mandate."[7]

Industrial firms have responded well to CAI appeals. A number have dropped their recreation programs or revised them to exclude team sports. One large Delaware corporation has retained Allston Wheat as its recreation consultant. Word was quietly passed at the last meeting of the Congress of Industry of the National Association of Manufacturers that responsible and patriotic executives should henceforth set a good public example in their own recreational activities.

There remains the problem of the public. In the old days, Allston Wheat notes, it was the policy of the Communists to charge admission to their big rallies in Madison Square Garden. Many non-Communists went to see the show. But their dollars went to help finance the Communist conspiracy. "There is no such thing as an innocent spectator," says Wheat. "Dollars that nourish collectivism at Madison Square Garden can also nourish it at the Yankee Stadium and the Yale Bowl."

It is plain, nonetheless, that educating the American public against attendance at athletic events will be a long and slow process. Allston Wheat has rejected proposals for picketing and also for a boycott of the products of firms sponsoring team sports on television. ("Is your razor the instrument of collectivist conspiracy?" was one of the slogans proposed.) These measures could cost the crusade needed support and there is some doubt about the legality of a boycott. Wheat has repeatedly warned his more enthusiastic followers to stay within the law and last summer he personally reprimanded a Jackson, Miss., cell which had raided a number of sandlots in the city and confiscated and destroyed balls, bats, gloves, and uniforms and in one park set fire to the bleachers and backstop.

CAI has other problems to solve. In Washington last summer Attorney General Robert F. Kennedy gave an off-the-record denunciation of the organization that for vehemence startled even seasoned Washington reporters. It developed during the questioning that he was under the impression that CAI opposed all forms of physical exercise. In fact it makes a careful distinction between those sports where the individual submerges himself in the Socialist environment of the team and accepts authoritarian direction from a captain or some other control apparatus and those such as swimming, diving, boxing, wrestling, and squash where he is on his own.

These latter sports may even nurture individualism and the spirit of individual enterprise. Allston Wheat points out that many of his crusaders are graduates of the enterprise sports[8] and reminds audiences that CAI Vice President Timothy Jeffers once went eight rounds with the late Floyd Bennett. Wheat is also proud of his own tennis days although he concedes that, strictly speaking, the brillant net play for which he is remembered would be partly ruled out by his ban on doubles.

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[5] Not everyone was fooled. For many years J. Edgar Hoover has been an habitué of Toots Shor's and "21." Many supposed it was because he liked the sporting company. It is Wheat's view that he had more serious business in mind.

[6] He has had a measure of support in this from the Harvard and Stanford law schools. Writing in a forthcoming issue of the Harvard Law Review a visiting west coast professor has said that the pledges "may well raise questions related to the enforceability of contracts that are against public purpose. The ghosts of Norris and La Guardia are hovering unpleasantly in the wings."

[7] Both quotations are from "Making Your Recreation Program Both Physically and Morally Healthy: A Handbook for Industrial Executives." Crusade for Athletic Individualism, Haverford, Pa. 1961, $1.75.

[8] In "The Menace of the Team" Wheat advocates the use of the term "Enterprise Sports" to distinguish these activities from the team sports. He also strongly protests references to tennis, boxing, wrestling, table tennis, squash, and track "teams." These are not teams in the usual sense of that word. Rather they are individual athletes who, for reasons of convenience, travel and compete in company. They might more accurately be called "consortiums."

His other problem is the exceedingly well-heeled character of his opposition. "Every person who passes through the turnstiles is an unwitting tool of this collectivist conspiracy, for he adds something to its fighting fund."

Texas money is beginning to come in. Also large corporations, Wheat feels, will soon see the need for backing individualism with dollars. Workshops on athletic individualism will be held this coming winter in Los Angeles, Oakland, Indianapolis, and Midland, Tex. Still Allston Wheat stresses the need for enlightened mass financial support: "The collectivists will fight with all they have. Those of us who are waging this battle will give generously of our time. We can only hope that the millions of Americans who have a stake in this struggle will be as generous with their money."

In a more intimate mood, Allston Wheat has analyzed the financial prospect. "There are, we estimate, about a half million people in this country who can be taken by a movement such as ours. In the past year or two, they have been hit pretty hard by the Birchers, the Christian Crusade, the National Indignation boys, the Katanga Freedom Fighters, and the rest. And some of the best gulls will think that we are pretty far out. Still, I am predicting a pretty damn good score."

RIGHT-TO-WORK LAW—MISCHIEVOUS MYTH?

Mr. WILLIAMS of New Jersey. Mr. President, a few weeks ago I introduced a bill (S. 1334) for myself, Senators HUMPHREY, MORSE, MCNAMARA, ENGLE, and CLARK to repeal section 14(b) of the National Labor Relations Act. Section 14(b) permits States to enact so-called right-to-work laws. Because the slick adman phrase, "right to work" clouds the basic issues, these laws have not been given a careful enough analysis or appraisal by the general public. Two basic considerations should be kept in mind when considering these so-called right-to-work laws:

First, the real issue is whether government should be permitted to interfere with the mutual agreement of an employer and his employees about whether the employees should, or should not, be members of a union. Today, an employer has great latitude in determining whom he will hire and retain—this is the traditional pattern in America. Except for discrimination on the basis of race, no one says government should interfere with an employer's decision as to what skills or background an employee should possess as a condition of employment. Surely if an employer can determine who shall work, this same employer and the majority of his employees should have the same right to make the same decision without government interference. In short, I do not favor any law that imposes a compulsory open shop on an employer and his employees any more than I favor a law that imposes a compulsory closed shop. The degree of union security, be it a union shop, an agency shop, or maintenance of membership shop, is a decision that should be left to the employer and his employees to decide at the bargaining table.

Second, the proponents of the compulsory open shop continually confuse a bargaining unit with other types of voluntary associations, such as a church or private club. They assert that a person should be able to withdraw from any voluntary association. This is generally true. A union, however, is different from other voluntary associations in a very important way. When a person drops out of a voluntary association he no longer receives the benefits he received when he was a member. For instance, the person who drops out of a golf club no longer has the right to use the golf course or clubhouse. A union, in contrast, by Federal law has the legal duty to confer the benefits of collective bargaining on all employees, union members or not. Simple justice and responsible collective bargaining, then, dictate that when a union is required to benefit all employees, it should receive a fair share of financial support from all employees. Thus, the question is not whether anyone has the right to work, but rather whether anyone has the right to ride free and to charge the fare to his fellow workers.

Aside from being on weak ground theoretically, the right-to-work laws really do not benefit the people in the States that enact such laws.

I would like to call the attention of the Senate to the fact there is a growing demand to repeal so-called right-to-work laws in States that have enacted these anticollective bargaining laws.

State after State burdened with these laws are finally facing up to the hard economic reality that such legislation has not added to economic growth and industrial expansion, as promised by sponsors of these laws. Instead, these laws have retarded the economy and served to perpetuate low wages and an unhealthy labor-management relationship.

One of the most recent of these demands for repeal of the so-called right-to-work law has been voiced in the State of Georgia by the Atlanta Constitution, one of the oldest and most respected newspapers in the South. After a 15-year trial of this restrictive law, the Constitution concludes that the legislation has harmed the State's economy and should be repealed.

In its April 30, 1963, issue, the Constitution published an article under an eight-column banner headline which asked: "Is Right-To-Work a Crippler and Repeal Overdue?"

The article cited some interesting statistics on how Georgia wage levels and per capita personal income averages have continued to remain far below the national averages under the so-called right-to-work law and stated emphatically:

> Arguments that right-to-work laws somehow stimulate economic growth, that such legislation is advantageous in competing for new industry, just don't hold water.

The Constitution argues that instead of narrowing the gap between Georgia's average hourly manufacturing wage and the national average, the gap between Georgia's per capita income and the national average, has actually widened in the period between 1950 and 1962:

> Georgia's average hourly manufacturing wage of $1.08 in 1950 was 39 cents below the national average of $1.47. Last year, Georgia factory workers averaged $1.77 an hour, which was 62 cents below the national average of $2.39.
>
> In 1950, Georgia's per capita income of $1,017 was $474 under the U.S. average of $1,491. But the State's 1962 per capita income of $1,714 trailed the U.S. average of $2,357 by a margin of $643, the widest gap in at least 13 years.

Georgia is by no means the only victim of the depressing effect of the so-called right-to-work law. The Constitution article quotes a 10-year study of the impact of these laws, made by Dr. Milton J. Nadworny, professor of commerce and economics at the University of Vermont, and published in the April issue of Challenge, a periodical published by the Institute of Economic Affairs of New York University. Dr. Nadworny's study shows conclusively that Georgia's unhappy experience with the right-to-work law has been repeated, almost without exception, by other right-to-work States.

In this connection, and for similar reasons, there have been demands in other States to repeal right-to-work laws.

In Kansas, the Hutchinson News indicted the right-to-work law in an editorial which declared:

> One of the promises of those who promoted the right-to-work law in Kansas was that it would lure new industries to the State. Manufacturers, it was argued, would seek a new location where the union shop was outlawed, unions were weaker, wages lower and labor troubles less. It hasn't worked out that way * * * everyone is crying that Kansas is missing the boat as far as the Nation's industrial expansion is concerned.

And in Indiana, the South Bend Tribune demanded the legislature repeal Indiana's 1957 right-to-work law in an editorial which stated:

> We think Indiana's 6-year-old law banning union shops has failed to right any wrongs and, worse, has increased labor tensions in Indiana's industry. It should be repealed * * * the only thing the right-to-work law has really done in 6 years has been to perpetuate a source of hostility on both sides of the labor-management relationship. There is no reason to think it will ever do more than that.

In view of the importance of the continuance of responsible collective bargaining to the expansion of the Nation's economic prosperity, I ask unanimous consent to have printed in the RECORD the editorial published in the Atlanta Constitution and the study by Dr. Milton J. Nadworny, the economist, cited by the editorial.

There being no objection, the editorial and study were ordered to be printed in the RECORD, as follows:

[From the Atlanta Constitution, Apr. 30, 1963]

GEORGIA BUSINESS—IS RIGHT-TO-WORK A CRIPPLER AND REPEAL OVERDUE?

(By Jim Montgomery)

Georgia's so-called right-to-work law may be crippling the State's economic progress. If so, its repeal is long overdue.

Casting serious doubt on the alleged blessings of right-to-work legislation is a new study published this month in a respected national economic affairs magazine. Georgians might have ignored such a study a few years ago. But this one happens along with the emergence of a new atmosphere which finds more and more Georgians becoming fed up with poverty and unsympathetic with laws which threaten to prolong the State's economic subservience.

Witness the repeal in 1960 of the school-closing laws, the scuttling this year of the factory-estranging 3-percent sales-use tax on production machinery. Both loomed as strong threats to economic progress.

Now suspect as a barrier to the more rapid growth and diffusion of prosperity in Georgia is the right-to-work law. But circumstantial evidence against this law is, at the very least, strong enough to warrant an immediate and exhaustive legislative re-examination of its economic impact.

And some may regard the new evidence alone as sufficient grounds for outright repeal.

Consider the carefully documented indictment of right-to-work laws in the April issue of Challenge, a periodical published by the Institute of Economic Affairs, New York University. The author is Milton J. Nadworny, professor of commerce and economics at the University of Vermont. He minces no words in his conclusions:

"Right-to-work legislation aims to weaken the bargaining and organizing strength of unions and reduce pressures for wage increases.

"We must conclude that such statutes have widened the wage and income gap between right-to-work States and the Nation as a whole."

And his contention that right-to-work legislation "is certainly aimed at limiting wage increases" rests on ample statistical verification.

He shows that in the 19 States, including Georgia, which adopted right-to-work laws between 1947 (when first permitted under the then new Taft-Hartley Act) and 1958 both hourly manufacturing wages and per capita personal income have been falling farther and farther behind the national averages.

In 1950, hourly manufacturing wages in these 19 States averaged $1.26, or 21 cents below the U.S. average of $1.47; in 1962 the 19 States averaged $2.10, but despite the increase lagged 29 cents behind last year's U.S. average of $2.39.

The per capita income story is the same. In the 19 right-to-work States it fell from $281 below the national average in 1950 to $379 below by 1961. And the number of these 19 States trailing the U.S. average increased from 15 in 1947 to 18 last year.

Georgia's experience is apparently representative.

Its so-called right-to-work law, a type of legislation which prohibits the union shop and most other forms of union security, has been in effect since 1947.

Georgia's average hourly manufacturing wage of $1.08 in 1950 was 39 cents below the national average of $1.47. Last year, Georgia factory workers averaged $1.77 an hour, which was 62 cents below the national average of $2.39.

In 1950, Georgia's per capita income of $1,017 was $474 under the U.S. average of $1,491. But the State's 1962 per capita income of $1,714 trailed the U.S. average of $2,357 by a margin of $643, the widest gap in at least 13 years.

That's progress?

Or is it simply a revelation of the severe impact on Georgia of a so-called right-to-work law designed to limit wage (and, therefore, income) increases?

And just imagine how much worse Georgia would show up in comparison with U.S. averages excluding the right-to-work States.

Arguments that right-to-work laws somehow stimulate economic growth, that such legislation is advantageous in competing for new industry, just don't hold water.

True, Georgia and other right-to-work States annually record millions of dollars of capital investment by manufacturers on new plant and equipment.

But it is also true that most right-to-work States, Georgia among them, are still dominated by low-wage industries.

And when it comes to capital investment in new manufacturing plant and equipment, the right-to-work States are on the whole strictly minor league.

Take 1961, when capital spending in Georgia by manufacturers totaled $148 million.

Twenty other States were higher.

At the top of the heap, as usual, were Pennsylvania, Ohio, California, New York, and Illinois, none of which have ever had right-to-work laws and all of which are prosperous beyond the dreams of right-to-work States in terms of wages and incomes.

Each of these five States was in the $680-million-to-$730-million bracket in capital spending last year. Together they accounted for more than one-third of the national total.

And along with four other non-right-to-work States—Michigan, New Jersey, Massachusetts, and Wisconsin—they somehow managed to attract well over half of the $9.4 billion plowed into new manufacturing plant and equipment during 1961 throughout the Nation.

Nor was that year an exception for them. These same nine non-right-to-work States likewise came up with 62 percent of the nearly $90 billion so spent in the entire 1951–61 period.

Admittedly, all of this evidence is circumstantial.

No one can prove any more conclusively right now that Georgians would have higher wages and incomes or more industry today if the State hadn't adopted a right-to-work law 16 years ago.

But neither can anyone prove that this law has stimulated the State's economic growth or benefited most Georgians.

So why keep it?

[From Challenge, April 1963]

IMPACT OF RIGHT-TO-WORK LAWS

(By Milton J. Nadworny)

(Most of the States which have adopted right-to-work legislation lag behind the Nation as a whole in wage and income levels. Milton J. Nadworny, professor of commerce and economics at the University of Vermont, shows that the dollar-and-cents gap has widened between wages and income in right-to-work States and in the Nation as a whole. A precise cause-and-effect relationship may not exist between the widening wage gap and right-to-work legislation. But such legislation is certainly aimed at limiting wage increases.)

A vigorous struggle over right-to-work laws is in the offing. The conservatives in Congress may attempt to expand the scope of section 14b of the Taft-Hartley Act, on which the right-to-work statutes of 20 States are largely based. The liberals, for their part, are likely to seek congressional repeal of the crucial clause.

In 1947, when the Taft-Hartley Act was passed, a dual system was created under Federal law. The closed shop, which makes union membership a prerequisite for hiring, was declared illegal. The union shop, which requires employees to join the union within a certain time after hiring, or after the collective bargaining agreement has gone into effect, remained legal. Section 14b, however, permitted the States to enact legislation limiting or making illegal the union shop.

Since Taft-Hartley came into effect, two-fifths of the States have enacted so-called right-to-work laws, which prohibit most forms of union security. Wyoming, the most recent addition to the right-to-work fraternity, enacted appropriate legislation early in 1963.

State right-to-work statutes affect union security arrangements negotiated by employers and unions and incorporated into labor agreements. These agreements generally impose some obligations on workers to join unions and pay union dues. The most widely used arrangement is the union shop. Another plan requires employees to remain in the union once they have joined it. Many other forms of union security are variations of these two systems. Recently, for instance, the "agency shop" has attracted some attention. It requires all employees to pay dues to help support the union which represents them, but membership in the union is optional.

Repeal of section 14b would prevent State laws from being applied to workers covered by the Taft-Hartley Act—those engaged in interstate commerce. It would not, of course, prevent the States from restricting the union shop in intrastate commerce. But since most employees and most collective bargaining arrangements come within the scope of interstate commerce, restrictive State legislation would have only a limited effect and application.

Both constitutional amendments and legislative statutes have been adopted by States to limit union security. In the 3 years prior to the enactment of the Taft-Hartley Act, five States—Arizona, Arkansas, Florida, Nebraska, and South Dakota—adopted constitutional amendments which incorporated the right-to-work idea. In 1947, Georgia, Iowa, North Carolina, North Dakota, Tennessee, Texas, and Virginia passed right-to-work statutes. By 1955 Alabama, Mississippi, Nevada, South Carolina, and Utah were added to the list. After that only three other States joined the right-to-work fraternity: Indiana in 1957, Kansas in 1958, and Wyoming in February 1963. (Since 1947 Delaware, Hawaii, Maine, and New Hampshire have enacted and later repealed such legislation. Louisiana modified its original law to cover only agricultural and certain processing workers.)

Geographically the right-to-work States are grouped in two major clusters. One cluster stretches from Virginia to Texas and includes 10 States. The other grouping encompasses nine States in the plains, mountain, and southwest areas. Indiana is the only right-to-work State in the Great Lakes region.

States adopt right-to-work legislation under a variety of pressures. Political and social considerations are, of course, important factors. Equally in evidence are economic pressures which impel lawmakers and their constituents to press for this kind of legislation.

Sometimes proponents of right-to-work legislation advance the peculiar argument that such laws stimulate the economy. Advocates variously claim that wages in right-to-work States have increased "at a faster pace" than the national average, or that personal income has increased by a much higher percentage in right-to-work States than in the United States as a whole. Let us examine these claims carefully. How large are the wages and income of people in right-to-work States? Have they been catching up to, or surpassing, average U.S. wage and income levels?

Comprehensive State-by-State Department of Labor data on wages paid in manufacturing (average hourly earnings and average weekly earnings) have been compiled only since 1950. Even so, statistics for some non-right-to-work States were not gathered until 1952. On the other hand, personal income data goes much further back in time and gives us a longer perspective.

Our statistics for wages and income in right-to-work States are derived from data for the 19 States which enacted restrictive legislation prior to 1963. (Wyoming, which passed a right-to-work statute in February of this year, is not included.)

In 1950 hourly earnings in the 19 right-to-work States under study averaged $1.26, 21 cents less than the U.S. average of $1.47. By 1961 hourly wages in the right-to-work States stood 23 cents below the national average ($2.09 as against $2.32). These 2 years are but end points. It is also important to note what happened during the intervening years.

Frequently the disparity in hourly wages stood at 24 cents and reached a maximum difference of 26 cents per hour in 1955. Only once, in 1958, did the right-to-work States narrow the gap to within 21 cents of the national average. Afterward the gap widened again to 24 cents in 1959 and 1960. Thus hourly wages in the right-to-work States were generally unable to maintain the 21 cent differential of 1950.

Of course, weekly wages in the right-to-work States have followed a similar pattern. While they rose from $52.47 in 1950 to $85.20 in 1961, the "dollar-and-cents gap" widened from $6.86 to $7.14. Only once during the intervening years did average weekly wages in right-to-work States better their relative 1950 standing. Again that was in 1958 when the national average was $6.39 per week higher.

Available data does show that wages paid in right-to-work States have increased at a faster percentage than nationwide averages. However, gains in dollars and cents have been smaller than the national average.

Equally significant are personal income trends. In 1947 average per capita personal income for the 19 right-to-work States stood $230 below the national average. By 1950 the difference had increased to $281, and in 1961 it was $379. (Interestingly, in 1929 the income of these States was $239 below the national average.)

In only 1 year since 1950 did the 19-State average come within $283 of the national average. During the other years the dollar difference exceeded $300, and twice reached above $400. (Per capita income in the 19 States averaged $1,086 in 1947 and rose to $1,884 in 1961. At the same time, national per capita income increased from $1,316 to $2,263.) Fifteen of the nineteen States had per capita incomes below the national average in 1947. In 1961 the incomes of 18 of the 19 right-to-work States trailed the national average.

Furthermore, part of the increase in wages and income in right-to-work States may be due to national wage patterns established in negotiations between large companies and unions, and/or the increased minimum wage levels guaranteed by the Fair Labor Standards Act as amended.

Eleven of the fifteen States with the lowest hourly rates, both in 1950 and 1961, either had or subsequently enacted right-to-work laws. It is more than likely that changes in the Fair Labor Standards Act, raising the minimum wage for workers engaged in interstate commerce, had the greatest impact on States with the lowest wages. Unfortunately, it would be a herculean task to trace specific effects of national wage agreements and minimum wage changes on general wage levels in right-to-work States, or, for that matter, in other States.

An additional important factor has been the shift in right-to-work States from agricultural to nonagricultural employment, including manufacturing. This trend obviously contributed to an upward movement of the overall income level. For example, in 1950 more people were working on farms than in manufacturing in 14 of the 19 States. By 1960 only seven of the right-to-work States fell into that category. A shift from agriculture to manufacturing ordinarily raises overall personal income, even though wage rates in manufacturing remain unchanged. And even a slight increase in manufacturing wage rates during the 1950's would have accelerated the percentage growth of income in the right-to-work community.

Yet, even though these trends had a marked impact on right-to-work States, their wages and per capita income have lagged further behind the national levels.

Does a direct cause-and-effect relationship exist between this widening dollar gap and right-to-work laws? It is not likely that these laws, by themselves, are responsible for such a development. Undoubtedly, popular hostility toward unions or the prevailing social attitudes might encourage the enactment of right-to-work statutes. But the classical "economic man," who reacts almost solely to economic stimuli, is indeed rare. Right-to-work laws have usually taken root in areas where hostility to unions has been traditionally strong or where a specific event such as labor violence or corruption may have galvanized latent hostility toward organized labor. As a result, restrictive labor legislation may eventually be created.

Hourly wages in manufacturing: U.S. average and 19 "Right to work" States, 1950-62

	1950	1952	1954	1956	1958	1960	1962
U.S. average	$1.47	$1.67	$1.81	$1.98	$2.11	[1] $2.26	[1] $2.39
19 "Right to work" States	1.26	1.44	1.57	1.74	1.90	2.02	2.10

[1] Includes Alaska and Hawaii.

Sources: Employment and Earnings; Survey of Current Business.

Nevertheless, economic considerations do play an important role in right-to-work history. Surely restrictive laws were not promulgated to raise wages. The general public and some small businessmen believe that any and all unions generate strong pressures for higher wages. Whether or not this is true is not the issue. Right-to-work legislation aims to weaken the bargaining and organizing strength of unions and reduce pressures for wage increases.

It is more than coincidental that wages and incomes are low in most right-to-work States. Furthermore, as Fortune magazine noted, small business groups and some farm organizations have done most of the lobbying for right-to-work legislation. Few large corporations have taken a stand on the right-to-work issue.

Small business firms tend to pay lower wage rates and this may help explain the right-to-work movement. To be sure, this does not mean that all low-wage and low-income States have, or will have, right-to-work laws, or that all right-to-work States have low wages or low per capita income. Nor do we suggest that all small businessmen, or even a majority of them, favor this type of legislation. It does indicate, however, that much of the support for right-to-work statutes has come from small business leaders and farm groups.

In the fall of 1961 the Southern Governors' Conference was held in Nashville, Tenn. The conference's Committee on Industrial Development noted that the annual per capita income of southern industrial workers was $800 below that of other regions. The committee conceded that in the past the South had relied "on industries in which wages are on the bottom of the list" and had not been "selective" in attracting new industry. Perhaps for the first time an authoritative group of southern leaders admitted that some Southern States had economic policies which were geared to low-wage firms and industries. More than coincidentally the South included a majority of the right-to-work States.

As a matter of fact, 3 months prior to the Governors' conference, Prof. C. Vann Woodward, then of Vanderbilt University, denounced the new South's policies, which attracted investors by the promise and guarantee of low wages and low taxes. He stressed the connection between these practices and right-to-work laws.

Given the South's political complexion, it is not at all surprising that, while the conference expressed concern about the conditions of wages and income in the region, it did not relate them to right-to-work legislation. However, it is notable that the Governors faced the realities of economic conditions. They might have pointed with pride to the fact that per capita income in the Southeast had increased 87 percent since 1947, while the U.S. average increased only 72 percent. Unfortunately, per capita dollar income in these States fell farther behind the national average, and the political leaders knew it.

Of course, all the right-to-work States were not represented at the Southern Governors' Conference. Although the experiences of the Southern States have not been exactly identical with those of other right-to-work States, some of the problems revealed are woven into the fabric of virtually all right-to-work legislation.

The facts don't bear out the claims that right-to-work laws actually lower wages. On the other hand, the claims that more rapid or greater gains in wages and income have been achieved in right-to-work States fail to consider all the facts.

It may be necessary to measure changes in economic or other components in terms of percentages. However, when two disparate groups are being compared, the exclusive reliance on percentages may be misleading. The impression may be given that the gap between the two groups is decreasing when it is really increasing. This is precisely the case with respect to the wage and income levels under examination.

The quantities on which percentage calculations are based, especially when the starting points are on different levels, should be indicated. As the Wall Street Journal recently noted in an editorial dealing with the reporting of economic data, "the connection between percentages and economic facts can be very bad."

Some readers may wonder how right-to-work States compare in wages and income to non-right-to-work States. Since the data is incomplete in some cases, and because most of the claims of right-to-work proponents are based on comparisons with national averages, we have examined only the latter relationship. The available information, however, shows clearly that a similar relationship exists between the two groups of States. Only the amount of dollars and cents differs. Indeed, if wages in right-to-work States are compared with wages in non-right-to-work States, rather than with the national average, the 19 States which limit union security arrangements fare even worse.

If we consider the economic arguments of right-to-work proponents on their merit, and if we agree that such legislation has an economic impact, we must conclude that such statutes have widened the wage and income gap between right-to-work States and the Nation as a whole.

RUMANIAN INDEPENDENCE DAY: REMEMBERING THOSE WHO CANNOT SPEAK FOR THEMSELVES

Mr. WILLIAMS of New Jersey. Mr. President, it would be very difficult for us to imagine not being able to celebrate our national day, July 4, without the usual fireworks and fun, rededication and renewal of national spirit, to those ideals of man and his relationship to the state on which our country was founded. Yet within the last 50 years we have twice fought in a world war to protect the right to celebrate this day, dedicated to our Declaration of Independence. The unity and strength of our people in the face of a challenge to our democracy, and the power and resources of this great country to sustain resistance to those who would destroy us, have allowed and will continue to allow us to act as a beacon of freedom to the peoples of the world.

However, this month we commemorate the independence anniversary day of a nation not so fortunate, a nation that has known freedom and has lost it; a nation that must mark the anniversary of their freedom in silence; a nation whose independence day can only be marked with vocal remembrance without the country. On May 10 the people of Rumania should have celebrated a triple anniversary, marking three firm steps toward nationhood. The people of Rumania could not celebrate this day within their country, so it is even more fitting for us to mark this day in our minds and hearts.

Rumania grew to an enlightened nation from the unification of the two provinces long under Turkish rule, Wallachia, and Moldavia. In 1865, during the meeting of the Congress of Paris bringing to an end the Crimean War, the European powers decided to deal with the former Turkish provinces in Eastern Europe. It was suggested that the Assemblies of these two provinces meet and elect a joint leader as the first step toward a unitary government. One of the greatest problems to unity in the past had been constant factionalism between local princes and their followers in trying to secure a predominant position. Such division left the country open to foreign influence. One answer was to bring in a prince from the outside and create a new dynasty. With the timely aid of Napoleon III of France, Charles of Hohenzolleren-Sigmaringen, a member of the Prussian royal household, was voted as Prince of the new Rumania, and was so proclaimed in Bucharest on May 10, 1866. This is the first anniversary to be celebrated.

Next, Rumania allied herself with Russia in her fight against Turkey, and with the alliance threw off the last bonds of Turkish control, declaring her complete independence. On May 10, 1877, Rumania joined with Russia in war against the Turks, and was able to offer great assistance to the Russians in their eventual victory. This support was returned with scant thanks, and an attempt by the Russians to supplant Turkey in influencing Rumanian internal affairs.

The able leaders of independent Rumania were able to resist Russia, but only at the cost of losing Bessarabia, with its mainly Rumanian population, to her former ally. There was still one more step in the attainment of complete independence and national integrity. By an overwhelmingly favorable vote in national election, Charles was made King of Rumania, and known to us in history as King Carol. This was the start of a new dynasty and progress for Rumania as that country entered an unparalleled era of economic and political development which during the next 60 years made Rumania one of the most progressive states in Eastern Europe.

Hitler's war put a stop to this development, and then with the collapse of the Nazis the country was open for domination by force of arms from the Russians, who as Communist imperialists now pushed their way into the position they had tried to take over from the Turks so many years before.

What has happened in Rumania since the Russians established their control is a sad story of repression, cruel pressure against minorities, such as the proud and brave Sezkelers of Transylvania, the suppression of religious and political freedom, and prisons full of those who would articulate against their Communist government and its foreign masters.

We join with our Rumanian friends in marking this day of triple celebration. However, our joy is tendered with deep regret and we extend to those still imprisoned by a benighted government our prayers that, before too much longer, their day of liberation will come and they will join with the free peoples of the world in celebration of the return of the greatest gift of all—freedom.

AT PRINCETON: ANOTHER KIND OF RIOT

Mr. WILLIAMS OF New Jersey. Mr. President, by one of those ironic historical coincidences, the same day that nearly 3,000 Birmingham Negroes rioted to achieve a few fundamental human rights and were greeted with high-pressure firehoses and an armored car for their trouble, some 1,500 Princeton University students staged their own riot, tearing down the fence and trampling the garden surrounding the president's home, throwing cherry bombs on the lawn of the Governor's mansion, overturning garbage cans, tearing screens from several homes in the town, and smashing a 1-ton air compressor.

The juxtaposition of these two events and the impulse behind them provide sufficient commentary, I think, on the Princeton riot, to which there is nothing I need add.

It was a well-publicized riot, which perhaps it deserved to be, and it is easy for us all to be critical of this senseless outburst of young energy.

But the fact is that throughout the rest of the year, a great many students of Princeton—and I am sure it is true at many other universities that also suffer their moments of spring madness—engage in a wide variety of noble and worthy endeavors on behalf of their less fortunate fellow men.

The public image of the students at Princeton and other universities may be one of callous, privileged kids who cannot think of anything better to do with their silver spoons than beat them over other peoples' heads.

But how many are aware that this year a group of dedicated Princeton students will take nearly 300 underprivileged boys off the sweltering streets of New York and Philadelphia and provide them with 2 weeks in a summer camp at Blairstown, as these students have been doing for the last 50 summers? This Princeton summer camp program costs about $27,000 to run, and about half of that amount is regularly contributed by the undergraduate students of the university.

For more than 35 years, the Student Christian Association has sponsored a volunteer program of students, about 35 of them, who go to the Jamesburg State Home for Boys every Thursday night and work with these troubled youngsters, giving them friendship, tutoring services, teaching them crafts and hobbies, and organizing sports and social events. The juvenile delinquents at Jamesburg are getting the attention from a group of Princeton students that they obviously did not get from the rest of society.

And then there are 30 or so students who serve as club leaders 3 times a week at the boys clubs in the Borough of Princeton and Ewing Township.

Another small group of students spend each Sunday with mentally or emotionally disturbed children at the Neuro-Psychiatric Institute in Skillman, N.J., reading to them, teaching them games, taking them on picnics.

One of the most recent and dramatic student endeavors was the Trenton tutorial program initiated earlier this year. More than 150 Princeton students are participating in a tutoring program of junior high school students in the Trenton area who are potential dropouts or whose level of work is not high enough to gain college entrance. A smaller tutoring program has also been started with seventh grade students in the Borough of Princeton, and those who have organized this project are hoping to expand this vital program this summer and next fall.

With an adolescent unemployment rate two times higher than the national average and with the declining demand for unskilled labor as a result of rapid technological advance, the school dropout problem truly is, as Dr. James Conant described it, social dynamite.

This Trenton tutorial program is a perfect marriage of a college student's natural abilities with a critical social need, and I earnestly hope this promising program will expand and succeed.

It offers an excellent channel into which college students at Princeton and elsewhere could pour their energies in a constructive and beneficial manner. Instead of riots that run wild and well beyond boyish exuberance, we desperately need a sustained and constructive "riot" of student energy on behalf of the millions of invisible poor and underprivileged people in this Nation.

As the sponsor of the administration's National Service Corps, which hopes to mobilize the same volunteer spirit in tackling the critical domestic social needs of our time as the Peace Corps has done abroad, I want to offer my congratulations to all the unsung students who have not waited for a nationally sponsored program and to express my hope that perhaps the springtime riots on our college campuses will at least serve to remind the students who participate in them that there are also other ways of demonstrating their spirit and energy, which would serve them as well as the Nation.

EXPANSION OF SODA ASH PRODUCTION IN WYOMING

Mr. McGEE. Mr. President, the State of Wyoming is second to none in the potential it possesses for economic growth and development. As a real indication of that potential I would call to the attention of the Senate an announcement by the Stauffer Chemical Co. that it will soon double the size of its soda ash mine at Green River, Wyo.

This announcement solidifies Wyoming's place as the Nation's principal producer of natural soda ash. Soda ash, or trona, is a necessary ingredient in a great many industrial processes. An article announcing this exciting development appeared in the May 9 issue of the Green River Star and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Green River (Wyo.) Star, May 9, 1963]

Stauffer Contracts To Double Green River Plant Size

Stauffer Chemical Co. of Wyoming, after a year of operation of its new soda ash mine and refinery at Big Island, northwest of Green River, this morning announced a multimillion-dollar expansion program that will double the capacity of the plant. Announcement was made by Donald G. Ellis, president of the company, who is on an official visit to the project. He said that the new addition contracted for the refinery will enable the company to produce between 360,000 and 400,000 tons of soda ash annually at the plant. Present maximum capacity is 200,000 tons annually.

Winston Bros. Co. of Minneapolis, who were the prime contractors on the original mine and refinery, have been given the contract for the expansion program, with L. D. Adams, Jr., project manager for Winston, again in charge.

An announcement posted at the plant this morning said that mining and refining capacities will be doubled within 18 months. Also stated is "we certainly will have the most modern and efficient mining and refining operation in the country." Completion of the new project is scheduled for the fall of 1964.

The processes used at the plant were developed by H. D. Hellmers, vice president of the company and a veteran in soda ash production from brines. George Bowland is resident manager.

President Ellis said "Construction is simplified because our installed service facilities—power, water, railroad and other utilities had already been designed to accommodate the now scheduled doubling of production capacity. Moreover, during the past 2 years, we have been able to develop our Green River trona mine, which supplies the raw material to the refinery, to support this increased production." Ore reserves are estimated at 200 million tons.

Stauffer began commercial production of soda ash at Green River last July. The mine-refinery complex then represented an investment of more than $10 million. Stauffer also produces soda ash at Searles Lake, Calif.

The Wyoming project, state officials, has been under development for several years. Stauffer discovered their massive trona deposits—the sodium sesquicarbonate ore from which soda ash is made—in 1958. Core holes were drilled and evaluated in 1958, 1959 and 1960. Large deposits of high-grade trona ore, they state, were charted only about 900 feet below the surface. The first pilot shaft was driven in 1960.

Stauffer's statement this morning said, "Stauffer's engineering department had to cope with some formidable problems to develop the mine-refinery complex. In addition to sinking mine shafts, the company built a rail-auto bridge spanning the Green River, a 10-mile railroad spur, a water intake and pumping station, and a refinery which operates on a novel, Stauffer-developed process." A gas pipeline and access road also had to be brought into the property.

Stauffer's expansion, plus the continuing additions at the area's original trona producer, FMC, indicate that the Green River area production will soon reach a million tons of refined soda ash annually, confirming Green River's place as the world's principal producer of natural soda ash.

RELIEF CLOTHING FOR SHIPMENT TO PERU

Mr. McGEE. Mr. President, earlier this session I brought to the attention of the Members of this body the new twist given the 50-mile-hike craze by students at Northwest Community College in Powell, Wyo. At that time I mentioned that these students staged a 50-mile hike, not as a prank or joke but as a very successful attempt to publicize the need for warm clothing in the village of Toraco, Peru.

The students had been made aware of this need, Mr. President, because Walter VandeVeegaete, a former student body president, had written his friends in Powell from his Peace Corps post in the village high in the Cordilleras Mountains.

The results of this 50-mile hike are described in an article in the May 10 edition of the Powell Tribune and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Powell Tribune, May 10, 1963]

Over Ton of Clothes Ready for Peru

Teams of students and instructors at Northwest Community College worked late into the night last week preparing nearly 2 tons of clothing for shipment to Peru.

The clothing is destined for the village of Toraco, high in the Cordilleras Mountains, where Walter VandeVeegaete, a former student at NWCC, is serving in the Peace Corps.

The group ended months of preparation and complications last Friday when they sorted, washed, and dryed the clothing.

Sometime this week a truck from the Big Wig Co. will pick up about 15 wool sacks full of clothing and shoes from the college and deliver them to the Seventh Day Adventist Church warehouse in Watsonville, Calif.

The religious group will then transport them to Peru at no cost to the college. To date the only cost to the college has been a few dollars for laundry.

The whole episode started some months back when VandeVeegaete wrote friends in Powell and mentioned people in the village he was stationed in desperately needed clothing. The college responded and students started a clothing drive.

The drive fumbled along until February 17, when 45 students agreed to work to Cody and back to publicize the drive. It worked. People in Cody left the hikers nearly 1,000 pounds of clothing, and people in Powell donated a like amount.

Clothing kept pouring in until the lobby of the administration building was practically full.

Then another problem presented itself. How was the clothing to be shipped to Peru? Checking into the cost, Robert Wharton, business instructor at the college discovered it would cost more than the clothing was worth. Then the business and the church group came to the rescue.

NONSTRATEGIC TRADE WITH RED CHINA

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the body of the Record an interesting article that appeared in the Christian Science Monitor for Tuesday, May 7, 1963, on the subject of nonstrategic trade with Red China.

It would appear that there is an increasing interest developing along the west coast on the part of a substantial segment of business opinion in favor of opening up trade doors through the Red Chinese bamboo wall. Some of the leaders of the west coast grain and milling industry point out that prior to the Communist takeover in China, large quantities of wheat and wheat flour were exported from Oregon to China, and with the surplus wheat problem that confronts the Nation and particularly the Northwest, these business leaders are urging a renewal of such trade. They also point out that prior to the Communist takeover in China large quantities of lumber and other nonstrategic export commodities from the west coast found their way into the channels of commerce with the Orient.

The article in the Christian Science Monitor refers to some of these facts. Of course, any proposal to develop trade with Red China in nonstrategic goods is bound to stir up great controversy, but fortunately, in free America, we are not afraid of public discussion of controversial issues.

Some of the advocates of foreign trade with Red China argue that wheat flour for stomachs and lumber for shelter going into Red China is a much better answer to communism than continued nonentry through the bamboo wall.

They point out further that Canada, Great Britain, in fact, all of our allies in the free nations of the world, are actively promoting greater trade with Communist China. Thus, the advocates for increased trade with China argue that U.S. policy is one of permitting our allies to profit not only economically from their trade with Red China but also they are beginning to create for themselves with the mass of the Chinese people a good will in contrast to the increasing enmity that is developing between the people of Red China and the United States.

Frankly, I don't know what the true facts are in regard to this phase of the problem, but I think we should try to find out if it is true that trade in nonstrategic goods with Red China might not be one way of helping to drive a schism between the Communist leaders of Red China and the mass of the population.

As is pointed out by many persons who claim to know something about the attitudes and psychology of the Chinese people, the mass of the Chinese people are not enthusiastic supporters of the Communist regime but rather have been placed in the situation of necessity which leaves them no other course of action. It is claimed by some that the average person in China could not care less about anything than he cares about the political system that wrecks his life. But on the other hand, he could not care more than he does about his need to obtain sufficient food and the other necessities of life for himself and family so that he can raise himself in his present life of bare subsistence and destitution to the one at least of having a full stomach once in a while.

The advocates among American businessmen and others of trade with Red China in nonstrategic goods insist that the most effective weapon we have against communism in Red China is not being used at all. They believe that within a few years after renewal of trade with Red China, there would be a resurgence of the demand for greater economic freedom in Red China for the mass of the people, and with that demand would go a struggle for greater political freedom as well.

Frankly, I do not even attempt to venture a guess as to what the future of Red China will be, but I do think that our State Department periodically should reexamine our trade policies with Red China and advise those American businessmen who are urging a reconsideration of that policy at the present time what the facts are as seen by the U.S. Government.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, May 7, 1963]

U.S. BAN ON PEIPING TRADE SPURS DEBATE

(By Ralph Nader)

The long-dormant issue of nonstrategic trade with Communist China shows signs of emerging into the arena of public debate.

Substantial business opinion on the west coast seems to favor a reconsideration of this country's total embargo imposed in December 1950 as a result of Communist China's entry into the Korean war.

Developments since 1957 have placed the embargo policy in a new perspective. In that year, Western Allies reduced their controls on trade with China to the same level as those with the Communist European bloc. Elimination of this "China differential" has allowed a brisk trade.

Last year Western European traders sold more than $400 million worth of goods to Communist China. Exports included machinery, trucks, copper rods, agricultural equipment, and foodstuffs.

EMBARGO QUESTIONED

For the past 3 years, Peiping has purchased an average of 5 million tons of wheat annually from Canada and Australia. Approximately the same tonnage is ordered for this calendar year. Australia is selling Communist China wool and is anticipating a step-up in other sales.

A growing number of west coast businessmen, particularly those in the wheat, milling, lumber, and shipping trades, privately question Washington's total embargo on trade to and from China. They contend the net effect of this embargo is to divert a sizable export trade from this country to Allied Nations.

COMMITTEE FORMED

Northwest shippers in Portland and Seattle restlessly watch the port of Vancouver bustling with ships of various nationalities carrying wheat to China.

Few of those interested in the Chinese Communist trade have publicly challenged Washington's embargo policy. The matter is a politically sensitive one.

However, with the formation last month in San Francisco of the Committee for a Review of Our China Policy, the question of peaceful trade, similar to that existing between this country and the Soviet European satellites, is expected to be openly debated.

The committee, headed by former Congressman Charles O. Porter, of Eugene, Oreg., is trying to focus discussion on trade in nonstrategic goods, use of surplus food, and the exchange of nonofficial citizens.

RESTRAINT URGED

It is requesting permission from President Kennedy to send a delegation of American businessmen to one of the Canton trade fairs, either this month or in the fall. This request will elicit the first direct response of the current administration in this field.

Over the past 6 years, the United States has made repeated attempts to restrain Allied exports to Communist China. These attempts have included extraterritorial application of U.S. transaction controls to American subsidiaries in other countries as well as diplomatic urgings to these governments.

Such moves have been a source of irritation in American relations with these countries, especially in Canada and Britain which are actively promoting greater trade with Communist China.

In the recent sale of six Viscount civilian aircraft to China, the State Department objected to their being equipped with American-patented navigational aids. The British company then replaced the aids with British equipment.

COMPLAINTS HEARD

Congressmen on oversea trips have heard complaints by Europeans and Japanese over Washington's attempts to discourage their selling various products to Communist China. As a practical matter, however, such pressures have never been very effective.

What limits China's procurement from the West, apart from obviously strategic items, is not so much the West's restrictions as Peiping's own insufficient foreign exchange.

Paying by barter arrangements, routine within the Communist bloc, has too many disadvantages to fit into private Western trading patterns.

IMPORTS SHIFT TO FOOD

While China has iron ore, coal, tungsten, tin, and antimony for export, the West obtains these raw materials from long-established non-Communist suppliers at comparable prices. These are some of the factors limiting the size of China's purchases.

The composition of recent purchases from the West indicate interest in machine tools, synthetic fibers, food processing and refrigeration equipment, sugar refineries, fertilizers, farm equipment, steel, chemicals, and various light industry plant and machinery. Now, however, procurement priorities are being given to grain imports to relieve the domestic food shortage.

California, Oregon, and Washington, where present interest in renewing nonstrategic trade with Communist China is liveliest, had closer trade ties with pre-Communist China than the rest of the country. During the thirties, China was a significant market for lumber, wheat, and flour from the Pacific Northwest. An average of 12 percent of Oregon's total exports went to China between 1934 and 1941.

INTEREST MOUNTS

Five years ago, E. B. MacNaughton, chairman of the First National Bank of Portland, and Herman Sites, president of Sites Silverwheel Freightlines in Portland, spoke out for resumption of peaceful trade with Communist China.

A considerable number of businessmen and leading legislators in Congress are known to view with strong interest the efforts of Mr. PORTER's committee to generate public scrutiny of the basis for continuing the embargo.

Political factors, both in Peiping and Washington, will weigh heavily in any change of policy toward selective controls.

It is not certain that Peiping will want to buy from the United States without insisting on political settlements. However, as this country is potentially Communist China's largest Western customer, such insistence is not considered likely, according to informed observers.

MSU STUDENTS ORGANIZE A DOMESTIC PEACE CORPS

Mr. HART. Mr. President, unhappily these days the newspapers across the country are filled with acts of violence and stories of racial intolerance. It is important that equal attention be given to those positive and constructive steps that are being taken more quietly by people in all parts of the Nation to promote mutual understanding.

An example of the sort of thing I am talking about is given us by a group of students at Michigan State University. They have organized their own "domestic peace corps" which visits the schools and homes of the "underachievers." Why such visits? To excite an interest in education that will make the youngsters want to stay in school.

This is an imaginative approach to the ominous dropout problem, and I would hope it could be the forerunner of a major attack on this problem. To the dedicated young men and women who are doing this job, I am sure we want to say "Well done."

Both as tribute to them and encouragement to others, I ask unanimous consent that the article from the Detroit News of April 29, 1963, describing this program, be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Detroit (Mich.) News, Apr. 29, 1963]

MSU PEACE CORPS IN MICHIGAN

(By William W. Lutz)

PONTIAC.—A group of dedicated students, Michigan State University's own version of the Peace Corps, has set off on a statewide search for tolerance and ambition.

Organized and conducted by volunteers who devote their time and enthusiasm, the MSU Student Education Corps is working in schools with more than the normal number of economically deprived children.

They believe that the place to stimulate tolerance toward others and a desire to succeed in life is with the young.

PONTIAC PROJECT

At the moment their target is seven elementary schools designated by the Pontiac Board of Education as containing more than the average number of youngsters who come from homes lacking in economic and social advantages.

The MSU students also have been making trips to the Lansing and Flint areas.

Under the general supervision of MSU Associate Prof. David Gottlieb, of the College of Education, the corps, organized 2 weeks ago, already has 125 student volunteers.

Twenty are working here at the invitation of the board of education.

With college students ranging from 18 to 48 years of age and from sophomores to candidates for doctorates, the corps works without pay or academic credit, sandwiching duties between their college programs.

SPEND DAY IN SCHOOL

They travel in car caravans leaving the East Lansing campus in time to report for the 8:30 a.m. classes here and return after school ends at 3:30 p.m.

The corpsmen say they will travel to any school districts that invite them.

"Our object," says Elaine Kindlund, 21, of Lansing, an MSU sociology junior, "is to excite an interest in education that will make the youngsters want to stay in school."

Youngsters from economically deprived homes, Pontiac's Board of Education has found, are a big source of the city's dropout problem. An estimated 7 percent of Pontiac teenagers are dropouts.

Where there is little interest in education, youngsters tend to drop out of high school in their second or third year, says Gerald White, Pontiac's elementary schools director.

Delinquency, he adds, is highest among dropouts.

GOAL OF CORPS

MSU's corps has a single goal—"keep them in school by whetting their appetites for learning."

Corps assistance is not restricted to youngsters coming from poor homes but are extended to all the children in each school.

Pupils who tend to get the most attention, however, are called "the underachievers."

White says that "underachievement" often does not indicate a lack of ability. Many such children score well on intelligence tests when they reach high school, yet show little interest in continuing.

REASONS FOR QUITTING

Lack of social contacts and of cultural advantages, often due to low family incomes, are reasons given by many dropouts. Many have not traveled more than a few blocks from their homes, school officials say.

The board's program in the seven designated schools—Franklin, Bethune, Bagley, Central, McConnell, Wilson, and Whittier—includes remedial reading, extra school field trips, and more cultural activities.

MSU corpsmen help teachers by working individually with children and in small groups first seeking to make friends.

They begin by talking with teachers and learning which children need help. Then the corpsmen sit in classes and observe their subjects, following this up by visiting their homes.

HUNT OWN ANSWERS

Corpsmen are encouraged to find their own solutions.

For instance, Bruce Keiden, 21, of Lansing, a prelaw senior, after observing at Franklin School, got a group of foreign students at MSU to record their impressions of both their homeland and the United States on tape. The tapes are to be played in Mrs. Arlean Bailey's sixth-grade social science class.

Some corpsmen sing songs and twang a guitar to excite young minds.

Sandra Parnell, 19, of Williamstown, Mass., a home economics sophomore and summer camp counselor, and Peggy Meyer, 19, of 18962 Warrington, Detroit, a sophomore in social work, chose playground games as a way of winning the friendship of young pupils.

COLLEGIANS GAIN ALSO

Says Gottlieb, who inspired the corps during a lecture at MSU describing the problems involving economically and socially deprived children:

"We started the corps hoping to incite interest in education at the elementary level and thus reducing a bigger problem later on.

"I think we also have caused some excitement at the college level."

FIFTEENTH ANNIVERSARY OF ISRAEL

Mr. DOUGLAS. Mr. President, when a brave group of Israeli leaders proclaimed the State of Israel before a hushed audience 15 years ago today, Israel's friends hardly dared to hope that its independence might be relatively secure within a few years. In May of 1948 the circumstances all seemed to be against Israel. As Chaim Weizmann proclaimed the Jewish state shortly before the Sabbath to that small group in Tel-Aviv, the new country was threatened by invading armies on all sides. The Israel that was established in May 1948 had a Jewish population of 650,000. Some of its residents were born there, others had emigrated from Eastern Europe since the start of the Zionist movement, while still others arrived after the Second World War, the last remaining survivors of the Hitlerian holocaust. The survival of the new nation was in question from the moment of its birth.

Today, 15 years later, more than a million newcomers have made their home in Israel. Her economy and defenses have been strengthened. Despite their vastly differing backgrounds and varying languages and dialects, the people of Israel have been able to reunite themselves into a nation, to restore a long neglected and seemingly unproductive land and work its soil to the utmost, to build new villages and cities, to encourage the development of industry, to set up an outstanding educational system and to promote cultural pursuits.

Aided by her own remarkable efforts and the assistance of friends throughout the world, Israel has become the bulwark of democracy in the Middle East. Her own astounding economic progress has enabled her to assist other peoples on the road to economic independence. The ability of the people of Israel to shape their own future has won the praise of self-respecting freemen everywhere. I take great pleasure in saluting Israel on the 15th anniversary of her birth and in extending my heartiest congratulations to her citizens for whom I have great personal respect and warm personal feelings.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 5366) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1964, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GARY, Mr. PASSMAN, Mr. CANNON, Mr. PILLION, and Mr. CONTE were appointed Managers on the Part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 2440) to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes, and it was signed by the President pro tempore.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I renew my request that the Antitrust and Monopoly Subcommittee be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The additional time granted for morning business has now expired.

Mr. MANSFIELD. Mr. President, is the Senate now operating under the time limitation?

The VICE PRESIDENT. The bill must first be laid before the Senate.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which will be stated.

The Legislative Clerk. A bill (H.R. 4997) to extend the feed grain program.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Iowa [Mr. Hickenlooper], No. 85. There is a time limitation of 1 hour of debate, which will be equally divided.

Mr. MANSFIELD. Mr. President, I yield myself 2 minutes for the purpose of suggesting the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

The VICE PRESIDENT. The 2 minutes allotted for the call of the roll have expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the quorum call be continued, but that the time necessary for the call of the roll not be charged to the time on either side; and I wish to notify the Senate that this will be a live quorum.

The VICE PRESIDENT. Is there objection to the request by the Senator from Montana? The Chair hears none, and it is so ordered. The clerk will continue to call the roll.

The Chief Clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

[No. 72 Leg.]

Aiken
Bennett
Burdick
Cotton
Edmondson
Ellender
Fulbright
Kuchel
Lausche
Hickenlooper
Hruska
Inouye
Jordan, N.C.
Keating
Mansfield
Miller
Pastore
Ribicoff
Saltonstall
Simpson
Smith
Williams, Del.
Yarborough

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Illinois [Mr. Douglas], the Senator from Tennessee [Mr. Keafuver], the Senator from Michigan [Mr. McNamara], the Senator from Utah [Mr. Moss], and the Senator from Rhode Island [Mr. Pell] are absent on official business.

I further announce that the Senator from Maine [Mr. Muskie] is absent due to illness.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from Illinois [Mr. Dirksen], the Senator from New York [Mr. Javits], and the Senator from Kentucky [Mr. Morton] are necessarily absent.

The VICE PRESIDENT. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. Bartlett, Mr. Bayh, Mr. Beall, Mr. Bible, Mr. Boggs, Mr. Brewster, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Carlson, Mr. Case, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Curtis, Mr. Dodd, Mr. Dominick, Mr. Eastland, Mr. Engle, Mr. Ervin, Mr. Fong, Mr. Goldwater, Mr. Gore, Mr. Gruening, Mr. Hart, Mr. Hartke, Mr. Hayden, Mr. Hill, Mr. Holland, Mr. Humphrey, Mr. Jackson, Mr. Johnston, Mr. Jordan of Idaho, Mr. Kefauver, Mr. Kennedy, Mr. Long of Missouri, Mr. Long of Louisiana, Mr. Magnuson, Mr. McCarthy, Mr. McClellan, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Mechem, Mr. Metcalf, Mr. Monroney, Mr. Morse, Mr. Mundt, Mr. Nelson, Mrs. Neuberger, Mr. Pearson, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Robertson, Mr. Russell, Mr. Scott, Mr. Smathers, Mr. Sparkman, Mr. Stennis, Mr. Symington, Mr. Talmadge, Mr. Thurmond, Mr. Tower, Mr. Williams of New Jersey, Mr. Young of North Dakota, and Mr. Young of Ohio entered the Chamber and answered to their names.

The VICE PRESIDENT. A quorum is present.

The Senator from Montana is recognized.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, notwithstanding the unanimous-consent agreement entered into, there now be allotted 15 minutes for the consideration of the conference report on the supplemental appropriation bill.

The VICE PRESIDENT. Is there objection?

Mr. COTTON. I object.

The VICE PRESIDENT. Objection is heard.

The Senator from Iowa is recognized. The Senator from Iowa has 30 minutes.

Mr. HICKENLOOPER. I yield myself 15 minutes, or so much of that time as I need.

COMMITTEE MEETING DURING SENATE SESSION

Mr. FULBRIGHT. Mr. President, will the Senator yield to me for 30 seconds?

Mr. HICKENLOOPER. I do.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be permitted to meet today for consideration and voting on H.R. 5207, the Foreign Buildings Act amendments and amendments thereto, notwithstanding the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. HICKENLOOPER. I yield.

Mr. MANSFIELD. If the Senator from Louisiana [Mr. Ellender] will yield me half a minute, I would like to say, for the edification of Senators, that the time is divided between the Senator from Iowa, author of the amendment, and the Senator from Louisiana [Mr. Ellender], chairman of the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The Senator from Iowa is recognized for 15 minutes.

Mr. HICKENLOOPER. Mr. President, I will say, while there is a substantial number of Senators on the floor, that the measure we are considering and the amendments to be offered to the feed grain bill are vital measures for the great agricultural plant of the United States. Frankly, I was considerably disappointed yesterday afternoon at the lack of attendance during the debate.

I assure Senators that there is something far deeper involved in the proposed legislation than mere amendments or details. It goes deeply into the philosophy of Government control over the agricultural system. I believe that the various amendments that have been submitted should be given serious consideration by the Senate, and not mere perfunctory attention. I trust that that will be the case.

The amendment now pending, amendment No. 85, is directly applicable to the precedent which is being established by the Secretary of Agriculture in coercing members of the ASCS committees at the grassroots to lobby for his programs, contrary to what I believe to be the intent of the Agricultural Act and contrary to the attitudes of various former Secretaries of Agriculture.

There is a considerable volume of evidence in the hearings which shows, not only through speeches, but through releases by supervisors, and by policymakers, that the Department of Agriculture is practically demanding that ASCS committee members support a so-called yes vote in the referendum. There is evidence in the record, and there is a great deal more, if we had the time to gather it from all over the country, which shows that the ASCS group, which has always been considered to be an impartial group for the purpose of serving the farmers who elect them, should not be used as a lobbying group or as a group to advocate a particular philosophy of the Department of Agriculture. Yesterday afternoon I spoke at some length on the so-called loyalty oath, which the Secretary of Agriculture now requires all of the ASCS committeemen to sign, as published in the Federal Register of March 1, of this year, and also the new regulations, in which he has arrogated to himself the right to supersede and displace ASCS committeemen anywhere in the United States without cause, if he so desires. The coercive powers that are possessed by him, go further than anything I have ever heard of in Government.

The amendment that I have offered, which is now before the Senate, reads:

> On page 12, after line 13, add the following new section:
>
> "SEC. 105. Notwithstanding any other provision of law, local, county, and State committees created pursuant to the provisions of section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, shall not be used to influence farmers in regard to any legislation being considered by the Congress of the United States; to compel, coerce, or bring undue pressure upon farmers to participate in voluntary programs of the United States Department of Agriculture; or to provide other than factual information to farmers. None of the funds authorized to be appropriated by this Act nor any other funds which have been or will be appropriated to the United States Department of Agriculture shall be used to finance the foregoing prohibited activities."

Mr. President, until this spring, I am sure most of us thought such an amendment would not be necessary, because its provisions were already contemplated in the law. There is a sort of twilight zone, but I point out that former Secretaries of Agriculture have considered that that is not a function of ASCS committeemen, and that they have prohibited such activities. However, with the two regulations which were published by the Department of Agriculture in the Federal Register this year, there is no question that this coercion is now being used on ASCS committeemen all over the United States.

My amendment is necessary in order to affirmatively notify the Department of Agriculture that the ASCS committeemen serve in the administration of laws already adopted and that they are not to be used on Government time, or to have them go out and advance particular philosophies in the areas they serve.

We should constantly keep in mind the fact that ASCS committeemen are not appointed by the Secretary of Agriculture. They are elected by their friends and neighbors, to serve them, not to be coerced or bamboozled into some philosophy that may emanate from the bureaucracy in Washington.

I said before, and I say again, that there is something deeper involved here than the mere provisions of the bill that are being referred to.

The fundamental difficulty and problem we face is that this is a major step to get control over the agricultural plant through bureaucratic regimentation. If this program succeeds in this segment of agriculture, we will see it extended very rapidly to cattle and cotton and all the other products. I say that because it is basic and inherent, in my judgment, in the writings and speeches and philosophies put out by the people who are making policy today in the Department of Agriculture. We find that it runs all through their philosophy, that it is essential that the Federal Government take over control, even including marketing and the pricing of commodities for the farmers of this country.

It is a major step toward bureaucratic centralization of power in agriculture. That is the real issue involved in the ball of wax that is referred to as this so-called agricultural program.

I point out, as I did yesterday, that it is not necessary to enact the bill, that there is no emergency with respect to it except the emergency of attempting through some of its provisions, to coerce a vote in the Wheat Belt. We are operating under the law that affects the crop of 1963. The pending bill is designed to go into effect for the crop year of 1964.

A great many amendments were proposed before the Committee on Agriculture and Forestry which I am confident met with the personal approval of many individual members of the committee. However, there was a tremendous amount of persuasion used along the line: "You do not dare amend the bill, because if you do, it will have to go back to the House, and if it goes back to the House it will have to go to conference, and the vote date on the wheat referendum will pass before it can be enacted into law."

There is no question about that. No emergency exists. The attempt is to use a law that will be applicable to the whole feed grain segment of agriculture as a political maneuver to try to win an election on next Tuesday in the farm belt. There has been created the most monumental confusion among farmers that I have ever known of in this area.

There are a great many things in the bill that should be corrected. That is why this amendment is offered.

As I stated yesterday, as I repeat again today, and as I shall probably repeat again and again during this discussion, when we hear talk about the success of the agricultural program in the past year or so, and when we hear emanating from the Department of Agriculture the idea that the Department has been so successful, I merely say, first, that we now have the lowest parity ratio that has existed since the 1930's. The quantities of stocks of the Commodity Credit Corporation are higher than they were last year. More commodities are in stock. Soybeans, which were not in storage last year, have risen almost to 9½ million bushels. Soybean cake and oil are running out of our ears. The Senator from Vermont [Mr. AIKEN] pointed out yesterday that we are, so to speak, swimming in a sea of butter which has accumulated because the Government has been tinkering with the dairy situation, which had been on the way to getting along pretty well.

This spring, hogs and cattle, basically, have been at one of the lowest ebbs in years. Certainly $13 hogs do not bring prosperity to farmers; and $19, $20, or $21 finished cattle do not bring prosperity to farmers. Does that indicate that this has been a successful program?

For 8 years, during the Eisenhower administration, when the farmers received higher average farm prices than the Democrats had given us at any time during peacetime, cries went up about Benson: Mr. Benson was an ogre; he was terrible; everything was Mr. Benson's fault. But Mr. Benson never gave us the consistently low prices that have existed during the Democrat administration. Where are those who will blame the present low prices on the Secretary of Agriculture, but who blamed them on Mr. Benson 4, 5, and 6 years ago? Where are they now? I do not see any of them rising to say that the failure of the present agricultural program is Mr. Freeman's fault. There are some who are saying it; but I am talking about the ones who put the blame for low prices on Mr. Benson. Prices under the farm program then were not so low, on the average; and the farm program then did more for the farmers than the so-called program which is now in effect. We have some things to think about. That is an interesting commentary, politics being what they are.

The major issue involved is an affirmative declaration by Congress that the ASCS committeemen are not to be prostituted in their jobs of service by being coerced, as they are being coerced, and as they will be coerced under the Executive orders published in the Federal Register, under the loyalty oath, and under the threat of discharge without cause, into supporting the adoption of programs as contrasted with the service of programs that have already been put into effect by acts of Congress.

Mr. President, I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, this amendment was submitted to the Committee on Agriculture and Forestry while the committee was considering reporting the bill, and was defeated by a vote of 10 to 7. As I sought to point out yesterday, the evidence submitted by the Senator from Iowa [Mr. HICKENLOOPER] was based on a few letters received from committeemen who admittedly were against the referendum. There is no evidence whatever in the RECORD to indicate influence in connection with these letters, some of which, as has been said, were signed by committeemen who stated that they were against the wheat referendum.

There is no doubt in my mind that the purpose of the Senator from Iowa is to make every effort to prevent passage of the bill this week. The Secretary of Agriculture stated that he was hopeful that the bill could be enacted before May 21. I think he had good and valid reasons to offer as to why the bill should be enacted this week.

When Congress passed the wheat bill last year, a provision was included which permitted the wheat farmer to substitute acres on which he could plant corn or other grain for wheat to be used as feed grain. That provision of the wheat law can come into being only if Congress enacts a feed grain bill. That is one of the purposes of extending the bill.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. MANSFIELD. On the basis of the evidence to date, I must disagree with the statement of the chairman of the Committee on Agriculture and Forestry that the purpose of the Senator from Iowa is to delay the passage of the bill.

I think his primary purpose is to defeat the bill, if at all possible; but in all honesty, I must say that the distinguished Senator from Iowa was most accommodating and helpful in trying to reach an agreement which would make it possible for a vote to be taken on the bill this week, at a time certain on Thursday, and also in the matter of limiting amendments.

But on another point, I would be in disagreement with the Senator from Iowa and in accord with what the Senator from Louisiana, the chairman of the committee, has said; namely, with respect to a wrong connotation of the evidence which has been presented both in the Committee on Agriculture and Forestry, in the press of my State, and on the floor of the Senate yesterday and today, relative to the action taken by the ASC committee in McCone County, in eastern Montana.

This subject was brought to the attention of the Senate committee. Secretary of Agriculture Freeman was asked about it. As the report, hearings, and RECORD will indicate, that particular committee asked for an additional $8,000, and was allowed $900. The purpose of the money was not to tell the farmers of McCone County how to vote, but to explain to them just what was contained in the referendum on which they would be called upon to vote as wheat farmers on May 21.

Some references, in the hearings, were made about the chairman of the State ASC committee, a woman of high standing and sound integrity, and having a wide knowledge of farming. I believe she is the only woman who is chairman of a State ASC committee. My distinguished colleague from Montana [Mr. METCALF] and I have been in contact with the chairman of the Montana State committee, and she has assured us—and we believe her without question—that the purpose of the money was not for propaganda but, as the law makes mandatory, to explain to the farmers of the county exactly what is involved in the wheat referendum.

So far as the farmers of that county, or of any other county in the United States, are concerned, it is up to them to vote either "yes" or "no," because the responsibility is theirs, and theirs only. The State ASC committee was only carrying out the law in allocating $900 to McCone County. The State committee turned down the request for an additional $8,000 because the county committee had overspent its budget, and was allowed only $900.

I call upon the distinguished chairman of the Committee on Agriculture and Forestry either to confirm or deny that statement.

Mr. ELLENDER. The record speaks for itself. That is what I was trying to point out to the Senate.

I did not mean to accuse my good friend the Senator from Iowa, of delaying the bill in the Senate. But everyone knows that if the bill were to be amended, it could not possibly be enacted by May 21. That is what I was trying to convey. That is why I say that if we were to amend the bill in any manner, in my judgment, there would be no possibility of its enactment by May 21. That is, unless the House capitulated, which is doubtful, and conferees of both Senate and House met a few hours after the bill was passed, which is doubtful, and the conferees ironed out the differences, which is doubtful, and unless the House remained in session long enough to vote either up or down, which is doubtful, whatever the conferees agreed upon.

These are really not exactly delaying tactics; but I repeat that if this amendment were to be adopted—and in my opinion it would be out of place in the bill, as I shall show in a moment—it would mean that it would be impossible for the bill to be enacted by May 21.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. MANSFIELD. I wish to corroborate what the distinguished chairman of the committee has said. If the bill is changed in any way, we can rest assured that the House will take its time—because there are various ways and means in which it can indulge—and will see to it that a markedly different bill is delayed beyond a reasonable amount of time. So the statement just now made by the distinguished chairman of the committee is correct; and it is our hope that the bill as passed by the House and as reported by the Senate Committee on Agriculture and Forestry will soon be passed by the Senate.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. WILLIAMS of Delaware. What is there in the bill which makes it mandatory that Congress act by May 21?

Mr. ELLENDER. Nothing.

Mr. WILLIAMS of Delaware. Then why is there all this argument?

Mr. ELLENDER. Except, as I have just indicated, that in the wheat bill there is a provision, which will become operative if a feed grain bill is passed, and which may or may not influence the vote on May 21. The Senator from Delaware will remember that section 328 of the wheat law, as I recall, contained a provision that there could be a substitution of acreage from wheat to corn or from corn to wheat, for feed grain purposes.

As has recently been indicated by the Senator from Iowa [Mr. HICKENLOOPER], his amendment No. 85 would prohibit ASC committees from being used to influence farmers with regard to pending legislation or to bring pressure upon farmers to participate in voluntary programs of the Department, and would prohibit the use of appropriated funds in connection with these prohibited activities.

I invite the attention of Senators to the fact that this amendment is not needed, since the same or comparable restrictions are currently included in the United States Code, 18 U.S.C. 1913. In other words, the use of committeemen to influence legislation is currently prohibited by law.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the statute which prohibits any Government employee from lobbying and using Government funds for that purpose.

There being no objection, the excerpt from the Code was ordered to be printed in the RECORD, as follows:

§ 1913. Lobbying with appropriated moneys.

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment. (June 25, 1948, ch. 645, 62 Stat. 792.)

LEGISLATIVE HISTORY

(REVISER'S NOTE.—Based on title 18, U.S.C. 1940 ed., § 201 (July 11, 1919, ch. 6, § 6, 41 Stat. 68)).

Reference to "department" and "agency" was added in three instances after the words "United States" to remove doubt as to the scope of the section. (See definitions of "department" and "agency" in section 6 of this title.

Reference to the offense as a misdemeanor was omitted as unnecessary in view of the definitive section 1 of this title. (See reviser's note under section 212 of this title.)

Words "on conviction thereof" were omitted as surplusage since punishment can be imposed only after conviction.

Minor changes were made in phraseology.

Mr. ELLENDER. Mr. President, the fundamental purpose and one of the great virtues of the farmer committee system is the ability of elected farmer committeemen to explain to their neighbors the farm programs which they are responsible to administer. This amendment is calculated to make the farmer committees less effective in the discharge of this important responsibility. The success of any voluntary program depends almost wholly upon the understanding of farmers and the degree to which they participate. Substantial participation in these programs is necessary if stocks are to be brought into reasonable balance with needs, and if the cost of price-support activities to the taxpayer is to be reduced.

The amendment is so vague that it is not susceptible of uniform and fair administration. What amounts to pressure is subject to important interpretation and difference of opinion. What one person would consider pressure would not be so considered by others. This amendment, if adopted, could lead to serious harm, so far as the elected farmer committee system is concerned.

Mr. President, I point out that the county committeemen, as well as the community committeemen, are not appointed by the Secretary of Agriculture. They are selected by the farmers, and are charged with the responsibility of doing their duty. Let me read an excerpt from the testimony received by the committee.

Mr. HICKENLOOPER. Mr. President, will the Senator from Louisiana yield for an observation?

Mr. ELLENDER. I yield for a question.

Mr. HICKENLOOPER. The Senator from Louisiana correctly stated that the committeemen are not appointed by the Secretary of Agriculture. That is the point: They are not selected by him; they are selected and elected by their neighbors; but the Secretary of Agriculture can fire them whenever he wishes to do so.

Mr. ELLENDER. Mr. President, let me point out the testimony, which can be read by everyone. I inserted in yesterday's Congressional Record, beginning on page 7983, the following:

> (On p. 35:)
>
> Senator Aiken. I would like to ask the Secretary one more question. I happen to be reading the rules and regulations which were issued on March 1. I find when it comes down to the county and community committeemen, their terms of office, that is, it states: "County and community committeemen and alternates to such office shall begin on the 1st day of the month next after their election: *Provided, however,* That before any such county committeeman or alternate county committeeman may take office he shall sign a pledge that he will faithfully, fairly, and honestly perform, to the best of his ability, all of the duties devolving upon him as a committeeman and that he will support the program he is called upon to administer."

The emphasis is on the word "administer."

I read further:

> Does this mean under that regulation that you would hold that a county committeeman or a community committeeman would have authority to advise his wheatgrowers to vote "no"?
>
> Secretary Freeman. Yes, sir.
>
> Senator Aiken. In the referendum?
>
> Secretary Freeman. Yes.
>
> Senator Aiken. He would?
>
> Secretary Freeman. Yes. I might comment on this, because it has raised some questions. I know that this committee is aware of the fact that the administration of the farm program, I think, is unique in the annals of government in any country that I know of. I do not know of any similar institution where elected county committeemen administer a program and make decisions involving the expenditure of many millions of dollars for which the Secretary of Agriculture is held responsible to the Congress and the people of the United States. Because of this structure, I think a good look, periodically, is healthy.
>
> I appointed a bipartisan committee which made a study on the operations of the committee system. One of the recommendations was that in view of the responsibility of the Secretary and the necessity for effective administration that they thought that the people, in order to serve on county committees and community committeemen, ought to believe in the programs they carried forward and not be critical and hostile to them. And they recommended that the regulations be amended to provide that they should do so.
>
> In view of that recommendation a proposed change in the regulations has been published in the Federal Register for all to see and give comments thereto. This does not mean that anyone is signing a blood oath, but it does say that they will honestly and faithfully carry this forward and in effect that if they do not believe in the program in question that they ought not to stand for election, because once elected they are called on to carry forward the programs passed by the U.S. Congress which I am responsible to administer.
>
> And it seems to me that this is only logical and rational and as such this regulation has been promulgated in the Federal Register.
>
> * * * * *
>
> Secretary Freeman. I have carefully read these laws and regulations and feel that it is quite clear that it is one of the responsibilities of the ASC's and of the Department as a whole to inform the farmers of the alternatives of a decision that the Congress by law has set down for them to make.
>
> Senator Hickenlooper. But do you—have your people been informing them of the alternatives or only giving them one side of the story, and that is the affirmative side, to vote "yes"?
>
> Secretary Freeman. My instructions have been to give both sides, and we have had a number of pieces of literature prepared to that effect, that present both sides. There have been meetings held frequently in which there has been thorough discussion. As such, I feel that we are not acting improperly, but that we are only doing what we have a mandate to do.

There are many other pages from which I could read.

Here is another one:

> Senator Hickenlooper. Now, Mr. Secretary, I would like to ask you, in view of the regulation and what has been referred to as the loyalty oath of ASC committeemen and community committeemen, which is now required to be signed by these people for eligibility for office, which I think is an innovation, and in view of the fact that the Department is clearly committed in its own opinion and your opinion to the desirability of an affirmative vote on this wheat referendum, if a county committeeman or a community committeeman go out and advise the farmers in their areas to vote on this wheat referendum, does that violate their loyalty oath?
>
> Secretary Freeman. Of course not.
>
> Senator Hickenlooper. And are they perfectly free to do that, if they want to?
>
> Secretary Freeman. Of course. Obviously, you have just read a letter from one of them. He didn't seem very frightened. The county committeeman that wrote the letter the Senator just read was not very afraid.

He was opposed to it. As I said a moment ago, there was no evidence of any coercion being used. The facts are that the committeemen had presented literature and views which they had. As I have said, some of the committeemen who solicited votes said in some of the letters that the Senator from Iowa [Mr. Hickenlooper] presented to the committee that they were against the wheat referendum. In response to questions asked by me of Secretary Freeman, "Was any action taken?" the answer was, "No, of course not." Mr. Freeman took the position that in the administration of the act, the committeemen have the right to go out and state the facts. I believe in most instances that is what really occurred.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON. Not only do the committeemen have the right to do so, but it is their duty to do so.

Mr. ELLENDER. The Senator is correct. That is what Mr. Freeman stated.

Mr. President, I could read many other passages from the testimony of Mr. Freeman in which he stated directly and unequivocally his position on the question. I shall not take the time of the Senate to proceed any further with it.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. HOLLAND. I admit that the testimony of Mr. Freeman was as stated by the distinguished Senator from Louisiana. However, certain other testimony given by him disturbed certain members of the committee. If the Senator would continue to read following the comments he was reading from page 35 of the printed record——

Mr. ELLENDER. I was reading from the Congressional Record.

Mr. HOLLAND. The Senator read from what has already been placed in the Record. But if the Senator will look at page 35 of the printed hearings, he will find that the quotation now in the Congressional Record stops at a certain point. Near the bottom of page 35 of the hearings, following the statement by Secretary Freeman that "this regulation has been promulgated in the Federal Register," appears the following:

> Senator Aiken. As of March 1 of this year?
>
> Secretary Freeman. Yes.
>
> Senator Aiken. For the first time. However, the committeemen elected by the farmers are elected by the farmers of the community and of the county?
>
> Secretary Freeman. That is correct.
>
> Senator Aiken. They are elected by them?
>
> Secretary Freeman. Yes.
>
> Senator Aiken. Should they not represent the views of the farmers in their community or what?
>
> Secretary Freeman. Well, that is a good question.
>
> Senator Aiken. I would say that is an excellent one.
>
> Secretary Freeman. I am open to some comments in connection with it. In connection with the administration of the program, every farmer can vote in connection with who should be on the committee. We sometimes have the requirement that before someone can run for elective office you have got to be so old—you have got to live in the county or in the State for so long, and so forth. There are certain minimum requirements.
>
> In this instance, because they are going to actually administer a program involving millions of dollars, for which I am responsible to the Congress, they should believe in the

> program they are administering and that may be a reasonable requirement.

Mr. ELLENDER. I read that statement a while ago.

Mr. HOLLAND. I continue to read:

> But I would be interested in the advice of this committee in connection with it. This is no effort to choke off or to thwart it. I believe in the elective county system. I have strengthened it substantially since I have been Secretary. I do not think we can administer the complex, detailed farm programs otherwise, but I must admit that I am a little uncomfortable, sitting in my corner office, with the knowledge that there are allegedly 10 to 20 percent of these people that are elected to committees who are vitally opposed to the programs that they administer. I do not think it is a very healthy situation.
>
> It does not make me sleep very well.

Mr. ELLENDER. That statement confirms what I said a while ago. Many of the letters which the Senator from Iowa [Mr. Hickenlooper] read were from committeemen who are opposed to the program. Nothing has been done about that. They may have gone beyond what they should have done.

Mr. HOLLAND. Mr. President, if the Senator will yield further——

Mr. ELLENDER. How much more time have I remaining?

Mr. HOLLAND. I will ask for 3 minutes, time from the Senator from Iowa.

Mr. ELLENDER. I am willing to yield.

Mr. HOLLAND. The Secretary indicated that he would like the comment of the committee. So on page 83 I attempted to make some comments, which appear toward the bottom of the page:

> Senator Holland. May I make a suggestion here?
>
> Senator Hickenlooper. Yes.
>
> Senator Holland. I think that the so-called loyalty oath might be rephrased. I am just offering the opinion of one Senator. It seems to me that what they can properly be obligated to do is to honestly administer the programs, but when you put in there that they must support the programs, given to them to enforce, that would indicate an approval and a recommendation and the like which I do not think there is any justification for asking a committeeman to do. One community might elect committeemen who would be completely opposed to the philosophy as to what we have done here in Congress, and yet they elect the people who would honestly and honorably enforce the law by enforcing the administration of the program. I would suggest for the record that it would be well to use some word indicating "honesty of administration," "of execution" rather than support. I do not know how the chairman would feel about that, but it seems to me that is more in accord with the system, because all farmers in every county in the Nation are not going to be in support of a program that is adopted by a majority. If that were so, why a two-thirds vote might be a 100-percent vote, instead of the two-thirds. And the law does not require 100-percent vote for a program.
>
> Secretary Freeman. I think that is a very good suggestion.
>
> Senator Holland. My suggestion would be that it be reworded to simply require an honorable administration in strict accordance with the law for the program and the like.
>
> Secretary Freeman. Yes.

My question is as follows: Has there been any indication of a reappraisal of this regulation as suggested by me, that suggestion coming in response to an invitation from the Secretary to the committee to express its opinion? It seems to me very clear that the wording of the regulation as written is wrong. It requires a loyalty oath which shall pledge the committeeman to support the program that he is called upon to administer.

I think we all felt that the language went too far. Has that language been amended?

Mr. ELLENDER. I do not know that it has been as yet. I do not know that we have had to do it. The Secretary was willing. As I said before, the suggested changes in the regulations were not suggestions from the Secretary, but from a committee which had been working for some time before they were submitted to the Secretary. The Senator remembers that.

Mr. HOLLAND. I remember that the suggestions were submitted, but I also remember that the regulations were promulgated by the Department and published in the Federal Register.

Mr. ELLENDER. In accord with the recommendations made. The reason for publicizing in the Register was to give notice, so that people could make comments. The Senator is giving his comments. The committee gave its comments. The Secretary can act accordingly. He can change the regulations or make them permanent. They are not permanent yet, as the Senator knows.

Mr. HOLLAND. I wish to make it clear, as one Senator, that I think it is highly improper for a loyalty oath to require that a committeeman swear that he will support the program, when he may have been elected by a huge majority in his own area who did not believe in the program.

Mr. ELLENDER. Mr. President, how much time have I remaining?

The PRESIDING OFFICER (Mr. Inouye in the chair). The Senator has 3 minutes remaining.

Mr. HICKENLOOPER. Mr. President, I believe that careful attention to the discussion on the floor today will fully sustain the position some of us have taken.

The Senator from Louisiana [Mr. Ellender], the able chairman of the Committee on Agriculture and Forestry, said that Mr. Freeman stated in his testimony—and that is true—that he had issued instructions to give both sides of this question. There is not a word of proof in the Record that that was done. There is not one sample of instructions that he sent out, of which I know, in the Record as to giving both sides of the question. On the other hand, there is page after page of evidence from ASC committees, from State headquarters, and from county committees that there was an urging of people to vote "yes" on the referendum.

So far as I know, no other document was sent out to any of the ASC committeemen. They were urged to vote "yes." So far as I know, no document was sent out under the official auspices of the group, telling the farmers why anyone should vote "no," although the evidence in that regard is replete. Those facts have been published all over the United States extensively.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ELLENDER. The Senator recalls that a number of pamphlets were filed with the committee. I did not think it proper to put all those pamphlets into the hearings.

Mr. HICKENLOOPER. I had the pamphlets at the hearings. There were two or three. I think at least two were put into the record of the hearings. Those were pamphlets put out by the Department showing the reasons why it was thought there should be a "yes" vote.

I have pointed out repeatedly, from the editorials that were used, how the administrators favored a "yes" vote.

In one instance there was an advertisement in a newspaper, and in the same newspaper there was a column showing the evils of a "yes" vote and what would happen.

All of that was not included in the information to the farmers. That argument was not given. It was a one-sided situation.

I appreciate the kind words of the majority leader a moment ago concerning the question of my delaying a vote. I am against the bill. I think it is the worst agricultural bill I have ever seen.

I have served on the Committee on Agriculture and Forestry for almost 15 years. Never before have I seen a farm bill come to the Senate from the other body, when the bill has not been subject to careful scrutiny and amendment in this body before action. This bill is being shoved through with all the speed of an express train. "No amendments," was the order, "no change in this bill. Take it as it came over."

There are plenty of things wrong with the bill. There are plenty of things that need correction in the interests of agriculture. Whether I am for the bill or not, the bill as it is written needs some fundamental correction and change.

This is the first time I have ever seen a bill put through with that speed, and with orders from somewhere—either from within the minds of Members themselves, or some other source—"Do not permit any amendments to this bill. Do not give serious discussion to any amendments to this bill."

I have never seen that happen before. There are members of the committee who have served longer than I have. I do not know what their experiences have been, but, as I say, I have served on the committee for more than 14 years. I have never seen it happen before.

So far as the McCone County, Mont., situation is concerned, and the statement that someone out there said that $900 was being furnished to conduct a referendum, all I ask Senators to do is to look at the Record. We have read into the Record the statement made over the signatures of four of the county

ASC workers. They say that the $900 was furnished for the purpose of holding meetings, including socializing events and including a potluck supper, to bring the farmers and their wives in, and persuade them to vote "yes." It was not to conduct a referendum, but to propagandize, to politic, and to lobby.

If we judge on the basis of numbers of witnesses, we have four to one who say that, and they signed their names to the statement.

Apparently meetings were held. I do not know.

This has been a fantastic operation by a Government department. The people should realize what it is.

It was brought out in the colloquy a moment ago that Mr. Freeman has made it perfectly clear that these people had better support what he tells them to support, in spite of the fact that they are elected by the farmers to serve the farmers. They had better support what he tells them to support, or the ax may fall.

Sometimes one does not have to say things in plain words. One of the difficulties experienced in prosecuting members of gangland in the early days was the fact that terms were used which some of the people understood but which in legal parlance did not have acceptance. If they said they were going to "hit" somebody, perhaps eventually it became understood that in gangland parlance that meant "go out and kill him." The gangsters understood what was meant.

It is not difficult—when one reads the whole attitude as expressed in the testimony by the Secretary, in the publication of the loyalty oath, in the publication of the provision that the Secretary can fire anybody at any time he wants to without cause—to put two and two together and get four. It is not necessary to go beyond four. The Secretary has that in the regulations. These people must support what he tells them to support. They are not appointed by him, but he is going to control them. They are supposed to serve the farmers who elect them, but the Secretary is going to tell them what to do. And he will have the power to fire every last one of them, up and down the line, without cause, if they do not do what he says.

Certainly the Secretary was not going to fire any of these people immediately prior to the vote on this bill. Nobody thinks he would. I do not think that Mr. Freeman is a stupid man. I think Mr. Freeman is very intelligent, and has a likeable personality. I like him personally. I do not dislike him.

I disagree with his policies, but I do not think anybody in that office would be stupid enough to fire a group of people before the vote was taken in the Congress on this legislation. I do not know how soon the ax will fall, once they get their way. I do not know what will happen then. Certainly the threat exists. Certainly the coercion is laid on the books. The ability to control exists. There is the loyalty oath, the power to fire, and the statement by Mr. Freeman himself, on the Record, which was put in by the chairman of the committee only a minute ago, that if they will not support his program they have no business holding the office, in spite of the fact that the farmers say who shall be the ASC committeeman in the district. It is the farmers who should determine whom they want to service the programs which have been put on the books, but Mr. Freeman can fire them. He can require them to take a loyalty oath. And he says that they have no business being in office if they do not do what he says they should do.

That is the situation. We do not need to have some of these things spelled out. We do not need to have pictures in the papers to understand what the printing says. Anyone who knows how some of the bureaucratic operations of recent times have been conducted knows what it means.

Mr. President, I think my time has probably expired and that I cannot put into the Record a substantial number of questions and answers from the hearings, but I shall do so before consideration of this legislation proceeds much further. I invite attention to the fact that the Senator from Louisiana definitely clinched the fact that it is the deadline of the 21st of this month, next Tuesday, that is important as a means of influencing the wheat vote. I say we ought to consider the legislation in the best interests of the feed grain people, rather than be motivated by what influence passage of this particular bill may have in securing more "yes" votes and a controlled program which, if saddled on the wheat farmers, will be the forerunner of a program which will be designed to extend entire control over agriculture of this country. I say again, that is the basic objective of many of these programs.

I have the greatest respect for the integrity of the ASC committeemen throughout the country. I think they want to serve their friends and neighbors. That is why they are elected to that office. I have heard directly, and indirectly from those who do not want to sign their names because of possible reprisals, that many of them are fairly restless with the coercion being exerted upon them. They want to serve their local areas, and they do not want to be told what proposals from Washington a committeeman must or must not support. That is the issue before us.

Therefore, I hope the amendment prevails. The amendment sets out clearly what I thought the law already was; and the statement which the chairman of the committee read a while ago seemed to indicate that. However, I believe the law is being completely disregarded. I think this amendment would clinch it and make it doubly sure.

I reserve the remainder of my time.

The **PRESIDING OFFICER.** The Senator from Louisiana has 3 minutes left.

Mr. **ELLENDER.** Mr. President, I repeat, first, that this amendment is not necessary, because it is covered by existing law.

I point out again that my good friend from Iowa, in trying to prove his case, cited quite a few instances. I should like to read from the Record of yesterday, at page 8470:

> Senator Edmondson. This letter—

That was the letter being read by the distinguished Senator from Iowa, from a committeeman in Arizona—

> This letter here that you referred to a minute ago of April 1963, from the Arizona ASC, rather than creating a prima facie case of coercion, I believe, almost proves conclusively that there is no coercion. In this the chairman of the Arizona ASC State Committee states this:
>
> "It is our duty as employees and representatives of ASCS to provide the wheat farmer with factual information about this program. It is our obligation to him to insure that the vote he casts in this referendum ('yes' or 'no') is based on his own conclusions drawn from a thorough understanding of the issues involved.
>
> "If he goes to the polls prepared to vote 'no' solely because he has been high-pressured into doing so, without being given a fair chance to form his own opinions and make up his own mind, we will have failed."
>
> Senator Proxmire. Read the last paragraph.
>
> Senator Edmondson (reading):
>
> "We want the wheat farmer who casts his vote on May 21 to be a well-informed person, who will vote according to his own best judgment. This is our responsibility and our challenge."
>
> Rather than create any impression of a prima facie case as to the Department of Agriculture, it is the contrary. I think it should be admitted into the record.

It was put in the record and it was the one used by my good friend from Iowa to prove his case.

As I said, no evidence was produced, that I know of, showing coercion, except a few letters that were exchanged by committeemen and others. But the Secretary of Agriculture said specifically that instructions from him were to the opposite. His instructions were that committeemen were to explain fully all of the facts of the bill—not to try to sway opinion—but to explain fully all of the facts. I think the record is replete with the instructions he issued. I think the record bears out the fact that there was no influence, no coercion, or anything else used to sway opinion.

The **PRESIDING OFFICER.** The Senator's time has expired.

The Senator from Iowa has 3 minutes remaining.

Mr. **HICKENLOOPER.** Mr. President, I yield 1 minute to my colleague, the Senator from Iowa [Mr. Miller].

Mr. **MILLER.** Mr. President, I hope the amendment will be supported. I think it is a shame that the facts are such as to require the offering of this amendment. But the facts are pretty clear.

I should like to make one point. Something has been said on the floor about factual information being presented to the farmers. I do not know what the phrase "factual information" includes, or is supposed to include, but I know it is supposed to include the admonition that if they do not vote for this program, Congress will do nothing to bring them a new wheat program.

That is not factual information. It is common knowledge that everyone, from the Secretary of Agriculture down to the ASCS offices, has put out this information. It is not factual. It is merely an attempt to whipsaw the farmers into accepting a program which offers them a very poor choice.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Iowa [Mr. HICKENLOOPER] has 2 minutes remaining.

Mr. AIKEN. Mr. President, I shall be glad to use the time, if the Senator from Iowa will yield it to me.

Mr. HICKENLOOPER. I yield the time to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. AIKEN. Mr. President, I made the inquiry, which has been referred to several times in the debate on this amendment, for the express purpose of getting the Secretary of Agriculture to admit that he has no business influencing the opinion or the recommendations of a county committeeman. County committeemen are elected by the farmers, and they have every right to represent the farmers of their county. But when the Secretary and his supporters say he has not attempted to influence or threaten them or to get a favorable vote on the wheat referendum, that is not true.

The Secretary addressed an organization of representatives of farmers for the express purpose of getting a favorable vote on the wheat referendum. I have seen documents sent out by this organization stating, "A 'no' vote means 72-cent wheat in Montana." That is one kind of lie, because the wheatgrowers of Montana, as well as the wheatgrowers of the Dakotas, have been getting more than the support price for wheat, and will continue to do so, because they grow the quality of wheat that is in demand.

I have put in the RECORD a circular mailed out by the million to wheatgrowers all over the country, stating plainly that if they vote "yes" they will get twice as much as they will if they vote "no." If that is not an effort to influence a vote, I do not know what it is.

The Secretary's statement that no attempt was made to influence a vote by the wheatgrowers does not hold water, because I have never seen such a drive as has been made to get a vote favorable to the administration.

Charley Brannan refused to do it, except in one instance, when he was caught.

Mr. HUMPHREY. Mr. President, the mechanics of administering any new farm program—and the provisions of the programs themselves—are not always easily grasped by farmers—especially when they are couched in legislative language.

One of the most important responsibilities of Agricultural Stabilization and Conservation Committees is to explain program provisions to their farmer neighbors. This year their job has been made more difficult by distortions, rumors and misinterpretations about the wheat program Congress authorized for 1964. The Congress has directed ASC committeemen to explain farm programs. On many occasions Congress has recognized this as a proper role of farmer elected committees.

In 1933, Congress merely authorized the Secretary of Agriculture to establish State and local associations of producers to help in the administration of farm programs. Since 1936, however, Congress has directed the Secretary to use local and State committees to administer farm programs—and has even established the procedure for annual election of these farmers by their neighbors. ASC community committeemen elect a county committee. The county agricultural extension agent in each county is an ex officio member of the county committee.

This year, one of the jobs of ASC committees is to make sure that before May 21—the date of the referendum on the 1964 wheat program—every farmer in the United States who grows wheat knows what the provisions of the 1964 wheat program are, and how he—as an individual farmer—will be affected by the outcome of the referendum. The committee does not tell farmers how to vote—but it does give them facts so they can vote intelligently.

Without the committee system, it is doubtful that new farm programs could be explained to farmers in the short period of time that usually elapses between the enactment of a farm program and a referendum date for new programs.

During World War II, it was the farmer committee system that took the lead in helping farmers understand the need for adjustment from price support and production control to the stimulation and guidance of production. After the war years it was the farmer committee system again that helped farmers shift toward production control of crops that were becoming too abundant.

The success of the 1962 wheat stabilization program was in large part due to the effective way in which ASC committees and their office staffs worked with farmers. The 1961 and 1962 feed grain programs were successful in reducing carryover stocks of feed grains from 85 million tons to 57 million tons. Millions of dollars of taxpayers' money is being saved through these programs.

The ASC farmer committees worked hard and well in explaining provisions of the feed grain program to farmers in 1961 and again in 1962. This year, the effort was not so great because it was not needed. Farmers who had participated in the program for 2 years understood and liked it—and many of them signed up to participate.

This administration has supported definite and extensive responsibilities of ASC committees in administering farm programs. Speaking to ASC committeemen in Omaha in 1961, Secretary Freeman said: "* * * farm programs must be your programs—not just Government programs—if they are really to work. I urge that all farmers take full advantage of the opportunities now open to them to choose men they want to put in places of responsibility in administering and developing the farm program. Farmers elected by their neighbors are in the best position to apply national and commodity programs to local conditions and needs."

Mr. President, I heartily agree with Secretary Freeman with regard to the role of farmer committeemen. This is the most effective, the most equitable, and the most efficient way of keeping all farmers well informed on farm programs and policies. I commend the Secretary for his work in expanding the role of ASC committees, and I salute the farmer committeemen who serve on these committees for the fine work they are doing.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. HICKENLOOPER] identified as No. 85. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk procedeed to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Illinois [Mr. DOUGLAS], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Michigan [Mr. MCNAMARA], the Senator from Utah [Mr. MOSS], and the Senator from Rhode Island [Mr. PELL] are absent on official business.

I also announce that the Senator from Maine [Mr. MUSKIE] is absent due to illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Michigan [Mr. MCNAMARA], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from Rhode Island [Mr. PELL] would each vote "nay."

On this vote, the Senator from Idaho [Mr. CHURCH] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Idaho would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from Tennessee [Mr. KEFAUVER] is paired with the Senator from Kentucky [Mr. MORTON]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Kentucky would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Illinois [Mr. DIRKSEN], the Senator from New York [Mr. JAVITS], and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The pair of the Senator from Illinois [Mr. DIRKSEN] has been previously announced.

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Idaho [Mr. Church]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Idaho would vote "nay."

On this vote, the Senator from Kentucky [Mr. Morton] is paired with the Senator from Tennessee [Mr. Kefauver]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Tennessee would vote "nay."

If present and voting the Senator from New York [Mr. Javits] would vote "yea."

The result was announced—yeas 37, nays 50, as follows:

[No. 73 Leg.]

YEAS—37

Aiken
Beall
Bennett
Boggs
Brewster
Byrd, Va.
Carlson
Case
Cooper
Cotton
Curtis
Dominick
Eastland
Fong
Goldwater
Hickenlooper
Holland
Hruska
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Mundt
Pearson
Prouty
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Stennis
Thurmond
Tower
Williams, Del.

NAYS—50

Bartlett
Bayh
Bible
Burdick
Byrd, W. Va.
Cannon
Clark
Dodd
Edmondson
Ellender
Engle
Ervin
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kennedy
Long, La.
Long, Mo.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Monroney
Morse
Nelson
Neuberger
Pastore
Proxmire
Randolph
Ribicoff
Smathers
Sparkman
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—13

Allott
Anderson
Church
Dirksen
Douglas
Javits
Kefauver
Mansfield
McNamara
Morton
Moss
Muskie
Pell

So Mr. Hickenlooper's amendment was rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the permanent Subcommittee on Investigations of the Committee on Government Operations be permitted to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, reserving the right to object, has that request been cleared with the minority leadership?

Mr. HUMPHREY. Yes.

Mr. President, I make the same request for the Subcommittee on Small Business of the Committee on Banking and Currency. This request also has been cleared.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the limitation of time for debate on the pending business be laid aside for 30 minutes, and that the next 30 minutes be allowed for consideration of the conference report on the supplemental appropriation bill.

The PRESIDING OFFICER. Is there objection?

Mr. HRUSKA. Mr. President, reserving the right to object——

Mr. MILLER. I object.

Mr. MANSFIELD. Mr. President, what is the status of the pending bill?

The PRESIDING OFFICER. The bill is open to amendment.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, the time for the quorum call will come out of the time of the other side.

Mr. KUCHEL. Mr. President, I renew my suggestion of the absence of a quorum.

The PRESIDING OFFICER. Who will yield time?

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Delaware will state it.

Mr. WILLIAMS of Delaware. Under the unanimous-consent agreement, is there any time limitation on the bill?

The PRESIDING OFFICER. There is not.

Mr. WILLIAMS of Delaware. What is the pending business?

The PRESIDING OFFICER. The bill is open to amendment.

Mr. WILLIAMS of Delaware. In view of the fact that no amendment is pending, there is no limitation of time at the moment. Is my understanding correct?

Mr. HUMPHREY. Third reading.

Mr. PASTORE. Third reading.

Mr. HOLLAND. Mr. President, if Senators wish to play rough, they can get some rough play mighty quickly. The Senator from Iowa had to go to the telephone. He has other amendments to offer. I think he should be protected in that right. So far as I am concerned, insofar as I can do so, I shall see to it that he is protected in that right.

Mr. MANSFIELD. Mr. President, I must disagree with what the Senator from Florida has just now stated. There was no intention to engage in rough play. The Senator from Iowa is being fully protected; and he and all other Senators will always be protected on this floor. I hope that is understood.

Mr. HOLLAND. But I heard various Senators ask that the bill be read for a third time, and that was the reason for my comment. I do not think that was fairplay during the temporary absence of a Senator who has printed amendments at the desk. I say that, and I mean it; and no such horseplay will occur with my consent.

Mr. MANSFIELD. Mr. President, let me say that the word "horseplay" is more appropriate. It has happened more than once in this Chamber; and I believe a little humor once in a while will be helpful to all of us.

Mr. MILLER. Mr. President——

Mr. MANSFIELD. I yield to the Senator from Iowa.

Mr. HUMPHREY. Mr. President——

Mr. MILLER. I yield.

Mr. HUMPHREY. Mr. President, what business is before the Senate?

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MANSFIELD. Mr. President, I have the floor, have I not?

The PRESIDING OFFICER. The Senator is correct.

Mr. MILLER. Mr. President, will the majority leader yield to me?

Mr. MANSFIELD. I yield.

Mr. MILLER. The distinguished majority leader made a request, a moment ago, for unanimous consent. I offered an objection. I wish to withdraw that objection at this time; and I should like to have the majority leader know that I did not understand that this matter had been cleared with some of the leadership on my side of the aisle.

Mr. MANSFIELD. Yes, it was.

Mr. President, I renew my request for unanimous consent.

Mr. KUCHEL. Mr. President, reserving the right to object, first I suggest that we have the courtesy of a little silence, so I may ask my brethren on this side of the aisle whether there is any objection to setting aside half an hour for consideration of the conference report on the supplemental appropriation bill.

Mr. COTTON. Mr. President, reserving the right to object, and even though I objected earlier in the day, and even though I am increasingly indignant at the way this bill is being crammed through the Senate, I did not want to fail to cooperate with as fine a gentleman and one who has been as good to me as has the distinguished majority leader. A moment ago I agreed that I would not object. When I agree, I keep my agreement. But I regret that I did agree; and if I had not agreed and had not given him my word a moment ago, I would now object. From now on, Mr. President, I will object, until the bill is passed.

That is what Senators get for what occurred here a moment ago. But I promised, and I keep my promises.

Mr. MANSFIELD. Mr. President, I would permit the Senator to withdraw his promise, because in 3 days one amendment has been considered. If that is cramming and ramming, someone is proceeding under an illusion.

Mr. KUCHEL. Mr. President, reserving the right to object, I merely wish to say to my beloved Democratic brethren that they had better be thankful that they have an Irishman as their leader. [Laughter.]

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Montana? Without objection, it is so ordered.

SUPPLEMENTAL APPROPRIATION BILL, 1963—CONFERENCE REPORT

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5517) making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of May 14, 1963, pp. 8502–8503, Congressional Record.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. PASTORE. Mr. President, I have prepared an explanation of the report, and I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

Statement by Senator Pastore

For the information of the Senate, I shall briefly summarize the conference results. The total arrived at in conference is $1,467,430,491. This is an increase of $28,738,985 over the House-approved amount of $1,438,691,506, and a decrease of $21,253,350 from the Senate-approved total of $1,488,683,841. The conference-approved amount is a reduction of $184,869,965 from the total supplemental requests of $1,652,300,456.

Among the more significant differences resolved either in the conference report or in the accompanying motions approved by the House are—

1. The provision of $15 million for the shelter survey and stocking program for Civil Defense;

2. The acceptance of the Senate language providing for the availability of accelerated public works funds until January 31, 1964, and the inclusion of House language to require a financial contribution from State or local sources for any Federal project except projects dealing with preservation of forests in the jurisdiction of the Department of Agriculture and the Department of the Interior;

3. As recommended by the Senate, $6 million for the Bureau of Reclamation for emergency construction of facilities in the Wellton-Mohawk Irrigation and Drainage District of Arizona for the alleviation of the salinity problem associated with the delivery of Colorado River water to Mexico;

4. The acceptance of the House version of the bill providing funds for trade adjustment activities of the Department of Commerce and the Department of Labor, $25,000 and $100,000, respectively.

Mr. PASTORE. Mr. President, I shall be happy to answer any questions which Senators may wish to ask.

I was hoping that the Senator from Arkansas [Mr. Fulbright] would be in the Chamber at this time. I thought he was present when I made my motion. I shall ask the staff to get in touch with him.

In the meantime, I have before me, reduced to writing, a colloquy between the Senator from Washington [Mr. Jackson] and myself in regard to the public works accelerated program and what will be the effect on certain Indian reservations, national parks, and national forests with respect to that program. I ask unanimous consent that the colloquy be printed at this point in the Record.

There being no objection, the colloquy was ordered to be printed in the Record, as follows:

Colloquy Between Senator Jackson, Chairman of the Committee on Interior and Insular Affairs, and Senator Pastore, Chairman of the Appropriations Subcommittee on Deficiencies and Supplementals, on the Public Works Acceleration Section of the Supplemental Appropriation Bill, 1963

Senator Jackson. Is my understanding correct, Senator Pastore, that the several Federal agencies administering forests may participate in this all-Federal public works program for the "preservation of forests?" I note the phrase "national parks, forests, and Indians" in the conference report's explanatory language (referring to amendment No. 13) which leads me to believe this.

Senator Pastore. That is true, Senator Jackson. Your understanding is quite correct.

Senator Jackson. The "preservation of forests" requires, does it not, many related public works activities such as the construction of those facilities necessary for forests development and rehabilitation, including fish and wildlife preservation?

Senator Pastore. You are quite right, Senator.

Senator Jackson. Does the conference committee also intend that the agencies involved may undertake the development of facilities to assure proper use of the forests by visitors? More specifically, may campgrounds, day-use facilities, picnic areas, and related safety and sanitary facilities be constructed to prevent any kind of hazardous or unhealthful condition from arising through the use of these forests by the public? In this connection, the Multiple-Use Act of 1960, the National Park Act, and other legislation have made clear the intent of Congress that the forests are to serve many needs.

Senator Pastore. Your understanding on this point is also quite consistent with the language of the conference report.

Senator Jackson. Would it not then be accurate to conclude, Senator Pastore, that essentially what the conferees mean by "preservation of forests" are those Federal public works activities that would preserve the many benefits of the U.S. forests for the Nation?

Senator Pastore. That is certainly a fair summary. We also realize, Senator, that in many States, particularly but not exclusively in the West and South, Federal forests constitute a very important segment of the total area of these States. Since there is an enormous backlog of work in these forests, the scope of investment contemplated in the bill will not only create jobs for unskilled and semiskilled workers, but will also produce a profitable return to the Federal Government and to the Nation.

Mr. PASTORE. Mr. President, for the benefit of the Record, in reply to the question raised by several Senators in regard to the Indian reservations and national parks insofar as the conference report and the conferees are concerned, it is very clear that Indian reservations and national parks will be placed in the same category as national forests, which come under the jurisdiction of the Department of the Interior and the Department of Agriculture, insofar as the accelerated public works program might affect any activities in those areas.

Mr. MANSFIELD. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. MANSFIELD. I thank the distinguished chairman of the subcommittee, and to assure him that my colleague [Mr. Metcalf] and I deeply appreciate what he has said, because he has set forth the intent of Congress in connection with certain questions regarding our own State of Montana in which we are vitally interested.

Mr. PASTORE. Mr. President, on that very point I have a communication from the Senator from Montana, and I ask unanimous consent that it be printed in the Record at this point, because the answer I have given just now is in response to and in line with that communication.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Supplemental Appropriations Bill—Accelerated Public Works Program

(Statement by Senator Mansfield)

The junior Senator from Montana, Mr. Metcalf, several of our colleagues, and I are somewhat concerned about the language in the conference report on the supplemental appropriations bill prohibiting the use of accelerated public works funds for all-Federal projects except those dealing with preservation of forests. If my interpretation is correct this will be a major blow to some very important projects in the West.

I am particularly concerned about the effect this new language will have on Indian reservations. As I indicated to the Senate several days ago this program has been a great shot in the arm for many reservations. It has provided improved roads, developed timber stands, sanitation and community projects. All of these things are badly needed and in addition it has provided employment, an even more important consideration. The Indian reservations are recognized as a Federal responsibility and I feel that it is far more profitable to allocate funds to these areas in a constructive way rather than through welfare and subsistence payments.

I would like to ask the Senate conferees if Indian reservations will be eligible for accelerated public works funds for development of their forests and access roads? Will these reservations be eligible for accelerated public works funds for all Federal projects such as water and sewage facilities under the Public Health Service and construction of community centers?

Also, I would like to ask whether or not there will be a sufficiently broad interpretation of the "preservation of forests" clause to provide for forest development and road work in our national parks, on public lands, and on Indian reservations?

This restrictive language will mean the end of several development programs in our national parks. In Montana it will mean that a conservation project on the National Bison Range will be stopped, halfway to completion.

The Fish and Wildlife Service will not be able to continue its refuge maintenance and improvement work on the Lake Mason National Wildlife Refuge in Musselshell County. It is this last possibility which concerns my colleague, Senator Metcalf, and me very much. This particular county has been hard hit because of depressed mining conditions. It is a county of small population and little other major activity on which to depend. The Lake Mason project is a good one but in addition it was giving some relief to an extreme unemployment problem. There is little recourse for this county, they have no other way to turn.

I thank the Senator for this clarification and I sincerely hope that the language in this report will not prove to be too restrictive.

Mr. PASTORE. Mr. President, I move the adoption of the report.

Mr. MILLER. Mr. President, does the Senator from Rhode Island object to having the yeas and nays ordered on the question of agreeing to the report?

Mr. PASTORE. I have no objection.

Mr. MILLER. Then, Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SALTONSTALL. Mr. President, I should like to point out to the Senator from Iowa that the pending question is on agreeing to the conference report, which does not include at all the question of the Philippines amendment. The latter question will be dealt with by means of a subsequent vote, according to my understanding. The House has rejected that amendment.

So I wonder whether the Senator from Iowa wishes to have a yea-and-nay vote taken on the question of agreeing to the conference report or on the question of receding from the Philippines amendment.

Mr. MILLER. I do not wish to delay unduly the proceedings in the Senate. I understood that the conference report included deletion of the so-called Philippines amendment.

Mr. PASTORE. Mr. President, the Senator from Iowa has somewhat anticipated my statement. In a moment I shall reach that amendment.

At this time I ask unanimous consent that the order for the yeas and nays on the question of agreeing to the conference report be rescinded.

Mr. KUCHEL. Mr. President, reserving the right to object, I do not know what the yeas and nays will operate on, unless on the question of whether the Senate approves or rejects the conference report. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. KUCHEL. Then I object.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. The question will be resolved when we reach the point of considering receding from amendment 76. At that time the question will be crystallized. It will be made more definitive and Senators will have the satisfaction of a yea-and-nay vote.

The PRESIDING OFFICER. The Chair would like to inquire of the Senator from Iowa if he cares to withdraw his request.

Mr. MILLER. Mr. President, with that assurance, I am more than happy to withdraw my request for a yea-and-nay vote.

The PRESIDING OFFICER. Without objection, the order for the yeas and nays is rescinded.

The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 5517, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
May 14, 1963.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 10, 12, 30, 34, 41, 42, 43, 44, and 56 to the bill (H.R. 5517) entitled "An Act making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11, and concur therein with an amendment, as follows:

In lieu of the matter inserted by the Senate, insert the following:

"DEPARTMENT OF DEFENSE—CIVIL DEFENSE

"Research

"For an additional amount for research, including continuing shelter surveys, marking and stocking, $15,000,000, to remain available until expended."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows:

"In lieu of the sum named in said amendment, insert: '$10,000'."

Resolved, That the House insist upon its disagreement to the amendment of the Senate numbered 76 to aforesaid bill.

Mr. PASTORE. Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments Nos. 11 and 27.

Mr. MILLER. Mr. President——

Mr. PASTORE. Mr. President, I point out that the amendment relating to the Philippine Rehabilitation Act Amendments of 1963 is amendment No. 76. I suggest that when the Senator from Iowa hears the number "76," he then move.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. PASTORE. Mr. President, I move that the Senate recede from Senate amendment No. 76, which is the amendment relating to the Philippine Rehabilitation Act Amendments of 1963.

Mr. MILLER. Mr. President, on that motion I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, the Senate is entitled to a word of explanation as to what transpired.

Mr. KUCHEL. I wish to say that is very gracious of the Senator, because I agree with him.

Mr. PASTORE. In view of the action taken by the House of Representatives, it should be noted that on two occasions we met in conference. We went to the conference with the original Fulbright amendment. Before going to that conference I conferred with the Senator from Arkansas [Mr. FULBRIGHT] for guidance and advice as to what our position should be in the conference. I made it abundantly clear to the Senator from Arkansas that we were willing to stand on the amendment of the Senate, either all or nothing. The Senator from Arkansas told me that the responsibility was ours. He would like to see the Senate stand firm on the Senate version, but in any event, if some compromises had to be made, he would like to see some legislation.

We went to conference. The conferees agreed. The bill went back to the House. There was some debate, but no action was taken in the House except on another point that had to do with the International Peace Corps Secretariat.

That was the only question discussed in the second conference. But it was necessary for the report to go back to the House. When it went back to the House, debate was had on amendment No. 76. By a substantial vote the House agreed to the conference report and several other items excepting amendment No. 76, which is the Philippine Rehabilitation Act Amendments of 1963. A motion was made by Mr. THOMAS to write in language which would make it a criminal offense for those people who would be prohibited, under the Senate amendment from receiving any compensation for their work. In brief, to receive such compensation would be made a criminal offense.

Then Representative BARRY raised a point of order that the proposed legislation was not germane because it pertained to a criminal statute, and the point was maintained.

Thereupon a motion was made by Representative BARRY to recede from the House position and to concur with the position of the Senate. That action was broken down into two parts. The House agreed to recede.

Meanwhile, Mr. THOMAS made another motion to add certain language which would merely prohibit the payment of any money to lobbyists who were connected with the Philippine War Damage Commission and employees of that Commission. That motion was defeated by a voice vote.

Then the question came on concurring to the Senate amendment, which was the Fulbright amendment. That motion was defeated by a voice vote.

It is clear to the Senator from Rhode Island that the better part of wisdom would be to remove the amendment relating to the Philippine Rehabilitation Act Amendments of 1963 from the appropriation bill. I make that statement for two reasons:

First, the House appears to be in no mood to consider the Philippine Rehabilitation Act Amendments of 1963 on this appropriation bill.

Second, the bill is a supplemental appropriation bill which takes care of certain deficiencies until the 30th of June. Last year we passed a pay raise bill, but provided no money for it. The Budget Bureau allowed the various departments to effect the pay raise cost out of current personnel funds. Those funds will run out pretty soon. Many Federal employees will go without pay unless this bill is passed. The bill totals nearly $1.5 billion.

It is a very important piece of legislation. Some of these items came up last session. They were not passed for reasons that everyone knows. I need not elaborate on the reasons.

It is now the middle of May. I repeat that the House has had two bites at the cherry and each time has refused to swallow it.

The best thing to do is to have the Senate Foreign Relations Committee append the Fulbright amendment to some bill that would be reported from that committee, or report such a bill out separately. I believe that would be the wiser and better way to do it. Then when the bill would go to conference, the conferees would be Senators who are specifically knowledgeable and proficient in foreign affairs, they would not be the conferees of the Appropriations Committee.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. First, I wish to express my appreciation to the Senator from Rhode Island and his colleagues on the Appropriations Committee for the way in which they have cooperated with the Committee on Foreign Relations. What they have done in the way of handling the bill was correct.

Earlier today I attended the meeting that I believe the Senator described. Under the circumstances that confront us, the procedure the Senator has stated is a correct one. The Committee on Foreign Relations met this morning. We voted to attach to the foreign buildings bill that amendment, and to report that bill with the amendment that the Senate has already approved.

I also discussed this subject with Representative HAYS, of Ohio, who is chairman of the subcommittee of the Foreign Affairs Committee of the House. The action has his approval. In fact, he suggested it to me some days ago. We did not know how the problem would be solved in connection with the supplemental bill. That action was taken only a few moments ago by the Foreign Relations Committee. That bill will come before the Senate, we hope, this afternoon or tomorrow. The Senate will then have an opportunity to reexamine the question, if it cares to do so.

I hope it will abide by its former judgment. Then the bill will go to conference, and the House will have an opportunity to have a straight-out vote on the bill and finally dispose of the question.

What the Senate has done is entirely correct. I still believe that this is the best solution, although under the circumstances I shall vote to follow the suggestion of the Senator from Rhode Island.

Mr. PASTORE. I thank the Senator from Arkansas. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, as one who has followed the situation as closely as it was possible to do so in the conference committee with the Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Committee on Foreign Relations, the Senator from Iowa [Mr. HICKENLOOPER], and under the guidance of the Senator from Rhode Island [Mr. PASTORE], I believe the only thing that the Senate can do at the present time is to take the action that it must take on the motion of the Senator from Rhode Island—to recede from amendment No. 76 and to accept the conference report at this time.

I make that statement because in the first conference, when we brought up the Senate amendment, which was unanimously adopted by the Appropriations Committee, the House immediately presented a countersubstitute which the conferees finally, after considerable discussion, accepted. That conference adjustment was accepted by the Senate but has never been accepted by the House. The House has now taken a firm position against amendment No. 76, as it has been offered in its original form by the Senate, in the substitute form offered by the House, and in the second substitute form on an amendment offered by Representative THOMAS, of Texas. It does not properly belong on an appropriation bill, but we put it there as an emergency matter.

As the Senator from Rhode Island has said, $1½ billion of appropriations are being held up, with only 6 weeks remaining of this fiscal year. If we should continue to hold up this money on the basis of this disagreement, I do not know what might happen with respect to payrolls and so on.

I hope the Senator from Arkansas [Mr. FULBRIGHT] will make it as clear as he can to the proper authorities that none of these claims should be paid to the claimants—or certainly to any attorneys—and none of the money spent until the Senate and the House have an opportunity to complete their action.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. FULBRIGHT. Mr. President, I consulted with the Chairman of the Commission, Mr. Re, and he agreed to hold up further action—and said that they had not disbursed any funds—until the Congress had a further opportunity to discuss the problem. It is my understanding that he will not take action until a reasonable period of time is allowed.

I hope that this problem can be handled in connection with the foreign buildings bill, which is in itself noncontroversial. I do not think there will be any objection to that. The bill has already passed the House. The provision will go to conference. I think the House may well reconsider its attitude.

I know that some Members of the House were disturbed about procedural matters. This was clear from the debate.

Mr. SALTONSTALL. With that understanding, I hope the Members of the Senate will be satisfied that the Appropriations Committee has taken proper action.

Mr. FULBRIGHT. I think the Appropriations Committee has gone along very well. I wish to make that clear. I have no criticism, but only praise of the Appropriations Committee. This was an unusual emergency action. I was well pleased by what was done. The Appropriations Committee is not in any way at fault.

This problem arose suddenly. I think it has been a reflection on the whole Congress. I hope we can straighten it out—and the quicker the better.

Mr. SALTONSTALL and Mr. HOLLAND addressed the Chair.

Mr. PASTORE. Mr. President, I will yield first to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I should like to complete my thought with one additional remark.

The foreign buildings bill is an authorization bill, as I understand it. This problem of the Philippine claims settlement is an authorization problem. It is not, as I understand it, an appropriations problem, because no additional money is involved at all. There is simply a difference in the language of the authorization bills.

When the foreign buildings bill comes from the Committee on Foreign Relations, we will be in a much better position than having the claims provision on the appropriation bill.

I hope that the motion by the Senator from Rhode Island will be agreed to; and that the Senate will recede on amendment No. 76, so that we can get the supplemental appropriation bill out of the way.

Mr. PASTORE. Mr. President, I have only 7 minutes remaining. I had promised to yield to the Senator from Iowa [Mr. MILLER]. Thereafter, I will yield to the Senator from Florida [Mr. HOLLAND].

Mr. MILLER. Mr. President, I thank the Senator from Rhode Island.

First, the question of the urgency of passage of this bill weighs no more heavily upon the Senate than it does upon the House of Representatives. It seems to me that the Senate might wish to hold firm, and perhaps the House will swallow it.

I wish to quote from the RECORD for May 1, page 7582, the statement by our distinguished colleague, the senior Senator from Florida [Mr. HOLLAND], which really persuaded me to take the position I have taken:

> I was present in the Appropriations Committee when a very dignified presentation of this matter was made by the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], who was accompanied there by the distinguished ranking minority member of the committee, the Senator from Iowa [Mr. HICKENLOOPER].
>
> I remember very well the two principal points which were the basis of their request that this amendment be added to the bill.

The reference in that connection was to the so-called Fulbright amendment, which has now been knocked out by the House, on which the Senate is asked to recede.

> First, it was felt that the conduct of the lobbyist had amounted to a flagrant abuse of the Foreign Agents Registration Act, and that it could not be allowed to go unnoticed. Second—

This, it seems to me, is critical—

> the only way that appeared to be open for the enactment of such remedial legislation in time to prevent the payment of the

funds, which were ready to be paid in such a way that the lobbyist would be able to capitalize upon their violation of the Foreign Agents Registration Act, was to add this amendment as a rider to the pending bill——

Mr. PASTORE. No one disputes that.

Mr. MILLER. Mr. President, if this is "the only way," then the only way we can do it is to vote against the motion by the Senator from Rhode Island.

Mr. PASTORE. Now the Senator from Iowa is being very impractical. This question has gone to the House twice. The House has autonomy, as the Senate has.

Of course, I should like to see favorable action taken on the Senate version of the bill. I should like to see the House take action to support the Senate position, but the House did not do so. The House did not do that on two occasions. The House took a vote and said it would not do so.

What do we do now? Roll over and die?

Mr. MILLER. That seems to be exactly what we are doing.

Mr. PASTORE. No. We will put this provision on a bill where it belongs. The question is: Do we want a headline, or legislation?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Florida.

Mr. HOLLAND. I appreciate the fact that the Senator from Iowa has quoted my remarks correctly, in the statement I made on the floor during the original consideration of the bill. The facts which I stated then were, of course, the facts which had been developed before the committee and the facts which then existed at that time.

However, if my distinguished friend from Iowa will follow me for a moment, I believe he will see that the situation has changed somewhat from that time. We are now advised by the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], that that committee has already attached this same provision to another bill, which is a more appropriate bill, an authorization bill which has today been reported by the committee and will be on the Calendar of the Senate tomorrow, on which the Senator will ask action, as I understand it, tomorrow or as soon as action can be had.

Second—and this is of very great importance—the Senator from Arkansas has advised the Senate today that the Chairman of the Foreign Claims Settlement Commission has notified him that because of his present knowledge of this situation no payments will be made to anybody until the Congress has had an opportunity to pass upon this authorization measure. Am I correct in my understanding?

Mr. FULBRIGHT. The Senator is correct.

Mr. HOLLAND. It seems to me that that gives us an assurance, which we could not have had on the earlier occasion, that the measure will be disposed of in time to affect the whole question. For that reason I add my request to that of the Senator from Rhode Island that the recommendations of the committee be approved.

Mr. President, I realize that time is running short. In closing I wish to express my very great appreciation to the Senator from Rhode Island for his patience and for his ability in handling this very troublesome problem.

Mr. PASTORE. Mr. President, no one fights harder in conference than the Senator from Rhode Island to work the will of the Senate. But we feel that the best thing to do is what we have recommended. The big question now is whether we shall remain stubborn and defeat the appropriation bill, or find some other method to achieve our desired end. I think we have the problem resolved.

The Senator from Arkansas [Mr. FULBRIGHT] and Representative HAYS have conferred about the noncontroversial bill. When that bill goes to conference, the conferees will be as I have said members of the Committee on Foreign Relations and the Committee on Foreign Affairs, rather than members of the Appropriations Committees.

The reason we are in this position is not because of anything the Senate has done or anything the conferees have done or failed to do. It has been the attitude of the House.

Personally, it does not matter to me what the Senate does about this problem. We can send the bill back to conference, to get absolutely nothing except a lot of Federal employees going without pay.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. MILLER. I very much appreciate the explanation of the Senator from Florida. I do not believe we were apprised of the understanding that the Foreign Claims Commission would withhold payments.

Mr. PASTORE. The Senator from Arkansas [Mr. FULBRIGHT] said that only a few moments ago on the floor.

Mr. MILLER. We were not apprised of that at the time the request for a yea-and-nay vote was made.

Mr. PASTORE. The Senator is correct.

Mr. MILLER. May I ask the Senator from Arkansas whether he has assurance from his colleagues on the House side that there will be no objection to such an amendment on the bill he expects to have considered tomorrow?

Mr. FULBRIGHT. Not from all the Members of the House. Mr. HAYS, who will be chairman of the conferees, and who is chairman of the subcommittee of the House which handles the foreign buildings bill, has assured me that he approves of this procedure. He cannot speak for the entire membership of the House.

This is a controversial matter in the House. The bill originated in the House. Certain Members of the House have very strong feelings about how it should be handled. There is a great difference of opinion. I spoke only with respect to what Mr. HAYS, who is a Representative from Ohio, had to say. He tells me he believes the House will support his position, but he cannot give us an assurance.

Mr. MILLER. May I ask the Senator from Arkansas a further question?

As I understand the problem, one of the difficulties on the House side is that some of the Members thought this ought to be an across-the-board type of amendment which would cover some of the lobbyists under the Sugar Act.

Since the amendment that is to be put on the noncontroversial bill is to relate only to the Philippine situation, am I to understand that there would be a similar objection on the House side, to the effect that this does not cover the sugar lobby?

Mr. FULBRIGHT. I do not know. I cannot say what the House will do. I can only say that Representative HAYS objected to this bill last year. This is no new position with him. He favors the position the Senate has taken. I cannot speak for the House. The House may object to it. Some of them probably will. I am hopeful that the House as a whole will not.

Mr. MILLER. If we accept the amendment and act on the bill, when it is brought up, and it goes to the House, and it is again eliminated, and we go through the same rigmarole we are now going through, what will be the reaction of the Members of the Senate?

Mr. FULBRIGHT. Well, when we get into a conference and there is disagreement, it is a question of how long we want to sit it out. I am personally in favor of standing for the commitment of the Senate. I will do so to the best of my ability. I cannot say I will stay there forever. Every conference has this problem. I shall do all I can. It is a serious matter. I do not want only the case of Mr. O'Donnell to be emphasized, but the whole field. This is merely an example of activities in this field. We had a hearing all day yesterday, from 10 in the morning until 6 last night, on this subject.

There are a number of cases. This is a typical case. Some aspects of it are different from others. But this is a very important question, on which I think action should be taken in this body. I think the action the Senate has already taken has had a helpful effect.

Mr. MILLER. How long does the agreement with the Chairman of the War Claims Commission run?

Mr. FULBRIGHT. He came to my office at my request, and I discussed this matter with him. I explained our problem. He hoped they were ready to pay some of the claims. There are many of them and they are complicated. My understanding was that, until we had had further discussion of it, he would make no payments. We have not had that discussion. I have been awaiting the action of Congress. It was my understanding, very positively, that he would not proceed until he and I had a further opportunity to confer about it.

Mr. PASTORE. Mr. President, when does the Senator think the Foreign Relations Committee will report the foreign building program bill?

Mr. FULBRIGHT. Today. We are already in the process of writing the report. We already voted on it. I had special permission of the Senate for the committee to sit. We had voted to report it.

AUTHORIZATION FOR COMMITTEE ON FOREIGN RELATIONS TO FILE REPORT ON H.R. 5207

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Foreign Relations Committee may have until midnight tonight to file a report, with amendments, on H.R. 5207, the Foreign Service Buildings Act. We are in the process of writing it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. May I ask the Senator from Arkansas one last question? Would it be the Senator's purpose not to have the further meeting with the Chairman of the Claims Commission until after the bill to which he has referred has been disposed of and any conferences thereon disposed of?

Mr. FULBRIGHT. That is correct. I shall, further, remind him of his agreement, and that I do not intend to recede from the position of the understanding I had, until Congress has had an opportunity to act. If that takes a week or a month, it is my understanding that agreement will continue. I shall reaffirm it.

Mr. MILLER. I thank the Senator for his very responsive answers.

Mr. President, in view of the record that has now developed, I ask unanimous consent that the order for the yeas and nays on the motion of the Senator from Rhode Island be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 2 additional minutes be allowed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I shall support the Senator's position for somewhat different reasons. If the Fulbright amendment will authorize the paying of these moneys to the Philippine Government, it seems to me, in view of the argument that the American people have been fleeced as a result of improper lobbying activities by American citizens, we ought not to continue it, but rescind the bill, and say it was a bad bill. I think we ought to hold up payment of the claims until we see what they are, and then, when we see specifically what the claims are, and what the value of each one is, do something about it.

Mr. PASTORE. I hope the Senator from Louisiana will engage in the debate at the time of that amendment on the regular bill.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GORE. If the Senate wished to rescind the appropriation, would it not in fact have to come from the Appropriations Committee?

Mr. PASTORE. We are not rescinding it.

Mr. GORE. That was the suggestion of the Senator from Louisiana.

Mr. PASTORE. I think he was speaking of the authorization bill.

Mr. GORE. No; he was speaking of the appropriation. The money has been appropriated. The Appropriations Committee could report a bill to rescind the appropriation.

Mr. PASTORE. That is correct.

Mr. GORE. Then we could examine the claims singly and fully. I suggest the Senator should consider doing that.

Mr. PASTORE. I hope that effort will be made by those proposing it. Every Senator has a right to offer a bill or amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent to include in the RECORD at this point a table which shows, by item, the supplemental budget requests, the House and Senate versions of the bill, and the amounts agreed to in conference.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

The supplemental bill, 1963 (H.R. 5517)

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE I				
	DEPARTMENT OF AGRICULTURE				
61	Extension Service: Cooperative extension work, payments and expenses (by transfer)	*($311,250)*	*($311,250)*	*($311,250)*	*($311,250)*
61	Statistical Reporting Service: Salaries and expenses (by transfer)	*($347,600)*	*(331,850)*	*(331,850)*	*(331,850)*
	Agricultural Stabilization and Conservation Service:				
61	Land-use adjustment program	6,000,000	150,000	2,000,000	2,000,000
61	Conservation reserve program	4,000,000	4,000,000	4,000,000	4,000,000
	Farmers Home Administration:				
	Salaries and expenses:				
61	Appropriation	270,000			
61	Transfer	*(1,182,000)*	*(1,122,900)*	*(1,222,900)*	*(1,222,900)*
61	Rural housing for the elderly revolving fund	5,000,000		2,000,000	1,000,000
61	Office of Information: Salaries and expenses (by transfer)	*(54,500)*	*(52,220)*	*(52,220)*	*(52,220)*
	Forest Service:				
	Forest protection and utilization:				
61	Forest land management	17,982,000	17,832,900	17,832,900	17,832,900
61	Forest research	770,000	731,500	731,500	731,500
61	State and private forestry cooperation	48,000	45,600	45,600	45,600
61	Forest roads and rails (liquidation of contract authorization)	7,000,000	7,000,000	7,000,000	7,000,000
	Total, Department of Agriculture	41,070,000	29,760,000	33,610,000	32,610,000
	DEPARTMENT OF COMMERCE				
	Office of Trade Adjustment:				
	Trade adjustment assistance	200,000	25,000		25,000
61	Trade adjustment loans and guarantees	Language			
61	Civilian industrial technology	1,250,000	500,000	750,000	625,000
61	Patent Office: Salaries and expenses	1,570,000	1,535,000	1,535,000	1,535,000
	Bureau of Public Roads:				
61	Forest highways (liquidation of contract authorization)	5,000,000	4,900,000	4,900,000	4,900,000
61	Study of highway program for Alaska	800,000		800,000	400,000
61	Transportation research	1,250,000	625,000	625,000	625,000
	Total, Department of Commerce	10,070,000	7,585,000	8,610,000	8,110,000
	DEPARTMENT OF DEFENSE—CIVIL				
	Rivers and harbors and flood control:				
	General investigations			15,000	15,000
	Construction, general			25,000	25,000
	Total, Department of Defense—Civil			40,000	40,000

The supplemental bill, 1963 (H.R. 5517)—Continued

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE I—Continued				
	DEPARTMENT OF DEFENSE—MILITARY				
	Military personnel:				
61	Military personnel, Army	$19,600,000	$19,600,000	$19,600,000	$19,600,000
61	Military personnel, Navy	12,700,000	12,700,000	12,700,000	12,700,000
61	Military personnel, Marine Corps	6,700,000	6,700,000	6,700,000	6,700,000
61	Military personnel, Air Force	50,000,000	50,000,000	50,000,000	50,000,000
	Operation and maintenance:				
61	Operation and maintenance, Army	46,151,000	44,207,000	44,207,000	44,207,000
61	Operation and maintenance, Navy	29,454,000	28,122,000	28,122,000	28,122,000
61	Operation and maintenance, Marine Corps	1,555,000	1,500,000	1,500,000	1,500,000
61	Operation and maintenance, Air Force	44,204,000	42,333,000	42,333,000	42,333,000
11	Claims (limitation on transfer)	*(4,000,000)*		*(3,300,000)*	*(3,300,000)*
	Total, Department of Defense—Military	210,364,000	205,162,000	205,162,000	205,162,000
	DEPARTMENT OF DEFENSE—CIVIL DEFENSE				
61	Civil Defense, Department of Defense: Research	61,900,000		30,000,000	15,000,000
	EXECUTIVE OFFICE OF THE PRESIDENT				
61	Office of Emergency Planning: Salaries and expenses	258,000	240,000	240,000	240,000
	FUNDS APPROPRIATED TO THE PRESIDENT				
61	Disaster relief	25,000,000	25,000,000	25,000,000	25,000,000
61	Public works acceleration	500,000,000	450,000,000	450,000,000	450,000,000
	Total, Funds appropriated to the President	525,000,000	475,000,000	475,000,000	475,000,000
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
61	Office of Education: Salaries and expenses	600,000	345,000	345,000	345,000
	Public Health Service:				
61	Communicable disease activities	12,600,000	5,430,000	12,230,000	8,830,000
61	Community health practice and research	1,500,000	500,000	1,000,000	750,000
61	Hospitals and medical care	1,255,000	1,218,000	1,218,000	1,218,000
61	Hospitals and medical care (1962)	325,000	315,000	290,000	290,000
	Social Security Administration:				
	Bureau of Family Services:				
61	Grants to States for public assistance	210,000,000	200,000,000	200,000,000	200,000,000
61	Salaries and expenses, Bureau of Family Services	452,000	288,500	175,000	175,000
	Children's Bureau:				
61	Grants for maternal and child welfare	3,650,000	3,500,000	1,000,000	1,000,000
61	Salaries and expenses	133,000	102,500	90,000	90,000
61	Howard University: Salaries and expenses	443,000	443,000	425,850	443,000
61	Office of the Secretary: Educational television facilities	2,000,000	1,500,000	1,500,000	1,500,000
	Total, Department of Health, Education, and Welfare	232,958,000	213,642,000	218,273,850	214,641,000
	INDEPENDENT OFFICES				
	CIVIL AERONAUTICS BOARD				
61	Payments to air carriers (liquidation of contract authorization)	3,478,000	3,300,000	3,300,000	3,300,000
	CIVIL SERVICE COMMISSION				
61	Payment to Civil Service Retirement and Disability Fund	30,000,000	30,000,000	30,000,000	30,000,000
61	Salaries and expenses	1,090,000	812,300	812,300	812,300
61	Investigation of United States citizens for employment by international organizations	200,000	170,000	170,000	170,000
61	Government payment for annuitants, employees health benefits fund	977,000	955,000	977,000	966,000
	Total, Civil Service Commission	32,267,000	31,937,300	31,959,300	31,948,300
	COMMISSION ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE				
82	Salaries and expenses	34,000		20,000	10,000
	FOREIGN CLAIMS SETTLEMENT COMMISSION				
61	Salaries and expenses	75,000		75,000	37,500
	GENERAL SERVICES ADMINISTRATION				
61	Sites and expenses, public building projects	4,605,000	3,000,000	3,000,000	3,000,000
61	Construction, public buildings projects	7,985,000			
61	Hospital facilities in the District of Columbia	375,000	375,000	375,000	375,000
61	Operating expenses, Federal Supply Service	2,095,000	1,712,000	1,712,000	1,712,000
61	General SupplyFund	30,000,000	25,000,000	25,000,000	25,000,000
61	Federal Telecommunications Fund	10,000,000	9,000,000	9,000,000	9,000,000
61	Improvements, National Industrial Reserve Plant Numbered 485	1,150,000	1,100,000	1,100,000	1,100,000
	Total, General Services Administration	56,210,000	40,187,000	40,187,000	40,187,000
	HISTORICAL AND MEMORIAL COMMISSIONS				
61	Franklin Delano Roosevelt Memorial Commission	25,000	25,000	25,000	25,000
61	Woodrow Wilson Memorial Commission	10,000	10,000	10,000	10,000
	HOUSING AND HOME AGENCY				
82	Housing for the elderly fund	30,000,000	25,000,000	25,000,000	25,000,000
	NATIONAL CAPITAL PLANNING COMMISSION				
61	Salaries and expenses	50,000	50,000	50,000	50,000

***The supplemental bill, 1963 (H.R. 5517)*—Continued**

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE I—Continued				
	INDEPENDENT OFFICES—Continued				
	SMALL BUSINESS ADMINISTRATION				
61	Trade adjustment loan assistance (by transfer)	*($3,000,000)*	--------	--------	--------
	UNITED STATES INFORMATION AGENCY				
61	Salaries and expenses	2,850,000	$2,645,000	$2,645,000	$2,645,000
61	Acquisition and construction of radio facilities	9,600,000	5,800,000	5,800,000	5,800,000
	Total, United States Information Agency	12,450,000	8,445,000	8,445,000	8,445,000
	VETERANS' ADMINISTRATION				
61, 82	Readjustment benefits	4,300,000	4,300,000	4,300,000	4,300,000
61	Compensation and pensions	42,000,000	42,000,000	42,000,000	42,000,000
61	Loan guaranty revolving fund (limitation on obligations)	*(91,058,000)*	*(91,058,000)*	*(91,058,000)*	*(91,058,000)*
	Total, Veterans' Administration	46,300,000	46,300,000	46,300,000	46,300,000
	Total, independent offices	180,899,000	155,254,300	155,371,300	155,312,800
	DEPARTMENT OF THE INTERIOR				
61	Bureau of Land Management: Management of lands and resources	3,051,000	2,900,000	2,900,000	2,900,000
	Bureau of Indian Affairs:				
61	Resources management	1,385,000	1,290,000	1,290,000	1,290,000
61	Menominee educational grants (by transfer)	*(176,000)*	*(176,000)*	*(176,000)*	*(176,000)*
61	Payments to the Lower Brule Sioux and Crow Creek Sioux Tribes of Indians	5,771,250	5,771,250	5,771,250	5,771,250
82	Road construction (liquidation of contract authorization) (by transfer)	*(2,000,000)*	*(2,000,000)*	*(2,000,000)*	*(2,000,000)*
	National Park Service:				
61	Management and protection	1,000,000	960,000	960,000	960,000
61	Construction	5,000,000	5,000,000	5,000,000	5,000,000
11	Bureau of Reclamation:				
	Construction and Rehabilitation	6,000,000	--------	6,000,000	6,000,000
89	Upper Colorado River Storage Project:				
	Appropriation	4,000,000	3,000,000	4,000,000	3,000,000
	Transfers	--------	*(1,000,000)*	--------	*(1,000,000)*
61	Office of Territories: Trust Territory of the Pacific Islands	7,290,000	7,290,000	7,290,000	7,290,000
	Fish and Wildlife Service: Bureau of Commercial Fisheries:				
61	Management and investigations of resources	672,000	658,400	658,400	658,400
	Virgin Islands Corporation:				
61	Revolving fund	3,350,000	3,350,000	--------	--------
61	Loans to operating fund	200,000	200,000	200,000	200,000
61	Contributions	480,000	(1)	(1)	(1)
61	Bureau of Outdoor Recreation: Salaries and expenses	436,000	200,000	100,000	100,000
	Office of Saline Water: Salaries and expenses	--------	--------	Language	Language
	Total, Department of the Interior	38,635,250	30,619,650	34,169,650	33,169,650
	THE JUDICIARY				
61	Supreme Court of the United States: Printing and binding Supreme Court reports	33,000	30,000	30,000	30,000
	Courts of appeals, district courts, and other judicial services:				
61	Salaries of judges	228,341	188,341	188,341	188,341
61	Travel and miscellaneous expenses	190,000	130,000	70,000	70,000
	Total, The Judiciary	451,341	348,341	288,341	288,341
	DEPARTMENT OF JUSTICE				
	Legal activities and general administration:				
61	Salaries and expenses, United States attorneys and marshals	1,140,000	1,110,000	1,054,000	1,082,000
61	Fees and expenses of witnesses	700,000	600,000	600,000	600,000
61	Federal Prison System: Support of United States prisoners	400,000	400,000	400,000	400,000
	Total, Department of Justice	2,240,000	2,110,000	2,054,000	2,082,000
	DEPARTMENT OF LABOR				
61	Trade adjustment activities	316,000	100,000	--------	100,000
61, 89	Bureau of Employment Security: Unemployment compensation for Federal employees and ex-servicemen	24,000,000	20,000,000	22,000,000	22,000,000
89	Bureau of Employees' Compensation: Employees compensation claims and expenses	3,300,000	3,000,000	3,300,000	3,150,000
	Total, Department of Labor	27,616,000	23,100,000	25,300,000	25,250,000
	LEGISLATIVE BRANCH				
	Senate:				
	Payments to beneficiaries of deceased Senators	--------	--------	67,500	67,500
	Administrative and clerical assistance to Senators	--------	--------	7,600	7,600
	Miscellaneous items	--------	--------	5,000	5,000
	House of Representatives:				
	Payments to beneficiaries of deceased Members	--------	45,000	45,000	45,000
61	Office of the Clerk	68,855	55,730	55,730	55,730
61	Miscellaneous items	88,685	88,685	88,685	88,685
61	Reporting hearings	25,000	25,000	25,000	25,000
61	Telegraph and telephone	150,000	150,000	150,000	150,000
	Architect of the Capitol:				
61	Extension of the Capitol	300,000	300,000	300,000	300,000
	Acquisition of property, construction, and equipment, Additional House Office Building	--------	Language	Language	Language
	Total, Legislative Branch	632,540	664,415	744,515	744,515
	DEPARTMENT OF STATE				
	Administration of foreign affairs:				
61	Salaries and expenses	10,770,000	6,588,500	6,088,500	6,338,500
61	Emergencies in the diplomatic and consular service	350,000	300,000	300,000	300,000
	International organizations and conferences:				
61	Contributions to international organizations	835,000	835,000	835,000	835,000
61	Missions to international organizations	75,000	71,800	71,800	71,800
61	International conferences and contingencies	755,000	250,000	615,000	325,000
	Total, Department of State	12,785,000	8,045,300	7,910,300	7,870,300

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[1] $480,000 to be derived by transfer from internal revenue collections appropriated to the Virgin Islands government.

The supplemental bill, 1963 (H.R. 5517)—Continued

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE I—Continued				
	TREASURY DEPARTMENT				
61	Bureau of Accounts: Salaries and expenses, Division of Disbursement	$1,739,000	$1,739,000	$1,739,000	$1,739,000
61	Bureau of Customs: Salaries and expenses	3,275,000	3,108,000	3,108,000	3,108,000
	United States Secret Service:				
61	Salaries and expenses	351,000	309,000	309,000	309,000
61	Salaries and expenses, White House Police	308,000	308,000	308,000	308,000
61	Bureau of the Mint. Salaries and expenses	550,000	544,900	544,900	544,900
61	Coast Guard: Operating expenses	2,600,000	2,536,000	2,536,000	2,536,000
	Total, Treasury Department	8,823,000	8,544,900	8,544,900	8,544,900
	DISTRICT OF COLUMBIA				
	District of Columbia funds:				
	Operating expenses:				
61	General operating expenses	(458,400)	(441,000)	(413,500)	(413,500)
61	Public safety	(3,217,900)	(3,170,000)	(2,902,800)	(2,902,800)
61	Health and welfare	(1,791,100)	(1,300,000)	(526,601)	(526,601)
61	Settlement of claims and suits	(36,600)	(36,600)	(36,600)	(36,600)
61	Capital outlay (by transfer)	Language	Language	Language	Language
	Total, District of Columbia	(5,414,000)	(4,947,600)	(3,879,501)	(3,879,501)
	Total, title I	1,353,702,131	1,160,075,906	1,205,318,856	1,184,065,506
	TITLE II—INCREASED PAY COSTS				
	DEPARTMENT OF AGRICULTURE				
63	AGRICULTURAL RESEARCH SERVICE				
	Salaries and expenses:				
	Research (by transfer)	(2,209,000)	(2,098,550)	(2,098,550)	(2,098,550)
	Plant and animal disease and pest control:				
	Appropriation	1,470,800	1,147,250	1,147,250	1,147,250
	Transfer	(59,175)	(306,230)	(306,230)	(306,230)
	Meat inspection (by transfer)	(957,000)	(909,150)	(909,150)	(909,150)
63	COOPERATIVE STATE EXPERIMENT STATION SERVICE				
	Payments and expenses (by transfer)	(58,900)	(55,950)	(55,950)	(55,950)
63	FARMER COOPERATIVE SERVICE				
	Salaries and expenses (by transfer)	(23,900)	(22,700)	(22,700)	(22,700)
63	SOIL CONSERVATION SERVICE				
	Conservation operations:				
	Appropriation	3,500,000	3,194,210	3,194,210	3,194,210
	Transfer		(130,790)	(130,790)	(130,790)
	Watershed protection	833,000	791,350	791,350	791,350
	Flood prevention	343,000	325,850	325,850	325,850
	Great Plains conservation program	109,000	103,550	103,550	103,550
63	ECONOMIC RESEARCH SERVICE				
	Salaries and expenses (by transfer)	(357,000)	(339,150,	(339,150)	(339,150)
63	AGRICULTURAL MARKETING SERVICE				
	Marketing research and service (by transfer)	(1,334,600)	(1,267,870)	(1,267,870)	(1,267,870)
63	FOREIGN AGRICULTURAL SERVICE				
	Salaries and expenses (by transfer)	(246,600)	(234,270)	(234,270)	(234,270)
63	COMMODITY EXCHANGE AUTHORITY				
	Salaries and expenses (by transfer)	(41,000)	(38,950)	(38,950)	(38,950)
63	FEDERAL CROP INSURANCE CORPORATION				
	Limitation increase	(195,000)	(185,250)	(185,250)	(185,250)
63	RURAL ELECTRIFICATION ADMINISTRATION				
	Salaries and expenses (by transfer)	(440,225)	(418,200)	(418,200)	(418,200)
63	OFFICE OF THE GENERAL COUNSEL				
	Salaries and expenses (by transfer)	(168,000)	(159,600)	(159,600)	(159,600)
63	NATIONAL AGRICULTURAL LIBRARY				
	Salaries and expenses (by transfer)	(33,500)	(31,820)	(31,820)	(31,820)
63	GENERAL ADMINISTRATION				
	Salaries and expenses (by transfer)	(143,850)	(136,650)	(136,650)	(136,650)
	Total, Department of Agriculture, title II	6,255,800	5,562,210	5,562,210	5,562,210
	DEPARTMENT OF COMMERCE				
63	GENERAL ADMINISTRATION				
	Salaries and expenses	160,000	152,000	152,000	152,000
63	AREA REDEVELOPMENT ADMINISTRATION				
	Operations	175,000	166,250	166,250	166,250
	EXPORT CONTROL	150,000	142,500	142,500	142,500
	Transfer to Bureau of Customs	(48,000)	(45,600)	(45,600)	(45,600)

The supplemental bill, 1963 (H.R. 5517)—Continued

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE II—Continued				
	DEPARTMENT OF COMMERCE—Continued				
63	BUSINESS AND DEFENSE SERVICES ADMINISTRATION				
	Salaries and expenses	$125,000	$118,750	$118,750	$118,750
63	OFFICE OF BUSINESS ECONOMICS				
	Salaries and expenses	125,000	118,750	118,750	118,750
63	BUREAU OF THE CENSUS				
	Salaries and expenses	400,000	380,000	380,000	380,000
	1963 censuses of business, transportation, manufactures, and mineral industries	75,000	71,250	71,250	71,250
	18th Decennial Census	40,000	38,000	38,000	38,000
63	OFFICE OF FIELD SERVICES				
	Salaries and expenses	100,000	95,000	95,000	95,000
63	INTERNATIONAL ACTIVITIES				
	Salaries and expenses	175,000	166,250	166,250	166,250
63	COAST AND GEODETIC SURVEY				
	Salaries and expenses	250,000	237,500	237,500	237,500
63	NATIONAL BUREAU OF STANDARDS				
	Research and technical services	700,000	665,000	665,000	665,000
63	OFFICE OF TECHNICAL SERVICES				
	Salaries and expenses	50,000	47,500	47,500	47,500
63	WEATHER BUREAU				
	Salaries and expenses	1,300,000	1,235,000	1,235,000	1,235,000
	Research and development	125,000	118,750	118,750	118,750
63	MARITIME ADMINISTRATION				
	Salaries and expenses	315,000	299,250	299,250	299,250
	Administrative expenses	*(270,000)*	*(256,500)*	*(256,500)*	*(256,500)*
	Shipyards and facilities	*(7,000)*	*(6,650)*	*(6,650)*	*(6,650)*
	Operation of warehouses	*(38,000)*	*(36,100)*	*(36,100)*	*(36,100)*
	Maritime training	20,000	19,000	19,000	19,000
63	BUREAU OF PUBLIC ROADS				
	Limitation on general administrative expenses	*(1,450,000)*	*(1,377,500)*	*(1,377,500)*	*(1,377,500)*
	Total, Department of Commerce, title II	4,285,000	4,070,750	4,070,750	4,070,750
	DEPARTMENT OF DEFENSE—MILITARY				
63	OPERATION AND MAINTENANCE				
	Operation and maintenance, Defense agencies	9,112,000	8,656,400	8,656,400	8,656,400
	Salaries and expenses, Court of Military Appeals, Defense	18,000	17,100	17,100	17,100
	Total, Department of Defense—Military, title II	9,130,000	8,673,500	8,673,500	8,673,500
	DEPARTMENT OF DEFENSE—CIVIL				
63	DEPARTMENT OF THE ARMY—CEMETERIAL EXPENSES				
	Salaries and expenses	60,000	57,000	57,000	57,000
63	CORPS OF ENGINEERS—CIVIL				
	General investigations	226,000	214,700	214,700	214,700
	Operation and maintenance, general	2,433,000	2,311,350	2,311,350	2,311,350
	General expenses	616,000	585,200	585,200	585,200
63	U.S. SOLDIERS' HOME				
	Limitation on operation and maintenance and capital outlay	*(152,000)*	*(144,400)*	*(144,400)*	*(144,400)*
63	RYUKYU ISLANDS				
	Administration	57,000	54,150	54,150	54,150
63	THE PANAMA CANAL—CANAL ZONE GOVERNMENT				
	Operating expenses	667,000	633,650	633,650	633,650
63	PANAMA CANAL COMPANY				
	Limitation on general and administrative expenses	*(180,000)*	*(171,000)*	*(171,000)*	*(171,000)*
	Total, Department of Defense—Civil, title II	4,059,000	3,856,050	3,856,050	3,856,050
	EXECUTIVE OFFICE OF THE PRESIDENT				
63	BUREAU OF THE BUDGET				
	Salaries and expenses	234,000	222,300	222,300	222,300
63	COUNCIL OF ECONOMIC ADVISERS				
	Salaries and expenses	18,000	17,100	17,100	17,100
63	OFFICE OF EMERGENCY PLANNING				
	Civil and defense mobilization functions of Federal agencies	200,000	190,000	190,000	190,000
63	OFFICE OF SCIENCE AND TECHNOLOGY				
	Salaries and expenses	14,900	14,150	14,150	14,150
	Total, Executive Office of the President, title II	466,900	443,550	443,550	443,550

The supplemental bill, 1963 (H.R. 5517)—Continued

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE II—Continued				
	FUNDS APPROPRIATED TO THE PRESIDENT				
63	FOREIGN AID				
	Economic assistance:				
	Administrative expenses, Agency for International Development (by transfer)	*($1,463,000)*	*($1,389,850)*	*($1,389,850)*	*($1,389,850)*
	Administrative and other expenses, Department of State (by transfer)	*(60,000)*	*(57,000)*	*(57,000)*	*(57,000)*
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
63	FOOD AND DRUG ADMINISTRATION				
	Salaries and expenses	[illegible]26,000	784,700	784,700	784,700
63	PUBLIC HEALTH SERVICE				
	Foreign quarantine activities	19,000	18,050	18,050	18,050
	Indian health activities	1,055,000	1,002,250	1,002,250	1,002,250
63	SOCIAL SECURITY ADMINISTRATION				
	Limitation on salaries and expenses, Bureau of Old-Age and Survivors Insurance	*(6,314,000)*	*(5,998,300)*	*(5,998,300)*	*(5,998,300)*
	Salaries and expenses, Office of the Commissioner:				
	Appropriation	26,000	24,700	24,700	24,700
	Transfer	*(18,000)*	*(17,100)*	*(17,100)*	*(17,100)*
63	SPECIAL INSTITUTIONS—GALLAUDET COLLEGE				
	Salaries and expenses	22,000	20,900	20,900	20,900
63	OFFICE OF THE SECRETARY				
	Salaries and expenses:				
	Appropriation	102,000	96,900	96,900	96,900
	Transfer	*(17,000)*	*(16,150)*	*(16,150)*	*(16,150)*
	Salaries and expenses, Office of Field Administration:				
	Appropriation	132,000	125,400	125,400	125,400
	Transfer	*(45,000)*	*(42,750)*	*(42,750)*	*(42,750)*
	Surplus property utilization	21,000	19,950	19,950	19,950
	Salaries and expenses, Office of the General Counsel:				
	Appropriation	20,000	19,000	19,000	19,000
	Transfer	*(15,000)*	*(14,250)*	*(14,250)*	*(14,250)*
	Total, Department of Health, Education, and Welfare, title II	2,223,000	2,111,850	2,111,850	2,111,850
	INDEPENDENT OFFICES				
63	AMERICAN BATTLE MONUMENTS COMMISSION				
	Salaries and expenses	60,000	57,000	57,000	57,000
63	CIVIL AERONAUTICS BOARD				
	Salaries and expenses	375,000	300,000	300,000	300,000
	CIVIL SERVICE COMMISSION				
63	Limitation on administrative expenses, employees life insurance fund	*(9,000)*	*(8,550)*	*(8,550)*	*(8,550)*
63	COMMISSION OF FINE ARTS				
	Salaries and expenses	3,000	2,850	2,850	2,850
63	COMMISSION ON CIVIL RIGHTS				
	Salaries and expenses	10,000	9,500	9,500	9,500
63	DELAWARE RIVER BASIN COMMISSION				
	Salaries and expenses	1,700	1,610	1,610	1,610
63	EXPORT-IMPORT BANK OF WASHINGTON				
	Limitation on administrative expenses	*(129,000)*	*(122,550)*	*(122,550)*	*(122,550)*
63	FARM CREDIT ADMINISTRATION				
	Limitation on administrative expenses	*(70,000)*	*(66,500)*	*(66,500)*	*(66,500)*
63	FEDERAL AVIATION AGENCY				
	Operations	9,400,000	8,930,000	8,930,000	8,930,000
	Operation and maintenance, Dulles International Airport	28,000	26,600	26,600	26,600
63	FEDERAL COMMUNICATIONS COMMISSION				
	Salaries and expenses	489,000	464,550	464,550	464,550
63	FEDERAL HOME LOAN BANK BOARD				
	Limitation on nonadministrative expenses	*(85,000)*	*(80,750)*	*(80,750)*	*(80,750)*
	Limitation on administrative expenses, Savings and Loan Insurance Corporation	*(22,000)*	*(20,900)*	*(20,900)*	*(20,900)*
63	FEDERAL MEDIATION AND CONCILIATION SERVICE				
	Salaries and expenses	234,000	222,300	222,300	222,300
63	FEDERAL POWER COMMISSION				
	Salaries and expenses	400,000	380,000	380,000	380,000
63	FEDERAL TRADE COMMISSION				
	Salaries and expenses	200,000	190,000	190,000	190,000
63	GENERAL SERVICES ADMINISTRATION				
	Operating expenses, Public Buildings Service:				
	Appropriation	3,370,000	3,186,500	3,186,500	3,196,500
	Transfer	*(300,000)*	*(300,000)*	*(300,000)*	*(300,000)*
	Operating expenses, Utilization and Disposal Service	270,000	256,500	256,500	256,500
	Operating expenses, National Archives and Records Service	438,000	416,100	416,100	416,100
	Operating expenses, Transportation and Communications Service	200,000	190,000	190,000	190,000
	Strategic and critical materials	100,000	95,000	95,000	95,000
	Salaries and expenses, Office of Administrator	58,000	55,100	55,100	55,100

The supplemental bill, 1963 (H.R. 5517)—Continued

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE II—Continued				
	INDEPENDENT OFFICES—Continued				
63	HISTORICAL AND MEMORIAL COMMISSIONS				
	Civil War Centenial Commission	$4, 000	------------	------------	------------
63	HOUSING AND HOME FINANCE AGENCY				
	OFFICE OF THE ADMINISTRATOR				
	Salaries and expenses	240, 000	$228, 000	$228, 000	$228, 000
	Limitation on administrative expenses, Office of the Administrator, college housing loans	*(50, 000)*	*(47, 500)*	*(47, 500)*	*(47, 500)*
	Limitation on administrative expenses, Office of the Administrator, public facility loans	*(40 000)*	*(38, 000)*	*(38, 000)*	*(38, 000)*
	Limitation on administrative and nonadministrative expenses, Office of the Administrator, housing for the elderly.	*(20, 000)*	*(19, 000)*	*(19, 000)*	*(19, 000)*
63	FEDERAL NATIONAL MORTGAGE ASSOCIATION				
	Limitation on administrative expenses	*(150, 000)*	*(142, 500)*	*(142, 500)*	*(142, 500)*
63	FEDERAL HOUSING ADMINISTRATION				
	Limitation on administrative and nonadministrative expenses:				
	Administrative expenses	*(350, 000)*	*(332, 500)*	*(332, 500)*	*(332, 500)*
	Nonadministrative expenses	*(1, 900, 000)*	*(1, 805, 000)*	*(1, 805, 000)*	*(1, 805, 000)*
63	PUBLIC HOUSING ADMINISTRATION				
	Administrative expenses	550, 000	522, 500	522, 500	522, 500
	Limitation on administrative expenses	*(550, 000)*	*(522, 500)*	*(522, 500)*	*(522, 500)*
	Limitation on nonadministrative expenses	*(25, 000)*	*(23, 750)*	*(23, 750)*	*(23, 750)*
63	INDIAN CLAIMS COMMISSION				
	Salaries and expenses	7, 000	6, 650	6, 650	6, 650
63	INTERSTATE COMMERCE COMMISSION				
	Salaries and expenses	944, 000	896, 800	896, 800	896, 800
63	NATIONAL LABOR RELATIONS BOARD				
	Salaries and expenses	820, 000	779, 000	779, 000	779, 000
63	NATIONAL MEDIATION BOARD				
	Salaries and expenses	37, 000	35, 150	35, 150	35, 150
63	PRESIDENT'S ADVISORY COMMITTEE ON LABOR-MANAGEMENT POLICY	5, 000	4, 750	------------	------------
63	RAILROAD RETIREMENT BOARD				
	Limitation on salaries and expenses	*(280, 000)*	*(266, 000)*	*(266, 000)*	*(266, 000)*
63	ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION				
	Limitation on administrative expenses	*(11, 000)*	*(10, 450)*	*(10, 450)*	*(10, 450)*
63	SECURITIES AND EXCHANGE COMMISSION				
	Salaries and expenses	486, 000	461, 700	461, 700	461, 700
63	SELECTIVE SERVICE SYSTEM				
	Salaries and expenses	136, 000	129, 200	129, 200	129, 200
63	SMALL BUSINESS ADMINISTRATION				
	Salaries and expenses	175, 000	166, 250	166, 250	166, 250
63	SMITHSONIAN INSTITUTION				
	Salaries and expenses	169, 000	160, 550	160, 550	160, 550
	Salaries and expenses, National Gallery of Art	63, 000	59, 850	59, 850	59, 850
63	TAX COURT OF THE UNITED STATES				
	Salaries and expenses	20, 000	19, 000	19, 000	19, 000
63	VETERANS' ADMINISTRATION				
	General operating expenses:				
	Appropriation	3, 651, 000	3, 460, 950	3, 460, 950	3, 460, 950
	Transfer	*(150, 000)*	*(150, 000)*	*(150, 000)*	*(150, 000)*
	Medical administration and miscellaneous operating expenses	221, 000	209, 950	209, 950	209, 950
	Medical care	31, 874, 000	30, 280, 300	30, 280, 300	30, 280, 300
	Total, independent offices, title II	55, 038, 700	52, 204, 210	52, 199, 460	52, 199, 460
	DEPARTMENT OF THE INTERIOR				
63	BUREAU OF INDIAN AFFAIRS				
	Education and welfare services	1, 272, 000	1, 208, 400	1, 208, 400	1, 208, 400
	General administrative expenses	201, 000	190, 950	190, 950	190, 950
63	NATIONAL PARK SERVICE				
	Maintenance and rehabilitation of physical facilities	609, 000	578, 550	578, 550	578, 550
	General administrative expenses	96, 000	91, 200	91, 200	91, 200
63	OFFICE OF TERRITORIES				
	Administration of territories	30, 000	28, 500	28, 500	28, 500
63	GEOLOGICAL SURVEY				
	Surveys, investigations, and research	1, 940, 000	1, 843, 000	1, 843, 000	1, 843, 000
63	BUREAU OF MINES				
	Conservation and development of mineral resources	871, 000	827, 450	827, 450	827, 450
	Health and safety	306, 000	290, 700	290, 700	290, 700
	General administrative expenses	61, 000	57, 950	57, 950	57, 950
63	OFFICE OF OIL AND GAS				
	Salaries and expenses	28, 000	26, 600	26, 600	26, 600

The supplemental bill, 1963 (H.R. 5517)—Continued

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE II—Continued				
	DEPARTMENT OF THE INTERIOR—Continued				
63	OFFICE OF THE COMMISSIONER OF FISH AND WILDLIFE				
	Salaries and expenses	$11,000	$10,450	$10,450	$10,450
63	BUREAU OF COMMERCIAL FISHERIES				
	General administrative expenses	23,000	21,850	21,850	21,850
	Administration of Pribilof Islands	20,000	19,000	19,000	19,000
	Limitation on administrative expenses, fisheries, loan fund	*(9,000)*	*(8,550)*	*(8,550)*	*(8,550)*
63	BUREAU OF SPORT FISHERIES AND WILDLIFE				
	Management and investigations of resources	650,000	617,500	617,500	617,500
	General administrative expenses	45,000	42,750	42,750	42,750
63	BUREAU OF RECLAMATION				
	General investigations (by transfer)	*(245,000)*	*(232,750)*	*(232,750)*	*(232,750)*
	General administrative expenses (by transfer)	*(385,600)*	*(366,320)*	*(366,320)*	*(366,320)*
63	BONNEVILLE POWER ADMINISTRATION				
	Operation and maintenance	435,000	413,250	413,250	413,250
63	SOUTHWESTERN POWER ADMINISTRATION				
	Operation and maintenance	31,000	29,450	29,450	29,450
63	OFFICE OF THE SOLICITOR				
	Salaries and expenses	187,000	177,650	177,650	177,650
63	OFFICE OF THE SECRETARY				
	Salaries and expenses	139,000	132,050	132,050	132,050
63	VIRGIN ISLANDS CORPORATION				
	Limitation on administrative expenses	*(4,000)*	*(3,800)*	*(3,800)*	*(3,800)*
	Total, Department of Interior, title II	6,955,000	6,607,250	6,607,250	6,607,250
	THE JUDICIARY				
63	SUPREME COURT OF THE UNITED STATES				
	Salaries	15,000	9,000	9,000	9,000
63	COURT OF CUSTOMS AND PATENT APPEALS				
	Salaries and expenses	9,000	8,550	8,550	8,550
63	CUSTOMS COURT				
	Salaries and expenses	13,000	12,350	12,350	12,350
63	COURT OF CLAIMS				
	Salaries and expenses	10,000	9,500	9,500	9,500
63	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES				
	Salaries and supporting personnel	1,040,000	988,000	988,000	988,000
	Administrative Office of the U.S. Courts	40,000	30,000	30,000	30,000
	Expenses of referees (by transfer)	*(50,000)*	*(47,500)*	*(47,500)*	*(47,500)*
	Total, the judiciary, title II	1,127,000	1,057,400	1,057,400	1,057,400
	DEPARTMENT OF JUSTICE				
63	LEGAL ACTIVITIES AND GENERAL ADMINISTRATION				
	Salaries and expenses, general administration	140,000	133,000	133,000	133,000
	Salaries and expenses, general legal activities	627,000	595,650	595,650	595,650
	Salaries and expenses, Antitrust Division	243,000	230,850	230,850	230,850
63	FEDERAL BUREAU OF INVESTIGATION				
	Salaries and expenses	5,500,000	5,225,000	5,225,000	5,225,000
63	IMMIGRATION AND NATURALIZATION SERVICE				
	Salaries and expenses	2,339,000	2,222,050	2,222,050	2,222,050
63	FEDERAL PRISON SYSTEM				
	Salaries and expenses, Bureau of Prisons	1,503,000	1,427,850	1,427,850	1,427,850
63	FEDERAL PRISON INDUSTRIES				
	Limitation on administrative and vocational training expenses	*(67,000)*	*(63,650)*	*(63,650)*	*(63,650)*
	Total, Department of Justice, title II	10,352,000	9,834,400	9,834,400	9,834,400
	DEPARTMENT OF LABOR				
63	BUREAU OF LABOR STATISTICS				
	Salaries and expenses	455,000	432,250	432,250	432,250
	Revision of Consumer Price Index	33,000	31,350	31,350	31,350
63	BUREAU OF INTERNATIONAL LABOR AFFAIRS				
	Salaries and expenses	25,000	23,750	23,750	23,750
63	OFFICE OF MANPOWER, AUTOMATION, AND TRAINING				
	Salaries and expenses	11,000	10,450	10,450	10,450
	Manpower development and training activities	155,000	147,250	147,250	147,250
63	AREA REDEVELOPMENT ACTIVITIES				
	Salaries and expenses	20,000	19,000	19,000	19,000

The supplemental bill, 1963 (H.R. 5517)—Continued

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE II—Continued				
	DEPARTMENT OF LABOR—Continued				
63	OFFICE OF WELFARE AND PENSION PLANS				
	Welfare and pension plan reports activities	$54,000	$51,300	$51,300	$51,300
63	BUREAU OF APPRENTICESHIP AND TRAINING				
	Salaries and expenses	196,000	186,200	186,200	186,200
63	BUREAU OF EMPLOYMENT SECURITY				
	Limitation on salaries and expenses	*(458,800)*	*(435,860)*	*(435,860)*	*(435,860)*
	Compliance activities, Mexican farm labor program	45,000	42,750	42,750	42,750
63	BUREAU OF VETERANS' REEMPLOYMENT RIGHTS				
	Salaries and expenses	20,000	19,000	19,000	19,000
63	BUREAU OF LABOR STANDARDS				
	Salaries and expenses	95,000	90,250	90,250	90,250
63	BUREAU OF LABOR-MANAGEMENT REPORTS				
	Salaries and expenses	262,000	248,900	248,900	248,900
63	BUREAU OF EMPLOYEES' COMPENSATION				
	Salaries and expenses:				
	Appropriation	144,000	136,800	136,800	136,800
	Transfer	*(2,170)*	*(2,060)*	*(2,060)*	*(2,060)*
63	WOMEN'S BUREAU				
	Salaries and expenses	39,000	37,050	37,050	37,050
63	WAGE AND HOUR DIVISION				
	Salaries and expenses	588,000	558,600	558,600	558,600
63	OFFICE OF THE SOLICITOR				
	Salaries and expenses:				
	Appropriation	106,000	100,700	100,700	100,700
	Transfer	*(3,000)*	*(2,850)*	*(2,850)*	*(2,850)*
63	OFFICE OF THE SECRETARY				
	Salaries and expenses:				
	Appropriation	71,000	67,450	67,450	67,450
	Transfer	*(4,000)*	*(3,800)*	*(3,800)*	*(3,800)*
	Total, Department of Labor, title II	2,319,000	2,203,050	2,203,050	2,203,050
	LEGISLATIVE BRANCH				
63	SENATE				
	Salaries, officers and employees	949,450	----------	901,980	901,980
	Office of the Legislative Counsel of the Senate	10,640	----------	10,110	10,110
	Joint Committee on Reduction of Nonessential Federal Expenditures	1,460	----------	1,460	1,460
63	CONTINGENT EXPENSES OF THE SENATE				
	Legislative reorganization	6,245	----------	5,935	5,935
	Senate policy committees	16,450	----------	15,630	15,630
	Joint Economic Committee	11,145	----------	10,590	10,590
	Joint Committee on Atomic Energy	12,035	----------	11,435	11,435
	Joint Committee on Printing	5,530	----------	5,255	5,255
	Automobiles and maintenance	1,300	----------	1,300	1,300
	Inquiries and investigations	161,890	----------	153,800	153,800
	Folding documents	1,705	----------	1,705	1,705
	Miscellaneous items	24,355	----------	44,640	44,640
63	HOUSE OF REPRESENTATIVES				
	Salaries, officers and employees	328,510	314,350	314,350	314,350
	Member's clerk hire	1,001,500	948,090	948,090	948,090
63	CONTINGENT EXPENSES OF THE HOUSE				
	Furniture	7,440	7,070	7,070	7,070
	Special and select committee	123,960	123,960	123,960	123,960
	Joint Committee on Internal Revenue Taxation	15,995	15,190	15,190	15,190
	Joint Committee on Defense Production	3,225	3,060	3,060	3,060
	Office of the Coordinator of Information	5,650	5,650	5,650	5,650
	Folding documents	11,900	11,300	11,300	11,300
	Revision of laws	970	970	970	970
	Speaker's automobile	425	400	400	400
	Majority leader's automobile	370	350	350	350
	Minority leader's automobile	370	350	350	350
63	CAPITOL POLICE				
	Capitol Police Board	6,500	6,500	6,500	6,500
	EDUCATION OF PAGES	4,580	4,580	4,580	4,580
	ARCHITECT OF THE CAPITOL				
63	CAPITOL BUILDINGS AND GROUNDS				
	Capitol buildings	15,000	14,250	14,250	14,250
	Senate office buildings	17,000	----------	16,150	16,150
	House office buildings	20,000	19,000	19,000	19,000
63	LIBRARY OF CONGRESS				
	Salaries and expenses	277,850	263,950	263,950	263,950
	Copyright Office: Salaries and expenses	56,700	53,860	53,860	53,860
	Legislative Reference Service: Salaries and expenses	95,600	90,820	90,820	90,820
	Distribution of catalog cards: Salaries and expenses	56,500	53,670	53,670	53,670
	Books for the blind: Salaries and expenses	9,700	9,210	9,210	9,210
	Collection and distribution of library materials (special foreign currency program)	2,000	1,900	1,900	1,900

The supplemental bill, 1963 (H.R. 5517)—Continued

H. Doc. No.	Department or activity	Budget estimates	Bill		Conference agreement
			House version	Senate version	
	TITLE II—Continued				
	LEGISLATIVE BRANCH—Continued				
63	GOVERNMENT PRINTING OFFICE—OFFICE OF SUPERINTENDENT OF DOCUMENTS				
	Salaries and expenses	$79,930	$75,930	$75,930	$75,930
	Total, legislative branch, title II	3,353,880	2,024,410	3,204,400	3,204,400
63	POST OFFICE DEPARTMENT				
	(Out of postal fund)				
	Administration and regional operation (by transfer)	*(3,871,000)*	*(3,677,450)*	*(3,677,450)*	*(3,677,450)*
	Operations:				
	Appropriation	153,361,000	144,824,300	144,824,300	144,824,300
	Transfer	*(13,502,000)*	*(13,695,550)*	*(13,695,550)*	*(13,695,550)*
	Total, Post Office Department, title II	153,361,000	144,824,300	144,824,300	144,824,300
	DEPARTMENT OF STATE				
63	INTERNATIONAL COMMISSIONS—INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO				
	Salaries and expenses	23,000	21,850	21,850	21,850
	Operation and maintenance	23,000	21,850	21,850	21,850
	Total, Department of State, title II	46,000	43,700	43,700	43,700
	TREASURY DEPARTMENT				
63	OFFICE OF THE SECRETARY				
	Salaries and expenses	185,000	175,750	175,750	175,750
63	BUREAU OF ACCOUNTS				
	Salaries and expenses	86,500	82,170	82,170	82,170
63	BUREAU OF THE PUBLIC DEBT				
	Administering the public debt	575,000	546,250	546,250	546,250
63	INTERNAL REVENUE SERVICE				
	Salaries and expenses	18,000,000	17,100,000	17,100,000	17,100,000
63	BUREAU OF NARCOTICS				
	Salaries and expenses	197,000	187,150	187,150	187,150
63	U.S. SECRET SERVICE				
	Salaries and expenses, guard force	15,000	14,250	14,250	14,250
	Total, Treasury Department, title II	19,058,500	18,105,570	18,105,570	18,105,570
	DISTRICT OF COLUMBIA				
	(Out of District of Columbia funds)				
63	OPERATING EXPENSES				
	Education	*(2,375,100)*	*(2,256,350)*	*(2,256,350)*	*(2,256,350)*
	Parks and recreation	*(215,000)*	*(204,250)*	*(204,250)*	*(204,250)*
	Highways and traffic	*(132,600)*	*(125,970)*	*(35,775)*	*(35,775)*
	Sanitary engineering	*(331,600)*	*(315,020)*	*(289,738)*	*(289,738)*
	Total, District of Columbia, title II	*(3,054,300)*	*(2,901,590)*	*(2,786,113)*	*(2,786,113)*
	Total, title II	278,030,780	261,622,200	262,797,440	262,797,440
	TITLE III—CLAIMS AND JUDGMENTS				
90 S. Doc. 14	Claims and judgments	20,567,545	16,993,400	20,567,545	20,567,545
	TITLE IV—PHILIPPINE REHABILITATION ACT AMENDMENTS OF 1963				
	Philippine Rehabilitation Act Amendments of 1963			Language	
	Grand total	1,652,300,456	1,438,691,506	1,488,683,841	1,467,430,491

Mr. MANSFIELD. Mr. President, have the motion and the conference report been agreed to?

The PRESIDING OFFICER. Yes.

Mr. PASTORE. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DEATH OF FORMER SENATOR GEORGE McGILL, OF KANSAS

Mr. CARLSON. Mr. President, it is my sad duty to announce to the Senate the death of a former Member of this body, Hon. George McGill, of Kansas.

His service in this body will be remembered by many Senators. It happened that I was a Member of the House of Representatives during a part of his service in the Senate. He was an able representative of our State and I enjoyed working with him. He served at a time that Kansas and the Nation encountered its agricultural depression. It was under his leadership that much farm legislation was initiated and passed.

It is interesting to note that he became the first Democrat to serve in the U.S. Senate from the State of Kansas. He served in the Senate from December 1, 1930, to January 2, 1939.

I ask unanimous consent that an article written by Staff Reporter Richard P. Harland, of the Washington Post, be made a part of these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EX-SENATOR GEORGE McGILL, EARLY KANSAS DEMOCRAT

(By Richard P. Harland)

George McGill will always be reverently remembered by his fellow Kansas Democrats. In 1930 he became the first of his party in that usually Republican State to be elected to the U.S. Senate.

In 1932 he wrote another chapter of Kansas political history by being reelected. With this achievement he became the first Kansas Democrat to be reelected to a major office.

Yesterday George McGill died in Wichita of a heart ailment.

A native of Lucas County, Iowa, Mr. McGill grew up in Kansas. In 1900 he received a bachelor of science degree from Central Normal College, Great Bend, Kans., and then spent the next 2 years studying law in a law office.

ADMITTED TO BAR

He was admitted to the Kansas bar in 1902 and 2 years later began practicing in Wichita.

His political career began in 1907 with the post of deputy county attorney for Sedgwick County, Kans. In 4 years he moved up to county attorney, and served in this position until 1915.

In 1924, Mr. McGill was the chairman of the Kansas Democratic State convention, and 4 years later was a delegate to the Democratic National Convention.

His first big moment in national politics came in 1930, when he defeated the Republican nominee, Henry Allen, in the race for the U.S. Senate. But as this election was only for the duration of an unexpired term, he had to run again in 1932.

In this election he won a full term, but when he tried again he was defeated by Republican Clyde M. Reed, a former Governor.

BACKED NEW DEAL

While in the Senate, he was a loyal adherent of the New Deal. He served on the Senate Agriculture Committee, and it was in the field of agriculture that he made his most noteworthy contribution. In 1937 he was, along with the former Senator James P. Pope, Democrat, of Idaho, coauthor of the Pope-McGill bill, which established price supports on major farm products and set up a Federal crop insurance corporation.

In 1944 President Roosevelt appointed him to an unexpired term on the Federal Tariff Commission, and 4 years later, he was reappointed by President Truman to a full 6-year term.

He retired from the Commission in 1954 and went home to Wichita to continue practicing law.

Mr. McGill was a member of the Wichita Chamber of Commerce, the Masons, the Elks, and the Wichita Shrine.

He is survived by a daughter, Catherine Sheehan, of Alexandria, and a son, George, Jr., of Hutchinson, Kans.

Mr. PEARSON. Mr. President, I would like to join the senior Senator from Kansas today in paying respects to former Senator George McGill, of Kansas, who served our State most eminently during trying times. Senator McGill has left a distinguished mark in the history of our State and his passing will leave a gap in the ranks of great statesmen in this Nation. A prominent attorney, Senator McGill had a background of farm life until he commenced his education in Barton County, Kans., in 1884. The Senator moved to Wichita in 1904 where he entered the practice of law. In conjunction with his law profession, Senator McGill was active in the political life of the community and served as deputy county attorney and county attorney for 4 years. In 1924 he was the chairman of the State Democratic convention and in 1928 was a delegate to the Democratic National Convention. Senator McGill first represented our State in Washington when he was elected in 1930 following the resignation of Charles Curtis. He was reelected in 1932 and served the interests of Kansas until 1939. He became a member of the U.S. Tariff Commission in 1944 and remained with that agency until his resignation in 1954. He had, until his death, continued active in State functions, and was active in the practice of law. Mr. President, I am indeed saddened by the loss of this fine Kansan, and join others in paying tribute to Senator George McGill.

SHOWING OF FILM OF FOREIGN FISHING FLEETS OFF NORTH ATLANTIC COAST

Mr. BARTLETT. Mr. President, yesterday afternoon, in making an announcement on the floor of the Senate, I lost 24 hours. I said at that time that, due to the kindness of the Senator from Massachusetts [Mr. Kennedy], that a film would be shown in the auditorium of the New Senate Office Building at 11 o'clock this morning, showing foreign fishing fleets off the north Atlantic coast, particularly Russian fishing vessels.

My announcement should have said that the film will be shown at 11 o'clock Thursday morning; that is tomorrow morning. To this showing the Members of the Senate, their staff, and attachés of the Senate are invited.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. AIKEN. On behalf of the Senators from New Hampshire [Messrs. Cotton and McIntyre], the Senators from Maine [Mrs. Smith and Mr. Muskie], the Senator from Vermont [Mr. Prouty], the Senator from New York [Mr. Keating], and myself, I call up amendment No. 88, and ask that it be considered at this time.

The PRESIDING OFFICER. The clerk will state the amendment.

The Legislative Clerk. At the appropriate place in the bill it is proposed to insert the following:

> In section 3 at the end of subparagraph (h) (5) insert new language as follows: "Notwithstanding any other provision of law the differentials in feed grain prices that have existed historically between various geographic areas shall be observed by the Commodity Credit Corporation in the valuation of any feed grains released under the authority of this Act."

Mr. HICKENLOOPER. Mr. President, I suggest the absence of a quorum.

Mr. AIKEN. I yield to the Senator for that purpose. The quorum call is merely to alert Members of the Senate to the fact that the amendment is under consideration. Shortly I will ask that the request be withdrawn.

Mr. HICKENLOOPER. Yes; I merely wish to alert Senators that the amendment is under consideration. It is a vital amendment to areas which are remote from the feed grain producing areas. The request will shortly be withdrawn.

Mr. HUMPHREY. Mr. President, to whose time will the quorum call be charged?

The PRESIDING OFFICER. Under the agreement, the Chair will charge the time for the quorum call to the time controlled by the Senator from Vermont on the amendment. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. Mr. President, I yield myself 10 minutes of my time on the amendment. I do not expect to take very long. The purpose of the amendment is to prevent the Commodity Credit Corporation from discriminating against any area of the country in the sale or delivery of feed grains. This discrimination could be in the form of price or in the form of invoking section 22 of the Interstate Commerce Act, which results in a decrease in transportation costs to certain areas of the country. The amendment is sponsored by the Northeast Poultry Association. The amendment is prompted by the fact that in January the Department of Agriculture invoked section 22 of the ICC Act, under which feed grain owned by the Federal Government could be delivered to 12 States in the Southeast at a considerably lower rate than it could be delivered to other parts of the country, the so-called deficit areas of the country, including most of the Northeast. I believe that the Rocky Mountain States would be classed as deficit areas, and probably the Pacific Coast as well. This resulted in giving poultry and livestock growers in certain States an advantage of about 18 cents a bushel in the price of Government-owned feed. Naturally, the feeders in the Northeast, particularly poultry growers, found themselves at a serious disadvantage. The amendment is the result of what has happened to them.

I do not know why the Department of Agriculture selected the 12 States they did to which to give these special rates, because certainly some of them, like Kentucky and probably Tennessee and several other States, would not get a material advantage. However, some of them would.

As I see the situation, some of these States, particularly Georgia and Alabama, had been enjoying a very large poultry export market to Germany, and possibly to other countries in Europe. At about the same time that the Department of Agriculture gave them special advantages in the price of grain, which were brought about by the reduction of freight rates, they found themselves being shut out from the European markets for their poultry.

It looks very much as if the Department felt that if they could get a lower price for the Government feed delivered in certain areas of the country, those people would not complain so much about the loss of the European market.

Under the law which was enacted last fall, the President has full authority to handle the European situation. Under the Williams amendment he can retaliate against the countries which shut out our poultry products. So far he has not undertaken to do so. We hope that he will bring about an effective arrangement with Germany and other countries. Nevertheless, while lower grain prices might appease certain States, they do not help other States in the Northeast, which find themselves at a disadvantage. There is no use saying that a broiler produced in Maine costs more than a broiler produced in some of the Southern States, because Maine raises them to a considerably heavier weight. However, the South has produced for the export market, and it has lost that market. The Department has, in effect, said to southern producers, "We will see to it that you get lower grain prices." If I were a chicken grower in the South, I would much rather retain my good market overseas than to get a sop in the form of a reduction of perhaps 15 or 18 cents in the price of corn and other Commodity Credit Corporation-owned grain.

We are not asking for an increase in the cost of production in the Southern States. We are asking only for an equalization of the costs of Government-owned grain when sold in any of the deficit areas.

We who have sponsored the amendment come from an area which perhaps has the greatest deficit. The farmers of Vermont import more than 90 percent of the grain which they use. That is probably true of Maine and New Hampshire. The farmers of New York produce about 27 percent of the feed which they use for poultry and livestock.

We are asking only for fairplay. I cannot understand why the Department of Agriculture should object in any way to the amendment. The adoption of the amendment would make our poultry, dairy, and livestock feeders feel that they were being treated much more fairly.

Mr. COTTON. Mr. President, will the Senator from Vermont yield half a minute?

Mr. AIKEN. Mr. President, I yield as much time as the Senator from New Hampshire desires, up to 5 minutes.

Mr. COTTON. I commend the distinguished Senator from Vermont for offering the amendment. As usual, he is on the job to protect and to do everything in his power to secure fairplay for the farmers of New England and the Northeast section of the country. I am very glad to have the opportunity to be associated with him as a cosponsor of the amendment.

However, I wish to make one thing crystal clear. The amendment should be adopted in the interest of fairplay. It ought to be adopted, and I hope it will be adopted. Nevertheless, while it would help, it would not remedy the situation which we must confront; namely, that the passage of the feed grain bill, even with the amendment, would be destructive to the dairy and poultry industry of northern New England—certainly of the State I represent, in part.

While I hope the amendment will be adopted, because it would make the situation less dangerous and destructive to us, it would not cure the situation. No one in our section of the country who has an interest in agriculture should be satisfied with the bill, even with the amendment of the Senator from Vermont included. All we can do to protect our people will be to vote "nay" on the passage of the feed grain bill.

Mr. AIKEN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Vermont has 22 minutes remaining.

Mr. KEATING. Mr. President, will the Senator from Vermont yield me 1 minute?

Mr. AIKEN. I yield 2 minutes to the Senator from New York.

Mr. KEATING. Mr. President, I express my commendation and gratitude to the distinguished Senator from Vermont for the leadership he has taken in offering the amendment. I agree entirely with the Senator from New Hampshire that the bill, even if the amendment were adopted, would be a devastating blow to the poultry and dairy farmers of the State of New York and of the northeastern area of the country. Nevertheless, the adoption of the amendment would help somewhat and would prevent a discriminatory practice which enables 12 States of the Southeast to receive a special price on grain. Those States have been able to purchase feed grain at large savings below the price of feed grain that is sold in the Northeast.

New York State has a definite deficit in wheat growing and feed grain growing. As a result, the farmers of New York would be unjustly forced by the bill to pay higher feed grain prices. That would happen whether the amendment were adopted or not. But the discriminatory feature would add insult to injury. Therefore, I hope that the amendment will be adopted.

I am grateful to the distinguished Senator from Vermont for trying to protect the interests of the dairy and poultry farmers in the entire northeastern area of the country, where New York, Vermont, New Hampshire, and other States have a great community interest.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield up to 5 minutes to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I support the amendment of the Senator from Vermont. In the interest of fairplay, there is no reason why the amendment should not be adopted. I speak as a Senator who represents one of the 12 States which at the moment have the benefit of cheap feed. But I also know what it means not to be included in the group. The raising of poultry is a competitive business.

When the Department of Agriculture moves into any region, whether it be the Southeast, the East, or the Northeast, and starts to subsidize that region with feed cheaper than that being sold in competitive areas the other areas are at a disadvantage.

Such a practice was never intended as a part of the powers of the Department of Agriculture. If it is not stopped, we will be giving the Secretary of Agriculture the power to make political payoffs from the Federal Treasury to areas which support his program or to buy the support of the farmers or the support of their representatives in Congress in order to have their areas included.

The duty of the Secretary of Agriculture is to administer the law and not to go around conducting political campaigns or using the taxpayers' money to curry favor in any one area.

I believe the amendment should be adopted. If it is not adopted and the discrimination of having a cheaper selling price to one area is allowed to exist, the poultry industry in competitive areas which do not get the benefit of the benevolence of an all powerful Government will be destroyed.

Mr. AIKEN. I thank the Senator from Delaware. He comes from one of the most intensive poultry-producing States in the Union. I am satisfied that the producers of Delaware would much rather retain their markets overseas, as they could do under the Williams amendment, if the President would only act under it, than to get a few cents differential in the price of feed. I thank him very much for his remarks.

Mr. HICKENLOOPER. Mr. President, will the Senator yield a minute or two to me?

Mr. AIKEN. I yield up to 5 minutes to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, the amendment appears to me to be an equitable amendment. I have known about it before. Its purpose has been discussed repeatedly.

Certainly, inequitable pricing has existed from time to time with respect to the cost of feed grains in one section of the country and the cost in other sections of the country, resulting in manipulation by the Department of Agriculture under its discretionary power. While the amendment may seem to be not too important an item, it indicates what the result of unlimited discretion being placed in the Department of Agriculture could be. Unlimited discretion means action at the whim or caprice of one individual, for whatever purpose he might use the discretion in certain circumstances.

For instance, the Secretary of Agriculture, in his discretion, has disposed of corn that was going out of condition. A provision has been wisely included in the law that corn which is going out of condition may be disposed of at a price lower than that paid for good corn. But the interesting thing is that last year—and I have many statistics on this point—there was disposal of corn going out of condition—supposedly bad corn, corn which was deteriorating—but when the central markets were checked, markets where that corn was delivered under the discretionary order of the Secretary, it was found that a large amount of it—well over one-half; I think 70 or 80 percent—was graded No. 2 corn when it reached the central market. But it was sold under the distress provisions and at a low price.

The discretion of the Secretary was used to try to get rid of some of the surplus without really following the spirit and intention of the law. Discretion was used to call that corn distress corn, when actually it was high grade corn. It was sold at a low price, and the Government had to foot the bill to pay the difference. This sometimes happens when too much discretion is allowed.

A little later, I shall have something to say about the provision in the bill which would insure the lodging of discretion in the Secretary. But such discretion, if an official were so minded, could be used for ulterior purposes of one kind or another, political or otherwise; and on occasion such discretion has been so used.

In connection with this bill, I think various sections of the country should be treated equitably, fairly, and alike; I do not believe there should be an arbitrary decrease in the price to one section or an arbitrary increase in the price to another section. Manifestly, prices in all sections of the country cannot be the same, from the standpoint of the ultimate consumer—because of certain distances to be traveled and because of handling, and so forth. But when an artificially rigged price is set, under the discretion of the Secretary of Agriculture, to favor one section of the country over another section, that is an inequity which should be corrected. I believe the amendment of the Senator from Vermont is an approach to that problem, which is well realized in the sections of the country where the farmers feel there is a preference against those in certain counties, in connection with the pricing of surplus grain or the grain being sold under the conditions referred to in the amendment of the Senator from Vermont. So I thank the Senator from Vermont.

Mr. AIKEN. I thank the Senator from Iowa.

Mr. President, how much time remains available to me?

The PRESIDING OFFICER. Thirteen minutes.

Mr. AIKEN. Mr. President, I reserve the remainder of the time available to me.

On the question of agreeing to this amendment, I wish to ask for the yeas and nays.

Mr. ELLENDER. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 10 minutes.

Mr. ELLENDER. Mr. President, this amendment was not considered by the committee when it had the bill before it for action.

I point out to Senators that in fixing the support price, the Secretary of Agriculture takes into consideration the location of the area where the feed grain is produced. The support price in Iowa, let us say, would be different from the support price in the Northeast, because of the fact that the Northeast is a deficit area; and in fixing the support price for the Northeast—because it is a deficit area—that price would necessarily be higher than the support price in Iowa would be. So the factors which the Secretary of Agriculture would have to take into consideration, in my opinion, in order to attain the goal envisioned by the Senator from Vermont have already been taken into consideration in fixing the support price.

Thus, it seems to me that under the law as it now stands, the Secretary of Agriculture is bound to follow a rule whereby the support price in deficit areas is higher than the support price in areas in which grain is produced in abundance.

As I have said, in setting that price—although I have never discussed the matter with the Secretary of Agriculture—I presume that he takes into consideration various factors, such as freight rates, and things of that kind.

Mr. President, in my opinion this amendment would impose an unacceptable administrative responsibility on the Secretary of Agriculture. It is indefinite in its historical guideline. It is unrealistic in requiring unqualified observance of past interarea price relationships, in view of the fact that differentials can be affected by factors wholly unrelated to the feed grain program.

For example, in the transportation field there are current developments which are resulting, or in the future may result, in significant changes in area-to-area feed grain costs. Under this amendment, feed users in an area where the inbetween costs have been reduced for one reason or another presumably would not be able to get CCC feed grains at the same price at which those in other areas could get it.

This amendment does not include taking into account interarea differences in prices of the end products of feed grain, such as class I milk and poultry.

Although it is understood that the purpose of this amendment primarily is to shield feed users in deficit areas from competitive disadvantages of presumed feed grain sales in production areas, it could also have the effect of keeping local feed grain prices in deficit areas higher than otherwise would be the case.

The offering of this amendment implies that the Department of Agriculture has been disregardful of the normal interregional price relationships in its feed grain sales under the feed grain programs to date. This is not the case. As has been explained to Members of Congress and others on numerous occasions, the Department has endeavored to conduct its sales operations with the use of feed grain payment-in-kind certificates in a manner which would avoid upsetting normal competitive relationships among regions.

The Department has been constantly on the lookout for distortions in these relationships which appear attributable to the feed grain program. Distortions did appear for a time in 1961–62 in the Pacific Northwest and the Southeast; and remedial action was taken, in the form of sales at adjusted delivered f.o.b. prices. Similar sales on a limited scale have been taking place in localized sections of the Southeast since early January this year, but are now phasing out.

Unfortunately, the Department's position in this matter has been obscured at times by rather normal variations in price levels, which have been mistaken for differential changes, and by local effects of such nonprogram factors as abnormal weather.

I submit that this amendment has no place in this legislation, and should be rejected.

The proposed legislation would prohibit the Commodity Credit Corporation from valuing feed grains delivered as payments in kind at less than the current value, plus reasonable carrying charges. This provision relates to the loan value at the place of sale or delivery, and therefore the Commodity Credit Corporation cannot deliver grain at less than the loan value at the place of delivery. Under section 403 of the 1949 act, the loan value at any point takes into consideration appropriate location differentials.

The amendment adds nothing to the existing law or to the bill; and, as I have just now stated, the amendment is not necessary.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield 3 minutes to me, for the purpose of the suggestion of the absence of a quorum?

Mr. ELLENDER. I do.

Mr. MANSFIELD. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on the amendment of the Senator from Vermont I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, before the Senate votes on the amendment, and before the remainder of our time is yielded back, I wish to yield to the senior Senator from Connecticut [Mr. DODD] 1 minute.

Mr. DODD. Mr. President, I am grateful to the distinguished Senator from Vermont.

The Aiken amendment would make sure that the Commodity Credit Corporation could not discriminate against any area of the country, either in the prices it would charge on feed grains that it releases or by using section 22 of the Interstate Commerce Act, by allowing lower shipping rates on feed grains shipped to a particular area.

I believe that is a correct interpretation of the amendment.

My colleague the Senator from Connecticut [Mr. RIBICOFF] and I have been greatly interested in the problem as it relates to our State. I wrote to the Secretary of Agriculture about this matter at the request of the Connecticut Commissioner of Agriculture. In my letter I referred to an analysis prepared by Dr. Stanley Seaver, Department of Agricultural Economics, University of Connecticut, which clearly reveals the problem facing Connecticut poultry and egg producers. In that letter I said:

MAY 13, 1963.

Hon. ORVILLE FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Some months ago, on January 21, 1963, I communicated with you regarding the economic impact that the CCC Southeast feed grain program was having on Connecticut poultry raisers.

The reply to my telegram signed by Assistant Secretary John P. Duncan, stated among other points that; "In the event distortions clearly related to the feed grain program do develop in any other area, the Department within the limits of its authority will take appropriate remedial action."

I am firmly convinced that remedial action is overdue and my convictions are strengthened by the analysis of the situation sent to you by Commissioner of Agriculture Joseph N. Gill, of Connecticut, on April 19, 1963.

The analysis which accompanied Commissioner Gill's letter is brief, concise, and to the point and the obvious inequities caused by the CCC Southeast feed grain program is best illustrated by these paragraphs of the study:

> "Connecticut farmers are paying full freight rates but corn is now being supplied to points in the Southeastern States by the Commodity Credit Corporation at prices ranging from 25 cents to $3.27 per ton below the prices which would be in effect if farmers were paying the full freight rates.
>
> "Connecticut farmers, especially poultry producers, compete directly with broiler growers and egg producers in the South. By making corn available to these southern areas at reduced freight rates, while New England's freight rates remain constant, the USDA is, in effect, putting New England farmers at a further competitive disadvantage."

I most strongly urge immediate action by your Department to prevent further inequities which place Connecticut poultry and egg raisers in an unfair and untenable position.

With best wishes.

Sincerely yours,

THOMAS J. DODD.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. RIBICOFF. As the Senator has said, New England has been discriminated against in respect to various freight rates. I have been at a loss to understand why the Department of Agriculture discriminates against the New England States. New England farmers are located in high-cost areas. Their land is of high value. They pay high taxes. Their wages are high. Yet it is difficult for me to know and understand why the Department of Agriculture does not give the same consideration in freight rates to the New England area as it does to the Southeast. Is there any explanation that the Senator has received for that differential?

Mr. DODD. None at all. As my colleague knows, I have tried to obtain such an answer. I have never been able to get a satisfactory one. All I know is that I and my colleague are besieged by poultry raisers in Connecticut. They are very much upset about the situation. They are being discriminated against. They simply cannot compete.

Mr. RIBICOFF. It would seem to me the Secretary by administrative ruling could have straightened the question out. If that were done, the amendment offered by the distinguished Senator from Vermont would have been unnecessary.

Mr. DODD. Yes. I quite agree that that is exactly correct.

Mr. ELLENDER. Mr. President, will the Senator yield to me on my time?

Mr. AIKEN. I yield.

Mr. ELLENDER. I should like to point out to the Senators from Connecticut that under section 403 "appropriate adjustments may be made in the support price for any commodity for differences in grade, type, staple, quality, location, and other factors" in this feed grain program.

In other words, under the law the Secretary is authorized to provide different price supports, depending upon where the grain is produced, in cases where there is a deficit area. The Secretary can do that administratively. That is in the law now. He can do the very same thing the Senator from Vermont [Mr. AIKEN] seeks to do.

Mr. RIBICOFF. This is what is so disturbing, I say to the chairman of the committee. While the Secretary can do so, he has failed to do so year in and year out, to the decided disadvantage of the farmers of the New England States, who, heaven knows, work hard enough and have difficult enough problems with respect to being on a par with poultry producers in the remainder of the country.

We seek no special advantage for New England. We are concerned about the disadvantage the farmers of the New England States have constantly suffered, which could have been straightened out if the Secretary of Agriculture had given the same treatment to New England as he has given to other sections of the country. I have urged the Secretary of Agriculture to do so and shall continue to press him on this point. I have called him but he has been in South America. He is expected back this afternoon and I trust he will return my call before the vote is taken.

Mr. AIKEN. Mr. President, will the Senator yield to me on my time?

Mr. DODD. I yield.

Mr. AIKEN. I do not give quite the same interpretation to the law as that given by the Senator from Louisiana.

In making a sale the Commodity Credit Corporation is guided either by the support level or the going market price in that area. While there is a minimum below which they cannot sell, there is no maximum.

As to why preference was given to certain States in the matter of the freight rates—which made a differential of something like 18 cents a bushel in the cost of feed—I believe that this preference in respect to transportation was given at about the time Germany announced a shutdown on exports. Three or four of the States were very heavily dependent on the European export market. I expect that may have been offered by way of compensation. As I said before, I am sure the producers would prefer to keep their markets, rather than to receive a preference in the price of corn.

Mr. RIBICOFF. Mr. President, I should like to ask a question of the distinguished Senator from Vermont, who is so familiar with the field and so knowledgeable in respect to it. Are the New England poultry raisers at a present disadvantage in being able to market their crop because of this differential?

Mr. AIKEN. I submitted this amendment at their request night before last. The Northeast poultry growers asked for this amendment. Dairy producers will also be affected, but, of course, they operate under marketing orders. The cost of feed enters into the fixing of the price of milk which they sell.

However, this is the poultry growers' amendment.

Mr. DODD. Mr. President, we are faced with a situation in which we cannot obtain administrative relief and are being discriminated against. It seems to me the amendment is the answer for us.

Mr. AIKEN. I think this would be an excellent guideline for the Secretary to use.

Mr. DODD. I thank the Senator from Vermont.

The PRESIDING OFFICER. Who yields time?

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. ELLENDER. Mr. President, I yield 3 minutes to the distinguished Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota may proceed for 3 minutes.

Mr. HUMPHREY. Mr. President, this particular amendment is a matter of concern to me. I have been concerned about some of the operations conducted by the Commodity Credit Corporation, and because of my concern I have spoken to the Secretary of Agriculture and to the people of the Commodity Credit Corporation about the problem.

I understand the Secretary has written a letter to the distinguished Senators from Connecticut, which is on its way. The Senators have inquired about this problem.

I asked the Secretary some time ago for a statement which would be somewhat helpful in explaining exactly what the Department is doing concerning the problem underlined by the amendment. The Secretary said, in his statement:

> The 1963 feed grain program and the pending legislation for a similar program in 1964 and 1965—

That is, the bill before the Senate——

Mr. RIBICOFF. Mr. President, will the Senator yield to me?

Mr. HUMPHREY. I yield.

Mr. RIBICOFF. I have been informed that the Secretary of Agriculture is returning my call to him. There is supposed to be a letter on its way, to straighten out this situation. I do not know whether the amendment is ready to go to a vote or not, but I intend to step out of the Chamber and take the call of the Secretary of Agriculture who has just returned from South America.

So far as I am personally concerned, if this problem can be straightened out administratively there is no need for the legislation, but the Secretary has the administrative power, and I think he should exercise it. If he would so exercise it, I would certainly vote against the amendment. However, if the Secretary fails to exercise it, we shall have no alternative but to vote for the amendment offered by the distinguished Senator from Vermont.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. ELLENDER. I give the Senator assurance that the Secretary of Agriculture does have authority to act administratively.

The PRESIDING OFFICER. The time yielded to the Senator from Minnesota has expired. Does the Senator from Louisiana yield more time?

Mr. ELLENDER. I yield the Senator 3 more minutes.

The **PRESIDING OFFICER.** The Senator from Minnesota may proceed for 3 more minutes.

Mr. HUMPHREY. Mr. President, as I was indicating previously, the Secretary has told me:

> The 1963 feed grain program and the pending legislation for a similar program in 1964 and 1965 differ in the basic concept from that which was in effect for 1961 and is currently in effect for 1962. Under these earlier programs, the Department of Agriculture was charged with the responsibility for marketing feed grain certificates as requested by producers, so as to insure that the benefits of the program accrued to the cooperating producers. This has been a most difficult provision of law to administer, and we recognize that many problems have been created by it. This was also recognized by Congress and was at least partially the reason for modifying the 1963 feed grain program as part of the Agricultural Act of 1962. In this 1963 program, and again in the program for 1964 and 1965, as indicated in H.R. 4997, the cooperating producers are assured benefits of the program through the use of a payment in kind, thereby eliminating the need for a so-called sellback provision.

It was the sellback provision which precipitated the problem, because under the sellback provision there were certain discrepancies in price structure as the program was administered by the Commodity Credit Corporation.

> In fact, the law is specific that the Department of Agriculture under the 1963 program, and again under the pending legislation, for 1964 and 1965 cannot market grain represented by certificates at less than the loan level.

The chairman of the committee explained that the loan level takes into consideration the differentials, and has read the provision of the law relating to the loan level.

> The 1963 act, as well as the language contained in H.R. 4997, is specific in requiring the Secretary to value feed grains at not less than the current loan level. Since the Secretary is required by law to take into account the historical price relationships of feed grains in establishing the loan level, it is clear that this limitation would also apply to the valuation of feed grains sold under this payment-in-kind authority contained in this act and in the pending legislation. Thus, since this is covered in existing law, there is obviously no need for further amendments.
>
> This new concept which will become effective beginning with the 1963 marketing year and will apply to 1964 and 1965, assuming the pending legislation is enacted, will eliminate many of the administrative problems, as well as great difficulty in maintaining historical price relationship as between States and regional areas. The Department in administering the 1963 and subsequent programs will take every possible step to value feed grains released under the limited authority in the act so as to maintain the historical price differential as between various geographical areas.

The **PRESIDING OFFICER.** The time of the Senator from Minnesota has again expired.

Mr. HUMPHREY. May I have 1 more minute?

Mr. ELLENDER. I yield 1 additional minute to the Senator from Minnesota.

The **PRESIDING OFFICER.** The Senator from Minnesota may proceed for 1 additional minute.

Mr. HUMPHREY. Mr. President, as the distinguished chairman of the committee has outlined, the present law gives authority to the Secretary to administer the law so as to take into consideration the historical geographic price differentials, so there is no need for any amendment.

The amendment would only further confuse the law. The law already is sufficient to empower the Secretary to act in terms of historical price relationships in geographic areas.

Mr. AIKEN. Mr. President, I yield myself 2 minutes.

The **PRESIDING OFFICER.** The Senator from Vermont may proceed for 2 minutes.

Mr. AIKEN. I am very much interested in the answer that the Secretary has had an opportunity, under the law, to equalize conditions for the sale of Government-owned feed in different areas. I do not blame the Senator from Minnesota for trying to retain the advantages they have had.

For example, Connecticut dairy producers pay $4.05 per 100 pounds of dairy feed. Minnesota dairy producers pay $3.20, a difference of about 25 percent.

On poultry, Connecticut producers pay $4.05 per 100 pounds for poultry rations. Minnesota producers pay $3.02, also a differential of 25 percent.

There is a differential as between the different States. There is an advantage to the Midwest, because they produce it. Nevertheless, there is no excuse for the Secretary making a difference in price, under similar conditions, for States that have a similar degree of deficit production.

This amendment is intended to be a gentle persuader to impress on him the fact that up in New England, New York, in the Rocky Mountain States, and on the Pacific coast, we also feel we are entitled to the same privileges.

We are not trying to raise the price of Government-owned feed to the Southeast producers. We merely want equitable treatment with them; and we are probably a greater deficit area than the South, outside of Florida.

Mr. ELLENDER. Mr. President, will the Senator yield, on my time?

Mr. AIKEN. I yield.

Mr. ELLENDER. The Senator's amendment would preserve the very thing he is talking about—the differentials that exist—because feed is produced in Minnesota, and the price would be different in contrast to what it would be in Vermont or New Hampshire. The amendment reads:

> Notwithstanding any other provision of law the differentials in feed grain prices that have existed historically between various geographic areas—

And so forth. What has existed will still exist. Therefore, that is not disturbed.

Mr. AIKEN. The Senator will recall that my interpretation of the purpose of the amendment is to keep the situation in line by any means whatsoever, including transportation costs. The Secretary can charge up to the going market price in any area of the country. He does have a minimum; he cannot go below the support price.

Mr. HUMPHREY. That is correct. The law states that.

Mr. AIKEN. Or he can charge the market price.

Mr. HUMPHREY. He can charge the current loan price under the act of 1962.

Mr. AIKEN. He could charge $1.65 in New England, and he could sell it in Minnesota for $1.25.

Mr. HUMPHREY. The Senator from Vermont is an expert in this field, and he knows full well that I was the one who was complaining the loudest about the use of section 22 of the Interstate Commerce Act, under the special provision relating to transportation. That was corrected in the legislation last year. So the historical price relationships embodied in the act of 1962 have been clarified. This differential cannot be made by some kind of discretionary use of power on the part of the Secretary of Agriculture to favor a certain geographical area. In other words, the transportation and other costs must be considered in the prices that are charged.

Mr. AIKEN. Does the Senator from Minnesota not think, however, that it would be far better for the administration to protect the exports of the poultry producers of Arkansas, Alabama, Georgia, and other States rather than offer them the support price and a lower cost on feed grains, when they cannot market their poultry?

Mr. HUMPHREY. I do. There is no more vigorous exponent of the protection of the export markets than the Secretary of Agriculture. The Secretary went to Paris and spoke out in such clear and explicit terms that everybody knows he meant it. But he needs the support of Congress. Secretary Freeman, if he has done any one thing, has done that job well. He is a fighter for the protection of export markets.

Mr. AIKEN. Mr. President, I have 1 minute left, and I yield it to the Senator from Iowa.

Mr. MILLER. Mr. President, the Senator from Minnesota has said that since the act of 1962 this problem has been taken care of. That may have been the intention, but I do not think it has been taken care of, because since the act of 1962 there has been a problem affecting the Midwest. In the case of the Chicago market, the Secretary has computed the cost of transportation of grain into the Southeast, as I recall, at 25 cents a bushel. In some cases this has been fair. In other cases it has not been. Where not, we have had a discriminatory situation. I believe the amendment of the Senator from Vermont would take care of that situation.

I am not saying that the Secretary is not trying to do a good job. I say he is going about it the wrong way when he says he will use the average, and we are told the average will operate equitably, in general. We are not concerned about the general situation, but rather with the exceptions which feel the force of inequity. That is the purpose of the amendment of the Senator from Vermont.

Mr. HUMPHREY. The language of the amendment does not refer to transportation. We took care of that problem last year in the act and by the exchange of letters which the Senator from Minnesota placed in the RECORD and has asked the Secretary to abide by. The language of the amendment of the Senator from Vermont refers to the historical differentials in feed grain prices in the various geographic areas, and says that they shall be observed by the Commodity Credit Corporation.

The **PRESIDING OFFICER.** The Senator's time has expired.

Mr. HUMPHREY. Mr. President, I yield 1 more minute to the Senator from Iowa.

Mr. MILLER. The Senator from Vermont has already said this means not only the base price of the commodity but also the transportation cost.

Mr. HUMPHREY. The language of the amendment states:

> Notwithstanding any other provision of law the differentials in feed grain prices that have existed historically between various geographic areas shall be observed by the Commodity Credit Corporation in the valuation of any feed grains released under the authority of this act.

I say, most respectfully, that that is already in the law, and I say, most respectfully, that transportation charges and other charges relating to loan grains on which there are Commodity Credit loans were covered by the exchange of letters which, in the debate last year, I placed in the RECORD, and as to which the Secretary of Agriculture committed himself to respect those charges and to include them in the price.

I do not think this amendment is necessary. I think all it is doing is confusing the record. There was a good record last year, and the law is being well administered.

Mr. ELLENDER. Mr. President, I yield back my time.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield 1 minute of that time to me?

Mr. ELLENDER. I yield 1 minute to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I think there has been some misunderstanding of the amendment of the Senator from Vermont. The Senator from Minnesota is correct in stating that it does not affect rates as such. The amendment affects the situation existing when the Secretary of Agriculture opens up Bin X in the Midwest and sells at $1.10 from the shipping point, when he can open up a bin in another area and sell at $1.25 from the shipping point. The differentials are not involved. The grains may be sold within the same transportation rates.

I am supporting the amendment because I do not think the Secretary should be able to open up a reservoir of grain at a bargain price without offering it to other areas at the same bargain price f.o.b. the shipping point.

Mr. HUMPHREY. The price relates to the present loan rate. That is the price the Secretary is required to go by. The current loan rate takes into consideration cost factors relating to the price of the grain. This has been the historic practice. That practice is being maintained. The purpose of the amendment is right. However, the amendment is covered by the existing law and the exchange of communications.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. HUMPHREY. May I have one-half minute?

Mr. ELLENDER. I yield to the Senator.

Mr. HUMPHREY. This provision would actually weaken the case for the Northeastern United States. I did not want to have to say this because I have just had a big argument with the Department of Agriculture over what it is trying to do to the Midwest. Frankly, this amendment is better for the Midwest because it does not take into consideration transportation cost.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I ask unanimous consent for 3 more minutes to discuss the conversation I had with the Secretary of Agriculture.

The **PRESIDING OFFICER.** If the Senator from Connecticut obtains unanimous consent, that may be done.

Mr. HUMPHREY. Mr. President, in order to protect the rights of the opposition, I suggest that an additional 5 minutes be allowed, so the opponents of the amendment may have time to respond. Otherwise, I am afraid we shall have several suggestions for unanimous consent.

The **PRESIDING OFFICER.** The Chair is open to any request. There has been a request for 3 minutes.

Mr. ELLENDER. Mr. President, I ask unanimous consent for 5 minutes, 2½ minutes on each side.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I explained to the Secretary of Agriculture the deep concern of the senior Senator from Connecticut and myself concerning the impact of the feed grain law upon the poultry raisers of Connecticut and New England.

The Secretary assured me that he would take it into account and he would assure all New England Senators that the poultry growers in New England would be treated in the same way and as fairly as poultry growers in the remainder of the country were treated, and that he would try to make sure that there would be no differential between the price of grain going into the New England States and that going to the Southeastern States.

He further assured me that he would be willing to meet with Senators from the New England States, including the Senator from Vermont and the senior Senator from Connecticut and myself, and other Senators from New England, and that we could bring in any experts we might wish to bring in from our respective States, to discuss this entire situation.

He again assured me that he would try to be fair and eliminate any inequities that exist between the rest of the country and the poultry growers in our respective States in New England.

Since this could be done administratively, he felt there was no necessity to try to meet the problem with an amendment such as the one offered by the distinguished Senator from Vermont.

Mr. LAUSCHE. Mr. President, will the Senator yield to me?

Mr. AIKEN. I may want to use my 2½ minutes.

Last winter, when the differential was put into effect, I contacted the Department of Agriculture and received assurance somewhat similar to the assurance received by the Senator from Connecticut. Nearly 5 months have gone by, and I have not seen any effort made to carry out that assurance. If they intend to do it, the amendment will not do any harm whatever, because the purpose of the amendment is to see to it that they carry out the assurance which was given to the Senator from Connecticut today and was given to me nearly 5 months ago.

Mr. RIBICOFF. The senior Senator from Connecticut and I have had the same response to many letters that we have sent to the Department. However, at the present time, since this is a crucial matter, the Secretary of Agriculture probably realizes that the time has come to talk with the Senators from the New England States.

Mr. AIKEN. All I can say is that in New England we can live frugally, but we cannot live wholly on promises.

Mr. RIBICOFF. I hope the Secretary will carry out his commitment.

Mr. LAUSCHE. Mr. President, if I had any question about how I should vote on the amendment, it has now been completely removed by the recitation of what has taken place. Petitions have been filed for the equalization of rights on both sides. Now comes the time for voting, and to procure a vote on a measure desired by the Secretary of Agriculture the word is sent to the Senate "Vote the way I ask, and I will do what you want."

Mr. AIKEN. I have been waiting for 5 months.

The **PRESIDING OFFICER.** All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN] and other Senators. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have paired with the senior Senator from Illinois [Mr. DIRKSEN]. If he were present and voting he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

Mrs. NEUBERGER (when her name was called). On this vote I have a pair with the Senator from Maine [Mr. MUSKIE]. If he were present and voting he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Tennessee [Mr. KEFAUVER], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. Pell], and the Senator from Texas [Mr. Yarborough] are absent on official business.

I also announce that the Senator from Maine [Mr. Muskie] is absent due to illness.

I further announce that, if present and voting, the Senator from Texas [Mr. Yarborough] would vote "nay."

On this vote, the Senator from Tennessee [Mr. Kefauver] is paired with the Senator from Colorado [Mr. Allott]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from Rhode Island [Mr. Pell]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Rhode Island would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from Illinois [Mr. Dirksen], and the Senator from New York [Mr. Javits] are necessarily absent.

The pair of the Senator from Illinois [Mr. Dirksen] has been previously announced.

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Tennessee [Mr. Kefauver]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Tennessee would vote "nay."

If present and voting the Senator from New York [Mr. Javits] would vote "yea."

The result was announced—yeas 38, nays 52, as follows:

[No. 74 Leg.]

YEAS—38

Aiken
Anderson
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Case
Cooper
Cotton
Curtis
Dodd
Dominick
Fong
Goldwater
Hickenlooper
Holland
Hruska
Jordan, Idaho
Keating
Kennedy
Kuchel
Lausche
McIntyre
Mechem
Miller
Morton
Pastore
Pearson
Prouty
Robertson
Saltonstall
Scott
Simpson
Smith
Tower
Williams, N.J.
Williams, Del.

NAYS—52

Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
McNamara
Metcalf
Monroney
Morse
Mundt
Nelson
Proxmire
Randolph
Ribicoff
Russell
Smathers
Sparkman
Stennis
Symington
Talmadge
Thurmond
Young, N. Dak.
Young, Ohio

NOT VOTING—10

Allott
Dirksen
Javits
Kefauver
Mansfield
Moss
Muskie
Neuberger
Pell
Yarborough

So Mr. Aiken's amendment was rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CURTIS. Mr. President, I call up my amendment No. 90, and ask that it be read.

The PRESIDING OFFICER. The amendment of the Senator from Nebraska will be read.

The Legislative Clerk. On page 12, in line 14, it is proposed to add the following new sections:

That, in addition to any other tax or duty imposed by law, there is hereby imposed a duty of 25 per centum ad valorem upon imports under any specific import classification covering the following articles entered or withdrawn from warehouse for consumption during any calendar year beginning after December 31, 1962, in excess of the imports under such import classification during the calendar year 1957, such additional duty to apply only to the respective import classification with respect to which imports in any calendar year are in excess of imports during 1957:

(1) Cattle (including calves), sheep (including lambs), and hogs, except for breeding purposes;

(2) Beef, veal, pork, mutton, and lamb, fresh, chilled, or frozen, or prepared, preserved, or canned except offal and canned corned beef.

Sec. 2. The duties imposed by this Act shall be treated for administrative purposes as duties imposed by the Tariff Act of 1930.

Sec. 3. This Act shall enter into force as soon as practicable, on a date to be specified by the President in a notice to the Secretary of the Treasury following such negotiations as may be necessary to effect a modification or termination of any international obligations of the United States with which it may conflict, but in any event not later than ninety days after the date of enactment of this Act.

Mr. CURTIS. Mr. President, on the question of agreeing to my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. How much time does the Senator from Nebraska yield to himself?

Mr. CURTIS. Mr. President, I yield myself such time as I may desire to use.

The PRESIDING OFFICER. Very well. The Senator from Nebraska is recognized.

Mr. CURTIS. Mr. President, the pending bill is intended to improve the income of the American farmers. In order to effect such a price, restrictions are imposed as regards the quantities of the commodities the farmers may plant. Is it not logical that there also be restrictions on the amounts which can be imported? I believe that if we are to have a reduction in the amounts of agricultural products placed upon the market and if we are to impose reductions on the amounts produced by U.S. farmers, there must be reasonable restrictions upon imports. It is my opinion that the agricultural problem is so severe that we must tackle it from every possible angle. So I think there must be restrictions on imports.

I also believe we must find new uses for the commodities which our farmers produce. The latter will be covered in another amendment which I shall offer.

Mr. President, the imports of livestock, meat, and meat products have been in increasing amounts year after year, for some time. The amounts of the imports are such that they are depressing the prices which are received by U.S. farmers, ranchers, and feeders.

I would remind the Senate that every head of livestock produced in the United States consumes feed grains. All the production—whether it be live animals or meat or meat products—imported from other countries adds to our surplus of feed grains. I hope the powers that be will permit Senators to vote on this amendment in accordance with their own feelings and in accordance with the merits involved.

Mr. President, this year, for the first time, in substance, the United States has imported more meat and meat products than it has exported. With our large, efficient farms and our great consumption of meat products, we have consistently been able to provide for our own, and yet have been able to export high-quality meats in substantial quantities. However, a few countries with extremely low production costs, and unhampered by the strict sanitary and packaging regulations which are properly enforced so rigidly in the United States, have now organized for large-scale inroads into this market.

Imports have been growing so rapidly that prices have been seriously affected; cattle and sheep markets are uncertain and unsteady; farmers of all kinds who raise some animals for cash income are demanding that something be done to stem the rising tide of imports.

It was in answer to demands from all parts of the country that I introduced on March 19, Senate bill 1126. This bill would impose additional duties in the amount of 25 percent ad valorem on all cattle, sheep, and hogs, except for breeding purposes, and on all beef, veal, pork, mutton and lamb, fresh, frozen, or prepared or canned, except corned beef, imported above the amounts of the respective items imported during the calendar year 1957.

Mr. President, this is a reasonable amendment. It does not impose an embargo. It does not say, "Let us shut off all imports." It picks out a year in which we had a reasonable amount of imports, and provides that when the imports exceed that amount, they will be subject to an additional import tax or tariff. I believe this is the most logical and reasonable way to approach this subject. We cannot do it by imposing quotas. If we were to impose a quota which restricted the number of cattle to be imported, that might result in increased imports of meat and meat products, which are controlled by a different measure.

This amendment provides that when the imports in any of these classifications exceed the 1957 level, a tariff of 25 percent ad valorem shall be imposed upon the excess.

I submit that this is good foreign relations, Mr. President. Would our country respect any government in the world which had an agricultural problem as severe in nature as ours and yet insisted on importing food products? Some may be carried away by a Santa Claus illusion; but it is a fact that we cannot command the respect of other nations by importing food when we have such a severe agricultural problem.

Mr. President, the imports in 1957 were substantial. An additional duty of 25 percent would not affect any imports except those above the amounts imported during that year.

My bill, which I offer as an amendment to the pending bill, would allow us to continue to purchase very substantial amounts of these products from abroad. It would not cut back foreign production, it would merely prevent the demoralization of our domestic farm communities. If something is not done, and imports are allowed to continue to grow and replace beef, mutton, and pork which would otherwise be raised and processed in the United States, the small farmer may just as well fade out of the competitive picture as far as meat animals are concerned. This most important of all the immediate cash returns to the farmer will be gone.

This method of allowing substantial imports while giving some needed assurance to our farmers that they can continue to exist is no new innovation. A number of so-called tariff quotas have been successfully administered in the past and very successfully so. I recall an attempt to save our copper mining industry resulted in a bill which assessed additional duties when the price of copper dropped below a certain point. That action did save that industry and yet it did not prevent open competition.

Even now, as a result of our foreign trade agreements, certain cattle may enter the United States at a very low tariff figure, but that tariff rate is increased when imports reach a certain point. I may state that imports of live cattle have not yet reached that maximum, because foreign growers have found it more profitable to dress and pack the animals before shipment to the United States, and there is no present additional tariff on the dressed meats imported above a given amount. That is the purpose of my amendment. It would allow a very large amount of imports of both live animals and dressed and packed meats—but above that reasonable amount it would provide for the collection of additional duties.

I wish to call to the attention of the Senate the plight of the small meatpackers of the country, particularly those who manufacture cold cuts, sausages, and products of that type. They face severe competition. I suggest that Senators visit one of the food markets. They will be shocked by the unreasonable amount of foreign meat products which is offered for sale.

I do not propose that all foreign products be shut out. I do not propose that we abolish competition. I suggest a reasonable solution that after we reach the 1957 level, which was a fair year, an additional duty be imposed.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CURTIS. I yield to my distinguished colleague.

Mr. HRUSKA. First, I commend my colleague for having submitted his amendment, which is the substance of a bill which he has pending. It reaches a point which is very important in the economy of the Midwest particularly.

However, I should like to ask my colleague if it has not been true that it has been the consistent and emphatic position of the Secretary of Agriculture that these imports are not harmful to the cattle market price insofar as the raiser and producer is concerned.

Mr. CURTIS. Yes. Traditionally the Secretary of Agriculture is forced into a position of supporting the State Department. On this issue no unit in the executive branch of the Government has spoken up or moved at all in behalf of the American farmer.

Mr. HRUSKA. Is it not true, however, that the principal reason which the Secretary of Agriculture advances for his position is that it is the prime beef market which is the one that has suffered price reversals and a price depression, whereas the imports that are coming in are the lower grades of beef—the lesser grades of beef—rather than those that are suffering the impact of price lowering?

Mr. CURTIS. That is true. Imports are creating the toughest competition in the lower grades. But the Government of the United States has made another attack on the high quality meats. I invite the Senator's attention to the testimony of the National Livestock Producers before the Treasury Department within the last few weeks protesting Treasury regulations and confusion in respect to expense accounts, which has caused a drop in the consumption of the best steaks and the best roast beef. Prices have gone consistently down. The prices received by the farmers and the ranchers today are shamefully lower, in the light of all the costs that they must face.

Mr. HRUSKA. Mr. President, will the Senator yield further?

Mr. CURTIS. I yield further.

Mr. HRUSKA. However, is it not true that whatever the position of the Secretary of Agriculture might be—and he has stated it repeatedly—that there is one aspect which he has never met in this regard, and that is the effect it would have on the bill which is now under consideration; namely, that every ton of beef is reported, whether it be high quality or low quality. That means that beef is being sold and consumed in this country which has not consumed any of the feed grains of which we have such a great surplus and against which the pending bill is directed for corrective measures.

Mr. CURTIS. That is very true.

Mr. President, may I inquire how much time I have remaining?

The PRESIDING OFFICER. The Senator has used 15 minutes and has 15 minutes remaining.

Mr. CURTIS. I thank the Chair, and I thank also my colleague.

In response to what my colleague has said, I wish to quote from a statement of a farm editor in Nebraska. He said:

> I also told these people, that in the past year, if you will check the records, you will find that our import over export of meat products will be roughly 4½ to 5 percent. If the United States were called upon to produce this extra 4½ to 5 percent import of meat over export, it would require 44,600,000 acres of American production of grass and feed crops to produce that extra 4½ to 5 percent of meat imported over export. For a good many years we have gone along with the foreign countries. They have imported roughly 3 to 3½ percent. We have exported approximately that same amount, and so that left no net import over export and, of course, now in the past 5 or 6 years, import from various foreign countries of meat has consistently increased to where now, as I stated, 4½ to 5 percent of our domestic production of meat is being imported, and that, as I stated, would require 44,600,000 acres to produce that extra 5 percent. In the meantime our Federal Government tells us farmers that it has become necessary to retire 50 million acres of food production to bring production in balance with consumption. And here, and here alone, on this extra meat tonnage, we would have an opportunity to set aside—or utilize rather—44,600,000 acres to produce the extra 4½ to 5 percent of meat which is imported over our exports.

Mr. President, I wish to give an illustration, by use of figures.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. CURTIS. If I may, first I wish to read the figures. Then I shall be happy to yield for a question.

My distinguished colleague mentioned the lower grade meats. I wish to read the figures on imports of boneless beef and veal in million of pounds.

From 1951 to 1955 they averaged 18.2 million.

In 1958, they were 255.9 million.
In 1959, they were 469.2 million.
In 1960, they were 383.9 million.
In 1961, they were 527.5 million.
In 1962, they were 782.8 million.

In other words, from 1951 to 1961, our imports of this classification of meat increased by 2,898 percent. From 1951 to 1962, they increased by 4,301 percent.

Mr. President, how can the Senate ignore that problem and force further restrictions on the producers of feed grains in this country?

I now yield to the Senator from South Dakota.

Mr. McGOVERN. Mr. President, I think the Senator's concern about the declining livestock prices is well taken. I certainly share his alarm and concern about this very serious problem.

It seems to me that the amendment which the Senator is proposing might more properly be considered by the Finance Committee. I think, also, that the chairman of the Committee on Agriculture and Forestry is absolutely correct when he stresses that any amendment, no matter how worthy it might be, might jeopardize the passage of the overall bill.

I wonder if the Senator would be willing to introduce a bill as separate legislation, to be considered by the Finance Committee, should the amendment fail today.

Mr. CURTIS. It has been introduced already as a separate bill. There is no better time than now to consider it. Now the Senate is considering agriculture. Now the Senate is seeking to impose restrictions on American production. Now is the time to impose restrictions on the flood of foreign products going into our markets.

So far as the amendment perhaps jeopardizing passage of the bill is concerned, at least that is not a novel suggestion. That is used against every amendment on every subject when Senators are without an argument as to its merits.

Mr. McGOVERN. If the Senator will yield further, again I wish to stress the fact that I think there is considerable merit in what the Senator proposes today, but I am equally sure that the passage of the bill, which would help us to limit feed grain production to a reasonable degree, also is very important in terms of stabilizing livestock and meat prices. I would not like to see anything done today which would in any way jeopardize passage of the bill.

I am glad to know that the Senator has introduced the amendment as a separate piece of proposed legislation. While I should like to study it a little further, I am generally sympathetic with what the Senator seeks to do.

Mr. CURTIS. I thank the distinguished Senator. I remind the Senator that acceptance of the amendment would speed passage of the bill.

Mr. McGOVERN. I thank the Senator.

Mr. CURTIS. I doubt if very many Senators would vote against passage of the bill if the amendment were agreed to. Every Senator who is at all in tune with agriculture in the United States knows that this goes to the very heart of the problem.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. CURTIS. I yield to the distinguished Senator from Iowa.

Mr. MILLER. Mr. President, I recognize that the Secretary of Agriculture has put out an information sheet on this problem, dated March 7, 1963, in which he called attention to the fact that:

> The chief reason for the recent decline in prices of fed cattle from the very high levels of November 1962 has been the large number of U.S. fed cattle marketed and available for market in the first half of 1963.

It ought to be pointed out that he also says:

> While the volume of imports no doubt had some influence on the average price of all cattle, it was probably less marked on prices of fed cattle.

I ask unanimous consent that this information bulletin on U.S. meat imports may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Iowa? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. MILLER. Mr. President, I think it is well to point out that even the Secretary of Agriculture has given recognition to the impact of imports on the declining prices of livestock. This is of course of immediate concern to those of us who live in the Middle West.

In this connection, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a letter dated March 4 from Don Cunningham, former executive secretary, Sioux City Livestock Exchange, in which he says that if we do not do something about the continued enlarged increases of imports of beef and veal we are courting disaster for the feeding industry.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Iowa? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. MILLER. Mr. President, this is of immediate concern with respect to prices of livestock. As the Senator from Nebraska said, the heart of the problem, so far as the feed grain industry is concerned—and this is the subject at hand today—is, What shall we do to further the objective of this bill, which is to reduce surpluses?

It does not make much sense for us to aggravate the surpluses by importing cattle or importing beef products which have never used up any of our feed grains.

So, Mr. President, I hope that the amendment will be accepted.

I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks three tables. The first shows "U.S. Production, Imports and Exports of Beef and Veal, and Cattle Prices, 1952–62" and, incidentally, indicates that there has been a doubling of imports in the past two years. The second indicates by country of origin the volume of imports of beef and veal. The third indicates the "Quantity and Dollar Value of Agricultural Imports to United States from Poland" for various years.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Iowa? The Chair hears none, and it is so ordered.

(See exhibit 3.)

EXHIBIT 1

INFORMATION ON U.S. MEAT IMPORTS

U.S. beef and veal imports in 1962 totaled about 1.4 billion pounds, dressed weight, and were equivalent to 9 percent of U.S. production of beef and veal. Imports rose from 775 million pounds in 1960 to 1 billion pounds in 1961. U.S. imports of all meats in 1962 totaled around 1.8 billion pounds, dressed weight, compared with 1.3 billion a year earlier, and were equivalent to 6 percent of total U.S. production of about 29 billion pounds.

The chief reason for the recent decline in prices of fed cattle from the very high levels of November 1962 has been the large number of U.S. fed cattle marketed and available for market in the first half of 1963. Relatively plentiful supplies of chicken and pork may also have had some effect on cattle prices. U.S. beef production was a record high in 1961, maintained that level in 1962, and will probably rise in 1963. Domestic beef consumption has increased from 81 pounds per person in 1958 to about 90 pounds in 1962. Record numbers of fed cattle have been marketed in the past 2 years and 12 percent more cattle were on grain feed for market on January 1, this year, compared to last year.

While the volume of imports no doubt had some influence on the average price of all cattle, it was probably less marked on prices of fed cattle. Most of the imports were frozen boneless beef, veal, and mutton from Australia, New Zealand, and Ireland. These products supplement U.S. production by supplying lower grade processing meat which we have not been producing in large enough quantities to meet the unusually strong demand. This imported meat is also used for blending with fatter trimmings obtained from domestic sources which otherwise would not have been used and would have had a price-depressing effect. The imports have been attracted by the relatively favorable domestic prices for lower grade beef. Marketings of lower grade cows, and old sheep, which provide a large part of our processing meat and which would be most affected by imports, make up a relatively small part of domestic livestock sales. Domestic cow slaughter is expected to increase this year and this may tend to reduce the need for imports.

Exporters to the United States incur fairly large transportation and other marketing costs in addition to U.S. import duties, the latter now equivalent to about 9 percent ad valorem for boneless beef. Under present legislation, the Department has no administrative authority to limit meat imports for economic reasons.

In spite of imports, cattle prices have held at fairly high levels. In February 1963 the U.S. average price received by farmers for all beef cattle was $20.40 per hundred pounds, compared with $20.80 a year earlier; cow prices averaged $13.90 per hundred pounds, only 60 cents below a year earlier. The February beef cattle prices were 85 percent of parity.

The Department attaches great importance to our export markets for farm commodities. Meat imports are partially offset by large exports of animal byproducts such as lard, tallow, greases, hides, skins, and variety meats. Exports of livestock and meat products were valued at $365 million in 1961 and made a valuable contribution to our foreign exchange earnings and to the welfare of American livestock producers. Attached is a publication which explains our programs to reduce foreign barriers and stimulate exports. (Livestock and Meat Products Division, Foreign Agricultural Service, U.S. Department of Agriculture, Mar. 7, 1963.)

EXHIBIT 2

SIOUX CITY, IOWA,
March 4, 1963.

HON. JACK MILLER,
U.S. Senator,
Senate Office Building,
Washington, D.C.

MY DEAR JACK: A fellow, who has been in this livestock business all his life has seen, as you well know, a lot of good markets and a lot of bad markets and it has been a privilege to observe that the livestock man, who has undergone these turns of fortune, both good and bad, has always accepted his lot and hasn't asked for any special treatment—hasn't wanted and doesn't want Government help or Government subsidies and above all any Government supervision.

However, right now this livestock producer, especially the cattle feeder, is in a tough spot. Right now there is a large supply, perhaps too big, in the feed lots of the United States together with our total cattle numbers at an alltime high of 104 million cattle. Now the year 1962 was a good year. Prices were good—heavier feeding was stimulated by these prices, but over and above this, our meat prices proved very attractive for the New Zealand and Australian producer. As a consequence we have seen some extraordinarily high imports. In fact, the meat imports from these two countries is reaching a point that is dangerous, inasmuch as it approaches about 10 percent of our meat consumption. These countries have the potential to keep on shipping the meat in ever-increasing amounts with the result that further financial losses, which are already great, would be incurred by the cattle feeder. If continued any length of time many feeders will be badly hurt while a sizable number will be eliminated.

I don't have any idea as to what might be done to curtail these imports, but very definitely the time has come to lessen them, if not to eliminate them entirely, else we are courting disaster for the feeding industry.

If there is anything you or anyone else can do to aid in rectifying this condition, you would be performing a yeoman service if you get the wheels rolling.

With my best personal regards, I am,

Sincerely yours,

DON CUNNINGHAM.

EXHIBIT 3

U.S. production, imports and exports of beef and veal, and cattle prices, 1952–62

Year	U.S. production	U.S. imports		Cattle prices[2]	U.S. exports, beef and veal (carcass weight[1])
		Beef and veal (carcass weight[1])	Imports as percent of production		
	Million pounds	*Million pounds*			*Million pounds*
1952	10,819	429	4.0	$24.80	20
1953	13,953	271	1.9	16.60	47
1954	14,610	232	1.5	16.00	49
1955	15,147	229	1.5	15.70	50
1956	16,094	211	1.3	15.00	97
1957	15,728	395	2.5	17.20	100
1958	14,516	909	6.3	22.00	32
1959	14,588	1,063	7.2	22.70	34
1960	15,835	775	4.9	20.40	36
1961	16,341	1,037	6.3	20.20	36
1962	16,297	1,454	8.9	[3] 21.30	32

[1] Canned and other processed meats have been converted to their dressed-weight equivalent.

[2] U.S. average received by farmers for beef cattle per 100 pounds.

[3] Simple average.

U.S. imports of beef and veal and other canned meat, prepared or preserved, 1958–62

[In thousands of dollars]

Commodity	1958	1959	1960	1961	1962
Beef and veal	152,752	225,490	173,637	228,221	301,569
Other meat, canned, prepared or preserved	32,508	27,042	8,538	11,265	10,584
Total	185,260	252,532	182,175	239,486	312,153

U.S. imports of beef and veal, by month, July 1961–December 1962

[In thousands of pounds]

Beef and veal	1961	1962	1963
July	67,320		
August	83,508		
September	57,714		
October	63,199		
November	69,941		
December	52,719		
January		64,847	56,852
February		49,332	
March		97,802	
April		61,327	
May		51,448	
June		69,077	
July		73,177	
August		113,284	
September		103,556	
October		88,721	
November		89,186	
December		86,062	

Beef and veal: U.S. imports, product weight basis, by country of origin, average, 1951–55; annual, 1958–62

[In thousands of pounds]

Country	Average, 1951–55	1958	1959	1960	1961	1962
New Zealand	12,990	182,002	160,937	130,695	154,329	213,556
Argentina	97,562	91,350	62,911	47,553	56,467	45,818
Mexico	35,435	73,740	48,541	39,042	53,336	59,233
Canada	25,360	53,200	22,321	18,747	32,119	19,143
Ireland	7,187	23,741	41,977	43,615	61,098	70,725
Australia	1,411	16,928	223,941	144,665	232,164	444,730
Brazil	2,828	10,835	20,805	8,417	13,960	13,539
Uruguay	15,612	9,501	8,911	10,753	14,781	16,117
Paraguay	610	8,911	8,863	9,732	10,081	8,167
Dominican Republic	3,119	4,142	5,368	5,488	3,829	739
Costa Rica		2,794	9,759	15,334	8,713	8,106
Cuba	8	153	2,262	293		
United Kingdom	66	0	1,698	2,988	1,312	6,891
Nicaragua		40	5,764	10,033	14,577	15,795
Honduras	311	409	1,509	3,391	5,525	9,324
Other	51	75	682	550	3,415	15,936
Other meat[1]	[2] 4,234	141,402	96,099	21,309	23,866	23,126
Total	206,784	619,223	722,348	512,605	689,572	970,945

[1] Other meat, canned, prepared or preserved; see following table for a country breakdown of this item.

[2] Excludes estimated amounts of boneless beef included in this category prior to 1954. This is a miscellaneous category which since 1959 has been mostly uncanned cooked beef and before that lightly salted boneless beef.

Other meat (mostly beef): U.S. imports, product weight basis, by country of origin, average, 1951–55; annual 1958–62 (included in table above)

[In th ousands of pounds]

Country	Average, 1951–55	1958	1959	1960	1961	1962
Argentina		125,373	65,662	5,097	8,781	10,094
Paraguay		5,474	5,235	256		
Uruguay		47	4,034			9
Brazil		2,784	15,202	606	2,343	3,667
Denmark		2,472	3,427	4,518	6,390	7,613
New Zealand		1,670	680	28	118	38
Mexico		1,292	398	74	48	57
Australia		787	93	19	1,714	166
Canada		416	243	137	202	218
Ireland		34	7	9,178	3,351	
Other		1,053	1,118	1,396	919	1,264
Total	[1] 4,234	141,402	96,099	21,309	23,866	23,126

[1] Data for individual countries are not available for all years.

Quantity and dollar value of agricultural imports to United States from Poland for 1958, 1959, 1960, 1961, and 1962

	1958		1959		1960		1961		1962 [1]	
	Pounds	Value	Pounds	Value	Pounds	Value	Pounds	Value	Pounds	Value
Caraway seed	2, 143, 000	173, 000	1, 391, 000	159, 000			715, 000	102, 000	752, 000	99, 000
Canned cooked hams and shoulders	24, 110, 000	19, 830, 000	24, 184, 000	19, 644, 000	32, 105, 000	25, 775, 000	30, 934, 000	23, 626, 000	31, 488, 000	21, 509, 000
Other pork, prepared and preserved	2, 861, 000	2, 192, 000	2, 746, 000	2, 223, 000	2, 954, 000	2, 101, 000	3, 749, 000	2, 474, 000	8, 276, 000	4, 030, 000
Hides and skins	123, 000	247, 000	303, 000	947, 000	162, 000	599, 000	403, 000	773, 000	1, 128, 000	1, 386, 000
Bristles	160, 000	189, 000	155, 000	278, 000	169, 000	266, 000	110, 000	213, 000	160, 000	245, 000
Feathers, crude	104, 000	369. 000	258, 000	496, 000	454, 000	770, 000	2, 090, 000	975, 000	326, 000	1, 091. 000
Casein or lactarene	7, 490, 000	1, 252, 000	8, 977, 000	1, 550, 000	778, 000	1, 389, 000	12, 493, 000	2, 058, 000	8, 282, 000	1, 383. 000
Poppy seed	1, 067, 000	192, 000	1, 924, 000	348. 000	1, 929, 000	315, 000	2, 152, 000	251, 000	2, 949, 000	249, 000
Chicory, crude	(2)	(2)	(2)	(2)	5, 835, 000	193, 000	8, 736, 000	290, 000	7, 977, 000	219, 000
Blueberries	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	766, 000	95, 000
Total for the year in value		24, 645, 000		26, 045, 000		31, 753, 000		31, 136, 000		30, 766, 000

[1] 1962 preliminary figures.

[2] Either too small to show or nothing reported.

Mr. CURTIS. Mr. President, I thank the distinguished Senator from Iowa for his remarks.

Mr. President, it cannot be said that this is contrary in fact or in spirit to the trade agreements we have with other nations. In fact, it merely extends the precedent set in trade agreement negotiations to cover other meat animals and dressed and packaged meats. Furthermore, it grants ample time to the President to make any necessary modifications in existing agreements.

We are about at the crossroads as far as our production of cattle, sheep, and hogs is concerned. The time has now come when the handwriting on the wall is too plain to be ignored. Now that imports have increased to the point where they exceed our exports and we become a net importer, the trend is plain to see. Unless something is done, foreign producers will further expand their great herds and continue their efforts to take over more and more of the U.S. market.

Mr. President, when the roll is called the issue will be clear cut on the question of imports. This will also assist in the passage of the bill. At least two or three dozen Senators will be compelled to vote for the bill if the amendment prevails.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. CURTIS. Very briefly. My time is almost up.

Mr. SIMPSON. Did I correctly understand the Senator from Nebraska to say that 60 percent of the income of his State came from the sale of livestock?

Mr. CURTIS. That is correct.

Mr. SIMPSON. Cattle are raised in Wyoming, but sent to the Midwestern States for fattening. I call attention to the fact that Iowa, Minnesota, and Illinois are ahead of the State of Nebraska in the matter of fattening cattle with feed grain. I assume the Senator is concerned, not only from the standpoint of feed, but from the standpoint of processing cattle.

Mr. CURTIS. Yes; for the entire industry; and the provision belongs in the bill.

I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, under the unanimous-consent agreement entered into yesterday, it was agreed that no point of order would be made on this amendment; but I wish to state to the Senate that the amendment would be subject to a point of order, because it concerns taxes. The measure should be considered by the Finance Committee.

Since the distinguished Senator from Nebraska is a member of that committee, and since he admitted he has a bill pending before that committee on the same subject, it seems that the proper forum to pass upon that measure would be the Finance Committee. It has no place in the feed grain bill. I am very hopeful the Senate will vote the amendment down.

The Committee on Agriculture and Forestry did not make a study of this amendment. It was never presented to that committee. We do not know the implications involved in it. As we all know, we are having trouble in reestablishing our agricultural markets in Europe for certain commodities, because of the so-called Common Market that was established recently in Western Europe. It must not be forgotten that much of the wheat, rice, and a few other products that are produced in this country are shipped to Western Europe.

There is no doubt that, if we were to pass restrictive legislation, without a full study as to the impact it might have on the Common Market, we might get into more trouble than we were looking for. Therefore, it is my hope that this amendment will be defeated.

I point out also that, under section 22 of the Agricultural Act, the Secretary of Agriculture is empowered to deal with products that are shipped from abroad, if the products shipped into this country in any manner affect any of our price-support programs.

Since there is no price-support program on livestock, of course section 22 would not be applicable; but it is entirely possible that section 32 funds could be used to alleviate conditions that exist now in the cattle market.

If and when section 32 funds were used, section 22 of the present act would come under operation. Under that provision, the Secretary of Agriculture would be empowered to impose a 50-percent ad valorem tax, which would amount to a tariff, if he thought importations into this country did violence to a program under which price supports were in effect.

It is useless to go into any more arguments as to why the amendment should be defeated, but it seems to me an amendment of this kind should be considered by the proper committee.

I yield 5 minutes to the Senator from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. President, it has been difficult for me to be present at all times during the debate, because the committee has been marking up the Interior appropriation bill and I am a member of this committee.

The pending amendment is one that I would very much like to support. However, there is no possible prospect of having it approved. No hearings were held on it. All that the adoption of the amendment would do would be to delay passage of the bill. I think the wheatgrowers are entitled to a little consideration. They are being asked to subject themselves to the toughest kind of production controls in order to reduce the cost of the wheat program and the surpluses.

If the pending bill passes, wheatgrowers will be able to increase their wheat acreage by reducing their feed grain acreage. Likewise it would permit farmers to increase the feed grain acreage by reducing their wheat acreage. This is highly important. It would give them much more freedom in planting. I think the wheat farmers are entitled to have this information before the wheat referendum.

This amendment and others are designed primarily to delay passage of the legislation until the referendum date. This is the position taken by the Farm Bureau Federation.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. In just a moment.

I know the Senator from Nebraska is sincere. He has been a fighter for barring imports of products of which we already have a surplus.

I yield to the Senator.

Mr. CURTIS. The junior Senator from Nebraska is motivated by one thing only, and that is an increased price for livestock. I do not wear the collar of the Farm Bureau or any other organization. Not only do I believe that the amendment is compatible with the bill before us, but that, without the provision, the rest of the bill would become a farce, because production in this country would be curtailed while we would do nothing about production abroad.

For every carcass shipped into this country, or for every head of livestock shipped into this country, would we have that much more surplus in feed grains?

I think the issue is square cut. Are we in favor of imports or against them?

The insertion of the amendment in the bill would guarantee the quick passage of it.

Mr. YOUNG of North Dakota. I must disagree with the Senator from Nebraska. For the most part, none of these amendments were offered in the Committee on Agriculture. There were no hearings on them. For the life of me, I cannot understand why these amendments are being offered now, when the proponents never bothered to offer them before the Agriculture Committee. If they wanted them in the bill, they surely would have done so.

I would like to go along with some of these amendments, but this is not the time to do it. We are working on the feed grain bill, which I hope will be passed before the wheat referendum. I think the wheat farmers have a right to have this information.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. McCARTHY. I commend the Senator from North Dakota for his statement on this proposal and a whole complex of other amendments. What we are trying to deal with is feed grains. If we were to go along with this amendment, it could set up demands with respect to exportation of feed grains. We would have had time to consider this amendment in the Agriculture Committee, although it really probably belongs in the Finance Committee. It is a part of the total problem of world trade, and it would have to be considered in light of exportation of food products and feed grains from the United States. To bring this amendment into the bill and say this is the answer to the feed grains problem and the answer to low prices which are now paid for livestock would be proceeding to the point of distorting the whole consideration of the bill.

I hope that the amendment will be voted down.

Mr. YOUNG of North Dakota. There is another very important provision in the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield 1 more minute to the Senator from North Dakota.

Mr. YOUNG of North Dakota. The bill would have this effect on future price supports on feed grains. In the omnibus farm bill which we passed last year, feed grain price supports were from 65 to 90 percent of parity to 50 to 90 percent of parity, with a provision which makes it mandatory for the Secretary to reduce price supports for corn and other feed grains to 50 percent of parity.

The bill, if passed, would permit the Secretary of Agriculture for a 2-year period to increase the price support to 65 to 90 percent. This will prevent a drastic drop in prices of feed grains.

I believe that if the farmers were consulted, most of them would tell us that that is what they are most concerned about in the pending bill.

Mr. ELLENDER. Mr. President, I yield 1 minute to the Senator from North Carolina.

Mr. JORDAN of North Carolina. Mr. President, I am thoroughly in sympathy with what the Senator from Nebraska is trying to accomplish. However, I do not believe that the pending bill is the proper vehicle to which to attach the amendment. It is completely out of order in that regard.

The amendment was not considered by the Committee on Agriculture and Forestry. No study of the subject has been made. It would be doing a real disservice to the bill to attach the amendment to it. For that reason, I cannot support the amendment. I am in sympathy with what the Senator from Nebraska is trying to do, because I have been advocating the same principle. However, I do not believe that the pending bill is the proper bill to which an amendment of this kind should be added. Therefore, I shall have to vote against the amendment.

Mr. CURTIS. Mr. President, I yield 1 minute to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, the Senator from North Dakota [Mr. YOUNG] and I disagree on the amendment. He is always a zealous advocate for the wheat sector of our agricultural economy. With regard to the amendment being proposed, there is one reason why the amendment was not considered by the committee. We did not have time to develop many of the amendments that will be proposed. Many of the Members of the Senate did not really know what was involved in the pending bill because of the precipitate action of the committee. The majority tried to report the bill without amendments on the very first day that the committee met. By the time the other members of the committee found out what was in it, action had been taken and the bill had been sent to the Senate. Several of the amendments that I will propose were offered before the committee, while with respect to others, I notified the committee that I would offer them on the floor. However, a great many amendments were presented before the committee.

Mr. DOMINICK. Mr. President, will the Senator yield to me?

Mr. CURTIS. I yield one-half minute to the Senator from Colorado.

Mr. DOMINICK. I thank the Senator. I wish to ask a question of the Senator from Louisiana. Day before yesterday there was spread on the RECORD, and prior to that time there had come to my attention, the information that the administration in its effort to try to get Great Britain into the Common Market, was accepting, through the Department of State, increased imports of beef and beef products from New Zealand, and that this situation would become worse before it became better. I would like to know whether the Senator from Louisiana has any information on that subject.

Mr. ELLENDER. I have no information on the subject.

Mr. CURTIS. Mr. President, does the Senator from Louisiana expect to speak further?

Mr. ELLENDER. No.

Mr. CURTIS. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks designated excerpts from the April 3, 1963, bulletin of the National Livestock Feeders Association; also Legislative Resolution 25, passed by the Legislature of the State of Nebraska, certified by the clerk of the legislature, referring to the curb on imports.

The bulletin from the National Livestock Feeders Association contains a number of valuable tables, showing the problem and the tremendous increase in imports. This is the main threat to our industry. It is the most important factor that is causing the depressed prices in the livestock industry.

Again, I repeat that this offers a clear-cut choice on the question of imports. The amendment belongs in the bill. It will aid the passage of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL LIVESTOCK
FEEDERS ASSOCIATION,
Omaha, Nebr., April 3, 1963.

To: The Honorable Christian A. Herter, Special Representative for Trade Negotiations.

From: The officers and directors, National Livestock Feeders Association.

Re: Imports of meat and meat products and U.S. policy in foreign trade negotiations.

Prior to 1958, the United States was a net exporter of livestock and meat products by a significant amount. However, in the past 5 years the relationship has changed and the value of exports has been considerably lower than the value of imports. According to figures obtained from reports of the Foreign Agricultural Service, the dollar volume of exports of livestock and meat products by the United States in 1962 amounted to approximately $320 million; whereas our imports amounted to $670 million, plus around $209 million of wool, making total imports of approximately $879 million. In other words, in 1962, the United States imported 2¾ times the dollar volume of her exports. This reversal in export-import balance has come about in the very short period of 5 years.

The swing from a net exporter to a net importer has come about primarily from the very significant increase in the importation of manufacturing (boneless) beef, veal and mutton. It was in 1948 that the import duties on these products were reduced 50 percent: Beef and veal (fresh, chilled, or frozen, 6 cents per pound to 3 cents per pound; mutton (fresh, chilled or frozen), 5 cents per pound to 2½ cents per pound.

The figures in tables A and B show the very rapid buildup in the imports of boneless beef, veal and mutton and of the fresh or frozen products, as a whole, following tariff reductions in 1958:

TABLE A.—*Imports of boneless beef and veal (product weight basis)*

[In millions of pounds]

Average 1951–55	18.2
1958 [1]	255.9
1959	469.2
1960	383.9
1961	527.5
1962 (see note)	782.8
1961 as a percentage of 1951–55 (percent)	2,898
1962 as a percentage of 1951–55 (percent)	4,301

IMPORTS OF FRESH OR FROZEN BEEF AND VEAL [2] (PRODUCT WEIGHT BASIS)

[In millions of pounds]

Average 1951–55	59.9
1958 [1]	358.2
1959	524.5
1960	413.8

[1] Year of tariff reduction.

[2] Includes boneless beef and veal.

TABLE A.—*Imports of boneless beef and veal (product weight basis)*—Continued

1961	569.2
1962	863.3
1961 as a percentage of 1951–55 (percent)	950
1962 as a percentage of 1951–55 (percent)	1,441
Percent in 1962 from:	
Australia	51.5
New Zealand	24.7
Ireland	8.2
Mexico	6.5
Canada	2.2
Other countries	6.9
Total	100.0

(NOTE.—At the time of writing, a category breakdown for 1962 was not available. The figure of 782.8 million pounds used in this table was estimated on the basis of the increase in all imports of beef and veal for 1962, and the FAS figure for fresh or frozen beef and veal.)

Source: U.S. Foreign Agricultural Service reports.

TABLE B.—*Imports of mutton, fresh or frozen*[1] *(product weight basis)*

[In millions of pounds]

Average 1951–55	0.7
1958 [2]	17.2
1959	47.3
1960	37.3
1961	44.9
1962	65.0
1961 as a percentage of 1951–55 (percent)	6,414
1962 as a percentage of 1951–55 (percent)	9,286
Percent in 1962 from:	
Australia	97.9
New Zealand	1.3
Other countries	.8
Total	100.0

[1] Practically all of the mutton imported from 1958 on was in form of boneless product—FAS reports.

[2] Year of tariff reduction.

Source: U.S. FAS reports.

The story of substantial increases in imports during 1962 is told in the following quotation from the February 18, 1963, issue of Foreign Agriculture (weekly magazine of the Foreign Agricultural Service, USDA):

"Imports of almost all major categories of livestock and meat products rose sharply during 1962.

"One of the most notable increases was in the imports of beef and veal, which rose 41 percent above the previous year to 971 million pounds and set a new record. Most of this meat was boneless beef from Australia, New Zealand, and Ireland. Imports of mutton, mostly boneless, at 65 million pounds were nearly double the 1961 total."

It is often contended that imports of boneless product do not exert pressure on "block" (sold fresh) beef and veal, since this type of meat is used in the manufacture of processed products only. The fallacy of this argument is evident when two important facts are considered:

1. Processed products constitute very real competition in the sale of fresh beef and veal. The availability of large quantities of imported manufacturing (boneless) beef and veal has resulted in a continuously larger proportion of processed products being offered consumers, in comparison to the volume of fresh cuts which come principally from carcasses grading USDA and Good and Choice.

2. Boning beef comes principally from old bulls and cows and from low grade steers and heifers. Without the very large volume of imports, there would be a substantial downward substitution of the cheaper cuts from carcasses of higher grades for use as boneless beef. This provides price and supply movement stimuli to the fresh beef market.

The substantial increases in imports of all beef and veal from the countries of Australia, New Zealand, and Ireland are of particular significance, as seen in table C.

TABLE C.—*Imports of all beef and veal (product weight basis)*

	Australia	New Zealand	Ireland
	Million pounds	*Million pounds*	*Million pounds*
Average 1951–55	1.4	13.0	7.2
1958 [1]	16.9	182.0	23.7
1959	223.9	160.9	42.0
1960	144.7	130.7	43.6
1961	232.2	154.3	61.1
1962	444.7	213.6	70.7
	Percent	*Percent*	*Percent*
1962 as a percent. of 1951-55	31,764.0	1,643.0	982.0

[1] Year of tariff reduction.

Source: U.S. Foreign Agricultural Service reports.

In the March 11, 1963, issue of Foreign Agriculture, the Foreign Agricultural Service stated:

"Australian meat exports in 1962 set a new record with 831 million pounds. Approximately 60 percent of the exports were shipped to the United States.

"The United States received 70 percent of Australia's record shipments of beef, 48 percent of the mutton, 10.5 percent of the lamb."

The National Livestock Feeders Association submits that there is overwhelming justification in demanding action to curtail the phenomenal buildup in meat imports into the United States. Sharply lower price levels in the slaughter cattle market strongly indicate that imports have reached a volume which is definitely injurious to the domestic producer. Under the prevailing prices, many producers are losing from $35 to $50 per animal sold.

Imports of beef and veal are now approaching the 10-percent level of domestic production. In our opinion, a 5-percent level can be injurious to domestic producers; surely, a 10-percent level is depressing to the degree of being detrimental to the stability of the U.S. market. We have conferred with officials of the Livestock and Meat Products Division, Foreign Agricultural Service, USDA, on this subject.

The relationship between U.S. production and U.S. imports over the past 10 years is shown in tables D and E:

TABLE D.—*U.S. production and imports of all beef and veal (carcass weight basis), last 10 years*

Year	U.S. production	U.S. imports (carcass weight equivalent)	U.S. imports as a percent. of U.S. production
	Million pounds	*Million pounds*	*Percent*
1953	13,953	271	1.9
1954	14,610	232	1.5
1955	15,147	229	1.5
1956	16,094	211	1.3
1957	15,728	395	2.5
1958 [1]	14,516	909	6.3
1959	14,588	1,063	7.2
1960	15,835	775	4.9
1961	15,341	1,037	6.3
1962	16,297	1,454	8.9

[1] Year of tariff reduction.

Source: U.S. Foreign Agricultural Service reports.

TABLE E.—*U.S. production and imports of mutton, last 10 years*

Year	U.S. production	U.S. imports [1]	U.S. imports as a percent. of U.S. production
	Million pounds	*Million pounds*	
1953	73	1.3	1.8
1954	74	.3	.4
1955	76	.9	1.2
1956	74	.6	.8
1957	71	1.7	2.4
1958 [2]	69	17.2	24.9
1959	74	47.3	63.9
1960	77	37.3	48.4
1961	84	44.9	53.4
1962	81	65.0	80.2

[1] Excludes canned product.

[2] Year of tariff reduction.

Source: U.S. Foreign Agricultural Service reports.

In addition to the substantial volume of meat imports, the timing of the buildup likewise is detrimental to domestic producers. As indicated in tables D and E, imports are generally on the upswing at the same time domestic production is being increased. A satisfactory price level in the United States for livestock provides stimulus for both the importer and the domestic producer to start the buildup of the supply cycle and supplies from both sources tend to peak together, bringing injurious pressure on U.S. market prices.

IDEAL ANSWER TO IMPORT PROBLEM

In view of the coincidental increase of U.S. production and imports into this country, a system of flexible duties and import quotas tied inversely to domestic production would constitute an ideal method of handling meat imports. Such a system would provide for a measure of protection for U.S. growers and feeders and yet allow for trade with other countries.

In the interest of providing a ready reference on trade barriers confronting the United States in exporting livestock and meat products, a brief summary of these by country is attached.

Respectfully submitted for the officers and directors of the National Livestock Feeders Association.

DON F. MAGDANZ,
Executive Secretary-Treasurer.

FOREIGN TRADE BARRIERS

NOTE.—The following is a brief summary of the trade barriers which the United States faces in the exportation of livestock, meat and meat products to other countries. Source: FAS Publication, "Prospects for Foreign Trade in Livestock and Meat," January 1963.

Argentina: Prohibits imports of sheep and cattle from the United States.

Australia: Prohibits imports of sheep and cattle from United States; also prohibits imports of U.S. hog and pork products.

Austria: The United States is excluded from most import tenders issued by Austria for meat and meat products.

Barbados: Prohibits imports of pork from the United States.

Belgium: Prohibits imports of unsterilized pork products from United States, and controls imports of a large number of meat items under import licensing procedures.

Brazil: The premiums which have to be paid plus tariff duties make the cost of U.S. products prohibitive.

British Guiana: Restricts entry of fresh pork products and import of tallow and lard; bacon and ham restricted by import permits.

Canada: On June 25, 1962, Canada levied special import taxes on most livestock and meat products; these were abolished on November 15.

Chile: High import taxes discourage entry of U.S. products.

Colombia: Bars entry of most livestock and meat products, and those not restricted are subject to high duties and to license requirements.

Denmark: Prohibits entry of pork and pork products from United States.

Egypt: Obtains large share of imports of meat products through bilateral trade agreements.

Finland: Controls the entry of most meat products by variable import fees.

France: Restricts the import of most meats from United States, primarily to maintain livestock prices to French farmers.

West Germany: Limited entry of variety meats and fatback from the United States; lard, inedible tallows and greases and cattle hides not restricted.

Guatemala: High import tariff restricts entry of meat; for example, hams are subject to 45.5 cents per pound plus 30 percent of the import value.

Haiti: Restricts meat imports by use of a luxury foodstuffs tax.

Honduras: High import duties limit volume of U.S. meat products; for example, cured pork at 45 cents per pound.

India: Prohibits import of most livestock products.

Ireland: Generally restricts entry of all livestock and meat products by requiring import licenses; lard subject to an import tax of $11.76 per hundredweight.

Italy: Close control on imports of meats through a licensing system; quotas established for various types of meats, with amounts allowed to come in being determined in part by the level of domestic livestock and meat prices.

Jamaica: Requires specific licenses.

Luxembourg: Restricts entry of several livestock and meat products important to the United States.

Mexico: Entry of U.S. livestock and meat products restricted by several trade barriers (import permits, high duties).

New Zealand: Prohibits imports of most meats and other packinghouse products.

Norway: Prohibits import of most meat products.

Panama: Imports of lard limited by quotas; duty on U.S. lard is 100 percent ad valorem.

Peru: Has increased its import duty on lard and tallow.

Federation of Rhodesia and Nyasaland: Requires import licenses, and imports are confined to such products as tallow, sausage casings, mutton and some canned meats.

Spain: All meat imports are purchased by the Government's National Supply Commission, which controls the amounts received and their origin.

Sweden: Regulates imports of meat and meat products by licenses and import tariffs; tariffs are flexible and are raised to reduce imports when domestic prices are low.

United Kingdom: Technically approves entry of pork originating in 44 States; most U.S. canned meats are banned by dollar restrictions; no restrictions on imports of frozen carcasses and variety meats.

Venezuela: In December 1962 this country suspended imports of pork to permit hog prices to rise.

Yugoslavia: Has a flexible control system which adjusts imports and exports according to domestic situation and price conditions.

EUROPEAN ECONOMIC COMMUNITY

Several significant developments regarding EEC meat policy occurred during 1962.

Beef and beef variety meats: Entry will require import certificates which can effectively limit trade. Frozen beef variety meats have been bound in GATT at 20 percent. Presently, rates are below this figure in most countries and the gradual increase in duties will be a limiting factor.

Pork and pork variety meats: Subject to a complex levy and gate price system. Frozen pork variety meats have been bound in GATT at 20 percent. Present tariffs from most countries are below this figure and gradual increase in duties will be a limiting factor.

Lard: Subject to complex import levy and gate price system. The extent of these levies is not known; however, any increases will undoubtedly limit U.S. exports.

Tallow and greases: Tariff for this commodity has been bound at 2 percent ad valorem. EEC beef policy requires import certificates for tallow. Inedible hog grease has been bound in GATT at 3 percent.

Hides and skins: Duty has been bound at zero and no restrictive features are expected.

Sausage casings: Not expected to be materially affected by current EEC policy.

Mohair: EEC countries do not levy import duties on raw mohair.

LEGISLATIVE RESOLUTION 25

Whereas this legislature wishes to focus the attention of the Nation and the Federal Government upon the probability that the rising volume of imports of mutton, pork, beef, and veal into the United States has been a factor in contributing to the serious decline of livestock prices; and

Whereas the imports of beef and veal, product weight, for the 11-month period of January through November of 1962, totaled 884 million pounds, which volume was equal to 9 percent of the U.S. production of beef and veal during this same period and represented a 39-percent increase from the 635 million pounds of beef and veal imported during the same period in 1961; and

Whereas the imports of pork for the first 9-month period of 1962, totaled 151,464,000 pounds, which volume was 22 percent greater than during the same period in 1961. Pigskin imports during the first three quarters of the year 1962 were up 150 percent; and

Whereas imports of all red meats during the first three quarters of 1962 were up 36 percent: Now, therefore, be it

Resolved by the members of the Nebraska Legislature in 73d session assembled:

1. That the Nebraska Legislature hereby petitions the executive branch of the Federal Government, the Senators and Congressmen from Nebraska to exercise their authority immediately under the powers and privileges granted in Public Law 87-794, and to further consider the wisdom of flexible quota of imports to balance the consumptive need, in relation to U.S. domestic production; and

2. That action be taken immediately because the situation is unusually serious and requires correction at the earliest possible moment; and

3. That copies of this resolution be transmitted by the clerk of the legislature to the President of the United States, and to each Member from Nebraska in the U.S. Senate and in the House of Representatives.

DWIGHT W. BURNEY,
President of the Legislature.

I, Hugo F. Srb, hereby certify that the foregoing is a true and correct copy of Legislative Resolution 25, which was passed by the Legislature of Nebraska in 73d regular session on the 18th day of March 1963.

HUGO F. SRB,
Clerk of the Legislature.

Mr. CURTIS. Mr. President, I yield back the remainder of my time.

Mr. ELLENDER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. CURTIS]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the minority leader, the junior Senator from Illinois [Mr. DIRKSEN]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I, therefore, withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from California [Mr. ENGLE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PELL], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Maine [Mr. MUSKIE] is absent due to illness.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from California [Mr. ENGLE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Maine [Mr. MUSKIE], and the Senator from Rhode Island [Mr. PELL] would each vote "nay."

On this vote, the Senator from Utah [Mr. MOSS] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Colorado would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Illinois [Mr. DIRKSEN], and the Senator from New York [Mr. JAVITS] are necessarily absent.

The pair of the Senator from Illinois [Mr. DIRKSEN] has been previously announced.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Utah would vote "nay."

If present and voting the Senator from New York [Mr. JAVITS] would vote "nay."

The result was announced—yeas 28, nays 61, as follows:

[No. 75 Leg.]

YEAS—28

Aiken
Beall
Bennett
Boggs
Carlson
Cotton
Curtis
Dominick
Fong
Goldwater
Hickenlooper
Hruska
Jordan, Idaho
Kuchel
Long, Mo.
Mechem
Miller
Morton
Mundt
Pearson
Prouty
Saltonstall
Simpson
Smith
Symington
Thurmond
Tower
Williams, Del.

NAYS—61

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Dodd
Douglas
Eastland
Edmondson
Ellender
Ervin
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Keating
Kennedy
Lausche
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara

Metcalf
Monroney
Morse
Nelson
Neuberger
Pastore
Proxmire
Randolph
Ribicoff
Robertson
Russell
Scott
Smathers
Sparkman
Stennis
Talmadge
Williams, N.J.
Young, N. Dak.
Young, Ohio

NOT VOTING—11

Allott
Byrd, Va.
Dirksen
Engle
Javits
Kefauver
Mansfield
Moss
Muskie
Pell
Yarborough

So the amendment offered by Mr. Curtis, for himself and other Senators, was rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMINICK. Mr. President, I call up amendment No. 73 and ask that it be read.

The **PRESIDING OFFICER.** The amendment will be stated.

The Legislative Clerk. On page 3, line 7, it is proposed to strike out the period immediately after "1962" and insert in lieu thereof a colon and the following:

> *Provided further,* That no producer of Moravian barley shall be required as a condition of eligibility for price support on any feed grain other than Moravian barley to participate in an acreage diversion program for such barley.

On page 9, line 21, strike out the period after "1960" and insert a semicolon in lieu thereof and the following: "and notwithstanding any other provision of this subsection, the acreage diversion program provided for herein shall not apply to Moravian type barley."

Mr. DOMINICK. Mr. President, on the question of agreeing to this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I ask that my name be added as a cosponsor of the amendment.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

How much time does the Senator from Colorado yield to himself?

Mr. DOMINICK. Fifteen minutes.

The **PRESIDING OFFICER.** The Senator from Colorado is recognized for 15 minutes.

Mr. DOMINICK. Mr. President, I believe this amendment not only has real importance to my own State, but also relates to an intrinsic principle involved in connection with the bill.

At the present time, Moravian Malting barley, as such, is a wholly distinct type of barley. It is used in the brewing of beer. Yet it has been included within the generic term of "barley"; and, as such, farmers who are producing this type of barley for a particular purpose are said to have to comply with the terms of the program, or that they may have to comply with the terms of the program, if they are to go into the program on their other types of crops. This is the reason for trying to obtain an exemption in this case.

The senior Senator from Colorado [Mr. Allott], who prepared this amendment, and who unfortunately is unable to be present today, has asked me to present the amendment to the Senate as an example of some of the problems we have in this field when we try to point out the principles involved and to show the merits of such an amendment.

On May 9, the senior Senator from Colorado [Mr. Allott] announced that he intended to offer an amendment to this particular bill.

Moravian Malting barley is grown and is used almost exclusively within the State of Colorado. My colleague [Mr. Allott] has already pointed out that in 1960, according to figures furnished him by the Department of Agriculture, the only States, other than Colorado, growing any Malting barley were Montana, with eight-tenths of 1 percent of the total acreage of barley planted, and Wyoming, with 3.6 percent of the total acreage of barley planted.

Even more recently it has been shown that Colorado is the only State reporting any figures on Moravian Malting barley.

There are 1,312 Colorado farmers who now are growing a specified number of bushels of Moravian barley for purchase exclusively by the Adolph Coors Co., for use as Malting barley. This special brand of barley is kept out of the feed channels and is not used in any way as a feed grain .

There in my files letters which would indicate that the increased use of this particular type of barley has had the effect of reducing the production of barley which otherwise would go into the ordinary market and would become one of the surplus crops which are intended to be dealt with by this bill.

Mr. HOLLAND. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I am delighted to yield.

Mr. HOLLAND. Is the sale price per bushel for this type of barley the same or comparable to that for the ordinary type of barley?

Mr. DOMINICK. No, it is not; it is considerably higher. It is $3.25 a hundredweight; and it is purchased by the Coors Co. It costs a considerable amount to grow. The seed is processed and is specifically sold by the Coors Co. to specific farmers under contract. So there is not the problem which I suspect would otherwise confuse many members of the Department of Agriculture and perhaps some Senators, as to which barley was of which kind. These farmers have specific contracts. The seed is sold to the farmers by the Coors Co. All this is done under contract.

It is true that under section 2, subsection (2)(d) of House bill 4997, it is already provided:

> The Secretary may provide that no producer of malting barley shall be required as a condition of eligibility for price support for barley to participate in the acreage diversion program for feed grains if such producer has previously produced a malting variety of barley, plants barley only of an acceptable malting variety for harvest, does not knowingly devote an acreage on the farm to barley in excess of 110 per centum of the average acreage devoted on the farm to barley in 1959 and 1960, does not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960, and does not devote any acreage devoted to the production of oats and rye in 1959 and 1960 to the production of wheat pursuant to the provisions of section 328 of the Food and Agriculture Act of 1962.

Mr. President, even if I read that particular provision 20 times, I could still be highly uncertain as to whether I would receive an exemption on the Moravian Malting barley; and I am certain that the same would be true among the farmers of our area and also among Senators.

In the past, the Secretary of Agriculture has exempted Moravian barley from the operation of the feed-grain program. However, in 1963 the Secretary did not exempt this unique kind of barley. This amendment would tend to correct that situation.

As I have said, Moravian Malting barley, which is a specific kind, is not a feed grain and does not contribute to any form of surplus. The 1,312 farmers in Colorado are really to be commended, for they have developed a good cash crop and an adequate market for it. The Coors Brewery, at Golden, Colo., paid just over $5 million for Malting barley and certified seed delivered into Golden, Colo., in 1962. Of a total crop of 2,243,000 bushels harvested, all but 43,000 bushels or 1.92 percent of the Moravian barley was purchased by the Coors Brewery. The remaining 43,000 bushels were not taken, for various reasons, such as frost damage, failure to meet malting standards, and requests by growers asking to keep some small amounts for special uses.

It seems to me that this is a unique example of what happens when we get the Government into the middle of programs of this type. Everyone has said this is a voluntary program. Many have asked, "Why worry about this exemption, when the Secretary is given the opportunity to exempt this type of grain, under this measure." But it is only a voluntary right on his part, and it has not been exercised this year; and the right itself is so conditioned that I would say, to use a historical term, that even a Philadelphia lawyer would have problems in trying to ascertain what conditions a farmer would have to meet in order to be eligible for the exemption. So we are in a really difficult spot in connection with this situation.

Mr. President, if I thought I was merely "spinning my wheels," so to speak, or that I was only trying to delay the bill, or bring in something not relevant to this measure, I would have very sharp concern about taking the time of the Senate to consider this amendment. But the amendment is extremely important, not only to our State, but also as regards the ability of farmers to develop cash crops and to develop markets for them, when the crops are not in surplus, and to be permitted to grow them without suffering penalties imposed by the Department of Agriculture.

That is the point I am trying to make. No matter what we think about the pending bill from the standpoint of whether it is good or bad for the income of farmers, the necessary conditions that are attached to participation in the program mean that the Federal Government is in every phase of the farmer's life, from beginning to end. The Malting barley situation is a classic example of that very problem.

On this very point, I have in my file letters which have been coming to me over a period of many months, including letters from individual farmers who are concerned about their ability to participate in the program unless they are given an exemption for Moravian Malting barley. These farmers are not ordinary general farmers, but they are located in Colorado in three particular areas. One group of them is located in an area which has more difficulty in being able to stay on a stable economic plane than any other area in Colorado, because it is required to put agricultural products into ground which starts at an elevation of 7,500 feet. Their growing season is so short that they are restricted in the types of crops that they can grow. Moravian Malting barley is one crop for which they have been able to develop a market.

Another group of farmers is on the western slope of Colorado. A third is on the eastern slope, where there is not the necessary irrigation water to provide cash crops of other sorts. So, Malting barley has done a great deal of good.

I have also received letters from the county commissioners. The boards of various counties have passed resolutions advocating that Moravian Malting barley be exempted from any feed grains program that is adopted, because it is not a feed grain as such. It is not in surplus. It is a cash crop that does the farmer some good, and there is no need to have it included in this type of bill.

I am sure that my distinguished colleague the Senator from Louisiana [Mr. ELLENDER], would ordinarily accept this kind of amendment. But in the apparent frantic drive to pass the bill, I gather that consideration of the amendment was postponed, it was not taken up, or the amendment was simply voted down. I really do not know what happened to it in committee, to be perfectly truthful with the Senate. But it seems to me that the amendment is the type of amendment which goes to the very merits of Government interference in agricultural products.

Unless we can adopt the amendment, farmers who would like to participate in the program will not be able to do so without severe penalty, and we will be jeopardizing a cash crop which a manufacturer and farmers themselves have been able to develop to the very great benefit of the people of Colorado, and to the overall benefit of the surplus problem in the barley industry.

Mr. President, I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, it would be very nice for those who grow Moravian barley to be exempt from the bill. Should the barley be a crop that the malters desire, the malters, of course, would buy it. But in the event that it turned out not to be of a malting variety, which often happens, the Federal Government would be bound under the law to take it over as feed grains.

Moravian barley was recognized by the Department of Agriculture as an acceptable Malting variety under the 1962 feed grain program. Supplies of all barley increased sharply after the 1962 harvest and the exception was not in effect for 1963. While Moravian barley is planted for the purpose of supplying maltsters, it is also usable as feed—just as are other Malting varieties.

The legislation now under consideration contains authority for the Secretary to permit Malting barley producers to plant 110 percent of their 1959–60 acreage and still provide price support, if producers comply with other provisions of the program. That is, if they keep within their allotted areas on other feed grains.

Since Moravian barley is an acceptable variety, farmers who produce this variety are extended the same privilege as other farmers who produce Malting barley. If Malting barley is in short supply, the exemption would be in effect. The amendment, however, would completely exclude Moravian type barley from the diversion program, so that producers of that type of barley might produce all they desire and still obtain the support price provided by the bill.

As I have pointed out, if the barley turned out to be usable only for feed grains, the Federal Government would be saddled with the barley as a feed grain and would have to extend price supports on it.

If barley supplies are adequate, it would not seem appropriate for one variety to be excluded from the program. This would hardly be fair to farmers who grow other Malting varieties, or to producers of feed barley since Moravian, like other Malting varieties, can also be used for feed. Whether or not the Secretary exempts Malting barley from the feed grain program, it should be noted that the legislation provides for a completely voluntary program. Every producer is free to participate or not to participate in this program. But if the Moravian barley growers desired, they could plant all the feed grains they wished. The only thing they would not receive, of course, would be price support.

If he elects not to participate, he can plant as much barley as he likes. Where a producer feels there is a good chance his production of a Malting barley variety will command a price greater than the support price, it seems to me he would elect not to participate and plant from fence-row to fence-row.

Another fact should be faced up to. Maltsters who feel that a variety they desire will be in short supply can contract for the desired production and guarantee growers a price. Actually, it is my understanding that Moravian barley is grown in a rather limited area and that most of it has been grown under contract in the past.

Relatively few producers will benefit from the proposed amendment, in all probability. One or two maltsters or brewers may benefit, since they will be assured of an adequate supply of Moravian barley at a lower price than they might have to pay if they contracted for it. The excess quantity grown could then be turned over to the Government at the support price and CCC stocks expanded. But the purpose of the proposed legislation is to make possible the reduction of Government grain stocks, not increase them. I do not believe this amendment would be consistent with the purposes of the legislation.

Neither do I believe the exemption of a single variety would be fair to the thousands of farmers who grow other varieties of Malting barley. This is a matter which would need to be studied—this and the effect on the total supply of feed barley. Possibly hearings would need to be held. This is a way to hold up consideration of the legislation, but this legislation was reported out of committee promptly as has been emphasized by quite a few Senators because wheat growers need to know the degree of flexibility that will be accorded them in 1964 before voting in referendum on May 21.

Since Moravian is an acceptable Malting variety, since the bill provides authority for equal treatment of all barley producers, since this amendment would require study which would unnecessarily delay legislation and make it difficult for wheat producers to vote intelligently on the alternatives offered, I submit that this amendment should not receive a favorable vote.

Mr. DOMINICK. Mr. President, I do not wish to detain the Senate on this particular question too long, but it seems to me that some of the comments which were made by the distinguished chairman should be answered.

As I said in my opening remarks, Moravian Malting barley consists of seed which is distributed and sold by the Coors Co. under contract, so that it is not dedicated for use as a feed grain. That is the first point.

The second point involves the question of who is or is not to be benefited.

I refer the distinguished chairman to the situation in which, suddenly, we might find it possible, on rye land, to start growing sesame, or sunflower, or guar, or some of the other products which were not in surplus and which were an anticholesterol type of oil. We finally got these under the bill, so that they could be grown without penalizing a person with respect to participation in the program, except that the farmers would not get quite as much for the diverted acreage as for the other program.

We have already done something in Congress to try to show to a farmer that, if he can develop a good cash crop which is not in surplus, we do not wish to penalize him for doing that. Unless we accept the amendment at this time, we shall leave it totally to the discretion of the Secretary of Agriculture as to whether the farmer will be penalized for trying to develop a cash crop which he can plant, which is not in surplus, from which he can make some income.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. ELLENDER. The Senator knows that there are six or seven crops which can be planted now, under the terms of the bill.

Mr. DOMINICK. That is correct.

Mr. ELLENDER. The Senator should not overlook the fact that on those crops the farmers would not get a price support. What I object to is that the Senator desires to allow Moravian barley to be planted in any quantity desired and still obtain price supports. That is the difference in our thinking.

Mr. DOMINICK. Under the amendment the barley would be exempted, and the farmer would get price supports on other crops, not on the Moravian Malting barley. That is under contract. The farmers get more money from it from the Coors Co. than they would ever get under a price support program.

The purpose of the amendment is to try to show that there is a difference between types of barley. That is the whole point.

I think the chairman is not quite accurate, if my understanding is correct. What we would try to do is to say that farmers would not be penalized for the remainder of their crops because they grow this type of barley. It seems to me only justice that this type of program should be put into effect.

I hope that answers the chairman's question?

Mr. ELLENDER. Is it the Senator's opinion that if a farmer planted all he desired, and it developed that the barley was not suitable for malting, the farmer would not get a price support?

Mr. DOMINICK. It is my understanding that if the farmer grew barley which was not acceptable to the Coors Co., even though he had the seed, he would have to use it on his farm, or it would not be included in the terms of the bill.

Mr. ELLENDER. The Senator should read his amendment again, because our counsel states that if the Malting barley of the Moravian type were turned down for use by maltsters it would be entitled to price supports.

Mr. DOMINICK. That is quite interesting, because it has been exempted under the 1961 and 1962 crops. In those cases, there were only 43,000 bushels out of the whole amount grown which were rejected. Those were used for animal feed or something like that by the farmers on the farm, with no price support at all.

This is not a crop that one markets, so that problem does not exist, so far as I can see.

It seems to me, the way we are proceeding now, that all we would do would be to provide authority for the Secretary of Agriculture. The Secretary of Agriculture could decide the question on the basis of any reason—not enough pressure, not enough attention given him, or something else, or merely because he did not wish to take action—and then we would be penalizing people who are seriously trying to be of assistance in the process of solving the farm production problem now existing.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. Does the Senator from Colorado wish to yield back his remaining time?

Mr. DOMINICK. Yes. Mr. President, I yield back by remaining time.

Mr. ELLENDER. I yield back my remaining time.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. DOMINICK]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Alabama [Mr. HILL], the Senator from Utah [Mr. MOSS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Maine [Mr. MUSKIE] is absent due to illness.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

On this vote, the Senator from Alabama [Mr. HILL] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Colorado would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Illinois [Mr. DIRKSEN], and the Senator from New York [Mr. JAVITS] are necessarily absent.

The pair of the Senator from Illinois [Mr. DIRKSEN] has been previously announced.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Alabama [Mr. HILL]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Alabama would vote "nay."

If present and voting, the Senator from New York [Mr. JAVITS] would vote "yea."

The result was announced—yeas 30, nays 61, as follows:

[No. 76 Leg.]

YEAS—30

Aiken
Beall
Bennett
Boggs
Carlson
Case
Cotton
Curtis
Dominick
Eastland
Fong
Goldwater
Hickenlooper
Holland
Hruska
Jordan, Idaho
Keating
Kuchel
Mechem
Miller
Morton
Pearson
Prouty
Saltonstall
Scott
Simpson
Smith
Thurmond
Tower
Williams, Del.

NAYS—61

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Cooper
Dodd
Douglas
Edmondson
Ellender
Engle
Ervin
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Mundt
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell
Smathers
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Young, N. Dak.
Young, Ohio

NOT VOTING—9

Allott
Byrd, Va.
Dirksen
Hill
Javits
Mansfield
Moss
Muskie
Yarborough

So Mr. DOMINICK's amendment was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SIMPSON. Mr. President, I call up my amendment, which I sent to the desk this morning.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 12 and at the end of the bill it is proposed to add the following new section:

SEC. 5. That paragraph 701 of the Tariff Act of 1930 (19 U.S.C., sec. 1001, par. 701) is amended by inserting "(a)" before "Cattle" and by adding at the end thereof the following new subparagraph:

"(b) (1) In addition to the rates of duty provided for in subparagraph (a), there are hereby imposed on the following articles entered, or withdrawn from warehouse, for consumption during any calendar year in excess of the annual quota for each such article prescribed by paragraph (2), rates of duty as follows:

"(A) Cattle, weighing less than seven hundred pounds each, 5 cents per pound;

"(B) Cattle, weighing seven hundred pounds or more each, 6 cents per pound; and

"(C) Beef and veal, fresh, chilled, or frozen, 12 cents per pound.

"(2) For purposes of paragraph (1), the annual quota for each of the articles described in paragraph (1) is a quantity equal to the average annual quantity of such article imported during the 5-year period ending on December 31, 1962; except that the annual quota for the unexpired portion of the calendar year in which this subparagraph becomes effective shall be a quantity equal to such average annual quantity reduced by an amount equal to one-twelfth thereof for each full calendar month that has expired in such year prior to the effective date of this subparagraph."

(3) The amendment made by the fifth section of this Act shall take effect as soon as practicable on a date to be specified by the President in a notice to the Secretary of the Treasury following such negotiations as may be necessary to effect a modification or termination of any international obligation of the United States with which the amendment might conflict, but in any event not later than sixty days after the date of enactment of this Act.

Mr. SIMPSON. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. SIMPSON. Mr. President, yesterday my good friend the Senator from Nebraska [Mr. CURTIS] stated that 60 percent of the income in his State came from the sale of livestock. In the May 14 Wall Street Journal I noticed that Iowa had lengthened its lead as the Nation's No. 1 meat processor. Minnesota took over the No. 2 spot from Illinois which is now third. Livestock is an important element in the economies of these fertile farm States; not because they raise cattle, but because they feed cattle. Wyoming and the other great grassland States raise the cattle and ship them to the great Midwest for fattening. The cattle industry is important to these Midwestern States because the feed grains of America are grown in their fertile lands. Wherever we have feed, we will have livestock. That is why the one who controls the feed grains will control the livestock industry. The two are inseparable and it would be unfair for the Senate to pass legislation which would control the growing of feed grains without giving adequate protection to the cattle industry in the way of a quota which would limit the beef and veal imports to this country.

Mr. President, the cattlemen of this country are presently being threatened by the excessive beef imports which are flooding our country. To meet this threat I offer an amendment to this feed grain bill, H.R. 4997, which will establish an annual quota. The annual quota will be an amount equal to the average annual quantity of beef imported during the 5-year period ending on December 31, 1962. The beef imports making up this quota will be taxed at the present rate. Imports coming into this country in addition to this quota will be subject to a duty three times the present rate.

If this amendment is adopted, our country can continue to import a reasonable quantity of beef to meet the supplemental beef needs that we do have; and, yet, the amendment would curtail the excessive imports of beef and veal which pose such a threat to the cattlemen.

The Foreign Agriculture Service Division of the Department of Agriculture has informed me that the beef and veal imports have increased 41 percent in the last year from 689.1 million pounds in 1961 to 970.9 million pounds in 1962. Total red meat imports have increased 36 percent in the last year from a 1961 total of 918.7 million pounds to 1,252,900,000 pounds in 1962. Live cattle imports are up about 20 percent. On the other hand, beef and veal exports have decreased by 9 percent.

The cattle industry is in a precarious position. Presently our cattle inventories are at a high level. If the cattlemen were forced to liquidate part of their herds due to widespread drought, as has happened in the past, the excessive imports of beef and veal would exert an extraordinary downward pressure on the price of cow beef. Imports of this quality, that is processing beef, equal about one-third of the domestic production. Approximately 10 percent of all beef and veal consumed in the United States is imported. I feel that some protection is needed for the cattle industry, as do many of my colleagues here in the Senate.

The amendment is supported by the National Cattlemen's Association and many cattlemen's associations of the Western States.

In 1960 the per capita civilian consumption of beef and veal in the United States was 91.4 pounds. Four and four-tenths pounds of this was imported meat. In 1962 the per capita consumption was 95.4 pounds and 8 pounds of that total was imported beef. Total meat consumption increased 4.3 percent while the consumption of imported beef increased 81.8 percent. I feel that this comparison makes it crystal clear that the growing quantities of beef imports to this country are a serious threat to the cattleman.

In 1930 this need for protection was realized and, in the Tariff Act of that year, duties were placed on beef imported to this country. In 1947 these duties were cut in half.

In the 87th Congress the peril point amendment to the Trade Act was narrowly voted down. This was a great blow to the cattlemen of the western area of our country.

The Tariff Act of 1930 placed a 6-cent duty per pound on all beef imported to this country with no limitation on the quantity of beef that could be imported. This tariff or duty equaled 58.4 percent of the value of the domestic product. In 1962 the protection afforded the cattle industry by the tariff equaled 9.5 percent of the value of the domestic product. I think that this is another dramatic illustration of the need for further restrictions on cattle and beef imports.

Mr. President, I believe that there is a clear and present danger confronting the cattlemen of America. I feel that it is imperative that remedial legislation be enacted which would give the proper protection to the Nation's interests and yet permit an adequate supply of beef imports into this country to satisfy our requirements. It is for these reasons that I ask for support in adopting this amendment to the feed grains bill of 1963, H.R. 4997.

I reserve the remainder of my time.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield to my colleague from Wyoming.

Mr. McGEE. I commend the distinguished junior Senator from Wyoming for his interest in this part of our State's economy, which is fundamental to the well-being of the western part of the United States.

Is the amendment which is now being presented the same as the measure of which the Senator and I are cosponsors?

Mr. SIMPSON. The Senator is correct.

Mr. McGEE. With that fact made clear on the RECORD, I should like to suggest to my colleague that, in my judgment, this may not be the most propitious occasion for putting forward this proposed legislation, which is very important for the State of Wyoming.

The amendments which have been offered in the past few hours have been rather substantially defeated. I consider the measure which he has introduced and I have cosponsored to be of such economic importance to our State that I would be reluctant to see its ultimate passage jeopardized by being attached to the feed grain bill. It seems to me that whatever representation we may get in the Senate—and I understand the yeas and nays have been ordered on the amendment—will result in a further statistic detracting from the importance of the measure because of the possibility of its being defeated at this time.

I hasten to add that if my colleague presses the amendment he has offered, I shall vote for it because of what is at stake in it. Nevertheless, it is obviously not the mood of this body to accept an amendment of this type to the pending bill. In the interest of the cattle industry of Wyoming, I sincerely request that the Senator consider withdrawing the amendment at this time, so that we might, as we always try to do in the interest of our State, put this proposal forward as a measure in its own right, uncluttered and unfuzzed by the issues at stake in the feed grain bill. Would the Senator be willing to give the amendment that kind of consideration?

Mr. SIMPSON. I thank the Senator for his observation. I know he is cognizant of the fact that, in a recent report, our bill was opposed by all the agencies of the Government, and that the prospects of its passage seem to be rather remote.

It seems to me that every possibility should be utilized to help the livestock industry in the West, as my senior colleague has so ably pointed out. Therefore, I think it best that the amendment to be offered to the bill at hand, in order that we may have at least two strings to our bow.

I am sure that the committee which will handle the bill which we have cosponsored, and which the senior Senator has so ably represented, will give it full consideration. I am also sure that he will do everything in his power to have the bill reported favorably by the committee.

Mr. McGEE. We are in agreement that the measure is of extreme importance. I understand the point of the Senator's suggestion, which is that because the agencies of the executive department have turned thumbs down on our bill, this is another way to obtain action on the proposal.

I submit, based on the record of the Senate today, that what we shall end with in this case is still another "thumbs down." That will only compound our difficulty in properly placing the proposal before the Members of this body and the executive agencies, as well. That is why I was hopeful that the Senator might possibly consider withdrawing the amendment. Then we could try to approach the problem from another direction, in another way, without having it carry the extra implication of a further rejection on the part of the Senate.

Mr. SIMPSON. I share the concern of my colleague; but I have grave doubts of any proper consideration of the cattle industry at this session of Congress. Nevertheless, I intend to work with might and main to perfect the proposal. I am sure the senior Senator from Wyoming will, too.

This proposal provides an additional opportunity for the Senate to assist the cattle and livestock industry of the West. In light of that fact, I would have great hesitancy in withdrawing the amendment.

Mr. McGEE. If I may add this statement, I wish that we might have a vote in the Senate on the question of what we shall do for the livestock industry. But I submit that that would not be the issue if we were to vote on the Senator's amendment at this time. However, I understand my colleague's position and his interest in pressing the amendment. Under those circumstances, I shall have no more to say on the amendment.

Mr. DOMINICK. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield.

Mr. DOMINICK. Again, I congratulate the Senator from Wyoming on bringing up a very important issue. If my memory serves me correctly, I believe the chairman, in reply to a question, stated that there was nothing in the feed grain bill which had to be put into effect before next Tuesday. On the other hand, he said no amendments would be accepted because the measure should be put into effect. I did not understand those two comments, to begin with.

Secondly, the beef problem, which relates to the feed grain program, has been an urgent one for many months, has it not?

Mr. SIMPSON. It has.

Mr. DOMINICK. Therefore, it seems imperative to me, in connection with the statement of the Senator from Wyoming, that this measure be brought up as soon as possible, so that we may have a decision as to whether we shall try to take action to solve the urgent problem confronting the livestock industry. I am sure that that is what the Senator had in mind in calling up the amendment at this time.

Mr. SIMPSON. The Senator from Colorado is entirely correct. I did not understand the pronouncement made by the majority leader, either. By the same token, it seems to me that if we can point up the problem at this time, in the hope that the amendment will be accepted in the bill at hand, well and good. If not, then at a subsequent hearing on the bill, of which the junior Senator from Colorado is one of the cosponsors, we will have pointed up the problem to such an extent that there will be more likelihood of passing the bill then. I thank the Senator from Colorado for his observation.

Mr. HICKENLOOPER. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield.

Mr. HICKENLOOPER. I congratulate the Senator upon offering the amendment. The livestock industry of this country is one of prominence and importance. I think its problems are pretty well known.

This is a square-cut issue: Do we wish to curtail the industry or not? The amendment offered by the junior Senator from Wyoming is a vehicle which offers the means of assisting the livestock industry.

Do we mean it when we say that we want to give further protection to the livestock industry and livestock resources in this country? Or do we want to do some international hanky-panky by letting large amounts of these products come into our country? That is the issue. Is the administration, for State Department trading purposes, resisting measures such as the one which the junior Senator from Wyoming is proposing? Is that the real purpose of opposing the amendment? It looks as though it might be.

The junior Senator from Wyoming is to be commended for offering the amendment. In the interest of the livestock industry of the country, I believe the amendment should be adopted.

If the amendment were adopted by the Senate and if there were found to be objection to it, for various reasons, there is no reason why that situation could not be taken care of in conference, if there were sound objection to the amendment. This is not the alpha and omega. I believe the Senator from Wyoming has a good amendment, and I believe it is one in which the livestock producers are vitally interested.

So it is rather specious to argue, "Let us do this at some other time." Mr. President, now is the time for Senators to vote on this amendment; so the argument, "Oh, we will do it some other time" does not constitute a very strong reed on which to lean. We have been discussing this subject for some time, and I think the Senator from Wyoming is entitled to have his amendment adopted.

Mr. SIMPSON. I thank the Senator from Iowa.

I also point out that the precipitate action taken on this bill is anathema to the cattlemen of the West. It is one of their hopes that this amendment will be attached to the bill. I have yet to understand the reason for the haste. In one breath we are told that it is because the wheat referendum will come up on May 21, but in the next breath it is said that it is not necessary to have the bill passed by that time.

By the same token, the Senator from Iowa will recall that in the 87th Congress, when the peril-point amendment to protect the producers of the West was taken up, it was rejected by a slim margin.

This is an opportunity to promote the livestock industry of the West, which so sorely needs protection; and I will leave no stone unturned in that connection. It is the one industry in the West which has operated without subsidy and which has governed itself with precision and with great astuteness.

I appreciate the comments of the Senator from Iowa. He comes from a great State which is very busy with the processing of our western cattle. As he knows, many of our cattle are sent to Iowa.

Mr. HICKENLOOPER. Yes, the cattle industry is, indeed, one of the remaining industries which operates on the philosophy of private enterprise and free enterprise, and thus can stand on its own feet, whereas in the Government there are some who think that is a bad thing, and think the term "private enterprise" is a reproach, and believe it necessary for the Government to have control, and believe it necessary that there be Government manipulation.

However, I still think the majority of the American people realize that private enterprise and private initiative built this country—although on occasion they do not have a voice in making the determinations.

Mr. President, I commend the Senator from Wyoming on his amendment.

Mr. SIMPSON. I thank the Senator from Iowa.

Mr. McGEE. Mr. President, will my colleague yield for a question?

Mr. SIMPSON. I yield.

Mr. McGEE. I join my colleague in hoping that Senators will have an opportunity to stand up and vote on the question of helping the cattle industry.

Mr. HICKENLOOPER. Mr. President, that opportunity is provided by this amendment.

Mr. McGEE. I should like to know whether, if the amendment is adopted, we shall have the cooperation of those who are interested in helping the cattle industry, so that a favorable blow may be struck for the benefit of the cattlemen of the West.

Mr. HICKENLOOPER. Mr. President, that is one of the forensic devices used on this floor, as the Senator knows, in the hope of embarrassing the other side.

Mr. McGEE. I am only working for the cattle industry; I am not trying to embarrass anyone.

Mr. HICKENLOOPER. This bill is a feed grains bill in its entirety, in all of its four corners, and I believe it is the worst agricultural bill ever proposed to the American people—for various reasons, including the fantastic discretion given to the Secretary of Agriculture under the proposed alteration of existing laws, and so forth.

If the bill is to be passed—regardless of whether I shall vote for it—it should be made as good a bill as possible, even though at the time of passage I may not approve of the bill in its entirety.

Mr. McGEE. Then would it be fair to conclude, in terms of priorities, that a vote for the cattle industry in general, by means of the amendment my colleague is sponsoring, would very likely be repudiated by a vote against the bill as a whole?

Mr. HICKENLOOPER. Not at all. I think a vote on the amendment of the Senator from Wyoming will be a direct vote on the interests of the cattle industry. If the amendment is made a part of a generally bad bill, then Senators must determine whether, finally, they wish to vote for the entire bill.

But on the merits of the amendments as they come up, each amendment stands on its own feet.

This amendment does not necessarily control the bill one way or the other; but I hope the amendment is made a part of the bill, so that if the bill does pass, it will be better than it otherwise would have been.

Mr. AIKEN. Mr. President, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield.

Mr. AIKEN. I assure the Senator from Wyoming that if the bill is satisfactorily amended, I shall certainly vote for it.

Mr. McGEE. So, if the bill is amended in the interests of the cattle industry, that will induce the Senator from Vermont to vote for the bill?

Mr. AIKEN. Undoubtedly it would be a good beginning to have such a satisfactory amendment added to the bill.

Mr. McGEE. I thank the Senator from Vermont.

Mr. SIMPSON. I should like to ask whether my colleague intends to vote for the bill.

Mr. McGEE. I shall vote for the amendment, and I also intend to vote for the feed grains bill. I favor the feed grains bill, no matter whether this amendment is adopted or rejected. However, I should like to have this amendment made the law of the land. But I am afraid—because of the atmosphere which has been disclosed by the votes taken thus far—that this amendment will go down the drain; and I would not like to see another black mark on the prospects of developing a positive profile, in view of the importance of the cattle industry.

Mr. SIMPSON. If my colleague will use his persuasiveness among the Senators on his side of the aisle, I am sure the amendment will be adopted, and thus we can make a positive contribution to the important cattle industry of the West.

Mr. McGEE. I think that would be a valuable contribution, and I hope my colleague will be equally persuasive among all Senators on his side of the aisle.

Mr. HICKENLOOPER. Mr. President, if the Senator from Wyoming will yield to me, I could propose three or four amendments which, if adopted, would persuade me to vote for the bill. But those amendments would have to be adopted first, before I would find the bill acceptable.

Mr. McGEE. I thank the Senator from Iowa.

Mr. AIKEN. Mr. President, if the Senator from Wyoming will yield to me, I am sure that if the "cattlemen" on both sides of the aisle will vote for this amendment, it will be adopted; and then we shall have an improved bill which we can support.

Mr. MUNDT. Mr. President, will the Senator from Wyoming yield to me?

Mr. SIMPSON. I yield.

Mr. MUNDT. I should like to add an expression of my congratulations to the distinguished Senator from Wyoming [Mr. Simpson] for having offered this most desirable amendment. I speak as one who expects to vote for the feed-grains bill; but I realize that in many of the States, livestock comprises a greater source of income than does the grain or corn that is produced in the fields and that is covered in the pending bill. In my own State, substantially more than 70 percent of our farm income comes from livestock.

In reading the amendment, I was hopeful that there might be in it, as well, a provision to protect the sheep raisers against the unconscionable imports of lamb. But I realize that we cannot solve all the problems by means of one amendment.

I think this amendment would be an excellent start in the right direction, and I certainly hope the amendment will be agreed to.

I see no logic in the argument used by some Senators on the other side of the aisle who suggest that the calendar should be the main factor to be considered when voting on feed grains legislation but that time is of no importance whatever when it comes to voting on livestock. I believe we should vote for these amendments when we have an opportunity to do so. So when a good amendment comes along, such as the one I had before the Senate a year ago, is before the Senate, I am not at all impressed when some Senators say, "Do not vote for this amendment, for the time is not right."

Why do we not look at the merits of legislation? Why do we not consider the facts, the needs, and the problems more than we do the hourglass, the calendar, and the clock on the wall? I do not propose to be pushed into either a yes or a no vote on farm legislation based solely on the issue of timing. I believe the right time to vote for whatever is right is when the opportunity to vote presents itself. I hope that Senators will vote their convictions on the proposed cattle legislation, which would do something very important to help the livestock industry, and not try to hide behind the calendar or conceal themselves behind the clock on the wall. This may be our only opportunity this session to do something constructive to protect cattlemen against the colossal imports which have done so much to drive down livestock prices in the cattle producing area of America.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MUNDT. I am happy to yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. I have never heard so many good ideas expressed on the floor of the Senate in 1 day. But bills have not been introduced to accomplish those results. I wonder if the emergency arose overnight. The cattlemen have been suffering from imports for a long while. Why have we not received measures to accomplish a remedy?

Mr. MUNDT. The Senator from Wyoming pointed to one measure we supported which was lost by one vote last year. We now have an opportunity to move in. That is the purpose of the amendment. We are confronted with a serious decline in cattle prices in America. It is not something that happened 5 years or 10 years or 2 years ago. It has been happening during the past few months at an accelerated rate. This is our first opportunity to tie an amendment to proposed farm legislation which would do something to remedy the situation. I hope the amendment will be agreed to. I speak as one who will vote to correct the mistakes of last year created through passage of an utterly unworkable feed grains bill, not because of the hour, the day, or the date, but because there is need to remedy a problem of feed grains farmers as well as those engaged in the cattle industry. I vigorously opposed the feed grains bill which we adopted a year ago. I said then it was unconscionable, unjust, and uneconomic. I continue to hold to those convictions. This is our first—perhaps our only chance to undo the damage to corn and feed grains farmers that we created and projected a year ago. So, of course, I shall vote for this substitute for an utterly unwise and unjust feed grains program. However, I do not desire to be labeled as one interested only in protecting the feed grains farmers and not giving a continental about what happens to the cattlemen. I hope the Simpson amendment is adopted. It will greatly improve the pending bill.

Mr. SIMPSON. I thank the Senator from South Dakota for his pertinent observations, which are certainly born of his years of experience in the Senate. I hope other Senators will see the situation as clearly as does the Senator from South Dakota.

Mr. President, I should like to inquire how much time I have remaining.

The PRESIDING OFFICER (Mr. McGovern in the chair). The Senator from Wyoming has 4 minutes remaining.

Mr. SIMPSON. Mr. President, I reserve that time.

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from Minnesota.

Mr. McCARTHY. Mr. President, I ask unanimous consent that excerpts from a press release of the Secretary of Agriculture of April 3 be printed at this point in the Record. It touches on the subject under debate.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Information Regarding Meat Imports

Imports of beef have sometimes been cited as a cause of the price break for fed steers and heifers. The report finds no evidence that this is true. It names two reasons. One is that although total beef imports for 1962 were at record levels, almost all was of manufacturing beef together with some canned beef. Very little high grade fed beef was imported. Yet the price decline was confined to fed cattle. Prices of cow beef and of slaughter cows, with which beef imports compete, have been little affected.

The Department of Agriculture has been called on to take steps to restrict imports of beef. Aside from the fact that evidence does not point to imports as causing the price decline, the Secretary of Agriculture has no authority to limit imports for economic reasons. His authority over imports of meat and live animals is confined to inspection, sanitation and other requirements to prevent the dissemination of livestock diseases, and to insure that imported meat is fit human consumption.

Information extracted from publication entitled "The Current and Prospective Cattle Situation" (ERS, pp. 12–13, April 1963):

"The United States, once a net exporter of beef, has been a net importer for several decades. Imports of beef and veal in 1962 totaled a record 1.4 billion pounds (carcass weight equivalent). This was equivalent to nearly 9 percent of U.S. production of beef and veal. In addition, 1,250,000 head of cattle and calves were imported.

"Of the beef and veal imports, 86 percent was boneless beef for manufacturing; another 9 percent was canned beef. Very little bone-in or chilled beef or veal was imported.

"These products supplement U.S. production by supplying lower grade processing meat, which we have not been producing in large enough quantities to meet our growing demand. Such imports are chiefly a supplement to the domestic supply of cow beef, and as the chart indicates, are relatively large when cow slaughter is low and vice versa. Thus, the volume of these imports tends to vary with the cycle—cow slaughter tends to decline when cattle inventories are increasing and rise when herds are being reduced. For example, imports of beef were cut about in half between 1951 and 1955.

"While the volume of imports does have an influence on the price of certain grades and classes of cattle slaughtered primarily for processing beef, it is not an important factor affecting the price of our high-quality beef and hence the prices of fed cattle. In the third quarter of 1962, when fed cattle prices had their most rapid increase of the year, imports of processing beef were up 56 percent from the second quarter of 1962 and 35 percent from the third quarter a year earlier. Imports decreased 2 percent from November to December and 33 percent from December to January. Imports this January also were 14 percent under imports in January 1962, partly as a result of the dock strike."

Mr. ELLENDER. Mr. President, do I correctly understand that the distinguished Senator from Wyoming desires to use his remaining 4 minutes?

Mr. SIMPSON. Mr. President, I have reserved the remainder of my time.

Mr. ELLENDER. The Senator may use it now because it is my intention to make a point of order.

Mr. SIMPSON. Mr. President, I make one last observation. If I can procure the valued assistance of the senior Senator from Wyoming in getting as many votes on his side of the aisle as I shall endeavor to do on my side, I am sure the amendment will be adopted without difficulty.

I yield back the remainder of my time.

Mr. ELLENDER. Mr. President, I make the point of order that the pending amendment is not germane. The subject matter of the amendment should originate in the House of Representatives, and then it should be referred to the Senate Committee on Finance. I therefore make the point of the order that the amendment is out of order.

Mr. SIMPSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator has no time in which to make a unanimous-consent request, unless some Senator has yielded to him.

Mr. MUNDT. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. MUNDT. I think the Senator has time remaining which he may use for a quorum call if he so desires.

The PRESIDING OFFICER. The Senator yielded back his remaining time.

Mr. MUNDT. I thought the Senator reserved his remaining time.

Mr. SIMPSON. No; I yielded it back.

The PRESIDING OFFICER. The Chair is prepared to rule on the point of order of the Senator from Louisiana. The unanimous-consent agreement contains a provision requiring germaneness of amendments. The bill would extend the feed-grain program. It has no relationship to the Tariff Act of 1930 or rates of duty. Moreover, under the Constitution of the United States, matters affecting revenue must originate in the House of Representatives. Therefore, the Chair sustains the point of order.

Mr. MILLER. Mr. President, I call up my amendment——

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. SIMPSON. Mr. President, I ask for the yeas and nays on the point of order.

The PRESIDING OFFICER. A request for the yeas and nays is not in order. The Senator can appeal from the ruling of the Chair, if he wishes to do so.

Mr. SIMPSON. Mr. President, I appeal from the ruling of the Chair.

Now I suggest the absence of a quorum.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield to the Senator from Ohio.

Mr. LAUSCHE. Inasmuch as the Senator from Wyoming yielded back his time, he ought not now to be punished for doing so and told that because he yielded back his remaining time, he may not suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Wyoming has 30 minutes on his appeal from the ruling of the Chair.

Mr. LAUSCHE. I am not challenging the ruling of the Chair, but I do appeal to the Senator from Louisiana [Mr. Ellender] to consider the fact that the Senator from Wyoming yielded back his time and now is being punished in his effort to have a quorum call. Why does not the Senator from Louisiana yield to him a minute to suggest the absence of a quorum?

Mr. ELLENDER. The Senator has appealed the ruling of the Chair and he has 30 minutes in which he can have a quorum call.

Mr. MILLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Iowa?

Mr. SIMPSON. I yield.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. MILLER. Mr. President, I merely wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MILLER. I ask the Chair whether or not, when a Senator has yielded back the remainder of his time, it is in order for him to suggest the absence of a quorum.

Mr. ELLENDER. He may do it on his own time.

Mr. MILLER. The question is whether he may do so once he has yielded back his time.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that once time has been yielded back, the Senator may not suggest the absence of a quorum at that point because he has no time even to make the suggestion of the absence of a quorum. The Senator from Wyoming now has 30 minutes on his appeal from the ruling of the Chair, and he has suggested the absence of a quorum, the time for which will come out of the time available to the Senator from Wyoming.

Mr. MILLER. I thank the Chair.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HICKENLOOPER. What is the basis for the ruling that the Senator has 30 minutes on the appeal?

The PRESIDING OFFICER. Under the previous agreement, 1 hour is allotted to any amendment, 30 minutes on each side, including an appeal.

Mr. HICKENLOOPER. Does the unanimous-consent agreement specifically contain a reference to appeals from rulings of the Chair and limitations on the time?

The PRESIDING OFFICER. It does contain such a provision.

Mr. HICKENLOOPER. I thank the Chair.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SIMPSON. Mr. President, I ask unanimous consent that further proceeding under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. SIMPSON. Mr. President, I wish to submit, in support of the appeal from the ruling by the Chair, the situation which confronted the Senate yesterday. I read from the Congressional Record, page 8457, the colloquy which ensued among the Senator from Florida [Mr. Holland], the Senator from Nebraska [Mr. Curtis], and the majority leader:

> Mr. Curtis. Mr. President, will the Senator explain what he means by "germane amendments" within the purview of the proposed unanimous-consent agreement?
>
> Mr. Holland. Mr. President, will the Senator from Montana yield?
>
> Mr. Mansfield. I yield.
>
> Mr. Holland. The majority leader yielded to a request by me that the unanimous-consent agreement contain the usual provision confining the amendments to those germane to the subject matter of the bill. That was not a suggestion by the majority leader; it was suggested by the Senator from Florida.
>
> Mr. Curtis. Let me ask whether an amendment dealing with agricultural imports is germane.
>
> Mr. Mansfield. In my opinion, it is, without question.
>
> Mr. Curtis. Very well.
>
> Mr. Holland. I made my suggestion when it was suggested from some sources that various civil rights amendments would be offered to the bill. I thought they would run far afield, and would defeat the purpose which some of us have to have the bill passed sometime this week.
>
> Mr. Curtis. Let me ask whether it is the intent of the Senator from Florida, who takes responsibility for this part of the proposed unanimous-consent agreement, that any amendment dealing with agricultural imports, pricing, marketing, and so forth, would be considered germane.
>
> Mr. Holland. My feeling is that any amendment dealing with feed grains or wheat or with their products would be held to be germane.
>
> Mr. Curtis. I am not indulging in playing games. I will state exactly what my two amendments are. One of them deals with imports. The other one is to attach, as an

> amendment, a proposal I have espoused for a number of years and which, in one form or another, has been passed by the Senate several times. It deals with industrial uses of agricultural surpluses.

I invite attention to amendment No. 90, which the Senator from Nebraska submitted. It had nothing to do with any agriculture except livestock.

After that colloquy the Senator from Florida [Mr. HOLLAND] said:

> Mr. HOLLAND. I think the Chair is the only one who can rule on the question of germaneness. I have no opinion on that matter, other than to state that I hope those amendments will be held to be germane.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield to the Senator from Nebraska.

Mr. CURTIS. It is my hope that the Senate will hold that the amendment offered by the distinguished Senator from Wyoming [Mr. SIMPSON] is germane. It is clear it was not the intent either of the Senate or of the Senator who propounded the unanimous-consent request to change the rules of the Senate. The intent of the Senator, as stated by him, was to exclude in this particular instance matters totally foreign to agriculture; specifically, he did not wish to have civil rights questions entered.

It is true that, out of an abundance of caution, at the suggestion of the minority leader [Mr. DIRKSEN], I asked unanimous consent that my amendment, which has already been sent to the desk, be considered as germane. But even without that I obtained the clear understanding from the colloquy which has been read to the Senate that any amendment would be considered germane which dealt with the central theme of agriculture, feed grains, wheat, and their products. What are their products? Their products are livestock. That was the intent of the Senate as it appeared to the junior Senator from Nebraska. I hope the Senator will prevail in his effort to cause the Senate so to hold.

Mr. SIMPSON. I thank the Senator from Nebraska.

It is a disappointing thing to find that some members of the majority party in the U.S. Senate would punish the livestock industry of the West, even hurt it and possibly destroy it, because of some parliamentary tactic. I can only say that the junior Senator from Wyoming is seeking to represent his constituency of the great State of Wyoming, one of the great livestock-producing States of America.

I appreciate the comments by the Senator from Nebraska. I can only say that the amendment which the Senator offered earlier today, and for which I voted, would have been a good amendment to add to this bill, which has been so precipitately brought before the U.S. Senate and is being rushed through in such fashion.

Mr. CURTIS. Mr. President, will the Senator yield further?

Mr. SIMPSON. I yield.

Mr. CURTIS. I invite attention to this question from the RECORD:

> Mr. CURTIS. Let me ask whether an amendment dealing with agricultural imports is germane.
>
> Mr. MANSFIELD.

The distinguished majority leader.

> In my opinion, it is, without question.

Upon that basis, I did not object to the unanimous-consent request, because of the statement that an amendment dealing with agricultural imports would be held as germane.

Mr. SIMPSON. I thank the Senator from Nebraska.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield to the Senator from Iowa.

Mr. MILLER. I think it would be very unfortunate if this very important amendment should be disposed of on the basis of a pure technicality. I suggest that, if one looks at the RECORD, it will be very interesting to discover that some Senators who would indicate approval of the amendment offered by the Senator from Wyoming voted against the amendment offered by the Senator from Nebraska. If I deduce the meaning of the two amendments, they are almost identical. Granted that there may be a slight difference in what the Senator from Wyoming has included in his amendment, the basic purpose of each amendment was to protect our important livestock industry.

How anyone could support the amendment of the Senator from Wyoming after having voted against the amendment of the Senator from Nebraska is something which I suggest involves a little explaining.

I think it is very unfortunate that a point of order has to be made to the amendment of the Senator from Wyoming, because if there were to be a rollcall, it would be very interesting to see whether there was consistent support or consistent opposition to these two amendments. They are so close that I do not know how a Senator could vote against one and support the other, or vote for one and not support the other.

If for no other reason than that the Senator from Nebraska had consideration of his amendment, and in view of the statements he has quoted from the RECORD, the Senator from Wyoming ought to prevail in his appeal from the ruling of the Chair.

Mr. SIMPSON. Mr. President, I call again for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield to the distinguished majority leader.

Mr. MANSFIELD. Unfortunately, I have been absent from the Chamber briefly. If the Senator from Wyoming is agreeable, I would appreciate it if he would withdraw his appeal from the ruling of the Chair, which I think was in large part quite accurate, and allow his amendment to be submitted to a vote.

Mr. SIMPSON. I yield to the suggestion of the distinguished majority leader.

Mr. MANSFIELD. I make this request because I understand something I said yesterday to the Senator from Nebraska was quoted—and I am sure exactly—and on that basis a misunderstanding may have occurred. If I correctly understand what the amendment of the Senator from Wyoming covers, it has to do with tariffs. While his amendment, as I understand it, is tied up with matters agricultural, I point out that tariffs, as a matter of course, procedure, and precedent are considered primarily by the House Ways and Means Committee and the Finance Committee of the Senate. But in view of the fact that it was possibly my fault that this misunderstanding developed, I hope it will be possible to have a vote; and I ask unanimous consent that, notwithstanding the ruling of the Chair, a vote be had immediately on the amendment of the Senator from Wyoming.

The PRESIDING OFFICER. Is there objection? The Chair hears none—

Mr. HICKENLOOPER. Mr. President, reserving the right to object, am I correct in stating that the majority leader not only suggests, apparently, that the appeal from the ruling of the Chair be withdrawn, but that the ruling be vacated, in order to clear the way for a vote on the amendment of the Senator from Wyoming?

Mr. MANSFIELD. That was included in the unanimous-consent request.

Mr. HICKENLOOPER. I have no objection.

Mr. KUCHEL. Mr. President, reserving the right to object, I should like to ask the Senator from Wyoming if he has any additional comments to make before the Senate proceeds to vote on the amendment.

Mr. SIMPSON. Only this: I want to thank the distinguished majority leader for his patience and his judgment. He has always been eminently fair, and I appreciate it very much. With that understanding, however, I certainly subscribe to the Senator's request.

Mr. MANSFIELD. I thank the Senator. He speaks like a neighbor, which he is.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. SIMPSON].

Mr. ELLENDER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ELLENDER. I yield back all my time.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KUCHEL. In line with the comment addressed to the Chair by the Senator from Iowa, do I correctly understand that the RECORD will reflect that the ruling of the Chair has been completely vacated?

The PRESIDING OFFICER. The Senator is correct. The ruling has been vacated, and the point of order withdrawn.

Mr. LONG of Louisiana. Mr. President, am I to understand that this is a proposal to place a tariff on certain commodities?

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG of Louisiana. Would not that be a revenue measure?

The PRESIDING OFFICER. That was one of the grounds on which the point of order was originally raised.

Mr. LONG of Louisiana. The point to which I address myself is this: Does not the Constitution require that revenue bills originate in the House?

The PRESIDING OFFICER. That was the ruling of the Chair.

Mr. LONG of Louisiana. If this measure was not a revenue bill when it originated there, under the Constitution can the Senate make a revenue bill out of a bill which originated in the House but was not a revenue bill when it originated there?

The PRESIDING OFFICER. If the amendment be agreed to and the bill passed, the House could take appropriate action thereon.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. Is not this vote, in effect, a vote on a question of constitutionality that is raised? Such a question has to be submitted to the Senate, anyway, for its vote by a majority vote. The Senator from Florida was not on the floor when all this proceeding began, but if there is some question as to its regularity it could easily turn into a decision on a constitutional question.

Mr. MANSFIELD. I believe I was partly to blame for the situation which arose, while I happened to be out of the Chamber, based on a statement I had made. I thought this was the best way out of an embarrassing situation, so I made the unanimous-consent request. I trust the Senator from Florida, with his usual graciousness and cooperation, will let us proceed to a vote.

Mr. HOLLAND. I certainly shall, but it seems to me we are voting on whether this is a constitutional question properly raised.

Mr. MANSFIELD. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming [Mr. SIMPSON]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]. If he were present and voting he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Maine [Mr. MUSKIE] is absent due to illness.

I further announce that, if present and voting, the Senator from New Jersey [Mr. WILLIAMS] and the Senator from Utah [Mr. MOSS] would each vote "nay."

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Oregon would vote "nay" and the Senator from Colorado would vote "yea."

On this vote, the Senator from Maine [Mr. MUSKIE] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Maine would vote "nay" and the Senator from Texas would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The pair of the Senator from Illinois [Mr. DIRKSEN] has been previously announced.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Oregon would vote "nay."

On this vote, the Senator from Texas [Mr. TOWER] is paired with the Senator from Maine [Mr. MUSKIE]. If present and voting, the Senator from Texas would vote "yea" and the Senator from Maine would vote "nay."

The result was announced—yeas 31, nays 58, as follows:

[No. 77 Leg.]

YEAS—31

Aiken
Beall
Bennett
Boggs
Carlson
Church
Cotton
Curtis
Dominick
Fong
Goldwater
Hickenlooper
Hruska
Inouye
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
McGee
Mechem
Miller
Morton
Mundt
Pearson
Prouty
Randolph
Saltonstall
Simpson
Smith
Symington
Thurmond

NAYS—58

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Dodd
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fulbright
Gore
Gruening
Hart
Hartke
Hill
Holland
Humphrey
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kefauver
Kennedy
Long, La.
Magnuson
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Monroney
Nelson
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Robertson
Russell
Scott
Sparkman
Stennis
Talmadge
Williams, Del.
Young, N. Dak.
Young, Ohio

NOT VOTING—11

Allott
Dirksen
Hayden
Mansfield
Morse
Moss
Muskie
Smathers
Tower
Williams, N.J.
Yarborough

So Mr. SIMPSON'S amendment was rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MILLER. Mr. President, I call up my amendment No. 75 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section as follows:

> SEC. 5. Section 339(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end of paragraph (1) thereof a new sentence as follows: "In no event shall the Secretary designate soybeans as a crop not in surplus supply under the provisions of clause (1) of the first sentence of this paragraph."

Mr. MILLER. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, in the bill, considerable attention is given to the crop of wheat. Lest some of the implications of the bill be overlooked, I think it well to point out that in section 339(a)(1) of Public Law 87-703, the Food and Agricultural Act of 1962, a very important provision appears. It reads as follows:

> During any year in which marketing quotas for wheat are in effect, the producers on any farm (except a new farm receiving an allotment from the reserve for new farms) on which any crop is produced on acreage required to be diverted from the production of wheat shall be subject to a penalty on such crop, in addition to any marketing quota penalty applicable to such crops, as provided in this subsection unless—

And this is the important provision—

> (1) the crop is designated by the Secretary as one which is not in surplus supply and will not be in surplus supply if it is permitted to be grown on the diverted acreage, or as one the production of which will not substantially impair the purpose of the requirements of this section.

That seems like a rather innocuous little provision. The Secretary of Agriculture has been given discretion to determine that certain crops can be grown on the diverted acreage if he reaches the conclusion that either the crop is not in surplus, or that by permitting the growing of crops on the acreage there will not be surplusage. But the nice question is, What is a surplus?

I pointed out last year during a debate with the Senator from Louisiana [Mr. ELLENDER] on the feed grain bill, and in connection with feed grains themselves, that we had not yet been told what would be the target or objective of crops so far as the Secretary of Agriculture was concerned. In other words, what good was it to talk about a surplus unless we knew what our requirements were?

I stated that it was futile to talk about surpluses unless we knew what our requirements were; that once the requirements were determined, then we could talk about anything in excess of the requirements as of that time.

As of now we have not been given a firm estimate of the requirements for national defense and for other purposes by the Secretary of Agriculture with respect to feed grains. Most assuredly, we have not been given any statement of requirements with respect to soybeans. So the question arises whether the Secretary of Agriculture might possibly decide that soybeans could be grown on the diverted acres.

When one reads the Federal Register for Tuesday, May 7, page 4568, to learn what the Secretary of Agriculture has in mind with respect to crops that can be grown on diverted acres, he finds in the proposed regulation for the wheat diversion program for 1964 and 1965 the statement:

> In accordance with law, the Secretary will designate crops which may be planted for harvest in lieu of conservation uses in an amendment to this paragraph.

That amendment has not yet been forthcoming. This gives cause for concern as to what the Secretary of Agriculture has in mind.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. MILLER. I am happy to yield.

Mr. EASTLAND. The Senator is referring to the growing of soybeans on diverted acreage?

Mr. MILLER. On diverted acres under the wheat program; that is correct.

This provision could be interpreted by the Secretary of Agriculture—and it is my understanding that representatives of the Department of Agriculture so interpret it—that the Secretary could authorize the planting of soybeans for harvest on the diverted acres.

Those in the Department of Agriculture have been trying to minimize this matter by saying that if this were done, it would not involve any payments. However, that is not the point.

The vital issue is that the diverted wheat acres could well end up in soybeans, thus paving the way for a surplus of soybeans and thus undermining the soybean economy, which has been getting along very well up to now without controls, and is so important to the farmers in the Corn Belt.

I suggest that this is a "sleeper" provision in the Wheat Act which the administration has been careful to avoid bringing to the attention of the public; and, if reports are correct, this is another ace in the hole which the administration might well draw out just prior to the wheat referendum on May 21. All the Secretary of Agriculture would have to do would be to decide, just before the referendum, that soybeans would be premitted on wheat acreages, and then a direct influence on the participants would be brought into being. It would only be necessary for word to get around that that was what the Secretary of Agriculture had in mind; and such word has been getting around.

There has been a long history of having production-control programs in one commodity and diverting that acreage to other commodities.

As a result, we have had serious trouble. Over the years, much of the shift out of cotton and wheat has gone into feed grains production, to the economic detriment of the entire Corn Belt. And if past actions are any indication, the administration is sure to use this provision as a vehicle to attain a certain end; namely, a favorable vote in the wheat referendum.

The purpose of my amendment is to eliminate soybeans from being designated as a crop not in surplus under the provisions of the wheat program. It would effectively stymie any tampering with soybean plantings, one of the most important crops, not only in Iowa, but in all of the Midwest.

Soybean prospective acreages for 1963 are the highest on record—4-percent more than last year, and 22-percent above average. The Crop Reporting Board of the U.S. Department of Agriculture estimates that acreages will be close to 30 million—or, to be exact, 29,896,000. The harvested acreage this year will, as a result, be considerably above the 27,857,000 acres of last year.

Mr. President, I have before me a table, from the Crop Reporting Board of the U.S. Department of Agriculture, setting forth the planted acreage and the harvested acreage for soybeans in 1960, 1961, and 1962, and the planted acreage in 1963, and also a similar table with respect to my State of Iowa. I ask unanimous consent that the tables be printed at this point in the Record, in connection with my remarks.

There being no objection, the tables were ordered to be printed in the Record, as follows:

Planted and harvested acreage, soybeans, United States

Planted:	
1960	24,449,000
1961	28,815,000
1962	28,703,000
1963 [1]	29,896,000
Harvested:	
1960	23,655,000
1961	27,008,000
1962	27,857,000
1963 [1]	----------

[1] Indicated.

Source: Crop production, March 1963, Crop Reporting Board, SRS, USDA.

Soybean prospective acreage for 1963 would be the highest on record. Four percent more than last year and 22 percent average.

IOWA

Acreage planted:	
1960	2,543,000
1961	3,452,000
1962	3,415,000
1963 [1]	3,586,000
Acreage harvested:	
1960	2,528,000
1961	3,405,000
1962	3,405,000

[1] Indicated.

Source: Crop production, March 1961, 1962, 1963, AMS, Crop Reporting Board, USDA; Annual Crop Summary, December 1961, 1962, Agricultural Statistics, 1961.

Mr. MILLER. Mr. President, the Feed Grains Act we are now considering is a proper vehicle for an amendment such as this one, which would prohibit soybeans from being planted on diverted acres, in the event the wheat program being voted on on May 21 becomes effective by means of having two-thirds of those who vote in the referendum vote "yes," because, as I have pointed out, in the main bill much attention is given to the subject of wheat.

Soybeans have become what is known as a wonder crop. They started out being grown in Iowa and Illinois primarily, and now they are grown in most every State, including heavy production in the Southern States, where normally cotton is king. The acreage has increased dramatically, the yields have also increased, the prices have been good, and the consumption has kept pace with production. One reason why soybeans is a wonder crop is that it has not been subject to Government controls and the outlays for its use have not been hindered by such controls.

Unfortunately, Secretary Freeman unwisely raised the support price for soybeans from $1.85 a bushel to $2.25 a bushel shortly after he first came into office. That misguided action caused an abnormally large increase in production; and it was not until many months afterward that the price was restored to what it was just before the Secretary of Agriculture took that action.

The only reason why the price has not been worse, as a result of that action, is that we have had a substantial increase in the disposal of these crops under Public Law 480, and that has kept soybeans out of trouble.

Nevertheless, soybean growers had warned the Secretary of Agriculture not to increase the support price of soybeans, because they foresaw the difficulty which eventually followed.

I should like to point out that some statements have been made about the fact that the stocks of soybean crops in the hands of the Commodity Credit Corporation are not large. For example, I hold in my hand a table from the Soybean Division of the Commodity Credit Corporation, U.S. Department of Agriculture, showing that as of December 31, 1962, the Commodity Credit Corporation inventory of soybeans was 36,710,649 bushels, whereas on April 1 of this year that quantity was down to only 8,397,000 bushels. That indicates a very substantial drop from December 31, 1962, to April 1, 1963; but the point is that the carryover should be figured from December 31 of one year to December 31 of the following year. In that connection, I invite attention to the fact that on December 31, 1960, the soybean inventory of the Commodity Credit Corporation was only 4,492,485 bushels; and then, after the Secretary of Agriculture took the action which he did, over the protests of the soybean industry, 2 years later the soybean inventory of the Commodity Credit Corporation had increased to 36,710,649 bushels, as I have already stated.

Mr. President, I ask unanimous consent that this table be printed at this point in the Record, in connection with my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Soybeans in inventory of CCC

Dec. 31, 1960:	
Quantity (bushels)	4, 492, 485
Value	$10, 600, 637
Dec. 31, 1962:	
Quantity (bushels)	36, 710, 649
Value	$87, 433, 158
Apr. 1, 1963:	
Quantity (bushels)	8, 397, 000
Value	$18, 725, 310

Sources: USDA, CCC Operating Results and Status of CCC, Price-Support Program, Feb. 12, 1963, Feb. 1, 1961; Mr., Gazelle, USDA, Soybeans Division.

As of April 1, 1963, soybeans under price-support loan included: 52,944,000 bushels, current crop, and 9,650,000 bushels, prior crops, for a total of 62,594,000 bushels, valued at $139,584,620.

Mr. MILLER. Mr. President, the Commodity Credit Corporation stocks are, of course, important; and if the Government is paying storage costs on them, that factor is also to be taken into account. However, the Commodity Credit Corporation stocks are only a part of the overall picture.

There are stocks on the farms, in the Commodity Credit Corporation programs, and in the various mills, elevators, and warehouses; and I should like to point out that as of January 1 of this year, the total stocks of soybeans on hand in all these areas amounted to 527,691,000 bushels. On April 1, that had been reduced to 343,588,000 bushels; but that is still a very substantial inventory; and it can be anticipated that it will be substantially added to by the time the soybean crop has been harvested.

In this connection, Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table which sets forth the figures from the U.S. Department of Agriculture, Crop Reporting Board, which I have just cited.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Stocks of soybeans

	On farms [1]	Commodity Credit Corporation [2]	Mills, elevators, and warehouses [3]	Total
Jan. 1, 1961	171, 936, 000	291, 000	251, 742, 000	423, 969, 000
Jan. 1, 1962	258, 403, 000		252, 168, 000	520, 571, 000
Jan. 1, 1963	228, 121, 000	262, 000	299, 308, 000	527, 691, 000
Apr. 1, 1963	135, 989, 000	1, 000	207, 598, 000	343, 588, 000

[1] Estimates of the Crop Reporting Board.

[2] Owned by CCC and stored in bins or other storages owned or controlled by CCC; other CCC-owned grain is included in the estimates by positions.

[3] All off-farm storages not otherwise designated, including flour mills, terminal elevators, and processing plants.

Source: USDA, Statistical Reporting Service, Crop Reporting Board, Washington, D.C., "Stocks of Grains in All Positions," Jan. 24, 1962, Jan. 24, 1963, and Apr. 26, 1963.

Mr. MILLER. Mr. President, in this connection I wish to point out that there appeared in the Soybean Digest for April 1963, in the section entitled "Editor's Desk," an editorial by George M. Strayer in regard to the soybean outlook. I read from the editorial:

> We will have all the soybeans in 1963 we can possibly use to advantage. The soybean acreage this year will be determined by the cotton program, the feed grain program, the winter kill of winter grain crops, the wheat program, the lack of returns from the oat crop. Support level, whether placed at $2.25 or $2.50, would have had very little effect on acreage. In my opinion the increase in soybean acreage will be larger than the 1.2 million acres indicated in the March 1 planting intentions report.
>
> But if it turns out to be a 1.2-million-acre increase, and if we have normal weather and a 725-million-bushel crop, when you add a 40-million-bushel carryover to it you have 765 million bushels of available soybeans. Balance against it a 175-million-bushel export, a fantastic 450-million-bushel crush, 30 million bushels for seed and farm disappearance, and you still come up to a 100-million-bushel carryover. And that is the maximum, in your editor's estimation, that we can ever afford to carry.

Mr. President, I suggest that those facts, coming from the industry itself, indicate that any tampering with the soybean crops or acreage by permitting the growing of the crops on diverted acres under the wheat program would cause catastrophe in this heretofore highly successful crop. Adoption of my amendment would take any discretion from the hands of the Secretary of Agriculture to abuse the situation. He now has the discretion to set almost any level he wishes. As to the level of requirements, that level could be 200 million bushels of soybeans, and on that basis the Secretary could say that as long as we do not have 200 million bushels of soybeans, we do not have a surplus situation, and therefore we can permit the growing of soybeans on diverted wheat acres.

I hope that my amendment will be adopted. I think that it is very important to protect a crop area which has done well on its own and which has heretofore been free from Government controls and Government tampering, except on the occasion, about 2 years ago, when the Government had to meddle in the situation and cause trouble.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 13 minutes remaining.

Mr. MILLER. I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, I rise to oppose the amendment. The amendment seeks to deal with the wheat law. It would not affect the feed grain law at all.

The wheat law that we passed last year specifically prevented the Secretary of Agriculture from permitting the planting of any crop that is in surplus, be it soybeans or any other crop, on diverted acres. So in order for soybeans to be planted on diverted wheat acres, soybeans would necessarily have to be in surplus.

The amendment of my good friend from Iowa would take away from the Secretary of Agriculture the authority to permit the planting of soybeans on acreage diverted from wheat when they are not in surplus and when their production would in no way impair the diversion program. Even though soybeans were in short supply and there were a great deal of land on which they could be grown, if the amendment of the distinguished Senator from Iowa were adopted, the Secretary of Agriculture would be prevented from allowing the growing of soybeans on any of the diverted acres. I do not believe that anyone wishes to take that action.

I believe that the wheat bill, as we drafted it after extended hearings, included a good provision, because the purpose of the bill was to prevent the accumulation of surplus crops. In order to attain that goal, in effect, we provided that with respect to all diverted acres under the wheat law, the Secretary of Agriculture would be given the right to say that any crop that is in surplus could not be planted on such diverted acres. It is that simple. For my good friend from Iowa to deny that right to the Secretary might bring about a shortage of soybeans. The price might go up. I think the discretionary power should be left with the Secretary, and I hope the provision remains as it is.

The Secretary has no intention of designating soybeans as a crop which can be grown on acreage diverted from wheat under present circumstances. He can not do so when they are in surplus. And he should not be prevented from doing so when they are in short supply.

Mr. MILLER. Mr. President, I should like to suggest to my good friend from Louisiana that it is not quite as simple as he would have it appear. The Secretary of Agriculture has not given us any indication of what he means by surplus. If, in the proposed regulations appearing in the Federal Register from which the Senator quoted earlier, the Secretary of Agriculture had made a statement of requirements for soybean stocks, let us say, as of December 31 of each year and had, for example, said that the Secretary of Agriculture, after consultation with the Secretary of Defense, the Secretary of Health, Education, and Welfare, and other appropriate agencies, made a determination that 50 million bushels was the required carryover of stocks of soybeans, the Senator from Iowa would not be so concerned. But the fact is that no one knows what a surplus is in the soybean area. I question if even the Secretary of Agriculture himself knows.

The Senator has talked about surplus. I ask him what he means by surplus.

Is it 50 million, 100 million, or 200 million bushels of soybean stocks? I do not believe that anyone has come forward with an answer. Until someone does, and when the members of the industry itself indicate that they are going to have all the soybeans that can possibly be used and then some, it seems to me that we would not be treading on dangerous grounds by adopting the amendment.

If perchance there were some kind of catastrophe which would cause a substantial difference in the outlook of the soybean industry, I am quite confident that the Secretary of Agriculture would be able to prevail upon the Senate to take prompt action to do something about it.

I am seeking to make sure that the Secretary of Agriculture does not abuse the discretion we gave him. That is the purpose of my amendment.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 11 minutes remaining.

Mr. MILLER. Mr. President, I yield 5 minutes to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I hope that the amendment of the Senator from Iowa is adopted. I ofttimes question whether the Secretary of Agriculture recognizes what is and what is not a surplus.

As has been pointed out, in the first place soybeans has been the wonder crop of America. Farmers have made money producing that crop without the benefit of Government supports.

In my opinion the Secretary made a terrible mistake last year when he arbitrarily raised the support price by 45 to 50 cents. There was no justification for doing so. The ultimate result will be that in a year or two we shall have Government warehouses stored full of soybeans, and the taxpayers will then have to finance that load. We are already losing millions of dollars on supports of soybean oil as the result of the Secretary's action last year. We will discuss at a later date the manner in which some of these disposals are being handled.

What is happening to soybeans today and what will continue to happen unless we stop it is parallel to what happened to butter a few years ago. As a result of the lowering of support prices, as recommended by Mr. Benson, we had reduced the butter supply in Government warehouses down to a very low level. For example, on January 31, 1960, our inventories of butter were down to 16 million pounds. On the eve of the presidential campaign of 1960, the Democratic-controlled Congress, over the objections of both Secretary Benson and President Eisenhower arbitrarily raised the support price of butter and other dairy products. In February of 1961, Secretary Freeman by Executive order again raised the support price of butter and dairy products.

What happened?

The Government's inventory of butter on January 31, 1960, was 16 million pounds. As of March 31 there were 396 million pounds of butter on hand, which is an increase of over 2,000 percent. The taxpayers now have more than $232 million invested in butter stored in Government warehouses.

With respect to dried milk the increase in the past 2 years has been from 81 million pounds to over 698 million pounds. This represents an investment of $104 million.

With respect to cheese, on January 31, 1961, the Department had no cheese at all in Government inventories. As a result of raising the support prices on these dairy products in early 1961 we now have 80 million pounds of cheese in Government storage at a cost of nearly $30 million of the taxpayers' money.

Altogether dairy products now stored in Government warehouses aggregate some 1,218 million pounds. The cost to the taxpayers for this inventory represents an investment of over $400 million.

In addition to this $400 million inventory, during the past 2 years we have sold or given away dairy products upon which the Government has taken a loss of another $585 million. Altogether Secretary Freeman's butter program has been a billion-dollar boondoggle.

Before we commit the soybean program, which heretofore has been a profitable one for the farmers, to the same trouble—and it is now on the verge of getting in trouble because of the increased support price—we should adopt the pending amendment and thereby tell the Secretary to stop tinkering with the law of supply and demand. The American taxpayers cannot afford another multibillion-dollar New Frontier fiasco.

Let us not bankrupt the soybean farmer who without Government interference has had a profitable crop.

The dairy farmer is in trouble. Why? Because the dairy program was turned into a political football. Let us not make this mistake again.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. HICKENLOOPER. With respect to soybeans, the Senator may agree that the evidence is now beginning to appear that soybeans are, indeed, getting into trouble.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. HICKENLOOPER. I put into the RECORD a couple of days ago the report from the Department of Agriculture which showed that whereas on March 31, 1962, there were about 936 bushels of soybeans in storage—bushels, not thousands of bushels—on March 31 of this year there were some 9½ million bushels in storage.

The figures jumped up after the increased price support program of the Secretary of Agriculture. They will go on escalating at about that rate, no doubt, for the evidence supports that contention.

Mr. WILLIAMS of Delaware. The evidence supports that statement.

Mr. HICKENLOOPER. Nine million bushels may not be an overwhelming amount at the moment, but in one year's time the figure has jumped as a result of the Department's policies.

Mr. WILLIAMS of Delaware. The Senator is correct. In order to maintain the artificially high support price for the soybean they have been buying soybean oil and various other vegetable oils. I have available a report, which I will put into the RECORD later, with regard to oil which is being stored in various ports and warehouses throughout the world. They have been trying to give it away. The countries have been rejecting it even as a gift. They do not want it because it is in poor condition. Some of it is rancid as the result of faulty containers.

That is a glaring example of very poor management. In addition to mismanagement, it is an example of what happens when a bureaucracy tinkers with the law of supply and demand. It simply will not work.

Mr. HICKENLOOPER. The Senator from Vermont made the point that they dumped a lot of the oil on the water, and ducks swam on it and got oil on their feathers and died.

Mr. WILLIAMS of Delaware. Yes, that is another case of bureaucratic fumbling. In the first instance a lot of it was bought in poor containers. We also found that they had made the contract with a man who already was on the list of the Department of Agriculture as being a crook and as a man with whom they should not do business, but they went ahead and did business with him anyway.

Mr. HICKENLOOPER. That is correct.

Mr. MILLER. Mr. President, I thank my colleague the Senator from Delaware for his comments. I think they are quite apropos of the problem which I have suggested may well occur.

If the record made by the Secretary of Agriculture, so far as commodities cited by the Senator from Delaware are concerned, is any indication of what will be the record with respect to determining what crops should be grown on diverted acres under the wheat program, we have a great deal of trouble ahead of us.

Mr. President, before I yield back the remainder of my time I think I ought to reemphasize that certain statements are being made to the effect that there is not a problem so far as soybeans are concerned, that there is not a surplus, and that the outlook is very favorable. These statements could well be seized upon as an excuse by someone who might wish to use the statements to justify designating soybeans as a crop which could be grown on diverted acres.

I have already cited the figures regarding the stocks of soybeans. I have attempted to point out that the Commodity Credit Corporation stocks are only one part of the picture.

I note that in a recent bulletin entitled "The Agricultural Situation" for April 1963, volume 47, No. 4, there is a caption "Smaller Soybean Carryover in Prospect." Then, when it comes to setting forth the soybean stocks, the statement is made that during the period October 1962 to March 1963, the Commodity Credit Corporation virtually liquidated its holdings of 40 million bushels of beans. That is a very interesting statement. If taken out of context, one might ignore the fact that there are millions of bushels of soybeans in other areas of storage besides the Commodity Credit Corporation.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. MILLER. Mr. President, I had intended to speak further, but I understand that my good friend, the junior Senator from Minnesota, has a problem. If I were in his position I would not wish to have any further speechmaking, so I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Louisiana, I yield back the remainder of the time on this side.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Iowa. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON (when his name was called). On this vote I have a pair with the distinguished Senator from Oregon [Mr. Morse]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. Dirksen]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers], the Senator from New Jersey [Mr. Williams], and the Senator from Texas [Mr. Yarborough] are absent on official business.

I also announce that the Senator from Maine [Mr. Muskie] is absent due to illness.

I further announce that, if present and voting, the Senator from Arizona [Mr. Hayden], the Senator from Maine [Mr. Muskie], the Senator from Virginia [Mr. Robertson], the Senator from Florida [Mr. Smathers], and the Senator from New Jersey [Mr. Williams] would each vote "nay."

On this vote, the Senator from Alaska [Mr. Gruening] is paired with the Senator from Colorado [Mr. Allott]. If present and voting, the Senator from Alaska would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Texas would vote "yea."

On this vote, the Senator from Texas [Mr. Yarborough] is paired with the Senator from Massachusetts [Mr. Saltonstall]. If present and voting, the Senator from Texas would vote "nay," and the Senator from Massachusetts would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from New Jersey [Mr. Case], the Senator from Illinois [Mr. Dirksen], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Massachusetts [Mr. Saltonstall] is detained on official business.

The pair of the Senator from Illinois [Mr. Dirksen] has been previously announced.

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Alaska [Mr. Gruening]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Alaska would vote "nay."

On this vote, the Senator from Massachusetts [Mr. Saltonstall] is paired with the Senator from Texas [Mr. Yarborough]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Texas would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Utah would vote "nay."

The result was announced—yeas 27, nays 57, as follows:

[No. 78 Leg.]

YEAS—27

Aiken
Beall
Bennett
Boggs
Carlson
Cooper
Cotton
Dominick
Fong
Goldwater
Hickenlooper
Holland
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Morton
Pearson
Prouty
Scott
Simpson
Smith
Williams, Del.

NAYS—57

Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Clark
Curtis
Dodd
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fulbright
Gore
Hart
Hartke
Hill
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Mundt
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell
Sparkman
Stennis
Symington
Talmadge
Thurmond
Young, N. Dak.
Young, Ohio.

NOT VOTING—16

Allott
Anderson
Case
Dirksen
Gruening
Hayden
Mansfield
Morse
Moss
Muskie
Robertson
Saltonstall
Smathers
Tower
Williams, N.J.
Yarborough

So Mr. Miller's amendment No. 75 was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SERVICE OF RESERVE OFFICERS IN THE SENATE

Mr. GOLDWATER. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 11, line 4, it is proposed to strike out the word "existing."

Mr. GOLDWATER. Mr. President, I will not ask for a yea-and-nay vote on the amendment. The amendment has nothing to do directly with the pending bill. However, I wished to have an opportunity today to submit a resolution and to ask for appropriate action on it. I am prompted to do this only in the interest of Members of the Senate who are members of the Reserve Forces of our military services.

During all the time I have been a Member of the Senate I have had a running argument with persons all over the country and with various editorial writers and members of the various organizations as to the propriety of members of the Reserves being able to serve in the Senate. I do not mention the other body, because the Constitution provides that each body shall be the judge of its own Members. Therefore I am referring only to the Senate.

In article I, section 6, of the Constitution of the United States we find the language:

> And no person holding any office under the United States, shall be a Member of either House during his continuance in office.

That is the language in the Constitution which seems to cause all the trouble.

During the past week, in a friendly way, the Washington Daily News, through one of its leading reporters, Jim Lucas, has explored this subject further.

I feel that the time has come for us to either lay this subject on the floor or make a decision as to whether those of us who are active in the Reserve forces of the United States can actually serve in the Senate.

This problem has quite a history. It starts, of course, with the original language in the Constitution. When that language was adopted there were no Reserves in being. There was no National Guard as such. Then in 1861 the decision was made by the House that a Member of the House was "not entitled to his seat since he was mustered into the military services of the United States."

In 1901 we find reference to the active list of the military being prohibited from serving in Congress. It was in 1916 that the last real effort was made to decide this question. In 1916 there were no organized Reserves. There was a National Guard.

In 1916 a House resolution asked the Committee on the Judiciary to investigate the question of Members holding commissions in the National Guard.

The committee's report quoted the following U.S. Supreme Court case which defined "office" as used in article I, section 6 of the Constitution:

> In *United States* v. *Hartwell* (6 Wall. 385), the Supreme Court of the United States said

> that the term "public office" embodies the ideas of tenure, duration, emoluments, and duties, and that the duties are continuing and permanent, not occasional and temporary.

In that language, I believe, we find an excuse for Reserve officers being allowed to serve in the Senate, because their duties are not continuing and permanent; they are occasional and temporary.

Only at times when the reservist is called to duty may he wear his uniform with propriety; he is not entitled to any of the prerogatives of the rank he holds, unless he is on active duty.

In 1916 the committee decided:

> The only question, then, to be considered is whether as an officer he is disqualified to fill a seat in the House of Representatives of the Congress of the United States. From the earliest time it has been recognized as a plain principle of public policy that "where two offices are incompatible they cannot be held by the same person." Incompatibility exists where the nature and duties of the two offices are such as to render it improper, from consideration of the public policy, for one incumbent to fill both, the rule being that the acceptance of the second office vacates the first. From the further discussion of the duties and requirements of the two offices under consideration it will clearly appear that they are incompatible. The question here presented, however, is not to be determined by any general rule of public policy as promulgated by the courts and dependent upon a finding of incompatibility; but rests upon the plain prohibition contained in the clause of the Constitution already quoted.
>
> No line can be drawn between the large and the small office. The Constitution prohibits a Member of Congress from holding "any office under the United States while a Member of either House." If a Member should hold any office under the United States, the prohibition of the Constitution at once intervenes and declares that he shall not "be a Member of either House."
>
> It follows that the seats of those Members of the House of Representatives who shall accept commissions in the National Guard of the various States under the act of Congress of June 3, 1916, will at once become vacant. The only action necessary would be to declare such vacancy by resolution as a matter of convenience and to aid the Speaker and others in discharging their public duties. It would not change the legal effect of accepting such an office in the National Guard.

That was pretty much the language of the committee's findings in 1916.

The next time this question popped up, to my memory, was in 1921, when we found ourselves with Reserve forces, and the question was raised—I believe it was in the House of Representatives, although it might have been in this body—but was never answered. The Committee on the Judiciary did not act. Therefore, no decision was made, to my knowledge, relative to the propriety of a Member of the Senate who holds a commission in any of the reserves being seated and serving in this body.

Mr. GORE. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. I am happy to yield.

Mr. GORE. The Senator made an interesting observation with respect to compatibility. It seems to me that the heart of that question is whether Members of the Senate who are at one and the same time members of the military Reserve are subject to the command and discipline of the Armed Forces of the United States.

If a Reserve officer is at one and the same time a Member of the U.S. Senate and, in fact, subject to the command, discipline, and disposition of the executive branch of the Government, it seems to me that there is incompatibility. On the other hand, if a Member of the Senate is at the same time an officer in the Reserve but can waive an order of his superior officer, then he is not, in fact, fully a member of the Armed Forces, but is rather an artificial soldier who is permitted the privilege of wearing the uniform now and then, along with other perquisites.

I am glad the Senator has raised this question. Since it has been raised, I recall to the Senate that at one time—I believe it was last year—a memorandum entitled "The Views of the Three Generals of the Senate" was circulated on the floor of the Senate. There is a real question as to the propriety as well as the constitutionality of this activity.

Mr. GOLDWATER. The Senator from Tennessee has raised a very vital point. This is one of the areas that disturbs me. If it were true that a Member of the Senate were constantly under the command and discipline of another agency, such as the executive branch or the military, I think there would be no question. But the question that arises in my mind stems from the fact that we are not under the command or discipline of the branch of the military in which we serve except at that particular time of the year when we elect to take our 2 weeks of active duty training; and then voluntarily we ask for such training. We are then issued orders, which are required by statute, and we proceed to the various places to which we are assigned to take our training. The fact remains that we are still Members of the Senate. Then it becomes a question of commanding discipline, and that is one of the things which my resolution seeks to have studied, so that there may be no question about it.

This problem has disturbed me for some time. Probably I have been derelict in my duties, both as a Reserve officer and as a Senator, for not having tried sooner to have the question settled.

There are several categories, and that compounds the problem. In one category are the Senator from Nevada [Mr. CANNON] and I believe also the Senator from South Carolina [Mr. THURMOND]. I am not sure about the Senator from New York [Mr. KEATING]. I am advised that he is retired.

Mr. KEATING. The status is called inactive. I do not want to have anyone think that I am retired.

Mr. GOLDWATER. I cannot imagine the Senator from New York being inactive. Nevertheless, there are several categories. I have mentioned two. I have an M-day assignment as Deputy Chief of Personnel for Air Force, at headquarters. The Senator from Nevada [Mr. CANNON] has a similar assignment, not in personnel, but with the Air Force Service Command.

The question arises in my mind in this particular instance: I am in category A. If M-day occurs and the Nation goes to war and I am ordered to duty, I am supposed to report the next day; I cannot take 15 days to have someone replace me.

That happened in the case of former Senator Lodge, when he, serving as a Senator, was called to duty with an armored division, and eventually was assigned to Africa.

But there are other categories. There is the inactive category, whose officers are not required to do any work at all but retain their status. There are other categories that cannot be ordered to active duty, but which still retain their commissioned status. So it cannot be said that command and discipline are exercised over the whole line. The question is one which I believe must be studied before a decision is made.

Mr. GORE. Mr. President, will the Senator further yield?

Mr. GOLDWATER. I am glad to yield.

Mr. GORE. The Senator from Arizona is performing a service in submitting his resolution. Like him, I am anxious to see a disposition of the question. If a Senator is subject to call to active duty, which seems to me to be the very purpose of the Reserve, it would appear that he is subject to the command and disposition of the executive branch of the Government.

Mr. GOLDWATER. If the Senator will allow me to interrupt him, this is another point that adds to the whole problem. The Reserve officer can be in category A and be ordered to duty, but he does not have to go. I do not mind saying that in my particular case and, I believe, in the case of others, we have stated that we would be available but would have to have a little more time to get replacements, which would not be the case with those who are not employed in this particular occupation. There are many facets to the problem which are not easily solved. There are no easy answers. I have had the question examined by legal authorities. There is much disagreement about the status we actually occupy as Reserve officers and as Members of the Senate.

Mr. GORE. I recall one occasion, after I had made a statement about a general officer which was fully supported by facts which I could not reveal, when certain Senators, who likewise held the rank of general, made very caustic and critical remarks. Did they feel called upon to make those remarks because they were Senators or because they were generals? I say there is a question of incompatibility. I am pleased to know that the Senator from Arizona will submit a resolution on this subject. The large number of Members of Congress who hold Reserve commissions presents a serious problem of political influence, of constitutionality and of propriety.

Mr. GOLDWATER. If we assume that there is incompatibility because of a conflict of interest, that characterization can be applied with a broad brush across the whole Chamber, forgetting the status of Reserve officers, but remembering that we come into this body with some impact having been made upon our lives before we came here. We are lawyers, bankers, merchants. Some of us are in the cattle business. We cover a pretty broad spectrum. I have yet to see in this body a Member motivated in his voting by preconceived or previously felt forces that might act upon him. If that were the issue, I would have to violently resist any change which it was felt might be needed. I am happy to notice that the Washington Daily News of May 14, 1963, gives us this grace. By the way, Representatives BOLLING and FORD have urged the same action in the other body, but I do not believe they have urged it with a resolution. The News editorial states, in part:

> Neither they, nor we, suggest reservist-Congressmen are up to anything illegal or immoral.

I do not care how hard we may try to forget the services in which we served; we do not forget them. I see in the Chamber the Senator from Louisiana [Mr. LONG], who has a very fine record in the U.S. Navy. Certainly the old Navy tie is felt rather tightly around his neck; but I have never known that fact to influence him in any decision he has made. It is very difficult, in fact, to find a Member of Congress who has not at some time served in the military service. For example, the majority leader served in the Marines, and so did the Senator from Illinois [Mr. DOUGLAS]; and when matters pertaining to the Marines come to this floor, they very correctly, with their knowledge, debate—one way or the other—the issue of what might happen to the Marines; and those of us who served in the Air Force have a similar feeling.

I suggest to the Senator from Tennessee that that feeling cannot be erased; and I hope he will decide, in his generous and wise way, that we are not overly influenced to the point that we shall be caustic because we happen to hold a commission in the Reserves. Whenever I have remarks to make about the Defense Department or anything affecting it, regardless of whether those remarks are caustic or are sweet, they are prompted more by deep concern for the Government and the country, regardless of which branch of the service may be affected.

Now that this situation has been allowed to develop, the question is whether it is unconstitutional or constitutional. That is why I am asking that the Judiciary Committee make a review of this subject—because, as I have said, such a review has not been made since 1916.

If the Committee decides that Members of Congress who hold commissions in the Reserves are not in violation of the Constitution, then we can say to our friends around the country who criticize us that it has been decided that we are proceeding properly.

On the other hand, inasmuch as the Senate is the judge of the qualifications of its own Members, if the "judge" decides that a Member of the Senate cannot serve in the Senate at the same time that he is serving as an officer in the Reserves, that is a very clear decision and instruction—as clear as the sun in the sky; and I am sure that we would follow such admonition—although it would come to me with some regret, because I have spent nearly 34 years of my life working hard in the Reserve, and I have enjoyed it—as I think all other Senators who have served in the Reserve have enjoyed it. But if we are wrong, let us know that. However, I hope it will be found that we are right.

Mr. HICKENLOOPER. Mr. President, will the Senator from Arizona yield?

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Does the Senator from Arizona yield to the Senator from Iowa?

Mr. GOLDWATER. I am happy to yield.

Mr. HICKENLOOPER. I did not hear all of the Senator's statement; but do I correctly understand that the question of constitutionality has been raised because of a Senator's holding a position of honor or profit—in this case, a commission in the Reserves—in addition to being a Member of the Senate?

Mr. GOLDWATER. It is merely a question of the proper interpretation of the constitutional provision:

> No person holding any office under the United States, shall be a Member of either House during his continuance in office.

Mr. HICKENLOOPER. That question has been raised before. Several years ago I had some interest in it, when I was a Reserve officer, until age and other things caught up with me. But it runs in my mind—although I am not clear about this—that that question was quite extensively examined, briefed, and reviewed a number of years ago, and that in some way there was developed a holding that categories of that kind did not come within the areas prohibited by the Constitution, insofar as holding office is concerned.

I do not know; I have not recently researched this question. But it runs in my mind that that did happen, because I know there was a question about holding State office and whether a Member of Congress who held such an office was holding a position of honor or profit—the words of art which I believe are used in some of the statutes—and whether members of the Reserve Forces who are subject to call are in violation of that provision.

I believe it was then determined that such service is not a violation; but I do not recall. Did the Senator from Arizona go into that question?

Mr. GOLDWATER. Before the Senator from Iowa came to the Chamber, I said that the last ruling on this question, so far as I know, was made in 1916, when it was held that a Member of the House could not hold a commission in the National Guard. At that time there were no Reserves.

In 1921 an effort was made—in the House of Representatives, I believe—to reach a determination in regard to the status, in connection with this constitutional provision, of a Member of Congress who held a commission as a Reserve officer. But that question was never decided. In the investigation which my staff has made in this connection, they have not found anything else in the interim.

Mr. HICKENLOOPER. Mr. President, from my personal viewpoint, I would give no great validity to the argument that a Member of Congress who holds a commission in the Reserve Forces or who serves in some other capacity in the Reserve Forces is subject to undue influence in his thinking, merely because of that service, any more than a person who owns a farm and raises cattle, hogs, corn, and feed grains—a subject we are now considering—should, because of that fact, be barred from membership in the Senate.

I believe that if membership in this body were to be limited to persons who have nothing, never had anything, have no economic interests of any kind, it would be necessary to go to the lower Bowery to find persons to serve in these legislative halls.

However, my only question is whether a Member of Congress who holds a commission in the Reserves is holding two offices, contrary to the intendment of the Constitution, or perhaps contrary to laws enacted under authority of the Constitution.

Mr. GOLDWATER. That is the sole question which is in my mind.

I do not believe that any Member of the Senate is over activated by what he did before he came to the Senate, in forming his judgments as to how he should vote as a Senator. But that issue has not been raised in any discussions I have had with members of the press or with other interested persons. The question is merely whether service as a Reserve officer constitutes, for one who is a Member of the House or the Senate of the United States, holding another job in the Federal Government. In order that that question may be resolved, I am submitting the following resolution:

> *Resolved*, That the Committee on the Judiciary is authorized and directed to conduct a full and complete inquiry to determine whether the holding of a commission as a Reserve member of any of the Armed Forces by any individual is incompatible with the holding of office by such individual as a Member of the Senate, and to report to the Senate at the earliest practicable time its findings and its conclusions thereon.

Mr. President, that is all I have to say on this subject. As I have said, I have acted on my own responsibility as one Member of this body who is a Reserve officer. I believe there are 175 Members of Congress who are reservists and are active to a greater or lesser degree. The Navy, the Army, and the Air Force have Reserve units on Capitol Hill, for the purpose of enabling reservists to keep up their points, which are required in order to retain eligibility and to retain their commissions, and to be eligible for promotion, when promotions are available.

I talked with some of my colleagues who hold Reserve commissions. I have assured them that what I am doing is done on my own responsibility. It is not done to embarrass them. As the saying goes, "Don't put the monkey on my back." We will see where we wind up.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may be permitted to join as a cosponsor of the resolution, if that meets with the approval of the Senator from Arizona.

Mr. GOLDWATER. I would be very happy to have the Senator from South Carolina cosponsor the resolution.

Mr. President, I send my resolution to the desk and ask unanimous consent that it be referred to the Committee on the Judiciary.

There being no objection, the resolution (S. Res. 142), submitted by Mr. GOLDWATER (for himself and Mr. THURMOND), was received and referred to the Committee on the Judiciary, as follows:

> *Resolved,* That the Committee on the Judiciary is authorized and directed to conduct a full and complete inquiry to determine whether the holding of a commission as a Reserve member of any of the armed forces by any individual is incompatible with the holding of office by such individual as a Member of the Senate, and to report to the Senate at the earliest practicable time its findings and its conclusions thereon.

Mr. GOLDWATER. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment of the Senator from Arizona is withdrawn.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I offer an amendment, which I send to the desk, and ask that it be stated.

The LEGISLATIVE CLERK. At the appropriate place in the bill it is proposed to add the following:

> Notwithstanding the provisions of the regulations issued in the Federal Register of March 1, 1963, the Secretary of Agriculture shall not require any employee of the Department of Agriculture, including elected county committeemen or alternate county committeemen, to sign any pledge that "he will support the program he is called upon to administer."

Mr. WILLIAMS of Delaware. Mr. President, the purpose of the amendment is to override that provision of the order which is included in the Federal Register of March 1, wherein it is directed as follows:

> *Provided, however,* That before any such committeeman or alternate committeeman may take office, he shall sign a pledge that he will faithfully, fairly, and honestly perform, to the best of his ability, all of the duties devolving upon him as a committeeman, and he will support the programs he is called upon to administer.

This amendment would declare void that last phrase of the regulation wherein the committeeman would be required to sign a pledge that he would support the programs which he is called upon to administer before they will allow him to assume office.

I do not know why there should be any objection to this amendment. When the Senator from Vermont raised the question during the committee hearings the Secretary of Agriculture tried to say that he had no intention of using the oath to enforce discipline on the committeeman. If he does not intend to use it then what would be the objection to accepting the amendment?

I am very much concerned about this demand for this oath because I am not unmindful of the fact that this is not the first time the Secretary of Agriculture has tried to take control not only of county committeemen but of all the employees of the Department of Agriculture, including even civil service employees. His plan was to make them take orders and support the administration's program regardless of their personal beliefs.

This was the first time in American history that any administration has had the audacity to try to control the minds of men.

A similar effort was made about a year ago, and it then put into the RECORD a copy of the order which had been sent out by the Secretary of Agriculture. At that time it was supported by a ruling from the Chairman of the Civil Service Commission, Mr. Macy. I quote from that ruling of March 1962:

> A more difficult decision is faced when new or changed programs are pending before Congress in the form of proposed legislation. Definitive statutory language prohibits the use of appropriated funds for publicity or propaganda designed to support or defeat legislation pending before Congress. Such language clearly limits the career official's position of possible support of or opposition to new or amendatory legislation. Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

I repeat the key sentence in this new ruling:

> Aware of these implications, however, the career official may explain the position of the administration in the proposed legislation before interested public groups.

There can be no question but that the law specifically prohibits the use of appropriated funds for publicity or propaganda purposes either to support or to defeat legislation pending before Congress.

Under this ruling the Kennedy administration was saying one half of this law will be waived and the Civil Service employees can speak in favor of the administration's legislative proposals but not against them.

Under that ruling a question was raised as to the propriety, first, of using civil service employees to explain the position of the administration; second, the propriety of making these employees explain the proposed programs in a manner favorable to the administration. At the same time they restricted them from opening their mouths before any public body if they were in opposition to a program.

Upon learning of that ruling I wrote to the Attorney General and asked him whether or not such a ruling was legal, and if it were legal what would happen to an employee who was ordered to speak before interested public groups in favor of the administration's program, but who was opposed to the program and wanted to exercise his rights as a citizen to so state his position.

In a reply dated March 22, 1962, the Attorney General said:

> The legal considerations pertinent to your question concerning a career employee's publicly expressed opposition to an administration's legislative recommendation are to a large extent the same as those discussed above. But, granting the legality of such public action in a particular instance, I believe it would nevertheless constitute a serious impropriety. Although a career official is entitled and expected to present his independent views to his superiors, they in turn are entitled to his cooperation and support in respect of a policy once it is settled. And they are entitled to that cooperation and support from him even though he may not agree with the policy. Whatever may be proper for such an official acting in a clearly private capacity, I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

That was a clear effort on the part of the Department of Agriculture, supported by the Attorney General of the United State, to force civil service employees to speak on behalf of the New Frontier farm program. They were ordered to support the administration's program no matter how disastrous they might feel the program was, or how injurious it might be to the country and the farmers as a whole.

That ruling was called to the attention of Congress, and we were on the verge of adopting an amendment that would have nullified that arbitrary ruling; but fortunately, before we had a vote on it, we received a call from Commissioner Macy that he was rescinding or canceling the ruling. The Senate did not have to vote since the order was withdrawn.

However, even though that order was withdrawn we find the Department has now found a new way to bypass the law. The Senator from Iowa has shown us that undue pressure was brought by the Secretary of Agriculture upon the committeemen, trying to make them go out and support the administration's proposal.

This is bureaucratic arrogance at its worst.

In the Federal Register we find that county committeemen who are elected by the farmers—and I emphasize that they are elected by the farmers—the Secretary has said that before such elected committeemen can assume the duties of their office they must take an oath in writing to the effect that they will support the administration's proposals.

That is rather farfetched. I am sure the members of the President's own party who are sitting in Congress and who were elected in the same year that the President was, would certainly revolt at any suggestion that they should sign a pledge before they could become Members of the Senate that they would support everything that the Kennedy administration proposed. Who ever heard of such arrogance? Yet that is what the county committeemen, who are elected by the farmers, presumably to carry out the farmers' wishes, are required to do. The Secretary in effect is saying "You can elect them, but they cannot take office unless they pledge to support my position and my programs."

I do not think any people—not even those in Russia—would stand for that.

Mr. AIKEN. Oh, yes; they do.

Mr. WILLIAMS of Delaware. You are right; Khrushchev would give the orders, and they would take it. But we do not have to take it here. This is still a free country despite the desire of some young bureaucrats.

I cannot see why there should be any objection whatever to accepting this amendment. I repeat that if the Secretary of Agriculture, Mr. Freeman, does not intend to use the loyalty oath then why does he oppose the amendment? Let him tell us that he is rescinding that loyalty oath as stated in the Federal Register, and I shall withdraw the amendment. But in the absence of his withdrawing the oath I shall certainly insist upon a vote on the amendment. It would be disastrous to the agriculture program to let word go out from here that we are condoning the principle that committeemen who are elected by the farmers must take a pledge to support every program Secretary Freeman or the Kennedy administration can dream up.

I certainly would not want anyone in any administration to be so dictatorial as to tell the farmers that he must fall in line or start marching in goose-step fashion just to please some New Frontier bureaucrat.

I am amazed that anyone would support such an un-American proposal.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. AIKEN. I wish to point out that while the Secretary would require all the county and community committmen to support the programs they are called upon to administer, not all the programs which they are called upon to administer are necessarily programs laid down by the Congress. For instance, the Department of Agriculture has what it calls educational programs, if the Senator knows what I mean. Sometimes those are not in full accord with the intent of the Congress, and sometimes they have very little to do with the program which the Congress thought it was laying down. Nevertheless, the Secretary would ask the committmen to take a pledge that they would support these educational programs of the Department of Agriculture. What that means is, "You will take a pledge to support the party in power, even though you are elected by farmers a majority of whom perhaps are members of the other party."

Then Mr. Freeman says, "If they can't do that they should get off the committee. If they do not believe in the programs in question"—these educational programs—"they ought not stand for election; they ought to get off the committee." And the Secretary intimates very strongly that he might exercise his authority to throw them off the committee. He would have the power to do that.

The Senator may recall that in the committee I remonstrated somewhat. I stated:

> However, the committeemen elected by the farmers are elected by the farmers of the community and of the county?
>
> Secretary FREEMAN. That is correct.
>
> Senator AIKEN. They are elected by them?
>
> Secretary FREEMAN. Yes.
>
> Senator AIKEN. Should they not represent the views of the farmers in their community or what?
>
> Secretary FREEMAN. Well, that is a good question.

Then I stated:

> I would say that it is an excellent one.

In other words, if these people cannot carry on the educational campaign, so-called, such as educating the wheatgrowers into realizing they should go along with the advice of the New Frontier, in order to be rewarded with twice as much money as they would get if they went against the New Frontier, they should not serve.

It seems to me that the Senator from Delaware is absolutely correct in attempting to block this effort to compel the committeemen to support the educational and other programs of the administration which the Secretary may call upon them to carry out.

Mr. WILLIAMS of Delaware. I thank the Senator from Vermont. Not only does the Secretary reserve the right to fire these men but also in the directive he says that before any such county committeeman or alternate committeeman may take office he shall sign a pledge that he will support his programs. He is going to make sure that they sign those pledges.

Mr. AIKEN. Would that pledge require witnesses? Would it be before a notary?

Mr. WILLIAMS of Delaware. I would not be surprised, although I do not know. I have not seen a copy of the pledge. However, it is to be a pledge that this committeeman will support Orville Freeman and the Kennedy administration in all their programs, and he must sign that pledge.

Mr. AIKEN. He could not promise it over the telephone, then.

Mr. WILLIAMS of Delaware. No, they do not trust him that far. He would have to sign it.

There was much objection raised by liberals in the administration and Congress a few years ago over the requirement put into the college loan program that applicants had to sign a loyalty oath that they would be loyal to the United States of America. There was a whale of a lot of objection raised in the press and throughout the country with respect to that requirement. That was merely a person signing that he would be loyal to the United States of America. Certainly, no American citizen would mind signing that he would be loyal to the United States of America and would support the Constitution.

But this is a pledge, not with respect to being a loyal American citizen, not with respect to being loyal to or supporting the Constitution, but instead a pledge that he will support the New Frontier administration, the Kennedy administration, in whatever Secretary Freeman dreams up in Washington and tells the farmers. He wants them to click their heels and go out and support his programs. Remember under his present orders these committeemen must sign in advance that they will support him; otherwise he will not allow them to take office.

I suppose he will next want a commitment that they will vote a certain way in the national elections.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COTTON. I think the Senator is rendering a conspicuous service. I hope the Senator will not use up all of his time, so that, if necessary, he may suggest the absence of a quorum in order to ask for the yeas and nays. I think every Member of the Senate ought to have a golden opportunity at this point to strike a blow for liberty.

Mr. WILLIAMS of Delaware. Mr. President, I was going to ask for the yeas and nays.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the amendment. The Senator is going to do so, anyway.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays, and I reserve the remainder of my time.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, it is not my purpose to take the time of the Senate to discuss this amendment. It was debated at length earlier today, and yesterday as well. I reiterate that the Secretary of Agriculture has not yet required any oath. That is merely a suggestion which was made by a bipartisan committee, which has studied this question over many months. It was published in the Federal Register. I understand the Secretary of Agriculture is now considering it. The language of the so-called pledge has never been developed and no one has ever been asked to sign any such pledge

I am sure that my good friend from Florida [Mr. HOLLAND] remembers that he made some suggestions to the Secretary, and the Secretary said he would take them under consideration.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. I remember full well that I stated both on the record, as shown by the hearings, and off the record, as the Senator will recall, that I thought it was very unfortunate to have the wording to require the loyalty oath to be in such a form that a committeeman would be required to take an oath that he would support the program. There was general agreement that that wording was unfortunate, and the Secretary said he thought it was a good suggestion.

Mr. ELLENDER. That was the Senator's suggestion.

Mr. HOLLAND. That was my suggestion.

Mr. ELLENDER. Exactly.

Mr. HOLLAND. It was a friendly suggestion.

Mr. ELLENDER. Yes.

Mr. HOLLAND. It was a suggestion which I think should be followed. When the time comes that growers cannot select someone who represents their own philosophy, whether that philosophy be in accord with what Congress voted or what the Secretary wants, it will not be a very good time in this free country of ours. I think the chairman of the committee agrees with me on that point.

Mr. ELLENDER. Mr. President, in the light of what was stated before the committee—and, I am sure, in the light of many letters that the Secretary has received on the subject—the Secretary may not require this oath. This is only a suggestion made by the committee. As I said, it has not been put into effect yet. I see no reason to put it in this bill. It has no business in the bill. I ask that the Senate vote down the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I respect the position of the Senator from Louisiana, but this requirement has been put into effect.

Mr. ELLENDER. No.

Mr. WILLIAMS of Delaware. Oh, yes, it has already been published in the Federal Register. If the Secretary had no intention of using it, why should he put it there?

I would not be so suspicious, perhaps, except that, as I pointed out, this is the second time he has tried to exercise such authority. A year ago he tried to do the same thing, only then it was not only with respect to the committeemen but also with respect to all civil service employees in the Department of Agriculture. I wish to quote what the Attorney General of the United States said in connection with that earlier order. He upheld it. The Attorney General happens to be a brother of the President of the United States. I quote.

> I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

What more evidence do we need to show the intent of the administration to make these employees click their heels and fall in line?

I say that we must protect both these employees and the American farmers. If we do not, we shall leave it so that all employees will be fearful that they will lose their jobs unless they sign this pledge. What is even worse, we will have taken another vital step toward destroying the freedom of the American farmers.

I recognize the desire of the Senator from Louisiana not to have this bill amended. I am opposed to the bill, so one might say that my interest is a dual interest—to put an amendment on the bill and to make it go to conference.

Mr. ELLENDER. To defeat the bill.

Mr. WILLIAMS of Delaware. But as evidence of my offering the amendment in good faith I shall suggest that a vote on it go over until tomorrow. The Secretary has been quoted here today as saying that he is not going to use the regulation. Then let the Secretary overnight send us a letter that he is rescinding this order in the Federal Register and that it is not going to be used. I will trust him as far as he trusts the committeemen so I will ask him to put it in writing. If that is done by tomorrow when the Senate convenes I will withdraw the amendment. If that is not done I have no alternative but to insist on a vote.

Can it be that the administration is trying to build a vast bureaucratic machine to help it win the next election?

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. AIKEN. Since the Secretary has already shown himself to be such a well qualified letter writer, and in view of the letter he wrote to the junior Senator from Connecticut stating, by inference, that if we would not adopt a certain amendment which I had offered, he would do it anyway, would it not be well to give the Secretary an opportunity to write another letter, now that he has demonstrated his ability to write letters, saying that if we reject the amendment offered by the Senator from Delaware, he will not require this pledge of personal allegiance, which seems to be the purpose of the order we read in the Federal Register? I think he would write one if we only gave him time.

Mr. WILLIAMS of Delaware. He should.

As yet I have not heard any Senator defend this regulation. If it is not to be used and no one defends it, why not take it out? In fact, why did the Secretary issue such an order in the first place?

I make this suggestion to the majority leader. Let the vote on this amendment go over until tomorrow. Some other amendment could be offered and discussed in the meantime. We could proceed on my amendment tomorrow morning, if in the meantime the Secretary has not clarified his intention. I will ask unanimous consent to withdraw the amendment at this time as I have no intention of embarrassing him.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. Would such a letter state that he would not enforce the regulation, or does the Senator mean to cancel it or remove it from the body of regulations?

Mr. WILLIAMS of Delaware. To remove it.

Mr. HRUSKA. If there is to be no enforcement of it, there is no reason to have it in the body of regulations.

Mr. WILLIAMS of Delaware. That is correct. This is exactly the same issue that was before the Senate a year ago when the chairman of the Civil Service Commission, Mr. Macy, issued the other ruling. He then revised the ruling and recognized the impropriety of it. I am not trying to embarrass the Secretary, but this change is essential. In this case if we do not nullify his orders we shall be recognizing his right to require the committeemen who are elected by the farmers to sign a pledge to support the Kennedy administration in all its policies, no matter what they think of them.

Mr. HRUSKA. I commend the Senator from Delaware for bringing this amendment up for consideration. He is rendering a real service. In good faith, he has demonstrated that he is not resorting to this procedure as a dilatory tactic, but is agreeing to withdraw the amendment on assurance from the Secretary with respect to a proposal which has not had any support on the floor that I have heard.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HICKENLOOPER. I fail to understand the reasoning behind the statement made by the chairman of the committee a moment ago that this provision has not been put into effect. It was published in the Federal Register of March 1, 1963, for the first time in history. It is in effect. It is a part of the regulations. I assume it is placed in the Federal Register under the authority claimed by the Secretary of Agriculture; and it has the force and effect of law.

Mr. WILLIAMS of Delaware. There is no question about it. It is in effect now and will remain in effect unless we cancel it.

Mr. HICKENLOOPER. It is in effect.

Mr. WILLIAMS of Delaware. And since it is in effect, before any committeeman or alternate committeeman shall take office, he shall sign a pledge that he will support the programs he is called upon to administer. Never in the history of the Department has there been any such requirement as that.

I will ask that action on the amendment be carried over until tomorrow morning to see if the Secretary, who has been quoted here this afternoon as having no intention of enforcing this regulation, will cancel it voluntarily. If that is done I will withdraw the amendment tomorrow. I would much rather see the question settled in that way; but if we do not settle it that way I think the Senate would be derelict in its duty if it did not insist on this regulation being nullified by our vote.

Mr. HICKENLOOPER. I think the Senator from Delaware has suggested a very wise and sensible proposal. The Secretary has been quite free with communicated opinions and statements as to what he will do or will not do, notwithstanding the law or anything else.

I think this is a very proper way in which to have his views expressed. There has been some indication that he has no intention of using this requirement. But I agree with the Senator that it would be appropriate if he wrote another letter, referring to this statement, and saying that while this regulation appears in the Federal Register, it is his intention not to enforce it. That would probably change the complexion of the Senator's amendment.

I think the request is quite reasonable.

Mr. WILLIAMS of Delaware. In light of this colloquy would the majority leader have any objection to carrying this amendment over with the understanding that tomorrow it will be in the same status as now? We are not asking for additional time. If in the meantime the Secretary will cancel the order the amendment will be withdrawn.

Mr. MANSFIELD. Mr. President, I would have to object. I will say to the distinguished Senator from Delaware that had a proposal of this kind been discussed ahead of time, consideration would have been given to the suggestion. Whether it would have been approved or not, I do not know. But so long as the proposal has been brought before the Senate, I think we ought to face it. I realize it is going to be embarrassing to some people, but I am prepared to vote against the amendment of the Senator from Delaware. I hope the Senate will come to a vote on it soon.

Mr. WILLIAMS of Delaware. Mr. President, I have no alternative but to proceed to a vote if that is the sentiment of the majority leader, but I point out again to Senators who vote against the amendment that there should be no misunderstanding as to what is at stake. The Attorney General himself has already stated he would consider it a distinct breach of the duty of any career official to oppose publicly the policy of the administration in which he serves.

That statement was made in connection with an earlier attempt to impose a similar restriction. Sure, later that action was rescinded as a result of debate in the Senate. The same principle is involved here today.

If the Senate rejects this amendment, it will be giving to the Secretary of Agriculture the authority to let the farmers elect their committeeman, but after they are elected, to prevent them from taking office unless they pledge to support all of the Kennedy administration's proposals. After they are elected, should they refuse to sign the pledge, they would not be allowed to take office. The Kennedy administration is saying to the farmers, "You can elect these men, but they will be under our orders." In America these are supposed to be free elections. We hear much about having free and clean elections. Surely, there could not be any more restricted elections than those being asked for by the administration, and I am amazed that the Attorney General, who boasts of his liberal position and desire for free elections, would ever uphold the Secretary of Agriculture in any such grab for power.

Mr. President, I ask unanimous consent that my letter to the Attorney General asking his position on a similar proposal that was made last year and his reply thereto be printed at this point in the RECORD. Following these two letters, I ask that a copy of section 509 and section 1913 of this United States Code, dealing with this question, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 27, 1962.

Hon. ROBERT F. KENNEDY,
The Attorney General,
Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: Under date of January 10, 1962, Mr. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, issued a new ruling (a copy of which is enclosed) which grants to career officials as well as to Presidential appointees the right to propagandize—or as he says "explain"—before interested public groups the position of the administration on proposed legislation.

In connection with this ruling I would appreciate an answer to the following question:

1. In the opinion of the Department of Justice is this ruling legal?

Should your Department uphold the legality of this ruling I would appreciate answers to these questions:

1. Can career employees who may differ with the position of the administration speak before interested public groups in opposition to the administration's position on pending legislation without any fear of retaliation or without jeopardizing the security of their position?

2. In the Commission's ruling reference is made to the right of career employees to speak before "interested public groups." Would not the term "interested public groups" include political meetings, since we all recognize political groups as being most interested in all legislative proposals?

Yours sincerely,

JOHN J. WILLIAMS.

DEPARTMENT OF JUSTICE,
Washington, March 22, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: This is with further reference to your letter of February 27, 1962, concerning the appearances of career employees of the Government before public groups to explain the position of the administration on proposed legislation.

Your main question is whether such appearances are legally permissible, and arises from a comment on this subject made by John W. Macy, Chairman of the Civil Service Commission, in his advisory memorandum of January 10, 1962, to the Government departments and agencies.

The two laws which have the most bearing on the activity you inquire about are section 9 of the Hatch Act (5 U.S.C. 1181) and the Appropriations Act provision referred to by Mr. Macy, section 509 of the General Government Matters, Department of Commerce and Related Agencies Appropriations Act, 1962 (Public Law 87–125). I find nothing in the language of these statutes which renders it illegal for a career official to make an explanation of an administration legislative proposal or position to a public gathering. And I find nothing in the legislative histories of the statutes which points to the conclusion that an informational presentation of this kind was intended to be prohibited. Moreover, other acts of Congress point to the opposite conclusion since they plainly recognize the necessity for and authorize informational and educational activities on the part of executive departments and agencies.

Administrations going back many years have utilized career officials to inform the public concerning pending legislation, for these officials are often the only ones available or the ones best qualified for this work. It must be remembered in this connection that the President has constitutional responsibilities in the legislative arena. He has a duty to report to the Congress from time to time, to recommend legislation and actively to seek its enactment. Unless career employees may be given educational and informational assignments in this area of executive endeavor, the President will be hampered in the discharge of his responsibilities and the public itself will suffer.

The legal considerations pertinent to your question concerning a career employee's publicly expressed opposition to an administration's legislative recommendation are to a large extent the same as those discussed above. But, granting the legality of such public action in a particular instance, I believe it would nevertheless constitute a serious impropriety. Although a career official is entitled and expected to present his independent views to his superiors, they in turn are entitled to his cooperation and support in respect of a policy once it is settled. And they are entitled to that cooperation and support from him even though he may not agree with the policy. Whatever may be proper for such an official acting in a clearly private capacity, I think it would be a distinct breach of his duty as a career official to use his official position publicly to oppose the policies of the administration he serves.

In relation to your third question it is to be noted that section 9 of the Hatch Act and civil service rule IV prohibit career employees of the executive branch from engaging in political management or in political campaigns of a partisan character. The Civil Service Commission has held that those subject to the act and the rule may not address a political club, group, or organization on political party matters. Thus a career official should refrain from public appearances before such groups under conditions which suggest participation as a partisan in matters of concern to political parties and their candidates.

Considering Mr. Macy's memorandum in the light of the foregoing, I believe you will find it reasonable. He was careful to note the impact of the General Appropriation Act and pointed out that a career official may "explain" an administration position. I find no suggestion in this statement that a career official may safely embark, or be asked to embark, on a course of partisan or high-pressure activity.

I trust that the foregoing discussion will be of interest and service to you.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Assistant Attorney General,
Office of Legal Counsel.

There are two laws dealing with this subject:

Section 509 of the General Government Matters, Department of Commerce, and Related Agencies Appropriation Act, 1962, approved August 3, 1961 (Public Law 87–126):

"No part of any appropriation contained in this or any other Act, or of the funds available for expenditure by any individual, corporation, or agency included in this or any other Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress."

Section 1913, "Lobbying With Appropriated Moneys," from title 18 of the United States Code:

"No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

"Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment" (June 25, 1948, ch. 645, 62 Stat. 792).

Mr. HICKENLOOPER. Mr. President, if the Senator will yield, in verification of what the Senator has said, another regulation appears in the same issue of the Federal Register for March 1, 1963, entitled "Secretary; Administrator, or Deputy Administrator, not precluded from exercising authority." In that regulation he clearly set out that the Secretary or his subordinate can displace, replace, or remove any committeeman at any time he desires. So the farmers will have to elect someone who will support the administration's policy. The Secretary, at his whim or caprice, can fire him at any time he wishes. So what right do the farmers have in selecting people of their own choosing to assist them in the administration of the laws enacted by Congress? These two provisions together are completely dictatorial authority over any kind of freedom or discretion by these people. I think the case is complete with respect to these two provisions and that the Senator's amendment should be adopted.

Mr. ELLENDER. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON (when his name was called). On this vote I have a pair with the senior Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Tennessee [Mr. KEFAUVER], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. TALMADGE], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Maine [Mr. MUSKIE] is absent due to illness.

I further announce that, if present and voting, the Senator from New Jersey [Mr. WILLIAMS] and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

On this vote, the Senator from Tennessee [Mr. KEFAUVER] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from Minnesota [Mr. MCCARTHY] is paired with the Senator from Kentucky [Mr. MORTON]. If present and voting, the Senator from Minnesota would vote "nay," and the Senator from Kentucky would vote "yea."

On this vote, the Senator from Maine [Mr. MUSKIE] is paired with the Senator from Massachusetts [Mr. SALTONSTALL]. If present and voting, the Senator from Maine would vote "nay," and the Senator from Massachusetts would vote "yea."

On this vote, the Senator from Utah [Mr. MOSS] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Texas would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from New Jersey [Mr. CASE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Kentucky [Mr. MORTON], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Massachusetts [Mr. SALTONSTALL] is detained on official business.

The pair of the Senator from Illinois [Mr. DIRKSEN] has been previously announced.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Tennessee would vote "nay."

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Minnesota [Mr. MCCARTHY]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Minnesota would vote "nay."

On this vote, the Senator from Massachusetts [Mr. SALTONSTALL] is paired with the Senator from Maine [Mr. MUSKIE]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Maine would vote "nay."

On this vote, the Senator from Texas [Mr. TOWER] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Utah would vote "nay."

The result was announced—yeas 34, nays 48, as follows:

[No. 79 Leg.]

YEAS—34

Aiken
Beall
Bennett
Boggs
Brewster
Byrd, Va.
Carlson
Cooper
Cotton
Curtis
Dominick
Eastland
Ervin
Fong
Goldwater
Hickenlooper
Holland
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Mundt
Pearson
Prouty
Robertson
Scott
Simpson
Smith
Thurmond
Williams, Del.

NAYS—48

Bartlett
Bayh
Bible
Douglas
Edmondson
Ellender
Engle
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Humphrey
Inouye
Burdick
Byrd, W. Va.
Cannon
Jackson
Johnston
Jordan, N.C.
Kennedy
Long, Mo.
Long, La.
Magnuson
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Church
Clark
Dodd
Monroney
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Stennis
Symington
Young, N. Dak.
Young, Ohio

NOT VOTING—18

Allott
Anderson
Case
Dirksen
Kefauver
Mansfield
McCarthy
Morse
Morton
Moss
Muskie
Russell
Saltonstall
Smathers
Talmadge
Tower
Williams, N.J.
Yarborough

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COTTON obtained the floor.

Mr. KUCHEL. Mr. President, will the Senator from New Hampshire yield to me for a moment?

Mr. COTTON. I yield.

Mr. KUCHEL. Mr. President, I should like to ask the majority leader how much longer he proposes that Senators labor in the vineyard this evening, and what his plans are for our exertions tomorrow.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, first, I ask unanimous consent that when the Senate recesses tonight, it recess until 10 o'clock tomorrow morning—which is a relatively late hour for a Thursday morning.

Mr. KUCHEL. That will be very difficult.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HICKENLOOPER. Mr. President, was consent given to that request?

The PRESIDING OFFICER. Consent was given.

Mr. MANSFIELD. Does the Senator wish to come in earlier?

Mr. HICKENLOOPER. No; if the Senate is to remain in session until the wee hours of tomorrow morning, it seems to me that to reconvene at 10 o'clock tomorrow morning will be rather early. If we are to finish soon, I have no objection.

Mr. MANSFIELD. Not until the wee, small hours, because the wee, small hours mean 1, 2, 3, or 4 o'clock in the morning. I hope the Senate will handle this bill as it has handled other measures and will remain in session until a reasonable hour.

Mr. KUCHEL. Would my brother define the term "reasonable"?

Mr. MANSFIELD. I was just about to do so; but, as always, the acting minority leader has anticipated my thoughts.

I would hope that Senators would continue with the offering of amendments, as has been the case today. I note that on every amendment that has been offered there has been a yea-and-nay vote.

I understand the distinguished senior Senator from New Hampshire [Mr. COTTON] has an amendment either at the desk or about ready to present. I do not know how many other amendments will be offered. I know that the distinguished senior Senator from Iowa [Mr. HICKENLOOPER] has one amendment on which there will be 2 hours of debate—at least, that much time is allowable.

I have been telling Senators on this side of the aisle that the Senate probably would remain in session until between 8 and 9 o'clock this evening. The purpose is to get as many amendments out of the way as possible; but in reality the length of time the Senate will remain in session will depend not on what the acting minority leader or the majority leader says, but on what the Senate as a whole will consent to.

Mr. KUCHEL. Would the Senator from Montana consider the feasibility of suggesting that after the disposition of the amendment which our able brother from New Hampshire desires to offer, the Senate might recess until tomorrow morning?

Mr. MANSFIELD. What I am about to ask is unusual: May I ask if there are any other amendments to be offered besides those to be offered by the Senator from Iowa [Mr. HICKENLOOPER], in addition to that about to be offered by the Senator from New Hampshire?

Mr. HICKENLOOPER. I notice, in looking through the list, that there is an amendment proposed to be offered by the minority leader [Mr. DIRKSEN].

Mr. MANSFIELD. We will, of course, give that amendment every consideration.

Mr. HICKENLOOPER. I was checking through the list on my desk. I do not know whether there are other amendments besides these. But other amendments may be offered later.

Mr. MANSFIELD. I am not trying to pry; I am attempting to obtain a consensus, so that I may more intelligently answer the question asked by the acting minority leader.

Mr. WILLIAMS of Delaware. I may offer an amendment, but I am sure it will be noncontroversial. [Laughter.]

Mr. MANSFIELD. I really have seen enough of the Williams noncontroversial amendments to last me for a couple of years. [Laughter.]

Mr. KUCHEL. I wonder if the able majority leader might, out of the goodness of his heart and the compassion of which our minority leader always speaks when he refers to the majority leader, advise us that perhaps at the conclusion of the debate and the yea-and-nay vote on the constructive amendment about to be offered by the Senator from New Hampshire [Mr. COTTON] Senators may be permitted to retire from this joust.

Mr. MANSFIELD. First, does the Senator from New Hampshire expect to ask for the yeas and nays on his amendment?

Mr. COTTON. I shall ask for the yeas and nays.

Mr. MANSFIELD. Not yet; I am merely asking the question.

Mr. COTTON. Mr. President, merely as a modest parliamentary inquiry, is this discussion coming out of my time?

Mr. KUCHEL. I hope not, Mr. President.

The **PRESIDING OFFICER.** No amendment has been offered, so the time now being used will not be charged to the Senator from New Hampshire.

Mr. MANSFIELD. Mr. President, does the Senator from Delaware anticipate offering his amendment tonight?

Does the Senator from Iowa anticipate offering any of his amendments tonight?

Mr. HICKENLOOPER. I had not anticipated offering any of them tonight. They come in somewhat of a sequence, and I hope to offer them tomorrow.

Mr. MANSFIELD. Then, Mr. President, recognizing events as they are and knowing where the power lies, all I can say is that after the amendment of the Senator from New Hampshire is disposed of in one way or the other, it is planned to have the Senate take a recess until 10 a.m. tomorrow—which I state reluctantly, because I should like to see more amendments disposed of tonight.

Mr. PASTORE. Mr. President, I understand that many more amendments remain. So why not end today's session now, so that Senators may have an opportunity to return to their homes and have dinner with their families?

Mr. MANSFIELD. Mr. President, is there an amendment at the desk?

Mr. COTTON. Mr. President, I send my amendment to the desk, and ask that it be stated.

The **PRESIDING OFFICER** (Mr. BREWSTER in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

> SEC. 5. The Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new section:
>
> "SEC. 348. In order to maintain and expand domestic consumption of upland cotton produced in the United States and to prevent discrimination against the domestic users of such cotton, nothwithstanding any other provision of law, the Commodity Credit Corporation, under such rules and regulations as the Secretary may prescribe, is authorized and directed for the period beginning with the date of enactment of this section and ending July 31, 1967, to make payments through the issuance of payment-in-kind certificates to persons other than producers in such amounts and subject to such terms and conditions as the Secretary determines will eliminate inequities due to differences in the cost of raw cotton between domestic and foreign users of such cotton, including such payments as may be necessary to make raw cotton in inventory on the date of enactment of this section available for consumption at prices consistent with the purposes of this section: *Provided*, That beginning August 1, 1964, payments shall be made to persons other than producers in an amount as will make upland cotton produced in the United States available for domestic use at a price which is not in excess of the price at which such cotton is made available for export."

Mr. COTTON. Mr. President, I shall explain the amendment very quickly and very fully.

On the question of agreeing to my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, will the Senator from New Hampshire allow me to proceed for 1 minute, if that much time is yielded to me by the Senator from Louisiana?

Mr. COTTON. Certainly.

Mr. ELLENDER. I yield 1 minute to the Senator from Montana.

Mr. MANSFIELD. Mr. President, let me state, for the information of the Senate, that there is an agreement that after the recess is taken tonight, the Senate will convene at 10 a.m. tomorrow. I hope all Senators will be prepared to put in a rather long session tomorrow—however, not into the wee hours of the night.

Mr. COTTON. Mr. President, the colloquy which has just occurred places me under a rather heavy burden, because it has been announced that this amendment will be the last one to be acted on today, and that as soon as this amendment is disposed of, Senators will be able to go to their homes for dinner. Consequently, I can observe rather hostile looks coming from other Senators, because they realize that however long they are detained by the discussion of my amendment will be solely my fault—whereas during the past several days I have already caused quite enough trouble, and it is not my desire to cause more.

Mr. MANSFIELD. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. Certainly.

Mr. MANSFIELD. Speaking personally, let me say that I hope the Senator from New Hampshire will take the full half hour available to him on his amendment. I always enjoy hearing him speak, and I know his amendment is a good one. I could not wish that it would be adopted, but certainly I shall support him fully in his effort to speak in favor of its adoption.

Mr. COTTON. I thank the Senator from Montana.

Mr. President, I believe it was Franklin D. Roosevelt who said, in connection with World War II, that the last shot fired—not the first one—is the most important. At any rate, this amendment will be "the last shot to be fired" today.

This amendment merely provides that the subsidy or payments which permit the sale of U.S. raw cotton abroad for a certain price shall be extended in such a way that the mills in this country—without loss to the producers of cotton—may buy their raw material at no greater price than that paid by their competitors in other countries. The amendment is that simple. It would not take away a single thing from the support for the cotton producers of the United States; and it would not change the situation in regard to making a world price. It simply provides that the price—whatever it may be—at which the raw cotton is sold in England, in Hong Kong, or in any other country, to mills and finishers, shall be the price—no more or no less—at which the cotton shall be available to the American cotton mills and the American cotton manufacturers.

Mr. HOLLAND. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. Certainly.

Mr. HOLLAND. Of course, the Senator from New Hampshire means, does he not, sales from the Commodity Credit Corporation stocks, to foreign mills, and, for a like price, to the domestic mills?

Mr. COTTON. Certainly—from the Commodity Credit Corporation stocks; and that there shall be no differential in price.

Mr. President, lipservice has been given for a long time to this proposal. However, if one runs the entire gamut of our rather intricate and complex governmental machinery I doubt that one can find anything much more inconsistent, grotesque, or shocking than the situation in which the American taxpayers subsidize the Commodity Credit Corporation to purchase cotton, and then, under the law, the Commodity Credit Corporation is instructed to sell the cotton at a world price to our competitors, but to force American manufacturers to pay a higher price. That is one of the very shocking things which, in my opinion, has done more to undermine and destroy public confidence in many of the good features of our farm programs—which have good features—than almost anything else.

Several years ago it was my privilege to submit in this body a resolution which called for the creation of a special committee to study and report on the textile situation in the United States. That resolution was adopted, and thus there was created the special committee which was composed of my distinguished friend the able senior Senator from Rhode Island [Mr. Pastore], the able junior Senator from South Carolina [Mr. Thurmond], and myself. The subcommittee held hearings in New England, New York, North Carolina, and Georgia. It heard the testimony of textile manufacturers and the testimony of the unions, and in many cases it heard the testimony of the producers of the raw material. The committee made its report. One of the first recommendations included in the report—and the report was unanimous—was that this inequity, which places U.S. manufacturers and U.S. employers—and, Mr. President, personally I am a little tired hearing the constant references to industries and manufacturers; I think the time has come when we should begin to refer to them as jobmakers, because they are the ones who produce the jobs in this country—under this penalty, in addition to the disadvantage resulting from the imports which come into this country from Japan, England, and other foreign countries.

Mr. EASTLAND. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. Certainly.

Mr. EASTLAND. Let us assume that the British spinners and the Japanese spinners did not buy their raw cotton in the United States: In that event, where would they buy it?

Mr. COTTON. In Egypt, or in some other country.

Mr. EASTLAND. Or in Japan?

Mr. COTTON. Yes. Of course, we want them to buy it in the United States.

Mr. EASTLAND. That is correct. But if the U.S. cotton farmer did not fill that market at 22 cents a pound, which is the prevailing world price, the cotton would be purchased in other countries.

Mr. COTTON. I agree entirely; and I am not suggesting that they should not; and I do not want anything done——

Mr. EASTLAND. Mr. President, will the Senator from New Hampshire yield for a further question?

Mr. COTTON. I yield.

Mr. EASTLAND. The Senator from New Hampshire has spoken of the subsidy. I would vote for a one-price cotton system. But I should like to ask the Senator from New Hampshire this question: Is the American manufacturer willing to sell at the world prices? If he is not, why does he object to buying at world prices?

Mr. COTTON. The American manufacturer does not object to buying at world prices, but I believe he objects to buying at more than world prices.

Mr. EASTLAND. Then why does the American manufacturer ask for quotas and tariffs to protect him?

Mr. COTTON. I rather regret that my good friend, of whom I am so fond, is taking that position. There is no provision in the amendment which I have offered—nor would I offer such an amendment—that would take the cotton product of our country out of the world market and cause people to buy cotton somewhere else. I am merely providing in the amendment——

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. COTTON. Will the Senator let me finish my thought?

Mr. EASTLAND. I was about to tell the Senator that I would vote for his amendment.

Mr. COTTON. I will yield for that purpose at any time.

Mr. EASTLAND. There are two sides to the question.

Mr. COTTON. Nothing that I have provided in my amendment is intended to destroy the market of raw cotton; nor would it, in my opinion, have that effect.

Mr. President, we all know the story of cotton. Since 1947 more than 900 cotton mills in our country have closed, and more than 440,000 employees have been put out of their jobs.

Indeed, it has been an increasing rate because in the years 1960 and 1961 combined, 88 mills closed and 19,500 employees were made jobless.

One thing we do not wish to export is American jobs.

The textile industry faces other problems. The amendment would not cure all of them. We still will have the problem of dealing with a reasonable—and I emphasize the word "reasonable"—control of imports. The same is true of the shoe industry.

Mr. RANDOLPH. Mr. President, will the effective Senator yield?

Mr. COTTON. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. COTTON. I am happy to yield to my friend from West Virginia.

Mr. RANDOLPH. My colleague has made a good argument. I only wish that he, as a New Englander, would set forth the same forceful reasons to help those of us in West Virginia and in the other bituminous coal producing States who seek to decrease the flow of foreign residual oil. As we know, it is a waste product which is dumped into the United States at prices which compete unfairly with our domestic fuels. The State which the Senator so vigorously represents uses this foreign residual product extensively. I wish he might help us with reference to that problem.

Mr. COTTON. Many of us in New England have been very keenly interested in a type of coal pipeline that has been proposed. Can the Senator remind me what it is called?

Mr. RANDOLPH. A slurry pipeline. But the Senator should know that the only coal slurry pipeline in the country which has been in operation, in the State of Ohio, is being superseded again by the railroads which have reduced coal haulage rates to a competitive position. This has come about through the "unit train" concept which speeds trainload deliveries of coal and accelerates turnaround time of empty hopper cars. Consequently, coal moves into large user markets much cheaper on a delivery basis.

We must recognize these changes and accord them proper consideration, just as we should do everything necessary and proper to protect and preserve the jobs of American workers when they are threatened by imports of waste and other products enjoying unfair competitive advantages.

Mr. COTTON. If there is any way that we in New England can assist the miners of West Virginia in promoting the use of their product, we want to do so. Transportation has been one of our handicaps. But I want to say I have always admired the Senator from West Virginia [Mr. Randolph] for his diligence in fighting for the major industry in his State—the coal mines—and their employees.

I should like to return to the subject at hand. Other problems face the textile industry and the cotton mills. There is the matter of importations. Without fear of intelligent contradiction, I point out one great glaring inconsistency that everyone, including even my good friends who have been questioning me, deplore. The President has deplored it. One of the first recommendations the President made after he came into office was that the handicap of charging the American manufacturer more for his raw material than the price for which it was sold to his competitors should be corrected. President Eisenhower made the same recommendation. If I am not mistaken, a bill which was introduced each time by the distinguished Senator from Maine [Mrs. Smith], with certain other cosponsors, actually passed this body twice. The bill would do away with the differential.

So I cannot think of a more appropriate time than the present, when we are covering the whole subject of agriculture and dealing with the future policy of agriculture, with commodities of the Commodity Credit Corporation, with feed grains, and at a time when we have attempted on the floor of the Senate to deal with livestock and with meat products, to eliminate this inequity.

I make this statement seriously. The amendment is not offered in any sense as a dilatory amendment to consume time. It is offered in complete seriousness of purpose for the sake of the men and women who work, who are skilled, who are trained, and who day by day, week by week, and month by month are finding themselves deprived of their work. I offer the amendment for the sake of an industry that is struggling—an industry that is second only to the steel industry in its importance in our war effort. I offer the amendment for the sake of the future of our textiles and the future of our country. Let us get rid of a symbol that has been a glaring, shocking sight of inconsistency for many years. So with those purposes in mind, I offer my simple amendment to be added at the end of the bill.

Mr. President, the amendment would not remove one cent from the subsidy that enables the Commodity Credit Corporation to buy surplus cotton. It would not raise by one nickel the cost to any foreign manufacturer or foreign nation. It would merely place the American manufacturer on exactly the same level with his foreign competitors, and with the same privileges. I cannot conceive of any Senator voting to deprive our American manufacturers of an equal, fair chance.

Mr. President, I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, the same suggestion that is now being made by the distinguished Senator from New Hampshire was considered by the House of Representatives in the early part of this year. The Committee on Agriculture of that body turned the proposal down. I understand that another bill has been introduced by the chairman of the Committee on Agriculture of the House of Representatives. The subject is being given consideration.

On Monday I introduced a bill similar to the one introduced by Representative COOLEY from North Carolina. So that not only will the Committee on Agriculture of the House consider that cotton legislation, but the Senate Committee on Agriculture and Forestry will do likewise. The committee has authorized hearings on proposed cotton legislation beginning May 20. The distinguished Senator from South Carolina [Mr. JOHNSTON] will conduct the hearings. We hope to report a bill.

Mr. President, it is not my purpose to go into the details of the amendment now pending. One thing which concerns me is the cost of the proposal. As I understand it, what the distinguished Senator from New Hampshire seeks to do is to pay a subsidy on all cotton which is consumed domestically to the same extent as that paid for cotton which is exported. That would mean a subsidy of $42.50 a bale at present support prices.

We usually consume about 8 million bales, or slightly more than 8 million bales of cotton per year domestically. It is easy to see that if a subsidy of 8½ cents a pound, or $42.50 a bale, were paid on 8 million bales of cotton, that would increase the cost of the cotton program 8 million times $42.50, or $340 million.

It seems to me that before the Senate takes action on this proposal there should be hearings. In that way we would be able to obtain the facts as to the impact the proposed legislation would have on the mills, on the taxpayers, and all others concerned.

I come from a cotton-producing State. As chairman of the Committee on Agriculture, for the past 5 or 6 years I have advocated a reduction in the cost of the program as to milk and dairy products; that we should cut it down from about $500 million or $600 million a year to perhaps as low as $200 million. I took the same position with respect to wheat; that the cost of the program was too great, and that it was costing the taxpayers too much money. I took the same position with respect to corn and other grains, that is to try to reduce the costs of that program to the taxpayers.

I am not willing tonight to propose to Senators that we deal with the cotton problem without knowing all of the facts, or to suggest that instead of decreasing the cost of that program we should increase it. As I have stated, it is easy to understand that if we should embark on the payment of a subsidy on cotton which is consumed domestically to the extent of the subsidy now being paid on cotton shipped abroad, the additional cost which would be put on the taxpayers by that vote alone would amount to about $340 million.

Although I am from a cotton-producing State, I believe sincerely that the committee of which I am the chairman should be given an opportunity to look into this question and to study it. That will be done, I assure Senators, beginning on May 20th. We will hold hearings. We will hear everybody concerned. We will get the facts, and then present a bill to the Senate for debate.

The pending legislation involves feed grains, not cotton. Let us stick to the feed grains. I hope the amendment will be rejected.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. PASTORE. Many Senators believe that there is a great deal of substance to the amendment. I am one of those who feel that it is untimely. Possibly it does not belong in the pending bill.

As the Senator has already indicated, this proposal should be subjected to hearings. There should be an exhaustive study.

But we are confronted with a problem. We sell cotton to foreign manufacturers for 8 cents a pound less than domestic manufacturers are compelled to pay for the same cotton. Then that cotton is manufactured into cloth, and the cloth comes back to this country.

Although we must already contend with a differential as to wage costs, now the problem is aggravated by the disparity with respect to the basic cost of the cotton itself.

This puts the Senator from Rhode Island in a very awkward position tonight, because for a long time he has advocated that we do away with the two-price cotton system if we are to protect our domestic textile industry.

Therefore, I make a suggestion to the Senator. Does he propose to move to table the amendment?

Mr. ELLENDER. No.

Mr. PASTORE. That would make it easier for those of us who do not wish to decide on the substance of the amendment. Either the amendment should be tabled or it should be withdrawn at this time. Many of us have a strong feeling that there is much substance to the amendment. But we recognize the fact that it is untimely presented.

I appeal to my good friend from New Hampshire, who knows how hard we fought—and we fought shoulder to shoulder—on the textile problem. Many of us feel that the two-price system for cotton is unfair to the American textile manufacturers.

I regret that this issue has been brought up at this time. I hope the Senator from New Hampshire will not show the weakness of our hand at this time by being persistent. I admire perserverance; but, on the other hand, let us not prove how weak we are now. Let us prove how strong we are later.

Mr. ELLENDER. I had hoped that the fact that the Committee on Agriculture and Forestry had already agreed to hold hearings, beginning on May 20, would satisfy those who have spoken. I give assurance that the hearings will be held until they are concluded.

I am hopeful that the Committee on Agriculture of the House of Representatives will do what we propose to do and that we can come before the two Houses of the Congress almost in unity to present a bill that will be acceptable.

I am in almost the same position as that expressed by my good friend from Rhode Island. I have stacks of letters in my office asking that I vote for the cotton bill. But I say that I do not believe we should take quick action to vote for a proposal like this without knowing all the implications involved and the cost to the taxpayers.

I understand that the White House favors some remedial legislation as to cotton mills. With the assistance of our good friends across the aisle, I do not think we shall have a bit of trouble in enacting a bill which will accomplish the purposes sought by this amendment.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. COTTON. The Senator from Louisiana, whose knowledge in these matters we all heed and respect, has made the statement that the cost of putting American businessmen on an equal footing with foreign competitors might be $360 million. Will the Senator tell us, out of his store of knowledge, how much the American taxpayer is paying for the subsidy that now gives the foreign competitor an advantage over the American businessman?

Mr. ELLENDER. It would depend on how much is exported. If it were 4 million bales, it would be 5 million times $42.50. The figure is $212 million.

I concede that something should be done, but let us not go off halfcocked in doing it.

Mr. **YOUNG** of North Dakota. Mr. President, will the Senator yield?

Mr. **ELLENDER**. I yield.

Mr. **YOUNG** of North Dakota. I am in sympathy with the objective of the Senator from New Hampshire and the Senator from Rhode Island. Something must be done to help the textile industry, but this is an involved subject on which hearings should be held. I would like to have more information than it would be possible to obtain on an amendment offered on the floor of the Senate tonight. I think the problem should be dealt with. I hope the relief that is being sought will be given to the textile industry.

Mr. **JOHNSTON**. Mr. President, will the Senator yield?

Mr. **ELLENDER**. I yield 5 minutes to the Senator from South Carolina.

Mr. **JOHNSTON**. Since I am the chairman of the committee which will hold hearings on this subject, I think every Senator from a State with a textile industry should know how I feel about it. It may be of some use for Senators to know that South Carolina has 28 percent of the active cotton spindles in the United States. So Senators can readily see I am very much interested in a proposal along this line. But I must say, in all frankness, that all the problems we face cannot be solved by merely adopting this amendment. There are other factors involved. I think the problem of cloth made from cotton which is imported into this country probably should be injected into the consideration of the problem and should probably carry a part of the cost of operating a program such as this.

I am interested in the cotton farmers. South Carolina is a cotton-farming State. I fear that if we adopt an amendment such as the one pending tonight, the cotton farmers might be hurt by the proposal we are now considering. That is the reason why I think all these complicated questions require hearings.

The Senator from Louisiana will recall that as soon as he introduced a bill on this subject, hearings were set as soon as possible, in order to look into the subject thoroughly and do what we thought was the right thing under the circumstances.

We do not have to tell Senators that a manufacturer in Japan has many advantages over a manufacturer in South Carolina. We all know he has many. But some of the problems involved cannot be solved here tonight. The problem caused by the difference in the price of machinery cannot be solved here tonight. In South Carolina cotton mills are being built and Japanese machinery is being installed there. They have even gone so far as to bring Japanese into my State to install the Japanese machinery.

So it can be seen that the question before the Senate tonight is quite a complicated one. We must have hearings in order to know what to do under the circumstances. That is what I am advocating at this particular time.

Mr. **COTTON**. Mr. President, have I some time left?

The **PRESIDING OFFICER**. The Senator from New Hampshire has 13 minutes.

Mr. **COTTON**. I shall not take that much time. I do not want to detain the Senate.

I have listened carefully and respectfully to the suggestions of the distinguished chairman of the Committee on Agriculture and Forestry, whom I so greatly respect. I have listened to the suggestions of my friend from Rhode Island, who has been a two-fisted fighter for the textile industry—and the world should know it—as long as I have known him in this body. It sounds very well to say to a Senator "Wait a minute. Your suggestion has some merit, but wait. We will take it up in the proper order. We are going to consider it. The committees are going to consider it. You will have another chance. This is not the time to do it."

I have been in Congress for 17 years, in the House and in the Senate. I would like to offer a bit of advice to some of my young friends on both sides. There are some grand young Senators, of whom we are very proud, and I would not ordinarily venture to give them any advice, but I am going to give them one word of advice tonight. In a few years they will say, " 'Old Man Cotton' told us correctly." Senators should never get into a position of voting against something they believe in today because someone says there will be an opportunity to rectify the situation this year or next year or the year after.

The American people notice when someone stands up to be counted.

I do not question for one fleeting instant the intentions of the able members of these committees. I know they are going to consider the problem. They have been considering it. This subject has been before Congress almost as long as I have been a Member. Every time we have an opportunity to strike a blow to alleviate the problem, someone says, "Wait a minute. It should not be in this bill. This is not the time. We are not approaching it in the regular and proper parliamentary fashion. Do not hurry. Do not worry. Keep calm. We are going to consider this subject in the proper way and give it adequate consideration; and we will bring the legislative proposal back in proper form."

I hold no pride of authorship in this particular amendment. It may be faulty in its construction. I would not stand up and say that perfect draftsmanship went into it. I did not do it; the legislative service did it for me. But I wonder, if the amendment is adopted—and this is where the shoe pinches, I am afraid—who will be on the committee of conference if the bill goes to conference. Men like the distinguished Senator from Louisiana, men who know this subject from A to izzard. If there is anything wrong in the construction of this amendment, if it is not designed to attain its proper objectives, if it is not fair, if it is not properly drawn, we can trust those men to iron out the wrinkles. All I am asking tonight is that the Senate face this proposal squarely.

We have been talking about it for years. It is no new thought. We do not need to wait another year or another 2 years. The time has come when, if we are to endure, the men who make the jobs and the men who work at the jobs in American industry must be given somewhere near as fair a shake in this world as we can give them. And if anybody is going to give it to them, it is the Members of this body, who have held up their hands and sworn to legislate for the benefit, safety, and prosperity of this country, the future of which is entrusted to their hands.

Let us not sidestep the issue. It is easy to lay it on the table. It is easy to avoid meeting the issue. Let us not say, "Let us wait. Let the committees consider it." There is one thing of which I wish to remind Senators. I say this without any attempt to put pressure on anyone, but because I have been sitting here for all these years and fighting in this cause. Do not deny us a chance to do one thing. We believe that the American producer and the American industrialist and the American employer should have an even break with their competitors insofar as we can give it to them anywhere in the world.

If we adopt the amendment and it is thrown out, if it is found to be improperly drawn, very well. The blood will not be on our hands. We shall have met the issue, and we shall have spoken on it.

Mr. **PASTORE**. Mr. President, will the Senator yield to me?

Mr. **COTTON**. I yield.

Mr. **PASTORE**. I do not mean to be impertinent on this point, but I believe the question I am about to ask the Senator is quite proper. If the amendment is adopted, will the Senator from New Hampshire vote for the bill?

Mr. **COTTON**. Oh, no.

Mr. **PASTORE**. That is the point.

Mr. **COTTON**. I am perfectly frank when I say that.

Mr. **PASTORE**. That is the point, Mr. President.

Mr. **COTTON**. That is not the point at all. I am not dodging the Senator's question. It is a good question. I will not vote for what I believe to be a bad bill, merely because I believe there are one or two good things in it.

Mr. **PASTORE**. Even if it means voting for the two-price cotton system?

Mr. **COTTON**. If the distinguished Senator from Rhode Island wants to be factual, let us talk facts. The bill is going to pass. There is not a member of this body who has the slightest doubt about it. We do not have enough votes to oppose the bill. We do not have a chance to stop it. It does not make a bit of difference whether the Senator from New Hampshire votes for it or against it. It will pass. Here is our chance for the Senate to go on record and to say to the business people and to the workers of America, "We are going to try to give you a fair break."

Mr. **PASTORE**. Mr. President, will the Senator from Louisiana yield some time to me?

Mr. **ELLENDER**. I yield 5 minutes to the Senator from Rhode Island.

Mr. PASTORE. I believe that this is the precise question before the Senate tonight. There is no Member of the Senate who has advocated doing away with the two-price cotton system more than the Senator from Rhode Island has done. No Member of the Senate can say that he has worked harder and fought harder for the textile industry than has the senior Senator from Rhode Island.

The Senator from Rhode Island has in mind voting against the bill when it comes up for passage. However, the senior Senator from Rhode Island is saying tonight that it is only a gesture. If we are here for a headline, that is one thing. If we are here to do something for the textile industry, that is another thing.

The Senator from New Hampshire knows that his amendment will not carry. The Senator from New Hampshire should know that, because of the untimeliness of the amendment, it will only prove the weakness of his case. I am not here to prove the weakness of my case, because I have a strong case.

The Senator from Louisiana [Mr. ELLENDER] has said that this subject will be considered exhaustively by his committee. In due time the proposed legislation will come before the Senate for a decision either for or against it.

When he has announced time and time again, as the Senator from New Hampshire has said, that he will do everything in his power to kill the bill, and he then advocates an amendment, when he knows he cannot vote for the bill even with the amendment in it, I ask, whom are we kidding?

Are we for the people? Are we for the textile industry? Are we only putting on an act to catch a headline in tomorrow morning's newspaper? For that reason, if the majority leader does not move to table the amendment, I shall do so. I believe in the spirit it represents, and I believe in the substance it represents, but I cannot believe in the motivation that brings it to our attention tonight.

Mr. MANSFIELD. Mr. President, I move to table——

Mr. COTTON. Mr. President, has all time been exhausted? I cannot believe that the majority leader intends to move to table the amendment, when there is a unanimous-consent agreement to speak on the amendment for 1 hour, 30 minutes on each side.

The PRESIDING OFFICER. The Chair informs the Senate that the Senator from Louisiana has 10 minutes remaining, and the Senator from New Hampshire has 5 minutes remaining.

Mr. COTTON. Mr. President, not for anything in the world would I say anything that would reflect personally upon a Member of the Senate whom I respect and admire as much as anyone with whom I have served. I have worked in committees with the senior Senator from Rhode Island through all these years. Everything he has said is true. I have worked with him for the textile industry. However, what I resent is the remark about getting a headline.

I shall say something now, Mr. President. Before the so-called trade expansion bill was passed by the Senate, we were informed—and I am going to say something more about this subject tomorrow in debate, or whenever we get to the general debate on the bill—that the President of the United States intended to make an exception for the tottering, fighting textile industry. Many votes were cast for the bill because of that assurance.

After it passed, and nothing happened, people representing the textile mills, both wool and cotton, came into my office—I am sorry to say this, Mr. President—but I am not going to be told that I am after headlines, when I am sincere and fighting for a cause in which I believe—and said, "Wait a minute. Do not do anything about this. Do not say anything on the floor. Keep your mouth shut, because we have got to get help from the President, and we do not want any partisanship in it. We do not want a Republican to open his mouth. The Senator from Rhode Island and others will go to the White House and use their best offices."

I am sure they did that. I was asked to keep my mouth shut, and not to rock the boat. We kept quiet. I kept quiet. I have not said a word about this on the floor of the Senate for these long months.

The other day they came into my office and said, "Listen, go ahead and tear this thing open. You cannot do us any harm now, because we are going to get no help."

I did not intend to say this, and I would not have said it if I had not been goaded into it. However, I am stating the facts.

When I stand on the floor and offer an amendment in good faith, which does nothing but give to the American worker and American industry an even break, I do not intend to stand here tamely and be told that I am a hypocrite who is looking for a headline.

This is no weakness in this amendment. There is no weakness in this cause. It is plain, downright justice.

Mr. President, the Senate can lay the amendment on the table, so the RECORD will not show who voted against it and who voted for it. That is all right. However, although it can be laid on the table, it cannot be swept under the rug.

Mr. PASTORE. Mr. President, will the Senator yield me 3 minutes?

Mr. ELLENDER. I yield 3 minutes to the Senator from Rhode Island.

Mr. PASTORE. First of all, a great deal has been accomplished by the administration for the textile industry. Not only did we engage ourselves in agreements with 19 countries who were exporting cotton goods to the United States for a 1-year term, and then extended then for a 5-year period, but we set voluntary quotas for these countries under the proclamation of the President of May 1961.

We realize that up to this time not much has happened with relation to woolens and worsteds, but the President of the United States is trying to solve that problem. We had the problem of the Common Market in Europe. We had the problem of the rejection of Great Britain for membership in the Common Market by Common Market countries of Europe. The President has had serious problems to meet. He knows that something should be done. He is still working on this problem. I can report to the Senate, especially to the Senators who are interested in the woolen problem, that we are very hopeful that something will take place and that something will be done. However, what is suggested here is not the way to do it.

What we are trying to do tonight is not to rock the boat. What the Senator from Rhode Island asked the Senator from New Hampshire was: If he believed so much in this cause that he is defending tonight, and if he won the whole point, would he vote finally for the passage of the bill? The Senator from New Hampshire said that he would not. So what is the cause he is fighting for? Are we not swinging an empty bag? If we want results, let us go out and get results.

All I am saying is that I agree with the substance of the amendment; I agree with the spirit of the amendment. But we know very well that the amendment will not carry tonight. It just will not "wash" tonight. So we will have accomplished nothing. If we want results, this is not the way to get them.

That is why I say it is untimely to bring up this amendment. It will prove nothing, it will do nothing, and it will hurt the cause of the textile industry.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield 1 minute to me?

Mr. ELLENDER. I yield.

Mr. COTTON. Mr. President, of all the amendments that have been acted upon today, will this be the only one to be dealt with by a motion to table?

Mr. MANSFIELD. This is the only one.

Mr. COTTON. I regret that.

Mr. MANSFIELD. Mr. President, we have the assurance of the chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] that hearings will be started on cotton on May 20. A subcommittee under the chairmanship of the distinguished senior Senator from South Carolina [Mr. JOHNSTON] is prepared to undertake a thorough and complete study.

We have been told that there is no place for an amendment of this sort on the feed grain bill which is now before the Senate.

We have been further assured that Representative COOLEY, of North Carolina, chairman of the House Committee on Agriculture, has indicated that at about the same time the Senate committee starts its hearing, his committee also will start hearings. So I think we have just about as much in the way of assurances that we can have on the floor of the Senate.

Therefore, I must say to my friend, the distinguished senior Senator from New Hampshire [Mr. COTTON], with deep regret, that I now move to table his amendment.

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. ELLENDER. I yield back the remainder of my time.

Mr. COTTON. I yield back the remainder of my time.

Mr. PASTORE. Mr. President, on the motion to table, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana [Mr. Mansfield] to lay on the table the amendment offered by the Senator from New Hampshire [Mr. Cotton]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware (when his name was called). On this vote I have a pair with the senior Senator from Massachusetts [Mr. Saltonstall]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Illinois [Mr. Douglas], the Senator from Tennessee [Mr. Kefauver], the Senator from Massachusetts [Mr. Kennedy], the Senator from Minnesota [Mr. McCarthy], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], the Senator from New Jersey [Mr. Williams], and the Senator from Texas [Mr. Yarborough] are absent on official business.

I also announce that the Senator from Maine [Mr. Muskie] is absent due to illness.

I further announce that, if present and voting, the Senator from Tennessee [Mr. Kefauver], the Senator from Maine [Mr. Muskie], the Senator from New Jersey [Mr. Williams] and the Senator from Texas [Mr. Yarborough] would each vote "yea."

On this vote, the Senator from Illinois [Mr. Douglas] is paired with the Senator from Colorado [Mr. Allott]. If present and voting, the Senator from Illinois would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from Massachusetts [Mr. Kennedy] is paired with the Senator from Arizona [Mr. Goldwater]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Arizona would vote "nay."

On this vote, the Senator from Minnesota [Mr. McCarthy] is paired with the Senator from Colorado [Mr. Dominick]. If present and voting, the Senator from Minnesota would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from Oregon [Mr. Morse] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Oregon would vote "yea" and the Senator from Texas would vote "nay."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from Kentucky [Mr. Morton]. If present and voting, the Senator from Utah would vote "yea" and the Senator from Kentucky would vote "nay."

Mr. KUCHEL. I announce that the Senators from Colorado [Mr. Allott and Mr. Dominick], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Morton] and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Arizona [Mr. Goldwater] and the Senator from Massachusetts [Mr. Saltonstall] are detained on official business.

The pair of the Senator from Massachusetts [Mr. Saltonstall] has been previously announced.

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Illinois [Mr. Douglas]. If present and voting, the Senator from Colorado would vote "nay" and the Senator from Illinois would vote "yea."

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from Minnesota [Mr. McCarthy]. If present and voting, the Senator from Colorado would vote "nay" and the Senator from Minnesota would vote "yea."

On this vote, the Senator from Arizona [Mr. Goldwater] is paired with the Senator from Massachusetts [Mr. Kennedy]. If present and voting, the Senator from Arizona would vote "nay" and the Senator from Massachusetts would vote "yea."

On this vote, the Senator from Kentucky [Mr. Morton] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from Kentucky would vote "nay" and the Senator from Utah would vote "yea."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Oregon [Mr. Morse]. If present and voting, the Senator from Texas would vote "nay" and the Senator from Oregon would vote "yea."

The result was announced—yeas 44, nays 36, as follows:

[No. 80 Leg.]

YEAS—44

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Cannon
Church
Clark
Cooper
Dodd
Edmondson
Ellender
Engle
Fulbright
Gruening
Hart
Hartke
Hayden
Humphrey
Inouye
Jackson
Javits
Johnston
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Nelson
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Robertson
Symington
Young, N. Dak.

NAYS—36

Aiken
Beall
Bennett
Boggs
Byrd, W. Va.
Carlson
Cotton
Curtis
Dirksen
Eastland
Ervin
Fong
Gore
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Mundt
Pearson
Prouty
Randolph
Scott
Simpson
Smith
Sparkman
Stennis
Talmadge
Thurmond
Young, Ohio

NOT VOTING—20

Allott
Byrd, Va.
Case
Dominick
Douglas
Goldwater
Kefauver
Kennedy
McCarthy
Morse
Morton
Moss
Muskie
Russell
Saltonstall
Smathers
Tower
Williams, N.J.
Williams, Del.
Yarborough

So Mr. Mansfield's motion to lay Mr. Cotton's amendment on the table was agreed to.

Mr. ELLENDER. Mr. President, I move that the vote by which the amendment was laid on the table be reconsidered.

Mr. HUMPHREY. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. DIRKSEN. Mr. President, I propose to submit an amendment; but I wish to state that it is my understanding that an order will be obtained—if it has not already been obtained—to have the Senate convene at 10 a.m. tomorrow.

Mr. MANSFIELD. Yes, I believe I have already made that request and have been granted that consent; namely, to have the Senate take a recess from tonight until 10 a.m. tomorrow morning.

The PRESIDING OFFICER. Such an order has already been entered.

Mr. DIRKSEN. I understand that after I lay down the amendment, it will be the last business for today in connection with the pending bill.

Mr. MANSFIELD. Yes.

Mr. DIRKSEN. Mr. President, I submit the amendment which I send to the desk; but I ask unanimous consent that the reading of the amendment be withheld until the Senate convenes tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. I ask unanimous consent that the time taken in today's session from now until the recess is taken, later this evening, be considered apart from the limitation agreed to on yesterday in regard to amendments to the pending bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

"DOCTRINE OF INTERNATIONAL ONEDOWNMANSHIP" — ADDRESS BY SENATOR BENNETT

Mr. HRUSKA. Mr. President, as one possessed of a high degree of clarity, commonsense, and long-range vision, the senior Senator from Utah [Mr. Bennett] is second to none in this body. Whenever he prepares remarks or a speech or whenever he announces his position on any subject, he does so as the result of careful analysis and preparation.

Earlier this week he spoke to a group in Joplin, Mo., on the subject of "an apparent inability to hold our own with Khrushchev and the Communists, marked by our aimless drifting into ever weaker positions"; and he referred to Cuba as "the current and compelling symbol of our growing fears" in this area.

I ask unanimous consent that there be printed at this point in the Record the text of the speech delivered by Senator BENNETT on May 13 to the Joplin Chamber of Commerce. The speech is entitled "Doctrine of International Onedownmanship."

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

DOCTRINE OF INTERNATIONAL ONEDOWNMANSHIP

(Speech by Senator WALLACE F. BENNETT, Republican, of Utah, Joplin, Mo., Chamber of Commerce, Monday, May 13, 1963)

Today there are two great, overriding problems which worry the American people. One is more directly related to the personal problems faced by members of the chamber of commerce. It involves the administration's evident determination to impose more and more controls over business by means of programs that ignore tried economic principles and astronomical costs. The current symbols of these policies are the tax proposals and the mounting deficits.

The other problem is beginning to disturb—even to frighten—all of us, and it grows out of an apparent inability to hold our own with Khrushchev and the Communists, marked by our aimless drifting into ever weaker positions. The current and compelling symbol of our growing fears is Castro's Cuba.

As a Senator with a business background, you may be expecting me to talk about the first subject—fiscal irresponsibility. But I think the second is the most immediate danger—for chamber of commerce members as well as their customers. So, with your indulgence, I shall talk about the Cuban problem.

Every day in every way we are told that Cuba is not really a problem—that it is unseemly for the powerful United States to show such terror over a tinhorn dictator on an economically collapsing island. We are told that this makes us look foolish in the eyes of the world. This point of view is being given increasing currency by the news managers of the State Department and the Pentagon, by the curious lot of amateur geopoliticians at the White House, and by the publicists and pundits of the present administration.

That their arguments are bad history, bad logic, and worse military policy has not penetrated the minds of those who make them. That the American people do not accept this twisted view of the Cuban problem has failed to reach the New Frontier mentality.

Cuba is small, but so was the thorn in the lion's paw which Androcles removed with impunity. More important, these counsels of tolerance are beside the point.

In the present struggle between communism and freedom, between the organized death of totalitarian slavery and the unlimited horizons of an open society, Cuba is far more than a piece of real estate 90 miles off the coast of Florida or the base of Red subversion in the Americas. Cuba is at once the symbol of the great cold war confrontation and an index of what the future may hold for America. And it is in these terms that it must be considered.

It is commonplace today to condemn President Kennedy for the failure of his Cuban policy. The public debate rages over mistakes he has made and weaknesses he has shown in his dealing with Nikita Khrushchev and the Kremlin. One major point, however, emerges above the errors of omission and commission. Without so much as consulting his peers in Congress or the American people who elected him, Mr. Kennedy has quietly scrapped both traditional American foreign policy based on the Monroe Doctrine, and the more recently constructed inter-American security system. He has substituted for them a Kennedy doctrine based on premises hitherto considered both alien and false.

Everything he has done since taking office follows inevitably from this new doctrine. What we consider mistakes, bad judgment, or faulty reasoning are, in fact, entirely consistent with the Kennedy doctrine of international onedownmanship. For the President not to have canceled the air cover in the critical hours of the Bay of Pigs invasion would have contradicted the Kennedy doctrine. To have publicly recognized the Soviet arms buildup at a time when our intelligence agencies were reporting it to the National Security Council would again have been inconsistent with the doctrine. To have pressed the advantage he gained by imposing his selective quarantine would have run directly counter to the thinking of the administration.

What has confused the pundits and brought embarrassment to the New Frontier has been the lack of consonance between the Kennedy doctrine and the utterances of administration spokesmen, from the President down. Until fairly recently, the words of the Kennedy administration came from the book of established and recognized American policy. No one could quarrel with those words, for they were based on the Monroe Doctrine, the Rio Treaty which set up a mechanism for action of the Organization of American States, and the practical traditions which impelled this country to spur the overthrow of a Communist-controlled regime in Guatemala. What the Kennedy administration has done, however, is something else again.

In short, there has been an "honesty gap" in our foreign policy since 1961—almost as if Mr. Kennedy and his advisers felt that the American people could not be trusted with the truth or told in plain language what the administration was seeking to achieve—and how and why. It is obvious that this lack of frankness was motivated by a well-founded suspicion that any confession of new purpose, any explanation of the Kennedy doctrine, would have had immediate repercussions politically harmful to the administration and to the party which it claims to represent.

The Kennedy doctrine—and it applies to the disengagement from Laos as well as to the Cuban problem—is based on a series of assumptions, mistaken and dangerous, as to the nature of the Communist system and the meaning of the Khrushchev hegemony. I say "mistaken" because neither experience nor scholarly analysis will sustain them. I say "dangerous" because they can lead to the destruction of this Republic and the ultimate victory of communism.

What are those assumptions? Some are general, some are specific. In the general category, the most prevalent assumption is the fond hope, expressed frequently by State Department policy planner Walt Rostow, that the Kremlin and its leaders are "maturing." So far, the only evidence of that maturity has been found in the speculations of journalistic "experts" who got the idea from Mr. Rostow in the first place. The major premise on which the Kennedy doctrine stands is therefore a product of tail-in-mouth reasoning. Khrushchev has been shrewder in his dealings with the free world than Stalin was. To be sure, he has been bound by certain consequences of the interregnum following Stalin's death—the let-up in pressure on the Russian people, the recognition of the need for consumer goods, and the demands of a bankrupting space program. Beyond this, however, the mixture is as before. The rape of Budapest and the nuclear arming of Cuba are hardly examples of the maturity we are told has begun to blossom in the Kremlin.

The world has forgotten the jubilant predictions after Yalta and Potsdam that "good old Joe" Stalin was breaking away from his Marxist-Leninist puberty and accepting the responsibilities of mature international statesmanship. Averell Harriman, the present architect of the Lao mess, returned in 1944 from a tour of duty in Moscow and informed the press that Stalin was ready, anxious, and able to cooperate with the free nations in building a peaceful postwar world. Even after the cold war had frostbitten the hopes of many, Prof. Arthur Schlesinger, Jr., reassured a "Town Hall Meeting of the Air" that if Stalin seemed uncompromising it was because he had to justify his actions to "the Colonel McCormicks" of the Soviet press.

Behind the Kennedy doctrine is the belief that Khrushchev stands like Horatio at the bridge holding back the missile-rattling hotheads of the Kremlin and a jingoist Red army, navy, and air force. It is said, ad infinitum and ad nauseam, that if we allow Khrushchev to fall, he will be replaced by the bloodthirsty extremists of the Kremlin—men long of tooth and short of intelligence who hate Khrushchev's liberalism and are hardly better than a Russian version of the John Birch Society.

This fundamental precept of the Kennedy doctrine was prominently operative through the suddenly acknowledged Cuban crisis of last autumn. The White House, the State Department, and the Pentagon leaked like gushers to the newspapers horrendous tales of a struggle within the Kremlin in which Khrushchev fought for moderation and the extremists and military leaders called for long risks and the kind of adventurism which can lead to war. There was considerable drama in these stories, but no solid evidence to give them substance. There were no signs that the Soviet Army was pressing Comrade Khrushchev to take a chance on nuclear war. Nor, for that matter, were the so-called extremists—if only because most of them are figments of the State Department's imagination.

The Soviet military wants no incidents which can escalate into nuclear war. Soviet military doctrine calls for caution until the United States has been outdistanced in nuclear weapons and the systems to deliver them. What happened last year with respect to Cuba is that the Soviet military reluctantly went along with Khrushchev, just as Hitler's generals accepted the order to invade Russia which they knew meant defeat. It is now clear what many of them felt then, that the decision to build up a Soviet nuclear missile base in Cuba was Khrushchev's, that he laid the groundwork for it in speeches and boasts and Pravada editorials.

This false theory of a maturing communism is, however, but a part of the Kennedy doctrine. If it is accepted, it justifies the corollary belief that to seek victory over the enemies of freedom is somehow evil—or worse still, foolish. It is the Kennedy position that total victory is not only illusory but in itself bad. The United States must never indulge itself in moral or categorical imperatives. Everything must be subject to negotiation. In this manner, the Kennedy doctrinaires argue, we will wheedle the Devil out of Hell and coax back into Pandora's box the hornets which escaped. Thus we will "defuse" Laos, Berlin, and, yes, Cuba. To call for victory, we are warned, is also to call for total war—a statement we hear from the administration with great unction. Logic, of course, does too prevail here; but since when has logic been a prerequisite for political debate on the New Frontier?

The simple thrust of this argument is this: That the American people must cease to think in terms of any victory, must resign themselves to the existence of the Communist cancer. History proves, however, that communism cannot be contained. It must either be slowly and inexorably defeated or, by its dynamism, it will defeat us. In war, in politics, and in diplomacy, there is no substitute for victory. Whoever says otherwise is dangerously mistaken.

But if we realize that the administration sincerely believes these two propositions, that (1) communism and Khrushchev are maturing, and (2) that to seek victory in the cold war means igniting a hot war, then the entire Kennedy doctrine and the President's Cuban policy suddenly become clear. It explains why Mr. Kennedy called off the air support at the Bay of Pigs 2 years ago; why he waited as long as he did last year to declare a quarantine; and why today he is at war with those Cubans whose only wish is to liberate their country and return to their homes. It also explains why some around the President, notably Ambassador Stevenson, wish to abdicate the prerogatives of American policy and turn the whole matter over to a United Nations dominated by a proliferating band of countries which lack both the experience and the desire to find answers for the problems of Communist subversion and revolution.

So much for generalities. Now for the specifics.

Fidel Castro was just one more unwashed guerrilla until the men in the State Department's middle echelon—a group that remains in office however the Government may change—gave him its blessing. It was through their intercession that Castro became a prominent figure whose pictures and words covered the front pages of the American press. The record is absolutely clear that those who saw Fidel Castro as a Latin American Robin Hood ignored or downgraded the many intelligence reports then available concerning his Communist associations and influence.

This mistaken assessment of Castro was a serious error on the part of the Eisenhower administration. But it was one which that President was attempting to rectify at the time he left office. Diplomatic relations had been broken off with the Castro-Communist regime. The Cuban sugar quota, the mainstay of its economy, had been canceled. An invasion of the island by U.S.-trained Cubans, with logistical and air support from American military forces, was being planned. It seemed certain, then, that Castro's days were numbered.

But the changing of the guard at the White House changed the policies. The invasion, which could have toppled Khrushchev's command post in the Western Hemisphere, was handled like a 50-mile hike along the Chesapeake & Ohio Canal—and with just about as much security. Before the Cuban freedom fighters landed, Castro's forces knew exactly where and when to expect them. Nevertheless, in spite of this, with adequate air cover, the exiles could have established a beachhead. But the United Nations group within the administration panicked and persuaded the President to torpedo the landings at the Bay of Pigs. They were afraid success here might disturb the other American Republics, tarnish our image in Europe, and encourage the Kremlin to direct adventures of its own in Latin America. The moment that the air cover was withdrawn, the Kennedy doctrine was born. From that point on, the administration spoke loudly but carried no stick at all.

It is clear that as another aftermath of the Bay of Pigs, the Kremlin decided that the United States was too liberal, too cowardly, and too confused to fight. Then the arms buildup began in earnest. Not only medium and intermediate range missiles and their launchers were shipped into Cuba by the Soviet Union, but tremendous stocks of conventional arms and munitions accompanied them. Throughout the summer of 1962, the National Security Council was bombarded with reports of these arms shipments. Precise, though circumstantial, evidence of a nuclear missile buildup began reaching Washington.

We know, for example, that very early in the summer of 1962, the Soviet Union ceased to make its shipments to Cuba in Western European or Latin American bottoms. Soviet vessels with specially constructed holds began to put into Cuban harbors—unloading at night under conditions of maximum security. Every scrap of intelligence pointed unmistakably to the buildup in Cuba. The President must have known as well as anyone can know what goes on in a police state, that Cuba was being converted into a giant Soviet launching pad.

Early in September, the President discussed this situation with congressional leaders of both parties. And at that time, he conceded freely that there was evidence that the Soviets were constructing missile launching pads in Cuba. It violates no confidences to repeat this. At the time, there was a bipartisan leak of this information, though publicly, administration spokesmen continued to charge those who spoke up with being warmongers and irresponsible ones at that. These attacks on those who knew the facts and wanted the President to act on them, continued until hours before Mr. Kennedy's October 22 speech in which he declared his blockade. This utter disregard of the danger potential of a nuclear-armed Cuba raises one very interesting question:

Would the President have acted had not the Joint Chiefs of Staff demanded action as strenuously as they were able, and had not the American public demonstrated its concern? In an election year, it is difficult to tell where political considerations end and statesmanship begins. In a very real sense, this distinction is unimportant. When the history books are written and when a nation cashes in its chips, it's what's up front that counts, not the rationalizations of those who make policy. Louis XVI was a well-intentioned man, but those intentions paved his way to the guillotine and invited the terror.

By declaring his blockade, Mr. Kennedy thoroughly shocked the Kremlin. The military in the Soviet Union could say "I told you so" to Khrushchev, and it did. He attempted to bluff his way out of his untenable position and was met by firmness from the White House. And then, while the plaudits of his peers for his boldness were still ringing in his ears, President Kennedy reverted once more to his doctrine. In order not to deliver Nikita to the mythical Kremlin extremists, he began to compromise. The debacle in Moscow that might have resulted from a strong policy was averted, and Khrushchev smiled again. For—let us face it—the blockade of October 22 was followed by a more abject series of American retreats and compromises than this country has ever seen before. In rapid succession, the President took the following steps which amazed most Americans, but which take on clear meaning in light of the Kennedy doctrine:

1. He agreed to prevent any invasion of Cuba from American soil.

2. He engaged to prevent U.S. allies in the Organization of American States from aiding, abetting, or even permitting any invasion attempts from their soil—thereby making of Cuba a privileged sanctuary for communism.

3. He announced, through his subordinates, the dismantling of U.S. IRBM bases in Turkey and Italy—something which Khrushchev had demanded as the price of his withdrawal of missiles from Cuba.

4. He lost all interest in the on-site inspection of Soviet missile sites in Cuba—originally a condition for calling off the blockade.

5. He left the British high and dry by shooting down the Skybolt program which would have given Great Britain and the Commonwealth its own deterrent to Soviet missile roulette.

6. He declared war on the Cuban exiles, placing their leaders under what amounted to house arrest in Miami.

7. He unleashed his news managers who once more began be-roguing those who warned of the Cuban threat as "warmongers" and "war whoopers."

8. He broadly hinted that any overthrow of the Castro regime would have to come from within Cuba—but without any American aid. In short, he told the freedom fighters both here and on the tragic little island: "Hang your clothes on a hickory limb, but don't go near the water."

9. He instructed U.S. naval units, which had been deployed to contain Castro communism, to train their guns on Cuban exiles who attempted to mount raids against their homeland from non-U.S. bases.

10. He dissuaded concerned allies in the Organization of American States from taking strong positions on Cuba.

This tenfold withdrawal has not been matched by a corresponding withdrawal of Soviet forces in Cuba. The President allows that there are some 12,000 or 13,000 Soviet troops occupying the island and keeping Comrade Castro ideologically pure. Other sources insist that there are as many as 40,000 Soviet effectives in Cuba, plus military cadres from other Communist nations, including China.

Secretary of State Rusk has expressed official distress at the continued presence of these troops and has pledged the United States to take steps if they are used to suppress an anti-Castro revolt. But these are games. The Soviet Union does not need to throw its troops into battle. The mere presence of these Soviet troops will prevent an uprising. And even without the Kremlin's muscle, the likelihood of a revolt is very slim indeed without firm U.S. support. In our times, no guerrilla movement can succeed against a police state unless it is trained, armed, and subsidized by a major power, and unless it has a sanctuary where it can regroup and be resupplied. The President has asked the Cubans to mount a do-it-yourself revolt, but so far he has failed to offer the kind of help which only could give such an adventure hope of success. To the American people he has counseled patience—the kind of patience which will be willing to wait for communism's maturity and for tigers who change their spots.

In his rhetorical battle with critics of his Cuban policy or lack thereof, Mr. Kennedy complains that they offer plenty of carping criticism but no alternatives, forgetting that it is he as President that has access to all the information, as well as the constitutional responsibility to develop and execute our foreign policy. The President asserts that unless we are prepared to face a nuclear holocaust, his doctrine of "no win" and patience is the only course left open to the American people and their Government. If the President is correct in this, then certainly we critics have no right to talk about Cuba. But is the choice only between two alternatives, drift and destruction? Is it a case of better Red than dead? Are there no other alternatives to our present course on Cuba? Before answering these questions, let me compare our strengths and weaknesses to those of the Soviet Union. By doing this, I believe we can arrive at some sound conclusion—and it is from these rather than from fear or from neat theories that American policy can and must be made.

The first conclusion is that while the Soviet Union has repeatedly threatened nuclear war if the United States took one more step, Khrushchev's legions in the past have always marched down the hill even more rapidly than they marched up when faced with firmness. Even the short-lived blockade proved this.

The second conclusion is that the United States holds an undisputed lead in nuclear weaponry and delivery systems. At the present time, we could wipe the Soviet Union off the map if we were forced to resort to general war.

The third conclusion is that the Communists do not fight wars simply because they like the sound of gunfire. They fight to win, and their generals have acknowledged that as of now the Soviet Union is in no position to wage a major war.

The fourth conclusion is that the Soviet military has studied the textbooks and knows where wars can be fought and how. Conflict over Cuba would have the Communists fighting in the wrong place at the wrong time. Being practical men, they would prefer to cut their losses on the theory that "he who fights and runs away will live to fight another day."

These four conclusions—or more accurately, these four bases for a sound policy—would, I am certain, be supported by the Joint Chiefs of Staff. As military men they know the miseries of war far better than the "whiz kids" who have the President's ears. The Joint Chiefs were aware of these conclusions when they strongly advised the President to order a quick air strike on the missile sites in Cuba. They were ignored by those whose policies are founded on the premise that if we do not irritate the Khrushchevian bull, he will change his name from Nikita to Ferdinand.

The consequence of this confusion is that we have no real policy on Cuba today because those charged with formulating one are paralyzed by a fear (which exists only in their minds) of a Khrushchev bent on launching his missiles against us. If we had a sound policy, a "command decision" as Vice President Nixon recently called for, you can be sure that I and my associates in the loyal opposition would be in the vanguard of the supporters of the President. For we want a bipartisan policy on Cuba—one that takes into account the vital security interests of the United States and its allies. If such a policy exists, it is obscured from our vision as well as yours.

Are there alternatives? There are many that could be considered in our quest for the means by which the Communists can be dislodged from this hemisphere. They include, for example, the following:

1. A pacific blockade to sever the lifeline between the Soviet Union and Cuba. We are told that this would be an act of war. We were not told that by the President on October 22. This, however, is a lawyer's debate. Short of the invasion of one country by another, the only act of war is one which can be resisted by the antagonist. And, as I have noted, the Soviet Union is in no position—logistically or otherwise—to effectively resist an American blockade. In point of fact, legality is on our side. Under the various international agreements and charters to which the United States is a party, the overriding principle of self-defense is recognized as acceptable, and, clearly, the security of this hemisphere is in jeopardy.

2. Cuban exiles throughout the Americas might be permitted to form a government of their own which could be immediately recognized by the American States and supplied with adequate assistance and material to train and equip forces for action against Castro's island stronghold.

3. The United States could suspend negotiations with all Communist powers on all diplomatic questions presently pending until it is satisfied that the Soviet military presence in Cuba is terminated.

4. Though the United States has stated that it would not sit by if Soviet troops were used to crush an internal Cuban rebellion, the declaration could be made positively. By that I mean that the President could state unequivocally that use of Soviet troops against Cuban nationals would immediately trigger the signal for U.S. armed intervention. I believe we could go further and add an ultimatum date for the withdrawal from Cuba of all Communist military forces.

Through the plentiful radio facilities that are available on American soil and in the Caribbean region, the United States could beam a steady stream of broadcasts in Russian to Soviet troops in Cuba, offering them asylum in the United States. Just as during the Korean war we offered large rewards to Communist pilots fleeing with their Mig jets, so could we make a similar offer again. A half-dozen defections would do more to convince Khrushchev that he must withdraw his troops from Cuba than all the diplomatic exchanges in the world.

I mention these examples to show that there are other options besides the present drift and the threat of destruction. My purpose is to suggest the need for a firm decision that communism must go from this hemisphere and that we must adopt a policy to hasten its departure.

Determination is America's most potent weapon. But it is the weapon which the Kennedy administration seems most reluctant to use. Half-measures and qualified phrases do not impress the Kremlin. Khrushchev retreated last October because he realized that the Americans were aroused and ready to move, that whatever President Kennedy's motives may have been he had no other recourse but the temporarily tough line that he took. The Kremlin ceased to retreat and began its encroachments once more as soon as it realized that the President was willing—yes, eager—to accept the thought for the deed.

Cuba is a military threat to the Western Hemisphere. But, as I said at the outset, it has also become a symbol to all the world of American ineptitude, timidity, uncertainty. It is the gauntlet which Comrade Khrushchev has thrown down and which we have not really dared to throw back at him. It is convincing evidence that the most powerful Nation on earth can be intimidated, lied to, and laughed at with impunity by the Communists—and perhaps anyone else.

The lesson of Cuba remains today what it was last September, when a prominent young Cuban intellectual, who had originally supported Castro, penned these ominous words: "Of all the lessons Fidel Castro has taught us, the bitterest and most obvious is this: He who proclaims himself a Communist can count on help from the Soviet Union even though he is 9,000 miles from its borders, while he who proclaims himself a democrat can fight and die 90 miles from the shores of the United States and no one will come to his aid."

We greatly need a bold new policy which will demonstrate the falsity of that notion.

"TEN NEGROES"—ARTICLES BY ROBERT S. BIRD

Mr. JAVITS. Mr. President, there have been appearing in the New York Herald Tribune, in a succession of issues, an extraordinary series of articles, under the title "Ten Negroes," which have sought to probe very deeply into the situation which underlies what apparently is a new development in the attitude of the Negro in our country toward the status which society has imposed upon him—very sharply in the South, but also in other parts of the country.

Mr. President, as those who are charged with the responsibilities of governance, when we encounter a situation such as the one which has culminated in such national distress as that which we have witnessed at Birmingham, it is high time that we place our ear to the ground, in order to determine precisely what is occurring and to determine how deep and how searching must be our efforts to find remedies—which, incidentally, are many years overdue, as I have said on this floor for many years now, ever since I have been a Member of the Senate.

The series of articles, representing a remarkable contribution by Robert S. Bird, the correspondent who compiled the necessary information who wrote the articles, who is so extraordinarily important to all of us as Americans in the current crisis, I ask unanimous consent that they may be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, Apr. 30, 1963]

TEN NEGROES

(By Robert S. Bird)

After our interview Elijah Muhammad, leader of the Black Muslims, took me out from the living room through the kitchen into the high-walled courtyard of his winter home in Phoenix, and we stood under the Arizona sun while he said a gracious goodby to me.

Brother Antonne X had gone to the garage to back the Cadillac out and drive me back to my hotel. I thanked Mr. Muhammad for giving me this unprecedented interview, and I mentioned that I felt he had spoken very forcefully.

This was an understatement, really, for never in my life had I heard the white race—my race—so unmercifully flayed, so thoroughly accused, so vividly denounced, so damned in judgment, as from him during the preceding hour and a half.

Still, he had displayed an exquisite courtesy throughout the long declamation, glancing at me in a kindly way every now and then as I sat beside him on the couch, or giving me a questioning look as if to see how I was taking it. But most of his excoriation seemed addressed to the middle of the living room, as if that were where white America might be listening.

THE CHARGES

He is small and fragile of figure, this man who is regarded by many law enforcement officers as the most dangerous Negro leader in the country. And standing there in the courtyard in well-cut dark gray suit, gray and white bow tie of smooth design and dark, stylishly narrow-brimmed hat, he looked like an unobtrusive man of importance.

Brother Antonne X, in snow-white suit or uniform (I couldn't tell which), maneuvered the sleek car up beside us and Mr. Muhammad gave a warm, almost shy, smile and said he had enjoyed my visit. Then, speaking in a voice so low I had to lean over to catch his words, he volunteered an interesting explanation of himself.

"You see, I am between life and death," he said, "and I have to say these things in the way I say them. There was a time when I had no knowledge of them. But they have been revealed to me, and now Allah would punish me if I did not say them."

I had sought this interview with the 65-year-old Mr. Muhammad because his preaching is touching, influencing, or exciting the whole Negro world in this country, including those who are his severest critics.

Nobody can laugh him off. For even though his devoted formal following is hardly more than a small fraction of the 20 million American Negroes, his harsh message is helping to change the inner feeling and the scene of Negro America.

THE DENIALS

In my visit with him we talked for a good 4 hours in two sessions spread over 2 days. The first session of about an hour and a half was given over to my questions and his answers. In the second one I asked him a few more questions and he answered at length. Then, at my suggestion that he describe in his own way, without interruption from me, his view of the race situation in the United States and the place of the Black Muslim movement in it, he embarked on his declamatory monolog of about an hour.

The total interview dealt, first of all, with the charges made that he preaches hatred and violence against the white people.

The charges that he has organized within his movement a highly disciplined household guard or militia.

The charges that he teaches "black supremacy" and "segregation" of the whites.

The charges that he teaches that the white people are inferior and that all are inherently "devils."

The charges that he is advocating insurrection in the future, and destruction of the white race, and domination by the Negro population in this country by 1970.

To most of these accusations he gave denials, with explanations of why the charges were being made against him. But to that relating to the devilish nature of the white people he offered a regretful theological explanation as to why it was true, and he detailed supporting grievances to prove it, in chilling language.

He discussed the future possibility—but only a possibility, he insisted—of involving the Black Muslim movement in political voting, perhaps even in the next Presidential election.

He made it clear that there is absolutely no possibility in his view for any integration of the white and black races, or even a living together side by side in the long range future. Total physical separation in different territory and total independence for the Negroes are a "must," he said, and he described how this might be brought about at an unspecified time ahead.

He spoke pityingly about the various "foolish" Negro leaders, such as Dr. Martin Luther King, Jr., who are active on the scene today, and he described the Black Muslim elementary schools and "university" and its stores and other businesses in Chicago, Detroit, and other places.

He dealt with what he calls the failures of Christianity in the Negro world, and he went deeply into his religion of Islam and the sacred nature and uniqueness of the black race, which he teaches was the "original" race from which the inferior white race was developed.

His Black Muslim preaching is spread through the Negro world largely by his own tabloid newspaper, Muhammad Speaks, published in Chicago, and by a column of his writings in certain Negro weekly newspapers, and his rare public appearances at Black Muslim meetings and rallies which have drawn audiences on special occasions of up to 10,000 persons.

But his message is being effectively relayed to even bigger audiences, perhaps, by his young "traveling minister," Malcolm X, an exceedingly articulate and forceful speaker who has gained a great deal of television "exposure" during the past year.

THE TAPING

Mr. Muhammad himself (his followers generally call him "mister") has shunned the spotlight and avoided interviews with white newsmen, and has stayed pretty much within the inner circles of his ministers and followers. He makes his headquarters in Chicago, but passes more and more time now in Arizona because of his severe asthma.

In this series of articles aimed at developing some new and perhaps deeper insights into the thoughts and feelings of Negroes, I had wanted to get a first-hand impression of this influential figure who is the earthly fount of the Black Muslim philosophy.

Through certain Negro intermediaries, I arranged to speak with him in Phoenix by long distance telephone from New York, and he agreed to a 2-hour interview in his home there.

I asked him if I might bring a tape recorder with me, and he instantly replied: "That will be all right because I will have one, too."

A few days later a Phoenix taxicab driver dropped me off at a little single-level, suburban-type brick house with red tile roof and a pretty, clipped lawn with newly planted flower border. The place was about 15 minutes' drive from downtown Phoenix in a very spruce, middle class Negro residential section.

I pressed the door bell, which had a white crescent insignia of Islam on the button, and a tall, stern Negro man in white opened the door. He turned out later to be Brother Antonne X, who is altogether friendly when you get to know him. He was expecting me, and passed me straight into the living room.

Mr. Muhammad was standing there waiting, and he came forward with a little smile and a handshake. He was gentle but a trifle stiff at first. Brother Antonne took a chair beside him and watched everything with an eagle eye.

We immediately went to work setting up our tape recorders, and I quickly discovered that the leader of the Black Muslims was a most considerate host, for he fretted a little to make sure that I was in a comfortable place and that all was well for going ahead.

Actually we ended up sitting side by side on a big, soft, curved green couch, with my recorder on a glass coffee table and his on a side table.

He watched politely to see that we synchronized the start of our tapes, and then we were off.

THE VIOLENCE

The thing that is most worrisome about the Black Muslims to most white people who follow their activities is the hatred and violence that seems to emanate from the movement. Mr. Muhammad denies preaching either, but there appears to be a distinction between his tough talk against white treatment of the Negroes and anything suggesting the possibility of overt violence by the Black Muslims. As to this last, here is what he told me—and rather impassionately, too: "We are not going to take part in any violence whatsoever. We're not going to do anything other than what we are doing. That is trying to deliver the truth to our people and teach them that they are supposed to be Muslims, and that means they are supposed to be righteous people and that we have shed off all things that pertain to wickedness.

"We have stripped ourselves of harm to let you know that we are not people of violence. We don't intend to attack you. We have no idea or knowledge of anything like that coming in the future. Because if we attacked you we would have to have superior weapons to attack you with, and we don't have factories, nor earth to dig metals to manufacture tools or weapons such as you have.

"All this is your own creation, and therefore, if we would get some of this you would have to let us have it—and you would not give me a gun to shoot you with. Therefore, God forbid us even to accept weapons, and even to carry anything like weapons to fight with. Because to fight is with Him, and you are not with us."

I asked Mr. Muhammad why, in view of this, a part of his movement was organised as a military unit. I referred to the so-called "Fruit of Islam," a contingent of husky finely trained young Negroes who are, in the opinion of some law enforcement officers, seemingly the cadre for a potential Black Muslim militia.

"The Fruit of Islam means the first converts to Islam here in America, and the first people to be cleaned and made fit to be called Muslims," he answered.

"And their training is on this basis, as being Muslims, to keep in practice; not just say it is their faith or belief. You must put into practice the principles of Islam that you believe in, and serve as an example for others who would accept Islam.

"They take physical training and exercises in many ways to keep physically fit and healthy and to try to get away from many of the physical ailments that they have suffered long before coming into the knowledge of Islam.

"And trained into the knowledge of what the aims and purposes of Islam is for. It is to clean up a people who are not clean, morally as well as spiritually, in America; and to make them fit to become good members of the society."

A little later in connection with this discussion he added: "I notice that the white people are very keen and alert about who teaches us and what is being taught us. Well, I don't say that I would not do the same if I had brought up a people subjected to slavery under myself. I would like to know what my slave learned or is being taught other than that which I have not taught him."

THE WEAPONS

As to the disciplined demonstrations in the streets by the Black Muslims, such as were held in New York during the early spring in protest against the arrest of certain members of the movement in Rochester, N.Y., he said, "I can't tell you whether we will have any future demonstrations or not.

"We're not people who actually like to get out in the public for any show," he explained. "We don't like that. If we have to go out in the public we want this going out to be in a good way, and for a good cause, and to know that it is for justice."

As for carrying weapons, the Black Muslim leader said repeatedly that this was not done in the movement, that it was severely prohibited and would be punished. Speaking of a demonstration with strongly worded "police state" picket signs which I had witnessed on Fifth Avenue in front of Rockefeller Plaza, which was carried out with astonishing suddenness, efficiency and discipline, he commented:

"Well, I didn't see the signs but I heard that there were some protests made against the arrest of the innocent brothers, and the charge made against them they could not have been guilty of, because there were no such arms among the brothers while they were in the meeting. That is absolutely prohibited, and they are not supposed to allow anyone to come in with arms on them at the meetings.

"If that happens the guards or searchers will be also punished for allowing arms to enter the meeting, especially when it is at a stationary place."

Mr. Muhammad talks in a somewhat high voice and tends to falter at times, but when he gets emotional the words flow from him rather dramatically and far more easily. He got a little emotional over the police interference with the Black Muslim temple meetings in Los Angeles.

The leader's disclaimer of teaching black supremacy and segregation seemed to be more semantic than actual. In any case, when I asked him about this—and whether his teachings were not in one sense rather similar to the white supremacy and segregationist teachings of the White Citizens Councils of the South, he replied: "Allah has revealed that the black man is the Original Man, and that's what I teach. Now where this supremacy teaching comes in, that is charged by the disbelievers—that I teach it in order to suit their particular purpose of charging us with being an aggressive movement, or intending to become such, because of the teachings of one being superior over the other."

THE "BLAME"

He elaborated on this at length, adding: "We say that the black man is the first man in the sun, and then they take this and just change it around—that he is teaching supremacy. And that, we are not doing. We already know that we are inferior to you here in America. We cannot say physically or even mentally that we are equal. We can't do it because we're not. We have undergone such treatment that it has absolutely made us inferior to you, and therefore we can't be your equal; not, say, your superior, when it comes to actual physical or educational ability."

To my question whether this black supremacy charge was, then, a distortion of his teaching, he said, "Yes, in order to add to the charge of aggression."

He does, however, believe along with the southern segregationists that integration is wrong and that intermarriage is evil and that segregated education is all right so long as the Negroes get the same textbooks.

"What are we going to integrate for?" he asked. "What do we want to marry a white woman for, when we are black men? That is going to ruin our family. We will spotty up our family. What does she want a black man for? Or what does the black man want the white one for? This is ignorant on both parts even to want to intermarry with each other. The very desire there is ignorant and evil. It's against divine law for either side to integrate in such a way.

"God made all of us as we are. We have black nations, brown nations, red ones, yellow, and white. We have all these five major colors in races or nations. Why should they not remain like that? Why should they be thrown in like bones or birds into a pot to make soup out of?

"I don't blame the white man in the South for not wanting my people to marry with them. But I blame the South for mistreating him. Why don't the South let him go free? Why don't they teach him that, look here, Negro, I freed you a hundred years ago. Now come on, I'm going to put you on the road to freedom because I don't want you in my house as a member of my family. I don't want you sitting down at my table. Go make a table for yourself. Come on, I will show you how to do this."

But "educational integration," that is good, Mr. Muhammad said.

"We should try to get the same education that is available to all other living people, and if the white man has it in his school, if we prove ourselves intelligent enough or decent enough to get in that particular class—we expect him to allow us to study the same courses he studies," he asserted.

"It doesn't have to be right in his own school if he doesn't want us in his own classes. Just give us the textbooks, that's all. Let us learn what is in the book where he is learning. We don't have to stand together in the class."

THE SCORN

The black nationalist Mr. Muhammad had only scorn for Negro leaders who sought the help of the U.S. Constitution to gain Negro rights because, he pointed out, "the Constitution was written up while the white man owned slaves, and he didn't have the slave in mind when he was writing the Constitution."

There always will be bloodshed over any Negro effort to gain equality with the white man, he said, as witness "the example in Mississippi and Alabama today while we are talking." Then he heaped scorn on Dr. Martin Luther King, Jr., head of the Southern Christian Leadership Conference, of Atlanta, Ga.

"The head of this movement, Mr. King, is trying to force the white man in the South to do that which is against his will and nature, because some of the northern parties of the white people, maybe in Washington, have said to him that it should be done, and you should have this in the Constitution and therefore you should enforce it, and therefore have it enforced by the Government.

"But Mr. King has not learned as yet that the white man in the South is brethren to the white man in Washington, and the Washington white man is the brother to the southern white man, that they are not going to go to war over the Negro and kill each other for the sake of the unlearned Negro—of the knowledge of self and others—to integrate into that which they don't desire him to be in. They are not going to kill themselves for the sake of a Negro.

"Therefore Mr. King is making a fool out of himself in the South, and acting like a dog around the house, where the master stands at the door and the dog wants something to eat and he just waddles all around the door, around the master's feet, whipping his tail on the ground and grinning and leaning his ears back on his neck to show that he is a good, peaceful dog; and that, master, give me a piece of your meat that you have there in your house. And this while there is plenty of meat for the dog in the bushes out there, if he would go out there and hunt for it."

It was only pity that Mr. Muhammad felt for James Meredith and his success in getting into the University of Mississippi with the help of the U.S. Army.

"Poor fellow," Mr. Muhammad said, "trying to force himself in a school where it is 100 percent white, and they're telling him they don't want him. And then the Army is standing around trying to force him in there—that's their crazy idea. I wouldn't want the Army to think about coming to help me against a white man, to allow me to come into his house or in the school or his restaurant, or anything else that he owns.

"If you tell me, I don't want you here, that's sufficient. I'm gone."

He said that "our people" would make room for the Muslims "but not for people like Mr. King and Meredith and other leaders who are yet ignorant of the knowledge of themselves."

"They will not accept them," he said, "because they don't have the knowledge of self, and therefore they hate self. They don't have as much love for self as they think they have; they don't have love for themselves if they want to let a strong people swallow them up."

Knowledge of self is a big aim in the Black Muslim teaching, and among other things it means to Mr. Muhammad a "cleaning up" of his people. He puts it this way:

THE MORALITY

"I am not so foolish a teacher to teach my followers to go and force the white man to allow us to become equal members of his society without cleaning up my people and making them self-respecting first. They must be qualified to demand even a black independent society.

"Therefore I start at the root of the matter. Go clean yourself up and show the world that you have self-respect, and seek education wherever you can get it, and make yourself equal with the civilized society of the earth, and they will accept you.

"Otherwise you are a dog in the society, or you are a rejected human being or beings in the society of the world, and I don't blame them. If you are not qualified and not their equal, stay out of it."

Cleaning up also means a rigorous morality characterized by modesty in women's dress and also by learning to eat the right foods, he said. He scathingly opposes the eating of pork.

I asked Mr. Muhammad how he felt about other Negro people who, though perhaps not leaders in the civil rights cause, were persons whom he knows or has dealings with in business and professional ways, even though they did not believe in his movement.

"We have respect for them and their professions and we try to treat them as we treat ourselves, for that matter," he answered. "We know they are not believers as we are, we know that.

"But as long as they tolerate with our faith we tolerate with them, and we treat them as brothers."

But what about the persons who are sometimes referred to by Black Muslims as the "Uncle Toms," I asked.

"That doesn't mean that we are in any way aggressive toward them and seek an aggressive act," he said. "We only just criticize them for being like that.

"I love all my people," he continued, "and I believe one day they all will be going to believe as I believe. If they don't why then the prophets have lied, and we just can't make liars out of them."

I asked him what he meant exactly in referring to members of the white race as "devils," and he said that this is the white man's essential nature because he was made that way. He made it clear that he was not speaking rhetorically but in a theological sense—this was what God had revealed.

"It's what He revealed, and what He revealed is what I am teaching and believe in, and this term 'devil' or name 'devil' is applied to wicked people, people who are by nature wicked.

THE INDEPENDENCE

"They were made white, or different color," he said, "because they had been grafted out of the darker people, and therefore they have that color."

This conforms to the version given in Elijah Muhammad's volume II of "The Supreme Wisdom," in which it is said that the history of the black man goes back to the beginning of creation, but that the history of the white race goes back only 6,000 years.

However, he explained to me that the only point about this that he is teaching is "that the person is the same by nature but he can be better than another one of the same family or race." I took this to mean that all whites have the devil nature, according to his teaching, but that some can be better than others and that those who do a good deed "will be rewarded for their goodness and their time will be extended."

For his view of the white man in relation to the American Negro, he had this to say: "This is the real trouble, the whites oppose us, the black people of America who were their slaves once upon a time, from ever becoming anything like self-independent. They want to keep them subject to themselves in a more educational and scientific way, other than their fathers'.

"Their fathers only used the common knowledge of enslaving our people. But today their children can use one of the smartest scientific ways against our people to keep them subject to them that ever was invented by a race of people since time was."

Without saying what this particular kind of knowledge is, he went on to assert: "We want what you want today, and that is independence. We want peace, and whether you want peace or not, we want peace and security from you. You are our worst enemy. We have no other people who is an enemy to us but you, because we don't live in the country of other people. We live only with you, and we have been here for 400 years, and you say now that we are free, but yet you are doing everything to keep us from exercising the rights of or equals of a free people."

THE MONOLOG

Mr. Muhammad at this point was deep in his long monolog. His talk came flowing out as if from a self-replenishing wellspring. He declaimed his points in a tone of boundless grievance. Several times he was interrupted by his asthmatic cough; he begged pardon for the interruption and continued.

"This I want you to understand," he said. "We are tired of suffering, brutality, beatings, killings, just because you don't like us, and just hate us, and absolutely knowing that we are powerless to resist because you have every odd against us. You are absolutely the boss, and we have nothing. And we are asking to leave you, that's all we're asking. We can't get along with you in peace, you don't want us in peace.

"If we sit over there in that house across the street, peaceful all day and all night, after a while that worries you. You will send someone around to see what is going on over there in that house. 'I don't ever see them, looks like they're doing nothing over there. Go on over there and see. I never hear what they're planning. Maybe they're planning something over there.'

"It's the white man's way of starting trouble. Breaking the peace of people by interfering with their peace. We're not sitting over there in that house planning anything, but are trying to plan peace for the house."

The Black Muslims, though forbidden by Mr. Muhammad to use weapons, are taught self-defense and to fight back if molested.

"In a case where the person will not accept this and he wants to fight, and he pounces upon us, sometimes without even warning us, we want our own men and women and our girls to learn to try to protect themselves the best they can in case of attack.

"But in the case of the so-called American Negro we have nothing to fight back with. If you come to the door shooting, we have no guns here to shoot back, so therefore the right is with God, as it is written in the Book. He will defend us if we believe in Him and trust Him, and we're not going to start fighting with any one to have Him to defend us. But if we are attacked we depend on Him to defend us because He has stripped us."

Mr. Muhammad's teaching about a separate territory for the American Negroes is open to negotiation, he indicated. He said, "They use this teaching of separation as something that we plan to make war, or cause insurrection in the country for even talking about it, and that it's out of place because we can't solve the problem by separation."

Here's what he says on that subject: "The American white man is not going to move out of his estate to give to the so-called Negroes. We are not asking you to do any such thing. No, only unless you prevent our going to our own. If you are going to prevent us from going to our own, or back where we came from, where you found us, okay, then give us a place here to ourselves.

THE TERRITORY

"This has gone to too much talk about separation, and about our acting or demanding a territory here. We're not demanding territory in America. No, sir, we're asking America only if they don't allow us, or will not allow us to go back to our own people and to the country from which we came.

"Then give us a place to ourselves, as you know and we have learned through experience for 400 years we can't get along in peace together. You're not going to accept us as your equals and we know you're not going to do so. We disregard your promises because you are not going to live up to them because 100 percent of your people will not agree with such. And we have proof today in the South."

In answer to a series of questions on this subject of a territory for settlement he told me that "I have in mind the place where I think it would be."

"But I will not say that until my people want to be separated, and until the Government itself wants to separate them and give them such a place."

He indicated that the place for settlement, whether in this country or abroad, has not been decided on because it is altogether premature at this point.

He did suggest, though, that the Muslims would be glad to have the Government make available to them right now land suitable for growing food.

"I don't think we should, many of us, work without a focus," he said. "If the Government will give us the land to farm on, and it should give us some farmland to go and raise our own food. They can do it to us. But we will buy it if we have the money to buy it. If we don't have the money to buy it, we can't buy it, but the Government should do so because the Government has plenty of land according to statistics."

He said that if the land were made available the Muslims would begin work "tomorrow morning."

"You won't have to drive us to it, we would do that religiously, because we want our people to have something for themselves and to grow food for them and clothes."

In answering my questions about Black Muslim finances he said that no member is forced to give money but that if they want to buy a piece of property they agree among themselves how much each will give of his earnings toward the purchase price.

"It may demand $50 of each of us, and we buy it and we sacrifice ourselves to give that $50 out of our wages for so long a time, a month, 2 months, 3 months, 4 months, something like that."

I mentioned that I had heard that active members were required to contribute a total as high as $90 a month to the movement.

"Those who are able might give that much," he replied, "but he's not forced. But as I said, after we learn that you have an income of $100 a week we ask you how much of this do you have to pay out for the house rent, food, clothing, and other overhead expenses, and you tell us. And how much the Government has to take out for taxes and whatnot. Then whatever is left, then you will tell me and you will tell me what you can give out of that. It's not for me to tell you. That's forcing you."

THE TARGET DATE

On the subject of using the power of the vote, Mr. Muhammad said this was all "future talk" at this point, but he indicated that there was a possibility that this might be used in the 1964 election. In order for a candidate to gain an endorsement, he said, "he would have to be in sympathy with us and he would have to have some knowledge of the aims and purposes of Islam in America."

"The aims and purposes of Islam here among my people," he added, "is to give them a knowledge of self and a knowledge of God, knowledge of their religion, Islam, and to separate them in time, that these 17 million or 20 million American dark people should go for themselves. This is the basis of the whole, it is to separate our people and put them by themselves."

Although he kept emphasizing that the voting idea was in a very indecisive stage now, I asked, if it should materialize as a Black Muslim policy, would that change the movement's position with respect to military service? At the present time it opposes military service and its members refuse to serve.

"If it became materialized, naturally military participation might take place, but I don't know yet, not as yet myself," he said.

Replying to the reports that he had set the date 1970 as the time when the Negroes would take over in the United States, Mr. Muhammad said this was misrepresented, and that what he actually had said was that "by 1970 all of my people, or most of them, at least 90 percent of them will be believing in Islam—that's all that was said."

Asked about whether Fidel Castro was included by him in the group of "original men," he said:

"I am so concerned where the so-called Negro stands and what he should be and who he should try to join onto that I have no time to study the history of Castro and the Spanish people in the South."

The Black Muslin movement was started in the early 1930's by Wallace Fard of Detroit, who later disappeared. Mr. Muhammad, who was born Elijah Poole in Georgia 65 years ago, took over the leadership after the founder's disappearance.

I asked Mr. Muhammad about this. Is there, I asked, a mystery about what happened to him?

"No sir, there is no mystery of what happened to him," he answered.

Could Mr. Muhammad say what happened?

"He is just waiting for his proper time to deliver speeches."

Did Mr. Muhammad consider Mr. Fard (whose name he pronounces Farad) to be not only a holy man but actually a divine person?

"He is God Himself. He is the One that we have been looking for for the last 2,000 years to come. He is the One and His word bears witness to the fact that He is the One."

And you knew him, I asked?

"I do know him."

Is Mr. Muhammad in touch with him now?

"Yes, spiritually."

I asked him about a successor. Did he have in mind the identity of his own successor, since he himself is known as the inspired Messenger of Allah?

THE PUBLIC EYE

His answer to this was a swift one:

"No, that is not my job to do anything like that. This work that has been put upon me to do by the will of Almighty God Allah who has appointed me, there will be no such thing as a successor because everything will be guided according to the will of Allah and whatever that He reveals it will be carried out, and it is like today we have the moon and the sun and the stars up there, and they are not changed for others."

I mentioned that his minister, Malcolm X, was much in the public eye, and on the other hand his own children are active in the movement, too.

"All my family are believers," he said. "My sons and daughters and their children, all of them, their sons and daughters. They all believe and they all follow me. Now if you are referring to which one shall be the successor, that I don't know. I could not say that because I have not got a meaning of anything of the kind, and so therefore I could not say to you such and such a one will be the successor, even if I were to die this afternoon."

I asked him about the membership figure in his approximately 80 temples around the country, saying that law enforcement authorities seemed agreed that the hard core membership of the Black Muslims was between 5,000 and 6,000 members, with a less attached following of between 150,000 and 300,000.

"I don't even know that because we don't have a record showing that figure," he said. "That figure is only known with Allah."

[From the New York Herald Tribune, May 1, 1963]

Negro Educator's Searching Look at Our Society

(By Robert S. Bird)

In his cloistered office on a campus in Washington, D.C., a Negro university president, distinguished with degrees and honors, answered a bitter question that rattles in the minds of most white people in the Nation's Capital.

Why don't the Negroes themselves do more to clean up crime among their own people?

Negro crime in Washington is becoming a global scandal as foreign diplomats in the Capital watch and wonder at the American failure in handling the peril of violence there.

But what about the Negroes themselves? Why don't they do something about policing their own people?

I asked the question of a number of Negroes in Washington and other crime-afflicted cities. But the answer of Dr. James M. Nabrit, Jr., president of Howard University, the Nation's biggest predominantly Negro university, seemed to embrace most searchingly and vividly a viewpoint shared by all.

It was a little surprising to hear a noted educator from the academic world—even though a Negro one—speak almost as devastatingly about white America's failures in race relations as the Black Muslims themselves, while disagreeing utterly with their philosophy and what he called their hate declarations and talk of violence.

But Dr. Nabrit insisted that the question needed to be put in perspective, and he gave it bluntly.

"Many of my white friends come to me from time to time to sympathize with me because of something the Negro has done or something some Black Muslim has said," he began. "They tell me they are very sorry about it. But I reply, don't come feeling sorry for me. You ought to sympathize with society. It is society which has all the aberrant personalities—the white ones as well as the Negro ones.

"I tell them that we Negroes don't indict the white race because of the John Birch Society or the Ku Klux Klan or George Rockwell, the American Nazi leader, or any other persons who deviate from the accepted standards. We simply hold that these are persons who have broken off in some abnormal way within society. We think of them as belonging within the confines of the group."

Dr. Nabrit knows the Negro crime subject from first hand experience. He holds a law degree with honors from Northwestern University and an honorary doctorate in law from Morehouse College in Atlanta, where he got his bachelor of arts degree with honors in 1923. Sixty-two years old now, he was a practicing lawyer in both the South and the North before becoming a national authority on civil rights and constitutional law.

As an educator he taught law for 20 years at Howard prior to his appointment as president of the university in 1960. He comes, moreover, from an Atlanta family of scholars who have made important careers for themselves.

Taking all these things together, he can afford a disarming affectation when he settles in his chair to talk. Dr. Nabrit discourses in the leisurely, roundabout fashion of a crack-voiced country preacher—making, however, impressive good sense in every sentence. He smokes a cigar and waves it around as he drives home a point, and a half dozen spare cigars are stacked in a breast pocket.

"I say to my white friends," he continued, "you ought to understand that we Negroes aren't going to be better than American society itself. We're part of it. You're talking to me as if the Negro ought not to have any of these aberrations. But I say the Negro, should mirror everything in American society—because he's part of it. That's why I don't get upset over the Black Muslim and over all these other things.

"I'm not pleased with them, but I am not made hopeless or led to feel that everything is going to collapse. Rockwell doesn't represent America, he just represents some people who have peculiar ideas."

Taking his time in circling around to the target question—Washington crime—Dr. Nabrit warned that if his blunt views and those of other equally frank speaking Negroes were printed here they would disturb many well-meaning whites who have come to feel a little self-righteous about the "progress" of the Negroes.

"But they ought not to be disturbed," he growled from his tilted back chair, "because this country was conceived and developed and built under a revolutionary set of principles—principles that agitated and stirred up all Europe and England and the Americas from the 1700's straight through to the adoption of our Constitution and since.

"The point is, some of the fire and enthusiasm and adventurousness and keen perception of all that has become blunted by an affluent society, and by the fact that we are in a leadership role in the free world. But if people in other countries don't think that the United States is big enough to embrace differences in people they're not going to accept the leadership of this country."

Howard University's campus is vibrant with the hum and life of students of many foreign nationalities, of varied skin colors, and diverse languages. Of the approximately 7,000 students, more than 1,000—more than any other university in the country—are from other countries all over the world.

FRIEND OF STATESMEN

Dr. Nabrit himself has sat, moreover, on international conferences in other countries and has a wide acquaintance with both the statesmen and the capitals of foreign nations.

He argued that if the race issue is "unsettling" to many white Americans it was the facing up to such unsettling issues in the past which made this country great. He voiced a thought heard everywhere in Negro America, that time is running short in this country for redeeming for the Negro minority the vaunted promises of democracy. America does not have the time left that the Roman Empire, or ancient Greece, or even England, had to build and maintain world leadership, he warned.

"It seems to me that we ought to be grasping for the kinds of things that would make our leadership survive," he said. "And I think one such thing is tolerance and understanding and respect for people who differ from us.

"We Negroes will work out our solution in this country in any case, because we have more time than the country has. I don't mean we want the time—but psychologically and chronologically we have more time to work out our solutions than the United States.

"As for the country, we ought to set up as a pillar of our society the idea of alining our Nation with the philosophy that men differ in their backgrounds and thoughts and languages and colors—but they are all men."

Meantime, he emphasized, Negro resentment at the disadvantageous position in which they remain a full century after slavery is running higher than ever.

"And one of the ways it is manifesting itself," he said, "is through those 300,000 people whom Elijah Muhammad has got in the Black Muslim movement. We ought to understand, though, that it is a marvel that more of this resentment has not been stored up within the Negro, that he has been able to take all he has taken without becoming absolutely anti-American, antiwhite, antieverything.

"It shows qualities which the Negro and America both ought to be proud about because, given the same circumstances, I don't know of another race that would have reacted this way over that period of time."

Coming around to the subject of Negro violence, Dr. Nabrit continued:

"Some of the Negroes do feel violent, of course. But we don't have anybody in the Negro group preaching that sort of thing in organized fashion except in the Black Muslims. And I would hope we would have fewer of those, because it's futile and destructive of everything that would make life worth having.

"We are trying to narrow the circumference around them, and to show the weaknesses of their arguments about separation and that sort of thing. But these people are shrewd. They can do some things that not even the churches can do. They can control their people.

A CONSUMING HATRED

"These Black Muslims don't drink, they don't smoke, they don't run around with other women. They stick with their families and pay their debts. Their people do a lot of things we would like to see everybody practice. So you have to watch them because of those things, to see that they don't capture people. Because the other thing is worse. It's a consuming hatred they have, and they may erupt in violence as they have already done in some places. All these things call for America to do something about these things that are wrong in our society."

The university president frequently referred to the good intentions of many white citizens, contrasting them with the harsh realities as seen through Negro eyes.

"I think this country would like to see us get an even break," he philosophized, "but the image which so many Negroes get from this country is not that at all. If you have been down in Mississippi or Alabama or Georgia—where I have been—you know that's not the image there.

"Their image is of fear, and bodily harm, and economic boycotts, and intimidation of all kinds. These are with the Negro every day. His fear is of getting less justice in the courts even if he shows the nerve and ability to get somebody to represent him.

"I have lived in the South. There the sheriff is the man. I don't care what people write in books, it's the sheriff who has contact with the jury list, with the taxes, and assessments, and all the legal and illegal activities going on in the county. He can make a person's life miserable by harassment—I mean white or black.

"Only a few white people in the county can do anything with him, and they work hand in glove with him. So to the Negro in these counties in the South the image of America is the image of the sheriff. This is what people don't understand. Many of the sheriffs are good people, however, else the Negroes would not have survived.

"But the importance that this southern Negro sees in the elections in the United States is not who is elected President, all he wants to know is who's going to be sheriff. That's the person who's going to be on his back. I'm not talking about Negroes in the universities. I'm talking about the ordinary Negro whose life is just one risk after another."

Dr. Nabrit, who spent much time in the South working as a lawyer in behalf of these rural Negroes, spoke with pain and compassion in his voice.

"For people to talk about the trend in the United States being a trend toward equal opportunities, that's true enough—but this southern Negro can't see it," he said. "He can't see any trend. The white people are not even talking to him.

"So if you asked him what the trend is he would say people are getting meaner and meaner, and he has taken all he can take. And he just has to do something about it. And this surprises the white people in the South."

Dr. Nabrit circled back on the crime-in-Washington question, offering a profound insight into this problem.

A basic difficulty is, he said, that the Negro masses are being asked by the whites to assume citizenship responsibility before they are allowed citizenship freedoms.

"My first answer to this crime problem is," he said, "that all of us need to work on the deficiencies of our society which prevent people who want to work from working. And which don't let people get the kind of education for life in society that they want. Now if we are willing to do that, I am willing to address myself not to what the Negro is doing in Washington about the crime matter but what the citizens are doing about it.

"I was called into a meeting with very good white friends of mine recently when a white woman who was there, and who is a friend of mine, asked me what we were doing about this crime situation. She said she couldn't walk in the park at night.

"I said, this thing affects us all. You're not the only one who can't walk in the park at night. I told her we have had fear of walking in parks at night all our lives—but not for the same reason she had. After we got that straightened out we were able to make some headway in that meeting."

Dr. Nabrit moved to the heart of the Washington problem, saying:

"The Negro cannot assume the responsibilities of a citizen unless he understands what they are.

"I say in all my speeches that the Negro must assume the responsibilities before we get the rights. But that's all right for me to preach it—and I do try to convince as many Negroes as I can—but too many of these people I am talking about don't have this fine line of understanding.

"They can't see that. All they think is that they are not being treated like others in our society. So when we begin talking about what their responsibilities are it doesn't make any impression on them at all.

"Now I think this is one of the responsibilities of Negro leadership, to try to get this across, and I think Negro leadership is trying. I notice that Dr. Martin Luther King, Jr., advocates it in all his speeches, and the NAACP is advocating it. They all realize that there are citizenship responsibilities which free people have to assume, and if you're reaching for freedom you had better assume them. But that's not easy to get across to the Negro people as it is to sit here and discuss it."

Though Dr. Nabrit insists that the prevention of Negro crime is a task for all society and not for the Negroes alone, still he personally ordered the university months ago to initiate several different kinds of programs to improve Negro family life and living conditions in slum or run-down areas in the vicinity of the Howard campus. He keeps in close touch with these programs, and he was thinking of them when he said:

"If you went out and talked to families near the university where a white policeman beat up a Negro father of a family last week—a family that lacked food and heat—and if you spoke to them about what you and I are discussing right now, they would not know what you were talking about."

THE BOX SCORE: WASHINGTON CRIME

Dr. James M. Nabrit's comments about Negro problems in Robert S. Bird's article were made against the background of a city where the population is dominated by Negroes and where crime problems are staggering.

Negro slums in the Nation's Capital rank with the worst. Muggings, robbery, and other violence have taken place within sight of the White House. Racial violence reached a peak last Thanksgiving in a riot at a high school football game that shocked the city. Some of the facts and figures in the situation follow:

Population (1960 census), 763,956; Negro, 411,737; white, 345,263; other, 6,956. Percentage Negro, 54.

Gain in Negroes, 1940–60, 224,000. Decline in whites, 1940–60, 130,000.

Percentage of adult Negroes arrested, 1962:

	Percent
Murder and nonnegligent manslaughter	85
Forcible rape	91
Robbery	88
Aggravated assault (use of force in robbery)	89
Burglary and breaking and entering	87
Larceny, involving sums of $50 or higher	81
Auto thefts	74
Crimes of all sorts	[1] 80

[1] About.

ONE STEP AT A TIME

"I have to tell these people things one step at a time. I say, if you will do this first, then the policeman will not beat you up, then you will get heat. All the philosophy about citizenship responsibilities and freedom doesn't reach this man and his family at all. The family doesn't have anything you can hook into. It's like trying to hang up a suit of clothes in a closet without hooks. The clothes just fall right down on the floor.

"The lives of these people are a scramble for existence, and the rules we live by don't mean anything to them. It's as if the rules don't exist. Certainly, they would listen if you could hold them that long—then they'd go out and mug somebody. Or mug you."

Dr. Nabrit detailed the difficulties qualified Negroes have in getting anything but menial jobs in the big private firms and offices in Washington, and he spoke with deep feeling about discrimination in the important building industry in Washington against allowing Negroes into the various construction unions.

He himself was under attack by student groups at Howard this spring because no Negroes were allowed to be employed in the construction of a new $4 million gymnasium on the Howard University campus. He told about the frustration he had encountered when he protested to contractors, unions, and Federal agencies (the gym is being federally financed). But still no Negroes were employed on the project.

Such discrimination has devastating effect on the motivation of youngsters who are studying, or would like to study, vocational skills such as electricity, he warned. Speaking of such youngsters from the Negro masses in Washington, he continued:

"They don't have any books in the home and they don't have enough food or clothing. They may have a radio or a television—that would be their only contact with our culture. The parents themselves are short of motivation and ambition, the whole family sees nothing behind them, nothing in the present, nothing in the future.

"So the youngsters drop out of school. They're not interested in studying. They may have high IQ's but they get to talking to some fellow on the corner and he says I am studying electricity and you're foolish to try it because I can't get a job.

"Meanwhile, here we are trying to tell them, if you don't get an education you'll be lost, because you can't live in America unless you have the education that will fit you to deal with the machines and the techniques of today."

THREE THINGS NEEDED

Dr. Nabrit said that to prevent hatred and violence in America three things are especially needed in society—"and for conformity to the basic principles of this country call for conformity to the basic principles of this country and a little moral leadership in places where it ought to be shown."

The three basics, he said, were:

"One, to do something about more evenly distributing education of citizens in all groups.

"Two, to enable people to live where they are able to live and where they have a desire to live.

"Three, to enable people to work and hold a job and get promoted on the basis of their ability."

The Howard educator, constitutional lawyer, and international figure spoke scornfully about the "depressing" statement made by a southern Congressman a few weeks ago proposing that the Marines be called in to help clean up the Washington crime situation.

"The trouble is we are not dealing with the things that produce this situation," he said in summation. "But if we don't do something about it then in 10 years we will have to have troops in all the big cities—because we'll have hundreds of thousands of people who will have no way to make a living and will be either on welfare or out with a gun trying to take something from society to live on."

[From the New York Herald Tribune, May 2, 1963]

Ten Negroes—Martin Luther King Describes the Hurry

(By Robert S. Bird)

Dr. Martin Luther King, Jr.'s, office in Atlanta is not much larger actually than some of the jail cells in which he has served time with what many people think has been honor and distinction.

When he is not in jail or out on the road protesting, preaching or lecturing, the 34-year-old Dr. King can usually be found in this cubicle-like office in the Southern Christian Leadership Conference headquarters on Auburn Avenue in Atlanta.

This is where I interviewed him one day recently—before he went down to Birmingham to end up in jail again. For the 13th time.

THE PROBLEM

Dr. King had made an interesting calculation on the progress of school integration in the South, and he offered it to me as an explanation of why there seemed to be so much hurry by the Negroes for advancement of their civil rights.

"We face the frustrating problem," he said, "of having a Supreme Court decision that was handed down some 8 years ago. Yet only 7.8 percent of the Negro students of the South are attending integrated schools this year, a hundred years after our emancipation from slavery.

"This means we are barely making 1 percent progress a year, and that if it continues at this pace it will take 92 more years to integrate the public schools of the South."

I made a fast calculation of my own. Adding 92 to 1963, I got the year A.D. 2055 as the one when—at that rate—school integration in the South would be completed.

"The shape of the world today just doesn't afford us the luxury of such slow movement," Dr. King said dryly.

THE URGENCY

As a Baptist minister in Montgomery, Ala., in 1955 he launched during the Negro bus boycott there the first historymaking experiment in nonviolence techniques and then the nonviolence movement for Negro rights has philosophy of creative protest against segregation. Since spread around the country, and the Southern Christian Leadership Conference (SCLC), which he heads as president, has become the principal coordinating agency for a number of affiliated nonviolence groups.

Dr. King's own stature as a Negro rights leader is perhaps unsurpassed in the Nation now, and he moves through a broader band of the spectrum than probably any other figure in the country. His name and his presence are powerful symbols among the 20 million Negroes of America.

In an interview which lasted almost 2 hours he was especially interested in explaining the sense of urgency that pervades the Negro world today.

"There is abysmal ignorance on the part of many, many white people, even those of good will, about progress being made in civil rights," he said. "There is a feeling that much more progress is being made than actually is being made."

Then he went directly into the essence of this sense of urgency, reinforcing in his own calm way the same thoughts I had heard from other Negroes with flashes of anger in their words. What he said furnished the answer to the question often asked by white people—What is it the Negroes want?

"Three simple words can describe the nature of the social revolution that is taking place and what Negroes really want," he continued. "They are the words 'all,' 'now,' and 'here.'

"That is, we do not want some of our rights, we do not want token handouts here and there—because that is one of the great problems we must deal with now, tokenism.

"We are saying that we want all of our rights, not some, and we are also saying we want all of our rights here.

THE MOOD

We want all of them.

"Now when I say 'here' I am speaking of here in the United States and here in the South. The mood of the Negro now is very interesting in connection with this idea. My experience is that Negroes who live in the South are now saying we are not going to run from this thing but we are going to stay right here and struggle for our rights here.

"The mood of Negroes now is that we are Americans, and America is our home—we don't need any back-to-Africa movement. I still contend that the black nationalist movement will never appeal to the great majority of Negroes. It will appeal to some as long as the problem is with us, and it is symptomatic of the discontent and frustration and bitterness of many Negroes.

"The third word is 'now.' Here again I find that many people feel we have a long time, and that it will take time to solve the problem, and all that. Of course we realize that the problem can't be solved overnight. But all too often those who live with the myth of time have the idea that time is going to solve the problem.

"They fail to realize that time is neutral—and it can be used constructively or destructively, and the people of ill will have used time more effectively than the people of good will.

"And this is why I say that we may have to repent in this generation not merely for the vitriolic actions and words of the bad people, but also for the appalling silence and apathy of the good people."

THE BRAVER

Whether addressing a couple of thousand people in an auditorium or talking privately in this little office at his somewhat cluttered desk, Dr. King carries immense conviction.

This comes partly from his background, for his father was a clergyman before him; and partly from the nature of his dedication and special mission. I had watched him risking his life around the clock in Montgomery 8 years ago when that city was torn with strife and when dynamite bombs were being set off, and he's still exposing himself to danger in trouble spots in the South. This kind of bravery helps to convey conviction when he speaks.

Actually his office is a kind of communications center with the world. For he is in touch constantly not only with protest groups around the South but also with national and world figures all around this country and as far away as India, where he is a friend and, in a sense, a student of Prime Minister Nehru.

"So, I can sense in the Negro community all over this country," he went on, "a feeling of 'now.' That is, a feeling of wanting freedom not 100 years or 50 years from now, but tomorrow morning.

"There is also a feeling that some progress is being made. In the South you can see real signs of progress, because here there is an overt, glaring system that has legal sanction. So you can easily see progress when you know that last year Negroes could not go to theaters in Atlanta and they can go today.

"You know that 2 years ago the Negroes could not eat at a lunch counter in downtown Atlanta but today they can. This is a breaking down of the system of segregation in a gradual way, but at least it's moving."

THE DANGER

But in one area, Dr. King emphasized, there is retrogression and danger. That is in the area of Negro employment. And here he calls on President Kennedy for executive action.

"We are retrogressing in this area rather than progressing, and I am sure that a lot of this is the result of automation," he said. "So the Negro has been limited to unskilled and semiskilled labor, and because of discrimination in the South he has been refused apprenticeship training.

"Now these jobs are going away, the unskilled and semiskilled jobs, and this makes a great problem in unemployment. The danger is that if something isn't done about employment discrimination and housing discrimination—then social problems will continue to mount, and juvenile delinquency will grow."

Dr. King predicted what a number of other Negroes in various fields have told me.

"If something isn't done in a hurry and in a vigorous way, explosive situations will develop, particularly in the large industrial areas of the North, where you have great numbers of Negroes with these frustrations emerging."

As far back as a year ago in May he himself had urged President Kennedy to sign a sweeping executive order to end discrimination in the whole broad Federal areas where Federal funds are being used. Dr. King's idea was that this would end segregation in many places where it exists now, and would create an atmosphere for integration on all levels.

His view of the President is rather sharply pointed. It may be recalled that in the heat of the 1960 presidential campaign presidential candidate Kennedy made a telephone call to Dr. King's wife in Atlanta sympathizing with her over her husband's particular jail confinement at that time. This gesture was credited with securing for Mr. Kennedy the Negro vote of the country.

But the Negro leader made it eloquently clear to me that he feels the President could do a great deal more than is being done by him to advance the cause of integration. Still, he did not want to be represented as suggesting that the President lacks good will.

"I know he has problems and I don't want to overlook them," he said, "and I certainly don't want to give the impression that the President isn't a man of good will. I think if one compares what he has already done in civil rights with that of his predecessors, he has done more.

"But still I feel this problem is so grave now that it takes more than applying a little vaseline to a cancer—it's going to take a vigorous approach that really goes to the roots."

THE DECISION

In essence Dr. King proposed that the President make a great moral decision, a historic decision.

"Now certainly he would get a great deal of opposition from members of his own party," Dr. King said. "I mean the southern members of his party. It would mean they would take a stand against other phases of his legislative program. But as I have said to the President in discussing this very matter, these men are going to vote against many phases of his legislative program anyway. They were against medical care for the aged, against his farm bill, and they are going to fight the tax cut.

"So I don't see the consistency here of saying that I need these men for my total legislative program, for my foreign aid bill, and this and that, and so we can't arouse their ire too much on civil rights because they are going to vote against most of it anyway.

"I think it is better for a man to go down taking a strong moral position than to go down anyway, and you compromise in the process. I believe it would be—I am sure it would be—the right moral decision. And every great decision that has been made by a great President in this area has brought opposition. But when we look back over it we see that it put the Nation in the right direction from the signing of the Emancipation Proclamation by Abe Lincoln right on through."

The Negro leader summed it up in these words:

"I feel that ever and again in history you find those moments when that which is morally right is also politically expedient. And I think it would be politically expedient, for it would not hurt the President in terms of getting reelected because it has been demonstrated that it is going to be in the large industrial areas of the North—New York, California, Illinois, Pennsylvania, New Jersey, and some others—that one must think of winning an election.

"And in these communities you have enough liberal forces in the white community and enough Negro folks to turn an election. So I don't think it would be political suicide for the President. I think it would be a wise political action as well as one of great moral value. And it is very seldom that one has the opportunity to do that which is morally right and also that which is politically expedient."

THE UNTOUCHABLES

Dr. King had a couple of other points to make on the general worry to him of Negro employment. One is that the Federal Government ought affirmatively to move out to help the depressed Negro classes in the same way the Government of India has financially assisted the caste of untouchables after discrimination against them had been outlawed by the new constitution of the newly independent nation.

"I remember when in India hearing Prime Minister Nehru make speeches condemning untouchability on at least three occasions in 6 weeks," he said. "I think, rather frankly, that not even yet since 1954 has a President of the United States made a major speech or major statement really saying that integration was right and segregation wrong.

"It's always a 'we must do this because the law says do it' sort of thing. It never comes out that the purpose of the law is to establish justice, and that which is right, and that Mr. Meredith must go to the University of Mississippi not merely because the Supreme Court rendered a decision but because he is your brother and this is right, and that Mississippi will never come into its right relationships until this can be done in a natural and normal and moral manner. But I saw this in India, where the Prime Minister constantly brought this out.

"But again another thing is from the beginning of the date when the nation gained its independence it started out giving millions of rupees a year for the improvement and development of the untouchables who had been discriminated against for thousands of years.

"When I talked with Nehru about that he said, we couldn't think of talking about refusing to discriminate against untouchables without thinking somehow of doing something ourselves and taking some responsibility to lift the standards of the people whom we have exploited all these years.

"He said that might be a little discrimination in reverse, giving them something we don't give others—but this, he said, was our way of atoning for what we have done to these people for thousands of years. Well, the Negro has not had that help in America, and it's only natural that some of these problems of lagging standards will produce problems in the transition period."

The other approach Dr. King is undertaking toward helping Negro employment is through the "selective buying" campaign that is being pushed around various cities in the country against firms that discriminate against Negroes in employment. This, he said, will be a major program for this year.

THE CRITICISM

Dr. King stands at the opposite pole from the Black Muslim leader, Elijah Muhammad, who scathingly criticized Dr. King in an interview with me. Dr. King, on the other hand, was critical of the Black Muslims.

"I think this Black Muslim movement is very sensational," he said, "and consequently it will excite and get a good deal of coverage. But the thing that amazes me is not how many Negroes have been willing to join this movement but that more Negroes have not joined it. When you think of the number who have given overt allegiance by joining, and those who somehow share the views of this group, it's amazing.

"Their membership really is almost less than one-tenth of 1 percent of the Negro population. The FBI estimates its membership at perhaps 75,000 for the whole Nation, but I would think many more would share its philosophy. I would think a great number of Negroes are at least in agreement with them on their statement of the race situation.

"But it seems to me that this other movement that is all around the country now, engaging in nonviolent direct action, has appealed to many more people because they see a way out through this. You can channelize legitimate, healthy discontent through creative channels in the nonviolence movement.

"The Black Muslim movement channelizes it through negative and bitter channels. The nonviolent movement says that the anger I have is an anger that is almost inevitable in a situation I am in, but this discontent which is necessary for a change in the social situation can be channelized in a creative channel.

"You don't need to hate in the process, and when we talk about love at this point we are not talking about emotional bosh or sentimental affection. It's nonsense to tell an oppressed people to love their oppressors in an affectionate sense. But we're talking about something much deeper. Now this is why the Muslims can't get off the ground in cities where you have powerful nonviolent movements.

"They've been in Atlanta 3 years and it was interesting that the Atlanta Constitution had a series of 5 articles on the Muslim movement, and at the end of the series they said that the Muslims had 65 members in the temple in Atlanta.

"In the nonviolent movement we've had as many as 4,000 students participating at one time. But we've never had a series of articles on that."

Dr. King warned that grave elements of danger reside in the Black Muslim movement. This is because it appeals to people on the periphery of life, he said, and he added:

"I think that this is a danger. There is no doubt about it. If this movement grows and continues to grow it can create an atmosphere for a great deal of bitterness and hatred, and can bring about a nightmarish situation in any big city in the country. It has dangerous overtones, and no doubt about it."

[From the New York Herald Tribune, May 3, 1963]

TEN NEGROES

(By Robert S. Bird)

I met Carver Neblett in about the same way you reach in and pull a number out of the hat. I dropped into what is called "Snick" headquarters in Atlanta and buttonholed for an interview the first typical, Negro Snick kid I found who was fresh off the firing line, so to speak.

Snick is the way they pronounce the initials of the students nonviolence coordinating committee—SNCC.

These are the nonviolent, Negro and white student commandos who are risking their lives in the Negro voter registration drives in rural Georgia and Mississippi with courage not easy to understand.

And these drives to get for Negroes in the Deep South the tool of voting power to improve their lot is becoming this year the most important breakthrough of any in the struggle for Negro rights. SNCC is one of several organizations, including the Congress of Racial Equality (CORE), that are active in this turbulent and dangerous field.

"But we go into more hell than any of the others," Carver said.

Their headquarters is in a very small building off Hunter Avenue in the Negro section out beyond Morehouse College. When you enter the door you find yourself in a cramped little warren of small, connecting offices, all busy with the comings and goings of students in all kinds of dress—boys and girls, white and Negro.

At a desk near the door I saw a white girl with scuffy sneakers on her feet and owlish spectacles over a nice-looking face, and an air of supreme calm amid all the hurly-burly. She absorbed the explanation of my mission faster than I could say it.

"Follow me," she said cheerfully, and led me into the labyrinth of offices to a corner where two Negro youths were chatting. She pointed to one of them and said:

"He's Charles Neblett. He's been working in Greenwood, Miss., but he's leaving today to go on tour with the Freedom Singers. The other one's his brother, Carver. He's working on voter registration in Terrell County and he's just in from the field. Maybe he's the one you want."

So I ended up the following morning with an interview with Carver, trying to pry out of him something he couldn't quite put into words.

It was typical of this action-minded boy that as this is being written he has taken time out to make the walk from Chattanooga to Mississippi with the band of 10 Negro and white youths commemorating the killing of Baltimore postman William Moore. Moore was shot on a lonely road in Alabama while on a lone demonstration march on this same journey.

The Snick youth is a tall, rangy lad with a somewhat loungey, offhand manner and a low but quick way of speaking. He has very alert eyes. He was wearing a bright red sports shirt and black slacks of collegiate-slim styling, and he was feeling mighty good in them.

"Can't wear these things on the job in Terrell County," he said, fingering his red shirt and grinning. "You gotta wear work clothes there."

WHENCE COMES COURAGE?

What I was searching for from him and others was, what is the nature of the dedication and strength these students have got that enables them to stand up to prolonged strain of white hatred, threat, beatings, arrest, jail, and even shooting?

Carver Neblett is 19, and a sophomore at Southern Illinois University, who has been on leave for more than a year. He was born into a sharecropper's family in a rural Tennessee. The family moved north 6 years ago, to Carbondale, Ill., but he was not able to rid himself of the resentments he had felt in growing up as a segregated Negro boy in the South.

When he was in his last year of high school in Pulaski, Ill., in 1960, his brother Charles, now 21, wrote him from Southern Illinois University that he was joining in an SNCC desegregation action in Cairo, Ill., and why not come along?

Carver went to Cairo, promptly got arrested, and went on a hunger strike in jail. That was the beginning of his conversion to the nonviolence philosophy of creative protest, and to what he calls the Snick way of life.

He learned the nonviolent techniques in endless SNCC workshop sessions, and found himself greatly moved by the power of the nonviolence philosophy and by the examples of SNCC leaders who had been through the fire.

Although he had become well embarked on his studies at the university, he decided to quit school temporarily and go south to throw himself into the most perilous action of all.

Telling how the first student workers to enter a new rural area go in with nothing but the clothes on their back, placing themselves deliberately on the charity of the frightened Negro community, Carver said:

"Usually they don't know who we are, except they think that we're dangerous to them. Most of them never heard of SNCC, but they have all heard the term 'freedom riders,' and they tend to think that's what we are. They have been told by the whites that if any freedom riders come into the town, stay away from them, they're troublemakers, and it would be very dangerous to talk to them.

"But in any of these rural areas you are going to find a few dynamic Negro persons who will take you in and understand the situation. That's how we get the first toehold. These few members of the community give us food and a place to stay, and they know that we are doing nothing wrong but are working for the betterment of the Negroes.

"WHAT'S TO LOSE?

"So what do we have to lose? The ordinary people at first think we are crazy in a funny way, that we are absolutely fearless, sort of inhumanly brave. We have to get that idea out of their head fast and make them understand that we are completely human, though not fearful in the way they are.

"How do we do this? In different ways. One is to persuade a frightened Negro family to let one of us sit in the livingroom with them and watch the television some evening. You don't say much, but by the end of the evening they've got the feel of you, and they begin to look on you as human beings like themselves."

In all these areas, Carver said, the Negro community in general has a pervasive feeling that they cannot go down any lower, that the only place they can go is up. He continued:

"Gradually you start dealing with the Negro people on several different levels. You go to the night clubs. You go to the churches. You go everywhere that people gather and talk. And very slowly they begin to respect you and to look on you as symbols of the respect which they themselves want and should have."

The slowest to respond in many cases are the Negro ministers of the local community, and it is they who have always been "set up on a pedestal," Carver explained.

"In the beginning they shy away from us. I guess they are afraid of their position in the community and afraid that their churches will be bombed. But SNCC knows how to use a little psychology on them. We get things going, and pretty soon the idea of freedom is in the air and we're having mass meetings and people are getting involved, and the doctor and the lawyer and the field hand and the servant girl are all going to jail together.

"Then it is that we have become part of the community ourselves, and everybody is knit together and the whole Negro group is ready to do anything—anything—to get their goal."

Carver was not able to express very well the quality of the peril that envelops such a Snick-invaded rural Negro community like a chill miasma. But older and more mature Negro workers who help to guide these missionary students on the scene did provide me with moving accounts.

HIS CAR SHOT UP

One was Randolph T. Blackwell, the Negro field director of the voter education project, a law graduate and specialist in government and economic studies, who was in a car with SNCC workers that was shot up outside of Greenwood on February 28.

"I don't know how these kids are able to stand up to the strain and danger," he said. "As for myself, it seems like being in combat, where you move through the town expecting anything to happen and looking ahead of you and behind you both at the same time.

"But I have learned that it is helpful if you have in mind an absolutely clear understanding of the nature of your opposition. One of the experts taught me that it's not too difficult to stay in such a community if you start with the following assumptions:

"No. 1, that there are a lot of white people in the community who will want to kill you and who will try. No. 2, that the police are hostile to you and not your friends. No. 3, that the courts are not going to be fair with you. No. 4, that a sizable portion of the Negro community will not understand what you're trying to do at first.

"And No. 5, that it will require great persistence and continuation of effort before the Nation will wake up to the point where it will call on the administration to live up to its national responsibilities."

Here is how the strain of peril falls on both Negro and white workers in such a danger area. It summarizes the account given to me by Mr. Blackwell:

On February 28, Mr. Blackwell drove in a rented car to the SNCC office in Greenwood, arriving at 1 p.m. He noticed a white car with no license plates parked in front of a Negro cafe near the SNCC office which later was burned down. Three white men were in it. Just sitting. They were still in the car, still sitting, at 2 o'clock, at 3 o'clock, at 4 o'clock, at 5 o'clock, at 6 o'clock.

At 6 o'clock they switched on their lights and stayed there, just sitting. They were still sitting in the car at 7 o'clock, at 8 o'clock, at 9 o'clock. At 9:15 p.m. Mr. Blackwell, fully aware that trouble was in the offing, got into his car and prepared to leave.

The white car instantly pulled away and drove around the block, coming in behind Mr. Blackwell's car as he was leaving his parking place. It followed him, and so he drove around the block, returned to the office and warned the eight or nine student workers in the headquarters to close up for the night and be careful in leaving because he was being followed.

He got back into his car with two other workers, Robert Moses and James Travis.

They drove to a nearby gas station, where they refueled the car and ate sandwiches. The white car with the three white men followed them and circled while they ate. Then, with Mr. Travis at the wheel, he headed his car out on the main highway toward Greenville, Miss., with the white car following them.

ATTACK COMING, BUT WHEN?

All three were in the front seat. They knew they would be attacked. The only question was when. For a while there was too much traffic on the highway for the other car to come up beside Blackwell's. But they knew that when the white car began to pull up they could expect bullets.

Very soon that time came. The white car moved forward. Mr. Travis, at the driver's window, was in the most exposed position. Mr. Moses was in the middle and Mr. Blackwell at the right window. The car pulled up beside them. The gun appeared in the white car. One of the white men opened fire.

Seven shots were fired. Mr. Blackwell shouted to Mr. Travis to pull over to the right and stop. But Mr. Travis cried that he had been shot—in the neck, as it turned out. Mr. Moses grabbed the controls and pulled their car to a safe stop while the white car sped away.

The bullets had smashed both side windows in front and the left side window in back. They found succor at a nearby Negro vocational school and Mr. Travis was removed to a hospital, where the bullet was taken from his neck and the wound closed. He recovered. The others were not hit.

Carver Neblett assured me he is prepared to take any risk whatever, fortified as he is by his nonviolence philosophy and spiritual feeling, though up to now he has not been shot.

"No matter what happens to me I am going to participate in the movement for as long as possible, even when I go back to school," he said, simply. "I was not always nonviolent" —he laughed at the thought—"but we won't go into that.

"I was brought up—all Negroes in the South are—with a fear of jail. But I don't care about jail now. Sometimes I get lonely there, or frustrated, but I think of our freedom song, 'Paul and Silas were bound in jail, had no money to go on bail, keep your eyes on the prize, hold on—.' Or I think of what that poet said, about bars do not a prison make if a fellow's soul is free, and that gives me content. And I pray."

Some of the things that Carver was not able to explain about the spirit of people in these aroused communities—unable to express them because he is so totally immersed in action itself—were explained to me by a young minister of the Southern Christian Leadership Conference. He is the Reverend Andrew Young, who is active in the program for teaching citizenship to the largely illiterate rural Negroes.

"The predominant mood of the masses of Negroes in Mississippi is religious," he said. "It's impossible not to see the religious parallels that have always been made since slavery days—'Let my people go.'

"The whole struggle of the Old Testament Hebrew people in the midst of adversity is continually quoted and is the foundation of their thought. Mixed now, however, with the new freedom songs.

"IN SPITE OF FEARS

"You have the feeling that while these people do not get completely free of fear when we come in with outside help, they will go along in spite of their fear. And the lower classes are not nearly as controlled by their fears as the middle classes of Negroes. They are the ones who have been most successfully brainwashed by the segregationist whites.

"Then there are the ones who had got away for a while and had a taste of freedom in the Army. They are helping greatly to produce a kind of mood for freedom in these Deep South areas. Freedom is not a word that is ever quite defined by them, but it is their mood.

"Another thing, since these are a very religious people they have a deeply religious idea of the fullness of time, a period when time does have meaning, when everything clicks. We almost have the feeling that this is the time in Mississippi."

Carver Neblett talks a little awkwardly about his feelings of spirituality, and I felt it was because he hesitated to commit to words things he feels as deeply as the spirituality of the nonviolence philosophy.

AMOUNTS TO CONVERSION

Still he tried to explain it, and this is what he said:

"I don't believe in approaching a person and asking him to accept nonviolence as a way of life. It's something you have to come to yourself. But if you are on the demonstration line, the opposition will start engaging in things that are so unpleasant that you really have to use nonviolence in order to survive.

"You see, we believe we can overcome hate with love, overcome violence with nonviolence. And this is a tremendous force. It amounts to a conversion to a new attitude toward life."

Many Carver Nebletts are working today in the brooding rural countryside of the Deep South, where the War Between the States and the days of Negro slavery seem very close.

Some of the rural Negroes they are trying to rouse to a reaching and grasping for citizenship rights are almost childlike in their view of themselves and their world. These student workers are bringing them among other things the rudiments of citizenship education.

In the Southern Christian Leadership Conference's "Citizenship Workbook," below sections on "New Works To Study" and "Be Polite," is a section on "Our America." It tells what all this voter registration business is about. It says in part:

"The Supreme Court Building, where the Justices decide legal disagreements, is the symbol of law. The Capitol, where our Senators and Representatives make the laws, is the symbol of free, representative government.

"The White House, where the President lives and his Cabinet meets, is the symbol of our country in world affairs. We accept the results of elections and abide by the rulings of the courts.

"We in America know that voting is important for good citizenship, but we know that educating our children so they will vote wisely is a part of good citizenship, too. They have to know how to stand up for their rights.

"In America we want law and justice.

"We love our land—America."

[From the New York Herald Tribune, May 5, 1963]

TEN NEGROES

(By Robert S. Bird)

Those recent photographs showing police setting dogs on Negro citizens trying to register for voting in Mississippi produced in the Negro world a kind of feedback reaction which white people can scarcely realize.

White America looked at the pictures and undoubtedly deplored the action as savage and wrong. But Negroes felt within themselves that the hour has long passed for looking and deploring, and that the white world's good will has been smothered by the hypocrisy prevailing in the Nation.

The feedback reaction was against sacred American institutions—the American system of justice, for example, for those men with dogs wore the uniforms of an arm of the law; and the church, which many Negroes believe has failed in moral leadership.

A confrontation of race crisis now challenges the country, and danger looms.

This is the calm but worried appraisal of an eminent Negro social psychologist and educator who is one of the country's most perceptive observers of racial tensions.

He is Dr. Kenneth B. Clark, professor of psychology at City College, codirector with his psychologist wife of the Northside Center for Child Development, director of the newly started "Haryou" youth program in Harlem, and author of the classic study of race prejudice called "Prejudice and Your Child."

His research for that book was cited by the U.S. Supreme Court itself in its epochmaking 1954 school desegregation decision.

"America is confronted with a stark crisis in race relations and it is no longer verbal and no longer academic," Dr. Clark told me. "From Greenwood, Miss., we saw pictures of police dogs attacking not criminals but human beings who were asking only for elementary rights as American citizens. Asking not for complex things such as social relations but only for the right to register to vote.

"It recalls to my mind those indelible pictures I saw just before the war of men in Nazi uniforms in Germany forcing old Jewish men to scrub sidewalks.

"Seeing people in uniforms who, in this case, were not Nazis but American police with dogs, unleashing them not on persons who were violating the law but on those who were seeking to have the law upheld—that is one example of the present crisis.

"Then there are the jailings of scores and even hundreds of Negroes in Birmingham merely because these people are insisting upon their unqualified rights as American citizens, that is another example of the nature of the present crisis.

"The crisis has now reached a point of confrontation, and I borrow a phrase in saying that it is an eyeball-to-eyeball one, this present situation in race relations in America."

Dr. Clark, a friendly, professional man not given to undigested thoughts and statements of alarm, has been searching deeply into what he believes may be a very basic shift in Negro attitudes in this country, and one with foreboding possibilities.

He discussed this with me at considerable depth, starting in his office in the "Haryou" project at the Harlem YMCA, and later during a drive up to Kent School, the boys' preparatory school in Connecticut, where I was invited to sit in with a group of students on a race-relations seminar conducted by Dr. Clark. His son, Hilton, is a recent graduate of the school.

"The perspective that dominates my thinking now is the problem of increasing alienation of a substantial part of the American Negro population from the American—well, I was going to say the American 'mystique,' but let's say the American habit, or the American perspective, or way of looking at things.

"Two years ago I felt, and said, that the American race problem would have to be resolved within the context of the fact that the American Negro is American.

"I said that his insistence upon his rights as an American citizen is his attempt to establish beyond doubt that he is an American, and he will settle for nothing less than the rights that the American Constitution and the American creed and American ideology grant or guarantee for other American citizens. This was the basic rationale of his push.

"I have not shifted this position totally yet. I have not reversed it. But it is certainly being modified.

DESPAIR

"I say this because, as I read the things which Negro intellectuals are writing—James Baldwin and others—and as I watch the relationship between that and the black nationalist movements, I sense a stronger undercurrent of alienation and despair among the Negro people.

"This is not too clearly articulated yet except in the black nationalist and Black Muslim movements, where we find a total rejection of the American pattern as being incorrigibly hypocritical and corrupt and therefore unworkable in terms of a meaningful change in the status of the Negro. They seem to be coming into a terrifying and frightening thing."

I was talking with Dr. Clark at this point in his office at the YMCA, and I asked him to develop his view a little more deeply.

"If one dares to look for the common denominator of such seemingly different forms of Negro protest one gets dangerously close to identifying this as the rejection by the Negroes of the American promise.

"The Black Muslims state it categorically that way. In fact, they restate it with such vehemence that it is easy to disregard the significance of it.

"But when you reread what Baldwin was saying as he reacted to the Lumumba affair—on what was the meaning of the prompt attack on Ralph Bunche when Bunche attempted to apologize for the Negroes who disrupted the U.N. session—you found a 'Oh, the hell with you polite Negroes now' sentiment.

"You found a 'You had your chance to negotiate, to use the democratic processes, to use the courts, to use lobbying, legislation, and where has it gotten you? It's gotten tokenism, it's gotten moderation. It's gotten a new form of the same hypocritical adjustments that were standard before the Supreme Court decision. But it's gotten you no substantive change.' The conclusion is suggested that no substantive change is possible within the present power structure."

As to where identification with this kind of thinking is leading Negroes, the psychologist said:

"It could lead to lots of things. I am looking very hard at the possibility that it might be leading to increased forms of quiet, personal deterioration, despair, and apathy."

Having noted evidences of this alienation of the Negro from the American "habit" among the intellectuals, and again among the masses at the bottom, who are giving most attentive ear to the Black Muslim preaching, I asked Dr. Clark about the Negro middle class which is growing in size.

"It is paradoxical," he said, "that although the Negro middle class is an expanding group, reflecting expanding prosperity and some advances in housing, still this trend of thinking in that group is not only not excluded but it's more profound there.

"PRIMITIVISM

"It is true that on the surface the expanding middle class seems to be much closer to the middle class American norm. But the irony is that this sense of alienation and despair seems to me as profound in this group, if not more so, as they approach closer to the so-called white norm.

"But its manner of expression is different. For example, you don't find this group with the Muslims. You find them, to the extent they take a stand at all, against the extremism, emotionality, fanaticism, primitivism, of the stark black-white approach of the Muslims.

"What you do find in your better educated, middle-class Negro group is a confused, complicated despair of a different form. In a sense, the bigot is right when he says that to give the Negro anything merely makes him more impatient and insatiable for everything.

"As your middle-class Negro group approaches more equality, what remains to be done is more difficult to get done, because these include the areas of strongest defenses on the part of the more privileged status quo people. This includes housing and such things as total acceptance of the Negro as a human being in terms of his humanity rather than in terms of his skin color.

"If a man says to you, 'All right, you can come to this school,' that's not the whole battle, you know. When am I a man, just as another man, to this person? Or when is he constantly seeing me as a Negro with all the past inferences that go with this view of me?"

Dr. Clark turned to the failure of the church, explaining that he was brought up as an Episcopalian and had served on the altar as a boy, but that when he got to college he began to sense a hypocrisy in the church in its attitude toward Negroes and the race question.

In recent years, he said, "the hierarchy of the church has been trying to get me back into policy discussions on this matter of race, and I've been working with the Department of Christian and Social Relations, analyzing the church's position on it.

"I have reviewed and summarized a report, which I submitted to the presiding bishop, on the hypocrisy of the church and the fact that the church had been accessory to the Black Muslims by cutting the ground from under more responsible Negro leadership. This was done by its helping to perpetuate the hypocrisies which the Black Muslims exploit so effectively."

Later, in talking to the students at Kent, Dr. Clark said:

"Certainly the Christian church has defaulted in its role as custodian of moral and ethical values and is now no longer relevant or significant as a factor in the amelioration of American racial tensions."

He spoke to me vigorously about American hypocrisy, saying that a kind of "slicksterism" is spreading insidiously into many areas of the American scene, including into politics.

SLICKSTERISM

Nor did he except Negroes from this affliction. He described New York's Negro Congressman, Representative ADAM CLAYTON POWELL, as an exponent of "political slicksterism."

"He could become a symbol of a cynical disregard of any meaningful value system in the larger society by his exploitation of the prevailing hypocrisy, by his deliberate use of it," Dr. Clark said. "This seems to me to be the major contemporary danger in the country, and all the more dangerous because it is reflecting certain fundamental realities.

"Chief among them is the reality that the susceptible people in America have settled for racial hypocrisy and have been, in fact, for centuries parties to the perpetuation of these things."

Speaking about Congressman POWELL, Dr. Clark said, "His greatest strength is that he can always make himself stronger simply by shouting, 'The whites are picking on me because I'm a Negro.' "

The psychologist pinpointed a trend which other Negro men of affairs also had emphasized to me in these interviews—that Negro leadership today is in a crisis position along with race relations in general. He said:

"The confrontation now is clear, and what is required of the Negro leadership now is clear—namely, thrust and the push for full citizenship rights now. Responsible Negro leadership must dare to take the risks which they must take in order to achieve significant breakthroughs—not tokenism any longer, because tokenism is a part of what is precipitating the present alienation.

"If responsible Negro leadership is battle weary and not able to mobilize itself and make the war significant—the movement in this direction of breakthroughs—then the result will be chaos as I see it.

"Chaos either in terms of overt social confusion, or what to me would be even worse—quiet dry rot. From the point of view of the national image, I think the latter would be worse."

The same points which Dr. Clark made on the need for a harder push and the greater insistence by Negroes that they be accepted as human beings also was emphasized to me by another Negro professional man. Dr. Clarence B. Jones, lawyer and general counsel for the Gandhi Society for Human Rights, Inc., a legal aid organization headed by the Reverend Martin Luther King, Jr., had said to me during an extended interview:

"Negro demands are greater now, and the Negro wants to be accepted now as a man, completely, in our American society. He wants to be able, really to be able, to walk down the street as if a big burden had been relieved from him—to be able to walk into a restaurant here in New York and know that the only consideration is whether the menu is good, and he has the money to pay. Not to feel that he is walking in and suddenly there is a concern that this is a Negro, a black man, who is walking in. To be accepted as a man, that's it."

FRUSTRATION

As to the urgency of the Negro demands, Mr. Jones had said:

"There is nothing inconsistent in my saying that the Negro wants his freedom now more than he wanted it yesterday, because there has been a passage of time between yesterday and today. And so he will want it even more urgently tomorrow than today because he didn't get it today."

In the seminar at Kent School, Dr. Clark summed up his picture of the present race crisis in these words:

"The crisis, I think, is a reflection of the profound frustration, despair, and the growing sense of hopelessness among Negroes that they can ever obtain justice, equality and democracy within the American system.

"There is a deep bitterness and disillusionment over recognition of the fact that white Americans can settle for the hypocrisy of tokenism as the price of social and racial peace. And awareness that the alleged gains in race relations within the past 3 or 4 decades are more illusory than real.

"Negroes are still segregated in schools, both in the North and the South. Job discrimination is still rampant and normative in the American economy. Indeed, the discrepancy in the economic status of the average white and the average Negro family is greater today than it was during the depths of the depression.

"Not that the Negro has not gained economically, but in terms of relative position with the whites the latest census material shows that there are much larger gaps.

"By all meaningful indexes, the Negro is still and unquestionably of the downtrodden, disadvantaged group and he is systematically being robbed of his dignity as a human being, not only in the South but in many regions of America. And the major indictment here is that all of this is being done with the knowledge, and at times with the connivance, of respectable, moderate people who are not overtly bigots or segregationists.

"They are people who really want peace and don't want to be disturbed by direct involvement or knowledge of racial controversies or crises. The bigots, the flagrant segregationists, alone could not be held responsible for a system of flagrant injustice and cruelty which seems to permeate our society. They, in order to have their way, would have to have the silent consent of our Christian churches. They need the alliance and the conspiracy of our labor unions and our labor leaders.

"They need and generally get the polysyllabic rationalizations of educators. They need the cynical connivance and conspiracy of our elected officials, North and South."

CYNICISM

Analyzing the ways in which the Negroes have undertaken to meet the growing mood of despair and hopelessness, Dr. Clark said they have stepped up their traditional techniques of protest within the democratic processes, they are still lobbying, and their organizations are still trying to improve the plight of the Negro in America.

"But I think we ought to face the fact that our courts have been subverted and their edicts cynically evaded, ironically, even by those who have been sworn to uphold our laws. Negotiations have not worked in any effective way except in a few individual cases."

Saying that the traditional techniques have, however, been pushed aside lately for more direct action techniques, dramatizing the injustices and bringing them to world attention, Dr. Clark discussed the Reverend Martin Luther King, Jr., in some detail.

Though praising Dr. King's efforts generally, the psychologist called Mr. King's philosophy of love of the oppressor as psychologically unrealistic and guilt-producing and too close to the stereotype of the Negro for comfort, really.

His appraisal of the Black Muslims was that their philosophy is pure racism.

"This is the mirrored image of the racism of the White Citizens Councils. It's a dangerous doctrine because the basic premises are true. I think this is the essence of the danger of the Black Muslim movement, the fact that they are not inventing nor for that matter are they even exaggerating or distorting the basic fact.

"White America has permitted a system of cruelty and barbarity to be perpetrated and perpetuated on citizens of dark skin color and the Muslims are very effective in saying this over and over again. They have the effectiveness of the simple target—statement of an undesirable fact. And they are dangerous also because hatred is an emotion that can be manipulated in the masses.

"Not just the Negro masses but one needs look at only recent history of the world to see how effectively hatred can be used to build powerful movements. There is no reason to believe that American Negroes are any more immune to the seductive lure of racial hatred than are other human beings."

Justice and equality for the American Negro must either come now "or we must gird ourselves for a kind of disaster which I think is too horrible to contemplate," Dr. Clark said.

AND FANATICISM

"By horror I mean not that there would be civil war in America, but I think it could be worse. I think we could have in America an American version of what happened in Nazi Germany."

Later, Dr. Clark told me that it was his belief that the Black Muslims would not win mass converts to the movement, "but almost for irrelevant reasons.

"It would be extremely disturbing to me if the Black Muslims were flexible enough to modify an aspect of their program which, so long as they keep it the way it is, tends to block a mass following.

"These people are austere, humorless, rigid, fanatic in their basic style, in their approach. The Negro masses are not fanatic in this literal, rigorous sense.

"The Negro masses are flexible. They've had to be in order to survive, for one thing. They are people whose love of life has been deep enough for them to be able to survive in the face of overwhelming oppression and cruelty and barbarity, and almost a death-wish apparent among whites has been countered by a life-wish among the Negroes."

Negroes are not puritanical, but want to smoke, eat well, and drink, the psychologist said, and this is the opposite of the qualities which the Black Muslims try to mold in their converts. The Black Muslims say, "No, you must be more virtuous than Caesar's wife," he added.

"As long as they keep saying this, I don't think I would worry about their mass attraction," Dr. Clark said. "I'll start worrying when they modify their demands on the Negro members and make these demands more consistent with what the Negro is able to respond to. Then I'll really worry about the Black Muslims."

[From the New York Herald Tribune,
May 6, 1963]

Ten Negroes

(By Robert S. Bird)

An angry young man of the 1920's, a Williams College man who took his master's at Harvard, was arguing with another angry young man of the 1920's, also a Williams man who had taken his doctorate at Harvard—both Phi Beta Kappa—that things really haven't changed much in 40 years despite all the dramatics on the current scene.

It was a wonderful conversation to listen in on because it was so rich in wit, irony, insight, contradictions, affection and nostalgia.

And because it dealt with a most serious subject, one usually filled with rancor—race relations in America. The two men were Negroes.

Sterling B. Brown, author, essayist, and poet, and one of the giants in literary scholarship on the Negro, was the angry young man of the 1920's who was trying to convince his friend—who needed no convincing whatever—that the supposed young "new Negro" of today is no different from the one of four decades ago. Nor are many other aspects of the race situation.

The two men were talking on two or three levels at the same time having fun with each other and fun with me, the interviewer, but all the while getting across to me some serious and deeply felt points.

Mr. Brown is professor of English at Howard University in Washington, D.C., the biggest predominantly Negro university in the country. Among his serious points were:

That the Negro youngsters of 40 years ago were animated by the same high spirit of revolt and demands for Negro rights as those of today.

That it is "the times" rather than the young people which have changed.

That even though race conditions are being improved steadily in the country, certain basic problems remain exactly the same.

Above all, that the Negro youngsters of today tend to be too impatient for speed in race advancement, and they need perspective as to what the Negro has done during the last four decades and more.

"Nobody does his homework any more on the literature and history of the Negro in the past, and on what we were doing in those days," Professor Brown said.

ANGRY OLD MEN

His friend, who couldn't agree more, is also a titan in the world of scholarship—Dr. Rayford W. Logan, professor of history, author of many books, articles, and scholarly papers dealing with historical aspects of the Negro in America.

Professor Brown explained that he and his friend are really angry young men who have become angry old men. People call them conservatives, he said, because they believe in a slower but more realistic approach than the "all," "here" and "now" demands for speed which Dr. Martin Luther King, Jr., is advocating in the civil rights field.

I got the impression that the professors don't mind being called conservatives because they stand for a more gradual approach, but they don't want to be called moderates.

"My position in the 1920's was that I knew that segregation couldn't be changed swiftly," Professor Brown said. "I knew the South. I didn't need any talk about 'all deliberate speed'—although I think it has been too deliberate. But I couldn't conceive of anybody believing that it could be ended just like that." He snapped his fingers.

"I knew enough sociology for that. So I didn't see why there should be a radical-to-moderate viewpoint in this matter. My point about the moderate view was—and is—that, if the door is open, either you go in or you stay out. I don't see anybody standing in the middle of the door, just standing.

"The Meredith case at the University of Mississippi is an example of what I mean. There you had extremists on both sides at work. One group wanted Meredith out of the university, another group of extremists wanted him in.

"I didn't see any moderate position there. What do you do as a moderate, leave Meredith standing in the hallway? I can't conceive of the moderate position. The mob says, Stay out, Mr. Meredith, and President Kennedy and the NAACP says, Get him in. If the 'moderate' says he knows it won't happen overnight, I don't know of any Negro with any sense at all who believes it will happen overnight."

"That's my criticism of some of these angry young men of today," interjected Professor Brown's friend, Dr. Logan. "When they say, we want it now, that's nonsense for they're not going to get it now."

Going on to Dr. King's strategy in the demonstrations in the South, Professor Brown continued:

"Dr. King can't say to the public that these things will come later. You see, he's engaged in demagoguery in a good cause—he's not a social scientist. And to get all those people stirred up, he can't go telling them that 'time will take care of these things.' He's got to keep them feeling this sense of urgency, and that is the way these youngsters here at the university feel, too."

"Will you pin that point down, Sterling?" asked Dr. Logan. He is a short, round-faced man in contrast to Professor Brown, who is tall, erect, and large framed. "This is the role, I think, that we angry old men should play."

FIRM STAND

"Yes, this is the role we've got to play in the presence of men who are saying things which privately I don't think they believe themselves," the English professor answered. "One of us has got to take the position, and state it publicly, that you cannot do it now.

"If these people who are being told they should have it now don't get it tomorrow, then they become desperate and run to the Black Muslims."

Dr. Logan nodded affirmation, saying, "This is very important, because we have it in Washington right now—the kind of disillusionment which makes for converts to the Muslims and to communism."

We were gathered in the old 19th century former residence of Howard University presidents, and a heavy rain was beating down on the campus outside our pleasant study. It helped to pull a curtain down around us and made it easier to go back 40 years in reminiscence.

"I started out as a young fellow teaching at Virginia Seminary in Lynchburg in the twenties," Professor Brown recalled. "Many of my students were young ministers who played on the football team, and they made trips on which they came to resent segregation more than ever.

"They would steal the signs, 'whites' and 'colored' for waiting rooms and bring them back to the dormitory rooms. They would try being surly to conductors on the trains. But they didn't have any discipline or organization such as CORE and SNCC give the students of today.

"There is a new behavior now, I must say, but the spirit is not new. You fought in those days and you fought alone. I'm not a belligerent person but I have had a gun pulled on me."

Rambling back through the years, Professor Brown, who is 62, and Dr. Logan, 65, lingered with a mixture of bitterness and relish over their recollections of sleeping and eating in Pullman dining cars in the old days. There they were, distinguished scholars with degrees from leading colleges, gingerly kept out of sight in the railroad cars as if even the glimpse of them would be offensive to members of the "superior" white race.

"There was a compartment at one end of the train and the railroad company would give a Negro the whole compartment for the price of one ticket and one berth," Dr. Logan recalled. "But to keep up the fiction of inferiority, we were not permitted to close the door. The berth would be made up with the curtain hanging down just as if it had been in the open car. This was always called 'Lower 13.'

"Then we could go back and eat in the dining room after the third call, not at the first call or the second call. But, you see, those white folks who lingered over their coffee at the end of the second call, who would have been, presumably, outraged at a Negro passenger coming in to eat, had to suffer our presence at a table when we came in after the third call.

INJUSTICES

"But World War II did away with the third call for Negroes—only because there was too long a line, sometimes stretching out to another car. That's when the railroads decided to put up with us.

"They reserved two tables for us and we could go in any time. But the two tables were at the pantry end of the diner, and a green curtain was suspended from the ceiling to the floor around these tables so that the white passengers in the dining car couldn't see us eating.

"Do you remember, Rayford, the waiting room in the railroad station in Louisville?" asked Professor Brown. "There were two doors side by side leading into the waiting room, one marked 'white' and one marked 'colored.' We had to go in the 'colored' door. But both doors led into the one waiting room and when you got inside you bought your tickets at the same window and mingled and rubbed shoulders with the white people.

"I was entering the waiting room with a white friend and he had to go in his door and I had to go in mine and just inside we joined up and continued our conversation. Oh, it was fantastic."

Both professors agreed that the full story of past injustices needed to be retold to the present generation which is so angry at even lingering traces of the commonplace mistreatments of yesteryear.

The two men had come with armfuls of books to impress upon me the greatness of what had been done by Negroes in a past generation which seems now to be all but forgotten.

The idea of the "New Negro" was coming into first flowering in the twenties, they emphasized, and they gave me a 1955 booklet to which each of them had contributed an article commemorating the late Alain Locke's "The New Negro: An Interpretation," published in 1922. Howard's division of social sciences got out the paperback volume entitled "The New Negro 30 Years Afterward," in which distinguished Negro contributors re-created the yeasty ferment of the Negro angry young men of those days, including the bursting new bohemia in New York's Harlem.

"There is practically nothing being asked for, or urged, or demanded by Negroes today that was not asked for, urged, and demanded many years ago," Dr. Logan said. "The failure to realize this is a result of ignorance of the history of the Negro in a very large measure, and this accounts for the widely held belief that what individual organizations are asking for 1963 is being asked for for the first time.

"To be specific, I don't believe that anyone has stated any better than Dr. W. T. B. DuBois at Harpers Ferry in 1906 what the Negro wants. He said at a commemorative gathering there:

" 'We will not be satisfied to take one jot or tittle less than our full manhood rights. We claim for ourselves every single right that belongs to a freeborn American, political, civil, and social, and until we get these rights, we will never cease to protest and assail the ears of America.' "

SOMETHING NEW

Professor Brown listened with absorption as Dr. Logan enunciated, almost with declamatory effect, these words:

"I am impressed, Rayford, you have actually memorized that," he said. "I will have to second the things you have said. The times are new and people can get more now than did the youngsters I taught back 30 years ago. But those other youngsters had the same drive, even if not the organization. Nor was the world ready to take them, nor was the Herald Tribune as ready to publish our interviews. This is all something new."

Turning to a consideration of the agonized writings of James Baldwin today, Professor Brown said:

"Baldwin is writing with passion, and Baldwin has a big following, but even he is saying nothing that Prof. E. Franklin Fraser has not said, that Dr. Rayford Logan has not said, that I have not said—except that Baldwin says it in his style, and it is an excellent style.

"The point is, Baldwin is the Negro writer of the moment. The New Yorker magazine wouldn't take an article by us. The magazines wouldn't trust a college professor, he's too stuffy. Baldwin will admit this. Nevertheless, Baldwin knows from whom he has learned. I think he's a very skillful propagandist.

"My resentment is that some of the critics talk as if they came upon this Negro problem last night. They know nothing of the whole literature of the thirties and forties."

Dr. Logan took over at this point to pay a compliment to Professor Brown.

"A lot of the so-called original literary criticism in 1963 has been all too frequently taken without credit to Prof. Sterling Brown, who wrote it in his books years ago."

One book to which both these professors had contributed they particularly wanted me to have. That was because of the theme and title, "What the Negro Wants," and because of the fact that the publisher, W. T. Couch of the University of North Carolina, disavowed it in his introduction.

The volume was published in 1944 and Mr. Couch apparently thought that the editor, who was Dr. Logan, and most of the contributors, including Professor Brown, were reaching too far.

"While I disagree with the editor and most of the contributors on basic problems," the publisher had written, he thanked the participants "for expressing their real opinions and making this book possible."

I asked about students' attitudes today, apart from their hurry to advance. Dr. Logan made an interesting point in contrasting the students of his day and those of today.

"We came from a community which was not rich but which had standards of respectability that did not result in the kind of problems which are all too common in Washington today," he said, referring to high crime rates and racial tensions. "We came from the best Negro high school in the United States, the old M Street High School in Washington. Most of us went to New England colleges; Sterling and I to Williams, others to Amherst, Harvard, Bates, Wesleyan, Colby, and so on.

"But many of the students of Howard today are graduates of inferior schools in Washington, and you know the reasons why they are inferior. The congressional people are just not giving the schools the money to construct the necessary facilities, to provide the teachers, and all the rest.

"But many of the students in the inferior schools are inferior students, comparatively speaking, because there have been three separate migrations of Negroes from the South into Washington. Many of the students today come from families which have suffered greatly in previous generations from the inequalities and inequities in the South.

"What amazes me is the fact that, despite these handicaps, many of our students perform very well. Some go off and get their doctorates at the best universities in the country."

I looked out the big bay windows of the study where we were sitting, and into the gathering dusk, and saw Dr. Logan and Professor Brown, old warriors both, on a distant scene—one described in a paragraph in Professor Brown's reminiscence in the volume, "The New Negro 30 Years Afterward":

"Gay with youth, heady from attention, caught up along with much of America in ballyhoo, flattered by influential creators, critics, and publishers who had suddenly discovered the dark world at their doorstep, many Negroes helped to make a cult of Harlem. They set up their own Bohemia, sharing in the nationwide rebellion from family, church, small town, and business civilization, but revolt from racial restrictions was sporadic. Rash in the spurt for sophistication, they typified one phase of American literary life in the 1920's. A few magazines such as Fire and Harlem flared like rockets; good experiments jostled against much that was falsely atavistic and willfully shocking * * *"

Two scholarly, urbane, and charming men who are pleased to call themselves angry old men, and ought to be allowed that right.

[From the New York Herald Tribune, May 7, 1963]

TEN NEGROES

(By Robert S. Bird)

Who wouldn't wish for Eloise Calloway happy days and blessings true, golden joys and fortunes bright, and a heart that's ever light?

In most ways she already has nearly everything the average girl would want except a million dollars.

She's conspicuously attractive, has impeccable taste, and a flair for dress. Her figure is superb with health and grace. Her voice is warm and her almond eyes lovely and upsetting. Her smile is radiant, and she hasn't a mean thought in her styled-hairdo head. She's 27, regularly dates several interesting men, and has a good secretarial job in lower mid-Manhattan.

She is also a Negro. And she is deeply discontented.

This you would never know unless she confided in you, for her mouth is framed in a gay greeting to the world. Miss Calloway believes that this deep-down-inside feeling of dissatisfaction comes from her profound urge to travel and live abroad. Not to live abroad permanently but, say, for a couple of years at a time. Then a spell back here at home, then more time abroad.

She is not just daydreaming about this. Several years ago that deep restlessness impelled her to get a job with the foreign service, and she lived in Israel for 2 years as a secretary with a point 4 mission in the U.S. Embassy in Tel Aviv.

During those 2 years, her discontent vanished completely. She felt she was living in paradise. Then, after 2 years, the mission was phased out of Israel, its job accomplished, and she had to return to New York. The old feeling descended on her again when she got off the plane at Idlewild Airport a year and a half ago. And now, beneath the surface of her life, it bothers her more than ever.

I interviewed Miss Calloway at great length for this series on insights into Negro thinking and feeling, because I had known, when living in Israel myself, something of her popularity and happy times even though I was not acquainted with her personally.

My thought was that she would be able to draw an interesting contrast between the experience of an average nice, American Negro girl living in another country and living here in New York. Though it turned out that she was not able to appraise the difference, she was able to describe it vividly to me.

We were sitting in a restaurant in Greenwich Village one evening recently when she recounted to me her unforgettable experience of arriving in Israel—she's a sensitive and refined girl brought up in Harlem, educated in an integrated high school, with a year of study at City College.

She had high expectations from the start but it was a long trip, that 7,000 miles from New York to Tel Aviv, and it was 2 o'clock in the morning Israeli time when she arrived at the airport in Lydda, near Tel Aviv.

"It was in January and it was lightly raining but quite warm, and a group of people from the mission had come to the airport to meet me," she said. I was introduced around to everybody and made to feel I was one of them right from the start. But I was terribly tired as well as happy, and it was a long drive from the airport to my apartment. I had never had an apartment of my own before.

"But I hardly had time to think about that then, I was so tired. All I wanted was to lay down my poor, tired, body and go to sleep—and that I did. I was told that I would have breakfast the following morning with one of the girls who worked at the mission.

"And then I woke up in the morning. At first I didn't know where I was—then it hit me, I was in Israel. I jumped out of bed and saw there was a balcony right outside my bedroom.

"I slipped into a negligee and went out on the balcony into a bright, sunny day, a gorgeous day. There were flowers everywhere. Everything was so green. It was a Sunday. I thought, 'My God, what a beautiful place.' I remembered about how far away I was from home, and it was a joyful feeling. I suppose that was because the sun was shining so brightly and everything was so green and beautiful and it was just, you know."

Her voice trailed off in ecstatic silence just thinking about it. It was much later in our conversations that Miss Calloway mentioned to me that all thoughts of race and race problems had on that morning dropped away from her for the first time and were gone from her mind for the next 2 years.

I asked her how fast or slowly her social acquaintance began in Israel, and she indicated that it had started with a rush.

"As a matter of fact, it started the next day, on Monday, when I became very friendly with a white girl employed in the mission. She invited me to her apartment for dinner, and then one of the men in the mission invited me out. And they introduced me to Israelis, and Israelis invited me out.

"Very quickly I was going out on dates, going here and going there, to parties, to dinners—I didn't have a free night."

Miss Calloway's life in Israel was completely interracial, and largely international in the sense that her friends were both white Americans and Israelis.

I asked Miss Calloway to tell me what she enjoyed most in this life abroad, and she made it clear that it was this free social life and the joy of travel—for her diplomatic passport made it possible for her to move freely with her other American friends from the Embassy staff across the borders into the nearby Arab countries. And these were unforgettable experiences, too.

But the key thought this Harlem girl offered in contrasting life in a foreign country with life in America was this:

"I guess mainly the thing when I was away was that I didn't come in contact with the racial problem. As a matter of fact, I'm not really in contact with that sort of thing now. I mean, I just read about it.

"But while I was away I didn't experience any of this racial—" she didn't complete the sentence. "I just sort of forgot about the whole thing, sort of left it behind. And I was treated on an equal basis along with the whites in Israel, and there was no such thing as discrimination. You were accepted as a human being.

"Then after I got back home, then I realized—I guess it just hit me much harder than it did before I went away."

She looked at me solemnly and thoughtfully for a moment or two, and then she brightened up as if determined not to spoil my enjoyment of my chicken pie by talking killjoy talk. But I had heard often, in my weeks of interviewing, other Negroes also say they wanted to be treated as human beings.

THE EXPLANATION

"Exactly what does that phrase, being treated as a human being, mean to you," I asked Miss Calloway.

"The feeling that I got was," she explained, "that the fact I was a Negro—my color—made no difference to them over there. I felt freer. It didn't matter to them that I was a Negro."

As a matter of fact, Israeli friends told me that Miss Calloway was one of the most popular American girls among the younger set of any in Israel.

But in her reminiscence, it seemed to me that what Miss Calloway felt most of all was an atmosphere, an enchanting atmosphere which was certainly real but which may also have been in the nature of an escape.

"I used to love to sit at the cafes on Dizongoff Circle and watch the people pass back and forth," she said. "It was just wonderful."

But what, I asked, was so wonderful about it (although I knew it was wonderful)?

"I don't know," she answered with a faraway look in her fresh-as-morn eyes, "just watching, I guess. Watching the people walking up and down. Sometimes you'd see the same faces three or four times, passing back and forth. Oh, that carefree air about the Israelis, laughing and talking and meeting with their friends, and then sitting at the cafe themselves.

"They would sit there for hours and hours and sip their coffee or their soft drinks as if they didn't have a care in the world. Such a relaxed feeling! It made me feel good, it really did."

From time to time, members of the mission would plan excursions for weekends to Beirut in Lebanon, to Damascus in Syria, to the fabulous old city of Jerusalem through the Mandelbaum Gate into Jordan, and once she went on a tour lasting for more than a week into Egypt, visiting Cairo and Luxor and the other fabulous places.

Everywhere she went she felt free and happy and very much alive.

But there was a nagging thought away in the back of her mind. She was attached to a dying mission. It was under directive to phase out of Israel by degrees, and even from the time she first went there the mission was in process of slow liquidation.

"I often did not have enough work to do and I felt useless. I often thought why don't I just request a move to another mission. But I liked Israel too much, and I never made the request. I just thought as each day came along, maybe it will get better. But it got worse and in December 1961, I found I was leaving Israel."

It was far more difficult for Miss Calloway to explain how the matter of race has affected her now that she is back in New York—because she does not feel any specific, personal discrimination against herself.

What she feels is more the atmosphere of race distinctions, race troubles, and race outrages on the general scene. This atmosphere is all around her again. And it seems as if she has become, after her return, a kind of unwilling, indirect participant in a problem which is very unpleasant—for even her younger, student brother at Clark University in Atlanta is joining in race demonstrations.

It is evident that her life is much more circumscribed here, and that she is more of a "loner" than in earlier years before she went away.

In fairness to her, she did not say these things directly but this was the interpretation that I got from what she did say.

Although Harlem born, her mother was careful to see that she got as much education as possible in integrated schools—first the Joan of Arc Junior High School on 93d Street, then the Washington Irving High School at 16th Street and Irving Place. She made many white friends in these schools and they did a lot of socializing while they were in school, but over the years they have lost contact with each other.

And her parents moved out to Long Island about 8 years ago, leaving her faced with a choice to make about her own life and career.

She decided to stay in Harlem because she was "used to it," and she joined with two Negro girl friends in setting up an apartment together in Lower Harlem. It is a big place with a bedroom for each girl, a living room large enough for all, and a working-size kitchen with a well-stocked larder. The girls have got along together fine for 8 years—with time out while she sojourned in Israel.

So when she returned to New York and to her old inner discontent she took up her former, familiar life in Harlem, but in the new job with the Air Force.

The girls do not doubledate. As a matter of fact, her roommates tell her she is too choosy about her men friends.

"I think I am choosy," she said complacently. "I know what I want when I date a man. I like the ambitious type, well educated, interested in lots of things; a man who knows where he is going."

From the complete interracial social life of Israel, she now dates only with Negro men. I asked her if it bothered her that she doesn't have more of an interracial social life now.

"Oh, no, no, no," she said. "It doesn't bother me at all that I am dating only Negro boys. It isn't that I want to date white boys in particular—as a matter of fact it doesn't make any difference what color they are. Color does not make the difference. If I feel like dating a white boy I will date one. It's not that I want to date one as badly as all that."

FORGOT I WAS NEGRO

"I have never been discriminated against, I don't think, except once or twice when I was looking for a particular job. I did experience discrimination in that field—but working on the job, I have never been discriminated against. It's not a feeling of discrimination that I have in New York. I don't know how to explain it but when I went away I completely forgot that I was a Negro, more or less.

"In Israel I was treated as something special, I guess, and when I came home I became an ordinary individual."

Why, I asked her, is she not married? She smiled brightly on that one.

"I don't know, it's just that I don't think I am prepared to get myself bogged down in married life yet. I certainly want to travel some more. My social life was far more interesting abroad than it is here. I had a much better apartment; I could entertain; I imagine I could get a nice apartment here, too, but it would be much more expensive."

She is currently dating three men regularly but is not involved in heavy romance with any of them. Nor do they know each other. She did not want to discuss them except to say that she enjoys going out with all of them, and all of them treat her very nicely. One is a dentist, one a real estate broker, and one a police officer.

It is very evident that when Miss Calloway goes out for the evening she goes with a certain amount of style. She dresses exquisitely, and she has innate dignity.

On her dates she often goes to prestige restaurants downtown, she said, but even more often drops into one of the Harlem places—Carl's Corner, Small's Paradise, the Red Rooster, and places of that kind. She and her date have cocktails and dinner and talk mostly about the theater, entertainment subjects and such chitchat, with occasional conversations on racial matters which are in the news. But not much of that.

"I like nice people around me, a nice door, an intimate atmosphere and some entertainment or dancing, because I love to dance," she said.

On my own workday date with Miss Calloway at the restaurant in the Village she was wearing a soft gray suit of genuine distinction and a black, armless blouse. She had a turquoise necklace and a turquoise ring on her finger and a gold bracelet. She can carry all this without seeming to be a bit overdressed.

I asked her about the origin of her jewelry. She said she had bought the ring in Cairo, the bracelet (made of small, thin gold coins) in Turkey, and the necklace came from Iran.

She does her shopping in Fifth Avenue stores, she said, and her intellectual reading fare consists of a national news magazine, the morning paper, and the Atlantic Monthly magazine.

She has no intellectual pretensions but she visits a museum exhibit occasionally, likes good movies, and goes frequently to the theater and ballet with her dates. As to marriage, that's a subject she always shrugs off as something for the future—after more travel.

I had in the back of my mind as I talked with Miss Calloway a thing which Dr. Kenneth B. Clark, City College professor of psychology, had said to me. He is an outstanding Negro psychologist himself.

Dr. Clark had said:

"Among the complexities of the American racial problem is the fact that problems of personal adjustment and personal difficulties which would be true for individuals without regard to race, we Negroes have complicated even more in this overriding racial problem of ours.

"It becomes extremely difficult at times to tell where one begins and the other ends in trying to understand the role of a particular person."

I repeated this view of Dr. Clark to Miss Calloway and asked her if she thought she was seeking an escape from the fact that she was a Negro girl.

She smiled and said in her gentle and lovely voice:

"I don't think so. I want to travel for very real reasons. I love travel. Take my trip to Egypt. I had read as a child about the pyramids and the Sphinx and riding on camels and all those wonderful things. And then I went to Egypt and I saw them, and I rode on a camel. And it was all much, much more wonderful, even, than imagining them when reading about it. Isn't that good enough reason for wanting to travel?"

I answered truthfully that I couldn't agree with her more. This much is certain: She will make some husband a wonderful traveling companion, and she will enhance the scenery wherever she goes.

[From the New York Herald Tribune, May 8, 1963]

TEN NEGROES

(By Robert S. Bird)

The growing horde of semiliterate and largely unemployable Negro youngsters who are being released from city school systems as dropouts is being cited on all sides as a tragedy and peril for this country.

The problem is especially aggravated in the District of Columbia—in the heart of the Nation's Capital—where an unending debate centers on the situation.

One day recently I visited a high school in the slum-ridden and racially troubled part of Washington that lies just to the west of Howard University, scarcely 20 minutes' drive from the White House.

My idea was to talk with the Negro principal, Dr. Bennetta B. Washington, about the human side of her 1,700 pupils—avoiding altogether the morass of arguments in the vast, endless abstract debate that is going on.

Cardozo High School is a huge, four-story structure that looks like any of a hundred big city high schools built between the two World Wars.

It stands with a dominating look of importance in the neighborhood, which is itself not at all a noisome tenement area but a place of shabby single, double, and multiple-family houses, many with their own tiny porches, lawns and yards. Rows of trees along the sidewalks attest to its former better-class status.

Dr. Washington is a warm, slightly plump woman whose high reputation as an outstanding school principal was described to me by several Negro educators and professional men who are worried about the general situation.

She is one of those extraordinarily busy women who are somehow able to make time for a visitor. She made me comfortable in her office near the front door of the school, ordered coffee for us both, and plunged right into the problem.

PATHETIC DESPAIR

"We have about 163 of the 450 ninth-graders who are below the fifth-grade level," she said. "They are products of the overcrowded educational situation. They have such despair it's just pathetic. And when we look into the community we find a great lack of jobs, broken homes, and parents who just don't think that education is the answer to their plight.

"The consequence is there is a lack of aspiration among the children, and we find a kind of acting out in the behavior of some of them—hostility toward other children and teachers—and among others a quiet acceptance, a withdrawal and a passive resistance.

"This is a real challenge in the field of education, the ability to understand and perceive the problem of these youngsters. And it is hard to expect this from a great many of the Negro teachers who come from middle-class backgrounds.

"Some of these teachers who have come out here simply cannot relate to it because it's too close to them. Some Negro people can't handle it. It's too agonizing. Such teachers often feel that what they see in the school is just too symptomatic of the larger problem.

"Why is the pupil acting the way he is acting? Why doesn't he have respect for school? What are the things against which the child is being defensive? Such teachers understand all right, I think, but they identify with it personally and find themselves unable to face up and work through the problem."

Dr. Washington's high school is what is called a comprehensive midcity school devoted to the development of students from a cross section of the city's population. She herself is an authority on problem youngsters. Author of "Background Factors and Adjustment," she earned her bachelor's and master's degrees from Howard University and her doctor of philosophy from the Catholic University of America. She is the wife of Walter E. Washington, and the mother of a teenage daughter herself.

The great part of the pupils at this school are in the two middle tracks or courses of study—the general track which can prepare pupils for college if they measure up, and one which brings them to a terminal point in their education and gives them skills for business jobs.

A lower track gives basic education to children who, though not necessarily below normal in ability or aptitude, are nevertheless functioning on the basic level.

But the study courses which seem to excite Dr. Washington the most, and are intensely "human" to hear about, are the honors course for exceptionally talented youngsters from the Negro slums, and a course aimed at enticing potential male dropouts to stay in school a little longer so as to become, at least, employable in the outside world.

A WORK-STUDY COURSE

This last course in effect prepares boys to become maintenance men—janitors—but not ordinary ones. Rather knowledgeable ones who are able to say how a particular floor covering ought to be cleaned and how one kind of paint differs from another.

Actually, this is an experimental work-study course for boys who are retarded in reading and mathematics. These are indicators which help to measure the youngsters who have a high degree of absenteeism from school and are heading for the swelling multitude of dropouts starting out in adult life unable to find jobs for themselves.

"The idea of this course," explained Dr. Washington, "is to give these boys a good training in building maintenance and along with that to give them a positive concept of themselves. It is to lure back into classes for this kind of special training boys who were coming to school only sporadically or not at all.

"We are already able to see a great change in many of these boys who have come back to learn the job of maintenance—the composition of different materials, how to clean windows, and practical things like that.

"As they learn from this course a new respect for the vocation of maintenance work, we see in them a new neatness in the way they dress. Most of them are doing part-time work. We are teaching them how to operate on a budget, and we have a school bank. It's amazing to see the change in them."

Actually, Dr. Washington's enthusiasm is based on the measure of what, potentially, can be done with these youngsters rather than on any mass program to help solve the larger problem. This is only experimental, and at present not more than 20 boys are taking the course. But it points in a hopeful new direction.

"We have two goals for potential dropouts," Dr. Washington said. "Either to return them back into the main school life and try to get them to finish high school, or to enable them to make the transition from school to an actual job.

"In support of this employment effort we are writing to prospective employers in a beginning effort at job placement, we are teaching the pupils how to talk to people, and we are giving them needed help in reading. A few boys have responded enough to go back to taking four subjects in the regular school."

In the middle track groups, special encouragement is needed for pupils, too, according to this understanding principal.

"The average student in the college course track does not have high enough motivation and is not well book-oriented. Nor do they recognize the scholarship opportunities. So they need to be constantly stimulated and taught that college is achievable for them, that it is not beyond their grasp.

"Those who want to go from high school into business also have to be stimulated, and we really work hard to ease the transition for them from school into business jobs. Our aim is to make them acceptable for grade 4 clerk-typist jobs in Government, and to equip them for the civil service examination they would have to take."

THE HONORS COURSE

But there is still another course of study in this school—and this is the one that is yielding the most spectacular results of all. More than that, it emphasizes in the most human terms possible the tragedy in neglect of these young Negro children from broken and impoverished homes.

The course is the top one in the school—the honors course, now in its second year. For this, Dr. Washington has found it most important that the pupils have an integrated staff, and her teachers in this course are exceptionally well trained. This is for exceptional children, pupils who, though they may come from an environment of poverty, have an unusually high IQ and unusually high motivation.

These youngsters are top-notch college material, though handicapped in many ways by their background environment. They carry an extra load of subjects and are supported all the way through by the teachers in maintaining the highest morale. There are currently about 25 students in the honor program, Dr. Washington said:

"The same teachers work with them right through their course—and these are teachers who like kids, who don't look down their noses at them, who expect the children to learn, and who are able to stimulate a response in the youngsters. For despite his despair, every child has an urge to learn.

"Also, underneath all a parent's problems and excuses, every parent is concerned about his child's education. He just doesn't want to be blamed for the obvious problems. And this is why we try to work with the parents, too.

"In the honor program we provide a complete orientation job. We give support to scholarship talent. We work with the American Association of University Women in special programs to acquaint the youngsters with the theater, the art galleries, museums, and to learn about the colleges.

"Beyond the regular school counseling, many of these women holds teas in their homes to establish a rapport with the youngsters and to introduce them to the college idea."

I asked Dr. Washington to tell me more about the background aspects of these children.

"In some ways their background is distinctive," she said. With these exceptional pupils, there has not been the same kind of distorted childhood as with many of the other children. These are children who have experienced some success. Somewhere along the way they experienced a positive, constructive relationship with some adult who was close to them. Everything wasn't hatred in the household.

"It was not necessarily a parent, but some one within the family, even if it was a broken family. Some adult—perhaps an adored grandmother—held the child to a high level of expectation, and this helped to produce the high motivation which the child has today."

A WHITE TEACHER TALKS

The principal had telephoned to an honors course teacher, inviting her to tell me a little about these bright pupils, and soon there appeared in the office Mrs. John Wofford, a young white teacher. It didn't require much more than a look at Mrs. Wofford to see that she must be practically perfect as a teacher for a bunch of brainy young kids from underprivileged backgrounds.

Mrs. Wofford has a built-in, upbeat grin; eyes that are so alert it seems surprising that they are also filled with warmth and enthusiasm, and as quick a mind as anyone I ever talked with. She is married to a young Rhodes scholar lawyer, and she was teaching in an upper class white suburban high school in the Boston area when Dr. Washington persuaded her to come to Cardozo.

"Many of these youngsters are not caught up yet to the point where my pupils were in the white school," Mrs. Wofford said, "but they are every bit as bright and three times as excited. It's a thrill to work with them.

"They're not in the slightest bit blasé, as they were in my white school, and they are not hampered by the same preconceptions. In my other school they started out with a bias against Shakespeare, certain that he was boring. But these youngsters never heard about Shakespeare until they got into this program.

"Really, it's a thrill to see them react. I suggested to some of them that they try reading Plato, and a few days later I came into the classroom and found them all arguing heatedly, passionately, over Plato's ideas. Remember, they're only ninth-graders.

"These are unusual kids in another sense, considering the backgrounds of most of them. Somewhere they got the idea early in their school life that books could be interesting. Maybe there was a book or two at home, or perhaps somebody in the home was a reader, or a parent was terribly strict and made the child read.

"Even at this age level it is not too late to pull these children up to college level. But we don't have half enough money for books. They have a hunger for books. They're reading like mad. I buy paperback books for them, but we really need lots more books.

"They are so interested and so unsophisticated that they will read anything—from Chaucer's Middle English and Shakespeare's poetry to 'To Kill a Mocking Bird.' All of it is exciting to them."

The principal and Mrs. Wofford emphasized that these young people in the Honors course were simply picked right out of the general body of pupils.

"I can't believe that we couldn't up the number of kids of college caliber by one-third," Mrs. Wofford said. "But we would need money, books and counseling."

THE TEACHER PROBLEM

Dr. Washington discussed the teacher problem in a school such as hers, where many of the pupils have fear and hostility. Washington public schools are reported to be plagued with physical violence by the pupils. But this principal says much of the trouble occurs when teachers fail to understand that the children have no way of curbing their anger, and the teacher responds with power instead of understanding. Instead of understanding the child, she said, these teachers speak back and exacerbate the situation.

"Everything depends on how the teacher handles her power," she explained. "Some teachers act as if the kids were a captive audience, held there by force. The teacher parades her power. The child recognizes this power and in turn tries to exhibit his own power, and the two get into a power struggle.

"A better way for a teacher to act would be to take the attitude, 'I accept you as a person, I value your worth, but I don't accept your behavior.' "

Having in mind the slum environment of these children in Cardozo High School, I asked, altogether separately, a professor of sociology in Washington, Dr. J. Franklin Edwards, about the effect of environment on the pupil.

"Many of these youngsters live under the most adverse conditions emotionally," he said. "Broken families, tense situations, poverty. Also, many of them are not getting enough to eat. A study was made on this here in Washington and they found that in the kindergarten and first grades, pupils who were not doing well had low hemoglobins.

"They just didn't have enough hemoglobin, and so they didn't feel well. But more than that, they had all kinds of emotional problems. They drooled and they cried easily. They were hypersensitive, they slept in their chairs. These were youngsters who should have been in the third grade, but were still in first grade."

In one aspect of home environment, Professor Edwards agreed completely with Dr. Washington and Mrs. Wofford—that cultural poverty was handicapping these youngsters, and one sign of it was that they just didn't get to read early, and they went on through the grades increasingly handicapped.

"The 1,700 youngsters in this school," Dr. Washington told me, "do and must represent every facet of the general population. We have some superior pupils, and it is up to us to devise a program to try to identify these and give them as stimulating a course of study as possible.

"We must try to enrich academically their backgrounds and raise their sights. And this means working with the families. Until the community can give this support to the school, until it can do this kind of thing, the problem will remain."

[From the New York (N.Y.) Herald Tribune, May 9, 1963]

TEN NEGROES

(By Robert S. Bird)

Besides wanting their full civil rights and equality with white Americans, most Negroes would like to have—just as most white Americans would—mink coats for their women, beautiful automobiles, lushly decorated homes, talented careers, fascinating friends, trips around the world, castles in Spain, and all the rest.

Negroes are by no means excluded from this life of grandeur but, as in the case of the white population, only a small fraction of them manage to scale the heights.

The rest read about it and enjoy it in articles and pictures in Ebony, a slick-paper, prestige magazine for Negro readers modeled after the style and format of Life magazine.

The world depicted in Ebony is primarily a Negro world but also an interracial world of glamour and achievement. Basically, it is a real world for those who have reached it, although somewhat prettied up for presentation to the readers.

One Negro who has made the climb into this prestigious world is John H. Johnson, president of the Johnson Publishing Co. of Chicago. He and his wife created Ebony, and they, together with his mother, own and publish it, along with three other magazines for Negroes and a new but expanding list of book titles.

It seemed to me, in seeking peepholes into Negro thinking and feeling, that the man who published Ebony might have some interesting viewpoints, and I arranged to talk with him in his quietly sumptuous office in Chicago.

He is an impressive man of 45, brimming with physical and mental vigor, good cheer and friendliness. And he displays a frank simplicity of manner which invests him with special dignity and distinction.

He obviously enjoys his success. At the same time he seems to have forgotten nothing of his impoverished boyhood in rural Arkansas, and nothing of the early years in Chicago when he and his mother, a domestic who never got beyond the third grade, were on the relief rolls there. That was for a short time in the 1930's.

This gives him a real sense of identification with Negro youngsters who are at the threshold of their own careers, and he talked to me at length about it.

THE WORLD OF GLAMOUR

But before I touch on that, Mr. Johnson's view of the Negro world of glamour as depicted in his magazine Ebony, in articles and pictures about successful and interesting Negro people, ought to be given first.

"I think that all of us ought to devote all our effort toward improving the community and the world we live in," he said, "but I think at some point the Negro ought to have a right to be a human being in the fullest sense of the word. He ought to have the right to give a party, go to a country club if he likes, buy a mink coat for his wife if he has the money, take a skiing trip somewhere, visit the Riviera.

"Now I don't think the Negroes who are able to do some of these things are made alien to other Negroes, nor does it put them apart from the others. This is just another way of expressing his interest in being a human being.

"And I want to say this, I don't picture this world as a separate world. What we depict are Negroes who, through their own efforts, or by birth or accident or some other means, are able to acquire what all other people want. And it is exactly the same in the white world, where the majority enjoy reading about the people at the top.

"What I think I am doing is showing the readers that we have all strata in our society as in the general society. We're showing Negroes that some of us are able to make it. One of our most widely read sections is called 'Speaking of People,' and it deals with employment, really—new jobs that people have found for themselves."

THE WORLD OF ACHIEVEMENT

"If you examine my magazine you'll find not so much a world of glamour any more as a world of achievement," he continued. "What happened was, we started out with the world of glamour but we have gradually become more interested in people's achievements."

I asked him what proportion of the Negro population was represented in the glamour-achievement world of Ebony, and he answered:

"Oh, I would think it's perhaps 10 percent. I know years ago Dr. W. T. DuBois used to talk about the 'talented 10th,' and I think that even if he said that many years ago it still holds true. I mean by that, about 10 percent of the Negro people are those who are able to enjoy many of these advantages we're speaking about. I think the proportion is increasing as time goes by, but I would hold it to about 10 percent now."

"That glamour world is not my world," he said, in answer to my question. "I think my world is a more realistic one. But it's true, we try to find the glamour side of our magazine, even though not all the people we glamorize believe that this is all their world either.

"We are like the movies—just as they tend to embellish and adorn the normal, I think we do the same. This is not to misstate the truth but simply expresses the search for something that will capture the imagination. And this is not the whole world of the people who like to read about it, either."

LIGHTER SKINS DON'T MATTER

Mr. Johnson's magazine reflects dramatically a change in the Negro people's image of color. And this was a development that Mr. Johnson talked about vividly—the disappearance of prestige distinctions in the lighter skin colors of Negroes.

"The color problem is no longer with us any more," he said. "I think what happened was, first, that black-skinned Negroes began gaining better opportunities for education and to gain achievement on their own, and then the rise of the newly developing nations in Africa, where black has come to mean something important, also helped to erase these skin-color distinctions.

"All those color distinctions began generations ago during slavery days when the slave owner kept certain slaves for his personal pleasure, and from these were born children of lighter skin who got more privileges than the field hands."

He picked up an issue of Ebony and leafed through for me, to show how in the color advertisements there were more of the darker-skinned models, both male and female, depicted in the ads than lighter skinned.

"Negro people are no longer ashamed of their naturalness," Mr. Johnson said. "You will see many Negro girls who are no longer straightening their hair, and I think in general black skin has acquired a new meaning. It's not necessary any longer for Negroes of lighter skin to stay together on that basis. We used to have thousands of Negroes 'pass' over from Negro to white, but we no longer have that happening now."

ONE HUNDRED NEGRO MILLIONAIRES

Back in a January issue of this year Mr. Johnson ran a feature with photographs and sketches of 100 Negro millionaires in the country. They included persons in a great variety of fields and it was a presentation which had tremendous impact on the Negro people, for even these 100 are by no means all the American Negro millionaires.

The publisher did not include himself, although he might well have done so on the basis of a financial rating.

"Dr. Martin Luther King, Jr., can talk abstractly about goals for Negroes," Mr. Johnson said, only half seriously, "but here they could see it.

"I have been blessed to have been able to achieve some of the benefits of capitalism, and I am in favor of capitalism. People often say to me, yes, you're in favor of it because in a minor way you are a capitalist.

"Then I say, no, I felt the same way when I was on relief here in Chicago, because I felt that if other people had it, there was always a chance that I might have it.

"One of my editors told me a story going around in one of the Negro colleges in Atlanta. He said that a student went to the dean and said, you know there are a lot of cliques around this college, and they won't let some of us in and I am very unhappy about it.

"The dean said, OK, I'll tell you how to stop this—but the boy interrupted him.

He said, no, dean, I want you to tell me how I can get into one.

"Well, in effect that's the way people feel. I don't think they begrudge the world they see, they simply want it themselves. And this desire just spurs them on."

AN AMBITIOUS MOTHER

Going back to his own days of poverty, Mr. Johnson told me that his mother brought him to Chicago during the Century of Progress Exposition in 1933, ostensibly to see the exposition but actually, as he came to suspect later, to see if she could gain a toehold in Chicago and help him get some further education. He had finished the eighth grade in the country school in Arkansas, he said, and to keep him out of trouble his mother made him go through the eighth grade a second time. But she had ambitions for getting him to college.

His stepfather, a sawmill helper, remained in Arkansas while his mother got established in a servant's job in Chicago. She lost that job and they went on relief for a time.

Today his mother, Mrs. Gertrude Williams, rides around in a big chauffeur-driven limousine of her own, engaging in certain civic works in which she is interested and seeing to it that Mr. Johnson gets to church on Sunday.

While he was in high school in Chicago he got himself a clerical job in one of the biggest Negro-operated businesses in the North, the Supreme Life Insurance Co. of America. He came to the notice of the president, the late Harry H. Pace, who urged young Mr. Johnson to go to college and work part time.

He got into employee relations in the company, editing its house organ, and attended the University of Chicago and later Northwestern University. Meantime he rose rapidly in the company, and he met his wife, Eunice, member of a highly respected Negro family in Selma, Ala., where her father was a physician. She became his beautiful and talented wife and comaker and he left the company to launch Ebony.

In 1945, on a cash capital of $500 borrowed on his mother's furniture, Ebony made its appearance with 25,000 copies. Today its circulation is over 800,000.

After the magazine was well toward success, several years after it was started, Mrs. Johnson quit active work to devote herself to the home. The couple adopted two children, John, Jr., and Linda, and the family live in an integrated residential section of Chicago in a large and richly furnished apartment. Mr. Johnson owns the apartment house. He refuses to live in the country because, he says, he does not want to be reminded by too much landscape of anything from his rural Arkansas past.

WE NEED ALL THESE VOICES

Getting down to a discussion of race problems, Mr. Johnson answered a question of mine about whether he feels personally integrated in the civic and business world of Chicago.

"No, I don't think so," he said. "I think integration encompasses the total activities of an individual, if you think of them in the broad sense. I get into these groups in the white world pretty much as a representative of the Negro community, even though I might not be identified as such. I don't think I am in there because I am a successful publisher. I think it's because I am a successful Negro publisher."

Speaking of the diversity of Negro organizations and personalities driving for diverse Negro goals, Mr. Johnson said:

"I think we need all these voices. We are living in an age of diversification. Even business is not able to make out with only a one-product development. The same way about the race relations problem. I feel there is no one way to do it. I don't think we can identify any one kind of leadership as the only one. Nobody quite understands why this is so, and nobody understands why a certain cola company that used to put its drink out in one size bottle now has to market in several sizes.

"There is something in the air that requires diversification of effort toward any accomplishment, and in the Negro field we need all of these people, even at the risk of appearing—well, whatever you want to call it. I think the Black Muslims are making a contribution to racial equality by simply challenging in a different kind of way. Obviously no thinking person who truly believes in democracy—and I believe in it—would follow a policy of hate, although the Muslims deny this policy. But the point I am making is, as James Baldwin points out, we have got to get white people to listen before we can convince them.

"I believe that the Muslims in their approach, despite the fact I don't approve of them are helping to get people to listen. If they get people to listen to us, then they make some kind of contribution.

"And if we must be critical of the Muslims then we must also realize that we, meaning the white population, are responsible for the conditions which created the Muslims in the first place. And the best way to get rid of them is not to criticize them but to improve the conditions of the black man, and make a mockery out of what they say by bringing about a real conversion to democratic practices.

"They are not going anywhere. They are going to keep preaching their philosophy as long as what they say is true, and as long as what they say is true it's going to grow."

THE FIRST STEP—CONFIDENCE

Mr. Johnson is the pleasantest kind of man to interview. He is not only responsive to every question, but he grabs every idea and runs with it. He talks in a rather loud voice, as if he thinks better that way, pacing back and forth and looking always as eager as an interested boy.

"I think the first step toward overcoming a feeling of inferiority and low status is," he said, "to instill confidence in yourself through finding something in your background in which you can feel pride. I am publishing a Negro history series because I learned that Negro history is not taught in most schools, and Negroes are not aware of the conspicuous gallantry and bravery they displayed in the Civil War.

"Our people have done many things of which they can be proud, and I think that we Negroes must first believe that we deserve equality before we can sell the idea to anyone else."

He pointed to his big, important looking desk chair sitting behind his executive type desk, saying:

"I recall the first time we got this office. I came down the night before and sat in my chair so as to get used to it. I wanted to have a relaxed feeling"—he laughed uproariously at the thought—"when people came to see me on that first day. I just wasn't use to it, and I wanted to get used to it ahead of time.

"I think Negro people have to get used to equality themselves, personally, first, then once we're used to it and believe we really and truly deserve it, then we'll get it."

MR. JOHNSON'S ADVICE

He is deeply concerned about the lack of opportunity for bright Negro youths to acquire the necessary training in business that would enable them to gain promotions promptly. He said that if he had not happened to be put into a job in the insurance company he worked for, where he had an opportunity to learn the evaluation and decisionmaking processes from top executives, he never would have succeeded in business himself.

"This is the great void in Negro business life. What Negroes lack is an insight into how business operates, and experience and knowledge in how to deal with day-to-day problems. If I had not been able to sit in watching decisions being made and ask the men why they were doing things the way they did, I would never have learned how to do it. This must become a responsibility of leadership, to offer this kind of training opportunity to young Negro men."

This is his advice to young people:

"The U.S. Information Service did a movie on our company and they asked me the secret of my success. I said that if I have a secret it is that you set small goals and try to achieve them. Then after you achieve the first goal, you set another one within range of attainment and you try for that. You can't possibly see to the end all at once. The important thing is that you are making progress.

"I think the way people feel about my magazine is that perhaps they never will achieve as much as some of the people we depict, but this inspires them to do a little bit better than they are doing. And this is all I think any of us can hope for. As I go around the world, I find nobody has things quite the way he wants them."

[From the New York (N.Y.) Herald Tribune, May 10, 1963]

TEN NEGROES

(By Robert S. Bird)

A Negro President of the United States within, say, a quarter of a century?

You are not likely to hear this arresting idea dropped casually into a conversation unless you are talking with a person who is young enough to feel unshackled by the past and bold enough to see a different vision of the future.

In short, a bold Negro youth. One well enough organized in mind and personality to have thought the notion through. A lad such as Vernon S. Gill.

In my dozens of interviews with Negroes in several parts of the country, not one of them ever broached to me the idea of a Negro President of the United States. But when I mentioned to several Negro men of affairs that young Mr. Gill has proposed the possibility to me they did a double take, as if the thought had never occurred to them.

Then a couple of them were willing to consider the idea seriously, and to analyze it a bit.

Mr. Gill is a senior at Howard University, the country's biggest predominantly Negro university, in Washington, D.C., and is president of the student council in the college of liberal arts.

He is not only an exceptional scholar but a thoroughly healthy youngster, able to talk seriously or laugh uproariously to suit the occasion. And when you mention romance he whoops in most unscholarly fashion, for he says that's for him—and he's unencumbered at the moment.

I had arranged to talk at length with several bright students on the Howard campus on this particular day, and Mr. Gill showed up ahead of time. So we began the interview, which I had warned him would be somewhat searching of his thoughts.

He started off on a high, didactic plane, not so much answering my questions as delivering a classroom lecture on The Negro Problem with big, glossy words and everything but chalk, blackboard and pointer.

VERNON GILL'S HOPES

I heard him out for a while, deadpan, and soon he realized he was talking to a dead receiver. Then he apologized for "spouting off words," and we got down to what Vernon S. Gill really thinks.

We had covered quite a lot of ground when I got around to asking him what he saw for the future, and what inspired him to go ahead. He had already told me he wanted to study law and become a constitutional lawyer, and to engage in politics. All this was of interest because many, many Negro youths in Washington, ones who have come from deplorably poor homes and have been unable to take hold in school, are ending up as school dropouts in a state of dangerous despair. This lad had none of that whatever—quite the opposite.

"I intend to go to law school in September, and then to go into the Army for a number of years—into military law, I hope—and after coming out of the Army to engage in politics and law," he explained.

"Now I think what inspires me at present is this—I believe that a person who does a job well, who seems at ease and cool while doing it, is an inspiring person. For example, the Kennedy brothers inspire me. And I believe in the ultimate worth of the individual and his abilities to use his whole potential—whch I don't feel I have been doing."

A SECRET THOUGHT?

Mr. Gill was getting down now to, well, perhaps a secret thought.

"I don't expect that everything I envision will work out well, but I think there is a possibility from my own circumstances, and from my own abilities, to succeed even in national politics, for example," he said.

He looked at me with a level gaze and continued:

"Anyone who wants to be President, or wants to be in Congress, regardless of race, creed or color, is looked on with some suspicion as being sort of way up the clouds somewhere. But I do think this is a possibility."

He stopped to let the purport of this sink in. I was flabbergasted but I didn't blink an eye. You don't rule out, I inquired, the possibility of being President of the United States?

"President or Vice President, no, I wouldn't exclude that. Seriously, I wouldn't. As ridiculous as it sounds, everybody wants their son to be President. I wouldn't discount that as a possibility for me. And I have said that to people. Some of them have thought I was sensible about it, and some have thought I was just being the son of a father whose ambition was to have his son become President."

So here was a young, bright, forward-looking, healthy Negro lad dreaming what used to be the American dream for any boy who thought himself lucky to be born in the United States of America. And not just dreaming it but thinking it out rationally. You don't hear white boys talking like this very often in these times.

I asked him what worries or fears might be lurking in the back of his mind about the future?

"The only fears I have are those of happenstance," he said, using one of those chromium-plated words on me. "Things might not go exactly as I envision them. Nothing will go exactly as you envision it, that's certain. But I want to get into a comfortable, rising groove in life and to be able to meet the situations as they come, and then move on to the next situation.

"I think any young person has a certain amount of fear about the instability of the future. But any particular fears, such as being run over by a car or that I might get defeated in a great election, or might have financial problems—those things don't disturb me."

CAUCASIAN AND NEGROID

I asked him if he bumps up against discriminatory situations in daily life which upset him or throw him off balance.

"There are occasions," he said. "It makes me think of what James Baldwin once said, that among the white population the suicide rate is high, and that once the Negro becomes free of discrimination and things caused by people around him—once he knows that he's not succeeding because of his own personal inadequacies rather than because of other people or discrimination—then the Negro suicide rate will go up, too.

"So when I find myself in one of these situations—and they don't happen often, particularly to me—my first reaction is to try to assay first if it was because of circumstances that the predicament occurred or whether my own inadequacy caused it or contributed to it.

"I think the Negro has a special problem in trying to assay how much of his own inabilities are involved in a situation. There is less of a problem of faultfinding with the Caucasian than with the Negro. Maybe we are cheating ourselves in this."

I asked him if he usually refers to whites as Caucasians.

"Sometimes, yes," he explained. "I think most people regardless of color use 'white' most of the time but personally I sometimes refer to the Caucasian race, and I refer to myself as Negroid. Often when I fill out a form I put down Negroid because that's the true racial designation. I wasn't saying Caucasian just because I'm talking with you. It's normal with me. It's the proper thing to do."

Now the other students were turning up to join us around our interviewing table in a small building on the Howard campus. None of them was exactly typical of the Howard student body. These were all on the exceptional side, intellectually and culturally, and they do not represent a cross section of Negro youth, but a rather special group who undoubtedly will be heard from in the future.

For the next couple of hours all of us together canvassed a variety of questions dealing with the race situation. Such aspects as James Baldwin's anguished writings, President Kennedy's handling of race problems, the Black Muslims, intermarriage, the mood of Howard University students, and the like.

The others who participated were Miss Jean C. Wheeler, of Detroit, a liberal arts junior, majoring in chemistry with a full A average; Irvin Reid, of Charleston, S.C., a senior majoring in psychology, and A. Guy Draper, of Beverly Hills, Calif., a prelaw junior.

To hear these youngsters tell about the campus mood, this big northern university with the bulk of its 7,000 students Negroes and with about 1,000 foreign students, is not especially caught up in the same turbulence of Negro student activity that is going on in the southern Negro colleges. Most of the Howard students were not—these four agreed—in a frame of mind to go out demonstrating. The majority are immersed in the university life but not in overt racial activity.

ON PRESIDENT KENNEDY

But these students follow developments in the news closely, and they had opinions on all subjects. Concerning President Kennedy, Mr. Reid gave the view that "overall, I don't see so much of a handling of the race problems by him as we were led to believe there would be during the campaign."

"I will have to agree with that," Mr. Draper said. "I think his recent actions have been nothing but political moves.

"It seems to me that what he said during the campaign, and many of the planks in the Democratic platform implied, that this race thing would be something that the administration would get in and deal with. He had just backed away completely."

Mr. Gill disagreed. He said that while the President has backed away on occasion, he thought some of his stands were "more forthright than many Presidents." Miss Wheeler's opinion was that the President had come up against the hard realities and "he may yet demonstrate forcefulness."

After considerable argument on the matter, Mr. Reid summed it up with this observation:

"What we do agree on is this—considering that conditions are propitious and taking into account the efforts of the civil rights movement, he has not kept up with what could have been expected of him, knowing his dynamic personality."

THE BLACK MUSLIMS

It was Miss Wheeler, an extremely bright talker, who began the discussion on the Black Muslims. She said:

"A good friend of mine who is a philosophy major has taken me to the mosque with him and I found their Black Muslim arguments to be very forceful. They really hit me. They use information that you can't deny.

"One of the things they say is that the white man has systematically destroyed the Negro, and they give examples, and good examples, too. For me, it's a matter you have of reconciling the uncomfortable feeling you have about the Black Muslims. It's my belief that they're worthwhile because they have given a great number of Negroes something to do with their time, something that makes them feel substantial and important.

"There's a fellow selling newspapers on the corner near me, and he says at regular intervals it makes him feel good to go to the mosque and see the ladies with their white robes and all so clean and proud of themselves, and the men saluting one another.

"I imagine the most impressive thing about it is that it has given substantially to a group of people who formerly were shiftless and unimpressive."

"She's hit on the key thing," Mr. Draper said. "They take a group of people who have no meaning in their lives, who have had very hard lives, who come from the depths of dejection, and the Black Muslims give them something to live for. The Muslims give new meaning to these people and their lives.

"And then the next thing they do is they project their image of the white man. He is the enemy. So this is how the militant nature of the movement comes about. They look on the white man as the enemy. Here they have a group of susceptible Negroes who now find themselves together. They have someone to lean on now, and the white man is the enemy."

"I often wonder," interjected Miss Wheeler, "whether this is a destructive force or even whether it is a self-destructive force. I don't have enough information about it to make a decision, but it seems to me that there's a growing dichotomy betwen Negro people—and the movement is not dying down.

"The dichotomy is between the Muslims and the Negroes who consider themselves intellectuals. They don't want to be bothered with this because they think it sounds so irrational. But these people, the intellectuals who reject the Muslims, will not say that any motion is good, any activity which makes a difference is better than sitting around praying or waiting for legal action to be effected.

"I don't know whether Klijah and Malcolm X have so much power over the people that they can get them to do things which would be to the disadvantage of the whole group. But they do get gleams in the eye, and a lot of these people have been in prison. And they are the kind of people who feel that if you hurt me, I'll hurt you."

Mr. Draper likened them to the Communists in many ways.

"They are strong people," Miss Wheeler said. "They don't play, they don't play. And they hate white people."

INTERMARRIAGE

I asked about the feeling on the campus about intermarriage with white persons. Mr. Draper took the ball on this.

"There's a feeling on the part of some people in the lower income group to want to succeed in life with a Cadillac and a white wife or white husband," he said. "But I think the great majority of the Negroes, especially the middle class ones and the highest class, feel in the back of their minds, first, on what grounds would you pick a person to marry—is it financial? Is it just because the person is white? What lies behind it?

"But I think once the cause that leads to the decision is determined as being all right, the intermarriage is accepted. Even if the reason for the marriage is only symbolic, it's accepted.

"I think that for the Negro college person, he or she is looking for a particular type of person to marry. And we've reached the point where we have strong convictions on that, and race doesn't matter. What matters is their general personality, and interests. The average American college student is looking for an individual, strong-willed and strong-minded, and when he finds that individual he makes the decision. If the person is a member of another race, he may think twice, and then go ahead."

THE PUBLISHER OF EBONY

Some time after my discussions with these students, and Mr. Gill's surprising confession of an ambition to try for the very summit in American politics, I was in Chicago. And I harked back to this occasion.

While interviewing John H. Johnson, publisher of Ebony, a leading magazine for Negroes, I told him about Mr. Gill's plan to enter politics and perhaps become President of the United States. The publisher listened attentively. After all, he had risen from relief status to millionaire before he was 45. He did a quick mental computation.

"That would be 25 years from now," he said. "I think he will not be President, but I think he could be Vice President of the United States. Yet I would want him to think he could be President. By shooting for the goal of President he may become one day Vice President. We always have to set our goals a little higher than we are likely to achieve.

"I would not want to discourage this young man. I think being specific, confining it to a period of 20 to 25 years, we could quite confidently assume that a Negro could be Vice President of the United States."

A JUDGE'S THOUGHTS

In the same city I asked Judge James B. Parsons, of the U.S. District Court for the Northern District of Illinois, what he thought of Mr. Gill's view. He is a man who studied law and went into politics and rolled up a vote of 1,127,000 in Cook County when he ran for judge of supreme court and won a few years ago.

"His thinking reflects a projection which is a responsible one," Judge Parsons said thoughtfully, "in that it recognizes change as it is going on. This is exceedingly difficult for persons who are not part of the change or those who are resistant to it.

"It's difficult to realize today that infants who are being born now may have the opportunity to live for upward of 150 years, or that children born to our children 25 years from now may live to 200 years of age.

"Change is a factor which we resist, and yet it is the most potent, most volatile factor in the entire American scene. Everything must be seen in the light of change and in the speed with which change is taking place."

This sense of change, mounting in speed and power, is felt all through the Negro world today. Its volatile potency may be working for a fine Negro boy who wants to be President of the United States, as it is for all his people.

[From the New York (N.Y.) Herald Tribune, May 12, 1963]

Ten Negroes

(By Robert S. Bird)

(Editor's Note.—Contrary to the popular impression of a professional journalist, Robert S. Bird is a slow man coming to grips with the typewriter. After spending 35 of his 57 years in this business, he has almost as many awards as gray hairs and he likes to worry out all the aspects of every problem before he sits down to write.

(He's the kind of man in horn-rimmed glasses and neatly pressed suit who sometimes seems to melt into the scenery and not be there at all, but he can take his middling height and weight and Amesbury, Mass., accent and plant himself in front of a situation and not budge for all the officials in a bureaucracy.

(Because he often carries a tape recorder with him, he has been mistaken for an FBI official. He is not.

(He is a reporter who started as a boy and kept going through crime reports, fire stories, political crises, and international incidents to become one of the top men in his profession today. When he is at home—and he has been traveling constantly for the past 5 months to work on "Ten Negroes"—he lives in Greenwich Village with his wife, the former Hester Faison. His son, Robert, Jr., is a reporter for another newspaper. This week, Mr. Bird will be taking some time off to see them both.)

"It never occurred to me until I was deep in the interviewing of Negroes for the series that a preconception was hampering my understanding, for there is in truth only one kind of American."

Negroes say that it has always been hard for them to communicate their thoughts and feelings to white Americans, and that the fault has been mostly on the white side.

Not only has the white population been generally inattentive to Negro efforts to be heard and understood, they say, but even when the whites have tried to listen they have been impeded by an unreal image of the Negro.

The Negroes say it has been this image which the white people have heard speaking rather than the real Negro. And they contend that this artificial, ideological notion of the Negro, whatever its variations, has been deeply embedded in white American culture since slavery days. And that essentially it is a slavery image of the Negro.

All of this was impressed on me by Negroes during my earliest interviews for the series of articles on Negro thinking and feeling which I wrote under the title, "Ten Negroes," for publication in the Herald Tribune in 10 installments between April 30 and May 10.

In the deep and enlightening experience I underwent during months of interviewing dozens of Negroes in many fields and in different parts of the country I became fully convinced of the truth of this Negro viewpoint, though not necessarily of all their other viewpoints, which are very diverse indeed.

Though I had spent much time in the last 8 years on assignments involving desegregation conflicts, and had watched with sympathy the Negro struggle for civil rights and equality in riot-torn places in the Deep South and here in New York City, I learned that my own "hearing" of the Negro was being obstructed.

Take one seemingly simple but subtle point—their status as American citizens.

I had never doubted that the Negroes were in theory full American citizens in every respect and legally entitled to all their civil rights. I knew full well that they were being systematically impeded by white groups and institutions in attaining these rights, and privately I deplored that.

But I felt more or less unthinkingly that they were a separate group of Americans, one which was in the process of slowly but surely winning its way to full acceptance and participation.

It never occurred to me until I was deep in the interviewing of Negroes for the series that a preconception was hampering my understanding, for there is in truth only one kind of American. That is a full American, entitled to all rights, privileges, and equal enjoyment of opportunities, and all the rest, without having to earn these and without having to prove himself.

Unless, perhaps, he is a convicted criminal.

Then the sense of outrage which the Negroes feel today dawned on me. The outrage of being required, seemingly forever, to earn their way to full enjoyment of their rights as Americans.

Now this becomes a hard point to develop clearly in words here. It's like talking about one's humility. The humility vanishes when you explain it and the words end up seeming merely pompous. Still, in this case the effort seems worth the risk.

I came to look on Negroes for the first time as just plain Americans like myself and like everybody else whose forebears came to these shores from some foreign land. They now seemed to be no different except as we all are different as individuals. The illumination which had dawned on me neutralized in my mind in a radical way the preconceptions and loaded overtones which looking on the Negro color had formerly cued off in my mind.

Like a young schoolboy who half believes an overheard cliche that all blonds are dizzy and unreliable but grows up to find that its pure nonsense, I came to see that Negroes are all kinds of Americans. Poor Americans and rich ones. Boring and fascinating Americans. Sloppy and fastidious Americans. Mean and courteous Americans—just like the rest of us.

Further insights came to me when the articles began to appear in the newspaper and an avalanche of mail descended on me. Much of it was praise from Negroes and whites, but that is irrelevant here. More to the point is the fact that much criticism of the series came from Negroes.

Some told me with great annoyance that they knew all about the things my Negroes had revealed but the articles had said nothing whatever about what they, the letter writers felt.

Black nationalists condemned my choosing certain moderate viewpoints to be aired, and some moderates said I had overloaded the series with the extremist Black Muslim philosophy. A couple of important Negroes objected personally to having been left out.

I began to see—indeed, feel—what numbers of Negroes had tried to tell me during the interviewing, that there are many Negro viewpoints and a great deal of conflict among the Negroes themselves over their diverse viewpoints.

AN ANGRY WOMAN

All this criticism proved one thing to me, that the series had communicated something at least—for these Negro critics were certainly communicating to this white man in their angry letters.

One of the bitterest, angriest, and most contemptuous letters—and one of the most literate—came from a woman. I telephoned her and asked her permission to use it with her name. In the nicest way, she agreed.

I believe her letter makes a good point, and one missing from the series, and that is a fine example of a Negro person communicating fully to the white side. So I reproduce it in full here:

"Dear Mr. Bird: What happened? Did you find the lake of Negro opinion too chilly for the nice long swim you intended? You certainly dived in with all your might with the leadoff article on the Black Muslims. Then, as your series on the 'Ten Negroes' progressed, it seemed as if you decided to get out of that cold river of controversy as rapidly as you had dived in.

"What happened? Weren't you able to find any interviewees who could or would give you the real reasons for the bitterness, disenchantment, and despair of the Negro in America? Were you unable, in all your travel and investigation, to find just one Negro who could or would tell you what it's like to be an American Negro?

"I cannot believe that you could not find one Negro who could tell you what it's like to walk down the street in a predominately white community with all of the stares and whispering. I cannot believe that you could not find one Negro who could tell you of all the little things that happen to him every day of his life on his way to work or school. All of the small things that are a prelude to his work or schoolday. The things that he accepts, but not quite. The multitude of his small things that sink into his unconscious self, but display themselves in his early morning scowl and his precoffee grumpiness. The minor things that cause his white coworkers to wonder why Miss or Mr. Negro is so darned evil.

NO ONE CARES

"Mr. Bird, I would rather believe in the things stated in the U.S. Constitution, the Bill of Rights and the Supreme Court decision of 1954 than believe that you could not find just one American Negro who could shed some real light on what it's like to be a Negro in the United States.

"For the past week I, and others like me, have been waiting patiently to see 1 white person, through a series of profiles on 10 Negroes, enlighten other members of his race on the reasons why the Negro feels and acts the way he does. I, and others like me, have been sorely disappointed, in the same way as whites have been. We have not been expecting you to tell us things that we did not know, for we are intimately knowledgeable about the things you wrote and did not write, as well as the most minute goings-on in the lives of most people. Not, in the case of the latter, because we want to but because we have had no other choice.

"Yet, in all this time no one has wanted or tried to know anything about us. No one cares when they run those beautiful shampoo commercials that we have kinky hair, most of it black with no hopes of finding out whether blondes have more fun. No one cares if our hands never become soft and white no matter how many jars and bottles of brand X we use.

"I won't waste the time, Mr. Bird, to go on with this little story because the things I have just written about are only one one-hundred-billionth of the many things that go into the making of a bitter, disenchanted, and despairing Negro.

"The invisible man that no one knows or cares about. The invisible man that the white world wishes would completely disappear and solve the American dilemma.

"But we're not going anywhere, you know. We're here to stay. That's why I, and so many others, are disappointed, Mr. Bird. Because you had the opportunity to shed some light on America's dark problem and you failed, you failed miserably.

"As we say uptown, Mr. Bird, why didn't you come down front and tell it like it really is?

"Cordially,

"MELBA TOLLIVER.

"P.S.—Miss Calloway wasn't too much help either when she said 'She forgot she was a Negro.' The majority of us are not seeking to forget, but rather a little remembrance on the part of white Americans."

UP FROM THE SOUTH

I asked Miss Tolliver if she would tell me something brief about herself that I could use with her letter. She said that she is 25, was born in the South but lived later in Ohio, became a nurse and worked as one in New York, and now is employed by a pharmaceutical company.

For the sake of the interest—and criticism—shown in the mail response over how I put the series together starting from cold, here is the rundown:

The assignment was to do 10 articles on the race situation, each focalized around a particular Negro person who would speak his views in his own words. I decided that for each of the 10 persons profiled in the series I ought to talk to 10 others—100 altogether. I also decided that I ought to try to make my interviews really deep, extending over, say, 3 hours or so. And to record them on tape.

I fell far short of the 100 interviews but most of those I did do went pretty close into 3 hours and some much longer.

My choice of those selected for the individual articles was wholly arbitrary. Many Negroes who are important on the American scene I never approached, and never intended to—and for reasons having nothing whatever to do with my estimate of their worth, influence, or anything reflecting on them.

They have their job to do and I have mine and I didn't think they fitted into the 10-article format as well as certain others, including a couple of altogether unknown persons.

I decided that the leaders of the two opposite extreme movements most spectacularly active on the American scene ought to be represented. But I didn't think the series needed other highly influential organization leaders. I mean people like Roy Wilkins, executive director of the NAACP; Whitney Young, Jr., head of the Urban League; Jim Farmer, of CORE; A. Philip Randolph, the Negro labor statesman; and many others equally active in Negro affairs. Or even Representative ADAM CLAYTON POWELL.

NAACP IN A HASSLE

In this retrospective examination of the series I think reference ought to be made, however, to the fact that the popular reception among the Negro masses of the Black Muslim denunciation of white oppression on the one side and the successes of the nonviolence demonstrations in the South on the other side have tended to make an old-line civil rights organization such as the NAACP harder, more extreme in its public statements.

The NAACP some months ago got in a hassle with white liberals in the labor movement, accusing the white liberals of job discrimination. On top of this Representative POWELL, who has gone extremist in the antiwhite direction with a vengeance, jumped on the Negro NAACP leadership, calling for ouster of the whites in leadership positions.

None of that seemed of interest to the series, especially since these persons have well aired their views in the news reports, and there is every indication they will be continuing to do so in the future.

In the case of the NAACP, this is not meant to diminish in any way the lustrous achievements of that organization over the years, achievements which are continuing at an accelerated pace into the present, in advancing Negro rights.

Federal Judge James B. Parsons of the U.S. District Court of Northern Illinois, told me in Chicago that the massive accumulation of NAACP briefs over the years had helped to build up much of the civil rights laws of this Nation.

Judge Parsons is one example of many Negroes whom I did approach for interviews, and who patiently gave me of their valuable time and who were not, in the end, profiled in the series. This was not for any lack whatever in the thoughts and feelings they communicated to me, but because of reasons of "fit" in the series, factors which lay altogether outside the content of their interviews.

Judge Parsons is one of those Negroes who believes that much progress is being made in race relations.

"There is no question," he told me, "that the Mississippi of this year is 10 years in advance, so to speak, of the Mississippi of a year ago."

At another point he said: "I think that Negro novelist James Baldwin's point of view is very good. I think his view is that it's exceedingly difficult for you to become acquainted with what's really going on in this Negro-America relationship. One of the reasons it's difficult for you—thinking of you in terms of the 'White Man,' if there is a 'White Man'—is that it is a matter of tradition for the whites to think in terms of 'the Negro.' And there is no 'the Negro.' There are many 'Negroes.'

"You can't learn to communicate with Negroes academically. You can't sit around a desk and read books and learn how to do it. You have to get out and do it. And Negroes can't learn to communicate with white people across racial barriers. They have to get across the barriers and start living and working and thinking together and their communication becomes common.

"I'm a strong believer in the idea that if people on either side, if we say there are sides, seek to understand the people on the other side, the very seeking breaks down the differences and there is no difference to be understood."

Another man who leveled with me in a genuine effort to communicate was John H. Sengstacke, publisher of the Chicago Daily Defender and affiliated Negro newspapers, and one of the more active Negro figures in Chicago.

Answering accusations which are often made against the Negro press for being overly sensational, he said that white people "see headlines that they think are inflammatory" but that they have no understanding whatever that these are news articles about problems which are daily occurrences with Negroes.

"We must portray what the Negroes feel, and in so doing we may be accused of exciting or inflaming the people, our readers," he said.

"I don't think the average white person has had the contact with Negroes that we must have in this country sooner or later," he added "The question is one of communication, if we are really going to solve the problem. White people know nothing about it, and they really can't feel it. It's difficult to try to explain to them what we feel and what the Negro would like for them to understand.

"I know a number of executives who rarely come in contact with any Negro except their chauffeur or maid, and they more or less put all Negroes in the same category. While these Negro employees are working, these executives just assume that these Negro people are happy. There are many times when they don't realize that, in talking with the Negro maid or chauffeur, the answers they get are the ones the Negroes think they want. Not the true answers.

"I can go to some affair," he continued, "as John Sengstacke, the publisher of the Defender, and that's one thing. But walking in as a Negro, that's something else again. I'm treated differently, then. And this is the thing we're trying to correct.

"Wherever we go we want to go on the basis that we are qualified to meet the standards rather than on the basis of being a Negro or white. This is the difference we are trying to get over to the white people. That plus the fact that there are differences in people, and you can't put everybody in one classification just because they are colored."

At the very outset of my researches I went to Clarence B. Jones, general counsel of the Gandhi Society, a legal aid organization headed by Rev. Dr. Martin Luther King, Jr., for orientation. He was immensely communicative in the best sense of the word, and it was he who discussed the white man's image of the Negro with me for the first time.

"It comes as a surprise, the intensity of James Baldwin's writings," he said, "because the white population has not known the Negro—has not known him in any way except in the way he has wanted to know the Negro.

"I would assume that if you have created an entire structure of how another individual is supposed to react and supposed to be, and you operate within the framework of that, it comes as a great shock to find that the image you have created is only an illusion, and does not correspond in any way with the actual factors."

"Whites have wanted to understand the Negro as someone who was content, so long as you treated him occasionally in a nice way and so long as you set aside a place for him so he would be a good and faithful person, and a good friend," he continued.

"But the whole standard of reference was with respect to the white person outward to the Negro—how the Negro related to him rather than the question of how the white person in this society related and was able to communicate to the Negro.

"The white man has simply heard himself for many years—his own self talking. He has not let the Negro speak."

There was Dr. William Stuart Nelson, vice president of Howard University, who traced for me, among many other aspects of race, the development in American culture from the slavery days of the image of inferiority which permeates white thought about the Negro this very day.

And there were many other Negro figures in different walks of life who patiently explained their inner thoughts to me on many aspects of the racial subject.

CONCLUSIONS ARE CLEAR

The conclusions I drew from all these interviews were clear enough to me at the end.

First and foremost, the Negroes want their rights without any further stalling. They are in no position yet to force a quick resolution of the struggle for their rights, but they no longer will accept the rightness of the gradualist approach.

And they want more than their rights, they want equality and freedom. These goals are not easy to spell out in precise definitions, but the people who have bespoken in their thoughts have tried to explain in their various ways what they mean.

If they, or Negroes in general, have failed to communicate what they mean by freedom and equality in America today this does not matter. They still want these enjoyments. Perhaps one way for a white to understand what they mean is to match in his own mind every freedom and opportunity for equality which he enjoys with the same for any Negro who is similarly endowed with intelligence, ability, and other traits.

All this leads me to another conviction, that the push by the Negroes of America for these objectives is harder than it ever was, it will get even harder in the future, and the more the Negro gains in this intensifying struggle the more he will demand. And there will be no end to it until equality is achieved. Then skin color will carry no ideological meaning whatever.

The drive for advancement will become increasingly spectacular, for the conviction is abroad in the Negro world that white America needs to be shocked and shamed before the world into giving the Negro his rights.

There is, moreover, a buoyant new spirit rippling through much of the Negro world—pride of the black man. This comes in part from the spectacular emergence of the African people into nationhood and the presence in the world councils of the United Nations of their leaders and diplomats. Proud, highly educated, and black as black can be. Black men of kingly self-confidence, standing up straight, tall and level eyed to the white man.

And partly this pride in race comes also, from the yeasty ferment of the Black Muslim philosophy which pervades the entire Negro world. Though it is not converting Negroes in mass numbers yet, it is making them feel mighty proud of their Negro-hood, so to speak.

Along with this, pride of race goes out from the Black Muslim preachers who are holding the attention of masses of Negroes, a denunciation of the white man which is balm to Negro self-esteem.

WONDERFUL ESCAPE VALVE

The bulk of Negroes in the great cities of the country are especially happy to see the white man kicked around rhetorically. It is for these Negro people a wonderful escape valve for their long-smouldering resentments. It accounts for the popularity of Malcolm X, the Black Muslim spellbinder who is afraid of nobody and loves to engage in a chilling kind of brinksmanship in his speeches. And for the new extremist fling of Representative Adam Clayton Powell.

Most of the Negroes I interviewed believe that there is a possibility—though by no means a probability—of outbreaks of violence among the urban masses in the future. They seem to feel that this will depend upon economic conditions and the degree of frustration which Negroes will be allowed to encounter through discrimination affecting the fundamentals of their life. Fundamentals such as food and shelter, education for their children, hope for the future.

Unemployment is the great danger, and tokenism in employment the big evil of today, most of them say.

Among the Negro leaders and men of affairs, and among large numbers of the nondespairing people, there is a feeling also of an approaching fullness of time for them, a sense of destiny, a feeling that the oppressive restraints are somehow about to give. Hopefully, a feeling that this will come about through a new awareness and show of good will by white America. But otherwise through a breaking of the restraints themselves.

EDUCATION IN NEW YORK STATE

Mr. JAVITS. Mr. President, I call the attention of the Senate to a fine speech made by the Governor of my State, Governor Rockefeller, at Adelphi College, at Garden City, Long Island, outlining our program for meeting the higher education challenge—a challenge which is also the challenge of our Nation and which, I very much regret to say, we are not meeting adequately in action in the Congress unless we pass the extension of the National Defense Education Act and also pass a bill to aid higher education. Such a bill failed last session because of the inability of the conferees of the House and Senate to agree. In my opinion, it is one of the most urgent measures before us in the national interest.

The expansion of higher education facilities is essential if we are to make it possible for every qualified young man or woman who wants a college education to receive it. Shortages of all kinds—physical facilities, teaching and administrative personnel, and loan funds for students—are depriving us of the ability and trained intelligence needed to meet the Nation's demands. Federal assistance such as that proposed in the National Education Assistance Act (S. 580) is urgently needed, and I am hopeful that this Congress will adopt the legislation necessary to cope with the situation.

New York State, I am proud to say, has been able to make available resources to meet some aspects of this problem and is going ahead with a highly constructive program under the leadership of Governor Nelson A. Rockefeller. I ask unanimous consent to have printed in the Record his remarks describing the New York State effort to meet higher education needs on the occasion of the annual spring festival, Adelphi College, Garden City, Long Island, May 2, 1963.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

W. Allen Wallis, president of the University of Rochester, remarked not long ago that "New York has by far the best system of higher education of any State."

President Wallis went on to explain that this was so, in his words, "partly because (New York's) colleges and universities are as good as those of any State, but even more because the State government does the best job of making New York's colleges and universities available to the students of the State." He cited in support of the latter statement the State's regents scholarships, Scholar Incentive Awards and student loan program.

As a Governor whose administration initiated the scholar incentive program and substantially broadened the regents scholarship and student loan programs, I am naturally gratified by President Wallis' observations. This is not, however, the reason I have chosen to quote him. I have done so because President Wallis' remarks led him and led me to some observations on the vital importance of diversity in higher education.

No one is in a better position than the individual student to know what kind of college will best suit his or her abilities and interests—and it follows that no one has a stronger incentive to see that he or she makes the most of the educational opportunities available at the college chosen.

New York State's system of higher education offers such a rich diversity of educational opportunities because it developed, first of all, through private institutions, each with its own individuality, approach and emphasis. Sixty percent of the college students in New York State today attend private colleges and universities, while the remaining forty percent attend public institutions of higher learning.

Faced with an unprecedented increase in the numbers of young men and women desiring a college education, we have sought here in New York State to advance both private and public education in order not only to accommodate sheer numbers but to preserve freedom of choice—to maintain quality and diversity while meeting the demands of quantity.

We have taken steps to assure that public colleges will fulfill their share of the needed expansion. The capacity of the State university will have been tripled by 1970, with a major enrichment of undergraduate programs and institution of graduate programs.

But we have also taken steps unmatched in any other State to assure that the steady increase in the cost of education at a private college can be dealt with, both by the institutions and the students.

Here at Adelphi, for example, your new library, nearing completion, is the first academic building on a private college campus financed by the State dormitory authority.

On the other hand, your Waldorf School, the only demonstration school on a college campus in the United States, was privately endowed. And among the students here at Adelphi, 290 are helping to meet their expenses with regents' scholarships, 1,338 receive scholar incentive grants and 342 have student loans under the State's programs, out of a total full-time enrollment of 2,400 students.

Thus we see here a blend of private initiative, private philanthropy, and public support which in combination make possible the unique educational opportunities that Adelphi offers its students. The diversity symbolized by colleges such as Adelphi is important, because, in President Wallis' words, "not only does it serve better the needs of New York's students [but] it also makes for strength in the total set of colleges in the State by permitting experimentation, unusual combinations of subjects, and specialization." It is vital that this diversity be preserved.

Such, then, is the philosophy behind your State government's current efforts in the field of higher education. This is important to the students today, as well as to the faculty and administrators. It will be even more important tomorrow, for we are approaching the peak of an effort to meet the needs and desires of ever-increasing numbers of young people for higher education that will strain our resources and ingenuity to the utmost.

The basic objective of your State government in this effort is to assure that no young man or young woman with the desire and capacity for higher education shall be denied it for lack of personal financial resources or facilities in the State. We are determined that your younger brothers and sisters, your children, and their children shall have opportunities for such an education as good as or better than that which has been afforded you.

These are precious years for all of you, years that will have a most significant bearing on the rest of your lives. Take full advantage of these years, for the world we live in and the world of tomorrow that you will help to build require the utmost of your capacities if you are to achieve self-realization and fulfillment of the unprecedented opportunities that lie before you.

FOREIGN STUDENTS

Mr. JAVITS. Mr. President, I call the attention of the Senate to a very important article on the "Education Explosion," dealing with foreign student enrollments in the United States. The article was published in the magazine Overseas, issue of March 1963. I think it should be of importance to every Senator.

An increasingly important activity in the cold war competition for influence in the developing nations is the program to encourage foreign students to study in American colleges. This has been expanding rapidly under organizational as well as Federal Government efforts through the educational and cultural exchange program of the Department of State, and its success contrasts sharply with the recently reported difficulties that the Soviet bloc countries have been experiencing with their foreign student program.

A warning that our own educational facilities will be severely taxed by the influx of students unless our institutions of higher education can get the assistance they need is voiced by John L. Thurston, deputy vice president of the Institute of International Education, which directs our foreign student program. I ask unanimous consent to have printed in the RECORD Mr. Thurston's article entitled, "The Education Explosion: Foreign Student Enrollments in the United States," which appeared in the Overseas magazine, March 1963.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE EDUCATION EXPLOSION: FOREIGN STUDENT ENROLLMENTS IN THE UNITED STATES

(By John L. Thurston, deputy vice president of the Institute of International Education)

Two conflicting forces will compete with increasing strength in the years ahead and will influence the nature and extent of many of the problems now surrounding international education. The demand for education in emerging nations will exceed the capacity of the education plant in those nations many times over and will lead to increasing pressures upon American educational facilities (as well as upon others around the world). Concurrently, the population growth in the United States and the rapid development of the drive to widen—almost to universalize—opportunities for higher education for American citizens will tax severely the capacity of our facilities.

During the last few years, the Institute of International Education has found evidence of increasing competition from U.S. students when we seek to place foreign students. It seems to be inevitable that this competition will increase. If the upward trend in college and university enrollments continues for the rest of the sixties at the same rate of the fifties, there will be more than 6.8 million students enrolled in the fall of 1970—an increase of almost 100 percent over 1960, according to Ronald Thompson, in the September 1961 journal of the American Association of Collegiate Registrars and Admissions Officers. At the same time, if the trend in total foreign student enrollment continues at its 1957–58 pace, we can expect an enrollment of about 120,000 by 1970—an increase of considerably more than 100 percent over 1960.

Several important factors suggest that the growth rate of new foreign claimants for American education will exceed the rate for the period from 1957 to 1961 and that the estimate of 120,000 by 1970 is conservative. More than 20 new nations have emerged in Africa alone since 1957, and many others have gained independence elsewhere around the world; it is well known that education is a mark of status and a symbol of independence; furthermore, there is a practical need for educated people to replace the politically unpopular expatriate, and most important, there is the marvelous attraction which education has for its own sake. All of these factors will combine to accelerate the growth rate in the number of students seeking American education during the next decade.

The next 15 years or so may see the crest of the wave of foreign applicants, although this is doubtful. By 1975 there will probably be important increases in educational facilities overseas; it is equally probable that until at least that time the demand for higher education will far outstrip local facilities. This is in part due to the rapid expansion of opportunities for secondary education. Ministries of education all over the world are now increasing such opportunities and are planning—partially in response to local political pressures—to expand the present number of secondary graduates. No doubt the expansion will fall short of the goals; but there will nevertheless continue to be a sizable rise in secondary graduates and this will have obvious effects upon the demands for higher education. The United States is bound to feel the effect of these demands during the next few decades.

THE UNDERGRADUATE PROBLEM

The competition between foreign and American students will vary depending upon the course and the institution. It seems clear that during the next few years, the sharpest problems will center around undergraduates; over the longer range, in time, competition for graduate and professional school places will no doubt be considerably more troublesome.

The short range undergraduate problem will be most acute in 1963–64 and 1964–65. During the decade of the sixties, new college entrants are expected to double from the 930,000 who entered in 1959 to 1,860,000 in 1969. In 1963, an increase of almost 255,000 entrants is expected over 1962; and a further increase of almost 215,000 is expected in 1964 over 1963. The increase in these two academic years alone will account for more than 50 percent of the total new-entrant increase betwen the years 1959 and 1969. This striking growth, caused by the bulge in the college age population, has obvious implications for all those interested in education in the United States—including those who set policy governing admission of foreign students. It is of deep interest also to foreign governments and foreign educators, since this bulge comes and will be felt in the years when many underdeveloped nations have their greatest need for American educational opportunities.

Competition for places in graduate schools is bound to increase markedly. According to the U.S. Office of Education in 1959, about 315,000 students sought graduate degrees. This number represented about 9 percent of all students enrolled in degree-granting institutions. If we apply this ratio to the 6,800,000 enrollment expected in 1970, we can anticipate that about 600,000 American students will be seeking places in graduate schools by the end of this decade, compared with about 375,000 now. Most educators would agree that this is a conservative estimate.

Age groups and college entrants in the 1960's [1]

Academic year	High school senior age group [2]	College entrants	Percentage of entrants in age group	Annual change in number of entrants	Annual percentage change in entrants	Annual change as percentage of 10-year increase
1960–61	3,104,000	[3] 1,026,000	33.05	+96,000	+10.3	+10.3
1961–62	2,939,000	1,018,000	34.66	−8,000	−.8	−.9
1962–63	2,858,000	1,037,000	36.27	+19,000	+1.9	+2.0
1963–64	3,411,000	1,292,000	37.88	+255,000	+24.6	+27.4
1964–65	3,817,000	1,507,000	39.49	+215,000	+16.6	+23.1
1965–66	3,637,000	1,495,000	41.10	−12,000	−.8	−1.3
1966–67	3,649,000	1,558,000	42.70	+63,000	+4.2	+6.8
1967–68	3,632,000	1,609,000	44.31	+51,000	+3.3	+5.5
1968–69	3,823,000	1,756,000	45.92	+147,000	+9.1	+15.8
1969–70	3,913,000	[4] 1,860,000	47.53	+104,000	+5.9	+11.2

[1] From College Board Review, fall of 1962, "1963–65: Peak Years for Admissions Offices," by George H. Hanford.

[2] Source: Arthur D. Little, Inc.

[3] Source: Office of Statistical Information and Research, American Council on Education.

[4] Twice the number of students who entered 4-year institutions in 1959–60.

Foreign graduate students

	1957-58	1958-59	1959-60	1960-61	1961-62
Far East	6,600	7,700	9,000	10,600	12,100
Near and Middle East	1,700	1,800	2,000	2,300	2,700
Europe	2,800	2,800	2,800	2,900	3,300
Latin America	1,500	1,600	1,800	2,000	2,400
North America	1,600	1,800	1,800	2,000	2,200
Africa	600	700	800	1,200	1,550
Oceania	300	300	300	300	350
Total	15,100	16,700	18,500	21,300	24,600

Foreign students seeking graduate education in the United States have increased at a considerably faster rate than those seeking undergraduate education. The latter increased about 25 percent between 1957 and 1961 while graduate students increased by over 60 percent. If this ratio of increase continues (about 15 percent annually), more than 55,000 foreign graduate students in 1967 can be expected and considerably more than 85,000 by 1970. Foreign graduate students will then outnumber foreign undergraduates by almost 2 to 1, assuming a continuation of the present trend in undergraduate growth.

The problem is further complicated by the fact that a relatively few graduate schools enroll the majority of students. In 1960, 54 institutions enrolled 75 percent of the foreign graduate students in the United States, some 16,000 of the 21,000 total. If past trends continue, these 54 institutions would have to more than double their foreign enrollment in 1970 in order to take their relative share of new graduates.

A remarkably large number of American institutions—from great universities to small private technical schools—enroll foreign students. In 1961, almost 1,800 (1,798) reported one or more foreign students. Thus it would appear that a doubling of foreign student enrollments involving some 60,000 or so new students could surely be handled without undue difficulty by 1,800 institutions. Yet, this assumption is deceiving. Approximately one-half of all graduate and undergraduate foreign students (52.4 percent in 1960-61) are found in 54 American institutions; and of these institutions, 28 had more than 35 percent of all foreign students. Two important conclusions may be drawn from these facts: it is clear that there is a broadly based interest in foreign students and that this should over the long run have an important effect upon the ease with which an expanded foreign student population can be absorbed. On the other hand, however, especially in the short run over the next several years, the impact of any major foreign student expansion will no doubt be felt primarily by a relatively few institutions. These are the institutions now geared to sizable foreign enrollments; they are known by foreign students, and they are, by and large, among America's outstanding institutions. But they are also the same institutions which will be under severe pressure to accept large increases in American students.

Stated in its simplest terms the question is whether higher education can, in fact, accept foreign students in these increasing numbers without serious adjustments and considerable special effort. While this question is most pertinent in the long run with respect to graduate students, the special bulge in freshmen enrollments during the next 3 or 4 years will confront all incoming foreign undergraduates with severe competition and will sorely tax many 4-year undergraduate institutions.

Some may ask an even more basic question, and inquire should American institutions undertake to meet these increasing demands, considering especially the continuing calls which are being made upon American colleges and universities to assist in building institutions overseas. Others will go part way but suggest that "there has to be a stop somewhere." Still others may argue that there is no theoretical end, but rather that lack of facilities and public or legislative reactions will settle the question.

There will be many who will argue that American educational opportunities for foreign students should be developed to the fullest possible extent. Such protagonists must face up to the task of providing supporting services for many more foreign students and for doing a better job than they now do of counseling, finding summer employment, teaching English, and the like. Failing this, they must accept the task of stimulating and encouraging the provision of such supporting services by the institutions who respond to the educational drives the world is now experiencing.

No doubt questions will be raised as to the validity of my assumptions or of the statistical projections leading to these assumptions. While it would be most difficult to challenge the general trend in the growth rate of foreign students, there is clearly room for disagreement on the exact extent and timing of the growth. Indeed, we do not now have enough facts about enrollment trends, and a careful statistical analysis is sorely needed. Furthermore, the overall foreign student trend is influenced heavily by rates from a few selected countries, and a fully satisfactory analysis of the probable future course of the total foreign student population would require careful study of the factors influencing the flow of students from these selected countries.

Conversely, the vast potential of the underdeveloped nations as a source of foreign students during the next decade must be more accurately analyzed and quantified.

Finally, the ability of other countries, especially the English-speaking ones, to absorb foreign students must be assessed before satisfactory estimates of the extent of America's involvement may be made.

THE NEED FOR A STUDY IN DEPTH

The complex issues discussed here require additional study, since there is surely enough evidence to support the view that important forces are in conflict. The manifold advantages to be derived from a continuing increase in exposure of foreign students to American education argues strongly for such an increase. Yet the manifold difficulties stemming from that same expansion demand the most thoughtful consideration, and the development of a concerted effort to meet those difficulties include the development of a psychological climate most conducive to such an effort.

The Institute of International Education Advisory Committee of College and University Presidents has considered these issues and has concluded that a major study should be undertaken to examine them. The Institute of International Education hopes, therefore, to find ways to initiate promptly a study which would involve the following:

1. An examination of the forces leading to the probable expansion of foreign student enrollments.

2. An estimate of the potential demand by graduate and undergraduate foreign students for an American education, annually until 1975.

3. An assessment of the advantages and disadvantages to the United States and to the American educational community of important increases in foreign student enrollments (particularly in relation to the growth of American enrollments).

4. The establishment of approximate targets or reasonable goals for foreign student enrollments which the American educational community could realistically be expected to meet by 1965, 1970 and 1975, assuming a continued worldwide demand for American education.

5. A review of the types and extent of actions required by public and private bodies (not exclusively educational) in order to meet foreign student enrollment goals.

The study proposed here impinges upon the interests of many groups, including the American Council on Education, Education and World Affairs, the Committee on Educational Interchange Policy, the Association of Graduate Schools and others. The institute would wish to enlist the active support and participation of such interested groups and would hope that the report issued as a result of the study can carry the joint imprimatur of all participating organizations.

The institute is convinced that a careful and practical analysis of these issues and the setting of goals for foreign student enrollments will provide an essential frame of reference for action and for program growth. It will bring to developments in the foreign student field the attention which current history demands.

THE FLIGHT OF MAJ. L. GORDON COOPER, JR.

Mr. PELL. Mr. President, I would like at this moment to call our attention and our immense admiration to the amazing flight of Maj. L. Gordon Cooper, Jr., as he continues with all apparent success and heroism to orbit the earth.

Our most ambitious space probe to date is proceeding on schedule. I know we all rejoice in this news; and I would like also to direct our acclaim to our previous space pioneers—Alan Shepard, Gus Grissom, John Glenn, Scott Carpenter, and Walter Schirra—and to all those connected with Project Mercury and our National Aeronautic and Space Administration.

Particularly, our aspirations are with Major Cooper. As he soars in space, so indeed does our imagination. After agonizing delays and the inevitable increase of tension, he is on his journey. Our hearts and minds reach beyond the confines of our everyday activities and out to him.

His flight will bear vitally on future U.S. efforts in outer space, the contemplated Project Gemini two-man orbital flights, and the eventual Project Apollo expeditions to the moon.

We are lifted up in spirit by this extraordinary example of ingenuity and exhilarated by its scope. We can take pride in the fact that Major Cooper is a citizen of the United States; but his flight, in essence, transcends all boundaries as we know them. It is most importantly a tribute to the principles of freedom we have traditionally nurtured and wish to expand.

Mr. President, I ask that we pause here in this historic Chamber in prayerful hope—that this remarkable achievement, which so deeply involves us all, may be brought to a safe and successful conclusion for the benefit of mankind.

SOVIET SHIPS IN AMERICAN WATERS

Mr. SIMPSON. Mr. President, the United States today launched into orbit the astronaut who will make the longest space flight undertaken to date by an American. As the Nation cheers the start of his mission and prays for his success, we must hope that the Soviet ships reported in American waters off the coast of Florida yesterday are not back at their stations with thoughts of interfering with the flight of Major Cooper's spacecraft.

As noted by Florida Representative ROGERS, the electronics equipment which was obviously aboard these Russia ships could have been used and perhaps still could be used to interfere with the delicate radio signals and devices which affect Astronaut Cooper's entry into space, his path through the heavens, and his reentry into the atmosphere.

I do not mean to hypothesize on the intention of these Russian ships, but without question, the potential is there and the question must be asked, "Why did the administration take such a casual offhand attitude when these ships were reported?" Although they were reported in American waters, apparently no attempt was made to board them and search them, nor were there attempts to ascertain their mission. Is this another indication of American policy predicated on fear, or are we simply being deferential to the nation which has sworn to destroy us?

I make these remarks to my colleagues because I sincerely believe that this further intrusion upon American prerogative and territory presents a situation which must be handled promptly and firmly lest it generate into another instance in which American action comes "too little and too late."

WHAT'S WRONG WITH OUR LABOR UNIONS

Mr. MUNDT. Mr. President, Maurice R. Franks, of Chicago, founder and president of the National Labor-Management Foundation, is the author of a recently published book entitled, "What's Wrong With Our Labor Unions."

Mr. Franks, in his volume published by the Bobbs-Merrill Co., Inc., a subsidiary of Howard W. Sams & Co., Inc., of Indianapolis and New York, presents a practical discussion of the problems confronting our unions today and offers suggested solutions.

The author of this excellent book is probably as qualified as any man in America today to objectively view the American labor movement. While he has spent more than a quarter of a century of his life as a union organizer, committeeman, delegate, business agent and editor, it can never be said that Maurice Franks is wedded to the concept that labor leaders can do no wrong.

In fact, if one were to properly describe Maurice Frank's role in the labor movement picture today, it would be depicted not as "prolabor, antimanagement" but simply as "for the working people of America."

Mr. President, it was my privilege to have the honor to write an introduction to this fine book by Mr. Franks. In calling attention to this newly published work, I ask unanimous consent to include in the RECORD the text of my introduction to "What's Wrong With Our Labor Unions."

There being no objection, the text was ordered to be printed in the RECORD, as follows:

INTRODUCTION BY SENATOR KARL E. MUNDT ON "WHATS WRONG WITH OUR LABOR UNIONS"

In his early twenties, Maurice R. Franks, author of this book, became associated with the American labor movement. His first official capacity was that of organizer and business agent for one of our railroad brotherhoods, the Switchmen's Union of North America. In the course of that service he first came to know at ground level the sentiments and aspirations of the hourly worker, the organized and unorganized alike.

His incumbency likewise brought him into close contact with union leadership at a time when its idealism ran high and when, apart from inevitable radical fringes, the main line of union action was wholly consistent with the public conscience and the dynamic functioning of the American economy.

The efforts of established unionism in those days were under the tutelage of such labor statesmen as Samuel Gompers and were directed toward seeking for labor a greater measure of individual freedom, as opposed to regimentation—a larger degree of social integration, as opposed to further fomentation of class consciousness. The economic program of Gompers and men of his stamp called for labor-management partnership in production and reward, even as it sturdily disowned the antics of some militant sectors in pursuit of radical social change.

The Gompers program of pure and simple unionism and the evolutionary, rather than revolutionary, techniques it proposed took root in the young and eager mind of Maurice Franks and there supplied both substance and energy for his own developing philosophy of labor.

Meanwhile, with both feet and his whole heart planted firmly in the labor movement, Maurice Franks also saw far beyond the routine tasks of service to his union. Like so many of our Nation's foreign born—he had come as a child to the United States from Ireland—the sense of public spirit that came into being with his citizenship went considerably beyond the average. He had a mind fiercely dedicated to American principle. He also had a fluent tongue and a voice prepared to carry far and wide the message of human dignity and all-round fairplay, which since the beginning had been the core of America's message to the world.

As a delegate to the Minnesota State Federation of Labor and at other union conclaves, he fearlessly voiced his convictions, and over the years developed into a public speaker and lecturer in constantly increasing demand.

Maurice Franks also turned early to the written word, worked hard to develop a strong and communicative style and eventually became a labor editor of considerable renown. In 1940 he founded the Railroad Workers' Journal, as the official organ of a brave and independent brotherhood, the Railroad Yardmasters of North America, Inc. This well-rounded monthly magazine served as a mouthpiece for his constructive union philosophy until 1948, when, as founder and first president of the National Labor-Management Foundation, he also became the editor of that organization's official publication, Partners.

Like all good Irishmen, Maurice R. Franks is a fighter. And throughout his career he has been battling for the greater good of the American economy, as the greatest single servant of us all. He has challenged its enemies wherever he encountered them whether in politics, management, or at any level of organized labor. And with equal intensity he has fought in defense of its friends and constructive contributors, again on whichever side of the industrial fence they stood. In fact, his chief assault has been against the fence itself, believing with unwavering consistency that labor and management, the employer and his wage earner, are not natural-born enemies but are the closest of mutual friends—in Longfellow's words, "As unto the bow the cord is * * *. Useless each without the other."

His constructive viewpoint could not help but bring Franks into violent collision with those among the leaders of modern unionism who were becoming more concerned with partisan politics and social planning than with the functions of collective bargaining.

Throughout the New Deal decade, Franks was something of a one-man committee within the labor movement, a voice crying out from the wilderness of blueprints for "The More Abundant Life." He protested vigorously against the philosophy underlying the Wagner Act—that union organization should be achieved through compulsion rather than persuasion based on proven accomplishment. From the day the Wagner Act appeared on the statute books Maurice Franks began tirelessly campaigning for its reform. Many of the reforms advocated by Mr. Franks were incorporated in the Taft-Hartley amendments enacted in 1947.

However, he felt that Taft-Hartley still left much room for improvement. His vigilance in behalf of the legitimate rights of individual workers continued. His public condemnation of protected oligarchies within the union system; his expressed contempt for those, both businessman and labor leader, who sought personal profit at the expense of union member or employer through such devices as the "sweetheart contract"; and his oft-repeated concern over the continuing decline of democratic practices and procedures in many labor organizations all preceded by many years of public indignation sparked by the revelations of our Senate Select Committee on Improper Activities in the Labor and Management Field.

With mounting popular sentiment for reform of labor-management laws, Maurice Franks found doors, once closed, suddenly opening to his suggestions for statutorily guaranteed democratic procedures in union elections and strike decisions and for the mandatory bonding of union officials having fiscal responsibilities.

Maurice Franks could take much personal gratification in the adoption of the Landrum-Griffin Act of 1959 where some of his recommendations at long last became the law of the land.

His crusade carries on—for he recognizes that statutory mandates and guarantees are in a large sense meaningless, if those they are designed to protect and those they are designed to control do not invoke them on the one hand and observe them on the other. He sees the future vitality of labor organizations inextricably tied to the capacity of leaders and members alike to comprehend the very useful and legitimate role which collective bargaining was historically created to provide within the total structure of a free society. This book represents a sincere effort to promote this essential understanding of basic purpose. Its criticism of both persons and practices is frank and unvarnished. This cards-on-the-table approach is typical of the author. His commentaries on the weaknesses which he sees in modern unionism are certain to make him the target of much hot-tongued abuse. Experience has taugh him to expect this, but, thankfully, has not dampened his willingness to enunciate his fundamental convictions. My own association with Maurice Franks has convinced me that he believes strongly in the need for organization within the Nation's labor force. As a matter of fact, he believes the necessity for organization is so self-evident that it will occur naturally without the pressures of governmental coercion and contractual compulsion.

I welcome the publication of this book by a man whose friendship I enjoy and whose counsel I esteem. I welcome it and wish it success as an unfettered purview of a growing economic problem and an uncluttered expression of commonsense in the down-to-earth solutions it proposes. "What's Wrong With Our Labor Unions" is not a death sentence. It is a guideline for correction.

ANTI-COURT ELEMENTS NOW WANT TO DESTROY THE AMERICAN FEDERAL SYSTEM

Mr. DOUGLAS. Mr. President, since the 1954 desegregation decision of the Supreme Court of the United States, certain elements in our society have been engaging in attacks on the Court itself and on its individual members in the hopes of undermining public confidence in the Court and curbing its desegregation decisions. By and large these attacks have been scattered, unorganized, and ineffective because their fundamentally wrong nature has been clearly evident to the vast majority of Americans. But occasionally, as in the final days of the 85th Congress, these attacks have mounted to serious proportions, and only alert and vigorous efforts have stopped the concerted campaigns of those who would undermine the Court and its desegregation decisions through congressional action which would overrule its decisions on these and other controversial matters. It is no secret that most of the impetus for the attack in the 85th Congress on several of the Court's then recent decisions was in large part an anti-desegregation effort by Members who, seeing realistically that a constitutional amendment to reverse the desegregation decisions would not be approved by the Congress or the country, strove instead to undermine public confidence in the Court by attacking some of its more controversial decisions. As my colleagues will recall, the House sent to the Senate bills to legislatively reverse Court decisions and practices including the Cole decision limiting the Federal security program to sensitive jobs; the Mallory decision preventing the use in evidence of confessions obtained while Federal officers unnecessarily delay arraignment; the Nelson decision keeping responsibility for antisubversive action Federal; and the long-standing practice, which the Court had recently reaffirmed, of Federal judicial review of State criminal trials by habeas corpus. These bills were stopped in the Senate by action which has been described elsewhere, and which there is no need to review again at this time.

Now, Mr. President, the anti-Court forces have been mounting another attack, this time through applications for a series of proposed amendments to the Constitution of the United States which they have quietly been pushing in a number of States.

But this time, Mr. President, the attack is not simply on the Court, but on the intricate balances of the American Federal system. They would help to make this country a confederacy instead of a nation.

While the nature of these proposals will be apparent to those who study them carefully, and while official notice of these applications for amendments may unnecessarily and undeservedly dignify them, I think the Congress and the country should know the facts. There are three main proposals to undermine the Court and the Constitution which have been acted upon in some States. They are being promoted by an interstate committee and are approved by the Council of State Governments.

First, an amendment to article V, to make obligatory the proposal of amendments endorsed by two-thirds of the State legislatures, without action by Congress or by a national convention, and further, providing for the ratification of proposed amendments by the State legislatures only. Thus, Congress' present option under article V to submit amendments to State conventions would be eliminated.

Second, an amendment to eliminate Federal judicial authority over the apportionment of State legislatures and to wipe out the substantive Federal guarantees with respect to this matter.

Third, an amendment to establish a Court of the Union, composed of the chief justices of the States, with authority to review Supreme Court decisions relating to the rights reserved to the States under the Constitution.

It is difficult to know exactly how many State legislatures have considered or acted favorably on these amendments, and there seem to be conflicting reports. However, I asked the staff of the Senate Subcommittee on Constitutional Amendments, of which the senior Senator from Tennessee [Mr. KEFAUVER] is chairman, for a report on this. It appears that no system of reporting action in the States on applications for constitutional amendments has ever been established, so State action only comes to the attention of the Judiciary Committee and this subcommittee rather informally. The subcommittee staff has checked the records of the full committee, and to date it has been brought to the official attention of the committee that there have been eight approvals of the article V amendment application, nine approvals of the amendment application concerning apportionment, and four approvals of the amendment application concerning a Court of the States.

But the current issue of Newsweek—May 20, 1963—states that the article V amendment application has in fact been approved by 11 legislatures; namely, those of Arkansas, Florida, Idaho, Illinois, Kansas, New Hampshire, Missouri, Oklahoma, South Carolina, South Dakota, and Wyoming.

The application for an amendment barring the Supreme Court from ruling on the apportionment of seats in the State legislatures, according to Newsweek, has been approved by 13 legislatures; namely, Arkansas, Idaho, Kansas, Missouri, Montana, Nevada, Oklahoma, South Carolina, South Dakota, Texas, Utah, Washington, and Wyoming. These are in themselves formidable figures.

Mr. President, a notable service to the country has been given by Dr. Charles L. Black, Jr., who is Henry R. Luce professor of jurisprudence at the Yale Law School. In a letter to Arthur F. Freund, dated January 7, 1963, which has been made public, and in an article which appeared in the Yale Law Journal for April 1963, Professor Black has carefully examined the meaning of these amendments, particularly the article V amendment.

Mr. President, I ask unanimous consent that this letter and this article be printed in the RECORD in full, including the footnotes to the article.

The New York Times' Pulitzer Prize winning reporter, Mr. Anthony Lewis, also has very carefully written about these amendment applications. I ask unanimous consent that two articles by Mr. Lewis, from the Times of April 14 and May 2, 1963, also be printed in the RECORD.

I also ask unanimous consent that two editorials, one from the Washington Post of April 20, 1963, and the other from the New York Times of May 3, 1963, be printed in the CONGRESSIONAL RECORD. Also, I ask unanimous consent that a brief article from the New Republic of May 4, 1963, entitled "Disunited States" be printed in the RECORD.

And further, Mr. President, I ask unanimous consent that two articles from the Chicago Daily News of May 6, 1963, one by Robert L. Riggs which appeared first in the Louisville Courier-Journal, and the other unsigned from the Springfield bureau of the Chicago Daily News, be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the material was ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, it should be noted that the Chicago Daily News is one of the strongest Republican newspapers in the Nation and yet it openly describes how it was an almost solid Republican majority which got the article V measure approved in the Illinois House aided by a very small group of Democratic defectors.

I personally believe that there is a greater danger that these amendments will finally be adopted than many of the commentators seem to believe. First, some State ratifications have perhaps not been counted. Thus, the Indiana Legislature seems to believe that it has ratified one or more of these amendment applications. Moreover, I am not certain that the veto by the Governor of Nebraska of one of these applications adopted by the unicameral legislature of that State will be held to be definitive.

Second, the movement has been conducted quietly and the sponsors have obviously been keeping in the background legislatures in several States which are strongly segregationist or dominated by the gross overrepresentation of rural areas. Both of these interests feel themselves threatened and aggrieved by the decisions of the Supreme Court. We are, therefore, likely to see next year a large number of States which will rush to approve and submit these applications. This may well create a bandwagon psychology which will sweep other States into the fold. These proposals are indeed time bombs under the American constitutional system.

It will be interesting to see what the American Bar Association will do. That body led the fight for the Bricker amendment which would have fatally crippled the President's power to conduct our foreign relations and it was a sponsor of the no-third-term amendment. I do not remember that it ever opposed the proposed amendment to limit the Federal income tax to 25 percent which would either have crippled our defense efforts or forced a national sales tax. As Solicitor-General Cox and Professor Black have commented, I have not seen any activity of the bar in opposing the current proposed amendments. Yet they are clearly designed to make the 14th, 15th, and 1st amendments inoperative and to perpetuate the archaic and unfair overrepresentation of the thinly populated areas within so many of our States. It will be interesting to see if the bar associations stand aside as the Constitution is subverted by a minority and if the big States and urban populations are shackled and human rights are disregarded.

But whatever the attitude of the bar may be, the people of the United States should wake up and not, as in my State, allow these amendments to go through because of inertia.

EXHIBIT 1

JANUARY 7, 1963.

ARTHUR J. FREUND, Esq.,
St. Louis, Mo.

DEAR MR. FREUND: I have received your letter of December 29, 1962, describing the three proposals recently approved by the Assembly of the States (meeting under the auspices of the Council of State Governments), and enclosing copies of these and of a report of that assembly's National Legislative Conference Committee on Federal-State Relations. I note that the assembly has recorded its support of—

(a) An amendment to article V, to make obligatory the proposal of amendments endorsed by two-thirds of the State legislatures (without action by Congress or by a national convention), and providing for the ratification of proposed amendments by the State legislatures only, eliminating Congress present option to submit them to State conventions.

(b) An amendment which would eliminate Federal judicial authority over the apportionment of State legislatures, and wipe out substantive Federal guarantees respecting this matter.

(c) An amendment to establish a Court of the Union, composed of the chief justices of the States, with authority to review Supreme Court decisions relating to the rights reserved to the States under the Constitution.

These proposed amendments are set out at large in the other enclosures in your letter. If you will allow me, I will comment on them as briefly as may be.

It must be a matter for astonishment that such proposals should find support among those to whom the honored word "conservative" is often applied. The proposals are radical in the extreme. They aim not at the preservation but at the subversion of that balance in Federal-State relations which has, in the words of a report advocating them, enabled us to escape the evils of despotism and totalitarianism. They negate one of the best-authenticated master principles of our American political being, the principle that we are a unified nation, having a unitary interest in the maintenance of our Federal Constitution, and expressing that interest through national deliberations and decisions, and (since we are a people attached to law) through our national courts. They constitute, collectively, one more attempt, so late in the day, at converting the United States into a confederation, wherein the interests of the American people as a whole people, acting together politically and morally, would be shattered into disjecta membra. The wisdom of peace and the sacrifices of war alike warn against starting down that ruinous road.

Since the first and third of the proposals are more general than the second, they more generally illustrate the characteristics referred to, and may therefore be taken up first.

The first proposal is that article V be so changed as to make obligatory the proposal of amendments desired by two-thirds of the State legislatures, without any congressional deliberation and without the calling of a national convention. The most striking (and perhaps most shocking) characteristic of this proposal is that it provides for amendment of the National Constitution without there having been, from first to last, any national deliberation anywhere. Like all political structures, this one expresses a political idea—the idea that the American people are not a unified people, and that the adoption of amendments to their Constitution is of no concern to them in their character as citizens of a nation. National questions ought surely at some stage to be deliberated upon in a national forum. Only thus can the attention of the Nation be brought to a focus upon them; only thus can they receive the consideration of representatives whose responsibility in office is the welfare of the country as a whole.

As contrasted with the method of amendment always hitherto used, the proposal clearly has another shocking characteristic; it altogether eliminates the popular principle from the amendment process, by taking the House of Representatives out of that process. Under the method heretofore used, to put the manner summarily, an amendment, to be proposed, must not only pass through the Senate, where the States are represented equally, but also the House of Representatives, where the people are (at least roughly) represented pro rata. This long-sanctioned method transfers to the amendment process the basic compromise on which our Nation was formed. The present proposal destroys this balance; paradoxically, it makes it possible for an amendment to be proposed and passed without any assent from a body representing the national citizenry as such, though a simple act of Congress cannot be passed without such assent. Again, the theoretical underpinning is clear—the American people are seen not as a people, but as the distributed inhabitants of a confederacy.

This want of popular representation in the proposed amending process is made the more dangerous by the fact that many of our State legislatures are grossly unrepresentative of the people within their States. Whether or not we approve of *Baker* v. *Carr*, and whatever may be the appropriate Federal constitutional standards for representation in State legislatures considered strictly in their local character, how could we wish to commit the process of Federal constitutional amendment to the uncontrolled action of legislatures that (as published statistics irrefutably show) are very far from reflecting with accuracy the composition even of their own State citizenry? (This point is underscored by the fact that the proponents of this scheme, in their "Report," are concerned to eliminate the State Governors from the amendment process.)

It may be said that, under the alternative and never-used convention method of article V, Congress may now be compelled, by State initiative, to call conventions for the purpose of proposing constitutional amendments, and that the House of Representatives may thereby be circumvented. But article V does not provide that, in such a convention, the popular principle of representation is not to be expressed, and the House of Representatives (or, for that matter, the Senate), as a condition to its assent to the call, might insist on appropriate provision to this end. Such provision would be consonant with the whole spirit of our Government, which is based squarely on the notion that, in the making of national decisions, both the people and the States are to be represented.

The amendment proposal, then, would subvert the deepest principle of our political life—that we are a whole Nation, and that the resolution of national questions calls for debate and action in a national forum. It would remove from the amendment process the necessity for the assent of the American people, in that body where they are represented as such. It would make possible the changing of any feature of our national political structure wholly by the disjoined and divided actions, severally debated and taken, of the representatives, it might be, of a minority of the people. It sets at nothing all the wisdom we have gained at great price, and ought to be firmly rejected.

The third, or Court of the Union, proposal, is vulnerable to a number of criticisms which may be considered minor only in relation to its major fault in principle. This Court would lack two prime characteristics of courts in our legal tradition; it would be, beyond argument, too large for effective judicial deliberation, and, meeting sporadically, it could never form any institutional tradition. Its members would be judges chosen for their attainments and promise in other fields than Federal constitutional law. In the main, they would be elected by diverse electorates; whatever may be the suitability of this method for the choosing of State judges, its rejection, for the judges who were principally to interpret the Constitution, was a prime point with the framers, and has served us well for nearly two centuries. A majority of this "court" could easily represent a very small minority of the American people. Its members would be subject to State legislative pressure. The mind staggers at the notion that the wisdom of article III and of section 25 of the Judiciary Act of 1789, repeatedly reenacted in material substance, should come down to this—that the masterwork of Marshall and Story, of Taney, of Taft and Hughes and Holmes, should be turned over to a "court" so constituted.

But the radical fault of the proposal lies deeper. The American people are committed, as firmly as they are to anything, to the powerful and life-giving idea that our Constitution is law, and that its character as national law can only be upheld by giving its final interpretation into the hands of a national judiciary. In the selection of that judiciary both the States and the people are now well represented, by the President and by the Senate. But the Federal judge himself is an officer of the Nation, expressing, as light is given him, the interest of the Nation in the even maintenance of its constitutional balances. The destruction of this idea, and the substitution of the idea that final judgment on constitutional questions is to be made by judicial representatives of the States, taken one by one, again can rest only on the theory, denied by the best thought and the best blood of our history, that we are not a Nation but a league.

The second proposal (the reversal by constitutional amendment of *Baker* v. *Carr*) goes to a more specific problem than does either of the proposals discussed above. What it amounts to is a withdrawal of Federal protection from a designated area of political life.

This proposal, if passed, would constitute the first diminution, since our history began, of any Federal constitutional guarantee of liberty, justice, or equality. More specifically, the equal protection clause has up to now been left, as it came into the Constitution, entirely general; "equal protection of the laws", not as to some matters but as to all, is one of the chief things our Nation promises us in return for what it asks of us. To begin cutting down our constitutional guarantees, to begin introducing exceptions here and there into the concept of equality under law, are solemn steps indeed. The possibility (and it remains no more than that) that some of the grosser present abuses in State apportionments may be weeded out by Federal judicial action is not an appealing ground for embarkation on these treacherous seas.

And this proposal goes very far. It would reach beyond 14th amendment equal protection, and sanction the States in using apportionment as a guise for rank racial discrimination, in contravention of at least the purpose and spirit of the 15th amendment. (The Tuskegee gerrymander case makes this possibility far from fanciful.) It would open a breach in the Federal guarantee, thought essential by the Framers, of a "republican form of government" in each State, for by its clear terms it would prevent not only the judiciary but Congress from acting to implement that guarantee, as long as malapportionment, however gross, was the vehicle of oppression. Whatever the constitutional provision concerned, the proposal would make invulnerable not merely such abuses in State representation as now exist, but also others far more gross; we would be overoptimistic, in view of the British experience and of our own shifting population trends, if we assumed that these could not occur. This proposal, moreover, would remove from any Federal control that abuse in State government which is the most likely to be self-perpetuating, since its correction, absent such control, must come from those who profit by it.

In association with the other two proposals, this one takes on an even darker tone. Together, these proposals would, at one and the same time, place the amending power in the uncontrolled hands of the State legislatures, place the final construction of the Constitution in the hands of judges whose offices are created and whose salaries are paid by the State legislatures, and then exempt the same State legislatures from any effective policing, by court or Congress, of their representative character. That such proposals should be thrust forward as a means of restoring a balance between Nation and State benumbs comment.

Against them may be put the basic postulates that have served us since 1787. First, questions of national import, including most preeminently questions having to do with the amending of the Constitution, are for national debate, in a national forum, by people whose offices give them national responsibility; such questions are to be dealt with, in part, by a body such as our House of Representatives, so constituted as to represent the American people in a true numerical proportion, and not only State by State. Secondly, the Constitution is law, to be interpreted, as all law must be interpreted, in court; since its interpretation concerns the entire and integral American Nation, final judgment, which must rest somewhere, is to rest with the judicial officers of the whole Nation, selected on a national basis, by a national process, wherein both States and people have a part. Thirdly, the maintenance of basic guarantees of liberty, justice, and equality, cutting across all the concerns of public life, is in the national material and moral interest, and is to be implemented by the substance of constitutional law and by the Federal judicial process. These things are at the heart of our greatness as a Nation; let us hope that we will not, as these proposals would have us do, fritter them away.

With all best wishes.

Very sincerely yours,

CHARLES L. BLACK, Jr.

FACULTY NOTES—THE PROPOSED AMENDMENT OF ARTICLE V: A THREATENED DISASTER

(By Charles L. Black, Jr., Henry R. Luce, professor of jurisprudence, Yale Law School)

Three proposals for amending the Constitution have recently come from the Council of State Governments, and are being propelled down the never-before-used alternative route of article V—the route via State applications to Congress for the calling of a convention.[1] Of the three, one (which would establish a Court of the Union, composed of the State chief justices in all their multitude, to meet on extraordinary occasions to review judgments of the Supreme Court)[2] is so patently absurd that it will probably sink without trace. Another, eradicating[3] *Baker* v. *Carr*[4] concerns a special subject, and hence does not generally affect the Federal power or the whole shape of the Union. The third is of supreme interest to students of constitutional law. Its adoption would effect a constitutional change of a higher order of importance than any since 1787—if one excepts (and that only doubtfully) the de facto change implicit in the result of the Civil War.

It is wonderful that this proposal—which has already commended itself to a number of State legislatures[5]—has been so little noticed. This is doubtless because the proposed change is in procedure. But a change in the procedure of constitutional amendment—unless it is purely formal, and this one is not—is a change in the distribution of ultimate power. The proposed article V, if adopted, would make it easily possible for a proportion of the American people no greater than that which supported Landon in 1936 to impose on the rest of the country any alteration whatever in the Constitution. The people who could do this would be, by and large, those inhabitants of the less populous States who reside in the districts that are overrepresented in their own State legislatures. "Unto him that hath it shall be given." This component of the population—to which we are all accustomed to conceding a veto power on constitutional amendment, as on many other matters—would under the proposed plan have something very different from a veto power. It would have the affirmative power of forcing its will on the majority, as to anything which may be the subject of constitutional amendment—that is to say, as to everything. Such a proposal ought to be scrutinized with the very greatest care, and the same careful scrutiny should be given to the method by which its proponents hope to coerce its submission to the State legislatures for ratification as an amendment.

THE PROPOSED NEW ARTICLE V

If this proposal were to win its way through, article V would read as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate."[6]

It may be convenient to the reader to have set out the text of the present article V:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress: *Provided,* That no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate."[7]

The proposed plan, it will be seen, abolishes the (never used) "convention" way of amendment, and puts in its place a method wholly under the control, as to substance and procedure, of the State legislatures. It does this by making it mandatory that Congress submit for ratification any amendment called for by the legislatures of two-thirds of the States, and by simultaneously taking away Congress' power to elect the State convention mode of ratification.

At present, an amendment may be passed (and all have actually passed in this way) if two-thirds of each National House wants it, and if it is ratified by three-fourths of the States in the manner chosen by Congress. One might also pass if (on proper application of two-thirds of the States) a convention, summoned by Congress and having such structure as Congress thought wise to give it, proposed the amendment, and if it were then ratified in the manner chosen by Congress.

Along the new route opened by the proposed article V. Congress would control neither substance nor procedure. Three-fourths of the State legislatures, without the consent of any other body, could change the Presidency to a committee of three, hobble the treaty power, make the Federal judiciary elective, repeal the fourth amendment, make Catholics ineligible for public office, and move the National Capital to Topeka. These are (in part at least) cartoon illustrations. But the cartoon accurately renders the de jure picture, and seems exaggerated only because we now conceive that at least some of these actions have no appeal to anybody. Some amendments—e.g., something like the Bricker amendment—would be very likely of early passage. At present the main dangers would be to civil and political rights, to national conduct of foreign relations, and to the Federal taxing power. But (particularly since the proposed change would be absolutely irreversible, 13 States being enough to block its reversal) the cartoon does not exaggerate the possibilities of the long future. A country in which the large majority would have to dread and sometimes submit to constitutional innovations appealing only to a minority could not call itself, even poetically, a democracy, and the possible tensions between consensus and Constitution would be dangerous in the extreme.

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[1] All are set out in full, with an account of their espousal by the council, in "Amending the Constitution To Strengthen the States in the Federal System," 36 State Government 10 (1963).

[2] Id. at 13–14.

[3] By abolishing all substantive Federal guarantees against malapportionment, thus making action by Congress as well as by court impossible, and by withdrawing the subject entirely from Federal judicial power. 36 State Government at 12.

[4] 369 U.S. 186 (1962) (14th amendment claim against State legislative malapportionment held within Federal judicial jurisdiction).

[5] According to information informally received, the Legislatures of Arkansas, Florida, Missouri, Oklahoma, Kansas, and Wyoming have already passed the resolution set out in text accompanying note 13 infra. In about an equal number of States, one house has passed it.

[6] 36 State governments 11–12 (1963); see text accompanying note 13 infra.

[7] U.S. Constitution, art. V.

At present, when an amendment passes the House and the Senate by two-thirds, there is fair ground for the inference that there is national consensus upon it; at least the means of ascertaining that crucial fact, though rough, are fairly well adapted to the end. If the national convention method, under the present article V, were ever to be used, Congress, in setting up the convention, could insure that it be so representative as to be likely to express a national consensus. Congress even retains control over the ratification process; if the State legislatures were in its view to come to be dangerously unrepresentative, Congress could provide for ratification by State conventions so chosen as accurately to reflect the views of each State's people. Properly used, the present article V can insure that no constitutional change be effected which is disliked, deplored, or detested by a distinct majority of the American people.

What is the situation under the proposed new article V? Here one must talk numbers—even statistics of a rough kind. Let us note first that the 38 least populous States, whose legislatures could under the proposed article V repeal the full faith and credit clause, contain about 40 percent of the country's population.[8] That really ought to be enough. That these particular people should, in the name of federalism, have a veto power, is acceptable; at least it is accepted beyond change. What rational ground could there be for giving them, in addition, the power affirmatively to govern the rest of the people?

But of course one cannot stop there. The power given by the new article V is not in the States but in their legislatures. It cannot be too strongly stressed that one need not approve of *Baker* v. *Carr*[9] in order to accept the fact, as a fact, that the State legislatures do not accurately represent the people of their States—that a majority in each house of most State legislatures can be made up of votes representing a distinct minority of the State's people. This situation may have a certain romantic appeal,[10] even if one does not appreciate its beauty, one may not think the remedying of it a fit job for the Federal courts. But neither of these judgments supports the conclusion that the uncontrolled power of Federal constitutional amendment should be turned over to bodies so constituted.

So back to numbers: In the best table accessible,[11] relevant data are given for 34 of the 38 least populous States of the Union. On the average, it takes 38 percent of the people in one of these States to form the constituencies of enough State senators or representatives to pass a measure through the more accurately representative house of the State legislature. Taking this figure as good enough for present purposes, if the proposed article V were in force, the income tax could be abolished, by repeal of the 16th amendment, if about 15 percent of the American people were represented by legislators who desired that result.[12]

Now of course it can be replied that such a coalition cannot be formed without the implication that a good many other people are like-minded with it. Granted; but the margin is enormous. If the right 30 percent of the people favored some amendment, its chance of passage would be very great indeed, whatever the other 70 percent might think. And it is very important that the distortion is not random but systematic—it is a distortion operating steadily in favor of rural districts and small towns. It is not too much to say that the proposed article V would enable the inhabitants of such districts to effect any change they persistently wanted in the Constitution of the United States. They may be better and wiser than the rest of us; perceptive fiction and the exacter sociology are not clear on this, but let us assume it is so. Does that justify turning the Constitution over to them, affirmatively and negatively, to keep or to change as they will?

Reference was made above to the result of the Civil War. The proposed article V rests on the theory, at least in part, that that result ought to be revised. The several States now have a crucial part in the process of constitutional amendment; the new proposal would (as far as one alternative method is concerned) give it entirely into their hands, setting at nothing the concept of national consensus among the American people considered as a whole people. It is a proposal for State rule only, on the basis of State-by-State count only, and through State institutions only, with the popular and national principles altogether submerged. If history has any lessons, our history teaches that such a location of ultimate power would put us in mortal danger.

It should only be added that this proposal, as a corollary to its discard of the concept of national consensus as a prerequisite to amendment, does away with national consideration and debate as a part of the amendment process. Under the present article V, any amendment must be examined and considered in a fully national forum—whether Congress or convention—before it goes out to the several States. Such debate focuses national attention on something which is above all of national concern. Under the proposal, the only public debate would be in 50 separate State legislatures; the rest of the process would be ministerial only. This short circuiting of national deliberation is actually one of the most offensive features of the plan.

THE MODE OF PROPOSAL

The plan of the proponents of this amendment is to see it introduced into each of the State legislatures, in the form of a resolution in the following terms:

"A joint resolution[13] *memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to article V thereof*

"Resolved by the house of representatives (the senate concurring), That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE—

" 'SECTION 1. Article V of the Constitution of the United States is hereby amended to read as follows:

" ' "The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate."

" 'SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission;' be it further

"Resolved, That, if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State."

The hope is that, if two-thirds of the legislatures submit such a petition, Congress will consider itself bound, under the present article V, to call the convention requested.

QUESTIONS PRESENTED

A number of questions arise. Some of these will be considered here, not as judicial questions, but as questions sure to come into the mind of any Congressman or Senator conscientiously seeking to do his duty.

Is the document quoted above an "application" within the meaning of article V?

Article V lays down that Congress shall "call a convention for proposing amendments," on application of the legislatures of two-thirds of the States. The application which can raise a conscientious obligation on Congress part must be one that asks it to "call a convention for proposing amendments." A good case can be made for the proposition that the quoted document is not such an application, but an application for something quite different—for a convention to consider whether an amendment already proposed shall be voted up or down.[14]

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[8] Calculated from the 1960 census, 1963 World Almanac, 255. The author is ill at reckoning, but the figures given here are not far off.

[9] 369 U.S. 186 (1962).

[10] See Perrin, "In Defense of Country Votes," 52 Yale Rev. 16 (1962), especially at 24.

[11] Compiled by the National Municipal League, New York Times, Mar. 28, 1962, p. 22, col. 3.

[12] This figure is arrived at by taking 38 percent (the percentage of people in the relevant States necessary, on the average, to control the legislature) of 40 percent (the percentage of the American people residing in the 38 least populous States).

[13] This resolution should be in whatever technical form the State employs for a single resolution of both houses of the legislature which does not require the Governor to approve or veto (36 State Government 11-12 (1963)).

The process of proposal by Congress, contained in the first alternative of article V, obviously includes the process of plenary deliberation upon the whole problem to which the amendment is to address itself. It entails choice among the whole range of alternatives, as to substance and wording. It is "proposal" in the most fully substantial sense, where the proposer controls and works out the content and form of the proposition. It is very doubtful whether the same word two lines later, in the description of the second alternative, ought to be taken to denote a mechanical take-it-or-leave-it process. Under the procedure followed by the draftsmen and proponents of the present application, the convention would be in true function a part of the process of ratification.

This doubt is reinforced by the fact that the delegates who approved this language at Philadelphia were just completing the work of a "convention" of their own. Is it not likely that to them the phrase "convention for proposing amendments" meant a convention with a mandate somewhat like the one under which they had worked—a mandate to consider a set of problems and seek solutions?

The difference here is not merely formal, but sounds the deeps of political wisdom. The issue is whether it is contemplated that measures dominantly of national interest should be malleable under debate and deliberation at a national level, before going out to the several States. Such a conception of the "convention" contemplated by article V makes the second route to amendment symmetrical with the first, in the vital respect that, under both the national problem must be considered as a problem, with a wide range of possible solutions and an opportunity to raise and discuss them all in a body with national responsibility and adequately flexible power. The Congressman or Senator persuaded by this distinction would be justified in concluding that the present "applications," even if two-thirds of the States, joined, was not of the sort that obliged Congress to call a convention.[15]

Assuming these applications are not within article V, it may still be suggested that a sort of reformation might be applied—that Congress, even if not persuaded that the present applications asked for the thing contemplated by article V, ought to call such convention as it thinks it would have been obliged to call if the applications had been of the right sort. This seems clearly wrong, for several reasons. Generally, a high degree of adherence to exact form, at least in matters of importance, is desirable in this ultimate legitimating process; a constitutional amendment ought to go through a process unequivocally binding in all. Congress is given no power to call a constitutional convention when it wants to, or thinks that on the general equities perhaps it should; if Congress desires an amendment, article V very clearly tells how that desire is to be made known. Congress power as to conventions is not discretionary but strictly conditional, and if the condition is not met Congress not only need not but may not call a valid convention.

It is, moreover, illegitimate to infer, from a State's having asked for a convention to vote a textually given amendment up or down, that it desires some other sort of convention. It is not for Congress to guess whether a State which asked for the one kind of convention wants the other as a second choice. Altogether different political considerations might govern.

On the whole, then, no Member of Congress could be held to have disregarded a conscientious obligation if he took the view that the application quoted above, even if sponsored by two-thirds of the State legislatures, did not make obligatory a convention call. Indeed, he might conclude that Congress would be exceeding its powers in calling such a convention, the condition to such a call, on a fair construction of article V, not having been met.

If Congress is obligated to call a convention, what sort must it call?

The short fact here is that neither text nor history give any real help. When and if the article V condition is met, the Congress "shall call a convention"; that is all we know. Fortunately, that is all we need to know, for the "necessary and proper" clause,[16] and the common sense of *McCulloch* v. *Maryand*,[17] give all the constitutional guidance required. Since Congress is to call the convention, and since no specifications are given, and since no convention can be called without specifications of constituency, mode of election, mandate, majority necessary to "propose," and so on, then Congress obviously may and must specify on these and other necessary matters as its wisdom guides it. (It may be noted that continuing control by Congress of the whole amendment process must have been contemplated, for Congress is given, under article V, the option between modes of ratification, no matter what the method of proposal.)

If this is accepted, then no Senator or Representative is bound to vote for a convention call which in its form fails to safeguard what he believes to be vital national interests. Specifically, insistence would be thoroughly justified on an allocation of voting power by population rather than by States, on the election at large of a State's delegation or its choice in fairly apportioned districts, and on Federal conduct of the election of delegates, to prevent racial and other discrimination. Provision for a "two-thirds" rule might well be thought wise, in order to insure the same kind of consensus on this branch of article V as on the other. Since the adoption of this proposed amendment would make easily possible the future amendment of the Constitution without anything like popular consent, it is thoroughly reasonable for Congress to insist that this surrender be fully voluntary for at least this generation, unless (as is not true) some positive constitutional command to the contrary prevents.

It will probably be argued that the voting in any convention must be by States, since the voting in the original Constitutional Convention was by States. On this point, the analogy is not persuasive. The States then were in a position of at least nominal sovereignty, and were considering whether to unite. The result of the Convention would have bound no dissenting State or its people; the same was true of the acceptance of the new Constitution by the requisite nine. All these conditions are now reversed. We are already in an indissoluble union; there is a whole American people. The question in an amending convention now would be whether innovations, binding on dissenters, were to be offered for ratification. The propriety of a vote by States in the one convention surely cannot settle its rightness in the other.

Has the President a part in the convention call process?

Article I, section 7, clause 3 is as plain as language can be—

> "Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States, and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill."

Clearly, this language literally applies to actions of Congress taken under article V.

In *Hollingsworth* v. *Virginia*,[18] it was contended that the 11th amendment had not been validly proposed, since the resolution proposing it had not been sent to the President. Against this and other arguments, the court, in a brief opinion not touching substance, upheld the amendment. In the course of argument, Justice Chase remarked: "The negative of the President applies only to the ordinary cases of legislation; he has nothing to do with the proposition or adoption of amendments to the Constitution."[19]

Since that time, the practice has been not to send amendment proposals to the President. These precedents apply, of course, only to the first method prescribed by article V, since that is the only method that has been used. *Hollingsworth* v. *Virginia* is inherently weak, as the unreasoned decision must be. It introduces an exception by fiat into the entirely clear language of article I, section 7. But it need not be unfrocked in its own parish, since it is possible that the Court may have had in mind a ground for taking the first alternative of article V out of the veto process; since the congressional proposal must be by two-thirds in each house, it may have been thought that the requirement for overriding the veto was already met. This is not perhaps a very good ground, but the point about it here is that it would not exist at all if Congress, by simple majorities, called a convention under article V. Unless some other ground (better than Justice Chase's mere assertion) be stated for holding the contrary, it would seem that such a congressional action would fall as clearly as may be under the terms of article I, section 7, clause 3.

If this is right, then the grounds upon which the President might exercise his veto need be no less than those proper in the case of a Congressman voting on a convention call. If the President believed the structure and mandate of the convention significantly wrong, and dangerous to the national well-being, then he would surely be justified in vetoing the resolution.

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[14] Even this much is more than the resolution literally allows. It asks for a convention "for the purpose of proposing" the amendments set out. Is it possible that the sponsors think the convention's role can be made ministerial?

[15] It should be noted that another and quite independent defect might be thought to vitiate these "applications." They demand the calling of a convention "for the purpose of proposing" an amendment which is, by its own text to be ratified by the State legislatures; Congress can be under a duty to comply with these applications then, only if such applications in sufficient number can place it under a duty to abdicate its own discretionary function, as clear as anything in the Constitution, of choosing between the modes of ratification, whatever may have been the mode of proposal. It is certain, on the face of article V, that no applications from any number of State legislatures can put Congress under a moral or legal obligation to do that. This quite patent error ought to lead to some suspicion of the whole theory on which these applications are drawn—the theory that Congress and the desired "convention" can be very narrowly confined in function, and that their work can be done for them in advance by the State legislatures.

[16] U.S. Constitution, art. 1, sec. 8.

[17] 17 U.S. (4 Wheat.) 316 (1819).

[18] 3 U.S. (3 Dall.) 378 (1798).

[19] Id. at 380 n.a.

SUMMARY

This proposal for amending article V is dangerous. It is to be hoped that it will be defeated in the State legislatures, but they are, after all, voting for or against increasing their own powers. If applications, in the form quoted above, reach Congress in sufficient number to force the issue, there is still authentic constitutional ground on which to stand. It may be that these applications call for something not contemplated by the second alternative in article V, and hence need be treated, at most, only as memorials to Congress to propose this amendment, a plea addressed entirely to discretion. It is as certain as any such matter can be that no Congressman or Senator is bound to vote for a convention call, even on impeccably proper application, wherein prudent conditions as to mandate, structure, constituency, voting, proper selection of delegates, and all the rest, are not met. There is no real reason why Presidential veto, on the same grounds, is not proper in this matter.

If all this terrain is fought over, then the American people will surrender this ultimate power into the hands of a minority only if they want to, and if they want to nobody can stop them.

[From the New York Times, Apr. 14, 1963]

TEN STATES ASK AMENDMENT TO CONTROL APPORTIONMENT

(By Anthony Lewis)

WASHINGTON, April 13.—The legislatures of 10 States have quietly approved a constitutional amendment to give the States a completely free hand in apportioning their legislative districts. The proposal would wipe out the Supreme Court's landmark decision last year in the Tennessee apportionment case.

The court held that legislative districts were subject to judicial scrutiny and had to meet constitutional standards of fairness.

In the last year, lower Federal and State courts have struck down legislative apportionments in 19 States. Political analysts have begun forecasting an end to rural domination of State government in this country.

The proposed amendment is designed to stop the legal and political revolution set off by the Tennessee case. It amounts to a rural counterrevolution.

The amendment would provide that nothing in the Constitution "shall restrict or limit any State in the apportionment of representation in its legislature." To make doubly sure of reaching its objective, it also says that no Federal court shall have power to hear any apportionment case.

CONVENTION SOUGHT

The amendment is one of three approved last December by the Council of State Governments. The package is being pushed by a committee of State political leaders active in the council.

The second of the three proposals would allow the States to amend the Constitution without obtaining, as is now required, the approval of Congress or of a constitutional convention. Two-thirds of the State legislatures could propose any amendment and then three-fourths adopt it.

The third amendment would set up a new "Court of the Union" to review Supreme Court decisions on Federal-State relations. It would be made up of the chief justices of the 50 States.

The sponsors are using an amendment process provided in the Constitution but never successfully invoked. This is for the legislatures of two-thirds of the States to petition Congress to call a national constitutional convention.

The two-thirds figure is 34 of the 50 States. Ten States, nearly a third of the necessary total, have now approved the apportionment amendment, and several others may approve it shortly. The proposal to change the amending process has also passed 10 legislatures. Three legislatures have approved the "Court of the Union."

All this has been done in only about 3 months since the State legislatures began meeting this winter. And it has been done with no highly publicized campaign, indeed with almost no public notice.

Experts in constitutional law and others concerned about the position of the Supreme Court are beginning to take note of the amendment drive. Some are expressing great alarm.

ASSAILED AS RADICAL

Prof. Charles L. Black, Jr. of the Yale Law School, in an analysis of the three proposals has called them "radical in the extreme."

"They aim not at the preservation but at the subversion of that balance in Federal-State relations which has, in the words of the [Council of State Governments] report, enabled us to escape 'the evils of despotism and totalitarianism.'

"They constitute, collectively, one more attempt, so late in the day, at converting the United States into a confederation. * * * The wisdom of peace and the sacrifices of war alike warn against starting down that ruinous road."

As for the apportionment proposal specifically, Professor Black said that it "would constitute the first diminution, since our history began, of any Federal constitutional guarantee of liberty, justice or equality." He continued:

"To begin cutting down our constitutional guarantees, to begin introducing exception here and there into the concept of equality under law, are solemn steps indeed."

The group sponsoring the amendments is a committee of the National Legislative Conference, a subsidiary of the Council of State Governments. The committee chairman is the speaker of the Pennsylvania House, W. Stuart Helm, a Republican.

MEMBERS LISTED

Other members of the committee are the Lieutenant Governor of Kansas, Harold Chase, Republican, and these members of the lower houses of State legislatures: Warren Wood, Illinois Republican; J. D. McCarty, Oklahoma Democrat and speaker of his house; Robert Haase, Wisconsin Republican and speaker; Frederick H. Hauser, New Jersey Democrat, and William V. Chappel Jr., Florida.

Some of these committee members would have a personal interest in stopping the reapportionment movement set off by the Supreme Court, because they come from districts with small or relatively declining populations.

Mr. Helm, Mr. Haase, and Mr. Chappel are from rural areas that have been overrepresented in their legislatures. Mr. Hauser is from Hudson County, whose share of the New Jersey voters has been falling and which can therefore expect to lose seats in future reapportionment.

Mr. Wood, on the other hand, is from a growing Chicago suburb, and Mr. McCarty is from urban Oklahoma City.

The sponsors themselves say that their joint interest is only in the principle of States rights. Their committee report said there was now a "grave imbalance" of Federal power in this country, largely because of Supreme Court decisions.

An effort has been made to avoid the traditional association of the words "States rights" with a southern, racist viewpoint. Lieutenant Governor Chase of Kansas said: "This is not a cotton picker's dream."

The same point was made by the committee's only paid employee, who is coordinating the drive. He is George Prentice, a 37-year-old former television newsman who now works for the Florida Legislature in Tallahassee.

"We have steered clear of the isms," Mr. Prentice said—"the citizens councils, that that kind of thing. We've done everything we can to get rid of the southern stigmatism. These guys sincerely believe in it as a matter of State independence."

Mr. Wood, in Plainfield, Ill., said he was for the movement because the 10th amendment, which reserves to the States and the people all power not granted to the Federal Government, had been "raped twice a day for 10 years."

IMPETUS FROM DECISION

All indications are that the real impetus for the amendment campaign has come from the Supreme Court's reapportionment decision. It has been hailed by many groups and on the whole has been regarded as popular with the people, but it has been criticized in some State legislatures and by rural and conservative forces.

Lieutenant Governor Chase said the decision had "stirred up a lot of mischief."

The committee's work has been so skillful that some opponents of the proposed amendments suspect the existence of a large professional organization behind it. They note, for example, that the resolutions have been drafted and presented in a form that in most States would not require approval by the Governor, who might well be more urban in outlook.

But Mr. Prentice says that in fact "it has been a very small thing, not a big-money proposition." He has simply sent letters to legislative leaders in the various States, he says, and made some telephone calls.

WHERE APPROVED

The States that have approved the apportionment amendment are Arkansas, Idaho, Kansas, Missouri, Montana, Oklahoma, South Dakota, Utah, Washington, and Wyoming. The Utah resolution was in somewhat different language, and Mr. Prentice does not really count this as a success for the committee.

The proposal to give the States power to amend the Constitution has been passed in Arkansas, Florida, Idaho, Illinois, Kansas, New Hampshire, Oklahoma, South Dakota, Texas, and Wyoming. The "Court of the Union" has been approved in Arkansas, Florida, and Wyoming.

The proposals have gone through one house in a number of other State legislatures. The apportionment amendment has made that much progress in Colorado, Illinois, New Jersey, New Mexico, Oregon, South Carolina, and Texas.

Mr. Prentice expects final approval shortly, by both houses, in New Jersey and Texas and in Alabama and Louisiana.

SURPRISING DEVELOPMENT

Perhaps most surprising is the success of the apportionment amendment in States with large urban, industrial populations, such as Missouri and New Jersey.

In New Jersey all 21 State Senators, 11 Republicans and 10 Democrats, sponsored the resolution, and it passed the senate unanimously along with the one to change the amendment process.

Observers say fear of reapportionment was the reason. The New Jersey Senate has one member for each county, an apportionment now under legal attack.

Even in the New Jersey Assembly, which is apportioned roughly on the basis of population, there has been little opposition. The only member to speak critically has been George C. Richardson of Newark, the legislature's one Negro, who sees possible harm to civil rights efforts in the South.

"Nobody seems to care about the proposals," one New Jersey political observer remarks. He includes in that comment the State's Democratic Governor, Richard J. Hughes.

PREDICTS MORE OPPOSITION

Mr. Prentice expects more opposition to arise from liberal forces as more legislatures approve the amendments and the campaign therefore gets more public attention.

"You're probably going to have strong opposition from the Kennedy Administration," he said, "but there's been no open warfare yet."

In only two States has there been outspoken opposition from a powerful source. This was in Nebraska and Wisconsin, whose Democratic Governors spoke out.

Gov. Frank B. Morrison, of Nebraska, said the proposed amendment would weaken the Constitution. Under the procedure of Nebraska's unicameral legislature he can veto resolutions of this kind, and he did so.

Gov. John W. Reynolds of Wisconsin concentrated on the "Court of the Union" proposal, terming it "a last-ditch attempt on the part of frustrated southern segregationists to avoid the consequences of Supreme Court decisions forcing them to guarantee equal rights to all citizens."

[From the New York Times, May 2, 1963]

Justice Aid Declares "States Rights" Amendments Could Cost Negroes Vote

(By Anthony Lewis)

Washington, May 1.—A Justice Department official warned today that a proposed constitutional amendment approved by 12 States could be used to disenfranchise Negroes.

Joseph F. Dolan, Assistant Deputy Attorney General, made the comment in a Law Day address. It was the first administration statement on three "States rights" amendments being pushed by the Council of State Governments.

One amendment would provide that nothing in the Constitution "shall restrict or limit any State in the apportionment of representation in its legislature." It would also take away the power of the Federal courts to hear cases on legislative districting.

"One State might choose to redistrict its legislature so that only real property owners might vote," Mr. Dolan said. "Another State might choose to take the right to vote away from the Negro."

Legal observers, considering this possibility, said the amendment might, for example, let the States gerrymander districts against Negroes. That is, districts could be drawn so that Negro voters could elect few or no representatives.

A few years ago the Alabama Legislature redrew the boundaries of the city of Tuskegee to exclude all Negro voters. The Supreme Court held this unconstitutional.

The proposed reapportionment amendment has been approved by the legislatures of Arkansas, Idaho, Kansas, Missouri, Montana, Nevada, Oklahoma, South Carolina, South Dakota, Washington, and Wyoming. Utah has approved one in somewhat different language.

A second amendment would let the State legislatures amend the Constitution without any consideration by Congress, a convention, or any other national forum. Such national approval is now required.

Mr. Dolan called attention to a recent estimate that under this proposal, State legislators representing only 15 percent of the U.S. population could amend the Constitution. The estimate was made by Prof. Charles L. Black, Jr., in the current Yale Law Journal.

Approval by three-fourths of the States—38 of the present 50—is required to amend the Constitution. Professor Black notes that the 38 least populous States have 40 percent of the country's population.

Because of unequal districts, it is possible for 38 percent of each of these States' voters, on the average, to elect a majority in the more representative house of the legislature. Thus, the professor arrives at the figure of 15 percent—38 percent of 40 percent.

Mr. Dolan, whose remarks were addressed to a Law Day dinner of the Oneida County Bar Association in Utica, N.Y., said this amendment would allow change in the entire character of our system of government without any national consideration.

"The Presidency could be junked in favor of a troika," he said, "or the Congress abolished or radically altered, without any need for congressional approval."

This amendment has been approved by 10 States.

A third amendment would set up a Court of the Union, made up of the 50 State chief justices, to review Supreme Court decisions. Four legislatures have approved it.

Mr. Dolan noted that there has been little public discussion of any of these proposals. He said such fundamental changes should not be within the grasp of the States until the Nation has made a deliberate and considered decision.

Lawyers, Mr. Dolan said, have the primary obligation to inform the public in matters like this. He urged the bar to speak out.

[From the Washington Post, Apr. 20, 1963]

Sputtering Protest

Well, it appears that the State Righters' assault upon the Supreme Court in particular and upon the concept of expanding federalism in general has fallen somewhat short of becoming a prairie fire. Last December the National Legislative Conference Committee on Federal-State Relations asked all of the State legislatures to meet in January and petition Congress to amend the Federal Constitution in three important particulars. On the most popular of the proposed amendments, 11 States have responded, but the most radical of these proposed bombshells has proved to be almost a dud.

The first of the proposed "reform" measures would allow the States to initiate changes in the Constitution without the approval of Congress. Such an innovation would dangerously dilute the national interest in effecting constitutional changes. In effect it would give the States complete control over future amendments if three-fourths of them should choose to act in concert. But this proposal has been approved in only nine States in the South and the West. During the same period the anti-poll-tax amendment to the Constitution, which will further restrict States rights, has won 31 ratifications.

The second States rights "reform," which would reverse the Supreme Court's decision in the Tennessee reapportionment case and forbid the courts to intervene, regardless of how badly State legislatures might be gerrymandered, has been accepted by 11 States. Considering the jealousy with which the legislatures have guarded control over their own seats, this is a relatively mild protest against the legislative revolution that has followed the Tennessee decision. To date the third "reform," an absurd proposition designed to create a "Court of the Union" to overrule the Supreme Court when it decides questions involving the rights of the States, has won approval in only Alabama, Arkansas, Florida, and Wyoming.

It is shocking that any State would commend to Congress such a devastating assault upon our Federal system. But the resolutions that have been passed are only in the "hot air" stage. They have no standing as proposed amendments to the Constitution. It is difficult to believe that any of the four legislatures has seriously weighed the consequences of this Union-busting device. They and the sponors of this petition are airing grievances, which apparently have no widespread appeal. If they were making any headway with their campaign, the country would be in a perilous state indeed.

[From the New York Times, Friday, May 3, 1963]

Three Nonsensical Amendments

Three proposed constitutional amendments advanced in the name of States rights had their best hope of success in silence. They have sailed through a number of legislatures with virtually no public notice. But now that more people are becoming informed on this campaign to revolutionize our form of government—revolutionize it back to a confederacy—its chances are, fortunately, growing dimmer.

One proposal provides that no provision of the Constitution shall restrict the power of the States to apportion their legislatures as they wish. This language would permit southern legislatures to disfranchise Negroes by unrestrained gerrymandering and other devices. It would let other legislatures effectively limit the vote to farmers or to any special or favored group—without any constitutional restraint.

A second proposition is to let the State legislatures amend the Constitution in the future without the necessity of approval by Congress or any other national forum. It has been calculated that legislators representing a mere 15 percent of the population of the United States would then have the power to amend the Constitution for all of us. This would be possible because of the existing unfair districts in many State legislatures.

Finally, there is a proposal for a Court of the Union, composed of the 50 State chief justices, to review Supreme Court decisions. This is another preposterous idea—to set State judges, mostly elected and lacking the independence of life tenure, above the Justices of the highest Federal Court. It would be a long step backward to a confederacy.

These three nonsensical proposals have already passed too many legislatures for comfort. It is the duty of the organized bar to speak out against them. The leaders of both parties have a similar duty, for surely no responsible figure in government can think that the way to meet the problems of today is to retreat into the sectionalism of a bygone age.

[From the New Republic, May 4, 1963]

Disunited States

In a daft moment late last December, a bare majority of the Assembly of States of the usually responsible Council of State Governments voted to launch a campaign to break up the Federal Union. The assembly endorsed three proposed amendments to the Federal Constitution, the first of which would permit two-thirds of the State legislators, acting separately, to propose amendments to the Federal Constitution directly to the States for ratification, thus bypassing both Congress and the national constitutional convention stipulated in the Constitution.

The second would forbid Federal courts to intervene in the apportionment of seats in State legislatures.

The third, and most amazing, would create, by constitutional amendment, a "Court of the Union" composed of the chief justices of the 50 State supreme courts. A majority of the sitting members of this "Court of the Union" could on its own motion, intervene and overthrow any U.S. Supreme Court decision considered an invasion of States rights.

The backers of these amendments mean business. Identical texts, apparently disseminated from one source, are being adopted by State legislatures. If 34 legislatures should endorse any one of them, Congress would be confronted with the demand to call a national constitutional convention to consider submitting the proposal for ratification by three-fourths of the State legislatures.

In other words legislators representing less than 11 percent of the population could propose amendments, and these amendments would become law if ratified by representatives of less than 15 percent of the population. This is so because of unequal apportionment. Minorities elect majorities in State legislatures. For example, 27 percent of the population of New Mexico elects a majority in one house and 14 percent of the population elects a majority in the other. The legislatures of two-thirds of the States are controlled by 11.7 percent of the Nation's population.

Today, only some 5 months after the amendments were originally put forward, 10 State legislatures, or nearly one-third of the needed 34, have endorsed the proposal to prevent the Federal courts from intervening in apportionment of legislatures. Eight legislatures, or nearly one-fourth of those necessary, have in this short time endorsed the proposal that 34 legislatures acting independently and over a period of time, could compel the calling of a Federal constitutional convention to act upon an amendment submitted by them. And four legislatures—Alabama, Arkansas, Florida, and Wyoming—have endorsed the "Court of the Union."

[From the Chicago (Ill.) Daily News, May 6, 1963]

STATES TRYING TO CHANGE BASIC LAW OF THE UNITED STATES—DETAILS OF A THREE-POINT DRIVE TO CURB THE HIGHEST COURT

(By Robert L. Riggs)

WASHINGTON.—Those who are determined to force the Supreme Court to curtail what they call that body's law-writing activities have made such rapid and quiet progress in the last 4 months that defenders of the Tribunal are reacting in sudden and shocked amazement.

Almost unnoticed by bar associations and with virtually no national attention, a dozen legislatures have given final approval to a proposal which would enable States to amend the Constitution without having to get a vote in Congress.

An equal number of legislatures have given final approval to a proposed constitutional amendment which would blot out the Court's ruling a year ago which held that citizens dissatisfied with the apportionment of their legislative districts can sue for relief in Federal court.

A handful of legislatures have called for a change in the Constitution which would set up a "Court of the Union" with power to override decisions of the Supreme Court. The proposed new judicial body would have 50 members—the chief justices of the highest tribunals in each of the States.

The people who are sponsors of this three-part, curb-the-Court package hope that within the next few weeks a dozen more States will approve one or more of these efforts to amend the Constitution.

That would give them 24 and cause them to believe that when other legislatures assemble next January they could drive through to the 34 States needed to cause Congress to call a convention to consider changes in the Constitution.

REACTION SLOW, BUT IT'S SHARP

Although the reaction of the Court's defenders has been slow in coming, its sharpness indicates that proponents of the amendments will have to struggle harder for additional States than they did for the first dozen.

The strongest condemnation has come from Charles L. Black, Jr., professor at Yale Law School. In the April issue of the Yale Law Journal, Black concentrates his fire on the proposal to require Congress to submit to the States for ratification any amendment fostered by 34 legislatures.

Taking away from the Federal House and Senate their power to decide what to submit and what to withhold, Black argues, would be "one more attempt, so late in the day, to convert the United States into a confederation."

The Yale professor calls the proposed change in the method of amending the Constitution a threatened disaster, a dangerous proposal.

One of the few lawyer groups that has reacted against the assault on the Court is the Bar Association of St. Louis. In that city, where the fight for the Court has been taken up by Arthur J. Freund, the bar association denounced all three of the proposals.

But the Missouri Legislature gave final approval to 2 of them, the 1 to put the amending power in the hands of 34 legislatures and the 1 to overturn the ruling on apportionment of legislative districts.

Two reasons are advanced for the fact that little attention has been paid to the rapid spread of these anti-Court activities. One is that most legislatures are accustomed to having before them futile and offbeat proposals to amend the Constitution. It was easy to put these three in that category.

The second and more impressive reason is that the campaign is something of a family matter among legislators. The entire three-package proposal had its inception at a meeting of the Council of State Governments in Chicago last December.

ACTION IN SHADOW OF REMAP RULING

By rollcall votes of the States, that group put its prestige behind each of the three. The legislators' action at Chicago came just 6 months after the Court had held that Federal judges can take notice of the unfair drawing of the lines of their districts.

But while resentment against interference with their districts may have been a spur to members of the Council of State Governments, their votes showed them to be much more eager to get a constitutional provision putting the amending power in the hands of the legislatures than to override the apportionment decision.

On the question of this new way of amending the Constitution, representatives of 37 of the 50 States voted for adoption. Only 4 States opposed it. Four abstained because their spokesmen didn't know what their bodies back home thought of it. Five States were unrepresented.

By contrast, when it came to a vote on a proposed amendment to upset the Tennessee apportionment case, only 26 States voted "yes," 10 voted "no" and 10 abstained. Four were absent.

The third part of the package was approved by a margin of only one vote. Representatives of 21 States favored setting up the 50-judge Court of the Union to override the Supreme Court. Twenty opposed the plan, which had startled some of the most avid critics of the nine Justices. Five abstained and four were absent.

In fact, on the first count, the Court of the Union plan lost by one vote. But following a vigorous plea by Florida's former Gov. Millard Caldwell, it won adoption by the same one-vote margin.

Although a Florida man saved it from defeat, the 50-judge supercourt is the pet project of a northern Republican, Warren Wood, 4 times speaker of the Illinois House of Representatives.

The sponsors of the three amendments have gone to great lengths to keep their campaign clear of southern coloration, clear of any connection with racial strife.

"DUAL SOVEREIGNTY" IS THE WATCHWORD

In none of their public arguments do the words "civil rights" or "States rights" appear. In place of "States rights," they talk about "dual sovereignty" and the need to stop the trend toward overactivity by the Federal Government.

To carry on the theme that this is not a Dixiecrat movement, the supporters of the amendments have placed their campaign in the hands of a committee composed largely of northerners. The title of the group is "The Volunteer Committee on Dual Sovereignty."

Its chairman is W. Stuart Helm, Republican speaker of the Pennsylvania House of Representatives. He also is president of the National Legislative Council.

Six vice chairmen are: Republican Warren Wood, of Illinois; Robert Hasse, Republican speaker of the assembly, Wisconsin's lower house; Republican Lt. Gov. Harold H. Chase, of Kansas; J. D. McCarty, Democratic speaker of the Oklahoma House; William V. Chappell, Jr., Democratic member and former speaker of the Florida House; and Frederick Hauser, Democratic member of the New Jersey House.

The committee's operations are in low key and apparently on a small budget, though there seems little question it can get such money as it needs as the occasion arises.

Its operations are directed from Tallahassee, Fla., by 37-year-old George R. Prentice, native of Kansas who has been a newspaperman in Birmingham and Little Rock.

Prentice, who operates a news bureau serving several television stations in Florida, is the only paid committee staff member with the exception of a couple of stenographers.

His main efforts have been neither to publicize the movement nor hide it, but to keep in touch with legislators of the various States who are pushing one or more of the three proposed amendments.

BIG INITIAL PUSH BY FLORIDIANS

During sessions of the Florida Legislature, Prentice works for Speaker Mallory Horne. It was through his previous employment with former Speaker Chappell that Prentice got involved in the project. Although the northern legislators now are in front of the campaign, much of the steam for the amendments came from Chappell and others in Florida.

One of Prentice's tasks is to see that the committee avoids undesirable companions. While he recognizes that anyone who wants to do so can join the cheering section, he tries to keep the working ranks cleared of members of the John Birch Society, the racist White Citizens Council or any other groups on the radical right.

As a matter of tactics, there is no need for the committee to rally anticourt sentiment in the South. There is enough bitterness in that section over school desegregation.

Hence, the committee has more to gain by seeking Northern support on a straight-out conservative economic argument—especially since some of its northern friends have to compete with Democrats for Negro votes.

The desire to keep the movement clear of the white supremacy issue may account for the action of the Mississippi Legislature in rejecting all three of the proposed amendments. Certainly, no State has more outspoken critics of the Supreme Court than has Mississippi.

One explanation offered for the Mississippi rejection was that legislative leaders didn't want to bring up the matter so soon after the bloodshed at the University of Mississippi.

Maryland turned down all three proposals. Massachusetts abstained from voting at Chicago. But when John E. Powers, president of the senate, got back to Boston, he took the position that the three ought to be submitted and killed. As a result the proposed Court of the Union was rejected and the other two died in committee.

GOVERNOR VETOED BILLS IN NEBRASKA

Nebraska had a unique record. Its one-house legislature approved the amendment to let States control changes in the Constitution and to set aside the Tennessee reapportionment decision. But the Democratic Governor vetoed the action.

Missouri, which approved two of the proposals, rejected the Court of the Union idea.

There are 13 States in which the legistures have given final approval to at least 1 of the 3 proposals—14 if you count Nebraska.

The 13 are: Arkansas, Florida, Idaho, Illinois, Kansas, Missouri, Montana, New Hampshire, Oklahoma, South Dakota, Texas, Washington and Wyoming.

The total would rise to 15 if Utah and Nebraska were added. Utah approved the one about changing the Constitution and the one upsetting the apportionment decision. But because they are not worded exactly as are the ones approved in other States, there is some question whether Congress would have to accept the Utah resolution.

The 12 States where the dual sovereignty committee hopes to have more successes this year, but where stronger resistance is expected are: South Carolina, Pennsylvania, Ohio, Iowa, Connecticut, New Jersey, Delaware, Alabama, Louisiana, Wisconsin, Michigan and Vermont. In Wisconsin, once the "test tube" of the La Follette Progressive movement, the lower house gave its approval to the 50-man super court and to the proposal to let State legislatures control constitutional amendments.

Although the sponsors of the three constitutional changes steer clear of any mention of the school integration decision of 1954 or other civil rights issues, they do not hesitate to point out some of the economic questions on which they believe the Supreme Court has "legislated" through its decisions.

LIST WAYS COURT CENTRALIZES POWER

They do not say that if the States get more power to amend the Constitution without veto from Congress that they will wipe out any of the decisions. But they do list the following as examples of decisions by which the Supreme Court gave the Federal Government more power: Unemployment insurance, with employers providing funds; old age pensions taxing both employer and employee; regulation of labor relations; regulation of tobacco grading; minimum wages and maximum hours; workers required to join unions in order to hold jobs; employers required to negotiate with unions; States forbidden to prosecute for sedition because the Federal Government has preempted that field; States forbidden to discharge schoolteachers who use the fifth amendment to keep from answering questions about Communist actively; and permitting Federal judges to hear suits over apportionment of districts for State legislatures.

In his denunciation of the dual sovereignty committee's campaign, Yale's Professor Black brushes aside the proposal for a 50-man supercourt as "so patently absurd," that it will sink without trace.

His judgment seems to be upheld by the reluctance of legislatures to approve it and by the one-vote margin which carried it in Chicago.

As to the proposal to set aside the Tennessee reapportionment decision, Black's position is that that is a special subject and its adoption, whether wise or unwise, would not "affect the Federal power or the whole shape of the Union."

Such is not the case with the plan to let 34 States dictate the submission of a constitutional amendment without congressional vote. The adoption of that proposal would, said Black, "effect a constitutional change of higher order of importance than any since 1787—if one excepts the de facto change implicit in the result of the Civil War."

That constitutional amendment, Black said, would permit a proportion of the American people no greater than that which voted for Landon in 1936 to impose upon the rest of the country any alteration whatever in the Constitution.

The alteration could be brought about by people who reside in "overrepresented legislative districts. The amendment would let the legislatures of 34 of the least populous States, containing less than 40 percent of the national population, change the Constitution.

BIG CHANGES—IF 15 PERCENT WANT THEM

Because even those people aren't properly represented in their legislatures, Black said, 15 percent of the Nation's population could do such things as repeal the income tax, change the Presidency to a Committee of Three, hobble the treatymaking power of the Chief Executive through such devices as the Bricker amendment, make Federal judges elective, make Catholics ineligible for office and move the Capital to Topeka.

The present provisions of article V, the amending article, Black said, provide for a national debate on proposals to change the Constitution. That is because the proposed change has to be approved by the national House and Senate before being submitted to the States for ratification.

But under the committee's plan, all debate on constitutional changes would take place in State capitals without seeking a "national consensus."

The only role Congress would play in the amending procedure would be that of sending the proposed change back to the States for ratification after 34 States has presented it.

The Court of the Union, which seems to have so little chance, would be a 50-member body, with a chief justice from each high State court. It would go into action only if five States, which do not border each other, make complaint against a Supreme Court decision within 2 years after it is handed down.

The restriction against action by neighboring States is presumed to be for the purpose of discouraging sectional action.

Three-fourths of the 50 judges would constitute a court quorum. But in order to set aside a decision of the Supreme Court, 26 of the State judges would have to agree. Its chief function would be to decide whether or not the Constitution actually gave the Supreme Court jurisdiction to make the ruling to which five States had objected.

The proposed amendment would require that Congress house the new court and provide money for its operation.

[From the Chicago Daily News, May 6, 1963]

MANEUVER FOR ORAL ROLLCALL SUCCESSFUL—HOW WOOD GOT PROPOSAL THROUGH THE HOUSE

SPRINGFIELD, ILL.—On a miserable, rainy, windy, and cold evening in Springfield, there came bounding down the steps of the State Capitol a man whose obvious high spirits seemed completely untouched by the dampness.

"I'm going to celebrate," chortled silver-haired State Representative Warren Wood, Republican, of Plainfield, four-time Speaker of the House.

Wood, by shrewd political maneuving that day, March 5, 1963, had pushed through the House by a one-vote margin his controversial States rights proposal which would enable State legislatures to bypass Congress in amending the Constitution.

Fearing a possible countermove by Democrats to reconsider the vote, Wood had gone back to the speaker of the house's office, to make sure the resolution was mailed off to Washington.

Both parties had fought roughly over the resolution. Democrats were out to kill it. There were unconfirmed reports that orders to do so had come from the White House.

The resolution had won approval in the heavily Republican senate the previous month, and was sent to the house on Valentine's Day. Five days later, Wood made his first attempt to pass it.

He was winning by a vote of 84 to 83 on the red and green electrical rollcall board when Democrats issued "or else" orders to Representative Carl H. Wittmond, Democrat, of Brussels, to change his vote from "aye" to "no."

This would have switched the score to 84 to 83 against the resolution and it would have died.

Wood asked and received postponement of consideration.

Wood then regrouped his forces and waited. On March 5 he was ready. He proposed an unusual tactic—an oral rollcall rather than voting on the electrical scoreboard. He hoped it would confuse Democrats.

Wood had a comfortable lead until Democrats, led by Representative Paul Elward (Democrat, of Chicago), demanded verification of votes in order to smoke out Democrats who sided in principle with Wood and were going to show it by not voting.

Wood's comfortable margin began to diminish. These Democrats were whipped into line: Dave Glenn, of Greenup, Allen Lucas, of Springfield, Leo Pfeffer, of Seymour, Sam Homano, of Chicago and Wittmond.

Two sometime Republicans, Peter J. Miller and Walter (Babe) McAvoy, both of Chicago, took a walk and did not vote.

Representative Robert Craig, of Indiaola, the only Democrat who had voted for the resolution when it was first considered, also took a walk.

It was Wood's maneuver for an oral rollcall that saved the day for him. Startled Democrats worked hard to pin down nonvoters, but their tally was bad.

Representative Paul Ceasar, Democrat, of Chicago, didn't vote, but Elward and Representative John Touhy, Chicago, Democratic whip who helped in the roundup, did not realize this in time. If Ceasar had voted, the count would have stood at 81 to 81, and the resolution would have died.

A spectator watching the Wood victory said, "It did my rightwing heart good."

Negro lawmakers in both parties voted against the resolution, arguing that it would be a boon to the segregated South and a slap at the U.S. Supreme Court for its civil rights decisions on integration.

Wood denied this, arguing that he only wanted to preserve "dual sovereignty."

"The official motto of Illinois is 'National Union and State Sovereignty,'" he said. "If we can't retain the American system of dual sovereignty, then all power is going to wind up in Washington."

Two other Wood resolutions aimed at curbing the alleged invasion of States rights by the U.S. Supreme Court are pending in the house. These are proposals for a Court of the Union—the supercourt that could overrule the Supreme Court—and an amendment that would prevent Federal intervention in reapportionment of State legislatures.

The latter has passed the Senate, where Republicans are in control.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. **FULBRIGHT**, from the Committee on Foreign Relations, with an amendment:

H.R. 5207. An act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes (Rept. No. 178).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia:

Edmond T. Daly, of the District of Columbia, to be associate judge of the District of Columbia court of general sessions;

Orman W. Ketcham, of Maryland, to be associate judge of the juvenile court of the District of Columbia; and

Richard R. Atkinson, for reappointment as a member of the District of Columbia Redevelopment Land Agency.

ADDITIONAL BILL INTRODUCED

Mr. MONRONEY, by unanimous consent, introduced a bill (S. 1546) to authorize the Secretary of the Interior to lease certain deposits of minerals in the bed of the Red River in Oklahoma, which was read twice by its title, and referred to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

ESTABLISHMENT OF A JOINT COMMITTEE ON NATIONAL SECURITY AFFAIRS

Mr. HUMPHREY submitted a concurrent resolution (S. Con. Res. 42) establishing the Joint Committee on National Security Affairs, which, by unanimous consent, was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Humphrey, which appears under a separate heading.)

RESOLUTION

STUDY TO DETERMINE WHETHER THE HOLDING BY A MEMBER OF THE SENATE OF A COMMISSION AS A RESERVE MEMBER OF ANY OF THE ARMED FORCES IS INCOMPATIBLE WITH HIS OFFICE AS SENATOR

Mr. GOLDWATER (for himself and Mr. Thurmond) submitted a resolution (S. Res. 142) to make inquiry whether the holding by a Member of the Senate of a Commission as a Reserve member of any of the Armed Forces is incompatible with his office as Senator, which was referred to the Committee on the Judiciary.

(See the above resolution printed in full when submitted by Mr. Goldwater, which appears under a separate heading.)

LEASE OF CERTAIN DEPOSITS OF MINERALS IN BED OF RED RIVER, OKLAHOMA

Mr. MONRONEY. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to lease certain deposits of minerals in the bed of the Red River in Oklahoma.

The purpose of this act is to clarify the status of the bed of the Red River in relation to the Mineral Leasing Act of February 25, 1920, as amended and supplemented, including but not limited to, the act of August 7, 1947.

In 1890, the territory that is now Oklahoma was officially designated to be agricultural land. The Mineral Leasing Act of 1920, which gave the Secretary of the Interior the authority to lease Federal land under certain conditions, did not include such land previously designated as agricultural, according to a Supreme Court case in 1922.

There has been considerable litigation since 1922 involving the bed of the Red River. However, the authority of the Secretary of the Interior to execute leases under the Mineral Leasing Act has not been made clear.

This bill would merely clarify that the bed of the Red River from the 98th meridian west to the Texas border, approximately two-fifths of the southern Oklahoma-Texas border, is under the Mineral Leasing Act of 1920 as amended and supplemented, allowing the Secretary of the Interior, pursuant to the provisions of the Mineral Leasing Act, to lease portions of the bed of the Red River to private persons or corporations on the basis of competitive bidding.

I ask unanimous consent that the text of this bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1546) to authorize the Secretary of the Interior to lease certain deposits of minerals in the bed of the Red River in Oklahoma, introduced by Mr. Monroney, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended and supplemented, including without limitation the Act of August 7, 1947 (61 Stat. 913), is extended to deposits of minerals that are subject to the Mineral Leasing Act as heretofore or hereafter amended or supplemented, which deposits are owned by the United States and are located in the part of the bed of the Red River which lies west of the 98th meridian in the State of Oklahoma.

Sec. 2. This Act shall not apply to any deposits of minerals held by the United States in trust for Indians.

NEED FOR A JOINT COMMITTEE ON NATIONAL SECURITY AFFAIRS

Mr. HUMPHREY. Mr. President, I submit, and send to the desk, for appropriate reference, a concurrent resolution calling for the establishment of a Joint Committee on National Security Affairs. I ask unanimous consent that the concurrent resolution be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. HUMPHREY. Mr. President, the proposed joint committee would be empowered "to make a continuous study and investigation of all matters pertaining to national defense, foreign policy, and national security"—including, under this last term, the areas of "intelligence"—the Central Intelligence Agency—"defense policy, nuclear development, and disarmament."

Let me make clear at the outset that the proposed joint committee, although drawing on the membership and the talent of several standing committees in both Houses of Congress, would in no way infringe on the legislative responsibilities or the jurisdiction of these or any other standing committees. My proposal is to create in the legislative branch a committee which would be the counterpart—in terms of its comprehensive interests—of the National Security Council in the executive branch. Its formal authority, like that of the Joint Economic Committee, would be consultative only. But I hope it would provide the type of comprehensive and inclusive analysis of national security policy that the Joint Economic Committee provides in the field of economics and government.

The Joint Committee on National Security Affairs would not have legislative responsibilities infringing on the prerogatives of its parent committees—the Senate Committee on Foreign Relations, the House Committee on Foreign Affairs, the respective Committees on Armed Services, and the Joint Committee on Atomic Energy. By providing the type of comprehensive review of all facets of national security policy, the joint committee would assist these standing legislative committees in reaching the type of informed and independent judgments that can only strengthen their respective roles in the formulation of national security policy.

Mr. President, there is a clear need for a committee representing the House and Senate and both political parties to advise the Congress and the executive departments on the broad questions of national security and to make specific recommendations to the appropriate standing committees. If Congress desires to remain a respected and effective participant in the process of formulating such policy, we must begin to approach these matters in the same comprehensive fashion that the executive branch does.

Such questions as international relations, defense policy, intelligence activities, nuclear development, arms control and disarmament, foreign assistance, and weapons development are closely interrelated means whereby the United States seeks to achieve specific national security ends. For example, we should never fall into the trap of considering weapons and nuclear development as policies opposed to those for achieving arms control and disarmament. Each one represents a particular facet of the total policy designed ultimately to protect the national security of this country in the most effective manner. Arbitrarily to consider each facet without reference to other related areas of national security policy is to weaken dangerously the ability of Congress to assume a forceful and responsible role in the formulation of the policies themselves.

A Joint Committee on National Security Affairs certainly is no panacea for our problems. Structural innovations alone will not solve any basic flaws in our judgment of these critical decisions or our determination to see them through to a successful conclusion. But given the fundamental health of American democracy, which is incontestable, it seems imperative that the Congress have the machinery to translate this asset into smoothly formulated, effective policies. A Joint Committee on National Security Affairs could be an important nonpartisan step in this direction. Properly conceived and properly implemented, it would contribute to an integrated approach to problems which strain to the limits the present committee structure.

An important function of the proposed joint committee is that of congressional surveillance and coordination of the intelligence agencies and instrumentalities of the executive branch. It could serve as the watchdog committee of the Central Intelligence Agency.

The members of the Foreign Relations and Foreign Affairs Committees, the Armed Services Committees, and the Joint Committee on Atomic Energy would bring a wealth of information and a definite perspective to the work of the Joint Committee on National Security Affairs. I believe we should provide a forum whereby these respective experiences and backgrounds can be used constructively in the analysis and formation of policy. Lacking this central forum, it is often difficult for the members of these respective committees to engage in such constructive and cooperative enterprises. It is quite natural and desirable that the Armed Services Committee should view questions of force levels and weapons development from a different perspective than does the Foreign Relations Committee. The Joint Atomic Energy Committee considers a proposed test-ban treaty in terms of technical and scientific problems; the Foreign Relations Committee tends to consider such a treaty from the standpoint of the basic diplomatic posture of the United States. Each perspective is valid; each contribution is needed.

But at some juncture in the consideration of these and similar questions, Congress should have the means to attempt to reach an integrated opinion that utilizes the knowledge achieved by these separate committees. Too often we tend to consider these committees as competing centers of power, seeking to exercise a determining role in the formation of national security policy. To the extent that this criticism is valid, we are misdirecting valuable intellectual and political resources and are weakening the overall role assumed by Congress in this policy process. Moreover, it seems wrong to require a single Cabinet official—such as Secretary Rusk or Secretary McNamara—to spend hours giving the same testimony to, or answering the same questions from, two or more committees of each House.

If used properly, the Joint Committee on National Security Affairs would reduce the workload of the Cabinet Secretaries, while producing information useful to each of the parent committees of Congress.

Is this such a revolutionary proposal? No, Mr. President; there are precedents for joint action, or at least joint deliberation, by the standing committees concerned with national security policy. Members of the 87th Congress will recall the joint consideration last September, by the Foreign Relations Committee and the Armed Services Committee, of resolutions designed to help the President deal with the Cuban situation. Neither committee acting separately could have handled that urgent matter as effectively. The problem then required speedy concurrent action by the corresponding committees in the House of Representatives. Had a Joint Committee on National Security Affairs been in existence at that time, the Congress might have spoken with an even more impressive voice than it did.

For another example, let me refer briefly to the Senate Disarmament Subcommittee as it was originally constituted from 1955 to 1958. Under my chairmanship the subcommittee consisted of representatives of the Committee on Foreign Relations, the Armed Services Committee, and the Joint Atomic Energy Committee. This arrangement permitted a maximum of intercommittee coordination; it was possible to synthesize conflicting opinions, without neglecting any relevant consideration. This is precisely the advantage which I hope will be achieved by the proposed Joint Committee on National Security Affairs. Another advantage of the old Disarmament Subcommittee came from the fact that it had a permanent professional staff which contributed significantly to the subcommittee's effectiveness, and if I may say so, to its high standing in Congress. This asset is also written into the current proposal; a permanent, independent, professional staff is essential for the proper working of a Joint Committee on National Security Affairs.

A final example of joint action in the field of national security is the Special Committee To Study the Foreign Aid Program, which was created by the 83d Congress, and which performed an outstanding service to the Senate. The special committee consisted of the entire Foreign Relations Committee, together with the chairmen and the ranking minority members of the Appropriations and Armed Services Committees. This combination was instrumental in producing a fundamental change in the philosophy and practice of the U.S. foreign-aid program.

Mr. President, I mention this last example to stress a point which is not written into the present proposal, but which is implied, and which I wish to make specific in this analysis. As presently conceived, the Joint Committee on National Security Affairs would consist of 24 Members of both Houses: 5 each from the House Foreign Affairs Committee and the Senate Foreign Relations Committee; 4 each from the House and the Senate Armed Services Committees; and 3 each from the Joint Committee on Atomic Energy. In addition, the minority party would be represented by no less than eight members. Implicit in this outline is the assumption that the chairmen of the three parent standing committees would also be members of the Joint Committee. Unquestionably, the Joint Committee would gain both in stature and authority if it could count on the active participation of the distinguished chairmen of the Foreign Relations, Foreign Affairs, the Armed Services, and Joint Atomic Energy Committees.

In an article published in the New York Times magazine for April 7, I stated:

> A legislative question involving disarmament and arms control * * * normally requires consideration by the Foreign Relations and Armed Services Committees of the Senate and the House and the Joint Committee on Atomic Energy. Joint meetings would save the time of Members serving on more than one of these committees.
>
> Second, more standing joint committees including Members of both the House and the Senate * * * would save time, particularly toward the end of each congressional session, by paving the way to speedier conference agreements between the Senate and the House on controversial issues.

Timesaving is an important consideration. Most important of all, however, is the question of national security and its treatment by the Congress. The prime objective of a Joint Committee on National Security Affairs is to undertake the most authoritative, efficient, and comprehensive examination of our national security in each of its manifestations. As this subject grows in complexity, the Congress must keep pace. To repeat what I said earlier, a Joint Committee on National Security Affairs would fill a demonstrated need in the 88th Congress.

Mr. President, I ask unanimous consent that this concurrent resolution remain at the desk until Monday next, so that other Senators may join as cosponsors if they so desire. I also ask unanimous consent that the full text of the concurrent resolution be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The concurrent resolution will be received; and, without objection, the concurrent resolution will be referred to the Committee on Foreign Relations, and remain at the desk, as requested by the Senator from Minnesota.

The concurrent resolution (S. Con. Res. 42) was referred to the Committee on Foreign Relations, as follows:

Resolved by the Senate (*the House of Representatives concurring*), That (a) there is hereby established a joint congressional committee to be known as the Joint Committee on National Security Affairs (hereinafter referred to as the "committee") to be composed of twelve members who are Members of the Senate and twelve members who are Members of the House of Representatives.

(b) (1) Of the members of the committee who are Members of the Senate—

(A) Five shall be members of the Senate Committee on Foreign Relations (of whom not less than two shall be from the minority party);

(B) Four shall be members of the Senate Committee on Armed Services (of whom not less than one shall be from the minority party); and

(C) Three shall be members of the Joint Committee on Atomic Energy (of whom not less than one shall be from the minority party).

(2) Of the members of the committee who are Members of the House of Representatives—

(A) Five shall be members of the House Committee on Foreign Affairs (of whom not less than two shall be from the minority party);

(B) Four shall be members of the House Committee on Armed Services (of whom not less than one shall be from the minority party); and

(C) Three shall be members of the Joint Committee on Atomic Energy (of whom not less than one shall be from the minority party).

(c) Members of the committee who are Members of the Senate shall be appointed by the President of the Senate, and members of the committee who are Members of the House of Representatives shall be appointed by the Speaker of the House of Representatives.

(d) Any vacancy in the membership of the committee shall be filled in the same manner as the original selection, and the committee shall elect a chairman from among its members.

Sec. 2. It shall be the function of the committee to make a continuous study and investigation of all matters pertaining to national defense, foreign policy, and national security (including intelligence, defense policy, nuclear development, and disarmament). In fulfilling this function the committee shall be authorized to review the operations of the respective executive agencies responsible for the development and execution of policies with respect to such matters.

Sec. 3. The committee shall make, from time to time, reports to the Senate and the House of Representatives and the appropriate committees of Congress concerning the results of its studies, together with such recommendations as it may deem desirable.

Sec. 4. The committee or any duly authorized subcommittee thereof is authorized to hold such hearings; to sit and act at such times and places; to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; to take such testimony; to procure such printing and binding as it deems advisable. The provisions of sections 102 to 104, inclusive, of the Revised Statutes, as amended, shall apply in case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

Sec. 5. The members of the committee shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other expenses incurred by them in the performance of the duties vested in the committee other than expenses in connection with meetings of the committee held in the District of Columbia during such times as the Congress is in session.

Sec. 6. The committee is authorized, without regard to the civil service laws or the Classification Act of 1949, as amended, to appoint and fix the compensation of such clerks, experts, consultants, and clerical and stenographic assistants as it deems necessary and advisable. The committee is authorized to reimburse the members of its staff for travel, subsistence, and the other necessary expenses incurred by them in the performance of the duties vested in the committee other than expenses in connection with meetings of the committee held in the District of Columbia during such times as the Congress is in session. The chairmen of the various Senate and House committees referred to in subsection (b) of the first section of this resolution may assign members of the staffs of such committees to serve on the staff of the committee, without additional compensation, except for the reimbursement of expenses incurred by such staff members as prescribed in this section.

Sec. 7. The expenses of the committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman of the committee or by any member of the committee duly authorized by the chairman.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 15, 1963, he presented to the President of the United States the enrolled bill (S. 1227) authorizing the Association of Universalist Women (a nonprofit corporation in the District of Columbia) to consolidate with the Alliance of Unitarian Women (a nonprofit corporation in the State of Massachusetts).

RECESS UNTIL 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that the Senate, under the previous order, stand in recess until 10 a.m. tomorrow.

The motion was agreed to; and (at 8 o'clock and 12 minutes p.m.) the Senate took a recess until tomorrow, Thursday, May 16, 1963, at 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 15 (legislative day of May 13), 1963:

The following-named persons to the rank indicated in the U.S. Coast Guard:

U.S. Coast Guard

To be lieutenants

Wilhelm A. Wulff
Robert W. Miller
John M. Wypick
Robert D. St. Aubyn
Billy E. Murphy
George F. Merritt
Benjamin E. Joyce
Jarold C. Carlton

To be lieutenants (junior grade)

James L. Haas
Robert I. Ivans
William E. Newland
John A. Blanchard
Robert A. Wombacher
Dom Degnon, Jr.
Marshall H. Shytle
Ralph O. Moore
Duane A. Coppock

To be chief warrant officers, W–4

Lavine Hubert
Eugene P. Farley
Eugene C. Colson
Harry A. Lessey
John W. Stamback
Arloy F. Jensen
Louie W. Stanley
Jack D. Rodgers
Arch "D" Grainger, Jr.
Artell B. Crowley, Jr.
Lloyd T. Twiford
Daniel W. Cluff
Robert C. Ashdon
Harry J. Backman
Morris J. Marshall
Hugo A. Cruz
William E. Hughes
Joseph L. Richardson
Norman R. Hundwin
John T. Mears, Jr.
George D. Doll
Robert C. Sykes
Charles I. Carpenter
Jack S. Breschini
Ernest T. Bittman
Julian R. Sherman
Leo V. Walsh, Jr.
Adrian Fulcher
Shelbert P. Creech
George J. McKinlock
David A. Smith
Walter S. Yeargain
Frederick D. Mann
James W. Berry
William F. Brock
Dolly Fulcher
Robert F. Konrad
Cornelius A. Johnson
Palmer F. Guarente

To be chief warrant officers, W–3

Richard D. Mellette
Eugene L. Davis
Dewey F. Barfield
Frank J. Diersen
Howard Janke
Fleming C. Walker
Harry W. Perdue
Bill M. Aldridge
Alfred E. Sporl
Aubrey R. Patten
Robert Jiudice
Robert E. Penny
Frederick J. Alles
Carl A. Carlson
Jack K. Halbert
Melvin G. McCoy
Richard J. Zwally
Thomas A. Gauld
Melvin C. Mize
Harlan Montgomery
Roland A. Woodward
Ernest G. Crispi
Edward T. Rollins
Morgan C. Hutto, Jr.
Paul P. Sherrill
Charles H. Buckley
James A. Winslow
Merle L. Cochran
Roger G. Stanton
Thor B. Olson
Gilbert Shaw
Stephen T. Watson
Slavko Stokich
Donald W. McNaughton
Harry C. Strother, Jr.
John J. Lencmeyer
Thomas M. Hall, Jr.
Robert G. Cameron
Timothy J. Crowley
Wilbert D. B. Williams
Olos F. Marshall
Bruce L. Sifford
Everett J. Matteson
Earl J. Wesner
Russell A. Scruggs, Jr.
John H. Liedke
Thomas D. Galliher
John H. Deboe
William B. Miner
John F. Minster
William A. Vasquez
Robert C. McClanahan
Grover C. Newberry
William F. Kortlang
Edwin H. Cornell
Lawrence A. Taylor
James Szokolay
Andrew Yackovetsky
Richard J. Laflin
Richard P. McMullen
Donald R. Myers
Frederick R. Nickerson
Clark W. Straus
Robert E. Bonville
Robert L. Williams, Jr.
George G. Bannan
Neil H. Endsley
Russell R. Hickman
Walter W. Hake
Charles J. J. McGrath
William T. Morrison, Jr.
Charles O. Franklin
Arnold S. Knudsen
Anton J. Foydl, Jr.
Herman H. Keith
Charles R. Fowler
Melvin Midgett
Clyde S. Delanoy
Russell H. Stockfleth
Robert B. Collins
Wilbur E. Lincoln
Paul G. Patrinos
Wilfred E. Cobb, Jr.
Joseph C. Gimbl
Wilton A. Hockenberry
Dallas W. Palmer
Cyril L. Fennelly
David C. Adkins
Donald W. Olson
Hollis L. Beard
William F. Queen
John W. Laine
Andrew J. Brovey
Robert W. Conway
James F. Jones
Robert A. McCarten
John C. Revels
Raymond E. Masker

To be chief warrant officers, W–2.

Paul W. Bicking
Russell L. Holt
William R. Greene
James R. Reese
Jerry R. Cox
John F. Hevener
Geoffrey H. Briggs
John R. Cromwell
James J. Torpey
Kenneth J. Sweeney
Donald R. Karwedsky
Aloysius P. Seiler
Oscar B. Hall
Eugene E. Ockrassa
Earl F. Moore
Eugene O. Thorson
Elmer L. Hicks
Edwin J. Jonas, Jr.
Benney B. Bacon
John R. Scott, Jr.
Louis J. Grebbien
James "W" Jay, Jr.
John R. McMahon
Robert L. Jacks
Wallis N. Zimmerman
Billy Hopper
Bobbie L. Bentley
Wayne E. Nunnenkamp
Allie C. Woodcock
Edward E. Godlewski
Edgar L. Parker
George E. Montfort
Dale E. McElfresh
Arthur L. Lucier
Eugene R. Amlong
Richard B. Page
Robert J. Baker
Arnold Brooks
Robert T. Gray
Warren G. Berto
Henry E. Brunet
Lysle G. Laussade
Jamie Smith
Alston H. White
Donald K. Byrd
Delbert F. Summers
Joseph E. Bruce
Raymond R. Close
Frederick F. Drzal
Daniel M. Wirzburger
Allen V. Walker, Jr.
Joe M. Clapp
John R. Bunn
Edward H. Monson
William Jackson
Frank W. Kurtz
Raymond W. Nickerson
Davis Rogers
Burr K. Vail
Wray A. Stout
Wilbur J. Hall, Jr.
Earle W. Dorr, Jr.
Clifford E. Reeves
Elmer Berrish
Gareth H. Stephenson
Carl A. Powers
Loyd B. Reach, Jr.
Allen W. Craven
Forrest E. Colbath
William T. Mack
Thomas P. Connell
Jack G. Albert
Ernest C. Moore III
Howard H. Holman
Joe L. Franklin

To be lieutenant commander

Edward J. Ard

To be lieutenant

Lawrence R. Montali

To be lieutenants junior grade

Richard C. Binzley
Theodore E. Deming
Robert M. Massenburg
Karl F. Wassenberg
Robert G. Rugur

To be ensigns

Anthony Reid Adams
John David Adams
Leo David Allen
Nicholas Heath Allen
David Lewis Andrews
Kent McFarlane Ballantyne
Robert Grandal Bates
William Marshall Baxley
William Douglas Bechtel
Roger LeRoy Beving
Denis Jack Bluett
James Dennis Boyce
Dennis James Brady
David Charles Brostrom
George Herbert Brown III
George Jack Buffleben, Jr.
Robert William Burchell
Michael Burdian
Peter Conrad Busick
Raymond Harold Canada, Jr.
William Albert Caster
Kevin Timothy Clancy
David Joseph Connolly
Ernst Michael Cummings
Edward Earl DeMuzzio
Richard Lee De Vries
James Fonda Dewey
Robert Peter Dickenson
Andrew Franklin Durkee, Jr.
Kurt Louis Elste
Robert Emmett Fenton
Thomas Daniel Fisher
James Wilson Fry, Jr.
Forrest Fred Furaus, Jr.
Howard Bernard Gehring
Gill Reves Goodman
John William Greason
Michael Edward Greene
Charles Everett Haas
James Campbell Haldeman
Jeffrey Dean Hartman
Roger William Hassard
Ray Albert Heller
Richard James Heym
Wayne Kenneth Hodsden
Joseph Henry Hughes III
Michael Joseph Jacobs
Arthur Elliot Katz
Nelson Herbert Keeler, Jr.
Virgil Francis Keith, Jr.
Nelson Wayne Koscheski, Jr.
Robert LeRoy Kuhnle
James John Lantry
Robert Edward Leggett
John Edward Lindak
Ronald Otis MacFee
David Terrence Machamer
Robert Allen Major
James Francis McCahill, Jr.
Karl Warren Mirmak
Carl Richard Mockler
William Albert Monson
Charles Bernard Mosher
Jerome Pierce Mullins
James Aloysius Murray, Jr.
Dan Allen Nauman
Harry Donald Nelson
Philip Randall North
Harvey Francis Orr
Rudy Kahl Peschel
Paul David Pierce
Robert Matthew Pochman
Stephen Joseph Ratey, Jr.
Karl Lawrence Reichelt
Billy Wayne Richardson
Arthur Bishop Shepard
Daniel Kane Shorey
Jan Forest Smith
Warren Dean Snider
John Joseph Soltys
Dana Wellman Starkweather
Michael Peter Studley
Harry Toshiyuki Suzuki
Barham Foster Thomson III
Murray John Towle
Stephen Terry Ulmer
Robert Lawrence Vence, Jr.
William Burns Waff
Richard Andrew Walsh
James LeRoy Webster
Gerald Francis Woolever
John Richard Yetke, Jr.
David Allen Young
David Reynolds Zwick

EXTENSIONS OF REMARKS

The 39th Anniversary of FBI Director Hoover

EXTENSION OF REMARKS
OF

HON. SAMUEL L. DEVINE

OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 15, 1963

Mr. DEVINE. Mr. Speaker, last Thursday I pointed out to the Members of the House that the following day, May 10, 1963, marked the 39th anniversary date of the appointment of John Edgar Hoover as Director of the Federal Bureau of Investigation.

No man in the history of this great Nation has enjoyed a greater reputation for integrity and devotion to public service than Mr. Hoover. His continued service, and reappointment by the successive Attorneys General since 1924, regardless of their political affiliation, amply demonstrates the high regard in which Mr. Hoover has been held over the years.

Moreover, his active, objective, and devoted service in today's operation of the FBI continues to reflect his enthusiastic and vigorous capabilities to remain at the helm of the Bureau for years to come.

The FBI stands second to none as an efficient organization of outstanding men and women who are dedicated to public service in enforcement of laws relating to Federal crimes, as well as protecting the national security and the future of America.

The reputation of the Bureau stands as a living monument to the man who is responsible for that very reputation—J. Edgar Hoover—America's man of integrity.

Salute to the Emerson Public Library of Emerson, N.J.

EXTENSION OF REMARKS
OF

HON. CLIFFORD P. CASE

OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Wednesday, May 15, 1963

Mr. CASE. Mr. President, an informed people can do much to advance the cause of freedom. One of our institutions, the public libraries, is making great efforts in achieving that goal.

I should like to salute the Emerson Public Library, of Emerson, N.J., one of our fine libraries, on the occasion of their having received an honorable mention award of $1,500 from among 97 libraries in competition for a 1963 Book-of-the-Month Award to small public libraries.

This award, in recognition of meeting the high criteria of the American Library Association, cites the Emerson Public Library for providing more and better library services. The Emerson Library is the first in New Jersey to receive this honor since the award was established on a national basis.

By being selected as one of the 10 outstanding public libraries in the Nation, not only the community but the entire State of New Jersey is enriched by this demonstration of library leadership. I am mindful too of the wholehearted support of the citizens and leaders of Emerson who contributed their time and talents to the success of this activity.

This fine achievement sows the seeds for future honors and should be an inspiration to all small public libraries throughout the State.

Mrs. Elmo T. Nostrand

EXTENSION OF REMARKS
OF

HON. JAMES R. GROVER, JR.

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 15, 1963

Mr. GROVER. Mr. Speaker, the scourge of cancer is a problem that has deeply affected every member of this Nation. Its eradication is the goal of everyone. However, some people have dedicated more time to the eradication of this disease than others. These people, I maintain, should be given recognition of the highest honor. Such a person is Mrs. Elmo T. Nostrand, 17 Fairview Road, Farmingdale, Long Island, N.Y., who for 15 years has given of herself unsparingly as a volunteer worker for the American Cancer Society. Over the years, she has held every position in the Nassau County Chapter of the American Cancer Society, and recently she was honored by the American Cancer Society when they presented her their scroll for distinguished service. Because I believe in the importance of the work that this good lady, with her many other thousands of associates are doing, it is my pleasure to honor her by reciting her achievements in the RECORD.

On March 21, 1963, Mrs. Nostrand was awarded the American Cancer Society Bronze Medal for Distinguished Service in Cancer Control. There were 13 such awards given in the United States by the national board of directors of the American Cancer Society—only three to women—one woman from Philadelphia, one from New York, and Mrs. Nostrand. She is today vice president of the Nassau division of the American Cancer Society and chairman of their volunteer activities for the district.

Mrs. Nostrand has been active as a volunteer with the Nassau division of the American Cancer Society for 15 years, serving in all volunteer capacities from village crusade block worker and village crusade chairman to her present positions as a member of the division board of directors, vice president of the Nassau division, member of the executive committee, and chairman of volunteer activities for the Nassau division.

Mrs. Nostrand has made an outstanding contribution to the society through the development of a volunteer organization and local cancer units which conduct the year-round education, patient service programs, and the annual Cancer Crusade.

She has also developed a year-round training program for volunteers in all phases of the society's work.

In November of 1960, Mrs. Nostrand was one of seven volunteers in the United States chosen by the national office of the American Cancer Society to participate in a 1-week special conference held in Williamsburg, Va. This committee of seven, along with members of the national staff, studied all phases of volunteer activity in the society.

Mrs. Nostrand was the recipient of the 1960 Long Island Business and Professional Women's Club Exceptional Volunteer Service Award in honor of her outstanding achievements and dedication to the Nassau division of the American Cancer Society.

Mrs. Nostrand has put in over 500 hours each year in volunteer activities.

Elkton (Va.) Jaycees Encourage Student Interest in Government

EXTENSION OF REMARKS

OF

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1963

Mr. MARSH. Mr. Speaker, on yesterday, I had the pleasure of a visit from Barry Hensley, a student at Elkton (Va.) High School, who was selected by the school faculty to spend a day at the Capitol observing the legislative process.

Young Mr. Hensley visited a committee session with me, accompanied me to the Pentagon, and then returned to spend most of the afternoon in the House galleries, observing the proceedings on the floor.

Barry was the first Elkton student selected to participate in a new program of the Elkton Jaycees, and the hope is that other young people from Elkton will have opportunity to come to Washington in this program to spend a day with their Representative in Congress.

Escorting Barry yesterday was Mr. Norman Workman, State director of the Elkton Jaycees. Mr. Workman, as well as Herbert Baugher, president, and other officers of the Elkton Jaycees, are to be complimented on the development of this fine program for training in citizenship. It is just one more example of the enthusiasm and energy to be found in the Jaycee movement for any project contributing to community betterment or civic awareness.

Young citizens such as Barry soon will acquire shares in the responsibility for carrying forward our representative form of government, and it seems particularly fitting that as many of them as possible be afforded an opportunity to observe firsthand how representative government functions.

The system is not faultless, we know, but improvements have a direct relationship to the breadth of public concern for the effectiveness of a mechanism which remains the best hope of representative, nonoppressive government. It is to the Barry Hensleys that we must look for the maintenance and advancement of the principles of individual freedom on which our governmental structure is based, and I salute the Elkton Jaycees on the inauguration of this program for student observation of the Congress.

The Wheat Referendum—Farmers To Make Free Choice, and This Will Be Final

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1963

Mr. COOLEY. Mr. Speaker, the national wheat referendum will be held next Tuesday, May 21. Farmers then will be making a very important decision. They will cast their ballots in a free and democratic election to determine the level of wheat prices in 1964.

If 66⅔ percent of the wheat farmers vote "yes" the 1964 price for the greater part of their production will be $2 a bushel. If they vote "no" there will be no restriction on production, surpluses will build up again, and the support price will be only $1.25 a bushel—and that only for those who abide by their acreage allotments. Those who do not stay within their planting allocations will have no price protection at all. With a "no" vote and no effective production adjustment, supplies would be such that, farm economists predict, the market price for wheat may drop as low as $1 a bushel.

Last year we passed a bill which gave farmers the opportunity to decide the kind of program—and, therefore, the price levels—which they will operate under for the 1964 crop of wheat.

This law was sponsored and supported by Members of the Congress who are dedicated to the proposition that farmers are entitled to a fair level of income along with others of our citizens.

Those out of the Congress who oppose our efforts to assure reasonable and stable income for wheat farmers, in a program that also forestalls production of wasteful and costly surpluses, have created considerable confusion about the Congress changing that basic law.

Wheat farmers are being told that if they vote down the present program, the Congress will pass a new pie-in-the-sky type of wheat program for the 1964 crop. This is pure demagogery. I hope that no wheat producer will be misled.

Mr. Speaker, I should like to give the House an example of what happened under very similar circumstances in the most important crop grown in my home State—tobacco.

On that occasion, in 1938, tobacco growers in the Flue-cured belt decided they did not need marketing quotas any more. Not a majority of them but enough voted "no" so that marketing quotas were defeated for the 1939 crop.

The resulting overproduction—plus the withdrawal of the British buyers because of impending war in Europe—resulted in just one thing: the market collapsed. Things got so bad that in the two Carolinas, where the crop was still to be sold, the markets were closed entirely by the respective Governors.

Congress took the position that, despite the fact that the tobacco farmers had voted their own ruin, they had made their own free choice, and the Congress did not interfere with the will of the producers.

A referendum was subsequently scheduled to determine marketing quotas for the 1940 crop. When this time came, growers knew then for certain what they wanted—and so did everybody else. Even businessmen in parts of the Carolinas took out paid newspaper space and bought radio time to urge a "yes" vote.

The growers did vote "yes"—90 percent of them. And in every referendum since that time Flue-cured tobacco growers have voted overwhelmingly for marketing quotas with price protection. They have not made the same mistake twice.

Wheatgrowers never have voted down marketing quotas.

The choice they have on May 21 is exactly the same one they have had in every previous referendum—marketing quotas with a relatively high level of price supports, or no quotas and price supports at 50 percent of parity to cooperators who plant within their acreage allotments.

Propaganda that the new law establishes quotas in bushels is untrue. Quotas are on an acreage basis, as they always have been.

Bushels are used only to compute the producer's eligibility for the $2 price support—exactly as they are used to compute payments for farmers under the voluntary wheat and feed grains programs in effect in 1963.

This is in fact the most nonrestrictive quota law the Congress ever has written. It will give wheat farmers a choice—at their own option—whether to plant wheat or feed grains on their wheat acreage, or wheat on their feed grain acreage. No other quota program in history has provided such freedom of choice.

Mr. Speaker, it has been my policy in the past never to tell a farmer how he ought to vote in a program referendum, and this is my policy today. However, as chairman of the House Committee on Agriculture, I do feel a responsibility to see that wheat farmers are not misled by demagogery.

Regardless of how the farmers may vote on May 21, the law has been passed and the die is cast for the 1964 crop of wheat. A "no" vote in the referendum will destroy the price protection for the 1964 crop and the income of wheat farmers will fall to bankruptcy levels.

There is no plan to write a new wheat law for the 1964 crop. No one has come forward with a better program than that now being presented in the referendum. The Congress has met its responsibility to wheat farmers. The determination on the level of 1964 wheat production and prices now is entirely in the hands of the farmers themselves.

Mr. Speaker, I favor no Government controls as such, on agriculture. I do approve of the Government providing the machinery which farmers may use, at their own election, to hold their production in line with market requirements, as industry adjusts its output to market demands. I favor Government price stabilization programs for food and fiber only where farmers approve and are willing to cooperate in such production adjustments programs as will prevent market gluts, the piling up of surpluses and large costs to taxpayers. Farm programs of the last 30 years have proved that when farmers receive reasonable income the efficiency of agriculture increases by leaps and bounds, so that today Americans are the best fed people the world over and they pay a smaller part of their income for food than any other people anywhere.

Missouri's Sixth District Legislative Poll

EXTENSION OF REMARKS
OF

HON. W. R. HULL, JR.

OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 15, 1963

Mr. HULL. Mr. Speaker, I recently completed tabulation of the returns in my annual legislative questionnaire poll of the Sixth Congressional District of Missouri and a majority of my constituents who returned questionnaires indicated they believed deficit spending by the Federal Government should be ended before tax reductions are made.

Proposals providing medical care to aged through the social security program and general Federal assistance to public schools were opposed by most of the persons who responded.

Approximately 38,000 questionnaires were sent out and more than 6,100, or about 16 percent, were returned.

The results follow:

[In percent]

Questions	Yes	No	No opinion
1. Medicare: Do you favor bill to provide part payment of hospital costs for persons over 65, but no doctors' bill, through increase in social security?	32	65	3
2. Tax cut: Do you believe deficit spending by Federal Government should be ended before tax reductions are made?	76	19	5
3. Foreign aid: Do you favor—			
(a) Aid programs similar to those in the past?	23		22
(b) Aid to allies but no assistance to neutral nations?	40		
(c) No foreign aid at all?	15		
4. Aid to education: Do you favor bill to provide Federal grants for school construction and increased teachers' salaries?	37	60	3
5. Urban affairs: Do you favor bill to provide new Cabinet-level Department of Urban Affairs and Housing?	20	69	11
6. Domestic Peace Corps: Do you favor bill to establish group whose volunteer members would perform services in United States similar to those now performed overseas by Peace Corps?	38	55	7
7. Farm legislation: Generally speaking, which of these courses do you believe farm legislation should take:			
(a) Continue present programs for basic commodities under which price supports and mandatory acreage allotments are provided if approved by ⅔ of farmers voting in referendum?	33		20
(b) Discontinue price supports and acreage allotments for basic crops, substituting system of land retirement payments for farmers who wish to participate?	23		
(c) Abolish all Federal assistance, acreage allotments, and price supports for basic crops?	24		
Answers to question No. 7 by operating farmers:			
(a) Continue present programs	40		11
(b) Discontinue price supports	29		
(c) Abolish all Federal assistance	20		
Answers to question No. 7 by nonfarmers:			
(a) Continue present programs	25		29
(b) Discontinue price supports	17		
(c) Abolish all Federal assistance	29		

Keith Covelle Retires From Okmulgee Tech

EXTENSION OF REMARKS
OF

HON. ED EDMONDSON

OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 15, 1963

Mr. EDMONDSON. Mr. Speaker, I ask permission at this time to express my personal appreciation and the thanks of thousands to a friend and fellow Oklahoman who has recently announced his retirement after devoting the major part of his life as an educator and administrator.

This man has contributed more to the field of technical and industrial education than perhaps any other person in the Nation.

Anyone who follows the great work being carried on today in technical and industrial education knows that I am speaking of Keith Covelle, who will shortly retire as director of Oklahoma State Tech at Okmulgee.

For the past 17 years—from the inception of Okmulgee Tech—Keith Covelle has been its guiding hand as director, principal educator, and tireless ambassador of good will.

Keith Covelle has spent nearly half a century stressing the great need and importance of developing the trade and technical skills of our citizens.

His deep conviction that every man should be trained to be a productive citizen has been proven true in the great work being carried on at Okmulgee Tech—and every member of our society has been the direct beneficiary of this conviction.

In 1946, Keith Covelle left his position as vocational specialist at Oklahoma State University at Stillwater to inaugurate his ideas at Okmulgee Tech. He acquired the Army's old Glennan General Hospital at Okmulgee to be used for the plant facilities and opened the doors to 211 students who enrolled in 11 different trades.

The overwhelming success of this bold venture in a relatively uncharted area of education is borne out by the number of graduates from Okmulgee Tech and the strategic positions these graduates occupy in cities and towns throughout the United States.

During the past 17 years of Okmulgee Tech's existence, more than 18,000 persons have learned a trade, business, or occupation in the school. This year enrollment is approximately 1,500 and the school operates the year around on a three-semester plan.

The success of trade, technical, and industrial education, not only at Okmulgee Tech but at other institutions throughout the Nation, is due in a large measure to the personal leadership and zeal of Keith Covelle. For his many friends, admirers, and former students, I express a heartfelt "thank you."

I know that Keith Covelle can justifiably take great personal satisfaction in knowing that he has made an outstanding contribution to society, the enduring benefits of which stand as a living tribute to him.

Lotteries

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1963

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a statement I made on the television program, "Congressional Conference" broadcast over WOR–TV, channel 9, New York, on Sunday, May 12, 1963, concerning the recent New Hampshire law legalizing lotteries. My statement follows:

It is difficult to understand how the sovereign State of New Hampshire could have passed a law legalizing lotteries. The scandalous history of lotteries in many of our States during the early days of the Republic should have stayed the hand of the New Hampshire Governor from signing this sweepstake bill. That history is replete with chicanery, bribery, and plain thievery. Tickets were forged, races were rigged, and proceeds diverted. Officials were corrupted. For example, in Louisiana, a New York syndicate was organized to run the lottery. It paid some $40 million for the privilege and reaped the staggering reward of $2 billion. It accomplished this by bribery and all manner and kinds of skulduggery. Scandals mounted until the sordid business became a stench in the nostrils of decent citizens and the Louisiana lottery law was repealed in 1894.

Just as Louisiana and other lottery States could not prevent syndicates of gamblers from muscling in, New Hampshire will not be able to stop mobsters and gangsters from using this lottery as a feeding ground for underworld characters.

This venture will be patterned on the Irish Sweepstakes and will be based on two horse races a year. Tickets will cost $3 and a winner could collect upward of $200,000 and tickets will be sold in State-operated liquor stores. There are only about 600,000 residents of New Hampshire. If one-half of these people bought lottery tickets, there would be less than a million dollars to pay for the prizes and running expenses, making the race hardly worthwhile. New Hampshire, therefore, will depend largely on the sale of tickets to tourists and out-of-State residents.

New Hampshire fails to reckon with her host. There are on the statute books today Federal laws passed as a result of the lottery scandals which deny the use of the mails to further any lottery. These laws make it a crime to carry lottery tickets across State lines. Newspapers conveying news of the lottery sweepstakes cannot be deposited in the mails. Federal statutes regarding lotteries are very pervasive. It is illegal to use interstate wire communication facilities for transmission of bets or betting information on penalty of fine or imprisonment. There is a similar ban on foreign lotteries such as the Irish Sweepstakes. Also, the Postmaster General may forbid the payment to a person receiving lottery mail or winnings as a result. It is also unlawful to broadcast any lottery information on radio or television. Thus, interstate facilities cannot be legally used in connection with lotteries. It shall be the duty of the Attorney General of the United States to enforce these laws. It will be difficult to do so but as long as they are on the statute books, they must be adhered to and sanctions must be invoked against the offenders.

The lottery may bring New Hampshire easy money to meet an ever-rising budget, but who are the victims? The poor and the indigent who can least afford it. Lottery panders to those afflicted with the disease of gambling. The hope to win, however remote, is ever present. It is wealth at the end of the rainbow. It is argued that we have bingo, parimutuel horse racing, therefore, why not a lottery? It is true we have forms of legalized gambling, but why widen the opportunities any further? What we have is bad enough. Why expand the encouragement to easy riches, to the will-o'-the-wisp of easy money? And why lure racketeers to a new legalized form of gambling? New Hampshire's example may be followed in other States. Rhode Island and Vermont are already considering a lottery bill.

Governor King, of New Hampshire, promises honest administration. I tell him that it will take a miracle if he can have any kind of honest administration of a lottery because the opportunities for crookedness are so pervasive.

The Debt Ceiling

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1963

Mr. HANNA. Mr. Speaker, although I think that we should retain the requirement of a ceiling on the national debt, I am not convinced that we can consider the debt ceiling as such either as a valid indicator of the fiscal condition of the U.S. Government or as a major tool of fiscal policy. True, requiring a debt limit can be useful if it focuses the public mind on the general problems of fiscal policy.

We must remember, however, that the debt ceiling is only a minor part of the whole complex fiscal picture. By focusing only on it and by making it the whole picture, we may well be led to promote inflexible policies which could cost us very dearly.

Today's rapidly changing world dictates flexibility in fiscal matters and not tight inflexibility. Managing the Government's fiscal problems is a day-to-day operation characterized by fluidity. In this context setting rigid limits on the debt can force the administration to deal in fiscal subterfuge. This was most graphically demonstrated during the Eisenhower years when the administration made such a major issue out of reducing the debt that to increase the debt ceiling naturally was embarrassing even when they needed the money. To get that money the administration at times resorted to devices that circumvented the usual appropriation process and the debt ceiling. That these devices of subterfuge which the Eisenhower administration was forced to use were costly is clearly illustrated by the figures found on page 11 of the Legislative Analysis of H.R. 6009 by the American Enterprise Institute in a paragraph which I now quote to you.

The AEI notes that—

> On several recent occasions these devices were specifically used to circumvent the debt ceiling. In 1954, for instance, the Commodity Credit Corporation went into the money market and borrowed slightly over $1 billion in short-term notes and turned this money over to the Treasury. Because it was the CCC, and not the Treasury doing the borrowing, interest rates were higher. According to one estimate, the additional cost of this operation was about $10 million. In 1957 and 1958, during the debt ceiling difficulties of that period, the Federal National Mortgage Association was utilized as a go-between to provide cash for the Treasury. Fannie Mae borrowed by issuing its own notes and the cost of this operation was said to have amounted to approximately $24 million more than would have been paid if the Treasury had done the borrowing itself. The Federal Government used its secondary lines of credit and—as a result—paid a higher cost for this credit. From time to time, the Treasury has also turned some of its gold into new money to meet debt ceiling fiscal problems. This occurred in 1953 and again in early 1958, and can be said to have had undesirable effects upon our gold stock.

This should not be construed as an argument for unlimited spending and a ceilingless debt. It is simply a case for allowing the administration the necessary flexibility to manage the debt efficiently and properly in order to get the money it needs to keep going. Certainly no one is more concerned about the problems generated by the debt than I am. The service charges on the debt which are, after all, the real burden here now constitute the second highest item in the budget surpassed only by expenditures for national defense. This means that money which could be spent in the private economy or on useful and needed public projects is being drained off into servicing the debt. Moreover, the interest on the Federal debt represents a drastic shift in wealth from the lower income groups to the higher income sectors of the economy.

Certainly then, the burden of the debt is of great concern to me. However, I believe that the proper way for Congress to deal with the problems of debt and fiscal policy is through the appropriation process not by clamping costly rigidity on the national debt. To appropriate money for the administration and then to force the administration into expensive subterfuge through debt ceilings is downright irresponsible and Congress should not do it.

Congress Must Pass Effective Civil Rights Legislation

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1963

Mr. GILBERT. Mr. Speaker, I am including in the CONGRESSIONAL RECORD my statement to the Committee on the Judiciary, of which I am a member, on the important subject of civil rights. The statement follows:

STATEMENT BY HON. JACOB H. GILBERT, OF NEW YORK, MAY 8, 1963

Mr. Chairman and members of the Committee on the Judiciary, I wish to thank the esteemed chairman of our committee for scheduling hearings on the numerous legislative proposals relating to the various aspects of civil rights which are now being considered.

In my recent statement to the general Subcommittee on Labor, on the subject of equality of opportunity in employment, I pointed out that inasmuch as the Emancipation Proclamation was signed 100 years ago, it is high time that we proceed, with alacrity, to do the job that should have been done generations ago. The legislation here under consideration is of equal importance, and the same urgency for prompt and effective action exists. Every vestige of discrimination based on race, color, religion, nation origin, or ancestry, must be completely wiped out—and without delay.

I feel certain that you, my colleagues, are sickened, as I am, by the current newspaper headlines and pictures describing the recent outrage in Alabama. The violation of human rights in Alabama is causing grave harm to all Americans, and irreparable damage to our Nation's prestige on the international scene has been inflicted. The barbarities committed by Alabama police authorities against Negro and white demonstrators for civil rights, the use of police dogs and high pressure fire hoses to subdue schoolchildren as well as adults is indeed a national disgrace. The jailing and placing in detention homes of many hundreds of teenagers and even younger schoolchildren because they are merely demanding their birthright of freedom must bring a blush of shame to the cheek of every right-thinking American.

All these disgraceful and inhuman proceedings are now front-page news in Europe, and we may be sure that they are being played up in Africa and Asia. We can be certain that the Communists will capitalize on these latest sins against our Negro citizens; what powerful propaganda we are furnishing them. We must remember that the United States is the most thoroughly reported country in the world, and to the world we have proclaimed and professed to have high standards of equal opportunity and treatment for all our citizens. When those abroad see these horrible pictures, how incongruous and how inconsistent our efforts to promote the democratic ideal must seem; how deceptive they must consider us when we ask the new emerging nations to emulate us and our form of government.

We must recognize that a revolution is underway throughout our country; every large city is fearful of the increasing racial tensions now prevalent. We can no longer close our eyes and hope that the trouble will go away; it will not. Negroes and other minority groups have reached the end of their patience over the insurmountable barriers which still keep their lives segregated and submerged; which prevent their obtaining jobs, promotions, decent housing, and education. They are tired of the degredations to which they have been subjected for so long. They are now demanding the full equality and freedom guaranteed them under our Constitution, and they mean to have them.

My bills, H.R. 187, H.R. 5603, H.R. 5604, and H.R. 185 are before our committee now. H.R. 187 provides for the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching. In my opinion, it is most important that this protection be provided to assure that no citizen will be deprived of his right to orderly proceedings under the law and that no person will suffer violence or death at the hands of vengeful mobs.

My bills H.R. 5603 and H.R. 5604 are identical with those introduced by our chairman; I introduced them to indicate my strong support of the legislation. H.R. 5603 includes four specific provisions which would implement the recommendations of the President; it would correct many abuses and lessen the delays which many citizens face in attempting to exercise their right to vote. It would establish a presumption in voting suits that any person who has completed the sixth grade in an accredited school where instruction is predominantly in the English language possesses sufficient literacy to vote in any Federal election.

H.R. 5604 would extend the Civil Rights Commission for 4 more years and would authorize it to serve as a national clearinghouse to provide civil rights information and technical assistance to requesting agencies. It would also make it possible for the Commission to concentrate its efforts upon those problems within the scope of existing law which require the most attention.

H.R. 185 prohibits the application of unreasonable literacy requirements with respect to the right to vote and provides that an arbitrary or unreasonable test, standard, or practice with respect to literacy shall mean any requirement designed to determine literacy, comprehension, intelligence, or other test of education, knowledge, or understanding, in the case of any citizen who has not been adjudged an incompetent, who has completed the sixth primary grade in a school accredited by any State or by the District of Columbia. This would assure voting rights now denied to millions of our citizens.

I urge this committee to discharge its responsibility to the countless Americans whose rights are now denied them and who must look to us for help. I urge that we approve strong, effective, civil rights legislation, and I am hopeful that the Congress will recognize its clear duty to enact it into law. Only by laying a firm foundation of equality and freedom now can we hope to build here the true democracy and a society which recognizes the equality of all of our citizens, all of which we profess to have now but in reality do not have. The moment of truth has come; crises are upon us which must be met by law and order; Federal action is required to avert catastrophe. When individual States refuse to recognize their responsibilities, then the Federal Government must take the initiative in providing the equality, protection, and rights to all citizens as guaranteed under our Constitution.

Rail Mergers

EXTENSION OF REMARKS

OF

HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Wednesday, May 15, 1963

Mr. KEFAUVER. Mr. President, on May 8, my very able and long-time friend, Senator PAUL H. DOUGLAS, Democrat, of Illinois, made an excellent speech concerning recent developments with respect to rail mergers. Senator DOUGLAS' thought-provoking words, and artistic oratory, I am told, were the highlight of the convention of the Brotherhood of Locomotive Engineers in Detroit, before whom he spoke. I am particularly pleased with the glowing reports which I have received about our colleague from Illinois, but in addition, I am most grateful to him for his acceptance of this speaking task at the last minute when it appeared that a virus I had contracted would not permit me to address the brotherhood on the historic occasion of its 100th anniversary.

I want to say I was most disappointed that I could not be out in Detroit with my good friends from railway labor, but that my thoughts were indeed with them at what I have since learned was a tremendously successful convention.

Mr. President, the speech given by my friend from Illinois is a most important one with respect to the railroad merger problem. It not only brings us up to date on what has been happening, it emphasizes the increasing strength which "public interest" forces have been marshaling to straighten the record, and to work for a sensible solution to railroad redevelopment. Because of the wisdom and vital facts contained in the speech, I should like to ask for unanimous consent that it be placed in the CONGRESSIONAL RECORD so that all Members of Congress can benefit from it.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF SPEECH BY SENATOR PAUL H. DOUGLAS, DEMOCRAT OF ILLINOIS, BEFORE THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS, DETROIT, MICH.

For over 2 years now, the American railroad industry has been carrying on an extraordinary public relations campaign to convince the public that giant railroad mergers, however they are merged, are an immediate necessity and must be approved.

We have been warned almost daily by railroad spokesmen that these mergers are crucial because there is an impending financial crisis in their industry. Yet, at the same time, we find that most of the larger rail trunklines are substantially wealthy, that their earnings are considerably better than their publicity would have us believe, that traffic has increased over prior years, and that their net total investment in road and equipment is at an alltime high.

We have been lectured by railroad officials about the great need to combine systems in order to shrink rail service in the interest of greater profits. They talk of ripping up trackage and facilities, laying off workers and eliminating jobs, and reducing freight and passenger schedules when, at the same time, our economic scholars and political leaders are pleading for expanded growth, increased employment and the diversification of plants and industries to encourage regional development, all of which goals depend upon the expansion, not the contraction, of transportation.

We have been counseled by railroad financial and economic experts on the need to eliminate competition among major trunklines, and to develop regional monopolistic rail systems with little or no public interest regulation. We have received this counsel, when at the same moment the executive branch of our Government is advocating a transportation policy which will promote and protect balanced competition, not only between railroads, but between railroads and other modes of transport.

Millions of dollars have been spent by the railroads in this country to get across the message that the Nation's existing trunkline carriers must be consolidated into huge monopolistic systems, and that their capacities and services must be reduced and reformed to put these public service carriers on a profit basis similar to manufacturing and other industries. As one spokesman for railroad interests has told the Congress, "despite (the railroads') 'public utility status,' we cannot, under present market conditions, expect the railroads to subsidize social goals any more than we expect this of industry generally." (Testimony of Merrill J. Roberts, representing the Association of American Railroads, before Senate Antitrust and Monopoly Subcommittee, June 19, 1962.)

In asserting this position, the big railroads are saying, in effect, that they intend to pursue a reorganization of their industry primarily to the advantage of railroad owners and lenders, and only secondarily to the advantage of the public. Their merger proposals which are now before the ICC for approval represent little more than an industry plan for monopoly control of the transportation industry. There have been no alternative plans proposed, and no attempt to study or investigate some better approach. Seventy-five percent of the assets of the Nation's railroads are now involved in these industry plans. Railroad management has taken advantage of the promerger climate which has been building over the past few years, and have decided that the time is now ripe to obtain a restructuring of the rail network. Personally, I think the time is long overdue when the railroads could compete more effectively with their opposition through such things as trainload rates. I would have no objection to an orderly balanced realinement of systems similar to that proposed during the 1920's, or even subsequent proposals, but that is not the way it is being done today. As Senator ESTES KEFAUVER said recently in a speech on the Senate floor, February 28, 1963, and I quote it here because it sums up excellently the transportation pattern which the big railroads are attempting to force on this Nation:

"The industry pattern is to merge the strong with the strong, create monopolies, shrink capacity, and squeeze out increased profits, leaving the poorer roads to their own demise and loss of service to the communities affected. This is negative business thinking, and it is dangerous to a growing country. It is a type of planning which is not in the public interest. It is a long step in the direction of concentration of private economic, social, and political power. It is inimical to our basic concepts of competitive enterprise and business freedom. But most of all, if these industry plans are allowed to be consummated, there will be no turning back to try it a better way. The pattern and policy of surface transportation for the future will be irrevocably determined by the type of reorganization presently contemplated by the rail industry. That pattern is monopoly, and that policy is railroad dominance to the detriment of other modes of transportation."

I know you are all by now quite aware of the problem created by the proposed railroad consolidations and mergers. You know by this time it will mean the loss of many jobs—200,000 employees are estimated to be affected by present merger plans, if they are allowed to go through. Tens of thousands of miles of trackage are to be ripped up. Hundreds of stations are to be abandoned. Many communities will be left without service. Large areas, rural and industrial, will be reduced to secondary line stations. The great potential of a great nation may be nipped in the bud by these private planners who want only to cut down transportation service in the interests of profit and monopoly power.

However, my friends, in the last 2 years there has developed slowly, but persistently, a vital, moving force of challenge to this grand design of the railroad industry. It is a challenge which comes from the people, and in many ways represents a growing trend in this country with respect to economic and social decisions. It is the voice of the public interest which is finding its way into regulatory commission proceedings, administration decisions, congressional studies—a voice too long muffled by industry-oriented agencies and past executive leaders. I doubt whether the railroad industry ever expected this voice to be so strong in this particular field, to be represented by such a variety of spokesmen, and to reach such intensity as exists today. And it is this voice which may well turn the promerger tide.

Now, as a matter of interest to all of us, let me review some of the events over the last year or so which have contributed measurably to the development of this new, aggressive public challenge to the railroads' efforts to restructure our transportation plant on their own terms.

First, it was railway labor which, spread thin in money and manpower, and going far beyond its own expertise, sought to take on the volume of self-serving opinion, statistics, and other economic data which was literally poured into the records of these massive merger cases by petitioners before the ICC. Neither labor nor the communities and smaller shipper organizations which sought to raise the public interest issue were strong enough, or well organized enough to meet the fast-moving power of the big railroads and their many lawyers who, with the help of some friendly hearing examiners, were intent upon getting the mergers processed as soon as possible and up to the Commission for rubberstamp approval.

This plight of these public interest proponents at the earlier stages of the big merger cases before the Commission was described vividly by Commission experts in their staff study of "Railroad Consolidations and the Public Interest" published only 1 year ago by the Interstate Commerce Commission. These experts stated:

"Proponents and opponents of individual mergers present their views adequately in most instances, but no voice speaks before the Commission for the public as a whole in rail consolidation cases. Thus the question arises as to whether the Commission receives all of the evidence it requires respecting the overall public interest as differentiated from the various private interests."

No voice spoke for the public—even the Commission's staff admitted this. No voice spoke for the communities, the little shippers, the unemployed, the consumers, the local governments, the people, and agencies whose social and economic powers stand to be destroyed or improved substantially with the reorganization and realinement of our railroad and transport network.

However, the Department of Justice has become concerned with these rail merger proposals. It asked the Interstate Commerce Commission for a general investigation of eastern rail mergers, and for a policy with respect to consolidations in general. This was rejected. Like labor, the Department was apparently spread thin, but it managed to get observers at the merger hearings. Lately the Department has stepped up its participation to full-time staffs in the merger cases. An Office of Public Counsel has been established to consider complaints, and to prepare interventions, in many branches of regulation. The Department is now directly concerned not only with antitrust safeguards, but with the protection of communities and the improvement in the lives of people, and, of the greatest importance, the development of a record of evidence at the agency level, so that these economic and social decisions can be made in the public interest.

As an example of the results of Justice Department digging in these cases, it has now filed briefs opposing or attacking all major merger applications or decisions except that of the Pennsylvania-New York Central, where the hearings have not ended. A key case (the B. & O.-C. & O. application), is being challenged by the Department in the Federal courts on the ground that the Commission rendered a judgment unsupported by the evidentiary record. Thus, the Justice Department is asserting itself, finally, with vigor to protect our public from the dangers of monopoly and railroad contraction of service.

Congress is now alarmed, and strong legislation is being proposed to halt this continuing movement to decide these merger cases and instead to conduct an investigation into the problem. Led by my good and long-time friend, Senator ESTES KEFAUVER in the Senate and the ranking Republican member of the House Commerce Committee, Representative JOHN BENNETT, from your State, this call to congressional action is increasing in its intensity.

Last session, the Senate Antitrust and Monopoly Subcommittee conducted a probing series of hearings into the railroad merger problem. They called before their body some of the most knowledgeable and experienced railroad experts of the day. The majority of this subcommittee, after analyzing over 1,650 pages of hearing record, concluded that the situation was so serious as to warrant an immediate moratorium on rail merger decisions by the ICC and a "penetrating inquiry" by Congress into the need for additional public interest criteria and safeguards which should be met before any merger could be approved.

That subcommittee report, which in my opinion is one of the more comprehensive reports on basic economic problems coming from a congressional committee, charged that the ICC lacked the ability to protect the public interest in passing on railroad consolidations. It scolded the Commission for refusing to define any policy with respect to railroad merger. It questioned the process of deciding these crucial economic issues through the "adversary" case-by-case method, especially where petitioners' evidence was many times not tested by any significant opposition. It produced substantial evidence that the so-called financial plight of the railroads which the railroad industry has been raising as the specter of its deterioration was in no way as serious as alleged. Finally, this report recommended the inclusion of specific antitrust safeguards in the Interstate Commerce Commission Act to assure this Nation that mergers would only be approved on the basis of preserving and strengthening competition between railroad systems and the development of balanced economic power for the enhancement of competition between all modes of transport.

Now I am pleased to observe that legislation is being introduced by my colleague, Senator VANCE HARTKE, Democrat, of Indiana, calling for the establishment of a select committee of the Senate to make a full-scale investigation not only of the financial condition of the American railroads but of the merger problem and the matter of just what large financial interests own or control the Nation's railroads.

Just last weekend, some nine New England Senators sent a letter to President Kennedy petitioning him for a special study to be made by the Commerce Department with respect to the impact of the presently proposed rail merger upon New England's transportation future. It is indeed understandable that these Senators are concerned over the future of their area of the country. The proposed New York Central-Pennsylvania merger, if approved, could well place a monopolistic ring of rail transportation around New England and the opportunity for growth and transport improvement for this region would be subservient to the whim and caprice of this extraordinarily large rail carrier.

I must also mention that the President's Interagency Committee, which was specially created to formulate administration policy on transportation mergers recently came forth with the warning that the Interstate Commerce Commission must maintain competition and prevent monopoly to the greatest extent feasible in passing on these merger cases. This Committee said that the public interest concept implies competition between carriers in the same mode of transportation as well as between different modes. It further warned that each proposed merger must be considered in the light of longrun structural patterns and longterm economic requirements. It is now my understanding that the administration and this Committee will put forward their policies representing the public interest before the Interstate Commerce Commission through presentation by the Department of Justice.

An excellent example of what I hope will be a forthright policy of the Kennedy administration to carry out these policies is the recent determination by the Justice Department to confess error in the C. & O.-B. & O. case and to challenge the Commission's findings in connection with the record made in that case. I have little doubt that the C. & O.-B. & O. decision will find its way eventually to the Supreme Court. And it may well be that the intensive effort by those who represent the public interest to put this case in its proper perspective will result in a decision by the Court of far-reaching significance with respect to these eastern railroad mergers.

Let me sum up what has been happening. First of all, Senator KEFAUVER has introduced a bill, of which I am proud to be a cosponsor, which would put a moratorium on all those major merger decisions which would substantially lessen competition or tend to monopoly in the railroad industry, until December 31, 1964.

Secondly, at the same time, Senator MAGNUSON has introduced a bill which would put an absolute moratorium on all merger decisions until that time. While Senator KEFAUVER has been criticized by the railroad industry for his bill, one should know how conservative and reasonable he has been, for his bill would not stop the smaller and perhaps necessary mergers, nor those which involve companies in bankruptcy, nor those which meet the tests of section 7 of the Clayton Act.

I am always astounded at the moderation of Senator KEFAUVER in these matters.

Thirdly, there is the Hartke bill which would provide an opportunity for a select committee of Congress to go forward with a full-scale investigation into the financial conditions and ownerships of the railroads. Let us really see if the major railroads are in the dire financial conditions they claim.

Fourthly, as I have said, the Department of Justice has now begun to move and has presented its opposition to all of the major mergers where hearings have been concluded. And, in the case of the B. & O.-C. & O., the Department has now moved to put these cases into proper perspective before the appellate courts.

Finally, let me mention one other problem. Involved in these mergers are the jobs of thousands of human beings who face the possibility of being cut off without jobs and without a future career almost overnight. I say to you that it is not enough to prove that the railroads are in financial difficulties. For even if they are, some constructive and humane way must be found so that the jobs and the skills of thousands of people may not be lost overnight both to the economy and to the country.

I have cited these examples of public interest participation in the rail merger issue—and these examples are by no means exhaustive—in order to assure you members of the Brotherhood, that the voice of the people is finally being raised. It is getting stronger. With your help, and the help of all our good citizens who have been aroused by the railroads' bold attempts to plan our transportation network to their own liking, I hope that your voices will flood the halls of Congress this session and bring forth corrective legislation.

Foreign Aid—Dismal Failure

EXTENSION OF REMARKS

OF

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1963

Mr. GROSS. Mr. Speaker, the man who knows more facts on foreign aid than anyone else, in or out of Congress, is our distinguished colleague from Louisiana, OTTO E. PASSMAN. In an article published in the May 21 issue of the National Review, Mr. PASSMAN spells out in detail the utter folly of the foreign handout program.

Soon the Congress will be acting on the administration's request for $4.5 billion in aid for fiscal 1964—this in addition to the $120 billion the handout program already has cost American taxpayers.

Under unanimous consent, I include in the CONGRESSIONAL RECORD "Foreign Aid: Success or Failure?" from the National Review of May 21, 1963:

FOREIGN AID: SUCCESS OR FAILURE?

(By OTTO E. PASSMAN of Louisiana)

My contention is that foreign aid is a complete and dismal failure, and I shall briefly outline here some of the reasons I think this is so.

During all history, there have been poor nations and rich nations, and various types of "isms," such as exist today. Our own country, which started as a poor nation, became great and free and respected because, among other basic reasons, of individual initiative, hard work and high integrity; and because, also, we pursued the course suggested by our Founding Fathers, and had a firm but fair foreign policy substantially based upon trade. But today as is becoming increasingly clear, we are resorting to a concept bordering on appeasement, giving away our wealth in a misguided and futile effort to buy friends to accomplish the objectives which made us strong and wealthy and free in the first place. We are trying to make the dollar do what it was never intended to do, and making a miserable mess in the effort.

The so-called mutual security part of our aid abroad for this fiscal year, as presented to Congress, covers economic assistance for at least 73 nations and 7 British or Dutch territories or possessions and military assistance to at least 58 nations. Over all, it has been determined that 101 of the other 112 nations of the world have been, are, or will be recipients of assistance from the United States since the end of World War II. Including all categories of aid (mutual security, U.S. assistance through international organizations, oversea military construction) and counting the interest on the money we have borrowed to give away—the cost to our country of this postwar aid has amounted to more than $120 billion.

Through the years, this uncontrolled—and in its existing form and scope, uncontrollable—worldwide spending program has become an ever more serious threat to the U.S. dollar and to our country's gold reserves. Our dangerous balance-of-payments problem has developed in large part as a result of foreign aid.

It is generally recognized, that all nations, both old and new, earn dollars or other convertible currency from their exports. But, when nations are credited with foreign-aid dollars against which they can place orders for goods and services, the invoices for these goods and services are then sent to the U.S. Treasury for payment—from the taxpayers' till—rather than to the government which received the shipment. In normal commercial practice when the United States sells a nation goods or services, the United States receives something in return—dollars, gold, or goods and services. Under the foreign-aid program, however, it is a one-way street—the goods or service go out, the U.S. Treasury pays the bill, and the United States receives nothing of a tangible commercial nature in return.

A program such as this can only be a drain on either an individual's or a nation's resources. This statement is borne out by the outflow of gold from the United States in the past 10 years, as well as by the increase in foreign dollar holdings during the same period.

So great, in fact, has been America's outpouring of wealth to foreign nations that many of them have accumulated dollars far in excess of their needs for commerce. Consequently, they have demanded gold in exchange for the dollars, and since 1952 have reduced our gold reserves from in excess of $23 billion to less than $16 billion. Furthermore, as of today, they also hold short-term dollar assets amounting to $23 billion-plus for which they can demand gold. If such a demand should be made the United States could not meet it, but would fall short by about $20 billion in the amount of gold needed to fulfill those claims and maintain the reserve that is required to support our own currency.

SUBSTITUTE FOR SELF-HELP

Foreign aid also has created a pattern of international charity out of the dollar—inculcating the belief in less-favored nations that the United States is morally, and as a matter of principle and duty, responsible for bringing the world up to our standard of living and freedom with our taxpayers' money. While we are bleeding our own citizens with burdensome taxation in order to give to others the majority of the aid-recipient countries do not and will not tax their own people at rates even remotely close to the U.S. rates to assist in bringing about the improved standards which we say we are trying to help them attain.

However, we either largely ignore or sweep under the rug the fact that our aid is treated rather generally by recipients as a substitute for internal initiative and effort, or that in many cases our aid cannot be effectively utilized. As a result of this fiscally irresponsible action, our annual budget deficits increase, and our public debt—already exceeding by $23 billion the combined public debts of all the other nations of the world—continues to rise at an alarming rate. Our free-enterprise system has not been able to produce enough profits to pay for our foreign aid so we are having to borrow the money to meet these expenditures, without any plan or suggestion as to when, if ever, this money is to be repaid.

The aid program has become not only an added tax to our producers, but a bountiful subsidy to our foreign competitors. It not only rapidly depletes our own wealth and resources, it has also been a primary reason for our ever-increasing noncompetitive position in world markets. Our prices are now so high that we cannot compete successfully in world trade without the Federal Government subsidizing our exports by as much as 28 percent; and even with the subsidies, our trade balance is steadily dwindling.

Not only is our foreign aid program literally shot through with waste, extravagance, foolish planning, unsound operations, and ineffective results—of which there is abundant evidence—but it has contributed to and fostered widespread misuse of aid dollars on the part of innumerable people in recipient countries, in many instances serving to make the rich even richer and the poor even poorer.

Unquestionably, the program has been the cause of much envy and resentment abroad—directed not only toward America, the donor, but among various recipient countries as well. Also, it has led to some questions as to our ability effectively to operate our own economic and monetary systems.

SHORTCOMINGS STATED

Briefly stated, here are a few of the more readily evident shortcomings of the operation, or administration, of our foreign aid:

The absence of adequate advance planning in the past, in the form of technical and financial plans, and the failure to reach definitive understandings with recipient countries on essential project elements, have led to overprograming and premature obligations. Lack of foresight has also frequently resulted in delays in the execution of project aid and in increased costs.

In several countries, the official exchange rates used by the U.S. Government have substantially overvalued the local currencies. The use of such rates has unduly increased the dollar cost of our aid; and also, in some of the countries, the use of these unrealistic exchange rates has resulted in windfall profits to the importers of the country and provided incentives for speculation and irregular practices.

There has been dispersal of assistance efforts over too wide an area and too large a number of projects in individual countries.

There has been an inadequacy of qualified personnel and an oversupply of unqualified, or poorly qualified, personnel; of impractical theorists, at all levels of the program, who have never worked in free enterprise, who have never met a free-enterprise payroll or created a free-enterprise job.

Deficient property management is widespread.

In the military program, the objectives have not been sufficiently clarified so as to distinguish between forces which are justifiable on the basis of military roles and missions and those which are equipped and maintained for other than military considerations.

Substantial quantities of material have been delivered which are, and will be, in excess of recipient countries' needs or capabilities to utilize.

On and on, such a summary could be continued, such as:

Many nations, including those which are newly independent, seek prestige by building huge dams, steel mills, superhighways, and national airlines, all of which are financed by the U.S. taxpayer. As a result, the U.S. aid agency—now the Agency for International Development (AID), prior to this the International Cooperation Administration (ICA), and prior to that another name, with a multiplicity of different designations since the beginning—has agreed to far too many requests for such projects. Entirely too much emphasis has been placed on meeting personal desires of political leaders of recipient governments or in carrying out the unsound schemes of our own people; and too little emphasis has been given to commonsense thought and action.

Documentation of these charges can be had by the hundreds, and many of them are chronicled in detail in the thousands of pages of the record of the hearings of the House Subcommittee on Foreign Operations Appropriations (which it is my privilege to serve as chairman). Such things as these:

Six hundred technical aid projects in one country, and more ready to be started before completion of the existing ones.

A highway in Vietnam on which the costs skyrocketed from an original estimate of $18 million to more than $129 million before completion.

A fertilizer plant in Taiwan, started with foreign aid money and estimated to cost $34 million, which was inoperable because equipment did not meet the specifications for the desired operations.

Radio towers installed in Saigon which had not been put in operation because their utility was undetermined and their location in doubt.

Three million, one hundred thousand dollars for an air-conditioned yacht for the Emperor of Ethiopia.

Four hundred thousand dollars for battery-powered TV sets in remote jungle villages. (Merry-go-rounds driven by children would recharge the batteries.)

Independence Day gifts to new African countries * * * gifts to Guinea and Mali because of their "changing political attitudes" * * * $5.6 million to Indonesia for completion of a road to an athletic stadium—all from, of all places, the President's Contingency Fund, which was appropriated by Congress for the purpose of taking care of crises which were unforeseen at the time the funds were approved.

The shipping of millions of dollars worth of navigational equipment to countries incapable of using it.

Supplying enough rifles to one country so that each soldier could have, on the average, 1½ rifles per man, and programing enough rifles and carbines in another country to provide an average of two weapons per soldier.

Plans to supply additional aircraft to a country with a shortage of trained pilots.

Fighter planes for and a loan to an African country to buy jet airliners.

Pouring into Korea $200 million a year, which is beyond the capacity of the country's economy to absorb productively or of its Government to administer efficiently, the result of which has been to encourage corruption and hamper development.

The transfer of military funds to the contingency fund, and then a further transfer to economic programs.

MIST FROM FOGGY BOTTOM

Notwithstanding these, and other foreign aid facts of record, the administration proposes again this year to increase the spending. The foreign aid bureaucracy in Washington has assembled a powerful lobby to help promote its efforts. Among other things, it has made sure that contracts, in most cases lucrative ones, are awarded to colleges and universities in every State of the Union, to trade schools in practically every State, and to influential segments of industry, all of which are busy mustering support for the program.

One of the myths advanced by the administration in attempted justification of its foreign aid policy is the claim, addressed to the American taxpayer, that approximately 80 percent of the dollars appropriated for the program are spent in the United States. The fact is, 100 percent of the dollars appropriated for foreign aid will ultimately have an effect on the U.S. economy—in one of these three ways: For the payment for goods and services shipped free of charge to foreign countries; for the purchase of U.S. gold by foreign nations as a result of the free dollars that we have credited to them; or for speculation.

A question we might well ask is this: If 80 percent of the foreign aid dollar is spent in the United States and this expenditure is beneficial to our economy, would there be more prosperity in America if expenditures for the program were doubled or tripled? The answer is, of course, that our own resources would soon be depleted, our false prosperity would come to an abrupt end, and we would be a bankrupt nation.

Another myth used by the administration to sell foreign aid to this country is that the program provides employment for approximately 600,000 people. But, looking at this matter objectively, it should be understood that the wages and salaries of these 600,000 people are not paid by the foreign governments, but by checks drawn on the U.S. Treasury from funds provided by the American taxpayers.

Still another myth about the aid program is the widely held belief, fostered by the administration, that we are now making loans, rather than grants, for development assistance abroad. The truth is that a realistic analysis of our so-called development loans makes it clear that appropriations for this purpose are no different, actually, than for the aid programs of the past. Although this aid is represented as being on a "loan" basis and "repayable" in dollars—obviously intended to make the program more palatable to the taxpayer—even a superficial examination of the terms of these "loans" makes it clear that, in reality, this is essentially a grant-aid program. Most of the "development loans" are repayable over a period of 40 years with no interest, but the Agency does impose a service charge of three-fourths of 1 percent a year. After a 10-year grace period the recipient country is then supposed to start paying 1 percent a year on the principal. As frankly acknowledged by Mr. Fowler Hamilton, the most recent former administrator of a long and ever-changing procession of administrators of the aid agency: "[It] is more than half grant to begin with, if you figure in the cost of the money."

(Eleven different directors have served an average tenure of 17 months before finally leaving the post in frustration and despair.)

In addition, these "loan" repayments, in such amounts as they may be, do not go into the general funds of the U.S. Treasury to help relieve the tax burden of the citizens of the United States, but are plowed back into the program for further "loans."

MORE MIST

Continuing to look at this same category, not only is this grant aid covered with the cloak of a "loan," but it is even more completely removed from congressional control than had been the case prior to approval in 1961 of the current arrangement. Funds are now committed, up to 5 years in advance, to a country "plan," and after the funds are appropriated the aid agency then determines what specific programs or projects under the "plan" will be financed by the United States. In addition to this broad authority granted to AID to obtain funds on a "blank check" basis, the Agency also has authority to deobligate and reobligate funds and initiate new projects or programs without prior justification to the Congress, and to transfer funds from one appropriation category to another.

In contrast to this flexibility of operations, it is interesting to take a look at the procedural steps involved—which may, and often do, cover a period of years—on, for example, a Corps of Engineers project in the United States. Here is a simplified summary:

1. Survey of the project is authorized by Congress.

2. Funds are requested for a survey.

3. After the survey report is completed it is—

(a) Reviewed by the Rivers and Harbors Board.

(b) Reviewed by the State, or States, involved.

(c) Reviewed by the Departments of Agriculture and Interior and other interested departments or agencies.

(d) Reviewed by the Bureau of the Budget.

4. Construction is authorized by law (if the project has a favorable ratio of benefits to costs).

5. Funds are requested of Congress for advanced planning.

6. Funds are requested for construction.

The steps are, of course, a sound and reasonable procedure, so it is doubtless too much even to hope that similar requirements will ever be made applicable to foreign aid. It is not, however, too much to hope, and even to expect, that the spending for the program—whether it is referred to as mutual security, international socialism, worldwide welfare, or outright giveaway—be drastically reduced.

The time to act is now.

House Subcommittee on Foreign Operations Appropriations Hearings, 1962:

"One thousand 23-inch TV sets were ordered for use in community education programs in underdeveloped countries overseas at a cost of $400,000 for areas with no electric power supply.

"Foreign aid funds were used to buy suits for undertakers in Greece.

"U.S. aid to Kenya was used to buy extra wives for government officials.

"A stockbreeding farm was erected in Lebanon with U.S. aid. Nine stalls were built for each bull.

"The Peace Corps sent a man, his wife and nine children to the Philippines. One-way fare cost $13,190. The corpsman's salary is $10,190."

Utah's Dixie Project

EXTENSION OF REMARKS

OF

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1963

Mr. BURTON. Mr. Speaker, on May 7, 1963, the Senate Subcommittee on Irrigation and Reclamation of the full Senate Interior Committee conducted hearings on the proposed Dixie project for southwestern Utah.

I have long regarded this project as one of the most important and significant reclamation projects within the State of Utah and, therefore, seized upon the opportunity to testify in support of it.

In order to give my colleagues in the Congress an opportunity to understand some of the problems involved, as well as a little historical background of the area, I am submitting herewith my testimony given that morning:

THE DIXIE PROJECT

Mr. Chairman and members of the committee, I appreciate the opportunity of appearing before you to testify in support of what I have long considered one of the most significant and important reclamation projects proposed for the State of Utah. Not only is this project important to southwestern Utah, but it would have many indirect benefits to the entire Nation. The proposed project will be located in the southwestern portion of the State of Utah in an area commonly known and referred to as Utah's Dixie.

Gentlemen, this area and the country with which you will be concerned in your discussion of this project is not an ordinary one, and the people who settled and developed Dixie were not ordinary people.

As you recall, Utah was settled by the Mormon pioneers as they traveled west seeking refuge from persecution and mob violence. They settled in the desolate territory which was to become known as the Territory or State of Deseret, and later the State of Utah. Needless to say, many of those early pioneers must have been bitterly disappointed when they emerged from the mountains on the east of the Salt Lake Valley and stood on the hill surveying the desert, to hear Brigham Young say, "This is the place"; and he instructed them to settle there, build their homes, and till the soil.

Even at the time the Mormons came into the Great Salt Lake Valley, the area referred to as Dixie was of considerable importance. Fremont used the Old Spanish Trail in 1843 and 1844; Father Escalante in 1776; and Jedediah Strong Smith in the early 1800's passed that way in his expedition. The gold seekers from the East used it as a thoroughfare in their trek to the goldfields of California. Brigham Young, the great colonizer, recognized the advantages of settling this area, and certainly paramount among these advantages was the opportunity for the Mormons to become a self-sufficient people. Brigham Young was convinced that the climate and fertile soil made possible the growing of cotton, figs, sugarcane, tobacco, and other semitropical agricultural products; and even raising silkworms, making their own cloth, and becoming a highly self-sufficient community.

One of the first settlements of any significance in Dixie was the Indian Mission on the Santa Clara near the present city of Santa Clara. The mission was established in the winter of 1854 by some of the hardiest of the Mormon missionary settlers. In a few years, the settlement showed great promise. In early accounts of a visit to the area by Brigham Young and other church leaders, records show that the settlement consisted of some 30 houses, and approximately 250 acres under cultivation, with flourishing orchards of apples, peaches, apricots, nectarines, plums, figs, grapes, and a promising crop of cotton. There were even cooperative farming arrangements with the Indians. But in the winter of 1862 came the rains and a flash flood of the Santa Clara, like a "thief at night," to completely wipe out the settlement with its crops, orchards, and homes. These hardy people stayed on to rebuild their farms and orchards, suffering from food shortages, sickness, disease, and other setbacks. History tells us that just 2 years later this same Santa Clara River that overflowed its banks and wiped them out, dried up in midseason, leaving the crops and orchards to burn up in the heat of the summer sun.

In the meantime, Brigham Young had determined that the settlement in Dixie had not grown and flourished as it should, and during a church conference in Salt Lake City, he called over 300 men on a mission to Dixie; a mission to grow cotton and develop the area. Nearly 250 of those called responded to the call and left their homes and farms in the Salt Lake Valley and journeyed to Dixie to start all over again. Most of these people settled in St. George, which is now a thriving community in Dixie, and is today the county seat of Washington County. One of the first, and certainly one of the most important, problems of these people was getting water from the Virgin and Santa Clara Rivers onto the land to quench the thirst of their crops and orchards. And just as important as securing water was the problem of controlling the rivers so that they would not again be wiped out by floods.

A review of the history of this area will reveal that these people endured great hardship over extended periods of time. They built dams on the Virgin and Santa Clara Rivers, only to have them washed out by the raging torrents, sometimes twice in 1 year. They dug canals and tunnels, only to have them filled with mud and debris. They suffered droughts, but these hardy people faced the hardships and resolved their problems the best they could. The only certainty in their lives was uncertainty itself. They had good years and bad years, and these ups and downs were expressed in a song written by Charles L. Walker, which he called, "St. George and the Drag-On," which they sang to Brigham Young when he visited from Salt Lake City. The song included the following verses:

"Oh, what a desert place was this
When first the Mormons found it;
They said no white man here could live
And Indians prowled around it.
They said the land it was no good,
And the water was no gooder,
And the bare idea of living here
Was enough to make one shudder.

CHORUS

"Mesquite, soaproot, prickly-pears and briars,
St. George ere long will be a place that every
one admires.

"Now green lucerne in verdant spots
Bedecks our thriving city,
And vines and fruit trees grace our lots
With flowers sweet and pretty,
Where once the grass in single blades
Grew a mile apart in distance,
And it kept the crickets on the go,
To pick up their subsistence.

"The Sun it is scorching hot,
It makes the water siz, sir,
And the reason why it is so hot,
Is just because it is, sir.
The wind like fury here does blow,
That when we plant or sow, sir,
We place one foot upon the seed,
And hold it till it grows, sir."

Dixie had great potential, and these settlers knew it, but there were some real problems involved. They knew these problems well. They worked and sacrificed and adapted themselves, and they gradually tamed the elements to a point where they could survive and provide for themselves and their families. In more recent times it has been asked, "What do you grow in Dixie?" The answer is, "Men and women."

Gentlemen, here we are, a hundred years later, and some of the most basic problems of this area have not been resolved. There is still a shortage of water; there is still a threat of floods and drought; there is a shortage of electrical energy, and hence a shortage of employment opportunities. This is truly unfortunate, because Dixie is not an ordinary area. It is a delightful garden spot, with beautiful scenery, fertile soil, and a most desirable climate. Brigham Young often left the cold, wet winter climate of Salt Lake City to spend the winter months in Dixie. Those who live in Dixie claim that this is where the summer sun spends the winter. With the benefits that will be derived from the Dixie project, this area will become one of the most desirable and sought after places in the Nation. A wonderful opportunity is before us, and those acquainted with the area can realize this fully. I appear here this morning to tell you these things and to request your support and authorization for the Dixie project.

The Bureau of Reclamation will testify, I am sure, that the project has engineering feasibility, that it is economically justified, and that a large percentage of the cost of the project will be repaid by those who reap the direct benefits, such as water and electric power. The citizens of this area are not asking for a Government handout; they fought this problem alone for several generations. They are asking for Government assistance in the form of a loan to develop this area for the benefit of the entire Nation.

I have prepared a short summary of this proposed project, including the location, the purposes, the benefits to be derived, together with the cost and economic problems. I request permission, Mr. Chairman, to include this in the RECORD.

LOCATION

The land and location to be served directly by the Dixie project are in southwestern Utah, principally in Washington and Iron Counties, in the vicinity of the Virgin and Santa Clara Rivers. The surrounding area will also receive many direct benefits that will naturally arise from this bonanza to Washington and adjacent counties in Utah, Nevada, and Arizona.

PURPOSES

The purposes of the project are fivefold:

1. To provide adequate water to 11,615 acres of land not now under irrigation; supplemental irrigation water to 9,445 acres of presently developed land; 5,000 acre-feet of water to the city of St. George annually for domestic purposes (this water will be supplied from the Virgin City Reservoir); and 8,000 acre-feet annually to Cedar City for domestic purposes pursuant to existing agreement.
2. Provide adequate drainage on land now with too high a water table and with an excessive collection of surface water.
3. Control floods and prevent drought.
4. Provide the needed electrical energy in the southwestern corner of Utah.
5. Provide a substantial increase in fisheries benefits, and some increase in wildlife benefits, together with an unlimited potential in the field of recreation.

NEEDS OF AREA—BENEFITS

Aside from the water needs and water storage facilities, which are considered to be the primary needs of the project area, a shortage of electric power at reasonable rates presents a problem in connection with both expansion of existing industrial operations and also in bringing new industry into the area. This, in turn, is reflected in the overall employment opportunities, a lack of which have been largely responsible for an almost static population in Washington County for the past 20 years.

Under present plans, three powerplants will be constructed in the Dixie project. To fulfill these needs, the three plants will be located as follows:

1. The Virgin powerplant to be located on the south bank of the Virgin River immediately below the Virgin City Dam.
2. The Bench Lake powerplant, to be located on the main canal at the foot of the Bench Lake escarpment.
3. The Warner powerplant, to be located along the main canal at the foot of the Warner Ridge near the site of the present diversion dam, from the St. George and Washington Canal.

COSTS AND ECONOMIC PROBLEMS

As a general rule, the economic justification of constructing a Bureau of Reclamation project is determined by making a comparison of the benefits which will accrue from the services provided with the cost of constructing the project features. The benefit-cost ratio of the Dixie project has been computed by the Bureau of Reclamation to be 2.1 to 1.0 for a 100-year period of analysis, or, in more specific language, the project will produce economic benefits in double the value of the costs involved in construction, when measured over a long period of time.

The costs are divided into two categories: reimbursable costs, which include irrigation power and municipal water; and nonreimbursable costs, which include flood control, fish and wildlife, and recreation. The reimbursable costs will be repaid to the Federal Government within 50 years, plus appropriate development periods after completion of each project feature.

The nonreimbursable costs, conversant with long-established policy, will not be repaid to the Government but will be absorbed in the public interest.

After the initial expenditure by the Federal Government, the State or local agencies will meet the annual costs associated with reimbursable functions of the project.

The total cost of the project is $44,867,800; and the construction period is approximately 5 years. During this period, many jobs and job opportunities will be provided for the residents of Washington County and the surrounding area.

CONCLUSION

The Dixie project is of the utmost importance to Utah, and particularly to the southwestern part of the State. It has been determined by all agencies concerned that the project has engineering feasibility, that the project is economically justified, that the reimbursable costs can be repaid within the standard 50-year repayment period, and that construction of the project would be a forward step in the comprehensive development of the Colorado River Basin, and in the conservation and utilization of the lands and water resources of the entire West.

This project is of major interest to the State of Utah and, therefore, of major interest to me; and I have pledged my full and untiring support to the project.

Debate on the United Nations

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 15, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks, I would like to include an article from the Washington World, "Is United Nations Effective Instrument To Assure Peace?" The article presents the pro views of Richard N. Gardner, Deputy Assistant Secretary of State for International Organization Affairs, and the opposite views by our colleague, the gentleman from California, Congressman JAMES UTT.

My own views coincide with Mr. UTT's because I cannot see where the self-interest of my country is being served through the present makeup of the U.N.

In the interest of a full discussion of the issue, I include both the pro and con arguments as they appeared in the newspaper.

The article follows:

IS UNITED NATIONS EFFECTIVE?—YES

(By Richard N. Gardner)

The peacekeeping functions of the United Nations help us in two principal ways:

In the first place, they help avoid global conflict and preserve the values of a free society during the dangerous ideological, political, and military confrontation in which we now find ourselves.

The U.N. serves as a forum for ventilating grievances and for mobilizing public opinion and political pressure against breaches of the peace and acts of aggression.

The U.N. serves as center of negotiation in which the settlement of disputes can be sought through quiet diplomacy, with the special advantage of a "third man" in the person of the Secretary General to get negotiations started where neither side is willing to take the first step.

ACTIONS ON BEHALF OF WORLD

The United Nations is an action agency able to mount economic, administrative, and policing operations in situations where action by one country or even a group of countries might prove politically inexpedient. The United Nations has special advantages of acceptability and noninflammability because its actions are taken in the name of the community of nations as a whole.

It is often said in criticism of the United Nations that it has not been able to keep the great powers together. The point is, however, that the U.N. has been able on numerous occasions to keep the great powers apart.

In disputes between small states, or in areas where the withdrawal of a colonial regime has left a power vacuum, the involvement of the United Nations through debate, negotiation, or a peacekeeping "presence" has helped insulate a potentially dangerous situation from the cold war.

And even in confrontations between the Soviet Union and the United States, the United Nations has demonstrated its value as a vehicle for great power disengagement.

U.N. VALUE PROVED

In the recent Cuban crisis, for example, the United Nations offered a valuable channel of negotiation which helped keep Soviet ships clear of our quarantine fleet. It also indicated future potential when both the Soviet Union and the United States agreed to U.N. inspection in Cuba to verify the withdrawal of Soviet missiles.

In the second place, and beyond these immediate benefits, the peacekeeping functions of the United Nations are an indispensable element in plans to escape from the balance of terror and to create a disarmed world under law.

If general and complete disarmament is ever to be achieved, there will have to be a major buildup in the U.N.'s peacekeeping role—its capacity for peaceful settlement and for controlling international violence by all means, including the employment of international peace forces.

ARMS SUBSTITUTE NEEDED

The fact is that nations never will be willing to eliminate their arms until they have some substitute means of protecting their territorial integrity and vital interests.

President Kennedy told the U.N. General Assembly in September 1961:

"To destroy arms * * * is not enough. We must create, even as we destroy—creating worldwide law and law enforcement as we outlaw worldwide war and weapons."

Communist obstruction alone will not destroy the U.N. as a peacekeeping agency. But the peacekeeping role of the U.N. could be jeopardized by a failure of support within the free world.

The fact is that the Soviet leaders are not the only ones who oppose the buildup of the U.N.'s capacity to keep the peace. There are even some Americans who proclaim that the development of the U.N.'s peacekeeping role, and particularly the peacekeeping provisions of our disarmament treaty, are a threat to our national security.

These American critics are prisoners of dangerous illusions which prevent them from understanding the thoroughgoing transformation in international relations wrought by the advent of modern weapons.

In an age when the Soviet Union and the United States have in their arsenals weapons each of which has the destructible power of all the bombs dropped in the Second World War—in an age when no matter how many weapons one side may build neither side can escape unimaginable destruction in a nuclear holocaust—in an age when the danger of war by accident or miscalculation grows with the increasing complexity of weapons systems—in such an age there is no rational alternative but to develop a civilized system of collective security under the aegis of the United Nations.

INSTRUMENT TO ASSURE PEACE—NO

(By Representative JAMES B. UTT)

There is no evidence of the Lord's work in the United Nations.

I know I may be accused of being irresponsible and fanatical, but I find myself in good company. The testimony of five of our greatest fighting men—General Clark, General van Fleet, General Stratemeyer, Admiral Joy, and Lieutenant General Almond, before the Jenner committee in 1954—is summed up in the words of General Stratemeyer:

"We were required to lose the Korean war."

Lord Beaverbrook, noted British publisher, said: "Here in New York City, you Americans have the biggest fifth column in the world—the United Nations."

OPPOSITION QUOTED

After Alger Hiss recommended the first 500 employees for the U.N., the late Robert Taft said: "The U.N. has become a trap. Let's go it alone."

Herbert Hoover said: "Unless the U.N. is completely reorganized without the Communist nations in it, we should get out of it."

In my opinion, it is absolutely essential to the survival of this Republic that the United States withdraw from the U.N. The U.N. Charter infringes upon the constitutional authority of the United States and places the power to tax and the power to declare war within the U.N. and not in the Congress of the United States. Importantly, these are two of the basic attributes of national sovereignty.

U.N. FAILS TO KEEP PEACE

What about the so-called "peacekeeping" activities of the U.N.? The answer: the U.N. pays little heed to its own charter and, instead of keeping peace, has promoted war. The organization has disregarded the prohibition against interfering with international domestic affairs. Witness the interference in the Congo. Nearly every issue has been resolved in favor of Communist governments—as in Laos, the Congo, Yemen, and in its resolutions condemning Portugal, Holland, and the Union of South Africa.

Our defeat in the abortive Cuban invasion can be laid on the doorstep of the United Nations, as the U.N. treaty prohibits us from engaging in any military operations without the consent of the U.N. Security Council in which Russia holds the veto power.

How silly can we get to relinquish the right to protect our Nation against Communist invasion in the Western Hemisphere? If we continue our membership in this organization, you can look to see this Nation condemned for having our naval base at Guantanamo Bay, Cuba. You can also look to see us condemned for owning the Panama Canal, and the same 66 votes which threw France out of its legal position in Bizerte can vote us out of Guantanamo and out of Panama.

You can see, and with reason, Mexico demanding through the U.N. all that territory taken from them under the Treaty of Guadalupe Hidalgo following the Mexican War in 1848. You can see Russia demanding the return of Alaska because we only paid them $17 million when it is really worth billions. And certainly the American Indians, if they had representation in the U.N., could demand the return of Manhattan Island together with the rest of the land that was legally theirs. You say this is fantastic? You would have said that the present situation in Cuba was a fantastic idea 10 years ago.

FEARS ONE-WORLD GOVERNMENT

You can expect to see a one-world government, Communist-controlled, under the U.N. You will see the U.N. run up astronomical debts which we, under the terms of the treaty, are bound to pay.

Just take a look at the U.N.'s management and you wonder just how it could possibly "keep the peace." After the death of Dag Hammarskjold, Russia demanded a "troika," or three-man board, to act as Secretary General, but acquiesced in the selection of U Thant, a Marxist school teacher from Burma, when Russia was given assurance that U Thant would appoint an advisory group. One of these was to be the under secretary for political and Security Council affairs. This office now has been held by eight consecutive Communists. U Thant announced the appointment of the latest, Vladmir Javiovich Suslov, only last month.

U Thant supports coexistence and states that we have nothing to fear from the international Communist conspiracy. U Thant made concessions and compromises with Castro which have not been revealed to the American public. The United States can make no move against the Communist conspiracy in the Western Hemisphere without the consent of the U.N.

Cannot our leaders recognize what this means? It means we have placed our foreign policy in the hands of a foreigner.

I believe the American public is becoming disillusioned with this world organization which is rapidly becoming an international military, political, and economic dictatorship instead of an organization to promote peace.

We were sold the U.N. on a promise of peace, but we failed to realize that this peace was to be on Communist terms; in fact, it was to be a total victory for the international Communist conspiracy. Russia has used the veto power nearly a hundred times. The U.N. has been completely unable to bring any degree of peace.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 16, 1963

The House met at 12 o'clock noon.

Rabbi Nathan Taragin, Jewish Centre of Highbridge and chaplain of Lebanon and Morrisania City Hospitals, offered the following prayer:

Psalm 133: 1: *Behold, how good and how pleasant it is for brethren to dwell together in unity.*

Heavenly Father, we beseech Thee to bestow Thy divine blessings of peace and tranquillity upon all the inhabitants of our country, the United States of America. Strengthen this citadel of freedom and democracy. Let it be a beacon to illumine the whole of humanity. Extend its benign influence to all peace-loving peoples.

May Thy holy spirit permeate this historic legislative assembly, so that the laws enacted here will accord with Thy will and radiate Thy blessings. Inspire the hearts and minds of our dedicated legislators to expand the frontiers of liberty, peace, justice, and righteousness.

We pray unto Thee, Almighty God, to bless Astronaut L. Gordon Cooper's orbital flights to culminate successfully and his space capsule *Faith 7* to return safely, for Thy glory and for the glory of our blessed "land of the free and home of the brave." Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5517) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 11 and 27 to the foregoing bill.

The message further announced that the Senate recedes from its amendment No. 76 to the foregoing bill.

The message also announced that the Vice President has appointed Mr. JOHNSTON and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 63–12.

CORPUS CHRISTI OFFSHORE WARNING AREA

Mr. ROGERS of Colorado. Mr. Speaker, by direction of the Committee on the Judiciary, I ask unanimous consent to rerefer Executive Communication 761, by the Department of the Navy, containing a draft of proposed legislation to provide for the restriction of certain areas in the Outer Continental Shelf, known as the Corpus Christi Offshore Warning Area, for defense purposes and for other purposes, to the Committee on Interior and Insular Affairs.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. JOHANSEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Does the gentleman desire to make the point of order before the Chair entertains unanimous-consent requests?

Mr. JOHANSEN. I do, Mr. Speaker.

The SPEAKER. The gentleman from Michigan makes the point of order that a quorum is not present.

Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 53]

Abbitt
Avery
Baker
Baring
Barrett
Bass
Belcher
Bonner
Bray
Buckley
Burton
Casey
Celler
Chamberlain
Clancy
Clark
Cooley
Davis, Tenn.
Dawson
Dent
Derwinski
Diggs
Edmondson
Fallon
Fogarty
Forrester
Fulton, Tenn.
Garmatz
Gavin
Grant
Green, Oreg.
Gubser
Hagan, Ga.
Halpern
Harding
Harris
Harsha
Hébert
Holland
Jarman
Jones, Ala.
Karth
Kee
Kelly
King, Calif.
Knox
Landrum
Long, Md.
McCulloch
McDade
Macdonald
Marsh
Miller, N.Y.
Nedzi
Nelsen
Nix
O'Brien, Ill.
Pepper
Pilcher
Powell
Purcell
Rooney
Roosevelt
Rostenkowski
Schenck
Scott
Senner
Shelley
Sheppard
Shipley
Short
Sisk
Taft
Teague, Tex.
Thompson, La.
Ullman
Walter
Watson
Westland
White
Willis
Winstead
Younger

The SPEAKER. On this rollcall, 352 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING TITLE IX OF SOCIAL SECURITY ACT

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4655) to amend title IX of the Social Security Act with respect to the amount authorized to be made available to the States out of the employment security administration account for certain administrative expenses, to reduce the rate of the Federal unemployment tax for the calendar year 1963, and for other purposes, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Page 4, after line 5, insert:
>
> "SEC. 4. Notwithstanding section 901(c)(1)(A) of the Social Security Act, the limitation on the amount authorized to be made available for the fiscal year ending June 30, 1963, for the purposes specified in such section 901(c)(1)(A) is hereby increased to $407,148,000.".

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] and I may extend our remarks in the RECORD at this point in explanation of the Senate amendment.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLS. Mr. Speaker, as Members of the House will recall, H.R. 4655 in the form in which it passed the House was designed to make three basic changes in the unemployment compensation laws. First, the bill made a reduction in the extra Federal unemployment tax attributable to the Temporary Extended Unemployment Compensation Act of 1961; second, it established a new formula for determining the limitation on grants to the States to cover administrative costs of the State agencies; and third, it extended from 5 to 10 years the period during which States may obligate certain funds for administrative purposes.

The other body made no changes in these basic provisions of the bill. Only one amendment was added.

The amendment is designed to increase the ceiling on amounts which may be granted to States for administrative expenses for the balance of this fiscal year, by an amount of $7,148,000. The report of the Senate Finance Committee contains a letter from the Department of Labor which indicates that the additional $7,148,000 is the amount of a supplemental budget request now before the Budget Bureau. Of course, this merely increases the legal limitation and does not appropriate the money—the appropriate committee of the House will of course have to pass upon the necessity and the desirability for the appropriation itself. I would emphasize that this amendment relates only to the balance of this fiscal year and in no way modifies the basic formula which was included in the House bill, which is designed to take care of future years.

DUTY ON CORKBOARD INSULATION AND CORK STOPPERS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2053) to provide for the temporary suspension of the duty on corkboard insulation and on cork stoppers, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

> Page 1, line 10, strike out all after "1930" over to and including line 8 on page 2, and insert: as "cork insulation, wholly or in chief value of cork, cork waste, or granulated or ground cork, in blocks, slabs, boards, or planks."
>
> Amend the title so as to read: "An Act to provide for the temporary suspension of the duty on corkboard insulation."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] and I may extend our remarks at this point in explanation of the Senate amendment.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLS. Mr. Speaker, as the Members of the House will recall, as passed under unanimous consent by the House on February 26, 1963, this bill provided for a 3-year suspension of duties imposed under paragraph 1511 of the Tariff Act of 1930 on cork insulation and certain cork stoppers.

The bill was amended in the other body to make the suspension of duties apply only in the case of cork insulation, the present tariff treatment on all cork stoppers to be retained. The Finance Committee report, in explaining this amendment, states:

> The fact that the House-passed bill did not include so-called shell corks in the suspension created some dissension in the industries affected and there was agitation either for the inclusion of shell corks or for the general exclusion of other cork stoppers. * * * There were requests for hearings should attempts be made to include shell corks in the suspension and considerable opposition to the inclusion of other cork stoppers unless shell corks were restored as a part of the bill. The various firms concerned have generally agreed that requests for hearings will not be made and support will be given to the amendment excluding all cork stoppers from the bill and suspending the duty only on insulation.

Interested departments and agencies have advised that they have no objection to the enactment of the bill as amended by the other body. I urge that the House concur in the amendments.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time for the purpose of inquiring of the majority leader as to the program, if any, for the balance of this week and for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. ALBERT. At the conclusion of the consideration of the conference report which the gentleman from Colorado intends to call up, we will have finished the legislative business for this week. It is my purpose at the conclusion of the legislative program today to ask unanimous consent that the House adjourn over until Monday.

Mr. Speaker, we have prepared the program only for the first 2 days of next week. The balance of the program will be announced on Tuesday next.

The legislative program for Monday and Tuesday is as follows:

Monday, H.R. 1162, to consolidate Vicksburg National Military Park to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes.

H.R. 4893, relating to age limits in connection with appointments to the U.S. Park Police.

Tuesday, Private Calendar.

I would like to advise Members of the House, of course, conference reports may be brought up at any time and any further program will be announced later.

Mr. HALLECK. Mr. Speaker, might I with the gentleman's indulgence say, having inquired of the gentleman from Pennsylvania, who is a member of the committee in charge of the two bills that will be called up on Monday under suspension of the rules that they will not involve any really controversial matters?

Mr. ALBERT. Will the gentleman from Indiana yield to the gentleman from Colorado?

Mr. HALLECK. I yield to the gentleman.

Mr. ASPINALL. As far as I know there is no real controversy involved in the two suspensions to come out of the Committee on Interior and Insular Affairs. The gentleman from Pennsylvania [Mr. SAYLOR] is right beside the gentleman from Indiana and he has nodded his head. But, of course, this does not mean there will not be some questions, but I know of nothing that calls for any controversy.

MAJ. L. GORDON COOPER

Mr. STEED. Mr. Speaker, I ask unanimous consent to address the house for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEED. Mr. Speaker, I am sure that I can have the indulgence of my colleagues when I say I feel that I am the proudest Member of the House because the young man circling the globe, Astronaut L. Gordon Cooper, hails from my hometown of Shawnee, Okla. I have known him all his life. I know his family, I know most of the many relatives and friends he has living there. They are all as interested in what is going on out there as you and I.

I have asked for this time, Mr. Speaker, so that I might express what I know to be the feeling of every Member of the House, that we are proud of the wonderful job he is doing in this great field, and we all fervently hope that he will have a safe and happy landing at the conclusion of the 22 orbits later today.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield to the gentleman from Colorado.

Mr. ASPINALL. May I say, as the Representative of the district where the astronaut now lives, Carbondale, Colo., I am glad to join with my friend in the commendation he has given this fine American.

Mr. STEED. I thank the gentleman.

ADJOURNMENT UNTIL MONDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next may be dispensed with.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NASA'S RELAY I SATELLITE BRINGS ASTRONAUT COOPER'S FLIGHT TO EUROPE

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, I know that all Members of the House join the gentleman from Oklahoma [Mr. STEED] in congratulating Astronaut Leroy Gordon Cooper upon his magnificent achievement. As Astronaut Cooper is now in his 18th orbit of the earth, the hearts and minds and prayers of all Americans are with him. The NASA team which has planned and carried out the Mercury program deserves the plaudits and commendation of all of us. America is indeed conquering the space frontier.

The drama of Astronaut Cooper's flight overshadows the fact that the United States yesterday achieved a major milestone in satellite communications. Yesterday NASA's Relay I satellite transmitted for 13 minutes to Europe television pictures of Astronaut Cooper's launch into space from Cape Canaveral and views of Astronaut Cooper inside the space capsule, *Faith 7*. Relay I also transmitted from Europe to the United States a 3-minute television coverage of the reaction of people in Europe to this great accomplishment.

In addition to yesterday's unprecedented television transmission of the astronaut in orbit, Relay I in the past has transmitted across the Atlantic in real time the opening ceremonies of the Mona Lisa exhibition in Washington and the conferring by President Kennedy of honorary citizenship upon Winston Churchill.

Relay I, an experimental medium-altitude communications satellite, was launched on December 13, 1962. It has successfully accomplished all its missions. Developed and paid for by the U.S. taxpayers, it is completely under the management and operation of NASA. Relay I is an example of what Government ownership and operation of communications satellites can accomplish. It is a dramatic demonstration of the benefits of Government-financed research and development benefits which should be reserved for all the people.

FEDERAL AND STATE PROGRAMS RELATING TO OUTDOOR RECREATION

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 20) to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 303)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 20) to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill, and agree to the same with an amendment as follows: In lieu of the language inserted by the House amendment insert the following: "That the Congress finds and declares it to be desirable that all American people of present and future generations be assured adequate outdoor recreation resources, and that it is desirable for all levels of government and private interests to take prompt and coordinated action to the extent practicable without diminishing or affecting their respective powers and functions to conserve, develop, and utilize such resources for the benefit and enjoyment of the American people.

"SEC. 2. In order to carry out the purposes of this Act, the Secretary of the Interior is authorized to perform the following functions and activities:

"(a) INVENTORY.—Prepare and maintain a continuing inventory and evaluation of outdoor recreation needs and resources of the United States.

"(b) CLASSIFICATION.—Prepare a system for classification of outdoor recreation resources to assist in the effective and beneficial use and management of such resources.

"(c) NATIONWIDE PLAN.—Formulate and maintain a comprehensive nationwide outdoor recreation plan, taking into consideration the plans of the various Federal agencies, States, and their political subdivisions. The plan shall set forth the needs and demands of the public for outdoor recreation and the current and foreseeable availability in the future of outdoor recreation resources to meet those needs. The plan shall identify critical outdoor recreation problems, recommend solutions and recommend desirable actions to be taken at each level of government and by private interests. The Secretary shall transmit the initial plan, which shall be prepared as soon as practicable within five years hereafter, to the President for transmittal to the Congress. Future revisions of the plan shall be similarly transmitted at succeeding five-year intervals.

When a plan or revision is transmitted to the Congress, the Secretary shall transmit copies to the Governors of the several States.

"(d) TECHNICAL ASSISTANCE.—Provide technical assistance and advice to and cooperate with States, political subdivisions, and private interests, including nonprofit organizations, with respect to outdoor recreation.

"(e) REGIONAL COOPERATION.—Encourage interstate and regional cooperation in the planning, acquisition, and development of outdoor recreation resources.

"(f) RESEARCH AND EDUCATION.—(1) Sponsor, engage in, and assist in research relating to outdoor recreation, directly or by contract or cooperative agreements, and make payments for such purposes without regard to the limitations of section 3648 of the Revised Statutes (31 U.S.C. 529) concerning advances of funds when he considers such action in the public interest, (2) undertake studies and assemble information concerning outdoor recreation, directly or by contract or cooperative agreement, and disseminate such information without regard to the provisions of section 4154, title 39, United States Code, and (3) cooperate with educational institutions and others in order to assist in establishing education programs and activities and to encourage public use and benefits from outdoor recreation.

"(g) INTERDEPARTMENTAL COOPERATION.—(1) Cooperate with and provide technical assistance to Federal departments and agencies and obtain from them information, data, reports, advice, and assistance that are needed and can reasonably be furnished in carrying out the purposes of this Act, and (2) promote coordination of Federal plans and activities generally relating to outdoor recreation. Any department or agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement, as may be agreed to by that agency.

"(h) DONATIONS.—Accept and use donations of money, property, personal services, or facilities for the purposes of this Act.

"SEC. 3. In order further to carry out the policy declared in section 1 of this Act, the heads of Federal departments and independent agencies having administrative responsibility over activities or resources the conduct or use of which is pertinent to fulfillment of that policy shall, either individually or as a group, (a) consult with and be consulted by the Secretary from time to time both with respect to their conduct of those activities and their use of those resources and with respect to the activities which the Secretary of the Interior carries on under authority of this Act which are pertinent to their work, and (b) carry out such responsibilities in general conformance with the nationwide plan authorized under section 2(c) of this Act.

"SEC. 4. As used in this Act, the term 'United States' shall include the District of Columbia and the terms 'United States' and 'States' may, to the extent practicable, include the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

WAYNE N. ASPINALL,
LEO W. O'BRIEN,
THOMAS G. MORRIS,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

HENRY M. JACKSON,
CLINTON P. ANDERSON,
ALAN BIBLE,
THOMAS H. KUCHEL,
LEN JORDAN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 20) to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, as to the amendments to the text and title of the bill:

S. 20, as it passed the House, differed from the bill as it came from the Senate in ten respects. The committee of conference recommends that the House language be retained in eight cases and that the House recede in the other two as follows:

(1) The first section of the bill was amended on the floor of the House to express the thought that assurance of adequate outdoor recreation resources is "desirable" rather than that the general welfare "requires" such assurance, and that coordinated action on the part of the various levels of government and of private interests in this field "to the extent practicable without diminishing or affecting" their powers and functions is "desirable" rather than "required." The conferees agreed to the House language.

(2) In section 2 of the bill, the House struck out language referring to the Recreation Advisory Council and incorporated in a new section strengthened language with respect to coordination between the various departments in the recreation field. The conferees agreed to this change.

(3) The House struck out, in section 2(c), a provision requiring the nationwide outdoor recreation plan which is to be prepared under authority of this Act to "identify" desirable actions to be taken at the various levels of government and by private interests and substituted "recommend" for the quoted word. The conferees concurred in this change.

(4) The House version of section 2(f) of the bill permitted advance payments to be made to parties engaged in outdoor recreation research under contract with the Secretary of the Interior. The Senate version limited such payments to contracting educational and other nonprofit institutions and then only for their initial costs. The conferees agreed to the House language.

(5) The House amendment corrected a statutory citation to title 39, United States Code. The conferees agreed thereto.

(6) The House amendment corrected a misspelled word in section 2(g). The conferees agreed thereto.

(7) The House version added to section 2(h) of S. 20 a proviso requiring annual reports on all donations received under authority of the Act. The conferees agreed that this language should be dropped because of the understandable reluctance of potential contributors to the program to having their names broadcast to the world thereby subjecting themselves to importunities from other quarters.

(8) The House added to S. 20 a new section 3 requiring consultation between the Secretary of the Interior and the heads of other interested departments and agencies with respect to their conduct of recreational activities and to the Secretary's conduct of activities under the new Act and requiring, furthermore, that all Federal departments carry out their recreational responsibilities in conformity with the nationwide plan that the Secretary is to compile. The conferees agreed to retention of the House language.

(9) Clarifying changes were made by the House to the definitions section of the bill. The conferees agreed to these changes.

(10) The House added a new section to the bill limiting the amount authorized to be appropriated annually for the purposes of the act. In a full discussion of the merits of such a limitation in this type of case, it was brought out that no agency in the Department of the Interior with a continuing program is limited with respect to the amount it may request for administrative and similar personal service expenditures; that if such a limitation were included it would have to be amended each time, for instance, that a Federal pay raise bill is enacted unless it were more generous than now appears to be warranted; and that if such an excess limitation were included there might be strong temptation on the part of the agency to bring its expenditures up to this figure as soon as possible. The House conferees therefore reluctantly agreed that the House should recede on this point, it being the understanding of all members of the conference committee that the Secretary is expected to and will report to the Committees on Interior and Insular Affairs of the House and Senate at any time that it is necessary for him to request $3 million or more to carry out section 2 of the act and that he will at that time make full justification for the request.

The House also amended the title to conform to the body of the bill and the conference committee agreed.

WAYNE N. ASPINALL,
LEO W. O'BRIEN,
THOMAS G. MORRIS,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, generally the House worked its will with this particular legislation. There were 10 matters in controversy; 8 of them were resolved by retaining the House language to the Senate bill; and 2 of them were resolved by, in the first instance, deleting a House amendment—and I will speak about that further on—and in the second instance by deleting a section that the House placed in the bill and writing some language in the report itself which we feel is perhaps just as practical as if the provision were in the bill.

Now, five of the amendments are purely technical amendments and do not go to the real problems involved in the legislation. I will pass over them but will be glad to answer any questions that might be asked.

However, in item No. 2, the one where the House struck from the bill any language referring to the Recreation Advisory Council, which is a creature of the executive department entirely, we have a very fundamental change from the Senate version as compared to the action that the House took, and that is, that as far as I know we have never given official recognition to any of the executive coordinating committees as such, and it was thought that it would not be well in this legislation to, indirectly or impliedly, by referring to a commission set up by the Chief Executive of the United States as an existing commission, give legislative recognition to the action of the executive department which has complete control within the executive department of such an agency, and, if the Congress later on wishes to give official recognition to an advisory council as such, advisory or otherwise, the Congress could take formal action if it wishes to do so.

Amendment No. 4 is somewhat substantive, in that in the Senate bill advance payments were permitted but limited such payments to contracting educational and other nonprofit institutions and then only for their initial costs. In the House bill advance payments are permitted to be made to parties engaged in outdoor recreation research under contract with the Secretary of the Interior.

I think it must be explained again, since I know there was some discussion of this when this bill was on the floor of the House, that the work of the bureau is purely advisory, planning and coordinating and the bureau would do a part of the work under contract with private research groups.

Mr. Speaker, the next item, No. 7, is a substantive change. It is the provision in which the House requested and required that there be annual itemized reports of all donations received under the authority of this act.

Mr. Speaker, there is no doubt in my own mind that the author of this amendment had in mind a very valid reason for his offering of the amendment. But this is the only area of like operations in the Government where such a requirement has been made. Also, please permit me to tell the Members of the House something else. All of us know that once in a while we get solicitations either by telephone or through correspondence to donate to this organization and that organization. The mere fact that we ask for a publication of the names of all donors, and a lot of these would of course be very substantial donations, means that we shall be giving approval to what is sometimes referred to as a sucker list and the donors who really intended to be constructive in their gifts to the Government would be subjected to being solicited by other individuals and groups in which they had no interest at all.

Any such list is available and it will be available to the committees. If any Member of Congress sees fit to ask for it at a certain time, I am sure we can get an unofficial list, but what in fact will be a substantial report from the Department of the Interior.

Mr. Speaker, another amendment which is important is item No. 8. This amendment No. 8 is the amendment that really provides for the coordinating procedures that will be necessary between all departments of Government that are involved in Federal recreation programs. We have taken a great deal of the language from section 2 of the Senate bill and we have stated it in another manner in this particular section.

Item No. 10 is a very important part of the report. I refer to it because it is the amendment of the gentleman from Florida [Mr. HALEY] wherein he tried, as our committee usually does on these matters, to tie the activities of the bureaus to a certain amount of money beyond which they cannot go. In constructive operation, of course, this is always a valuable and a necessary procedure in my way of thinking, but in the matter of administration it is open to some question. May I advise my colleagues that this is the only bureau in the Department of the Interior that would have this restriction tied to it. The House conferees agreed to place language providing for such a limitation in the conference report to which the Senate conferees have agreed. I wish to read this again to the Members of the House. It is a very definite statement of policy as far as we are concerned about this new bureau:

> The House conferees therefore reluctantly agreed that the House should recede on this point, it being the understanding of all members of the conference committee that the Secretary is expected to and will report to the Committees on Interior and Insular Affairs of the House and Senate at any time that it is necessary for him to request $3 million or more to carry out section 2 of the act and that he will at that time make full justification for the request.

And, may I state to my colleagues that so far as I know it will be the purpose of the Committee on Interior and Insular Affairs, regardless of who may be the chairman of that committee, to see to it that this provision is complied with and that the information is given not only to the appropriating committee itself but also to the House.

Mr. Speaker, I shall be glad to try to answer any questions which any of my colleagues may have.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Florida.

Mr. HALEY. Of course, I want to say to the chairman of the House Committee on Interior and Insular Affairs and to the conferees on the part of the House that I regret we were unable or they were unable to hold in the bill the $2.5 million. I note that it has been raised to $3 million. There is no language, of course, now in the bill to determine just how much could be expended. Sometimes, of course, language in a conference report may have some reaction downtown. I am very, very reluctant, at least.

I am very sorry to see that this limitation has been removed from the bill itself. I realize that the gentleman from Colorado and his conferees probably did the best they could. As an overall matter I think this is good legislation, but I do think and I caution the House that they should in the future watch the expenditures on this program and see that they are kept within due bounds.

Mr. ASPINALL. May I reply to my friend from Florida that the cooperation on activities and responsibilities between the authorizing committee and the appropriating subcommittee is, in my opinion, the best we have had for a long, long time. I have an understanding at the present time, and I am sure that there will be like understandings in the future, that whenever any request is made by the Bureau which would seemingly trespass upon the policy set forth, our committee will be notified immediately.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I shall be glad to yield to the gentleman from Michigan.

Mr. GRIFFIN. Mr. Speaker, I, too, regret that all of the House amendments were not preserved in the conference report, although I understand that in conference the House cannot always prevail. However, I should like to point out that the particular amendment to the bill which I sponsored carried in the House by an overwhelming vote of 292 to 50, as I am sure the Chairman knows, even though unfortunately he was not able to be on the floor that day.

The amendment to which I refer, and which was adopted by the House, would have required an annual report of funds or property received by this newly created Bureau of Outdoor Recreation, which were donated.

Mr. ASPINALL. It would have required an itemized accounting.

Mr. GRIFFIN. That is correct. It would have required an itemized accounting of funds or property which had been donated, and indicating the purposes for which they were used. As I understand it, this new Bureau is primarily a coordinating agency and it would seem that appropriated funds should be adequate for its purposes. Why is it necessary to authorize this outdoor recreation bureau to receive donated funds, and then leave Congress in the dark as to how much they receive in donated funds, from whom they receive such funds, and the purpose for which donated funds will be used?

Mr. ASPINALL. Mr. Speaker, may I interrupt the gentleman to answer?

Mr. GRIFFIN. Yes. I yield to the distinguished chairman of the committee.

Mr. ASPINALL. Of course, Congress will be notified any time it desires as to the amount of donated funds. Such information is always contained within the Bureau of the Budget report. The matter that is not contained within the Bureau report is the fact that we do not have the individual names set forth; it is not itemized.

Mr. GRIFFIN. May I ask the distinguished chairman this question: Is it a fact that in some instances donations are given with conditions or limitations attached by the donor as to the purpose for which they shall be used or as to how they shall be used?

Mr. ASPINALL. It is my understanding that in certain of the activities of the National Park Service some donations have been offered to them upon certain conditions.

Mr. GRIFFIN. I should like to point out, in addition, that under this legislation, section 2(f), the Outdoor Recreation Bureau will be authorized to award contracts for education and research.

It occurs to me that the Appropriations Committee might conceivably refuse to appropriate funds for certain research and education contracts, and the House might sustain the Appropriations Committee in that judgment, only to find that this Bureau of Outdoor Recreation would be able to award such contracts by using donated funds.

Mr. ASPINALL. I doubt if that policy would be followed. It requested, these contracts will be subject to review by the Committee on Interior and Insular Affairs, as all of the activities of the Department of the Interior are. We certainly would not permit the real purposes of this legislation to be hindered or endangered by contracting procedures contrary to procedures authorized by this legislation. This is, as I said before, a coordinating, planning, and recommending agency. No program or project can be authorized unless it be brought to the Congress for such authorization.

Mr. GRIFFIN. While it may be possible that there are a few individuals in this country who would not donate funds if their names were published in such a report, it seems to me that there is an overwhelming competing interest which outweighs that concern. No one outside the Government should be influencing or financing the activities of Government agencies without the knowledge of Congress and the public. If Congress is not financing an activity of Government, we ought to know who is.

I appreciate the fact that it is not possible for House conferees to prevail in every area of difference. However, I shall have to oppose the conference report in view of the deletion of this important language.

I thank the gentleman for yielding.

Mr. ASPINALL. May I ask the gentleman from Michigan, has he ever made a request of the Department of the Interior or any of its bureaus to advise him as to who the donors may be on certain programs under its jurisdiction, say, the National Park Service or the Bureau of Sports Fisheries and Wildlife?

Mr. GRIFFIN. I shall be very frank and say that, as of now, I have not, but I believe the principle involved is the same whether it is the Department of the Interior, the Department of Commerce, or any other department or agency of Government. The information should be public information. I would suggest that this principle or policy should be applicable to every department or agency authorized to use donated funds.

Mr. ASPINALL. I feel that legislation should apply equally to all departments. We should not put any more burdens on this Bureau than we put on the Department of the Interior or the Department of Agriculture or any other department.

Mr. GRIFFIN. I would agree that general legislation would be desirable, but I believe that the most practical way to achieve that objective is to take them one at a time, as they come.

I thank the gentleman.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman from Iowa is completely satisfied with the efforts of the committee of conference. He does not see any objection to the report. However, there is one point in the discussion which has been led by the gentleman from Michigan which has not found its way into the record at this point; that is, I think the departments might be cognizant of some serious objection on our part to the procedure which they follow. When we have, for instance, a Cape Cod Seashore Area proposed, the Department receives donations or grants from individuals or organizations who print beautiful brochures which are intended to sell that particular prospect. They have printed books, and they have put on the books the imprimatur of the Department of the Interior and the National Park Service.

When we are talking about the national parks in such an area as that we do not find much objection, but insofar as the principle is concerned it is objectionable. For illustration, suppose we have a piece of labor legislation which is introduced, and the head of the AFL–CIO or the board of the National Manufacturers Association contributes some money to the Labor Department to put out a publication. In this case I am sure there would be some objection. In principle this is actually no different from what we do in the Interior Department. I know it has never been done and I do not know that it has ever created any general trouble, but from a general principle standpoint, I think it is wrong, and I think the Department of the Interior should be aware of that.

Mr. ASPINALL. I thank the gentleman from Iowa for bringing this to our attention. This goes to the operation of some of our water resources programs as well, the Army Engineers, and the Bureau of Reclamation. Not only that, a great deal of the contributions that some of our agencies are receiving have been from States and municipalities. We expect some of the contributions in this program to come from municipalities and other governmental agencies. Of course, there would be no objection to having their names printed. On the other hand, I think it would be just as well to request such information rather than have their names published.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER** pro tempore (Mr. ALBERT). The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LEAVE TO REVISE AND EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that Members who spoke on the conference report may revise and extend their remarks.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

TAX BREAKS FOR BUSINESS

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, yesterday in a bitter struggle, the House passed legislation which increased the debt ceiling to commitments already made by this Congress. During the course of the debate, vehement attacks were directed against new programs which contribute to the increase of Federal spending and the Federal deficit.

Nothing was said about the "new programs" of tax cuts for business instituted by the administration last year. The business investment credit voted by this Congress last year cost the Treasury $1 billion in lost revenue. In the same year, the administration granted increased depreciation allowance for business retroactive to January 1, 1962, which cost the Treasury an estimated $1½ billion.

Although the final figures are not yet available, it appears that the Treasury estimate of the loss in tax revenues was underestimated and that the combined Treasury loss for these "tax breaks for business" will probably reach $3 billion in fiscal 1963. The tax loss from these two items in fiscal 1964 and future years will skyrocket.

It is plainly evident that $3 billion of this year's budget deficit resulted from last year's tax giveaways. A tax giveaway packs the budget deficit just as much as a "spend away."

SUBCOMMITTEE ON TERRITORIES, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that the Subcommittee on Territories of the Committee on Interior and Insular Affairs be permitted to meet during the House session this afternoon.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

SUPPLEMENTAL APPROPRIATION BILL

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the supplemental appropriation bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I take this time to clarify the language in H.R. 5517, the supplemental appropriations bill for 1963 in that section dealing with the accelerated public works program. The section carries this proviso:

> That no part of this appropriation shall be used for any project that does not require a financial contribution from State or local sources except Federal projects dealing with preservation of forests in the jurisdiction of the Department of Agriculture and the Department of the Interior.

As a member of the Subcommittee on Deficiencies Appropriations, which reported H.R. 5517, I want to state the intent of the committee with reference to the above proviso.

Preservation of forests in the jurisdiction of the Department of Agriculture or the Department of the Interior is interpreted in a strict sense to include only projects which will rehabilitate and develop such lands in a manner to protect them from fire, insects, disease, erosion, and floods; and to the conservation of the timber and related forest resources. It includes projects such as reforestation and the improvement of timber stands; forest road and trail construction and maintenance which provide access for fire protection purposes or for salvage of blown down, infected, or overmature timber stands; fireproofed camp and picnic area construction which concentrates forest visitor use in improved areas and thus reduces forest fire risk; small structures for fire and general purpose use, such as fire lookout towers and forest ranger offices; the revegetation and minor range improvements on forest ranges, and related measures for the rehabilitation of forest lands.

RACE RELATIONS

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, there is some encouragement, though admittedly little, to be found in the President's statements before a group of Alabama newspaper executives in which he indicated that he was concerned over the growing extremism among the so-called leaders of the Negro race.

That the carefully planned and meticulously timed and executed "demonstrations" in Birmingham are the work of professional racists is boldly obvious.

It has been apparent for years that these conflicts are the result of rehearsing, coaching, and timing by those who make their sorry living exploiting race relations.

The most recent proof of this comes from the Reverend Albert S. Foley, S.J., member of the Alabama Advisory Committee to the U.S. Civil Rights Commission.

The reverend father has stated that a member of Rev. Martin Luther King's staff told him that the NAACP treasury was low and that the Birmingham demonstrations were needed to spark sagging contributions.

The callousness of this attitude is revolting.

The herding together of little children to push them before a raging mob of knife-wielding, cursing, and spitting professional agitators sickens the decent and heaps further shame on the Negroes who have allowed themselves to be inflamed by these racists.

Perhaps there is yet hope that the President will not further exceed the authority of his office by sending armed troops into Birmingham where they are neither wanted nor needed. To do so would give further aid and comfort to the paid goon squads of the NAACP and constitute a still further breach of the President's authority.

There cannot be any serious doubt left in the minds of the reasonable that these riot leaders were dispatched to Birmingham for two purposes.

The first was to fatten the coffers of the NAACP and the second being to coincide the disturbance with the civil rights hearings now going on here in the House.

The evil job has been done well.

Where reasonableness once existed, we now have the spewing cauldron of hate bubbling away. It only remains for the professional agitators to throw a few more bombs, spit on a few more policemen, or bring some physical harm to innocent children for the sparks to be fanned into full flame.

When madmen roam the streets, we need cool heads to cope with them. I pray that the President will not add to the fury by the unlawful use of Federal troops. To invade the State of Alabama in the illegal way Mississippi was invaded would forever make rubble of civil liberty.

David Lawrence, in his syndicated column in the Washington Star, succinctly put this action into focus and I include it here for all Members to read and ponder.

[From the Washington Star, May 14, 1963]

SENDING U.S. TROOPS TO ALABAMA

When Senator John F. Kennedy was campaigning for the Presidency in 1960, critics said he was youthful and impulsive. They now will say the same thing as they read that Mr. Kennedy issued a statement Sunday night ordering Federal troops to mobilize in Alabama to deal with future rioting or local disturbances.

The President didn't think this one through. In the case of the disputes with Governor Faubus at Little Rock, Ark., in 1957 and Governor Barnett at Oxford, Miss., in 1962, there was at least an alleged basis for the use of Federal troops—a supposed unwillingness on the part of the local authorities to obey a Federal court order. But Mr. Kennedy himself told his news conference only last week that no Federal statute was involved in the controversy at Birmingham, Ala. Nor have there been any Federal court orders whatsoever issued in this case.

Now the President is in the position of having nevertheless threatened the use of Federal military power to deal with local disorders that may arise. There is not the slightest legal basis for the use of such power under the Constitution unless requested by the State government. No statute grants such authority to the Chief Executive under the circumstances which have been reported from Alabama. For anyone in the Government to order the use of Federal troops or any part of the Air Force for any purpose not sanctioned by the statutes is in itself a penal offense. A Federal law says:

"Whoever, except in cases and under circumstances expressly authorized by the Constitution or act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than $10,000 or imprisoned not more than 2 years, or both."

The "United States Code Annotated," for 1963 contains a footnote referring to an opinion of the Attorney General dated November 7, 1957, which says: "The President's authority to use Federal troops under sections 332 and 333 of title 10 is not impaired by this section.

But this was an opinion rendered in connection with the use of troops where a Federal court order had been issued. There is a dispute among informed lawyers as to whether troops can ever be used to enforce even a court order and they contend that it is really the responsibility of U.S. marshals. At least in that case a controversial legal point was involved.

So the whole action of President Kennedy rests on the foundation that he described in his public statement—namely, "rioting, personal injuries, property damage, and various reports of violence and brutality."

But it is not the function of the Federal Government to maintain order inside a State unless there is an "insurrection" against the United States. To preserve order is the responsibility of a State. Indeed, in the same morning newspapers in which the American people read of the President's orders to dispatch Federal troops to the Birmingham area, there was published a message to President Kennedy from the Governor of Alabama, George Wallace. It was sent an hour after the President's announcement was made and read in part as follows:

"The Constitution of the United States * * * states that the Federal Government may send troops to quell domestic violence upon application of the State legislature or the Governor of a State.

"The legislature of this State has made no request, nor have I. May I ask by what authority you would send Federal troops into this State?

"The situation is well in hand and law and order prevail. * * * Your complete bypassing of State officials and me as Governor are affronts not only to me as Governor but to the people of Alabama."

An examination of the Federal statute cited later by the President—section 333 of title 10—shows no justification for the use by the President of Federal troops just to quell a local disturbance or to prevent one from arising. It applies only if a State government refuses or fails to grant protection. This hasn't happened.

The President in his reply to Governor Wallace says, in effect, that he didn't really intend to use Federal troops in Birmingham, but only wants to warn the State authorities that they had better maintain order and prevent violence. If any threat to use such power is vested in the President, he can at any time intimidate a Governor or mayor or local official, or he can mobilize troops to threaten reprisals and punishment if anyone in a local government doesn't do his bidding. This is an autocratic power, the exercise of which the framers of the Constitution specifically sought to prevent so that no dictatorship could arise in America through the threat to use military force.

If Mr. Kennedy feels that he has the power to prevent violence anywhere in the country, then it will be asked why no Federal troops were mobilized or why the same threat of military force was not utilized before Dr. Martin Luther King, Jr., and his associates organized the demonstrations which, in turn, aroused the antagonism of other citizens and thus produced the conditions under which local disorder arose.

If the President actually has the power of prevention, the time to start is before the local police and the paraders clash or threaten to become involved in riots. There is a right, of course, to a peaceful demonstration, but anything which produces a disturbance is subject to police action by the local and not the Federal authorities.

I am struck by the number of members of the cloth who have involved themselves in this disgraceful affair, Rev. Martin Luther King, Rev. Wyatt Tee Walker, and Rev. Fred L. Shuttlesworth, to name a few; and I cannot help but recall the 9th verse of the 5th chapter of Matthew:

> Blessed are the peacemakers; for they shall be called the children of God.

Apparently, these troublemakers have not read the Beatitudes recently or else, reading, they are filled with contempt.

In his understanding of what is involved here, the man on the street is ahead of a great many of the Members of the Congress.

His motives are clear. His words are not the impassioned exhortations of the demagog who courts the minority vote.

He has never said, "I agree that this is wrong, but I can't take a chance on losing the votes."

He is calling for an end to these staged demonstrations perpetrated by professional agitators. He is ashamed of what they are doing to his cities and his State.

If there are those in this Chamber whose motives are less honest than his, who would condone and sanction these professional racists and abet them in this ugly hour, let him hang his head in shame.

RACIAL AGITATION—A PROFITABLE BUSINESS

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, in the last few weeks a group of outside agitators has invaded my home community of Birmingham for the purpose of fomenting strife and discord. Among the many other things they have done in Birmingham is to prove racial agitation can be a profitable business. When the Southern Christian Leadership Conference came to Birmingham it was nearly broke and, if we can believe the reports in the daily press, the money is now pouring into the Southern Christian Leadership Conference. The activities and irresponsible tactics of the Southern Christian Leadership Conference have been widely reported by the news media of the Nation. These Negro agitators that came to Birmingham were exponents of nonviolence. By creating provocative situations violence resulted and there can be no doubt there would have been no trouble without these so-called preachers mixing the ingredients for a "racial bomb." When the "bomb" they made went off, they hid under the cloak of self-serving disclaimers of nonviolence.

Mr. Speaker, I want to point out that the so-called Negro preachers making trouble in Birmingham are mainly preachers without churches. They serve no church and have no visible means of support, so how do they live? What is the source of income for the Negro preachers who have time to stay in a city night and day for more than a month planning and organizing demonstrations that turn to riots? Who pays the bills? When rioting erupted in Birmingham over the weekend those pious Negro preachers were far away. They had headed north carrying empty satchels to bring back the loot. They headed north to get money to keep their agitating organization going. Claiming a great victory for improved race relations the outside Negro leaders left their colored brothers to work out the problems the so-called preachers left them. With the fuse of their racial bomb burning, ready to explode, the leaders were far away enjoying the plaudits of the northern crowds.

Mr. Speaker, where did these great Negro leaders go? They went to Cleveland, New York, and Washington, D.C. Everywhere the story was the same: "It's a hard fight and it's expensive." And the money flows into the coffers of the Southern Christian Leadership Conference, which is neither southern, Christian, a conference, nor providing leadership. I ask the leaders of that great group of nonviolent agitators to present a complete report of their financial condition. How much money did they make out of the Birmingham riots they brought on?

Mr. Speaker, I think the people who have read so many stories about the activities of these agitators in the Nation's press are entitled to know what the financial condition of the Southern Christian Leadership Conference was before Birmingham and what it is now. I think that the churchless preacher, the Reverend Wyatt Tee Walker, executive director of the Southern Christian Leadership Conference, would be in a position to tell us where the money comes from and where it goes. Who paid for the full-page advertisement in the New York Times soliciting funds for the Southern Christian Leadership Conference? Who pays for the trips around the country and who buys meals?

There are always those who make use of causes for their own advantage but these irresponsible race agitators and riotmakers have gone too far. They have used little children to fill up the jails while they fill their pockets.

Mr. Speaker, I feel the people of America are entitled to a complete explanation of the Southern Christian Leadership Conference's financial condition immediately.

ARMY INEFFICIENCY

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, the U.S. Army Electronics Materiel Agency is planning to throw away tax dollars like water on a purchase it proposes, and it is up to the Secretary of Defense to see this does not happen. As many of my colleagues know, I have resumed getting advance information on unclassified military purchases. What I am learning now is even more fantastic than what I was uncovering before I was cut off from this information by the Secretary of Defense a year ago.

On the very first day I picked up bid information I discovered the Army Electronics Materiel Agency at Fort Monmouth, N.J., plans to buy, sole source and without competition, a radio identified as the AN/TRA-25.

The bid set was dated May 6 and the bidding period closes May 16—only 10 days for any company other than the sole-source company to examine drawings, model and specifications and submit a bid. This is almost impossible, and the Army knows it.

Even more preposterous is that the Army proposes to allow only 150 days for completion of this contract once it is signed. Still more unbelievable is the fact that under previous contracts the Army has secured drawings, technical manuals, specifications, and the like and could buy the whole set competitively and at a great saving to the taxpayer.

Why did not the Army anticipate this requirement so that the plans it has already paid for could be used to buy the set competitively and at a much lower price? Why did the Army wait until the situation was "critical" and the purchase could be solesourced to a favored manufacturer?

Mr. Speaker, I object to such inefficiency, inept planning, and poor staff work, and I think other of my colleagues should also object to this kind of bureaucratic bungling which hits every taxpayer in the pocketbook—and hard.

This is a $2 million purchase, and there can be some money saved here. I intend to pursue this matter diligently. I have already asked the Commanding Officer of the Army Electronics Materiel Agency for the determination and findings which justified this sole-source action. I have also asked for the past contracts and amendments for this equipment, and I can assure every Member of this House this matter will get my full attention until it is brought to a conclusion.

HAITI

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, after listening to Mr. Martin this morning, I came to the conclusion that the administration has no policy on Haiti as it has no policy on Cuba. It is evident that we had no policy on May 15 when it was known that a crisis would take place, and we have no policy now and have none relating to May 22 when a possible second crisis can readily be foreseen.

The United States has totally inadequate surveillance and intelligence outside of Port au Prince and therefore is uninformed as to what is really going on in the rest of the country.

The U.S. has inadequate air-sea patrols to detect or prevent arms drops or infiltration of Communist personnel which have been taking place frequently in northern Haiti and which took place in south Haiti on April 17.

On April 17, 1963, at 1 p.m., according to a reliable witness, there was dropped from a fishing boat at the location of an alcove on the Haitian border, Czechoslovakian arms consisting of the following: 18 cases of machine guns. 24 cases of 50-caliber ammunition and 21 mortars.

Because of the inaction, lack of leadership of the OAS by the United States, and indifference toward Haiti, this country is ripe for a Communist takeover. The Communists, including Haitian sugarcane cutters trained in Cuba and French speaking Gahanians imported for subversion, are poised, armed and ready for a takeover as soon as a vacuum develops.

Unless the United States, leading the OAS, develops a plan of action to deter the Communists and to stabilize the Haitian situation, Haiti will become, in the near future, the second Communist foothold in the Caribbean.

UC'S PROJECT Y BECOMES LASL

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and include an article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, the proper noun LASL is a well-known one in the world's scientific community. It is the name by which the Los Alamos Scientific Laboratory is universally known. LASL is located at a former boys' school on a remote New Mexico mesa simply because Dr. Robert Oppenheimer had attended the school as a youngster. As head of the Manhattan district's Project Y, set up to manufacture the atom bomb, he chose the location because of its wartime inaccessibility. Arrangements were made with the University of California to operate the research laboratory connected with Project Y. It eventually was designated the Los Alamos Scientific Laboratory. Today LASL is one of the foremost scientific institutions of the world, ranking in eminence with the University of California's Lawrence Radiation Laboratory as a mecca for the world's physicists, nuclear chemists, and related scientists. Below is a short history of LASL which appeared in the University of California Alumni Association's monthly for May 1963.

For many years the University of California, as operator of LASL, was the largest single employer in the State of New Mexico. Perhaps it still is. Not related by the article is the fact that in 1948 the university sought vigorously to discontinue its operation of LASL. The regents of the university had become somewhat edgy about their intimate connection with the manufacture of weapons of war and recalled that following World War I the Du Pont Co. had enjoyed unfavorable publicity as a munitions maker. Despite the regents' desires, they were convinced that no other institution, public or private, had the know-how to carry on this operation and they agreed to continue it because of its importance to the free world. The article is as follows:

LOS ALAMOS: TWENTY YEARS WITH THE ATOM

(By Barbara Storms)

High on a mesa in the pine-covered mountains of New Mexico, the university's most distant "campus," the Los Alamos Scientific Laboratory, celebrates its 20th anniversary this year.

Stretching over the five-finger mesas of the Pajarito Plateau, the vast, $171 million facility has become, in two decades, the Nation's foremost development center for nuclear weapons, a leading research laboratory for peaceful applications of nuclear energy, and one of the world's outstanding computer centers.

Such a future for a wartime project on an isolated plateau could hardly have been forseen when, on April 20, 1943, the University of California signed the first contract with the War Department to operate the new facility. For, the story of Los Alamos begins in uncertainty, secrecy, and utmost urgency. It is a story of ingenuity, determination, and high adventure.

The original directive, written in early 1943, outlined for the director, J. Robert Oppenheimer, the scope and purpose of Project Y, a part of the War Department's special Manhattan Engineers District headed by Gen. Leslie R. Groves. The directive's words were cautious; details were veiled in secrecy: "The Laboratory will be concerned with the development and final manufacture of an instrument of war * * * with certain experimental studies in science, engineering, and ordnance, and * * * large-scale experiments involving difficult ordnance procedures and handling of highly dangerous materials * * *." Project Y was to become the Los Alamos Scientific Laboratory. The instrument of war was the first atomic bomb. And, odds against either of them getting very far off the ground were enormous.

By mid-1942, theoretical studies at Berkeley, and at the Metallurgical Laboratory in Chicago, indicated the feasibility of building a fission weapon. Research had progressed to a point where experimental work was badly needed, and plans were laid to build a laboratory isolated enough to be safe, as well as secret. In November 1942, the War Department acquired the land and buildings of the former Los Alamos Ranch School for the purpose. Surprisingly, all of this was done even before Enrico Fermi and his team in Chicago had achieved the first self-sustained chain reaction on December 2, 1942.

By January 1943, when the university was selected to operate the project and laboratory construction was getting underway, only enough scientific and technological information was available to suggest the stupendous magnitude of the job ahead. For example, nobody knew how much fissionable material had to be put together to support an explosive chain reaction, nor were either of the possible materials available for experimentation. There was not enough uranium 235 anywhere to build a bomb. The world's supply of plutonium could be piled on the head of a pin. To the Manhattan district's projects at Richland, Washington, and Oak Ridge, Tenn., went the job of producing these materials—a task expected to take about 2 years. Meanwhile, at Los Alamos, the necessary research and development had to be finished in time to begin building the bomb as soon as the critical materials were delivered.

By early spring, equipment borrowed from universities across the country was being installed and Oppenheimer was beginning to gather the "largest collection of crackpots the world has ever seen."

The "crackpots," as General Groves is reported to have once called them, were some of the greatest scientific minds in the world. Enrico Fermi, Bruno Rossi, Emelio Segrè, Neils Bohr, I. I. Rabi, Hans Bethe, Rolf Landshoff, John von Neumann, Edward Teller, Otto Frisch, Joseph Kennedy, George Kistiakowsky, Richard Feynmann, Edwin McMillan, and others came to Los Alamos, some temporarily, some occasionally, some as permanent members of the staff.

Recruiting was extremely difficult. Most of the prospective personnel already were in war work and could be told neither the nature nor the significance of the new job. Scientists, recognizing the importance of the work and fascinated by the challenge, came more eagerly; technicians and administrators were expected to accept an unknown job at an unknown place. And, once there, what they found was discouraging, to say the least.

The former boys school was selected for the secret and dangerous project for a number of reasons. It was isolated—18 miles from the nearest settlement; 40 miles from Santa Fe by treacherous mountain road. There was plenty of cleared land on which to spread out and separate dangerous experiments from populated areas. The school's existing stone and log buildings would provide "plenty" of housing for the 35 to 100 people envisioned for the project. Ironically, many of the very features that made the site ideal were to plague administrators and residents alike for years to come.

Almost before the first families began to arrive, existing housing was outgrown. Although building proceeded at a frantic pace, it never quite managed to catch up. Families were installed in nearby guest ranches, and scientists were sent off to the project in caravans of aging cars, carrying box lunches ordered from Sante Fe restaurants. Impatiently waiting for laboratories and equipment, scientists marked time by discussing the complexities of the problems before them.

As housing became available, families jammed into ugly tarpapered apartments or prefab trailers, ill-heated and ill-equipped. Mud was everywhere—and so was the Army, inflicting its regimented way of life on free-wheeling civilians. There was never enough water. The water level gage on the town water tower was watched carefully: "It was the only way we could tell when we could take a bath," one oldtimer recalls. Shopping, if not satisfied by the Army PX, was done by mail-order catalogs or during carefully regulated bus trips to Santa Fe. Santa Fe also provided such services as dry cleaning and dentistry until 1944.

Secrecy was the rule. Famous names were disguised. New Mexico drivers licenses were issued to anonymous numbers. Post Office Box 1663, Santa Fe, was the only address permitted. Babies were born in "Box 1663"; freight of all dimensions was delivered to it, and as many as 3,000 persons lived in it. No one could enter or leave the project's closely guarded gates without a pass. Mail was censored throughout the war; telephone calls were monitored. Until 1945, only three telephone lines connected Los Alamos residents with the outside world.

Tight security regulations plagued scientific progress, too. Months of arguing finally convinced Army officials of the need for a free flow of information between scientists working in related projects. Orders for equipment and supplies were routed through the university's special purchasing office in Los Angeles, both going and coming, eating up precious time.

But, the people were young—the average scientist was only 29—adventurous and flexible, and work proceeded on a dozen fronts despite the difficulties. Late in 1943, the first minute quantities of plutonium, in nitrate form, were delivered. By spring 1944, the world's first good sized piece of plutonium metal was produced by Los Alamos chemists. The first kilogram of highly enriched uranium was received in September. The pace quickened.

By March 1945, planning for the first atomic bomb explosion was a high priority program. Two types of weapons had been developed—a gun-type device, using uranium 235, and an implosion-type device, using plutonium 239—but only one could be tested.

The decision was made to test fire the plutonium device in the desert of Jornado del Muerto, 250 miles south of Los Alamos.

Despite months of research and promising results, nobody was dead sure just what—if anything—would happen when the device was finally tested. Some scientists argued that chances for a nuclear explosion on the first try were slim, and that plans should be made to recover the precious active material should the bomb turn out to be a dud. So, "Jumbo," a remarkable 214-ton steel bottle, was built to contain, without rupturing, the bomb's full complement of high explosive and to permit recovery of the plutonium. At the last minute, however, optimism prevailed—and "Jumbo" was to lie useless for more than 15 years in the New Mexico desert, mute testimony to the ingenuity and accuracy of project scientists' predictions.

The rest is history. At 5:30 on the rainy morning of July 16, 1945, 28 months after the first group of scientists climbed the twisting road to Los Alamos, the first manmade atomic explosion shattered the desert calm. On August 6 and 9, atomic bombs exploded over Japan. Five days later, World War II was over.

A crashing let-down followed the long months of intense efforts and the first flush of success, and very nearly brought an end to the Laboratory. But, to Norris E. Bradbury, the Laboratory's second and present director, and to the handful of men who shared his confidence in the facility's future goes much of the credit for holding it together.

Before the summer of 1945 was over, a mass exodus from "the Hill" had begun. Many scientists, technicians, and students rushed to return to the universities and industries from which they had been begged, borrowed, or stolen for the wartime project. Others were lured away by tempting salaries. For everyone, there were some very large uncertainties. No national legislation had been passed for the future use and control of atomic energy. Neither the Government nor the university had set down a plan for future operation of the Laboratory. Many thought it would be abandoned. Others, suffering intense pangs of conscience, thought it should be—or at least, that it should be turned over to basic and peaceful research.

In October, the Laboratory staff, which numbered 3,000 at its wartime peak, was nearing its alltime low of only 1,000. And, a final, demoralizing blow came when the community waterline froze solid for weeks. Water, brought from the Rio Grande in trucks, was doled out to a bucket brigade of grim-faced housewives. Adding to the confusion, Oppenheimer announced plans to return to his peactime duties, and appointed Norris Bradbury to take over as temporary director.

An expert on conductivity of gases, properties of ions and atmospheric electricity, Bradbury had come to Los Alamos as an officer in the Naval Reserve after an outstanding academic career at Pomona, the University of California, Massachusetts Institute of Technology, and Stanford, where he was a professor of physics. He was convinced that the Nation would continue to need a laboratory for research into military applications of nuclear energy and that Los Alamos, now one of the world's best-equipped research laboratories, was the logical place for it. And, he gambled that the Government would eventually agree with him.

Meeting with key staff members in October 1945, Bradbury laid his cards on the table. While awaiting legislation, he said, "we should set up the most nearly ideal project to study the use of nuclear energy." However, he continued, "we have an obligation to the Nation never to permit it to be in a position of saying it has something that it has not. The project cannot neglect the stockpiling and development of atomic weapons during this period."

The reconstruction of a peacetime laboratory had begun. In the spring of 1946, the Laboratory took over technical direction of Operation Crossroads at Bikini—a historic test series that demonstrated, not only the effect of atomic weapons on naval vessels, but the Laboratory's ability to conduct a major operation despite the loss of much of its experienced staff.

In May, Bradbury played his ace: he announced that, effective in September, the Laboratory would cease to pay the way home for terminating employees. Those who had been unable to make up their minds quickly decided, and the staff stabilized, leaving only those who shared Bradbury's faith in Los Alamos.

Their faith was confirmed often throughout the balance of 1946. In the spring, General Groves approved plans for construction of "the Hill's" first permanent housing, and prefabricated units were added as quick relief for the critical housing shortage.

The biggest boost came in August, when Congress passed the McMahon Act, establishing the Atomic Energy Commission and putting atomic energy under civilian control. As 1947 began, the Commission took over and the University of California agreed to continue operating the Laboratory. With the Commission establishing as its first priority "the stabilization and revitalization of the Los Alamos Scientific Laboratory," it became clear that Los Alamos would continue to play a key role in the Nation's atomic energy program.

Although the Laboratory continued development of advanced fission weapons, it shortly embarked upon its second major mission—development of the hydrogen bomb.

Theoretical possibilities for a thermonuclear weapon, an idea born during a lunchtime discussion in early 1942, had been under study since the earliest days at Los Alamos by a special group headed by Edward Teller. Theoretically, the scientists knew, a fusion reaction was possible, but it required temperatures far higher than any previously created by man. With the success of the fission bomb, these high temperatures had been achieved. The thermonuclear bomb was now in the realm of practical possibility.

But, major barriers were still unsurmounted. Once the cooperative efforts of Teller and Stanislaw Ulam made the necessary conceptual breakthrough, the Laboratory was able to launch an elaborate theoretical and experimental research program. The famous electronic brain, Maniac, was built to handle the complex calculations of the thermonuclear process, and the Laboratory went on a 6-day week to get the job done. In November 1952, 2 months before the Laboratory's 10th anniversary, the world's first full-scale thermonuclear explosion shook the Pacific atoll of Eniwetok with the detonation of the Los Alamos device, Mike.

Since that time, several dozen Lasl fission and fusion devices have been tested in 8 series of tests in the Pacific and in 8 series, comprising 100 shots, conducted at the Nevada test site. Today, more than 90 percent of all fission and fusion warheads in the U.S. stockpile are Los Alamos products.

During the first decade, as it is today, the Laboratory's primary responsibility was development and improvement of nuclear weapons. However, in view of Bradbury's emphasis on programs of fundamental research and development related to the problems of nuclear energy, it is not surprising that peaceful and fundamental fields of research have received increasing emphasis until today approximately half of the Laboratory's effort is devoted to this type of research.

One nonmilitary project, now the Laboratory's second largest program, is Project Rover, the Nation's effort to develop nuclear rocket propulsion. Since 1955, the Laboratory has concentrated on design, development, and eventually testing of the Kiwi series of reactors. These are named for the flightless Australian bird, because they are not intended to fly. Successful tests of three Kiwi-A and one Kiwi-B reactors, using gaseous hydrogen as a propellant-coolant, began in 1959 and removed doubts about the feasibility of developing nuclear propulsion at all.

This year tests of Kiwi-B reactors using liquid hydrogen as propellant-coolant, will be conducted with the purpose of evaluating and modifying the reactor for use in a rocket engine. During the year, phasing from reactor to engine development is expected in a cooperative effort with contractors in the Nerva rocket engine program. Nerva's first planned application is as a nuclear third stage for the Saturn C–5 manned lunar landing operation, and will make possible a single launch capability for lunar landing and return. Once engine tests have begun, hopefully sometime next year, Los Alamos' efforts will be shifted to investigations of more advanced propulsion reactors.

The Rover reactor project, however, is only part of a varied reactor research program that began before the Laboratory was a year old. The world's first homogeneous reactor, the Water Boiler, produced its first chain reaction in May 1944, and continues to operate, at higher power, in a deep Los Alamos canyon. Following the Water Boiler came the world's first fast reactor, Clementine, so named because it operated in a cavern in a canyon and used plutonium, whose code word was "49." Clementine operated from 1949 to 1953. Still another research reactor, Omega West, went into low power operation in July 1956.

In the midfifties the Laboratory entered another field of reactor research with the formation of a division to investigate power reactor development. To date, three unique reactor concepts have been tested, and a third experiment is under construction. Also in the works: a fast reactor core test facility in which various fast reactor core designs can be readily interchanged without going to the effort of building an entire reactor for each core.

Another of the Laboratory's major achievements, growing out of its reactor research, was the first direct conversion of nuclear energy into electrical power. Though many scientists had been fascinated by the possibility since the first nuclear pile went critical, it remained for a group of Los Alamos men to come up with the plasma thermocouple. Working on the principle of the conventional two-metal thermocouple, the plasma device substitutes an easily ionized gas for one of the metals. It obtains its heat from the neutron flux of the Omega West reactor. After more than 70 in-pile tests, scientists now are thinking of a power reactor built of many of these cells, producing a high power level and capable of operating for thousands of hours.

Although a practical power reactor probably will not be a reality until sometime in the 1970's, such a device could power the life-supporting facilities man needs in his space ships for extended journeys. It also will put ion propulsion within practical reach.

The harnessing of thermonuclear energy as a cheap, almost inexhaustible source of power was discussed at Los Alamos long before the hydrogen bomb became a reality. Just before the Mike shot in 1952, the first experiments in what is now called Project Sherwood were conducted with a device called perhapsitron—perhaps it would work, perhaps it wouldn't.

It didn't. But the experiments offered enough encouragement to keep the search going and opened up an entirely new field of investigation: **plasma physics.**

Since no material exists that is capable of withstanding the incredibly high temperatures required to produce a sustained thermonuclear reaction in ionized deuterium gas, the plasma must be confined in the nonmaterial walls of a magnetic field, or "bottle." Trying a variety of approaches to this problem, Los Alamos scientists eventually achieved, with a machine called Scylla, a burst of neutrons showing an energy temperature of 15 million degrees—and fusion. Though recognized around the world as the first manmade controlled thermonuclear reaction, the achievement also showed that there was still a very long way to go. Some 10 years of work with a variety of devices have resulted in some disappointing failures, some promising successes, and always, an increasing store of knowledge and high hopes.

Aiding and abetting all Laboratory projects is the work of the chemistry and metallurgy division. Chemical and metallurgical investigations of reactor materials, and the development of new fabrication techniques, are of prime importance in Project Rover, power reactor work and the plasma thermocouple. Fundamental studies of uranium and transuranium elements have added significantly to the world's knowledge of such materials. A pioneer in the field of plutonium processing, Los Alamos developed an electro-refining process that has been called "the biggest advancement in plutonium process technology in a decade." A batch of plutonium refined by this process has been accepted by the National Bureau of Standards as the Nation's first and only recognized standard of pure metal.

Research in low temperature physics, by the cryogenics group, has produced significant work in measurements of the Mossbauer effect, and in a temperature scale based on the vapor pressure of helium 3 that has been adopted as a worldwide standard.

Biomedical research, a program that grew out of early concern for the amount of plutonium being absorbed by personnel, has become a program of great importance in the Laboratory. The health research group recently completed a 6-year study of radioactivity in milk and in humans, the most extensive project of its kind ever undertaken. This, along with the group's enlightening findings on the harmful effects of radiation, have made Los Alamos scientists among the foremost authorities on fallout in the world.

All of the Laboratory's practical programs are supported by basic and independent research. The history of the Laboratory affords dozens of examples of original research projects which have resulted in unique contributions to mankind's knowledge of the physical universe. To accomplish this, the Laboratory is well equipped with research tools. In addition to two research reactors and many critical assemblies, Los Alamos has one of the world's highest voltage electrostatic accelerators, two smaller ones, a variable energy cyclotron, a Cockcroft Walton accelerator and various betatrons. A 350-kilovolt pulsed neutron generator will be in operation soon, and a tandem Van de Graff generator is being purchased.

Theoretical studies at Los Alamos ranged widely during the first 20 years. The weapons program depended heavily on theoretical work—and still does. In addition, Lasl theoreticians have been active in many peaceful areas of research, from nuclear structure to astrophysics. Much of the complex work, both theoretical and experimental, is made possible by the Laboratory's unique array of fast computers. In fact, the Laboratory boasts the world's largest computer center.

Maniac I, first of the stored program parallel electronic computers, was designed and built at Los Alamos and went to work in 1952. Seven years later, it was replaced by Maniac II. In addition, the Laboratory has an IBM 704, two 7090's and the supercomputer, Stretch, developed for the Laboratory by IBM.

In the last 20 years, while the Laboratory was making notable scientific advances, the community of Los Alamos itself was coming of age.

The AEC brought to Los Alamos—in the late 1940's—an ambitious, $121 million plan for community expansion and laboratory relocation which put new, modern technical facilities on neighboring mesas, removing the unsightly old wooden structures—and their high fences—from the town's main street. A spacious, attractively landscaped shopping and community center was added. Schools and housing were built in the frantic effort to keep up with the need. A post office, library and medical center were added.

In 1949, after much legal haggling, Los Alamos became a county, and its citizens became legal residents of New Mexico with voting privileges in local, State and National elections. In 1957, the gates came down, and anybody who wanted to could come and go in the town.

Today, except for its rugged mountain setting, the community of bright green lawns and brilliant gardens looks just about like any suburban town. Its more than 13,000 residents enjoy an outstanding school system, a fast-growing shopping facility and plenty of recreation. The housing has never caught up with the demand and often seems to be losing ground, but the big hope for improvement lies in two burgeoning subdivisions, where land and homes are being bought and built by private individuals for the first time in the history of the Federal project.

But, if Los Alamos is still not quite a "normal" community, it soon will be. Last fall, President Kennedy signed a bill making possible the shift of commercial and residential property of the Hill from Federal to private ownership. Although the long process of platting, planning and appraisal has begun, actual sales are not expected to begin before mid-1964. Meanwhile, the AEC is planning more than $8 million worth of construction and maintenance to put municipal facilities in good, salable shape, and the busy members of the Los Alamos County Commission are tackling the monumental job of preparing the community for self-government.

Many changes have taken place on Pajarito Plateau during the past two decades. Changes which have affected not only the community itself, but changes which have altered mankind's whole outlook on the world in which he lives. But, one thing will not change: the Laboratory's adventurous spirit and the unmatched natural beauty of the setting which provides much of the inspiration for that spirit.

With an impressive record of accomplishments behind it, and its hometown becoming what the AEC hoped in 1947 would be "a community satisfactory to scientists," the Laboratory can look to a promising future.

Many technological and scientific advances are predictable—achievement of flyable nuclear rockets and investigation of more sophisticated types of nuclear rocket propulsion; practical systems for obtaining power from controlled fusion; fast breeding fission reactors; explorations in the field of molecular biology. Quite unpredictable, however, are scientific and technological breakthroughs. There were plenty of these during the Laboratory's first 20 years—there are certain to be many more in the future.

THE ROLE OF OUR INTELLIGENCE AGENCIES DURING THE CUBAN MILITARY BUILDUP: WHAT ARE THE REAL FACTS, AND WHAT CAN WE PROPERLY CONCLUDE?

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 45 minutes.

Mr. STRATTON. Mr. Speaker, as a member of the Armed Services Committee and as a former intelligence officer in the Navy I have been gravely concerned since last January with the sweeping and serious charges that have been made against our established Government intelligence agencies in connection with their performance in the Cuban crisis. For this reason I have awaited with great interest the release of the report of the Special Preparedness Subcommittee of the other body, summarizing its findings in its recent investigation into this whole matter.

Mr. Speaker, now that this report has been released I feel constrained to say that I find myself baffled, mystified, and disappointed by it. Last January and February we found ourselves with a violent, almost hysterical attack being made upon both the integrity and the competence of our Nation's intelligence agencies. Either they cannot find out the real facts about Cuba, we were being told, or else they are deliberately covering up. This attack became so severe and so potentially damaging that on February 6 to quiet it, the Secretary of Defense went on nationwide television for 2 hours with material that only a few hours earlier had been classified as secret or top secret—a truly unprecedented undertaking, which, incidentally, was only partially successful.

It was against this background, Mr. Speaker, that the subcommittee moved to try to find the real answer to these grave and very disturbing questions. Were the intelligence people right—or were they not? The Congress ought to know, and the people ought to know, too.

This was the task to which the distinguished subcommittee set itself.

Now the verdict is in, Mr. Speaker, and I must say I am flabbergasted to see it: All charges have been factually disproved, but somehow the defendant has still not been acquitted. Instead he remains under suspicion, if he is not indeed actually found guilty at least on some counts.

I realize that the legislative process involves compromise, but surely when it comes to a question as gravely serious as the one that originally led to the subcommittee's inquiry, do not we deserve a more specific answer than that, if the facts at all warrant such an answer?

Yet here is a jury verdict with something for everybody, a strange amalgam of both fact and fancy which comes out clearly and positively exactly nowhere.

Surely if the facts point one way, Mr. Speaker, then we have a right, do we not, to expect that the conclusions will follow them in the same direction? Surely when the integrity and the competence of our top intelligence services have been so viciously attacked, the American people have a right to expect a more specific and forthright answer from this great subcommittee.

Let us look at this report. As I see it, every single one of the grave charges made against our intelligence services last February—both on and off of the floors of Congress—have been specifically and conclusively disproved by the subcommittee's report.

Let me just run down some of their findings, mostly in their own words:

> The subcommittee has uncovered no evidence to substantiate charges and speculation about a photography gap having existed from September 5 to October 14. The evidence before the subcommittee leads to the conclusion that such charges are unfounded.
>
> The news reports of an alleged conflict between the CIA and SAC with reference to the operation of U-2 high-altitude reconnaissance flights prior to October 14 were also closely inquired into and found to be without merit.
>
> To a man the intelligence chiefs stated that it is their opinion that all strategic missiles and bombers have been removed from Cuba.
>
> The intelligence community estimated that approximately 5,000 Soviet personnel were withdrawn from Cuba following the October confrontation. A net of 4,000 to 5,000 additional have been withdrawn since the first of the year, our intelligence people say.

That, Mr. Speaker, is a direct quote, as are the others, from the subcommittee's own report, and that adds up to a total estimated withdrawal of from 9,000 to 10,000 Soviet personnel. The report does not mention a single word about any evidence to support the charge, made in some quarters, that a comparable number of Soviet personnel—whether called troops or technicians—have newly arrived in Cuba.

Mr. MORSE. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Massachusetts.

Mr. MORSE. How many Soviet troops, according to the estimates of our intelligence sources, now remain in Cuba?

Mr. STRATTON. If the gentleman will permit me to develop my point of view as I have prepared it, I think that we can then discuss that subject a little later.

Mr. MORSE. Mr. Speaker, if the gentleman will yield further, will the gentleman agree that the presence of Soviet troops rather than the number of Soviet troops is the critical factor?

Mr. STRATTON. Well, I would say to my good friend from Massachusetts that I certainly agree with him that the presence of Soviet troops is a matter of concern, but what I am directing myself to, however, is a specific item with respect to the quality of our intelligence and with respect to certain suggestions that have been made in certain quarters that certain individuals have a different kind of intelligence from that available to our top intelligence agencies. Such a suggestion was made, for example, to the effect that as many troops or technicians, or whatever you want to call them, had moved back into Cuba in recent months as had been withdrawn earlier, and I am simply calling to the attention of the House the fact that the report of the subcommittee says that a total of 9,000 to 10,000 troops were withdrawn from Cuba since October.

And that there is not a shred of evidence in the report—I am not quoting—but there is nothing in the report to suggest that any number of troops or technicians or Soviet personnel ever went back into Cuba.

Mr. MORSE. If the gentleman will yield further, would the gentleman agree that there are still thousands of Soviet troops on the island of Cuba today?

Mr. STRATTON. Yes; and the reports substantiate that.

Mr. MORSE. Would the gentleman restate his quotation with reference to the "photography gap"?

Mr. STRATTON. Well, I do not mind debating with the gentleman, and I am always happy to talk with him, but my time is somewhat limited.

Mr. MORSE. I just missed the dates.

Mr. STRATTON. I have a rather long speech and it might, perhaps, be better for us to get in the discussion after I have had a chance to get it in the RECORD.

Let me say that the reference to the photography gap was a statement directly from the committee report that they looked into the charge of a photography gap, and I am sure the gentleman recalls when this was made, and it made big headlines, they looked into it and found that the charges were unfounded.

Mr. MORSE. Between what dates?

Mr. STRATTON. Between September 5 and October 14.

Mr. MORSE. If the gentleman will yield further, is it not a fact that there was no aerial reconnaissance surveillance of Cuba, during that period of time?

Mr. STRATTON. No, that is not a fact. The report—and I invite the gentleman's attention to it—lists the extent of the coverage and backs up the statement which it made and which I am quoting, that there was no gap between September 5 and October 14.

Mr. MORSE. I thank the gentleman.

Mr. STRATTON. Mr. Speaker, here are some other points the report makes, in its own wording:

> The intelligence chiefs do not believe that the Communist forces in Cuba now present a direct aggressive military threat to the United States or Latin America.
>
> Offensive weapons systems were identified before becoming operational and their locations and performance characteristics spelled out in a limited period of time despite adverse weather and an almost completely closed society.
>
> Photographic reconnaissance ultimately produced incontrovertible proof of the presence of strategic missiles and offensive weapons in Cuba. Credit is due to those involved in this mission.
>
> It has already been indicated, during all of this period there was a great volume of unconfirmed reports and rumors from human sources about strategic missile-related activity in Cuba. None of these reports were confirmed prior to October 14, 1962.

And again, on this same subject, which incidentally lies at the very heart of the attacks which have been mounted against our intelligence performance.

> During the July-August period refugee reports of alleged missile activity in Cuba increased significantly. These reports were checked out as scrupulously as possible, but even though many of them included consistent and similar descriptions of some form of missile activity there was no confirmation of them.

We have been reading a lot, Mr. Speaker, about those who had information before the President of the United States went on television on the 22d of October and how those who had this information were right and how the Government was wrong. Here a direct reading of the Senate document, which has not received the attention it deserves in the press, completely and totally refutes that kind of a charge.

> The MRBM's were discovered while they were in the process of being deployed. The IRBM sites were discovered in a very early stage of construction. The IL-28 bombers were discovered while they were still in their crates. The Mig 21's were discovered when only one had been removed from the shipping container.
>
> CIA and military intelligence, by use of their highly developed photographic capability, were able to give a unique performance in intelligence operations. They ultimately placed in the hands of the President, his advisers and U.S. diplomatic representatives incontrovertible proof of the presence of Soviet strategic missiles in Cuba in direct contravention of Soviet Government assurances. This visual proof unquestionably played a major part in the united action of the OAS and world acceptance of the correctness of our position.
>
> The intelligence community does not believe that in fact Cuba is now or has been a base for Soviet submarines.

Now, Mr. Speaker, I have here listed 11 specific points, in the language of the report itself, which I think are responsive to some of the charges we have all been reading in the press. These are the hard, demonstrated facts about our Cuban intelligence found by the subcommittee. They add up, in my judgment, to a simply overwhelming confirmation of an outstanding job done by our intelligence agencies in the Cuban crisis. And they conclusively refute and, indeed, demolish, Mr. Speaker, all the myriad charges we have heard raised on this floor and in another body about what was really going on in Cuba, or what was really known to someone with some specialized brand of "inside intelligence dope."

I think this is a tremendous verdict to be handed down by any jury, Mr. Speaker, and surely it should have demolished once and for all the nit-picking attacks that have been made variously on the competency and integrity of our Nation's intelligence services. Not only should these facts wipe out completely all of these efforts to cast doubt and suspicion on the performance of our intelligence agencies, surely they should give us a great sense of pride, both in the performance of our intelligence people and in the conduct of our Government leaders acting on the basis of that intelligence information.

Yet, Mr. Speaker, and this is the thing that disturbs me, and it is the reason why I have taken this time today, having clearly acquitted the defendant on the basis of the factual evidence, the subcommittee jury, by some strange legislative alchemy, then proceeds to find him guilty not on the basis of the facts but on guesswork. Let us take a closer look at this strange turn of events in the subcommittee report.

First. Having discarded the charge about missiles being hidden in caves, by saying that the intelligence chiefs "to a man" did not believe it, the subcommittee goes on to add:

> However, they readily admit that, in terms of absolutes, it is quite possible that offensive weapons remain on the island concealed in caves or otherwise * * * based on skepticism, if nothing more, there is reason for grave concern about this matter.

What a strange statement, Mr. Speaker, that is. Anything, of course, is always possible. But are we living in a real world or are we living in a dream world? Do we act on the basis of facts and evidence, or on the basis only of philosophical skepticism? Do we make our decisions on reality, or in terms of absolutes which can have no application to our real world?

Are we now suddenly to discard the reasoned, rational, realistic beliefs of every single one of our intelligence chiefs and to fall back instead on some appeal to absolutes and "nothing more" than philosophical skepticism as the touchstone of truth and falsity when it comes to Cuba? We certainly do not operate this way in any other agency of government; we do not operate this way in the business world; we most certainly do not operate on that basis in our everyday lives. Then why should we now suddenly be told that such an approach is a meaningful factor in assessing our Government's conduct in the Cuban crisis?

Or consider this statement in the report:

> The deficiency in the performance of the intelligence community appears to have been in the evaluation and assesment of the accumulated data. Moreover there seems to have been a disinclination on the part of the intelligence community to accept and believe the ominous portent of the information which had been gathered.

And again:

> It was not until the photographic evidence was obtained on October 14 that the intelligence community concluded that strategic missiles had been introduced into Cuba.

Mr. MACGREGOR. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. In connection with the point the gentleman made as to the verification of ballistics missiles in Cuba on October 14 for the first time, I would like to inquire whether the gentleman was in the House of Representatives on September 26, 1962—and I am quoting the CONGRESSIONAL RECORD, volume 108, part 15, page 20875—when the gentleman from South Carolina [Mr. RIVERS] advised the House as follows:

> We have arrived, Mr. Chairman, at the point where we had better march together while time remains.
>
> I got a lot of information over the 22 years I have been on the military committee, and I have other assignments from which I get information. They are loaded for bear in Cuba. Russia has missiles, and they are portable ones that can permeate the United States—and they are portable—from Havana, Cuba, to Norfolk, Va. And this is not idle talk.

Was the gentleman in the Chamber on September 26, 1962, some 3 weeks in advance of October 14, 1962, when the distinguished gentleman from South Carolina [Mr. RIVERS] made that statement without, I may add, any refutation whatsoever?

Mr. STRATTON. The gentleman knows I cannot recall specifically whether I was in the Chamber on a particular day.

Mr. MACGREGOR. This was during the debate on the Cuba resolution, and I assume the gentleman was here.

Mr. STRATTON. I know I was there that day, and was proud to vote for the resolution. I do not recall the gentleman's statement being made. I have no doubt it was made.

Mr. MACGREGOR. I assure the gentleman that I have correctly quoted Mr. RIVERS' statement.

Mr. STRATTON. I would not take issue at all with what the distinguished ranking member of our committee said. I simply point out to the gentleman that what applies to the gentleman from South Carolina applies to the distinguished Member of the other body, with whom I have upon occasion taken exception with regard to this same point; namely, that there were a lot of rumors and reports of strategic missiles and of short-range missiles in Cuba prior to October 14. The point I am making is the point made by me in this body before, and now has been demonstrated and proven by the report of a subcommittee of the other body; namely, that until October 14 there was no proof, no confirmation of this charge. It is one thing to talk about rumors, and it is another thing to talk about proven fact. When you are going to take this country to the brink of nuclear war, as the President did on October 22, you had better be very sure that what you are talking about is a fact and not a rumor.

Mr. MACGREGOR. I have served, like the gentleman, in the intelligence branch of our military services. Would the gentleman not agree with the distinguished subcommittee of the other body that intelligence coming from a closed society covers a certain range of factual information, and the principal problem is proper evaluation and analysis.

Mr. STRATTON. I certainly would agree with the gentleman on that point. If the gentleman will bear with me a moment, he will see I am now moving into a discusion of this specific point. I am sure that after the gentleman has heard what I have to say, because of his background in the intelligence field and his own native sound intelligence, he will agree wholeheartedly with the statement I am about to make.

Mr. MACGREGOR. I await the gentleman's further remarks with bated breath.

Mr. STRATTON. I thank the gentleman.

Resuming the direct quotation from the subcommittee report on this second major critique which they make of our intelligence performance in the Cuban crisis:

> It was not until the photographic evidence was obtained on October 14 that the intelligence community concluded that strategic missiles had been introduced into Cuba. In reaching their pre-October 14 negative judgment the intelligence analysts were strongly influenced by their judgment as to Soviet policy, and indications that strategic missiles were being installed were not given proper weight by the intelligence community.

Now, Mr. Speaker, I regret to say that this statement simply makes no sense to me. The report itself has already stated, as I mentioned just a moment ago, that until the U-2 flight of October 14 there was not a single bit of confirmation of the human reports that strategic missiles had been placed in Cuba, even though they were most scrupulously checked out by our intelligence personnel. Are we now being asked to criticize our intelligence people because they did not conclude that strategic missiles were in Cuba before they had any confirmation of these rumors in their hands? What does the subcommittee think our intelligence chiefs should base their judgments on—confirmed fact, or fiction? Before October 14 the record itself says there was absolutely no confirmed proof of Soviet strategic missiles at hand. Our intelligence agencies would have been derelict indeed had they made any such conclusion then before the October 14 date. But we also know that as soon as the October 14 evidence was in, they immediately made the correct conclusion, and they passed it on swiftly to the President, and he in turn acted swiftly, courageously, and effectively. Does the subcommittee really think our intelligence agencies are open to reprimand because they failed to manifest psychic powers prior to October 14?

Again, the report says this:

> Finally, the intelligence community was of the opinion that the Soviets would not introduce strategic missiles into Cuba because they believed that such a development would be incompatible with Soviet policy as interpreted by them.

Well, this may well have applied to some or even many in the intelligence community, but it emphatically does not apply to the chief of that intelligence community, Mr. John McCone, as the distinguished Senator from Washington, Mr. JACKSON, makes clear on page 8209 of the CONGRESSIONAL RECORD for May 9, the day the text of the report was made available to the other body.

The subcommittee report goes on:

> The danger that such perconceptions will control the weighting of the facts as events unfold is evident.

And again:

> It appears that on this point [about strategic missiles] the analysts were strongly influenced by their philosophical judgment that it would be contrary to Soviet policy to introduce strategic missiles into Cuba. In retrospect, it appears that the indicators to the contrary were not given proper weight.

Now, Mr. Speaker, this statement, too, makes no sense to me, I am sorry to say. The subcommittee's own report has made it crystal clear that whatever may have been the erroneous preconceptions and philosophical judgments of certain analysts within the intelligence community, they had not the slightest control or influence over the weighting of the facts, because from the very moment the reports of strategic missiles in Cuba came in, the Government did everything within its power to determine the truth of these reports. Checked them out, as the subcommittee itself commented, "scrupulously." That is a pretty strong word, Mr. Speaker. What more could it have possibly done? Whatever erroneous philosophical judgments there may have been, they had absolutely no impact on our actions. We were not lulled asleep, as at Pearl Harbor. We did not refuse to check out all the evidence as at Pearl Harbor. Instead we did a fantastically thorough intelligence job that got results as quickly as humanly possible, even though those results proved to be contrary to the philosophical preconceptions of some people; and then finally we accepted that confirmed proof and we acted on it the moment it was received—as the subcommittee's factual findings also indicate. What a vast—and most fortunate difference—from what happened in the days before Pearl Harbor.

Finally, Mr. Speaker, we are told that the intelligence community erred by substantially underestimating Soviet troop strength in Cuba. Now let me make just two comments on this particular alleged error.

In the first place, there can be no other basis for determining Soviet manpower in Cuba except our own intelligence estimates. If our intelligence agencies can be said to have underestimated Soviet manpower this can only be so because they have now, on the basis of further information, come up with a new estimate. There is no other benchmark short perhaps of direct Soviet and Cuban announcements, Mr. Speaker, by which to measure real Soviet strength in Cuba, or an on-the-spot head count on Cuban soil. So to criticize the performance of our intelligence reports on the basis of other updated intelligence reports made by the same agency strikes me as an exercise in futility.

Secondly, the subcommittee appears to be laboring here, as before, under a misapprehension that intelligence cannot be good unless it is absolutely certain and 100 percent correct. Now nothing could possibly be further from the truth than that. Intelligence of the enemy must by its very nature be inexact, an attempt at approximating a truth that is deliberately and ingeniously being concealed from us. To criticize intelligence, even softly, simply because it is not 100 percent accurate is to retreat once more into an unrealistic dreamworld of absolutes that bears no relation to reality itself. To insist that our intelligence services must have nothing but perfect scores would be like insisting on an airplane flying without the wing drag—without which sustained flight itself, of course, would be impossible—it just cannot, in the nature of the case, be done.

Now, Mr. Speaker, on the basis of this analysis, I think it should now be clear that as far as the facts developed by the distinguished subcommittee of the other body are concerned, the record of our intelligence services during the Cuban crisis, far from being open to doubt, suspicion or attack, is nothing short of phenomenal. The discovery of the strategic missile sites in Cuba was a major intelligence victory—and one which has been almost as much overlooked and depreciated in recent days as the military and diplomatic victory which was won by President Kennedy between October 22 and October 28.

Only when we leave the realm of facts behind, Mr. Speaker, and retreat into another world of absolutes and unattainable perfection can there be any basis for criticizing the performance of our intelligence agencies in Cuba or for suggesting that the attacks which have been made against them have any real merit whatsoever.

I deeply regret, Mr. Speaker, that there has been this strange blend of fact and fancy. On the facts the committee developed there certainly could have been and I believe there should have been, a clear, forthright, unmistakable, and conclusive rejection of all these unwarranted and irresponsible attacks that have been made against our intelligence agencies. The facts were there. The call could and should have been given, loud and clear.

Instead, Mr. Speaker, the trumpet has given forth an uncertain sound. Those who in months past have gained fame and notoriety by the suspicions they have tried to create about the performance of our intelligence agencies have unfortunately been given aid and comfort by the inconclusive nature of this report. Indeed, already they are citing the subcommittee document as proof of all their earlier charges.

But there remains one ray of hope, Mr. Speaker. This report is after all an interim report. Others, we are told, will be issued later on. I am indeed hopeful that when the final report is in, these curious contradictions will have been eliminated.

Unanimity is a great thing, Mr. Speaker. But let me say that I am hopeful that if the final report on this vital issue cannot come down unanimously, solidly, behind the ability and integrity of our intelligence services in the Cuban crisis, at least we will have a minority report to read which will state the record without hesitation or apology, as one chapter in American military history of which we can all be proud.

FOREIGN TRAVEL EXPENSES OF MEMBERS OF CONGRESS SHOULD BE LIMITED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, I would like to congratulate the Members of this House for approving legislation that, upon enactment, would restrict foreign travel expenses of Members of Congress. The legislation is, of course, House Joint Resolution 245.

I feel strongly about this legislation and I trust it will win overwhelming support in the other body. My only regret is that the measure did not come before the House in the original, stronger, and broader version as introduced by the distinguished chairman of the Committee on House Administration, the gentleman from Texas [Mr. BURLESON]. However, the legislation as passed by the House is a long step forward and I hope the first of many steps to follow.

It is true that the House Rules Committee during this Congress has tightened authorizations for matters pertaining to congressional travel. It is also true though that the Rules Committee actions do not have the permanence of law, and therefore, can be relaxed at will.

It is important, therefore, that travel reform legislation is enacted. Otherwise, Congress will once again be open to charges of practicing temporary and ineffectual cures, and of neglecting permanent and effective ones, in spite of the Rules Committee's notable efforts.

Commendable as this legislation is, it should be considered as only a first step by Congress in putting its Houses in order. The reform of travel expenditures, after all, is only one of many necessary reforms, few of which have been seriously considered lately by Congress.

The next reform measure that Congress should consider would provide for the examination of all congressional reform proposals. My bill, H.R. 1952, and several similar bills would establish a Commission on the Organization of Congress. I trust that the Rules Committee will give priority to this legislation and afford an early opportunity for hearings on it.

This Commission would recommend legislation that would take up where the Reorganization Act of 1946 and relevant legislation left off. Generally speaking, the Commission would study Federal legislative conditions, and then recommend improvements in the organization and operation of Congress.

The study would be undertaken with a view to altering Congress in the following ways: strengthen it, simplify its operations and make them more efficient, improve its relations with the other branches, and enable Congress better to meet its constitutional responsibilities.

The Commission's studies would include, but not be limited to, the organization and operation of the House and the Senate, and the relations between those two bodies. The Commission would also study the minute workings of Congress, including the structure and workings of all congressional committees and the relations among them, and the employment and pay of congressional employees. Furthermore, the Commission would study the relations between Congress, the executive, and the judiciary.

The Commission would be composed of at least seven Members from each House, with an initial party ratio of 4 to 3, in favor of the majority. These 14 Members would be supplemented by 2 more, with distinguished records of interest in public affairs, and appointed by the

President of the United States, regardless of political affiliation.

A majority vote of the Members representing each House, taken separately, would be necessary for approval of Commission recommendations.

The Commission would make available to Congress not only stiffer organizational standards, but also standards of behavior. Standards in the latter regard have been, and continue to be, poorly defined, and as a result have contributed to unfortunate and misleading publicity.

The rules of Congress have been taken for granted at a time when nothing should be taken for granted. If Congress continues to neglect revision of its rules, the work upon public business will become only more haphazard. We shall be charged with relying on rules that appear to be sound chiefly because Congress has endured, and not because such rules have aided in the dispatch of business.

It would indeed be tragic if Congress would change only when an aroused Nation forced it to change. Force breeds haste, violence, and unsound reform. Therefore let this Congress act not from forced impulse, but rather from seasoned deliberation, in order to provide for the inevitable.

NEW TEST-BAN PROPOSAL

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, on September 26, 1961, President Kennedy affixed his signature to a document. It was not an ordinary document, for it proclaimed to the whole world the desire of the American people to challenge the Soviet Union, not to an arms race but to a peace race. The document which the President signed on that day was the Arms Control and Disarmament Act. This legislation, of which I was a sponsor, received extensive consideration in the Congress and in the House Foreign Affairs Committee, of which it is my privilege to be a member. It passed by an overwhelming bipartisan vote of 73 to 14 in the Senate and 290 to 54 in the House. The purpose of the act was to create the Arms Control and Disarmament Agency. By congressional mandate, it was to explore, recommend, and if approved by the President, negotiate possible alternatives to the arms race in order to enhance our national security.

Ever since its establishment, I have closely followed and strongly supported the activities of this Agency for peace. This year I introduced the first of many bills in the House to remove the $10 million legislative ceiling on appropriations which was contained in the original act. Out of this $10 million, $8.33 million has been appropriated to the Agency during the year and a half it has been in existence. By comparison, almost $50 billion was appropriated to the Department of Defense for fiscal year 1963 alone. If the work of the Agency is to continue, and if we are to continue to pursue safeguarded and informed negotiations in the field of arms control and disarmament, the legislative ceiling on appropriations obviously must be lifted.

I admit that I may not be as knowledgeable as some of the experts and technicians who are concerned with working out the details of arms control and disarmament agreements. Perhaps, though, this permits me, as it permits other Americans, to be more objective in my judgments. You have all read and heard about the controversy over whether or not our test-ban proposals are adequately safeguarded. Arguments have raged over whether or not our proposed verification system is adequate to detect Soviet cheating under a test ban.

For the most part, this concern has been directed at possible secret Soviet tests with a magnitude less than one-quarter the size of our first nuclear explosion in New Mexico almost 20 years ago and less than one ten-thousandths the size of the largest recorded Soviet explosion.

It is the view of the State Department, the Defense Department, the Atomic Energy Commission, and the Arms Control and Disarmament Agency that significant Soviet advances would require a series of tests; that the probability is high that any meaningful series would be discovered by seismic or other means; and that such occasional small tests as might evade detection, if the Soviets were prepared to risk getting caught, would not have a damaging impact on the military balance. Weighing the risks of continued unlimited testing against the risks involved in a test-ban treaty, both this administration and the Eisenhower administration concluded that such a treaty would be in our national interest.

Now let me mention just briefly a few of the advantages of a test-ban agreement. It would: First, be a first step toward slowing down the nuclear arms race; second, be a first step toward inhibiting the further development of nuclear capabilities by other countries—a development which would increase the chances of nuclear devastation; third, eliminate the expense of conducting nuclear tests, an expense which is in the hundreds of millions of dollars for each series; fourth, preserve for a longer time our present advantages in nuclear weaponry; and fifth, eliminate radioactive fallout.

Despite these overwhelming advantages, the issue has been beclouded and misunderstood. In addition to the disproportionate and sometimes manufactured fears of Soviet cheating, arguments have also raged over the so-called concessions we have made in the number of annual onsite inspections. These critics ignore the fact that, when the United States was proposing a greater number of annual inspections, we believed there were almost four times more earthquakes annually in the Soviet Union than has proved to be the case. This greatly diminishes the number of natural earthquakes which would be likely to be confused with the tremors caused by nuclear explosions. These opponents of a test ban also ignore the fact that research has given us improved ability through seismic and other means to discriminate at a distance and without inspections, between earthquakes and explosions. If these are "concessions," they are concessions to peace, to the greater security of America and all nations, and to scientific progress.

The President, the Secretary of State, and the Director of the Arms Control and Disarmament Agency have all stated that a test ban agreement would be in treaty form, subject to the advice and consent of the Senate before it could be put in effect. Some Senators in Congress have recently speculated that if the present proposal were submitted to them, the required two-thirds majority would be lacking. One Senator recently suggested, on the basis of a study his staff had made, that the proponents of a test ban treaty would be lucky to get 57 out of 100 votes. I speak to inquire if the country feels the same way—if American mothers and fathers want to continue to face the prospect of nuclear annihilation for themselves and their children—if they want to face the continuing and ever-increasing threat of radioactive fallout as more and more countries start testing and building up nuclear arsenals of destruction.

In an address before the United Nations on September 25, 1961, the day before the Arms Control and Disarmament Act was signed into law, President Kennedy said:

> Today, every inhabitant of this planet must contemplate the day when it may no longer be habitable. Every man, woman and child lives under a nuclear sword of Damocles, hanging by the slenderest of threads, capable of being cut at any moment by accident, miscalculation or madness. The weapons of war must be abolished before they abolish us.

I do not believe that the estimates for U.S. Senate support of a test ban treaty, if correct, reflect the sentiment of the vast majority of Americans. I say that it is imperative that we make some effort, in however small a measure, to strengthen the slender thread by which the nuclear sword of Damocles hangs. I say we must break the stalemate which again exists at Geneva. Although I am not a military technologist or an expert on seismology, I am an American and a human being. I personally do not believe it is either realistic or in the interest of our national security to let technicalities of comparatively minor import blind and distort a goal which two administrations have concluded to be in our national interest. Over the years the distance between the Soviet and U.S. positions has been narrowed by changes on both sides. Who knows if time and the possibility of a new regime in the Soviet Union will render impossible the goal we so earnestly seek and obliterate forever the frail opportunity that we now have? I say, let us make clear evidence of our overwhelming desire to go forward in the cause of peace and security. I say, let us split our divergence down the middle. I say, let us propose an agreement for 1 year with the option of renewing that agreement for longer periods. I say further, let us propose an agreement calling for five effective, meaningful onsite inspections. The Soviets are satisfied to permit two or three inspections only. We have been asking for six or seven inspections. I suggest here a compromise of five meaningful, onsite inspections under a 1-year treaty, with the option of renewal. In this way we could promote the cause of peace, security, and trust, and test the validity of our proposals. Thus we may accomplish the results sought throughout the world by the man in the street—a test ban treaty. Certainly, this may involve taking some chance, but is it comparable with our continuing gamble on international nuclear annihilation? If it is determined that the proposed agreement is found unworkable, we could always return to the uneasy peace presently existing.

As Senator Church of the Senate Foreign Relations Committee said at a recent hearing on test ban negotiations:

> Practically no attention is given at all—which would permit the people of the United States to put this question in perspective—to the risks that we are taking and continue to take if, somehow, we do not begin to turn this nuclear arms race down.
>
> We are like passengers on a train that is headed toward a terrible precipice, and we know the bridge is out, and yet, we are arguing with one another as to what the dangers are in jumping off the train without taking into account what the inevitable end result will be if we continue on the tracks.

What do I seek? An avenue, an approach to attain a goal which the world seems to be crying out for—a goal that may be just beyond the touch of our fingertips. I am not unmindful of certain disadvantages that may be inherent in my proposal and I would not want it to be put into effect unless our security experts agreed that, on balance, it was in our national interest. However, unless some means is found to break the stalemate, this illusive thing called peace may not be attained in our lifetime—and who knows how long this lifetime might be under present world conditions?

RUSSIAN TRAWLERS IN THE CARIBBEAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. Rogers] is recognized for 60 minutes.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I will be glad to yield to the gentleman from Florida [Mr. Fascell].

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, last March 4 there appeared in the southernmost newspaper of the United States, the Key West Citizen of Key West, Fla., a news story by Jim Cobb, supported by photographic evidence of a Russian-made fishing boat, the *Omicron 50*, which was reportedly hijacked by its two Cuban crewmen. At this time, as a prelude to the discussion which is about to take place I would like again, Mr. Speaker, to draw my colleagues' attention to this incident and to refresh their memories on the subject.

The headline was: "Russian-Made Fishing Boat Is Brought Here; Hijacked by Cuban Crewmen."

The story follows:

> A new 50-foot fishing vessel, identified as Russian-made and reportedly hijacked, docked here yesterday and its two Cuban crewmen were taken into custody by immigration officials.
>
> The vessel—the *Omicron 50*—is believed to be a part of the huge Soviet-backed development program of the Cuban fishing industry announced last October by Premier Fidel Castro.
>
> It arrived under its own power about 8:30 a.m. The two Cubans were immediately whisked off to Miami by immigration authorities. Their identities were not released.
>
> Lt. Arthur Gerken, commander of the Key West Coast Guard Base, confirmed that the boat has Russian markings on its diesel engine and instruments.
>
> Home port of the ship was listed on the stern as Puerto Padre, a seaport on the north coast of Cuba about 175 miles southeast of Havana.
>
> Lieutenant Gerken said condition of the boat indicated it has never been placed in service as a fishing vessel. He said it was in "brand new" condition and that the bilges were completely dry.
>
> The ship has a large fish storage hold amidships and accommodations for four crewmen in the bow.
>
> The Key West bureau of the Associated Press, which maintains a 'round-the-clock monitoring service of Cuban radio and television broadcasts, said there has been no mention of such a missing craft by Cuban sources.
>
> They said such silence would not be unusual since the Cuban Government usually hushes up such hijacking incidents.
>
> Loss of the vessel would be highly embarrassing to the Cuban Government.
>
> Plans for expansion of the fishing industry call for Russian technical experts to train Cuban fishermen in the use of some 35 of the vessels which are an outright gift.
>
> Also under construction is a huge repair and overhaul base for fishing vessels in Havana Harbor.
>
> Since the announcement of the project, jittery U.S. officialdom has expressed fear the fishing facilities may be a front for a Russian submarine base.

I went back into history, Mr. Speaker, in order to point out the fact that there have been insistent rumors with respect to Russian-made vessels operating in the waters of the Caribbean with Cuba as a home base; there have been insistent and conflicting rumors and reports as to the purposes for which these vessels are operated; whether the bases from which they operate are also submarine bases; whether the trawlers themselves are nothing but coverups for either military purposes, espionage, or surveillance of the coast of the United States and the very important defense establishments which we have at Key West, at Miami, Cape Canaveral, and all along the coast of Florida.

Just yesterday my distinguished colleague, the gentleman from Florida [Mr. Rogers] made the disclosure that Russian trawlers have penetrated the 3-mile limit of the United States. I want to commend my colleague for making that announcement and disclosure and for raising the questions that have been raised as a result of that penetration. I think it important and vital for us, Mr. Speaker, to discuss, and I leave that discussion to the distinguished gentleman from Florida [Mr. Rogers] at another time, the question of military operation, of espionage, and all of the related questions that go with the problem of vessels of an unfriendly nation operating in and around our boundaries and penetrating our boundaries. Is this not a matter that the gentleman from Florida will discuss at another time?

Mr. ROGERS of Florida. That is correct. I appreciate the remarks of the gentleman.

Mr. FASCELL. Therefore, I will then proceed to discuss a matter which is equally obvious and equally important. We must concern ourselves not only with the military and espionage possibilities of vessels of unfriendly nations operating in or near our waters, but also the economic aspects of these movements. We know that the Communists operate on all three major planes—military, economic, and ideological. The existence and the operation of these Russian-made vessels in nearby waters should bring to our minds constantly the fact that there is also a very strong economic thrust by the Communists. While we are concerning ourselves with the military implications which the existence of these trawlers and fishing vessels present, we should never for one minute lose sight of the fact that the Communists operate on a double gambit, so that if they do not achieve their objective from a military standpoint, they will thus try to divert our attention from the economic gambit which they seek to make. So I want to address my attention to the economic gambit of these Russian-made vessels because they sound a clarion warning to us of the increasing effort of the Soviet master plan to permeate world fisheries.

That does not sound as if it is very exciting, but I think most of us who have been engaged in the political arena either at the State level, here, or at the international level, know that fishing issues can produce fierce struggles.

Soviet Russia, recognizing the importance of meeting its protein deficiency, has established an intelligent world fishing plan operated by the state. The dedicated interest of the Soviets in fishing has brought them, in a few short years, to the top four nations in world fishing production.

U.S. national interest has been aroused by cries of alarm heard from Alaska and the Pacific Northwest, from New England and the Virginia coast down to the tip of Florida about the presence there of Red mother ships and intensified Russian fishing activity. However, from the Soviet standpoint—if one precludes the possibilities of espionage—this is a very costly operation with a fleet which comprises expensive, long-range vessels requiring crews to stay long periods at sea.

The obvious answer? Cuba. This Soviet salient is now an established fishing base. The new "fishing" port has been built. I put the word "fishing" in quotes for obvious reasons. It could have several interpretations.

Cuba with its many natural harbors close to established stocks of fish figures heavily in the Soviet master plan. The new 50-foot fishing vessel recently reaching Key West to which I referred earlier is reported to be one of 50 recently built fishing vessels now Cuba based. This, of course, is not only a direct threat to Florida fishermen who have traditionally fished in the Caribbean waters, but a direct threat to fisheries in the entire free world.

But it is not only this threat that I am concerned about, it is also the rapidly diminishing importance and healthy growth of the U.S. fishing industry. Are we by lack of vision and lethargy going to permit these vital natural resources for the maintenance of optimum health and successful trade to be lost to the Soviet master plan? That is the question, Mr. Speaker.

The economics of maintaining U.S. fisheries are those of a free enterprise system. We will venture our capital only in an area where the returns are reasonably certain. Once we have established a fishery with an accepted market, we will go to any length to nurture and protect it. If the results become marginal or if losses occur, we may abandon the entire venture.

It is to these unfished stocks that the Russians have first moved upon. This is good tactics.

Mr. Speaker, the basic conservation premise to which the whole world subscribes is that with the scarcity of protein food in many areas, the rich protein food in the oceans should not be neglected. It is to this basic concept that the Soviets blandly address themselves when countering protests of our American fishermen. So far they have usually avoided our "historic" and treaty-covered fisheries.

To divert attention from the master plan to preempt world fisheries, the Soviets now and then encroach upon an established fishery, provoking anguished cries from U.S. fishermen bent upon protecting their immediate interests.

At this point, Mr. Speaker, let me point out an interesting analogy between this tactic and the tactic pointed out by our distinguished colleague, the gentleman from Florida, that the Soviets with their trawlers have penetrated the 3-mile limit. This could very well be a purely diversionary tactic designed to direct our attention there while they are actually putting into effect another plan. It could very well be a secondary gambit, that to which I am addressing myself today, nothing more prosaic than fishing. On the other hand it could be that these ships were sent to spy on our complex system at Cape Canaveral or the tremendous naval base at Key West. I might add, Mr. Speaker, there is no greater naval facility on the entire eastern seaboard than the one that exists at Key West, Fla. It is the home base for nuclear subs and conventionally powered submarines and other naval vessels. I would trust that our Defense Establishment would not at this time make any changes which would in any way tend to lessen the capability of our naval base at Key West, Fla. I think it would be a horrible mistake to move the nuclear-powered submarines out of that area and send them to other ports along the eastern seaboard. Our surveillance by submarines ought to be continuous and complete in waters surrounding all of Florida in which the Communists are directly proceeding and penetrating.

In the interest of our national security, I urge that a full complement of nuclear-powered submarines be based at Key West. There is no finer operating facility so close to the areas of Communist operation and penetration.

The entire Communist policy is transparent when analyzed. Presently it definitely follows current Soviet policy of coexistence. How long this trend will continue is problematical—certainly only so long as it suits Soviet strategy.

The time is at hand to explore all phases of U.S. interests in fisheries, wherever located. And certainly no time should be lost in containment and full surveillance of the Communist fishing fleet and removal of the Communist salient in Cuba. It is imperative that the nations affected unite in considering the problem as they have joined ranks in other fields.

We are making little, if any, effort to compete with new fisheries. We are dying on the vine, clinging to old ships and methods. The creeping encroachment by the Russians on our own coasts will soon give to them, as regards these new fisheries, the basic defense we have so long used of "historic rights by preemption."

By laissez faire we are entering upon an era of change, from a combination coastal and distant fishing nation to a defensively coastal state alone. We have few whalers, and only our tuna fisheries are aggressive the world over. This is based on the U.S. market demand for tuna.

What was our own old pattern of fishing growth? When our fishing fleet began to exhaust stocks close at hand we built far-ranging vessels to harvest distant stocks. You do not scuttle an expensive fleet; you look for new grounds, and then start encroaching on established ones. No battle is so important as the one for food. Iceland was ready to take on the whole British Navy in the codfish war of 1959.

What of Cuba? This Soviet salient is becoming an established fishing base. A new "fishing port" has been built. With many natural harbors close to established stocks of fish, Cuba figures heavily in the Soviet master-plan. The buildup of the Soviet-Cuban fishing fleet is demonstrable. A new 50-foot fishing vessel recently reached the port of Key West, having been commandeered by refugees fleeing Cuba. These refugees stated that it was one of a fleet of 50 fishing vessels recently built. This vessel is adaptable for snapper or shrimp fishing, and for any general fishing purpose. It has good seaworthy lines; is long and beamy enough for distant fishing. It has adequate diesel power. There are certainly experienced Cuban as well as Russian and Polish fishermen available, and Castro has enough militia to use commissars aboard these vessels if the fishermen are not to be trusted. Meat and poultry are rationed; fish and shellfish can be produced to supplement a desperate protein deficiency.

In the Gulf of Mexico, as on the Atlantic Shelf, there is harvestable abundance not now being taken. According to biologist Seton Thompson, Regional Director of the Bureau of Commercial Fisheries, Department of the Interior, where the Gulf of Mexico was once considered a barren desert for fisheries, exploration and research have shown it to be a veritable storehouse of fish, probably one of the world's richest and best stocked areas. Millions of tons of herring-like fish are there for the taking, but we who discovered them in our own backyard are not taking them. This type of fish makes excellent fish flour and fish oil. What better aid to underdeveloped nations could we provide than protein food from the gulf? If dissident Government agencies would stop squabbling about "fish cakes," this fishery could be developed by American vessels. The present gulf shrimp trawler is adaptable for this fishery, but without reasonable expectancy of a market there is little hope that private enterprise will enter this field. This leaves the preemption of the fishery to any newcomers who want it. It is in the high seas.

The Tortugas shrimp fishery is one of the world's largest concentrations of pink shrimp, yielding about 18 million pounds each year. It is under scientific management and regulation by the State of Florida, and is the scene of intensive Federal and State biological research. Before Castro, it was the abortive subject of a proposed shrimp treaty with Cuba, and only the change of government in Cuba prevented its full implementation.

The North Pacific and North Atlantic have been an umbrella of international conventions covering many of the fisheries. Some are leaky shields, but in general they are respected by the Soviets. We look in vain for such an umbrella in the Gulf of Mexico and South bor, Canada, has joined in these agree- Atlantic. Our northern fishing neigh- ments in the North Pacific and North Atlantic. To the south it is different. Although shrimp and other fisheries are important industries in Mexico, Panama, and other Central and South American nations, there is no alianza for our mutual protection against the imminent Communist invasion on fisheries in the gulf and Caribbean.

In 1962 the United Nations projected a 4-year plan of exploration and training of native fishermen, sparked by requests from Netherlands Antilles, Haiti, Barbados, Jamaica, Trinidad, and other islands. Without disturbing the meritorious U.N. Caribbean project, we should move in the gulf and Caribbean for a better and more comprehensive plan to bring the bordering nations into agreement on fisheries conservation, the utilization of unfished stocks, the increased use of fishery products and matters of marketing. This would be to the advantage of each participating nation. It would also serve as a shield against Communist fishing encroachment.

Mr. ROGERS of Florida. Mr. Speaker, I want to say to the gentleman we certainly commend him for bringing this to the attention of the House, and I hope to the attention of the appropriate persons in this Government who have a responsibility to see that we have some protection of our economic interests, certainly the fishery industry and industries of this nature.

As the gentleman from Florida [Mr. Fascell] has pointed out, this is a perfect ruse to use to let shipping vessels go by saying they are only to be used in fishing. The pattern is established, and it seems has been established without very much regard to our economic interests. So I commend the gentleman for bringing this to our attention. I know the gentleman will, and other Members will, continue bringing this up until something is done to help solve this problem.

Mr. MATHIAS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Maryland.

Mr. MATHIAS. I would like to personally thank the gentleman from Florida [Mr. Fascell] for bringing this matter to the attention of the House. I represent a maritime State, as he does, a State that has great interest in the fisheries of the Atlantic. I believe that is a very, very vital question. It is filled with all sorts of implications which go far beyond the fisheries themselves. Certainly this should become one of the interests of the great free nations of the world. We are seeing something that is literally right before our eyes which should be considered, and there should be no excuse in following this out to a satisfactory conclusion.

Mr. FASCELL. Mr. Speaker, I want to thank the gentleman from Maryland [Mr. Mathias] for his interest and support. The resolution of this matter is of grave concern to the entire Nation and the maritime States particularly. I add my thanks for his remarks and to my distinguished colleague from Florida [Mr. Rogers] for making this time available to me to bring this vital matter to the attention of this House.

TVA MARKS 30 YEARS OF ACHIEVEMENT AND ACCOMPLISHMENT FOR BENEFIT OF STATE, NATION, AND FREE WORLD

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Tennessee [Mr. Evins] is recognized for 20 minutes.

Mr. EVINS. Mr. Speaker, Saturday will mark the 30th anniversary of the signing of one of the most significant and far-reaching acts ever passed by the Congress of the United States—the act creating the Tennessee Valley Authority. Fittingly, President Kennedy will fly to Tennessee and Alabama Saturday to participate in ceremonies marking the anniversary of the signing of this act by President Franklin D. Roosevelt on May 18, 1933.

The TVA stirred the imagination of the United States 30 years ago and today is a fruitful example of how democracy works and how a democratic society through utilization of its resources can lift an entire region and its people out of poverty and despair. It is today one of our Nation's most impressive showcases to the world.

Mr. Speaker, it is fitting that we today take note and memorialize briefly the 30th birthday of this great agency and acclaim its achievements and accomplishments.

One reason for TVA's overall success is that it brought into being a new administrative concept of resource development at the Federal level. The TVA was given the responsibility of the overall development of the resources of the seven-States valley area. To do this, President Franklin D. Roosevelt asked the Congress to create an agency which would be "a corporation clothed with the power of Government but possessed with the flexibility and initiative of private enterprise" for the general development of the Tennessee River Valley.

The comprehensive approach to development of the Tennessee River was not a new idea. It has long been advocated. A single river system is a single unit from its source to its mouth, regardless of its State boundaries. They should be developed to achieve their maximum benefits to the public and in the public interest.

In 1908 Theodore Roosevelt in a message to the Congress said, and I quote:

> Every stream should be used to its utmost. No stream can be so used unless such use is planned in advance. When such plans are made, we shall find that, instead of interfering, one use can often be made to assist another. Each river system, from its headwaters in the forest to its mouth on the coast is a single unit and should be treated as such.

In that statement we find the basic idea of the TVA which another Roosevelt 25 years later put into practice through the bill whose signing we are commemorating today.

The late, great Republican Senator George W. Norris, of Nebraska, was one of the main connecting links between the two Roosevelts and one of the truly great TVA pioneers.

Today, largely because of the vision and work of such men as President Theodore Roosevelt, President Franklin D. Roosevelt, Senator George W. Norris, Senator Lister Hill and others, TVA stands not only as a symbol of democracy in action throughout the United States but as a monument to the world of what our great Nation can and does do at home. President Kennedy goes to the Tennessee Valley on Saturday to demonstrate his loyal support of the TVA concept and to join with other great Presidents in endorsing the TVA concept.

President Kennedy during the 1960 presidential campaign, speaking in Nashville, pointed out and I quote him:

> The Tennessee Valley is the greatest asset we could have, not just to the Tennessee Valley and not just to the United States, but to all those people who stand today in the underdeveloped world and try to make a judgment which road they will take. Will they go the road of freedom or will they take the road of Moscow and Peiping? The Tennessee Valley shows them what freedom can do by the collective action of the people and the vision of the leadership.

He pointed out in Knoxville, Tenn., on that same trip that the TVA "has been the best ambassador" that the United States has ever had in the Middle East and many areas of the world.

The New York Times in an editorial on April 25, points out that since Congress created TVA and, "over the years whether under a Democratic or Republican administration in Washington, the prestige of this pioneer agency has mounted." The editorial continues and states that in the instance of TVA "Federal initiative backed by vigorous local cooperation has built an enduring success."

The act creating the TVA set forth a number of objectives which authorized the agency to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of the valley; to provide for the national defense, and with the added responsibility of promoting the economic well being of the people living in the valley area.

Today the Tennessee is the most completely developed and controlled major river valley in the world.

The Tennessee Valley system now consists of a series of 31 dams—25 of which were built or acquired by the TVA and 6 are privately owned. Six dams in the Cumberland River Valley, one TVA and five Corps of Engineer projects also contribute to the TVA power system.

The TVA in its flood control operations is now able to stop the flow of the Tennessee River completely which it did in 1958, 1960 and 1961 to control flooding on the lower Ohio and down the Mississippi. TVA has averted about $32 million in damages along those areas by regulating the Tennessee's flow.

Chattanooga, which had long suffered from destructive flooding, has derived particularly great benefits from the TVA flood control operations, and it is estimated that the TVA has prevented some $148 million in losses in this area alone which would have resulted from 31 potentially damaging floods. The TVA investment in flood control facilities currently amounts to approximately $184 million, therefore it is easy to see that the public has already almost entirely recouped its investment for flood control facilities.

Improvement of navigation on the Tennnessee River was one of the fundamental objectives of the TVA Act and the Tennesseee River now provides a commercially useful water channel from Knoxville, Tenn. to Paducah, Ky.—some 650 miles. In 1961, commercial tonnage on the channel totaled approximately 12 million tons.

TVA's most widely known achievement has, of course, been in the field of electrical power generation.

In 1933, there were only 300,000 power consumers in the Tennessee Valley. Today there are more than 1.5 million consumers. In 1933, the average consumer used only 600 kilowatts of electrical power while today the average kilowatt consumption per consumer per year has risen to more than 9,500 kilowatts. This is twice the national average and remarkable testimony to TVA. This clearly demonstrates that cheap rates for electricity stimulate and encourage consumption.

The TVA and the Rural Electrification Administration together with rural electric cooperatives which have distributed TVA power have made one of the most important contributions to the area through the farm electrification program.

Thirty years ago when the Tennessee Valley Authority Act was signed, less than 3 percent of the farms in the valley area were electrified. Today more than 98 percent of our farms have electricity.

But, consumption of electricity produced by the TVA is not the full story of the importance of the electricity produced. Virtually all of TVA's efforts were directed toward the war effort just prior to and during World War II. Its power and chemical operations were also helpful during the Korean conflict.

During World War II approximately 75 percent of the TVA output went into war production. The TVA power helped meet the Nation's needs for aluminum, copper, phosphorus for tracer bullets, incendiary bombs, calcium carbide for synthetic rubber, ammonium nitrate and guncotton.

The availability of TVA's power was an important reason why the Army established its atom bomb plant at Oak Ridge, and it is fair to say that without adequate TVA power it might well have been impossible to develop the atomic bomb. TVA, thus, contributed to the saving of many lives through shortening and winning the war.

Today TVA continues to add to our national defense, supplying electricity for many private industries which manufacture weapons and other articles necessary for the national defense. Today the Atomic Energy Commission and other Government agencies use approximately half of all the power the TVA generates, saving millions annually in power costs to the Federal Government.

Great volumes of TVA power are also necessary to operate the great Air Force windtunnels at Arnold Engineering Development Center near Tullahoma, Tenn., in the district which I have the honor to represent, and for operations at the great missile and rocket center at Huntsville, Ala.

The TVA concept has captured the interest and imagination of citizens and governments throughout the civilized world. This is partially attested to by the fact that TVA has received more than 25,000 special visitors who have come to view this model river development project. These visitors have included kings, presidents, prime ministers, and numerous ambassadors. These people cannot help but be impressed with this gigantic monument to a working democracy.

The TVA has made a tremendous direct and indirect contribution to industrial development of the valley. The availability of power has encouraged the establishment of the power using industries, particularly the electrochemical and electrometallurgical industries.

The development of a navigable channel has helped the development of many industries which employ water transportation to move raw materials, supplies, and finished products.

It is estimated that TVA's water control and navigation system has helped locate $800 million worth of new industry along the river. TVA's contribution to a favorable industrial climate has been demonstrated through numerous programs. The TVA has demonstrated the techniques of adapting industrial development to the natural and human resources of a region—by working with the State agencies, the universities, local groups, and the people themselves.

The TVA has found support throughout its 30-year history from many great men. It has also met with criticism. The late great former Chairman of the Tennessee Valley Authority, Gordon R. Clapp, once put it this way:

> The TVA is controversial because it is consequential. Let it become insignificant in the public interest, an agency of no particular account and the people will stop arguing about it.

Mr. Speaker, TVA has survived its critics and will continue to move ahead with its magnificent achievements and accomplishments. The past 3 decades have seen great changes in man's management and use of water in the Tennessee Valley but the job is not complete.

There is still much work to be done by the TVA. I am pleased to see that the directors of TVA are moving forward in their efforts to carry out the full intent of Congress as set forth in the Tennessee Valley Authority Act.

In recent years, the TVA has established a small tributaries division and has embarked upon a development program for the small tributaries of the valley area. The tributaries area development program has as its goals minimizing flood damages along tributary streams to the Tennessee River, promoting watershed protection for the Tennessee River Basin, and strengthening the local economy in areas of the valley that have special water problems and that have not kept pace with the general economic pace of the region. The TVA should move ahead into these fields and I am pleased that this program has begun and is now progressing.

Mr. Speaker, today we look back with pride on 30 years of progress in the Tennessee Valley made possible by the TVA. We also look ahead with imagination and vision and with the expectation that TVA will continue to provide great benefits to the people of the area, to the Nation as a whole and to the world, and that the agency's accomplishments and achievements will be equally great in the coming decades.

Mr. Speaker, as the 30th anniversary of the TVA has approached there have been several important and significant editorials commending and praising the TVA, including the one previously mentioned from the New York Times. A selection of these newspaper articles follows:

[From the New York Times, Apr. 25, 1963]

GETTING ENOUGH WATER

By coincidence a special report by the Tennessee Valley Authority is published almost simultaneously with adoption by the U.S. Senate of a research bill aimed at the problem of assuring the country an adequate supply of usable water. TVA has achieved precisely this result for the 41,000 square miles in the Tennessee River drainage basin, and its present report is a dramatic account of what can be accomplished through a unified approach to water management.

Streamflow regulation has created more than 600,000 acres of water surface in the Tennessee Valley. Floods have been prevented. Vast new sources of hydroelectric power have been created. Irrigation projects have flourished. Recreation facilities have been developed, and business in the great valley has prospered.

It is now 30 years since Congress created TVA, and over the years, whether under a Democratic or a Republican administration in Washington, the prestige of this pioneer agency has mounted. To be sure, it is still the target of criticism directed against it by many privately owned electric power interests; these interests contend that, even though TVA makes payment to States and counties in lieu of taxes, it is so set up as to provide an unfair yardstick of production and service costs, in comparison with the record of the private power companies.

Nevertheless, despite such criticism, the opinion has certainly gained ground that some water-control and power-production projects are too large and too complex to be undertaken by private capital, that the TVA nexus is one of these, and that in this case Federal initiative, backed by vigorous local cooperation, has built an enduring success.

Here, certainly, is relevant material for any congressional investigation of the problem of developing an adequate supply of water for the years that lie ahead.

[From the Washington Daily News, May 13, 1963]

TVA'S 30TH BIRTHDAY

(By Peter Edson)

Tennessee Valley Authority will be 30 years old come May 18. Celebrations and oratory are being planned. Literature on the TVA "experiment" is appearing, pro and con.

Whether you approve of it or not, TVA is admittedly one of the seven wonders of America and an eighth wonder of the world. When the King of Morocco came to the United States he stopped to see TVA before coming to Washington.

At the end of World War II a party of European journalists came here direct from TVA at the end of a transcontinental junket. They were all from different political parties and they had seen through partisan eyes the great Tennessee River with its dams and powerlines, electrified farms, navigation channels, and floor-control works.

To the liberals, TVA showed what a democratic government and society could do when they went to work for the people. To the Socialists TVA was pure Marxism. To the Communists it was fulfillment of the Leninist-Stalinist dream, only Russia could do it better. But to the conservatives this was Big Business that could be created only in a free enterprise, capitalistic economy. They all got into such a heated argument about it that when they reached Washington they weren't speaking to each other.

This illustrates as well as anything the point that TVA is controversial. And in its 30th anniversary observance this month there will probably be some sour notes that it is so anti-American it should be broken up and sold to the private power companies.

The best justification of TVA is that it works. But as a matter of speculation, if a completely unbiased jury could be given the case, it might be found that the competitive private enterprise system owes a great debt to Tennessee Valley Authority.

TVA woke up the private power industry to its potential. It showed what could be done with rural electrification. It showed that lower power rates will increase consumption and increase the sale of electric appliances many times over. It promoted growth.

When TVA legislation was before Congress in 1933, E. A. Yates, of Dixon-Yates fame, testified in opposition to TVA because there was already a 66-percent overproduction capacity of private power in the area and he could see no market for more. But within 7 years TVA had doubled the private consumption level. By 1953 it had increased 17 times. Today TVA's total steam and hydroelectric power capacity is over 50 times what it was in 1933.

TVA's purchases of low-bid foreign electric generating equipment caused American manufacturers to sharpen their pencils and become competitive. Publicizing identical bids submitted by American manufacturers on furnishing TVA with electrical equipment resulted in antitrust charges with heavy damage suits still pending and the restoration of real, competitive, free enterprise. TVA engineers have also led the way in design of larger and more efficient hydro- and steam-generating units, dams, and locks.

But of far more value than its pioneering in the electrical industry, TVA has set a national and international pattern for multiple-purpose water control, flood prevention, navigation, recreation, reforestation, and the shift of agriculture from row crops like corn and cotton to cover crops that conserve water.

Before Congress now is a bill to provide $20 million for financing water resource research and planning to meet the needs of America's still increasing population. If this money can be used as efficiently as TVA has used its funds over the past 30 years, it should be an investment paying multiple dividends.

[From the Washington Post, Mar. 14, 1963]

THE TENNESSEE VALLEY REVISITED

(By Drew Pearson)

KNOXVILLE, TENN.—If you want to understand progress in the United States, sometimes you have to look backward.

In 1935, this column reported on the early beginning of the Tennessee Valley Authority—the drill crew attacking the hillside of dolomite above Norris Dam like puppets in a pantomime the giant mortar and pestle grinding boulders with the slow force of some prehistoric monster masticating; the tilting buckets, the conveyor belts, the sandwashers, as hour after hour, one shift after another, the puny persistence of mere man attacked the complacent hills above the River Clinch.

Those were days when the TVA was a very hotly debated subject. Gathered around Tom Keck's store down the canyon of the Clinch, you could hear sermons preached about the iniquity of permitting man to despoil the Lord's work.

"This TVA is like the seven-headed monster that rose up out of the sea and had dominion over man and beast," proclaimed Squire John Keck around the stove in his cousin's store. "Genesis 8: 21. The Lord make a covenant with Noah never again to destroy the earth with water.

"Them TVA men is all guilty. Their punishment shall be a violent storm or earthquake that'll engulf them all, them and the dam and all their willful machinations."

EVEN THE DEAD MOVED

But high up on the hills, the compressors continued to drill into the dolomite rock and the buckets of concrete continued to pour cold lava into the great form which was to become Norris Dam. Even the graves were desecrated by the onward march of the bulldozers and the steamshovels—another sore point with Squire John.

"They'll be punished," he declared. "It's profanation to dig from the Lord's holy ground the bodies that's been given to His care. There's not a man among us who would tread upon a human grave, and here's the TVA with picks and shovels tearin' up the bones of the dead and leavin' graves yawnin' like the judgment day."

That was a quarter of a century ago.

This week as I traveled along the River Clinch, the march of progress had not slowed. New dams were being built to meet the industrial thirst for electric power, and even a giant steamplant is going up on the River Clinch at Bull's Run. It will be one of the biggest steamplants in the world with a smokestack nearly twice as high as the Washington Monument, and almost as high as the Eiffel Tower without its television antenna. It will stand 900 feet high in those Tennessee hills, the highest structure ever made there by man.

The steamplant at Bull's Run means that the surge of industry to take advantage of cheap power has outstripped the capabilities of Norris Dam and the other dams, and the coal miners who once opposed the TVA as a curse upon their product now find TVA their best customer.

No, the march of progress has not slowed; and along with the new industries have come new superhighways, new modern schools, and new ranch houses nestling in the hillsides.

And if there are any Squire Kecks around to invoke the wrath of the Lord against the TVA men, I could not find them. I could only find that when Representative BRUCE ALGER, the pioneer Republican from Texas, came to east Tennessee to criticize TVA at a Lincoln's birthday rally, his fellow Republican, HOWARD BAKER, who has to live and get reelected in that district, found it wise to stand up and defend the TVA.

[From the Christian Science Monitor, Mar. 22, 1963]

FLOOD-CONTROL DIALS SPIN

KNOXVILLE, TENN.—Rain beats monotonously against a house in northern Alabama, on a tobacco field in southern Kentucky, and down a gully in Tennessee.

From the farmer to the salaried man to the independent operator in the sand-hauling business along the Tennessee River, the questions are about the same:

How much is it going to rain?

When is it going to quit?

What is the Tennessee Valley Authority doing about it?

No one can answer the first two with certainty. And that complicates the answer to the third, which involves hours of tedious paperwork, split-second figuring by man and computer, perhaps hurried messages by microwave radio during the night, and juggling of waters behind more than two dozen dams.

The TVA that swirled with political controversy in the 1930's is the same TVA which today in the face of floods can shut off completely the Tennessee River where it enters the Ohio River at Paducah, Ky.

One of its decisionmakers is Alfred Cooper, chief of TVA's river control branch, who sums up his job:

"We fight time."

If conditions call for it, Mr. Cooper twists the technical faucets that turn off the Tennessee.

The Tennessee was stopped completely in 1958, 1960, and 1961 to control flooding on the lower Ohio and down the Mississippi. TVA figures it has averted about $31,500,000 in damages along those areas by regulating the Tennessee's flow.

At Chattanooga, Tenn., TVA estimates it has prevented $148 million losses from 31 potentially damaging floods.

Mr. Cooper generally is responsible for the operation. A TVA spokesman said: "He's the only man in the world with a river job like that."

If Mr. Cooper has any simple formula for controlling a runaway river, it is this:

Clear the mainstream of as much water as possible ahead of an expected flood crest, and hold back waters from the tributaries until the crest passes.

The hitch is deciding which of TVA's nine mainstream dams to close, how much and for how long.

The answers are determined at TVA's 25-man flood-control office beginning about 7:30 a.m., when a reproduction machine begins reeling out sheets filled with data on rainfall, reservoir elevations, and discharges at each dam.

Minutes later, a teletype begins spelling out forecasts from the weather bureau, where TVA pays the salaries of three meteorologists.

About 8:05 a.m., a stream of information begins pouring in from 10 area offices where field engineers have received reports from 200 rainfall stations and 43 stream gages throughout the valley.

With other data, the rainfall measurements are fed into a computer—rented for $1,500 a month—which spits forth averages and such technical information as runoff indexes.

Armed with computations, Mr. Cooper and other experts huddle in the seventh floor of a TVA building in Knoxville to discuss where the critical floodpoints are.

After brief discussions, they decide to begin preliminary discharges to empty the mainstream for storage capacity. Orders go out to various dams to step up discharges by carefully calculated amounts.

With a new flood crest coming down the Ohio, TVA curtailed the Tennessee flow March 19 from 350,000 cubic feet per second—160 million gallons a minute—to 250,000 cubic feet.

The idea is to slice the Tennessee flow to a minimum when the Ohio flood crest passes Paducah and then allow the Tennessee's pent-up waters to flow in behind.

With such a vast flood control operation, why does Tennessee have floods? The answer is that the flooding usually occurs along creeks and streams where there are no dams.

[From the Nashville Tennessean]

DESPITE THE CRITICS, TVA'S HERE TO STAY

A lot of unkind things have been said about the Tennessee Valley Authority. When the TVA bill was before Congress in 1933, shortly after veterans' benefits were reduced, Rhode Island's Senator Jesse Houghton Metcalf cried: "How on earth can we justify taking a decent living from the soldiers who suffered on the battlefields of France and pour it into the mudholes of Tennessee?" Arizona's Senator BARRY GOLDWATER today calls TVA "a giant Federal power monopoly—a hoax."

But TVA has survived such criticism. Next month TVA will celebrate its 30th anniversary and if nothing else, it is there. It works.

The very mention of its name still triggers theoretical arguments about public versus private power. Yet debate over its theory fade to futility when set against the real-life changes in the valley.

The Tennessee was once a treacherous river, red with the topsoil it carried away by summer, aswirl with the houses, horses, and barns its floods destroyed by winter. Today, more than two-thirds of its 900-mile length is

> virtually one tamed and tranquil lake. Hundreds of recreation sites occupy the valley's 10,000 miles of shoreline. Its waters provide one of the world's finest inland recreation areas, yield fishermen some 10 million pounds a year of 23 species of fish.
>
> These waters—actually a series of reservoirs—were created by 31 major dams (6 of them privately owned), which now function in a highly integrated system. "Today TVA can shut off the Tennessee River when the Ohio is in flood—shut it off just like a faucet," says David Lilienthal, TVA's early crusading Chairman. TVA did just that a few weeks ago, and saved an estimated $100 million flood damage in Chattanooga alone.
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> Mainstem dams have navigation locks, permitting the passage of vessels with 9-foot drafts. Some 13,100,000 tons of traffic moved on this waterway last year. The Tennessee's ports are linked with those in 20 States. TVA officials claim that such navigation has stimulated the investment of some $875 million in shoreline industry in the valley.
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> To keep the valley's best soil from being continually washed into the river by the area's heavy rains, TVA has coaxed the farmers into using a variety of conservation practices: planting trees, contour plowing, diversifying crops, enriching their land with TVA-developed fertilizers. One byproduct of the reforestation has been the creation of a $500 million private forest-products industry. TVA has also fought mosquitoes to lick the valley's malaria, which in 1934 had infected more than 30 percent of the people living along the river in northern Alabama. Since 1949 not a single case of local origin has been reported along the reservoirs.
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> TVA's power production remains the most controversial part of its operation. Its generating capacity of 12,031,060 kilowatts is the largest of any power system in the Nation, amounts to 8 percent of all U.S. capacity. Through contract distributors, it serves 1,513,400 homes and firms. The average valley resident pays 0.96 cent per kilowatt-hour; the national average is 2.43 cents. The authority deliberately slashed rates to stimulate electrical consumption when it first set up shop, and with spectacular results: from 1933 to 1951 the number of homes in the valley using electricity for the first time jumped from 225,000 to 1,065,000, an increase of 375 percent, while the national growth was less than 100 percent. Total demand still is climbing about 10 percent a year.
>
> The Authority has been able to reduce rates partly because high production breeds efficiency. It claims that where private utilities average 4.2 mills to produce each kilowatt-hour sold, TVA's cost is 2.1 mills. As the Nation's biggest coal buyer, TVA pays $4.39 a ton for coal to fuel its steamplants, compared to a national average of $6.26. TVA, of course, has had the advantage of not paying Federal taxes (although for years it has paid sums to State and local governments) or interest on its initial capital. It now does, however, pay the Federal Government some $45 million a year in amortization and return on the taxpayers' investment, and finances expansion through its own interest-bearing bonds.
>
> Despite TVA's gigantic operations, there is no evidence that nearby private utilities have been hurt. Most of them benefited from a boom in appliance sales when TVA's low rates first spurred electrical use. Competitively lowering rates, the private companies have kept them low—yet the latest studies show that their common stock earnings are twice as high as the U.S. average.
>
> U.S. taxpayers may always differ as to whether TVA has been worth the $1.757 billion it has cost them so far (although that sum is, for example, barely larger than total U.S. aid to Franco's Spain since 1945). But beyond the matter of dollars, TVA's advocates claim that the project has shown what the residents of a region can accomplish when encouraged. Says present TVA Chairman Aubrey Wagner, recalling 29 years with TVA: "People said to us, you can't go in there and build dams with the labor of those hillbillies. But the thing they didn't realize was that these people, working on the dams, knew they were building their futures. All we have done is to place the tools in the hands of the people here."
>
> Lilienthal says that TVA also proved that it is an advantage to place such complex projects—which require a unified execution—beyond the reach of Washington's many uncoordinated agencies. "TVA is an arm of Government and yet we took it outside, away from Washington, and put it to work in the sticks. We had a valley, a river, an area, not just a plan or a dream—a chance to do something concrete."
>
> One indication of TVA's progress was the remark of a foreign visitor who recently flew over the region. "Oh, isn't it wonderful," he said. "Yes, we must have a TVA. But weren't you lucky to have yours in such a lovely green valley?"

SEQUOYAH—THE GIVER OF LIGHT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, a proposal that the statue of Sequoyah be removed from Statuary Hall of the National Capitol to be replaced by one of the late Senator Robert S. Kerr has been shelved gracefully by the Kerr family. Robert S. Kerr, Jr., the late Senator's son, has publicly stated that it was a unanimous feeling in the family that his father would not want a statue of himself to replace that of Sequoyah. My own feeling is that the late great Senator from Oklahoma would have been the last ever to have agreed to such a proposal.

Although the matter will now likely be dropped, it has served a worthwhile purpose in focusing attention on Sequoyah and his great contributions to the Cherokees, to what is now Oklahoma and the Nation.

One of the best tributes to Sequoyah to appear in recent weeks was one written by a native Oklahoman, Walker Stone, distinguished editor-in-chief of Scripps-Howard newspapers, which appeared in the Washington Daily News for Monday, May 6, 1963.

Describing Sequoyah as "the giver of light to his people," Mr. Stone wrote:

> Born in a tent in the old Cherokee nation in the Tennessee Valley (historians differ on whether the wickiup was pitched on what is now Georgia or Tennessee soil) of a Cherokee Indian mother and a migrant German trader father, Sequoyah grew up an illiterate in the sense he never learned to speak, read or write English.
>
> Yet his genius brought literacy to the whole Cherokee people, something that was not accomplished for any other Indian tribe.
>
> Sensing that the whites had a great advantage over Indians, in that they could communicate through the written word by symbols which this son of nature called "talking leaves," Sequoyah, a primitive artisan, a silversmith like Benevenuto Cellini and Paul Revere, labored for years to devise an alphabet, or rather a syllabary, representing each of the 85 sounds in the Cherokee tongue.
>
> It had such simplicity children could learn to read and write in a day, and even the more backward of adults could learn in 3 weeks. As a consequence, the Cherokees, alone among the American Indian tribes, established their own press, translated the Bible, the New Testament and the classics into the Cherokee language.
>
> Thus he opened the minds of his people of the forests to the enlightenment of the ages. And even before the removal of the Cherokees—with the Creeks, Seminoles, Choctaws and Chicksaws—from east of the Mississippi River to the then wilderness of Oklahoma, the Cherokees had a higher quotient of education and affluence than any other tribe, and higher than the white folks whose superior numbers and political influence in Andrew Jackson's administration forced their removal.
>
> When the Cherokees were "removed" from north Georgia and east Tennessee to 300 miles west of the Mississippi, so many died of disease and privation it would take a headstone every 1,000 feet to mark that "trail of tears"—when that happened, the Cherokees took their culture, their faith and their printing press with them. And they made the wilderness of northeast Oklahoma flower.
>
> The Cherokees could claim no more innate intelligence or capacity than any of the other tribes. Except, they had Sequoyah, who had opened up for them the writings and wisdom of generations of civilized men not opened to other Indians.
>
> It is no accident that Oklahoma's other representative in the Hall of Fame, Will Rogers, is also of Cherokee ancestry. It is no accident that in 1917, when Sequoyah's statue was installed, one U.S. Senator and two Members of the House who participated in the ceremonies, were of Cherokee blood, while no other Indian tribes were represented. These Cherokee Oklahomans were there because, long before they were born, Sequoyah's alphabet had prepared them for adaption.

AIR FORCE MAJ. GORDON COOPER

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, Air Force Maj. Gordon Cooper will return to earth this evening after 22 hurtling orbits. This is an exciting accomplishment, a major step forward, that has been achieved with seeming routine efficiency. A new competence, professionalism, and maturity now marks America's space efforts.

But though "Gordo" Cooper will return to earth to continue his work in the day-to-day, less publicized needs and requirements of NASA's program, his orbital effort is evidence that this Nation and the world have entered permanently into the domain of space. We now can look forward with quiet confidence to the departure and return of individual space flights. But this new exploratory surge of mankind thrusts continuously outward toward the limits of our solar system and beyond.

Power, power of imagination and intelligence and torrents of flaming physical power, propels America into space. The combination of these two forms of power more than 15 years ago in my district produced the mighty space machine, the Atlas booster, that yesterday so successfully and flawlessly propelled Major Cooper into orbit.

Atlas has been the workhorse of our man-in-space effort. It has successfully powered all our manned orbital flights—John Glenn, Scotty Carpenter, Wally Schirra, and now Gordon Cooper. And amazingly enough it is performing this task—keeping America in the space race—as a bonus above and beyond the job for which it was conceived and created—the keeping of the peace by providing devastating ICBM strike capability. If it were not for the Atlas program, we in all probability would not as yet have launched the first American into orbit and would not be ready to do so for at least a year or more. The dedication and wholehearted effort of engineers and scientists over many years at General Dynamics/Astronautics have provided us with this vital bonus—manned orbital capability. It has been the quiet, intensive labors of Jim Dempsey, president of General Dynamics/Astronautics, Karel Bossart, "father of the Atlas," and so many others that have provided the thundering Atlas, the sound of America in space.

The role of Atlas in space began with Project Score on December 18, 1958. An entire Atlas went into earth orbit carrying an Army Signal Corps instrumentation package that broadcast back from the reaches of space to the people of the earth President Eisenhower's Christmas message.

More recently, Atlas, combined with an Agena, sent the Mariner II spacecraft on the world's first successful interplanetary journey to the vicinity of the planet Venus.

Atlas also is involved in orbiting secret payloads for the Air Force from Vandenberg Air Force Base launching sites. And in its prime role it stands quiet, alert guard in bunkers and silos about this country, ready and armed to defend freedom and deter aggression.

The Navy awards a 4.0 for perfect performance. I think the time has now come to award Atlas its 4.0. Four completely successful launches into orbit of America's astronauts. Four thundering, nerve-tightening launches conducted in full view of the vast American television audience and the world's press representatives—for these feats the reliable Atlas, the successful Atlas, the inspiring Atlas, deserves its 4.0 score.

GOOD TIPS ON BIRMINGHAM

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DEROUNIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, about a month ago, I was put on the purge list by the chairman of the New York State NAACP for having recommended that "northern agitators" keep out of the South, if the serious problem of race relations is to be solved.

Strange as it may seem, both President Kennedy and his brother, Bobby, have said the same thing. I do not know whether they are on the purge list of the NAACP, too.

The New York Daily News, today, backs up my recommendation in an editorial on Birmingham.

> GOOD TIPS ON BIRMINGHAM
>
> The best advice we've yet seen on racially racked Birmingham, Ala., came from President Kennedy Tuesday, at a White House lunch for 26 Alabama newspaper editors and publishers.
>
> Moderates on both sides of the many-angled dispute, said the President, had better get and stick together, lest extremists on both sides—Black Muslims and Ku Kluxers, for examples—make matters much worse.
>
> The next best advice, we think, came from some of those same editors and publishers. It was that Birmingham's segregation problems could be settled if outsiders would get out or stay out.
>
> This reference was chiefly to Jackie Robinson and Floyd Patterson, prominent northern Negroes whose intentions in going to Birmingham may have been good, but whose appearance there was bound to inflame the above-mentioned extremists.
>
> Both of these tips had better be heeded if things aren't to grow much worse in Birmingham—thereby prolonging the hate-America field day our Red enemies everywhere are enjoying.

THE LEAD AND ZINC INDUSTRY IN COLORADO

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, the lead and zinc industry in Colorado and in the Nation are in serious trouble. Over the last 10 years there has been a steady deterioration in the economic status of these important industries. We have reached the stage where the lead and zinc industries are teetering on the brink of oblivion.

From 1948 to 1960, the average price of lead has dropped from 17.9 cents to 11.7 cents. The average price of zinc during this same period of time has dropped from 13.3 cents to 12.9 cents. In the State of Colorado, lead production decreased from 30,336 tons, valued at $10,496,256 in 1951 to 18,080 tons valued at $4,230,720 in 1960. Comparable figures for zinc are 55,714 tons, valued at $20,279,896, produced in 1951 and reduced to 31,378 tons, valued at $8,069,724, in 1960.

It must be recognized that there is a serious need for the continuation of these important industries. From an economic standpoint as well as a national security basis, we cannot afford to allow these industries to lapse into oblivion.

It is my firm belief that we should establish a quota system. I am introducing today a legislative measure that would provide for the establishment of such a system. In my opinion, a threefold purpose would be served by the passage of this legislation.

First, it would help to preserve this important segment of our economy.

Second, it would protect the consumer by insuring him of adequate supplies of these metals, sold at a reasonable price.

Third, it would give the importer an assurance of a fair share of our market.

In Colorado, we are particularly aware of the value and importance of the mining industry. Our State, rich in mining lore and history, needs lead and zinc mines. I believe the Nation needs these lead and zinc mines.

I join my distinguished colleagues from Colorado, Mr. ASPINALL and Mr. CHENOWETH, in introducing this legislation.

HOT LINE COULD LEAD TO SECRET SUMMITS

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ALGER. Mr. Speaker, there is grave concern among many in this country who fear the administration may be coming to secret understandings with the Soviets.

There have been many developments over the first years of the Kennedy administration to lead us to believe that if outright promises were not made, at least some understandings were reached which have cost the United States loss of prestige and have strengthened the Soviet position in the world.

We could start with the erection of the Berlin wall shortly after the first summit meeting. The United States took no action to prevent the building of the wall. We witnessed the buildup of the Soviet military strength in Cuba and after token removal of missiles and troops, none of which have actually been proved, we have an announcement from administration forces of the removal of our bases from Greece and Turkey which had been a rumored deal, but previously denied by the White House.

When the President recently moved to prevent patriotic Cuban exiles from taking action to free their homeland, Castro brazenly announced to the world this was the first of the demands he had made. Now there are rumors that a deal has been made to give up our base at Guantanamo and, indeed, we are told preparations are being made in Puerto Rico which could be the preliminary construction needed if this move is to be made later. Abandoning Guantanamo is also among Castro's demands.

Mr. Speaker, I am not charging the President has made secret deals with Khrushchev, but the evidence keeps piling up through the actions of this administration that force us to believe that understandings have been reached for accommodation of the Soviet. And I hasten to point out the word "accommodation" comes from our State Department, not from critics of the Kennedy administration.

This brings us to the proposed "hot line," a direct wire from the White House to the Kremlin. Already, according to a recent article in the Chicago Tribune, United States and Soviet delegates are discussing the technical details. I include the item at this point in my remarks:

Experts Meet on United States-Russia "Hot Line" Link

Geneva, Switzerland, May 6.—American and Russian experts met today to discuss technical details of "hot line" communications linking Washington and Moscow.

They met at the U.S. mission with the American disarmament negotiator, Charles C. Stelle, and his Russian counterpart, Semyon K. Tsarapkin, sitting in. It was the first time talks on the "hot line" got down to technical details since the Russians accepted the idea last April 6.

My concern, Mr. Speaker, is what agreements may be reached in confidential conversations over a direct line with the Soviet Union, a Government which considers it a matter of honor to dishonor its agreements. Truth, integrity, honoring treaties, are not a part of Communist strategy and never have been. The Soviet Union leaders have faithfully followed the formula set down by Lenin, "one step backward and two steps forward," in steadily pursuing the Communist goal of world revolution and world domination.

Because the United States has fared so badly after open summit meetings, I am fearful of what could happen to us with the ready and secret availability of a "hot line" communication between the White House and the Kremlin.

It is my firm conviction that no such means of communication should be set up until Congress has had an opportunity to thoroughly investigate it and until the President has enunciated a firm, bold foreign policy which will insure no future secret commitments with the Soviet.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Evins, for 20 minutes, today.

Mr. Rogers, of Florida, for 1 hour, on Monday next.

Mr. Mathias, for 30 minutes, Thursday, May 23.

Mr. Sikes (at the request of Mr. Haley), for 30 minutes, for Thursday, May 23, 1963, to revise and extend his remarks, and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Hosmer and to include extraneous matter.

Mr. Fino and to include extraneous matter.

(The following Members (at the request of Mr. Haley) and to include extraneous matter:)

Mr. Marsh.
Mr. Celler.
Mr. Blatnik.
Mr. Dorn.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5517. An act making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on May 15, 1963, present to the President, for his approval, a bill of the House of the following title:

H.R. 2240. An act to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes.

ADJOURNMENT

Mr. HALEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Monday, May 20, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

816. A letter from the Secretary of Defense, transmitting 32 reports covering 32 violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, "Administrative Control of Appropriations within the Department of Defense," pursuant to section 3679(i)(2), Revised Statutes; to the Committee on Appropriations.

817. A letter from the Assistant Secretary of Defense, transmitting the report of Federal contributions for the quarter ending March 31, 1963, pursuant to the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

818. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Postal Savings System; to the Committee on Government Operations.

819. A letter from the Secretary of Commerce, transmitting a report relating to aviation war risk insurance for the period as of March 31, 1963, pursuant to the Federal Aviation Act of 1956; to the Committee on Interstate and Foreign Commerce.

820. A letter from the Administrator, Housing and Home Finance Agency, transmitting a draft of a proposed bill entitled "A bill to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities"; to the Committee on Interior and Insular Affairs.

821. A letter from the Secretary of Commerce, transmitting a report relating to war risk insurance and certain marine and liability insurance for the period as of March 31, 1963, pursuant to the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

822. A letter from the Secretary of Commerce, transmitting the Annual Report of the Foreign-Trade Zones Board for the fiscal year ended June 30, 1962, together with reports covering certain foreign-trade zones, pursuant to section 16 of the Foreign-Trade Zones Act, Public Law 566, 81st Congress; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 5312. A bill to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior; with amendment (Rept. No. 304). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 6386. A bill to amend title 13, United States Code, so as to insure the right of privacy in the conduct of decennial censuses of population, unemployment, and housing; to the Committee on Post Office and Civil Service.

By Mr. BARRETT:

H.R. 6387. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary schoolchildren in all of the States; to the Committee on Education and Labor.

By Mr. BYRNE of Pennsylvania:

H.R. 6388. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary schoolchildren in all of the States; to the Committee on Education and Labor.

By Mr. NIX:

H.R. 6389. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary schoolchildren in all of the States; to the Committee on Education and Labor.

By Mr. GREEN of Pennsylvania:

H.R. 6390. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary schoolchildren in all of the States; to the Committee on Education and Labor.

By Mr. TOLL:

H.R. 6391. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary schoolchildren in all of the States; to the Committee on Education and Labor.

By Mr. BETTS:

H.R. 6392. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 6393. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 6394. A bill to establish a National Spelling Commission to reform the spelling of English words, to publish the U.S. Official Dictionary, and for other purposes; to the Committee on Education and Labor.

By Mr. BROYHILL of Virginia:

H.R. 6395. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for surviving spouses without deduction from original annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS:

H.R. 6396. A bill to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945 in lieu of certain compensation at a saved rate, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GARY:

H.R. 6397. A bill to provide for an additional Assistant Secretary in the Treasury Department; to the Committee on Ways and Means.

By Mr. GLENN:

H.R. 6398. A bill to clarify paragraph 4 of section 15 of the Pay Readjustment Act of 1942 (56 Stat. 368); to the Committee on Armed Services.

By Mr. GREEN of Pennsylvania:

H.R. 6399. A bill to provide for the coverage of physicians by the insurance system established by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 6400. A bill to amend the Federal Aviation Act of 1958 to provide for the regulation of rates and practices of air carriers and foreign air carriers in foreign air transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON:

H.R. 6401. A bill to extend the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959 to caretakers in the employ of the National Guard or Air National Guard of a State, the District of Columbia, or the Commonwealth of Puerto Rico, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KING of California:

H.R. 6402. A bill to amend the Internal Revenue Code of 1954 so as to exempt from tax musical instruments sold to students for school use; to the Committee on Ways and Means.

By Mr. OLSEN of Montana:

H.R. 6403. A bill to amend the Federal Employees' Group Life Insurance Act of 1954, as amended, so as to provide for an additional unit of life insurance, to increase the rates of premiums, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROSENTHAL:

H.R. 6404. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 6405. A bill to create a bipartisan commission to study Federal laws limiting political activity by officers and employees of Government; to the Committee on House Administration.

By Mr. WELTNER:

H.R. 6406. A bill to amend section 221(f) of the National Housing Act to extend from July 1, 1963, to July 1, 1965, the termination date for the insurance of mortgages under subsections (d)(2) and (d)(4) of such section; to the Committee on Banking and Currency.

By Mr. BURKHALTER:

H.R. 6407. A bill to provide for the establishment of a national wildflower sanctuary in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. CHENOWETH:

H.R. 6408. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 6409. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. CORBETT:

H.R. 6410. A bill to amend the Federal Employees Health Benefits Act of 1959 to remove certain inequities in the application of such act, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6411. A bill to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945 in lieu of certain compensation at a saved rate, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6412. A bill to improve the financing of the civil service retirement system; to the Committee on Post Office and Civil Service.

By Mr. DOWDY (by request):

H.R. 6413. A bill to amend the act approved March 3, 1921, as amended, establishing standard weights and measures for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Maryland memorializing the President and the Congress of the United States relative to requesting a joint study and inquiry into the differentials between wholesale and retail prices of alcoholic beverages in Maryland and the District of Columbia, and making certain recommendations respecting proposed legislation concerning the alcoholic beverage industry in Maryland, which was referred to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 6414. A bill for the relief of Mr. Ng Ying-Lung and Mrs. Ng Lau Kwen; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 6415. A bill for the relief of Francesco Parrina; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 6416. A bill for the relief of Mauritz A. Sterner; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

125. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., requesting legislation to form a Joint Committee on Congressional Districting; to the Committee on the Judiciary.

126. Also, Petition of Henry Stoner, Avon Park, Fla., to update the American's Creed, and with reference to the phrase "a democracy in a republic", as descriptive of our form of government; to the Committee on the Judiciary.

127. Also, petition of Henry Stoner, Avon Park, Fla., requesting legislation to call together the leading U.S. political scientists to hold a conference to decide specifically what is implied by the word "republican" as used once in our U.S. Constitution, so as to give all Americans specifics to fight for in this fateful era when all Americans must put up or be shut up; to the Committee on the Judiciary.

128. Also, petition of Henry Stoner, Avon Park, Fla., calling for the U.S. Congress to be men, Jeffersonian men, and not two-faced politicians, in this crucial hour, in reference to the majority popular rule; to the Committee on the Judiciary.

129. Also, petition of Henry Stoner, Avon Park, Fla., requesting passage of legislation announcing to all U.S. district attorneys and other Federal officials that they will be unable to plead or enforce the Constitution of the United States without first being so directed by statute legislation; to the Committee on the Judiciary.

130. Also, petition of Henry Stoner, Avon Park, Fla., requesting the House of Representatives to change the rules of said House governing its Committee on Rules; to the Committee on Rules.

131. Also, petition of Henry Stoner, Avon Park, Fla., requesting that the House of Representatives do not appropriate any funds for a statue to James Madison, but instead to appropriate funds for promotion amongst the people of the world of "Madison's Notes"; to the Committee on Public Works.

132. Also, petition of Henry Stoner, Avon Park, Fla., requesting that the public-debt-increase bill, H.R. 6009, not be passed by the Congress; to the Committee on Ways and Means.

SENATE

THURSDAY, MAY 16, 1963

(Legislative day of Monday, May 13, 1963)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, before ever our yearning needs have broken into speech in this forum of the Nation's will, Thou hearest even the secret sigh of our perplexed and fainting spirits.

Amid the earthquake, wind, and fire of this violent world, for this hallowed moment, with all voices hushed, we would be still and know that Thou art God.

In the fierce fight raging to maintain our own liberty and to make men free everywhere, we pray that, earthen vessels though we are, we may be the channels of Thy holy purpose to break all slavish shackles which bind and degrade the dignity of Thy children.

Here, today, may some revelation of Thy light fall upon our darkness, some guidance from Thy wisdom lead us out of our bewilderment. In this supreme battle of the ages as we wrestle with the powers of darkness, open Thou our eyes, that we may see not only the encircling battalions of evil, but also on the hills about us the chariots of God and the horsemen thereof.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 15, 1963, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act, was read twice by its title and referred to the Committee on Finance.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Education Subcommittee of the Committee on Labor and Public Welfare was authorized to meet during today's session of the Senate.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour, and that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

JUVENILE COURT, DISTRICT OF COLUMBIA

The Chief Clerk read the nomination of Orman W. Ketcham, of Maryland, to be associate judge of the juvenile court of the District of Columbia for the term of 10 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

The Chief Clerk read the nomination of Edmond T. Daly, of the District of Columbia, to be associate judge of the District of Columbia court of general sessions for the term of 10 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

The Chief Clerk read the nomination of Richard R. Atkinson for reappointment as a member of the District of Columbia Redevelopment Land Agency for a term of 5 years, effective on and after March 4, 1963.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MEMORIAL FROM OREGON LEGISLATURE

Mrs. NEUBERGER. Mr. President, on behalf of the senior Senator from Oregon [Mr. MORSE] and myself, I present a certified copy of House Joint Memorial 15 adopted by the 52d Legislative Assembly of Oregon, 1963. The resolution urges constant scrutiny of grain price levels and relationships, and enactment of legislative provisions necessary to establish and maintain stable and equitable price relationships among the various grains and among the major grain-producing and grain-feeding areas of the Nation.

I ask consent that the text of the memorial be printed in the RECORD with my remarks.

There being no objection, the joint resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

HOUSE JOINT MEMORIAL 15

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the livestock and poultry feeding industries are a vital and integral part of the economy of the State of Oregon and of the United States of America; and

Whereas the ability of these grain-feeding livestock and poultry industries to survive and prosper in any area is heavily dependent upon the prices of grains in each and every other major grain-producing and grain-feeding area of the country; and

Whereas through the years Federal grain programs have failed to stabilize grain price levels and relationships and have penalized some grain-feeding areas while benefiting others; and

Whereas grain price levels and relationships are subject to moderation and are largely manageable by the programs authorized by the Congress and administered by Federal agencies; and

Whereas grain feeders for many years have been unable to use wheat as a feed due to the relatively low prices of corn and milo: Now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is urged to—

(a) Keep under constant scrutiny the grain price levels and relationships resulting from administrative regulations and practices of Federal agencies operating grain programs authorized by the Congress; and

(b) Retain or enact legislative provisions necessary to establish and maintain stable and equitable price relationships among the various grains and among the major grain-producing and grain-feeding areas of the Nation.

(2) The secretary of state shall send a copy of this memorial to the President of the U.S. Senate, the Speaker of the House of Representatives of the United States, to each Member of the Oregon congressional delegation, and to the Secretary of the U.S. Department of Agriculture.

Adopted by house April 9, 1963.

CECIL L. EDWARDS,
Chief Clerk of House,
CLARENCE BARTON,
Speaker of House.

Adopted by senate April 25, 1963.

BEN MUSA,
President of Senate.

Filed May 2, 1963, at 11 o'clock a.m.

HAROLD F. PHILLIPPE,
Assistant Secretary of State.

AMENDMENT TO CONSTITUTION OF INTERNATIONAL LABOR ORGANIZATION—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 179)

Mr. SPARKMAN. Mr. President, from the Committee on Foreign Relations, I report favorably, without amendment, the joint resolution (S.J. Res. 60) providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization. I ask unanimous consent that the report be printed, together with the individual views of the Senator from Ohio [Mr. LAUSCHE].

The VICE PRESIDENT. The report will be received, and the joint resolution will be placed on the calendar; and without objection, the report will be printed, as requested by the Senator from Alabama.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

S. 1547. A bill to provide for the addition of certain property in Philadelphia, Pa., to Independence National Historical Park; to the Committee on Interior and Insular Affairs.

By Mr. McCLELLAN (for himself and Mr. FULBRIGHT):

S. 1548. A bill to modify the project for flood control and improvement of the lower Mississippi River and tributaries; to the Committee on Public Works.

By Mr. HRUSKA:

S. 1549. A bill for the relief of Hipolito Mora Lorilla; to the Committee on the Judiciary.

By Mr. BEALL (for himself and Mr. BREWSTER):

S. 1550. A bill to authorize the Secretary of the Interior to reimburse the Washington Suburban Sanitary Commission for additional costs in acquiring a new site for a sewage treatment plant; to the Committee on Interior and Insular Affairs.

By Mr. McCARTHY:

S. 1551. A bill to amend section 4456 of the Internal Revenue Code of 1954 with respect to the method of paying the tax on playing cards;

S. 1552. A bill to repeal the manufacturers excise tax on musical instruments; and

S. 1553. A bill to amend the Internal Revenue Code of 1954 with respect to the limitation on the amount of the deduction by individuals for contribution to certain organizations supporting schools of art; to the Committee on Finance.

S. 1554. A bill for the relief of Frank J. Kreysa; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 1555. A bill to amend the Internal Revenue Code of 1954 so as to increase to $1,000 the amount of each personal exemption allowed as a deduction for income tax purposes; to the Committee on Finance.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

By Mr. McNAMARA:

S. 1556. A bill to amend the Public Buildings Act of 1959 to require separate contracts to be entered into for the performance of mechanical specialty work required in certain construction and alteration of public buildings; to the Committee on Public Works.

By Mr. EASTLAND:

S. 1557. A bill to amend section 77 of the Bankruptcy Act, and for other purposes; to the Committee on the Judiciary.

By Mr. EASTLAND (by request):

S. 1558. A bill to provide penalties for certain offenses committed in connection with highway construction; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

PRINTING OF ADDITIONAL COPIES OF PARTS 1 AND 2 OF 1963 HEARINGS OF JOINT COMMITTEE ON ATOMIC ENERGY ON DEVELOPMENT, GROWTH, AND STATE OF ATOMIC ENERGY INDUSTRY

Mr. PASTORE submitted the following concurrent resolution (S. Con. Res. 43); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Committee on Atomic Energy 1,000 additional copies each of Part 1 and Part 2 of its 1963 hearings on the "Development, Growth, and State of the Atomic Energy Industry."

INCREASE OF PERSONAL INCOME TAX DEDUCTION

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, the Individual Income Tax Reduction Act of 1963.

This bill would increase the annual allowance of deductions for personal exemptions from $600 to $1,000, to become effective at the beginning of the 1963 taxable year.

In his state of the Union message on January 14, the President clearly outlined the state of our economy and the need for a tax cut. He said:

> The most urgent task facing our Nation at home today is to end the tragic waste of unemployment and unused resources—to step up the growth and vigor of our national economy—to increase job and investment opportunities—to improve our productivity—and thereby to strengthen our Nation's ability to meet its worldwide commitments for the defense and growth of freedom. The revision of our Federal tax system on an equitable basis is crucial to the achievement of these goals.

In 1961 when I originally introduced this bill, the administration opposed its enactment. In his letter to the chairman of the Senate Finance Committee, Mr. Stanley S. Surrey, Assistant Secretary of the Treasury said:

> As you know, the revenue productivity of the individual income tax which is now the most important single source of revenue depends to an important extent on the level of the personal exemptions. Since the income tax is now paid by most income recipients in the United States, increases in the personal exemptions would reduce the individual income tax best by substantial proportions and would, therefore, result in relatively large revenue losses. It is estimated that the increase in exemptions proposed in this bill would result in a revenue reduction of about $10 billion annually * * *. It would not be compatible with the objective of a balanced budget to provide a $10 billion tax reduction at this time.

Today our policy has changed. The President himself has recommended a tax cut. His proposal would provide greater relief for low income groups. Mine would do the same.

The administration proposal would give tax relief through a revision in the rates, whereas I propose simply to reduce the tax by increasing the personal exemption.

There is no doubt, Mr. President, that a tax reduction is indispensable if we are to move our economy at a faster pace and relieve our unemployment rolls. My proposal would help the lower income groups by allowing more take-home pay to those families with several dependents. The family undoubtedly would spend the take-home pay, putting more dollars into our economy and more demand for essential goods required for every family; shoes, clothing, shelter, food, and housing, to mention but a few.

I ask, Mr. President, for unanimous consent to have printed at the close of my remarks the contents of the bill; and I also ask unanimous consent that the bill lie on the table until Thursday, May 23, 1963, for those of my distinguished colleagues who may wish to cosponsor the bill with me.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from Indiana.

The bill (S. 1555) to amend the Internal Revenue Code of 1954 so as to increase to $1,000 the amount of each personal exemption allowed as a deduction for income tax purposes, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Individual Income Tax Reduction Act of 1963".

SEC. 2. Section 151 of the Internal Revenue Code of 1954 (relating to allowance of deductions for personal exemptions) is amended by striking out "$600" each place it appears therein and inserting in lieu thereof "$1,000".

SEC. 3. (a) Section 3 of the Internal Revenue Code of 1954 (relating to optional tax if adjusted gross income is less than $5,000) is amended by striking out "who has elected for such year to pay the tax imposed by this section, the tax shown in the following table:" and inserting in lieu thereof "who has elected for such year to pay the tax imposed by this section—

"(1) In the case of a taxable year beginning after December 31, 1962, the tax shown in a table which shall be prescribed by the Secretary or his delegate. The table prescribed under this paragraph shall correspond in form to the table in paragraph (2) and shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking the standard deduction.

"(2) In the case of a taxable year beginning before January 1, 1963, the tax shown in the following table:".

(b) Section 4(a) of such Code (relating to rules for optional tax) is amended by inserting after "the table in section 3" the following: "and the table prescribed under section 3".

SEC. 4. (a) Section 3402(b)(1) of the Internal Revenue Code of 1954 (relating to percentage method of withholding income tax at source) is amended by striking out the table and inserting in lieu thereof the following:

"Percentage method withholding table

"Payroll period	Amount of one withholding exemption
Weekly	$22.00
Biweekly	43.00
Semimonthly	47.00
Monthly	93.00
Quarterly	278.00
Semiannual	555.00
Annual	1,110.00
Daily or miscellaneous (per day of such period)	3.00".

(b) So much of paragraph (1) of section 3402(c) of such Code (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1)(A) At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid to such employee on or after the first day of the first month which begins more than 10 days after the date of the enactment of the Individual Income Tax Reduction Act of 1963, a tax determined in accordance with the tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were under subsection (a):".

"(B) At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid to such employee before the first day of the first month which begins more than 10 days after the date of the enactment of the Individual Income Tax Reduction Act of 1963, a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):".

SEC. 5. (a) The following provisions of the Internal Revenue Code of 1954 are amended by striking out "$600" each place it appears therein and inserting in lieu thereof "$1,000":

(1) Section 6012(a)(1) (relating to persons required to make returns of tax); and

(2) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

(b) The following provisions of such Code are amended by striking out "$1,200" each place it appears therein and inserting in lieu thereof "$2,000":

(1) Section 6012(a)(1) (relating to persons required to make returns of tax); and

(2) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

SEC. 6. The amendments made by section 2, section 3, and section 5 of this Act shall apply with respect to taxable years beginning after December 31, 1962. The amendments made by section 4 of this Act shall apply with respect to wages paid on or after the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

ADDITIONAL COSPONSORS OF BILL AND RESOLUTION

Under authority of the orders of the Senate of May 8, 1963, the following names have been added as additional cosponsors for the following bill and resolution:

S. 1481. A bill to provide for the establishment of the Agate Fossil Beds National Monument in the State of Nebraska, and for other purposes: Mr. ALLOTT, Mr. DOMINICK, Mr. MCGEE, and Mr. MUNDT.

S. Res. 135. Resolution favoring an agreement among states of the Near East prohibiting the production of nuclear weapons and offensive missiles: Mr. ENGLE and Mrs. NEUBERGER.

RETIREMENT OF NEWTON MINOW AS CHAIRMAN OF FEDERAL COMMUNICATIONS COMMISSION

Mr. CLARK. Mr. President, I note with regret the retirement of Newton Minow as Chairman of the Federal Communications Commission. In my opinion, Mr. Minow has rendered extraordinarily able service in that public capacity. He has brought to the attention of the American public the need for reorganization in our communications media, with special emphasis on the need to upgrade the level of our television programs, which he has well described as "a vast wasteland."

Today, Mr. Minow's retirement is noted with regret in two of the great east coast metropolitan daily newspapers. I ask unanimous consent that laudatory editorials published this morning in the New York Times—entitled "No Flowering of the Wasteland"—and in the Washington Post—entitled "Mr. Minow's Rating"—be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 16, 1963]

NO FLOWERING OF THE WASTELAND

Newton N. Minow's departure as Chairman of the Federal Communications Commission has not been preceded by any great flowering of television's "vast wasteland," the matter to which he gave spectacular priority upon taking office only 2 short years ago. But his contribution to the mass media has been significant nonetheless and should ease the path for his successor, E. William Henry.

Mr. Minow's gift as a phrasemaker has created a much broader national awareness of the responsibilities and opportunities for the TV medium; he has generated a running dialog on the future of the electronic art that of itself could be an instrument for eventual improvement. And his support of long-range efforts to diversify television, most notably in the case of opening new channels in the ultrahigh frequency band, will stand as a major accomplishment.

Mr. Henry assumes the chairmanship after making a speech strongly reminiscent of Mr. Minow's now celebrated indictment of most TV programing. He is expected to be a tough regulator and with recent appointments to the Commission begins with more support than did Mr. Minow.

At the same time viewers will look to see whether the New Frontier's succession of critiques of TV will be matched by practical results discernible on the screen. That remains the major problem, if only because the industry has made it so.

[From the Washington Post, May 16, 1963]

MR. MINOW'S RATING

The story is told that after he had sworn in Newton Minow, President Kennedy said in an earnest aside, "Newt, we expect you to do something about getting better television shows." The record discloses that Mr. Minow has done just about everything the laws allow to encourage a change of scenery on the screen that he called "a vast wasteland." In his 2 years as Chairman of the Federal Communications Commission, Mr. Minow has made the quality of broadcasting a national issue. This will surely guarantee him a high rating for service on a scale more exacting than that employed by Trendex.

A gifted controversialist, Mr. Minow showed a zest for combat and a skill with phrases that forced broadcasters to reconsider their responsibilities to the public. The laws do not permit the FCC to act as a censor, but they do not prevent the Chairman from speaking his mind. Mr. Minow left no doubts about his views on the dreary programs and caterwauling commercials that constitute so much of TV's Bland Old Opera.

How much effect did his campaign have on broadcasting? Opinions differ. Defensive industry spokesmen insist that the increase in public service programs antedated Mr. Minow's arrival in Washington, and they note wryly that TV's most popular show is now "The Beverly Hillbillies." Yet there is no doubt that Mr. Minow's hectoring prodded an industry too often bemused by size of audience and magnitude of profit; if there was an existing tendency to improve TV, the Chairman's repeated salvos accelerated the pace.

In concrete terms, Mr. Minow did succeed in freeing channel 13 in New York for educational purposes, and the station may yet become the flagship of a national educational network. His advocacy before Congress helped win passage for bills creating the Telstar Corp., providing Federal help for educational stations, and requiring set manufacturers to build all-channel receivers beginning on June 1, 1964. Under his chairmanship, the FCC authorized tests of pay TV, tightened up reviewing procedures for license renewals, and for the first time moved effectively into regulation of interstate telephone rates—the new $1 long-distance rate is a product of his efforts.

This record sets an exacting standard for the new FCC Chairman, E. William Henry, a young Commissioner who also appears to believe in energetic leadership. "The idol of majority approval," Mr. Henry said recently, "must not be worshipped by the networks to the complete exclusion of the public's need for variety and the creative artist's need for an outlet for his talents." Under Chairman Henry, and fortified by the antitrust background of Lee Loevinger, who has left the Justice Department to fill the vacancy on the FCC, the Commission should be faithful to its ultimate sponsor—the American public.

ARMED FORCES DAY

Mr. CARLSON. Mr. President, May 18, Armed Forces Day, symbolizes the reason for unification of the military services by demonstrating to the public their close working relationship in the job of maintaining our country's unity and strength. Together, the military services are responsible for enforcing our American principles of world order and justice. This annual event gives the people of the world an opportunity to view and inspect this Nation's defense capabilities and military readiness.

Armed Forces Day is a proud day in Kansas. Our six military installations hold outstanding records to review.

There are few career soldiers who have not at sometime during their career been stationed at either Fort Riley or Fort Leavenworth, two of this Nation's oldest and largest Army posts.

All three of our Strategic Air Command bases—McConnell Air Force Base, at Wichita; Forbes Air Force Base, at Topeka; and Schilling Air Force Base, at Salina—played primary roles in jet aircraft and the training of Air Force jet pilots.

Kansas is proud of her naval air station at Olathe, Kans.—a permanent installation since World War II.

Since Armed Forces Day is really a military report to the people, it is fitting that the slogan, so symbolic of our national policy, is "Power for Peace."

It is not inconsistent that we review our military might at the same time that a disarmament bill is pending before the Senate. This only confirms our determination to maintain a free and peaceful world at any cost. Our national policy has always been, regardless of political leadership, one of peaceful purpose and intent. As leaders of the free world. we cannot afford to be anything but the best in military preparedness. All of us hope and pray for the day when the problems between nations will be settled across the conference table. At this time, however, this is not possible with the Communists; unfortunately, false promises are acceptable in their ideology.

Mr. President, as we begin to consider making reductions in our military strength, we must be certain that such action would not insure eventual victory or world domination for the Communists.

Mr. FONG. Mr. President, the people of Hawaii join the rest of the Nation in observing Armed Forces Day Saturday. Hawaii by history and geographic location occupies a unique role as America's mid-Pacific bastion. We have maintained this role throughout more than 60 years of our history, first as an American territory and now as the 50th State.

Many years before Hawaii was annexed to the United States, Lt. Gen. John McAllister Schofield, who served under General Sherman in the Civil War, visited the monarchy of Hawaii and surveyed the Pearl Harbor area and other locations in the islands.

Years later, when the United States was at war with Spain and annexation of the islands to the United States was an important issue, General Schofield told Congress:

> It is obvious that if we do not hold these islands ourselves we cannot expect the neutrals in war to prevent other belligerents from occupying them, nor can the inhabitants themselves prevent such occupation.
>
> In my opinion, it is not possible for any trans-Pacific country to invade our Pacific coast without occupying Hawaii as a base.

When annexation was accomplished on August 12, 1898, the United States rapidly developed the islands into a military defense outpost.

In peace and war, the Hawaiian Islands have been the sentinel and military fortress of our country in the Pacific basin. From its headquarters at Pearl Harbor, our Pacific command guards 85,000 square miles of the globe, the largest U.S. military command in the world. Our Pacific Navy defends the largest ocean on earth. Under a unified command, Navy, Army, Air Force, and Marine units based in Hawaii and elsewhere in the vast Pacific help preserve the peace, not only for the United States but for the peoples of all those nations in the Pacific basin seeking protection from aggression.

Military personnel and their families are an integral part of our life in Hawaii. No American community, I believe, enjoys a closer, more cordial association with the military than does the civilian community of Hawaii. In any emergency in the Pacific, the civilian community of Hawaii is quick to respond and to support the military. No more dramatic example of such support can be cited than the magnificent manner in which the civilian community conducted itself during and immediately after the Pearl Harbor attack on December 7, 1941.

Many thousands of Hawaii's people have served honorably in the past—in two World Wars and the Korean conflict—and now in Vietnam and wherever else our security is threatened in the cold war.

We are proud of the role of Hawaii as the military base from which our gallant Armed Forces turned back the tide of invasion during World War II. The mighty array of military power that ultimately turned initial disaster at Pearl Harbor into a towering victory thousands of miles westward 3½ years later had its inception and thrust from its Hawaiian base.

Again, in the Korean conflict, our military power was unleashed from its Hawaiian headquarters to halt the enemy's invasion thousands of miles away.

In the cold war in which we are now engaged, Hawaii-based forces have time and again been rushed to scattered fronts in Asia to help stem aggression by land, sea, and air in these troubled spots.

On this Armed Forces Day, we salute the magnificent service being rendered by the Pacific Command under the able leadership of Adm. Harry D. Felt, and by our Armed Forces all over the globe who serve to protect our Nation. As commander in chief, Pacific, Admiral Felt has welded together a unified military force that is skillfully performing its vital task as guardian of the peace in the vast Pacific and Asian world. The Pacific Command truly symbolizes the "Power for Peace" theme of the 1963 observance of Armed Forces Day.

So that more Americans might become acquainted with the story of our fighting forces in the Pacific, I ask unanimous consent that an article titled "Teamwork Plus Power," from the April 1963 issue of All Hands, the Bureau of Naval Personnel Information Bulletin, be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Teamwork Plus

The story of our fighting forces in the Pacific starts with the alphabetical designation known to every navyman as CincPac.

But most navymen are surprised to hear that CincPac is not a Navy command. It stands for Commander in Chief, Pacific, and it is a unified command. In fact, geographically, it is the largest U.S. military command in the world.

Understandably, because this military command encompasses some 85 million square miles of the earth's surface, most of which is ocean area, its boss is a navyman. CincPac is Adm. Harry Donald Felt, and his joint force includes 390,000 military personnel—soldiers of the U.S. Army; two Air Forces—the 5th and 13th—composed of 1,000 aircraft; and two fleets—the 1st and 7th—with a total of 400 ships and 1,800 aircraft.

Major Army elements of the Pacific Command are the 1st Cavalry and 7th Infantry Divisions under the U.S. Eighth Army based in Korea, and the 25th Infantry Division in Hawaii. The Marines are represented by two U.S. Marine divisions and their associated air wings—one Marine division on Okinawa and the other on the west coast of the United States—and the Fleet Marine Force Headquarters in Hawaii.

CincPac's unified forces are a well-balanced, versatile team—capable of handling the many odd jobs from fighting guerrilla-type action in the jungles and mountains to border conflicts in which hard-hitting, mobile aircraft carriers and aviation units are needed in times of emergency.

Their capabilities range from delivery of nuclear weapons to showing the U.S. flag.

Mission of the Pacific Command is to defend the United States from attack through the Pacific area, and to support and carry out U.S. national policy in the Pacific. This includes providing strategic direction and control of the U.S. Armed Forces assigned to the area. The mission carries also the responsibility for achieving successful military cooperation with our allies in Asia so that their strength can be joined with our own in preserving their freedom and maintaining peace.

CincPac headquarters is at Camp H. M. Smith, on a hill outside the city of Honolulu in the lush green countryside of Hawaii. CincPac's joint staff numbers 560 military personnel in a variety of uniforms—representing all components of the armed services. About half are officers, headed by seven flag and general officers; the remainder are enlisted personnel.

The history of CincPac dates back to the year 1947, when the forerunner of the postwar Pacific Command was established as one of six geographical commands. In addition to the Pacific, there were the European, Atlantic, Caribbean, Alaskan, and Far Eastern Commands.

Ten years later, with the merging of Korea, Okinawa, and Japan as areas under the responsibility of the Pacific commander, all U.S. forces in the Pacific were consolidated under one commander in chief. At the same time, individual service commanders in chief were named for the Army, Navy, and Air Force, with headquarters in Hawaii along with the unified commander.

Each of these service commanders wears four stars and is directly responsible to CincPac. Location of the headquarters of these commands in Hawaii permits staff officers of all services to meet personally in consideration of common problems. Also within the Pacific unified command structure are subordinate unified commands whose commanders assist CincPac in maintaining the joint defensive and deterrent effectiveness of the U.S. Armed Forces based through the vast Pacific area.

These are Commander, U.S. Forces Korea, in Seoul; Commander, Taiwan Defense Command, at Taipei; Commander, U.S. Forces Japan, with headquarters near Tokyo; and Commander, U.S. Military Assistance Command, South Vietnam. In the Philippines, Ryukyus Islands, and the Marshall-Bonin Island groups (MARBO), senior service commanders are designated CincPac representatives. They act as coordinators in matters concerning more than one service.

From the Pacific Command up the ladder, CincPac reports directly to the Secretary of Defense through the Joint Chiefs of Staff in Washington, D.C.

As CincPac, Adm. Harrey Felt wears a number of additional hats. He represents the United States as military adviser to SEATO—the Southeast Asia Treaty Organization, and he holds a like position with ANZUS—the Australian-New Zealand-United States Security Pact.

Through collective defense agreements such as SEATO and ANZUS, as well as bilateral treaties with individual nations, CincPac defense commitments include Australia, New Zealand, the Republic of China, the Philippines, Japan, Pakistan, Korea, and much of continental southeast Asia.

These agreements provide our country with the friendship and assistance of the more than 300 million people of the free nations of the Pacific area.

Still another hat for Admiral Felt as CincPac is that of administering the U.S. military aid program (MAP) to Far East nations.

The program is carried out by military assistance advisory groups (MAAG's) in Korea, Japan, the Republic of China, the Philippines, South Vietnam, Cambodia, and Thailand. In each of these nations, U.S. officers and men from every branch of the service act as advisors to the foreign nations' armed forces.

In addition, these advisers supervise the allocation and use of U.S. equipment and supplies furnished under the military assistance program. Every request for military aid is screened by MAAG officers who also check for economical and effective operation of the equipment already on hand. The programs are designed to give friendly nations the means to provide for internal security and to provide for their defense in the event of external aggression. The military assistance program is not a one-way street—it is a forward strategy program, in which U.S. defense begins in the western Pacific and not on the shores of the United States.

NOMINATION OF GEN. CURTIS E. LEMAY TO BE AIR FORCE CHIEF OF STAFF

Mr. CARLSON. Mr. President, the nomination by President Kennedy of Gen. Curtis E. LeMay as Air Force Chief of Staff has met with general approval in the Nation, and particularly in Kansas.

General LeMay has on occasion visited the Air Force installations in our State, and has many personal friends, not only at the posts, but also among our citizens in cities such as Wichita, Topeka, and Salina, which are near the Air Force installations.

I ask unanimous consent to have printed in the RECORD, as a part of these remarks, an editorial entitled "No Less Than Best," which was published in the Salina Journal on May 8.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NO LESS THAN BEST

Outspoken Gen. Curtis LeMay has been nominated by President Kennedy for an additional term as Air Force Chief of Staff.

This ends speculation that LeMay might be too independent to keep the job. He has not been in total agreement with Secretary McNamara regarding development of new aircraft to keep ahead of the times.

But General LeMay must be considered the competent and trustworthy authority on professional requirements.

He has proved himself. He was the chief architect of the Strategic Air Command, the mission of which is to deter possible aggression through a combination of long-range bombers and intercontinental missiles constantly ready for action.

Yet to fire in anger, but because it is prepared to do so, SAC has succeeded.

When LeMay was first promoted to Chief of Staff, the SAC command was given to the able generalship of Thomas Power. Power flew the same course.

While differing in some characteristics, Generals LeMay and Power are much alike. They are men of vigorous action, willing to take advantage of change but single-minded in their objective, the ability to fight, to fight now and to win. To this end, they have kept their SAC force honed to a war-ready sharpness.

If preparedness has any value in the preservation of peace, these men are exactly those the Nation needs to run the Air Force. They are at the opposite pole from those who believe that if we let our military muscles go slack, our enemies will fade away.

But to keep SAC sharp and to build into it new weaponry and new vehicles requires money in the billions. And this is the area for dispute at Washington where economy advocates argue that the Armed Forces could get by for less.

The argument undoubtedly is true insofar as excesses in contract profits, in stockpiling, and in pork-barreling are concerned. But it is not valid when it comes to maintaining a strategic striking force at the ready. Here, there can be no less than the best.

In their task of seeking and maintaining such perfection, LeMay and Power have demonstrated ability; trust in their judgment is warranted. Mr. Kennedy must be convinced of this, else he would not have asked Congress to keep LeMay on the job. The President obviously was reluctant but yielded to wisdom.

That Congress also is convinced is certain.

NUCLEAR TEST BAN

Mr. CLARK. Mr. President, for the past 6 weeks there has raged in the House and in the Senate a controversy in regard to the desirability of the two draft treaties which the United States has tabled at Geneva. Those draft treaties deal with a proposed ban on further nuclear testing.

One of the most vocal opponents of those treaties has been Representative CRAIG HOSMER, of California. On April 4, he directed to all Members of the House and to all Members of the Senate a letter outlining his fears with respect to the test-ban treaty. In my opinion, his position was quite adequately rebutted by an excellent speech which was delivered on the floor of this body by the able majority whip, the Senator from Minnesota [Mr. HUMPHREY]. However, that speech received little attention in the press.

The Senator from Minnesota and I have, accordingly, put together a letter—which on yesterday we sent to all Members of the House and to all Members of the Senate—commenting on the views of Representative HOSMER. I ask unanimous consent that the full text of the letter be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 15, 1963.

DEAR COLLEAGUE: During the past several weeks, a great deal has been said about the supposed "ineffectiveness" of President Kennedy's draft treaty banning further nuclear testing made at the test-ban negotiations in Geneva.

On April 4, 1963, Congressman HOSMER sent a letter to all Congressmen and Senators asserting the existence of a "big hole" in our inspection and identification proposals which, he has said, would permit the Soviets to cheat in perfect safety. The fact that the Soviets have shown little disposition to accept our proposals, and have in fact become increasingly intransigent in the negotiations, is probably adequate rebuttal in itself. Nevertheless, we would like to set the record straight on the facts upon which Congressman HOSMER apparently relies, so as to dispose of the big hole theory once and for all.

What the facts really show is that the big hole theory is as empty and insubstantial as its name suggests. In a letter to the President dated March 18, 1963, Congressman HOSMER alluded to "an area of at least 2½ million square miles in the interior of the U.S.S.R.—and probably twice that size—in which significant secret Soviet underground tests can be carried on wholly without fear of detection."

The scientific fact is that it makes no difference how deep within the borders of the U.S.S.R. the Soviets try to hide their tests, since "the detection capability is, for all practical purposes, constant with respect to the distance from explosion to seismic station in the interval of 600 miles to 6,000 miles. For this reason, no part of the Soviet Union is unseen by our seismic stations outside the Soviet Union."

That statement was made by Dr. Harold Brown, the former head of the Atomic Energy Commission's Lawrence Radiation Laboratory, and the man presently in charge of all the Defense Department's research and engineering programs. It was contained in the administration's response to Congressman HOSMER's letter to the President. Yet, so far as is known, it has never been made public by Congressman HOSMER.

Apparently, Congressman HOSMER now concedes that unlawful Soviet tests, even very small tests, could be detected from outside the U.S.S.R. But, he says, such tests can be be too small to permit their positive identification by purely seismic means. This, it appears, is the principal foundation for his assertion that a big hole exists in our detection proposals.

There are two answers to this, and both of them were made in a letter sent to Congressman HOSMER by the White House on March 29. First, as Dr. Brown pointed out, tests as small as those envisioned by Congressman HOSMER would not provide a substantial military advantage to the Soviets. Not much advance could be made in the field of strategic weapons, and any innovations made in tactical weapons would have little effect in altering the cold war balance. Second, seismic detection would not be the only means employed to uncover surreptitious testing. In addition to on-site checks, all the other facilities of intelligence would be brought into play. Thus, the Soviets, in order to sneak their tests through the big hole, would have to make them so small as to be not worth the very real risks of being caught, in full view of the world, in a flagrant violation of the test-ban treaty.

The net result is that there is no big hole.

Congressman HOSMER's fears of the administration's test-ban proposal have no valid basis in fact. The proposal is for an effective treaty which holds every reasonable prospect of reducing the risks inherent in the present freedom of both our country and the U.S.S.R. to test at will.

The Congressman's fears seem all the more groundless in the light of his latest proposal. In a sharp turnabout, he now suggests that we demand absolutely no on-site inspections whatever, and that we seek a treaty banning all nuclear tests in outer space, underwater, and in the atmosphere, but permit each side a dozen or so underground shots per year. We fail to understand how Congressman HOSMER can be concerned about underground cheating under a system that provides for on-site inspections to catch cheating, yet apparently be unconcerned about underground cheating which might escape discovery under a treaty which did not provide for any on-site inspections at all.

Sincerely,

HUBERT H. HUMPHREY.
JOSEPH S. CLARK.

Mr. CLARK. I note also in yesterday's New York Times an editorial entitled "Saving the Test-Ban Talks." I ask unanimous consent that the editorial may be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SAVING THE TEST-BAN TALKS

In another move to save the 5-year-old nuclear test-ban talks from collapse and avert another East-West testing race, the United States has now canceled the three minor tests it has scheduled for later this month. This is a wise and welcome decision.

In fact, considering President Kennedy's determined efforts to reach a test-ban agreement, the scheduling of the tests in the first place poses a mystery. It may be explicable as a compromise in the infighting now going on in Washington between the proponents and opponents of new tests. For the beneficial scientific value of the tests could be only minimal; but their adverse political and psychological effect was bound to be great.

As might have been foreseen, the U.S.S.R. promptly pounced on the tests to accuse the United States of starting a new round in the nuclear arms race. The Soviets threatened to retaliate with a massive test series of their own, which they are suspected of already preparing. The cancellation of our tests deprives them of any propagandistic pretext for resuming theirs.

But cancellation is not enough. Even more determined efforts are necessary to break the present deadlock. President Kennedy has found new and powerful support in such an effort from 27 distinguished scientists, including three Nobel laureates. They have issued an appeal to Congress and the public to back a test-ban treaty as being in the best interests of the United States and of world peace. They urge as does this newspaper, that the risk of continuing the arms race without a test-ban treaty is considerably greater than the risk that a ban might be violated by secret testing. For such a treaty would stop immediately all aboveground tests; and though some uncertainty might remain regarding underground tests, these have been found of lesser military value. Detection techniques are already such as to make it too risky for the Soviets to cheat. The treaty might not last, but as long as it lasts, it would leave our nuclear deterrent capacity intact, reduce the speed of the armament race, help to inhibit the spread of nuclear arms, reduce the likelihood of nuclear war and prevent further lethal fallout.

Other scientists, of course, and most military men disagree, including the Joint Chiefs of Staff. They argue that further tests are necessary to perfect our defensive weapons, in particular an antimissile missile in which a Russian breakthrough could neutralize our whole nuclear arsenal. Also the Russians must still clarify the methods of the three inspections they are ready to admit. Many issues are still to be resolved; but the stakes are too high for either side to let the talks end in failure.

Mr. CLARK. The editorial is not entirely accurate because it makes the statement that a great many scientists and most military men disagree with the position taken by the President of the United States in the draft treaties he has tabled at Geneva. It is true that a very few scientists, headed by Dr. Edward Teller, do object. But the vast majority of scientists are not of that view. It is true also that some military men object. But I point out that the committee of principals which recommended to the President the draft treaties which he proposed at Geneva consisted of not only the Secretary of State, the Chief of the Arms Control and Disarmament Agency, but also the Chairman of the Atomic Energy Commission and Secretary of Defense. So the treaties which the President proposes have received the approval of the heads of all the world's agencies in the protective arm of our Government.

REVOCATION OF TAX-EXEMPT STATUS OF FELLOWSHIP OF RECONCILIATION

Mr. KEATING. Mr. President, a recent Internal Revenue Service ruling revoking the tax-exempt status of the Fellowship of Reconciliation raises some very interesting questions.

This organization, as I understand, has enjoyed tax-exempt status since 1926. The fellowship professes the application of the moral and spiritual principles of our common Judeo-Christian heritage to problems of the social realm. It supports peace, disarmament, racial integration, and universal brotherhood, among other goals. The IRS found that its principal purposes were the prevention and abolition of war, and disarmament, particularly in nuclear weapons. In revoking its tax-exempt status, the IRS ruled that the fellowship's purposes were not religious; that, in effect, the fellowship was an action organization because its goals could be achieved only through legislation.

Mr. President, quite frankly this ruling strikes me as being nothing less than absurd on its face. It is militant secularism run wild. It is, in effect, the judgment of Caesar that only in Caesar's realm can one find the pathways to peace. I daresay this would come as a shock to, among others, Pope John, who, if the IRS is right, just recently wasted 15,000 words on the subject of peace through spiritual dedication.

One does not have to agree with the position of the fellowship on social issues to stand up for its right to bring religious principles to bear on their resolution. Legislation alone has never solved any of mankind's great problems, and it never will. If the IRS ruling stands, and I trust it will not, it will provide the Government with the means to damage or destroy any religious body with whose objectives in the social realm it is not in sympathy. And speaking as a lawyer, in my judgment the IRS has added another error to the patchwork of unreason engrafted on the Internal Revenue Code.

Fortunately, there is a bright sign in the picture. We are a government of laws, not men, and throughout our history, sooner or later the Congress or the courts set it straight that a bureaucrat is only the law's temporary custodian, not its owner. If, as the fellowship has announced, it will pursue its remedies to the end of the judicial line, I am confident justice will be done. I certainly hope so, for the sake of millions of Americans and their spiritual leaders who devoutly believe that the road to peace lies not alone in pieces of paper called treaties and laws, but also in the moral teachings of religion implanted in the hearts and minds of men everywhere.

ATTACKS ON CONSTITUTION

Mr. KEATING. Mr. President, the organized effort now underway to overhaul the Constitution is another illustration of the refusal of many of those who holler loudest about States rights to do anything about States responsibilities.

One amendment would substitute for the present method of amending the Constitution a system under which the State representatives of an estimated 15 percent of the population could change the fundamental law. Under the guise of strengthening the rights of the people, this would subject the liberties of 180 million Americans to the whim of a small fraction of the population.

Another amendment would nullify all the progress which has been made to fairly reapportion State legislatures. I cannot conceive of the logic of a States rights movement which is dedicated to the destruction of the most basic premise of a republic—fair representation of the people.

The third amendment would permit a tribunal of State court judges to overturn decisions of the U.S. Supreme Court. This would destroy the independence and authority of the Supreme Court. How can those who so often declaim against tampering with the Constitution seriously suggest a step which would forever prevent the Supreme Court from exercising the role in which it was cast by the Founding Fathers—a role as a coequal branch of the Federal Government.

The cause of States rights would be much better served if those who were pushing these radical proposals would devote their energies instead to fulfilling the guarantees in the present Constitution. There would be no occasion for either the Supreme Court or any other branch of the Federal Government to lead in the fight for equal protection, fair representation, and due process if the States were exercising their own responsibilities in these areas. There can be States wrongs as well as States rights, and it would be well for those who are eagerly attacking the Supreme Court to consider more objectively the gross failure of many of our States to respect either the letter or spirit of the Constitution.

Fortunately, the Founding Fathers showed great wisdom in providing against the easy alteration of the Consitution. None of the amendments has obtained anywhere near the two-thirds approval of the States required for their consideration at a constitutional convention. It is a safe prediction that these proposals will ultimately find their way into the same trash can of rejected attacks on the Supreme Court as the proposals to impeach the Chief Justice, to pack the Court, and to subject the Court's decisions to review by Congress.

The threats to our constitutional system are becoming more ingenious, but our added experience in dealing with them makes me confident that we will be able to ward off this latest assault.

THE TENNESSEE VALLEY AUTHORITY

Mr. YOUNG of Ohio. Mr. President, tomorrow, May 18, 1963, the Tennessee Valley Authority, one of the great achievements of our times, will be 30 years old.

It came into being at the bottom of the great depression in 1933. At that time its critics called it a socialistic plot, a gigantic boondoggle that would drain millions of dollars from the Treasury, and the plaything of starry-eyed visionaries. Despite the criticism leveled against it and the millions of dollars spent to defeat this measure, the Congress created the TVA in 1933. It is a happy personal recollection that as Congressman at large from Ohio I voted for this great legislative proposal.

TVA can never be taken for granted. The enemies of public power and believers in special interests to private utility corporations are alert to discredit and finally destroy TVA. Before the Congress created the Tennessee Valley Authority, this great river with its tributaries rising in the mountains of North Carolina, of Tennessee, and of Virginia, not only flowed through the foothills of Tennessee but also northward to meet the Ohio River in Kentucky and westward to meander across the sun-baked fields of Alabama and Mississippi, finally joining the Mississippi on its southward course to the gulf. Before TVA, this river was dark with the precious cargo it carried—the fertile soil of the Tennessee Valley—to be washed away and wasted in the sea.

Today, 30 years later, its success is an acknowledged fact. It is one of the great achievements of the New Deal era. The Tennessee Valley Authority was charged with the major responsibility for 41,000 square miles constituting the drainage basin of the turbulent Tennessee River with its past record of violent destructive floods. In 1933 the people in the Tennessee Valley were among the most impoverished in the Nation. They were barely able to scratch a living from the land and the future for themselves and their children appeared hopeless.

Now, the river itself has been brought under control and the disastrous floods are a thing of the past. The $285 million invested in construction and maintenance of flood control facilities have prevented an estimated $456 million in damage. Protected land consequently has increased in value an estimated $150 million.

Until TVA, water transportation was an occasional thing on the Tennessee River. Today over 13 million tons of goods traverse the improved channel, accounting for over 2 billion ton-miles annually. This commerce is still expanding and the original locks are being enlarged to accommodate the expected future growth. Over $21.5 million annually is saved in transportation costs by shippers utilizing this marvelous waterway.

Industries attracted by the availability of water and low-cost transportation have brought investment in factories and other facilities estimated to represent an investment of more than $850 million. From the original power facilities inherited from the Muscle Shoals project the TVA has grown to a great system of 48 dams and 10 steam plants with electric power generating capacity of nearly 12 million kilowatts. Over 3½ million kilowatts of additional generating capacity is under construction and a 1.1 million kilowatt plant is projected for the near future.

Electric energy from these plants supplies low cost power in an area of 80,000 square miles, furnishing light, heat, and energy for homes and industry. No longer is the Tennessee Valley a depressed and underdeveloped wasteland. The TVA region today is a river basin which has been transformed into a chain of beautiful and useful lakes. It is inhabited by a prosperous, industrious, busy population enjoying the fruits of their labor and the proceeds from the region's newly developed economy. It is a pillar of strength to the economy of the Nation.

TVA power had a mighty impact on the war effort during World War II. It supplied power to operate the great Alcoa plants and the Oak Ridge atomic energy plant as well as the many other industries which mushroomed in the valley and were converted to war production. The atom and the hydrogen bombs were developed years earlier because of TVA. Today nearly one-half of TVA's power is used by defense plants. It is having a decisive influence on our space programs.

TVA has pioneered in development of new and better fertilizers for the Nation's farmers. The new products and processes which have been developed are made freely available to private industry and are largely responsible for increased productivity of farms in many sections of the country.

The vast chain of lakes with a water surface of 600,000 acres and 10,000 miles of shoreline created by TVA's many multiple-purpose dams has been the locale of a vast investment amounting to $141 million in recreational facilities of every sort. In 1962 over 11 million people visited the area. Sometime this summer it is anticipated the 150,000,000th visitor will arrive. In 1933 recreation as we know it today was virtually unknown and its importance not realized. Today TVA's facilities have served as models for many of the Nation's great reservoir projects as well as furnishing recreation for millions of Americans annually.

Malaria was a major problem in the area in 1933; today it is unknown, eliminated by methods developed and employed by the TVA with an amazing degree of success.

In these 30 years industry has been attracted to the TVA area. The agricultural population has decreased by one-half while those engaging in manufacturing have increased by 150 percent. Manufacturing in the Nation as a whole increased by 75 percent in the same period. Manufacturing income has increased over 12 times during the 30 years of TVA's existence. Although not conceived as a military project, TVA is in the forefront in the development of atomic weapons, missiles, vital light metals, and new chemicals. In fact, three-fourths of TVA's power output goes to defense and defense-related industries.

TVA's pioneering work in electric power has brought electricity to a million and a half consumers. One home in four is heated by electricity where none was before. Three percent of the farms in the entire Tennessee Valley in 1933 were connected for electric service. Today, 95 percent of the farms use electricity in their homes and in their barns. Drudgery has been taken from the lives of farm women; indeed, before TVA, residents of the valley were fortunate to have enough money to purchase coal for their kitchen stoves. Each year the Tennessee Valley Authority reports a profit while at the same time providing some of the cheapest electricity in the land. TVA has established a yardstick for the cost of electricity and, as a result, people in Ohio and adjoining States have benefited by millions of dollars of savings each year for electricity in homes and business.

TVA has done considerable work with forestry. Research and conservation practices have been of such value as to stimulate forest-based industry to the point where it is a $500-million-a-year enterprise employing over 50,000 people in the TVA region.

The TVA is not a mammoth, dictatorial monopoly as some of its diehard critics still claim. It has cooperated in many ways with the State and local governments as well as private industry in research and in development of the region's natural resources.

This magnificent experiment of 25 years duration is recorded in many thousands of homes and farms in the installation of stoves and washing machines, refrigerators and freezers, milking machines, pumps, water systems and hay driers, and in the increased use of electricity by people in many States of this area. I voted for the TVA on every rollcall and after 30 years hail this as the realization of the dream of energy made abundantly available to lighten the hours of people's toil, to brighten the time of their leisure, and to strengthen our Nation and our Nation's defense.

State and local planning have been stimulated by the pioneer efforts of TVA and today a fine spirit of cooperation is everywhere apparent. Attempts to cripple TVA have always been met with violent and successful protest by the people of the area whose lives it has so enriched.

After 30 years it is beyond reason to question the success and value of TVA. It is a monument to the successful efforts of all participants, to the memory of Senator George Norris of Nebraska who fought so valiantly to preserve the valley for the common good of all its people, and to President Franklin D. Roosevelt who made it possible for Senator Norris' dream to become a reality. It was President Roosevelt who added his vision to George Norris' concept, and the statute creating TVA was passed and approved.

Mr. President, in the Washington Post of April 22, 1963, there appeared an outstanding column by the very able journalist, Bill Gold, entitled "Yesterday's Radicals Look Tame Now" in which he describes how the accomplishments of the Tennessee Valley Authority have transformed our thinking on conservation within the short period of 30 years. I commend this to my colleagues and ask that it be printed in the RECORD at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YESTERDAY'S RADICALS LOOK TAME NOW

Heaven only knows why a thing like this should stick in my mind. But I remember rather clearly the apprehension engendered when the Tennessee Valley Authority was first proposed. At the time, I was working for the Springfield (Ohio) News. Its circulation area is a pretty good cross section of

America. Springfield isn't too big, or too small. It depends heavily on agriculture, but it also has a good balance of commerce and industry. So the comments I heard were probably reasonably representative of typical American reaction.

At best the TVA scheme was viewed with doubt. At worst, it was a socialistic plot, a gigantic boondoggle that would drain millions from the Treasury but would be too bogged down in red tape to produce anything of value. Those irresponsible radicals up there in Washington who had never met a payroll seemed determined to mismanage the Nation into bankruptcy before FDR's first term ran out.

Well, Congress created the TVA in 1933 in spite of these widespread forebodings. And now, after only 30 years, there has been a remarkable change in our viewpoint. We have seen the wisdom of husbanding our natural resources on a regional scale. We have seen the benefits of programs to reduce flood damage, improve navigation, generate electricity, provide for recreation, handle waste disposal with a minimum of pollution, and to produce adequate water supplies for irrigation and for both municipal and industrial use.

I describe the change in our viewpoint as "remarkable" because 30 years is a relatively short time for such a vast shift in popular opinion. However, opinions do change with the times, and one generation's radieals can look pretty tame to some succeeding generation.

COAL: CHALLENGE AND RESPONSE

Mr. McGEE. Mr. President, most visitors to the State of Wyoming are attracted by the beauty of our mountains and the vast sweep of open space that characterize the West. However, if they could look under the surface of that beautiful scenery they would find resources just as important to our State in the concentration of many different types of minerals.

Among the primary minerals that contribute to Wyoming's wealth is coal. My State, Mr. President, has 121 billion tons of coal reserves. In fact 41 percent of the State is underlaid with coal. However, in recent years Wyoming's coal industry has been hard hit by the conversion to other fuels on the part of railroads, heating plants, and similar fuel consumers.

In the face of this decline, Mr. President, the coal industry has determined to retain its place in the sun and as an indication of that determination I would cite an article in the May 15, 1963, issues of Forbes magazine entitled "Coal: Challenge and Response."

This article, Mr. President, tells the story of an old industry fighting for new life and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COAL: CHALLENGE AND RESPONSE

Threatened with extinction, the coal industry managed to survive. In fighting for survival it grew lean and tough. Now coal may be poised for a real comeback.

Arnold J. Toynbee, the British philosopher-historian, conceives of human history as a dynamic process of challenge and response. In simplest terms, Toynbee believes nations that face a hard life tend to grow stronger than those which have a relatively easy time. Apply the Toynbeean hypothesis to economics and you get a pretty fair description of the position of the coal industry today: Some of the very factors that produced coal's prolonged agony have toughened the industry to the point where it is probably ready for an important comeback.

THOSE LOST JOBS

As an employer of labor, of course, coal can never again be what it once was. Today there are only 136,000 working miners, down from 400,000 in 1945. Where coal supplied half the U.S. energy needs 18 years ago, it now has only 22 percent. What happened was that coal was challenged by fuels that were cheaper to extract, such as oil and natural gas. Coal was handicapped by the high proportion of labor it required. Mining a ton of coal in 1945 required about 13 man-hours of labor—and then the railroads, another high-labor industry, had the job of bringing the coal to market.

Coal had to meet this challenge or perish. Thus it was that coal became one of the first major industries to automate. Today the pick and the dynamite charge have given way to fantastic continuous-mining machines that literally chew coal from the face of a mine. The shovel has been displaced by voracious loading machines that gobble up coal with lobster-like claws and dump it into shuttle cars. Pushbutton miners corkscrew their way into narrow coal seams where men cannot squeeze.

Perhaps most remarkable of all, however, is the fact that mechanization of the mines was acomplished with the full blessings of John L. Lewis' United Mine Workers of America. The UMW was—and is—a tough, fighting union. But under Lewis it was realistic as well: It realized that 136,000 well-paid jobs were better than none at all.

The cost for all this was high. Between 1947 and 1962, for example, Consolidated Coal increased its output by about 10 percent, but its net investment in plant and equipment nearly quadrupled.

Still the results have been almost unbelievable. Today it takes on average just one-half a man-hour to mine a ton of coal. The really efficient coal mines can produce coal at the mine mouth for less than they could 15 years ago; about $4.54 a ton today versus about $5 then. Yet the coal miners who still have jobs earn $3.11 an hour versus $1.84, 15 years ago.

This cost cutting was literally a matter of survival. The price of coal at the mines was recently 6-percent lower than in 1950. Production, moreover, was 18 percent lower. The coal business, in other words, was being deflated in the midst of general inflation. And yet in 1962, the major coal companies all operated comfortably in the black. An impressive showing, to say the least. Automation, no matter how cruel it was to the mine-workers, had been the salvation of a major industry.

LATENT HEAT

The five largest coal companies last year netted $85 million before taxes on a combined sales volume of 113 million tons of coal. These profits, while modest enough, were quite an accomplishment considering the depressed prices and depressed output. With the fat thus trimmed away, the industry's profit potential could well be explosive. A 10-percent increase in the delivered price of coal could, for example, more than double pretax net.

Not that any such 10-percent price boost is in immediate sight. But certainly coal's long decline seems over. The coal industry is today in at least as good a position to supply the future growth of U.S. energy requirements as any other. Its 830 billion tons of mineable reserves are the largest anywhere in the world and comprise more than 80 percent of total U.S. fuel resources. By contrast, the U.S. recoverable oil and natural gas reserves are equal to just 18 billion tons of coal and are being depleted at a rate of 4 percent a year.

RICH RESERVES

Most intriguing of all is the potential value of these reserves. The U.S. Bureau of Mines figures an average ton of coal in the ground is worth about 25 cents; most coal companies carry their reserves at only a small fraction of this amount. Pittston, for example, showed a book value per common share of $42.49 at the end of 1962. But using the conservative 25-cent figure, it had coal reserves worth over $270 per share.

Of course, the industry's ability to translate these rich reserves into higher profits remains to be demonstrated. But it is not such a distant possibility as it seemed just a few years ago. In fact, U.S. coal consumption has actually inched upward by 6 percent since 1959. And today there is convincing evidence, as the main body of the story suggests, that future gains will be even greater. Having adapted, in good Toynbeean fashion, to a tough challenge, coal today is lean, highly leveraged for profit, and full of beans.

MR. MINOW'S RATING

Mr. McGEE. Mr. President, it is with real and deep regret that I note the resignation of the Chairman of the Federal Communications Commission, Mr. Newton Minow. As a Member of the Senate and the Committee on Interstate and Foreign Commerce I have had many occasions to watch Mr. Minow in action. And these observations of his activities have led me to the conclusion that we have had a rare and unusual individual in the public service in Washington and that life in the Capital City will not be the same without him.

In the first instance Mr. Minow is an exceedingly capable administrator and managed the affairs of a large and complex agency with efficiency and dispatch. But more important than that, Mr. President, Newton Minow made the public aware of the problems in the communications field and of their great stake in their proper solution. In the field of television his one phrase—"a vast wasteland" is perhaps the most often quoted saying in the industry and it has caused both the industry and the public to take a closer look at content and programing of the Cyclops of the living room. The American public is more than capable of correcting abuses in the use of the public trust and the changes we have seen in television in recent months and the future improvements that I am confident will come are due in large measure to Mr. Minow's determination that the public will be well served by those possessing access to the airways.

On another subject, Mr. Minow was a determined and effective advocate of the administration's proposal to create the Telstar satellite communications system and in my estimation made a major contribution to devising a workable proposal and demonstrating its merit to the world.

Mr. President, Newton Minow is one of those unusual men of talent and dedication who, throughout history, have provided leadership in government when it was needed most. He has set new sights for the public and its government and has pointed the way to increased progress for the citizens of the Nation. We all owe to him our gratitude and thanks for a job well done.

An editorial in today's Washington Post presents an excellent summary of Newton Minow's accomplishments in Washington, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. MINOW'S RATING

The story is told that after he had sworn in Newton Minow, President Kennedy said in an earnest aside, "Newt, we expect you to do something about getting better television shows." The record discloses that Mr. Minow has done just about everything the laws allow to encourage a change of scenery on the screen that he called "a vast wasteland." In his 2 years as Chairman of the Federal Communications Commission, Mr. Minow has made the quality of broadcasting a national issue. This will surely guarantee him a high rating for service on a scale more exacting than that employed by Trendex.

A gifted controversialist, Mr. Minow showed a great zest for combat and a skill with phrases that forced broadcasters to reconsider their responsibilities to the public. The laws do not permit the FCC to act as a censor, but they do not prevent the Chairman from speaking his mind. Mr. Minow left no doubts about his views on the dreary programs and caterwauling commercials that constitute so much of TV's "Bland Old Opera."

How much effect did his campaign have on broadcasting? Opinions differ. Defensive industry spokesmen insist that the increase in public service programs antedated Mr. Minow's arrival in Washington, and they note wryly that TV's most popular show is now "The Beverly Hillbillies." Yet there is no doubt that Mr. Minow's hectoring prodded an industry too often bemused by size of audience and magnitude to profit; if there was an existing tendency to improve TV, the Chairman's repeated salvos accelerated the pace.

In concrete terms, Mr. Minow did succeed in freeing channel 13 in New York for educational purposes, and the station may yet become the flagship of a national educational network. His advocacy before Congress helped win passage for bills creating the Telstar Corp., providing Federal help for educational stations, and requiring set manufacturers to build all-channel receivers beginning on June 1, 1964. Under his chairmanship, the FCC authorized tests of pay TV, tightened up reviewing procedures for license renewals, and for the first time moved effectively into regulation of interstate telephone rates—the new $1 long-distance rate is a product of his efforts.

This record sets an exacting standard for the new FCC Chairman, E. William Henry, a young Commissioner who also appears to believe in energetic leadership. "The idol of majority approval," Mr. Henry said recently, "must not be worshiped by the networks to the complete exclusion of the public's need for variety and the creative artist's need for an outlet for his talents." Under Chairman Henry, and fortified by the antitrust background of Lee Loevinger, who has left the Justice Department to fill the vacancy on the FCC, the Commission should be faithful to its ultimate sponsor—the American public.

TO BATTLE REDS, EDUCATE WELL

Mr. SPARKMAN. Mr. President, the Birmingham News has recently published a series of interpretive articles prepared by members of the Auburn University faculty and staff. The articles are on current affairs. I had the opportunity to read the outstanding article written by Dr. Robert C. Anderson, ex-executive vice president of Auburn.

I ask unanimous consent that Dr. Anderson's timely and inspiring article, "To Battle Reds, Educate Well," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TO BATTLE REDS, EDUCATE WELL

(By Dr. Robert C. Anderson)

Almost 200 years ago Thomas Jefferson warned that "eternal vigilance is the price of liberty." In America today we still enjoy the basic freedom for which Jefferson and our Founding Fathers valiantly fought. But we may question whether we have fully obeyed Jefferson's warning to remain ever alert to danger. Twice within this century threats to our liberty and that of freedom-loving men everywhere have caught America napping. And now we face the threat of international communism with a goodly proportion of our population unaware of the extent of the danger.

The threat of international communism demands excellence throughout our educational systems from kindergarten through the postgraduate level. Our cold war has many fronts.

To preserve our cherished liberty we must meet and match or defeat the Communists: First, in a battle of ideas for the minds of the uncommitted people of the world; second, in a psychological warfare in which they seek to spread and we to destroy the concept of "better Red than dead"; third, in an unending race in scientific and technological advancement; fourth, in the battle of diplomats at the United Nations and at capitals throughout the world; fifth, in the warfare of infiltration and subversion, and sixth, in a competitive struggle for economic development at home and for foreign markets abroad. It is the very complexity of this struggle that demands excellence throughout the entire course of American education.

EDUCATION A MUST

Every improvement made in instruction, research, and extension of the pure and applied sciences, the humanities and the arts is another advance in democracy's struggle against the totalitarianism that international communism seeks. Education must help train the workers, the soldiers, for each of the fronts.

An educator has a very special responsibility—to give his or her best in the classroom in fighting effectively for the preservation of our liberties. A university's obligation and abilities for combating communism directly lie chiefly in the battle of ideas. Even the FBI has no illusions that communism can be destroyed by investigation, prosecution, or conviction of Communist Party leaders. The FBI has said that the bigger job lies with the free world's intellectuals—the philosophers, the thinkers, the professors and scientists, scholars, and students. These are the ones who can and must convince men that communism is evil.

Education on this front should take place in the classroom where studies in depth enable the student to see for himself the menace of communism. Professors in economics, history, political science, geography, sociology, and education at our universities should be and are devoting a significant proportion of one or more courses to direct study of one or more phases of communism and its implications for the free world. However, this is not enough. New and very specific courses are needed, with educators in a position to do some pioneering in fighting communism with knowledge.

PROBE FOR WEAKNESS

Education's purpose is not merely to demonstrate the danger of communism but, more importantly, to prepare leaders to combat it. To fight communism most effectively we must approach the battle in the same way that our scientists fight insects and disease. We must probe for weaknesses from every angle—from that of philosophy, psychology, history, economics, and sociology. In a real contribution to the fight, professors cannot merely pass along what others have discovered; they must search for new knowledge themselves and inspire their students to do the same.

Since World War II, the Communists have far outstripped us in winning uncommitted people. They have done so in large measure because they have taken the trouble to study those people more thoroughly than we have. They have resorted to subversion, but they have developed the knowledge to make subversion work most effectively. Without resorting to subversion, America can use knowledge just as effectively to win such peoples to the cause of freedom.

Not one university, not all universities and colleges, not even all educational institutions at all levels can win the struggle with international communism alone. But education is crucial in that struggle. Former Secretary of the Army Elvis Stahr once said, "I am convinced that world peace, and perhaps the actual survival of mankind, will ultimately depend on the manner in which we today educate the citizens and leaders of tomorrow."

NORWEGIAN INDEPENDENCE DAY

Mr. BURDICK. Mr. President, May 17 will mark the 149th anniversary of the signing of the Constitution of Norway. Rich traditions in freedom have developed in Norway from a long struggle for independence, which was effectively realized May 17, 1814, with total separation from Sweden in 1905.

I wish to take advantage of this occasion to note Norwegian contributions to American life and our common alliance in defense of the ideals of freedom.

Norwegians, faced with an unsolvable agricultural problem due to shortage of land and a fall in the world price of corn, had the sense of adventure to start life in a new country. Emigration to the United States was nothing new, but in the half century before the First World War, it reached its peak, with almost 700,000 Norwegians making the voyage across the Atlantic.

Most of these pioneers left their chief mark on the new world in Dakota territory, Minnesota and Wisconsin. In 1910 the U.S. census returns showed that Norwegians were the most closely concentrated nationality in the Union, and Norwegian, the language of the smallest independent people in Europe, ranked ninth in the number of its users in America.

In addition to the contribution which the United States has benefited from Norwegian hard work and Norwegian cultural and political ideas, the economy of Norway gained from the capital which the pioneers sent home to relatives. About 400 persons a year came back from America with experience as well as savings.

Norwegian Lutheran churches were rapidly set up in America. Norwegians took an interest in some other Protestant faiths, an interest which also made itself felt in Norway.

Norway and the United States share a spirit of independence, dedication to freedom, and a sense of national responsibility. The Norwegian settlers who bought land in the United States under the Homestead Act displayed the sense of initiative which has made our country great.

Today Norway and the United States defend the ideals of freedom in a common alliance. In the thinking of Norwegians, the idea of an Atlantic Alliance dates back much earlier than the formation of the North Atlantic Treaty Organization in 1949. Our common traits as democratic and peace-loving peoples made this a natural idea as early as the Second World War. Trygve Lie, a distinguished Norwegian and citizen of the world, stressed in December 1940 that "The Atlantic does not divide us, on the contrary it unites us," and a year later he set his Atlantic Alliance within the framework of a "community of nations."

The Norwegian Government-in-exile actively promoted the formation of the United Nations, and Trygve Lie became its first Secretary-General. But Norway and the United States agreed that a Western military alliance would be needed if the aims of the world body were to be realized. "We intend to continue our existence as a Western democracy," the Norwegian Foreign Minister Halvard Lange said in Oslo in 1948, and the North Atlantic Treaty was signed a year later. Today NATO binds 15 Western nations to regard a military attack on one of them as an attack upon all.

As we celebrate the 149th anniversary of Norwegian independence, we salute the Norwegian people all over the world as well qualified as ever to pioneer stormy and uncharted seas.

THE FIRST HALF

Mr. GRUENING. Mr. President, the leading editorial in the current issue of the Progressive gives a thoughtful and temperate analysis of the first 2 years of President Kennedy's administration.

It touches on aspects of our current political situation which are increasingly being discussed in private in somewhat similar terms but have as yet come little into the open.

Those of us who want to support the President's program, at least in almost all of its aspects, feel a sense of frustration at times when some of that program's most desirable declared purposes are not equally materialized in the achieved result.

In any event, I recommend this editorial's reading to my colleagues in both the Senate and House, as well as in the executive branch urging their reflection upon it, and ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

As President Kennedy embarked on the second half of his term, the prospects for enactment of a New Frontier program of legislation did not impress us as being at all hopeful. The stultifying rules of Congress, which make a mockery of majority rule, and the domination of committees by ancient hacks enthroned by seniority, register two strikes against such a program before the battle begins.

The third strike might well come from the President himself. The evidence is persuasive that for all his good intentions, expressed in some of the finest public prose since Winston Churchill, Mr. Kennedy will continue to call retreat, and settle for weak-as-water compromises, on most of the major issues confronting the Nation.

Last year the President's state of the Union message rang with the summons to action for a progressive program, but within 48 hours most of the highly placed Washington correspondents were tipped off not to expect too much because the Chief Executive was prepared to settle for a great deal less than he had proposed. This year, the mood of defeatism settled in even earlier—before the state of the Union address.

Mr. Kennedy, for example, told a nationwide television audience in mid-December that he did not really expect to do much better with his program in 1963 than he had in 1962, which was hardly a vintage year. This is not exactly the kind of inspirational battle call one would expect from a commander in chief about to send his liberal forces into combat on Capitol Hill. But even more revelatory of the President's mood was his comment in a key passage of that TV program: "There is no sense in raising hell and then not being successful. There is no sense putting the Presidency on the line on an issue and then being defeated."

This is the heart of our quarrel with the President—his reluctance to fight unless assured of success. It is difficult to understand how the author of "Profiles in Courage" can minimize so completely the long-run effects of a struggle that is nobly conceived, no matter how great the odds or how distant victory may seem at first. It is equally difficult to understand how so keen a student of history as Mr. Kennedy can escape the conclusion written in all our history—that the relentless "raising of hell" over the years, often with no immediate hope of success, ultimately produced all the progressive legislation we have today.

The La Follettes, who founded the Progressive, George W. Norris, Theodore Roosevelt, and Franklin D. Roosevelt raised a great deal of hell in their time. They were called radicals, and Socialists, and worse, but the great achievements of our century in the field of progressive action stand as monuments to the militant crusades they waged—without insisting on the immediate success which Mr. Kennedy asks as a guarantee.

Those who had hoped that the Kennedy administration would commit itself fully to the struggle to amend the archaic and paralyzing rules of Congress were doomed to disappointment.

The President did let it be known that he would like to have the membership of the all-powerful House Rules Committee maintained at 15, the same as last year, instead of the 12 members who constituted the committee before 1962. The House obliged him, but in choosing to make the issue on such narrow grounds, the President failed to go to the heart of the problem. He was engaging, said Americans for Democratic action, in "a political pillow fight."

The 15-member House Rules Committee proved almost as obstructionist in 1962 as had its 12-member predecessor in 1961. Last year the enlarged committee strangled more than a score of administration bills, including such major measures as those providing for Federal aid to education, housing, civil rights, youth employment, mass transportation, and migratory labor.

The administration made no effort to secure adoption of the 21-day rule, a far more effective procedure for curbing the tyrannical power of the Rules Committee. This reform, employed with considerable success in the 1949–50 session, would have enabled the chairmen of various committees to call up measures which had been approved by the appropriate committee but which were subsequently bottled up by the Rules Committee.

Given this background, the President's state of the Union message to Congress and the country came as no surprise. It was, again, a superbly phrased creation. Its soaring rhetoric conveyed a mood of urgent need and historic challenge, but the program he proposed fell far short of his own specifications.

The President, for example, spoke eloquently of the compelling need to educate every child "to the fullest extent of his capacity, from grade school through graduate school." Today, he pointed out, "an estimated 4 out of every 10 students in the fifth grade will not even finish high school—and this is a waste we cannot afford." But there is nothing in the President's message to indicate that he was prepared to fight—at last—for the program of Federal aid to education that he proposed 2 years ago and again last year—and allowed to die without a struggle.

Mr. Kennedy was almost as reticent in the critical field of civil rights. His only specific comment was the assertion that "the right to vote in a free American election must not be denied to any citizen on the grounds of his race or color." In this centennial anniversary year of the Emancipation Proclamation, the administration is pledged through its party platform to first-step desegregation in every school district in the land, but the President ignored this clear-cut commitment to action and substituted a platitude.

President Kennedy placed the principal emphasis of his program on tax reduction and tax reform. Both are worthy goals. The proposed tax cut of $13.5 billion in three annual steps between now and 1965 might measurably lubricate a sluggish national economy which now leaves 5½ percent of the total work force unemployed and 15 percent of our plant capacity either unused or only partially used. The right kind of tax reform could achieve greater equality of tax burdens by plugging some of the loopholes which currently permit billions of dollars to escape taxation through special tax privileges for a favored few.

But while the objectives of the tax program are sound enough, there is grave danger that the President's overriding emphasis on this phase of his program may make casualties of the social measures on his modest shopping list, just as his obsessive preoccupation with the trade and tariff measure last year seemed to reduce the administration's capacity to fight effectively along other and equally important fronts.

This concern was deepened by what the President had to say in his state of the Union message on spending for the new fiscal year. To win congressional votes for his tax reduction he sought to appease the opponents of spending by promising to cut nondefense appropriations below prevailing levels. The budget, he said, will allow "for needed rises in defense, space, and fixed interest charges," but it will hold "total expenditures for all other purposes below this year's total." To do this, he added, will call for "the reduction or postponement of many desirable programs."

All this seems to us a far cry from the New Frontier to which Mr. Kennedy summoned us so eloquently in 1960. His request for increasing military appropriations to $53 billion—at a time when our capacity for nuclear overkill is staggering—and his decision to demand the reduction or postponement of many desirable programs for all other purposes—at a time of great social and educational need—might have sounded more credible coming from a Dwight Eisenhower or a Richard Nixon than from the man who denounced them for compromising with human needs.

What has happened to the John F. Kennedy of the New Frontier? We don't pretend to know. Perhaps nothing. He has always seemed a curious blend of clashing qualities—a man who enjoyed equally radical rhetoric and conservative action.

In a recent survey of Mr. Kennedy's first 2 years in the Presidency, Marquis Childs, one of the most seasoned of Washington correspondents, wrote in the St. Louis Post-Dispatch that the President has shown a mastery of the politics of personality, maneuver, and power. The missing ingredient in the political mixture, he went on, attributing the judgment to those close to Mr. Kennedy, is conviction. "One of the ablest and most loyal of his lieutenants on the Hill," wrote Childs, "put it this way: 'It's true that the conviction somehow doesn't come through.'"

But Mr. Kennedy's loyal lieutenant who was Childs' confidant went on to make another point that we regard as supremely significant. "You have to say this, too," he said. "There is no opposition from the left of center. The only active, crusading force in the political picture comes from the radical right. That makes the President's job all the harder."

It is not true that there is no opposition from the left of center. Exhibit A: The Progressive. Exhibits B through Z: the host of other publications and organizations which have expressed critical judgment of some or many of the President's policies. What is true is that the critics have not been able to put so many divisions in the field—to borrow Stalin's jeering reference to the Pope—as Time, and Life, and the Saturday Evening Post, and the National Association of Manufacturers, and the American Medical Association.

This absence of effective thunder from the left does not absolve President Kennedy for the blame that is his for heeding the clamor from the right. But given the hard fact of a President who responds to the politics of power, the liberal forces of America are equally if not more responsible for the plight of progressivism. They may be saddened if not dismayed by his retreat from the New Frontier program, but their instinctive sense of loyalty leads them to protect—through their silence or half-hearted apologies—the man who defeated Nixon and succeeded Eisenhower. This, we believe, is a false and self-defeating form of loyalty. The President himself has made it clear he would welcome, and, indeed, might be able to move forward more affirmatively, if there were more and more sustained pressure from progressives.

The liberals, moreover, are largely leaderless. Potential leaders like Hubert Humphrey, Walter Reuther, Adlai Stevenson, and Chester Bowles feel they are immobilized by their participation in or closeness to the Kennedy administration. The net result is to provide a degree of surface plausibility to the President's loyal lieutenant who complained "there is no opposition from left of center." And this, in turn, explains how Mr. Kennedy could confidently begin the second half of his term on a far more conservative theme than the one he invoked when he assumed the powers of the Presidency 2 years ago. It is unrealistic to expect any change so long as so many liberals remain silent out of party loyalty, or respect for the President, or some notion that he's better than Nixon would have been or Rockefeller may be.

What Mr. Kennedy needs most of all—and conceivably might relish—is to have the liberal forces of the Nation emerge from their foxholes of silence and demand of the power-conscious President, that he reread and act on the platform on which he was elected. For if he will not arouse the people, it is up to the liberals to give the President a crusade he can lead.

SUGGESTIONS FROM A WEST COAST COLUMNIST

Mr. MUNDT. Mr. President, one of the outstanding columns regularly carried in the Los Angeles Herald-Examiner is written by George Todt, well-known west coast columnist and radio commentator. The opinions of George Todt cover a wide variety of subjects but invariably are registered in favor of a great and growing America dedicated to a continuation of our basic constitutional concepts.

I ask unanimous consent that typical samples of George Todt's columns be printed in the RECORD at this point with the hope that other editors and columnists will join the expanding family of observers and opinion makers who find something that is right about America and who lend encouragement to the protection and preservation of those basic principles which have made us great and kept us strong.

There being no objection, the columns were ordered to be printed in the RECORD, as follows:

AN ATHEIST SPEAKS

(By George Todt)

"I have never made but one prayer to God, a very short one: 'Oh Lord, make my enemies ridiculous.' And God granted it." Voltaire letter, 1767.

What kind of citizens are they who have worked themselves overtime to see that American boys and girls may not pray in our schools?

I have wondered often at what must pass through the minds of extremists who would deny such an expression of religious liberty to kids.

Recently while browsing through the April 12 issue of Life magazine, I came upon a series of pro-and-con letters around the article beginning on page 63, entitled "No Bible in the Schools?"

One of the letters was by a principal in the case before the U.S. Supreme Court.

I think it is important that all my readers should know the inner motivations of one who opposes prayer in the schools. Here is the letter as it appeared without change by me. Judge its revealing contents for yourself:

A PRINCIPAL

"Sirs: I am a principal in one of the cases now pending before the Supreme Court concerning reading of the Bible and prayer recitations in the public schools.

"The atheist's position (I am that Maryland atheist you mentioned) is one arrived at after considerable study, cogitation and inner search. It is a position which is founded in science, in reason and in a love for fellow man rather than in a love for God.

"We find the Bible to be nauseating, historically inaccurate, replete with the ravings of madmen. We find God to be a sadistic, brutal, and a representation of hatred, vengeance. We find the Lord's prayer to be that muttered by worms grovelling for meager existence in a traumatic, paranoid world.

"This is not appropriate untouchable dicta to be forced on adult or child. The business of the public schools, where attendance is compulsory, is to prepare the children to face the problems on earth, not to prepare for heaven—which is a delusional dream of the unsophisticated minds of the ill-educated clergy.

WHO'S WELL-EDUCATED

"Fortunately, we atheists can seek legal remedy through our Constitution, which was written by deists (not Christians) who had enough of religion and wanted to grow toward freedom from it, not enslavement in it."

The woman who wrote the letter signed it and her picture appears on the first page of the series of letters. Anyone who wants it can look it up in the April 12 issue of Life. No need for publicity from me.

FULL OF HATE

My purpose in showing such an amazing letter to my readership is to indicate the vast hatred of religion which is in the heart of this person. I will not condemn her; but perhaps she has condemned herself—and what she stands for now.

Actually, the American Republic was not created to serve as a refuge for people who hated God, but the other way around. Why should our Supreme Court support this kind of outrageous thinking? Are the Justices aware of the outlook of this woman? Let's wonder if they have read the letter, too.

A MAN FROM PHOENIX

(By George Todt)

"Some are born great, some achieve greatness, and some have greatness thrust upon 'em" (Shakespeare, "Twelfth Night," act II, scene 5).

The question whether Senator BARRY GOLDWATER, of Arizona, will run for the Presidency in 1964 is a speculative matter that has not been determined yet by the principal himself.

I discussed the subject with him when he was in Los Angeles 15 days ago. He had not closed the door on anything. His attitude is one of watchful waiting. At the appropriate time, he will make his decision.

BARRY is not being coy. He is simply using his head.

He is not required to make any commitment at this time and has no intention of being stampeded into hasty action before he is ready.

NO TRICKS

Being a man of principle, he will keep faith with the people of Arizona—and will resort to no subterfuge or trick to get on the ballot again if he tries for the presidential nomination and it is unsuccessful.

Therefore, he must weigh his future plans most carefully so that his decision will be the correct one. Which means he will wait until all the facts and factors are in to be counted. That time is not now.

GOLDWATER did not specify the exact time, or deadline, he has set for himself in this matter. He indicated that he intended merely to watch the future as it unfolded—and would be guided by his reason.

It could be by the end of this year or the early part of the next one. Who knows? BARRY has the happy faculty of calling his own shots and does not allow well-meaning friends—or otherwise—to prod him into ill-considered action. I have great confidence in his judgment.

BARRY TOPS POLL

My point in revealing this conversation with the Senator is to place at rest some wishful thinking and inspired speculation from the portion of the mass communications media which has a superliberal tinge.

Some of these little people are doing their utmost to convince all who will buy their specious nonsense that GOLDWATER is, in effect, counting himself out of the race in 1964—which is simply not the case.

The man from Phoenix actually believes that it is much too early to declare himself either way as yet. To do so would be bad timing now.

NO PRODDING

I know he was very pleased to learn of the tremendous vote of confidence given him recently by the rank and file of the powerful Republican Associates of Los Angeles County. In a luncheon poll, 400 indicated him as their choice for party standard bearer in 1964. There were 425 present at the count.

These people represented the dominant Nixon wing of the GOP in past political wars. The great Republican center. Most significant.

Will he run in 1964? My own private guess is that he will do so. Might be the only practical way to save the United States from the folly of unilateral disarmament.

AN AIRBORNE MULE

(By George Todt)

"Superiority is always detested" (Balthasar Gracian).

It may be, as is so often stated, that Defense Secretary Robert McNamara has the highest intelligence quotient in the history of the Pentagon—but still I do not consider him a military genius by any stretch of the imagination.

The bobble he has made of the controversial TFX (tactical fighter, experimental) figures at least this much to be true.

According to the April 15 issue of "The Insider's Newsletter," McNamara is struggling desperately to get off the hook now—and to take the onus off the administration in the process.

The latest idea is to let Boeing and General Dynamics both build prototypes of the hybrid monster, neither fish nor fowl, although already shown to be something of a potential foul ball by military experts.

After the two prototypes are in the air, then the face-saving device would be for McNamara's Band—including Whiz Kids—to pick the best plane between the competing pair.

The trouble with this clever little arrangement is that it overlooks quite handily the main crulx of the argument: The TFX obviously will not be able to obtain vitally needed air superiority while doubling in brass for the Air Force and the Navy at the same time.

In his predilection—almost a phobia as it were—to get a fighter plane that would be interchangeable for the two services, McNamara allowed himself to get sucked well out of position.

It is all very good to save money for the taxpayers, but not at the cost of American lives—and victory—in any future war.

First things must come first in warfare and qualitative weapons are the most important factor in the matter of military hardware.

For McNamara to settle for anything less than "No. 1" in the choice of fighter plane design for our gallant pilots is incredible on the face of it. And yet, this is exactly what he has done.

It may come as a shocking surprise to some readers, but Adm. George Anderson, Chief of Naval Operations, has already neatly pinpointed the decisive target.

Recently he told the McClellan committee that in the Cuba crisis in October last year, the Pentagon pulled out all of its fighters from the staging area except the Navy's F4H Phantoms. Why?

The reason the admiral cited was because these were the only fighter planes we had that could outfight the Russian Migs in Castroland.

Why spend billions on a TFX mule when a racehorse is needed instead?

SPOTLIGHT ON ADA

(By George Todt)

"I am not a member of the Americans for Democratic Action. I have never joined them. In fact, I feel uncomfortable around those people" (President John F. Kennedy.)

Perhaps J.F.K. may feel uncomfortable around "those people" of the ADA, but there is a considerable body of opinion in the Republic of the United States which holds they are actually running his New Frontier.

Is the President of the United States beholden to this group of 40,000 liberal-intellectuals? Do they pull strings and control him as their puppet? Or does he control them?

For answers to these illuminating questions, we all ought to read a masterful 8-page article entitled "Does ADA Run the New Frontier?" by James Burnham in the May 7 issue of National Review.

The best way to obtain the article might be to send in a year's subscription to this worthwhile weekly journal of conservative opinion and ask that it commence with this particular issue. Single copies are 35 cents.

The address of National Review is 150 East 35th Street, New York, N.Y. The rate is $16 per annum. Very intelligent and always pro-American.

This article about the controversial ADA is almost fabulous in its depth perception. May be the best of its kind. The only thing I have seen that approaches its comprehensive spadework is an extraordinarily fine series of newspaper articles by former Washington correspondent Robert Hartmann.

His brilliant columns on ADA were placed in the U.S. CONGRESSIONAL RECORD in entirety last year by Congressman GLENARD P. LIPSCOMB, Republican, of California. They were a definite contribution to the hazy knowledge we may have previously had on ADA.

There is only one fly in the ointment: Hartmann has since disappeared from the Washington scene. Which is a pity. He was a truly magnificent Capitol reporter. Even if he got in the hair of the ADA-oriented Washington Post.

Still, those who will take the trouble to read this article by Burnham about the ADA will really have their eyes opened.

It might prove to be a key for the eventual triumph of Senator BARRY GOLDWATER in 1964 over his arch foe, which is no less than ADA.

Burnham pulls no punches. He goes into the historical background, naming names, places, dates, organization methods—and a fairly complete "who's who" in the entire ADA-Fabian movement.

The only mistake the National Review writer made, insofar as I could see, was his reference to the Democratic National Convention of 1960 as being in the city of San Francisco—instead of our own fair city of Los Angeles.

But I don't think he slipped anywhere else.

"It is easier to say what ADA is not than to explain what it is," writes Burnham. "Though ADA is active in elections, it is not a political party and does not expect to become one. Again, ADA is not a secret society. Officially, ADA seeks to work within both major parties. In practice, ADA operations are concentrated on the Democratic Party." Worth reading.

WEAKENING OUR FORCE

(By George Todt)

"Some people have a perfect genius for doing nothing, and doing it assiduously" (Haliburton).

It occurred to this writer long ago that someone is playing politics with our superlative military system, which has kept us from being plunged into world war III.

For the present, we may have three times the power of the Soviet Union, all things considered—and the Red Bear could be quickly defeated in the event of his miscalculation which might add up to war.

But we have promised not to hit him first and so he bluffs us.

Some experts believe the Fabian-oriented appeasement corps in the policy planning division of the Department of State—headed by Prof. Walter W. Rostow of MIT—want us to level off to a stalemate 50–50 balance of power.

UNREALISTIC

This would be accomplished, mainly through unilateral disarming of the United States superior armed services—so that the tensions of the U.S.S.R. might be decreased. Then, the incredible theory runs, the Bear becomes a good guy.

Military men think the professor is unrealistic and so is his counterpart in the Pentagon, Defense Secretary Robert McNamara, former Fund of the Republic bigwig.

True, McNamara is rated as a high intelligence quotient, but we must ask ourselves a logical question: "What has he done for us?"

Actually, McNamara and his youthful band of green whiz kids have not introduced a single effective new weapons concept to our Armed Forces since their unproductive tenure began.

CRIPPLED FORCE

On the contrary, they have thrown away what dedicated military men have considered our most promising weapons for the future. Some are: the B–70 bomber, capable of 2,000 miles per hour, as against our present B–52's which can do about 650 miles per hour at best; the GAM–87 Skybolt with a projected 1,000-mile nuclear-tipped rocket reach as an advanced air-to-ground weapon; the atomic engined airplane; the Minuteman guided missile mounted on trains within the United States—and others.

Recently the controversial former Fund of the Republic defense official did something that seems impossible on the surface of it—for one so loaded with high IQ.

WHICH ONE?

He was forced to make an extremely hard decision between two airplanes as the future advanced interchangeable TFX fighter for the U.S. Navy and U.S. Air Force.

Airplane A carried 50 percent more bombs than plane B; ditto for air-to-ground missiles; 105 percent more demolition bombs; 250 percent more fire bombs; 70 percent more land mines; 44 percent more rocket launchers, and 100 percent more of air-to-air missiles. Also 100 miles per hour faster than plane B.

Which one would you have selected, dear reader? If you say plane A, you must be wrong. For superintelligent whiz kiddies picked plane B for us. How come? Ho-hum.

THE APPORTIONMENT OF FEDERAL FUNDS AMONG THE STATES

Mr. McINTYRE. Mr. President, the manner in which Federal grants-in-aid and other support programs are apportioned among the States is a matter of great concern to us all. The various methods by which the Federal support dollar may be distributed will be the subject of careful study in this and future Congresses. I look forward to working with the distinguished Senator from Maine [Mr. MUSKIE] in his capacity as chairman of the Subcommittee on Intergovernmental Relations. I do not mean to suggest that these studies are aimed at upsetting any existing pattern. Instead, they will provide the Senate with sufficient information to permit a more considered approach to the apportionment of funds.

Well-worn arguments about the equalization of rural and urban areas are involved every time a distribution formula is written. Another principle worth keeping in mind is that where the problem is susceptible of measurement, the remedy should follow its outlines rather than an arbitrary population or area factor.

To serve as a basis for my own consideration of this subject, I requested the Library of Congress to prepare a list of the rank of States by area and a list by population. With the thought that it might be of general assistance to Senators and others concerned with Federal programs, I ask unanimous consent that the lists be printed in the RECORD at this point in my remarks.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

Areas of States, and rank, in the United States, 1960

[Area in square miles]

State	Area	Percent of area of the United States
1. Alaska	586,400	16.22
2. Texas	267,339	7.39
3. California	158,693	4.38
4. Montana	147,138	4.06
5. New Mexico	121,666	3.36
6. Arizona	113,909	3.15
7. Nevada	110,540	3.06
8. Colorado	104,247	2.88
9. Wyoming	97,914	2.71
10. Oregon	96,981	2.68
11. Utah	84,916	2.35
12. Minnesota	84,068	2.33
13. Idaho	83,557	2.31
14. Kansas	82,264	2.27
15. Nebraska	77,227	2.14
16. South Dakota	77,047	2.13
17. North Dakota	70,665	1.95
18. Oklahoma	69,919	1.93
19. Missouri	69,686	1.93
20. Washington	68,192	1.88
21. Georgia	58,876	1.63
22. Florida	58,560	1.62
23. Michigan	58,216	1.61
24. Illinois	56,400	1.56
25. Iowa	56,290	1.55
26. Wisconsin	56,154	1.55
27. Arkansas	53,104	1.47
28. North Carolina	52,712	1.46
29. Alabama	51,609	1.43
30. New York	49,576	1.37
31. Louisiana	48,523	1.34
32. Mississippi	47,716	1.32
33. Pennsylvania	45,333	1.25
34. Tennessee	42,244	1.17
35. Ohio	41,222	1.14
36. Virginia	40,815	1.13
37. Kentucky	40,395	1.12
38. Indiana	36,291	1.00
39. Maine	33,215	.92
40. South Carolina	31,055	.86
41. West Virginia	24,181	.67
42. Maryland	10,577	.29
43. Vermont	9,609	.26
44. New Hampshire	9,304	.25
45. Massachusetts	8,257	.23
46. New Jersey	7,836	.22
47. Hawaii	6,424	.18
48. Connecticut	5,009	.14
49. Delaware	2,057	.06
50. Rhode Island	1,214	.03
51. District of Columbia	69	----------
Total	3,615,211	99.94

Source: U.S. Department of Commerce. Bureau of the Census. Statistical Abstract of the United States, 1962 ed., p. 170.

Population, and rank, of States of the United States[1] as of July 1, 1961

State	Population (in thousands)	Percent of population of the United States
1. New York	17,033	9.31
2. California	16,397	8.96
3. Pennsylvania	11,468	6.27
4. Illinois	10,258	5.61
5. Ohio	9,876	5.40
6. Texas	9,788	5.35
7. Michigan	7,954	4.35
8. New Jersey	6,244	3.41
9. Massachusetts	5,234	2.86
10. Florida	5,222	2.85
11. Indiana	4,711	2.57
12. North Carolina	4,614	2.52
13. Missouri	4,378	2.39
14. Virginia	4,059	2.22
15. Wisconsin	4,022	2.20
16. Georgia	3,987	2.18
17. Tennessee	3,615	1.98
18. Minnesota	3,470	1.90
19. Louisiana	3,321	1.82
20. Alabama	3,302	1.80
21. Maryland	3,188	1.74
22. Kentucky	3,076	1.68
23. Washington	2,902	1.59
24. Iowa	2,779	1.52
25. Connecticut	2,614	1.43
26. South Carolina	2,407	1.32
27. Oklahoma	2,360	1.29
28. Mississippi	2,215	1.21
29. Kansas	2,194	1.20
30. West Virginia	1,850	1.01
31. Oregon	1,799	.98
32. Arkansas	1,797	.98
33. Colorado	1,781	.97
34. Nebraska	1,431	.78
35. Arizona	1,391	.76
36. Maine	992	.54
37. New Mexico	983	.54
38. Utah	916	.50
39. Rhode Island	867	.47
40. District of Columbia	761	.42
41. South Dakota	690	.38
42. Idaho	684	.37
43. Montana	682	.37
44. Hawaii	657	.36
45. North Dakota	640	.35
46. New Hampshire	621	.34
47. Delaware	458	.25
48. Vermont	395	.22
49. Wyoming	338	.18
50. Nevada	299	.16
51. Alaska	234	.13
Total	182,953	99.99

[1] Includes Armed Forces stationed in area.

Source: U.S. Department of Commerce. Bureau of the Census. Statistical Abstract of the United States, 1962 edition, p. 9. Primary source: Current Population Reports, Series P 25, Nos. 229, 238, and 239.

The PRESIDING OFFICER (Mr. BAYH in the chair). Is there further morning business? If not, morning business is closed.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H.R. 4997) to extend the feed grain program.

The PRESIDING OFFICER. The pending amendment is the amendment of the Senator from Illinois [Mr. DIRKSEN] identified as amendment No. 87.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is to add a new section at the end of the bill, as follows:

SEC. 5. Notwithstanding any other provision of law—

(a) No agricultural commodity hereafter acquired by the Commodity Credit Corporation shall be stored in any facility or structure owned, leased, rented, or controlled by the Commodity Credit Corporation. The Corporation shall, in providing for the storage of any such commodity acquired by it after the date of enactment of this Act, utilize private commercial warehousing facilities and structures. The Corporation shall also give first consideration to storage of commodities in those facilities nearest the point of production.

(b) All storage facilities and structures owned by the Commodity Credit Corporation and utilized for the storage of agricultural commodities shall be disposed of by such Corporation within a period of not to exceed five years after the date of enactment of this Act. The disposition of such facilities and structures shall be made in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

(c) No contract heretofore entered into by the Commodity Credit Corporation providing for the storage of any agricultural commodity and no lease of any facility or structure (used for the storage of agricultural commodities) heretofore entered into by the Commodity Credit Corporation shall be renewed or extended by the Corporation; and no funds shall be expended hereafter for the construction of or for the repair, alteration, restoration, or remodeling of any storage facility or structure owned or controlled by the Commodity Credit Corporation. The storage of all agricultural commodities now owned or controlled by the Commodity Credit Corporation shall be provided for in accordance with the requirements of subsection (a) of this section upon the expiration of existing contracts providing for the storage of such commodities and upon the expiration of existing leases for facilities and structures used for the storage of such commodities.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Judiciary Subcommittee of the Committee on the District of Columbia and the Territories Subcommittee of the Committee on Interior and Insular Affairs be permitted to sit during the session of the Senate today.

Mr. KEATING. Mr. President, did the Senator include the Subcommittee on Trading With the Enemy?

Mr. MANSFIELD. No. The only authorizations which I requested are those which were cleared on both sides.

Mr. KEATING. There has been no clearance of the authorization for that committee to meet?

Mr. MANSFIELD. No; only the Judiciary Subcommittee of the Committee on the District of Columbia and the Territories Subcommittee of the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum; and, for the benefit of the Senate and attachés, I announce that this will be a live quorum. I hope that all Senators will be notified. I ask unanimous consent that the time necessary for the call of the roll be outside the time limitation.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 81 Leg.]

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Carlson
Clark
Cotton
Dirksen
Dominick
Edmondson
Ellender
Ervin
Hartke
Hickenlooper
Inouye
Jordan, N.C.

Jordan, Idaho
Keating
Mansfield
McCarthy
McGee
McIntyre
Mechem
Metcalf
Miller
Monroney
Nelson
Neuberger
Pearson
Proxmire
Robertson
Saltonstall
Simpson
Sparkman
Talmadge
Thurmond
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Utah [Mr. MOSS], and the Senator from Georgia [Mr. RUSSELL], are absent on official business.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from New Jersey [Mr. CASE], and the Senator from Vermont [Mr. PROUTY], are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is instructed to execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. BEALL, Mr. BENNETT, Mr. BOGGS, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CASE, Mr. CHURCH, Mr. COOPER, Mr. CURTIS, Mr. DODD, Mr. DOUGLAS, Mr. EASTLAND, Mr. ENGLE, Mr. FONG, Mr. GOLDWATER, Mr. GORE, Mr. GRUENING, Mr. HART, Mr. HAYDEN, Mr. HILL, Mr. HOLLAND, Mr. HRUSKA, Mr. HUMPHREY, Mr. JACKSON, Mr. JAVITS, Mr. JOHNSTON, Mr. KEFAUVER, Mr. KENNEDY, Mr. KUCHEL, Mr. LAUSCHE, Mr. LONG of Missouri, Mr. LONG of Louisiana, Mr. MAGNUSON, Mr. MCCLELLAN, Mr. MCGOVERN, Mr. MCNAMARA, Mr. MORSE, Mr. MORTON, Mr. MUNDT, Mr. MUSKIE, Mr. PASTORE, Mr. PELL, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SCOTT, Mr. SMATHERS, Mrs. SMITH, Mr. STENNIS, Mr. SYMINGTON, Mr. TOWER, and Mr. WILLIAMS of New Jersey entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, on the 14th of March of this year the distinguished Senator from Utah [Mr. BENNETT] introduced a bill, cosponsored by eight other Senators; namely, Senators MCCLELLAN, MUNDT, BYRD of Virginia, WILLIAMS of Delaware, THURMOND, TOWER, MILLER, and myself. It is S. 1093 It is described as a bill "to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes."

The bill provides that it may be cited as the "Anti-Government-Competition Act."

The whole question of Government competition with business has been discussed for as long as I can remember, and I know of no session of Congress in which bills have not been introduced in order to get the Government out of business.

The bill provides:

> The term "business-type activity" means any activity involving the production of goods and the rendition of services commercially available from private business.

In pursuance of the spirit and intent and objective of that bill, it appears to me that one of the first and most important things we can do is to get the Commodity Credit Corporation out of the warehousing business. I am of the opinion that so long as the Government not only subsidizes agriculture, but also supplies the money with which to purchase the surpluses, then offers warehousing services, and, in addition, under authority granted by Congress, either in the form of give-away or barter or otherwise, disposes of such surplus commodities, we will not come to grips with the farm problem. I doubt very much that we will find a solution for the farm problem.

The amendment I have offered to the pending bill has one purpose, and only one purpose. It is to phase the Commodity Credit Corporation out of the warehousing business over a period of 5 years. It would make it impossible, from the day the bill is enacted, to construct, modify, or repair any of its storage facilities. In that period it could sell or otherwise liquidate its storage capacity.

If the Commodity Credit Corporation is permitted to continue its warehousing function, it will destroy the private commercial grain storage business, and it is well on the way of doing precisely that today.

I point out the position that the Commodity Credit Corporation occupies in the storage business. As of the 1st of January 1963, there existed in this country an off-farm storage capacity of 5,490 million bushels.

So, in round figures, we can say that if farm storage capacity today is 5½ billion bushels, of that amount Commodity Credit Corporation owns nearly one-fifth, or space for the storage of 977 million bushels of grain. In round figures, we can say that if there is 5½ billion bushels of off-farm storage capacity, and Commodity Credit Corporation owns roughly 1 billion bushels, or nearly one-fifth of that capacity, that is more than is stored by the largest warehousing concern in the country.

As of February of this year, Commodity Credit Corporation carried this storage space on its books at more than $231 million. That is a capital investment in storage space of $231 million-plus. It is represented by a total of 263,195 individual storage units.

Anyone who has traveled through the Grain Belt has seen those storage units at various places. They stand, veritably, like metallic sentinels in the sun. Driving over the highways of the Middle West, it is something of a treat, in a way, on a moonlight night, to see those corn cans, as I call them—and wheat cans—standing there, shimmering in the moonlight. They are owned by the Federal Government and contain grain that is under seal and under loan, or is owned by the Federal Government through the Commodity Credit Corporation.

Mr. GOLDWATER. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. GOLDWATER. I know what the Senator is speaking about. Approximately a year ago I drove south from Indianapolis, Ind. It was quite an experience to be within constant sight of those multitudinous silos of metal. I should say, from the odor emanating from them, that the corn was not in too good shape. Although I have been through a distillery only once, those silos made me think I was driving through a 200-mile long distillery, as I smelled that corn slowly turning itself into another substance.

Mr. DIRKSEN. I shall allude to that fact a little later.

There is in the neighborhood of a quarter of a million of those storage units, and approximately a billion dollars of capital investment in them.

Let us consider what this costs the Commodity Credit Corporation. In fiscal year 1960, Commodity Credit Corporation paid, for the storage of agricultural commodities, $476 million. In 1961, it paid $426 million. In 1962, it paid $393 million. So, notwithstanding the assertions that have been made by Commodity Credit Corporation or the Secretary of Agriculture, the present storage cost is still more than $1 million a day. Does anyone doubt that this amount is a factor in the grain storage business? Consider one other factor. As of April 1, 1963—and that was only a few weeks back—the farm stocks of grain in storage were 3,480 million bushels. Of this amount, Commodity Credit Corporation had 2,132 million that was owned by the Corporation. If ever we as a government, were in the grain business, and in it up over our ears, that time is right now.

The record of the Commodity Credit Corporation in its grain storage activities is not quite all that might be desired. Only recently a situation developed in or near Indianapolis. There Commodity Credit Corporation bins containing 400,000 bushels of corn were opened, and the corn was found unfit for the purpose intended. Had this storage been in private bins, the operator would have been responsible for the loss. But Commodity Credit Corporation can take the loss and charge it against the taxpayers, who furnish all the money, to recoup the loss of the Corporation and to finance its various activities.

I point out that private storagers and private elevators pay taxes. They pay taxes on the real estate; they pay taxes on the machinery; they pay taxes on the profits, if there are any.

Commodity Credit Corporation competes with private commercial storage operators with buildings and equipment that are paid for by all the taxpayers of the country. The employees of Commodity Credit Corporation are also paid out of public revenue. There is no more justification for this situation than if Commodity Credit Corporation were to own a railroad or a truckline or a bargeline with which to transport its commodities in competition with private transportation media.

This amendment would require all agricultural commodities acquired by Commodity Credit Corporation to be stored in private commercial bins or terminals. The amendment provides that the Corporation shall give first consideration to the storage of commodities in facilities nearest the point of production. Not only would there be a saving in freight rates; but I think such an arrangement would deal fairly with a good many of the smaller warehouses of the country.

The amendment directs Commodity Credit Corporation to dispose of its storage facilities over the next 5 years, in accordance with the Federal Property and Administrative Services Act of 1949. It forbids the expenditure of any further funds for the construction, repair, alteration, restoration, or remodeling of any storage facility or structure owned or controlled by Commodity Credit Corporation.

The purpose and intent of the amendment is to follow out what is recited in S. 1093, introduced by nine distinguished Members of this body. The amendment seeks to establish a Federal policy for terminating and limiting the establishment of business-type operations by the Government which may be conducted in competition with private enterprise or for some other purpose.

That is the whole story. We discuss this subject, but nothing is ever done about it. The air of this Chamber has rung with eloquence about Government competition with private enterprise. I have seen amendments of this kind offered to appropriation bills and other measures, only to see them stricken. Then when we make a little headway in this direction, we find that someone who is affected by it quickly runs for cover.

We had better take some affirmative action to take the Government out of the grain storage business, or otherwise cease to discuss this subject constantly, knowing full well that no affirmative legislative action will be taken.

I submit the amendment to the Senate for whatever disposition it wishes to make of it. I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, I yield myself 6 minutes.

The distinguished Senator from Illinois has correctly stated the purpose of the amendment. In essence, it is, more or less, to force the Government to get rid of all its grain storage facilities.

There is quite a history behind this proposal. It will be recalled that in 1948, Commodity Credit Corporation was denied the right to construct storage facilities, because it was felt then that private enterprise should have the opportunity to furnish storage.

We tried this out and discovered that many private storage facilities, although some of the bins were empty, refused to store grain. Therefore, it became very difficult for some farmers to be able to borrow money under Government price support programs. That caused the grain to go down in price.

The situation became so acute in the latter part of 1948 and early 1949 that Congress amended the Commodity Credit Corporation Charter Act to give the Commodity Credit Corporation the authority to build or lease its own facilities. Even that provision was well safeguarded, because it gave to the Commodity Credit Corporation the right to construct or lease facilities only if existing privately owned warehouses were insufficient to furnish the needed service to the farmers and to the Government. I believe the program has worked very well. Certainly there have been enough facilities to take care of all situations; and, as a result, we have had a well-administered program.

Today, of the huge amount of commodities on hand, more than 21.2 percent is stored in Government-owned warehouses; the rest is in private-enterprise storage.

The Senator from Illinois wishes to have the Government dispose of all those facilities within the next 5 years; but with the immense amount of storage now available throughout the country, it can well be seen that the Government would receive little or nothing for these facilities, for which much money has been spent.

I have nothing further to add in regard to this amendment. I believe it would be folly to do now what the amendment provides; and it is my belief that in time the Secretary of Agriculture will deal with this matter in such a way that the storage will be returned to private enterprise.

I favor in principle what the Senator from Illinois is trying to do; but I can envision that if many of the existing companies which own and control many of these large storehouses were to get hold of all of them, the Government might again be called upon to pay through the nose.

The fact that we have these few facilities capable of storing about one-fifth of what we store does no great harm.

I believe that another provision of the amendment would be detrimental to the proper kind of management for the storage of these commodities. The Senator from Illinois has included in the amendment a clause which would more or less force the Commodity Credit Corporation to store the grain or other commodity near the place where it was produced. However, as most of us know, practically half of the wheat produced in this country, half of the rice, and a considerable percentage of many of the other stored commodities are sold abroad; so to force the Government to store all these commodities near the place of production would, in my opinion, result in bad management. It is best to store sufficient quantities and qualities near the places from which they will be shipped in order to expedite trade. I believe that through the processes which have been developed up to now, the Department of Agriculture has been able to do a good job. I express the hope that as time passes, the Government will gradually be able to get out of the storage business, without the action proposed by this amendment.

So, Mr. President, I hope the amendment will be rejected.

Mr. DIRKSEN. Mr. President, the State of Illinois has a State crop-reporting service. On April 1 of this year it made a report which indicates that private storage has decreased by 26 percent, whereas Commodity Credit Corporation storage has increased by 2 percent. If there were a policy that all private storage should be utilized to the maximum before Commodity Credit Corporation storage was employed, that would be quite different. But no such policy has ever been pursued.

Mr. MILLER. Mr. President, will the Senator from Illinois yield for a question?

Mr. DIRKSEN. I yield.

Mr. MILLER. I should like to ask about the meaning of the provision in the amendment on page 1, beginning in line 8, as follows: "utilize private commercial warehousing facilities and structures."

Let me ask the Senator from Illinois whether the phrase "private commercial warehousing facilities and structures" would include not only those owned by individuals, partnerships, and corporations, but also those owned by cooperatives.

Mr. DIRKSEN. Yes, definitely so; a cooperative would come within the meaning of this provision.

Mr. MILLER. Also, beginning at the bottom of page 1 and continuing through line 2 on page 2, the amendment provides that:

> The Corporation shall also give first consideration to storage of commodities in those facilities nearest the point production.

I can think of a situation, with which I am familiar, in which the storage facility nearest to a producer might not fit into this kind of situation, in view of the fact that the producer has a contract for storage with a storage facility at a point at a greater distance from his producing facilities. Of course it is in the same marketing area; nevertheless, it is located perhaps 2 or 3 miles farther away.

I suggest that perhaps the amendment might be modified so as to cover such a situation; and I wonder whether the Senator from Illinois would object to modifying his amendment so as to provide for that contingency.

Mr. DIRKSEN. The purpose of using the language now set forth in the amendment; namely, that "the Corporation shall also give first consideration," and so forth, offers, in my judgment, ample latitude. On the other hand, if there is a belief that some clarification is required, I do not object to clarifying language such as that which the distinguished Senator from Iowa has mentioned.

Mr. MILLER. Then, Mr. President, to the amendment of the Senator from Illinois, I submit the amendment which

I send to the desk and ask to have stated.

The PRESIDING OFFICER. Is there objection to receiving the amendment to the amendment at this time? The Chair hears none; and the amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 2, in line 2, of the amendment, it is proposed to strike out the period and to insert: "or those facilities selected by the producer within his normal marketing area."

Mr. DIRKSEN. The amendment will probably clarify the situation. I have no objection to it.

Mr. MILLER. I appreciate the consideration of the Senator from Illinois. As I have said, I can visualize a situation in which first consideration might violate, or might cause difficulty, at least, over a contract between a producer and a storage facility a little more distant. I think it wise to provide that the selection be limited to a storage facility within the producer's normal marketing area. My amendment would so provide. If the Senator has no objection to my amendment to his amendment, I move the adoption of my amendment.

Mr. DIRKSEN. Mr. President, I will accept the amendment to the amendment that I have offered.

Mr. MILLER. I thank the Senator from Illinois.

The PRESIDING OFFICER. The Chair would like to set the record straight. The Senator from Illinois has used his prerogative of modifying his amendment in the form proposed in the amendment of the Senator from Iowa.

Mr. DIRKSEN. The Senator is correct.

Mr. ELLENDER. Mr. President, I have no further statement to make.

Mr. MILLER. Mr. President, will the Senator from Illinois yield 2 minutes to me?

Mr. DIRKSEN. I yield 2 minutes to the Senator from Iowa.

Mr. MILLER. I thank the Senator from Illinois. The objective of the amendment is very laudable. I am constantly receiving correspondence from my people complaining about the fact that the Federal Government is engaging too much in activities which otherwise ought to be and would be handled by private enterprise. When that happens, private enterprise is discouraged. The income taxes that would otherwise come into the Federal Treasury are lost, and the overall situation is not good. It seems that the degree to which the Federal Government is participating in activities which could well be handled by private enterprise is increasing rather than decreasing.

The Senator from Iowa happens to be a cosponsor of a bill which is now pending in one of the committees, and on which it is hoped to have hearings, which would direct that the Federal Government get out of private enterprise activities. This is a good place to start. I see no reason except in a great emergency which does not exist now and has no possible existence in the foreseeable future, for the Federal Government to get into grain storage activities.

The Secretary of Agriculture prides himself in the fact that, due to his activities, the amount of grain in storage has been lessened considerably with respect to feed grains. If the grain storage with respect to feed grains has been considerably lessened—and it has—it would seem that the possibility of needing federally owned or federally leased storage facilities has been to that extent, greatly reduced.

So I hope that the amendment will be adopted. As I have said, there is no foreseeable need for these governmental activities. Private grain storage facilities today are operating by and large at 50 percent of capacity. I think that the Federal Treasury could well stand the income tax revenue which would flow from the results of the amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from Kansas.

Mr. CARLSON. Mr. President, I am pleased that there has been a discussion on the question of grain storage at this time. I shall support the amendment.

But I take th[illegible]e allotted to me to make a statement, with the hope that the Commodity Credit Corporation will keep in mind that the private storage of this Nation now is not being used to anywhere near capacity. There are many private elevators that are in financial difficulty. First, Congress has, through accelerated depreciation in past years, facilitated the construction of many private elevators. These elevators are rendering a valuable service in the grain producing area.

Second, we have assisted in the construction of grain storage on the farms with loans through Federal agencies. I sincerely hope that that storage space will be used before the Commodity Credit Corporation makes it a point to fill its own storage facilities. Cooperation on the part of the Commodity Credit Corporation has been helpful. As our grain surplus declines it is most important that this cooperation continue in order to protect private industry.

I have in mind, too, that the distinguished chairman of the Committee on Agriculture and Forestry mentioned that the grain should be moved to points where it would be available for export. I would agree to that suggestion if and when there were export markets and ships available to move the grain. But I know of instances in our State in which the grain had been moved out of Kansas to coastal shipping ports when no grain had been sold and there was no immediate possibility of selling it.

Therefore, I hope that the Commodity Credit Corporation will keep in mind that the grain should be stored in the areas where it is produced until a definite market is available in a foreign country. There has been evidence that the Commodity Credit Corporation has moved grain a distance of 100 miles or more to fill another elevator of the same grade and rating and I hope that this procedure will be discontinued.

Mr. ELLENDER. Mr. President, I yield back the remainder of my time, if that is agreeable to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN], as modified.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. HICKENLOOPER. Mr. President, I call up my amendment No. 82 and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Iowa will be stated.

The LEGISLATIVE CLERK. On page 3, line 13, it is proposed to change the period to a colon and add the following: "*Provided*, That, notwithstanding any other provision of law, the Secretary shall in no case make available payments in kind under this subsection of a value in excess of $2,500 for any crop (1) to any producer or (2) to any group of producers sharing the crop on any one farm."

Mr. HICKENLOOPER. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. HICKENLOOPER. Mr. President, I yield 2 minutes to the Senator from New York.

ARMS RACE IN THE MIDDLE EAST

Mr. JAVITS. Mr. President, about a week ago there was considerable debate on the floor of the Senate in relation to the problems of the Middle East. That debate resulted from the submission of a resolution by me, cosponsored by 11 other Senators, and the submission of a resolution by the distinguished Senator from Minnesota [Mr. HUMPHREY], sponsored by a number of Senators.

Generally speaking, they represent the same position. The United States must reassert in the Near East its determination that there shall not be a change in the situation by force, and that it will do everything it can to prevent the escalation of the arms race.

In the course of that debate it became very clear that many of us doubted the wisdom of the U.S. policy by which President Nasser's government was being fortified with about $250 million in U.S. aid every year when at one and the same time he was pursuing policies which were inimical to the peace of that area, to international peace, and to the security and foreign policy of the United States.

At that time we were told that President Nasser was cooperating in respect to the Yemen, that Ellsworth Bunker, a very distinguished Ambassador of the United States to other countries—India, for example—had done a great job in bringing about a separation between the forces of Egypt which were in Yemen—those fighting for the republic there, and the forces of the Yemen that were backed by Saudi Arabia.

This morning we have received information that sounds exactly like the information we have received from Castro's Cuba. Nasser is not pulling out his troops at all. He is merely rotating them. He is pursuing inexorably his determination for a total Middle East hegemony under his command, dedicated to the destruction of Israel and to all other kinds of mischief in that area, including closer relationships with the Soviet Union and the Communist bloc, from whom he draws all of his arms.

Mr. President, I think the policy of the United States must be deeply and intensively reviewed. We must adopt an amendment in the Congress—if the administration does not do this—with respect to the foreign aid bill, which will provide that none of our aid, directly or indirectly, may be used by President Nasser to escalate the arms race, to defy the foreign policy of the free world, to frustrate the United Nations as he is doing in the case of Yemen, and generally to lend himself to aggression and the gravest kind of danger of international war in this area of the world.

I thank my colleague for yielding.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. HICKENLOOPER. Mr. President, the purpose of my amendment can be simply stated, as it is in the amendment; that is, to limit the payments under the feed grain bill to not to exceed $2,500 for any crop to any producer or any group of producers sharing the crop on any one farm.

I think almost everyone understands exactly what that means. There have been instances all over this country of great payments to corporations, both eleemosynary and private. There have been large payments to people in this country who have purchased land for little or nothing and who, as a result of some of these programs, have received in 1 year or 2 years sufficient retirement payments or payments for the nonuse of this cheap land to more than pay for the land itself. There have been abuses of various kinds.

This is merely an attempt to make sure that the benefits will reach the small farmers, by limiting payments to $2,500.

The Senator from Delaware [Mr. Williams] has pursued this subject in the past on several occasions. The Senator spoke to me only a moment ago. I believe the Senator has some comments on this particular phase of the question and some figures which he has developed. If he so desires, I shall be glad to yield to him so much time as he may desire to develop those figures and to continue to present the story as he has previously presented it.

Mr. HOLLAND. Mr. President, before the Senator yields to the Senator from Delaware, will he yield to me for a question?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. Do I correctly understand that the $2,500 limitation proposed is the same limitation which was discussed in the committee and on which a committee vote was taken?

Mr. HICKENLOOPER. It is.

Mr. HOLLAND. Do I correctly understand that the limitation would be solely upon the bonus payment or the payment in kind to be given over and above the loan?

Mr. HICKENLOOPER. The way the amendment reads, the Senator is correct.

Mr. HOLLAND. I thank the Senator.

Mr. HICKENLOOPER. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator from Iowa. I am delighted to join the Senator in support of the amendment.

All Senators would claim that the purpose of the bill is to help the bona fide farmers, but I have called the attention of the Senate on previous occasions to the manner in which this program has been abused and that the real farmers are not getting the benefits.

I have recently received another report from the Department. It shows that last year—in 1962—the Ford Motor Co. received $2,999.33 not to grow a crop. By what line of reasoning could the Ford Motor Co. be recognized as an American family farmer?

The Reynolds Metals Co., another large corporation, drew $13,070.54.

The American Crystal Sugar Co. drew $6,031.25 In addition, that company drew $1,462.72 worth of free lime and fertilizer to increase the productivity on its other acreage.

One of these corporate farmers received a payment as large as $156,000. The Farmers Investment Co., of Tucson, Ariz., last year received a total of $156,500.88 under this program. In addition, $2,500 more was paid to them to help buy lime and fertilizer to increase the productivity on the remaining acreage.

I put into the Record a couple or three weeks ago some information from State of Arizona officials showing that this company was renting some of this land for as low as $3 or $4 an acre from the State while the Government, under this feed-grains program, was paying these same people $35 or $40 an acre not to cultivate this same land. Who said farming on the New Frontier was not profitable—the only trouble is, the taxpayers are the ones getting plowed under.

Another example: there was a payment to Louisiana State Penitentiary of $42,108 last year under this same program.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Who leases the land to the lessee at $3 or $4 an acre?

Mr. WILLIAMS of Delaware. The State of Arizona.

Mr. LAUSCHE. The State of Arizona leases it. How much does the Federal Government pay?

Mr. WILLIAMS of Delaware. It pays $35 to $40 per acre not to cultivate the land, after it had been leased from the State of Arizona at an average rate of around $4 per acre. I say that that is farming the Federal Government and the taxpayers, not cultivating the soil.

The Louisiana State Penitentiary last year received $42,108 not to cultivate some of its land.

The Glades State Prison Farm of Florida received $8,947.20 to stop some of its farming operations.

We have been told that in the bill there are penalties provided against farmers who accept payments illegally. An interesting question comes to my mind: Suppose there is a violation of the law in these latter instances. How could we put a penitentiary in the penitentiary for not complying with a Government order? These examples just show how downright silly this program really is.

There is an airport in Nebraska which drew $12,626 not to raise corn on the airstrip. The airport wanted to extend the runways and very properly bought some adjoining land. Certainly they were not going to raise corn on the runway nor along the side of it, but the Federal Government, under this feed grain program, is paying them not to raise it.

Those are only some of the abuses going on under this "cockeyed" program, and they will continue unless we place in the bill some restrictions as advocated by the pending amendment.

Mr. President, I ask unanimous consent that this list of some of the payments made last year be printed in the Record at this point.

There being no objection, the list was ordered to be printed in the Record, as follows:

Name and address	Payment in kind, feed grain	Cost shares, ACP	Payments, CR
The Ford Motor Co., Belleville, Mich	$2,999.33	0	0
The Reynolds Metals Co., Henderson, Ky	13,070.54	0	0
American Crystal Sugar Co., Rocky Ford, Colo	6,031.25	1,462.72	0
Milliken Trust Co., Decatur, Ill	761.65	129.61	0
St. Benedict's College, Atchison, Kans	8,761.31	2,499.02	0
Glades State Prison Farm, Belle Glade, Fla	8,947.20	0	0
Louisiana State Penitentiary, Angola, La	42,108.00	0	0
Waterloo Municipal Airport, Waterloo, Iowa	5,864.34	0	0
Kearney Municipal Airport, Kearney, Nebr	12,626.00	0	0
Delta & Pine Land Co., Scott, Miss	11,409.68	1,970.00	0
Agriculture Inc., Girvin, Tex	22,986.44	0	0
Farmers Investment Co., Tucson, Ariz	156,500.88	2,500.00	0
City of St. Louis, St. Louis, Mo	9.306.60	0	0
C. Bruce Mace Ranch, Inc., Box 187, Davis, Calif	76,517.14	0	0
A. H. Nichols, 724 East 3d, Dixon, Ill	41,056.44	0	0
Wm. Gehring, Inc., Route 1, Rensselaer, Ind	61,835.82	0	0
RLDS Church Farms, Independence, Mo	60,652.90	1,250.25	0
Hill Farms, Hart, Tex	59,973.55	0	0
J.C. Mills, Box 726, Abernathy, Tex	8,494.50	0	0
V.H. & J.M. Tatton, Salt Creek Ranch, Refugio, Tex	53,320.40	0	0
Gila River Ranch, Post Office Box 67, Gila Bend, Ariz	132.913.80	2,445.13	0
Layton Knaggs, Post Office Box 970, Woodland, Calif	51,616.00	2,500.00	0
Arthur P. Gumz, North Judson, Inc	42,630.82	0	0
Overmeyer Farms, Inc., Wolcott, Ind	59,393.74	728.00	0
Halsell Cattle Co., Care of W. F. Rowland, Amerherst, Tex	19,431.24	0	0
Tom Moore, Navasota, Tex	35,857.22	993.68	0
Moser Ranch, Route 4, DeKalb, Tex	47,362.43	5,000.00	0
Northern Trust Co., Chicago, Ill	375.84	0	0

Mr. WILLIAMS of Delaware. Included in the list is the Delta & Pine Land Co., which was paid $11,409.68 not to cultivate some of its land. The same company drew another $1,970 in free fertilizer and lime at the taxpayers' expense. This company is not even owned by Americans. This is a British-owned company which is operating in the United States. I do not question its right to do so. However, why should we subsidize a British-owned company for its farming operations in the United States of America?

I think it is high time that we recognize that this is not a farm program to benefit the bona fide farmers but more of a political scheme to get votes. It will bankrupt the taxpayers if some controls are not imposed. The only way to impose controls on the cost is to vote for this amendment to establish a limit on these payments.

The City of St. Louis, Mo., as a city government, with the address of "city hall," is classified as a farmer under the terms of the Kennedy-Freeman feed grains program. That city drew $9,306.60 last year to curtail its farming operations. By what line of reasoning could anybody say that the city of St. Louis, as a city government, could be classified as a farmer any more than the Ford Motor Co. or a municipal airport or some of these other operations could be so classified?

Much has been said in recent months about the farm operations of Billy Sol Estes. Agriculture, Inc., of Girvin, Tex., listed above as having received $22,986.44 last year under this program is one of Mr. Estes' companies.

All of these companies will continue to be eligible for these handouts unless this amendment is approved.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. The only way one could ascribe rationality to this program would be to say that the Congress is gifted with some sort of supernatural thinking power which is in complete discord with ordinary logic. Every instance which the Senator from Delaware has described shows clearly the irrationality of what is being done. Rational people would have to laugh and ridicule what we do, yet year after year the great Congress persists in following this unjustified and unreasonable program.

Mr. WILLIAMS of Delaware. There is no question about it. It is ridiculous. One of the larger banks of the Midwest is listed on the report as having received payments under this farm program which is described as being for the help of the small farmer in maintaining his farming operation.

Mr. LAUSCHE. May I ask what bank that is? It is one of the large banking institutions; is it not?

Mr. WILLIAMS of Delaware. Yes, the Milliken Trust Co., of Decatur, Ill., and the Northern Trust Co., of Chicago, Ill.

Mr. LAUSCHE. And they fall within the category of the "poor little farmer whom we must save from destruction?"

Mr. WILLIAMS of Delaware. Yes. I do not question the right of any American citizen or any of these companies to buy land and operate it, and I will defend that right; but surely there is no logical reason one could give why we ought to tax the American people to subsidize their operations. The corporation type or absentee farmer should not be subsidized at all. As I have said, these payments go as high as $156,000. Several go over $50,000. Nobody can say that the beneficiaries are little farmers. I repeat the only way to curtail that kind of activity, if we do not like it, is to vote for the amendment and establish some control over it.

Mr. ELLENDER. Mr. President, will the Senator yield to me, on my time?

Mr. WILLIAMS of Delaware. Yes.

Mr. ELLENDER. Under what program were those payments made?

Mr. WILLIAMS of Delaware. Under the feed grain program the same one we are now considering. The information was furnished by the Secretary of Agriculture. These are payments in kind made under the Kennedy-Freeman feed grains program.

Mr. ELLENDER. For what year?

Mr. WILLIAMS of Delaware. For the previous calendar year, 1962.

Mr. LAUSCHE. Mr. President, if the Senator will yield, may I ask the Senator from Louisiana how he can justify these payments?

Mr. ELLENDER. I will explain this in a moment, in the meantime I will let the Senator from Ohio do that now, if he wishes.

Mr. LAUSCHE. The only way I could justify it would be to cast aside all my thinking power and adopt a twisted judgment that this practice could be justified.

Mr. ELLENDER. I remind the Senator that this is not a mandatory program; it is a voluntary program. The program was adopted in order to reduce our surpluses. Whether we reduce surpluses through the small farmer or the larger farmer does not make any difference. The idea was to reduce surpluses.

Mr. HICKENLOOPER. Mr. President, I am a little "chinche" about the time.

Mr. ELLENDER. This is out of my time.

Mr. HICKENLOOPER. I do not mean to be narrow about it, but with the limitation, and the Senator from Louisiana having 30 minutes, I am willing to have the time divided up somewhat.

Mr. HOLLAND. Mr. President, will the Senator yield for one question, before he gets into his learned address?

Mr. HICKENLOOPER. I am not sure the address will be learned, but I yield.

Mr. HOLLAND. I have just done a little calculating. The way I see the figure of $2,500, which would be the limitation of the payment in kind, which is the bonus payment, the amendment would permit payment in kind to the fullest extent to the growers of the country on production from 210 acres, at the smallest, if 18 cents is the amount used, up to 400 acres, at the largest, if only 10 cents is used. Those are the two figures I have heard used within the planning of the Secretary of Agriculture.

I ask the distinguished Senator if that does not mean that all the small farmers, plus many of the middle-sized farmers, would be completely protected in the matter, and would be able to derive the whole largess from the Government; and that the only people adversely affected by his amendment would be those with large acreage beyond the figures I have indicated.

Mr. HICKENLOOPER. There is no question in my mind that the Senator from Florida is substantially correct. I think both of us would have to sit down with sharp pencils to be able to determine the exact amount of the payments. The figure would be somewhere between 220 acres and 400 or 500 acres, depending on the amount, which would encompass all of the sound, realistic small farms in this country. This amendment would protect them. It would reach the unconscionable payments which the Senator from Delaware has pointed out. The Senator from Florida is correct.

Mr. HOLLAND. Will the Senator yield for a further question?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. Is it not true that those whose hearts have been bleeding for the small farmers of the Nation have an opportunity to strike a blow for their special protection and against the mulcting of the Government by means of bonus payments to larger farmers?

Mr. HICKENLOOPER. Indeed, that is the point; but it raises the question whether the tears which are sometimes shed for the small farmer are crocodile tears or genuine tears. We have tried to ascertain that.

This proposal was presented before the committee. It was promptly and speedily voted down and thrown out the window. But the Senator from Delaware, more eloquently and more concisely and with greater impact that I could bring to bear, has pointed out clearly what applies to many of the other amendments, and that is the absolute necessity which I think confronted the Agriculture Committee of the Senate to look at this bill and correct the inequities in it before it was brought so ruthlessly to the floor of the Senate, under orders, "Don't amend it under any circumstances. We want to use it as a political whip for the wheat referendum."

This proposal points out the silliness of the bill. This amendment should have received very careful consideration, along with other amendments, but the orders came from on high, or higher than that—I do not know where they came from.

Mr. LAUSCHE. Ex cathedra.

Mr. HICKENLOOPER. "No changes. No amendments. We have to have it as a referendum vote lever by the 21st day of this month."

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. Ohioans have come to me and told me that they were remorseful because they were taking money from the Government under this agricultural support program. A banker has to take it, because his stockholders might say, "You are not fulfilling your duty unless you take it." They ask me, "How do you support a program of that kind?" and there I stand, defenseless, unable to give answer—and I stand defenseless because there are too few willing to assert themselves against a program that cannot be supported by reason.

The only way one can adopt it is to cast his reason aside and say he will dip the ladle into the Federal Treasury and distribute the money imprudently and criminally.

Mr. President, I shall support this amendment. I cannot vote for the bill. It is an affront to the intelligence of every American citizen.

Mr. HICKENLOOPER. I thank the Senator from Ohio. He has touched on one of the main elements involved in this amendment.

Again I point out, not only to the Senator from Ohio, who realizes it fully, I am sure, but to other Members of the Senate, that it is a tragedy that so few Senators are present. Senators will come to the Chamber shortly and cast their votes on an important portion of the feed grain bill that affects agriculture so greatly. I venture to say, with all respect to Members of the Senate, that many of them will not know what is involved in the amendment when they vote "nay" on it.

Mr. LAUSCHE. Mr. President, if the Senator will yield, that will happen because ex cathedra the order has come as to what shall be done.

Mr. HICKENLOOPER. Mr. President, how much time have I left?

The PRESIDING OFFICER. The Senator from Iowa has 11 minutes remaining.

Mr. HICKENLOOPER. For the purpose of creating a group of listeners for the chairman of the committee, if he has anything to say, I shall be glad to suggest the absence of a quorum in order to notify Members of the Senate. Then I hope to have the order for the quorum call rescinded soon after it starts. There are too few Members of the Senate on the floor at this time for the Membership to get an idea of what is going on.

Mr. MANSFIELD. Mr. President, will the Senator yield so that I may suggest the absence of a quorum, and then withdraw it after the bells are rung?

Mr. HICKENLOOPER. That is what I had in mind.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, the bells having rung and Senators being on their way over, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HICKENLOOPER. At this time I shall reserve the remainder of my time. I do not care to pursue the subject further at the moment. I assume the opposition to the amendment may wish to make some comments. I reserve the remainder of my time.

Mr. ELLENDER. I presume, then, that the Senator is willing for me to talk to an almost empty Chamber. That is all right with me.

Mr. HICKENLOOPER. If the Senator will yield, I thought I was doing him a favor by asking that there be a quorum call, so that he would have some listeners.

Mr. ELLENDER. I believe that most of the Senators present, as well as many Senators who are not present, understand the program very well. Every facet of it has been debated. My good friend from Iowa and my good friend from Ohio become "all steamed up" about the program. Neither has supported the feed grain program. They are in the same corner that they have been in since the program was put on the statute books. It is my considered judgment—and I may be in error—that in my opening remarks I made a fairly good case for an extension of the program. It was shown that without question, in my judgment, there has been a gradual decrease in the huge surpluses that have been accumulating over the years.

I should like now to address myself for a few minutes to the pending amendment. The purpose of the bill before us is to decrease surpluses. Whether the decrease comes through the big grower or the small grower makes no difference to us. The idea is to decrease the surpluses of corn and other feed grains, so that supplies can be brought into line with our requirements. The problem is that simple.

If, by the proposed amendment, we should curtail payments to the large farmers, who by diverting their acres make a dent in the surplus production, we would not get anywhere. We could not have gotten the 25 million acres that we had last year and the year before in our effort to reach our goal of reducing the surpluses.

I admit that in the past we have made large payments. Efforts were made by the committee on two or three occasions to establish limits. However, I go back to the proposition that the program is a voluntary program and its purpose is to reduce surpluses. We can better do that, in my opinion, by working through all farmers, both large and small. If we applied a limitation it would make more difficult, if not impossible, the reaching of our goal.

I hope the amendment will be voted down. I am ready to vote on it.

Mr. HICKENLOOPER. Mr. President, the Senator from Louisiana, the chairman of the committee, said that I had not supported the program. That is very true. I have not supported it. I have not supported a program that requires airports not to plant agricultural products on land reserved for airstrips. I have not voted for a program that rewards corporations which have no intention basically of using land for agricultural purposes, to refrain from doing what they do not intend to do.

I am trying to support a proposal that will pay the small family farmer. As has been pointed out by the Senator from Florida, under the program which is at least alleged by the Secretary of Agriculture, the limitation would take care of the family size farm without any trouble. It would preclude the corporate operator. It would preclude the municipality. As the Senator from Delaware has pointed out, it would preclude penitentiaries from collecting these payments. He has very properly pointed out the difficulty of putting a penitentiary into a penitentiary for not obeying the law.

The amendment would take care of the family size farm, depending on the amount of the payment, from a corner of a section to 400 or 500 acres. That would encompass practically all of the so-called family size farms in the United States. I believe it would be a reasonably fair statement to say that that would encompass all the family size farms of the United States. There could be some exceptions, I suppose. A man with a ranch who had a thousand acres of jackrabbit land which did not take more than one person to operate could be an exception. There might be one or two exceptions like that. However, it would take care of the family size farm, and it would exclude a great many of the abuses that have been pointed out. The most important thing in connection with the procedure now being followed is that it is a manifest injustice and a manifest weakness in the law. It is something that should have been considered by the committee. Instead, it was ruthlessly overridden by the committee.

It is another one of the corrective steps that should have been taken. However, the orders came down to put no amendments on the bill and to consider none, and to vote the bill out of committee without amendments, and to reject amendments on the floor of the Senate. Those were the orders. That is the course of action that is being followed today on the bill and was followed yesterday and will be followed tomorrow and the next day and in the days to follow.

In my judgement, the merits are not so controlling as the political orders that have come down.

I say that the amendment has been very clearly demonstrated to be one that should have been considered in committee, so that these injustices and inequities could have been corrected, as they should have been corrected. That was not the case. However, it is not too late to correct them. They could be corrected on the floor of the Senate by responsible Senators casting responsible votes. The fantastic and amusing situations—although amusing, they are nevertheless serious—which have been pointed out by the Senator from Delaware, can be corrected. If we correct them, we will avoid passing legislation that will contain provisions permitting the abuse of a program designed to help the farmer of America, rather than to help, as it does in many cases, corporations and groups that are not basically involved in farming, but who happen to have land that could lend itself to farming, even though they never intended to use it for farming. The result is they get paid for not doing what they never intended to do in the first place.

I am not under any illusion on this question. I know what the program is. I know what the pattern is and what it has been.

Mr. GOLDWATER. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield to the Senator from Arizona.

Mr. GOLDWATER. I heard the distinguished chairman of the committee say that the purpose of the program is to reduce surpluses. I wish to ask the Senator from Iowa a question about the tables he placed in the RECORD on last Tuesday, at pages 8467–8468. There are two tables. One is entitled "Items as of March 31." The other is entitled "Items in Price-Support Inventory of CCC as of March 31." Which of those two tables would be the one pertinent to point out a reduction in inventory or a failure to reduce inventory? They seem to be identical lists. In arguing whether surpluses are being reduced under this program, which table would the Senator refer to?

Mr. HICKENLOOPER. I would refer to the bottom table.

Mr. GOLDWATER. The bottom table does not indicate to me that there has been any substantial reduction under this program. Therefore, I cannot buy the argument of the chairman of the committee that this program is so vitally needed. It is true that there are some reductions, but they are exceedingly small reductions compared with the cost with which the taxpayers are confronted in paying for the program.

I am intrigued by one figure——

Mr. HICKENLOOPER. If the Senator will refer to the top table, the one entitled "Items as of March 31," he will see that in 1962 there were 851,795,530 bushels of corn on hand, having a value of $953,711,669.

In 1963, as of March 31, going to the left-hand column, the Senator will find that the amount of corn on hand had increased by 56 million bushels, to 907 million, with a corresponding increase in value, in 1963, to $1,020,795,000. That shows that there has been an increase.

The same is true with respect to soybeans. Also, the amount of butter in storage has greatly increased under this program.

I point out something else to the Senator: Corn has been selling at $1 or less on the open market under this program. Of course, that has been by deliberate design, testified to by the Secretary, to keep the price low, in the knowledge that cheap feed grain means cheap livestock. We have had the lowest feed prices for cattle this spring that we have had for many years.

The PRESIDING OFFICER. The time allotted to the Senator from Iowa under the amendment has expired.

Mr. ELLENDER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back——

Mr. GOLDWATER. Mr. President, may I ask the chairman of the committee to explain to some of us, at least, who do not understand this subject so well, why the program, according to this table, does not seem to be working?

Mr. ELLENDER. Is the Senator referring to the Farm Bureau program?

Mr. MANSFIELD. Mr. President, I must call the attention of the Senator to the fact that the Senate is operating under a time limitation.

Mr. ELLENDER. I refer the Senator from Arizona to page 8303 of the RECORD of Monday, May 13, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Louisiana, chairman of the Committee on Agriculture and Forestry, may have 1 minute allotted to him in which to answer the query of the Senator from Arizona.

Mr. GOLDWATER. I am reading from the RECORD a bulletin of the U.S. Department of Agriculture, recently released.

The PRESIDING OFFICER. Without objection, the Senator from Louisiana is recognized for 1 minute.

Mr. ELLENDER. I suggest that the Senator from Arizona refer to page 8303 of the RECORD of last Monday. He will find there a table indicating that production in 1954 was 114.1 million tons. That production continued to increase, until 1960, to 155.6 million tons. In the first year of the program, production dropped 15 million tons. The next year it dropped 12½ million tons.

Then, if the Senator will look at the column entitled "Carryover," he will notice that in 1954 the carryover was 31.7 million tons. By 1961, before the first program became effective, the carryover had increased to 84.7 million tons. In the year after the program, production had decreased from 84.7 million tons to 71.8 million tons. In 1963, production will drop to 61 million tons.

Mr. GOLDWATER. Mr. President, may I be permitted to ask one more question, so that I may have an opportunity to study this situation?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Louisiana may be granted an additional minute.

The PRESIDING OFFICER. Is there objection?

Mr. HICKENLOOPER. Mr. President, the Senator from Louisiana had a considerable amount of time which he yielded back. I ask unanimous consent that he be allowed to recapture the remainder of the time originally allotted, so that he may answer questions.

Mr. ELLENDER. I shall not need all of that time.

The PRESIDING OFFICER. The Chair would like to set the record straight. Did the Senator from Iowa ask unanimous consent that the Senator from Louisiana might reclaim the remainder of this time?

Mr. HICKENLOOPER. The Senator from Louisiana ought to be yielded back the remainder of the time he had under his control.

The PRESIDING OFFICER. It is the prerogative of the Senator from Louisiana to decide whether he wishes to do that or not.

Mr. HICKENLOOPER. If he does not wish to do so, that is all right; but if it is agreeable to the Senator, I ask unanimous consent that he be permitted to reclaim the remainder of the time he has yielded back.

The PRESIDING OFFICER. Is there objection to permitting the Senator from Louisiana to reclaim the remainder of the time he had yielded back, if he desires to reclaim it? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. Mr. President, will the Senator from Louisiana restate the number of the page to which he referred?

Mr. ELLENDER. It is page 8303 of the RECORD of Monday, May 13, 1963. The Senator will notice that the table applies to the production, utilization, and carryover of all feed grains from the year 1954 through 1962.

The table to which the Senator from Arizona refers applies to all surpluses. We are dealing today with surplus feed grains. That is why I placed in the RECORD a table which dealt solely with feed grains.

Mr. GOLDWATER. I appreciate that; but is the table which the Senator placed in the RECORD on Monday a compilation of the Department of Agriculture?

Mr. ELLENDER. Yes.

Mr. GOLDWATER. It was prepared by the Department of Agriculture?

Mr. ELLENDER. It was prepared by the committee economist from records of the Department of Agriculture; that is correct.

Mr. GOLDWATER. The table to which I am referring, which was placed in the RECORD by the Senator from Iowa [Mr. HICKENLOOPER] on Tuesday last, was prepared by the Department of Agriculture.

Looking only at the grain section, I would not say that those figures exactly coincide with the figures in the table placed in the RECORD on Monday by the Senator from Louisiana. That is why the question arose in my mind. As I examine some of the figures, I find rather sizable increases in the surplus. I look at other figures and find small decreases. I have not totaled them.

Mr. ELLENDER. The reason is that one table contains figures prepared as of March 31; the other has figures based on a projection to October 1 of this year.

Mr. GOLDWATER. That is as of October 1?

Mr. ELLENDER. Yes; the latest available figure.

Mr. GOLDWATER. Does the Senator from Louisiana recall, for example, the figure for soybeans in his table?

Mr. ELLENDER. Soybeans are not included in this table.

Mr. GOLDWATER. Then let us consider another one as to which there is a discrepancy. How about corn?

Mr. ELLENDER. Very well. If the Senator from Arizona will refer to page 8304 of the CONGRESSIONAL RECORD for Monday, he will notice that the production of corn in 1954 was 2,708 million bushels. That production increased until 1960, when it was 3,908 million bushels. In 1961, the first year of the program, it decreased from 3,908 million bushels to 3,626 million bushels.

Mr. GOLDWATER. Mr. President, will the Senator from Louisiana yield at this point?

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Does the Senator from Louisiana yield to the Senator from Arizona?

Mr. ELLENDER. I yield.

Mr. GOLDWATER. However, in 1963 it increased again, according to the Senator's table.

Mr. ELLENDER. The year 1963 was a program year; and there was not an increase. The other figure was for a period without the program.

Mr. GOLDWATER. No, Mr. President; I am reading after the words "with programs", and the figure is 3,800 million; and the figure for the period without the program is 4,430 million.

Mr. ELLENDER. In 1960, the year before the program, it was 3.9 billion bushels.

Mr. GOLDWATER. That is correct.

Mr. ELLENDER. And for 1962 the production was 3.6 billion bushels.

Mr. GOLDWATER. And for 1963, the table gives 3.8.

Mr. ELLENDER. But that is only an estimate; we do not know exactly what the production will be this year. As a matter of fact, the corn is now in the process of growing.

Mr. GOLDWATER. Will the Senator from Louisiana state what his figures show in regard to grain sorghums, because the table prepared by the Commodity Credit Corporation shows, for grain sorghums, a rather sizable increase. What do the Senator's figures show?

Mr. ELLENDER. In 1954 the production of sorghums was 236 million bushels; in 1960, 630 million bushels. The Senator will note that there was a gradual increase until 1960. In 1961, the first year of the program, it decreased from 630 million bushels to 480 million bushels. In 1962 it decreased to 509 million bushels, which was the actual production—from 630 million bushels when we had no program.

The estimated production for 1963 is 565 million bushels, in contrast to production of 630 million bushels during the last year of no program.

Mr. GOLDWATER. Will the Senator from Louisiana give a comparison, from his chart, for grain sorghums, between the years 1960 and 1962, actual, on the carryovers and the inventories?

Mr. ELLENDER. Very well. In 1960, the carryover was 762 million bushels. In 1961 it was reduced to 661 million bushels; in 1962, 625 million bushels; and the estimate for 1963 is that it will be 675 million bushels.

Mr. GOLDWATER. Are those the actual inventories carried in Government storage?

Mr. ELLENDER. No, that is the total carryover at the end of the marketing year, which is October 1.

Mr. GOLDWATER. Can the Senator from Louisiana tell me about the situation of the inventories of grain sorghums contained in Government storage?

Mr. ELLENDER. I have just given that information to the Senator.

Mr. GOLDWATER. The Senator from Louisiana gave me the figures on the production and the carryover.

Mr. ELLENDER. Well, I do not have the other figure here at the moment.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. WILLIAMS of Delaware. I have the figures, and I think they give the key to the entire problem:

On January 31, 1961, we had 311,168,443 hundredweight of grain sorghum in Government storage. It was in 1961 that they started this feed-grains program, and they have since paid out several million dollars to curtail production. Yet, as of March 31, 1963, the Commodity Credit Corporation reports that its inventories of grain sorghum—after it had paid all that money—were 512,451,000 bushels. It should be noted that they now count this commodity in bushels. We now have over a half billion dollars invested in grain sorghum which is stored in Government warehouses.

This program has not reduced surpluses as claimed.

Mr. GOLDWATER. Does the chairman of the committee agree with those figures?

Mr. ELLENDER. Any figures shown in the RECORD are from the Department of Agriculture, and all of them are correct. I respectfully refer the Speaker to these tables, and I ask him to take into consideration the fact they were calculated as of different dates. The inventory and price-support loan figures change daily as well as monthly. The Department publishes the monthly figures regularly. The figures I have quoted are as of the end of the marketing year for corn and sorghums, which happens to be October 1. The Senator's figures are as of March 31, an entirely different date, and they should be different.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Louisiana yield again to me?

Mr. ELLENDER. I yield.

Mr. WILLIAMS of Delaware. These figures which I am using are all obtained from the Department of Agriculture reports.

Mr. ELLENDER. I do not know about that. I am referring now to the figures which appear on page 8467 of the CONGRESSIONAL RECORD.

Mr. GOLDWATER. Mr. President, I am not trying to delay, and I am not at all knowledgeable about this matter. However, we are asked to vote for the authorization of the appropriation of a great deal of money; and the Senator from Louisiana has stated that this program has reduced the surpluses. I am rather confused because one set of figures, as compiled by the Department of Agriculture, shows that the program has not reduced these surpluses; but under the figures used by the Senator from Louisiana, he says the program has reduced the surpluses. However, the figures he is using were not compiled by the Department of Agriculture; they were compiled by an economist. On the other hand, the distinguished Senator from Delaware [Mr. WILLIAMS] has offered figures from the Department of Agriculture.

Frankly, all this causes me to have some doubt as to whether the program has been working. I merely asked the distinguished chairman of the committee whether he agrees with the figures submitted by the Senator from Delaware in regard to storage in Government warehouses.

Mr. ELLENDER. I do not know about the Senator's interpretation; but the figures I placed in the RECORD are from the Department of Agriculture, and have been put together by our economist; and they are genuine figures, and they are the same as those appearing on page 8467 of the CONGRESSIONAL RECORD.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Louisiana yield again to me?

Mr. ELLENDER. I yield.

Mr. WILLIAMS of Delaware. The figures I am quoting are from the report of the Commodity Credit Corporation as furnished to the Congress. I have here on my desk copies of the reports, and I am reading from page 28 of the report. This shows that the Government's inventory of grain sorghum as of March 31 of this year, was 512,451,000 bushels. The reports also show that on January 31, 1961, the Commodity Credit Corporation had 311 million hundredweight on hand; on January 31, 1962, that amount had increased to 328 million hundredweight; on January 31, 1963, the inventory was 543 million bushels. On March 31, 1963, it was 512 million bushels.

On January 31, 1963, we still had an investment of over $575 million in grain sorghum that was stored in Government warehouses.

A great deal of the hullabaloo which has been raised and a great many of the boasts which have been made about reducing the inventories of Government storage have been based on a little fancy New Frontier bookkeeping.

I cite one example: On January 31, 1961, when this administration took over, we had 1,115,482,882 bushels of wheat in Government warehouses.

That was carried on the books of the Commodity Credit Corporation as of that date at a valuation of $2,903 million. On January 31, 1963, a comparable date, 1,035,801,000 bushels of wheat were on hand, representing a reduction in inventories, of wheat of only about 80 million bushels, but the cost value was reduced to $2,016 million. The cost value on wheat in Government storage was reduced by around $900 million on a reduction of only 80 million bushels. They readjusted the value as carried on the books, and by so doing they said, "Look how we have reduced our inventories."

The actual bushel inventories were reduced but very little. There was a reduction of about 80 million bushels of wheat, but the value was decreased by $900 million. They are not presenting an accurate picture to the public.

This program has not been the success which they claim it to be.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the statistics taken from the Commodity Credit Corporation reports as of January 31, 1961, January 31, 1962, January 31, 1963, and also March 31, 1963, showing the inventories of corn, wheat, cotton, and grain sorghum, along with the cost valuation for those inventories as carried on the books of the Commodity Credit Corporation.

There being no objection, the statistics were ordered to be printed in the Record, as follows:

Inventories and Cost Values as Reported by the Commodity Credit Corporation

CORN

January 31, 1961: 1,465,241,760 bushels; cost value, $2,438,901,523.84.

January 31, 1962: 1,307,084,249 bushels; cost value, $1,624,943,239.33.

January 31, 1963: 987,136,997 bushels; cost value, $1,148,076,130.64.

March 31, 1963: 748,116,255 bushels; cost value, $881,490,536.29.

WHEAT

January 31, 1961: 1,115,482,882 bushels; cost value, $2,903,333,722.48.

January 31, 1962: 1,108,896,598 bushels; cost value, $2,191,089,211.97.

January 31, 1963: 1,035,801,588 bushels; cost value, $2,016,161,189.01.

March 31, 1963: 1,010,410,225 bushels; cost value, $1,966,480,807.03.

COTTON

January 31, 1961: 4,817,871 bales; cost value, $806,043,594.06.

January 31, 1962: 1,448,673 bales; cost value, $245,281,182.69.

January 31, 1963: 4,684,629 bales; cost value, $809,815,725.56.

March 31, 1963: 4,684,086 bales; cost value, $809,720,414.11.

GRAIN SORGHUM

January 31, 1961: 311,168,443 hundredweight; cost value $863,489,732.11.

January 31, 1962: 328,710,351 hundredweight; cost value $624,621,329.36.

January 31, 1963: 543,172,505 bushels; cost value, $575,561,311.97.

March 31, 1963: 512,451,202 bushels; cost value, $540,680,599.27.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I do not have the floor. I thank my friend from Louisiana for his explanation. I merely comment that there is confusion in the Record. I must lean toward the figures of the Department of Agriculture. If they are correct—and we must presume them to be—I cannot agree that the program has been successful.

Mr. ELLENDER. Mr. President, I should like to point out to my good friend from Arizona that it depends on the month of the year that is used. The table to which the Senator from Delaware referred related to January of last year and of March of this year. There was a decrease of 197,556,685 bushels of feed grains from March of 1962 to March of 1963. The table that I have introduced in the Record is as of October 1, which marks the end of the crop year for the commodities. Each crop has a different year. If we are considering corn and other feed grains, I believe the month I have indicated, that is, October 1, ought to be taken because at this time the new crop begins to come, and the figures I have indicated are shown as of that date.

Mr. President, I yield back the remainder of my time.

Mr. MANSFIELD subsequently said: Mr. President, although the Senate is operating under limited time I ask unanimous consent to correct an oversight on my part, and ask that the distinguished Senator from Iowa [Mr. Miller] may be recognized to make a unanimous-consent request at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, I thank the Senator from Montana, the distinguished majority leader.

Mr. President, I ask unanimous consent that the figures relating to December 31, 1960, and December 31, 1962, appearing in the table on page 8713 of yesterday's Congressional Record relating to the soybean inventory be printed in the Record at the conclusion of the remarks by the Senator from Arizona [Mr. Goldwater] during the colloquy on the previous amendment, along with my comment that I believe these inventories should also be taken into account, along with the other figures discussed, in order to get a complete picture of the inventory record of crops as a result of the feed grain laws which have been on the books for the past 3 years.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the table was ordered to be printed in the Record, as follows:

Soybeans in inventory of CCC

Dec. 31, 1960:	
Quantity (bushels)	4, 492, 485
Value	$10, 600, 637
Dec. 31, 1962:	
Quantity (bushels)	36, 710, 649
Value	$87, 433, 158

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. Hickenlooper]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. Cannon], the Senator from Arkansas [Mr. Fulbright], the Senator from Utah [Mr. Moss], and the Senator from Georgia [Mr. Russell] are absent on official business.

I further announce that, if present and voting, the Senator from Georgia [Mr. Russell] would vote "nay."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from Colorado [Mr. Allott]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Colorado would vote "yea."

On this vote, the Senator from Nevada [Mr. Cannon] is paired with the Senator from Vermont [Mr. Prouty]. If present and voting, the Senator from Nevada would vote "nay" and the Senator from Vermont would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], the Senator from New Jersey [Mr. Case], and the Senator from Vermont [Mr. Prouty] are necessarily absent.

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Utah would vote "nay."

On this vote, the Senator from Vermont [Mr. Prouty] is paired with the Senator from Nevada [Mr. Cannon]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Nevada would vote "nay."

The result was announced—36 yeas, 57 nays, as follows:

[No. 82 Leg.]

YEAS—36

Aiken
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Fong
Goldwater
Hickenlooper
Holland
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Morton
Pearson
Ribicoff
Robertson
Saltonstall
Scott
Simpson
Smith
Thurmond
Tower
Williams, Del.

NAYS—57

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Church
Clark
Eastland
Edmondson
Ellender
Engle
Ervin
Gore
Gruening
Hart
Hartke
Hayden
Hill
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Smathers
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak
Young, Ohio

NOT VOTING—7

Allott
Cannon
Case
Fulbright
Moss
Prouty
Russell

So Mr. Hickenlooper's amendment was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. HICKENLOOPER. Mr. President, may I have the attention of the majority leader and of the chairman of the committee?

Upon request, I ask unanimous consent that the Senator from Delaware [Mr. Williams] may be joined as a cosponsor of the amendment which has just been voted upon, because of his prior interest in this matter and his desire to be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HICKENLOOPER. Mr. President, I call up my amendment No. 79 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. On page 6, beginning with line 25, it is proposed to strike out all down through the period in line 2, page 7, and to insert in lieu thereof the following: "and 1965 crops shall be the five-year period 1956–1960."

On page 7, line 22, it is proposed to strike out "1959 and 1960" and to insert in lieu thereof the following: "1956 through 1960".

On page, 10, line 3, it is proposed to strike out "1959 and 1960" and to insert in lieu thereof "1956 through 1960".

Mr. HICKENLOOPER. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. HICKENLOOPER. Mr. President, the amendment which has been called up and which is before the Senate is an amendment on a subject matter which has been discussed considerably, but which was refused consideration, as a practical matter, in connection with this bill.

Actually, it is an amendment which proposes to protect the farmer who has engaged in good land management practices, in good conservation programs, over the years, for the preservation of his soil, and who has not increased his crop supported acreage in order to enlarge his acreage for further programs.

The farmer who over a period of time has engaged in rotation practices, in pest control development, and in many other kinds of soil conservation methods for the preservation of his farm, so often finds himself penalized when it comes to the allocation of allotments for price supported commodities.

It seems to me that the 1961, 1962, and 1963 feed grain programs actually rewarded farmers who overplanted their feed grain acreages during 1959 and 1960, to the detriment of those farmers who, through conservation and other means, planted less than they would have planted in the years 1959 and 1960, had they been able to anticipate what was going to happen.

The present bill, and specifically the language on page 6 of the bill, enlarges the base period to 4 years, but it does so by including the years 1961 and 1962 with respect to the 1964 crop year, and includes the years 1962 and 1963 for the 1965 crop year.

The trouble is that the sliding scale will lead farmers who believe that their future acreage allotments will be based on whatever feed grain acreage and production they can achieve during those years to a further incentive for overplanting and overproduction, and will contribute to the surplus.

The amendment which I propose, I believe, goes a substantial way toward the correction of this unrealistic base period, because it provides a stable base period of 5 years, the years 1956 through 1960.

One of the difficulties with providing a base year so recently before the crop of 1964 is that many farms were on reduced acreage during the contemplated base year, and they are at a disadvantage as compared with farmers who had established a larger base acreage year before and took advantage of it.

A great many farmers have suffered severe cuts in their acreage simply because they had in past years, and during the base period theretofore, been engaged in rotation procedures and good land management practices. They were actually penalized, whereas others who had during the base period theretofore planted their farms to death, planted them all in corn, for example, had acquired a tremendous base through practices which many farmers would consider not to be good land management practices.

Many farmers feel very keenly that this procedure puts a conservation-minded farmer at a distinct disadvantage.

All this amendment does is apply what I believe to be a realistic base period, which is not affected by a base period which includes only the years in which the reduction program in the so-called emergency feed program applied. The proposal applies to the base period of the years 1956 through 1960. It provides a long enough period of time so that rotation can have an effect on the average production of those farmers during that period of time, which one could call a normal period of time, rather than a controlled period of time. Whether one calls the control voluntary or otherwise, the fact is that it was a controlled period of time.

The good farming habits of many farmers are adversely affected by this unusual and unrealistic period which is attempted to be applied as the base measurement period for the determination of acreage for this program during 1964.

As I said a moment ago in connection with a previous amendment which was voted down, this is another illustration of a serious portion of this feed grain program which should have been given careful consideration by the Agriculture Committee. It was not. The committee followed the pattern, by a majority vote, which was followed a short time ago—no amendments, regardless of their merits.

It is still not too late to correct this situation. The bill before us does not apply until 1964. It does not apply to this year's crop. But it is a bill that will vitally affect the feed grain areas in 1964, and perhaps in 1965; and the bill should be corrected.

I said yesterday on the floor that in over 18 years' service on the Agriculture Committee this is the first time I ever saw a major agriculture bill come from the House that was not set down for preparation and hearings by the Senate, hearings to be held either by a subcommittee or otherwise, at which the terms of the legislation could be considered carefully. I have never before seen a major agricultural bill come over to the Senate from the House that was not amended in several substantial details to correct manifest shortcomings with respect to various sections and areas.

Not so this bill. Not so this time. That is not the case. What we are trying to do is to point out some shortcomings in the bill which we hope the Senate will correct before it is too late. This is one of them.

Conservation programs are in effect on which we are spending hundreds of millions of dollars in this country every year. We advocate to the farmers a program of conserving the soil, of planting their crops by using good land practices, of terracing and contouring, of fertilizing, and pasture control. We spend hundreds of millions of dollars urging farmers to do all this. Then the proponents come to the Senate with a feed grain bill which penalizes the farmer who follows these practices, even though we are spending all this money in our local conservation districts and State conservation districts and even in our national program.

What we suggest is a realistic base on which to measure the basis for supported products. It is realistic. Although it may in certain isolated instances have an adverse effect on a few farmers, nevertheless it extends back far enough to provide enough turnover during the 5-year period, so that it will average out in the main. In that way the good farmer will not be penalized, and the growing of price-supported crops will not be restricted unduly, if the bill is passed.

The so-called sliding scale, in which we move up 2 years or 3 years, or whatever the period is which is the base period upon which the next year's allocation is based, has one manifest weakness, and that is that every year the farmer who has to look to his economics—and they are becoming worse and worse instead of better and better—and to his right to plant the acres that he can put in various crops each year, will plant to the very limit, because each year the yardstick period, that base period, moves up behind him. In 1963, it was 1962 and 1961, and so on. In 1964, it will be 1963 and 1962, and so on.

If he does not plant up to his limit each year, his base slips down. Therefore his average goes down, and next year he is reduced in acreage by that much, because his average in the base period has gone down.

This presents a very serious complication. It is one of the things that our committee should have studied.

I do not say that the base period of 1956 through 1960 is necessarily the best period. It is infinitely better as a base period than the one that is proposed to be used in the bill. It is a constructive base period. It is realistic. I believe the committee should have studied it. It should have taken some thorough statistical evidence on it, and corrected the bill.

Instead, we had to take the bill in committee exactly as it came to us from the House. No amendments were permitted to be added. No amendments were voted on.

This is another one of the amendments in terms and conditions of the bill that should have been looked into and corrected. I hope we are not beginning to follow a philosophy of rewarding the inefficient and penalizing the efficient. The amendment would give the efficient farmer an opportunity for an equal "shake" with respect to the base period. It would permit the farmer who has engaged in good land practices, who has engaged in conservation practices, an equal chance at acreage allotments and acreage participation under this program.

Under the terms of the bill as now written, the farmer who gained his advantage by overplanting, and got a far bigger base than the farmer who used conservation practices and got a good deal lower base period, would have an advantage. The farmer who overplanted and, in many cases, gained an unfair basis, will retain it, and the good farmer will still be penalized. The man who overplanted, of course, may be a good farmer so far as crops are concerned. However, I am speaking of a good farmer, as a farmer who uses good land and soil conservation practices in agriculture. Our amendment is simply an attempt to equalize opportunities between these two farmers.

The base period of 1956 through 1960 would be a good base period. It would not hurt anyone from the standpoint of equity. It would give the farmer who had been conscientious in following good practices of conservation, soil and otherwise, a reasonably fair and equitable opportunity to get at least as good treatment in the allocation of his acreage and participation in the program as the man who had built up an extraordinarily big base acreage because of overplanting in years gone by.

Mr. President, I am under no particular delusion about how the vote will go on the amendment; neither am I under any particular delusion about the merits of the amendment. The amendment has great merit. Again I say it is the responsibility of the Senate to make corrections where corrections are needed, and to give consideration where consideration is needed. I do not believe it is good practice to ruthlessly vote down necessary, proper, good, and corrective amendments to proposed legislation in order to pass the bill under consideration by a certain date, so that it can be used as a lever to lobby on a vote that the administration favors.

I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, all I can say to my good friend from Iowa is that he had an opportunity to make the changes he proposes when the program first went into effect. The program has been on the statute books since 1961. It has been there for 1962 and 1963, and now we are beginning on an extension of the program for 1964 and 1965. Yet at this late date he states that this or that ought to be done.

When 1959 and 1960 were selected there was no acreage reserve program. At that time farmers were permitted to plant whatever they desired.

I believe that a realistic approach was made in 1961 when the selection was made. The 1959 and 1960 figures pertain to an established acreage base. I see no importance in extending the base back 4 or 5 years, or even 3 years, as the Senator desires to do. Think of the time that would be required to go back to each farmer in the Nation who produces corn and other feed grains, to determine what his base acres were in 1956, 1957, and up through the period to which the Senator from Iowa refers. That would require an exceedingly large amount of time and be very costly.

What we have sought to do is to take a base period in which, as I repeat, there were no diversion programs, when farmers could plant all they desired. In regard to production, I think it is natural for us to take the most recent years. That is exactly what the committee did when the bill was first enacted. It is a realistic approach.

Furthermore, this program is only for 2 years. I do not see anything in the Senator's amendment that would add to the conservation features to which he refers. There is nothing specific about that in the amendment. He would merely take this period of time for historical purposes and would add to that the production. To take the years 1959, 1960, 1961, 1962, and 1963, is, I think, a better way to proceed for 1964 and 1965.

Mr. HICKENLOOPER. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. HICKENLOOPER. I know the Senator wishes to be practical. I merely suggest that his recollection is slightly faulty when he says that I am a Johnny-come-lately with this proposal. In 1961, when the bill was before the Senate, I pointed out the inequities that would result to the farmer who had been conservation-minded before, as against the farmer who had not been conservation-minded. I raised that point two or three times. This year I did not formally present an amendment as such to the committee; there was no use. I had no desire to delay the reporting of the bill, but the question was discussed in committee. I mentioned it.

Mr. ELLENDER. Yes.

Mr. HICKENLOOPER. My proposal did not receive sympathetic consideration. I am bringing it up on the floor. However, I am not a Johnny-come-lately on this subject, because it has been under discussion for some time.

Mr. ELLENDER. I do not recall that the Senator from Iowa ever made an attempt to place such an amendment on the 1961 bill or on the renewal of the 1961 act in 1962, or when the act was renewed for 1963. I think the record will bear me out, both in committee and before the Senate, that no effort was made by the Senator to do what he now seeks to do. I see no necessity for making a change at this late date.

Mr. HICKENLOOPER. If there is no necessity for making a change at this late date, why change the base period in the bill? There seemed to be a necessity, in the mind of the committee, to change the base period at this late date. So the committee has already changed the base period at this late date.

Mr. ELLENDER. But that is only to have a more realistic base for the production.

Mr. HICKENLOOPER. Indeed; and that is exactly what I am trying to do—to provide a more realistic base in which to allocate acres equitably to farmers who over the past years have been penalized, in effect, because of the good land practices which they followed.

Let me suggest this: We are being asked to adopt a 2-year extension. In 1961, the extension was only for 1 year. It was an emergency 1-year bill. It was a foot in the door then, apparently; and that foot is growing bigger and the door is opening wider, and Commodity Credit Corporation stocks do not seem to be going down.

The Senator who chuckles should look at the record and examine the March 31 report of the Commodity Credit Corporation. According to the Government's own figures, the stocks of any number of commodities have risen since last year. I suggest that the Senator look at those figures and then laugh. It is very amusing, depending on the way one looks at the situation. But that is what has happened.

I am aware of the roadblocks that have been thrown up. The orders are to vote for no amendments and no changes. But I would hope that this body would meet its responsibilities; and that where changes are indicated and amendments are meritorious, we would give them serious consideration, and adopt them for inclusion in the proposed legislation, which I say again is not an emergency measure, because it will not become effective until the 1964 crop year.

The only purpose of this mad rush toward the passage of the bill is a politically motivated purpose connected with manipulating the vote by wheat farmers next Tuesday. An attempt will be made to amalgamate some of the provisions in the pending bill and in the wheat act in an effort to bamboozle farmers into believing that they are getting something which they will not be getting.

Mr. MILLER. Mr. President, will my colleague yield?

Mr. HICKENLOOPER. I yield.

Mr. MILLER. I should like to ask my colleague about the way in which the program is working with respect to farmers who did not have a very high base for the base years presently being used. How would his amendment help farmers who have practiced recommended soil conservation methods to be in a somewhat more equitable position?

Mr. HICKENLOOPER. Very simply stated, it would help a farmer who just before the base period, or during the base period, was engaged in a conservation rotation practice, in which he had determined that for that year or the next year it was for the advantage of his soil or his farm to take acreage out of corn and put it into other pasture crops or other nitrogen producing crops, so as to restore his soil, as good practice, but who took a cut because he was in a base period and had voluntarily reduced his corn production, but was caught with a low base on support crops. On the other hand, the farmer who had kept "corning" his land to death—as some farmers did; there were instances of farmers who had 160 acres, with 155 acres in corn—during the base period, because he was not limited, came in with a large historic base.

When farmers began to cut down their acreage under the voluntary programs, he came in and received permission to join the program with a fantastically large base as compared with the farmer who had more acreage but who had voluntarily reduced the corn production in the base period because of his soil conservation program.

Now the farmer who wants to go back and rotate and cut back some of the overproduction which, because of good practices, he indulged in, is penalized.

I go back to the 1956–60 base period, which would take in the 5 years of normal average operating experience of the farmer without restrictive provisions of legislation of this kind, so that he would get the average of his normal operations. I think that would be equitable and fair.

Mr. MILLER. I, too, think it is equitable and fair. Does it not seem that because of the inequity in the present base provision, those farmers who might otherwise want to come into the program would be deterred from doing so because of the penalty under which they would operate? The proponents of the bill really want to encourage all farmers to come into the program. The Senator's amendment ought to be adopted, because failure to adopt it will mean that the deterrents to those farmers who had a low base as a result of limitations under the present law will not want to come in and will take their chance of not coming into the program.

Mr. HICKENLOOPER. Farmers have told me that because their allotment had been cut in this kind of situation in the past, their base was so small that it would not pay them to come into the program; therefore, they would stay out of it. How extensive that feeling is, I do not know. I do not know that there are many farmers who have that feeling about the situation. Others, who had a small base, will go into the program anyway. That problem is involved.

Mr. ELLENDER. Mr. President, I have nothing further to say in regard to this amendment; and I yield back the remainder of the time available to me.

Mr. HICKENLOOPER. Mr. President, I yield back the remainder of the time available to me.

The PRESIDING OFFICER. All remaining time has been yielded back.

The question is on agreeing to the amendment of the Senator from Iowa, numbered 79. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. HILL], the Senator from Utah [Mr. MOSS], the Senator from Virginia [Mr. ROBERTSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Arizona [Mr. HAYDEN] are absent on official business.

On this vote, the Senator from Nevada [Mr. CANNON] is paired with the Senator from Vermont [Mr. PROUTY]. If present and voting, the Senator from Nevada would vote "nay" and the Senator from Vermont would vote "yea."

On this vote, the Senator from Utah [Mr. MOSS] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Colorado would vote "yea."

I further announce that, if present and voting, the Senator from Alabama [Mr. HILL], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Arizona [Mr. HAYDEN] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from New Jersey [Mr. CASE] and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Utah would vote "nay."

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from Nevada [Mr. CANNON]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Nevada would vote "nay."

The result was announced—yeas 31, nays 58, as follows:

[No. 83 Leg.]

YEAS—31

Aiken
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Fong
Goldwater
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Morton
Pearson
Saltonstall
Scott
Simpson
Smith
Tower
Williams, Del.

NAYS—58

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Church
Clark
Dodd
Douglas
Edmondson
Ellender
Engle
Ervin
Gore
Gruening
Hart
Hartke
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, La.
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smathers
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—11

Allott
Cannon
Case
Fulbright
Hayden
Hill
Moss
Prouty
Robertson
Russell
Sparkman

So Mr. HICKENLOOPER'S amendment No. 79 was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. HICKENLOOPER. Mr. President, I call up my amendment No. 80 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 1, line 10, beginning with "such level" it is proposed to strike out all down through "crop." on page 2, line 3, and to insert in lieu thereof the following: "90 per centum of the average price received by farmers during the three calendar years immediately preceding the calendar year in which the marketing year for such crop begins, adjusted to offset the effect on such price of any abnormal quantities of low-grade corn marketed during any such year: *Provided*, That the level of price support for any crop of corn shall not be less than 65 per centum of the parity price therefor."

Mr. HICKENLOOPER. Mr. President, for convenience, so that it may appear in the RECORD at this time I ask unanimous consent to have printed in the RECORD a copy of a letter I received last year from the Legislative Reference Service of the Library of Congress, signed by Mr. William F. Woods, in response to a request which I made April 27, 1962, for information concerning agricultural production on land owned or controlled by the U.S. Government. I should like to have the entire reply printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., May 10, 1962.

To: Hon. BOURKE B. HICKENLOOPER.
Attention: Mr. Pavlik.
From: Natural Resources Division.
Subject: Public lands in agricultural production.

Response is made to your request of April 27, 1962, for information concerning agricultural production on land owned or controlled by the U.S. Government. The answers to the various parts of your inquiry are as follows:

1. The number of acres of federally owned or controlled land, as of June 30, 1961, in the 48 conterminous States:

	Acres
Owned	406, 334, 094. 6
Held in trust [1]	52, 157, 852. 99
Total	458, 491, 947. 59

[1] Federal Government exercises trust responsibilities over Indian lands.

2. Acres of Government-owned land used in the production of crops or livestock:

[In acres]

Department	Date	Agricultural leases	Grazing leases	Used by agency
Defense	June 30, 1961	955, 713	2, 193, 756	
Interior:				
Tennessee Valley Authority	do	30, 466		
Bureau of Reclamation [1]	June 30, 1960	48, 874	502, 489	
Bureau of Land Management	do		18, 532, 468	
U.S. Department of Agriculture	June 30, 1961			22, 978

[1] Includes Alaska.

3. Leasing or licensing policies of Government agencies regarding usage of Federal lands for the production of crops in surplus.

It is the policy of the Corps of Engineers to lease acquired land back to the former owner. The former owner may lease on a year-to-year basis until a land-use plan is established and is permitted to raise the same crops as he did prior to Government acquisition. Once the land-use plan is established, the prior owner is eligible for one 5-year lease; thereafter the land is advertised, then leased to the highest responsible bidder, its usage being consistent with the land-use plan.

During the period which the prior owner is the lessee, he is not restricted in the production of surplus crops other than the provision that he must have grown them prior to Government acquisition. After the lands are advertised for lease, a restriction on the production of crops in surplus is embodied in the lease.

For the entire Department of Defense a somewhat similar policy is followed. Of the departmental total of 955,713 acres leased for agricultural purposes, production of crops in surplus is prohibited on 648,063 acres; for the remainder, production of crops in surplus is not prohibited due to prior commitments which enable users to continue production of prior crops.

TVA lands suitable for agriculture are licensed under competitive bidding, for periods of 1 to 5 years. Their licenses include a provision prohibiting production of crops in surplus.

Reportedly the Bureau of Reclamation has a policy somewhat similar to that of the Corps of Engineers, in that production of crops in surplus is allowed during a "resettlement stage" by prior owners. Representatives of this agency state that the standard lease form employed by them does not contain a standard phrase prohibiting production of crops in surplus, but that a phrase is inserted "wherever pertinent."

WILLIAM F. WOODS.

Mr. HICKENLOOPER. Mr. President, this particular amendment is one the Senate has considered before in connection with agricultural legislation. It was in the 1958 program. It began to work for agriculture and agricultural products, and it began to have a noticeable effect on surpluses and production, but of course it happened to be something which was put in by a Republican administration, so this administration threw it out in 1961, regardless of its merits.

This is a renewal of the price support formula on feed grains, to provide 90 percent of the average price received by farmers during the 3 calendar years immediately preceding the calendar year in which the marketing year for such crop begins, and to be adjusted to offset the effect on such price of any abnormal quantities of low-grade corn marketed during any such year; and with the further proviso that the level of price support for any crop of corn shall not be less than 65 percent of the parity price therefor.

Manifestly this was designed to be a self-policing measure; and it had some effect as such. The program under which it was adopted was based fundamentally on retaining the freedom of the farmer, retaining his responsibility and permitting him in the long run to take care of his own problem of surpluses, with the idea that under a proper climate the farmer would contribute to the reduction of surpluses, and to the establishment and maintenance of a program which would generally tend to bring supply and demand more into balance.

The amendment has a safeguarding provision in it that the level of price support for corn in any event—and this was the standard provision in the previous law—shall not be less than 65 percent of the parity price for corn. This would be a safeguard against some disastrous and unforeseen operation.

This would permit the Secretary of Agriculture to set the price support level for corn, as I said a moment ago, between 65 and 90 percent of parity, provided a diversion program for feed grains were in effect for the 1964 and 1965 corn crop. This would indeed create a floor of 65 percent of parity on corn and it would put a practical limitation on the Secretary, to prevent him from dropping the price support to a point at which he could virtually arbitrarily control the market at will.

We have considered this subject a great many times. I know that many Senators are interested in this amendment. There is a small attendance of Senators at the moment, which is perhaps understandable.

At this time I should like to use a few minutes of my time to suggest the absence of a quorum. I expect to ask to have further proceedings under the quorum call dispensed with after a few minutes. I say that in advance.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HICKENLOOPER. Mr. President, I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, the purpose of the amendment, as I understand, is to revert to the type of supports that existed under the 1958 law. However, the distinguished Senator from Iowa does not change the program except with respect to price supports. Under the present program, the price supports range from 65 to 90 percent. If the amendment of the distinguished Senator from Iowa were adopted, the price supports would go to 90 percent of the last 3 years' average or 65 percent of parity, whichever was higher. That would mean about $1.05 corn. In the bill it is the intention of the Secretary of Agriculture to fix price supports at from $1.20 to $1.25 a bushel and to pay part of the support price, from 10 to 15 cents a bushel, in kind. If we should change the formula, as suggested by my friend from Iowa, it would mean that the Secretary of Agriculture could fix the price of corn at no higher than about $1.05 a bushel. If he exercised his privilege of paying 10 or 15 or 18 cents a bushel on that price, it would mean that the price of corn to noncooperators would be about at 88 cents a bushel. In my opinion, it would have a bad effect on the market, and the livestock producer would suffer a great deal.

Further, it would make the program very unattractive, and the Secretary of Agriculture would have great difficulty in obtaining enough cooperators to keep the production in line with what he desires to do; namely, reduce the surpluses.

Again I point out that this would mean, if the amendment were adopted and if the bill were to otherwise remain as it is, cheaper corn than would prevail if the bill were adopted as now written.

It is my understanding that quite a number of cattlemen are complaining that the price for livestock is going down because of cheap feed grain. In my opinion the amendment would make the price of feed much lower to noncooperators than would the pending measure. I judge that it would seriously affect the price of livestock. I hope the Senate will not adopt the amendment.

Mr. HICKENLOOPER. I am ready to yield back the remainder of my time, if the Senator from Louisiana is ready to do likewise.

Mr. ELLENDER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. HICKENLOOPER]. [Putting the question]——

Mr. HUMPHREY. Mr. President——

Mr. WILLIAMS of Delaware. Mr. President, the vote cannot be interrupted. The Senate is in process of voting.

Mr. HUMPHREY. Mr. President, I ask for a division.

The PRESIDING OFFICER. A division is requested.

Mr. ELLENDER. I suggest the absence of a quorum.

Mr. WILLIAMS of Delaware. A quorum call is not in order.

Mr. AIKEN. I decline to vote. The suggestion of the absence of a quorum is out of order.

The PRESIDING OFFICER. Until a vote is announced, a Senator has a right to call for a quorum.

Mr. WILLIAMS of Delaware. Does the Senator have a right to call for a quorum when all time has been yielded back?

The PRESIDING OFFICER. Yes; that is correct. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. WILLIAMS of Delaware. I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

[No. 84 Leg.]

Aiken
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Jordan, N.C.
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, La.
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. HUMPHREY. Mr. President, on this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. HICKENLOOPER]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from Utah [Mr. MOSS], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I further announce that, if present and voting, the Senator from Arizona [Mr. HAYDEN] and the Senator from Georgia [Mr. RUSSELL] would each vote "nay."

On this vote, the Senator from Nevada [Mr. CANNON] is paired with the Senator from Vermont [Mr. PROUTY]. If present and voting, the Senator from Nevada would vote "nay," and the Senator from Vermont would vote "yea."

On this vote, the Senator from Utah [Mr. MOSS] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Colorado would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from New Jersey [Mr. CASE], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from Nevada [Mr. CANNON]. If present and voting, the Senator from Vermont would vote "yea," and the Senator from Nevada would vote "nay."

The result was announced—yeas 35, nays 57, as follows:

[No. 85 Leg.]

YEAS—35

Aiken
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Fong
Goldwater
Hickenlooper
Holland
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Morton
Mundt
Pearson
Robertson
Saltonstall
Scott
Simpson
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—57

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Church
Clark
Cooper
Dodd
Douglas
Edmondson
Ellender
Engle
Ervin
Gore
Gruening
Hart
Hartke
Hill
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, La.
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smathers
Smith
Sparkman
Symington
Talmadge
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—8

Allott
Cannon
Case
Fulbright
Hayden
Moss
Prouty
Russell

So Mr. HICKENLOOPER'S amendment No. 80 was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 20) to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 2053) to provide for the temporary suspension of the duty on corkboard insulation and on cork stoppers.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 4655) to amend title IX of the Social Security Act with respect to the amount authorized to be made available to the States out of the employment security administration account for certain administrative expenses, to reduce the rate of the Federal unemployment tax for the calendar year 1963, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the bill (H.R. 5517) making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes, and it was signed by the Vice President.

FEDERAL AND STATE PROGRAMS RELATING TO OUTDOOR RECREATION—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 20) to promote the coordination and development of Federal and State programs relating to outdoor recreation, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of May 15, 1963, pp. 8779–8780, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ANDERSON. Mr. President, the conference report was agreed to by a unanimous vote. I move that it be adopted.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. DIRKSEN. Did I correctly understand that the report was unanimous?

Mr. ANDERSON. It is a unanimous report.

Mr. DIRKSEN. I opposed the bill when it first came to the Senate, and probably will oppose a companion bill sometime later. Although the report contains what I believe to be a fancy appropriation approach, I bow to the will of the conference.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. MILLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MILLER. Before the rollcall just completed was called for, the distinguished Senator from Iowa [Mr. HICKENLOOPER] yielded back the remainder of his time and the distinguished Senator from Louisiana [Mr. ELLENDER] yielded back the remainder of his time. Then a voice vote was held, followed by a division vote, and then the distinguished Senator from Louisiana, who had previously yielded back the remainder of his time, suggested the absence of a quorum.

The Chair ruled that the quorum call could be requested under those circumstances.

Yesterday a similar situation arose involving the distinguished Senator from Wyoming [Mr. Simpson]. I invite the attention of the Chair to page 8709 of the Record and the following colloquy:

> Mr. Miller. Mr. President, I merely wish to make a parliamentary inquiry.
>
> The Presiding Officer. The Senator will state it.
>
> Mr. Miller. I ask the Chair whether or not, when a Senator has yielded back the remainder of his time, it is in order for him to suggest the absence of a quorum.
>
> Mr. Ellender. He may do it on his own time.
>
> Mr. Miller. The question is whether he may do so once he has yielded back his time.
>
> The Presiding Officer. The Chair is advised by the Parliamentarian that once time has been yielded back, the Senator may not suggest the absence of a quorum at that point because he has no time even to make the suggestion of the absence of a quorum.

I ask the Chair to resolve the differences between the two rulings. One must be in error. The question I propound is as follows: When time has been yielded back by both sides, is it in order for either one of the Senators who has yielded back the remainder of his time to suggest the absence of a quorum?

The PRESIDING OFFICER. The present occupant of the chair was not in the chair yesterday when the ruling was made, but under all the precedents of the Senate, when the Senate is working under a unanimous-consent agreement relating to controlled time and the time has been utilized, it is then appropriate to make the request for a quorum call. But under a unanimous-consent agreement time must be utilized or yielded back before a quorum call is in order, unless a Senator uses time available to him for a quorum call.

Mr. MILLER. Mr. President, I wish to inquire further. Do I correctly understand that, assuming the time has not been entirely used, once it has been yielded back by both sides, it is then in order for either one of the Senators who has yielded back the balance of his time to suggest the absence of a quorum?

The PRESIDING OFFICER. Yes; or any other Senator.

Mr. MILLER. I am sorry. I did not hear the statement of the Chair.

The PRESIDING OFFICER. Will the Senator restate his inquiry?

Mr. MILLER. The inquiry is as follows: Once both Senators who are in control of time have yielded back the remainder of their time, is it in order for either one of the Senators to suggest the absence of a quorum?

The PRESIDING OFFICER. The Senator is correct. Any other Senator may also do so at that time.

Mr. MILLER. I thank the Chair.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CURTIS. Mr. President, I call up my amendment No. 83 and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Nebraska will be stated.

The Legislative Clerk. On page 12, line 14, it is proposed to add the following new sections:

DECLARATIONS AND FINDINGS

Section 1. That the Congress of the United States hereby makes the following declarations and findings concerning the development of new and improved uses for farm products, new crops to replace those now in surplus, and the disposal of surplus commodities owned by the Government:

(a) Farms in the United States have a capacity to produce more farm products than can now be marketed at prices that will return sufficient incomes to farmers to maintain an efficient and progressive agricultural industry.

(b) A prosperous agriculture will contribute immensely to national welfare by efficient production of needed food, feed, and fiber by provision of raw materials for the transportation and processing industries, by purchases of production supplies, and by its contribution to maintenance of a balanced and high-level national economy.

(c) National defense and security interests of the United States require protection of agricultural resources against deterioration and the maintenance of high productive capacity in order to meet possible emergency needs of the United States and other friendly nations.

(d) Basic research in agricultural products and their uses is essential in any long-range program of benefit to agriculture.

(e) Research programs to develop new and improved uses for farm products and new farm products have potentialities for providing outlets for a larger volume of farm production and greater stability of the prices of farm commodities.

(f) Public and private research agencies, including the Departments of Agriculture and Commerce, the land-grant colleges, other universities and research institutions, as well as private firms, can and should be utilized for an all-out attack on development of new and improved uses, and new and extended markets and outlets for farm products and byproducts, and on development of means by which present industrial and commercial uses of farm products and byproducts can be extended. Research, pilot plant, development and trial commercialization work and corollary economic and related studies should be devoted to the expansion of industrial uses for agricultural commodities in surplus, and to any food and feed uses and replacement crops that can make substantial contributions toward the solution of the surplus problem. Facilities should be established as needed to permit adequate experimentation and testing, and production and market development, of promising new uses and new products, and to permit the development of means for expanding existing industrial and commercial uses of farm products and byproducts.

(g) Development of new and improved industrial and other uses of farm products and new farm products and new and extended markets and outlets for farm products and byproducts will enlarge income opportunities for farmers. It also will reduce Government costs for acquisition, storage, and ultimate disposition of commodities now in surplus.

(h) Disposition of a portion of these surplus stocks of the Commodity Credit Corporation through industrial channels for new or byproduct uses, and for expansion of existing industrial and commercial uses, so that the carryover of any commodity beyond the needs of the Nation can be reduced, will have a stabilizing effect on the market prices for farm commodities.

POWERS AND DUTIES OF SECRETARY

Sec. 2. The Secretary of Agriculture, acting through the Agricultural Research Service of the Department of Agriculture, is authorized and directed to coordinate and expedite efforts to develop, through research, pilot plants, and trial commercialization, new industrial uses and increased use under existing processes, farm and forest products and the development of new crops in cooperation with other Federal agencies, State governments, educational institutions, private research organizations, trade associations, individuals, and industrial corporations. In carrying out these duties, the Secretary is empowered—

(a) to cooperate with and coordinate the activities of other Federal departments and agencies, land-grant institutions, and experiment stations. The Secretary shall utilize existing facilities owned or controlled by the Federal Government to the greatest extent practicable, including pilot grants, regional laboratories, and other facilities and equipment, and is authorized to utilize authority now available under existing law;

(b) to make grants, for periods not to exceed five years' duration, to State agricultural experiment stations, colleges, universities, and other research institutions and individuals;

(c) to contract with foreign individuals, organizations, institutions of learning, or private corporations where payment can be made in foreign currency accumulated under Public Law 480, Eighty-third Congress. The Secretary is hereby authorized to utilize such foreign currencies notwithstanding other provisions of law requiring reimbursement;

(d) to make contracts or cooperative arrangements in the manner provided by sections 10(a) and 205 of the Act of August 14, 1946 (7 U.S.C. 4271, 1624), including contracts and agreements providing for the commercialization, market acceptance, and the economic feasibility of industrial utilization in the competitive market for agricultural products and processes with respect thereto;

(e) to extend suitable incentives to farmers or to industry to hasten the establishment of a new crop or of a new industrial use, or to expand present industrial and commercial use, where such appear likely to lead to durable additional markets;

(f) to direct the Commodity Credit Corporation to make delivery of any of its stocks of commodities to agencies of the Government, persons, or corporations designated by the agency where such stocks are to be used for (A) research, (B) pilot land operation, (C) trial commercialization, (D) export of manufactured products, (E) new or byproduct uses, or (F) further development of present industrial and commercial uses. The Commodity Credit Corporation, with respect to commodities thus requisitioned by the Secretary, shall pay necessary handling and delivery charges to the destination directed by the Secretary. Such sums of money as the Secretary shall receive, if any, on such transfers of commodities, shall be turned over to the Commodity Credit Corporation;

(g) to enter into contracts with persons, corporations, and associations under which he shall agree (1) to sell grains owned by the Commodity Credit Corporation for use in the manufacturing or processing of commercial products, other than products intended for human or animal consumption, at such prices he deems appropriate, without regard to the restrictions contained in section 407 of the Agricultural Act of 1949, as amended, and (2) to deliver such grains over such periods, not to exceed five years, as may be necessary to assure the purchasers of a continuing supply of such commodities;

(h) to make contracts or leases for the private operation of any property or facilities transferred from another Government agency pursuant to this Act or other legislative authority;

(i) to make loans or grants to those with whom contracts or other arrangements are entered into, for the purpose of providing assistance in the acquisition or expansion of facilities and equipment for research or development activities;

(j) to provide in all contracts for the disposition of inventions produced thereunder in a manner calculated to protect the public interest and the equities of the individual or organization with which the contract or other arrangement is executed: *Provided, however,* That nothing herein shall be construed to authorize the agency to enter into any contractual or other arrangement inconsistent with any provision of law affecting the issuance or use of patents;

(k) to grant exclusive licenses with or without payment of royalty for a fixed period of not to exceed five years for the use of patents under the control of the Department of Agriculture;

(l) to pay incentive awards to private citizens for suitable and acceptable suggestions to implement the program established by this Act, such payments to be made in accordance with previously published rules stating the amounts of, criteria for determining, and subjects of, such awards;

(m) to test production procedures on a commercial basis, maintain and operate manufacturing facilities where necessary to prove the commercial feasibility of volume production; and to build, purchase, or lease plant facilities, or necessary equipment suitable for manufacturing needs in accordance with the purposes named herein; and

(n) to cooperate with municipalities and others in research on air pollution through the use of alcohol, made from farm crops, as a component of motor fuel.

LIMITATION ON CONSTRUCTION OF NEW FACILITIES

Sec. 3. Of the funds appropriated pursuant to section 11, not more than 5 per centum shall be available for the construction of new plants, stations, laboratories, or other facilities or structures. In making any contract, grant, or payment of funds appropriated under this Act, the Secretary of Agriculture shall designate the portion thereof, if any, which may be used for such construction.

DISTRIBUTION OF FUNDS TO STATE AGRICULTURAL EXPERIMENT STATIONS

Sec. 4. Of the funds appropriated pursuant to section 11, 20 per centum shall be paid to the States for use by State agricultural experiment stations in carrying out research projects in furtherance of the purposes of this Act. Such funds shall be distributed among the States in the same ratio as in the case of funds appropriated for carrying out the provisions of the Hatch Act, approved March 2, 1887, as amended by the Act approved August 11, 1955 (7 U.S.C. 361a–361i).

ADVISORY COMMITTEES

Sec. 5. The Secretary of Agriculture shall appoint one or more advisory committees composed of scientists or other qualified persons and shall consult with such committees from time to time with respect to the selection of research projects and the evaluation of research activities.

TRANSFER OF GOVERNMENT PLANTS

Sec. 6. Notwithstanding any other provision of law, any Government agency holding any Government-owned facility useful in the program authorized by this Act is authorized to transfer such facility to the Secretary of Agriculture, for use in the program, if requested to do so by the Secretary, provided such transfer has the approval of the Director of the Bureau of the Budget. The Secretary is authorized to exercise, with respect to the facilities transferred, all of the authority vested in the agencies transferring such facilities. At the time of such transfer, funds and personnel related to the operation or administration of such facilities, shall, with the approval of the Director of the Bureau of the Budget, also be transferred to the Secretary.

DEFINITION OF "AGRICULTURAL PRODUCTS"

Sec. 7. The terms "agricultural products" and "farm and forest products" as used in this Act shall have the same meaning as the term "agricultural products" in section 207 of the Act of August 14, 1946 (7 U.S.C. 1626).

ANNUAL REPORT

Sec. 8. The Secretary of Agriculture shall present annually to the Congress not later than the 20th day of January in each year a full report of his activities under this Act.

SAVINGS PROVISION

Sec. 9. The authorities under this Act are in addition to and not in substitution for authorities otherwise available under existing law.

APPROPRIATIONS

Sec. 10. There is hereby authorized to be appropriated to the Department of Agriculture such sums as may be necessary to carry out the purposes of this Act.

Mr. HUMPHREY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, this amendment carries the provisions of the bill which I introduced earlier this year to set up a program for greater industrial uses of farm surpluses. My efforts along this line are in absolute good faith. Yesterday I stated that I felt that to narrow the legislation down to the bill as reported by the committee would be very unwise agricultural legislation.

There are surpluses throughout the country. There is before the Senate a bill to impose controls upon the producers of feed grains. We would ignore the production of feed grains and the livestock that is fed therefrom which comes from foreign countries, and we would also ignore the further use of our agricultural products for nonfood uses to follow that approach.

To give an all-out approach to the problems of agricultural surpluses and their effects on prices, I have offered the amendment today. I hope that it will fare better than the amendment I offered yesterday, which would have imposed some reasonable restraint on the large amounts of imports of livestock, meat, and meat products.

Our agricultural problems are so many and so complex that they must be approached from every angle, not merely from the angle of the bill before the Senate. We must give attention to the unlimited imports of agricultural products. Also, we must find greater uses for the surpluses presently existing.

Though we are troubled with surpluses and have failed to handle them properly, the truth of the matter is that they are a blessing.

Three or four years ago Congress enacted a provision which I had the honor to introduce which called upon the President of the United States to establish a Commission to recommend additional industrial uses of our farm crops. President Eisenhower appointed such a Commission. It was a bipartisan Commission.

The President appointed Mr. J. Leroy Welsh, of Omaha, the partner of the late Hugh Butler, who served with distinction in this Chamber, to be Chairman of the Commission. Other members were Karl O. Butler, George H. Coppers, Charles Sayre, and Frank J. Welch. Mr. Frank J. Welch served in this administration with distinction as an Assistant Secretary of Agriculture.

The Commission called in some 200 intelligent, capable persons who were concerned with the problem. They organized approximately 17 task forces.

In this endeavor there were represented not only farm leaders, but also leading chemists, manufacturers, industrialists and other specialists. Most of them served at their own expense, and none of them received any pay. They met in task forces. They took up given areas of the problem and made a report.

Mr. Wheeler McMillen, who has recently retired as editor of the Farm Journal, had been an exponent of this program at that time for more than a quarter century. He served as executive secretary to the Commission.

The Commission made a report. The report said in substance that through research, trial commercialization, and pilot testing there could be developed in this country a program which not only would wipe out our surpluses of farm products but also eventually would call upon the farmers of America to produce all they could.

Mr. President, how could we expect agriculture to be prosperous operating at 40 percent of capacity, or 60 percent of capacity, or even 80 percent of capacity? The high cost of operation is such that if a farmer is to succeed he must produce all the units he can. That is the reason why restrictions and controls have always failed, and will always fail. If a farmer stays in business and is not taken over by his creditors he must, like every other businessman in the country, strive to produce all he can.

The program has a reactionary philosophy. I say "reactionary" advisedly. It does not differ a bit from the program of Henry Wallace. It is a negative approach. It is a controlled production approach. It represents a restriction on what one may plant, and how much. Our expenses under the program have gone on and on and on. Today it is harder for a young man to acquire capital and go into farming and make a success of it than ever before in our history, because he is so limited on one side and the costs have grown so much on the other side.

One of the important projects proposed by the Commission embodied in the amendment I have offered is research. But research alone is not enough. We must go beyond research. If the chemists and other technicians in our laboratories find a new use for something the farm can produce, and they write a paper and it goes on the shelf, there to gather dust, we have not solved anything. We need a program that will use the research which has already been developed, bring about more research, and set such research in motion in pilot plants and trial commercialization. That is what the Welsh Commission recommended.

Mr. President, I hold in my hand the March 1963, issue of the official magazine of the Chemurgic Council.

Mr. President, may I be informed when I have consumed 25 minutes?

The PRESIDING OFFICER. The Senator will be informed.

Mr. CURTIS. This issue of the magazine discusses the very tiny effort that is taking place to find greater uses for the blessings that we have. I wish to quote from the article. After mentioning a figure of $24 million for research, it states:

> Thus we can arrive at a figure of about 1.6 percent of present product values being spent on research and development looking toward increased usage of agricultural materials by the chemical and textile industries.
>
> This will immediately be recognized as lower than the average amount spent by the chemical industry as a whole on its research for all purposes, said amount being generally on the order of 3 percent of sales and of course higher if stated on a percent of raw material basis.
>
> If the above estimates are reasonably near the truth, we can arrive at a conclusion which will surprise no one who has given the matter even a little thought, namely, that the total research effort on utilization of agricultural raw materials in the chemical industry is deficient as compared to the amount of research devoted to nonagricultural materials.

Mr. President, that is an understatement. The research that has been carried on by our Government has been research on how to produce more, on how to overcome a plant disease, or some other problem, all of which has added to our production. That is right and necessary. We must be efficient in order to lower costs. But while industry carries on a program for developing new products, we are back where we were centuries ago.

Mr. President, an all-wise Creator has put on this earth about 250,000 plants that have been identified. Man has domesticated and put to use only 150 of them—not 150,000; a mere 150. The others are here for a purpose. They can be produced on our farms, and they can supply many wants.

Perhaps the field of alfalfa and clover represents the greatest untapped source of wealth in the country. We are now making synthetically vitamins and medicines and other products that exist in those plants, worth not millions of dollars, not hundreds of millions of dollars. In some instances a single item is worth as much as $18 billion or $20 billion.

In the Wall Street Journal for May 13, 1963, on the front page, we find this headline: "Will Abyssinian Kale, Indian Ironweed, Aid U.S. Industry and Farmers?"

The article goes on to say:

> The Government's search for new cash crops to take over surplus farmland is beginning to yield real, though modest, hope.
>
> More than a half-dozen different plants brought from foreign soil for expert U.S. scrutiny are showing promise of providing raw materials for American industry.
>
> From Abyssinian kale, a member of the mustard family imported from Mediterranean lands, comes an oil useful for plastics; this hardy plant could be grown on semiarid Great Plains areas now devoted to surplus wheat. Ironweed from India, it's found, contains an oil of special value for fast-drying glues and paints; this weed might move onto some Midwest land growing excess feed grain. A Brazilian plant called sun hemp may furnish a fiber for making paper products. Other prospects may supply some of the makings of insecticides, detergents, lubricants, cosmetics.
>
> A few unexploited American natives may help out, too. From meadowfoam, now strictly a U.S. garden flower, can be extracted a waxy substance with potential outlets in floor waxes, and like products.

There is a demand in our industry now for those waxes.

> Experimental plantings of some of the best bets, while still tiny, are expanding.
>
> * * * * *
>
> Among prospective industrial customers, Du Pont Co., Union Carbide Corp., Dow Chemical Co. and Monsanto Chemical Co., all are showing interest in the Government's findings about new-crop possibilities.

I am particularly interested in reading this paragraph from the Wall Street Journal article:

> A newer if lesser success story is that of safflower. Introduced into the United States in 1925, this crop covered 600,000 acres last year, up from 420,000 acres in 1961 and only about 10,000 in 1948. Safflower oil is finding high favor in low-cholesterol diets which some doctors think are helpful in preventing heart attacks.

Of course, that is a food purpose, but I happen to know that most of the safflower goes into industry. The pioneering work on safflower was done at the College of Agriculture at the University of Nebraska. It started in a small area in Nebraska. Today it has extended to a great corner of the panhandle in Nebraska, in the wheat country.

The total national production has gone up from 10,000 acres in 1948 to 600,000 acres. How did it happen? Because of the research and pilot testing and trial commercialization carried on in one small State university.

When safflower had been developed to the point where it had commercial possibilities, the potential users said, "We would rather have safflower oil, but we cannot gear our plant to a supply of safflower coming only from one area, because if there were a disaster and the safflower production were wiped out, we would have no supply."

As a result, this great company established safflower production in the State of Montana, in the State of California, and in the State of Nebraska, far removed places, so that if natural causes took one source away, there would be others.

I believe that the Creator, who gave us all these plants, was not bungling. They are here for a purpose. I believe it is for us to find out. The individual farmer cannot establish a laboratory and do experimenting and go on television and say "Progress is our most important product. See what our chemists have developed." The Government must carry on the research, the pilot testing, and the trial commercialization. The amendment I have offered calls for such a program. But at that point private enterprise takes over, and the findings are available to everyone.

A great deal of progress has already been made, but it has been in a small way. Had this program been started 10 years ago with the same enthusiasm with which other scientific endeavors have been started, we would not have the problems of storage. We would not be faced with the problem of telling the farmer, "We will reduce your acres more and more." We would not be faced with the problem of dumping at a low price in some foreign countries surpluses of our food that wreck the markets in those countries and create ill will for our own country.

I have been interested in this subject for a long time. In 1945 I asked for and obtained a hearing in an effort to try to save for the farmers the American synthetic rubber plants. Today we produce far greater quantities of synthetic rubber than we buy of natural rubber, but it is not made from agricultural surpluses. It was at one time. When Mr. Bill Jeffers was appointed rubber czar, he was called upon to make rubber during World War II out of surplus grains. If he had failed in his endeavor, it is doubtful if we could have won the war. This Nation moves on rubber.

When he first started to make rubber out of surplus grain, the cost was so high it was almost scandalous. In a matter of months, by trial and error and by improvement, study and research, the price was brought down to where it was competitive with natural rubber.

We did not succeed in saving that industry for the farmer.

The PRESIDING OFFICER. The 25 minutes of the Senator have expired.

Mr. CURTIS. I thank the Chair. I shall proceed briefly.

Many fine laboratories have gone ahead on this subject while our Department of Agriculture continues to slumber. I refer to the Southwest Research Institute of San Antonio, Tex. I wish to read what Mr. Bob Considine wrote in March of this year:

> The Southwest Research Institute of San Antonio, Tex., has produced a remedy calculated to do something constructive, simultaneously, about the Nation's colossal grain surplus and Greater Los Angeles smog.
>
> Here's the pitch:
>
> Turn the mountains of Government-owned wheat into alcohol, dump some of it in the oceans of gasoline burned in cars every day, and presto. Smog-producing exhaust gases will be reduced as much as 60 percent.

Do Senators think that is fantastic? How does it happen that Major Cooper is orbiting the earth? How does it happen that we have extended the lifespan? How does it happen that so many other miracles have occurred? It is because of research and application of the research.

That is the only way we can ever solve the farm program. We will never do it by the ancient, reactionary program of a quarter of a century ago, which restricts the farmer; and we will never solve it by the Senate running away from its problems and quibbling over whether we shall finish the consideration of a bill today or next Tuesday.

I do not know how the American farmers will vote, but I believe the question is settled as to how they will vote on the wheat referendum. I am sorry that the Senate has taken the attitude of refusing to face the farm program, of finding greater uses for our surpluses, of shutting off damaging imports, and supplementing the program with whatever controls are needed.

My proposal or one similar to it has passed the Senate twice. I am not going to let it go down to defeat today.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. MANSFIELD. I have followed with interest the efforts of the distinguished Senator from Nebraska along these particular lines, both in the House, in which we served together, and in the Senate. It is true, as he says, that the Senate has twice passed measures he has advocated to put into effect the program which he has emphasized this afternoon.

I would hope, however, that the Senator would not press his amendment at this time. Because I think what he advocates is important and significant, and because I have some knowledge of it because of the safflower industry in my State. I hope he will seriously consider, if at all possible, withdrawing his amendment at this time and leave the further consideration of it to the Committee on Agriculture and Forestry as a single measure unrelated to feed grains.

Mr. CURTIS. I thank the distinguished majority leader. I intend to do that. If the majority leader or the Senator from Louisiana will yield me 3 or 4 minutes, I will finish my statement, and then ask unanimous consent to withdraw the amendment.

Mr. MANSFIELD. I yield 4 additional minutes to the Senator from Nebraska.

Mr. CURTIS. I thank the Senator for yielding time to me. I appreciate the kindness of the majority leader. I am sorry the Senate is in a situation in which amendments cannot be accepted.

This is not a dreamer's program that I have been speaking about. It is a program of progress based on the proven path of progress by which America has always solved its problems.

I have a very dear friend in a distant State who uses a great deal of a particular manufactured product. The product is sold in every one of the States of the Union and abroad. He needs this product. His source of supply was shut off or was placed in the hands of competitors. He is building his own facility to manufacture his needed product. I shall not identify the product, because I received this information in confidence. The component part, the product that he needs, can be made either from agricultural products or nonagricultural products. He is a country boy, who came up from the bottom. He has followed this line of work all through the years. He has told me that if the Government would guarantee to make available a source of supply of surplus farm products for a period of 5 or 10 years, he would invest the necessary millions of dollars to use that surplus for this industrial purpose.

But we bumble along in these programs. One day the Secretary of Agriculture offers a fire sale of surplus crops; but there is no assurance of what can be bought the next year.

There are two distinct provisions in the amendment I have offered. One provides that out of CCC stocks, any laboratory, university, or agricultural college experiment station may receive Commodity Credit Corporation surplus stocks without charge in order to perform the experiments.

The second provision is that if any manufacturer wishes those commodities to manufacture a product for neither animal nor food consumption, nor in competition with an existing product, the Secretary of Agriculture may enter into a contract to guarantee him a supply of CCC stocks for a period of 5 or 10 years.

If that alone were done, the extent to which private industry would become interested in this issue would be surprising. I hope the day will come when we will have a Department of Agriculture that will be interested in the solution of the farm problem, and that the forces in America which oppose this approach will realize that it would not hurt them, and that such a program can become a reality.

The natural competitor of farm products is petroleum. Chemists report that even if petroleum had not been found by digging into the earth, starch certainly would have been found; and that there is not a thing in the world that can be done with petroleum in the making of synthetics that cannot be done with starch.

Many leaders in the oil industry are not opposed to this program.

The PRESIDING OFFICER. The time of the Senator from Nebraska has expired.

Mr. CURTIS. Mr. President, may I be yielded 1 more minute?

Mr. MANSFIELD. Mr. President, I yield 1 additional minute to the Senator from Nebraska.

Mr. CURTIS. Leaders in the oil industry are not opposed to this program, for many reasons. First, they are taxpayers. They want to have the problem solved. Second, who comprise the largest number of buyers of motor fuel and tires? It is the farmers. Third, motor fuel will be sold throughout the country regardless of what its components are. So no business will be lost.

So while some persons may be bitterly opposed to such a program, many persons favor it.

Mr. MANSFIELD. I yield 3 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a wire received from the president of the Oregon Farm Bureau, Mr. Harold Beach.

Although I disagree with his opposition to the feed grain bill, I want his viewpoint spread on the record before the vote is taken.

I think he is wrong in his analysis of the bill. If the wheat referendum is defeated, I think there is little chance of the passage of a wheat bill to the liking of the farm bureau because, I consider their economics in the matter to be both unsound and against the best interest of Oregon farmers and farmers elsewhere. Further, I think the feed grain bill is of essential importance to Oregon livestock and poultry producers.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SALEM, OREG., *May 15, 1963.*

Senator WAYNE MORSE,
Senate Office Building, Washington, D.C.:

New feed grains bill (H.R. 4997) does not adequately protect our area from unjust price policies followed under 1961–62 emergency feed grain bills. Secretary given greater authority than under present law to manipulate prices of feed grains. Know you are familiar with situation. Doubt new feed grain legislation will affect outcome of wheat referendum. Passing feed grains bill could hurt chances for new wheat legislation in the event of a "no" vote. Urge you oppose H.R. 4997 until after May 21.

HAROLD BEACH,
President, Oregon Farm Bureau Federation.

RECOGNITION OF DISTINGUISHED OREGONIANS BY DEPARTMENT OF AGRICULTURE

Mr. MORSE. Mr. President, as the senior Senator from Oregon, it gives me great pleasure to inform Senators of the deserved recognition being given by the U.S. Department of Agriculture to a most distinguished Oregon scientist. At a ceremony on May 17 in the Sylvan Theater on the Washington Monument Grounds, Dr. A. L. Hafenrichter of the Oregon office of the Soil Conservation Service will be presented with the Distinguished Service Award of the U.S. Department of Agriculture. The citation which accompanies the honor reads as follows:

> For distinctive leadership and initiative in developing, testing, and producing superior plants for widespread use in soil and water conservation.

Oregon citizens, and particularly Oregon farmers, join me in extending to Dr. Hafenrichter our warmest congratulations. I ask unanimous consent that biographical data provided by the Department concerning Dr. Hafenrichter be printed at this point in my remarks.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

Dr. A. L. Hafenrichter, plant materials technician, Soil Conservation Service, Portland, Oreg.: "For distinctive leadership and initiative in developing, testing, and producing superior plants for widespread use in soil and water conservation."

Dr. Hafenrichter joined USDA in 1933 after serving as professor of botany at Baker University, Baldwin, Kans., and assistant professor of farm crops at the State College of Washington.

He was chief of the agronomy and nursery divisions of the Soil Conservation Service in the Northwest region, 1934 to 1954, and since then has been Soil Conservation Service plant materials specialist for the States of Arizona, California, Nevada, Utah, Idaho, Oregon, Washington, Alaska, and Hawaii.

Dr. Hafenrichter was born in Plainfield, Ill., and is a graduate of nearby Northwestern College. He received his Ph. D. from the University of Illinois in 1926, and is a fellow of the American Society of Agronomy, and a member of Phi Beta Kappa. Dr. Hafenrichter was presented a Superior Service Award in 1947.

Mr. MORSE. Mr. President, I should also like to take this opportunity to congratulate the personnel of the Pacific Northwest Forest and Range Experimental Station of Portland, Oreg., and its six field offices upon their being given recognition through a Department of Agriculture Unit Award, presentation of which is to be made at a later date. The fact that this is a well-deserved tribute is clearly indicated by the language of the award which states:

> For meritorious service in the field of employee and public safety by maintaining a 9-year exemplary performance record in forest, range, and watershed management research, without a single disabling injury.

Honored also by the Department of Agriculture for long and faithful service are three Oregonians who have completed 40 years of service with the Department in the Forest Service. I refer to Mr. Ray B. Hampton and Mr. Jack B. Hogan, of Roseburg, and Mr. Walter H. Lund, of Portland. To each of them I wish to pay public tribute.

It is only through the capabilities of such dedicated men and women as these civil servants that the work of the Government can be successfully done.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. CURTIS. Mr. President, I ask unanimous consent that I may withdraw my amendment without prejudice.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The bill is open to amendment.

Mr. MILLER. Mr. President, I offer an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> It is proposed to amend the bill (H.R. 4997) by inserting the following new subsection at the end of line 19 on page 10:
>
> "(3) In determining whether the supply of any feed grain, as defined by this Act, is 'adequate', 'excessive', or 'in surplus', or likely to be 'adequate', 'excessive', or 'in surplus', the Secretary shall first consult with the Secretary of Defense, the Secretary of State, and the Secretary of Health, Education, and Welfare, and shall then have published in the Federal Register his proposed findings of the quantity (in bushels) of each of said feed grains which he proposes to find to be necessary to meet any national emergency. Appropriate notice and hearings shall be held on the Secretary's proposed findings, following which the Secretary shall have published in the Federal Register his final findings of the quantity (in bushels) of each of said feed grains which he finds to be necessary to meet any national emergency. Thenceforth, no publications of the Department of Agriculture shall make reference to a 'surplus' of any of said feed grains except with respect to the amount by which the stocks of said feed grains exceed the quantity (in bushels) of each of said feed grains which the Secretary has finally found to be necessary to meet any national emergency."
>
> Renumber the remaining subsections.

Mr. MILLER. Mr. President, the purpose of the amendment is to reach one of the problems I have been discussing from time to time on the floor of the Senate with the able Senator from Louisiana.

Whenever we talk about surpluses, I always wonder what we are talking about. The bill is replete with language that is very loose, such as "adequate surplus" and "excessive surplus." It seems to me that we are treading on very dangerous ground, when we undertake the consideration of a measure of this importance, in leaving the interpretation of such language to the Secretary of Agriculture. What we ought to do is to provide some kind of ground rule under which such terms could be made meaningful.

I do not believe there is a Senator who can define these expressions in terms of meaningful symbols, such as bushels of grain. That is what we shall have to do sooner or later if we expect to have a meaningful farm program. The Secretary of Agriculture is not unmindful of the problem. I have before me an article published in the Sioux City (Iowa) Journal of December 24, 1962. The article was written by John Harms, and it reads in part as follows:

> WASHINGTON.—You can expect to hear less and less about huge farm surpluses under a new administration policy which so far has attracted little attention.
>
> Instead, you will hear more and more about sufficient reserves (of farm products) and adjustment, meaning to gear production to domestic and foreign commercial demand and the use of food and fiber in an intensified cold war.
>
> But don't confuse this with controls or an overall rollback of the agriculture economy.
>
> Under the new policy—and this is important to the rural business community—overall demand for food will be up, not down. The total farm output over the next 5 years will increase a minimum of 1.5 percent a year, according to official estimates. And such estimates are admittedly conservative.
>
> Reserves means enough food and fiber for any national emergency.

I may add, any national emergency is a phrase which is contained in the bill; and my amendment seeks to tie in the meaning of these phrases in terms of any national emergency.

Mr. MANSFIELD. Mr. President, will the Senator from Iowa yield briefly?

Mr. MILLER. I am happy to yield.

Mr. MANSFIELD. Mr. President, on the question of agreeing to this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, I continue to read from the article:

> The Cuban crisis made it possible for the administration to come out more into the open with defense plans most farm leaders have been urging for some time.
>
> In any case, a national food stockpile is in the foreground of current defense policy, whether going by the name of reserves or surpluses. Efforts by congressional leadership to advance the food stockpile idea have so far failed under both the former and the present administration, while the national stockpile of critical nonfood materials continues to increase and is now estimated at about $3.5 billion worth more than is needed.
>
> Agriculture Secretary Freeman is thinking of sufficient reserves of raw food supplies which can be stored for long periods about as follows:
>
> Feed grains: Roughly more than 45 million tons reserve or supply should be on hand at all times. Present supply is about 70 million tons. But since this is expected to be down to about 55 million tons by next fall, very little, if any, further reduction of feed grain supplies should be expected after that.
>
> Beef and pork supplies: Except as normal supplies of meat in canned form, beef and pork do not figure in the reserve plans as such. But—the maintenance of high feed grain supplies is figured to provide enough feed for animal and poultry production at prices low enough to insure full meat supplies.
>
> Wheat: A range of from 600 to 700 million bushels would be considered a good reserve. Present supplies are twice that.
>
> But these estimates are short run—planned for the brief emergency, such as a Korean police-type action, or for emergency needs in underdeveloped countries threatened with economic upheaval. U.S. help is calculated to make it tougher for communism to gain ground.
>
> To be ready, should any crisis occur, Freeman is already making plans for the strategic storage of grains. For example, all livestock producing areas will have in storage enough feed for animals to last them until the next pasture season.
>
> Adjustment, which is part of the reserve plan, doesn't mean tight control or even cutbacks, necessarily. Adjustment may mean increasing production as well as cutting back, Freeman is now pointing out.
>
> Soybeans and dried beans: Freeman cites the beans as an example of adjustment upward. The Secretary is now talking out aloud of a reserve in 1964 of at least 100 million bushels of soybeans or nearly twice the carryover expected next fall.

In connection with the latter point, Mr. President, my amendment of yesterday was designed to prevent the abuse of a determination by the Secretary of Agriculture which could cause a severe decline in soybean prices by aggravating the amount of soybeans on hand and, through his discretion, determining whether 100 million bushels or 50 million bushels or 200 million bushels was deemed to be a surplus of soybeans.

In connection with the observation in the article—that Secretary Freeman has determined that roughly more than 45 million tons reserve or supply of feed grains should be on hand at all times, I should like to point out that carryover stocks at the beginning of the 1962–63 year totaled 72 million tons; and at the end of the 1962–63 year, which will be this fall, they are expected to be 61 million tons, or 16 million tons more than the 45 million ton objective referred to in the article.

Mr. President, Mr. George Walters, of the Civil Defense Division of the Office of the Secretary of Agriculture, says the Department has estimated that it would need a combined total of 115 million bushels of wheat and feed grain to relocate where little or none is stored, as a safeguard against interruption of transportation in a national emergency. He states that desirable stock levels, including defense and other purposes, required in national emergencies would be, for wheat, 600 to 700 million bushels; and for feed grains, 45 to 50 million tons.

I point out that according to Mr. Freeman, 45 million tons is a desired objective, whereas according to the gentleman in Mr. Freeman's office, 45 million tons to 50 million tons is a desired objective. But we do not know what contingencies these objectives are measured against.

The article to which I have referred indicates that these are short-term, relatively simple types of national emergency situations, such as the Korean war. But the article also points out that long-range objectives are being studied. The purpose of my amendment is to see to it that the Secretary of Agriculture makes a determination, after first consultation with the Secretary of Health, Education, and Welfare, the Secretary of State, and the Secretary of Defense, whose offices should be able to provide him with a fairly good statement of the requirements for feed grains. Following that, the Secretary of Agriculture would publish in the Federal Register his proposed findings with respect to what we might call a stockage objective. There would be appropriate time for hearings; and at the hearings all interested persons, both from Government and from private industry, could come forward and indicate whether they approved or disapproved of such stockage objectives.

I suggest that the Secretary of Agriculture could benefit greatly from the testimony which would be received at the hearings. I also suggest that the figure of 45 million tons of feed grains as a stockage objective might well be determined to be very low. I have heard estimates which ranged to at least twice as much as 45 million tons, as being necessary to have on hand as a strategic reserve.

Following the hearings, the Secretary of Agriculture would publish his final determination of what the stockage objectives would be, in terms of bushels of various kinds of feed grains.

My amendment provides that henceforth, whenever the Department of Agriculture issues a publication, it will not use the word "surplus," except with respect to the quantity of grain in excess of the stockage objectives.

It would do violence to the meaning of the word "surplus" if, for example, there were a stockage objective of 45, 55, or 65 million tons of feed grains and we have only 50 million tons of feed grains in surplus, to talk about, because the quantity then would be even less than our national strategic requirements indicated.

Another factor enters into the picture. What basis does the Secretary of Agriculture use in arriving at his determination of stockage objectives? It is easy for us to sit down and determine the domestic requirements for various kinds of feed grains. I suppose it would be relatively easy to determine how much might be needed for livestock feed from one pasture season to another, how much of the various kinds of feed grains might be required for our domestic population in times of grave national emergency, and how much of our feed grains might be required to accompany our troops overseas.

But there is another factor that is vital. That is the factor of requirements for export. One reason why this has become of such critical meaning is the recent action of the Common Market. Our exports of agricultural supplies to the Common Market nations have been very good until recently. The prospects are not so good.

Mr. President, at appropriate hearings when his determination was being questioned, I would like to see what the Secretary of Agriculture would have to say about future requirements for export and the impact of such future requirements on the national stockage objectives. I suggest that if the stockage objectives are drastically revised downward because the Secretary of Agriculture has made a finding that the future exports of wheat and feed grains to the Common Market nations, for example, would decline greatly, pressure would be brought by Members of Congress to see to it that our negotiators in the Common Market and with the GATT countries do something to prevent that from happening.

I wish to call attention to a recent article on this very subject. The article points out:

> Last winter's news from Western Europe was dominated by Britain's application for membership in the Common Market and De Gaulle's brusque veto. The debate concerning British entry overshadowed the Common Market's progress toward a unified agricultural policy—something that many thought could not be achieved.
>
> The policies being adopted, like many national plans, are more in keeping with a closed economy than with an open, world trading community. As a consequence, the United States and other exporters have become very concerned as EEC policies for certain commodities (poultry, wheat, feed grains) have evolved. Washington officials have frantically sought to resist the pressures for retaliatory trade barriers.

One wonders why Washington officials have so frugally sought to resist the pressure for retaliatory trade barriers when about a year ago the Senate adopted an amendment to the foreign trade bill which would give the President retaliatory powers in the event the Common Market nations imposed discriminatory variable import duties against American agricultural imports.

I continue to read from the article to which I referred:

> There are several reasons for concern. Exports to the Common Market comprise a substantial part of U.S. commercial agricultural exports in contrast with local currency sales to India, Pakistan, Yugoslavia, and other soft currency areas (which, in reality, are almost gifts).
>
> Increased agricultural sales to Western Europe represent one of the best opportunities for improving the U.S. balance of payments. But now it seems that just the reverse is likely to happen. The European Economic Community shows no inclination to negotiate lower trade barriers for farm products, preferring to discuss reciprocal industrial concessions—an area in which it enjoys some advantages.

Can anyone imagine the Secretary of Agriculture seeking at a public hearing to justify his findings regarding stockage objectives based upon his estimate of a decline in imports to Common Market nations, and not having someone at those hearings make sure that the Secretary knows that we in the Congress intend to see to it that the President and his negotiators use the retaliatory powers that we have given him?

I continue to read from the article to which I referred:

> The high tariff and trade restriction policies followed by much of Western Europe result in farm prices substantially above world levels. The United States, Canada and other exporting nations prefer the British low tariff policy. (The British treasury makes payments to domestic farmers to raise their incomes to a satisfactory level.) But, ironically, the United States follows internal policies resembling those of the Common Market.
>
> The objectives of EEC's common agricultural policy, stated in broad terms in article 30 of the Rome Treaty, are to—
>
> Increase agricultural productivity through technological progress.
>
> Insure a fair standard of living for the agricultural population.
>
> Stabilize marketing.
>
> Guarantee regular supplies.
>
> Insure reasonable consumer prices.
>
> During 1961 much attention focused on ways to implement these somewhat conflicting objectives. Agreement on a common agricultural policy permitted the Common Market to move into the second stage of its economic integration program in January 1962. After marathon negotiations, an agreement was reached which was not precise and postponed many specific decisions on individual commodities. There was much discussion as to whether this agreement was inward- or outward-looking. In retrospect it is clear that it dos not extend across the Atlantic, even though in some respects it does look southward across the Mediterranean.
>
> Broadly speaking, farm commodities are grouped into four categories:
>
> Commodities whose prices are protected both through external tariff and domestic programs. This category includes feed grains, rice, sugar, and dairy products.
>
> Commodities whose prices are protected primarily by tariffs include beef, pork, poultry, and eggs.
>
> Commodities assisted primarily through internal marketing programs and production adjustment include fruit, vegetables, and wine.
>
> No special measures will be taken with regard to commodities not produced within the market, at least not in appreciable quantities. Existing tariffs will be modified for some products while others will be on the free list. These products include cotton, soybeans, oilseed, meal, hides, skins, coffee, and cocoa. Certain African countries are expected to receive special trade benefits for some products. The importation of tobacco will continue to be governed by a complex procedure.

Let no one be fooled. No special measures will be taken with respect to soybeans, because recommendations have already been made, particularly by representatives from France, to see to it that preferential treatment is granted to butter, or that excise taxes are placed on soybean products, so that there will not be so much differentiation between margarine and butter.

This could have a very deep impact on our soybean exports to Common Market nations.

I continue reading:

> Exporting nations are worried by the provisions governing the first two groups of commodities. The controversial variable

> tariff will be applied to most of the products in these two categories. Furthermore, export subsidies may be paid on some products if and when supplies are excessive, and import certificates may limit imports when internal market intervention is necessary.
>
> The basic protectionist procedures begin with the establishment of an internal target price. Common Market authorities expect to maintain this target price, plus or minus 5 to 10 percent, regardless of world conditions, and will buy domestic agricultural products, if necessary, to maintain it.
>
> Since target prices generally are or will be substantially above the world level, imports must be controlled. This is to be done by applying a fee (variable tariff) sufficient to raise the price of the imported commodity to or slightly above the internal target price. If world prices decline, the variable tariff would be increased.
>
> As a result, improved efficiency and expanded production outside the Common Market increase the amount of trade restrictions (and the tariff revenue) of the Common Market. On the other hand, increased efficiency and productivity inside the Market reduce the volume of imports. This procedure assures that European farmers, but not outside producers, will benefit from technological progress.
>
> A trade agreement cannot reduce a variable tariff. Instead, it becomes necessary to negotiate a lower internal target price, which implies foreign intervention in domestic policy. The frustrating aspects of this problem led both Agriculture Secretary Orville Freeman and Under Secretary of State George Ball to protest to EEC ministers.

The Secretary of Agriculture protested in very vigorous language. For this he is to be praised. The only trouble is that it takes more than vigorous language to do the job which is facing us.

I continue:

> Before discussing in detail policies on individual commodities and their effect on the United States, it is useful to examine several issues which will affect the decision-making process. Among these are the extent to which the Common Market looks outward and contributes to a stronger Atlantic and free world community; the willingness of European consumers to pay substantially more than world prices for bread and livestock products; the priority to be given the reorganization and restructuring of European agriculture, the extent to which Common Market agricultural output can and will increase, and the lack of clarity in the U.S. agricultural and trade policy.

I ask Senators to note that, Mr. President. The "lack of clarity in the U.S. agricultural and trade policy" is mentioned. This is another reason why I think my amendment should be adopted, so that we can determine how clear is the U.S. agricultural and trade policy with respect to stockage objectives.

Continuing the article:

> Perhaps the Common Market is not paying sufficient attention to past mistakes in U.S. agricultural policy, while we are failing to appreciate the extent to which Western Europe is following our example in increasing technology and expanding production.

Mr. President, how much time have I remaining?

The **PRESIDING OFFICER**. The Senator has 6 minutes remaining.

Mr. **MILLER**. Mr. President, I continue to read from the article:

> While EEC uses external tariffs to concentrate economic growth within its borders, a rapidly expanding U.S. economy could induce the Common Market to look outward. EEC will be more protectionist in agriculture than in industry, whatever overall trade policy it may adopt. Ever since the high Smoot-Hawley Tariff of 1930 and the Great Depression, Europe has had a maze of agricultural regulations and programs. The very fact that six nations were able to negotiate successfully a common agricultural policy is amazing—and they have little bargaining room left.
>
> Closely related is the question of consumer prices. By and large, the new farm policies will raise food prices above the previous average level. Incomes of consumers are expanding with economic growth. Thus, for many, the increase in food prices is not a serious problem. But will pressure grow to reduce food costs if the boom tapers off? Perhaps labor groups can find broad support by protesting that some food prices are a third higher than in Britain, but this seems unlikely.
>
> Another related question is that of agricultural adjustment. In Western Europe many farms are small and consist of scattered strips of land. A great many farmers work their land with horsedrawn equipment and adhere to outmoded farming practices. Small holdings are interspersed with large, technically advanced, mechanized and efficient farming units. Past policies were geared to the needs of the numerous small farmers.
>
> But can the Common Market afford a high cost agriculture? About 20 percent of its people are now engaged in farming. The percentage varies considerably from one country to the other, ranging from 7.5 percent in Belgium-Luxembourg to 33 percent in Italy. The U.S. percentage, of course, is close to that of Belgium. If Common Market policy encouraged lower food prices, spending for industrial goods and services would be larger, and the growth rate could reach higher levels.

In this connection, I point out that the cost of land in Common Market countries ranges up to $1,000 an acre. It is evident that feed grains cannot be grown on land costing $1,000 an acre in competition with feed grains grown in the United States.

I continue to read from the article:

> The American experience has shown that the farm population moves to the city when urban jobs are available. Thus present overemployment offers the Common Market a unique opportunity to reorganize its agriculture. While Europeans are aware of the need for changing their farm structure, they are far more concerned with price schemes to protect the farmer. The adjustments which are occurring are taking place almost in spite of Common Market policies.

I do not have much time remaining, but I point out that we in the United States are not desirous of meddling in the internal affairs of Common Market nations. We are desirous of expanding our trade, and we want them to join with an expansion of their trade. The basic concept of the trade bill which was passed with a strong bipartisan vote a year ago was that as our economy grew and as their economies grew, both could grow in harmony and partnership.

But not long after the President of the United States offered his trade bill to the Congress, accompanied by a fine statement regarding objectives, and with optimistic words regarding improved agricultural exports from the United States to Common Market nations, the Common Market commissioners adopted a policy of self-sufficiency in agriculture. Not long after that Mr. de Gaulle exercised a veto against Britain's entry into the Common Market.

Things are going from bad to worse. Not long ago a leading economist at Yale University prophesied that if things continue the way they have been going we can look forward to a complete elimination of our exports of feed grains and wheat to Common Market nations. This will happen unless we do more than make vigorous statements on the subject.

We have given to the President of the United States and his negotiators retaliatory powers. There are other powers which can be used. It seems to me it is about time for these powers to be exercised.

My amendment would have the Secretary of Agriculture come forth with a statement of stockage objectives, showing the basis upon which those stockage objectives were determined. This would include a statement as to how much such stockage objectives are affected by our foreign exports, including exports to Common Market nations.

I think the amendment would add a great deal to the bill. I think the amendment should have been put in the law a long time ago, but it is never too late for improvement.

Mr. President, I reserve the remainder of my time.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **ELLENDER**. Mr. President, I shall not detain the Senate very long.

I do not suppose there is a department in our Government that keeps better statistics than does the Department of Agriculture on farm production, not only in the United States, but also all over the world. Through the Department of Commerce, we are able to obtain figures on production in various countries. It seems to me the Department of Agriculture is well able to declare, on its own, the amount of corn, or other feed grains, cotton, or any other commodity necessary to meet national emergencies.

The pending amendment seeks to make it obligatory on the part of the Department of Agriculture to consult with the Secretary of Defense, the Secretary of State, the Secretary of Health, Education, and Welfare, and then have published in the Federal Register his proposed findings of the quantity, in bushels, of each of the feed grains which he finds necessary to meet any national emergency.

I have no doubt that there are many big-eyed administrators in the Defense Department, as well as in the Department of State and in the Department of Health, Education, and Welfare, who would want to set aside much food for emergencies which may never come. I have no doubt that, if the policy advocated by my good friend from Iowa were pursued, it would mean that the surpluses we have on hand now would evaporate—but on paper only. They would still be present. A huge amount of cotton, corn and other feed grains, as well as wheat, would be stored away, if the Department of Defense and the Department of Health, Education, and Welfare and the State Department should take the position that it is necessary, to meet the necessities of possible war, or of an emergency that we cannot quite foresee now, or which may come to pass in the future, that certain large quantities of commodities be stored.

I believe the Secretary of Agriculture has in the past been able to decide most accurately the amount of food or fiber necessary to meet our needs.

As to all commodities except corn and other feed grains, it is provided that the Secretary of Agriculture must take into consideration domestic use, export, and a certain percentage for carryover. He does so every year. It seems to me that it would be foolhardy to require these three Departments of Government to give him assistance. Where in the name of commonsense would the Secretary of Defense get his information in order to decide how much food was necessary? He would certainly have to consult the Department of Agriculture. The same thing is true of the Department of State and the Department of Health, Education, and Welfare. Therefore, I believe the authority should remain where it is now.

I am hopeful the amendment will be defeated.

Mr. MILLER. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. MILLER. I am sure the Senator from Louisiana is aware of the fact that my amendment would not compel the Secretary of Agriculture to consult the other department heads.

Mr. ELLENDER. The amendment is not necessary in order for him to consult. He can do that now.

Mr. MILLER. Yes; but under my amendment he would have to come forward and make a finding and a determination, which he has not made yet; and we are entitled to that, I think, if we are to legislate realistically in this field. The Senator talks about surpluses, but I ask him, How do we define that term?

Mr. ELLENDER. There are many persons in our country who would like to hide these surpluses away for such emergencies as my good friend from Iowa discusses, but the surpluses would still be there. They would be dangling over the markets and would affect prices.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment of the Senator from Iowa [Mr. Miller]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. Cannon], the Senator from Arkansas [Mr. Fulbright], the Senator from Wyoming [Mr. McGee], the Senator from Utah [Mr. Moss], and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Maine [Mr. Muskie] is absent due to illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. Cannon], the Senator from Wyoming [Mr. McGee], the Senator from Maine [Mr. Muskie], and the Senator from Georgia [Mr. Russell] would each vote "nay."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from Colorado [Mr. Allott]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Colorado would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott], and the Senator from New Jersey [Mr. Case] are necessarily absent.

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Utah would vote "nay."

The result was announced—yeas 27, nays 65, as follows:

[No. 86 Leg.]

YEAS—27

Aiken
Beall
Bennett
Boggs
Carlson
Cotton
Curtis
Dirksen
Dominick
Fong
Goldwater
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Mechem
Miller
Morton
Pearson
Prouty
Saltonstall
Scott
Simpson
Tower
Williams, Del.

NAYS—65

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Church
Clark
Cooper
Dodd
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Gore
Gruening
Hart
Hartke
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Lausche
Long, La.
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Mundt
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Robertson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—8

Allott
Cannon
Case
Fulbright
McGee
Moss
Muskie
Russell

So Mr. Miller's amendment was rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HICKENLOOPER. Mr. President, I call up amendment No. 77 and ask that it be read. Prior to its being read, I ask unanimous consent that the Senator from Florida [Mr. Holland] be permitted to join as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be stated.

The Legislative Clerk. On page 3, line 13, it is proposed to change the period to a colon and add the following: "*Provided*, That such portion shall in no case exceed the portion that was made available through payments in kind for the 1963 crop of any feed grain."

The PRESIDING OFFICER. On this amendment, there is a 2-hour limitation of debate, the time to be divided equally between the proponents and the opponents of the amendment.

Mr. HICKENLOOPER. Mr. President, I can give no assurance, but I am not certain that the full 2 hours will be used. However, there is a limitation of debate of 1 hour on each side of the amendment.

Section 105(c)(5) of the Agricultural Act of 1945, as amended by the Food and Agricultural Act of 1962, authorizes the Secretary, for the 1963 crop year, to make available to producers through payments in kind 18 cents a bushel of the price support——

Mr. YARBOROUGH. Mr. President, will the Senator from Iowa yield for a question?

Mr. HICKENLOOPER. I yield.

Mr. YARBOROUGH. We on this side of the aisle could not hear what the Senator said. Is the discussion on the amendment or on the bill?

Mr. HICKENLOOPER. The discussion is on amendment No. 77. I may say, for the information of the Senator from Texas and other Senators that other amendments will be offered before the bill itself is debated. There is one amendment which is very vital to the bill, and it will be taken up after we have finished discussing some of the other amendments that have been voted down so cavalierly.

I think there is a fatal defect in the bill. It must be corrected, or something will happen. I shall discuss that in due course, so that there will be no question about it when I call the amendment up.

I shall begin my statement again.

Mr. RANDOLPH. Mr. President, before the learned Senator from Iowa begins again, will he yield?

Mr. HICKENLOOPER. I am delighted to yield.

Mr. RANDOLPH. It is my hope that I shall ask a proper question.

Mr. HICKENLOOPER. In my experience, the Senator from West Virginia never asks an improper question.

Mr. RANDOLPH. I am very grateful to my colleague. Is there a filibuster of any nature or any degree in the making?

Mr. HICKENLOOPER. Not that I am aware of.

Mr. RANDOLPH. I appreciate that statement. In certain sources it has been indicated that the discussions were being unduly extended.

Mr. HICKENLOOPER. The fact is that there should be a vast amount of further discussion about the shortcomings of the bill and the failure to consider many of the things that should have been considered in the bill. I am sure there will be such a discussion. Instead of there being a filibuster on the bill, the discussion will probably fall far short of what it should be. But there is nothing in the nature of a filibuster contemplated, that I know of.

Mr. RANDOLPH. Mr. President, will the Senator further yield?

Mr. HICKENLOOPER. I yield.

Mr. RANDOLPH. The Senator's response is clarifying of the situation. The

RECORD should not indicate that I had felt that the debate on the many amendments had not been, in all instances, so far as I know, relevant to the subject matter. I have attempted to follow the debate carefully. In fact, I have voted for one amendment offered by the minority in connection with the proposed legislation. It is vital to the democratic process that the Senate consider carefully this important agricultural bill.

Mr. HICKENLOOPER. I thank the Senator from West Virginia. His statement gives ample proof that some corrections should be made in the bill. The Senator from West Virginia has voted for some of the amendments that have been offered, but which have been repeatedly and systematically defeated by majority votes.

With regard to the question about a filibuster, which the Senator raised—a question seriously raised on his part, but which I notice created some snorts and chuckles in certain selected areas, when he asked the question—I do not believe anybody could even suspect that there would be a filibuster, when there is a limitation of 1 hour, agreed to earlier, on each amendment to the bill, except one. That limitation has been strictly adhered to. Some of the amendments have not even required the use of the allocated time, or the time available. So if there is any attempt to filibuster, it certainly is not manifested in this area of the Chamber.

The debate on this amendment, because a number of Senators are interested in it, may require a little longer; that is why an exception was made, at the time the limitation of debate was agreed to, so as to provide 1 hour on each side of the amendment. Be that as it may, I shall proceed with a discussion of the amendment.

Section 105(c)(5) of the Agricultural Act of 1945, as amended by the Food and Agricultural Act of 1962, authorized the Secretary, for the 1963 crop—that is, the crop for this year—to make available to producers, through payments in kind, 18 cents a bushel of the price support for corn, and a comparable amount of price support for grain sorghums and barley.

The original provision would have limited the Secretary's discretion to the portion of the price support for corn and other feed grains which he could provide through payments in kind. Such payments could not exceed the portion provided for in the 1963 crop; that is, 18 cents for corn, and a comparable portion for grain sorghums and barley, and no portion for rye or oats.

The reason why the amendment is necessary is that by means of the bill the committee has voted to remove, and the Congress proposes to remove, the 18-cent limit, which in the past has been considered essential and necessary. So far as I can ascertain, under the bill the sky would be the limit; the Secretary of Agriculture could, under the provisions of the proposed legislation, set the price-support payment at whatever amount he might want; under the bill he would not be limited or inhibited in that respect.

This amendment merely provides that he cannot exceed 18 cents a bushel for corn, the limitation which has been in effect for years, and that he must retain the ceiling under which he has worked for the last several years.

That amendment was resisted in the committee. Why it was resisted, I do not know. It was said that the Secretary does not intend to go beyond 18 cents a bushel. If so, what is the harm in providing this limitation, which already applies to the 1963 crop? If he does not intend to exceed it, why give him the right to exceed it?

So far as I know, I do not know that he asked for the right to exceed it; but the bill gives him that right, and I assume that is a part of the plan and program of the Department of Agriculture. So there is some mysterious reason why the 18-cent limitation was omitted from the bill this time. This amendment proposes to restore the 18-cent limitation.

This is the "gimmick" in this provision, as it has operated: Farmers, for instance, have been told—and from a basic standard it is correct—that they have been getting a $1.25 support price for their corn. But 18 cents of that has been a payment in kind, under the existing provision. When the Secretary of Agriculture undertakes to dispose of the corn at 105 percent of the loan price, plus carrying charges—which is in accordance with the law—does he use the figure $1.25 when he fixes the price? No; he knocks 18 cents off the payment of the so-called support price, and calls it $1.07, and proceeds on that basis; and thus he has been able to accomplish what he and his chief deputy testified before the committee, when the prototype of this bill was brought up several years ago; namely, that he was going to keep open-market corn down to $1 or below. That is what he has done; and it has been a deliberate manipulation by the Secretary of Agriculture, who, during this period of time, has kept the price of corn on the farm at $1 or below. That is one of the devices he has used in order to punish the farmers if they did not put on the halter and follow where he led.

By means of this bill—for some strange reason—it has been decided to remove the 18-cent ceiling. As a result, the Secretary could set the loan rate at 50 cents a bushel and the compensatory rate at 75 cents a bushel, if he wished to do so; or he could cut down to practically nothing any of the supports in kind, and could put the production supports all the way up.

In short, this is one of the most deceptive provisions to be found in the bill; and the 18-cent limitation is omitted for a purpose.

So I see every reason why we should set the ceiling at exactly the level it was last year and exactly at the level where it is this year. I see every reason why we should retain it as it was, or at an even higher point; and there is all the more reason for retaining it in view of the fact that the Secretary is alleged to have said—although, Mr. President, I should not say it is alleged, because some members of the committee stated it as a fact, and I should take their word for it—that he would not use the 18 cents, that he would not go that high. If so, what is the harm in providing in the law that he may not go higher than that?

I can recall times when department heads have come before congressional committees and stated that certain actions would not be taken by their departments; and, following such testimony, Congress enacted certain laws on that basis. But in a short time, diametrically the opposite action was taken by the department—action contrary to what the department heads said they would take, when the bill was being considered by Congress. I have seen that happen. So I do not think there is the slightest excuse for not restoring this ceiling on the production payment to the level at which it was set for this year's crop and for the crop before that.

Mr. LAUSCHE. Mr. President, will the Senator from Iowa yield for a question?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. I should like to enlarge somewhat on the point about the discretionary power proposed to be granted the Secretary of Agriculture as regards ultimately determining exactly what shall be done. I am alarmed about the trend toward abdication by Congress of its power and the surrender of its power to the Executive. My thinking is in accord with what the Senator from Iowa has been stating.

Am I correct in understanding that if the bill, as it now stands, is enacted, there will be vested in the Secretary of Agriculture the discretionary power to determine, first, whether the feed-grains diversion program shall go into effect?

Mr. HICKENLOOPER. There is; yes, indeed.

Mr. LAUSCHE. Very well.

Second, to determine the level at which feed-grain prices are to be supported, with a range of 65 to 90 percent of parity?

Mr. HICKENLOOPER. I think the Senator from Ohio is correct in making that statement.

Mr. LAUSCHE. Third, the percentage of base acreage up to a maximum of 50 percent, which a producer must divert, in order to participate?

Mr. HICKENLOOPER. I think that is correct. That is my understanding.

Mr. LAUSCHE. And fourth, the portion of the support price that is to be made available through compensatory payments to producers?

Mr. HICKENLOOPER. That is correct; that is a condition of the bill.

Mr. LAUSCHE. The last item is the one the Senator from Iowa has been discussing; is it not?

Mr. HICKENLOOPER. Yes.

Mr. LAUSCHE. I understand that the Secretary of Agriculture has said that the compensatory payment shall be between 10 and 15 cents.

Mr. HICKENLOOPER. I shall have to find in the hearings the exact statement. On the point of the compensatory payment, I wish to read from the hearings at page 104. About the middle of that page, or slightly below that point, it will be found that I was discussing the matter with the Secretary, at the hearings, as follows:

> Senator HICKENLOOPER. Now, I note with some concern, because of its uncertainty, a provision in the bill before us, H.R. 4997 passed through the House, that you, as Secretary—

I was speaking to Secretary Freeman—

> have complete discretion to decide how much of the payments will be compensatory or, let's say, Brannon-type payments, and would you agree that the bill, as passed by the House, would, for instance, permit you to set the loan rate at 50 cents a bushel and the compensatory rate at 75 cents a bushel if you wanted to?
>
> I am not asking you whether you would or not, but I say, would it permit you to do so?
>
> Secretary FREEMAN. I believe so.
>
> Senator HICKENLOOPER. Woud it permit you to set the loan rate at zero a bushel and the compensatory payment at 25 cents a bushel or a dollar or something else?
>
> Secretary FREEMAN. I think so.
>
> Senator HICKENLOOPER. You would have that discretion from zero to basically whatever you wanted to put it?
>
> So you could go to zero if you were so minded?
>
> Secretary FREEMAN. The mix between the acreage diversion payments and the price support payments is intentionally left rather broad for reasons that I related in response to the question from the Senator from Delaware this morning.

Mr. LAUSCHE. Does that mean, then, that, notwithstanding the law that was enacted with respect to the several categories which I identified, ultimately the decision as to what is to be done is left to the mind of the Secretary of Agriculture?

Mr. HICKENLOOPER. That is the great danger of the bill. In effect, the bill is one of the first big steps in the field of agriculture toward an agriculture program of men rather than laws. It rests the broadest discretion in the whim or caprice of the Secretary of Agriculture of any farm program that has ever been enacted. It is dangerous. Farmers should realize what they are walking into. They are walking into a program which would put their entire economic well-being under the control, dictation, and whim of the Secretary of Agriculture through the discretion granted in the bill.

I do not care who the Secretary of Agriculture is. I give everyone credit for the best of intentions until it is proven otherwise. I do not care who the Secretary of Agriculture is. It is too much power to give any administration in this country over a great segment of the American economy, especially a segment as vital to the well-being of our country as is the food-producing and agriculture economy.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. At one time I taught the subject of equity in law school. The historic ancient principle was that a chancellor or a judge in equity was not guided by any law but decided issues on the basis of good conscience. So we must depend upon the conscience of the chancellor.

Finally one chancellor said:

> That is a sort of cockeyed way of issuing rulings. The consciences of chancellors differ as do their toes: Some are large, and some are small.

I desire to express my concurrence with what the Senator from Iowa has said. I do not care how good the supposed conscience of the Secretary of Agriculture is. Such inordinate power ought not to be placed in his mind and in his hands. He may think that he is doing good according to the scale that he fixes. But the fact may be that he is doing bad.

I submit that if the maxims that we see inscribed on the friezes of our courthouses mean anything, we must have a government of laws and not a government of men.

Mr. HICKENLOOPER. I thank the Senator from Ohio. As usual, he is correct. His perception is absolutely correct in this matter.

This is a farm bill which is to be administered by a man who is not closely controlled by legal limitations or delimitations of his authority. He is not elected by the people of this country. He is an appointed official, and under the proposed legislation, he could control the whole economy at his discretion. Such power is dangerous.

Mr. LAUSCHE. It is dangerous far beyond the general understanding of the people of our country.

Mr. HICKENLOOPER. There is no question about it.

I would not feel as deeply about the proposed legislation if it had specific guidelines which would direct the Secretary of Agriculture what to do, even though I disagreed with the guidelines, provided they were limitations on his authority.

But the ominous thing about the bill is the vast extent of discretion which would be lodged in a man to play upon the agricultural economy of our country, as a person would play a piano. If he can play it well, he makes sweet music. If he cannot play well, the piano sounds awful because the discords ruin the harmony.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. AIKEN. I was much interested in the colloquy between the Senator from Ohio and the Senator from Iowa regarding the risk to be run in entrusting our economic welfare, or even matters affecting our health, to the mind of one man, or to one man and his advisers. I realize that the administration is very insistent on getting what it calls supply management applied to agricultural production in our country, and that the bill which we are now considering is an integral part of the overall plan.

However, I point out what the record of the administration has been in regard to one commodity. Under the sugar legislation the Secretary of Agriculture is required to estimate the needs of the people of the United States for sugar. He then decides, through controlling the amount of sugar which can be processed and sold by the plants, the acreage that may be planted to beets and, in effect, where the beets may be planted. He also controls how much may be planted to cane and where it may be planted. Recently he has allotted more to the output and processing of cane, although I hope the Secretary knows that it takes 15 to 18 months to produce that cane. Anyway, his estimates have turned out to be very wide of the mark. In today's issue of the Journal of Commerce we read the following:

> SHORT SUGAR SUPPLY SEES PRICES SOAR
>
> Refined sugar prices shot higher again in the wake of continued scarcity of world supplies and sharp advances in the raw commodity in both cash and futures commodities.
>
> The latest round of increases, 12th this year, were led by American Sugar Co. which announced a 75 cents per 100 pounds hike, effective the opening of business yesterday in all of its marketing areas.
>
> FOURTEEN DOLLARS AND TWENTY CENTS A HUNDREDWEIGHT
>
> This brought the price for the key industrial grade in 100-pound paper bags to $14.20 per 100 pounds in the New York area and to $14.30 per 100 pounds for that category in the Northeast. In other areas served by the company, the 100-pound paper bag price will become $14 per 100 pounds. On Monday some gulf refiners increased prices 75 cents per 100 pounds to the $14 per 100 pounds level.
>
> By early afternoon yesterday the latest hikes were becoming industrywide at National Sugar Refining Co. and Sucrest Corp. also increased prices by the same amount.
>
> Refined sugar prices have now risen $4.40 per 100 pounds since the beginning of the year. The raw spot price earlier this week rose to $11 per 100 pounds, delivered, also an advance of $4.40 per 100 pounds since the beginning of the year.
>
> HIGHEST SINCE 1920
>
> The new levels are the highest since the period September 16–21, 1920 when refined sugar prices reached $14.50 per 100 pounds in the New York area.

In other words, in 2 years' time the supply management process as applied by the Secretary of Agriculture has increased the price of raw sugar from $6.48 a hundred pounds duty paid in New York to $11.25 a hundred pounds, an increase of 73 percent. The price of the refined sugar has increased since 2 years ago this month from $9.40 per hundred pounds to $14.20, according to the Journal of Commerce report this morning, an increase of 50 percent.

And it is still going up. That is the effect of supply management as administered for one commodity with respect to which the Department has authority to administer the law. Now it is sought to apply the same line of reasoning, which has failed so completely, to feed grains and, through feed grains to all animal products; poultry, beef, pork, and dairy products. It is sought to apply it to wheat, and to everything else that grows.

I do not think it would be farfetched if we should say that the consumers would be hungry in a few years if we permitted departmental officials to have the same authority over all commodities which they have had and have applied so devastatingly to our sugar program.

Mr. ELLENDER. Mr. President, will the Senator yield to me on my time?

Mr. LAUSCHE. My suggestion is that instead of assembling and spending our time debating, if we are going to extend such powers to the administration we should not meet at all to discuss these matters. Tell the administration what is to be done, and let us have a one-man rule.

Mr. AIKEN. I think the administration has demonstrated what it would do with the additional authority.

Mr. HICKENLOOPER. Mr. President, I am happy to have the Senator from Louisiana speak on his own time, to the Senator from Vermont if he so desires.

Mr. ELLENDER. Mr. President, I am sure the distinguished Senator from Vermont does not wish to be unfair about the price of sugar.

Mr. AIKEN. No.

Mr. ELLENDER. That is not due to management, as the Senator knows.

Mr. AIKEN. To what does the Senator credit it?

Mr. ELLENDER. The Senator knows that our primary offshore source for production of sugar was Cuba.

Mr. AIKEN. That is correct.

Mr. ELLENDER. That is where we got the sugar.

Mr. AIKEN. Yes.

Mr. ELLENDER. As the Senator knows, very little sugar now comes from Cuba to the United States.

Mr. AIKEN. That is correct.

Mr. ELLENDER. The Senator knows there has been a great shortage of sugar.

Mr. AIKEN. That is correct.

Mr. ELLENDER. There are many "pigs" in the business abroad, holding back sugar.

Mr. AIKEN. Exactly.

Mr. ELLENDER. There is a scarcity; and that is what has made the price go up, rather than management, to which the Senator referred.

Mr. AIKEN. Yes, indeed.

Mr. ELLENDER. That is silly.

Mr. AIKEN. The Senator has proved my point completely. The production of sugar in Cuba has fallen off approximately one-half, or nearly 3 million tons this year. Five years ago Fidel Castro applied the supply management process to the agricultural commodities of Cuba. That is what I am talking about. If we want to be like Cuba, why not adopt the Cuban form of government and let it go at that? That is the reason there is a shortage.

Mr. ELLENDER. Mr. President——

Mr. AIKEN. Because Cuba's production is only half of what it used to be, when Cuba had a free economy.

Mr. ELLENDER. The Senator knows that as of today Florida and Louisiana are the only cane sugar-producing States in the Union.

Mr. AIKEN. That is correct.

Mr. ELLENDER. They plant about all they can plant now. The beetgrowers could plant some more, but they do not have the facilities with which to process the beets.

I know that we could produce more sugar, but we are not ready for that. The point I am trying to make is that, in my opinion, the reason why the price of sugar went up was solely the shortage of sugar abroad.

Mr. AIKEN. Of course it is short.

Mr. ELLENDER. As the Senator well knows, we produce in the continental United States about 32 percent of our requirements. We must depend on offshore production.

Puerto Rico is almost out of production now. It is expanding so much industrially that it has given up many sugar-producing lands. Hawaii is in the same position. It is not producing what it could. It is developing industrially. It is building homes, and much good sugar land is being used for that purpose.

Let us put the reason where it belongs; that is, on the shortage of production rather than on management, to which the distinguished Senator from Vermont referred.

Mr. AIKEN. I could not disagree with the distinguished Senator from Louisiana that the sugar shortage is due to a shortage in the production of sugar abroad, but it is also due to the fact that the Secretary of Agriculture will not let the American farmer produce sugar in sufficient quantity to make up the shortage.

Mr. ELLENDER. The Senator can blame the Congress for that.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ELLENDER. The Senator can blame the Congress for imposing a limitation.

Mr. AIKEN. The Congress did not estimate the amount of sugar which would be required by the people of this country. The Secretary does that.

Mr. ELLENDER. But Congress fixes the amount to be planted in Louisiana. Congress fixes the amount to be planted in Florida. Congress determines how much can be planted by sugar-beet growers.

Mr. AIKEN. No.

Mr. ELLENDER. The Senator knows that.

Mr. AIKEN. The Congress has been very negligent in regard to sugar legislation, but only last week the Secretary assigned to Florida and to Louisiana, the cane-producing States, authority to market about 60,000 tons more a year. Does the Secretary expect them to do that overnight? As I understand, it requires 14 to 18 months to produce a crop.

Mr. CARLSON and Mr. LAUSCHE addressed the Chair.

Mr. AIKEN. I have been using the time of other Senators, but this is important, because it is a striking example of what supply management may do in the hands of people who are not infallable.

Mr. ELLENDER. Mr. President, I yield no more time.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HICKENLOOPER. Mr. President, up to this point the time, I assume, was the time of the Senator from Louisiana. I merely wish to get the time straightened out. We are now on my time.

Mr. GOLDWATER. Mr. President, will the Senator yield to me so that I may ask the Senator from Vermont a question?

Mr. LAUSCHE. I have a statement which fits what has been said, if the Senator will yield to me.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Does the Senator from Iowa yield; and, if so, to whom?

Mr. HICKENLOOPER. I yield first to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I should like to ask the distinguished Senator from Vermont a question relative to the subject of sugar. Am I correct in stating that sugarbeets were under some control up until this year?

Mr. AIKEN. They are still under control. The Secretary determines the amount of sugar a plant may produce and market, and that indirectly controls the amount of sugarbeets which can be planted.

Mr. GOLDWATER. For many years Arizona was a large sugar-producing State. For years we have been trying to get permission to plant beets. I think the Senator's remarks were quite correct. Cuba is a fine example of what we can expect.

I agree with my friend from Vermont that what we are seeing in Cuba today is something we might well see in the United States in 4 or 5 years, if we do not get agriculture out from under this crazy agricultural program.

Mr. AIKEN. What we see in Cuba today is exactly what we will see in the United States if we give this New Frontier management all the authority for which it is asking, because it is asking for the same authority which has brought Cuban sugar production down to the present unenviable level.

Mr. GOLDWATER. I have one further point, Mr. President. The Senator from Louisiana has rightly recognized that an imbalance in the market today has caused prices to take an unusually fast rise. This imbalance in the market, I suggest, is caused by the fact that we have not allowed our sugar to be produced under free markets.

Mr. AIKEN. That is correct. The Secretary estimated the requirements of the country so far short of the actual needs that there is not sugar enough to go around, and nobody knows where the price will go.

Mr. GOLDWATER. I thank the Senator.

Mr. AIKEN. It is 73 percent above what it was 2 years ago, when the present management took over the handling of sugar legislation.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from Kansas.

Mr. CARLSON. I concur in the remarks made by the distinguished Senator from Vermont with regard to sugar production. The beet-producing areas of the Midwest—Kansas and adjoining States—could greatly increase their production, and would do so if permitted by quotas.

Mention has been made of the fact that there are not sufficient refineries. The reason why there are not sufficient refineries is that we do not have any assurance of continuous beet acreage year after year. If we are given some assurance of acreage, we can furnish more sugar.

Mr. HOLLAND rose.

Mr. HICKENLOOPER. Does the Senator from Florida desire to have me yield to him?

Mr. HOLLAND. Mr. President, at some time before the Senator from Iowa concludes, I should like to have him yield some time to me.

Mr. HICKENLOOPER. I am happy to yield to the Senator now.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senator may be allowed to yield to me for 10 minutes, from his time, without losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HICKENLOOPER. I have that right, Mr. President. I yield to the Senator from Florida.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. President, I am proud to be a cosponsor with the Senator of this particular amendment. The only reason why I asked for the privilege of the floor at this time is that I am scheduled to leave by plane between 6 and 7 o'clock for an engagement which I cannot cancel. I have been promised by the Senator from Louisiana that he would give me a live pair on votes taken after this, which I appreciate. He has been most gracious to me. But I may not have time to complete the argument before the vote is taken.

I think this amendment is the critical one in this whole discussion, because it strikes at the great departure in this bill from the course in all other bills that have been considered on the floor of the Senate since I came to this body 17 years ago, and I have been a member of the Agriculture Committee during most of that time.

The particular provision at which this amendment is directed would give unlimited authority to the Secretary of Agriculture to fix the compensatory payments, or bonus payments, or production payments, whatever one may call them, independent from the actual price support loan, at any amount he sees fit between zero and the maximum stated in the bill for price support; and that maximum is 90 percent.

There is no doubt about that. The bill so provides. The Secretary of Agriculture so stated in his testimony, not once, but several times. I am not going to repeat all the quotations from his testimony which I placed in the RECORD the other day, but merely to show that what I have said is strictly true, let me quote this much from page 105 of the hearings:

The Senator from Iowa [Mr. HICKENLOOPER] said:

> Now, do you think that that complete discretion, from zero on up, is the kind of a discretion that really Congress ought to lodge in a Secretary?
>
> Secretary FREEMAN. I think the bill contains a modest discretion when it is considered in terms of the four corners of the law, the development of this program, the new dimension to which it will move when we have eliminated surpluses * * *.
>
> The pattern of activity, under a farm program, is rather certain. The legislative history is quite clear, and —

And I call attention to these words of the Secretary—

> it would seem to me that this is, by no stretch of the imagination, excessive discretion under the circumstances.

Again:

> Actually—

Says the Secretary—

> the support price in this bill is between 65 and 90. And then the payment part in connection and that support price where previously it was 18 cents is left to the discretion of the Secretary, which is the only change.
>
> And so this is actually not a very significant change.

Then, skipping, and quoting a short statement, the Secretary said:

> And I do not think that the increased discretion, in and of itself, is a great delegation of authority, by no means.
>
> I think it is well within the normal congressional delegation of discretion.
>
> Senator HICKENLOOPER. But you do advocate that this discretion be left with the Secretary as it is in the legislation?
>
> Secretary FREEMAN. Yes, sir.

There is no doubt about the testimony. There is no doubt about the provisions of the bill. No Senator, whether an advocate or an opponent, would argue otherwise.

The Secretary and his advisers, who drafted the bill, had the able, skilled, and conscientious help of the chairman of the committee, who saw exactly what this situation was, and that this provision was even worse than the Brannan plan, because whereas the Brannan plan imposed some limitation as to the production on which these production, or bonus, payments could be made, the pending bill does not so provide. When the committee entered into this discussion, as has been shown already by what has been placed in the RECORD by the distinguished chairman of the committee, the Secretary wrote to the chairman stating that in 1964, the first year to be covered, he would want the committee to understand that 18 cents was the limit which he would want to use in connection with this authority; that he probably would want to use less than that, but that 18 cents was the limitation.

If I am incorrect in that statement, I shall be glad to be corrected. I do not have time to read the letter, but that was the sense of it. That applied to 1964. In committee the question arose as to what would apply to 1965.

So a second letter was written by the Secretary of Agriculture to the distinguished chairman of the committee, which, in my judgment, in so far as it could do so, committed the Secretary to follow the same limitation of 18 cents in 1965.

Of course, the Secretary knew, as we all know, that any limitation which he places upon himself will be observed, because he is an honorable man. But the Secretary is mortal, and there is no assurance that he will live out his term in this administration, although I hope he will live it out and many added years besides. There is no certainty that this administration will continue in 1965, and there is no assurance that the Secretary now serving will then be the Secretary.

Through the two letters obtained, through the able and effective request of the able chairman of the committee, we have as much of a commitment as the Secretary can make, to the effect that he does not intend to proceed under the unlimited discretion proposed to be given him by this bill.

In the first place, that is not a certainty, for the reasons I have already stated. In the next place, if the provision goes into this bill, it points to a path which we are just as sure as we can be will be followed when the next big commodity gets into trouble.

The Senator from Florida thinks there is a great error in this regard, which should be corrected before the bill goes on the statute books.

For that reason, the Senator from Florida joined in the presentation of this amendment in committee, and joins in it now, because he thinks this, and other corrective amendments which would accomplish the same purpose, are necessary for the preservation of anything like an American program of agriculture, because he does not regard this provision as one that is in that category. It is not in accordance with American precedents or any precedents in the agricultural program. It is, instead, an unbridled grant of authority to one man in a vital matter, affecting hundreds of thousands of farmers, and millions of people throughout the Nation. I do not care how good a man he is. So far as I am concerned, the Secretary of Agriculture is a good man and would live up to his commitment, but I do not think the Congress of the United States, speaking for all the people of this great Nation, as well as for all the people in agriculture, should seriously consider granting such authority to any one individual, involving the power of life and death over every producer of feed grains, under this bill, if it were strictly followed, and over every producer of any other commodity to which the power might be extended.

Mr. President, make no mistake. This will not be the end of the subject if we ever give such unbridled authority one time for what is said to be protection for the producers of a certain commodity. We shall be asked time after time to do the same thing with respect to the producers of other agricultural commodities.

That is why I, for one, have felt so keenly that this bill is wrong. I say again that but for the efforts and the knowledgeable activities of the distinguished chairman of a great committee, with broad experience, who realized perfectly well that there was something which should not be in the bill, and who moved to get the two letters I have indicated, we would be in a situation in which we would not vote for the bill. I think no Senator would vote for it if he realized the serious implications of it.

Since I shall not be present later, I want to say that something of the same kind of authority is present in another part of the bill, in that it grants authority to the Secretary to impose a requirement that up to 50 percent of the feed grain acreage must be diverted by a producer before he comes under the program.

Again a wise head saw that this was going too far, and insisted upon a letter, and that commitment was also put in the letter which has been presented by the able chairman of the committee, stating that the Secretary will hold himself to 20 percent, which is similar to existing law, as a condition which must be imposed on a producer of feed grain for diversion of his acreage. He must divert 20 percent of his acreage now in order for him to have the other benefits of the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HICKENLOOPER. I yield 3 more minutes to the Senator from Florida.

Mr. HOLLAND. I am sorry that I cannot speak at length on this measure, because I feel very keenly on it; and my feeling is not personal in any sense. I have no feeling against the Secretary of Agriculture, who I think is a distinguished and fairminded gentleman, who will live up to his commitment. He did not draw up this measure. I do not know who did. However, someone drew it who was anxious to put us upon the path of a completely controlled and regimented agriculture. He has almost done so insofar as the commitment goes in that direction if the bill becomes law. Whoever did it is not proceeding under tried theories of agriculture, but is proceeding under an alien theory of complete control by one man of millions of American farm families throughout the country, and the other industries which depend upon them, such as livestock, poultry, dairying, and others.

This is a step of such great significance that I would not feel justified in doing anything less than calling attention to the fact that the pending bill contains devices giving unlimited discretion. I do not think it is sound or safe, or even thinkable, that we should go through with such a course on the floor of the Senate.

I conclude by again expressing my complete confidence in the Chairman of the Committee on Agriculture and Forestry. But for him we would not have had these letters. But for him we would not have had certain other concessions from the Secretary, which, so far as they can go, bind the hands of the present Secretary of Agriculture. I am sure he will live up to them. However, that does not cure the vices within the bill. That does not prevent the bill from laying down precedents for legislation, for which every Member of the Senate who votes for the bill will be answerable in the future.

The Senator from Florida will not vote for such a bill, even if he is the only one to cast a vote against it, because he believes it would point a way that is not American, not sound, and not democratic, and would not encourage a long established and sound principle in agriculture. Our free agricultural people have been among our finest and freest and most intelligent people. We are asking them to supinely give up control of their business. I do not believe we should do that. I hope the amendment will be agreed to.

Mr. HICKENLOOPER. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Iowa has 14 minutes remaining.

Mr. HICKENLOOPER. I thank the Senator from Florida for clearly and concisely pointing out some of the most flagrant and glaring defects in the proposed legislation. The Senator from Florida was extremely active in committee in trying to have these defects corrected. I believe he offered the basic amendment which I have offered today. I think it should be clear to everyone that the danger in the pending bill has been spelled out.

It was necessary to obtain a letter from the Secretary saying that he would not use the power that was considered to be too dangerous.

We contended in committee that if there is concern about unlimited discretion, protection should be written into the bill, instead of obtaining a letter to assure us against the abuse of discretion. We can protect ourselves by writing such protection into the legislation. We do not want to write any kind of restrictive legislation into the bill that is not already in existing legislation, that is, the 18-cent limitation on the production payments.

Anyone who examines this subject will no doubt come to the conclusion that protection should be written into legislation, especially if it is felt necessary to get a letter of assurance from the Secretary that he would not abuse or expand such discretion. Certainly there is no reason why it should not be written into the legislation, and there is every reason why it should be.

I now yield to the Senator from Wyoming [Mr. SIMPSON].

Mr. SIMPSON. Mr. President, never in my life have I heard such an impassioned and eloquent plea as the distinguished Senator from Florida has made. It is indeed unfortunate that it has been wasted on the desert air, because during the debate on the several amendments that have been offered, there have been present in the Chamber only one or two of the proponents of the bill, while the opponents of the bill have been doing their best to save the American farmer from the danger he will face if the pending bill is enacted into law.

I can only say that the proponents of the measure seem to be proceeding under the policy of, "Do not confuse me with the facts; my mind is made up."

It is too bad that more Senators could not have heard the plea of the Senator from Florida, because in my mind it was one of the greatest speeches ever made on the floor of the Senate. I have read the CONGRESSIONAL RECORD for many years, as a boy and after coming to the Senate.

I concur completely in what the Senator from Florida has said. The bill leaves too much power in the hands of one person. Too much power in the hands of the weak is tyranny. I am not saying that the Secretary of Agriculture will be tyrannical. However, under the provisions of the bill, if enacted into law, any one man would be too weak to administer the great program that is spelled out in it, which shackles the American farmer to the yoke of the Secretary of Agriculture.

I thank the Senator from Iowa for yielding time to me.

Mr. HICKENLOOPER. I thank the Senator from Wyoming. I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, it is not my purpose to speak for a long time on the amendment. I did so in my opening remarks. What the proponents of the amendment and the opponents of the bill should realize is that the bill presents a completely voluntary program. No compulsion is involved. Farmers do not have to curtail their acres of corn, oats, rye, barley, or anything else unless they wish to do so.

Why was the figure of 18 cents placed in the bill last year? It was to protect those who cooperated with the program, and to avoid giving the full benefit of the $1.25 support to noncooperators. It is now written into the law. I invite Senators to read, on page 3 of the bill, beginning with line 9 and going down to line 13, the following provision: "Secretary determines desirable to assure that the benefits of the price support and diversion programs inure primarily to those producers who cooperate in reducing their acreage of feed grains shall be made available to producers through payments in kind."

Ordinarily, if the Secretary of Agriculture were to set price supports at $1.25, the market price of corn might be $1.24 or $1.23, somewhat just below the support price.

Those who refused to cooperate would get the benefit of the high price supports. But as it is, the bill provides that cooperators shall receive supports in two ways: 18 cents payment in kind and the rest in support loans. That is all the provision means.

I say to opponents of the bill who talk about the wide powers given to the Secretary of Agriculture, my reply is that the Secretary has been exercising such broad powers ever since agricultural legislation has been on the books, beginning in 1933 and continued in 1938. I was a Member of the Senate when the original Triple-A Act was passed. In those acts, the Secretary had the right to fix price supports on soybeans and almost every other commodity from 0 to 90 percent. This is still the law. If he desired, he could also fix the acreage to be allocated and restrict supports only to those who cooperated. What is wrong with that? The Secretary must be given such authority in order to make the programs workable.

The present law was enacted in 1961. The objective then was to divert as much acreage as possible, so as to decrease the huge surpluses of corn and other feed grains that had accumulated over the years. It was necessary to have a program designed to attract as many farmers as possible, so as to get the widest diversion of acreage that could be obtained. But, as I pointed out in my opening address, the program has worked well. It has decreased surpluses. The surpluses now are not so acute as they were in 1960. At that time there were some 84 million tons of feed grains. It has been possible to reduce that amount to about 61 million tons. So in order to cause to be diverted a smaller number of acres the Secretary does not have to have as attractive a program. That is why we give him discretion to say whether the payment shall be 50 percent or the acres shall be cut 25 percent, 15 percent, or 20 percent. The necessity for a cutback in acreage, in order to obtain a further cut in surplus, is not so acute as it was when the program was first put on the statute books in 1961.

That is why it is necessary to provide the Secretary of Agriculture with more power. But the power he has in the bill is almost identical with the authority that has been exercised by the Secretary of Agriculture in connection with every bill that has been enacted, affecting cotton, rice, tobacco, and other crops for which there are price supports. In cotton and rice, for example, he can set price supports at between 65 and 90 percent of parity and there is no upper limit on the number of acres he can allocate. It is left to the Secretary to determine what the price support shall be. It is left to him to fix the amount of acreage to be set aside.

I realize that last year Congress fixed at 18 cents the amount he could use to pay to cooperators. I was rather disappointed that such a provision was not included in the bill as it came from the House. As the distinguished Senator from Florida [Mr. HOLLAND] said, when I became aware of that fact, I obtained the two letters from the Secretary of Agriculture. In addition to the two letters, it is my recollection that the Secretary of Agriculture testified before the House Committee on Agriculture that it was his intention not to pay more than between 10 and 15 cents in kind to cooperators, in order to make up the full price support.

Let us not lose sight of the purpose of the separate payment. It is merely to keep noncooperators from getting the benefit of the program. That is all it is for; there is no other reason. As I have just stated, in the past the price supports usually fixed the market price. That issue has been argued from every corner of the Senate. If the Secretary were to fix the price support at $1.25 and let everyone who desired to do so get into the program, he might not be too successful, unless he had the authority that was given to him to pay the support price in two ways: so much down—18 cents, as was provided in the last law—and the regular price support.

As I have said, that is the sole purpose of the provision. I do not care what it is called, whether it be a subsidy or whatnot. The purpose of that provision is to prevent those who will not cooperate from getting the benefit of the high price supports. It was included in the bill in order to induce as many farmers as possible to divert acres. I believe the provision has succeeded pretty well.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. HOLLAND. Is it not true, as shown by the hearings, on page 105, that when the Secretary of Agriculture was before our committee and was asked whether he would object to setting an 18-cent limit in the bill, he replied as follows:

> I think I would feel very strongly that it is important that the amount of discretion, which was the product of some very, very careful thought and review and hearings, should remain as it is.

Mr. ELLENDER. Yes; but I wish the Senator would read why he said that. It is in the record. The reasons assigned by him were what I was trying to tell the Senate a few moments ago. The point has been reached where the program should not be made as attractive as it was before. Unless the Secretary of Agriculture has the discretion that was given to him, he might not be able to bring about the desired result. That is the sole purpose of this provision; there is no other reason.

Mr. President, I am ready to yield back the remainder of my time.

Mr. HICKENLOOPER. Mr. President I wonder if I might obtain some information from the staff of the committee?

Mr. CARLSON. Mr. President, will the Senator from Iowa yield to permit me to make remarks on another subject?

Mr. HICKENLOOPER. I yield to the Senator from Kansas for that purpose.

TRIBUTE TO CLIFFORD HOPE, PRESIDENT OF GREAT PLAINS WHEAT, INC.

Mr. CARLSON. Mr. President, I am advised that Clifford Hope, president of Great Plains Wheat, Inc., voluntarily retired today as president of that organization. It was through the efforts of Clifford Hope that Great Plains Wheat, Inc., was organized on January 1, 1959.

At present, Kansas, Nebraska, Colorado, North Dakota, and South Dakota are participating members of this organization. Oklahoma, Texas, Montana, and Wyoming are nonparticipating members. This organization is rendering outstanding service to the wheat growers of the Nation. The efforts of the organization have resulted in increased sales and the increased use of wheat in many countries, such as Japan, India, and many of the Latin American countries.

This organization has spent much time and money in creating a new product known as bulgar. The use of this product is increasing rapidly in many countries.

Mr. President, for 30 years Clifford Hope served in the House of Representatives. He served there as a member of the Committee on Agriculture, and for many years as its ranking minority member, and for many years as its chairman. He is recognized as one of the great leaders in the field of agriculture. Many important agricultural bills bear his name. They include bills of great importance in the fields of agricultural production, conservation, and the control of water runoff.

Even though Clifford Hope is now resigning from this organization, I hope he will continue his activities in the field of agriculture, where he can render such great and important service.

Mr. YOUNG of North Dakota. Mr. President, will the Senator from Kansas yield?

Mr. CARLSON. I am glad to yield.

Mr. YOUNG of North Dakota. I wish to join the Senator from Kansas in commending the Honorable Clifford Hope for his long and valuable service to the farmers of the Nation and to the Congress of the United States. His imprint is on a great deal of the important farm legislation. Because of Clifford Hope, the farmers of this country today enjoy a better life.

Only one of the great agricultural acts was the Hope-Aiken Act, which originated the watershed projects. He had much to do with all wheat legislation for a quarter of a century.

The Republican Party has a better name today among the farmers because of Clifford Hope. He is a man we can ill-afford to lose in public life.

I wish Clifford Hope were in Congress today. While he served here, he enjoyed the respect of every Member of Congress. He is a most valuable servant to all the people of this Nation.

Mr. CARLSON. Mr. President, I join in the remarks of the distinguished Senator from North Dakota. Clifford Hope is very favorably recognized in connection with every phase of agriculture.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. HICKENLOOPER. Mr. President, I am prepared to yield back the remainder of the time available to me. I believe the Senator from Louisiana yielded back the remainder of the time available to him.

Mr. ELLENDER. No, Mr. President; I do not think I actually yielded it back. I said I was prepared to yield it back.

Mr. HUMPHREY. Mr. President——

Mr. ELLENDER. I yield 2 minutes to the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Louisiana.

Mr. President, the 1961 and 1962 feed grains programs were successful in reversing the buildup of Government feed grain stocks, reducing costs to the taxpayers, and substantially increasing farm income. They did contain, however, one undesirable feature—increased Commodity Credit Corporation sales in commercial markets—which has been eliminated from the 1963 program without reducing its effectiveness.

Going back many years, it is well understood that the basic idea of price-support operations was for the Government to take the surplus off the market, withhold it from the market until needed, selling it only at prices above the support level. Under this system, once the Government had impounded the surplus, which ordinarily would be a very small percentage of the crop, the rest of the marketing system would function in a relatively normal manner—to receive, separate, mix, ship, and distribute the commodities.

The 1961 and 1962 programs altered this practice. They offered an increased support price to those who agreed to cut back acreage and, through a vast program of Commodity Credit Corporation sales, maintained market prices available to noncompliers at 15 cents a bushel below the loan. In order to take advantage of the higher loan price, all grain produced in compliance had to be placed under loan and defaulted to the Commodity Credit Corporation. Feeders who complied with the program, but who were unable to obtain stocks locally for feeding, were unable to obtain the benefits of the higher loan price.

By substituting an 18 cents a bushel payment for the sellback program, to induce compliance with acreage cutbacks, the 1963 feed-grain program returned to the theory of earlier price-support legislation. The complier merely feeds or markets his grain, and receives the difference between the market price and the support price in cash. This eliminates the need for Commodity Credit Corporation sales designed to punish the noncomplier.

With the 18-cent direct payment, the Government can proceed to impound just the surplus, hold it off the market, and let all the other functions of marketing do the rest. On this basis, even the livestock people who produce 75 percent of all the corn will participate in the program without going through the machinations of selling their corn and buying from the Government.

Mr. President, in 1961 and 1962—with the sellback feature in effect—the Commodity Credit Corporation sold or otherwise disposed of 1.2 billion bushels of feed grain, although it reduced its stocks only 426 million bushels. Thus, it merchandised 774 million bushels in commercial markets for no economic purpose other than to penalize noncompliers.

Final figures are not yet available for the 1962–63 crop year; but on the basis of published estimates, it is reasonable to assume that since the Commodity Credit Corporation will not be permitted to sell for unrestricted use at less than the loan plus carrying charges, the market price will prevent all but a very small takeover by the Commodity Credit Corporation. Thus, Commodity Credit Corporation sales in the 1963–64 crop year, under the new direct payment program, should be limited to little more than the difference between production and disappearance—or no more than one-third of its sales in each of the two most recent crop years.

Mr. President, the 1964 and 1965 programs, passed by the House, and now before the Senate, extend the principle of the 1963 program, but with greater flexibility in the amount of the direct payment. If the amount of the payment to compliers is sufficient—and I think it should remain at 18 cents—the Commodity Credit Corporation should be able to avoid the necessity of large sales of its stocks in commercial markets.

Mr. President, I know that the Senator from Louisiana has made an adequate response to the remarks made by the proponent of this amendment.

The provision relating to the compensatory payments, as incorporated in the feed grains program, has worked very well. It is based on a sound principle, and it is respected by the business community. Certainly it should be respected by the Congress.

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield for a question?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. In connection with what other program has unlimited discretion ever been granted the Secretary of Agriculture to set the compensatory production payment at anywhere from zero to the top support price?

Mr. HUMPHREY. I do not know. However, the fact that I do not know does not make me believe that it will not be a good and workable program. For example, I do not know of any other American who has made 22 orbits around the globe; but that does not mean that it is impossible for anyone to make 22 orbits around the globe.

By the way, it seems that it takes longer in the Senate to defeat an amendment than it takes Astronaut Cooper to make an orbit.

So I answer my friend's question as to whether it has ever been done before, by saying that I do not know that it has, but that it not the point. The point is that it is necessary to deal adequately with the surpluses and to maintain a proper income level for the agricultural producers.

I recall that a year ago Senators pleaded for restoration of the so-called voluntary program. That voluntary program works. It was praised last year, and it is praised this year. It was good then, and it is good now.

I suggest that the amendment has only one purpose, which is to delay enactment of the bill, because it is understood that if the bill is to be enacted soon, it is essential that it not be amended.

Mr. HICKENLOOPER. Mr. President, the Senator from Minnesota has made an interesting comment. He has stated what I assume is a criticism of the length of time taken to dispose of an amendment. The Senator from Minnesota is an authority on the subject of the length of time taken on the floor of the Senate on various measures. So he speaks with some impact when he makes such a declaration, and I believe all of us should observe it and should be very well aware of it.

So far as the enactment of this bill is concerned, the Senator from Minnesota said it is absolutely essential that the bill be passed by the Senate without amendment. However, there is no essentiality of that sort. The bill would not go into effect until 1964. Senate passage of this bill without amendment is essential only if some wish to use it as a club in connection with the wheat referendum, in order to bamboozle many of the wheat farmers into believing that they will be allowed to have some excess planting—which they will not get.

But if it is desired to use the proposed legislation for the benefit of the grain farmers, certainly it is not essential that the bill be passed by the Senate without amendment by the 21st of May.

Furthermore, it is preposterous to suggest that at this time it is necessary to remove the lid from the production-payment restriction, which last year was 18 cents. All we are saying is that it should be left at 18 cents, where it was last year.

However, of course, that is not the point at all. The point is the insidious expansion of the practically unlimited authority and discretion of the Secretary of Agriculture. That is bad for a free-enterprise economy, any time, anywhere. But that is what is behind this bill; that is the moving force behind it; namely, an effort to provide discretionary power over the free economy of agriculture.

Mr. President, there is nothing wrong with this amendment unless the act now in existence and applicable to the 1963 crop of feed grains is wrong. But if that act is good—and it has been repeatedly stated on the floor by the proponents of the bill that the act is good—what is wrong with retaining the same limitation in the production-payment section, which already is in that act, which the opponents of the amendment say is working so marvelously?

The PRESIDING OFFICER. The Chair informs the Senator from Iowa that he has 5 minutes remaining.

Mr. HICKENLOOPER. I thank the Chair.

Mr. President, I believe that, in the main, all the arguments used in an attempt to knock down the amendments offered to this bill are specious, for a number of the amendments which have been offered in the course of the debate during the past several days are fairly well known to Senators to be really essential corrections to a bill which is bad both basically and in its details; and I am quite sure that a number of Senators have thought several times about their "nay" votes against some of the amendments on which the Senate has acted.

This is one amendment which would not change in one iota the existing law which is working so successfully. The amendment merely will prevent the reasonable limitations contained in the existing act from being entirely removed. The amendment would make it impossible to "remove the lid," insofar as discretionary power on the part of the Secretary of Agriculture over the production payments is concerned, whereas the bill without this amendment would make it possible for that power to be exercised at the whim and caprice of the Secretary of Agriculture.

Again, I say it is bad. It is bad in any free society to go from a government of laws to a government of men. That is what we do when we abrogate legislative responsibility and power and vest discretion in the hands of an administrator. We go from a government of law to a government of—I should not say "men"—I should say a government of a man. A man is fallible. Legislative bodies are fallible, too. But, since free societies have been developed, the combined judgment and surveillance of legislative bodies in coming to considered conclusions in the enactment of laws always have been better than the sometimes good, sometimes bad, sometimes accurate, sometimes erratic, variable discretion of a single individual whose emotions one way or the other may affect the entire economy or the entire public subject matter over which that discretion is exercised.

I say that the amendment should be adopted. It should be adopted as a safeguard. It should be adopted because it merely retains the same limitation that exists in the law at the present time. It is a good amendment. It would not change existing law. It would only retain existing law as it is. It would not go into new and untried realms of unlimited discretion in that field, affecting the well-being of many millions of people in the agriculture economy of our country.

In closing, I point out that the Record of yesterday shows that a clear majority of this body, as shown by the votes, believes that there should be some amendment to the bill, although we will not have any, because yesterday 51 Senators at one time or another voted to amend the bill and only 38 Senators voted consistently "nay" on every amendment that came up. That does not mean that 51 Senators ever voted for the same amendment, but I am saying that at one time or another 51 Senators yesterday voted to amend the bill. That is a majority of the Senate, putting on record their belief that the bill should be amended regardless of whether the amendment was the same amendment or not. They realized the deficiencies and shortcomings in the bill. That is a pretty powerful argument. I thank the Chair. I yield the floor.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum, the call to run 2 or 3 minutes in order to give Senators an opportunity to start from their offices. At the end of that time I shall ask that the order be rescinded.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Iowa [Mr. Hickenlooper]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Nevada [Mr. Cannon], the Senator from Connecticut [Mr. Dodd], the Senator from Arkansas [Mr. Fulbright], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from Tennessee [Mr. Kefauver], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Georgia [Mr. Russell], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I also announce that the Senator from Maine [Mr. Muskie] is absent due to illness.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Nevada [Mr. Cannon], the Senator from Connecticut [Mr. Dodd], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from Tennessee [Mr. Kefauver], the Senator from Oregon [Mr. Morse], the Senator from Maine [Mr. Muskie], the Senator from Georgia [Mr. Russell], and the Senator from New Jersey [Mr. Williams] would each vote "nay."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from Colorado [Mr. Allott]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Colorado would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott] and the Senator from New Jersey [Mr. Case] are necessarily absent.

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Utah would vote "nay."

The result was announced—yeas 38, nays 48, as follows:

[No. 87 Leg.]

YEAS—38

Aiken
Anderson
Beall
Bennett
Boggs
Byrd. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Fong
Goldwater
Gore
Hickenlooper
Holland
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Morton
Pearson
Prouty
Robertson
Saltonstall
Scott
Simpson
Smith
Stennis
Thurmond
Tower
Williams, Del.

NAYS—48

Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Church
Clark
Douglas
Edmondson
Ellender
Engle
Ervin
Gruening
Hayden
Hill
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kennedy
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Mundt
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smathers
Sparkman
Symington
Talmadge
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—14

Allott
Bartlett
Cannon
Case
Dodd
Fulbright
Hart
Hartke
Kefauver
Morse
Moss
Muskie
Russell
Williams, N.J.

So Mr. Hickenlooper's amendment was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HICKENLOOPER obtained the floor.

STUDY TO DETERMINE WHETHER THE HOLDING BY A MEMBER OF THE SENATE OF A COMMISSION AS A RESERVE MEMBER OF ANY OF THE ARMED FORCES IS INCOMPATIBLE WITH HIS OFFICE AS SENATOR

Mr. GORE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. GORE. Mr. President, in view of the colloquy which I had with the distinguished junior Senator from Arizona [Mr. Goldwater] yesterday afternoon, and in view of the resolution which he submitted, at the request of the Judiciary Committee, to make a study of the legality and constitutionality of Members of the Senate being members of the Military Reserve, I wonder if he would be willing to have the committee also study the legality and constitutionality of Members of the Senate serving as actual members and delegates to the United Nations.

Mr. GOLDWATER. I shall be very happy to include that study in the resolution. I did not realize, until my discussion with the Senator, that Members of the Senate appointed to the United Nations could participate in debate and vote there. This is a question on which we should have a decision, because in this instance, as I understand, the delegates are briefed by the State Department, which is a part of the executive branch, on what they should say and how they should vote. I think it would be proper to have this question cleared up. I shall be glad to extend my resolution to cover that question.

Mr. GORE. Mr. President, I ask unanimous consent that the resolution submitted yesterday by the junior Senators from Arizona be amended by adding the appropriate words to include membership as a U.S. delegate to the United Nations.

The PRESIDING OFFICER. The Chair informs the Senator that the resolution is in committee.

Is there objection to the request?

Mr. GOLDWATER. Mr. President, reserving the right to object—and I shall not object—we might extend this study into all international organizations to which Members of the Senate are sent. Offhand, I think of the International Labor Organization. If the Senator would like to include all outside organizations in his amendment to my resolution, I shall be very happy to accept it.

Mr. GORE. I believe the U.N. delegation is the only one in which Members of the Senate are actual participants, and, to that limited extent, representatives of the President; but if there are others, I think that question should be studied, and I join the Senator in his request.

Mr. GOLDWATER. I am thinking of the International Labor Organization, where the delegates do not vote as individuals, but where there is a caucus. They are appointed by the President, the executive branch of Government, and therefore the executive branch of Government has some voice in the selection of those who go to these international meetings and the way they are to vote.

Mr. GORE. I agree.

Mr. MANSFIELD. Mr. President, there is a unanimous-consent request pending.

The PRESIDING OFFICER. Does the Senator from Iowa yield?

Mr. HICKENLOOPER. I am waiting for the action of the Chair.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request by the Senator from Tennessee? The Chair hears none, and it is so ordered.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. HICKENLOOPER. Mr. President, prior to the offering of another amendment, I should like to point out to the chairman of the committee what I regard to be a fatal deficiency in the bill. I have talked with counsel of the committee about it. There may be some disagreement on the subject, but I call the attention of the chairman to page 8 of the bill, beginning on line 22, the sentence which reads:

> Notwithstanding any other provision of this subsection (l)(1), the Secretary may—

The defect in this bill, which I believe is apparent, is that there is no subsection (l) in this bill. This language refers to subsection (l) of the bill. I checked the bill as it came from the House of Representatives. It contains the same language. This is an exact copy of the bill as it came from the House of Representatives, but it is defective, inasmuch as it refers to subsection (l), which is nonexistent in the bill.

I think any sound legislative practice demands that this bill be corrected, so the subsection may refer to the proper section, instead of a section which is nonexistent.

I do not think it is sufficient to say that is merely a typographical error and that it will be corrected in process. I do not think anyone has any authority to correct it in process. It has proceeded through the House of Representatives. It has proceeded through the Senate committee. I do not think a committee clerk or anybody else has the right to take a pen or pencil and change a bill which has been passed in the other House, when it is defective. I do not think there is any question that the reference should be "(h)", instead of "(l)".

Unless the chairman of the committee is prepared to offer such an amendment, I am prepared to offer an amendment to correct a manifest irregularity in the bill and to substitute the appropriate letter "(h)" so it will read "subsection (h)(1)" as it should read, whereas it now reads "(l)(1)".

Mr. ELLENDER. Mr. President, I wish to advise the Senator from Iowa that, as chairman of the committee, I shall not offer an amendment, and if one is offered, I shall oppose it.

The Senator from Iowa is a fine lawyer. The language is very plain. It reads, "Notwithstanding any other provision of this subsection," speaking of subsection (h)(1).

Mr. HICKENLOOPER. I certainly agree that it reads that way.

Mr. ELLENDER. Whether it then specifies (h), (l), (b), or (c) makes no difference, because it refers to "this subsection" and is contained in subsection (h)(1). The meaning is clear. It relates to the subsection in which it occurs; that is, subsection (h)(1).

Mr. HICKENLOOPER. Of course, that is the question. Does it refer to it? It says "This subsection (l)".

Mr. ELLENDER. It refers to "this subsection," and it occurs in subsection (h)(1). There is no subsection (l) so it cannot possibly refer to any subsection other than subsection (h)(1). We have made a very clear legislative history on this. The typographical error was discovered and cleared up in the report. If the Senator will refer to page 17 of the report, it is stated there:

> In H.R. 4997, page 8, line 23, there is a reference to "this subsection (l)(1)." This reference is incorrect. The reference should be to "this subsection (h)(1)." However, no amendment is necessary, since there is no subsection (l) in section 16 of the Soil Conservation and Domestic Allotment Act and since the phrasing of the sentence—specifically the words "this subsection"—as well as the context of the sentence in subsection (h)(1), make it clear that the reference could only be to "subsection (h)(1)".

Mr. HICKENLOOPER. Of course, if it were an appropriation bill and it read "$528.62," and it was said that what was meant was "$528.70," I do not think a committee explanation, after the bill had passed the House of Representatives and after it had been through committee in the Senate, that that was not what was meant, but that something else was meant, in spite of what the bill said, would be a valid explanation.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ROBERTSON. Some years ago the Senator from Virginia took part in a celebration at Cape Henry celebrating the landing of the settlers there. Incidentally, they got there 4 years before they did at Plymouth Rock, but that is aside from the point. I was speaking to the Episcopal bishop, Dr. Brown, when up came a gentleman who said, "I am the British consul at Norfolk—my name is Philips—Philips with one 'L.'" When he left, the bishop said to me: "Somebody knocked the 'L' out of his name."

Does the distinguished Senator from Iowa desire to knock the "L" out of the subsection, or out of the entire bill?

Mr. HICKENLOOPER. I will take either one of the postulates which the Senator has stated, or both, and combine them, and I will approve of either of them.

As I said a moment ago, I do not believe the staff of the Commitee on Agriculture and Forestry, much as I respect them and their ability, can amend a bill which the House sends to the Senate. I do not believe they have the legal authority to say what the House meant in a bill when it came over to the Senate. What they have done in effect is to say, "Regardless of what the bill says, even though the bill says subsection (l)(1), that is not what the House meant; the House meant subsection (h)(1); so we will write it in the report, and away we go. We will have no trouble with it."

Legally that does not "wash" at all.

Mr. DIRKSEN. Mr. President, I should like to address a parliamentary inquiry to the Chair, and I should like to have the attention of the Parliamentarian. Can the Presiding Officer of the Senate sign a bill unless it has been carefully examined and is accurately enrolled?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that in the case of a Senate bill, the Presiding Officer signs the bill after the attestation of the Secretary of the Senate; and in the case of a House bill, after the attestation of the House Committee on Administration.

Mr. DIRKSEN. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. I believe it is a parliamentary inquiry to ask whether the paragraphing and numbering of the instant bill are correct.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the print of the Senate bill is identical with the bill that passed the House of Representatives.

Mr. DIRKSEN. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. In view of the colloquy as to whether or not the numbering is correct in its reference, and that judicial notice has been taken of that fact in the committee report accompanying the bill, how can it be signed by the Presiding Officer of the Senate unless that correction is made or the reference is a proper one?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the bill must first be signed by the Speaker of the House of Representatives before it can be signed by the Vice President.

Mr. DIRKSEN. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Inasmuch as the House has adjourned, and insofar as I know, the Speaker was not accorded authority to sign a bill during the recess, and the bill requires correction, can the correction be made other than by a concurrent resolution of both Houses?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that each House can authorize, by unanimous consent, its Presiding Officer to sign a bill during adjournment.

Mr. DIRKSEN. When unanimous-consent request is not given, then what?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that without a unanimous-consent agreement neither the Speaker nor the Vice President has authority to sign a bill during adjournment.

Mr. DIRKSEN. There is a palpable inaccuracy in the bill. That fact is recognized and confessed in the committee report. How can the bill leave the Senate and how can it be signed by the Presiding Officer of the Senate when under the rule he is dutybound to examine the language and everything else in connection with a bill to see that it is accurately enrolled?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that in this case the bill must first be signed by the Speaker of the House, and when it is brought over to the Senate the Vice President will not go behind the attestations of the Committee on House Administration or the Speaker of the House of Representatives.

Mr. DIRKSEN. One further inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. The Senate now having taken judicial notice of the fact that there is an inaccurate reference in the bill, how can the Senate allow the bill to pass beyond its control without first making that correction either by amendment or by concurrent resolution?

The PRESIDING OFFICER. Will the Senator from Illinois restate his parliamentary inquiry?

Mr. DIRKSEN. Let me ask an anterior question. I should like to get a ruling on whether or not a reference in the bill is accurate. I believe that is a proper subject on which the Chair can rule.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the usual procedure of correcting a mistake in a bill, after it has passed both Houses is by concurrent resolution, originating in the House of Representatives in this case.

Mr. DIRKSEN. Insofar as I am familiar with the precedents, the route of a concurrent resolution is not followed unless the mistake is discovered after it has gone through the legislative process. Once the mistake has been discovered later, then, of course, it can be corrected only by concurrent resolution.

However, it is evident that there is a misnumbering in the bill; that it is inaccurate; that the Senate is now on judicial notice that there is an inaccuracy in the bill; and that the proper procedure would be to correct it before the Senate loses control of the bill or before it is signed; and that can be done only by amendment.

The PRESIDING OFFICER. The Chair does not propose to rule on the question of whether or not a bill is accurate or inaccurate. That is up to the Senate.

Mr. HICKENLOOPER. Mr. President, as I see it, the question of the House bill, or whether the Speaker has signed it, is more or less a moot question. We have before us a series of legislative proposals which we call a bill. It happens to have a House number on it. It happens to have House language in it. We are considering language. We are considering legislation. We are not necessarily, except in form, considering a House bill, although it happens to be a House bill the Senate is considering. We are considering proposed legislation. As it now stands, there is a manifest mistake or irregularity in the bill we are being asked to pass. We are on notice. What is our obligation? There is agreement on both sides of the aisle, for the first time in the whole discussion, that there is a mistake; that something is wrong. What is our obligation? Is not our obligation to correct the mistake? Our means of doing so is to amend the language that is before us, the language that was reported by the Committee on Agriculture and Forestry, and to put the proper reference in the bill, because everyone agrees to what the proper reference is.

I think the only practical, responsible procedure open to us is to do the simple act of amending the language and putting the proper letter within the parenthesis, so that the reference will be to the proper subsection.

It would be vain and indefensible to go ahead and act on the proposed legislation, saying, as has been said on both sides of the aisle, "Yes it is wrong; it is incorrect; we see the mistake; we know it is a mistake; but we are going to pass the bill anyhow," when all we have to do is merely to amend the bill and insert the letter "h" which, it is admitted, ought to be in the bill. That is what we believe is the meaning. We have the power to take such action. We have the bill in our hands.

Mr. AIKEN. I should like to have an opinion from the Chair. The Chair has stated that if the Senate passes the bill, knowing that the bill is incorrectly written at the time it is passed, the bill can later be corrected by means of a concurrent resolution. I wish the Chair would state what recourse the Senate may have toward correcting an incorrectly written bill before it passes. Is there no way in which such a correction could be made before the Senate acts on the bill itself?

Mr. MANSFIELD. Mr. President, may I be heard on that question?

The PRESIDING OFFICER. The Chair recognizes the Senator from Montana.

Mr. MANSFIELD. I believe the Senator from Vermont has anticipated what the Senator from Iowa was about to propose, or what he has had in mind proposing since he obtained the floor on this question.

Mr. HICKENLOOPER. Yes.

Mr. MANSFIELD. I think the only thing to do, as the Chair has stated quite correctly, is to permit the Senator from Iowa to offer his amendment. The minority leader has suggested the same procedure. We have the viewpoint of the chairman of the committee. We have before us the language in the report. Why not have the amendment offered and let the Senate vote?

Mr. AIKEN. I was about to ask for a ruling of the Chair as to whether the method proposed by the Senator from Iowa is the proper method to correct a mistake in a bill before the bill is acted upon.

The PRESIDING OFFICER. Will the Senator from Vermont please restate his parliamentary inquiry?

Mr. AIKEN. I have asked the Chair to rule on whether the proposal of the Senator from Iowa to amend the bill is the proper method to use in correcting what is an obvious mistake in the bill.

The PRESIDING OFFICER. The Chair rules that the bill is open to amendment. If the Senator from Iowa chooses to offer an amendment, that is his privilege.

Mr. BENNETT. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I should first like to offer an amendment; then there will be time in which to discuss it.

Mr. BENNETT. I should like to propound a parliamentary inquiry.

Mr. HICKENLOOPER. I yield for that purpose.

Mr. BENNETT. Mr. President, as I understood the earlier ruling by the Chair, on the advice of the Parliamentarian, it was that the Presiding Officer could sign the bill only upon the attestation of the Secretary of the Senate.

The PRESIDING OFFICER. The Chair stated that the Secretary of the Senate attests the correct enrollment of Senate bills only. In the case of House bills it is done by the Committee on House Administration of the House of Representatives.

Mr. BENNETT. Can the Secretary of the Senate give an attestation that the bill is accurate in face of the obvious knowledge that without an amendment it is not?

The PRESIDING OFFICER. If the Senate passes the bill without amendment, the Secretary so notifies the House. It is then enrolled by the House Administration Committee and attested as to its correct enrollment. The Secretary of the Senate makes no attestation of the accuracy of House bills. He acts only in the case of the Senate bills.

Mr. HICKENLOOPER. Mr. President, in view of the discussion and the manifest knowledge and understanding on both sides of the aisle that the bill is incorrect in its meaning with the letter "l" within the parentheses in line 23, page 8, and that the letter "h" should be within the parentheses, and in view of the fact that there is no dispute that the bill in its present form is manifestly, on its face, incorrect, I ask unanimous consent that the letter "l" in the parentheses in line 23, page 8, be stricken, and that, in substitution therefor, the appropriate and correct letter "h" be placed within the parentheses.

Mr. MANSFIELD. I object.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. I object.

The PRESIDING OFFICER. The Chair hears objection.

Mr. HICKENLOOPER. Mr. President, I am forced to offer an amendment to that effect. I do not have it written, but I will prepare such an amendment and send it to the desk.

Mr. MANSFIELD. Mr. President, I think the amendment is clearly understood. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. LONG of Louisiana. I understand what the Senator is seeking to do. I am one of many Democrats who have been persuaded by my colleague from Louisiana [Mr. ELLENDER] that the bill should not be amended; that it should be passed notwithstanding the typographical error. I hope the Senator from Iowa will not persist in offering the amendment, because I very much fear that he will succeed in establishing the fact that, at least in this instance, he does not have the influence to change a typographical error. I think it would be wiser merely to have the Senate recognize that there is a typographical error in the bill.

I believe the bill should be passed and not be sent back to the House. I have been persuaded to that viewpoint. I believe that will be the result of the offering of the Senator's amendment.

Mr. HICKENLOOPER. Mr. President, I may not have sufficient influence to have a typographical error changed. I have had that demonstrated in the last 2 years. But I intend to find out whether the Senate has the courage to change a manifest mistake in a bill, which it is our sworn duty to do when a mistake is called to our attention. Let us see where the fault lies. Let us see whether we will supinely take political orders and pass a bill containing an error, when it is agreed that the bill contains a mistake, a wrong reference.

Mr. LONG of Louisiana. Mr. President, I do not wish to suggest that the Senator from Iowa lacks courage or influence, or anything else. He is an effective Member of this body. I admire and respect him. I would not want him to gain the impression that if he failed to have his amendment carry, he would not prevail in almost any other circumstance which he sought to explain.

In my judgment, it is not wise to offer an amendment in this instance. I have voted for a great many bills which contained typographical errors. As a matter of fact, in my State the law permits the legislature to correct an error in a bill after its passage when the legislative intent is clear. If the Senator from Iowa persists in offering his amendment, I shall vote against it.

Mr. DIRKSEN. Mr. President, we cannot lightly gloss over errors in bills. I recall that some years ago, in a tariff bill, a comma was omitted between the word "fruit" and the word "trees," so that the tariff bill read "fruit trees." As a result, there was a substantial loss in revenue.

It might very well be argued that we cannot have a comma changed; that we do not have influence in a body having a 2-to-1 majority against us; that because there are 67 Members on the other side of the aisle, the minority can be cut down whenever the majority wishes to do so. But that does not establish the rightness of the position which the majority takes. If the mistake is perpetuated, there will be litigation over the interpretation of the language before we are through.

There are many lawyers in this body. They know what it means to be correct; and the Senate ought to be correct.

Many Members of the Senate are lawyers; they know the importance of having the law correct; and it should be correct.

Mr. LONG of Louisiana. Mr. President——

Mr. MANSFIELD. Mr. President, who is in control of the time?

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, the Senator has yielded 2 minutes to me.

The PRESIDING OFFICER. The Senator from Louisiana was recognized for 2 minutes.

Mr. LONG of Louisiana. Mr. President, let me say to the distinguished minority leader that although I am not the most experienced Member of the Senate, I was a minute clerk of the State legislature before I attained the age of majority, and I am somewhat experienced with typographical errors. Furthermore, I am a lawyer; and, as a lawyer, I do not think it makes two whoops of difference whether the letter "l" or the letter "h" is used at this point in the bill.

I am reminded of a time when the late Senator Bob Kerr had introduced his first great legislative proposal. He wanted to have Congress pass a bill dealing with the Arkansas River, the Red River, and the White River. The bill subsequently became law. But after he had introduced the bill, he invited some of us to meet with him in the Vandenberg Room. There he gave us some wonderful Oklahoma steaks. After luncheon was over, he said, "Fellows, what do you think of my bill? Do you feel like sponsoring it?"

There was an awkward silence. Then the late Senator Forrest Donnell said, "Bob, don't you think the comma in line 2, on page 2, should be changed to a semicolon?"

Mr. President, I say it will make no difference whether the change now proposed is made or is not made, whereas if any change is made in the bill now, the result may be great delay.

Therefore, I am prepared to vote now on the bill, without the amendment; and I hope other Senators will do likewise.

Mr. COOPER. Mr. President, will the Senator from Iowa yield to me?

Mr. HICKENLOOPER. I yield.

Mr. COOPER. First, let me say that I voted for the bill in the committee, and I expect to vote for it on the floor of the Senate.

However, I point out that a question similar to the question raised by the Senator from Iowa was raised last year. It will be recalled that there was an error in the accelerated public works bill. That case was quite similar to this one. The House had made an error, and it was continued by the Senate committee; the bill came before the Senate with the error in it. At that time, I offered a corrective amendment; but after several hours of debate my amendment was rejected.

On that occasion I had consulted with the Parliamentarian and with other Senators, and I was informed by all of them—and I believe this statement should be made for the record, regardless of the decision the Senate makes on this amendment—that the proper thing to do was to adopt the amendment, because although it might not mean a great deal in the case of a particular bill, and the validity of the bill might never be questioned or contested because of the error, yet correction of the error was the proper procedure.

Furthermore, I was advised that it would be a bad precedent for the Senate to pass a bill knowing that the bill was incorrect in any respect. I recall that on that occasion, I was opposed by the sponsor of the bill—a Senator whom we loved very much, the late Senator Kerr—who argued that it was necessary that the bill be passed then, because otherwise it might never be passed. I mention this merely because I remember that the same issue came before the Senate last year.

It was generally admitted that it would be a bad precedent, and that it should never occur again. But now we are faced with the same question.

I shall vote for the amendment.

Mr. GOLDWATER. Mr. President, will the Senator from Iowa yield for a question?

Mr. HICKENLOOPER. I yield.

Mr. GOLDWATER. I wish to have a better understanding of the amendment. Do I correctly understand that as the bill came from the House, it did not correctly contain the letter "l"?

Mr. HICKENLOOPER. It did contain it, but there is no subsection "(l)" in either the bill as it came from the House or the bill now before the Senate. There is no subsection (l). One can interpolate or explain, "Oh, well, that is a mistake; it really means something else." But we are dealing with law, not with what someone says it should mean. When we enact a statute, it should be correct, at least in its verbiage, and especially when we are now put on notice that it is now incorrect.

Mr. GOLDWATER. What would be the legal effect of changing the "l" to "h"?

Mr. HICKENLOOPER. It would make the provision applicable.

Mr. GOLDWATER. Would it make any difference in the meaning of the bill?

Mr. HICKENLOOPER. It would make some difference in the meaning of the bill, because "l" is inapplicable now; there is no subsection (l). We are not working on the House bill, except technically. We are working on verbiage which is identical with that of the House bill, and it carries the number of the House bill; but what the House has done or has not done up to now makes little difference. The Senate is working on the language which is now before it.

Mr. GOLDWATER. Mr. President, if the Senator from Iowa will yield further, I should like to ask the chairman of the committee to explain his objection to the proposed change.

Mr. ELLENDER. It would not add anything to the bill, for the simple reason that there is not any chance that the present language of the bill can be misunderstood. While it refers to "this subsection (l) (1)" and there is no subsection (l), it occurs in subsection (h) (1), so that the language "this subsection" clearly refers to subsection (h) (1) and to no other subsection. In addition it is thoroughly explained in the report. So it makes no difference.

The Senator from Arizona is a good lawyer——

Mr. GOLDWATER. No, Mr. President; I am not a lawyer at all.

Mr. ELLENDER. I thought the Senator from Arizona was a lawyer. At any rate, we are referring to the subsection labeled (h)(1); and regardless of whether it is called "a," "b," "c," or "d," the subsection to which we have reference is the one in which this appears, and legally it makes no difference.

Mr. GOLDWATER. I should like to correct a misconception on the part of the Senator from Louisiana. I am not a lawyer, and that is why I am very naive in connection with such matters. On the other hand, I do hire lawyers; and one thing which I always like about lawyers is that they tell me the law is correct. Yet I understand that in this case we are asked to pass a bill which we are told is not correct.

The Senator from Louisiana is a lawyer. If he were engaged in private practice, could he easily interpret the correct meaning of this part of the bill?

Mr. ELLENDER. Yes. Regardless of whether it is labeled "a," "b," "c," or "d," we are referring to this particular subsection on page 8, in line 23; and it cannot mean any other subsection.

Mr. GOLDWATER. I suggest that the Senator consider the plight of the farmer who has had no legal training, and merely uses his common horsesense. Will he not be in difficulty when he reads the bill, and then says, "It refers to (l)(1), but there is no (l)."

Mr. ELLENDER. But there would be no question in anyone's mind as to what "this subsection" means when it appears in subsection (h)(1).

Mr. GOLDWATER. Can the Senator from Louisiana explain to me how such a citizen of the United States could, in his uninformed way, know what to refer to, when he looked around for "l," and found that there was no "l"? When he looks for "l," and finds that there is no "l," what will he do? I should like to have an answer to that question. What would the Senator from Louisiana advise?

Mr. ELLENDER. Even if the Senator from Arizona is not a lawyer, he has good, old-fashioned commonsense.

Mr. GOLDWATER. I like to think that I do.

Mr. ELLENDER. And I am sure that if he will read the subsection, he will see that there can be no doubt but that what is referred to is the subsection in question.

Mr. HOLLAND. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. Mr. President, I shall be glad to yield; but my time is rapidly being taken from me, and I do not know what the situation is.

Mr. GOLDWATER. Mr. President, I cannot understand the reasoning of the Senator from Louisiana [Mr. ELLENDER]. I am thinking of a farmer in Thibodaux, La., who lives 70 miles from New Orleans, and does not have access to a legal mind. When he reads in this measure the words "Notwithstanding any other provision of this subsection (l)(1)," and he asks, "Where is subsection (l)?" And when he looks all over "l" for it, what is he to do? To me, as I view this matter as best I can on the basis of my common horsesense, that situation would seem to be ridiculous. I believe it is ridiculous for this body to pass a bill that is so patently bad.

Mr. HICKENLOOPER. If the Senator will permit me, I suggest that he turn to page 9 of the bill, which the Senator from South Dakota [Mr. MUNDT] called to my attention a moment ago. He will there find, in lines 13 and 14 of that section, the same general language with merely a slight difference. On page 9, beginning with line 13, the language appears:

> Notwithstanding any other provision of this subsection (h)(1)—

On page 8 the language appears:

> Notwithstanding any other provision of this section (l)(1).

I ask the Senator whether, on page 9, "h" means "l," or on page 8 "l" means "h"?

Mr. ELLENDER. It does. It refers to the same subsection.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

LEAVE OF ABSENCE

Mr. HOLLAND. I ask unanimous consent that, notwithstanding the argument as to where "l" is, I may be excused from attendance upon the Senate until Monday.

The PRESIDING OFFICER. Without objection, the Senator is excused as requested.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I am about to yield the floor temporarily and reserve the remainder of my time.

Mr. MANSFIELD. I express the hope that the Senate may soon reach a vote on the amendment. The issue is quite clear. Both "h" and "l" in themselves represent surplusage. I have an idea—and I daresay that no Member of this body will doubt the statement I am about to make—that the purpose of the amendment is to knock "l" out of the bill.

Mr. HICKENLOOPER. In that case the Senator from Montana joins the Senator from Virginia in his interest in that particular result of the action. I think there may be something to it. The point involved is that we are on notice that the reference is incorrect, there is no such subsection in the bill.

The question is whether it is our responsibility to correct it. I submit that it is a poor excuse that someone at the other end of the avenue has sent word that the bill must be passed without any amendments whatsoever. That suggestion raises the question as to whether this body has abrogated its legislative responsibility, its duties, and even its judgment in refusing to correct a manifest irregularity in a measure that we must pass, and which effects the country. That is the whole issue. It is wrong. It is not correct.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. ELLENDER. Mr. President, I yield back the remainder of my time.

Mr. HICKENLOOPER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Iowa. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON (when his name was called). On this vote I have a pair with the senior Senator from Oregon [Mr. MORSE]. If he were present he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Florida [Mr. HOLLAND], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I also announce that the Senator from Maine [Mr. MUSKIE] is absent due to illness.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. CANNON], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Maine [Mr. MUSKIE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Utah would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from New Jersey [Mr. CASE] are necessarily absent.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Utah would vote "nay."

The result was announced—yeas 34, nays 48, as follows:

[No. 88 Leg.]

YEAS—34

Aiken
Beall
Bennett
Boggs
Brewster
Carlson
Cooper
Cotton
Curtis

Dirksen
Dominick
Fong
Goldwater
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating

Kuchel
Lausche
Mechem
Miller
Morton
Mundt
Pearson
Prouty
Robertson

Saltonstall
Scott
Simpson
Smith
Thurmond
Tower
Williams, Del.

NAYS—48

Bayh
Bible
Burdick
Byrd, W. Va.
Church
Clark
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Gore
Hill
Humphrey
Inouye

Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf

Monroney
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—18

Allott
Anderson
Bartlett
Byrd, Va.
Cannon
Case

Dodd
Fulbright
Gruening
Hart
Hartke
Hayden

Holland
Morse
Moss
Muskie
Russell
Smathers

So Mr. Hickenlooper's amendment was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. ELLENDER. Mr. President, on this vote I had a live pair with the senior Senator from Florida [Mr. Holland]; however, inasmuch as he would vote on this measure as I would, I voted "nay."

Mr. HICKENLOOPER. Mr. President, at long last, after 2 days of attempting to point out the frailties, irregularities, and bad provisions of the bill, the climax of this experience has now been reached when I agree with the junior Senator from Louisiana [Mr. Long] that I do not have sufficient influence to have a manifest error in the bill corrected by the Senate. I am now willing to admit that that is true. The Senate has failed and refused to correct a mistake and an erroneous reference in the bill. I confess my inability to have that done.

Nevertheless, Mr. President, being constantly an optimist, I call up my amendments No. 84 and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated for the information of the Senate.

The Legislative Clerk. On page 2, line 6, it is proposed to strike out "and the 1965 crop".

On page 2, lines 14 and 15, it is proposed to strike out "or the 1965 crop".

On page 5, line 7, it is proposed to strike out "and the 1965 crop".

On page 6, line 25, it is proposed to strike out ", and in" and on page 7, lines 1 and 2, it is proposed to strike out "the case of payments with respect to the 1965 crop shall be the five-year period 1959–1963)".

On page 9, line 9, it is proposed to strike out "or 1965".

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays on the amendments.

The yeas and nays were ordered.

Mr. HICKENLOOPER. Mr. President, I yield 1 minute to the distinguished junior Senator from New York [Mr. Keating].

The PRESIDING OFFICER. The Senator from New York is recognized.

RESCINDING OF ORDER TRANSFERRING NEW YORK INTERNAL REVENUE OFFICE TO BOSTON

Mr. KEATING. Mr. President, I know it will prove a great source of satisfaction to the Senate to know that this afternoon Secretary Dillon has announced his decision to rescind that portion of the Internal Revenue Service reorganization plan that would have transferred the New York City regional office of the Service from New York City to Boston. I want to express publicly my gratitude to the Secretary.

According to the Secretary, the regional office will be left in fact right here where it is—and right where it belongs—in New York City.

Mr. President, I opposed this ill-advised move from the start. My distinguished colleague from New York [Mr. Javits] also was his usual vigorous self in exposing the obvious defects in the reasoning on which the plan was based. I know, too, that many, many Senators, even from distant regions of the country, felt instinctively that the move was wrong and would have supported the Senators from New York in any legislative action designed to cancel this transfer. So I am extremely gratified that Secretary Dillon has seen fit to accord our arguments every possible consideration and his mature deliberation and acted accordingly this afternoon.

Mr. President, I believe the Secretary by his action has recognized, as I am sure he always has, the diligent, hardworking efforts of the fine officers and employees we have in the New York City regional office, and that it would have been a grievous mistake to reward these people for their past successes by disrupting their entire operation. I am convinced that the confidence in these people that has been shown by the Secretary's action will be vindicated time and time again in the efficient and just administration of the internal revenue laws in New York State. And in behalf of every taxpayer in New York, who, I am sure, feel that the Internal Revenue Service is a real service organization in New York and not just another run-of-the-mine Government bureau, I wish to express my personal gratitude to the Secretary for what I consider a wise and beneficial decision.

I also want, Mr. President, to express my deepest gratitude to the Senator from Virginia [Mr. Byrd] and the members of our Committee on Finance for their kind cooperation in holding the hearings on this proposal that resulted in exposure of the economics of the situation that were so favorable to retention of the office in New York. The committee, in my judgment, has performed a vital public service in this regard.

Finally, Mr. President, but not least, the action of the Secretary this afternoon demonstrates the effectiveness of the voice of the citizen under our form of government. We who were opposed to this step were aided immeasurably all along the way by the intelligent analyses of the reorganization plan both by organized groups and single individuals. Their participation in our common efforts, I am sure, produced a result which might well have not obtained otherwise.

Again, Mr. President, for myself, I say I am very happy to hear of this afternoon's announcement.

Mr. HICKENLOOPER. Mr. President, I yield 1 minute to the Senator from New York, or such time as he may need.

Mr. JAVITS. Mr. President, it is a happy day for the United States when a high official of the Government, notwithstanding the feeling in his own department, is persuaded by the protests of the people. That is what has taken place in the matter of the move of the regional office from New York to Boston, now happily canceled. It is also a tribute to the citizens. A great many citizens, lawyers, accountants, and so forth, would not take the decision lying down. They fought the decision, obtained the aid of lawyers, and developed factual analyses showing why it was a very wrong thing. This action is a tribute to them.

I join my colleague [Mr. Keating] in complimenting Secretary of the Treasury Dillon, who made the decision. I think this action demonstrates that we are still a government under which the people's voice can be, and is, heard when it is implemented. I am happy, in the interest of our governmental processes and in the interest of the people of New York, that this result has been achieved.

I thank the Senator for yielding.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield half a minute or a minute to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I should like to inquire from one of the distinguished Senators from New York whether the good news includes the order which denuded the regional facilities from New Hampshire and Vermont and moved them into Boston.

Mr. KEATING. The facts with respect to the denuding of the facilities for New Hampshire and other areas have not come to my attention. The announcement of Representative Celler was to the effect that this was the only change made. I have not had anything direct yet from the Secretary.

Mr. COTTON. I thank the Senator. Perhaps they did include us in the amnesty. If they did not, I would say the remarks of my distinguished friend from New York would indicate that only the people in the big States prevail.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. JAVITS. I think the Senator should check on that matter. I do not have precise information, but I understand the decision represents quite a reevaluation by Secretary Dillon of all these moves. The Senator from New Hampshire may find his trouble has been alleviated.

Mr. COTTON. I would like to do some checking, but I find when some of us check we do not have the courtesy of notification unless we happen to be basking in the sunshine of the mighty States.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield briefly to the Senator from Nebraska.

Mr. CURTIS. Mr. President, does the Senator from New York know anything about the situation with respect to the regional office in Omaha?

Mr. JAVITS. I do not know. I understand the Secretary has reevaluated the whole reorganization plan. Individual Senators should make their own inquiries. I think it will be found that the reevaluation is rather widespread, and does not affect only New York.

Mr. CURTIS. I wish to inform the Senator that I called the Secretary's office and talked with Mr. Turpin. I asked him that question. He said he did not know and would call me back. A few minutes later he called back and said the Secretary was handling it himself, and he had gone off to New York or New Jersey.

Mr. JAVITS. I think he himself would know by now.

Mr. CURTIS. No. This happened within 20 minutes. I was hoping that some Senators who have pipelines to these mysterious places would inform me.

Mr. HICKENLOOPER. Mr. President, I suggest that the Senator went to the wrong channel. He should have called the Chairman of the Democratic National Committee to find out.

Mr. CURTIS. The question of regional offices of the Internal Revenue Service is rather important. When the tax scandals in the previous Democratic administration occurred, one of the problems was that there was no control over the district offices; if there was laxity or incompetence or dishonesty in a particular place, it was not reached by Washington. Seventeen regional offices were established. They became unwieldy. After trial and error, the number was reduced to nine. Two or three years ago the firm of McKenzie, one of the best business management organizations, studied the question. It made a report that the number should be continued at nine, with no change.

When the present administration came into office, it had the Smith Commission—Mr. Smith was an Assistant Commissioner of Internal Revenue—make a study to recommend certain changes. The commission made a study, but did not mention Omaha. When the announcement was made, so did Omaha, but I cannot find out anything about it now.

Mr. HICKENLOOPER. Mr. President, my time is running down.

Mr. KEATING. I ask the Senator to give him only another half-minute.

Mr. CURTIS. They are willing to take our taxes, but not to give us the courtesy of information which is given to other Members of this body.

Mr. KEATING. I do not think the occasion should pass—and I do not think my colleague would want it to—without expressing appreciation to the Senator from Nebraska for propounding some questions on our behalf which were helpful in bringing about this result.

Mr. CURTIS. I do not think it had anything to do with it. I think it goes into the hopper and they count the votes.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. Mr. President, this is a very delightful discussion, and I know it is of interest to Members of the Senate, but I have only a half hour on my amendment.

Mr. CURTIS. This discussion has as much to do with the result as a discussion of the amendment will, because it will be rejected.

Mr. HICKENLOOPER. The Senator means the result will be the same.

Mr. SALTONSTALL. Mr. President, will the Senator yield for 10 seconds?

Mr. HICKENLOOPER. I yield.

Mr. SALTONSTALL. I congratulate the Senators from New York for being so influential as to prevent a justifiable move to Boston.

Mr. HICKENLOOPER. Mr. President, I yield 30 seconds to the Senator from California [Mr. KUCHEL].

"FAITH 7" ALL AMERICAN ACHIEVEMENT

Mr. KUCHEL. Mr. President, *Faith 7* swings overhead toward its 22-orbit goal, all systems go.

Only one courageous young man, Maj. L. Gordon Cooper, is in the Mercury spacecraft, but the hearts and prayers of all Americans ride with him.

For the flight of *Faith 7* is truly an all-American adventure. The work and faith that put Major Cooper into orbit is shared proudly by Americans from all of our 50 States.

The physical power to attain a speed and altitude for 22 and even more orbits for *Faith 7* has been available from the roaring engines of the Atlas space launch vehicle. Major Cooper's orbit, indeed, has been so flawless that he could go on, I am told, for more than 90 journeys around the earth.

As Major Cooper orbits above us, it seems like much, much longer than little more than a mere year ago that the achievement of just three orbits with the Mercury-Atlas system seemed a touch-and-go matter.

Nowhere in our Nation are Americans any prouder of the flight of *Faith 7* than in California. For the Atlas is a product in the main, of my State—the product of more than 15 years of sweat and strain at General Dynamics/Astronautics. Its powerful Rocketdyne engines were built by North American Aviation, also of California.

All Americans today salute Major Cooper and the dedicated team that has provided maturity and sophistication to America's man-in-space program.

In turn, we are deeply proud, also, of the men and women at General Dynamics and North American Aviation who have provided the support and thrust for *Faith 7*.

SENATOR DODD'S CHAIRMANSHIP OF THE SENATE SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY

Mr. KEFAUVER. Mr. President, today I should like to say a few words of praise about the work and the many accomplishments of my distinguished friend and colleague Senator THOMAS DODD, of Connecticut. During his career in public service in the field of law and in politics, TOM DODD has acquired stature as a jurist, as a legislator, and as a statesman.

From his early work as special agent of the FBI, as assistant to the Attorney General of the United States, as Executive Trial Counsel at the Nuremburg Trials of Nazi War Criminals, and later as a member of the Foreign Relations Committee, the Judiciary Committee, the Committee on Aeronautical and Space Sciences, and as acting chairman of the Internal Security Subcommittee, Senator DODD has worked with dedication and with deep conviction, both for the improvement of internal security and the external defense and protection of the United States.

I have no doubt that the efforts he has put forth in all these fields, and his outstanding service to the State of Connecticut have earned TOM DODD an honored place in the ranks of the most highly respected statesmen of our times.

However, today I want to give recognition to the equally important work he is doing in serving the youth of this country as chairman of the Judiciary Subcommittee To Investigate Juvenile Delinquency. I should like to remark on this work particularly because only last Tuesday TOM DODD was given a special award for his outstanding leadership from one of the great youth groups in this country, the Catholic Youth Organization of America.

I want to take this opportunity to give added recognition to the work Senator DODD has done for the welfare of the young people of this Nation, over and above his services to the State of Connecticut, and over and above his leadership in other phases of political life in the national and international sphere.

Today there is perhaps no graver social problem with which we must deal than the menace of juvenile delinquency and youth crime. This is a problem that involves many complex conditions; it is a problem that with increasing frequency is brought to the attention of the Federal Government and the State legislatures for control and solution. This is a social disease that has permeated every segment of the population and every geographic area in the United States. And it is a problem that has challenged the best scientific minds and the highest governmental levels in the Nation.

Tom Dodd accepted this challenge when he took over the chairmanship of the Juvenile Delinquency Subcommittee 3 years ago. As a member and former chairman of that committee, I have followed closely the assiduous program and schedule of hearings, investigations and studies that Senator Dodd has carried on with his usual persistence and unrelenting effort to get at the truth, to get at the basis of the issues with the aim of finding a reasonable solution.

The entire area of juvenile delinquency and youthful criminality presents a picture of baffling proportions. It requires new answers to age-old questions, questions that have defied attempts to settle them, and it presents a host of perplexing social conditions that are most difficult to solve.

Upon assuming the chairmanship of the subcommittee, Senator Dodd called together judges, governmental officials and correctional experts from all over the country, to establish the role the Federal Government should play in the prevention and control of crime in the Nation. These hearings led to legislative proposals of far-reaching scope and significance. Senator Dodd was one of the Senate's leading advocates for the passage of legislation to assist States, localities, and nonprofit organizations in training delinquency control personnel and in setting up demonstration projects testing new methods of delinquency prevention. This bill was signed into law by the President in the summer of 1961. Today some 16 localities throughout the country are engaged in federally supported research designed to help solve youth crime in many towns, suburbs, and city areas blighted by lawlessness and criminality.

Since I became a member of this subcommittee in 1953, there has been one question constantly asked by teachers, by parents and by private citizens all over the land. The question I refer to is, "What effect does the modern mass medium of television have on the growing delinquency rates?" Indeed, this is a question to which no definite answers are available even from the most outstanding scientists in the land.

It is a problem often brushed aside and evaded because of its controversial qualities.

And yet, one of the first things Senator Dodd did was to order a thorough study of this issue. He has held numerous hearings, and interrogated scores of witnesses. If he has not gotten the final answers he has at any rate gotten the best answers, based on the best information that is available today. And he is prepared to take whatever further steps will appear necessary to rid the Nation's television screens of excessive violence and crime, which many experts tell us causes certain juveniles to commit antisocial behavior.

Another problem involving deep controversy between Government authorities and experts in various scientific fields is the handling of narcotic addicts. Senator Dodd's committee has conducted hearings concerning the use of narcotics and other dangerous drugs by young people in the high addiction centers in the United States. He has already introduced legislation to control the distribution and manufacture of these drugs, and to curtail the influx of narcotics and other drugs into this country from abroad. He was the first figure of national recognition to support a new experiment in the treatment of narcotics addiction called the Synanon Foundation. Today Synanon, formerly oppressed and mistrusted by State authorities and the public alike, has established new institutions for the treatment of addicts in San Diego, in Nevada, and one in the Senator's own State of Connecticut. Here as in other activities, Tom Dodd did not allow himself to be influenced by those prejudiced against this innovation nor was he affected by public outcries or pressures from any source. He stood his ground on the basis of his studies and his findings that here was perhaps for the first time an effective way to convert some of the unfortunate victims of the narcotic drugs to a constructive way of life.

During the past 2 years Senator Dodd has alerted the Nation to the mushrooming traffic in mail-order weapons to juveniles and young adult criminals. He has exposed this traffic in Los Angeles, Pittsburgh, and New York. His most startling findings, however, were right here in the Nation's Capital where as high as 80 percent of the recipients of guns in high crime areas were persons with long criminal records. His disclosures have resulted in temporarily stopping this practice and he is presently working on Federal legislation to permanently put an end to the indiscriminate sale of lethal weapons to juveniles and felons.

Again in March of 1961, Tom Dodd alerted the Nation to the dangerous conditions inflaming the crime and delinquency problem here in the District of Columbia. Senator Dodd pointed to the defective conditions in this city's schools, to the lack of personnel in other institutions, to the lack of opportunities for education and employment suffered by many of the citizens of Washington, and to the problems of racial prejudice and discrimination which have led to increased crime and even wide scale rioting such as we saw last Thanksgiving Day in the football stadium here in Washington. To avert greater unrest and to correct the inequities to which many Washingtonians are subjected, the Senator introduced earlier this year a bill proposing a Fair Employment Practices Commission for the District of Columbia. And to insure that young people in all American cities have an opportunity to enter constructive work lives, he cosponsored a bill to establish a Youth Conservation Corps, and youth employment programs for the entire Nation.

Under Tom Dodd's chairmanship, the Juvenile Delinquency Subcommittee has studied the evil effects of discrimination, of unemployment, of poverty and neglect that drive hundreds of thousands of young boys and girls to drop out of school, to commit crime, and to suffer failure during the most crucial years of their lives. These are years that should be the most hopeful, the most rewarding, and not as they are in many cases, only a prelude to empty lives, to early shattered dreams, to tragedy, to crime, and to years spent on penitentiaries and prisons.

These then are some of the problems that Tom Dodd has attempted to settle in his work as a legislator. They are problems far removed from many of the more fortunate members of our society. These are issues that have low priority among the projects for which we spend large amounts of money and on which we spend time and effort in many other ways.

The work that must be done to reduce delinquency is difficult and often thankless. It is work bogged down by controversies and pressures. It is work that seems to affect only a relatively small segment of the American people, a small portion of the youth—the portion we call hoodlums and juvenile gangsters.

These are youths who have no sympathy in the eyes of the general public and yet, these are two million young Americans who need help, who must be put back on the road they have lost, or perhaps never found. Tom Dodd has undertaken to help them, not for reward but because it is the right thing to do; because he knows that it is work for the benefit of the entire country, for his own State and for others. He knows it is work that will ultimately benefit both the rich and the poor, the criminal and the law abiding, the delinquent and the nondelinquent.

Only last week Tom Dodd was given the first John Augustus Award for distinguished service in the field of crime and delinquency control and prevention by the Massachusetts Probation Association.

Today I am happy to see that the Catholic Youth Organization has recognized the dedication and the service that Senator Dodd is performing for the young people of this Nation. I want to bring this occasion to the attention of the other Members of this legislative body, to the public at large, and I want to see it reflected in the Congressional Record.

In conclusion, Mr. President, I ask unanimous consent to insert into the Record the two speeches made by Senator Dodd on the occasions I have just referred to. This text amply portrays the vast knowledge and insight of the chairman of the Senate Subcommittee To Investigate Juvenile Delinquency, into not only the problems of our wayward youngsters, but of those who are trying to be good citizens.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Correction of Criminal Offenders: An Art and a Science—A Tribute to John Augustus and Other Probation Officers of Today

(By Senator Thomas J. Dodd, Democrat, of Connecticut)

Mr. Chairman, ladies and gentlemen, at the outset of my remarks, I would like to take a moment to pay my respects to my good friend, Judge John J. Connelly. He has been an outstanding leader in this field, an excellent judge and a source of inspiration to me. Over the years his advice and counsel have been invaluable in my work with the Juvenile Delinquency Subcommittee. I want to publicly thank him for making my work a little easier and a great deal more meaningful.

Next, I want to pay tribute to John Augustus, the "father of probation," who has brought all of us together on this occasion. Augustus was responsible for the enactment of the first probation law in the world 85 years ago, right here in Massachusetts. It was fitting and proper that this practice originated in the city where freedom, human rights and dignity are cherished so dearly—Boston.

This inspiration of John Augustus was a new, humane, yet at the same time, scientific method of dealing with the offender. This inspiration pointed the way for the entire United States. His idea spread to the other New England States, to the Nation as a whole, and finally to the civilized countries of the world.

I also want to pay tribute tonight to all the men and women in the probation service who have followed in his footsteps, who have added to the art and science of correctional practice, and who are bringing society closer to the solution of the menace of crime and delinquency.

They are a far cry from those who handled the offender in our early history. This was a time permeated with senseless brutality. We have experienced such savage societal revenge as flogging, mutilation, branding, and the stock and pillory.

Men were put to death for stealing a piece of bread, or for picking another's pockets, but even this drastic punishment for minor offenses did not deter others from breaking the law.

Another dark chapter in the history of penology saw prison ships lug men and women, and even children, across the ocean to distant lands, to colonies and to new continents far away from the so-called civilized world. This was also a futile solution to the crime problem.

Our first prisons in this country were built 150 years ago, and later our first reformatories. They became the public symbol of the acceptable manner in which to handle offenders. Yet, penologists, prison administrators and even judges consider this institution to be a long-since demonstrated failure.

Today we have jails and prisons, reformatories and houses of correction, but not all offenders are sent there. There is one major difference. Beginning with John Augustus in 1841 a new correctional philosophy was born. It was based on the discovery that penitentiaries did not make criminals into noncriminals, and that houses of correction did not correct. We were finding out at long last that some men could be better corrected if they were kept out of institutions altogether.

John Augustus took one of the first crucial steps in modern correctional practice when he began to bail out offenders before the Boston Criminal Court. Today probation is an established procedure, both on the State and on the Federal level. We may assume that John Augustus did not know much about psychiatry, psychology, and sociology. He practiced probation according to his pecular talents and his understanding of the problems of human beings.

Today we know that there is a scientific base for the practice of probation. The officers of today are being trained in the social sciences. They are trained in the art of casework. And these trained professional people are responsible, as some Federal studies show, for as high as 80 percent successful termination of probation.

The men and women of the probation field are doing a valuable job both materially, and more important, morally. The officers are saving thousands of offenders from an unnecessary confinement in the correctional institutions which even today rarely correct, and they are returning former criminal offenders to productive lives in the community. This is a moneysaving device; it is sound correctional procedure, and most important, it is the most humanitarian approach ever devised for handling the offender.

I have heard of many cases where, because we have the practice of probation, a young man was allowed to go to college rather than spending one or more of the crucially important years of his young life in a penal institution.

I have known of a case where a young man after a single offense was allowed to establish a family and obtain constructive employment under probation supervision.

I know of a case where a young man who received probation before conviction 5 years ago is, this year, graduating from college and looking forward to service as an officer in the Armed Forces.

I have heard of many such successful examples where both the society and the individual offender have benefited from the correctional practice begun by John Augustus over a century ago.

The same studies I referred to above note that relapses among parolees or those who have been confined in correctional institutions are considerably higher than the relapses into crime among those released on probation before confinement.

These studies indicate that we are on the right road, going in the right direction. These are indications that the trained men and women in the probation service have done a good job, that they have worked with dedication and courage. I might add that for this outstanding service to society they have not always received the recognition and the acknowledgement they certainly deserve.

The probation officer must possess some of the knowledge of the psychiatrist, the psychologist, the sociologist and the social worker. He must have the patience of a judge, and the skills of a policeman. He is, like his physician counterpart, on call 24 hours a day and he likewise feels the anguish when a patient relapses. He must be part lawyer, part private eye, and part public relations expert. He must be all of these things and more for about $5,700 a year.

And when one of his probationers commits a crime, he must bear the brunt of public wrath.

I believe this is because we have not educated the public to the facts of probation as John Augustus realized them many years ago. These facts are:

Probation, given the trained personnel and facilities, is the most outstanding tool ever developed for rehabilitating offenders.

Probation saves the Federal and State Governments millions of dollars a year which would otherwise be spent on prisons.

Probation prevents tens of thousands of first offenders and promising nonserious offenders from being exposed to training schools, penitentiaries and reformatories, which in all probability would have lost them to society forever.

Probation, more than any other correctional device, has completely thrown off the mantle of "punitive retribution" and stands as a monument to man's finest human instincts.

Aside from what I have just said, however, I must confess that probation has not been developed to its full potential. However effective probation may be, it is only one part of the whole correctional system. It depends primarily on three conditions: (1) The selection process; (2) the training, knowledge, and experience of the officer; and (3) the size of the caseload an officer is expected to handle.

We still lack precise knowledge regarding the phenomenon of crime. But more than that, we have failed to transfer what knowledge we do have into practical application. We have failed to give to the men and women in the probation service the psychological tools and the practical equipment they need to perform the art of probation counseling. The probation staffs in 90 percent of this Nation's probation departments have either inadequate training or no training at all. In addition, they are given excessively large caseloads, ranging from 60 to 160 individuals selected in a relatively unscientific hit-or-miss manner.

Above and beyond these conditions, probation often depends on the policies and beliefs and, I might add, the whims of judges, on the force of public opinion, and on the nature of the criminal laws. This means that the shortcomings in the entire correctional field affect any one of its parts.

John Augustus understood that all criminals are not inherently bad. He knew that some of them are weak, unfortunate, and disposed to returning to society as law-abiding citizens without the crushing experience of the reformatory and the prison. He proved that by giving them a place to stay, a job and some moral support, they can often be kept from further criminal behavior. We know today that men react to conditions around them in predeterminable ways. We are beginning to acquire insights into the mysteries of the human mind and we know that what in the past was called viciousness and hate of the world, are often ignorance and fear of the environment.

The libraries of behavioral sciences are bulging with volumes containing studies of human emotions, of human motivations and of interactions between men. What we now must do is transfer this knowledge to our correctional and rehabilitation programs, into practical application to concrete problems. We must transmit this knowledge in some usable form to 100 percent of the probation officers in the courts across the country rather than to just 10 percent.

I believe that this is one of the most important steps we must take to carry the correctional field forward. The social scientists of today possess knowledge regarding human behavior, which was unavailable at the time of John Augustus, and yet our correctional practice, with but few exceptions, has not progressed in kind. We have, thus far, put our knowledge to work in only a limited way, because we have had no nationwide program that could muster the money and the talent to do so.

For example, only one-half of the counties in this country dealing with delinquents have the barest kind of probation services; with a conservatively estimated need of 15,000 trained juvenile probation officers, there exist only 2,100 probation officers dealing with children alone, with an additional 3,400 handling both adults and juveniles; only 1 out of 10 of these probation officers has completed any type of training for the job; an additional 4 out of 10 do not have the educational background to make them eligible for professional training.

I think that the time has come to create—nationally—the type of competent probation services that exist in only 10 percent of our jurisdictions. I believe that the organizations active in the field of corrections, in probation and psychiatry, must work out the plans to accomplish this task. I think the State and local governments should help, too, and I think the Federal Government can also lend its hand.

As a member and later chairman of the Senate Subcommittee To Investigate Juvenile Delinquency, I have supported every attempt to attack the problems of crime and delinquency on a broad level with the full support of the Federal, State, and local governments. Almost every year during the course of the committee's investigative activities we have reemphasized the need for

Federal support of broad programs to control and prevent crime and delinquency, to test experimental methods of handling crime problems, and to design training programs to give this field the professional personnel that are so vitally needed if we are to transfer our theories into practice, if we are to make the art of correction scientific and give the science of correction practical applicability.

Year after year, I have, along with other members of the subcommittee, introduced legislation requesting that Federal moneys be given to States, localities and nonprofit organizations for demonstration projects and for training programs. These proposals were passed into law in 1961. Today such programs are developed in some 16 major American cities and from each of these we can expect to draw insights and new experiences as to how our knowledge can best be used to solve crime and delinquency in the streets and in the back alleys of many more towns and cities across the Nation.

But this is only a drop in the bucket, a tiny beginning. I believe we need more, much more, of this sort of activity in every phase of correctional work. We need it to solve adult crime and juvenile delinquency. We need it in probation, in parole, in institutional treatment, in the psychiatric handling of offenders, and in the various other areas of treatment that may become much more effective if properly developed and properly supported.

Every civilization, every society, is faced with problems of many kinds. Every society also establishes priorities—a hierarchy, a rank order of problems, with which it deals. National defense, national health, education, race relations, employment, are issues handled in terms of priorities, according to which problems, which deficiencies are considered most important.

It is regrettable that juvenile delinquency and adult crime, the treatment of criminals and offenders, and the prevention of law breaking, have consistently been far down the line among the problems on which we spend money, for which we train personnel, and to the solution of which we devote time and effort in still other ways.

I think it is time that our people, our legislators, and other government officials should reappraise their approach to crime. I believe we should give the solution of this menace top priority because I believe we as a society are strong enough, intelligent enough, and capable enough to abolish most crime and most of the waste, human misery, and tragedy associated with it.

Today as we pay tribute to John Augustus, one of the great pioneers in the correctional field, I feel it is proper to reassess both our successes and our failures.

On the one hand we can draw satisfaction from the evidence that probation is a growing field, and yet, on the other hand we should note certain further developments that the public, the professional organizations, the social sciences, and the government should attempt to carry through.

First, it is important to take new steps to draw public support for the practice of probation. It is important to show the American people that probation, when properly used, is a sounder protection against future crime than unnecessary penal confinement.

Second, it is important to perfect the science of probation by funneling the studies, experiments and knowledge of the scientists in colleges, in universities, and in other institutions conducting research regarding human behavior, into the hands of the practitioners.

Third, it is imperative that we standardize and perfect the training of probation officers and effectively transfer our scientific knowledge into practical application.

And finally, it is important to elevate the entire correctional field to a higher professional standing, to higher salaries, to wider recognition, to better training, and to all the benefits and incentives that draw men and women into professional work in other areas.

I am proud to have this opportunity to be with men and women who are working actively in this field, who are in the forefront of this struggle to rehabilitate wrongdoers and salvage human lives. Thank you for giving me the opportunity to be with you today.

REMARKS OF SENATOR THOMAS J. DODD AT THE CATHOLIC YOUTH ORGANIZATION ANNUAL AWARD-OF-CHAMPIONS DINNER, MAYFLOWER HOTEL, WASHINGTON, D.C., MAY 14, 1963

I am deeply and sincerely grateful for the opportunity to take part in the Catholic Youth Organization annual award-of-champions dinner, and for the citation you have given me tonight. I accept it in the spirit that it is not so much a personal award to me as a recognition of the work begun in the past by the Senate Subcommitee on Juvenile Delinquency, the work which I inherited and have tried to carry on.

The principal architects of our efforts to combat juvenile delinquency on the Federal level have been my predecessors, the former chairman of this committee, Senator KEFAUVER, of Tennessee, and the late Senator Thomas Hennings, of Missouri. Any recognition that is paid to the work of our committee in large measure belongs to them.

In recent years, when thinking of our young people, we have become accustomed to focusing our attention on the 15 percent that can be called delinquent. It is right that we should do so, for this figure represents millions of young boys and girls who are somehow being lost, to themselves, to their families, and to society. We know that a large measure of the blame for this rests upon us, upon the society that we have developed, upon what we have done wrong and upon what we have failed to do right.

It is necessary that we give far more attention to this problem of delinquent youth and that we should devote far more of our resources and energies to the solving of it than we have in the past.

But tonight I would like to say a few words about the 85 percent of our young people who are, quietly and without fanfare, responding to greater personal and national challenges than any previous generation of Americans has faced.

It is proper to say, and I have said it many times, that much has been given to these young Americans and that much is rightly expected of them.

In material things, and in many nonmaterial things, such as freedom, they are the most fortunate of all generations that have lived. Yet, in the realm of the spirit, of the mind, of the emotions, they have inherited in some respects the most difficult of all ages, the most mentally demanding, the most emotionally frustrating, and the most morally challenging.

And we have ill-prepared them for this in many respects.

This has been an age of bad example, an age of glorification of the shabby and the sordid.

It is an age of uprooted values and of concepts that have been destroyed but not replaced.

It is an age in which parents have fostered self-indulgence and lack of discipline in their children, only to have these children suddenly faced with a world of business and science and technology which demands a more rigorous self-discipline than ever before.

It is an age of all-pervasive tension which, consciously or unconsciously, has deeply affected our young people. For they face, due in part to our failures, two mortal threats that no generation of Americans has ever before faced—the threat of the absolute destruction of our society from Communist subjugation, and the threat of destruction of all life from nuclear annihilation.

It is an age when millions of young people from minority groups are tormented by the terrible contrast between the vision of equality and opportunity which is their birthright, and the ordeal of inequality and discrimination which is their reality.

I would like at this moment to pay tribute to Archbishop Patrick O'Boyle for the magnificent statement he made last week before the Washington Urban League, in which he pointed out both the moral responsibility that must be shouldered and the concrete steps that must be undertaken if we are to deal with this terrible blight of discrimination which exists here in Washington.

His farsighted call to action is only the latest of countless benefits that have come to this area through the leadership of this man who is not only a great moral leader and churchman, but a builder and a statesman as well. I have thought many times that every man, woman, and child who lives and works in the Washington area is indebted to him and I am pleased to have this opportunity to say so publicly.

The world which our young people are entering is not the world of ease and luxury and good times that some people picture. But if we are passing on to our children a society that is shot with imperfections and dangers, so, too, we are passing on a free society, a society with deep religious roots, a society that has come closer to the ideal of social justice at home and ethical dealing abroad than any that ever existed.

If they stand on the threshold of destruction, they also stand on the threshold of an era of limitless progress, of scientific advance, of material abundance, of growing enlightenment.

Their future is still in their own hands. Though the failures of the past may have prejudiced that future, it has not been lost.

The young people of America have it in their power to successfully respond to the challenges of the future. And I think we can fairly say that the 85 percent that I have been talking about is responding to these demands.

As every parent knows, they are facing up to an academic grind that has never before been demanded of the broad base of our youth. They are staying in school longer, studying harder, mastering more difficult subjects than we had to as young men 20 or 30 years ago. They are satisfying more rigorous professional demands than was asked of my generation. I am frank to tell you that I would not look forward to starting law school or medical school or engineering school today.

They are meeting more rigorous standards of employment, more searching demands of technology than ever before.

Work today is more complicated, more exacting, more competitive, more mentally challenging to the individual than ever before, and our young people are meeting these challenges. They are doing the work of America better than it has ever been done before. And they are answering the call to duty which their country makes upon them in a remarkable manner.

Almost 3 million young Americans, the great majority of them volunteers, are at this hour serving our country around the globe. They are on duty in the barren Arctic wastes, manning our warning systems against enemy attack; they are on lonely atolls and forgotten islands along the thousands of miles of our vast Atlantic and Pacific missile ranges; they are in the jungles of Vietnam, selflessly giving their lives in an undeclared war in defense of human freedom, thousands of miles from home. At almost every center of tension and trouble in the world, young Americans are there, manfully doing their duty in our behalf.

I remember the controversy that arose over the establishment of the Peace Corps a couple of years ago. Some people said that our young people would never volunteer for such difficult work, and if they did they were too soft to endure the living conditions of primitive people in undeveloped areas; they were too frivolous to do the job, said some; they were too spoiled, too immature, they would get sick, they would do more harm than good, and the whole thing would end up in a mess.

Well, these people who sold our young people short have been proved wrong on all counts.

They have volunteered, and in greater numbers than can be accommodated; they have lived and worked constructively and effectively under the most difficult of circumstances; they did not get sick and come home. Everywhere our Peace Corps volunteers have gone they have made such an impression that our Government has received requests to send two and three times more.

Our young people have a long tradition of missionary work in back of them, which has not been in vain.

We can be proud of all of them and in this connection I would like to read to you a brief statement made before our committee by Msgr. Joseph E. Schieder, former director of the Catholic Youth Organization:

"While I am conscious of the extent of crime among juveniles, still I wish to make the unqualified statement before this subcommittee that after giving my whole life in the work of youth, I feel that our present youth, considering the society in which they live, and the temptations to which they are subjected, is the finest group of youths this country has ever known."

One of the reasons why the great majority of our young people are responding as well as they are is the work of the Catholic Youth Organization.

At the present time there are 7 million boys and girls enrolled in the CYO across the Nation. These young people are not idly drifting along without values and without goals. They know the purpose of their lives. They have joined together in a great organization which is dedicated to preserving and fulfilling the highest moral values of our society.

I have taken part in many activities of the Catholic Youth Organization. I have attended their conferences, and I want to say that each time I have done so I have come away with a growing confidence in the young people of today and in the future of our country.

And so I am proud, in behalf of all who have contributed to the work of our committee, to receive this citation from the Catholic Youth Organization, and to say "thank you" for all that you have done to reveal the true face of American youth and to strengthen the future of this country and the causes it upholds.

FEED GRAIN ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 4997) to extend the feed grain program.

Mr. HICKENLOOPER. I do not intend to take any substantial amount of time of the Senate on my amendments.

The chairman of the Committee on Agriculture and Forestry understands what they are. I am sure that the Senators who have read them understand what they purport to do. The amendments would strike the 2-year period and make the extension for 1 year. It is a question whether we wish to extend the program for 2 more years, 1964 and 1965, or to extend it for only 1 year. Heretofore it had been extended for 1 year. Various groups throughout the country favor such an extension. I call attention to the fact that among them is the National Grange. I call particular attention to the testimony of Mr. L. Alton Denslow, associate legislative counsel of the National Grange, at page 130 of the hearings, as follows:

> Senator HICKENLOOPER. I believe your organization in February took the position that this ought to be continued for 1 year rather than 2.
>
> Mr. DENSLOW. Yes, sir.
>
> Senator HICKENLOOPER. You now support the program for the 2-year continuation; is that it?
>
> Mr. DENSLOW. The bill has been passed, of course, on the other side for 2 years. We did, as you say, support a 1-year extension to the House. I see no reason to change our position.
>
> Senator HICKENLOOPER. Well, then, do you still recommend a 1-year continuation?
>
> Mr. DENSLOW. I believe that 1-year continuance would be preferable to the 2-year continuance.

Having been through this maze yesterday, and having watched the consistency of the votes, and knowing that the pattern is well set, I have nevertheless offered these amendments, and I believe they should be adopted. I believe they should be adopted in spite of the fact that I am against the bill. The extension should be for only 1 year. Therefore I offer the amendments. I reserve the remainder of my time.

When the Senator from Louisiana has yielded back the remainder of his time, I will yield back the remainder of my time, unless something comes up in the meantime to change my intention.

Mr. ELLENDER. Mr. President, I hope the amendments will be defeated. As I tried to point out during the debate, the program to reduce surpluses has been very successful. We have cut surpluses from 84.6 million tons to about 60 million tons. It may take only a year to bring them down to 50 million tons or 45 million tons. On the other hand it may take 2 years. Even though the bill provides for a 2-year period, the Secretary of Agriculture is not forced to exercise that privilege for the second year if he determines that the surpluses have been sufficiently reduced.

Therefore, I can see no objection to a 2-year extension, so as to give the Secretary ample opportunity to reduce the surpluses to about 45 million tons, which I believe would be a normal carryover.

That is all I have to say on the amendments so far as I am concerned, and I am willing to yield back the remainder of my time.

Mr. HICKENLOOPER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendments has been yielded back. The question is on agreeing to amendment identified as No. 84, offered by the Senator from Iowa [Mr. HICKENLOOPER].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MONRONEY (after having voted in the negative). On this vote I have a pair with the senior Senator from Florida [Mr. HOLLAND]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from California [Mr. ENGLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Florida [Mr. HOLLAND], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Maine [Mr. MUSKIE] is absent due to illness.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from California [Mr. ENGLE], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

On this vote, the Senator from Utah [Mr. MOSS] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from Missouri [Mr. SYMINGTON] is paired with the Senator from Kentucky [Mr. COOPER]. If present and voting, the Senator from Missouri would vote "nay," and the Senator from Kentucky would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from New Jersey [Mr. CASE] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] is detained on official business.

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Utah [Mr. MOSS]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Kentucky [Mr. COOPER] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Missouri would vote "nay."

The result was announced—yeas 34, nays 45, as follows:

[No. 89 Leg.]

YEAS—34

Aiken
Beall
Bennett
Boggs
Brewster
Byrd, Va.
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Fong
Goldwater
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
Mechem
Miller
Morton
Pearson
Prouty
Robertson
Saltonstall
Scott
Simpson
Smith
Thurmond
Tower
Williams, Del.

NAYS—45

Anderson
Bayh
Bible
Burdick
Byrd, W. Va.
Church
Clark
Douglas
Edmondson
Ellender
Ervin
Hill
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Mundt
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Sparkman
Stennis
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—21

Allott
Bartlett
Cannon
Case
Cooper
Dodd
Engle
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Holland
Monroney
Morse
Moss
Muskie
Russell
Smathers
Symington

So Mr. HICKENLOOPER's amendments were rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendments were rejected.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HICKENLOOPER. Mr. President, I myself have no further amendments to offer. I do not know of any other amendments to be offered on this side of the aisle. I thank that stalwart band of agricultural patriots who stood so firmly for proper amendments, but who went down to defeat so gallantly. So far as I am concerned, I have no objection to the bill being read the third time.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 4997) was ordered to a third reading and was read the third time.

FEED GRAINS BILL HARMFUL TO LIVESTOCK, POULTRY, AND DAIRY INDUSTRIES

Mr. BENNETT. Mr. President, I wish to speak in opposition to the feed grains bill pending at this time because I believe that it would, if enacted, be harmful to agriculture in many parts of the country. This is particularly true in areas such as Utah which specialize in the production of livestock, poultry, and dairy products, but which are required to purchase feed grains from other areas. Although Utah has developed industrially over the past decade, agriculture remains an important part of the economy of the State. About 80 percent of the receipts from agricultural production in Utah arise from livestock and its products. Because the State does not produce enough feed grains to supply the needs for feed, it is necessary to import from other States. The purpose of this bill is to raise the prices of those feed imports, which will in turn increase the price of livestock products, or decrease the possible profitability of the livestock, poultry, and dairy industries.

FEED PRICES SHOW SIGNIFICANT INCREASES

Support prices of feed grains have increased significantly in the past 2 or 3 years. The support price for corn has increased from $1.06 per bushel in 1960 to $1.25 this year, for a 17-percent rise. The price of sorghum grains during the same period has increased from $0.85 to $1.12, a 31-percent increase. The support price of oats has risen from $0.50 to $0.60, for a 30-percent increase, and barley support price is up from $0.77 to $0.96 a bushel, for a 24-percent increase. In addition to the increases in feed grain prices, livestock producers in Utah have faced constant reductions in the number of cattle permitted to use public range and forest land. This year, the Secretary of the Interior significantly increased the payment per animal-unit-month for use of public land. The effect of the actions taken by the Interior Department will be an increase in the need for supplementary feeds. The point I am making is that costs to produce livestock have risen rapidly in the past few years and apparently will continue to rise. Prices received for livestock, poultry, and livestock products, on the other hand, have not increased in any like manner, and in the case of poultry and products the prices have been declining. I do not believe it is necessary to spell out what these rising costs and declining prices are doing to the livestock industry in Utah.

With controlled support prices on products used by livestock producers, they are faced with monopoly prices for production items. There is no doubt that these prices are higher than they would be if there were no support prices. When the livestock producers sell their products, there is a free market in which they receive payment according to the demand for their products. They have no bargaining power because of the perishability of their product and are forced to accept within narrow limits the prices offered by packers and processors.

FOREIGN MARKETS ARE BEING LOST

Now add to these domestic problems the fact that our agricultural products are not receiving favorable treatment in Common Market countries. Poultry products are being excluded from Germany, and other countries are imposing sufficiently high tariffs on other commodities that our agricultural producers are losing their markets in these countries.

IMPORTS ERODE DOMESTIC MARKET

Not only are foreign markets being lost, but increasing imports are cutting into the domestic market for livestock products. Imports of beef and veal are now 1,454 million pounds. This represents an increase of over 500 percent in imports over the past decade, and amounts to nearly 9 percent of domestic production. Ten years ago imports of beef and veal amounted to only 2 percent of domestic production. Imports of mutton increased from 1.3 million pounds to 65 million pounds during the same period. During 1962 mutton imports equalled over 80 percent of domestic production. We are also aware of increasing amounts of cream being imported.

SECRETARY OF AGRICULTURE ABLE TO CONTROL LIVESTOCK PRODUCTION

I received letters from Secretary Freeman of the Department of Agriculture and from the Executive Office of the President, in which it was stated that they are not in accord with a proposal to amend the Tariff Act to impose additional duties on cattle, beef, and veal imported each year in excess of annual quotas. Similar statements were made by the Department of State, the Treasury, and the Department of Commerce. Such an amendment proposed here yesterday by my colleague from Wyoming was also defeated. If nothing is done about imports, then the market prices for livestock in the United States will be greatly determined by imports. Our livestock industry will not be able to compete with foreign livestock products which are not forced to pay artificially inflated prices for their feeds. If the Department of Agriculture controls feed grain prices, in effect it also controls production of livestock and the Secretary of Agriculture has the power to regulate and destroy the livestock industry without ever imposing price or quota restrictions. Frankly, I am concerned for the livestock industry in Utah and throughout the Nation. The U.S. productivity in agriculture is not second to any, yet we continue to lose both domestic and foreign markets because of agricultural programs which have been in existence over the past and continue in existence and are being proposed.

AGRICULTURAL PROBLEMS NOT SOLVED BY MANIPULATIVE SCHEMES

I have great respect for those persons, both in the executive and legislative departments of government, who are working for a solution to our agricultural problems. It is not an easy task to determine a course of action which is so important to the food and fiber producers as well as to the entire economy of the Nation. That it is not subject to simple administrative solution is demonstrated by the fact that agricultural programs put into effect have not solved the problems. The fact that a solution has not been achieved does not give just cause to believe that one cannot be found. I am convinced, however, that the solution does not lie in the direction which is being taken by those who propose increased regulation with higher prices and reduction in production.

The temptation to control appears so great that the lessons which should have been learned from past experiences seem to go unheeded. Past agricultural programs using administrative decision have created greater problems than those which they were set up to cure. I am not aware of any segment of agriculture that has been permanently helped through administrative price and supply manipulation. Conversely many segments have been hurt. To mention only a few, cotton, milk, and soybeans are good examples of segments that have been harmed. There is little doubt that cotton is in trouble.

High domestic price supports and subsidized cotton exports enable foreign mills to buy American cotton cheaper than domestic mills are able to buy it. Foreign mills then ship cotton textiles to the U.S. market at substantially less than the price of domestic goods. This also gives the synthetic fiber industry a tremendous advantage over cotton. The net result is that our exports are down and we have lost domestic markets. U.S. cotton can compete in the world market if it is given a chance.

Another example that deserves mention is the milk program that has been followed by the present administration. As the supply and demand of milk and milk products approached an equilibrium, the Secretary of Agriculture raised the support price for manufacturing Milk. With an increase in price, the inevitable happened. Overproduction was encouraged and stocks of butter and cheese purchased by the Government increased rapidly.

Soybeans was another commodity that was doing well both on the domestic market as well as on the world market until support prices were increased. Now we have an excess of soybeans and soybean oil. These examples demonstrate the folly of substituting political decisions for free market economic operation. I would like to see an end to schemes which create these problems.

TAXPAYERS CONTRIBUTE BILLIONS OF DOLLARS

All of these programs, of course, are costing the American taxpayer billions of dollars. Now I am convinced that those who are paying for such programs would be willing to do so if they were assured that such expenditures would result in an orderly return to a situation in which American products could compete with foreign products and in which consumers would be able to eventually pay lower prices for agricultural commodities. Unfortunately, no such assurance is possible if such programs as the one before us today are continued.

GRADUAL REDUCTION OF CONTROLS NECESSARY

I do not want to be misunderstood. I am not recommending that all agricultural support programs be discontinued immediately. This would be analogous to taking drugs away from an individual who had become addicted. The problems which exist in agriculture are to a great degree a result of controls and administrated prices. It is not proper to give farmers only a choice between greater control on the one hand and no agricultural program on the other. A proper solution lies in a gradual reduction of controls and support prices to enable American agriculture to compete on the world market. Over a period of time, not only would agricultural income increase, but a major force toward a favorable balance of payments would also be put into effect.

COPY SUCCESS RATHER THAN FAILURE

It has been my observation over the past several years that those agricultural commodities which are under Government acreage and marketing controls have been in a less favorable economic situation than those which have been free of such controls. A high percentage, ranging from 65 to 75 percent of American agriculture has been free from Government control and price support programs. These products, on the average over the years, have fared better than those commodities under Government programs.

It seems to me that in view of this, we should copy successes rather than failure. The principal role of government in agriculture should be to aid farmers in solving their own problems; to promote efficiency in farming, consistent with the law of supply and demand; to provide economic opportunity for farm people; to preserve the competitive principle; to stimulate and insure ample research and market expansion; and, of course, to provide an environment that will insure adequate supplies of food for our growing population.

In contrast to this, the bill before us tends to stimulate the development of monopolies, stratify production into historical patterns, set maximums for farm income, jeopardize the operation of a competitive market, set producers against one another by shifting adjustments among various groups, prevent new producers from having access to the market, and price American agricultural products out of the world market.

UTAH LIVESTOCK PRODUCERS CONCERNED

Let me conclude by stating that the livestock producers in Utah are greatly concerned about this bill. I have received letters and telegrams requesting that I do what I can to delay action on the bill until after the referendum. I have also received requests asking what the chances are of getting additional legislation in case the referendum is rejected.

I am not in sympathy with those who desire to push this measure through as emergency legislation. There is no emergency. The bill, if enacted, will apply to the 1964 crop which will not be planted for some time.

SUBSTITUTE LEGISLATION ASSURED IF FARMERS REJECT CONTROLS

Now, as to the advisability of passing the bill in order that the wheat farmers will have a better basis on which to cast their vote in the wheat referendum next Tuesday, this is not a valid reason for rushing the bill. Wheat farmers who are concerned are also aware that it is almost a certainty that the measure or one very similar will be enacted. Is there really any doubt, considering the pressure by the administration and Secretary of Agriculture and the makeup of this body? The real motivation then for swift enactment seems to be an effort to make farmers think that Congress will not consider additional agricultural legislation if the wheat referendum fails. This is unjustified and coercive. There is no doubt that legislation is already drafted and that it will be introduced immediately if the farmers express their desire to operate without stricter governmental control. Not only will legislation be introduced, but there will be great pressure on the administration and the majority party for its enactment. It could be more simply done and with less embarrassment for the administration if the bill now being considered were not acted upon until after the referendum.

I also feel that if wheat producers vote "no" in the referendum, it should be taken as a vote of all agriculture for a lessening of controls. If that occurs, then it would be inappropriate for us to enact a measure which gives the Secretary of Agriculture unprecedented authority to regulate prices and production.

FREEDOM IN AGRICULTURE IS AT STAKE

There is far more at stake than just a 2-year feed grains program. The Government's role in agriculture is at stake. I for one would like to see the trend to greater control of prices and output reversed. The only final solution to the agricultural problem is to return more nearly to a situation wherein the market is able to effect price and supply. This bill will create additional hardship on those who are using feed grains not produced by themselves, and it will not result in a solution of our feed grain problem. I believe that the arguments against the bill, including the unprecedented powers given to the Secretary of Agriculture, the effect of its passage on the wheat referendum on the 21st of this month, the inefficiency of the expenditures made for price supports and diversion payments have been brought out adequately and there is no need for me to repeat these arguments. I oppose the enactment of the bill on all of these counts.

Mr. SIMPSON. Mr. President, I oppose the feed grain bill because it is bad legislation. The enactment of this feed grain legislation prior to the wheat referendum on May 21, 1963, will be widely interpreted as an effort to influence the vote. It is unwise for the Senate to interject itself into the controversy that exists between some officials of the Department of Agriculture and the farmers of America. The wheat farmers should be permitted an opportunity to express their will on the multiple price wheat program without further coercion and intimidation by the Federal Government.

The pressures for quick action on feed grains at this time comes from those who feel that it is politically expedient rather than what is best for the farmer and our Nation. The political opportunists who are pushing for this legislation seem to be pursuing the directive that "things are bad on the farm front—let's make it worse by confusing them further."

Some of the proponents of this bill seem to believe that the enactment of feed grain legislation would encourage a "yes" vote on the wheat referendum. These proponents have even adopted the pressure tactics of telling the farmers that there will be no wheat legislation after the referendum. What type of representation are the Senators giving their people if they pass bad legislation and then proclaim to the people that there is no other relief and no hope for improvements? If the Members of this body ever close the doors to legislation which will bring relief to our people who are oppressed by bad legislation, it will be an ominous day in the history of our great country.

I think it most inappropriate for the Congress of these United States to try to influence the outcome of a producer referendum by last-minute maneuvers. If the Congress wanted to make the decision, it could have authorized the administration to put the multiple-price plan into effect without a referendum. Since the decision last year was to submit the issue to a producer referendum, I believe the Congress should be willing to let producers make up their own minds before we proceed to pass further farm legislation.

If the farmer votes for regimentation and governmental control, it would be an indication that this feed grain bill would not be objectionable. On the other hand, if the marketing quotas are defeated, it would be an indication to me that the farmers would not look with favor on this particular bill.

I feel that it would be wise to wait for the expression of the farmers. There will be ample time for Congress to consider 1964 feed grain legislation after the wheat referendum. Almost all feed grains are planted in the spring. For the last several years, the feed grain program has not been approved by Congress until much later in the year.

In 1960 with no feed grain program, production of the four major feed grains totaled 155.6 million tons. On the basis of prospective plantings, the USDA estimates that 1963 production of the four major feed grains will total 151.6 million tons, or only 4 million tons less than was produced in 1960 without a feed grain program.

Despite the tremendous cost of the 1963 program, total feed production is being reduced less than 3 percent from the no program level of 1960.

Of course, yields have been increasing at a rate of about 5 percent per year, but the feed grain program almost certainly has accelerated the upward trend in yields.

It should be clear by now that yields will be increased by any program that restricts acreage, raises support prices, and increases Government payments.

These facts support the view that the 1963 program will be more costly and even less effective in reducing production than the 1961 and 1963 feed grain programs.

The total direct cost of $1.7 billion for the 1961 and 1962 feed grain programs cannot be justified. Over 90 percent of the reduction in feed grain carryover was due to factors other than reduced production of the grains covered by the program. Increased use has been the major factor in reducing the carryover. In this regard, feed grain production actually went up—not down—in 1962 as compared to 1961. Furthermore, the dumping of CCC grains under these programs has contributed to an increase in livestock, dairy, and poultry production and has severely depressed the prices received by producers.

Early indications are that the 1963 feed grain program will be less effective and more costly. By combining compensatory payments on the normal yield of the acres planted with diversion payments, the 1963 program first, discriminates against the producers who want to reduce production more than the minimum required for participation; second, provides a form of free crop insurance to cooperators; and, third, forces the Government to pay out millions of dollars in compensatory payments on grain that is produced solely for use on the farm where grown. We should not extend this wasteful program for 2 more years.

The Secretary of Agriculture would be given wide-open discretionary authority to make compensatory—Brannan-type—payments. I vigorously oppose compensatory payments because such payments would force consumers to pay a part of their food costs through taxes—rather than full value at the market. This is a trap for producers. Ultimately, the payment approach also would be a trap for consumers since it would encourage inefficiency and, thereby, result in high real costs of food.

H.R. 4997 grants far too much authority and discretion to the Secretary of Agriculture. This piece of legislation goes far beyond what would be a reasonable delegation of authority. By reason of the authority given to the Secretary of Agriculture under the provisions of this bill, the Secretary could decide a question presented to him—as my good friend from Colorado said earlier in this debate—"on the basis of any reason, not enough pressure, not enough attention given him, or something else, or merely because he did not wish to take action." I do not want to abdicate the farmers' freedom to the Secretary of Agriculture as this bill will do if enacted.

The proponents of the measure suggest that Congress will not consider legislation to handle the wheat problems. Later in the session I contend that we should not be that narrow minded. These agriculture problems cannot be divorced from on another. Earlier this week two amendments were offered which would have given some relief to the livestock industry. Unfortunately, many of the members of this body were eager to hastily pass this feed grain bill and did not give the suggested amendments fair consideration. There is a need for legislation which will give protection to the cattle industry. This problem is further complicated by this bill we are now considering.

Traditionally, the cattlemen of this country have been an independent group. They have not asked for subsidies nor have they been subjected to governmental controls. They do not want the Secretary of Agriculture to regulate them and the Secretary of Agriculture has never tried to directly control them. But now, the Secretary of Agriculture for this administration comes forward with a scheme to regulate and control the feed grains of America. He well knows that if the Government can control the feed grains, the Government can and will control the livestock industry. This is an anathema to the people of the West. We do not want the yoke of governmental regimentation. We want the opportunity to operate in a free market without big government making every decision that needs to be made. The livestock man has been free and he wants to remain free.

This bill which we have been debating the last several days is a bad bill. Congress can do much better. It is my hope that this measure will be defeated and that Congress can prepare new legislation after knowing the will of the farmer and the prevailing facts. If we were to wait 4 more days, we would know what the farmer wants and would be able to determine whether there is a necessity for this particular piece of legislation.

Mrs. SMITH. Mr. President, I have repeatedly voted against high price support legislation such as this. I have done so because high price supports for feed grains are against the best interests of the dairy, cattle, and poultry farmers of Maine. It is discriminatory against them. It is grossly unfair to them.

Only 10 days ago, a meeting of the Maine congressional delegation on May 6, 1963 was devoted to the crisis that high price supports for feed grains had created for the farmers of Maine. A delegation of dairy, beef, and poultry farmers asked to meet with the Maine congressional delegation on the emergency created by the high feed grain prices that Maine farmers are having to pay—prices for feed grain so high as to threaten to ruin them. They urgently asked for some relief.

I explained to them that as long as there existed a high price support program for feed grains they would have this threat to their economic existence and that they could never really expect any meaningful relief from the high prices they had to pay for feed grains until this discriminatory program was stopped.

That is why I have voted against this legislation and that is basically why I am going to vote against it today or whenever it comes to a vote.

Of course, there have been, and will continue to be, efforts on the part of those who support high price supports for feed grains to try to make the Maine farmers believe that such does not cause their problems and trouble. But I just do not see how Maine farmers can swallow such claims. After all the issue is clear from its very name of "high price supports" for feed grains—it is clear that the objective is to keep feed grain prices high.

And it is inescapably clear that Maine dairy, beef, and poultry farmers are victims of such artificially created high prices for feed grains.

I cannot vote for a program that victimizes the farmers of Maine—and I shall vote against this bill because it perpetuates the victimizing of Maine farmers.

Mr. HRUSKA. Mr. President, I have in the past supported recent feed grains legislation which has come to the Senate floor from the Committee on Agriculture. Despite its dubious label as emergency legislation, the bill had my support because it seemed to be the best available solution to the problem. Generally, it appears to have the endorsement of feed grain farmers.

But today I rise in opposition to H.R. 4997 because it goes far beyond a 2-year extension of the 1963 law. The Secretary of Agriculture is given substantial new authority actually to manipulate the market with his ability to fix support levels at anywhere between 65 and 90 percent of parity. There are numerous other major changes in this year's bill, all of which are set out in the report of the Committee on Agriculture. In fact an Agriculture staff analysis and comparison of present and proposed law take 1½ fine printed pages of the Congressional Record, pages 8461–8462.

Mr. President, when this measure was first sent up to the Congress, I was encouraged because it appeared that the administration had at last comprehended a basic truth; namely, that American agriculture is part of our free enterprise system and wants to be rid of the shackles which it has acquired through three decades of Government mismanagement. It seemed that Secretary Freeman and his advisers had finally perceived this when they dropped their earlier rule-or-ruin demands for compulsory programs.

It now appears that the basic strategy of the administration to dominate and control agriculture remains unchanged; only the tactics have been altered.

Mr. President, it is only a few days until the wheat farmers of this country ballot in a referendum to choose the kind of program they will have. Nobody knows at this time how that election will turn out. In any case, it is a decision for the wheat farmers themselves to make, not the big farm organizations and not the Department of Agriculture and not the Congress.

If we allow ourselves to be stampeded into action on the feed grains bill before next Tuesday, an attempt will be to construe this action as an endorsement of a "yes" vote by intentionally fostering the feeling among wheat growers that they will be allowed to shift millions of acres from wheat to feed grains. This is freely acknowledged by those supporting a "yes" vote.

Mr. President, I am convinced that we should await the outcome of the wheat referendum, not only because it is the best course from the standpoint of proper legislative practice, but also from the standpoint of fair play for the farmer.

Why should we blackjack him at the time he is weighing his vote in next Tuesday's referendum? That decision should be made without the pressure brought on by hasty and ill-considered action on our part.

Why all the rush?

Is not the real reason that an effort is indeed being made to influence the wheat vote?

Is not an attempt being made to say to the wheat growers of America, "See there, the Congress has already enacted the feed grains bill and if you vote "no" next Tuesday, you are out of luck as far as constructive legislation this year is concerned."

Mr. President, whether some Members will admit it or not, this Congress will enact wheat legislation should the referendum fail. There are two very sound reasons for this. The first bears on our responsibility to the farmer. We will not be a party to his abandonment.

The second reason is perhaps even more compelling. It is politics.

And politics, Mr. President, is a language which this administration well understands. How could a party which controls the administration, the Department of Agriculture and both Houses of Congress willfully oppose new wheat legislation which would meet the threat, which they themselves have posed, of 80-cent corn, 90-cent wheat, $12 hogs, and $16 cattle?

The answer, of course, is that they could not. It would mean difficult obstacles for victory of their congressional and presidential candidates in 1964.

We know that new wheat legislation will be offered in Congress on next Wednesday should the referendum fail on Tuesday. Members on both sides of the aisle have promised this.

Since this is the case, why should we stubbornly push on with the feed grains bill?

It would be much sounder procedure to await the outcome of next week's balloting and then in the calm, judicious manner the Nation has a right to expect of us, we can analyze the entire agricultural legislative package—feed grains, livestock, wheat, dairy, and poultry—and enact, perhaps for the first time in decades, constructive and meaningful legislation.

The provisions of this bill have been explained and discussed at length during this debate.

Whatever their detail or eventual effect would be may be subject to some difference of opinion. But there surely is no doubt on one score. It is a fundamental and very serious feature; a far reaching one in that it would reach into every aspect of agricultural economy from now on into the far future.

This one feature is the collection of sweeping, dictatorial, uncontrolled power which is vested in the Secretary of Agriculture by terms of the bill. Authority and discretion abound within its pages, and in virtually every plase of the farming industry.

It is designed to vest in the Secretary affirmative control of the feed grains of the Nation. Such control of course is accompanied by the ability to manipulate and control the livestock, poultry, and dairy business.

That is indeed far-reaching might in a self-governed nation. It amounts to an abdication of congressional jurisdiction to a degree beyond reason.

By far the greatest share of my State of Nebraska's income is from livestock. Raisers and feeders alike are concerned and alarmed at the prospect of a controlled market in their field, which is already too beset by enough hazards to warrant this additional manmade trap. What a handicap. To try to preguess or outguess what the Secretary of Agriculture will do next month, next year, or 2 years from now and then figure out how to deal with the situation presented.

The hearings on this bill and the time allowed for preparation thereof were much too inadequate.

Its scope is wide indeed—far wider than the proposed law for cotton. Yet for feed grains there were 3 days of hearings with very little time for preparation; whereas for cotton 10 full days for preparation alone have been provided.

The bill should be rejected.

Mr. LAUSCHE. Mr. President, I shall vote against the bill. The cost entailed by it is extravagant and unjustified having in mind the limited good that it will produce.

To illustrate what the cost will be, I shall take the situation of an Ohio farmer having a 100-acre allotment of corn. Inasmuch as the bill does not fix five important factors that must be considered in determining what the cost per acre will be, it is necessary merely to assume what might pop out of the Secretary of Agriculture's head. Of those items, four are important. First, the Secretary of Agriculture must determine whether the feed grain diversion program shall be put into effect. I assume that he will do so.

Second, he must determine, according to his whims and fancies, what the level will be at which feed grain prices are to be supported within a range of 65 to 90 percent of parity. On this item, the indications are that he will fix the price support of corn at $1.25.

In addition, the Secretary of Agriculture will have to determine the percentage of base acreage, up to a maximum of 50 percent, that a farmer must divert in order to participate. My assumption is, according to what has been said, that the Secretary will fix the minimum diversion at 20 percent.

However, he will have to decide, according to his views, what the proportion of the price support that is to be made available through premium payments to farmers shall be. I assume that he will fix that price at 15 cents.

Thus an Ohio farmer, having 100 acres, will produce an average of 75 bushels per acre. It is my understanding that the production is more nearly 100 bushels per acre. On the basis of the assumptions which I have made as to what the Secretary of Agriculture will do, a farmer who takes 20 acres out of production will be paid by the U.S. Government the sum of $1,387.15—$937.50 for the 20-acre diversion, and $450 for the premium payments that he will receive on the 1,600 bushels that will be produced, or 80 times the 75 bushels that will be produced on the residue acres of his land.

This bill must also be condemned because it creates a flagrant abandonment of congressional responsibilities, and vests them in one man, the Secretary of Agriculture. The principle that ours is a government of laws, not a government of men, is thus rejected. Furthermore, we flout the words inscribed on so many of our public buildings, including almost every courthouse and almost every legislative hall in the Nation, when we pass a bill of this type, in which we vest in one man the ultimate ability to make the law, but ourselves abandon our responsibility to make the law. Even more flagrant than all that is the fact that men of supposed liberal complexion and liberal thinking are espousing the program of the abdication of legislative power.

Mr. President, I believe in the principle that ours is a government of laws, not of men, and I wish to stand by it. On that basis, I must condemn this bill. The Ohio farmers, who constitute a substantial segment of the economy of Ohio, will thus be subjected to the whim and fancies of one person, the Secretary of Agriculture. Even if this bill would bring wealth to the farmers, even if the program were in all other respects good, in my judgment this bill should be defeated because of the violation of this principle.

Moreover, Mr. President, the bill is being hurried and rammed through the Congress. Its passage is intended to be improperly used to influence the farmers of the Nation when they cast their votes in the referendum to be held on May 21. Moneys, personnel, and equipment of the Department of Agriculture have wrongly been used to propagandize the farmers to vote "yes" in the referendum to be held on May 21.

Mr. President, on my desk is a booklet issued by the Department of Agriculture. The booklet is set out in parallel columns, headed "What You Will Get If the Vote Is 'Yes'" and "What You Will Get If the Vote Is 'No'" on the referendum. In the booklet, all of the good things that will be received are told, but the booklet is as silent as a clam when it comes to describing the evils and abuses involved in the issue on which the referendum will be held. The booklet emphasizes the virtues of a "yes" vote on the referendum, but the booklet unpardonably omits to point out its evils.

Furthermore, it was shown today on the floor of the Senate, especially by the argument of the Senator from Delaware [Mr. WILLIAMS], that some recipients—at least one—last year received $150,000 under the program; and the city of St. Louis, I believe, or the State of Missouri, and penitentiaries and banks are receiving payments under the program. Yet when the bill was originally passed, it was intended to save the farmers. I subscribe to that intent. However, now the bill is being used for an entirely different purpose. Now we know of many cases of flagrant abuse; and now we know that the farmer is not at all the one who is to be benefited.

Finally, in my opinion the Ohio farmer wants to be emancipated from the shackles which Congress has placed upon him. He would rather give up the largesse and the gifts. The farmer wants to be a freeman. I know of no one who has the desire to be free as deeply as does the man who works the soil with the plow, inhales the fragrance of the freshly upturned earth, and enjoys the herbiage of the trees and grasses which grow from the earth around him, and by nature has been born to be free. Yet, Mr. President, an abject Congress, unwilling to assume its responsibility, chooses to surrender it to one man, and chooses to say to the farmer, "Accept our largesse, but allow us to harness you and keep you in harness, as are the beasts of the field."

Mr. President, others may do it, but LAUSCHE will not do it.

Mr. McINTYRE. Mr. President, I support the purposes of the 1963 Feed Grain Act, which are to maintain stability in feed grains and reduce the staggering burden of feed grain surpluses accumulated during 1958, 1959, and 1960. The annual expense of storing the grain, which has run over $900 million in recent years, has been cut back by over $300 million per year since 1960. In 1961, for the first time in many years, the utilization of feed grains exceeded production, and the size of the surplus started coming down. In the first year of the present feed grain program Government stocks were reduced by 12.2 million tons. In 1962 they were reduced by another 11.4 million tons.

NO MAN CAN UNDERSTAND A BILLION BUSHELS

Louis Brandeis used to say that no man could understand a billion dollars. Well, very few of us can comprehend the immense amount of grain that 1 billion bushels represents either. But just think, in 1960 the Federal Government was storing over 3 billion bushels of feed grains. By 1962 the figure had fallen to 2.3 billion. If this bill is enacted the surplus will decline to about 1.7 billion by 1965, a figure that adequately reflects the needs of the United States in the event of drought or the disruption of war.

AVERTING DISRUPTION IN THE POULTRY MARKET

New Hampshire, like the rest of New England, has to turn to other States for grain, so our poultrymen are concerned about the prevailing price for feed. Our labor, heating, and housing costs are consistently higher than those of other producing States, and higher than the transportation costs incurred by the other major producing regions in shipping to the same big city markets that New England strives to satisfy.

Against this pattern of competition between these two great poultry producing regions of the country, we may easily see that New England's disadvantage would be even greater if the bottom dropped out of the feed grain market. Many new producers would enter the poultry business in the southeast, driving the price of broilers and eggs relentlessly down until our New England poultrymen could make no profit at all. I concede that the Department of Agriculture apparently contemplates a 4 percent increase in the support price for feed grains next year, and some representatives of New England poultrymen are complaining loudly about it. But have they troubled to think that without market stability, our New England poultryman would have no future at all? That is the kernel of the argument over this bill.

With the other New England Senators, I was distressed to learn that the Secretary of Agriculture had authorized the sale of surplus grain in 12 Southeastern States in terms that seemed discriminatory against New England. I have his word that it will not happen again. But because of uncertainty in predicting prices, it was decided that this bill ought to cary a provision against discriminatory dumping. That provision is there, and it severely restricts the discretion of the Secretary of Agriculture in choosing prices at which to release surplus grains. And just to make this situation perfectly clear I join with my colleagues from New England in offering an amendment, which failed by the narrow margin of 52 to 38, which would have required the Secretary to observe historic differentials among the regions of this country.

Another fact of life ignored by the opponents to this bill is that New England poultrymen used mixed grains, which is processed and bagged before they receive it. Now everyone knows that when the raw material cost of a processed item goes down, the price of the item is likely to remain the same. But if the raw material cost rises, the increase is passed on to the feed user. That is why I welcome a stable price for feed grains. This is yet another reason why the opponents of this bill are in reality pushing the poultry industry toward oblivion.

Feed grain prices are now substantially lower than they were between 1951 and 1954. In fact the West German Government has imposed a stiff tariff on our poultry exports, supposedly to compensate for the low cost of feed grains to American producers. Further declines in feed grain prices would invite further retaliation. I strongly support the efforts of the Secretary of Agriculture, Mr. Orville Freeman, in his valiant battle to win favorable terms for our poultry products in entering the Common Market.

The interest of the New England poultryman is in stability, not in spiraling production in a market where the chief problem is already oversupply. Low feed grain prices mean more birds, driving down still further the price our farmers receive. Furthermore, the taxpayer stands to save literally hundreds of thousands of dollars every day because the size of the surplus is being reduced. I know that the very idea of the Federal Government piling up immense surpluses is repugnant to our New England citizens. I would stress the important fact that this is a voluntary program, and not a mandatory one. I am going to vote for a cut in the stockpile of feed grains and the preservation of New England's hard-fought position in the market for poultry products.

Mr. MANSFIELD. Mr. President, on the question of the passage of the bill, I ask for the yeas and nays.

Mr. DIRKSEN. Mr. President, I join in the request for the yeas and nays.

The yeas and nays were ordered.

Mr. KEATING. Mr. President, I shall not detain the Senate; but I must express my opposition to the proposed legislation, and I must state, even though briefly, my reasons for taking this position.

Mr. President, I am strongly opposed to the proposed legislation.

Last Sunday, May 12, was the 30th anniversary of the signing of the Agricultural Adjustment Act of 1933, by which controls were first placed on wheat production. Yet, what have we achieved through three decades of wheat legislation? The answer is alarmingly clear: Larger and larger surpluses, a continuous spiraling cost to the taxpayers of this country, which now is reaching into billions of dollars annually, and more and more Federal controls on farmers.

The proposed legislation before us reflects the view of the Secretary of Agriculture that the farmer's problems can be solved by complete government regulation. This is a fallacious and a costly presumption. All that this bill will really accomplish is the extension for 2 more years of a program which is all too similar to the unwise and totally unsuccessful feed grain programs of the past 2 years. The Secretary of Agriculture, by his own admission, has branded these programs as too costly. Yet now we are asked to extend these programs, and to do so in an atmosphere of greater urgency than has existed in connection with any other subject to come before this session of the Congress. Monumental pressure obviously is being applied by the executive branch in behalf of this bill.

The answer is this: On May 21, the wheat farmers of America will vote in a national referendum; and the Secretary of Agriculture is seeking to force a "yes" vote upon them. The entire bill before us is based on the premise that the wheat referendum will pass. If the "no" votes prevail in the referendum, this program will not be appropriate. It will be most difficult for Congress to enact at this session remedial legislation to offset the effects of a "no" vote, without the support of the executive branch. The Secretary of Agriculture in a very distasteful and heavyhanded manner is making every effort to insure that the wheat farmers know that. We should act on realities and facts, not on presumptious and campaign devices. Within a few days we shall know the wishes of the farmers who are most deeply concerned with this problem. This measure is premature for the wheat farmer, the feed grain farmer, and especially so for the Congress.

In addition to being premature, this measure places entirely too much discretion at the disposal of the Secretary of Agriculture. We are told that it is a voluntary program; yet it is clear that it could easily be turned into a mandatory one. The endeavors of the Secretary in connection with other programs, such as those dealing with dairy products, for example, plainly indicate that it would be unwise to extend so much latitude to him.

This measure is particularly detrimental to the interests of the dairy farmers and the poultry farmers of the State of New York and, indeed, all the farmers of the northeast. The northeast section of this country is a deficit-grain-producing area; so it is essential that additional grain be purchased for our needs. Thus, any program which has the effect of curtailing grain supplies and fixing high price supports must necessarily boost grain prices. This will not only cause an increase in costs to the farmer, but it must of necessity also affect adversely all consumers, since any additional cost of feed grain will be absorbed in higher prices for milk, poultry, and related products.

We are constantly being lectured by proponents of this bill that the emergency feed-grain program, as implemented during 1961 and 1962, has been a tremendous success, and that surpluses are being diminished, while the feed grain carryover is being reduced. Let us examine the facts and see whether these conclusions are borne out by them.

During 1961 only 42 percent of the farmers with corn and grain sorghum bases signed program contracts, whereas in 1962 only 44 percent of these farmers signed contracts. In addition, during 1962 only 29 percent of the producers with barley bases signed the contracts. These statistics clearly establish a lack of confidence in the program by those most directly affected.

The total direct cost of the feed grain programs of 1961 and 1962 is estimated at approximately $1.7 billion. In view of such a very large expenditure, we are compelled to ask a simple question: Is this vast expense warranted, when viewed in the light of the accomplishments of the program during 1961 and 1962? The answer must be a ringing "No." Over 90 percent of the reduction in feed grain carryover was because of factors which had no relationship to reduced production of grains covered by the program. In 1962, wheat production actually increased, in comparison with production in 1961.

In 1961, 129.3 million acres were planted to feed grains by farmers. In addition, the Government paid for the diverting away from feed grain production of 26.7 million acres. Therefore, simple mathematics show that during 1961, the total feed grain acreage amounted to 156 million.

In 1962, farmers planted 125.9 million acres to feed grains, and were paid for diverting an additional 32.7 million acres. Hence, the total feed grain acreage during last year amounted to a total of 158.6 million, or 2.6 million acres more than the total for 1961. These figures illustrate the simple fact that many farmers who refuse to participate in the program have increased their plantings, and also reflects adjustments in the base acreage of participating farmers.

At this time all indications are for the program to be an even greater failure in 1963 than it was during the past 2 years. Direct payments to the farmers under the 1963 program will be close to $1 billion. This is an enormous expense; yet the results do not even begin to justify the cost. Producers have signed up to divert only 19.4 percent of their feed grain base acreage this year, in comparison with 26.5 percent in 1962, and 26.1 percent in 1961. In addition, the farmers who are participating in the program have signed up to divert 7 million less acres this year than those diverted in 1962. Yet the number of base acres has been adjusted upward some 9 million from 1962 to 1963.

I hope the bill will be defeated. It is premature; it will be tremendously costly; it will prevent any adequate legislation on the subject from being enacted later in this session; and it will harm the dairy farmers and the poultry farmers of the Northeast, without providing any real solution for farmers engaged in wheat production. We should not add one more harmful measure to a farm policy which already is a national disgrace.

Mr. President, This bill should not be enacted into law.

Mr. **HICKENLOOPER.** Mr. President, I shall not detain the Senate now as we approach a final vote on the measure. Last year I expressed my dissatisfication with the progress of the kind of legislation proposed. I am more against the pending bill than I was against the law that it is supposed to resemble, although it is much different.

The bill presents an ominous step in the further encroachment of bureaucracy over the economy of our country. The unprecedented extension of the discretionary power of the Secretary of Agriculture in regulating the economy and the people engaged in agriculture in our country in many ways is frightening. It is frightening because of what it will eventually lead to, step by step. As a result of the discretion, the broad power granted, the lack of inhibition and control over the Secretary of Agriculture, as set out in the proposed legislation—mark my words—that power will be attempted to be extended to other segments of agriculture in rapid succession. It may be a year or two; perhaps 3 years. But the movement is on to concentrate bureaucratic control over our country through our economy.

This proposal is one of the steps. It is deeper than an agriculture concern. It is a top political reorientation of the concept of American opportunity and American economic freedom and responsibility. It goes deeply into that subject.

I wish to go on record now as saying that the measure is one of the steps along that line. If the Congress of the United States desires to abandon the responsibility of the private individual, that is, if we wish to contribute to the erosion of our system of responsibility and individual freedom of action and begin the gradual incursion more and more of the appointed and unelected bureaucrat who, through theory or otherwise, or because he has read a book somewhere and thinks he knows more about how to operate the business of what used to be a free private economy than the man who learns through experience and does the job himself, it is not a very promising omen for the continuance of the expansion of private enterprise in our country.

We hear a great deal about our economy not moving. Of course, it has not moved in the past 2½ years. The glittering and glowing promises of the campaign in 1960 have never been met.

One big reason why the economy of our country is not moving is not lack of capital or money. There is a great deal of capital in the country in savings banks, insurance companies, and the investing public. The reason is a lack of confidence on the part of people who have money to invest. They do not know what type and kind of government we will have a few years from now. They are fearful of the trends that are now indicated. They are trends toward expansion of bureaucracy, control, dictation, and limitation on the opportunities of the individual. That is what is inhibiting much of the economic development of our country that otherwise could take place.

There are many other reasons, but that is one. I shall not delay any longer.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a copy of a statement which was made by the minority members of the committee who filed minority views. The statement is contained in the minority views, but the portion I submit I should like to have incorporated in the RECORD as part of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

We vigorously oppose the enactment of H.R. 4997 by the Senate for two basic reasons—first, it is our considered judgment that enactment of any feed grain legislation before farmers vote in the multiple-price wheat referendum on May 21 is a surrender to expediency and is unwise and unfair to both wheat and feed grain producers. Second, it is our belief that H.R. 4997 is a bad bill and that it would be harmful to farmers, consumers, and taxpayers. It also gives the Secretary of Agriculture unprecedented authority to make compensatory payments which should not be given to any Secretary.

For the Congress to seriously consider feed grain legislation before farmers vote in the May 21 wheat referendum is unfair to all farmers for the following reasons:

1. Should the multiple-price wheat program be approved in the upcoming referendum, one set of circumstances will prevail. In such a case, the Congress then should spell out the conditions under which wheat may be grown on feed grain acres to avoid undue disruption of the feed grain and livestock situations. If, on the other hand, wheat farmers vote "no" in the referendum, this will create substantially different conditions for the producers of wheat, feed grains, and livestock. If the wheat referendum should fail, the Congress certainly would want to reanalyze the entire wheat, feed grain, livestock, dairy, and poultry situations in order to be fair and reasonable with the farmers of this country. For the Senate to approve this bill at this time, ties our hands because we do not know how farmers will vote in the all-important wheat referendum.

2. Action to enact this feed grain legislation prior to the wheat referendum would widely and justly be interpreted as an effort to influence the vote in the referendum. Many advocates of this legislation admit that such is their purpose.

The greatest pressure for action on feed grains at this time comes from those who think that the enactment of feed grain legislation would encourage a "yes" vote by creating the feeling among wheat producers they will be able to shift millions of acres of feed grains to wheat under the multiple-price plan.

More important, it is also apparent to those pushing for the enactment of feed grain legislation at this time that this would influence a "yes" vote by causing farmers to think that Congress has closed the door against the enactment of any additional wheat legislation this year after the referendum. If feed grain legislation is not passed at this time, farmers in our opinion will have a much better chance of getting constructive legislation for feed grains and wheat enacted by this Congress especially if the wheat referendum fails.

It is our feeling that the Congress should not in any way try to influence the outcome of the wheat referendum being voted on by wheat producers. We, therefore, should not enact any feed grain legislation until the results of the referendum are known and the decision of wheat farmers made clear not only to Congress but to all our citizens.

3. It is too early to know much about the actual results of the 1963 feed grain program. Producers have signed up to divert only 19.4 percent of their feed grain base acreage this year in comparison with 26.5 percent in 1962 and 26.1 percent in 1961. Participating farmers have agreed to divert only 25.7 million acres this year in comparison with 32.7 million acres in 1962. In the meantime (for some unknown reason), the total number of base acres has been adjusted upward from 123.3 million in 1962 to 132.3 million in 1963. The 1963 feed grain program is materially different than the 1961–62 programs and apparently will be much less effective per dollar spent. As H.R. 4997 has many of these same new features in it that were added to the 1963 program, it is our judgment that we should wait and see what the actual accomplishments may be before rushing forward with an extension of such a program.

4. As everyone in the Senate knows, there will be ample time for the Congress to consider 1964 feed grain legislation after the wheat referendum. Practically all feed grains are spring planted. There will be ample time for Congress to consider further legislation for wheat and feed grains at the same time after the outcome of the May 21 wheat referendum.

It is our belief that H.R. 4997 is not a good bill and should not be passed by Congress. Our principal objections to this bill are:

1. Under this bill the Secretary would be given complete discretionary authority to fix the amount of compensatory (Brannan-type) payments. We vigorously oppose compensatory payments because such payments would force consumers to pay a part of their food costs through taxes rather than full value at the market. This is nothing but a trap for producers. Ultimately, the payment approach also would be a trap for consumers since it would encourage inefficiency and, thereby, result in high real costs of food.

2. This bill grants far too much authority and discretion to the Secretary of Agriculture. Among other things, the Secretary would be given authority to determine (a) whether a feed grain diversion program shall be in effect; (b) the level at which feed grain prices are to be supported within a range of 65 to 90 percent of parity; (c) the percentage of base acreage (up to a maximum of 50 percent) a producer must divert to participate; (d) the rate at which diversion payments would be made (up to a maximum of 50 percent) of the support rate times the normal yield of the acreage diverted; and (e) the portion of the support price that is to be made available through compensatory payments to producers. In our judgment it is extremely dangerous to farmers—and to everyone else for that matter—for Congress to abrogate its own authority and to grant such sweeping authority to any Secretary.

3. The USDA has established the total direct cost for the 1961 and 1962 feed grain programs at $1.7 billion. This heavy expenditure cannot be justified in light of the accomplishments of the program. USDA records show that over 90 percent of the reduction in feed grain carryover was due to factors other than reduced production of the grains covered by the program. Increased use has been the major factor in reducing the carryover. In this regard, a little known fact is that feed grain production actually went up—not down—in 1962 as compared to 1961. Furthermore, the dumping of CCC grains under these programs has contributed largely to an increase in livestock, dairy, and poultry production and has severely depressed the prices received by producers of these commodities.

Indications are that the 1963 feed grain program will be more costly and less effective. The USDA has already indicated that direct payments to farmers under the 1963 feed grain program will be considerably in excess of $900 million. By combining compensatory payments on the normal yield of the acres planted with diversion payments, the 1963 program (a) discriminates against the producers who want to reduce production more than the minimum required for participation; (b) provides a form of free crop insurance to cooperators; and (c) forces the Government to pay out millions of dollars in compensatory payments on grain that is produced solely for use on the farm where grown. We should not enact this wasteful program for 2 more years.

We strongly urge the Senate not to approve H.R. 4997 but rather to delay any action on feed grains until wheat farmers have made their decision in the wheat referendum on May 21. There will be ample time after that date to thoroughly review the whole wheat, feed grain, livestock, dairy, and poultry situations and for the Senate to take appropriate and wise action that will not penalize any group of farmers but will be helpful to all our farmers, and to the general public.

CHANGES IN H.R. 4997 FROM THE 1963 FEED GRAIN PROGRAM

H.R. 4997 is basically a 2-year extension of the 1963 feed grain program with the following major changes:

1. The Secretary is given discretion to set the direct payment and the loan at any combination that will result in a level of support from 65 to 90 percent of parity. This would permit the Secretary wide-open discretion to substantially lower the loan rate and dramatically raise the compensatory payment rate. This action would automatically lower the resale price of surplus grains held by CCC, and thus add a new confusing factor to artificially depress market prices.

2. The Secretary is given discretion to set the percentage of diversion required in order for the producer to qualify for price support (up to 50 percent).

3. Adds a provision whereby "new producers" (i.e., those farmers who for some reason did not plan feed grains in the 1959–60 period) could obtain a feed grain base, and after 1 year, receive diversion payments and price support.

4. Allows under certain circumstances the interchange of wheat and oats and rye acreages.

5. Changes the basic price support law to require as a condition of eligibility for price support in the event that no acreage diversion program is in effect that the producer comply with the farm base acreage.

6. Limits both direct and diversion payments to payment in kind, which, in turn, is affected by the CCC resale price which, in

turn, is subject to the wide discretionary authority of the Secretary of Agriculture. Farmers could, however, continue to receive cash in lieu of the actual grain.

7. Allows advance payments (up to 50 percent) at signup time not only for diversion, but also on the direct-payment portion of the price support. This, in effect, provides a producer with a portion of his price support price prior to the checking of his performance.

TABLES ATTACHED

The following tables are included to illustrate the costs and results of the 1961 and 1962 feed grain programs.

SPESSARD L. HOLLAND.
JAMES O. EASTLAND.
GEORGE D. AIKEN.
BOURKE B. HICKENLOOPER.
J. CALEB BOGGS.
E. L. MECHEM.

TABLE I.—*Factors in the reduction of feed grain stocks*

[Million tons]

	1961	1962	Total for 1961-62
Total reduction in carryover	12.9	10.8	23.7
Reduction in production from 1960 of crops covered by program:			
Corn	7.9	7.4	15.3
Grain sorghum	4.0	3.1	.71
Barley		0	0
Total	11.9	10.5	22.4
Reduction in production from 1960 of crops not covered by program:			
Barley	.8		.8
Oats	2.3	2.0	4.3
Total	3.1	2.0	5.1
Increase in utilization from 1960 marketing year	8.1	8.3	16.4
Net effect of reduction in production of crops not covered by program and increase in utilization on carryover	−11.2	−10.3	−21.5
Reduction in carryover due to feed grain program	1.7	.5	2.2

NOTE.—It may be argued that the carryover would have increased if there had been no feed grain program. The point, however, is that the program has done little except to stop the buildup. The reduction in accumulated stocks is almost entirely due to increased utilization and reduced production of feed crops not covered by the program.

The total direct costs of our 2-year experience with the feed grain program have exceeded $1.7 billion.

TABLE II.—*Direct costs of the 1961 and 1962 feed grain programs*

[Million dollars]

Payments to—	1961	1962	Total, 1961 and 1962
Corn producers Sorghum producers	765	854	1,619
Barley producers		42	42
Administrative expenses	42	[1] 42	84
Total	807	938	1,745

[1] Assumed to be the same as for 1961.

Indirect costs resulting from the policy of dumping CCC grain to penalize nonparticipants will add $200 million or more to the total cost of the 1961 and 1962 programs.

TABLE 2.—*Payments under 1961 and 1962 feed grain programs cumulative from inception through Jan. 31, 1963* [1]

State	1961	1962
Maine	$15,192.81	$20,128.18
New Hampshire		
Vermont	50,175.68	45,926.05
Massachusetts	7,195.14	12,753.21
Rhode Island	929.14	1,481.24
Connecticut	47,968.04	84,587.90
New York	6,682,800.36	6,547,078.96
New Jersey	1,895,972.70	2,356,405.53
Pennsylvania	6,821,336.60	8,149,306.66
Ohio	42,674,824.43	36,603,994.99
Indiana	54,742,969.80	53,706,966.78
Illinois	87,817,582.63	87,505,791.53
Michigan	18,320,677.52	21,259,519.17
Wisconsin	23,462,051.07	25,835,092.65
Minnesota	46,213,009.54	53,970,447.50
Iowa	107,620,556.78	121,569,584.71
Missouri	69,328,457.38	64,850,552.21
North Dakota	5,507,579.19	13,589,872.53
South Dakota	15,775,983.08	15,608,599.32
Nebraska	66,788,199.59	68,025,510.09
Kansas	55,209,166.28	44,164,064.60
Delaware	1,511,602.28	1,479,352.31
Maryland	3,127,734.51	3,035,486.48
Virginia	4,373,162.98	6,293,070.89
West Virginia	407,098.21	748,375.98
North Carolina	$16,231,578.73	$20,828,623.99
South Carolina	4,198,903.27	6,009,777.87
Georgia	6,574,272.08	11,941,776.63
Florida	2,466,460.80	3,227,494.06
Kentucky	17,723,194.20	18,204,191.76
Tennessee	11,867,721.84	14,822,371.68
Alabama	7,649,355.90	10,338,427.09
Mississippi	5,285,687.01	7,706,405.34
Arkansas	2,212,219.46	2,788,502.10
Louisiana	2,170,378.73	3,105,747.03
Oklahoma	8,782,070.88	9,653,284.40
Texas	59,601,429.43	64,569,628.14
Montana	601,921.97	1,727,066.88
Idaho	337,262.98	1,697,980.91
Wyoming	378,164.83	516,190.34
Colorado	6,327,776.98	6,755,320.29
New Mexico	2,635,342.22	2,838,522.31
Arizona	2,192,877.84	3,230,211.20
Utah	355,815.37	694,427.68
Nevada	25,143.44	15,873.04
Washington	1,058,388.46	2,931,744.15
Oregon	822,942.54	2,361,277.57
California	4,397,794.42	10,091,095.41
U.S. total	782,198,929.12	841,519,853.34

[1] Based on data compiled by Fiscal Division, ASCS, Feb. 26, 1963, and subject to revision after final reports are obtained from State and county ASCS offices.

Mr. HICKENLOOPER. Mr. President, I wish to say again that during the course of the debate on the amendments, many of us expressed our views, opinions, and concern. I regret that tonight we must take a step which is unprecedented in finalizing a piece of legislation which I think is evil for the agriculture economy of our country, especially the freedom and the opportunity of the farmers who are now farming as well as the farmers who would desire to go into farming in future years. It is an ominous thing. I do not believe that it bodes well for the agricultural economy of our country. I regret it. I shall vote against the bill.

Mr. COOPER. Mr. President, I shall be brief because the debate has been long. I intend to vote for the bill, and I wish to state my reasons.

I cannot find a great deal of fault with many comments made by the distinguished Senator from Iowa [Mr. HICKENLOOPER] in relation to the necessity for confidence to encourage the growth of the economy of our country. But at last we have come down to the question of looking at the merits of the bill before us and voting on its passage. I know that a great many factors not directly related to the merits of the bill have entered into the debate. For example, I did not think it was necessary to pass the bill with the speed which the majority and the administration has desired that it be passed. For that reason I voted on the amendments brought before the Senate upon their merits, at least as I saw them. Now we come to the bill as presented.

The bill before us, H.R. 4997, extends to the 1964 and 1965 crops the voluntary feed grains program which has been in effect, with modifications, for the 1961, 1962, and 1963 crops of corn and other feed grains. I shall vote to extend the voluntary feed grain program for 2 additional years, and I point out that my vote will be consistent. For in the Committee on Agriculture and in the Senate, I have opposed the compulsory feed grain control programs advanced by this administration, and have voted instead to extend the voluntary program.

Early in his administration, President Kennedy recommended a voluntary feed grain program for the 1961 crop of corn and other feed grain—a program which in many respects was similar to the voluntary corn soil bank or soil bank acreage reserve program of the Eisenhower administration. The voluntary program for the 1961 crop passed the Senate by a vote of 52 to 26, and the conference report was adopted by a vote of 58 to 31, with the support of many of my colleagues on this side of the aisle.

Following passage of the emergency feed grain program, the Secretary of Agriculture later in 1961 sent up an omnibus bill, intended to vest in the Secretary large and unprecedented new powers to write and carry out price support, production control and marketing agreement programs for virtually all farm commodities without specific authorization by the Congress. These powers were not granted, and I strongly opposed the omnibus provisions in committee. Instead, the voluntary feed grain program was extended to the 1962 crop by the limited Agricultural Act of 1961 passed by the Senate in July, as I recall without large opposition and by a voice vote.

Last year, the administration made a strong fight for a compulsory feed grain control program—which I opposed, and which was defeated. At every step, I voted to strike out the compulsory program and instead to extend to the 1963 crop the voluntary program. In committee, I joined the Proxmire motion to that effect, which succeeded 9 to 8. Later, the compulsory program was substituted for the voluntary program on the Senate floor. But the House rejected the compulsory program and sent the Senate its own bill. It was on my motion, as the chairman will recall, that the Senate Committee on Agriculture for a second time rejected the compulsory feed grains control program and substituted extension of the voluntary program for a third year—the 1963 crop year—by a 9-to-8 vote. Subsequently, the administration gave up its drive for compulsory feed grain controls and accepted the voluntary program.

So I state that my votes in support of the voluntary program, and against the compulsory program of mandatory acreage controls on all farmers growing corn and other feed grains, have been consistent.

I point out that in the absence of any program, price supports for corn would fall to about 80 cents—that is, not less than 50 percent of parity at such level "as the Secretary determines will not result in increasing Commodity Credit Corporation stocks of corn." And Senators will recall that my motion to reconsider the voice vote to reduce the level of price support to 0 to 90 percent of parity for the 1964 and subsequent crops in the absence of a program was debated in the Senate for several hours last August, and I believe had some influence in persuading the conference to provide at least 50 percent of parity, rather than 0 to 90 percent of parity, in the event no program is in effect.

I think the voluntary program has been good for Kentucky farmers, just as the corn soil bank was good for them under the Eisenhower administration. Both have been popular. It is plain that, while costly, the voluntary program has made progress in reducing surplus stocks and saving Government storage and handling costs, which had grown to excessive levels. There is reason to hope that after 2 more years of the voluntary program supplies will be in reasonable balance with use. And I am very glad that the voluntary program has proved successful enough so that even this administration has given up its demand for compulsory controls on all producers of corn.

I point out also that the bill before us contains a provision which I offered, and which was first included in the 1961 crop year program, permitting small farmers to put their entire corn acreage into conservation uses and receive payments, up to 25 acres. This provision has been helpful to Kentucky farmers, and has also helped to make the voluntary program a success.

So, as we come to a vote on passage of this bill, we are faced with a choice. For the last 2 years, as I have said, we have been faced with a choice of a compulsory feed grain program or a voluntary feed grain program. In the Committee on Agriculture and Forestry, the minority members, with the help of the Senator from Florida and the Senator from Mississippi, stood against a compulsory feed grain program. For 2 years, as a result of the opposition of many Senators and farmers throughout the country, a bill containing a compulsory program was not enacted. We can be very happy that did not occur, because it would have resulted in a system of acreage controls over all the feed grain growers of our country.

What is our alternative? Our alternative is the bill before the Senate.

There are sections in it which I should like to see omitted. For example, I voted for the amendment of the Senator from Iowa [Mr. HICKENLOOPER] to remove the section which would give the Secretary authority to make compensatory payments above the 18 cents a bushel that was paid last year. But we have the assurance of the chairman of the committee—and I have confidence in the chairman—that the Secretary will not make payments over 18 cents.

What is the alternative? If the bill is not passed, feed grain growers will operate under the bill that was passed last year—a bill, I may say, that I spoke against and voted against, because I saw in it provisions which I believed would lead to the situation that we are in today.

The bill passed last year provided that when the existing voluntary feed grain program ended, and a new one, such as the one we are now considering, was not enacted, the support price for corn would be at a level of 50 to 90 percent of parity—but also at a level which would not increase CCC stocks. That means that 50 percent of parity would be the level, in my judgment. The distinguished Senator from South Dakota has expressed that opinion.

If the parity price of corn were $1.50 or $1.60, it would mean that, without the enactment of this bill—and I want this to be in the RECORD and be known to all of us—the price the farmer would receive for his corn would be 75 to 80 cents a bushel, with other feed crops at a comparable price level.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. YOUNG of North Dakota. The Senator from Kentucky [Mr. COOPER] last year, when the omnibus farm bill passed the Senate, called attention to the fact that one of the provisions of the bill would lower the price supports of corn and feed grains to 50 percent of parity.

It was the Senator from Kentucky, more than anyone else, who brought out that point. The Senator from Kentucky is absolutely correct. If the bill is not passed, the price supports for feed grains will go to 50 percent of parity. This will mean a reduction from $1.25 to 80 cents a bushel. If that would not be disastrous to all agriculture, I do not know what would. This is one of the main reasons why I voted against the omnibus farm bill last year which would have reduced the price supports to 50 percent of parity. This is one of the main reasons why I shall vote for the bill tonight, a bill which is completely voluntary in form.

Mr. COOPER. I agree with the Senator. For 2 years I voted against the compulsory feed grain programs. Last year I voted against the omnibus bill, because it had that provision in it.

Unless we pass the bill before the Senate, it will mean that corn and other feed grain growers will receive 50 percent of parity.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. JOHNSTON. What the Senator has said is correct. When Secretary Freeman was testifying, he said that if we did not pass the bill the provisions of the old law would be in force, and we would be under the terms of a law which would provide close to 50 percent of parity.

Mr. COOPER. I am sorry that provision was in the bill we passed last year, and I spoke and voted against that bill because of it, but it was included and was passed.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. MILLER. Mr. President, I will not detain the Senate for more than a few moments, but I think I ought to make a comment, in view of what has been said.

I, too, voted against the omnibus bill of last year. At that time, along with many of my colleagues, I warned that the reason for trying to get that bill passed, with the provision for 50 percent of parity and 80 cents a bushel for corn starting in 1964 included, was that when this year came around that that would be hung over our heads like the sword of Damocles, to try to force us into passing something which would meet the whims and fancies of the Secretary of Agriculture and his supply management people.

That is precisely what has happened. They did not come to the Congress with a controlled, nonvoluntary program, which is what they would have liked to have done, because they knew the Congress would not accept it. They came forward with a so-called voluntary program, which in some respects is voluntary in name only. We all know that the word "voluntary" can mean many things. If it is possible to sweeten the carrot enough, it can become almost irresistible. In that situation it is questionable whether it should be called a voluntary program.

Be that as it may, the fact that we might perhaps vote down the bill certainly would not mean there would not be any feed grain program for 1964. There is plenty of time remaining for Congress to consider another program. I venture to say that if the Senate should vote against this bill, if the bill should not pass without reasonable amendments, there would be plenty of opportunity, because all the indications are that we shall be here for quite a long while yet, to consider another proposal. If I gage the political astuteness of my colleagues on the other side of the aisle correctly, they will see to it that there will be a feed grain program in 1964 which does not call for 50 percent of parity.

I think it well to point out that one of the main reasons why some of us will vote against the bill is the complete discretion which is to be granted to a nonelected public official. The legislative branch of the Government will be abdicating its proper powers under the doctrine of the separation of powers to a nonelected public official. This nonelected public official could, under the terms of the bill, decide that there will not be an acreage diversion program for certain feed grains. If that should happen, there will be a provision for 50 percent of parity, because the law which was put on the books last year would be operative.

So I point out to my good friend from Kentucky and to my good friend from North Dakota that, under the terms of the bill, we are asked to give to the Secretary of Agriculture the power to decide for the farmers whether there will be 80-cent-a-bushel corn. I think this is very deplorable.

So, Mr. President, I shall be forced to vote against the bill.

"FAITH 7"

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MILLER. I am happy to yield.

Mr. HICKENLOOPER. I wish to inform the Senate that the capsule with Astronaut Cooper has just landed in the Pacific, only a few hundred feet away from the carrier, according to the report. [Applause.]

Mr. MILLER. Mr. President, in the 2 days the Senate has been considering the feed grain bill this is the only good news I have heard.

I wish we could have an amendment or two adopted in the Senate, to liven up the situation, but the die has been cast.

In conclusion, Mr. President, I shall be forced to vote against the bill. I shall do so with the clear understanding that if the Congress should turn down this unfortunate piece of proposed legislation there would be a sufficient number of Members of Congress who would see to it that the sword of Damocles which was passed in the last session of Congress no longer will be held over the heads of our farmers in 1964, and a reasonable program which will assure to them some kind of future for themselves and their families will be provided.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. YOUNG of North Dakota. Mr. President, I ask unanimous consent to have printed in the Record at this point some questions I asked of Secretary of Agriculture Freeman when he appeared before the Senate Committee on Agriculture and Forestry about 2 weeks ago, and the answers he gave. The colloquy appears beginning on page 55 of the hearings.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The Chairman. The Senator from North Dakota may proceed.

Senator Young. If this feed grain bill does not pass, at what price in dollars and cents would you have to set corn price supports next year?

Secretary Freeman. Under the law it would be close to 50 percent of parity—about 80 cents per bushel.

Senator Young. For corn?

Secretary Freeman. Yes, sir.

Senator Young. What is the present support price for corn?

Secretary Freeman. $1.25.

Senator Young. This drastic drop in price support would certainly be accompanied by an almost equal drop in cash prices for corn, wouldn't it?

Secretary Freeman. Yes, sir.

Senator Young. Wouldn't this mean a great increase in cattle and hog feeding?

Secretary Freeman. Yes; it would.

Senator Young. More meat would mean cheaper prices for the producers, more trouble?

Secretary Freeman. It would mean, I think, a very sharp drop in the related markets of products that consume feed grain.

Senator Young. Your predecessor, Secretary Benson, recognized this when he made available price supports for noncompliance corn 2 years in a row. He stated at the time, he was doing it because cheap feed grain would mean overproduction of meats and trouble for them.

Well, now, in case a no-vote prevails in this referendum the price support for wheat would be at 50 percent of parity, or $1.25 a bushel, and that only to those who comply with acreage allotments.

Secretary Freeman. Yes, sir.

Senator Young. Do you know of any old law you can dust off like Secretary Benson did that could be used to establish a price support for noncompliers?

Secretary Freeman. No, sir.

Senator Young. The price support would go to that level, then?

Secretary Freeman. Yes, sir.

Senator Young. Just one more question: Has anything happened to your retirement program which would take the place of the soil bank?

Secretary Freeman. We have been working on it very hard. The Senator asked me about that before the Appropriations Committee. There is a meeting scheduled for this afternoon with the Bureau of the Budget. It is a longtime program as you know, and we have been working over the final details, we are very anxious to get that out and up here as quick as we can.

Senator Young. Just one more question: In my State, the vote seems to hinge mostly on whether Congress would write a new and better program if a no-vote prevails. A great many farmers have been convinced that Congress will immediately write a better program.

Do you have any other program in mind if you——

Secretary Freeman. No, sir.

Senator Young. I am wondering, if any members of this committee have a new program in mind, it would be very helpful to the wheat producers if they would state what this program is and particularly what dollars and cents price-support level it would embody.

I know of no such program. Maybe someone has one in mind, but if they have, I think it would be very helpful to wheat producers all over the United States to know exactly what kind of program it is.

Secretary Freeman. It is my understanding Senator, that when the Congress passed the Food and Agriculture Act of 1962, it very clearly stated that we would see what the farmers wanted, that the Congress provided for a further referendum for the 1965 crop, if there should be a negative result this time, and that it further provided for an interim program during that period which the Senator has just described, and that as such, this question was literally decided by the Congress when the Food and Agriculture Act was passed in 1962. The Congress can, of course, always change its mind. But as far as the Secretary of Agriculture is concerned, it was passed on that basis and I feel that that was Congress' purpose and intent and I would feel bound to comply with the intent of Congress as so expressed.

Senator Young. The only precedent I know of that we have—correct me if I am wrong—is that in tobacco, the producers disapproved a tobacco quota 1 year, Congress did nothing and they approved it in succeeding years.

That is all.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ANDERSON (when his name was called). On this vote I have a pair with the senior Senator from Oregon [Mr. Morse]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. BREWSTER (when his name was called). On this vote I have a pair with the junior Senator from Michigan [Mr. Hart]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. INOUYE (when his name was called). On this vote I have a pair with the Senator from Florida [Mr. Holland]. If he were present and voting, the Senator from Florida would vote "nay"; if I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. LAUSCHE (when his name was called). On this vote I have a pair with the junior Senator from Arkansas [Mr. Fulbright]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the senior Senator from Colorado [Mr. Allott]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Nevada [Mr. Cannon], the Senator from Connecticut [Mr. Dodd], the Senator from California [Mr. Engle], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from Florida [Mr. Holland], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Maine [Mr. Muskie] is absent due to illness.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Nevada [Mr. Cannon], the Senator from Connecticut [Mr. Dodd], the Senator from California [Mr. Engle], the Senator from Alaska [Mr. Gruening], the Senator from Indiana [Mr. Hartke], the Senator from Maine [Mr. Muskie], and the Senator from Georgia [Mr. Russell] would each vote "yea."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from New Jersey [Mr. Case]. If present and voting, the Senator from Utah would vote "yea," and the Senator from New Jersey would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott] and the Senator from New Jersey [Mr. Case] are necessarily absent.

On this vote, the Senator from New Jersey [Mr. Case] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "nay," and the Senator from Utah would vote "yea."

The pair of the Senator from Colorado [Mr. Allott] has been previously announced.

The result was announced—yeas 45, nays 35, as follows:

[No. 90 Leg.]

YEAS—45

Bayh
Bible
Burdick
Byrd, W. Va.
Church
Clark
Cooper
Douglas
Edmondson
Ellender
Ervin
Gore
Hayden
Hill
Humphrey
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Mundt
Nelson
Neuberger
Proxmire
Randolph
Ribicoff
Smathers
Sparkman
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—35

Aiken
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Fong
Goldwater
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Mechem
Miller
Morton
Pastore
Pearson
Pell
Prouty
Robertson
Saltonstall
Scott
Simpson
Smith
Stennis
Thurmond
Tower
Williams, Del.

NOT VOTING—20

Allott
Anderson
Bartlett
Brewster
Cannon
Case
Dodd
Engle
Fulbright
Gruening
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So the bill (H.R. 4997) was passed.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXPRESSION OF APPRECIATION

Mr. MANSFIELD. Mr. President, before I present a resolution, I wish to express my appreciation, as the leader on the Democratic side, to the distinguished Senator from Louisiana [Mr. Ellender], who once again has done an outstanding job in bringing before the Senate a bill having to do with the agricultural economy of our country. He has shown his usual skill and outstanding knowledge, and we are indeed indebted to him, and to the Senate as a whole for the understanding it has shown.

I want to say to Senators who opposed the bill, such as the distinguished minority leader [Mr. Dirksen], the Senator from Iowa [Mr. Hickenlooper], the Senator from Vermont [Mr. Aiken], and other Senators, that we are grateful to them for giving us the opportunity to at least reach a final disposition of this measure.

In passing, I also wish to express my gratitude to the Senator from Virginia [Mr. Robertson], who was in charge of the appropriation bill having to do with the Treasury, Post Office, and executive departments, a bill which passed last week. It was the earliest date on which an appropriation bill has passed in this body since May 1955. So to those two chairmen I extend my thanks.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I hope Senators will remain for a moment while the majority leader submits a resolution paying tribute to a very distinguished astronaut who finished an epochal flight.

Before he does, I want to salute the Members on my side of the aisle for the great effort they made in exposing the weaknesses in the legislation just approved by the Senate. I thought these were great days. Every facet of the bill was thoroughly discussed, and we are quite content to have the result. Of course, we have to abide by the victory of my distinguished friend the Senator from Montana and my distinguished friend the Senator from Louisiana. We bow, of course, to superior force.

However, we believe in the Biblical admonition that one man clothed in righteousness is a match for all the hosts of error.

Mr. HUMPHREY. Mr. President, I wish to join with the majority leader in expressing commendation and thanks to the distinguished Senator from Louisiana [Mr. Ellender] for his remarkable record of procuring agricultural legislation and for the expert manner in which he handles the intricate, complicated agricultural bills on the floor of the Senate.

I served on the Committee on Agriculture and Forestry for many years. I know the chairman of the committee to be one of the most knowledgeable men in the Nation on agricultural policy and agricultural legislation.

Also, the Secretary of Agriculture is to be commended for his testimony before the Committee on Agriculture and Forestry and for the manner in which he has administered the feed grain programs, as well as other programs that are entrusted to his responsibility. I believe the vote in the Senate, as well as the vote in the other body, indicates an expression of confidence and support in the administration of the Department of Agriculture by Secretary Freeman. He has undertaken the extremely difficult task of trying to bring some order out of what was the chaos of our agricultural policy. I believe he is succeeding in doing so. He is developing a record that points to a better program for our farmers, a lessening of the burden upon the taxpayers, and a greater opportunity for American consumers to enjoy the benefits of an abundant agricultural economy.

ASTRONAUT L. GORDON COOPER

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader, the Senator from Illinois [Mr. Dirksen] and myself and the 98 other Members of the Senate, Senators Aiken, Allott, Anderson, Bartlett, Bayh, Beall, Bennett, Bible, Boggs, Brewster, Burdick, Byrd of Virginia, Byrd of West Virginia, Cannon, Carlson, Case, Church, Clark, Cooper, Cotton, Curtis, Dodd, Dominick, Douglas, Eastland, Edmondson, Ellender, Engle, Ervin, Fong, Fulbright, Goldwater, Gore, Gruening, Hart, Hartke, Hayden, Hickenlooper, Hill, Holland, Hruska, Humphrey, Inouye, Jackson, Javits, Johnston, Jordan of North Carolina, Jordan of Idaho, Keating, Kefauver, Kennedy, Kuchel, Lausche, Long of Missouri, Long of Louisiana, Magnuson, McCarthy, McClellan, McGee, McGovern, McIntyre, McNamara, Mechem, Metcalf, Miller, Monroney, Morse, Morton, Moss, Mundt, Muskie, Nelson, Neuberger, Pastore, Pearson, Pell, Prouty, Proxmire, Randolph, Ribicoff, Robertson, Russell, Saltonstall, Scott, Simpson, Smathers, Smith, Sparkman, Stennis, Symington, Talmadge, Thurmond, Tower, Williams of New Jersey, Williams of Delaware, Yarborough, Young of North Dakota, and Young of Ohio, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 143), as follows:

> Whereas Major L. Gordon Cooper, of the United States Air Force, has completed the longest flight in space ever undertaken by an American; and
>
> Whereas the bravery, skill, and dedication of Major Cooper have aroused the admiration of the people of the world, and demonstrated the capabilities of freemen in the exploration of space; and
>
> Whereas the efforts of thousands of Americans have contributed to the success of Major Cooper's flight; and
>
> Whereas the family of Major Cooper has endured the long trial of his preparation and flight with great fortitude, and has rendered him untiring support: Now, therefore, be it
>
> *Resolved,* That the Senate of the United States extends its profound congratulations to Major Cooper on his heroic accomplishment, and expresses its gratification to his family and to all those who have contributed to the success of his mission.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The Chair hears none, and the resolution (S. Res. 143) is unanimously agreed to.

The preamble was agreed to.

[Applause, Senators rising.]

Mr. MAGNUSON. Mr. President, of course I heartily favor the resolution. Had I had a part in drafting the resolution I am sure I would not have overlooked—and I am sure that the majority leader and minority leader did not intend to overlook—adding congratulations to the great team effort of private industry, the Government, and of all groups of research, and the initiative which has brought into being the greatest communication system the world has ever known.

Most people do not realize that without communication tools, including the miniaturization which produced the transistors, there could have been no Cooper flight, no opportunity for the rest of the world to receive pictures of the flight in split seconds, and no assurance that our astronaut was safe. A great many people took part in the effort, and I am sure the Senate as a whole joins me in extending congratulations to the courage of our great astronaut.

Mr. **MONRONEY**. Mr. President, I know that all the Members of the Senate who have voted commendation to Major Cooper for his phenomenal and fantastic orbital flight are proud of the great skill and courage of this young American.

The fact that Major Cooper brought his flight to a successful conclusion close to the carrier *Kearsarge*, precisely upon his target, after completing his flight by manual control, again shows the courage and skill of the young men who are leading us into the great adventure of outer space.

Mr. President, Maj. Leroy Gordon Cooper's 18th orbit brought him within sight of his birthplace of Shawnee, Okla. The successful 22-orbit flight of Major Cooper has again focused the attention of uncounted millions throughout the world on the open and aboveboard effort of the people of the United States to develop space for peaceful purposes. This flight has confirmed once more the soundness of the approach which the people of the United States, acting through their Government, have made to the challenges of the space age. All openly conducted and heard and viewed by the world. Great teamwork by freemen.

The Members of the Senate will understand, I am sure, the particular interest which Oklahomans have in this manned space flight. Major Cooper typifies a generation of Oklahomans who are making tremendous contributions to the development of our State and of our Nation. The progress of civilization has been extremely rapid in Oklahoma. In Leroy Gordon Cooper's home county of Pottawatomie pioneers are still living who came to the area before the turn of the century when it was the raw frontier of Indian territory.

The astronaut's father, the late Judge Leroy Gordon Cooper, Sr., served with distinction as a colonel in the U.S. Air Force during and following World War II. It was my privilege last August to participate in the dedication of a new Armed Forces Reserve Center at Shawnee, Okla., named in honor of the astronaut's father.

This has been a strenuous period since yesterday, I am sure, for Mrs. Hattie Cooper, the astronaut's mother, who is at the home of his grandmother, Mrs. Orena Herd, in Tecumseh, Okla., as well as for Mrs. Cora E. Cooper, the paternal grandmother of the astronaut, who lives in Shawnee, Okla. I know that all Members of the Senate will join with me in extending to the wife, mother, and grandmothers of this heroic young man our congratulations and felicitations.

Our best wishes and congratulations for a job well done go to this talented 36-year-old test pilot, who has accomplished many of the experiments associated with the Mercury-Atlas 9 space flight which extended our Nation's manned space flight experience to 22 orbits. It has been heartening to learn that most of the experiments associated with this mission have proceeded in good order.

Oklahoma's participation in our national space program has today become a very personal matter for the thousands of friends which Major Cooper and his family have in the State. Starting years before the so-called space race really began with the launching of Sputnik I, many of Major Cooper's fellow Oklahomans have been devoting much energy through the nationally known Frontiers of Science Foundation of Oklahoma and other activities to increase participation in the fields of space research and development in Oklahoma.

Major Cooper's achievement today will give all Oklahomans and all Americans new inspiration as they plan and study and work to meet the fantastic opportunities of the space age. The tens of thousands of workers, engineers, scientists, and managers who have had a part in the flight of Major Cooper deserve the applause they are receiving from freemen everywhere.

Mr. **YARBOROUGH**. Mr. President, I wish to join in extending the congratulations which have been voiced by the majority leader and the senior Senator from Oklahoma, the senior Senators from Washington, and other Senators.

Texas is the home of the astronauts. They have moved to Harris County. They now live near the great space research center which has been established. Major Cooper's wife and his two daughters watched this flight from their home. The hearts of the people of my State were with him, as were the hearts of the people of the rest of the Nation.

We in Texas have a special interest in the astronauts since they have moved to our State. They have made their homes with us in Texas.

On behalf of my State I express the heartfelt gratitude of all the people of our State for the team effort and for the skill and the courage and the calm self-control that this astronaut showed, and for the calmness and for the spirit of our people as they watched Major Cooper in flight. The conduct of the American people is something that all of us can be proud of under all the circumstances.

We are proud of the background of this astronaut, as the Senator from Oklahoma has just outlined, which gave him the opportunity. I believe it is worthy of note that all the astronauts have come from small towns in America. When the multiple tests were given to applicants, to determine the kind of men who could best withstand the great pressures of the astronaut program, it was found that out of the background of the small towns of America had come this elite seven in capability and self-control and endurance.

Major Cooper has upheld the finest traditions of our race throughout all history.

That is something that all of us can have a quiet pride in. The people of my State are tremendously proud of the fact that the astronauts now make their home in our State.

CONVEYANCE OF CERTAIN LANDS TO LINCOLN COUNTY, NEV.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 873) to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the county of Lincoln, State of Nevada, which was to strike out all after the enacting clause and insert:

That the Secretary of the Interior shall issue to the county of Lincoln, State of Nevada, upon the payment of the purchase price by the county into the Treasury of the United States, not more than five years after the Secretary has notified the county of such price, which shall be an amount equal to the fair market value plus the cost of any appraisal of the lands as of the effective date of this Act as determined by the Secretary after the appraisal of the lands by contract appraisal or otherwise, a patent for the following-described lands, situated in the State of Nevada and comprising approximately 2,844 acres (all range references are to the Mount Diablo base and meridian):

The northwest quarter, west half of southwest quarter section 2; all section 3; north half, southwest quarter, west half of southeast quarter, northeast quarter of southeast quarter section 10; southeast quarter of northeast quarter, northwest quarter of northwest quarter, southeast quarter section 11; all section 14; north half, southwest quarter, northeast quarter of southeast quarter of northwest quarter of southeast quarter, southeast quarter of southeast quarter section 15, all in township 3 south, range 67 east, Mount Diablo meridian, Nevada.

SEC. 2. The conveyance authorized by this Act shall be made subject to any existing valid claims against the lands described in the first section of this Act, and to any reservations necessary to protect continuing uses of those lands by the United States.

SEC. 3. Nothing contained in the preceding provisions of this Act shall be construed to preclude the county of Lincoln, State of Nevada, from purchasing, in accordance with such preceding provisions, only such portion or portions, by legal subdivision of the public land surveys, of the above-described lands as such county elects, nor shall the purchase by such county of only a portion or portions of such lands be construed to constitute a waiver or relinquishment of any of its rights under this Act to purchase, in accordance with such preceding provisions and by legal subdivisions of the public land surveys, the remainder of such lands, or any portion thereof.

SEC. 4. All moneys received from the conveyance of lands under the terms of this Act shall be disposed of in the same manner as moneys received from the sale of public lands, except that moneys received as reimbursement for costs of appraisal, surveys, and extinguishing adverse claims may be used by the Secretary for said purposes without appropriation.

SEC. 5. The lands described in section 1 of this Act shall be segregated from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, from the date of approval of this Act until the Secretary shall provide otherwise by publication of an order in the Federal Register.

SEC. 6. This Act shall not preclude the county of Lincoln from acquiring title or leases to any lands described in this Act for public or recreational purposes under the Act of June 14, 1926 (44 Stat. 741), as amended (43 U.S.C. 869, et seq.).

SEC. 7. Any patent issued under this Act shall contain a reservation to the United States of any of the following named minerals for which the land is deemed valuable or prospectively valuable: coal, native asphalt, solid and semi-solid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), oil, gas, oil shale, phosphate, sodium, and potassium, together with the right of the United States, its lessees, permittees or licensees to prospect for, mine, and remove them under applicable provisions of law.

Mr. HUMPHREY. Mr. President, the purpose of the bill is to convey approximately 2,800 acres of land to Lincoln County, Nev., through the means of a fair market value sale. The bill is approved by the Department of the Interior. It passed the Senate on April 11, and passed the House with amendments on May 6. The amendments made by the House are acceptable to the Senate, and the Committee on Interior and Insular Affairs does not request a conference.

I move that the Senate concur in the amendment of the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

PROHIBITION OF DISCRIMINATION ON ACCOUNT OF SEX IN PAYMENT OF WAGES

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 158, S. 1409.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1409) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce, and to provide for the restitution of wages lost by employees by reason of any such discrimination.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare with an amendment on page 2, line 17, after "(1)", to strike out "No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, responsibility, and are performed under similiar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex" and insert "No employer having employees subject to any provisions of this section shall discriminate in the payment of wages within any establishment in which such employees are employed, between employees in such establishment, on the basis of sex for equal work on jobs the performance of which requires equal skill, effort, responsibility, and are performed under similar working conditions, except where such a wage differential is based on any factor or factors other than sex", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Equal Pay Act of 1963."

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby finds that the existence in industries engaged in commerce or in the production of goods for commerce of wage differentials based on sex—

(1) depresses wages and living standards for employees necessary for their health and efficiency;

(2) prevents the maximum utilization of the available labor resources;

(3) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;

(4) burdens commerce and the free flow of goods in commerce; and

(5) constitutes an unfair method of competition.

(b) It is hereby declared to be the policy of this Act, through exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct the conditions above referred to in such industries.

SEC. 3. Section 6 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. et seq.), is amended by adding thereto a new subsection (d) as follows:

"(d)(1) No employer having employees subject to any provisions of this section shall discriminate in the payment of wages within any establishment in which such employees are employed, between employees in such establishment, on the basis of sex for equal work on jobs the performance of which requires equal skill, effort, responsibility, and are performed under similar working conditions, except where such a wage differential is based on any factor or factors other than sex: *Provided,* That an employer who is paying a wage rate differential which would be in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

"(2) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this Act."

SEC. 4. The amendments made by this Act shall take effect upon the expiration of one year from the date of its enactment.

ADDRESS OF MAYOR HUGH ADDONIZIO, OF NEWARK, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, to commemorate this 15th anniversary year of the birth of Israel, a moving salute to this brave land of courageous people was held in Newark, N.J., at the Sussex Armory on the evening of May 15, 1963.

The thousands of New Jerseyans who had the privilege of attending are deeply indebted to the tireless efforts and deep humanitarianism of former Judge Joseph Lerner and his talented and gracious wife, Beatrice. It was an honor indeed for the State of New Jersey to have such distinguished visitors to share this memorable hour, as Ambassador Michael Comay, Israel's Ambassador to the U.N., Toga's Ambassador to the United Nations and George Jessel, one of the Nation's greatest worldwide ambassadors of warmth and wit.

Mr. President, it is fitting that this occasion was opened by my friend and former colleague Mayor Hugh Addonizio of the city of Newark.

Mr. President, I ask unanimous consent that his moving observations made at this occasion be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF MAYOR HUGH ADDONIZIO

I feel honored and privileged to be with all of you, my friends, and greet you as mayor of the city of Newark at this outstanding celebration of the 15th anniversary of the miracle of the birth of the State of Israel.

It is fitting and proper that we rejoice and acclaim the vigor, vitality and unalterable determination of the Jewish people throughout the world who struggled and sacrificed their very lives to build this new nation.

How wonderful it is to know that such a small group of people have been able in such a short time to turn the arid desert into green pastures—and to build modern cities where desolation existed for thousands of years.

Yes, this is the nation that has granted life and haven to Jews throughout the world who were forced to flee from the hands of dictators and destroyers of human life.

Today Israel stands as a symbol of hope for all people who yearn to be free.

Today Israel stands as a symbol that people have it within their own power to determine their ultimate destiny.

As a nation it stands today as a bulwark of democratic strength against those who seek to impose their government and philosophy on others by forceful means.

From the very inception of its birth this tiny country of Israel has been surrounded by hostile nations that have sworn its annihilation. At this very hour these nations by their overt activities have taken steps that threaten the very existence of the State of Israel and the prospect of peace in the Middle East.

We, as Americans, who enjoy the fruits of democracy, have a continual responsibility to the State of Israel. This responsibility cannot be accomplished by mere declaration of our intent but by act and by deed.

Therefore, in this perilous hour, as mayor of this city and as one who has served in the Congress of the United States for 14 years I call upon the President of the United States, the Department of State, and the Congress of the United States, to prepare now to give Israel the material help it may need in the event it is required to protect its sacred borders.

I pledge myself to do what I can and join all forces which are dedicated to maintaining the State of Israel and the dignity of the people of this nation who have already made an everlasting contribution to world peace.

It has been an honor for me to be here tonight and to participate with you in this celebration and may God give you the strength and courage to carry on this valiant struggle for the sake of all humanity.

SOIL STEWARDSHIP WEEK

Mr. BURDICK. Mr. President, next week "soil stewardship" is being observed throughout America. I want to pay tribute to the soil conservation districts of America, their national association, and cooperating church groups who sponsor this annual observance.

Thousands of church observances are being held this week to place emphasis on man's obligation to God as stewards of the soil, water, and other related resources. This year's observance, with the theme "We Turn Our Eyes to the Future," underscores the responsibility which each citizen has in meeting the responsibilities of soil stewardship.

I pay tribute to the 14,000 soil conservation district leaders who have for 9 years inspired this annual observance. In my home State of North Dakota these are the supervisors of the 73 soil conservation districts organized under North Dakota State law.

I also salute the thousands of clergy in all faiths who use this observance to remind us that soil stewardship is everyone's responsibility. It is a responsibility of people who live in the towns and cities as well as those who work the land.

Although Soil Stewardship Week is sponsored by soil conservation districts, the materials for supporting it were developed in cooperation with an advisory committee of church leaders. The advisers for this year's observance consist of Rev. E. W. Mueller, National Lutheran Council, Chicago; Rev. John George Weber, National Catholic Rural Life Conference, Des Moines; Rev. Harold Huff, Board of Missions, Methodist Church, Philadelphia; Rev. Henry A. McCanna, National Council of the Churches of Christ, New York City; and Rev. Lewis Newman, Southern Baptist Convention, Atlanta.

These church leaders have underscored the necessity for man to look beyond today's horizons so he will be able, through judgment and wisdom, to adequately fulfill his multiplying responsibilities as stewards of the soil, water, and related resources.

America needs more of this kind of teamwork where the church leaders and the soil conservation district leaders have put their heads together in a common cause for the Nation's future welfare.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

JOINT RESOLUTION INTRODUCED

A joint resolution was introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. **WILLIAMS** of New Jersey:

S.J. Res. 82. Joint resolution proposing an amendment to the Constitution of the United States relating to residence and physical presence requirements for voting in presidential and vice presidential elections and for voting in election for U.S. Senators and Members of the House of Representatives; to the Committee on the Judiciary.

(See the remarks of Mr. WILLIAMS, of New Jersey, when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

EXPRESSION OF SENSE OF CONGRESS IN RESPECT TO THE LEWIS AND CLARK TRAIL FROM ST. LOUIS, MO., TO THE PACIFIC NORTHWEST

Mr. **BURDICK** submitted the following concurrent resolution (S. Con. Res. 44); which was referred to the Committee on Interior and Insular Affairs:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the route traversed by Captains Meriwether Lewis and William Clark on their expedition of 1804–1806 from Saint Louis, Missouri, to the Pacific Northwest should, to the greatest extent feasible, be identified, marked, and kept available for the inspiration and enjoyment of the American people and that, to this end, (a) all agencies of the United States which administer lands along the route of the expedition, including particularly the Departments of the Interior, Agriculture, and the Army, should act in concert to preserve and mark in an appropriate fashion the route wherever it crosses lands which they administer and to assure public access to the lands so crossed, (b) the United States Territorial Expansion Memorial Commission, established by the joint resolution approved June 15, 1934 (48 Stat. 967), should cooperate with and assist Federal agencies, State agencies, political subdivisions of the States, the J. N. "Ding" Darling Foundation, other interested groups and individuals, and should encourage and assist them in developing a program to preserve and mark the route of the Lewis and Clark Expedition and to commemorate the role of the expedition in the westward expansion of the Nation, and (c) that all States, counties, municipalities, and private parties who own land along the route or are otherwise interested in the success of this project should be invited, and they are hereby invited, to join in memorializing, preserving, and marking the route of the expedition.

RESOLUTION

CONGRATULATIONS TO MAJOR L. GORDON COOPER ON HIS SUCCESSFUL ORBITAL FLIGHT

Mr. **MANSFIELD**, for himself, Mr. DIRKSEN, and the entire membership of the Senate, submitted a resolution (S. Res. 143) congratulating Maj. L. Gordon Cooper on his successful orbital flight, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

CONSTITUTIONAL AMENDMENT TO MODIFY ARCHAIC ELECTION LAWS THAT PREVENT MOBILE AMERICANS FROM VOTING

Mr. **WILLIAMS** of New Jersey. Mr. President, the cornerstone of our democratic form of government is the right of each citizen to participate in the governmental process. One of the glories of America has been the constant expansion of the suffrage. Since 1879, the story of the suffrage has been one of continuous extension until, with the adoption of the 19th amendment, every mature, responsible adult, in theory at least, has access to the ballot box. The next step in this evolutionary process—the abolition of the poll tax—will be accomplished in the very near future.

As a Nation, then, we have outstripped many of the impediments that prevent people from making their own laws through their elected representatives. Today, however, race still bars many Americans from the ballot box. This is deplorable, and its importance cannot be overemphasized. Fortunately, this administration has been working at all levels—executive, legislative, and judicial—to eliminate voting restraints based on race.

This is as it should be. But we must not allow racial bars to voting obscure other impediments to our ideal that every mature, responsible citizen should have the right to vote and this vote should be equal in weight and effect to the vote cast by every other citizen.

It has been estimated by the American Heritage Foundation that about 8 million Americans were unable to vote in the 1960 elections because they were unable to comply with State and local residence requirements. Today, many States require 2 years of residence before a person can vote for President or Vice President; over 30 States require 1 year residence; and over 10 States require 6 months' residence. Considering the increasing mobility of our population and the fact that almost 20 million Americans moved last year, these outmoded residence laws desperately need overhauling. Unreasonable residence requirements that go beyond the minimum needs of the situation—a period sufficient to establish good faith residency or to prevent double voting—disqualify many otherwise qualified voters.

Outmoded voting laws are in direct conflict with our free enterprise system of government which depends upon the ability and willingness of every citizen to pick up and move as job or business opportunities present themselves. To demand our population to be mobile and yet deny it the right to vote precisely because of its mobility is an outrageous paradox.

Another serious weakness in most State laws is the lack of adequate absentee voting procedures. Many States do not allow qualified citizens to vote if they are not physically present at a particular place in the State at the time of the election. An editorial from the Washington Post of April 17, 1963, put the issue this way:

> Why should not absentee ballots be made available to all qualified voters who are hospitalized or ill at home and to those who are away from home for any purpose as well as to the personnel of the Armed Forces? Wider use of absentee voter's ballots could add many millions to the list of voters in a general election.

No single group of persons is victim of these outmoded voting laws. Many citizens, including migrant workers, elderly couples entering retirement, salesmen, professional men, teachers, business executives, truckdrivers, construction workers, and clergymen are frequently deprived of their suffrage. These antique voting laws leave many highly qualified American voters voiceless before the ballot box. This frequently produces citizen apathy or bitterness toward the government that denies them the right to vote merely because they change their residence, or because they are out of the State during the election.

To sanction or ignore this situation is to debase our cherished idea of representative government—the right and the responsibility of qualified citizens to vote for candidates of their choice. We can no longer tolerate a situation where the mobility of our citizens, which is so necessary to an expanding economy, should blunt their right to vote.

The present patchwork pattern of State voting laws indicates that the most appropriate solution to this serious problem is through a constitutional amendment. A constitutional amendment has the virtue of providing a single uniform voting system for the entire Nation.

Accordingly, Mr. President, I send to the desk a joint resolution to amend the Constitution of the United States so that American citizens will not be disfranchised by their mobility.

The joint resolution has two basic goals. Section I of the joint resolution makes it easier for citizens who move to vote in any election for the President of the United States or for Vice President, or for electors for President or Vice President. Section I provides:

> The right of any citizen of the United States to vote in any election for President or Vice President or for electors for President or Vice President shall not be denied or abridged by any State by reason of the failure of such citizen to meet any residence requirements of such State, if such citizen is otherwise qualified to vote in such election in such State and such citizen has resided in such State for a period of at least 30 days preceding such election.

Residence requirements allow a voter to become acquainted with local problems and prevent election frauds such as double voting. Since the President and Vice President represent all of the people, it is extremely unlikely that a person's change of residence will, or should, affect his choice for President or Vice President. Moreover, the 30-day residence allowance in section I will guard against election frauds or double voting and will leave the States free to insure that their own election procedures and not misused.

Section II of this joint resolution will make it easier for citizens who must leave the State at election time or who cannot be present where the election is held, to vote for President, Vice President, and Members of Congress. Section II of this resolution provides:

> The right of any citizen of the United States to vote in any election for President or Vice President or for electors for President or Vice President or in any election for Senator or Representative in Congress shall not be denied or abridged by any State by reason of the failure of such citizen to be physically present to vote in such election in such State, if such citizen is otherwise qualified to vote in such election in such State and such citizen, at the time such election is held, is not, with good cause, physically present in such State.

Although an open society permits its citizens to ignore their right to vote, there is no reason to permit archaic and conflicting election laws to disenfranchise our citizens. It is no accident that States with updated election laws have the greatest turnout on election day. This proposal will assist the American citizen exercise his right to vote to the fullest degree possible. This is absolutely essential if this great Nation is to boast of a true democracy in which every mature, responsible citizen is to have a voice in the operations of his government.

Mr. President, I ask unanimous consent to have this measure printed in the RECORD, and request that it lie on the desk until May 22, 1963, so that my colleagues will have an opportunity to join me in sponsoring this measure.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD, and will lie on the desk, as requested by the Senator from New Jersey.

The joint resolution (S.J. Res. 82) proposing an amendment to the Constitution of the United States relating to residence and physical presence requirements for voting in presidential and vice-presidential elections and for voting in election for U.S. Senators and Members of the House of Representatives, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The right of any citizen of the United States to vote in any election for President or Vice President or for electors for President or Vice President shall not be denied or abridged by any State by reason of the failure of such citizen to meet any residence requirement of such State, if such citizen is otherwise qualified to vote in such election in such State and such citizen has resided in such State for a period of at least thirty days preceding such election.

"SEC. 2. The right of any citizen of the United States to vote in any election for President or Vice President or for electors for President or Vice President or in any election for Senator or Representative in Congress shall not be denied or abridged by any State by reason of the failure of such citizen to be physically present to vote in such election in such State, if such citizen is otherwise qualified to vote in such election in such State and such citizen, at the time such election is held, is not, with good cause, physically present in such State.

"SEC. 3. The term 'State' as used in sections 1 and 2 includes the District constituting the seat of Government of the United States and the political subdivisions of each of the several States.

"The term 'election' includes any primary, general, or special election.

"SEC. 4. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 5. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of the submission hereof to the States by the Congress."

ADJOURNMENT

Mr. HUMPHREY. Mr. President, if there is no further business to be transacted, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Friday, May 17, 1963, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 16 (legislative day of May 13), 1963:

JUVENILE COURT OF THE DISTRICT OF COLUMBIA

Orman W. Ketcham, of Maryland, to be associate judge of the juvenile court of the District of Columbia for the term of 10 years.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Edmond T. Daly, of the District of Columbia, to be associate judge of the District of Columbia court of general sessions for the term of 10 years.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Richard R. Atkinson, for reappointment as a member of the District of Columbia Redevelopment Land Agency for a term of 5 years, effective on and after March 4, 1963.

EXTENSIONS OF REMARKS

Short Memories in the State Department?

EXTENSION OF REMARKS
OF
HON. JOHN O. MARSH, JR.
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 16, 1963

Mr. MARSH. Mr. Speaker, while I believe we recognize that it is neither practical nor appropriate for the Congress to undertake the day-to-day formulation and implementation of foreign policy, and that these functions must rest with the Executive, we cannot serve responsibly if we do not respond to conscience and object to moves, or projected moves, in the area of foreign policy which we view as inconsistent with national principles and the national interest.

In this spirit, I was impelled recently to address the Secretary of State in objection to strong indications that the United States is considering seriously establishing full diplomatic relations with the Communist regime of Hungary.

While I was not favored with such a communication, responsible press reports have stated that Members of the Congress assigned to committees having a special concern for international relations received a memorandum suggesting that the Kadar government in Hungary had moderated its repressive policies to such an extent as to warrant active study of resuming normal diplomatic communication.

I cannot accept the implication that the presence of our Embassy personnel in Budapest, making contacts with Communist Hungarian officialdom and the Hungarian population, carries informational advantages which outweigh the new doubts such an arrangement would generate in the minds of anti-Communist resistance leaders throughout the world.

Has the United States forgotten, they will ask, that the blood-stained Kadar regime came to power behind the naked force of Soviet tanks which crushed the valiant uprising of freedom-loving Hungarian patriots?

Can we contend, in reply, that these brigands have cleansed themselves by refraining from killing many Hungarians lately?

If we are looking for additional governments to recognize, does not the national interest, and considerations of national character, dictate a priority for the recognition of a free Cuban government in exile?

By moving at this time for restoration of full diplomatic relations with the Kadar regime, the Department seems to be saying that it is time to forget the Budapest massacre, and after all, the Kadar crew represents a government in being.

By failure, to date, to encourage the efforts of free Cubans to form a government in exile, the Department leaves itself open to the question of whether it is suggesting that the Bay of Pigs, likewise, should be forgotten, for after all, the Castro crew represents a government in being.

President Kennedy for Free Enterprise

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1963

Mr. DORN. Mr. Speaker, President Kennedy in his remarks to the Committee for Economic Development greatly encouraged those of us who believe in free enterprise development of river sites. I commend the President for the following response to a question as reported in the Wall Street Journal of May 10:

> In deciding whether a specific dam site should be publicly or privately developed, "I would put the burden of proof upon the Federal Government to prove that the site will not be adequately developed, that the service would not be satisfactory, and that only the Federal Government can do it, before I would support the project."

Two Senators Versus One Representative on the Test Ban Trap

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1963

Mr. HOSMER. Mr. Speaker, here, for the RECORD, are the texts of two letters dated May 15, 1963, and dispatched to their colleagues by two Members of the other body and one Member of this body:

MAY 15, 1963.

DEAR COLLEAGUE: During the past several weeks, a great deal has been said about the supposed ineffectiveness of President Kennedy's draft treaty banning further nuclear testing made at the test ban negotiations in Geneva.

On April 4, 1963, Congressman HOSMER sent a letter to all Congressmen and Senators asserting the existence of a big hole in our inspection and identification proposals which, he has said, would permit the Soviets to cheat in perfect safety. The fact that the Soviets have shown little disposition to accept our proposals, and have, in fact, become increasingly intransigent in the negotiations, is probably adequate rebuttal in itself. Nevertheless, we would like to set the record straight on the facts upon which Congressman HOSMER apparently relies, so as to dispose of the big hole theory once and for all.

What the facts really show is that the big hole theory is as empty and insubstantial as its name suggests. In a letter to the President dated March 18, 1963, Congressman HOSMER alluded to "an area of at least 2½ million square miles in the interior of the U.S.S.R.—and probably twice that size—in which significant secret Soviet underground tests can be carried on wholly without fear of detection."

The scientific fact is that it makes no difference how deep within the borders of the U.S.S.R. the Soviets try to hide their tests, since "the detection capability is, for all practical purposes, constant with respect to the distance from explosion to seismic station in the interval of 600 to 6,000 miles. For this reason, no part of the Soviet Union is unseen by our seismic stations outside the Soviet Union."

That statement was made by Dr. Harold Brown, the former head of the Atomic Energy Commission's Lawrence Radiation Laboratory, and the man presently in charge of all the Defense Department's research and engineering programs. It was contained in the administration's response to Congressman HOSMER's letter to the President. Yet, so far as is known, it has never been made public by Congressman HOSMER.

Apparently, Congressman HOSMER now concedes that unlawful Soviet tests, even very small tests, could be detected from outside the U.S.S.R. But, he says, such tests can be made too small to permit their positive identification by purely seismic means. This, it appears, is the principal foundation for his assertion that a "big hole" exists in our detection proposals.

There are two answers to this, and both of them were made in a letter sent to Congressman HOSMER by the White House on March 29. First, as Dr. Brown pointed out, tests as small as those envisioned by Congressman HOSMER would not provide a substantial military advantage to the Soviets. Not much advance could be made in the field of strategic weapons, and any innovations made in tactical weapons would have little effect in altering the cold war balance. Second, seismic detection would not be the only means employed to uncover surreptitious testing. In addition to on-site checks, all the other facilities of intelligence would be brought into play. Thus, the Soviets, in order to sneak their tests through the "big hole," would have to make them so small as to be not worth the very real risks of being caught, in full view of the world, in a flagrant violation of the test ban treaty.

The net result is that there is no big hole.

Congressman HOSMER's fears of the administration's test ban proposal have no valid basis in fact. The proposal is for an effective treaty which holds every reasonable prospect of reducing the risks inherent in the present freedom of both our country and the U.S.S.R. to test at will.

The Congressman's fears seem all the more groundless in the light of his latest proposal. In a sharp turn-about, he now suggests that we demand absolutely no on-site inspections whatever, and that we seek a treaty banning all nuclear tests in outer space, underwater, and in the atmosphere, but permit each side "a dozen or so" underground shots per year. We fail to understand how Congressman HOSMER can be concerned about underground cheating under a system that provides for on-site inspections to catch cheating, yet apparently be unconcerned about underground cheating which might escape discovery under a treaty which did not provide for any on-site inspections at all.

Sincerely,

HUBERT H. HUMPHREY.
JOSEPH S. CLARK.

DEAR COLLEAGUE: This is to correct errors of fact and logic contained in a letter of even date to you from Senators HUMPHREY and CLARK.

Their letter asserts I have charged there is a big hole for clandestine underground Soviet cheating in present test ban treaty proposals by the administration. This is 100 percent correct.

Although seismic signals from Soviet cheat tests in the U.S.S.R. could be detected by the administration's monitoring proposals, if the tests were at low yields or conducted in underground cavities, the signals would be so small they could not be identified as cheat tests. The suspicions of monitors would never be aroused—on-site inspectors would never be dispatched.

Dr. Brown's memo relied upon by the Senators says the tests would not go "unseen." It does not claim they would be recognized.

There is no question that the big hole is really there.

The AEC's Director of Military Applications testified to the Joint Committee on Atomic Energy that all weapons of tactical interest and a substantial fraction of all weapons of strategic interest could be developed in the big hole.

Dr. Brown and the Senators may not believe clandestine advances which could give the Soviets nuclear superiority could be developed by this kind of cheating, but just look at the only weapons which cannot be developed by it: An unsubstantial fraction of strategic weapons. What are these? The big super-yield H-bombs the Reds have already developed anyway.

Their logic just does not make sense.

"Why don't the Soviets snap up our offer if it's so full of holes?" the Senators ask. The reasons should be obvious to the Senators. In the first place, the Soviets want to get another round of atmospheric tests out of the way before they go underground. In the second place, from the administration's past performance they well know they can expect even more concessions and an even weaker treaty if they hold out a while longer.

In that context I proposed earlier this week that if we were to have such a treaty where we stopped all weapons progress and just relied on a Communist promise to do likewise, we'd better get an escape hatch written into it if we do not want to face a nuclear Pearl Harbor or a "surrender or die" ultimatum after the Soviets have cheated their way to nuclear superiority.

So I suggested: "Let's write in a provision giving us a dozen or so fallout free underground tests every year."

That way we can make some progress. Our topnotch weapons scientists can be persuaded to stay at work in the labs. Without testing at all, President Kennedy admits they will not stay with a "dead end" program. If our security measures are any good, the Kremlin will never be sure how much progress we are making. This means the Soviets will not be sure they have bootlegged their way to nuclear superiority and they might be deterred from attacking us or issuing that terrifying ultimatum.

Without this escape hatch, what the Senators and the administration propose is a sure course toward nuclear disaster.

The Senators incorrectly stated I proposed we drop demands for on-site inspections. As a matter of fact, I would like to see many more than the token number they approve. It is unlikely, however, that anybody can get the administration to demand them.

Sincerely,

CRAIG HOSMER,
Member of Congress.

It is to be noted that the second letter does not bother even to discuss the Senators' claim that "facilities of intelligence" would be brought into play to discover Soviet cheating. It was believed unnecessary to do so, since almost everybody recalls that "facilities of intelligence" are unable to tell us what is going on in Cuba, right on our own doorstep, let alone in the vast, 8½ million square miles, two continent, Eurasian land mass comprising the U.S.S.R.

Government-Run Lotteries of Argentina, Bolivia and Brazil

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 16, 1963

Mr. FINO. Mr. Speaker, while we in the United States continue to wear blinders and stubbornly refuse to accept the obvious, most of the civilized countries throughout the world recognize the wisdom of a national lottery.

Out of all the countries with which we maintain diplomatic relations, 77 of them utilize a government lottery not only as a compromise with the gambling problem but as a revenue-raising device as well.

All 77 countries have found that restraining rather than prohibitive measures are best, as with most other moral legislation.

Today, I would like to point out three countries in Latin America which utilize government-run lotteries as the best possible revenue-producers.

Argentina, in 1962, took in over $39 million. The government's profit came to $17 million which was used for emergency medical centers, for the underprivileged, for construction of the San Martin General hospital and for other public works and social programs.

Bolivia, last year, sold almost $870,000 worth of lottery tickets. The net income to the government was about $128,000 which was used for the Red Cross, public health and welfare programs, and for mental health institutions.

Brazil, in 1962, the gross annual receipts amounted to $5,356,000. After payment of prizes which represented 70 percent of the receipts, the balance of over one-half million dollars was earmarked for municipal projects such as water supply and sewer projects and the building of schools, hospitals, and housing.

Mr. Speaker, if we opened our eyes and followed the example of these countries as well as the example set by New Hampshire, we could easily, painlessly and voluntarily pump into our U.S. Treasury over $10 billion a year in much needed revenue. If we had the courage to capitalize on our own people's gambling thirst, we could raise over $10 billion a year which could be used to cut our taxes and reduce our national debt. What is wrong with us?

Surrender to British Dictation of Higher Transatlantic Air Fares

EXTENSION OF REMARKS
OF

HON. EMANUEL CELLER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 16, 1963

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a statement I made on Tuesday, May 14, 1963, deploring the surrender to British dictation of higher transatlantic air fares. The statement follows:

> Transatlantic jets are now flying more than half empty, thanks primarily to high fares. Our Civil Aeronautics Board and U.S.-flag carriers have been balked in their efforts to reduce transatlantic fares, in order to attract more passengers, under threat by Great Britain to close its airports to our airlines and to seize their planes if they refuse to raise the already high transatlantic fares as Great Britain insists.
>
> Our Civil Aeronautics Board has determined that higher transatlantic airline fares are not in the public interest.
>
> But the State Department apparently has yielded. It has succumbed to unilateral British dictation and threats. The State Department has thus overruled the CAB's decision that higher transatlantic air fares are not in the public interest.
>
> Great Britain, apparently, is not greatly interested in airline revenues since its transatlantic jets are owned by the British Government. By contrast our American aviation policy and our Federal Aviation Act contemplate private, not nationalized, airlines. To survive our airlines must have sufficient revenues and adequate profits. It is indeed hard for them to operate profitably if their expensive jets must operate half empty.
>
> The State Department has now surrendered the interests of U.S.-flag airlines, and their stockholders and the American traveling public which constitutes more than half of the transatlantic air passengers.
>
> This regrettable episode underscores the wisdom of the recommendations of the Antitrust Subcommittee in its 1957 report on the airlines industry, and the recent White House statement on international air transport policy that:
>
> "To provide for more effective governmental influence on rates, Congress should adopt legislation which would give the Civil Aeronautics Board authority, subject to approval by the President, to control rates in international air transport to and from the United States."
>
> Transatlantic airline fares which are set by agreement of the international airlines themselves, through the ratemaking machinery of the International Air Transport Association, are not subject to the free play of competition. The sky may indeed be the limit if one government can now dictate that our airlines shall charge, and our passengers shall pay, even higher fares in the very teeth of the CAB's decision that higher fares are not in the public interest. Today's action by the State Department overruling our CAB is the more unfortunate since Canada apparently remains steadfast in protecting the pocketbook of her own traveling public by refusing to permit higher fares to be imposed upon them.

Sherman Mine in Chisholm, Minn., Receives National Safety Award

EXTENSION OF REMARKS
OF

HON. JOHN A. BLATNIK

OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 16, 1963

Mr. BLATNIK. Mr. Speaker, the Bureau of Mines of the Department of the Interior has announced the awarding of one of the six "Sentinels of Safety" trophies for 1962 to the Sherman Mine in Chisholm, Minn. I am pleased and proud to offer my congratulations to the officials and employees of the Sherman Mine for their excellent and impressive accomplishment.

Competing with 156 entries in the open-pit mining category in this national safety competition, Sherman won first place for achieving the best safety record for the calendar year 1962. Determination of the best safety record is made by calculating the number of injury-free man-hours per operation, and the mine turning in the greatest number of injury-free man-hours receives the coveted trophy. The Sherman Mine, of the Oliver Iron Mining Division, United States Steel Corp., operated 716,563 man-hours without a disabling injury, thus topping the field of 68 entrants who reported injury-free operations in the open-pit category. The Sherman Mine first entered competition in 1958.

As a reward for its outstanding safety record, Sherman will be given possession of one of the famed "Sentinels of Safety" trophies for 1 year. The company will also be presented with a large green and white flag inscribed "National Safety Competition, 1962," to be flown as a triumphant symbol of its achievement.

In addition, all employees and officials at the mining operation will receive certificates of accomplishment in safety. At the end of the year the mine will receive a replica of the trophy for permanent display.

Presentation date for the trophy and the certificates will be arranged by agreement between the company and the joint sponsors of the competition—the Bureau of Mines and the American Mining Congress.

SENATE

Friday, May 17, 1963

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all grace, we thank Thee for all Thy mercy and all Thy mercies, and for the beauty which covers the earth, for the love which hallows our homes, for the joy which springs from work faithfully done.

As we bow before Thee at this altar which our fathers reared, open our eyes, we pray, to the faults and failings which mar our democracy. Make us conscious of the evils in ourselves, that we so readily detect and condemn in others. Make us tall enough for these testing days. Cast out our pride—national, racial, and personal.

Join us to those who labor to bring sense and system to this disordered globe, and grant that our eyes may yet look upon a world that has at least found a path leading toward the plains of universal peace—

When all men's good shall be each man's
rule,
Through all the circle of the golden
years.

We ask it in the Master's name and in His spirit. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 16, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF STATEMENTS IN MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Removal of Limitation on Programs Carried Out Under Soil Conservation and Domestic Allotment Act for 1964

A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to remove the $10 million limitation on programs carried out under section 16(e)(7) of the Soil Conservation and Domestic Allotment Act for 1964 and subsequent calendar years (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report on Overobligations of Appropriations

A letter from the Secretary of Defense, transmitting, pursuant to law, reports on overobligations of appropriations within that Department (with accompanying papers); to the Committee on Appropriations.

Report on Federal Contributions

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on Federal Contributions, for the quarter ended March 31, 1963 (with accompanying papers); to the Committee on Armed Services.

Report on Provision of Aviation War Risk Insurance

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provision of aviation war risk insurance, as of March 31, 1963 (with an accompanying report); to the Committee on Commerce.

Report on Provision of War Risk Insurance and Certain Marine and Liability Insurance for the American Public

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provision of war risk insurance and certain marine and liability insurance for the American public, as of March 31, 1963 (with an accompanying report); to the Committee on Commerce.

Amendment of Act Relating to Establishment of the Office of Civil Defense in the District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to authorize the District of Columbia Government to establish an Office of Civil Defense, and for other purposes," approved August 11, 1950 (with an accompanying paper); to the Committee on the District of Columbia.

Report of Foreign-Trade Zones Board

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Foreign-Trade Zones Board, for the fiscal year ended June 30, 1962, together with the reports covering the operations during the same period of Foreign-Trade Zones Nos. 1, 2, 3, 5, 7, and 8, located respectively at New York City, New Orleans, San Francisco, Seattle, Mayaguez, Puerto Rico, and Toledo (with accompanying reports); to the Committee on Finance.

Fifth Supplemental Report on Tariff Classification Study

A letter from the Chairman, U.S. Tariff Commission, Washington, D.C., transmitting, pursuant to law, the fifth supplemental report on the Tariff Classification Study, dated May 16, 1963 (with an accompanying report); to the Committee on Finance.

Amendment of Bretton Woods Agreements Act

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock (with accompanying papers); to the Committee on Foreign Relations.

Audit Report on Export-Import Bank of Washington

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Export-Import Bank of Washington, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

Audit Report on the Postal Savings System, Post Office Department

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the postal savings system, Post Office Department, dated May 1963 (with an accompanying report); to the Committee on Government Operations.

Report of the Attorney General

A letter from the Attorney General, Washington, D.C., transmitting, pursuant to law, his report consenting to an Interstate Compact To Conserve Oil and Gas, dated May 15, 1963 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Urban Renewal in Guam

A letter from the Administrator, Housing and Home Finance Agency, Washington, D.C., transmitting a draft of proposed legislation to permit the Government of Guam to authorize a public authority to undertake urban renewal and housing activities (with accompanying papers); to the Committee on Interior and Insular Affairs.

Federal Salary Adjustment Act of 1963

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

Amendment of Section 14 of Federal-Aid Highway Act of 1954, Relating to Interstate Planning and Coordination of the Great River Road

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 14 of the Federal-Aid Highway Act of 1954 concerning the interstate planning and coordination of the Great River Road (with an accompanying paper); to the Committee on Public Works.

Report of National Society, Daughters of the American Revolution

A letter from the Secretary, Smithsonian Institution, Washington, D.C., transmitting, pursuant to law, a report of the National Society, Daughters of the American Revolution for the fiscal year ended March 1, 1962 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Maryland; to the Committee on Banking and Currency:

"House Joint Resolution 37

"Joint Resolution memorializing the Congress of the United States to enact legislation to implement the Federal Flood Insurance Act of 1956

"Whereas the Congress of the United States, in 1956, enacted the Federal Flood Insurance Act of 1956; and

"Whereas the Congress found in said act that 'In the case of recurring natural disasters, including recurring floods, insurance protection against individual and public loss is not always practically available through private or public sources'; and

"Whereas the avowed purpose of said act was to establish a program of Federal insurance and reinsurance against the risk of floods and to encourage private insurance covering such flood risks; and

"Whereas the Congress of the United States has heretofore failed to appropriate the funds necessary to implement the Federal Flood Insurance Act of 1956; and

"Whereas since 1956 there have been numerous disasters, storms and floods in many of the States of this Nation, causing untold damage to public and private property; and

"Whereas in the State of Maryland, as a result of the storm and flood of March 1962 alone, the damage to public and private property did exceed $7 million; and

"Whereas the public and private losses suffered as a result of such storms and floods has caused widespread distress and hardship adversely affecting the general welfare without regard to State boundary lines; and

"Whereas much of said distress and hardship could have been avoided, reduced or guarded against if the Federal Flood Insurance Act of 1956 had been properly and adequately implemented at the time of its original passage; and

"Whereas it is in the common interest of all of the States of this Nation to support the program of insurance protection provided for in the Federal Flood Insurance Act of 1956; and

"Whereas the President of the United States has stated his approval of this program and willingness to implement its provisions as soon as the necessary funds are provided: Now, therefore, be it

"Resolved by the General Assembly of Maryland:

"1. The Congress of the United States is memorialized to enact the legislation necessary to fully implement the Federal Flood Insurance Act of 1956.

"2. The secretary of the state shall transmit forthwith a duly attested copy of this resolution to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, the Senators from Maryland, and to each Member of the House of Representatives of the United States elected from Maryland."

A joint resolution of the Legislature of the State of Maryland; to the Committee on Commerce:

"House Joint Resolution 39

"Joint resolution requesting the Comptroller of the Treasury of Maryland, the Federal Trade Commission and the Congress of the United States to make a joint study and inquiry into the differentials between wholesale and retail prices of alcoholic beverages in Maryland and the District of Columbia and making recommendations respecting proposed legislation concerning the alcoholic beverage industry in Maryland and the need for additional legislation respecting the distribution and sale of alcoholic beverages in Maryland

"Whereas Prince George's County borders on the District of Columbia where alcoholic beverages are sold at wholesale and retail prices below those in Prince George's County; and

"Whereas the general assembly, from time to time has enacted legislation to control the importation of alcoholic beverages from the District of Columbia into Maryland; and

"Whereas there does not appear to be a sufficient difference between the tax on alcoholic beverages in the District of Columbia and Maryland to warrant the wholesale and retail differential in prices; and

"Whereas the Comptroller of the Treasury of Maryland pursuant to a request of the legislative council of Maryland dated September 15, 1961, did make a study on the whole price differential on the sale of alcoholic beverages in the District of Columbia as compared with sales in the State of Maryland, and did as a result of said study recommend a further joint study and inquiry by the Office of the Comptroller of the Treasury of Maryland, the Federal Trade Commission and the Congress of the United States; and

"Whereas a comprehensive study would be helpful to the general assembly in the consideration of further legislation concerning the alcoholic beverage industry in Maryland and any wholesale and retail price differentials between the District of Columbia and Maryland: Now, therefore, be it

"Resolved, by the General Assembly of Maryland, That the Comptroller of the Treasury of Maryland, the Federal Trade Commission, and the Congress of the United States be, and they are hereby, requested to:

"(1) Conduct a study and review of the distribution at wholesale level and the wholesale prices of alcoholic beverages paid by license holders or licensees of Maryland and the political subdivisions thereof;

"(2) Conduct a study and review of the differential between the wholesale prices of alcoholic beverages in the District of Columbia and Maryland and the political subdivisions thereof;

"(3) Conduct a study and review of the general retail alcoholic beverage business in Maryland and the political subdivisions thereof, and in the District of Columbia;

"(4) Conduct a study and review of proposed legislation concerning the alcoholic beverage industry in Maryland and in the District of Columbia;

"(5) Make recommendations to the General Assembly of Maryland and the Congress of the United States respecting proposed legislation concerning the alcoholic beverage industry and sale of alcoholic beverages in Maryland and the District of Columbia; and, to that end, the comptroller is requested to assign such of his staff and personnel, as may be required, to assist the comptroller in conducting such studies and review and the preparation of his recommendations, as aforesaid; and be it further

"Resolved, That the comptroller is further requested to submit a report as to the studies and review of this commission and its recommendations for such proposed legislation to the Presiding Officers of the Congress of the United States and of the General Assembly of Maryland not later than January 2, 1964; and it is further

"Resolved, That a copy of this resolution be sent by the Governor of Maryland to the Comptroller of Maryland, the Presiding Officers of the Congress of the United States, and the Chairman of the Federal Trade Commission of the adoption of this joint resolution with the request that this study be made."

A joint resolution of the Legislature of the State of Maryland; to the Committee on Finance:

"House Joint Resolution 2

"Joint resolution memorializing the Congress of the United States to consider the advisability of amending the social security laws to provide that an illegitimate child may receive benefits from one acknowledged or decreed to be his natural father

"Whereas under laws of the State of Maryland and of many of her sister States illegitimate children do not inherit from their natural fathers; and

"Whereas by the provisions of the social security laws of the United States as presently enacted, children of insured individuals are entitled to insurance benefits only if they would share in the distribution of such individuals' intestate personal property under applicable State law; and

"Whereas by reason of this restriction in the social security laws illegitimate children of fathers domiciled in the State of Maryland and in other like States are deprived of Federal insurance benefits to which they would be entitled were it not for the unfortunate circumstances of their illegitimacy; and

"Whereas the General Assembly of the State of Maryland does not deem it practicable or desirable to alter the inheritance laws of the State in this respect, but, rather, considers that amendment of the Federal social security laws to provide that an illegitimate child may receive benefits through the man who either has acknowledged the child's paternity or has been declared the child's natural father by court proceedings, would be an appropriate means to remedy this inequity, if such change is found to be economically feasible and can be made without prejudicing the benefits now allowed the man's legitimate children: Now, therefore, be it

"Resolved by the General Assembly of Maryland, That the Congress of the United States be memorialized to study and consider, by appropriate committees, the advisability of amending the Federal social security laws so as to provide that an illegitimate child may receive benefits through the man acknowledged or decreed to be his natural father; and be it further

"Resolved, That the secretary of state be directed to send copies of this joint resolution under the great seal of the State of Maryland, to the Vice President of the United States as President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to each Member of the Maryland delegation in the Congress of the United States."

EQUAL RIGHTS FOR WOMEN—JOINT RESOLUTION OF CALIFORNIA LEGISLATURE

Mr. ENGLE. Mr. President, I have received from the California Legislative Assembly Joint Resolution 31, legislation regarding equal rights for women. The California Assembly adopted this resolution on March 28 and the California Senate on May 1, thus making California the 10th State in the Union to have adopted such legislation.

I ask unanimous consent that it be referred to the Committee on the Judiciary and that it be printed at this point in the Record.

There being no objection, the joint resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

ASSEMBLY JOINT RESOLUTION 31

Joint resolution relative to equal rights for women

Whereas since 1920, women of the United States have had only one right under the Federal Government: suffrage—the right to vote; and

Whereas in all other civil and legal respects women live under State laws which contain more than 1,000 legal discriminations including, but not limited to, property and inheritance rights, guardianship rights, and management of earnings; and

Whereas these discriminations against women contrast surprisingly with the rights of men under Federal and State laws; and

Whereas in this Nation "conceived in liberty and dedicated to the proposition that all men are created equal," legal discrimination on the basis of sex constitutes an intolerable burden upon women solely dependent upon their own efforts for a livelihood, and is a source of irritation to thousands of others who recognize in this discrimination a flat contradiction of the American principle of equality, wholly out of accord with the status of American women reached by achievement in various fields of human endeavor; and

Whereas before women may achieve full civil rights, an equal rights amendment to the Constitution is necessary, such as that now pending before Congress reading "Equality of Rights Under the Law Shall Not Be Denied or Abridged by the United States or by Any State on Account of Sex"; and

Whereas among the many women's organizations on record in support of this amendment are the National Association of Women Lawyers, National Association of Women Doctors, California Federation of Women's Clubs, Business and Professional Women's Clubs, American Federation of Soroptimists, and hundreds of local groups; and

Whereas nine States have memorialized Congress to pass the equal rights amendment which was a plank in both political party platforms at the last national election: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the members now join with these legislators of sister States in respectfully urging Congress to pass the equal rights amendment to the U.S. Constitution; and be it further

Resolved, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President of the United States, the Secretary of the U.S. Senate, the Clerk of the House of Representatives, and to each Member of Congress elected from the State of California.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GORE:

S. 1559. A bill to amend title II of the Social Security Act to provide that a woman who is permanently and totally disabled may become entitled to widow's insurance benefits without regard to her age (and without losing her entitlement (if any) to disability insurance benefits); to the Committee on Finance.

By Mr. HILL:

S. 1560. A bill to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare to assist the Secretary in the efficient administration of the Department; to the Committee on Labor and Public Welfare.

By Mr. JOHNSTON (by request):

S. 1561. A bill to amend the Federal Employees Health Benefits Act of 1959;

S. 1562. A bill to improve the financing of the civil service retirement system; and

S. 1563. A bill to amend section 3541(d) of title 39, United States Code, with respect to the daily rate of compensation and the workweek of postmasters; to the Committee on Post Office and Civil Service.

By Mr. CHURCH (by request):

S. 1564. A bill to correct a land description in the act entitled "To provide for an exchange of lands between the United States and the Southern Ute Indian Tribe, and for other purposes"; and

S. 1565. A bill to amend the act of June 25, 1910 (36 Stat. 857, 25 U.S.C. 406, 407), with respect to the sale of Indian timber; to the Committee on Interior and Insular Affairs.

RESOLUTION

AUTHORIZATION OF A STUDY OF D.C. TRANSIT SYSTEM

Mr. MORSE submitted a resolution (S. Res. 144) to authorize a study of D.C. Transit System, which was referred to the Committee on the District of Columbia.

(See the above resolution printed in full when submitted by Mr. MORSE, which appears under a separate heading.)

NOTICE OF CHANGE OF HEARINGS ON PESTICIDE CONTROL

Mr. RIBICOFF. Mr. President, on May 15, I announced the beginning of public hearings on pesticide control before the Subcommittee on Reorganization and International Organizations of the Committee on Government Operations, listing Secretary of Health, Education, and Welfare Anthony Celebrezze as the scheduled witness for May 21. Secretary Celebrezze will not be able to appear that day because of a meeting of the President's Cabinet scheduled for the same time, but he has agreed to testify at 11 a.m. on May 23. Secretary of Interior Udall will testify at 10 a.m. on May 22, and Secretary of Agriculture Freeman will testify at 9:30 a.m. on May 23. These hearings will be held in room 235 of the Senate Office Building.

The following week, on May 28, the subcommittee will receive testimony from Miss Rachel Carson, who has made the entire Nation aware not only of the problem of the misuse and overuse of pesticides but the broader problem of the many pollution hazards in our environment which threaten our health and well-being.

Additional witnesses will be announced at a later date.

AMENDMENT OF SECTION 407 OF PACKERS AND STOCKYARDS ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of May 8, 1963, the names of Mr. ALLOTT, Mr. CARLSON, Mr. EDMONDSON, Mr. LONG of Missouri, Mr. MCGEE, Mr. MECHEM, Mr. MILLER, Mr. MUNDT, and Mr. YOUNG of North Dakota were added as additional cosponsors of the bill (S. 1490) to amend section 407 of the Packers and Stockyards Act of 1921, as amended, introduced by Mr. ELLENDER, by request, on May 8, 1963.

REMARKS OF PRESIDENT KENNEDY AND CHAIRMAN OF CIVIL SERVICE COMMISSION BEFORE ANNUAL MEETING OF PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

Mr. MANSFIELD. Mr. President, the 1963 annual meeting of the President's Committee on Employment of the Handicapped is now history; and, judging from all reports, it was the most successful ever held. I am sure that among the reasons for that are the stirring remarks made by President Kennedy and the thoughtful keynote speech delivered by John Macy, Chairman of the Civil Service Commission.

Mr. President, because I believe it would be beneficial to the program, I ask unanimous consent that the remarks made by the President and those made by the Chairman of the Civil Service Commission be printed at this point in the RECORD.

The President's Committee on Employment of the Handicapped is authorized by Congress to proclaim the first full week in October as National Employment of the Handicapped Week and to enlist the cooperation of public and private groups in a year-round program to promote employment of the physically and mentally handicapped workers.

I know the Senate will be interested, because our respected former colleague in the House of Representatives, Maj. Gen. Melvin J. Maas, U.S. Marine Corps Reserve, retired, is the Chairman of this Committee. His work has been outstanding, and we owe him a debt of gratitude for the fine work he has done in this most responsible position, which he has occupied with such distinction for so long.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT BEFORE ANNUAL MEETING OF PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED, DEPARTMENTAL AUDITORIUM

Mr. Gleason, General Maas, Mr. Fay, Mr. Macy, Mr. Freeman, distinguished guests, ladies and gentlemen, I want to express my very great appreciation to all of you who have worked in this most important and deserving field, the employers, the members of the Federal Government who have concerned themselves with this problem, Mr. Gleason, Mr. Macy, the Armed Forces, the AFL–CIO, Mr. Freeman, who has worked very tirelessly in this matter, members of the President's Committee who devoted a good deal of their time, and also to all those across the country.

One of the impressive things that I have seen as I have traveled across the country—I remember going into the MacDonald Aviation Co. in St. Louis, Mo., which has been one of our most progressive employers in hiring those who are mentally handicapped and who have been among the most useful employees of the company; others in Long Island; others stretching across this country; employers who have gone to great pains to bring into their establishments disabled men and women who are then able to make a living not because of the support of others, but by their own efforts which have contributed to their rehabilitation, and to organized labor in this country, the AFL-CIO, who have worked with the unions, encouraging the unions to bring men and women in to make it easy for them to be hired.

This is the kind of work which comes not from the top down, but from the inside out. We are hiring today at the White House a young man who is handicapped to work on the grounds at the White House, and I am hopeful that people all across the country in the next year will make a special effort to bring into their lives in one way or another, by assisting, by hiring, by working with men and women who are handicapped, either physically handicapped or mentally handicapped. This is an area in which in recent months and years we have made a particular effort. We are making a particular effort in the National Government this year to bring up to date and really move ahead in the whole treatment of those who are mentally retarded and mentally disabled, as well as our efforts among those who are physically disabled.

As I said before, I see no reason why this very rich country of ours should have 3 out of 100 of our children mentally retarded, mentally disabled, while Sweden, which is not any more prosperous than we are, but is more concerned, perhaps, than we have been, has only 1 out of 100.

So this effort which we are all making in the Government, in the cities, in the States, in the employers, in the unions, this great cooperative effort to make a part of our community, a part of our country, a part of our lives for those who have been less fortunate, is deserving of the best you have.

I want to congratulate all of you who are doing something about it, not merely talking about it. All the problems that this country has could be solved in a whole variety of ways if all of our citizens would just pick one project and give their time to it, whether it is helping those who are mentally or physically retarded, whether it is helping young boys and girls who are in difficulty with the law, whether it is entertaining foreign students, whether it is holding out a hand to one group or another. This can be done much better by our citizens than by the National Government.

I want to express my commendation to one group of our society here today who are doing something about it and who deserve the appreciation not of the country, because they deserve that, but I think that most of all they get the satisfaction themselves of recognizing that the obligations of citizenship, pride in their country, makes them want to look out beyond their own lives.

So I am delighted to be here today. I congratulate you all. We pay a special tribute to David Hall. I can imagine nothing more worth while than doing what he is doing. I have some personal knowledge of what has happened to people in automobile accidents. If they would have some recognition of how long is the difficulty, the time they saved, they would realize, is very unimportant. So that we are glad to honor him and we admire him. There are a lot of acts of courage which are done in the flash of the moment, but the most commendable and admirable acts of courage are those which go on day in, day out, month in, month out, year in and year out. He has shown it, many of you have shown it, the general has shown it, and I am glad to be among those who live it.

Thank you very much.

Keynote Address by John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, at the Annual National Meeting of the President's Committee on Employment of the Handicapped in the Departmental Auditorium, Washington, D.C., on Thursday, May 9, 1963

Mr. Freeman, General Maas, distinguished guests, ladies and gentlemen, addressing this audience of concerned and dedicated Americans, I experience mixed emotions.

I am grateful for the opportunity to address you, profoundly respectful of the purpose which brings us together, and I have great admiration for you who have contributed so much in behalf of the handicapped citizens in our society.

Any person who addresses this conference must surely realize that he is treading a fine hairline between the role of knight and the role of knave—the knight who might have one good new idea that would stimulate progress, the knave who would waste the time of big-league professionals with expertise in the field of placing handicapped citizens in gainful occupations.

As Chairman of the U.S. Civil Service Commission, I am assuming that you want me to talk about what the Federal Government is doing to place qualified handicapped citizens in jobs where they can help themselves while helping their Nation.

I plan to describe what we have done, what we are doing, and what we hope to do to make our program more successful. If I discuss a procedure or a technique which you consider worthy of emulation, I will have served a good purpose and I will feel reasonably qualified to join the ranks of the knights.

First, let me establish my credentials:

The Federal Government is the Nation's largest employer. Its work force numbers 2½ million civilian employees—more than the combined payroll of the 12 largest corporations in America.

President Kennedy has clearly expressed the will of the American people that handicapped citizens should be given every consideration for employment.

The Congress—80 years ago—decreed that competition for Federal employment was to be open to all citizens, and—15 years ago—specifically prohibited discrimination on the basis of physical handicap.

Perhaps most important, my position as Civil Service Chairman gives me primary responsibility for leadership in the Government's quest for quality manpower.

Any citizen who reads his daily newspaper must realize that in the face of the enormous demands which are made on Government today—in national defense, in international relations, in services to the people, and in scientific research—every position in Government must be staffed by the person best qualified. The need for quality manpower is so great that we dare not permit any nonmerit considerations to influence our judgment in selecting the individual who is clearly the best qualified under competitive standards.

We offer employment to the handicapped applicant when we establish the fact that he is best qualified. In short, we place a premium on quality, wherever it may be found.

To some of you, our program for employment of the handicapped might appear cold, heartless, objective, and without compassion. I can assure you that our program is not cold, heartless, or without compassion. As I outline what we have done, I believe this will become clear. Our program is objective, it is practical, and it is fair to all candidates for Federal employment. It is predicated on the national interest.

Big employer that we are, sincere as we might be, and regardless of the action we might take to make the Federal service a showcase of progress in the gainful employment of the handicapped, we in Government are mindful that as an employer we are but one employer. We know well that ultimate success in employment of the handicapped is a national concern which cries out for the attention and action of all employers and all citizens.

For this reason, I hasten to compliment all private employers who have adopted enlightened and progressive policies with regard to employment of the handicapped—and all members of the President's Committee, the Governors' committees, the mayors' committees, and all private citizens who have worked separately and in concert to achieve the progress which has been made—particularly in the past 16 to 20 years.

We have observed, with great admiration, the programs being practiced in such firms as Sears Roebuck, Caterpillar Tractor, Ace Electronics, Bendix Aviation, Fuller, Hughes Aircraft, and others far too numerous to mention here.

By the same token, we have drawn upon the experience, the guidance, the enthusiasm, and the knowledge of various committee members; especially in educating Federal supervisors who actually appoint handicapped citizens, and in informing citizens during National Employment of Physically Handicapped Week and throughout the year of what we are doing.

While striving for continued progress, we are very proud of our present program which came into being through a process of evolution.

I believe that by taking time to enumerate some of the growing pains we have suffered and overcome, I might help those of you who may be newer at the game to avoid some frustrations.

Federal employers learned during World War II that it was a good business practice to employ the physically handicapped. I might say, parenthetically, that 20 years later we are still trying to change employer viewpoints with regard to employing the mentally restored, but for now we will hold that subject in abeyance.

From our wartime observance of "Henry the Handicapped" working on the same production line with "Rosie the Riveter," and whoever else could be found, to speed the war effort—and watching "Henry" do a full day's work—we came to realize that our previous requirement for a hale and hearty physical specimen in every Federal job was somewhat ridiculous.

Henry and his 165,000 contemporaries of World War II produced as much, and sometimes more than their nonhandicapped counterparts. They rarely missed muster when the whistle called their shift to work. They didn't quit as readily. And they seemed to thrive on hard work. A learned psychiatrist would have diagnosed this hard work as therapy, but employers saw it as a bonanza.

We concluded that a handicapped employee, properly placed, was not handicapped at all.

Somewhat selfishly, but nevertheless in the public interest, we decided that this reservoir of talent found in the ranks of the handicapped was too good a thing to pass up when the war ended, so our doctors began a gigantic survey of Federal jobs to see which ones could be filled by persons having specific impairments. I am happy to report that as of this date, 15,000 Federal jobs have been so surveyed.

Our doctors, in the beginning as now, often used the philosophy employed in certain industries. When a supervisor told them that a man had to stand at a certain workbench, they countered with the question: Why can't the workbench be lowered to wheelchair level? Very often it could be, and was, lowered after the supervisor confessed, "I never looked at it that way."

As the tide of victory turned our way, and as numerous disabled veterans began leaving hospitals and rehabilitation centers, the Congress decreed in 1944 that any disabled veteran otherwise qualified for Federal employment was entitled to have 10 points added to his test score and thus be given preference in Federal employment. Under this law, we made still greater effort to match the disabled man with a job he could perform.

From 1944 to 1957 we chipped away at the problem of changing employer viewpoints toward hiring a handicapped applicant. Prejudices are not shed overnight. When prejudice is a factor, there is often a timelag between issuance of a policy and operation of a program.

Carefully, we reviewed all standing regulations covering the physical standards for Federal jobs, and we weeded out those rules which were obsolete.

We devised special tests which could be administered to blind applicants, to give them equal opportunity to compete for jobs they could perform as well as a person with sight.

We studied various diseases and illnesses, and published a number of "fact" leaflets for Federal employers, outlining the logic of employing persons who had suffered several types of afflictions.

All along, however, our program was permissive rather than mandatory.

We used "soft sell" techniques and, in effect, told Federal agencies what they could do, as opposed to what they should do.

The appointing officer who had no enthusiasm for hiring the handicapped could salve his conscience by saying, "There's nothing in the book that says I have to hire the handicapped."

While our approach has become more forceful, to this day we studiously avoid the technique of approaching the appointing officer with the attitude, "It's later than you think," or "This man could be you."

By 1957 we had become convinced that our program simply had not moved into high gear. That was the year somebody conceived the idea of a coordinator program. This became our breakthrough, and it is now the backbone of our program.

For any of you who have not heard about the coordinator plan, here's the way it works:

The manager of a Federal installation assigns—as an extra duty to a regular employee—the task of operating as a middleman between the handicapped citizen looking for work and the job which is open. Ideally, the coordinator is high enough on the organizational ladder to make his presence known, but not so high that he cannot tear himself away from his desk.

The coordinator arms himself with facts on which of the jobs at his establishment can be filled by a handicapped person. He arms himself with facts he can use to dispel prejudice. When the opportunity presents itself, he talks up the merits of hiring the handicapped to any supervisor who will listen.

In setting up the supervisor for a future commitment, the coordinator uses logic, not compassion; he invokes the element of progress, not pity.

He convinces any doubting-Thomas appointing officer that the handicapped applicant is entitled to receive full consideration lest the installation pass up a good opportunity.

So, when the installation gets a vacancy and asks for a list of eligibles who have been examined and certified as fit, and the list arrives, the coordinator screens the list to see if it contains the names of any handicapped candidates. If it does, he intercedes as necessary for the handicapped person.

Should the supervisor decide that the handicapped person whose name appears on the list is clearly not the person best qualified for the job, he is free to hire the one who is best qualified. In this case the coordinator does not twist the supervisor's arm to get favored treatment for the handicapped applicant, for that would amount to discrimination in favor of the handicapped.

A good coordinator—and we have many—does not rest his case, however. Knowing that the handicapped man, though passed over, has qualified under tough civil service standards and would therefore be an asset to some employer, the coordinator exhausts all possibilities to place the man in a nearby job—in another Federal installation, in an industrial job, in local government, or whereever there might be an opening. Because the coordinator works with his counterparts in Government, industry, and institutions, he often knows about job vacancies.

The beauty of our coordinator program—and obviously the reason for its marked success in the past 6 years—is that it provides hope at the community level to the handicapped citizen looking for a job. To him, the coordinator is somebody who is interested, not a policy statement from Washington.

Examine with me a brief statistical analysis of what the coordinators have done for our program:

In 1957, the first year we had coordinators, only 6 of every 1,000 persons hired by Government were handicapped. By 1961, 2,500 coordinators had been appointed, and 35,000 postmasters had been designated coordinators. That year, the proportion of handicapped persons hired rose to 15 per 1,000. Last year, with 3,500 coordinators appointed, the handicapped accounted for more than 19 of every 1,000 appointed.

Thus, in 5 years, we more than tripled the percentage of handicapped persons hired. We should accelerate our efforts to such an extent that 50 of every 1,000 persons hired are handicapped citizens who meet our standards.

It is impossible to determine the total number of handicapped persons in the 2½-million-man Federal work force; partly owing to our reporting system, partly because of our tough definition of the word "handicapped," and partly because the record often fails to show the person who has become handicapped after employment.

Our next significant milestone, after introducing the coordinator program in 1957, was to focus attention on the desirability of retaining Federal employees who might otherwise retire on disability.

You might or might not know that our disability retirement system has, in a sense, an oddity in that an employee retires if disabled for the job he holds rather than for all jobs in the Federal service.

So, at the direction of the President, we asked all Federal managers and all coordinators in 1961 to interview each employee who came up for disability retirement; to offer him if possible a less strenuous job he could still perform, and thus retain his valuable experience in Government.

We have not succeeded completely in this venture, but we have retained enough persons in new jobs to give us hope for further progress. Every employee we retain means one less person we have to recruit and train. Just as Government gains, the employee gains, for he continues to lead a productive life as opposed to a protected life.

Also in 1961, we tackled in earnest the matter of employing the skilled person who has been restored to health after suffering mental illness.

We are telling all coordinators at regional meetings, and, I might say, all managers at every official and unofficial opportunity, that mental illness, like physical illness, is something which can be treated and often cured.

We have just published a pamphlet entitled "Employment of the Mentally Restored in Federal Service" which tells applicants what the Government's policy is, and which is also informative to Federal appointing officers. This pamphlet has been distributed to all coordinators.

We are urging Federal agencies to give particular attention to retaining employees who suffer mental or nervous problems while employed. We are advocating generous use of sick leave and leave without pay for such employees who are undergoing treatment.

Early last year we authorized Federal agencies to employ handicapped persons—including those who were mentally restored—on a 700-hour temporary trial basis, without requiring them to have previous civil service experience or eligibility on a register, provided they met prescribed standards for the position. Employees hired under this authority may be paid up to $5,540 a year.

This way, the element of risk envisioned by many appointing officers can be overcome. If the employee fails to make the grade, he can be released without fanfare or humiliation after completing his trial period. Conversely, if he does measure up, he can be retained under a more permanent type of appointment.

Last fall, Congress enacted Public Law 87-614 which authorized Federal agencies to hire, at no cost to the Government, readers for blind employees. This law removed some obstacles that had previously restricted employment opportunities for the blind.

Another innovation in our program has been job engineering, or—more appropriately—job swapping, between employees to place the handicapped worker in a job more suited to his abilities.

In one such a case, a postmaster reported than one of his clerks, growing older, found that he was having trouble remembering the sorting scheme. The employee grew alarmed because his speed was falling off. Soon he reported symptoms of a heart condition. The postmaster put the clerk in a letter carrier's job and put the carrier in the clerk's former job. The ex-clerk's symptoms of heart trouble disappeared and he turned out to be an excellent—and a very happy—letter carrier.

Publicity has been such an important aspect of our program that I feel compelled to elaborate briefly on the role it has played.

We have used every publicity means at our disposal to communicate our aims, our procedures, our rules, and our progress to our internal public as well as the general public.

In communicating with our own "family," we have used the speech, the person-to-person confrontation, the employee publication, the bulletin board, the major exhibit, the official letter, the leaflet, the pamphlet and brochure, and the roundtable discussion.

For reaching the general public we have serviced the newspapers, magazines, radio and television outlets with factual and feature material. We have held open houses, and provided convention exhibits, speakers, facts for essay contests, and descriptive literature.

Our doors have been open to societies and organizations who champion a particular segment of the handicapped public, and we have answered questions and criticism with honesty and candor.

Before telling you our plans for the future, I think it would be proper to pause and take stock. Let me ask rhetorically, has our effort been rewarded? If so, to what extent?

We must honestly admit that we have not made all the progress we might have made. There is still a big job to be done. But for evidence that we have indeed made some progress, we can look at the record.

In the U.S. Air Force—a vigorous, dynamic, forward-moving organization—1 of every 12 civilian employees is handicapped. Some have been in vital defense jobs so long that their initial handicaps are now being aggravated by problems of geriatrics.

We have just completed a statistical study of handicapped persons employed by Government in the last 3 months of 1962. We compared the results of our hires with a survey of the numbers of handicapped workers actually on the job in the critical manpower-shortage year of 1944. We compared the 2,640 we hired in the 3-month period with 2,352 jobs surveyed in 1944, and found we had employed a slightly lower percentage of persons having a deformity, amputation, or malfunction; a higher percentage with visual defects; half again as many with hearing defects; slightly fewer with heart disease; and nearly twice as many with arrested tuberculosis. Our survey covered three categories of handicaps which in 1944 would have been considered bars to employment; controlled diabetics, epilepsy, and persons with a history of emotional or behavioral problems. In 3 months, we hired 570 such persons. This is a testimony to advances in medicine, but perhaps equally important, it is a breakthrough in our adoption of more enlightened attitudes with regard to employment.

In all of Government, I do not know of a single department or agency which does not have at least some handicapped employees in important jobs.

Looking at the wide spectrum of occupations found in Government, we find handicapped employees in space science, weapons design, medical and agricultural research, law enforcement, mail delivery, forest preservation, and in any other occupation which comes to mind.

Another evidence of our progress is contained in a single sentence filed in a manager's report on what his activity had done during National Employment of the Physically Handicapped Week last year. He said: "We had a successful National Employment of the Physically Handicapped Week, but we didn't do anything we don't do every week in the year."

Now I will give you a preview of our plans for the future:

We will continue to support and strengthen the coordinator program, which has demonstrated its worth.

We contemplate a pilot program—which can be done under existing law—to make way for greater progress in employment of the mentally restored. You know of the remarkable progress which has been made in the treatment of mental illness, and the value of employment as therapy for those who are completing such treatment.

With this in mind, our plan envisions taking mental patients at St. Elizabeths Hospital, on qualified medical assurance that they are ready for employment, and hiring some of these patients to work in our own medical division, under close supervision of our medical doctors. If the program works out as we think it will, we will approve the procedure for use in other agencies of Government.

We intend to promote more extensive employment of deaf persons in jobs where the noise level is extremely high. Industry has shown us that in certain types of jobs, deafness is more of an asset than a liability.

Another point we are watching with great interest is, at this moment, something so new to Government that we have no precedent with which to compare it. I refer to a paragraph contained in the recently signed labor-management agreement between postal unions and the Post Office Department. I quote the passage:

"This provision recognizes the joint responsibility of the Department and the organizations with exclusive recognition rights to aid and assist deserving employees who through illness or injury are unable to perform their regularly assigned duties and spells out provisions and conditions for reassignment to temporary or permanent light duty or other assignments. It fixes the responsibility on each postmaster to implement the provisions of the agreement with his office."

We have every reason to believe this provision, and similar agreements between other Federal employee organizations and other employers, will have a positive impact on the program.

With this, Mr. Chairman, I rest the Government's case. We have overcome many growing pains to arrive at our present plateau, but we are ready to assume whatever new pains we have to endure as we strive for further progress.

I wish each of you a fruitful, productive, and stimulating convention, and when you return to your own environment, I wish you Godspeed in serving the needs of the handicapped in our Nation.

BOOKKEEPING, AUDIT, AND ACCOUNTING METHODS OF STATES IN CONNECTION WITH STATE AND FEDERAL HIGHWAY PROGRAMS

Mr. MAGNUSON. Mr. President, yesterday, before the House Public Works Committee and its subcommittee under the chairmanship of the Honorable JOHN BLATNIK, of Minnesota, who is doing such a fine, outstanding public service in connection with the proper administration and utilization of our highway funds, there occurred a colloquy between members of the committee and one of the top accounting and auditing officials of the Bureau of Public Roads.

The tenor of Congressman BLATNIK's inquiry was directed toward the appalling status of the accounting and controls systems of some few States with relation to the bookkeeping, audit, and accounting methods utilized by those few States in allocating vast sums of money for the State and Federal highway programs in those States. This top accountant of the Bureau of Public Roads pointed out that in some States these accounting, control, and audit methods were of the stone-age variety and quality. However, in answer to a direct question by the committee as to what State had the best control, auditing, and accounting system, I am pleased to report, Mr. President, that my own State, the State of Washington, was named as the best.

This directly reflects great credit to the Governor and highway officials of my own State, but I think I should take this opportunity in all honesty to report to you, to the Senate, and to the public generally that this did not come about by virtue of some accountant's adopting a proper control system. This enviable result comes about because for the last 10 years and prior to and in anticipation of this accelerated Federal road program, the responsibility for such controls, the proper operation of the highway department, and the utilization of funds was a major project of the legislature in my State, under the direction and control of my most able colleague, who is now the Representative of the Third District of Washington, Mrs. JULIA BUTLER HANSEN. During her entire service in the Washington State Legislature, prior to her election to Congress, and more particularly during the last 10 or 12 years of her service as chairman of the committee on highways in the house of representatives, as chairman of the joint house and senate interim committee on highways, and as chairman of a panel of legislators created by the Council of State Governments, called the Western Interstate Highway Policy Committee, she worked diligently and successfully in creating in Washington an outstanding system of administration of State highway problems. At the time of the institution of this program by Mrs. HANSEN, we had the same sorry, inept, and politically directed highway department as existed in many other parts of the country. Through changing political administrations, through pork-barrel distribution of highway funds, and many other loose and lax practices built into the State government highway administration, during one period of time we had 8 highway directors in 10 years.

An orderly program of correction of this loose and lax procedure was instituted under the direction of JULIA BUTLER HANSEN; and with the complete support and approval of a highway advisory group in my State, a bipartisan, capable board of directors was placed in charge of highway administration with full authority to employ and utilize competent personnel on a nonpolitical basis. This commission has employed an outstanding highway director, Mr. William A. Bugge, who has been honored in the highway field by election to the high post of chairman of the American Association of State Highway Officials, and, more recently, as chairman of the National Highway Research Board.

Since the creation of this proper and well-designed highway administration, these controls and audit systems have developed. Highway funds in my State are under the constant supervision of this highway commission, a bipartisan joint house-senate interim committee which operates during and between sessions of the legislature, and a most competent highway user group that participates in the planning, utilization, and distribution of highway funds and provides proper research money for the constant supervision and utilization necessary. In addition to the compliment my State has received in relation to audit, and controls, I am proud to report that our State stands in the first group of States with relation to the completion of its Federal and State highway program.

EFFECTS OF INTEGRATION BY DECREE CITED IN SAVANNAH FEDERAL COURT RULING

Mr. TALMADGE. Mr. President, in a case tried at Savannah, Ga., U.S. District Court Judge Frank M. Scarlett has held that integration of the public schools can be injurious to both white and Negro students.

In rendering his decision, Judge Scarlett concluded that white and Negro schoolchildren have equivalent rights before his court, and they are equally entitled to consideration in determining their constitutional rights. He further held that a "reasonable classification within the meaning of the equal protection clause of the Constitution would be one which secures the maximum result in the educational process for all students and the minimum injury to any."

I call this court ruling to the attention of Members of the Senate, and ask unanimous consent that this ruling be printed in the RECORD.

There being no objection, the ruling was ordered to be printed in the RECORD, as follows:

[In the U.S. District Court for the Southern District of Georgia, Savannah Division—Civil Action No. 1316]

RALPH STELL, A MINOR BY L. S. STELL, JR., HIS FATHER AND NEXT FRIEND, ET AL., PLAINTIFFS, *v.* SAVANNAH-CHATHAM COUNTY BOARD OF EDUCATION, ET AL., DEFENDANTS, AND LAWRENCE ROBERTS AND DANIEL ROBERTS, MINORS, BY ADRIENNE M. ROBERTS, THEIR MOTHER AND NEXT FRIEND, ET AL., INTERVENORS

PRELIMINARY FINDINGS AND CONCLUSIONS

This is a school desegregation case in which plaintiffs ask a mandatory injunction requiring total integration of the schools administered by the defendants. Intervenors were made parties by the court to be heard on the predicted injuries to white and Negro pupils if the relief demanded in the complaint were to be granted.

The plaintiffs alleged injury to themselves and others of their class from the existing separation of white and Negro schools in Sanannah-Chatham County but did not offer proof in support of this allegation, contending rather that this court must conclusively presume such injury as a matter of law from the findings of fact made by the Supreme Court on the four factual situations brought before it in *Brown* v. *Board of Education*, 347 U.S. 483, 74 S. Ct. 686, 98 L. Ed. 873.

Intervenors denied that the existing school assignment system caused injury to either white or Negro pupils but that serious injury would be suffered by students of both races if the relief sought by plaintiffs were to be granted. Intervenors submitted on these points the expert testimony of sociologists, phychologists, educators, and anatomists, each of whom was conceded by plaintiffs to be an authority in his field. The opinions expressed by these witnesses were further supported in the record by publications and studies either marked in evidence or read into the record. Plaintiffs offered no witnesses or authorities in rebuttal, maintaining that whether any educational or psychological injury would result to the students of either race from compulsory integration was irrelevant.

The defendant school board took no position during the hearing as between plaintiffs and intervenors except as stated by its counsel in open court on May 13 at the conclusion of the case.

Plaintiffs requested early trial in order that any relief may be made available by the fall school term and the court accordingly specially calendared and tried the issues on May 9, 10, and 13.

In response to plaintiffs' further request for an early ruling herein the following findings of fact and conclusions of law under rule 52 of the Federal Rules of Civil Procedure are made on a preliminary basis. The court will issue its formal opinion and final findings within the next 30 days.

The parties

1. The minor plaintiffs are Negro students in the primary or secondary public schools of Savannah-Chatham County. The minor intervenors are white students in the primary or secondary white schools of Savannah-Chatham County. The defendant board of education and the individual defendants are in control of and administer the primary and secondary public schools in Savannah-Chatham County and have the necessary authority to place in effect any orders of this court with respect thereto.

The schools

2. The primary and secondary public schools of Savannah-Chatham County are divided into schools for white pupils and schools for Negro pupils and admission thereto is limited to applicants of the respective races. The evidence does not show any application of any Negro to schools operated for whites.

3. The teaching and administrative staffs of the white and Negro schools are white and Negro, respectively, up to and including the direct assistants to the superintendent of schools. Principals of both Negro and white schools are part of the superintendent's staff and participate in the adaptation of their particular schools to pupil requirements and the educational effectiveness of the several parts of the school system. The schools are equal in all respects except as to a slight advantage in favor of the Negro teaching staff in terms of graduate training and salaries. The same total curriculum is made available to all schools. Responsiveness to the aptitudes and needs of the pupils in each is secured by arranging a choice of elective subjects to be selected by the school on the basis of student request and guidance counseling.

Student test grouping

4. All pupils in three significant grades of the Savannah-Chatham County school system have been tested annually since 1954 for psychometric intelligence and correlative academic achievement through a battery of nationally accepted tests administered by local personnel, supervised and processed by the University of Georgia. This program was initiated prior to May 1954 at the request of the Superintendent of Schools for Savannah-Chatham County as part of a comprehensive study of mental growth and school achievement for pupil placement and course selection and content recommendations. The result of this testing program has been considered by the Savannah-Chatham County Board of Education in arranging school curricula responsive to the abilities and learning characteristics of the two student groups.

5. The psychometric test results have conclusively demonstrated that the differences between white and Negro students in learning capabilities and school performance vary in increasing degree from the preschool period through the completion of high school. The differences between white and Negro students were consistent on all types of tests and increased with chronological age at a predictable and constant rate. The Negro overlap of the median white scores dropped from approximately 15 percent in the lowest grades to 2 percent in the highest and indicated that the Negro group reached an educational plateau approximately four years before the white group. When a special control group was selected for identity of age and intelligence quotient in the lower grades, the Negro students lagged by two to four years when the entire group reached the 12th grade.

6. The tests covered general intelligence, reading and arithmetic achievement, and mental maturity. On the last, the white average was 20 points above the Negro average. The achievement tests showed major ability pattern differences. On reading comprehension and arithmetic fundamentals there was virtually no overlap between the two groups.

Basis of test variations

7. These differences in test results in Savannah-Chatham County are not the result of the educational system or of the social or economic differences in status or in environment of the students. These test results agree on a point for point basis with substantially identical results obtained from similar tests made in other areas of this country and abroad and in both segregated and integrated situations. Additionally, quantitative and qualitative distinctions in the Savannah-Chatham and other test results have shown the same variation in learning rates between the two ethnic groups even after the socio-economic factors of the test students had been equated.

8. All the evidence before the court was to the effect that the differences in test results between the white and Negro students is attributable in large part to hereditary factors, predictably resulting from a difference in the physiological and psychological characteristics of the two races. The evidence establishes and the court so finds that of the 20-point difference in maturity test results between Negro and white students in Savannah-Chatham County a negligible portion can be attributable to environmental factors. Furthermore no evidence whatsoever was offered to this court to show that racial integration of the schools could reduce these differences. Substantially all the difference between these two groups of children is inherent in the individuals and must be dealt with by the defendants as an unchangeable factor in programing the schools for the best educational results.

Group integration

9. The students in Savannah-Chatham County schools are 60 percent white, 40 percent Negro. A school class mixed on this basis would have a median progress rate 12 points below that of the former white class, and 8 points above the progress rate of the comparable former Negro class. Two-thirds of the Negro students would fail in this situation, particularly in the upper grades. This would place in the same schoolroom Negro students 2 to 4 years older in chronological age than the white students. White students in such a class lose any challege to further academic accomplishment.

10. Failure to attain the existing white standards would create serious psychological problems of frustration on the part of the Negro child, which would require compensation by attention-creating antisocial behavior. In other cities this effect has created serious discipline problems for the teachers and school administrators with consequent loss of schooltime. In New York 37 percent of Negro truants questioned in a study stated that they had run away from home because of failure to keep up in school.

11. The congregation of two substantial and identifiable student groups in a single classroom, under circumstances of distinct group identification and varying abilities would lead to conflict impairing the educational process. It is essential for an individual to identify himself with a reference group for healthy personality development. Physical and psychological differences are the common basis of group identification, indeed they compel such self-identification. To increase this divisive tendency, it has been established without contradiction, that selective association is a universal human trait; that physically observable racial differences form the basis for preferential association and that patterns of racial preference are formed and firmly established at a preschool age.

12. The effects of intergroup association are reasonably predictable on the basis of that branch of psychology known as social dynamics. In the case of two identifiable groups in the same classroom, intergroup tensions and conflicts result. These become substantial when the groups have a high identification index in a situation where the

difference between them is as great as that existing between white and Negro children in the Savannah-Chatham County schools.

13. In each city referred to in the evidence where large-scale integration had taken place or had existed continuously, the predicted level or even a greater degree of conflict existed and substantially impaired the efficacy of the entire educational system.

14. Total group integration as requested by plaintiffs would seriously injure both white and Negro students in the Savannah-Chatham County schools and adversely affect the educational standards and accomplishments of the public school system.

Selective integration

15. Throughout the trial, counsel for plaintiffs emphasized the conceded ability of certain superior Negro children to meet the progress norms of the white classes and implied that at least selective transfers of such students to white schools would not cause injury similar to the effects of group integration. The court finds that such selective integration would cause even greater psychological harm to the individual Negro children involved and to the balance of their group.

16. Negro children so transferred would not only lose their right of achievement in their own group but would move to a class where they would be inescapably conscious of social rejection by the dominant group. Such children must try to identify themselves with the white children while unable to free themselves from continuing identification with other Negro children. Additionally, the children involved, while able to maintain the rate of the white class at first, would, according to all of the test results, thereafter tend to fall further back in each succeeding term.

17. The effects on the remaining Negro children would be even more injurious. The loss of the better group members would greatly increase any existing sense of inferiority. The competitive drive to educational accomplishment for those not transferred would be taken away. The court finds that selective integration would cause substantial and irremovable psychological injury both to the individual transferee and to other Negro children.

Segregation Injury

18. Plaintiffs' assumption of injury to Negro students by the continuance of segregated schools is not supported by any evidence in this case. Whatever psychological injury may be sustained by a Negro child out of his sense of rejection by white children is increased rather than abated by forced intermixture, and this increase is in direct proportion to the number and extent of his contacts with white children.

19. Each study presented to the court, confirmed by the opinions of the witnesses showed that the damaging assumptions of inferiority increase whenever the child is brought into forced association with white children. The principal author of the studies relied on by the Supreme Court in the *Brown* case, used students from integrated schools in Northern States in getting the race rejection results which were there cited as showing such effects occurring from segregation. Moreover, the same author in an earlier study came to the conclusion that compulsory intermixture rather than racial separation in school was the principal source of the damaging loss of race identification.

20. The adverse effects of compulsory congregation are particularly harmful in the early formative school years. Intervenors' witnesses noted that integration at the collegiate level is not only possible but on a voluntary basis might be of advantage to both white and Negro students. The findings herein are accordingly limited to children of primary and secondary school ages.

II. CONCLUSIONS

1. The white and Negro schoolchildren have equivalent rights before this court, and are equally entitled to be considered in determining the scope and content of constitutional rights.

2. A reasonable classification within the meaning of the equal protection clause of the Constitution would be one which secures the maximum result in the educational process for all students and the minimum injury to any.

3. The classification of children in the Savannah-Chatham County schools by division on the basis of coherent groups having distinguishable educability capabilities is such a reasonable classification.

This 13th day of May 1963.

F. M. SCARLETT,
U.S. District Judge.

[In the U.S. District Court for the Southern District of Georgia, Savannah Division—Civil Action No. 1316]

RALPH STELL, A MINOR, BY L. S. STELL, JR., HIS FATHER AND NEXT FRIEND, ET AL., PLAINTIFFS *v.* SAVANNAH-CHATHAM COUNTY BOARD OF EDUCATION, ET AL., DEFENDANTS, AND LAWRENCE ROBERTS AND DANIEL ROBERTS, MINORS, BY ADRIENNE M. ROBERTS, THEIR MOTHER AND NEXT FRIEND, ET AL., INTERVENORS

ORDER AND DECREE

1. The injunction prayed for by the plaintiffs in this case is denied.

2. Upon good cause shown by plaintiffs or intervenors, the court will further direct herein that defendants shall conduct the next annual test of children in the Savannah-Chatham County schools under such conditions as plaintiffs or intervenors may reasonably request in order to insure complete impartiality of result.

3. No costs are awarded to any party as against the other.

This 13th day of May 1963.

F. M. SCARLETT,
Judge, U.S. District Court,
Southern District of Georgia.

LOUISVILLE BANS RACIAL DISCRIMINATION IN PUBLIC ACCOMMODATIONS

Mr. MORTON. Mr. President, I am proud of my hometown of Louisville, Ky. On Tuesday night, the Louisville Board of Aldermen—an all-Republican board—passed by a voice vote an ordinance prohibiting racial discrimination in public business places. The ordinance will become effective 120 days after its signature. It was signed yesterday by Mayor William Cowger, the first Republican mayor of Louisville in 24 years.

This ordinance means that in public places there shall be no racial discrimination.

Louisville is the first city in Kentucky to adopt such an ordinance; and, to my knowledge, Louisville is the first city in the South to do so. It seems to me this is a fine example, in these troubled times, of an excellent approach to what seems to be an explosive problem in many communities in the country.

A former ordinance was rejected in 1960 by a former board of aldermen, by a vote of 11 to 1. I am glad my party has taken the leadership in adopting this ordinance; and I hope it will point the way for better race relations throughout our cities, not only in the South, but everywhere.

I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Louisville Takes a Historic Stride in Race Relations," which was published in the Louisville Courier-Journal.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LOUISVILLE TAKES A HISTORIC STRIDE IN RACE RELATIONS

Louisville has taken another historic step in race relations. Passage of the ordinance forbidding racial discrimination in public accommodations announces to the Nation that Louisville rejects the spirit of Birmingham and Oxford. All of those who believe in this community, and its basic respect for human rights, can hold their heads a little higher today.

Credit must go, first of all, to the aldermen, who had to make the ultimate decision. It wasn't an easy one. They could have heeded the counsel of the timid, the fearful, the blindly stubborn, and the rabble-rousers, and tried to evade and postpone decision. They refused to take this course, and if this board does nothing else it will be long remembered for this week of decision.

A full measure of credit must go, too, to the city human relations commission, which carefully prepared the way; to Mayor William Cowger, who when the chips were down put his prestige on the line in backing the ordinance; and to County Judge Marlow Cook, who supported Mayor Cowger in urging their Republican colleagues to do the right thing.

The ordinance addresses itself to services of business establishments, forbidding the withholding of service in "any place of business offering or holding out to the general public services or facilities for the peace, comfort, health, welfare, or safety of such general public." This means, for example, that petty forms of discrimination such as refusing to let Negroes try on wearing apparel, while according this privilege to other customers, must be eliminated. It means, further, that bowling alleys serving the public must do just that, and not confine their service to a portion of the public according to skin color.

None of the adjustments should be difficult. Where they have been made, the transition was smooth. The ordinance does not take effect until mid-September, but there is no reason why business establishments covered by the ordinance should wait until then to conform to the spirit of the law.

Although passage of the ordinance was a signal victory over discrimination, let no one be lulled into believing that the job is done. Discrimination in housing and employment poses formidable challenges, and even now the human relations commission is moving in these areas.

Moreover, the writ of the public-accommodations ordinance runs only in the city, not in its environs. What is needed is a State law banning discrimination in services provided by establishments licensed to serve the general public. This newspaper has urged enactment of such a law in the past, and we hope the general assembly at its regular 1964 session will take this step.

SPACE FLIGHT BY MAJ. L. GORDON COOPER

Mr. SIMPSON. Mr. President, the personal courage of Maj. L. Gordon Cooper and the unexcelled abilities of American scientists have given America and the free world new hope for the future.

After this brave American's 22 orbits of the earth, and the 34 hours of prayers by our Nation and the astronaut's family, there is little that earthbound legislators can add to what has been said and done.

It should be mentioned, however, that this American who circled the earth had a companion on his flight. Even in choosing the name of his spacecraft—*Faith 7*—faith in God and faith in country—Major Cooper showed his devotion to, and has belief in, the Supreme Being who controls the destinies of us all.

His companion on the flight which ended so beautifully and so triumphantly yesterday afternoon was the same Presence that has guided thousands of Americans in peace and in war.

For those who are so fearful of America's "lastness" in everything from the military to the moral, it is worth noting also the Astronaut Cooper and the scientific community set many records in the flight, including the record for public observation. Every step in this space shot came under the careful scrutiny of the world's press. Win or lose, the reporter, the photographer, and the broadcaster were there, to inform the world.

Major Cooper has completed the world's longest and most successful confirmed space mission. He has established a record that will live throughout history.

While the felicitations go out, let us not forget the thousands of servicemen and technicians who manned the outposts covering Major Cooper's flight, the factory workers who milled the infinitesimally precise components of the space machinery, and the private enterprise system from which came the tax dollars to finance the venture.

Yesterday's flight by Major Cooper is an accomplishment in which all Americans can take pride.

ARMED FORCES DAY

Mr. SIMPSON. Mr. President, as we pay respects tomorrow to the 2½ million Army, Air Force, and Navy Active and Reserve personnel, on duty around the world and here at home, it behooves us to give profound thought to the role these people play in our everyday lives.

In the 20 years that we have been walking an international tightrope—many of those years under a nuclear umbrella—the massive might of U.S. military men and machines has been the unseen guardian of our families, our businesses, and our very way of life.

Nowhere is the great deterrent and retaliatory strength of the United States more apparent than in my own State, Wyoming, where Fort Warren Air Force Base at Cheyenne is headquarters for many Minuteman missile-base sites in the surrounding plains. We have Reserve forces that have seen action in both World Wars and Korea, and we have an advanced radar installation in the mountains of northern Wyoming.

It is a strange paradox that as the Nation voices tribute to its Armed Forces there are pseudostatesmen meeting around the world in strenuous efforts to disarm us. From their discussion comes statements predicting on one hand a world without war and on the other hand a world without people in the event of war. Augmenting their pronouncements are the advocates of the one-world army under U.N. supervision supplanting the national armies of the United States and other free world powers. Armed Forces Day is a fitting time to remember the lessons that are ours from three major wars and scores of lesser conflicts. We must remember always the lessons of strength, preparedness, and awareness so that when negotiators fail, our military will not.

Armies do not start wars, nor would an abandonment of military preparedness avert wars. The failure of political negotiation and moral understanding is the great "warmonger" of our time.

Our Military Establishment has guarded our security for nearly 200 years. God willing and politicians understanding, it always will.

MAINTENANCE OF GUANTANAMO NAVAL BASE

Mr. YOUNG of Ohio. Mr. President, as a matter of service to the citizens of Ohio whom I represent here in the U.S. Senate, I send out regularly a newsletter to any Ohioan who desires to receive it.

In my most recent newsletter, I specifically stated the following in referring to our naval base at Guantanamo:

> It would be, and is, unthinkable to abandon this base while Castro and communism prevail in Cuba. In fact, our Guantanamo Naval Base has been reinforced; and in event some trigger-happy Cuban starts trouble, our Marines and airpower could take the offensive and blast Castroism in a matter of hours.

Nevertheless, notwithstanding that plain statement, some lunatic, rightwing-fringe Birchites in my State have said in newspaper articles that I am proposing an appeasement trial balloon for the the administration and advocating abandonment at this time of the Guantanamo Naval Base. That statement is entirely untrue. Such action would be unthinkable. What I stated is precisely as I shall read from my newsletter in its entirety:

> WASHINGTON.—A rumor is going the rounds in Washington, particularly at Republican national headquarters and among bureaucrats dating from the Hoover and Eisenhower administrations. This is a baseless rumor concerning a base—the Guantanamo Naval Base—in Cuba under lease from the Cuban Government. The "scuttlebut" is that President Kennedy has made a deal with Castro and Khrushchev to abandon the base and turn it over to the whiskered one. At the turn of the century and for some years following, our Guantanamo Naval Base was important in the defense of the Panama Canal. This was a coaling station for our naval vessels and a base for our Marines. Warships then required coaling every hundred miles or so and Marines were stationed there to be available for trouble spots, particularly in Haiti and Ceneral America. Our airpower has for more than 20 years provided absolute protection for Puerto Rico and the Canal Zone. Guantanamo as a needed Marine or naval base is as obsolete as Fort Bliss near El Paso and other Indian frontier posts we garrisoned even as late as 1930. Generals and admirals find Guantanamo delightful for vacations, basking in the sun, drinking rum, and for permanent homes following retirement. Nevertheless, it would be, and is, unthinkable to abandon this base while Castro and communism prevail in Cuba. In fact, our Guantanamo Naval Base has been reinforced; and in event some trigger-happy Cuban starts trouble our Marines and airpower could take the offensive and blast Castroism in a matter of hours.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YOUNG of Ohio. I continue to read from the newsletter:

> Nevertheless, following the time Castro's whiskers have been singed and communism no longer holds sway in Cuba, the writer proposes immediate abandonment of Guantanamo as a naval and air base. We don't need it. We have strong air force bases in Puerto Rico and the Canal Zone. Then let us establish this former base as a campus for the University of the Caribbean in complete cooperation with the Organization of American States and have boys and girls from all Latin-American Republics and needy students from Canada and our country sent there for schooling and training—this, for the benefit of the Western Hemisphere and the welfare of the free world. This is a constructive suggestion. Acting on it would be comparatively inexpensive foreign assistance.

Mr. President, that was my statement. I state now that it is constructive. Acting on it would be comparatively inexpensive foreign assistance following the time when communism and Castro no longer hold sway in Cuba.

Nevertheless, there are some lunatic rightwing fringers in and out of the John Birch Society—the frightened and frustrated, the bitter and vindictive, the twisted zealots, the malicious un-American cynics—who are always eager and ready to distort and to quote out of context in order to further their own ends. Their tactics are the big lie and the wanton smear. In this instance they took a constructive suggestion for the peace of the world and general welfare of people throughout the Western Hemisphere and by these vile methods attempted to make it seem otherwise. I stand by my statement and fervently hope the day will soon come when the disease of communism will be driven from Cuba. Then, my suggestion for a University of the Caribbean at Guantanamo may be given serious consideration.

HOT LINE

Mr. YOUNG of Ohio. Mr. President, American negotiators, following months of setbacks and discouragements, were delighted when Khrushchev announced he was willing to accept a direct telecommunications link, or so-called hot line, between the Kremlin and the White House. I hope that Khrushchev does not back down from that position. The line would be designed to prevent an accidental outbreak of a nuclear war and to enable our President to confer with Premier Khrushchev informally and privately over the hot line at any time, day or night, speedily and effectively.

If telecommunications were set up right now in the White House and the Kremlin, it would be important and helpful, what with troubles in Laos, Vietnam, Berlin, and Cuba. In fact, such a telecommunication link might open an entire new era of diplomacy. It would be another first in the rapidly moving space age of change and challenge. A historic first was established yesterday by that great American hero, Major Cooper. Direct communications, person-to-person, between our President and the heads of state of other nations, particularly the Soviet Union, should help greatly in avoiding one crisis following another. Probably in this grim period of international anarchy, more than one telephone is needed to prevent accidental war.

After setting up a hot line, that is, direct communication between the Kremlin and the White House—and I hope that will be established—then perhaps pretty soon General de Gaulle will be demanding a direct line. Probably at that, General de Gaulle would not answer even if our President did ring him.

ABUSES IN THE SOIL BANK PROGRAM

Mr. WILLIAMS of Delaware. Mr. President, under date of July 12, 1961, I wrote a letter to the Comptroller General calling his attention to certain alleged abuses in the soil bank program. As a result of his investigation he has issued a report, which is being released to the Congress today. I quote from the Comptroller General's letter to me which accompanied this report:

> Our review disclosed that soil bank contracts covering 36 individual farm units resulting from the subdivision of two large tracts of land in Hidalgo County, Tex., were executed under circumstances which appeared to circumvent the soil bank regulations of the Department—

The Comptroller General stated further—

> The cancellations have resulted in the elimination of conservation reserve payments totaling about $1,066,000 that otherwise would have been made for 1961 and subsequent years.
>
> In addition, the Department of Agriculture has referred these cases to the Department of Justice for any legal action considered appropriate.

I wish to compliment the Comptroller General and to thank him for his assistance.

Mr. President, I ask unanimous consent that the Comptroller General's letter dated May 16, 1963, addressed to me and summarizing this report, be printed at this point in the RECORD, followed by the two specific examples, cases Nos. 1 and 2, showing how the abuse had developed.

There being no objection, the letter and cases were ordered to be printed in the RECORD, as follows:

WASHINGTON, *May 16, 1963.*

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: Herewith for your information is a copy of our report to the Congress on instances of questionable participation in soil bank programs of the Department of Agriculture in Hidalgo County, Tex. This matter was the subject of your letter to us dated July 12, 1961.

Our review disclosed that soil bank contracts covering 36 individual farm units resulting from the subdivision of two large tracts of land in Hidalgo County, Tex., were executed under circumstances which appeared to circumvent the soil bank regulations of the Department with respect to the annual payment limitation of $5,000 per producer established for the conservation reserve program and, in some instances, the payment limitation of $3,000 per producer for the 1958 acreage reserve program. These contracts called for payments totaling about $1.6 million over a 10-year period under the conservation reserve program. In addition, acreage reserve payments totaling $75,000 were made for crop year 1958 under agreements covering 28 of the 36 farm units.

After we had furnished information on these transactions to the Department of Agriculture, and after subsequent discussions with us, the Department instituted investigations of these cases. As a result of its investigations, the Department canceled the soil bank contracts on the basis that the contracts did not conform with the soil bank regulations because they were a part of a scheme or device to exceed the $5,000 conservation reserve annual payment limitation to any individual producer. The cancellations have resulted in the elimination of conservation reserve payments totaling about $1,066,000 that otherwise would have been made for 1961 and subsequent years. In addition, the Department of Agriculture has referred these cases to the Department of Justice for any legal action considered appropriate.

In view of the unusual circumstances surrounding these transactions and the continuing interest of the Congress in agricultural soil bank programs, we are presenting in the enclosed report the salient facts regarding these cases, as disclosed by our examination and subsequent investigations undertaken by the Department of Agriculture, and a summary of the actions taken by the Department after we brought these cases to its attention.

Sincerely yours,
JOSEPH CAMPBELL,
Comptroller General of the United States.

CASE NO. 1

A tract of land comprising 7,046 acres was subdivided into 12 farm units by an individual, designated herein as "A," who sold them to certain other individuals. Soil bank contracts covering 11 of the 12 farms were entered into under the conservation reserve program, by the purchasers, calling for payments totaling $483,000 over the 10-year term of the contracts. Conservation reserve payments totaling about $142,000 were made for the years 1958–60 pursuant to these contracts. In addition, acreage reserve payments totaling about $21,000 were made for crop year 1958 under agreements covering eight of the farm units.

"A" purchased 7,070 acres of land in April 1948 at a cost of $370,000 or about $52 an acre and, after subdividing 7,046 acres of this land into 12 farm units, sold them in August 1957 for a total consideration of about $1,057,000 or about $150 an acre. He conveyed each of the 12 farms at a price of $125 an acre payable to himself, plus $25 an acre payable to an individual, designated herein as "B," who acted as his agent in the sale of the land. ("B" is also one of the principals in the transactions described under case No. 2, discussed in the section beginning on p. 14.) The conveyances did not include the mineral rights to the properties and were subject to a prior lien which the purchasers did not assume and agree to pay. Certain purchasers agreed to obtain the maximum allowable benefits under the soil bank programs and to assign to "A" payments received under these programs. None of the purchasers made a downpayment. The purchasers executed deeds of trust whereby they agreed to pay "A" total amounts equal to $125 an acre, plus interest at 6 percent a year. The total amounts were to be paid in 20 annual installments commencing on September 1, 1958.

The purchasers executed other deeds of trust whereby they agreed to pay to "B" amounts equal to $25 an acre on or before September 1, 1977; interest at 6 percent a year was required to be paid annually. The deeds of trust provided that "B" could declare the unpaid balances on the notes held by him immediately due and payable at any time after September 1, 1966, unless the purchaser obtained the best possible available commercial loan on the property and applied the proceeds of the loan first to the reduction of the note payable to "A" and the balance of the proceeds, if any, to the reduction of the notes payable to "B." Therefore, although the payments to "A" were to be made in 20 annual installments and the payments to "B" were to be made at the end of 20 years, the seller was in a position to foreclose on the properties unless the purchasers refinanced the remaining balances of the indebtedness after 10 years when payments under the soil bank contracts would be terminated.

During 1958, 11 of the 12 tracts of land were placed under conservation reserve contracts with payments totaling about $45,000 a year.[1] The payments due under 10 of these contracts for 1958 were assigned directly to "A" and the 1958 payment under the remaining contract was assigned to a bank to be applied against a loan taken out by the purchaser to pay "A" the first installment due on the purchase price. Most of the payments due under the conservation reserve contracts for 1959 and 1960 on these 11 tracts were also assigned to "A."

In addition, acreage reserve payments totaling about $21,000 were made for crop year 1958 under agreements on eight of the tracts; payments on two of the eight tracts were assigned to "B."

Three of the 12 farm units were transferred to new owners in October 1958 as a result of the following actions:

1. "B" foreclosed his lien on one of the farm units because the purchaser had failed to assign soil-bank payments to "A."
2. "B" foreclosed his lien on a second farm unit because the purchaser had disappeared.
3. The owner of the third farm unit deeded his land to another purchaser.

The annual purchase payments to be made by the new owners of the three farms were reduced to $5,000 each, the maximum amount payable under the conservation reserve program. The reduction of the annual payments to $5,000 coincided with the discontinuance of the acreage reserve program.

The deeds of trust of the three new owners specified that the new owners were to assume the indebtedness (to "A") of the original owners, plus accrued interest, and, as indicated, were to make annual payments, covering both principal and interest, of $5,000 each to "A." None of the three new owners was required to make payments to "B." A final installment of the remaining unpaid balance of principal and interest on each of the three units would be paybale to "A" on September 1, 1978. The owners were required by the terms of the deeds of trust to comply with soil bank and other Government regulations, to qualify for the maximum amount allowable under the soil bank or other programs, and to assign to "A" all payments due or to become due under the soil bank or other programs.

In October 1958 the annual payments on two other farms were also reduced to $5,000 under terms and conditions identical to those of the three farms previously mentioned. The annual purchase payments on the other 7 of the original 12 farms were not similarly reduced.

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[1] Increased in 1959 to about $49,000 a year.

On three of the five farms for which annual purchase payments were reduced to $5,000 each, the annual interest charge of 6 percent of the outstanding purchase indebtedness to "A" in October 1958 would have exceeded the required annual purchase payment of $5,000 throughout the 20-year payment period. However, we noted that the 1958 conservation reserve payments of $4,888, $4,992, and $4,664 were made on the three farms in November 1958. According to the investigation report, two of these payments were assigned directly to "A" and the remaining payment was assigned to a bank to be applied against a loan previously made to the purchaser. After applying the 1958 conservation reserve payments against the amounts owed to "A," and in the absence of any unscheduled payments on the purchase prices, the portion of the $5,000 annual purchase payment remaining after payment of interest would result in a relatively small reduction of the principal amount of the original indebtedness when the final installment would become due at September 1, 1978.

On the other two farms for which annual purchase payments were reduced to $5,000 each, the annual interest charge on the indebtedness to "A" established in October 1958 was less than $5,000. After allowing for reduction of the indebtedness in the amount of the 1958 conservation reserve payments of $2,217 and $3,479, respectively—made in November 1958 and assigned directly to "A"—and in the absence of any unscheduled payments on the purchase prices, the owners of record would have reduced their original indebtedness to "A" by 25 percent and 59 percent, respectively, as of September 1, 1978.

Annual conservation reserve payments totaling $24,398 were paid to the owners of record for 1959 and 1960 on the five farms for which annual purchase payments were reduced to $5,000 each.

After reviewing the ASCS investigation report on this case, the Acting Deputy General Counsel, Department of Agriculture, stated in a letter dated March 14, 1960, to the Deputy Administrator, Production Adjustment:

"In view of the unusual circumstances in this case—for example, the inflated prices charged for the land, the fact that little if any equity in the land will be held by the purchasers at the end of the conservation reserve contract period, the unusual adjustments made in the purchase price in some of the tracts * * * it would appear that the transactions may have been so arranged that upon expiration of the conservation reserve contract period, the lands will revert to the seller, having the purpose of enabling ["A"] to obtain the soil bank payments for the life of the conservation reserve contracts. If so, the arrangements would, in our opinion, constitute a scheme or device to evade the $5,000 payment limitation under the conservation reserve program (as well as the $3,000 payment limitation under the acreage reserve program)."

Conservation reserve and acreage reserve payments on the 11 farms involved in the subdivision and sales of the land in case No. 1 totaled about $163,000 for the years 1958 through 1960. **Payments made each year were as follows:**

Year	Conservation reserve	Acreage reserve	Total payments
1958	$44,563	$21,084	$65,647
1959	48,721		48,721
1960	48,721		48,721
Total	142,005	21,084	163,089

The cancellation by the Department of Agriculture of the soil bank contracts on the 11 farms resulted in the elimination of conservation reserve payments totaling **about $341,000 that would otherwise have** been made for the remaining terms of the contracts.

CASE NO. 2

A 16,057-acre tract of land, purchased in December 1954 by a corporation designated herein as "C," was subdivided and sold and then further subdivided into 25 smaller tracts of land which were sold to various individuals. Ultimately, all farm units were entered into the conservation reserve program under 10-year contracts, and 20 farms were entered into the acreage reserve program. Total annual conservation reserve payments through 1960 amounted to about $432,000 and total acreage reserve payments through 1958 amounted to about $131,000 ($78,000 for 1957 and $53,000 for 1958).

"C" purchased the land and certain minor improvements thereon at a cost of $1,500,000, including a downpayment of $50,000. Two insurance companies held notes on the corporation's indebtedness.

INITIAL SUBDIVISION OF LAND TO FOUR MAJOR TRANSFEREES

In January 1956, "C" sold about 3,925 acres of the land to an individual, herein designated as "D," for $550,144. The consideration consisted of a cash downpayment of $1,744, a vendor's lien note to "C" in the amount of $22,323,[1] and the assumption by "D" of notes totaling $526,077 given by "C" to the two insurance companies. "D" was required to make annual payments on the notes amounting to $29,493, plus interest, for each of the first 7 years and $26,304, plus interest, for each of the remaining 13 years. The two insurance companies did not, however, release their original liens against "C" on the acreage sold to "D."

In February 1956, "C" transferred 12,100 acres to the partnership of "B" (also a principal in case No. 1) and another individual, herein designated as "E", for the stated consideration of $878,779. "B" and "E" were the principal stockholders of "C" corporation. In payment the partnership assumed the outstanding indebtedness of "C" to the insurance companies, which, according to the warranty deed, amounted to about $933,000 at the time of the transfer.

In July 1956, the partnership deeded 5,513 acres at a price of $300,000 to an individual, designated herein as "F", and 2,000 acres at a price of $250,000 to an individual, designated herein as "G"; the purchase prices were payable in 20 annual installments except for one note of $25,000 payable by "F" in 90 days. As part of the transactions "F" assumed $250,000 of the partnership's indebtedness to one of the insurance companies and "G" assumed $140,000 of the indebtedness to the same insurance company. In addition, the partnership of "B" and "E" assigned the remaining indebtedness of "F" and "G" to the insurance companies.

Following is a summary of the holdings resulting from the subdivision of the acreage purchased by "C" corporation.

Transferee:	*Number of acres*
"D"	3,925
Partnership of "B" and "E"	4,587
"F"	5,513
"G"	2,000
Total	16,025

Each of these transferees further subdivided the tracts. The circumstances and conditions involved in the further subdivision of the four tracts of land are summarized below.

SUBDIVISION OF LAND ACQUIRED BY "D"

In March 1956, "D" conveyed to an individual, herein designated as "H," a one-half interest in his 3,925 acres of land for a consideration of $10,000. "H" also agreed to pay one-half of all outstanding indebtedness on the land.

"D" and "H" then divided the total acreage into 10 tracts and, by deeds dated February 12, 1957, conveyed single tracts to each other and single tracts to 8 other individuals. The 8 individuals paid prices ranging from $54,750 to $57,300, due in 20 annual installments, plus interest. The conveyances provided that (1) mineral rights were retained by the sellers ("D" and "H"), (2) the purchasers were required to participate fully in soil bank programs, and (3) the conveyances were subject to prior liens which the purchasers did not assume.

In April 1957, "H" executed a quitclaim deed to the entire 3,925 acres in favor of "D." In a statement to an ASCS investigator, "H" said that "D" had told him that they could sell the land to various individuals for nothing down, have each individual enter into a soil bank contract, have the soil bank payments assigned for application against the indebtedness due the insurance companies, and still retain the mineral rights on the land. "H" also stated that his attorney had advised him that no jury would consider the conveyances as being bona fide sales when the sellers were retaining the mineral rights. "H" decided, therefore, to write off and consider as lost his $10,000 investment.

RECONVEYANCE BY "D" AFTER "H" WITHDREW FROM ARRANGEMENT

After "H" withdrew from the arrangement, "D" conveyed to another party for $57,300, payable in 20 annual installments, the tract previously conveyed to "H" and issued new deeds to the original purchasers of 6 of the tracts. New deeds were not issued on three tracts which were previously deeded to "D" himself and two of his employees. The seven new deeds were dated February 12, 1957, the date of the original deeds, although the new deeds were not filed with the Hidalgo County clerk until June 6, 1957. Contracts were entered into placing practically all the cropland of the 10 tracts here involved in the 1957 acreage reserve and conservation reserve programs.

"D" died in August 1958. The following month one of the insurance companies declared in default the vendor's lien note originally given by "D" to "C" and subsequently transferred to the insurance company, and the entire tract of 3,925 acres was foreclosed. In a trustee's sale that followed, the partnership of "B" and "E" acquired title to the land for consideration of $500 plus assumption of liability for the notes issued by "C" in favor of the insurance companies.

RECONVEYANCE AFTER DEATH OF "D"

After the trustee's sale, all but 1 of the conservation reserve contracts on the 10 farm units were amended in order to place additional cropland in the conservation reserve program in 1958 when the acreage reserve program and payments thereunder were discontinued. Although title to these 10 tracts of land had reverted to "B" and "E," the amended conservation reserve contracts covering these farms were all executed in the names of the owners of record on file at the ASC county office—the widow of "D" and eight of the individuals to whom "D" had previously deeded tracts. According to the ASCS investigation report, conservation reserve payments for 1959 were assigned by the owners of record to a particular bank and credited against loans made by the bank in the names of the owners of record; however, the proceeds of these loans were actually paid to "B" and "E."

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[1] This note subsequently was assigned to one of the insurance companies as additional security on notes **issued by "C."**

Two of the owners of record furnished written statements to an ASCS investigator stating that the 1959 soil bank payments had been made without their knowledge or consent. They stated that "D" had deeded the tracts to them without their prior knowledge, that they had signed powers of attorney authorizing an employee of "D" to act in their behalf, and that they had exercised no control over the land at any time.

After the conservation reserve contracts were amended, the partnership of "B" and "E" deeded, for various purchase prices, 8 of the 10 farm units to certain individuals, only 4 of whom held deeds to their farms at the time "B" and "E" acquired the land at the foreclosure sale. "B" and "E" did not issue new deeds on two farm units which had been originally conveyed by "D" to two employees of "B" and "E." The ASCS investigation report noted that, for seven of the eight farm units deeded by "B" and "E," the annual installments due on the purchase price of the land were equal to the annual conservation reserve payments for 1959 and 1960. Details of the conveyances made by "B" and "E" of the acreage formerly owned by "D" and the related acreage placed in the conservation reserve, as disclosed by the ASCS investigation report, follow:

Farm unit	Conveyances			Acreage placed in conservation reserve	
	Total acreage	Total cropland	Annual purchase payment	Acreage	Annual payment
1	396	335	$4,463	335	$4,463
2	367	351	4,372	306	3,979
3	373	335	4,468	335	4,468
4	382	372	4,947	372	4,947
5	381	352	(1)	352	4,690
6	382	328	4,317	324	4,317
7	378	377	(1)	377	5,000
8	528	386	4,985	386	4,985
9	365	312	4,174	312	4,174
10	373	273	3,665	273	3,665
Total	3,925	3,421		3,372	44,688

[1] No deeds were issued by "B" and "E" on these farm units.

In December 1959, the Texas Highway Department acquired for a highway right-of-way about 2 acres of one of the tracts previously conveyed by "B" and "E." The attorney for the highway department and the representative of the title company who made the title search for the State of Texas concluded that uncontestable title to the land rested with "B" and "E." Accordingly, the 2 acres were deeded to the Texas Highway Department by "B" and "E" rather than by the individual who had apparently purchased the land from them.

Acreage reserve and conservation reserve payments on the 10 tracts comprising the 3,925 acres of land totaled $193,250 for the years 1957 through 1960. According to the ASCS investigation report, the payments for 1957 were assigned to a bank and an insurance company and were applied in payment of loans made to "D." The investigation report also shows that, with one exception, payments for 1958, 1959, and 1960 were assigned to banks and insurance companies for ultimate application against debts for which the partnership of "B" and "E" or "B" as an individual was liable. The one exception was a 1958 acreage reserve payment of about $1,300 on "D's" own farm unit. The record is not clear as to the ultimate disposition of this payment. A summary of the soil bank payments for each of these years follows:

Year	Conservation reserve	Acreage reserve	Total payments
1957	$38,550	$12,018	$50,568
1958	38,550	14,756	53,306
1959	44,688		44,688
1960	44,688		44,688
Total	166,476	26,774	193,250

Cancellation by the Department of Agriculture of the soil bank contracts on the 10 tracts resulted in the elimination of about $268,000 that would otherwise have been made over the remaining terms of the contracts.

SUBDIVISION OF LAND OF PARTNERSHIP "B" AND "E"

In December 1956, the partnership divided its 4,587 acres by deeding 670 acres to "B" and 675 acres to "E," as individuals, and by conveying tracts of over 600 acres each to five other persons. The terms of the conveyances, including the transfers to "B" and "E" as individuals, required maximum soil bank participation and payment of the purchase price to the partnership in 20 annual installments. In addition, the conveyances were subject to the insurance companies' prior liens which the grantees did not assume.

In 1957, "B" received an acreage reserve payment of about $6,100 on his individual tract and "E" received about $2,100 on his tract; in 1958, each received approximately the maximum allowable payment of $3,000. For each year from 1957 through 1960, "B" and "E" each received, in addition, conservation reserve payments approximating the $5,000 limitation.

Three of the five purchasers of land from the partnership each received substantially the maximum conservation reserve payment of $5,000 each year from 1957 through 1960; they also received acreage reserve payments in 1957 of about $6,200, $2,200, and $2,000, respectively, and substantially the maximum acreage reserve payment of $3,000 each in 1958.

Another of the five purchasers received an acreage reserve payment of about $1,300 and a conservation reserve payment of about $5,000 in 1957, and substantially the maximum payments of $3,000 and $5,000, respectively, in 1958. In September 1958, coincident with the termination of the acreage reserve program, this purchaser deeded 122 acres to his father, who thereupon applied for and received a conservation reserve payment of about $1,900 for 1959 while the purchaser again received approximately the maximum payment of $5,000 on the acres not deeded to his father. The same conservation payments were received in 1960 as well.

The remaining purchaser, an employee of "B," received acreage reserve and conservation reserve payments totaling $9,200 in 1957 and $7,900 in 1958. In September 1958, this purchaser deeded 271 acres to his father who was then living in semiretirement in Illinois. Shortly before the deed was issued, "B" wrote to the purchaser's father requesting him to execute a power of attorney authorizing the son to act in the father's behalf. In his letter, "B" stated, in part:

"[Your son] can only draw a maximum of $5,000 on his conservation reserve from his farm. He has 672 acres of land. It only requires 384 acres at $13 an acre for him to acquire his maximum $5,000. His intentions are to deed you one-half the farm and let you apply for your maximum conservation reserve payments, thus between the two of you, you should receive around $10,000 from the Government on a 10-year contract to take this farm out of production. [Your son's] payments, principal and interest included, run him $8,100 a year. * * * [By] putting the other half of the farm in your name, he will be able to make his land payments, pay his ad valorem taxes, also have enough left to pay his income tax. Since [your son] has already made two payments amounting to $16,000, you can see that at the end of a 10-year period, he will have quite an equity built up in his land."

However, the father questioned the validity of the transaction and the land subsequently was deeded back to the son. Then, in March 1959, the son deeded a portion of the land to his former wife, who also was an employee of "B." She received the maximum conservation reserve payments of $5,000 in each of the years 1959 and 1960 while her former husband received conservation reserve payments of $3,800 in each of these years on the acreage retained by him.

Acreage reserve and conservation reserve payments on the nine tracts comprising the 4,587 acres of land subdivided by the partnership of "B" and "E" totaled $199,402 for the years 1957 through 1960. A summary of the payments for each year follows:

Year	Conservation reserve	Acreage reserve	Total payments
1957	$34,967	$24,333	$59,300
1958	34,924	23,784	58,708
1959	40,697		40,697
1960	40,690		40,697
Total	151,285	48,117	199,402

Cancellation of the soil bank contracts on the nine tracts resulted in the elimination of conservation reserve payments of about $255,500 that would otherwise have been made over the remaining terms of the contracts.

SUBDIVISION OF LAND PURCHASED BY "F"

The sales agreement covering the purchase by "F" of the 5,513 acres in July 1956 required 20 annual payments of $14,250 each to the partnership of "B" and "E." Upon purchase of the land, "F" entered into a 50-50 partnership agreement with "B" covering the operation of this land.

In 1957, "F" placed the land's entire cotton acreage allotment in the acreage reserve and received payments of about $30,000; he received also the maximum conservation reserve payment of $5,000 for retiring other sections of the land. On August 22, 1957,[2] "F" deeded about 330 acres each to three brothers of "B." The terms of the conveyances required the purchasers to participate in the soil bank to the maximum extent possible and to pay the purchase price in 20 annual installments. In addition, the deeds stipulated that the conveyances were subject to prior liens in favor of two insurance companies and that the grantee did not assume and agree to pay such liens. The deeds also specified that all mineral rights were retained by the grantor. As agent for his three brothers, "B" placed the newly acquired tracts under the conservation reserve contracts.

Consequently, for 1958, when the maximum acreage reserve program payment limitation of $3,000 was in effect, "F" received approximately that amount plus the maximum allowable payment of $5,000 under the conservation reserve program; the three purchasers received conservation reserve payments of about $4,000 each. The total payments for 1958 to the four producers ("F" and the three brothers of "B") amounted to about $20,000, whereas, if the land originally belonging to "F" had not been subdivided, the total maximum payment in 1958 would have been $8,000. The conservation reserve payments for 1958 on the tracts held by the three brothers of "B" were assigned to "F." Total conservation reserve payments amounted to about $17,400 a year for 1959 and 1960. Cancellation of the soil bank contracts resulted in the elimination of conservation reserve payments of about $116,100 that would otherwise have been made over the remaining terms of the contracts.

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[2] It should be noted that on Aug. 2, 1957, pursuant to Public Law 85-118, the annual acreage reserve payment to any one producer with respect to a particular farm was limited to a maximum of $3,000.

SUBDIVISION OF LAND PURCHASED BY "G"

In November 1956, "G" deeded to his two sons 1,000 acres each of his 2,000-acre tract but farmed the planted portion of the land himself. As consideration for the transfers, each son assumed one-half of the outstanding notes on the property, totaling $250,000. In applying for soil bank contracts, "G" listed himself as joint operator of each farm, theoretically entitling him to soil bank payments from each farm in addition to payments to which his sons were entitled as owners of record.

"G" and his two sons received total conservation reserve payments of about $14,000 each year from 1957 through 1960; they also received acreage reserve payments totaling about $10,000 in 1957 and $12,000 in 1958. If "G" had not divided his land between his two sons, the maximum annual conservation reserve payment each year would have amounted to $5,000 and the maximum acreage reserve payment would have been $3,000 in 1958.

Total acreage and conservation reserve payments made on land subdivided by "G" amounted to about $78,500. Cancellation of the soil bank contracts resulted in the elimination of conservation reserve payments of about $84,900 that would otherwise have been made over the remaining terms of the contracts.

THE CURRENT AGRICULTURAL PROGRAM—FARMERS INVESTMENT CO.

Mr. HAYDEN. Mr. President, the senior Senator from Delaware [Mr. WILLIAMS], in the course of his remarks in the Senate on yesterday, again made reference to the Farmers Investment Co. of Tucson, Ariz., of which Mr. R. Keith Walden is the president. Mr. Walden has sent me a copy of a letter that he recently addressed to the Senator from Delaware which is worthy of the attention of all Senators who are interested in obtaining the facts relating to what has actually been accomplished under the existing national farm program.

I, therefore, ask unanimous consent that Mr. Walden's letter of March 26 be printed as a part of my remarks in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FARMERS INVESTMENT CO.,
Tucson, Ariz., March 26, 1963.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Allow me to congratulate you on the general philosophy represented by your recent comments made in the U.S. Senate with respect to certain aspects of the current agricultural program. I quite agree that the principles of the soil bank program, as established under the Eisenhower administration and reinstated in some respects by the Kennedy administration, leaves much to be desired.

As a longtime spokesman for a competitive agriculture, I find myself in great sympathy with what I am sure is a sincere attempt on your part to point out some of the ills of the farm program. As one who has always believed that individual or industry decisionmaking is superior to centralized or bureaucratic decisionmaking, I am in general agreement with the implications in your recent statement that there are many maladies associated with the agricultural program of today. I hasten to point out, however, that I fail to detect evidence of any constructive suggestion on your part for an alternative program.

You have made no mention of the great achievements in American agriculture and the fact that the average American farmer now produces enough to support 24 other U.S. citizens on a diet that represents the highest standard of nutrition the world has ever known. Neither do you mention the fact that the average American housewife buys more food of superior quality today than she has ever been able to buy with the earnings from an hour of her husband's labor. For having achieved these great production miracles, the country as a whole, and American agriculture in particular, finds itself faced with the burden of abundance in some areas of agricultural production. As a nation, we are fortunate that our agricultural problem is one of abundance rather than one of scarcity. May I suggest to you that a solution to the economic problems of agriculture would not be difficult—everyone knows this. A solution to the human problem, however, is not easy, because it is dealing with human beings. Furthermore, these human problems become associated with political reality and this confuses the fundamental issues. This very confusion tends to penalize the economic segment of the farming industry and results in an unjust castigation of the commercial farm operations such as those in which this company is engaged.

I would like to suggest, also, that it is the commercial type of operation in agriculture that the national policy must protect in order to (1) support our population at the dietary level to which it has become accustomed, and (2) to preserve the soundness of our entire economy, of which it was recently said that "42 percent is dependent upon agriculture."

Permit me to amplify further upon the importance of the commercial type farm, operated for profit just as is any other business in a capitalistic, economic system. What I am going to say here also points up the magnitude of what might be referred to as the sociopolitical-human problem which is associated with and which is, in fact, the major portion of the farm problem. In this respect, it may enlighten you to know that half of the farmers in the United States produce more than 90 percent of the salable farm products which provide the food and help to clothe our citizens. The corollary of this statement is that half of the farmers in the United States produce less than 10 percent of the total salable farm products of America. Furthermore, if the efficient half of those engaged in American agriculture is reduced to the level of the inefficient, then this country will be faced with a reduction of its caloric intake by 50 percent and will be, in fact, on the threshold of starvation.

Several of your recent statements in the U.S. Senate were directed to certain activities of this company, and its participation in the grain diversion program of the U.S. Department of Agriculture. These statements have been the basis of many uncomplimentary newspaper comments and some local editorializing. I have hesitated to write to you until I could receive a copy of the CONGRESSIONAL RECORD containing your comments, for fear that I might misquote you. One of your colleagues in the Congress was good enough to send me a copy of the CONGRESSIONAL RECORD, which arrived yesterday.

First of all, allow me to say that the reporting and the wide circulation of your statements have ben derogatory to the image of this company in the communities in which we operate and in this State as a whole. I doubt that the statements have helped to solve the problems of surpluses in American agriculture, either in the area of product surpluses or that of manpower surpluses. Furthermore, your statements have been equally damaging to the many other diligent and patriotic, hardworking farmers operating on State land in Arizona.

On March 14, 1963, you made a speech in the Senate which dealt with some phases of the present farm program. You referred to the grain diversion program of our company at our operations in Pinal and Maricopa Counties. Some of the land which we farm in these two Arizona counties is land which we lease from the State of Arizona. You stated, "On the two transactions the Farmers Investment Co. made an easy profit of over $26,500 on land which it was renting from the State of Arizona for less than $2,500. The implication here is, and some of the local, nonagricultural press have oversimplified your implication, that no cost other than the payment by us of a rental of $2,500 was necessary to place ourselves in a position to participate in the Federal grain diversion program. Furthermore, the statement suggests that we made a profit of $26,500, less the $2,500 paid to the State.

Perhaps you have not taken the time to inform yourself, by asking either of your eminent colleagues, Senators HAYDEN or GOLDWATER, about the status of land in Arizona. For your information, more than 80 percent of all the land in Arizona is owned by either the State or the Federal Government. The land to which you referred is land we have rented from the State of Arizona since 1950 in Pinal County and since 1954 in Maricopa County. The land which we lease from the State in Maricopa County encompasses 8,200 acres. Prior to its development by this company, it was unimproved, desert, grazing land, on which the State received a rental of 4 cents per acre per year. At our own expense, we placed $183 per acre of fixed improvements on the land. In addition, it was necessary for us to invest more than $100 per acre in farm tools and machinery for each tillable acre. The average cost of growing and harvesting the crops which we produced on all of our farm acreage in 1961 was $173.42 per acre. The total of these figures was $456 per acre.

This figure does not reflect any investment in the cost of land. It represents only the cost of improvements, farm machinery, and crop production and harvesting. Due to our investment of approximately $300 per acre, enabling us to farm land owned by the State of Arizona, plus our willingness to spend another $173 per acre in crop production, we have increased the income to the State from 4 cents per acre per year to a figure which varies from a minimum of $3 per acre to $18 per acre per year, depending on the crop grown, the soil classification, and the cost of irrigation water.

Perhaps the erroneous aspect of your comment that this company has found a "remarkably easy way to make money fast in the New Frontier" can be excused by your failure to ascertain the facts. Perhaps your statement that "this represented a net profit of over $20,000 merely to act as an agent between the State of Arizona and the Federal Government" can also be excused on the basis of your being unfamiliar with the tremendous investment in improvements which all farmers are required to place on State land subjugated in Arizona. In either event, I hasten to present to you a complete and factual analysis of this company's grain diversion, grain production, and grain consumption operations during the year to which you have referred.

In an earlier report, you commented that the "Farmers' Investment Co. received a diversion payment totaling $94,092.30 from the Government in 1961 as its payment not to cultivate all of its lands." The amount of the payment is correct, but may I point out that this payment was for 1,998.2 acres out of a total of 23,164 acres farmed in 1961. The diversion payment amounted to an average of $47.09 per acre on land diverted under the program.

I trust the following figures will be enlightening to you. Curiously enough, they point out that our participation in the grain diversion program in connection with our cattle feeding program actually saved the taxpayers $10,409.31 in 1961. The figures are a part of the annual audit of our company made by a nationally known auditing firm of certified public accountants.

In 1961, fixed, administrative, overhead costs, whether we planted a crop or not, amounted to $4.95 per acre on grain crops, before land taxes or land rental paid to the State. The average land rental paid to the State on land either planted to grain crops or placed in the diversion program amounted to an additional $3.32 per acre. Hence, the total per acre fixed costs which we had on acreage placed in the grain diversion program amounted to $8.27 per acre. Our net profit on acreage planted to grain in Pinal and Maricopa Counties amounted to $30.95 per acre, before deducting fixed costs. When we subtract this figure from the diversion payment received, the result is $16.14 per acre. Since the total acreage diverted was 1,998.2, our profit was $32,250.95 more than had we not participated in the diversion program.

Because we are in the cattle feeding business, we use a substantial tonnage of feed grain every year. In 1961, we paid $648,885.15 for 15,011.95 tons of grain. In addition to our own production, purchases were made from either existing Government-owned surplus stocks or other farmers. Insurance and storage rates which the Government pays on grain storage in Arizona amount to $4.80 per ton per year. Our purchase of grain, therefore, saved the taxpayers of the United States $72,057.36 on storage costs alone. I am not certain what rate of interest the Government pays on money tied up in feed grain inventories; but, if we use 5 percent, the saving to the taxpayers in interest due to the grain which we purchased in 1961 would amount to an additional $32,444.25 for 1 year. Our grain purchases in 1961, therefore, saved the taxpayers something in the order of $104,501.61, less the diversion payment which we received, in the amount of $94,092.30. The net saving to the Government under these peculiar circumstances amounted to $10,409.31.

I am sure that any person familiar with these facts will agree that we made a patriotic decision to cooperate with the Government grain diversion program in 1961 and 1962 and, again, in 1963. Furthermore, there is a degree of irony in this analysis in that the facts of the situation do suggest some monetary soundness in the grain diversion program and that it may not be, as you say, "absurd." However, principally due to the criticism which we feel has been unjustly leveled at us from the U.S. Senate for 2 years, and also because, by implication, it also places other large farmers in an unfair position, we are somewhat inclined to change our plans for 1964. This will encompass the development of sufficient additional farm acreage to permit us to produce the amount of grain required in our own cattle feeding operation.

In summary, may I say that we are proud of our achievements and our contribution to the Nation. We are proud also of the great contributions made by the many other farmers in the State of Arizona who are operating on both fee land and land owned by the State. In either case, it is land on which they have made tremendous investments, and they are people of great skill, talent, and possessed of much technical knowledge. Their investments have made it possible for the State to increase its revenue from these acres by as much as 40,000 percent.

Other increments accrue in the form of taxes paid and the impact of gross product production on the entire economy of the State and the Nation, including the purchases of substantial dollar volumes of chemical fertilizer and insecticides manufactured by a famous chemical company domiciled in your State of Delaware.

In concluding, may I say that I hope these facts will be helpful in your efforts to rectify some of the maladies which we all recognize exist in the farm program. Because I know they will be interested, I am sending copies of this letter to both of our Senators and our three Congressmen.

Very truly yours,

R. Keith Walden,
President, Farmers Investment Co.

Mr. WILLIAMS of Delaware subsequently said: Mr. President, earlier today the senior Senator from Arizona incorporated in the Record a letter from the Farmers Investment Co. explaining its position in connection with leasing to the Department of Agriculture certain lands which it was leasing from the State of Arizona. In this connection and following that insertion, I ask unanimous consent to have printed in the Record a letter from the Department of Agriculture confirming the amount of payments made to this company per acre for these lands followed by a letter from the office of the Governor of Arizona confirming the leasing arrangements between the State and the Farmers Investment Co.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Department of Agriculture,
Agricultural Stabilization and
Conservation Service,
Washington, D.C., November 28, 1962.

Hon. John J. Williams,
U.S. Senate.

Dear Senator Williams: This is in further reply to your letter of August 20, in which you requested information regarding payments made under the 1961 feed grain program to the Farmers Investment Co. of Tucson, Ariz.

The Arizona ASC State Committee has advised us that the company in question did not divert any acreage of federally owned land in 1961; however, the following acreages of State-owned land were diverted under the 1961 feed grain program in the State:

County	Acres diverted	Payment rate per acre
Maricopa	582.3	$37.90
Pinal	81.0	41.30
	37.6	43.20
	37.6	51.70

Program regulations for the 1961 feed grain program with respect to establishing payment rates where public-owned land is involved are as follows:

"The rate of payment under the program with respect to land which is leased or rented on a cash rent basis and which is owned by the Federal Government or by a State, a political subdivision or any agency thereof and which is otherwise eligible for participation in the program shall not exceed a fair payment rate as determined by the county committee. Such payment rate shall be the actual cash rent per acre of the land adjusted to take into account the quality of the acres which the producer designates as diverted when compared with the total acres rented, and the services performed and improvements made at the lessee's expense which are in addition to rent. A payment in excess of the cash rent may only be made if approved by a representative of the State committee."

If we can be of further service in this matter, please call on us.

Sincerely yours,

H. D. Godfrey,
Administrator.

Office of the Governor,
State House,
Phoenix, Ariz., December 13, 1962.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

My Dear Senator: In response to your letter of December 5, I have been informed by the State land department that the Farmers Investment Co. paid, in 1951, for land in Pinal County $4.50 per acre for cultivated acres, and that averaged in with the uncleared land made payment of $3.60 per acre overall on the acreage under lease from the State.

The State land department further informs that the overall charge of the State to the Farmers Investment Co. for land in Maricopa County was $3 per acre. This is the average of cleared and uncleared land.

I was informed that there was no breakdown as to the acreage cleared and uncleared.

I hope this information will prove of assistance to you.

With best regards.

Sincerely,

John M. McGowan,
Administrative Assistant.

WHAT KIND OF VICTORY?

Mr. CHURCH. Mr. President, 2 weeks ago our brilliant chairman of the Foreign Relations Committee, the distinguished Senator from Arkansas [Mr. Fulbright] journeyed to the Fletcher School of Law and Diplomacy in Medford, Mass., to deliver a series of significant lectures.

Since their inception 6 years ago, these speeches, known as the William L. Clayton lectures, have been delivered by some of the leading thinkers and statesmen of the Western World. I must add that this year's speaker is certainly no exception.

In his first talk, our distinguished colleague discussed the concept of "total victory" and what it means as an objective of our national policy, stating that—

> Two total victories won by the West in the two total wars of the 20th century have generated many more problems than they have solved. The price of these victories was the loss of the worldwide hegemony of the Western nations. The price of a third such total victory would be the probable destruction of Western civilization as we know it.

I was delighted to see a thought-provoking editorial on this subject in the May 6 edition of the New York Times, and would like to call it to the attention of the Senate. I ask unanimous consent to have it printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, May 6, 1963]

What Kind of Victory?

In a thoughtful as well as courageous speech, Senator J. W. Fulbright, chairman of the Foreign Relations Committee, has publicly challenged the advocates of total victory against communism. He points out that the total victories actually won in World Wars I and II raised more problems than they solved and certainly did not create perfect worlds. Now, he adds, an effort to win such a triumph by nuclear war would create evils outweighing any possible benefits of "victory." Instead of the chimera of "total victory," the Senator urges the West to follow the dual policy of using its strength to convince the Kremlin that its dream of world domination is unattainable, while also assuring Moscow's leaders "they can have a secure and untroubled national existence under institutions of their choice."

One major flaw in the reasoning of the advocates of "total victory" is the assumption that the only alternative to total victory is total defeat. This is simply untrue. We have managed to live on the same plane with a Communist-ruled Russia for almost a half century, and there is no necessary reason that we cannot continue to do so in freedom for the indefinite future. The Soviet Union is not all-powerful—but neither are we.

Another major fallacy is the implicit assumption that communism is something fixed and unchanging, that the Communist system must remain as evil and horrible tomorrow as it has been yesterday and today. In his recent encyclical, Pope John pointed out that the original ideas of a political movement may remain constant, but the movements themselves, "working on historical situations in constant evolution, cannot but be influenced by these latter and cannot avoid, therefore, being subject to changes, even of a profound nature."

Such leaders as Senator Fulbright and the Pope speak out of the confidence that the true worth of Western traditions and ideas will be evident in the long run, as the people of all countries have the opportunity to compare and contrast the alternatives before them. We need not fear the prospect of long-term competition in peace.

RUSSIA'S FIVE FATAL MISTAKES IN AFRICA

Mr. CHURCH. Mr. President, in the April 28 issue of This Week magazine section of the Washington Sunday Star there appeared a fine article by William Attwood, U.S. Ambassador to Guinea. The article is entitled "Russia's Five Fatal Mistakes in Africa." As the title to the article suggests, Mr. Atwood points out how the Russians have failed in their efforts to make any significant advances among the newly independent nations of Africa.

When I toured Africa in 1959, I visited Conakry, Guinea. The Russians were very much in evidence at that time, and there was every reason to fear that Guinea might well become another Communist satellite.

It is reassuring to read Ambassador Attwood's account of what has happened in Guinea since 1959, due, in the main, to the bungling of the "Ugly Russian."

I ask unanimous consent that Ambassador Attwood's article be reprinted at length in the Record following these remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Russia's Five Fatal Mistakes in Africa

(By William Attwood)

Conakry, Guinea.—Most Americans have a distorted picture of Africa. It's nobody's fault. It's just because bad news always makes bigger headlines than good news.

We read about turmoil in the Congo, race riots in South Africa and Communist infiltration almost everywhere. And we wonder if there's any hope for freedom and progress on a continent that has been called an "angry young giant."

What we overlook is that in 7 short years 27 countries of 150 million people achieved independence with less bloodshed than occurs on U.S. highways in 1 year.

More important, the Soviet Union, which assumed that Africa would be wide open to Communist penetration, has so far failed to take over a single one of these young governments.

THE GLITTERING SHORTCUT

The cards seemed to be stacked in Moscow's favor: The new nations of Africa were anticolonialist—and therefore presumably anti-Western. Many of their leaders were Marxist trained. Their people were largely illiterate—and supposedly gullible. And to a continent impatient to move into the 20th century, the Soviets could offer a glittering shortcut on the Communist bandwagon.

Frustrated by the U.N. in the Congo, the Soviets concentrated even more on key sub-Saharan African nations—Ethiopia, Ghana, Guinea, Mali, Somalia, and Sudan—to which they have by now extended $619 million mostly in credits. Other Communist states were prodded by Moscow to provide additional financial aid. Technicians from the Soviet bloc poured in and were welcomed as new-found friends in need.

Today none of these states can be counted as a real Soviet ally. And Soviet equipment, aid plans and technicians are increasingly disparaged and suspected.

Where did the Soviets go wrong?

You can find most of the answers in one African country—Guinea. This small former French colony on the west coast of Equatorial Africa is the place Moscow counted on getting a secure beachhead for spreading the Soviet gospel throughout west Africa.

Guinea was wide open to Soviet penetration when the French pulled out in 1958 after the Guineans voted for independence. Friendless and broke, the Guineans welcomed these strangers who echoed their anticolonialism and promised "disinterested" economic aid.

Just 3 years later the Guineans bluntly accused the Soviet bloc embassies of meddling in internal affairs and sent the Soviet Ambassador home; then they turned to the West for technical assistance and sought private investment as a way out of economic stagnation.

With the Africans, the Soviets and their satellites made five major mistakes:

First, they underestimated African nationalism and political sophistication. While the Russians pretend to support neutralism and national independence, their system in fact cannot tolerate deviation from the gospel according to Lenin. Sooner or later they start the hard sell for allout communism.

But the Africans are in no mood to trade one form of colonialism for another. When they realized what the Communists were up to they reacted vigorously. In Guinea, police cracked down on pro-Communist union leaders and teachers who had been working in collusion with the Soviet Embassy, and jailed their leaders.

Second, Soviet economic aid often neglects a nation's basic needs in favor of showy, politically motivated projects. Among the biggest Soviet bloc projects in Guinea are a radio transmitter, a printing plant, a sports stadium, a hotel, an outdoor theater and a citywide loudspeaker system. But the things that countries like Guinea really need are education, vocational training, agricultural development, good roads and small industries. The Soviets helped neither the country's economy nor their own popularity with the Guineans.

Third, the Soviets tried to control the economies of these young countries by means of attractive-sounding barters. It didn't take the Guineans long to find out the the Czechs and others were sending them overpriced and often shoddy equipment in exchange for Guinean products, which were then resold in the West for hard cash. And there's no better way of antagonizing an African than to appear to be taking advantage of him.

Fourth, the Soviet and other Eastern European technicians sent to Africa have had little or no experience in dealing with Africans. They don't understand their ways, they get annoyed with them—and friction follows. Their attitude—a mixture of grumbling and indifference—is resented by Africans, who like strangers to be friendly and relaxed. Word gets around that the Soviets are racists (because they don't mingle), uncultured (because they speak only Russian) and their clothes are often dowdy or incompetent (because much of their equipment is inferior in quality to what the Guineans, for example, knew under the French). And when word gets around in Africa, it really gets around.

Finally, the Soviet effort to win over young Africans by giving them scholarships in Communist states has misfired. Africans in Eastern Europe have experienced racial discrimination—where they expected none; they complain about being subjected to long hours of political indoctrination. Back home, they compare notes with students who have gone to the United States, France, or Britain—and wish they had gone West.

So it's more than likely the Soviets are engaged in their own agonizing reappraisal about Africa. Here in Guinea, after 3 years and $125 million in Soviet bloc credits and grants, their record is nothing to brag about: a cluster of half-finished public buildings, a radio station and loud-speaker system that don't work, a stagnant economy, a disillusioned people, an Ambassador expelled and a government turning to the West and to private enterprise for development.

It isn't hard to imagine the uproar in Congress and the press if the United States had expended all this money and effort with similar results.

Knowing the Communists' capacity for taking the long view of history, we can't expect them to give up in Africa. The Chinese are quietly cultivating African leaders and avoiding Soviet mistakes. And the Soviets will never again take the Africans for granted.

But we should not gloat over Soviet failures, nor should we expect that the Africans will necessarily go pro-West. They are and will remain primarily concerned with independence, dignity, progress, and noninvolvement in the struggle of the major powers.

Our task now is to intensify our efforts to help Africans develop their countries in practical, useful ways. We have made a good start, but we need to remember that this is an impatient continent that wants to catch up with the rest of the world. Speed is a more important factor than size in African development programs; if the younger generations can't see signs of progress in cooperation with the West, they may yet be enticed down the Soviet path.

OUR BEST APPROACH

For the moment our best approach to Africa can be summed up in four words—we should try to be firm, friendly, frank, and fast.

We must be firm in our commitment to freedom in Africa; friendly and frank in our dealings with Africa's leaders, and fast in carrying out our promises to give desperately needed help.

Frankness has already paid off. Today most African leaders have overcome their suspicions of the United States and are beginning to realize that what we want for them is what they want for themselves: political independence and economic progress in freedom.

What the Communists want is very different—as the Africans are finding out.

PRESIDENT KENNEDY'S VOTING COMMISSION

Mr. CHURCH. Mr. President, democracy cannot exist without the voluntary participation of free citizens in the process of government. In our representative democracy, the will of the public is expressed through voting at the polls for those who are to make and carry out our laws and policies. All over the country on election day, in the smallest hamlets and the largest cities, millions of voters flock to the polls to exercise their right as a free people to select their representatives by secret ballot.

It is with great pride that I point out that Idaho has led the Nation in the last two presidential elections—1956 and 1960—in the percentage of civilians of voting age who actually cast ballots. In 1956, 77.3 percent of Idaho's eligible voters went to the polls and voted. And in 1960, this percentage rose to 80.8. I am confident that one of the major reasons for this extremely high turnout of voters in my State is the liberality of the voter-registration laws. I ask unanimous consent to have printed in the Record at this point tables which rank the States according to their respective voting percentages in the 1956 and 1960 general elections.

There being no objection, the tables were ordered to be printed in the Record, as follows:

How the States ranked in percentage of civilians of voting age who cast ballots in the 1956 presidential election

Rank	State	Percentage	Rank	State	Percentage	Rank	State	Percentage	Rank	State	Percentage
1	Idaho	77.3	14	Washington	71.4	27	New York	65.5	39	North Carolina	47.7
2	Connecticut	76.6	15	New Jersey	70.1	28	Pennsylvania	65.0	40	Tennessee	46.0
3	Utah	76.1	16	Colorado	69.6	29	California	65.0	41	Arkansas	39.9
4	Massachusetts	75.3	17	Wyoming	68.9	30	Ohio	64.9	42	Texas	38.1
5	New Hampshire	75.2	18	Vermont	68.6	31	Nevada	64.7	43	Louisiana	37.3
6	Rhode Island	74.6	19	Oregon	68.5	32	Maine	64.6	44	Virginia	34.2
7	Iowa	74.1	20	Minnesota	67.8	33	Oklahoma	64.0	45	Georgia	30.4
8	Illinois	72.5	21	Kansas	67.7	34	New Mexico	62.1	46	Alabama	28.5
9	Indiana	72.4	22	Missouri	67.5	35	Kentucky	56.7	47	South Carolina	24.6
10	West Virginia	72.4	23	Michigan	67.1	36	Maryland	54.8	48	Mississippi	22.1
11	Montana	72.3	24	North Dakota	67.0	37	Arizona	49.7			
12	South Dakota	72.2	25	Wisconsin	66.6	38	Florida	48.3		National average	60.4
13	Delaware	71.5	26	Nebraska	65.9						

1960 ELECTION SCOREBOARD

Percentage of civilians of voting age who voted in the 1960 presidential election

Rank	State	Civilian population of voting age	Total vote	Percent	Rank	State	Civilian population of voting age	Total vote	Percent
1	Idaho	372,000	300,451	80.766	26	Nebraska	857,000	613,095	71.540
2	New Hampshire	367,000	295,761	80.588	27	Ohio	5,833,000	4,161,859	71.350
3	Utah	469,000	374,981	79.953	28	Oregon	1,089,000	775,462	71.208
4	North Dakota	350,000	278,431	79.551	29	Kansas	1,315,000	928,825	70.633
5	South Dakota	388,000	306,087	78.831	30	California	9,219,000	6,507,082	70.583
6	West Virginia	1,085,000	837,781	77.214	31	Pennsylvania	7,102,000	5,006,541	70.494
7	Minnesota	2,003,000	1,541,887	76.978	32	New York	10,788,000	7,291,079	67.584
8	Connecticut	1,590,000	1,222,883	76.910	33	Oklahoma	1,399,000	903,150	64.556
9	Indiana	2,784,000	2,135,360	76.701	34	New Mexico	491,000	311,118	63.364
10	Massachusetts	3,230,000	2,469,480	76.454	35	Nevada	174,000	107,267	61.647
11	Iowa	1,669,000	1,273,820	76.321	36	Kentucky	1,876,000	1,124,462	59.939
12	Illinois	6,244,000	4,757,394	76.191	37	Arizona	680,000	398,491	58.601
13	Rhode Island	533,000	405,534	76.085	38	Maryland	1,819,000	1,055,349	58.017
14	Wyoming	186,000	140,892	75.748	39	Hawaii	321,000	184,745	57.553
15	Delaware	264,000	196,683	74.501	40	North Carolina	2,521,000	1,368,966	54.302
16	Maine	574,000	421,767	73.478	41	Tennessee	2,079,000	1,051,792	50.591
17	Michigan	4,519,000	3,318,097	73.425	42	Florida	3,099,000	1,544,180	49.828
18	Alaska	83,000	60,762	73.207	43	Louisiana	1,770,000	807,891	45.643
19	Colorado	1,007,000	736,246	73.112	44	Texas	5,329,000	2,311,670	43.379
20	Missouri	2,651,000	1,934,422	72.969	45	Arkansas	1,029,000	428,509	41.643
21	Washington	1,703,000	1,241,572	72.905	46	Virginia	2,244,000	771,449	34.378
22	Wisconsin	2,373,000	1,729,082	72.864	47	South Carolina	1,227,000	386,687	31.514
23	Vermont	230,000	167,324	72.749	48	Georgia	2,342,000	733,349	31.312
24	New Jersey	3,827,000	2,773,111	72.461	49	Alabama	1,825,000	564,242	30.917
25	Montana	387,000	277,579	71.725	50	Mississippi	1,163,000	298,171	25.638

Sources: State election officials, U.S. Census Bureau.

Mr. CHURCH. Mr. President, as indicated by the charts, every election day there is a substantial number of citizens who do not exercise their franchise. In the last presidential election, only 63.9 percent of the potential voters—less than two-thirds—actually went to the polls. In 1952 and 1956 the comparable figures were 62.7 percent and 60.4 percent. This demonstrates that there is a bloc of potential voters, making up practically 40 percent of the electorate, who do not vote. The percentage of nonvoters in State and local elections is even greater.

The existence of this large group of voters should be a source of concern to all of us who want a vital democracy. It has led President Kennedy to recently establish the President's Commission on Registration and Voting Participation. The purpose of the Commission is to study the causes for the failure of many Americans to exercise their right to vote. The Commission has been asked to give particular attention to laws which restrict registration on the basis of residence, economic status and for other reasons; procedures for registration of voters; absentee voting provisions; causes of nonvoting by persons otherwise qualified to vote.

The Executive order establishing the Commission specifically directs it to avoid consideration of problems involving the denial of registration and voting on the basis of racial or other discriminatory grounds which are within the jurisdiction of the Commission on Civil Rights. The President, in a statement issued at the formation of the Commission, said that "responsible Americans are increasingly concerned with the widespread failure of our citizens to exercise their right to vote and restrictions which prevent many Americans from voting."

The Chairman of the Commission is Richard M. Scammon, Director of the Bureau of the Census. The other members include Bert Bennett, chairman, North Carolina State Democratic Executive Committee, Winston Salem, N.C.; Robert A. Forsythe, State chairman, Republican Party of Minnesota, Edwina, Minn.; Evron M. Kirkpatrick, executive director, American Political Science Association, Bethesda, Md.; James Bradshaw Mintener, attorney and civic worker, Washington, D.C.; Brendan Byrne, executive director, American Heritage Foundation, New York City.

The Commission also includes John Perkins, president of the University of Delaware, Newark, Del.; Mrs. Ruth Schertz Phillips, president, League of Women Voters (national), St. Charles, Ill.; Roy Reuther, director, United Auto Workers' Citizenship-Legislative Department, Detroit, Mich.; Victoria Schuck, professor of political science, Mount Holyoke College, South Hadley, Mass.; and Leon H. Washington, Jr., publisher, Los Angeles Sentinel, Los Angeles, Calif. The Commission is to report its recommendations to the President by November 30, 1963.

This bipartisan assemblage of responsible and knowledgeable citizens have an important task, which I am sure they will fulfill admirably. Their recommendations should be carefully studied by all those concerned with establishing an effective democracy. Let us look at some of the problems confronting them. The respected American Heritage Foundation, whose director is a member of the Commission, estimates that in 1956 more than 6 million citizens were disenfranchised because of moving and thereby failing to meet the residential requirement for registration. Many States make no provision for absentee ballots by the hospitalized and physically disabled. Some 5 million Americans were thus kept from the polls in 1956. It is also estimated that approximately 2,600,000 travelers were prevented from voting because they had no way of obtaining absentee ballots.

Registration requirements, one of the main areas of concern to the Commission, vary widely across the country. It is interesting to note that the 12 States which require only 6 months' residence in the State had an average of 73.5 percent of their potential voting population go to the polls in 1960. The three States, all southern, which required a 2-year residency averaged only 29.2 percent of potential, and the remainder of the States, having a 1-year requirement, averaged 63.3 percent of potential voters casting ballots.

In the 12 States with 6-month residency requirements, 85.8 percent of the potential voters are actually registered to vote. In the 2-year States and in the 1-year States, the comparable figures are 48 and 73.8 percent. There are many factors involved in the motivation of citizens to register and vote, but the above figures indicate that liberalized residency requirements are associated with greater participation in registration and voting.

One of the most difficult areas to study in voting is that of motivation. What impels a citizen to go to the polls or to stay away, aside from legal and procedural impediments? Part of the answer may be tradition and education. England and Canada, for example, have consistently higher turnouts at the polls than we do in America. In the last national election in each country, 8 out of every 10 voters went and cast ballots. Part of the answer, I think, can be found in giving a better education in the responsibilities of the democratic process to our young people. It should spur us to action to discover that Americans between the ages of 21 and 29 have the poorest voting record. I would think that the Commission would recommend programs designed to correct this problem.

Each of us has a stake in making democracy work. I think that the public-spirited citizens who have agreed to serve on the Commission on Registration and Voting Participation should be applauded for their role in formulating recommendations to make democracy work better. In summing up this discussion, I would like to append an editorial from the Washington Post entitled "Why Don't They Vote?" which outlines the necessity for a study such as that being undertaken by the Commission. An article by the well-known public opinion researcher Elmo Roper is also appended as a factual look at the state of registration and voting procedures and deficiencies. I ask unanimous consent that both of these articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

Why Don't They Vote?

President Kennedy is quite properly concerned about the 37,500,000 Americans of voting age who do not go to the polls. In the congressional elections the number of stay-at-homes is much larger. Last year only 49 percent of the potential voters actually cast ballots. What kept the majority away? Fortunately, the President's concern has prompted him to name a commission under the chairmanship of Richard M. Scammon, Director of the Census Bureau, to find out why so many avoid the polls and to recommend what should be done about it.

Many millions of Americans lose their votes each year because of changes in their places of residence. Some of this loss is unavoidable in a society on wheels, but an enormous amount of it is a direct result of voting laws carried over from the horse-and-buggy days. In many States the residence requirement for voting is unreasonably long. Others offer inadequate opportunity for registration. So much has been said in recent years about racial bars to voting (which are a special concern of the Civil Rights Commission) that other major impediments have been much neglected.

Another serious weakness is the system for absentee voting as it operates in many of the States. Why should not absentee ballots be made available to all qualified voters who are hospitalized or ill at home and to those who are away from home for any purpose as well as to the personnel of the armed services? Wider use of absentee voters' ballots could add many millions to the list of voters in a general election.

Some allowance always will have to be made for the few who "take a walk" on election day because of irritation with both parties and for those who have not sufficient interest in public affairs to go to the polls. A free country where voting is solely a matter of individual choice can never expect to equal the turnout of a totalitarian country where voting is in fact or in effect compulsory. But a vast improvement in the American voting record could be made by simply modernizing the laws so as to encourage participation instead of making it unnecessarily burdensome.

How To Lose Your Vote

(By Elmo Roper)

Most people are indignant about the denial of voting rights to Negroes. Such disfranchisement is a glaring evil, an obvious contradiction of the Nation's moral principles, and as such it is easy to react against it passionately. Yet other forms of disfranchisement affecting much larger numbers of Americans arouse merely a public yawn.

There are between 2,500,000 and 4 million victims of poll tax and prejudice disfranchisement; but there are also 3 million Americans who can't vote because they are traveling in or out of the country or living abroad; 5 million who can't get to the polls because of illness or disability; and the largest group of all, 8 million otherwise eligible citizens who have moved too recently to be allowed to vote under our laws.

These victims of what might be called "accidental prejudice" lack partisans and pamphleteers; their cases are undramatic and their plight is taken for granted. But when one tries to formulate the rationale behind denying the vote to people who happen to be away from home, or who are ill, when one asks the relevance of State or local residence to voting in a presidential election, one is quickly forced to conclude that these are clear cases of "discrimination by law."

We pollsters have been complaining for years that only two-thirds of the electorate bother to vote—and that's in good years. This not only limits the democratic process but also inconveniences us by making election prediction more difficult.

Actually, we have been a bit unfair to the electorate, for a large proportion of those berated nonvoters are in that category through no fault of their own. In the 1960 presidential elections, 66 percent of voting-age citizens voted.

But of those citizens who actually met all State voting requirements, a larger 82 percent voted. Clearly, changes in those voting requirements would do more to "get out the vote" than any amount of preaching about the virtues of voting by public opinion pollsters or citizens' groups.

The proof lies in the actual voting records of the various States. In Idaho, where there is permanent tax-free registration and voters are allowed to register up to 3 days before the election, where only 6 months' residence in the State and 30 days in the county are required, where there is a liberal absentee voting law, 81 percent of the voting population voted in 1960.

In contrast, Mississippi, which requires 2 years' residence in the State and 1 year in the election district, which (except for the military) has a poll tax and no absentee voting, and which requires voters "to read, write, and interpret reasonably any section of the State constitution," had a 1960 turnout of 26 percent.

The eight States at the top of the turnout list—Idaho, New Hampshire, Utah, the Dakotas, West Virginia, Minnesota, and Connecticut—all have laws that facilitate voting.

The eight States at the bottom of the list—Louisiana, Texas, Arkansas, Virgina, South Carolina, Georgia, Alabama, and, finally, Mississippi—have laws that raise formidable barriers to voting. In the case of Negroes, these barriers are no doubt raised intentionally, but their effects extend farther than intended.

Around the period of any presidential election a certain amount of public feeling is aroused about such potential sources of voting injustice as the presidential primary and the electoral college.

Even the President recently wrote off any hope of doing anything about the imbedded electoral college, but perhaps enough public concern remains to provide the impetus to change some outmoded State election laws. Here are some changes suggested by experts and supported by the American Heritage Foundation, which might well be passed on to interested groups and legislators:

1. To facilitate the voting of movers in a nation increasingly on the move (a generally well-educated and thus highly qualified voting group), state residence requirements for local, State, and congressional elections should be reduced to 6 months and county requirements to 30 days. Residence requirements for voting in presidential elections should be pared to a minimum (Ohio now requires 40 days' residence), and people who move just before election day should be allowed to vote either in person or by absentee ballot—in the place they moved from.

2. All eligible voters physically unable to get to the polls should be allowed to vote—and register—by mail. Liberalization of the absentee balloting system—a measure supported by a heavy majority of the public—would solve most of the problems of travelers, people living abroad, as well as the sick, disabled and hospitalized.

3. Primaries should be held in late May or early June, instead of the summer, when many people are away on vacation.

4. Ballots should be shortened so that voters are not required to pass judgment on candidates they have never heard of for offices that logically belong under civil service or some other merit system.

5. Uncommunicative legal jargon used to describe propositions and amendments should be replaced by simple, descriptive language.

6. Registration should be permanent and registration lists should be checked annually to avoid fraud.

7. Paper ballots should be eliminated as fast as possible; voting machines or some better device should be substituted.

8. Literacy tests should be prepared by educators and should be objective and discrimination-proof.

If we can get some of the States to make some of these changes, we shall be on our way to that age-old democratic dream: universal suffrage.

FATHER DAMIEN AND THE KALAUPAPA SETTLEMENT

Mr. FONG. Mr. President, 90 years ago this month a young priest arrived at a forlorn settlement in the Hawaiian Islands to dedicate his life to the care of a colony of lepers. For 16 years, Father Joseph Damien de Veuster labored among the lepers until finally he himself became afflicted with the same disease and died a martyr's death.

The poignant story of the "Martyr of Molokai"—his life of self-sacrifice, his indomitable courage in rendering succor and solace to the outcasts in the leper colony—is related in an article which appeared in the Honolulu Star-Bulletin last week, under the byline of an able reporter, Chuck Frankel.

Father Damien's memory is held in such high esteem and affection and his work among the lepers regarded as so heroic that his many admirers have suggested a statue of the "Martyr of Molokai" be placed in Statuary Hall in this Capitol.

It is significant that the religious order of which he was a member—the Congregation of the Sacred Hearts of Jesus and Mary, more popularly known as the Picpus Fathers—is promoting the cause for Father Damien's beatification so that eventually he may be elevated to the rank of sainthood in the Catholic Church.

In noting the anniversary of the beginning of Father Damien's ministrations on Molokai, where a modern, efficient Hansen's disease settlement stands today, I should like to pay tribute to the many religious and lay workers who have followed in his footsteps and who are carrying on the humanitarian work in the dedicated tradition of Father Damien. Their service to the patients in the tiny, isolated settlement goes on unnoticed by the outside world.

Their labor of love, combined with modern medicine with its amazing healing drugs, have wrought dramatic changes in the lives and outlook of the patients. They have brought new hope to patients who in earlier times would have been doomed to despair and death.

In recalling Father Damien's life, it is fitting that we give unstinted recognition and praise to his successors in service to the patients of Kalaupapa Settlement.

I ask unanimous consent that the article which appeared in the Star-Bulletin of May 9, 1963, titled "Father Damien Went to Kalaupapa 90 Years Ago," be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FATHER DAMIEN WENT TO KALAUPAPA 90 YEARS AGO

(By Chuck Frankel)

Ninety years ago tomorrow Father Joseph Damien de Veuster arrived at Kalaupapa to take up his life work among the outcasts of the islands.

They suffered from leprosy, now known as Hansen's disease, and they lived in the segregated community without hope, and without adequate care.

Father Damien gave them that hope and care. And he gave his life when he became afflicted with the same disease.

Roman Catholics throughout the world know him as the martyr of Molokai and the apostle to the lepers.

His cause, which may be assumed to intercede with God to his beatification, has been introduced in Rome.

BORN IN BELGIUM

Father Damien was born in Belgium on January 3, 1840. He arrived in Honolulu on March 14, 1864, and was ordained a priest at Our Lady of Peace Cathedral. He served on various parishes on the big island.

He arrived at Kalaupapa on May 10, 1873, when he was 33 years old.

He reportedly said at the time:

"Now, Joseph, my boy, this is your lifework."

When he arrived there were about 800 patients at the settlement.

RECALLS FIRST DAY

In 1886, Father Damien recalled the day of his arrival in this manner:

"The Kalaupapa landing was at that time a somewhat deserted village of three or four wooden cottages and a few old grass houses.

"The lepers were allowed to go there only on the days when a vessel arrived; they were all living at Kalawao—about 80 of them living in the hospital—in the same building we see there today (1886).

"All the other lepers with a very few kokuas (helpers) had taken their abode further up toward the valley. They had cut down the old pandanus or puhala groves, to build their houses, though a great many had nothing but branches of castor oil trees with which to construct their small shelters.

"FRAIL SHELTERS

"These frail frames were covered with ki leaves, or with sugar cane leaves—the best ones with pili grass.

"I myself was sheltered during several weeks under the single pandanus tree which is preserved up to the present church yard. * * *

"Previous to my arrival here it was acknowledged and spoken of in the public papers, as well as in private letters, that the greatest want of the lepers at Kalawao then was not having a spiritual leader or priest, the consequence was that vice, as a general rule, existed instead of virtue. * * *

" 'PLACE OF NO LAW'

"On the arrival of a new number of lepers, the old ones were soon at work to impress them with the erroneous axiom: 'Aole kanawai ma kehia wahi'—in this place there is no law.

"Not only in private conversations, but in public meetings I myself heard this doctrine proclaimed, and for a long time, instead, I was obligated to fight against its application being made to the Divine law as well as the human law * * *"

He found the sick neglected. He went among them binding their wounds, dressing their sores, even performing merciful if crude amputations.

It was hard, tough work but Father Damien did not falter.

Dr. Arthur Mouritz, a coworker of Father Damien from 1884 to 1888, wrote:

"He was active and vigorous, of good physique, upright in his carriage. He was 5 feet and 8 inches tall. He weighed 184 pounds. His chest measurement was 41 inches. His hands and feet were shapely, although his fingers were stubbed and calloused from toil.

"RINGING VOICE

"His features were regular, his face fleshy, round and of good dimensions; the color of his eyes brown, his hair black and abundant; his forehead of average breadth and height. He had a clear ringing voice, possessed a powerful baritone and was a good singer."

Father Damien took no precautions. He allowed patients to enter his home, day or night.

He lived in a polluted atmosphere "cheerful, careless, and carefree," one writer said.

When he became afflicted he said, "If Providence sees fit to afflict me with leprosy while I am working amongst the lepers, I will gain a Crown of Thorns, whether I am worthy or not."

JEALOUSY

It was in the winter of 1882–83, that the signs of his having Hansen's disease appeared.

But there was a more virulent germ abroad: jealousy. Father Reginald wrote of this:

"The last years of Father Damien's life were considerably embittered by his ecclesiastical superiors, who appear to have been jealous of the popularity of their inferior.

"Their correspondence with the poor leper priest in the years 1886 and 1887 is saturated with acrimony, and one wonders what misconduct may have provoked such evident hostility . . ."

But death released him from such care. He died April 18, 1889, the Monday before Easter.

Brother Dutton wrote of his death:

"I enjoyed the happy privilege of being his sick-nurse, and I was with him night and day until he breathed forth his soul to God in my arms.

"A happier death I never saw. He was constantly united to God by incessant prayer and suffering; he often told me he was so happy at the hope he could celebrate the coming Easter in heaven."

Robert Louis Stevenson wrote, "If any man ever brought reforms and died to bring them, it was he."

Father Damien was often heard to say: "I would not be cured if the price of my cure were I must leave the island and give up my work.

"The good God knows what is best for my soul and with a ready heart can I say: 'Thy will be done, O Lord.' He has spared me to see the Sisters of St. Francis at the settlement. The welfare of the lepers is secure. I am no longer necessary."

When he died on Monday of Holy Week, he said: "How sweet it is to die a child of the Sacred Hearts of Jesus and Mary."

FEED GRAIN ACT OF 1963

Mr. BEALL. Mr. President, last night the Senate passed a feed grain bill which, in my opinion, is a dangerous piece of legislation. I voted against the bill—and want to make it crystal clear that I was not a party to the establishment of a program which endangers the freedom and welfare of the American farmer.

I regret that the administration sought to use this bill as weapon to coerce farmers to vote yes on the May 21 wheat referendum. We do the Senate and the people of the United States a grave injustice when we allow ourselves to be put in a position where amendments will not be tolerated, however meritorious they may be. As a matter of fact, many good amendments were offered to H.R. 4997. The adoption of any amendment, however, would have delayed final approval by the Congress—and the administration would have none of that. So, Mr. President, in order to provide the Secretary of Agriculture with a hammer to hold over the heads of the wheat farmers, a majority of the Senate determined that proper legislative procedures would be abandoned in favor of expediency. This is unconscionable.

What of the bill itself? Under the provisions of H.R. 4997, our Secretary of Agriculture is no longer a servant of the people. On the contrary, we have made him lord and master over the American farmer. Last night, we talked of feed grains. How long will it be before we are asked to give our Agricultural overlord similar powers over other segments of our agricultural economy? I oppose this continued dilution of congressional responsibility and authority.

It is not necessary to dwell on the amendments which were offered to the bill. The record is clear. That many of these amendments were unjustly defeated is evident from the number of Senators on both sides of the aisle who spoke in favor of the principles involved. But the decision was made. This great deliberative body was not to act with deliberation. The President wanted the bill on his desk prior to the May 21 wheat referendum, and we are sorry, but your amendments cannot be considered on the merits. The debate reached such ridiculous proportions that an amendment to correct an obvious error in the bill was rejected. As a result, the Senate passed a bill, admittedly in error, in order to meet an unnecessary deadline.

Well, the President has his bill. The American farmer has been made subject to the whims of a Cabinet officer, and the Senate has given another portion of its legislative power to the Executive.

But, Mr. President, I believe the administration has misjudged the character of the American farmer. Our farmers are not crying for more bureaucratic controls. On the contrary, they are freedom-loving Americans who desire to pursue their vocations without Government interference. H.R. 4997, the feed grain bill, is a step toward more control and less freedom for the American farmer, and I am proud that I was not a party to its approval by the Senate.

IMPROVEMENT SEEN IN U.S. POSTAGE STAMPS

Mrs. NEUBERGER. Mr. President, I am pleased to note from a recent New York Times editorial that steps are being taken to improve the appearance of our Nation's postage stamps. Certainly the current George Washington 5-cent stamp to which the editorial refers is a horror.

I have recently introduced legislation calling for a crusade-against-cancer commemorative postage stamp. I hope that such a stamp will be issued and my bill calls for the Post Office Department to prepare a suitable design. Since 1928, 110 postage stamps have been issued by 46 countries in the effort to help conquer cancer.

Mr. President, postage stamps can be attractive if suitably designed, and at the same time offer an opportunity to broaden our vision and understanding of events and people.

Mr. President, I ask unanimous consent to place in the CONGRESSIONAL RECORD a recent New York Times editorial entitled "That 5-Cent Washington."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THAT 5-CENT WASHINGTON

Distinguished American artists are now at long last being invited to submit designs for U.S. postage stamps, and their work is being judged by well-known figures in the world of art. For example, a new stamp honoring the centennial of the National Academy of Science was designed by Antonio Frasconi, whose work hangs in the Metropolitan Museum of Art and the Museum of Modern Art.

Now that postal art is being recognized as such, can something be done about the recently issued 5-cent Washington—even if it is based on Houdon's sculpture at Mount Vernon? Surely Washington didn't go through life scowling, down in the mouth, hollow eyed and stone faced. A number of portraits show him looking human; historical tampering is not necessary. Perhaps Post Office artists can try again, bearing in mind the observation of a Revolutionary War officer: "It is a majestic face, in which dignity is united with gentleness." You'd never know that from the present 5-cent horror.

TRIBUTE TO TENO RONCALIO

Mr. McGEE. Mr. President, the history of Wyoming is filled with stories of great men who possessed the energy of 10 normal human beings, a vision of the future that inspired all who met them and the determination to turn their dreams into reality.

Such men, Mr. President, still exist in Wyoming and I am proud today to call to the attention of this body one of them. I refer to Mr. Teno Roncalio, a former State chairman for the Democratic Party in Wyoming and now a member of the International Joint Commission on joint water problems of Canada and the United States. The rest of his present occupations would fill several pages of the RECORD. I will not enumerate them here now but instead would like to point out an excellent article on Mr. Roncalio that appeared in the April 14 issue of the Empire magazine of the Denver Post. The article was written by a Wyoming writer, Mr. Red Kelso, and is an excellent summation of Teno Roncalio's busy life.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TENO RONCALIO, WYOMING WHIRLWIND

(By Red Kelso)

An ordinary man would have to spread himself pretty thin to conduct a lucrative law practice in Wyoming's capital city of Cheyenne; develop real estate high at Aspen, Colo.; serve on the board of a bank; hold down the chairmanship of the International Joint Commission in Washington, D.C., and maintain interest in a half dozen other business and civic projects.

But not Teno Roncalio. He handles all that labor in a breeze in a succession of 18-hour working days. He even finds time to fly his own airplane, ski, putter around his greenhouse and entertain his family.

"That guy," explains a lifelong friend, "is the closest thing to perpetual motion this part of the country has ever seen."

Ambition and drive have characterized Roncalio's life since he was 5 years old. That's when he got his first job, hustling produce from a two-wheeled pushcart in his hometown of Rock Springs, Wyo. A year later he took over a shoeshine stand in a local barbershop. By the time he was 15, he held a union card and pulled a regular hair-cutting shift.

When he finished high school Roncalio turned in his shears and went to work for the local newspaper as a combination reporter and advertising salesman. After 6 years he entered the University of Wyoming as a prelaw student.

The depression of the 1930's was at its nadir and something of a handicap to a freshman with limited cash resources.

"My newspaper experience came in handy," Teno recalls. "With Frank Larrabaster, an old hometown buddy, I made stencil duplicates of the university's basketball schedule and sold advertising to go with them. That got us over one hump."

In the 2 years he attended the university Roncalio ran a snack bar in a dormitory, waited table and washed dishes at Annie Moore's boarding house, tended furnaces, scrubbed acres of floors and shoveled snow. A classmate recalls that 4 hours of sleep was a long night for Teno.

At this time another restive man occupied the White House. His name was Franklin D. Roosevelt. Inspired by the national leadership of the New Deal president, Teno joined the Laramie Young Democrats, won office and became a delegate to the Wyoming State

Convention of Young Democrats. Soon he attracted the attention of party leaders. Teno wangled rides and visited Young Democrat Clubs around the State, helping to beef up the organization.

During his second year at the University of Wyoming, Roncalio jumped neck-deep into campus politics.

"Just for the heck of it," he says, "I conducted a little campaign and got myself elected student body president for a term. It was the only time in the school's history that a sophomore, a nonathlete at that, had held this office."

Then, for the first time in his life, politics paid dividends to Teno. The Democratic State Central Committee endorsed him for a position as research assistant on the staff in Washington, D.C., of the then Senator Joseph C. O'Mahoney. Teno packed his things in a small bag and hitched rides to Washington. There he enrolled as a law student at Catholic University, attending classes at night and working days in Senator O'Mahoney's office.

On December 7, 1941, Teno's law studies were rudely interrupted. Six months later 2d Lt. Teno Roncalio was assigned to the 1st (the bloody Red one) Infantry Division. During his 32 months with that unit he visited the Italian homeland of his parents the hard way and saw France via Normandy. In all, he saw action in seven campaigns beginning in North Africa and ending at Remagen. When he was discharged in 1945 he was wearing a Silver Star, a captain's bars "and a handful of other stuff."

Back home again, he finally won his law degree from the University of Wyoming and opened an office in Cheyenne. That was 15 years ago. Politics still fascinated him. In a behind-the-scenes capacity, he rose through the ranks of the Laramie County Democratic organization to various positions of leadership and counsel. A little over 4 years ago he was named Wyoming's Democratic State chairman.

When John F. Kennedy was elected President, he didn't forget Teno's effective leadership of the party in Wyoming. Shortly after he took office, Kennedy appointed Roncalio chairman of the International Joint Commission, a post that carries a rank comparable to Ambassador. The Commission is concerned with the protection and proper utilization of water along the United States-Canadian border. As a westerner Roncalio has a deep appreciation of what water means to the Nation's development.

Except for a few close friends, no one knew Roncalio was working under a several physical handicap. A back injury during the war pained him constantly. He sought relief by sitting in his bachelor apartment at night with his neck and back stretched upward by a rope pulley device attached to a head harness and suspended from the ceiling. In this position he would sit for hours, reading, listening to recorded classical music, and thinking. At 46, Wyoming's perpetual motion machine shows not the slightest sign of slowing down.

"This International Joint Commission job is fascinating," he says. "Since 1909, when the International Joint Commission treaty between Canada and the United States was signed, 60 projects have been completed or are under construction as a result of deliberations and orders of the Commission. Some projects are small; many are of such magnitude you have to see them to believe they exist—the St. Lawrence Seaway and power projects, for example. Big or little, they serve a common purpose; to give maximum water use benefits to both nations."

Developing hydroelectric power, taming floods and abating pollution are major International Joint Commission goals. At present the top International Joint Commission project is development of the Columbia River basin tributaries. This area directly affects most of the Pacific Northwest and indirectly affects portions of Montana and Wyoming, northern Utah and Nevada.

Roncalio has administered his job without regard to partisan considerations. A political opponent once said of Roncalio: "He's always ready to do what he can for anyone, regardless of political or religious views. He'll fight his party's leaders or the devil himself if he knows he's right."

On the lighter side, Teno is proof that life can begin at 40. He learned to ski 6 years ago; today he is considered an excellent skier. At 41 he learned to fly and holds a multiengine rating. About a year ago, to the amazement of friends who considered him a confirmed bachelor, Teno married. He made up for his years of bachelorhood, however. His wife, Cecilia Waters Domenico, has four children. And a few days ago Teno revealed that a new Roncalio can be expected in the not distant future.

THE WHEAT REFERENDUM

Mr. McGEE. Mr. President, there has been considerable discussion in this body and throughout the country on the role being played by various farm organizations with respect to the forthcoming wheat referendum. It has come to my attention that reports have circulated naming the National Wool Growers Association as one of the organizations endeavoring to persuade growers to vote "no" in the referendum. I have seen no evidence of this whatsoever. In fact, I have talked with Mr. W. Hugh Baber of Chico, Calif., president of the National Wool Growers Association and he confirmed that the association has taken no part whatsoever in the influencing of voting in the forthcoming wheat referendum.

Mr. Baber explained that the policy of the National Wool Growers Association is to avoid involvement in the problems of producers of other commodities and that this is based upon a feeling that commodity groups should have the privilege of deciding for themselves what they want.

I commend the National Wool Growers Association for pursuing this policy.

LIPPMANN ON MEETING OF PRESIDENT KENNEDY AND PRIME MINISTER PEARSON

Mr. MORSE. Mr. President, on May 9 I commented on the problems of the American and Canadian timber industries. This was prior to Mr. Kennedy's meeting with Prime Minister Pearson at Hyannis Port.

I said then:

> I think it is time for the leaders in our industry to sit down and chart a course for themselves. I think then they should sit down with their Canadian counterparts to chart a course which will operate within the framework of the free enterprise system while strengthening the use of lumber.

Mr. Walter Lippmann, in a column in the Washington Post on May 16, commenting on the general tenor of the Hyannis Port meeting, observed—

> The solution of the problem is not one for legislation or treaty but for voluntary action by the U.S. interests in cooperation with their Canadian associates. Canada is the kind of country with which this kind of problem can be handled unexcitedly in a spirit of mutually enlightened self-interest.

Mr. President, I ask unanimous consent that Mr. Lippmann's entire article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MR. PEARSON AND MR. KENNEDY

(By Walter Lippmann)

The general effect of the meeting at Hyannis Port between the Canadian Prime Minister and the United States President has been that of a good scrubbing and a cool shower after a muddy brawl. No doubt it takes two to start such a brawl and a lot of explaining and counterexplaining would be possible. Both Governments know that such brawls are intolerable.

The President went as far as proud governments ever go in acknowledging a fault when he joined with Mr. Pearson in stressing "the importance of each country showing regard for the view of the other where attitudes differ." The Canadian Prime Minister for his part scrubbed out the suspicious nationalism of his predecessor by his very presence at Hyannis Port. For Lester Pearson does not merely approve, after a lifetime of experience he incarnates, the hope of building "a true community of the Atlantic peoples."

Although he and the President promised to settle a number of practical matters such as the nasty mess about continental defense, they agreed that "the two countries will inevitably have different views on international issues from time to time." It is all to the good that they should have differing views. Nothing could possibly be worse for Canadian-United States relations than that Canada would automatically agree with us.

In many ways the greatest service that Canada has done the United States in this generation is to produce a crop of first-quality diplomats who have been able to give independent, expert, and quite candid advice. Though on fundamentals they have always been with us, they have stood away from us enough to be free of our own prejudices and excitements. Mr. Pearson is himself one of these diplomats, and from them we have received the kind of intellectual and moral help which can come only from a true ally, never from a sycophant or a client or a satellite.

This is a time when the United States with its global commitments is very specially in need of the kind of wisdom and candor which Canada, preeminently among all our allies, can give us. The postwar structure of our foreign policy in Europe is profoundly shaken, and the problem of what to do and of what comes after is as much Canada's problem as our own. At the same time, the old isolationist pattern of hemispheric relations is dissolving in the Caribbean and South America, and we shall need greater Canadian participation in hemispheric affairs and the good offices of Canada in persuading the Europeans and other countries to play their necessary part in this hemisphere.

It will be a mistake, however, if we concentrate our whole attention on foreign policy. There is a serious problem in the relations between Canada and the United States which is not referred to in the Hyannis Port communique. It broods over all our relations. It is the problem of the great U.S. economic penetration of Canadian industry. It should be said at once that the U.S. investment in Canadian industry is not sinister. Canada, like the United States in its own period of industrial development, has had to draw capital from abroad. The problem is primarily, perhaps wholly, one of inducing the great U.S. interests in Canada to proceed with all deliberate speed to Canadianize the ownership and the direction and the operation of their companies.

It cannot make for the kind of good relations we need to have with Canada that a total of 52 percent of the capital invested in manufacturing and in mining is controlled in the United States. In certain key industries the control is even greater: rubber, 90 percent; agricultural machinery, 55 percent; automobiles and parts, 96 percent; electrical apparatus, 67 percent; smelting and refining of nonferrous ores, 66 percent.

I have an impression from talking to certain Americans with interests in Canada that they are beginning to realize how undesirable and potentially dangerous is the excessive U.S. control of Canadian industry. I hope nobody will fly off the handle at that remark. Nobody is talking of confiscation or nationalization. But the fact that more than half the capital of Canadian industry is controlled in the United States is a perpetual irritant.

The solution of the problem is not one for legislation or treaty but for voluntary action by the U.S. interests in cooperation with their Canadian associates. Canada is the kind of country with which this kind of problem can be handled unexcitedly in a spirit of mutually enlightened self-interest.

CAN WE AFFORD NOT TO BE CONSIDERATE OF THOSE WHO ARE DEFENDING US?

Mr. McGOVERN. Mr. President, I want to go on record in strong support of a military pay bill that will give our men and women in the armed services a fair return for their vital contribution to the Nation's security.

Is it fair that since 1952 military pay has gone up only 16.2 percent while civilian pay for comparable jobs has gone up by an average of 42.7 percent? This figure includes civil service pay which will have risen 39.8 percent by 1964. The military pay increases proposed in H.R. 5555 will be most helpful but even if enacted it means a total increase since 1952 of only 28.5 percent, still well below the civilian average. We may never reach the ideal of complete comparability between civilian and military pay, but we are not dealing fairly with our service people if we fail to try to narrow the gap as much as possible.

We are all interested in Government economy, and there is doubtless fat in the military budget that needs trimming. But this pay increase has been painstakingly studied and restudied in detail, both in the Pentagon and in Congress. I cannot believe that there is any fat left to be trimmed and, indeed, the bones are showing in some areas.

I believe that we should vote a bill providing fully adequate compensation for those who are defending this Nation. I believe, too, that the pay bill should be made effective immediately rather than on October 1. In civilian pay raises, the increase is often made effective immediately or even retroactively. Why should we be less generous in our treatment of our soldiers, sailors, and airmen? I hope, too, that we will retain the features of combat pay and recomputation benefits for our retired servicemen which were added to H.R. 5555 in the final stages of debate in the other body. We should maintain the historic principle of keeping retired pay tied to active pay. And I feel, too, that we could well afford to be more considerate of our senior enlisted men than the present bill provides.

In a recent letter to me, an Air Force captain at Ellsworth Air Force Base in South Dakota raised some questions that ought to command the attention of all Senators. He wrote:

> During a recent operational readiness inspection test I worked my crew for 28 consecutive hours. They were a sad and tired-looking but proud crew when we were finally relieved; yet these men are being paid less than the average factory worker who works only 8 hours per day and 5 days per week. The families of these men cannot live on their patriotism. Will you please compare the salaries of these men to the salaries of the page boys? We, in the military, are fully cognizant of the fact that unlike that great American who was first in war, first in peace, and first in the hearts of his countrymen, we are first in war, last in peace, and now it appears that we are also last in the minds of our Senators and Congressmen.

I received another very interesting letter from a service wife. She is the mother of five little girls and the wife of a master sergeant at the Air Force Academy. She enclosed a letter which she had written for the weekly column in the base newspaper but which was not printed. I ask unanimous consent to have her letter to me and the one she composed for the base newspaper printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEAR MR. McGOVERN: I am enclosing an excerpt from the column which I, as publicity chairman for the USAF Academy NCO Wives Club, submitted for my weekly column in the base newspaper. Because it was recommended in the AF Times, I was encouraging all readers to write their Congressmen regarding the military pay bill. Probably in fear of "reprisals" (for the services don't exactly approve of writing to Congress), the editor refused to print the column. Since I am a native of South Dakota, I am submitting it to you for your consideration.

My husband is a master sergeant in the Air Force and we have five little girls. His military wages don't begin to cover our living expenses and he has had to work part time for years. I firmly believe the senior enlisted men, in particular, who "carry the ball" for the services, really need a much more substantial pay raise than has been indicated in any of your plans. Because of their years in service and their experience, most technical and master sergeants could be receiving two to three times as much pay in a civilian (or civil service) capacity doing exactly the same job they are doing in service. But how can they throw away 10 or more years of their lives, give up their retirement, and perhaps leave their country in the lurch if they should be needed in the near future? Without a doubt, military people are the most patriotic group of citizens in this country.

Since this is the first time, and probably the last, that I will ever "attain the point of courage" to write a letter to my Congressman, I would be interested in knowing why my husband, as a 20470 (intelligence specialist) does not receive pro pay when all of the other intelligence AFSC's do receive it? His field is required to have an extensive overall intelligence knowledge while the others require only a specific but limited knowledge, which makes it rather difficult to understand. At any rate he is seriously considering retraining even though he really enjoys his work very much, but we do need the extra money and as I wrote in the column, I don't look forward to his having to do part-time work for the remainder of his career.

It does seem the *Thresher* tragedy would waken Congress' attitude toward the military people and their standard of living. If Congress didn't consider military service a "slum area," it would perhaps change the attitude of all Americans (or should I say the whole world?) toward the servicemen and their families. When a man feels the whole country looks down their noses at him because he is in service, how can you expect him to be proud of his career?

Sincerely yours,

——— ———.

LETTER TO BASE NEWSPAPER

Those of you who read the AF Times no doubt felt the same as I last Saturday when every page seemed to contain "pay cuts here" and "pay cuts there" in the proposed pay raise. I have never in the past advocated writing our Congressmen but the AF Times recommends it as the only chance for strengthening the pay bill on its way through Congress. They say: "Hope exists if servicemen and their friends make their wishes known where they count, that is, to their individual Senators and Representatives."

Surely the living standards of military families should be considered more important than such projects as streets, sewage facilities, parks, etc., for which Congress approved $450 million, while at the same time cutting $600 million from our pay raise, as reported in the AF Times. It does make a person wonder.

So please, anyone who feels that the pay raise should not be cut all along the line, please take a moment (right now) to sit down and write your Congressmen, or send this column with a few well-chosen words.

We as military people have absolutely no voice in Congress or in the Government since we have no lobbyists, pressure groups, unions, and the like. Our only recourse is pressure by mail, but it will take a bunch. So tell your friends, tell your families, tell your next-door neighbors: Write a letter to your Congressmen.

Since my husband and I come from different States, I am going to send a letter, with a copy of this column, to each Senator and Representative from New York and South Dakota. A small trickle of mail won't help—it would surely take enough to sink a battleship (or maybe the *Thresher*). Since the pay bill is to be voted upon in the near future, don't delay a minute longer. Call me (1197) for info regarding names of Congressmen from your States. I'd love to be able to know my message is getting over and that a few people, at least, are interested in doing what they can to raise the living standards of military families.

"Moonlighting" seems to be frowned upon by the services, but how families can live and save on military wages, instead of just being able to subsist, is a mathematical impossibility.

Surely if our Congressmen knew how morale-shattering their economy wave is, and how many senior military members will get out as soon as they feel they can, they would stop to consider their economy-minded actions.

My husband and I have always been proud of his Air Force career, and I had always hoped he would stay in for 30 years, but I can't see his having to work a part-time job for the rest of his military career in order to adequately support his family.

Again, please write your Congressmen, and urge everyone you know (both overseas and stateside) to help spread the word and let our Congressmen know how we, as military families, feel about their so-called economy drive at our expense. * * *

Sincerely yours,

——— ———.

Mr. McGOVERN. Mr. President, I would like to emphasize the security aspect of the pay raise. We have become so preoccupied with new hardware and technology that we tend to forget that the human being is still the indispensable factor in military strength. In fact, the revolution in military technology has increased the crucial importance of having capable and devoted people in uniform. Operating the weapons and equipment of modern military forces is vastly more difficult than ever before. There is still a need for the sturdy foot soldier, but today there is need for much more as well. Without modern weapons we cannot hope to insure our own national security, and without skilled manpower to operate it, our modern equipment is ineffective.

It is quite unrealistic to expect highly trained people to remain in the service when the gap between their own pay and that offered by private industry is so great. And whereas the fringe benefits of military service may have been very attractive 30 years ago, our civilian life has since then become far more secure and rewarding, and precisely for those people needed most by our military services.

We cannot allow ourselves to slip into the habit of assuming that the services will get along somehow. We must help them meet this new and serious problem. The case for an adequate pay increase is based not only on the American spirit of fair play, but also on national self-interest.

NORWEGIAN INDEPENDENCE DAY

Mr. HUMPHREY. Mr. President, I rise to say a few words in commemoration of the 149th anniversary of the signing of the Norwegian Constitution. On May 17, 1814, in the turmoil of the Napoleonic era, the ratification of this historic document crowned the long struggle of the Norwegian people for an independent national identity. Formal independence followed nine decades later, with the amicable agreement of separation between Sweden and Norway in 1905. At that time a Danish prince, who took the title of Haakon VII, began a reign which lasted until his death in 1957. Throughout this period, which included the experience of temporary exile during World War II, Haakon VII carved out a place for himself as one of the most respected constitutional monarchs of Europe. He personified the rugged, democratic spirit of the Norwegian people. His son, King Olaf V, has carried on the unforgettable traditions of his father. The union of throne and people is the distinctive mark of this stanchly constitutional country—a country dedicated no less than our own to the principles of democracy, individual liberty, equal justice under law, and rugged personal integrity.

As one whose veins contain a rich mixture of Norwegian blood, I am privileged to remind the Senate of this important national celebration of our friend and ally, the Kingdom of Norway. I am doubly privileged to celebrate this date because of the thousands of Minnesotans who are former sons and daughters of Norway or whose immediate forebears were Norwegian immigrants. In paying homage to their ancestral homeland, I simultaneously honor the heritage which they themselves have bequeathed to the United States of America. It is more than coincidence, Mr. President, that the great bulk of the more than 830,000 Norwegians who emigrated to the United States since 1820 settled in the States of Minnesota, Wisconsin, and North Dakota. In the forests, lakes, and pastures of these Northern States, the Scandinavian immigrants saw strong resemblances to the land of their birth. They also found a spiritual climate in which they felt at home. As the distinguished Senator from North Dakota [Mr. BURDICK] stated yesterday, "Norway and the United States share a spirit of independence, dedication to freedom, and a sense of national responsibility."

Norway, Mr. President, is our NATO ally. We welcome her adherence to the North Atlantic Pact. Norway shares with Turkey the distinction of being the only NATO country which has a common border with the U.S.S.R. At the same time, Mr. President, Norway is a pacific country. During World War II she would have preferred to remain neutral, like her neighbor Sweden. The experiences of Nazi occupation convinced her, however, that her place in the postwar period was at the side of the free countries whose independence and liberties were threatened by Soviet imperialism. Despite her strong ties to the Western Alliance, Norway remains dedicated to the Scandinavian traditions of peaceful settlement of international disputes. Together with Sweden, she has played a remarkable role in the United Nations. We all remember the great services of the former Secretary General Trygve Lie. I particularly wish to commend the Kingdom of Norway for joining with Sweden and Denmark in earmarking a 3,000-man contingent for the use of the United Nations in any future peacekeeping emergencies. I have referred to this action in previous remarks. It is an inspiring example for other nations to follow.

Norway, Mr. President, occupies an exposed position on the northern frontier of freedom. Although naturally peaceloving, she is determined to defend her hard-won independence and national ideals. She has a strong sense of international duty. She is known for her progressive accomplishments in domestic legislation. She is justly celebrated for her parliamentary form of government which reconciles democratic radicalism with a constitutional monarchy. In short, we value Norway's alliance, we cherish her friendship, and we pledge ourselves to guard her independence as we would our own.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

PROHIBITION OF DISCRIMINATION ON ACCOUNT OF SEX IN PAYMENT OF WAGES

The VICE PRESIDENT. Without objection, the Chair lays before the Senate the unfinished business, S. 1409.

The Senate resumed the consideration of the bill (S. 1409) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce, and to provide for the restitution of wages lost by employees by reason of any such discrimination.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to propound an inquiry to the distinguished majority leader with respect to business on Monday, as well as today, and possibly for the remainder of next week.

It is my understanding that if there should be a demand for a record vote today on the equal pay bill, S. 1409, that the vote would go over until Monday.

Mr. MANSFIELD. The Senator is correct.

Mr. DIRKSEN. I am sure the majority leader has in mind what other bills may be considered on Monday.

Mr. MANSFIELD. First, Mr. President, I ask whether the unfinished business has been laid before the Senate.

The VICE PRESIDENT. The unfinished business has been laid before the Senate.

Mr. MANSFIELD. Mr. President, what the distinguished minority leader has said is correct. If there is to be a yea-and-nay vote, that will be put over until Monday.

Following completion of consideration of the pending measure, it is anticipated that the Senate will proceed to the consideration of Calendar No. 127, S. 537, the McClellan bill, to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States.

It is my further understanding—and notice has been served, I believe on each Senator—that the distinguished senior Senator from Pennsylvania [Mr. CLARK] intends to offer a number of amendments to that bill; I believe three. The Senator has stated on several occasions that he is willing to agree to a time limitation during which his amendments may be considered, amounting to 1 hour for each amendment, to be divided 30 minutes to a side, and 1 hour on the question of passage of the bill. This has been cleared with the minority leader and with the sponsor of the proposal, the distinguished senior Senator from Arkansas [Mr. MCCLELLAN].

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT—UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE

Mr. MANSFIELD. Mr. President, with that explanation, I ask unanimous consent that, at the conclusion of any vote which may be taken on the pending legislation on Monday—or today, if that measure is finally acted upon today—S. 537, a bill to amend the Legislative Reorganization Act, be made the pending business at that time, and that the time for consideration of the bill be limited to 1 hour on each amendment, to be divided 30 minutes to a side, and that there be 1 hour allotted for consideration of the bill, under the usual procedure.

The VICE PRESIDENT. It is understood that the regular unanimous-consent form will be a part of the agreement.

Mr. MANSFIELD. Yes.

The VICE PRESIDENT. Is there objection to the request by the Senator from Montana? The Chair hears none, and it is so ordered.

(The unanimous-consent agreement, as subsequently reduced to writing, is as follows:)

UNANIMOUS-CONSENT AGREEMENT

Ordered, That following the disposition of S. 1409, the unfinished business, the Senate resume the consideration of the bill S. 537, to create the Joint Committee on the budget, under the limitation of debate hereinafter set out: *Provided, however,* That if final action on S. 1409 is concluded today, the limitation on debate shall not become effective until after the conclusion of routine morning business on Monday, May 20, 1963. Under said agreement debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is anticipated that following disposal of S. 537, the McClellan bill, the Senate will proceed to consider the International Coffee Agreement, 1962, now on the Executive Calendar as Executive H, 87th Congress, 2d session. This will involve some little debate, because the distinguished senior Senator from Kansas [Mr. CARLSON] is vitally interested in this proposal and has some remarks to make, as perhaps will other Senators on both sides of the aisle. Senators will, of course, be given every opportunity to make their views known.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CARLSON. I do not know that there will be greatly extended debate. I have some very definite views on the proposed International Coffee Agreement, because I think it is the basis for the beginning of global commodity agreements on all commodities, so we should give some consideration to it. I have no objection to having that considered on Monday, or any day the leader suggests, but I trust that there will be no limitation on debate; at least, not yet.

Mr. MANSFIELD. Yes.

Mr. President, for the benefit of the Senate, I wish to say that following the conclusion of the consideration of the International Coffee Agreement, it is the intention of the leadership—and this has been discussed with the distinguished minority leader—to have the Senate consider H.R. 5389, a bill to repeal certain legislation relating to the purchase of silver, and for other purposes; and, following that—or perhaps before it—H.R. 5207, an act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes.

Mr. DIRKSEN. Mr. President, I thank the distinguished majority leader.

Mr. MANSFIELD. Mr. President, will the Senator from Wisconsin yield, without losing his right to the floor, so I may suggest the absence of a quorum?

Mr. PROXMIRE. I yield to the Senator with that understanding.

Mr. MANSFIELD. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON in the chair). Without objection, it is so ordered.

WHAT'S RIGHT ABOUT A NUCLEAR TEST BAN?

Mr. PROXMIRE. Mr. President, the most important goal for this Government of ours in the world today is peace with freedom.

We are seeking peace by pouring more than half of the heavy tax burden we impose on the American people into defense.

We are seeking peace with the most remarkably generous foreign assistance program in world history.

We work for peace through carrying by far the heaviest share of cost in the United Nations, and by a worldwide series of alliances that impose even heavier future burdens on our people.

But the hardheaded, realistic oddsmakers would bet against us. The whole weight of the history—of human experience—comes down squarely on the side of war.

War in all its brutality involving major nations has been the lot of virtually every generation throughout human history. Think of it: war every 25 years throughout the thousands of years of recorded history. War has always followed a few years of peace. Always.

Now, humanity just may have a chance to arrest that historic pulsation because of the immensity of our new capacity for destruction.

President Eisenhower has said that there is now no substitute for peace. Winston Churchill has bluntly expressed the silver lining of our hope in the dark cloud of our destructive power. He called safety in this nuclear age the twin child of terror.

This is possible, barely possible. But the mammoth power of destruction could turn the other way, too. With the proliferation of nuclear power, any one of several desperate dictators might soon plunge us into the first step of a nuclear escalated inferno.

Somehow, somewhere, in some way, if there is to be peace on this earth, we have to work for it directly and explicitly.

Nuclear power can, and very possibly will, destroy mankind. We may be able to stop that destruction. It is up to us to try.

A nuclear test ban treaty is the first, essential step. It is an absolute minimum. Without it, mankind will perish from this earth. He might even perish without a kiloton dropped on his fellow man.

With the Maos, and eventually the Castros, not to speak of the Nassers and Titos and Francos testing, with the megatonnage of dirty fallout multiplying, mankind, after a few years of deformed, subhuman existence, could simply choke to death on fallout.

Is this not almost sure to happen unless we have an enforceable test ban?

Can any man speak with more authority and knowledge than the President of the United States, when he solemnly tells us that unless we get a test ban treaty this year, "the genie is out of the bottle and we'll never get it back in again"?

The Senate of the United States should be cheering the President on in what must be one of the most trying tasks in recent international political history: to persuade Communist Russia to sign a nuclear test ban treaty requiring effective inspection and control.

President Kennedy's efforts for a nuclear test ban are supported by his Secretary of Defense and every major security officer who is responsible and informed in the field.

The Senate is recognized as the big, black obstacle to agreement, although 4 years ago this body agreed, by a unanimous vote "That the Members of the Senate support the efforts of the United States to continue to negotiate for an international agreement for the suspension of nuclear weapons tests."

In spite of this resolution, some of the best informed Members of the Senate have spoken to me privately against an agreement. Others have spoken out against the test ban on the Senate floor.

If a treaty embracing the proposals made by President Kennedy came before the Senate this afternoon for confirmation, in my judgment it would not get the two-thirds support it would require.

And yet, with a few exceptions, those Americans who have thought most deeply about this subject, who understand fully the grim alternatives to an end to competitive nuclear testing, and who know what protections the President's proposals embody, support the test ban, and do so enthusiastically.

From the standpoint of simple, commonsense military advantage, a test ban would tend to arrest nuclear development at a time when the United States has an advantage in quantity of nuclear power—experts differ; some say 3 to 1; some say 4 to 1; some say 5 to 1—a big lead in diversification of nuclear weapons, and a greater variety of proven, reliable delivery systems.

Indeed, the Soviet Union in turn has some advantages, especially in weight-yield. But in general our lead is clear. The American advantages will disappear as testing continues.

Furthermore, the enforcement capacity of this test ban proposal is impressive on two counts: first, we would have American or British nationals—not neutrals—in complete charge of inspection teams on Russian soil, and empowered to make the most exhaustive examination of possible violations; second, the seven inspections we now propose provide a far surer protection against Russian deception than a larger number did previously because of our vastly improved detection technology.

I reluctantly conclude that the Senate today seems to be an almost certain graveyard for any agreement the President of the United States would sign with Russia to stop nuclear tests.

This must not continue to be our attitude. This body should provide vigorous, positive action to support President Kennedy's efforts to persuade Russia to sign a treaty suspending nuclear testing.

WHO IS BACKING A TEST BAN TREATY AND WHY?

The merits of any proposed test ban treaty must support themselves—they must stand on their own legs without propping up by respected authorities. Nevertheless, we have a right and a duty to know who is behind the idea of a test ban treaty and why they are behind it. So let us look at the executive branch of our Government first. Let us look at the people first, then their arguments, then the proposals themselves.

The test ban and the current proposals are supported by President Kennedy, the Secretary of State, the Secretary of Defense, the Director of the Arms Control and Disarmament Agency, the Chairman of the Atomic Energy Commission, the Director of the Central Intelligence Agency, and the Special Assistants to the President on National Security Affairs and on Science and Technology. They have the latest information, they are charged with this responsibility and know its risks, and, above all, they are as tough-minded about protecting our country as any group of citizens in America.

As I have said, a test ban treaty is in jeopardy in the U.S. Senate.

This is true in spite of our unanimous action 4 years ago.

On April 30, 1959, almost exactly 4 years ago, the Senate passed Senate Resolution 96. This resolution favored an international agreement for the suspension of nuclear weapons tests. Here is the text of that short resolution:

> Whereas the goal of the people of the United States is a just and lasting peace; and
>
> Whereas the peace of the world is threatened by an arms race of major proportions among the leading powers of which key aspects are the continuing development of devastating nuclear weapons and the maintenance of large standing armies by some States; and
>
> Whereas for thirteen years negotiations to control and limit armaments and armed forces have not led to agreement; and
>
> Whereas representatives of the United States, the United Kingdom, and the Soviet Union are now meeting in Geneva for the purpose of drafting a treaty on the discontinuance of nuclear weapons tests; and
>
> Whereas an effective agreement to discontinue nuclear weapons tests would result in a reduction of the hazard from radioactive fallout which contaminates the air that the people of the world must breathe and which is a matter of grave concern to all mankind; and
>
> Whereas an effective worldwide control system is a necessary component of any international agreement on the cessation of nuclear weapons tests in which all States are to have confidence; and
>
> Whereas an agreement regarding the discontinuance of nuclear weapons tests under an effective control system would provide an opportunity to ease world tensions and realize a small but significant first step toward the goal of the control and reduction of nuclear and conventional armaments and armed forces: Therefore be it
>
> *Resolved,* That the Members of the Senate support the efforts of the United States to continue to negotiate for an international agreement for the suspension of nuclear weapons tests; and be it further
>
> *Resolved,* That the Senate emphatically endorses the principle that an adequate inspection and control system must be part of any such international agreement involving a suspension of nuclear weapons tests; and be it further
>
> *Resolved,* That the Senate requests the President of the United States to submit to the Soviet Government the contents of this resolution so that the desires of the American people speaking through their Representatives in the Senate will be known and made clear for the successful outcome of the negotiations in Geneva for an effective and reliable agreement for the discontinuance of nuclear weapons tests.

Four years ago, then, this body went on record quite specifically to affirm its desire for peace, its fear of atmospheric pollution by radioactive fallout, its wish to end the nuclear arms race and its view of a successfully monitored test ban agreement as a first step toward general disarmament.

At the heart of that resolution are two simple but crucial ideas: first, we want an agreement to end nuclear testing; second, we will sign no treaty that does not provide adequate inspection and control. The insistence on adequate inspection and control gives the American people confidence that if the treaty is violated we will know about it as soon as possible. We should consider any current proposals in the light of those two ideas—do we still want a treaty as we said we did, and do we still want adequate inspection and control?

The reasons for wanting a test ban treaty are more persuasive today than they were in 1959, when the Senate unanimously adopted a resolution calling for such a treaty.

As recently as March 21, 1963, President Kennedy summed up a few of those reasons as follows:

> The reason why we keep moving and working on this question, taking up a good deal of energy and effort, is because personally I am haunted by the feeling that by 1970, unless we are successful, there may be 10 nuclear powers instead of 4, and by 1975 15 or 20. I regard that as the greatest possible danger and hazard. Now, I am not even talking about the contamination of the atmosphere which would come when all of these nations begin testing, but as you know, every test does affect generations which are still away from us. We have come this far, and I think we ought to stay at it. So I am not discouraged at all by those who attack every effort we make to get a nuclear test ban.

We know then that the President of the United States, the top governmental talent in charge of our national defense and our foreign policy, and the overwhelming percentage of noted American scientists all strongly favor a nuclear test ban. The very great majority of experts who have examined our current proposals for a treaty feel these proposals mark a number of gains for us over previous test ban proposals.

WHAT ARE THE ADVANTAGES AND WHAT ARE THE GOALS OF A GOOD NUCLEAR TEST BAN TREATY?

Four of the major advantages to us of having a satisfactory test ban can be summed up as follows: First, a treaty would preserve for a longer period our present nuclear superiority; second, it would constitute a significant first step toward achieving control over the further spread of nuclear weapons to other countries; third, it would eliminate possible dangers from radioactive fallout; and fourth, a treaty would be a first step in the direction of controlling the arms race.

We might also add that a successful treaty could serve as a model for a future disarmament treaty; that a curtailment of weapons testing and research would allow a huge cut in our annual defense budget, which could justify a big noninflationary tax cut to coincide with a balanced budget. We might add that the end of the nuclear arms race would free many of our top scientists for affirmative advances in science, ranging from weather control to a man's battle against cancer and heart disease.

Against these obvious advantages and more, there is the risk of secret testing or cheating by the other side. We must not minimize that risk. That is why a good test ban treaty must do two things: First, it must be capable of detecting tests of a size which could lead to a modification of the balance of power; that is, it must make successful and significant evasion of the treaty difficult and improbable; second, the treaty must also provide the means for assuring all parties that the treaty has been honored. These two criteria add up to the demand by the United States for adequate inspection and control, which I certainly support.

The particular proposals for which our side is now pressing would meet our demand for adequate inspection and control. Let me review how they would work. Because of considerable progress in detection equipment and techniques, the system would rely primarily on national detection systems for the collection of seismic data. Testing of nuclear weapons can take place in four areas, in the atmosphere, in outer space, underwater or underground, but there is universal agreement that the real problem of detection of testing exists only for underground tests. Our experts have testified many times before the Joint Atomic Energy Committee that current knowledge indicates we can rely on our ability to detect tests of significant magnitude.

In addition, automatic seismic stations would be built according to specifications within the territory of each party to the treaty. That means within Russia. Instruments of our own manufacture—American instruments—would be placed by us inside these vaults and sealed. We have proposed that seven of these automatic stations be placed within the Soviet Union and seven in the United States, and that each nation be permitted eight visits to each of these stations in the other nation's territory each year. Eight times seven means 56 visits to the other nation's territory.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. DOUGLAS. The Senator is making a very important and able speech. He has gone into some details that are crucial. I find that he verbally made a statement which is not included in the text which I have in my hand. Are the eight visits to each of the stations to be within the period of a year?

Mr. PROXMIRE. There may be eight visits to each station every year.

Mr. DOUGLAS. Every year?

Mr. PROXMIRE. That is correct.

Mr. DOUGLAS. That would be a total of 56 visits?

Mr. PROXMIRE. A total of 56 visits. They are not to be confused with inspections of suspicious occurrences.

Mr. DOUGLAS. I know; but they are to be visits to make certain that the scientific machinery has not been tampered with, and to make readings of recordings that have already been made?

Mr. PROXMIRE. The Senator is absolutely correct.

Mr. DOUGLAS. I have never seen this information in the literature about the issue before. While I have not made a detailed study of the literature, I think this is a most important item. Is it the understanding that Russia objects to these visits?

Mr. PROXMIRE. As I understand, the Russian objection has been confined primarily to inspection.

Mr. DOUGLAS. Which the Senator will come to later in his speech?

Mr. PROXMIRE. I shall come to that in my speech. The Russians do not object to the visits.

During these visits, we would obtain data on seismic events, either routinely or in question of a particular seismic occurrence we wished to investigate. Of course, during these visits, we would also inspect the equipment for tampering and for maintenance, we would calibrate the instruments and check seismic noise levels, and we would use the opportunity to install improved instruments as we develop them.

The third major system of adequate inspection and control concerns the use of onsite inspections, to which the Senator from Illinois has just alluded. In the past, this has been the major bone of contention. The Soviet Union has firmy resisted the idea of onsite inspection, claiming that we might use such inspections for espionage purposes and that this demand is a violation of their territorial integrity. But in an exchange of letters with President Kennedy in January of this year, Nikita Khrushchev agreed for the first time to permit onsite inspection.

That was the first time this proposal was initiated. There was an agreement in 1958 or 1959, which the Soviet Union withdrew, but has subsequently restored. They withdrew it in 1961, and have subsequently restored it. In this about-face, he agreed to only two to three such inspections, which is less than the United States would like to have—but it is a major departure from the past and a major concession we seem to have won.

Mr. DOUGLAS. Would there be only two or three inspections for the country as a whole?

Mr. PROXMIRE. That is what the Soviet Union would like. They say two or three inspections, which would mean that after there is a suspicious occurrence, which we feel is not an earthquake, but is very likely to be an underground test, we could enter Russia only two or three times. We insist on seven visits. We had formerly insisted on more. As I recall, at one time, we had asked for 20; but we came down to 7 visits, not because we desired to move closer to the Soviet viewpoint, as I think I can establish later, but because we could make 7 inspections that would be far more effective now than 20 inspections would have been earlier, because of a vast improvement in our technique of detecting explosions, plus the fact that we now have a better understanding of earthquakes in the Soviet Union, and have found that there are only about 40 percent as many earthquakes of this size as we had previously suspected.

Mr. DOUGLAS. As I remember Khrushchev's letter of last January, the reference to two or three inspections was of a rather casual nature.

Mr. PROXMIRE. The Senator is correct.

Mr. DOUGLAS. Was there any deliberation as to the period within which the inspections were to be carried out? Within 1 year?

Mr. PROXMIRE. That is correct. The feeling was that if we accepted three inspections, we would probably have to reserve one of them until December; otherwise, if we exhausted the three inspections early in the year, the Russians could go on into December and test, knowing that we could not check them.

Briefly, the onsite inspection arrangement—as we envision it—would work in this way: Within 60 days after an event occurred, we would designate that event as one we wished to inspect.

Mr. DOUGLAS. Within 60 days after the event occurred? Does the Senator mean after the readings in the station indicated a suspicious happening?

Mr. PROXMIRE. Yes; I should say possibly the reliance we have is not on the seven stations we would have within the Soviet Union. That is a very important, supplementary one. But the principal detection devices are outside the Soviet Union and are of an order and a quality, we believe, which would enable us to detect from outside the borders. After the event occurred, we could move within a week, but we would have 60 days to determine whether we wanted to move.

Mr. DOUGLAS. The Senator has used the pronoun "we." Does he mean the United States or an international authority?

Mr. PROXMIRE. It would not be an international authority. The inspection would be under United States and British control. There would be United States and British inspections.

Mr. DOUGLAS. In other words, each alliance would check on the other, rather than having the checking done by an international body which might be controlled by neutralists, who would not wish to offend either party?

Mr. PROXMIRE. Exactly. Through an international commission, we would transmit information on the time of the event and its location, and the Soviet Union would be given 1 week to forward available data on that event. We could also send a team to collect our own data from the automatic seismic stations which we have within the Soviet Union, but this would not be counted in our quota of onsite inspections After analyzing all available data, if we still wanted to inspect we would then dispatch our inspection team and make arrangements for the Soviets to escort our team to the area we have designated within their borders. The inspection team would consist of our own nationals and members of an international staff to see that the inspection is carried out in accordance with the treaty—but the leader of our team would in all cases be an American or Britisher. The team would be large, with at least 14 technical experts from our own side.

Mr. DOUGLAS. The Senator from Wisconsin is making an extremely important speech and is advancing our knowledge of what the technical issues are. I commend him for doing so. It should throw a shaft of light on the issues involved.

Is there any delimitation of the area to be covered?

Mr. PROXMIRE. There is none. There was one charge by those who oppose the test ban that our detection stations would not be able to survey too large an area within the Soviet Union; but I think that contention has been successfully answered by the administration, as I shall indicate later. But there is no limitation of the area which would be covered in our proposal. We would certainly not exclude any part of the Soviet Union.

Mr. DOUGLAS. Similarly, no part of the United States would be excluded?

Mr. PROXMIRE. No part of the United States would be excluded.

Mr. DOUGLAS. I suppose the Russians already know, from published information, of our installations since they are in an open society.

Mr. PROXMIRE. I am positive they know infinitely more about this country than we know about the Soviet Union.

Mr. DOUGLAS. In an open society, many matters of a military nature are frequently public knowledge, so I am told.

Mr. PROXMIRE. Yes, indeed.

Mr. DOUGLAS. In the opinion of the Senator from Wisconsin, the United States would not be exposing vital military secrets?

Mr. PROXMIRE. No, indeed. The Soviet Union would have much more to lose under those circumstances than we would.

I think there is no question that our people would be engaged entirely and exclusively in determining whether there was a test. Certainly this country would not under any circumstances be concerned with or interested in trying to determine some kind of secret Russian development of some other kind.

The Senator from Illinois has asked a very good question. I believe it indicates a basis for Russian concern and a possible reason why the Russians are resisting this inspection.

Mr. DOUGLAS. I thank the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, the inspection process itself would be very, very thorough, including low-level aerial flights for visual and photographic inspection, surface inspection and below surface inspection of mines, cavities, and so forth. We would have up to 6 weeks to inspect the area, and if drilling were required, the period could be extended. We could take samples back home for laboratory inspection and closer examination. Within 30 days after we completed this thorough inspection, we would report our findings to an international commission. If the Soviet Union were found to have violated the test ban agreement, we could serve notice of withdrawal from the treaty. If the Soviet Union failed to cooperate, as provided, with the inspection team, we could also withdraw from the treaty.

I have not gone into technical detail; but I have dwelt at some length on the inspection provisions, because many of our citizens are not aware of those provisions. I think this information will give them confidence that if our demands are agreed to, we will indeed have "adequate inspection and control."

DOES THIS TREATY GRANT CONCESSIONS TO THE SOVIET UNION AND DOES IT MARK A RETREAT FROM OUR PREVIOUS TREATY PROPOSALS?

Perhaps the greatest misunderstanding on this whole subject of a test ban treaty has been in the area of alleged concessions. Let me make it plain that I regard this treaty as an advance, not a retreat.

For example, critics of the proposed treaty have asserted that our reductions in the number of onsite inspections we demand amount to unnecessary concessions. There is no magic number of inspections, and we have never taken the position that there should be. Here, for instance, is the position of the United States, as expressed in a letter by President Eisenhower to Premier Khrushchev on May 5, 1959:

> The United States has not envisaged an unlimited number of inspections but adheres to the concept that the number should be in appropriate relationship to scientific facts and detection capabilities.

The key there is the phrase "detection capabilities" and the idea that the number of inspections should be based on those detection capabilities. We now know a great deal more about seismic events, the number of earthquakes each year in the Soviet Union, and how to distinguish between a natural earth tremor and an underground test. We know, on the basis of experience, particularly with Project VELA, that our detection powers have improved vastly and will continue to improve. This is the main reason why we now feel we can rely on a system of national stations, and on the "black boxes" within the Soviet Union, plus supplementary manned stations in the territories of friendly nations. We are still insisting on onsite inspections as "extra insurance," but they are simply not so important as they once were, nor do we need as many of them.

Another point is that we also know that we were greatly mistaken in the past about the number of earthquakes each year in the Soviet Union and the number of events each year which we could not distinguish or identify with any degree of certainty. I call attention to the detailed expert statement before the Joint Atomic Energy Committee by Dr. F. A. Long, who is the Assistant Director for Science and Technology in the Arms Control and Disarmament Agency. Dr. Long, in spelling out the great gains made in the VELA program of our knowledge of detection of seismic events, made these statements:

> One must realize that to a considerable degree the estimates made by the now famous committee of experts back in 1958 were really informed guesses * * * in many cases they were simply not based on very solid data, for the reason that only limited data were available.
>
> The very considerable change is that now we do have a very large body of data available to us so that when we make assessments now they have a very much greater probability of being firm assessments. * * *
>
> A first new assessment of importance has been that the number of earthquakes which occur in the U.S.S.R. of a magnitude equal to or greater than that of a given explosion is smaller than previously expected by a factor of around two and a half.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield.

Mr. DOUGLAS. That means only 40 percent as great as it was previously thought to have been, does it?

Mr. PROXMIRE. Yes.

Mr. President, I continue to read from the statement by Dr. Long:

> This is important, because it means that any search for possible nuclear tests is made against a smaller background of comparable natural events than had previously been expected.

So we have less than half as many events—as the Senator from Illinois has said, only 40 percent as many—to check as we thought we had. As for checking on those events, Dr. Long also made this significant statement:

> The related new assessment which has been of importance in a design of a system has been improvement in our capability to detect seismic events from great distances; i.e., of the capability of the so-called third zone system. The significance of this development is that with an adequate number of stations outside the Soviet Union we have a very good detection capability of Soviet seismic events larger than magnitude 4 in addition to some capability below this level.

This is exactly the point which I tried to make earlier—namely, that we are relying very heavily on detection outside the Soviet Union, rather than solely on "black boxes" placed within the Soviet Union. I think many persons are afraid that no matter how carefully we were to seal the "black boxes," the Soviets would take steps to make them inaccurate or ineffective. However, as Dr. Long pointed out, much importance attaches to the improvement in our capability to detect seismic events from great distances; and I understand that the distance at which they now can be detected has increased very greatly—an increase from practically 600 to 6,000 miles. This is very important.

Mr. DOUGLAS. Mr. President, I wonder whether the Senator from Wisconsin will interpret the phrase "We have a very good detection capability of Soviet seismic events larger than magnitude 4.0."

What is the meaning of the "4.0"?

Mr. PROXMIRE. The "4.0" is the rough equivalent of a 2-kiloton nuclear bomb explosion in tuff; 10 to 20 kilotons in alluvium, which is much rarer in the U.S.S.R. At one time we were "throwing up our hands" at underground explosions of a 20-kiloton variety; but now we are in a position to detect underground explosions down to 1 kiloton or 2 kilotons.

Mr. DOUGLAS. Two kilotons would have the explosive effect of approximately 2,000 tons of TNT, would it not?

Mr. PROXMIRE. Yes, and approximately one-tenth of the explosive energy of the bomb which was dropped at Hiroshima.

Mr. DOUGLAS. So this would be one-tenth as much.

Mr. PROXMIRE. One-tenth as large—90 percent smaller.

Mr. DOUGLAS. Yes, one-tenth as much explosive energy.

Mr. PROXMIRE. Yes.

Finally, Mr. President, Dr. Long went on to point out that because of great variability in almost all of the VELA-related phenomena, such as the occasional bonus of an unusual pickup from a very great distance, the violator cannot make plans based on averages. He must allow not only for improved and improving detection apparatus; he must also allow for our lucky breaks if he does not wish to get caught. He must be ultracautious.

In other words, we have overestimated the number of events to be investigated, and we have underestimated our ability to monitor those events from a distance. It is comforting to know that we have less to monitor and more to monitor it with. But that is not the whole story. On March 7, in a remarkable and well-documented speech before this body, the Senator from Minnesota [Mr. HUMPHREY]—who has been at the Geneva negotiations and who has had access to all the secret testimony on our capabilities—said to the Members of the Senate:

> The question of the identification of underground events has become of such interest to my colleagues and to others that I have requested the administration to make available to the public the 5-year study of detection and identification of underground events in the Soviet Union. This covers the period from 1958 to 1962 and it shows precisely how many events were detected, and the ways in which they can be judged to be identified in varying degrees, and the geographical areas in which they occur. This study shows clearly why the number of inspections and the number of detection stations can be reduced without in any way diminishing the effectiveness of verification.

I second the distinguished Senator's request that this vital information be made public, at least as much as is safely possible. The American people should know that our detection capacities are vastly expanded and much improved.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield further to me?

Mr. PROXMIRE. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. Of course, this detection program was carried on from stations outside the Soviet Union.

Mr. PROXMIRE. That is my understanding.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Minnesota, who has made such a gallant fight in leading the forces of our country who believe very deeply in the importance of achieving a nuclear test ban.

Mr. HUMPHREY. First, I commend the Senator on his statement. It is a very thought-provoking and scholarly presentation. It is that sort of discussion which is needed in the Senate on this highly complex and yet vital and important issue. It does so little or no good to debate the questions of disarmament and nuclear test bans in a spirit of emotion. We must debate them on the basis of objectivity and scientific fact, as well as the background of experience that we have in terms of detection, verification, and identification of nuclear tests.

The Senator has established a good case for the favorable consideration of an adequately safeguarded nuclear test ban agreement. I would add only one thing at this point in his address. We not only depend—nor are we suggesting that we only depend—upon stations owned and manned by U.S. nationals outside the Soviet Union. I wish my colleagues to note that there are other countries that are very far advanced in the science of seismology. Those countries have the most up to date modern seismic equipment. For example, Sweden, Finland, Norway, India, and Japan have such equipment. The Japanese are experts in that area. The Swedish stations at Upsala University, for example, are outstanding. There is an international agreement among the seismologists to exchange information, so the whole of the Soviet Union is literally encircled by seismic stations.

I should like to advert to one other thing which the Senator has pointed out. We have discovered what we call the third zone theory, which is no longer a theory but a fact; it is as follows: If an explosion takes place, let us say, in the heartland of the Soviet Union, the structure of the earth is such that it might not be readily detectable in the heartland of the Soviet Union. The stations that are closest to the explosion do not necessarily register more accurately than the stations that are farther away.

In fact, there follows what might be called reverse accuracy, a principle that could be stated as follows: The degree of accuracy of identification increases with the distance from the point of explosion, particularly if the explosion takes place in what we call alluvium, or in soft soil.

That is why the Senator from Minnesota disputed an argument—I hope forcefully and effectively—against what is known as the big hole theory in the Soviet Union; namely, that explosions in the earth in the heartland of the Soviet Union, which is essentially soft earth, marsh, frost land, and not made up of hard granite or rock, could be disguised.

We know there are only certain areas in the Soviet Union that we call seismic areas. One is down on the southern border where there are detection stations in countries like Turkey. Another area is in the Kurile Islands. The other is the Kamchatka Peninsula. There are three or four other areas that are seismic areas. Those are the areas in which earthquakes occur. Those are the areas in which we would have difficulty separating the earthquake type of earth movement from a nuclear explosion type of earth movement. It is those areas that are on the periphery of the Soviet Union, and those are the ones in which a test might be hidden. Those are the very areas in which they are surrounded by seismic stations. Those are the facts of geography.

Mr. PROXMIRE. The excellent letter which the Senator from Minnesota and the Senator from Pennsylvania wrote to all of us in the Senate in the last couple of days is exactly on that point. It makes the point that there is no hole in the middle of the Soviet Union within which nuclear explosions could occur without real possibility of detection.

As the Senator has so well stated—and I am very grateful for his statement—there is no question that we can monitor explosions within the Soviet Union. As he has so well pointed out, we can do so probably better than we could detect explosions on the periphery of the country where our seismic stations are located.

Mr. DOUGLAS. Mr. President, will the Senator yield so that I may ask a question of the Senator from Minnesota?

Mr. PROXMIRE. I yield.

Mr. DOUGLAS. The Senator from Minnesota has stated an extraordinary conclusion which, if it is borne out by facts, is of great importance, but which on the face of it, seems to be contrary to commonsense: namely, that earthquakes or explosions can be detected better from a greater distance.

Mr. HUMPHREY. That is true.

Mr. DOUGLAS. I cannot understand the principle which lies behind that statement. It seems to me extraordinary. Can the Senator from Minnesota throw any light on it?

Mr. HUMPHREY. If the Senator from Wisconsin will yield further——

Mr. PROXMIRE. I am happy to yield for that purpose.

Mr. HUMPHREY. About a month ago, after considerable research on that subject, I spoke in the Senate. I did so because of comments that had been made by other Members of Congress that were contrary to what I thought the facts demonstrated. It is not true that in hardrock, such as in granite, we can detect better at long distances. But it is a seismic scientific fact that in what we call the permafrost areas—in the areas of soft earth, such as marshland or alluvium—there is what is called a gap. When an explosion takes place in such alluvium, there is an area of what is called dead or deadening space. Then the signal jumps. The seismic signal registers better at 1,000 to 1,500 miles than it does at 500 miles. That has been proved. The theory has been tested.

We know the geological structure of the land of the Soviet Union just as they know ours.

What I argued about several months ago was the fact that in what is known as the center of the Soviet Union, which was described as the big hole, the underlying structure does not consist of hard granite. It does not consist of bedrock. It consists of soft earth. Therefore, the test that might be muffled in a range of 400 to 500 miles, let us say, within the Soviet Union, actually becomes very audible on a seismic recording station, 1,100, 1,200, or 500 miles from the test.

Mr. DOUGLAS. If I may direct a further inquiry to the Senator from Minnesota, I should like to ask him whether there are published articles on the subject, or whether the material is classified and hence inaccessible.

Mr. HUMPHREY. No. There are published articles on the subject. I do not wish to lay any claim to expertise knowledge because I am not an expert on these subjects. What I try to do is to converse with those who are experts.

I repeat that one of the developments under the VELA studies conducted by the Air Force, as a result of the Berkner report, revealed that where an explosion takes place underground in soft soil or in a permafrost area or in soil that is not bedrock or granite—a so-called third zone—there is what we call an absorption. It is like a sponge that absorbs the impact for, let us say, a distance of 500 to 700 miles. Therefore, a seismic station within that 500-mile belt does not record as accurately the explosion as a seismic station that is 1,000 miles away from the center of the explosion.

Mr. DOUGLAS. Mr. President, I can only say that on the surface this statement seems incomprehensible. I hope that if the material is not classified, the Senator from Minnesota will at least state the references so that the subject may be followed up.

Mr. HUMPHREY. I certainly will. I was merely trying to rack my brain as to the time I placed the material in the RECORD.

Mr. DOUGLAS. I believe it was March 7.

Mr. HUMPHREY. No; it was following March 7. Following my address of March 7, a Member of the other body came up with the theory which is the so-called big hole theory, implying, or trying to say to the Senator from Minnesota and others:

> It may be true that we have improved our seismology; and it may be true that we can detect better; but, because of the peculiar land and ground formations of the Soviet Union, the Soviets could bury an underground explosion in vast areas of the Soviets, and we could not detect it, because we would not have detection stations in the Soviet Union, except black boxes.

Presuming that the black boxes might be tampered with, as the Senator from Wisconsin indicates—I doubt that they could be, because they would be sealed, but presuming that they could be tampered with, the question arises, "Could the Soviet Union explode an underground nuclear explosion in the heartland of the Soviet Union and have it go undetected?"

It is the stated record of leading seismologists that an explosion within the Soviet Union would be more readily detectable outside the Soviet Union than by a station inside the Soviet Union, because of the gap, the way the seismic waves work. There is a technical phrase, but it is the seismic movement which is involved. It is absorbed and then springs out, so to speak, and hits the seismograph.

Mr. DOUGLAS. I know the Senator from Minnesota is an accurate man. He does not overstretch the facts.

Mr. HUMPHREY. Not on this subject matter.

Mr. DOUGLAS. I think the whole proof of this theory needs to be developed before we can accept it at face value. I hope the Senator from Minnesota does not resent my saying that.

Mr. HUMPHREY. Not at all. I think the Senator is making the point well—and the point needs to be made—that all this material should be made available to the American people. Surely the Soviet Union knows that we can detect.

One of the arguments which I have been making for months is that we in the Senate cannot make an objective judgment as to the validity of the U.S. position in these negotiations on a nuclear test ban proposal until we know all of the facts with which we are to deal. Who knows the facts? A handful of Senators who may sit on one of the committees which gets secret information knows them.

I pleaded not long ago that this information be made available. I stand handcuffed, so to speak. I want a 5-year study made available so that my colleague from Illinois, who is a trustworthy man, can see the results of the study. I want every other Senator to have it. After all, our committees have top secret information, and all Senators get secret information in the committees. Why should we not know what is in those reports?

Mr. PROXMIRE. The Senator is exactly correct. That is the point I was making at this stage of my address. But the best way, Mr. President, to decide whether we have made concessions or whether we have made gains is to compare the current proposals with those we have supported at Geneva in the past.

From 1958 to 1962, the basic system we advocated was an international system of monitoring. In August of 1962, we turned to a combination of international and national. The present system would be national—American and British. The number of stations in the original proposals was 180; in August of 1962 the number was indefinite, but fewer. In the new proposal, the number would be entirely up to us.

Mr. DOUGLAS. The Senator means the number outside the Soviet Union?

Mr. PROXMIRE. Yes. Inside the Soviet Union the number of areas that would have detection devices would be seven, I understand. Originally, supervision of the monitoring system was international; in August 1962 it was still international. Currently, supervision would be national. The manning or staffing of monitoring systems has likewise moved from an international basis to a national one.

Since the original negotiations roughly 5 years ago, the role of an international control commission has been drastically reduced to a coordinating body. In our current proposals we would monitor the Russians and they would monitor us. The manned stations would no longer be internationally staffed, nor would the staff be composed of one-third Soviet nationals as originally proposed. There is no longer any possibility that an inspection team might not include any American or British nationals. On the contrary, there would be at least 14 technical experts, plus observers and supporting personnel, from our side—and no members of our inspection team would be Soviet nationals. We would no longer be bound as to the number of manned stations or their location around the world. Instead, we can zero in on the Soviet Union with as many of our own stations as we wish—and we can still make arrangements quite easily with other nations to monitor the Soviet Union or other areas of the world. Do these sound like concessions, or gains—if we can get them?

Let us move back to the onsite inspection problem. I have already dealt with the fact that we have far fewer seismic events to monitor than we thought and far superior equipment with which to do the job than we had before. But in the treaty now proposed, we are no longer so limited in the type of event we could inspect or in choosing the places we could inspect. Previously, in the Geneva system, we could not inspect tremors below seismic magnitude 4.75. We would now be able to investigate and inspect any event of any size we chose, which for the first time brings in even the smallest test under the inspection provisions of the treaty.

I think this is a very important improvement and advance from the standpoint of the security of the American people. Previously, the location of a tremor for onsite inspection would have been determined by the executive officer of an international commission—and that location would have been based on data from all stations, including those of the Soviet Union. We would now make the sole determination in locating a tremor and deciding we wanted to inspect a certain event at a certain place and at a certain time. Do these sound like concessions? Or do they sound like gains—if we can get them?

Another advantage over the former proposals, or "Geneva plan," is that this worldwide, internationally supervised system would have been slow to install. Estimates range from 3 to 6 years. It would have been expensive, about $2 to $3 billion to install and $1½ billion a year to run it. Detection techniques would have been cumbersome and awkard to maintain at prime efficiency. An international staff would have been difficult to train and maintain, and there might have been security and loyalty problems beyond our control.

I do not mean that the Geneva system would not have worked. But the switchover to a national system—our men, our stations, our equipment, and our supervision and management—will be quicker to install, cheaper to run, easier to manage, safer from a security standpoint. There is no question in my mind that, aside from these advantages, a system controlled by ourselves will give the American people more confidence that we actually have "adequate inspection and control."

To sum up, Mr. President:

First, our Government no longer proposes an uninspected moratorium on underground nuclear explosions smaller than the size of the Hiroshima explosion—that is, smaller than an explosion equivalent to 20,000 tons of TNT exploded in soft rock. All detected and located earthquakes would be subject to selection for inspection within an annual quota.

Second, the treaty draft would no longer permit an onsite inspection team going to the Soviet Union to be composed entirely or largely of neutrals; the draft would explicitly require that 14 key members—including the leader—of a team consisting of perhaps 20 members be Americans and British.

Third, the detection stations upon which our Government would primarily rely would no longer be manned one-third by Soviet nationals; they would be operated by the United States or by our allies.

Fourth, the verification system would no longer be operated by an international organization; its main elements would be operated by the United States and Great Britain.

Fifth, our Government would no longer need Soviet agreement to the number and location of detection stations outside the Soviet Union; the United States could provide stations at whatever strategic locations around the world it could make arrangements for and supply funds for.

Mr. JAVITS. Mr. President, what the Senator is analyzing for the Senate today is critically important. I, too, have tried—because I feel we have left something of a vacuum on this side of the aisle in this respect—to prepare myself in this field.

I have also taken great encouragement and inspiration from the struggles of the Senator from Minnesota [Mr. Humphrey], to put our noses to the grindstone on disarmament and on nuclear testing, so that we will be informed.

The position I have taken is that the American people do not have to be suspicious of the administration, because we will settle the question, in the final analysis, in the Senate.

I understand the Senator's rather pessimistic feeling about what would happen now—he is talking about now. It would not happen when many of us were "on the ball," informed, and putting up a fight for something in which we believed. That would be a different situation.

Mr. PROXMIRE. If the Senator will yield, those are very, very encouraging words from a great national leader. The Senator from New York has shown, in many ways, his remarkable intelligence. I think his support for an appropriate test ban with adequate inspection and control would make a great deal of difference. His words are most encouraging.

Mr. JAVITS. I return that very gracious compliment to the Senator from Wisconsin, and also to the Senator from Minnesota, who themselves are great leaders in terms of so many objectives desirable for the country. However we may differ on some things, the important thing is that men are taking the time to devote their talents to these efforts. I know we can find a way, given some reasonable willingness by the Russians to agree. I also believe that objective can be promoted by the kind of proposals made by this country and the support they get in the world as being reasonable ones.

I shall do my utmost to follow the Senator's speech with a speech from this side of the aisle in the near future, in which I shall give my own views as what I may be able to characterize as views on this side of the aisle, leading to the same objective—to wit, if it can reasonably and humanely be done, to take a first step by a treaty ending nuclear testing.

I remind the Senator in that regard that many of us have been greatly impressed by the treaty on Antarctica which the Soviet Union has followed. We do not know whether it is going to be continued to be followed tomorrow, but we are talking about now. Whether it be in outer space or other areas which are susceptible of treaty with the Soviet Union, we know we were able to develop a treaty on the peaceful development of Antarctica. I think the present question presents an apposite situation to that one.

So I join in congratulating the Senator from Wisconsin, and say that he will move me to come forward, as he has come forward, with some structure of ideas as to what should be done in this field.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. Later in the day, in response to the question of the distinguished Senator from Illinois [Mr. Douglas], I shall place in the Record, and make some comment upon the question he posed to me, as to the evidence we had relating to my discussion on the distance of the seismic station from the point of the explosion and the accuracy of the recording. I have the material at hand, and I wish to read from it, but I shall not do it now. I shall ask that it be placed in the Record at the appropriate point, so there may be a continuity of thought and speech.

IF THE PROPOSED TREATY REALLY DOES OFFER ADEQUATE INSPECTION AND CONTROL, WHAT ARE THE PROBABILITIES THAT A RIVAL NATION MIGHT BE ABLE TO CHEAT AND GET AWAY WITH IT?

Mr. PROXMIRE. Mr. President, perhaps it is inescapable that we should be drawn into the numbers game here. I do not know how you can fix firm probability statistics as to who might try to cheat when, with what-sized tests, how many times before they would be caught. A good statement was made on this very point on March 5, 1963, by Dr. A. P. Ruina, Director of the Advanced Research Projects Agency of the Department of Defense. He told the members of the Joint Atomic Energy Committee—and I quote Dr. Ruina now:

> We cannot assign a probability number to the effectiveness of a single inspection. Criminals do get caught, particularly if they must commit a long series of crimes to achieve their objectives. My own general conclusion, though, is that a cheater would have a difficult time persuading himself that he could risk thorough inspection of a site at which a clandestine test had actually taken place, particularly so if the treaty clearly safeguarded the rights of the inspecting team of experts to a reasonable size and to reasonable use of specialized equipment and techniques that are being developed for this purpose.

As I have pointed out, we would be using our own experts in our inspection teams with the latest equipment. The size of the team would be large, the site inspected would be of our choice and we would inspect from the air, from the ground and below ground, including drilling for samples to take home.

Nevertheless, the question of probabilities has been raised. I would like to mention a few additional probabilities myself for consideration by those neutral or opposed to a test-ban treaty.

We know that we now have both a more diversified and a more numerous nuclear arsenal than the Soviet Union. They admit it. We also know that unlimited testing tends to produce equality in the long run. In other words, with each test they gain proportionately more than we do; with unlimited testing, we will probably lose our advantage. If a test ban had been in effect and enforced 10 years ago, the Soviet Union would be a second-rate power today and there would be no threat. If President Eisenhower had been successful in his repeated efforts between 1958 and 1960 to bring about a test-ban policy, we would be better off than we are today.

Mr. CHURCH. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Idaho.

Mr. CHURCH. I wonder if the Senator would consider placing a little different twist on the point he is making. What he is saying ought to be emphasized again and again. I agree with him. But those who have opposed the concept of a nuclear test ban, quite apart from the question of whether we can negotiate a treaty that contains within it adequate inspection guarantees, have argued that continued testing is necessary in order for us to achieve some significant new breakthrough which might take the form of a reliable antimissile missile, for example, or a neutron bomb, or some other now unforeseen device.

The argument is that this kind of breakthrough would give us an immense advantage, and that for this reason we ought not, in the interest of our national security, freeze the present balance of weapons in status quo through a nuclear test ban.

It seems to me that this argument fails to take into account the fact that we once had a complete nuclear advantage—indeed, we had exclusive possession.

Mr. PROXMIRE. We had a monopoly.

Mr. CHURCH. Yes; we had exclusive possession of atomic weapons, a monopoly that gave us a total advantage of a dimension I cannot conceive we could ever again match through any breakthrough that now seems possible.

So if once we had a complete advantage, but did not use it against the Soviet Union or the Communist world, what process of reasoning leads to the conclusion that we would utilize some new breakthrough in the current situation, at a time when the Soviet Union is not lacking in atomic weapons, but has a very large and lethal stockpile of such weapons?

All of our past history indicates the contrary. If we were to achieve a breakthrough, we would not use it, but we would wait, holding it, as we once held our nuclear monopoly, while the testing process on the other side inevitably leads the Russians to accomplish the same breakthrough, and thus once more to reestablish the nuclear balance.

On the other hand, if the fates refuse to smile always on the United States, and if our scientists should fail to make a breakthrough before the Russians do, as the testing continues on both sides, I am not at all certain that the Soviet Union, having achieved so great a temporary advantage over the United States, would restrain herself as we once did when we had a total nuclear monopoly. I would not want to trust the security of the United States, nor would I look with equanimity upon the safety of my children or of the Senator's children, if suddenly the Soviet Union were to achieve such a breakthrough; for it is quite within the realm of possibility that the Russian Government would do it.

So I suggest, if my reasoning is not in error, or if I have failed to place proper confidence in the Soviet Union—and I am certain that those who advocate further testing would not argue with me on that score—that the greatest potential dangers to the United States may lie with continued testing on both sides, since I know of no way of assuring ourselves that we will always be the first to achieve a breakthrough.

There are grave perils in continued testing that are not being considered and debated as they should be. I commend the Senator from Wisconsin for his contribution to the general discourse on this question which he is making on the floor of the Senate today.

Mr. PROXMIRE. The Senator from Idaho brings this point out devastatingly. As I understand, his argument is that we were far ahead in this race; in fact, it was not even a contest. We had a monopoly. But now he asks what the situation would be if the Soviets had a lead. In this race, so long as there is a race, we can only lose, because if the Soviets get ahead, they are likely to use their superiority.

Anyone who has read any Soviet literature or knows of the way the Soviets are indoctrinated, knows their attitude; knows that their cardinal tenet and creed is world domination, by violence and force if necessary. He knows very well that the Soviets would use such superiority if it were sufficiently advantageous to them. Therefore, if the nuclear race continues, we shall be putting ourselves in a position where, if the Soviets obtain a decisive advantage in the race—and that is the purpose of what they are doing—if they make a breakthrough and get a decisive weapon first, they will use it.

Mr. CHURCH. I would not want to trust them not to use it.

Mr. PROXMIRE. The Senator from Idaho is correct.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. I wonder if the ably stated view of the distinguished Senator from Idaho could not be summarized in a colloquialism of one sentence: If we are going to stop, the time to stop is when we are ahead.

Mr. CHURCH. The Senator is correct.

Mr. PROXMIRE. The experience of the Senator from Illinois as a poker player is greater than mine.

Each month that we delay our own efforts for a good sound treaty, we slice off a few more inches from the margin of victory if war should ever become necessary.

As both sides continue testing and as more experimental mechanisms are designed, the chances for war and mutual destruction increase. The more bombs, the more chances one will go off—either in anger, or in panic, or by simple accident. The more bombs, the more risk of contaminating the atmosphere; the more bombs, the more chances for an unending chain reaction. The more bombs and the longer testing goes on, the more nations will get the bomb, and the more individual decisions will have to be made when the bomb might be used—and by whom on whom.

The number of inspections is a favorite target of critics. We came down from a minimum of 12 to a proposed number of 7, based on our greater ability to detect underground tremors. But the Soviet Union has only offered 2 to 3 onsite inspections and, critics say, half of 12 would be 6. Let us remember that the Soviet refusal to have any onsite inspection has prevented a treaty for many years. They have finally consented to the principle of inspection both with the onsite inspections by our teams and in regard to the unmanned seismic stations—or black boxes—on their territory.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. DOUGLAS. Suppose Khrushchev refused to permit any onsite inspections. Would the Senator from Wisconsin approve a test ban treaty which did not provide for onsite inspection?

Mr. PROXMIRE. Absolutely not. I think onsite inspections are essential. There is no question in my mind that in view of the present development of techniques, agreement to two or three onsite inspections would be a grave mistake. I think the administration is absolutely correct in rejecting that position.

As I understand, one critic of the administration in the other body has made a proposal that there be an agreement not to have testing in the atmosphere, in outer space, or under the water; but that the Soviet Union and the United States each be permitted to have 12 tests underground, with no inspections. I would not think of accepting such a proposal. It would be very dangerous. I am opposed to it.

Mr. CLARK. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I was interested in the last remark of the Senator from Wisconsin, which obviously refers to the proposal of Representative CRAIG HOSMER.

Mr. PROXMIRE. Which the Senator from Pennsylvania [Mr. CLARK] and the Senator from Minnesota [Mr. HUMPHREY] have answered devastatingly.

Mr. CLARK. I thank the Senator. I was about to call the attention of readers of the CONGRESSIONAL RECORD to the fact that a letter answering the proposal made by Representative HOSMER, and also his view—totally erroneous, in the opinion of the Senator from Minnesota and myself—that there is a big hole of some 2 million square miles in Russia where we cannot detect any nuclear explosions, is completely erroneous.

The letter appears in yesterday's CONGRESSIONAL RECORD at page 8805. Perhaps because I am one of the authors of the letter, I think it quite convincingly rebuts the suggestion which the Congressman makes.

Mr. PROXMIRE. Would the Senator from Pennsylvania care to have the letter reprinted at this point in the RECORD? I think it would be very helpful to have that done.

Mr. CLARK. Very well.

Mr. PROXMIRE. The letter is short; therefore, Mr. President, I ask that the letter be printed at this point in the RECORD.

Mr. CLARK. I thank the Senator from Wisconsin.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 15, 1963.

DEAR COLLEAGUE: During the past several weeks, a great deal has been said about the supposed "ineffectiveness" of President Kennedy's draft treaty banning further nuclear testing made at the test ban negotiations in Geneva.

On April 4, 1963, Congressman HOSMER sent a letter to all Congressmen and Senators asserting the existence of a "big hole" in our inspection and identification proposals which, he has said, would permit the Soviets to cheat in perfect safety. The fact that the Soviets have shown little disposition to accept our proposals, and have in fact become increasingly intransigent in the negotiations, is probably adequate rebuttal in itself. Nevertheless, we would like to set the record straight on the facts upon which Congressman HOSMER apparently relies, so as to dispose of the big hole theory once and for all.

What the facts really show is that the big hole theory is as empty and insubstantial as its name suggests. In a letter to the President dated March 18, 1963, Congressman HOSMER alluded to "an area of at least 2½ million square miles in the interior of the U.S.S.R.—and probably twice that size—in which significant secret Soviet underground tests can be carried on wholly without fear of detection."

The scientific fact is that it makes no difference how deep within the borders of the U.S.S.R. the Soviets try to hide their tests, since "the detection capability is, for all practical purposes, constant with respect to the distance from explosion to seismic station in the interval of 600 miles to 6,000 miles. For this reason, no part of the Soviet Union is unseen by our seismic stations outside the Soviet Union."

That statement was made by Dr. Harold Brown, the former head of the Atomic Energy Commission's Lawrence Radiation Laboratory, and the man presently in charge of all the Defense Department's research and engineering programs. It was contained in the administration's response to Congressman HOSMER's letter to the President. Yet, so far as is known, it has never been made public by Congressman HOSMER.

Apparently, Congressman HOSMER now concedes that unlawful Soviet tests, even very small tests, could be detected from outside the U.S.S.R. But, he says, such tests can be too small to permit their positive identification by purely seismic means. This, it appears, is the principal foundation for his assertion that a big hole exists in our detection proposals.

There are two answers to this, and both of them were made in a letter sent to Congressman HOSMER by the White House on March 29. First, as Dr. Brown pointed out, tests as small as those envisioned by Congressman HOSMER would not provide a substantial military advantage to the Soviets. Not much advance could be made in the field of strategic weapons, and any innovations made in tactical weapons would have little effect in altering the cold war balance. Second, seismic detection would not be the only means employed to uncover surreptitious testing. In addition to on-site checks, all the other facilities of intelligence would be brought into play. Thus, the Soviets, in order to sneak their tests through the big hole, would have to make them so small as to be not worth the very real risks of being caught, in full view of the world, in a flagrant violation of the test ban treaty.

The net result is that there is no big hole. Congressman HOSMER's fears of the administration's test ban proposal have no valid basis in fact. The proposal is for an effective treaty which holds every reasonable prospect of reducing the risks inherent in the present freedom of both our country and the U.S.S.R. to test at will.

The Congressman's fears seem all the more groundless in the light of his latest proposal. In a sharp turnabout, he now suggests that we demand absolutely no on-site inspections whatever, and that we seek a treaty banning all nuclear tests in outer space, underwater, and in the atmosphere, but permit each side a dozen or so underground shots per year. We fail to understand how Congressman HOSMER can be concerned about underground cheating under a system that provides for on-site inspections to catch cheating, yet apparently be unconcerned about underground cheating which might escape discovery under a treaty which did not provide for any on-site inspections at all.

Sincerely,

HUBERT H. HUMPHREY.
JOSEPH S. CLARK.

Mr. CLARK. Mr. President, I commend the Senator from Wisconsin for the brilliant defense he is making of the administration's position in regard to a test-ban treaty. I hope his speech receives at least equal space in the press with the many speeches in opposition to the administration's position which have been coming forth during the past few months.

I invite the attention of the Senator from Wisconsin, and also the attention of the Senator from Illinois [Mr. DOUGLAS], to a fact which, it seems to me, is not widely understood; namely, that the United States has tabled at Geneva, not one draft treaty, but two draft treaties. Both of those draft treaties were cleared last August by the Committee of Principals, acting on disarmament matters. The Committee of Principals consists of the Secretary of Defense, the Secretary of State, the head of the Central Intelligence Agency, the Chairman of the Atomic Energy Commission, and the Director of the Arms Control and Disarmament Agency. However, it also includes Mr. Jerome Wiesner and Mr. McGeorge Bundy, the President's two principal advisers in the fields of scientific affairs and foreign affairs.

At the meeting last August there were also in attendance General Lemnitzer, then Chairman of the Joint Chiefs of Staff, and Gen. Maxwell Taylor, then the principal military adviser of the President. The Committee of Principals unanimously recommended to the President the two draft treaties which were tabled at Geneva last fall. All the excitement and all the argument have been about the second treaty, which would prohibit nuclear testing underground, and the argument has been as to whether the Russians could cheat. But I invite attention to the fact that the first treaty—and I make this point in light of the great amount of uproar which has been occurring about the possibility of cheating in connection with underground testing—does not deal at all with underground testing. It has to do with prohibiting testing by the Russians or the United States in the atmosphere, in outer space, or under water, and it does not deal with the subject of underground tests. So it might be well to call attention to that treaty, and particularly to call it to the attention of the critics of the other treaty, and to point out that in connection with the first draft treaty we have an excellent opportunity to detect any cheating.

Mr. PROXMIRE. Yes. As the Senator from Pennsylvania has correctly stated, in August 1962, there were two draft treaties to prohibit testing. The first treaty called for a prohibition of testing everywhere except underground. Of course, testing underground at least has the advantage of avoiding pollution of the atmosphere and perhaps eventually choking mankind to death with fallout.

Mr. CLARK. It so happens that that was referred to in a speech delivered in the Senate by the able Senator from Tennessee [Mr. GORE].

If we cannot agree with the Russians in regard to inspection of underground testing, we might at least consider reaching an agreement with them in regard to banning nuclear testing in the other areas, because cheating can be detected in those areas, without a need for onsite inspections.

Mr. PROXMIRE. I thank the Senator from Pennsylvania for that contribution.

Mr. DOUGLAS. Mr. President, the Senator has made a very important point.

I do not believe I am betraying any confidence when I say that a number of us, led by the senior Senator from Connecticut [Mr. DODD], are drafting a resolution which asks our Government to stress this point particularly; and if the Russians do not agree to a ban on underground testing, this proposal might well be put forth. It has the great advantage that any test in the atmosphere or in space or under water can be detected—unless, as I understand it, the test is conducted so far out in space that it is close to Mars, for example, or on the other side of the Moon.

Mr. CLARK. Mr. President, will the Senator from Wisconsin yield again to me?

Mr. PROXMIRE. I yield.

Mr. CLARK. The Senator from Connecticut has been in touch with me about the same resolution. I have suggested to him that he consider a few changes which I have suggested verbally to him. I think he withheld submitting the resolution yesterday, perhaps in part, because of my suggestions.

I believe that what the Senator really wants is the treaty we have proposed at Geneva—the one which does not deal with underground testing. Of course, the Russians have turned that down.

But in view of the Russian objections, and the secrecy phobia about espionage, we might well persuade them to reopen the negotiations in this area. So I pointed out that we might well include underwater testing, testing in space, and testing in the atmosphere, as a practical matter.

Mr. DOUGLAS. I think the Senator from Pennsylvania has made a valuable suggestion. I believe it true that we have permitted the Russians and the "ban the bomb" group to put us in a false position, as though we were the ones who were resisting the prevention of nuclear-bomb testing. The truth is that we are pushing for it, but we insist that subsurface inspections be accompanied by adequate inspections of the type the Senator has been discussing—which seems to be most reasonable. But I believe we should also stress the point that we are also proposing that such testing in the atmosphere or under water or in outer space also be banned. That would put us in a better light before the public opinion of the world. But let me congratulate the Senator from Wisconsin for the great public service which he is performing.

Mr. PROXMIRE. I concur in what both Senators have said. I wish to make sure, however, that my position is not misinterpreted; and I desire to point out that under no circumstances would I favor a unilateral suspension by the United States of such testing. I understand that some tests have temporarily been suspended. We tried that once, but I do not think we should try it again, unilaterally. I believe our testing is likely to persuade the Russians—if anything is—to agree to some kind of prohibition of testing. But I do not believe we should again try any unilateral postponement or prevention of testing, in the hope that that would keep the Russians from engaging in testing. I feel strongly that if we are to have an agreement, we should seek one.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield again to me?

Mr. PROXMIRE. I am glad to yield.

Mr. DOUGLAS. In justice to the Eisenhower administration, let me say that this was not a unilateral agreement on its part. As I understand it, there was a gentlemen's understanding in 1958 which, although it was not formally reduced to writing, provided that both Russia and the United States would cease testing. But the Russians broke that gentlemen's agreement.

Mr. PROXMIRE. However, the difficulty with such an unwritten agreement is that there is no inspection, no basis of determining whether cheating is occurring. They could continue to make such tests; and if they were caught, they could say, "We did not sign any agreement."

Mr. DOUGLAS. But I am sure the Eisenhower administration acted in good faith.

Mr. PROXMIRE. It did.

Mr. DOUGLAS. I think therefore it is somewhat extraordinary for people who did not criticize the informal gentlemen's agreement now to criticize the present administration for trying to get these defects straightened out and to obtain a strong inspection system.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. In the interest of complete accuracy, I should like to state my understanding of what happened, which I believe to be correct. During the informal moratorium, as it was then called, both countries, for a significant amount of time, refrained from testing. Then President Eisenhower announced that we would no longer be bound by the informal gentlemen's agreement moratorium, although he did state that we would not resume testing without making an announcement to that effect first. Thereafter the Russians secretly prepared and conducted tests. But we were the first to note the expiration of our voluntary moratorium.

Another point I should like to make is that, with respect to the tests which have recently been called off, or at least postponed, while they were in the small range—less than 1 kiloton—two of them, one nuclear and one chemical, were to be at ground level, and only one of them was to be underground.

Mr. PROXMIRE. The position of the Senator from Wisconsin is that so far as underground testing is concerned, any gentlemen's agreement is meaningless. If we do not have inspection, the cheating can continue. It could continue at length, and we would not know about it. Testing in the atmosphere is a different question. Perhaps that is something else. But so much can be done with underground testing that it seems to me we should be well aware of the danger and difficulty of what it could do to American security if we should have any gentlemen's agreement that involves in any sense and to any extent underground testing. We must assume in the absence of inspection and control that they are testing as much they wish.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. CLARK. I do not drastically disagree with the Senator from Wisconsin. I, too, believe that at the present stage of the seismic detection art it is important to have not only a meaningful number of onsite inspections authorized, but also, at least for the time being, the right to put a few—not many—seismic detection stations within the boundaries of the Soviet Union.

It is not true, as the Soviets contend, that all underground explosions can be identified without any question by detection stations off the territory of the Soviet Union. But it is true that our primary reliance in a nuclear test ban treaty will be on national detection stations maintained at points outside the Soviet Union by ourselves and our NATO allies, and only secondarily on stations on the soil of the Soviet Union. Even without a great many onsite inspections we can have a pretty good idea of what is going on, so long as the tests are massive—over 3 kilotons. Below the 3 kiloton range there is a difference of opinion in the scientific community regarding our ability to identify underground nuclear tests by purely seismic means.

I see the able Senator from New Mexico [Mr. ANDERSON] in the Chamber. He knows so much more about the subject than I do that I should not even be discussing it on the floor of the Senate. But there is responsible scientific opinion of the view, first, that the Russians are not very good at underground testing; second, that what we could achieve in the way of important advances in the nuclear art, even tacitly, by underground testing, has probably been rather substantially overestimated by opponents of a treaty.

Mr. PROXMIRE. The Senator is correct, provided there is a system of inspection, and provided there is a system of detection established and working under some kind of treaty. As I pointed out previously, and as I shall try to emphasize once more, the existence of a treaty in itself tends to discourage testing, because when a nation is caught cheating under such circumstances, the embarrassment and effect upon any future kind of agreement is pretty devastating. Therefore, a nation must be extremely careful that the steps it might take in the size of explosions, and so forth, must be sufficiently small so that the chances of detection would be small. I think that, in itself, would have a great effect in reducing the possibility of significant testing.

Mr. President, we are not worried about getting caught; we are worried about the other side not getting caught. By gaining the principle of onsite inspection, which can always be increased later, we have gained an important additional guarantee against the other side not getting caught if they test.

Under a test-ban agreement, the probabilities work against the potential violator, not for him. The violator does not wish to be caught an average number of times or a certain percentage of the time. Since the whole point of cheating is ruined the very first time the violator is caught, he must take the most extreme sensitivity reading on record and then add a margin to that. But he must go even further. If you are using your own equipment, the violator never knows how good it is. He must assume it is at least as good as his—and then add another safety margin to that. He must beware of lucky or rare pickups by your side and defectors on his. By this time, his tests are so small, his precautions so costly, his security needs so great and the stakes of getting caught are so high, that the creating game may not be worth the candle—it costs too much to play for what one can hope to gain.

The proposed long-range detection system does not have a fixed, precise threshold or floor below which nuclear explosions could not be detected. The detection threshold varies from station to station, and, for each station, from day to day. It depends on the way the station is constructed, on the structure of the earth between the station and the explosion, and on the amount of background noise at the instant of the explosion. A potential violator could not possibly know the threshold at each of the many detection stations located all around the world at the instant of the explosion. He could, therefore, never be sure that even a small clandestine explosion would go undetected. Neither could a potential violator be sure that his tests would escape detection by intelligence means.

These are only a few of the probabilities and odds on the other side of the argument. My point is not that they overwhelmingly prove anything beyond doubt but that, on the contrary, there are hundreds of factors that influence the probabilities and none of them can be figured with absolute precision. Again and again, Mr. President, I have stressed one point today because it is at the heart of the matter. We do not need absolute certainty and we are not going to get it. We said "adequate inspection and control" and, under the new system, the control is in our hands and the inspection adequate for the first time.

Whether we act or whether we do not act, we are still going to be betting on odds. That is all we can ever do in a world with imperfect men and without perfect knowledge. The odds that we will survive and prosper with a test-ban treaty seem to me much, much better than the odds that we will survive and prosper without a test-ban treaty. There is an old saying, "You pay your money and you take your choice." I know my choice, but I want to increase the odds by having our Government work steadily for the best treaty possible.

If Mr. Khrushchev has recently thrown cold water on our hopes for a treaty, that should spur us on all the more. If he should agree to follow through, we should not act merely in reaction to his agreement. Let us act, not merely react, for in effect reaction is allowing the Russians to dictate our foreign policy. I am appalled at the vision of Uncle Sam shuffling down the corridors of time, led on a nuclear string by a Russian bear walking backwards. We can choose our own path.

Mr. President, I want to call special attention to the role of the administration in educating the American public on this very difficult and complex subject—the need to stop testing if at all possible. It would be easy for President Kennedy to strike a heroic, get-tough pose at all times, to rattle a spear and dare the other fellow to climb into the arena. The Soviet Union has often done that. That is the popular pose to strike in this country or any country.

The present administration in our country has not done that. All the world saw Mr. Kennedy's—and America's—mettle tested in the Cuban crisis. And it was plain there was nerve to spare when the chips were down. Through our Chief Executive, America's silhouette was projected against the Iron Curtain, and that enlarged image and its determined posture so frightened the Communists that they picked up their spears and went home.

But the times call for another kind of courage—the ability to keep our heads in a time of crisis, to keep searching endlessly for safe and honorable ways to peace, to snuff out the fuse on the bomb that can end the world as we know it. It takes courage to remind the American people not only that we will fight—as we always have done when we had to—but that nuclear war and nuclear testing are not the only answers, that they are in fact the worst answers, used with danger and carried out in despair. I daresay that the courage to face the threat of nuclear war is equaled by the courage to work for peace in times of tension. This second kind of patient courage has also been shown—and we all recognize the profile.

Finally, I want to stress again that a tough-minded nuclear test ban treaty can offer our citizens protection and serve as an important step toward a more permanent peace. Certainly, those who feel any particular treaty offered is weak, ineffectual, or dangerous should speak out. It is their duty to do so—and I will do so myself. For we are all after the same goal: peace with honor and safety. We must not stop working short of a good, sound treaty. But we must not stop working until we have a good, sound treaty.

NO TRUST IN RUSSIA

Mr. President, before I sit down I wish to emphasize one thing which must be stressed. Somehow, in some way, unfortunately, those who support the administration—the President of the United States, the Secretary of Defense, our leading security officers, and the Committee of Principals, those who support their position on nuclear testing are somehow accused of being soft on communism, or of feeling that we can trust the Russians, or of feeling that somehow we can live happily and harmoniously in the world with the Russians.

Mr. President, this is not true. We know that if we sign a test ban treaty this will not alter the fact that the Russians are dominated by the cardinal tenets of Marxism and Leninism.

Khrushchev, like Stalin and his predecessors, stands for world revolution. He has said so. That is taught every day and has been taught for 45 years in every school in Russia. This has been brainwashed into the Russian people. The Communists believe in world revolution by violence and force if necessary to successful Communist revolution. There is no question about it. This is our adversary.

Mr. President, that does not mean we must have a nuclear holocaust. That does not mean we cannot work sensibly and prudently to establish a test ban treaty, with respect to which it would be against the interests of the Soviet to cheat. We can achieve peace only by using our heads as well as our military muscle.

Mr. President, the test ban treaty is not the only thing we must have to win a peaceful and free world. There are many other things we must do.

I feel very strongly that if we are ever to achieve this worthwhile objective in this very tough, complex world—in a nuclear age, in a missile age, facing a Communist adversary with a fanatic militant philosophy—we cannot achieve it unless we work for and support the administration in its noble and gallant efforts to achieve a test ban treaty. Then we can look forward to peace—to a peace based on enforceable treaties to control armament, on American alertness and will, and for a long time in the future on American military supremacy.

I yield the floor.

Mr. PELL. Mr. President, I congratulate the Senator from Wisconsin on his imaginative speech. What is needed in the world today and in our own Government are efforts to break through the various policy and position chains that so often bind us.

I commend the Senator from Wisconsin for his efforts and his words; he has underlined what I have always believed: We must act, and not always react.

Mr. HUMPHREY subsequently said: Mr. President, earlier today the able Senator from Wisconsin [Mr. PROXMIRE] delivered what I said then, and repeat now, was one of the most informative and thoughtful addresses that we have heard in the Senate on the subject of the nuclear test ban proposals. The title of his address was "What Is Right About a Nuclear Test Ban." The Senator outlined the proposals that we have made at Geneva as well as some practical suggestions in his own right relating to how we might proceed to obtain a nuclear test ban agreement. I am sure that both the Senator from Wisconsin and the Senator from Minnesota recognize the difficulties that we face in convincing the Soviet Union as to the desirability of a nuclear test ban agreement which would provide assurance to all parties that the agreement was being fulfilled and lived up to, and at the same time would slow down the nuclear arms race.

Once again I desire to say that any proposal by our Government relating to a nuclear test ban agreement will have to come to the Senate for its consideration. The President has assured us and has assured the Nation and all other nations that any agreement would be in the form of a treaty which would require, of course, a two-thirds vote of all Senators present and voting on such a treaty.

I mention that because there is so much irresponsible comment and irrational propaganda about the administration's proposals on a nuclear test ban agreement. People are being led to believe that the President of the United States is preparing to sign some sort of an agreement that would weaken our security, take away from us the nuclear deterrent, and favor the Soviet Union at the expense of American power and American freedom. Of course, that is all patently wrong. It is misrepresentation of the worst order. It is fallacious, mischievous, and it ought to be branded as unworthy of any acceptance by any responsible American citizen.

The Senate will scrutinize any proposal and will make sure, I am confident, that the agreement, if one can be obtained, will safeguard the interests of our Republic.

More importantly, or at least of equal importance, the President of the United States—the present President and the President who preceded him, President Eisenhower—are patriotic Americans. Under no circumstances would they enter into an agreement which would jeopardize the security of our country.

I do not believe private citizens or Members of Congress can arrogate to themselves a higher type of patriotism than our President or his advisers and counselors on this important subject.

I believe that a nuclear test ban treaty, covering all environments—outer space, high altitude, surface, under water, underground—if it included adequate onsite inspections, international monitoring, and the verification and identification system such as we have suggested in our Geneva proposals, would be in our national interest.

I believe the greatest danger facing the Nation today is the possibility of accidental war. I would call to Senators' attention that yesterday the spacecraft known as *Faith 7*, after months and years of the most careful scientific endeavor, had its automatic electrical system go out. The system failed. Keep that in mind, because American bombers, Soviet bombers, American missiles, and Soviet missiles depend upon electronics. They depend upon guidance systems that include electronic computers. Those devices can go wrong. There is no perfection in the work of the hand of man.

When those weapons go wrong, the possibility of accidental war is present.

It seems to me we must consider the alternatives. The alternatives before us are rather obvious. We may have a continuation of the nuclear arms race with the potential danger of radioactive fallout from nuclear testing, and with the greater potential danger of the proliferation or spreading of nuclear weapons into the hands of irresponsible countries, peoples and leaders, and with the very definite possibility of nuclear war and nuclear destruction.

Therefore, I welcome the speech of the Senator from Wisconsin [Mr. PROXMIRE]. It is not so important as to whether we agree with everything that the Senator said. What is important is that there be a sensible discussion of the issues in the Senate.

I deeply regret that there were not more Senators present when the Senator from Wisconsin spoke on the subject. I recognize that it is a complicated subject. I have given several years of my life to the study of this particular subject. I lay no claim to any expertise knowledge. I am not an expert on the subject. I am an interested U.S. Senator and citizen. I try to learn. All I can say is that it is very easy to make wild and irresponsible statements about the proposals of the President of the United States and our Government at Geneva. But when those proposals are called "appeasement" or "selling out our country," or that the proposals favor the Soviet and do a disservice to us in the United States, it is irresponsible.

But it often makes headlines. At times it is very easy to try to point out the flaws in a proposed agreement. That, too, makes headlines. But when we get down to the scientific aspects of a treaty—a system of identification and verification, a system of seismic identification to determine whether a movement is an earth tremor or a nuclear explosion—then we get down to the point at which it is difficult to get a headline. The subjects of electronics, seismology, and physics do not frequently lend themselves to an emotional appeal. When we talk about a nuclear test ban agreement, we are talking about one of the most complicated subjects that face mankind. The Senator from Wisconsin has come to grips with this subject in a manner which is characteristic of that Senator. He is a student. He is a brilliant man. He is an intellectual. He is capable of the most careful reasoning.

I have not always agreed with the Senator from Wisconsin on issues in the Senate, but I find him always thought provoking. I find him always a careful student of the problem that he sets out to analyze.

Today I read and heard one of the most thoughtful, best developed, outlined, and detailed presentations on the subject of nuclear weapons testing and the struggle that we are having to obtain an agreement to prohibit such testing that I have ever heard in my life. I commend the Senator.

During the day the Senator from Illinois questioned me with reference to some comments I made on a certain aspect of detection. I pointed out to the Senator from Illinois that earlier this year I had discussed the subject in the Senate. I have with me a copy of the Congressional Record for March 21, 1963. At page 4759 the caption "Seismic Calculations Support U.S. Test Ban Proposal" appears. Following that title, the Senator from Minnesota addressed the Senate on the subject of the nuclear test ban proposals at the Conference in Geneva. I desire to read two or three paragraphs from that speech.

Mr. President, this is what I had to say with reference to the question raised by the Senator from Illinois [Mr. Douglas]:

> I should like to comment today on the seismic calculations that support the U.S. test ban proposals.
>
> It has been alleged that there is a big hole in our present proposals for a nuclear test ban treaty with the Soviet Union. I would like to point out a few rather substantial holes in this unwarranted attack on the administration's proposals for an effective and safeguarded halt to the further testing of nuclear weapons.
>
> The opponents of the U.S. proposal now assert that underground nuclear explosions below 3 kilotons carried out more than 620 miles inside the borders of the Soviet Union could not be detected by the U.S.-operated network of control posts, which would be located around the periphery of the Soviet Union but outside its borders. In order to create this so-called big hole or zone of undetectability, three assumptions have been made, none of which stands up under close analysis.

Then I analyzed the three assumptions. I pointed out, first, that the map which appeared in the press of Washington, D.C., was a misleading exhibit. I said that the map was not drawn very well and the geographical aspects were even more unlikely and inadequate.

Relating to the assumptions upon which the argument of the opposition was drawn I said:

> First, it is assumed that our detection capability necessarily decreased as the distance of the detection station from the location of the clandestine test increased. This assumption is not based on scientific test.

That is what I said to the Senator from Illinois today.

I also said:

> The truth is that our capabilities to detect underground nuclear explosions at long range are frequently better than our capabilities to detect the same explosions at shorter ranges. This is due to the characteristics of the seismic waves which are generated by an underground nuclear explosion and the manner in which these waves pass from the point of detonation through the earth's crust or mantle to the detection station. For example, detection capability actually increases from about 2,000 to 3,000 miles. As a matter of fact, two relatively simple seismic stations located 2,000 and 2,500 miles away from our Nevada test site detected most of the 3-kiloton underground shots which have occurred in the dry desert dirt at the site. Improved equipment at these two stations would certainly have permitted detection of even smaller explosions.
>
> These significant discoveries, as well as overall improvements in our long-range detection capabilities, have been the result of the continuing research effort in the field of the seismology of nuclear explosions—an effort which has been carried on by the Department of Defense since 1959.
>
> The second assumption upon which the "big hole" argument is based is that the explosions of 3 kilotons or less would occur in a type of sandy soil known as alluvium. The proponents of this theory seem to recognize that tests in harder rock would increase the size of the seismic signals generated by the explosion, and therefore increase its detectability. This Soviet Union, however, contains precious little of the required type of soil to muffle the 3-kiloton tests. In fact, according to a U.S. Geological Survey map, no dry alluvium beds are to be found more than 620 miles inside the Soviet Union, which, according to the theory, would be the distance required to be outside the range of detectability. The two relatively small areas where soil of this alluvium type is shown to exist are both within 500 miles of the southern border of the Soviet Union.
>
> Moreover, testing in this dry, loose soil creates many more hazards of external detection than does testing in other more substantial types of rock. In order to prevent a large cavity clearly visible on the earth's surface, tests in alluvium must be carried out at considerable depths. However, it is rare to find any dry sandy soil very far below the earth's surface—in the U.S.S.R. or anywhere else. The horns of this dilemma seem to punch quite a hole in the "big hole" argument, which its proponents have carefully chosen to omit from discussion.
>
> In fact, I think it would have been much better if the proponents of the "big hole" argument had gone to our geologists. We know a good deal about it.
>
> The third assumption on which the U.S. proposals have been challenged is that the long-range detection system would have a fixed detection threshold of 3 kilotons below which nuclear explosions could not be detected. This is not the case. The detection threshold varies from station to station, and for each station, from day to day. It depends on the way the station is constructed, on the structure of the earth between the station and the explosion, and on the amount of background noise at the time of the exposion. A potential violator could not possibly know the threshold at each of the 100 or more detection stations located all around the world at the instant of the explosion. He could therefore never be able to be sure that even a small clandestine explosion would go undetected.

I am reading what I said on March 21, Mr. President. Today the Senator from Wisconsin underscored this by his comment, pointing out that the potential violator could never know all the circumstances which existed at any one time, if he sought to explode a nuclear weapon. I described this in the paragraph I have read.

> This should suffice to collapse the "big hole." But its proponents have also made rather broad claims about what can be done in the alleged big hole—that is, nuclear testing that might escape detection under a nuclear test ban treaty. It is claimed that all tactical nuclear weapons and a substantial fraction of strategic nuclear weapons can be developed without detection. This assessment runs directly counter to the unanimous opinion of some of the best qualified people to judge. I am referring to the Secretary of Defense; the Secretary of State; and the Chairman of the Atomic Energy Commission; in addition to Mr. William Foster, the Director of the Arms Control and Disarmament Agency; and their scientists. On March 11, in a public hearing before the Senate Committee on Foreign Relations, Secretary Rusk stated, in answer to my question, that these individuals had unanimously recommended to the President the adoption of our latest test ban proposals. Therefore, it is the unanimous and considered judgment of those who have primary responsibility in this field that our nuclear test ban proposals would promote our national security. I will return to this question in a subsequent portion of my remarks. It is a very important one.

Mr. President, I shall refer again, by title and page, to the presentation of March 21, because there is no need for having it all reprinted in the Record at this point. I merely point out that the doubt expressed by the Senator from Illinois, in a friendly question; namely, "How is it that you can detect an explosion at greater distances better than you can detect it at shorter distances?"—is a doubt erased by scientific fact. It depends upon the characteristics of the soil. Of course, it depends a great deal upon the location of the seismic station.

The simple fact is that in the Soviet Union the characteristics of the soil do not permit, so far as we have been able to learn to date, this kind of avoidance and evasion by underground testing. If we have black boxes, seismic stations, within the Soviet Union; if we have a limited number of onsite inspections; if we have the right to move quickly to the scene where we believe such a violation has taken place; and if we surround the Soviet Union with seismic stations on its periphery—we shall be protected.

I repeat, scientific facts demonstrate that a station as far away as 1,000, 2,000, of 2,500 miles frequently is able to get a more clear seismic wave, or movement on the seismograph, that reveals a nuclear explosion or earth tremor, than is a seismic station within 400, 500 or 600 miles of the explosion itself.

I repeat that the conditions of the soil, of course, are very crucial and important, but the geological analysis of the Soviet Union reveals that the center part of the Soviet Union lends itself less—I repeat, lends itself less—to camouflage, to avoidance, to clandestine testing than has been claimed by the opponents of the nuclear test ban agreement.

The fact of the matter is that there is a limited number of seismic areas in the Soviet Union, which are well identified and about which our scientists and other scientists know.

In conclusion, I must say that of course there are doubts. We ought to have doubts. I do not believe we ought to stand here to say that we have all the facts, because we do not. There are risks involved. Before a treaty should ever be accepted every one of these risks should be evaluated and should be measured against the other risks.

I believe this has been done by the former President of the United States, Dwight Eisenhower, who recommended again and again a nuclear test ban agreement; and who, by the way, went so far as to declare a moratorium on nuclear tests because of his deep and abiding interest in peace for this world.

I believe that the present administration, under the leadership of President Kennedy, has given this subject matter the most careful analysis. I recognize that there are differences of opinion, and it is because of those differences of opinion that we have insisted, in our proposals at Geneva, upon certain safeguards.

I am not for a test ban treaty that includes lesser safeguards. I am not for a test ban treaty that would eliminate on-site inspection. I am not for a test ban treaty that would deny us ready access to the areas where we thought a nuclear explosion might have taken place.

We have to be very careful. That is why I think these debates are worthwhile.

I do not think we have to be dogmatic. Other Senators and Representatives disagree with my statement. It is not a matter of personal animosity. It is a matter of difference of opinion. The truth is, the more discussion we can have on this subject, the better off the country will be, because we are talking about our security and safety and the freedom we cherish so much.

So again I want to commend the able Senator from Wisconsin for what he has said today, along with other Senators who participated in this debate.

FORTHCOMING GATT NEGOTIATIONS

Mr. THURMOND. Mr. President, there has been a constant drumfire of publicity in recent weeks concerning the efforts of the United States to work out mutually agreeable ground rules for tariff negotiations with the European Common Market. These press accounts are of great interest to the Congress and the American people because of the great hopes which were aroused by the publicity which the administration gave to its efforts to secure the enactment of the Trade Expansion Act of 1962.

The administration sought and received two novel grants of power from the Congress in the Trade Expansion Act—to eliminate tariffs entirely in certain categories of articles, and to negotiate tariff reductions on a linear or across-the-board basis. The Congress was given the impression that both of these novel grants of power were essential if the trade and tariff negotiations with the Common Market were to be successful.

Contrary to the importance which the administration attached to the power to eliminate duties entirely on articles in which the United States and the Common Market account for 80 percent or more of world trade, that power died aborning when the Common Market refused to grant membership to Great Britain until such time as she was in a position to meet all of the requirements of the Treaty of Rome.

Nothing daunted and now completely oblivious to the great importance which they once attached to this 80 percent authority, the administration's spokesmen on trade and tariffs have attempted to convey the impression that the power given the President to reduce duties by 50 percent in so-called linear negotiations is all that is needed to advance the interests of the United States. If this is true, of course, it makes the earlier insistence of the administration to secure the duty-eliminating 80 percent authority sound a little thin.

But of late, Mr. President, we have been advised by the press that the efforts of the United States to secure a working agreement for tariff negotiations in which the administration could use the power to reduce duties by 50 percent on a linear basis is also unacceptable to the Common Market. Despite the glib assurances which we in the Congress were given about the desires of the Common Market when we were considering the Trade Expansion Act, it now appears that the Common Market is by no means in a hurry to sit down and swap 50 percent tariff reductions on broad categories of articles in a truly reciprocal way with the United States. At this day it remains open to considerable doubt whether the Common Market will abandon its own concept of trade policy which best serves the interests of the European community in favor of the U.S. administration's novel ideas.

Those who care to reflect on the subject will find some pertinent instruction in today's news dispatches reporting that France and Japan have signed a new trade agreement. France, you know, Mr. President, was one of the member countries of the General Agreement on Tariffs and Trade who declined to extend to Japan the full most-favored-nation benefits of all of the tariff concessions which France had granted in tariff bargaining prior to Japan's accession to the agreement. The United States has applied a lot of pressure to GATT member countries who have invoked article XXXV of GATT to deny Japan most-favored-nation treatment. It speaks volumes for our negotiating abilities to reflect upon the fact that today, the greater part of a decade after Japan's accession to GATT and the invocation of article XXXV, it is still imposed by major trading countries.

In the Japanese-France trade agreement, Mr. President, France agreed to renounce article XXXV of the GATT and to reduce the number of Japanese products subject to import quotas to 84 from about 150. But this agreement was based upon a clear understanding that the French will be entitled to invoke an escape clause and to reimpose quotas if imports from Japan cause serious difficulties or market disruption for French producers.

It is instructive for the United States to view this bilateral trade agreement with its clear recognition of the necessity and wisdom of an escape clause which will enable France to protect her producers from damaging and destructive low-wage competition from the Japanese through the imposition of import quotas.

Mr. President, our friends in Europe think that we have been afflicted by a kind of madness because of the pellmell haste in which the administration is seeking to dismantle and dismember our modest tariff structure. The Europeans recognize, if we do not, that a reduction in duty by the Europeans or by the United States will benefit primarily Japan and the low wage countries of the world at the expense of the trade of both Europe and the United States. Neither these countries nor we are opposed to the idea of enlarging our markets for the benefit of increased trade with underdeveloped countries. What they object to, and what we should object to, is the elimination or drastic reduction of our tariffs with no alternate provision for any means by which increased imports of low cost goods from Asia can be regulated so as to prevent market disruption and destruction of domestic production and employment.

It matters not whether we are talking about textiles, electronic articles, manufacturers of metal, chemicals, or lumber. The result will be the same. If the United States reduces its own duties uncritically in an across-the-board fashion and somehow persuades European countries to do likewise, the markets which the industrialized countries of the Atlantic Community enjoy with each other will be disrupted and destroyed without corresponding benefit to the Japanese and other Asiatic low wage producers.

The absence of regulation will lead to the destruction of the price structures in United States and European markets so that in time these markets will be of little value even to the Japanese. Regulation can only be accomplished by the freedom of the United States to impose quantitative limitations.

It is disturbing, but not totally unexpected, that the administration should be proceeding in its preliminary trade talks with other countries on the basis of the concept that the President has the power to reduce duties by 50 percent on broad categories of products with few, if any, exceptions. Mr. President, when the administration secured the introduction of its trade bill in the form of H.R. 9900 on January 25, 1962, that bill was drafted so as to give the President unlimited power to enter into trade agreements and to proclaim the elimination or reduction of duties without the necessity of any findings by the President that existing duties or other import restrictions of the United States on foreign countries were unduly burdening and restricting the foreign trade of the United States.

After the completion of public hearings by the Ways and Means Committee of the House, it became evident to the members of that committee that such categorical power without regard to the necessity for preliminary findings as a prerequisite to its exercise was not in the American tradition and not a prudent action to take. Therefore, the distinguished chairman of that committee had prepared and introduced a new bill, H.R. 11970, on June 4, 1962, which became the bill on which the Ways and Means Committee worked its will, reporting the same to the House on June 12. That bill, H.R. 11970, scrapped the language of H.R. 9900 and specifically limited the power of the President to act to those situations in which he determines that existing duties or other import restrictions of the United States, on the one hand, and of foreign countries on the other, are unduly burdening and restricting the foreign trade of the United States.

Now, Mr. President, the deliberate choice of the terms "unduly burdening and restricting the foreign trade of the United States" must be given some meaning. The presence of the word "unduly" recognizes that the existence of tariffs and quotas may be in itself restrictive, for the purpose of such measures is obviously to accomplish regulation of imports. Only when the regulatory effect becomes unduly burdensome is the President empowered to act.

In the months ahead, Mr. President, we in the Congress should not forget—nor should the President and his advisers forget—the change in language which took place between the introduction of H.R. 9900 and the reporting of H.R. 11970.

Congress does not indulge in useless acts. When the Congress took the trouble to throw out the language which was in the original administration bill and fashion its own words indicating a desire that the President stay his hand in the use of the power granted until such time and under such circumstances as he could find that as a fact particular tariffs or quotas were unduly burdensome and restrictive, the Congress was expressing an important national policy to which the President subscribed by signing the bill into law.

Therefore, Mr. President, it is highly inappropriate for Ambassador Herter and his lieutenants to be spreading the impression that the President of the United States is ready, willing, and eager to enter into trade agreements where our tariffs and foreign tariffs will be reduced by 50 percent across-the-board, willy-nilly, without regard to the particular effect of individual tariffs on the foreign trade of the United States.

Mr. President, no nation is self-sufficient unto itself and possessed of all of the wisdom in the world on particular subjects, especially those in the realm of diplomacy. Occasionally we in the United States ought to pay attention to what other nations are doing in order to stabilize and expand economic activity and guarantee full employment in their countries. It is notable that the unemployment rate in Common Market countries and Japan is 2 percent or less of the work force, whereas we in the United States are carrying the burden of a 6-percent unemployment rate. It is no coincidence that these countries utilize quotas as a means of import regulation so that the expansion of foreign trade can take place on a carefully determined and scientific basis consistent with the needs of the internal economy of the recipient countries.

It is high time, Mr. President, that we in the United States discarded the doctrinaire, ultraliberal, free-wheeling nostrums which have characterized the administration's approach to foreign trade matters and to adopt in their stead a sensible, practical, and scientific approach to the regulation of foreign trade which recognizes that nothing is accomplished if we lower the gates to invite a flood of imports at the price of a corresponding destruction of domestic employment and production.

We cannot provide for the general welfare of the people of the United States by destroying their jobs, their opportunities, their economic values, the roots which they have in their communities, the health of their communities itself, in a blind and unreasoning effort to confer economic benefits upon foreign nations.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD as part of my remarks a series of eight newspaper articles on this subject. They are an article from the Daily News Record of April 24, an article from the New York Times of May 1, an article from the Journal of Commerce of May 6, another article from the Journal of Commerce of May 13, an article from the New York Times of May 15, an article from the Journal of Commerce of May 15, another article from the Journal of Commerce of May 15, and finally an article from the Wall Street Journal of May 16.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Daily News Record, Apr. 24, 1963]

GROUNDWORK TALKS ON TARIFFS LAG AS ECC STALLS: HODGES

(By Joel Olesky)

WASHINGTON.—Commerce Secretary Luther H. Hodges says that preliminary discussions for the next major round of tariff and trade negotiations "have not produced as much optimism as I had hoped."

Mr. Hodges told a press conference that these groundwork meetings for the general agreement on tariffs and trade negotiations had been lagging largely because of reticence on the part of the Common Market.

"I doubt if the European Economic Community is ready for the vigorous action" that this country sought with the passage of the Trade Expansion Act of 1962.

Mr. Hodges noted that the current difficulties in the Common Market's agricultural activities and France's roadblock to England's entry into the market also were helping to stall the groundwork for the next GATT negotiations.

Turning to the economy as a whole, Mr. Hodges acknowledged that the preliminary gross national product for the first quarter, $572 billion, was considerably higher than he estimated earlier in the year. He attributed the gain, which is $8.5 billion over the last quarter, to "confidence in the future, and confidence in the administration."

But while business, which Mr. Hodges said appeared to be on a sustained rise, looked better than ever, Mr. Hodges issued a cautionary note about steel.

He said that—with much of the gain being attributable to steel buying—he feared a big buildup of inventory as a hedge against possible labor disruption in the steel industry.

If inventory buying is the case, Mr. Hodges said, then he fears that when a strike threat has passed steel and other industries will be forced into a slowdown as these inventories are consumed.

Mr. Hodges said that if he were a businessman now, the present state of economy would deter him from inventory buying.

[From the New York Times, May 1, 1963]

FRENCH ADD SNAG TO TARIFF CUTTING—STAND HINTS FAILURE OF U.S. TALKS WITH MARKET BLOC

(By Edwin L. Dale, Jr.)

PARIS.—France has raised a new obstacle of tariff-cutting negotiations under the Trade Expansion Act between the United States and the European Common Market.

The obstacle is the fourth confronting the negotiators.

Some foreign observers fear that France is giving a gentle hint that the negotiations, like those for Britain's entry into the Common Market, are doomed to failure.

The new obstacle involves exceptions to the general rule on across-the-board reductions by all parties. Under the Trade Expansion Act, President Kennedy is required to exclude some products from his offer of tariff reductions. According to French officials, this could raise almost insoluble problems.

FRENCH STAND SUPPORTED

As in the case of the other obstacles, the French position apparently has considerable support in other Common Market countries.

Thus the United States is up against formidable difficulty in making a success of the Trade Expansion Act. It has been widely hailed as the most important piece of legislation enacted during the Kennedy administration and the most liberal American legislation in this century.

France has been a leader in developing a joint Common Market position on three other points.

One is that trade in farm products cannot profitably be discussed until the Common Market has fully developed its own agricultural policy. The United States has insisted that the negotiations include agriculture.

NONTARIFF OBSTACLES

The second is that the U.S. plan for a tariff reduction by both parties of 50 percent would be unfair to the European countries. France's partners have rallied to a different plan, rejected by the United States, calling for large reductions for high tariffs and small reductions for low tariffs, with the ultimate aim of a level on both sides of around 10 percent.

The third point is that the negotiations must include in nontariff obstacles to trade such things as antidumping laws, buy-American legislation, customs evaluation procedures, and taxation. Here the American side has agreed to negotiate, but there is still no formula for linking tariff cuts with the nontariff negotiations.

Today in Geneva a committee of the General Agreement on Tariffs and Trade reported a disagreement between the United States and the Common Market on the question of a tariff-cutting formula. The negotiations, if held, will be under GATT auspices.

The basic problems will be tackled by a ministerial meeting next month, though there is now considerable doubt that the ministers will be able to reach agreement.

In discussing the exceptions problem, French officials insist that France's aim is not to wreck the negotiations but to make them succeed. Their point is that each of a long list of exceptions raised by the United States would create difficult problems for the Common Market countries in agreeing to exceptions to their own tariff-cutting offer.

Some of the exceptions involve major export items.

[From the Journal of Commerce, May 6, 1963]

U.S. CHALLENGE ON TRADE SET FOR DECISION

(By Richard Lawrence)

WASHINGTON, May 5.—World trade interests shift to Brussels this week as the Common Market's Ministerial Council takes up the basic question of whether to accept the challenge of the U.S. Trade Expansion Act.

What the ministers decide may point the course of the European Economic Community's future trade actions.

If the Council, the EEC's ultimate political voice, agrees to bless the U.S. proposal of a major round of trade negotiations next year, a big step will have been taken toward helping expand free world trade.

CONCERTED STALL SEEN

A negative vote will harden U.S. suspicions that the Common Market is flirting with protectionism. It could stall indefinitely a concerted push to liberalize world trade.

One key question is whether the Ministerial Council will award its high commission a mandate to make binding decisions in the trade negotiations proposed under the General Agreement on Tariffs and Trade. The Commission, essentially the Common Market's administrative body, is considered a progressive force, espousing much the same trade philosophy as the United States.

MANDATE EFFECT

A mandate for the Commission would do much, it is generally felt, toward assuring not only GATT negotiations, but meaningful results.

As the ministers meet, the EEC faces the complex situation of negotiating within itself as well as having to bargain with outsiders such as the United States.

EEC Commissioners have agreed in principle with the U.S. and other GATT members that substantial tariff cuts are in order, that farm questions should be negotiated and special treatment should be afforded the less developed countries. The ministers are due to consider these broad questions.

LONG WAY TO GO

But from principles to defining the methods, U.S. and Common Market officials have a long way to go. The United States proposes a 50-percent linear reduction in tariffs; the EEC counters with a formula that would reduce higher tariffs more than the lower duties.

EEC representatives believe farm products should be handled on a separate basis from industrial items, contrary to the U.S. position. There is a split, too, on the special help that should be given underdeveloped countries, the EEC having to consider the pending association of 18 African nations while U.S. concern focuses primarily on Latin America.

Two days of meeting here last week between U.S. and EEC officials marked the start of what apparently will be a long, hard series of talks to develop a common ground.

VOICED CONFIDENCE

The two top EEC visitors last week—Commissioners Robert Marjolin and Jean Rey—stressed that there is still a year to settle the differences, if the GATT negotiations start as tentatively scheduled in spring 1964. They voiced confidence that the basic problem could be resolved within that time.

Agriculture poses the toughest problem at this stage, largely because the Common Market has not settled its own internal farm policies. The French in particular insist that these internal policies must be resolved before farm products can be effectively included in GATT bargaining.

France is pressing for quick agreement on internal farm matters while the West Germans are holding back. The Germans, however, are eager for industrial tariff cuts and while the French want special treatment for Algeria, the Italians, Dutch and Belgians have own special interests too. With an attitude of give and take, however, enough horse trading may be done to clear the way for implementing an important GATT trade round next year.

[From the Journal of Commerce, May 13, 1963]

EUROMART SEEN SNAGGING TARIFF PARLEY

Prospects for a meaningful General Agreement on Tariffs and Trade ministers meeting in Geneva this week have dimmed as a result of the session last Wednesday and Thursday of the Common Market Council of Ministers.

Nor, in the view of most observers here, is there any reason to view more optimistically now the chances for conclusive negotiations altogether in the forthcoming GATT "Kennedy round." More particularly, the major issues on interest to the United States are as much in doubt at this stage as they were a week ago.

It is true that the Council of Ministers did make possible the European Economic Community's participation in the Geneva talks, and has thereby prevented a failure which would have been as shattering as the breakdown in January of Britain's membership try. The terms in which it did so, however, are so vague and general as to entrust the ministers and the commission with a minimum of authority when they foregather in Geneva.

FUTURE DIFFICULTIES

Moreover, while overcoming an impasse now, and ostensibly promoting agreement among the six members, the way in which this was finally achieved threatens to create very real difficulties within the Common Market a few months hence. These in turn could effectively block the Kennedy round from getting off the ground.

Theoretically, it is possible that the ministers from the Six, when together in Geneva, could endow the Community with greater negotiating authority than it possesses now. In actual fact, it seems unlikely that they will either do this or even attempt to.

The feeble mandate given to Community negotiators for this week's session will most definitely prevent them from meeting American wishes for an agreement that tariff reduction be "equilinear," that is, that tariff rates for any given group of products be reduced by the same percentage by either side. The Community still clings to the concept that because the American tariff contains a relatively bigger number of items with a high tariff, there should be a proportionately larger reduction on high tariff items than on those even now enjoying a low-duty rate.

UNACCEPTABLE TO UNITED STATES

This is entirely unacceptable to the United States, quite aside from the fact that the Trade Expansion Act which has sparked the forthcoming negotiations provides American negotiators with no authority to fall in with any but equilinear cuts. While this conflict will almost certainly not be settled in Geneva this week, American observers here have privately expressed the hope that, in the course of expert negotiations in the weeks to come, agreement might be reached by the middle of the summer.

Most definitely, this point would have to be settled before the U.S. Tariff Commission begins its hearings which in turn are prerequisite to the actual GATT bargaining. The Tariff Commission machinery cannot be started, it is argued here, unless the principles along which duties are to be curtailed, have been fixed.

AGRICULTURE LEFT OPEN

The inclusion of agriculture in the GATT negotiations, a question of perhaps even greater importance to the United States, has also been left open. As matters stand the community will be able to discuss agriculture in GATT only to the extent that it has itself worked out common positions. Since vital parts of the Community's joint farm policy, including the regulations for dairy products, beef, veal, rice, and sugar, the price approximation for cereals, and financial and sanitary regulations are still unfinished, a meaningful involvement of agriculture in the GATT talks seems impossible at this juncture. In any case, the administration in Washington wishes all agriculture to be included.

As it is, by formally tying the completion of the outstanding agricultural regulations by December 31, 1963, to effective participation in the Kennedy round negotiations, the European Economic Community ministers may have done either of two things. They may have provided the community with a powerful motive for resuming its forward march again, after several months of stalling. Or, this intended package deal, through smoothing ruffled feelings right now and creating the impression that all is well, may turn out to be a truly vicious circle.

[From the New York Times, May 15, 1963]

PACT WITH JAPAN SIGNED BY FRANCE—TRADE DEAL REMOVES QUOTAS ON 60 PRODUCTS—TARIFFS NOT INCLUDED IN TREATY—GATT ARTICLE IGNORED—TALKS BEGUN ON FAR EASTERN NATION'S APPLICATION FOR OECD MEMBERSHIP

(By Edwin L. Dale, Jr.)

PARIS, May 14.—France and Japan signed a new trade treaty today that goes a long way toward meeting Japan's demand that her products receive equal treatment with industrial countries.

By the treaty, France followed Britain, Belgium, and The Netherlands in renouncing article 35 of the General Agreement on Tariffs and Trade, which allows members to apply special import restrictions on goods from Japan.

This legal change has more symbolic than practical value, but it was strongly desired by Japan. On the practical plane, France will free more than 60 products from import quotas and increase the quotas for others.

NEGOTIATIONS WERE LENGTHY

The new treaty was signed here by Maurice Couve de Murville, the French Foreign Minister, and Toru Hagiwara, the Japanese Ambassador. The pact followed lengthy negotiations and was designed to set the legal basis for trade between the two countries for at least 6 years.

In another development today, the first round of discussions on Japan's prospective membership in the Organization for Economic Cooperation and Development were concluded. The purpose was to permit Japan to examine obligations she would undertake as a member of the group, which includes the nations of Western Europe and the United States and Canada.

The new treaty between France and Japan does not involve tariffs. Japanese goods, like American or British goods, will have to pay the tariff as established by the European Common Market, of which France is a member.

QUOTAS KEY FACTOR

The key question was quotas, which still govern French imports of the main Japanese products. Under the new agreement, the total of products subject to quota will be reduced to 84 from about 150 For the products "liberalized" there will be a new escape clause allowing France to reimpose quotas if imports from Japan cause serious difficulties for French producers.

Japan also agreed to liberalize a number of products in which France is interested, and she has the same escape clause rights.

Ambassador Hagiwara welcomed the new treaty, saying that he hoped it would "mark the beginning of a new era in Franco-Japanese economic relations." Japan has shown increasing interest in gaining access for her products to the European market.

Herter Arrives in Geneva

Geneva, May 14.—Christian A. Herter, the President's special representative to trade talks here, said today that he was optimistic that the negotiations beginning Thursday would open the way to a new assault on international trade barriers.

Mr. Herter spoke on his arrival for a ministerial session of the 50-nation General Agreement on Tariffs and Trade.

The ministers will attempt during the 5-day meeting to set a date and the ground rules for the conference on tariff reductions that the member nations expect to hold next year.

The projected tariff conference has been called the "Kennedy round" because it received its impetus from the U.S. Trade Expansion Act. The act gave the President wide powers to slash U.S. tariffs in exchange for similar trade concessions by other nations.

Differences between the six-nation European Common Market and the United States in their approaches to tariff reductions on industrial goods, and trade in agricultural products will be the principal issues before the ministers.

[From the Journal of Commerce, May 15, 1963]

Herter Optimistic on Tariff Cuts as Envoys Converge on Geneva

Geneva, May 14.—Delegates are arriving here for the 50-nation ministerial meeting of the General Agreement on Tariffs and Trade (GATT), convening Thursday, which will decide whether or not meaningful tariff reductions will be made in 1964.

Christian A. Herter, President Kennedy's special representative to the trade talks, said on his arrival that he was optimistic that the differences between the Common Market and the United States on the ground rules for the forthcoming negotiations will be settled.

The six nations of the Common Market are opposed to "across the board" cuts in industrial goods of up to 50 percent as desired by the United States. They are also reluctant to include agriculture in the negotiations until they have hammered out their common agricultural policy.

ANOTHER PROPOSAL

The Common Market has presented another proposal for consideration by GATT.

The Europeans suggest tariffs be cut by only 50 percent of the difference between present tariff rates and a target rate to be set by the ministers.

The French, who are leading opponents of the U.S. plan, suggest the target tariffs should be zero for raw materials, 5 percent for semifinished goods and 10 percent for finished products.

Therefore a finished product with a 50-percent tariff at the moment would be cut by half of the difference between 50 and 10 which would give it a new rate of 30 percent.

As regards agriculture, the United States insists that farm products be included in the talks. This country is anxious to insure a market for some $1.2 billion in annual farm exports to the Common Market, which are partially threatened by the evolving farm policy of the continental group.

It is becoming apparent that commodity arrangements on a world basis may have to be worked out in the coming years for several agricultural products, such as meat and wheat.

Problems with other agricultural items may be solved by combinations of tariffs, commodity agreements and quotas.

STATUS QUO GOAL

The best which can be hoped for in the agricultural talks would appear to be some arrangement whereby barriers to the flow of farm products are not made any higher pending world agreements.

An accord along these lines would enable agricultural trade to be maintained at its present level, instead of being cut off by increased production and corresponding increased protection in home markets.

AID PROGRAM BEING PRESENTED

Considerable discussion at the meeting will also center around assistance for the developing countries.

A program, which would aid the one-product nations of Africa and Asia, is being presented.

Opposition to the program may come from the six Common Market countries who have their own plans for French-speaking African nations. But important concessions to the less-developed countries are still expected to be granted.

The program suggests that quotas on exports from the underdeveloped countries be removed within 1 year of agreement being reached. It recognizes, however, that this may raise problems for some products and the deadline may be extended to 1965 for individual items.

It also suggests that all duties on tropical products such as tea and tropical timber be removed by the end of this year. These concessions should not be nullified by increases in internal taxes.

Substantial reductions in duties on exports of raw materials, the lifeblood of many of the underdeveloped countries, also are recommended in the program. Specific suggestions and dates, however, have been left for ministers to make.

Infant industries in the African and Asian countries also should be encouraged to expand by granting tariff concessions on processed goods being imported by the richer nations. A tariff cut of at least 50 percent over the next 3 years has been proposed for consideration by the meeting.

Tariff cuts however will not solve all the problems, so the questions of extending preferences to some products may also be raised by the ministers.

[From the Journal of Commerce, May 15, 1963]

France Inks Pact With Japan Waiving Import Quota Right

Paris, May 14.—France and Japan signed a new commercial treaty at the French Foreign Office today.

At the ceremony, French Foreign Minister Maurice Couve de Murville and Japanese Ambassador Toru Haguiwara signing for their respective countries.

Mr. Couve de Murville was assisted in the signing of the detailed treaty and lists in the clock room of the Quai d'Orsay by France's chief negotiator, Jean-Pierre Herrenschmidt, and the minister counselor at the Japanese Embassy, Hideko Katahara, signed some of the supplementary documents for Japan.

The treaty is mainly notable for the fact that under it France renounces her rights under article 35 of the General Agreement on Tariffs and Trade, which allowed her to continue to apply restrictive import quotas to Japanese goods.

MOST-FAVORED CLAUSE

France now grants Japan a most-favored-nation clause, with the understanding however that 80 "sensitive items" are still under quota since they could endanger French goods in the French market.

These include many items like cameras and radios.

There are also safeguards built into the treaty that would allow either country to suspend freedom of import of any type of goods if the risk should arise that the market of the other country would be flooded.

There were no speeches at the ceremony, which occupied about 10 minutes.

RATIFICATION NEXT STEP

The treaty will go into effect with ratification by Parliaments of both countries, but the list of "sensitive" goods is expected to be published immediately.

There are some exceptions to the most-favored-nation treatment particularly in cases where France's position in the European Common Market is affected.

The treaty may run on until it is superseded by an eventual treaty between Japan and the Common Market or a new general agreement inside the framework of GATT.

A communique announcing the signing of the agreement said that under the liberal terms of the new treaty, "France-Japanese exchanges should find a harmonious progression."

"I hope that this agreement will mark the beginning of a new era in Franco-Japanese relations," Togo Haguiwara, Japanese Ambassador to Paris, said after the signing.

"We not only consider this agreement as an instrument to better commercial exchanges, but we moreover feel that a greater liberty of trade (between the two countries) would furnish a basis for interindustrial and interprofessional collaboration," he said.

[From the Wall Street Journal, May 16, 1963]

Focus on Gatt—Crucial Trade Talks Spotlight Key Role of Little-Known Body—United States Faces Big Obstacles in Negotiating Tariff Cuts; Problem of EEC Versus EFTA—How Catalyst Fills a Vacuum

(By Ray Vicker)

Geneva.—A letter recently arrived here addressed to the "Gentlemen's Agreement on Tariffs and Trade." It was delivered to an 18th century villa that houses an international body named the General Agreement on Tariffs and Trade, and usually called GATT.

If the letter writer was a bit confused, he still must be rated fairly well-informed. In the last 15 years GATT has done much to bring about a near-doubling of international trade, to a current total of about $140 billion a year, by arranging world-wide tariff-cutting conferences and working between these sessions to level trade barriers and smooth over international commercial disputes. But so quietly has it operated that most citizens of the 50 nations that belong to it—including the U.S.—probably don't know it exists.

Now, however, GATT is moving into the headlines as never before. For this morning, high government officials of the GATT nations will assemble in Geneva's Palais des Nations to launch perhaps the most crucial series of world trade talks ever held.

THE "KENNEDY ROUND"

The talks were made possible by the 1962 U.S. Trade Expansion Act, which gave President Kennedy authority to slash American tariffs as much as 50 percent if U.S. negotiators, through GATT, can wring similar concessions from other countries. The series of talks, accordingly, has been dubbed the "Kennedy Round" of tariff negotiations—somewhat to the discomfort of the U.S. administration, which fears political embarrassment if they fail.

But the talks were given special point when France in January vetoed Britain's bid to join the European Economic Community, or Common Market. This raised the specter of economic warfare between the EEC and the British-led seven-nation European Free Trade Association (EFTA)—with potentially calamitous effects both for U.S. trade with the two blocs and for the cold-war unity of the Western World. If such a split is to be avoided, and EFTA and EEC instead are to establish friendly trading relations both with each other and with the United States, GATT will be the forum, and the Kennedy round talks the occasion, for it to be done.

"If these negotiations fail GATT itself would probably break under the strain," says Eric Wyndham White, 50-year-old British lawyer and foreign service official who took a 6-month job as GATT executive secretary in 1948 and has been its top man ever since. "It is somber to contemplate the chaotic condition which would probably follow from its disappearance."

LONG NEGOTIATIONS IN PROSPECT

To be sure, no tariff cuts will result immediately from the meeting starting today. The delegates will meet for 5 days to lay down guidelines for full-scale talks next year. Expectations are they will then create a trade negotiations committee which would work through the summer to develop specific proposals. Then would come Tariff Commission hearings in the United States at which American industry, labor and agriculture would air their opinions on what American negotiators should and should not do in the eventual negotiations.

If all goes well, full dress international tariff bargaining might begin next March, and the first actual tariff cuts might be negotiated to take effect late in 1964. Under the Trade Expansion Act, whatever cuts are finally negotiated would come into effect in the United States over a 5-year period.

Some important decisions are expected from the GATT ministers' meeting beginning today, however. Indications are the ministers will agree, for instance, that the eventual negotiations should involve not only tariffs but nontariff barriers to trade. On the U.S. side, this might involve such things as the Buy American Act, which prevents foreign companies from landing U.S. Government contracts unless they quote especially low prices. Among other countries it likely would involve such things as the taxes some European nations levy against cars with engines rated above a certain horsepower; the taxes are set up so that few if any European-made cars are taxed but nearly all cars imported from the United States are.

TRADING WITH THE UNDERDEVELOPED

The ministers also are likely to agree to pay special attention in the eventual negotiations to ways of stimulating the foreign trade of underdeveloped countries—in hopes that expanding trade would reduce these nations' dependence on foreign aid. Some sources believe the eventual full-dress negotiations will agree on abolition of all tariffs on tropical agricultural products—primarily coffee, tea, cocoa, copra, and oil seeds—imported into temperate-zone countries where such products don't grow.

There are plenty of topics for potential dissension, too—later, if not at the ministers' meetings. Already there's a strong difference of opinion between United States and Common Market negotiators on how tariffs should eventually be cut.

American bargainers, led by former Secretary of State Christian Herter, will press for 50 percent across-the-board tariff cuts on whole ranges of industrial and farm products. Common Market negotiators, however, want to establish ideal target goals for eventual tariffs; Zero on raw materials, 5 percent on semifinished manufactures, and 10 percent on fully manufactured goods. Under their approach, all present U.S. and EEC tariffs then would be cut by 50 percent of the difference between present levels and the target goal.

This plan would mean extra-sharp cuts in some high U.S. tariffs, such as the 80-percent duty on chemicals, and no reductions on manufactured-goods tariffs of less than 10 percent. U.S. officials recognize extra-high tariffs are a special irritant to Europeans, and are willing to discuss these in negotiations separate from the main talks. But they say they have no intention of adopting the Common Market plan for the general tariff talks, since they believe the United States under that plan would wind up making most of the concessions.

However this dispute comes out, the GATT secretariat already is trying to act as a catalyst for the trade talks by developing ideas for the bargainers. Mr. Wyndham White tosses out two special ones: That EEC and EFTA agree to put into effect immediately—or "say by the end of 1966"—tariff cuts on products of primary importance to intra-European trade, rather than phasing reductions over 5 years as the United States will; and that negotiators explore methods of abolishing tariffs entirely on products in which the United States, the Common Market and EFTA together dominate world trade.

NEW AUTHORITY NEEDED

U.S. negotiators would need new authority from Congress to agree to the latter proposal. Some sources here believe they could get it if negotiations clearly indicated American exporters would gain substantial opportunities for expanding sales in return.

Acting as a trade catalyst in this fashion is GATT's principal job. But it's not the job for which the organization was set up. Indeed, GATT originally wasn't intended to be an organization at all; it became one only because there was a vacuum to be filled.

Before GATT, the world tariff structure was bewilderingly diverse. Most trade agreements were bilateral deals between two nations which would reduce tariffs levied against each other while maintaining higher ones against the rest of the world. This resulted in a multiplicity of special country-by-country rates that tended to restrict world commerce.

The United States, seeking to expand world trade, plugged instead for multilateral bargaining on a "most favored nation" basis—that is, under an agreement that a country granting tariff cuts to one other nation grant them to all. In 1947, 23 nations at Geneva signed a treaty making various cuts on this basis. The treaty also embodied a code of trade rules. Among other things, the code prohibits a country from setting quantitative restrictions on imports except at times when its reserves of gold and foreign currency are depleted and prohibits taxes on imports, which don't apply to comparable domestic products.

ITO GIVES WAY TO GATT

The treaty was named the General Agreement on Tariffs and Trade, and it contemplated establishment of an International Trade Organization to regulate commerce among the signatories. To check on observance of the treaty until the ITO came into existence, the signatories created what was supposed to be a temporary GATT secretariat. The secretariat stayed in existence, and evolved into the present organization, when the U.S. Congress killed ITO by refusing to let the United States join it.

Organizationally, GATT is still modest. It has a staff of only 107 and its annual budget is a mere $1.1 million. Each of its 50 present members, which range in size from the United States to the tiny African nation of Sierra Leone, pays a share of the budget proportionate to its share of world trade. One result is that in contrast to some other international bodies, the United States doesn't pay the lion's share of the costs; its 1962 contribution of $187,760 wasn't much bigger than Britain's payment of $149,130.

GATT's accomplishments, however, have been out of all proportion to its size as a bureaucracy. Counting the original tariff reductions in 1947, it has now presided over five rounds of worldwide tariff cuts; the so-called Kennedy round will be the sixth. In these, tariffs have been slashed on some 64,400 products. In the last round in 1961—called the Dillon round after the U.S. Treasury Secretary—major trading nations negotiated 4,400 concessions covering trade valued at $5.5 billion.

In the mid-1930's U.S. officials estimate, the average U.S. tariff was about 50 percent. Today it's about 11 percent, with most of the decline due to reductions made under GATT.

In return the United States has won important concessions. "Immediately after the war, nearly all nations except the United States had various quantitative restrictions on imports," says John Evans, chief of the U.S. delegation to GATT. Today, nearly all of these restrictions have been removed and that wouldn't have happened if it were not for GATT."

FREEDOM FOR SAMPLES

Between general rounds of tariff cutting, GATT holds annual conferences at which trade officials of member countries examine various problems, and sometimes special meetings to tackle specific issues. One important one in 1962 resulted in an international agreement freeing sales samples from most customs duties. Before that a businessman importing a sample from a foreign supplier often had to pay a tariff on it as if it were a regular import for use, an arrangement that obviously didn't contribute to expanding trade.

GATT also works full-time as a conciliation agency to settle trade complaints brought by one member nation against another. Officially, these complaints are to the GATT council, a group made up of all the permanent representatives to GATT from member countries.

In practice, most disputes are settled in Mr. Wyndham White's circular office, in informal discussions with Mr. Wyndham White acting as a referee. If this procedure fails, a panel of impartial GATT nations may be asked for a ruling. Such a panel shortly after World War II ruled against a system of British sales taxes which were higher for imported products than for domestically produced items; Britain revised its tax schedule to remove the discrimination.

RETALIATION ALLOWED

If even this sort of pressure fails to settle a dispute, GATT has no power to order an offending nation to drop a practice others complain of. But it can and sometimes does permit other nations to retaliate. When the United States last year raised tariffs on carpets and glass, GATT permitted the Common Market countries to strike back by raising tariffs on chemicals.

GATT rules have some other exceptions, too. Notably, they permit the formation of a customs union—such as the Common Market—which cuts tariffs among its members while erecting a common tariff wall against the rest of the world. However, GATT insists that common tariff wall be no higher than the average of tariffs maintained by the individual nations before the customs union was formed.

Though GATT has done much to free world trade, it hasn't been uniformly successful. Agriculture in recent years has been a major disappointment, as country after country has adopted restrictions to protect its farmers against the competition of imported foodstuffs.

Some GATT members say the United States has been a prime offender in this field; the United States in turn is much worried about protectionism in the Common Market, which historically has bought heavy quantities of U.S. food and fiber. This turn to agricultural protectionism is a major danger for the Kennedy round of trade talks; unless farm protectionism can be overcome in next year's negotiations, many sources here think, the talks are likely to fail.

UNITED STATES MUST PLAY NEW ROLE AT WORLDWIDE TRADE TALKS

Mr. JAVITS. Mr. President, the first session of the economic ministers of the 44 member countries of GATT—General Agreement on Tariffs and Trade—opens today in Geneva to set the ground rules for next year's tariff-cutting talks. On this occasion, I believe it is important to point out that the United States is facing difficulties which could be insurmountable, unless we take some momentous steps and are willing to make some basic changes in our foreign trade policies.

I believe that as a minimum we should undertake the following four lines of action:

First. First of all, as a people and as a government, we must decide to embark on the road to gradual and persistent trade liberalization and adjust our economy to the competitive realities of the day.

Second. We must amend the Trade Expansion Act of 1962 which has been overtaken by the fast pace of events to provide authority for the President to negotiate for the reciprocal across-the-board elimination of tariffs with all fully developed free world nations in specified categories of items to replace the present authority which has been emasculated by the rejection of United Kingdom membership in the European Common Market.

Third. At the Geneva talks, we must negotiate not alone on our own but also in the interest of the British Commonwealth and of Latin America and with special recognition of the problems of Japan and the newly developing nations, so that the economic weight of the United States can be utilized to broaden the effect of the EEC for the mutual benefit and strengthening of the free world.

Fourth. U.S. trade concessions should be granted in accordance with their ability to obtain unconditional most-favored-nation treatment from the fully developed nations for all free world nations. Thus Japan, Latin America, and others now receiving discriminatory treatment from the EEC, as well as Great Britain and her trading partners, would be assured of U.S. support in their efforts to obtain entry for their products into the EEC—or a good chance at other good markets.

Some recent events will point up the seriousness of our difficulties. When in mid-April, the United States submitted a three-sided plan for freeing trade between the United States and the European Common Market, the plan ran into strenuous objections not only from the Common Market, but also from such major trading countries as Canada and Japan. Some attribute these problems to the nature of the proposals forwarded by our negotiators, some say it is due to Britain's inability to join the European Common Market. France is said to fear that a too radical reduction on the common external tariff of the Six would jeopardize the cohesion of EEC; they are reportedly against the inclusion of agricultural and tropical products in the forthcoming negotiations, nor do they want to extend benefits of tariff reductions to third countries through the unqualified application of the most-favored-nation principle, a mechanism through which less developed countries, the British Commonwealth and Japan could gain a growing share of Europe's expanding markets. France with considerable support from other European Common Market countries, objects to the exclusion of certain products from the general rule on across-the-board reductions by all parties.

Each of these problems are, by themselves, formidable obstacles to successful tariff negotiations. Nevertheless, I believe that they are but surface manifestations of something much more fundamental.

The basic problems, in my view, stem from certain weaknesses in the laudable Trade Expansion Act of 1962, which in turn are but the reflections of the contradictions in U.S. foreign trade policy.

This administration, like each of its predecessors since 1934, has publicly proclaimed its firm belief in liberal trade policies and in this regard points with pride to the Trade Expansion Act of 1962. The United States can justly be proud of the gains made during the past 30 years in the general reduction of tariff obstacles to world trade through reciprocal trade agreements. Our own tariffs, which in 1934 averaged 46.7 percent, today average only 12 percent. The Trade Expansion Act contains many highly desirable features such as the basic authority to decrease by 50 percent any rate of duty existing on July 1, 1962; authority to decrease to zero duties with respect to agricultural commodities traded with the EEC, if before entering into a trade agreement, the President determines that the agreement will tend to assure the maintenance of expansion of U.S. exports of the like agricultural commodity; special authority for tropical and forest commodities; authority to reduce to zero the duty on products which are dutiable at less than 5 percent ad valorem.

On closer examination, however, the act reveals some serious shortcomings. I believe that when the President was confronted last year with what compromises he would make to protectionist opponents of the bill, the administration went too far. The act is liberal to the free traders, but at the same time the safeguarding provisions are protectionist enough to satisfy the protectionists; concurrently following two contradictory philosophies.

During the last year, there was much talk of the new "dominant supplier authority" given the President. This provision permits reduction or elimination of tariffs over a 5-year period on those commodities which fall within categories of goods for which the United States and the EEC together account for 80 percent or more of free world exports. This idea was put in the act with the full expectation that the United Kingdom and other members of the European Free Trade Area will be admitted to full membership. I had grave misgivings about restricting the 80-percent provision to EEC countries exclusively and, so stated my views before the House Ways and Means Committee on March 22, 1962. Now with Britain temporarily excluded from the EEC, this authority is without meaning. I believe that this provision should be broadened to include all industrialized countries of the free world—including the United Kingdom and the countries of the Outer Seven in Europe—EFTA—Canada, Australia, New Zealand and perhaps Japan, as well.

In our preoccupation with the EEC, we tend to overlook the importance of our trade with other parts of the free world. We should not underestimate the importance of our trade with the Common Market, but at the same time, we should keep it in proper perspective. On the export side, our trade with the six EEC countries accounts for a little less than 18 percent of our total exports to all countries. They are slightly less than our exports to Canada—$3.6 billion—and only slightly larger than our exports to all 20 of the Latin American Republics. This is true, even though our exports to the six EEC countries account for 57 percent of our exports to all of Western Europe.

On the import side, our trade with the EEC is even less important, proportionately, accounting for about 15 percent of all imports, and to about 54 percent of our imports from all Western Europe. Our imports from the EEC countries are considerably less than our imports from Canada, or from the 20 Latin American Republics.

The present limitation in the Trade Expansion Act does not take into account the rapid and substantial shifts in the composition of our trade which we can expect in the coming years of free world economic revolution. By broadening the 80-percent provision to include all developed nations—an idea which is embodied in my bill, S. 602—we would compel the EEC to maintain an outward looking attitude and, thereby, would strengthen the free world's economic potential. The position of our negotiators with the EEC would also be strengthened by our ability to turn to actual or potential competitors of the EEC for mutually beneficial concessions.

I believe also, that the President should be specifically directed by Congress to base any trade concessions for fully developed nations, substantially on the effectivenes of such concessions in obtaining expanding markets not only for the United States, but also for the export of other free world nations including countries of Latin America, India, Japan, and Hong Kong and such areas as south and southeast Asia, the Middle East and Africa. The great bargaining power inherent in the potential of the U.S. market should be used to further the economies of newly developing free world countries, as well as to assure the continuing western orientation of countries like Japan.

We are committed to help the economic and social development of Latin America through the Alliance for Progress. As the EEC moves steadily toward full economic integration, it is creating major problems for Latin American trade. The EEC is giving preferential treatment for tropical products from the associated African states. These products—bananas, coffee and cacao—are in direct competition with Latin American exports to the EEC. The EEC plans a system of variable import levies which will keep import prices above domestic prices in such important Latin American export items as wheat, meat products, fruits, vegetables and dairy products. The Trade Expansion Act has given the President wide powers to overcome strong EEC opposition to tropical imports from Latin America. Much of our help through the Alliance for Progress will be nullified unless we can assist Latin America to broaden its markets in Europe.

The representatives of the United States and the EEC must also give serious consideration during the forthcoming negotiations to expanding Japan's markets in Europe. In the 6 years between 1955 and 1961, for example, EEC member countries increased their total annual imports by $12.9 billion, while Japan's exports to these same nations increased by only $134 million—from $67 million to $201 million annually—a little over 1 percent of the total import increase of the EEC. During the same period, U.S. imports from Japan increased by $668 million—5 times as fast as the EEC's and representing more than one-fourth of our total import rise. The exports of Japan must find greatly expanded markets in Western Europe, where until now they have met discriminatory restrictions.

The act specifically excludes from trade negotiations, agricultural commodities subsidized through price support programs and presently under the protection of quotas. We constantly scold the EEC for its protectionist policies in agricultural commodities while much remains to be done when it comes to our own agricultural price policies. U.S. agriculture is almost unbelievably productive. Its productivity has more than doubled in the past 20 years and is greater than that of any other country. It is probably fair to say that if the United States were to eliminate all of its agricultural support programs, we would flood the world with our agricultural products, including wheat, which is subject to import quota.

The act reserves from negotiations articles on which a serious injury finding has been made by the Tariff Commission in an escape clause case. Ten commodity items are presently excluded due to escape clause action.

For the next 5 years, any other article which was subject to escape clause action under section 7 of the Trade Agreements Extension Act of 1951, must be reserved from tariff negotiations, if the Tariff Commission finds, on application by the interested industry, that economic conditions in that industry have not substantially improved since the basic escape clause finding. Nineteen categories of items could fall under this provision.

Commodities which could threaten to impair the national security of the United States continue to be excluded from tariff negotiations. On this basis petroleum products will have to be reserved from tariff negotiations, although the Office of Emergency Planning declared on February 13 that "a careful and meaningful relaxation of controls—on crude oil imports—would be consistent with national security and the attainment of hemispheric objectives which contribute to the national security."

It is true that import restrictions proclaimed under the present act or previous legislation may be reduced or terminated by the President. Whether the President will make full use of this authority remains to be seen.

The act gives the President broad powers to reduce tariffs and other trade barriers, but it is quick to add that no one is to be "seriously injured" in the process. This is why the adjustment assistance provisions were put in the act—the purpose being to make it easier for industries, firms, and workers to transfer out of lines of production for which they are not well adapted into lines for which they are better adapted, in terms of the economic environment.

But, in its zeal to make it difficult to prove injury for escape clause purposes—and so forth, to increase tariffs or impose quotas—the administration succeeded in getting tight criteria established for judging injury for adjustment assistance purposes as well. The three major hurdles that must be overcome are: First, that imports of the product in question have increased; second, that the increase has resulted in major part from trade agreement concessions, and third, that these imports have been the major cause of the injury complained of.

The few adjustment assistance cases that have already been decided by the Tariff Commission indicate that it is almost impossible for a firm, or group of workers—or any industry, for that matter—to prove that it has suffered injury because of import competition. The act needs to be clarified as to which philosophy should be followed, "avoidance of injury," in the sense of not disturbing the status quo; or as it should be, the philosophy of maximizing the utilization of the Nation's human and material resources—which is what the adjustment assistance idea is all about.

I respectfully suggest that our principal difficulties with the EEC, our Latin American and other trading partners, may well be due to not only the weaknesses of the Trade Expansion Act, but to the contradictions of U.S. foreign trade policy. This ambiguity encourages the protectionists of Europe to support a de Gaullist trade policy, which, if realized, will transform the EEC into an inward looking combine and a liability rather than an asset to the West. Success in the 1964 trade negotiations calls for a clearly demonstrated willingness on the part of the United States to embrace a liberal trade policy; one that would provide a growing market for imports into the United States in exchange for greater markets for our products overseas.

Nineteen hundred and sixty-four is a presidential election year. Let us hope that the President, nonetheless, will be willing to make the hard and oftentimes unpopular decisions that would make the next round of tariff negotiations meaningful.

While we as a nation have a great deal to be proud of with regard to the gradual liberalization of our foreign trade policies, we have never been quite willing to commit ourselves unequivocally to such a policy in practice. This restrictiveness becomes readily apparent from just a few examples:

First. Important commodities to our foreign trade—about 400 in number—have never been subject to tariff negotiations. Reduction of tariffs on these items would expose to import competition a significant portion of American industry for the first time.

Second. Commodities involved in international commodity agreements—that is, cotton textiles, coffee, and so forth—remain outside the scope of the Trade Expansion Act.

Third. Commodities subject to U.S. organic legislation—that is, Sugar Act of 1948, Agricultural Adjustment Act—remain outside the scope of the Trade Expansion Act.

Fourth. An imposing list of commodities are subject to import quotas imposed under various provisions of existing legislation. In addition, we maintain tariff quotas, under which limited quantities of the product are allowed to be imported at reduced tariffs, with imports in excess of the stated quotas having to pay higher tariffs, including: stainless steel flatware, live cattle, cream and whole milk, groundfish fillets, tuna fish, walnuts, potatoes, coconut oil, tobacco and cigars, and pearl buttons from the Philippines.

In our trade with the world, as a whole, these quotas are of great importance, particularly with respect to trade with Canada and certain of the Latin American countries. Unless, and until, the United States is willing to modify these quotas in broad negotiations under the auspices of GATT we will really not be pursuing our stated trade policy.

Fifth. Health regulations, such as the Imported Meat Act of 1930, while originating in a legitimate desire to protect the consumer, can easily be used and unfortunately have been used for protective ends and often have been construed abroad by our friends as merely veiled nontariff restrictions.

A slowdown in EEC integration and a lack of progress and indecision on common policies with respect to the ground rules for next year's major tariff negotiations also threaten the success of the forthcoming talks. The schism between France and the five other EEC members is wide. There is disagreement on whether the EEC should be outward or inward looking; over agricultural policies; aid to dependent countries; foreign, particularly, U.S. investment in EEC; and so forth.

There is little doubt that divisive elements are pulling dangerously on the fabric of EEC and Atlantic unity, on both shores of the Atlantic Ocean. Delusions of grandeur and revived suspicions and prejudices in Europe have taken on substance and threaten the ties of economic interdependence between the United States and Western Europe; ties which are as essential to Western Europe as to the United States and the entire free world. If it is U.S. domination of Europe that President de Gaulle is afraid of, let him strengthen the Common Market and not weaken it. I sincerely hope that this disunity in the EEC is but a sign of growing pains and of internal adjustments, and that in the end, the long-range interests of the Western World will prevail over European parochialism. NATO, OECD, GATT, the U.N., have been created over the years to increase Western unity. Let us, as equal partners in this struggle against Communist expansion, sit down in these councils and discuss our differences.

Out of the forthcoming talks on May 16, and the others that are sure to follow, may emerge the exciting prospect that the developed nations of the west, in partnership with the developing nations of the free world, have the power to build a new world order which will contribute to the everlasting peace, security, prosperity, and freedom of man.

I ask unanimous consent that there be printed at this point in the RECORD three articles dealing with the forthcoming Geneva negotiations. One article which appeared in the May 16 issue of the Wall Street Journal is entitled "Focus on GATT." The second, entitled "French Add Snag to Tariff Cutting," appeared on May 1 in the New York Times. The third, which also appeared on May 1, is from the Wall Street Journal entitled "United States, Common Market Still Disagree on Way To Cut World Tariffs." The three articles put a sharp focus on the complexities and problems facing the United States on the eve of the coming talks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 16, 1963]

FOCUS ON GATT: CRUCIAL TRADE TALKS SPOTLIGHT KEY ROLE OF LITTLE-KNOWN BODY—UNITED STATES FACES BIG OBSTACLES IN NEGOTIATING TARIFF CUTS—PROBLEM OF EEC VERSUS EFTA—HOW CATALYST FILLS A VACUUM

(By Ray Vicker)

GENEVA.—A letter recently arrived here addressed to the "Gentlemen's Agreement on Tariffs and Trade." It was delivered to an 18th-century villa that houses an international body named the General Agreement on Tariffs and Trade, and usually called GATT.

If the letter writer was a bit confused, he still must be rated fairly well-informed. In the last 15 years GATT has done much to bring about a near-doubling of international trade, to a current total of about $140 billion a year, by arranging worldwide tariff-cutting conferences and working between these sessions to level trade barriers and smooth over international commercial disputes. But so quietly has it operated that most citizens of the 50 nations that belong to it—including the United States—probably don't know it exists.

Now, however, GATT is moving into the headlines as never before. For this morning, high government officials of the GATT nations will assemble in Geneva's Palais des Nations to launch perhaps the most crucial series of world trade talks ever held.

THE "KENNEDY ROUND"

The talks were made possible by the 1962 U.S. Trade Expansion Act, which gave President Kennedy authority to slash American tariffs as much as 50 percent if U.S. negotiators, through GATT, can wring similar concessions from other countries. The series of talks, accordingly, has been dubbed the "Kennedy Round" of tariff negotiations—somewhat to the discomfort of the U.S. administration, which fears political embarrassment if they fail.

But the talks were given special point when France in January vetoed Britain's bid to join the European Economic Community, or Common Market. This raised the specter of economic warfare between the EEC and the British-led seven-nation European Free Trade Association (EFTA)—with potentially calamitous effects both for U.S. trade with the two blocs and for the cold war unity of the Western World. If such a split is to be avoided, and EFTA and EEC instead are to establish friendly trading relations both with each other and with the United States, GATT will be the forum, and the Kennedy round talks the occasion, for it to be done.

"If these negotiations fail GATT itself would probably break under the strain," says Eric Wyndham White, 50-year-old British lawyer and foreign service official who took a 6-month job as GATT executive secretary in 1948 and has been its top man ever since. "It is somber to contemplate the chaotic condition which would probably follow from its disappearance."

LONG NEGOTIATIONS IN PROSPECT

To be sure, no tariff cuts will result immediately from the meeting starting today. The delegates will meet for 5 days to lay down guidelines for full-scale talks next year. Expectations are they will then create a trade negotiations committee which would work through the summer to develop specific proposals. Then would come Tariff Commission hearings in the United States at which American industry, labor, and agriculture would air their opinions on what American negotiators should and should not do in the eventual negotiations.

If all goes well, full-dress international tariff bargaining might begin next March, and the first actual tariff cuts might be negotiated to take effect late in 1964. Under the Trade Expansion Act, whatever cuts are finally negotiated would come into effect in the United States over a 5-year period.

Some important decisions are expected from the GATT ministers' meeting beginning today, however. Indications are the ministers will agree, for instance, that the eventual negotiations should involve not only tariffs but nontariff barriers to trade. On the U.S. side, this might involve such things as the Buy American Act, which prevents foreign companies from landing U.S. Government contracts unless they quote especially low prices. Among other countries it likely would involve such things as the taxes some European nations levy against cars with engines rated above a certain horsepower; the taxes are set up so that few if any European-made cars are taxed but nearly all cars imported from the United States are.

TRADING WITH THE UNDERDEVELOPED

The ministers also are likely to agree to pay special attention in the eventual negotiations to ways of stimulating the foreign trade of underdeveloped countries—in hopes that expanding trade would reduce these nations' dependence on foreign aid. Some sources believe the eventual full-dress negotiations will agree on abolition of all tariffs on tropical agricultural products—primarily coffee, tea, cocoa, copra, and oil seeds—imported into temperate-zone countries where such products don't grow.

There are plenty of topics for potential dissension, too—later, if not at the ministers' meetings. Already there's a strong difference of opinion between United States and Common Market negotiators on how tariffs should eventually be cut.

American bargainers, led by former Secretary of State Christian Herter, will press for 50-percent, across-the-board tariff cuts on whole ranges of industrial and farm products. Common Market negotiators, however, want to establish ideal target goals for eventual tariffs: Zero on raw materials, 5 percent on semifinished manufactures, and 10 percent on fully manufactured goods. Under their approach, all present United States and EEC tariffs then would be cut by 50 percent of the difference between present levels and the target goal.

This plan would mean extra-sharp cuts in some high U.S. tariffs, such as the 80 percent duty on chemicals, and no reductions on manufactured-goods tariffs of less than 10 percent. U.S. officials recognize extra-high tariffs are a special irritant to Europeans, and are willing to discuss these in negotiations separate from the main talks. But they say they have no intention of adopting the Common Market plan for the general tariff talks, since they believe the United States under that plan would wind up making most of the concessions.

However this dispute comes out, the GATT secretariat already is trying to act as a catalyst for the trade talks by developing ideas for the bargainers. Mr. Wyndham White tosses out two special ones: That EEC and EFTA agree to put into effect immediately—or "say by the end of 1966"—tariff cuts on products of primary importance to intra-European trade, rather than phasing reductions over 5 years as the United States will; and that negotiators explore methods of abolishing tariffs entirely on products in which the United States, the Common Market and EFTA together dominate world trade.

NEW AUTHORITY NEEDED

U.S. negotiators would need new authority from Congress to agree to the latter proposal. Some sources here believe they could get it if negotiations clearly indicated American exporters would gain substantial opportunities for expanding sales in return.

Acting as a trade catalyst in this fashion is GATT's principal job. But it's not the job for which the organization was set up. Indeed, GATT originally wasn't intended to be an organization at all; it became one only because there was a vacuum to be filled.

Before GATT, the world tariff structure was bewilderingly diverse. Most trade agreements were bilateral deals between two nations which would reduce tariffs levied against each other while maintaining higher ones against the rest of the world. This resulted in a multiplicity of special country-by-country rates that tended to restrict world commerce.

The United States, seeking to expand world trade, plugged instead for multilateral bargaining on a most-favored-nation basis—that is, under an agreement that a country granting tariff cuts to one other nation grant them to all. In 1947, 23 nations at Geneva signed a treaty making various cuts on this basis. The treaty also embodied a code of trade rules. Among other things, the code prohibits a country from setting quantitative restrictions on imports except at times when its reserves of gold and foreign currency are depleted, and prohibits taxes on imports, which don't apply to comparable domestic products.

ITO GIVES WAY TO GATT

The treaty was named the General Agreement on Tariffs and Trade, and it contemplated establishment of an International Trade Organization to regulate commerce among the signatories. To check on observance of the treaty until the ITO came into existence, the signatories created what was supposed to be a temporary GATT secretariat. The secretariat stayed in existence, and evolved into the present organization, when the U.S. Congress killed ITO by refusing to let the United States join it.

Organizationally, GATT is still modest. It has a staff of only 107 and its annual budget is a mere $1.1 million. Each of its 50 present members, which range in size from the United States to the tiny African nation of Sierra Leone, pays a share of the budget proportionate to its share of world trade. One result is that, in contrast to some other international bodies, the United States doesn't pay the lion's share of the costs; its 1962 contribution of $187,760 wasn't much bigger than Britain's payment of $149,130.

GATT's accomplishments, however, have been out of all proportion to its size as a bureaucracy. Counting the original tariff reductions in 1947, it has now presided over five rounds of worldwide tariff cuts; the so-called Kennedy round will be the sixth. In these, tariffs have been slashed on some 64,400 products. In the last round in 1961—called the Dillon round after the U.S. Treasury Secretary—major trading nations negotiated 4,400 concessions covering trade valued at $5.5 billion.

In the mid-1930's, U.S. officials estimate, the average U.S. tariff was about 50 percent. Today it's about 11 percent, with most of the decline due to reductions made under GATT.

In return, the United States has won important concessions. "Immediately after the war, nearly all nations except the United States had various quantitative restrictions on imports," says John Evans, chief of the U.S. delegation to GATT. "Today, nearly all of these restrictions have been removed, and that wouldn't have happened if it were not for GATT."

FREEDOM FOR SAMPLES

Between general rounds of tariff cutting, GATT holds annual conferences at which trade officials of member countries examine various problems, and sometimes special meetings to tackle specific issues. One important one in 1962 resulted in an international agreement freeing sales samples from most customs duties. Before that, a businessman importing a sample from a foreign supplier often had to pay a tariff on it as if it were a regular import for use, an arrangement that obviously didn't contribute to expanding trade.

GATT also works full time as a conciliation agency to settle trade complaints brought by one member nation against another. Officially, these complaints are to the GATT council, a group made up of all the permanent representatives to GATT from member countries.

In practice, most disputes are settled in Mr. Wyndham White's circular office, in informal discussions with Mr. Wyndham White acting as a referee. If this procedure fails, a panel of impartial GATT nations may be asked for a ruling. Such a panel shortly after World War II ruled against a system of British sales taxes which were higher for imported products than for domestically produced items; Britain revised its tax schedule to remove the discrimination.

RETALIATION ALLOWED

If even this sort of pressure fails to settle a dispute, GATT has no power to order an offending nation to drop a practice others complain of. But it can and sometimes does permit other nations to retaliate. When the United States last year raised tariffs on carpets and glass, GATT permitted the Common Market countries to strike back by raising tariffs on chemicals.

GATT rules have some other exceptions, too. Notably, they permit the formation of a customs union—such as the Common Market—which cuts tariffs among its members while erecting a common tariff wall against the rest of the world. However, GATT insists that common tariff wall be no higher than the average of tariffs maintained by the individual nations before the customs union was formed.

Though GATT has done much to free world trade, it hasn't been uniformly successful. Agriculture in recent years has been a major disappointment, as country after country has adopted restrictions to protect its farmers against the competition of imported foodstuffs.

Some GATT members say the United States has been a prime offender in this field; the United States in turn is much worried about protectionism in the Common Market, which historically has bought heavy quantities of U.S. food and fiber. This turn to agricultural protectionism is a major danger for the Kennedy round of trade talks; unless farm protectionism can be overcome in next year's negotiations, many sources here think, the talks are likely to fail.

[From the New York (N.Y.) Times, May 1, 1963]

French Add Snag to Tariff Cutting—Stand Hints Failure of U.S. Talks With Market Bloc

(By Edwin L. Dale, Jr.)

PARIS, April 30.—France has raised a new obstacle to the successful conclusion of tariff-cutting negotiations under the Trade Expansion Act between the United States and the European Common Market.

The obstacle is the fourth confronting the negotiators.

Some foreign observers fear that France is giving a gentle hint that the negotiations, like those for Britain's entry into the Common Market, are doomed to failure.

The new obstacle involves exceptions to the general rule on across-the-board reductions by all parties. Under the Trade Expansion Act, President Kennedy is required to exclude some products from his offer of tariff reductions. According to French officials, this could raise almost insoluble problems.

FRENCH STAND SUPPORTED

As in the case of the other obstacles, the French position apparently has considerable support in other Common Market countries.

Thus the United States is up against formidable difficulty in making a success of the Trade Expansion Act. It has been widely hailed as the most important piece of legislation enacted during the Kennedy administration and the most liberal American legislation in this century.

France has been a leader in developing a joint Common Market position on three other points.

One is that trade in farm products cannot profitably be discussed until the Common Market has fully developed its own agricultural policy. The United States has insisted that the negotiations include agriculture.

NONTARIFF OBSTACLES

The second is that the U.S. plan for a tariff reduction by both parties of 50 percent would be unfair to the European countries. France's partners have rallied to a different plan, rejected by the United States, calling for large reductions for high tariffs and small reductions for low tariffs, with the ultimate aim of a level on both sides of around 10 percent.

The third point is that the negotiations must include nontariff obstacles to trade such things as antidumping laws, buy American legislation, customs evaluation procedures, and taxation. Here the American side has agreed to negotiate, but there is still no formula for linking tariff cuts with the nontariff negotiations.

Today in Geneva a committee of the General Agreement on Tariffs and Trade reported a disagreement between the United States and the Common Market on the question of a tariff-cutting formula. The negotiations, if held, will be under GATT auspices.

The basic problems will be tackled by a ministerial meeting next month, though there is now considerable doubt that the ministers will be able to reach agreement.

In discussing the exceptions problem, French officials insist that France's aim is not to wreck the negotiations but to make them succeed. Their point is that each of a long list of exceptions raised by the United States would create difficult problems for the Common Market countries in agreeing to exceptions to their own tariff-cutting offer.

Some of the exceptions involve major export items.

[From the Wall Street Journal, May 1, 1963]

United States, Common Market Still Disagree on Way To Cut World Tariffs—GATT Says Snags Remain on U.S. Rejection of Demand To Trim Duties Below 50 Percent Law Allows

GENEVA.—The General Agreement on Tariffs and Trade said that the United States and the European Common Market had failed to settle their dispute over how they will negotiate tariff cuts in the forthcoming "Kennedy round" of world tariff negotiations.

The Common Market has demanded that the United States cut its high tariffs by more than the 50 percent authorized in the 1962 Trade Expansion Act. In return, the Common Market has offered a less than 50-percent cut in its already low external tariffs.

The United States has rejected this approach as violating the letter and spirit of the Trade Expansion Act.

The worldwide tariff negotiations, called Kennedy round because of President Kennedy's personal initiative in steering the Trade Expansion Act through Congress, are expected to continue at least to the end of 1964. They can't get fully under way until most outstanding differences are resolved.

GATT also reported disagreement on how to apply tariff concessions to underdeveloped countries and how to increase markets for tropical products such as coffee, tea, cocoa and bananas.

No progress was made on a proposal to draft a special world agreement to regulate trade in meat and cereals, largely because the Common Market hasn't yet worked out its own common tariff policy on farm products.

The committee reached agreement, however, on several procedural matters connected with the Kennedy round.

The GATT trade ministers, meeting here May 16, will try to settle the unresolved differences, but informed sources said the 4-day ministerial meeting would hardly have time to work out a substantial measure of agreement.

Much of the ministerial meeting will be taken up by formal speeches and declarations of national policy. The ministers are expected to name a new committee to continue efforts to reach agreement.

PROHIBITION OF DISCRIMINATION ON ACCOUNT OF SEX IN PAYMENT OF WAGES

The Senate resumed the consideration of the bill (S. 1409) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce, and to provide for the restitution of wages lost by employees by reason of any such discrimination.

Mr. McNAMARA obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield to me, with the understanding that he will not lose his right to the floor, so that I may suggest the absence of a quorum?

Mr. McNAMARA. I am happy to yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McNAMARA. Mr. President, it is my privilege to bring before the Senate for consideration—and I trust passage—the Equal Pay Act of 1963.

This bill will establish a most worthy national policy—that an individual who does equal work should be rewarded with equal compensation regardless of his or her sex.

To implement this policy, the bill before us, S. 1409, provides for a simple and straightforward amendment of the Fair Labor Standards Act of 1938.

As Senators know, the Fair Labor Standards Act now provides for three other laudable protections for those employees who are subject to that act.

First, there is a minimum wage that workers must be paid in order to insure a basic standard of decent living, which will soon be firmed at $1.25 an hour for all workers covered under the act.

Second, workers who are required by their employers to work beyond a 40-hour week must be paid at time and one-half for those additional hours.

Third, children can only be employed under the terms and conditions which the Secretary of Labor determines essential to their health and safety.

This bill, S. 1409, establishes an additional protection that a worker cannot be paid a discriminatory wage rate because of his or her sex.

On past occasions this Chamber has considered other types of equal-pay legislation.

Indeed, at the tail end of the 87th Congress, the Senate enacted an equal-pay bill as a rider to another measure.

Because of the press of business which inevitably faces the conclusion of any Congress, there was not sufficient time to work out the differences between the Senate and House versions, and equal-pay legislation was not finally enacted into law.

In the past, equal-pay legislation has been considered in a different form.

For example, the bill passed by the Senate last year would have created a different structure for administration and enforcement, and would have established different standards of coverage than presently exist under labor standards legislation.

The present approach, amendment of the Fair Labor Standards Act, has several obvious advantages.

First, there will be no change or expansion of present labor standards application.

Those employers who are presently subject to the Fair Labor Standards Act will be the only ones subject to the new provisions on equal pay.

Under past legislation, coverage would have been based on employers in commerce having 25 or more employees within a single place of employment.

Thus, a large number of employers, who are presently exempt from Fair Labor Standards Act coverage, would have been brought under such a bill.

Second, there is no need for the creation of an additional structure of enforcement and administration within the Department of Labor.

The Wage and Hour Division of the Department has, over almost a quarter century of Fair Labor Standards administration, established a system of implementation with which both employers and employees have become familiar.

Third, the determination of the Department, modified and buttressed by judicial decisions, has become an accepted way of life in the economic community.

This, in itself, commends this approach, since neither employers nor employees will have to begin afresh to establish patterns of compliance.

Mr. President, like all legislation, S. 1409 contains language which must be expanded by a statement of committee intent as contained in the report which accompanied the bill.

In order that everyone may have a clear view of the committee's intent, I ask unanimous consent that portions of the report (No. 176) be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McNAMARA. Mr. President, as I stated in this report, there is almost no industry in the United States which does not depend to a large degree upon the contributions of American women.

The evidence which was presented to us in our hearings has convinced me, and the Committee on Labor and Public Welfare, that, unfortunately, a large number of working women are not financially rewarded to the same degree as males doing the same work.

There perhaps was a time in the country's history when a man, because of his commanding position as the head of the family and breadwinner, was entitled to more compensation than the single woman.

Even that concept is open to serious challenge when one considers that each has human needs that must be met.

But in modern-day America, women's role as a provider, for not only herself but her family, has become an essential role.

These considerations, documented as they are by the evidence that is before this body, must lead to the support of S. 1409.

I urge a "yea" vote on the part of every Senator.

EXHIBIT 1

PURPOSE OF THE LEGISLATION

The objective of this legislation is to insure that those who perform tasks which are determined to be equal shall be paid equal wages.

The wage structure of all too many segments of American industry has been based on an ancient but outmoded belief that a man, because of his role in society, should be paid more than a woman even though his duties are the same. This bill would provide, in effect, that such an outmoded belief can no longer be implemented and that equal work will be rewarded by equal wages.

BACKGROUND OF THE LEGISLATION

The bill, S. 1409, represents legislation recommended by the administration of President Kennedy. In his letter to Vice President JOHNSON urging adoption of this legislation, Secretary of Labor Willard Wirtz stressed the importance of congressional action to "eliminate discriminatory pay practices in the channels of interstate commerce." The Secretary cited three major reasons for the enactment of such legislation. (1) The general purchasing power and living standard of workers are adversely affected by discriminatory pay rates. (2) Those employers who follow the practice, thereby realize unfair competitive advantage. (3) The resulting low-wage levels prevent maximum utilization of workers' skills to the detriment of morale which in turn is detrimental to production.

At the present time, there are almost 25 million women in the American working force. It is difficult to find any single industry in the United States which does not depend to a substantial degree upon the skills, talent, and energy of American women. Yet in those statistical analyses that are available, it is overwhelmingly apparent that these important contributions by women are not rewarded in the same manner as are similar contributions by men. The committee would call particular attention to the testimony of Assistant Secretary of Labor Esther Peterson, in the charts and tables which she presented to supplement her testimony.

DESCRIPTION OF THE LEGISLATION

S. 1409 is much less complex than other equal pay bills which have been before the Congress. With a minimum of language this bill amends the Fair Labor Standards Act to provide that equal work must be compensated with equal pay, regardless of the sex of the workers.

The Fair Labor Standards Act provides, at present, that employers must pay that amount of wages which the Congress deems to be the minimum necessary for decency and basic human needs, soon to be firmed at $1.25 an hour; that employers who require the services of their employees beyond a 40-hour workweek must provide additional compensation to such employees at a time-and-one-half rate; and that the Secretary of Labor has the power to prescribe the condition and hours of work for children.

To those laudable protections, S. 1409 adds the additional requirement that no employee can be paid a wage rate less than that given to another doing the same work, because of his or her sex.

Coverage

One of the advantages S. 1409 offers over other proposed equal-pay legislation is the consistency of coverage with existing legislation. Only those employers who are now subject to the Fair Labor Standards Act will be included within the coverage of S. 1409. Other legislation introduced in this Congress would have required any employer in commerce with 25 or more employees at a single place of employment to comply with proposed equal pay legislation; as a consequence, many employers not subject at present to any labor standards legislation would have been brought under such a bill. The committee believes that the uniformity of application offered by S. 1409 obviates the problems which would be created by any expansion or curtailment of labor standards coverage.

Administration and enforcement

Over the past 25 years the Department of Labor, operating primarily through the Wage and Hour Division, has established a system of administration and enforcement with which covered employers and employees have become familiar. Traditions have been established, implemented by both administrative regulation and court decision, which have become an accepted part of the rules of life in the economic community.

These same procedures and processes will be utilized in the enforcement and administration of the new equal-pay requirements. These established patterns will make the advent of this new legislation as unburdensome for those affected by it as any program we could devise. And perhaps of equal merit is the fact that no new administrative or enforcement structure need be created, since the existing units within the Department of Labor will be quite capable of supervising the new law.

Elements of equal wage

The key requirements of S. 1409 are that an employer may not discriminate in the payment of wages for "equal work on jobs the performance of which requires equal skill, effort, and responsibility and are performed under similar working conditions, except where such a wage differential is based on any factor or factors other than sex."

The committee recognizes that the application of this new legislation will require a cautious step-by-step implementation in developing the rules, regulations, and procedures necessary to a sound administration and enforcement of this act. The committee expects that the Department of Labor in administering the act will take this approach and will take in addition whatever steps are necessary to promote an understanding of the act and the achievement of voluntary compliance. Officials of the Department have assured the committee that they intend to consult with employers, employees, and employee representatives who will be affected by S. 1409 as well as other individuals or groups whose information and expertise in matters relating to equal-pay legislation can be helpful. These consultations will take place prior to the issuance of regulations.

With reference to the application of the equal-pay concept, it was made plain in our hearings that for a number of years knowledge has been accumulating on means to test the relationship between jobs. Knowledge of this kind will be useful in determining equal work and equal skills for the purpose of administering S. 1409.

The National War Labor Board during World War II and the Wage Stabilization Board during the Korean war were required to make comparisons of jobs for equal-pay purposes. Their experience as well as the experience of arbitrators under contract provisions for equal pay, proves comparisons can be made successfully and put to the practical end of administering a Federal equal-pay policy as contained in S. 1409.

In making comparisons it has been shown that the factors affecting job content listed below may be useful: education, skill, experience, responsibility, quality and quantity of work, initiative, and ingenuity, physical effort, mental effort, hazardous or objectionable labor, and working conditions.

Exception to equal-pay requirement

S. 1409 is designed to eliminate any wage rate differentials which are based on sex. Neither the committee nor anyone proposing equal-pay legislation intends that other factors cannot be used to justify a wage differential. For example, a woman and a man can be doing precisely the same work at adjacent posts, and yet the man may be earning substantially more than the woman, or vice versa, because of his or her tenure on the job. Such seniority systems are valid exceptions provided they are based on tenure and not upon sex.

Similarly, a merit system or piecework system which measures either the quantity or quality of production or performance can result in far greater gross earnings by one person compared to another, even though both are technically doing the same type of work. Obviously, such systems which measure quantity or quality of production or performance will be valid exceptions to the equal-pay requirements. Without question, employers have other valid classification programs which can justify an exception.

During the course of the hearings, testimony was introduced on the question of the cost which employers encounter in the employment of women which they do not encounter in the employment of men. Employer witnesses called the committee's attention to the higher turnover rate among women employees because of marriage or maternity. They also cited a higher absentee rate among certain age groups of women which results from the dual role which a number of women play, that of not only worker but also wife and mother. Some employers stated that the cost of their pension and welfare plans were higher for women than men because of maternity costs in their health benefits and because of the longer lifespan of women in pension benefits.

This question of added cost resulting from the employment of women is one that can be only answered by an ad hoc investigation. Evidence was presented to indicate that while there may be alleged added costs, these were more than compensated for by the higher productivity of women against men performing the same work and that the overall result for the employer was a lesser production cost than would result from the hiring of only men. Furthermore, questions can legitimately be raised as to the accuracy of defining such costs as pension and welfare payments as related to sex. It has been pointed out that the higher susceptibility of men to disabling injury can result in a greater cost to the employer, and that these figures as to health and welfare costs can only be applied plantwide. It may be that it is more expensive to hire women in one department but it is more expensive to hire men in another, and overall cost figures may demonstrate conclusively that the employer has made a sound decision to hire women and pay them on an equal basis.

It is the intention of the committee that where it can be shown that, on the basis of all of the elements of the employment costs of both men and women, an employer will be economically penalized by the elimination of a wage differential, the Secretary can permit an exception similar to those he can permit for a bona fide seniority system or other exception mentioned above.

Prohibition against wage reduction

This measure is intended to provide for equality of compensation. It is certainly not the intent of the committee that any individual's present economic status should be adversely affected by the enactment of this legislation. As a consequence, the bill provides that no employer, in order to comply with the other provisions of the act, can reduce the wages of any employee.

Effective date

The committee realizes that many employers, who may now be paying wage differentials that are based solely on sex, might face a severe hardship if compliance were made an immediate requirement. As a consequence the bill provides that the date of enforcement is to be a year after the date of enactment.

Mrs. NEUBERGER. Mr. President, will the Senator yield?

Mr. McNAMARA. I am very happy to yield to our distinguished colleague from the State of Oregon. The Senator from Oregon appeared before the committee and presented a most helpful statement. Her views are embodied in the action which was finally hammered out by the unanimous vote of the committee.

Mrs. NEUBERGER. I thank the Senator from Michigan. We women always respond when men praise us and stand up for our rights and our position. Our position has been so well carried forth and represented by the Senator from Michigan that any remarks I would make would be like trying to gild the lily. I am sure I speak for all the 24½ million working women of this country in saying thanks to the Senator from Michigan, to the committee, and to the Senate.

Mr. McNAMARA. I thank the Senator.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. McNAMARA. I am happy to yield to a cosponsor of the bill and a member of the subcommittee and of the full Committee on Labor and Public Welfare, who has worked diligently for the passage of this proposed legislation, the Senator from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. President, I use both the term "Mrs. NEUBERGER" and the term "Senator NEUBERGER" because she is one of the two women serving capably in the Senate of the United States. When I saw that our colleague from Oregon spoke only a few words, when, frankly, she could have spoken many words, I wondered whether I should labor the RECORD.

Emerson wrote that one of the measures of a civilization is the status which it accords women. In that regard, the bill pending before this body, S. 1409, the Equal Pay Act of 1963, is an act of economic justice which would advance our civilization by translating into action another aspect of our national ideals concerning equal rights and equal opportunities for women.

The provision of equal pay for women is an act of justice which the Congress may not, in good conscience, withhold from the almost 25 million American working women. As a cosponsor of this measure and a member of the Subcommittee on Labor which received testimony during the hearings, I am familiar with the arguments against equal pay for women. They are substantially the same arguments which were advanced in earlier years in opposition to congressional action on child labor, on the sweatshop, and on the original minimum wage and hour legislation.

In each instance we have heard from some employers and their associations that our legislation would harm first the very persons we were seeking to protect or benefit. We have been told that our legislation would raise production costs and thereby result in either wide-scale unemployment or raising prices. The history of the American economy during the 25 years since the enactment of the Fair Labor Standards Act has belied each of these prophecies. The past quarter of a century has witnessed a phenomenal increase in American prosperity and in the real wage of American workers of both sexes. This achievement has been due, in no small measure, to the constructive actions of the Federal Government in the field of fair labor standards legislation, working in cooperation with progressive leaders in organized labor and in management.

Prominent among those leaders, formerly active in the Amalgamated Clothing Workers of America, and now a member of this administration is the Honorable Esther Peterson, Assistant Secretary of Labor. Mrs. Peterson, who has for many years worked so diligently and effectively to advance the cause of American working men and women, presented conclusive testimony to the Senate Subcommittee on Labor, in support of the pending measure.

The testimony of Assistant Secretary Peterson documented in detail the existing pattern of wage inequities for women in every line of work—sales, clerical, production, professional, and even in the fields of mathematics and physics. This pattern must be corrected, Mr. President, and it is the responsibility of Congress to so correct it.

There are, admittedly, commercial and industrial concerns in the United States which are seeking voluntarily to provide equal pay for equal work. At the forefront of those firms which employ women in a wide variety of tasks is the Corning Glass Company, of New York, which has several plants in the State of West Virginia.

I encouraged this company, through Mr. Hester, director of industrial relations research, to testify at the time this bill was before the Subcommittee on Labor. I did so because I knew that Corning Glass Co. has had a rather remarkable experience with the successful employment of women—not merely women employed in secretarial work, but women who were performing tasks which call for creativeness and resourcefulness, and a full knowledge of the manufacturing processes of that outstanding concern.

I invite the attention of our colleagues to the testimony of Mr. Hester, as reflected in the printed hearings beginning on page 102.

Mr. Hester spelled out the fact that there are approximately 16,000 employees of Corning, of whom almost one-third are women. Though the important point is not that one-third of the total are women, because that is, by and large, the national proportion of women in the labor force. Mr. Hester brought out that there were approximately 1,500 different job classifications for the women who are working within Corning. I asked him specifically:

> Do you employ women in executive and managerial positions?

He answered:

> As you may also have noted we manufacture a great many products and this entails a greater variety of processes so to elaborate in detail on the hourly jobs, the hourly women's jobs would be quite boring.
>
> I might say that these are in the area of inspection, quality control, assembly, packaging, and much of it is very critical.
>
> In one of our plants the girls assemble capacitors and the tolerances are fantastic on this particular product and they do it beautifully.

I digress to say to those who do not follow tolerances, that this means work which calls for the utmost precision in the manufacturing and assembling of a product.

He went on the say:

> Obviously we have a great many people in the clerical work, women, running the gamut of the secretarial field; but more interesting than that we have women who are draftsmen, we have women who are physicists, we have women who are chemists, research scientists. There is one lady who is a vice president of the company.
>
> I might give you a better idea by just reading a few examples. Architectural designer, hiring interviewer, market planner, catalog and reference librarian, mathematician, vice president of public relations in one of our divisions, a controller and assistant treasurer. The cashier for the company is a woman.

Despite the progress of such outstanding firms as Corning Glass Co., whose representative testified in favor of the principle of the pending measure, we have learned that the voluntary approach in this field is not sufficient to the task. We have also learned, Mr. President, that leaving the problem to the individual States provides no solution.

In the past 44 years, only 22 States have enacted equal-pay legislation. There is little reason to assume that the next 44 years will see any marked acceleration of effort by the States. In addition, State legislation in this field varies widely in coverage, leaves out large groups of workers, and often presents grossly inadequate provisions for administration and enforcement.

The present proposal would provide a uniform standard among the States; it maintains the same employer coverage now existing under the Fair Labor Standards Act; it would utilize the present means of enforcement and administration; and it would require no new bureaucratic structure.

In summary, Mr. President, economic justice and equity call for equal pay for women. Administrative efficiency recommends the present measure as the best means of achieving this goal. I hope that the Congress will enact and the President will sign the pending bill as speedily as possible.

I congratulate our colleague, the Senator from Oregon [Mrs. NEUBERGER]; and the chairman of our subcommittee, the Senator from Michigan [Mr. McNAMARA] on the fine way he proceeded to bring this proposed legislation to the floor of the Senate for what I feel and hope will be a unanimous vote by the Senate.

Mr. McNAMARA. I thank the Senator.

Mr. JAVITS. Mr. President, I wish to address myself in support of the Equal Pay Act of 1963, which I am confident will be passed. It is a long overdue reform. It has excellent safeguards against impracticality, which would be about the only thing one could say against it, and is a long overdue recognition of equality of opportunity for the women of our country and the way women address their talents to the country and the world.

I think it is a magnificent expression by a body of men, as we are preponderantly men in this body, of our confidence in women as workers with effect and skill, who are fully entitled to the same compensation which men receive for their labors.

I hope very much that the bill will pass, and congratulate the many groups who have worked so hard in bringing about this desirable action.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move the Senate reconsider the vote by which the bill was passed.

Mr. McNAMARA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McNAMARA. Mr. President, I have before me a very brief statement prepared by my colleague from Michigan [Mr. HART] and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MAY 17, 1963.

STATEMENT BY SENATOR HART

> Justice and fairplay speak so eloquently in behalf of the equal pay for women bill that it seems unnecessary to belabor the point. We can only marvel that it has taken us so long to recognize the fact that equity and economic soundness support this legislation.
>
> We have long passed the time when women were allegedly working for "pin money." Women are working to earn a living, to support families or to contribute to the family's ability to send the children to college—in addition to whatever personal sense of achievement may be involved.
>
> The supermarket does not have a special price on its groceries for women, the doctor does not have a special rate for them, their rent is not based on sex. Why then do we allow a pay differential to continue which gives them a smaller paycheck than others performing the same work?
>
> Certainly I support S. 1409 fully, and hope the Congress will send it to the President forthwith.

Mr. McNAMARA. Mr. President, passage of the equal pay bill by the Senate is a significant step forward.

At this time I would like to express the appreciation of the Senate Labor Subcommittee for the excellent staff work on this legislation, which preceded today's action.

Particularly, I would like to thank Mr. John L. Sweeney, professional staff member of the subcommittee, for his work on this measure.

Mr. Sweeney spent many hours with the Labor Department—and proponents and opponents of the legislation—seeking to meet legitimate criticisms without sacrificing the goals of the bill.

This careful preparation certainly played a major role in the Senate's acceptance of the equal pay bill today.

I would not wish to close my remarks today without paying a compliment to all the members of the Committee on Labor and Public Welfare, because without the cooperation of the Senator from Arizona [Mr. Goldwater] and the other Senators on the subcommittee we could not have had this action here today.

Equal praise should go to the minority staff member, Mike Bernstein, because he worked many long hours in cooperation with the staff members on the majority side, as well as the other staff members on the minority and majority side, to bring about this type of legislation. They all deserve great credit for their outstanding work.

Mr. MANSFIELD. Mr. President, I wish to take this opportunity to compliment the distinguished senior Senator from Michigan [Mr. McNamara], who as chairman of the subcommittee which reported the equal pay bill which has just been passed by the Senate, has performed his usual good knowledgeable and expeditious job on the floor of the Senate.

In many respects the Senator from Michigan is unusual among us, because he wastes no words, he goes to the heart of the matter, he gets things done, and he is highly effective.

I compliment him and the Senator from West Virginia [Mr. Randolph], who has been interested in this matter for several years, who has an interest of long standing in this legislation and, who, many years ago in the House of Representatives was one of the original sponsors of the Fair Labor Standards Act. I also commend the very distinguished and able Senator from Oregon [Mrs. Neuberger] for her untiring efforts in behalf of this measure as well as all the minority members of the subcommittee, including the Senator from Vermont [Mr. Prouty], the Senator from Arizona [Mr. Goldwater], and the Senator from Texas [Mr. Tower], all of whom contributed greatly to bringing to fruition this worthy piece of legislation.

May I also express to my colleagues, my sincere appreciation to Esther Peterson, Assistant Secretary of Labor who presented the case for this proposal in such an energetic and outstanding appearance before the committee considering the measure.

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 127, Senate bill 537.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 537) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. CLARK. Mr. President, I send to the desk three amendments to the pending bill, and I ask that they be numbered 1, 2, and 3; that they be printed; and that their full text may appear in the Congressional Record at this point in my remarks.

The PRESIDING OFFICER. Without objection, the amendments will be received and printed, and will lie on the table; and, without objection, the text of the amendments will be printed in the Record.

The amendments ordered to be printed in the Record are as follows:

On page 12, after line 8, insert the following new section:

"Sec. 4. Section 134(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190B (b)), is amended to read as follows:

"'(b) No standing committee of the House, except the Committee on Rules, shall sit, without special leave, while the House is in session.'"

On page 12, after line 8, insert the following new section:

"Sec. 4. Section 133 of the Legislative Reorganization Act of 1946 (relating to committee procedure) is amended by adding at the end thereof the following new subsection:

"'(g) In each session of the Congress one-half of the bills making appropriations of the revenue for the support of the Government shall be introduced in the House of Representatives, and one-half of such bills shall be introduced in the Senate. The chairman of the Committees on Appropriations of the Senate and of the House of Representatives shall determine by agreement which of such bills shall be introduced in each House. No such bill shall be introduced in more than one House of the Congress. Hearings upon each bill may be conducted jointly by the Committees on Appropriations of the two Houses, or by subcommittees of those committees. A member of the Committee on Appropriations of the House in which any such bill was introduced shall preside at all joint hearings upon that bill.'"

On page 12, after line 8, insert the following new section:

"Sec. 4. Section 134 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b (b)), enacted by the Congress in the exercise of the rulemaking power of the Senate and the House of Representatives, is amended by adding at the end thereof the following new subsections, which shall be applicable with respect to the Senate only:

"'(c) Each standing committee of the Senate shall meet at such time as it may prescribe by rule, upon the call of the chairman thereof, and at such other time as may be fixed by written notice signed by a majority of the members of the committee and filed with the committee clerk.

"'(d) The business to be considered at any meeting of a standing committee of the Senate shall be determined in accordance with its rules, and any other measure, motion, or matter within the jurisdiction of the committee shall be considered at such meeting that a majority of the members of the committee indicate their desire to consider by votes or by presentation of written notice filed with the committee clerk.

"'(e) Whenever any measure, motion, or other matter pending before a standing committee of the Senate has received consideration in executive session or sessions of the committee for a total of not less than 5 hours, any Senator may move the previous question with respect thereto. When such a motion is made and seconded, or a petition signed by a majority of the committee is presented to the chairman, and a quorum is present, it shall be submitted immediately to the committee by the chairman, and shall be determined without debate by yea-and-nay vote. A previous question may be asked and ordered with respect to one or more pending measures, motions, or matters, and may embrace one or more pending amendments to any pending measure, motion, or matter described therein and final action by the committee on the pending bill or resolution. If the previous question is so ordered as to any measure, motion, or matter, that measure, motion, or matter shall be presented immediately to the committee for determination. Each member of the committee desiring to be heard on one or more of the measures, motions, or other matters on which the previous question has been ordered shall be allowed to speak thereon for a total of 30 minutes.'"

Mr. CLARK. I further ask that a brief explanation of each of the three amendments may be printed in the Record at this point in my remarks.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

Explanation of Amendments to S. 537 To Be Offered by Senator Clark

AMENDMENT 1

This amendment would repeal that provision of the Legislative Reorganization Act of 1946 which allows a single Senator to prevent all Senate standing committees and subcommittees from meeting or holding hearings during Senate sessions.

No single Senator should have the power to block all meetings of the 16 standing committees of the Senate and the 76 presently organized subcommittees of those standing committees. This power has too often been used solely for the purpose of delaying and impeding the progress of essential legislation to the floor of the Senate.

More than one-fourth of the Members of the Senate, those who sit on the Appropriations Committee, are presently authorized to sit in order to conduct the business of that committee whether the Senate is in session or not. This power exists by virtue of an order adopted by unanimous consent on February 11, 1963, granting that authority to the Appropriations Committee for the remainder of this session. Other committees have to ask permission each time they wish to meet or hold hearings during Senate sessions. Permission is often refused.

This amendment would leave the question of whether a standing committee or subcommittee should meet or hold hearings during Senate sessions to the will of the majority of the members of the committee or subcommittee concerned and not to the discretion of any single Senator.

AMENDMENT 2

This amendment to the Legislative Reorganization Act of 1946 would provide a procedure for the more expeditious handling of appropriations measures by the Congress. Under the proposed procedure, the chairmen of the Committees on Appropriations of the Senate and of the House of Representatives are to apportion revenue bills equally between the two Houses, so that no bill need be introduced in more than one House of Congress. Hearings may be conducted jointly by the committee on appropriation of the two Houses, or by subcommittees of those committees.

AMENDMENT 3

This amendment to the Legislative Reorganization Act of 1946 would establish a "bill of rights" for Senate standing committees. It would permit a majority of members of any standing committee of the Senate (1) to convene meetings of the committee; (2) to consider any matter within the jurisdiction of the committee; and (3) to end committee debate on a given measure by moving the previous question.

It is widely recognized that in some, although certainly not all, of the standing committees of the Senate, the will of the majority can be and often is thwarted with impunity. This proposal would guarantee the uniform application of democratic procedures in the 16 Senate standing committees, and permit committee members to expedite action on important measures when a majority of them are ready to act.

Mr. CLARK. Mr. President, these three amendments are an effort on my part to bring to the floor of the Senate for a vote three of the numerous proposed changes in the rules of the Senate which I have been urging on my colleagues in the Senate for the past several years. It so happens that each of these three amendments appropriately appears as an amendment to the Legislative Reorganization Act of 1946. I consulted with the Parliamentarian prior to the adoption of the unanimous-consent agreement today, and at that time was advised that the amendments would be in order as amendments to the pending bill.

SETBACKS OF UNITED STATES IN BATTLE WITH COMMUNIST CONSPIRACY

Mr. DOMINICK. Mr. President, it is the responsibility of each of us, not only as Americans, but as representatives of the people to speak out on matters which we feel are vital to the continuance of freedom in this Nation and throughout the world. I wish to speak on just such a topic today.

It has been my feeling for some time now, and I am sure it is the feeling of many other Senators, that the U.S. Government is suffering serious setbacks in its battle with the Communist conspiracy throughout the world. The so-called cold war is not going well, and we need only point to any continent on the map to isolate an area of crucial conflict. The conflict will vary in its outward characteristics from one spot to another, but there are certain similarities unmistakably present in all. Whether we are discussing Cuba and Latin America, Africa or the Near East, Yemen or Vietnam, we cannot escape the dishonesty, deceit, and broken promises of our adversary—the Communists. In every case their probing and withdrawing, negotiating and subverting, dividing and conquering are evident. That we are up against a truly dishonorable opponent who cares nothing for agreements, commitments or treaties, unless they suit his immediate purpose, has been proven time and time again.

My Republican colleague from the State of Maryland, Senator BEALL, pointed out recently that the American Bar Association has compiled substantial statistical evidence of this fact. According to the American Bar Association:

> During the last 25 years the United States has had 3,400 meetings with the Communists, including Teheran, Yalta, Potsdam, Panmunjom, and Geneva. The negotiators spoke 106 million words which made up 700 volumes.

All this talk has led to the Soviet Union breaking 50 major agreements. I doubt whether even Hitler could equal that record.

Surely this is a matter of great concern, not only to the Members of this body, but to all the American people and to the entire free world. Neither political party in this country has a monopoly on wisdom in the field of foreign relations and diplomacy; it is therefore important that responsible and constructive debate be conducted, in order that the American people may be apprised of the conditions as they exist and make their decisions—and they are their decisions—as to where we should go from here.

I believe the American people have made their decision regarding Cuba: They want the Communist government with its rotating Soviet troops removed, a decision with which most Senators will agree. The people may be willing to rely on the judgment of the Commander in Chief as to how this shall be done, but they want it done.

They have made their decision on Berlin: They do not want our Government to back up so much as 1 inch. They have made similar decisions in Lebanon and Korea, in Quemoy and Matsu. And they will make their decisions on all the other fronts in the cold war. I believe the wisdom in their decisions will be directly proportional to the amount of factual information made available to them. I am not concerned about the people, nor am I concerned about what decisions they may come to in the future. My concern is whether or not our Government, and particularly this administration, will reflect the courage and determination of our people and will conduct itself accordingly. Will this administration live up to its rhetoric, which has been unassailable, and take the action necessary to support its verbiage? The record to date has not been good; nor is there any present indication that it will improve. If the administration's words were only matched by its deeds, I would not feel compelled to discuss the subject today, nor would there be any need to do so. But in truth it appears that the administration has been spoonfeeding courageous statements to the American public while conducting itself in a totally different manner. One of the most flagrant and most dangerous examples of this is the present situation in southeast Asia. The threat to the entire subcontinent has been growing constantly. Yet we seem to have no policy whatever. The tiny Kingdom of Laos slipped, with our urging, from the pro-Western camp into a neutralist position and is rapidly being absorbed by the Communists, as so many of us warned during the last 2 years. The fall of Laos is only a prelude to further trouble in its neighboring states of Burma, Thailand, Cambodia, South Vietnam, and the entire Malayan Peninsula.

A quick look at the map shows clearly the strategic and tactical importance of Laos to the whole of southeast Asia. On the north, it adjoins Communist China. On the northeast, it adjoins North Vietnam. On the southeast, it adjoins South Vietnam, where so many of our own people are now involved. On the west, Laos borders Thailand, still a pro-Western country, but where we had to deploy Marines to protect it from Communists in Laos, whom we helped to put in power. On the southwest, Laos adjoins Cambodia, a country whose governing rulers have openly stated support for Communist China. Laos is truly the filling in a sandwich, the two sides being pro-Western countries. As this filling turns to acid under Communist control, it will inevitably eat into the sides of the sandwich and spread its corrosion to still other countries.

What is our stated policy in Laos? This is a question which we all should and must ask. On March 23, 1961, the President himself called attention to the geographic position of Laos and its world implications in his answer to a question asking why the freedom of Laos was important to the security of the United States and to the individual American. I quote his answer as it was published in the New York Times of Friday, March 24, 1961:

> It is quite obvious if the Communists were to move in and dominate this country, it would endanger the security of and the peace of all southeast Asia.

The President further said:

> And as a member of the United Nations and as a signatory of the SEATO Pact, and as a country which is concerned with the strength of the cause of freedom around the world, that quite obviously affects the security of the United States.

Also on March 23, 1961, the President said:

> My fellow Americans, Laos is far away from America, but the world is small. Its 2 million people live in a country three times the size of Austria. The security of all southeast Asia will be endangered if Laos loses its neutral independence. Its own safety runs with the safety of us all in real neutrality observed by all.

That was our policy in March of 1961, as clearly expressed by the President. However, what has since happened? On that same day, President Kennedy said:

> We strongly and unreservedly support the goal of a neutral and independent Laos tied to no outside power or group of powers, threatening no one, and free from any domination.

This is a goal which no one would dispute; but did we in the past, or are we now, assuring that Laos would be "tied to no outside powers"? Through the negotiations at Geneva in 1962, we literally forced a pro-Western government in Laos to step down and to form a new coalition government incorporating the Communists, and in which the Communists would occupy the key cabinet positions.

Mr. President, the history of coalition governments is an interesting one. In order to place this matter within context, I wish to quote a statement which President Kennedy himself made on the floor of the House of Representatives in 1949, when he was a Member of that body:

> Our policy in China is reaping the whirlwind. The continued insistence that aid would not be forthcoming unless a coalition government with the Communists was formed was a crippling blow to the Nationalist government.

That warning, delivered by President Kennedy himself in 1949, when he was a Member of the House of Representatives, certainly has a historic background.

Mr. President, the history of coalition governments with Communists in power is a history of lost causes. Czechoslovakia is a prime example of a nation falling victim to a coalition government.

Jan Kozak, a Communist member of the Czechoslovak National Assembly has actually written a pamphlet which describes as clearly as Hitler did in "Mein Kampf" the technique for conquest through such coalitions. Kozak advises that the best way to subvert a parliamentary democracy is for the Communists to get a foothold in any government coalition. From this foothold, then, he says, it is possible to combine "pressure from above" with "pressure from below" to destroy the democratic political parties one by one.

In the case of the Czechoslovak coalition, the Communists were given control of the Ministry of Interior and had "roving commissions" in some of the other ministries.

Kozak candidly explains:

> These executive organs controlled by Communists became effective levers for further advance of the revolution. They enabled direct suppression of the bourgeois counterrevolutionary elements.

And as we know, in Communist terminology "bourgeois counterrevolutionary elements" is a synonym for supporters of parliamentary democracy.

The main purpose of "pressure from below," according to the Czech Communist leader, is to support action by Communists in the government "enhancing their strength and compensating for their weakness—limiting the influence of waverers and enemies who stood in the way of further progress of revolution."

These mass pressures include calling of protest meetings, sending delegations, organized demonstrations, and eventually the use of strikes and the general strike. Kozak stresses that Communist partnership in a coalition government is always viewed as temporary and is never allowed to dilute the end objective, which is the dictatorship of the proletariat otherwise known as the destruction of democracy. But he omits, no doubt purposefully, one significant fact—that the non-Communist allies of the Communists, those leftist parliamentarians who wish to use the Communists for their purposes, always end up discarded or purged when the Communists no longer need them.

This certainly does not come as a surprise to any of us here, and I doubt that it would surprise many of the citizens of this country. The treachery of the Communist conspiracy is acknowledged almost universally. How, then, in view of such knowledge, could our Government be sucked into advocacy of such a predicament in Laos, which we said was vital to our own security. The results of our advocacy of such a coalition were predictable then, and the coalition has followed the predictable course—namely, total control by the Communists.

A brief record of the historical and political background of Laos seems worth while at this point.

THE YEAR 1893

The modern history of Laos dates from the establishment of a protectorate by France over what then was two kingdoms: Luang Prabang and Vientiane—now Laos—and included Cambodia and what is now North and South Vietnam. This protectorate by France was known as the Indochina Union.

THE YEAR 1925

Although the French managed relatively well in the area up until the time of World War II, by the middle twenties Ho Chi Minh was organizing Nationalist independence movements with the Communists.

THE YEAR 1940

After the fall of France in World War II, the Japanese occupied the area of Laos for a time.

THE YEAR 1945

French rule was restored at the end of the war, but by this time Ho Chi Minh's organization was the most powerful in North Vietnam which borders Laos.

THE YEAR 1946

By this time, the French were engaged in the Indochina War with the Viet Minh Communist forces of Ho. This bloody struggle continued for 8 years.

THE YEAR 1947

On May 11, the King of Laos promulgated a constitution providing for a constitutional monarchy under the Luang Prabang dynasty and for a parliamentary government. The two former kingdoms were formed into what is now Laos.

THE YEAR 1949

Laos became an independent sovereign state by treaty with France on July 19 of that year.

THE YEAR 1953

During most of the Indochina War, Laos was isolated from the struggle. But in April, Ho Chi Minh's forces invaded the northern provinces of Laos, and were joined by Pathet Lao Communist guerrillas who had been organized, equipped, and trained by the Viet Minh.

THE YEAR 1954

With the French defeat at Dien Bien Phu on May 8, the same day, nine nations, including the United States began negotiations at Geneva for a cease-fire and armistice for the war in Indochina. This cease-fire agreement was signed July 21, and in it the Laos regime was recognized by the Communist forces in Indochina and most members of the United Nations.

However, Secretary of State John Foster Dulles walked out of the conference in disgust and refused to sign the Indochina war truce dividing Vietnam. United States recognition of the Laos regime did come at that time. Mr. Dulles issued a United States unilateral pledge not to use force to upset the agreements, adding that the United States "would view any renewal of the aggression in violation 'of government agreements' with grave concern."

At that time, so little was known about the Pathet Lao movement, that when Red China's Chou En-lai proposed at this Geneva conference that they be represented, the American delegation plus most of the other Western delegates asked: "Who are the Pathet Lao?" However, they were represented at the conference, and the Geneva armistice acknowledged their existence.

In relation to Laos, this armistice provided two things: First, that the Pathet Lao troops should withdraw to the northern provinces of Laos, Sam Neua and Phongsaly, and be integrated with the Royal Laotian Army; and second, that there would be created an International Control and Supervisory Commission, made up of representatives of Canada, Poland, and India, to implement the armistice terms.

THE YEAR 1955

Laos joined the United Nations in December.

THE YEAR 1957

After lengthy haggles about the political settlement within Laos, it was agreed in November, by the Royal Laotian Government and the Laotian Communists that first, government authority would be restored in the two northern Communist-held provinces, and second, 1,500 men of the Red Pathet Lao force would be integrated into the Royal Army. Communist political leaders were also to be taken into the government and a Communist Party called the Neo Lao Hak Xat—Laotian Patriotic Front—was to be recognized.

Since the Geneva conference, Laos has gone through intermittent periods of crisis and relative calm, depending on the strength of the three political factions: The pro-Communist Pathet Lao led by Souphanouvong; the neutralists led by Souvanna Phouma; and the anti-Communists led by General Phoumi Nosavan. U.S. moral, military, and financial aid was on the side of the anti-Communist General Phoumi Nosavan at this time.

THE YEAR 1958

In May 4 of that year—saw the end of the first relatively calm period dating from July 1954, when the Government had been primarily in the control of the neutralists, under Souvanna Phouma. On that day, elections were held to fill 21 new seats in the National Assembly. The Neo Lao Hak Xat Party and its allies—Communist Party members and fellow sympathizers—captured 13 of the 21. It appeared to the West that the Communists might pull off another Czechoslovakia, which was also a coalition government, particularly since for 6 months two Pathet Lao representatives, including Souphanouvong, had been members of the Cabinet. Also the Pathet Lao had begun a campaign of sabotage and subversion.

And in July 1958, Souvanna Phouma resigned; the International Commission suspended its operations; the coalition cabinet quit; the anti-Communist Laotion leaders set up a new pro-Western regime with Phoui Sananikone as Premier and Gen. Phoumi Nosavan as strong man; the assembly was suspended for a year; the Pathet Lao was thrown out of the Cabinet, and the leftists were imprisoned, including the Communist Party leaders. The two battalions of Communists were split up, one being integrated into the royal army, the other fleeing to Communist Vietnam.

But the move from a coalition is called a neutralist regime, including the Communists, to a pro-Western regime without Communists, brought about prompt Communist response. Guerrilla warfare broke out once again.

The new cabinet in 1959 renounced the 1954 Geneva agreements, including neutralism for Laos, and said that it would recognize only the United Nations as an arbitration body for disputes.

By the fall of 1959, the warfare between the Government and the Communist guerrillas led to an appeal to the United Nations, with the Laotian Government charging Laos had been invaded by North Vietnam. In September, the U.N. Security Council, circumventing two Soviet vetoes, sent to Laos a fact-finding group with a Japanese as chairman. In November, the group reported fighting, it had discovered no evidence of the direct aggression the Laotian Government had charged against the Viet Minh, but did find that North Vietnam had supported the Pathet Lao with equipment, arms, ammunition, and the help of political cadres. Obviously this report cast grave doubts on the conclusion that there had been no direct aggression. With the investigation of the U.N. group and a subsequent visit to Laos by U.N. Secretary Hammarskjold, the fighting subsided.

In 1960 the anti-Communist, pro-Western government continued in power until August 9, when the young, American-trained Kong Le and his second paratroop battalion seized Vietiane in a surprise coup d'etat, ousting the rightist regime and restoring neutralist Souvanna Phouma to power. However, the new neutralist government included several pro-Western Ministers from the previous Cabinet and Kong Le was ordered to resume his army duties.

But so-called strong man Gen. Phoumi Nosavan rallied his forces in the south in a new government under Prince Boun Oum, while the Pathet Lao advanced from the north to try to help Kong Le.

On October 4, Souvanna Phouma announced that peace negotiations with the Pathet Lao would begin within a week. Immediately American aid to Laos was halted. The State Department tried to persuade Souvanna Phouma to join Boun Oum and Phoumi Nosavan in an anti-Communist alliance. Souvanna Phouma refused, stating that if the United States did not respect his country's neutral position and did not resume aid, Laos would look elsewhere for aid.

That is the very man whom we subsequently put into power as the head of the so-called neutralist government, on the ground that he was the only one who could hold them together.

On October 13, 1960, the first Soviet Ambassador to Laos arrived in Vientiane and Souvanna Phouma began negotiating for Soviet aid and to establish "friendly" relations with Communist China.

U.S. military aid was resumed to Gen. Phoumi Nosavan's rightwing rebels, after Souvanna Phouma had been assured that it would not be used against the neutralist government. However, Gen. Phoumi Nosavan could not be restrained, and he advanced on Vientiane. On December 9, Souvanna Phouma fled into exile in Cambodia with most of his cabinet, still claiming to be the legal Premier. Quinim Polsena, leader of the Neutralist Party, assumed control as Premier, and Kong Le remained on as head of the forces defending Vientiane against Phoumi Nosavan. On December 15, Kong Le was driven out of Vientiane and joined the Communist Pathet Lao.

Thus the pro-Western Boun Oum government was once more in control.

In the last 15 days of December diplomatic negotiations were conducted. Prime Minister Nehru asked for reactivation of the International Control Commission, a proposal which the Boun Oum government turned down. Prime Minister Norodom Sihanouk, of Cambodia, proposed a 14-nation conference similar to the 1954 Geneva Conference, while the Soviet Union proposed that the Geneva Conference be reconvened. Nehru was reportedly cool to the Soviet proposal. The U.S.S.R., North Vietnam, India, and Yugoslavia announced their recognition of Souvanna Phouma's government as the legal government of Laos. The United States and the Pathet Lao's three Communist-bloc backers exchanged charges of interference in the internal affairs of Laos. The latter warned of another Korea. A split was reported between the United States on the one hand, and England and France. The United States disagreed with the French and British view that the Pathet Lao and the neutralists should be included in a broad-based government.

Also during December 1960, the Soviets added a new, ominous element to the chaos in Laos—an airlift of arms by Soviet planes from Ho Chi Minh's capital of Hanoi to the Pathet Lao forces.

So as we come up to 1961, we have aggression by the Communists in two groups in Laos, a pro-Western government in control, and a reaffirmation of support by our own Government in this pro-Western government.

In 1961 the anti-Communist government, headed by Prince Boun Oum, chosen Premier by "strong man" Gen. Phoumi Nosavan, was endorsed as the legal government of Laos by a unanimous vote of the National Assembly on January 4. It was immediately recognized by the United States during the last weeks of the Eisenhower administration.

Thus, up until the time that President Kennedy took office there was no misunderstanding of this Nation's attitude toward the pro-Communist Pathet Lao, the formation of a broad-based government in Laos, or the foreign aid to such a government. Our policy had been consistent and our actions had matched our statements. We had not vacillated from our determination to prevent a Communist takeover.

Certainly it would have seemed, from the statements made by President Kennedy on March 24, 1961, to which I have already referred, that this was to be the continuing attitude of his own administration. There was even a display of force in that area, in which we sent naval ships and forces to the Laotian area.

On March 23, 1961, at a special news conference on the Laotian situation President Kennedy said:

> First, we strongly and unreservedly support the goal of a neutral and independent Laos tied to no outside power or group of powers, threatening no one and free from any domination. * * * Secondly, if there is to be a peaceful solution there must be cessation of the present armed attacks by externally supported Communists. If these attacks do not stop, those who support a truly neutral Laos will have to consider their response. * * * The security of all southeast Asia will be endangered if Laos loses its neutral independence.

Subsequently our ambassador went to a SEATO conference, to determine whether the countries which had signed the SEATO arrangement would support a multi-national resistance to the Communist aggression in Laos. Britain and France indicated that they had no desire to participate in this. The other nations—Thailand, New Zealand, Australia, the Philippines, and Nationalist China—all indicated that they were willing to put in their forces and arms and supplies in order to defend Laos against Communist aggression. The United States decided, in view of the fact that there was not unanimous support within the SEATO agreement, that no action should be taken.

In less than 2 months the International Conference on Laos began at Geneva. The purpose—and ultimate achievement—of this Conference supported by the United States was to establish a coalition government made up of the pro-Western, pro-Communist and neutralist factions. This was certainly an unusual interpretation of neutral and independent.

In his radio talk June 5, 1961, immediately after his return from the Vienna Summit with Khrushchev, President Kennedy said:

> The one area which afforded some immediate prospect of accord was Laos. * * * Both sides recognized the need to reduce the dangers in that situation. * * * Both sides endorsed the concept of a neutral and independent Laos.

Within 48 hours after this quotation from the President, Secretary Rusk appeared on Capitol Hill to explain a new Communist military attack in Laos. How much can we believe?

It became apparent at this point that our newly adopted national policy toward Laos was cooperation with the Soviets in establishing a coalition government including Communists.

As we all remember—some shamefully, I hope—the coalition was not the easiest to form. It was not the Communists we were fighting this time, but the anti-Communists, who realized what a coalition government would mean to their neutral and independent status.

Under the masterful tutelage of roving Ambassador Averell Harriman, this administration literally blackjacked the pro-Western Laotian Government into submission. When Prince Boun Oum and Gen. Phoumi Nosavan refused to enter the coalition, this administration cut off the monthly $3 million aid we had been sending to support the pro-Western Laotian Army. Said the Wall Street Journal of April 18, 1962, in a dispatch from Tokyo:

> The United States has worked itself into the curious position in Communist threatened Laos of siding with the Soviet bloc against the anti-Communist royal government. The much debated issue is that of forming a coalition government with heavy pro-Communist representation.

We went even further that that. We not only cut off the foreign aid which we had previously been giving to the Royal Laotian Government, but also we urged the Royal Laotian Government to include within the proposed coalition government Communists in the two key posts of the Ministry of Interior and the Ministry of Defense, from which those two people could control the internal forces of that country and thereby turn it over to communism.

Prince Boun Oum did not want to do this, and he told us so. He said he would not do it. He went to the Philippines. He went to South Korea. He went to Nationalist China. He did this to get the necessary funds, aid, and support from those nations in order to be able to resist the joint demand by the United States and the U.S.S.R. It is my information that our Government went to each one of those countries, our own allies, and told them that if they gave any help to Prince Boun Oum who was trying to be on our side, we would cut off our foreign aid to each one of those countries—to the Philippines, South Korea, and Nationalist China, the three key Asian nations which have been in support of our policy in that area of the world.

What kind of policy and what kind of action is this, in trying to promote the force of democracy and freedom in the southeast Asian countries?

Finally on June 14, 1962, following 13 months of negotiations, the Laos National Assembly knuckled under to the pressure and voted to accept a coalition government. And as the Baltimore Sun reported on June 18:

> Once again Laos is back on the American dole at the old rate of $3 million a month, but under the new banner of neutralism.

The sheer diplomatic brutality utilized here against anti-Communists was very effective. However, the demoralizing effect it had on the victim's faith in the United States is immeasurable. The disenchantment of anti-Communist elements, after hearing our noble rhetoric and finding it to be hollow, can only be guessed at. The effect upon other nations depending upon the United States for similar backing is similarly immeasurable. The French high command, for example, reportedly has sharp doubts that the United States can be counted upon to come to the aid of European nations in the event of a nuclear showdown. That fear may well be President de Gaulle's reason for insisting upon estabblishing a third force of nuclear capability. And where has all of this brought us as a Nation concerned with the future freedom in southeast Asia?

The fighting which broke out on the Plaine des Jarres recently continues. The pro-Communist Pathet Lao forces continue to shell the neutralist forces of Gen. Kong Le. The position of Premier Souvanna Phouma teeters precariously between the Red Prince Souphanouvong and rightist Phoumi Nosavan.

At this point, to show the inability of many of us to comprehend what we were doing in this area, I read from an article in U.S. News & World Report of April 22, 1963, only a few days ago. The article said in part:

> What Western forces face is the collapse of the Laos formula for neutrality. Vietnamese and Laotian Communists actually have improved their position over what it was when the deal to neutralize the country was agreed to.
>
> Once again, the Reds have used a deal with the West as a tool for doublecrossing the West. * * * Landlocked Laos is the stopper in the jug. If it goes, beyond its borders lie Burma, Thailand, Cambodia, South Vietnam, and the whole of southeast Asia.

In May 1962, Mr. Joseph Alsop, a columnist who was intimately acquainted with this area of the world, a man who served in that area of the country during World War II, as I did, and as did many other Americans, wrote two articles which were widely printed throughout this country. One of them is entitled "The Mad Hatter's Tea Party," and the other one is entitled "Let It 'Segashuate.'"

I wish to read a few statements from the article and then include the entire article in my discussion today, because I think it bears so clearly on the situation with which we were faced then; it predicted unmistakenly what has happened; and it shows clearly the lack of foresight in our position:

> The best way to understand the present stage of American policy in this distracted little country—

This is in April of 1962—

> is to remember the worst moment of the Mad Hatter's tea party in "Alice." This, beyond doubt, was the moment when the Mad Hatter rather crossly tried to stuff the Dormouse into the teapot.
>
> The role of the Mad Hatter is being played, with considerable panache, by the Assistant Secretary of State for the East, Gov. Averell Harriman. The Dormouse in this peculiar charade is the Lao anti-Communist leader, Gen. Phoumi Nosavan. And as in "Alice," the Dormouse has refused to be stuffed—at least as yet.
>
> It is not all so comic, however. Consider, for example, Governor Harriman's last descent on Laos, which was intended to stuff the Dormouse into the teapot by main force.
>
> At a meeting with all the leaders of the present anti-Communist government, Governor Harriman explained the salubrious character of the teapot in question. This is a neutral coalition government which the Governor desires to form, with the neutralist Prince Souvanna Phouma at its head, with Lao Communists included in the Cabinet, and with the anti-Communists also included—but only and above all after the anti-Communists have surrendered their vital control of both the army and the police.
>
> After expatiating on the teapot, Governor Harriman gave a preliminary shove. The economic subsidy of $3 million a month, which the United States has long paid to Laos, was suspended some time ago as a pressure move. This has already caused inflation here. But other pressure moves were easily possible, the Governor reminded the Lao Cabinet, thus hinting at future suspension of military aid as well.
>
> Governor Harriman then looked at the Lao leaders one by one; pointed a stern forefinger at each of them in turn; and told them that he wished them to know they would be "responsible for the destruction of their country" if they refused to do his bidding. There was a brief silence, and General Phoumi then replied:
>
> "You know, Governor Harriman, we in Laos have many years' experience of colonial rule. But we were never spoken to in quite that fashion in the colonial times."

In the other article I referred to, entitled "Let It 'Segashuate'" this statement is made:

> Unless the American policy in unhappy little Laos is soon reviewed, the next stage is easy to foresee. Gen. Phoumi Nosavan and the other Laotian anti-Communist leaders are going to be strangled by the existing cutoff of American financial aid, or by an additional cutoff of military aid, or by both methods combined.
>
> The political corpse of Laotian anticommunism, garrotted "for its own good," of course, will then be added to a new coalition government in which the local Communists will be the strongest element. And this coalition will then be relied upon to enforce the strict neutrality which is the avowed American aim for Laos.
>
> These proceedings will be excused on the ground that an all-party government pledged to Laotian neutrality was the best bet for Laos, when General Phoumi first refused to enter such a government last summer. It may well be true that Phoumi then missed a good bet. But the question now is not what would have been the best bet last summer. The question now is what is the best bet today; and this question must not be obscured by the remarkably intemperate feelings aroused in some U.S. quarters by General Phoumi's obstinate refusal to do the bidding of the Americans who pay the bills.

In these two articles, as long ago as May 1962, Joseph Alsop was correctly predicting what would happen in forcing the Laotian Government into a neutralist coalition with the Communists, in which the Communists were to be given key posts, and he was predicting that in such an event all we could possibly hope for would be another Czechoslovakia, another China, another Hungary.

Every single one of the countries which have had coalition governments thrust upon them has suffered a direct takeover by the Communists.

I ask unanimous consent that the two articles to which I have referred be printed in full at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

MAD HATTER'S TEA PARTY

(By Joseph Alsop)

VIENTIANE, LAOS.—The best way to understand the present stage of American policy in this distracted little country is to remember the worst moment of the Mad Hatter's tea party in "Alice." This, beyond doubt, was the moment when the Mad Hatter rather crossly tried to stuff the Dormouse into the teapot.

The role of the Mad Hatter is being played, with considerable panache, by the Assistant Secretary of State for the East, Gov. Averell Harriman. The Dormouse in this peculiar charade is the Lao anti-Communist leader, Gen. Phoumi Nosavan. And as in "Alice," the Dormouse has refused to be stuffed—at least as yet.

It is not all so comic, however. Consider, for example, Governor Harriman's last descent on Laos, which was intended to stuff the Dormouse into the teapot by main force.

At a meeting with all the leaders of the present anti-Communist government, Governor Harriman explained the salubrious character of the teapot in question. This is a neutral coalition government which the Governor desires to form, with the neutralist Prince Souvanna Phouma at its head, with Lao Communists included in the Cabinet, and with the anti-Communists also included—but only and above all after the anti-Communists have surrendered their vital control of both the army and the police.

After expatiating on the teapot, Governor Harriman gave a preliminary shove. The economic subsidy of $3 million a month, which the United States has long paid to Laos, was suspended some time ago as a pressure move. This has already caused inflation here. But other pressure moves were easily possible, the Governor reminded the Lao Cabinet, thus hinting at future suspension of military aid as well.

Governor Harriman then looked at the Lao leaders one by one; pointed a stern forefinger at each of them in turn; and told them that he wished them to know they would be "responsible for the destruction of their country" if they refused to do his bidding. There was a brief silence, and General Phoumi then replied:

"You know, Governor Harriman, we in Laos have many years' experience of colonial rule. But we were never spoken to in quite that fashion in the colonial times."

It can be seen, that rather passionate feelings have by now been generated on both sides. Yet the American policy here most urgently needs cool, dispassionate reexamination.

The existing policy was somewhat hastily adopted at the low ebb of the Kennedy administration, just after the Cuban debacle. The aim was to secure a strictly neutral Laos, with no North Vietnamese Communist troops on Lao soil, and with the North Vietnamese blocked from using Laos as a transit route for its attack on South Vietnam.

At Geneva last spring, with his customary industry and ability, Governor Harriman negotiated an agreement with the Soviets which on paper, at least, promised the desired neutral Laos. All the requirements for strict Lao neutrality were to be met, as soon as a coalition, all-party government could be installed with Prince Souvanna Phouma at its head. The Chinese and North Vietnamese delegates at Geneva gave their assent; and the Soviet delegate made important personal commitments to Governor Harriman.

At this stage, last summer, the agreement that Governor Harriman had negotiated looked like the best American bet in Laos, even though it was obviously a long-shot bet. Any contraption basically depending on Communist good faith must always be a long-shot bet. But its real flaw was its dependence on stuffing the Dormouse into the teapot.

Prince Boun Oum, the Prime Minister, and General Phoumi, the real leader of the anti-Communist government, never felt enthusiasm for the coalition teapot. But they would have entered, nonetheless, if the price of the coalition had not been their surrending control of the police and the army. Such a surrender, they understandably considered was tantamount to cutting their own throats with a blunt knife.

For just this reason, despite month after month of maneuvering and mounting pressure, the Dormouse has obstinately refused to be stuffed. Meanwhile, the passage of time and changing circumstances have transformed what used to be a reasonable long-shot bet into a totally indefensible gamble.

A Chinese Communist general, thinly disguised as a consul general, has turned up in the northern province of Phong Saly, at the head of a division of Chinese troops rather better disguised as roadbuilders. The Communist North Vietnamese have been pushing in troops, until they now have between 12,000 and 14,000 soldiers in Laos, of which half are in regular army battalions. The transit routes to South Vietnam, which were supposed to be abandoned, have been persistently used and improved.

For these and many other reasons, if the Lao anti-Communists are now driven by main force, into the coalition that has been so eagerly promoted, it will be equivalent to handing Laos to the North Vietnamese with a red ribbon prettily tied around it. No doubt this can be done, by withdrawing U.S. military aid for instance, which Governor Harriman apparently told the British Ambassador here that he intended to recommend. But it is certainly time to stop and think again.

LET IT "SEGASHUATE"

VIENTIANE, LAOS.—Unless the American policy in unhappy little Laos is soon reviewed, the next stage is easy to foresee. Gen. Phoumi Nosavan and the other Laotian anti-Communist leaders are going to be strangled by the existing cutoff of American financial aid, or by an additional cutoff of military aid, or by both methods combined.

The political corpse of Laotian anticommunism, garrotted "for its own good," of course, will then be added to a new coalition government in which the local Communists will be the strongest element. And this coalition will then be relied upon to enforce the strict neutrality which is the avowed American aim for Laos.

These proceedings will be excused on the ground that an all-party government pledged to Laotian neutrality was the best bet for Laos, when General Phoumi first refused to enter such a government last summer. It may well be true that Phoumi then missed a good bet. But the question now is not what would have been the best bet last summer. The question now is what is the best bet today; and this question must not be obscured by the remarkably intemperate feelings aroused in some U.S. quarters by General Phoumi's obstinate refusal to do the bidding of the Americans who pay the bills.

Without regard to personalities, then, what are the current factors in this obscure but dangerous situation? In the first place, the odds on a neutral, coalition-governed Laos were perhaps reasonable last summer. But the odds today are astronomically against anything remotely resembling Lao neutrality, if a coalition government is now created by forcible prior strangulation of the anti-Communists.

This difficulty is pooh-poohed, on the ground that the Soviet negotiators at Geneva gave the strictest pledges of Lao neutrality to Gov. Averell Harriman. But suppose the local Communists or the Communist North Vietnamese or the Chinese Communists are not prepared to honor these Soviet pledges. Or just suppose—perish the thought—that it proves to be unwise to place our sole reliance on Soviet good faith. What happens then?

The answer is too simple. The United States will then be desperately but quite fruitlessly longing for the considerable assets in Laos which will be automatically flushed down the drain by a coalition created by main force.

As a symbol of these assets, consider Col. Vang Phao, the Meo officer of the royal Lao Army whose regional command embraces the most important territory now held by the Communists. In the last year, he has successfully created scores of guerrilla companies composed of his Meo fellow tribesmen. And in the key area of Laos, the Meo guerrillas are now giving the Communists some of their own medicine, reducing them, in fact, to the position of the French in the Indo-Chinese war.

In other words, the Communists now hold only the roads and the strong points in this area, and in some part of the area not this much. The Meo guerrillas can lay down and have laid down mortar fire on the main Communist supply base, Xieng Khouang, with its airfield where the Soviet transports land. They have already interdicted the key road forward from Xieng Khouang to Vang Vieng, so that all supplies for this main forward base threatening Vientiane are now carried in by air. They are tested by a year in combat. They have far greater potentialities in Laos. Best of all, the Meo guerrilla movement can be carried into the enemy's home grounds, the Meo-Black Thai area in the mountains of North Vietnam.

Add that another exceedingly promising guerrilla movement is underway in southern Laos. And that the Americans who train the royal Laos Army and go into combat with the army units are unanimous that just 1 year of serious training has already worked wonders with this force of 60,000 men. Add that these same Americans believe that far more can be accomplished. It can be seen that our assets in Laos are not to be lightly flushed down the drain. And this is another great change in the equation, for all these assets either have been created or have gained their present value in the last year.

But if these changes in the equation demand a change in the U.S. policy, what should it be? Somewhere in "Uncle Remus" there is a wonderful word, "segashuate," meaning to allow things to simmer along or to develop naturally without undue interference. The thing to do would seem to be to let Laos "segashuate," continuing to work for a reasonable coalition but holding no further Mad Hatter's tea parties to enforce an unequal coalition. And if anyone asks, "but what if the North Vietnamese Communists then invade Laos in great force?" the answer is: "Have you heard about the irrevocable commitment the United States has now made in South Vietnam?"

Mr. DOMINICK. What did we say officially in our own administration? President Kennedy, on July 23, 1962, in reference to the signing of the Laotian agreement in Geneva, providing for this coalition government, said:

> This is * * * a significant milestone in our efforts to maintain and further world peace.

He commented further:

> It is a heartening indication that difficult, and at times seemingly insoluble interna-

tional problems can in fact be solved by patient diplomacy.

Two months later, in his very moving and eloquent speech at the height of the Cuban crisis, he told the world:

> Our goal is not the victory of might, but the vindication of right—not peace at the expense of freedom, but both peace and freedom, here in this hemisphere and, we hope, around the world.

Unfortunately, there is a certain cynicism abroad because, at about this same time, Ambassador Averell Harriman came back from a special mission to Laos and made a public speech in Washington, D.C., in which he, as Assistant Secretary of State for Far Eastern Affairs, at that time said that, so far as he was concerned, he did not give a damn what happened to Laos.

This is an interesting commentary, coming from a high official in the State Department who was designated to try to find a truly neutral and independent government for that country in that particular strategic area of the world.

It is not President Kennedy's words that I find fault with. By and large, they are good. My concern is with the inconsistency between the words and what we have done.

My concern is with the dilatory effect this phenomenon has upon our people and the people of all nations.

My concern is with the distrust such actions generate in the free world.

My concern is with the possible miscalculation of our true national purpose by the Communists. My concern is with the indecisiveness of our actions, not our words.

The President of the United States is my President, just as he is the President of my colleagues on both sides of the aisle, and just as he is the President of all of the people in the Nation regardless of political party.

While we may very well be in sympathy with the magnitude of his problems, we as representatives of the people have the duty to point out our areas of disagreement with his policies.

The administration's reliance on the good faith of the Communists is wrong. It was wrong in Czechoslovakia and Hungary. It was wrong in Germany and Cuba. It is wrong in Laos.

The administration must recognize this and incorporate this recognition in their actions. The policy of this administration, heretofore indecisive, erratic, impulsive and contradictory, must change. The need for decisiveness and consistency is paramount if we are to regain the lost faith of our allies throughout the world. It is paramount if we are to restore confidence within our own borders and if we are to convince our adversaries of our determination.

How can we go to the free nations of southeast Asia and say to them, "We are going to support your aspirations to be a free people," while at the same time we force Communists into office, and while at the same time our Assistant Secretary of State comes back to this country and says he does not give a damn one way or another as to what happens to one of the key countries? How can we enforce our determination to be of assistance in preserving freedom throughout the world when we put Communists into power, and then send our own military forces into a neighboring country in order to protect it from the very Communists we put into office?

It seems incomprehensible to me that we should conduct any kind of consistent and powerful foreign policy with this type of indecisive action.

We must develop a foreign policy based upon hard realities and in sympathy with our historical role as vindicators of right. It must recognize the dangers in confronting the enemy, but it must not continue to back away under the guise of negotiations and coalition governments with the Communists. Finally it must be ready, willing, and able to take rapid and decisive action wherever needed, in the interest of our own country and to protect basic freedom.

We have economic power, we have military power; but the question in everyone's mind, in this country as well as in other countries, is whether we have the necessary willpower. This certainly has not been proved to date.

If we develop an administration policy which indicates that the willpower exists, along with the other powers we have, it will receive not only the political support of all the people in this country, but also the thankful prayers of our allies and the possible solution of the basic problems of people throughout the world.

The **PRESIDING OFFICER**. What is the will of the Senate? The Chair suggests the absence of a quorum, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **MORSE**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

THE DISTRICT OF COLUMBIA TRANSIT SYSTEM

Mr. **MORSE**. Mr. President, under the provisions of Public Law 757 of the 84th Congress, D.C. Transit System, Inc., a corporation of the District of Columbia, was granted a 20-year franchise by the Congress to operate a mass transportation system within the District of Columbia, and also with the Greater Washington metropolitan area.

I am advised that the D.C. Transit System, Inc., has now operated in accordance with its franchise for a period of about 7 years. With a view to continuing operations, representatives of the transit system have contacted me and have complained that the responsible regulatory bodies have not exercised their regulatory functions in conformance with the intent and objectives of Public Law 757.

The representatives of the transit system maintain that the provisions of Public Law 757 provide that: First, D.C. Transit System, Inc., could earn at least 6½ percent return on gross operating revenue, and, second, Congress would maintain a continuing interest in the welfare of the D.C. Transit System, Inc., and its investors if the company did a good job in maintaining an efficient transportation system.

It has been pointed out that even though the franchise of the transit system authorized by Congress provided for an opportunity to earn a return of at least 6½ percent on gross operating expenses, the responsible regulatory agencies have at no time granted the D.C. Transit System, Inc., a 6½-percent return during the company's 7 years of transit operations.

In this 7-year period, the D.C. Transit System, Inc., has had three rate determinations based on gross operating ratio made in connection with its transit operations. Such rate proceedings have all established the return to be granted on gross operating revenues at less than 5 percent. The Public Utilities Commission in an order dated March 2, 1960, granted a 4.10-percent return on gross operating revenues. On January 18, 1961, the same agency increased the return to 4.92 percent, and on April 12, 1963, the Washington Metropolitan Area Transit Commission granted a return of 4.87 percent.

The representatives of the transit system point out that during the 7 years of operating under the franchise as approved by the Congress in Public Law 757, the transit system has performed in good faith with regard to all the major obligations required by the terms of the franchise.

It has been pointed out that the transit system has accomplished a number of improvements, among these being conversion to an all-bus system in 5 years, instead of 7 years, as required by section 7 of the act, provided the Washington metropolitan area with a good transportation system equipped with a large fleet of new air-conditioned buses.

I think it is only fair to say that probably there is not another municipal transit system in the entire United States that has more modern buses than the D.C. Transit System has. It has made that investment at a huge expense.

I well remember the hearings that were held in 1956 on this subject. I was a member of the Committee on the District of Columbia, which conducted some of the hearings. The chairman of the committee at that time was the incomparable Matt Neely, of West Virginia, now dead. I worked very closely with Senator Neely, with the Senator from Maryland [Mr. BEALL], the Senator from Michigan [Mr. McNAMARA], and other members of the committee. A great drive was in progress because the subject of city transportation had become one of heated controversy in the District of Columbia. A strong effort was being made by some persons for Government ownership of the municipal transit system. I was a strong opponent of Government ownership of the transit system. I took the position that every effort should be made to try to put the transit system upon an efficient, workable, private enterprise basis.

I agreed that the then owners of the transit system should be denied a renewal of their franchise. I shall not take the time this afternoon to review that controversy. However, it will be recalled that it was a bitter controversy. The District of Columbia was very much stirred up by the various charges and countercharges about what was happening with respect to the operation of the transit system prior to its being taken over by the present company.

There is no question that the appropriate committees of Congress, on both sides of the Capitol, were highly instrumental in urging the present company to accept a franchise. Speaking only for myself, there is no doubt in my mind that we held out a carrot, and the carrot was a 6½-percent return. The hearings of that day will show that we said we thought that was what ought to be paid. We felt that if private enterprise were to operate the system, there ought to be grounds for the company to operate on the basis of the assumption that, if it operated efficiently, it would be allowed a 6½-percent return. That return has not been allowed. I do not say on the floor of the Senate this afternoon that any legal commitment was made that the return would be 6½ percent; but we certainly made very clear at the time, as the record will show, that we considered 6½ percent a fair return.

Furthermore, only a few short weeks ago, the Senate finished a debate on, and passed a bill dealing with the problem of mass transportation across the country. The evidence adduced in that debate shows that in many cities of the country the private enterprise mass transportation system is a dying industry.

I believe that there is an obligation on the part of the local, State, and Federal Governments to assist in keeping mass transportation a private enterprise system; but recognizing that it is a private enterprise system which is called upon to perform public services which make it impossible for it to pay for those services, in many places, and at the same time make a reasonable profit. That is why it has been necessary in many parts of the country to provide various tax inducements, such as exemptions from gasoline taxes and the granting—let us be frank about it—of various forms of direct and indirect subsidies to street car and bus companies that are serving the business interests of downtown metropolitan areas of city after city. The debate in the Senate on the mass transportation bill, which was finally passed, that would make available a good many millions of dollars to be of help in trying to meet the problem of mass transportation in many cities, shows, at least on the part of the Senate, a recognition, which is a common recognition by most people who know anything about the subject, that very few transit companies can any longer operate at a profit in most cities in this country, because to do so would require the charging of a fare that, in turn, would destroy any hope of making a profit.

So we are confronted with the problem of trying to keep fares low enough to attract the riding public to the use of the transportation facilities, and at the same time to provide transportation facilities so that the store fronts along the major streets of most of the metropolitan cities of the country will not become empty store fronts. We are all aware that consumers are not coming into the heart of the cities in large numbers any more to buy, because they cannot do so as cheaply as they can in suburbia, where great market centers are being built in the outlying districts of city after city.

So we must face the public policy question as to whether we who live in the cities do not have some responsibility, from the standpoint of the economic good of each of us, to be of assistance in providing for a part of the cost of a transit system out of the treasury of a municipality or of a State, or in this instance out of the treasury of the District of Columbia. I shall not cross those bridges this afternoon. I am raising questions, to point out that we have a rugged road ahead to travel in connection with the solution of the problem of mass transportation in city after city—and the District of Columbia is no exception. That is the point I wish to drive home.

In my mind, it is highly questionable that we can justify saying to a private entrepreneur operating a transit system, "You will have to operate at a loss or at a break-even point or at a very low return on your investment; otherwise, you will lose your franchise." How well I remember the situation that existed when the hearings were held in 1956 on the transit situation in the District of Columbia. I have not had an opportunity to make detailed preparation for this speech this afternoon, but my power of recollection is fairly good with respect to a matter that was as dramatic as that one was at the time. My recollection is that Senators, in speech after speech in the Chamber pleaded for retention of the private enterprise system of operation of the transit system in the District of Columbia.

Mr. President, those make fine speeches; but they become empty speeches if we do not keep faith. If at such a time we are going to be the inducers or the economic seducers—whichever word one prefers—to persuade a company to accept a charter or a franchise which Congress holds out; a franchise, with "a bunch of carrots" attached to it, Congress should be held to an accounting.

Mr. President, what we are really doing this afternoon is listening to the protests of this company; and before I close my remarks I shall submit a resolution which will call for the hearing which I think the company is entitled to have, so it can present its case on the allegations it makes, and so there can be a determination as to whether Congress has kept faith with the various commitments and promises which Congress made in 1956.

The next point the company makes in the representations set forth in its letter—which I shall soon introduce into the Record—is the following:

> My company has eradicated the turbulent labor conditions and economic strife which existed prior to 1956. Under the third labor contract, signed in November 1962 the people of Washington are assured against economic disturbance for at least 9 years (August 15, 1956–November 1, 1965).

We all remember the very serious labor trouble which occurred in this city in connection with the former transit company in 1956, before the present company accepted the franchise which Congress held out to it and urged it to accept. The new company, at a cost of more than $10 million additional, has entered into collective-bargaining relations with labor in the District of Columbia—collective-bargaining relations which I seriously doubt are excelled in fairness in the case of any other transit company in the entire Nation.

In my judgment this company is entitled to a high compliment for keeping good faith in connection with the labor issue which was raised. How well I remember the examination which took place in the committee, at the public hearing held in regard to the labor attitude of the prospective operators under the new franchise. Its representatives made their representations, and made them perfectly clear, on one issue which was of great concern to the District of Columbia—namely, whether it was going to continue collective bargaining, and whether there would be observance of the collective rights of members of the labor union who were operating these lines, and whether there would be danger that the company would attempt to get rid of the union.

The company made its pledges, and the company has kept them; and I think the record will show that the contracts into which it entered resulted in improved wages and working conditions for the workers on the buses, at a cost of more than $1 million additional on the part of this company.

The next point is the following:

> My company has voluntarily invested more than $20 million of capital in new equipment, including construction of the largest and finest maintenance base in the United States.

Mr. President, these allegations have been made to me by representatives of the transit system. I do not know what all the facts in connection with this matter are. However, the company representatives feel that the regulatory agencies have not complied with the intent of the public law.

It is my feeling that Congress has an obligation to hold public hearings with respect to these allegations, in order to determine whether the regulatory agencies have complied with Public Law 757 of the 84th Congress.

Therefore, Mr. President, I ask unanimous consent that the letter addressed to me, under date of May 2, 1963, by Mr. O. Roy Chalk, president of the D.C. Transit System, Inc., and setting forth his allegations, be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

D.C. TRANSIT SYSTEM, INC.,
Washington, D.C., May 2, 1963.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: After 7 years of faithful and productive efforts to convert Washington's transit system from a rundown, inefficient conglomeration of outmoded vehicles to the most modern and aesthetically pleasing all-bus transit system in the world—I believe I have earned the right to seek your help.

You were a Member of the 84th Congress when Public Law 757 was enacted on July 24, 1956. I have been patient for these many years, relying on what I believed to be an underlying foundation of fairness in the thinking of the men whose duty it is to effectuate the intent of the laws enacted by Congress.

I also believed that during these 7 years there would be fulfillment of the mandate of Congress when it enacted Public Law 757 granting the D.C. Transit System a 20-year franchise with many burdens and incentives. Lest this patience and restraint be construed as concurrence with unfairness, I feel it my duty to call your attention to the facts as they exist and to ask your opinion as to what course of action I should pursue.

You will recall the two major inducements and incentives offered me for acceptance of the conditions of the franchise, which were set forth in part 2, section 4, as follows:

"It is hereby declared as a matter of legislative policy that in order to assure the Washington metropolitan area of an adequate transportation system operating as a private enterprise, the corporation, in accordance with standards and rules prescribed by the Commission, should be afforded the opportunity of earning such return as to make the corporation an attractive investment to private investors. As an incident thereto the Congress finds that the opportunity to earn a return of at least 6½ percent net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on either the system rate base or on gross operating revenues would not be unreasonable, and that the Commission should encourage and facilitate the shifting to such gross operating revenue base as promptly as possible and as conditions warrant; and if conditions warrant not later than August 15, 1958. It is further declared as a matter of legislative policy that if the corporation does provide the Washington metropolitan area with a good public transportation system, with reasonable rates, the Congress will maintain a continuing interest in the welfare of the corporation and its investors."

You will note that the two major inducements referred to above are:

(a) That my company could earn at least 6½ percent return on gross operating revenue; and (b) that Congress would maintain a continuing interest in the welfare of my company and its investors if we did a good job.

You will recall that throughout the 7 years I have performed in good faith all of the major obligations contained in the franchise.

(a) My company converted to an all-bus system in 5 years instead of 7 years, as required by section 7 of the act; (b) my company provided the Washington metropolitan area with a good transportation system—acknowledged universally to have the best and largest fleet of new air-conditioned buses in the world; (c) my company has eradicated the turbulent labor conditions and economic strife which existed prior to 1956. Under the third labor contract, signed in November 1962, the people of Washington are assured against economic disturbance for at least 9 years (August 15, 1956–November 1, 1965). The cost to the company of these labor increases will exceed $10 million; and (d) my company has voluntarily invested more than $20 million of capital in new equipment including construction of the largest and finest maintenance base in the United States.

I now respectfully call your attention to the negative factors which give me serious cause for concern.

At no time during the 7 elapsed years of our franchise have the regulatory agencies complied with the mandate and intent of Congress that we be allowed the major inducing benefit of the franchise by granting us at least a 6½-percent return on gross operating revenues. In three rate proceedings during this 7-year period the agencies have ignored this condition of the franchise. At the same time they have been accepting all the benefits of its burdens to D.C. Transit. The three rate cases in which the gross operating ratio has been employed resulted in the following:

PUC Order No. 4631, March 2, 1960, 4.10 percent.

PUC Order No. 4735, January 18, 1961, 4.92 percent.

WMATC Order No. 245, April 12, 1963, 4.87 percent.

With the exception of Judge H. Lester Hooker, the Virginia member of the WMATC, every member of every commission having jurisdiction since 1956 has refused to recognize the intent and desire of Congress to allow a minimum return of 6½ percent as a reward for our accomplishments of the past and as an incentive for continued progress during the remaining 13 years of our franchise and beyond.

I do hope you will take the time to consider this lengthy letter carefully, as well as the minority opinion of Judge Hooker of April 12, 1963 (appended hereto), in the recent rate case wherein he states:

"It is crystal clear that the minimum rate of return to be allowed is 6½ per centum net on the gross operating revenue."

As a Member of the 84th Congress which passed the law granting my company the franchise, do you concur with me in saying that (a) The D.C. Transit System has actually given the Washington metropolitan area a good public transportation system with reasonable rates; (b) we have substantially complied with the burdens contained in the franchise, including conversion from trolley cars to an all-bus system, track removal and other considerations; and (c) we are now entitled to the benefits of the 6½-percent minimum return clause and that any lesser rate for the 13-year balance of the term of the franchise is unreasonable and contrary to the intent of the 84th Congress.

I respectfully request your opinions and advice.

Sincerely,
O. ROY CHALK,
President.

Mr. MORSE. I also ask unanimous consent to have printed at this point in the RECORD the dissenting opinion of Commissioner Hooker in regard to Washington Metropolitan Area Transit Commission Order No. 245, served April 12, 1963.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

COMPLETE COPY OF DISSENT BY COMMISSIONER HOOKER, WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION ORDER NO. 245, SERVED APRIL 12, 1963

Hooker, commissioner, dissents.

The applicable law which governs fares to be prescribed for transportation companies under the jurisdiction of the Washington Metropolitan Area Transit Commission is found in subsection 3 and 4, page 16 of section 6, of the tristate compact as follows:

"(3) In the exercise of its power to prescribe just and reasonable fares and regulations and practices relating thereto, the commission shall give due consideration, among other factors, to the inherent advantages of transportation by such carriers; to the effect of rates upon the movement of traffic by the carrier or carriers for which the rates are prescribed; to the need, in the public interest, of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable such carriers, under honest, economical, and efficient management, to provide such service.

"(4) It is hereby declared as a matter of legislative policy that in order to assure the Washington metropolitan district of an adequate transportation system operating as private enterprises the carriers therein, in accordance with standards and rules prescribed by the commission, should be afforded the opportunity of earning such return as to make the carriers attractive investments to private investors. As an incident thereto, the opportunity to earn a return of at least 6½ percent net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on gross operating revenues, shall not be considered unreasonable."

It is ascertained from the law quoted that Congress set forth the guidelines that it intended the commission to follow when rates are established. The factors of these guidelines are that due consideration shall be given to the advantages of transportation, the effect of rates upon the movement of traffic, to the need in the public interest of adequate and efficient transportation at the lowest cost consistent with the furnishing of such services, and the need of revenues sufficient to enable such transit carrier to provide this type of service under honest, efficient, and economical management. The Congress declared it to be its legislative policy that in order to assure that such adequate transportation is given the public, the carrier should be afforded the opportunity of earning such return as to make the carriers' investments attractive to private investors, and as an incident thereto, the opportunity to earn a return of at least 6½ percent net after all taxes properly charged to transportation operations, including but not limited to income taxes, on gross operating revenues, shall not be considered unreasonable.

It is to be noted that as an incident for the investments of these carriers to be attractive to private investors, the opportunity of the carriers to earn a return of at least 6½ percent net on gross operating revenues should not be considered to be unreasonable.

The word "incident" is defined in "Black's Law Dictionary, Deluxe Edition," as follows:

"This word, used as a noun, denotes anything which inseparably belongs to, or is connected with, or inherent in, another thing, called the principal. In this sense, a court-baron is incident to a manor. Also, less strictly, it denotes anything which is usually connected with another, or connected for some purposes, though not inseparably."

The word "at" is defined by Webster as "the point or place where a thing is, or occurs; as at the center; at home; at hand; at the door * * *." "Least" is defined by Webster as "smallest, either in size or degree; shortest; little beyond all other * * *." When the meaning and reasoning of the words "incident," "at," and "least" are considered together, it is crystal clear that the minimum rate of return to be allowed is 6½ percent net on the gross operating revenue. "At" means at a direct point or place as "at a door" and "least" means the "smallest * * * little beyond all other," the smallest amount possible. The smallest return the carrier should earn for its investments to be attractive to private investors is 6½ percent net on its gross operating revenue. Since Congress has stated that this is not considered as being unreasonable, then it follows, it would seem, that Congress has pegged definitely 6½ percent on gross operating revenues as being the sum required for a carrier to make for its investments to be attractive to private investors.

A deliberate determination of a rate that shows conclusively that the carrier is not afforded the opportunity to earn at least 6½ percent return on its gross operating revenues is undoubtedly in conflict with the law as set forth in the compact.

It is manifestly plain that Congress established these guidelines for the deliberate purpose of making certain that a fair return would be received by the transportation companies under the supervision of this commission. After Congress outlined all of the factors that should be considered, it specifically stated that in order to assure (to make certain) that adequate service is given the public, the transportation companies should be afforded the opportunity to make a return that will be attractive to investors and, as an incident thereto, to earn a return of at least 6½ percent net. The intent of Congress could not have been more plainly stated. The law says at least 6½ percent net shall not be considered unreasonable on the gross operating revenues of the company. It is plain, specific, and definite that at least 6½ percent is not to be considered unreasonable. The reasonableness of a return of 6½ percent is not subject to valid objection. It is settled by the compact.

The policy stated by Congress is a sound policy and should have been adhered to in this case. Congress may have had some apprehension that an insufficient return might be established by the Commission and, being men of experience as well as wisdom, know that it is essential for transportation companies to make a reasonable return on their investments if the public is to receive good service. When transportation companies are required to serve the public at miserly rates of return on their investments in property dedicated to public use, the public, as well as the company, suffers. The public is entitled to receive good service. It is essential for the best interest of the public.

A transportation company should not be expected to maintain a high grade of service unless it is receiving a fair return on its investment. The customers should pay for good service and should receive it. Poor service at any price is high. The public is willing to pay reasonable rates if the service is good. Pennypinching, miserly rates of return are adverse to the best public interest. Investors cannot be expected to invest in securities of a transportation company when its rates of return are so low as to raise doubts in the minds of the investors as to the wisdom of such investments. If such a company is able to secure money, it will not be able to do so on as favorable terms as will the company that is and has been receiving a fair return on its property continuously for a number of years. The rate of return prescribed by the majority of the Commission in this case is clearly contrary to the legislative policy established by Congress.

A determined rate of 5 or 5½ percent obviously does not afford the company the opportunity to earn at least 6½ percent on its gross operating revenues.

Mr. MORSE. Mr. President, I also wish to have printed at this point in the RECORD the resolution I am about to submit. It reads as follows:

Resolved, That the Senate Committee on the District of Columbia, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation and study of the administration of the Act entitled "An Act to grant a franchise to D.C. Transit System, Inc., and for other purposes", approved July 24, 1956 (70 Stat. 598), with a view to determining whether such Act is being carried out in a manner which is consistent with the intent of Congress. The committee shall report its findings, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date.

Mr. President, I submit the resolution, and ask that it be received out of order and be appropriately referred.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 144) was referred to the Committee on the District of Columbia.

Mr. MORSE. Mr. President, the purpose of the resolution is to give the company a congressional committee hearing, because in my judgment the company is entitled to such a hearing. We must not forget that Congress held out two major inducements to the company in 1956: First, that it could earn at least 6½-percent return on gross operating revenue; and second, that Congress would maintain a continuing interest in the welfare of the company and its investors, if the company did a good job.

I believe the time has come for Congress to deliver on its promise in regard to maintaining an interest and continuing its observations in regard to the operation of the company. My resolution places that obligation on the U.S. Senate, in order to have the appropriate Senate committee proceed with public hearings for an airing of the company's complaints.

I say most respectfully to the officials downtown in the District of Columbia government that that means they will be called upon to attend the committee hearing and to give an accounting of their stewardship in relation to the administration of this company, the setting of rates, and the carrying out of the obligations which Congress, in behalf of the District of Columbia, assumed when it offered the company the franchise charter which was offered to it in 1956.

Mr. President, this concludes my remarks.

I understand that another Member of the Senate wishes to speak at this time. Therefore, in order to give him an opportunity to reach the Chamber, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. INOUYE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATIONS TO THE TENNESSEE VALLEY AUTHORITY ON THREE DECADES OF ACHIEVEMENTS

Mr. HUMPHREY. Mr. President, before the Senate adjourns, I want to take note of the fact that tomorrow, May 18, 1963, is an important anniversary. It is the 30th birthday of the act of Congress which set up the Tennessee Valley Authority on May 18, 1933.

I should like to take this occasion to congratulate the public officials and citizens of this great region—the Tennessee Valley.

Tomorrow, they will, so to speak, "blow out 30 candles on TVA's birthday cake."

They will celebrate the fact that TVA brought light to those who had, for so long, lacked the miracles of electrification.

They will rejoice that TVA brought flood control to those who had so long suffered the ravages of overflowing rivers.

They will recall that in time of war, TVA served the highest priority needs of victory; in time of peace, TVA has served to assure national economic and military strength. TVA brought recreation; it brought industry; it brought prosperity to agriculture.

When the history of the 20th century is written, we can be certain that one of its brightest chapters will be reserved for the vision, skill, and devotion which went into the creation, the administration, and the realization of the pioneering TVA concept.

There are Members of this Congress who were in the Congress when TVA was but a vision, but a dream, that then came to reality. The distinguished senior Senator from Alabama [Mr. HILL] was a Member of the Congress at the time TVA became a reality. The distinguished senior Senator from Arizona [Mr. HAYDEN] was in the Congress at the time TVA became a reality. Of course, there are other Senators. I only mention those two because they have been so prominent in these matters. The late and beloved George Norris of Nebraska literally gave his very life for the creation of TVA. He will be remembered throughout the history of this Nation for his outstanding leadership in the development of the Tennessee Valley Authority.

Illustrious names too numerous to mention highlight this chapter. I have referred to names such as that of the unforgettable Senator from Nebraska George W. Norris, and I also refer to our heroic Chief Executive, President Franklin Delano Roosevelt, and to Senators and Representatives, as well as countless other officials and private citizens, who helped build this remarkable enterprise.

From the ends of the earth, famous and unknown tourists have come to see TVA. The news of its marvels of engineering and planning have literally circled the world.

When kings, presidents, and prime ministers have visited the United States, invariably a stop at TVA has been one of the highest priorities on their list.

TVA has been the living answer to the false charge that a "democracy could not plan democratically."

It has been the answer to the false charge that "Federal, State, and local governments would be perpetually at odds with one another in a multi-State development."

It has been the answer to the false charge that "there must be either public enterprise or private enterprise but that they could not possibly coexist side by side."

The fact is that private enterprise has prospered beyond its greatest hopes, thanks to TVA.

TVA is a monument in the history of rural electrification. It is a landmark in scientific agriculture and conservation. It is a milestone in public administration.

It brilliantly trained an entire generation of personnel, many of whom have gone on to serve in other posts in the Federal Government and elsewhere with great distinction.

TVA is a national and international achievement. But it is also a regional achievement. It is one of the greatest achievements of the Middle South and of the South. This great region of our country taught all the other regions what voluntary cooperation and planning could do to raise living standards. This great region proved the talent which it possesses to blend the best of the old with the best of the new.

The history of TVA began in controversy. It continued, to some extent, in controversy. But bold, fearless men met head on each successive issue and resolved it for the public interest. The result is today's expanded TVA.

I am very proud to be one of the supporters of this great program. It has been my opportunity, from time to time in the Senate, to vote to strengthen TVA and to make it an even more effective instrument for the public good and for individual and national prosperity.

Now, TVA looks to still finer horizons. Its accomplishments of the past are but the prelude to still finer achievements in the future.

I congratulate the Members of the Senate who serve the TVA region and who have helped advance the TVA ideal. There is still much to be learned in other regions of our Nation from this great and successful experiment.

I think of the Missouri Valley, for example, and I think of other great river valleys that have had somewhat similar experience, regrettably not as closely integrated and as well planned, but we have learned how to utilize these great natural resources, how to harness the waters of the rivers for good, to stop flooding, to secure power and energy, develop recreational resources, and literally to make whole areas of the Nation bloom as a result of the work of the hand of man.

I hope, too, that in the years to come, throughout the world, "valley authorities" in great river basins will come to stand as monuments to all those who helped make TVA possible in our own land, and who advanced it to such great success.

Mr. President, I understand our President will be visiting the TVA area to help commemorate its 30th anniversary or birthday. I think it is so fitting and proper that President Kennedy do this, because he too has been a supporter of the Tennessee Valley Authority at a time when regional interests may have told him to the contrary, but he has taken the broad national interest.

President Kennedy will bring with him again the spirit of progress and of adventure, the spirit of moving forward into the new frontiers he has outlined for the Nation, as he visits the remarkable new frontier of democratic planning and achievement. I use the word "democratic" with a small "d," even though it was created under a Democratic administration, because what I am thinking about is what TVA has meant to the people and to the Nation.

ADJOURNMENT TO MONDAY

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until noon, Monday next.

The motion was agreed to; and (at 4 o'clock and 39 minutes p.m.) the Senate adjourned until Monday, May 20, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 17, 1963.

Department of Justice

William H. Orrick, Jr., of California, to be an Assistant Attorney General, vice Lee Loevinger.

Subversive Activities Control Board

Thomas James Donegan, of New York, to be a member of the Subversive Activities Control Board for the term expiring April 9, 1967. (Reappointment.)

Federal Communications Commission

Lee Loevinger, of Minnesota, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1961, vice Newton N. Minow.

HOUSE OF REPRESENTATIVES

Monday, May 20, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Hebrews 12: 14: *Follow peace with all men.*

Eternal God, Thou alone canst dispel the darkness which covers the earth and guide our groping humanity through these days of chaos and confusion, of terror and tribulation.

Grant that the anger, hatred, and bitterness which burns in the hearts and minds of so many of our countrymen may be supplanted by some finer essence of forgiveness and brotherhood, for how little we can do for the peace of the world and mankind if we cannot preserve peace within our own borders.

Inspire us to hasten the dawning of that glorious time when the rule of force shall give way to the rule of reason and of righteousness and men and nations shall submit their disputes to arbitration and have enough honor to abide by its decisions.

During these times may we pray more frequently and fervently, believing that there are resources and reserves of divine wisdom and strength upon which we have not yet drawn.

Hear us through the merits and mediation of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 16, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendments a bill of the House of the following title:

H.R. 4997. An act to extend the feed grain program.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1409. An act to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 873. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the county of Lincoln, State of Nevada.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 20) entitled "An act to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes."

MAJ. L. GORDON COOPER

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Tuesday, May 21, 1963, for the Speaker to declare a recess for the purpose of receiving in joint meeting Maj. L. Gordon Cooper, U.S. Air Force.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

TEXT OF SPEECH GIVEN BY PRESIDENT AT VANDERBILT UNIVERSITY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that there be incorporated in the body of the RECORD at this point the whole text of the speech delivered by the President of the United States at Vanderbilt University last Saturday.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

The speech is as follows:

TEXT OF SPEECH GIVEN BY PRESIDENT AT VANDERBILT

Many causes and concerns bring us together today. We are saluting the 90th anniversary of Vanderbilt University, which has grown from a tiny Tennessee institution to one of the Nation's great universities, with 7 different colleges, and with more than half of its 4,200 students from outside the State of Tennessee.

We are saluting the 30th anniversary of the Tennessee Valley Authority, which transformed a parched, depressed, and flood-ravaged region into a fertile, productive center of industry, science, and agriculture.

We are saluting—by initiating construction of a dam in his name—a great Tennessee statesman, Cordell Hull, the father of reciprocal trade, the grandfather of the United Nations, the Secretary of State who presided over the transformation of this country's foreign policy from a state of oblivious isolation to responsible world leadership.

And, finally, we are saluting—by the recognition of a forthcoming dam in his name—J. Percy Priest, the man who represented this district, this State, and this Nation in the Congress for 16 turbulent years, years which witnessed the crumbling of empires, the splitting of the atom, the conquest of one alien threat to freedom, and the emergence of still another.

ONE UNCHANGING THEME

If there is one unchanging theme that runs throughout these separate stories, it is that everything changes but change itself. We live in an age of movement and change, both evolutionary and revolutionary, both good and evil—and in such an age a university has a special obligation to hold fast to the best of the past and move fast to the best of the future.

In this spirit and in this role, Vanderbilt has changed very little. It celebrates an anniversary today, but also a beginning. It is proud of its years, but young in heart. It reflects all that has changed in 90 years and all that remains the same. The essence of its product is still learning—the essence of its outlook is still liberty—and liberty and learning will always be the two touchstones of Vanderbilt University.

I say two touchstones—yet they are almost one—inseparable if not indistinguishable. For liberty without learning is in peril—and learning without liberty is in vain. This State, this city, and this campus have long stood for both human rights and human enlightenment—and let that forever be true.

This Nation is now engaged in a continuing debate about the rights of a portion of its citizens. That debate will go on, and those rights will expand, until the standard first forged by the Nation's founders has been reached—and all Americans enjoy equal opportunity and liberty under law.

RESPONSIBILITY ALSO

But this Nation was not founded solely on the principle of citizens' rights. Equally important—though too infrequently discussed—is the citizen's responsibility. For our privileges can be no greater than our obligations. The protection of our rights can endure no longer than the performance of our responsibilities. Each can be neglected only at the peril of the other.

I would speak to you today, therefore, not of your rights as Americans but of your responsibilities. They are many in number and different in nature. They do not rest with equal weight upon the shoulders of all. Equality of opportunity does not mean equality of responsibility.

All Americans must be responsible citizens—but some must be more responsible than others, by virtue of their public or private position, their role in the family or community, their prospects for the future or their legacy from the past. Increased responsibility goes with increased ability—for "of those to whom much is given, much is required."

Commodore Vanderbilt recognized this responsibility—and his recognition made possible a great institution of learning for which he will be remembered long after his steamboats and railroads have been forgotten.

I speak in particular, therefore, of the responsibilities of the educated citizen—including the students, the faculty, and the alumni of this great institution. The creation and maintenance of Vanderbilt, like that of all great universities, have required considerable effort and expense. I cannot believe that all this was undertaken merely to give the school's graduates an economic advantage. "Every man sent out from a university," said Prof. Woodrow Wilson, "should be a man of his nation, as well as a man of his time."

OBLIGATIONS ARE CITED

You have responsibilities, in short, to use your talents for the benefit of the society which helped you to develop them. You must decide, as Goethe put it, whether you will be an anvil or a hammer—whether you will give to the world in which you were reared and educated the broadest possible benefits of that education.

Of the many special obligations incumbent upon the educated citizen, I would cite three as outstanding:

Your obligation to the pursuit of learning;

Your obligation to serve the public; and

Your obligation to uphold the law.

If the pursuit of learning is not defended by the educated citizen, it is not likely to be defended at all. For there will always be those who scoff at intellectuals, who cry out against research, who seek to hamstring and hamper our educational system.

Modern cynics and skeptics see no more reason for landing a man on the moon than the cynics and skeptics of half a millennium ago saw for Columbus crossing the ocean. They see no harm in paying those to whom they entrust the minds of their children a smaller wage than is paid to those to whom they entrust the care of their plumbing.

THE EDUCATED CITIZEN

But the educated citizen knows how much more there is to know. He knows that "knowledge is power," more so today than ever before.

He knows that only an educated and informed people will be a free people—that the ignorance of one voter in a democracy impairs the security of all—and that if we can, as Jefferson put it, "enlighten the people generally. * * * Tyranny and the oppressions of mind and body will vanish, like evil spirits at the dawn of day."

And, therefore, the educated citizen has a special obligation to encourage the pursuit of learning—to promote exploration of the unknown—to preserve the freedom of inquiry—to support the advancement of research—and to assist at every level of government the improvement of education for all Americans, from grade school to graduate school.

Secondly, the educated citizen has an obligation to serve the public. He may be a precinct worker or President. He may be a scientist or a statesman. He may give of his talent at the courthouse, the State house or the White House. He may be a civil servant or a Senator, a candidate or a campaign worker, a winner or a loser. But he must be a participant and not a spectator.

"At the Olympic games," Aristotle wrote, "it is not the finest and strongest men who are crowned, but they who enter the lists—for out of these the prize men are selected. So, too, in life, of the honorable and the good, it is they who act who rightly win the prizes." I urge all of you here today—particularly the students—to enter the lists of public service, and rightly win the prizes.

ONE FORM OF ARISTOCRACY

For we can have only one form of aristocracy in this country, as Jefferson wrote long ago, in rejecting John Adams' suggestion of an artificial aristocracy based on wealth and birth. It is, he wrote, the natural aristocracy of character and talent, and the best form of government, he added, was that which selected these men for positions of responsibility.

I would hope that all educated citizens would fulfill this obligation—in politics, in Government, in the Peace Corps or the Foreign Service or the civil service. You will find the pressures greater than the pay. You may endure more public attacks than public adulation. But you will have the unequaled satisfaction of knowing that your character and talent are contributing to the direction and success of your society.

Third, and finally, the educated citizen has an obligation to uphold the law.

This is the obligation of every citizen in a free and peaceful society, but the educated citizen has a special responsibility by virtue of his greater understanding. For whether he has studied history or current events, ethics or civics, the rules of a profession or the tools of a trade, he knows that only a respect for the law makes it possible for freemen to dwell together in peace and progress.

Without the National Government there could be no Hill-Burton hospitals, no * * * of society, creating order out of chaos and coherence in place of anarchy. He knows that for one man to defy a law or court order he does not like is to invite others to defy those which they do not like, leading to a breakdown of all justice and order.

He knows, too, that every fellow man is entitled to be regarded with decency and treated with dignity. Any educated citizen who seeks to subvert the law, to suppress freedom, or to subject other human beings to acts that are less than human, degrades his heritage, ignores his learning and betrays his obligation.

Certain other societies may respect the rule of force—we respect the rule of law.

Others may pursue their ends through the use of terror and repression—we adjust our differences through courts and conciliation.

The Nation—indeed, the whole world—has watched recent events in the United States with alarm and dismay. No one can deny the complexity of the problems involved in assuring to all our citizens their full rights as Americans. But no one can gainsay the fact that the determination to secure those rights is in the highest traditions of American freedom.

In these moments of tragic disorder, a special burden rests on the educated men and women of our country—to reject the temptations of prejudice and violence, and to reaffirm the values of freedom and law on which our society depends.

When Bishop McTyeire, 90 years ago, proposed to Commodore Vanderbilt the establishment of a university in Tennessee, he said, "Commodore, our country has been torn to pieces by civil war * * *. We want to repair this damage." And Commodore Vanderbilt reportedly replied: "I want to unite this country, and all sections of it, so all the people shall be one."

And later he wrote of the university he had made possible: "If it shall, through its influence, contribute even in the smallest degree to strengthening the ties which should exist between all geographical sections of our common country, I shall feel that it has accomplished one of the objects that led me to take an interest in it."

His response—his recognition of his obligation and opportunity—gave Vanderbilt University not only an endowment but an enduring mission of reconciliation. Now, 90 years later, in a new time of tension, it is more important than ever to unite this country and strengthen these ties so that all people shall be one.

Ninety years from now, I have no doubt, Vanderbilt University will still fulfill this mission. It will still uphold learning, encourage pubic service, and teach respect for the law. It will still sift the claims of tradition and dissent. It will neither turn its back on proven wisdom or turn its face from a newborn challenge. It will still pass on to the youth of our land the full meaning of their rights and their responsibilities. And it will still be teaching the truth—the truth that makes men free.

WHEAT REFERENDUM

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, tomorrow we are having a wheat referendum. I have just returned from my district after a visit of some 3 days. I was displeased to hear many farmers telling me about the governmental pressures being brought against them for a favorable vote on this referendum. I stand here to urge you to join with me in telling Government officials to keep hands off this referendum election tomorrow. Frankly, if we have confidence in the farmers, in their knowledge of what is in their own best interests in agricultural pursuits of this country, we should leave them to make their own decisions. I think it unconscionable for us to call for a vote on this matter and then have the Government and its officials tell them how to vote. It smacks of the rankest of totalitarianism for a government to give the people the right to vote—but telling them to vote only one way.

I have confidence in the farmers of America. I hope the Government will not insist on such coercive action as apparently they have been asserting over the last several days.

REVIVE THE TRUE CONCEPT OF COMPETITIVE BIDDING

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, bureaucratic burglars in the Pentagon can be checked by a Congress operating in a 100 percent nonpartisan manner. Working together for just a few hours last week, my colleague the gentleman from Texas, Congressman KILGORE, and I were able to prove the truth of my statement. After we had proved it, Mr. KILGORE stated he is interested and is going to stay interested in cleaning up the procurement mess in the Defense Department.

I am elated over the success we attained, and I rejoice at the prospect of receiving even more help in my efforts to save the taxpayers' money in the purchase of military equipment.

Prior to the attack late last week, the autocratic Navy Department was in effect withholding vital information from prospective bidders on a proposal to overhaul airplanes that had been flying almost half the time since the Wright Brothers first took off at Kitty Hawk.

Arbitrary action by Navy paper shufflers was assuring that there would be no real competition for a job to overhaul World War II-type DC-3 and DC-4 aircraft. Stubborn refusal to allow the force of competition to work to the advantage of the taxpayer was allowing someone in the Navy Department to push the award toward two manufacturers who had done the work before. The result would have been another inflated Navy contract and another hole cut in the pocket of the taxpayer.

Today, I am happy—I might even say thrilled—to report that this scheme has been foiled. If you want to call what happened the "Joe and Earl caper," I can assure you it will be all right with the Congressman from Indiana, and I feel safe in saying it will also be OK with the Congressman from Texas.

Prior to last Wednesday, some middle-grade Navy Department specialist in charge of keeping out competition and gouging the taxpayer had things rigged in two Bureau of Weapons procurements numbered 5192-53 and 5193-63. They called for overhaul of a total of 104 of the World War II workhorse transport aircraft, 58 DC-3's and 46 DC-4's. As a part of each of these two proposals, the Bureau of Weapons placed on exhibit four documents. Each was up to 800 pages in length—the "pages" being IBM paper folds. These documents contain detailed descriptions of literally thousands of pieces of equipment to be used in the overhaul. They range from set screws to powerplants, and there are columns and columns of Government stock numbers, parts numbers, prices, application of parts and the like. To be succinct, Mr. Speaker, these documents are immense, intricate and involved.

Every single item listed in these documents will be furnished to the contractor who wins the award to overhaul the flying boxcars. Any remaining material needed must be purchased by the successful contractor. You can understand, therefore, that the prospective bidder, in order to bid intelligently, must know what he is to get from the Navy as Government-furnished equipment and what he must buy himself.

I think we can all agree additionally that since the DC-3 and DC-4 have been around for over 20 years, there should be a wealth of information on hand about them. The military should have detailed descriptions and lists of every part and ample copies of these lists.

This is the farthest from the actual circumstances. I was told by Mr. James O'Connor, Legislative Affairs Officer of the Bureau of Weapons, that only seven—count them, seven—copies of these vital documents existed for the use of bidders. These seven copies of parts lists and Government-furnished equipment are not even "formally printed" copies; they are duplicates of IBM runs—long, long lists of thin sheets of paper, folded and refolded to look like a book. If you stretched them out, they would extend thousands of feet.

The seven copies, Mr. O'Connor told me, were located thus—two at San Diego, Calif., two at Norfolk, Va., two at Pensacola, Fla., and one here in Washington, D.C. There they could be inspected by potential bidders.

They could be inspected, he said. But the Navy also stipulated they could be copied by hand only. No electric or electronic copying process might be used. Physical possession of the documents was not allowed, and a task force hand-copying operation was also ruled out.

In other words, Mr. Speaker, some Navy civil or military servant was building a brick wall around this procurement to keep out all but past contractors. The reasons for this could be many—ranging from stupidity, through inefficiency, to a calculated attempt to see that a sweetheart company gets the work.

One manufacturer who wants to bid on the work went so far as to offer to have all documents reproduced at his own expense—with as many copies as the Navy wanted—for use of any and all bidders, in order to assure competent, intelligent bidding. I am told the Navy Department turned him down because it said it could not accept such gratuities. Gratuities, indeed. I only wish I could express my disgust at learning this.

I learned of this brick-wall technique as a part of my continuing study into military procurement, and I asked Mr. O'Connor if I could have overnight possession of this material. After some hours of sparring, feinting, and dickering, he was able to secure the documents I requested and deliver them personally to my office. Attached to the documents, however, was a letter stating that they were furnished to me "with the specific understanding they will not be made available to personnel outside your personal staff." The quotes are the Navy's. Any outside dissemination of the material, I was told, verbally, might give a bidder an unfair advantage.

What should have been said was that any outside use of the material would put other bidders on a par with the company favored by someone in the Navy.

My colleague, the gentleman from Texas [Mr. KILGORE], had been working with me to get this material broken loose from the Navy. One of his constituent companies desired to bid on the work. I called my colleague and told him we had been at least partially successful.

We agreed that the Navy should release this information to any and all interested bidders in as complete and efficient a manner as possible. After inspecting the documents and after conferring at length about the problem, we took the next step.

Mr. Kilgore called the Department of Defense, the Office of Assistant Secretary of Defense in Charge of Installations and Logistics, which office is held at present by Mr. Thomas D. Morris. Mr. Kilgore can tell you at length what transpired in his conversations with people in Mr. Morris' office.

I am happy to report that he prevailed upon these people to take another look at the idiotic policies of the Navy Department. By Thursday evening, Mr. Kilgore had been told by the Defense Department that the procedure had been changed—slightly.

Any prospective bidder could now journey to San Diego, Pensacola, Norfolk, or Washington and bring in electronic copying equipment to make copies of the information so desperately needed to bid intelligently. The copies still cannot be taken out and copied. The Navy still will not relent and make enough copies to go around—the unnatural seven will stay as it is. But American industry has gotten this very small break, and some bidders will no doubt take advantage of it.

Mr. Speaker, I want to pay high compliment to the gentleman from Texas [Mr. Kilgore] for his efforts in this case on behalf of American industry and in behalf of competitive bidding. It has indeed been a pleasure to work with him and realize success.

He agrees with me, I am sure, that in all such cases as this, the military should maintain an open-door policy. It should supply all the information needed to bid intelligently and make it possible for the full force of competition to be brought to bear on all possible procurement matters. I think we all can agree that the Navy, while taking a timid step to admit its policies are something less than a model of efficiency, still has a long way to go before it can claim it is doing its best.

Mr. Speaker, the efforts of which I have spoken have removed a part of the unfair advantage contained for certain companies in this procurement. These two firms, one in Texas and one in Alabama, have had previous contracts for this work. They have all the information they need to bid intelligently. But for our action last week, all other companies would bid in the dark if they bid at all.

Now that the Navy Department has opened a crack in the door, it should go all the way. The opening dates for bids on this procurement should be set back from May 29 at least 2 weeks to mid-June. The Navy should make copies of all the needed information available at cost. If this true competitive course is followed, the contract cost will go down. I will stake my reputation on that. In fact, if experience is any indicator, the savings from competition will far exceed whatever cost is involved in making enough copies of the Government furnished equipment list to give to all interested manufacturers, on action that should have been taken years and years ago.

Mr. Speaker, this is an illustration of the way in which a bipartisan or nonpartisan approach to waste in military procurement problems can get results. It is direct evidence that the bipartisan procurement watchdog committee I have suggested in my bill—H.R. 4409—will mean savings of billions of tax dollars for America and bring about true competition in military purchasing. It is a graphic illustration of the way in which Members of this Congress, working together, can flush out the inefficiency and corruption of our procurement people, reveal it for what it is, and bring about needed changes.

The Secretary of Defense, himself, has confirmed what I have been saying for the past 2 years—that tremendous savings can be effected when the military finally wakes up and starts buying products and services competitively. I think his estimate of a 25 percent saving is by far too conservative. The savings to be realized can be much more dramatic.

This case is also a perfect illustration of what I have contended for 2 years now, and that is that certain companies have strong friends inside the military purchasing departments who put them on an inside track, give them a favored position, if you will, for lucrative Government contracts at inflated prices.

Certain middle-grade bureaucratic burglars in the billion dollar a week club in the Pentagon are just as determined to protect these favored firms as the Secretary of Defense is determined to save money and improve procurement procedures. The goals of the two wind up poles apart and what the Secretary decides to do is often turned about-face 100 percent by the time action comes at a lower level.

The lower level civil and military servants put certain companies in the catbird seat for contracts through all sorts of sleight of hand and rigging of specifications.

Their payoff may only be a lunch or a dinner. It may be a night out on the town. It may be, as in the late 1940's a deep freeze or a mink coat. These undercover gifts—they call them gratuities—wind up costing the taxpayer a thousand times over what they are worth in inflated costs for defense items.

What Secretary McNamara decides to do and what is done at the lower levels are two distinct and different things. It is almost as though he puts in a piece of white paper and it comes out red. Until these bureaucratic burglars in the military purchasing areas are brought up short, there can be no hopes for any real savings.

Again today I have pointed to a way in which true competition can be achieved in a procurement. It will not cost the Government an extra cent. It will give American industry a chance to really compete, and it will remove two former contractors for this work from their favored positions. It will also result in the savings of some dollars for our taxpayers—and the way we are spending money in this Nation today, any relief is certainly welcome.

TRIPLE DUTY TO VOTE IN WHEAT REFERENDUM

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, eligible farmers have a triple duty to get out and vote in tomorrow's wheat referendum.

They owe it to themselves, to other farmers who are not eligible, as well as to other disenfranchised fellow citizens.

At most, only 3 million people—less than half the farm population and less than 2 percent of the total U.S. population—can qualify under voting rules. The rest—some 180 million people—have a big stake in the outcome of the referendum but cannot vote.

Those who can vote owe it to themselves to help make this fundamental decision. The referendum will decide, perhaps for many years, whether Government is to exert greater or less control over wheat planting.

They have an equal responsibility to their fellow farmers who cannot vote. The outcome of the referendum will be inevitably interpreted as showing how farmers in general feel about controls, but less than half are eligible. Those who can vote have a moral obligation to get to the polls in behalf of the rest. Many farmers with strong convictions against government controls usually boycott referendums. In the interest of their voteless fellow farmers, I hope they will make an exception this time.

Eligible farmers have a similar responsibility to nonfarmers. The referendum touches intimately all consumers and all taxpayers but discriminates against most of them.

It proposes a heavy processing fee on wheat used in flour milling—plainly speaking, a bread tax—but the only consumers who can vote are those who are also eligible wheat farmers.

The wheat program takes the biggest tax bite of all farm commodity programs, costing over $1.5 billion annually. All taxpayers help foot the bill but only a small percentage can take part in the referendum which will make the tax bite bigger or smaller.

THE LATE HUGH BENNETT

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, the day the Soil Conservation Service was authorized will be remembered by the people of America as one of the greatest days that America has ever witnessed. That day we began to conserve the precious and the priceless topsoil of America. Before that time our soil had blown away, washed away, eroded away at a terrific pace. Hugh Bennett was the daddy of the Soil Conservation Service, and he did a wonderful job. He has now passed to his reward, but his doings, his work in the field of soil conservation, will long be remembered by a grateful people. The churches of America are celebrating Soil Conservation Week because they know that the conservation of our soil is the most important thing that the American people can accomplish in perpetuating the true spirit that exists in America among the God-fearing, God-loving people. It means that we will always have a plentiful supply of food, feed, and fiber. The record as far back as you want to read history has proven that the nation that has the greatest supply of food, feed, and fiber, and with God on its side, has been the victor of every war in recorded history.

PRESIDENT KENNEDY DELIVERS MAGNIFICENT AND HISTORIC ADDRESS TO MARK 90TH ANNIVERSARY OF VANDERBILT UNIVERSITY AND THE 30th ANNIVERSARY OF TVA

Mr. EVINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Speaker, President John F. Kennedy on Saturday flew to Nashville, Tenn., for ceremonies marking the 90th anniversary of Vanderbilt University and the 30th anniversary of the Tennessee Valley Authority. The acting majority leader has asked that the text of the President's remarks be reprinted in the RECORD.

After the President's historic address, he pressed a golden key which initiated construction of the Cordell Hull Dam which is located in the district I have the honor to represent in the Congress.

Citizens of Tennessee were very pleased and honored to have the President visit our State and an estimated 200,000 Tennesseans lined the streets along which President Kennedy traveled and more than 30,000 jammed Dudley Stadium at Vanderbilt University for the President's address. He was warmly received and his remarks were loudly applauded and cheered.

President Kennedy made a most scholarly, forceful, and magnificent address. He pointed to the important role that education has played in our Nation's history and to the importance that education must continue to play if our Nation is to move forward.

He also urged all Americans to be responsible citizens and stated that some citizens "must be more responsible than others." He said:

> Increased responsibility goes with increased ability—for of those to whom much is given, much is required.

Following his address on the Vanderbilt campus, President Kennedy and the members of his party were luncheon guests of Tennessee's Gov. Frank G. Clement and Mrs. Clement at the Governor's residence.

Mr. Speaker, it was indeed a grand and historic occasion for Tennessee to have President Kennedy as guest in our State, and I wanted our colleagues to know of the warm and friendly reception which the President received in the Volunteer State of Tennessee.

SUBCOMMITTEE NO. 1 OF THE COMMITTEE ON THE JUDICIARY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that Subcommittee No. 1 of the Committee on the Judiciary be permitted to sit during general debate, if there be general debate, on Wednesday, May 22, 1963, and Thursday, May 23, 1963.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

EXPRESSION OF CONGRATULATIONS TO MAJ. L. GORDON COOPER

Mr. STEED. Mr. Speaker, I call up House Resolution 351 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> Whereas Major L. Gordon Cooper, of the United States Air Force, has completed the longest flight in space ever undertaken by an American; and
>
> Whereas the bravery, skill, and dedication of Major Cooper have aroused the admiration of the people of the world, and demonstrated the capabilities of free men in the exploration of space; and
>
> Whereas the efforts of thousands of Americans have contributed to the success of Major Cooper's flight; and
>
> Whereas the family of Major Cooper has endured the long trial of his preparation and flight with great fortitude, and has rendered him untiring support: Now, therefore, be it
>
> *Resolved,* That the United States House of Representatives extends its profound congratulations to Major Cooper on his heroic accomplishment, and expresses its gratification to his family and to all those who have contributed to the success of his mission.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONSENT CALENDAR

The **SPEAKER.** This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

ADDITIONAL PAY FOR DIRECTORS AT VA INSTALLATIONS

The Clerk called the bill (H.R. 228) to amend title 38, United States Code, with respect to the salary of directors and chiefs of staff of Veterans' Administration hospitals, domiciliaries, and centers.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, it is my understanding that one of our colleagues is rather strongly opposed to this legislation. I therefore withdraw my reservation and ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

ADDITIONAL HEALTH BENEFIT PLANS

The Clerk called the bill (H.R. 1819) to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 2(i) of the Federal Employees Health Benefits Act of 1959 (73 Stat. 710; 5 U.S.C. 3001(i)) is amended by striking out "1959" and inserting in lieu thereof "1963".
>
> (b) Section 4(3) of such Act (73 Stat. 711; 5 U.S.C. 3003(3)) is amended by striking out ", and which on July 1, 1959, provided health benefits to members of the organization".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPENSES OF RETIRED EMPLOYEES HEALTH BENEFITS

The Clerk called the bill (H.R. 3517) to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

RELIEF FOR CERTAIN NAVAL OFFICERS

The Clerk called the bill (H.R. 5042) for the relief of certain officers of the naval service erroneously in receipt of compensation based upon an incorrect computation of service for basic pay.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, may I ask a question or two of someone from the committee from which this legislation came to the floor of the House?

I ask this because over the years I have been concerned about the periodic appearance of legislation to relieve certain officers and others in the military services from their responsibilities under the law for erroneous compensation payments to members of the armed services.

I have tried to get the committee to pin responsibility on an individual or on an office for these erroneous payments. Last year on several occasions we had colloquy and it was then indicated that the committee was going to be more firm in its opposition to the recommendation of such legislation. Would the gentleman care to make any comment?

Mr. ASHMORE. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman.

Mr. ASHMORE. Mr. Speaker, I recall in the past when the gentleman from Michigan requested the committee to try to have some of these bills considered on the basis he has stated. However, I would like to state that this is not the same kind of legislation. It has come up from a different source and for a different reason. These instances covered by this bill are isolated. They happened due to an incident at the close of World War II. These are not the repetitious type which the gentleman has in mind. This came about because of a decision of the Comptroller General which held that the acceptance of midshipmen's appointments in effect canceled the inactive Naval Reserve enlisted status of these gentlemen.

They were serving in one capacity and at the end of the war, due to the educational program, they were transferred into another capacity. They received credit in the computation of past pay for their inactive Naval Reserve service. This decision resulted in their having received this money over a period of approximately 15 years. This continued over these years, because the basis of the error was unknown until this decision of the Comptroller General came about, which said that credit for this particular enlisted service was an error and should not have been recognized during all these years.

Mr. FORD. Mr. Speaker, I understand the point made by the gentleman. It is an unusual circumstance; time has elapsed. The error was not determined until some 15 years subsequent to the problem arising. So under these unusual circumstances I shall raise no objection. But I do want the committee to know of my continuing interest in problems such as this. I think it is the committee's responsibility to be hard, difficult, so we do not condone this kind of circumstance.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FORD. I am glad to yield to the gentleman.

Mr. GROSS. Mr. Speaker, I want to concur in what the gentleman has said and join with him in protesting these errors which result in overpayments to altogether too many civilian employees. Comptroller General Campbell testified before the House Committee on Post Office and Civil Service 2 or 3 weeks ago, pointing out that during the period 1957 to 1961 this Government paid out more than $100 million; in that brief space of time they paid out more than $100 million to take care of just such incidents as this, where payments were erroneously made. I think this deserves the interest of every Member of the House of Representatives.

Mr. FORD. Mr. Speaker, it is my understanding that the Committee on the Judiciary does have a specific policy for the consideration of this type of legislation. Will the gentleman outline in the RECORD as part of this colloquy what the committee's policy is so that we are fully informed as to the attitude of the committee at the time it considers these requests?

Mr. ASHMORE. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman.

Mr. ASHMORE. Mr. Speaker, I might say that my predecessor, as chairman of the subcommittee, Mr. Lane, of Massachusetts, gave serious thought to this problem. We shall certainly give it our continuing attention, and make inquiries on the points the gentleman has suggested.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any member or former member of the naval service who—

(a) as an enlisted member of the United States Naval Reserve, was appointed a midshipman in the United States Naval Reserve without termination of the enlistment contract; and

(b) was thereafter erroneously credited in the computation of his basic pay with a period of enlisted service on and after the date of appointment;

is relieved of all liability to refund to the United States the amounts, which were otherwise correct, received by him prior to March 15, 1961, as a result of the erroneous credit for service. Any person who has at any time repaid to the United States any amount paid to him based upon an erroneous credit for service as cited in this section is entitled to have refunded to him the amount repaid.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 3. Appropriations available for the pay and allowances of members of the naval service are available for refunds under this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

U.S. PARK POLICE

The Clerk called the bill (H.R. 4893) relating to age limits in connection with appointments to the U.S. Park Police.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

The Clerk called the bill (H.R. 5569) to amend the Civil Service Retirement Act to permit the recovery by the Government of amounts due the Government in the settlement of claims under such act, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15 of the Civil Service Retirement Act, as amended (5 U.S.C. 2265), is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding any other provision of law, the Commission is authorized to take appropriate action on counterclaims filed by the Government as set off against amounts otherwise due and payable from the fund to the debtors concerned."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARPERS FERRY NATIONAL HISTORICAL PARK

The Clerk called the bill (S. 18) to change the name of Harpers Ferry National Monument to Harpers Ferry National Historical Park.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, I have one quick question to ask concerning this bill: This is designed only to change the name, and does not contemplate the expenditure of additional funds from the Federal Treasury; is that correct?

Mr. MORRIS. The gentleman is exactly correct.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Harpers Ferry National Monument established pursuant to the Act entitled "An Act to provide for the establishment of the Harpers Ferry National Monument", approved June 30, 1944 (58 Stat. 645), shall hereafter be known as Harpers Ferry National Historical Park, and any law, regulation, document, or record of the United States in which such monument is designated or referred to under the name of Harpers Ferry National Monument shall be held to refer to such monument under and by the name of Harpers Ferry National Historical Park.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE LEWIS AND CLARK TRAIL

The Clerk called the concurrent resolution (H. Con. Res. 61) to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest.

There being no objection, the Clerk read the concurrent resolution as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the route traversed by Captains Meriwether Lewis and William

Clark on their expedition of 1804–1806 from Saint Louis, Missouri, to the Pacific Northwest should, to the greatest extent feasible, be identified, marked, and kept available for the inspiration and enjoyment of the American people and that, to this end, (a) all agencies of the United States which administer lands along the route of the expedition, including particularly the Departments of the Interior, Agriculture, and the Army, should act in concert to preserve and mark in an appropriate fashion the route wherever it crosses lands which they administer and to assure public access to the lands so crossed, and (b) that all States, counties, municipalities, and private parties who own land along the route or are otherwise interested in the success of this project should be invited, and they are hereby invited, to join in preserving, marking, and assuring public access to the route of the expedition.

With the following committee amendment:

Page 2, lines 6 and 7, strike out "preserving, marking, and assuring public access to the route of the expedition." and insert "memorializing, preserving, and marking the route of the expedition."

The committee amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

JUNEAU INDIAN VILLAGE, ALASKA

The Clerk called the bill (S. 247) to authorize survey and establishment of a townsite for the Juneau Indian Village in Alaska.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355a–355d), is hereby extended and made applicable to all lands of the Juneau Indian Village of Alaska, including uplands and filled in tidelands occupied on the date of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

The Clerk called the bill (H.R. 641) to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washington, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with the Act of June 22, 1936 (49 Stat. 1803; 25 U.S.C. 389–389e), the order of the Secretary of the Interior dated September 12, 1962, canceling $4,494.58 of delinquent irrigation charges, providing for the deferred payment of $10,356.03, and providing for the removal of 78.12 acres of assessable land from the Wapato Indian irrigation project, is hereby approved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRODUCER LIVESTOCK PROGRAMS

The Clerk called the bill (H.R. 5860) to amend section 407 of the Packers and Stockyards Act of 1921, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, I reserve the right to object in order to ascertain if possible the cost of this legislation. I do not have the information as to any amount that it might cost, and I do not have any indication that the Bureau of the Budget has given their approval to this legislation.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Iowa.

Mr. HOEVEN. There is no Federal Government money involved whatsoever. This is entirely a voluntary program, paid for by the livestock industry without Government money.

This legislation is necessary in that the Department of Agriculture is of the opinion that under the Packers and Stockyards Act some question has arisen as to whether deductions for promotional purposes can be made from the proceeds of the sale of livestock unless such deductions are supported in each instance by a prior written order by the producer. The producer himself makes the decision. If deductions are made and the producer is not satisfied, he can ask for a refund of any deductions which may have been made.

This bill was unanimously approved by the Committee on Agriculture. As far as I know it has the unanimous and wholehearted support of practically every farm organization in the country as well as the National Livestock and Meat Board. This is a good bill for the livestock industry.

Mr. PELLY. Mr. Speaker, in view of the fact there is no cost to the Government involved here and in view of the fact that those on the Committee on Agriculture are unanimously in support of this bill, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Packers and Stockyards Act of 1921, as amended, is amended by adding the following new subsection (c) to section 407:

"(c) Notwithstanding any other provision of law, the authority of the Secretary under this Act shall not apply to deductions made from sales proceeds for the purpose of financing promotion and research activities, including educational activities relating to livestock, meat, and other products covered by the Act."

Mr. DINGELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: Strike the quotation mark in line 11 and add as follows: "Notwithstanding any other provision of this Act, it shall be unlawful for any person, firm, association or corporation to deduct any charges, fees or contributions from sales proceeds for the purpose of financing promotion activities, unless such person, firm, association or corporation has first been presented with an individual written order therefor signed by the seller, and by his or her spouse, if married."

Mr. DINGELL. Mr. Speaker, we have here a situation where the Congress is asked to ratify and endorse a practice whereon the rancher who sells livestock is assessed an additional tax imposed upon him without his clear consent. The function of this amendment is simply to require that where such a deduction is made by private persons the individual who has the deduction made from his commodities or from the price that he receives shall first give his assent.

Mr. Speaker, this is a very simple amendment. I think no Member here should object. The seller of livestock who has a deduction of this kind made from a commodity sold by him should have first the opportunity to indicate his assent. As a matter of fact, Mr. Speaker, I note that this bill is one that is offered by the Farm Bureau. I know the Farm Bureau has been the great champion of the rights of individuals throughout the years. I know they have been particularly active in protecting the rights of trade unionists from the trade unions themselves. So, Mr. Speaker, I think they would be entirely agreeable and in accord with the purpose of this amendment and they would endorse the idea of having the seller of livestock protected and see to it that when there is a deduction from proceeds of the sale by private parties the seller gives his consent. As a matter of fact, this language is taken practically verbatim from the language of the Wyoming right to work law which was just lobbied through by the National Association of Manufacturers and by the Farm Bureau. So this is an amendment which the Farm Bureau members should wholeheartedly and enthusiastically support since it has been taken from the language of their own bill and since it does nothing but say that when an individual sells property before any portion of the proceeds of the sale of his property is taken from him, he has a right to give his full assent and even have his wife consulted, as is done under the right to work statute of which the Farm Bureau and the National Association of Manufacturers are so very very fond.

There is no inconvenience imposed on the promoter by this amendment that the committee bill would not impose on the seller. The amendment outlaws private taxation, even if for a most worthwhile purpose, without consent of the taxed, a principal for which our forebears fought.

On big shipments and little shipments the sales contract will need only indicate a place where the rancher who sells can indicate his assent. To do other than to approve this amendment is to sanction a situation fraught with all manner of possibility of rascility.

Mr. Speaker, I yield back the balance of my time.

Mr. QUIE. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I have had a great deal of experience in my occupation as a farmer with checkoffs for promotional and research purposes. There are a number of commodities today, that is, agricultural commodities, that have this same authority that we are asking for meat products in this bill. The dairy industry has this and it works well. It is a voluntary checkoff. It does not require anyone to do it. The proposal here is the same as applies to the meat industry where the person who has an amount checked off from his sales of cattle or hogs can voluntarily permit it to be checked off or he can request that it not be checked off. Or if it has been checked off, he can ask for a refund. The marketing agency, which voluntarily makes the checkoff, does not have to do so if it does not want to.

We have had this before us for a long time. It is a peculiarity of the Packers and Stockyards Act, which requires the Secretary of Agriculture to get into this complicated mechanism whereby he must make regulation affecting the livestock industry checkoffs. This bill has the support of the Department of Agriculture, but I am sure the amendment does not. The bill will enable this one commodity to be treated like the other agricultural commodities are. It is a free choice on their part. History has shown that these checkoff programs need no undue Government supervision since the funds will dry up without producer support.

When the question was asked whether this would cost the Department of Agriculture any money, just the reverse is true. It will cost the Department of Agriculture less money, because they will not have to go through the complicated procedure of requiring each person to give a prior written order before money can be checked off.

The Dingell amendment would ruin what we want to be a voluntary program. We are trying to enable the farmers to try to solve their own problems with promotional and research activities. If we deny them this right by adopting the amendment offered by the gentleman from Michigan, it would be ruinous to the program.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Iowa.

Mr. HOEVEN. The amendment offered by the gentleman from Michigan will completely destroy the force and effect of this bill. In fact, the purpose of the legislation before us is to get away from the very thing that the gentleman from Michigan is now proposing. The amendment should be defeated.

There was not one individual who appeared in opposition to the bill. The Farm Bureau advocates it, I understand the Farmers Union, and the Grange and the industry in general approve it. As I stated, not one single witness appeared in opposition to this bill.

This is a popular piece of legislation, and it is particularly needed at this time when we have a problem with cattle and livestock prices. We have to have this kind of legislation if we are to encourage the people of the country to eat more pork and meat. In this way we will help the livestock industry of this country.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Michigan.

Mr. DINGELL. How many times under this amendment is money going to be extracted from the livestock producer?

Mr. QUIE. Under the program that could be set up, every time he sells his stock to a packer, money can be deducted.

Mr. DINGELL. It can be deducted every step down the line. The packer, the middleman. The middleman deducts and the packer deducts.

Mr. QUIE. If the packer does not wish to have money deducted, he does not have to. If any producer or if any middle man or commission man between producer and packer does not want to have it deducted, they need not have any part of it deducted.

Mr. DINGELL. Is it not so that under the present system and under the system that would be authorized if this bill is passed, the individual who sells the livestock, or anyone who sells these commodities, would have to go through all the work of writing a letter and saying, "I do not want this done" to get his money back. In other words, he might have to invest a 5-cent stamp to get back 3 cents.

Is it not easier to say to the marketers, "If you want to get this promotion money, you should at least have the consent of the man who raises the animal and sells it to him before he starts taking money out of his pocket"?

Mr. QUIE. The producers with which this is closely related may make a statement if they do not want it deducted. And it is marked very clearly on his check when it is sent to him that so much is deducted for promotion. If he does not want this done he sends in a letter to that effect. If a producer ships through a cooperative, its entire membership can make a policy decision. The situation will be exactly like it is for other commodities. I am very familiar with the dairy industry, and all a person has to do in the dairy industry is to write a letter to his milk plant saying he does not want a deduction made, and it is not deducted from his check. With this amendment it would be impossible to function, and it is too expensive for the agency to operate, and more money would be spent for administrative costs that should be spent for promotion.

I hope that we will vote down the amendment and that there will be no objection to the bill.

Mr. DUNCAN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am not certain that I can add anything to the words of the distinguished gentleman from Minnesota, but I do want the House to be aware of the fact that this certainly was not a partisan matter in the subcommittee or in the full committee. Briefly, the history of this matter is that the Secretary of Agriculutre has issued regulations in essentially the same words as the proposed amendment offered by the gentleman from Michigan. The entire purpose of this legislation is to obviate the necessity for any such regulations as the gentleman from Michigan is now proposing you adopt and make law today. His amendment is unnecessary. If the bill is defeated, then in that event, the Secretary of Agriculture can promulgate regulations similar to what we have today.

This type of promotional activity has a long history. The board that sponsored it was organized away back in the twenties. The amount of deduction involved here is very small. It runs from 1 to 3 cents a head for cattle, from a third to 1 cent on pork, and a third to 1 cent on sheep. The livestock industry has been characterized throughout history with freedom from Government controls, and the purpose of this legislation is to prohibit the imposition of one additional Government control on an industry which thus far has been completely free of it.

The gentleman from Michigan suggests that this legislation is imposing a tax. There is no tax imposed here. The deduction of this sum of money is purely on a voluntary basis. Any time the producer wants to stop it, all he has to do is to tell his selling agent he does not want it deducted. There is no rigmarole, petition, or anything else connected with it. All we are trying to do is to eliminate one area of governmental control. And I might say I think the industry has been very successful in promotional activities for which the funds herein discussed are devoted.

The gentleman from Michigan suggests that once the cattle have been sold to the stockyards the producer is no longer interested in the disposition of the carcass; yet, all of us know that if that meat that is processed is not sold or is not consumed, the market for the farmer's cattle is to that extent diminished. What we are trying to do is to continue a voluntary program, operate in a spirit of free economy, and let the farmers go ahead free of any governmental activity.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. DUNCAN. I yield to the gentleman from Iowa.

Mr. HOEVEN. Of course, the gentleman realizes that we have to present a bill which will be agreeable and acceptable to the livestock commission firms.

Under the gentleman's amendment it would be a terrific burden on commission people in the matter of bookkeeping. Every time a farmer brought his livestock to market, he would have to present a written request, and a record would have to be made of every written request made. We want to get away from that burdensome task. Again let me emphasize that this is a voluntary program. No livestock producer has to engage in the program unless he wants to do so. The deductions will be made with his knowledge and consent. If he is not satisfied, he can get his money back if deductions have been made. It is a completely voluntary program without any governmental dictation or regulations whatsoever. All we are trying to do in this legislation is to help the livestock industry of this country.

Mr. DUNCAN. I would assume, sir, that a continuing authorization could be made to the livestock sales organization, if this were deemed necessary. And, I would say to the gentleman from Michigan, if I thought for one moment that this was going to be a burden, going to create a hardship, that any dishonesty was going to be involved, or expense to the producer, I would not support this bill. But I was convinced from the testimony that we heard, without objection, that this was a matter solely within the discretion of the producer himself. In other words, at any time he did not want to make these payments, all he has to do is open his mouth and say so and the money would not be deducted in the first place. Further, if it had been and he did not want it deducted, he can get his money back. It is just that simple.

The SPEAKER. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF LAND ON ROSEBUD SIOUX INDIAN RESERVATION, S. DAK.

The Clerk called the bill (H.R. 2467) to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask some member of the committee whether an Indian has priority in the purchase of this land?

Mr. BERRY. Mr. Speaker, if the gentleman will yield, there is no provision, I might say to the gentleman from Iowa, for the prior treatment of an Indian, because it is off the Indian reservation. It is in an area ranging from 25 to 75 miles from the Indian reservation.

Mr. GROSS. Does not the gentleman think that an Indian ought to have priority in the purchase of tribal land that can be sold under the terms of this bill?

Mr. BERRY. He has where it is on the reservation area, but on this land it would not add anything to the benefit of the Indian.

Mr. GROSS. It will not?

Mr. BERRY. No; because the Indian will not be buying enough of it.

Mr. GROSS. The chances are he will not have the opportunity under the terms of this bill, will he?

Mr. BERRY. If the gentleman will yield further, he would have the same right and the same opportunity as anyone else.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, upon request of the Rosebud Sioux Tribe, South Dakota, acting through its governing body, the Secretary of the Interior is authorized to exchange or to sell, by public or by negotiated sale, the tribal interests in isolated tracts of land held by the United States in trust for the tribe: *Provided,* (1) That the Secretary of the Interior certifies that the tract is isolated in that it is so located or situated that it would be to the economic advantage of the tribe to sell or exchange the tract; (2) that the amount or exchange value received by the tribe is not less than the fair market value of the tribal trust land and is accepted by the tribe; (3) that any proceeds from the sale of land under this Act are used exclusively for the purchase of land on the reservation within land consolidation areas approved by the Secretary of the Interior; (4) that title to any land acquired under this Act by purchase or exchange shall be taken in the name of the United States in trust for the tribe; (5) that if lands in an exchange are not of equal value the difference in value may be paid in money; and (6) that if an Indian acquires the tribal trust land, title shall be taken in the name of the United States in trust.

With the following committee amendments:

Page 1, line 7, after "land" insert "located in Tripp, Gregory, and Lyman Counties, South Dakota, and".

Page 2, line 8, after "acquired" insert "for the tribe".

Page 2, line 12, strike out "Indian" and insert "enrolled member of the Rosebud Sioux Tribe".

Page 2, line 13, strike out "shall" and insert "may".

Page 2, after line 14, add a new section to read:

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DONATING LAND TO THE DEVILS LAKE SIOUX TRIBE

The Clerk called the bill (H.R. 2905) to donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, N. Dak., approximately 275.74 acres of federally owned land.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the real property described below, and the improvements thereon, located within the Fort Totten Indian Reservation, North Dakota, are hereby declared to be held in trust by the United States for the use and benefit of the members of the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, North Dakota, subject to existing valid rights-of-way: Lot 1, section 16; lots 6, 7, 8, 9, 10, southwest quarter northeast quarter northeast quarter, southeast quarter northeast quarter, section 17; the west two hundred and twenty feet of the north 1,255.3 feet of lot 2, section 16; the north 38.13 acres of lot 2, section 17, and the north 11.46 acres of lot 3, section 17, these parcels being that portion of the west two hundred and twenty feet of lot 2, section 16 and those portions of lots 2 and 3, section 17, not embraced in Devils Lake Sioux Allotment Numbered 585 of Jesse G. Palmer for which Patent Numbered 412546 was issued to Frank Palmer, heir of Jesse G. Palmer, on June 10, 1914, all of said lands being situated in township 152 north, range 65 west, fifth principal meridian, Benson County, North Dakota, containing 275.74 acres more or less.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNIFORM AUDIT REQUIREMENTS

The Clerk called the bill (H.R. 4223) to provide for audit of accounts of private corporations established under Federal law.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the term "private corporations established under Federal law" as used in this Act means the following organizations:

(1) Agricultural Hall of Fame.
(2) American Chemical Society.
(3) American Historical Association.
(4) The American Legion.
(5) The American National Theater and Academy.
(6) American Society of International Law.
(7) American Symphony Orchestra League.
(8) American War Mothers.
(9) AMVETS (American Veterans of World War II).
(10) Belleau Wood Memorial Association.
(11) Big Brothers of America.
(12) Blinded Veterans Association.
(13) Blue Star Mothers of America.
(14) Board for Fundamental Education.
(15) Boy Scouts of America.
(16) Boys' Clubs of America.
(17) Civil Air Patrol.
(18) Conference of State Societies, Washington, District of Columbia.
(19) The Congressional Medal of Honor Society of the United States of America.
(20) Daughters of the American Revolution.
(21) Disabled American Veterans.
(22) The Foundation of the Federal Bar Association.
(23) Future Farmers of America.
(24) Girls Scouts of America.
(25) Grand Army of the Republic.
(26) Jewish War Veterans, U.S.A., National Memorial, Inc.
(27) Ladies of the Grand Army of the Republic.
(28) Legion of Valor of the United States of America, Incorporated.
(29) Marine Corps League.
(30) Military Chaplains Association of the United States of America.
(31) Military Order of the Purple Heart of the United States of America.
(32) National Academy of Sciences.
(33) National Conference on Citizenship.

(34) National Fund for Medical Education.

(35) National Music Council.

(36) National Safety Council.

(37) National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic.

(38) The National Yoemen F.

(39) Naval Sea Cadet Corps.

(40) Navy Club of the United States of America.

(41) Reserve Officers Association.

(42) Sons of the American Revolution.

(43) Sons of Union Veterans of the Civil War.

(44) United Spanish War Veterans.

(45) United States Blind Veterans of World War I.

(46) United States Olympic Association.

(47) Veterans of Foreign Wars of the United States.

(48) Veterans of World War I of the United States of America.

SEC. 2. The accounts of private corporations established under Federal law shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audits shall be conducted at the place or places where the accounts of the corporations are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporations and necessary to facilitate the audits shall be made available to the person or persons conducting the audits; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

SEC. 3. The report of each such independent audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and include such statements as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, together with the independent auditor's opinion of those statements. The report shall not be printed as a public document.

SEC. 4. The following provisions of law are hereby repealed:

(1) The words "including a full, complete, and itemized report of receipts and expenditures, of whatever kind" contained in section 8 of the Act of June 15, 1916 (39 Stat. 229; 36 U.S.C. 28);

(2) The words "including a full, complete, and itemized report of receipts and expenditures of whatever kind" contained in section 7 of the Act of March 16, 1950 (64 Stat. 24, as amended; 36 U.S.C. 37);

(3) The words "including a full and complete report of its receipts and expenditures" contained in section 9 of the Act of September 16, 1919 (41 Stat. 285; 36 U.S.C. 49);

(4) The words "including a full and complete report of its receipts and expenditures" contained in section 8 of the Act of July 5, 1935 (49 Stat. 459);

(5) The words "including the full and complete statement of its receipts and expenditures" contained in section 4 of the Act of August 4, 1937 (50 Stat. 559; 36 U.S.C. 58);

(6) The words "including the full and complete statement of its receipts and expenditures" contained in section 5 of the Act of March 3, 1923 (42 Stat. 1441; 36 U.S.C. 65);

(7) Section 14 of Public Law 86-47 (73 Stat. 79; 36 U.S.C. 78m);

(8) The words "including a full and complete report of its receipts and expenditures" contained in section 9 of the Act of June 17, 1932 (47 Stat. 321, as amended; 36 U.S.C. 901);

(9) The words "including a full and complete report of its receipts and expenditures" contained in section 11 of the Act of February 24, 1925 (43 Stat. 968; 36 U.S.C. 101);

(10) The words "including a full and complete report of its receipts and expenditures" and the word "financial" contained in section 8 of the Act of May 28, 1936 (49 Stat. 1391; 36 U.S.C. 118);

(11) The words "including a full and complete statement of its receipts and expenditures" contained in section 4 of the Act of June 6, 1940 (54 Stat. 233; 36 U.S.C. 140c);

(12) Section 15 of the Act of June 30, 1950 (64 Stat. 315; 36 U.S.C. 235);

(13) Section 14 of the Act of August 30, 1950 (64 Stat. 566; 36 U.S.C. 284);

(14) The words "including the full and complete statement of its receipts and expenditures" contained in section 7 of the Act of September 20, 1950 (64 Stat. 869; 36 U.S.C. 317);

(15) Section 9 of the Act of September 20, 1950 (64 Stat. 872; 36 U.S.C. 349);

(16) The words "including the full and complete statement of its receipts and expenditures" contained in section 12 of the Act of September 21, 1950 (64 Stat. 982; 36 U.S.C. 382);

(17) Section 16 of the Act of April 3, 1952 (66 Stat. 40; 36 U.S.C. 416);

(18) Section 14 of the Act of August 13, 1953 (67 Stat. 565; 36 U.S.C. 444);

(19) Section 15 of the Act of August 13, 1953 (67 Stat. 573; 36 U.S.C. 475);

(20) Section 14 of the Act of July 19, 1954 (68 Stat. 491; 36 U.S.C. 514);

(21) Section 15 of the Act of August 20, 1954 (68 Stat. 751; 36 U.S.C. 545);

(22) Section 14 of the Act of August 24, 1954 (68 Stat. 799; 36 U.S.C. 584);

(23) Section 14 of the Act of August 28, 1954 (68 Stat. 894; 36 U.S.C. 614);

(24) Section 14 of the Act of August 4, 1955 (69 Stat. 489; 36 U.S.C. 644);

(25) Section 14 of the Act of August 1, 1956 (70 Stat. 796; 36 U.S.C. 674);

(26) Section 14 of the Act of August 6, 1956 (70 Stat. 1056; 36 U.S.C. 704);

(27) Section 15 of Public Law 85-530 (72 Stat. 374; 36 U.S.C. 775);

(28) Section 14 of Public Law 85-642 (72 Stat. 600; 36 U.S.C. 804);

(29) Section 14 of Public Law 85-761 (72 Stat. 858; 36 U.S.C. 834);

(30) Section 14 of Public Law 85-769 (72 Stat. 926; 36 U.S.C. 864);

(31) Section 14 of Public Law 85-870 (72 Stat. 1694; 36 U.S.C. 894);

(32) Section 13 of Public Law 85-903 (72 Stat. 1741; 36 U.S.C. 923);

(33) Section 14 of Public Law 86-653 (74 Stat. 518; 36 U.S.C. 954);

(34) Section 14 of Public Law 86-680 (74 Stat. 576; 36 U.S.C. 984);

(35) Section 15 of Public Law 87-650 (76 Stat. 505; 36 U.S.C. 1015);

(36) Section 14 of Public Law 87-655 (76 Stat. 533; 36 U.S.C. 1054);

(37) Section 14 of Public Law 87-817 (76 Stat. 933);

(38) The words "including the full and complete statements of its receipts and expenditures" contained in section 8 of the Act of August 25, 1937 (50 Stat. 800).

With the following committee amendments:

On page 5, line 6, strike out the period and insert: ", except as part of proceedings authorized to be printed under the Act of March 2, 1931, chapter 378, section 1, as amended."

On page 7, line 14, strike out "982" and insert "902".

On page 8, line 10, strike out "1056" and insert "1055".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the bills on the Consent Calendar.

CONSOLIDATING VICKSBURG NATIONAL MILITARY PARK

Mr. MORRIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1162) to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and protect the essential historical features of Vicksburg National Military Park in the State of Mississippi and to enhance visitor enjoyment and safety by means of a park tour road and through the consolidation of park lands, the Secretary of the Interior is authorized, in his discretion, and under such terms and conditions as he determines are in the public interest—

(a) to quitclaim to the city of Vicksburg, Mississippi, approximately one hundred and fifty-four acres of land, including the roads thereon and the park land abutting said roads, in exchange for the city's agreeing to place the roads in its road system and thereby assume jurisdiction and maintenance thereof, and upon the further agreement of the city to maintain the parklike character of so much of the park land conveyed to it and abutting the road as the Secretary may prescribe, said land being generally that part of Vicksburg National Military Park lying south of Fort Garrott with the exception of Navy Circle, South Fort, and Louisiana Circle: *Provided,* That title to so much of said abutting park land prescribed by the Secretary and covered by said agreement of the city to maintain the parklike character thereof shall revert to the United States if its parklike character is not maintained; to quitclaim to Warren County, Mississippi, upon like terms and conditions approximately twenty-four acres of land, including the road and abutting park land, being known as Sherman Avenue and the Sherman Avenue spur; to release or quitclaim to Warren County or any other appropriate political subdivision of the State all interest which the United States of America has, if any, in those portions of any public road located on park land which are no longer required for park purposes: *Provided,* That the United States shall reserve from the conveyance or conveyances made pursuant to this subsection title to all historical monuments, means of access thereto, and such other easements as the Secretary determines are required for the continued administration of said monuments as a part of Vicksburg National Military park; and

(b) to acquire not in excess of five hundred and forty-four acres of land, or interests in land, for addition to Vicksburg National Military Park, such authority to include purchase and condemnation with appropriate funds but not to constitute a limitation upon existing authority to accept donations; and

(c) to enter into agreements with duly authorized officials to the city of Vicksburg and Warren County relative to the effect which the installation of a one-way park tour road with controlled access will have upon the existing local road systems; subject to the availability of funds, to obligate the United States to make provision for such alterations, relocations and construction of local roads, including procurement of rights-of-way therefor and the subsequent transfer thereof to the State or its appropriate political subdivisions which shall thereupon assume jurisdiction and maintenance, as the Secretary and said officials agree are directly attributable to the installation of the park tour road; and to transfer to the city or county jurisdiction and maintenance of service roads which the Secretary constructs on park lands to properties that otherwise would be denied access because of the installation of the park tour road.

The Secretary of the Interior shall not, without first obtaining the consent of the city and county officials referred to in subsection (c), convert the portion of the existing road known as Confederate Avenue lying between Graveyard Road and Fort Garrott into a one-way park tour road with controlled access, or otherwise limit the use of such portion by local traffic, until the United States has provided for such alterations, relocations, and construction of local roads (including procurement of rights-of-way) as the Secretary and said officials agree are directly attributable to the installation of such park tour road.

SEC. 2. Upon the delivery and acceptance of the conveyances herein authorized, any jurisdiction heretofore ceded to the United States by the State of Mississippi over the lands and roads transferred shall thereby cease and thereafter rest in the State of Mississippi.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $2,050,000, as are required for acquisition of lands and interests in lands and for construction and relocation of roads pursuant to this Act.

The **SPEAKER**. Is a second demanded?

Mr. **SAYLOR**. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **ASPINALL**. Mr. Speaker, I am glad to support S. 386, a bill by our colleague, the gentleman from Mississippi, JOHN BELL WILLIAMS, which will greatly improve the Vicksburg National Military Park.

There is no need to remind Members of the House of the importance of the Battle of Vicksburg in our Nation's history. And there is no need to remind Members that once the Government undertakes to do a job such as it is doing in the Vicksburg Park it needs to do it right.

Vicksburg National Military Park is not a new operation. It was authorized by the act of February 21, 1899, under which the Secretary of War was to establish a park of about 1,200 acres in order to commemorate the campaign and siege and defense of Vicksburg and to preserve the history of the battles and operations of the siege and defense on the ground where they were fought and were carried on. Administration of the park was transferred to the National Park Service on August 10, 1933.

What this bill does is to adjust the boundaries of the park and to provide for new traffic facilities to bring the park into line with changes that have occurred since 1899. Two very important factors that have come into the picture since then are these. First, the town of Vicksburg has grown a great deal since 1899 and it and the park now exist right up against each other. In fact, one part of the park—a part which it is proposed to eliminate from it—is now not much more than a city street. Second, of course, the automobile has come into widespread use—in fact, one might almost say it has come into existence—since the park was created. With more than 1 million visitors a year to the park, nearly all coming in by automobile—an average around the year of 700 or more cars a day—one of the principal needs of the park is for a road system which will keep the park traffic and local traffic separate from each other. I say this because the visitors' traffic—and the visitors come in from all parts of the United States—wants to move slowly and to make frequent stops to view the monuments in the park and the remains of the fortifications that are there, whereas the local traffic is using the same streets and roads merely as a way of getting from one place to another as quickly as it can.

What is proposed, then, is a one-way circular road system for the park which will enable the visitors to do what they came there to do without interfering with local traffic and, for the same reason, some bypass roads which will take as much local traffic as possible out of the park. The estimate that we have for this work is a little over $1,500,000. I recognize that this is an estimate and that by the time this bill passes and appropriations are made and contracts are let, it may turn out to be more or less than this amount. But we have written this amount plus the $534,000 that is the estimated cost of land acquisition into the bill. If the actual turns out to be more than the amount specified, the Committee on Interior and Insular Affairs will consider the justification for the change and act accordingly.

I have just mentioned land acquisition. This matter was carefully considered in the committee and it was concluded that the acquisition of 544 acres and the disposition of 178 acres is justified. The price of the land to be acquired is high, we all admit—nearly $1,000 an acre—but the land is needed to do the job that the park was originally set up to do. It is needed to preserve the scene on which the Battle of Vicksburg was fought. Our colleague, the gentleman from the district, can tell you in more detail than I can about this, but I have been assured that this acquisition is part of an entire plan which has been worked out in negotiations between the Park Service and the city extending over a number of years.

Mr. Speaker, I recommend passage of the bill.

Mr. **WILLIAMS**. Mr. Speaker, the bill under consideration, H.R. 1162, provides for the consolidation of the Vicksburg National Military Park. A similar bill sponsored by the two Senators from Mississippi has passed the other body.

The purpose of this bill is to promote visitor safety, and consolidate park property in order to make it more attractive and more enjoyable for the nearly 1 million persons who visit this park annually. The present spread-out arrangement of the park and the haphazard road system actually constitute traffic hazards. The present 100 access roads are confusing and visitors are unable to tour the park without getting lost or ending up on a city street leading away from the park.

Concentration of the park in one compact area will mean that the hundreds of thousands of visitors from all the States may gain full enjoyment of the park's facilities and appreciate the reasons for its establishment.

The land which the Federal Government would deed to the city of Vicksburg and the county of Warren under this bill is valued at approximately $25,130. This is not a gift, inasmuch as the annual maintenance cost is $4,000 and if the park service retains control of the land an immediate expenditure of $250,000 would be necessary to control erosion. Consequently, the Government will save initially a quarter of a million dollars and in 6 years will recover the total value of the land through an annual savings of $4,000.

This bill has the support of the people of Vicksburg, the National Park Service, and all persons with an interest in Civil War history. Insofar as I know there is no opposition to the measure.

Mr. **MORRIS**. Mr. Speaker, it is with great pleasure that I present to my colleagues for consideration H.R. 1162, a bill to consolidate the Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road and for other purposes.

The bill authorizes the addition of 544 acres of land for use in connection with the Vicksburg National Military Park; for the disposition of 178 acres now within the park; for the improvement of the road and traffic system within the park, and for the construction of other roads necessary to effectuate this improvement.

The Senate passed a similar bill, S. 386, on April 10, 1963, without a record vote. The difference between the two bills is that section 3 of H.R. 1162, as reported by the House Committee on Interior and Insular Affairs, limits the amount authorized to be appropriated for land acquisition and road construction work to $2.5 million while the Senate version has no such authorization limit.

For several years the National Park Service and the superintendent of the Vicksburg National Military Park, have conferred with the officials of the city of Vicksburg, Warren County, the Vicksburg Chamber of Commerce, and the many other interested groups and individuals to work out a proposal which would consolidate and develop the park in a manner in the public interest and acceptable to all concerned.

Through the years numerous public and private access roads were provided to accommodate the flow of traffic to and from the city which has increased in size tremendously. Today residences, hamburger stands, filling stations and other establishments crowd against the park.

The number of visitors to the area has steadily increased until the park now attracts well over 1 million a year. The visitors interfere with the flow of city traffic as they peer at the memorials and consequently are endangered by the large volume of nonpark traffic using the roadway as a street to and from their homes and businesses. This necessitates having a road designated primarily for tours and free of the hazards heretofore mentioned.

H.R. 1162 provides the basis for future development of perhaps one of the most significant of our national military parks. It will more than adequately protect the valid interests of the local population in the growth and development of this area.

The battle at Vicksburg was a most important, if not the most important, single event in determining the outcome of the Civil War. While the battle of Gettysburg preserved the North from invasion, the capture of Vicksburg was vastly more significant. The South was severed in two and the traffic artery of the Mississippi River was at last reopened to the vessels of the North. Truly, the doom of the Confederacy was sealed at this point.

Mr. Speaker, we would be remiss in our duties if we did not do all in our power to insure the proper preservation and interpretation of this historic battleground for this and future generations. No nation can maintain a resolute and strong national purpose and a strong sense of national unity without a knowledge and appreciation of its past history on the part of its people.

I urge your support of this timely measure.

The SPEAKER. The question is on the motion of the gentleman from New Mexico that the House suspend the rules and pass the bill H.R. 1162, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

Mr. MORRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 386) to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes, a similar bill to the bill just passed.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

Mr. GROSS. Mr. Speaker, reserving the right to object, there is a question about this bill that disturbs me. Do I understand that the land which is being sold by the Government is worth about $163 an acre while the land being purchased by the Government is worth about $981 an acre? Is this contiguous land or similar land, or what is the story?

Mr. MORRIS. Mr. Speaker, I will say to the gentleman from Iowa that there is a distance of several miles between the two land bodies.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I yield to the gentleman.

Mr. WILLIAMS. The property which is being relinquished by the Federal Government is at the extreme southern end of the park, which is down toward the Mississippi River; that which is being acquired by the Government is at the northern end of the park and is valuable property.

Mr. GROSS. This accounts for the difference between $163 an acre in one place in the park or the same general area, and $981 an acre?

Mr. WILLIAMS. Not altogether.

The amount carried in the bill for acquisition of the property in the northern end of the park is merely an authorized ceiling, based on estimates of the value of property in that area. I might state at this point, however, that the chief reason for the lesser value placed on the property being given up by the Federal Government is in the fact that it is composed mainly of Confederate Avenue, presently a park road, with a small strip of land on each side containing monuments, statues, and other park installations. These memorials must be maintained by the city of Vicksburg under the terms of the bill, and therefore this property cannot be developed commercially or residentially. In other words, the property being transferred by the Federal Government to the city of Vicksburg is without commercial value. Incidentally, it should be noted from the terms of the bill that in the event the city of Vicksburg fails to maintain its parklike character, the property reverts to the Federal Government.

Mr. GROSS. I thank the gentleman.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and protect the essential historical features of Vicksburg National Military Park in the State of Mississippi and to enhance visitor enjoyment and safety by means of a park tour road and through the consolidation of park lands, the Secretary of the Interior is authorized, in his discretion, and under such terms and conditions as he determines are in the public interest—

(a) to quitclaim to the city of Vicksburg, Mississippi, approximately one hundred and fifty-four acres of land, including the roads thereon and the park land abutting said roads, in exchange for the city's agreeing to place the roads in its road system and thereby assume jurisdiction and maintenance thereof, and upon the further agreement of the city to maintain the parklike character of so much of the park land conveyed to it and abutting the road as the Secretary may prescribe, said land being generally that part of Vicksburg National Military Park lying south of Fort Garrott with the exception of Navy Circle, South Fort, and Louisiana Circle: *Provided,* That title to so much of said abutting park land prescribed by the Secretary and covered by said agreement of the city to maintain the parklike character thereof shall revert to the United States if its parklike character is not maintained; to quitclaim to Warren County, Mississippi, upon like terms and conditions approximately twenty-four acres of land, including the road and abutting park land, being known as Sherman Avenue and the Sherman Avenue spur; to release or quitclaim to Warren County or any other appropriate political subdivision of the State all interest which the United States of America has, if any, in those portions of any public road located on park land which are no longer required for park purposes: *Provided,* That the United States shall reserve from the conveyance or conveyances made pursuant to this subsection title to all historical monuments, means of access thereto, and such other easements as the Secretary determines are required for the continued administration of said monuments as a part of Vicksburg National Military Park; and

(b) to acquire not in excess of five hundred and forty-four acres of land, or interests in land, for addition to Vicksburg National Military Park, such authority to include purchase and condemnation with appropriated funds but not to constitute a limitation upon existing authority to accept donations; and

(c) to enter into agreements with duly authorized officials of the city of Vicksburg and Warren County relative to the effect which the installation of a one-way park tour road with controlled access will have upon the existing local road systems; subject to the availability of funds, to obligate the United States to make provision for such alteration, relocations, and construction of local roads, including procurement of rights-of-way therefor and the subsequent transfer thereof to the State or its appropriate political subdivisions which shall thereupon assume jurisdiction and maintenance, as the Secretary and said officials agree are directly attributable to the installation of the park tour road; and to transfer to the city or county jurisdiction and maintenance of service roads which the Secretary constructs on park lands to properties that otherwise would be denied access because of the installation of the park tour road.

The Secretary of the Interior shall not, without first obtaining the consent of the city and county officials referred to in subsection (c), convert the portion of the existing road known as Confederate Avenue lying between Graveyard Road and Fort Garrott into a one-way park tour road with controlled access, or otherwise limit the use of such portion by local traffic, until the United States has provided for such alterations, relocations, and construction of local roads (including procurement of rights-of-way) as the Secretary and said officials agree are directly attributable to the installation of such park tour road.

Sec. 2. Upon the delivery and acceptance of the conveyances herein authorized, any jurisdiction heretofore ceded to the United States by the State of Mississippi over the lands and roads transferred shall thereby cease and thereafter vest in the State of Mississippi.

Sec. 3. Funds required for the purposes of this Act are hereby authorized to be appropriated.

Mr. MORRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Morris: Strike out all after the enacting clause of S. 386 and insert the provisions of H.R. 1162 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 1162) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MORRIS. Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks in the RECORD on the bill just passed by the House.

The **SPEAKER.** Is there objection to the request of the gentleman from New Mexico?

There was no objection.

COTTON IS COTTON

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a short editorial.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, as I am sure every one is aware, we have been having a most difficult time in arriving at an agreement as to what should be included in the cotton bill, which has been claiming the attention of the House Committee on Agriculture since last December when the first hearings were held. This first hearing was in response to a demand by the mills, recognized by the administration, that something should be done to remove the inequities to the domestic mills that exist because of the subsidy that is paid on all cotton exported from the United States. There seems to be little disagreement over the fact that this inequity should be removed.

There is a reluctance on the part of some, however, to recognize that the producer—the man who grows the cotton—has a very important stake in anything that is done which affects any part of the cotton industry. In other words, we are all in this situation together, and any cotton bill which is considered by this Congress, must take into account all of the problems involved. There must be give and take if we are to solve this problem. To date there has been too little recognition of what, in my estimation, is one of the most important problems to be solved.

In a great many instances small farmers with uneconomic cotton acreage allotments are abandoning cotton production for other crops requiring less capital and labor. Many have become welfare problems. Their situation is serious.

Their cotton acreage allotments have become meaningless as they no longer represent a source of family income. These once valuable allotments are being released, without any consideration, to county ASCS committees. The county committees in turn are reapportioning the allotments to other farmers in the county. In many instances, the released acres are not wanted at home and are therefore reapportioned to other counties in more highly productive areas in the State.

Under the present system the producer who actually owns the released acreage gets absolutely nothing for it. He merely signs a release and the acreage goes to some other producer who plants it over and above his proportionate share of the national acreage allotment. The producer receiving the bonus acreage gets the same price support protection as other farmers even though he ends up with a cotton allotment in excess of the planting history on his farm.

In effect this bonus acreage made available through the release and reapportionment provision is subtracted from the allotment of producers who happen to live in areas where such acreage is not available. The production from the bonus acreage complicates the supply management program. It is extremely expensive to the taxpaying public. It is especially expensive and distasteful to the producer who first of all sees such acreage subtracted from his allotment and then is forced to help pay the bill as a taxpayer.

Existing legislation clearly defines cotton allotments as being based on established histories of individual farms. The law further provides that cotton allotments in a real sense are the property of individual farms. Cotton allotments are never the property of counties, States or areas.

As a means of compensating the producer who owns the acreage and who is entitled to some consideration for not planting his allotment, it is suggested that the Government be authorized to make payments to such producers for permanent retirement of all unwanted allotments.

Terms and rates of payment could be determined by the Secretary of Agriculture, but it might be advisable to set minimums and maximums for such payments. One suggestion—and I am not committed to any figure—would be to pay the producer 3 cents per pound for 3 years based on the per acre yield for his township. An average yield of 500 pounds would amount to $15 per acre per year or a total of $45. Under this plan one-third of the acreage would be retired each year from the county, State, and national acreage allotment.

Under the suggested permanent retirement plan the producer owning the acreage allotment would get paid for it. It would be many many times less expensive to the taxpaying public to get such allotments off the books. It would insure equal treatment for all producers under the acreage control program.

I call attention to the following editorial which appeared in the last issue of the Missouri Delta Farmer, Portageville, Mo., which gives a pretty fair analysis of what is happening:

COTTON IS COTTON

> The issue surrounding the choice provision in proposed cotton legislation boils down to a simple matter of equity.
>
> Cotton is cotton. It makes no difference whether it's produced on the 1.5 million acres of released and reapportioned acreage or on the proposed choice acreage. The 1.5 million acres that now goes out free of charge to a great many producers is over and above the individual producer's allotment. Its bonus acreage that in effect is subtracted from the allotments of producers who happen to live in areas where such acreage is not available. The production on this 1.5 million acres adds to the overall cotton problem. It's costing the Government a pretty penny and it's also mighty expensive to the producer who doesn't get any.
>
> Serious inequities have developed in the distribution of cotton acreage allotment between individual farms. Some farmers are actually getting higher allotments in 1963 than in past years while others are being forced to absorb the full impact of the reduction in the national acreage allotment.
>
> Producers in areas of the Cotton Belt where the bonus acreage is not available through the release and reapportionment program are offering to pay for the same privilege that other producers get free of charge. They are asking to be allowed to grow extra cotton for the world market at world prices. The opponents of the choice provision say it cannot be justified because it would add to the already heavy carryover. They miss the point. Cotton is cotton.

SOIL STEWARDSHIP WEEK MAY 19 TO MAY 26

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEGGETT. Mr. Speaker, it is a privilege for me to address the House for the first time and to speak on the subject of soil conservation. Last year my good friend, the late Honorable Clem Miller, spoke to this House pointing out the close connection between spiritual values and the great natural wonders in our water and our soil. I am sure, Mr. Speaker, that Clem, wherever he may be, still marvels at the great natural wonders that we have in the United States and particularly in our fine State of California.

Mr. Speaker, during the period May 19 to 26 local churches throughout the United States are observing Soil Stewardship Week. This annual observance is sponsored by the Nation's 2,900 soil and water conservation districts and their national association. This year's soil stewardship theme looks to the challenge of the future.

Abundance and affluence are terms descriptive of much of today's living in our country, but what of the future? We are plagued by this question, not so much because we mistrust God to provide for our needs, but because of the recurring realization that mankind through carelessness, and shortsightedness, may waste, destroy, pollute, or neglect his God-given bounty.

This would be a tragic course, representing an abdication of responsibility to both God and man. There is, as we know, a better way. This is the full acceptance of responsibility to serve as continuing, careful stewards of God's blessings of soil and water, forest and wildlife, and all the associated resources. We need considered, resolute action to meet not only the test of the present, but our obligation to the future.

This point was aptly made by Donald A. Williams, Administrator of the Soil Conservation Service, in a statement he issued in connection with Soil Stewardship Week observances. He said:

> Today we are placing more demands on our land and water resources than ever before. New housing spreads out from cities

into once-agricultural lands. New industries look for locations where water is plentiful. Nonfarm folks look for open, green places for recreation and relaxation. Air-conditioning systems and other modern improvements call for increasing amounts of water. These, plus demands not yet envisioned provide the challenges and opportunities.

I commend Mr. Williams on this fine statement. His full statement follows:

The Challenge of the Future

(By Donald A. Williams)

"We Turn Our Eyes to the Future" is a fitting theme for the observance of Soil Stewardship Week, May 19 through 26, for we face major decisions as to the management of our soil and water in a swiftly changing pattern of land use. What we decide today will have far-reaching effects tomorrow.

Soil Stewardship Week is a time to reflect on the pleasures and benefits we derive from God's lifegiving gifts of soil and water. It is a time to remember that these gifts were given to us for continuing use—not just for today. That they were bestowed on all of us—not just a few. That we all are utterly dependent on them for our very existence, to say nothing of our standard of living.

These are the material things. We should never cease to be grateful also for the richness that land and water add to our lives. What greater source of inner pleasure and serenity has our Creator given us than a beautiful landscape or a rippling stream? We have been blessed with much, and much is expected of us as stewards of these blessings.

Today we are placing more demands on our land and water resources than ever before. New housing spreads out from cities into once agricultural lands. New industries look for locations where water is plentiful. Nonfarm folks look for open, green places for recreation and relaxation. Air conditioning systems and other modern improvements call for increasing amounts of water. These plus demands not yet envisioned provide the challenges and opportunities.

It is up to us, as good stewards, to develop the potential richness of our soil and water resources. Conserve them we must, but conserving them means using them to fulfill our needs. Future generations will thus be grateful for the blessings that have been ours and are theirs.

Landowners and operators in the more than 2,900 soil and water conservation districts across the Nation are looking to the future. They have broadened their concepts to include resource conservation planning for communitywide benefits. Urban people, too, are coming to recognize their direct role in resource development and are joining the team.

We have been endowed with a great trust. All of us—not just a few of us—have the responsibility for stewardship and to plan for our needs for today and the future.

Mr. McINTIRE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. McINTIRE. Mr. Speaker, I have the privilege of serving on the Conservation and Credit Subcommittee of the House Committee on Agriculture. In this capacity, I should like to draw the attention of the House of Representatives to the fact that this week is being observed throughout our Nation as Soil Stewardship Week. It is sponsored by the 2,930 local soil conservation districts, their national association, and cooperating church groups. The theme of this year's observances is directed to the future.

Included in the material assembled for this observance is a statement on identifying our national goals. It states:

> The character of the Nation is most evident in the delineation of its national purpose. Where the purpose (which is multiple) is clear, constructive, and wisely supported by the citizenry, the Nation at that point in time is likely to be dynamic and progressive.
>
> The national purpose comprises, of course, both short- and long-range goals. Both are necessary and must exist in harmony. They are, by their very nature, aspirations of the future. By identifying them, we can avoid aimless drift, opportunism, and the manifold waste which is inherent in an irresolute course. By identifying them, we can channel our energies and skills, our faith and resources, with the perseverance and effectiveness most likely to be rewarding.
>
> High on the list of goals, surely, is the orderly adjustment of our expanding society to our natural resources. It should be an evident truth today that we are a Nation of limited resources and unlimited demands. There will not be enough of all resources to meet all the demands of all the would-be users in every place. Circumstances require that choices be made and priorities established, probably in accordance with the well-accepted doctrine of providing the greatest good for the greatest number for the longest period of time.
>
> We have emphasized for years that "With the right to use, goes the duty to preserve." Now, in the face of our burgeoning future, we must enlarge the maxim to recognize that with the duty to preserve goes the responsibility to plan.
>
> And this, too, we believe, is in accordance with God's orderly design.
>
> What is being done on conservation farms, in soil conservation districts, and in an increasing number of towns and cities must soon be expanded with deliberation to encompass whole counties, watersheds, States, and river basins. There are goals to be set and goals to be met. The alternatives, clearly, are waste, exploitation, misuse, and ultimate default on our children's heritage.

Mr. Speaker, this is the kind of message being preached this week by ministers of all faiths throughout the Nation. I think it appropriate that the House of Representatives pay tribute to the sponsors of Soil Stewardship Week—the local soil conservation districts of America. The men and women who serve without pay on the governing bodies of these local units of State government deserve our praise for the leadership they are providing in our home communities.

They are performing an important patriotic service. I take this opportunity to congratulate them on focusing attention on the challenge of the future in developing soil, water, and related resources.

ADMINISTRATION PREPARING TO MAKE DEAL WITH BUTCHERS OF HUNGARY

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, it appears that the Kennedy administration has started the softening up process which will inevitably lead to another accommodation of the Communists.

With the memory of the anguish of the people of Hungary still fresh in the minds of all freedom loving people everywhere, we find the State Department apologists in the act of selling the Kadar government of Hungary to the American people. This is the same dictator who was put into power in Hungary through the massacre of helpless men, women, and children, crushed under the tanks of the Soviet Red army, and shot down in the streets by foreign soldiers. Mr. Speaker, this is not ancient history—the blood bath in Hungary took place only 7 years ago and now we are told the Kadar government has reformed, that we should accept it as a civilized government and forget the torture, the brutality, the murder upon which it was founded.

Of course the U.N. will assist in dignifying the Hungarian murderers, even as the U.N. has failed to condemn the brutal atrocities of the arrogant Communist subjugation.

Surely, this Congress must do everything within its power to stop this latest move by the administration and the State Department to accommodate the Communists. Peace can never be bought at the expense of honor. To recognize the Kadar government now would be an act of extreme dishonor.

As a part of these remarks I would like to include the following news story from the New York Times of May 14, together with an editorial from the Times commenting on State Department efforts in behalf of the Communist Hungarian Government, and an editorial from the Dallas Morning News:

[From the New York Times, May 14, 1963]

UNITED STATES HINTS MINDSZENTY KEY TO TIE WITH HUNGARY

WASHINGTON, May 13.—A State Department spokesman hinted today that a normalization of relations between the United States and Hungary awaited only specific actions by the Communist regime of Premier Janos Kadar.

A favorable report of measures taken by the Kadar regime in the last few years to relax its controls has been distributed by the State Department to the Senate and House Foreign Affairs Committees. The scope of the improvements listed in this detailed memorandum indicated that most of the U.S. Government's objections to recognition of the Kadar regime had been removed.

There remains one notable obstacle to congressional approval of normal relations. An agreement between the Kadar regime and the Vatican permitting Jozsef Cardinal Mindszenty to leave the U.S. legation in Budapest, where he has been in asylum since 1956, might go far toward bringing such approval and puncturing the resistance of influential groups outside the Government.

CARDINAL'S STATUS AT ISSUE

Negotiations have been in progress between the Vatican and the Hungarian Government on the cardinal's status. The chief difficulty involves the question whether Cardinal Mindszenty should leave Hungary or will be permitted to remain there. Franziskus Cardinal König of Vienna has been conducting the negotiations for the Vatican.

The U.S. Legation in Budapest has sometimes had the aspect of a beleaguered fortress since the Hungarian primate took refuge there. Cardinal Mindszenty had been sentenced to life imprisonment for crimes against the state, but was released during the 1956 uprising. He fled to the Legation as the Soviet armed forces were crushing the rebellion.

The memorandum given to the Senate and House Foreign Affairs Committees commented favorably on the improvement in church-state relations in Hungary and indicated that the Kadar regime and the Roman Catholic Church had achieved a modus vivendi. The release of the Hungarian primate would confirm these conclusions.

The State Department spokesman conceded the strong possibility that the perennial Hungarian question might be removed from the annual agendas of the United Nations General Assembly. He said that because of recent developments in Hungary—an amnesty and relaxation of controls—a number of delegations opposed a repetition of the annual resolution not to take a decision on accepting the credentials of the Hungarian delegation.

This resolution was the technique used by the U.S. Government to keep the Hungarian question alive. It did not in practice, impede the normal functions of the Hungarian delegation.

"Consequently," the spokesman said, "it is not expected that a 'no decision' resolution will be introduced this time."

The spokesman said the U.S. Government would reserve its own position on the Hungarian credentials, "pending further clarification of the situation in Hungary."

[From the New York Times, May 14, 1963]

Restore Relations With Hungary?

Few events since World War II have made such a deep impact on American public opinion as the brutal Soviet repression of the Hungarian Revolution in 1956. It was Soviet force that installed the Kadar government, which is still in power in Budapest.

With this in mind, it is understandable that many Americans will be surprised to learn that Washington is now giving serious consideration to restoring normal diplomatic relations with Hungary. We believe, however, that there is a good cause now for such action, and hope that the State Department will follow through on its apparent present intention.

The main point is that the Kadar regime has in recent years taken major steps to remove the worst features of Stalinism from Hungary and to ease the savage repression that followed the 1956 revolt. This situation does not mitigate the unforgettable crimes committed by the Communists—Russian and Hungarian—during and immediately after the uprising.

The fact remains that large numbers of political prisoners, including some of the leaders of the 1956 revolution, have now been freed from jail. Many of the former barriers hindering Hungarian contacts with the West have been removed. The old monopoly of the Communist Party in all key positions has been ended. For a Communist country, in short, life in Hungary today is relatively tolerable and relatively free—much more so than in some other Communist countries, such as Czechoslovakia, with which the United States maintains fully normal diplomatic relations.

It may seem incredible that a regime installed by Soviet bayonets, as was the Kadar government, can be a force for relative liberalism and for improvement of both the material and spiritual conditions of Hungarian life. But, as the State Department memorandum to the Senate and House Foreign Affairs Committees indicates, this is what has happened. It seems appropriate that this Nation's policy toward Hungary take full account of these changes and of the present situation, rather than still base itself on the justified disgust aroused by the events of 7 years ago.

[From the Dallas Morning News, May 20, 1963]

Seeing Red

If there was ever any doubt that by now the State Department has wrapped American foreign policy in a shroud of coexistence, that doubt has been dispelled. In the last few days, the State Department has made it clear that it would like to resume diplomatic relations with Communist Hungary.

As incredible as this move may seem, it is true. The State Department has prepared a lengthy report which has been handed to both the Senate and House Foreign Affairs Committees. This report features a string of highly questionable claims designed to prove that the Kadar regime in Hungary has mellowed.

It is claimed that major steps have been taken by the regime to eliminate the worst features of Stalinism, and to ease the savage repressions that followed the 1956 revolt in Budapest.

The report cites the fact that a number of political prisoners who participated in that revolt have, at long last, been released from their dungeons and that better relations are being established between the Government and the church.

The sole barrier to resumption of friendly diplomatic relations with Hungary, according to the report, is the denial of freedom of Josef Cardinal Mindzenty—who has lived in asylum at the U.S. legation in Budapest since the 1956 revolt.

In recent weeks Vatican and United States diplomats have been negotiating for the cardinal's release. It now appears that the Kadar regime will let the cardinal leave the country. When and if that happens, the State Department reportedly will ask for permission to extend the hand of American friendship to the blood-stained paw of Khrushchev's puppet rulers in Hungary.

Can State Department memories be so poor? Nearly 7 years have elapsed since the 1956 revolt, but time alone can never soften the brutalities and atrocities committed in Budapest by the same Communists who still rule the people of Hungary with an iron fist.

Those who now claim that the Stalinists are gone might recall that it was less than 8 months after Khrushchev made his famous anti-Stalin speech at the 20th Communist Party Congress in Moscow that he ordered Soviet tanks into Hungary in true Stalin fashion.

Those tanks played a role in the slaughter of 25,000 Hungarians. After the revolt hundreds more were executed and thousands imprisoned. Most important, the 10 million people of Hungary who won freedom for a few short days saw that freedom snuffed out by brute force.

Can anything wipe out that memory? Can we ever be certain that the murderers who turned machineguns on the children of Budapest will not some day try to turn them on the children of Dallas?

If the hand of American diplomacy is extended to Hungary, will Cuba and Red China be next? It is hard to believe that this might be possible, but how many people could have conceived a few years ago that the State Department today would be lobbying for diplomatic recognition of Hungary?

Once a nation's foreign policy begins to veer away from the course of liberation and expansion of freedom toward a goal of containment and then outright appeasement—as this Nation's foreign policy has veered in the past two decades—who can say what the next move may be?

Recognition of Communist Hungary by the United States would be a clear signal to both the free world and the slave world that the "home of the brave and the land of the free" has given up the fight; that it has compromised its essential principles in favor of coexistence with those who would destroy those principles. It would add up to an open invitation to the Communists to do what they please.

That is why the State Department must be slapped down hard before this preposterous proposal—recognition of Hungary—is carried out.

POSSIBLE POLITICAL PAYOFF ON TFX

Mr. STINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, during the controversy on the TFX, the question has been asked several times whether or not political influence was used in the awarding of the contract to the General Dynamics and Grumman companies. It has not been determined for sure that political influence was exerted in the award but it has now been established that a vice president of the Grumman Co. has entered upon a fundraising drive in the name of the Grumman Co. in behalf of the Democratic Party.

A vice president of the Grumman Co. has openly solicited funds for advertising in the program of the June 1, $100-a-plate dinner of the Nassau County Democratic Party. In this solicitation, he made the following statement:

> We have been assured that the placing of an ad with the Nassau Democratic County Committee will excuse any obligation for giving to the National Democratic Committee.

This unprecedented action comes as a shock.

I would ask that the Department of Justice and the Senate Government Operations Committee, which is investigating the TFX affair, would make a complete investigation to determine whether this fundraising drive in the name of the Grumman Co. is indeed a political payoff.

GRUMMAN AIRCRAFT ENGINEERING CORP.,
Long Island, N.Y., May 1, 1963.

The Nassau Democratic County Committee will hold its annual dinner on June 1 at the Garden City Hotel, and another impressive program is planned.

During recent years the Democratic Party has experienced continued growth in Nassau County. It is our belief that this growth is due to the leadership qualities demonstrated by Democrats in public office and to honest efforts by those of us in commerce and industry who appreciate the advantages of two-party government.

Enclosed is an advertising form for the Journal. It is our hope that you will join with other interested and responsible people concerned with good county government and take a full page ad in the Journal. We have been assured that the placing of an ad with the Nassau Democratic County Committee will excuse any obligation for giving to the National Democratic Committee.

The deadline for placing an ad is May 20. If you have any questions, please do not hesitate to call me. With your support we can look forward to even greater strides in the advancement of the two-party system in our own Nassau County.

Sincerely,

J. B. Rettaliata,
Vice President.

Grumman Aids Facing Inquiry

Washington, May 17.—The Senate permanent Subcommittee on Investigations is looking into charges by four House Republicans from Long Island that a vice president for the Grumman Aircraft Engineering Co. solicited campaign contributions for Nassau County Democrats.

A subcommittee source said today investigators would question Grumman officials at Bethpage, L.I., about the incident.

Grumman is a major subcontractor for the TFX fighter plane contract, which the subcommittee is investigating. The prime contractor is the General Dynamics Corp.

Another source said the subcommittee investigators wanted to learn who had suggested that the Grumman vice president, J. B. Rettaliata, write a letter urging Grumman subcontractors and suppliers to buy advertisements in a Nassau County Democratic journal.

The journal will be distributed at a $100-a-plate fund-raising dinner at Garden City, Long Island, in June.

A copy of the letter made public by the four Republicans quoted Mr. Rettaliata as having said the purchase of an ad would relieve the subcontractors of any obligation to contribute to the National Democratic Committee. The House Members said full-page ads for the journal cost as much as $3,000.

Grumman's president, E. Clinton Towl, has said he knew nothing about the letter. He pledged to remedy any wrongdoing.

The four House Members—Representatives Frank J. Becker, Steven B. Derounian, John W. Wydler, and James B. Grover—called such solicitation contrary to the Federal Corrupt Practices Law. This prohibits a defense contractor from soliciting political contributions.

The letter to the subcontractors and suppliers was written on Grumman stationery, the House Members said.

DISCRIMINATION IN FEDERAL EMPLOYMENT ON ACCOUNT OF AGE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I think in fairness I should inform the House at this time that later when H.R. 4893 is taken up under suspension of the rules I shall raise the question of quorum on the final vote on passage. This is reasonably certain to assure a rollcall as it is extremely doubtful that on this Monday, with not much legislative business scheduled, a quorum will be present. I regret that circumstances have not permitted me to give earlier notice.

It was only yesterday that I had opportunity to read the bill, and this morning all my time has been given to the committee of which I am a member. In view of the opposition to the bill, which in debate I honestly believe will prove substantial and likely determinative, I hope H.R. 4893 will be stricken from the suspension of the rules calendar.

The bill is good in intention. It affects only a group of some 190 U.S. park policemen. It would give the Secretary of the Interior the authority to fix, as regards the U.S. park policemen, minimum and maximum age limits. At the present time he does not have that authority because section 302 of the Act of June 17, 1956, expressly forbids any officer or employee of the United States to establish any age limit that in effect would raise a barrier of age discrimination among qualified applicants for Civil Service positions in the Federal Government.

The enactment of H.R. 4893 would set a dangerous precedent. As surely as night follows day other agencies and services would seek and obtain similiar immunity. In time section 302 and its prohibition of age discrimination in the Federal employment would be destroyed by erosion. It is not a matter of 190 park policemen. It is a matter of discrimination among able, qualified Americans solely on the grounds of age. It is a matter on which every Member of the House should be put on record by a rollcall vote.

Mr. Speaker, the Illinois delegation on this side of the aisle has an especial and personal interest in preserving the integrity of section 302 from the erosion threatened by H.R. 4893 since section 302 was drafted by our former colleague, Mr. Yates, now ambassador to the United Nations, and was made part of the permanent law of our land through his dedicated and tireless drive. I know of no more eloquent and convincing presentment of the case against discrimination solely on the grounds of age than the remarks of Ambassador Yates, then a Member of this body, on March 7, 1956. They can be found on pages 4213–4215 of volume 102, part 3, of the Congressional Record of the 84th Congress, 2d session. I quote a few excerpts:

> A person's birth certificate should not be the exclusive test of his ability to work.
>
> Believing in this principle as we do the Appropriations Subcommittee drafted section 302 for this appropriation bill. The first part pertains to hiring for Federal Service and prohibits the use of a person's age in measuring his qualifications to handle a particular job. The second part, namely, the proviso which sought to eliminate compulsory retirement at age 70, extended the same principle. It was the committee's belief that many people at 70 can perform their tasks in a better manner than some younger people and it was grossly unfair to establish arbitrarily a limitation based solely on age, which would require their retirement.
>
> Our population is getting older. It is time that our attitudes toward our aging people matured too.
>
> Since 1900 the total population has doubled (1956). In the same period the number of persons 65 years or over has quadrupled. Today 14 million people—8.5 percent of our population—are over 65 years of age. By 1975 it is expected to rise to 21 million—over 12.5 percent. People over 65 represent the single largest segment of our population.
>
> The average life span in George Washington's time was 25 years. In 1900 it had advanced to 49. Today it is 68, tomorrow it may be increased to 100 or 120 years.
>
> Our attitudes are wrong. There is too much emphasis on youth and youthful ability to the unfair detriment of older persons. There is too much general acceptance that a person's productive years must end with a specific age without regard to his strength and mental capacity. As a result we consign healthy mentally alert men and women to the scrap heap and to an early spiritual and physical deterioration and decay. We refuse to recognize the very obvious truth that a large portion of our older people want to work and can work. We overlook the fact that a job is their best guarantee of status and independence.
>
> One of the major problems of our older citizens is their inability to find jobs for no other reason than their age. Jobs for which they are completely qualified in every respect, which they can do well, which will permit them to hold up their heads as descent, self-respecting citizens. In case of men when they reach 45, in case of women 35.
>
> If the age limit were 45, more than half the Congress would be ineligible.
>
> Henry Ford once said, "If you take all the experience and judgment of men over 50 out of this world, there wouldn't be enough left to run it."
>
> At 78 Benjamin Franklin invented bifocals. Cervantes was 68 when he wrote "Don Quixote." William Cullen finished his classic textbook on medicine at ages 67 and 79. Sigmund Freud made some of his most significant discoveries in his sixties and seventies.
>
> I put an amendment to a previous appropriation bill which prohibits the Civil Service Commission from using the factor of age as a qualification for any job in the Federal Government. The Commission fought to take it out but failed.
>
> A person's age is no longer a barrier to employment with the Federal Government.
>
> This year they came before our subcommittee and admitted that the amendment had worked very well. That principle is continued in section 302 and is made permanent law.
>
> Between 1900 and 1950 the total U.S. population doubled, those over 65 quadrupled. In the same period of time the number of all persons of all ages in mental hospitals increased about three times. But the number of patients over 65 increased 10 times.
>
> We have learned to conserve our natural resources. We can do no less with our human resources.

Mr. Speaker, I hope that H.R. 4893 will be stricken from the suspension of the rules calendar. If it must come up let it be under a rule, with plenty of time for debate, and by all means with a record rollcall on final passage.

RUSSIAN TRAWLER INCIDENT SHOWS GAP IN SHORELINE DEFENSES

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. Rogers] is recognized for 60 minutes.

Mr. ROGERS of Florida. Mr. Speaker, the entire incident of Soviet trawlers penetrating U.S. territorial waters on Tuesday, May 14, has yielded some disturbing weaknesses in our shoreline defense network.

These trawlers, first seen within the 3-mile limit by commercial fishermen familiar with the south Florida coast, were reportedly loaded with electronic gear. The area in which the trawlers were located is approximately 100 miles south of Cape Canaveral. Their presence in this area on the morning of the first scheduled attempt to launch Astronaut Gorden Cooper has obvious implications.

Developments subsequent to first reports I received of these trawlers make it apparent that the U.S. Government is:

First. Without adequate surveillance of the waters surrounding the southern Atlantic coastline.

Second. Without appropriate concern that ships of unfriendly nations frequent these waters.

Third. Unable to properly coordinate actions when such ships violate our waters.

Fourth. Without any firm policy regarding these violations.

At approximately 2 p.m. eastern daylight time, Tuesday, May 14, I received a call in Washington reporting that these trawlers were well within U.S. waters. A check with the Coast Guard in the area ascertained that reports had been received that the ships had been sighted at 9:15 a.m. and 12:15 p.m., respectively, and that the vessels were within the 3-mile limit. I am advised that despite these early reports of the vessels violating U.S. waters, the Coast Guard did not dispatch official surveillance craft to investigate such reports until approximately 2 to 2:30 p.m. eastern standard time. The investigation, then at least 5 hours late in getting started, showed the vessels to be outside the 3-mile limit. From all indications, it was this investigation upon which the official U.S. Government position was based.

After discussing this aspect of the incident with the Coast Guard, I received a call stating that the locations of these vessels as obtained by the Coast Guard had been classified.

I then received another report from a local aircraft pilot, who states that he observed one of the Soviet trawlers at approximately 3:30 p.m. eastern standard time about 2 miles east of the Florida coast near Boca Raton. The pilot informed me that the vessel was approximately 100 to 120 feet long and was definitely within the 3-mile limit. A photograph of the trawler, which I now have in my possession, was taken on that flight. The pilot has been flying for over 20 years and is a former Navy pilot.

I then personally contacted several fishing captains in the area who had sighted the vessels. One personally told me that he spotted a trawler within the 3-mile limit while conducting a charter fishing expedition with several people aboard. The fishing captain, who claims 25 years' experience and a great knowledge of the area, took soundings of the water's depth at the time he spotted the trawler. His soundings indicated depth of approximately 150 feet, a depth which the U.S. Coast and Geodetic Survey informs me could not be encountered at or beyond the 3-mile limit in that area opposite the shoreline.

Another captain, a commercial fisherman all his life in the area, informs me that he spotted the Russian trawler at 12:15 p.m. eastern standard time. At that moment, he took soundings of his position with the trawler just astern of his boat. The captain's soundings indicated depth of 105 to 108 feet. He said his position was just under 2 miles east of the Joseph P. Kennedy estate in Palm Beach.

I think it is worth noting here that the two homes that the President has used in his stays in Florida were within surveillance of this Russian trawler approximately 2 miles away.

The U.S. Coast and Geodetic Survey has confirmed that no depths as shallow as the soundings taken by the captain would be encountered at or outside the 3-mile limit east of that point on the shore.

The Coast and Geodetic Survey advises me that the captain's soundings would indicate him to be 1.8 nautical miles from the shore. The captain's account of the trawler states that she was heavily laden with antenna, was equipped with photographic apparatus, and plowed the water as though she were heavily loaded.

After receiving these accounts and being satisfied that U.S. territorial waters had been violated, I contacted the Assistant Commandant of the Coast Guard about the matter, where I learned that it was "categorically denied" that any Soviet ships were inside the 3-mile limit.

A check with the Department of Defense showed that there was no knowledge at that time that the vessels were inside U.S. waters. Consequently, no action would be taken.

After subsequent discussion between my office and the senior officer in the Office of Chief of Naval Operations, I was shocked to learn of the Navy attitude that "the fact that the Navy was unconcerned should have indicated to me that there was no reason for me to be concerned."

News reports later carried various statements to the effect that the Coast Guard had denied the presence of these vessels in U.S. territorial waters, and that it was not unusual to see Soviet trawlers all along the U.S. coastal area.

Mr. Speaker, this entire incident shows that once again our concern for the security of this Nation is being lulled into complacency. The Soviets have reportedly been frequenting our waters for some time. The sight of their trawlers plying our coastline without incident has evidently become commonplace for those who are charged with the responsibility of patrolling and protecting our coasts. Was it therefore considered "not really overt" that a trawler would venture on into our U.S. territory by those accustomed to these vessels?

Does a past history without incident preclude the possibility of a future threat to our security?

Was faulty patrol and surveillance of the area due to a lack of proper equipment? If this is the case, then the billions of dollars we are spending for adequate defenses all over the world are being wasted because we can not even defend our own shores. The DEW line is our aerial defense network stretching across the upper reaches of North America. It is designed to detect unidentified aircraft and alert our air defenses immediately. What value does this network have if our coastal waters close to Cuba can be penetrated in the manner we have just seen?

Why is it that our Government was not prepared with a strict policy regarding these violations if the possibility for such violations had existed for some time due to the great numbers of trawlers along our coast?

The Senate Preparedness Subcommittee has just issued a report which charges that our intelligence community could not face the facts that Soviet offensive missiles were in Cuba. This reluctance allowed the Soviet a genuine time advantage for their intensified buildup in Cuba. Are we faced with the same reluctance to believe that Soviet trawlers are simply fishing for fish rather than gathering intelligence data from the many movements of air and sea traffic along the U.S. coastline?

Mr. Speaker, on September 17, 1962, a special subcommittee of the House Armed Services Committee issued House Report No. 73 urging that measures be taken to intensify U.S. defenses in the southeastern United States. The purpose of this report was clearly to preclude the possibility of attack from Communist Cuba. From the indications of this trawler incident, it is painfully apparent that the report has not been complied with so far as the waters surrounding this area are concerned.

It is proof that our defense is inadequate when it is up to a civilian fishing captain to report to the military that U.S. territorial waters have been penetrated by an alien vessel.

The incident amplifies the great need for action to remove communism from this hemisphere. Whether these trawlers came directly from Cuba is not known, according to the information I have. However, it is reasonable to assume that these trawlers and many like them operating in the Atlantic are free to come and go in Cuban ports as they see fit, allowing greater effectiveness of Soviet intelligence operations in this hemisphere.

I strongly urge that this evidence serve notice for immediate steps to provide foolproof defenses for the entire U.S. coastline. In addition, I am hopeful that strict policies regarding any future violations of this order will be formulated so that we will have no misunderstanding as to future courses of action should there be any recurrences of this incident. U.S. reaction to this penetration was confused and dangerously slow. This state of affairs cannot continue to exist.

I am asking that the appropriate committees of the Congress as well as the Secretary of Defense look into this entire incident in order to forge specific policies on this subject, and guarantee the establishment of adequate shoreline defenses.

HENRY J. KAISER: A TRIBUTE ON HIS 81ST BIRTHDAY

The **SPEAKER** pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

Mr. PATMAN. Mr. Speaker, if we had Congressional Medals of Honor for top-drawer industrialists whose contributions to American victory in war and in peace was far beyond the call of duty, I would nominate Henry J. Kaiser among the first and the most worthy. It is a source of considerable satisfaction to me that the occasion of Mr. Kaiser's 81st birthday, May 9, 1963, gives me an opportunity to review briefly a career that does all America proud. Here is a life that presents itself in the brightest and the most inspiring colors to American manhood, to American ambition, to American patriotism especially, and to the American ideal of the public interest. This is not a typical American success story, although it has many of these dramatic aspects. It is rather the story of American character and individualism, of American fight and achievement. I keep repeating the word "American" because Henry J. Kaiser exemplifies an elemental energy released for the good of us all under our system of free enterprise. He is unique, not because he is the only one of his extraordinary human dimensions, but because he is the greatest of them all in our century.

This country has a vast school of what the magazine stories call tycoons and executives, and empire builders and czars, and the Nation has reason in perhaps 99 percent of these phenomenal men of success to be proud of their talent, their know-how, and their often prodigious accomplishments. What makes Henry J. Kaiser my candidate for a hypothetical Medal of Honor is not only that he stands first among the greatest of them, but that on a dozen or more fronts where our Nation's war efforts were concerned, and in moments of extreme crisis and industrial danger, he risked his name, his reputation, his financial, and personal resources, for the good of his country.

Henry J. Kaiser would in any case have been a millionaire many times over and his personal fortunes would have been great and secure without taking risks not too carefully calculated in order to bring military victory to this country. For the support of his sound and brilliant and highly inventive and original convictions in the fields of ships and planes and construction and management, Henry J. Kaiser did what Thomas Jefferson said our Founding Fathers did. He pledged to his country, his fellow Americans, what the Founding Fathers so nobly pledged to each other—"our lives, our fortunes and our sacred honor."

For this I honor him.

For this, Mr. Speaker, I believe this Congress, this House, should honor him.

For this the whole country owes Henry J. Kaiser an immense debt of gratitude.

For this we all stand humbly before the literally massive inventory of his immense works for freedom and progress and bow our heads in deference, in respect, and in profound and affectionate acknowledgement.

For this genius of the industrial age to build, for example, a $44 million naval air station at Corpus Christi, Tex., back in 1941, was only a drop in the bucket. To me it seems that nothing short of the wildest forces of nature and time and the finger of Jehovah have changed the face of the earth as much as Henry J. Kaiser has changed it. With the difference that, under God's guidance, and with the cooperation of the American ideal of venturesomeness, and the needs of the hour, his achievements proved constructive and of strategic meaningfulness to the free world. It seems to me that for Henry J. Kaiser the building of the pyramids, for instance, would have been hardly a week's work even under the conditions that prevailed in the days of the pharaohs. Only a few years ago when he was 79 he began the construction in the wastelands of Hawaii of a whole complex of facilities for a community of 50,000 people.

In war or in peace this man is an asset to mankind.

Millions of people, tens of millions, in many parts of the earth owe their comfort, their peace of mind, their creature satisfactions in a hard workaday world, to the profound genius of this unselfish and remarkable American.

For Henry J. Kaiser has every right to the title "The Magnificent American," in an era when the "ugly American" seems to be the image swallowed by a large section of world opinion. He is a magnificent American and a model of American inventiveness, ingenuity, integrity, and drive, not only to our own youth and to generations of youth yet to come, but a symbol to the whole world of the kind of greatness we produce.

It is greatness without greed.

It is greatness driven by the passion for achievement.

It is greatness that concerns itself with what is best for other people; for one's country; for industrial integrity. He is the very embodiment of efficiency and productivity.

What Henry J. Kaiser has built is not only dams and bridges, manufacturing plants, and whole cities; not only has he moved mountains of earth, and mined tons of bauxite for aluminum, ore and other metals. What Henry J. Kaiser has built in a vast proliferating empire is that respect for the industrialist, the manufacturer, the financier which so many in these professions have done so much to tear down.

Wherever Kaiser stood and stands there is character.

Even when a project out of a vast collection of enterprises failed to measure up to its promise and collapsed, the circumstances surrounding the failure rather emphasized the decency and the self-respect, the high honor and the rugged honesty of this eminently successful businessman of our century.

The man I am talking about is the man who, at one point, built a third of this Nation's shipbuilding program in World War II, according to one estimate, and who, the report said, "set the pace for the rest of it." From some six shipbuilding yards at San Francisco, Portland, Oreg., and Vancouver, Wash., he put upon the oceans whole fleets of 10,500-ton liberty ships when German submarines had pushed the free world with its back to the wall, and death-dealing enemy subs all but ruled the high seas. In that tragic hour Kaiser became industrially the Nation's No. 1 hero, and in fact, from my perspective, he became, besides, the Nation's actual No. 1 shipbuilder. In whatever he did he brought change using the immediately discovered technology of the hour to advance the cause and the strength of his country. Thus he set up the first vertical steel operation, from mine to rolling mill, in California. He saw and made effective such a light metal, for instance, as magnesium in the use of airplane manufacture. He created the world's biggest single cement plant.

Wherever Kaiser stood, there the war was being fought on a mighty industrial front and there it was being won.

Tankers and transports, Liberty ships and cargo vessels, skidded down the ways. I hesitate to use the word but much of this seemed to happen as if by magic. How to produce, as if overnight, 679 Liberty ships, 56 tankers, 30 transports? Kaiser did it and that was only a starter. He did it with a magnificently organized team of engineers, planners, workers, every one of whom seemed to have been invested with some of the dynamic sense of purpose that drove this pugnacious and restless genius. Where the enemy used slave labor Kaiser used patriots. Where the enemy used terror Kaiser used leadership. For Kaiser a ship a day had become a commonplace. Of course today we know it was far from magic. It was expertise. It was what is sometimes called know-how.

Kaiser's mastery of men, then as now, depends, of course, on character and decency. But his mastery of the vast program of war production that he took upon himself depended upon his acceptance of factors that frightened the very wits out of less audacious entrepreneurs. He knew, under the pressure of crisis, what to abandon and what to retain. He knew how simplicity and simplification could speed up production when production held priority over detail and the time factor was of the essence. He always saw beyond the immediate need into the future. He always dreamed on the grand scale. Then, with the fury of an indefatigable dynamo that mastered him, he brought the dream into being. Thus tens of millions of people, fighting men, women and children, warriors on the seas, on the ground and in the air, survived, lived and made do with what he wrought until at long last victory was the free world's reward.

The Kaiser statistics on production present an overwhelming volume of evidence that startle the imagination. Of course whole worlds of industry and fighting men were involved in war and helped to bring victory. Nor was Kaiser the only tycoon who wrought wonders in the area of materiel and production. America's industrial genius was nationwide, for this country had made an enormous investment in human capacity and human dignity. But as I scan the horizon of our time and recall the endless turmoil of the years I find that Henry J. Kaiser among the greatest of America's industrialists stands out as the ablest and noblest of them all.

Yet his beginnings were modest to the point of poverty. Millions of youth everywhere had relatively more opportunity than was afforded to him, and surely have it today. Inheritance gave him nothing and education not much more. In Canajoharie, N.Y., he was the youngest of four children. He made a kind of living as a photographer, developing and printing pictures of visiting tourists and vacationists at Lake Placid, N.Y. In this way he met his bride, and through his prospective father-in-law, Edgar Fosburgh, a lumberman of Norfolk, Va., gave up photography—Fosburgh's idea—and struck out on what Fosburgh hoped would be a more dignified and more lucrative career. The area selected, farthest from Lake Placid, was the Pacific Northwest. The plan was for young Kaiser to make good on his own and talk marriage once his salary had reached a minimum of $125 a month. Kaiser went and returned in what was for him the historic year of 1907 and claimed his bride. He had the job. He had the salary. Moreover, he had a house for his bride in Spokane, Wash., fully furnished and ready for occupancy—something of a modern-day Cinderella story.

Success is the Kaiser trademark.

The Northwest adventure was the beginning of Henry J. Kaiser's career in the construction business. The rest is the most fabulous individual chapter in the history of industry in the United States; and this country is rich in fantastic success stories. Kaiser altered basically the great machine workhorses of the construction business. Machine methods were revolutionized so that oil-and-gasoline energy and hard steel replaced human sweat and muscle and the backs of men. He made new and revolutionary use of the diesel engine. He could see that to which greed was blind. For instance, he could see that putting tires on wheelbarrows not only brought him greater cooperation and respect from his human work force, but yielded him greater profits because of more loads carried. For him humaneness became a helpmeet to achievement.

The fast-growing Kaiser human and mechanical machine paved whole communities in California better and faster for less.

Then came the massive breakthrough creating gargantuan construction projects that are the majestic monuments to architecture and engineering on the American scene in the 20th century: In 4 years he and associated contractors built Boulder Dam. This, on May 29, 1935, was 2 years before the date called for in the Government contract. Then Bonneville Dam sprang up across the deep channel of the Columbia River. On occasion whole cities were built to house the workers. I offer it as a purely personal opinion that under Henry J. Kaiser, construction as a science had developed more in the hands of this one man than it had developed in all the centuries before, back to the building of the Chinese Wall.

I ask: How can we estimate what it is that America owes to him?

I ask: How great, in terms of dollars and statistics, is the gratitude coming to Henry J. Kaiser from the whole free world?

It was after Bonneville Dam that Grand Coulee Dam literally changed the skyline of this continent. For here was something as monumental for its day as anything man had ever constructed in the whole history of time. The least that can be said of it is that it is the greatest dam ever built. Everything about Grand Coulee was unprecedented in terms of size, proportions, quantities, dimensions. It seemed to add new meanings to the ordinary digits in arithmetic. Kaiser and his fellow contractors employed hammerhead cranes weighing 368,000 tons. A Niagara of cement poured from these unheard-of giants of mechanization. In the concrete Kaiser and his associate contractors embedded, as if for eternity, supports for an 1,180-foot-high, four-track trestle. The concrete came from a mixing plant of a size never known before. Finally when Grand Coulee stood out, like a tamed monster for the good of man, there it was far ahead of the deadline date.

In my day I have wandered over many bridges and I am not sure how many of these Kaiser built. But I do find something personal and intimate in the knowledge, for instance, that when one drives over the San Francisco-to-Oakland Bay Bridge, the piers that form the base are the work of this greatest of all American builders in our age.

I could go on like this detailing an enormous inventory of 20th century construction that has meant revolutionary changes in everything from light metals to wheelbarrows, and from diesel engines to executive management, and that involve whole nations and continents. The story is a biography that has yet to be told in all its drama, its color, its intriguing human excitement, and the grand scale on which Kaiser operated. I have only to add one more point. For Kaiser had to overcome not only the merciless eccentricities of uncertain wild forces in nature: wind and rain, cold and heat, storms and floods; he had a far greater obstruction than all of these put together. Again and again and still again he had to overcome an almost impassable, and frequently an absolutely impassable, mountain of human stupidity. With the amazing drive that pushes him on he was able now and again, against high rank and uniformed prestige in authoritative places, to plow through this obstructive blunt wittedness. He did it like one of the best oiled of his great bulldozers pushing through a mountain of heavy sludge. In the end the doubting Thomases, the faltering addicts to the past, the simply deep-frozen minds of inferior men in magnificent offices, saw that Henry J. Kaiser had not only vision, but practicality. And the proof was there in steel and concrete as if for the ages.

Let me finally end this tribute with the simple observation that without the peradventure of a doubt Henry J. Kaiser is one of the greatest Americans in our history. He did what he did on character and understanding and his service to the whole of mankind surpassed the cumulative accomplishments of a whole 5-foot shelf of monarchs and world-shakers.

WHO IS DOING THE DEVIL'S WORK IN AMERICAN POLITICS?

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. CAMERON] is recognized for 60 minutes.

Mr. CAMERON. Mr. Speaker, I rise today to put a question to my colleagues. It is a question which deserves sober consideration.

I ask: Who is doing the Devil's work in American politics?

The facts charge that it is being done by an organization called Americans for Constitutional Action.

We are all aware that democracy is under attack by the radical right. At his last press conference President Kennedy reminded us of this when he said:

> It has always seemed to me remarkable that those people and organizations who are founded in order to defend the Constitution should seek to change it, and particularly to change it in such a basic way, either to affect the power of the Congress, or to amend the Constitution and put severe limitations upon the Congress—which after all represents the people most directly.

The President elaborated further and closed his remarks with this observation:

> I would think that the efforts will come to nothing—and I will be glad when they do not.

I know that all my colleagues in the Congress, Democrats and Republicans, are joined with the President on this vital issue. Every man and woman among us—supported by nearly 180 million citizens throughout this Nation—hope the efforts of the rightwing extremists will come to nothing. We will all be glad when they do not.

But mere hope is not enough to thwart the goals of the radical right. Whether the lunatic fringe fails or prevails depends greatly upon such action each of us is willing to take as individuals. Each of us must search his own soul and come to terms with his own conscience. Each of us must chart for himself where he has been, where he is today, and where he will be tomorrow.

It is tomorrow that concerns me. For as I survey the national horizon I see dark clouds gathering. Sooner than any of us would like to believe, these clouds can be upon us, unleashing a torrent of suspicion and hate, fear and distrust, unlike anything this country has ever seen.

During the last election campaign—I waded through such a torrent. My opponent was a man who was for 2 years a member of this distinguished body. Not long after he took office, responsible citizens across the land were shocked with the disclosure that, through him, the John Birch Society had successfully infiltrated the Congress of the United States.

You found sitting among you the spokesman of Robert Welch, a man who has branded President Dwight Eisenhower and the late John Foster Dulles as dedicated Communist agents. But the Congressman denied that he was in fact in Washington as a puppet of Robert Welch.

He alleged that his only interest was in constitutional conservatism. As a

Congressman he hoped to clothe the John Birch Society in respectability, clothing which it desperately needs if the organization is to win new recruits for its army of panic and fright.

It is a great tribute to the American people that, once unmasked, my predecessor was no longer acceptable—as a constitutional conservative. But although he was defeated at the polls, Robert Welch did not abandon his young prodigy.

Gerald L. K. Smith, the arch anti-Semite sang the praises of the ex-Congressman in the May issue of the Cross and the Flag, and told of his present activities as the professional organizer for the John Birch Society in the seven Western States:

> Recently he was invited by the leaders of the John Birch Society to become the chief director of the John Birch Society activities in the California zone. He is doing a wonderful work. Naturally, I could wish that the John Birch Society would go a little further in the discussions of the issues. They not only do not discuss the Jewish issue, but once in a while they are tempted to bite a little flesh out of some of us who have dared to discuss the Jewish issue. This does not antagonize me, because I feel that it is a symptom of naivete. It is impossible for a man to study communism and not eventually learn that the Jews, as such, organized, financed, and promoted the world Communist revolution.

Smith also offered these words of advice to his racist rabble-rousers:

> Followers of mine who have access to our literature should attend the John Birch Society meetings in their communities.

Thus we have evidence that the parasites of religious and racial prejudice are crawling into bed with the John Birch Society. I shudder to think of the hideous offspring of such a mating. Yet, if we are to take Gerald L. K. Smith at his word, the Birch leadership—at this point at least—does not want to clutch the Christian Nationalist Crusade to its bosom.

Already rejected by the American people, the Birch Society is attempting to improve its ignoble image—not tarnish it further.

A major step in this direction will be taken in Washington on May 23 at what is being billed as a "gala reception." Sponsored by Americans for Constitutional Action, 153 Members of the 88th Congress have been invited to receive awards.

Mr. Speaker, I do not know who these Members are. While ACA has given wide publicity to its gala reception, it has failed to divulge beforehand the identities of prospective award recipients. I believe it is of utmost urgency that my respected colleagues be alerted to the true character of the Americans for Constitutional Action—and I therefore am taking this opportunity to bring the facts to light.

For their own welfare, for the welfare of every man, woman, and child in this country, I urge each and every one of my colleagues to consider seriously how ACA is attempting to use them; how ACA is attempting to clothe itself and the John Birch Society with an aura of respectability to which it is not entitled, but through which it can secure the good names of honorable Members of the Congress.

I urge them to reject the so-called Distinguished Service Awards of ACA which are to be presented in the name of constitutional conservatism. These awards make a mockery of the very ideals they purport to salute.

For just as the John Birch Society sought respectability by putting its Members in Congress, so is it again seeking—through ACA—to clothe itself in the honorable political philosophy of conservatism.

Half the top officers of ACA are also John Birch Society leaders, and about one-fifth of ACA's financial support comes from Birch members. I know of no sitting Member of Congress who would accept a medal from the Birch Society. Is it then appropriate to accept a medal from an organization only half removed? I think not.

It is time that the American voters, political candidates and office holders, newspaper reporters and editors identified ACA for what it is—a mask for reaction. It is one thing for a Congressman to get a medal for being conservative, but it is quite another thing to be decorated by a reactionary, right-wing extremist group, for its own ulterior motives.

It is only because I have the highest regard for my colleagues that I bring these facts to their attention. I have great respect for the conservative philosophy and, while I often disagree with some of its interpretations, I realize that these beliefs stem from a genuine love of country.

My professional background as a certified public accountant frequently causes me to advocate what are considered conservative philosophies in the area of finance. These beliefs are the product of sincerity, and I have never found it difficult to reconcile them with what are considered more liberal positions on other issues affecting the future of my State and country.

It will be a great tragedy for the American people—and for our form of Government—if noble conservative concepts are allowed to become contaminated by right-wing fanatics.

Do not for one moment doubt that ACA is extremist-dominated, and extremist oriented. Its ancestor was The Campaign for the 48 States, established in 1955 to lobby for the adoption of five constitutional amendments, among them revision of the electoral college to weaken the voting power of urban areas. In my judgment this is one of the items the President had in mind when he expressed amazement that those organizations which are allegedly founded to defend the Constitution are most often those which seek to change the Constitution.

The chairman of The Campaign for the 48 States was Robert B. Snowden, who was initially the finance chairman of ACA and is more recently an endorser of the John Birch Society.

Retired Brig. Gen. Bonner Fellers is presently vice chairman and secretary of ACA, and as recently as February 1962, he was listed as a member of the John Birch Society's committee of endorsers.

In the May 1963 issue of Free Enterprise, a tabloid which cites Gerald L. K. Smith's "The Cross and the Flag" as suggested reading, General Fellers wrote:

> You have set up a splendid program for the citizens' hearings of "We the People." Best success.

We, the People is an organization controlled by Rev. Billy James Hargis. On the national advisory board of We, the People there are or have been such extremists as Dr. Revilo P. Oliver, a member of the John Birch Society national council; Robert B. Dresser, a member of the society's committee of endorsers; J. Bracken Lee, formerly on the national board of the Committee Against Summit Entanglements, a group described by Robert Welch as a Birch front; and Merwin K. Hart, formerly a member of this same front and leader of a John Birch Society chapter in New York City.

General Fellers was also appointed by the Reverend Billy James Hargis to the anti-Communist liaison steering committee. You will recall that Hargis and former Gen. Edwin Walker recently completed a cross-country bus tour, spouting their extremist slogans all the way. During their stop in Los Angeles my predecessor, on behalf of the Birch Society, and before 6,000 persons, presented General Walker with a plaque proclaiming him the "greatest living American."

The treasurer of ACA is Charles Edison, a member of the editorial advisory committee of American Opinion, the Birch Society's national magazine. It is worth noting that Westbrook Pegler is now a regular contributor to this publication. In an American Opinion article earlier this year, Pegler launched such a vile and vitriolic attack upon the late Eleanor Roosevelt that even regular readers were forced to protest.

Another ACA trustee is Howard Buffet, who has been identified as an enthusiastic member of the John Birch Society. In addition to his Birch activity, Buffet, like Snowden, has found time to serve in a leadership spot on the Citizens Foreign Aid Committee which, despite its name, is against all foreign aid. It is worth noting that seven key members of this committee, as listed on its letterhead, are also listed in Welch's "Blue Book" as members of the John Birch Society national council.

The Birch Society, of course, has not limited its ACA activity to merely putting its supporters and members into key leadership positions. Reports required to be filed with the Clerk of the House of Representatives show Birchers have made substantial financial contributions to ACA.

In last year's campaign, for example, records reveal that the following identifiable John Birch leaders contributed $7,200 to ACA and loaned $12,000 more:

George W. Armstrong, Jr., a member of the American Opinion's Editorial Advisory Committee since 1957: $1,000 contribution.

Howard Buffet, identified a moment ago as an ACA trustee and an enthusiastic Bircher: $1,000 loan.

Robert B. Dresser, also on the American Opinion Editorial Advisory Committee: $500 contribution.

Charles Edison, the ACA treasurer mentioned earlier as a member of the American Opinion staff: $1,000 contribution, and a $2,500 loan.

E. Ainsworth Eyre, a member of the Birch Society's committee of endorsers: $1,200 contribution, and a $2,000 loan.

William J. Grede, a member of the John Birch Society's national council: $1,000 contribution.

Fred C. Koch, also a member of the John Birch Society's national council: $500 contribution.

Thomas Parker, a member of the society's committee of endorsers: $2,500 loan.

J. Howard Pew, member of the American Opinion Editorial Advisory Committee: $3,000 contribution.

E. L. Wiegand, a member of the John Birch Society committee of endorsers: $2,500 loan.

These contributions account for nearly one-fifth of the more than $100,000 in total contributions reported by ACA for the 3-month period just prior to the 1962 elections.

Americans for Constitutional Action alleges that it has but one goal—"to elect constitutional conservatives to the Congress of the United States."

In 1961 ACA puts its stamp of approval on 136 Members of the 87th Congress. Yet I know of no Member of Congress who would knowingly accept the endorsement of the John Birch Society or a John Birch Society front group. ACA's 1961 awards were refused by one Republican Senator, one Democratic Senator, and six Republican Representatives. I am confident that had the recipients known the true nature of the donor, all ACA awards would have been rejected.

The main tool in selecting award winners is an ACA-Index which has been widely distributed. It has been reprinted in the reactionary "Dan Smoot Reports," and in Texas billionaire extremist H. L. Hunt's Life Lines. It has been circulated by the so-called Network of Patriotic Letter Writers, an operation which, I am sure, accounts for much of the fright mail being received by congressional offices.

The ACA-Index is a percentage rating of the standing of a Member of Congress based on how he has voted on specific rollcalls selected by ACA. The organization contends that this rating is a measure of the extent to which the Senator or Representative is "for safeguarding the God-given dignity of the individual and promoting sound economic growth by strengthening constitutional government" and "against group morality and a socialized economy through centralization of power."

This actually says nothing about ACA's criteria for selecting a constitutional conservative. But analysis of the 1961 ACA-Index in the 1st session of the 87th Congress gives a clear picture of what ACA criteria is:

Members of Congress were expected to be:

Against programs to aid depressed areas by making available loans and grants.

Against raising minimum wages to $1.25 an hour and extending coverage of wage and hour laws.

Against slum clearance and public housing.

Against funds for health research.

Against manpower training for the unemployed.

Against permitting the Attorney General to use injunctions and civil actions in civil rights cases.

Against establishment of the Arms Control and Disarmament Agency.

Against increasing grants to aid in the fight against water pollution.

Against Federal aid to education and funds for school construction.

Out of 30 votes cited, ACA expected Members of Congress to vote against the majority, to vote against 27 of the 30 bills cited in their index.

I do not for a moment question the motives of any Member of this Congress who voted against these measures, but neither do I question the motives of anyone who voted for these measures. Whether for or against, I am certain that votes were cast on the basis of personal convictions and a strong desire to act in the best interests of this Nation.

But, Mr. Speaker, I do question the motives of ACA in attaching itself, like a political leech, to the voting records of honorable men. For, in my judgment, ACA's only aim is to transfer the image of respectable conservatism to radical rightwing extremism.

The pipeline of transfusion is Human Events, a patriotism-for-profit propaganda publication which, in addition to publishing the ACA-Index, has a joint subscription arrangement with the John Birch Society's American Opinion. In his "Blue Book," Robert Welch writes that Human Events—

> Feels also that we complement each other well * * * and American Opinion is, to the best of my knowledge, the first * * * magazine which they have been willing to join in such a combination offer.

A sampling of quotations from various issues of Human Events points up its extremist biases:

> Item: "We will never have efficiency in the service of delivering mail * * * until the Post Office is turned over to private enterprise."
>
> Item: "It is scarcely a secret that Reuther is a ruthless labor dictator and one of the most mischievous socialist leaders in the country."
>
> Item: "It was Franklin D. Roosevelt who opened wide the door for Communist penetration of the peoples south of the Rio Grande."
>
> Item: "After reading this handbook (and other Girl Scout publications) * * * I knew that I should hereafter advise all American mothers to discourage their girls from joining that organization until it stops the U.N. and world government propaganda and becomes a * * * real American organization."

I would be shocked and amazed, Mr. Speaker, if any Member of this Congress who has been marked for recognition by ACA claimed that the Girl Scouts is not a real American organization, or that Franklin Roosevelt invited Communist subversion of Latin America, or that the Post Office should be turned over to private enterprise.

Yet this is what the extremists would have the American people believe. It is the contaminated brand of constitutional conservatism which they are peddling. They have changed the contents of the package but are making every effort to leave the original label intact.

My daily mail is grim reminder that the concepts of constitutionalism and conservatism are undergoing basic alteration. These ideals are being cunningly translated into word symbols—word symbols that have special meaning woven into them by those who use them. History has shown that Fascists and Communists pay homage to the symbols of freedom and democracy, but give their own interpretation to these words. The extremists of today are muddling communication between Americans by using the same methods found so successful by the tyrants of yesterday.

Some political observers hold the skeptical view that given power, the people will turn it over to the demagog with the most appealing line. All democracies have faced the threat of extremists—Fascists, Communists, and anti-Semites. In many cases the existing governments were ripped apart by the spread of this confusion and hate.

Under normal circumstances the appeals of demagogs have attraction only to the lunatic fringe. But during a crisis—such as the cold war in which this Nation is engaged—men with extremist panaceas become a real threat to democracy. It is under conditions of emotional insecurity that people from all segments of society are attracted by the extremist magnets.

Thirty years ago in Europe Hitler and Mussolini had all the answers—all the panaceas—and in the United States so did Gerald L. K. Smith and Earl Browder. Democracy succumbed to extremism in Germany and Italy. But in America, democratic leadership responded to the needs of the times and acted vigorously to reenforce our cherished institutions. In my judgment, the time for such action is again at hand.

Mr. Speaker, I have presented the facts and I have tried to present them objectively. To me they seem indisputable. They establish that Americans for Constitutional Action is doing the Devil's work in American politics. They establish that ACA has been infiltrated and taken over by Robert Welch's John Birch Society.

Birch leaders are ACA leaders.

Birch money is ACA money.

Birch propaganda complements ACA propaganda.

Birch ideology is ACA ideology.

But whether Birch or ACA, it is not the ideology—it is not the conservatism—acceptable to our forefathers.

It is not the conservatism acceptable to Members of this Congress.

It is not the conservatism acceptable to the American people.

It is extremism, a brand of political and social ideology not worthy of recognition in our Nation's Capital on May 23—or on any other day.

Whether the radical right fails or prevails depends greatly upon what action each of us is willing to take as individuals.

Each of us must search our soul, and come to terms with our conscience. Each of us must chart where we have been, where we are today, and where we will be tomorrow.

I am hopeful tomorrow will find that: "No violent extremes endure; a sober moderation stands secure."

Mr. BLATNIK. Mr. Speaker, will the gentleman yield?

Mr. CAMERON. It is a pleasure to yield to the distinguished gentleman from Minnesota.

Mr. BLATNIK. Mr. Speaker, I want to join my colleague and friend from the State of California for a very forthright and courageous statement calling attention to a very serious, if not critical, development on the American political horizon and saying things that ought to be said and should be said. I am privileged and personally pleased to be associated in this discussion which the gentleman leads in the special orders for today.

I would like to give further details of the Americans for Constitutional Action to which quite some reference has been made by the gentleman.

The announcement of formation of the Americans for Constitutional Action was put in the CONGRESSIONAL RECORD volume 104, part 12, pages 15899–15902, by Senator KARL MUNDT, of South Dakota, with a glowing tribute to its head, Admiral Moreell, and other leaders.

"I welcome wholeheartedly this new venture in our American political system," the Senator said, praising it as a contribution to clearing the lines of demarcation between conservatives and liberals as against mere party labels of Republican and Democratic. He then told the Senate the following, by way of explaining the beginning of the movement:

> As long as 6 or 7 years ago, in association with the then Senator from Maine, Mr. Brewster, and others, I helped organize a weekend conference, held in the North Room of the Mayflower Hotel here in Washington on September 15 and 16, 1951, which resulted in the creation of what was then known as the National Committee for Political Realignment, which had the cochairmanship of former Senator Albert Hawkes of New Jersey, as a Republican, and Ed O'Neal of Selma, Ala., as a Democrat. Senator Hawkes had been formerly the president of the U.S. Chamber of Commerce, and Ed O'Neal was known to all of us as the very effective national president for many years of the American Farm Bureau Federation.

So we see that part of the origin of ACA was in a meeting of leaders of the U.S. Chamber of Commerce and the American Farm Bureau Federation. Incidentally, Ed O'Neal, identified there as a Democrat from Alabama, appeared on a platform at Memphis to introduce the Republican candidate for President in the 1952 campaign and bolted the Democrat Party 10 days later. The man who succeeded O'Neal as President of the Farm Bureau, Allan B. Kline, is a trustee of ACA.

Another ancestor of the ACA was a movement called the Campaign for the 48 States, organized in 1955 to press for five amendments to the Constitution, including one to limit the rate of Federal income tax. It was headed by Robert B. Snowden, a Memphis businessman and farmer, who was initially the finance chairman of ACA and later became an endorser of the John Birch Society.

In early 1959, when the Campaign for the 48 States was being liquidated, it turned over to ACA $25,096.54, according to reports filed by ACA with the Clerk of the House.

Trustees listed in literature of the Campaign for the 48 States who later became identified with the John Birch Society include the following: Robert B. Dresser, Brig. Gen. Bonner Fellers, retired, J. H. Gipson, Sr., and Joseph S. Kimmel.

In addition, the Campaign for the 48 States had a national advisory council which included the following who later became identified with the John Birch Society: Spruille Braden, Howard Buffett, Kenneth Colegrove, Kent C. Courtney, Frank DeGanahl, Gov. J. Bracken Lee, Clarence Manion, Adolphe Menjou, J. Howard Pew, E. Merrill Root, and Robert H. W. Welch, Jr.

Moreover, the following officers, trustees, or advisory council members of the Campaign for the 48 States included the following men who are presently leaders of Americans for Constitutional Action: Brig. Gen. Bonner Fellers, retired, Howard Buffett, and Adm. Ben Morrell; and three former ACA leaders—Felix Morley, T. Jefferson Coolidge, and Gen. Robert E. Wood, retired. Also the Campaign for the 48 States was actively supported by former Congressman Ralph Gwinn, who was a trustee of ACA until his death last year.

It is also noteworthy that the national advisory council included two of the founders of Human Events: Frank E. Hanighen, who is still the editor, and Felix Morley, who was its president from 1945 to 1950.

This was no small insignificant group. Congressional Quarterly reported that the organization was the top spender—$81,922—among lobbyists in the first quarter of 1957—nearly twice as much as any other organization spent to influence legislation. Similarly, ACA is no small group. It is openly boasting of having helped 184 candidates last year and is starting next year's campaign 18 months ahead of the election.

Mr. CAMERON. Mr. Speaker, I thank the gentleman from Minnesota for bringing this to my attention.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. CAMERON. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Speaker, I want to commend the gentleman for his remarks today, and I want to associate myself with them. I would like to say I want to add some comments on the topic of Americans for Constitutional Action—comments which I think will demonstrate further that it is highly partisan in bias and is well-nigh ludicrous in its standards.

As is well known, under the rules and traditions of this House, leadership is in part a function of seniority. Without going into the perhaps controversial aspects of this fact, I believe that I can safely say that the leadership of the House, including the chairmen of the standing committees, is not radical and could not legitimately be said to be in opposition to the spirit and principles of the Constitution. It is enlightening, therefore, to take a look at how ACA rates House leadership.

First, let us consider the Speaker. On the basis of his votes prior to election as Speaker, ACA rated him zero. This is so patently ridiculous that former President Hoover, himself an ACA trustee, personally assured the Speaker that he was distressed by the false implication that the Speaker had opposed economy in Government. This episode, by the way, raises an interesting and significant question for the ACA defenders who try to hide behind the respected name of the former President.

How about our majority leader, the gentleman from Oklahoma? ACA rates him at 4 percent. The majority whip does only a little better on the ACA scale, with a rating of 13 percent, and the deputy majority whip, the gentleman from California, is given a score of 3 percent.

Let us turn now to the chairmen of the 20 standing committees of the House—men of great seniority and public service. Of these, no less than six are rated by ACA at less than 10 percent, another four fall below ACA's 30-percent mark, and only five manage to score above 50 percent. In other words, if we are to believe ACA, most of our leadership in this body is not even one-third devoted—and I quote from Mr. Welch's writing—to "the preservation of the spirit and the principles of the Constitution."

Now I turn with some amusement to my own personal rating by the Americans for Constitutional Action. This phony rightwing group has decided that I am entitled to a rating of 11 percent good votes and 89 percent bad votes for the years 1957 through 1962. I am a little bit ashamed of getting such a high rating, I might add.

My constituents, who were apprised of this rating during my last campaign, evidently thought as little of the ACA phony percentages as I do, because they gave me a majority of about 30,000 votes over my opponent, a Mr. Robert Ramsey. Incidentally, my opponent was endorsed by the ACA and recently has acted as master of ceremonies in a John Birch Society meeting whose speaker was our former colleague, John Rousselot, the then western regional director of the John Birch Society.

As a footnote to this facet of the ACA ratings, I call to your attention the fact that the majority membership of the Committee on Un-American Activities averages only 35½ percent with ACA, with the chairman scored as only one-fifth of a constitutionalist.

Two more points, Mr. Speaker, as indication of the partisan bias and the ultranegativism of the ACA ratings of Congress. First, note that since 1957, ACA has chosen some 73 record votes in this body to use in its ratings. In no less than 49 instances—in other words, two-thirds of the time—ACA considers that the majority of this House has voted against the spirit and principles of the Constitution. Little wonder, then, that they are so hysterical.

As my final point, I give only the bare statistics of partisan breakdown. Of those receiving ACA ratings of better than 80 percent, all but 5 are Republicans; and conversely, all of those rated at less than 20 percent are Democrats. This seems to me to be sufficient answer to ACA's spurious claim to be a nonpartisan organization. Furthermore, the whole pattern of the ACA-index should leave little doubt that it is worthless except possibly to those who wish to repeal the 20th century completely and amend the 19th rather substantially.

Mr. CAMERON. I thank the gentleman from California. I am glad to have the facts brought out.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. CAMERON. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I thank the gentleman for yielding, and I want to commend him on his leadership in undertaking to bring to the attention of the Members of the House of Representatives and the country some of the remarkable activities of the leaders of the far rightwing in our country—many of them persons who are themselves un-American in their attitudes and methods rather than those they seek to impugn with some of their propaganda.

Only recently, Mr. Speaker, I had the opportunity to talk to a distinguished Republican who shares, I am sure, the viewpoint which we are here this afternoon expressing on the floor of the House. I refer to Arthur Larson, author of the book entitled, "A Republican Looks at His Party," a distinguished lawyer in his own right, who taught law at the University of Tennessee, Cornell University, and was dean of the Law School of the University of Pittsburgh. Mr. Larson, moreover, served under President Eisenhower in the high positions of Under Secretary of Labor and Director of the U.S. Information Agency, and also as special assistant to President Eisenhower. At the present time Mr. Larson is Professor of Law and Director of the World Rule of Law Center at Duke University in North Carolina.

In talking with Mr. Larson, I found, as I say, that he shared the concern which we are here this afternoon expressing. I asked Mr. Larson if I could see a recent speech of his which had just been drawn to my attention and which is relevant to our discussion here today.

Mr. Speaker, I ask unanimous consent to include in the RECORD at this point the text of an excellent address by Arthur Larson delivered on May 10, 1963, at Encino, Calif., on the subject of "An American Looks at the United Nations."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The address is as follows:

AN AMERICAN LOOKS AT THE UNITED NATIONS

(By Arthur Larson)

A new era has opened in the history of the United Nations.

The principal milestone marking this new era was the peaceful occupation of Kolwezi in Katanga Province by United Nations troops early this year. This event signaled the end of the acute military phase in the Congo. It demonstrated that the United Nations could put an army into the field in support of its peace-keeping objectives, and carry through to a successful conclusion, using its own resources and command, a suppression of a threat to the peace under almost indescribable difficulties. This event demonstrated, for all to see, that the United Nations could indeed take effective action in a situation where all the major powers considered themselves to have a vital interest, in spite of the fact that every great power except one, the United States, was in fact opposed to the action. Of course, the difficulties in the Congo are not over, but they are now of different character. They involve the process of nation building, with the United Nations continuing to play a major role in coordinating the strengthening of internal security resources as well as economic development.

The change in the Congo picture is, however, only one feature of the United Nations new era. If we look back only 18 months, we can see that the United Nations has emerged from an appalling series of crises with renewed strength and confidence. One byproduct of this change can be seen in the second edition of our booklet of questions and answers. The first edition was entitled "Questions and Answers on the United Nations Crisis." The outline of the book consisted of eight main causes of crisis of confidence in the United Nations. The new edition of this booklet has just been published entitled simply "Questions and Answers on the United Nations." The dropping of the word "crisis" is significant. Of course, the United Nations still has plenty of troubles. It is important for all of us, however, to realize that we need no longer approach a discussion of United Nations affairs in an atmosphere of crisis and imminent disaster to the organization. Let us look at some of these changes in the last 18 months.

THE CONGO

As to the Congo: 18 months ago many people were seriously worried that the United Nations would fail in the Congo and that the burden of the effort and of the failure would be the beginning of the end for the organization. Today the United Nations is in control of the situation, has freedom of movement throughout the Congo, and is proceeding with an orderly transfer of responsibility to the Congolese Government.

As to finances: 18 months ago the United Nations was literally bankrupt and there seemed to be some real doubt whether the U.S. Congress would deal virtually a financial death blow to the United Nations by an adverse vote on the U.N. bond issue. Today, although the financial plight of the United Nations is still unsolved, the bond issue has been adopted and reasonably well subscribed, and danger of imminent collapse has been averted. Prospects of a solution have been aided in the meantime by the advisory opinion of the International Court of Justice holding the assessments for the Congo and Middle East actions to be binding on all members in the same way as the regular budget assessments are, and this opinion has been adopted by the General Assembly.

THE SECRETARY GENERAL

As to the Secretary-Generalship: at the period of the United Nations deepest crisis we saw the death of Dag Hammarskjold, the repeated insistence by the Soviet Union that it would demand a three-man committee and would refuse to accept any single Secretary General, and the resultant prospect that the U.N. would thereafter be forever paralyzed by a hamstrung committee or, at best, by a weak and cautious successor to Hammarskjold. Today we see the Secretary-Generalship being handled with a superb combination of imagination, courage, initiative, patience and tact by Secretary General U Thant, ably assisted by such first-rate international public servants as Ralph Bunche and C. V. Narasimhan.

As to West New Guinea: during the crisis period active hostilities were in progress between Indonesia and the Netherlands, with the always imminent possibility that this spark might set off the explosive southeast Asia situation. Today, thanks to the creative courage of U Thant and the skillful diplomacy of Ellsworth Bunker, we have seen a United Nations regime exercise actual transitional political administration over the region, supported by a United Nations armed force of 1,000 Pakistani troops.

As to Communist China: at one time it was widely thought that, because of the increasing votes in apparent favor of seating Communist China in the General Assembly, this seating would soon be a reality, with no regard for the impact on Nationalist China. In the last General Assembly, however, the relative vote against the seating of Communist China actually increased for the first time, the increase being largely due to the new African members. This change, which reflected a realization that the problem was much more complex than had previously been realized and that it particularly required greater attention to the rights of Nationalist China, contained a reassuring reminder, if any was needed, that the General Assembly, enlarged as it is, does not stampede blindly on such issues as this but considers them on their merits.

CHANGE IN POSITION OF UNITED NATIONS

The change in the United Nations story from a period of crisis to a period of confidence is mirrored in the change in attitude toward the organization on the part of its friends and detractors alike.

It seems as though it was only yesterday that the main theme of the U.N.'s enemies was that the United Nations was too weak to be respected. Today the main theme of these enemies is that the United Nations is too strong to be trusted. The speed of this reversal is well illustrated by a poignant episode involving a rather excessively conservative Congressman. In common with the new trend among extreme conservatives, he had made the mistake of entrusting some of his views to print. Unfortunately there is a lead time in getting articles or books printed which sometimes runs as much as 6 months. This Congressman published an article ridiculing and denouncing the United Nations because its ineptitude and debility were demonstrated by its inability to handle even the resistance put up by Mr. Tshombe. At the very moment the article appeared, the same Congressman was on his feet roundly condemning the United Nations because its defeat of Tshombe proved that the U.N. was so powerful as to be dangerous.

FRIENDS OF THE U.N.

As for the friends of the United Nations, during the crisis period many of them found themselves saying, "It may not be very good, but it is all we have; at least it is a place where you can talk." Today this half-apologetic air is completely out of place, and the friends of the United Nations can point with renewed pride to its record of achievements against severe odds.

While I am at it, I might mention also that the in-between lukewarm friends of the United Nations may also be revising their attitude. During the crisis period, a number of people like Senator FULBRIGHT and Senator JACKSON were saying that, since the United Nations had run into so many difficulties, and was filled with such diverse interests, we should shift our emphasis to a concert of like-minded nations, beginning with the Atlantic Community. I sometimes wonder whether Senators FULBRIGHT and JACKSON are not asking each other who started this business of referring to De Gaulle as "like-minded."

The new attitude of the friends of the U.N. is of particular relevance in connection with the question of what to do about the frantic attacks on the United Nations by the extreme rightwing. It is still my emphatic view that the most effective course is to continue to accent the positive by devising and supporting measures for strengthening the United Nations and making increased use, in appropriate situations, of its peacekeep potential. So far as I am concerned personally, up until now I have completely ignored the right-wing extremists.

I am sorry to say, however, that they have not completely ignored me. My reason for adopting this policy is that, quite apart from their undoubted disturbing influence in some communities, they are demonstrably not an important factor on the national scene. They desperately wish that they were, but they are not. If anyone doubts this, let him merely consult the outcome of the last congressional elections in which, in spite of the supposed rise of a rightwing movement, practically every candidate representing this extreme fringe was defeated. As to the specific issue of support of the United Nations, look at the nationwide poll which recently showed more than 85 percent of the American people supporting the United Nations. Or look at the final outcome of the congressional vote on the United Nations bond issue, which passed handsomely in spite of the most frenzied efforts of rightwing groups.

EXTREME RIGHTWING FRINGE HAS MONEY

It is clear that the extreme rightwing fringe, then, does not have the people behind it. What it does have is a lot of money. With this money it is able to make a lot of noise. With the letterwriting and other organizations it has built up with the aid of the people who are not adverse to sharing in these funds, is able to dump 25,000 or 35,000 letters and telegrams on Washington at the touch of a button. Although Congressmen and Senators generally realize how little weight this kind of "snow job" is entitled to, it must be admitted that the effect is sometimes to slow down or make more difficult the passage of essential legislation such as the United Nations bond issue—but the important thing is that, when the chips are down, the rightwing extremists are always found in the losing column.

EDMUND BURKE

This kind of noisy minority has always been a familiar phenomenon in democratic societies, and was never better described than in the following eloquent passage from a speech by Burke:

"Because a half dozen grasshoppers under a fern make the field ring with their importunate clink, whilst thousands of great cattle * * * chew the cud and are silent, pray do not imagine that those who make the noise are the only inhabitants of the field; that of course they are many in number; or that, after all, they are other than the little shriveled, meager, hopping though loud and troublesome insects of the hour."

I said that it had been my policy to ignore the rightwing fringe "until now." However, the bombing of the American Association for the United Nations office at Encino, Calif., following an earlier similar episode, changes the situation. It is one thing to indulge in vicious, though largely ineffective deceptions, slanders, lies, and underhanded attacks and pressures directed at opponents. It is quite another thing to resort to violent physical crime. You can ignore a naughty boy who tries to knock your hat off with a snowball—indeed, experience has shown that this is the only advisable course. You cannot ignore him, or treat him merely as a naughty boy, when he begins to commit burglary and arson.

I do not mean that we should change the basic positive approach that I have emphasized. On the contrary, let us draw from the Encino bombing incident this conclusion; when a group has reached the point where it resorts to bombing, it is already licked.

If you and I have an argument, and if you are getting the better of me on the strength of facts, figures and evidence, and if your view is prevailing in action, is it likely that you are suddenly going to lash out at me and attack me with a knife? Of course not. It is the person or group that finds itself bested, defeated and frustrated on the intellectual, factual, and political front that ultimately, in desperation, strikes out blindly with physical violence.

BOMBING AT ENCINO

I use the term group intentionally. I realize that the particular bombing was perhaps the work of an individual. But I charge that the entire extreme rightwing movement, by unscrupulously and cynically flooding the country with outrageously false and shamelessly inflammatory materials attacking the United Nations and its supporters, must bear moral responsibility for the criminal acts that it has thereby helped to induce. In law we have a maxim that a man is presumed to intend the natural and probable consequences of his actions. Let me read a typical publication of the rightwing, put by the Lynwood Publishing Co. of 11036 Atlantic Avenue, Lynwood, Calif.:

"We are to all intents and purposes a nation overthrown. We are a people in bondage. We are in the hands of our enemies. They have almost destroyed our Republic as we have known it. The Constitution of this Republic and its written laws are being bypassed and to a large extent superceeded (sic) by a one-world government whose existence was brought into being by international communism and political zionism under their front man, Alger Hiss, who was its first Secretary-General. The continuation of this United Nations, with its appointive officials, will destroy our Republic.

"The time has come for American citizens to rise in their wrath and nullify the activities of this destructive organization. Like John the Baptist we must put our ax to the root of this evil. If the present administration continues to tolerate the United Nations with its attempted destruction of our Republic, it will have to face the ire of an outraged citizenry. And the wrath of a God-fearing, Christian, free and mighty people, against tyrants and traitors can be terrible and swift. The destiny of this Republic hangs in the balance. The time for action is now."

This passage is the handiwork of Dr. T. J. Toma, B.S., D.D.S. The publisher, Mr. Frank B. Ohlquist, adds: "I endorse his views 100 percent" Now. suppose this sort of thing is read by some slobbering imbecile who knows no better than to take it seriously. Is it not a natural and probable consequence that, in this clouded and perverted mind, there might form the idea of becoming the instrument of "the wrath of a God-fearing, Christian, free and mightly people, against tyrants and traitors"? Might he not picture himself as a latter-day John the Baptist putting the ax to the root of this evil, but merely using the more modern root-removing device of dynamite?

FALSE AND INFLAMMATORY LITERATURE

It is unfortunate that there is not some way in law to deal with this kind of incitement to crime through false and inflammatory literature. The difficulties are obvious. I realize that if a nation ever attempted to make the slightest start in the direction of correcting this sort of evil, it would be extremely difficult to avoid the risk of interference with free speech on controversial political issues. On the other hand, we do have laws against obscenity, and against direct and specific incitement to commit a crime. We even have laws against publishing false statements when what is at stake is advertising claims for hair tonics or arthritis cures.

It is a rather depressing thought that the degree of falsity contained in the kind of publication I have just read might very well be legally punishable if concerned with the contents of a can of beans, but are outside the reach of the law when what is at stake is national survival. When I say "falsity" I mean "falsity." I am not talking about matters of opinion. Falsity is frequently a matter of demonstrable fact. For example in the statement I read to you, we are told that Alger Hiss was the first Secretary-General of the United Nations. At another point there is a statement, purporting to be a quote from the CONGRESSIONAL RECORD, that "the United Nations levied a tax of $19 billion annually on the peoples of Canada, United States, Australia, New Zealand, and the nations of Western Europe this year (apparently meaning 1951), our share of which was the $8½ billion appropriated by Congress in October of this year." This is no mere exaggeration; this is falsity raised by a factor of 550. Again, we are told by Dr. Toma that U Thant is the "agent of Asiastic Political Zionism"—which may come as a surprise to this soft-spoken Buddhist. The World Bank is said to be a Communist conspiracy although the Soviet Union refused to sign either of the Bretton Woods Agreements creating the Bank and the International Monetary Fund, and although no Communist country except Yugoslavia is a member of either.

BOMBINGS AND MURDERS, NOT POLITICAL ARGUMENT

Whatever may be the case in some other parts of the world, the use of bombings and murders as substitutes for political argument are not in line with the way we conduct the democratic process. There has been too much of this sort of thing happening lately to dismiss it as a mere isolated or freakish occurrence. I would like here and now to call upon the respectable conservatives of this country to disavow and discredit and quit financing these provably false attacks by extremists, with their open calls for swift and terrible action against traitors and to restore some modicum of decency to the political dialog that is being increasingly befouled by extremists. I call specifically upon Senator GOLDWATER to use his undoubted influence to help clean up these excesses. As matters now stand, Senator GOLDWATER is hardly helping the situation by making the kind of statement attributed to him in April, when he was reported as saying that the Cuban raiders should be turned loose because among other things, they might kill a few Russians, and that would be a good thing. Quite apart from the international aspect of the matter, the killing of a few Russians by Cuban raiders would be a clear case of first-degree murder. Senator GOLDWATER has undertaken to instruct me at considerable length in his best-known book by pointing out where I, in the company of most constitutional lawyers in the country, am quite wrong about constitutional law. I am now prepared to be instructed by this successful businessman and Senator in the subject of criminal law as well, if he can show me why the premeditated killing of a citizen of a country with which we are not legally at war is not murder. This is just one more symptom of the decaying moral tone that is beginning to infect the political life of our country as a result of right-wing extremism.

EXTREME RIGHTWING

As to the extreme rightwing, then, my concern is not that they are an important national political force but rather that they are becoming a source of personal suffering and danger and loss of jobs to American citizens in some communities, a small but growing menace to the dignity and standards of the American political process, and a generally repulsive and stinking blot upon the American scene. The worst mistake we could make would be to treat them as if they were a respectable political factor. This is exactly what they want. With all their money and noise, they are pathetically trying to create a picture of the political scene in which the whole political alinement consists of themselves on one side and everybody else on the other. If we consume all our time and energy talking back to them, we may help to support this delusion. The main concern, then, of supporters of the United Nations must continue to be, not the rantings of the extreme right, but the genuine need for solid factual education on United Nations issues for the benefit of the overwhelming majority of American people who generally support its objectives and need and want to learn more about it.

THE UNITED NATIONS AND AMERICAN SELF-INTEREST

I would now like to turn to this broader task, that of providing factual and evidentiary ammunition of a character adapted to the needs and wishes of intelligent and responsible Americans. In keeping with the title of my talk, I am going to deal specifically with the relation of American self-interest to the United Nations. The advantage of this approach is that its appeal is, or ought to be, virtually universal among Americans. There will be nothing here that can be discounted as a product of idealistic internationalism, or anything other than the most cold-blooded, hard-headed, practical American national interest.

The most straightforward way to analyze this question in terms of demonstrable fact rather than opinion is to begin with an objective reckoning of the United States "batting average" in favorable United Nations actions.

VOTES IN UNITED NATIONS

I made a compilation of actions taken by either the Security Council during its 16th year or the General Assembly during the 16th session. I took only votes having some significant substantive content. There were 62 such resolutions. The United States abstained in four votes. As for the remaining 58, the United States was with the successful majority on 55 votes. It was on the losing side in only three. One of the three was concerned with appointing a new committee to investigate the West New Guinea problem. The United States was on the side of a simple majority, but the question happened to be one requiring a two-thirds vote. The other two votes concerned Assembly resolutions calling for cessation of nuclear testing and banning of nuclear weapons without what the United States considered adequate controls. At the same time, the United States was with the majority on the general resolution calling for a renewal of talks on a nuclear test ban with adequate controls.

As to the 17th General Assembly, the official report of Senators GORE and ALLOTT to the Senate Committee on Foreign Relations and Committee on Appropriations stated:

"The results of the 17th session of the General Assembly, judged in terms of our national interest, were relatively favorable. The United States maintained its record of never having lost a U.N. vote of vital importance to its security interests."

Perhaps the most striking and easily documented evidence of the Alice in Wonderland-Through the Looking Glass world in which the rightwing extremists live is their often repeated statement that the United Nations is dominated by the Communists and that the General Assembly always tends to vote pro-Communist.

U.N. RECORD OF SOVIET DEFEATS

The actual fact is that, just as the United States has never lost on a major issue, the Soviet Union has never won on a major resolution which it has introduced and which the United States has opposed. On the contrary, the record shows a monotonous series of defeats, rebuffs, censures, and condemnations aimed at the Soviet Union. The following is a partial list, taken from the last two sessions, and leaving out of account such dramatic earlier anti-Communist actions as the authorization and extension of the United Nations action in Korea.

The resolution of October 1961 against the 50-megaton bomb.

The December 1961 resolution against practices depriving the people of Tibet of their rights and freedoms.

The resolution of December 1962, similar to many earlier resolutions, against the continued thwarting of United Nations objectives in Korea.

The Hungary resolution of December 1962, against the Soviet Union's continued disregard of United Nations resolutions and objectives.

The September 1960 resolution rejecting the Soviet Union's attack on Hammarskjold and strengthening his hand in the Congo.

The Cuba resolution of February 15, 1962, overwhelmingly rejecting a resolution calling on the United States to end its alleged interference in the internal affairs of Cuba.

The resolution of December 1962 on refugees from Communist China in Hong Kong.

The December 1962 resolution on expropriation, providing that the owner shall be paid appropriate compensation in accordance with international law, and rejecting the Soviet amendment which would have made the right to expropriation absolute.

The December 1962 resolution accepting the advisory opinion of the International Court holding that costs of the Congo and Middle East operations are "expenses of the organization" binding on members, a resolution bitterly opposed by the Soviet Union.

The rejection of the seating of Communist China in the General Assembly, as already discussed, by an increased vote.

The overwhelming rejection of the Soviet demand for a three-man committee or "troika" in place of the Secretary-General, without so much as a single non-Communist country supporting the Soviet position.

AMERICAN SUCCESSES AND COMMUNIST DEFEATS

Indeed, the record of American successes and Communist defeats on resolutions where their interests have clashed is so consistent that it is almost creating a new kind of problem. This new problem lies in the fact that, if the United States fails to get its way even on an infrequent and minor point, the noisy anti-U.N. claque sets up an anguished howl that you would think the end of the world was in sight. A good example of this phenomenon is the uproar over the proposed United Nations special fund agricultural experiment in Cuba. We must first remember that, throughout the history of the Special Fund, 97 percent of the money spent by the Fund has gone to countries which the United States is also abiding. The remaining 3 percent goes to Malaya, Saudi Arabia, British North Borneo, Malta, and Singapore—all countries for which aid is certainly not objectionable from our point of view, although for various reasons we have not happened to extend them foreign aid ourselves. Among the countries receiving aid from the U.N. Special Fund have been Nationalist China, South Korea, and South Vietnam—countries which would hardly have received such aid if political objections by such countries as the Soviet Union were to be taken into account. The total amount laid out by the Special Fund in this way over the past 4 years has been something in excess of $250 million.

CUBAN PROJECT

Now comes the Cuba project, which of course, was initiated within the Organization at a time when its political implications were quite different. It involves sending five foreign experts, none of them Americans, to Cuba for 6 months to begin a study of how Cuba could diversify its agriculture. The total amount involved is $1,157,600, or less than one-half of 1 percent of the expenditures authorized by the Special Fund so far.

Since the end of the Katanga action, enemies of the United Nations have been somewhat hard pressed to find something about the United Nations to attack. Undoubtedly this is why they seized upon this Cuba project as the target for another wild orgy of uninhibited emotionalism. Let us see what the cold facts show.

First of all, as everybody agrees, no American dollars will be used in this project. This, however, is quite properly not the end of the matter. There is also the question whether it can be said the American contribution to the Special Fund is indirectly going into Cuba. There is a perfectly simple way of answering this question, and it is astonishing to me that it seems to have been so easily lost sight of both in the congressional hearings and in the public discussion. The answer to the question whether the American dollars are indirectly going into Cuba obviously depends on whether Communist countries are already receiving out of the Special Fund more than they put into it. The figures are as follows:

Payments into the Special Fund by Communist countries______	$8,000,000
Receipts by the Communist countries from the Special Fund (Yugoslavia, Poland, and now Cuba)__________________	5,612,600

This means that, even counting the proposed Cuban project, the Communist countries will have taken out of the Fund $2½ million less than they have put in. They thus have a "unfavorable balance of trade," so far as that Fund is concerned. Since the critics of the United Nations themselves obviously insist on a sharp division between the Communist and non-Communist relation to the Fund, this should apply to input as well as outgo. It follows that the million dollars going into Cuba must be thought of as coming from the $8 million contributed by Communist countries and still far from used up. As a matter of fact, since the Communist countries have put into the Fund more than they have taken out, they could with even better logic argue that Communist funds are in fact indirectly going into Nationalist China, South Korea, and South Vietnam.

As small as this item is, I can assure you that we have not heard the last of it, and that it will probably form the excuse for a variety of damaging amendments in Congress aimed at the U.N. appropriation.

One type of fallacious argument frequently heard is that, since the United States has contributed roughly 40 percent of the Special Fund, we must therefore consider that we are furnishing 40 percent of the cost of the Cuba project. I think that the figures I have already given amply explode this fallacy, but let me put it another way. Suppose that a baseball coach and a football coach at a university are engaged in a feud. Let us suppose that football brings in $40,000 a year to the university, basketball $40,000, other sports $20,000, and baseball $2,000. Up until this time all of the money from this athletic fund has been spent on the football field and gymnasium. One day the baseball coach wants $500 to repair the backstop fence and sew up the leaking bases. The football coach now says: "Absolutely not. I contribute 40 percent. Therefore I would be contributing two-fifths of the $500, or $200—and I do not like the baseball coach and I refuse." (This is an almost exact paraphrase of an argument published by

Fulton Lewis, Jr., right down to the percentages.)

Would not the baseball coach be entitled to say: "And what about the $2,000 that I brought in, and from which I have received nothing?"

Let me say right here that, as an American, I personally think the proposed Cuba project is unfortunate and that I would be happier if it had never come along. But also, as an American, I place high value on our national honor and integrity. The United States solemnly agreed that political considerations would play no part whatsoever in the dispensation of aid under the Special Fund program; and I contend that the value of keeping our word greatly outweighs the trivial effect that this project might have on American interests in relation to Cuba. It is interesting that the burden of maintaining the nonpolitical character of the Fund has fallen on the shoulders of an American, Mr. Paul Hoffman, the Managing Director of the Fund. It is to the eternal credit of this courageous man, who already has amassed a record of public service, both national and international, that few Americans can rival, that he has adhered unwaveringly to this principle, in spite of what must have been exceptionally trying pressures from his fellow Americans, not excluding some fellow Californians.

ON THE LONG-RANGE AMERICAN INTEREST

The record of specific U.N. actions almost uniformly favorable to the American position provides a quick and objective index of the relation of American self-interest to the United Nations. However, it is even more important to examine the relation between our deepest long-range objectives as a nation and the contribution of the United Nations. The best way to put the matter is this: What kind of a world does the United States want to see? The second question is: Does the United Nations help to bring us nearer that kind of world?

The matter may also be approached by posing the related question: What kind of world does communism want to see? Followed by the same sequel: Does the United Nations help or hinder communism in bringing about that kind of world?

The answer to the question of American goals is plain: We want to see a world of independent nations, free from domination by any power or bloc, and free to work out their own national destinies within their dissimilar political, economic, and social systems.

A mere recital of this objective should be enough to indicate that precisely the same objective is obviously that of each of the new countries now making up a large part of the United Nations membership. When people worry, therefore, about whether our national interests are apt to be damaged by the enlarged General Assembly membership, the best answer is this reminder that we are all on the same side, so far as the central question of national freedom is concerned.

By contrast, it is the American contention that the Soviet Union aims for the kind of world in which all these newer countries, and everyone else, would be reduced to the status of Communist satellites, under the thumb of international Communist control out of Moscow.

THE NEW COUNTRIES

Taking this as the Communist goal, can anyone in his right mind suppose that the new countries are going to side with communism in bringing about this kind of world? We need to remind ourselves that Americans have no monopoly on love for national independence. In many of the newer countries, the present national leaders have gone from colonial jails to chancellories within a few years, and do not need to be put to school by us on the beauties of freedom and the ugliness of servitude. Not many years ago, I sat at a luncheon table in Blair House with the President and top cabinet officers of one of the newer countries. As the talk went round the table, it suddenly dawned upon me that every member of that top government group had been in a colonial jail within the preceding 18 months. Would it not have come with poor grace from some American to wag his finger at these officials and say, "Now remember, don't go and sell out your independence to international communism."

Indeed, when the history of this period comes to be written, it may well be said that the greatest achievement of the United Nations during its first 17 years was the final frustration of the master plan of Communist world domination. Most of the people who preach to us about Communist plans for world domination appear to be completely ignorant of what the real plan has been. They still talk about Marxism, but the actual fact is that the Marxist plan was abandoned long ago.

MARX MISTAKEN

Marx's idea was that the downfall of capitalism would begin in the highly industrialized countries, such as England and Germany, as a result of—of all things—overproduction. He looked for the rich to get richer and the poor to get poorer, with maldistribution of this overproduction, until the intolerable situation would lead to a takeover of the existing industrial establishment by the proletariat through revolution.

Even before Marx's death, and certainly by the time of the Russian revolution, it was abundantly evident that this pattern was not to work out. Because of the increased strength of labor, through labor organizations, plus governmental action in the form of social and labor legislation, plus the enlightened good sense of most employers in seeing the advantages of improved working conditions and increased worker purchasing power, the position of the worker was dramatically improved in the very industrialized countries that were supposed to collapse, and, of course, even more dramatically in the United States.

All of this called for a radical revision of Communist theory and strategy. The theoretical problem was to explain how workers in these countries could have improved their lot so richly at the exact time when Marx decreed that they should be descending into intolerable poverty. The answer supplied by Lenin gives the clue to the corresponding revision in Communist world strategy. Lenin's explanation was that the workers, as well as the employers, were prospering at the expense of the colonial peoples, whose riches were being exploited and stolen to the benefit of both employers and workers in the industrial countries. This idea, which can be shown to be economically ridiculous, is nevertheless still poisoning the attitudes of newly developing countries toward the private investment which they so desperately need.

LENIN REVERSED MARX

As to strategy, Lenin in effect reversed Marx, and, since the industrial countries would not obediently fall in line with the Marxian prophecy by furnishing Communist revolutions, Lenin ordained that the Communist revolution must come by way of the underdeveloped and colonial areas. International communism was to ally itself with the peoples of nonindependent areas, so that the grand design was to become a showdown between the Communists, shoulder to shoulder with the nonindependent races and peoples, on the one hand, and the imperialist countries on the other. Lenin accurately sensed that a global groundswell of irresistible force was in the making which would break up the colonial empires, and he shrewdly planned to carry communism to world power by associating it with this gigantic force. However, just as the Marxian formula was wrecked by events, so the Leninist formula has been wrecked under the auspices of the United Nations. Since the end of World War II, dozens of former colonial dependencies have achieved independent nationhood under the umbrella of the United Nations Charter. Of course, changes in policy by some of the colonial powers have figured prominently in this development. But, on the whole, it is fair to say that the United Nations took over the role of patron of the independence movement, and in the process deprived international communism of its last chance to carry out the Leninist strategy.

KATANGA AND THE CONGO

The Katanga episode can only be understood in the light of this global Communist strategy. It does not seem to be generally appreciated that the Congo crisis was international communism's last best hope for a showdown of the Leninist type. If you will get out a map of Africa and trace a line along the northern border of Angola, followed by the border between Katanga province and the rest of the Congo, and finally along the southern border of Tanganyika, you will see that you have traced a dividing line across the heart of Africa which is roughly the watershed separating the portion of Africa to the north which in 1960 was mostly under black control, and the portion to the south which was mostly under white control. To the north are all the newly independent countries such as Ghana, Nigeria, Guinea, the various former French colonial colonies, and so on. To the south you find the Portuguese colonies of Angola and Mozambique, Southern Rhodesia, the Union of South Africa, and so on. The line between Katanga and the rest of the Congo, therefore, was made to order, from the Communist point of view, for a Leninist showdown of Africans backed by Russians against the imperialists.

If there had been no United Nations, it is hard to see how this working out of Communist strategy could have been avoided. When chaos broke out in the Congo shortly after independence, the Congolese Government appealed both to the United States and to the Soviet Union for military help, mainly against the Belgians. The Russians quickly seized on the opportunity to put their plan in motion, and promptly placed a hundred Russian trucks and 10 Russian planes, as well as personnel, at the disposal of Lumumba. President Eisenhower, however, wisely refused to be drawn into this trap, and said to the Congolese Government: "Do it through the United Nations." The Congolese Government then expressly invited the United Nations to dispatch military assistance, and the rest of the story is well known. A cold war confrontation was averted, which in the opinion of the highest government officials could well have led to world war III. Soviet personnel were expelled, and the Communist hope for a Leninist showdown was shattered. Is it any wonder that the Communists opposed the Congo action, and still refuse to pay any part of its expenses—although for various reasons they never dared to veto the essential resolutions?

RIGHTWINGERS PLAY INTO COMMUNIST HANDS

If the rightwingers who talk so much about frustrating Communist world domination would only take the trouble to inform themselves on these matters, they would see quite clearly that by opposing the United Nations action in the Congo they were playing directly into the hands of Communist strategy. Indeed, this is only one of many illustrations of the familiar truth that the rightwingers are and always have been the best friends the Communists ever had. The reason is simple. The rightwingers play their parts and read their lines right out of the scenario written by Marx and Lenin. If the rightwingers had had their way in the 19th century, and if all employers and governments had behaved as the rightwingers wanted them to, the Communist revolution would have probably succeeded along the lines prophesied by Marx. If more recent rightwingers had had their way, with last-ditch resistance to the colonial independence movement driving the colonial peoples into the arms of Communists as allies, and with no United Nations to take over and moderate the process of independence, the Communist revolution would have probably succeeded according to the Leninist prophecy.

It is therefore more than a coincidence that the Communists and the rightwingers are usually found on the same side of major international issues. It is also a historical fact that the Communists' bitterest hate has always been reserved for the progressive moderates. The Communists love the rightwingers. They know how to deal with them. Marx and Lenin have given them full directions. I am reminded of the couplet by a famous French poet:

"J'embrasse mon rival
"Mais c'est pour l'étouffer."
(I embrace my rival
But it is in order to strangle him.)

COMMUNISTS AND RIGHTWINGERS BOTH OPPOSE U.N.

For present purposes, it is only necessary to point out that both Communists and rightwingers are against the United Nations, and specifically against the Congo action, the United Nations bond issue and many other United Nations actions. To me one of the most amusing things about the rightwing is the ludicrous knots into which they have tied themselves in order to explain this persistent identity of views between themselves and the Communists. After all, it has always been a staple rightwing axiom that anyone who agreed with the Communists on anything was to that extent a Communist, whether he carried a Communist Party card or not. Hundreds of patriotic Americans have been pilloried by both open and sneaky attacks on their reputations, their jobs and their community standing, for no better reason that a momentary identity between the stand of that person and of the Communists on a particular issue. If the rightwingers judged each other by the same standard, they would long ago have torn each other to pieces like a lot of starving dogs in a pit. Instead, they have given us the following masterpiece of intellectual achievement: they tell us that the Communists are really not against the United Nations, but only pretend to be, so as to trick all of the rest of us into being for it. Presumably the Soviet Union also laboriously maneuvers to get itself outvoted on such things as the United Nations military action against the Communists in Korea, and all the other beatings it has taken at the hands of the United Nations. Why the Soviet Union wants to trick us all into supporting an organization which consistently clobbers the Soviet Union is not explained.

In this same vein, Senator GOLDWATER stated, at the time of the bond issue controversy, that the bond issue would "aid the Communist conspiracy," in spite of the fact that the Communist bloc voted solidly against the bond issue, moved heaven and earth, or at least earth, to obstruct it, and to this day have never bought 1 ruble's worth of bonds. It is indeed marvelous how often some rightwinger seems to know what will aid the Communist conspiracy better than the Communists themselves do—and then winds up voting on the same side as the Communists.

If we really believe, then, what we say about American national objectives, and if we really believe what we say about the objectives of communism, it is perfectly clear that, in company with the vast majority of United Nations members, the United States and the United Nations are working toward the same kind of world.

THE NATIONAL INTEREST IN AVERTING NUCLEAR DISASTER

I have left to the last, because it is so obvious that it hardly needs to be stated, the fact that the overriding self-interest of Americans and of the whole human race demands that all practical steps be taken to avert the unimaginable catastrophe of all-out nuclear war.

Anyone who puts forward a strategy for international affairs should be prepared to present a reasonable hypothesis indicating how his policies will ultimately produce a solution to the threat of nuclear war. It is not enough to show, in defense of a line of action, that it will merely get us through next weekend with our hides still intact.

It is characteristic of the opponents of the United Nations that they never attempt to give us any such hypothesis.

Let us see what happens if we simply extrapolate the two lines whose present direction can now be seen. The first line has to do with the rise of international tensions, hatreds, and disputes, and the second line has to do with increased destructiveness, quantity, and distribution of nuclear armaments.

HOSTILITY BETWEEN COMMUNIST AND NON-COMMUNIST WORLDS

If we chart the direction of developments in these two matters by putting dots on a piece of graph paper representing events as they would unfold if we followed the rightwing line, and if we lay a ruler against these dots and extrapolate the direction in which they would take us for the future, the lines inexorably converge in a nuclear Armageddon. As to tensions and disputes, we would see nothing but mounting hatred and increasingly implacable hostility between the Communist and non-Communist world, accompanied by rising tensions in Africa, mounting troubles in southeast Asia, which need only the backing of a nuclear armed Communist China to become really ominous, the growing prospect of renewed trouble between Israel and the Arab world, with rockets now being added, unrest rampant in Latin America, and so on all around the world.

Put beside this the line representing armaments: Starting from a present position in which we have already a capacity to kill every Russian city dweller 1,250 times over, we go on to see the inevitable spread of nuclear armaments to additional countries, including Communist China, and eventually any number of smaller countries with quarrels of their own to settle; add the eventual possibility of placing nuclear bombs in orbit around the earth, ready to be released at the touch of a button, with the nightmarish possibility of losing control of the situation which this suggests; extrapolate, if you will, our present fantastic nuclear capacity, which is still being increased by added billions of dollars of expenditure, and tell me whether we may not see the day of Herman Kahn's Doomsday Machine, when man is able not only to destroy all life, but even to crack open and destroy the earth itself.

U.N. PEACE-KEEPING MACHINERY

If, while all this is going on, the peacekeeping machinery of the world, in the form of the United Nations, is weakened due to financial starvation or deliberate obstruction, by what conceivable hypothesis does all this come out to a happy ending? Thousands of years of human history have told us what happens when armaments and hatreds are increased at the same time. Again and again these two lines have converged, and the ending has always been war.

As for the supporters of the United Nations, we at least have a hypothesis of how catastrophe can be averted, although we would be the first to admit that the hazards are high and the odds are long. Our answer is that we must get out in the hot sun and work, to build the components of a world order, a mechanism for settling disputes, a body of substantive rules adapted to modern needs and universal in acceptance, and a world of public opinion which insists that these structures and mechanisms be submitted as rapidly as possible for armaments and obsolete power politics. We do not intend to be put off by empty-headed slogans about "giving up sovereignty." As far as national interest is concerned, we must remember that the value of sovereignty lies in the things you can obtain by using it. We use our sovereignty (we do not give it up) every time we make a trade treaty giving up our right to bar a South American country's coffee from our shores, in return for a right to export our automobiles to that country. In terms of self-interest, everyone has gained: we get the coffee we want; and the other country gets the cars it wants. Is it not far more important to use our soverignty to strengthen institutions to give us something far more important than coffee and automobiles—our very survival? As President Eisenhower said in his speech to the University of Delhi:

"If an international controversy leads to armed conflict, everyone loses; if armed conflict is avoided, everyone wins. It is better to lose a point now and then in an international tribunal and gain a world in which everyone lives in peace under a rule of law."

THE ONLY PRACTICAL COURSE

There is nothing impractical about this. Indeed, it is the only practical course. Any businessman who made day-to-day decisions without a long-range plan for his business within which these decisions had to fit would soon be bankrupt and ruined. Moreover, we are not talking about some unlikely utopian world order beyond the horizon. We are starting from right here and now, with the present United Nations and its present charter. There is ample opportunity within the broad and flexible provisions of this character to adapt the United Nations to the present demands upon it, if we have the will to do so.

There is plenty of everyday work for us all to do. We need to build up the membership of the AAUN by a vigorous new drive that is worthy of the new United Nations. We need to enlist the brains of the scholarly community to do essential research in all fields of knowledge relevant to international organization and order, along the lines of the Designs for Research worked out by the Peace Research Committee and its successor the Peace Research Institute, together with such research organizations as the World Rule of Law Center and others. We urgently need to step up the campaign of public education, since ultimately everything depends on the existence of a strong, intelligent body of public opinion armed with facts, evidence, and truth.

Let the "shriveled, meager, hopping, though loud and troublesome insects of the hour" then shrill their hideous, brainless noises, and dance about the fringe in impotent fury, while the quite sensible 90-plus percent of the American public get on with the patient task of constructing, through the United Nations, a world of order, justice, and human fulfillment for ourselves, and, most of all, for our children.

Mr. BRADEMAS. Mr. Larson's address was delivered at a meeting sponsored by the American Association of United Nations of San Fernando Valley, and also by the San Fernando Valley chapters of the American Association for University Women and the League of Women Voters.

Encino, Calif., as you may recall, Mr. Speaker, was the same town in which the office of the local chapter of the AAUN was bombed apparently by a rightwing extremist group. In Mr. Larson's excellent defense of the United Nations and criticism of the far right lunatic fringe groups, he cites an eloquent passage from that great conservative, Edmund Burke, and I would like to cite that passage here this afternoon because it is relevant to what we are saying.

This is what the great conservative, Edmund Burke, a real conservative, says:

> Because a half dozen grasshoppers under a fern make the field ring with their important clink, whilst thousands of great cattle * * * chew the cud and are silent, pray do not imagine that those who make the noise are the only inhabitants of the field; that, of course, they are many in number; or that, after all, they are other than the little shriveled, meager, hopping though loud and troublesome insects of the hour.

Mr. Speaker, I want to associate myself as a good Democrat, with the remarks of Edmund Burke who, I think, had he been in a position to observe some of what the lunatic fringe of the rightwing are now expressing in the name of conservatism, would be sorry indeed to see the name of that great political movement dragged into the dirt.

I would like also, if I may, Mr. Speaker, to call the attention of the Members of the House to an excellent book which was just this week published under the title of "The Far Right," by two distinguished American correspondents, Bernard Eismann, the able head of the Midwest Bureau of the CBS Television Network, and Donald Janson, who is now a reporter for the New York Times in its midwest bureau in Chicago, and who had previously written for such other great newspapers as the Milwaukee Journal and the St. Louis Post-Dispatch.

This thoughtful and perceptive volume, "The Far Right," undertakes an analysis of some of the organizations that we are here discussing today such as the John Birch Society, as the Americans for Constitutional Action, Billy James Hargis and the Christian Crusade, Fred Schwarz and the Christian Anti-Communist Crusade, and many others.

Mr. Speaker, this outstanding book takes great care to distinguish between this extremist element of the Far Right that we are here this afternoon discussing, and what the authors describe as "the responsible conservatism represented by rightwing spokesmen of the major political parties in the United States and others. Although the views of the far right and the 'responsible' right frequently coincide or overlap, the two groups differ in their approaches to achieving their aims. Only the far rightists attributes pro-Communist motivation to all who disagree with him."

Mr. Speaker, before I make one final observation with respect to the Americans for Constitutional Action, I would like to quote the last paragraph of this lucid and well written volume on the far right, because I think it sums up what most of us, I am sure on both sides of the aisle, feel about such organizations as the John Birch Society and the Americans for Constitutional Action. The authors of "The Far Right" say:

> If the John Birch Society had the power to make its policies those of the Nation, it would be more effectively subversive than the Communist Party, because the United States soon would be strangled both economically and politically and would indeed be ripe for Communist takeover. But the far right is destined eventually to founder, as the far left has, on the rock of reason and public discourse. There are no indications that any totalitarian formula will attract any lasting support in this country; the stabilizing political center is far too strong to yield to nondemocratic influences. Ultraconservatism is a ripple to be reckoned with but is not a wave of the future. Self-government is here to stay. So are taxes. So is discourse. With or without the approval of the far right, true patriotism and American resourcefulness probably will continue to keep the Communist menace from making any effective headway in the United States.

It is that point of view with which I certainly want to associate myself. Because I know there are other speakers here, Mr. Speaker, I want only at this point to ask unanimous consent to revise and extend my remarks and to include an analysis of the financing of the Americans for Constitutional Action. This analysis shows where the ACA gets its dollars, how it spends them, and most important, some of the people who contribute the funds. I thank the gentleman from California and again salute him on his speech.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I want to discuss briefly the dollars-and-cents of Americans for Constitutional Action. How much money do these self-appointed custodians of constitutionalism and purveyors of what might be called percentage Americanism spend each year on spreading their dogma and where do they get the money?

Addressing ourselves to the first question—that of size of finances—we find the following to be the figures reported to the Clerk of this House:

Year	Receipts	Expenditures
1958 (July-December)	$5,685	$4,927
1959	197,675	125,131
1960	126,810	187,923
1961	61,187	44,583
1962 (through October)	131,073	75,864
Total	522,430	438,428

In short, Mr. Speaker, in the brief span of 4½ years, ACA has collected better than a half million dollars and has expended most of it, though holding back a nice, round $84,000, presumably for a rainy day.

Turning to the second question, I submit for the consideration of my colleagues, a listing of some of the major contributors to ACA, with a few comments about each relative to his or her other activities on the rightwing. The amounts given for each person will represent a total of their reported contributions to ACA during the period through October of last year.

George W. Armstrong, Jr.: $3,500. Mr. Armstrong, the head of the Texas Steel Co. and a past president of the Texas Manufacturers' Association, is on the Editorial Advisory Board of the John Birch Society magazine, American Opinion. In fact, he has been on the advisory board of Mr. Welch's magazine from its earliest years. In addition, he was on the national board of Mr. Welch's Committee Against Summit Entanglements, set up in 1959 and later claimed by Welch as a Birch Society "front." Mr. Armstrong is a sponsor of the Manion Forum, which is headed by Clarence Manion, a member of the Birch Society's National Council. Finally, Mr. Armstrong is the secretary of the Texas Educational Association, the president of which, prior to his death in 1960, was Gen. George Van Horn Moseley, described as "a nationalistic and anti-Semitic propagandist" by the Anti-Defamation League's Arnold Forster and Benjamin Epstein in their book, "The Troublemakers."

Lemuel R. Boulware: $3,250. Mr. Boulware is the vice president of General Electric whose take-it-or-leave-it approach to collective bargaining has given this type of labor relations the name "Boulwareism." He has not neglected the young people in his rightwing activities, serving as a trustee and major financial contributor to the Intercollegiate Society of Individualists and a sponsor of the 1962 rally held by Young Americans for Freedom. He was a member of a 1956 study group on labor union power organized by the National Association of Manufacturers.

Thomas Jefferson Coolidge: $5,000. Mr. Coolidge was the chairman of the board of the United Fruit Co. He was a trustee of the Foundation for Economic Education and was also a trustee of ACA in its initial period. He was a contributor to the 1956 campaign of For America, a group which was headed by Gen. Bonner Fellers—now of ACA—and Dan Smoot and which campaigned for repeal of the income tax and opposed both Stevenson and Eisenhower in 1956.

Jasper Crane: $1,000 plus a "loan" of $2,500. A director of the Du Pont Corp., Mr. Crane is a vice-president of the Foundation for Economic Education. He was on the Advisory Council of the Campaign for the 48 States, a forerunner of ACA, and he is currently listed as a member of the Committee for the Monroe Doctrine, a group headed by Capt. Eddie Rickenbacker, which advocates a bayonets-fixed approach to the problem of Cuba.

Robert B. Dresser: $1,000. Mr. Dresser is both a member of the John Birch Society's Committee of Endorsers and a member of the editorial advisory board of its magazine. In addition he is connected with a range of other rightist groups. He is probably best known to Members of this House through the reprints he sends us from time to time of his advertisements in the Providence, R.I., Journal. In addition to his support of ACA, he has contributed to For America—$1,150—and to the third-party candidacy in 1956 of T. Coleman Andrews.

Charles Edison: $16,600 plus a "loan" of $2,500. As you know, Mr. Edison is the treasurer of ACA and another member of the editorial advisory committee of American Opinion, the John Birch Society magazine. Without dwelling further on his many rightwing connections, I would call to your attention the fact that Mr. Edison was cochairman of the third party movement for T. Coleman Andrews in 1956, and contributed $4,500 to that campaign. In the same year he contributed some $3,500 to For America.

Edgar Ainsworth Eyre: $3,060 plus a $2,500 "loan." A director of W. R. Grace & Co., and of the Chicago, Milwaukee, St. Paul & Pacific Railroad, Mr. Eyre is another who is listed by the John Birch Society as on its committee of endorsers.

William J. Grede: $1,000 "loan." Mr. Grede, former head of J. I. Case Co., and a former president of the National Association of Manufacturers, is on the national council of the John Birch Society. In addition, he is on the editorial advisory committee of the society's magazine, has served as one of Welch's vice chairmen on Committee Against Summit Entanglements, is an endorser of the Manion Forum, and is on the national committee of the Bonner Fellers organization, the Citizens Foreign Aid Committee.

Walter Harnischfeger: $2,000. Mr. Harnischfeger is the head of a heavy-machinery company. In addition he is the honorary chairman of the Citizens Foreign Aid Committee and a member of the boards of directors of America's Future and of the National Economic Council. The latter group was headed by the late Merwin K. Hart, himself a John Birch Society chapter leader who once charged that the Zionists were largely responsible for Hitler's going berserk.

Albert W. Hawkes: $1,000. A former Senator as well as a former president of the U.S. Chamber of Commerce, Mr. Hawkes was a cochairman of the National Committee for Political Realignment, a forerunner to ACA, was also a trustee of the Campaign for the 48 States, and was, for awhile, a member of the National Policy Committee of For America, as well as contributing $800 to its 1956 election campaign against both the major parties. He is more recently an endorser of the Manion Forum and a Director of Freedoms Foundation at Valley Forge.

A. G. Hill: $2,500. Mr. Hill is a son-in-law of the well-known Texas oilman, H. L. Hunt. In addition to his support of ACA, Hill is reported as having contributed nearly $3,000 to For America. He is an endorser of the Manion Forum and a member of the Committee for the Monroe Doctrine, both of which have been mentioned previously.

Edward F. Hutton: $1,250. The late Mr. Hutton, who was the chairman of the board of General Foods, was one of the leaders of the anti-New Deal American Liberty League. He was also on the National Policy Committee of For America and was reported to be a political supporter of Merwin Hart's National Economic Council. He was a founder and the first chairman of Freedoms Foundation at Valley Forge.

Walter Knott: $1,600 plus a "loan" of $1,000. Mr. Knott is the proprietor of Knott's Berry Farm in Buena Park, Calif.—a farm which employs some 900 people. He is also the head of his own rightwing group, the California Free Enterprise Association, and the treasurer of the leading income-tax-repeal organization, the National Committee for Economic Freedom. His other links to the rightwing include service on the national advisory board of Billy James Hargis' Christian Crusade and on the steering committee of a Fred Schwarz school of anticommunism. In addition to ACA, he has given money to For America and to the reelection campaigns of former Congressmen Hiestand and Rousselot, both of whom were proud of their membership in the John Birch Society.

Phillip McKenna: "loan" of $2,500. Mr. McKenna is the president of Kennametal, Inc. and a trustee of ACA. In the early 1950's he headed an organization called the Gold Standard League. More recently he is an endorser of the Manion Forum and a State cochairman of the National Committee for Economic Freedom.

Dr. Thomas Parker: $250 plus a $2,500 "loan." Dr. Parker is the president-elect of the Association of American Physicians and Surgeons and, like many other officers in that organization, is an endorser of the John Birch Society. His other rightwing affiliations include the Manion Forum, the National Committee for Economic Freedom, and We, The People, the group previously headed by Billy James Hargis but now headed by former Secretary of Agriculture Ezra Taft Benson.

J. Howard Pew: $3,000. Mr. Pew, who is the former head of the Sun Oil Co., is not only a member of the Editorial Advisory Committee of the John Birch Society magazine, American Opinion, but one of the major stockholders in Robert Welch, Inc., the formal publisher of the magazine. His is another familiar name on the rightwing. He was the Advisory Council of the Campaign for the Forty-Eight States, he is on the National Committee of the Citizens Foreign Aid Committee, and he is a trustee of the Foundation for Economic Education.

DeWitt and Lila Bell Wallace: $7,800. Mr. and Mrs. Wallace publish and edit the world's leading circulation magazine, the Reader's Digest.

Edwin L. Wiegand: $1,500 and a $2,500 "loan." Mr. Wiegand, who is another member of the Committee of Endorsers of the John Birch Society, has been a director of Merwin Hart's National Economic Council, is an endorser of the Manion Forum and on the advisory board of Young Americans for Freedom, to mention only some of his rightist ties. Note also that in 1956 Mr. Wiegand gave $1,350 to For America and another $1,000 to the third-party candidacy of T. Coleman Andrews.

Mr. Speaker, I would like to point out that this relatively small group accounted for more than $75,000 of ACA's income—about 14 percent of the entire total. Moreover, if we consider only the period of the election campaign last year, their share would be closer to 25 percent.

I would also like to note that among those contributing smaller amounts to ACA are at least three other members of the John Birch Society's National Council—Fred Koch, of Wichita, Kans.; Louis Ruthenberg, of Evansville, Ind.; and Paul H. Talbert, of Beverly Hills, Calif.; and at least five more members of the society's committee of endorsers; Frank De Ganahal, of New York City; James L. Doenges of Anderson, Ind.; Mrs. Seth Milliken, of New York City; Albert Penn, of Goshen, Ind.; and Robert Snowden, of Hughes, Ark.

Mr. Speaker, the ACA steadfastly denies that it holds extreme views or represents ultrarightist elements. I urge my colleagues not to be taken in by these claims to represent responsible conservatism. I submit, on the contrary, that a look behind the facade, such as we are here taking, fully confirms the conclusion reached last fall by Senator McGee, of Wyoming, that the balance of power at ACA rests on the extremist side.

Mr. CAMERON. I thank the gentleman from Indiana for bringing these facts to my attention. I would like to comment on his quotation from Edmund Burke. As I commented in my formal remarks, though, I have often found myself adopting what are considered to be by some conservative philosophies and certainly Edmund Burke more than adequately expresses my viewpoint with regard to the noise from the right at the present time.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. CAMERON. I will be pleased to yield to the gentleman from Arizona.

Mr. UDALL. I want to commend my friend from California for bringing this matter to the attention of the House today. I understand that the ACA is having a dinner here in this great city later on this week and a number of awards will be made to a number of our colleagues and others on whom ACA puts its stamp of approval. Let me first confess to my friends here that I had an ACA rating in the last session of 18 percent. I do not know whether I am getting one of these awards. I have not received my gold-embossed invitation to the dinner, but perhaps I will get some kind of consolation prize for western Democrats if they should get far enough down the list. I think it is well to recognize the background of this organization and precisely who are its leaders. I think the gentleman has done a great service today.

I think it is important also for us to realize much of this right-wing movement allegedly sweeping the country is the work of the same people whose names keep cropping up in one organization after another. I do not claim that the ACA is a front for the John Birch Society or that they are necessarily one and the same and I respect the patriotism and good motives of my colleagues who will be honored. However, I think the gentleman from California ably pointed out that the strange interlocking relationship between officers, directors, editors, and people who are active both in the Birch Society and ACA.

We should remember in this connection that Mr. Welch, the founder of the Birch Society, advised his followers not to come out openly but to work through fronts, to infiltrate the PTA's, to start all kinds of big fronts and little fronts, loud fronts, and quiet fronts. In many instances, Welch's followers have heeded this counsel. We in Arizona have made a major contribution to the forming of high-sounding Birch fronts. I want my friends to know that my State is the home of that great progressive group, Arizona Mothers for Earl Warren's Impeachment.

The gentleman from California [Mr. Holifield] indicated some of the ratings that the leaders of the Democrats in the House have. I wanted to add another statistic along this line. There was once a Senator named John F. Kennedy. He now serves the Nation down at the other end of Pennsylvania Avenue. The ACA rated his performance in the U.S. Senate. They have a category for those who support "the God-given rights and dignity of the individual" and so forth, but they have one important category on votes for national security.

This man, John F. Kennedy, who risked his life for the Nation and served his country in this and the other body, who is dedicated to freedom—how do you think his votes on national security were rated? They were rated zero. I want everybody to hear that. This is the kind of organization we are talking about today.

Along with many of my Democratic friends in the last campaign, I was opposed by a man endorsed by the ACA, and I am happy to have this information, because it is apparent that your ACA rating is—not entirely—but to a large degree, your Birch rating.

Again I want to express concern about my 18-percent score. I hope my friends will not shun me back in the cloakroom and will speak to me despite the rating I made in the last session. I will try to do better this next go-around.

When I first came to Congress 2 years ago this month I was shocked and dismayed at the mail I received. I was elected in a special election and there was a short time before I could leave Arizona and arrive here to take my oath and begin to serve. I immediately started to read my mail and found most of it concerned the impeachment of Chief Justice Warren, getting out of the United Nations, Communists and homosexuals in the State Department, and so forth. These themes dominated my mail. I thought at first that in the 4 days it took me to drive my automobile here, the people who elected me to office had somehow been swept off the face of the earth and had been replaced by people of almost opposite views. This kind of people still write me now that I am being "conned" by the Reds; that I just do not understand Operation Water Moccasin going on down in Georgia; that they are about to bring the United Nations troops in and take us over; that Mr. Foster and the Disarmament Agency are going to turn us all over to the Russians.

I even get mail saying there are Reds everywhere. I had a letter yesterday charging that there are Reds in the United Nations. I want you to know there is one Red on the Security Council. They have one vote, the Communists. If you go up there to New York you will be shocked to find there are Communists all over. The Albanians are there and the Poles are there. There are just Reds almost everywhere you look. There are also some free people in this organization, the only world organization that we have. But, I am sure the freedom loving people who are not Communists far outnumber the others in the United Nations.

I want to make just a couple of other observations, if the gentleman will continue to yield to me. I do not want to take all the time. There are a lot of people here in Washington, and organizations, who have a vested interest in frightening and scaring the dickens out of the American people. If the cold war is going fairly well despite problems in some places, if we are succeeding in some places, but not everywhere we want to—if there are strikes in Laos and Vietnam, and there is tension in Berlin, but we are getting along very well—this does not sell any pamphlets or any courses on how to fight communism. But if we are losing and the Reds are chopping us up everywhere in the world, we are finding communism here, the Reds are always right, and we are always wrong—you can scare the dickens out of people, you can sell some pamphlets and radio broadcasts and courses in how to fight communism. So there are many people who have a vested interest here in Washington and elsewhere around the country in frightening the American people.

Our country does have problems. We are doing our best democratically to solve them. We have not always seen crises come out as well as could be hoped. But these people have to see the dark side. We are always just about to be taken over by the Communists. There is always a scare of some kind coming up.

One of the things that reveals itself in my mail when I open it every morning—you can expect in the first sentence or two in 95 percent of the cases this theme: "We have to wake up. Wake up, America, before it is too late." "Be alert." These letters seem to stress the importance of being alert and vigilant at every single moment, night and day. I get so many of these letters I cannot read them all in my office and I take them home. I lie in my bed and read one of these and it says, "Wake up; be alert." I tell you, my friends, I am not getting much sleep any more because I am being told all the time to wake up and be alert. My eyes are red, and my checks are hollow from lack of sleep. I would like to ask my friends on the far right if they would let us once in a long while have some relaxation. I do not mind being alert 51 weeks out of the year, but even Major Cooper needed a little rest as he hurtled around the earth. I think now and then that we ought to have a rest and relaxation spell. Mr. Speaker, in my opinion I think that we as a nation, because of all this fright and fear, are suffering from a case of self-inflicted insomnia. The effects are everywhere apparent: poor mental health, bad national posture, a sluggish economy marked by chronic economic irregularity. In view of these distressing symptoms, I am considering a bill to designate just one week out of each year as "Relax, America. Get a Good Night's Sleep. You - Will - Feel - Better - in - the-Morning" Week. I want to ask my friends here today to join me if I decide to sponsor such a bill.

Mr. CAMERON. I thank the gentleman from Arizona for joining with me in my concern over this particular matter. We also have a number of those fan clubs in California for our distinguished Chief Justice of the United States. I hope this will have some impact on changing that situation.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. CAMERON. I yield to the gentleman from New Jersey.

Mr. JOELSON. I want to congratulate the gentleman on a fine statement. I do not know how I am rated by Americans for Constitutional Action, but I would like to agree with my colleague from Arizona [Mr. Udall], that I am willing to sell my "Birchright" for a mess of progress. There are a lot of frustrated fanatics both on the right and the left who are beginning to join hands and dance around the May Day pole.

But I think the best way we can answer these lunatics on the right and on the left is by doing the proper things here in the Halls of Congress. The people of America are sensible people. They are moderate people who are not going to listen to the siren songs of political extremism whether they come from Moscow or whether they come from the Birchites on the west coast. The only time we have to worry about extremism in America is when despair takes over and when people cannot find jobs and get decent homes, and when they are denied opportunity. The best way we can fight extremism here is by not providing the soil upon which these extremists can cast the seeds of discontent and lunacy.

We have a job to do before us here—Republicans and Democrats alike—and the way we can do it is to improve, enlarge, and expand our democracy. If we do that, then we do not have to worry about any extremism here in America.

Mr. CAMERON. I thank the gentleman.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. CAMERON. I am glad to yield to my good friend the gentleman from New Jersey [Mr. Thompson].

Mr. THOMPSON of New Jersey. Since the Americans for Constitutional Action announced their intention of identifying 153 Members of the Congress as constitutional conservatives with Distinguished Service Awards "for a notable voting record in the Congress to sustain, strengthen, and defend the spirit and principles of the Constitution of the United States as these were defined by the Founding Fathers of our Republic"—news release, May 6, 1963, ACA—I have undertaken to study just what a Member of this body has to support to please the ACA.

My texts in this study have been the three voting records published by the ACA. The first of these voting records was published in 1960 and weighs about 4 pounds. The publications for 1961 and 1962 are more modest affairs, hardly bigger than a regular issue of the National Review.

In these three voting records, ACA has measured House Members on the basis of 73 votes cast between February 1957, and August 1962. ACA divides these votes by subject matter under one major and six minor headings. The kingpin measure is the "Consistency Index," that is, the ACA index which is to ACA the final measure of a Member's patriotism and his right to be associated with the Constitution as defined by the Founding Fathers. The other six headings are: "For Sound Money and Fiscal Integrity and Against Inflation"; "For a Private, Competitive Market and Individual Freedom of Choice as Opposed to Government Interference"; "For Local Self-Government and the Right To Be Let Alone and Against Central Government Intervention in Local Government"; "For Private Ownership and Against Government Ownership or Competition"; "For Individual Liberty and Against Coercion by Government Regulations"; "For Strengthening National Sovereignty."

So ACA produces seven indexes; but the important one, used most frequently to damn liberals and near-liberals, is the first one referred to. Doubtless it is the ACA Index which has been used to determine which Members of this body have or can be counted on to have, a notable voting record.

This index is based on 73 votes selected by ACA for the years 1957–62. If you vote with ACA 100 percent of the time you get an index of 100; if you disagree with them all the way, you get an index number of zero after your name.

The description of the importance of the votes is stated in Madison Avenue language, to wit: "Included are the recorded votes which have a significant bearing on the preservation of the spirit and principles of the Constitution, as these were defined by the Founding Fathers of our Republic." Below these highest of stated principles are other noble phrases such as "Weakening of efforts to safeguard and preserve constitutional principles." It is no trick at all for ACA to convert these solemn principles into the conclusion that the vote to enlarge the Rules Committee taken in January 1961, was a successful assault on the Constitution, doubtless as defined by the Founding Fathers all of whom implicitly are available for consultation on the ACA ouija board.

Let us take a brief look at the votes used by ACA in evaluating the House of Representatives. Eleven of them range from the establishment of the International Tourist Agency to subsidies for fishing vessels, on which I will comment only to say that they represent a sorry selection for measuring the worth of a Member of this body whether you are for or against the particular measure.

FEDERAL AID TO SCHOOLS AND EDUCATIONAL TV

ACA is opposed to Federal aid to education, and each of you who have been here since 1957 have to account for yourselves on three votes on this plus one on educational TV to which ACA is also opposed.

For a bunch of city slickers, except for one former president of the American Farm Bureau Federation, ACA displays a passionate interest in the farm program. Eight of the seventy-three votes are on cutting, slashing, or weakening Federal farm programs, and I need hardly say that ACA yields not one comma in demanding that farmers be denied Federal assistance on price and income supports.

Labor fares no better than farmers with ACA. Those of you who are looking forward to an ACA Distinguished Service Award know, I am sure, that six of the votes used in measuring your devotion were on labor, three of them on more general legislation like the Landrum bill, two opposing increases or holding them down, coverage of the minimum wage law, and one opposing the Manpower Training Act.

If any of you are concerned with the interest of the electric consumer, the REA co-op member, your publicly owned municipal electric systems, TVA, or the avoidance of monopoly in power from atomic sources you are invited to look at the seven votes on these subjects. Three of the seven were on crippling TVA.

Twelve votes can be described as antiwelfare votes; one was on an attempt to improve the unemployment insurance program; one was on slashing appropriations for general public assistance; one was on slum clearance and urban renewal; six were on housing programs of various kinds; two were on attempts to legislate in favor of food stamp programs to replace the cumbersome and expensive present system of distributing actual physical foods; and the last of the twelve was the vote mentioned earlier, to enlarge the Rules Committee where many pieces of welfare legislation have found their final resting places.

Another point on which the House has been measured twice by ACA is that of our view of the constitutional balance of powers, the Supreme Court as the final interpreter of the Constitution, and a whole series of vitally important questions which were wrapped up in a bill which was as much a darling of the private power companies as it was of right-wing extremists. I refer to H.R. 3. Twice our noses have been counted by ACA and our loyalty has been tested on the basis of where we stood on this attempt to turn the clock back on the orderly development of democratic institutions in this country.

We have been tested on our attitude toward interest rates, and those of you who were dubious about high interest rates on Federal obligations were found wanting on the one vote on that subject.

Five times, those of you who are concerned about water pollution have gone down for the count, because ACA has a mental block on, among other things, the use of Federal funds to aid in abating pollution of our rivers.

ACA did not want the community facility loan program, and it tallies one vote on that measure.

ACA was opposed to the Federal airport construction bill, and marked one vote up on that. You may think this is the jet age, but ACA is not with you.

ACA lauds those Congressmen who voted against establishment of a Department of Urban Affairs, one vote. Another vote was on a health and medical research appropriations, with ACA on the side of less research.

Public works bills are particularly black beasts to ACA, and the voting record contains no less than five votes—votes in each instance on slashing funds or killing authorizations for projects.

ACA is not troubled by depressed areas, or, at least, they believe that the great shifts taking place in our economy are problems for individuals or communities—not the Nation—so they include three votes on area redevelopment in their compilation.

ACA does not like foreign aid, or at least, not much foreign aid as they include two votes in which they take the position that funds should be reduced.

In addition, they record votes indicating their opposition to the establishment of the Development Loan Act and the International Development Act.

And, finally, in the foreign field they count a vote for the last extension of the Trade Act against a supporter—not on the grounds that tariff reduction is bad per se in these troubled times, but on the superficially patriotic assertion that the delegation of authority to the executive branch is excessive.

How does one sum up this hodgepodge of votes selected by this little plutocracy to demonstrate their high constitutional principles. It is not difficult. The areas selected for use in demonstration, and those omitted are both meaningful. They add up not to conservatism but reaction. A conservative seeks to conserve what is good from our inheritance, to preserve it by minimum change if necessary, to adjust when necessary, but not to seek anything new that is not deemed essential to the preservation of the inheritance from the good old days.

But the reactionary wants none of standpatting. He wants to return to the good old days themselves, kind of—sort of—as we all know. This is ACA.

ACA is opposed to being in the 20th century, so it opposes Federal aid to education and a few dollars of assistance for educational TV.

ACA wants farmers freed from the programs built by farmers themselves. It wants farmers freed from all Federal protection to operate in a fine free market rigged by the sympathizers of ACA, like in the old days.

ACA's views on labor would obviously be acceptable to a bitter-end opponent of the existence of unions or Federal minimum wage legislation.

Its views on water resources development, TVA, and public control of nuclear energy are cut right out of Samuel Insull's family diary. ACA is for private monopoly.

Its position on welfare legislation is that of economy and economy and stop coddling the poor, the lame, the homeless. Send me your huddled millions and I will send you coupons to clip, and let us not let the poor eat up our seed corn.

H.R. 3 I will leave to you as every Member here knows the forces which were behind that attempt to blot out 150 years of orderly constitutional development.

Go on down the list, as you will, on interest rates and another touted free market on money; the wicked and expensive pollution of our rivers and underground waters; the importance of adequate airports for national wealth and security; the tragedy of depressed areas and displaced workers, neither of which appear in the social consciousness of ACA's guiding lights except as ravens croaking.

If for the last 15 years we repealed every piece of legislation or wiped out funds which by the clearest kind of inference would have been opposed by ACA the results would be shocking to those who are looking forward to being knighted by these dark kings of reaction.

Mr. GILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. GILL. Mr. Speaker, all of us are concerned with the age-old dilemma of the role of extremists in an open, democratic society. Ours is a society which depends for its guidance and movement on a continuing series of adjustments and compromises between the contending factors within it. Basic is the assumption that most men are reasonable creatures who are willing to live and work together in basic harmony, and who are capable of making collective decisions on the facts as they exist. Our entire drive in recent generations toward universal and improved education is based on this premise, and its logical subsequent conclusion is the better a man understands the world and society in which he lives, and the facts that surround his immediate problem, the better collective decision he can make.

We are continually faced with the rabid extremists of both the right and the left, who do not share our basic faith in the reasonableness of man. Some have called these fringe groups the true believers. Others, the lunatic right or the lunatic left. In their more extreme manifestations these extremists share one general mental attitude: They are right; everyone else is absolutely wrong; and anyone who disagrees with them is engaged in an insidious conspiracy against them.

Today we are concerned with the activities of the latest group of extremists who have risen to prominence on the American scene—the extreme rightists, the ultraconservatives, the Birchers and their kin. Let us look at just three ways they are beginning to poison our free society.

First, these extremists of the right are working to create an attitude of fear and distrust. Basically this is fear and distrust of an open society with democratic decisions openly arrived at. They would create distrust of the President, of the armed services, of the Supreme Court, of the Congress, of the State Department, and of our Government generally. All is going wrong, they say, and this is because of some hideous but undescribed conspiracy which is going to turn all of us over, naked, to our enemies.

We can scoff at this as simple paranoia, and in many individual cases this may be so; but we cannot scoff at the historic results of this same approach used in Hitler's Germany; we cannot scoff when we have seen the same technique used by the Communists in many parts of the world; we certainly cannot scoff when we recall the unfounded and unnamed hysteria that swept this country at the time of the Palmer raids of the early 1920's, or the widespread and deadening character assassination of the McCarthy era just a few years ago.

The second way these extremists are beginning to poison our national life is with a conglomeration of inconsistencies. The extreme right claims to be fighting communism yet repeatedly they take common cause with the Communists. This position is then used to smear any of us who disagree with their wrongheadedness as being somehow disloyal.

For instance, in my State, the extremists fought a great battle, with full sound and clamor, against U.S. support of the United Nations in Katanga. In doing this they took exactly the same total position as the Soviet Union. However, this they refuse to recognize, and willy-nilly accuse all of us who would support the U.N. action as being pro-Communist.

For example, in my State some of the extremists say they want "to get the United States out of the U.N., and the U.N. out of the United States." This also parallels the policy of the Soviet Union.

In many areas the right wing extremists fight foreign aid. They fight it in principle, not in the places of inefficiency or ineffectiveness. This also parallels the position of Red China and the Soviet Union.

In part this conglomeration of inconsistencies is due to what might be called cross pollination between the myriad of right wing organizations, each one with a different ax to grind, and each one quoting the other with favor. Nevertheless the total effect, which is all the average citizen sees, is that many of the commonsense programs for survival, followed by administrations of both parties, are held up as the disloyal products of some weird conspiracy. The net effect of this conglomeration of shoddy intellectual merchandise is to cast doubt on the basic form of government under which we operate.

There is a third way this rightwing poison is particularly dangerous: They have money, lots of it. A quick look at the slick-print jobs, the expensive paper, the voluminous distribution, the expensive TV and radio time purchased should convince anyone that this is no pitiful group of bearded nuts grinding out handbills in a basement. Many of these new extremists are wellheeled and come from the wealthy groups in this country. Their money gives their shoddy product far more circulation, and a far greater veneer of respectibility, than its contents deserve.

So, what do we do?

The same reason which would prevent many of us from advocating the outlawing of ideas from the left would prevent our advocating the elimination of ideas from the right. We know that if our Government and our concept of society is to work, we must tolerate ideas and expressions, regardless of how ridiculous, from all areas. We share the great faith of Holmes and Brandeis in the marketplace of ideas. Let them all come and talk and spread their intellectual wares under the cold light of day for all to see and evaluate. If this happens we need have no fear of the lunatic right or the lunatic left. Our people are smart enough to reject shoddy goods when they can see them.

Our job then is to keep the lights on in the marketplace of ideas. We should meet each shoddy argument with the facts clearly stated. We should point out the unreason of their myriad of shifting stances. In short, we should make our system work.

I hope that is what we are doing today.

Mr. Speaker, I include at this point in the RECORD an editorial from the Honolulu Advertiser of May 5, 1963, which gives me great reassurance of the integrity of the press of Hawaii:

THE SENATOR SAYS "NUTS"

The Birchers and allied extremists have attracted a great deal of attention in the past year with their fearful claptrap.

Now Senator TOM KUCHEL, of California, has revealed new dimensions of the super-American movement. It is something which, according to columnist Marquis Childs, has caused considerable talk on Capitol Hill for some months—the flow of hate-and-fear mail to Congress.

Senator KUCHEL, in a Senate speech, estimated that of the 60,000 letters a month pouring into his office roughly 10 percent are from the radical right. They assert that United Nations troops have been training secretly in Georgia to take over the United States, that thousands of Chinese Communist troops are poised on the Mexican border, ready to invade, that the Armed Forces are honeycombed with traitors.

The writers of these letters and of pamphlets charge that the U.S. Disarmament Agency is plotting to turn the United States over to Russia.

The Senator, a Republican, said he himself is accused of being pro-Communist or a traitor and that when he replies with the facts on a given issue the answer comes back that, well, at the least he is a dupe.

The Senator let the hysteria mongers have it with both barrels:

"It is disgusting," he said, "to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anti-communism. Indeed, the ugly labors they perform are a service to the Kremlin itself."

To which we say, "Amen."

The Senator said this slander and abuse reveals an essential disloyalty on the part of those who deal in it. They have no confidence either in their fellow Americans or even in the democratic life or its strong appeal to others.

Do they really believe all they say, he asked.

"If they do, the only reasonable reply I can give to them which they will understand is the honorable, 100 percent, red, white, and blue expression: Nuts."

And to that we say "Amen" also.

EXTREMIST RIGHTWING ACTIVITIES—A WASTE OF MONEY AND HUMAN EFFORT

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, as a freshman Member of Congress I have become seriously concerned about the need for militant action to counter a seemingly growing movement to propagandize our citizenry with extreme super-patriot views. My daily mailbag is just full of letters from people who appear to be expressing the same views as if by rote. The volume in number of these letters has grown spectacularly within recent weeks.

It takes a member of my staff a full hour just to open them.

There is a recurring theme of hatred running through these letters and literature frequently enclosed. The Supreme Court, the President of the United States, the Department of Agriculture, the Department of State, the Department of the Treasury, Jews, the colored people, foreigners in general, labor unions, the National Council of Churches, and the United Nations seem to be the favorite objects of attack.

In attacking the United Nations, these letterwriters accuse Americans in government service of being Communists, perhaps not realizing that they are voicing the familiar refrain of the Communists themselves—"get the United Nations out of the United States." In this cause the extreme rightwing has an ally in Nikita Khrushchev, for he too has advocated getting the United Nations out of the United States.

A great part of this extremist rightwing mail comes from cynical persons who obviously have a very low regard for the congressional mentality. For example, in the so-called Operation Water Moccasin letters to Congress, it was asserted that thousands of African soldiers were being trained in Georgia by the U.S. Army to take over the Government of the United States in behalf of the United Nations. Other letters solemnly warn the Congressmen of "The Destroying Angels," a subversive organization which is engaged in the wholesale murder of Americans through use of imported drugs. The grand conclusion of these letters is:

> There is only one answer to this operation—all liquids—regardless of what they appear to be, must be confiscated. The loyal American, the law-abiding citizen, will have no objection.

Some of the contents of the extreme rightwing letters and publications which I have received are plainly subversive. Most of it is too ridiculous to be dignified by any congressional attention. The tragedy of it all is that some of the letterwriters no doubt are honest, hard-working Americans who have been obviously misled and are sincere in their protestations and who have been literally scared out of their wits by such allegations as that the United States is bankrupt; that the President and the Department of State are planning to turn the country over to the Communists; or that the Communists have a target date only a few years away for a complete takeover of the United States, toward which they are making steady progress.

The names of citizens who should know better frequently appear in these baseless attacks on everything from the United Nations to the Department of Agriculture. Our retired military personnel and other prominent citizens should step back and take a second look to see the kind of scurrilous literature to which they have lent their honored names.

Mr. Speaker, there appears to be a need for a concerted educational effort on our part to straighten out some of our citizens who believe the sort of propaganda we have been receiving by mail, ridiculous as it is. We ought to call upon our enlightened citizens to become as militant as these extremists and obtain the assistance of the presently misused millionaires and other wealthy citizens to spend their money in more useful ways. We should help our people to recognize the false fearmonger, for these activities of the rightwing extremists are a waste of money and human effort.

Mr. EDWARDS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. EDWARDS. Mr. Speaker, we should all be extremely grateful to the gentleman from California [Mr. CAMERON] for his courageous speech entitled "Who's Doing the Devil's Work," which furnishes us with such carefully documented information regarding the roots of the organization which calls itself Americans for Constitutional Action.

I would like to point out at this time that another tie between Americans for Constitutional Action and the John Birch Society is through Reed Benson, who recently went to work for the John Birch Society as its coordinator in several Mountain States. As some of you know, Reed Benson ran for Congress from the Salt Lake City district in the 1962 Republican primary and was defeated, but I doubt that many knew that his campaign literature boasted that he had been a researcher for the Americans for Constitutional Action.

The Washington Post, May 20, 1963, contains an article describing the current activities of Reed Benson, which follows:

BENSON'S SON CLAIMS HE HAS TRIPLED UTAH BIRCH MEMBERSHIP

(By Julius Duscha)

SALT LAKE CITY.—Reed Benson had an automatic smile and a quick handshake for each of the well-dressed men and women as they arrived at the John Birch Society meeting.

Young and old, middle-aged couples and college students filed past tables covered with copies of the blue book, the politician, and other Birch Society literature for sale at reasonable prices.

The literature was just inside the door to the ornate mahogany and gold Empire Room in the Hotel Utah, where Slobodan M. Draskovich, billed as "one of the world's greatest authorities on communism" and a member of the Birch Society council, was to speak.

Among the late arrivals was Reed's father, former Secretary of Agriculture Ezra Taft Benson, who has called the Birch Society the most effective nonchurch organization in our fight against creeping socialism and godless communism.

ACTIVITIES CRITICIZED

Young Benson's appointment last October as Utah coordinator for the Birch Society and his activities since then have been widely criticized in Utah, where right-wing radicals are extremely active.

The elder Benson is an apostle and a member of the ruling council of 12 of the Mormon Church. When young Reed ran unsuccessfully last year for the Republican congressional nomination in Salt Lake, he spoke in many Mormon churches.

Reed Benson's efforts to place around his activities the aura of the powerful Mormon Church, to which 70 percent of the people of Utah belong, caused the principal church officers to issue a statement last January saying:

"We deplore the presumption of some politicians, especially officers, coordinators, and members of the John Birch Society, who undertake to aline the church or its leadership with their partisan views."

POLITICAL PULPITS ENDED

But the church's statement, which was plainly aimed at Reed Benson's activities, has not resulted in any relaxation in his efforts to recruit Birch Society members. He does, however, no longer use Mormon churches as a political pulpit.

Young Benson claims that John Birch Society membership in Utah has tripled since he became State coordinator, but the figures are secret.

In addition to recruiting members Benson speaks frequently at secret Birch Society meetings in Utah. The meetings are usually held in comfortable homes in fashionable areas of Salt Lake and other cities. Twenty to 25 well-to-do persons attend typical Birch Society chapter meetings, which are generally convened twice a month.

At a recent meeting of a Salt Lake chapter Benson was reported to have talked for nearly 2 hours. He devoted practically all of his talk to explaining why Chief Justice Earl Warren should be impeached, a major goal of the society.

The Hotel Utah meeting where Reed Benson presided and Draskovich, a Yugoslav refugee who has become an American citizen, spoke, was typical of the public meetings being sponsored by the Birch Society with increasing frequency throughout the Mountain States.

The meeting opened with the pledge of allegiance to a huge American flag on the stage, the singing of the Star Spangled Banner and an invocation which was followed by "amens" from the audience.

Then Draskovich spoke in a thick accent for more than an hour as women with big notebooks eagerly recorded his remarks.

He derided a statement by Walt W. Rostow, chief of the State Department planning staff that the choices before the United States are total war or total peace.

"If you wage total peace," Draskovich declared, "this means you must surrender."

He also said that "the United Nations and the United States cannot coexist. It's either or. The United Nations has only one aim—to promote communism."

"Unless you wake up," he warned his audience, which enthusiastically applauded him, "you will end up in a slave-labor camp in Siberia."

In answer to a question Draskovich said "the brainwashing of America is going on through education" but, he added, "the youth of America are fighting back."

He told of an incident where a high school student challenged a teacher who had discussed peace by asking the teacher: "What is the difference between your concept of peace and appeasement?"

The Birchers and other right-wing radicals encourage students to "spy" on their teachers and report any "suspicious" activity to their parents.

When Draskovich finished speaking, Reed Benson urged the more than 300 persons in the audience to join the Birch Society and buy its literature.

He noted that a person can become "a home society member" who receives literature but does not attend chapter meetings so that "no one will know."

In discussing the literature young Benson called particular attention to "the impeachment package" which he said contains a report from the Senate Internal Security subcommittee as well as details on "the Supreme Court plan for global conquest."

Reed Benson also mentioned "the conspiracy," a favorite Birch Society phrase to describe everyone and everything with which the society disagrees.

After young Benson finished appealing for membership applications and the purchase of literature, many in the audience lingered at the tables in the back of the room and bought books and pamphlets before they went out into the brisk night to return in their new cars to their comfortable homes.

OVERFLIGHTS OF THE UNITED STATES BY CUBAN AIRLINES REVEALED AND APPROVED BY NEW FRONTIER FAA REGULATIONS

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I wish to inform the House that Cuban airlines, nonscheduled and scheduled, have been overflying the United States, apparently with no protest and no action to prevent this. It was called to my attention that on Saturday, May 18 of his year, there was printed in the Federal Register a regulation from the Federal Aviation Agency, part 60, and it appears on page 5018:

> Air Traffic Rules—Special Civil Air Regulation; Civil Aircraft of Cuban Registry engaged in Overflight Across U.S. Territory.

This regulation follows:

PART 60—AIR TRAFFIC RULES

SPECIAL CIVIL AIR REGULATION; CIVIL AIRCRAFT OF CUBAN REGISTRY ENGAGED IN OVERFLIGHT ACROSS U.S. TERRITORY

Civil aircraft of Cuban registry operate in overflights across U.S. territory, subject, however, to the right of the United States to designate the routes to be followed and to require landing in the case of nonscheduled flights.

In accordance with section 1202 of the Federal Aviation Act of 1958 (49 U.S.C. 1522), I have determined that civil aircraft of Cuban registry engaged in overflights across U.S. territory shall be operated in controlled airspace and in accordance with clearances and instructions issued by Federal Aviation Agency air traffic control facilities. The instructions issued by the Agency will provide for the coordinated routing of the aircraft and, in the case of nonscheduled flights, will include instructions to land at an international airport so that a search of the aircraft may be conducted by U.S. authorities. The Agency aeronautical publications will include information on the international airports at which landings will be required and the airway routings to be employed for these operations.

This action is taken consistent with applicable International Conventions and Agreements. In accordance with section 4 of the Administrative Procedure Act, 5 U.S.C. 1003, I find that notice and public procedure hereon are impracticable, and that good cause exists for making this regulation effective upon its issuance.

In consideration of the foregoing, the following Special Civil Air Regulation is adopted:

No person may operate a civil aircraft of Cuban registry within the United States except in controlled airspace and in accordance with air traffic clearances or air traffic control instructions which may require use of specific airways or routes and landings at specific airports.

This regulation becomes effective immediately.

(Secs. 306, 307, 1202, 49 U.S.C. 1347, 1348, 1522; 61 Stat. 1180; 59 Stat. 1693.)

Issued in Washington, D.C., on May 17, 1963.

N. E. HALABY,
Administrator.

(F.R. Doc. 63-5454; Filed, May 17, 1963; 6:14 p.m.)

This regulation without any advance notice, without any opportunity for anyone to be heard became immediately effective as of the date of its printing, and permits Cuban overflights in the United States, without any restriction as it relates to scheduled Cuban airlines. I am talking about Cuban-owned and Cuban-registered airlines, and with only certain restrictions as it relates to nonscheduled airlines.

On inquiring of the FAA about this published regulation dealing with nonscheduled Cuban registered plane flights, I was told by an FAA official that three overflights of nonscheduled Cuban registered planes took place in the last couple of months, and that others were known to have taken place recently.

These flights take place from Toronto, Montreal, and Ottawa, and include passenger as well as freight cargo planes. Numerous times the scheduled Cubana Airlines—this is the scheduled airline—overflies the eastern part of the United States on its return trip from Communist Prague to Havana by way of Newfoundland when, because of bad weather, it is diverted to Montreal. This happened 2 weeks ago, but it has happened a number of other times in the recent past. The notice of the regulation sent to the airmen, that is, the people involved in air industries, permits continued overflights of scheduled Cuban airlines without any restriction or objection whatsoever. It also provides that nonscheduled Cuban air flights will be required to follow a designated corridor and stop for search at either Idlewild or, as the first alternative, Logan Airport in Boston, or, as a second alternative, Dulles Airport outside Washington, D.C. Thus the administration is not even protesting or restricting in any manner the overflights of commercial flights from behind the Iron Curtain to Havana, which is behind the Cactus Curtain, but is inviting their continuance. Overflights of nonscheduled planes of Cuban registry are being condoned so long as a specific corridor is followed and search is permitted.

This is typical of the pussyfooting of the New Frontier in dealing effectively with Castro's Communist Cuba. Economic and political quarantining of Cuba is our announced policy which we are supposedly trying to get other Latin nations to enforce, but in contravention of that basic policy we now announce to the world that we are willing to let Cuba continue trading with Canada and even overfly the United States to do it. We are announcing to the world that we do not mind Cuban registered Communist planes coming from behind the Iron Curtain to overfly the United States, thus facilitating trade between Communist Cuba and the Communist satellites.

All air routes over the United States should be closed to anyone trading with Cuba, let alone all such routes to planes owned and operated by Castro's Communist government that are trading with other countries, and particularly when they are trading and transporting passengers from behind the Iron Curtain.

How can we justify issuing regulations favoring the Communist government of Fidel Castro by permitting its own planes to overfly the United States when we are supposedly not recognizing Castro's Communist government?

How silly do we look to our Latin neighbors whom we are trying to encourage to stop doing business with Castro, when we issue regulations permitting Castro's Communist planes to overfly the United States?

Is this another step toward coexistence with Castro? Is this part of the "softening up of the American people" process that will eventually lead to negotiating other grievances with Castro thus giving him indirect if not direct recognition?

Where did the demand for such trade corridors favoring Castro's communism come from and who is responsible for negotiating them? Are not the American people entitled to know who is doing this negotiating? Is this another of the deals negotiated by Mr. James Donovan on behalf of Castro?

Who in the State Department and the Defense Department agreed to this overflight permission? The FAA advised me that both Departments were consulted.

Who is responsible for permitting the airspace over the United States to be violated by Castro's planes? By what possible philosophy can the New Frontier justify permitting continued overflights—let alone not stopping previous ones?

How can the security of the United States be adequately protected when Communist planes to and from Cuba are permitted to overfly the United States?

These are all questions that must be answered by the administration. This "sneak" regulation which was effective when published on Saturday is further evidence of our "soft" attitude toward Cuba.

WHERE ARE THE VOICES FOR CONSTITUTIONAL GOVERNMENT?

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 20 minutes.

Mr. **BOW**. Mr. Speaker, I rise because of the address of the gentleman from California [Mr. CAMERON], who has been praised by some of his colleagues for bringing a matter to the floor of this House.

The gentleman from California indicates his was an effort to alert the membership of the House against the evils and dangers of association with the Americans for Constitutional Action. Does the gentleman really believe that in less than 6 months of service in this body, he should become the guardian and protector of those who have served here many years, many of whom on both sides of the aisle have accepted awards from the ACA?

I believe he has done a disservice to this House today in casting insinuations and blame against loyal, fine Members of this House of Representatives. And, I wonder sometimes what has happened to the lunatic fringe on the left, and there are many, those who have supported Communist proposals and platforms. Where are their voices? What about those who would destroy our country by communism? Not a single word is heard today on that, but our colleagues are now attacking those who believe in constitutional government, in the Constitution of the United States, upon which this great Nation has been founded. Without it and those who have the courage to stand up for the Constitution, this great Nation would fall.

I remember back some years ago when the apparent author of this tirade, the ADA, was complaining about guilt by association.

Oh, this was a terrible thing, they said, when the question of guilt by association was raised to protect those who were embracing the Communist doctrine. But now there is the attempt to destroy others with guilt by association because they are willing to stand up for the Constitution of the United States. I say to my colleagues here today that I shall accept, with honor, a citation from the Americans for Constitutional Action on Wednesday night, and I am sure there are many others who will be at that meeting. I do not think many of the 153, if that is the figure, who have been requested to be at that dinner will be affected at all by the speech that was made here today with sneer against many patriotic, fine American citizens.

Mr. Speaker, I think the position for us to have on the floor of the House of Representatives is one of a representative capacity. I believe the great majority of Members do what they think in their own minds and hearts is right. I respect all of the Members on my right on the Democratic side, even though we may not vote alike and in philosophy may not be alike. I think it would be a sad day for America if we all walked in here some day having to goosestep to one philosophy of government. That is dictatorship. I think these divisions of philosophy are good.

Mr. Speaker, I may say to my friends on the other side of the aisle that there are some polls where I am rated zero and they are rated 100 percent. I do not question the right of those people to make that evaluation of me because I have but one responsibility upon this floor, and that is to accept my constitutional responsibility and do what I think is right. No one by any suggestion on this floor of guilt by association is going to separate me from the position of doing what I think is right, and no organization—the ADA or the ACA—is going to control my vote on the floor of this House.

Mr. Speaker, let us get away from this question of guilt by association. Let us get away from these attacks on individual Members of the Congress or groups of Members who believe in certain philosophies. Why, it seemed to me today as I sat and listened to this exhibition that perhaps there is some reason for a little lunacy in some areas. Here we are. We have been in this session of Congress since the 9th of January. What has been accomplished? What have we done? What have we done objectively for the country except to pass three or four bills of importance? Yet we take the time of the Members and we seem to feel it is necessary to go into this kind of an exercise instead of handling the work of the Nation.

Mr. Speaker, oh, yes; there are, as one of the gentlemen said over here today, great things that need to be done. We have a great question of unemployment in this country that has to be solved, and attacks of this kind are not going to solve them. Let us get to work.

Mr. Speaker, there is the question of a tremendous deficit. Some people believe in it. I do not. I think it is time for economy of words as well as money in this Congress.

Then let us get down to the business of legislating the things we were sent here to legislate, and not engage either in the defense or the attack upon organizations that should have nothing to do with the operation of this Congress.

First, however, inasmuch as our colleagues have quoted at length from newspapers, magazines and other sources to establish what they think are the guiding principles of conservative organizations in these United States, let me cite from a recent edition of the National Review with regard to the philosophy of the left, as typified by Americans for Democratic Action. In an article entitled "Does ADA Run the New Frontier?" by Mr. James Burnham, I find the following:

> What, then, is the ADA ideology, believed by ADA members and expressed in the ADA platform?
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> (a) In relation to domestic affairs. First and foremost, the ADA ideology calls for the total welfare state. Most ADAers say that the ADA prophet in economics is not Karl Marx but John Maynard Keynes, and that what they want is not "socialism," but a planned, democratic, "mixed economy." The names and definitions are not very important.
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> ADA has never declared for nationalization of all "means of production," and therefore is not "socialist" in the 100 percent classical sense. But neither is any Socialist party anywhere at the present time. ADA's foreign connections have always featured the socialist leaders and parties of other countries. The first foreign lecturer to tour this country under ADA auspices was Jennie Lee, a leading British socialist, wife of the very leftist Aneurin Bevan. The French socialist chief, the late Leon Blum; the Italian socialist, Guiseppe Saragat; the leaders of the socialist British Labor Party, and the German Social Democratic Party, have always got favorable treatment from ADA. Arthur Schlesinger, in ADA World, located ADA within the same movement as "the democratic socialists and leftists" of Europe.
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> ### GOVERNMENT CONTROL
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> On every specific issue in every field, ADA supports Government control, planning, financing or takeover. "The Government must undertake to build firm foundations for enduring prosperity by bold long-range programs for the development of our resources, the rebuilding of our cities, the elimination of our slums, and the provision of full and equal opportunities for health, education and security for all our people." "Government subsidies and financing and, if necessary, Government plans must be used to provide more power, more steel and other vitally necessary raw materials." "The Government needs increased authority over the amount of bank credit and bank resources." "Housing goals must be set by the Federal Government." "The leadership of the Federal Government is central to the achievement of growth and full employment."
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> These are typical demands that appear and reappear in ADA manifestoes, platforms, articles and speeches, from the beginning to the present day. In January 1962, ADA World demanded, along with Government medicare and care of the aged, "a broad and comprehensive Federal program * * * for schools, hospitals, cultural and recreational centers, mass transit and water supply systems." In the 1962 session of Congress, ADA members led the fight for a Government-owned high voltage power transmission system as they led the fight against assigning communications satellites to a group of private companies. Gazing out into space, ADA, unappeased by its progress on earth, sees new worlds to plan for.
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> Secondly, ADA is critical of the indirect or "representative" democracy defined by the Constitution, and favors steps toward direct or "plebiscitary" democracy. It proposes eliminating seniority in choosing chairmen of congressional committees; equalizing election districts by Federal compulsion; abolishing the electoral college in favor of direct popular election of the President and Vice President.
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> Third, ADA stands for a sweeping program, enforced by all arms of the Federal Government, to eliminate forthwith all conceivable forms of discrimination in housing, voting, education, health, employment, recreation, loans and subsidies. To guarantee the ADA version of the rights of free speech and assembly, ADA advocates strict limits on congressional investigations and Government security proceedings; no restrictions on passports; abolition of loyalty oaths; repeal of the Smith Act, Internal Security Act and Communist Control Act.
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> Fourth, ADA stands for "executive supremacy" within the Government. Congress is severely scolded in nearly every issue of ADA World as the hotbed of reaction and stupidity. This lesson is hammered in by printing the cartoons of Herblock, who in his libel-immune medium customarily pictures

the members of Congress as gangsters, idiots, thugs and scavengers. For the accomplishments of its program, ADA has always put its faith in the power of the Presidency. Professor Brock writes of the liberals' "long love affair with the Presidency." Using Mr. Lerner's revealing word, he observes that for ADA'ers, "access to the power of the Presidency" has always been "their most effective political leverage."

A revealing test of what the ADA domestic program means in practice is to go through the annual scoresheets by which all Members of Congress get their ADA rating. On each congressional bill used for scoring, a Congressman gets a plus if he votes the ADA line, a minus if he votes anti-ADA. Hundreds of bills have thus appeared on the scoresheets. A plus has invariably been given to a vote for an increase in executive power or for more spending, control, planning or activity by any branch of the Federal Government—with the sole exception of control over free speech, assembly and subversion. That last is the only field in which ADA has ever advocated a decrease in the role of Government.

(b) In relation to international affairs. The ADA ideology is based on thoroughgoing internationalism. Its founding (1947) charter stated unequivocally: "The establishment of a world government with powers adequate to prevent war must be an objective of the U.S. foreign policy to be achieved at the earliest possible date." The official program describes ADA as "dedicated to the achievement of freedom and economic security for all people everywhere." The 1961–62 version of the platform declares that "support of the principles of the United Nations"—not the national interest of the United States—"is the cornerstone of our foreign policy." ADA proposes to strengthen the U.N. in every way, give it a permanent armed force, remove restrictions (like the Connally amendment) on U.S. acceptance of decisions by international bodies, etc.

Granted the ADA's dedicated internationalism, it is not surprising that in its periodicals and other literature we never come across any words, article or symbols that could be called "patriotic." No flag ever appears; no patriotic quotations or slogans; no reference to patriotic memories, holidays or observances. This is natural enough, for ADA'ers regard themselves as citizens of humanity and the world, bound to a higher loyalty than any mere national patriotic ties. They celebrate U.N. Day, not the Fourth of July.

Second, ADA stands for "general and complete disarmament" (except for the U.N. armed force), and continuous steps—including "unilateral initiatives"—toward that end.

Third, ADA stands for peaceful coexistence with the Soviet Union. In the 1947 charter program, ADA laid down its perspective: "We firmly believe in the urgent need for breaking out of the vicious circle of mutual distrust between ourselves and Russia. We favor a policy based on an understanding of the legitimate aspirations of the Soviet Union." The current program declares: "Policy toward the Soviet Union should be guided by the concepts of defense without provocation and conciliation without appeasment" (no details being given on how one conciliates Bolshevik revolutionaries without appeasing them). "Top priority should be given to a relaxation of international tensions. The United States should take advantage of any opportunities offered for closer cooperation with the Soviet Union which may result from relaxation and greater personal freedom within the Soviet regime."

Nowhere in ADA literature is the Soviet Union identified as an enemy. ADA's war is "against injustice and inequality." "A bold program of economic stabilization, rising living standards and improved distribution" will win the war. which "must not be directed against the Soviet Union or any other nation." Suitably conciliated, the Soviet regime will prosper and relax; the era of universal peace and plenty will begin. The ADA should be granted a clear patent for invention of the no-win policy.

Fourth, ADA since 1950 has held that "the United States should immediately withdraw recognition of the Chiang Kai-shek government as the Government of China" and undertake "initiation, together with our allies, of negotiations toward diplomatic recognition of the Peiping regime and its accreditation to the U.N. as the Government of China."

As for South Vietnam, where thousands of our men are risking their lives to help save that country from Communist conquest, ADA (in its 1962 program) finds that "the civil war is in the main the result of decay of the totalitarian Diem regime." ADA'ers "vigorously oppose the unilateral commitment of America's own military power and prestige to sustain governments—like Diem's—in Asia or elsewhere against resistance of their own people."

Finally, ADA is for an end to all vestiges of colonialism everywhere and "sustained U.S. help to underdeveloped countries covering a period of at least 10 years." The 1962 program suggests "de facto recognition of East Germany" in return for a Soviet guarantee on access to Berlin, replacement of NATO troops in Berlin by a "U.N. presence," and "standing authority" for the President "to extend loans and grants to the Communist countries of Eastern Europe."

Mr. Speaker, I submit that from my long experience in Washington, this is a good and accurate summary of the meaning of the ADA.

Our colleagues say that conservative Americans are fearful. Mr. Speaker, I say we have every reason to be scared stiff when we recognize that the organization whose philosophy and platform I have just read to you has no less than three members in top positions in the White House, no less than three Cabinet members in this administration to date, at least three under secretaries of departments and four assistant secretaries in the State Department alone, not to mention members holding influential positions in other agencies of the Government, and when we recognize that frightening weaknesses in our foreign policy have occurred because the policies of ADA are finding their way into the policies of the United States through the influence of this cadre in high position.

With that I will leave the topic of political organizations and guilt by association.

We are Members of this House because the voters of our congressional districts have entrusted us with responsibility as their representatives.

The responsibility is yours and mine to do what we are supposed to do here; not what the ADA wants us to do, make speeches of this kind for them; not what the ACA wants us to do, to make speeches for them, but to recognize our responsibility. And always remember that in this great House of Representatives, my colleagues all, we walk in the shadow of great men, men who have made this Nation great. We have the privilege to walk in their shadow. Let us take it seriously and humbly try to emulate them that we may preserve this constitutional government, that we may preserve this Nation. And we shall not do this by trying to divide the people of the country class against class, race against race, or the Members of this House or to attempt to frighten them from votes because some organization might like it or dislike it. It is our responsibility. I, for one, am going to continue to be for constitutional government.

The Constitution is the second greatest document ever written, in my opinion, the Holy Scriptures being the first. But if we would live our lives by the Scriptures and by the Constitution of the United States then we would have no concern about the future. But it takes strength sometimes to be able to stand up against the demagoguery that we saw here today.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. CLEVELAND. Mr. Speaker, I would like to commend the gentleman from Ohio, my esteemed colleague [Mr. Bow], on his very forthright statement. There was one point made by my colleagues from across the aisle that I think should be questioned. They spoke in strong opposition to conservative groups because they "are feeding on fear." I suggest, Mr. Speaker, that if conservative groups are in fact feeding on fear, they have learned their lesson from the New Frontier. I remember well in the recent Presidential campaign it was the fear of the missile gap, it was the fear of a depression, it was fear of the loss of our national image that was the Democratic drumbeat again and again throughout this great country. More recently, as message after message and proposal after proposal have come up to this House from the White House, they have been launched from the same pathetic pad of fear. That is to say, if you do not pass this proposal, or this bill, there is going to be a great depression, or the country is going to go to wrack and ruin.

So I suggest to the gentleman on the other side of the aisle that if these conservative groups are feeding on fear, they may have learned their lesson from the New Frontier, where masters of fear and smear downgrade our Nation to upgrade their political fortunes.

Mr. BOW. I thank the gentleman.

Mr. MORSE. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. MORSE. Mr. Speaker, I am grateful to the gentleman for yielding since I have had a little difficulty getting the floor this afternoon. I would like to congratulate the gentleman on the statement he has made.

I was astonished when I heard the equation made by the gentleman from California of this organization, with Gerald L. K. Smith, and when I heard further equations which brought in Members of this body. I would like to underscore the words of the gentleman from Ohio condemning "guilt by association."

Frankly, I am surprised and dismayed that a Member of this body with "liberal" pretensions would resort to such tactics.

I thank the gentleman.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. NELSEN. Mr. Speaker, I wish to thank the gentleman for putting the record straight this afternoon. I want to say that I am proud to aline myself with those who believe in sound, sensible, constitutional government. I claim the right to exercise my judgment to the best of my ability in representing my district. I likewise realize there may be those who conscientiously disagree with my judgment at times, but certainly this gives me no license to label them as extremists. I think of a statement made years ago by a gentleman who ran for public office. He said there is no liberal program that is not sound.

It seems to me that some of the points that our friend from Ohio has brought out today are points that we need to consider. I thank the gentleman for bringing them to our attention this afternoon. He did a very good job and a service to all of us.

Mr. BOW. I thank the gentleman from Minnesota.

Mr. BEERMANN. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. BEERMANN. Mr. Speaker, I, too, would like to commend the gentleman from Ohio, and more importantly I would like to commend the Americans for Constitutional Action for seeing the dangers and the traps that Congress has fallen into.

I do not vote by any recommendation by any organization, even pressures from some other organizations that might be pushed on us, but I do believe soundly in the Constitution of the United States. I ask the people in my district to vote for me on that basis. I am very pleased to hear the things from the other side. I thank the gentleman for his remarks, and would like to associate myself with them.

Mr. BOW. I thank the gentleman.

Mr. Speaker, though feelings run high on the subjects we have discussed today, I rejoice that all of us here and I think all Americans have far more to unite than to divide us, and I recall the words of a truly great American liberal, Thomas Jefferson, who, in his first inaugural address, had this to say:

> During the contest of opinion through which we have passed the animation of discussions and of exertions has sometimes worn an aspect which might impose on strangers unused to think freely and to speak and to write what they think; but this being now decided by the voice of the Nation, announced according to the rules of the Constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good. All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possesses their equal rights, which equal law must protect, and to violate would be oppression. Let us, then, fellow citizens, unite with one heart and one mind. Let us restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things. And let us reflect that, having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little if we countenance a political intolerance as despotic, as wicked and capable of as bitter and bloody persecutions. Every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all Republicans, we are all Federalists. If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it.

INVESTIGATION OF CONSPIRACY TO EVADE CIVIL RIGHTS LAW DEMANDED

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from Pennsylvania [Mr. Saylor] is recognized for 60 minutes.

Mr. SAYLOR. Mr. Speaker, on May 7, 1963, in a speech on the floor of this House, I charged that, for political expediency, the Kennedy administration had deliberately violated a provision of Federal law which it is sworn to uphold. The basis for this charge is the action taken by two Federal agencies in adding a new subsection, in some 70 or 80 Federal contracts, which provides for violation of, or noncompliance with, a specific requirement of law relative to the equal employment opportunity portion of the civil rights program.

The contracts in question are 76 contracts entered into between Bonneville Power Administration and the Washington Public Power Supply System and 76 others, plus 2 contracts entered into between the Atomic Energy Commission and the Washington Public Power Supply System. The Bonneville contracts were all signed on April 12, 1963, and the Atomic Energy Commission contracts were signed on April 11, 1963.

One would suppose that these Federal contracts, which were signed by representatives of the two Federal agencies involved, would comply in all respects with the requirements of existing Federal law which each Federal official is sworn to uphold.

Drafts of the proposed contracts were presented to congressional committees last year during the consideration of the bill to authorize AEC and Bonneville to enter into the contracts, and thus became a part of the legislative history of the act as passed by Congress. These drafts of the proposed contracts were in strict compliance with the requirements of the equal employment opportunity law, as embodied in Executive Order No. 10925 which was filed in the Federal Register on March 7, 1961.

As I said in my speech on May 7, 1963, I was reliably informed that when the matter of issuing Washington Public Power Supply System bonds to finance the construction of the Hanford powerplant was taken up with the bankers, they advised that if the nondiscrimination requirements of the equal employment opportunity law were inserted in each of the contracts, either the bonds could not be sold or, if sold, would be at an excessive discount cost.

All of this was spelled out in considerable detail in my speech of May 7, 1963, and need not be repeated here. Initially, I learned that the matter was then referred to the President's Committee on Equal Employment Opportunity, which denied the request for outright exemption from the law.

I have since been reliably informed that the President's Committee on Equal Employment Opportunity was later requested to approve and did approve the insertion of an added subsection in the proposed contracts, which would provide for noncompliance with or circumvention of the contract cancellation penalty provision of the law.

Faced with a possible inability to obtain financing of the Hanford power project or, at best, to obtain it only at a prohibitive cost, we find the two New Frontier agencies involved entering into a conspiracy with the President's Committee on Equal Employment Opportunity to evade or circumvent the very civil rights law that Committee is supposed to administer and enforce.

Rumor has it that one of the Hanford power project supporters plans on taking the floor, to try to answer my charges that the Hanford power contracts are invalid because they provide for noncompliance or circumvention of existing law. The facts are, of course, that the contracts themselves contain mute and unrefutable evidence of the conspiracy to evade the law. The damning portion of the contracts that shows this is the first sentence in subsection (h) of section 12 of AEC-Washington Public Power Supply System contract AT (45-1) 1357; subsection (h) of section 19 of AEC-Washington Public Power Supply System contract AT (45-1)-1355; and in the identical subsections which were added to each of the 76 contracts between Bonneville-Washington Public Power Supply System, and others.

This sentence provided as follows:

> (h) Notwithstanding the provisions of paragraph (f) hereof, in the event of the supply system's noncompliance with the nondiscrimination clauses of this agreement or with any of the said rules, regulations, or orders, this agreement will not be canceled in whole or in part so long as such cancellation would impair the security of the revenue bonds issued by the supply system.

The subsection (f) referred to is the same as subsection (6) of section 301 of Executive Order No. 10925.

We can therefore paraphrase these added subsections in the executed contracts as follows:

> Notwithstanding the violation of any provision of existing law, this contract will not be canceled in whole or in part so long as such cancellation would impair the security of the revenue bonds issued by the supply system.

Here is the stark admission that the civil rights law is not to be fully complied with under these contracts, if the financing of the Hanford powerplant would be thereby jeopardized.

I do not see how anyone can examine the facts and then attempt to deny that a conspiracy took place to provide for an evasion of the law and that the Hanford contracts, as executed, are not valid in that no contract, Federal or non-Federal, can provide for the evasion of or noncompliance with existing law. If the law itself was unconstitutional, that might be a different matter, but I do not believe the New Frontier would want to take that position with regard to Executive Order No. 10925.

Anyone foolhardy enough to try to justify or defend the facts as I have presented them, must be ready to address himself to the following points:

First. The proposed Hanford contracts as presented to the Congress prior to the passage of the authorizing act included a nondiscrimination section exactly as required by law, as embodied in Executive Order No. 10925 relative to equal employment opportunity. These contract drafts thus became a part of the legislative history of the AEC Authorization Act of fiscal year 1963.

Second. A complete reading of Executive Order No. 10925 discloses that while exemption from application of the order can be granted under specified conditions, no provision is made for any modification of the requirements of the order. Exemption, yes; modification, no.

Third. The bankers advised Washington Public Power Supply System and/or Bonneville, that inclusion of the nondiscrimination section of the equal employment opportunity law in the contracts as proposed would result in failure to sell the bonds or, if sold, only at high discount rates.

Fourth. After receiving the bankers' advice as noted in No. 3, discussions were had with and a request was made of the President's Committee on Equal Employment Opportunity for an outright exemption of the Hanford contracts from the application of the equal employment opportunity law as prescribed by Executive Order No. 10925. This requested exemption was denied.

Fifth. Faced with failure to finance the Hanford power project as a result of the denial for exemption from the equal employment opportunity law, the Hanford power project proponents had to come up with some other scheme. The result, as the record shows, was the decision to insert an additional subsection in the nondiscrimination section of the contracts, that provided for noncompliance with a penalty provision of the law under which the contracts could be canceled.

Sixth. Did the President's Committee on Equal Employment Opportunity, which is charged with the administration and enforcement of the law under Executive Order No. 10925, approve this decision to add the non-compliance-with-the-law subsection of the Hanford contracts? I understand that the committee did approve this action.

Seventh. No contract, whether Federal or non-Federal, that provides for evasion of or noncompliance with the law is a valid contract.

Eighth. The actions taken with regard to the Hanford power contracts and the nondiscrimination section of the equal employment opportunity law all add up to a conspiracy to evade the law.

Ninth. Any bond issue based on illegal or invalid contracts would also be invalid.

I would welcome a discussion on my charges of a conspiracy to provide for noncompliance or evasion of a provision of existing Federal law. Who was involved in the conspiracy? Without a complete and thorough investigation, it would be impossible to say. Certainly, it could include officials of Washington Public Power Supply System, the Bonneville Power Administration, the Atomic Energy Commission; and those members of the President's Committee on Equal Employment Opportunity who took part in the decisions above referred to.

Who comprises the President's Committee on Equal Employment Opportunity? Here is the list: Vice President of the United States, chairman; Secretary of Labor, vice chairman; Chairman of the Atomic Energy Commission; Secretary of Commerce; Attorney General; Secretary of Defense; Secretaries of the Army, Navy, and Air Force; Administrator of General Services; Chairman of the Civil Service Commission; Administrator of the National Aeronautics and Space Administration; and such other members as the President may from time to time appoint.

Quite an imposing list. Of course, only an investigation would show who took part in the Hanford contract matter, as each member is empowered to designate an alternate to represent him in his absence.

I consider this nonconformity of the Kennedy administration in the handling of the equal employment opportunity portion of its civil rights program as a very serious matter. I am sure most Americans believe that equal treatment should be given to all, and will support my demand for a thorough investigation which I am today addressing to the chairman of the Government Operations Committee of the House of Representatives.

If a thorough investigation discloses that there was a conspiracy to provide for evasion of a Federal law and that certain officials are guilty of malfeasance in office, who will prosecute the matter if it develops that the Federal agency who prosecutes such cases is itself involved?

In closing, I reiterate that any Hanford power proponent who wants to attempt to justify the conspiracy must address himself to each of the eight specific points I have outlined. If he does this, his case is hopeless.

One final thought. If the Washington Public Power Supply System inserts in any construction or supply contracts, relating to the Hanford powerplant, the additional subsection which provides for violation of or noncompliance with a specific requirement of existing Federal law, all such contracts would also be invalid.

So that everyone may know the entire contents of Executive Order No. 10925, I am including it as a part of my remarks:

EQUAL EMPLOYMENT OPPORTUNITY IN FEDERAL GOVERNMENT ON FEDERAL CONTRACTS

(Presidential documents: Title 3—The President)

EXECUTIVE ORDER NO. 10925 ESTABLISHING THE PRESIDENT'S COMMITTEE ON EQUAL EMPLOYMENT OPPORTUNITY

Whereas discrimination because of race, creed, color, or national origin is contrary to the Constitutional principles and policies of the United States; and

Whereas it is the plain and positive obligation of the United States Government to promote and ensure equal opportunity for all qualified persons, without regard to race, creed, color, or national origin, employed or seeking employment with the Federal Government and on government contracts; and

Whereas it is the policy of the executive branch of the Government to encourage by positive measures equal opportunity for all qualified persons within the Government; and

Whereas it is in the general interest and welfare of the United States to promote its economy, security, and national defense through the most efficient and effective utilization of all available manpower; and

Whereas a review and analysis of existing Executive orders, practices, and government agency procedures relating to government employment and compliance with existing nondiscrimination contract provisions reveal an urgent need for expansion and strengthening of efforts to promote full equality of employment opportunity; and

Whereas a single governmental committee should be charged with responsibility for accomplishing these objectives:

Now, therefore, by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

Part I—Establishment of the President's Committee on Equal Employment Opportunity

SECTION 101. There is hereby established the President's Committee on Equal Employment Opportunity.

SEC. 102. The Committee shall be composed as follows:

(a) The Vice President of the United States, who is hereby designated Chairman of the Committee and who shall preside at meetings of the Committee.

(b) The Secretary of Labor, who is hereby designated Vice Chairman of the Committee and who shall act as Chairman in the absence of the Chairman. The Vice Chairman shall have general supervision and direction of the work of the Committee and of the execution and implementation of the policies and purposes of this order.

(c) The Chairman of the Atomic Energy Commission, the Secretary of Commerce, the Attorney General, the Secretary of Defense, the Secretaries of the Army, Navy and Air Force, the Administrator of General Services, the Chairman of the Civil Service Commission, and the Administrator of the National Aeronautics and Space Administration. Each such member may designate an alternate to represent him in his absence.

(d) Such other members as the President may from time to time appoint.

(e) An Executive Vice Chairman, designated by the President, who shall be ex officio a member of the Committee. The Executive Vice Chairman shall assist the Chairman, the Vice Chairman and the Committee. Between meetings of the Committee he shall be primarily responsible for carrying out the functions of the Committee and may act for the Committee pursuant to its rules, delegations, and other directives. Final action in individual cases or classes of cases may be taken and final orders may be entered on behalf of the Committee by the Executive Vice Chairman when the Committee so authorizes.

SEC. 103. The Committee shall meet upon the call of the Chairman and at such other times as may be provided by its rules and regulations. It shall (a) consider and adopt rules and regulations to govern its proceedings; (b) provide generally for the procedures and policies to implement this order; (c) consider reports as to progress under this order; (d) consider and act, where necessary or appropriate, upon matters which may be presented to it by any of its members; and (e) make such reports to the President as he may require or the Committee shall deem appropriate. Such reports shall be made at least once annually and shall include specific references to the actions taken and results achieved by each department and agency. The Chairman may appoint subcommittees to make special studies on a continuing basis.

Part II—Nondiscrimination in Government employment

SECTION 201. The President's Committee on Equal Employment Opportunity established by this order is directed immediately to scrutinize and study employment practices of the Government of the United States, and to consider and recommend additional affirmative steps which should be taken by executive departments and agencies to realize more fully the national policy of nondiscrimination within the executive branch of the Government.

SEC. 202. All executive departments and agencies are directed to initiate forthwith studies of current government employment practices within their responsibility. The studies shall be in such form as the Committee may prescribe and shall include statistics on current employment patterns, a review of current procedures, and the recommendation of positive measures for the elimination of any discrimination, direct or indirect, which now exists. Reports and recommendations shall be submitted to the Executive Vice Chairman of the Committee no later than sixty days from the effective date of this order, and the Committee, after considering such reports and recommendations, shall report to the President on the current situation and recommend positive measures to accomplish the objectives of this order.

SEC. 203. The policy expressed in Executive Order No. 10590 of January 18, 1955 (20 F.R. 409), with respect to the exclusion and prohibition of discrimination against any employee or applicant for employment in the Federal Government because of race, color, religion, or national origin is hereby reaffirmed.

SEC. 204. The President's Committee on Government Employment Policy, established by Executive Order No. 10590 of January 18, 1955 (20 F.R. 409), as amended by Executive Order No. 10722 of August 5, 1957 (22 F.R. 6287), is hereby abolished, and the powers, functions, and duties of that Committee are hereby transferred to, and henceforth shall be vested in, and exercised by, the President's Committee on Equal Employment Opportunity in addition to the powers conferred by this order.

Part III—Obligations of government contractors and subcontractors

Subpart A—Contractors' agreements

SECTION 301. Except in contracts exempted in accordance with section 303 of this order, all government contracting agencies shall include in every government contract hereafter entered into the following provisions:

"In connection with the performance of work under this contract, the contractor agrees as follows:

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

"(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

"(4) The contractor will comply with all provisions of Executive Order No. 10925 of March 6, 1961, and of the rules, regulations, and relevant orders of the President's Committee on Equal Employment Opportunity created thereby.

"(5) The contractor will furnish all information and reports required by Executive Order No. 10925 of March 6, 1961, and by the rules, regulations, and orders of the said Committee or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Committee for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

"(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled in whole or in part and the contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order No. 10925 of March 6, 1961, and such other sanctions may be imposed and remedies invoked as provided in the said Executive order or by rule, regulation, or order of the President's Committee on Equal Employment Opportunity, or as otherwise provided by law.

"(7) The contractor will include the provisions of the foregoing paragraphs (1) through (6) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the President's Committee on Equal Employment Opportunity issued pursuant to section 303 of Executive Order No. 10925 of March 6, 1961, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however,* That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States."

SEC. 302. (a) Each contractor having a contract containing the provisions prescribed in section 301 shall file, and shall cause each of its subcontractors to file, Compliance Reports with the contracting agency, which will be subject to review by the Committee upon its request. Compliance reports shall be filed within such times and shall contain such information as to the practices, policies, programs, and employment statistics of the contractor and each subcontractor, and shall be in such form, as the Committee may prescribe.

(b) Bidders or prospective contractors or subcontractors may be required to state whether they have participated in any previous contract subject to the provisions of this order, and in that event to submit, on behalf of themselves and their proposed subcontractors, Compliance Reports prior to or as an initial part of their bid or negotiation of a contract.

(c) Whenever the contractor or subcontractor has a collective bargaining agreement or other contract or understanding with a labor union or other representative of workers, the Compliance Report shall include such information as to the labor union's or other representative's practices and policies affecting compliance as the Committee may prescribe: *Provided,* That to the extent such information is within the exclusive possession of a labor union or other workers' representative and the labor union or representative shall refuse to furnish such information to the contractor, the contractor shall so certify to the contracting agency as part of its Compliance Report and shall set forth what efforts he has made to obtain such information.

(d) The Committee may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent of any labor union or other workers' representative with which the bidder or prospective contractor deals, together with supporting information, to the effect that the said labor union's or representative's practices and policies do not discriminate on the grounds of race, color, creed, or national origin, and that the labor union or representative either will affirmatively cooperate, within the limits of his legal and contractual authority, in the implementation of the policy and provisions of this order or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of the order. In the event that the union or representative shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement.

SEC. 303. The Committee may, when it deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including the provisions of section 301 of this order in any specific contract, subcontract, or purchase order. The Committee may, by rule or regulation, also exempt certain classes of contracts, subcontracts, or purchase orders (a) where work is to be or has been performed outside the United States and no recruitment of workers within the limits of the United States is involved; (b) for standard commercial supplies or raw materials; or (c) involving less than specified amounts of money or specified numbers of workers.

Subpart B—Labor Unions and Representatives of Workers

SEC. 304. The Committee shall use its best efforts, directly and through contracting agencies, contractors, state and local officials and public and private agencies, and all other available instrumentalities, to cause any labor union, recruiting agency or other representative of workers who is or may be engaged in work under government contracts to cooperate with, and to comply in the implementation of, the purposes of this order.

SEC. 305. The Committee may, to effectuate the purposes of section 304 of this order, hold hearings, public or private, with respect to the practices and policies of any such labor organization. It shall from time to time submit special reports to the President concerning discriminatory practices and policies of any such labor organization, and may recommend remedial action if, in its judgment, such action is necessary or appropriate. It may also notify any Federal, state, or local agency of its conclusions and recommendations with respect to any such labor organization which in its judgment has failed to cooperate with the Committee, contracting agencies, contractors, or subcontractors in carrying out the purposes of this order.

Subpart C—Powers and Duties of the President's Committee on Equal Employment Opportunity and of Contracting Agencies

Sec. 306. The Committee shall adopt such rules and regulations and issue such orders as it deems necessary and appropriate to achieve the purposes of this order, including the purposes of Part II hereof relating to discrimination in government employment.

Sec. 307. Each contracting agency shall be primarily responsible for obtaining compliance with the rules, regulations, and orders of the Committee with respect to contracts entered into by such agency or its contractors, or affecting its own employment practices. All contracting agencies shall comply with the Committee's rules in discharging their primary responsibility for securing compliance with the provisions of contracts and otherwise with the terms of this Executive order and of the rules, regulations, and orders of the Committee pursuant hereto. They are directed to cooperate with the Committee, and to furnish the Committee such information and assistance as it may require in the performance of its functions under this order. They are further directed to appoint or designate, from among the agency's personnel, compliance officers. It shall be the duty of such officers to seek compliance with the objectives of this order by conference, conciliation, mediation, or persuasion.

Sec. 308. The Committee is authorized to delegate to any officer, agency, or employee in the executive branch of the Government any function of the Committee under this order, except the authority to promulgate rules and regulations of a general nature.

Sec. 309. (a) The Committee may itself investigate the employment practices of any government contractor or subcontractor, or initiate such investigation by the appropriate contracting agency or through the Secretary of Labor, to determine whether or not the contractual provisions specified in section 301 of this order have been violated. Such investigation shall be conducted in accordance with the procedures established by the Committee, and the investigating agency shall report to the Committee any action taken or recommended.

(b) The Committee may receive and cause to be investigated complaints by employees or prospective employees of a government contractor or subcontractor which allege discrimination contrary to the contractual provisions specified in section 301 of this Order. The appropriate contracting agency or the Secretary of Labor, as the case may be, shall report to the Committee what action has been taken or is recommended with regard to such complaints.

Sec. 310. (a) The Committee, or any agency or officer of the United States designated by rule, regulation, or order of the Committee, may hold such hearings, public or private, as the Committee may deem advisable for compliance, enforcement, or educational purposes.

(b) The Committee may hold, or cause to be held, hearings in accordance with subsection (a) of this section prior to imposing, ordering, or recommending the imposition of penalties and sanctions under this order, except that no order for debarment of any contractor from further government contracts shall be made without a hearing.

Sec. 311. The Committee shall encourage the furtherance of an educational program by employer, labor, civic, educational, religious, and other nongovernmental groups in order to eliminate or reduce the basic causes of discrimination in employment on the ground of race, creed, color, or national origin.

Subpart D—Sanctions and Penalties

Sec. 312. In accordance with such rules, regulations or orders as the Committee may issue or adopt, the Committee or the appropriate contracting agency may:

(a) Publish, or cause to be published, the names of contractors or unions which it has concluded have complied or have failed to comply with the provisions of this order or of the rules, regulations, and orders of the Committee.

(b) Recommend to the Department of Justice that, in cases where there is substantial or material violation or the threat of substantial or material violation of the contractual provisions set forth in section 301 of this order, appropriate proceedings be brought to enforce those provisions, including the enjoining, within the limitations of applicable law, of organizations individuals or groups who prevent directly or indirectly, or seek to, prevent directly or indirectly, compliance with the aforesaid provisions.

(c) Recommend to the Department of Justice that criminal proceedings be brought for the furnishing of false information to any contracting agency or to the Committee as the case may be.

(d) Terminate, or cause to be terminated, any contract, or any portion or portions thereof, for failure of the contractor or subcontractor to comply with the nondiscrimination provisions of the contract. Contracts may be terminated absolutely or continuance of contracts may be conditioned upon a program for future compliance approved by the contracting agency.

(e) Provide that any contracting agency shall refrain from entering into further contracts, or extensions or other modifications of existing contracts, with any noncomplying contractor, until such contractor has satisfied the Committee that he has established and will carry out personnel and employment policies in compliance with the provisions of this order.

(f) Under rules and regulations prescribed by the committee, each contracting agency shall make reasonable efforts within a reasonable time limitation to secure compliance with the contract provisions of this order by methods of conference, conciliation, mediation, and persuasion before proceedings shall be instituted under paragraph (b) of this section, or before a contract shall be terminated in whole or in part under paragraph (d) of this section for failure of a contractor or subcontractor to comply with the contract provisions of this order.

Sec. 313. Any contracting agency taking any action authorized by this section, whether on its own motion, or as directed by the Committee, or under the Committee's rules and regulations, shall promptly notify the Committee of such action or reasons for not acting. Where the Committee itself makes a determination under this section, it shall promptly notify the appropriate contracting agency of the action recommended. The agency shall take such action and shall report the results thereof to the Committee within such time as the Committee shall provide.

Sec. 314. If the Committee shall so direct, contracting agencies shall not enter into contracts with any bidder or prospective contractor unless the bidder or prospective contractor has satisfactorily complied with the provisions of this order or submits a program for compliance acceptable to the Committee or, if the Committee so authorizes, to the contracting agency.

Sec. 315. Whenever a contracting agency terminates a contract, or whenever a contractor has been debarred from further government contracts, because of noncompliance with the contractor provisions with regard to nondiscrimination, the Committee, or the contracting agency involved, shall promptly notify the Comptroller General of the United States.

Subpart E—Certificates of Merit

Sec. 316. The Committee may provide for issuance of a United States Government Certificate of Merit to employers or employee organizations which are or may hereafter be engaged in work under government contracts, if the Committee is satisfied that the personnel and employment practices of the employer, or that the personnel, training, apprenticeship, membership, grievance and representation, upgrading and other practices and policies of the employee organization, conform to the purposes and provisions of this order.

Sec. 317. Any Certificate of Merit may at any time be suspended or revoked by the Committee if the holder thereof, in the judgment of the Committee, has failed to comply with the provisions of this order.

Sec. 318. The Committee may provide for the exemption of any employer or employee organization from any requirement for furnishing information as to compliance if such employer or employee organization has been awarded a Certificate of Merit which has not been suspended or revoked.

Part IV—Miscellaneous

Section 401. Each contracting agency (except the Department of Justice) shall defray such necessary expenses of the Committee as may be authorized by law, including section 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691): *Provided,* That no agency shall supply more than fifty per cent of the funds necessary to carry out the purposes of this order. The Department of Labor shall provide necessary space and facilities for the Committee. In the case of the Department of Justice, the contribution shall be limited to furnishing legal services

Sec. 402. This order shall become effective thirty days after its execution. The General Services Administration shall take appropriate action to revise the standard Government contract forms to accord with the provisions of this order and of the rules and regulations of the Committee.

Sec. 403. Executive Order No. 10479 of August 13, 1953 (18 F.R. 4899), together with Executive Orders Nos. 10482 of August 15, 1953 (18 F.R. 4944), and 10733 of October 10, 1957 (22 F.R. 8135), amending that order, and Executive Order No. 10557 of September 3, 1954 (19 F.R. 5655), are hereby revoked, and the Government Contract Committee established by Executive Order No. 10479 is abolished. All records and property of or in the custody of the said Committee are hereby transferred to the President's Committee on Equal Employment Opportunity, which shall wind up the outstanding affairs of the Government Contract Committee.

John F. Kennedy.

The White House, *March 6, 1961.*

[F.R. Doc. 61-2093; Filed, Mar. 7, 1961; 10:06 a.m.]

THE AFL-CIO SEEKS TO OBTAIN A BETTER LIFE, AS WELL AS SECURITY, FOR UNION MEMBERS AND THEIR FAMILIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. Widnall] is recognized for 15 minutes.

Mr. WIDNALL. Mr. Speaker, the AFL-CIO seeks to obtain a better life, as well as security, for union members and their families. The AFL-CIO goal of a better life through education, the constructive use of free time, public service, and the arts is receiving increased attention by such outstanding leaders and statesmen of labor as Leo Perlis, national director of the AFL-CIO Community Service Activities; Herman Kenin, president, American Federation of Musicians; Ralph Bellamy, president, Actors' Equity Association; James Suffridge, president, Retail Clerks International Association; and John Brownlee, president, and Hy Faine, national executive secretary, American Guild of Musical Artists. These men and their colleagues of the AFL–CIO deserve broad public support for their efforts to implement the AFL–CIO constitution, adopted in 1955, which pledges the AFL–CIO "to the attainment of security for all the people and to the enjoyment of the leisure which their skills make possible."

The American Federation of Musicians is rightfully concerned with obtaining for all Americans greater access to the arts as well as greater employment for its 270,000 members in this era in which so many people have become conditioned to preferring to listen to a recording by an orchestra rather than to hear the same orchestra live in a concert hall. Musicians were among the first to be displaced by machines, and their plight has worsened with the perfection of sound movies and the growth of the recording industries. Direct access to, and participation in, the arts by the vast family of labor would, of course, result in important new employment opportunities for American artists, musicians, and actors.

This month, Actors Equity Association is celebrating its 50th anniversary of service to the American people and to the advancement of our country's arts and culture. This fine public-spirited union has established the Equity Library Theater the motto of which is, "the theatrical presentation of outstanding literature should be the rightful heritage of every child" and the purpose of which is to extend the magic of the living theater to the community at large. It serves as a showcase for young actors and actresses, over 8,000 of whom have appeared under its auspices. Among those who have contributed to its growth and present influence are Charlton Heston, Jose Greco, Sidney Poitier, Jason Robards, Jr., and Kim Stanley.

The 15,000 members of Actors Equity Association are faced with the fact that whereas at the turn of the century when there were far fewer people in this country, there were 5,000 live theaters scattered from coast to coast with one in almost every community giving employment to actors, musicians, authors and others concerned with the arts and dependent upon them for a livelihood. Today only about 200 of these theaters remain open and in active service. Several theaters in the Nation's Capital have been torn down for parking lots and others have been converted to movies and to office space. What has happened, and is happening, in Washington, D.C., is typical of what has and is taking place in city after city across our broad land.

The interest of President Kennedy in the arts is one of the best publicized aspects of this administration. His pronouncements on this subject have evoked a great national response, and rightly so, if they were followed by action. Instead of action, we get only more pronouncements, like this one by August Heckscher, the White House Consultant on the Arts, when he spoke to the Eighth Annual AFL–CIO National Conference on Community Services in New York City on April 1, this year:

> The emphasis of the arts through the Government is related to the fact that we are in a society of expanding free time and that the use of this free time will depend upon the kind of civilization which we are. The soul, said Emerson, is the color of its leisured source. A society is what it does in its free time. If we waste that, if we are merely frivolous, if we give ourselves over to boredom and to cheap satisfaction, our civilization and the quality of our people as a whole is bound to decline.

In Washington, D.C., where the President could act, the Capitol, Keith's, Belasco, the Washington Civic Auditorium, and now the National Theater are all threatened with almost immediate destruction. President Kennedy, who has received so much national acclaim for his interest in the arts, has not moved to halt this destruction of cultural facilities though it is clearly within his power to do so.

I have, therefore, introduced legislation, H.R. 5613, to make the destruction of these theaters, particularly the Capitol Theater, unnecessary, and my plan has wide support by cultural and art organizations including the American Federation of Musicians, Actors' Equity Association, the National Symphony Orchestra, the National Federation of Music Clubs, and the American Guild of Musical Artists.

The eighth annual AFL–CIO National Conference on Community Services made positive and forward-looking recommendations with regard to the arts and the constructive use of free time which merit national support. Speakers at the conference, in addition to August Heckscher, were: Laurance Rockefeller, chairman of the New York State Council of Parks; Eric Johnston, president of the Motion Picture Association of America; and Leo Perlis of the AFL–CIO.

The establishment in each community of a United Arts Fund for the purpose of financing culture and the arts was suggested by Leo Perlis in the opening speech at the conference. He said such a United Arts Fund should be patterned after the United Givers Fund and declared it would greatly advance America's present cultural renaissance. My bill, H.R. 5613, which I have already mentioned, would create such an art fund in the Nation's Capital and would have a profound effect in encouraging other communities throughout the country to take the step recommended by Mr. Perlis.

Mr. Perlis pointed out that "The AFL–CIO is concerned not only with full employment but also with the full life" and he said that the Nation, as well as local communities, will benefit most when workers are properly educated, and motivated to use their free time constructively.

> Failure to use free time constructively—

He added—

> will hurt not only the individual but our whole national life. If life is to have meaning and purpose in our impersonal, scientific, atomic and frightfully complex society, it must be lived in beauty and with spirit. Life cannot be complete without the constant exercise of our senses; it isn't quite complete without the stimulation of our mental and intellectual potential; it isn't quite complete without the humble sharing of our resources with our fellow men.

James Suffridge, president of the Retail Clerks International Association, last year sponsored, and made possible, a free production by the resident opera company of Washington, D.C., the Washington Civic Opera Association, of an opera for children, "Hansel and Gretel," which was so popular that it was attended by an overflow audience. Mr. Suffridge was publicly commended for his part in making this production possible by an editorial in the Washington, D.C., Post. This year he is sponsoring, along with the French Ambassador, Herve Alphand, and the Secretary of the Interior, Stewart L. Udall, a free production of "Faust" at the Carter Barron Amphitheater by the Washington Civic Opera Association.

Mr. Suffridge, who believes strongly in industry-labor cooperation, heads a union which is proud of its 75 years of progress, from the time when store employes earned only $2 to $3 a week to a time when unionized clerks make as much in an hour as the average clerk did per week at the time the union he heads was formed.

The philosophy of such leaders of labor as I have mentioned may be summed up in these famous words of John Ruskin:

> Life without industry is guilt, industry without art is brutality.

Leo Perlis told those attending the eighth annual AFL–CIO National Conference on Community Services that:

> It is arrogance to suggest that the best must belong to the few and that mediocrity is the mark of the many.
>
> From Plato to this day men have attempted to probe the implications of free time and the nature of leisure and its meaning to the individual and to society. The difference is that we now have more people with free time than ever before.

Mr. Perlis added that it was his belief that boredom breeds disease among the old, crime among the young, and a sense of spiritual sterility among all of us. He pointed out that the real question is not, are we going to work less hours, as obviously many already do in our affluent society, but what are we going to do with our free time.

A few years ago the United Steel Workers AFL–CIO sponsored a series of symphony concerts for its members and their families which attracted national attention.

George Meany, president of the AFL–CIO, is interested in the arts and, like Winston Churchill and Gen. Dwight D. Eisenhower, paints in his leisure time.

The leaders of the AFL–CIO today agree completely with President Eisenhower who, in his 1955 message on the state of the Union, said:

> In the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities.

Labor has come of age and clearly intends, as one of its great statesmen, Phillip Murray once said, to press for such

fringe benefits of our culture for its members as music in their homes and pictures on their walls.

I include as part of my remarks the keynote address made by Leo Perlis at the Eighth Annual AFL–CIO National Conference on Community Services which was held at the Commodore Hotel, New York City, on April 1, 1963.

THE CONSTRUCTIVE USE OF FREE TIME[1]

(By Leo Perlis, Director, AFL–CIO Community Service Activities)

The preamble to the AFL–CIO constitution, which was adopted at the merger convention in 1955, pledges the AFL–CIO "* * * to the attainment of security for all the people * * * and to the enjoyment of the leisure which their skills make possible."

Let me underline the phrase "the enjoyment of the leisure."

There is another way of putting it—perhaps even more dramatic—and here it is: The AFL–CIO is for both full employment and the full life. Now how are we doing with full employment? Not too well, I am afraid.

In the face of millions of jobless, President Kennedy was not overly optimistic a week ago in Chicago when he said that even without a recession the employment rates will climb "steadily and swiftly to the recession levels of 7 percent unless we step up our rate of growth."

Since World War II, continued President Kennedy, output has risen 67 percent while manpower needs have risen only 3 percent. During the past 6 years, manufacturing production rose by nearly 20 percent while the number of production workers dropped by 800,000.

These, then, are the interlocking problems of our domestic economy: automation and unemployment.

There are, I suppose, many things we, as a nation, can do to meet the challenges of automation and to prevent widespread unemployment, but this conference is not designed to discuss them.

It is enough to say here that one program we consider a must is the reduction of the workweek.

For 57 consecutive months, prior to August of last year when the AFL–CIO executive council adopted its statement on the shorter workweek, the unemployment rate had exceeded 5 percent—which is 2 percent less than the 7 percent President Kennedy predicts unless we step up our rate of growth.

"The time has come," declared the AFL–CIO executive council, "for a basic change in the fundamental terms of employment in the United States. One certain answer to the problem is to spread the work by reducing the hours each worker devotes to his job, measured either by the week or the year, while maintaining his total earnings."

Even while calling for a 35-hour workweek through legislation and collective bargaining, the AFL–CIO executive council said it was well aware that "many of our unions have reduced the workyear by winning longer paid vacations and more paid holidays and a number have appreciably reduced the workweek below the Federal maximum."

Of course, not everybody agrees with us that the shorter workweek is desirable. This is to be expected. Some say that free time means more moonlighting. Others say we cannot let down in the face of the cold war. Still others say it is economically unsound. And there are those who feel that idle hands do the devil's work.

But none of the opponents to the shorter workweek, sincere as they undoubtedly are, have been able to eliminate unemployment or to prevent the displacement of workers as a result of automation.

The hard fact is that we can now produce more things on fewer machines with less time and fewer men.

The shorter workweek, therefore, is not only in the cards—it is already here in many industries.

Now there is really no mystique to the 40-hour week. I cannot recall any cabalistic magic in the number 40.

There was nothing really sacred about the 84-hour workweek in 1800, nor about the 70-hour workweek at the end of the Civil War, nor about the 60-hour workweek in 1900 and right through to my own factory days in the early 1930's.

That's the way it usually goes when the social forces finally catch up with the scientific forces. Hours are reduced when machines replace muscles, and even more hours will be reduced when machines replace minds.

The real question, therefore, is not are we going to work less hours—obviously many already do—but what are we going to do with our free time?

Well, there are several ways of looking at free time.

One way of looking at it is through the eyes of one trade unionist who was quoted in the Birmingham News of March 17 as saying: "Take the oldtime suitmaker. You don't have to tell him what to do with his leisure time. He goes into a corner and plays pinochle."

Now I don't know what all this means—except, obviously, that the man has his corner, his cards, and his cronies.

Another way of looking at it is through the mind of the university scientist who wrote that "leisure has nothing to do with idleness or free time, nor are the mass of men easily attracted to its jobs."

Here, too, I should confess that I don't know what all this means, and I am not at all sure that I would care very much to engage in a profitless game of semantics.

A sense of moderation persuades me to suggest that the answers to the questions we pose at this conference may be found neither in playing pinochle in a corner nor in pontificating on the campus. I am not especially impressed with either approach.

I take it, without resorting to verbal exuberance, that free time means time on our hands, and that leisure time means the constructive use of free time for personal and community enrichment.

Effective use of free time will strengthen us and lengthen our lives; the disuse or misuse of free time will rob us of zest and purpose and shorten our years.

There is, of course, nothing more deadly than boredom. Boredom breeds disease among the old, crime among the young, and a sense of spiritual sterility among all of us.

Boredom can be prevented and cured only by building up our inner and community resources; and just as we should have prepared ourselves—with social, economic, educational and training programs—to prevent human suffering caused by automation—so we must prepare ourselves—with social, economic, educational and training programs—to prevent the human suffering which will result from the misuse or disuse of free time.

We must, first of all, search for the answers to these questions:

What are the economic and psychological causes and consequences of moonlighting?

Is our constant hustle and bustle for things and ghosts evidence of a lack of meaning to our personal lives?

What is the relevance, if any, of this hustle and boredom to the rise in alcoholism and emotional illness?

Do we really miss the good life even while we feverishly chase it? I suspect we do.

From Plato to this conference men have attempted to probe the implications of free time and the nature of leisure and its meaning to the individual and to society. The difference is that we now have more people with free time than ever before.

It is essential, against the background of unemployment and automation, that we continue to probe deeply not only because of the increase in free time off the job, but also because of the increase in dull time on the job.

Can we find in the constructive use of free time off the job some positive substitutes for the lack of personal satisfaction from routine assembly line or pushbutton work? I think we can.

Here, as in AA, easy does it.

We need, first of all, the leisure to loaf—to walk, to think.

We need the leisure to look at the world around us and at the world inside ourselves. We need the leisure to love and to care. We need the leisure to listen and to learn.

After all, as the saying goes, you live on earth only once, and if you do it right, that's enough.

But what is right, and how do we go about living the right life, and how does one motivate another person to live the right life, and what do we need for the right life?

That's quite a question and I have no intention of answering it—even if I could—but I take it that the full life and the good life and the right life are, hairsplitting aside, one and the same.

While our conference this week will address itself to this question, we shall attempt to explore particularly the four general areas of recreation, education, the arts, and public service.

At this point may I express my appreciation to our distinguished speakers who will grace our conference and who will share their thoughts with us.

I shall refrain from calling them free time experts or specialists in leisure. Somehow it all doesn't sound quite right, and it would be a graceless way, indeed, to repay their generosity. And, besides, I wouldn't want to encourage the development of another pseudoscience.

Living, as we all know, is an art. If life is to have meaning and purpose in our impersonal, scientific, atomic, and frightfully complex industrial society, it must be lived in beauty and with spirit. Life cannot be complete without the constant exercise of our muscles and senses; it isn't quite complete without the stimulation of our mental and intellectual potential; it isn't quite complete without the humble sharing of our resources with our fellow men.

Free time, used constructively, can mean the flowering of America, our culture, our arts, our public parks, and our cities and towns.

Free time, used constructively, can contribute to an enlightened and responsible citizenship which is so essential to the security of our democratic society. Here is a challenge to adult education. The recent organization of the Oliver Wendell Holmes Association of Professors Emeriti is a welcome development which should spur the formation of more and more discussion groups around basic and current issues.

The cultural renaissance, spearheaded by the White House, can be advanced by the formation, in every community, of a united arts fund for the purpose of financing professional theater, ballet, concerts, and art exhibits at prices within our reach. It is arrogance to suggest that the best must belong to the few and that mediocrity is the mark of the many. It is possible that even Shakespeare may come to life again for many of us who suffered him in high school.

This, of course, is in the public service, but many more doors to community service must be opened.

The constructive use of free time means the active participation of labor in community agencies, both public and voluntary. What better use can we make of our free time than by helping organize the unorganized, than by helping raise their living standards. by fighting against discrimination and segregation, by caring for our young and paying attention to our old, and by helping those who need our help?

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[1] Keynote address, eighth annual AFL–CIO National Conference on Community Services, Commodore Hotel, New York City, Apr. 1, 1963.

And if nothing else works out for us, we can always take a 50-mile walk—or play touch football—or, if we have the money and the time and the inclination, we can just sit in the park, like Bernard Baruch, and think.

This may not be such a bad idea. It is the major purpose of this conference—to get us to think about the implications of free time, to get us to talk about it, and to get us to take a look at our communities.

Let's take a walk—check list in hand: What do we want and why? What is really good and why? What do we need in our community? In education? In recreation? In the arts? In public service? What do we have and what don't we have and why not? What do we do to get what we need and don't have?

And, finally, how do we motivate our fellow workers and fellow citizens to come along and think along and act along with us? Yes; for a better community for all. Yes; for a life of purpose and beauty and dignity—for a truly human life even in the midst of maddening machines.

This, the strengthening of seeing, hearing, feeling, living human beings, is, in the final analysis, the ultimate test of the constructive use of free time.

I must, in conclusion, point to the paradox of our affluent society; on the one hand we worry about the constructive use of free time for the employed, and on the other hand we worry about jobs for the unemployed and public assistance for the needy.

The meaning of our Chicago conference last year and our New York conference this year is that we must worry about both problems—and do something about them.

AN INTERIM REPORT OF THE SPECIAL SUBCOMMITTEE ON CUBA AND SUBVERSION IN THE WESTERN HEMISPHERE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. BATTIN] is recognized for 15 minutes.

Mr. BATTIN. Mr. Speaker, the following report speaks for itself.

The committee is composed of the following: Representative James F. Battin, Montana, chairman; Representative William C. Cramer, Florida, vice chairman; Representative E. Ross Adair, Indiana; Representative John M. Ashbrook, Ohio; Representative Edward J. Derwinski, Illinois; Representative Samuel L. Devine, Ohio; Representative Durward G. Hall, Missouri; Representative Clark MacGregor, Minnesota; Representative Garner E. Shriver, Kansas; and William B. Prendergast, Ph. D., research.

Today is the 61st anniversary of Cuban independence.

The recently issued interim report of the Preparedness Investigating Subcommittee of the Senate Committee on the Armed Services dealing with the Cuban military buildup throws light on hitherto obscure aspects of the Cuban situation during the summer and fall of 1962. Consequently, this unanimous report of a subcommittee composed of four Democrats and three Republicans is an important first step toward better understanding of the background of American policy during that crucial period. Its appraisal of past errors and present dangers sounds an emphatic warning to those responsible for formulating policy toward Cuba.

IMPORTANT FINDINGS OF THE REPORT

In reviewing past policy, the subcommittee found that a "creditable" job was done in collecting information about the military buildup in Cuba by what it calls the "intelligence community," but that "several substantial errors were made in the evaluation of information." Among such errors were the following:

> The number of Soviet troops in Cuba was substantially underestimated. * * *
>
> Indications that strategic missiles were being installed were not given proper weight. * * *
>
> There also appeared to be a tendency * * * to discredit and downgrade refugee and exile reports.
>
> The analysts were strongly influenced by their philosophical judgment that it would be contrary to Soviet policy to introduce strategic missiles into Cuba.

DISTURBING WARNINGS

The subcommittee has unanimously reported "great concern" and "grave apprehension" about reports that "strategic missiles and bombers were not removed from Cuba but are concealed in caves and otherwise." It noted that the evidence Government spokesmen rely on when they give categorical assurances that all such weapons have been removed from Cuba is the same kind of evidence which led these same spokesmen to assert prior to last October 14 that no "offensive weapons" had been brought into Cuba. In the words of the subcommittee, it is largely "the negative evidence that there is no affirmative proof to the contrary."

On the matter of the Soviet presence in Cuba, the subcommittee reported a lack of confidence within the intelligence community in their own estimates of foreign troops in Cuba. It flatly declared, "No one—outside of Soviet and Cuban official circles—knows how many Russian troops are there now." It found that the amount of Russian military equipment known to be in Cuba suggests that the current official estimate of 17,500 is too low.

One of the most disturbing statements made by the subcommittee is the assertion that "the intelligence community does not believe it yet has sufficient concrete evidence to estimate any reduction in overall Soviet military capability on the island."

Perhaps the most valuable part of the subcommittee's report is the enumeration of 11 considerations that lead it to conclude that Cuba now represents a grave threat to our national security. This is a needed antidote to the plethora of statements from official and unofficial spokesmen of the administration designed to minimize, and divert attention from, the seriousness of the Cuban problem.

We hope that these words of the subcommittee's report—again the unanimous judgment of its members—will be heard throughout the land:

> The matter of basic and fundamental importance * * * and the source of the real threat, is that international communism now has a firm foothold in this hemisphere and that, if we permit it to do so, it is here to stay.
>
> By [a] process of erosion our neighbors to the south may fall nation by nation until the entire hemisphere is lost and the Communist goal of isolating the United States has been attained.

SOME IMPLICATIONS OF THE REPORT

The report has three important implications which seem to us inescapable.

The first is that administration spokesmen have been guilty of misinforming the public about Cuba. In bringing this fact to light, the subcommittee has rendered a valuable service in unmanaging the news.

The second implication is that a change in the intelligence process is required. A system under which facts are not given sufficient weight when they fail to jibe with a preconceived theory of how the Soviet Union is going to behave, under which the limitations of aerial photography seem not to be recognized, and under which the customary military practice in evaluating intelligence is reversed imposes a dangerous myopia on intelligence agencies.

The third implication of the report is that a change of policy toward Cuba is urgently needed. Patting ourselves on the back for the "victory" of last October, putting a stop to Cuban exile raids, issuing optimistic statements about the cost of the Soviet operation in Cuba, and hopefully waiting for Castro's downfall are not enough.

THE PUBLIC MISINFORMATION PROGRAM

In the appendix to this report are listed a few instances of misinformation from responsible administration spokesmen on the subject of Cuba. There, in parallel columns, will be found statements of the Senate Preparedness Subcommittee side by side with conflicting pronouncements of administration officials.

We are content simply to present the facts in this matter without speculating about the administration's motives in these instances. But we do feel most strongly that misinforming the public about the nature and the gravity of the danger in Cuba is a practice that strikes at the very vitals of our system of government. For the American form of government is one which offers to the people the tremendous responsibility of determining the course and direction of public policy, and this is a responsibility which can be exercised only if complete and accurate information is made available to the public.

The subcommittee reports that intelligence analysts had reached the conclusion in late September 1962 "that there was a suspect medium-range ballistic missile site in Pinar del Rio Province."

Yet administration spokesmen insisted repeatedly in late September and throughout the first 20 days of October that there was no evidence of offensive weapons in Cuba.

This is what McGeorge Bundy, Special Assistant to the President for National Security, told the Nation on October 14, 1962 by television:

> I know there is no present evidence, and I think there is no present likelihood that

> the Cubans and the Cuban Government and the Soviet Government would in combination attempt to install a major offensive capability.

It is ironic that, several hours before Mr. Bundy spoke, photographs of medium-range missile sites had been taken in the San Cristobal area. Mr. Bundy could not have known for sure what these photographs were to reveal. But, for at least 3 weeks before October 14, there was evidence of the presence of strategic missiles in Cuba—evidence which identified their location and which directed the flight of October 14 to the very area which yielded the photographic proof.

Further, 5 days before Mr. Bundy's television appearance, our intelligence had positively established by photographic evidence the presence in Cuba of an offensive capability in the form of the Soviet bomber, the IL-28. This fact was made known to the Nation by Secretary McNamara in his telethon of February 6, 1963.

Another example of the peddling of misinformation by a responsible administration spokesman is the assertion of Secretary McNamara on February 6 that he had "no evidence that Cuba is being used as a base for subversion directed against other Latin American countries."

As though in direct reply to the Secretary, the Preparedness Subcommittee declares, "the evidence is overwhelming that Castro is supporting, spurring, aiding and abetting Communist revolutionary and subversive movements throughout the Western Hemisphere."

One more example out of many will suffice. In an article in the Washington World of October 19, 1962, George W. Ball, Under Secretary of State, wrote:

> About 4,500 Soviet military specialists have arrived in Cuba, including construction men and technicians.

On October 29, 1962, the Department of Defense published a brochure entitled "Cuba" in which the number of Soviet personnel on the island was estimated as 5,000. However, the Preparedness Subcommittee reports that the intelligence community on October 22 "estimated the Soviet personnel in Cuba to be 8,000 to 10,000."

One who works his way through the tangle of official administration pronouncements from last August to the present time on the numbers and the character of Soviet personnel in Cuba will be surprised to learn from the Preparedness Subcommittee that "no one—outside of Soviet and Cuban official circles—knows how many Russian troops are there now."

For the administration almost always spoke as though it knew, although its figures changed inexplicably from time to time. It has frequently sniped at estimates offered by others on the ground that they could not possibly be as well informed as the administration's intelligence agencies.

It is hard to escape the conclusion that there has been deception of the public in official and quasi-official pronouncements dealing with the type and numbers of Soviet personnel in Cuba. In order to deceive, it is not necessary to tell a falsehood. When an "estimate from our intelligence sources" is presented to the public without explaining that the intelligence community itself has little confidence in the estimate, this is deception. When Soviet personnel are called technicians as they arrive in Cuba but are called troops as they leave, this is deception. When the reports of Cuban exiles are shrugged off with a blanket dismissal of exile sources as unreliable, this is deception.

UNANSWERED QUESTIONS

The report of the Preparedness Subcommittee raises several questions which it does not answer.

It attributes to "the intelligence community" responsibility for the shocking inadequacies in the evaluation of information about the Soviet military buildup in Cuba. The question who in the intelligence community was responsible remains unanswered.

Apparently it was not John McCone, Director of the Central Intelligence Agency, for the record shows that on August 10, 1962, Mr. McCone reported his belief that the Soviet Union was "preparing to place offensive missiles in Cuba."

Despite the views of the Director of the Central Intelligence Agency, the Preparedness Subcommittee declares, "The intelligence people apparently invariably adopted the most optimistic estimate possible with respect to the information available." This method of interpretation, the subcommittee continues, "is in sharp contrast to the customary military practice of emphasizing the worst situation which might be established by the accumulation of evidence."

It is hard to understand why intelligence specialists would reverse their customary rules of interpretation in evaluating information about the Soviet buildup in Cuba. It is our understanding that the intelligence agencies reach conclusions about the location and strength of North Vietnamese forces in southeast Asia on the basis of the kind of evidence that was available long before October 14, 1962, about the presence of Soviet troops and missiles in Cuba.

Who was responsible for applying to information about Cuba, rules of interpretation far stricter than those normally applied by intelligence agencies? Who were the Kremlinologists who concluded that the Soviet Union would never place missiles in Cuba, whose "preconceptions" controlled "the weighing of the facts?"

We cannot adopt the casual attitude of some spokesman in the Senate toward the dangerous errors in the intelligence process when he says "We must allow a margin for error." Given the gravity of the peril that faced this Nation last October and the danger that confronts it today, we cannot dismiss shocking deficiencies with an "Oh, well, mistakes will happen."

Nor do we think it fair to attribute in a vague way to the whole "intelligence community" responsibility for these mistakes. We have too much confidence in the great body of specialists who make up the intelligence community to believe that they all were guilty of the peculiar blindness described in the report of the Preparedness Subcommittee.

In order to maintain public confidence in the intelligence agencies, to do justice to those who were not involved in the blunders of last fall, and to avoid recurrence of these errors, a more specific statement of where responsibility lies for these mistakes should be given by the Preparedness Subcommittee.

Yet another unanswered question is what degree of credibility should responsible officials have given to the human source reports that Soviet troops and missiles were in Cuba, which were received well before the administration regarded such information as confirmed. We believe that the Preparedness Subcommittee can indicate whether the sources of these reports were reliable without running the risks of identifying the sources.

Finally, a clearer explanation of the process of calculating the number of Soviet personnel in Cuba is needed. The current intelligence estimate is that 22,000 were there last October. Eight to nine thousand are said to have been withdrawn, with the result that 17,500 remain. The Preparedness Subcommittee comments that "technical reasons" account for what would seem to be an error in subtraction. We are baffled by this peculiar arithmetic.

APPENDIX

(Inconsistencies between findings of the Senate Preparedness Subcommittee and administration statements)

THE ADMINISTRATION	THE SENATE PREPAREDNESS SUBCOMMITTEE
1. "I have no evidence that Cuba is being used as a base for subversion directed against other Latin American countries. It is a matter that is of constant interest to us and one we are monitoring continuously." (Department of Defense, Special Cuba Briefing by Hon. Robert S. McNamara, Secretary of Defense, February 6, 1963, p. 47.)	1. "The evidence is overwhelming that Castro is supporting, spurring, aiding, and abetting Communist revolutionary and subversive movements throughout the Western Hemisphere and that such activities present a grave and ominous threat to the peace and security of the Americas." (Interim report, p. 4.)
2. "I know there is no present evidence and I think there is no present likelihood that the Cubans and the Cuban Government and the Soviet Government would in combination attempt to install a major offensive capability. So far, everything that has been delivered in Cuba falls within the categories of aid which the Soviet Union has provided, for example, to neutral states like Egypt, or Indonesia."	2. "* * * after September some reports of missiles being introduced into Cuba were suggestive enough of strategic or offensive weapons to arouse the suspicions of intelligence analysts. This resulted in the conclusion—apparently reached near the end of September 1962—that there was a suspect medium-range ballistic missile (MRBM) site in Pinar del Rio Province. As a result, photographic coverage of the suspect area

APPENDIX—Continued

(Inconsistencies between findings of the Senate Preparedness Subcommittee and administration statements)

THE ADMINISTRATION	THE SENATE PREPAREDNESS SUBCOMMITTEE
(Issues and Answers: ABC, McGeorge Bundy, Special Assistant to the President for National Security, interviewed by Edward P. Morgan, and John Scali, Oct. 14, 1962.)	was proposed and on October 14, a Strategic Air Command U-2 reconnaissance aircraft overflew the area and emerged with hard photographic evidence of the San Cristobal medium-range ballistic missile complex." (Interim report, p. 7.)
3. "There are today no offensive weapons systems in Cuba." (Department of Defense, Special Cuba Briefing by Hon. Robert S. McNamara, Secretary of Defense, February 6, 1963, p. 38.) "* * * I do want to leave no doubt in your minds. I am satisfied that there are no offensive weapons systems in Cuba, and I am satisfied of this beyond any reasonable doubt." (Department of Defense, Special Cuba Briefing by Hon. Robert S. McNamara, Secretary of Defense, February 6, 1963, p. 45.)	3. "Strategic weapons may or may not be now in Cuba. We can reach no conclusion on this because of the lack of conclusive evidence." (Interim report, p. 4.) *"Reports of Concealed Strategic Weapons in Cuba* "The intelligence community, although aware of these reports, have been unable to confirm them and adhere to the position that all strategic weapons are withdrawn. "It is fair to say, however, that this is a matter of great concern to the intelligence community. "Based on skepticism, if nothing else, there is grave apprehension on this score. It is agreed that ironclad assurance of the complete absence of Soviet strategic missiles in Cuba can come only as a result of thorough, penetrating onsite inspection by reliable observers. The current intelligence estimate that they are not present is based largely on the negative evidence that there is no affirmative proof to the contrary. This, of course, was precisely the status of the matter prior to last October 14. "There is no doubt that there are literally thousands of caves and caverns in Cuba and that it is feasible to use many of these for the storage and concealment of strategic missiles and other offensive weapons. It is also true that military activity has been observed in connection with these caves. Our intelligence people are of the opinion that some of the caves are in fact utilized for the storage of military items and equipment other than strategic missiles, such as ammunition, explosives, etc." (Interim report, p. 15.)
4. "We have no evidence of troops * * * we do not have information that troops have come into Cuba * * *." (President Kennedy at press conference, Aug. 29, 1962.)	4. (Speaking of "the July-August period" 1962) "Human source reports also alleged that the nature and character of the arriving Soviet personnel had changed significantly. It was reported that some of the arriving personnel during this period were primarily young, trim, physically fit, suntanned and disciplined, and that they formed in ranks of fours on the docks and moved out in truck convoys. Refugee, exile, and other human source reports suggested that, in contrast to the earlier arrivals, the new arrivals were Soviet combat troops. However, the intelligence community adhered to the view that they were military instructors, advisers, and trainers, plus a number of civilian technicians and advisers associated with improving the Cuban economy." (Interim report, p. 6.)
5. Question. "Mr. Secretary * * * in view of the fact we didn't know when and how the offensive missiles got into Cuba, no photographs, we were surprised, how do we know that only 42 came in and that 42 went out?" Secretary McNAMARA. "As you know, we covered the entire island of Cuba with fine-resolution photography, analyzed every foot of it several times, located 42 missiles, and their associated equipment, balanced the missiles against the type of equipment, accounted for all of the equipment and all of the missiles leaving Cuba * * *." (Department of Defense, Special Cuba Briefing by Hon. Robert S. McNamara, Secretary of Defense, Feb. 6, 1963, p. 46.)	5. "Photographic reconnaissance was unable to detect precisely how many ballistic missiles were introduced into Cuba. Prior to the Soviet announcement that 42 missiles would be withdrawn, our photographs had revealed a lesser number. It could not be established, therefore, how many ballistic missiles were, in fact, introduced into Cuba." (Interim report, p. 7.)
6. "Some 5,000 Soviet personnel are located throughout the island in major industrial and military installations." (Cuba: Questions and Answers, Oct. 29, 1962, p. 11, Department of Defense pamphlet.)	6. "* * * on October 22, 1962, the date that the President addressed the Nation, the intelligence community estimated the Soviet personnel in Cuba to be 8,000 to 10,000." (Interim report, p. 8.)

COMMITTEE ON THE JUDICIARY

Mr. MORRIS. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary may be permitted to sit during general debate on May 22, 23, and 24.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

Mr. MORSE. Reserving the right to object, Mr. Speaker, may I ask the purpose of the meetings?

Mr. MORRIS. I cannot tell the purpose of the committee meetings. I am making the request at the request of the chairman of the full committee, the gentleman from New York [Mr. CELLER].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MORRIS. Mr. Speaker, I ask unanimous consent that Subcommittee No. 1 of the Committee on the Judiciary be permitted to sit during general debate on Wednesday, May 22, and Thursday, May 23. I do this at the request of the gentleman from New York [Mr. CELLER].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

Mr. MORSE. Reserving the right to object, Mr. Speaker, can the gentleman tell me if the minority members have been consulted on this request?

Mr. MORRIS. I cannot answer that. I just do not know. I assume the minority members have been consulted. That is the custom.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

THIRTIETH ANNIVERSARY OF THE TENNESSEE VALLEY AUTHORITY

Mr. MORRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. JONES] may extend his remarks at this point in the RECORD and include an address by the President of the United States.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, last Saturday was a great day for public acknowledgment of water resources development which is so vital to our Nation. The 30th anniversary of the Tennessee Valley Authority which has contributed mightily to the progress and welfare of the Nation and the Southeast was celebrated at Muscle Shoals. The President of the United States attended the ceremony and delivered a significant address marking 30 years of advancement by TVA. Following is the text of the President's remarks at Muscle Shoals:

PRESIDENT'S REMARKS ON TVA

Thirty years ago today a dream came true. President Franklin Delano Roosevelt—in the presence of TVA's two patron saints, George Norris, of Nebraska, and Lister Hill, of Alabama—signed his name to one of the most unique legislative measures ever enacted by the Congress. That simple ceremony ended a struggle which had gone on for more than a decade. It gave life to a measure which had been vetoed on two previous occasions. But in reality, it was only a beginning.

For no other Federal agency has ever tried to combine the power of Government with the flexibility of private enterprise. No other effort had ever been made to fit the patterns of public administration to the comprehensive needs of one valley. No other Government agency had ever established its headquarters away from Washington, close to the problems and the people, and responsible directly to the President and Congress. And no one—no one in Washington and no one in the Tennessee Valley—knew whether this effort could ever overcome the forces of poverty and despair and destruction which had devastated this region for so long.

IT HAS BEEN DONE

There were many, moreover, who still regarded the whole undertaking with doubt, with scorn or with outright hostility. Some said it couldn't be done. Some said it shouldn't be done. Some said it wouldn't be done. But today, 30 years later, it has been done—and there is still more for TVA to do.

For none of the dire predictions of 30 years ago has come true. They predicted that the Government was too inefficient to electrify this valley. But TVA, by any objective test, is not only the largest but one of the best managed power systems in the country.

They predicted that a Federal regional corporation would undermine the role of State and local governments. But the State and local governments in this valley today are thriving and strengthened—for example, hundreds of State and local park and recreational areas have been developed on the land made available by TVA.

They predicted that TVA would destroy private and local initiative and thwart free enterprise. But private investment in job-creating industries along what was once a useless, dangerous river has already surpassed the total public investment required to control its waters.

Thirty years ago, the experts were doubtful, too. Specialists in agriculture contended that farmers bound by tradition would not use the new types of fertilizer. But the ingenuity of Muscle Shoals has drastically transformed farming all over this country and all over the world.

THOUSANDS AT WORK

Forest technicians claimed that vast reforestation could not be accomplished by private landowners. But thousands of men are working today in pulp mills and furniture factories and woodlands all traceable to the tiny tree seedlings provided to the valley's farmers by TVA.

Experts in engineering testified that multipurpose dams would not work, that no river could be developed for navigation and the generation of electricity and prevent floods at the same time. But barge traffic in this system has grown from less than 33 million ton miles in 1933 to more than 2 billion ton miles today, on rivers spanned by more than 30 dams that are protecting lives and land and contributing to the Nation's largest single supply of electric power.

There were specialists in conservation in those days who claimed that fish and wildlife would be destroyed by the TVA; experts in power production who claimed that the people of this valley could not use so many kilowatts; experts in fiscal affairs who were certain that the Federal investment would be wasted and never repaid. But the fish and water fowl have thrived—the families of this previously power-deficit region now use more than twice as many kilowatt-hours a year as the rest of the Nation—and last year over 65 billion kilowatt-hours of energy were produced for use in a region that used only 1.5 billion in 1933. The savings from navigation and flood control already are greater than their cost to the Government—and the TVA power system is financially self-sufficient, making a repayment to the Treasury from its proceeds each year.

Yet, despite this record of success, TVA still has its skeptics and its critics. There are still those who call it creeping socialism, and a particularly ugly advertising campaign even implied recently that TVA and public power were comparable to the Berlin wall and the East Berlin police as threats to our freedom. But the tremendous economic growth of this region, its private industry and its private income, make it clear to all that TVA is a fitting answer to socialism—and it certainly has not beeen creeping.

There are still those who complain that this national asset serves only the people of this valley. But flood regulation by the TVA benefits the lower Ohio and Mississippi Valleys as well. Its navigable waterway system has opened up this inland region as a market for 20 States. Its new kinds of plant food have increased production and decreased costs for farmers all over the country. Its phosphorous production was essential to our Armed Forces in the Second World War. And, surely, the power lines serving the Atomic Energy Commission at Oak Ridge and the Redstone Arsenal at Huntsville are serving the entire Nation. As a final example of its national role, I would cite to you the more than 2,000 pilgrims to TVA who come from other lands—the kings and the prime ministers, the students and the technicians—the undecided and the uncommitted who gain here an impression of growth and vitality and concern for human well-being which cannot be matched anywhere else in the world.

Finally, there are those who say that the TVA has finished its job and outlived its challenge. But all of the essential roles of TVA remain, their importance increasing as the importance of this area's atomic energy, military and commercial activities increases. And new opportunities, new frontiers to explore, are opening up every year—including work on the smaller upstream tributaries—reclaiming land scarred by coal strip mining—new types of national recreational areas—and new studies of flood land zoning and planning, to name but a few.

WILL NEVER BE OVER

In short, the work of TVA will never be over. There will always be new frontiers for it to conquer. For in the minds of men the world over, the initials TVA stand for progress—and the people of this area are not afraid of progress.

TVA also stands for cooperation—cooperation between public and private enterprise—between upstream and downstream interests—between those concerned with power and navigation, flood control and recreation—and, above all, cooperation between the Federal Government and the seven States of this area.

From time to time, statements are made labeling the Federal Government an outsider, an intruder, an adversary. In any free federation of states, of course differences will arise and difficulties will persist. But the people of this area know that the Federal Government is not a stranger or an enemy. It is the people of 50 States joining in a national effort to seek progress in every State.

For without the National Government, there could be no TVA.

Without the National Government, there could be no protection of the family farmer, his income, and his financial independence. For he would never have been able on his own to electrify his farm, to insure his crop, to support its price, and to stay ahead of the bugs, the boll weevils, and the mortgage.

Without the National Government, there could be no school lunch and special milk programs for his children, no assistance on conserving his soil or harvesting his trees, no loan to help him buy his farm and no security at the bank.

Without the National Government there could be no Coosa-Alabama River project, with the first dam underway this month at Miller's Ferry.

Without the National Government there could be no Hill-Burton hospitals, no assistance to rural libraries, no help to college dormitories, no control of water pollution or assistance to depressed areas or help for training teachers.

THE POSITIVE SIDE

The list goes on and on. Only a national effort can explore the mysteries of outer space, harvest the products of ocean depths and mobilize the human, natural, and material resources of our land. I cite these examples—not to show the growth of Federal activity, for it is still small compared to the Nation's—but to show the positive side of Federal-State cooperation, of which TVA is an outstanding symbol.

For this is and always must be "one Nation under God, indivisible." Franklin Roosevelt was from Hyde Park, N.Y., more than 1,100 miles away from Muscle Shoals. George Norris was from McCook, Nebr., also more than 1,100 miles away. But they knew that the conquest of floods and poverty in this valley was not a local or regional problem. It required the best efforts of the Nation—and they were not afraid to direct the power and the purpose of the Federal Government toward a solution of these national problems.

I have read much of George Norris, the "gentle knight" from Nebraska—and his favorite phrase, recurring throughout all his speeches, was his reference—and his dedication—to "generations yet unborn." The first of those generations is now enjoying the fruits of his labor, as will others for decades to come. So let us all, whether we are public officials or private citizens, northerners or southerners, farmers or city dwellers, live up to the ideas and the ideals of George Norris—and resolve that we, too, in our time, will build a better Nation for "generations yet unborn."

RESULTS OF QUESTIONNAIRE SENT TO SEVENTH CONGRESSIONAL DISTRICT, WASHINGTON

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. STINSON] may revise and extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. STINSON. Mr. Speaker, I would like to draw to the attention of my colleagues the results of my recent questionnaire, which was sent to 55,945 constituents in the Seventh Congressional District of the State of Washington. To date, 5,293 questionnaires have been completed and returned by constituents. This excellent response indicates to me that the people of my district are concerned about good sound government and are willing to express their views on the important issues of the day.

Following are the results of the questionnaire:

	Percent		
	Yes	No	Undecided
1. Do you favor a tax cut?	74.5	19.4	6.1
2. Do you favor a tax cut without reduction in Federal spending?	12.5	82.3	5.2
3. Do you think Congress should insist on a balanced budget this year?	68.0	22.6	9.4
4. Do you feel that the United States should impose a naval blockade on Cuba?	58.4	26.8	14.8
5. Do you feel that the United States should support an invasion of Cuba by anti-Communist Cuban nationals?	43.9	40.4	15.7
6. Do you approve of the U.N. action in the Katanga affair?	28.8	39.8	31.4
7. Do you favor admitting Red China into the United Nations?	12.8	82.1	5.1
8. Do you feel that we should continue foreign aid to Communist countries?	5.2	91.0	3.8
9. Do you believe that goods manufactured in Communist countries should be sold in the United States?	13.6	79.3	7.1
10. Do you believe we should reduce Federal subsidy on agricultural products?	77.8	13.6	8.6
11. Do you think the United States is spending too much on defense?	24.8	60.7	14.5
12. Would you favor compulsory medical care for the aged under social security with the cost paid for by increased taxes on employees and employers?	32.8	60.9	6.3
13. Should the Federal Government provide tax allowance for parents sending children to college?	55.0	38.3	6.7
14. Do you favor Federal financial grants for teachers' salaries?	18.7	74.6	6.7
15. Do you approve of the plan to make our low-cost Pacific Northwest power available to California?	39.9	36.7	23.4
16. Do you believe that there was political influence in the awarding of the TFX contract?	71.1	8.5	20.4

GOVERNMENT COMPETITION WITH PRIVATE ENTERPRISE

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Skubitz] may revise and extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, I introduce for appropriate reference a bill designed to curtail and ultimately prevent government competition with private enterprise.

There is no necessity at this time for a lengthy statement telling how this bill will prosper the economy. We all know quite well what happens when the Government competes with private business. It has two very damaging effects on the economy. It robs private industry of profits that would ordinarily accrue to it; and it increases the tax burden on those currently paying taxes. When the Government engages in an enterprise that should be left to private industry, it does not pay the taxes that some private company would pay.

The free enterprise nations that are prospering the most—Germany for example—are the ones that have put down or curtailed government competition with private enterprise.

NEW STAFFING STUDY—AMMUNITION FOR REPUBLICANS

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, Roscoe Drummond has again written one of his comprehensive and thought-provoking columns about the need for professional staff on congressional committees reporting to the minority. This article appeared in the New York Herald Tribune on May 10, 1963, and in the Washington Post on May 11, 1963. The column was devoted entirely to the recent Library of Congress Senate staffing study plus Mr. Drummond's personal observations of this study, and I commend it to the attention of my colleagues. Below follows the complete text of Mr. Drummond's article:

New Staffing Study—Ammunition for Republicans

(By Roscoe Drummond)

An objective study of the professional staffing of the congressional committees, by the Legislative Reference Service of the Library of Congress adds new ammunition to the Republican demand that something be done soon to correct the egregious imbalance in staff between the two parties.

At stake is not some little convenience for the minority party. At stake is the effective functioning of Congress itself, its ability to do its work competently, its hope to free itself from being dependent on the single funnel of information from the executive branch of the Government.

The campaign, which Republican Representatives and Senators have been generating for many months, to get something approaching a fair balance of professional staff for the minority—so that it isn't closed off from the needed help to make its views effective—is now burgeoning into a wider demand for better and more adequate staffing for both parties.

This is all to the good. It is very much needed.

Concern over the staffing problem has reached to the highest levels of both parties. The study of Senate staffing by the Legislative Reference Service was undertaken at the joint request of Majority Leader Mike Mansfield and Minority Leader Everett Dirksen. This report has gone to all Senators. It has been distributed to Members of the House by Representative Fred Schwengel, of Iowa, chairman of the Republican Conference Subcommittee on Increased Minority Staff. Mr. Schwengel, Representative Thomas Curtis, of Missouri, and Representative Glenard Lipscomb, of California, have asked the Library of Congress for a similar study of the House.

The Senate study is based on interviews with 53 high-ranking Senators, 27 majority, 26 minority. It reports that the overwhelming number of Senators are convinced that "in a two-party legislature each party should have staff assistance possessing that party's political philosophy and available to help minority Members present the party's views on issues before the committees."

That is not the case today. Not only does the majority on many committees have such inadequate staff that it cannot carve its way through the unending flow of data from the Executive; the minority is so short-changed on staff that its voice is muted and muffled.

What are the consequences? The Legislative Reference Service reports these conclusions as widely held:

"Paucity of staff has led to shifting the initiative in policymaking from the Congress to the Executive."

"Lack of staff specialists often leads to legislating in the dark."

"Some committee staffs are so small they cannot do any real research."

"The small size of many committee staffs forecloses any real help for the minority."

"Worthwhile committee staff assistance on both the majority and minority side is available only to senior members."

"There is no such thing as a neutral nonpartisan staff. A nonpartisan staff is too often nothing more than a funnel for the views of the departments over which the committee exercises oversight."

"The smaller the minority, the greater the need for staff."

"The minority on a committee is not necessarily Republican; it may be conservative or liberal. In staffing recognition should be given, when it exists, to different points of view in the same party."

It is not surprising that most of the Democratic Senators interviewed like things just as they are. Why not? It's all to their advantage.

If these weaknesses in the professional staffing of the committees are to be overcome—weaknesses which bear directly not only on the strength of the two-party system but on the effective functioning of Congress itself—how can it best be done?

The Republican answer is that the minority, regardless of which party is in the minority, should have the right to appoint and control up to 40 percent of the committee staff. What's wrong with that?

QUAD-CITIANS BOOST SELF-HELP'S PEACE EFFORT

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, while the Congress each year devotes a great deal of time and effort in determining how much and to whom our foreign aid dollars will go, Self-Help, Inc., the unique organization which provides the people of have-not nations with productive tools and teaches them how to use them, goes quietly about its business of helping people help themselves.

This organization is continuing to grow and expand its area of operation all the time because more and more people are sensing the wisdom of this approach and are making contributions to it.

Typical of community support which rallies to the success of this nonprofit endeavor is the quad-city community in Iowa and Illinois where I reside. Many firms and individuals have made products and funds available to carry on the self-help program.

These efforts were reported in the April 17 edition of the Davenport (Iowa) Daily Times. A feature article by Jan Strum under the heading "Quad-Citians Boost Self-Help's Peace Effort," shows how people in the area have responded to this practical, Christian idea.

As an interesting sidelight, it is important to note, that after this article appeared in the Daily Times, Mr. Helm Pohlmann, of Davenport, Iowa, an industrious and capable house painter who came to this country from Germany following World War II, contributed $50 to Self-Help, Inc., from his own meager funds. Self-Help is built on the sacrifices of the Helm Pohlmanns throughout the land. It is safe to say that their number will increase.

The article from the Daily Times follows:

Quad-Citians Boost Self-Help's Peace Effort

(By Jan Strum)

"That which man will not change for the better, time will change for the worse."

And with that quotation in mind, a basically Christian, essentially American program was launched.

The unique organization is known as Self-Help.

It is described as "an important answer to present world need * * * an idea that helping others to rise to a higher level of life is an important part of the present effort for world peace."

Several quad-city industrial plants and other firms and individuals are contributors to this nonprofit organization which is headquartered in Waverly, Iowa.

Bert Derry, formerly general manager of French & Hecht, a division of the Kelsey-Hayes Co., Davenport, serves on the board of trustees of Self-Help, Inc.

Derry now resides in Orangebury, N.C., serving a similar position with the new Utica Herbrand plant of the Kelsey-Hayes Co.

The Davenport company has been supplying the group with wheels of all types.

Mainly, the wheels are for tractors that are built by Self-Help from various other parts provided by additional contributors.

Other wheels are used for replacements on reconditioned machinery.

QUAD-CITY CONTRIBUTORS

Other firms in the quad-city area which contribute to the organization are:

Deere & Co., which provides not only a monetary contribution, but also sends obsolete equipment to Waverly from the Deere plant in Ankeny.

Engines are given to the group by the Clinton Engines Corp., Maquoketa, which has a Davenport branch office.

Cash donations are given by several area companies, including Davenport newspapers.

Many businesses in the quad-city area are now considering contributions also.

According to officials of the program, other countries, in contrast to the United States, "face a constant struggle to produce enough to maintain life for their ever-increasing population.

"The type of help we give them must go beyond hand-outs of food and clothing.

"We help them most when we provide them with productive tools and teach them to use them," a spokesman said.

Officials pointed out that the organization believes "no help is effective unless it is self-help."

Self-Help, Inc., had its beginning 7 years ago through the vision of its founder, Vern L. Schield, experienced farmer and successful industrialist.

Schield is founder and chairman of the board of Schield Bantam Co., manufacturers of power cranes and shovels.

In his travels in more than 60 countries on company business, Schield said he saw people "living in unbelievable poverty," and decided "to do something about it."

This led to the development of Self-Help.

The group operates under the dedication to serving world needs "through providing new and rebuilt agricultural and small industrial equipment at the lowest possible cost to people of underdeveloped countries around the world."

To date it has collected, reconditioned, and shipped 18 carloads of equipment to India, Jamaica, Mexico, Brazil, Ecuador, Egypt, British Honduras, West Pakistan, Java, Bolivia, Burma, Guatemala, Nigeria, East Africa, West Africa, Chile, and Indonesia.

The equipment included tractors, plows, scrapers, woodworking machinery, cement block machines, cement mixers, mowers, cultivators, silage cutters, cream separators, incubators, windmills, electric motors, hydraulic dozers, hammermill feed grinders, rockcrushers, farm wagons, trailers, all purpose powerplants, washing machines, generators, and miscellaneous tools and parts.

Self-Help depends greatly on contributions from groups and individuals to carry on its program. Donations enable the group to:

1. Fully recondition useful equipment and prepare it for shipment abroad.

2. Make available a revolving loan fund; helping to provide low-cost tools and equipment on a pay-as-you-work basis for people of other lands.

3. Establish Christian cooperatives and Self-Help associations, whereby those who receive assistance can, through their combined strength, extend help to others.

Those who wish to send gifts to the program are asked to send them directly to Self-Help, Inc., Waverly, Iowa.

All contributions are tax deductible.

Recently, a director of the group expressed his feelings on Self-Help.

He said "the character of an American was made strong by his doing things for himself.

"The image of the American people was made strong by helping neighbors help themselves.

"For many years we have been sapping our national strength and have been weakening the character of some foreigners by 'giving away' of our resources without requiring repayment, without condition for helping themselves, or without even implying help for us in case of emergency in our continuing cold war with communism."

John William Baccarini, executive director of Self-Help, Inc., while in Davenport, said "the group has outgrown itself as a one-man project.

"We need field representatives, committees and tithe boards."

He stated that "simple machinery can better the lives of millions today.

"There is enough idle machinery in America to create a tremendous Self-Help movement in other lands.

"By providing low-cost new and rebuilt equipment," Baccarini said, "much can be done for the economic uplift of others.

"Self-Help is a vote for a better tomorrow."

HEALTH CARE INSURANCE FOR THE ELDERLY

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GLENN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GLENN. Mr. Speaker, I have today joined with Republican colleagues in the Senate and House in introducing a bill to provide health care insurance for the elderly.

The legislation would bring into the program an estimated 3 million persons who would have been excluded under the original proposal introduced in the 87th Congress.

Provisions of the bill include:

First. All persons who are 65 years of age or older would be entitled to health care benefits under the bill, including those who are not presently covered by social security.

Second. A provision for establishing a separate medical trust fund for the purpose of financing the program. With such a provision, we will be able to see exactly how much has been collected, how much is being paid out for this medical care program, and how much it is costing the social security system.

Third. Opportunity also would be given to individuals to select or continue their private insurance plans, thus giving private enterprise a sizable share on a voluntary basis in the health care program.

This provision would substantially liberalize the option to beneficiaries, offering a choice of hospital benefit programs which the individual thinks is best suited to his or her needs.

Under this freedom of choice provision, private health insurance protection would actually cost the individual much less than he would otherwise have to pay for increased coverage because the company would not be permitted to charge a premium for that part of the health insurance benefits reimbursed by Government.

It is my feeling that this legislation is a sound, distinctly American approach to a problem we all recognize—that our older citizens need more medical care at a time when their incomes and earning power are too low for them to be able to afford the kind of care they need.

The legislation would not only give the elderly citizens a choice of carrying additional private protection beyond the Government's coverage but also would give private insurance companies an unprecedented opportunity to provide at a fair premium a well-rounded preventive health care program for our senior citizens.

In other words, this legislation would make it possible—and attractive—for private enterprise to take a substantial role in the vital national effort to provide adequate medical protection for our elderly citizens.

I am supporting a sound program of health care insurance for the aging because I believe it is an urgent domestic need which we no longer can delay meeting.

I am also accepting the social security approach to financing the program because I am convinced that people want to pay for it in this way and because I believe it is the only way of getting a medical care bill adopted by the Congress.

UNION DUES AND POLITICS

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, a recent Supreme Court decision in a case involving railroad union members who objected to political use of their dues has received widespread comment.

The questionable legality of this practice has now been judged and the decision of the Court is being recognized throughout the country as a logical interpretation and judgment.

The Chicago Daily News, in its Friday, May 17, edition, points out the basis and philosophy on which this far-reaching decision rests. I insert the editorial in the Record at this point:

Union Dues and Politics

The labor unions have sought security in compulsory membership contracts. They are finding two heavy disadvantages in this solution to their problem of maintaining their strength. One drawback is the waning of the missionary zeal that goes with voluntarism. The other is the civil liberties issue created by enforced payment of dues in order to hold a job.

The latter complaint was reinforced by the fact that unions habitually engage in political activity, and money spent in these campaigns may include a portion of the dues of involuntary members who oppose the candidate or cause for which their money is spent.

The injustice of this requirement has been restated and reinforced in a new decision of the U.S. Supreme Court. In a North Carolina case involving two railroad unions, the court said that workers who object to the use of any part of their dues for political purposes are entitled to a refund. The burden is placed on the union to show what portion of the dues is used to cover the cost of bargaining.

It is solely for bargaining costs that the unions can, with any logic, demand payment by all employees of a plant. Even this claim collides with the fact that many employees would prefer to bargain for themselves.

Union leaders contend that such a preference is held only by selfish antisocial people who don't know what is good for them. The answer, of course, is that even if this were true, liberty must include the right to be wrong.

In any event, the Supreme Court seems to place on unions the burden of determining and refunding to objectors the portion of dues spent for politicking. This will not trouble all unions, since some conduct separate campaigns for political contributions.

But if unwilling members desire, they can make real trouble out of the new ruling. Union broadcasts and publications, for example, not infrequently plug both a political party and particular candidates. It may be contended that some portion of these costs should be refunded.

We should think that union members would applaud this new decision, for what it says is that they do not have to pay a private tax for political causes of which they disapprove. It is at least a start in the direction of freeing them from any payment unless they freely assent to the purpose.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Patman, for 20 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Bow, for 20 minutes, today.

Mr. Saylor, for 60 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Widnall (at the request of Mr. Morse), for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Battin (at the request of Mr. Morse), for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Gathings and to include a poll.

(The following Members (at the request of Mr. Morse) and to include extraneous matter:)

Mr. Fino.

Mr. Weaver.

Mrs. May.

Mr. Berry.

Mr. Alger.

Mr. Brotzman.

Mr. Barry.

(The following Members (at the request of Mr. Morris) and to include extraneous matter:)

Mr. Blatnik.

Mr. Baring.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2053. A act to provide for the temporary suspension of the duty on corkboard insulation;

H.R. 4655. An act to amend title IX of the Social Security Act with respect to the amount authorized to be made available to the States out of the employment security administration account for certain administrative expenses, to reduce the rate of the Federal unemployment tax for the calendar year 1963, and for other purposes; and

H.R. 4997. An act to extend the feed grain program.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 20. An act to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes; and

S. 873. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the county of Lincoln, State of Nevada.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On May 16, 1963:

H.R. 5517. An act making supplemental appropriations for the fiscal year ending June 30, 1963, and for other purposes.

On May 20, 1963:

H.R. 2053. An act to provide for the temporary suspension of the duty on corkboard insulation;

H.R. 4655. An act to amend title IX of the Social Security Act with respect to the amount authorized to be made available to the States out of the employment security administration account for certain administrative expenses, to reduce the rate of the Federal unemployment tax for the calendar year 1963, and for other purposes; and

H.R. 4997. An act to extend the feed grain program.

ADJOURNMENT

Mr. MORRIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 36 minutes p.m.) the House adjourned until tomorrow, Tuesday, May 21, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

823. A letter from the Chief Justice, Supreme Court of the United States, transmitting the report of the proceedings of a special meeting of the Judicial Conference of the United States, held at Washington, D.C., March 11–12, 1963, pursuant to title 28, United States Code, section 331 (H. Doc. No. 115); to the Committee on the Judiciary and ordered to be printed.

824. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Virgin Islands Corporation for the fiscal year ended June 30, 1962 (H. Doc. No. 116); to the Committee on Government Operations and ordered to be printed.

825. A letter from the Comptroller General of the United States, transmitting a report on the review of realinement of item management responsibilities in the Air Force Logistics Command pursuant to implementation of the Federal cataloging program in the Department of the Air Force; to the Committee on Government Operations.

826. A letter from the Comptroller General of the United States, transmitting a report on the review of the procurement by the Army of defective canvas end curtains for

¾-ton and 2½-ton cargo trucks; to the Committee on Government Operations.

827. A letter from the Comptroller General of the United States, transmitting a report on instances of questionable participation in soil bank programs of the Department of Agriculture in Hidalgo County, Tex.; to the Committee on Government Operations.

828. A letter from the Comptroller General of the United States, transmitting a report on examination of the abnormally high prices of Polaris missile parts under subcontracts awarded to the Brush Beryllium Co. by Lockheed Aircraft Corp., and charged to the Navy under a cost-plus-a-fixed-fee contract; to the Committee on Government Operations.

829. A letter from the Under Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to remove the $10 million limitation on programs carried out under section 16(e) (7) of the Soil Conservation and Domestic Allotment Act for 1964 and subsequent calendar years"; to the Committee on Agriculture.

830. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report relating to certain facilities proposed to be undertaken within the authorization contained in section 702 of Public Law 87–554, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

831. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend the Bretton Woods Agreement Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock"; to the Committee on Banking and Currency.

832. A letter from the Attorney General, transmitting the report of the Attorney General pursuant to section 2 of Public Law 86–143, the joint resolution of August 7, 1959, consenting to the renewal of the interstate compact to conserve oil and gas; to the Committee on Interstate and Foreign Commerce.

833. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to amend the act of August 31, 1954 (68 Stat. 1026) providing for construction, maintenance, and operation of the Michaud Flats irrigation project"; to the Committee on Interior and Insular Affairs.

834. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of a proposed bill entitled "A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes"; to the Committee on Post Office and Civil Service.

835. A letter from the executive secretary, American Chemical Society, transmitting the annual report of the American Chemical Society for the calendar year 1962, together with the financial report for the year ended December 31, 1962, pursuant to Public Law 358, 75th Congress; to the Committee on the Judiciary.

836. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to amend section 14 of the Federal-Aid Highway Act of 1954 concerning the interstate planning and coordination of the Great River Road"; to the Committee on Public Works.

837. A letter from the Chairman, U.S. Tariff Commission, transmitting the fifth supplemental report on the tariff classification study made under the provisions of sections 101(b) (4) and 101(c) (1) of the Tariff Classification Act of 1962; to the Committee on Ways and Means.

838. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification under the act, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 305. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. DAWSON: Committee on Government Operations. Third report of the Committee on Government Operations (Rept. No. 306). Referred to the Committee of the Whole House on the State of the Nation.

Mr. DAWSON: Committee on Government Operations. Fourth report of the Committee on Government Operations (Rept. No. 307). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 6041. A bill to amend the prevailing wage section of the Davis-Bacon Act, as amended; and related sections of the Federal Airport Act, as amended; and the National Housing Act, as amended; without amendment (Rept. No. 308). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 6060. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce; without amendment (Rept. No. 309). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL (by request):

H.R. 6417. A bill to provide for the restriction of certain areas in the Outer Continental Shelf, known as the Corpus Christi Offshore Warning Area, for defense purposes and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARRY:

H.R. 6418. A bill to authorize the appropriation of $3,063,500 as an ex gratia payment to the city of New York to assist in defraying the extraordinary and unprecedented expenses incurred during the 15th General Assembly of the United Nations; to the Committee on Foreign Affairs.

By Mr. BERRY:

H.R. 6419. A bill to amend section 407 of the Packers and Stockyards Act of 1921, as amended; to the Committee on Agriculture.

By Mr. BETTS:

H.R. 6420. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 6421. A bill authorizing modification of the Saginaw River, Mich., navigation project; to the Committee on Public Works.

By Mr. FISHER:

H.R. 6422. A bill to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

By Mr. GLENN:

H.R. 6423. A bill to provide for payment for hospital services, skilled nursing facility services, and home health services furnished to aged beneficiaries under the old age, survivors, and disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 6424. A bill to consent to the Upper Niobrara River compact between the States of Wyoming and Nebraska; to the Committee on Interior and Insular Affairs.

By Mr. KING of California:

H.R. 6425. A bill to amend the Internal Revenue Code of 1954 with respect to the period during which an individual citizen of the United States must be present in a foreign country or countries in order to exclude his earned income for such period from gross income; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 6426. A bill to prevent the smuggling of watches and watch movements; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 6427. A bill to prevent the smuggling of watches and watch movements; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 6428. A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such rquirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a Special Advisory Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 6429. A bill to amend Public Law 503, 84th Congress, so as to provide annuities for the widows of certain Foreign Service officers who retired prior to the effective date of the Federal Employees Group Life Insurance Act of 1954; to the Committee on Foreign Affairs.

By Mr. OLSEN of Montana:

H.R. 6430. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for surviving spouses without deduction from original annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RAINS:

H.R. 6431. A bill to amend title I of the Housing Act of 1949 to authorize financial assistance for urban renewal projects involving the central business district of a community without regard to certain requirements otherwise applicable; to the Committee on Banking and Currency.

By Mr. ROBISON:

H.R. 6432. A bill to promote public confidence in the integrity of Congress and the executive branch; to the Committee on Rules.

H.R. 6433. A bill to provide for the establishment of a Commission on Congressional Reorganization; to the Committee on Rules.

By Mr. ST. ONGE:

H.R. 6434. A bill to provide that the U.S. District Court for the District of Connecticut shall also be held at New London, Conn.; to the Committee on the Judiciary.

By Mr. SKUBITZ:

H.R. 6435. A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; to the Committee on Government Operations.

By Mr. TEAGUE of Texas (by request):

H.R. 6436. A bill to amend title 38, United States Code, to provide for the furnishing of educational benefits to the children of career members of the Armed Forces; to the Committee on Veterans' Affairs.

H.R. 6437. A bill to amend chapter 15 of title 38, United States Code, to provide pensions at the rate of $75 per month for widows of World War I veterans; to the Committee on Veterans' Affairs.

H.R. 6438. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either; to the Committee on Veterans' Affairs.

By Mr. THOMSON of Wisconsin:

H.R. 6439. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes; to the Committee on Ways and Means.

By Mr. VINSON:

H.R. 6440. A bill to amend the Universal Military Training and Service Act; to the Committee on Armed Services.

By Mr. WILLIS:

H.R. 6441. A bill to amend Public Law 86-272, as amended, with respect to the reporting date; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.J. Res. 439. Joint resolution authorizing the President to proclaim the week beginning July 28, 1963, as Veterinary Medicine Week; to the Committee on the Judiciary.

By Mr. HOFFMAN:

H.J. Res. 440. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. RAINS:

H.J. Res. 441. Joint resolution amending section 221 of the National Housing Act to extend for 1 year FHA's general authority thereunder, in cases not involving displaced families, to insure mortgages covering 1- to 4-family dwellings and mortgages covering multifamily housing which are executed by private profitmaking mortgagors; to the Committee on Banking and Currency.

By Mr. ROGERS of Texas:

H.J. Res. 442. Joint resolution to designate the lake to be formed by the waters impounded by Sanford Dam, Canadian River project, Texas, as "Lake Meredith"; to the Committee on Interior and Insular Affairs.

By Mr. SCHWENGEL:

H.J. Res. 443. Joint resolution to present a Congressional Medal of National Honor to Carl Sandburg; to the Committee on Banking and Currency.

By Mr. ASHBROOK:

H. Con Res. 158. Concurrent resolution expressing the determination of the United States with respect to the matter of general disarmament and arms control; to the Committee on Foreign Affairs.

By Mr. MACGREGOR:

H. Con. Res. 159. Concurrent resolution expressing the determination of the United States with respect to the matter of general disarmament and arms control; to the Committee on Foreign Affairs.

By Mr. POWELL:

H. Con Res. 160. Concurrent resolution congratulating the American Veterinary Medical Association on its centennial; to the Committee on the Judiciary.

By Mr. WILLIS:

H. Con. Res. 161. Concurrent resolution providing for additional copies of House Document 336, 86th Congress, 2d session, entitled "Facts on Communism—Volume I, The Communist Ideology"; and House Document 139, 87th Congress, 1st session, entitled "Facts on Communism—Volume II, The Soviet Union, From Lenin to Khrushchev"; to the Committee on House Administration.

H. Con. Res. 162. Concurrent resolution providing for additional copies of House Report No. 2559, 87th Congress, 2d session; to the Committee on House Administration.

H. Con. Res. 163. Concurrent resolution providing for additional copies of the publications entitled "Communist Outlets for the Distribution of Soviet Propaganda in the United States, Parts 1 and 2"; to the Committee on House Administration.

H. Con. Res. 164. Concurrent resolution providing for additional copies of the publications entitled "U.S. Communist Party Assistance to Foreign Communist Governments (Medical Aid to Cuba Committee and Friends of British Guiana), Parts 1 and 2"; to the Committee on House Administration.

By Mr. BOLLING:

H. Res. 352. Resolution authorizing the Committee on the Judiciary to conduct an investigation to determine whether a Reserve commission is incompatible with the holding of a seat in Congress; to the Committee on Rules.

By Mr. FORD:

H. Res. 353. Resolution authorizing the Committee on the Judiciary to conduct an investigation to determine whether a Reserve commission is incompatible with the holding of a seat in Congress; to the Committee on Rules.

By Mr. LESINSKI:

H. Res. 354. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. O'HARA of Illinois:

H. Res. 355. Resolution concerning collective defense agreements with Israel; to the Committee on Foreign Affairs.

By Mr. ROBISON:

H. Res. 356. Resolution creating in the House of Representatives a Committee on Grievances to study complaints concerning the conduct of Members of the House of Representatives and to make investigations and appropriate recommendations thereon; to the Committee on Rules.

By Mr. WILLIS:

H. Res. 357. Resolution providing for additional copies of House Report No. 119, 86th Congress, 1st session, entitled "Patterns of Communist Espionage"; to the Committee on House Administration.

H. Res. 358. Resolution authorizing the printing of additional copies of the publication entitled "Communist Youth Activities (Eighth World Youth Festival, Helsinki, Finland, 1962)," 87th Congress, 2d session; to the Committee on House Administration.

H. Res. 359. Resolution providing for additional copies of "Communist and Trotskyist Activity Within the Greater Los Angeles Chapter of the Fair Play for Cuba Committee," 87th Congress, 2d session; to the Committee on House Administration.

H. Res. 360. Resolution providing for additional copies of the publication entitled "Communist Propaganda—and the Truth About Conditions in Soviet Russia (Testimony of David P. Johnson)," 87th Congress, 2d session; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Maryland, memorializing the President and the Congress of the United States to enact legislation to implement the Federal Flood Insurance Act of 1956; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Maryland, memorializing the President and the Congress of the United States with reference to the Department of State taking a firm position against Arab interference in the conduct of the affairs of American citizens and businessmen, and for other purposes; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Maryland, notifying the Congress that the State has declared Rt. Hon. Sir Winston Spencer Churchill to be an honorary citizen of the State of Maryland; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Maryland, memorializing the President and the Congress of the United States to consider the advisibility of amending the social security laws to provide that an illegitimate child may receive benefits from one acknowledged or decreed to be his natural father; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to enact legislation to replenish the funds provided for under the Veterans' Readjustment Assistance Act; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States relative to protesting the brutality and violation of human and civil rights in the State of Alabama; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Missouri, memorializing the President and the Congress of the United States relative to the proposed amendment to the Constitution of the United States providing for the right of citizens to vote in primary or other elections; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 6442. A bill for the relief of Jasper E. Tate; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 6443. A bill for the relief of Mrs. Margaret L. Moore; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 6444. A bill for the relief of Mijo Zeljeznak; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 6445. A bill for the relief of Yanina Opielowska; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 6446. A bill for the relief of Maria Theresa Diaz; to the Committee on the Judiciary.

H.R. 6447. A bill for the relief of Mrs. Portia Pasamonte (nee Garcia); to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 6448. A bill for the relief of Agostino Izzo; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 6449. A bill for the relief of James Jouravloff; to the Committee on the Judiciary.

By Mr. STINSON:

H.R. 6450. A bill for the relief of Raymond Cheuk-Man Chan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

133. The SPEAKER presented a petition of W. F. Russel, deputy clerk, Board of County Commissioners, Dade County, Miami, Fla.,

relative to requesting the President of the United States to approve the U.S. participation in Interama by providing a Federal exhibit and by assisting in the construction of exhibits of Latin American nations, which was referred to the Committee on Foreign Affairs.

SENATE

MONDAY, MAY 20, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, before whose face the generations rise and pass away: Age after age the living seek Thee, and find that of Thy faithfulness there is no end. Our fathers in their pilgrimage walked by Thy guidance, and rested on Thy compassion; still to their children be Thou the cloud by day and the fire by night.

Draw us from base content, and set our eyes on far-off goals. Keep us at tasks too hard for us, that we may be driven to Thee for strength. Deliver us from fretfulness and self-pity; make us sure of the goals we cannot see and of the hidden good in the world. Open our eyes to simple beauty all around us, and our hearts to the loveliness and nobility men hide from us because we do not try enough to understand them.

In a world such as this we do not ask that Thou wilt keep us safe, but that Thou wilt keep us loyal to the royal in ourselves.

In the dear Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 17, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On May 15, 1963:

S. 1227. An act authorizing the Association of Universalist Women (a nonprofit corporation in the District of Columbia) to consolidate with the Alliance of Unitarian Women (a nonprofit corporation in the State of Massachusetts).

On May 17, 1963:

S. 138. An act to redesignate the Big Hole Battlefield National Monument, to revise the boundaries thereof, and for other purposes;

S. 394. An act to validate the homestead entries of Leo F. Reeves; and

S.J. Res. 39. Joint resolution designating the week of May 20–26, 1963, as National Actors' Equity Week.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Carl F. Englehart, to be postmaster at Hunlock Creek, Pa., and Maurice B. Morrison, to be postmaster at Charlton Heights, W. Va., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives was received from Mr. Bartlett, one of its reading clerks, announcing that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 20. An act to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes;

S. 873. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the County of Lincoln, State of Nevada;

H.R. 2053. An act to provide for the temporary suspension of the duty on corkboard insulation;

H.R. 4655. An act to amend title IX of the Social Security Act with respect to the amount authorized to be made available to the States out of the employment security administration account for certain administrative expenses, to reduce the rate of the Federal unemployment tax for the calendar year 1963, and for other purposes; and

H.R. 4997. An act to extend the feed grain program.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Merchant Marine and Fisheries Subcommittee of the Committee on Commerce was authorized to meet during the session of the Senate today.

LIMITATION OF STATEMENTS IN MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate, the following letters, which were referred as indicated:

AUDIT REPORT ON VIRGIN ISLANDS CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Virgin Islands Corporation, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF THE PROCUREMENT BY THE ARMY OF DEFECTIVE CANVAS END CURTAINS FOR CERTAIN TRUCKS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the procurement by the Army of defective canvas end curtains for ¾-ton and 2½-ton cargo trucks, dated May 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF THE ABNORMALLY HIGH PRICES OF POLARIS MISSILE PARTS UNDER CERTAIN SUBCONTRACTS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the abnormally high prices of Polaris missile parts under subcontracts awarded to the Brush Beryllium Co. by Lockheed Aircraft Corp. and charged to the Navy under a cost-plus-a-fixed-fee contract, dated May 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON INSTANCES OF QUESTIONABLE PARTICIPATION IN SOIL BANK PROGRAMS IN HIDALGO COUNTY, TEX.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on instances of questionable participation in soil bank programs in Hidalgo County, Tex., Agricultural Stabilization and Conservation Service, Department of Agriculture, dated May 1963 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF ACT PROVIDING FOR CONSTRUCTION, MAINTENANCE, AND OPERATION OF THE MICHAUD FLATS IRRIGATION PROJECT

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of August 31, 1954 (68 Stat. 1026) providing for construction, maintenance and operation of the Michaud Flats irrigation project (with an accompanying paper); to the Committee on Interior and Insular Affairs.

RESOLUTIONS OF GUAM LEGISLATURE

Mr. JACKSON. Mr. President, I present, for inclusion in the RECORD, several resolutions I have received from the Legislature of Guam dealing with the recent typhoon that struck the island, a proposed amendment to the Constitution with respect to permitting citizens of American possessions to vote in national elections for President and Vice President, and requesting that Congress enact legislation increasing tax-exempt articles coming from Guam into the United States to $1,000.

Mr. President, I ask unanimous consent that the resolutions may be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were appropriately referred, and, under the rule, ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

"RESOLUTION 108

"Resolution relative to respectfully petitioning the Congress of the United States to enact legislation increasing tax-exempt articles coming from Guam to the United States to $1,000

"Whereas articles coming into the United States from Guam are subject to duty where the value or values of such articles exceed $100; and

"Whereas various economic studies and surveys have been conducted by different research organizations, all for the purpose of determining and examining the various possibilities for the economic development of the territory of Guam; and

"Whereas because of the high cost of labor and the exceedingly excessive cost of transportation to and from Guam any endeavor in the line of industrial possibilities appear remote, uneconomical and unfeasible; and

"Whereas the Government of Guam, in attempting to dig itself out of the havoc raised by Typhoon Karen, proposes to obtain a loan from the Federal Government, which loan, legally and morally, must be repaid by the Government of Guam; and

"Whereas plans are underway for the development of a civilian air terminal to accommodate travelers, and one alternative of raising much-needed revenue for the Government of Guam, is to increase the value of tax-exempt articles imported into the United States from Guam: Now, therefore, be it

"*Resolved,* That the seventh Guam Legislature does hereby on behalf of the people of Guam respectfully petition the Congress of the United States to enact legislation to increase tax-exempt articles coming into the United States from Guam to $1,000; and be it further

"*Resolved,* That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the chairmen, Committees on Interior and Insular Affairs, Senate and House, to the President of the United States, to the Honorable Daniel K. Inouye, U.S. Senator, to the Honorable Hiram Fong, U.S. Senator, and to the Governor of Guam.

"Duly adopted on the 24th day of April, 1963.

"M. U. Lujan,
"*Vice Speaker.*
"V. B. Bamba,
"*Legislative Secretary.*"

To the Committee on the Judiciary:

"Resolution 102

"Resolution relative to respectfully petitioning the Congress of the United States to institute an amendment to the Constitution of the United States to permit citizens of the United States who reside in American territories and possessions to vote in national elections for President and Vice President

"Whereas the people of the territory of Guam, American citizens all, are extremely proud of their membership in the great American commonwealth and cherish deeply the privileges and responsibilities of such citizenship, the Territory of Guam having demonstrated its patriotism and loyalty not only during the Second World War and the occupation of Guam by the enemy, but since that grim time, large numbers of Guamanians having volunteered for service in the Armed Forces of their country, and the people of Guam taking great pride in the role the Territory plays as a major defense base for the United States; and

"Whereas the Territory of Guam, although enjoying limited self-government and all the basic civil rights granted other American citizens, is still without the right to vote in national elections, there being no provision for electors from Guam to sit in the electoral college, which means that the citizens of Guam are not as much a part of the American Government as they desire, having no voice in the selection of their President; and

"Whereas, although the Legislature of Guam cannot presume to speak for the other offshore territories of the United States, it is advised that citizens of those areas who are also American citizens, strongly desire the privilege of voting in national elections, and accordingly the legislature in urging provision for voting by citizens of Guam, also urges that the citizens of other offshore territories be similarly privileged: Now, therefore, be it

"*Resolved,* That the Seventh Guam Legislature does hereby on behalf of the people of Guam respectfully petition and memorialize the Congress of the United States to institute an amendment to the Constitution of the United States so as to permit those U.S. citizens resident in the offshore territories of the Nation to vote in national elections for President and Vice President; and be it further

"*Resolved,* That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the Senate, to the Speaker of the House, to the chairmen of the Committees on Interior and Insular Affairs, Senate and House, to the chairmen of the Committee on the Judiciary, Senate and House, and to the Governor of Guam.

"Duly adopted on the 19th day of April 1963.

"M. U. Lujan,
"*Vice Speaker.*
"V. B. Bamba,
"*Legislative Secretary.*"

To the Committee on Public Works:

"Resolution 94

"Resolution relative to respectfully memorializing the President of the United States, the Congress of the United States, and the various Federal agencies and instrumentalities to expedite the granting of that assistance to the territory of Guam following the destruction caused by Typhoon Karen to which the territory is entitled under existing Federal statutes.

"Whereas Typhoon Karen, which struck the island of Guam during November, 1962, created millions of dollars worth of damage, and caused vast destruction in Guam—the destruction being even greater than that created by the entire Second World War; and

"Whereas in response to the territory's need, the President of the United States and the various Federal instrumentalities concerned made immediate response in the way of providing emergency and short term assistance, for which the people of Guam are eternally grateful; and

"Whereas for the long term rehabilitation of the territory, more extensive and long-term programs of Federal aid are essential, of which fact the authorities in Washington are fully cognizant, they having gotten together to arrange necessary legislation toward this end; and

"Whereas the Speaker of the Guam Legislature is presently in our Nation's Capital to assist in the expediting of this long-term assistance, which delegate requires the unanimous support of this legislature in emphasizing the urgency of his mission: Now, therefore, be it

"*Resolved,* That in view of the foregoing, the 7th Guam Legislature does hereby on behalf of the people of Guam respectfully petition and memorialize the President of the United States, the Congress of the United States, and the Federal agencies and instrumentalities, to join together in expediting that long-term assistance of which this territory is entitled under existing Federal statutes as a result of the destruction caused by Typhoon Karen; and be it further

"*Resolved,* That this resolution do also serve as an expression of deep gratitude by the people of Guam for the extensive emergency assistance already given the territory by our President and the Federal agencies concerned immediately following the typhoon, which assistance was absolutely essential to the remarkable recovery the territory has made from the more immediate effects of the great typhoon; and be it further

"*Resolved,* That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States, to the chairmen of the Interior and Insular Affairs Committee, U.S. Senate and House, to the Secretary of the Interior, to the Director of the Office of Budget, and to the Governor of Guam.

"Duly adopted on the 18th day of April, 1963.

"M. U. Lujan,
"*Vice Speaker,*
"V. B. Bamba,
"*Legislative Secretary.*"

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from Joint Select Committee on the Disposition of Papers in the executive departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated May 14, 1963, that appeared to have no permament value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SIMPSON (for himself, Mr. Hruska, Mr. Curtis, and Mr. McGee):

S. 1566. A bill to consent to the Upper Niobrara River compact between the States of Wyoming and Nebraska; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Simpson when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 1567. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain expenses incurred in obtaining or providing a higher education; and

S. 1568. A bill to amend the Internal Revenue Code of 1954 to allow a deduction of up to $100 a year for certain expenses incurred in providing an elementary and secondary education for a child in a private school; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bills, which appear under a separate heading.)

By Mr. JAVITS:

S. 1569. A bill to authorize the striking of certain medals at the U.S. Mint at Philadelphia for outstanding civilian achievements; to the Committee on Banking and Currency.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 1570. A bill for the relief of Dulcie Ann Steinhardt Sherlock; to the Committee on the Judiciary.

By Mr. PELL (for himself and Mr. Pastore):

S. 1571. A bill to provide for the redesigning of the 5-cent George Washington regular postage stamp so as to incorporate George Washington's immortal words, "To bigotry no sanction"; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

STUDY OF PROFIT-SHARING AND STOCK-OWNERSHIP PLANS BY THE JOINT ECONOMIC COMMITTEE

Mr. JAVITS submitted a concurrent resolution (S. Con. Res. 45) authorizing the Joint Economic Committee to make a study of and report to the Senate on profit-sharing and stock-ownership plans, which was referred to the Committee on Banking and Currency.

(See the above concurrent resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

RESOLUTION

TO PRINT AS A SENATE DOCUMENT SELECTED EXCERPTS ON THE 1963-64 NATIONAL HIGH SCHOOL DEBATE SUBJECT OF MEDICARE

Mr. MUNDT submitted a resolution (S. Res. 145); which was referred to the Committee on Rules and Administration, as follows:

> *Resolved,* That there be printed with illustrations as a Senate document selected excerpts on the 1963-64 national high school debate proposition: "What Should Be the Role of the Federal Government in Providing Medical Care to the Citizens of the United States," compiled by the Education and Public Welfare Division, Legislative Reference Service, Library of Congress; and that there be printed 10,300 additional copies of such document for the use of the Senate.

UPPER NIOBRARA RIVER COMPACT

Mr. SIMPSON. Mr. President, the two great sister States of Wyoming and Nebraska share the waters of the Niobrara River. This river is the lifeline to some of the finest grassland in the world. On the rolling hills of eastern Wyoming and western Nebraska you can see the hundreds of sleek, fat cattle that drink the waters of the Niobrara River.

The headwaters of this river are in Wyoming and as it flows eastward into Nebraska it broadens to become one of Nebraska's important rivers.

The legislatures of these two States have recently approved the Upper Niobrara River Compact. The Senators representing these two States, Mr. Hruska, Mr. Curtis, Mr. McGee and myself, now present this compact to the Senate for its consent to this interstate compact.

The major purposes of this Upper Niobrara River Compact are to provide for an equitable division or apportionment of the available surface water supply of the Upper Niobrara River Basin between the States; to provide for obtaining information on groundwater and underground water flow necessary for apportioning the underground flow by supplement to this compact; to remove all causes; present and future which might lead to controversies; and to promote interstate comity.

Mr. President, I introduce, for appropriate reference, a bill to consent to the Upper Niobrara River Compact between the States of Wyoming and Nebraska.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1566) to consent to the Upper Niobrara River Compact between the States of Wyoming and Nebraska, introduced by Mr. Simpson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PRESIDENTIAL MEDAL FOR CIVILIAN ACHIEVEMENT

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to establish a Presidential Medal for Civilian Achievement to provide recognition for persons who have made outstanding contributions in such fields as public affairs, social and spiritual betterment, science, health and medicine, education, letters, arts, law, engineering, agriculture, labor, and industry. This would in effect be the U.S. version of the famed Queen's Honor List in Great Britain.

I have sought legislation along these lines for a number of years, and I was therefore very gratified to note the issuance by the President on February 22 this year of Executive Order 11085, establishing a similar Presidential Medal of Freedom, to be awarded principally on July 4 of each year to an estimated 25 persons who have made "an especially meritorious contribution to first, the security of national interests of the United States; or second, world peace, or third, cultural or other significant public or private endeavors.

However, the Executive order of necessity leaves several gaps which, in my judgment, can only be filled by legislation. First, Executive action alone probably could not, and in this case, did not provide for a monetary award, which could in specific cases add materially to the significance and incentive quality of the medal. This is fully recognized in the case of the Nobel Prize, which carries with it an award which varies in size, but in recent years has been approximately $50,000. Accordingly, my bill would authorize a tax-free lump sum award not to exceed $50,000, subject to appropriations, to be made by the President along with the award of the medal.

Secondly, Executive action alone could draw together and unify only the Executive-administered civilian award programs, and the President's order incorporated only the preexisting President's Award for Distinguished Federal Civilian Service, which was established pursuant to the Government Employees Incentive Awards Act of 1954—68 Stat. 1112, 5 United States Code 2121-2123—and implemented by Executive Order No. 10717 of July 2, 1957. It should be noted that that act also provided for a monetary award up to $5,000, or, in exceptional cases, up to $25,000. Another enactment, Public Law 86-209—73 Stat. 431, 42 United States Code 1880-1881—created a National Medal of Science, 20 of which may be awarded yearly upon recommendation of the National Academy of Science.

But even more significantly, the Executive order of February left untouched the welter of individual medal award bills introduced in the Congress each year, which often conflict with the Executive authority already being exercised, and in any event impose a burden upon the Congress which it is not well equipped, in my judgment, to discharge appropriately. A survey prepared last year by the staff of the Senate Banking and Currency Committee on medal bills in the recent Congresses indicates to me that no rational distinction exists between the few such bills which became law and those which did not, except that the Congress is too busy with other matters to give this basically administrative function the attention which it deserves.

Accordingly, the bill now being introduced would incorporate under one procedure all civilian achievement awards by the Federal Government, including both the executive branch and the Congress, except for the existing Government employee award program, which would remain separate because of its special employer-employee relationship. The bill, of course, is also independent of the military award programs, which have always been administered by the President in conjunction with the armed services.

In presenting a unified and truly incentive award system for civilian achievement, this bill would, I believe, stimulate and encourage the kind of outstanding citizen effort which is now being recognized only partially. I very much hope that the bill will be considered by the executive branch as building upon the Executive order of February and will be favorably acted upon at an early date.

The PRESIDING OFFICER (Mr. Kennedy in the chair). The bill will be received and appropriately referred.

The bill (S. 1569) to authorize the striking of certain medals at the U.S. Mint at Philadelphia for outstanding civilian achievements, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on Banking and Currency.

REDESIGNING OF THE GEORGE WASHINGTON 5-CENT REGULAR POSTAGE STAMP

Mr. PELL. Mr. President, on behalf of myself, and my colleague, the senior Senator from Rhode Island [Mr. Pastore], I introduce, for appropriate reference, a bill which would provide for the redesigning of the 5-cent George Washington regular postage stamp so as to incorporate George Washington's immortal words, "To bigotry no sanction."

The Father of our Country, George Washington, wrote these immortal words in a letter to the Jewish community in Newport, R.I., after he had returned from visiting the famous Touro Synagogue, a national historic shrine, which is located in my home city of Newport. Our first President was presented with an address from the Newport congregation, prepared by Moses Seixas, warden of the synagogue.

The heart of the letter was in the words:

> Deprived as we heretofore have been of the invaluable rights of free citizens, we

> now (with a deep sense of gratitude to the Almighty dispenser of all events) behold a Government erected by the majesty of the people—a Government, which to bigotry gives no sanction, to persecution no assistance—but generously affords to all liberty of conscience and immunities of citizenship.

A few days later the President of this new Nation wrote a reply which in a powerfully worded phrase contained a moving affirmation of these thoughts:

> It is now no more that toleration is spoken of as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent natural rights. For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support * * *.

Mr. President, as an original supporter of the Society of Friends of Touro Synagogue National Historic Shrine, Inc., and as a citizen of a State that was founded by Roger Williams, whose own banishment from Puritan Massachusetts had convinced him that religious intolerance was a threat to civil peace and a barrier against the search for truth, I am more than proud to introduce today this bill which will help immortalize those words of our first President, which he expressed 173 years ago: "To bigotry no sanction."

Today this philosophy is just as meaningful as it was then, and I urge this legislation, so that all Americans may be constantly reminded of the high ideals of the Founding Fathers of our country.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1571) to provide for the redesigning of the 5-cent George Washington regular postage stamp so as to incorporate George Washington's immortal words, "To bigotry no sanction," introduced by Mr. PELL (for himself and Mr. PASTORE), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

PROFIT-SHARING STUDY

Mr. JAVITS. Mr. President, I send to the desk, for appropriate reference, a concurrent resolution calling for congressional study of the potentialities of broadening profit sharing, including stockownership.

A comprehensive survey of this important field was last made in 1939, pursuant to Senate Resolution 215 of the 75th Congress, by a Vandenberg subcommittee of the Finance Committee, which in its report (S. Rept. 610, 76th Cong.) concluded that profit sharing is "essential to the ultimate maintenance of the capitalistic system." The passage of 24 years, with the intervening enormous changes in our social and economic environments, makes vitally necessary an updating of that report and reconsideration of the alternative incentive techniques now available.

The subcommittee then found, for example, that there was no consensus as to the use of incentive tax exemptions and rewards to encourage profit sharing; since then the use of incentive tax devices has become so well accepted that their applicability to profit sharing deserves thorough reappraisal. The fact that in the interim existing law on restricted stock options has generally not served as a stimulus to stockholding beyond the executive and salaried employee level would be a subject of importance for the committee to study.

The concurrent resolution provides for an updating of the Vandenberg subcommittee report by the Joint Economic Committee of Congress or by a subcommittee of that committee. The Joint Economic Committee was created by the Full Employment Act of 1946 specifically to make continuing studies of matters relating to the national economic policy, including employment, production, and purchasing power.

In my view, such a study as this—affecting one of the most crucial aspects of our Nation's economy—should be given the kind of high priority which the administration has given to the tax cut.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 45) was received and referred to the Committee on Banking and Currency, as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That the Joint Economic Committee, or any duly authorized subcommittee thereof, as authorized by the Full Employment Act of 1946, as amended, is authorized and directed (1) to conduct a full and complete study and investigation of any and all matters pertaining to profit sharing (including stock ownership) by employees with particular emphasis upon such matters as the types of profit-sharing plans available to employees, the means by which such employee profit sharing can be encouraged by the Federal Government, and the relationship between profit sharing and increased productivity; and (2) to report to the Senate and the House of Representatives at the earliest practicable date, but not later than January 31, 1964, the results of its study and investigation together with such recommendations as it may deem desirable.
>
> SEC. 2. For the purposes of this resolution, the joint committee, or any duly authorized subcommittee thereof, is authorized through January 31, 1964 (1) to appoint and fix the compensation of such experts, consultants, or organizations thereof, and clerical and stenographic assistants as it deems necessary and advisable; and (2) to hold such hearings, to sit and act at such times and places, to require by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and take such testimony, and to make such expenditures, as it deems advisable. Subpenas shall be issued under the signature of the chairman or vice chairman of the joint committee and shall be served by any person designated by them.
>
> SEC. 3. The expenses of the joint committee under this resolution, which shall not exceed $50,000, through January 31, 1964, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, on behalf of the chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of William J. Crockett, of Nebraska, to be a Deputy Under Secretary of State.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. RANDOLPH:

Remarks by the President of the United States in accepting West Virginia State flag from Gov. William Wallace Barron in West Virginia Centennial Parade of Flags ceremony at the White House.

WORLD PEACE AND UNDERSTANDING

Mr. BAYH. Mr. President, recently in the St. Louis Post-Dispatch there appeared an article by Mr. James Deakin which I feel will be of great interest to both my colleagues here in the Senate, and all Americans who are interested in furthering world peace and understanding.

This article tells of the spontaneous welcome accorded some French tourists by the citizens of Crown Point, Ind., as they opened their homes and offices, and more importantly, their hearts to their surprise guests.

In these times when the image of the "ugly American" is too often brought to light, it is indeed refreshing to find that there are people who are willing to expend effort to erase this image, and build a more positive image—the image of the "typical American" which these French tourists took back to France.

I feel that this type of action is most important in maintaining and developing a favorable impression of the "real American," and I wish to commend the city of Crown Point for the effort they have made in this vital area of human relations. I further wish that the lead given by this forward-looking community in this area will be taken up by other American cities and towns.

Mr. President, I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FRENCH TOURISTS DISCOVER CROWN POINT, IND.—VISITORS GET OFF THE BEATEN PATH TO FIND THE "FRIENDLY, SMILING AMERICANS" THEY HAD REMEMBERED

CROWN POINT, IND., May 8.—Where does the "real American" live? A growing number of French tourists are convinced that it is not in the great urban centers of the United States.

Weary of seeing only large cities, museums and hotels and encountering uninterested, preoccupied citizens, a group of French pharmacists last year struck out for a "typical" small town in the hinterland.

They wanted to find the "friendly, smiling American" who had helped liberate France in World War II. They wanted to visit him on his farm, in his home and at his office.

They found him here in Crown Point, a trim county seat of 8,500 population 50 miles from Chicago.

The pharmacists came unannounced, asking their busdriver to get off the superhighways to see what the countryside held.

They were overwhelmed by the warm, spontaneous welcome they received. Townspeople opened their homes and offices, handed out gifts from their shops. Later they gave the foreigners their pews for Mass, and brought in a French-speaking priest from a nearby town.

Now Crown Point is beginning to loom large on the French tourist map of America. The pharmacists spread the word. One wrote in a French journal that he had found Americans rather cold and humorless until his group reached Indiana and rediscovered the warmhearted G.I. who had been their friend and ally during the war.

More than 600 Frenchmen have sought out the attractive little farm and residential town since this first visit a year ago. Impressed, the Federal Government's "Visit U.S.A." program has asked Crown Point for pictures for a new brochure.

In March, Crown Point received another delegation from the French provinces—74 French doctors and wives who arrived in two buses after seeing New York, Philadelphia, Washington and Cleveland.

The town had been planning a welcome for weeks. Mrs. Ray Sundquist made 25 French tricolor flags to brighten the courthouse square. Residents formed a class and were taught to say "faites comme chez vous" and other conversational bits by Miss Joan Scott, French teacher at Taft Junior High School.

About 140 Crown Point families vied to be hosts when a representative of the doctors' group wrote that they would like to stay overnight instead of repeating the daytime-only stops of their predecessors.

A citizens committee picked 47, disappointing the rest. The chosen dispatched several personal invitations to the doctors.

The Crown Point hostesses prepared dinners of roast beef, ham, fried chicken or steak.

"And wine from the United States," said Mrs. Thomas Gallivan, cochairman of the citizens committee.

The buses arrived from Cleveland late in the afternoon. The tricolors glistened in the sun and flapped, between American flags, in the breeze.

Around the square French posters and signs proclaiming "soyez bienvenue" were pasted in the windows of the feed company, shops, taverns, pool hall, ice cream parlor, and cafe along with signs announcing the Little League bake sale in 2 days.

After Mayor Marvin G. Erlenbach, one of the short-course French students, made a little welcoming speech, guests were paired off with hosts at the red brick community buildings and went off to home-cooked meals.

Afterward the five doctors' offices in town were opened so the Frenchmen could see where and how their small-town American colleagues worked.

Then everybody went to the junior high school cafeteria to listen to the Crown Point High School band. Also on the program was a bit of singing and square dancing before everyone went home for the night. The doctors went on to Chicago the next day.

"Outside of friendship," said Sydney Garner, a real estate and insurance salesman, "what they liked most was entry to the private home, no matter how modest. They want to know how we live. They want to see a clothes closet; there aren't any in France. They ask about central heating and storm windows. They take pictures of everything."

Comments and questions of the visitors bore him out as the pharmacists reported in the French journal. Crown Point had "garage doors that open electronically, heating systems of hot air * * * even cylindrical metallic silos and mechanical distribution of fodder to the animals."

But the happiest discovery once again was to find the Americans they had known: "We remembered their smiles, their vigorous handshakes, their spontaneous kindness."

For citizens of Crown Point the reward again was the lasting friendships and pride in the praise given their homes, schools, and way of life.

PRESENT SITUATION IN HAITI

Mr. LAUSCHE. Mr. President, about a week ago, there appeared an article in a local newspaper with a Port-au-Prince, Haiti, dateline, under the headline: "Communist Chances in Haiti Held Overrated." Late last week, again in a local newspaper, there appeared a second article stating that U.S. officials think a Communist takeover in Haiti is not an immediate danger, even though 30 known Communists hold key government positions.

Substantially similar arguments were made with regard to Cuba and Castro when the latter took control in 1958. When Castro took charge he was considered the Robin Hood of the West, the friend of free people, the emancipator of the oppressed Cubans.

Duvalier is now dealing with Castro. To annex Haiti into the Communist operation would be a great psychological victory for the Communists and would be in conformity with its objective to topple pro-Western governments one after the other.

The dismal position with which we now are faced through Communist Castro and the military buildup which he enjoyed since July 1962 is primarily the consequence of a Pollyanna attitude on the part of too many of our high-ranking officials, and over optimistic views about the prospects of the West in Haiti may lead to similar irreparable conditions.

RESOLUTION HONORING 172D ANNIVERSARY OF ADOPTION OF POLISH CONSTITUTION

Mr. KEATING. Mr. President, on Sunday, May 5, at a mass observance, the combined organizations, clubs, and societies of the Black Rock section of Buffalo, N.Y., commemorated the 172d anniversary of the adoption of Poland's Constitution of May 3.

The adoption of this document on May 3, 1791, represented a great stride forward in mankind's struggle for self-determination and freedom. The constitution removed the Polish nation from under the heel of a tyrannical monarchy and endowed it with a democratic constitution, extending to its people hope for a brighter future. This Constitution still exists, and although not presently in force, the ideals contained in that great document are a symbol of hope for the Polish people. It should be kept alive in the hearts and minds of those who desire to see all mankind free.

One day the Polish people will emerge from the abyss of communism into the light of freedom, as they arose from the depths of monarchy to forge the Constitution of May 3. This day will most assuredly be hastened by the spirit of this great document, and we should note the anniversary of its signing with a tribute to the heroic efforts of the Polish people in resisting the tyranny that has been thrust upon them once again. We must never forget that the goal of yesterday will be the starting point of tomorrow.

Mr. President, at the mass observance of Sunday, May 5, in Buffalo, a resolution was adopted by those commemorating the anniversary of the Constitution of May 3. I ask unanimous consent that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

At a mass observance, held on the 5th day of May 1963, under the auspices of the combined organizations, clubs, and societies of the Black Rock section of the city of Buffalo, at the Polish Cabets Hall, 927 Grant Street, Buffalo, N.Y., commemorating the 172d anniversary of the adoption of Poland's Constitution of May 3, the following resolution was unanimously adopted:

"Whereas the 172d anniversary of the adoption of the Polish Constitution of May 3, is an occasion for freedom-loving people everywhere to reflect upon the meaning of freedom and independence; to hope for its restoration in those lands and for those people from whom it has been taken away, and to dedicate themselves to protecting the heritage of freedoms here and encouraging it throughout the world; and

"Whereas the late 18th century witnessed extensive bloodletting occasioned by the rise of serf movements in European countries plagued with the ills of this caste system; and

"Whereas the adoption of the Constitution on May 3, 1791, was a landmark in the history of freedom and self-government marking a historic bloodless transition of a nation from despotic monarchism to an era of constitutional monarchic democracy. This document is and will remain a classic as an inspired statement of the nature of people, the origin of authority, the role of law, and the proper function of government; and

"Whereas said constitution, while no longer in force, is a living classic forever holding before the people of Poland and the people of Polish descent, the ideal, the goal, the vision of justice and opportunity, and the right to live in peace and freedom; and

"Whereas the people of Poland and the United States are united by the bond of an unyielding opposition to the inhuman tyranny and oppression of world communism; and

"Whereas we as Americans feeling a kindred concern for the people of Poland, are appalled at the shocking revelations of the West German newspaper "Der Spiegel" of master NATO plans to reduce in the event of war, the territory of Poland into an atomic wasteland, in order to create an uninhabitable buffer zone between the Soviets and the Western nations of Europe; and

"Whereas the world watches in admiration and awe the continued resistance of the Polish people, their courageous display of independent minds and unbroken spirits in their successful resistance to attempts to force upon them indoctrination with Communist philosophy; and

"Whereas this unique situation prevails in Poland because of the courageous stature, will, and posture in opposition to communism of the Catholic Primate of Poland, His Eminence Stefan Cardinal Wyszynski; and

"Whereas the shores of our sister States of Florida and Alaska, neighbor except for narrow waters, with lands under control of international communism: Now, therefore, be it,

"*Resolved,* That we assembled at this commemorative observance of the 172d anniversary of the adoption of the Polish Constitution of May the Third, call upon our fellow citizens of our great and beloved United States of America to reflect upon the lessons derived from history; that our danger from international communism is real and not imaginary; that greater intensified vigilance for national security has to be fostered against these dangers from within and without; and be it further

"*Resolved,* That we register our strongest protest possible in forms of condemnation against the military strategists in NATO for conceiving as part of their master plan the damnable strategy as revealed by the Der Spiegel newspaper to destroy the people and the territory of Poland in the event of World War III, that these people have suffered enough in each of the past world wars; we Americans have it upon our conscience that we let these valiant allies down at Yalta and Teheran; do we desire this added burden upon our conscience that we participated in their ultimate destruction and reducing their lands and possessions to atomic ashes; and be it further

"*Resolved,* That as Americans dedicated to the lofty idealism of freedom of all nations, we feel dutybound in the name of justice, equity, and international morality to take a firm stand in the defense and continuation of the present assistance in forms of foreign aid to our historic allies, the people of Poland whose true voice is silenced by Soviet Russia; and be it further

"*Resolved,* That while we in the United States are free to celebrate Polish Constitution Day, the people of Poland are not. In their place, we plead ourselves never to forget that freedom is the right of every man, never to abandon those who are fighting to preserve their independence, never to give up hope that Poland someday will be free again; and be it further

"*Resolved,* That we commend and express our affection for the greatest independent spiritual leader in the world today. His Eminence Stefan Cardinal Wyszynski, for his courage, his zeal and dedication to the cause of freedom for the Polish people. God in His infinite wisdom saw fit to designate Stefan Cardinal Wyszynski as protector of the Polish people's spiritual life and also destined him to chart the course for his people's temporal living under a godless regime forced upon them. May God guide the actions of this great charterer of his people's spiritual and temporal destinies and protect him from the ever threatening harm about him; and be it further

"*Resolved,* That we call upon our President, John Fitzgerald Kennedy, and our elected representatives in Congress to heed Senator KEATING's warnings with respect to Cuba; we call upon them not only to take steps to prevent the further spreading of international communism's influence in South and Central Americas but to take such steps as necessary to loosen the Soviet grip on Cuba with the view to rid our continent of this menace and restore the principles of the Monroe Doctrine that the Americas are for the Americans and that the United States will not permit the spreading of Soviet colonialism or any other upon the American Continents; and be it further

"*Resolved,* That we as loyal citizens of the United States of America, hereby repeat our pledge of loyalty and allegiance to our great and beloved country; and be it finally

"*Resolved,* That copies of this resolution be forwarded with dispatch to the President, John Fitzgerald Kennedy, Hon. Senator Jacob Javits, and Hon. Senator Kenneth Keating, and our area Representatives in Congress, Hon. Thaddeus Dulski, Hon. John Pillion, and Hon. William E. Miller."

WALTER T. SENDZRAH,
Chairman, Resolution Committee.

Attest:

WALTER WROBEL,
Secretary.

Mr. McCARTHY. Mr. President, on Friday we observed the 172d anniversary of the adoption of the Polish Constitution of 1791, one of the great documents in the history of man's long struggle for personal freedom and the right of self-government.

Adopted only 2 years after our own, this Constitution proclaims the same view of the nature and dignity of man and the same philosophy of government. In commenting on its adoption, Edmund Burke remarked:

> We have seen anarchy and servitude at once removed, a throne strengthened for the protection of the people without trenching on their liberties * * * everything was kept in its place and order, but in that place and order everything was bettered.

This noble effort to establish a liberal and constitutional government was soon frustrated and eclipsed by the partition of Poland in 1795. For 123 years the Polish people remained in bondage, emerging again as a free and independent nation only after the First World War. Yet throughout these years the affirmation of the Constitution of 1791 that "all power in civil society should be derived from the will of the people" lived on in the hearts of the Polish people and provided an inspiration and a support for the movement toward constitutional government throughout Europe.

Today, although the Polish nation exists in theory as an independent entity, its people are once again, in fact, in bondage to a foreign despotism and to an ideology wholly foreign to their long and valiant commitment to freedom. We who share that commitment, but whose faith has never been tried as that of the Polish people has been tried, do well to pay tribute to their courage and dedication and to join in the hope that they may again enjoy that liberty which is their national heritage.

NATIONAL AND STATE AFFAIRS—RESOLUTIONS

Mr. BREWSTER. Mr. President, the times in which we live are fast moving and complex. The issues on which the average voter feels an obligation to be informed are numerous. In fact, there is such a plenthora of issues that no individual can hope to keep himself abreast of all of them. In this respect, it is important for one to place himself in an atmosphere conducive to the exchange of views about current events and problems.

The Young Democratic Clubs of Maryland serve as an excellent forum for the interplay of ideas and beliefs. One of their major functions during the year is a convention held in the early fall, at which they discuss both National and State affairs. At their last convention, the Maryland Young Democratic Clubs adopted a dynamic and progressive platform, with attendant resolutions. Included in the platform was an outline of the accomplishments of the 87th Congress. This concise outline is an excellent example of the American youth's awareness of the political problems of our times.

For these reasons, I ask unanimous consent to have the attached portions of the platform and resolutions dealing with national affairs printed in the RECORD at this point.

There being no objection, the resolutions and outline were ordered to be printed in the RECORD, as follows:

NATIONAL AFFAIRS—SEPTEMBER 15, 1962

Resolved, That the Young Democratic Clubs of Maryland in convention assembled go on record as expressing great pride in the forceful and effective leadership provided by the President of the United States, John Fitzgerald Kennedy.

Resolved, That the Young Democratic Clubs of Maryland in convention assembled go on record, with voice projected to the public loud and clear, that we rate the 87th Congress the most productive since the 73d Congress under President Franklin D. Roosevelt. We append hereto a list of 35 major categories of legislative accomplishment under the 87th Congress. The image of the New Frontier is clear in fact and deed.

Resolved, That the Young Democratic Clubs of Maryland in convention assembled go on record as offering all possible support to President Kennedy's New Frontier program and urge Congress to move forward on at least 12 major categories of legislation currently outstanding, as follows:

ACCOMPLISHMENTS OF THE 87TH CONGRESS

Manpower retraining: Sets up a widespread training and placement program to aid workers with obsolete or insufficient skills. Over a 3-year period it can provide training for up to 1 million workers.

Welfare-Pension Plans Disclosure Act of 1958: Strengthening of this act will help safeguard the interests of almost 100 million workers and their beneficiaries who rely upon benefits from various welfare and pension programs. Legislation gave Secretary of Labor various investigative, injunctive, and interpretative powers and established criminal penalties for abuses in connection with administration of fund assets estimated to total over $50 billion.

Military procurement: Authorized procurement funds of about $13.5 billion for aircraft, missiles, and naval vessels.

Educational television: Authorizes $32 million over a 5-year period for Federal matching grants to help develop and construct educational television facilities.

Welfare revisions: Extensively revises public welfare programs by placing emphasis on prevention of dependency through increased rehabilitation efforts.

Foreign Assistance Act: Authorized about $4.6 billion in economic and military aid for fiscal 1963.

Poll tax amendment: Congress approved a constitutional amendment barring the requirement of a poll tax as a qualification for voting in Federal elections and primaries. If ratified by three-fourths of the States within 7 years, it will become the 24th amendment to the Constitution.

Communications satellite: Provides for the establishment of a private corporation to own, establish and operate a commercial communications satellite system.

Sugar Act amendments: Extended Sugar Act of 1948 to December 31, 1966, with respect to domestic areas and Philippines and to December 31, 1964, with respect to quotas for other countries.

Defense Department appropriation: Appropriated for fiscal 1963 for the Defense Department about $48 billion.

Peace Corps authorization: Authorized $63.7 million for Peace Corps for fiscal 1963, enabling them to have 6,700 volunteers in service by June 1963 and total of 10,000 by end of August 1963.

Area Redevelopment Act: Twice vetoed by former President Eisenhower, this new program provides $394 million in Federal loans and grants to assist qualifying urban and rural areas suffering from chronic economic distress and substantial and persistent unemployment.

Minimum wage: Extends minimum wage coverage to 3.6 million uncovered workers mostly in retail trade, the first new coverage approved by Congress since 1938. Raises the minimum wage of workers previously covered to $1.25 an hour in two steps, brings newly covered workers to the new legal minimum within 4 years.

Impacted areas aid, National Defense Educational Act: Extends aid to federally impacted school districts, for school construction and operations, for 2 years to June 30, 1963; extends National Defense Education Act for 2 years.

Emergency Food Grain Act: Applicable to the 1961 food grain crop this law encourages reduction of acreage planted so as to reduce Government-owned surpluses, raise farm income, and assure consumers fair and stable prices for meat, milk, and poultry products.

Temporary Unemployment Compensation Act: Extended the program through June 30, 1962, providing repayable Federal grants to States to provide 13 weeks additional unemployment compensation benefits to unemployed workers exhausting their benefits.

Sugar Act amendments: Extended the Sugar Act of 1948 through June 30, 1962, continuing the authority of the President to reallocate the Cuban quota. Specified redistribution of quotas among other nations and give special consideration for "exquota" purchases to countries of the Western Hemisphere and to those countries purchasing U.S. agricultural commodities.

Reorganization Act extension: Extends until June 1, 1963, authority granted to President in Reorganization Act of 1949 to submit plans to Congress for reorganization of the executive branch.

Aid to dependent children of unemployed parents: Provided Federal matching grants to States through June 30, 1962 to assist dependent children of needy unemployed parents. (Program extended for 5 years more through welfare revisions of 1962.)

Federal judgeships: Provides for Presidential appointment of 73 long-needed new Federal judgeships.

Federal Aid Highway Act amendments: Modifies Federal aid highway program, authorizing an additional $11.5 billion to keep construction of the 41,000 mile Interstate System on schedule for completion in 1972, providing a new schedule of highway-user taxes.

Social security amendments: Liberalized Social Security Act to provide $780 million in new or increased benefits during first 12 months to an estimated 4.4 million persons. Reduced optional retirement age for men to 62 with reduced benefits; raised minimum benefits from $33 to $40 a month; increased widow's benefits by 10 percent; raised earnings ceiling for retired persons, broadened the insured status requirements, and increased the Federal share of State programs for the needy aged, blind and disabled.

Housing Act of 1961: The most comprehensive housing measure passed by Congress in 12 years, this law provides $4.8 billion in Federal loans and grants to cities, towns, and rural areas for urban renewal, public housing, elderly housing, farm housing, college housing, community facilities, "open space" development, urban mass-transportation systems, home improvement, a housing program for moderate-income families, and liberalizes the FHA home mortgage insurance program. Similar legislation last Congress was vetoed by President Eisenhower.

Corporate-Excise Tax Extension Act: Extended 1961 for 1 year the present tax rates on corporations and excise levies on distilled spirits, beer, wine, cigarettes, passenger cars, automobile parts and accessories, local telephone service, and transportation of persons. Reextended 1962 for 1 year with reduction of certain travel taxes.

Water Pollution Control Act amendments: Broadens and extends the Federal Water Pollution Control Act to June 30, 1967, increasing the existing $50 million annual authorization for Federal, matching grants to communities for the construction of waste treatment plants to $80 million in fiscal 1962, $90 million in fiscal 1963 and $100 million each in fiscal 1964 through 1967. Strengthens enforcement and extends jurisdiction of Federal pollution abatement authority to all interstate and navigable waters. A less comprehensive bill was vetoed by President Eisenhower last Congress.

General Farm Act: Extends feed grain program for 1962 crop; liberalizes farm credit programs; established wheat program for 1961–62, encouraged acreage reduction; extended and broadened food-for-peace program; extended National Wool Act, Great Plains conservation program, school milk program, and broadened marketing orders to other commodities. New omnibus farm bill in conference.

Federal aid airport program extension: Extended for 3 years the Federal Airport Act, authorizing $225 million in Federal grants to States and localities for construction and improvement of airport facilities.

Civil Rights Commission: Extended the life of the Civil Rights Commission for 2 years until November 30, 1963.

Juvenile Delinquency Act: Established a 3-year comprehensive program of Federal assistance to States, local, and private agencies to develop pilot programs to devise methods to combat, prevent, and control juvenile delinquency and youth offenses, authorizing $10 million during each of the 3 years for such purposes.

Community Health Services and Facilities Act: Assisted in expanding and improving community facilities and services for health care of the aged and other persons.

Foreign Assistance Act of 1961: Authorized appropriation of $4.25 billion for foreign economic and military assistance for fiscal year 1962, plus $1.5 billion in each of next 4 years for Development Loan Fund long-term, low-interest rate development loans to other nations.

Peace Corps Act: Established on a permanent basis the Peace Corps, which recruits, trains, and makes available to foreign countries American volunteers possessing needed skills to undertake specific projects and to train scientists, teachers, engineers, and other types of technicians in the host countries.

U.S. Arms Control and Disarmanent Agency: Established U.S. Arms Control and Disarmament Agency for world peace and security having primary responsibility in dealing with policies, problems, and efforts to reduce and control armaments among nations of the world. Its function will be to coordinate research, policymaking, negotiations on all aspects of disarmament including economic, legal, technical, political, and military.

Additional Assistant Secretary for Department of Labor: Established a new Assistant Secretary of Labor to be concerned with employment problems of women. Mrs. Esther Peterson was elevated to the new position.

Anticrime legislation:

1. Wire communications: made unlawful the use of wire communication facilities transmitting in interstate commerce, information relating to bets, wagers, and other gambling information.

2. Transportation: made unlawful the transportation in interstate commerce of wagering paraphernalia such as numbers slips, used by professional bookmakers and numbers men.

3. Gambling devices: made unlawful the interstate travel or distribution of proceeds in connection with gambling, drug, prostitution or liquor operations that are in violation of Federal or State law.

4. Awaiting final action on the conference report is the fourth anticrime measure also involving gambling devices—as sent to conference it bans the interstate transportation of gambling machines, except to gambling establishments where betting is legal under State law.

Organization for Economic Cooperation and Development: The Organization for Economic Cooperation and Development is a 20-member group dedicated to the coordination of the trade and aid policies of the Atlantic powers. The Organization for Economic Cooperation and Development aims include economic expansion, rising standards of living, financial stability, and expanded trade for member nations of the Organization and the world as a whole.

Youth Employment Opportunities Act: Authorizes $241 million over 3 years to provide useful employment opportunities to young people (16–21) through a Youth Conservation Corps and Public Service program (stuck in Rules Committee since March 1962).

Medical school construction: Authorizes $75 million annually for 10-year program of Federal matching grants for construction of medical schools; $72.5 million for 5-year loan program for medical students (stuck in Rules Committee).

Higher education: Grants of $180 million annually for 5 years, and loans of $120 million annually for 5 years for construction of higher education academic facilities. (Conferees deadlocked.) Senate bill contains provision for 212,500 4-year scholarships.

Accelerated Public Works: Authorizing President to allocate $900 million for job creating public works projects in areas with heavy unemployment. In conference with Senate bill authorizing $750 million to be immediately committed and $750 million in standby program.

Trade bill: President given unprecedented tariff-cutting authority—general authority to reduce tariffs by 50 percent, special authority to reduce tariffs by as much as 100 percent on goods on which United States and European Common Market together accounted for 80 percent of free world trade, to eliminate tariffs on certain tropical commodities and on goods on which existing tariff was 5 percent or less. Provided procedures for raising tariffs on goods where cut found to have injured an entire industry; also authorized alternative of Government aid to injured businesses and workers. (Awaiting Senate action, has passed House.)

U.N. bond issue: As reported from House Committee—authorizes President to lend the United Nations up to $100 million on a dollar-for-dollar matching basis with other nations to assist the U.N. in a financial crisis brought about by its special peacekeeping operations in the Congo and the Middle East. (Passed Senate, awaiting House action.)

Drug controls: Tighten controls over the manufacture and distribution of drugs. (Passed Senate, awaits House action.)

Mass transportation: Authorizes Federal matching grants for development of comprehensive and coordinated mass transportation systems in urban areas. (Awaits action, both Houses.)

Wilderness system: Establishes a National Wilderness Preservation System. (Passed Senate in 1961, awaits House action.)

Elderly housing: Raised to $225 million the revolving loan funds for construction of rental housing for the elderly in urban areas, and established new housing aids for the elderly in rural areas. (Passed House, awaits Senate action.)

1962 tax revision: An important step in overhauling our Federal tax structure, providing investment credit up to 7 percent of price of newly purchased business equipment, tightens entertainment and travel expenses as well as tax treatment of earnings of oversea personal income and foreign corporation earnings, among many needed reforms.

Equal pay for women: Provides that in certain industries equal pay must be given for equal work, without regard to the worker's sex. (Passed House, awaits Senate action.)

BUREAUCRACY IN ROME

Mr. McCARTHY. Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Bureaucracy-Hating 'Phantom' Strikes Third Time at Rome."

Perhaps the article may give some consolation to those who are concerned about the extension of bureaucracy. I hope that many bureaucrats may read the article, since what happened in Rome could happen here.

There being no objection, the article was ordered to be printed in the Record, as follows:

Bureaucracy-Hating "Phantom" Strikes Third Time at Rome

Rome, April 13.—Rome's phantom "enemy of bureaucracy" struck again last night.

He struck first a month ago in the night-darkened offices of Rome's city registry. He stole nothing and broke nothing, but he pulled thousands of vital statistics records from out of the files and strewed them through the building. Clerks still are trying to get them back in order.

Three weeks ago he made a similar raid at the offices of the Rome Automobile Club. After he scattered the records there he telephoned police and told them about it.

"I just don't like bureaucracy," he said.

Last night he hit a municipal branch office in the Garbatella section of the city. This time he worked with patient care.

Varied-colored paper files were laid out on the floors in geometric and abstract designs. Some documents were folded into paper airplanes and sailed into inaccessible nooks. Other records were strewn through the halls.

He took a bundle of papers with him and laid a trail down the street to show police the way he had gone. Then the trail faded out—and so did the phantom.

IS CASTRO AN OBSESSION WITH US?

Mr. HUMPHREY. Mr President, I wish to call attention to a perceptive article by my good friend, the distinguished junior Senator from South Dakota [Mr. McGovern], which was published in yesterday's New York Sunday Times magazine. In an article entitled "Is Castro an Obsession With Us," Senator McGovern has poined out that while the problem of Castro's tyranny in Cuba continues to be an important and urgent one, it should not prevent us from recognizing that there are other major world problems which also require our urgent attention—in Latin America, in Berlin, in India, to mention but a few.

Because the problem of Cuba has plagued two administrations, it remains a subject inviting partisan controversy. This controversy has often led to a distorted view in the American mind about the importance of the Cuban problem, magnifying it all out of proportion.

Our colleague has demonstrated with admirable clarity that the need for fundamental reforms required for the success of the Alliance for Progress existed long before Castro came to power and will remain as a challenge to the United States long after Castro has left the scene. In the long run, the success or failure of the Alliance for Progress in such a vast, wealthy country as Brazil will be far more important in shaping the course of events in the Western Hemisphere than the current actions of a Fidel Castro in Cuba. Our determination to restore freedom in Cuba should not deflect us from the equally urgent task of pressing ahead with the political, economic, and social reforms required for the success of the Alliance for Progress in all of Latin America.

Mr. President, I ask unanimous consent to have the article printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Is Castro an Obsession With Us?

(By George S. McGovern)

Writing to his friend Henry White on September 13, 1906, President Theodore Roosevelt confided: "Just at the moment, I am so angry with that infernal little Cuban Republic that I would like to wipe its people off the face of the earth. All that we wanted from them was that they would behave themselves and be prosperous and happy so that we would not have to interfere. And now, lo and behold, they have started an utterly unjustifiable and pointless revolution and may get things into such a snarl that we have no alternative save to intervene—which will at once convince the suspicious idiots in South America that we do wish to interfere after all."

The stormy hero of San Juan Hill may have expressed his irritation over Cuba more forcefully than other White House occupants. but he was not the first, or the last, to become preoccupied with "that infernal little Cuban Republic."

Thomas Jefferson and John Quincy Adams were among those convinced that Cuba was so essential to the security of the United States that we would someday annex it.

When, in 1823, President Monroe warned the European powers that "we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety," he was spelling out U.S. determination that Cuba should never be acquired by a major foreign power.

President Kennedy thus was drawing on an accepted principle of American diplomacy during the Cuban missile crisis of last October when he said that the "build-up of Communist missiles in an area well known to have a special and historical relationship to the United States * * * is a deliberately provocative and unjustified change in the status quo which cannot be accepted by this country." Yet, historical precedents notwithstanding, one wonders if historians of the future will not be amazed at the apparent obsession of the United States in the 1960's with Fidel Castro and his Cuban regime.

Few Americans now question President Kennedy's decisive action in forcing Mr. Khrushchev to withdraw his missiles from Cuba. But how can one account for the fact that, long before the installation of offensive missiles and long after their removal, Castro has appeared to be at the center of American political and diplomatic efforts? He not only occupies the time and energy of many of our top State Department, White House, and the CIA officials, but absorbs the attention of Congress and threatens to be a central issue in the 1964 presidential election. Those of us who were congressional candidates last fall can testify to the explosive nature of the Castro issue in that campaign. One need only leaf through the files of the Congressional Record or any American newspaper or any Congressman's mail to realize that no other issue in recent years has provoked such an immense outcry.

This animated national debate, considering the comparative weakness of Cuba, scarcely does justice to the dignity of the United States as a great world power charged with global leadership. It was one thing for a struggling infant republic in the days of John Quincy Adams to assert boldly a central interest in Cuba. It is quite another thing for the mightiest nation of the 20th century to permit an inflammatory Cuban revolutionist to dominate its politics and heavily influence its posture in the international community. One wonders if we have forgotten the Biblical warning against straining at a gnat and swallowing a camel.

Cuba—an island of natural beauty, fertile valleys, mountainous ridges, and sandy beaches—has a population about the size of New Jersey and an area equal to Ohio. The economy has been based on the growing and processing of sugar. By no stretch of the imagination can Cuba be considered a significant world power. It has barely enough food, even with its imports, to keep its tiny population alive. It has neither the natural resources nor the organization to maintain a strong industrial or agricultural economy.

As for the contention that Cuba is a special danger because it is only 90 miles off our shore, one wonders whether people seriously expect a Cuban invasion of Florida. Its military force, even with the help of 17,000 Russian soldiers, cannot be considered a serious threat. Indeed, some observers believe that the presence of seasoned Russian officers and technicians may serve as a restraining influence on the more emotional Cuban revolutionists. If Castro should completely lose his mind, however, and launch an attack against Miami, the United States has enough firepower floating off Cuba to pulverize the island in minutes.

It remains true, of course, that while Castro may not be a direct military threat to the United States, he is a subversive danger to the hemisphere and to the Alliance for Progress. His agents and propagandists are spreading communism and opposing democratic reform in other Latin-American countries.

Even so, while the existence of the Castro regime in Cuba clearly reinforces the efforts of the Communist apparatus, it is obvious that the Communists would be fanning the flames of revolution in Latin America with or without Dr. Castro. Does anyone seriously believe that Castro introduced communism to the hemisphere or that it would die out if he were to disappear? There have been revolutions and Marxists in Latin America for generations, and neither Moscow nor Peking depends upon Castro to supply the revolutionary forces which serve their purposes to the south of us.

Why, then, our obsession with Castro? One reason is that we are an impatient people who react strongly to anyone who defies us. It is especially galling to be reviled and insulted by an impetuous nuisance from a little island we could destroy any time we wanted to flex the muscle of our Strategic Air Command. We are made the more resentful when we remember that Castro has shown no gratitude for our ending military aid to Batista in 1958, for our prompt recognition of his government in 1959, and for his generally friendly reception in the United States.

The American press once treated Castro as a conquering hero, and his triumph over Batista was widely acclaimed. Not until July 6, 1960, after repeated confiscations of American property, after bitter propaganda attacks on the United States, and after the communization of Cuban politics and labor did our Government take its first punitive action against Castro—a sharp reduction in the sugar quota.

One can only speculate as to the motivations of American mass psychology in a situation like this. Why has the importance of Castro—and I do not mean to deny that he and his Moscow-dominated regime do have some importance—been blown up so unwarrantedly? Perhaps, one might suggest, he is a sort of substitute target for our national frustration and annoyance with Moscow and the whole Communist conspiracy.

Castro is close to home. He is visible. He has taunted us and our most fundamental beliefs with his drumhead trials, his arrogant seizures of private property, his double-cross in openly espousing Marxism after receiving American support and enthusiastic approval at the beginning of his democratic revolution.

The American reaction, it seems to me, is something like the reflex reaction of respectable citizens to the neighborhood bully. He may be a weak person, striking out at others from his own sense of frustration and insecurity, but it is instinctive to want to get back at him. But isn't a bully better handled by isolation than by reacting violently?

This is easier said than done, however. First, there is the American habit of seeing issues in black and white terms, to be handled by all-or-nothing methods. But, as any politician knows, this is often the worst way to win an objective. And secondly, there is the clear fact that the whole Castro problem has become a domestic political issue—of the kind where it is easier to release emotions than propose solutions.

Just as the Korean conflict was exploited for political purposes in the early 1950's, so has Cuba been a tempting issue in the 1960's. The presence in Miami of thousands of Cuban refugees and the sizable number of Americans across the country with relatives in Cuba is an added emotional dimension.

Although the Kennedy administration has been on the receiving end of most of the political charges, it has not itself been guiltless of "politicking."

As a presidential candidate, Mr. Kennedy injected the issue into the campaign in such a manner as to draw the most indignant rebukes from candidate Nixon. "Mr. Nixon hasn't mentioned Cuba very prominently in this campaign," said Mr. Kennedy on October 15, 1960. "He talks about * * * standing up to Khrushchev, but he never mentioned standing firm in Cuba—and if you can't stand up to Castro, how can you be expected to stand up to Khrushchev? While we cannot violate international law, we must recognize that these exiles and rebels represent the real voice of Cuba and should not be constantly handicapped by our Immigration and Justice Department authorities."

As if to make good on the implications of his campaign utterances, the President, early in his administration, gave his sanction to the unfortunate Bay of Pigs invasion. This clumsy failure, the embarrassment, the humiliation, the sense of guilt—all these combined to produce a traumatic national experience for the United States. Some were ashamed that we should have participated in such a highly questionable piece of international intrigue and violence. Others burned with rage that we had permitted a rag-tag Cuban militia to thwart the United States.

This is the source of much of the political fire leveled at our subsequent Cuba policy. At a time when the administration urges caution and restraint, it is perhaps not surprising that political opponents equate such a policy with weakness, timidity, cowardice or appeasement. While such vocal innuendoes offer no plan for removing Castro, they feed our obsession with him.

But regardless of its origins, does the Castro obsession serve our interests, or does it better serve the interests of Mr. Khrushchev?

I have often wondered why the wily Soviet Premier has invested so heavily in the kind of risky enterprise which Fidel Castro is frantically trying to establish. If his purpose was to enhance the influence of Castroism in the hemisphere, he must be bitterly disappointed with the results, for the Costro-Khrushchev embrace has had the opposite effect. By tying his revolution to Moscow, Castro has sacrificed much of his appeal to other nationalistic Latin-American states. No thoughtful observer of Latin-American affairs has failed to note the decline of the Cuban dictator's influence since his marriage to the Kremlin.

But if Mr. Khrushchev's purpose was to create in Castro a gadfly designed to divert the attention of the United States from the real dangers and challenges of Latin America—to say nothing of Asia, Africa, or the Middle East—then he must, indeed, feel that his investment has paid off handsomely.

For while we are gripped by the Castro fixation, the basic dangers to security in the hemisphere—the economic, political and social ills of Latin America—continue to fester.

We have a smoldering blockbuster in our backyard which dwarfs Castro. I refer to the 200 million people of Latin America who occupy a vast land that is potentially rich and fruitful but actually beset by misery, sickness, injustice, illiteracy, malnutrition and misrule. These millions live under a social system that tends to concentrate enormous wealth in the hands of the few and to consign the many to lives of desperate poverty. Make no mistake about it—powerful social forces are stirring to the south. Latin America is, as one observer put it, "dynamite on our doorstep."

Neither Fidel Castro nor Nikita Khrushchev nor international communism is at the base of this explosive situation. They are the would-be beneficiaries of the tensions and illness which threaten the security of the hemisphere, but they are not the fundamental factors. They are effects rather than causes.

Castro climbed to power over the carcass of a decadent political and social system which he shrewdly exploited, but which he did not create. Unfortunately, the United States image in Cuba prior to Castro rested on the American-financed night clubs, gambling casinos, racketeering and prostitution of Havana, combined with the investments of our oil and sugar corporations. Until 1958, American arms and money bolstered the Batista regime. Castroism elsewhere now feeds on the same kind of corruption and social injustice that made the revolt against Batista inevitable.

The real bombshells of Latin America are fused from the following conditions:

1. Two percent of the people of the continent own more than half its wealth and land, while most of the rest live in hopeless poverty.

2. Eighty percent of the people dwell in miserable shacks or huts.

3. Illiteracy grips well over half the population.

4. More than 50 percent of the people suffer from hunger and disease, and most of them will never in their lifetime see a doctor, nurse, dentist, or pharmacist.

5. Most of the peasants live under primitive feudal conditions with no hope for landownership, reasonable credit or escape to a better life.

6. Several key countries depend on one-crop economies afflicted by depressed commodity prices.

7. Most governments are weakened by unjust tax structures, excessive military expenditure, designed to keep the people under control, bad landownership and utilization, and indifference to social injustice.

8. A population growth rate several times higher than the production rate of goods and services exists in several Latin American countries.

In the long view of history, it may very well be that Castro, for all his mischief and violence, will have indirectly performed some service in prompting us to give closer attention to our neighbors to the south. In the same way, he has confronted the ruling classes of Latin America with a stern choice between accepting long overdue reforms or seeing themselves swept aside in a series of violent Castro-type revolutions. Sometimes the hand of providence moves in strange ways. There can be no mistaking the fact that much of Castro's appeal to the oppressed rests on the knowledge that his presence has forced every government in the hemisphere to take a new and more searching look at crying human needs.

The real issue turns on whether the people can reconstruct an unjust social order through peaceful democratic revolution or whether they will do it by a violent Communist upheaval. How, then, can we encourage the proper response?

We can first of all break loose from our fixation on Castro and assign him the lower priority of attention he merits. Khrushchev has deflated Castro by revealing him as a puppet not even worthy of consultation during the missile withdrawal last October.

Moscow's recent splashy reception of the Cuban leader was a thinly disguised Soviet recognition of its need to bolster the fading Castro image. We can best diminish Castro's prestige, therefore, if we will cease acting as though he were the chief object of our concern and the major source of our fear. Quiet economic and diplomatic pressures have already substantially isolated Cuba in the hemisphere and weakened Castro's hold on his people.

At the same time, we must help fill up the swamplands in which Castroism breeds. This is the hope of the Alliance for Progress—a mutual effort to raise standards of living through the painstaking, often frustrating method of self-help, democratic reform and economic development.

The Alliance will test the patience and toughness of all who believe in its promise. It envisions nothing less than a continent-wide social revolution, including land and tax reform, improved agriculture, and better housing, health and education. These are lofty goals, enormously difficult of attainment, that will take a generation to achieve at best. They do not appeal, therefore, to those who want a quick headline and a fast answer. It is far easier to make loud speeches against an irritable, bearded dictator than to face the tough task of making the Alliance for Progress work.

We have too many who call for decisive but unjustified measures to overthrow Castro, and not enough who give attention to the real problems confronting the Alliance. We have too many self-appointed experts telling the President the inside dope from their private intelligence sources, and not enough expert analysis of depressed commodity prices, rural credit problems, land reform, and population pressures.

We have had too many post mortems over the ill-fated Bay of Pigs invasion. Originally conceived in the previous administration, it was a tragic mistake both in conception and execution for which President Kennedy bravely took the blame. Why now compound the error by probing the ruins and calling for a repeat performance?

President Kennedy's policy since the Bay of Pigs fiasco has been steady and sound, both morally and politically. In the October crisis, he measured his actions with precision to meet the needs of a situation where a single misstep might have led to disaster. By producing positive proof of the Soviet-Cuban offensive missile threat before invoking a carefully limited naval sanction, the President won unanimous support for his action from our Western Allies and the countries of Latin America. He forced Khrushchev to back down, and he did so without war. He has since resisted those who have shouted for the kind of action that could lead to world war III.

As the President said recently: "I think the big dangers to Latin America * * * are the very difficult, and in some cases, desperate conditions in the countries themselves—unrelated to Cuba." These are problems which must be faced and solved in the main by the people of Latin America; but we have proclaimed our willingness to help.

Hence, the hopeful and inspiring promise of the Alliance for Progress.

Hence, the Peace Corps units which, through the dedication and idealism of American youth, are bringing new hope and pride to the villages of Latin America.

Hence, an expanded food-for-peace program which, among other accomplishments, is now providing a nutritious meal daily to 8,500,000 Latin American schoolchildren and to 5,500,000 babies and pregnant mothers.

Hence, the U.S. medical teams that are combating disease in Central America.

Hence, the growing exchange of students and teachers between the universities of North and South America.

These are the tools of hope and life and strength with which America is fighting the truly significant battles of the hemisphere. This is our best longrun answer to Castro.

It is not yet clear that the ruling groups of Latin America are aroused sufficiently to their responsibilities to make the Alliance succeed on a broad scale. Nor is it clear that we have grasped fully the nature and scope of the leadership demands that are upon us as a great and powerful nation.

I earnestly hope that we will not dissipate our energies in a senseless obsession with Castro. Our mission is to point the way to a better life for the hemisphere, and indeed for all mankind.

COMMENDATION OF UNITED STATES STEEL FOUNDATION'S PROGRAM FOR AID TO EDUCATION

Mr. HUMPHREY. Mr. President, I wish to commend the United States Steel Foundation for its continued support of higher education. Mr. Roger Blough, chairman of the board, recently announced grants to 766 institutions of higher education and 26 organizations totaling $2,480,000, to mark the 10th anniversary of the foundation's program of aid to education.

Approximately one-third of this amount is for unrestricted operating grants; nearly half is for major-purpose capital grants; with the remainder for graduate study fellowships and aid to organizations and projects for the improvement of educational methods and administration. Particularly noteworthy is the freedom of the institutions to exercise freedom of choice and control over particular recipients and specifics within the broad categories provided for by this program. It is easy for large contributors to inhibit the freedom of educational institutions which are the recipients of such aid and the foundation is to be particularly commended for avoiding this.

Emphasis on financial help for Negro students, for seminars on international affairs, peaceful uses of nuclear energy, conferences on world peace, international student exchange, and other programs deserve special commendation and are a testimony to the altruism of the foundation. The voluntary acceptance by the United States Steel Foundation of responsibility for helping with the major financial problems of education is most deserving of our thanks and our recognition.

Mr. President, I ask unanimous consent that an announcement of this program be printed at this point in the RECORD.

There being no objection, the anoucement was ordered to be printed in the RECORD, as follows:

A $2,480,000 program of aid to education, with grants to 766 liberal arts colleges, universities, and institutes, and to 26 organizations dedicated to raising the quality of teaching and learning in America, was announced today by Roger M. Blough, Chairman of the Board of Trustees of United States Steel Foundation, Inc.

"The Foundation's 10th anniversary program of aid to education," said Mr. Blough, "marks a decade of effort by the trustees to enhance the quality and service potential of a broad segment of educational institutions, organizations, and special programs and projects."

The Foundation's grants fall into four major categories: (1) about 33 percent of the total, $820,000, is for unrestricted operating grants to colleges, universities and institutes; (2) about 48 percent, $1,160,000, is for major-purpose or capital grants; (3) about 9 percent, $245,000, is for aid to organizations and projects for improvement of educational methods and administration; and (4) the balance of about 10 percent, $255,000, is for graduate-study fellowship grants for university-chosen doctoral candidates.

Operating grants—$820,000: Operating aid in the amount of $486,000 is afforded to all 465 accredited 4-year institutional members of all the 41 State and regional liberal arts college associations, which have benefited since 1954 to the extent of about $3.4 million. Additionally, $41,000 of operating aid goes to predominantly Negro colleges, including all members of the United Negro College Fund, bringing support to such institutions since 1954 to almost $490,000. Aid channeled through the National Fund for Medical Education for the general operating needs of all 86 member institutions is at the level of $85,000 for the year, and Foundation grants to the Fund have totaled $720,000 since 1954.

In addition to support of group-affiliated institutions, the 1963 program provides $112,000 of operating assistance to nongroup institutions, as well as $96,000 for the current operating needs of selected universities, science and engineering institutes not otherwise assisted.

The trustees anticipate that the recipient institutions will apply most of the unrestricted operating funds to faculty and staff salary needs and to improved educational offerings.

"During the 10-year period paralleling the existence of the United States Steel Foundation," commented Mr. Blough, "more than $70 million have been obtained through the State and regional fundraising movement from about 12,000 corporate and foundation donors directly. It is estimated that these efforts have generated an even larger sum indirectly for these valued institutions. All such sums provide for significant advancement of their separate efforts and demonstrate the validity of their unifying movement for self-help and academic growth."

Major-purpose or capital grants—$1,160,000: After designating $430,000 of the assistance program for installments on prior commitments, the foundation is making new major-purpose or capital grants amounting to $730,000. Of this total, the sum of $445,000 for 26 one-time grants—ranging from $5,000 to $40,000—goes to the following liberal arts and science colleges, women's colleges, regional colleges, and universities: Aurora College, Illinois; Austin College, Texas; Boston College, Massachusetts; Boston University, Massachusetts; Brandeis University, Massachusetts; Carleton College, Minnesota; Converse College, South Carolina; Furman University, South Carolina; Haverford College, Pennsylvania; Hiram College, Ohio; Hofstra College, New York; Hope College, Michigan; Indiana Central University, Indiana; Johnstown College, Pennsylvania; Mary Baldwin College, Virginia; Millsaps College, Mississippi; St. John's College, Maryland; College of St. Thomas, Minnesota; St. Xavier College, Illinois; Sioux Falls College, South Dakota; Stetson University, Florida; Susquehanna University of Pennesylvania; Texas Christian University, Texas; Union College, Kentucky; Uniontown Campus of Waynesburg College, Pennsylvania; Wells College, New York. With the inclusion of these grants, 211 liberal arts and science institutions have been aided since 1954 for a total of $4.8 million. Included in this total are 28 women's colleges, which have received an aggregate of $600,000 in capital grants.

Of the $285,000 balance, $100,000 covers grants of $20,000 each to five private institutions—Caltech, Cornell, Harvard, Johns Hopkins, and MIT—as continued participants under the leadership institution aid plan, although no post-1963 commitments are made to them as to support in later years. Heretofore the plan has provided for a 5-year forward commitment, payable in equal annual installments, subject to periodic review by the trustees. The other current university participants in the plan, to whom typical commitments were earlier made, will receive payments of $20,000 in 1963. These universities are Brown, Catholic, Chicago, Columbia, Duke, New York, Northwestern, Pennsylvania, Princeton, Rochester, Stanford, Tulane, Vanderbilt, Washington (Mo.), and Yale. The leadership institution aid plan replaces, with respect to the participating institutions, consideration of the separate requirements of school, department, division, and institute needs for particular capital or other major-purpose outlays, by providing, in lieu thereof, unrestricted sums for recipient use determination and best allocation. Such a plan of assistance is consonant with the approach urged by the national Committee for Corporate Support of American Universities.

The remaining $185,000 relates to major institutional development grants. They include initial installments for new commitments aggregating $750,000, payable over a 2- to 5-year period to selected universities including Denver, Duquesne, Southern California, and Stanford. Such major one-time grants, as with earlier commitments in prior years to Lehigh, MIT, Notre Dame, Princeton, and Yale, afford special help to once-in-a-generation development programs of selected institutions.

In commenting on all the foundation's major-purpose or capital grants, Mr. Blough said, "Our times require that many donors come forward with reasonably sustained unrestricted aid in dollar volume sufficient to insure that ever higher standards of excellence may be pursued, that creativity be encouraged, and that academic freedom be strengthened."

Organization support and educational research—$123,000. Recognizing the mounting need to broaden further the base of educational finance, grants are made to selected educational associations importantly concerned with extending acceptance of the financing responsibility. Based upon the useful utilization of prior grants, renewed support is given to the American Alumni Council for its general program and the foundation-initiated alumni giving incentive award plan. This plan is open to participation by hundreds of private and public educational institutions and recognizes successful operation of alumni supported programs. Thus far nearly $270,000 has been made available for such stimulation of alumni giving, chiefly through awards to about 150 institutional winners. The Independent College Fund of America—the national body for the liberal arts college State associations—is again aided, as is the Council for Financial Aid to Education. Support is also provided to the American College Public Relations Association for its development work in behalf of all the Nation's colleges.

Grants also are continued to the Association of American Colleges, the American Council on Education, the Association of State Universities and Land-Grant Colleges, the American Association of Junior Colleges, the American Association of University Women, the Board for Fundamental Education, and the Council for Independent School Aid—such grants in support of their national educational research or general programs. A grant to the American Personnel and Guidance Association recognizes the importance of student guidance development, and aid to the National Science Teachers Association of the National Education Association assists that organization's work of encouraging youth to pursue scientific careers. Assistance is also provided for the current program of the National Home Study Council and to the Associated Colleges of Illinois for its ConServ plan.

Academic and educational quality aid—$122,000: Support is again provided toward improved library service and bettered facilities through a further grant to the Association of College and Research Libraries to assist many college libraries. Since the start of the foundation's program, about $298,000 has been provided for such needs. Support is renewed to the Council for the Advancement of Small Colleges—a nationwide group of several score institutions seeking to improve their community services. The National Commission on Accrediting receives a grant to forward its activities in support of academic standards.

Grants also are made to the American Council of Learned Societies toward the cost of publishing scholarly works. Special project aid to the Commission on Faculty and Staff Benefits of the Association of American Colleges toward a full-scale study of the utility of scores of diverse types of special financial and nonfinancial benefits to college and university faculties, other than salaries and pensions, is completed with a current grant. Grants also are made to the American Council of Emigrés in the Professions, Eisenhower Exchange Fellowships, Foreign Policy Research Institute of the University of Pennsylvania, and International Association of Economics and Business Students. Additional grants go toward establishment of the new Gen. Douglas MacArthur chair in American history at Columbia University and to support of the United States Churchill Foundation.

Fellowships—$255,000: The foundation's doctoral-level graduate-study fellowship plan is maintained at the established level of 80, with the current renewal of 35 such fellowships. Dispersed among 37 States, the fellowships are about evenly divided between private and public institutions. Each carries a maximum benefit of $7,200, inclusive of marital supplemental allotment and institutional cost-gap grant, over the 2-year study period. The fellowships are administered and awarded by the respective institutions with 42 percent placed in the physical and natural sciences and engineering, 42 percent in the social sciences, and 16 percent in the humanities. Thus far, the foundation has provided about $1.7 million for graduate-study fellowships, aiding over 250 gifted persons.

Other educational grants: Beyond, the foregoing program, the foundation annually assists education directly and indirectly through grants in its other programs. For example, funds are provided for oceanographic, polar, and other resource investigations, frontier work in varied disciplines comprehending mathematics, biology, psychology, and other natural, physical, and social sciences. Research scholars, commonly identified with universities, benefit in other foundation programs through such grants as those made to the New England Institute for Medical Research, the Institute for Medical Communication, the Sloan-Kettering Institute, the Center for Advanced Study in the Behavioral Sciences, the Foundation for Research on Human Behavior, the History of Science Society, and the American Geographical Society.

Academic centers also benefit from foundation grants for seminars on international affairs, peaceful uses of nuclear energy, conferences on world peace and diplomacy, international student exchange and similar undertakings. Channeled through a selected organization, a special grant has been directed toward helping Negro students of unusually high intellectual promise to reach advanced graduate training through an experimental program of interim supplemental education. Other examples of aid have been assistance for development of teaching materials, including the application of television to education, the training of social welfare career personnel, and national and international conferences on social work education and health education. Substantial onetime aid also has been provided from time to time for university-related hospitals for medical teaching, training, and research.

No additional 1963 grants by the foundation in the field of institutional aid to education are contemplated, and formal notification will be given shortly to all participants.

MINNEAPOLIS BEYOND BROADWAY

Mr. JAVITS. Mr. President, the opening of a new modern theater for the legitimate drama more than a thousand miles west of Broadway marks an important pioneering effort in the cultural history of the United States. Especially where it is hailed as such first rate theater as that of Minneapolis. The $2 million theater which Minneapolis has built under the creative inspiration of producer Tyrone Guthrie offers a guide and a pattern which I hope will be emulated in cities throughout the country. Much of the problem of cultural development which the Nation faces exists in the fact that only a relatively small percentage of the rich cultural activity centered in New York and other big cities manages to get out into the other areas of the country. The United States Arts Foundation which I have proposed would make it possible for the visual and performing arts to make their impact on the rest of the country. Tyrone Guthrie's new Minneapolis theater is a first step in the direction of providing first-rate theater in an area which has been too long without it.

I ask unanimous consent to have printed in the RECORD an editorial which appeared in the New York Herald Tribune, entitled "The Minneapolis Idea."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MINNEAPOLIS IDEA

Broadway, it seems, isn't everything in the theater.

For out in Minneapolis, a thousand miles away, there is something new.

Tyrone Guthrie has opened 20 weeks of repertory there in a brandnew $2 million, 1,437-seat theater built by community spirit on the idea that drama is more than business. And the first week reports are good.

If this can happen in Minneapolis, why not elsewhere? Well, it would appear pretty likely that this is exactly what will come. Since one city has shown that it can be done, others are bound to follow.

For the habitual moaners about the state of the theater, this is a contradictory affirmation that there isn't so much wrong with the theater itself. The fault, rather, lies with the ingrown layers of habit, commercialism, high costs, and absence of fresh outlook.

So Tyrone Guthrie thought it was high time to say goodby to all that, and try America beyond the Hudson. He found, in Minnesota, people who were interested. With newspaper support, civic enthusiasm, and some foundation assistance, the $2 million idea has become a fact. We say well done, and particularly so because there is no element of government subsidy or of private profit.

And Broadway, if it chooses to be alert, could learn a few things from Minneapolis, especially that people are willing and eager to support first-rate theater.

ALASKA, THE KEY TO WORLD PEACE

Mr. BARTLETT. Mr. President, the defenses of Alaska have become steadily weaker through the years. Alaskans have become increasingly alarmed at and aware of apparent lack of feeling in the Pentagon that Alaska is important in a military sense. Ever since the end of World War II and up to just a few short years ago, Alaska was considered vital to national defense and of great military significance.

The State of Alaska's defenses are lamentable. Recent overflight of Soviet planes has underscored that condition.

The Pentagon has expressed due concern over the situation in Cuba but seems to have turned away from strengthening defenses in Alaska—and thus of the Nation—in an area which is only 56 miles away from the Soviet border. Alaskans have lost a considerable number of skirmishes in this deterioration process, but we hope we win the battle. One of the strongest voices in our fight is that of Alaska's Gov. William A. Egan. Once more he has spoken out vigorously and, I trust, effectively. So that his most recent remarks on this subject may be read by as many as possible, Mr. President, I ask unanimous consent that his speech on May 17 in

Anchorage, Alaska, at the Armed Forces Day banquet be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY GOV. WILLIAM A. EGAN, ARMED FORCES DAY BANQUET, ANCHORAGE, MAY 17, 1963

As always, I am pleased to be in Anchorage. I am pleased not only to be in Alaska's largest city but to be with this group on this occasion.

I regret I cannot take equal pleasure in saying what I feel must be said. It is never pleasant to be critical, to point up shortcomings, to emphasize weakness. However, I would be remiss, as Governor of Alaska and as an American, if I did not speak out on a subject of as grave importance as that I will discuss tonight.

I wish to emphasize at the outset that what I will say this evening is not critical of the officers and men of the Alaskan Command, nor of its individual service components. I have the highest regard for these men and their abilities—and I am confident that the vast majority of Alaskans share that feeling.

Rather, my remarks are directed at those individuals in the U.S. Department of Defense who are charged with responsibility for the development of strategic and logistical concepts adequate to the protection and defense of our Nation. Quite frankly, I have the strong conviction that those individuals have not met this responsibility in Alaska in the past and are not meeting it today.

On March 14 of this year, two Soviet reconnaissance planes flew over a portion of southwest Alaska. Newspapers throughout the Nation recorded this event in big black headlines. Newsmen reported the formal protest by our State Department to Soviet officials against what was described as a 30-mile penetration of the Alaska mainland. Our military leaders in the Pentagon issued statements, apparently designed to reassure us, as to the adequacy of Alaska's defenses.

To anyone with even passing familiarity with the military establishment in Alaska, those statements were not reassuring. Some fell by their own weight when examined in the light of the very circumstances which prompted their issuance.

Emphasis was placed in news accounts on the fact that these aircraft penetrated some 30 miles inside the Alaska mainland. This is correct, but a look at the map shows clearly that Kuskokwim Bay and the point of overflight lie more than 200 miles east—or inside—of American soil at St. Lawrence Island.

The very serious question raised by this observation is simply this: Just what does the United States consider to be our air space for defense purposes?

Certainly in this jet age, when aircraft move faster than sound, we are not content to sit back complacently and let hostile planes of a foreign nation, bound on a mission of unknown purpose, penetrate the 3-mile limit applicable to territorial waters before taking alarm.

Now, I concede the existence of international waters—and I recognize both the legal and moral right of the planes of any nation to use the airspace above those waters. I do not advocate that our Nation adopt a policy, for example, of shooting down all foreign planes which cross to our side of the international dateline. In fact, I look forward to the day when world conditions will have settled to the point where we need not look to the skies as a potential battlefield.

But today is not that day. Like it or not, we are to all intents and purposes at war with a foreign ideology whose avowed purpose is the destruction of our way of life. Certainly in today's antagonisms—in the avowed intent of Russian leaders—in the interest of individual and national self-preservation—it is up to us to insist on the necessary safeguards for our continued existence and safety. I consider such safeguards not only justifiable—I consider them imperative and mandatory.

Contrast, if you will, what occurred on March 14 with Russian activity resulting from the innocent straying of the occasional Alaskan while hunting polar bear. Should we—can we—do less? Can we afford to be less exacting than an enemy who has no hesitation in shooting down one of our planes which transgresses its borders? I do not believe we can—not if we are determined to protect our existence and to show that we are.

What else was disclosed on March 14 as to the alleged adequacy of Alaska's defenses?

Well, for one thing, the Pentagon itself was cited as authority for the statement that the Russian planes did not come within range of existing Nike antiaircraft, missiles. While not surprising to Alaskans, this is a startling admission by those who would have us believe that all is well with Alaska's defenses.

Bear in mind, as I have noted previously, that these planes were traveling on an arc several hundred miles inside U.S. territory.

These planes were actually within easy striking range of Fort Richardson and Elmendorf through use of air-to-ground missiles.

Nor was it surprising to Alaskans that our Russian visitors, while under radar observation, were not intercepted on the way in by our aircraft. How could anyone realistically expect such an interception when the only available bases—and they are far too few—are located many miles inland from the coastline they are expected to protect?

At this point, it is an honor for me to extend personal commendation to the pilots and other officers and men responsible for getting U.S. interceptors into the air that stormy night of March 14. The field from which these planes departed was actually closed by foul weather and glare ice runway conditions. When the order came for takeoff, these Americans did not falter in their dedication to cause. They guided their difficult to handle aircraft aloft under almost impossible conditions. However, I suspect that if it had been necessary to tail chase the Soviet aircraft, such case would have resulted in loss of our pilots and aircraft for the simple reason that the airbase from which the U.S. planes took off is too far back from the coast.

Available range of our aircraft would have been too far extended to permit tail chase from a point in Kuskokwim Bay without committing our pilots and aircraft to no return.

And who, I might ask, was reassured by the disclosure that total U.S. interceptor air strength in Alaska—an area one-fifth the size of all other States combined—that area of our Nation bordering most closely on the U.S.S.R.—a State with more miles of coastline than our Atlantic, Gulf and Pacific coasts combined—who was reassured to know that in this vast region we have only 40 Air Force fighter planes? It is interesting also—but scarcely reassuring—to know that the condition of Alaska's defenses was of so little concern to our military strategists in the Pentagon that they were apparently unable to state the Air Force's strength in this area. Original news accounts, presumably based on information provided by the Air Force, set this strength at 28 aircraft and only later revised it to 40 planes.

In the days immediately following the Russian overflight of Alaska, an announcement was forthcoming from the Pentagon that Air Force interceptors in Alaska were being equipped with nuclear-tipped missiles. Possibly it was hoped that this announcement would allay the fears of the American people as to the unguarded status of Alaska's sparsely settled coastline. Yet, it is interesting to note the similarity of this announcement to that given to me more than 2½ years ago—on June 21, 1960—by then Deputy Defense Secretary Douglas.

At that time, when I and other Alaskans were vigorously protesting the folly of a Pentagon decision to deactivate the 449th Fighter Interceptor Squadron at Ladd Air Force Base, Deputy Secretary Douglas sought to reassure me by advising that plans were underway to equip F-102 fighter interceptors with a guided, nuclear warheaded, air-to-air missile.

Unfortunately, Alaskans lost the battle of Ladd Field—just as they lost the battle against withdrawal from Nome and against other reductions in force through the years which have resulted in our present woeful inadequacy of defense.

With the Soviet flyover of March 14, I—and members of the State's congressional delegation and other Alaskans—resumed our continuing bombardment of the Pentagon. Now, at long last, I thought, here is irrefutable evidence of our weakness.

What answer did we get?

Let us look for a moment at the reply which I received from Assistant Defense Secretary Arthur Sylvester. It is interesting—if not very satisfactory.

Mr. Sylvester starts out by stating, and I quote: "As you know, we presently have sizable military forces located in Alaska. Members of the Department of Defense and their dependents make up approximately one-third of the total population of the State." Unquote.

Now remember, Mr. Sylvester's letter was in reply to a letter protesting the inadequacy of military forces in Alaska to carry out their assigned mission as evidenced by the March 14 flyover. Until I received Mr. Sylvester's reply, I was unaware either that military dependents were a part of the defensive forces in Alaska or that the ratio of military to civilian population had any bearing on the size of the area to be defended or its strategic values. I will admit that both of those points were to me new military concepts. I only made sergeant during World War II, but I'm learning.

With regard to Mr. Sylvester's statement of there being "sizable military forces located in Alaska," I should point out that the Washington Bureau of the Associated Press, following a briefing by U.S. Defense Department officials on Alaska air defense, on March 19 of this year had this to say, "The Army, too (in Alaska), is rather thin."

Mr. Sylvester continues, in his most reassuring vein, to tell of the presence in Alaska of the "most sophisticated air defense weapons in the Army inventory" and of the Air Force's maintenance of "a substantial force of F-102 supersonic interceptor aircraft, of nuclear and conventional capability, armed, strategically dispersed and on continuous alert." Now a foot soldier isn't necessarily sophisticated—so there he lost me again. Presumably, however, these are the same Nike missile batteries which were out of range of the Soviet planes, despite their 200-mile penetration of U.S. territory, and the same fighter aircraft which as located would have been unable to intercept and chase the Russian craft into the west without exceeding their own limited range.

Mr. Sylvester also offers assurance that "considerable knowledge of Soviet installations and activities in the Chukotski Peninsula and adjacent Siberian areas does exist," and added that "any step-up in military activity in Siberia would most certainly be viewed with deep concern." Contrast this situation with the furor and urgent concentration of military forces which accompanied disclosure that a comparative handful of Russian missiles and technicians had been landed in Cuba.

I am not critical of the buildup resulting from the Cuban situation.

I consider it to have been essential and commend the prompt manner in which our Nation responded to the challenge. But, is it unrealistic or unreasonable to ask that comparable recognition and concern be shown to counteract an equally serious and continuing danger which exists almost within naked eye view of the Alaska coast?

But Mr. Sylvester had more to say, and I quote again two paragraphs of his communication:

"The threat to Alaska, created by the proximity of the Soviet Union in the context of existing weapons and Soviet objectives, is not considered any greater than that existing against the United States as a whole. To counter this threat the United States is depending on the entire U.S. defense establishment deployed worldwide and specifically on the defense capability of NORAD and the total retaliatory capability of strategic air and missile forces.

"In addition, the newly formed U.S. Strike Command has the capability to augment rapidly the Alaskan Command with significant numbers of Army and Air Force units, nuclear or conventional. Plans to accomplish this are periodically tested with large scale joint exercises, such as exercise Timber Line conducted in Alaska during February of this year.

Over 8,000 troops were engaged in this exercise with approximately half deployed by air by Cincstrike from other U.S. States.

Let's analyze now what Mr. Sylvester has said.

First off, it is apparent that he has interpreted the protests by me and others to have been based solely on a desire for the defense of Alaska. This would not be an unjustifiable position, even if he were correct. I would like to believe that an American citizen, minding his own business, has the strength of his Government behind him wherever he may be—and certainly in 1 of the 50 States of our Union.

But this is not our position. We have emphasized repeatedly—and it has been stated time and time again by such military leaders as Billy Mitchell, Hap Arnold, Frank Armstrong, and many others—that the presence of a strong deterrent force of varied capabilities in strategically situated Alaska would have immeasurable meaning to the entire North American continent.

To me, this is not a conclusion; it is a fact of life—inescapable and undeniable. I am amazed and confounded that our Pentagon officials have such myopia as to the military potential of Alaska's geographic position.

It is not necessary for me to remind you—and I do not think it should be necessary to remind Mr. Sylvester—of the frailties of our worldwide defense deployments. The mere mention of Morocco, Saudi Arabia, Spain, or the Azores should point up readily the dangers of reliance on bases established on foreign soil. Even in the case of Great Britain—our closest of allies—there has been criticism of our nuclear submarine bases and other military establishments located on British soil.

Nor does it strike a sympathetic chord with me to have our military leaders speak of reliance upon a total retaliatory capability, or upon their ability to reinforce the Alaskan Command from the continental United States. It is not sufficient to me that—should the need arise—missiles can reach targets inside Russia from the continental United States in approximately the same time as missiles from Alaska. Approximately is not good enough in an age when military superiority can be established in a matter of seconds. Where survival is at stake, we can be satisfied only with that means of delivery which is the quickest and most accurate.

The mere fact that elaborate plans have been prepared to reinforce the Alaskan Command in time of need is sufficient evidence to convince me of the obvious desirability of stationing these additional weapons and personnel in Alaska now, to be available for instant use when needed.

I see no special merit in a plan which provides additional troops and weapons after an attack has occurred.

It may be felt by some that I am being unduly critical of Mr. Sylvester. This is not my intention. I recognize that Mr. Sylvester is not a military man. He is, in private life, a newspaperman—and it is my understanding that he is a good one. I can only see that the obvious weaknesses of his reply serve to point up the difficulties of attempting to defend the indefensible. Mr. Sylvester has tried, but I suggest that it was not he who failed but those who comprise the top echelon of our military and civilian leadership in the Pentagon.

Subsequent to my reply from Mr. Sylvester, Alaskans received another response from Pentagon officials to their pleas for more adequate defenses.

Early this month—less than 2 months following the penetration of Alaska's mainland by Russian planes—Alaska's newspapers carried the announcement that the Air Force late this summer plans to close three aircraft control and warning stations at Ohlson Mountain near Homer, at Middleton Island and at Bethel. I need not tell this audience the relationship of Bethel to Kuskokwim Bay and the scene of the Russian overflight.

Unidentified military authorities were quoted in news reports of this development as saying elimination of the sites was expected to give Major General Bowman a "closer knit command." I daresay this is true, but I shudder to think what might happen to our Alaskan Air Command should our Pentagon officials seek the ultimate in closely knit commands through the logical extension of that thinking. This would see the strength of the Alaskan Air Command reduced to the commanding general and his staff.

I found it somewhat ironic that this announcement of Air Force intentions appeared in Alaska's newspapers on the same day that Harold Stassen, formerly a special assistant to President Eisenhower for disarmament, suggested that neutral zones be established in Alaska and Siberia under United Nations supervision. As commendable as Mr. Stassen's goal might be, for myself I would prefer that the Pentagon await some indication of a favorable Russian response before undertaking further abandonment of the limited facilities now in Alaska. I, for one, feel that Alaska has been too dangerously neutralized already.

Throughout my remarks to this point I have been critical of what I sincerely believe to be the weaknesses of our national defense posture in Alaska.

This criticism has not stemmed alone from my grave doubts as to the capability of military forces now within Alaska to defend Alaska—although as an Alaskan, and as Governor of this State, I feel cause for legitimate concern.

More importantly, however, my criticism is directed at the shortsighted policies and concepts of those in our Pentagon who refuse to take note of the obvious strategic value which Alaska offers for the defense of our entire Nation.

Let us look for a moment at those strategic values. What are they? What advantages or disadvantages do they offer?

Because it is so obvious, priority in any such discussion must be given Alaska's geographic location. Of all areas of the United States, Alaska lies closest to Asia. This is dramatically evident not only to those Alaskans along our northwest coast who can see Siberia with their naked eye, but to anyone who takes time to glance at a polar projection of the world in which we live.

It is no military secret that an intercontinental ballistic missile of 5,000-mile range, fired from Alaska, could cover targets throughout Russia and China and much of Europe. Missiles fired from Alaska bases would have a significant range and time advantage over those fired from any area of the continental United States, including the west coast.

These shorter distances have real military meaning when translated into terms of greater payload, improved accuracy, faster delivery, fewer failures in flight, and shorter time for counteraction by enemy forces.

The Pentagon recently reiterated its contention that it sees no need for ICBM's in Alaska. I do not share this view, but I strongly suggest that whether there is need in Alaska for intercontinental range missiles in name, our geographic advantage is such as to provide intercontinental effectiveness in fact by the deployment in Alaska of missiles of intermediate range.

Earlier in my remarks I alluded to a second advantage offered by Alaska—the fact that it is and will remain U.S. soil. Bases and facilities established in Alaska are not subject to political instability—or to the blackmail frequently experienced in our dealings with foreign nations as to continued use of bases established outside our Nation's borders. What assurance do we have in today's swiftly changing world that a base in any foreign country will be available to us next week, next month, or next year? This uncertainty does not exist in Alaska. Bases and facilities situated in Alaska can be relied upon indefinitely, so long as need continues and so long as Alaska is made defensible.

Less frequently mentioned and not pleasant to contemplate—but a significant asset in terms of national defense policy—is the vast and undeveloped land area within Alaska. It is not necessary in Alaska that military defenses be established adjacent to populated areas or industrial centers. The possibilities for dispersal of aircraft, of missile launching sites or of personnel are almost without limit. This in itself provides an additional protective shield for such forces. More importantly, however, it serves to reduce the exposure and vulnerability of our Nation's vitally needed industrial complexes and centers of population to missile attack.

As a lifelong Alaskan, I cannot look forward to the despoiling of our beautiful State, or to the sacrifice of Alaskan lives. But, as an American and as a freeman, we are talking here of an eventuality in which survival will be its own victory.

In only limited degree have our Defense Department leaders given recognition to the significant advantages which Alaska has to offer. There is much more that can be done—and should be done to take advantage of these natural endowments.

There is an urgent need for additional aircraft of greater range and speed than can be obtained by the obsolescent F-102 now forming the backbone of Alaska's air defense.

I was pleased to note a recent statement by General Mundy that he has requested the assignment in Alaska of more modern aircraft, as well as missiles. I can only say that I hope his suggestion falls on more responsive ears than have the many presentations which I and other Alaskans have made.

Additional airstrips should be constructed promptly along Alaska's coastline—particularly along that area of Northwest Alaska bordering so closely upon Russia's Siberian stronghold. There are few actions which could better, or more positively, declare our firm intent that Alaska's borders will remain inviolate than the reestablishment of our fighter plane strength at Nome, where short distances from Russian territory dictate a prompt determination of the intent of approaching or encroaching foreign aircraft.

As at Nome, these additional airstrips should be so situated that Air Force planes can maintain constant patrol of the entire Alaska coastline without loss of range. Every mile these bases are located inland means 2 miles cut from an aircraft's effective range and precious seconds added to the time needed to carry out its mission.

Alaska needs missiles—if not of intercontinental range, then at least of intermediate range to effectively counter Russian bases known to exist across the narrow Bering Sea channel.

The importance of neutralizing the offensive capabilities of these Russian bases and the threat which they pose to our Nation's industrial capacity cannot be overemphasized.

I am not one who feels that the horrors of so-called limited war cannot befall us—despite the fantastic nuclear buildup of the Soviet Union and of our own United States.

If we are not to overlook the possibility of amphibious assault—either small or large in magnitude—or of guerrilla warfare carried out by parachutists brought in under cover of night, then consideration must also be given to beefing up Alaska's ground forces. Without elaborating upon these possibilities, we need only to recognize the adeptness with which our Russian adversaries have swayed public opinion through propaganda—and then consider the possible psychological effect upon uncommitted nations of the landing of even a token Russian force upon the Alaska mainland.

Regarding the possibilities listed above, I point out the scores of modern, large size trawlers and factory ships presently operating ostensibly as fishing vessels immediately off of Alaska's coastline.

The defense of Alaska's extended coastline—a coastline greater than that of all the Atlantic, Gulf and Pacific Coast States which preceded us into the Union, merits the assignment of one or more warships to the Alaskan sea frontier.

Not only would such vessels be available in time of need, but their mere presence even now would have beneficial effect upon the observance of our fishing rights by the vessels of foreign nations.

In speaking of our need for additional naval forces, I must point out again the geographical advantage held by Alaska. This advantage vividly illustrates the desirability for assignment of a missile-firing nuclear submarine to Alaskan waters. Such a vessel, capable of moving at will beneath the waters of the Arctic Ocean or elsewhere, could bring much of Russian territory within its range.

These are just some of the things which could and should be done to realize upon Alaska's possibilities as a defense bastion and as a forward outpost for retaliation should such, regretfully, become necessary. To the degree that these needs are not fulfilled, to that degree are we leaving a gap which may mean defeat instead of victory. Failure to fill these gaps is to invite—if not outright attack—at least an experimental probing which at best can serve only to heighten world tensions.

After having witnessed Department of Defense operations in Alaska over the past 10 years, I have arrived at two conclusions.

One is that our Federal Government, a number of years ago, must have decided that location of air bases or missile sites along Alaska's western and northwest coasts would offend our neighbors across the Bering Sea, Bering Strait, and Chukchi Sea. If this is so, then I say such diplomacy only evidences weakness on our part—an open invitation to the totalitarian aggressor to start something. And how could such a policy be reconciled with U.S. armament policy in foreign nations, such as in West Berlin?

Second, I feel that popular appeal and costs of our space program have caused Department of Defense decisions relative to Alaskan defenses to be made from the dollar standpoint and from the standpoint of a relatively small Alaskan population, rather than from the strategic national defense location of Alaska.

I realize there are those who will be critical of my remarks here this evening and accuse me of warmongering. I can say with all sincerity that I stand second to no man in the intensity of my desire for early and peaceful solution of the problems and differences now plaguing the nations of the world.

But, I am equally sincere in my belief that incidents such as the March 14 flight by Russian aircraft over the Alaska mainland, or the buzzing of our warships on the international high seas, do not serve the cause of peace.

It is my strong feeling that incidents such as this—no matter who the perpetrator—serve only to irritate further a sensitive situation and to goad cold war antagonists to still further provocations.

As has been fully demonstrated, our Russian neighbors show no hesitancy in shooting down a U.S. plane which violates—innocently or otherwise—the air space over Russian-held territory. They are prompt to react when our planes pass even close to their borders.

As an American, I might deplore the fact that Russia has chosen to adopt such a policy—but I cannot find it difficult to understand their playing a rough game once committed to the course they have adopted.

We, too, must play from strength. We must put Russian leaders on notice that we are equally as determined as they to protect the sanctity of our shores and the rights of our ships to traverse the high seas. We cannot sanction dangerous provocation by war planes over our warships anywhere in the world. Without such a clearly and firmly established policy, I can see only a steady and continuing deterioration in relationship—a deterioration which can only increase the chances of international upheaval and devastation.

If we are firm—if our Nation takes the rightful position that our warships—wherever they may be—must not be intimidated; if we leave no doubt that we will not tolerate violation of our air space—then I think our message will be understood and the likelihood of world war III reduced.

If we can get that message across—once and for all—I believe we can then sit down at the conference table and arrive at a peaceful solution of the major problems confronting today's troubled world.

What I have sought to develop in this talk is that Alaska, militarily, is far more than a geographically, well-placed offensive or defensive base. In warfare's awesome proportions it has become more than that.

Today, we are obliged to give our best attention to the other dimension of warfare—namely, positive steps in its prevention.

So, in addition to Alaska's well-known strategic importance noted by so many able military leaders and others—and because of it—Alaska today could be the key to world peace.

This new role can be achieved only by sufficient buildup of this military theater to take full advantage of its commanding view of the adversary.

When this occurs, survival will require that all nations elect peace. We must use that key. We must use it in Washington, in the national interest, and in the cause of world peace.

ADDRESS OF SENATOR JOHN L. McCLELLAN TO THE NORTH CAROLINA BANKERS ASSOCIATION

Mr. ERVIN. Mr. President, on May 10, 1963, our distinguished colleague, the senior Senator from Arkansas, made a most significant address to the North Carolina Bankers Association at Pinehurst, N.C. Since such address deals in an eloquent and forthright manner with some of the most serious problems confronting the Congress, I ask unanimous consent that it be printed at this point in the body of the RECORD as part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM ADDRESS OF SENATOR JOHN L. McCLELLAN, NORTH CAROLINA BANKERS ASSOCIATION, PINEHURST, N.C., MAY 10, 1963

Mr. Chairman, the 88th Congress has now been in session for 4 months. Measured by the number of laws it has passed, it may be said that its legislative accomplishments are not very impressive. Only some 15 public laws have thus far been enacted, and only a relatively few other bills have passed either the House or the Senate and are still awaiting action by the other body.

Because of this seemingly slow motion action, critical complaints have been made; and in some quarters, it has been openly charged that this, the 88th, is a "do nothing" Congress. I am not fully sympathetic to, nor am I in complete agreement with, that criticism.

The mere fact that favorable action has been taken on such few measures is not the only yardstick by which the record of this Congress should be judged. The mass output standard that is applicable and commonly used for the measuring of successful industrial operation and production is hardly a proper criterion for making an evaluation of the progress and work of the national Congress. Consideration of the quality rather than the quantity of new laws passed is a far better and safer way of assessing and judging its record of accomplishments.

There is also another important factor that should be taken into account, and that is the kind of bills and resolutions that are defeated. You will recall that a motion to change Senate rules, to impose a gag rule and limit debate—a change that would have given a bare majority of the Senate complete domination and control of its proceedings—was introduced early in the session and debated for several weeks before it was finally defeated. That ill-advised motion proved to be a time-consuming and time-wasting parliamentary procedure and tactical maneuver.

However, the rejection of that resolution protected and preserved one of the traditional and most vital bulwarks of strength that is inherent in the democratic processes of our legislative system. The defeat of that ill-conceived attempt to change Senate rules was a great victory. It was a major Senate achievement.

So, we need to remember that Congress often makes a good record by defeating bad bills and resolutions as well as it does when it passes good legislation. The unsuccessful effort to change the rules of the Senate at the beginning of this session is an outstanding example.

There are many bills before this Congress, which, if passed, will incur new Federal obligations, further increase deficit spending, and add more billions to the national debt. In my opinion, most major bills coming within that category should be defeated.

That both the President and the Congress genuinely desire and seek to achieve a vigorous and expanding economy, there is no doubt. This is also true of both political parties and of the American people.

In the essential task of revitalizing our economy so as to attain the goal of a healthy, growing, and sustained prosperity, we still have some distance to go. In striving to "translate * * * our national strength into the achievement of our national purpose (as the President has expressed it)," the Congress must share at least equal if not greater responsibility than the President.

The President can recommend laws, but he cannot pass them. He can devise, suggest, and urge spending programs, but he cannot inaugurate or execute them without congressional authorizations and appropriations.

Provocative issues and serious controversies arise over the means of achieving our goal—over what the Federal Government can do and what it should do to attain the results we desire.

There are those—too many of them, regretfully so—who insist that the Government must take full responsibility and that it should regulate and control, and in most areas, completely dominate the economy. They believe in "priming the pump" with Federal funds—with dollars that we do not have—and, I may add, on a credit that is beginning to strain.

These self-styled "sophisticated" modern advocates of a managed economy profess to see neither virtue nor wisdom in a balanced budget. They regard a balanced budget as a detriment and hindrance to growth and progress. They advocate deficit spending as a firm and permanent policy; as a way of life, so to speak, for the Federal Government. They refuse to place full faith and confidence in our competitive free enterprise system and in the initiative and ingenuity of the people. Fiscal responsibility exerts no restraining influence in their economic philosophies. They sneer derisively at any effort to have the Government live within its income.

What does it matter, they say, if the national debt is more than $300 billion and still rising at a rate in excess of $8 billion annually. We only owe it to ourselves.

Along with astronomical peacetime spending that greatly exceeds annual revenues, it is now proposed to cut taxes by some $10 billion or more. I simply cannot reconcile these divergent extremes with anything that even remotely resembles what, in my judgment, constitutes sound fiscal policy or responsible government.

The contrived fiscal philosophy which Congress is being urged to embrace is strange and perplexing indeed. It is now proposed, according to an editorial in the Washington Post, which supports the scheme, that our economic growth be stimulated "through the creation of active fiscal deficits that increase the total volume of national expenditures as distinguished from the passive deficits that occur when a sluggish economy fails to generate sufficient tax revenues to cover Federal expenditures."

It is conceded by advisers of the administration that if this combination program of tax reduction and active deficit spending is carried out, the national budget will remain unbalanced through fiscal 1967. They hope that by that time our economic growth will be sufficiently stimulated to bring tax revenues up to the level of expenditures.

Other competent authorities outside of the Government, however, insist that, even if everything goes well, it will take much longer and that we will not likely see a balanced budget again until about 1975. The deliberate embarkation on a prolonged period of planned deficits cannot be reconciled with rational concepts of fiscal soundness, economic stability, and monetary integrity.

Any attempt to justify such planned deficits by classifying them as active, in contrast with unplanned deficits as passive, is a distinction without a difference which makes no sense at all. It is an exercise in utter futility and has no real meaning. The annual deficits of $8 to $10 billion, now envisoned, will simply add that much more to the national debt, and designating them active rather than passive cannot change the end result.

With such a program, with such faulty theories and unsound policies, and with such warped concepts of public responsibility, I wholly disagree. But, advisers and consultants, who are profound and undeviating adherents to the dangerous doctrine of perpetual deficit spending, are wielding a powerful, and I think, predominant influence in the affairs of our Government today. They have already been in the driver's seat too long for the good of the country.

The 87th Congress passed many new laws. Eighteen of them will add more than $25 billion to the cost of Government for the first 5 years of their operation—an average of $5 billion annually. None of these laws, nor the appropriations therefor, come within the category of space, military, or defense spending.

Notwithstanding the certainty of heavy deficits in the immediate years ahead and the desirability, if not the urgent need, for some tax reduction, the Congress is asked to pass at this session more new laws creating additional spending obligations. There are 12 bills or active requests supported by the President already pending in the Congress which, if enacted, will add at least $3½ billion annually to the cost of government for the next 5-year period. These are also in a nondefense category. How long this terrific pace of spending can be maintained and sustained by deficit financing, I do not know. Your guess is as good as mine.

I said earlier that Congress has equal if not greater responsibility in this field than has the President. I believe that Congress has already gone far enough in the direction of creating new and heavy spending obligations. Our Federal Government is going into debt too fast and too deep and to a degree that threatens the impairment of national growth and economic stability.

Our fiscal problems, as we all know, have become more acute during the past 10 years. It is significant to note that within that time the Federal Government went much further into debt and spent $37 billion more than its revenues. In view of the problems confronting us today, this would seem to refute completely the validity of any contention that continuous deficit spending is wise, sound, or necessary to our economic growth, prosperity, and stability.

It also demonstrates that more and more deficit spending and a steadily mounting national indebtedness provide only a poor and failing remedy for the ills that beset us. At most, planned large deficits for an indefinite period, can give only temporary relief, while in many instances aggravating the very causes of the ills that we seek to cure.

Nor is a $10 billion or more tax reduction the answer, unless it is accompanied by a corresponding decrease in expenditures. But, a reduction in expenditures is neither planned nor asked for by the budget makers. They argue that it simply cannot be done.

If we accept the desirability and advisability of a tax reduction, then I think we must also admit the imperative need for the curtailment of government spending. In our fiscal situation today, the only safe highway to tax reduction is the difficult road of spending reduction. A substantial tax reduction on borrowed money is a shirking of responsibility and imposes on future generations a cost of Government that we, ourselves, should bear.

Thomas Paine wrote in "The American Crisis" (April 1783) that "character is much easier kept than recovered." That principle applies to nations and governments, just as it does to individuals and business institutions. As a guide to our conduct, we might do well to paraphrase what Thomas Paine said and remember that "national solvency is much easier maintained than regained."

Therefore, in the light of the record, I say the greatest service that can be performed by the 88th Congress is to reduce Federal expenditures and move again toward a balanced budget and the restoration of fiscal integrity in government.

We should, temporarily at least, refrain from passing more laws that will incur additional spending obligations. We need a breathing spell, so that our economy and Federal revenues may again catch up with the cost of Government. That, in my opinion, is the most urgent task confronting Congress this year and the next.

In the mighty struggle in which we are now engaged against the aggressive forces of international communism, it is imperative that we keep our Nation strong, both economically and militarily.

In our purpose to do that, we should not neglect nor leave unremedied any weakness, either manifest or potential, that could render us more vulnerable to attack that might impair our defenses, or that might constitute a threat to our survival.

Such weaknesses, in my judgment, do exist in two most vital areas. One is in the field of transportation; and, the other, at our missile sites and strategic defense facilities.

During the past 8 years, I have had the honor to serve as chairman of two of the most important investigating committees in the history of the Congress. In that period of time, I have presided over more than 2,000 hours of committee investigative hearings. More than 1,500 hours were occupied in taking testimony of witnesses about corruption, coercion, intimidation, violence, unwarranted strikes, mismanagement, and other improper practices in the labor-management field.

The unsavory conditions these investigations exposed prompted the Congress to enact the Labor Management Reporting and Disclosure Act of 1959, popularly known as the Landrum-Griffin Act. That is a good law as far as it goes, but in some areas it is inadequate and needs substantial amendment and strengthening.

Accordingly, I have introduced two bills for that purpose. The first, S. 287, would bring unions in the transportation industry under some restrictions and control comparable to those that are now applied to businesses and industries under existing antitrust laws. The second, S. 288, would prohibit strikes, walkouts, and work stoppages at missile bases and in defense installations.

The unrestrained powers that are now reposed by law in transportation unions and in their leaders are dangerous and a constant threat to the public welfare and our internal security.

The devastating strike by the International Longshoremen's Association—dock workers—that stopped all shipping and closed down all ports on the Atlantic and gulf coasts for some 40 days earlier this year is a flagrant example and was a demonstration of the unrestrained powers and dangerous use thereof to which my bill is directed. I do not think such conditions should be tolerated.

It is an irrefutable fact that our transportation systems constitute the vital artery of our Nation in peace and war. We are all aware of the indispensable role which transportation occupies in our modern and highly industrialized society. It is upon continuous and uninterrupted transportation that each of our metropolitan communities must depend for its food and fuel supplies, for the operation of its factories and business establishments, and for the dispensing of essential health and sanitation services.

The very life of all of our major cities depends upon their day-to-day external and internal transportation systems. He who has the power to control or stop their operation, has the power of economic life or death over them. That is simply too much power to be in the hands of any one man, by sanction of law or otherwise, or in any group of men, or in any organization.

It is, therefore, clearly apparent that whoever holds in his hands the power to control or stop transportation or any substantial segment thereof, in a community, in a region, and in the Nation, would thereby have in his grasp the power to impose economic chaos and untold hardship on the people and to bring our Nation to the very brink of disaster.

I would remind you that such tremendous power is not possessed by any representatives of our Government. The Congress, under the Constitution, is only authorized to regulate commerce—not to prohibit it. Such exorbitant power is not granted even to the President of the United States. He has no authority to issue orders or edicts saying that the trains shall not run, that ships shall not sail, that planes shall not fly, or that trucks shall not roll. There is only one place that such power is to be found. It is lodged in the hands of labor union leaders in the transportation industry.

These union leaders are today free to exercise this lethal power without fear or serious restraint. They are free to conspire together and cause simultaneous strikes—or sympathy strikes—in different transportation systems and thereby achieve a concentration of power so vast and exorbitant as to assure the strangulation of all resistance to any of their demands or objectives, however arbitrary, unreasonable, harsh, cruel, and destructive they may be.

On January 22, Mr. Hoffa spoke in Philadelphia. I ask that you listen carefully and get the full import and meaning of his remarks, and I quote:

"There can be no individual strikes of transportation in an individual city without affecting widespread areas. The longshoremen's strike is a perfect example. At no time during this controversy of the longshoremen has one single voice been raised that the longshoremen were right. And the Government would not have intervened in this strike if one pier had been tied up. Nobody would have raised a voice in behalf of the workers had they been confined to one particular area, one given dock, and only when they had the strike activity over the entire shipping industry was there a successful bringing to a termination of that strike for the benefit of the workers. We feel the same thing applies to transportation and trucks."

The significance of that statement is clear. He advocates not just local strikes, but strikes of an entire system affecting a large area so as to punish the public and to cause such suffering and hardship as is necessary to force capitulation.

I believe the public has a right not only to be heard, but also to be protected in such strikes. I think it is a reflection upon civilized society, and upon those of us who have the responsibility of government today, that we throw up our hands in a helpless gesture and say there is nothing we can do about it; that the public must suffer the terrible consequences; that the Government is impotent and helpless in such a situation. I don't believe that this unrestrained monopolistic power in the hands of labor unions and labor leaders in the transportation field should continue; that it should longer be tolerated.

The responsibility for doing something about it rests primarily with the Congress. Congress has not only the authority, it has the constitutional duty to enact laws necessary to protect the public interest and to insure the security and well-being of the Nation. In the exigencies of the situation that prevails in America today, we should no longer indulge such dangerous monopolistic powers. We in Congress should have the courage to rise above political threats and fears, meet our responsibilities as statesmen, place the welfare of our country above our own political fortunes, and pass a law to bring strikes in the transportation industry under control and subject to reasonable restraints and limitations.

The other bill which I have reintroduced at this session is S. 288. It would outlaw strikes and work stoppages at missile sites and certain strategic defense facilities. It would also provide, by a form of compulsory arbitration, for the settlement of labor disputes that may arise at these plants.

The term "strategic defense facilities" is defined to be any facility, institution, or establishment engaged in, or a purpose of which is to engage in, the designing, development, production, testing, firing, or launching of munitions, weapons, missiles, and space vehicles.

This Government clearly has not only the right, but the duty, to protect itself by appropriate legislation that will prohibit delays, obstructions, and work stoppages that would do irreparable injury to our defense program and national security.

Many of these strikes and work stoppages are occasioned by jurisdictional disputes and other petty grievances so frivolous as to be positively ludicrous if it were not for the danger they pose to our security.

The Senate Permanent Subcommittee on Investigations exposed the rotten practices and conditions that existed at our missile bases in early 1961. That investigation revealed that work stoppages and slowdown practices at Cape Canaveral and our missile sites had reached proportions of a national scandal. In some instances, the rate of productivity of work had fallen below 50 percent of normal capacity. As a result of these shocking disclosures, the President's Missile Sites Labor Commission was established on May 26, 1961. Conditions at missile bases have materially improved since then.

Prior to that investigation, 1 man-day of labor was being lost by work stoppages for every 73 days of work being performed. Within 6 months following the investigation, that ratio had been reduced to 1 man-day of labor lost for every 1,250 man-days of labor performed.

These figures I have cited relate exclusively to work stoppages at missile sites. They do not include man-days of labor lost at defense plants.

I can give you only a part of the record of work stoppages and man-days of labor lost at defense plants during the calendar year of 1962. I am advised that work stoppages of major import resulted in 673,427 man-days of labor lost in seven of our large defense establishments that would be covered by the bill I have introduced. These seven plants and the time lost in each of them due to strikes in 1962 are:

	Man-days lost
Sperry Gyroscope, Long Island, N.Y.	55,528
Republic Aviation Co., Long Island, N.Y.	474,282
Electric Boat Co., Groton, Conn.	76,750
Marshall Space Flight Center and U.S. Army Missile Command Headquarters	6,930
Hercules Powder, Bacchus, Utah	5,175
Aerojet General Corp., Sacramento, Calif.	17,762
Lockheed Aircraft Corp., Burbank and Sunnyvale, Calif.	37,000

I have not by any means listed all of the strikes that occurred last year that had an impact on our defense program. These I have mentioned are only the most significant. There are many others.

The time involved in these strikes is irrevocably lost to our defense effort. It cannot be regained. Unless effective legislation is enacted, we may expect a continuation of such strikes and work stoppages to occur. They could well reach proportions that would imperil the very safety of our Nation.

We draft our young men, interrupt their lives, take them from their homes and loved ones and from their educational pursuits and vocations, place them in military uniform, train them as soldiers and order them to fight and die if need be in defense of our country.

For our Government then to supinely permit, tolerate, or condone strikes in our defense establishments—strikes that slow down and strikes that delay the production of weapons and instruments of war that we need and strikes that otherwise weaken our defenses and give aid and comfort to the Communist enemy—constitutes, in my judgment, an ignoble and most regrettable abdication of national responsibility. I believe we should face up to duty and do something about it.

EXPENDITURES IN CONNECTION WITH LEGISLATIVE INTERESTS

Mr. CASE. Mr. President, Mr. George J. Burger, vice president of the National Federation of Independent Business, has asked me to state that his organization has "never spent a single dime in lobbying activity as the term 'lobbying' is generally understood." Mr. Burger made this comment in a letter to me in reference to a series of articles prepared by Mr. Felton West, chief of the Washington bureau of the Houston Post, which I inserted in the CONGRESSIONAL RECORD on March 25.

Mr. West listed a number of organizations which had reported to the Secretary of the Senate their "expenditures—including loans—in connection with legislative interests." Mr. Burger does not challenge the figure which Mr. West has used, but states that "the expenditures reported are for the entire operation of the Washington office, which means other activities of the Washington office than petitioning the Congress to recognize the position of small business."

HAWAIIAN SUGAR

Mr. INOUYE. Mr. President, the CONGRESSIONAL RECORD of Thursday, May 16, 1963, on page 8838 contains a most interesting colloquy between the distinguished chairman of the Senate Committee on Agriculture, the Senator from Louisiana [Mr. ELLENDER], and the distinguished Senator from Vermont [Mr. AIKEN], in which, by inadvertence, erroneous information is included.

In this colloquy, the Senator from Louisiana stated that—

> The Senator knows that as of today Florida and Louisiana are the only cane sugar producing States in the Union.

The Senator from Vermont followed by stating:

> That is correct.

Mr. President, I am pleased to advise the Senate that Hawaii is also a cane sugar producing State. According to the reports of the U.S. Department of Agriculture, the State of Hawaii is by far the largest sugar producing State in the Union. The following statistics on major sugar producing States for the year 1962 should be of interest to my colleagues:

Major sugar-producing States in 1962

	Short tons
Hawaii (cane)	1,120,011
California (beet)	603,098
Louisiana (cane)	472,000
Colorado (beet)	466,039
Florida (cane)	[1] 378,000
Idaho (beet)	292,558
Washington (beet)	176,124
Minnesota (beet)	158,707

[1] Estimated by USDA.

Mr. President, later in the colloquy, the distinguished Senator from Louisiana stated that—

> As the Senator well knows, we produce in the continental United States about 32 percent of our requirements. We must depend on offshore production. Puerto Rico is almost out of production now. It is expanding so much industrially that it has given up many sugar-producing lands. Hawaii is in the same position. It is not producing what it could. It is developing industrially. It is building homes, and much good sugar land is being used for that purpose.

As to this statement, I am also pleased to advise my colleagues that in 1962 in the State of Hawaii, 228,926 acres were in the cultivation of cane sugar. This is the largest acreage in cane sugar cultivation since 1941. As a matter of fact, acreage devoted to cane sugar has increased every year since 1955. In 1962 the State of Hawaii produced its second largest sugar crop in history—1,120,011 tons, raw value.

BRAINS AND NATIONAL POWER

Mr. HUMPHREY. Mr. President, recently I was privileged to address a special Washington seminar sponsored by the American Management Association. At this seminar I discussed the topic "The Changing Basis of National Power, Prestige, and Prosperity."

My basic proposition centered about the fact that today brains provide our most important natural resource in terms of our highly competitive and industrialized society. Unless we develop this resource to its fullest potential, we run the grave risk of sacrificing our preeminent position among nations in regard to gross national product, productivity, and standard of living.

Those nations and people who have the commonsense to realize this fact today will be among the industrial leaders tomorrow. Unfortunately both private industry and Government in the United States have been extremely reluctant to grasp the full significance of developing our intellectual and technological potential.

Let me give several brief illustrations. In France, Germany, and England, nonspace, nonmilitary technical efforts have been approximately doubling every 3 to 4 years. In contrast, our own increase has been only a few percent each year. In fact, our rate of increase of investment in nonmilitary, nonspace research and development has been diminishing.

If one wants to see the latest advances in automated, technologically sophisticated production methods, one seldom comes to the United States any longer. Much of our industrial plant has been outdated by the vast industrial complexes that have been constructed in Western Europe and Japan since World War II. These facts have direct impact on our difficulties in cutting the unfavorable balance of trade. If we are going to reduce the adverse balance of international payments, we must expand our exports. And to expand exports we must broaden the technical base of our economy. We have to improve the quality of our goods and reduce our costs. Only through research and development can this be accomplished.

Three quarters of our annual $16 billion investment in research and development is sponsored by the Federal Government for such purposes as defense, space exploration, atomic energy, and public health. These are vital national objectives, but they do not provide the basic industrial technology leading to expanded economic growth. In particular, there is a critical lack of research and development in such basic industries as building and construction, textiles and apparel, and food processing. Although these industries constitute about 30 percent of the manufacturing and construction components of our gross national product, they currently provide less than 4 percent of privately supported research and development.

As a Senator from a State that comprises part of the great heartland of America, I can only view with the greatest apprehension the high concentration of military and space research and development along the east and west coasts. The great heartland is becoming a great wasteland as far as Federal support of research and development activities is concerned. The Pacific States now perform almost half the total military research and development; the Middle Atlantic States almost a fifth. The Midwest currently receives only 8 percent of the total.

A similar pattern exists in regard to the geographic distribution of trained human resources. In 1961, for example, the Midwest had 750 scientists per million population, as compared with 1,240 per million on the Pacific coast and about 1,035 per million in the New England-Middle Atlantic region. In fact, the Midwest has become a net exporter of scientists and engineers to both coasts. Our great Midwestern universities, like the University of Minnesota, are training men and women with advanced degrees only to have them leave the Midwest. And so long as the Federal procurement dollar is providing the overwhelming majority of job opportunities in limited areas of the country, this trend will continue and even accelerate.

Mr. President, the time has arrived for Congress to take a hard look, an independent look, into this entire question of industrial research and development. Let us remember that our investments in military and space activities have only marginal effect on the long-term economic strength of this Nation. Our spotty record of economic growth during the past decade confirms this analysis. I will have a great deal more to say about these problems in the coming months. In the near future, I intend to reintroduce my concurrent resolution calling for the creation of a Joint Committee on Export Trade. As one of its responsibilities, this body should take a sustained and searching look into the relationship between domestic industrial technology and the level of exports. I believe the distinguished Senator from Pennsylvania [Mr. CLARK] plans to examine many of these questions in forthcoming hearings on economic growth and unemployment. These hearings should develop very helpful information for the Congress. This area needs massive study and investigation, both inside and outside of Congress.

Mr. President, I ask unanimous consent that the full text of my speech, "The Changing Basis of National Power, Prestige, and Prosperity," delivered before the American Management Association be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CHANGING BASIS OF NATIONAL POWER, PRESTIGE, AND PROSPERITY

(Address by Senator HUBERT H. HUMPHREY to the American Management Association, Washington, D.C., April 1, 1963)

As the world spins into the middle sixties, one great fact is becoming clear: the basis for national power, prestige, and prosperity is shifting from natural resources to human resources. This is a rapid shift and it is accelerating.

The problems and opportunities implicit in this trend are crucial to our welfare.

If we are to meet these problems and opportunities, all sectors of our society—management, labor, government, and the general public—must join in formulating national policies based on the new facts of international life.

Our Nation's greatness has been due in large measure to our ability to adapt to the needs of changing times. Are we still as adaptable and imaginative?

The direct relationship between science and technology on the one hand and our military capability and effort in space exploration is spectacularly obvious. Not nearly so obvious is the dependence of our general economic and social well-being on science and technology. And for that matter, only a strong, vigorous economy can enable us to continue to sustain a staggering effort in defense and space activities.

The strength of our economy, and our economic growth, depend upon and are limited primarily by our technical capability.

TECHNOLOGICAL REVOLUTION

A second great fact must be understood and that is that a technological revolution has literally transformed our society from one based largely on natural resources and raw manpower to one based essentially on brainpower.

Technology has made agriculture so productive that today 1 American farmworker supplies food and fiber for 27 people, and agricultural workers constitute less than 7 percent of our labor force.

The shift of workers from farm to factory provided manpower for our rapid industrial growth. But technology also made manufacturing workers more productive. It has shifted employment opportunities from the assembly line to the services and trade—wholesale and retail trade, finance, insurance, real estate, public utilities, transportation, services, and government. This shift from farm to factory, and now to services and trade has demanded high skills, better training, and more education. It has also sloughed off onto the unemployment rolls those with little skill, inadequate training, and incomplete education.

TECHNOLOGY AND ECONOMIC GROWTH

Technological change today accounts for about half the annual rate of economic growth, and has radically altered the income pattern of our economy. The agricultural component of our gross national product, for example, is only half what it was three decades ago. The composition and characteristics of our labor force have been altered. Whole regional economies have been drastically affected. Many areas of our country find themselves bypassed by technical change, relying still on natural resources or on the conversion of materials—an activity that now requires fewer workers.

The prosperity of any region of the United States is no longer tied to abundant resources of mine or field or forest. Our most important resource, we now see, is brains. This human resource is highly mobile and flexible. It is not unusual to see burning prosperity in localities and States in our country that have substantially only one product to sell—brains.

Our educational requirements have been sharply increased by the technological revolution. If a high school education today is a must, it is not enough. Specialized training and education to the college and postgraduate levels are increasingly required.

Unlike other one-crop economies, brains will never be obsolete.

In view of the great and increasing dependence of our economy and our society generally on trained human resources, how are we as a Nation utilizing these scarce resources, developing them, and conserving them? In particular, how do we compare with other countries?

Currently, of course, we enjoy the largest gross national product of any nation in the world, the highest standard of living, and the highest overall productivity. But our annual rate of economic growth is trailing behind most industrialized nations.

Like the hare we cannot take our lead over the tortoise for granted.

The U.S. rate of growth of gross national product has averaged 3 percent recently—far short of our stated goal of 4.5 percent. Russia's rate of growth in the 1950's was 6 or 7 percent, and is expected to reach 8 percent in the 1960's.

In the 1950's, the average growth rate of U.S. productivity (gross national product per worker) was 2.2 percent. This compares with 6.1 for Japan, 4.5 for West Germany, 4 for Russia, 3.4 for the Netherlands, and 2.8 for Sweden.

In the same period, the average growth rate of the U.S. standard of living (gross national product per capita) was 1.1 percent—compared with 7.2 for Japan, 6.1 for West Germany, 4 for Russia, 3.4 for the Netherlands, 2.8 for Sweden, and 2.1 for the United Kingdom.

If we accept the thesis that economic strength depends on technical capability, it is disturbing to compare the rate and direction of the technical effort of other nations with our own. For example, Western Europe and the United Kingdom, with a much smaller gross national product sustain a technical effort to enhance private industry that is at least as great and probably greater than that of the United States.

COMPARISON, U.S. AND EUROPE IN RESEARCH

Moreover, this effort is being stepped up. In France, Germany, and England, for example, nonspace, nonmilitary technical efforts have been doubling approximately every 3 to 4 years. The French research and development effort is expected to double again over the next 4 years, and to exceed the U.S. research and development effort as a percentage of gross national product. In contrast, our own increase has been only a few percent per year. In fact, we have a diminishing rate of increase. In Italy, Belgium, the Netherlands, Norway, and Sweden, civilian research and development amounts to 100 percent of their total research and development effort. West Germany, which has the largest civilian research and development program, had in 1959 (my last available figures) a total of $690 million for civilian research and development—95 percent of the total West German research and development effort. Two-thirds of France's research and development was civilian oriented and about half of the United Kingdom.

In contrast, for the same year, the U.S. civilian research and development was on the order of one-third of our total research and development effort.

Both of these European, and Japanese, developments—the greater rate of economic growth and the greater emphasis on industry-oriented technology—bear directly on two major U.S. problems: We are in an increasing competition for world markets, and we continue to have a stubborn unfavorable balance of international payments.

We in the United States have long counted on our technological superiority, as well as on the economy of scale made possible by our large continental domestic market, to give us the needed edge in international competition. These advantages tended to offset lower labor costs abroad. But improved technology abroad and the merged economic strength of the Common Market are shaking some of the suppositions of the past.

If we are going to reduce the adverse balance of international payments, we must expand our exports. And to expand exports we must broaden the technical base of our economy. We have to improve the quality of our goods and reduce our costs—including both the direct and the indirect costs. Only through research and development can we do it.

We already have an enormous research and development effort, it is true. In the past 20 years, our research and development expenditures jumped thirtyfold—from a half billion dollars yearly to more than $16 billion annually today—a quantum increase.

RESEARCH AND DEVELOPMENT EXPENDITURES

But three-quarters of that enormous national technical effort is federally sponsored for such purposes as defense, space, atomic energy, and public health—all vital national objectives, but none particularly directed toward promoting economic growth. Indeed, the results of this increasingly esoteric research have less and less immediate application to the civilian economy.

Only about $4 billion annually is spent by industry for industry, and of that amount, only about $1.5 billion is aimed at increasing productivity. Although industry-sponsored research increased in the last several years, it was at a significantly slower rate than Government-sponsored work. Last year it barely increased at all.

Moreover, 80 percent of this industry-sponsored research was done in 300 companies.

Seventy-three percent was concentrated in five industries. Two of these industries—aerospace and electronics—represent more than 25 percent of the research and development, while constituting only 10 percent of the manufacturing component of gross national product.

On the other hand, such industries as building and construction, textiles and apparel, and food processing, which constitute about 30 percent of the manufacturing and construction components of gross national product, perform less than 4 percent of privately-supported research and development.

The 50-percent growth of industrial research and development in the last decade has taken place in large firms almost exclusively. (Firms with more than 5,000 employees increased research and development 50 percent, whereas smaller firms increased research and development about 2 percent.)

This concentration of research and development in certain industries and in large firms has special significance, because there is a high and direct correlation between growth and profitability on the one hand and, on the other, the relative amount of research and development performed.

The growth of military and space research and development has further concentrated technical effort in firms and areas already technically competent. The Pacific States now perform almost half the total military research and development (46 percent); the Middle Atlantic States almost a fifth. The rest of the country splits less than a third of the military research and development—the South with about 9½ percent, the Mountain States with almost 9 percent, and the Midwest with 8 percent.

GEOGRAPHICAL DISTRIBUTION

A similar pattern is clear in the geographic distribution of trained human resources—scientists and engineers as a percentage of population.

In 1960, the number of engineers per million population was 3,330 in the South—roughly half the number of engineers in the Far West, at 6,570. The Midwest, with 4,580 engineers per million population, was also sharply below the Far West and the east coast.

In 1961, the number of scientists per million population was 750 in the Midwest, compared with 1,240 on the Pacific coast and about 1,035 per million in the New England-Middle Atlantic region. It is so serious a problem that the Midwest has become a net exporter of scientists and engineers to both coasts. Our midwestern universities are training men and women with advanced degrees who are increasingly migrating out of the Midwest. State money is being used, in a very real sense, to provide advanced-degree training for out-of-State industry. If there were a two-way flow of advanced-degree graduates back into the Midwest from the Far West and the east coast, this would be a tolerable situation. But so long as the Federal procurement dollar is providing the overwhelming majority of job opportunities in limited areas of our country, there will the flow of trained people go.

EFFECT OF U.S. GOVERNMENT RESEARCH EXPENDITURES

There are those of us who feel that a conscious effort on the part of the Federal Government should be made to break this pattern by a wider distribution of Government procurement.

Another example of research and development imbalance is the fact that, out of 2,000 universities in the United States, 100 of them, or 5 percent, perform 90 percent of federally-supported academic research.

A serious byproduct of the present research and development pattern is that university faculty and students tend to commit themselves to technical activity suited to space, defense, and similar missions—instead of to the more mundane, less glamorous, but vital mission of increasing economic productivity and developing new products. Such a bias in the career orientation of our brightest minds is perhaps the most disturbing problem arising out of the necessary but large concentration on special national programs.

Of the 400,000 scientists and engineers doing U.S. research and development, about 275,000 are doing research and development for Government programs, and 125,000 for industry-oriented programs. But of this industry group, about 100,000 work for the 300 largest research and development companies; only about 25,000 work for all the other industrial and commercial enterprises in America.

This year's increase in the supply of scientists and engineers for research and development is expected to be about 30,000. But the increase in space research and development alone next year will absorb just about the entire new supply. The space research and development increase is equivalent to more than 20 percent of the total scientists and engineers now doing research and development for the private sector, and about 50 percent of the research and development people in universities.

And things are going to get worse. By 1970, we expect to be short by more than 250,000 engineers. Enrollments in engineering in American schools have actually declined; we are graduating about 30,000 engineers each year now while the Russians are graduating 120,000 yearly.

It is my view that trained, educated people constitute the major national resource. And this natural resource deserves national support. By that I mean Federal support—Federal funds in the form of scholarships and the construction of adequate scientific and educational facilities.

We have recognized this in principle, but we have taken only relatively small and cautious steps—as in the National Defense Education Act—to implement the idea.

The cold facts are that engineering graduates are declining—as are Ph. D.'s in education and government. We cannot permit this to continue.

Neither can we afford to permit the continued and accelerating concentration of our most talented young people in almost purely defense-oriented industry, without risking intellectual starvation of the civilian-oriented sector of our society.

The worsening supply and demand situation in trained manpower is only one of the serious limitations on an expanded development and use of technology for industry and commerce. There are others—including the rising costs of the many operations connected with the introduction of new products and processes, and the increasing risk of innovation.

Such limitations do not permit industry alone—as matters presently stand—to achieve the level of technical effort necessary to increase our economic growth rate to the minimum of 4.5 percent yearly and to increase our exports.

The Federal Government has traditionally contributed significantly to the advancement of science and technology for economic development. In this fiscal year, for example, the Federal Government is supporting research and technology for nonmilitary, nonspace activities in several specialized areas. The major areas include: atomic energy ($230 million); agriculture ($176 million); basic science ($153 million); transportation—mostly air ($121 million); and natural resources ($107 million).

We have as important a stake in the wellbeing of industry and commerce, as we have in that of agriculture, fisheries, mining, transportation, forests, public health, or space exploration and defense.

The more pressing technical needs of our industrial economy are: a more effective development and use of existing and new science and technology by industry; a better means of adapting the research results developed from our military and space programs, for economic purposes; a more adequate supply of people trained and educated in the application of science and technology to industry's needs; a more effective dissemination and use of technical information.

The administration has taken several major steps to assist industry and commerce—including tax credits, accelerated depreciation schedules, area redevelopment, accelerated public works, manpower retraining, and the Trade Expansion Act. Now, specifically to the point of our discussion, the President has called for a new civilian industrial technology program.

NEW FEDERAL INDUSTRIAL SCIENCE AND TECHNOLOGY PROGRAM

This proposed new program consists of two efforts. First is the industrial science and technology program.

Here the idea is to provide Federal support for technical work and to disseminate technical information that is basic to industrial development. Contracts or grants will be awarded to institutions organized for research, education or the dissemination of technical information. No contracts and grants will go to individual firms organized for the manufacture or distribution of products and services, and no support will go for individual product development nor to solve the problem of the individual companies or a narrowly oriented group of firms.

But support will be designed to develop information applicable to a broad segment of industry, such as textile or apparel. It will encourage the interaction of people interested in science and technology, economics, and related fields.

The Federal program is planned so as to encourage additional industrially oriented basic research at universities, and thus increase the supply of technical people knowledgeable of industrial problems. It will also seek to encourage additional support by industry itself of basic technical work.

The idea will be to stimulate basic technological development that will have a major effect on industrial productivity; will contribute significantly to our gross national product; will reduce the indirect costs of goods and services; or will expand our export trade.

Initially, the major support will go to activities basic to three broad industrial groupings—textiles and apparel; building and construction; and metal working, including machine tools, foundries, and castings.

A second major element of the new civilian industrial technology program will be the university-industry technical (extension) service. Here is a pilot program designed to improve local and regional technical practices through a closer cooperation between local industry and the universities. A closer association and contact would be encouraged between the scientists and engineers in the universities and their counterparts in industrial laboratories and between technical people and management. At the same time there will be a strong effort to upgrade the dissemination of technical information. The applicable technology must be diffused as rapidly and thoroughly as possible throughout industry.

This is frankly going to be an experiment. Hopefully, an effective technical extension service may later be established—with matching funds from State and local governments and from industry—based on the experience gained from the pilot projects.

The prospect is for about a dozen key schools throughout the country to be selected to begin the pilot program. In fact, schools in more than a third of our States have already made tentative proposals. This is good, sound, constructive planning to do something about a serious economic problem.

Now to summarize: we are throwing heavy financial and intellectual resources into the arms race and the space race. But while we are maintaining a strong position in those areas, we have a domestic economy that is erratic, spotty, and unsatisfactory in many respects.

Yes, we have more than 70 million people working at good jobs, at good pay, and under good working conditions. But we have an unemployment rate that is almost the highest of the world's industrial nations, and more than double that of most European countries.

Our 4 million jobless not only fail to contribute to the gross national product—but they drain off every year $3 to $4 billion in unemployment and relief payments and other costs.

We have stubborn, persistent areas of chronic unemployment which sometimes run as high as 30 percent unemployed.

We have almost 16 percent of our out-of-school teenagers also out of jobs. Some estimates have indicated that by 1970, unless something is done about it, half of our unemployed will be teenagers.

Yes, a tax cut will be a great stimulation to the general economy. I support it.

But I am convinced that we are not going to solve the many specific economic problems caused by increasing automation, changes in raw materials usages, competitive international trade, and other economic trends without a massive upgrading of our human resources.

We must put more of our intellectual capital into solving these problems.

And we must create more intellectual capital by moving much harder and faster and with more determination to the task of training, retraining, and higher education.

THIRTY-SIX YEARS OF DRAMATIC AVIATION

Mr. SYMINGTON. Mr. President, a very interesting article appeared in the May 16 edition of the St. Louis Post-Dispatch.

The article called attention to the anniversary of Charles A. Lindbergh's flight across the Atlantic and its similarity to Gordon Cooper's flight in *Faith* 7. The intervening 36 years have brought dramatic changes in the art and science of aviation. Lindbergh's speed averaged 140 miles an hour, while Major Cooper traveled 17,546 miles in the same period. Lindbergh, as the article points out, was his own crew, weatherman, flight mechanic, and navigator while Major Cooper's flight was the culmination of the work of many thousands. The article concludes that in one respect each of these heroic journeys was the same "while the deed was being accomplished, each was alone."

Mr. President, I would like to point out one further similarity. The crafts that carried both of these brave pilots were intimately association with St. Louis. Lindbergh came to St. Louis when he needed a plane to fly the Atlantic. The U.S. Governemnt came to St. Louis when it wanted a craft to carry the Nation's first men in space, to both missions St. Louis gave its finest efforts, its vision, and its achievement.

Mr. President, I share the pride all Missourians can feel at the role our fair city played in these achievements.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DRAMAS IN AVIATION: LINDBERGH'S IN 1927, COOPER'S 36 YEARS LATER

CAPE CANAVERAL, May 16.—Thirty-six years ago, Monday, a young Army Reserve officer astonished the world by piloting a small airplane 3,610 miles in 33 hours and 29 minutes.

Today, an Air Force major who was only 2 months old when Charles A. Lindbergh performed his epic trans-Atlantic solo, was orbiting the earth in a space capsule.

Nothing could dramatize the advance of aviation more clearly than the comparison between the flight of L. Gordon Cooper, Jr.'s, *Faith 7* Mercury spacecraft and Lindbergh's small monoplane, the *Spirit of St. Louis*.

Lindbergh, a 25-year-old airmail pilot, was his own ground crew, weatherman, flight mechanic, navigator, and pilot on the unprecedented flight from Long Island, N.Y., to Paris May 20–21, 1927.

Cooper, a 36-year-old jet test pilot had the help of thousands of scientists and technicians before and during his orbital flight.

Lindbergh's aircraft weighed 5,240 pounds; his speed averaged 140 miles an hour. He had no way of communicating with the ground, only sketchy weather reports and navigation equipment.

Cooper's wingless, bell-shaped capsule weighed about 3,000 pounds, traveled 17,546 miles an hour. He had almost constant contact with the ground, weather and navigation aids that have all but eliminated guesswork.

But Cooper and Lindbergh have one bond that tied them together in an exclusive fraternity—while the deed was being accomplished, each was alone.

SENATOR KUCHEL EXPOSES PEDDLERS OF FRIGHT

Mr. McGEE. Mr. President, my good friend, the senior Senator from California [Mr. KUCHEL], has performed a real service to the cause of democracy and to an orderly and logical discussion of the issues that confront our Nation in his recent speech to this body on those who would use falsehood, fear, and innuendo to warp our society to their own ends.

An excellent summary of the Senator's remarks appeared Saturday in the Washington Star in a column written by Ralph McGill. Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

KUCHEL EXPOSES PEDDLERS OF FRIGHT

(By Ralph McGill)

Senator THOMAS H. KUCHEL, Republican, from California, recently stripped from the fright peddlers of the Nation their protective covering of falsehood and fakery and left them naked for all to see. It was a good, clean job. It included reproductions of some of the stupid, inflammatory, defamatory and fraudulent pamphlets distributed by the Birch groups, the anti-Semites, and the various self-styled patriotic organizations engaged in peddling fright and doubt.

His talk, for which there is room here for only a short synopsis, was thorough and documented. It was one of the more useful services of the year. All these organizations have one thing in common. They peddle the lie that the sovereignty of this country is being turned over to the United Nations or that there is a plot so to do.

Senator KUCHEL included photostats. One was sent out by the anonymously supported "U.S. Flag Committee," of Jackson Heights, N.Y. "Soon" said the committee, "you will not be a citizen of a free America." Under that heading the U.S. Flag Committee, unidentified by the name of any individual, charged that the "Director" of "The Disarmament and Arms Control" is a dictator over whom neither the President nor Congress has any control. The pamphlet declared that the law setting up the agency required the director to collaborate with and receive orders from a Russian, Eugene Kislev, Secretary of the United Nations. The pamphlet went on to say that the U.S. military centers will be abolished and all arms and soldiers given over to the U.N.

TOOK IT APART

"Uncle Sam," said the fright pamphlet, "cannot move his finger without permission from the U.N. * * *"

There is more of this bilge.

Senator KUCHEL took it apart. There is, of course, no Director of Disarmament and Arms Control. There is an agency, first created by Congress during the Eisenhower administration, now called the U.S. Arms Control and Disarmament Agency. Strong support for it came from Gen. Alfred M. Gruenther, Gen. Lyman L. Lemnitzer, Henry Cabot Lodge, then our Ambassador to the U.N., Christian Herter, and Robert Lovett.

The Agency is directed to acquire, under the direction of the Secretary of State, a fund of practical and theoretical knowledge about disarmament and is directed to conduct research in that field.

It has no power to disarm the country. It can do nothing save conduct research. It reports to the President and Secretary of State and does not, and cannot, act independently. There is no Russian colonel.

It is interesting, however, that in most of the fright pamphlets this ubiquitous Russian colonel turns up as ready to take over the U.N. and this country. Senator KUCHEL exposes a play written in the early 1950's by an anti-Semitic group, denounced in an Un-American Affairs Committee report. The play admittedly was written as propaganda against the U.N. The play has a character who says that the military chief of the U.N. will always be a Russian. * * *

That people believe such things—and pay money to subscribe—is eloquent testimony to their extreme gullibility, their self-doubts and their disloyalty.

TRUTH OF THE MATTER

The truth: There is no Russian colonel, or general, or civilian individual, who is secretary of the United Nations or secretary of the U.N. Security Council. There are 19 undersecretaries, 13 of whom are Americans or representatives of our allies.

Two are Soviet bloc nationals. None has anything to do with the command of any U.N. operation. There is no World Police Force. No Soviet national ever gave any U.S. officer any orders.

The Birch Society fright publications, by the founder, still claim that Gen. Eisenhower and John Foster Dulles were acting for Communists. Yet, members at the Birch groups argue they are merely conservatives interested in preserving America.

Senator KUCHEL properly concluded: "America has enough immediate and deadly, dangerous enemies without adding hobgoblins. America can use all the responsible help it can receive."

ADMINISTRATION'S WHEAT SUPPORT PLAN

Mr. McGEE. Mr. President, it is unfortunate that too many of the vital debates on the issues which will affect the course of our Nation have been clouded by arguments that have little or no basis in fact.

Such is the case in the debate on the administration's wheat support plan. The curious fact that many of the very vocal opponents of this plan are the same people who have been seeing a Communist under every bed and a traitor in every Government employee is documented in a column by Drew Pearson which appeared in the Washington Post on Sunday.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREEMAN FACES FIGHT OF HIS LIFE

(By Drew Pearson)

Orville Freeman, the quiet-spoken Secretary of Agriculture, has been in a lot of battles. As a young Marine officer he was in the battle of Bougainville. As Governor of Minnesota, he took on United States Steel and last year he fought the battle of Billie Sol Estes when some of his functionaries got taken in by that Texan's wily ways.

But this week Orville faces the biggest battle of all, when farmers vote on whether to continue wheat controls. In addition to the American Farm Bureau, the National Association of Manufacturers, various State affiliates of the U.S. Chamber of Commerce, the American Cattleman's Association, many of the Texas oil millionaires and the John Birch Society are battling to defeat Freeman's wheat program.

Why so many nonfarmers feel so strongly against wheat controls is an interesting question. Some undoubtedly are influenced by the big elevator operators who make money storing surplus wheat. Others are processors—brewers, millers, feed manufacturers—who make more money when a wheat surplus drives down the price. The cattlemen also profit from low-priced grain and, while wheat isn't fed to cattle, the price of wheat affects the price of feed grains.

Finally, some organizations have been pouring money and propaganda into the campaign against Freeman, because they consider his wheat controls socialistic.

Dan Smoot, the ultrarightwing Texan pamphleteer, and the John Birch Society have been screaming socialism and telling farmers they will lose their freedom if they vote yes on the wheat referendum on Tuesday.

Here is a further rollcall of organizations and people who have thrown themselves into the "battle of wheat" against Freeman.

Ezra Taft Benson, former Secretary of Agriculture, has been urging farmers to vote no. His son, Reed Benson, is a paid worker for the John Birch Society, and the elder Benson attended big right-wing rallies.

The Farmers Liberty League of North Dakota issued an amazing statement charging that a yes vote on wheat quotas is a "vote for communism." It even claimed that "the farm program was written by Communists in the Agriculture Department."

The Committee for Free Agriculture has been distributing a militaristic call for dollar donations to pay for a series of "six bullets" against the Freeman plan, plus a brochured "battle plan, full of pistol loads, shotgun ammo, nerve gas, and atom fallout," all aimed at wheat controls.

The Defenders of American Liberty, headed by Bob Morris, onetime assistant to the late Joe McCarthy, has been working against wheat controls.

When you get away from all the propaganda and fanfare, the issues boil down to this: the farm surplus has been costing the American taxpayers about $1 million a day, of which wheat has been a sizable item. Freeman wants to reduce that surplus, yet at the same time give wheat farmers a reasonable price.

He proposes a guaranteed "blend" price of about $1.85 a bushel based on a $2 a bushel for 80 percent of their production quota, $1.30 a bushel for the remainder, plus payments for crop diversion.

But if the wheat referendum fails, there will be an estimated surplus of about 400 million bushels from the 1964 crop, added to an estimated carryover of 1.2 billion bushels from the current year, making a whopping total of 1.6 billion bushels.

A study by Cornell University shows that in this case wheat will drop to about $1.12

a bushel in a free market. The Senate Agriculture Committee says 93 cents, and the Congressional Joint Economic Committee estimates about 90 cents.

The American Farm Bureau has been telling farmers that if this happens Congress will pass another wheat bill to stabilize the price. But on this point President Kennedy has said no. And with Congress already bogged down, and the President adamantly on record against any other wheat legislation, the Farm Bureau can be sure it won't happen.

TRIBUTE TO NEWTON N. MINOW

Mr. McGEE. Mr. President, the record of Newton N. Minow as Chairman of the Federal Communications Commission is certainly one of great substance that can stand as an example for all those who would serve their Nation in positions of trust. And I would heartily commend to his able successor, Mr. E. William Henry, the course that Mr. Minow has charted.

The excellence of Mr Minow's record can be determined by the comments in the press and by many national figures on the news of his departure from Washington.

Mr. President, an excellent example of a good look at Newton Minow's record was the article in the Sunday Washington Post by Lawrence Laurent. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 19, 1963]

MINOW BAITED TV INTO IMPROVING

(By Lawrence Laurent)

With the arrival of the New Frontier in Washington 2 years ago, a reporter sat down with a little known Illinois lawyer and asked a blunt question: "Just what makes you think you're qualified to head the Federal Communications Commission?"

Newton Norman Minow's answer was quick, direct, and it proved to be an excellent guide to his character. "I have two qualifications," he said. "I don't want a job in broadcasting and I don't want to be reappointed."

Within 3 months after Minow's arrival, the Nation's broadcasters learned he had other qualifications. There is an undeniable gift for the memorable phrase, coupled with a tremendous capacity for detail and an intellect that moves directly to the key issues of an argument.

In the words of professional boxing promoters, Minow qualifies as a "good mixer." That is, he welcomes combat and he knows how to fight.

It isn't surprising, then, that of the 14 men who have been chairman of the FCC since the Communications Act was written in 1934, Minow is the only one who had a major impact on the general public.

In serving only 2½ years, after Senate confirmation for 8 years (a full 7-year term, plus an unexpired year of his predecessor), Minow followed a well-established pattern. The longest reign of any FCC chairman belongs to James Lawrence Fly who served 5 years and 4 months.

This pattern, evidently, was set by the FCC's first chairman, Eugene Octave Sykes, who stepped down in favor of Anning S. Prall after 8 months.

Minow's remarks about not wanting a job in broadcasting was filled with meaning. One FCC Chairman, Charles Ruthven Denny, resigned to become general counsel of the National Broadcasting Co. Minow's review of FCC history had convinced him that chairmen who seek broadcasting jobs are rarely eager to battle future employers.

He was equally convinced that chairmen who campaign for second terms must compromise their convictions in order to keep down opposition.

Minow's first dramatic step was to slam broadcasters where it would hurt the most, by denouncing the program schedule. In his most celebrated speech, he invited station owners to sit in front of a TV set from the time a station signs on until it signs off. He concluded: "I can assure you that you will observe a vast wasteland."

Two years later, Minow hadn't revolutionized the television schedule, but he had caused some changes. According to the A. C. Nielsen Media Research Division, there were an estimated 109 hours of "public service" programs in 1960. The figure for the current season is set at 179 hours.

Minow denounced the quality of children's programs and invited the television networks to do better. ABC–TV responded with a weekday program called "Discovery '62"; NBC–TV came up with "Exploring" and CBS–TV offered "The Reading Room." (Each network, by the way, denies that the programs resulted from Minow's prodding.)

He campaigned for increased competition in television and looked for a solution in the ultrahigh frequency portion of the TV spectrum. These are channels 14 through 83 but economic disaster had followed nearly every licensee who had tried to operate one of these channels.

So Minow picked up a 10-year-old proposal and pushed it through Congress. This is the all-channel receiver bill and, beginning in June 1964, every TV set shipped in interstate commerce must be equipped to handle all channels, 2 through 83.

Minow advocated a strong educational television system. He helped push through Congress a bill that will provide matching funds with which to build educational stations. During Minow's tenure, more educational stations than commercial stations went into operation. There are now 79 ETV stations in the country.

Minow and legal assistant Tedson Meyers practically created an educational station in New York on Channel 13. This had been a commercial station and it was put up for sale. New York's other six commercial stations chipped in to help educators contract to buy a $6 million property.

Minow is most proud of the communications satellite legislation. This was a compromise bill, dividing ownership of a satellite corporation between established common carriers and the general public.

Of the Telstar satellite, Minow has said: "The Russians were first to put a man in space, but we were first to put an idea in space. And ideas outlive men."

Minow gets credit, also for the new long distance telephone call for a flat $1 (after 9 p.m.).

News of Minow's impending resignation leaked out in March and it was followed by a drastic cutback in network television's schedule of news and public affairs programs. (Broadcasters deny there is any connection.)

So, after 2 years and 3 months, Newton N. Minow is leaving the FCC to become executive vice president and general counsel of Encyclopedia Britannica in his home town, Chicago.

Broadcasting magazine says Minow's salary will be a "basic $75,000, with certain fringe benefits." His salary as FCC chairman was $20,500.

YOUTH CONSERVATION CORPS

Mrs. NEUBERGER. Mr. President, an attack on the proposed YCC has been effectively answered by an editorial in the Register-Guard of Eugene, Oreg.

On May 15, the editorial stated:

> The CCC program sometimes sent delinquents into the woods. And a good thing it did. It didn't send delinquents out of the woods.

I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A CHEAP AND STUPID ATTACK

The Associated Oregon Industries is a lobby group, well staffed and with great resources at its command. Thus it ought to know better than to circulate a dodger like its May 6 letter about the proposed Youth Conservation Corps. The threat is great, AOI warns. If such a corps is established, it will be like CCC days, and "the program could easily result in bands of juvenile delinquents roaming virtually without discipline through National and State forests and nearby communities." The dodger speaks of "sweeping the streets" of "school dropouts and other troublemakers." In CCC times, the report says quite erroneously, the Army maintained discipline in the camps. Youth corps camps would be controlled by civilians. (The Army ran CCC camps at first. Later, control was transferred to civilian hands.)

The AOI demonstrates an appalling ignorance of history. The CCC program, true enough, sometimes sent delinquents into the woods. And a good thing it did. It didn't send delinquents out of the woods. It sent out of the woods young men who had worked off their grudges and frustrations, young men who had been properly fed, who had had real fresh air perhaps for the first time in their lives, young men who had learned good work habits, young men who had learned discipline and social responsibility, young men who had saved a few dollars for decent clothes so they could hunt jobs.

School dropouts went into the woods, too. They came out of the woods after spending their evenings in classes. Thousands of grade and high school diplomas were issued through the CCC. The AOI is fearful that the young men in the new corps would not be taught useful skills. They should be, and under any workable program they would be. They won't be trained as brain surgeons or atomic physicists. But they will learn skills that will make them acceptable on the labor market.

The CCC was a conservation program, conservation for the boy and also conservation for the land. The boys went into the woods and out into the deserts and grasslands. The American landscape was improved as swamps were drained, trees planted, windbreaks established, dunes stabilized. Of all the New Deal programs, the CCC was probably the one that, after a reasonable trial, found the most public favor. It was a smashing success. It ended only when events overseas made it imperative that the same young men wear uniforms of a different kind.

The AOI and other interests may reasonably oppose the Youth Conservation Corps on the ground that it is a waste of money, if they choose. Or they may oppose it because the same objectives could be better achieved by a program of a different type. But it is not realistic to oppose it on the grounds that it would result in bands of juvenile delinquents roaming virtually without discipline through national and State forests and nearby communities. The CCC example does not bear out these fears. The AOI attack is an appeal to cheap emotions and fear.

MILITARY PAY BILL

Mr. COTTON. Mr. President, like other Members of the Senate, I have been receiving many letters concerning the military pay bill. Two of them have impressed me as reflecting the attitudes and marshalling the arguments for and against in an especially able manner.

The Nation's Armed Forces are not unionized. Neither can they strike. There is no one to protect their interests except the Congress. That becomes our solemn duty, and if we are to err at all, it should be on the side of liberality.

Nevertheless, civilian taxpayers are entitled to be heard.

I feel it would be beneficial for us to read these letters together because of the clean-cut manner in which they present both sides. Therefore, I ask unanimous consent that they appear in the RECORD immediately following my remarks.

The names of both writers are omitted because I know that members of the Armed Forces prefer to remain anonymous when they are commenting on legislation.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

APRIL 26, 1963.

Hon. NORRIS COTTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COTTON: Most military men and women are reluctant to correspond with Members of Congress. We feel that, in general, an excellent job is being done through our congressional system and that you who are in a position to know the big picture are better qualified to make valued judgments on our behalf. In my case, this is the first occasion where I have written to anyone in a congressional position, and I am doing this because I feel, as a constituent, that it is my obligation to let you know the undercurrent of feeling among service personnel over the military pay bill being considered now by Congress.

Working here in Europe, we feel our position to be extremely challenging. Our duties take us throughout the Continent, United Kingdom, Mediterranean, Middle East, and Africa, particularly the Congo. We are in constant contact with all of the other armed services, embassies, and all foreign governments within this area. We become quite politically conscious and particularly sensitive to what goes on in Washington and the major capitals of the world.

Nowadays, it is difficult to clearly evaluate the job to be done during a cold war as compared to the hot wars of the past decades. I am sure that most servicemen today feel that the requirements of a strong military establishment are as compelling as they were in the early forties and fifties. Now in the early sixties we feel it would be regrettable if there were any adverse trends in the progress made throughout the past several years. We feel that in the eyes of the world the stature of the American people today is far above any position held during our lifetimes. The credit for this should go to all of the representatives of the people, including the servicemen.

It is, then, with considerable concern that we have watched the progress of the military pay bill during the last few weeks. We are at a loss to understand some of the inconsistencies of actions taken during the economy move within the House of Representatives. Generally speaking, the military has always been willing to sacrifice, whether it was pay, family convenience, or lives. However, we find it hard to understand why the House cut $600 million from the pay bill, yet at the same time they committed $450 million for accelerated public works. We are told that this $450 million is committed between now and June 30 on local construction projects such as streets, sewerage facilities, municipal buildings, and hospitals in depressed areas. At the same time, the effective date proposed for our pay raise was set at October 1 to save funds for a bill which has been evaluated as only marginally adequate by military and congressional leaders.

At the same time that the House Armed Services Committee cut out recomputation for military men retired before June 1958 in order to save $30 million, a $23 million increase was approved by the House for spending by the Federal Government on forest access roads. Total expenditure for these roads during the year will be $60 million.

The House Armed Services Committee cut out combat pay which would have provided a maximum of $1 million a year to some 4,000 men subject to enemy fire in Vietnam. Some weeks earlier, in approving the Interior Department appropriation, Congress voted $1 million in assistance to the States for a wetlands program. It would create refuges for migratory ducks.

Perhaps we need to realine our perspectives about military pay. We feel there has been too much talk of cost of living index, although our pay has never been tied to it except when they cut the subsistence allowance increase. We should more properly relate military pay to standard of living. Let me explain further—40 years ago, even in our fair State, we lived in small houses heated by wood stoves, with inadequate plumbing, lights, etc. Today we are not expected to, nor do we expect our children to, put up with these inconveniences. The American standard of living, of which we are justifiably proud and for which we have many people to thank, including officials in your capacity, makes our lives much easier. Today you and I both hope to live not merely exist.

Translated to statistics, it amounts to this—the House Armed Services Committee has tables which will show that since 1952 the pay of professional and technical people has gone up 49 percent; pay of production workers up 44.8 percent; pay of civil servants up 39.8 percent, including the raise starting next January. By comparison, even with the pay bill voted by the House Armed Services Committee, the pay of military men will have gone up only 28 percent during this same period.

Let us amplify this with a little different approach. According to an article published in the Air Force Times, April 24, 1963, in the Pentagon men are hired to ride 3-wheeled bikes around all day delivering messages. They are called corridor boys. Monthly pay of a corridor boy is more than the total monthly pay and allowances of an ensign or a second lieutenant.

If you will excuse me for using as an example the very tragic loss of the *Thresher*, we believe it is pathetic to note that one of the seamen who lost his life in this accident was earning only $4.94 a day. This includes base pay, clothing allowances, sea pay, and submarine pay. Under the proposed pay bill approved by the House committee he would not have gotten any raise because he had less than 2 years' service.

We have all become quite interested in numerous examples of this type of inequity or reduction in the so-called fringe benefits of the military service—for instance, cutting proposals for military hospital facilities at Long Beach Naval Hospital from 500 beds to 350 at the same time that six civilian hospitals in the California area, including San Diego, will be supported by the Federal Government in the amounts of 70 percent of their cost. This will have serious effect upon in-service and retired personnel in the San Diego area. Additionally, we all know that the unionized hod carrier who works on these new hospitals will be receiving more pay than our junior officers.

In summary, I feel that I am speaking for many servicemen who are reluctant to put their thoughts on paper. I strongly urge you to take a realistic look at what we Americans need for a Defense Establishment. The days of the foot soldier have long since gone; and the military today is a complex, technical operation. It needs dedicated men who feel that others are willing to bear their fair share of the load. The pay raise for civilian Government workers slipped through Congress without faltering. With the increase approved for next January for comparable grades and responsibilities, gross inconsistencies exist between the military and civilian components. It is not a case of their salaries being too high; it is a case of ours being too low, as determined by an economy binge rather than fair and equal compensation. We strongly urge you to do whatever you can to see that the military pay bill gets fair consideration as quickly as possible.

Sincerely,

——— ———.

JANUARY 23, 1963.

DEAR NORRIS: Something has just come to my attention, owing to the visit of a young Air Force captain who is here working on Kenneth Roberts' manuscripts. He is teaching at the Air Force Academy, his Ph. D. is being paid for by the Government, and when he retires at 42, he tells me he will be getting $450 for life, also from the Government—that is, from you and from me. After teaching at Dartmouth for 42 years my retirement, which I have paid for partly myself, will be less than his.

It seems to me that Government economy might start with a reappraisal of these enormous pensions, paid in many cases to men who have risked nothing and who are not war heroes. There comes a time when the Government will have to stop spending these enormous sums which none of us can afford, and I am sure we can get military security and still cut down on the military budgets.

As a veteran of World War I, with service overseas, I recall getting a $60 bonus from the State of Massachusetts and perhaps a small sum from the Government. Since that time I have not received a penny from the Government, nor would I want to.

At any rate, good luck to you in Washington.

Sincerely,

——— ———.

MIDDLE EAST SITUATION

Mr. DODD. Mr. President, the American people have been closely following the growing crisis in the Middle East. They realize that any war which broke out in this area might be very difficult to confine.

The general tenor of the many editorials that have appeared in the American press and of the many resolutions adopted by private organizations has been that our Government should make it abundantly clear in advance that it will not tolerate Nasserite aggression against Israel and that it should make a determined diplomatic effort to promote the peaceful settlement of Arab-Israeli differences.

As evidence of the widespread public concern over the danger in the Middle East, I ask unanimous consent to insert into the RECORD, at the conclusion of my remarks, the text of a resolution adopted at a meeting of the Court of Common Council of the City of Hartford, Conn., on May 13, 1963. I also ask consent to introduce into the RECORD a resolution adopted on May 13, 1963, by the New Britain, Conn., chapter of the Zionist Organization of America.

Finally, by way of spelling out my own position on the problem in more detail, I also ask unanimous consent to insert into the Record the text of a statement which I made to the Connecticut Region Zionist Conference on May 5.

There being no objection, the resolutions and statement were ordered to be printed in the Record, as follows:

Resolution by Haverford Court of Common Council

Whereas the State of Israel is the only democratic government in the Middle East; and

Whereas there have always been close ties between the people of the United States and the people of Israel; and

Whereas the new Arab federation has officially declared that it intends to destroy the State of Israel: Now, therefore, be it

Resolved, That the Court of Common Council of the City of Hartford hereby expresses its support for the State of Israel and calls upon the President of the United States, Congress, and the State Department—

(a) To make known to the Arab States that the security and independence of the State of Israel is a part of the foreign policy of the United States;

(b) To take positive action to bring a halt to the arms race in the Middle East; and

(c) To take the initiative in bringing the Arab States and Israel together at the peace table, and that copies of this resolution be sent to the President of the United States, the Secretary of State, Senator Thomas J. Dodd, Senator Abraham A. Ribicoff, Congressman Emilio Q. Daddario, and Congressman Bernard Grabowski.

Attest:

Robert D. Delaney,
Deputy City Clerk.

Resolution

Whereas Arab leaders, now federating in military alliance, have formally renewed their threat to destroy Israel; and

Whereas the Soviet Union is providing Arab States with bombers, fighters, submarines, tanks, torpedo boats and missiles; and

Whereas German scientists are helping the United Arab Republic to produce guided ground-to-ground missiles; and

Whereas Western governments are providing unconditional economic assistance to Arab States, despite their war preparations and their refusal to meet Israel in direct peace negotiating: Now, therefore, be it

Resolved—

1. That there be a firm security guarantee by the United States committing our Government to move swiftly to deter and prevent any aggression.

2. And that there be careful administration of our aid program to insure that none of our assistance is diverted to finance preparations for aggression. Our aid program must not assist belligerent countries which threaten the peace of their neighbors.

3. And that our Government act to counteract incitement to hate and preparation for war.

4. And that copies of the aforesaid resolution be sent to John F. Kennedy, President of the United States, and to the Senators and Congressmen representing the State of Connecticut.

Attest:

Rabbi Henry Okolica.

Remarks of Senator Thomas J. Dodd, Before the Mid-Year Conference of the Connecticut Zionist Region, Meriden, Conn., Sunday, May 5, 1963

I am honored by your invitation to address your mid-year conference. We meet at a time when the eyes of the world are once more anxiously focused upon the Middle East and upon the future of the State of Israel. This includes not just those who are traditionally and emotionally concerned with the cause of maintaining the freedom and independence of Israel. It includes all who are concerned with peace in the Middle East and with the preservation of freedom and the continuation of progress in that part of the world.

Only a week ago men who cherish freedom throughout the world joined in celebrating the 15th anniversary of the founding of the State of Israel.

The creation of the State of Israel was a supreme act of faith.

On the day of its birth, the Jewish population of the new-born state barely exceeded 600,000 people. Though they had quantities of small arms, they possessed no organized army and no heavy armament.

Surrounding Israel on the day of its birth were Arab States that had sworn to prevent its creation and that possessed powerful armies with modern equipment. When the Arab States invaded Israel from three sides, it seemed that the fate of the new-born state was sealed. But in this situation, as has happened before in history, faith and strength of spirit prevailed over force of arms. The armies of the invaders were halted or routed. The State of Israel survived, as a fulfillment of the biblical prophecy, as a haven for the persecuted Jews of central Europe and of the Mid-East, as a beacon of social progress and political democracy for the ancient, poverty-ridden nations of the area.

Fifteen years ago there were many who scoffed and many who doubted. But today the voices of the scoffers and doubters are stilled. Israel exists. Israel flourishes. The vitality of its existence is demonstrated by the amazing accomplishments that have characterized its history.

Since 1948, Israel has absorbed more than 1 million Jewish refugees. Its total population has more than tripled. The amount of cultivated land has increased from 400,000 acres to more than 1 million acres. The number of pupils in the education system, has risen from 146,000 to more than 650,000. And there is much more. Pressed on all sides by crushing domestic problems, the people of Israel have nonetheless managed to institute programs of foreign aid and technical assistance to neighboring nations.

These are some of the accomplishments. But in paying tribute to Israel on this occasion, we must not limit ourselves to praise for her accomplishments and for the spirit of her people, or to pious good wishes for her continued wellbeing. We must concern ourselves, rather, with the crisis that now threatens her very existence, and we must seek to devise solutions for this crisis.

Your conference takes place at a moment of grave crisis for the State of Israel and for the free world.

Every day the papers carry additional news of the military buildup in the Arab countries, of Soviet submarines bearing Soviet technicians in the service of Nasser, of Soviet rockets and rocket technicians at various points in the United Arab Republic, of West German rocket experts who are helping Nasser to develop his own rocket industry. Within recent months, moreover, Nasser has succeeded in subverting the governments of the surrounding Arab countries and in fostering the creation of an Arab federation openly dedicated to the destruction of the State of Israel.

It is no exaggeration to say that this combination of factors confronts Israel with the most serious threat she has had to face since the heroic and perilous days of her establishment.

If war should erupt in the Middle East, the tragedy would involve more than the Israeli and Arab peoples, for no one can say for certain that such a war would not expand into the Third World War that all nations have been seeking to avoid.

We must take measures now to prevent such a calamity, because, if we fail to act now, tomorrow may be too late.

The timeworn saying that "a stitch in time saves nine" is just as true for nations as for individuals.

World War II would probably never have happened if Britain and France had acted against the fledgling Nazi war machine at the time of the remilitarization of the Rhineland.

The Korean war would probably never have taken place if we had made it unequivocally clear in advance that we were prepared to commit our armed might to the defense of South Korea.

We would not today be confronted with the terrible problem of a Soviet military base in Cuba if we had taken measures to support a middle-of-the-road alternative to both Castro and Batista, or, failing such early action, if we had supported the Cuban freedom fighters at the Bay of Pigs.

For their inaction and passivity in these instances and other instances, the United States and the free world have had to pay a tragically high price.

But, despite the bitter lessons of recent history, our policy in the Middle East for more than a decade now has essentially been a do-nothing policy; and this do-nothing policy on the part of the Department of State has, in turn, been reflected in a do-nothing policy on the part of the United Nations.

All kinds of sophistries have been adduced to justify the policy of doing nothing.

We have been told on certain occasions that we must strive to maintain an even-handed attitude toward Israel, on the one hand, and the Arab States on the other, that it would be improper to take sides.

In less guarded moments we have been told that we cannot afford to antagonize the Arab States.

And more recently, we have been told that there would be no point to protesting the presence of German rocket technicians in the United Arab Republic because, if they were withdrawn, their places would be taken by Soviet technicians. At least, this was the answer I received from the Department of State a few weeks ago in reply to a letter that I had signed jointly with several other Senators.

It may be true, as proponents of the present policy declare, that we must, in fairness to both sides, avoid an unconditional commitment to Israel or the Arabs. But we do have a clear and abiding commitment to uphold the United Nations Charter; and the United Nations Charter, in turn, commits its member nations, singly and collectively, to abstain from military aggression and to take action against it when it does occur.

The time has come to frankly assess the consequences of our do-nothing policy in the Middle East. This policy has not preserved the peace, nor has it fostered stability. It has, on the contrary, been accompanied by the overthrow of one government after another in the Arab countries of the Middle East; it has kept the U.N. passive and ineffective when confronted with repeated violations of its own charter; it has seen Soviet arms and Soviet agents brought into the Middle East in dangerous quantities; it has resulted in an upward spiraling arms race between Israel and the Arab States that has now reached the phase of land-to-land missiles; it has encouraged Nasser in his extremist and imperialist tendencies; it has created a situation fraught with danger for the entire free world, a situation which may momentarily erupt into large-scale bloodshed.

If the United States and the United Nations continue to do nothing, we shall not be able to escape the burden of responsibility when bloodshed does erupt.

For the United Nations, the developing Mideast crisis may very well prove to be a crisis of survival. I am a supporter of the U.N.; but I must say that I have been worried by the developments in recent years, and particularly worried over the U.N.'s handling of the Arab-Israeli dispute.

When the United Nations failed to prevent or condemn India's attack on Goa, Ambassador Stevenson warned that this failure by the U.N. might be "the first act in a drama that could end in its death."

The U.N. survived Goa, although greatly weakened in authority and prestige. It has survived repeated violations of its charter by the United Arab Republic since Goa. But I do not believe the United Nations will survive, or that it can retain the confidence of the American people, if, under the influence of the Afro-Asian bloc, it refuses to take any action to halt the Mideast arms race, to put an end to the subversion of neighboring governments by the Nasser regime, and to prevent the military action against Israel to which the new Arab Federation is constitutionally committed.

The United Nations ignored the repeated acts of military provocation by the Arab States, which preceded Israel's occupation of the Sinai Peninsula in 1956.

It took no action when the Nasser government, in violation of international law, seized the Suez Canal.

But when Britain, France, and Israel, acting essentially in self-defense, took military action against Nasser, the United Nations, unfortunately with the active support of the American Government, invoked its great authority to defend the Nasser regime and to demand the withdrawal of the British, French, and Israeli forces.

Let there be no mistake about it, had it not been for the U.N.'s intervention in his behalf, the Nasser regime would today retain about as much vitality as King Tut's mummy.

Apparently a double standard of justice has come to prevail in the United Nations. On the one hand, the Western nations and those that are friendly to them must live up to the letter of the charter and must give unquestioning obedience to the Security Council and General Assembly; on the other hand, the Afro-Asian nations and the Communist nations consider themselves free to ignore the Charter and the formal decisions of the U.N.

When the U.N. intervened to save Nasser in 1956, Nasser had for 5 consecutive years defiantly ignored the Security Council decision of 1951 that Israel and all other countries must be assured freedom of navigation through the Suez Canal. Although this decision was supposed to be binding, the United Nations, I regret to say, had taken no action to compel compliance with it.

When the Security Council in 1956 again ruled that Israel must be assured freedom of navigation through the Suez Canal, Nasser continued his defiance of the Security Council, and even extended his restrictions to cover foreign flagships carrying cargo to or from Israel.

Again the United Nations did nothing; nor did we propose any action to the U.N.

Emboldened by his ability to defy the United Nations and get away with it, encouraged by the assistance he has received from both East and West, Nasser has moved from one extreme to another.

Cairo broadcasts to the surrounding Arab countries have been characterized by almost daily calls for the assassination of other Arab leaders, for armed uprising against established governments, and for the military liquidation of the State of Israel. Indeed, the violence of Nasser's propaganda exceeds anything ever put out by the Communist International.

Let me quote to you an excerpt from a broadcast from the Voice of Cairo of last March 19.

"Free officers, soldiers, students, and Arab brothers in Saudi Arabia and Jordan: how long are you going to tolerate Saud and Hussein?

"The time has come for the army and the people to purge the Arab land of the imperialist vestiges—lackeys who have sold their honor and dignity and who cooperate with the archenemies of the Arabs—the English, the Americans, and the Jews.

"Free officers, come forward and fix the zero hour; surge like flames to the palaces in Riyadh and Amman—and destroy the hireling traitors—enemies of God and of the people.

"We will then march together on our dear usurped land—Jerusalem, Jaffa, and Haifa—and the crime of Israel will no longer exist.

"We call the army and the people in the Arabian Peninsula and Jordan to quick action and to bloody revolution. Death to the enemies of God and of the people."

Here within the scope of a few paragraphs, Nasser called for the overthrow of two member governments of the United Nations, called for the assassination of two monarchs, and called once again for a military invasion of the State of Israel.

Such broadcasts—and there have been many of them—are in flagrant violation of the U.N. Charter on several scores. But for some strange reason the U.N. has taken no action to oblige Nasser to moderate his incendiary propaganda; nor has our State Department seen fit to formally bring the matter to the attention of the U.N.

Nine months ago, in Yemen, Nasser went beyond the propaganda stage and sent in 20,000 troops to overthrow the Government of the Imam of Yemen and to establish a quisling regime committed to unity with the U.A.R. There could have been no clearer violation of the United Nations Charter. But again the United Nations did nothing. Nor did the State Department raise the issue in the United Nations; indeed, the State Department reacted by recognizing the Nasser-installed government of Yemen, in this way legitimizing his aggressive violation of the U.N. Charter.

It would be bad enough if we had simply closed our eyes to Nasser's repeated violations of the spirit and letter of the United Nations Charter, and to his defiance of repeated decisions of the Security Council. Unfortunately, the massive foreign aid we have given the Nasser government has not been conditioned on any moderation of policy. The result has been that, while defying the U.N. and while receiving hundreds of millions of dollars of arms from the Soviet Union, Nasser has also been the recipient of very substantial aid from the United States. Last year alone this aid totaled $250 million.

In the light of this record, who can blame Nasser for thinking that belligerence and aggression involve no risks and pay handsome dividends?

Only in the light of Nasser's growing arrogance is it possible to understand how the newly formed Arab Federation could adopt a constitution which openly calls for military aggression against Israel. In a letter to the Security Council only a few days ago, the Israeli Ambassador pointed out that "it is unprecedented for a constitutional document of a member state of the U.N. to proclaim the destruction of another member state" as an objective. He said that this constituted a clear violation of the United Nations Charter.

But once again the chances are that the United Nations will do nothing.

In marking the 15th anniversary of the founding of the State of Israel, it is our solemn duty to concern ourselves with the vital and immediate problem of creating the conditions for a stable peace in the Middle East.

We must make it clear to Nasser that we desire peace with him and peace for the people of the United Arab Republic and the other peoples of the Middle East. But, while offering Nasser our friendship and our aid, I believe we must make it unmistakably clear that we will not tolerate an Arab attack on the State of Israel, just as we have made it clear that we will not tolerate an attack on Saudi Arabia and Jordan.

I believe we should insist as a condition of continued aid, that Nasser abide by the Security Council's resolutions calling for freedom of navigation for all nations in the Suez Canal.

I believe we should urge the Arab leaders on every appropriate occasion to join with us and with the United Nations in a concerted effort to solve the Arab refugee problem, which, so long as it exists, will remain a constant source of tension and unrest. Israel has already committed herself to participate in such a solution, even to the point of paying compensation to the refugees. But the Arab leaders thus far have turned their backs on any solution other than the destruction of Israel. Because of their intransigence, we have had to pay out hundreds of millions of dollars, year after year, simply to keep the refugees alive in the demoralizing idleness of the Gaza camps. Nasser must not be permitted to continue to use the Arab refugees as political pawns, regardless of the suffering that this means for the refugees themselves, and regardless of the cost to the American taxpayer.

I believe we should embark on a determined and sustained diplomatic effort to bring the Israeli and Arab leaders together, to halt the tragic arms race that impoverishes and threatens them both, and to persuade them to join forces with us in a Mid-Eastern Alliance for Progress, designed to dramatically better the conditions of all the peoples of the area.

As a first measure in reversing the drift toward war, I believe we should call for a special meeting of the Security Council to consider the threat to the peace in the Middle East.

We might also consider bolstering the U.N. forces on the Israeli frontier, and enlarging their functions so that they can serve as an effective buffer between the Israeli and Arab army.

I do not underestimate the difficulties. But somehow we must find a way to do these things, because the alternative is almost too tragic to contemplate.

A diplomatic solution must be found. I believe it can be found. There is no essential conflict between the interests of the Arab states and the interests of the State of Israel. It is in their common interest that peace be maintained and that their differences be resolved by diplomatic means.

This is the approach of the Israeli leaders. Unfortunately, it is not yet the approach of Nasser and the other Arab leaders. We must seek to bring them to this realization through a combination of friendship and firmness, emphasizing the dangers of a policy of belligerence and the benefits which a policy of moderation can bring to their peoples.

Only if we commit ourselves to such a program, will the commemoration of Israel's founding have real meaning for today and enduring significance for the future. Only in this way can the specter of war be banished from the Middle East.

The justification for these measures goes far beyond assuring survival of the State of Israel, although this by itself would be justification enough. The fact is that Nasser's imperialism, his inflammatory propaganda and his warlike moves, constitute a danger for all the other nations of the area. Iran, Jordan, Turkey, Greece, Kuwait, and other nations have expressed their concern over Nasser's growing power and arrogance and over the failure thus far to take effective measures to restrain him.

I come back to the theme that "a stitch in time saves nine." Today it is still within our power to prevent war in the Middle East and to persuade Nasser to moderate his policies. But time is running out. If we fail to take preventive action today, we may wake up one morning to find bloodshed and chaos spreading through the Middle East like overnight weeds, bringing in their wake, the inevitable scavengers of international communism.

Let us all hope that the Department of State will take action to "stitch up" the Middle East situation while there is still time.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT OF 1946

The PRESIDING OFFICER. Under the unanimous consent agreement of Friday last, the Chair lays before the Senate S. 537, a bill to create a Joint Committee on the Budget, upon which there is a limitation of debate and control of time.

The Senate resumed the consideration of the bill (S. 537) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States.

The PRESIDING OFFICER. The bill is open to amendment.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, regardless of the unanimous-consent agreement which has been entered into, I ask unanimous consent that at this point 20 minutes be allowed the distinguished Senator from Connecticut [Mr. RIBICOFF].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE RELIGIOUS CONTROVERSY IN EDUCATION—IT MUST BE RESOLVED

Mr. RIBICOFF. Mr. President, there is a deep controversy throughout this land. It imperils the future of our Nation. It is time we faced it squarely, discussed it calmly, and resolved it constructively.

This is the controversy over financing the education of students in private schools. This is the religious controversy which has blocked the passage of every proposal for Federal aid to education that the administration has recommended to Congress.

The controversy runs throughout the country. Sometimes it rages in the Nation's press when one group or another issues an especially unyielding statement. More often it smolders quietly in communities and homes in every State.

Let no one underestimate the intensity of feeling on this issue. Any discussion of Federal aid to education raises many controversial issues, but none packs the political and emotional dynamite of the religious controversy.

For 2 years at the Department of Health, Education, and Welfare, I stood at the center of the dispute. I know the depth of the feelings and the strength of the convictions involved. I know, too, the frustrations that await those who venture into this area.

But I firmly believe that the effort must be made to resolve this controversy. As long as it continues, opposing points of view become more resolute, reason gives way to emotion, and the possibility of progress all but vanishes.

For too long now the public debate has been dominated by the proponents of the extreme: those who want the Federal Government to finance private education exactly as it finances public education, and those who want no financial assistance to private education at all. As with all great controversies that develop in this country, the positions of the extreme come to dominate public consideration. It is time the voices of thoughtful moderation were raised.

The question before us is plain: Are the adults of America mature enough to resolve their differences for the education of their children?

I do not suggest that the differences can lightly be put to one side. There are honest differences of viewpoint, sincerely held, by legislators, educators, lawyers, and citizens. But I do believe that for too long now the points of difference have received all the attention. Now must begin the search for common ground, for the area of agreement, for the basis of resolution.

Let us start from the plain facts that no one disputes.

These are last year's enrollment figures for attendance at public and private schools, including church-related schools:

Elementary schools—kindergarten through grade 8:	
Public	28,700,000
Private	5,300,000
Church-related	4,550,000
Non-church-related	750,000
Secondary schools—grades 9 through 12:	
Public	9,500,000
Private	1,200,000
Church-related	960,000
Non-church-related	240,000
Higher education:	
Public	2,600,000
Private	1,700,000
Church-related	370,000
Non-church-related	1,330,000

Estimates for the current year are higher in each category. This means that private-school students number more than 15 percent of all students in the elementary grades, 11 percent of the secondary grades, and 39 percent of higher education. Students in church-related schools number 13 percent of all students in the elementary grades, 9 percent of those in the secondary grades, and 9 percent of those in higher education. These are nationwide percentages; in some cities the percentage of elementary-school students in church-related schools exceeds 50 percent.

It is a fact that these children in these numbers, attend private and church-related schools. It is a fact that their parents have exercised the right to send their children to these schools, in preference to available public education. It is a fact that the education of each of these children means just as much to the strength and future of this Nation as does the education of every child in a public school.

It is also a fact that religious teaching occurs in church-related schools. This requires us to be concerned with a wise public policy that is part of our Constitution—the separation of church and State. The first amendment protects each person's right to the free exercise of his religion, and also protects both church and State by prohibiting any law respecting the establishment of religion.

The whole of recorded history shows that freedom and religion flourish best through the observance of these principles. In the context of financial assistance for private education, the meaning of the first amendment is not clear. Very few cases on this subject have been decided by the U.S. Supreme Court. Sweeping conclusions that there can be no assistance or that there is no limit to assistance simply cannot be supported.

There is much agreement, however, on some aspects of the first amendment, but too often this agreement has been overlooked. For example, there is widespread agreement that nothing in the Constitution impairs the tax exempt status which churches and church-related schools enjoy. There is also substantial agreement that the Constitution permits the type of financial assistance now rendered to private education, including the National Defense Education Act, the college housing program, and various research grant programs. At the other end of the spectrum we find substantial agreement that the Constitution does prohibit financial assistance for religious teaching. These views are expressed, for example, both in the legal memorandum prepared 2 years ago by the Department of Health, Education, and Welfare and by the brief prepared by the National Catholic Welfare Conference also in 1961.

Thus, there is agreement both that the Constitution does place some outer limits on the use of public funds for private education that there is a range of activity within these limits where some forms of public assistance are permissible.

The exact point at which the constitutional limitations apply is not clear. But disagreement over the outer limits should not foreclose full consideration of all possibilities within the area of generally agreed constitutionality.

Apart from constitutionality there is a surprising amount of agreement as to what is desirable and what is not desirable. Here, too, the common ground has been obscured by undue publicity given to extreme positions.

Some people doubtless believe that private schools should be financed exactly like public schools, without any limitations. But this is not the prevailing view of those who seek some assistance for private and church-related schools. Most proponents of aid to private education have forthrightly recognized that public funds ought not to be used for religious teaching; their proposals have been designed to exclude an expenditure for this purpose. Of course, there is much dispute on all sides as to what constitutes support of religious teaching. But that is no reason to ignore the agreement on the underlying principle: assistance is being sought for nonreligious aspects of private education.

By the same token, there may be some who believe that there should be no assistance of any sort to private education, but that is not the prevailing view of those who are the opponents in the current dispute. Many who oppose some forms of assistance to education at church-related schools have no objection to school lunch programs that now benefit all students, to teacher training programs that now benefit teachers in all schools, to funds that now promote the teaching of math, science, and foreign languages for all students, to graduate fellowships that now support the advanced education of graduate students, or to loans for college students at a variety of universities throughout the Nation. Through these and other programs funds now aid the education of students attending private and church-related schools and colleges. There is widespread agreement that these programs are desirable and should be continued.

The issue of public aid for private education resembles the issue of Federal aid to education itself: many people argue whether it should exist, while the plain fact is that it does exist. The real issue is what form it should take, and in what amount, and for what purposes.

These are the questions at the heart of the controversy blocking Federal aid to education today. Some of the most respected voices in the Nation are demanding that we in Congress provide the answers.

Dr. Lewis Webster Jones, president of the National Conference of Christians and Jews, has said:

> We must reach some kind of agreement in this divisive dispute. The health of the Republic is at stake. It is easy to give lipservice to interreligious brotherhood but we are not going to accomplish anything by being amiably pious for 1 week a year. It's not a matter of "who wins" but of finding a concensus, a compromise if you will, that will protect the religious freedoms of all.

Dr. Reinhold Niebuhr puts it:

> Some ways must be found by which the State can aid all children regardless of the school they attend.

Just recently one of the wisest observers of the American scene, Walter Lippmann, put the challenge to us most succinctly:

> It is not beyond the wit of man, if he means it, for us to find a way of aiding education, whether it is public schools or parochial schools, without getting involved in the question of the teaching of religion.

I do not claim to have all the answers to this controversy. I do not believe the extremist demands of either side can or should ever be fully realized.

But I am deeply convinced of these things: As a nation we must replace bitterness about the religious controversy in education with reason and careful thought; we must see to it that those who oppose each other talk with each other and talk constructively; we must seek out new approaches. Recognizing the basic decency of those between whom there is disagreement, all of us must—in a new spirit—join in seeking common ground.

And we in the Congress of the United States have a special responsibility to seek out new approaches and work to develop a constructive solution. We are here to legislate. Yet for too long the Congress has remained inactive and we have justified our inaction by pointing to the opposition of others.

Time after time a proposal has been quickly rejected because this group or that group is opposed or fails to support it. Some legislative proposals have never received a hearing because this agency or that agency of the executive branch is opposed.

Yet the President of the United States told the Congress 2 years ago he would welcome serious consideration of these problems by Congress and encouraged Congress to develop its own answers.

Recognizing the challenge that is properly ours and recognizing, too, the broad area of agreement within which there is a good possibility of success, I offer the following suggestions, which I believe provide a basis on which the religious controversy can be resolved:

First. Income tax deductions for college and private school expenses: For many years bills have been introduced into the Senate and the House providing income tax deductions for college expenses. I am offering my own version of such a proposal today.

Parents who pay the costs of a college education for their children deserve some help in meeting this heavy financial burden. They should receive a substantial income tax deduction whether their children attend a public or private college.

I also believe that income tax deductions should be allowed for at least a portion of private school tuition at elementary and secondary schools, and I am today introducing legislation for that purpose.

Mr. President, I ask unanimous consent that both bills may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. RIBICOFF. Mr. President, parents who send their children to private schools face a serious financial situation. These parents pay taxes to support the public schools of their communities. They also pay private school tuition. Of course the choice to send their children to private school is their own, and no one suggests that the public should underwrite the added costs which these parents have chosen to bear.

Neither should we ignore the substantial saving to the public resulting from the fact that more than 6 million children are not being educated at public expense. The simplest way to recognize some part of this public saving is to allow parents a deduction from their income tax payments for a portion of private school tuition. These parents will still be assuming added burdens for having exercised their right to send their children to private schools. But these deductions would recognize at least a part of the burden that private school parents are lifting from the shoulders of all the taxpayers of their communities.

I propose an income tax deduction for college expenses of up to $1,500 per student, and a deduction for private school expenses of up to $100 per student.

I also believe that income tax deductions should be allowed for at least a portion of private school tuition at elementary and secondary schools, and I am today introducing legislation for that purpose.

I am fully aware that proposals for tax deductions, whether at the college or school level, have consistently been opposed both by the Treasury Department and by the Office of Education. Frankly, that opposition does not cause me great concern. Nor do I believe the Congress should be unduly concerned by it, and certainly not deterred by it.

The Treasury Department has argued that tax deductions are not as desirable as more direct forms of support. From the standpoint of the niceties of tax legislation, they may be right.

But there is more here involved than that. In the first place, these parents have a financial burden which should be eased. In the second place, these tax deductions may well make it possible to pass other legislation that does provide direct assistance for public schools. Perhaps the Treasury Department prefers other bills that aid education better than tax deductions, but such bills are not passed. And a bill that does not pass does not help educate the next generation of students.

The Office of Education has pointed out in the past that tax deductions provide no help to parents at the bottom end of the financial scale—those who pay no taxes at all. These parents, it is said, need help the most. This argument overlooks the fact that these parents now receive help through scholarship aid that is not available to those in the middle and higher income brackets. There often is a scholarship for the son of a family earning $4,000 a year. But families earning $8,000 or $10,000 a year may not be eligible for such aid. Yet the burdens they face in putting one or more children through colleges are staggering.

The administration has recently renewed its recommendation that income tax credits and deductions be used to help finance the costs of political campaigns. Surely, the cause of education deserves similar support.

Second. Public financing of shared time: The proposal for shared time is not a new idea. It has been tried successfully in many communities throughout the Nation. It simply means that children who go to private schools might be able to use some of the facilities—the classrooms, the vocational shops, the gyms, the auditoriums—of the public schools in the community.

A high school boy who did not plan to go on to college but who wanted to study mechanical drawing, for instance, might go to private school in the morning and vocational high school in the afternoon. Or a group of private school children without a big modern auditorium could use the local junior high auditorium for their school play.

What I propose is to provide public financing of the shared time approach, especially as a part of any program of general aid to public elementary and secondary schools. The general aid proposals now pending in Congress provide for an allotment of funds based on the population of each State. I suggest that the allotment be based on the number of public school pupils plus an additional allotment at one-half the rate for public school students for each private school student who attends public schools on a shared time basis.

For example, if the basic allotment formula were $15 for each child attending public schools, there would be an additional payment of $7.50 for each private school child who receives part of his instruction in the public schools. In this way, Federal funds would actively encourage further use of the shared time approach.

A combination of these proposals—tax deductions and shared time—can help resolve the religious controversy in education.

There seems to me no question that both these proposals are constitutional and sound public policy. We now allow income tax deductions for charitable donations made directly to churches. These donations support not only church-related schools, but also the full range of religious activity of the church that receives them. Tax deductions for part of the education expenses at private and church-related schools stand on at least as strong a footing. As to the financing of shared time, the payment is made to public school authorities for education of students who attend public schools on a part-time basis. This is plainly constitutional and sound policy as well.

There are other approaches to aiding private education now in use that can be made more effective. There is broad agreement that none of these encounter constitutional objections.

Third. Assistance for special purposes: In elementary and secondary schools, there is a wide range of permissible aid in selected areas such as math, science, and foreign language teaching. An important national purpose is being served and religious implications are nonexistence or at least negligible. We now use public funds for equipment to teach public and private students these subjects.

The PRESIDING OFFICER. The time allotted to the Senator from Connecticut has expired.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may proceed for an additional 10 minutes.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Connecticut? The Chair hears none, and it is so ordered.

Mr. RIBICOFF. Mr. President, we should explore other forms of assistance in these specialized areas, such as classroom construction. But because public funds may not be used for direct support of religious teaching, broad financial aid of across the board or unrestricted nature runs into constitutional objections.

Fourth. Teacher training programs: Students and schools are important, to be sure. But what is as important in the whole educational picture as our teachers? There are a variety of ways in which we can do more to train the men and women who teach all the students in all our schools—to improve their skills and add new dimensions to their knowledge.

We now provide summer institutes for teachers of math, science, and foreign languages, and for those in guidance and counseling. These institutes are open to men and women from both public and private schools. Why not broaden the range of these institutes? Why not provide scholarships which would enable promising teachers to return to universities for a year of advanced study? There is no reason why not. And there are unnumbered reasons why the talents and skills of all our teachers should be enriched.

Fifth. Auxiliary services: Also at the elementary and secondary level, it seems clear that it is permissible to furnish auxiliary services of direct benefit to the child, such as school lunches, health services, or bus transportation.

Sixth. Higher education: In the field of higher education, I am entirely satisfied that public funds may be used broadly without constitutional question. The whole history and tradition of higher education differs significantly from schooling at the elementary and secondary level. The differences have been recognized by a score of statutes passed over the years that have made millions and millions of dollars available throughout the entire field of higher education.

The GI bill paid the tuition of thousands of young men and women at colleges of their choice. Today public and private colleges alike receive funds from the National Science Foundation, the Atomic Energy Commission, the National Institututes of Health, and the U.S. Office of Education. Public funds have helped all sorts of colleges to build science buildings, equip laboratories, construct dormitories, pay for graduate fellowships, and finance the education of thousands of undergraduates. Students at Harvard, Southern Methodist, Notre Dame, and Yeshiva all have benefited from these funds. The needs of those who will follow them—in ever-increasing number—must also be met.

At a minimum these six proposals can provide a basis for a new discussion of the religious controversy. But it must be a discussion that looks constructively for answers, not critically for obstacles. We will not solve this problem if we stop our efforts because the Treasury Department says tax deductions for education expense are not sound tax policy or because the National Education Association says shared time is a can of worms.

For too many years we have been stifled by those who are more interested in being against something than in being for something. Now more than ever we have got to be positive in our approach, yet willing to explore new ideas that can lead to new solutions.

"Where there is no vision, the people perish," the prophet Isaiah warned many hundreds of years ago.

I have heard enough from Government officials and educational groups whose main contribution to the Federal aid debate has been to say: "Unless you do it our way, we are opposed." Citizens throughout the land, parents, educators, and especially legislators, must now join in a new effort to resolve the religious controversy, and to move on from there to provide for the single greatest need of our Nation—the best in educational opportunities for every child in America.

The PRESIDING OFFICER. The bills will be received and appropriately referred, and will be printed in the Record, as previously ordered.

The bills, introduced by Mr. Ribicoff, were received, read twice by their titles, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

Exhibit 1

S. 1567. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain expenses incurred in obtaining or providing a higher education.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 217 as 218, and by inserting after section 216 the following new section:

"Sec. 217. Expenses for Higher Education.

"(a) Allowance of Deduction.—In the case of an individual, there shall be allowed as a deduction amounts paid by him during the taxable year for—

"(1) tuition and fees required for the enrollment or matriculation of a student at an institution of higher education, and

"(2) fees, books, supplies, and equipment required for courses of instruction in which a student is enrolled at an institution of higher education.

The determination of the fees which are required for enrollment or matriculation, and of the fees, books, supplies, and equipment which are required for any course of instruction, shall be made under regulations prescribed by the Secretary or his delegate.

"(b) Limitations.—

"(1) Amount per student.—The deduction under subsection (a) for amounts paid during the taxable year with respect to any one student shall not exceed $1,500.

"(2) Meals and lodging, etc.—No deduction shall be allowed under subsection (a) for any amount paid, directly or indirectly, for meals, lodging, or similar personal, living, or family expenses. In the event an amount paid for tuition and fees includes an amount for meals, lodging, or similar expenses which is not separately stated, the portion of such amount paid which is attributable to means, lodging, or similar expenses shall be determined under regulations prescribed by the Secretary or his delegate.

"(3) Certain noncredit courses.—

"(A) In general.—For purposes of subsection (a), the amounts paid for tuition and fees required for the taxpayer's enrollment or matriculation at an institution of higher education shall be reduced by the portion of such amounts which is attributable to any course which is not a course of instruction within the meaning of subsection (d) (1). The portion of such tuition and fees which is attributable to any course shall be determined under regulations prescribed by the Secretary or his delegate.

"(B) Exception.—Subparagraph (A) shall not apply to any course which the taxpayer is required to take by the institution of higher education.

"(c) Reduction for Certain Scholarships and Veterans' Benefits.—The amounts otherwise taken into account under subsection (a) (but before the application of subsection (b)(1)) shall be reduced by any amounts received by such student during the taxable year as—

"(1) a scholarship or fellowship grant (within the meaning of section 117(a)(1) which under section 117 is not includible in gross income, and

"(2) education and training allowance under chapter 33 of title 38 of the United States Code or educational assistance allowance under chapter 35 of such title.

"(d) Definitions.—For purposes of this subsection—

"(1) Course of instruction.—The term 'course of instruction' means only a course for the successful completion of which credit is allowed toward a baccalaureate or higher degree by an institution of higher education authorized to confer such degree.

"(2) Institution of higher education.—The term 'institution of higher education' means an educational institution (as defined in section 151(e)(4))—

"(A) which is accredited by a recognized national or regional accrediting agency, and

"(B) (i) which is authorized to confer any baccalaureate or higher degree, or (ii) the curriculum of which consists of courses at least two-thirds of which are courses of instruction within the meaning of paragraph (1).

"(3) Student.—The term 'student' means an individual who is regularly enrolled in one or more courses of instruction at an institution of higher education.

"(e) Exception.—Subsection (a) shall not apply to any amount paid which is allowable as a deduction under section 162, relating to trade or business expenses)."

(b) The table of sections for such part VII is amended by striking out the last item therein and inserting the following:

"Sec. 217. Expenses for higher education.

"Sec. 218. Cross references."

Sec. 2. The amendments made by this Act shall apply to taxable years beginning after December 31, 1962.

Exhibit 2

S. 1568. A bill to amend the Internal Revenue Code of 1954 to allow a deduction of up to $100 a year for certain expenses incurred in providing an elementary and secondary education for a child in a private school.

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That (a) part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 217 as 218, and by inserting after section 216 the following new section:

"Sec. 217. Expenses of Educating Children in Private Elementary and Secondary Schools.

"(a) Allowance of Deduction.—In the case of an individual, there shall be allowed as a deduction amounts paid by him during the taxable year for—

"(1) tuition and fees required for the enrollment and attendence of a pupil at a private elementary or secondary school, and

"(2) fees, books, supplies, and equipment required for courses or classes attended by a pupil at a private elementary or a secondary school.

The determination of the fees which are required for enrollment and attendance, and of the fees, books, supplies, and equipment which are required for courses or classes attended, shall be made under regulations prescribed by the Secretary or his delegate.

"(b) Limitations.

"(1) Amount per pupil.—The deduction under subsection (a) for amounts paid during the taxable year with respect to any one pupil shall not exceed $100.

"(2) Meals and lodging, etc.—No deduction shall be allowed under subsection (a) for any amount paid, directly or indirectly, for meals, lodging, or similar personal, living, or family expenses. In the event an amount paid for tuition and fees includes an amount for meals, lodging, or similar expenses which is not separately stated, the portion of such amount paid which is attributable to meals, lodging, or similar expenses shall be determined under regulations prescribed by the Secretary or his delegate.

"(3) Noncredit courses.—No deduction shall be allowed under subsection (a) for any amount paid for fees, books, supplies, and equipment for any course or class which is not credited toward fulfillment of the academic requirements of the school.

"(c) Definitions.—For purposes of this section—

"(1) Private elementary or secondary school.—The term private elementary or secondary school' means an educational institution (as defined in section 151(e)(4))—

"(A) which provides elementary education or secondary education (or both), as determined under the law of the State in which such institution is situated, and

"(B) which is not an agency or instrumentality of a State or political subdivision of a State.

"(2) Pupil.—The term 'pupil' means an individual who attends school in any grade from the first through the twelfth grade (or their equivalents)."

(b) The table of sections for such part VII is amended by striking out the last item therein and inserting the following:

"Sec. 217. Expenses of educating children in private elementary and secondary schools.

"Sec. 218. Cross references."

Sec. 2. The amendments made by this Act shall apply to taxable years beginning after December 31, 1962.

Mr. DODD subsequently said: Mr. President, earlier today my colleague from Connecticut [Mr. Ribicoff] spoke on the Federal aid to education program. I am sorry that I was unable to be present, because I had to be in attendance at a luncheon for 60 lawyers from the State of Connecticut who were admitted to practice before the Supreme Court of the United States. I have read my colleague's speech.

I compliment and congratulate my colleague for the thoughtful and constructive analysis of the Federal aid to education problem which he delivered earlier today.

He is seeking, as many of us are, for ways to resolve the impasse which is blocking all Federal aid to education, an impasse centering around the religious controversy.

There are so many people who will not support a Federal aid program that does not include parochial schools, and there are so many others who will not support a Federal aid program that does include parochial schools that, when added to the people who oppose the program for other reasons, we have never been able to get it off the ground.

Senator Ribicoff is right when he says that for the good of the country and for the good of our children we must put aside prejudice on both sides of the religious controversy and take a practical look at the problem and a mature view of what can reasonably be done to provide some form of aid for the education of several million children in private and parochial schools without violating the Constitution by giving undue advantage to any religious group.

I would like to comment on three aspects of Senator Ribicoff's program.

I believe his program to allow income tax deductions to help defray the expenses of a college education is sound and fair. I have made similar proposals in previous Congresses. Senator Ribicoff's suggestion was novel in that it would provide for tax deductions of up to $100 for each child in a private or parochial school. This would be a small but significant assist to parents who are educating their children in private and parochial schools, and it would be a public recognition, long overdue, of the burdens these parents willingly assume which otherwise would be placed on the shoulders of the general public.

Senator Ribicoff's proposal for Federal financing of the shared time approach under which private school students could use the gyms, vocational shops, and other facilities of public schools seems highly meritorious to me.

I am very much interested in his proposal to finance this by adding to each State's Federal aid allotment a one-half credit, so to speak, for each private school child who makes use of public school facilities. I am anxious to know what private school administrators think of this proposal. For it would provide solid Federal encouragement for what could be a solution to the mounting dilemma facing private school educators who are finding it more and more difficult to finance ever broadening curricula.

I applaud Senator Ribicoff's proposals to broaden existing programs, such as programs of assistance for special purposes, teacher training programs and the expansion of existing programs relating to higher education, which benefit private as well as public colleges.

I especially commend my colleague for his willingness to face the inevitable brickbats which will come to those who take up this controversial question.

At the beginning of his remarks he said we must face this issue squarely, calmly, constructively, and maturely.

I believe Senator Ribicoff has lived up to this standard. His proposals are clearly in the national interest, they are moderate, they are constitutional and they are constructive. They will provide significant assistance to private and parochial schools without violating our traditional devotion to the concept of separation of church and state.

I hope that Senator Ribicoff's proposal will be widely read and discussed, because they bring some light and fresh air into a debate that badly needs both.

Mr. PELL subsequently said:

Mr. President, I congratulate Senator Ribicoff on his speech today concerning the religious controversy in education and the fact that it must be resolved.

At this point of mutual standoff between the proponents and opponents of the various educational bills that have so far been offered, the victims of the controversy are the most important capital asset of our Nation, our young people.

There is no Member of our body with more knowledge and experience in this field than Senator RIBICOFF, both as a Governor and as Secretary of Health, Education, and Welfare.

I find myself in substantial agreement with Senator RIBICOFF's approach and viewpoint and hope his speech will receive the national attention it deserves. Its approach may not be popular with the extremists of each group, but it does, I believe, reflect a sensible, moderate approach to the liquidation of a problem that presently endangers our Nation's health and security—the problem of properly educating our young people for the problems of the last quarter of the 20th century.

ERNIE DAVIS

Mr. KEATING. Mr. President, I ask unanimous consent to proceed for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. It is with a deep sense of loss and profound regret that America learned of the death last Saturday of Ernie Davis. This great all-American halfback from Syracuse University was but 23 when he lost a 13-month battle against leukemia. This young man was a legend and a hero to youngsters and sports fans of all ages. Twice an all-American, he was the only Negro ever to win college football's highest award, the Heisman Memorial Trophy. Ernie Davis will be remembered not only for his prowess on the football field, but for the warm qualities and sincere humility which made him a fine human being. In the opinion of many, he was the greatest halfback of all time.

The tragedy of this loss should not be without a message for all of us. Cancer, in all its forms, must be conquered, and we cannot afford to delay our concerted effort. Many have emphasized the importance of our space effort, and the need to reach the moon before the Soviets. While this is indeed a worthy goal, America has many earthly problems to meet, many puzzling scientific mysteries to solve. Health problems loom largest in this category of needs; and cancer, one of our greatest killers, striking one out of every four Americans, must be a prime target. We simply cannot sit by while Ernie Davises and Whitney Griswolds and millions of others perish every year. True, we have embarked on a program of federally sponsored research, but we are told by scientists that the cure for cancer is decades away.

Two weeks ago, I called for a massive, concerted effort to destroy this killer, and asked the President to convene a White House Conference on Cancer which would form a master plan for further Government action. We need to inventory and mobilize our resources, reappraise our past experience, cooperate with United Nations, foreign scientists, and private foundations, and exert a serious national effort in this cause.

Ernie Davis was a symbol of all that is fine in American youth. In the name of future generations of American children, and in the hope that this kind of tragedy will soon be a thing of the past, I once again beseech the Congress and the Government to take immediate action against cancer.

Mr. President, in tribute to this great halfback, the Cleveland Browns have proposed to establish the Ernie Davis Foundation for Leukemia Research. Ernie's mother, Mrs. Arthur Radford, of Elmira, N.Y., has asked that, instead of flowers, contributions be sent to the Western Reserve University research center for this purpose. I commend this effort and bring it to the attention of my colleagues and sports fans all over America who wish to honor Ernie Davis.

Mr. JAVITS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 1 additional minute may be granted to the Senator and then we will start on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I think that what my colleague has just said will be echoed by every New Yorker and everyone in the country. There was a magnificent editorial which appeared either in the New York Times or in the New York Herald Tribune. I hope my colleague will include it in the RECORD. I join in what he has said, and hope others will join in the cause which he has espoused with respect to the fight against cancer. I myself am sending a contribution, as Ernie's mother has requested.

Mr. KEATING. I plan to do the same.

Mr. President, I ask unanimous consent to have printed in the RECORD with my remarks an editorial from the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ERNIE DAVIS

"Some people say I am unlucky. I don't believe it. And I don't want to sound as if I am particularly brave or unusual." Thus Ernie Davis summed up, less than 2 months ago, his reaction to the knowledge that he had leukemia. He hoped to resume the football career that had won him the Heisman Trophy as the country's best collegiate player in 1961, had twice made him an all-American back and had prompted Syracuse University to put him at the head of its graduation procession last June as the senior who had contributed most to the university, scholastically and athletically. His death at the age of 23 removes a gentle giant, as conspicuous for the selflessness and courage he displayed off the gridiron as for the spectacular scoring runs he made on it. It also is a tragic reminder of how little we yet know about leukemia and other forms of cancer.

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT OF 1946

The Senate resumed the consideration of the bill (S. 537) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. HICKENLOOPER. Mr. President, what is the parliamentary situation?

Mr. MANSFIELD. S. 537, the McClellan bill, is now pending, under allotted time.

THE FEED GRAIN BILL

Mr. HICKENLOOPER. Mr. President, I wanted to make a parliamentary inquiry. For the record, may I ask if H.R. 4997, which is the feed grain bill, has been messaged over from the House to the Senate?

The PRESIDING OFFICER. That bill has come over from the House and has been signed by the President pro tempore.

Mr. HICKENLOOPER. May I ask at what time it came over from the House?

The PRESIDING OFFICER. About 7 or 8 minutes after 12 o'clock.

Mr. HICKENLOOPER. Was it presented through the so-called front door of the Senate and was any public announcement made of the message from the House at the time it was sent over?

The PRESIDING OFFICER. It was not officially announced when it was received.

Mr. HICKENLOOPER. So there was no public announcement, at the time the bill was coming from the House, of its having been signed by the Speaker. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. HICKENLOOPER. Therefore, there was no opportunity or knowledge on the part of anyone who might have wanted to raise parliamentary issues with regard to that bill because there was no opportunity as the result of any notice.

The PRESIDING OFFICER. Apparently there was none.

Mr. HICKENLOOPER. May I ask if that is the usual procedure or the unusual procedure, for a bill to be messaged over surreptitiously and secretly from the House of Representatives, in that manner?

The PRESIDING OFFICER. The usual procedure is for a bill to be announced at the door.

Mr. HICKENLOOPER. It was not followed in this case.

The PRESIDING OFFICER. That is correct.

Mr. HICKENLOOPER. I thank the Chair for explaining this very interesting and unusual procedure in connection with this bill.

SHOWING OF THE MOTION PICTURE "THE CARETAKERS" ON WEDNESDAY, MAY 22, IN THE SENATE OFFICE BUILDING AUDITORIUM

Mr. HILL. Mr. President, about 2 weeks ago I had the privilege of viewing a new motion picture, to be released later this summer, that deals with the mental health problem. In my view and in that of authorities in the mental health field this picture is a remarkable and effective weapon in the nationwide fight against mental illness and mental retardation.

I was so impressed with the picture, titled "The Caretakers," that after consulting with a number of medical officials both in and out of Government who are experts in this field I decided it would be most useful and rewarding to give all Members of this body and their staffs an opportunity to see it. Senator KUCHEL and I have, therefore, arranged for a special screening to be held in the New Senate Office Building auditorium at 2:30 p.m. next Wednesday afternoon, May 22. I would like to draw to the attention of the Members of the Senate that letters of invitation have already been sent out announcing a screening to be held on Tuesday, the 21st. However, we feel that due to the many activities arranged in honor of Major Cooper for Tuesday afternoon it would be more practical to have a screening of "The Caretakers" on Wednesday. Following the screening, there will be a reception to meet those who are responsible for the production of this outstanding film.

Senator KUCHEL and I wish to invite Members of the Senate and their staffs, as well as the committee staffs, to see the picture. I also want to emphasize that the picture is not a documentary or educational film as such; it is a dramatic and gripping film that in test runs in three cities, I am told, has won unusual audience support. I do hope that Members of the Senate, their staffs, and the committee staffs will be our guests.

Mr. KUCHEL. Mr. President, I am glad to join with the distinguished Senator from Alabama [Mr. HILL] in extending to our colleagues in the Senate and their staffs a very cordial invitation to see, on Wednesday, at 2:30 p.m., as the Senator has stated, in the New Senate Office Building auditorium, the unique motion picture "The Caretakers."

When it was shown earlier this month in Washington to a limited number of people in the Senate and in the Government, I am told that it had a profound and telling impact on all who saw it.

I am glad that the distinguished motion picture producer of the film, Mr. Hall Bartlett, has informed the Senator from Alabama and me that he will be here on Wednesday with two of the great motion picture performers who participated in the film. Mr. Robert Stack will be accompanied by Mrs. Stack. The very renowned and gracious motion picture actress Miss Joan Crawford, likewise will be present and looking forward to meeting our colleagues in the Senate.

For all these reasons I am glad to join the senior Senator from Alabama in extending this invitation to our colleagues in the Senate and their staffs.

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT OF 1946

The Senate resumed the consideration of the bill (S. 537) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States.

Mr. McCLELLAN. Mr. President, is the Senate now proceeding under limitation of debate?

The PRESIDING OFFICER. The Senate is proceeding under the unanimous-consent agreement, previously entered, which allots 30 minutes to a side.

Mr. McCLELLAN. I thank the Chair. I allot myself 5 minutes.

Mr. President, the purpose of this bill is to provide the Congress with machinery that will enable it to better meet its constitutional responsibilities with respect to appropriation of funds required for the conduct of the Federal Government. It seeks to accomplish this objective by establishing a Joint Committee on the Budget. This proposed Joint Committee would be composed of members of the Senate and House Committees on Appropriations. It would be staffed with nonpartisan fiscal experts and technicians who would be engaged in making continuing studies—12 months of the year—of programs and expenditures proposed by the executive branch. The establishment of this joint committee would provide the Congress with the same type and caliber of detailed technical information in the appropriation field as the Joint Committee on Revenue Taxation provides for the revenue committees of the Congress, and as the Bureau of the Budget provides for the executive branch.

One of the most serious problems confronting our Nation today is the maintenance of national solvency in the face of ever-growing demands on the Federal Government for programs and services, coupled with the necessity of meeting the national defense requirements of the cold war and the atomic and space age.

Our national expenditures budget has grown from $66 billion in fiscal year 1956 to an estimated $94.3 billion for 1963, and a requested $98.8 billion for fiscal year 1964. In another year or so we will have a rapidly growing annual expenditures budget in excess of $100 billion. We are swiftly moving toward annual expenditures in all categories that will exceed $150 billion. We must keep in mind that approximately $25 billion in annual spending does not appear in the appropriated budget. Our national debt, now more than $300 billion, is rising at a rate in excess of $8 billion annually. Nor does the end appear to be in sight.

This matter is of the gravest concern to the Congress. The Constitution has vested in the Congress and the Congress alone the exclusive right to appropriate money to the various branches of the Government, and to designate the purposes for which the money shall be used.

Although we are now operating in an era of annual expenditure budgets of $100 billion, the procedures used by the Congress in carrying out these vital responsibilities are practically no different than those used 25 or 50 years ago. In other words, these methods and procedures now used in the appropriations processes are simply inadequate to meet presentday needs.

In January 1950, after having served 1 year as a member of the Senate Committee on Appropriations, I became convinced that under procedures then in use, which were no different than those presently followed, the Appropriations Committees of both Houses were laboring under a tremendous handicap in their efforts to pass upon budget requests for Federal expenditures. The fundamental problem which I found to exist at that time—and it still exists today—is due to the fact that the Congress, which is most generous in equipping the executive agencies with personnel to handle its affairs, failed to provide itself with adequate machinery to carry out one of its most vital functions and responsibilities—the appropriation of funds for the conduct of the Government.

Instead of equipping itself with an adequate number of experts and technicians to examine every detail of the appropriation requests submitted by the executive agencies and departments, the Congress has been content to limp along without the assistance and information it requires. Thus, aside from the overburdened housekeeping staffs of the Senate and House Appropriations Committees, which cannot possibly make the kind of analysis of budget requests necessary in the time available, members of the Appropriations Committees are forced to rely upon the testimony of representatives of the executive branch who formulate the programs and present them in a light most favorable to their purpose. Furthermore, they usually tell us only as little or as much as they wish to disclose.

Accordingly, on January 19, 1950, I introduced a bill, S. 2898, which was similar, in many respects, to the pending bill. The committee studied the bill and revised it, but took no further action on it during the 81st Congress. Thereafter, the committee reported favorably, and the Senate passed, in the 82d, 83d, 84th, 85th, and 87th Congresses, virtually identical bills proposing the creation of a Joint Committee on the Budget. On each occasion, following Senate passage, the measure was permitted to die in the House of Representatives.

In each Congress, these bills were cosponsored by a substantial majority of the Members of the Senate. In the 85th Congress, 71 Members of a total of 96 cosponsored the measure. In the 87th Congress, there were 67 cosponsors. The bill presently pending before us has the largest number of cosponsors it has ever had—77.

It appears perfectly clear that the conditions which prompted the initial introduction of this measure, in 1950, and its passage by the U.S. Senate in 1952, have in no way diminished. On the contrary, they have increased with the rising cost of Government and the swelling national debt. In fact, it appears quite clear that there is greater need for this measure today than ever before. That need grows with each budget message we receive from the President of the United States and with each session of the Congress, as the cost of Government increases and as the tax burden is felt more keenly by the American people.

An additional important factor to be considered in connection with the committee's consideration of S. 537 is the breakdown in our appropriations procedure which occurred during the 87th Congress, and which is a matter of the greatest concern to all of us. It is my firm conviction that if this bill had been enacted into law earlier, and the proposed joint committee had been in operation, this breakdown would not have occurred. I say this because I believe that the establishment of a Joint Committee on the Budget will be conducive to better cooperation and a spirit of working in harmony between the two Appropriations Committees of the Congress. If we can have members of these committees working together, each getting the same information, each using the same tools, and each relying on the technical advice and information furnished by a joint staff, they will be able to obtain fuller information and to evaluate more intelligently the budget requests made by the different agencies of Government. This, in turn, should go a long way toward removing the frictions and disagreements which have cropped up from time to time between the two bodies in connection with the appropriation process.

Although the Senate has been endeavoring, for more than 12 years, to effect the necessary improvements in the fiscal operations of the legislative process, the House of Representatives has so far failed to act favorably on this proposal. I am convinced that a majority of the Members of that body are as much interested in correcting these budget management deficiencies of the Congress as are Members of the Senate. This is evidenced by the fact that 26 Members of the House have already introduced identical or similar bills in the 88th Congress.

It is to be fervently hoped that this or a similar measure will be enacted into law at this session. The American taxpayer has a very real and vital stake in this legislation. We should not fail them.

Mr. CLARK. Mr. President, I wish to discuss my amendment No. 91, and I yield myself as much time as I may require.

The **PRESIDING OFFICER.** The amendment will be stated.

Mr. CLARK. Mr. President, I am not calling up my amendment. Am I required to call up my amendment?

The **PRESIDING OFFICER.** The Senator cannot yield himself time unless his amendment is before the Senate.

Mr. CLARK. Very well. I call up my amendment No. 91.

The **PRESIDING OFFICER.** The amendment will be stated.

The LEGISLATIVE CLERK. On page 12, after line 8, insert the following new section:

> SEC. 4. Section 134(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b), is amended to read as follows:
>
> "(b) No standing committee of the House, except the Committee on Rules, shall sit, without special leave, while the House is in session."

Mr. CLARK. Mr. President, as I stated on the floor last Friday, I have at the desk three amendments to the pending bill. In effect, these proposals would amend the Legislative Reorganization Act so as to bring about three important changes in the rules and procedures of the Senate, which, Senators will recall, I have been advocating for some time.

Several weeks ago, when the majority leader advised me that the pending bill would shortly be called up, I conferred with the Parliamentarian as to whether the amendments would be in order. I was advised that they would be, and accordingly filed them.

Thereafter, with the cooperation of the majority leader and the minority leader, a unanimous-consent agreement was entered into, whereby 1 hour would be allowed on each of the three amendments, the time to be equally divided between the proponents and the opponents. After the agreement had been entered into, a question which had not theretofore occurred to me—although perhaps it should have—arose as to whether, although the amendments were clearly in order, they were nonetheless germane. That has become important, because the standard form of unanimous consent agreement has been used, and it excludes nongermane amendments. In my judgment, at least one of the proposed amendments is germane. Perhaps the others are not germane, although they are in order. Therefore, it is reasonably certain that if a fight were made against the amendments on the ground that they are not germane, I would have little chance of getting all of them to a yea-and-nay vote on their merits.

The majority leader was kind enough to call me this morning and to suggest an alternate method of procedure.

I should like to state the purpose of the three amendments. Then I should like to ask the majority leader a question or two, to see if an amicable solution of the problem cannot be reached.

The first amendment, which is No. 91, would eliminate the practice which allows a single Senator to prevent all Senate standing committees and subcommittees from meeting or holding hearings during Senate sessions. It has been my view that no single Senator should have the power to block meetings of the 16 standing committees and the 76 presently organized subcommittees of those standing committees. In my tenure in the Senate, the power of one Senator, as a practical matter, to prevent committees and subcommittees from meeting has too often been used solely for the purpose of delaying and impeding the progress of essential legislation to the floor of the Senate.

Because by practice the Committee on Appropriations always obtains permission early in each session to meet at any time during that session, whether the Senate is in session or not, one-fourth of the Members of the Senate are now authorized to meet in committee, whether or not the Senate is in session and to conduct the business of the Committee on Appropriations. Such consent was given this year on February 11. Other committees are required to ask permission each time they wish to meet or hold hearings during the Senate session. Such permission is often refused.

The present legislative procedure provides that, when the Senate is in session, committees may not meet without special leave. Under the precedents, leave could be given by majority vote. Unfortunately, at least to my point of view, by virtue of a ruling of Vice President Barkley, made some years ago, when a motion is made for leave for a committee to meet while the Senate is in session, that motion is debatable.

Therefore, any one or perhaps two or three Senators who did not want the committee to meet could speak at length in opposition to the motion until the time had passed—in other words, for not more than 2 or 3 hours—when the committee could profitably meet.

If my amendment were adopted, the question of whether a standing committee or subcommittee of the Senate could meet and hold a hearing during a session of the Senate would be subject to the will of a majority of the members of the committee or of the subcommittee concerned, as is presently the case with respect to the one-fourth of the Senate who are members of the Appropriations Committee. Thus, one Senator would not have the right to prohibit what a majority of the members of a standing committee or subcommittee thought was important business of the Senate which of necessity would have to be conducted in committee while the Senate was in session.

My second amendment, which is No. 92, would amend the Legislative Reorganization Act so as to provide a procedure for the more expeditious handling of appropriation bills. Under the proposed procedure, the chairmen of the Appropriations Committees of the Senate and of the House of Representatives would apportion the revenue bills equally between the two Houses, so that no bill would need to be introduced in more than one House of Congress. The Senate could proceed—as it clearly has the right to do, under the Constitution of the United States—to deal with half of the appropriation bills while the House would be dealing with the other half. The amendment also provides that hearings might be conducted jointly by the two Appropriations Committees of the two Houses or by subcommittees of those committees.

In my opinion my amendment is not only constitutional, but also is extremely wise. It would save Congress an extraordinary amount of time, and would result in having the appropriations bills clear the Congress perhaps a month or two earlier than they otherwise would do. I realize that at present the Senate Appropriations Committee holds preliminary hearings on many of the appropriation bills before they come from the House; but after the House has acted on them, the Senate always has to act again—usually to restore injudicious cuts which have been made by the other body; and the end result is that a great deal of time is wasted.

The proposed procedure might find little favor with Members of the other body at the present time, but I am confident that it would find great favor with the people of the United States; and it should find even greater favor with Senators, because it would make it possible for them to do their work efficiently and expeditiously and go home much earlier in the year than otherwise would be the case.

My third amendment, which is No. 93, would amend the Legislative Reorganization Act so as to establish a "bill of rights" for Senate standing committees. The amendment would permit a majority of the members of any standing committee of the Senate to convene meetings of the committee, to consider any matter within the jurisdiction of the committee, and to end committee debate on a committee measure by moving the previous question.

In this connection let me point out that it is widely recognized that in some of the standing committees of the Senate, although certainly not in all of them, the will of the majority can be, and often is, thwarted with impunity. That means that some measures referred to a committee are, quite frankly, "pickled" there or are filibustered there, with the result that they never reach the floor of the Senate, or, in the alternative, they are so long delayed in reaching the floor of the Senate that they do not reach the floor until almost the close of the session, at which time they cannot be given adequate consideration.

This proposal would guarantee the uniform application of democratic procedures in the 16 Senate standing committees, and would permit committee members to expedite action on important measures when a majority of them were ready to act.

This morning the majority leader has given me certain information which makes me feel inclined not to press for votes on these amendments in connection with the pending bill to amend the Legislative Reorganization Act of 1946. I would not have submitted these amendments to the bill of the Senator from Arkansas [Mr. McCLELLAN] if I had had any real assurance that it would be possible to have the proposed changes and a number of other proposed changes in the Senate rules considered in due course, and carefully, by the Subcommittee on the Standing Rules of the Senate, of the Senate Standing Committee on Rules and Administration, on which I serve.

But I had despaired of having a reasonably prompt and adequate hearing held, not only on these amendments, but also on a number of others which I have filed and on a great many others which other Senators have filed, because I know that our beloved President pro tempore, the chairman of that standing committee, is also strenuously engaged with important appropriation bills which, as chairman of the Appropriations Committee, he must consider; and, therefore, I feared that he would not be able to give adequate time for hearings on these proposals.

Let me ask the majority leader this question: As a result of a talk he has had with the chairman of the Subcommittee on Standing Rules, can he give me any assurance that not only these three amendments, but also the other amendments which I have filed, and which are pending before that subcommittee, can be given a reasonably prompt hearing, so there can be committee action—which, of course, is infinitely preferable to bringing these matters up on the floor without committee action?

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. MANSFIELD. In response to the question asked by the distinguished senior Senator from Pennsylvania, I wish to state that this morning the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and I visited with the President pro tempore of the Senate, the senior Senator from Arizona [Mr. HAYDEN], chairman of the Appropriations Committee. At that time the Senator from Arizona assured us that it was his intention to hold hearings on these proposals of the Senator from Pennsylvania and on other proposals as soon as the Interior Department appropriation bill was out of the way.

It is my understanding that the Interior Department appropriation bill will be reported on Wednesday of this week, I believe. Very likely it will be brought up in the Senate on Monday or Tuesday of next week, barring unforeseen circumstances.

But it would appear to me that on the basis of the assurances given to the leadership by the distinguished chairman of the Appropriations Committee, who also is chairman of the subcommittee of the Rules Committee, that he would handle these proposals, which have been submitted by the distinguished Senator from Pennsylvania and by other Senators, it would be fair to assume that hearings would be held within 2 weeks.

Mr. CLARK. I thank the majority leader.

I point out to him that I think it important that we be reasonably specific in regard to the commitment which has just now been made. A few minutes ago a similar commitment was made to me on the floor by the Senator from Arizona.

They are now pending—and they have been referred to the Subcommittee on Standing Rules, of the Senate Committee on Rules and Administration—38 separate proposals for changes in the rules or customs or manner of action of the Senate. I am perhaps the worst offender, because I have made 15 such proposals; but other Senators are responsible for the other 23. I would not press for a prompt and immediate hearing on all 15 of my proposals; but some time ago I wrote to the distinguished Senator and asked him at least to schedule a hearing on the 4 or 5 of my proposals which I considered to be the most important.

I know that the Senator from Washington [Mr. MAGNUSON] has spoken to the Senator from Arizona [Mr. HAYDEN]—and has asked me to do so, too—with respect to a proposal to break the sessions of the Senate into two—one for the consideration of appropriation bills, and the other for the conduct of the regular legislative business. The other day I was glad to note in the press that the majority leader was happy to endorse this proposal.

The Senator from Rhode Island [Mr. PASTORE] has proposed a very important change with respect to the rule of germaneness. The rules change I have proposed is a little more drastic than the one he has proposed, but is on the same subject.

The Senator from Idaho [Mr. CHURCH] has pending a proposed rule change dealing with the subject of when committees may meet while the Senate is in session. His proposal is not quite the same as mine, but is on the same subject matter.

The Senator from Rhode Island [Mr. PELL] proposes that ex-Presidents of the United States have the privilege of the floor of the Senate.

I know the Senator from Montana cannot be completely specific. But would he think we could have a hearing in the subcommittee on those of the proposed changes which, after reasonable give and take and some screening—perhaps eight or nine of them—we might determine had the greatest support among the Members of the Senate?

One of those is a resolution which I offered, which has been cosponsored by 31 Senators. The resolution would create a special committee to investigate and report back on what changes in the rules and procedures of the Senate are necessary to modernize our institution. The Senator from New Jersey [Mr. CASE] has a similar proposal. I would hope that there could be a sort of gentlemen's agreement that perhaps as many as eight or nine important proposed rule changes which have substantial support might receive a prompt hearing.

Mr. MANSFIELD. Mr. President, the statement made by the able Senator from Pennsylvania is a reasonable one. I would assume that eight or nine of the proposed changes in which Senators have indicated an extraordinary interest would be brought before the subcommittee over which the Senator from Arizona [Mr. HAYDEN] presides.

When the leadership discussed the subject with the Senator from Arizona this morning, the amendments of the Senator from Pennsylvania were in mind. I personally can give no absolute assurance, but so far as I am concerned, I think the request is reasonable. I would assume that the Senator from Arizona would look upon it in the same light.

In all fairness it is my belief that it has been the intention of the Senator from Arizona before today to hold hearings on the proposed rules changes, because he had known of the great interest shown by the Senator from Pennsylvania and other Senators, and their desire that hearings be held. I know that the distinguished Senator from Pennsylvania is fully aware of the great pressures and strains put on the present President pro tempore because of his position as chairman of the Appropriations Committee and because of his unusual devotion to that position, to which he applies practically all his energies and abilities—for which we can all be thankful.

Again, I should like to say that the Senator from Pennsylvania has made a reasonable statement. I hope that what he has suggested will come about; and in my belief it will come about.

Mr. CLARK. I thank my friend. I am indeed aware of the pressures under which the Senator from Arizona [Mr. HAYDEN] is operating, and I am most sympathetic.

For the record I will say that I shall be glad to defer consideration of several of my own proposed rules changes in order to make way for prompt hearings on the rules changes proposed by other Senators. I point out that I do not think we could handle those proposals in a couple of hours of hearings. The hearings may well require 3 or 4 days. In the light of the assurances which have been given to me on the floor this morning by the able majority leader, I am content to withdraw my amendments to the pending bill and to rely on the commitments made that there will be prompt hearings on the proposed rule changes to the extent that has been outlined in the colloquy between the majority leader and myself.

Mr. MANSFIELD. Mr. President, I wish to express my thanks to the distinguished senior Senator from Pennsylvania. I believe he has chosen the right course. I know that on the basis of the assurances given by the Senator from Arizona [Mr. HAYDEN], that promise will be kept and the hearings will be held shortly.

Mr. CLARK. I thank my friend.

Mr. President, I withdraw the amendment.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. McCLELLAN. Does the Senator have any intention of offering amendments?

Mr. CLARK. No.

Mr. McCLELLAN. I thank the Senator from Pennsylvania for his consideration of the situation. The bill has a good chance of passage. I am familiar with one or two of the proposed rule changes of the Senator from Pennsylvania. I am undertaking to consider favorably at least one of them.

Will the Senator yield back the remainder of his time?

Mr. CLARK. Mr. President, I yield back the remainder of my time. I withdraw the amendment I have called up, and I announce that I will not call up my other amendments.

The PRESIDING OFFICER. The amendment of the Senator from Pennsylvania is withdrawn.

The bill is open to amendment.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the distinguished Senator from Illinois such time as he may desire.

Mr. DIRKSEN. I am a cosponsor of the bill, but I am not sanguine that too much will happen with it, to it, or from it.

First, it is dubious that the House will act upon it. We know what has happened before.

Second, unless this kind of measure is completely implemented, it will not be effective. Certainly it merits implementation beyond anything that has been in the mind of the Congress.

When I was on the House Appropriations Committee, I was greatly interested in exactly the kind of committee proposed, and I had hoped that not only would the committee be established, but that the most competent kind of staff would be selected and paid for in order to put some flesh on the bones.

President Monroe once observed that Congress, the legislative branch, is the core of our Government. I believe that statement. Congress has the power to create. It has the power to abolish. If it desired to do so, it could abolish the entire court system of our country, with the exception of the Supreme Court, which is our only constitutional tribunal. But that gives some hint as to the power of Congress.

In addition, Congress has exclusive power over the purse. I recall the great book written by James M. Beck, the celebrated lawyer from Philadelphia, under the title of "Neither Purse Nor Sword." It was a book dealing with the courts. In it he acknowledged that the sword was entrusted to the President as Commander in Chief, and the power of the purse was given to the Congress.

The Constitution plainly states that no funds can be taken from the Treasury except in pursuance of a bill appropriating money, which bill must pass both Houses and be signed by the President.

In that connection, the Congress in attempting to get a better look at the budget, permitted the system to be used superficially.

I was on the joint committee when the Congress was reorganized in 1946. Six Members of the Senate and six Members of the House served on that committee. Out of it came the Legislative Reorganization Act. In that act is a provision for a legislative budget and for the necessary concurrent resolutions, if the Congress appropriated more money than the estimated revenues.

There was also a provision that in the case of a surplus, it had to be applied to the debt. There was still another provision that in the case of a deficit, Congress would have to express itself then and there in the form of a resolution to raise the public debt. The procedure was simple. It commended itself to everyone. I know of only two meetings held by that committee. To be sure, it was composed of all members of the Finance, Ways and Means, and Appropriations Committees. At the initial meeting 107 Members from both Houses appeared. Senator Taft was made the chairman.

After a time we could see that it was an unwieldy group and would have to be divided into subcommittees. I was placed on one of the subcommittees, so I know the endeavor we went through at that time. Then the system fell into disuse and it is not being used any more—I suppose on the theory that so long as an emergent situation exists, it can be set aside by consent. That instrumentality, through which we could have a better look at, better supervision, better surveillance, and better operation of the Federal budget has been set aside, and now there is proposed another instrumentality in the form of a joint committee of the two bodies for the purpose of taking a hard look, requiring a great many reports from the agencies and departments of the Government, plus authority to make recommendations.

I think I have been through the budget process about as meticulously as anybody else of whom I can think.

I think back to the researches I made concerning the action of the Congress enacting the Budget and Accounting Act of 1921. Since that time the Bureau of the Budget has been made an arm of the executive. I have not seen a late figure, but I assume there must be at least 500 employees working in the Bureau of the Budget today. There are some very capable people there, of knowledge and distinction, who can do a good job.

After the departments and agencies have spent many months preparing their preliminary estimates, they go to the Bureau of the Budget and sit down with the experts. There they go through the presentation very carefully. When, finally, a firm figure has been contrived—whether it be for a bureau, a commission, an agency, or a department—it is then taken to the President.

I recall my conversations with the Budget Director. I asked about the length of the sessions. They were called periods. I asked, "How long are these periods? How many are there?" The answer was, "It could be one period or two periods or three periods." Then I asked, "What is a period?" The answer was, "A period might be an hour. A period might be 2 hours." Then I said, "Let us take the maximum."

The best I could ever learn was that the Budget Director and his staff would sit with the President for probably not more than 3 hours at any given time on any budget for any group in the Government, including the largest agency or department in the Government.

When, at long last, there was agreement with the Chief Executive, the budget presentation was put off to one side. When the procedure was finally consummated for every agency, all were assembled and sent to the Government Printing Office. The result is the book which looks like a full-scale volume of a mail order catalog, which finally accompanies the President's budget to the Congress when each session begins.

We are not prepared to go through this huge document, which probably contains more than a million and three-quarter separate items and entries of one kind and other. There is neither sufficient time nor energy nor anything else to ever get through this budget.

I used to discuss that document in the public forums as "The Book Nobody Knows." I doubt whether even the Budget Director knows it, because he has to think around the periphery of his obligations and responsibilities. In any event, there it is, full blown—$80 billion, $90 billion, $98 billion, or $99 billion, as in the case of the cash budget for the fiscal year 1964.

Then the supply bills, to accompany the budget, are drafted in the Bureau of the Budget.

Thereafter they engross the attention of the committees of Congress. Those committees are exclusive, in the sense that they have exclusive authority over appropriations. If a bill is ever reported which contains legislation, that provision is subject to a point of order.

At one time every committee in the Congress not only legislated but also reported its own appropriation bills, and no one could tell for months after the Congress adjourned how much Congress had authorized and how much Congress had appropriated, or what the fiscal picture of the Government really was.

At least we have that problem pretty well straightened out now. Now we come to the question of a better and more thoroughgoing look at the whole budget.

The budget process must be brought within a frame of time, because there are other things to do besides merely serving on the Appropriations Committee.

Having given a good deal of time to this problem, I hoped that a device such as that proposed could be developed, enacted, and implemented. By implemented I mean that this whole proposal will not amount to the paper on which it is written unless the Congress—and particularly the committee which is to be created—sets up a staff of the most competent people available, and unless the Congress is willing to pay satisfactory salaries. That has been the trouble heretofore.

I made a suggestion, when we set up a staff for the House Committee on Appropriations, that we ought to authorize $5 million to be paid out of the contingent fund for a staff. I said, "Let us go to Price Waterhouse or comparable accountants. Let us employ the best experts available. Do they cost $50,000 a year? Let us pay it."

Congress has never been willing to go beyond the framework of legislative pay. As a result, nothing ever happened. Members of the House were shocked and distressed when I suggested a $5 million fund per year for this kind of undertaking.

Mr. President, what is $5 million compared to a $95 or $99 billion budget? It is a drop in the bucket. I was about to say it is a drop in the budget. It is a drop in the bucket and a drop in the budget.

We shall never be able to do an effective job under the terms of the bill, if it is actually enacted, or under any other kind of device, unless it is implemented with a large staff who will be suitably compensated, who will be paid what they are worth in the open market. These great accounting firms do not put big salary tags on their employees unless they earn their salt. Congress cannot attract them unless it is willing to meet that competition in the market.

I am ready to vote for any kind of proposal to pay $50,000 a year to the chief of staff of a joint committee such as is proposed. I am ready to vote for comparable sums in order to obtain the best talent available. In addition, I have learned the hard way that there is one other thing which must be done in order to get results.

In the days when I served as chairman of the subcommittee which dealt with agricultural appropriations, I insisted that the Department of Agriculture provide facilities, in the form of a room and a secretary, if needed, for my committee clerk. When the Congress was not in session, I sent him down to the Department of Agriculture and had him established there, so that he could call in every bureau head and find out what was the score.

In the next session of Congress, when the time came to take testimony with regard to agriculture, he was present. He had a list of questions as long as my arm. He was ready to go into great detail with respect to every estimate of appropriations that came before the subcommittee and the full committee.

Mr. President, that was the greatest weapon I ever had or ever used. I could listen to the witnesses with intelligence.

The interesting thing about the budget procedure is that the agencies which have estimated their appropriations are the first to come before the committee to justify them. Obviously, they will try to justify everything for which they ask. And, if the door is opened only a little way, they will go further and try to justify even larger amounts than those approved by the Bureau of the Budget.

Under the procedure they are not supposed to ask for anything more than the budget discloses. It is only when they are asked, and it is insisted that they respond to the question, that we find perhaps they asked for $500 million more, but the budget would not approve that kind of addition.

We would establish persons in the departments and agencies of Government, because as those who commandeer the purse, we have a right to know what goes on. We have a right to know and ascertain where the waste and extravagance exists in this Government. We shall never learn that until we probe expenditures, as a surgeon probes the body. We must put the patient on the operating table and then bring in the scalpel and all the other instruments needed. Then we begin to find out what makes this whole fiscal picture tick.

Mr. President, I shall vote for the bill. I am a sponsor of it. But I insist it will come to absolutely naught unless it is adequately implemented, and only the Congress can do it. So I hope this measure will not be merely another gesture. I hope the fondest dreams and expectations of the very distinguished Senator from Arkansas [Mr. McClellan], who has served with distinction on the Appropriations Committees of the Congress, will finally eventuate. I want to see the program succeed, but it will not succeed unless we are a little less niggardly with our own shop.

I think we do a great disservice to the American people and to the American taxpayers by being cowards when it comes to asking for funds with which to do what Monroe called the job of the legislative branch, the core of this free representative Government.

So I salute my good friend from Arkansas for his diligence and dedication, year after year, in seeking approval of the bill. I hope at long last the House will forbear. I trust it will concur in the Senate action. Then I hope both bodies will take a long look at it and begin to plow the long furrow and say, "This is what is required. This is what we shall do."

If we must have $50,000 or $75,000 to get a chief of staff for this operation, it will be the best investment the Congress ever made in behalf of the taxpayers.

The superficiality with which we have addressed ourselves to the whole budget, which lacks an appropriate technique, is a colossal shame. It must be done within the framework of a 24-hour day and the limitations on human energy. I know the time I used to spend poring over budget figures, to the point where I developed impaired eye sight. That was the reason for it. That was the way it started.

So I hope, in the interest of the perpetuity of the fiscal integrity and solvency of this country, if we get this authority, we will quickly implement it with the best means possible. There is not an industry in the country that does not have a controller to watch every avenue of expenditure, because such a program pays off.

Once again I salute the Senator from Arkansas [Mr. McClellan] and hope, with him, that this job, so long overdue, can be effectively done. I yield the floor.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. McCLELLAN. Mr. President, I thank the distinguished minority leader for his remarks in support of this bill. I agree 100 percent with him that it would be an empty gesture unless, after it was enacted into law, it were implemented as authorized and intended by the author of the bill, and I am sure by all of the cosponsors. It should not be permitted to become an empty gesture, but a useful tool, a dynamic tool, for the Congress in meeting its responsibilities with regard to the fiscal affairs of our Government.

I am hopeful—and I say this with all deference to the other body—that this time the House will earnestly weigh the merits of the bill, consider it, and enact it. So far as I know, there has never been any opposition to the bill from the administration, either this administration or past administrations. I am speaking of the executive branch of government. I know of no real opposition to it except from those who mistakenly think it is an effort to usurp some of the prerogative of the other body. That is not the purpose. There are many safeguards in the bill to insure that that cannot occur, and that it will never be attempted. That is not the purpose of the bill.

A heavy responsibility rests upon us as Members of the Congress to see to it that Congress does its duty, in view of the expanding and growing functions of the Government and the tremendous costs we have incurred and are under obligation to meet. We need to do something about it and, if possible, reduce the cost. We must do everything possible by way of establishing procedures and establishing functions of assistance that can aid us in making a determination of just what appropriations are needed, and the amounts thereof, for the proper functioning of the Government, and thus avoid making any excess appropriations or making any that would be either unnecessary or extravagant.

The pace at which we are going into debt is serious. The pace at which we are adding to the national debt and the money we are actually charging to future generations are serious matters. We ought to give more serious attention and effort to finding ways and means for this Government to live within its income.

I again express my appreciation to the minority leader. I wish to express my appreciation to every one of the 76 cosponsors of the bill, and to the Senate for its passage of the measure in the past.

I close by saying again that I hope our brethren in the other body will recognize that this is not an effort to usurp any authority or deprive that body of any of its prerogatives, but only an effort to join with it in a course of procedure and in legislation that will provide the means for each body, and for the Congress collectively, to meet our responsibilities more ably and efficiently with respect to the cost of Government, and with respect to moving, if we can again, toward a balanced budget, and with respect to meeting the greater responsibilities of governmental activities. I thank all who have assisted in supporting the measure.

Mr. MANSFIELD. Mr. President, are there further amendments to be offered?

The PRESIDING OFFICER. If there are no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 537) was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 537) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 138 of the Legislative Reorganization Act of 1946, as amended, is hereby amended to read as follows:

"JOINT COMMITTEE ON THE BUDGET

"SEC. 138. (a) There is hereby created a joint service committee, to be known as the Joint Committee on the Budget (hereinafter in this section called the 'joint committee') to be composed of fourteen members as follows:

"(1) Seven Members who are members of the Committee on Appropriations of the Senate, four from the majority party and three from the minority party, to be chosen by such committee; and

"(2) Seven Members who are members of the Committee on Appropriations of the House of Representatives, four from the majority party and three from the minority party, to be chosen by such committee.

"(b) No person shall continue to serve as a member of the joint committee after he has ceased to be a member of the committee from which he was chosen, except that the Members chosen by the Committee on Appropriations of the House of Representatives who have been reelected to the House of Representatives may continue to serve as members of the joint committee notwithstanding the expiration of the Congress. A vacancy in the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as the original selection, except that (1) in case of a vacancy during an adjournment or recess of Congress for a period of more than two weeks, the members of the joint committee who are members of the committee entitled to fill such vacancy may designate a member of such committee to serve until his successor is chosen by such committee, and (2) in the case of a vacancy after the expiration of a Congress which would be filled from the Committee on Appropriations of the House of Representatives, the members of such committee who are continuing to serve as members of the joint committee, may designate a person who, immediately prior to such expiration, was a member of such committee and who is reelected to the House of Representatives, to serve until his successor is chosen by such committee.

"(c) The joint committee shall elect a chairman and vice chairman from among its members at the first regular meeting of each session: *Provided, however,* That during even years the chairman shall be selected from among the members who are Members of the House of Representatives and the vice chairman shall be selected from among the members who are Members of the Senate, and during odd years the chairman shall be selected from among the members who are Members of the Senate and the vice chairman shall be selected from among the members who are Members of the House of Representatives.

"(d) The joint committee may make such rules respecting its organization and procedures as it deems necessary: *Provided, however,* That no measure or recommendation shall be reported from the joint committee unless a majority of the committee assent.

"(e) It shall be the duty of the joint committee—

"(1) (A) to inform itself on all matters relating to the annual budget of the agencies of the United States Government, including analytical, investigative, audit, and other reports on Federal operations prepared by the General Accounting Office pursuant to section 312 of the Budget and Accounting Act, 1921, the Government Corporation Control Act, and section 206 of the Leigslative Reorganization Act of 1946, and by other Federal agencies, and including the initiation or continuation of Federal programs by utilization of borrowing authority, contract obligational authority, or other means which do not require direct appropriations for the initiation or continuation of such programs; (B) to provide the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate with such information on items contained in such budget, and the justifications submitted in support thereof, as may be necessary to enable said committees to give adequate consideration thereto; (C) to consider the President's messages on the state of the Union and the Economic Report, to consider all information relating to estimated revenues, including revenue estimates of the Department of the Treasury and the Joint Committee on Internal Revenue Taxation, to consider essential programs, and to consider changing economic conditions; and (D) to report to the Appropriations Committees of the House of Representatives and the Senate its findings with respect to budget estimates and revisions in appropriations required to hold expenditures to the minimum consistent with the requirements of Government operations and national security;

"(2) to recommend to the appropriate standing committees of the House of Representatives and the Senate such changes in existing laws as may effect greater efficiency and economy in government;

"(3) to make such reports and recommendations to any standing committee of either House of Congress or any subcommittee thereof on matters within the jurisdiction of such standing committee relating to deviations from basic legislative authorization, or to appropriations approved by Congress which are not consistent with such basic legislative authorization, or to cutbacks in previously authorized programs which require appropriations, as may be deemed necessary or advisable by the joint committee, or as may be requested by any standing committee of either House of Congress or by any subcommittee thereof;

"(4) to report to the Committees on Appropriations of the House of Representatives and the Senate at the beginning of each regular session of the Congress the total estimated costs of all programs and projects authorized by the Congress, together with estimated costs of such programs and projects during the fiscal year underway, the ensuing fiscal year, and subsequent fiscal years, and to make such interim reports as may be deemed advisable.

"(f) The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act anywhere within or without the District of Columbia whether the Congress is in session or has adjourned or is in recess; to require by subpena or otherwise the attendance of witnesses and the production of books, papers, and documents; to administer oaths; to take testimony; to have printing and binding done; and to make such expenditures as it deems necessary to carry out its functions within the amount appropriated therefor. Subpenas shall be issued under the signature of the chairman or vice chairman of the committee and shall be served by any person designated by them. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C., title 2, secs. 192–194) shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

"(g) The joint committee shall have a staff director, an associate staff director, and such other professional, technical, clerical, and other employees, temporary or permanent, as may be necessary to carry out the duties of the joint committee. Such employees shall be employed without regard to the civil service laws, and their compensation shall be fixed without regard to the Classification Act of 1949, as amended. The staff director shall be appointed by and responsible to the members of the party of which the chairman of the joint committee is a member, and the associate staff director shall be appointed by and responsible to the members of the opposition party. No person shall be employed by the joint committee unless the members appointing him have favorably considered the data with respect to him submitted by the Federal Bureau of Investigation after a thorough investigation of his loyalty and security.

"(h) The joint committee shall make available members of its staff to assist the staffs of the Committees on Appropriations of the House of Representatives and of the Senate and the several subcommittees thereof during the periods when appropriation bills are pending.

"(i) Professional and technical employees of the joint committee, upon the written authority of the chairman or vice chairman, shall have the right to examine the fiscal books, documents, papers, and reports of any agency of the United States Government within or without the District of Columbia, and data related to proposed appropriations incorporated in the annual budget transmitted by the President.

"(j) The annual budget of the United States shall henceforth include a special analysis of all active long-term construction and development programs and projects authorized by the Congress, showing for each the total estimated cost, and the actual or estimated expenditures during prior fiscal years, the current fiscal year, the ensuing fiscal year, and subsequent fiscal years. All grant-in-aid programs shall be included in this analysis, in a separate grouping, showing under the heading 'Subsequent Fiscal Years' for grants of indefinite duration the estimated annual cost for a ten-year period. Each agency carrying on any program by utilization of the borrowing authority shall, at such times as the committee shall specify, report to the committee upon the extent of its borrowings under such program, and upon its operations generally under such program. Upon request of the joint committee, any agency shall submit to the Appropriations Committees of the House of Representatives and the Senate estimates for proposed appropriations on an annual accrued expenditure basis.

"(k) Qualified members of the staff of the Bureau of the Budget shall, at the request of the Committee on Appropriations of the House of Representatives or the Senate, or any subcommittee thereof, be assigned to attend executive sessions of the subcommittees of the Appropriations Committees and to explain the content and basis of proposed appropriations.

"(l) The Comptroller General of the United States shall, at the request of the chairman of the Joint Committee on the Budget, make such investigations and reports with respect to any agency as will enable such joint committee to give adequate consideration to items relating to such agency which are contained in the budget as submitted by the President, and justifications submitted in support thereof; and, for this purpose, the Comptroller General is authorized to employ technical and professional personnel without regard to the civil service laws, rules, or regulations, and fix their compensation without regard to the Classification Act of 1949, as amended.

"(m) When used in this section, the term 'agency' means any executive department, commission, council, independent establishment, Government corporation, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government. Such term includes the Comptroller General of the United States and the General Accounting Office, and includes any and all parts of the municipal government of the District of Columbia except the courts thereof.

"(n) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section. Appropriations for the expenses of the joint committee shall be disbursed by the Secretary of the Senate upon vouchers signed by the chairman or vice chairman."

SEC. 2. Section 133 of the Legislative Reorganization Act of 1946, as amended, is amended by adding at the end thereof the following new subsection:

"(g) (1) All bills and joint resolutions authorizing appropriations reported from committees of the Senate or the House of Representatives shall be accompanied by reports in writing, which shall be printed; and there shall be included in each such report or in an accompanying document an estimate from the department or other agency of the legislative, executive, or judicial branch of the Government primarily concerned of the probable cost of carrying out the legislation proposed in such bill or resolution over the first five-year period of its operation or over the period of its operation if such legislation will be effective for less than five years. If the chairman of the committee determines that no existing department or agency is primarily concerned with the legislation, the estimate shall be made by the Bureau of the Budget.

"(2) Estimates received from departments or agencies under this subsection may be submitted by the committees to the Bureau of the Budget for review, and such reviews, when practicable, shall be included in the reports or accompanying documents before said bills and joint resolutions are reported.

"(3) The Joint Committee on the Budget shall maintain compilations of all such estimates and semiannually shall print those compilations (together with any comment of the Bureau of the Budget) for the information of the Congress."

SEC. 3. Section 139 of the Legislative Reorganization Act of 1946, as amended, is amended by adding at the end thereof the following new subsection:

"(e) The Joint Committee on the Budget is authorized to recommend that joint hearings be held by the Committees on Appropriations of the House of Representatives and the Senate, and of subcommittees thereof; but such joint hearings shall not affect the power of the respective committees, and of subcommittee thereof, to conduct separate additional committee hearings, and shall not affect the independence of committee deliberations and decision. The chairman of each such joint hearing shall be the chairman of the Committee on Appropriations, or of the appropriate subcommittee thereof, of the House in which the bill is pending at the time of the hearing, and the vice chairman shall be the chairman of the Committee on Appropriations of the other House, or of the appropriate subcommittee thereof."

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. McCLELLAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

THE INTERNATIONAL COFFEE AGREEMENT, 1962

Mr. MANSFIELD. Mr. President, I move that the Senate, as in Committee of the Whole, proceed to the consideration of Executive H, 87th Congress, 2d session, the International Coffee Agreement.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider Executive H, 87th Congress 2d session, the International Coffee Agreement, which was read the second time, as follows:

INTERNATIONAL COFFEE AGREEMENT, 1962

PREAMBLE

The Governments Parties to this Agreement,

Recognizing the exceptional importance of coffee to the economies of many countries which are largely dependent upon this commodity for their export earnings and thus for the continuation of their development programmes in the social and economic fields;

Considering that close international cooperation on coffee marketing will stimulate the economic diversification and development of coffee-producing countries and thus contribute to a strengthening of the political and economic bonds between producers and consumers;

Finding reason to expect a tendency toward persistent disequilibrium between production and consumption, accumulation of burdensome stocks, and pronounced fluctuations in prices, which can be harmful both to producers and to consumers; and

Believing that, in the absence of international measures, this situation cannot be corrected by normal market forces,

Have agreed as follows:

CHAPTER I—OBJECTIVES

Article 1

Objectives

The objectives of the Agreement are:

(1) to achieve a reasonable balance between supply and demand on a basis which will assure adequate supplies of coffee to consumers and markets for coffee to producers at equitable prices, and which will bring about long-term equilibrium between production and consumption;

(2) to alleviate the serious hardship caused by burdensome surpluses and excessive fluctuations in the prices of coffee to the detriment of the interests of both producers and consumers;

(3) to contribute to the development of productive resources and to the promotion and maintenance of employment and income in the Member countries, thereby helping to bring about fair wages, higher living standards, and better working conditions;

(4) to assist in increasing the purchasing power of coffee-exporting countries by keeping prices at equitable levels and by increasing consumption;

(5) to encourage the consumption of coffee by every possible means; and

(6) in general, in recognition of the relationship of the trade in coffee to the economic stability of markets for industrial products, to further international cooperation in connexion with world coffee problems.

CHAPTER II—DEFINITIONS

Article 2

Definitions

For the purposes of the Agreement:

(1) "Coffee" means the beans and berries of the coffee tree, whether parchment, green or roasted, and includes ground, decaffeinated, liquid and soluble coffee. These terms shall have the following meaning:

(a) "green coffee" means all coffee in the naked bean form before roasting;

(b) "coffee berries" means the complete fruit of the coffee tree; to find the equivalent of coffee berries to green coffee, multiply the net weight of the dried coffee berries by 0.50;

(c) "parchment coffee" means the green coffee bean contained in the parchment skin; to find the equivalent of parchment coffee to green coffee, multiply the net weight of the parchment coffee by 0.80;

(d) "roasted coffee" means green coffee roasted to any degree and includes ground coffee; to find the equivalent of roasted coffee to green coffee, multiply the net weight of roasted coffee by 1.19;

(e) "decaffeinated coffee" means green, roasted or soluble coffee from which caffein has been extracted; to find the equivalent of decaffeinated coffee to green coffee, multiply the net weight of the decaffeinated coffee in green, roasted or soluble form by 1.00, 1.19 or 3.00, respectively;

(f) "liquid coffee" means the water-soluble solids derived from roasted coffee and put into liquid form; to find the equivalent of liquid to green coffee, multiply the net weight of the dried coffee solids contained in the liquid coffee by 3.00;

(g) "soluble coffee" means the dried water-soluble solids derived from roasted coffee; to find the equivalent of soluble coffee to green coffee, multiply the net weight of the soluble coffee by 3.00.

(2) "Bag" means 60 kilogrammes or 132.276 pounds of green coffee; "ton" means a metric ton of 1,000 kilogrammes or 2,204.6 pounds; and "pound" means 453.597 grammes.

(3) "Coffee year" means the period of one year, from 1 October through 30 September; and "first coffee year" means the coffee year beginning 1 October 1962.

(4) "Export of coffee" means, except as otherwise provided in Article 38, any shipment of coffee which leaves the territory of the country where the coffee was grown.

(5) "Organization", "Council" and "Board" mean, respectively, the International Coffee Organization, the International Coffee Council, and the Executive Board established under Article 7 of the Agreement.

(6) "Member" means a Contracting Party; a dependent territory or territories in respect of which separate Membership has been declared under Article 4; or two or more Contracting Parties or dependent territories, or both, which participate in the Organization as a Member group under Article 5 or 6.

(7) "Exporting Member" or "exporting country" means a Member or country, respectively, which is a net exporter of coffee; that is, whose exports exceed its imports.

(8) "Importing Member" or "importing country" means a Member or country, respectively, which is a net importer of coffee; that is, whose imports exceed its exports.

(9) "Producing Member" or "producing country" means a Member or country, respectively, which grows coffee in commercially significant quantities.

(10) "Distributed simple majority vote" means a majority of the votes cast by exporting Members present and voting, and a majority of the votes cast by importing Members present and voting, counted separately.

(11) "Distributed two-thirds majority vote" means a two-thirds majority of the votes cast by exporting Members present and voting and a two-thirds majority of the votes cast by importing Members present and voting, counted separately.

(12) "Entry into force" means, except where the context otherwise requires, the date on which the Agreement first enters into force, whether provisionally or definitively.

CHAPTER III—MEMBERSHIP

Article 3

Membership in the Organization

Each Contracting Party, together with those of its dependent territories to which the Agreement is extended under paragraph (1) of Article 67, shall constitute a single Member of the Organization, except as otherwise provided under Article 4, 5 or 6.

Article 4

Separate Membership in Respect of Dependent Territories

Any Contracting Party which is a net importer of coffee may, at any time, by appropriate notification in accordance with paragraph (2) of Article 67, declare that it is participating in the Organization separately with respect to any of its dependent territories which are net exporters of coffee and which it designates. In such case, the metropolitan territory and its non-designated dependent territories will have a single Membership, and its designated dependent territories, either individually or collectively as the notification indicates, will have separate Membership.

Article 5

Group Membership upon Joining the Organization

(1) Two or more Contracting Parties which are net exporters of coffee may, by appropriate notification to the Secretary-General of the United Nations at the time of deposit of their respective instruments of ratification or accession, and to the Council at its first session, declare that they are joining the Organization as a Member group. A dependent territory to which the Agreement has been extended under paragraph (1) of Article 67 may constitute part of such a Member group if the Government of the State responsible for its international relations has given appropriate notification thereof under paragraph (2) of Article 67. Such Contracting Parties and dependent territories must satisfy the following conditions:

(a) they shall declare their willingness to accept responsibility for group obligations in an individual as well as a group capacity;

(b) they shall subsequently provide sufficient evidence to the Council that the group has the organization necessary to implement a common coffee policy, and that they have the means of complying, together with the other parties to the group, with their obligations under the Agreement; and

(c) they shall subsequently provide evidence to the Council either:

(i) that they have been recognized as a group in a previous international coffee agreement; or

(ii) that they have:

(*a*) a common or co-ordinated commercial and economic policy in relation to coffee, and

(*b*) a co-ordinated monetary and financial policy, as well as the organs necessary for implementing such a policy, so that the Council is satisfied that the Member group can comply with the spirit of group membership and the group obligations involved.

(2) The Member group shall constitute a single Member of the Organization, except that each party to the group shall be treated as if it were a single Member as regards all matters arising under the following provisions:

(a) Chapters XI and XII;

(b) Articles 10, 11, and 19 of Chapter IV; and

(c) Article 70 of Chapter XIX.

(3) The Contracting Parties and dependent territories joining as a Member Group shall specify the Government or organization which will represent them in the Council as regards all matters arising under the Agreement other than those specified in paragraph (2) of this Article.

(4) The Member group's voting rights shall be as follows:

(a) the Member group shall have the same number of basic votes as a single Member country joining the Organization in an individual capacity. These basic votes shall be attributed to and exercised by the Government or organization representing the group;

(b) in the event of a vote on any matters arising under provisions specified in paragraph (2) of this Article, the parties to the Member group may exercise separately the votes attributed to them by the provisions of paragraph (3) of Article 12 as if each were an individual Member of the Organization, except for the basic votes, which shall remain attributable only to the Government or organization representing the group.

(5) Any Contracting Party or dependent territory which is a party to a Member group may, by notification of the Council, withdraw from that group and become a separate Member. Such withdrawal shall take effect upon receipt of the notification by the Council. In case of such withdrawal from a group, or in case a party to a group ceases, by withdrawal from the Organization or otherwise, to be such a party, the remaining parties to the group may apply to the Council to maintain the group, and the group shall continue to exist unless the Council approves the application. If the Member group is dissolved, each former party to the group will become a separate Member. A Member which has ceased to be a party to a group may not, as long as the Agreement remains in force, again become a party to a group.

Article 6

Subsequent Group Membership

Two or more exporting Members may, at any time after the Agreement has entered into force with respect to them, apply to the Council to form a Member group. The Council shall approve the application if it finds that the Members have made a declaration, and have provided evidence, satisfying the requirements of paragraph (1) of Article 5. Upon such approval, the Member group shall be subject to the provisions of paragraphs (2), (3), (4) and (5) of that Article.

CHAPTER IV—ORGANIZATION AND ADMINISTRATION

Article 7

Establishment, Seat and Structure of the International Coffee Organization

(1) The International Coffee Organization is hereby established to administer the provisions of the Agreement and to supervise its operation.

(2) The seat of the Organization shall be in London.

(3) The Organization shall function through the International Coffee Council, its Executive Board, its Executive Director, and its staff.

Article 8

Composition of the International Coffee Council

(1) The highest authority of the Organization shall be the International Coffee Council, which shall consist of all the Members of the Organization.

(2) Each Member shall be represented on the Council by a representative and one or more alternates. A Member may also designate one or more advisers to accompany its representative or alternates.

Article 9

Powers and Functions of the Council

(1) All powers specifically conferred by the Agreement shall be vested in the Council, which shall have the powers and perform the functions necessary to carry out the provisions of the Agreement.

(2) The Council shall, by a distributed two-thirds majority vote, establish such rules and regulations, including its own rules of procedure and the financial and staff regulations of the Organization, as are necessary to carry out the provisions of the Agreement and are consistent therewith. The Council may, in its rules of procedure, provide a procedure whereby it may, without meeting, decide specific questions.

(3) The Council shall also keep such records as are required to perform its functions under the Agreement and such other records as it considers desirable, and shall publish an annual report.

Article 10

Election of the Chairman and Vice-Chairman of the Council

(1) The Council shall elect, for each coffee year, a Chairman and a first, a second and a third Vice-Chairman.

(2) As a general rule, the Chairman and the first Vice-Chairman shall both be elected either from among the representatives of exporting Members, or from among the representatives of importing Members, and the second and the third Vice-Chairmen shall be elected from representatives of the other category of Members; these offices shall alternate each coffee year between the two categories of Members.

(3) Neither the Chairman nor any Vice-Chairman acting as Chairman shall have the right to vote. His alternate will in such case exercise the Member's voting rights.

Article 11

Sessions of the Council

As a general rule, the Council shall hold regular sessions twice a year. It may hold special sessions if it so decides. Special sessions shall also be held when either the Executive Board, or any five Members, or a Member or Members having at least 200 votes so request. Notice of sessions shall be given at least thirty days in advance, except in cases of emergency. Sessions shall be held at the seat of the Organization, unless the Council decides otherwise.

Article 12

Votes

(1) The exporting Members shall together hold 1,000 votes and the importing Members shall together hold 1,000 votes, distributed within each category of Members—that is, exporting and importing Members, respectively—as provided in the following paragraphs of this Article.

(2) Each Member shall have five basic votes, provided that the total number of basic votes within each category of Members does not exceed 150. Should there be more than thirty exporting Members or more than thirty importing Members, the number of basic votes for each Member within that category of Members shall be adjusted so as to keep the number of basic votes for each category of Members within the maximum of 150.

(3) The remaining votes of exporting Members shall be divided among those Members in proportion to their respective basic export quotas, except that in the event of a vote on any matter arising under the provisions specified in paragraph (2) of Article 5, the remaining votes of a member group shall be divided among the parties to that group in proportion to their respective participation in the basic export quota of the Member group.

(4) The remaining votes of importing Members shall be divided among those Members in proportion to the average volume of their respective coffee imports in the preceding three-year period.

(5) The distribution of votes shall be determined by the Council at the beginning of each coffee year, and shall remain in effect during that year, except as provided in paragraph (6) of this Article.

(6) The Council shall provide for the redistribution of votes in accordance with this Article whenever there is a change in the Membership of the Organization, or if the voting rights of a Member are suspended or regained under the provisions of Article 25, 45 or 61.

(7) No Member shall hold more than 400 votes.

(8) There shall be no fractional votes.

Article 13

Voting Procedure of the Council

(1) Each representative shall be entitled to cast the number of votes held by the Member represented by him, and cannot divide its votes. He may, however, cast differently from such votes any votes which he exercises pursuant to paragraph (2) of this Article.

(2) Any exporting Member may authorize any other exporting Member, and any importing Member may authorize any other importing Member, to represent its interests and to exercise its right to vote at any meeting or meetings of the Council. The limitation provided for in paragraph (7) of Article 12 shall not apply in this case.

Article 14

Decisions of the Council

(1) All decisions of the Council shall be taken, and all recommendations shall be made, by a distributed simple majority vote unless otherwise provided in the Agreement.

(2) The following procedure shall apply with respect to any action by the Council which under the Agreement requires a distributed two-thirds majority vote:

(a) if a distributed two-thirds majority vote is not obtained because of the negative vote of three or less exporting or three or less importing Members, the proposal shall, if the Council so decides by a majority of the Members present and by a distributed simple majority vote, be put to a vote again within 48 hours.

(b) if a distributed two-thirds majority vote is again not obtained because of the negative vote of two or less importing or two or less exporting Members, the proposal shall, if the Council so decides by the majority of the Members present and by a distributed simple majority vote, be put to a vote again within 24 hours;

(c) if a distributed two-thirds majority vote is not obtained in the third vote because of the negative vote of one exporting Member or one importing Member, the proposal shall be considered adopted;

(d) if the Council fails to put a proposal to a further vote, it shall be considered rejected.

(3) The Members undertake to accept as binding all decisions of the Council under the provisions of the Agreement.

Article 15

Composition of the Board

(1) The Executive Board shall consist of seven exporting Members and seven importing Members, elected for each coffee year in accordance with Article 16. Members may be re-elected.

(2) Each member of the Board shall appoint one representative and one or more alternates.

(3) The Chairman of the Board shall be appointed by the Council for each coffee year and may be re-appointed. He shall not have the right to vote. If a representative is appointed Chairman, his alternate will have the right to vote in his place.

(4) The Board shall normally meet at the seat of the Organization, but they may meet elsewhere.

Article 16

Election of the Board

(1) The exporting and the importing Members of the Board shall be elected in the Council by the exporting and the importing Members of the Organization respectively. The election within each category shall be held in accordance with the following paragraphs of this Article.

(2) Each Member shall cast all the votes to which it is entitled under Article 12 for a single candidate. A Member may cast for another candidate any votes which it exercises pursuant to paragraph (2) of Article 13.

(3) The seven candidates receiving the largest number of votes shall be elected; however, no candidate shall be elected on the first ballot unless it receives at least 75 votes.

(4) If under the provisions of paragraph (3) of this Article less than seven candidates are elected on the first ballot, further ballots shall be held in which only Members who did not vote for any of the candidates elected shall have the right to vote. In each further ballot, the minimum number of votes required for election shall be successively diminished by five until seven candidates are elected.

(5) Any Member who did not vote for any of the Members elected shall assign its votes to one of them, subject to paragraphs (6) and (7) of this Article.

(6) A Member shall be deemed to have received the number of votes originally cast for it when it was elected and, in addition, the number of votes assigned to it, provided that the total number of votes shall not exceed 499 for any Member elected.

(7) If the votes deemed received by an elected Member would otherwise exceed 499, Members which voted for or assigned their votes to such elected Member shall arrange among themselves for one or more of them to withdraw their votes from that Member and assign or reassign them to another elected Member so that the votes received by each elected Member shall not exceed the limit of 499.

Article 17

Competence of the Board

(1) The Board shall be responsible to and work under the general direction of the Council.

(2) The Council may, by a distributed simple majority vote, delegate to the Board the exercise of any or all of its powers, other than the following:

(a) annual distribution of votes under paragraph (5) of Article 12;

(b) approval of the administrative budget and assessment of contributions under Article 24;

(c) determination of quotas under the Agreement;

(d) imposition of enforcement measures other than those whose application is automatic;

(e) suspension of the voting rights of a Member under Article 45 or 61;

(f) determination of individual country and world production goals under Article 48;

(g) establishment of a policy relative to stocks under Article 51;

(h) waiver of the obligations of a Member under Article 60;

(i) decision of disputes under Article 61;

(j) establishment of conditions for accession under Article 65;

(k) a decision to require the withdrawal of a Member under Article 69;

(l) extension or termination of the Agreement under Article 71; and

(m) recommendation of amendments to Members under Article 73.

(3) The Council may at any time, by a distributed simple majority vote, revoke any delegation of powers to the Board.

Article 18

Voting Procedure of the Board

(1) Each member of the Board shall be entitled to cast the number of votes received by it under the provisions of paragraphs (6) and (7) of Article 16. Voting by proxy shall not be allowed. A member may not split its votes.

(2) Any action taken by the Board shall require the same majority as such action would require if taken by the Council.

Article 19

Quorum for the Council and the Board

(1) The quorum for any meeting of the Council shall be the presence of a majority of the Members representing a distributed two-thirds majority of the total votes. If there is no quorum on the day appointed for the opening of any Council session, or if in the course of any Council session there is no quorum at three successive meetings, the Council shall be convened seven days later; at that time and throughout the remainder of that session the quorum shall be the presence of a majority of the Members representing a distributed simple majority of the votes. Representation in accordance with paragraph (2) of Article 13 shall be considered as presence.

(2) The quorum for any meeting of the Board shall be the presence of a majority of the members representing a distributed two-thirds majority of the total votes.

Article 20

The Executive Director and the Staff

(1) The Council shall appoint the Executive Director on the recommendation of the Board. The terms of appointment of the Executive Director shall be established by the Council and shall be comparable to those applying to corresponding officials of similar inter-governmental organizations.

(2) The Executive Director shall be the chief administrative officer of the Organization and shall be responsible for the performance of any duties devolving upon him in the administration of the Agreement.

(3) The Executive Director shall appoint the staff in accordance with regulations established by the Council.

(4) Neither the Executive Director nor any member of the staff shall have any financial interest in the coffee industry, coffee trade, or coffee transportation.

(5) In the performance of their duties, the Executive Director and the staff shall not seek or receive instructions from any Member or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. Each Member undertakes to respect the exclusively international character of the responsibilities of the Executive Director and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 21

Co-operation With Other Organizations

The Council may make whatever arrangements are desirable for consultation and co-operation with the United Nations and its specialized agencies and with other appropriate inter-governmental organizations. The Council may invite these organizations and any organizations concerned with coffee to send observers to its meetings.

CHAPTER V—PRIVILEGES AND IMMUNITIES

Article 22

Privileges and Immunities

(1) The Organization shall have in the territory of each Member, to the extent consistent with its laws, such legal capacity as may be necessary for the exercise of its functions under the Agreement.

(2) The Government of the United Kingdom of Great Britain and Northern Ireland shall grant exemption from taxation on the salaries paid by the Organization to its employees, except that such exemption need not apply to nationals of that country. It shall also grant exemption from taxation on the assets, income and other property of the Organization.

CHAPTER VI—FINANCE

Article 23

Finance

(1) The expenses of delegations to the Council, representatives on the Board, and representatives on any of the committees of the Council or the Board shall be met by their respective Governments.

(2) The other expenses necessary for the administration of the Agreement shall be met by annual contributions from the Members assessed in accordance with Article 24.

(3) The financial year of the Organization shall be the same as the coffee year.

Article 24

Determination of the Budget and Assessment of Contributions

(1) During the second half of each financial year, the Council shall approve the administrative budget of the Organization for the following financial year, and shall assess the contribution of each Member to that budget.

(2) The contribution of each Member to the budget for each financial year shall be in the proportion which the number of its votes at the time the budget for that financial year is approved bears to the total votes of all the Members. However, if there is any change in the distribution of votes among Members in accordance with the provisions of paragraph (5) of Article 12 at the beginning of the financial year for which contributions are assessed, such contributions shall be correspondingly adjusted for that year. In determining contributions, the votes of each Member shall be calculated without regard to the suspension of any Member's voting rights or any redistribution of votes resulting therefrom.

(3) The initial contribution of any Member joining the Organization after the entry into force of the Agreement shall be assessed by the Council on the basis of the number of votes to be held by it and the period remaining in the current financial year, but the assessments made upon other Members for the current financial year shall not be altered.

(4) If the Agreement comes into force more than eight months before the beginning of the first full financial year of the Organization, the Council shall at its first session approve an administrative budget covering only the period up to the commencement of the first full financial year. Otherwise the first administrative budget shall cover both the initial period and the first full financial year.

Article 25

Payment of Contributions

(1) Contributions to the administrative budget for each financial year shall be payable in freely convertible currency, and shall become due on the first day of that financial year.

(2) If any Member fails to pay its full contribution to the administrative budget within six months of the date on which the contribution is due, both its voting rights in the Council and its right to have its votes cast in the Board shall be suspended until such contribution has been paid. However, unless the Council so decides by a distributed two-thirds majority vote, such Member shall not be deprived of any of its other rights nor relieved of any of its obligations under the Agreement.

(3) Any Member whose voting rights have been suspended, either under paragraph (2) of this Article or under Article 45 or 61, shall nevertheless remain responsible for the payment of its contribution.

Article 26

Audit and Publication of Accounts

As soon as possible after the close of each financial year, an independently audited statement of the Organization's receipts and expenditures during that financial year shall be presented to the Council for approval and publication.

CHAPTER VII—REGULATION OF EXPORTS

Article 27

General Undertakings by Members

(1) The Members undertake to conduct their trade policy so that the objectives set forth in Article 1 and, in particular, paragraph (4) of that Article, may be achieved. They agree on the desirability of operating the Agreement in a manner such that the real income derived from the export of coffee could be progressively increased so as to make it consonant with their needs for foreign exchange to support their programmes for social and economic progress.

(2) To attain these purposes through the fixing of quotas as provided for in this Chapter and in other ways carrying out the provisions of the Agreement, the Members agree on the necessity of assuring that the general level of coffee prices does not decline below the general level of such prices in 1962.

(3) The Members further agree on the desirability of assuring to consumers prices which are equitable and which will not hamper a desirable increase in consumption.

Article 28

Basic Export Quotas

(1) For the first three coffee years, beginning on 1 October 1962, the exporting countries listed in Annex A shall have the basic export quotas specified in that Annex.

(2) During the last six months of the coffee year ending 30 September 1965, the Council shall review the basic export quotas specified in Annex A in order to adjust them to general market conditions. The Council may then revise such quotas by a distributed two-thirds majority vote; if not revised, the basic export quotas specified in Annex A shall remain in effect.

Article 29

Quota of a Member Group

Where two or more countries listed in Annex A form a Member group in accordance with Article 5, the basic export quotas specified for those countries in Annex A shall be added together and the combined total treated as a single quota for the purpose of this Chapter.

Article 30

Fixing of Annual Export Quotas

(1) At least 30 days before the beginning of each coffee year the Council shall adopt by a two-thirds majority vote an estimate of total world imports for the following coffee year and an estimate of probable exports from nonmember countries.

(2) In the light of these estimates the Council shall forthwith fix annual export quotas which shall be the same percentage for all exporting Members of the basic export quotas specified in Annex A. For the first coffee year this percentage is fixed at 99, subject to the provisions of Article 32.

Article 31

Fixing of Quarterly Export Quotas

(1) Immediately following the fixing of the annual export quotas the Council shall fix quarterly export quotas for each exporting Member for the purpose of keeping supply in reasonable balance with estimated demand throughout the coffee year.

(2) These quotas shall be, as nearly as possible, 25 per cent of the annual export quota of each Member during the coffee year. No Member shall be allowed to export more than 30 per cent in the first quarter 60 per cent in the first two quarters, and 80 per cent in the first three quarters of the coffee year. If exports from any Member in one quarter are less than its quota for that quarter, the outstanding balance shall be added to its quota for the following quarter of that coffee year.

Article 32

Adjustment of Annual Export Quotas

If market conditions so require, the Council may review the quota situation and may vary the percentage of basic export quotas fixed under paragraph (2) of Article 30. In so doing, the Council shall have regard to any likely shortfalls by Members.

Article 33

Notification of Shortfalls

(1) Exporting Members undertake to notify the Council at the end of the eighth month of the coffee year and at such later dates as the Council may request whether they have sufficient coffee available to export the full amount of their quota for that year.

(2) The Council shall take into account these notifications in determining whether or not to adjust the level of export quotas in accordance with Article 32.

Article 34

Adjustment of Quarterly Export Quotas

(1) The Council shall in the circumstances set out in this Article vary the quarterly export quotas fixed for each Member under paragraph (1) of Article 31.

(2) If the Council varies the annual export quotas as provided in Article 32, then the change in that annual quota shall be reflected in the quotas for the current and remaining quarters, or the remaining quarters, of the coffee year.

(3) Apart from the adjustment provided for in the preceding paragraph, the Council may, if it finds the market situation so requires, make adjustments among the current and remaining quarterly export quotas for the same coffee year, without, however, altering the annual export quotas.

(4) If on account of exceptional circumstances an exporting Member considers that the limitations provided in paragraph (2) of Article 31 would be likely to cause serious harm to its economy, the Council may, at the request of that Member, take appropriate action under Article 60. The Member concerned must furnish evidence of harm and provide adequate guarantees concerning the maintenance of price stability. The Council shall not, however, in any event, authorize a Member to export more than 35 per cent of its annual export quota in the first quarter, 65 per cent in the first two quarters, and 85 per cent in the first three quarters of the coffee year.

(5) All Members recognize that marked price rises or falls occurring within brief periods may unduly distort underlying trends in price, cause grave concern to both producers and consumers, and jeopardize the attainment of the objectives of the Agreement. Accordingly, if such movements in general price levels occur within brief periods, Members may request a meeting of the Council which, by distributed simple majority vote, may revise the total level of the quarterly export quotas in effect.

(6) If the Council finds that a sharp and unusual increase or decrease in the general level of prices is due to artificial manipulation of the coffee market through agreements among importers or exporters or both, it shall then decide by a simple majority vote on what corrective measures should be applied to readjust the total level of the quarterly export quotas in effect.

Article 35

Procedure for Adjusting Export Quotas

(1) Annual export quotas shall be fixed and adjusted by altering the basic export quota of each Member by the same percentage.

(2) General changes in all quarterly export quotas, made pursuant to paragraphs (2), (3), (5) and (6) of Article 34, shall be applied *pro rata* to individual quarterly export quotas in accordance with appropriate rules established by the Council. Such rules shall take account of the different percentages of annual export quotas which the different Members have exported or are entitled to export in each quarter of the coffee year.

(3) All decisions by the Council on the fixing and adjustment of annual and quarterly export quotas under Articles 30, 31, 32, and 34 shall be taken, unless otherwise provided, by a distributed two-thirds majority vote.

Article 36

Compliance with Export Quotas

(1) Exporting Members subject to quotas shall adopt the measures required to ensure full compliance with all provisions of the Agreement relating to quotas. The Council may request such Members to adopt additional measures for the effective implementation of the quota system provided for in the Agreement.

(2) Exporting Members shall not exceed the annual and quarterly export quotas allocated to them.

(3) If an exporting Member exceeds its quota for any quarter, the Council shall deduct from one or more of its future quotas a total amount equal to that excess.

(4) If an exporting Member for the second time while the Agreement remains in force exceeds its quarterly quota, the Council shall deduct from one or more of its future quotas a total amount equal to twice that excess.

(5) If an exporting Member for a third or subsequent time while the Agreement remains in force exceeds its quarterly quota, the Council shall make the same deduction as provided in paragraph (4) of this Article, and in addition the Council may take action in accordance with Article 69 to require the withdrawal of such a Member from the Organization.

(6) The deductions in quotas provided in paragraphs (3), (4) and (5) of this Article shall be made by the Council as soon as it receives the necessary information.

Article 37

Transitional Quota Provisions

(1) Exports of coffee after 1 October 1962 shall be charged against the annual export quota of the exporting country concerned at such time as the Agreement enters into force in respect of that country.

(2) If the Agreement enters into force after 1 October 1962, the Council shall, during its first session, make such modifications as may be necessary in the procedure for the fixing of annual and quarterly export quotas in respect of the coffee year in which the Agreement enters into force.

Article 38

Shipments of Coffee from Dependent Territories

(1) Subject to paragraph (2) of this Article, the shipment of coffee from any of the dependent territories of a Member to its metropolitan territory or to another of its dependent territories for domestic consumption therein or in any other of its dependent territories shall not be considered as the export of coffee, and shall not be subject to any export quota limitations, provided that the Member concerned enters into arrangements satisfactory to the Council with respect to the control of re-exports and such other matters as the Council may determine to be related to the operation of the Agreement and which arise out of the special relationship between the metropolitan territory of the Member and its dependent territories.

(2) The trade in coffee between a Member and any of its dependent territories which, in accordance with Article 4 or 5, is a separate Member of the Organization or a party to a Member group, shall however be treated, for the purposes of the Agreement, as the export of coffee.

Article 39

Exporting Members not Subject to Quotas

(1) Any exporting Member whose average annual exports of coffee for the preceding three-year period where less than 25,000 bags shall not be subject to the quota provisions of the Agreement, so long as its exports remain less than that quantity.

(2) Any Trust Territory administered under a trusteeship agreement with the United Nations whose annual exports to countries other than the Administering Authority do not exceed 100,000 bags shall not be subject to the quota provisions of the Agreement, so long as its exports do not exceed that quantity.

Article 40

Exports not Charged to Quotas

(1) In order to facilitate the increase of coffee consumption in certain areas of the world having a low per capita consumption and considerable potential for expansion, exports to countries listed in Annex B shall not, subject to the provisions of sub-paragraph (f) of this paragraph, be charged to quotas. The Council, at the beginning of the second full coffee year after the Agreement enters into force, and annually thereafter, shall review the list with a view to determining whether any country or countries should be deleted from it, and may, if it so decides, delete any such country or countries. In connection with exports to the countries listed in Annex B, the provisions of the following sub-paragraphs shall be applicable:

(a) At its first session, and thereafter whenever it deems necessary, the Council shall prepare an estimate of imports for internal consumption by the countries listed in Annex B, after reviewing the results obtained in the previous year with regard to the increase of coffee consumption in those countries and taking into account the probable effect of promotion compaigns and trade arrangements. Exporting Members shall not in the aggregate export to the countries listed in Annex B more than the quantity set by the Council, and for that purpose the Council shall keep those Members informed of current exports to such countries. Exporting Members shall inform the Council not later than thirty days after the end of each month of all exports made to each of the countries listed in Annex B during that month.

(b) Members shall supply such statistics and other information as the Council may require to assist it in controlling the flow of coffee to countries listed in Annex B and its consumption therein.

(c) Exporting Members shall endeavor to renegotiate existing trade agreements as soon as possible in order to include in them provisions preventing re-exports of coffee from the countries listed in Annex B to other markets. Exporting Members shall also include such provisions in all new trade agreements and in all new sales contracts not covered by trade agreements, whether such contracts are negotiated with private traders or with government organizations.

(d) In order to maintain control at all times of exports to countries listed in Annex B, the Council may decide upon further precautionary steps, such as requiring coffee bags destined to those countries to be specially marked and requiring that the exporting Members receive from such countries banking and contractual guarantees to prevent re-exportation to countries not listed in Annex B. The Council may, whenever it deems necessary, engage the services of an internationally recognized world-wide organization to investigate irregularities in, or to verify exports to, countries listed in Annex B. The Council shall call any possible irregularity to the attention of the Members.

(c) The Council shall annually prepare a comprehensive report on the results obtained in the development of coffee markets in the countries listed in Annex B.

(f) If coffee exported by a Member to a country listed in Annex B is re-exported to any country not listed in Annex B, the Council shall charge the corresponding amount to the quota of that exporting Member. Should there again be a re-exportation from the same country listed in Annex B, the Council shall investigate the case, and unless it finds extenuating circumstances, may at any time delete that country from Annex B.

(2) Exports of coffee beans as raw material for industrial processing for any purposes other than human consumption as a beverage or foodstuff shall not be charged to quotas, provided that the Council is satisfied from information supplied by the exporting Member that the coffee beans are in fact used for such other purposes.

(3) The Council may, upon application by an exporting Member decide that coffee exports made by that Member for humanitarian or other noncommercial purposes shall not be charged to its quota.

Article 41

Assurance of Supplies

In addition to ensuring that the total supplies of coffee are in accordance with estimated world imports, the Council shall seek to ensure that supplies of the types of coffee that consumers require are available to them. To achieve this objective, the Council may, by a distributed two-thirds majority vote, decide to use whatever methods it considers practicable.

Article 42

Regional and Inter-Regional Price Arrangements

(1) Regional and inter-regional price arrangements among exporting Members shall be consistent with the general objectives of the Agreement, and shall be registered with the Council. Such arrangements shall take into account the interests of both producers and consumers and the objectives of the Agreement. Any Member of the Organization which considers that any of these arrangements are likely to lead to results not in accordance with the objectives of the Agreement may request that the Council discuss them with the Members concerned at its next session.

(2) In consultation with Members and with any regional organization to which they belong, the Council may recommend a scale of price differentials for various grades and qualities of coffee which Members should strive to achieve through their pricing policies.

(3) Should sharp price fluctuations occur within brief periods in respect to those grades and qualities of coffee for which a scale of price differentials has been adopted as the result of recommendations made under paragraph (2) of this Article, the Council may recommend appropriate measures to correct the situation.

Article 43

Survey of Market Trends

The Council shall keep under constant survey the trends of the coffee market with a view to recommending price policies, taking into consideration the results achieved through the quota mechanism of the Agreement.

CHAPTER VIII—CERTIFICATES OF ORIGIN AND RE-EXPORT

Article 44

Certificates of Origin and Re-Export

(1) Every export of coffee from any Member in whose territory that coffee has been grown shall be accompanied by a certificate of origin modeled on the form set forth in Annex C, issued by a qualified agency chosen by that Member. Each such Member shall determine the number of copies of the certificate it will require and each copy shall bear a serial number. The original of the certificate shall accompany the documents of export, and a copy shall be furnished to the Organization by that Member. The Council shall, either directly or through an internationally recognized world-wide organization, verify the certificates of origin, so that at any time it will be able to ascertain the quantities of coffee which have been exported by each Member.

(2) Every re-export of coffee from a Member shall be accompanied by a certificate of re-export issued by a qualified agency chosen by that Member, in such form as the Council may determine, certifying that the coffee in question was imported in accordance with the provisions of the Agreement, and, if appropriate, containing a reference to the certificate or certificates of origin under which that coffee was imported. The original of the certificate of re-export shall accompany the documents of re-export, and a copy shall be furnished to the Organization by the re-exporting Member.

(3) Each Member shall notify the Organization of the agency or agencies designated by it to perform the functions specified in paragraphs (1) and (2) of this Article. The Council may at any time, for cause, declare certification by a particular agency unacceptable to it.

(4) Members shall render periodic reports to the Organization concerning imports of coffee, in such form and at such intervals as the Council shall determine.

(5) The provisions of paragraph (1) of this Article shall be put into effect not later than three months after the entry into force of the Agreement. The provisions of paragraph (2) shall be put into effect at such time as the Council shall decide.

(6) After the respective dates provided for under paragraph (5) of this Article, each Member shall prohibit the entry of any shipment of coffee from any other Member which is not accompanied by a certificate of origin or a certificate of re-export.

CHAPTER IX—REGULATION OF IMPORTS

Article 45

Regulation of Imports

(1) In order to prevent non-member exporting countries from increasing their exports at the expense of Members, the following provisions shall apply with respect to imports of coffee by Members from non-member countries.

(2) If three months after the Agreement enters into force, or at any time thereafter, the Members of the Organization represent less than 95 per cent of world exports in the calendar year 1961, each Member shall, subject to paragraphs (4) and (5) of this Article, limit its total annual imports from non-member countries as a group to a quantity not in excess of its average annual imports from those countries as a group during the last three years prior to the entry into force of the Agreement for which statistics are available. However, if the Council so decides, the application of such limitations may be deferred.

(3) If at any time the Council, on the basis of information received, finds that exports from non-member countries as a group are disturbing the exports of Members, it may, notwithstanding the fact that the Members of the Organization represent 95 per cent or more of world exports in the calendar year 1961, decide that the limitations of paragraph (2) shall be applied.

(4) If the Council's estimate of world imports adopted under Article 30 for any coffee year is less than its estimate of world imports for the first full coffee year after the Agreement enters into force, the quantity which each Member may import from non-member countries as a group under the provisions of paragraph (2) shall be reduced by the same proportion.

(5) The Council may annually recommend additional limitations on imports from non-member countries if it finds such limitations necessary in order to further the purposes of the Agreement.

(6) Within one month from the date on which limitations are applied under this Article, each Member shall inform the Council, of the quantity of its permissible annual imports from non-member countries as a group.

(7) The obligations of the preceding paragraphs of this Article shall not derogate from any conflicting bilateral or multilateral obligations which importing Members have entered into with non-member countries before 1 August 1962; provided that any importing Member which has such conflicting obligations shall carry them out in such a way as to minimize the conflict with the obligations of the preceding paragraphs, take steps as soon as possible to bring its obligations into harmony with those paragraphs, and inform the Council of the details of the conflicting obligations and of the steps taken to minimize or eliminate the conflict.

(8) If an importing Member fails to comply with the provisions of this Article, the Council may, by a distributed two-thirds majority vote, suspend both its voting rights in the Council and its right to have its votes cast in the Board.

CHAPTER X—INCREASE OF CONSUMPTION

Article 46

Promotion

(1) The Council shall sponsor a continuing programme for promoting the consumption of coffee. The size and cost of this programme shall be subject to periodic review and approval by the Council. The importing Members will have no obligation as respects the financing of this programme.

(2) If the Council after study of the question so decides, it shall establish within the framework of the Board a separate committee of the Organization, to be known as the World Coffee Promotion Committee.

(3) If the World Coffee Promotion Committee is established, the following provisions shall apply:

(a) The Committee's rules, in particular those regarding membership, organization, and financial affairs, shall be determined by the Council. Membership in the Committee shall be limited to Members which contribute to the promotional programme established in paragraph (1) of this Article.

(b) In carrying out its work, the Committee shall establish a technical committee within each country in which a promotional campaign will be conducted. Before a promotional campaign is inaugurated in any Member country, the Committee shall advise the representative of that Member in the Council of the Committee's intention to conduct such a campaign and shall obtain that Member's consent.

(c) The ordinary administrative expenses relating to the permanent staff of the Committee, other than the costs of their travel for promotion purposes, shall be charged to the administrative budget of the Organization, and shall not be charged to the promotion funds of the Committee.

Article 47

Removal of Obstacles to Consumption

(1) The Members recognize the utmost importance of achieving the greatest possible increase of coffee consumption as rapidly as possible, in particular through the progressive removal of any obstacles which may hinder such increase.

(2) The Members affirm their intention to promote full international co-operation between all coffee exporting and importing countries.

(3) The Members recognize that there are presently in effect measures which may to a greater or lesser extent hinder the increase in consumption of coffee, in particular:

(a) import arrangements applicable to coffee, including preferential and other tariffs, quotas, operations of Government import monopolies and official purchasing agencies, and other administrative rules and commercial practices;

(b) export arrangements as regards direct or indirect subsidies and other administrative rules and commercial practices; and

(c) internal trade conditions and domestic legal and administrative provisions which may affect consumption.

(4) The Members recognize that certain Members have shown their concurrence with the objectives stated above by announcing their intention to reduce tariffs on coffee or by taking other action to remove obstacles to increased consumption.

(5) The Members undertake, in the light of studies already carried out and those to be carried out under the auspices of the Council or by other competent international organizations, and of the Declaration adopted at the Ministerial Meeting in Geneva on 30 November 1961:

(a) to investigate ways and means by which the obstacles to increased trade and consumption referred to in paragraph (3) of this Article could be progressively reduced and eventually, whenever possible, eliminated, or by which their effects could be substantially diminished;

(b) to inform the Council of the results of their investigation, so that the Council can review, within the first eighteen months after the Agreement enters into force, the information provided by Members concerning the effect of these obstacles and, if appropriate, the measures planned to reduce the obstacles or diminish their effects;

(c) to take into account the results of this review by the Council in the adoption of domestic measures and in proposals for international action; and

(d) to review at the session provided for in Article 72 the results achieved by the Agreement and to examine the adoption of further measures for the removal of such obstacles as may still stand in the way of expansion of trade and consumption, taking into account the success of the Agreement in increasing income of exporting Members and in developing consumption.

(6) The Members undertake to study in the Council and in other appropriate organizations any requests presented by Members whose economies may be affected by the measures taken in accordance with this Article.

CHAPTER XI—PRODUCTION CONTROLS

Article 48

Production Goals

(1) The producing Members undertake to adjust the production of coffee while the Agreement remains in force to the amount needed for domestic consumption, exports, and stocks as specified in Chapter XII.

(2) Not later than one year after the Agreement enters into force, the Council shall, in consultation with the producing Members, by a distributed two-thirds majority vote, recommend production goals for each of such Members and for the world as a whole.

(3) Each producing Member shall be entirely responsible for the policies and procedures it applies to achieve these objectives.

Article 49

Implementation of Production-Control Programmes

(1) Each producing Member shall periodically submit written reports to the Council on the measures it has taken or is taking to achieve the objectives of Article 48, as well as on the concrete results obtained. At its first session the Council shall, by a distributed two-thirds majority vote, establish a time-table and procedures for the presentation and discussion of such reports. Before making any observations or recommendations the Council will consult with the Members concerned.

(2) If the Council determines by a distributed two-thirds majority vote either that any producing Member has not, within a period of two years from the entry into force of the Agreement, adopted a programme to adjust its production to the goals recommended by the Council in accordance with Article 48, or that any producing Member's programme is not effective, it may by the same majority decide that such Member shall not enjoy any quota increases which may result from the application of the Agreement. The Council may by the same majority establish whatever procedures it considers appropriate for the purpose of verifying that the provisions of Article 48 have been complied with.

(3) At such time as it considers appropriate, but in any event not later than the review session provided for in Article 72, the Council may, by a distributed two-thirds majority vote, in the light of the reports submitted for its consideration by the producing Members in accordance with paragraph (1) of this Article, revise the production goals recommended in accordance with paragraph (2) of Article 48.

(4) In applying the provisions of this Article, the Council shall maintain close contact with international, national and private organizations which have an interest in or are responsible for financing or, in general, assisting the development plans of the primary producing countries.

Article 50

Co-operation of Importing Members

Recognizing the paramount importance of bringing the production of coffee into reasonable balance with world demand, the importing Members undertake, consistently with their general policies regarding international assistance, to co-operate with the producing Members in their plans for limiting the production of coffee. Their assistance may be provided on a technical, financial or other basis, and under bilateral, multilateral or regional arrangements, to producing Members implementing the provisions of this Chapter.

CHAPTER XII—REGULATION OF STOCKS

Article 51

Policy Relative to Coffee Stocks

(1) At its first session the Council shall take measures to ascertain world coffee stocks, pursuant to systems which it shall establish, and taking into account the following points: quantity, countries of origin, location, quality, and condition. The Members shall facilitate this survey.

(2) Not later than one year after the Agreement enters into force, the Council shall, on the basis of the data thus obtained and in consultation with the Members concerned, establish a policy relative to such stocks in order to complement the recommendations provided for in Article 48 and thereby to promote the attainment of the objectives of the Agreement.

(3) The producing Members shall endeavour by all means within their power to implement the policy established by the Council.

(4) Each producing Member shall be entirely responsible for the measures it applies to carry out the policy thus established by the Council.

Article 52

Implementation of Programmes for Regulation of Stocks

Each producing Member shall periodically submit written reports to the Council on the measures it has taken or is taking to achieve the objectives of Article 51, as well as on the concrete results obtained. At its first session, the Council shall establish a timetable and procedures for the presentation and discussion of such reports. Before making any observations or recommendations, the Council shall consult with the Members concerned.

CHAPTER XIII—MISCELLANEOUS OBLIGATIONS OF MEMBERS

Article 53

Consultation and Co-operation with the Trade

(1) The Council shall encourage Members to seek the views of experts in coffee matters.

(2) Members shall conduct their activities within the framework of the Agreement in a manner consonant with the established channels of trade.

Article 54

Barter

In order to avoid jeopardizing the general price structure, Members shall refrain from engaging in direct and individually linked barter transactions involving the sale of coffee in the traditional markets.

Article 55

Mixtures and Substitutes

Members shall not maintain any regulations requiring the mixing, processing or using of other products with coffee for commercial resale as coffee. Members shall endeavour to prohibit the sale and advertisement of products under the name of coffee if such products contain less than the equivalent of 90-percent green coffee as the basic raw material.

CHAPTER XIV—SEASONAL FINANCING

Article 56

Seasonal Financing

(1) The Council shall, upon the request of any Member who is also a party to any bilateral, multilateral, regional or inter-regional agreement in the field of seasonal financing, examine such agreement with a view to verifying its compatibility with the obligations of the Agreement.

(2) The Council may make recommendations to Members with a view to resolving any conflict of obligations which might arise.

(3) The Council may, on the basis of information obtained from the Members concerned, and if it deems appropriate and suitable, make general recommendations with a view to assisting Members which are in need of seasonal financing.

CHAPTER XV—INTERNATIONAL COFFEE FUND

Article 57

International Coffee Fund

(1) The Council may establish an International Coffee Fund. The Fund shall be used to further the objective of limiting the production of coffee in order to bring it into reasonable balance with demand for coffee, and to assist in the achievement of the other objectives of the Agreement.

(2) Contributions to the Fund shall be voluntary.

(3) The decision by the Council to establish the Fund and the adoption of guiding principles to govern its administration shall be taken by a distributed two-thirds majority vote.

CHAPTER XVI—INFORMATION AND STUDIES

Article 58

Information

(1) The Organization shall act as a centre for the collection, exchange and publication of:

(a) statistical information on world production, prices, exports and imports, distribution and consumption of coffee; and

(b) in so far as is considered appropriate, technical information on the cultivation, processing and utilization of coffee.

(2) The Council may require Members to furnish such information as it considers necessary for its operations, including regular statistical reports on coffee production, exports and imports, distribution, consumption, stocks and taxation, but no information shall be published which might serve to identify the operations of persons or companies producing, processing or marketing coffee. The Members shall furnish information requested in as detailed and accurate a manner as is practicable.

(3) If a Member fails to supply, or finds difficulty in supplying, within a reasonable time, statistical and other information required by the Council for the proper functioning of the Organization, the Council may require the Member concerned to explain the reasons for non-compliance. If it is found that technical assistance is needed in the matter, the Council may take any necessary measures.

Article 59

Studies

(1) The Council may promote studies in the fields of the economics of coffee production and distribution, the impact of governmental measures in producing and consuming countries on the production and consumption of coffee, the opportunities for expansion of coffee consumption for traditional and possible new uses, and the effects of the operation of the Agreement on producers and consumers of coffee, including their terms of trade.

(2) The Organization shall continue, to the extent it considers necessary, the studies and research previously undertaken by the Coffee Study Group, and shall periodically carry out studies on trends and projections on coffee production and consumption.

(3) The Organization may study the practicability of prescribing minimum standards for exports from Members who produce coffee. Recommendations in this regard may be discussed by the Council.

CHAPTER XVII—WAIVER

Article 60

Waiver

(1) The Council may, by a two-thirds distributed majority vote, relieve a Member of an obligation which, on account of exceptional or emergency circumstances, *force majeure,* constitutional obligations, or international obligations under the United Nations Charter for territories administered under the trusteeship system, either:

(a) constitutes a serious hardship;

(b) imposes an inequitable burden on such Member; or

(c) gives other Members an unfair or unreasonable advantage.

(2) The Council, in granting a waiver to a Member, shall state explicitly the terms and conditions on which and the period for which the Member is relieved of such obligation.

CHAPTER XVIII—DISPUTES AND COMPLAINTS

Article 61

Disputes and Complaints

(1) Any dispute concerning the interpretation or application of the Agreement which is not settled by negotiation, shall, at the request of any Member party to the dispute, be referred to the Council for decision.

(2) In any case where a dispute has been referred to the Council under paragraph (1) of this Article, a majority of Members, or Members holding not less than one-third of the total votes, may require the Council, after discussion, to seek the opinion of the advisory panel referred to in paragraph (3) of this Article on the issues in dispute before giving its decision.

(3) (a) Unless the Council unanimously agrees otherwise, the panel shall consist of:

(i) two persons, one having wide experience in matters of the kind in dispute and the other having legal standing and experience, nominated by the exporting Members;

(ii) two such persons nominated by the importing Members; and

(iii) a chairman selected unanimously by the four persons nominated under (i) and (ii), or, if they fail to agree, by the Chairman of the Council.

(b) Persons from countries whose Governments are Contracting Parties to this Agreement shall be eligible to serve on the advisory panel.

(c) Persons appointed to the advisory panel shall act in their personal capacities and without instructions from any Government.

(d) The expenses of the advisory panel shall be paid by the Council.

(4) The opinion of the advisory panel and the reasons therefor shall be submitted to the Council which, after considering all the relevant information, shall decide the dispute.

(5) Any complaint that any Member has failed to fulfill its obligations under the Agreement shall, at the request of the Member making the complaint, be referred to the Council, which shall make a decision on the matter.

(6) No Member shall be found to have committed a breach of its obligations under the Agreement except by a distributed simple majority vote. Any finding that a Member is in breach of the Agreement shall specify the nature of the breach.

(7) If the Council finds that a Member has committed a breach of the Agreement, it may, without prejudice to other enforcement measures provided for in other articles of the Agreement, by a distributed two-thirds majority vote, suspend that Member's voting right in the Council and its right to have its votes cast in the Board until it fulfills its obligations, or the Council may take action requiring compulsory withdrawal under Article 69.

CHAPTER XIX—FINAL PROVISIONS

Article 62

Signature

The Agreement shall be open for signature at United Nations Headquarters until and including 30 November 1962 by any Government invited to the United Nations Coffee Conference, 1962, and by the Government of any State represented before independence as a dependent territory at that Conference.

Article 63

Ratification

The Agreement shall be subject to ratification or acceptance by the signatory Governments in accordance with their respective constitutional procedures. Instruments of ratification or acceptance shall be deposited with the Secretary-General of the United Nations not later than 31 December 1963. Each Government depositing an instrument of ratification or acceptance shall, at the time of such deposit, indicate whether it is joining the Organization as an exporting Member or an importing Member, as defined in paragraphs (7) and (8) of Article 2.

Article 64

Entry into Force

(1) The Agreement shall enter into force between those Governments which have deposited instruments of ratification or acceptance when Governments representing at least twenty exporting countries having at least 80 per cent of total exports in the year 1961, as specified in Annex D, and Governments representing at least ten importing countries having at least 80 per cent of world imports in the same year, as specified in the same Annex, have deposited such instruments. The Agreement shall enter into force for any Government which subsequently deposits an instrument of ratification, acceptance or accession on the date of such deposit.

(2) The Agreement may enter into force provisionally. For this purpose, a notification by a signatory Government containing an undertaking to seek ratification or acceptance in accordance with its constitutional procedures as rapidly as possible, which is received by the Secretary-General of the United Nations not later than 30 December 1963, shall be regarded as equal in effect to an instrument of ratification or acceptance. It is understood that a Government which gives such a notification will provisionally apply the Agreement and be provisionally regarded as a party thereto until either it deposits its instrument of ratification or acceptance or until 31 December 1963, whichever is earlier.

(3) The Secretary-General of the United Nations shall convene the first session of the Council, to be held in London within 30 days after the Agreement enters into force.

(4) Whether or not the Agreement has provisionally entered into force in accordance with paragraph (2) of this Article, if by 31 December, 1963 it has not definitively entered into force in accordance with paragraph (1), those Governments which have by that date deposited instruments of ratification or acceptance may consult together to consider what action the situation requires, and may, by mutual consent, decide that it shall enter into force among themselves.

Article 65

Accession

The Government of any State Member of the United Nations or of any of its specialized agencies and any Government invited to the United Nations Coffee Conference, 1962, may accede to this Agreement upon conditions that shall be established by the Council. In establishing such conditions the Council shall, if such country is not listed in Annex A, establish a basic export quota for it. If such country is listed in Annex A, the respective basic export quota specified therein shall be the basic export quota for that country unless the Council decides otherwise by a distributed two-thirds majority vote. Each Government depositing an instrument of accession shall, at the time of such deposit, indicate whether it is joining the Organization as an exporting Member or an importing Member, as defined in paragraphs (7) and (8) of Article 2.

Article 66

Reservations

Reservations may not be made with respect to any of the provisions of the Agreement.

Article 67

Notifications in respect of Department Territories

(1) Any Government may, at the time of signature or deposit of an instrument of acceptance, ratification or accession, or at any time thereafter, by notification to the Secretary-General of the United Nations, declare that the Agreement shall extend to any of the territories for whose international relations it is responsible, and the Agreement shall extend to the territories named therein from the date of such notification.

(2) Any Contracting Party which desires to exercise its rights under Article 4 in respect of any of its dependent territories, or which desires to authorize one of its dependent territories to become part of a Member group formed under Article 5 or 6, may do so by making a notification to that effect to the Secretary-General of the United Nations, either at the time of the deposit of its instrument of ratification, acceptance or accession, or at any later time.

(3) Any Contracting Party which has made a declaration under paragraph (1) of this Article may at any time thereafter, by notification to the Secretary-General of the United Nations, declare that the Agreement shall cease to extend to the territory named in the notification, and the Agreement shall cease to extend to such territory from the date of such notification.

(4) The Government of a territory to which the Agreement has been extended under paragraph (1) of this Article and which has subsequently become independent may, within 90 days after the attainment of independence, declare by notification to the Secretary-General of the United Nations that it has assumed the rights and obligations of a Contracting Party to the Agreement. It shall, as from the date of such notification, become a party to the Agreement.

Article 68

Voluntary Withdrawal

No Contracting Party may give notice of voluntary withdrawal from the Agreement before 30 September 1963. Thereafter, any Contracting Party may withdraw from the

Agreement at any time by giving a written notice of withdrawal to the Secretary-General of the United Nations. Withdrawal shall become effective 90 days after the notice is received.

Article 69

Compulsory Withdrawal

If the Council determines that any Member has failed to carry out its obligations under the Agreement and that such failure significantly impairs the operations of the Agreement, it may, by a distributed two-thirds majority vote, require the withdrawal of such Member from the Organization. The Council shall immediately notify the Secretary-General of the United Nations of any such decision. Ninety days after the date of the Council's decision, that Member shall cease to be a Member of the Organization, and, if such Member is a Contracting Party, a party to the Agreement.

Article 70

Settlement of Accounts with Withdrawing Members

(1) The Council shall determine any settlement of accounts with a withdrawing Member. The Organization shall retain any amounts already paid by a withdrawing Member, and such Member shall remain bound to pay any amounts due from it to the Organization at the time the withdrawal becomes effective; provided, however, that in the case of a Contracting Party which is unable to accept an amendment and consequently either withdraws or ceases to participate in the Agreement under the provisions of paragraph (2) of Article 73, the Council may determine any settlement of accounts which it finds equitable.

(2) A Member which has withdrawn or which has ceased to participate in the Agreement shall not be entitled to any share of the proceeds of liquidation or the other assets of the Organization upon termination of the Agreement under Article 71.

Article 71

Duration and Termination

(1) The Agreement shall remain in force until the completion of the fifth full coffee year after its entry into force, unless extended under paragraph (2) of this Article, or earlier terminated under paragraph (3).

(2) The Council, during the fifth full coffee year after the Agreement enters into force, may, by vote of a majority of the Members having not less than a distributed two-thirds majority of the total votes, either decide to renegotiate the Agreement, or to extend it for such period as the Council shall determine.

(3) The Council may at any time, by vote of a majority of the Members having not less than a distributed two-thirds majority of the total votes, decide to terminate the Agreement. Such termination shall take effect on such date as the Council shall decide.

(4) Notwithstanding termination of the Agreement, the Council shall remain in being for as long as necessary to carry out the liquidation of the Organization, settlement of its accounts, and disposal of its assets, and shall have during that period such powers and functions as may be necessary for those purposes.

Article 72

Review

In order to review the Agreement, the Council shall hold a special session during the last six months of the coffee year ending 30 September 1965.

Article 73

Amendment

(1) The Council may, by a distributed two-thirds majority vote, recommend an amendment of the Agreement to the Contracting Parties. The amendment shall become effective 100 days after the Secretary-General of the United Nations has received notifications of acceptance from Contracting Parties representing at least 75 per cent of the exporting countries holding at least 85 per cent of the votes of the exporting Members, and from Contracting Parties representing at least 75 per cent of the importing countries holding at least 80 per cent of the votes of the importing Members. The Council may fix a time within which each Contracting Party shall notify the Secretary-General of the United Nations of its acceptance of the amendment, and, if the amendment has not become effective by such time, it shall be considered withdrawn. The Council shall provide the Secretary-General with the information necessary to determine whether the amendment has become effective.

(2) Any Contracting Party, or any dependent territory which is either a Member or a party to a Member group, on behalf of which notification of acceptance of an amendment has not been made by the date on which such amendment becomes effective, shall as of that date cease to participate in the Agreement.

Article 74

Notifications by the Secretary-General

The Secretary-General of the United Nations shall notify all Governments represented by delegates or observers at the United Nations Coffee Conference, 1962, and all other Governments of States Members of the United Nations or of any of its specialized agencies, of each deposit of an instrument of ratification, acceptance or accession, and of the dates on which the Agreement comes provisionally and definitively into force. The Secretary-General of the United Nations shall also notify all Contracting Parties of each notification under Article 5, 67, 68 or 69; of the date to which the Agreement is extended or on which it is terminated under Article 71; and of the date on which an amendment becomes effective under Article 73.

IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Agreement on the dates appearing opposite their signatures.

The texts of this Agreement in the English, French, Russian, Spanish and Portuguese languages shall all be equally authentic. The originals shall be deposited in the archives of the United Nations, and the Secretary-General of the United Nations shall transmit certified copies thereof to each signatory and acceding Government.

For Argentina: L M Caraballo.

For Belgium: Walter Loridan.

For Bolivia: Jaime Caballero Tamayo.

For Brazil: Sergio Armando Frazão.

For Burundi: Pascal Bubiriza.

For Cameroon: J. Kuoh Moukouri.

For Colombia. Carlos Sanz de Santamaria.

For Costa Rico: F. Volio J.

For the Dominican Republic: De Moya.

For El Salvador: F R Lima.

For France: Seydoux.

For Guatemala: Roberto Alejo.

For Haiti: Carlet Auguste.

For Honduras: G Cáceres.

For Italy: Giuseppe Brusasca.

For Japan: Katsuo Okazaki (ad referendum).

For Madagascar: Louis Rakotomalala.

For Mexico: M A Cordera, Jr. (ad referendum).

For Peru: Luis Edgario Llosa.

For Spain: Jose F. de Lequerica.

For Tanganyika: A. Z. Nsilo Swai.

For the United Kingdom of Great Britain and Northern Ireland: Patrick Dean.

For the United States of America: W. Michael Blumenthal.

For Venezuela: Mauricio Báez (ad referendum).

ANNEXES TO THE INTERNATIONAL COFFEE AGREEMENT, 1962

ANNEX A

Basic export quotas

[60-kilogramme bags]

Brazil	18,000,000
Colombia	6,011,280
Costa Rica	950,000
Cuba	200,000
Dominican Republic [a]	425,000
Ecuador	552,000
El Salvador	1,429,500
Guatemala	1,344,500
Haiti [a]	420,000
Honduras	285,000
Mexico	1,509,000
Nicaragua	419,100
Panama	26,000
Peru	580,000
Venezuela	475,000
Cameroun	762,795
Central African Republican	150,000
Congo (Brazzaville)	11,000
Dahomey	37,224
Gabon	18,000
Ivory Coast	2,324,278
Malagasy Republic	828,828
Togo	170,000
Kenya	516,835
Uganda	1,887,737
Tanganyika	435,458
Portugal	2,188,648
Congo (Leopoldville) [b]	700,000
Ethiopia	850,000
India	360,000
Indonesia	1,176,000
Nigeria	18,000
Rwanda and Burundi [b]	340,000
Sierra Leone	65,000
Trinidad	44,000
Yemen	77,000
Grand total	45,587,183

[a] The Republic of Haiti and the Dominican Republic shall be permitted to export 20 percent more than their respective adjusted basic quotas in the coffee year 1963–64. In no event, however, shall such increases be taken into account for the purpose of calculating the distribution of votes. In the review of the Agreement, provided for in Article 72, the two-year production cycle in those countries shall be given special consideration.

[b] In the first coffee year, the Republic of the Congo (Leopoldville), after presentation to the Council of acceptable evidence of an exportable production larger than 700,000 bags, shall be authorized by the Council to export up to 900,000 bags. In the second and third coffee years it is permitted to increase its coffee exports by an amount not to exceed 20 percent over those for the previous year. After presentation to the Council of acceptable evidence of an exportable production larger than 340,000 bags, Rwanda and Burundi may be authorized by the Council to export a combined total of up to 450,000 bags in the first coffee year, 500,000 bags in the second coffee year and 565,000 bags in the third coffee year. In no event, however, shall the increases allowed those countries in the first three years be taken into account for the purpose of calculating the distribution of votes.

ANNEX B

Non-quota countries of destination, referred to in article 40, chapter VII

The geographical areas below are non-quota countries for purposes of this Agreement: Bahrein, Basutoland, Bechuanaland, Ceylon, China (Taiwan), China (mainland), Federation of Rhodesia and Nyasaland, Hungary, Iran, Iraq, Japan, Jordan, Kuwait, Muscat and Oman, Oman, Philippines, Poland, Qatar, Republic of Korea, North Korea, Republic of Vietnam, North Vietnam, Romania, Saudi Arabia, Somalia, South West Africa, Sudan, Swaziland, Thailand, Republic of South Africa, Union of Soviet Socialist Republics.

ANNEX C

Certificate of origin

This certificate is made pursuant to the International Coffee Agreement. A copy of this certificate must be submitted with export documents and will be required for export (and import) clearance.

No. ——— (to be cited in any future correspondence). Member ——— (producing country).

I hereby certify that the green, soluable, roasted, semi-roasted, or other coffee described below has been produced in ——— (producing country).

Per S.S. ——— or other carrier.

From: (name of port or other point of embarkation).

To: (name of port or country of final destination.

Via:

On or about: (date).

Shipping marks or other identification	Quantity (number of units)	Total weight		Observations
		Kilograms	Pounds	
		Gross	Gross	
Green		Net	Net	
		Gross	Gross	
Roasted or soluble		Net	Net	

Other (specify).

Date ———.

(Certifying Officer)

(Certifying Agency)

ANNEX D

List of exports and imports in 1961

I. Exports

[Thousands of 60-kilogram bags]

Country	Bags	Percent
Bolivia	(1)	0
Brazil	16,971	39.2
Burundi and Rwanda	397	.9
Cameroon	591	1.4
Central African Republic	121	.3
Colombia	5,651	13.1
Congo (Brazzaville)	(1)	0
Congo (Leopoldville)	499	1.2
Costa Rica	835	1.9
Cuba	85	.2
Dahomey	40	.1
Dominican Republic	327	.8
Ecuador	381	.9
El Salvador	1,430	3.3
Ethiopia	950	2.2
Gabon	(1)	.0
Ghana	28	.1
Guatemala	1,255	2.9
Guinea	200	.5
Haiti	348	.8
Honduras	210	.5
India	539	1.2
Indonesia	1,091	2.5
Ivory Coast	2,618	6.0
Jamaica	(1)	0
Liberia	41	0.1
Madagascar	651	1.5
Mauritania	(1)	0
Mexico	1,483	3.5
Nicaragua	349	.8
Nigeria	(1)	0
Panama	(1)	0
Paraguay	25	.1
Peru	567	1.3
Portugal	1,976	4.5
Rwanda (see Burundi).		
Sierra Leone	85	.2
Tanganyika	438	1.0
Togo	171	.4
Trinidad and Tobago	38	.1
United Kingdom (Kenya)	536	1.2
United Kingdom (Uganda)	1,806	4.2
Upper Volta	(1)	0
Venezuela	406	.9
Yemen	80	.2
Total	43,219	100.0

See footnote at end of table.

ANNEX D—continued

List of exports and imports in 1961—Con.

II. Imports

[Thousands of 60-kilogram bags]

Country	Bags	Percent
Afghanistan	(1)	0
Albania	(1)	0
Argentina	574	1.3
Australia	156	.4
Austria	218	.5
Belgium	1,036	2.4
Bulgaria	60	.1
Burma	(1)	0
Byelorussian S.S.R. (included in U.S.S.R.)		
Cambodia	(1)	0
Canada	1,119	2.6
Ceylon	(1)	0
Chad	(1)	0
Chile	113	.3
China	(1)	0
Cyprus	(1)	0
Czechoslovakia	175	.4
Denmark	727	1.7
Federal Republic of Germany	3,540	8.1
Federation of Malaya	109	.2
Federation of Rhodesia and Nyasaland	(1)	0
Finland	638	1.5
France	3,882	8.9
Greece	132	.3
Hungary	39	.1
Iceland	29	.1
Iran	(1)	0
Iraq	(1)	0
Ireland	(1)	0
Israel	74	.2
Italy	1,753	4.0
Japan	244	.6
Jordan	23	.1
Kuwait	(1)	0
Laos	(1)	0
Lebanon	158	.4
Libya	(1)	0
Luxembourg (included in Belgium)		
Mali	(1)	0
Mongolia	(1)	0
Morocco	129	.3
Nepal	(1)	0
Netherlands	1,147	2.6
New Zealand	35	.1
Niger	(1)	0
Norway	450	1.0
Pakistan	(1)	0
Philippines	(1)	0
Poland	89	.2
Republic of Korea	(1)	0
Republic of Vietnam	(1)	0
Rumania	(1)	0
Saudi Arabia	(1)	0
Senegal	(1)	0
Somalia	(1)	0
South Africa	185	.4
Spain	300	.7
Sudan	154	.3
Sweden	1,295	3.0
Switzerland	541	1.2
Syria	31	.1
Thailand	83	.2
Tunisia	48	.1
Turkey	36	.1
Ukrainian S.S.R. (included in U.S.S.R.)		
Union of Soviet Socialist Republics	371	.9
United Arab Republic	70	.2
United Kingdom	978	2.3
United States	22,464	51.7
Uruguay	45	.1
Yugoslavia	143	.3
Total	43,393	100.0

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(1) Less than 22,000 bags.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, the International Coffee Agreement is the culmination of several years of study, discussion, and negotiation in regard to the problems caused coffee-producing countries by the sharp fluctuations which have occurred in the price of that commodity.

In terms of value, coffee is the second most important commodity in international trade, ranking next only to petroleum.

Since 1940, the price of the basic grade of Brazilian coffee has varied from 7 cents a pound to 79 cents and back to 33 cents. The decline from 79 to 33 has occurred since 1954, and has worked a great hardship on coffee-producing countries.

The extent of this hardship can best be appreciated when it is pointed out that coffee accounts for at least 40 percent of the foreign exchange earnings of 10 countries of Latin America and Africa. It is no wonder that these countries are having balance-of-payments problems.

Furthermore, when one looks at the coffee in warehouses, which is more than a year's total consumption in the world, the prospects are clearly for a continuation of the decline in coffee prices, unless international action is taken to bring supply and demand into better balance.

The basic purpose of the coffee agreement is to prevent a further decline in coffee prices while steps are taken to bring about this better balance between supply and demand. The agreement seeks to do this through limiting the supply of coffee moving into the world market by a system of export quotas for producing countries while at the same time steps are taken to control production and to remove barriers to consumption. The report of the Committee on Foreign Relations explains the agreement in some detail, and I do not wish to cover that same ground now.

However, I do wish to emphasize certain points.

First, the agreement is not unprecedented. The United States participated in an Inter-American Coffee Agreement from 1941 to 1948 when Latin American producers were cut off from their European markets. This agreement worked well and was allowed to expire when coffee prices strengthened.

Second, the agreement does not obligate the United States to limit its imports of coffee. The agreement is based on a system of export quotas, but there are no import quotas. In other words, the amount which a given producing country may export is limited, but there is no practical limit on the amount which an importing country may import. It is theoretically conceivable that the total of export quotas might be reduced so drastically that it would be difficult to find coffee to import; but this contingency is extremely remote, especially so in view of the level of world coffee stocks. The principal obligation of the United States, therefore, is simply to help the producing countries police their own export quotas. This will be done by requiring certificates of origin for coffee imported into the United States. This information will simply be reported to the International Coffee Council which will deal with the exporter if there is a violation of quotas. So far as the United States is concerned, there will be no Government interference with the established channels of trade. It is significant in this connection that the agreement is overwhelmingly supported by the private coffee industry in the United States.

Third, it is unrealistic to charge, as some have, that this agreement will gouge the American consumer. Basic export quotas set in the agreement are 45.6 million bags a year, as against actual exports in 1961 of 43.2 million bags. Furthermore, coffee stocks as of September 30, 1962, amounted to 79.7 million bags. The most that can realistically be expected from the coffee agreement is that it will prevent a further decline in coffee prices.

To this extent, of course, the American consumer will be denied the economic benefit of saving a few pennies on a pound of coffee. But we ought to face the fact that the American consumer has other interests as well. He is also a taxpayer, and above all he is a citizen.

The Senate ought to consider not only what is likely to happen if the coffee agreement is ratified, but also what is likely to happen if it is not.

If it is not ratified, the price of coffee is likely to continue to decline; and if this happens, the Alliance for Progress is certain to be gravely jeopardized in Latin America and problems will also arise in Africa. In point of fact, the aid which Latin America has received under the Alliance for Progress is less than the foreign exchange Latin America has lost through the fall in coffee prices.

If this situation continues, it will require even greater investments in the Alliance to attempt to salvage it, and there is no certainty that such attempts will be successful. We can, therefore, expect to see greater deterioration in Latin America.

We hear a great deal of talk about "trade, not aid." This is a chance to prove that we mean it. There is no guarantee that this agreement is going to work, but if it does work, the American taxpayer will be saved substantial sums, compared with what he would have to spend otherwise, and the American citizen will have his basic interests protected—all at the expense of a penny or two to the American consumer. This strikes me as a pretty good bargain.

There is another political aspect to this matter, Mr. President, which is worthy of emphasis. Whether the agreement works or not, it is taken in Latin America as an earnest of the good intentions of the United States to help Latin America help itself. Senators who have had occasion to discuss the problems of the Alliance for Progress with Latin Americans know that the issue which agitates Latin America above all others is precisely this question of commodity prices. We have talked about this for years. Now we have a chance to do something. If we reject this agreement, the disillusionment throughout Latin America will be severe, and the political repercussions will be on a corresponding scale.

Mr. CARLSON. Mr. President, it is not easy for me to oppose a treaty that is being presented by the distinguished majority leader and other members of the Committee on Foreign Relations. I heard the testimony on the proposed International Coffee Agreement and became convinced that there are valid reasons why the treaty should not be approved.

For example, the International Coffee Agreement is a proposal to control the price of coffee; otherwise, the agreement would not be before the Senate today. If the International Coffee Agreement were approved, the United States would place complete control of the movement of coffee in world markets in a board composed of 14 members and having headquarters in London, England. The United States would have one representative on this board. We would pay 20 percent of the cost of the maintenance of the council and its operation, and would have 20 percent of the total votes and 40 percent of the importers' votes.

Such a system would constitute a cartel, to which the United States should not be a party. After 60 years of experience with a cartel or cartel-like activities in commodities, the United States should not continue to experiment in this field.

There are many aspects of the treaty that I expect to discuss as consideration of the agreement proceeds. For example, Article 45 provides that under certain circumstances the United States would have to place coffee under import controls. Such action would be contrary to our general trade policy and would not be in the best interests of the U.S. coffee trade and consumers. Coffee is one product which is not produced in significant commercial quantities in the United States. For years, it has been imported free of duty and other restrictions. The per capita coffee consumption in the United States is one of the highest in the world. The United States imports about 52 percent of the coffee moving in world trade, or about one-third of the world production.

To be forced to place U.S. imports under control in order to raise the price that U.S. consumers have to pay to foreign producers does not appear to be a reasonable obligation.

The second reason why I am opposed to the International Coffee Agreement is that, in my opinion, it is but the beginning of a great pressure for global price-fixing in order to prop up world commodity prices.

World prices of raw materials in underdeveloped countries are an important item on the agenda of the United Nations Commission on International Commodity Trade, meeting this month in New York City. It will be the major topic of discussion next year at the 111-nation UN Conference on Trade and Development. It is my contention that coffee is but the beginning of a global international commodity program.

International commodity agreements have several flaws which make them of questionable value in helping to develop underdeveloped countries. Past agreements have not been wholly successful in stabilizing prices, reversing the long-term trends for more than short periods of time, or raising prices for producers. They may even slow sound economic development by discouraging investment in other goods and services.

The case for a commodity agreement is based upon the assumption of increasing export earnings while making funds available to be used in promoting economic development. However, in most underdeveloped countries considerable funds are already available. A few people in such societies may be extremely well off despite the general poverty. But these funds often do not contribute to economic development.

Mr. President, it is my contention that we are in but the beginning of a great program of international commodity agreements for the purpose—or, at least, that is the purpose of the treaty—of stabilizing the economies of underdeveloped countries.

The third reason why I am opposed to the International Coffee Agreement is that I believe it unfair to saddle upon the coffee consumers of the United States the burden of building foreign exchange for such governments, many of whom have demonstrated from time to time that they are not concerned about the welfare of the United States. If we are candid in our consideration of this proposal, we must admit that its sole purpose is to build foreign exchange. Certainly that is a part of the State Department's international programs. Therefore, the question arises whether we believe the interest of the State Department would be in building good will among coffee-producing nations or whether the State Department would keep in mind consumers in the United States.

Let us bear in mind that this International Coffee Agreement was negotiated by the State Department, and that the State Department will be in control of our representative in the committee of 14 in the executive council. It seems to me that we should not give all this power and policymaking authority to that group.

We have had some experience with attempts to stabilize prices. We are having one right now. Refined sugar prices rose today, for the 13th time this year, as sugar continued in short supply. Leading eastern cane sugar refiners raised their prices 75 cents per hundred pounds, bringing a key industrial grade in this area to $15.05—an increase of $9.80 from the beginning of the year. The raw sugar and the refined sugar prices are the highest since 1920.

Today, I was interested to note in the Wall Street Journal an editorial entitled "The High Price of Stability." Let us keep in mind that is why we are opposing this proposed treaty. I wish to read the editorial, because I believe it to be most appropriate. It reads as follows:

[From the Wall Street Journal, May 20]

THE HIGH PRICE OF STABILITY

It would be hard to label the Government's 29-year-old sugar controls a total flop. Most of the time, rigid regulation of imports has kept prices pretty stable, and that was a large part of the purpose. But it has been a costly stability.

In the first place, it has been costly to American consumers. The controlled U.S. price generally has ranged above the price on the world free market, so consumers have, in effect, been subsidizing sugar producers abroad.

For a long time politicians argued that these subsidies were a form of foreign aid, helping to make friends for the United States around the globe. Little more need be said

> about the effectiveness of this sort of aid than to recall that the chief recipient was now-Communist Cuba. All along, in fact, the sugar program has been costing the United States friends abroad, as foreign nations have bickered about the import quotas that serve as passports to the lucrative American market.
>
> By last year, everything was in such a mess that Congress decided on an overhaul. But not by returning sugar to a really free market, where the U.S. consumer might get a break and prices would be set by supply and demand. Instead, the lawmakers passed one of the most complex pieces of legislation ever.
>
> A new tax was levied on sugar importers to recapture the subsidy to sugar producers—not for the consumer but for the Government. Part of Cuba's former quota was parceled out among other producers, causing tempers to flare both here and overseas. One Latin nation, in fact, was so incensed that it took the odd step of threatening to refuse Alliance-for-Progress aid unless its sugar quota was raised (it was).
>
> Somewhat hesitantly, Congress decided to rely on the free market for the rest of Cuba's old quota. Now, to the horror of a number of Congressmen, a drastic drop in Cuba's output is helping push prices up on the world market. Some other producers, hoping for still higher prices, are holding back on filling their U.S. quotas. The only solution these Congressmen can see is to return to complete controls.
>
> In today's conditions, that might or might not restore stable prices. Even if it did, it would be a sugar stability which has long since turned bitter for every housewife.

This is but one example of our attempts since 1937 to stabilize the prices of commodities which are used in every household in the Nation.

Now we are trying to do the same thing with coffee. It is my personal opinion that the proposed treaty is not in the interest of the U.S. consumers of coffee. As stated in the committee report, the purpose is to secure increased foreign balances, rather than to be in the direct interest of the people of the Latin American countries. Instead, this would be done in the interest of the governments of those countries.

It has been said, too, that this program is only at its beginning. I believe I should mention that at the present time we are seriously considering placing similar programs into effect in regard to other commodities. We shall be under extreme pressure from underdeveloped countries to establish global price-fixing programs in regard to agricultural commodities and other commodities. At the present time, serious consideration is being given to attempts to resolve all agricultural trade problems by means of this mechanism. Cotton textiles and coffee were the first, and studies are progressing with respect to grains, fats and oils, cocoa, and so forth.

I think I should also state that at the present time the Food and Agriculture Organization of the United Nations, with headquarters in Rome, is holding hearings and studies, first on the economic aspects of rice—a commodity which is being considered in terms of the application of international controls; and there is also a Food and Agriculture Organization study group on cocoa, also one on citrus fruits, and also one on coconuts and coconut products, also an international rubber study group, also an international wool study group, also an international agreement on olive oil, and, in addition, an international cotton advisory committee.

In the testimony taken before our committee it was brought out that a treaty dealing with cocoa should be the next one to come before the Senate for ratification.

I mention all these because it is my firm opinion that if we approve this treaty, it will be but the beginning of a global program of price fixing in commodity markets. I believe that today we have an opportunity not only to cast our votes against the treaty, but also to express our opinion as to whether there will be such international price fixing.

Although international commodity agreements are being considered as a means of helping underdeveloped countries, we must realize that past agreements have not been wholly successful in stabilizing prices and preserving long-term trends.

As stated in the minority views on the International Coffee Agreement, the basic problem of coffee is not the price which is paid to individual producers, but the foreign exchange which exports of coffee earn for producing countries. Current price levels are adequate to yield an acceptable income to the efficient producer in most countries. But they are not adequate to yield sufficient foreign exchange to coffee-exporting countries.

In view of this basic problem, which is in reality the foreign exchange which exports of coffee earn for producing countries, is it not reasonable to assume that the State Department, which will be our representative in the International Coffee Agreement, would be more interested in buying goodwill in coffee-exporting countries than in protecting our coffee consumers?

The State Department will be under continuous pressure by foreign countries to increase the price of coffee to our consumers. This can be fully realized when it is pointed out that a 1-cent increase in the price of coffee increases the foreign exchange income of these foreign countries almost $70 million a year.

The Government of Brazil derives approximately one-half of its foreign exchange revenue from exports of coffee.

While the Government laments the plight of the poor producer and its interest in him in this agreement, the facts are that in Brazil, with coffee in 1962 averaging slightly less than 34 cents per pound, the small farmer received only 15 cents a pound. The balance went to the Government in the form of taxes.

Mr. President, at the hearings before our committee it was stated that when coffee is priced at 34 cents a pound, the grower in Brazil receives 15 cents a pound.

It occurs to me that this treaty may be only the beginning of a program of increased pressure to secure additional funds for these countries. That point was brought out at the committee hearing; and in that connection I wish to read portions of the treaty, in particular, excerpts from page 17, in regard to article 27.

Here the statement is made that the agreement has the purpose of increasing the price of coffee. The words used are very definite.

I turn to another interesting study that was made in relation to coffee. I point out that this is not the first time we have been dealing with coffee. The Organization of American States had a committee called the Commodity Stabilization Study Committee appointed for the Punta del Este Conference in 1961. That committee was composed of seven Latin Americans and two United States consulting economists. I quote from their report:

> The aim of an International Coffee Stabilization Agreement should be to raise prices sufficiently to keep constant the purchasing power of coffee.

That is evidence of what they expect us to do. That is what they are expecting us to do.

That same OAS report indicates that it will probably be necessary to sterilize the large coffee surpluses now in existence, and to do so by international action. At that time it was even suggested that the United States should pay sizable sums to help stockpile some of the surpluses, which our State Department has denied it intends to do. There can be no question that the intention is to increase the price of coffee.

Mr. Blumenthal, our State Department representative who helped to prepare the agreement, stated on one occasion that it was not the intention to raise the price of coffee 10 cents a pound. Later he stated that it was the intention to stabilize at present prices. Evidently there has been some discussion about raising the price as much as 10 cents a pound.

There are provisions in the international coffee agreement which state that if we approve this particular document, we approve every phase of it. In other words, we cannot write in reservations.

There has been some discussion of this subject. On page 7 of the committee report appears the following statement:

> So far as the United States is concerned, the agreement is not self-executing. As pointed out above, the implementing legislation will be required to meet the obligations of the United States concerning imports of coffee from nonmember countries and the requirement of certificates of origin for other coffee imports.

If I correctly understand, article 66 of the International Coffee Agreement provides there can be no reservations to it. If we adopt it, we approve it in full. We may write implementing legislation, but we cannot thereby change the treaty.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from Kansas yield to the Senator from Vermont?

Mr. CARLSON. I am happy to yield.

Mr. AIKEN. Does the Senator understand that the United States cannot carry out the agreement until implementing legislation has been enacted, or does he believe that the executive branch can go ahead with the United States as a full partner in the agreement without waiting for implementing legislation.

Mr. CARLSON. As I read the proposed agreement, we do not have to have congressional implementing legislation. But I was reading from the report. I had hoped that the chairman of the committee would be present to discuss the question. I intended to discuss it with him. The language is very plain. As the distinguished Senator from Vermont will remember, the subject came up in discussion during the hearing. It is my personal opinion, based upon my reading of the International Coffee Agreement—and I have read it two or three times and am generally familiar with it—it requires no congressional action.

Mr. AIKEN. I think we ought to be sure about that. If the agreement does not require congressional implementation, we ought to lay the agreement aside. I think we ought to lay it aside until we know definitely whether it requires implementation or whether we would tie ourselves to a price of $1.50 a pound for coffee for the next 5 years, or whether, through participating in the agreement for a reasonable length of time—say 2 years—we could protect ourselves against any unwarranted increase in price—and, incidentally, protect our Brazilian friends against losing half or two-thirds of their market.

We well recall that in 1954 when the price went to $1.25 a pound, the sales of coffee fell off 20 percent. That result was very good for the milk and orange juice producers of our country, but should it happen again, the coffee market would go and might never return.

We would be doing Brazil a grave injustice rather than helping her maintain her finances or possibly improving them to a certain extent. I think we ought to know definitely whether we are tying ourselves up for the next 5 years with the agreement, or whether implementing legislation is necessary before the United States can participate in it.

We know what happened in 1954. We know that when the price of South American coffee went so high, African countries went into the production of coffee. That is the reason that the price of coffee is as low as it is today. Several African countries have declined to enter into the agreement. On the face of it, it would appear that they intend to plant very heavily to coffee if the agreement is approved. But I do think we should know definitely whether or not the agreement requires implementation which could limit the term of our participation to 2 years, or whether we would bind ourselves to a 5-year period. If I cannot find out whether implementation is necessary or not, it will be necessary to oppose the agreement, although I am willing to try it out for a couple of years. I would not wish the President, or whoever might have the authority, to have such authority for an indefinite period of time.

We must have some protection for the United States. We do not want any more sugar deals on our hands. We have seen enough of supply management of international production in sugar already to last us for a long, long time. Castro's Cuba is producing half the sugar that it produced 3 or 4 years ago and getting more money for doing so. The price of sugar has gone up 75 percent. So Castro is getting more money for producing less. We do not want that to happen in respect to coffee. It would be a good thing for promoting irradiated foods, because many of those engaged in processing foods who have fought irradiation, because it would interfere with their quick freezing processes or their canning processes, will be turning to irradiation if sugar goes to 25 cents a pound or more. Perhaps that is one of the things that we cannot stop. But I do not desire that to happen to coffee. I realize that there is real danger, not only to consumers, but to the producing countries, and particularly our friend Brazil in the agreement if we cannot restrict the term of our participation.

Mr. DODD. Mr. President, will the Senator yield?

Mr. CARLSON. I am happy to yield.

Mr. DODD. I shall do my best to answer the question of the distinguished Senator from Vermont [Mr. AIKEN]. I invite the Senator's attention to page 5 of the message from the President of the United States, to a paragraph in the middle of the page.

Mr. AIKEN. That is correct.

Mr. DODD. The Senator is familiar with that language. It reads:

> In anticipation of the United States becoming a party to the agreement, appropriate U.S. legislation will be sought for the purpose of implementing the agreement in such a way as to enable this Government to take all administrative steps necessary to carry out its obligations under the agreement.

Mr. AIKEN. It will require implementing legislation. Does the executive branch of the Government agree to that?

Mr. DODD. This is the State Department recommendation, I believe. It is signed by the Secretary of State. I take it he speaks for the administration.

Mr. AIKEN. We know our State Department very well. The sugar situation which is on our hands now is the result of a great deal of mismanagement. I do not wish to get into another situation like that with respect to coffee.

Our export wheat market apparently is slated to go down the drain very soon, by this same method of operation.

I would go along with a 2-year approval, giving the executive branch of the Government a limitation of 2 years.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CARLSON. Mr. President, I appreciate the statement made by the Senator from Connecticut [Mr. DODD]. I invite his attention to article 66. We may talk about implementing legislation, but article 66 is a specific provision. It is a part of the treaty we are to vote on today. It states that reservations may not be made with respect to any provisions of the agreement. This is to be a 5-year agreement.

The Senator from Vermont talks about perhaps having a review in 2 years. I do not see how we could possibly write implementing legislation for a recheck or restudy on a 2-year basis. Once we approve this treaty, it will be for 5 years. I do not see how it could be anything else, based on article 66, which is very plain.

Mr. AIKEN. Mr. President, I do not seem to find a copy of the agreement before me, but I believe there is a proviso in it to the effect that any country can withdraw on notice, perhaps 6-month notice.

Mr. CARLSON. The Senator is correct. It is 90 days.

Mr. AIKEN. On 90 days' notice.

Mr. CARLSON. The Senator is correct.

Mr. AIKEN. I have the idea that in the implementing legislation we could restrict the approval by the President, to a 2-year period if it is up to the President to approve, as I presume it would be—it is a little vague as to who would give approval, or who could withdraw. Restricting the authority of the President to 2 years might be a safeguard. But I wish to be sure we could legally do that. That is what bothers me.

Mr. CARLSON. It is my personal opinion that we could not change the 5-year provision to 2 years. I do not think we could ask for a review. I feel that we could withdraw on a 90-day basis.

Mr. AIKEN. There is one other solution. We could change administrations, perhaps, if the present one persists in going ahead and doubling the price of coffee for American consumers.

Mr. CARLSON. The Senator from Vermont is a very old hand at dealing with treaties. We are considering a treaty. Once it is ratified and approved by the U.S. Senate I do not see how it could be changed.

Mr. AIKEN. Inasmuch as the treaty states that any government could withdraw on 90-days notice, I think there should be some way, in the implementing legislation, to limit our participation to a 2-year period. There may not be. That is what bothers me.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CARLSON. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I think that technically we could limit this agreement to 2 years with implementing legislation. I think the Senator will find, however, that if we ratify the treaty, the State Department representatives will come to the Congress and say, "We will be violating international agreements if we do not go along with the full 5 years."

In my opinion if we are going to limit this program to 2 years, it should be done by a reservation to the treaty. That is the only way in which it could be done.

The witnesses before our committee were very clear that they wanted this agreement approved for the full 5 years. If the Senator will read the committee report, he will find that the committee in its recommendations favors a full 5-year approval. They later say, in another sentence, that after approving it for 5 years we could limit the implementation to 2 years.

In fact we could withdraw on 90 days' notice. But the Senator knows what will happen if we tried it. Though we could withdraw with 90 days' notice, to do so would create a great many international repercussions.

We should make the decision today as to whether we wish to approve the treaty or not. If we approve it, it should be done with our eyes open to the fact that we will be committed for 5 years to higher coffee prices for our consumers.

Mr. CARLSON. Mr. President, that is exactly the reason why I call this to the attention of the Senate today. When this issue comes back to haunt us in future years, we should have a record, at least, that we observed some of these conditions before we ratified the treaty.

Mr. PROXMIRE. Mr. President, will the Senator yield at this time?

Mr. CARLSON. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I commend the Senator from Kansas for an excellent statement. I have read the minority views signed by the Senator from Kansas, the Senator from South Dakota [Mr. MUNDT], and the Senator from Delaware [Mr. WILLIAMS]. They make a great deal of sense to me.

I ask the Senator from Kansas: Is it not true that the coffee agreement would put the United States in a position of engaging in a farm price support operation worldwide in effect?

Mr. CARLSON. There is no question about it. I brought that out in the hearings with Secretary McGhee. He did not deny it, although his answers did not quite say that. That is what we would do. Actually we would support prices for coffee growers in every country on the globe.

Mr. PROXMIRE. Is it not true that the one precedent with regard to coffee for such action occurred during World War II, at a time when there was an obvious temporary cutoff of South America from its European markets, a situation in which it was clearly necessary to take some kind of drastic emergency temporary action?

Mr. CARLSON. Yes.

Mr. PROXMIRE. Does it not seem that we are now faced with a situation in which there will be permanent world overproduction, if we provide an artificially high price?

Mr. CARLSON. This is the first time we have been asked to engage in this type of operation. In other words, we are to go out on a world price-support program for agricultural commodities, or food commodities, which we do not produce. We import all our coffee.

It is one thing when we are considering the subsidizing of exports of agricultural surpluses of our own. It is quite different to go to other countries and support prices for commodities which we do not produce.

Mr. PROXMIRE. In view of the experience we have had with respect to our own farm legislation—I am one who has supported farm legislation, by and large, with some exceptions—does it not occur to the Senator from Kansas that once we establish this kind of program it will be virtually impossible for us to cut it off at the end of 5 years, or 10 years, or any other time?

It is not very likely that we will be confronted with the situation 10 years from now that a cutoff of this program in any country would do serious damage to our allies in South America or anywhere else? Is it not quite likely that we will be chained to this support program indefinitely?

Mr. CARLSON. I cannot imagine the State Department, having such a great interest in our international programs, serving notice on any Latin American country or any coffee-producing country that it favored our withdrawing from the agreement. I cannot conceive of that. They will not do it, regardless of what happens to our consumers.

Mr. PROXMIRE. If the Senator will yield further, I have one more question along this line.

Has any estimate been made by those who propose this agreement, or was any estimate brought out in the hearings, as to the cost to the American consumer?

Mr. CARLSON. A 1-cent increase in the price of coffee would result in a worldwide cost of $70 million.

Mr. PROXMIRE. $70 million a year? For each cent?

Mr. CARLSON. Yes. That was brought out in the hearings. Probably I could find that statement. I brought it out myself.

Mr. PROXMIRE. The Senator brought that out in his minority views, but it should be further emphasized.

Does it not make sense to say that if there is an artificially high price for coffee, the likelihood of healthy diversification of crops and the likelihood of solving this problem on a natural, healthy economic basis will be set back?

Mr. CARLSON. There is no doubt about it in my mind. I think that is absolutely true.

Mr. PROXMIRE. I thank the Senator.

Mr. AIKEN. Mr. President, if the Senator will yield, I would like to point out to the Senator from Wisconsin that this program differs considerably from our own price support program on certain farm commodities, in that the coffee agreement would support the finances of governments rather than of growers. Unfortunately, the consumers and the growers get the short end of the coffee trade. If I am correctly informed, Brazil has a 50-percent export tax on coffee. The Common Market countries have an average import duty of 16 percent. Although they talk about lowering that, I understand there is also an excise tax on the sale and use of the coffee after it enters the importing country. So it is safe to say that 75 percent of the cost of coffee in the European countries is split between the governments of the exporting and importing countries.

I would like to see the coffee grower himself assured of a reasonable price for his output, but that is the situation, and it is something that bothers me. Europe has import taxes and Brazil has export taxes, I presume, because people in those countries do not like to pay income taxes. We know that the people of Latin American countries do not like to pay income taxes too well. Many people in the United States do not like to pay income taxes either, so perhaps we should not criticize them.

Mr. PROXMIRE. What the Senator is saying, in effect, is that this price support provides income for the foreign government involved.

Mr. AIKEN. Yes.

Mr. PROXMIRE. In this country, if we find the price support program is becoming too expensive, at least there is a possibility of exercising control over production; but I think anyone with a realistic recognition of how other governments operate knows that to control production throughout the world with this kind of agreement would be ridiculous and impossible. It cannot be done, and we know it cannot be done effectively.

We can control production in this country, but where there is worldwide production, we can have no control over it.

Mr. AIKEN. I must say that my outlook is different from what it was a week or two ago. The sugar debacle which has taken place is really souring my enthusiasm for an international agreement to control production and sale of certain commodities; and yet we read in the newspapers everyday that in Europe there is insistence on putting additional commodities under international agreement. If there is a favorable vote on the referendum on wheat tomorrow, our export market in that commodity will go down the drain. It will follow the cotton export market, which has fallen off in the past 2 years to one-half of what it was.

Our broiler market is gone. We cannot continue to have one-way streets forever in these agreements.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Kansas yield?

Mr. CARLSON. I yield.

Mr. WILLIAMS of Delaware. In connection with the question raised by the Senator from Wisconsin and the Senator from Vermont as to what benefit this agreement will have for the actual coffee producers, I think the answer is clear that it would not aid the coffee producers at all, but would aid the various governments.

I quote from article 27 of the treaty, to be found at page 17:

> (The Members of the Agreement) agree on the desirability of operating the Agreement in a manner such that the real income derived from the export of coffee could be progressively increased, so as to make it consonant with their needs for foreign exchange to support their programs for social and economic progress.

In other words, it is clearly stated in the agreement that the purpose is not to pay a living production cost for coffee, but to give these countries, as countries, the right to increase the price of coffee for the American consumer in such a manner that the governments may have more foreign exchange to support the social and economic programs within those countries.

Surely we have enough to do in promoting some of our own economic and social programs. We already have a half dozen such programs aiding these foreign countries. The recently enacted sugar agreement is a typical example of what happens to prices of American consumers on these one-way agreements.

Mr. CARLSON. Mr. President, will the Senator indicate from what section he was reading?

Mr. WILLIAMS of Delaware. I was reading from page 17, article 27.

Mr. CARLSON. I would like to read from article 27, which indicates to me very clearly that the prices are going up:

> The Members undertake to conduct their trade policy so that the objectives set forth in Article 1 and, in particular, paragraph (4) of that Article, may be achieved. They agree on the desirability of operating the Agreement in a manner such that the real income derived from the export of coffee could be progressively increased so as to make it consonant with their needs for foreign exchange to support their programmes for social and economic progress.

I do not see how it could be any plainer than that.

Mr. WILLIAMS of Delaware. It is very clear in that language what is intended.

The minority leader, the Senator from Illinois [Mr. DIRKSEN] has just shown me a letter from the State Department, signed by Dean Rusk, under date of May 10. With his permission, I quote from that letter:

> The objective of the new International Coffee Agreement is to stop the long-term decline in revenues from coffee exports by stabilizing prices at a level no lower than the general level of coffee prices in 1962.

In other words, we are to have a floor under the 1962 level, but there is no limit as to how high the price can go. If the consumer wants to know how high coffee prices can go under one of these agreements let him look at what happened to the sugar price under the sugar agreement we ratified 2 years ago.

I ask unanimous consent that letter to which I have referred as addressed to the Senator from Illinois under date of May 10, 1963, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 10, 1963.

Hon. EVERETT DIRKSEN,
U.S. Senate.

DEAR SENATOR DIRKSEN: I wish to give you my views on the International Coffee Agreement which is pending before the Senate for its advice and consent to ratification.

I believe this agreement is essential if the persistent downward trend in world coffee prices is to be arrested. Since 1955 the average price of Brazilian coffee has declined from 57 cents per pound to 33 cents—a decline of 42 percent. Current prices are in fact at their lowest point since 1949. This decline has cut sharply into the export earnings of the 35 coffee-producing countries of Latin America, Africa and Asia which depend importantly on coffee exports to finance their economic development. Particularly hard hit have been the 15 coffee-producing countries of Latin America, where coffee accounts for 25 percent of all export earnings. Stability in foreign exchange earnings is the firm foundation needed for our sustained efforts to help these countries help themselves.

The objective of the new International Coffee Agreement is to stop the long-term decline in revenues from coffee exports by stabilizing prices at a level no lower than the general level of coffee prices in 1962. This price objective is considered to be a modest one, and would not result in penalizing coffee consumers in the United States. Under current supply and demand conditions the new agreement will in fact perform very well if it is able to stop the persistent decline in coffee prices. We see no possibility in the immediate future of raising coffee prices by means of the agreement. Production continues to be greatly in excess of consumption, and the tremendous stocks of surplus coffee exert constant pressure on the market. Producers, because of their need for foreign exchange, resist proposals to reduce their export quotas and thus the quantity of coffee they may market. Under these conditions the factors which might operate to increase prices are noticeably absent.

The provisions of the agreement itself also provide adequate protection to the American consumer against unwarranted price increases. Under the agreement, export quotas are intended to control the amount of coffee that may be made available to the market by producing countries during a given period, and thus they directly influence price. The agreement provides that all decisions on the setting and adjustment of export quotas shall be taken by a distributed two-thirds majority vote, i.e., a concurrent two-thirds majority of the importers and exporters voting separately. Since the United States has 400 votes out of the 1,000 held by importers, we in effect have a veto power over decisions on coffee export quotas.

In the unlikely event that unforeseeable circumstances might arise in the administration of the agreement which would operate against the interests of our consumers, the United States could always withdraw from the agreement. It is provided that any government may withdraw by giving written notice, such withdrawal to be effective 90 days after notification. As the agreement cannot operate without United States participation, this possibility is the final assurance that our views on the operation of the agreement must be respected.

Sincerely yours,

DEAN RUSK.

Mr. FONG. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. FONG. Mr. President, as a Senator from the only coffee-growing State in the United States—Hawaii—I would like to make some comments about the International Coffee Agreement of 1962, which is now before the Senate seeking ratification. Before I point out some of the reasons why I believe the U.S. Senate should approve of this coffee agreement, touching upon those areas in which the foreign policy of the United States is benefited, I will discuss briefly coffee and Hawaii.

Hawaii's coffee is known as Kona coffee. It is grown on the westerly side of Hawaii, in the districts of North and South Kona, at an elevation of 750 to 2,000 feet. All of the coffee is of the Arabica variety. Kona coffee is used on the west coast of the United States as a blend with Brazils.

During the ratification hearings in March, before the Senate Foreign Relations Committee, I submitted a statement which said in part:

> The agreement is of particular significance to Hawaii, the only coffee-producing State, where it is mainly cultivated by small farmers. Some 600 coffee farm families in my State have been watching the development of the agreement with much interest. Their economic future may depend on it. They are deeply concerned over the growing problem of low coffee prices.
>
> The history of Kona coffee has been, from the farmers' viewpoint, one of alternating feasts and famines—and more of the latter than of the former. Recent experiences drive this point home. Kona coffee prices, after hitting high levels in the middle 1950's, ranging from 46.5 to 50.4 cents per pound parchment coffee, free on board Kona mill, have gradually gone down to a current average of 22 cents per pound. The production for 1955 was 12,425,000 pounds parchment and was valued at $5,666,000; in 1958, 18,496,000 pounds of parchment were valued at $6,548,000; and in 1961, the production was 13,272,000 pounds parchment which was valued at $3,202,000. This downward trend has come to a point where many of our small farmers would be forced out of business. Some farmers who recently purchased and developed expensive lands are facing great hardship, with obligations to pay off their newly acquired indebtedness. Other farmers who have been in coffee production for some time are faced not so much with large investments but with high labor costs which make it difficult for them to compete with other coffee-producing countries on a world basis. Although Kona coffee is but a tiny drop in the world's coffee production—about 0.06 percent—representing about 1.2 percent of the total U.S. coffee consumption, the small coffee farmer is subjected to world coffee price fluctuations over which he has no control. As the price in the world's coffee market goes, so goes the price of the Kona coffee. The agreement is designed to eliminate fluctuations in coffee prices.

Briefly, Mr. President, here is a background of the coffee agreement that we have before us in the Senate.

During World War II, an Inter-American Coffee Agreement was negotiated between 14 Latin American coffee-producing nations and the United States in a move to provide orderly division of the U.S. market. This agreement expired September 30, 1948.

In 1954 a special committee on coffee of the Organization of American States began a general study of coffee in world trade.

During 1957–58 a huge world coffee crop pressed prices downward. In a move to obtain temporary relief, the seven major Latin American coffee producers—Brazil, Colombia, Costa Rica, El Salvador, Guatemala, Mexico, and Nicaragua—in October 1957 joined in the Mexico City Agreement. The seven fixed export quotas for themselves in an effort to balance supply and demand. However, the surplus problem became more acute.

In June 1958, under the encouragement of the United States and the leadership of C. Douglas Dillon, then Under Secretary of State and currently Secretary of the Treasury, and the present U.S. Ambassador to Mexico, Thomas C. Mann, then Assistant Secretary of State for Latin American Affairs, some 30 coffee-producing and -consuming nations met in Washington and set up the Coffee Study Group to seek a solution to the worsening coffee-surplus problem. The immediate result was the 1-year Latin American Coffee Agreement that began October 1, 1958, and ended September 30, 1959. This agreement retained exports on a voluntary basis as a stopgap measure.

This pact was enlarged in October 1959 to include the Portuguese—Angola—and French areas of Africa—some beginning to emerge as independent nations. Thus the Latin American Agreement became the International Coffee

Agreement, with headquarters in Washington, D.C.

In October 1961 the International Coffee Agreement was expanded to include British East Africa—Kenya, Uganda and Tanganyika. Uganda and Tanganyika in the meanwhile, have become independent.

On September 28, 1962, at the United Nations in New York, 58 coffee importing and exporting countries approved the new 5-year International Coffee Agreement. The agreement will come into force provisionally when 10 importing countries, representing 80 percent of imports, and 20 exporting countries, representing 80 percent of exports, have indicated that they will seek ratification by their governments. The agreement will come into full force when it is ratified or accepted by similar numbers and percentages of importing and exporting countries, which have been given until December 30, 1963, to deposit their instruments of ratification with the Secretary General of the United Nations.

The headquarters of the Secretariat of the new International Coffee Agreement will be in London, the site picked for the new organization by the United Nations Coffee Conference. The Secretary General of the United Nations will call the first organizing meeting of the agreement in London 30 days after the minimum requirements of ratification are met.

The coffee-producing countries have fulfilled their ratification requirement. U.S. Senate approval will, for practical purposes, bring the coffee-consuming countries up to the necessary ratification level.

I noted at the beginning, Mr. President, that the coffee agreement is of benefit to the foreign policy of the United States. I am firmly convinced this is so.

One of the cornerstones of our foreign policy is to help the less advanced nations of the free world develop their economies in an atmosphere of freedom.

This theme was sounded in 1958 by the then President of Brazil, Juscelino Kubitschek, who proposed Operation Pan America. The theme was given a sympathetic ear by President Eisenhower, which resulted in the Act of Bogota, from which stemmed the Inter-American Development Bank.

This theme was given tremendous impetus by President Kennedy's Alliance for Progress program.

Thus, it is no coincidence, Mr. President, that the coffee agreement we have before us involves 15 countries of Latin America and almost as many of Africa.

Mr. President, on September 28, 1962, when the United States joined 53 other countries in signing the resolution favoring the International Coffee Agreement at the United Nations, President Kennedy, in a statement from the White House, observed in part:

> The agreement is a heartening example of international cooperation to resolve a vitally important economic problem. Coffee is the third most traded commodity in the world and is the main source of foreign income in many underdeveloped countries, particularly in Latin America. A drop of one cent a pound for green coffee costs Latin American producers $50 million in export proceeds—enough to seriously undercut what we are seeking to accomplish by the Alliance for Progress.

I believe, Mr. President, that there is the heart of the matter.

I ask the basic question: What good is it to give the underdeveloped countries loans for their economic development, if their principal source of dollar income, needed to buy industrial products to further this economic development, steadily seeps away through declining prices?

This is the main reason for the coffee agreement, Mr. President—to stabilize the price of the exports that these countries depend upon so much. Many countries of Africa and Latin America are substantially dependent upon the price of coffee in the international market for their dollar earnings; for example, Colombia, 71 percent; El Salvador, 59 percent; Costa Rica, 54 percent; Brazil, 51 percent; Uganda, 48 percent; Kenya, 32 percent; Ivory Coast, 45 percent; Angola, 41 percent; Malagasy, 38 percent.

The seriousness of how the steady drop in coffee prices has affected the incomes and economic development of these countries can clearly be seen by the following figures, made available by the World Coffee Information Center, of Washington, D.C.

As against 1957 coffee prices at the New York docks, the drop in the export price for Latin American coffee-producing countries from the 1957 level through 1962 has amounted to nearly $600 million a year in dollars and other foreign exchange.

During the first full fiscal year of the Alliance for Progress, from July 1, 1961 through June 30, 1962, the aggregate U.S. economic assistance to these countries amounted to $707,500,000. This assistance included funds from the Agency for International Development, Export-Import Bank loans, Social Progress Trust Fund of the Inter-American Bank, food-for-peace, and Peace Corps projects.

It has been estimated, Mr. President, that the drop in world coffee prices in this period cost Brazil almost $1,250 million; Colombia, $750 million; Costa Rica, $132 million; Guatemala, $162,500,000; El Salvador, $227 million; Honduras, $27,400,000; and Nicaragua, $45,250,000. Imagine how much better off their economies would have been today had they received just one-half the amount of the losses for that period.

The drop in the amount of money that the Latin American countries get for their coffee exports also harms these countries in other ways, Mr. President. This was brought out at the National Press Club on April 17 of this year, at a luncheon marking Coffee Day of Pan American Week, in a speech by the Ambassador of El Salvador, Francisco Lima. He said in part:

> But besides the balance of payment, there are two other major problems of great importance in the overall economic development of coffee-producing countries. These two problems are: (1) the impact on the national budget, and (2) the impact on the wage structure.
>
> Most budgets of the coffee-producing countries include as a substantial source of fiscal revenue an export tax on coffee. Due to the declining prices, this revenue has been greatly diminished. For example, in my country, El Salvador, our export tax is based on the export price and amounts to, more or less, 10 percent. Therefore, the lost earnings of $227 million from 1957 to 1962 has consequently produced around $23 million loss in tax revenue during that period.
>
> This situation has put our Government in a difficult position. In the first place, the coffee tax revenue loss has been accompanied by a slowdown of overall economic activities—logically affected by the declining prices of coffee.
>
> Secondly, our Government has been hurt in the implementation of the Alliance for Progress. We have been receiving Alliance loans which we have to match on a more or less, two-thirds to one-third basis. Thus, the loss of the tax revenue from coffee is making it very difficult, if not impossible, to go on matching foreign loans, unless we go into deficit budgets—an alternative that is not especially favored by the International Monetary Fund, with which most of our countries have standby agreements.
>
> In regard to the impact on our wage structure, it must be pointed out that prices of coffee have been dropping to levels below which any policy aimed at the bettering of the standard of living of the population, especially of the rural population engaged mainly in the coffee crop, cannot be realized. This slowdown in the social and economic reforms can cause serious social problems by putting the Government in extremely difficult situations in their fight against Communist and other anti-democratic ideologies.
>
> Thus, these three major evils—deficit in our balance of payments, deficit in our national budgets, and compulsory maintenance of a low wage structure—are a direct consequence of declining coffee prices.

The importance of basic products in the economic development of underdeveloped countries—and in this case coffee, the largest agricultural commodity in international trade, which employs some 19 million people in 35 developing countries in Africa, Asia, and Latin America—has long been overlooked. President Kennedy recognized this situation when he told a gathering of the Latin American diplomatic corps at a reception at the White House on March 13, 1962, commemorating the first anniversary of the announcement of the Alliance for Progress:

> I can think of no single measure which can make a greater contribution to the cause of development than effective stabilization of the price of coffee.

W. Michael Blumenthal, Deputy Assistant Secretary of State for Economic Affairs, and the chief U.S. negotiator at the United Nations Coffee Conference in New York in 1962, has pointed out that—

> None of our international economic programs for the developing countries would make much sense if we ignored this question. Commodities are no doubt the No. 1 economic problem for the developing nations. The ability to export their commodities under reasonable, stable conditions and at prices which are fair to them as well as for the consumers is the sine qua non of economic progress.

This fact, Mr. President, was recognized long ago by our friends of Latin America. Only last December, two of the leading statesmen of this hemisphere, the former President of Brazil, Juscelino Kubitschek, and the former President of Colombia, Alberto Lleras Camargo, upon being named by the Council of the Organization of American States to review the Alliance for Progress, said:

> The Alliance for Progress must not be carried out exclusively in terms of assistance, but must also be concerned with the stabilization of commodity prices—especially coffee, a product that affects the lives of more than 12 million persons in 15 countries in Latin America.

Now, Mr. President, some will ask: Will the consumer face a sharp price rise as a result of the agreement? The answer is "No." Secretary of State Dean Rusk made this clear last October when the agreement was sent to the Senate by President Kennedy.

The Secretary said in part:

> It is not expected that the agreement will cause any significant rise in coffee prices in the foreseeable future, in view of the large overproduction and stocks overhanging the market. Moreover, the agreement contains adequate safeguards to protect the United States against unwarranted price rises and inadequate supplies of coffee.

Mr. President, I wish to point out that stabilized coffee prices are not just a one-way street that benefits only the producing countries. Fair prices for coffee are also of great benefit to U.S. employment and exports. A recently concluded survey of the Econometrics Institute of New York about the relationship between the number of jobs created in the United States and the amount of U.S. manufactured goods and farm products sold to the coffee-producing countries disclosed the following:

In 1961 U.S. trade with the major coffee-exporting countries of the world generated 662,000 jobs for Americans, and $3,200 million in U.S. wages and farm income. This survey covered 1,146 cities, towns, and communities in all 50 States of the Union.

My own State of Hawaii, Mr. President, benefited only a little from purchases of Hawaiian-made goods to the coffee-exporting countries; but, of course, my State is unique, since Hawaii also produces and sells coffee. However, some States fared very well from trade with the coffee-producing countries, according to the survey.

In 1961 exports from Kansas to the coffee-producing countries of the world totaled $102,669,000. For Kansas these exports stimulated 17,092 jobs and $60,189,000 in wages and farm income. In 1961, the State of Iowa exported $53,284,000 worth of goods. For Iowa these exports stimulated 6,190 jobs and $32,465,000 in wages and farm income. In 1961 the State of Illinois exported $291,573,000 worth of goods and farm products to the coffee-producing countries. For Illinois these exports stimulated 35,747 jobs and $199,926,000 in wages and farm income.

There is another angle to this, Mr. President, that the survey brought out. While factory wages and farm income generated from sales of Latin American coffee in the United States in 1961 were impressive and significant, even so, trade between Latin America and the United States that year was the lowest in value in 5 years.

From 1957 onward, the Latin American coffee countries suffered a downward spiral in the revenue from the coffee exports to the United States, from $1,207 million to $819 million in 1961. Over the same period there also was a steady, marked decline in the value of U.S. exports to the Latin American countries, from $4,029 million in 1957 to $2,642 million.

Another significant factor is that in 1961 the Latin American coffee countries as a group spent in the United States all of their dollars earned from sales of coffee to the United States. That is to say, the money was not taken to Canada, or France or Japan, but was spent in the United States of America to buy our manufactured goods and and farm products. For instance, Brazil's earnings of $368,141,000 for her coffee sold to the United States amounted to 76 percent of the $485,427,000 worth of U.S. exports to Brazil that year. Colombia's coffee sales of $226,609,000 to the United States in 1961 accounted for 93 percent of funds required by Colombia to pay for its purchases of $244,858,000 worth of U.S. exports to Colombia.

In conclusion, Mr. President, I would like to refer to remarks made by one of the distinguished diplomats and best known economists in international circles, the Ambassador of Mexico to the United States, Antonio Carrilli Flores, who also spoke at the coffee day luncheon at the National Press Club on April 17. Referring to commodity problems he said:

> Fortunately, I believe, no one denies anymore that if Latin America is to develop mainly with its own efforts and savings, something must be done to tackle this problem. Obviously, nobody has found a complete answer for it. As many times in life, we confront here a situation in which every possible solution is an imperfect one. Consequently, it is always easy to accumulate arguments against it. But it is harder to present better ones. Commodity agreements certainly are not panaceas. They are simply instruments of international cooperation which offer in appropriate circumstances, the best hope for leveling production with consumption, thus avoiding or at least alleviating the drop in prices, in some cases catastrophic, that have taken place especially since the end of the Korean war.

I would also like to quote a man who speaks for the U.S. coffee industry, John F. McKiernan, president, National Coffee Association, who said before the Senate Foreign Relations Committee hearings on the agreement:

> In summary, gentlemen, I repeat that the National Coffee Association of the United States recommends that this committee refer this proposed International Coffee Agreement to the Senate with your recommendation that the Senate give to the President not only its advice but also its consent that the agreement be enacted. We have made clear our position, including the qualifications which accompany our recommendations that this committee refer the document favorably.

As for myself, Mr. President, I repeat what I said in my letter to the distinguished chairman of the Senate Foreign Relations Committee, the junior Senator from Arkansas:

> If the intent of the agreement is carried out to increase the purchasing power of coffee-producing nations by maintaining stable prices and raising coffee consumption, the small farmers of Kona will benefit. The economic health of the whole Kona district, and the future growth of one of the highest quality coffees in the world—that produced in my State—is dependent to a large extent on the coffee price stabilization program of the agreement. It is the best that has been devised; we need it, and I urge that the members of this committee approve the International Coffee Agreement. I, and the people of the State of Hawaii, will be grateful to you for your favorable consideration of this important trade agreement.

Mr. President, the committee has recommended that the Senate give its consent. I hope my colleagues on both sides of the aisle will follow suit.

Mr. CARLSON. Mr. President, the State of Hawaii never had a more devoted representative than it has in the distinguished Senator who has just spoken in regard to the treaty. If I made any derogatory remarks in regard to coffee in Hawaii, I apologize sincerely.

Mr. FONG. I understand that quite a number of persons do not know that coffee is grown in Hawaii. I would like them to know that we grow 1.2 percent of the total consumption of coffee in the United States.

Mr. AIKEN. Mr. President, if the Senator from Kansas will yield, he said Hawaii never had a more devoted representative than the Senator who has just been speaking.

That does not seem to me to be too high a compliment, because Hawaii never had a Senator until Senator FONG came to this body. However, Hawaii never will have a more dedicated and conscientious representative in the Senate than Senator FONG.

Mr. FONG. I thank the distinguished Senator from Vermont.

Mr. AIKEN. I will make the time in the future, because the past does not go back far enough.

Mr. CARLSON. I concur in the remarks of the distinguished Senator from Vermont, who has expressed my sentiments much better than I could.

In closing I call attention to section 2 of article 71, "Duration and Termination," as shown at page 36 of the agreement. It provides:

> (2) The Council, during the fifth full coffee year after the agreement enters into force, may, by vote of a majority of the members having not less than a distributed two-thirds majority of the total votes, either decide to renegotiate the agreement, or to extend it for such period as the Council shall determine.

It is my personal opinion that that section of article 71 dealing with duration and termination means one thing, and that is that the Council itself, once the Senate has ratified the agreement, will determine whether or not we will continue with the program.

Mr. INOUYE. Mr. President, the State of Hawaii is the only State in our country where coffee is grown, and therefore it will be the only State where producing interests are directly affected by the treaty which is before the Senate today for its advice and consent. The production of coffee in Hawaii is not very large when compared with the production of most of the countries that will benefit from this international agreement. It is, however, a very important crop to the many small farmers that produce it, and they are dependent on this crop for their livelihood.

The coffee farmers in Hawaii are the most efficient in the world, for they obtain the highest yields per acre of any coffee grown anywhere. Despite their efficiency, the coffee growers in Hawaii, like coffee growers everywhere, have been suffering from the constant decline in coffee prices over the past 5 years. Our famous Kona coffee has always commanded a premium price over the high-quality coffees from Central America. All coffee prices are related however, and our coffee price has declined proportionately with the price of all other high-grade coffees. This treaty before us today deserves our support, for only by an international effort to coordinate production and marketing policies can the returns to coffee growers be stabilized. This international agreement has already been ratified by six consuming countries, and I believe it is in the enlightened self-interest of consuming countries like the United States to support efforts to stabilize the incomes of the producers of primary commodities. The 22 producing countries that have already ratified this agreement will after all be better markets for our exports if this is done.

I would like to repeat that this new international coffee agreement is essential if the sharp decline in world coffee prices is to be stopped. Since 1954 coffee prices have fallen more than 60 percent, and at present coffee prices are lower than at any time since 1949. The principal coffee-producing countries of Latin America and Africa have been badly hurt by this drastic decline. Five countries in Latin America obtain 50 percent or more of their export earnings from coffee. These countries depend on export earnings from coffee to finance their economic development. They need a stable base from which to plan their economic development programs, and over the past several years they have seen this base constantly eroded away by falling coffee prices. If we can help stabilize their earnings from coffee they will be in a much better position to utilize the large amounts of foreign aid we give them. Their economic development will go much faster, and in time there will be less need for our financial assistance.

Mr. President, if this new International Coffee Agreement is operated successfully I believe it will be of assistance to the coffee growers of my State and in the best interest of our country as a whole. I intend to support the Committee on Foreign Relations and to vote for this treaty.

Mr. President, a few days ago, I requested a memorandum from the State Department on the effect of the International Coffee Agreement on export of coffee from Hawaii. On April 8, 1963, the Department submitted such a memorandum, concluding that the agreement would not impose restrictions on the export of coffee from Hawaii.

Mr. President, I ask unanimous consent that the aforementioned memorandum of law be inserted at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
THE LEGAL ADVISER,
April 8, 1963.

MEMORANDUM OF LAW

Subject: Effect of International Coffee Agreement on exports of coffee from Hawaii.

You have asked our opinion whether the International Coffee Agreement, 1962, would impose any quantitative restrictions on the export of coffee from the State of Hawaii. Our conclusion is that the agreement would not impose restrictions on the export of coffee from Hawaii.

The provisions of the agreement establishing export restrictions apply solely to exporting members. It is apparent from the terms of the agreement, as well as its negotiating history, that the United States will be an importing member and not an exporting member. Therefore, the system of export quotas established by the agreement will be wholly inapplicable to the United States or to any integral part thereof, including the State of Hawaii.

DISCUSSION

1. Paragraphs 7 and 8 of article 2 of the International Coffee Agreement, 1962, define two mutually exclusive categories of members of the International Coffee Organization:

"(7) 'Exporting member' or 'exporting country' means a member or country, respectively, which is a net exporter of coffee; that is, whose exports exceed its imports.

"(8) 'Importing member' or 'importing country' means a member or country, respectively, which is a net importer of coffee; that is, whose imports exceed its exports."

Since the United States is in fact a "net importer of coffee * * * whose imports exceed its exports," it will clearly be classified as an importing member or importing country under the agreement. Moreover, under article 63 of the agreement, each country in depositing an instrument of ratification indicates whether it is joining the Organization as an exporting member or importing member. The United States would, if the agreement is ratified, join as an importing member. This proposed classification of the United States has not been questioned at any time before, during or since the United Nations Coffee Conference which prepared the agreement.

2. There is a no provision in the agreement indicating that any subdivision of a member state is to be classified differently as to "importing" or "exporting" status from the State itself. Therefore, Hawaii would not be treated differently from the United States as a whole as regards classification as an "importing member."

3. Chapter VII of the agreement, which is the only part of the agreement relating to or establishing quantitative restrictions on exports of coffee, is drafted wholly in terms of the imposition of such restrictions solely on "exporting members." This is both explicit in the text and implicit in the quota system as a whole, which is based upon specified basic export quotas established in a separate annex.

Thus, paragraph 1 of article 28 makes it clear that basic export quotas are provided only for "exporting countries," as specified in annex A:

"1. For the first 3 coffee years, beginning on October 1, 1962, the exporting countries listed in annex A shall have the basic export quotas specified in that annex.

"2. During the last 6 months of the coffee year ending September 30, 1965, the Council shall review the basic export quotas specified in annex A in order to adjust them to general market conditions. The Council may then revise such quotas by a distributed two-thirds majority vote; if not revised, the basic export quotas specified in annex A shall remain in effect."

Annex A ("Basic Export Quotas") does not list the United States among the countries for which basic export quotas are established.

Similarly, paragraph 2 of article 30 provides that the Council is to fix annual export quotas for "exporting members" who have basic export quotas specified in annex A: "In the light of these estimates the Council shall forthwith fix annual export quotas which shall be the same percentage for all exporting members of the basic export quotas specified in annex A."

And paragraph 1 of article 31 provides that quarterly export quotas are to be established for "exporting members": "Immediately following the fixing of the annual export quotas the Council shall fix quarterly export quotas for each exporting member for the purpose of keeping supply in reasonable balance with estimated demand throughout the coffee year."

Finally, article 36, which deals with compliance with export quotas, makes it abundantly clear that the obligations with respect to quotas apply only to "exporting members."

"1. Exporting members subject to quotas shall adopt the measures required to insure full compliance with all provisions of the agreement relating to quotas. The Council may request such members to adopt additional measures for the effective implementation of the quota system provided for in the agreement.

"2. Exporting members shall not exceed the annual and quarterly export quotas allocated to them.

"3. If an exporting member exceeds its quota for any quarter, the Council shall deduct from one or more of its future quotas a total amount equal to that excess."

It is apparent that none of these quota provisions by their terms will apply to the United States, which will be an "importing member," or to any of its States such as Hawaii.

4. Article 54 provides that all members shall refrain from engaging in certain kinds of barter transactions. The United States would be subject to this provision. This does not, however, constitute a quantitative limitation on coffee exports.

5. Article 44 of the agreement requires that every export of coffee from any member in whose territory it has been grown shall be accompanied by a certificate of origin or a certificate of reexport. This obligation is not limited to "exporting members" but covers "importing members" as well. Therefore, exports from the United States, including the State of Hawaii, would have to be accompanied by such certificates. This does not, however, constitute a quantitative limitation on coffee exports.

HUNGARY

Mr. DODD. Mr. President, for all men who cherish freedom, the issue of Hungary has had a symbolic significance.

The Hungarian Revolution stands as a symbol of man's invincible spirit and of his eternal yearning for freedom.

The suppression of the Hungarian Revolution, conversely, stands as a symbol of Communist amorality—of its total repudiation of those God-given rights which we consider inalienable, of its utter disregard for human life, of its perfidy, of its callous indifference to world opinion and to the resolutions of the United Nations.

The report of the U.N. Special Committee on Hungary and the repeated resolutions of the General Assembly, in their turn, have come to symbolize the United Nations acting in the role of spokesman for civilized conscience.

Finally, and perhaps most important, the issue of Hungary has come to have symbolic significance for all the peoples enslaved by communism.

The success of the Hungarian Revolution, even though temporary, demonstrated that in the absence of massive external intervention, Communist regimes can be overthrown, that once the spark of revolution is ignited these regimes are utterly without popular support.

Although the United Nations failed to take the action it might have taken, its vigorous condemnation of Soviet aggression against Hungary encouraged the victims of Communist tyranny in the belief that, morally at least, the United Nations was on their side and would sympathize with their efforts to regain their freedom.

The fact that the United States has insisted that the question of Hungary be considered at successive sessions of the General Assembly and that it has led the fight to reject the credentials of the quisling Hungarian delegation, has, in turn, encouraged the captive peoples to believe that we would never compromise with tyranny, that we would never accept their enslavement as permanent, and that, despite all the difficulties, we remain committed to their peaceful liberation.

Mr. President, it is in the light of these considerations that I feel constrained to express my personal misgivings over the reports that the Department of State plans to reestablish normal diplomatic relations with the Kadar government and that it has decided to drop its opposition to the accreditation of the Hungarian delegation to the U.N.

I believe that it would be a terrible mistake if we take these actions. Last Tuesday I dispatched an urgent wire to the Secretary of State expressing the hope that the Department will strive for a delay on the matter of Hungary, so that there will be time to reconsider its position and time for proper consultation with Congress.

The so-called normalization of relations with the Kadar government would involve a drastic change of policy. Such a change on an issue of such importance should not take place until there has been proper consultation with Congress.

But in this case, unfortunately, there was no consultation. The newspapers on Monday morning reported on the text of a State Department memorandum to the Senate Foreign Relations Committee and House Foreign Affairs Committee, outlining the new policy in Hungary. The text of this memorandum, however, was not transmitted to the members of the Foreign Relations Committee until Monday afternoon or Tuesday morning. If the U.N. Credentials Committee moves rapidly, we may find ourselves confronted with the fact that the credentials of the Hungarian delegation have been accepted before Congress has had any opportunity at all to consider or discuss the implications of this reversal of policy.

I want to point out to my colleagues that as late as this last February we were assured that there had been no change in our policy on Hungary. Indeed, the U.S. delegation, at the last session of the General Assembly, succeeded in obtaining approval for a resolution which reaffirmed the objectives of past resolutions on Hungary. These resolutions, let it be remembered, called, among other things for the evacuation of Soviet troops and the holding of free elections.

True, our resolution of last February did provide for the termination of Sir Leslie Munro's position as U.N. Special Representative on the question of Hungary. But to those who expressed concern over this development, the State Department pointed out that, in transferring the issue of Hungary to the aegis of Secretary General U Thant, it was, in effect, being upgraded.

If this was the position of the Department of State on the question of Hungary only 3 months go, then Congress and the American people are surely entitled to an explanation of how this complete reversal of policy has come about in so short a period of time.

The State Department memorandum justifies the proposed reversal of policy by referring to improved conditions in Hungary, and to the granting of an amnesty to political prisoners. It speaks, in addition, of improved relations between the Kadar government and the Catholic Church and of the fact that more American motion pictures are being shown.

I confess that I cannot understand this reasoning.

There may have been some minor abatement of tyranny since the Hungarian revolution was suppressed in blood. But the essential facts remain that the present Government was imposed on the Hungarian people by Soviet bayonets, that it had defied repeatedly U.N. resolutions, and that it does not dare submit itself to free elections under U.N. auspices.

Any improvement that may have taken place is of altogether secondary importance.

The greatest single accomplishment of the Hungarian revolution was that it succeeded in decollectivizing the Hungarian peasants. The Kadar government, using coercion of all kinds, has forced the Hungarian peasants back into the hated collectives. Today, 96.5 percent of all the Hungarian farmland is collectivized—the highest percentage in any satellite nation.

I do not think the collectivized Hungarian peasants derive too much consolation from the fact that they are permitted to see an occasional American movie.

As for the so-called amnesty, the State Department's memorandum is frank in stating that no one knows whether the number affected by the amnesty is 10,000 or 2,000 or 3,000. Hungarian refugee leaders are convinced, based on their own sources of information, that the amnesty is a fraud, and that the Kadar government has, in fact, only released a handful of political prisoners including several whose names command recognition internationally.

The veteran correspondent Eric Bourne, writing to the Christian Science Monitor from Budapest, reports that Western legations in that city "estimate that some 2,000 to 3,000 prisoners were released and that of these some 500 to 700 had been jailed on political charges."

Since it is generally agreed that there are at least 15,000 political prisoners in Hungary, I, for one, would not consider the release of several hundred political prisoners to constitute much of an amnesty.

There is another fact which is not commonly known but which, I believe, weighs more heavily than all the arguments in favor of "normalization" advanced by the State Department's memorandum.

In 1944 the Hungarian birth rate was 12 per 1,000, a modest rate by European standards. In 1962 the Hungarian birth rate fell to the almost unbelievably low figure of 2.2 per 1,000. In short, despite the "improvements" to which the State Department memorandum refers, the Hungarian people have so little faith in the future that their birth rate has dropped catastrophically.

I believe that the Hungarian Committee, which represents the Hungarian people in exile, was more than justified when it described this accomplishment of the Kadar regime as a form of genocide.

The arguments advanced by the State Department's memorandum are arguments of pretended expediency. Even from the standpoint of expediency, I believe they are false. In any case, this is not a matter that can be decided on grounds of expediency; it is, on the contrary, a matter of fundamental principle on which there can be no compromise.

In suppressing the Hungarian revolution, the Soviet Government was guilty of violating the United Nations Charter and guilty of every crime in the terrible crime catalog of history. Since the suppression of the revolution, it has, year after year, continued to defy the United Nations and flout the resolutions of the General Assembly.

By accepting the credentials of the Hungarian delegation and "normalizing" our relations with the Hungarian regime, we would, for all practical purposes, be taking the stand that the violation of human freedoms and of the U.N. Charter and the defiance of U.N. resolutions cease to be crimes after the passage of a few years time. We would be setting a precedent which offers assurance to the Soviet Union or any other would-be aggressor that crimes against humanity will all be forgiven and forgotten if the aggressor still remains in control of the victim nation at the end of a 5-year period.

Mr. President, we cannot tolerate such a precedent. We cannot thus abandon our principles. I earnestly hope that those in charge of our policy will see fit to subject their recent proposals to a painstaking reappraisal, in appropriate consultation with Congress.

If we now abandon the Hungarian people in the manner that has been proposed, the peoples of the captive nations will have reason to seriously doubt our commitment to their ultimate liberation.

It would be bad enough if it were simply a matter of breaking the hearts and spirit of 100 million people. In the process, however, we may find ourselves losing 100 million of our stanchest allies. Who could blame our friends on the other side of the Iron Curtain if they felt bitter, or worse still, if they felt betrayed? And bitterness and a sense of betrayal can easily be used to convert friendliness into hostility.

The proposed revision of policy on Hungary seeks to relax tensions with the Soviet Union and thus reduce the danger of war. But if we destroy the hope and the will to resist of the captive peoples we shall be removing the single most important deterrent to Soviet aggression. It is my conviction that such a policy would make the leaders of the Kremlin more certain of themselves, more arrogant, more demanding, more prepared to risk aggression. It would, in short, undermine our own security and make the risk of war far greater than it is today. In this sense, the proposed revision of policy would accomplish precisely the opposite of what its proponents hope it will accomplish.

Mr. President, if there is any single principle on which our foreign policy is based, it is the principle of universal freedom. It is this principle that has guided our handling of the Hungarian question at previous sessions of the U.N. Although there are those in the U.N. who do not share our principles and do not in practice adhere to its charter, I pray that we will never compromise on any basic issue, simply because the numerical odds may be stacked against us.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LAUSCHE. As I understand, the United Nations, since 1956, for 6 consecutive years, has insisted upon the execution of the provisions contained in the resolution of 1956 and early 1957 condemning the Communist aggression in Hungary.

Mr. DODD. That is exactly correct—and right down to February of this year. This was our position and I hope it will remain our position.

Mr. LAUSCHE. I did not hear the statement of the Senator from Connecticut in full, but I assume it is predicated upon a recent release by the State Department under the heading "Changing Conditions in Hungary."

Mr. DODD. Yes; my remarks were exactly premised on that release. That was the reason for my making the statement.

Mr. LAUSCHE. I have spoken on this subject and have pointed out that about a year ago a London newspaper published an article to the effect that a deal had been made by the United States with Red Russia concerning the disposition of the resolution in the United Nations. The London newspaper stated that in exchange for the dropping of the issue in the United Nations, the Hungarians would release Cardinal Mindszenty and a number of other patriots of the Hungarian revolution. When I read that statement, I could not believe that it was true. Yet the rumor persisted, and I spoke of it on the floor of the Senate several times.

Mr. DODD. Yes; I know the Senator from Ohio has spoken on this subject.

Mr. LAUSCHE. Is it not true that on the basis of what has been happening recently, the article published in London about a year ago is substantially corroborated?

Mr. DODD. There certainly is reason for believing that this is the case. I am sure the Senator from Ohio agrees with me when I say that both he and I—and I am sure all other Senators—wish to do everything we can to relieve the burdens of all oppressed peoples and especially the people of Hungary. If we can get the political prisoners out of jail, we ought to do so by every means possible. We ought to try as best we can to have Cardinal Mindszenty released. I am not against such initiatives; I am for them, as I am sure the Senator from Ohio is.

But I fear that at this point our laudable concern and anxiety, may be working against us. We may be discouraging large numbers of people in Hungary and in the other captive countries. That is why I have spoken up today on this subject.

Mr. LAUSCHE. I concur in the views of the Senator from Connecticut. There are 100 million people in the captive nations. For years, after the Communists took control, we urged the captive people to stand bravely in defense of liberty, in the hope that liberation would come to them. The Hungarian people listened to us. They revolted. They suffered painfully for their courage.

Mr. DODD. Indeed, they did.

Mr. LAUSCHE. We again told the Hungarian people that the United Nations would insist upon a rectification, at least in some degree, of the situation which confronted them. It is now 7 years later. We have forgotten our pledge, have forgotten our former words, and now tell not only the Hungarian people, but all the people of the captive nations, that they cannot rely upon our word.

Mr. DODD. I fear that they will be greatly discouraged. Of course, this is not yet an accomplished fact. I am hopeful that we may have an opportunity to reconsider and discuss the problem further.

I do not believe we ought to be too set in our view that the action is done and that nothing further can be done about it; otherwise, it would be idle for us to be speaking on the subject this afternoon. Obviously, the situation is still being considered. I do not believe the door has been completely closed.

To me, one of the most distressing aspects of the situation in Hungary is its declining birth rate. It must be one of the lowest in the world—2.2 per thousand. When that rate is compared with the rate of 12.2 per thousand in 1944, it is clear from this alone how deplorable conditions have become.

Mr. LAUSCHE. I hope that it is not an accomplished fact, but I would not be stating my true judgment unless I said that I believe the die has been cast, the understanding has been reached, and the information is being dribbled out so as to prepare the Hungarians for their final assignment to the Communist dynasties and tyrannies of the world.

Mr. DIRKSEN. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. DIRKSEN. I was advised this morning by persons of Hungarian descent, both in Indiana and Illinois, that hearings are being conducted on this subject before the House Committee on Foreign Affairs. I do not know why there should be hearings on the question, since it is quite beyond Congress to handle the affair. If the administration wishes to undertake an investigation, that is its prerogative.

Mr. DODD. Yes; I think it is a matter for executive consideration and decision. I had not heard anything about the House hearings.

Mr. DIRKSEN. I became curious when I received my advice; but it would be singular indeed, unless the hearings were held for general informational purposes.

Mr. DODD. That is possible.

Mr. DIRKSEN. It is an official hearing, notwithstanding.

Mr. DODD. I am sorry to have to tell the Senator from Illinois that I am totally uninformed about it; I have no knowledge of it.

Mr. KEATING. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. KEATING. I commend the distinguished Senator from Connecticut for alerting the Senate to this problem in so excellent an address. Like the Senator from Connecticut, I am deeply disturbed by the action that is proposed to be taken in the United Nations to recognize the credentials of the present Hungarian Government. As many Senators will remember, the U.N. General Assembly voted last winter, with full U.S. support, to transfer the Hungarian issue from Sir Leslie Munro to Secretary General U Thant, supposedly to raise the level of U.N. consideration of the issue.

At that time, many misgivings were expressed; and I, among other Senators, discussed the issue with top-level State Department officials. We were assured that there had been no deal with the Soviets on this matter, and that U.S. interest and United Nations interest in the plight of the Hungarian people had not ceased.

Under the resolution passed by the General Assembly, the Secretary General was asked to take any "initiative that he deems helpful in relation to the Hungarian question." The resolution was publicly described by the Department of State as "an effort to raise the level of United Nations involvement by asking the Secretary General to concern himself directly with the Hungarian problem."

Yet, Mr. President, the first action of Secretary General U Thant, upon assuming his new responsibility, was to cancel the U.N. broadcasts to Hungary, started in 1956. They have not been resumed.

Now the United States apparently is modifying its own previous position of opposing recognition of Hungarian credentials.

It is very difficult for me to understand how such action can be consistent with "raising the level of United Nations concern."

Mr. President, the Communists are unusually successful in persuading the world to overlook and forget, with the passing of time, their flagrant acts of aggression. The conquest of Poland, Czechoslovakia, Bulgaria, Rumania, the attempted takeover of Greece and Iran, the invasion on South Korea, the rape of Tibet, the guerrilla warfare in South Vietnam, the attack on India, and the continued violation of agreements in Laos—slip all too fast from the memories of free world and neutralist countries. It would be a tragedy indeed if the brutal suppression of freedom in Hungary were also ignored and forgotten by those who profess to see the so-called easing of cold-war tensions.

I am very much concerned about this matter. I am not satisfied with the political amnesties granted to date; and I sincerely trust that this will not be the first step toward official U.S. recognition of the brutal and ruthless Hungarian regime which slaughtered its own people on the streets.

Again I express my admiration of the Senator from Connecticut [Mr. Dodd] for his presentation, and also my admiration of the distinguished Senator from Ohio [Mr. Lausche] for alerting us to the situation.

Mr. DODD. I thank the Senator from New York. It seems to me he is always on the right side of all those questions which involve our attitude toward the Communist conspiracy; and I appreciate his comments very much.

Mr. DIRKSEN. Mr. President, I associate myself with the views and convictions expressed by the distinguished Senator from Connecticut.

Mr. DODD. Mr. President, I am grateful to the distinguished minority leader.

Mr. THURMOND. Mr. President, I wish to congratulate the able Senator from Connecticut [Mr. Dodd] on the magnificent address he has delivered and on the sound stand he has taken in regard to this subject, which involves Hungary. I am convinced that it would be a great mistake for our country to recognize the Communist regime in Hungary. The people of the United States have great respect for the people of Hungary; and it would be a marked disservice if the Government of the United States were to recognize the Hungarian regime.

I am convinced that U.S. recognition of the present Government of Hungary would soon be deeply regretted by the Government and the people of the United States.

Similarly, I believe it would be a great mistake if Hungary, under its present Government, were to be admitted to the United Nations, for that would mean that another Communist government would be admitted to the United Nations, where it would vote against the position of the United States and of the free world.

Again I commend the distinguished Senator from Connecticut for his excellent address.

Mr. DODD. I thank the Senator from South Carolina very much for his words of approval.

Mr. HRUSKA. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. HRUSKA. I wish to join in the commendation of the Senator from Connecticut for his speaking out on this issue.

We have been witnessing a series of recent events which, as has been pointed out so well by the Senator from Connecticut, indicate that feelers are being put out and preparations are being made to soften the U.S. position in relation to Hungary in the United Nations, with later efforts, no doubt, leading to full diplomatic relations by the United States with Hungary, and, eventually, even foreign aid to Hungary, notwithstanding the very reprehensible record of that nation in dealing with its people.

Recently, I reviewed some of the 1956–1957 hearings before the Internal Security Subcommittee which contain testimony of witnesses who were freedom fighters in Budapest in 1956, and which set out some of the details in regard to the crimes committed then and there against humanity. Mr. President, I ask unanimous consent that there be printed at the conclusion of my remarks some excerpts from those hearings indicating the brutalities and slaughter committed. Some of the persons responsible for those crimes are still in charge of the Government in Hungary. I do believe it far better that they be subjected to some kind of war-crime trials, rather than that they be assisted in their efforts to condone their actions.

Mr. President, some are taking the attitude that the Government of Hungary should be treated in a way which would really be a reward for the terrible crimes perpetrated, rather than subject it to the severe judgment which they continue to merit from the family of nations.

Mr. President, I also ask unanimous consent to have printed at the conclusion of my remarks the text of a statement which I issued on this subject this past weekend. Again I commend the Senator from Connecticut for speaking so forthrightly and so well on this subject.

There being no objection, the statement and excerpts were ordered to be printed in the Record, as follows:

Too Great a Price

Senator Roman L. Hruska, Republican, of Nebraska, Saturday charged that the "United States is paying too great a price" in its concessions to Communist Hungary in return for a relaxation of the oppressive rule of the Kadar regime "and its pretending to become a respected member of the family of nations.

"Naturally, we are all gratified by the amnesty announced by Premier Kadar in March and by his more recent action in freeing 5 of the country's 14 Catholic bishops from restrictions on their movements. And it appears that Jozeph Cardinal Mindszenty may at last be allowed to leave the U.S. legation in Budapest and go to Rome."

Senator Hruska said the State Department is viewing these moves as proof of a "mellowing" of the tyrannical regime of Premier Janos Kadar, and as reasons for a softening of the U.S. position toward Hungary.

"To this I say an emphatic no," Mr. Hruska declared. "This is the same regime which murdered in cold blood thousands of Hungarians in the 1956 uprising. This is the puppet of the Kremlin which loosed 320,000 soldiers, 3,500 airplanes, and 6,600 tanks against the virtually unarmed freedom fighters in the biggest blood bath since World War II.

"And the Communist masters did not stop with the slaughter of unarmed women and children. Tens of thousands of Hungarians were labeled 'class enemies' and deported by the trainloads to remote areas and left to die."

The Senator recalled the "heartbreaking testimony" of the freedom fighters who had escaped to this country and who appeared before the Senate Internal Security Committee in 1957.

"They understood the true nature of the tyrannical rule of the Kremlin," he said. "I recommend that our State Department get out the record of those hearings and read them again before we make any more concessions."

Senator Hruska said he viewed "with great apprehension" a reported State Department memorandum being circulated among members of the Senate and House Foreign Affairs Committees laying the foundation for a softer attitude toward Hungary.

"Taken with reports that the U.S. plans to abstain on its objection to the credentials of the Kadar delegates to the U.N., this means that we might soon expect formal U.S. full diplomatic recognition of Kadar's regime and then, as in the case of Yugoslavia, the actual granting of foreign aid to the regime which has stood for everything which we in this country abhor."

The Senator said such new U.S. position can "only lead to black despair for the people still enslaved in Hungary as well as in other captive countries. It amounts to a condoning and forgiving of the Soviet tyrants of their offenses against humankind."

Senator Hruska last January had publicly stated he was "most disturbed" by widespread rumors at that time of a secret deal between the United States and Budapest to drop the Hungary issue from the U.N. agenda in return for the release of leaders of the 1956 uprising.

There were news reports last winter that the U.S. delegation had "found in discussions with others that many people were tired of talking about the situation in Hungary year after year."

The Senator said then, "I imagine the people of Hungary are getting mighty tired of being ground under the Soviet heel, but that is no reason to abandon them now."

Last year, instead of passing the customary resolution condemning Hungary and requesting Special U.N. Representative Sir Leslie Munro of New Zealand to continue his work of calling world attention to the Hungarian situation, the General Assembly, on the motion of the United States, relieved Sir Leslie from his job and turned it over to Secretary General U Thant.

"That was the tipoff," Senator Hruska said Saturday. "Even though we were assured by the State Department then that no deal was being made and that firing Sir Leslie constituted no change in our policy, here we are today still conceding, still backing away from our moral obligation to the captive people of Hungary, and to all appearances more of the same is on the way."

Excerpts From International Security Subcommittee Hearings

On November 14, 1956, Istvan Laszlo, a Hungarian student refugee, testified as follows:

"I saw one chamber in which they hanged people by their feet, about half a meter from the ground. And at the left of their hands there were two steel plates which moved toward each other. The situation was all right when they could hold their hands next to their body, but as soon as their hands fell down they were crushed by these two steel plates.

"The beginning of this torture was usually that people were made to stand against a white wall with their feet pushed against the wall and their hands behind their bodies, and had to stand there for hours, which was both physically and mentally true torture." (P. 3188.)

* * * * *

"Now, I shall tell what I myself saw. The streetcar lines are either bombed or mined or taken up. For quite a while in some places you could not see a single house. The Soviet tanks which pass on the streets looking for rebels turn their guns on the houses and fire into the houses." (P. 3190.)

"Mr. Morris. How many Hungarians died in this revolt, to your knowledge?

"The Witness Through the Interpreter. About 25,000" (P. 3192.)

Testimony of Arpad Hazafil, a Hungarian refugee, on November 15, 1956:

"In May and June 1951, from Budapest alone, about 60,000 people were deported to the countryside, regardless of age and religion. Their apartments were confiscated and given to people serving the regime." (P. 3198, "Scope of Soviet Activity in the United States," Pt. 46.)

Testimony of Lajos Ruff through interpreter before the Senate Internal Security Subcommittee on December 19, 1956:

"Mr. Ruff. There were times when I was just plain locked up together with normal criminal-type people, who were mentally ill, and sometimes they had special little tortures. They gave us electric current shocks, shock treatment. They wrapped us in wet blankets, and when the wet blankets had dried, the skin was usually so dried out that it split and cracked.

"The head of this insane asylum was a Mr. Istvan Nemeth." (P. 3247.)

Testimony of Sabad Karoly through interpreter before the Senate Internal Security Subcommittee on January 15, 1957:

"Mr. Karoly. Of this particular prison, the headmaster and torturer was a fellow by the name of Rushak Mate.

"We are a very deeply religious people, and Christmas has the same meaning to us, of course, as in America. A lot of families come over to visit prisoners. When he saw them—amongst them was my wife and baby, my little girl—he opened up the faucets, fire faucet hoses, and sprayed us in the cold winter, the children and women; chased them away from the prison.

"Mr. Morris. With fire hoses?

"Mr. Karoly. Fire hoses.

"Mr. Morris. On Christmas?

"Mr. Karoly. On Christmas.

"On one occasion my mother came over to see me, and she kissed me and embraced me, and then he saw that. He subjected me to 6 times 6 hours—they call that. They got an iron and tied the right hand to the left foot and the left hand to the right foot, and I had to be like that for 6 times 6, 36 hours, as a punishment for kissing my mother.

"Mr. Morris. What else happened?

"Mr. Karoly. On another occasion they called us together and they told us that somebody smuggled letters out to the citizens from the prison. On this occasion they would pick up 45, 50 men, and take them up to the tower, the torture tower they called it, which had no windows, and water was constantly dripping on them, and they would chain them in this tower, where always a few men would die—not all of them would come back—as punishment.

"But in one batch they would take 45 to 50 men into this tower and make water drip on them, and tie them with the chains to the concrete wall.

"I even know the names of those that did not return from that tower." (P. 3318.)

* * * * *

"Mr. Karoly. They locked me up, as other prisoners, for 6 days into a solitary pen, and they gave us a piece of bread baked twice in salt and salted water, that we could dip that into the salted water, and eat it only that way, but no fresh water to drink for 6 days." (P. 3320.)

* * * * *

"Mr. Karoly. May I relate, Senator, before I leave—I just want to make another statement, that at Temesvar, 35 prisoners were in 1 camp, 35,000, and 18,000 died within 5 months. And I know the cemetery; I had to bury them and I can identify them.

"Senator Johnston. Approximately when was that?

"Mr. Karoly. 1944 to late 1945.

"Mr. Morris. In other words, 18,000 out of 35,000 died?

"Mr. Karoly. Yes, 18. And I can identify and make a drawing of every grave, how they are located and everything, and where." (P. 3321, "Scope of Soviet Activity in the United States," pt. 48.)

Testimony of Janos Szekely through an interpreter on January 15, 1957, before the Senate Internal Security Subcommittee:

"Mr. Szekely. I was at Nyiredhaza Station, inquiring about transportation to Budapest, and at the station, as I went in the station, the train passed through the station; letters and notes being thrown out of the train, and the people were shouting, 'What kind of Hungarians are you, that you are letting us be shipped to the Soviet Union?' And this train consisted of 20 cars packed with people."

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"Mr. Schroeder. Was the train heavily guarded by Soviet troops?

"Mr. Szekely. Yes. In each carload there is a brake, where the brakeman stands in each car, and I saw in each place two, three Soviet soldiers guarding the people.

"Mr. Schroeder. And these people were calling from the train, 'We are Hungarians, do not allow them to send us to Siberia.'?

"Mr. Szekely. 'Shame on you, that you are letting other Hungarians be shipped to Siberia.' " (P. 3328, "Scope of Soviet Activity in the United States," pt. 48.)

Testimony of Istban Szep through an interpreter on January 15, 1957, before the Senate Internal Security Subcommittee:

"In Sopron I was sentenced to 25 years imprisonment. And they picked us up, 10,000, and placed us in 1 train. Ten thousand of us were entrained, between 8,000 and 10,000 were entrained——

"Father Gregory. And this is interesting; I did not hear this before, but I got it during the lunch. You might take this.

"The car consisted of three floors; this ordinary boxcar was divided into three. There were people on top, on the bottom.

"Mr. Szep. And that way between 8,000 and 10,000 were shipped all the way up to Lwow. This is already Soviet Union.

"We were there for 2 weeks, children, women, old people, young people, and 1 week later they again packed us in the train and shipped us to Kiev and Moscow—they shipped us to Orcut prison camp, located at—we can find it on the map—Novazemla, North Sea.

"Mr. Schroeder. Well, how many of these people survived out of the 8,000 or 10,000?

"Mr. Szep. Only 800 of us arrived. Only 800 arrived because we saw, as the train was going day and night, that they were throwing people out of the train, dead people." (P. 3331, "Scope of Soviet Activity in the United States," pt. 48.)

Testimony of Dezso Fonagy through an interpreter before the Senate Internal Security Subcommittee on February 7, 1957:

"The Interpreter. He knows of two deportations in which he participated, in their flight to freedom; in one place by the name of Czegle—actually, the revolutionary Parliament tore up the railroad tracks so they cannot proceed—however, those they could not free.

"And then, another city by the name of Godolo, which is a few miles outside Budapest, they actually broke open railroad cars and freed 340 university students which were on their way to be taken to Russia, they freed those.

"And, naturally, many trains they could not open up and could not help, but these they actually halted and he took participation, in which they succeeded in freeing, and in others they tore up railroad tracks, but they were in such numbers they wouldn't be able to do it.

"Senator Hruska. Would the witness be able to estimate the number of trains which were observed but which had gone on their way?

"The Interpreter. They had their people at the border at Zahony and from where they got report of—this was just for a short time—they got reports of 5 trains which passed by which they couldn't help, and each train had between 400 to 600 students in them which they could not halt or could not break open. This part is definite that he knows."

* * * * *

"Senator Hruska. What kind of cars were they, regular passenger cars or were they boxcars?

"The Interpreter. They were actually wagons that transport horses and cattle; they usually fit 40 people, I think, each wagon.

"Yes; he says they have the sign on them, 6 horses or 40 people on each one of those wagons and so each one of these trains must have consisted of 10 to 12 wagons, each train." (P. 3339.)

* * * * *

"Witness through Interpreter. For instance, they undressed him and they put him on a table and they had thumbtacks into his skin, and they were beating him to disclose the other members of the council, and—well, I think this is the most terrible thing, and then they tied his hands to his feet and for 75 days they kept him like that——

"Mr. Morris. 75 days?

"Witness through Interpreter. 75 days, day and night, they wouldn't release him, tied his hands to his feet and he had to just hop like that and crawl with these shackles on him continuously, 75 days and 75 nights—and then they knocked his teeth out, kicked his teeth out, cracked his skull and they did many of these—well, indescribable tortures." (P. 3342, "Scope of Soviet Activity in the United States," pt. 49.)

Mr. DODD. Mr. President, I am grateful to the distinguished Senator from Nebraska for his kind words and his excellent statement. I am glad he has joined in the protest this afternoon against what appears to be the contemplated action. It seems to me that, in effect, we are applying a statute of limitations to the worst kind of crimes, by stating that no matter what one does, if one asks for a clean bill of health 5 years later, it will be granted. I can think of nothing more dangerous for this country or for the other countries of the free world or for the principles on which Western civilization is founded.

Mr. JAVITS. Mr. President, will the Senator from Connecticut yield to me?

Mr. DODD. I yield.

Mr. JAVITS. I know the Senator from Connecticut has in mind what I have often called the doctrine of universality of admission of countries to the United Nations. But even if one subscribes to that doctrine, should he not oppose the admission of Hungary, in view of the fact that the Hungarian regime, let alone its Government, has been guilty of some of the worst of crimes against humanity?

Mr. DODD. The Senator from New York is entirely correct.

Mr. JAVITS. So even those who espouse the doctrine of universality of admission to the United Nations should be revolted by that performance, should they not?

Mr. DODD. Indeed so.

Mr. JAVITS. I thank the Senator from Connecticut.

Mr. DODD. If the credentials of the Soviet puppet regime in Hungary are accepted by the United Nations, I believe the United Nations will have written its own doom and will have lost the respect of vast numbers of people all over the world.

Mr. LAUSCHE. Mr. President, I wish to read the following:

> On May 10, 1962, the London Economist carried the story that Red Russia had agreed to vote for Mr. U Thant as the Secretary-General of the United Nations and to release Cardinal Mindszenty and some 20 other imprisoned leaders of the 1956 revolution, if the United States would discontinue its demands before the United Nations for a discussion of the Hungarian revolution issues.
>
> Our State Department has denied this story but in spite of the denials, the stories persist in the public press. Recent developments seem to have some relationship with the story carried as early as 8 months ago in the London Economist, on what was in the making.

I merely desire to point out that that statement, which was published in the London Economist on May 10, 1962, and was then denied, is now confirmed by development as substantially true.

Mr. DODD. Mr. President, I ask unanimous consent to have the following documents printed at this point in the Record:

First. The text of a telegram which I sent to Secretary of State Dean Rusk on May 15, urging reconsideration of the reported Hungarian proposals.

Second. A recent memorandum of the Assembly of Captive European Nations entitled, "The Western Choice in East Central Europe."

Third. The text of a telegram to Secretary of State Dean Rusk from the Right Reverend Monsignor Bella Varga, chairman of the Hungarian Committee and last freely elected President of the Hungarian Parliament.

Fourth. The text of a telegram to the Secretary of State from Mr. Christopher Emmet, chairman of the American Friends of the Captive Nations.

Fifth. Selected excerpts from the report of the U.N. Special Committee on Hungary.

There being no objection, the material was ordered to be printed in the Record, as follows:

Text of Senator Dodd's Wire to Secretary of State Rusk

I am deeply distressed over the report that the Department of State plans to restore normal diplomatic relations with the Kadar government, ignoring the United Nations report which found that this government had been imposed on the Hungarian people by Soviet bayonets, and in apparent contradiction of repeated declarations of policy by the Department since the suppression of the Hungarian revolution in November 1956.

I am also gravely disturbed over the report that the Department has decided to drop its opposition to the accreditation of the Hungarian delegation to the U.N. In consequence of this, it is anticipated that the credentials committee, which meets tomorrow in connection with the special session of the General Assembly, will approve the credentials of the Hungarian delegation for the first time since the revolution.

The State Department's memorandum on the subject, which was forwarded by the Foreign Relations Committee, arrived in my office only yesterday. I fear that the incredibly short notice given to Congress of this radical shift in policy, strikes at the integrity of relationship between the executive branch and the legislative branch.

I note in this connection that the resolution submitted by the U.S. delegation and passed by the last session of the Genearl Assembly, reaffirmed the objectives of past U.N. resolutions on Hungary, which, among other things, called for the evacuation of Soviet troops and the holding of free elections.

I also note that the Department of State justified the abolition of Sir Leslie Munro's position as special representative on the question of Hungary with the argument that the issue of Hungary, in being transferred to the aegis of Secretary General U Thant, was in effect being upgraded.

I gravely fear that the proposed actions, if they come to pass, will destroy whatever hope still remains alive in the hearts of the Hungarian people and of the other captive people of Europe. I fear that they will make the Soviet regime more intransigent and difficult to deal with by breaking the will to resist throughout the satellite empire.

I also fear that the proposed action will weaken the moral authority of the United Nations and destroy public confidence in it. The U.N. has already placed itself in the position of condoning or tolerating minor aggressions by India in the case of GOA and by the United Arab Republic in the case of Yemen. If the U.N., after the passage of 5 years, is now prepared to forget and condone the utterly ruthless and bloody aggression of the Soviet army against the people of Hungary, then little remains of the principles upon which the United Nations was founded.

I earnestly hope that the Department of State will strive for a delay on the matter of Hungary so that there will be time to reexamine its position and time for proper consultation with Congress.

A Memorandum: The Western Choice in East-Central Europe

At a time of decision for Western civilization and the entire cause of freedom, it is incumbent upon the Assembly of Captive European Nations to affirm, once again, its conviction that:

1. the struggle for Europe, the decisive arena in the global contest between freedom and communism, is far from being over;

2. the people of East-Central Europe are apt to play a very significant role in this struggle;

3. durable and secure peace will remain unattainable as long as Soviet power will be left in control of the geographic center of Europe;

4. to serve both the short- and long-term requirements of a free Europe, moral and political obligation and self-interest equally enjoin the Western Powers to voice and demonstrate by meaningful political action their vital stake in the freedom of the eastern half of Europe, as well as their steadfast resolve to help, by all legitimate means, the captive peoples recover the exercise of their right of self-determination.

The validity of these views was increasingly confirmed in the last 2 years. Western policy has, nevertheless, tended to move away from them. It has, in fact, been inclined to downgrade, if not to discount altogether, the beneficial impact of an active Western support of the freedom yearnings of the captive peoples upon the outcome of the continuing struggle for the freedom of Europe. Its favorite assumption seems to be that Western restraint generates Soviet moderation, and both beget stability in Europe. Hence, accommodation with the Communist regimes is not only the "realistic" course, but the only way in which the West could extend its influence to the ultimate benefit of the people concerned.

These clearly discernible trends call for more than a re-affirmation of deeply held convictions. They demand (1) an examination of both Western views and current misconceptions on East-Central Europe; (2) a presentation of the views of the Assembly on the present stakes of the West in the same area, and (3) an outline of specific measures designed to promote the vital common interests of the Western Powers and their allies in East-Central Europe. This is, indeed, what this memorandum attempts to do.

I

Fairness commands that the examination of Western views on and policies toward East-Central Europe be prefaced by the statement that it is in the legislative bodies of the Western nations, the United States Congress above all, and in such international parliamentary assemblies as the Consultative Assembly of the Council of Europe and the NATO Parliamentarians' Conference, that the issue of the freedom of the captive nations receives nowadays the greatest attention and the most outspoken support. It is in such bodies that the purpose of an East-Central Europe—free from outside domination and living under institutions and governments freely chosen by the respective peoples—is most consistently upheld. It is in these respected bodies that practical policies incompatible with the proclaimed purpose find few advocates or supporters.

In the absence of a common policy in the framework of NATO, there is, in the West, on the executive governmental level, a wide range of positions in regard to East-Central Europe. Three major trends deserve examination.

The first, as set forth in authoritative U.S. statements,[1] correctly notes that despite changes in the direction of more internal autonomy, "Soviet military power remains the ultimate force that sustains the power and authority of the Communist minorities, guarantees the continued existence of the regimes, and prevents any national defection from the Soviet bloc." In line with this basic assessment of the situation, the U.S. objective is defined as "to see in Eastern Europe fully independent nations enjoying internal freedom and normal relations with all countries." The expectations are, however, very sober. Because of Soviet domination "any far-reaching change, involving a rollback of Soviet control, is unlikely at an early date," and, except in the event of unforeseen developments, "progress toward the U.S. long-term objective" in Eastern Europe "appears realizable only by gradual means." Extension of United States and Western influences "by maintaining and developing more normal and active relations with the Eastern European governments of the Soviet bloc"—is declared to be the practical policy. This is to be pursued to the extent possible to do so without, at the same time, sacrificing basic American principles, "without endorsing the internal and foreign policies of the governments, or accepting or implying that we (i.e. the U.S. Government) accept in any way the status quo of Soviet domination as a satisfactory or permanent condition of affairs in that area."

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[1] Particularly in the most comprehensive recent statement of U.S. policy on the captive nations, the statement of the Honorable William R. Tyler, Assistant Secretary for European Affairs, Department of State, before the Subcommittee on Europe of the United States House of Representatives, on September 13, 1962.

This neatly balanced definition of goals and means, and sober assessment of future outlook presents one basic flaw. Experience indicates, indeed, that any progress on the road to more active relations with the Eastern European governments is likely to be paid by silence on the ultimate goal ("silence is consent" is an old saying the Russians like to quote when it serves their purpose); by the elimination from the agenda of the United Nations of the one fragment of East European subjugation with which the World Organization is concerned, the question of Hungary which might be an irritant to the Soviet rulers but is a stimulant to the captive peoples; by subdued information programs; in short, by actions of commission or omission conveying to the people most concerned the depressing message of the acceptance of the status quo.

There seem to be some misconceptions at the root of this attempt to reconciliate ends and means which in practice, if not in theory, are mutually exclusive. One is the belief that direct contacts—personal, cultural, economic, through governmental channels are the sine qua non of Western influence with both regimes and peoples. The fact that contacts are but minor means of carrying influence is overlooked. In a situation like the one prevailing in Eastern Europe, the choice of the carrier itself would preclude any positive influence upon peoples profoundly, if mostly silently, hostile to the regimes. As to the ruling groups, it would be self-deceptive to expect that regimes perfectly aware of their utter dependence on Soviet power could be tempted to help engineer their own doom. The main point is that influence is not a function of contacts but rather of the message the West can give to the captive peoples. To the extent to which it succeeds in projecting itself as strong, determined and winning, and to the extent it also cares to identify itself with the goal of the captive peoples, it exercises a stimulating influence on the people and a restraining influence on their unchosen rulers. Conversely, eagerness to develop official contacts is viewed as a sign of weakness. It breeds contempt among the ruling groups and discouragement among the broad masses of the people.

It follows that the pursuit of contact and gradual ameliorations can only be reconciled with the proclaimed goal of freedom and independence, if this goal is never drowned in silence but, on the contrary, is frequently and authoritatively voiced and pursued by meaningful, if not immediately effective, political actions. Past experience would indicate, however, that such efforts at reconciliation are fraught with so many practical difficulties that the prospects of accomplishing them successfully for any length of time appear very dim.

The second trend, quite widespread in Europe, is to regard the issue of Soviet imperialism at the expense of the captive nations as a convenient point of rebuttal whenever Soviet anticolonialism displays an excessively cynical form in international assemblies. In this view, the issue of the freedom of the eastern half of Europe is a long-range moral problem; it has ceased to belong to practical politics. The Communist regimes and the status quo of the captive nations' subordination to Moscow are accepted as realities which neither the peoples concerned nor the West is prepared or able to change fundamentally. Contacts and trading with these regimes are viewed as matters of expediency and national interest, and are all the more welcomed as they are deemed to contribute to the evolution of the Communist regimes toward more humane and rational ways.

Lastly, a third trend averts a direct confrontation with the problem of the captive nations by holding out the more far-reaching prospect of a continental system stretching from the Atlantic to the Urals. It rests on a rather sanguine conception of the power of Communist China and the threat it would represent for the Soviet Union.

In spite of being so different, the aforementioned trends rest on a number of closely related, if not common, premises, assumptions and judgments. They bear a closer review.

1. "The situation in Europe is stabilized and can only be changed at the prohibitive price of war"—is more often than not the fundamental premise of the opponents of an active East-Central European policy.

This proposition fails to pass any closer scrutiny. The Soviet Union is as intent as ever to gain further ground in Europe and its rulers believe that they could succeed in this without war, by intimidation and a crisis strategy.

For more than 3 years they have been pursuing this strategy by stirring up the Berlin crisis on the calculation that sooner or later, when faced with a clear-cut choice between risking all or accepting Soviet terms—the West will yield. This, Moscow expects, would undermine the credibility of the American guarantee and induce a gradual breakdown of the Western alliances. The fact that a halt was called to this offensive, following the Cuban miscalculation, might only indicate that, before probing again or pushing to a showdown, Moscow wants to complete the buildup of its military potential and certain specific armament programs, bring some order in the Communist house, and in the process, sow confusion and complacency among its opponents.

A Western policy which would not aim beyond stabilization would prompt a bolder Soviet bid for the mastery of Europe, for the simple reason that it would suppress one of the deterrents to a reckless policy of intimidation: the spirit of resistance in East-Central Europe. Paradoxically enough then, to achieve stability, the West must aim beyond stability to a Europe united in its natural confines.

2. By denouncing the coexistence policy of Khrushchev—one often hears—Communist China has certified the genuineness of this policy.

In fact, Khrushchev himself has called coexistence a form of struggle for the achievement of the ultimate Communist goal. The program adopted at the XXII Party Congress leaves no doubt that for Moscow peaceful coexistence is—in the words of an American authority on Soviet affairs—"a prolonged contest in which it must exert its full strength and will in order to make decisive gains by all means short of nuclear war."

3. Since liberation of East-Central Europe is only possible by some kind of military action, it is said, and since the United States and its allies do not contemplate any such action—it would be irresponsible to represent freedom and independence for the captive nations as an objective of American or Western policy.

Commitment to a purpose is in itself a political action productive of far-reaching effects. The Communists have always recognized and acted upon this truth. Their strength lies precisely in their ability to bring about change in their favor by means short of all-out war. To accept the theory that an area or a people once taken over by communism are beyond recovery by similar means is to admit defeat in advance.

4. It is claimed that Eastern Europe is in the midst of a process of relaxation of terror and gradual liberalization. The process would be disturbed by a Western insistence of maximal goals. It could be, on the contrary, furthered by Western aid and an expanded Western program of contacts, trade, and cultural exchanges.

To begin with, it would be much more correct to speak in terms of relaxation of repression than in terms of liberalization. The changes which have occurred in East-Central Europe since the death of Stalin represent essentially a lessening of irrational and unnecessary terror. They are not changes in the nature of the totalitarian dictatorships, or in the nature of the relationship with the Soviet Union.

These relaxations of repression, varying in degree from country to country, occurred in the past and are likely to appear again in three circumstances:

(a) Uncertainty in regard to the real source of ultimate authority in Moscow, with the ensuing caution and vacillation on all echelons of power. This was the case during the struggle for power in the Kremlin, following Stalin's death.

(b) Communist fear of a general uprising at a particularly inauspicious time. This was the case of Poland, in October 1956, and it caused a substantial tactical retreat on the part of the Communist regime.

(c) Confidence among the ruling groups deriving from international developments favorable to the Soviet Union and from a mood of dejection among their subjects.

The first two of these circumstances were certainly not products of Western aid, credits, contacts or good will. They were the result of a combination of internal and external pressures. As for the third circumstance in which some relaxation occurred in the past, discouragement among the ruled and confidence among the rulers, this certainly involved Western responsibilities. But these were not of a sort that warrant any satisfaction. For discouragement means more security for Soviet Russia and, hence, a bolder Soviet policy toward its main target: Western Europe.

Economic aid, it must be conceded, could at best help in preserving some of the gains secured by popular pressure in a country like Poland, providing, however, that the respective regime is kept aware that any further encroachment on the very limited rights and liberties the Polish people recovered in 1956 would bring about the termination of aid.

A recent report of the Special Study Mission of the Committee on Foreign Affairs, U.S. House of Representatives, rightly remarks that "the Western European countries tend to look at the Soviet bloc mainly as a market for their exports—while the Communists regard the West primarily as a source of essential goods." "Western exports of capital goods enable the bloc"—continues the report—"to telescope technological progress in various fields." "The Soviet bloc derives greater benefit from this trade than do the countries of free Europe"—concluded the report. The Western Powers seem to be set to pursue such trade. If so, in the light of these findings, they should at least avail themselves of their powerful bargaining position. They do not have to help the expansion of the Communist war-making machine by credits. And they could use their position to induce an increase in the production of consumer goods. They could even avail themselves of their important economic bargaining power to wrest political concessions that would directly benefit the people in the captive lands. Then, indeed, they could lay claim to a real contribution to the welfare of these people.

II

The Western stake in East-Central Europe derives from the strategic location of the area, from the increment Soviet power is now drawing from the manpower and resources of the region, as well as from the historic incompatibility between Soviet aims and the interests and aspirations of its ancient nations.

East-Central Europe—half a million square miles and one hundred million people strong—lies between the Soviet Union proper and free Western Europe. It is the place where the very centers of power of the two contending camps stand in close, direct and decisive confrontation. Just beyond it lie prime strategic goals: westward—free Europe, the great concentration of skills and resources, which is, in the Communist strategy plan, a decisive way-station in their drive for world conquest: eastward—the very heart of the Soviet Union. Within this area live historic nations—hostile to the foreign rule and alien pattern of life foisted upon them, nations which yearn to live in freedom and have, therefore, strong reasons to obstruct the Soviets and help the West. From the point of view of manpower and production, East-Central Europe represents a 40-percent increment to the economic power of the Soviet Union.

From the short-range point of view, East-Central Europe may play a decisive role in thwarting the present Soviet strategy of gradual expansion by political means, into the Western half of the old continent. Once this objective is achieved, East-Central Europe would become the area in which the West can accomplish the most significant strategic gains. It is the place where a U.S.-backed Western Europe can gradually expand eastward, by political means, the border of freedom. An East-Central Europe from which Soviet political control has been eliminated, would change the whole strategic picture. The Soviet Union would become a danger of manageable dimension, a danger which could largely be checked by local means alone, leaving American power free to look after its numerous global commitments. It would become itself a vulnerable target of Western political warfare aimed at transforming Soviet Russia into an open society by the Western-supported exertions of the peoples directly concerned.

The short-range stake of the West in East-Central Europe has increased and not diminished as a result of what, for want of a better name, is described as nuclear stalemate. As long, indeed, as the United States possessed overwhelming nuclear supremacy, the security of Western Europe was absolute. Strategically it mattered little whether the peoples of East-Central Europe were friendly or hostile to the Soviet Union. Once, however, the Soviet Union has acquired a significant strategic nuclear striking power, both nuclear powers are reluctant to resort to these frightening weapon systems. Unlike the West, however, the Soviet Union is systematically engaged in gaining ground by exploiting, on the one hand, its superior ground forces and, on the other, the fear and sense of responsibility of the West.

This analysis of the dangers the West is still faced with in Western Europe seems to be largely confirmed by certain conclusions drawn by responsible quarters of the United States from the Cuban confrontation. It was stressed that the success of the confrontation on the withdrawal of Soviet missiles was primarily due to the strategic advantages enjoyed by the United States in the Caribbean area. It was furthermore underscored that because of the specific strategic conditions involved, the Cuban confrontation does not provide a valid indication of Soviet behavior in different circumstances. This could only mean that in Cuba the United States could impose its will without having to resort to a nuclear war, while the Soviets could only counter U.S. action by having recourse to its strategic nuclear arms. In Europe, the situation is exactly the opposite. Hence the crisis of confidence marked by attempts to build up independent nuclear striking forces in Europe. Hence also, the American insistence to build up the conventional forces of NATO and thereby reduce the capability of Moscow to score gains by intimidation and blackmail.

In these conditions, every factor which weighs negatively in the calculus of risk of the Soviet Union acquires strategic significance. One of such factors is certainly the trouble-making capacity of the people of Eastern Europe. Whether or not the Soviet rulers must reckon in their calculations with a significant risk factor in the area lying between their borders and their Western targets may influence the degree of their recklessness. This would be particularly relevant in a situation like that in Berlin, in which the objective is precisely to make the West believe that the choice is confined to risking all-out nuclear war or making concessions that would discredit American reliability and induce in Western Europe "realistic" trends toward disengagement and neutrality.

It is within the power of the West to compel the Soviet rulers to reckon with an important risk factor in Eastern Europe. The risk factor is indeed in direct ratio with the intensity of the spirit of resistance of the people of East-Central Europe. And the latter hinges on the prevailing impression with regard to the will to win of the West and with regard to the Western commitment to the cause of their freedom and independence. These are the sources of hope on which the spirit of resistance feeds.

Until the Cuban events, the prevailing impression on both counts was negative. Hope in a better future and faith in the West, and with them the spirit of resistance, were at their lowest ebb. The Cuban confrontation has somewhat improved the assessment of Western will and power. Should the West, as it is hoped, appear henceforth consistently in the posture of the firm and winning side, the problem of keeping hope alive and thereby strengthening the East-Central European deterrent will have been largely solved. It remains, however, for the West to prove its concern for the people of East-Central Europe. This can only be accomplished by an early and clear identification of the West with the peoples of the captive countries and their goal to recover free choice in regard to their internal and international affairs.

Such a long-range objective is not unrealistic. Liberation without war, though not without protracted political struggle, is possible. The Soviet Empire is obviously rent by serious internal contradictions. The difficulty of maintaining ideological unity and central direction, as illustrated by the Sino-Soviet discord; the inability of the Soviet Union to keep up the armament race without withdrawing some of the material improvements its people have gained in the last few years, and/or without diminishing their abnormally high investments in the heavy industry; the imbalanced nature of the Communist economy and the utter failure of collectivized agriculture; the increasing nonconformity of youth and the ferment among intellectuals; the unbridgeable gulf between the requirements of subordination and exploitation in the Soviet Empire, and the national pride of the historic nations of East-Central Europe—these are but a few of the contradictions. If they have, as yet, not generated dramatic consequences, this is largely due to the demoralizing effect of the easy and unnecessary successes Western misjudgment, irresolution, and weakness have afforded to the U.S.S.R. Ever since the end of the Second World War, the Soviets have been permitted to show, by their actions, that history was on their side; that changes invariably occur in their favor, and that, accordingly, the victory of communism on a worldwide scale is only a matter of time. If the West were to act on the perfectly justified assumption that the Soviet Empire has more reasons to fear any major war than the West, it could at least deny its adversary any further successes. The effect would be most far reaching. The latent forces of disruption and opposition, no longer inhibited by a sentiment of futility, would be unleashed in Eastern Europe. In favorable circumstances, which can be fostered by a purposeful Western policy, such as a struggle for supreme power or internal disturbances in the Soviet Union that would tie down the Soviet armed forces, the captive nations could begin making good their escape.

III

In the view of the Assembly of Captive European Nations, the morale of the captive European peoples and their faith in the West would be bolstered, and the interest, short and long term, of both free and captive nations would be advanced should the United States and her principal allies adopt the specific measures listed under "What to do," while refraining from the action listed under "What not to do."

What to do:

1. To raise in all high-level conferences with the rulers of the Soviet Union the issue of the restoration of the right of self-determination to the peoples of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania.

2. To counter Soviet demands on Berlin with the plan for an overall peace settlement based on the right of self-determination and designed to solve all the unresolved consequences of the Second War in Europe.

3. To inscribe the question of the denial of self-determination to the nations of east-central Europe on the agenda of the United Nations regardless of the prospect to secure the required majorities. To raise, in other words, the issue in the U.N. on its merits and not as a mere point of rebuttal.

The initial purpose of such action would be to assure the peoples concerned that their issue is an objective of Western policy, an open and not a closed issue as claim the Soviet rulers. This would be accomplished if a group of Western powers, backed by the United States, would take the initiative. For durable impact, such action would have to be renewed at every session on the pattern of the wearing-down tactics followed by the Soviet Union on the question of the Chinese representations in the United Nations. The Western powers could easily pattern their draft resolution on one of the proposals introduced in the United Nations by the Soviet Union. The draft resolution introduced by the Soviet delegation on April 24, 1962, in the special committee on decolonization, is almost ideally suited for this purpose.

4. To keep the question of Hungary on the agenda of each United Nations General Assembly session and renew steadfastly the demand for compliance with past resolutions.

5. To give assurance to the people of Albania that the territorial integrity of their country and their right of self-determination will be safeguarded against any intervention on the part of their neighbors.

6. To maintain carefully the policy of nonrecognition of the forcible incorporation of the Baltic States in the Soviet Union.

7. To insist that the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples is of universal scope and validity and, accordingly, oppose the double standard gaining ground in the U.N. on self-determination, and to urge the Special Committee of 24 Nations, charged with the implementation of the above declaration, to extend its concern and investigation to the peoples and countries subjected to Soviet colonial rule.

8. To carry out in the United Nations and at all appropriate international gatherings a campaign of truth with respect to the denial of human rights and freedom in captive countries.

9. To give support in the United Nations to the proposal of the International Confederation of Free Trade Unions for an investigation of the condition and status of political prisoners and for the elaboration and enactment of an international convention on the regime of the political prisoners.

10. To be always mindful, in their trading policies, of the fact that the interests of the welfare of the captive peoples and of the security of the West are both adversely affected by the preferential treatment given by the Communist regimes in east-central Europe to the development of heavy and armament industries, at the expense of the needs of the people concerned. Similarly, to take advantage of trade negotiations in order to press for the suppression of existing prohibitive duties on individual food, clothing, and medicine gift packages from the free world to individuals in the captive countries.

11. To develop, extend and invigorate broadcasts to the captive countries, and to consider the establishment, in the framework of NATO, of a general staff for political warfare.

12. To warn all Western visitors to the captive countries against permitting their hosts to use them as tools of their political propaganda, as well as against fraternization with local Communist leaders.

What not to do:

1. Not to engage in actions or enter into agreements implying or suggesting that the Western Powers have reconciled themselves to the status quo and regard it as final. The oft-mentioned idea of a nonaggression pledge or pact between the NATO and Warsaw Pact countries would certainly be construed by the people of East-Central Europe as a Western sellout. Such pledges would give the Soviet Union or their puppets no guarantees of security that are not already embodied in the United Nations Charter. The only reason the Soviet rulers have consistently sought them was their awareness that they would create legal obstacles to any further Western concern with the fate of the captive peoples, and that, by generating discouragement and resignation, they will have consequences highly detrimental to Western security. Past commitments, declared principles and self-interest, therefore equally command to the Western Powers to stand firmly on the position that any and all security arrangements should follow, and not precede, an overall European settlement based on the right of self-determination.

2. Not to undertake actions and moves which give respectability to the satellite regimes and compound the damaging effects of past acts of recognition.

3. Not to grant aid, long- or short-term credits to the satellite regimes. Assistance in the special case of Poland can only be justified to the extent it helps preserve the gains the Polish people wrested in 1956. The helping countries should, therefore, make it clear that any aid would terminate if there is a return to forced collectivization, and/or if the rights of the church, the freedom of worship or any other rights or freedoms were further curtailed.

4. Not to place undue reliance on the political benefits to be drawn from exchange programs, and to insist on full reciprocity in such exchanges.

NEW YORK, *March 1963*.

WIRE TO SECRETARY RUSK

MAY 14, 1963.

The fourth special session of the United Nations General Assembly will convene on May 14 when the credentials of the so-called Hungarian delegation will be submitted to the Credentials Committee and to the Plenary Assembly. It is requested that consistent with its previous decisions the Assembly take no action on the credentials of the so-called Hungarian delegation. The cogent reasons for this request are the following: There is no change whatsoever in Hungary as far as noncompliance with the demands of the United Nations political resolutions is concerned the objectives of which have been reaffirmed by the General Assembly in document A5388 approved on December 20, 1962. In particular the United Nations Resolution 1133-XI of September 1957 has stated in point B inside, "The present Hungarian regime has been imposed on the Hungarian people by the armed intervention of the Union of Soviet Socialist Republics." That same regime continues to govern Hungary to the present day. It would constitute a dangerous precedent should the delegation of a government imposed by brute force of an alien power be accepted by the United Nations. In spite of a superficial alleviation of life in the Hungarian cities the basic values on which Hungarian life rests are being systematically destroyed, i.e., the much heralded land reform has ended in forced collectivization of the entire farmland 96.5 percent. The catastrophic decline of the birth rate from 12 per thousand in 1944 to 2.2 per thousand by 1962. We regard the recent regimes crimes which may only bring temporary improvement but certainly did not put an end to the violation of the basic human rights of the Hungarian people.

Rt. Rev. Msgr. BELA VARGA,
Chairman, Hungarian Committee, Last Freely Elected President of the Hungarian Parliament.

WIRE TO SECRETARY RUSK

MAY 14, 1963.

We are deeply alarmed by State Department memorandum forecasting changed U.S. policy on Hungary in United Nations, based on Hungarian amnesty. Memorandum admits real scope of amnesty unknown. Moreover, amnesty does not affect substance of U.N. resolutions on Hungary.

Last December when U.S. resolution was passed by U.N. Assembly ending Sir Leslie Munro's mission, Members of Congress and citizens groups were assured that this involved no change in U.S. policy.

There have been no important developments in Hungary, aside from the amnesty, since then. Yet the reported intention of the U.S. Government not to oppose acceptance of Kadar delegates credentials at Assembly session opening today, represents abrupt and fundamental U.S. policy reversal.

Moreover, this change would be made with only 24 hours' notice to American public and Congress. In view of past assurances by authorized spokesmen, we respectfully submit that this would amount to a breach of faith of which we are sure you are not aware.

Moreover, it would breach precedents established at all previous sessions of General Assembly, which never considered changing credentials decision arrived at by a previous regular session. The widespread reports that United States plans to abstain on this credentials issue this week for first time amounts to inviting Communists to raise this issue.

If such action is planned we earnestly appeal to you to reverse it now. The Hungarian issue has stirred conscience of American people more deeply than any other question since war in which U.S. interests were not directly involved. If U.S. policy is to be changed we urge that it be done after fair chance for public debate not with only 24 hours' warning.

CHRISTOPHER EMMET,
Chairman, American Friends of the Captive Nations.

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89. The mandate given the special committee by the General Assembly was to carry out a full and objective investigation on all aspects of Soviet intervention in Hungary by armed force and by other means and on the effects of such intervention on the political development of Hungary. In carrying out this mandate, the committee studied a rich documentation supplied by governments and obtained from other sources, while it closely questioned more than a hundred witnesses, representing every stratum of Hungarian society, whose testimony fills 2,000 pages in the verbatim record. The General Assembly asked that investigations should be pursued in Hungary also, but the attitude of the Hungarian Government did not allow the committee to carry out this part of its mandate. The committee has summarized its conclusions as to the essential facts about the Hungarian uprising under 13 points. The essence of these conclusions is as follows:

(i) What took place in Hungary was a spontaneous national uprising, caused by long-standing grievances. One of these was the inferior status of Hungary with regard to the U.S.S.R.;

(ii) The uprising was led by students, workers, soldiers, and intellectuals, many of them Communists or former Communists. Those who took part in it insisted that democratic socialism should be the basis of the Hungarian political structure, and that the land reform and other social achievements should be safeguarded. It is untrue that the uprising was fomented by reactionary circles in Hungary or that it drew its strength from "imperialist" circles in the West;

(iii) The uprising was not planned in advance, but actually took participants by surprise. Its timing was connected with Poland's successful move for greater independence from the U.S.S.R. and with the disappointment caused by the speech of Mr. Ernö Gerö on his return from Yugoslavia on 23 October, when it was hoped that he would adopt a sympathetic attitude toward the popular demands voiced on 22 October by the Hungarian students;

(iv) It would appear that the Soviet authorities had taken steps as early as October 20 to make armed intervention possible. Evidence exists of troop movements, or projected troop movements, from that date on, and Soviet troops from outside Hungary were used even in the first intervention. In Hungary, signs of opposition were evident before October 23;

(v) The demonstrations on October 23 were at first entirely peaceable and no evidence has been discovered that any demonstrators intended to resort to force. The change was due to the action of the AVH in opening fire on the people outside the Radio Building and to the appearance of Russian soldiers in Budapest as enemies in combat;

(vi) Mr. Nagy has established that he did not issue any invitation to the Soviet authorities to intervene and the Committee has no evidence as to the circumstances in which an invitation was issued or as to whether such an invitation was issued at all. Similar considerations apply to the alleged invitation by Mr. Kadar's government for the Soviet troops to intervene on the second occasion. There is abundant evidence that Soviet preparations for this intervention had been underway since the last days of October;

(vii) Mr. Nagy was not at first free to exercise the full powers of the premiership. By the time the grip of the AVH had been loosened, the real power lay with the Revolutionary and Workers' Councils. Mr. Nagy, seeing that his countrymen were united in their desire for other forms of government and for the departure of the Soviet troops, threw in his lot with the insurgents;

(viii) During the few days of freedom, the popular nature of the uprising was proved by the appearance of a free press and radio and by general rejoicing among the people;

(ix) A number of lynchings and beatings by the crowds concerned, in almost all cases, members of the AVH or those who were believed to have cooperated with them;

(x) Steps taken by the Workers' Councils during this period were aimed at giving the workers real control of nationalized undertakings and at abolishing unpopular institutions, such as the production norms. Meanwhile, negotiations were proceeding for the complete withdrawal of Soviet troops and life in Budapest was beginning to return to normal;

(xi) In contrast to demands put forward at this time for the reestablishment of political rights, basic human rights of the Hungarian people were violated by the Hungarian Governments before October 23, especially up to the autumn of 1955, and such violations have been resumed since November 4. The numerous accounts of inhumane treatment and tortures by the AVH must be accepted as true. In an attempt to break the revolution, numbers of Hungarians, including some women, were deported to the Soviet Union and some may not have been returned to their homes;

(xii) Since the second Soviet intervention on November 4 there has been no evidence of popular support for Mr. Kadar's government. Mr. Kadar has proceeded step by step to destroy the power of the workers. Strong repressive measures have been introduced and general elections have been postponed for 2 years. He refuses in present circumstances to discuss withdrawal of the Soviet troops. Only a small fraction of the 190,000 Hungarians who fled the country have accepted the invitation to return;

(xiii) Consideration of the Hungarian question by the United Nations was legally proper and paragraph 7 of article 2 of the charter does not justify objections to such consideration. A massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs must, by the Soviet Union's own definition of aggression, be a matter of international concern.

CHAPTER IV—SOVIET MILITARY INTERVENTION (OCTOBER 24–NOVEMBER 3, 1956)

A. Introduction

151. In chapter I the Committee has explained why a detailed chronological account of the events in Hungary would be inappropriate for its report. The considerations indicated in chapter I may be briefly recalled insofar as they relate particularly to this chapter and to those which immediately follow. At the students' meeting on October 22, 1956 and during the demonstrations of October 23, demands were expressed for the removal of the severe restrictions which had come to be characteristic features of the regime. Had events continued along these lines, many members of the United Nations would undoubtedly have watched with sympathy the efforts of the Hungarian people to win for themselves a different form of government. However, such internal developments would not have constituted a matter of international concern calling for the attention of the United Nations. The feature of the developments in Hungary which compelled the attention of the organization was the intervention of Soviet armed forces. This intervention transformed the uprising from a demand for a change in the form and character of the domestic government into a call for national liberation from external oppression. It is, therefore, appropriate that the report dwell in the first instance on the details of Soviet armed intervention. The Soviet apologia has been directed exclusively toward the statement of reasons which would justify such intervention, and not to a denial of the act.

152. In this chapter it is not proposed to deal with the uprising itself or to discuss the reasons which have been advanced to justify Soviet intervention. This and the following chapters are concerned solely with stating the known facts about the extent of intervention by Soviet armed forces and the nature of the conflict between those forces and the people of Hungary. The present chapter will deal with the time and manner of the first armed intervention which ostensibly commenced on October 24, 1956, and the subsequent chapter with the time and manner of the second armed intervention from the early morning of November 4, to the suppression of armed Hungarian resistance.

B. Movements of Soviet forces and areas of fighting

153. The committee has received information from many sources regarding the movements of Soviet armed forces, and on the basis of this information it is possible to present the following account of the military operations involved.

154. At the time of the uprising, the Soviet troop locations nearest to Budapest were Cegléd and Székesfehérvár, both about 70 kilometers from Budapest, the former southeast and the latter southwest of the capital. The tanks coming from the southwest appeared in Budapest at about 2 a.m. on October 24, at which time they were seen at Móricz Zsigmond Circle, in Buda, heading toward Pest. They had crossed the Szabadság (formerly Ferencz József) Bridge and were standing on the east, or Pest, side of the bridge between 3:30 a.m. and 5 a.m. Not all the tanks coming from the southwest crossed by the Szabadság Bridge. Between 4:30 a.m. and 5:30 a.m. other tanks passed over the Margit Bridge on their way between Buda and Pest. Some tanks remained near the bridges, controlling passage over the river. Others occupied the embankment road running north and south on the east side of the Danube. Still others concentrated around major buildings in Pest. At the latter points they were shortly joined by tanks arriving from Cegléd; these had passed through the outlying suburbs of Budapest—Pestszenterzsébet and Soroksár—at about 6 a.m. Thus the movement of Soviet forces gives the impression of a military movement planned in advance.

155. At the time of the entry of Soviet forces, the people of Budapest had been in conflict with the AVH for some hours. This conflict had begun at the Radio Building the previous evening, and during the night the people, having secured arms, had continued to attack the AVH wherever they could be found.

156. As day broke on the morning of October 24, the people found themselves no longer confronted only by the discredited AVH, but by the armed forces of the Soviet Union parading in strength through the streets of Hungary's capital. At 6 a.m., one of the columns of Soviet vehicles coming from the west opened fire without warning at the point where the major thoroughfare of Ullői Street reaches the People's Park (Népliget); no fighting was taking place there at the time. Soviet vehicles coming from the east are reported to have opened fire in the outskirts at 6 a.m. in the neighborhood of the Slaughterhouse, and at 7 a.m. at the corner of Soroksári Street and Nagy Sándor Street. Thus began the conflict between the people of Budapest and the armed forces of the Soviet Union.

157. While the outbreak of fighting has focused attention on the actual entry of Soviet forces into Budapest, the Committee has good reason to believe that steps had been quitely taken during the 2 preceding days with a view to the use of Soviet forces for the repression of discontent in Hungary. It has been credibly reported that on October 21–22, in the neighboring areas of Rumania, Soviet officers on leave and reserve officers speaking Hungarian or German were recalled.

158. On October 20–21, floating bridges were assembled at Záhony on the frontier between the U.S.S.R. and Hungary; it was over these pontoon bridges that Soviet troops from the U.S.S.R. crossed on the morning of October 24. It has also been credibly reported to the Committee that Soviet forces were seen on the march between Szombathely and Székesfehérvár as early as October 22, moving from the west toward Budapest. During the night of October 23–24, Soviet forces began to pass through Szeged and continued to move through the town along the road to Budapest for some 36 hours.

159. There is evidence also that, even in the first intervention by the armed forces of the U.S.S.R., use was made not only of Soviet troops stationed in Hungary, but of Soviet troops from the U.S.S.R itself and from Rumania. It would appear that of the Soviet forces used in the first intervention, only two divisions had been stationed in Hungary before the uprising, namely, the 2d Mechanized Division and the 17th Mechanized Division. Seemingly, however, Soviet authorities had foreseen the probability that the troops stationed on Hungarian territory would be insufficient to deal with the situation, and had taken steps to call in forces from outside Hungary. The Soviet troops from the U.S.S.R. who crossed the pontoon bridges at Záhony moved onward to Miskolc, while those who crossed the border in the vicinity of Beregsurány proceeded toward Nyiregyháza and Debrecen. The Hungarian political police at Nyirbátor reported at 1 a.m. on October 24 to the Ministry of Defense that Soviet troops had entered Hungary from Rumania. When on October 28 soldiers of the 32d and 34th Mechanized Divisions were treated in the Verebély Clinic in Budapest, they were, on interrogation, found to be in possession of Rumanian money. Part of the two divisions had been stationed at Timisoara. Thus the forces used to repress the uprising in October were not exclusively forces which had been stationed in Hungary under the Warsaw Treaty.

C. Resistance of the Hungarian people to the Soviet attack

160. The Soviet forces had been given to understand that their task would be the liquidation of counterrevolutionary gangs. The situation in which they found themselves was that they were confronted by the unanimous opposition of an outraged people. Those elements on which they had presumably counted, with the exception of the secret police, failed to provide the expected support. The Communist Party, which had held the country in its grip during the preceding years, was rapidly disintegrating. The detested A.V.H., which had been the main instrument of oppression, found itself paralyzed by the resentment of the people. Its members had been forced to seek refuge in various strongholds, where they were subjected to persistent attack, for the ruthlessness which they had themselves exercised now recoiled on them. The Hungarian army, which the Budapest Radio announced as fighting on the side of the Soviet forces, is not known to have lent them any

assistance whatever, while in at least one instance it engaged in active battle with them and in many other cases gave aid and support to the Hungarian people in their resistance to the Soviet army.

161. In combating the new enemy, people of all ages and occupations showed remarkable unity of purpose. However important the role of the students in the initial stage of the demonstrations, it was matched by equal determination on the part of the workers as the fighting grew in intensity. The fighting was nowhere more severe than in certain factory districts. The peasants lent aid and assistance by supplying the fighters in Budapest with food at little or no cost. Moreover, while there were many instances of middle-aged or elderly people participating in the fighting, the youth of the capital played a leading part.

162. Two of the first instances of the use of "Molotov cocktails" were by a man of some 50 years of age, who destroyed an armored car at 7:30 a.m. on October 24 near the Kilián Barracks, and by children who are reported to have blown up an armored car with its crew at 8:30 a.m. Efforts made by leaders to prevent the distribution of arms to young boys seem in many instances to have been in vain; they readily learned to make effective use of rifles which came into their possession.

163. In the highly industrialized area of Csepel Island at the southern end of Greater Budapest, the factory workers, reinforced by police and artillery units which had come over to their side, created an effective organization of their own. Though Soviet tanks arrived in Csepel at 7 a.m. on October 24, they made no persistent attempt to crush the uprising there. One incident was reported in which eight Soviet armored cars, reinforced by AVH personnel, opened fire near the former Manfréd Weiss factory;[1] when, however, the factory workers pressed with their attack on the AVH, the Soviet armored cars retreated to Budapest. The Csepel workers were thus free to go to the help of those who were fighting in Budapest. They traveled northward in cars, on bicycles, or on foot, to the center of the city.

164. In the middle of Pest, two of the major points of opposition to the Soviet invasion were the Kilián Barracks and the Corvin Cinema. At the Kilián Barracks, the former Mária Terézia military barracks—an old and strong brick structure on Üllöi Street—a unit of the Hungarian Army under the leadership of Col. Pál Maléter, took sides with the insurgents and continued to withstand successive attacks by Soviet forces. The defenders of the Kilián Barracks, including the civilian reinforcements, are said to have numbered some 2,000. When fighting ended there, 60 to 70 Soviet soldiers had lost their lives. About 50 yards away from the Kilián Barracks, just beyond Üllöi Street the Corvin Cinema, standing at the point of convergence of three roads, Üllöi Street, József Boulevard and Kisfaludy Passage, was rapidly converted into a stronghold. Attack on the cinema, a strong, circular structure, was made difficult by the proximity on all sides of four-story buildings.

165. The committee heard a graphic account of the conflict at the Corvin Block and of the use of the "Molotov cocktail" by the insurgents. An antitank gun, removed from a disabled Soviet tank was placed against the steps in front of the cinema, and a mechanism was arranged to fire it from within the building. The tanks or armored cars came from the side streets and, on turning into the boulevard, were within range of the antitank gun which was able to destroy their tracks before they could train their guns on the cinema. Observers posted on the top floors of buildings on the side streets signaled the approach of Soviet vehicles. At the signal, the preparation of "Molotov cocktails" began. A bottle—perhaps a bottle of tomato preserve previously emptied for the purpose—was nearly filled with gasoline. It was then loosely corked, with toweling around the cork. At a second signal, given when the tank drew nearer to the Corvin Cinema, the bottle would be tipped downward so that the gasoline could seep into the toweling. At the third signal, the toweling would be lit and the bottle thrown. As the loose cork fell out, the bottle would explode. A gasoline store on the premises of the Corvin Cinema provided its defenders with an adequate supply of fuel. The Corvin Block was one of the resistance groups in Budapest which successfully withstood attack during the first period of fighting.

166. At times the Hungarians met with sympathy from Soviet troops. Soviet forces normally stationed in Hungary or in Rumania had been affected by their surroundings. Many a Hungarian had learned some Russian—either at school where it was a compulsory language, or in a prisoner-of-war camp. They were able to reproach the Soviet troops, when occasion offered, for their interference in Hungarian affairs. The Soviet soldiers were, indeed, in a situation of some embarrassment. The civilians whom they fought included women, children, and elderly people. They could see that the people were unanimous in their fight against the AVH and foreign intervention; that the men whom the Soviet Army was fighting and the prisoners who were captured were not fascists, but workers and students, who demonstrably regarded Soviet soldiers not as liberators, but as oppressors. It was also an unusual experience for the Soviet soldiers, as for the Hungarians themselves, to hear people speaking openly on subjects hitherto banned in conversation. Some Russian officers and soldiers appear to have fought and died on the Hungarian side.

167. Confronted by opposition in Budapest which they were unable to master, the Soviet forces were in no position to control the provinces. The concentration of forces in Budapest seemingly left certain parts of the country, particularly the region between the Danube and the western frontiers—Transdanubia—practically free from Soviet forces. In such centers as Pécs, no Soviet troops arrived until the beginning of November. In some other centers where Soviet garrisons were present but isolated, relations with the local inhabitants were amicable enough. On October 28, Free Radio Györ announced that the Soviet military commander had denied any intention of interfering "in your internal political affairs," adding that "the rising of the Hungarian people against oppressive leaders is justified." The Soviet commander thanked the population for supplying milk to the children of the Soviet garrison and requested the people to notify him of any violation of regulations by Soviet soldiers. In conclusion, he assured the people of Györ that the Soviet troops were not preparing to attack the city.

168. In Veszprém, the Revolutional Council, hearing of rumors on October 28 that Soviet troops at the Hajmáskér barracks were preparing to attack the city in order to reinstate the former officials, sent a three-man delegation to the Soviet commander. The commander deplored that at Várpalota, in the county of Veszprém, three Soviet citizens had been killed, but he recognized the right of the Hungarian people to choose their own form of government and to remove leaders who did not perform their tasks properly. He gave the assurance that, if the Hungarians refrained from attack, the Soviet troops would make no attack on Veszprém. The same Soviet commander refused to give asylum to members of the AVH who had sought refuge with Russian troops. At Jászberény the Soviet commander took the initiative of calling on the revolutionary council. Accompanied by two Soviet officers, he promised the council that he would not interfere in Hungarian internal affairs and that the troops would not leave the barracks on maneuvers. Jászberény was later the scene of a serious incident, but not until November 4, when Soviet policy had changed. In Debrecen the Soviet forces withdrew from the city to the countryside. Soviet tanks had arrived there on October 24, but, after negotiations between the revolutionary council and the Soviet commander had begun in the afternoon of the 26th, the commander agreed to withdraw the Soviet troops from the city and to lift the curfew, and Soviet withdrawal from Debrecen began on the 27th.

169. In the provinces, the evidence suggests that the Soviet forces were concerned rather to avoid conflict with the Hungarian people.

170. In Budapest the fighting continued from the 24th to the 28th, as Soviet armor sought to eliminate the resisters' strongholds. The massacre in the square by the Parliament Building exasperated rather than terrified the people, and the severe Soviet attacks of October 27 were unsuccessful. Not until the cease-fire of October 28 did a lull ensue, and the fighting had, in effect, come to an end by October 30.

D. The withdrawal of Soviet troops from Budapest

171. One central demand of the insurgents in Budapest was that Soviet troops should withdraw from the capital. Deputations of the revolutionary council from the provinces and from the fighting groups in Budapest pressed their demands on the Government. They stressed that they would not lay down their arms until the Government had made its position clear regarding the withdrawal of Soviet troops from the entire country. However, the insurgents conceded that the first step would be the evacuation of Budapest, to be followed within a given period of time by the withdrawal of Soviet forces from Hungarian territory. Such were the demands received from the Student's Revolutionary Council, the Miskolc Revolutionary Council, the Transdanubian National Council, and from numerous towns and villages in various parts of the country.

172. At 5:25 p.m. on October 28, the Hungarian Prime Minister, Mr. Nagy, announced that the Soviet Government had agreed to begin the withdrawal of its troops from "the city's territory." The following morning Premier Nagy and the Minister of Defence, General Károly Janza, met the representatives of the more prominent insurgent groups at the Ministry of Defence. According to the evidence received, General Janza insisted during this meeting that the technical complexity of a withdrawal of troops made it difficult to effect this within the time limits set by the insurgents. Since, however, the discussions also concerned the reestablishment of order in Budapest, the meeting ended on a hopeful note. The Government was to seek to conclude with the Soviet authorities a timetable for actual withdrawal, while the insurgents would lend assistance in this task by maintaining order and showing due respect toward the withdrawing Soviet forces.

173. Negotiations between the Government and the Soviet authorities continued during the day. At the same time, General Király, as head of the Revolutionary Military Council, was establishing the foundations of the National Guard, with the intention of guiding and coordinating the various insurgent groups. During the evening General Janza announced the withdrawal of Soviet troops from the eighth district of Budapest, and called upon the insurgents to lay down their arms in conformity with the agreement. The next day he announced that the with-

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[1] Subsequently called "Rákosi Works"; now known as "Csepel Works."

drawal of Soviet forces from Budapest would be completed by dawn of October 31.

174. During the last days of October, Soviet armored and other vehicles began to evacuate Budapest, with the exception of certain key positions, such as the Soviet Embassy and the main approaches to the Danube bridges. This withdrawal, however, took place simultaneously with the surrounding of the principal airports of Budapest—an action which provoked a resolution of the staff of the Hungarian National Air Command of October 30 threatening that, unless the withdrawal of Soviet troops from Budapest was effected within 12 hours, the Hungarian Air Force "would make an armed stand in support of the demands of the entire Hungarian working people." The Budapest airports of Ferihegy, Budaörs and Tököl were under the control of Soviet troops or substantially so, owing to the proximity to these airfields of Soviet artillery and armored units. The same was true of Szentkirályszabadja airport (between Veszprém and Lake Balaton) and the Kecskemét and Szolnok airports. Budapest was ringed by three airfields in its immediate vicinity, while the three others, lying at a distance of 100 kilometers, occupied strategic positions. It appears, however, that six military airfields—Pápa, Székesfehérvár and Kaposvár in western Hungary, Kiskunlacháza and Kalocsa in central Hungary, and Kunmadaras in northeastern Hungary—were not subject at that time to Soviet military control. They had, according to reports, some 200 Hungarian planes, of various types, available for immediate action.

175. General Király, in accordance with Premier Nagy's instructions, forbade any military action on the part of the Hungarian Air Force. The position taken by the Premier was that, as discussions were underway regarding the withdrawal of the Soviet troops, any sign of belligerence on the part of the Hungarian forces, particularly if not the result of direct provocation, would destroy the chance of resolving this question through negotiations and might, in fact, precipitate Soviet retaliation. However, air reconnaissance was permitted, and reports were received on Soviet troop movements in Hungary for the period of October 29 to November 2. In the vicinity of Budapest, to the north and south of the city on the Vác, Cegléd and Kecskemét highways, there were stationed on October 30 some 200 tanks, tenders and other Soviet armored vehicles. Just to the west of Budapest were some 30 tanks, and at Székesfehérvár, 25. In western Hungary, around Györ and Szombathely, some 10 to 15 tanks and other service vehicles were located near each town. In Kecskemét, Szolnok, Békéscsaba and Debrecen there remained a small number of tanks. It was calculated that, in all, there were less than 400 Soviet tanks in commission in Hungary at that time. On October 30 an airlift from Tököl, Ferihegy and other airports was put into operation, and it is estimated that some 200 transport planes were used to evacuate the families of Soviet military and civilian personnel and wounded troops. Notwithstanding the reports that the incoming planes were carrying military supplies, the belief was generally entertained on the last day of October that the Soviet withdrawal might soon become a reality.

176. This hope was short lived. At 11:30 p.m. on November 1, Radio Budapest reported that, according to an announcement issued by the Soviet Embassy, airfields of the Hungarian Air Force had been surrounded by armored forces of the Soviet Army in order to secure the air transport of the families of Soviet troops and the wounded. The radio statement added that "The Hungarian Air Force, in full complement, was ready to defend itself against overwhelming strength. The Goverment, however, fully realizing its responsibilities, prohibited the opening of fire. So the troops of the Air Force are now facing the Soviet forces present, without firing and with discipline. They await the departure of the Soviet troops." By this date, the possibility of action by the Hungarian Air Force was rapidly being curtailed. The staging areas of the Soviet troops were by now the Hungarian military airfields or those which the Soviet Air Force had previously occupied, such as Pápa and Veszprém. Considering that the number of civilians and wounded soldiers to be evacuated was relatively small, it seemed that the Soviet Embassy's announcement was intended to justify the seizure of the airfields and the immobilization of the Hungarian Air Force.

177. The available information indicates that, during the days following October 29, the prevailing attitude in Budapest with regard to the withdrawal of Soviet troops was one of quiet, though tense, expectancy. The new free press and the radio, while rejoicing in the positive results achieved during the negotiations for the withdrawal of Soviet forces from Budapest, asked the population to refrain from showing any signs of hostility toward the foreign troops. The Soviet forces did, in fact, withdraw from the city without obstruction. In the 20th district, Soroksár and Pestszenterzsébet, which came under the unified command of the National Guard, the only incidents reported on the 29th were of fighting with some Soviet units which had been cut off from food supplies and were looting food stores. The next day, the cease fire came into full effect and thereafter the armed truce was respected by both sides, and no infringements occurred until the early hours of November 4. The situation was similar in the suburban areas to the north and west of the capital. In the provincial centers, the Soviet troops withdrew from the towns or, if garrisoned there, to the barracks, giving the impression that their intervention in Hungary was coming to an end.

E. The logistic deployment of new Soviet forces

178. In fact, during the last days of October and the beginning of November, the Soviet forces were effecting three types of troop movements in Hungary. The first was the withdrawal from the capital, and from public view in the provinces. The second was the dispatch of new forces from the east to certain strategic centers within Hungary, ostensibly, as announced by Soviet Ambassador Andropov, to assist in the organized withdrawal of the Soviet forces. The third was the massing on and within the Hungarian borders of heavy armored units which were to be called upon 4 days later to crush the Hungarian uprising. The first two movements—outward from Budapest and inward from the eastern frontier, seem to have converged, at strategic locations along the main arterial road system, to form a crescent about 150 kilometers east of Budapest. This consolidation stretched from Gyöngyös and Hatvan in the north on the Budapest-Miskolc highway, then through Cegléd and Szolnok on the Budapest-Debrecen highway, and Kecskemét on the Budapest-Szeged highway, to Dunaföldvár which lies on the western bank of the Danube. In Transdanubia before October 31, this military consolidation was not as extensive as in the Danubian plain except at Székesfehérvár, to which some of the troops from Budapest had been withdrawn.

179. On the eastern frontier, after 2 days of relative immobility—October 27 and 28—new troop movements were observed. At Záhony, the frontier station on the Transcarpathian border, at least 100 tanks were located on Hungarian territory, while a considerable force of motorized infantry, with artillery vehicles and supporting tank units, was moving westward toward Nyiregyháza. The next day, 133 light tanks and 80 of the latest model heavy tanks crossed the frontier at Záhony, more than compensating for the few tanks and infantry vehicles which were moving eastward from Nyiregyháza, with the local inhabitants cheering them on their way.

180. In some cases, as reported from the frontier village of Csaroda, the convoy going eastward had not really left Hungary, but had moved in a circular fashion, returning westward by another road. Reports of new troops entering the country from October 29 appear to have continued daily. The Záhony sector was the principal venue, but from October 31, most of the roads leading into Hungary were being used for the conveyance of Soviet troops. From the frontier village of Nyirbátor close to Satu Mare in Rumania, to the frontier post of Battonya, near Arad in Rumania, the roads were blocked with incoming vehicles. At Debrecen, where a reconnaissance plane of the Hungarian Air Force was shot down on October 31 by a Soviet antiaircraft battery, there were also considerable military activities. During the following 3 days, air reconnaissance became increasingly difficult owing to the rapid diminution in the number of airfields free from Soviet control.

181. It became clear that the new Soviet troops were advancing by stages toward strategic positions in the Danubian plain and even Transdanubia. Thus fresh units came to Szolnok and Kecskemét by November 1, while another unit appears to have crossed the Danube and to have established itself by that date at Dombovár, 20 kilometers north of the city of Pécs. The Soviet Army used also the main railroad line passing through Záhony for the transportation of troops. It is known that they seized the railway stations at Záhony, Kisvárda and Nyiregyháza during November 1 and 2, and some armed clashes occurred between the Hungarian railway workers and the Soviet troops. The eastern lines were commandeered by the Soviet military command, and from November 2 on the Hungarian railways could not operate between Szolnok and Nyiregyháza.

182. The Soviet Military Command was also using the more developed communications system of Czechoslovakia. This proved helpful to them, as the Záhony approaches to Hungary tended to constitute a bottleneck, notwithstanding the building of auxiliary pontoon bridges over the Tisza. With regard to the Rumanian crossings, although these lines were put into use, as far south as Timisoara, they tended to extend unduly the Soviet communications system. Thus, a deployment of Soviet forces took place on the north through Slovakia and along the Danube, possibly as far east as Esztergom (north of Budapest) to Rajka (north of Magyaróvár). On November 2 Soviet troops from Czechoslovakia crossed the Danube bridge at Komárom.

183. By the evening of November 2, Hungary had to all intents and purposes been reinvaded. Premier Nagy continued negotiations with the Soviet representatives, in the hope that this powerful Soviet force was there only as a show of strength. Estimates of Soviet forces in Hungary vary from 1,600 to 4,000 tanks and from 75,000 men to 200,000. The committee has been informed that a more probable figure is 2,500 tanks and armored cars with 1,000 supporting vehicles.

184. By the evening of November 3, communication between Budapest and the provinces was limited to the telephone, as the highways and railways were, for all practical purposes, sealed off by the Soviet forces. The agreement between the Hungarian Government and the Soviet authorities regarding the withdrawal of Soviet troops from Hungary had been reached in the afternoon. Certain outstanding matters relating to the withdrawal remained to be decided. For

this, General Maléter, head of a delegation, was empowered to represent the Government. At 10 p.m. he proceeded to the headquarters of the Soviet Military Command at Tököl on Csepel Island. Consequently, Premier Nagy had grounds for believing that Hungary, despite the presence of the large Soviet military force in the country, was destined to become free.

F. Conclusions

185. In the present chapter, the committee has summarized the information available to it regarding the movement of Soviet forces within Hungary from the beginning of the first intervention to the eve of the second intervention. Simultaneously with the renewed concentration of military forces described in this chapter, negotiations were being conducted between the Government of Hungary and the Government of the U.S.S.R. for the withdrawal of Soviet forces from Hungary. The course of these negotiations is dealt with in chapter VIII. The problem arises of reconciling the known facts regarding the political negotiations for complete withdrawal with the clear evidence of the continued reintroduction of forces and their concentration within the country. It may well be that, immediately before the second intervention, the political and military authorities of the U.S.S.R. differed regarding the best way of meeting the unusual circumstances which had arisen, and that the military authorities at no point abandoned the belief that the only way to resolve the difficulties which had arisen in Hungary was by force.

CHAPTER V—SECOND SOVIET MILITARY INTERVENTION

A. Introduction

186. A period of less than a week intervened between the end of hostilities in October and the second attack by Soviet armed forces on the morning of Sunday, November 4. The committee received authoritative evidence regarding the conditions in Budapest during this brief period. On the eve of the second attack, order was being rapidly restored in the damaged streets of the capital. People were already at work removing the rubble and glass. Despite innumerable broken shop windows, no looting took place. Good progress was being made in the direction of political consolidation, and the resumption of work could be confidently expected on Monday, November 5. Negotiations had been completed for the formation of a national guard under General Király with a view to ensuring internal security. A sense of confidence had developed among the citizens of Budapest.

187. Fvidence has been given in the preceding chapter that Soviet troop movements into Hungary on a considerable scale and other military preparations had been going on for some days. In view of the difficulties of large-scale military planning, it would seem most probable that the design of the second intervention had been worked out during the last days of October, if not sooner. The purpose of this chapter is to assemble evidence as to the actual fighting which took place from early in the morning of November 4 until armed resistance ceased. It is thought appropriate, however, at this point to consider one aspect of the fighting that had a considerable bearing on the way in which it developed, namely the attitude of the regular Hungarian Army toward the uprising and of the insurgents toward the army.

B. Relations between the insurgents and the Hungarian Army

188. It is a significant fact that, throughout the uprising, no single unit of the Hungarian Army fought as such on the side of the Soviet troops. Not only at the Kilián barracks, but later also on the Citadel in Budapest and in the Mátra and Bükk Mountains, Hungarian Army units fought on the side of the uprising. Apart from these organized army units, numerous Hungarian soldiers deserted to the insurgents or handed over weapons and ammunition. It would not be an exaggeration to say that the Hungarian Army proved useless to the Soviet command throughout Hungary as a means of quelling the insurrection. In fact, it started to disintegrate at the outset. Desertions took place in such numbers that the Minister of Defense, István Bata, was obliged to appeal over the radio in the following terms at 8:56 a.m. on October 25—only some 36 hours after the beginning of the revolt: "I instruct those members of the army who, for one reason or another, have been separated from their units to report to their commanding officers at their formations immediately, and not later than 12, October 25." Later appeals by radio called upon the troops to report to the nearest military post, since by then many soldiers had left their provincial garrisons to come to Budapest or to help in the uprising elsewhere.

189. Since the junior ranks came from peasant or working class homes, where the grievances complained of were well known, their sympathies were quickly engaged on behalf of the insurgents, and there is evidence that similar grievances to those of the civilians had been voiced in the garrisons also. For example, there was bitterness over the introduction of a Russian-type uniform for Hungarian soldiers and over the subordinate position of the Hungarian Army. This inferior status was to be seen in the supervision by Soviet officers of the Hungarian general staff, in the Soviet control over heavy tactical weapons, heavy communications materials, and the air force, and in the infiltration of the Hungarian Army by state security organs under Soviet supervision. A sense of inferiority had thus been bred in the rank and file of the army which, for some time past, had led to complaints.

190. The resistance of the Hungarian people was considerably strengthened by the attitude of the soldiers, at first by their refusal to fight against the insurgents and soon by their active help. This attitude, however, did not extend to most of the senior officers. Under Soviet inspiration, special cadres of Communist officers had been developed to handle all key operations and commanding officers were chosen for their party affiliation rather than their military training. Senior Hungarian officers with military experience had, in most cases, been retired or assigned to teaching posts in one of the military academies. On the other hand, a number of younger officers had undergone training in the Soviet Union and were presumed to be not only Communists, but also pro-Soviet. The remainder of the officer corps had at one time or another during the past 10 years received a special Communist indoctrination, and many were believed to have pro-Soviet sympathies. However, in the Budapest military academies, contrary to expectations, the cadets reacted differently to developments. They were aware of the grievances of the workers and took part eagerly in such discussions as those at the Petőfi Club. According to Budapest radio reports, when the demonstrations were organized on October 23, about 800 cadets from the Petőfi Military Academy in Buda were among the demonstrators at the Bem statue. Great encouragement was given to the demonstrators by the presence in their midst of cadets marching in their uniforms.

191. All these factors had created sympathy and confidence between the insurgents and the rank and file of the Hungarian Army. Most of the insurgents, however, remained distrustful of the army command and of the senior officers in general. During the days of freedom, the revolutionary military council of the army and the command of the national guard established a working relationship with the insurgents of greater Budapest. In the provinces, the situation was still confused. Much depended on the attitude of the officer commanding the local garrison and on that of his staff. Often the senior officers had been against the uprising or had declared themselves neutral. In some cases, where the garrison had actually sided with the insurgents, it had been unable to act as an organized unit for lack of ammunition or through action by the AVH or by the Soviet NKVD.

192. The freedom fighters had welcomed deserting soldiers and officers into their ranks and made extensive use of weapons and equipment given them by the army, but they preferred to keep the command of the insurgent groups in civilian hands. During the days of freedom, it was proposed to reorganize the army on nonpolitical lines and to remove some of the officers known for their pro-Soviet views. This, however, would have taken time and, meanwhile, the revolutionary committees had little faith in the ministry of defense or in the Hungarian military command. They often insisted on personal confirmation of instructions by a leader they trusted, such as General Maléter or General Király.

193. At the first meeting of the Revolutionary National Defense Committee on October 31, Generals Maléter and Király and Colonel Náder of the Air Force, had been of the opinion that the reorganization of the Hungarian Army should be speeded up. They felt, however, that the attitude of the army and of the insurgents toward the Russians should be above reproach during the negotiations for withdrawal of the Soviet troops. The possibility of a renewed Soviet attack was already borne in mind. While Generals Maléter and István Kovács were concerned exclusively with the technical negotiations for the withdrawal of Soviet troops, Colonel András Marton was called from the Zrinyi Military Academy to prepare a defense plan, for use in the event of a second Soviet attack. Colonel Marton, however, was released from the Zrinyi Academy only on November 2. By that time, Soviet troop movements were going on in various parts of the country and communications were becoming extremely difficult. It was obvious that the Soviet command, if it wished to strike, had more than sufficient troops in Hungary to make any organized resistance impossible.

194. On November 2 and 3 various revolutionary groups in such positions as the Corvin Block and the Kilián Barracks and in the industrial suburbs of Budapest replenished their stocks of ammunition with the help of the National Guard. They appear to have received little, however, but rifle bullets. Some officers and noncommissioned officers attached to the various groups undertook a little hasty artillery training. Defensive positions were improved or alternative sites chosen which provided better vantage points for antitank guns. It would appear, however, that no overall plan was drawn up to protect Budapest in the event of an attack. The resistance organizers worked on the local level and with improvised means.

195. Leaders of revolutionary councils seemed to derive special satisfaction from being in direct telephone communication with Mr. Nagy, Mr. Tildy or General Király. From 9 o'clock in the evening of November 3, reports came in from the councils by telephone and special messenger both to Mr. Nagy and to General Király, as they had no confidence in the hierarchy of officers transmitting their messages from the field to the highest echelons. This circumstance throws some light on the individualist nature of Hungarian military operations. Resistance followed no general plan, but was limited to local, although often fiercely fought, engagements. It is important to see these en-

gagements against the background of a Hungarian Army which had virtually ceased to exist as such, with the resulting impossibility for most army units to fight in formation, but with the corollary that the participation of soldiers in the resistance, individually or in groups, became a common feature of the fighting. It was in such circumstances that the citizens of Budapest found themselves again under Soviet fire.

C. The fighting in Budapest

196. From 9 p.m. on November 3 the capital had been completely surrounded. Information that hundreds of tanks were advancing slowly toward the capital was received from observation posts on the major highways. Reports came in that, at some places such as Pestszenterzsébet, small units had entered the district, possibly trying to make the insurgents open fire. Since, according to the withdrawal agreement of October 31, Russian troops were to evacuate Greater Budapest, local commanders were ordered on instructions from Mr. Nagy not to open fire. The Ministry of Defense also gave the same instruction many times. Witnesses have testified that in no case was a shot fired by the insurgents. By 3 o'clock in the morning tanks were moving along Soroksár Avenue up to Boráros Square on the Pest side of the river, cutting off Csepel Island from the inner capital. Similar advances were made from the Váci Avenue on the north, down the east bank of the river, cutting off Ujpest from the Buda side. No precise information exists from the other sectors, but it is known that Soviet troops opened fire at 4:25 a.m. at Budaörsi Way, to the south of the old city of Buda. Shortly afterward cannon fire was heard from all quarters of the city and from outlying districts.

197. Fighting broke out at numerous points of resistance. Soviet tanks advanced along the main boulevards radiating from the Danube. The insurgents set up barricades at important intersections on the outer ring of Pest and fierce fighting took place at Üllöi Street, Marx Square, Kálvin Square, at the Kilián Barracks, and at the Corvin Cinema. On the Buda side, there was fighting on the Gellért Hill, at the Citadel and on the Royal Palace Hill, at the Southern Railway Station, in Széna Square and in Móricz Zsigmond Circle. Resistance varied according to the available strength in men, weapons and ammunition. In some cases Russian troops were able, within a matter of hours, to fight through to such important points of the city as the square by the Parliament Building, the banks of the Danube, the bridgeheads, the radio station, and the police headquarters. Whatever organized resistance may have been planned for the city as a whole had ceased by 8 o'clock in the morning, that is, shortly after the radio station had been taken over by Soviet troops. Thereafter the groups continued fighting until their ammunition was exhausted or until the defending positions had been destroyed by the heavy tank barrage. The Kilián Barracks were subjected to a 3-hour assault and to aerial bombardment, but the building was not seized for 3 days. The Citadel military units, reinforced by freedom fighters, held out until November 7. The Soviet losses were severe, as these defense positions were well organized. Fierce fighting also took place at Móricz Zsigmond Circle and in other parts of the city. From the evidence received, it would seem that for the first 2 days the Soviet attack was directed principally against those fortified positions which, by their continued resistance, prevented the Soviet command from claiming that it was in full control of Budapest. The impression is gained that the Soviet troops avoided a systematic hunting down of secondary targets, such as snipers, in the belief that complete order would shortly be restored. When that proved not to be the case, Soviet tanks began to move again along the main boulevards, firing indiscriminately into houses to strike fear into the people and to force their surrender. This shooting caused severe damage to buildings on the boulevards and along the side streets, even where there had been no recent resistance by the freedom fighters. By November 8 much of Budapest bore severe traces of the fighting. Hundreds of buildings were completely destroyed and thousands more had been severely damaged. The destruction was especially marked in certain districts but, in a city as large as Budapest, many areas were fortunate enough to have escaped. By nightfall on the 7th the fighting had become intermittent and was mostly confined to the outlying industrial districts.

198. It must, however, be stated that on the evidence before the Committee it may be safely assumed that the whole population of Budapest took part in the resistance. No distinction, therefore, could have been made between civilian and military population. "Molotov cocktails" were thrown from apartment windows on upper floors by men, women and children on a wide scale. It would, therefore, be difficult for any invading army to pick the objects of attack.

D. The fighting in the industrial districts of Budapest

199. In the industrial districts of Budapest, most of the fighters were workers and the fighting became a struggle between the Hungarian factory workers and the Army of the Soviet Union. This was the case more particularly in those districts on the Pest side of the Danube where most of the heavy industries of Hungary are concentrated. As in the city itself, leadership of the resistance forces emerged at the local level. Each district or group of districts, under the command of its revolutionary councils, received army equipment and was reinforced by army personnel who volunteered to join the freedom fighters. The Revolutionary Council of Csepel received some 85 pieces of artillery from the barracks on the island when many officers and men joined them against the orders of their commanding officer.

200. The factory districts from Ujpest in the north, through Köbánya and southward to Pestszenterzsébet, Soroksár and Csepel Island, put up the strongest resistance. This continued until November 11. With the exception of a few clashes in the hills of Nógrád and Baranya counties which occurred after this date, it can be said that these districts were the scene of the most tenacious Hungarian armed resistance during the second intervention. A detailed account of the fighting in all districts cannot be given, but considerable material has been received on the overall situation. The primary objective of the Soviet forces would appear to have been the capture and control of the city. They did not enter the outlying industrial districts except to the extent that they had to go through them when following the main highways. In the morning of November 4, the centers of fighting were on the highway to Vác and on the other highways radiating southward to Csepel Island. The Soviet troops, equipped with armored cars, light and heavy tanks, and self-propelled artillery, were faced, as in the city, with fighting on street corners against anti-tank guns, odd pieces of artillery, machineguns and incendiary hand grenades. The freedom fighters were always outnumbered, but, according to the evidence, when the situation became desperate they would withdraw and reappear from another street to hit the tail end of an advancing armored column. In some cases the Soviet troops had to leave their tanks to clear road obstructions, giving the freedom fighters an opportunity to attack them with side arms. It appears that the situation on November 4 and 5 was one of constant harassment of the Soviet columns. The Soviet armored units opened fire on all buildings along avenues and streets and inflicted heavy casualties among noncombatants. Several tenements and workers' apartment buildings collapsed as a result of cannon fire, with 20 to 50 people trapped in the cellars.

201. In many districts the factories, such as the Köbánya Beer Factory, the Ganz Works, the Electric Bulb Factory and the Csepel Steel Plant, were arsenals for the Hungarians. The fighting, however, varied in the different districts, according to the heavy weapons and ammunition available. Witnesses testified that action would continue until all artillery shells were exhausted. Then the freedom fighters, carrying their side arms, would either join up with another group, or go into hiding. The Soviet forces, on the other hand, had a superabundance of fire power, and it was not necessary for the Soviet Army to employ all the armored units which it had at its disposal.

202. The fighting in the 20th district—Pestszenterzsébet and Soroksár—was organized under one command and lasted from the morning of the 4th until the evening of the 8th. Sporadic fighting then continued until the morning of the 11th. Radio Station Róka, which was heard outside Hungary up to November 8, was located in this district and did much to maintain the morale of the freedom fighters. Soroksár Avenue joins Csepel and the Tököl military airport with the capital. Soviet troops soon gained control of this avenue, but they were subjected to harassment and their losses of men and materials were reported to be high. The Soviet troops undertook a number of punitive sorties in the side streets, killing many nocombatants and destroying many buildings. During these attacks, the Committee was told, the Soviet troops would shoot indiscriminately at anything, even if it were not a legitimate target. Examples described to the Committee included a bread line of women and children, standing outside a bakery, which was shot at on November 4. On November 7 a Red Cross ambulance was destroyed by machinegun fire; the wounded and the nurses in it were killed.

203. The Revolutionary Council of Csepel constituted another center of resistance. It is noteworthy that certain witnesses, former members of the Revolutionary Council of Csepel, testified before the committee that they and other members of the council had advocated on the eve of the second intervention that, in case of a Soviet attack, the Csepel workers should not resist. The Soviet forces, it was thought, were bound to win, and any resistance would be a futile sacrifice of life. The workers, however, made it clear that such a suggestion was unacceptable to them. In the outcome, the battle of Csepel was the hardest fought of all, for the workers were united in their determination to fight and were well provided with weapons. Since Tököl Airport would be isolated from Budapest unless the Csepel workers were subdued, the Soviet command was forced to break their resistance. Between November 4 and 9, fighting went on incessantly in the area as a whole, although at various points only intermittently. The freedom fighters maintained an effective organized armed resistance in most of the area throughout these 5 days. On the 7th there was a concentrated artillery barrage against the whole area, supplemented by aerial bombardment. The next day an emissary from the Soviet commander asked the freedom fighters to surrender. They refused, and the fighting continued. The following day, the 9th, another emissary stated that unless the insurgents surrendered no one would be spared. This was also rejected. The shelling was intensified

by artillery units converging from the north and by the heavy guns now stationed on the Gellért Hill. At 2 p.m. the Soviet forces used antipersonnel rocket mortars causing great destruction to the factories, installations, and surrounding buildings. At 6 p.m. the revolutionary council decided to end the fighting. Their ammunition was practically exhausted. With the cessation of hostilities in Budapest, it was possible for the Soviet forces to concentrate on Csepel. There was some shooting the next day—the 10th—but the armed resistance was, to all intents and purposes, over, as the Soviet tanks had by then occupied all the plants and warehouses which were formerly the bases of resistance.

E. Fighting in the Provinces

204. While the objectives of Soviet strategy were the suppression of the Hungarian national movement and the overthrow of the Nagy government, which had been called upon to implement the demands of the insurgents, it was the apparent aim of the Soviet high command to avoid clashes wherever possible. Thus, throughout the whole of southern Hungary, from Békéscaba in the east to Körmend in the west—with the notable exception of Pécs—there was no actual fighting during the revolution. The absense of resistance was due to a variety of reasons:

(a) In the towns and villages where no Soviet or Hungarian troops were stationed, the revolutionary councils which came into being between October 25 and 30 could not secure any weapons. In most cases there was no immediate need for them, as the local members of the AVH had complied with the request that they turn over their offices and remain in their homes. At the time of the second intervention, these revolutionary councils had no weapons in store with which to effect armed resistance;

(b) In such towns as Szeged, where troops were usually garrisoned, special steps had been taken by Soviet intelligence to neutralize the senior officers of the Hungarian Army. It was thus possible for the Soviet troops to ensure from the outset that no weapons reached the insurgents. This was also the case in Kecskemét, where the commander of the Hungarian garrison, who was a Soviet-trained officer, had taken the necessary measures to keep his unit, as such, inactive during the uprising.

205. A full account of events throughout the country would run to great length, nor would it add to the conclusion that, irrespective of the degree or duration of military resistance by the Hungarian people, the overwhelming majority of them were determined to see their demands put into effect. The description here given will therefore be limited to the events in a few provincial centers which are broadly representative of what happened in the provinces during the second intervention.

206. At Pécs, the chief city of Baranya County, and an important center due to its proximity to the uranium mines, nothing of any military significance occurred between October 23 and November 1. The AVH did open fire on the first demonstrators, but during a second demonstration on November 1, it was forced to surrender and the revolutionary council took over all the functions previously discharged by Communist Party officials. A declaration of policy drawn up by the council demanded as its first point the withdrawal of the Soviet troops. It also called for the exploitation of the uranium mines by the Hungarian state. On the evening of November 1, the Soviet officials of the uranium mines were asked to leave with their families; they were sent by truck to Szekszárd, where some Soviet units were stationed. During the next 2 days, everything was quite at Pécs and the revolutionary council went to work to reorganize the various public services. After November 1, however, reports regarding the systematic buildup of Soviet troops at Dombovár, some 25 kilometers north of Pécs, created an atmosphere of anxiety. Before the Russians returned, the uranium mines were flooded.

207. By the evening of November 3, it was obvious that the Soviet troops intended to take military action against the insurgents. The commander of the Hungarian forces in Pécs, who had originally agreed to fight in case of a Soviet attack, decided during the night to disarm his troops. The revolutionary council, in order to avoid the destruction of the city, resolved to resist in the hilly regions surrounding Pécs. On the morning of November 4, the Soviet troops took over the city. In the meantime, some 5,000 volunteers—mostly miners and students carrying arms and ammunition—joined the insurgents in the Mecsek Mountains. The Soviet troops made numerous sorties against the positions of the insurgents but, owing to the mobility of the latter and their lightning guerrilla tactics, the Soviet troops suffered many casualties and, for some 3 weeks, were unable to subdue the insurgents. On the 8th, the insurgents attacked a convoy and killed the commander of the Soviet forces. Day by day, they harassed the Soviet troops by commando raids and, though the insurgents had lost many men, it was mainly lack of ammunition that forced them to give up the fight and escape across the border to Yugoslavia. The committee was informed by two witnesses that many of the Hungarian wounded, who were to be sent down from the mountain hospital by Red Cross ambulances, never reached their destination alive. One witness stated that two wounded freedom fighters were taken out of a truck by Soviet troops, made to kneel in a public square with their hands tied behind their back and were then shot with a submachine gun. This isolated instance, however, could not be checked by the committee.

208. The events during the uprising at the important industrial center of Dunapentele are particularly noteworthy because of the representative character of its population. After the war, it rapidly developed from a small village into an industrial city under the name of Sztálinváros. Steel foundries, iron works and chemical industries caused its industrial population to grow to 28,000 by 1956. It was the most important experiment undertaken by the party in its industrialization program and was considered to be one of the main strongholds of communism. On October 4 the workers decided to follow the example of Budapest. They organized a revolutionary council to represent them and established workers' councils in the various factories. The next day, during a demonstration, the AVH opened fire on the crowd, killing 8 people and wounding 28. During the next 2 days, there was more fighting with the AVH, who were now barricaded in the army barracks. On the 29th, a helicopter landed on the barrack ground and a Soviet official with his family, the senior officers of the AVH and two senior Hungarian officers were flown away. Shortly afterward, a deputation from the barracks declared that the army was on the side of the revolution.

209. The following days were spent in organizing the activities of the revolutionary council and in the military training of some 800 workers. Radio Rákóczi, which was transmitting from Dunapentele after November 4, was repeatedly heard asking for assistance in weapons and equipment. It called on Radio Free Europe to pass on these appeals for outside assistance against the Soviet intervention and also retransmitted the appeals of other free Hungarian stations. On the 5th, Radio Rákóczi appealed to the International Red Cross for medical supplies. On the 6th, a Russian armored unit stopped on the outskirts of the town and asked for the surrender of the insurgents. The commanding officer, with an AVH interpreter, was escorted into the town and met the leaders of the revolutionary council. It was pointed out to him that the insurgents were not Fascists or capitalist agents but principally workers, many of whom had been stanch supporters of the Communist Party. To convince him of this he was asked to hear two card-bearing members of the party from the crowd which was assembled outside. These men explained that they had been taught to believe that the Soviet Union defended human rights and was the liberator of the peoples. They declared they wanted now to be free of Soviet intervention and had demanded the abolition of the AVH. When the Soviet officer stated that he had to carry out his orders, the two Communist freedom fighters tore up their party cards and threw them at his feet. The Soviet commander withdrew, stating that he would take no action against Dunapentele until he received new orders. Nevertheless, the next day—November 7—the Soviet forces attacked the town from three directions using a large armored force, self-propelled guns and tactical air force. The battle lasted all day, but the freedom fighters held strongly organized positions and were able to withstand the onslaught. By the evening of November 8, the ammunition had been exhausted and most of the fighters were ordered to go into hiding. Some 300 men with sidearms managed to escape during the night. They continued armed resistance in the countryside until November 11 when it was decided to disperse, as any further resistance appeared to be futile.

210. It was reported that during the fighting in Dunapentele the factories did not suffer as much as the living quarters of the population, where considerable damage was done by bombing. The freedom fighters lost 240 men during the fighting; 12 tanks and 8 armored cars of the Soviet forces were destroyed. Witnesses stated before the Committee that the purpose of the workers' resistance in Dunapentele was to demonstrate that all Hungarians wanted to see their country freed from external domination. Witnesses were emphatic in pointing out that, irrespective of creed or party affiliation, the factory workers, with the officers and men of the garrison, were entirely united in their objectives and that throughout the period October 25 to November 8 no one, except the members of the AVH, dissented from the policies of the revolutionary council.

211. In the county of Veszprém, northwest of Lake Balaton, the revolutionary council, having consolidated its position by October 26, concerned itself principally with political and administrative matters, as military questions appeared to be less pressing. There had been no fighting in the county with Soviet troops during the first intervention except at Várpalota, where the miners, in attacking the AVH, had also killed three Soviet political advisers. However, the Veszprém Revolutionary Council assisted in the formulation of a coordinated policy with the other Transdanubian provincial councils, for the purpose of creating a military command to protect Transdanubia in case of a second military intervention. Its first act was to purge from its membership four of the five officers who had been originally elected, on suspicion of maintaining contacts with the Soviet forces; it elected instead a soldier and the head of the county police, thus setting up, according to the testimony received, a council which was truly representative of all sections of the population of the province. The next 3 days were devoted to political negotiations for the resumption of work and for the organization of the national guard. By Saturday, November 3, however, the systematic buildup of the Soviet forces within the county had become so apparent that the national guard, consisting of students, workers, and soldiers, made hasty preparations in the city of Veszprém in

anticipation of a Soviet attack. This attack came at 5 o'clock the next morning. For 2½ days the national guard, besieged in the old city of Veszprém, fought against greatly superior Soviet forces which had launched the attack from three directions. By midday of November 6, the ammunition of the insurgents was exhausted. About 40 Hungarians and possibly an equal number of Russians had lost their lives. The battle caused considerable destruction in the city, including damage to buildings of historical and artistic significance. Most of the insurgents were able to escape and attempted to hide their sidearms. However, by the evening Soviet trucks were being loaded with students seized from their homes and taken to unknown destinations. According to the evidence, by December 1 none of these students had been returned. At the end of the battle, it was reported that some Soviet troops, in a spirit of revenge, entered the university buildings and destroyed the chemical equipment in the laboratory.

212. At Miskolc, the university and industrial city of northeast Hungary, military action during the second Soviet intervention differed in some respects from that of western Hungary. This no doubt can be attributed to the presence in the area of Soviet troops who were moving constantly in and out of the city, since Miskolc is on one of the arterial roads between Budapest and the northeastern frontiers. The presence of the Soviet troops tended to make it impossible for the insurgents to organize a resistance plan based on the city itself. This same problem confronted the insurgents of other cities in eastern Hungary, and as there was no time for organized resistance in the countryside, armed resistance in eastern Hungary did not endure as long as in Pécs, Dunapentele, and Veszprém. The passage of troops through the city in the early morning of Sunday, November 4, was not unusual, and the attack against the university buildings, one of the principal centers of the uprising in the city, was to some extent a surprise. The students fought for about 1 hour with whatever weapons had been given them. Several students were killed and the Soviet troops also suffered a number of casualties. The Committee was told that, when the fighting was over, many students were seized by the Soviet troops and taken to an unknown destination. On the other hand, troops of the national guard, who were fighting through the day in Miskolc and the Hejöscaba district, retreated toward the Bükk Mountains. In the city itself fighting went on until the afternoon when the Revolutionary Council of Borsod County was obliged to capitulate.

213. From various sources of information, including radio reports emanating both from the free stations within Hungary and from those coming under the control of Soviet forces, it is possible to conclude that the Soviet troops during the night of November 3 to 4 advanced in a forced march from Dunaföldvár and possibly Baja toward Kaposvár and Nagykanizsa which were captured with little or no resistance. From Szombathely northward there was fighting throughout the day of November 4. Battles took place in the north at Györ, on the Györ-Sopron road and on the Györ-Hegyeshalom road against parachute troops and forces crossing the Czechoslovak frontier possibly through Rajka. At Komárom on the Danube, Hungarian military units with freedom fighters fought throughout the day against powerful Soviet units attacking from Hungarian territory and from Czechoslovakia across the Danube bridge. At Tatabánya, the miners fought with weapons which they had received from the Army. At Székesfehérvár, the Hungarian military garrison, after breaking through the Soviet encirclement, moved to positions in the Vértes Mountains, while others proceeded southwest toward the Bakony Mountains. There they established bases for guerrilla operations against Soviet troop movements along the highways connecting Budapest with western Hungary. The students of the Zrinyi Military Academy of Budapest and the Budapest armored brigade fought valiantly in the Mátra Mountains against an armored division. The information regarding the crossing of the Danube by Soviet troops at other points east of Komárom is considered unreliable in view of the fact that for a period of more than 10 days various Hungarian units were able to move from the northeast between the Bükk and Mátra Mountains across the Danube to the southwestern chain of the Vértes Mountains.

214. The fighting round the Danubian military centers of Szolnok, Kecskemét and Kalocsa is illustrative of the Soviet control exercised over the Hungarian Army. These three garrisons were, throughout the period of the revolution, under the command of pro-Soviet officers. As the strength of the Soviet troops was increasing from November 1, the Hungarian garrisons were unable to assist the local national guard as other garrisons had been able to do. At the outbreak of hostilities on November 4, the barracks at Szolnok were surrounded and the Soviet tanks inflicted many casualties on the Hungarian troops who were taken by surprise. At Kecskemét and Kalocsa there was no fighting in the town, but a number of officers and men were able to break through the encirclement, and for many days fought with the freedom fighters in the Danubian Plain, inflicting damage on the Soviet forces and supplies moving on the highways.

F. Conclusions

215. A survey of the movement of Soviet forces in Hungary during the period from October 29 to November 4 shows that, irrespective of the assurances given to Premier Nagy by Soviet political personalities, there existed a definite plan for the reconquest and military subjugation of Hungary. This plan in fact was carried through fully. Contrary to the contentions of the Soviet Government that the Hungarian revolution was inspired by capitalist elements residing outside Hungary, the committee cannot but conclude that the Hungarian resistance to the second Soviet intervention was a heroic demonstration of the will of the Hungarian people to fight for their national independence.[1]

CHAPTER XVII—CONCLUSIONS

784. The terms of reference of the Special Committee covered a broad field; namely, to report to the General Assembly of the United Nations after full and objective investigation, its findings on all aspects of the question of Soviet intervention in Hungary by armed force and by other means and the effects of such intervention on the political development of Hungary. The Committee's investigation, as has been explained, involved the study of copious documentation from various sources and in several languages, as well as the questioning of more than a hundred witnesses, whose testimony fills two thousand pages in the verbatim record. The Committee regrets that the attitude of the Hungarian Government has prevented it from basing its investigation on direct observation in Hungary, as required by the General Assembly resolution.

785. The Committee's findings relate to many aspects of the events in Hungary and are concerned with numerous points of detail that have a bearing on the origin and nature of those events. The report itself embodies the conclusions of the Committee, and these conclusions cannot be readily dissociated from the evidence which is there assembled. A summary of the Committee's findings on individual aspects of the situation in Hungary has been appended to certain of the chapters. It would, however, seem appropriate at this stage to summarize a number of conclusions drawn by the Committee from its study of the evidence as a whole. To the best of the Committee's belief, these conclusions represent the essential facts about the Hungarian uprising which are necessary to an understanding of its nature and outcome. They are as follows:

(i) What took place in Hungary in October and November 1956 was a spontaneous national uprising, due to longstanding grievances which had caused resentment among the people. One of these grievances was the inferior status of Hungary with regard to the U.S.S.R.; the system of Government was in part maintained by the weapon of terror, wielded by the AVH or political police, whose influence was exercised at least until the end of 1955, through a complex network of agents and informers permeating the whole of Hungarian society. In other respects also, Soviet pressure was resented. From the stifling of free speech to the adoption of a Soviet-style uniform for the Hungarian army, an alien influence existed in all walks of life. Hungarians felt no personal animosity toward the individual Soviet soldiers on Hungarian soil, but these armed forces were symbols of something which annoyed a proud people and fed the desire to be free;

(ii) The thesis that the uprising was fomented by reactionary circles in Hungary and that it drew its strength from such circles and from Western "imperialists" failed to survive the committee's examination. From start to finish, the uprising was led by students, workers, soldiers and intellectuals, many of whom were Communists or former Communists. The majority of political demands put forward during the revolution included a stipulation that democratic socialism should be the basis of the Hungarian political structure and that such social achievements as the land reform should be safeguarded. At no time was any proposal made for the return to power, or to the Government, of any figure associated with prewar days. Fascists and saboteurs, heavily armed, could not have succeeded in landing on Hungarian airfields which were under Soviet supervision, or in crossing the Austrian frontier, where a closed zone was shown by the Austrian authorities to the military attachés of France, the United Kingdom, the United States, and the U.S.S.R.;

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[1] The committee is not in possession of what it would regard as reliable figures for the casualties that occurred during the Hungarian uprising. From an official Hungarian source (the Hungarian Central Statistical Office (Statisztikai Szemle), issue No. 11–12, vol. XXXIV, of November-December 1956, p. 929), it is stated that the number of all registered deaths from October through December 1956 was 27,400; i.e., 10 percent higher than in the same months of 1955. The number of people who died in the fighting, according to this source, can be estimated at some 1,800–2,000 in Budapest and 2,500–3,000 in the whole country. Among those who died in the fighting between October 23 and November 30 and whose deaths had been registered up to January 1, 1957, 84 percent were men and 16 percent women. More than one-fifth of these people were under 20 years of age, 28 percent were between 20 and 29 years old, 15 percent between 30 and 39 years old and 15 percent between 40 and 49. In the provinces, the greatest number of deaths in the fighting occurred in the counties of Pest, Györ-Sopron, Fejér and Bács-Kiskún.

The same official Hungarian source has stated that about 13,000 wounded (11,500 in Budapest) were treated in hospitals and clinics up to the end of November. In addition, doctors, ambulances and first aid stations are said to have rendered first aid to a large number of slightly wounded people. It is possible that the above figures do not present a complete picture. Some sources have placed the number of dead and wounded far above that suggested by the Hungarian Government. Speaking in the Indian Parliament on December 13, Mr. Nehru said that, from such information as he had received, "it would appear that about 25,000 Hungarians and about 7,000 Russians died in the fighting." The committee, however, received the impression that this figure may well be too high. On many occasions, efforts were made by the committee to obtain precise knowledge of the casualties occasioned by the uprising. This did not prove to be possible, and it may well be some time before accurate figures are available. According to a doctor in the biggest hospital, 80 percent of the wounded were saved.

(iii) The uprising was not planned in advance. It was the universal testimony of witnesses examined by the Committee that events took participants by surprise. No single explanation can determine exactly why the outbreak occurred just when it did. Communist spokesmen, including Mr. Kádár and the members of his present government, have recognized the bitter grievances of the Hungarian people before October 23. They have spoken of a "broad, popular movement" caused by the "bitterness and indignation" of the masses. Two factors would seem to have brought this resentment to a head. The first of these was the news received on October 19 of a successful move by Poland for greater independence from the U.S.S.R. This news was largely instrumental in bringing the Hungarian students together in the meetings of October 22. The second factor was the acute disappointment felt by the people when Ernö Gerö, First Secretary of the Central Committee of the Hungarian Workers' (Communist) Party, in his speech on the evening of October 23 failed to meet any of the popular demands and adopted what was considered a truculent tone toward his hearers;

(iv) Although no evidence exists of advance planning, and although the whole course of the uprising bears the hallmark of continuous improvisation, it would appear that the Soviet authorities had taken steps as early as October 20 to make armed intervention in Hungary possible. Evidence exists of troop movements, or projected troop movements, from that date on. It would appear that plans for action had therefore been laid some time before the students met to discuss their demands. The committee is not in a position to say whether the Soviet authorities anticipated that the grievances of the Hungarian people, stimulated by events in Poland, could no longer be contained. Signs of opposition were evident before the 23rd; the Hungarian Government had reason to foresee that trouble was brewing. While the evidence shows that Soviet troops from outside Hungary were used even in the first intervention, no clause of the Warsaw Treaty provides for intervention by armed forces of the Soviet Union to dictate political developments within any signatory's frontiers;

(v) The demonstrations on October 23 were at first entirely peaceable. None of the demonstrators appear to have carried arms, and no evidence has been discovered that any of those who voiced the political demands or joined the demonstrators had any intention to resort to force. While disappointment at Mr. Gerö's speech may have angered the crowds, it would hardly of itself have sufficed to turn the demonstration into an armed uprising. That this happened was due to the action of the AVH in opening fire on the people outside the Radio Building. Within a few hours, Soviet tanks were in action against the Hungarians. This appearance of Russian soldiers in their midst not as friendly allies, but as enemies in combat, had the effect of still further uniting the people;

(vi) Obscurity surrounds the invitation alleged to have been issued by the Hungarian Government to the Soviet authorities to assist in quelling the uprising by force. Mr. Nagy has denied, with every appearance of truth, that he issued this invitation or was even aware of it. Since Soviet tanks appeared on the streets of Budapest at about 2 a.m. on October 24, it would have been impossible for him to have addressed any official message to the Soviet authorities, since he held no Government post at the time when the tanks must have received their orders. An invitation may have been made privately by Mr. Gerö, first secretary of the central committee of the Communist Party, or Mr. Hegedüs, the Prime Minister. The Committee, however, has had no opportunity of seeing a text of such an invitation, or of considering the exact circumstances in which it may have been issued. Until further information comes to light, it would be wise to suspend judgment as to whether such an invitation was issued at all.

Similar considerations apply to the invitation which is alleged to have been addressed to the Soviet authorities before the second intervention on November 4. Mr. Kadar had remained a member of Mr. Nagy's government when the latter was reconstituted on November 3 and the Committee is unaware of his having given any recorded indication of his disapproval of Mr. Nagy's policies. Mr. Kadar's movements at this time are not fully known, and he cannot be considered to have substantiated his own claim to have called, in the name of the Government, for Soviet help. In any event, there is abundant evidence that Soviet preparations for a further intervention, including the movement of troops and armour from abroad, had been underway since the last days of October. Mr. Kádár and his Ministers were absent from Budapest during the first few days after he formed his Government, and administrative instructions to the people of Hungary were issued by the commanders of the Soviet troops;

(vii) When Mr. Nagy became Prime Minister, he was not at first able to exercise the full powers of that office. Only when the grip of the AVH was loosened by the victory of the insurgents was he able to take an independent stand. By this time, the real power in Hungary lay with the Revolutionary and Workers' Councils, which had sprung up spontaneously in different parts of the country and had replaced the collapsing structure of the Communist Party. Mr. Nagy, though himself a Communist of long standing who had lived for many years in the U.S.S.R., invited non-Communists into his new Government, and listened to the demands of various Revolutionary and Workers' Councils. It would appear that Mr. Nagy himself, like the country at large, was somewhat taken aback by the pace of developments. However, seeing that his countrymen were united in their desire for other forms of government and the departure of Soviet troops, he threw in his lot with the insurgents. By this action, he obliterated the impression which he had created while still under the domination of the AVH, and he became a symbolic figure in the uprising, although he had not instigated it, and was never its actual leader;

(viii) The few days of freedom enjoyed by the Hungarian people provided abundant evidence of the popular nature of the uprising. A free press and radio came to life all over Hungary, and the disbanding of the AVH was the signal for general rejoicing, which revealed the degree of unity achieved by the people, once the burden of fear had been lifted from them;

(ix) There were a number of lynchings and beatings by the crowds. These were, in almost all cases, confined to members of the AVH or those who were believed to have cooperated with them;

(x) Steps were taken by the workers' councils during this period to give the workers real control of nationalized industrial undertakings and to abolish unpopular institutions, such as the production norms. These were widely resented as being unfair to workers and also a reflection of popularly suspected secret trade agreements with the U.S.S.R., which were said to make heavy demands on the Hungarian economy for the benefit of the Soviet union. During the days of freedom, while negotiations continued with the Soviet authorities for the withdrawal of Russian troops, attempts were made to clear up the streets of Budapest and life was beginning to return to normal. The insurgents had agreed to amalgamate, while maintaining their identity, in a national guard, which would have been responsible, with the army and police, for maintaining order;

(xi) In contrast to the demands for the reestablishment of political rights put forward during the uprising, is the fact that basic human rights of the Hungarian people were violated by the Hungarian governments prior to October 23, especially up to the autumn of 1955, and that such violations have been resumed since November 4. The Committee is convinced that the numerous accounts of inhuman treatment and torture by the AVH are to be accepted as true. On the evidence, it is also convinced that numbers of Hungarians, including some women, were deported to the Soviet Union and that some may not have been returned to their homes. These deportations were designed to break the back of the revolution. Action taken by the Hungarian people in their spontaneous uprising succeeded in ridding them for a few days of the apparatus of police terror. This democratic achievement of a united people was, indeed, threatened by a form of counterrevolution and it was to this that it succumbed. However, the counterrevolution consisted in the setting up by Soviet armed forces of Mr. Kadar and his colleagues in opposition to a government which enjoyed the overwhelming support of the people of Hungary;

(xii) Following the second Soviet intervention on November 4, there has been no evidence of popular support for Mr. Kadar's government. Mr. Kadar has successively abandoned most of the points from the revolutionary program which he had at first promised to the Hungarian people. On the central question of the withdrawal of Soviet troops, he has moved from complete acceptance of the nation's wishes to a refusal to discuss the subject in present circumstances. Against the workers, he has proceeded step by step to destroy their power and that of the workers' councils. Capital punishment is applicable to strike activities. The processes of justice have been distorted by the institution of special police and special courts and by the ignoring of the rights of the accused. The Social Democratic Party has again been forcibly liquidated. General elections have been postponed for 2 years. Writers and intellectuals are subjected to repressive measures. The Hungarian workers have shown no sign of support for Mr. Kadar's government or for the prospect of continuous Soviet occupation. Only a small fraction of the 190,000 Hungarians, mostly young people, who fled the country have accepted his invitation to return. The peasants have reason to be grateful to Mr. Nagy for his attitude toward collectivization of agriculture and forced deliveries of farm produce;

(xiii) In the light of the extent of foreign intervention, consideration of the Hungarian question by the United Nations was legally proper and, moreover, it was requested by a legal government of Hungary. In the matter of human rights, Hungary has accepted specific international obligations in the treaty of peace. Accordingly, the Committee does not regard objections based on paragraph 7 of article 2 of the charter as having validity in the present case. A massive armed intervention by one power on the territory of another, with the avowed intention of interfering with the internal affairs of the country must, by the Soviet's own definition of aggression, be a matter of international concern.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of executive business.

The motion was agreed to.

THE INTERNATIONAL COFFEE AGREEMENT, 1962

The Senate, as in Committee of the Whole, resumed the consideration of Executive H, 87th Congress, 2d session, the International Coffee Agreement, 1962.

Mr. MANSFIELD. Mr. President, I am about to propound a unanimous-consent agreement which has been discussed with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], with members of the Foreign Relations Committee now on the floor, and with other Senators.

I ask unanimous consent that the yea-and-nay vote on the pending treaty be held at 5 o'clock tomorrow afternoon, and that the half hour previous to that time be equally divided between the proponents and the opponents of the coffee agreement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

(The unanimous-consent agreement, as subsequently reduced to writing, is as follows:)

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the Senate proceed to a yea-and-nay vote on the resolution of ratification of the International Coffee Agreement, 1962 (Ex. H, 87th Cong., 2d sess.), at 5 p.m. on Tuesday, May 21, 1963.

Ordered further, That debate on the treaty for one-half hour before the vote be equally divided and controlled by the majority and minority leaders respectively, or someone designated by them.

Mr. DIRKSEN. Mr. President, since the Senate is agreeing on a time certain for voting on the coffee agreement, it is understood, of course, that, under the rule, there will be a quorum call.

Mr. MANSFIELD. Yes.

Mr. CARLSON. Mr. President, with regard to the proposed quorum call, would it precede the vote or occur immediately prior to the time that the proponents and the opponents of the coffee agreement would discuss the agreement in the half hour preceding the 5 o'clock vote?

Mr. MANSFIELD. The quorum call would precede the start of the half-hour discussion.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask Senators to give consideration to a motion I am about to make:

I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ACCEPTANCE BY UNITED STATES OF INSTRUMENT FOR AMENDMENT OF CONSTITUTION OF THE INTERNATIONAL LABOR ORGANIZATION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 160, Senate Joint Resolution 60.

The PRESIDING OFFICER. The joint resolution will be stated.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 60) providing for acceptance by the United States of an instrument for the amendment of the constitution of the International Labor Organization.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

Mr. LAUSCHE. Mr. President, in the committee I voted against approval of the joint resolution. I asked that there be included in the report a dissenting opinion setting forth my views as to why the joint resolution contemplating the expansion of membership in the International Labor Organization from 1940 to 1948 ought not to be adopted.

I voted in the committee against reporting Senate Joint Resolution 60 for the following reasons:

> 1. Every increase in the number of members of international organizations and their executive bodies dilutes the voting power and influence of the United States. This is most unfortunate, especially when new member states are often small, weak, and unable even to support themselves without assistance from other states. This has happened in the United Nations and is happening in all its affiliated organizations, such as the ILO which is involved here. Unless some other formula than "one state—one vote" is found—such as a formula relating voting strength to financial or other contributions—I shall continue to oppose measures which tend to diminish our influence and increase the obligations of our taxpayers.

With respect to that first reason which I assigned for opposing the joint resolution, I wish to point out what has happened in the United Nations. When that organization was formed in 1945 there were 50 members. Today there are approximately 110. In the General Assembly, with 110 votes being cast, the United States has 1 vote. Togo, Cameroon, Mali Ghana, and all the newly formed nations likewise have one vote. In this International Labor Organization now being considered by the Senate it is contemplated increasing the membership on the Board of Governors from 40 to 48. If that is done, our strength in that body will be diluted.

I set forth the following second reason:

> 2. As the majority report notes, every increase in membership has resulted in a reshuffling of percentage assessments applicable to member states. A table was supplied to the committee (reproduced in the hearings appended to this report) which shows that 40 members of the ILO, received reductions in their percentage assessments between 1959 and 1963 because of the increase in the membership of the ILO. The United States, however, which bears the lion's share of the burden, did not have its assessment reduced. Moreover, the nations receiving reductions were not only the underdeveloped nations, as one might expect, but included such countries as the United Kingdom, France, Italy, and Belgium. In fact, all of the nations of Western Europe have received reductions, except Greece. Unless there is a similar downward adjustment in the U.S. percentage, I cannot support an increase in the Governing Board which has the direct effect of decreasing our influence in the ILO.

To elaborate upon that reason set forth in item No. 2, I point out that the United States contributes 25 percent of the money to finance the International Labor Organization. The number of members in the past has been increased. We would anticipate that with an increase in the number of members, the new members would make contributions, thus enabling the reduction of the assessments imposed against the old members. Reductions have been made for the old members, but not for the United States. We are still paying 25 percent of the cost of administering this International Labor Organization, even though our voting strength has been diluted on each occasion that the membership has been increased.

> 3. It is pointed out in the testimony that the ILO is shifting its emphasis to technical, assistance-type activities. I consider this an unwarranted duplication of services in this field provided by the United States and by other international organizations.

Elaborating on this point, I conclude that there is no justification for the International Labor Organization's entering the field of granting technical assistance to the nations around the world.

> 4. The majority expressed its concern over the low ratio of U.S. nationals employed by international organizations, particularly the ILO, to the total number of employees. Expressing concern is not going to change this situation in which the United States provides 25 percent of the budget and only 5.34 percent of the working force. The way to show our disapproval of this condition is to reject this amendment to the ILO constitution.

Mr. President, the principle under which we are contributing 25 percent to the International Labor Organization, 32 percent to the general administrative expenses of the United Nations, and 40 percent to the financing of the Gaza strip and Congo operations, while having a representation on the working force in a substantial degree inequitable and small, is repeated in practically all the other organizations. There are only a few—the Export-Import Bank, the International Monetary Fund, the World Bank—in which there is some semblance of giving to the United States representation by way of workers which is in some way comparable to the contributions we make.

There is a further aspect. There is contemplation now in the United Nations of having a conference on international trade. The administrative agency will be set up to guide that conference. The word is current that in that important conference the representatives of the administrative agency shall be made up primarily of countries who throw their lot with the Soviet Union and not with the United States.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. HRUSKA. I have listened with interest to the statement of the Senator from Ohio. I wish to say that I fully subscribe to his views in regard to the ratification of this amendment. His views are sound. His concept is good.

I should like to ask the Senator a question. In the hearings are set out the names of nation members of this international organization and their respective contributions as allocated for the purpose of administering the organization. Does the Senator have any information as to the record of payments by the various nation members of the Organization of the dues and contributions they are supposed to be paying for that purpose?

Mr. LAUSCHE. I do not have the statistical information necessary to deal with that inquiry. I am certain that as membership increases, and the contributing countries grow larger in number, the statistics ought to show that the United States is released in part from its payments because new countries are entering and new countries are contributing new money. There has been no reduction in contributions by the United States. Reductions have gone to all of the developed countries of Europe except Greece, but the U.S. contribution remains identically the same.

I do not know whether the record contains the information to answer the Senator's question.

Mr. HRUSKA. As I understand, votes from the large industrial nation members are sufficient in number now to comply with the requirement for adoption of the amendment. Action by the United States is not necessary to have the amendment go into force; is that correct?

Mr. LAUSCHE. That is my understanding. That is why I say, in reason No. 6, "There is no need for action on this resolution."

Mr. HRUSKA. If the United States should take affirmative action on this proposal we would be reaffirming the principle of undertaking to pay a greater sum for the cost of administration of this body—and that could well serve as a pattern, model, and precedent for other organizations of similar nature, could it not be said?

Mr. LAUSCHE. The percentage contribution, I assume, will remain the same at 25 percent. The dollar contribution will grow greater, because the cost of operating the agency will increase.

Mr. HRUSKA. That is the point I had in mind. If the action which we are requested to take—which is not necessary to make the amendment effective—is taken, that could be considered as a precedent for similar situations which might arise with respect to other international organizations.

Mr. LAUSCHE. I concur in what the Senator from Nebraska has said. I point out again that the majority members of the committee in the report said, in effect, "This is wrong. It should not continue." My position is, "If it is wrong, let us not vote for it, and let us have some assurance that the wrong will be remedied."

I agree with the Senator from Nebraska that if we should approve this proposal in effect we would be making the announcement that in similar situations, with respect to other international organizations, we would continue to carry the brunt of the burden of the cost and accept the smallest number of employees. Thus we would saddle additional cost on the taxpayers of our country.

Mr. HRUSKA. I do not know whether the leadership will ask for a yea-and-nay vote on this question, but, if not, I want this statement to be evidence of the fact that I fully subscribe to the statement made by the Senator from Ohio. If an opportunity is given to record our votes, my vote will be "No."

Mr. LAUSCHE. I thank the Senator.

Mr. President, I read further from my individual views:

> 6. There is no need for action on this resolution. I was much concerned to learn from the committee hearing that the last increase of the governing board in 1954 went into force without favorable congressional action.

That is, favorable congressional action by the United States.

> The ILO constitution provides that certain types of amendments can become effective when ratified by two-thirds of the members, including five States of major industrial importance. Among the 46 States that have ratified as of the end of March, there are 5 States of major industrial importance. U.S. action, at this point, is therefore completely unnecessary and waste of the Senate's time. I believe rejection of this resolution would, nevertheless, have a salutary effect. It would serve notice on the international community that the postwar beneficence of the United States is hereafter to bear some degree of relationship to influence.
>
> I urge the Senate to reject this measure.

I yield the floor.

Mr. JAVITS. Mr. President, what is the question before the Senate?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that certain excerpts from the report of the Committee on Foreign Relations, Report No. 179, on Senate Joint Resolution 60, to amend the constitution of the International Labor Organization, be printed in the RECORD as a part of my remarks.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

The Committee on Foreign Relations, having had under consideration the joint resolution, Senate Joint Resolution 60, reports the same favorably without amendment and recommends that it do pass.

PURPOSE OF THE JOINT RESOLUTION

Senate Joint Resolution 60 authorizes the President to accept on behalf of the United States an amendment to the constitution of the International Labor Organization designed to increase the size of its Governing Board from 40 to 48 members.

BACKGROUND

The International Labor Organization (ILO) was established by the Treaty of Versailles in 1919 as an autonomous associate of the League of Nations. The United States joined the ILO in 1934 by the passage of a joint resolution authorizing the President to accept its constitution on behalf of the United States. With the dissolution of the League of Nations, member governments of the ILO, in 1946, revised its constitution and the ILO became a specialized agency of the United Nations.

At that time, the size of the Governing Board was fixed at 32. This was subsequently increased in 1954 to 40, and the increase currently under consideration will set it at 48. The total membership of the Organization at the time of these changes was 50 in 1946, 69 in 1954, and now is 107.

The ILO is unique among international organizations in that it includes representation not only of governments but also of employers and workers. This tripartite representation is also pursued on the Governing Board, members of which have 3-year terms. Of the 40 current seats, 20 are allocated to government representatives, 10 to labor representatives, and 10 to employers' representatives. With adoption of the amendment, the Board will consist of 24 government members, and 12 employer and 12 worker members.

At the present time the government members of the Board are chosen as follows: The 10 major industrial states (including the United States) are automatically elected as provided in the ILO constitution. The remaining 10 government members are appointed by the other government representatives. The worker and employer members on the Board are similarly elected by their own groups. Traditionally the U.S. worker and employer representatives have been thus chosen.

Until the next election in June 1963, the composition of the Governing Board is as follows:

Government members:
Argentina.
Canada.[1]
Ceylon.
China.[1]
Denmark.
Federal Republic of Germany.[1]
France.[1]
Ghana.
India.[1]
Italy.[1]
Japan.[1]
Netherlands.
Panama.
Rumania.
Tunisia.
U.S.S.R.[1]
United Kingdom.[1]
United States.[1]
Uruguay.
Venezuela.
Employers' members:
Brazil.
France.
India.
Iran.
Italy.
Japan.
Mexico.
Sweden.
United Kingdom.
United States.

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[1] Members holding nonelective seats as states of chief industrial importance.

Workers' members:
- Australia.
- Denmark.
- Federal Republic of Germany.
- India.
- Mexico.
- Morocco.
- Pakistan.
- Switzerland.
- United Kingdom.
- United States.

WORK OF THE ILO

The principal purpose of the ILO is to assist in raising labor standards and in improvement of working conditions. This is done mainly through the technique of submitting standards, embodied in ILO conventions and recommendations, to member governments for their adoption.

The activities of the Organization cover a wide range of subjects, including hours of work; minimum age for employment; working conditions of women and young workers; workmen's compensation; minimum wage, machinery, labor standards in non-self-governing territories; industrial safety; statistics; migration for employment; conditions of work of seamen; the right of workers and employers to organize into associations of their own choosing; trade union rights; and forced labor.

More recently, the ILO has begun to emphasize technical assistance services to member countries such as national and regional training programs, advisory missions, surveys, and other related activities. It is estimated that approximately $1.3 million of the current $14 million budget is devoted to activities of a technical assistance nature.

COMMITTEE ACTION

The legislation now before the Senate, was submitted by the Department of State in a letter dated February 19, 1963, and was introduced on March 14 by Senator McNamara who participated in the 1962 ILO Conference at which the amendment was unanimously adopted.

The Committee on Foreign Relations had a public hearing on the measure on April 2, 1963, and further testimony in executive session on May 7. The public hearing is printed in the appendix to this report. On May 7, the committee ordered the resolution reported favorably to the Senate, without amendment.

* * * * *

STAFFING OF THE ILO

In connection with consideration of this measure, the committee discussed a report of April 22, 1963, by the Department of State Advisory Committee on International Organizations on the staffing of these agencies. This report will be further considered by the Subcommittee on International Organization Affairs. At this point, however, the committee notes, and indicates its concern at, the small number of U.S. nationals employed by the ILO. The United States contributes 25 percent of the ILO budget but only 5.34 percent of the ILO employees are American citizens. This ratio is illustrative of the situation in other international organizations as well. This situation will receive further attention by the committee.

COMMITTEE RECOMMENDATIONS

The committee recommends that the Senate give favorable consideration to Senate Joint Resolution 60. In support of its recommendation, the committee cites the United States long association with, and leadership in, the ILO; the unanimity in the ILO Conference at which this amendment was adopted; the support of the U.S. labor and employer delegates at that Conference; and the strong endorsement of the Departments of State and Labor.

An increase in membership in an international organization tends, of course, to affect the weight of each member's vote. It does not follow, however, that there will be a similar dilution of the influence of each member. The growth of these organizations offers a challenging opportunity to bring U.S. leadership and influence to bear on an even broader basis than before. Rather than reject full participation in the ILO—which failure to act on this resolution would imply—this committee urges vigorous and imaginative U.S. leadership in it.

In June 1963 the composition of the next Governing Board will be determined by the ILO Conference. Early U.S. acceptance of this amendment will enable the United States to exercise leadership at that Conference.

The PRESIDING OFFICER. The joint resolution is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass?

The joint resolution (S.J. Res. 60) was passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept on behalf of the United States of America the instrument for the amendment of the constitution of the International Labor Organization adopted at Geneva on June 22, 1962, by the International Labor Conference at its forty-sixth session.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

RELINQUISHING BY SENATOR HRUSKA OF HIS POSITION AS RANKING MINORITY MEMBER OF SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS

Mr. HRUSKA. Mr. President, with reluctance, I have determined to relinquish my position as the ranking minority member of the Subcommittee on Constitutional Rights.

There is in no sense an indication that my concern with the important field of the subcommittee's work has diminished. The opposite is true: few activities of the Senate are of a more compelling and far-reaching nature.

Nonetheless, it is now necessary to concede that the demands on my time, as a result of the heavy work schedule of the Appropriations Committee, together with the requirements of several other judiciary subcommittees, preclude my devoting the deserved attention to the position of ranking minority member of the Constitutional Rights Subcommittee.

Even so, I would not relinquish the assignment were it not that it will be assumed by the Senator from New York [Mr. KEATING]. As we all know, this subcommittee deals with many subjects in which the Senator from New York is deeply interested. He is one of the Senate's leading authorities on the Constitution and has had broad experience both in the Senate and during his previous service in the House in the important area of civil rights.

I am confident that he will perform his duties diligently and contribute significantly both to the work of the Committee on the Judiciary and the entire Senate by his work on the subcommittee.

I intend to retain my membership on the subcommittee, and, of course, will continue my own interest in its activities to the maximum possible extent consistent with other demands on my time.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. KEATING. Mr. President, may I say there is no more conscientious and gracious Member of the Senate than the Senator from Nebraska [Mr. HRUSKA]. I have been proud to serve with him not only on the Subcommittee on Constitutional Rights but on many other subcommittees of the Committee on the Judiciary. No one pursues his responsibilities with greater diligence or skill.

I know that he is deeply interested in the work of the Subcommittee on Constitutional Rights and that he has relinquished his ranking position on this subcommittee only because of his conviction that he must give even more time to the painstaking and extremely important work of the Senate Committee on Appropriations. While others might compromise in their efforts to cope with the many demands made on their time, it is characteristic of the Senator from Nebraska to give his full attention and thought to any duties imposed upon him.

I want to express my deep appreciation for the confidence he has expressed in me and for his generous praise of my experience in the work of the Subcommittee on Constitutional Rights. I am extremely pleased that the Senator from Nebraska intends to remain a member of the subcommittee, since I know all of us will benefit from his own wise counsel and insight into these problems. The subcommittee has important hearings scheduled. It is about to begin hearings on the extension of the Civil Rights Commission. There are a great many important bills to which it will have to give its earnest consideration. It is my intention to give these problems the highest priority in the hope that we can lay the groundwork for action which must be taken in the areas within the subcommittee's jurisdiction.

Again I express my gratitude to the distinguished Senator from Nebraska for his kind expression.

Mr. HRUSKA. I am grateful to the Senator for his kind remarks. I wish him well. I am confident he will make a fine contribution in this post.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the

House had passed, without amendment, the following bills of the Senate:

> S. 18. An act to change the name of Harpers Ferry National Monument to Harpers Ferry National Historical Park; and
>
> S. 247. An act to authorize survey and establishment of a townsite for the Juneau Indian Village in Alaska.

HARPERS FERRY NATIONAL HISTORICAL PARK BILL PASSES HOUSE—SENATE MEASURE SENT TO WHITE HOUSE

Mr. RANDOLPH. Mr. President, the House of Representatives today approved legislation to change the name of Harpers Ferry National Monument to the Harpers Ferry National Historical Park.

In the 87th Congress, I introduced a measure for this purpose which passed the Senate but action was not completed by the House of Representatives before the adjournment of Congress. I reintroduced it in the present session as Senate bill 18 and it was approved by the Senate, April 9. It will now be sent to the President for his signature and it is anticipated that the Chief Executive will sign it into law within the next few days.

It was my privilege as a Member of the House of Representatives to author the measure which became law in June 1944, to establish the Harpers Ferry National Monument on 500 acres of land donated to the Federal Government by the State of West Virginia.

After conferring with representatives of the National Park Service and with civic and State leaders in West Virginia, we believed that the word "Monument" was misleading and did not adequately express the historical and traditional significance originally intended. The change of name will bring Harpers Ferry into the same category as a number of other like areas administered by the National Park Service.

It is my opinion that the new name will better describe the character and significance of the historic and scenic section which is a rich reminder of our American heritage. Harpers Ferry played an important role from George Washington's time until after the War Between the States. Not only was it the site of John Brown's raid in 1859, but long before that time it had been selected by President Washington for a Federal arsenal. During the Civil War, it was an almost constant focus of attention for both the Union and Confederate Armies.

During 1962 there were 657,991 persons who visited the park or 7.4 percent more than for the year 1961. Four major projects are underway at present: Restoration of the Harper House, rehabilitation of the Stagecoach Inn for use as a visitor center, rehabilitation of the Civil War fortifications on Bolivar Heights, and development of Storer College for use as an eastern training center of the National Park Service. All of these projects except the training center are designed for direct service to the visiting public.

The restoration of the Harper House is under the sponsorship of the Shenandoah-Potomac Garden Council. The women active in this project are providing all needed furnishings to refurnish its interior. The House is the oldest dwelling in the community. The recent Ninth Annual House and Garden Tour, April 27 and 28, of surrounding historic towns arranged by the council to benefit Harper House was a most interesting tour. I personally extend my sincere commendation to the ladies of the council for their enthusiastic support.

It is appropriate and meaningful that this change in name to the Harpers Ferry National Historical Park is being made in 1963, the centennial year of West Virginia's admission to the Union. It is gratifying to report this development to the citizens of the Republic and particularly to the people of West Virginia.

RESOLUTION OF CITY COUNCIL OF HAMTRAMCK, MICH., RELATING TO IGNACE JAN PADEREWSKI

Mr. McNAMARA. Mr. President, the city council of the city of Hamtramck, Mich., recently adopted a resolution expressing their appreciation over the fact that a bronze tablet marker has been placed at the grave of Ignace Jan Paderewski at Arlington National Cemetery.

The resolution makes particular note of the efforts of Senator HARRISON WILLIAMS to obtain this suitable identification of the final resting place of the great Polish patriot, Paderewski.

I ask unanimous consent that the text of the Hamtramck city council resolution be placed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> Whereas a communication has been received from the acting mayor requesting expression of appreciation and recognition to certain public officials therein named for their participation in the ceremonies marking dedication of a bronze tablet at the resting place of Ignace Jan Paderewski at the Arlington National Cemetery on May 9, 1963; and
>
> Whereas Ignace Jan Paderewski first won acclaim in the European countries as a piano virtuoso artist, whose performances were blended with a strong national consciousness in him as a Pole so sensitive to the tragedies of the Polish nation even during his younger days when politics played no part in his life; and
>
> Whereas this great artist and genius after giving his first concert in the United States on November 17, 1891, continued to captivate the American audiences with his magnificent and splendid performances to such extent that before the century was over he already was in the American mind the virtuoso incarnate who met the requirements of the time more perfectly than any other musician; and
>
> Whereas after the formation of national committee in Switzerland in 1917 during World War I for the independence of Poland, Ignace Jan Paderewski was appointed as its chief delegate to the United States, who in that capacity after giving several concerts and delivering many speeches, at universities, concert halls, and theaters to raise funds for relief of the devastated and war-stricken countryside, prevailed upon President Wilson in supporting the 13th point of the treaty for a united, independent and autonomous Poland; and
>
> Whereas upon the death of Ignace Jan Paderewski his remains were ordered to be interred by President Roosevelt in a Crypt at the Arlington National Cemetery and remain there until Poland is free and on this 9th day of May 1963 a bronze tablet is to be dedicated by the Secretary of State marking the said resting place during which ceremonies certain addresses are to be made: Now, then, be it
>
> *Resolved*, That this City Council of the City of Hamtramck do and it hereby does, in its own behalf and in behalf of the people of said city, express its deep appreciation to President Kennedy, Senator Harrison Williams, and Charles Rozmarek, president of the Polish American Congress, for their addresses and to Secretary of State Dean Rusk for dedicating the bronze tablet at said ceremonies in commemoration of the immortal memory of Ignace Jan Paderewski, a truly great artist and statesman, whose great fame will forever remain in the pages of history.
>
> Attest:
>
> WALTER J. GAJEWSKI,
> *City Clerk.*

SOIL STEWARDSHIP WEEK

Mr. HUMPHREY. Mr. President, during this period of May 19 through May 26, Soil Stewardship Week is being observed in churches of all denominations across the country. Services are being based on the theme "We Turn Our Eyes to the Future." I think it appropriate that the Senate recognize this effort to remind Americans of their responsibility to God and to society for stewardship of our soil, water, and related resources.

Soil Stewardship Week is sponsored by the National Association of Soil and Water Conservation Districts and the 2,936 local soil and water conservation districts which are organized under enabling laws of the 50 States. I want to quote an impressive passage from literature assembled for this observance:

> With each passing year, the pressure on our limited supply of resources are being compounded. More and more people each year put more and more of our resources to use. The demands increase for housing and highways, for food and fiber, for industrial and recreational space, and for all the other mounting needs of a growing society. As good stewards, there is need to turn our eyes to the future, anticipating the requirements of tomorrow, in order that we may exercise intelligent guidance and put wisdom against waste. The answer to the question of the future lies in our understanding and action as God's stewards today.

Mr. President, it is fortunate for America that there are dedicated individuals and organizations who make it their business to look to the future in the interest of assuring generations yet unborn that our rich heritage of soil and water resources will be conserved and protected in order to meet their needs. I salute the soil conservation district supervisors of America for their efforts in sponsoring Soil Stewardship Week each spring.

THE WHEAT REFERENDUM

Mr. HUMPHREY. Mr. President, tomorrow, wheat farmers will vote to decide the price they will receive for the wheat they grow in 1964. Many words have been spoken and written to advise the farmer why he should vote "yes," or why he should vote "no."

Thus, if the farmer feels confused, there is good reason. At times like these, this kind of confusion can often be dispelled by looking a little closer at those who are boldly telling the farmer how he should vote.

The list of organizations urging the farmer to vote "yes" is long, and it contains only farm organizations. It is, in fact, the greatest show of unity among farm groups that we have seen for many years. The list of organizations urging a "no" vote also is long, but it contains few farm organizations.

The most striking characteristic of grouping is, in fact, the number of nonfarmer organizations it contains: The National Association of Manufacturers; the U.S. Chamber of Commerce, and many of its affiliates; the John Birch Society; and other ultra-right-wing organizations hardly anyone would imagined were in existence.

How have these groups stood in the past when the farmer has looked around for a friend? Let us take the NAM as one example.

The NAM does a good job in representing the legitimate needs of the industry, but I think it gets out of its depth when it starts fishing around with agricultural policy. Its record on agricultural policy is one of being consistently wrong.

The NAM consistently has opposed price support legislation which helps protect the financial independence of the family farm. The NAM opposed the Rural Electrification Administration; yet without REA, the farmer still would be trying to bring electricity to his farm. The NAM has opposed the use of Federal funds in loan programs such as the FHA to help the farmer buy his farm. And, had the NAM had its way, there would be no cost sharing programs to help conserve the water and soil resources of this country.

If some of these nonfarmer organizations were to decide farm policy, there would be fewer family farms, and all too few farmers. And this organization, the NAM, wants the farmer to reject the 1964 wheat program.

But, I suspect, most farmers do not realize that the NAM is helping finance the vote-no campaign. The NAM is not associated with those whose efforts would weaken the financial independence of the family farm, but it is marching at the head of the vote-no campaign.

In recent weeks, the weekly papers of the country have been flooded with NAM boilerplate—prepared articles and editorials, and vicious cartoons—urging farmers to vote "no." The editor can use this propaganda as his own writing, and no farmer will ever know that it is the NAM urging him to cut his own throat.

Mr. President, I come from farm country, from one of the great States of this Union that is known for its agriculture. Whether our farmers belong to the Farmers' Union or the Grange or the Farm Bureau or the National Farmers' Organization, or any other organization, they are farmers first, and they do not need to get agricultural advice on soil conservation, on the Farmers' Home Administration, or on the wheat referendum.

Thankfully, there are many weekly editors courageous enough to label the NAM material for the propaganda it is. I commend them for bringing the truth to their readers.

It is said that a man can measure himself by the enemies he has. Had the farmer looked to the NAM as a friend, he would long ago have lost his farm.

Tomorrow, I hope each farmer will consider what his enemies are urging him to do, if only as a matter of self-preservation.

I wish to make it quite clear that farmers will listen to the competing voices of farm organizations, and rightly they should, because there are some judgments which need to be made on this question. However, I am convinced that the American farmer will use his commonsense, for which he is so well known and respected, and that he will look to both his own and the national interest. When he does that he will find that the wheat program affords him a decent price for his product, within the bounds of what this Nation can consume and what it can export and what it needs for normal security reserves. He will also take into consideration the need of the American people and the Government. He will vote for a program that will cut down on the excesses and at the same time improve farm income. That program is the wheat program adopted by Congress last year. I make the prediction that the farmers of America, voting in the wheat referendum, will vote by more than a two-thirds vote to support the wheat program voted by the 87th Congress, 2d session.

Mr. President, I ask unanimous consent to have printed at this point in the Record an editorial from this morning's Washington Post entitled "Farmers Must Choose"; an article by Joseph Alsop, also from this morning's Washington Post; and a release issued by my office.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington Post, May 20, 1963]

Farmers Must Choose

The Senate showed good judgment in promptly passing the feed grains bill so that its enactment may be completed before farmers have to vote on the wheat program on Tuesday. This bill was not in itself highly controversial. It merely projects into 1964 and 1965 the existing program of Government payments to farmers who voluntarily restrict their feed grain acreage. It became a sharp party issue largely because of the impact it may have on the wheat referendum.

The President stated the issue clearly and effectively when he said that "the farmers need this information to vote intelligently" in the wheat referendum. Many farmers might have surmised that Congress would pass the feed grain bill if it had been left pending through the period of the referendum. But farmers in distant States are not as well informed as many people in Washington about the state of the congressional mind. Especially since the feed grains bill will enable them to grow wheat on feed grain land and vice versa, it was important to have it enacted before the big test comes.

What the outcome of the referendum will be is far from clear at this time. Opposition is running strong in some sections and only one-third plus one of those voting can defeat the wheat program. Nevertheless, there is now a strong tradition of controls and price supports, and many farmers will be loath to see the sharp drop in prices that would certainly follow rejection of controls. It is not an easy choice for farmers to make, but it is an essential choice. The country cannot continue to store vast quantities of surplus wheat and at the same time to pay farmers high fixed prices for producing it, without tighter controls on the volume than have existed heretofore.

The wheat farmers should make up their minds, therefore, to move in one direction or the other. If they approve the high price supports, they will have to endure the more drastic controls over the amount of wheat that each farmer may market. If this managed farm economy is rejected, they will be in a very poor position to plead for new legislation. Congress would be justified in ignoring any such demand for a return to the halfway measures of the past, and President Kennedy would be justified in vetoing legislation of that kind if it were passed.

[From the Washington Post, May 20, 1963]

Dollar Wheat?

(By Joseph Alsop)

Last week's Senate passage of the feed grains bill was a hardly noticed major congressional success for the administration. It means that the Kennedy legislative program is going better than most people suppose. It also set the stage for this week's wheat referendum.

This wheat referendum also deserves more notice, as an event with really convulsive possibilities. The Agriculture Department, which expects the wheat farmers to approve its proposals, is forecasting a record vote of more than a million wheatgrowers and their wives.

If the Department is right, stricter production controls will be approved, designed to hold next year's wheat crop to about 1.1 billion bushels; but in compensation, the farmers will get high price supports for their wheat. But if barely more than one-third of the farmers vote "no" in the referendum, production controls and effective price supports will both go out the window.

This is the feature that makes the referendum potentially convulsive. The Farm Bureau Federation, which has been leading the opposition to the wheat plan, has been grossly misleading the farmers on this point. For example, Farm Bureau President Charles Schumann has publicly promised the wheatgrowers that Congress will quickly "bail them out" if they vote "no."

In reality, the odds are better than 10 to 1 against any bailing out operation. It would again have to take the familiar, pernicious form of a bill subsidizing over one-half production at vast cost, by offering high price supports combined with lax production controls. But the mood has shifted, both in Congress and in the executive branch.

Of course the Republicans from the farm States will offer the kind of bill above outlined if the wheat plan is voted down; and of course they will try to make political capital out of it. But only Farm Bureau President Schumann thinks the Congress can be persuaded to pass such a bill. And in the most unlikely event that such a bill is passed, it will be vetoed by the President.

Convulsive is therefore a mild word to describe the consequences of a heavy "no" vote in the wheat referendum. With no controls, wheat output is expected to rise to 1.5 billion bushels, or 400 million bushels more than the reasonable current requirement. With no effective price supports, the wheat price will almost certainly drop from the present $2 level to around $1 a bushel.

Great numbers of wheat farmers will then face ruin or near ruin. The wheat-growing areas will be economically disrupted. The wheat markets will become chaotic. And the effects will ramify outward into the markets for other farm products.

This does not necessarily mean, however, that the strict-control-high-price-support combination is the only way out of the farm problem. At least for the long run, a much simpler, much less costly approach is advocated by Senator HERMAN TALMADGE, of Georgia, and both the President and Secretary of Agriculture Orville Freeman, are now showing signs of increasing interest in the Talmadge approach.

Cotton, which is Senator TALMADGE's special interest, is in a supermess. The cotton program is immensely expensive, yet only 3 percent of the 650,000 cotton farmers get 56 percent of the Federal payments. A single producer, Russell Giffen of California, gets $2 million per annum from the Treasury, and the 5 largest producers receive as much as the combined total payment to the 250,000 smallest producers. Meanwhile, the artificially high domestic cotton price is ruining the American cotton textile manufacturers.

All this, says Senator TALMADGE, with sound logic, is vicious nonsense, without economic or moral justification. But he adds that there is a moral, social, and even biological justification for helping the smaller higher-cost farm producer to stay on the farm with his family.

Hence the Senator has offered a cotton bill, now before the Senate Agriculture Committee, which will do two things. It will pay direct subsidies to cotton growers, in reverse proportion to their output—high to small producers, very low indeed to larger producers. And it will return cotton to the marketplace, getting the U.S. Government out of the costly business of buying, storing, transporting, selling, and giving away cotton.

Incidentally, the Talmadge bill is also estimated to save the taxpayers $500 million annually. But the main attraction of the Talmadge approach is its logic. It avoids the decimation of the farm population which the anticontrol ideologists seem to want, without admitting it. It helps those who need help and no one else. It cleans up an ugly mess. In fact, it ought to persuade everyone but the ideologists.

[Release from the office of Senator HUBERT H. HUMPHREY, May 20, 1963]

HUMPHREY URGES FARMERS VOTE "YES" IN WHEAT REFERENDUM

Senator HUBERT H. HUMPHREY, Democrat of Minnesota, Monday said passage of the feed grain bill makes approval of the wheat program in tomorrow's national referendum "an irresistible choice for wheat farmers."

"From an economic standpoint, the combination of the feed grain and wheat programs cannot be beat," he said. "From the standpoint of freedom and flexibility of operation, farmers now have a farm program package that is brand new in agricultural legislation."

HUMPHREY said farmers can interchange their wheat and feed grain acres to their own individual advantage and needs and—at the same time—be assured of a high level of income.

"Personally, I don't see how farmers can resist approval of the wheat program in tomorrow's referendum," HUMPHREY declared. "'They have everything to gain by voting 'yes,' and everything to lose by voting 'no.'

"Passage of the feed grain bill completes the legislative action on major grain programs for this year."

U.S. GRAIN IN AUSTRIA

Mr. WILLIAMS of Delaware. Mr. President, in the May 9, 1963, issue of the Washington Daily News there appeared an article written by Mr. Marshall McNeil entitled "$21 Million in Surplus Feed Involved—Grain Scandal in Austria Revealed."

This article outlines how a substantial part of approximately $21 million worth of grain which we allegedly shipped to Austria under a barter deal actually never went to that country, but apparently much of this grain was diverted elsewhere. This raises several questions which must be answered:

First. Did any of this diverted grain go behind the Iron Curtain, or was it sold in Western Europe for dollars, thereby replacing our normal exports?

Second. How did it happen that the U.S. officials were not more alert in seeing that the grain arrived when it was scheduled, and were any American officials involved in the conspiracy to divert these shipments?

Third. Did our Government ever receive the industrial diamonds, manganese, antimony, and platinum for which these grains were bartered?

The fact that certain Austrian officials have been arrested in connection with this diversion does not solve the problem here. How could this have happened without the assistance of the American officials whose responsibility it was to handle these transactions?

Certainly, to say the least, it represents gross negligence on the part of someone.

I commend Messrs. Mansfield and Condon on their exposure of this fraud, and I strongly recommend that the appropriate committee of Congress give this its special attention.

I ask unanimous consent that the article referred to above be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TWENTY-ONE MILLION DOLLARS IN SURPLUS FEED INVOLVED—GRAIN SCANDAL IN AUSTRIA REVEALED

(By Marshall McNeil)

A long and methodical investigation by two U.S. inspectors general lies behind an Austrian grain scandal revealed in arrests by Vienna police. The suspects are charged with diversion and mislabeling of surplus American feed.

More than $21 million in surplus feed grain, shipped under barter contracts of 1959–62, is involved.

The United States bartered this grain for industrial diamonds, manganese, antimony and platinum.

J. K. Mansfield, Inspector General, foreign assistance in the State Department, and Lester Condon, Inspector General of the Agriculture Department, a former FBI agent, started work on the case late last year. Their inquiries are continuing.

Until the case is cleared up, the Agriculture Department has stopped barter deals with Austria.

FIRST TIP

The first tip came when in an early 1962 study of surplus grain shipments, Agriculture Department officials noticed a discrepancy between U.S. figures on exports to Austria, and Austrian figures on imports.

Norris Ellertson, Agriculture attaché at the U.S. Embassy in Vienna, was alerted. In the State Department the case was shifted to Mr. Mansfield's office. In Agriculture, Condon's office was assigned the investigation.

If the grain was diverted, perhaps to West Germany and maybe elsewhere, the United States may have lost an opportunity to sell other grain and thus, in effect, missed a chance to acquire gold, thus affecting our critical international balance of payments.

The grain, roughly 750,000 tons of it, arrived. But apparently about 420,000 tons didn't reach its Austrian destination.

THE CONCERN

The concern of the Austrian Government was that its economic laws may have been violated, plus the fact that the grain did not arrive to help the economy of the country. Austrian currency laws were involved, as well.

Messrs. Mansfield and Condon decided the first thing to do was to check out the shipments from here and their arrival in Europe.

Last January, Mr. Mansfield sent his deputy, Francis Cotter, another former FBI agent, to Vienna, and Mr. Cotter lately made a short return visit there. Mr. Mansfield himself went to Austria, and Mr. Condon has agents there now.

Finally, basic statistics compiled, American agents laid their case before Austria economic police.

The Austrian police built their own case and in the latter part of April arrested four Austrians connected with prominent grain importing firms.

Dispatches from Vienna say they were charged with having imported in the last 5 years, within the U.S. barter program, fodder barley and having illicitly sold this barley which they declared as originating in Argentina.

They are also charged, Vienna dispatches say, with having cheated the Austrian State by false declaration of origin.

It is said here that because of various Austrian laws and practices, it is possible that feed grain labeled as coming from Argentina might bring the sellers about one-third more than American surplus grain.

In this country, Mr. Condon's office is checking on the receipt of the strategic materials, as is Mr. Mansfield. Both are seeking information about the final destination of the allegedly diverted grain. And Mr. Condon is inquiring into the responsibilities, in such a case, of the American shippers.

This is the first time news of Mr. Mansfield's operations has been in the papers. His office was created by Congress to police both economic and foreign military aid, the Peace Corps, and the distribution of surplus American food. Mr. Mansfield or his investigators have visited foreign aid projects in more than 50 countries.

Mr. Condon's office was created within the Agriculture Department to coordinate several separate investigative offices. His authority to police and audit covers the whole Department. He has been inspector general since July 1962.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of executive business.

The motion was agreed to; and the Senate resumed the consideration of executive business.

THE INTERNATIONAL COFFEE AGREEMENT, 1962

The Senate, as in Committee of the Whole, resumed the consideration of Executive H, 87th Congress, 2d session, the International Coffee Agreement, 1962.

Mr. JAVITS. Mr. President, I rise to support the International Coffee Agreement and the resolution of ratification which is before us. I hope the Senate will approve the International Coffee Agreement; and I shall vote in favor of the resolution of ratification.

I speak on this subject only because I have a rather specialized knowledge of it. I have the honor to preside over the Economic Committee of the NATO Parliamentarians' Conference, by virtue of having been sent to it as a delegate by the Senate for what is now approximately 6 years.

It is the duty of that Committee to endeavor to bring the full force of cooperation of our allies, especially our allies in Europe, to the implementation of article 2 of the NATO treaty, which looks to the economic development of the NATO countries and the economic development of those countries upon whom the future course of freedom will depend.

We are now very deeply concerned with Latin America, due to the fact that the NATO Parliamentarians' Conference is embarking upon a project to bring European investment, both public and private, in a major way into Latin America. This is critically important to the United States.

The Alliance for Progress is in the gravest kind of jeopardy unless we are joined by Europe, with its tremendous economic resources, in aiding the economic development of Latin America. The United States welcomes that kind of partnership, and the working party, which I have the honor to head, is doing its utmost to implement that whole concept. Indeed, we have set up the Atlantic Community Development Group for Latin America, which the Senator from Minnesota [Mr. HUMPHREY] and I are sponsoring jointly.

High Government executives and leading business people in the United States, Europe, and Latin America, as well as the machinery of the NATO Parliamentarians' Conference, and many other organizations, are at work on this very critically important project, which in many respects may determine the success or failure of the Alliance for Progress.

The International Coffee Agreement will loom as a critically important element in the question of whether we will succeed or fail in Latin America. I say that because it is very clear from past experience that a sharp decline in the price of one commodity can wipe out in one afternoon our combined efforts to raise standards of living in Latin America through private and public investment. It is estimated, for example, that each decline of 1 cent per pound in the price of coffee means a loss of $70 million in the foreign exchange earnings of the 35 principal producing countries in Latin America and elsewhere. Such price declines have happened often in the past. The price of coffee has fallen about 42 percent within the last 5 or 6 years.

No amount of production can make up for that. It is a problem involving the terms of trade. That is a technical expression referring to a ratio of the value which a country gets for its export as compared to what it must pay for its imports. The increasingly adverse terms of trade of primary producing countries are continually vitiating all the aid we can give them. Therefore, the effort to stabilize their terms of trade is a remarkably fine contribution, both to international economic development and to the demands of the newly developing areas for economic stability. Indeed, these countries demand nothing less of us, and they have a right to demand nothing less.

This agreement is so great a contribution to international stability and international peace and to the anti-Communist struggle, that we must wonder why it is opposed. I have read with the greatest of interest the views of my colleagues in the Senate. I am sympathetic with their views. The proposal is opposed on the ground that to give price guarantees and to governmentally limit production is an ineffective solution to this problem; in fact, commodity agreements seem to work in reverse to the real purpose for which they are designed. The best evidence, it is claimed, is our domestic farm program.

Imperfect as this machinery is, it is nonetheless an effort in the international field to do what urgently must be done to deter erosion for the present, so that the forces of recovery, development, and diversification of the economies of these countries may be given a chance to get started.

It is almost analogous to the fact that people like myself, who are for free, liberal trade, must nonetheless, when there is an infant industry in a country, or a new country having frail economies, be sympathetic to protection for those frail economies, to give them a chance to get off the ground before they are submitted to the mauling of international competition.

If we want to give those countries an opportunity to get off the ground, in terms of development, we shall have to provide them with some kind of stop-loss situation in terms of the very saving of their life—because the stabilization of the value of a basic commodity like coffee, in quite a few of those countries, is absolutely the determinant of whether the economy will be good or will involve them in the gravest kind of difficulties.

The only way in which this can be justified is shown by the very juxtaposition of the minority views and the views of the majority. In the report, the views of the majority on the coffee agreement are based upon ratification for a limited term, a 5-year period, with Congress keeping its powder dry on implementation legislation for only 2 years. The argument on the part of the minority was that commodity agreements never really solve anything; that in the last analysis, it would be better to give the market its toll and give the consumer his coffee cheaper, and let the automatic operation of supply and demand determine the economy of the commodity. Both views are right, but at different times.

We cannot afford to allow what the minority wants to be done, to be done now. That would jeopardize us too seriously politically, for the same reason that we cannot bind ourselves to a price stabilization scheme and give up a scheme to limit competition permanently. That will not work either, as can be seen by our farm program itself. Therefore, we must provide primary producing countries such relief in promoting trade as not to beggar them or to deprive them of the necessary political stability, so far as economics has a determining effect on their political stability. At one and the same time we should not allow the situation to become so embedded as to preclude any hope of industrialization or diversification or the ability to make a better future in their own development. The problem of commodity stabilization, as I see it, this becomes one of mitigating random and cyclical fluctuations in the price of coffee—or any other primary commodity—without interfering with whatever long-term trend would be established by free market forces. Increased stability in export proceeds of developing primary producing countries could make a valuable contribution to their ability to make long-range development plans.

I favor the agreement because it is essential now. It is limited in time, both in the implementing legislation and in the agreement itself. Furthermore, it will give the countries involved an opportunity to make their transition, which we are financing now, in trying to help them make it, which would otherwise be eroded by the terms of trade and the fundamental commodities on which they live.

As a matter of policy, the United States has made a considerable shift in its use of commodity agreements. For a long time, this Government was against them. It was put down as one of the main reasons why the world situation was deteriorating. The underdeveloped nations were growing poorer in relation to the fully-developed nations, with their diversified industry and production, which were growing richer. In other words, the situation, instead of getting better in terms of the relationship between the States which needed help and the States which were giving the help, was deteriorating instead of improving.

I think it is a great thing that our country had the wisdom to make the change and now favors commodity agreements, when we did not favor them before, because of the exigencies of the situation. If we are to give them an opportunity to develop notwithstanding every imperfection, notwithstanding the fact that there are no permanent solutions, there is still only one thing which can hold the situation relatively stable at this time, and that is to give the newly developing countries a chance to diversify their economies and to utilize effectively the aid which we are giving them, instead of really running it down a rathole, which is to use it to make up budgetary deficiencies attributable to the fact that the national income does not come remotely within sight of looking even after minimal standards of living.

So this agreement represents a change in the policy of our Government. It is a very desirable change. It is a short-term operation, as indeed it should be. It is absolutely indispensable to giving peace and for pursuing our policy of aid, which would otherwise fail along with falling commodity prices.

I feel that the agreement is very desirable in the interest of our Nation and in the interest of the state of our economy. In the interest of our leadership of the free world, I very much hope the Senate will ratify the agreement.

Mr. HUMPHREY. Mr. President, I commend the Committee on Foreign Relations for its action in approving by a majority vote the coffee agreement which is now before the Senate. One of the great responsibilities of the Senate is the ratification of treaties.

I desire, first, to commend the Senator from New York [Mr. JAVITS] upon his comments within the past hour relating to commodity prices and the importance of commodity agreements. I want it clearly understood that the Alliance for Progress and our foreign aid programs in other areas of the world with respect to raw materials are the basis of the economy. In this instance, when coffee is such an important product in the economic structure, the Alliance for Progress and the AID programs will be doomed to failure—miserable failure and costly failure—unless commodity prices can be maintained at a reasonable level.

Those of us who come from agricultural-commodity-producing States know the importance of raw materials and the prices of raw materials. No amount of grants, loans, credits, good will, or good words can in any way take the place of a fair price for the commodities produced. The prices of raw materials received by the nations and the peoples who depend upon them as a source of income are essential to their economic growth and political stability.

I know there are Members of this body and those in other areas of the U.S. community who feel that an International Coffee Agreement or any other commodity agreement which relates to prices, production, and consumption runs counter to our so-called free economy. But, Mr. President, whatever may be the theory, let me state frankly that the loss of income to the Latin American countries because of the drop of coffee prices in the last 10 years is so much more important than any amount of aid that is contemplated that our aid program fades into insignificance. I think we are better off if we see to it that the producers are paid fair prices for their work and for the commodities they produced, rather than to try to bail out sick economies by means of grants, loans, and gratuities, for there is no substitute for a fair return on labor or fair prices for the commodities produced.

Thus, Mr. President, the purpose of the International Coffee Agreement of 1962 is to launch, for this one commodity, a program similar to those developed for certain other commodities, and to provide a reasonable degree of price stability. These are in our interest, in the interest of the producing countries, in the interest of the consumers who are the taxpayers, and also in the interest of the economic stability and the political freedom of these countries. In fact, if the coffee producers of the world received a better price for the coffee they produce, our taxpayers would save millions of dollars, our national debt would be lower, our deficit would be less, and the likelihood of an enterprising, growing economy in many areas, particularly in Latin America and Africa, would be greater.

Therefore, Mr. President, as we have before us today the International Coffee Agreement of 1962, I salute this as an historic occasion, for this treaty represents the culmination of years of efforts to bring some order and stability to the world coffee market. If that cannot be done, one had better write off Latin America as a lost cause and an area inevitably doomed to economic disaster. So let us "get with it," as the expression is. Either we shall pay a fair price for the goods produced, or we shall have to spend the rest of our days trying to bail out sick and ailing economies.

Mr. President, on tomorrow, at 5 p.m., when the Senate votes on the question of ratification of this treaty, the Senate will have an important opportunity to demonstrate to the underdeveloped countries of the world that it understands the importance of trade in primary products to their well-being, and that it is willing to cooperate with them in the effort to help solve one of their most pressing problems.

In transmitting the agreement to President Kennedy last October 2, Secretary of State Dean Rusk stated:

> It is the Department's view that this agreement offers the best prospect of arresting any further decline in world coffee prices, thus helping to assure stability in foreign exchange earnings of coffee producers in some 35 developing countries in Africa, Asia, and Latin America.

I commend the Secretary of State for those words, which are good diplomatic language; but I should like to suggest that he should have said that unless this coffee agreement and some similar agreements are ratified, we shall be pouring our money into a lost cause. He should have said this matter involves much more than foreign exchange. He should have stated this is a matter of bread and butter, a matter of life or death, a matter of Castroism versus freedom. Mr. President, Castroism will spread like the plague through Latin America unless something is done about the prices of the raw materials produced there; and those prices can be stabilized only on an international basis.

So, Mr. President, despite all the theorists about the so-called free economy and the free movement of goods between nations, regions, and peoples, the fact is that if there is to be any kind of economic stability and political freedom and economic improvement among the countries of the world to which we are pouring out billions of dollars taken from the taxpayers of the United States, we had better help assure those countries fair prices for the goods they produce and for the work their people do.

Mr. President, the achievement of this objective would be of great significance. In the first place, during the past decade coffee was the single most important agricultural commodity in world trade, with shipments valued, in many years, at over $2 billion.

Second, coffee is the most important source of export earnings of Latin America and of a number of countries in Africa and elsewhere. For example, in 1961 coffee exports from Colombia accounted for 71 percent of all foreign exchange earnings. For Guatemala and El Salvador, the corresponding figure was approximately 60 percent. For Brazil, it was 51 percent. In fact, about one-quarter of the entire export earnings of the 15 Latin American coffee exporting countries are derived from this one commodity. Its significance to Africa, where 5 countries obtain more than 40 percent of their foreign exchange earnings from this source, is equally great.

Mr. President, if the price of coffee had remained relatively stable during the past decade, the Finance Minister of Brazil would not be knocking at the door of the U.S. Treasury in an attempt to obtain some help, for if a fair price had been paid for coffee, no such help would be needed—in the same way, Mr. President, that if the wheat farmers were paid a fair price for the wheat they produce they would not need loans.

General Motors Corp. receives a fair price for the automobiles it manufactures. The Bell Telephone Co. is paid a fair price for the telephone service it renders. That is why these companies are in business. But if Bell Telephone Co. had to accept payments similar to those received by the coffee producers or similar to those received by the U.S. farmers, Bell Telephone would be out of business, and then we would be communicating by means of smoke signals, instead of by the use of telephone and telegraph systems and electronic systems.

Third, Mr. President, this Agreement is of great importance, because in many areas of the world coffee is produced by small farmers. It is estimated that about 3 to 4 million farming enterprises in 70 different countries produce coffee. The overwhelming majority of these farms belong to small farmers, each cultivating less than 5 acres of land—individually owned and operated—free farmers who, because of world market conditions, are being rubbed out. As surely as Castro collectivizes the agriculture of Cuba, price declines have wrecked the operations of thousands of small farmers in Latin America and also thousands in the United States of America. About half of all coffee is produced by farmers with holdings of from 5 to 75 acres. These are small businessmen, individual entrepreneurs. If our Government cannot appreciate the importance of helping these people by permitting them to help themselves by means of some regulation of their production and their exports, then I say our Government has lost any right to claim leadership of the world in its striving for freedom as we know it. In Latin America, coffee provides direct employment for more than 12 million persons; and this figure for the world as a whole is in excess of 21 million.

In view of the overwhelming importance of coffee as a foreign exchange earner, it is clear that the economic development of the countries of Latin America and Africa is directly related to this single crop. It has been shown that a decrease of 1 cent a pound for green coffee means a decrease of about $50 million in the foreign exchange receipts of the Latin American countries. Obviously, the tremendous effort we are making under the Alliance for Progress is endangered and the large sums appropriated to assist in economic development are canceled to the extent that earnings from the principal export commodity fluctuate sharply or decrease steadily. Stability in foreign exchange earnings can be the firm foundation for our sustained efforts to help these countries help themselves.

Mr. President, when the foreign producers are victimized by sharp fluctuations of price, that does not necessarily mean that the consumers benefit very much, because the middlemen and the brokers who handle the commodity—they do not produce them, but they merely engage in transactions relating to them—continue to make very sizable profits.

Mr. President, the United States has participated in the international wheat and sugar agreements for a long number of years. The Senate has acted very responsibly in approving U.S. participation in these agreements. They may not have worked perfectly, but they did at least demonstrate that things could be far better with some degree of international cooperation than with no cooperation at all.

I wonder what would have happened in the wheat markets of the world had it not been for the International Wheat Agreement? I can tell Senators what would have happened. I can tell Senators what any responsible person would have predicted would happen. Wheat prices would have gone to disastrously low levels. We would have had economic calamity in the wheat-producing countries of the world.

There have been a series of short-term international coffee agreements in effect now since 1958. These were arrived at because of the depressed conditions of the market.

These agreements were made by a number of producing countries acting alone, and they have helped to slow down the long decline in coffee prices. They have not been fully effective however without the support of the consuming countries. Today we have the opportunity to show our support of their efforts and our recogniztion of the seriousness of this problem.

On March 13, 1961, President Kennedy initiated the Alliance for Progress. In his speech to the Ambassadors of Latin America on that occasion, the President said—I was present at the White House when the President made that memorable address:

> The United States is ready to cooperate in serious case-by-case examinations of commodity market problems. Frequent violent changes in commodity prices seriously injure the economies of many Latin American countries—draining their resources and stultifying their growth. Together we must find practical methods of bringing an end to this pattern.

The International Coffee Agreement that is before us today for our advice and consent to ratification represents the first implementation of the Alliance for Progress in the commodity field. In view of the tremendous importance of coffee to the welfare of so many people in Latin America—and Africa too—it is appropriate that coffee was the first in line for a sustained effort to solve its problems and help find an end to the constant instability and price declines of recent years.

Mr. President, I would like to demonstrate with a few figures just how much coffee prices have declined. In 1953 the average price of a representative grade of Brazilian coffee was 58 cents. In 1963 the price for the same grade is 33 cents, a decline of 25 cents per pound, or 43 percent.

Is it any wonder that Brazil is in economic trouble? We have people who are willing to lecture the Brazilians on inflation and on their mismanagement. What country can manage anything if there is a 43-percent drop in the price of a country's major crop? I have heard many lectures about our farm people and how they do not know how to operate their business. What they need is a fair price for what they produce. They will then operate their business much better than their advisers are operating their businesses.

There is probably no other important agricultural commodity that has declined so much in 10 years. Prices of Central American coffees, and of African coffees, have declined proportionately, for all coffee prices are interrelated. This is why the approach to the world coffee problem must be an international effort of the kind envisaged in this agreement. No one country can do the job alone, and no one country is willing to undertake it alone. To make this agreement work, many producing countries will have to make sacrifices and hard adjustments to reduce their excess production. The important point is that they will be doing it in concert with others—in a coordinated way so that no one country will benefit from someone else's sacrifice.

Mr. President, in considering this treaty, we should take very careful note of the degree of international interest that the negotiation of this treaty has aroused and the widespread support that has already been expressed for it. This international agreement was negotiated last summer at the United Nations. The conference was attended by representatives of 71 coffee exporting and importing countries and interested organizations. Fifty-eight countries actively participated in the negotiations. As of today, 22 exporting countries representing over 85 percent of the world's coffee exports have ratified this agreement or formally signified their intention to do so. Six importing countries, including France, Canada, and the United Kingdom, have already ratified this agreement. I am informed that eight more importing countries are standing by waiting for the United States to act.

The United States is the largest consumer of coffee. I might add that the State of Minnesota ranks at the top of the list of the coffee drinkers of our country. The good Scandinavian folks of Minnesota consume a great deal of coffee. It is mighty good on a cold winter night.

Because we are the world's largest importer of coffee, taking over 50 percent of total world imports, this treaty—which is so important to the welfare of so many countries—cannot become effective without our participation.

That tells me something we need to know and the record needs to underwrite. Time after time I have heard Senators talk about what we do as a country and how little other countries do. Take a look at coffee. We import 50 percent of all the coffee in the world. If we are that big, obviously what we do and what we do not do has great effect. Our gross national product or income is about 45 percent of the total income of the whole world. What we consume is fabulous. What we export is tremendous. So when we are talking about our contributions to the ILO, to the United Nations, or any other organization of a similar type, let us remember that our Nation has within 45 to 50 percent of the total produced wealth of the world. Is it any wonder that we must pick up a big tab? I happen to believe in progressive taxation.

I believe that a man who earns $35,000 or $25,000 a year ought to pay more than a man who earns $5,000 a year. I believe a man who earns $1 million a year ought to pay a lot more than a man who earns $10,000 a year. This country has been built on that principle, not on the basis that any two men have equal responsibilities in the financing of community projects or services. I still believe in the principle of progressive taxation. I believe that when my income goes up, I ought to pay more. When someone else's income goes down, he ought to pay less. That is the way our country was conceived. It is the way it has been advanced. When we start to change that formula, we get ourselves into the same trouble that other countries are in now that did not have such a progressive formula of taxation and income. So we have a vital interest in these subjects. What we do frequently sets the pattern for the rest of the world.

We must therefore be very conscious of the worldwide repercussions which would result from our declining to participate. Years of effort would have been in vain. On the other hand, a vote to support this treaty today will be the most positive kind of assurance to coffee growers throughout the world that we are mindful of their problems and are willing to help them find workable solutions. We will be saying to the countries of Latin America—by a favorable vote here on the treaty, which I am sure we will obtain—that we recognize that stable earnings from trade with us are the firm foundation for progress under the Alliance that we have been talking so much about.

Mr. President, I will not take the time of the Senate to comment on the details of this agreement.

I would have the record note that the agreement is well documented in the items known as the purpose of the agreement and the provisions of the agreement. I ask unanimous consent to have printed at this point in the RECORD those portions of the report to which I have alluded, which are contained on pages 1, 2, and the concluding paragraph of page 3.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

1. MAIN PURPOSE OF THE AGREEMENT

The main purpose of the agreement is to prevent a further decline in the world price of coffee which has dropped more than 50 percent since 1954, the year of the alltime highest price. To this end, the agreement establishes quotas for exporting countries and binds importing countries to limit their purchases of coffee from countries not parties to the agreement.

A further purpose of the agreement is to bring world supply of, and demand for, coffee into better balance. To this end, the agreement provides a mechanism for encouraging consumption in importing countries and limiting production in exporting countries.

2. PROVISIONS OF THE AGREEMENT

The agreement establishes the International Coffee Organization which will have its headquarters in London and which will function through the International Coffee Council and its Executive Board (art. 7). Each contracting party to the agreement will be a member of the Council (art. 3). Special provision is made for coffee-producing dependent territories of coffee-importing states to have separate membership (arts. 4 and 67). This will make it possible for the coffee-producing dependencies of European countries to participate in the agreement as exporters while the metropolitan countries participate as importers. Provision is also made for group memberships in certain cases by two or more exporting countries (arts. 5 and 6).

On the International Coffee Council, the exporting countries as a group and the importing countries as a group will each have 1,000 votes (art. 12(1)). On almost all issues, at least a majority of the exporters' votes and the importers' votes, computed separately, will be necessary for the Council to act, and on some issues, the majority must be two-thirds of each.

Each country is assigned 5 basic votes, but if there should be more than 30 countries in either the exporting group or the importing group, the number of basic votes will be reduced so that in no case will more than 150 votes be allocated as basic votes (art. 12(2)). But there will be no fractional votes (art. 12(8)).

Beyond the basic votes, the votes of the exporters will be distributed in proportion to the basic export quotas which are assigned by the agreement (art. 12(3)), and the votes of the importers will be distributed in proportion to the average volume of coffee imports over the preceding 3 years (art. 12(4)). No member, however, may have more than 400 votes (art. 12(7)).

The United States normally imports between 50 and 55 percent of the world's coffee, and it will, accordingly, have 400 of the 1,000 votes assigned to importing countries by the agreement.

The agreement establishes basic export quotas for the exporting countries (art. 28 and annex A). These total 45,587,183 bags of 60 kilograms (132 pounds) each, and range from 11,000 bags for the Congo (Brazzaville) to 18 million bags for Brazil. The supply of coffee on the world market is to be controlled by the Council through the setting of annual export quotas stated as a percentage of the basic quotas. For the first year of the agreement (the coffee year is October 1–September 30), the annual quotas are 99 percent of the basic quotas (art. 30). The basic quotas are to be reviewed after 3 years (art. 28(2)).

Exporting countries which exceed their quotas are to have the excess (or in the case of a second offense, twice the excess) deducted from future quotas. If they offend a third time, they can be expelled from the Organization (art. 36).

Exports to specified countries with a low per capita consumption are to be exempt from quotas in an effort to develop new markets (art. 40).

The quota provisions of the agreement will be enforced through requirement of certificates of origin and reexport and through undertakings by importing countries regarding the origin and quantity of imports. Every export of coffee from a member country is to be accompanied by a certificate of origin (if the coffee was grown in the territory of that member) or by a certificate of reexport (if the coffee was grown elsewhere). Member countries agree to prohibit the import of coffee from any other member unless it is accompanied by a certificate of origin or reexport (art. 44).

Importing countries further agree to limit their imports from countries not members of the agreement. This limitation is subject to some discretion of the Council, but it will generally be a volume not in excess of annual average imports from such countries as a group during the last 3 years. This limitation may be further reduced by the Council under specified conditions or if the Council finds "such limitations necessary in order to further the purposes of the agreement." Or, in the absence of action by the Council, the limitation will not apply if members of the agreement represent 95 percent or more of world coffee exports in 1961 (art. 45). In fact countries that have signed the agreement represent 95.1 percent of such exports.

The agreement also contains general undertakings, applicable mainly to importing members, to "investigate ways and means by which the obstacles to increased trade and consumption * * * could be progressively reduced and eventually, whenever possible, eliminated, or by which their effects could be substantially diminished" (art. 47).

The Council is also to sponsor a continuing program for promoting the consumption of coffee. Importing countries are to have no financial obligations with respect to this program, though some of the program's administrative expenses are to be charged to the general budget of the Organization (art. 46).

On the production side, the Council is to recommend production goals for each producing member and for the world as a whole (art. 48), and each producing member is to submit periodic reports on progress toward reaching these goals. By a two-thirds vote of the importing and exporting members taken separately, noncooperating producing members may be excluded from quota increases resulting from application of the agreement (art. 49). The Council is also authorized to establish an international coffee fund, based on voluntary contributions, to be used to "further the objective of limiting the production of coffee."

The administrative budget of the Organization is to be set by the Council, and the assessment of each member is to be in proportion to its votes. Thus, the United States, which is to have 400 votes out of a total of 2,000, will pay 20 percent of the budget. The total budget is expected to be in the range of hundreds of thousands of dollars.

Day-to-day administration of the agreement will be in the hands of the Executive Board to be composed of seven exporting and seven importing members (art. 15) elected according to a complicated formula (art. 16). The exporting members on the Executive Board as a group and the importing members as a group will cast all of the votes to which exporters and importers are entitled in the Council. The formula for election of members of the Executive Board is such as to insure that the United States can always be a member.

Mr. HUMPHREY. The Committee on Foreign Relations has held detailed hearings, and has issued a report which summarizes the purposes and operation of the agreement very clearly. The committee has come to the conclusion that our participation is in the best interests of the United States, and has very rightly pointed out that "the problems which will clearly be caused by doing nothing are far more serious than the problems that may arise in the operation of the agreement."

Mr. President, the agreement requires legislation to implement it, so that we will have an opportunity to review the operation of the agreement. The agreement also provides periodic review of the operations under the agreement. At all times the Congress of the United States can keep abreast of what is being transacted and what is transpiring under the terms of the International Coffee Agreement. I consider that the interests of the United States have been very well protected in this agreement, and this treaty has my whole-hearted support.

The treaty is long overdue. I am of the opinion that it will possibly do more to help us in our relationships with the coffee-producing countries than any other one thing we could do.

Mr. President, I am privileged to have in my possession a letter from the Assistant Secretary of State for Congressional Relations, Mr. Frederick G. Dutton, to Hon. LEONOR K. SULLIVAN, a Representative in Congress, dated October 3, 1962. This letter is in reply to a letter of September 13, 1962, addressed to the Secretary of State with respect to the new International Coffee Agreement, now before the Senate, which we have been discussing.

Mr. Dutton, answering for the State Department, points out that the agreement has consumer protection in it as well as producer protection. He says:

> Consumer protection against any unwarranted price increases is assured by a number of specific provisions in the agreement. Probably the most important are the provisions relating to the establishment and adjustment of export quotas. Export quotas are intended to control the amount of coffee that may be made available to the market by the producing countries during a given period, and they directly influence the price. The agreement provides that all decisions on the establishment and adjustment of export quotas shall be taken by a distributed two-thirds majority vote, i.e., a concurrent two-thirds majority of the importers and exporters voting

separately. As the United States has 400 votes out of the 1,000 votes held by importing countries this in effect gives us a veto power over decisions of the Council.

Since action in the council would require a two-thirds vote, and the United States would possess 40 percent of the vote, the United States would have a veto power at any time under the agreement to protect any legitimate interests it might have. So all the doubts and worries about what might happen to consumers in the United States can well be answered by the voting power the United States would have as an importing country, exercising 400 votes out of 1,000 votes, or 40 percent of control in an institution requiring a vote by 66⅔ percent of the membership to impose any kind of restriction.

Mr. President, I ask unanimous consent that the full text of the letter to Mrs. SULLIVAN dated October 3, 1962, representing the views of the State Department on the subject before the Senate, the International Coffee Agreement, may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 3, 1962.

Hon. LEONOR K. SULLIVAN,
House of Representatives.

DEAR MRS. SULLIVAN: I want to thank you for your letter of September 13, 1962, addressed to the Secretary, with regard to the new International Coffee Agreement which is now before governments for consideration. I am sorry that our reply is somewhat tardy; our workload in the closing days of this Congress has been exceptionally heavy.

At the beginning I want to say that the officials of this Department concerned with the coffee problem are sincerely appreciative of the constructive view you have taken in this matter. Accordingly they want me to assure you that they have been mindful throughout the long negotiations with foreign governments that our first duty is to protect the American consumer. The advisory committee appointed by the National Coffee Association to work with the State Department during the negotiation of the new coffee agreement has, of course, always maintained that the U.S. consumer must be protected in any coffee argreement. Toward this common objective we have managed to secure a number of provisions in the new agreement which should fully protect our interests.

Before describing these specific provisions, it is noteworthy that the tremendous stocks of coffee now held by Brazil and Colombia would seem adequate assurance that no substantial advance in green coffee prices could be sustained in the foreseeable future. Stocks are also building up in some African countries, and present productive capacity everywhere is in excess of any likely demand over the next 5 years. Thus the supply and demand situation as presently known argues against any marked increases in coffee prices.

The new International Coffee Agreement does not have any specific price objective in the sense that it will endeavor to maintain prices for the various kinds and qualities of coffee at certain cents-per-pound figures. It does provide that "through the fixing of quotas, the members agree on the necessity of assuring that the general level of coffee prices does not decline below the general level of such prices in 1962." We consider this price objective a realistic one in view of the burdensome stocks overhanging the market. In the light of the price trend it is also a reasonably modest one, as coffee prices have been declining steadily in recent years. During the first 8 months of 1962 the price of Brazilian coffee averaged about 34.3 cents a pound, compared with 36.6 cents in 1960 and 48.4 cents in 1958. The decline set in immediately after 1954, when you will remember the severe frost damage in Brazil resulted in prices averaging 78.7 cents per pound.

Consumer protection against any unwarranted price increases is assured by a number of specific provisions in the agreement. Probably the most important are the provisions relating to the establishment and adjustment of export quotas. Export quotas are intended to control the amount of coffee that may be made available to the market by the producing countries during a given period, and they directly influence the price. The agreement provides that all decisions on the establishment and adjustment of export quotas shall be taken by a distributed two-thirds majority vote; i.e., a concurrent two-thirds majority of the importers and exporters voting separately. As the United States has 400 votes out of the 1,000 votes held by importing countries this in effect gives us a veto power over decisions of the Council. We would, to make the veto effective, need only one other importing country voting with us. The number of votes held by it would be of no consequence as we alone have more than one-third, but it was felt desirable to provide that one country alone could not exercise a veto. We cannot conceive of any situation in which the United States advocated a veto where we could not persuade at least one other importer of the merit of our position.

In addition to the voting provisions of the agreement with regard to export quotas, two other provisions are noteworthy, in that they specifically recognize the undesirability of marked changes in coffee prices for whatever reason, and provide for corrective action under voting procedures which are easier to attain than the standard procedure of a distributed two-thirds majority. These two provisions are quoted below for your information:

"(5) All members recognize that marked price rises or falls occurring within brief periods may unduly distort underlying trends in price, cause grave concern to both producers and consumers, and jeopardize the attainment of the objectives of the agreement. Accordingly, if such movements in general price levels occur within brief periods, members may request a meeting of the Council which, by distributed simple majority vote, may revise the total level of the quarterly export quotas in effect.

"(6) If the Council finds that a sharp and unusual increase or decrease in the general level of prices is due to artificial manipulation of the coffee market through agreements among importers or exporters or both, it shall then decide by a simple majority vote on what corrective measures should be applied to readjust the total level of the quarterly export quotas in effect."

In the unlikely event that unforeseeable circumstances might arise in the administration of the agreement which would operate against the interests of our consumers or our coffee trade, the United States could always withdraw from the agreement. It is provided that any government, after September 30, 1963, may withdraw by giving written notice, such withdrawal to be effective 90 days after notification. As the agreement would collapse without our participation, this possibility is the final assurance that our views on the operation of the agreement must be respected.

If I can be of any further assistance in furnishing information please do not hesitate to let me know.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

REPEAL OF CERTAIN LEGISLATION RELATING TO PURCHASE OF SILVER

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 157, H.R. 5389.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion by the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HUMPHREY. Mr. President, Calendar No. 157, H.R. 5389, the so-called silver bill, will be the unfinished business. It will be before the Senate when the Senate meets tomorrow.

PROHIBITION ON ACCOUNT OF SEX IN PAYMENT OF WAGES

Mr. HUMPHREY. Mr. President, on Friday last, May 17, the Senate passed the equal pay bill, S. 1409. At that time, in order to expedite the work of the Senate, I made no comments about the bill, because it was moving along pretty well toward passage. The bill had received, as we know, the wholehearted support of the Senate.

The Senator from Michigan [Mr. MCNAMARA], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Oregon [Mrs. NEUBERGER], and the junior Senator from Michigan [Mr. HART] were very instrumental in securing the passage of the bill. I wish to commend them and to associate myself with their remarks, as well as with those of the Senator from Pennsylvania [Mr. CLARK], and other Senators who made such a distinct contribution to the passage of this very important legislation.

I have received numerous telephone calls, telegrams, and letters with respect to the bill. Over the weekend, I received many messages expressing thanks to the Senate and the leadership of the Senate for the prompt action which was taken on the consideration and passage of S. 1409.

I believe the legislation will do much to aid our economy; but it will also do much to right a great wrong, namely, the wrong of discrimination in pay, salary, and income on the basis of sex. The legislation will fulfill what the Senator from West Virginia [Mr. RANDOLPH] pointed out, in the RECORD, as the admonition of the great Ralph Waldo Emerson, who wrote that one of the measures of civilization is the status which it accords women. The Senator from West Virginia went on to say:

> In that regard, the bill pending before this body, S. 1409, the Equal Pay Act of 1963, is an act of economic justice which would advance our civilization by translating into action another aspect of our national ideals concerning equal rights and equal opportunities for women.

I wish to associate myself with that comment. More importantly, so that there can be no doubt about it, I desire to indicate my support for the legislation and my commendation of those who so expeditiously managed its passage through the Senate.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 20, 1963, he presented to the President of the United States the following enrolled bills:

S. 20. An act to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes; and

S. 873. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the county of Lincoln, State of Nevada.

ADJOURNMENT

Mr. HUMPHREY. Mr. President, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, May 21, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 20, 1963:

DEPARTMENT OF STATE

William J. Crockett, of Nebraska, to be a Deputy Under Secretary of State, vice William H. Orrick, Jr.

UNITED STATES MARSHAL

Guy W. Hixon, of Florida, to be U.S. marshal for the southern district of Florida for the term of 4 years, vice John E. Maguire, Sr., transferred.

WITHDRAWALS

Executive nominations withdrawn by the Senate May 20, 1963:

POSTMASTERS

Maurice B. Morrison to be postmaster at Charlton Heights, in the State of West Virginia.

Carl F. Englehart to be postmaster at Hunlock Creek, in the State of Pennsylvania.

EXTENSIONS OF REMARKS

Lotteries of Spain, Germany, and France

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, May 20, 1963

Mr. FINO. Mr. Speaker, out of the 77 foreign countries which operate Government-run lotteries, three European nations have found that lotteries not only yield high revenues but also have eliminated underworld problems.

These lotteries are an excellent indication of the success that may be had in bringing gambling under the control of government.

Spain soaks up approximately 90 percent of all potential gambling money in the nation. Although Spain is not a rich country, the national lottery brought in over $112 million last year. The government's income was over $32½ million.

Germany also gathers large revenues from their lottery operations. Total gross receipts of lotteries came to $395 million in 1962. The total net income to the state government amounted to about $160 million that year. At least one-half of the proceeds were earmarked for such purposes as support of youth activities, sports and health.

France also does very well. In 1962, the total gross annual receipts came to $144 million. After prizes, the net income received by the government was $46 million. The French attitude is that since gambling is inevitable, it should be kept clean, orderly, and profitable to the state.

Mr. Speaker, we would do well to profit from the experiences of these countries. Now, more than ever, the United States needs a national lottery which could, easily and painlessly, pump into our Government coffers over $10 billion a year in additional income. It would not only be an alternative to higher taxation but it would help to cut our heavy taxes and at the same time help to reduce our national debt.

Why can we not be as smart as these countries or even as smart as the State of New Hampshire?

Gordon Cooper

EXTENSION OF REMARKS
OF

HON. DONALD G. BROTZMAN

OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Monday, May 20, 1963

Mr. BROTZMAN. Mr. Speaker, I rise to pay tribute to Colorado-connected astronaut, Gordon Cooper, who successfully completed our most ambitious venture into space. All Americans experience a special pride in the courage, ability, and resourcefulness of this great young American.

Gordon Cooper joins the ranks of other American heroes who have inscribed their names on the Nation's honor roll. By skillfully and successfully guiding *Faith 7* through 22 orbits and back to a pinpoint landing on earth he has made a genuine contribution to our space knowledge.

The courage of Gordon Cooper was demonstrated when he made this simple statement before the flight:

> I'm ready. All we have to do now is to load, lox, and launch.

About his reentry he stated, "Right on the old bazoo."

These words, demonstrating the confidence, the dedication, and determination that are so typically American will rank with other heroic statements such as, "Don't fire until you see the whites of their eyes" and "We have just begun to fight."

We in Colorado are proud of Gordon Cooper. We congratulate his wife, Trudy, and their two fine children, Camala and Janita. All our astronauts, including another illustrious Coloradan from Boulder, Scott Carpenter, have brought great credit to our Nation. It is a privilege and an honor to commend them before the House of Representatives.

Beef Imports

EXTENSION OF REMARKS
OF

HON. E. Y. BERRY

OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 20, 1963

Mr. BERRY. Mr. Speaker, I have asked for this time to call to the attention of the House the fact that more beef was imported into this country last year than was produced and marketed in the States of South Dakota and Wyoming combined.

The records I have just received from the Department of Agriculture indicate that South Dakota marketed a record production of 1,277,320,000 pounds of beef in 1962, and that Wyoming handled 420,810,000 pounds making a total for the two States of 1,698,130,000 pounds.

I am happy to point out, Mr. Speaker, that this is an increase of the production in 1960 and previous years. But even with this record figure, the production and marketing of beef in the States of Wyoming and South Dakota was 26,870,000 less than the 1,725 million pounds imported during the 12 months ending January 1, 1963. It would take the entire production of these two States and six counties in the State of North Dakota to equal last year's imports.

The North Dakota beef marketing last year was 558,040,000 pounds. This added to that of South Dakota would equal 110,360,000 pounds more than the total imports. But excluding marketings from Pennington, Perkins, and Tripp Counties, imports were equal to the production of these two great beef States.

Why, Mr. Speaker, is there not greater concern over this situation? When imports are equal to the production of two of the top beef producing States in the Nation, how can anyone expect anything but slumping beef prices?

The administration's policy of allowing this flood of foreign beef is a calculated effort, instigated by the Secretary of Agriculture, to bring economic pressure on the American cattleman who has been the major stumbling block in the New Frontier effort to socialize our farm industry.

The policy of "managed news" is bad enough, but the problem of "managed markets" is worse.

I would point out again, Mr. Speaker, that one out of every 10 pounds of beef that went onto the American tables last year was raised in some foreign country, and displaced an American farmer and rancher.

Under the humorously titled Trade Expansion Act of 1962, Congress made provision for financing of taking the farmer off of the land and giving him industrial training so that he would be ably trained and equipped to compete with the other 4½ million unemployed Americans who are looking for jobs.

Is it the program of the New Frontier to break the farmer and put him out of business with noncompetitive foreign imports so that he too will be dependent upon subsidies and doles and grants?

U.S. Employment Service

EXTENSION OF REMARKS

OF

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 1963

Mr. BLATNIK. Mr. Speaker, the U.S. Employment Service has established an outstanding record of performance on behalf of the workers of this country. Especially at the present time, in the face of long-term and widespread unemployment, and considering that State regulation of the fee-charging agencies is either nonexistent or wholly inadequate, it is evident that a strong and effective public employment service is essential to the national interest.

In the past few weeks, many of us have received letters and other communications designed to discredit the Employment Service. These attacks are now being made on the public employment service by a group of fee-charging private employment agencies who have amassed a slush fund to discredit a Government agency and thereby insure greater profits for themselves. It is being directed by a paid lobbyist who virtually promised that a congressional investigation of the Employment Service was almost a certainty, as was a cut in appropriations, if the fee-charging agencies engaged in a properly conducted campaign against the public agency.

The campaign is at its height. It is well timed. The time was not set for a certain month, nor for a certain season. The time was set to correspond with appropriations request time in the House and Senate.

I shall limit my remarks to what I consider to be one of the worst of the distortions in their propaganda barrage. I refer to the statement by the fee-charging agencies that 60 percent of the job placements by public employment offices last year were of people already employed. This is not true and is a deliberate misuse of statistical data contained in a recent statement by Mr. Robert C. Goodwin, Administrator of the Bureau of Employment Security, U.S. Department of Labor. Using data from a Bureau of Census household survey, Mr. Goodwin said that out of every five workers newly hired by employers all over the Nation, three were employed workers changing jobs, one was unemployed, and one was a new entrant to the labor force. This means that of all new hires from any source—hiring at the gate, hiring through friends—or in fact from any source, three out of five were people seeking other jobs. There is no relationship between the statement made by Mr. Goodwin and the number of placements made by the public employment offices at any time.

The Wagner-Peyser Act which created the present Federal-State employment service provides for service to men, women, and juniors who are legally qualified to engage in gainful occupations and who want assistance in securing employment. It does not distinguish between service to the unemployed and service to employed. In other words, according to its charter, it must provide service to the employed who for many reasons are seeking other employment.

The public employment service occupies a key role in our fight against unemployment. Last year in the United States, it made more than 6.7 million nonfarm and almost 8.5 million farm placements. In my own State of Minnesota, the totals for the year were 109,800 nonagricultural and 46,400 farm placements.

This is only part of the story. The U.S. Employment Service provides extensive counseling, testing and placement services to youth, older workers, handicapped, and veterans. It also has a principal role in the administration of the Manpower Development and Training Act, the ARA Act, and the Public Works Acceleration Act. It would be extremely unfortunate if this service were impaired because of the unfounded allegations and distortions of a self-serving group of private employment agencies.

I hope my friends and colleagues in both the House and the Senate will approve the full amount of the budget requested by the Employment Service for 1964.

Anniversary of the Polish Constitution

EXTENSION OF REMARKS

OF

HON. JAMES D. WEAVER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 1963

Mr. WEAVER. Mr. Speaker, great historic documents are the genuine expression of lofty ideals conceived and formulated by men of vision and foresight. Such documents make landmarks in national histories and leave their permanent impression on national institutions. Our Declaration of Independence and our Constitution mirror our national character. The Polish Constitution of May 1791, also reflects the liberal and progressive character of Poland's leaders in the late 18th century.

After the first partition of Poland in 1772, Polish leaders knew well that Poland could not escape eventual dismemberment in the hands of her foes. They therefore thought that, in the absence of effective outside aid, their best chance of forestalling such a sad eventuality rested in the overhauling and strengthening of Poland's government. With that objective in mind a committee of the Diet—the Assembly—was appointed to draw up a constitution. The work was begun in 1788, and by early 1791 the drafted document was ready. It was promulgated and adopted on May 3 of that year, and thenceforth became known as the Constitution of May 3.

That memorable and historic document embodied many liberal and progressive ideas, and represented a decisive advance over anything yet attempted in Poland. By its provisions Poland emerged from an antiquated medieval system of government and entered into one with many modernistic features. Autocratic Poland became a constitutional monarchy. Ministerial responsibility was introduced and a cabinet type of government was established. The obstructive features of the old system were abolished, and certain class distinctions were eliminated. The barriers separating the nobility from the rest of the people were drastically lowered. Personal privileges formerly reserved to the gentry alone were now made available to all townsmen, and the peasantry was placed under the protection of the law. The powers of the upper house were reduced and those of the lower—the popularly elected—house were increased. Freedom of conscience and of speech were guaranteed. These democratic features made the Constitution of May 3 a model instrument, and as such it was widely hailed both in Poland and by Poland's friends in other lands.

In brief such are the provisions of this historic Constitution which reflects the valiant attempt made by Polish leaders to salvage their country from eventual dismemberment, and its failure is no discredit to its wise and patriotic drafters. Soon after the Constitution was proclaimed, Poland's implacable foes made war upon her, and finally brought her independent existence to an end. The Polish people never had the good fortune to live under their new Constitution, and perhaps it is why they have looked upon it as a memorable, almost sacred, document embodying their unrealized dreams and long-cherished hopes. One hundred seventy-two years after its adoption all patriotic Poles regard the spirit of that document as the genuine expression of their ideals and celebrate its anniversary as their national holiday.

I join with the more than 16,000 Polish-Americans in the Mercer-Crawford-Erie District, which I represent, who this month are observing this historic anniversary, and in their hopes that the people of Poland will one day be free to enjoy the rights and privileges set forth in their Constitution.

West Virginia Centennial "Parade of Flags" Salutes the President and Congress

EXTENSION OF REMARKS

OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 20, 1963

Mr. RANDOLPH. Mr. President, the President of the United States honored the State of West Virginia today when he accepted from our Governor the flag of our State. The Chief Executive expressed the desire to have it flown over the White House on the West Virginia centennial birthday, June 20, 1963.

In a ceremony at the White House, Gov. William Wallace Barron, accompanied by West Virginia Centennial Commission officials and staff aids, and by members of the State's delegation in the Congress, presented to President Kennedy the West Virginia Centennial Parade of Flags as well as a West Virginia State flag.

Following the ceremony in the new flower garden, the parade of flags demonstration was brought to the Capitol where, at the noon hour on the east front steps of the Senate wing, the colorful and efficient parade group gave a public performance.

In presenting the centennial parade of flags, Governor Barron described it to President Kennedy, as:

> A group of Senior Boy Scouts and high school students formed for the purpose of representing West Virginia in various ways during this our centennial year. They are carrying with them the flag of the State of West Virginia and a 35-star American flag, the 35th star, of course, representing West Virginia. They wish to honor our sister States and to that end they are carrying a flag for every State in this great Nation of ours, including that of the District of Columbia, and reproductions of the historic flags from the Revolutionary War and the War of 1812.
>
> And now, Mr. President, it is my privilege and honor to present to you the flag of the State of West Virginia in recognition of our 100th anniversary and I am taking the liberty of proposing, if it is within regulations, that the flag of the State of West Virginia be flown at the White House on our centennial birthday which is June 20 of this year.

President Kennedy's response was a warm tribute to the State of West Virginia, as well as to the Boy Scout movement and the Scouts who represented West Virginia in the "Parade of Flags." A text of the President's acknowledgment was supplied by the Office of the White House Press Secretary.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the remarks by the President of the United States.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

> Governor, Senators, Congressmen: I want to express my warm appreciation to you for this flag. I don't know whether it is regulations or not, but in any case it is going to be, because we will certainly fly this flag over the White House on the June centennial day or any other day that West Virginia wants it flown. And after that we will frame this flag and put it in the White House in my office, because there is no State whose flag I would rather have.
>
> I want to express my great appreciation to all of those of you who are Scouts for coming here this morning. We are very proud of the Boy Scouts and I am particularly glad that we have so many of them in West Virginia, so many of them in the country. I can't imagine better training for our younger citizens and I hope that this impressive evidence this morning of their strong patriotic feeling will be an inspiration to thousands of other young boys who, themselves, can become Scouts and demonstrate their desire for citizenship and also their strong love of their country.
>
> But most especially I am glad to welcome you here because this is part of a very important historic event, the centennial of West Virginia. The State motto of West Virginia is that mountaineers are always free. West Virginia was born out of a desire to be free and there is no State in the Union which, in the wars of this country, has given a larger percent of its sons to the defense of their country, suffered a larger number of casualties and in a hundred battlefields scattered around this world has demonstrated that mountaineers will continue to be free.
>
> This is a great State which I know very well from top to bottom, from east to west, and it has some of our most devoted citizens in it. And, therefore, I was particularly glad to have a chance to welcome all of you here this morning. We welcome you to these very historic grounds here at the White House. This House behind you is identified with the great moments in American history and one of the greatest moments in American history was the birth of West Virginia in an entirely different world, but a world which still carries with it the imprint of the struggles which brought freedom to West Virginia.
>
> West Virginia is free, the United States is free, and that freedom is maintained by the desire of the people of your State and country and by your willingness to meet all these challenges. So we are glad to have you Governor, Senators, and Congressmen, and, most especially, citizens of West Virginia who are among the best citizens of the United States. Thank you.

Mr. RANDOLPH. Mr. President, in addition to Governor Barron and Members of the West Virginia delegation in the Congress, the State was represented at both the White House and Capitol functions by Chairman Charles Hodel of the West Virginia Centennial Commission and Executive Director Carl Sullivan, Lloyd Calvert, and Don Flesher of the Centennial Commission staff.

The "Parade of Flags" organization is a flexible marching and display unit developed for the West Virginia Centennial by a committee headed by William C. Handlan of Fairmont, who was capably assisted by fellow Fairmonters Joseph E. Hoffmann, Forest R. Stalnaker, Jack Carpenter, Quin Terry, and Mayor William G. Meyer. Their outstanding work was admirably complemented by that of the parade director, Earl W. McConnell; the tour leader, Frank DeGarmo; the Scout drillmaster, L. Jay Smith; and group leaders, W. F. Criss, Vernon Whetzel, Herman Bartholow, Jr., and Carmen D'Amico, all of Fairmont.

The Monongah High School of Marion County supplied the 31-member band, while the "Parade of Flags" participants from Marion, Monongalia, and Preston Counties numbered 90 Boy Scouts.

Chairman Handlan and his Fairmont associates performed an exceptionally commendable service in bringing the group together and developing their demonstration into one of color and historical significance. The "Parade of Flags" will richly enhance the West Virginia Centennial Celebration which will begin officially on "Statehood Day," June 20.

Results of the First Arkansas District Poll on Various Issues

EXTENSION OF REMARKS

OF

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 1963

Mr. GATHINGS. Mr. Speaker, people have an eye on Washington. This is indicated by the increased participation in the survey taken in the 10-county eastern Arkansas district on significant issues confronting Congress.

There was a 17 percent questionnaire return as against 14 percent in the district in 1962.

Many comments were added by penned views or separate letter dealing with the subjects covered. The newspapers and radio stations aided the effort.

The questions asked and replies received in percentages follow:

	Percent		
	Yes	No	No opinion
DOMESTIC PROGRAMS			
Do you favor or oppose—			
(1) Domestic Peace Corps?	24	58	18
(2) Armed services pay increase?	41	44	15
(3) Federal aid to assist cities to establish and operate mass transit systems?	15	76	9
(4) Tax reduction if coupled with equal reduction in Federal spending?	90	8	2
(5) An increase in the national debt limit above the present $308,000,000,000 to finance the proposed tax reduction and additional costs of the Federal Government?	10	86	4
(6) Compulsory medical care for aged citizens tied to social security?	11	85	5
(7) Federal aid for public schools?	24	71	5
(8) Tax credits to parents for college tuition costs?	68	29	3
(9) Spending vast sums of money to be the first to put a man on the moon?	10	82	8
(10) President Kennedy's handling of the Office of Chief Executive?	20	66	14
FOREIGN PROGRAMS			
Do you favor or oppose—			
(1) Expansion of foreign Peace Corps?	24	63	13
(2) Full support of United Nations?	39	50	11
(3) Maintaining of foreign aid program at about present level?	21	69	10
(4) Substantial or sizable reduction in foreign aid?	80	12	7

Tribute to Jessica McCullough Weis

EXTENSION OF REMARKS

OF

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 1963

Mrs. MAY. Mr. Speaker, on May 2 on the floor of the House a number of the Members paid tribute to our beloved ex-colleague, Judy Weis. For me the passing of Judy Weis meant saying goodbye to a much-loved close personal friend, as well as an ex-congressional colleague. Frankly, therefore, I found it quite impossible at the time of this ceremony to attain the emotional composure that would permit me to join in this public tribute.

Today I find it just as difficult to put together suitable remarks to express the real depth of my feeling. Instead, I would ask permission to have reprinted here a letter I wrote last February to a group of Judy's friends in Rochester when they honored her with a special "This Is Your Life" party. The letter is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 11, 1963.

MRS. HAROLD ROTHSTEIN,
President, 12th Ward Women's Republican Club, Rochester, N.Y.

DEAR MRS. ROTHSTEIN: It has come to my attention that your Republican Club is planning a "This Is Your Life" program to honor our mutually beloved friend, Judy Weis. As one who had the privilege of sharing the 4 years of Judy's life in Congress in a rather special way, I hope you will permit me to participate in the evening's festivities with this letter.

Judy and I did not meet until we both came to Congress in 1958 as Members of the Freshman 86th Class. However, many of our Republican women in Washington knew her personally, and all of us were aware of her outstanding reputation as one of the most charming and able women on the national political scene. It will come as no surprise to any of her friends that I became a Judy Weis admirer at our first meeting. Then followed 4 wonderful years in which Judy and I shared the pleasures and the problems, the laughter and the tears, and the frustrations and the confusions of congressional life. Even more, a great part of this time we shared a house together. As a result, life gave me the very precious gift of special friendship that one does not usually expect in maturity.

It would be natural to assume that two women who had established their pattern of life in home and family might face many difficulties in trying to fit their independent personalities into a "housemate" situation. Amazingly enough, about the only time Judy got cross with me was when I left the top off the ice bucket (which I invariably did) and the only cause for contention was a constant debate over the comparative qualities of her New York apples and my Washington apples. Beyond this, Judy's delightful and zany sense of humor struck a responsive appreciation in me and our life was blessed with many hilarious moments during which we whooped like cranes at the risk of being thought addlepated by our more serious-minded colleagues. Looking back I realize that it was Judy's gift of laughter that helped many of us over the rough spots of our hard-working, problem-filled congressional life. I believe that one of the reasons Judy was held in such high respect by her colleagues in Congress was her uncanny ability to see through the phony idea, puncture the pompous with a quip, and put a problem in perspective with a turn of phrase.

There are so many ways that Judy Weis has served her community, her party, and her Nation that I cannot begin to count them. But, on tonight's occasion it would seem most fitting to just thank Judy for serving her friends so well. Thank her for sharing her love, her warmth, her wisdom, and her wit with those of us who are privileged to call her friend. And bless her for living with us—not only in harmony but in melody.

Sincerely,

CATHERINE MAY,
Member of Congress.

Mr. Speaker, under unanimous consent, I also insert in the RECORD at this point an editorial, that was written following Judy's death, which appeared in the Rochester Democrat-Chronicle:

JUDY WEIS

The press corps in Washington knew that the lady was not well; she never said a word, nor did any of her friends, but you cannot keep a thing like that entirely secret.

Never a complaint. Never a whimper. Never a trace of solicitation of sympathy.

Only a short time before she announced her decision not to run again for Congress, a newspaperman from Rochester asked her to lunch in Washington. It might have been the last thing she wanted to do that day; but she tossed a tweed coat across her shoulders with that well-bred carelessness that was characteristic of the lady, and joined him for lunch. He remembers two things from that luncheon.

The first was her reply to a question about some deep aspect of politics.

"Don't get me into philosophical fields like that," she smiled. "I'm a practical politician; that's what I want to be, because a practical politician who is also an honest person is the one who can get things done which need to be done."

The other memory was when they parted after lunch.

"I'll walk back to my office alone if you don't mind," she said. "I can use a little air." And she walked away slowly, so very slowly, but she even did this with class.

A person reading the career of Mrs. Jessica McCullough Weis, who is dead at the age of 61, is struck by the extraordinary amount of activity and of dedicated public service that she packed into her lifetime. The record of her life proves the claim of wise men: It is not how long you live that counts, it is what you do with your life.

Judy Weis, Congresswoman for two terms, passed on with the image of dignity and breeding and great helpfulness unmarred. The lady had class.

I think this shows a true and genuine understanding of the wonderful lady to whom it is directed.

Remarks of Hon. Robert R. Barry, of New York, at Garden Party, National Woman's Party

EXTENSION OF REMARKS

OF

HON. ROBERT R. BARRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 1963

Mr. BARRY. Mr. Speaker, last Saturday afternoon I was privileged to be guest speaker at ceremonies dedicated to a courageous, unsung heroine of the Revolutionary War, Sibyl Ludington. The event transpired on the grounds of the National Women's Party at their historic building—the Alva Belmont House—located at 144 Constitution Avenue NE., where a statute of Sibyl Ludington by the well-known sculptress, Anna Hyatt Huntington was unveiled by two young ladies from Carmel, N.Y. It was a great pleasure to participate in this tribute to honor this 16-year-old girl who rode 50 miles on April 26, 1777 to alert and assemble a 400-man militia under her father's command. It was especially rewarding since Sibyl Ludington's home was historic Putnam County which is in my congressional district. Mr. Speaker, under previous permission, I place in the RECORD my remarks made at the unveiling. I would like to add the text of the ballad entitled "The Ride of Sibyl Ludington," written by Mrs. Marjorie Barstow Greenbie, and arranged and movingly sung at the ceremony by Mr. and Mrs. Charles Perdue, of Fairfax, Va.

At the ceremony a resolution was unanimously passed by approximately 300 members of the National Woman's Party and distinguished guests which said:

> The best tribute we can bring to Sibyl Ludington is to go forward ourselves in the present-day campaign for the complete freedom of American women—with the same courage, the same determination, the same intensity of conviction that the heroic young Sibyl Ludington displayed in her famous ride for the freedom of the American colonists from the control of the Government and laws of England.
>
> *Be it resolved, therefore,* That we send from this gathering a group of spokesmen to urge the Senate Committee on Constitutional Amendments, to give its powerful aid, with all possible energy and all possible speed, to bringing to final victory, through the passage of the equal rights amendment, the struggle of more than 300 years by American women for complete release from the bondage of the ancient Common Law of England, which largely controls the lives of American women today, even as in still greater degree it controlled the lives of American women in the days of Sybil Ludington, 186 years ago.
>
> We want also to express our gratitude to the women leaders in Congress who under the chief sponsorship of the Honorable KATHARINE ST. GEORGE have done so much to bring the movement for the freedom of women to the stage where ultimate victory seems so close at hand. On this occasion we remember with especial appreciation the devoted, able and long-continued championship, in Congress and before, of the equal rights amendment by the late Jessica McCullough Weis of New York.

Mr. Speaker, the essence of the resolution introduced by Congresswoman ST. GEORGE and the late Congresswoman Jessica Weis which I also have the honor of cosponsoring follows:

> Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Congress and the several States shall have power, within their respective jurisdictions, to enforce this article by appropriate legislation.

REMARKS OF HON. ROBERT R. BARRY, OF NEW YORK, AT THE GARDEN PARTY, NATIONAL WOMAN'S PARTY, 144 CONSTITUTION AVNUE NE., MAY 18, 1963

As the congressional Representative of Putnam County, N.Y., where Sibyl Ludington made her historic ride, I am pleased to join you today in paying tribute to American girlhood and womanhood in the person of this unsung heroine of our American struggle for freedom.

Here with me is Miss Stephanie Saunders and Miss Laurie Birch, who will unveil the statue of Sibyl Ludington which was created and generously donated to the National Woman's Party by Anna Hyatt Huntington.

These lovely young ladies, like our heroine Sibyl Ludington, hail from Carmel, N.Y., which is located in Putnam County—bounded on the south by Westchester County, N.Y., and on the east by Fairfield County, Conn.

A simple headstone in the old Presbyterian cemetery at Patterson, N.Y., bears this brief inscription:

"In Memory of Sibbelle Ludington, wife of Edmond Ogden, who died February 26, 1839. Age 77 years, 10 months, and 13 days."

Henry Wadsworth Longfellow has immortalized the "midnight ride of Paul Revere"—a ride of a dozen miles or so through the quiet New England countryside on the night of April 18, 1775, accomplished by a vigorous man of 40, well able to take care of himself.

Almost unknown to fame is the ride of Sibyl Ludington 2 years later. The aim of both rides was similar—to alert the militia against a threatened British invasion. Sibyl Ludington's feat appears the more remarkable when we reflect that it was a ride of 50 miles through wild country beset by guerrilla bands and hostile Indians, and that Sibyl was a slight girl of 16 at the time.

On April 25, 1777, British regulars, 2,000 strong, had landed at Compo Beach, near Fairfield, Conn. Their objective was the destruction of patriot stores at Danbury—the same errand that started Prescott's redcoats on the road to Concord.

Marching inland virtually unopposed, they reached Danbury on April 26 and destroyed stocks of salt, meat, flour, hay, tents, uniforms, powder, shot, and muskets. The soldiers became drunk with looted spirits and many private homes were set on fire.

The nearest available aid was a scattered militia regiment commanded by Col. Henry Ludington, a veteran of the French and Indian War, who operated a gristmill at Ludingtonville, near Carmel, N.Y., about 20 miles to the west.

That night about 8 o'clock a messenger appeared at Colonel Ludington's door to gasp the tale of the destruction and pillage of Danbury. The need to assemble the regiment posed a difficult problem. The colonel must remain at home to muster in those who reported. There was no one to ride the circuit and rouse the men except his daughter Sibyl who had only recently passed her 16th birthday.

It is no exaggeration to say that Sibyl's accomplishment required a courage and fortitude greater than did that of Paul Revere. But she successfully performed her task, guiding her father's big bay with only a hempen halter as she rode through the night bearing news of the sack of Danbury and calling the regiment to arms.

As the regiment fell in at daybreak, the last troops marched in. With them came Sibyl, to slide exhausted into her father's arms.

Colonel Ludington's regiment joined Generals Silliman, Wooster, and Arnold and the other militia detachments they had been able to collect. They attacked the retreating redcoats at Ridgefield and transformed the orderly British retreat into a panic-stricken rout. At Compo Beach the British were driven into their waiting boats in such utter confusion that many were drowned.

At the age of 23, Sibyl Ludington married her childhood sweetheart, Edmond Ogden. Two of her sons became officers in the Army. One of them, E. A. Ogden, served with distinction through the Blackhawk, Seminole, and Mexican Wars, and founded Fort Riley, Kans., where a monument has been erected to him.

Two years ago a statue of Sibyl Ludington on horseback was erected on the shore of Lake Gleneida in Carmel. The statue to be unveiled here today by Laurie and Stephanie is a bronze replica of the one in Carmel.

I hope that all of you here today will have an opportunity to visit Putnam County and trace Sibyl's ride where even today there are lonely stretches in the route from Ludingtonville to Carmel and Mahopac, across to the Peekskill Hollow Road, to Tompkin's Corners, then up the Wicopee Road to the Stormville Road, and thence back to Ludingtonville.

THE RIDE OF SIBYL LUDINGTON

(By Mrs. Marjorie Barstow Greenbie)

Come and listen, good people, and you shall hear,
Of a girl who rode, like Paul Revere,
'Long the borders of Connecticut and New York,
Where the Yankees stored rations of flour and pork.

We were ready to fight the Redcoats to the ground,
If they came from their ships stranded out on the sound,
They, in vain, thought to keep us from being free,
And to keep us in the bondage of George 'cross the sea.

Colonel Ludington summoned his men and did say,
"Your winter service is over, not to need you, I pray,
For we have new recruits who are both willing and strong,
To keep the Hudson Highlands you've guarded so long."

"So take up your plough and lay by your guns,
Return to your homes, to your wives and your sons,
Give thanks to the Lord for this moment to seize,
To plant all your crops and to take your ease."

In Danbury now there is food; there is rum,
We've plenty to eat if the Redcoats should come,
There is flour, molasses and bacon in store,
To keep us as we fight them to Hell's own front door.

General Wooster at Ridgefield can stop them cold,
Give them nothing at all to have or to hold,
But a last, long sleep in Connecticut ground,
If those Redcoats should land from their ships on the sound.

Sibyl Ludington stood by her father's side,
Sixteen and lovely, the Colonel's own pride,
The eldest of twelve, she had to cook and sew, too,
And at home with her family had plenty to do.

But she often found time with the soldier's to spend,
To their joys and their sorrows a willing ear she did lend,
As they now were sent back to the homes whence they came,
She spoke to them all, and called them by name.

Now Sibyl was everywhere cheering the men,
With news of their homes, their families and friends,
She gladdened their hearts with hot coffee and bread,
For the long journey home that she knew lay ahead.

That night in her home o'er a well filled board,
She and her family gave thanks to the Lord,
For the family was safe; no Redcoats in sight,
And many fathers and sons were home safe that night.

When the rest of her family had gone to bed,
Sibyl at last could rest her tired head,
She lay neath the quilt, with her sister, at rest,
And peacefully dozed in the family nest.

She woke with a start at a crashing noise,
At the door below she heard her father's voice,
"The Redcoats in Danbury? Did I hear you right?"
Then she heard a man saying, "They surprised us tonight."

"The people are fleeing! The town is aflame!
I spread the alarm 'long the road as I came,"
Then the colonel was saying, "Go muster the men,
We must get them together, our country to defend."

Now Sibyl was standing by her father's side,
She saw that the man was too weary to ride,
"Let me go," she said, "to call the men out,
If I get there in time, then the Redcoats we'll rout."

Her father objected to this long, hard ride,
Through country where British deserters might hide.
He knew of the danger and his manner was grave,
When at last his permission to Sibyl he gave.

While she dressed and made ready, he saddled her steed,
He kissed her goodbye and bade her Godspeed,
He gave her a stick to knock on their doors,
She could sound the alarm without leaving her horse.

A murky, spring mist cloaked every star,
And red, to the eastward, dim and far,
The fires of Danbury gloomed on her sight,
As Sibyl rode into the soft April night.

But the air was sweet with fresh April smells,
And the voices of peepers like tiny, gold bells,
Made vibrant the night as she skirted the pond.
And searched for the path that she knew lay beyond.

She got angled awhile in briar and brush,
And bogged in a swamp where the grasses grew lush,
But she would save all the people from suffering harm,
So onward she struggled to spread the alarm.

Out of the forest, over hill and through vale,
She raced to Mahopac by way of Carmel,
Then around to Farmers' Mills and back she flew,
Through Stormville to her home * * * her brave journey was through.

Now Yankees were men not easily ruled,
By hearsay or panic they'd not be fooled,
So some of them acted a little too slow,
To pull on their boots and get ready to go.

"I've been roused too often for nothing," one said,
"Why should I leave a good, warm bed?
"Who is it now that's raising a storm?
"It's the Colonel's daughter Sibyl * * * she's sounding the alarm."

"Forty miles through briars and swamps she has gone,
"So get up and get out * * * we march at dawn,"
They pulled on their clothes, and they got out their gear,
Then joining their neighbors, gave Sibyl a cheer.

But she was too tired when she got back home,
To realize the worth of the deed she had done,
Four hundred men stood ready to fight,
Where Danbury lay charred in the dawn's early light.

General Tryon awoke in the bed of a Tory,
Mission accomplished, but without any glory,
'Midst the chaos and ruin of that fateful night,
His men all lay drunk; not ten fit to fight.

They had found the food for which they had come,
Bacon, molasses, flour, and rum,
The molasses ran sticky in every gutter,
They swizzled the rum; burned the bacon and butter.

That's how it was, you all know the rest,
Ludington's men were now at their best,
They fell on the Redcoats. The Redcoats retreated,
Their pride in the dust and their plans defeated.

The Yankees harried their rear and then,
Ludington proudly marched forth his men,
To join General Wooster and without pity or plea,
They pushed all the Redcoats back to the sea.

In that year of seventeen seventy-seven,
The people rejoiced and they all thanked heaven,
That the land lay secure in the soft summer light,
And that Sibyl Ludington had ridden that night.

Nevada, the Battle Born State, To Commemorate Its 100th Anniversary of Statehood

EXTENSION OF REMARKS

OF

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 20, 1963

Mr. BARING. Mr. Speaker, under leave to extend my remarks, I should like to have inserted in the CONGRESSIONAL RECORD the following remarks which I made before the House Banking and Currency Committee's Subcommittee on Consumer Affairs in behalf of my bill which provides for the striking of a commemorative medal on the occasion of Nevada's Centennial.

Nevada, as one of the last frontiers joined the Union at a most interesting time in our Nation's history, and I take this opportunity to make a few highlights of Nevada's history a part of the RECORD:

STATEMENT BY WALTER S. BARING, BEFORE THE BANKING AND CURRENCY SUBCOMMITTEE ON CONSUMER AFFAIRS, IN BEHALF OF H.R. 2380, PROVIDING FOR STRIKING OF A MEDAL IN COMMEMORATION OF THE 100TH ANNIVERSARY OF NEVADA STATEHOOD, MAY 20, 1963

Madam Chairman, I am pleased to appear before your subcommittee today in behalf of my bill, H.R. 2380, providing for striking of a medal in commemoration of the 100th anniversary of Nevada's statehood. I shall not take much of your time, but I would appreciate your favorable consideration of this bill, for as you know Nevada was one of the last frontiers and it became a State during time of strife and discontent in this Nation. We are thus referred to as the Battle Born State, and sometimes as the Silver State.

Nevada became a State on the 31st of October 1864, but the incidents leading up to Nevada's statehood are most interesting.

Nevada was the last Western region to be explored in this country. Probably not more than one or two parties crossed Nevada before 1800 and they did not stop to explore. A few trappers explored parts of the area in search of new fur sources, but the great natural wealth of the region remained unknown until 1843 when an expedition led by John Fremont surveyed the Rocky Mountain Divide. In 1859 two prospectors discovered unusually rich gold deposits at Virginia City, Patrick McLaughlin and Peter O'Riley, and soon they took in Henry Comstock, a trapper, as partner. These deposits became known as the Comstock Lode. The gold was found to be mixed with extremely rich veins of silver, and miners rushed to the area and the real development of the region began. Later discoveries of gold, silver, copper, and other minerals established mining as Nevada's most valuable industry.

At the time the Comstock Lode was discovered, Virginia City was a very small settlement, but the news of the discovery spread like wildfire and miners and adventurers from California and the East flocked to the diggings to see if they could strike it rich, and in a very short time Virginia City became a bustling mining center, and the population of the entire section increased from 1,000 in 1859 to more than 6,800 in 1860.

By 1861 so many settlers had moved to the mining camps that President James Buchanan declared the area a separate territory, and when President Lincoln took office the same year, he appointed James W. Nye, a politician from New York City, as the first Governor of the Nevada Territory, and on July 11, 1861, Nye proclaimed the establishment of a territorial government.

In 1862 the territory was enlarged, and again after Nevada became a State (1864) was the area enlarged in 1866 to the present size, this is of particular interest, for in 1866 the barren dry desert land which was then added to the State was not particularly welcome and it took a couple of sessions of the legislature to come to agreement, but this barren dry desert land is where Las Vegas now lies, a booming metropolis and a tremendous asset to Nevada and the Nation.

Territorial life in Nevada was far from comfortable. The first settlers in mining camps lived in tents, in rough stone huts or in holes in the hillsides, and all their supplies had to be hauled over the mountains from California. Prices were almost unbelievably high and lawlessness and disorder often ruled in the mining camps. To make matters worse, Indians went on the warpath. From time to time between 1861 and 1864 the Army built forts to protect the settlers against the Indians, while the Army at the same time began to enforce law and order in the mining camps.

This was the picture of Nevada when it came into statehood, but the silver and gold of Nevada's mines became vitally important to the Federal Government when the Civil War started in 1861, and these precious metals provided much of the funds necessary to finance the war. In addition the Union needed another antislavery State to make sure that amendments to the Constitution urged by President Lincoln would be passed. For these reasons, Lincoln became a strong supporter of statehood for Nevada, even though the territory had less than a third of the 127,381 residents required by Congress for statehood.

On March 3, 1863, Congress passed an act allowing a constitutional convention to meet in Nevada in preparation for statehood. The convention met in November 1863 but disputes developed over taxation and in the election in January 1864 the voters failed to approve the proposed constitution. Congress then had to pass another law authorizing a second constitutional convention. This new convention completed its work in less than 4 months and to speed statehood for Nevada the convention telegraphed the entire constitution to Washington at a cost of $3,500. Thus on October 31, 1864, Nevada became a State, and Henry G. Blasdel a mining engineer and a Republican became the State's first Governor, and the new State's estimated population was some 21,400 souls.

Although Nevada came into statehood through its richness in minerals and prosperity in its mining industry this picture has since changed. The richest silver deposits began to run out in 1869 and during the early 1870's silver prices began to fall on the international market. Discovery of the "Big Bonanza" in the Comestock Lode in 1873 provided a new source of high grade ore, and in 1878 Congress passed the Bland-Allison Act to keep mines with lower grade ore in operation.

By this time cattle raising grew in importance and as mines closed cattle ranchers became the richest men in the State. In 1893 President Cleveland called a special session of Congress and forced the repeal of the Bland-Allison Act. This caused more mines to close. Thousands of persons left Nevada to find work elsewhere and once thriving communities became ghost towns.

Again in 1900 prospectors found huge new deposits of rich silver ores at Tonopah and although silver prices were low the ores were so rich that mines could make a profit and hundreds of miners thus rushed back to the State to share in this new wealth. That same year rich deposits of copper were discovered near Ely, Ruth, and Mountain City, and the discovering of gold in Goldfield in 1903 caused a rush of people to this area.

World War II brought other booms to Nevada for munitions factories needed large quantities of the State's copper, magnesite, manganese, and tungsten, and in 1941 a large magnesium plant opened in Henderson.

However, Nevada is no longer a busy mining State, and a drop in the price of tungsten in the 1950's was a serious blow to Nevada's mining industry, and by 1959 all but one tungsten mine had closed.

Since then foreign aid programs have imported minerals mined with cheap labor elsewhere, while the Nevada mines stand vacant and the miners without a way of life.

Nevada is proud of the many famous people it has produced, and people who have lived there. Mark Twain worked as a reporter for several years on the Territorial Enterprise, a Virginia City newspaper, and he made that paper famous.

Francis Griffith Newlands served Nevada both as a Representative and a Senator for over 25 years, and is the sponsor of bills for reclamation of the arid lands in the West.

Senator Key Pittman was Senator from Nevada from 1913 until his death in 1940 and he strongly supported the free coinage of silver and was the author of the Silver Purchase Act.

And the colorful, fighting Senator Pat McCarran who fought for silver with his dying breath.

And, William Morris Steward a lawyer and U.S. Senator who sponsored national mining legislation, and who was the author of the 15th amendment to the Constitution of the United States, which allowed qualified Negroes to vote in national elections.

Thus, Nevada has made a tremendous imprint on our Nation's history and we wish to have a commemorative medal struck in the State's honor on the occasion of the 100th anniversary of statehood.

Thank you.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, May 20, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of May 18, 1963:

WASHINGTON REPORT, MAY 18, 1963

FOREIGN TRAVEL FOR MEMBERS OF CONGRESS

(By Congressman BRUCE ALGER, Fifth District of Texas)

Congressional travel, the trips of Members of Congress outside of the United States, has frequently been criticized. No more so than recently when the chairman of the Committee on Education and Labor took two secretaries on a foreign trip. House Resolution 340, to authorize four Members (including the Education and Labor Committee chairman again) to travel to the International Labor Organization Conference in Geneva, and further to permit a second member of the committee to proceed on to Greece, Israel, Rome, and twice to Paris, was defeated in the House this week. I was among those voting against. Never justified in debate was what benefit there is to us from the International Labor Organization in the first place. Nor was there adequate assurance that foreign countries can yield information for us in labor relations. Our problem is the abandonment of proper collective bargaining, replacing it with Federal coercion and control, through labor leader influence and/or control of administration policy and congressional legislation. We were warned that the State Department would foot the bill and send the Members if the House failed to pass this measure. So we shall see. Overlooked in this entire matter is the legitimate need for our country to have well traveled Members of Congress who report their findings to colleagues and the Nation. Such study trips, however, need not include night club excursions and vacation travel at taxpayers' expense.

FEDERAL CONTROL MUST FOLLOW FEDERAL SPENDING AND RESPONSIBILITY

A bill, H.R. 4274, to discipline students in the public schools of Washington, D.C., passed the House 277 to 53. The bill amended existing law to permit reasonable force in discipline and to override the school board's present law which states, "Corporal punishment is not permitted." Granted the Congress acts as a city council in District of Columbia matters, it should be noted there is a duly constitued board of education in the District and Congress found it necessary to override a School Board decision. This points up another clear maxim—Federal responsibility means Federal control—Federal aid demands Federal responsibility and will, therefore, be followed by Federal control. Once the local schools are bound to Washington through Federal aid, Washington will reach into every school district accepting such aid. Washington bureaucrats, not local school boards, will dictate policy.

FEAR AND FRIGHT

Fear and fright are words heard in Washington this week. Liberals decry what they term, "conservative's fright mail." Conservatives repeat Roosevelt's famous, "we have nothing to fear but fear itself." The exchange points up a basic difference between modern liberals and conservatives. As columnist Henry Taylor puts it, we have replaced the four freedoms with the four fears: Fear of war; fear of inflation; fear of bankruptcy; fear of defeat. Conservatives recognize the validity of these fears if the radical-liberal profligate spending, materialistic, bureaucratic, regimented programs are followed. Conservatives know that free people can lick these problems and in this knowledge we are unafraid. The real fear is seen in the lack of leadership by an administration which quails before any blustering show of force on either the foreign or domestic front, which offers an unrealistic tax program and threatens depression unless it is adopted in its entirety, and other dire predictions. Public reaction to liberals' decrying the conservatives' concern over today's Kennedy-liberal Democrat course of government is well represented by a post card received this week from California which contains "The liberals' It-never-happened list." Among the items listed as real causes for fright: "Sellout of Laos, Cuba, China, Hungary, Poland (all of Eastern Europe); betrayal of the Cuban freedom fighters; protecting Castro's Commie gang; the Berlin wall (human shooting gallery in Berlin); suicidal unilateral disarmament; U.N. Trojan horse controls over our foreign policy; giveaway of our gold supply; suicidal planned deficit spending; billions of aid to Communist governments; all-out smears against all anti-Communists."

INCREASING THE DEBT LIMIT

The House passed, by a narrow margin, H.R. 6009, to increase the public debt limit to $307 billion until June 30 and to $309 billion for July and August. The increase was sold as a "temporary" increase in the debt limit. All of us know, of course, there is nothing so permanent in our national life as a temporary increase. The Republican position supported unanimously by the Republicans on the Ways and Means Committee, was to peg the increase at $305 billion and remove the word "temporary." We recognize, of course, that we should do something about lowering the debt ceiling, but the facts are Congress has already authorized certain spending—the administration has committed the spending of it and the bills have to be paid. We wanted to serve notice on the spenders that we have reached a point where we will no longer support unlimited authorization and appropriations.

Democrats tried to charge Republicans with changing their position under the Kennedy administration as opposed to the Eisenhower administration. I was singled out on the day prior to the debate as well as on Wednesday, as a special target of this charge. In answering for the members of my party, I said in part: "There is a vast difference in what we seek today in debt ceiling increase compared to what we had under the Eisenhower administration * * *.

You will find many Republicans who said, 'we are picking up the tab for a lot of big spending. We regret that, because we do not believe in big spending.'" (It should be remembered by all that only the 83d Congress in the first 2 years of the Eisenhower administration was controlled by the Republicans. In all other years we have had a Democrat Congress.) Continuing excerpts from my remarks on the debt ceiling debate: "* * * We reasoned that when you run up the bills you have to pay them. That was at a time and during a period of an administration that believed in a balanced budget, that believed in paying the bills when they came due rather than indulging in deficit financing, a planned deficit in financing our Government, which is now the proposition before us."

Further, as to history, I pointed out that after the many times I supported the debt increase it is wrong to run up the bills and in 1961 I warned on the floor of the House: "It is now obvious that the restraint on spending has to come from the Congress because this administration unlike the previous administration, is designing a deliberate program and policy that plans for a deficit. * * * I no longer see any attempt on the part of this administration to pay as we go or to have a balanced budget." All the facts brought out in debate proved beyond a doubt and by any test of fiscal soundness, based upon the amount of money on hand, $305 billion is enough to get this Government through the period of this fiscal year. All of a long and complicated debate on such a vital subject as the national debt cannot be discussed in the limited space of a newsletter. Important to remember—there must be an end to unlimited spending if we are to avoid national bankruptcy and economic disaster. Congress must make the start toward fiscal responsibility and a good place to start is by serving notice there will be no further increase in the debt ceiling. This must be followed by refusal to authorize any new projects or programs at a time of deficit spending. We must have a balanced budget, tax reform, and tax cuts in all brackets.

SENATE

TUESDAY, MAY 21, 1963

The Senate met at 12 o'clock meridian and was called to order by Hon. E. L. BARTLETT, a Senator from the State of Alaska.

Rev. F. Earl Burgess, D.D., Scottsdale Methodist Church, Scottsdale, Ariz., offered the following prayer:

Almighty God, to whom all hearts are opened and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit, that we may perfectly love Thee and worthily magnify Thy Holy Name.

So we pray Thy blessing upon this august body that carries on the deliberations and the leadership of this great land of ours.

May the heritage of the past descend upon us and lead us, as citizens of the United States of America, into a more glorious future, building for civilization and for posterity that Nation which shall promote the freedoms of the world under the leadership of the Spirit of Almighty God.

And in His name we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 21, 1963.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. E. L. BARTLETT, a Senator from the State of Alaska, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BARTLETT thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 20, 1963, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 386) to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 641. An act to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 1819. An act to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes;

H.R. 2467. An act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak.;

H.R. 2905. An act to donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, N. Dak., approximately 275.74 acres of federally owned lands;

H.R. 4223. An act to provide for audit of accounts of private corporations established under Federal law;

H.R. 5042. An act for the relief of certain officers of the naval service erroneously in receipt of compensation based upon an incorrect computation of service for basic pay;

H.R. 5569. An act to amend the Civil Service Retirement Act to permit the recovery by the Government of amounts due the Government in the settlement of claims under such act, and for other purposes; and

H.R. 5860. An act to amend section 407 of the Packers and Stockyards Act of 1921, as amended.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 61) to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest, in which it requested the concurrence of the Senate.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 641. An act to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 2467. An act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak.; and

H.R. 2905. An act to donate to the Devils Lake Sioux Tribe of the Fort Totten Indian Reservation, N. Dak., approximately $275\frac{74}{100}$ acres of federally owned lands; to the Committee on Interior and Insular Affairs.

H.R. 1819. An act to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes; and

H.R. 5569. An act to amend the Civil Service Retirement Act to permit the recovery by the Government of amounts due the Government in the settlement of claims under such act, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4223. An act to provide for audit of accounts of private corporations established under Federal law; and

H.R. 5042. An act for the relief of certain officers of the naval service erroneously in receipt of compensation based upon an incorrect computation of service for basic pay; to the Committee on the Judiciary.

H.R. 5860. An act to amend section 407 of the Packers and Stockyards Act of 1921, as amended; to the Committee on Agriculture and Forestry.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 61) to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis Mo., to the Pacific Northwest, was referred to the Committee on Interior and Insular Affairs, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the route traversed by Captains Meriwether Lewis and William Clark on their expedition of 1804–1806 from Saint Louis, Missouri, to the Pacific Northwest should, to the greatest extent feasible, be identified, marked, and kept available for the inspiration and enjoyment of the American people and that, to this end, (a) all agencies of the United States which administer lands along the route of the expedition, including particularly the Departments of the Interior, Agriculture, and the Army, should act in concert to preserve and mark in an appropriate fashion the route wherever it crosses lands which they administer and to assure public access to the lands so crossed, and (b) that all States, counties, municipalities, and private parties who own land along the route or are otherwise interested in the success of this project should be invited, and they are hereby invited, to join in memorializing, preserving, and marking the route of the expedition.

ANNOUNCEMENT OF JOINT MEETING WITH HOUSE OF REPRESENTATIVES

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be a quorum call at approximately 5 minutes before 1 p.m. At 1:05 p.m. the Senate will proceed in a body to the Hall of the House of Representatives.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on National Guard Armory Construction Program

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), Washington, D.C., transmitting, pursuant to law, a report on the National Guard Armory construction program, for the year 1963 (with an accompanying report); to the Committee on Armed Services.

Contribution by the United States to Expenses of the International Commission for Supervision and Control in Laos

A letter from the Secretary of State, transmitting a draft of proposed legislation to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos (ICC), as provided in article 18 of the Protocol to the Declaration on the Neutrality of Laos (with an accompanying paper); to the Committee on Foreign Relations.

Report on Review of Realinement of Item Management Responsibilities in the Air Force Logistics Command

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of realinement of item management responsibilities in the Air Force Logistics Command, pursuant to implementation of the Federal cataloging program, Department of the Air Force, dated May 1963 (with an accompanying report); to the Committee on Government Operations.

Petitions To Accord First Preference Status to Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, petitions relating to first preference status of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Missouri; to the Committee on the Judiciary:

"House Committee Substitute for Senate Joint Resolution 1

"Joint resolution relating to the proposed amendment to the Constitution of the United States providing that the right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax

"Whereas at the 2d session of the 87th Congress of the United States of America, it was resolved by the Senate and House of Representatives of the United States in Congress assembled (two-thirds of each House concurring therein), that the following article be proposed as an amendment to the Constitution of the United States, which, if ratified by the legislatures of three-fourths of the several States within 7 years from the date of its submission by the Congress, shall be valid to all intents and purposes as part of the Constitution of the United States of America, viz:

" 'Article —

" 'Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

" 'Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.'

"*Therefore, be it resolved by the General Assembly of the State of Missouri*, That the foregoing amendment to the Constitution of the United States of America be and the same is hereby ratified to all intents and purposes as a part of the Constitution of the United States of America; and be it further

"*Resolved*, That the Governor of the State of Missouri is hereby requested to forward to the Administrator of General Services, Washington, District of Columbia, to the Secretary of State, and to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States, an authentic and certified copy of this resolution. The secretary of the senate and the chief clerk of the house of representatives are hereby instructed to send to the Governor a certified copy of the action of the senate and the house on this resolution.

"Hilary A. Bush,
"*President of the Senate.*
"Thomas D. Graham,
"*Speaker of the House of Representatives.*"

Resolution of the House of Representatives of the State of Massachusetts; to the Committee on the Judiciary:

"Resolution Protesting the Brutality and Violation of Human and Civil Rights in the State of Alabama

"Whereas the people of the Commonwealth of Massachusetts are shocked and pained by the explosion of brutality in Alabama against citizens who are seeking their constitutionally guaranteed franchise and civil rights; and

"Whereas the use of police dogs and fire hoses against citizens and assaults on children, who wish only to peacefully protest injustices which violate every American tradition; and

"Whereas the local authorities of Alabama are defying the law of the land as defined in the Constitution, prescribed by Federal Statutes and interpreted by the Supreme Court of the United States; and

"Whereas there are already sufficient laws under which the Department of Justice and the Attorney General of the United States can prosecute those violating fundamental human rights, inasmuch as it is abundantly clear that local grand juries will do nothing to alleviate such oppression; and

"Whereas this crisis constitutes an outrage to all freedom loving citizens and blurs the once glorious image of the United States to the whole free world: Therefore, be it

"*Resolved*, That the Massachusetts House of Representatives hereby urges the President of the United States and the Attorney General of the United States to use the full weight and power of their respective offices explicitly and unequivocally on the side of justice in order to implement the laws of the land and to guarantee to free men the sorely cherished liberties of which they are being deprived; and be it further

"*Resolved*, That copies of these resolutions be forwarded by the Secretary of the Commonwealth to the President and Attorney General of the United States and to the Senators and Representatives in Congress representing the Commonwealth.

"House of representatives, adopted, May 9, 1963.

"William C. Maiers,
"*Clerk.*

"A true copy.
"Attest:

"Kevin H. White,
"*Secretary of the Commonwealth.*"

A joint resolution of the Legislature of the State of Maryland; to the Committee on the Judiciary:

"RESOLUTION 17

"Joint resolution declaring the Right Honorable Sir Winston Spencer Churchill to be an honorary citizen of the State of Maryland

"The State of Maryland honors itself and its people in declaring the Right Honorable Sir Winston Spencer Churchill to be an honorary citizen of this State.

"Winston Churchill is one of the few truly great figures to emerge on the stage of history from the maelstrom of World War II. Writer, soldier, legislator, and administrator, he has made an indelible mark upon his generation and the world.

"His military service, as a young man, was in India and Africa. In the year 1900, at the age of 26, Churchill became a member of the English Parliament; and with only brief interruptions his service there continued over a period of 55 years.

"While in Parliament he took frequent and honorable posts in the Cabinet, culminating in the war years from 1940 to 1945 when he held the triple portfolios of Prime Minister, First Lord of the Treasury, and Minister of National Defense.

"Churchill's writings include a four-volume biography of Marlborough, a four-volume 'History of the English Speaking Peoples,' and a four-volume set of 'Memoirs of World War II.'

"Mankind will not soon forget Winston Churchill's role in rallying and encouraging the free world during World War II. During the dark days of England's travail, and in particular, during the Battle of Britain, his was the voice which steadied and brought confidence to his troubled people. Who will forget the stark reality and grim determination in his 'blood, sweat and tears'? Who will forget the hope and moral fibre he brought to a confused humanity as he exhorted the English nation to 'it's finest hour'?

"England and the English people have contributed mightily to the institutions of popular government. It may be the judgment of history that in all the long centuries of that development, no one more than Winston Churchill has more truly approached the stature and dignity of greatness.

"The General Assembly of Maryland is proud thus to honor this foremost citizen of our times: Now, therefore be it

"*Resolved by the General Assembly of Maryland*, That the Right Honorable Sir Winston Spencer Churchill is declared to be an honorary citizen of the State of Maryland; and be it further

"*Resolved*, That the Secretary of State of Maryland is directed to send copies of this resolution under the Great Seal of the State of Maryland to the Right Honorable Sir Winston Spencer Churchill, Her Majesty Queen Elizabeth II, the President of the United States, the President pro tem of the Senate of the United States, the Speaker of the House of Representatives of the United States, and each member of the Maryland delegation in the Congress of the United States."

RESOLUTION OF MASSACHUSETTS GENERAL COURT

Mr. KENNEDY. Mr. President, on behalf of my colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL], and myself, I present a certified copy of a resolution entitled "Resolution urging the Congress of the United States to enact legislation to replenish the funds provided for under the Veteran's Readjustment Assistance Act," passed by the General Court of the Commonwealth of Massachusetts on May 9, 1963.

I ask that this resolution be appropriately referred.

There being no objection, the resolution was referred to the Committee on Appropriations, and, under the rule, ordered to be printed in the RECORD, as follows:

RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO REPLENISH THE FUNDS PROVIDED FOR UNDER THE VETERAN'S READJUSTMENT ASSISTANCE ACT

Whereas under the Veterans' Readjustment Assistance Act, veterans who are unemployed are paid unemployment compensation; and

Whereas the moneys appropriated for this very worthy purpose have been depleted; and

Whereas as a result these unemployed veterans are suffering great hardship; and

Whereas in view of all the moneys being spent by the Federal Government, it seems that this most worthy and deserving project should be remedied as quickly as possible; and

Whereas there is pending before the Congress a bill seeking to appropriate the necessary funds: Therefore, be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to enact forthwith legislation necessary to replenish this fund with the necessary moneys to assist these deserving veterans; and be it further

Resolved, That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and to each Member thereof from this Commonwealth.

House of representatives, adopted, May 9, 1963.

WILLIAM C. MAIERS,
Clerk.

A true copy.
Attest:

KEVIN H. WHITE,
Secretary of the Commonwealth.

JOINT RESOLUTIONS OF OREGON LEGISLATURE

Mr. MORSE. Mr. President, the Honorable Howell Appling, Jr., secretary of state of the State of Oregon, has transmitted for the consideration of the Congress of the United States two house joint memorials enacted by the Legislative Assembly of the State of Oregon.

The first of these, House Joint Memorial 19, was adopted by the Oregon House of Representatives on April 9 and by the Senate of Oregon on May 8. It relates to the important subject of fire patrol and fire suppression programs.

The second memorial, designated as House Joint Memorial 25, was adopted by the Oregon House of Representatives on April 22 and by the Senate of Oregon on May 9. It relates to the subjects of multiple-use management of the Federal lands under the administration of the Bureau of Land Management and the importance of continuing tenure of grazing privileges on Federal land.

I ask unanimous consent that the text of these memorials be set forth at this point in my remarks.

There being no objection, the joint resolutions were received and appropriately referred, and, under the rule, ordered to be printed in the RECORD, as follows:

To the Committee on Appropriations:

"ENROLLED HOUSE JOINT MEMORIAL 19

"*To His Excellency, the Honorable President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:*

"We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas a newly enunciated policy of the Federal Government encourages the public recreational use of both public and private lands; and

"Whereas this greater recreational use of public and private lands has correspondingly increased the number and damage of range and forest wildfires; and

"Whereas the fire patrol and suppression burdens imposed on private landowners has become unbearable and the historic formula of Federal Government sharing of fire patrol and suppression costs has been disrupted; and

"Whereas fire suppression costs originally were established on a basis of 50 percent Federal participation, 25 percent State participation and 25 percent landowner participation, the theory being that all people of all the country are interested in protecting our natural resources and that section 2 of the Clarke-McNary law recognizes the responsibility of the Federal Government in equitably sharing these costs; and

"Whereas private fire patrol and suppression costs have more than quadrupled in many areas of Oregon during the past 5 years; and

"Whereas Congress has failed to reflect the greater costs of fire patrol and fire suppression needs in the appropriations of Federal funds granted under authority of the Clarke-McNary law of 1924; and

"Whereas, as a matter of fact, the participation of additional States in the Clarke-McNary funds has caused an actual diminishment of Oregon's share which has been reduced from $803,000 in 1948 to $522,700 in 1961: Now, therefore, be it

"*Resolved by the Legislative Assembly of the State of Oregon:*

"1. The Congress of the United States is memorialized to appropriate the authorized ceiling of $20 million as the Federal Government's share in the Federal-State-private landowner cooperative fire patrol and fire suppression program.

"2. The Bureau of Land Management and the Forest Service should be directed to carry on fire suppression practices on a good-neighbor policy in connection with wildfires burning over private land having originated through public recreational use of either public or private lands.

"3. The secretary of state shall send a copy of this memorial to the President of the United States, and to each member of the Oregon congressional delegation.

"Adopted by house April 9, 1963.

"CECIL L. EDWARDS,
"*Chief Clerk of House.*
"CLARENCE BARTEU,
"*Speaker of House.*

"Adopted by senate May 8, 1963.

"BEN MUSA,
"*President of Senate.*"

To the Committee on Agriculture and Forestry:

"ENROLLED HOUSE JOINT MEMORIAL 25

"To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas the Federal Government has embarked upon a program of rehabilitating the Federal grasslands under the administration of the Bureau of Land Management in the State of Oregon, to a condition that will permit their maintenance at a high level of forage production, in cooperation with the permittees and owners of the base properties; and

"Whereas grazing fees on the lands administered by the Bureau of Land Management have recently been increased 50 percent based upon the proposed rehabilitation; and

"Whereas rehabilitation of the land and the maintenance of high level of production will be a long and continuing process requiring expenditure of money, labor, and management skill on the part of the permittees in cooperation with the Bureau of Land Management; and

"Whereas present tenure rules do not encourage such cooperation and do not provide adequate security to warrant a maximum contribution by the permittee toward long-range improvement practices; and

"Whereas valuation of the permittee's base property as security for loans for long-range improvements is impaired by lack of permanence of grazing privileges on Federal land: Now, therefore, be it

"Resolved by the Legislative Assembly of the State of Oregon:

"1. The Congress of the United States is urged to enact legislation: (a) To provide for multiple use management of the Federal lands under the administration of the Bureau of Land Management along the line of Public Law 86-518 forest land; and (b) to provide for continuing tenure of grazing privileges on Federal land subject to reduction or cancellation only for failure of the permittee to effectively cooperate in the management of the range for maximum productivity.

"2. The secretary of state shall send a copy of this memorial to the President of the U.S. Senate, to the Speaker of the House of Representatives of the United States, and to each member of the Oregon congressional delegation.

"Adopted by house April 22, 1963.

"CECIL L. EDWARDS,
"Chief Clerk of House.
"CLARENCE BARTON,
"Speaker of House.

"Adopted by senate May 9, 1963.

"BEN MUSA,
"President of Senate."

AUTHORITY FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO FILE REPORT ON THE MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CONSTRUCTION ACT OF 1963, DURING RECESS—REPORT OF A COMMITTEE (S. REPT. NO. 180)

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be permitted to file a report during the recess of the Senate, by midnight Thursday, May 23, 1963, on the Mental Retardation Facilities and Community Mental Health Construction Act of 1963.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Without objection, it is so ordered.

Subsequently, Mr. HILL, from the Committee on Labor and Public Welfare, reported an original bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes, which was read twice by its title and ordered to be placed on the calendar.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of March 1963. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL STOCKPILE INVENTORIES, MARCH 1963

INTRODUCTION

This is the 40th in a series of monthly reports on Federal stockpile inventories. It is for the month of March 1963.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Departments of Agriculture, Defense, and Health, Education, and Welfare, and the General Services Administration.

The cost value of materials in inventories covered in this report, as of March 1, 1963, totaled $14,025,156,888, and as of March 31, 1963, they totaled $13,814,451,525, a net decrease of $210,705,363 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, and 4, but the cost value figures are summarized by major category, as follows:

Summary of cost value of stockpile inventories by major category

Major category	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month
Strategic and critical materials:			
National stockpile[1]	$5,870,072,100	$5,858,488,700	−$11,583,400
Defense Production Act	1,500,308,600	1,500,893,300	+584,700
Supplemental—barter	1,312,701,632	1,319,489,921	+6,788,289
Total, strategic and critical materials[1]	8,683,082,332	8,678,871,921	−4,210,411
Agricultural commodities:			
Price support inventory	4,903,701,615	4,694,511,570	−209,190,045
Inventory transferred from national stockpile[1]	127,874,190	127,659,288	−214,902
Total, agricultural commodities[1]	5,031,575,805	4,822,170,858	−209,404,947
Civil defense supplies and equipment:			
Civil defense stockpile, Department of Defense	32,846,003	34,557,593	+1,711,590
Civil defense medical stockpile, Department of Health, Education, and Welfare	182,862,548	183,866,253	+1,003,705
Total, civil defense supplies and equipment	215,708,551	218,423,846	+2,715,295
Machine tools:			
Defense Production Act	2,230,800	2,208,900	−21,900
National Industrial Reserve Act	92,559,400	92,776,000	+216,600
Total, machine tools	94,790,200	94,984,900	+194,700
Total, all inventories	14,025,156,888	13,814,451,525	−210,705,363

[1] Cotton inventory valued at $128,409,100 withdrawn from the national stockpile and transferred to Commodity Credit Corporation for disposal, pursuant to Public Law 87-548, during August 1962.

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, et cetera, costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

The appendix to this report, beginning on page 19, includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories covered by the report are tabulated in detail as follows:

Table 1: Strategic and critical materials inventories (all grades), March 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month).

Table 2: Agricultural commodities inventories, March 1963 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, March 1963 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, March 1963 (showing by item net changes during the month in terms of cost value and quantity).

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Aluminum metal:									
National stockpile	$487,680,600	$487,680,600		Short ton	1,128,989	1,128,989			
Defense Production Act	431,622,100	433,637,200	+$2,015,100	do	853,351	858,020	+4,669		
Total	919,302,700	921,317,800	+2,015,100	do	1,982,340	1,987,009	+4,669	1,200,000	787,009
Aluminum oxide. abrasive grain:									
Supplemental—barter	8,324,709	9,344,184	+1,019,475	do	28,035	31,476	+3,441	(2)	31,476
Aluminum oxide, fused, crude:									
National stockpile	21,735,100	21,735,100		Short dry ton	200,093	200,093			
Supplemental—barter	22,747,400	22,747,400		do	178,266	178,266			
Total	44,482,500	44,482,500		do	378,359	378,359		200,000	178,359
Antimony:									
National stockpile	20,488,000	20,488,000		Short ton	30,301	30,301			
Supplemental—barter	11,022,816	11,250,507	+227,691	do	19,136	19,524	+388		
Total	31,510,816	31,738,507	+227,691	do	49,437	49,825	+388	70,000	(3)
Asbestos, amosite:									
National stockpile	2,637,600	2,637,600		do	11,705	11,705			
Supplemental—barter	5,308,866	5,702,967	+394,101	do	21,247	22,888	+1,641		
Total	7,946,466	8,340,567	+394,101	do	32,952	34,593	+1,641	45,000	(3)
Asbestos, chrysotile:									
National stockpile	3,356,200	3,356,200		Short dry ton	6,224	6,224			
Defense Production Act	2,102,600	2,102,600		do	2,348	2,348			
Supplemental—barter	3,934,500	3,934,500		do	5,532	5,532			
Total	9,393,300	9,393,300		do	14,104	14,104		11,000	3,104
Asbestos, crocidolite:									
National stockpile	702,100	702,100		Short ton	1,567	1,567			
Supplemental—barter	6,151,000	6,431,811	+280,711	do	22,830	23,946	+1,116		
Total	6,853,200	7,133,911	+280,711	do	24,397	25,513	+1,116	(2)	25,513
Bauxite, metal grade, Jamaica type:									
National stockpile	13,925,000	13,925,000		Long dry ton	879,740	879,740			
Defense Production Act	18,168,000	18,168,000		do	1,370,077	1,370,077			
Supplemental—barter	85,987,508	86,498,627	+511,119	do	5,576,145	5,609,398	+33,253		
Total	118,080,508	118,591,627	+511,119	do	7,825,962	7,859,215	+33,253	2,600,000	5,259,215
Bauxite, metal grade, Surinam type:									
National stockpile	78,565,000	78,565,600		do	4,963,030	4,963,030			
Supplemental—barter	45,667,300	45,667,300		do	2,927,256	2,927,256			
Total	124,232,900	124,232,900		do	7,890,286	7,890,286		6,400,000	1,490,286
Bauxite, refractory grade:									
National stockpile	11,347,800	11,347,800		Long calcined ton.	299,279	299,279		137,000	162,279
Beryl:									
National stockpile	9,770,200	9,770,200		Short ton	23,233	23,233			
Defense Production Act	1,425,800	1,425,800		do	2,543	2,543			
Supplemental—barter	22,739,500	22,739,500		do	11,321	11,321			
Total	33,935,500	33,935,500		do	37,097	37,097		23,100	13,997
Beryllium metal:									
Supplemental—barter	9,814,950	10,998,013	+1,183,063	do	84	95	+11	(2)	95
Bismuth:									
National stockpile	2,674,300	2,674,300		Pound	1,342,402	1,342,402			
Defense Production Act	52,400	52,400		do	22,901	22,901			
Supplemental—barter	5,518,400	5,518,400		do	2,506,493	2,506,493			
Total	8,245,100	8,245,100		do	3,871,796	3,871,796		3,000,000	871,796
Cadmium:									
National stockpile	21,260,000	21,260,000		do	10,829,640	10,829,640			
Supplemental—barter	12,311,000	12,311,000		do	7,448,989	7,448,989			
Total	33,571,000	33,571,000		do	18,278,629	18,278,629		6,500,000	11,778,629
Castor oil:									
National stockpile	54,452,700	53,932,900	−519,800	do	210,095,326	207,848,765	−2,246,561	68,000,000	139,848,76
Celestite:									
National stockpile	1,412,300	1,412,300		Short dry ton	28,816	28,816		22,000	6,816
Chromite, chemical grade:									
National stockpile	12,286,800	12,286,800		do	559,452	559,452			
Supplemental—barter	20,650,447	21,023,755	+373,308	do	632,748	656,729	+23,981		
Total	32,937,247	33,310,555	+373,308	do	1,192,200	1,216,181	+23,981	475,000	741,181
Chromite, metallurgical grade:									
National stockpile	264,765,600	264,775,600		do	3,799,176	3,799,176			
Defense Production Act	35,879,900	35,879,900		do	985,646	985,646			
Supplemental—barter	224,615,366	224,615,366		do	1,543,114	1,543,114			
Total	525,260,866	525,260,866		do	6,327,936	6,327,936		2,700,000	3,627,936

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1963	End of month, Mar. 28, 1963	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1963	End of month, Mar. 28, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Chromite, refractory grade:									
National stockpile	$25,149,300	$25,149,300		Short dry ton	1,047,159	1,047,159			
Supplemental—barter	5,578,370	5,578,370		do	198,624	198,624			
Total	30,727,670	30,727,670		do	1,245,783	1,245,783		1,300,000	(3)
Cobalt:									
National stockpile	169,313,100	169,313,100		Pound	76,768,118	76,768,118			
Defense Production Act	52,074,600	52,074,600		do	25,194,122	25,194,122			
Supplemental—barter	2,169,000	2,169,000		do	1,077,018	1,077,018			
Total	223,556,700	223,556,700		do	103,039,258	103,039,258		19,000,000	84,039,258
Coconut oil:									
National stockpile	16,763,800	16,655,700	−$108,100	do	110,630,853	109,917,513	−713,340	(2)	109,917,513
Colemanite:									
Supplemental—barter	2,636,400	2,636,400		Long dry ton	67,636	67,636		(2)	67,636
Columbium:									
National stockpile	23,860,400	23,860,500	+100	Pound	7,488,960	7,488,954	−6		
Defense Production Act	50,255,500	50,255,500		do	8,222,684	8,222,684			
Supplemental—barter	799,000	799,100	+100	do	388,877	388,877			
Total	74,914,900	74,915,100	+200	do	16,100,521	16,100,515	−6	1,900,000	14,200,515
Copper:									
National stickpile	522,308,400	522,407,200	+98,800	Short ton	1,008,351	1,008,355	+4		
Defense Production Act	62,258,600	61,805,200	−453,400	do	111,116	110,283	−833		
Supplemental—barter	8,242,803	8,242,803		do	12,381	12,381			
Total	592,809,803	592,455,203	−354,600	do	1,131,848	1,131,019	−829	1,000,000	131,019
Cordage fibers, abaca:									
National stockpile	38,148,200	37,925,000	−223,200	Pound	151,321,593	150,463,108	−858,485	150,000,000	463,108
Cordage fibers, sisal:									
National stockpile	43,420,400	43,211,700	−208,700	do	320,346,127	319,022,387	−1,323,740	320,000,000	(3)
Corundum:									
National stockpile	393.100	393,100		Short ton	2,008	2,008		2,000	8
Cryolite:									
Defense Production Act	8,197,000	7,904,500	−292,500	do	29,685	28,625	−1,060	(2)	28,625
Diamond dies:									
National stockpile	475,800	477,700	+1,900	Piece	15,464	15,524	+60	25,000	(3)
Diamond, industrial, crushing bort:									
National stockpile	61,609,500	61,609,500		Carat	31,113,411	31,113,411			
Supplemental—barter	15,456,700	15,456,700		do	5,523,748	5,523,748			
Total	77,066,200	77,066,200		do	36,637,159	36,637,159		30,000,000	6,637,159
Diamond, industrial, stones:									
National stockpile	100,501,500	100,501,500		do	9,315,183	9,315,183			
Supplemental—barter	186,160,100	186,160,100		do	15,394,743	15,394,744	+1		
Total	286,661,600	286,661,600		do	24,709,926	24,709,927	+1	18,000,000	6,709,927
Diamond tools:									
National stockpile	1,015,400	1,015,400		Piece	64,178	64,178		(2)	64,178
Feathers and down:									
National stockpile	38,563,800	38,233,500	−330,300	Pound	9,308,390	9,228,677	−79,713	8,800,000	428,677
Fluorspar, acid grade:									
National stockpile	26,167,500	26,167,500		Short dry ton	463,049	463,049			
Defense Production Act	1,394,400	1,394,400		do	19,700	19,700			
Supplemental—barter	33,495,700	33,497,800	+2,100	do	673,232	673,232			
Total	61,057,600	61,059,700	+2,100	do	1,155,981	1,155,981		280,000	875,981
Fluorspar, metallurgical grade:									
National stockpile	17,332,400	17,332,400		do	369,443	369,443			
Supplemental—barter	1,508,100	1,508,100		do	42,800	42,800			
Total	18,840,500	18,840,500		do	412,243	412,243		375,000	37,243
Graphite, natural, Ceylon, amorphous lump:									
National stockpile	937,900	937,900		do	4,455	4,455			
Supplemental—barter	341,200	341,200		do	1,428	1,428			
Total	1,279,100	1,279,100		do	5,883	5,883		3,600	2,283
Graphite, natural, Madagascar, crystalline:									
National stockpile	7,088,500	7,072,400	−16,100	do	34,390	34,312	−78		
Supplemental—barter	109,421	109,421		do	938	938			
Total	7,197,921	7,181,821	−16,100	do	35,328	35,250	−78	17,200	18,050
Graphite, natural, other, crystalline:									
National stockpile	1,896,400	1,896,400		do	5,487	5,487		2,100	3,387
Hydrochloride of quinine:									
National stockpile	1,400		−1,400	Ounce	103		−103	(2)	
Hyoscine:									
National stockpile	30,600	30,600		do	2,100	2,100		2,100	(3)

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1963	End of month, Mar. 28, 1963	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1963	End of month, Mar. 28, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Iodine:									
National stockpile	$4, 082, 000	$4, 082, 000		Pound	2, 977, 648	2, 977, 648			
Supplemental—barter	1, 039, 500	1, 039, 500		do	994, 920	994, 920			
Total	5, 121, 500	5, 121, 500		do	3, 972, 568	3, 972, 568		4, 300, 000	(3)
Iridium:									
National stockpile	2, 525, 800	2, 525, 800		Troy ounce	13, 937	13, 937		4, 000	9, 937
Jewel bearings:									
National stockpile	3, 809, 600	3, 809, 800	+$200	Piece	51, 088, 611	51, 088, 691	+80	57, 500, 000	(3)
Kyanite-mullite:									
National stockpile	820, 200	820, 200		Short dry ton	9, 486	9, 486		4, 800	4, 686
Lead:									
National stockpile	319, 298, 100	319, 298, 100		Short ton	1, 050, 370	1, 050, 370			
Defense Production Act	2, 415, 900	1, 980, 700	−435, 200	do	6, 377	5, 229	−1, 148		
Supplemental—barter	78, 279, 300	78, 279, 600	+300	do	327, 998	327, 998			
Total	399, 993, 300	399, 558, 400	−434, 900	do	1, 384, 745	1, 383, 597	−1, 148	286, 000	1, 097, 597
Magnesium:									
National stockpile	131, 293, 200	131, 293, 200		do	180, 858	180, 858		107, 000	73, 200
Manganese, battery grade, natural ore:									
National stockpile	21, 025, 500	21, 025, 500		do	144, 485	144, 485			
Supplemental—barter	14, 502, 798	14, 502, 798		do	142, 322	142, 322			
Total	35, 528, 298	35, 528, 298		do	286, 807	286, 807		50, 000	236, 807
Manganese, battery grade, synthetic dioxide:									
National stockpile	3, 095, 500	3, 095, 500		Short dry ton	21, 272	21, 272			
Defense Production Act	2, 523, 600	2, 524, 700	+1, 100	do	3, 779	3, 779			
Total	5, 619, 100	5, 620, 200	+1, 100	do	25, 051	25, 051		20, 000	5, 051
Manganese, chemical grade, type A:									
National stockpile	2, 133, 300	2, 133, 300		do	29, 307	29, 307			
Supplemental—barter	7, 160, 300	8, 063, 384	+903, 084	do	103, 731	117, 607	+13, 876		
Total	9, 293, 600	10, 196, 684	+903, 084		133, 038	146, 914	+13, 876	30, 000	116, 914
Manganese, chemical grade, type B:									
National stockpile	132, 600	132, 600		Short dry ton	1, 822	1, 822			
Supplemental—barter	6, 834, 800	6, 840, 600	+5, 800	do	99, 016	99, 016			
Total	6, 967, 400	6, 973, 200	+5, 800		100, 838	100, 838		53, 000	47, 838
Manganese, metallurgical grade:									
National stockpile	248, 240, 000	248, 240, 100	+100	Short dry ton	5, 851, 264	5, 851, 264			
Defense Production Act	176, 710, 900	176, 710, 900		do	3, 056, 771	3, 056, 771			
Supplemental—barter	229, 013, 199	230, 501, 007	+1, 487, 808	do	3, 292, 390	3, 333, 792	+41, 402		
Total	653, 964, 099	655, 452, 007	+1, 487, 908		12, 200, 425	12, 241, 827	+41, 402	6, 800, 000	5, 441, 827
Mercury:									
National stockpile	20, 039, 500	20, 039, 500		Flask	129, 525	129, 525			
Supplemental—barter	3, 446, 200	3, 446, 200		do	16, 000	16,000			
Total	23, 485, 700	23, 485, 700			145, 525	145, 525		110,000	35, 525
Mica, muscovite block:									
National stockpile	27, 644, 200	27, 644, 200		Pound	11, 626, 674	11, 626, 674			
Defense Production Act	40, 858, 100	40, 858, 000	−100	do	6, 456, 253	6, 456, 251	−2		
Supplemental—barter	4, 492, 034	4, 564, 286	+72, 252	do	1, 370, 313	1, 390, 605	+20, 292		
Total	72, 994, 334	73, 066, 486	+72, 152	do	19, 453, 240	19, 473, 530	+20, 290	8, 300, 000	11, 173, 530
Mica, muscovite film:									
National stockpile	9, 058, 100	9, 058, 100		do	1, 733, 083	1, 733, 083			
Defense Production Act	633, 300	633, 300		do	102, 679	102, 681	+2		
Supplemental—barter	884, 281	915, 228	+30, 947	do	90, 512	93, 681	+3, 169		
Total	10, 575, 681	10, 606, 628	+30, 947	do	1, 926, 274	1, 929, 445	+3, 171	1, 300, 000	629, 445
Mica, muscovite splittings:									
National stockpile	40, 598, 300	40, 598, 300		do	40, 040, 294	40, 040, 294			
Supplemental—barter	6, 225, 800	6, 225, 800		do	4, 826, 257	4, 826, 257			
Total	46, 824, 100	46, 824, 100		do	44, 866, 551	44, 866, 551		21, 200, 000	23, 666, 551
Mica, phlogopite block:									
National stockpile	303, 600	303, 600		do	223, 126	223, 126		17, 000	206, 126
Mica, phlogopite splittings:									
National stockpile	2, 580, 500	2, 580, 500		do	3, 079, 062	3, 079, 062			
Supplemental—barter	1, 981, 635	2, 026, 011	+44, 376	do	1, 690, 678	1, 753, 036	+62, 358		
Total	4, 562, 135	4, 606, 511	+44, 376	do	4, 769, 740	4, 832, 098	+62, 358	1, 700, 000	3, 132, 098
Molybdenum:									
National stockpile	89, 184, 400	89, 184, 400		do	84, 063, 203	84, 063, 203		59, 000, 000	25, 063, 203
Nickel:									
National stockpile	181, 996, 600	181, 996, 600		do	334, 329, 556	334, 329, 552	−4		
Defense Production Act	104, 542, 400	104, 622, 500	+80, 100	do	111, 494, 958	111, 168, 284	−326, 674		
Total	286, 539, 000	286, 619, 100	+80, 100	do	445, 824, 514	445, 497, 836	−326, 678	323, 000, 000	122, 497, 836

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1963	End of month, Mar. 28, 1963	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1963	End of month, Mar. 28, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Opium:									
National stockpile	$13,661,700	$13,661,700		Pound	195,757	195,757		172,800	22,957
Palladium:									
National stockpile	2,079,000	2,079,000		Troy ounce	89,811	89,811			
Defense Production Act	177,300	177,300		do	7,884	7,884			
Supplemental—barter	12,170,200	12,170,200		do	648,124	648,124			
Total	14,426,500	14,426,500		do	745,819	745,819		340,000	405,819
Palm oil:									
National stockpile	5,074,200	4,861,900	−$212,300	Pound	28,192,569	27,012,549	−1,180,020	(2)	27,012,549
Platinum:									
National stockpile	56,879,900	56,879,900		Troy ounce	716,343	716,343			
Supplemental—barter	4,024,500	4,024,500		do	49,999	49,999			
Total	60,904,400	60,904,400		do	766,342	766,342		165,000	601,342
Pyrethrum:									
National stockpile	415,000	415,000		Pound	66,188	67,065	+877	66,000	1,065
Quartz crystals:									
National stockpile	69,625,500	69,062,000	−563,500	do	5,647,292	5,601,590	−45,702		
Supplemental—barter	3,128,684	3,128,684		do	232,252	232,252			
Total	72,754,184	72,190,684	−563,500	do	5,879,544	5,833,842	−45,702	650,000	5,183,842
Quinidine:									
National stockpile	2,103,200	2,060,500	−42,700	Ounce	1,823,377	1,786,377	−37,000	1,600,000	186,377
Quinine:									
National stockpile	4,765,200	4,695,600	−69,600	do	7,533,732	7,423,732	−110,000	(2)	7,423,732
Rare earths:									
National stockpile	7,134,900	7,134,900		Short dry ton	10,042	10,042			
Supplemental—barter	5,585,161	5,608,986	+23,825	do	6,384	6,545	+161		
Total	12,720,061	12,743,886	+23,825	do	16,426	16,587	+161	5,700	10,887
Rare earths residue:									
Defense Production Act	657,800	657,800		Pound	6,085,570	6,085,570		(2)	6,085,570
Rhodium:									
National stockpile	78,100	78,100		Troy ounce	621	618	−3	(2)	618
Rubber:									
National stockpile	790,437,400	785,730,200	−4,707,200	Long ton	1,022,187	1,016,268	−5,919	750,000	266,268
Ruthenium:									
Supplemental—barter	559,500	559,500		Troy ounce	15,001	15,001		(2)	15,001
Rutile:									
National stockpile	2,070,100	2,070,100		Short dry ton	18,599	18,599			
Defense Production Act	2,725,100	2,725,100		do	17,592	17,592			
Supplemental—barter	1,061,300	1,061,300		do	11,632	11,632			
Total	5,856,500	5,856,500		do	47,823	47,823		65,000	(3)
Sapphire and ruby:									
National stockpile	190,000	190,000		Carat	16,187,500	16,187,500		18,000,000	(3)
Selenium:									
National stockpile	757,100	757,100		Pound	97,100	97,100			
Supplemental—barter	1,070,500	1,070,500		do	156,518	156,518			
Total	1,827,600	1,827,600		do	253,618	253,618		400,000	(3)
Shellac:									
National stockpile	8,850,500	8,781,200	−69,300	do	17,654,298	17,516,046	−138,252	7,400,000	10,116,046
Silicon carbide, crude:									
National stockpile	11,394,500	11,394,500		Short ton	64,697	64,697			
Supplemental—barter	26,812,800	26,815,600	+2,800	do	131,805	131,805			
Total	38,207,300	38,210,100	+2,800	do	196,502	196,502		100,000	96,502
Silk noils and waste:									
National stockpile	2,749,500	2,358,500	−391,000	Pound	1,944,476	1,695,827	−248,649	970,000	725,827
Silk, raw:									
National stockpile	486,600	486,600		do	113,515	113,515		120,000	(3)
Sperm oil:									
National stockpile	4,775,400	4,775,400		do	23,442,158	23,442,158		23,000,000	442,158
Talc, steatite block and lump:									
National stockpile	498,700	496,800	−1,900	Short ton	1,279	1,274	−5	300	974
Talc, steatite ground:									
National stockpile	231,000	231,000		do	3,901	3,901		(2)	3,901
Tantalum:									
National stockpile	10,905,500	10,905,500		Pound	3,422,873	3,422,865	−8		
Defense Production Act	9,734,400	9,734,400		do	1,531,366	1,531,366			
Supplemental—barter	21,100	21,100		do	8,036	8,036			
Total	20,661,000	20,661,000		do	4,962,275	4,962,267	−8	2,420,000	2,542,267

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), March 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Mar. 1, 1963	End of month, Mar. 28, 1963	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1963	End of month, Mar. 28, 1963	Net change during month	Maximum objective [1]	Excess over maximum objective
Thorium:									
Defense Production Act	$42,000	$42,000		Pound	848,574	848,574			
Supplemental—barter	16,379,484	16,604,913	+$225,429	do	7,874,725	7,996,000	+121,275		
Total	16,421,484	16,646,913	+225,429	do	8,723,299	8,844,574	+121,275	(2)	8,844,574
Tin:									
National stockpile	823,850,600	823,631,700	−218,900	Long ton	338,822	338,732	−90		
Supplemental—barter	16,404,000	16,404,000		do	7,505	7,505			
Total	840,254,600	840,035,700	−218,900	do	346,327	346,237	−90	185,000	161,237
Titanium:									
Defense Production Act	176,804,000	176,755,800	−48,200	Short ton	22,456	22,449	−7		
Supplemental—barter	32,097,700	32,097,700		do	9,021	9,021			
Total	208,901,700	208,853,500	−48,000	do	31,477	31,470	−7	(2)	31,470
Totaquine:									
National stockpile	4,075,000		−4,075,000	Ounce	6,426,015		−6,426,015	(2)	
Tungsten:									
National stockpile	369,129,300	369,129,300		Pound	120,072,509	120,072,509			
Defense Production Act	319,052,900	318,770,700	−282,200	do	78,256,833	78,186,563	−70,270		
Supplemental—barter	18,648,100	18,648,100		do	5,762,319	5,762,319			
Total	706,830,300	706,548,100	−282,200	do	204,091,661	204,021,391	−70,270	50,000,000	154,021,391
Vanadium:									
National stockpile	31,604,200	31,604,500	+300	do	15,758,801	15,758,801		2,000,000	13,758,801
Vegetable tannin extract, chestnut:									
National stockpile	11,953,800	11,946,800	−7,000	Long ton	42,845	42,820	−25	30,000	12.820
Vegetable tannin extract, quebracho:									
National stockpile	49,262,500	49,250,100	−12,400	do	199,103	199,053	−50	180,000	19,063
Vegetable tannin extract, wattle:									
National stockpile	9,959,900	9,947,300	−12,600	do	39,489	39,439	−50	39,000	439
Zinc:									
National stockpile	364,131,100	364,272,000	+140,900	Short ton	1,256,012	1,256,618	+606		
Supplemental—barter	79,588,100	79,588,100		do	323,896	323,896			
Total	443,719,200	443,860,100	+140,900	do	1,579,908	1,580,514	+606	178,000	1,402,514
Zirconium ore, baddeleyite:									
National stockpile	710,600	710,600		Short dry ton	16,533	16,533		(2)	16,533
Zirconium ore, zircon:									
National stockpile	333,800	299,100	−34,700	do	5,641	5,055	−586	(3)	5,055
Total:									
National stockpile	5,870,072,100	5,858,488,700	−11,583,400						
Defense Production Act	1,500,308,600	1,500,893,300	+584,700						
Supplemental—barter	1,312,701,632	1,319,489,921	+6,788,289						
Total, strategic and critical materials	8,683,082,332	8,678,871,921	−4,210,411						

[1] Maximum objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). The present objectives represent quantities of materials estimated to be necessary in the event of a 3-year war in which oversea sources would not be available.

[2] No present objective.

[3] Not in excess of maximum objective.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

TABLE 2.—*Agricultural commodities inventories, March 1963 (showing by commodity net changes during the month in terms of cost value and quantity)*

Commodity	Cost value			Quantity			
	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month
Price-support inventory:							
Basic commodities:							
Corn	$1,049,159,564	$881,490,536	−$167,669,028	Bushel	900,855,639	748,116,255	152,739,384
Cotton, extra-long staple	4,350,336	4,350,336		Bale	15,865	15,865	
Cotton, upland	809,749,800	809,720,414	−29,386	do	4,684,254	4,684,086	−168
Peanuts, farmers' stock	3,262,460	3,399,995	+137,535	Pound	31,308,766	31,251,604	−57,162
Peanuts, shelled	5,976,620	5,897,553	−79,067	do	31,275,746	31,269,869	−5,877
Rice, milled	183,616	407,221	+223,605	Hundredweight	18,530	42,206	+23,676
Rice, rough	8,816	8,816		do	1,762	1,762	
Wheat	1,997,916,537	1,966,480,807	−31,435,730	Bushel	1,026,529,213	1,010,410,225	−16,118,988
Bulgur	1,209,128	1,970,928	+761,800	Pound	22,090,600	36,532,185	+14,441,585
Total, basic commodities	3,871,816,877	3,673,726,606	−198,090,271				

Table 2.—*Agricultural commodities inventories, March 1963 (showing by commodity net changes during the month in terms of cost value and quantity)*—Continued

Commodity	Cost value			Quantity			
	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month
Price-support inventory—Continued							
Designated nonbasic commodities:							
Barley	$24,188,417	$24,110,816	−$77,601	Bushel	28,102,033	27,998,626	−103,407
Grain sorghum	548,599,276	540,680,599	−7,918,677	do	519,449,294	512,451,202	−6,998,092
Honey	129,950	129,950		Pound	1,037,746	1,037,746	
Milk and butterfat:							
Butter	221,013,237	232,281,667	+11,268,430	do	376,412,964	396,535,699	+20,122,735
Butter oil	34,210,797	34,517,781	+306,984	do	42,508,633	42,900,702	+392,069
Cheese	34,143,407	29,936,315	−4,207,092	do	91,357,129	80,164,446	−11,192,683
Ghee	369,883	369,883		do	455,322	455,322	
Milk, dried	102,642,815	104,084,352	+1,441,537	do	689,712,924	698,712,991	+9,104,067
Oats	9,152,015	9,017,153	−134,862	Bushel	15,241,310	15,007,960	−233,350
Rye	801,282	542,860	−258,422	do	763,113	500,008	−263,105
Total, designated nonbasic commodities	975,251,079	975,671,376	+420,297				
Other nonbasic commodities:							
Beans, dry, edible	4,248,621	3,302,126	−946,495	Hundredweight	657,125	515,022	−142,103
Cottonseed oil, refined	1,014,923	1,014,923		Pound	8,339,550	8,339,550	
Flaxseed	358,256	376,943	+18,687	Bushel	107,703	113,743	+6,040
Soybeans	29,780,846	22,326,820	−7,454,026	do	12,528,178	9,405,915	−3,122,263
Turpentine	545,596	486,018	−59,578	Gallon	1,039,776	926,233	−113,543
Vegetable oil products	20,685,417	17,606,758	−3,078,659	Pound	112,632,915	95,784,762	−16,848,153
Total, other nonbasic commodities	56,633,659	45,113,588	−11,520,071				
Total, price support inventory	4,903,701,615	4,694,511,570	−209,190,045				
Inventory transferred from national stockpile: [1]							
Cotton, Egyptian	103,913,705	103,874,843	−38,862	Bale	123,001	122,955	−46
Cotton, American-Egyptian	23,960,485	23,784,445	−176,040	do	47,638	47,288	−350
Total, inventory transferred from national stockpile	127,874,190	127,659,288	−214,902	do	170,639	170,243	−396
Total, agricultural commodities	5,031,575,805	4,822,170,858	−209,404,947				

[1] Transferred from General Services Administration pursuant to Public Law 85-96 and Public Law 87-548. (See appendix, p. 20.)

Source: Compiled from reports submitted by the Department of Agriculture.

Table 3.—*Civil defense supplies and equipment inventories, March 1963 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month
Civil defense stockpile, Department of Defense:							
Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings)	$9,999,941	$10,023,912	+$23,971	10-mile units	45	45	
Chemical and biological equipment	1,852,491	1,849,092	−3,399	(1)			
Radiological equipment	20,993,571	22,684,589	+1,691,018	(1)			
Total	32,846,003	34,557,593	+1,711,590				
Civil defense medical stockpile, Department of Health, Education, and Welfare:							
Medical bulk stocks, and associated items at civil defense mobilization warehouses	137,822,102	139,507,238	+1,685,136	(1)			
Medical bulk stock at manufacturer locations	5,449,502	5,420,642	−28,860	(1)			
Civil defense emergency hospitals	37,944,067	37,779,308	−164,759	Each	1,930	1,930	
Replenishment units (functional assemblies other than hospitals)	1,646,877	1,159,065	−487,812	(1)			
Total	182,862,548	183,866,253	+1,003,705				
Total, civil defense supplies and equipment	215,708,551	218,423,846	+2,715,295				

[1] Composite group of many different items.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

Table 4.—*Machine tools inventories, March 1963 (showing by item net changes during the month in terms of cost value and quantity*

Item	Cost value			Quantity			
	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month	Unit of measure	Beginning of month, Mar. 1, 1963	End of month, Mar. 31, 1963	Net change during month
Defense Production Act:							
In storage	$43,600	$21,700	−$21,900	Tool	11	4	−7
On lease	2,144,300	2,144,300		do	103	103	
On loan	42,900	42,900		do	7	7	
Total	2,230,800	2,208,900	−21,900	do	121	114	−7
National Industrial Reserve Act:							
In storage	84,214,800	84,351,300	+136,500	do	7,739	7,774	+35
On lease	27,500	27,500		do	1	1	
On loan to other agencies	1,965,000	2,041,600	+76,600	do	195	202	+7
On loan to school programs	6,352,100	6,355,600	+3,500	do	1,489	1,506	+17
Total	92,559,400	92,776,000	+216,600	do	9,424	9,483	+59
Total, machine tools	94,790,200	94,984,900	+194,700	do	9,545	9,597	+52

Source: Compiled from reports submitted by the General Services Administration.

APPENDIX

STRATEGIC AND CRITICAL MATERIALS

National stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

Supplemental—barter

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V–4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

AGRICULTURAL COMMODITIES

The price-support program

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations, and, in the case of wool and mohair, through incentive payments based on marketings. The producer's commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse and the Corporation looks only to the pledged or mortgage collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour, and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

Inventory transferred from national stockpile

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85–96 and Public Law 87–548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Civil defense stockpile

The Department of Defense conducts this stockpiling program pursuant to section 201(h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

Civil defense medical stockpile

The Department of Health, Education, and Welfare conducts the stockpiling program for medical supplies and equipment pursuant to section 201(h) of Public Law 920, 81st Congress, as delegated by the President following the intent of Reorganization Plan No. 1, 1958. The Department of Health, Education, and Welfare plans and directs the procurement, storage, maintenance, inspection, survey, distribution, and utilization of essential supplies and equipment for emergency health services. The medical stockpile includes a program designed to preposition assembled emergency hospitals and other medical supplies and equipment into communities throughout the Nation.

MACHINE TOOLS

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

National industrial equipment reserve

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451–462).

STATEMENT BY SENATOR BYRD OF VIRGINIA

The cost of Federal stockpile inventories as of March 31, 1963, totaled $13,814,451,525. This was a net decrease of $210,705,363 as compared with the March 1 total of $14,025,156,888. Net changes during the month are summarized by major category as follows:

Major category	Cost value, March 1963	
	Net change during month	Total, end of month
Strategic and critical materials	−$4,210,411	$8,678,871,921
Agricultural commodities	−209,404,947	4,822,170,858
Civil defense supplies and equipment	+2,715,295	218,423,846
Machine tools	+194,700	94,984,900
Total	−210,705,363	13,814,451,525

These figures are from the March 1963 report on Federal stockpile inventories, compiled from official agency data by the Joint Committee on Reduction of Nonessential Federal Expenditures, showing detail with respect to quantity and cost value of each commodity in the inventories covered.

STRATEGIC AND CRITICAL MATERIALS

So-called strategic and critical materials are stored by the Government in (1) the national stockpile, (2) the Defense Production Act inventory and (3) the supplemental-barter stockpile.

Overall, there are now 93 materials stockpiled in the strategic and critical inventories. Maximum objectives—in terms of volume—are presently fixed for 76 of these 93 materials. Of the 76 materials having maximum objectives, 64 were stockpiled in excess of their objectives as of March 31, 1963.

Increases in cost value were reported in 25 of the materials stockpiled in all strategic and critical inventories, decreases were reported in 26 materials, including 2 reduced to zero, and 44 materials remained unchanged during March.

Of the 26 materials reporting decreases during March, one material (cordage fibers-sisal) was brought within its objective, and two materials (hydrochloride of quinine and totaquine) were reduced to zero.

National stockpile

The cost value of materials in the national stockpile as of March 31, 1963, totaled $5,858,488,700. This was a net decrease of $11,583,400 during the month. The largest decreases were $4,707,200 in rubber and $4,075,000 in totaquine.

Defense Production Act inventory

The cost value of materials in the Defense Production Act inventory as of March 31, 1963, totaled $1,500,893,300. This was a net increase of $584,700. The largest increase was in aluminum, partially offset by decreases in copper and lead.

Supplemental-barter

The cost value of materials in the supplemental-barter stockpile as of March 31 totaled $1,319,489,921. This was a net increase of $6,788,289. The largest increases were in manganese, aluminum oxide and beryllium metal.

OTHER STOCKPILE INVENTORIES

Among the other categories of stockpiled materials covered by the report, the largest is $4.8 billion in agricultural commodities. Major decreases in agricultural commodities during March were reported for corn and wheat in the price support inventory.

Inventories of civil defense supplies and equipment showed increases in radiological equipment and medical stocks; and the machine tools inventories showed a net increase during March.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. RUSSELL. Mr. President, from the Committee on Armed Services, I report favorably several hundred nominations of graduates of the Army, Navy, and Air Force Academies, and ROTC units. Since these names have already been printed in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk, for the information of any Senator.

The PRESIDING OFFICER. The reports will be received; and, without objection, the nominations will lie on the desk, as requested by the Senator from Georgia.

The nominations are as follows:

Bruce W. Gunkle, and sundry other midshipmen (Naval Academy), for permanent assignment in the Navy;

Louis J. Boos, and sundry other Naval Reserve Officers' Training Corps candidates, for permanent assignment in the Navy;

James R. Harper, and sundry other Army Reserve Officer Training Corps candidates, for permanent appointment in the Marine Corps; and

Richard L. Bunce, and sundry other Air Force Academy graduates, for permanent appointment in the Navy.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. INOUYE:

S. 1572. A bill for the relief of Antonio G. Ancheta;

S. 1573. A bill for the relief of Mesepa (Naesepa) and Tuileau, both of Aloau Village, American Samoa; and

S. 1574. A bill for the relief of Rosario Pascual; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 1575. A bill to provide for an increase in judicial salaries; to the Committee on the Judiciary.

By Mr. HILL:

S. 1576. A bill to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes; placed on the calendar.

(See reference to the above bill when it was reported by Mr. HILL, which appears under the heading "Report of a Committee.")

By Mr. DOUGLAS:

S. 1577. A bill to authorize the Administrator of the General Services to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data processing equipment by Federal departments and agencies; to the Committee on Government Operations.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 1578. A bill to provide for the entry free of duty of articles donated by Canadian residents to the International Peace Garden, Dunseith, N. Dak.; to the Committee on Finance.

By Mr. BURDICK (for himself and Mr. KEATING):

S. 1579. A bill for the relief of Ionnis Papageorgiou; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 1580. A bill to permit the Government of Guam to authorize a public authority to undertake urban renewal and housing activities; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

EFFICIENT UTILIZATION OF ELECTRONIC DATA PROCESSING EQUIPMENT BY U.S. AGENCIES

Mr. DOUGLAS. Mr. President, on March 29, 1963, the Subcommittee on Defense Procurement of the Joint Economic Committee, of which I am the chairman, received some excellent testimony from the Honorable Joseph Campbell, Comptroller General of the United States, on ways to reduce the impact of defense and related governmental procurement actions on the Nation's economy. Incidentally, those hearings will soon be printed and I am sure they will be found to be very useful.

One point that Mr. Campbell and his staff mentioned in particular was the need to develop some controls over the procurement and management of so-called automatic data processing equipment which annually costs the Government an estimated half billion dollars.

Inasmuch as our subcommittee does not have legislative authority, I asked the Comptroller General to prepare for referral to the proper legislative committee a draft of legislation which he would consider adequate to provide for efficient management and control over the automatic data processing facilities of the Federal Government.

It should be stated that Representative JACK BROOKS on March 28 introduced a bill with a similar purpose, H.R. 5171.

I have received a report from the Comptroller General, Mr. President, and I now introduce for appropriate reference a bill that will provide for central management and control over the automatic data processing facilities of the Federal Government. This bill, if enacted, should make possible savings of hundreds of millions of dollars to the taxpayers of this country through purchasing instead of leasing and by improving other procurement and utilization practices relative to the use of this costly equipment.

The Federal Government is the world's largest user of data processing equipment in its operations. Over 1,100 electronic computers are now installed in Federal agencies. Over 85 percent of these machines are leased at the present time.

On March 6, 1963, the Comptroller General sent to the Congress a very significant report entitled "Study of Financial Advantages of Purchasing Over Leasing of Electronic Data Processing Equipment in the Federal Government." The report shows, for example, that by purchasing only 523 of the over 1,000 computer systems now leased by Government departments and agencies, the Government could save $148 million over a 5-year period and an additional $100 million a year for each year of additional use after the initial 5-year period. This report points out that to realize these savings basic changes in the Government's overall management system will be necessary so that decisions as to the financial advantages of purchasing will be made through one central coordinating body which will operate from the standpoint of the Government as a whole and not from the standpoint of individual agencies as has been the practice in the past.

When we consider that these very significant savings apply to about one-half of the computer systems leased by Federal departments and agencies and that there is an even greater number of computer systems that are indirectly leased by the Federal Government through contracts let in Defense, Space, Atomic Energy, and other Government programs, then the total savings available through purchasing this equipment may well amount to several times the amounts applicable to these 523 computer systems.

The Comptroller General has repeatedly pointed out in his reports that extensive savings could be provided through improved equipment utilization practices in the agencies and through joint and multiple use by Federal agencies of installed facilities in lieu of additional procurement of this equipment by the Federal Government. When these possibilities for more efficient and economical purchase and utilization practices are considered together with the efficiencies available through a single central management approach to the

Government's data processing program, the apparent need for change becomes urgent.

Therefore, in view of the extremely significant possible savings and of the proven need for central coordination over procurement and utilization of these electronic computer systems which are used so extensively in programs of the Federal Government, I would like to introduce the proposed legislation to authorize the Administrator of the General Services Administration to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data-processing equipment by Federal departments and agencies.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1577) to authorize the Administrator of the General Services to coordinate and otherwise provide for the economic and efficient purchase, lease, maintenance, operation, and utilization of automatic data-processing equipment by Federal departments and agencies, introduced by Mr. Douglas, was received, read twice by its title, and referred to the Committee on Government Operations.

AUTHORIZATION FOR A PUBLIC AUTHORITY TO UNDERTAKE URBAN RENEWAL AND HOUSING ACTIVITIES IN GUAM

Mr. JACKSON. Mr. President, by request, I introduce, for appropriate reference, a bill to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities.

This proposed legislation was submitted by the Housing and Home Finance Agency, and I ask unanimous consent that the bill together with an accompanying explanation may be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and explanation will be printed in the Record.

The bill (S. 1580) to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities, introduced by Mr. Jackson, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of Guam may by law grant to a public corporate authority, existing or to be created by or under such law, powers to undertake urban renewal and housing activities in Guam. Such legislature may by law provide for the appointment, terms of office, or removal of the members of such authority and for the powers of such authority, including authority to accept whatever benefits the Federal Government may make available, and to do all things, to exercise any and all powers, and to assume and fulfill any and all obligations, duties, responsibilities, and requirements, including but not limited to those relating to planning or zoning, necessary or desirable for receiving such Federal assistance, except that such authority shall not be given any power of taxation, nor any power to pledge the faith and credit of the territory of Guam for any loan whatever.

Sec. 2. The Legislature of Guam may by law authorize such authority, any provision of the Organic Act of Guam, or any other Act of Congress to the contrary notwithstanding, to borrow money and to issue notes, bonds, and other obligations of such character and maturity, with such security, and in such manner as the legislature may provide. Such notes, bonds, and other obligations shall not be a debt of the United States, or of Guam other than such authority, nor constitute a debt, indebtedness, or the borrowing of money within the meaning of any limitation or restriction on the issuance of notes, bonds, or other obligations contained in any laws of the United States applicable to Guam or to any agency thereof.

Sec. 3. The Legislature of Guam may by law assist such authority by furnishing, or authorizing the furnishing of, cash donations, loans, conveyances of real and personal property, facilities, and services, and otherwise, and may by law take other action in aid of urban renewal or housing or related activities.

Sec. 4. Each and every part of Public Law 6–135, approved December 18, 1962, heretofore enacted by the Legislature of Guam dealing with any part of the subject matter of this Act and not inconsistent herewith is ratified and confirmed.

Sec. 5. Powers granted herein shall be in addition to and not in derogation of, any powers granted by other law to, or for the benefit or assistance of, any public corporate authority.

The explanation presented by Mr. Jackson is as follows:

Explanation of Act Authorizing the Legislature of Guam To Create Public Authorities To Carry Out Urban Renewal and Housing Activities

The principal purpose of this bill is to enable the territory of Guam to create a public authority empowered to carry out urban renewal and housing activities and to participate in Federal programs offering assistance for such activities.

The need for this legislation is made urgent by the damage done to the island of Guam by Typhoon Karen, which struck on November 11, 1962, and destroyed or severely damaged 70 percent of the residential housing and 40 percent of the commercial buildings on Guam. As a result, the island's tax base derived from real estate evaluation has been reduced from $39.5 to $21.7 million with a resultant reduction in the total borrowing power of the territorial government from $3.3 to $2.5 million. Additionally, 177 families were rendered homeless, and approximately $1 million of public property damage inflicted by Typhoon Olive on April 28, 1963. In order to meet the immediate need for emergency housing and to deal with long-range housing and urban problems, the Legislature of Guam enacted legislation creating a public authority with power to carry out urban renewal and housing programs. This legislation was approved by the Governor of the island on December 18, 1962, in anticipation of ratification by the Congress.

This bill would ratify and confirm the legislature's action and authorize the Guam Legislature to create such an authority. The bill would also permit the Guam Legislature to authorize the public authority to borrow money, and issue notes and other securities therefor without limitation by any provisions of the Organic Act of Guam or other acts of Congress. These obligations would not constitute a debt of the United States or Guam, or the borrowing of money within the meaning of any limitation on the issuance of obligations contained in any law of the United States pertaining to Guam.

The provisions of this act, including those relating to the ratification of the acts of the Guam Legislature and borrowing powers of the authority closely parallel provisions previously enacted by Congress for other similarly situated territories.

STUDY TO DETERMINE WHETHER THE HOLDING BY A MEMBER OF THE SENATE OF A COMMISSION AS A RESERVE MEMBER OF ANY OF THE ARMED FORCES IS INCOMPATIBLE WITH HIS OFFICE AS SENATOR—AMENDMENT

Mr. GORE submitted an amendment, intended to be proposed by him to the resolution (S. Res. 142) to make inquiry whether the holding by a Member of the Senate of a commission as a Reserve member of any of the Armed Forces is incompatible with his office as Senator, which was referred to the Committee on the Judiciary, and ordered to be printed.

ADDITIONAL COSPONSORS OF BILL, CONCURRENT RESOLUTION, AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bill, concurrent resolution, and resolution:

Authority of May 15, 1963:

S. 1541. A bill to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption: Mr. Boggs and Mr. Burdick.

S. Con. Res. 42. Concurrent resolution establishing the Joint Committee on National Security Affairs: Mr. Clark and Mr. Engle.

Authority of May 8, 1963:

S. Res. 136. Resolution establishing a select committee to study railroad financing: Mr. Burdick, Mr. Cannon, Mr. Church, Mr. Gore, Mr. Hart, Mr. Keating, Mr. McCarthy, Mr. McGee, Mr. Metcalf, Mr. Morse, Mrs. Neuberger, Mr. Proxmire, Mr. Talmadge, Mr. Williams of New Jersey, and Mr. Yarborough.

ATTORNEY GENERAL'S REPORT SHOWS DEVELOPING OIL MONOPOLY

Mr. PROXMIRE. Mr. President, the long overdue report of the Attorney General on the Oil Compact Commission offers a series of solid reasons why Congress should take a good hard look right now, at the developing monopoly in the oil industry.

The Oil Compact Commission must come up before the Congress for renewal this year. Before any action is taken on this instrument of mixed industry and State control of oil, Congress should insist on answers to these very serious charges made by the Attorney General:

First. The huge integrated firm is taking advantage of the present discriminatory system of control, at the expense of the small independent producer and refiner.

Second. The independent producer is under increasing pressure to sell out to the major company, to the detriment of competition.

Third. Disappearance of the independent firms poses a threat to adequate development of new production capacity.

Fourth. Major companies have the economic power to compel State regulatory agencies to tailor production limitations to what the major companies would like.

Mr. President, obviously the American public has a gigantic stake in oil as the prime source of our Nation's fuel and energy. Oil is the most profitable industry in America; and politically it is by all odds the most potent. The report of the Attorney General should awaken the Congress to what destruction of competition in this industry today may do to the prices Americans pay for oil—and, indeed, to the available supply of that oil tomorrow.

Mr. President, a remarkably comprehensive analysis of the serious developments in the oil industry was published on Sunday in the Washington Post. The article was written by Laurence Stern. In it, Mr. Stern discusses three aspects of oil—all of which, in the judgment of this Senator, should be explored by Congress:

First. The growth of monopoly in the oil industry.

Second. Expert allegations of waste of oil, making large amounts of this precious and vital fuel unrecoverable.

Third. Appointment of oil men who have huge personal oil holdings to top oil-policy-making jobs in Government, in spite of the patent conflict of interest.

Eight years ago, Mr. President, Congress required the Attorney General to make annual reports on the administration of the Oil Compact Commission, with special reference to any tendency to promote monopoly or monopolistic practices.

Until 1959, the Attorney General complied with that directive. Since that time, however, the Department of Justice has been in violation of the explicit directive of the Congress until late last week.

Last week's report of the Attorney General confirms the wisdom of the Congress in asking to be kept apprised of developing monopoly in the industry. It also suggests the seriousness of the failure of the Attorney General to make these reports for more than 3 years.

Mr. President, I earnestly hope that full hearings will be held on the renewal of the Oil Compact Commission; and I hope that Congress and the President will, henceforth, give the most earnest consideration to representation of the oil consumer in the top oil-policy-making jobs in Government in the Interior Department and in the Oil Compact Commission itself.

I ask unanimous consent that Mr. Stern's fine article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From The Washington Post, May 19, 1963]

Oil Issue Can Create Political Gusher

(By Laurence Stern)

Oil and politics, history demonstrates, often form an explosive mixture. For this reason, Congress may strike a political gusher this session when it acts to renew the life of the depression-born Interstate Oil Compact Commission.

The 28-year-old commission is a compact between States as well as between oil interests and State regulators. To its defenders, it has served as a major influence toward stability and conservation in the Nation's oil supply. Its critics brand it a facade to conceal price-fixing and monopoly practices.

The commission is the capstone in a loose and widely varying system of State oil controls that has come under increasing attack within Government and, more subtly, within the industry itself.

Last year a Federal interagency study was conducted into the tangled thicket of national oil policy. The results were never disclosed.

And last month Interior Secretary Stewart L. Udall asked the Compact Commission to study whether present State conservation policies were conducive to most efficient production. The request promptly touched off a squabble within the agency that has yet to be settled.

But the most recent sharpest expression of official concern over oil was delivered Thursday by Attorney General Robert F. Kennedy. In a report on the Compact Commission, he warned of growing domination by the industry over the very agencies that are supposed to regulate it at State level. He also said the system is fostering increased corporate concentration in oil.

The controversy over oil efficiency bears directly on the issue of cost and prices.

For example, a prominent oil executive estimated in 1956 that drilling and development costs in Texas alone would have been reduced by $360 million that year with wider spacing of wells. Annual operating costs could have been $10 million a year lower, he said. The net savings for all crude oil in the Lone Star State that year, it was estimated, could have been 35 cents a barrel.

Also two oil economists, writing in the Journal of Economics last year, estimated that excess development costs ran to $1 billion annually throughout the United States because there were simply too many wells.

From the conservation standpoint, too, there have been fears that indiscriminate drilling into underground reservoirs has created large-scale waste by disrupting the proper flow of oil and making large amounts of the fuel unrecoverable.

There are international aspects to the oil policy debate. Crude oil imports from countries such as Venezuela are rigidly controlled under a system of quotas designed to protect domestic producers. With more efficient production and lower costs, it is being asked, could not U.S. producers compete with foreigners on market-place terms?

Inside the industry there has been a tug-of-war between control States and uncontrolled States, between independents and the integrated "majors"—those with their own exploration, production and pipeline systems.

Kennedy's report made the point that the present framework of State regulation does not assure healthy competition within the industry.

Implicit in the Attorney General's statement was the suggestion that the Interstate Oil Compact Commission, an advisory forum with no real powers over its members, has not been able to cope with the growing problems of oil.

Kennedy's assessment is certain to intensify the clamor within the oil industry that the administration is seeking to substitute Federal regimentation for State regulation.

The interstate compact grew out of the era of the early 1930's when the oil industry, panicked by drastic price skids resulting from overproduction, beat a path to Washington to plead for Federal price regulation. The petroleum price controls were to be part of the National Recovery Act but when NRA was declared unconstitutional the compact idea replaced it.

Although oil men grumble against the specter of Federal controls, they frequently have been successful in infiltrating the Government compound.

One such example is the case of John M. Kelly, a former New Mexico oil man appointed in 1961 as Assistant Secretary of the Interior in charge of mineral resources. To avoid a conflict of interest, Kelly disposed of that portion of his holdings on Federal lands. But he retained ownership of the 50 percent of his oil properties on State lands, thus remaining in the business over which he has a strong regulatory influence.

Kelly became the center of an industry furor last February when a secret memorandum was made public in which Kelly was quoted as complaining that "red hot bureaucrats" in the Government wanted Federal control of domestic oil and gas production. In the now-famous memo to two Compact Commission officials, Kelly also reportedly suggested that the oil study committee be weighted in industry's favor.

Kelly's assistant, Interior Department Oil and Gas Office Chief Jerome O'Brien, also came to Government from an oil industry background.

Still another area in which the oil industry and Interior Department have established an enduring rapport are in the many petroleum advisory committees which exert a strong influence over national oil policies.

In his Compact Commission report Thursday, Kennedy frankly acknowledged that the influence of oil industry committees on Federal oil policy became so "pervasive" that he had to recommend in 1962 that the President promulgate rules governing their use.

Nonetheless, Last February the Interior Department announced the formation of a new petroleum advisory committee on international operations to advise the Interior and State Departments. Its members, Interior unabashedly announced, were nominated by the American Petroleum Institute, the industry's chief lobbying agency.

COMMITTEE MEETINGS DURING SENATE SESSION

Upon request of Mr. Mansfield, and by unanimous consent, the Subcommittee on Intergovernmental Relations of the Committee on Government Operations, the Committee on Agriculture and Forestry, the Subcommittee on Constitutional Rights of the Committee on the Judiciary, and the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

FACTS ON THE ELDERLY

Mr. SYMINGTON. Mr. President, it is my understanding that some compromise legislation will be offered with respect to the problem of medical care for the elderly.

I will be glad to look at any proposed legislation on this subject, but know we will all be shocked by the following facts, which give, in succinct fashion, why something must be done.

Average 1960 income of family under 65: $5,315.

Average 1960 income of family over 65: $2,530.

And also the following:

Average 1960 income of persons under 65: $2,570.

Average 1960 income of persons over 65: $1,055.

And as a thought-provoking recent editorial in the St. Louis Post Dispatch pointed out:

> These are averages in which the lower incomes are veiled by those of the prosperous.

I ask unanimous consent that this editorial "Facts on the Elderly" be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FACTS ON THE ELDERLY

The report on the plight of elderly Americans by the President's Council on Aging probably is the start of a fresh endeavor to pass Mr. Kennedy's social security hospitalization plan. It marshals the facts which prove the need for this particular social insurance—and more. It also shows that the problem is not only for those over 65 or approaching that age.

By 1970 more than 20 million Americans will be over 65; and unless conditions change, most of them will not have incomes sufficient to maintain them on a decent level. Again unless conditions change, the United States will be burdened by a shockingly large number of unemployed young people. Attention must be given, primarily, to these underprivileged Americans, yet the rest of the Nation will do well to ponder the consequences it will have to endure unless the prospect is bettered.

How can one brush off the Council's finding that in 1960 the average income of a family headed by a person over 65 was $2,530 a year compared with $5,315 for a family headed by a younger person? For persons living alone and over 65 the average annual income was $1,055 compared with an average of $2,570 for single individuals under 65. And these are averages in which the lower incomes are veiled by those of the prosperous.

People over 65 are free of some of the expenses of younger generations; they do not need equivalent incomes. Yet, generally, they face much higher medical expenses. And the report takes exception to the American Medical Association's interpretation of the private insurance coverage of 65 percent of the elderly, noting that the "deceptive feature of the health-care picture is the degree to which private health plans cover costs." They meet only one-sixth of the bill.

Even the King-Anderson bill, the legislative form of the Kennedy plan, may be faulted on the ground that its coverage may prove inadequate in many cases. Nevertheless, it does offer citizens an opportunity to provide for old age during their working years—and at the lowest practical cost. Whether or not individuals supplement it with private coverage, it promises a substantial reduction in health-care costs which otherwise could become a charge on the public. Even if social and economic progress softens the grim prospect of unemployed young and retired old, its adoption is a matter of national prudence as well as a help in the elimination of the indignity of medical pauperism.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. JAVITS. I believe I can state a fact on that subject. The medical care task force to which the Senator has referred is expected to submit its report by the middle of June or not later than the end of June. I think the Senator will find in that report a really effective way to accomplish what he wishes.

Mr. SYMINGTON. I thank the Senator from New York for his able contribution.

RESEARCH AND DEVELOPMENT: A CHALLENGE FOR MANAGEMENT

Mr. SYMINGTON. Mr. President, we in Missouri are benefited by having a citizen who, as chairman of the board of Monsanto Chemical Co., is not only one of the Nation's most outstanding industrialists, but is also one of the Nation's leading scientists; one who joined with such leaders in the field of science as Fermi, Von Neuman Teller, and Compton to give to future generations the vast powers contained in the atom.

As chairman of advisory boards, including several on manpower, appointed by various administrations, and as a former president of the American Chemical Society, Dr. Charles Allen Thomas is uniquely qualified by both training and experience, to speak out on one of the principal problems which face this Nation today—the utilization of our technological resources in the great and growing research and development programs.

Especially on the basis of this, his unusual background, I am sure the Senate would be interested in a recent address by Dr. Thomas—the Palladium Medal address given before the American section of the Societe de Chimie Industrielle, and therefore request this address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

RESEARCH AND DEVELOPMENT: A CHALLENGE FOR MANAGEMENT

(By Charles Allen Thomas)

In the few minutes we have together tonight, I would like to examine with you a growing problem that faces us in industry, government and higher education today. I feel we are in danger of being run down by our own research and development programs.

There is no doubt that research and development is one of the underlying strengths of our modern life. Advances in basic knowledge have affected the lives of all of us, from the antiknock fuels of our automobiles to the clothes we wear and the houses we live in and the food we eat.

But in the last few years we have reached a point of indigestion in research and development work, and I am of the opinion that the productivity of this effort has fallen off, whether you measure it on a man-hour basis or on a dollar basis. This view is also held by others with whom I have discussed this subject.

In the old days, research and development work was a leisurely sort of thing. A man worked by himself or with a few assistants, and he didn't fuss much about the time factor. Newcomen's demonstration of the steam engine preceded the first commercial railroad line by more than a hundred years.

But as Derek Price points out, scientific information has been doubling every 10 to 15 years since 1700, and this has had a cumulative effect. Our rate of innovation has changed. Less than 3 years after Enrico Fermi's atomic pile went critical at the Stagg Field stadium in Chicago we had production reactors turning out plutonium. Within 10 years nuclear-fueled electric generating plants were in operation, and our lights tonight may be burning in this room, thanks to the full scale Consolidated Edison nuclear plant at Indian Point.

Without going too deeply into statistics, let me merely repeat that our Nation's research and development expenditures have risen from $5.4 billion in fiscal 1952 to $15 billion in fiscal 1962. Jacob Perlman of the National Science Foundation stated recently that a rise to $30 billion by the end of this decade now appears reasonable. This activity takes more than twice as much of our gross national product as it did in 1953 and is still demanding more.

So, in both absolute and relative terms, we have an exploding growth program on our hands.

And yet we have no true measure of the effectiveness of this activity. Every now and then a single case will come along in which we can state that it took a certain number of dollars and a certain number of man-years to find, develop, and produce a certain product. But there is an aura of mystery connected with this field of creativity. Government budget committees, industrial managements, and governing bodies of academies of higher education alike are mystified and have doubts about their own decisions which are often reflected in changes of mind and a haziness in the statement of objectives.

Management could better understand the good old Edisonian method of empirical research. This was a simple thing. You found an item that needed developing. You brought together a certain number of individuals and you asked them to try everything they could put their hands on as a solution to the problem. It was thought that, with luck, it was just a matter of time and payroll until you found the answer.

The modern times cale will not permit the luxury of this type of approach. We have developed systems techniques to identify the problems, break them into subproblems, and coordinate the simultaneous efforts of the individuals and groups. From the simple arithmetic of x man-years times y salaries, we have moved into a calculus problem involving a dynamic situation, and research and development planning has in some cases surpassed the understanding of management.

In order to avoid this mathematical difficulty, it has become popular for industry to say that a fixed percentage of its sales should go into research and development programs. This puts the function on a par with institutional advertising, and could well lead to groups of contented scientists wearing white coats and happily bending glass in a well-equipped laboratory separated from the visitor's lounge by a large picture window. This picture appears frequently on our television screens today.

It is both unfortunate and hazardous that in this day of inflated budgets, the impression which a research program gives should be equated with the results which the program produces. We are overlooking the most important factor of all. The main trick in research and development effort is to accomplish the job with a minimum of time and effort.

Time is the common denominator of all life, the one dimension in which we all stand alone. How that time is spent determines the effectiveness of our lives, as well as of our work.

Take the simple problem of hatching chicken eggs. A motherly hen can accomplish this chore in 21 days. It has been said that an ambitious farmer once assigned three hens to the task of setting on the same eggs, hoping to cut the incubation period to a single week. Of course, with the hens tripping over each other and arguing over whose turn it was to do the setting, the whole experiment failed when one clumsy would-be mother finally stepped on and broke the shells.

Some of the academic infighting over Government research contracts in recent years has also effectively killed the program it was supposed to help.

A critical scientific approach to this management problem (and it is a management problem, whether we speak of Government, universities, or industry) points up the main part of the difficulty very quickly.

The first thing to do is to state the objectives clearly and outline the parameters within which the research is to arrive at a solution.

Once the objectives and the frame of reference have been established, the research teams must have liberty with which to pursue their goals. And in return for this liberty, they must accept accountability for the way they spend their precious time.

The objectives of, say, our military research and development work can be phrased broadly in terms of protecting ourselves from aggression, but when it comes to parameters for individual projects we almost invariably stumble. The cycling of the nuclear-powered aircraft project between standby status and crash priority is a good example to illustrate this point.

In industry, we are free from the biennial election complex which makes Government decisions so hard to firm up, and yet we in industry are guilty of this same vacillation. We frequently hamper our own research and development work by failing to provide set goals.

On occasion, we come up with the wrong goal. We fail to ask ourselves what we are going to do with the outcome of the research if it is successful. The late Gaston DuBois, who played such a large part in the early research work of Monsanto, used to make a fetish of this particular point. (We were a rather small firm at the time, and with limited resources.) DuBois used to say that he wouldn't initiate a research project to uncover the philosopher's stone itself, even if he had the answer in his pocket, as long as the management could not give him some assurance that the company would have the talent and finances to exploit the results.

In the industrial concept, research is a source of profit for the corporation. This is the free enterprise approach, and it has led to the most productive complex of plants and industries in the world today. But you cannot run a research and development program the way you run a production line. The rules of the game are different.

For one thing, you cannot purchase a research team the way you can purchase plant machinery. You have to grow your own, so to speak, and just as there is no royal road to learning, there is no easy monetary path to an effective research department.

Also, you are dealing with some unusual people. A good scientist is an individualist and is not motivated by the same carrot as the production man or the salesman. He is quite independent, as the demand for his profession is far greater than the supply, and there is competition for his services. In his training he is indoctrinated with the scientific approach and is often a zealot in his desire to learn and uncover new scientific truths, which will stand up under all possible attacks. If he succeeds in producing new indisputable knowledge he has his fulfillment and he gains stature in the eyes of his fellow scientists. Men in other walks of life often have difficulty in understanding him. He has been called a prima donna, a longhair, and an egghead. While this doesn't add rapport between "the two cultures", it usually doesn't disturb him, for he marches to the sound of his particular drumbeat. not heard by other ears.

One of the questions a scientist asks is "Why?" Why does an engine knock, was the question which led to tetraethyl lead. Why does the cross section of a manmade fiber affect its strength and hand? This was the question which led to a whole new family of improved yarns. A great deal of money has been made by the answers to just these two questions, but from the scientist's point of view this was a side issue to the basic question.

Let me point out quickly that the answers to these "Why?" questions are not easily arrived at. It takes a great deal of effort, and the contributions of physicists, chemists and mathematicians to ferret out exact answers. Our world of science has become so complex that several disciplines must be brought to bear on each question in order to solve it fully.

While I am putting some of the blame for the decline in the productivity of our growing research programs at the desks of our top-level managements, there is another level of decision where there is trouble.

The division of a program into numerous, more manageable projects has been forced on us by the magnitude of the task we are attempting. In every project there is a responsible individual. The project manager has a most difficult chore. He must stand with one foot in the area of science so he can select the most important parts of the problem, the ones which must be solved first if the project is to succeed. His other foot must be fixed in the world of administration, with its requisition forms and personnel blanks to be filled in. And, at one and the same time, he must be gifted enough to inspire his team and draw out the best that is in every member of it.

To the best of my knowledge, we have no system for training or identifying individuals who will operate well at this level of decision. We are using the same old cut-and-try techniques which were used in training business managers before the graduate schools of business administration came on the scene at the turn of the century.

We take a successful bench scientist or engineer, one who has proven his skill and ingenuity, and we retread him as an administrator. We give him people to boss, who usually absorb his time like a sponge with their job and personal problems, their guidance and direction. For the sake of gaining an administrator we have lost a productive mind and personality who may or may not develop into a good research leader.

Or, we take a skilled and proven administrator and put him in charge of a group of scientists and engineers. In operating in this environment, he will forever remain an administrator and it is only in rare instances that he can develop the rapport required to lead a scientific group. I do not mean to imply that scientists will ignore his authority, but because of their training and background scientists and engineers have developed a special way of thinking, even of talking. As a simple example, the average administrator will use words such as "round" without specifying whether he means round like a plate or round like a ball. But the scientist will employ specific terms such as "disk" and "sphere."

I have been speaking of this problem of identifying those who will make successful research leaders for several years now. And I am glad I can announce tonight that the Carnegie Corp. of New York, which has already done outstanding studies in the allied field of creativity, has just agreed to promote a study of this particular area.

Once we can identify the factors that are involved in the direction of research, we will be able to take our problem to the universities and to the institutes of technology. I sincerely hope that by the year 1970 we can establish a curriculum in this field and have a choice of graduate schools to which we can return candidates for postgraduate studies in this combination of art and science which goes under the name of research and development management.

There is an old saying to the effect that the world stands aside for the man who knows where he is going. I submit that this is particularly true in the field of managing research and development teams.

We need to state our objectives clearly and stop worshiping the golden calf of research for the name alone.

We need to take the mystery out of the problem, by establishing better measurements of its operation and of the effectiveness of those whom we select to direct it.

If we can identify through scholarly studies the factors involved in this delicate art and begin to apply them, we will have unleashed on the world a more effective and productive force, one which is now stumbling in a plethora of projects, sinking in a sea of money, and is being built on a quicksand of changing objectives.

SUPREME COURT DECISION ON PREFERENTIAL FREIGHT RATES

Mr. JAVITS. Mr. President, I wish to invite the attention of Senators to an extraordinarily important ruling by the U.S. Supreme Court which, by a tie vote, sustained a judgment by the Federal court in Boston eliminating the preferential rates for traffic from the West, primarily from the Middle West, which had been enjoyed for approximately 80 years by the ports of Baltimore, Philadelphia, and Hampton Roads or Norfolk. That had resulted in making higher the freight rates, and therefore the costs to consumers, than they had any right to be on a competitive basis for shippers who chose to use the port of New York. It is a differential that dates back to 1877. It required about a decade of legal struggle, very heavily engaged in by the port authority of both New York and New Jersey, in order to win this battle in the Supreme Court.

The decision represents a victory for fair competition. It represents a recognition of the fact that the New York port has lost very unfairly a major amount of its traffic to other ports. For example, the percentage of the Nation's imports and exports handled in the port of New York has shrunk from 33.8 percent in 1953 to 20.4 percent, a drop of more than one-third.

I believe that the whole country has a deep interest in the fact that we should go back to the path of more effective competition. So far as the railroads and great installations like ports are concerned, the Supreme Court has now helped us to do that. The way will be cleared for the northern railroads, such as the New York Central and others, to reduce their rates to the level of southern companies. Incidentally, that is something they have been trying to do for years and have been prevented from doing by the differential kept in effect by the Interstate Commerce Commission, a differential which has now been held to be unlawful.

The decision is a real landmark in the economic history of our country. I hail the Supreme Court, and especially hail those who fought the battle so valiantly under the leadership of the port authority and the northern railroads. Incidentally, the effort was characterized by what I understand to have been an unusually brilliant presentation by former Gov. Thomas E. Dewey before the U.S. Supreme Court, special counsel of the State of New York, the New York Central Railroad, and the port authority.

Our State has every reason to be proud of having waged the fight successfully. The decision will be of great appeal to New York, but even more so to the country, as establishing the idea of competition.

Proposed legislation is now pending to help the railroads by allowing them to become competitive. The Supreme Court—as, for example, it has done in the civil rights cases—has shown that it knows how to take the lead in that regard where the law will allow it to do so. We would be very wise to follow up on that subject in the Congress. The best prescription for the railroads is to let them streamline and become competitive. If it takes government help in order to allow them to do that—for example, in dealing with their employees whose jobs may have become obsolescent—I am all for giving it. This is the most effective prescription of which I know for the maintenance of the private enterprise system. Again I hail the Supreme Court, our State, and other agencies engaged in that great and successful fight.

I ask unanimous consent that newspaper articles reporting the decision be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SHOT IN ARM FOR NEW YORK PORT ON RAIL RATES

(By Walter Hamshar)

Good news yesterday for the port of New York.

The news—a decision by the Supreme Court—may reverse a trend in which the Nation's largest port has handled a steadily shrinking percentage of the Nation's imports and exports, from 33.8 percent in 1953 to 21.4 percent last year.

This shrinkage, a threat to the livelihood of the one in four metropolitan area residents who depend on the port's business, has been aggravated by a system of federally approved rail rates that give other east coast ports a sharply competitive advantage over New York. This disadvantage has prevailed since the late 1800's.

Yesterday, the Supreme Court wiped it out.

In what one observer called "the biggest news for the port since 1880," the High Court ruled that the rate differential must be eliminated as discriminatory.

The differentials made it from 40 to 60 cents per ton cheaper to route export and import cargoes to or from Midwest points through Philadelphia, Baltimore, or Norfolk than through New York.

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Former Gov. Thomas E. Dewey, in arguing before the Supreme Court for elimination of the rate differences, declared they had been principally responsible in recent years for New York going "rapidly down hill" in comparison with other ports.

Last year, in an analysis of the harbor's business, the Port of New York Authority reported that it has suffered a loss of 752,433 tons of general cargo exports and imports during 1961, alone. The loss represented a slump of 5.4 percent from tonnage that had been handled in the preceding year.

In the same report, the bistate agency noted that New York's share of the national total volume of exports and imports had slipped to the lowest point in its recent history. The decline in the national total had been steady since 1953.

In hailing the court decision yesterday, Acting Governor Malcolm Wilson said that equalization of rates "should stimulate commerce in our port with resulting additional job opportunities."

The Supreme Court split evenly on the decision, 4 to 4, after Justice Byron R. White disqualified himself. The tie automatically upheld a ruling in February 1962 by a three-judge statutory Federal court in Boston directing that the rates be equalized.

The actual equalization, however, has been held up pending the Supreme Court's action.

The fight to obtain equalization of rail rates was begun in 1956 by the New York Central and other railroads which serve ports from New York to Portland, Maine. They were supported by the Port of New York Authority and a host of other port organizations in New York and Boston, which also has suffered from the rate differential.

Opposing them in the long fight were the Pennsylvania, Baltimore & Ohio, Canton Railroad, Chesapeake & Ohio, Norfolk & Western, and Western Maryland Railroad which sought to maintain the differential. They were supported by port organizations in Philadelphia, Baltimore, and Norfolk.

The fight opened before the Interstate Commerce Commission which ruled 9 to 1 in 1961 that the differentials should be allowed on the grounds that to equalize rates would cause most export and import traffic to move through New York.

The Boston court in its ruling contended that the rate differences showed outright discrimination in favor of the southern tier ports, as they are called.

Nominally it was the ICC which appealed the Boston court's ruling to the Supreme Court. There it met opposition not only from New York railroads and port interests but also from the Justice Department which argued that the ICC was departing from its own precedents in favoring the differential.

The rail rate differences historically were set back in the 1880's with the organization of the ICC. At the time it was argued that Philadelphia, Baltimore, and Norfolk suffered unfair competition from the ports of New York and Boston because ocean rates to those ports were lower. The ship companies gave lower rates to Boston and New York because they are situated on the coast, whereas Baltimore and Philadelphia are actually almost 100 miles inland.

In 1935 all ocean rates to Atlantic ports were equalized. This meant that a shipper from London would pay the same rate to ship to New York, Baltimore, or Norfolk. However, the rail rate differentials were allowed to stand.

During World War II there was so much shipping through all ports that the rate differentials made little difference. It was not until shipping moved into a peacetime activity that the effect of the rate differential began to be felt in New York.

The Port of New York Authority, which helped to bear the expenses of the long equalization fight, was among the most jubilant at the decision. Austin J. Tobin, executive director, said that "all the people, businesses, and railroads in the New Jersey-New York port district stand to benefit greatly from this historic decision."

STATE WINS 85-YEAR FIGHT FOR EQUAL PORT RAIL RATES—SUPREME COURT DECISION OPENS THE WAY FOR NORTHERN ROADS TO CUT CHARGES TO LEVEL IN EFFECT IN THE SOUTH

WASHINGTON, May 20.—New York won in the Supreme Court today its 85-year-old fight to end railroad rate differentials in favor of ports farther south on the eastern seaboard.

Since the late 1870's it has cost less to ship freight from the Midwest to Baltimore, Hampton Roads, or Philadelphia for export than to New York or the New England ports. The same differential has applied to import shipments going the other way.

As a result of today's decision the rail rates should soon be equalized. The way will be clear for the New York Central and other northern roads to drop their rates to the southern level, as they have been trying to do for years.

(In New York, S. Sloan Colt, chairman of the Port of New York Authority, said yesterday he was happy with the Court decision. He added that the port district stood to benefit greatly.)

The decision came on a 4-to-4 division of the Justices. As is customary where there is such a tie, no individual votes were announced and no opinions were written. Justice Byron R. White did not participate.

This abrupt disposition was, in a way, an ironic end to one of the great railroad lawsuits of all time. But the impact on transportation patterns will be no less significant.

The Supreme Court was warned in the argument 2 months ago that equal rates would send an even larger share of traffic to dominant New York.

But former Gov. Thomas E. Dewey, representing the New York Central and some other railroads serving New York, said the port of New York had been steadily going down hill because of the rate differential. He said, "We just want to get back even."

The 4-to-4 division of the Court had such a significant impact because of the way the case had come up.

The New York and New England railroads had filed proposed lower rates in 1956, designed to end the differential. But the Interstate Commerce Commission vetoed these reductions and said the differential must continue.

A three-Judge Federal District Court in Boston found the ICC decision erroneous and approved the rate reduction and equalization. This decision was stayed pending Supreme Court review.

The 4-to-4 division in the Supreme Court today has the effect of upholding the district court. Barring unforeseen new legal moves, its decision should soon go into effect and the rate cut be made.

The differential dates back to 1877, when all the railroads agreed to it.

OCEAN FREIGHT RATES

At that time ocean freight cost more to Baltimore and other southern tier ports, as they are called, and the higher freight charges to the northern tier were supposed to make the total cost the same. But ocean freight rates now are the same to all North Atlantic ports from Europe.

Until now the rail freight rate on an export shipment sent from any point west of Pittsburgh was 3 cents more a hundredweight when shipped by way of New York then when shipped by way of Baltimore. In comparison with Philadelphia, the rate to New York has been 2 cents higher a hundredweight.

Under the Court decision, the rates will be the same regardless of the point of origin or the port to which an export is shipped. For example, an exporter in Chicago shipping to France by way of an east coast port now will pay the same rail freight rate whether the shipment is routed through New York, Philadelphia, or Baltimore.

The distinct rates apply to export-import shipments between all the North Atlantic ports and what is known as the differential territory in the Midwest—Ohio, Indiana, Michigan, Illinois, and western Pennsylvania.

The ICC said one reason for maintaining the differential was that rail distances to New York and Boston were somewhat greater. But the other side pointed out that the Commission has required equal rates elsewhere, for example, the Gulf of Mexico, with much greater distance disparities.

ARGUMENTS FOR DIFFERENTIAL

The other arguments in favor of the differential were that the new, lower rates for the northern roads would not be compensatory—and that the southern tier ports would be put at a heavy disadvantage in the competition for traffic.

The Justice Department argued generally that the differential should end. But it said the case should be remanded to the ICC to consider the compensatory nature of the new rates. That will not happen after today's decision.

Robert W. Ginnane, general counsel of the ICC, argued in favor of the differential. Also on that side were William L. Marbury, of Baltimore, representing the interested ports and cities, and Jervis Langdon, Jr., of Baltimore, representing the Pennsylvania, Baltimore & Ohio and other railroads.

In addition to Mr. Dewey and Mr. Doolittle, arguing against the differential was Robert G. Bleakney, Jr., of Boston, who represented the New Haven and Boston & Maine railroads and the Massachusetts Port Authority.

STATEMENT BY NEW YORK PORT

S. Sloan Colt, chairman of the Port of New York Authority, released the following statement yesterday:

"We are happy that the U.S. Supreme Court has established the principle that the railroads serving the port of New York have the right to equalize their rates on export-import freight with the lower rail rates enjoyed at the ports of Baltimore, Philadelphia, and Norfolk.

"All the people, businesses and railroads in the New Jersey-New York port district stand to benefit greatly from this historic decision, which affirms the judgment of the Federal District Court in Boston last year.

"Most of the New York harbor railroads, supported by the State and city of New York and the Port of New York Authority and many other bistate port interests all worked together for nearly a decade to remove this archaic and arbitrary rate handicap, which has diverted countless tons of commerce, and therefore jobs and business, from the port of New York.

"The successful climax to this long struggle for rate parity is a result of years of hard work by many people. In the final phase of the effort, former Gov. Thomas E. Dewey made a brilliant presentation before the Supreme Court as special counsel for the State of New York, the New York Central Railroad and the port authority."

GOVERNOR'S OFFICE COMMENTS

Governor Rockefeller's office released the following statement yesterday:

"The State of New York was greatly gratified by the decision today of the U.S. Supreme Court in the port equalization case. The effect of this decision is to set aside the discriminatory freight rates on export-import traffic that have hurt the port of New York in competition with other Atlantic seaboard ports.

"This important decision culminates nearly a decade of effort on the part of the State of New York, the railroads serving the port and the Port of New York Authority to end the discriminatory rail freight rates on traffic through our great port. The equalization of these rates should stimulate commerce in our port with resulting additional job opportunities."

ICC HEARS RATE PLEA

CHICAGO, May 20.—Southern and Southwestern shippers and State officials urged the Interstate Commerce Commission today to keep in force freight rate reductions on wheat and flour shipments to gulf ports.

Midwestern petitioners are opposing a reduction of approximately 10 cents a hundred pounds ordered by the ICC on wheat and flour shipments to the gulf.

MINOW RESIGNATION A BLOW TO THE PUBLIC INTEREST

Mr. PROXMIRE. Mr. President, the loss of Newton Minow as the Chairman of the Federal Communications Commission is serious to this Nation.

Newton Minow has represented a breath of clean, fresh air in the stultified overcommercialized bog of television and radio.

As FCC Chairman Mr. Minow acknowledged that there is much that is good in television, that it has been improving, that its technical proficiency is often marvelous.

But he represented a clean, sharp break from the established FCC viewpoint that the agency existed to serve the well-heeled owners in this immensely profitable industry that enjoys government assigned and protected monopoly to reach the minds and hearts of the American public. Minow was never an industry apologist.

His vast wasteland indictment has already done much to bring realization in America of the tragedy of planned and promoted corruption of the public taste that has characterized television especially.

His latest achievement in persuading his Commission to limit television and radio commercial time represents another solid contribution to American sanity.

Mr. President, I am proud of the fact that Newton Minow is a Milwaukee native. His parents still live in Wilwaukee.

He is a young, intelligent, imaginative man with a remarkable sense of public responsibility. His contribution to his Nation will continue in private life as a leading executive in the Encyclopaedia Britannica. But I earnestly hope that he can somehow be persuaded to return soon again to government.

His talents are rare and urgently needed.

Mr. President, I ask unanimous consent that editorials from the Janesville Press-Gazette, the Washington Evening Star, and the Washington Daily News be printed in the RECORD, at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Janesville (Wis.) Press-Gazette]

MINOW HAD UNDERSTANDING

Newton N. Minow, until his resignation this week, the Chairman of the Federal Communications Commission, failed to endear himself in the areas where his Commission had jurisdiction, but he is nonetheless entitled to a measure of praise.

This is entirely apart from his rows with the television industry in particular, and his acid comments on the content of much of the TV offerings.

Where Minow distinguished himself, it seems to us, was in his recognition of the overblown Federal establishment and the jungle of bureaucratic procedure. He repeatedly admitted his own inability to cope with the overlapping and redtape within the Federal Communications Commission, and apparently he did what he could to simplify things and weed out the surplusage. He can hardly be blamed if he fell short of his ambitions, considering the entrenched bureaucratic system.

Other Government departments and agencies are just as bad or worse than the FCC, but it is not often that a Minow comes along with the idea that reforms are overdue and simplification is in order. The sad truth is that most Federal officials go the other direction and spend their major effort in empire building. The more complex and abstruse the system the more employees are needed, and the more employees the more important the official's job.

[From the Washington Evening Star, May 16, 1963]

LIFE ON THE WASTELAND

Like the stage director of a new play, Newton N. Minow has retired to the wings to see how the show he created catches on. For the principal benefits from his brief term as Federal Communications Commission Chairman are just beginning to unfold.

Mr. Minow's oft-quoted "vast wasteland" criticism of television programing had shock value, but so far there is no evidence that it has transformed the electric box into an oasis of well-balanced entertainment and information. Yet there is reason for hope, not only from the well-meaning intentions of many broadcasters, but from the stage set by Mr. Minow.

When he said, "What this country needs is more television, not less," Mr. Minow meant that competition could lift the industry's standards more surely than any outside pressures, however subtle. He found that nearly half of the Nation's 272 TV audience areas have only station to watch.

His remedy was twofold: Legislation supporting educational TV and the requirement that all new TV sets, beginning next year, must be equipped with 70 ultra high frequency channels in addition to the 12 very high frequency ones now available. Additionally, he helped get America out in front in the satellite communications program.

All this represents quite a legacy from one man's 2-year term. Properly tended by E. William Henry, the promising new FCC Chairman, it could produce a fruitful growth on the wasteland.

[From the Washington Daily News]

MINOW BOWS OUT

Two years ago a young, almost unknown Chicago lawyer took over as Chairman of the Federal Communications Commission and promptly jolted the powerful television industry, which the FCC regulates, by terming it "a vast wasteland."

Yesterday, the Kennedy administration's first FCC Chairman, Newton N. Minow, quit the Government to return to private industry—as he had said he would.

Assessments of his performance are many.

But the net of his public service, we think, is decisively on the plus side. His "vast wasteland" speech, if it served no other purpose, alerted the TV industry and kept it on its toes as to its responsibilities to serve the public interest.

Under Mr. Minow's tenure, educational television made extraordinary progress and the FCC adopted a program of user fees under which licensees will pay the Government filing fees of about $3.8 million a year, beginning next January. And, in a pressure-prone agency which often in the past has been subject to scandal, Mr. Minow kept himself above reproach.

We hope FCC Member E. William Henry, chosen by President Kennedy as Mr. Minow's successor, will do as well.

Mr. PROXMIRE. Mr. President, Mr. Lawrence Laurent of the staff of the

Washington Post wrote a very fine article which was printed in the Record yesterday, pointing out that while Mr. Minow's wasteland indictment overshadows many of his other contributions, his achievements have been very great; including a sharp and encouraging improvement in educational television, an excellent step-up in high quality children's programs, the establishment of the communications satellite—which, incidentally, he feels was his greatest achievement, and that will startle some of his fans; the $1 charge for long-distance telephone calls which has been established, and a great increase in public affairs coverage by television.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield briefly to the Senator from Alaska.

Mr. GRUENING. Mr. President, I merely wish to associate myself with the remarks made by the Senator from Wisconsin about Newton Minow. He has been a great public servant. His departure from Government service is a great loss to the Nation. I hope he will return.

CORRECTION OF SENATE BILL ON BUILDINGS FOR THE BUREAU OF THE MINT

Mr. PROXMIRE. Mr. President, on May 9 the Senate considered and passed S. 874, a bill to authorize the Treasury to build additional facilities for the Bureau of the Mint.

As introduced and as reported from the committee, the bill did not contain any limitations as to time or as to the amount which might be spent.

I proposed an amendment designed to limit the time for appropriations to be made to 10 years. As the result of discussion on the floor, my amendment was revised for the purpose of including an overall $30 million ceiling for the work to be done under the bill.

Unfortunately, in making this revision of my amendment, language was adopted which unintentionally made this $30 million limitation applicable to each of the next 10 fiscal years. In other words, instead of an overall limitation of $30 million, the overall limitation would come to $300 million.

This error has been called to the attention of the House Public Works Committee, to which the bill was referred. I am sure they will be able to correct this without any difficulty, and we can accept a revised version of the bill when it passes the House.

I think it is desirable to make this statement so that there should be no misunderstanding of the intention of the Senate when it passes S. 874.

DOES AID TO YUGOSLAVIA MAKE SENSE?

Mr. PROXMIRE. Mr. President, I invite Senators' attention to an unusual article from Yugoslavia by Mr. Crosby Noyes, European correspondent for the Washington Star.

As one who fought hard last year against providing a development loan of $10 million to Yugoslavia, I must confess that I find that Mr. Noyes' article makes remarkable sense, although I disagree with his apparent conclusion.

I am still very much inclined to feel that we should tie tight political strings to any future aid to Communist dictator, Tito. I still think that our economic support should be squarely based on Tito's performance in supporting us in our life-and-death struggle with the Soviet Union. I still think Tito is against us, not with us.

For the past several years—and with increasing frequency—as Mr. Noyes frankly points out—Tito has been far more often on the Soviet side than on our side.

At the same time, Mr. Noyes does the best job of documenting the argument that Yugoslavia does in fact exercise at least a degree of independence from the Soviet bloc that I have read.

With all the violent polemics on both sides of this highly charged issue of aid to Yugoslavia, this balanced, objective, scholarly account is very welcome. I say this although—from my viewpoint—it still seems to come down on the wrong side of the Tito paradox.

Mr. President, I ask unanimous consent that the article from the Washington Evening Star entitled "Aid Helps Yugoslavia Steady Unstable Area" be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

AID HELPS YUGOSLAVIA STEADY UNSTABLE AREA

(By Crosby S. Noyes)

Belgrade.—In Yugoslavia, it may be communism with a difference, but it is still communism.

No one can walk around this city, draped with red flags marked by the hammer and sickle and plastered with Socialist slogans, without being very much aware of the fact. No one can listen to a speech by any Yugoslav leader without being persuaded of his devotion to Marx and Lenin.

No one can talk about the possibility of improving relations between Yugoslavia and the United States without taking the Communist factor fully into account.

OUTLOOK VERY DIFFERENT

For a nominally nonalined neutralist country, Yugoslav leaders talk with distressing regularity out of the Eastern side of their mouths. However cordial they may be in their dealings with American diplomats, their outlook on world affairs in general is radically different from ours. In the United Nations Yugoslavia's vote is cast at least 60 percent of the time with the leftist group of neutralist nations with the Soviet Union and against the United States.

In this respect, President Tito himself is something of a special problem.

His speech to the neutral nations conference in Belgrade in 1961, defending Russia's renewal of nuclear testing and containing kindly references to the East German Communist regime, raised hackles throughout the West. His triumphal visit to Moscow last winter where he was lionized by Premier Khrushchev did nothing to endear him or his country to Washington.

STANDING IN MOSCOW IMPORTANT

As one of the very few remaining Yugoslav leaders who got his training in Leninist Russia, Tito clings to the traditional Communist verbiage more strongly than his younger colleagues. There is no doubt whatever that his standing in Moscow is infinitely more important to him from an emotional standpoint than his standing in the West. His reception by Khrushchev amounted for him to a final rehabilitation and, in effect, an official admission that it was the Russians and not he that had been responsible for the break in 1948.

All this, inevitably, has had a disturbing effect on relations between Yugoslavia and the United States in the past. Beyond any doubt there will be more problems in the future. In Washington and elsewhere honest men may ask themselves what the West has accomplished here after 13 years of effort and nearly $2 billion of aid. Some, in exasperation, may decide that Yugoslavia deserves to be written off and treated like a full-fledged member of the Communist bloc.

And yet so far as most qualified observers are concerned this would be a huge and inexcusable mistake.

SEEN AS NET ASSET

In his book on "Socialism and War," Edvard Kardelj, senior vice president of the Yugoslav Federal Executive and one of Tito's certain successors, suggests that "when making an objective analysis, one should * * * not allow slogans or political declarations to conceal insight into the real substance of things." Or, as American Ambassador George Kennan puts it more simply, "What's important is not what these people say, but what they are."

If this rule is observed, Yugoslavia, by any standard of measurement, emerges as a net asset to the West. And what has been achieved here with Western help is far too valuable to be thrown away in a fit of political pique.

To state the obvious, what the West has received for its support and effort is the conduct of an independent country over a 13-year period. It has achieved political stability in an area whose traditional instability has been a breeding ground of war for many generations.

It has encouraged in Yugoslavia a wise policy of calm quiet and orderly relations with all of its neighbors to the West. The borders with Austria, Italy and Greece are wide open for a free exchange of persons, goods and ideas.

BIG INFORMATION PROGRAM

Radio broadcasts to Yugoslavia from the West are unjammed. Newspapers and magazines circulate freely. The United States operates an information program here on a scale that is unthinkable in any other country of the Soviet bloc. Ironically enough, the only iron curtain that exists here is between Yugoslavia and its fellow Communist neighbor, Albania.

At the same time, the country's military posture remains completely independent. Yugoslavia is a member neither of the Warsaw Pact nor the Comicom—Eastern Europe's version of the Common Market. Its independent behavior and successful development set an instructive example for other members of the Soviet bloc. Above all, Yugoslavia is a living manifestation of the fact that a country may be Marxist without being a satellite of the Soviet Union or serving its political purposes.

And beyond this, Yugoslavia is something more.

If one looks at this country for what it is, and resists the temptation to lump all "Communists" together for mass condemnation, it is clear enough that common slogans and quotations from Marx cover a very large spectrum of political and social attitudes within the Communist world. The simple fact is that the contradictions which separate the Yugoslavs from say the Communist Chinese are a good deal more fundamental than the contradictions which divide Yugoslavia from the West.

EXERT GREATER INFLUENCE

It would be an exaggeration perhaps to describe the system in Yugoslavia as liberal. The Yugoslavs themselves prefer the word "progressive" in contrast to the "reactionary" outlook of their Chinese comrades. Yet it is no exaggeration at all to say that communism as it exists here is unique. And that in the historical development of communism throughout the world Yugoslavia may well exert the greater influence in the long run.

When it comes to the internal system a certain degree of caution is advisable. For an outsider—or for that matter for the average Yugoslav—it is hard to say exactly how the system works. What one can say with reasonable assurance is that Yugoslavia has gone further in the process of decentralization both in political control and in the control of the means of production than any other Communist country in the world.

This principle of decentralization is firmly written into the new Yugoslav Constitution adopted this spring. Though it assures Tito's position as president of the country for the rest of his life (he is now 70) it also assures that no one in the future will exercise the same amount of personal leadership. Presidential terms are fixed by law as in the United States to two 4-year terms. Less important positions are fixed except in special circumstances to single 4-year terms.

ALLOWS FOR DEBATE

Though, as in all Communist systems there is only one party, there is room in the Yugoslav political setup for very considerable dissention and debate. The process, as one observer describes it, operates more like that of a board of directors who agree on objectives but argue over ways and means of achieving them.

The new constitution provides, among other things, for four separate houses of parliament which, together with a Federal chamber, legislate in specific fields of economics, education and culture, social welfare and health and political organization. Some American political theorists see in this system a possible improvement on our own system of congressional committees.

Apart from its central political organization the all pervading authority of the normal Communist state is notably subdued in Yugoslavia. Police activity is restricted and political prisoners are few. Within limits freedom of expression is tolerated and legal protections for the individual are being increased. Religious freedom is guaranteed by the Constitution and, after a brief experiment in collectivization of farms, 84 percent of agricultural property is now privately owned.

In the economic organization of the country, the principle of decentralization in theory at least, goes even further. Under the general blueprint of successive 5-year plans, control, and development of industrial enterprises—from beer factories to hotels to iron mines and railroads—lie in the hands of separate workers' collectives. Workers councils name their own directors, raise their own money and, again in theory at least, decide on the distribution of profits.

ENCOURAGES MERGERS

Once again, a degree of caution is necessary. Most certainly the central government through its control of central banks and other mechanisms exerts a very real degree of control over a system which otherwise might come close to anarchy. It encourages mergers between competing enterprises, discourages foreign competition and generally sees to it that the economic development of the country conforms with the overall plan.

Even so, however, in a country approximately the size of North Dakota there are some 29 separate railroad systems. If it continues in its present tendencies the economic organization of the country will inevitably lead to what one observer describes wryly as the "restoration of many features of a capitalist economy" with the single proviso of collective ownership.

It is not, however simply the nature of its internal development or the fact that Yugoslavia has managed to dispense with some of the more disagreeable aspects of communism that sets it at the other end of the spectrum from a country like Communist China. For more fundamental in this regard is Yugoslavia's attitude toward the non-Communist world. And most specifically the attitude of its leaders on the issue of peace and war.

This is, of course, the great issue that divides the Communist world today. It lies at the heart of the Chinese charge that the Yugoslav leaders are revisionist, while they, the Chinese, are the true disciples of Marx and Lenin. It is the basis for the growing dispute between China and the Soviet Union upon which the whole future of the Communist movement depends. And in this dispute Yugoslavia plays in its own right a singularly important and prophetic role.

In its approach to the non-Communist world, as in its internal development, Yugoslavia has been on the side of pragmatism as opposed to dogma since Stalin's day.

"You must understand," a Yugoslav intellectual explained to me, "That when we speak of 'capitalist' we are speaking of the system as we knew it—as it existed here and in Eastern Europe before the war. In many ways it was almost like the capitalist system that Marx wrote about in the 19th century. We realize of course that it does not much resemble the system in Western Europe or in the United States today."

CHAMPIONED COEXISTENCE

Thus when a leader like Mr. Kardelj speaks of the "disintegration of capitalism," he is speaking of the dissolution of a system which, for all practical purposes, has long since ceased to exist. His own revisionism consists of the bold assertion that "since the time of Marx and Lenin the world has continued to change, that capitalism has changed in many features, and that socialism too has changed in many features—these changes, of course, taking place in two different directions."

Thus also, since the days of Stalin, the Yugoslavs have championed the idea of "active coexistence" with the West, rejecting the idea of the forcible imposition of the Communist system on other countries and the Chinese theories about the inevitability of war between the "socialist" and "capitalist" worlds. Peace, in the Yugoslav book, is in the elementary interest of socialism as it is in the elementary interest of humanity as a whole.

All this, of course, is quite incompatible with the whole basis for Chinese doctrine and policy. From their point of view it represents a fatal heresy and a very real threat to their own position of power and influence within the Communist world. With Soviet Russia edging cautiously in the direction of a similar "revisionism" of its own, the stakes are enormous. And the interest of the West in the outcome of the struggle is no less than that of the countries directly involved.

Mr. LAUSCHE. Mr. President, I wish to comment briefly on the remarks made by the Senator from Wisconsin concerning the article written by Mr. Noyes. I read the article. There seems to be a paradox between the recitation of facts and the conclusion which he draws from those facts. In the article he points out the repetition with which Tito has proclaimed his devotion to communism. Time and again Tito has reiterated his subscription to the Communist philosophy. Then he points out that in the United Nations Tito has voted with Communist Russia. Then Mr. Noyes finally concludes that although Tito is doing these things, it is to our interests to give him aid. I have some difficulty in following that argument.

COMMUNIST BUILDUP IN WESTERN HEMISPHERE

Mr. LAUSCHE. Mr. President, I wish to speak briefly on the subject of Cuba.

We cannot and should not be complacent about the condition that prevails in the Western Hemisphere through the menace of the Communist base in Cuba; nor should we be lulled into the belief that in spite of the Communist buildup in Cuba and in other Central and South American countries, all is well with our country.

Have we forgotten the words spoken by President Kennedy in his inaugural address when he stated that our country was "unwilling to witness or to permit the slow undoing of those human rights to which this Nation has always been committed and to which we are committed today at home and around the world; let every nation know—whether it wishes us well or ill—that we shall in the interest of survival and triumph pay any price, bear any burden, meet any hardship, support any friend, and oppose any foe. This much we pledge and more. And let every other power know that this hemisphere intends to remain the master of its own house."

Is it true that "this hemisphere intends to remain the master of its own house"?

Unwittingly we are supporting Castro and his Communist government. Castro is not our friend but our foe. We are also hindering the foes of Castro, thus indirectly giving comfort and aid to this Communist enemy of our country.

Peaceful coexistence with Castro—the leader of totalitarianism in America—can only lead to increased trouble and danger. Cuba indisputably is the fortress of communism in the Western Hemisphere. It is the training ground for the Communist technique of subversion, infiltration, sabotage, and provocation of riots precipitated simultaneously by push-botton technique.

The Soviet military might in Cuba is not growing weaker but stronger. Signs of Communist growth in other Latin American countries are being manifest. It is blindness of the worst type for us to believe that the Soviet power in Cuba is a trifle and, therefore, should be looked upon with indifference.

Out of South America the word is emerging that Francois Duvalier in Haiti is dealing with Castro and has proposed the establishment of Castro military bases in that country.

For our own security we cannot suffer the present entrenchment of Soviet-Communist forces on the Cuban island.

The people of our country were led to believe that when the quarantine was lifted and the commitment of no invasion of Cuba was given, that the Communist troops and technicians would be withdrawn. Six months have passed; the troops and technicians are still there. Our position is growing weaker and that of the Communists stronger in the Western Hemisphere.

If under the agreement committing our country not to invade Cuba, Soviet Russia committed itself to withdraw its technicians and troops—then our self-respect and the maintenance of our honor requires that we demand a fulfillment of that commitment by Russia.

With respect to Cuba, ostrichlike we are hiding our heads in the sand, thinking and hoping that while so doing the problem will vanish.

Last October 22 our country, by its fearless position, won to itself the respect of the nations of the Far East, Europe, Central and South America. Abandonment of vacillation and the adoption again of firm decision will receive the support of overwhelming numbers of our citizens and reestablish confidence in the minds of the freedom-loving people of the world in our leadership which has waned as Castro has grown ever stronger.

The situation and the time is critical; we cannot afford this retrogression in our ability to preserve the continued free life of our country.

The Preparedness Investigating Subcommittee of the Committee on Armed Services of the U.S. Senate in its report on the Cuban military buildup, among other things said:

> The Soviets are in Cuba primarily for the purpose of increasing and spreading communism's influence and power in Latin America and we can be sure that they will exploit their foothold to the greatest extent possible. The paramount danger at this time is that the nations of this hemisphere may be subverted one by one and be exploited, in turn, for subversive and revolutionary activities. By this process of erosion our neighbors to the South may fall nation by nation until the entire hemisphere is lost and the Communist goal of isolating the United States has been attained.
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> The importance of making every effort to ascertain the truth with respect to this matter cannot be overemphasized. The criticality of it can best be illustrated by the fact that the testimony established that, upon the assumption that all missiles and associated equipment and the necessary personnel were readily available near preselected sites in a state of complete readiness, mobile medium range missiles could be made operational in a matter of hours. Thus, if these missiles and their associated equipment remain in Cuba, the danger is clear and obvious.

Whether or not all the strategic missiles and bombers were removed from Cuba is an issue of grave importance. On this subject the report, among other things, said:

> It is fair to say, however, that this is a matter of great concern to the intelligence community. Based on skepticism, if nothing else, there is grave apprehension on this score. It is agreed that iron-clad assurance of the complete absence of Soviet strategic missiles in Cuba can come only as a result of thorough, penetrating onsite inspection by reliable observers. The current intelligence estimates that they are not present is based largely on the negative evidence that there is no affirmative proof to the contrary. This of course, was precisely the status of the matter prior to last October 14.

The Organization of American States through a fully coordinated and collaborated plan succeeded in the removal of Trujillo from the control of the government of the Dominican Republic. It did so by severing primarily commercial relationship with Trujillo. The least that the Organization of America States could do is now to apply to Castro the same treatment that it gave to Trujillo.

Among the captive nations rumblings are being heard about the Communist government through the direction of the Soviet providing economic and other aid to nations such as Cuba at the expense of the people of the benefactor Communist government who are denied a better life through the fruits of their labor.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, when it was testified in the Committee on Foreign Relations that all missiles had been removed from Cuba, I put the question to high echelon officials, "Are you certain that the missiles are not in the caves of Cuba?" The answer was, "We do not believe there are any missiles in the caves." I then put the question, "Why do you say 'We do not believe'?" The answer was that, "We have no proof that they are in the caves."

I followed that by the statement, "On the basis of that type of logic you will conclude that there are no missiles in the caves until affirmative proof is brought to you that there are."

I could not subscribe to that type of thinking.

Mr. President, I ask unanimous consent to have printed in the RECORD an article written by Mr. Roscoe Drummond entitled "Cuba: Unresolved—Time for New Action."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CUBA: UNRESOLVED—TIME FOR NEW ACTION

(By Roscoe Drummond)

When John J. McCone, Director of the Central Intelligence Agency, and all of the intelligence chiefs of the Pentagon combined are unable to convince the Preparedness Investigating Subcommittee of the Senate that Soviet offensive weapons have been withdrawn from Cuba, something needs to be done about it.

I believe that something can be done. Before attempting to suggest one course of action, I want to point up the central findings of the Stennis committee and to examine whether these findings are supported by responsible, fair-minded men.

After taking exhaustive, secret testimony from the entire intelligence community of the Government, including State, Defense, and the Joint Chiefs of Staff, plus more than 70 nonofficial witnesses, the Senate committee unanimously concluded: "Strategic weapons may or may not be now in Cuba. We can reach no conclusion on this because of lack of evidence."

All of the witnesses and all of the testimony from the administration said just the opposite—that the strategic missile and offensive weapons have been removed. But the Stennis committee was unpersuaded. It has grave doubts that it is true.

The committee has grave doubts not only because the evidence of withdrawal is inconclusive, but also because our own past surveillance had these serious shortcomings:

There were several substantial errors in evaluating the intelligence because top officials were subjectively convinced that the Soviets wouldn't try to put missiles in Cuba.

Not until long after their arrival, not until after the President had spoken on October 22, did we confirm that Soviet ground combat battalions were in Cuba.

Even into late October we were more than 100 percent off in our estimates of the number of Soviet personnel on the island.

There is inadequate information today on the number of Soviet troops leaving Cuba—and the number arriving. "Some sources estimate that as many as 40,000 Soviets are now in Cuba."

With these doubts in mind, the Senate committee reports as follows:

"To a man the intelligence chiefs stated that it is their opinion that all strategic missiles and bombers have been removed from Cuba. However, they readily admit that, in terms of absolutes, it is quite possible that offensive weapons remain on the island concealed in caves and otherwise. They also admitted that absolute assurance on this question can come from penetrating and continuing onsite inspection by reliable observers and that, based on skepticism, if nothing more, there is reason for grave concern about the matter."

When a Senate committee, reaching this conclusion, is predominantly manned by such able and objective people as Democratic Senators JOHN STENNIS, of Mississippi; STUART SYMINGTON, of Missouri; HENRY JACKSON, of Washington; and Republican Senators LEVERETT SALTONSTALL, of Massachusetts, and MARGARET CHASE SMITH, of Maine, it cannot be ignored.

Why shouldn't President Kennedy renew his urgent exchanges with Soviet Premier Nikita Khrushchev to establish the onsite inspection which the Premier himself proposed?

If the offensive weapons have been removed—as stated—and if Soviet troops are to be withdrawn, as promised, then onsite inspection should be welcome to Moscow.

Unless Cuban Premier Fidel Castro, in objecting to on-site inspection, is doing exactly what Moscow wants, he is now in no position to refuse to fulfill Khrushchev's promise to President Kennedy.

The time is opportune to reopen the inspection issue and to reopen it with urgency.

I think most Americans will agree with the Stennis committee's unanimous appeal:

"The entire Cuban problem, both military and political, should be accorded the highest priority by our governmental officials to the end that the evil threat which the Soviet occupation of Cuba represents will be eliminated at an early date."

Mr. LAUSCHE. Mr. President, I point out to Mr. Drummond that while he states that promises were made for the removal of missiles and the removal of troops and technicians, an examination of the documents exchanged between Khrushchev and the President will disclose no mention by words that on-the-site inspections were to be made and no declarations that the technicians and troops were to be removed. I think that is one of the unfortunate sequels on the exchange of messages last October.

THE COMMUNIST PRESS VERSUS A FREE AMERICAN PRESS

Mr. KUCHEL. Mr. President, I have just stumbled across a fascinating editorial which ran recently in Pravda, the newspaper in Russia, which I would like to share with my colleagues and, indeed, all Americans.

For it demonstrates, I think, a fundamental and irrevocable difference between the totalitarian Communist society that Soviets practice and the free society Americans know in a very basic area—the press.

The Pravda editorial, published on May 5, 1963, to mark the 51st anniversary of the Communist Party paper, has this to say about the purposes and duties of the press in its closed society:

> Thanks to the constant concern and care of the Communist Party and its Leninist Central Committee, our press has grown into a giant and has turned into a mighty ideological force.
>
> The great Lenin, standing at the source of the Soviet press, determined its lofty purpose as a weapon in socialist construction.
>
> The party attaches great importance to the education of the new man, who will approach his work and his duties in the society in a Communist manner. This requires much tireless work. We must not think that Communist consciousness will grow on its own among the people along with the growth of our economic successes.
>
> Preparations are now developing on an increasing scale in the country for the coming plenum of the CPSU Central Committee, which will discuss the tasks of ideological work of the party. The duty of the press is to give wide coverage to these preparations and to increase attention to questions of ideological life, political work among the masses, and education of the masses.
>
> The Soviet press always has held high the Leninist banner, a banner of communism and proletarian internationalism.
>
> The high appreciation by the party of the services of our press and of the work of the Soviet journalists as party assistants puts many obligations on the workers of the press and on its wide activities and testifies to the increasing significance of the press in Communist construction and in Communist education.

That, in sum, is the essence of the editorial. Just think of it, Mr. President. Ideological force, weapon, brainwasher, mouthpiece, apologist, propagandist—that, practically in Pravda's own words, is the function of the press in the Communist society.

Nary a word, of course, about simply giving the news and letting the reader decide. Or of giving the news at all. Or of presenting both sides of a question.

A few minutes before I ran into the Pravda editorial, an aid showed me a hostile editorial from one of our California newspapers, which was not at all pleased with something I had to say recently.

I grumbled and groused a bit.

Later, I thought of the Pravda editorial. And I thanked the Lord that I was lucky enough to have been born an American and into a free society, where we all too often take a free press for granted.

THE MEANING OF FREEDOM

Mr. KEATING. Mr. President, the Supreme Court's decision yesterday in the sit-in cases is another major step in the struggle to remove unfair discrimination against Negro citizens. The Court's decisions make it clear that the power of the State cannot be used to enforce segregationist practices. Those who loudly object to Federal legislation to enforce civil rights have never hesitated to enact State legislation to deny civil rights. The Supreme Court has said, in effect, that such State laws cannot stand against the constitutional guaranty of freedom of assembly.

In a perceptive and moving editorial in today's New York Times, it is noted that—

> The Court's new rulings should reinforce respect for legal process that is the only durable foundation for all liberty.

As the Times points out, these decisions have provided "every American with a clearer definition of what freedom means."

Mr. President, I know that this editorial will be of interest to many Members, and therefore ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, May 21, 1963]

THE MEANING OF FREEDOM

Two weeks ago, when 1,000 Birmingham Negroes were arrested for chanting demands for freedom, the commander of the city's police sneered as the youthful demonstrators were swept off to jail. "If you'd ask half of them what freedom means, they couldn't tell you," he declared. Yesterday the U.S. Supreme Court made some important new contributions toward providing every American with a clearer definition of what freedom means.

One thing it said was that in Birmingham and all other cities that make segregation a matter of public policy, whether by ordinance or official ukase, no Negro can be prosecuted for seeking service in a white-only restaurant or other public place. Another thing it said was that, where attempts are made to enforce such encrusted patterns of segregation, no Negro can be arrested for insisting on his equal right to use a public park. These fresh breaches in the wall of discrimination will make it increasingly hard to stem the tide toward implementing the constitutional guarantees of racial equality, to which the Court gave such impetus with its historic ruling on public school desegregation 9 years ago.

Their most immediate effect will be to bolster the pact between leaders of the Negro and white communities of Birmingham, and thus to help end the repression that has made it so hard for the Negroes of that industrial city to realize genuine freedom. The desegregation of lunchrooms and other store facilities was a keystone of that pact. So was an upgrading of job opportunities for Negroes.

The Court's new rulings should reinforce the respect for legal process that is the only durable foundation for all liberty. Extremists in the Ku Klux Klan and the White Citizens Council are once again put on notice that equality of opportunity is the inexorable wave of the future. The advocates of nonviolence and orderly methods in Negro ranks now have powerful new ammunition to use against the Black Muslims and other advocates of total warfare with the white community. The Court has again proved its worth as a force for national unity based on justice.

NATIONAL ACTORS' EQUITY WEEK

Mr. KEATING. Mr. President, last Friday, May 17, the President signed into law Senate Joint Resolution 39, designating the week of May 20–26, 1963, as National Actors' Equity Week.

Next Sunday, the 26th of May, the Actors' Equity will celebrate its 50th birthday. During that period, Equity has provided responsible and capable leadership in the performing arts, and has greatly encouraged and enhanced the cultural life of our Nation. It is my hope that the enactment of this resolution into law will call nationwide, and perhaps even worldwide, attention to the essential place of the legitimate theater in our society.

I am pleased to have introduced this resolution, and grateful that the Congress and the President have acted on it in time for the observance of the historic occasion of Equity's 50th birthday.

Mr. President, on Monday, May 20, Victor Riesel, in his nationally syndicated column "Inside Labor," paid tribute to Actors' Equity for its efforts in the past and its goals for the future on behalf of its more than 13,000 members. I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Mirror, May 20, 1963]

IT'S ABOUT TIME WE GAVE OUR ACTORS A HAND

(By Victor Riesel)

Let's give the actors a great big hand. Literally. Why? Because there isn't a cause or a charity which has not asked the performers of the land, members of Actor's Equity, to go on stage without pay.

The players, whose union is 50 years old this month, are willing to give benefits, but they frankly now want a few of their own in return.

They want no charity. They want the public's support in making the actor's life easier, more secure economically. They can't eat glamor.

My good friend Ralph Bellamy, Equity's president since 1953, sat recently with some colleagues, each of them stars of the theater. Some suggested they jot down on pieces of paper their average earnings from the work on stage and drop the slips, unsigned, into a hat.

The average income of these performers who are famed household names was revealed as $6,000 a year from live theater. This is not much above the union contracts Broadway minimum of $115 a week.

That is when actors work, of course. And most of Actors' Equity's 13,500 membership don't work too often. There will be more opportunities in a few weeks when some 200 rural theaters brush off the straw—as many as 4,000 of Equity's members will find work on bucolic stages. However, during the winter season the total employment figure is nearer 2,000, including Broadway.

What do they want of the public and the Government? Many things. They want some tax breaks. Today, for example, if a writer takes 3 years to finish a book, he can spread its earnings over the entire period for income tax relief purposes.

But if an actor invests cash and work in a career and gets a break the third year after earning very little previously, he can't spread anything but his waistline.

Actors' Equity wants the international theater exchange program revived. On our side it is dead. Next year not a single professional American theater company will be abroad under Government auspices. However, the Soviets will be touring their Moscow Arts Theater and other quality performing groups.

Actors' Equity also decries "the increased invasion of the American stage by foreign actors." They come in greater numbers these days. The Immigration Service is lax with awaiting actors, says Equity. Stars from abroad such as John Gielgud, Lawrence Olivier and Vivien Leigh are welcomed.

But the actors' union objects to those of lesser ability coming here, getting stage jobs "not on the basis of their talent, but mostly because they will work for less or because they appeal to the snob set that will flock to the theater to hear anyone—good or bad—from abroad."

On the other hand, very few American stage people are permitted to work in England. The London Government protects its players. Americans who do land theater jobs in Britain after a short time, are told to pack up and leave.

Yet the American actors are reasonable. They have a strong union. They have struck only twice since they were organized in 1913.

But the public takes Equity's members for granted—as though acting was an obsession, a hobby, and not a profession chosen for life.

These actors deserve a great big hand. Let's give it to them to help get what they want from the Government.

NEW YORK RAIL RATE CASE

Mr. KEATING. Mr. President, yesterday the Supreme Court put an end to railroad rate differentials that have traditionally favored the ports of Baltimore, Philadelphia, and Norfolk. This represents a great victory for the State of New York, and, in the long run, for the national interest.

Since 1877, shipments from the Midwest to the so-called southern ports have enjoyed lower rates than shipments to New York and the New England ports, so far as these goods were destined for the export trade. The same rate differential has also been in force with respect to import shipments traveling in the other direction.

The result of yesterday's decision will allow the rail carriers serving the ports of New York and New England to lower their rates to the level of the roads serving the southern ports.

Such lower rates had been filed with the Interstate Commerce Commission in 1956. The Commission failed to approve these, but a three-judge Federal court in Boston reversed this decision. It was the judgment of the Boston district court upholding rate equalization that was sustained yesterday when the Supreme Court affirmed by equally divided vote.

This development, Mr. President, will be of enormous benefit not only to the citizens, the businesses, and the railroads in and around the port of New York, but also to the import-export trade of the United States, which is expected to expand considerably under the historic legislation enacted last year.

Elimination of the archaic rate differential will put a finish to the diversion of considerable commerce from the port of New York that has worked great hardships on workers and business alike. Today, we in New York can look forward to reinvigoration of the port of New York's historic role as the great entrepôt on the North Atlantic trade route.

Great credit for this victory is due the Port of New York Authority and the New York Central Railroad, and the brilliant legal representation that they received throughout this long fight. In the end, I am sure that the southern ports will not regret yesterday's decision, for they, too, have an immense stake in the overall expansion of the import-export trade that yesterday's decision will surely foster.

TEACHER RECOGNITION DAY

Mr. KEATING. Mr. President, Governor Rockefeller has designated today, Tuesday, May 21, as Teacher Recognition Day in New York State. He has urged all to join in expressing the appreciation that is due teachers for the inestimable contribution they make to our society.

It is fitting that New York, with a tradition of excellence in education should honor the devoted men and women who have given their lives to teaching the future generation. But the honor which is due to the members of this profession cannot be confined to any one State, and the recognition of their contribution to our society should not be confined within the geographic borders of any one section of this country.

During the last session of Congress, I introduced a joint resolution to designate a National Teachers' Day. The resolution was passed by the Senate in the last days of the session, but was never considered by the House of Representatives.

Early during this 88th Congress, I reintroduced the same resolution which would authorize the President to issue a proclamation designating the second Monday in April as National Teachers' Day, inviting the people of the United States to display their esteem and respect on such a day in schools and other suitable places with appropriate ceremonies. The teachers who are charged with the responsibility of providing higher standards of education for the American people are called upon to perform vital service to our Nation. If we are to compete with other countries in science and technology and if we are to move forward in the fields of economics and technical assistance to the world's underdeveloped lands, we must provide our children with the finest schooling available anywhere in the Western World. This goal cannot be achieved unless we are willing to recognize, honor and encourage our teachers.

I have asked the Senate Judiciary Committee to move forward quickly in reporting this bill and take occasion today, on Teacher Recognition Day, to salute the teachers not only of my own State but of the whole Nation, and to promise them that I will do all within my power to see to it that a national day in their honor is proclaimed and celebrated.

EXTREMIST ACTIVITIES IN THE ROCKY MOUNTAIN WEST

Mr. McGEE. Mr. President, throughout history there have always been many people quite willing to say and to believe that "it can't happen here." This has usually been the case when extremists, from either end of the political spectrum, threaten to warp our political system to their own ends.

Such was the case, at least until recently, in my area of the country when the John Birch Society and its fellow travelers and front groups stepped up their campaign of fear and hysteria.

Mr. President, I am confident that it will not happen here, that the dedication to truth and fairplay, the reliance on facts and democratic process will continue to characterize western politics. One reason for this is that the activities of the Birch Society have been and are being exposed for what they really are. And like all activities that operate in an undercover fashion, the light of exposure is a severe handicap for these societies.

Therefore, I would like to commend the Washington Post and Reporter Julius Duscha for a very excellent series of articles which began Sunday on the extremist activities in the Rocky Mountain West. The first three of these articles have already appeared, Mr. President, and I ask unanimous consent that they be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Birchers and Allies Out To Win the West

(By Julius Duscha)

Salt Lake City.—It's springtime in the Rockies and the Birchers are blooming in the valleys. The John Birch Society and other radical rightwing groups have found fertile soil in the thinly populated, highly individualistic and extremely conservative Mountain States of the West.

Western conservatives and liberals alike are concerned over the efforts of the Birchers and their rightwing allies to intimidate opposition and to take over State legislatures and the Republican Party as well as parent-teacher associations.

From the wind-swept high plains of North Dakota to the hot deserts of Arizona, there is mounting evidence that America's rightwing radicals have picked the Mountain States as their political target for 1964. What disturbs responsible Democratic and Republican political leaders in the West is the fearmongering of the rightwing movement.

A HYMN OF DISTRUST

When a person publicly disagrees with the Birchers, as a Boise, Idaho, radio station owner has done, the right-wingers organize a campaign to try to put him out of business.

The rightwing speakers who travel up and down the valleys of the Mountain States preach conspiracy and distrust. No one, from former President Eisenhower to Chief Justice Earl Warren, is exempted from the rightwing attack. Even Senator Barry Goldwater, Republican, of Arizona, is suspected of being a mental healthist.

Traveling through the West, I found instance after instance of increasing Bircher and other radical rightwing activities. A western organizer for the John Birch Society, Victor Overcash of East Glacier Park, Mont., said publicly in Casper, Wyo., what I was told in private conversations with extremists, conservatives and liberals: The Birchers and their extremist allies are concentrating their campaign in the sparsely populated Mountain States because it is easier to win elections where a few thousand votes tip the balance than it is in States like California or Texas where the votes are numerous and the campaign expensive.

A CHAIN OF EVIDENCE

Examples of the rightists' work roll across a visiting reporter's trail like tumbleweed:

In Idaho, a Republican radio station owner who criticized the Birch Society's authoritarian views lost advertisers after right-wing radicals put pressure on them through letterwriting and anonymous telephone campaigns.

Rightwing groups pushed through the Idaho Legislature a loyalty oath under which all State employees, including schoolteachers and college professors, must swear that they never have belonged to and never will join a subversive organization.

From Salt Lake City, Reed A. Benson, the son of former Agriculture Secretary Ezra Taft Benson, is directing a John Birch Society organizing campaign that he says has tripled Bircher membership in Utah in the last 6 months.

In Utah, rightwing groups tried to prevent the State university from holding its 10th annual Model United Nations Assembly, in which 1,000 high school students from throughout the State participate.

In Wyoming, the State legislature, which in 1959 was the first in the Nation to approve the so-called liberty amendment proposing abolition of the Federal income tax, passed a whole series of rightwing "memorials," including two proposed constitutional amendments designed to limit greatly the power of the Supreme Court and to prevent the reapportionment of legislatures on the basis of population.

In North Dakota, rightwing radicals tried to grab control of the State parent-teacher association.

ONE OF A DOZEN

From all the evidence I could find, there are few Birch Society members in the Western States of Montana, Idaho, Utah, Colorado, Wyoming, Nevada, New Mexico, and Arizona or in the western parts of North Dakota, South Dakota, Nebraska, and Kansas.

In Utah, for example, estimates of Birch Society membership range from 500 to 1,500, and this is in a State where Salt Lake City mayor and former Gov. J. Bracken Lee and former Salt Lake City Police Chief W. Cleon Skousen—as well as the Benson father-and-son team—have been earnestly preaching rightwing extremism for several years.

But the Birchers are only one of a dozen or more rightwing extremist groups that work together closely, have some interlocking directorates, sow the same seeds of distrust of all government and profess to see a nation duped by officials alleged to be conscious or unconscious Communist stooges.

Douglas Kirk Stewart, a graduate student at the University of Utah, detailed the close ties among the right-wing extremist groups in a master's thesis published last summer. The groups he found working together and often sharing directors included the Birch Society, American Security Council, Freedoms Foundation, Committee of One Million, American Committee for Aid to Kantanga, Young Americans for Freedom, Intercollegiate Society of Individualists, Veritas, Christian Crusade, International Services of Information and National Economic Council.

The only quarrel the other rightwing extremists have with the Birchers concerns the allegation by Robert W. Welch, founder of the Birch Society, that former President Eisenhower was promoting communism. Many of the extremists realize that this charge hurts them as well as the Birchers.

But the rightwing extremists are united in opposition to the United Nations, to disarmament, to any changes in military strategy or reduction in the size of the Armed Forces, to all foreign aid and to most domestic activities of the Federal Government. They would abolish the income tax and would encourage students to monitor their teachers and report anyone who talks about peace in the classroom. To the extremists, peace can mean only appeasement.

Removal of the Cuban cancer is high on the rightwing priority list. The extremists also oppose President Betancourt of Venezuela, a former Communist, and demand justice for former Venezuelan dictator Perez Jimenez, who is in jail in Miami fighting deportation to his own country.

Many of the rightwingers are still concerned about the fluoridation of water and about mental healthists who want to brainwash the American people. But one rightwing organizer in Idaho, Trevlyn E. White, a former minister turned insurance salesman, told me that he is trying to get people off mental health and fluoridation and into precinct, ward, county, and State politics.

For in all the Mountain States, there are elections to be won in 1964. In Montana, Senate Democratic Leader Mike Mansfield is up for reelection, while in Wyoming, Senator Gale McGee, and in Utah, Senator Frank Moss, both of whom are also Democrats, face extremely tough contests. The three are expected to be prime targets for the rightwing.

And if the political tactics of the rightwing extremists are anything like their organizing and propaganda efforts, the mountain West is likely to see a wild, woolly, divisive and dangerous campaign in 1964.

Society State Coordinator, Benson's Son Claims He Has Tripled Utah Birch Membership

(By Julius Duscha)

Salt Lake City.—Reed Benson had an automatic smile and a quick handshake for each of the well-dressed men and women as they arrived at the John Birch Society meeting.

Young and old, middle-aged couples and college students filed past tables covered with copies of "The Blue Book," "The Politician," and other Birch Society literature for sale at reasonable prices.

The literature was just inside the door to the ornate mahogany and gold Empire Room in the Hotel Utah, where Slobodan M. Draskovich, billed as "one of the world's greatest authorities on communism" and a member of the Birch Society council, was to speak.

Among the late arrivals was Reed's father, former Secretary of Agriculture Ezra Taft Benson, who has called the Birch Society "the most effective nonchurch organization in our fight against creeping socialism and godless communism."

ACTIVITIES CRITICIZED

Young Benson's appointment last October as Utah coordinator for the Birch Society and his activities since then have been widely criticized in Utah, where rightwing radicals are extremely active.

The elder Benson is an apostle and a member of the Ruling Council of Twelve of the Mormon Church. When young Reed ran unsuccessfully last year for the Republican congressional nomination in Salt Lake, he spoke in many Mormon churches.

Reed Benson's efforts to place around his activities the auro of the powerful Mormon Church, to which 70 percent of the people of Utah belong, caused the principal church officers to issue a statement last January saying:

"We deplore the presumption of some politicians, especially officers, coordinators, and members of the John Birch Society, who undertake to aline the church or its leadership with their partisan views."

POLITICAL PULPITS ENDED

But the church's statement, which was plainly aimed at Reed Benson's activities, has not resulted in any relaxation in his efforts to recruit Birch Society members. He does, however, no longer use Mormon churches as a political pulpit.

Young Benson claims that John Birch Society membership in Utah has tripled since he became State coordinator, but the figures are secret.

In addition to recruiting members Benson speaks frequently at secret Birch Society meetings in Utah. The meetings are usually held in comfortable homes in fashionable areas of Salt Lake and other cities. Twenty to twenty-five well-to-do persons attend typical Birch Society chapter meetings, which are generally convened twice a month.

At a recent meeting of a Salt Lake chapter Benson was reported to have talked for nearly 2 hours. He devoted practically all of his talk to explaining why Chief Justice Earl Warren should be impeached, a major goal of the society.

The Hotel Utah meeting where Reed Benson presided and Draskovich, a Yugoslav refugee who has become an American citizen, spoke, was typical of the public meeting being sponsored by the Birch Society with increasing frequency throughout the Mountain States.

The meeting opened with the pledge of allegiance to a huge American flag on the stage, the singing of the "Star Spangled Banner" and an invocation which was followed by "amens" from the audience.

Then Draskovich spoke in a thick accent for more than an hour as women with big notebooks eagerly recorded his remarks.

He derided a statement by Walt W. Rostow, chief of the State Department planning staff that the choices before the United States are total war or total peace.

"If you wage total peace," Draskovich declared, "this means you must surrender."

He also said that "the United Nations and the United States cannot coexist. It's either or. The United Nations has only one aim—to promote communism."

"Unless you wake up," he warned his audience, which enthusiastically applauded him, "you will end up in a slave-labor camp in Siberia."

In answer to a question Draskovich said "the brainwashing of America is going on through education" but, he added, "the youth of America are fighting back."

He told of an incident where a high school student challenged a teacher who had discussed peace by asking the teacher: "What is the difference between your concept of peace and appeasement?"

The Birchers and other rightwing radicals encourage students to "spy" on their teachers and report any "suspicious" activity to their parents.

When Draskovich finished speaking, Reed Benson urged the more than 300 persons in the audience to join the Birch Society and buy its literature.

He noted that a person can become "a home society member" who receives literature but does not attend chapter meetings so that "no one will know."

In discussing the literature young Benson called particular attention to "the impeachment package" which he said contains a report from the Senate Internal Security subcommittee as well as details on "the Supreme Court plan for global conquest."

Reed Benson also mentioned "the conspiracy," a favorite Birch Society phrase to describe everyone and everything with which the society disagrees.

After young Benson finished appealing for membership applications and the purchase of literature, many in the audience lingered at the tables in the back of the room and bought books and pamphlets before they went out into the brisk night to return in their new cars to their comfortable homes.

Boise Radio Under Continued Attack—Idaho Birchers Put on Pressure

(By Julius Duscha)

Boise, Idaho.—Last November, Keith Patterson first turned his attention from the evils of big government to the dangers of the John Birch Society.

A Republican who has been critical of President Kennedy, Patterson quickly discovered that even a conservative is subjected to vituperative attacks from the rightwing extremists when he raises questions about their activities.

Patterson is a big, friendly, and outspoken man who has operated radio station KYME in Boise for the last 6 years.

Since 1960, he has expressed his views through editorials he has written himself and personally read over his station.

TYPICAL INTIMIDATION

None of his views on National, State, and local issues stirred up much controversy until he criticized the Birchers last November and warned that "if you go far enough to the right you become a Fascist or a Nazi."

That was the first of a series of critical editorials on the rightwing extremists that Patterson has put on the air over the last 6 months.

The attack that the extremists have mounted against him is typical of the intimidation practiced by the rightwingers to stifle opposition, frank comment, and honest debate.

"They deliberately discredit any person who does not agree with them by calling him left-leaning, a Socialist, an ultraliberal, a neo-Communist, or a dupe," Patterson said as he told me of his struggle with a small but noisy hardcore of radical rightwingers in Boise.

"They're not through with me, and I'm not through with them," he added. "Nor do I intend to keep my mouth shut about them in the future. I have a right to call their activities to the attention of the American people."

LETTERS START COMING

Soon after his first editorial criticizing the radical right, the anonymous telephone calls and vicious letters began coming into Patterson's small station, which he and his wife run, and into the appliance and furniture stores, automobile dealers, filling stations, and other KYME advertisers.

"Your sponsorship of the Keith Patterson radio program," wrote one right-winger to a filling station operator, "makes my credit card curl."

Other writers and callers asked advertisers how long they were going to continue to sponsor "a Communist."

The letter writing and telephoning accelerated in February after Robert Welch, the founder of the John Birch Society spoke in Boise.

And the letters and calls have continued into the spring, even though Patterson has given extensive time on his station to spokesmen for right-wing radical groups in Idaho.

So far Patterson has lost two important advertisers, who were scared off by the threats of the rightwing letter writers and telephone callers.

FEARS OTHERS MAY GO

And he fears that other advertisers may withdraw their sponsorship of his programs if the staccato rightwing attack on him continues and he fully expects it will.

Patterson, a 42-year-old former reporter for the Toledo Blade who came to the Boise Valley with the Air Force during World War II, also has been attacked for putting a Foreign Policy Association series of broadcasts on his station.

Each year the association prepares programs called "The Great Decisions" that are designed to illuminate foreign policy issues. The programs have been endorsed by leaders of both political parties.

Patterson is one of many owners of radio and television stations who have come under attack by the right-wingers for expressing their honest opinions and for broadcasting programs seeking to present both sides of national and international issues.

The attacks on Patterson are being made against a background of increasing rightwing activity in Idaho, one of the thinly populated Western States chosen by the extremists of the right as a battleground for 1964.

LOYALTY OATH VOTED

A loyalty oath for State employees was approved by the Idaho Legislature this year and the liberty amendment, calling on Congress to abolish the income tax, failed by only two votes in the legislature.

Anti-Communist study groups are flourishing throughout the State and there is an active Birch Society chapter in Boise.

Right-wing extremists fill the letter columns of the Idaho Statesman in Boise with their views and threats.

"My basic concern," Patterson told me as we talked in his small but modern office on a street just beyond the Idaho State Capitol, "is not the things for which these people stand. It is that these people simply want to abolish the rights of others."

ELECTION OF PRESIDENT AND VICE PRESIDENT—NOTICE OF HEARING

Mr. KEFAUVER. Mr. President, almost every week that passes, some event occurs to emphasize the fact that the present electoral college system of electing Presidents and Vice Presidents is hopelessly outdated in this modern world.

Last week, a panel of three Federal judges declared the unit system of voting in Maryland primaries to be unconstitutional. This decision was based upon the holding of the Supreme Court of the United States in the case of Gray against Sanders, which was handed down on March 18 of this year, and which declared the Georgia unit vote primary system to be unconstitutional.

In both of these cases, the defendants had argued that, although the unit method of tabulating votes had caused gross inequalities of representation, the systems should be allowed to stand, because they were similar to the electoral college system of electing Presidents. However, the Supreme Court, in adhering to the "one man, one vote" principle, held that the inequalities in these primary procedures violated the 14th and 17th amendments to the Constitution.

In commenting on the electoral college in the Georgia case, Mr. Justice Douglas stated that—

> The electoral college was designed by men who did not want the election of the President to be left to the people.

He pointed out that the men who devised the electoral college were seeking to prevent the election of popular candidates, and said that "this conception of political equality belongs to a bygone day."

Thus the Supreme Court took notice of a situation that has been discussed on this floor many times, that the present electoral college system serves to deny an equal vote to all Americans in selecting their Presidents.

Mr. President, the Washington Post published an editorial last Sunday, commenting on a proposal sponsored by the junior Senator from New York [Mr. Keating], which would allow election of Presidents and Vice Presidents by direct popular vote. Although I prefer a proportional division of the States' electoral votes to the direct vote method, I feel that it is better than the present archaic sysem, and I highly respect my colleague's knowledge and dedication with respect to electoral college reform.

The Washington Post editorial makes some interesting points on this subject, and I ask unanimous consent at this point to have it printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, May 12, 1963]

Direct Presidential Election

It will be interesting to see whether Senator Keating, of New York, can arouse any substantial interest in his proposal for direct election of the President and Vice President. His aim appears to be twofold. First, he would like to abolish the so-called electoral college, with all its risks, complications and defects. Second, he is making a direct appeal to the popular concept of voter equality that has figured so strongly in the upset of the county-unit systems and the reapportionment of State legislatures.

The outmoded electoral college is an easy target for attack. On three occasions it has given the country minority Presidents—John Quincy Adams, Rutherford B. Hayes and Benjamin Harrison. It affords no assurance that there will continue to be presidential elections, since each State is authorized by the Constitution "to appoint" its electors "in such manner as the legislature thereof may direct." In every election in recent years, moreover, there has been fear that some electors would disregard the wishes of the people, as expressed at the polls, when they cast their electoral votes for the presidential candidates. Some electors have actually done so.

Several efforts to reform this loose-jointed system, without going all the way to direct election of the President, have failed in recent decades. The late Senator Robert H. Taft defeated one proposal which would have divided the electoral vote of each State among the candidates in proportion to their popular votes. He feared that any upset of the present block voting, under which the winning presidential candidate in each State takes all that State's electoral votes, would disrupt the existing power structure of the political parties.

More recently John F. Kennedy, then Senator from Massachusetts, led a successful fight against a two-pronged electoral college resolution, which would have allowed the States a choice between the so-called proportional scheme and Senator Mundt's plan of having individual electoral votes cast for the leading presidential candidate in each congressional district. Senators Kennedy and Douglas and others convinced their colleagues that this strange two-barreled affair might encourage splinter parties and buttress the strength of the conservative rural areas.

These failures to reform the existing system as such lead naturally to the proposal to eliminate the whole idea of electors and electoral votes and have the President chosen by direct vote of the people. A tie vote would thus become virtually impossible; the chances for manipulation would be reduced;

every citizen would have one vote of equal weight. Senator KEATING complains that a voter in Mississippi now has seven times the weight in electing the President of a voter in New York. It is time to trust the people to elect their own President, he says, and to wipe out the hazards of the system created to prevent such a choice.

However logical this argument may be, the Senator is asking the small States, which outnumber the large ones, to give up the substantial advantage built into the present system for their benefit. They have never been willing to consider this seriously in the past. Is there any indication that the democratic appeal of equal voting power for all can be any more effective today?

Mr. KEFAUVER. Mr. President, incidentally, I must take issue with the statement in the editorial that there is a substantial advantage built into the present system for the benefit of the small States.

The unit system of casting electoral votes has caused candidates to concentrate on obtaining the votes of the big-city States, in order to win the large blocks of electoral votes.

It may be true that in New York there are 162,000 voters for each electoral vote, while in Hawaii there are only 62,000 voters per electoral vote. But this does not cause presidential candidates to seek the votes of people who live in small States like Hawaii, but rather, it forces them to direct their campaigns toward the heavily populated States with large blocks of electoral votes.

The chain of State reapportionment actions set off by the Supreme Court case of Baker against Carr is resulting in a great shift of political power from rural to urban and suburban voters. Again, we are reminded that the present electoral college system is gerrymandered in favor of the big-city voters.

If reapportionment is shifting State legislative power from the rural to the urban voters, should not the voters in the smaller States be given their rightful voice in the election of Presidents? Mr. President, what is sauce for the reapportionment goose should also be sauce for the electoral college gander, and the principle of "one man—one vote" should be applied to the election of Presidents, also.

Mr. President, the Subcommittee on Constitutional Amendments had scheduled hearings on all of these matters bearing upon the electoral college for April 9, 1963. These hearings had to be postponed because of a conflict with other Judiciary Committee business.

I wish to give notice at this time that the hearings have been rescheduled for Tuesday, June 4, in Room 2228, New Senate Office Building, at 10:30 a.m.

INCREASE IN TRANSATLANTIC AIR FARES

Mr. McGEE. Mr. President, the distinguished chairman of the Commerce Committee electrified this body last week with a ringing denunciation of the International Air Transport Association and its efforts to provoke upon the U.S. traveling public a 5.5-percent increase in transatlantic air fares.

I should like to assure the chairman of the Commerce Committee that his colleagues on the committee embrace his thinking.

The idea of lower fares on the transatlantic operations of U.S.-flag carriers actually originated with Pan American Airways some 20 years ago. During that time, it has been the philosophy of Mr. Juan T. Trippe, president of Pan American, to argue that the best means of survival for international air carriers—particularly those flying between the United States and Europe—was a gradual but definite reduction in air fares, making travel between the United States and Europe more within the grasp of the average man and his family.

Mr. Trippe has made many public remarks regarding a low fare, mass transportation philosophy for our international air carriers.

Mr. President, I should like to ask unanimous consent to have these statements by Mr. Trippe be made a permanent part of the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENTS BY MR. TRIPPE

National Institue of Social Sciences, May 19, 1943:

"Let me suggest for your consideration some ways in which air transport can be on the right side and do the right thing * * * can be made more completely the instrument of the common man."

"The first way is simple. It is to assume our natural responsibility as a private enterprise and to offer the most value to the most people. That isn't as obvious as it sounds. Because air transport does have the choice * * * the very clear choice * * * of becoming a luxury service to carry the well-to-do at high prices * * * or to carry the average man for what he can afford to pay. Pan American has chosen the latter course."

University of California Charter Week ceremonies, Berkeley, Calif., March 23, 1944:

"In a democracy * * * progress is measured not only in technical terms but also in terms of a social objective. We cannot expect to summon the energy and ambition of a people without a purpose which contributes toward a richer life for that people. In this field of air transportation the true objective is to bring to the life of the average man those things which were once the privilege of only the fortunate few. The average man's holiday has in the past been the prisoner of two grim keepers * * * money and time. His enjoyment of the world has been circumscribed by the high wall of his economic jail. We can level these prison walls only by bringing travel costs way down and by shortening travel time."

First round-the-world air service, LaGuardia Field, June 17, 1947:

"Although we have blazed the trail our work has just begun. First we must carry on the tradition of safety and service to our passengers. Then we must give speed and still greater speed. Finally we must constantly work to bring down the cost of air travel to reach of the average man."

American Tariff League, October 27, 1948:

"Travel like education used to be considered a luxury. But in an era of low-cost, high-speed transportation travel takes on an entirely new significance. For we Americans, foreign travel is a cultural, political, and economic necessity if our country is to fulfill its new responsibility of world leadership."

Circumnavigators Club, New York City, December 15, 1948:

"The job, Pan American's round-the-world service, has only been started. It will not be finished until it is possible for the average man or woman of our country, and I say average, referring to our 140 million Americans, to take a trip around the world during their vacation periods.

"Over the years a privileged few have been able to make this trip, therefore I say, and I repeat, that the men and women of our company whom you have honored this evening will not have discharged their responsibilities until we can make it possible by inaugurating lower and still lower tariffs and depending on mass operation to do so to permit the average American to go around the world and to qualify as a potential member of this organization."

Clipper *America* christening, Washington, March 5, 1949:

"Some progress has been made already, the world's first low cost tourist-class fare was authorized between New York and Puerto Rico on September 24, 1948.

"In 5 short months the number of scheduled air passengers between Puerto Rico and New York has more than trebled. Tourist-class air service is here to stay. The people want it. It is good business for the airlines.

"Tourist-class fares to Europe can be at least one-third below first-class rates. There is no reason therefore, why a tourist-class air trip to Europe this fall should cost more than $225. That is our objective. That we will seek to do it if foreign governments concerned permit and we are very hopeful that they will."

Yale Engineering Association, Yale Club of New York, March 16, 1950:

Question: "At what approximate tariff do you think a coach service could be operated to Europe?"

Mr. Trippe: "Well, as I pointed out, the tariff between here and Puerto Rico and New York by coach approximates 4 cents a mile and that is the tariff adopted generally by the domestic lines in terms of the domestic service. We see no reason why a rate of that kind is not possible and even lower rates, possibly in terms of travel to Europe which would bring the cost of travel down to possibly $100 on oversea travel."

Foreign Traders Association of Philadelphia, September 25, 1951:

"Unfortunately Pan American has not yet been permitted to inaugurate tourist-class service to Europe, though we have been pressing for authority to offer a roundtrip tourist-class fare of $405 for many years, other transatlantic airlines and their respective governments are now, however, taking a more kindly view of this proposal. We are hopeful that low-cost tourist travel by air will be inaugurated in the spring."

Twelfth annual general meeting, IATA, Edinburgh, Scotland, September 17, 1956:

"The Traffic Conference at Cannes in June (1956) reached unanimous agreement on a new low-fare service to be inaugurated across the North Atlantic in the spring of 1958. This decision rested on the sound premise that a real 'austerity' service priced accordingly would put a transatlantic journey within financial reach of millions of potential new customers and would have a correspondingly beneficial effect on the economic position of the carriers and their governments. I do not hesitate to prophesy a brilliant future for this type of service when it is inaugurated on routes of high traffic volume."

IMPROVEMENT IN TELEVISION PROGRAMS

Mr. McGEE. Mr. President, the recent resignation of Federal Communications Commission Chairman Newton Minow, after a period of outstanding service, has sought to remind us once again of his continuous struggle to overcome—or to cause television broadcasters to overcome—what he termed as a "vast wasteland" of the airways.

Some stations and broadcasters have followed the leadership of Mr. Minow and have made great strides in improving both the quality and quantity of television programs.

As a member of the Senate Communications Subcommittee of the Commerce Committee my attention was recently called to a station in Asheville, N.C.—station WLOS–TV—that, although a relatively small facility, has been making noticeable efforts to present responsible and informative programing to its viewers.

Since January of this year, this station has produced seven 30-minute documentary shows for its viewers and I understand nearly a dozen more are to be aired in the near future. These programs are produced by a small news staff of only five persons and despite that fact their budget has consistently shown a deficit.

Other documentary and public affairs type programs were, of course, produced prior to January and to date their efforts have included such productions as the enrollment attempt of Negro Harvey Gantt at Clemson College, an examination of shoplifting and how shoplifters operated in the area, a study of the stock market and how it works as explained by local residents, the impact of the closing down of Donaldson Air Force Base, a study of native and folk mountain music, school dropouts, and others of equal interest.

Mr. President, I think the record compiled to date by this station is a commendable one indeed and illustrates what can be done by responsible broadcasters who are making a conscious effort to meet the challenge inherent in the issuance of a broadcast license granting permission to use the public airways.

STUDY OF THE RAILROADS

Mr. WILLIAMS of New Jersey. Mr. President, I have joined with the distinguished Senator from Indiana [Mr. HARTKE] and others in sponsoring Senate Resolution 136 which would establish a select Senate Committee To Study the Financial Problems of the Railroads, and I would just like to make a few comments.

Mr. President, I am purely a layman when it comes to the broad question of organization and financial structure of the railroad industry, and like many others I have been puzzled by the many conflicting views that have been expressed on this subject. For that reason, I think a detailed and objective study by the Congress would be most helpful in providing a sounder basis for formulating a good many national transportation policies.

However, I have spent the last 4 years in rather intensive study and work in the field of urban transportation, in which the railroads play an important role in a number of major metropolitan areas. There is simply no question that rail commuter operations involve a heavy loss and constitute a drain on the entire financial structure of the railroad industry, which affects its ability to carry out its interstate transportation responsibilities.

In fact, there is a study underway at the present time by a reputable independent organization which, I am told, is coming to the conclusion that the financial problems of rail commuter service are even worse than we suspected. Yet adequate rail and transit service is absolutely essential to our metropolitan areas in coping with the huge problem of rush-hour traffic congestion.

The administration's urban mass transportation bill, which I had the pleasure of sponsoring and which recently passed the Senate, was based on the recognition of these two facts, which lead inescapably to the conclusion that if rail and other transit service is to be improved and modernized, public funds must be used to help fill the gap between the needs of the community and the financial abilities of the carriers.

Mr. President, I do not think the financial problems or the importance of providing adequate rail commuter service in our metropolitan areas can be too strongly emphasized. For this reason I support Senate Resolution 136 with the hope that the committee, if established, would give extensive study to this important facet of the subject as part of its overall study.

PEACE CORPS TRAINING IN HAWAII

Mr. INOUYE. Mr. President, since June 15, 1962, the people of Hawaii, through their University of Hawaii, have been participating in a most important service to the United States. This service consists of training Peace Corps volunteers for service in southeast Asia. There has been a distinctive quality about this training which I believe merits the attention of this august body. In large measure this has been due to the singular quality which Hawaii possesses which makes it such a valuable national asset to the United States. Basically, these resources are the climate and geography of our islands, and basically, as well, the people of Hawaii. It is here that the University of Hawaii has made a significant contribution by utilizing these two major resources in practical ways which maximize the training potential of Hawaii for Americans going to Asia.

Significant variations and contributions have been made in this regard. In training the volunteers for the languages of these areas in Asia, several breakthroughs should be noted. For volunteers going to North Borneo and Sarawak, it was found necessary literally to construct the language of the market place, called Bazar Malay. Skilled linguists at the university worked with students from North Borneo, attending the university, and wrote the first text in the language which has ever been seen. Similarly, to enlist drill speakers in these tongues, the university has been able to draw upon two resources within the State: First, from students of the East-West Center, who have welcomed the opportunity to teach Americans the language of their own country; second, from the people of Hawaii, who have provided valuable dialects of the Philippines for the volunteers. As a result, language comprehension has been increased, with an emphasis on the practical application of the language to the jobs which the volunteers will be doing in the field. For instance, volunteers going out as surveyors need to knew the practical language of the instruments of surveying, how to handle work parties, and to be able to get the job done. The practicality of the training has proven most valuable in this regard, and will be continued at an ever increasing pace. Similarly training in American institutions, world affairs, and communism has been greatly enhanced with the utilization of professionals in this field. In addition to academic viewpoints presented by university faculty members, the training programs have utilized practicing politicians, engineers, businessmen, and professional men to present their fields and to give the volunteers a practical orientation to these subjects.

To insure the volunteers' competence in their technical specialty, the university has wisely obtained the services of varied portions of the community. In this instance, the Department of Education of the State of Hawaii has generously put the classrooms of the State at the disposal of volunteers training to be teachers, and has given them actual classroom experience with the young people of our State. Similarly, the Department of Health and Welfare of the State of Hawaii has opened its doors to nurses and social workers, to enable them to learn at firsthand the various ways to do the job in the field. The county medical society has contributed its services, to provide even more practical training. The Engineering Society of Hawaii, as well as county engineers, have given both their time and their services to give practical emphasis to engineering problems in southeast Asia. The Kamehameha Canoe Club and agricultural extension workers have all given of their time and talents to give volunteers a practical grounding in their specialties.

The training in Hawaii has not been limited to the formal. Instead, a major innovation has been introduced with dietetic training. This involves specially prepared food, of an oriental style, which takes trainees off the more traditional meat, wheat, and milk diets, and introduces them to fish and rice diets. The specialized delicacies, such as Dinardaraan—pork, special seasoning and pig's blood—or Thai Son-in-law Eggs—eggs, nam pla patic sauce—palm sugar, tamarind, shallots and dry chilis, serve to demonstrate that strange foods can be both tasty and nutritious. For most volunteers this is their first attempt to utilize the foods of Asia, and this experience stands them in good stead when they get into the field.

The natural surroundings of the Peace Corps training site on the big island of Hawaii have also contributed much to the training programs in Hawaii. The main site is an abandoned county hospital which the County of Hawaii has converted into a training area. But basically it is supplemented by utilizing the whole environment of the island. Physical conditioning is a must, and the conditioning consists of mandatory swimming for all volunteers, a precaution which paid off in North Borneo, where several lives have been saved when canoes tipped over in the rivers. The beaches, lava flows, and finally the rugged mountains and trails of the island serve to get volunteers in excellent physical condition for their work overseas.

The same physical surroundings have an equal impact in terms of teaching volunteers some of the more simple, but long forgotten, facts of rural life in tropic areas. Volunteers can thus actively work in gardens and orchards where papayas, bananas, mangoes, and oriental vegetables abound. Similarly, the catching of both salt water and fresh water fish, which are present, in abundance all year around, along with the custom of thrownet fishing, is taught by fishermen of Hawaii, as well as rudimentary preparation of foods. The flora and fauna of Hawaii, so similar to those found in southeast Asia, provide both a familiarization with such surroundings, but also the kind of practical teaching situations for those who wish to teach science to the peoples of southeast Asia.

Finally, the people of Hawaii, from the Governor of our State, the Honorable John Burns, to State Department heads, to county officials, and private citizens, have all contributed immensely to the success of such training projects. In particular, the informal contacts which are possible amidst busy training schedules are valuable. These include contacts with sampan drivers practicing tagalog, ilocano, cebuano, and hiligaynon with the volunteers; and Buddhists, who introduce them to the intricacy and depth of this ancient belief. Americans of Asian ancestry, whose knowledge and skill of communication in Asia are basic to an understanding of the area, communicate these talents. All these and many more have made these training programs outstanding by any measurements. In fact, I have it on good authority that after some eight programs conducted at various universities for volunteers going to the Philippines, Mr. Lawrence Fuchs, area representative for the Peace Corps in that country, reported that Hawaii's training of the volunteers was a superb achievement. Similar reports of excellence in training have been received from other areas.

Hawaii in fact is proud of the Peace Corps and its role in helping to train these people to serve in Asia. It is proper and fitting that this should be so, for one of the major arguments made for statehood was that Hawaii could help to bridge the gap between Asia and America—to introduce Asians to America, and, equally important, to introduce Americans to Asia. The Peace Corps training programs of the University of Hawaii have in fact met and fulfilled this promise, the promise of statehood.

Is it not then time to think of regularizing such programs? So far, these training programs have been put on a short-term basis, with individual contracts for specific programs running from 2 to 6 months. This has posed a considerable burden on the staff of the university, as well as on various departments of the State of Hawaii. In addition, such short-range contracts make it impossible to plan efficiently on a long-range basis, and thus maximize the contributions of Hawaii and create even better training programs. Therefore, I propose that the Peace Corps consider regularizing its relations with Hawaii in annual contracts. This, it seems to me, is eminently sound, and can make a lasting contribution to the Peace Corps and the cause of the United States. Therefore, I commend this suggestion to my colleagues in the Senate, as well as to the Honorable Sargent Shriver, the worthy and able Director of the Peace Corps. Hawaii stands ready to do even more than it has done for the Peace Corps. It asks only that the opportunity to serve be given its people.

TRANSATLANTIC AIR FARES

Mr. SCOTT. Mr. President, the last 2 weeks have witnessed some history-making events, led of course by Major Cooper's tremendous accomplishments in the field of outer space. On the dismal side has been the sickening situation in Birmingham.

Overshadowed by these two newsmaking events, but correspondingly important in its own field, has been the tug of war still being waged by our Government and its two transatlantic air carriers—Pan American and TWA—and their government-owned, highly subsidized European competition. The situation got so bad at one point that it appeared Pan Am and TWA would be denied landing rights in Great Britain and France unless they went along with an increase in transatlantic fares.

Perhaps increase is an incorrect word in the truly economic sense, but in matters of dollars and cents to the American air traveler, who comprises more than 60 percent of the traffic across the North Atlantic—and around the world, for that matter—it amounts to his having to pay more in the summer of 1963 than he did in 1962.

Briefly, as I understand it, Mr. President, the International Air Transport Association, commonly referred to as IATA, represents some 94 international carriers. Its annual traffic meeting was held in Chandler, Ariz., last autumn. At that time, with only the U.S.-flag carriers offering any dissent, it was proposed that the 10-percent reduction on all round-trip, economy-class tickets purchased be cut in half. Heavily, outvoted, Pan Am and TWA had no choice but to go along with the proposition, effective May 13 of this year.

Our Civil Aeronautics Board stepped into the breach at this juncture and instructed Pan Am and TWA to hold the line, and go along with the old fares. Almost immediately, the British began suggesting—in highly diplomatic language—that unless the American companies acceded to the majority IATA vote, Pan Am and TWA might experience some difficulty in landing and taking off from London. That the French did likewise later on is now only academic.

At this stage of the game, rather than rock the boat, our State Department suggested, again in the most circumspect language, that the CAB lift its directive to our carriers and let them follow, at least for the time being, the IATA policy.

Outraged at the whole series of events, particularly at what appeared to be U.S. capitulation, the distinguished chairman of the Commerce Committee, the Senator from Washington [Mr. MAGNUSON], hastily called for hearings which most thought would be exploratory. They were exploratory, but they also produced a piece of legislation, prepared by the CAB and offered as an administration bill, intended to produce a vehicle whereby the CAB would have a strong word in determining air fares charged by international carriers, United States and foreign.

Also introduced by the committee was another bill prepared by the airline industry.

Now, it appears to me, Mr. President, that the airlines involved have the greatest stake in any legislation which would lead to a solution of their problems with IATA. True, the Government has a most compelling interest because if revenues of our international carriers dipped sharply as the result of continuing disagreements with IATA and its European member countries, they would be eligible, under the law, to seek relief through subsidy.

Both our carriers have been free from subsidy for a long period of time. I am sure they have no desire to go back to the Federal Treasury for relief that could be forthcoming through sensible legislation with which they can live.

Already, competition across the North Atlantic is considerable, to say the least. Sixteen foreign lines compete with our two U.S. airlines between Europe and the United States for business which is generated 60 percent by American citizens.

There is some grim irony in this problem, Mr. President. For more than 20 years, Pan American, through the uttered words of its president, Mr. Juan T. Trippe, has fought for lower fares—not only across the Atlantic, but in all areas of the world. Many annual reports of Pan American, beginning in 1943, has emphasized the great good that could come to the traveling public and to the airlines if fares were lower to make international air travel more readily available to the average family, both American and foreign. Now empty seats would be filled and unit costs would be substantially reduced.

Mr. President, I quote from Mr. Trippe's report to stockholders contained in Pan American's 1962 annual report:

> If a reasonable reduction in transatlantic tariffs were acceptable to European air carriers and their governments, everybody would gain. Trade between free world nations will gain. Tourist and business travel will gain. Airline employees will gain. Airline owners will gain—private shareholders in America, government owners in Europe. Many more pay passengers will fill empty seats although each will have paid less for

his transatlantic flight—an objective long sought by your company.

Mr. President, the international air fare problem must be solved, as quickly as possible. But I am hopeful, as are other of my colleagues on the Commerce Committee, that this solution be quickly—rather than hastily—accomplished.

MAKING USE OF ABILITY OF HANDICAPPED WORKERS: PRIZE-WINNING ESSAY OF MISS GRACE MORIZAWA, ONTARIO, OREG.

Mr. MORSE. Mr. President, recently I had the pleasure of meeting Miss Grace Morizawa, a student at Ontario High School of Ontario, Oreg., the winner of the 1963 Oregon theme contest designated as the "National Ability Accounts Report." The contest is sponsored by the President's Committee on Employment of the Handicapped and was conducted by the Governor's Committee on Employment of the State of Oregon. As first place winner in Oregon, Miss Morizawa received a trip to Washington, D.C., and $100 for expenses, to attend the annual meeting of the President's Committee. I am pleased to add that the AFL-CIO State federations and councils provided the transportation and expense allowance for the State winners of this contest.

Miss Morizawa was accompanied on her trip to Washington, D.C., by her mother, Mrs. Harue Morizawa, and by Mrs. Ward D. Chase and Mr. Robert J. Arnold. Mrs. Chase is first vice chairman of the Governor's Committee on Employment of the Handicapped and Mr. Arnold is executive secretary of the Committee on Employment of the Handicapped, headed by Governor Hatfield, of Oregon.

Miss Morizawa, at my request, supplied a copy of her winning essay entitled "How My Community Benefits From the Abilities of Handicapped Workers." I was very much impressed with this excellent article and I am pleased to share it with my colleagues in the Senate. It speaks well, not only for Miss Morizawa, but for her teachers at Ontario High School.

I ask unanimous consent that the text of Miss Morizawa's prize-winning essay be set forth in the RECORD at this point in my remarks.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

HOW MY COMMUNITY BENEFITS FROM THE ABILITIES OF HANDICAPPED WORKERS

(By Grace Hisaye Morizawa)

What would you do if you had only one arm or if you had an artificial leg? What would you do if you could not see or if you were deaf? What would you do if you were mentally fit but not physically whole? What would you do? What could you do?

Thousands of persons can answer these questions with two words, "Almost anything." These people may have a physical handicap, but it does not hinder them. I know. My community benefits from those who are handicapped.

The handicapped are to the community like sugar is to yeast. If one adds yeast to bread dough, but does not add the sugar, the bread will never rise to its highest potential. Every community has the power to grow and to become successful, but if the abilities of the handicapped are not harnessed, the community will never rise to its fullest potential.

The handicapped can do almost anything. They possess that extra go-power. Management, business, skilled labor, the professions—a handicapped person can be found working in each field.

Deafness does not keep a beautician from owning her own shop and carrying on a thriving business. She cannot hear, but she has a line of communication with others. She has learned to read lips and feel the vibrations over the telephone; her hearing disability does not keep her from speaking. Hearing is not a requirement for possessing a skill. It does not prevent one from creating beauty.

Remember the last time you typed? Did you use your legs? Of course, you didn't. To qualify as a typist one does not have to have legs. One must have the necessary skills. Four years ago Mrs. Smith was in an automobile accident in which she was thrown out of the car; then the car rolled over, crushing her legs. Like hundreds of others who have become suddenly handicapped Mrs. Smith found the magic word rehabilitation. Now her typing skill is a valuable asset to a local insurance company.

The supervisor of the sugarbeet factory doesn't need two arms. He does his job with one arm. The veteran doesn't need sight to develop pictures. Nor does the former construction engineer need his legs to work over the drafting table.

Although each separate job of the handicapped person might not in itself be a great contribution to the community, the sum of the jobs is a large portion of the sugar which enables the yeast to rise as high as possible. By holding jobs the handicapped help keep the community economically sound. They also help the community grow.

The beautician shares her knowledge with others. Girls of the high schools around the valley have received helpful advice pertaining to grooming, health, and hygiene from her lectures.

Having learned from the tragedy of her accident, Mrs. Smith knows the value of seat belts. She is in a position to stress their importance to others. Because she put her handicap to work many have been spared from meeting a similar fate. Mrs. Smith persuaded them to buy seat belts and to use them.

Each of the handicapped members of the community helps in his own individual way. Courage and determination are the common contributions of every handicapped person. Their courage and determination which becomes evident as they struggle to overcome their handicap rub off onto each and every member of the community.

For a community to be successful, every member must be an active part of it. The handicapped join the Lions, the Elks, and PTA's. Even if some are no longer able to participate in athletics, they join booster clubs for their favorite high school football or basketball team, or for the judo club. They rear families that are destined to be among the leaders of tomorrow. The handicapped do play an important part in the activities of the community.

In working for a successful community don't forget to add the sugar to your batter. If you do, no matter how effective your yeast could have been, it will never help the bread to rise. The handicapped are among the sugar of the community. Their contributions help feed the yeast. For a community to be successful each of its members must contribute his share. Because the handicapped are utilizing themselves, the community will grow to its fullest potential.

LELAND HAZARD PROPOSES PLAN FOR PITTSBURGH AREA

Mr. SCOTT. Mr. President, a few years ago Mr. Leland Hazard retired as vice president and general counsel of the Pittsburgh Plate Glass Co. But he refused to retire in the ordinary sense. He retains a capacity as consultant and director of the company, is a professor of industrial administration and law at Carnegie Institute of Technology and is chairman of the board of educational television station WQED. He has been called the "Man of the Renaissance," devoting his brilliant mind to the problems of the Greater Pittsburgh area.

Recently Mr. Hazard delivered a speech entitled, "Pittsburgh: Metropolitanism or Decline: Which?" that has stimulated a great deal of comment in the Pittsburgh area. I ask unanimous consent to insert the speech in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

PITTSBURGH: METROPOLITANISM OR DECLINE: WHICH?

(By Leland Hazard)

I shall speak of urbanism, suburbanism, and metropolitanism, first generally, and then specifically with respect to Metropolitan Pittsburgh. I shall discuss the senescence of Metropolitan Pittsburgh and the stern measures required to avoid moribundity in that formerly prosperous community. It is later in western Pennsylvania than we think.

Within the normal lifespan of men now 50 years old 80 percent of the American people will be living in our cities. By cities I mean metropolitan areas. There are presently 180 of them—defined by the Federal Government as a county or group of contiguous counties in which a city of 50,000 or more inhabitants is located. I apply the term "city" to these areas (a) because they are more urban than rural and (b) because the archaic political boundaries which now pretend to separate them into county, city, township, and borough units are as functionally irrelevant to the new urbanism as a national boundary is to a satellite.

I know that the term "metropolitanism" is considered ugly in many quarters. But I shall sketch a design for urban organization and development as if political inertia did not exist. In this I am not unrealistic. The crises of both central city and suburbia are mounting so rapidly that what is bad about our presently highly fragmented political economy will soon yield and what is good will find its cooperative place in a new functional metropolitanism.

First, about suburbia. Some of you will not like what I am about to say. There are statistics on suburbia—that word which now describes those congested city environs to which people have been for some time migrating, deluded with the vague notion of finding country life. (What they have often found is neither country nor city—only the worst of both.) But one need not worry with the figures. He needs only to take any scheduled airplane flight and look down. He will see the old hard core of the city proper surrounded by housing and shopping center developments ceaselessly expanding.

Then if our aerial observer happens by between the hours of 7 and 9 a.m. or 4:30 to 6:30 p.m. he will see on what was a highway Futurama at the 1939 World's Fair, now a concrete reality, miles upon miles of immobilized automobiles. And if our observer then descends to study the habits of these denizens of suburbia, he will find them daily fighting their way of a morning into the central city, where, frustrated and already partially exhausted, they must do their work in order to fight their way of an evening back to the "country" [I have put the word country in quotation marks] where they try to revive themselves for the next day's repetition of the ordeal.

How do they live? John Keats in "The Crack in the Picture Window" calls Los Angeles, for one example, a vast, smog-shrouded slum in southern California with over 4 million cars, the average commuting time 1½ hours, and luckless local figures sitting half an hour every morning in their own driveways, foot on the clutch, engine idling fast, waiting for a chance to scuttle into a hole in the traffic.

And Ernest Van Den Haag, writing in the American Scholar for autumn 1959 says:

"There are now many sociological and fictional studies of the suburbs. The high degree of conformity required, the deindividualization and the absence of spontaneity are well known, as is the montony produced by having people of about the same age and income group, with about the same family and occupational problems, all getting up in the same houses, feeding, catching trains, returning, drinking cocktails, sleeping, and starting all over again—all on the same schedule. Attempts to relieve the deadly boredom that oozes through the suburbs—by drinking, adultery, and nervous breakdowns—are usually unsuccessful."

While the oft-mentioned exploding metropolis is the spectacular phenomenon of America and Europe, it is also a worldwide development. For most of recorded history no more than 3 percent of the world's population lived in cities. It took as high as 90 farmers to support one man in the city. But basic virtues during all that time—and the delusion persists—were thought to be indigenous to agriculture and to the countryside.

The curse God put on Cain for the slaying of Abel was that, "When thou tillest the ground it shall not henceforth yield unto thee her strength * * *. And Cain went out from the presence of the Lord, and dwelt in the land of Nod, on the east of Eden. And Cain knew his wife; and she conceived, and bare Enoch: and he builded a city."

Thus tradition has it that Cain founded the first city, but only because he was deprived of the benefits of agriculture. Now one American farmer produces enough to supply over 25 people in the city—thanks to city products such as chemical fertilizers and tractors.

Urbanism is a worldwide phenomenon and opportunity. In 1900 there were 10 cities in the world with a population of a million people or more. Today there are 61 such cities. Today in all the world 2 people out of 10 live in cities of 20,000 or more. At the present rate of urban growth, in a bare 35 years—some in this audience will still be in the prime of life—almost half the world's population will live in cities of 20,000 or more. And within the lifetime of sons and daughters born of this audience the figure will be 9 out of 10 of people living in cities of 20,000 or over.

To adjust our cities to their new role in the life of mankind this is the greatest challenge of the 20th century. The necessary changes will come hard. First, excellence in urbanism and the automobile will not mix. The very instrumentality of mobility has created immobility in our metropolitan areas. We now know that however fast we build expressways the traffic converts them into temporary parking lots at the very hours when their maximum speed limits are most needed. The problem is one in the simplest of geometry. The automobile takes up too much space for what it does.

One mass transit track can move 40,000 people past a given point in 1 hour. To move the same number of people in automobiles (at the usual occupancy of 1.8 riders per car), would require some 16 lanes of modern expressway. Consider the ultimate absurdity. If all New York's transit riders drove to work in automobiles, all of Manhattan below 50th Street would have to be converted to multiple-deck parking garages. So the final frustration is that if we all go by car, there will be no place to go because all space will be occupied by trafficways and parking facilities.

But even if the space requirements were manageable there is yet a severe penalty for private transportation between suburbs and central city. The excessive commuting time between the suburbs and the central workaday city exacts its heaviest toll from cultural activities. Inaccessibility to the central city is making cultural deserts of the suburbs. Here are the reasons.

There can never be more than a few great art galleries, museums of natural history, theaters, symphonies in any one metropolitan area. The stuff of excellence is limited. Of fine conservatories, old trees, noble churches and cathedrals, great architecture, gracious parks, comprehensive libraries, original manuscripts, rare books—of all of these the central city has the principal supply. Such treasures cannot be duplicated in every shopping center.

The suburbs cannot afford even a full line of merchandise. Ask any central city department store manager if his branches in suburbia carry as many choices as his downtown store. If he is a friend of yours, he will say no.

Herein lies the cultural blight of suburbia; the choices are limited. Limited choices make for mediocrity and banality. Many who live in suburbia will resent this characterization. But in that they will prove my point. They are among the 99 percent of Americans who have never been in a symphony hall. They are among those whose children do not know but that William Shakespeare is the name of a new toothpaste; have never ridden a railroad train; and have never walked except from the living room to the attached garage.

Suburbia has been spawned by the Federal Housing Administration and the Veterans' Administration mortgage guarantees and by the unbridled speculative builders. The way prepared by bulldozers and other earthmoving equipment which could, and would, move the Pyramids if the land were thought needed, housing units have been tumbled about the peripheries of our cities to fall where they would like dice on a gaming table, miserably unplanned and architecturally unblessed bought by pathetic young people unwarned that a real estate development is not necessarily a community. These suburban extravaganzas are the bitter fruits of nonplanning on a whole metropolitan area basis.

Suburbia has drained off from our cities into cultural wilderness the more economically competent citizens. Left are those who cannot flee the city—maintenance workers, policemen, utility operators, minority groups, and of course some professionals who must be close to their places of work. The less affluent are left to bear the burdens of maintenance of the central city and to supply the stimulus for its cultural activities. Our middle class people—stalwarts who should support such cultural activities—are sitting in traffic jams. More than that, suburbanites feel no responsibility for the central city or shame about their neglect of its burdens. Consult the attendance at any city museum, library, flower show, children's zoo, any cultural institution of the central city. Despite the almost nonexistent mass transportation, a high percentage will be nontaxpayers or their children, unabashedly sponging on the excellences of the central city.

So much for the problem. The solutions lie in metropolitanism and in mass transportation; mass transportation of such vast scope and daring that only the bold and the brave will listen; metropolitanism to make some of today's archaic minor mayors scream in political terror.

The oncoming New York World's Fair should feature not a futurama of highways for the automobile but rather an urbanamobilama which literally ties the whole metropolitan area into a network of facilities for fast, frequent, comfortable, cheap communication. Such a system would ring the entire urban periphery with room to spare. Epicyclic segments could move inwardly to the central city. Communication between suburb and suburb would be served as well as between suburb and downtown. The whole system, if abstractly drawn, might look in general like a section of an immense rotor.

Very little research on facilities for mass transportation has been done during the past 50 years. Our cities, States, and Federal Governments have been busy building streets, roads, and expressways for motorized private passenger vehicles and trucks—and at the same time smothering railroads and tramways with taxation and regulations. The result is that the technologies of mass transportation are far behind. Soon it will be possible to get to a distant planet in less time than it takes to move from McKeesport to Beaver Falls—all because our billions of research have gone, for fear of Russia, into transportation directed to outer space, where no one wishes to go, while on our own earth we sit in immobilized traffic.

What all-out research on facilities for mass transportation may yield will surely be a revelation. Without predicting the ultimate forms of urban communication—and they may well vary among areas—we can easily stake out certain principles. Transportation from suburbia to the central city must be so inviting that people will forgo the private vehicle for the public method. Within the central city itself there must be a separation of the pedestrian from his natural enemy, the private automobilist. This means that most private vehicles must be stopped before they enter the heart of the central city.

And secondly, within the city proper, by ramps, escalators, underpasses, and overpasses, pedestrians must be free to move easily and comfortably apart from the lethal motor. Of course there must be some vehicles in the central city. There should be more taxicabs. They should not be so heavily taxed. They should be modeled after the London cabs into which a noncontortionist can enter with some degree of ease. Open gondola-type buses, such as every World's Fair provides, must move day and night about the retail and entertainment sections of the central city. Delivery trucks must be confined to the midnight shift.

On other occasions I have said that in any comprehensive scheme of mobility, one which deals with all modes of transportation, including walking, the economics of free public transit should be studied. This is not the time to develop the idea. But it remains one worthy of serious study.

Given adequate transportation, the cultural life of the central city can thrive again. Theaters, restaurants, concerts, recitals will multiply. Museums, again open at night, will teach the beauties of the ages. Sports will thrive. Architectural grandeur will be illuminated. Life will replace the morgue-like gloom which now enshrouds the central city after 6 p.m. Millions who now must expend time and energy in frustrating traffic bedlam will again feel close to the excellence of the central city, and at last that urbanity which the Venetians knew on the Rialto and the Florentines on the Ponte Vecchio will come to our American cities.

Obviously such vast rearrangement of the facilities and habits of American urbanism cannot be accomplished without seemingly prohibitive expenditures in money, nor with the presently available researchers, planners, and technicians requisite for the physical programs. And for the cultural side, the existing numbers of playwrights, actors, singers, dancers, musicians, librarians, not to mention the host of those who will engage in the service activities which would surround so great a cultural revival, must be expanded manifold.

But before we deal with the question of money and personnel, let us indulge a glimpse at the magnitude of this new cultural dimension as an addition to our economy. Since only 1 percent of Americans have ever attended a live symphony (television, radio, and records are no substitute), it is reasonable to predict a tenfold increase, once transportation becomes inviting. This would raise the annual symphony box office receipts from the present approximately $45 to $450 million. Apply this same reasonable scale of increase to the American theater. This would increase the box office receipts from the present approximately $207 million to $2,070 million. A recent estimate of art works purchased in the United States stood at approximately $10 million per annum. A tenfold increase in attendance at art museums would certainly multiply that figure. These are just examples far from exhaustive of the list.

Of even greater economic importance would be the multiplier effect of such increases in cultural enterprise. Sizable new purchasing power would be put into the hands of the new categories of service workers. Furthermore, patrons would gain new standards of taste so that qualitatively and quantitatively desires for more gracious living would create demands for replacement of much that is now tawdry in American things. The economic consequences of awakening America to good taste and to the love of beauty would be great, fully equivalent to the economic results of new developments of the past, such as the automobile, motion pictures, or television. And it is disturbing to note, let it be said parenthetically, that nothing comparable to those bonanzas is appearing presently on the American horizon.

Let me discuss, before I come to the money problem in the new urbanism, the question of qualified personnel. They do not now exist; not all the brains, skills, and trained hands needed for the design and execution of the transportation schemes and consequent reorganizations of our great metropolitan areas. It is well known among the professional planners that the two most severe constrictions on urban redevelopment are adequately educated manpower and money.

The manpower will have to be trained. The highest types of abstract intelligence and of esthetic sensibility are required. We should recruit these aptitudes and skills from young men and women who now, although qualified, do not go forward for a university or college education. The statistics employed by James B. Conant in "The American High School Today" suggest that to capture these educable young people would add about 15 percent to the population of American colleges and universities. I estimate, based upon recorded costs of the veterans' training program after World War II, adjusted for today's prices, that the outlay for the education of these additional young people, indulging the unlikely assumption that the Federal Government would have to bear it all, would be about $2 billion a year.

Such vast programs of urban transportation and renewal and the education for the required new skills and newly trained manpower will not be generated in local communities. Political and institutional patterns and inertia are too deeply engraved upon the ugly surfaces of our half-blighted urbanism. But the Federal Government can take the lead in urban transportation and renewal and in the education required for these programs, in the latter case as it did 100 years ago in the land-grant colleges for general education. Counterpart Federal funds, to be available only when States and local communities, reorganized for the purpose, have added their matching contributions, would give compelling impetus to the program. Some areas and communities would undoubtedly lag. But the spectacular renewal which would occur in those metropolitan areas which took advantage of the Federal financial leadership would soon bring others abreast.

It is a folkway in America—and a healthy one—to look with suspicion on Federal power and authority over our lives. But we must not, and we do not, carry this folk thought too far. In times of war, of economic crisis, of national emergency we look trustingly to our Federal Government. I think that this time of national urban blight, despite all that has been done in Pittsburgh and in other communities, is one in which only Federal leadership will make the urbanism for which all of our cities are destined fit for men.

At the outset I referred to the stern measures necessary to arrest the senescence of Metropolitan Pittsburgh. This area is defined by the Federal Government as a standard statistical area and is composed of Allegheny, Beaver, Washington, and Westmoreland Counties. It is now commonplace to refer to its 100,000 chronically unemployed. Of the 15 American comparable large areas we had the lowest population increase between the 1950 and the 1960 census—8.68 percent compared with Cleveland's 22.59 percent. Allegheny County itself dropped from ninth to eighth place in population and increased only 7.48 percent compared with 54.77 percent for Dallas County, Tex. Pittsburgh in the same period fell from its 1950 place as the 12th largest city to a 1960 place of 16th.

I shall not prolong the recital of gloomy statistics. But we dare not ignore them. In 1950 Pennsylvania employed more than one-half of the Nation's coal miners. By 1960 the figure was one-quarter. The modern steel, electrical equipment, and glass plants are moving elsewhere. The newer technologies based upon the new metals, upon modern research, and the ensuing new technologies are not coming to our four-county area.

I used the word "senescence" to describe our area. The figures prove it. Our loss of population during the 1950–60 decade in the 20 to 29 age bracket was four times the national average. Our young people are leaving us; the very people we need to hold here for the training essential to the newer technologies. And why would the young not leave us? In 1960 Pennsylvania stood 37th among the States of the Union in per capita expenditures for education. It is no coincidence that California is teeming with new industries.

In Pennsylvania there are no public junior colleges, with the possible exception of one in Hershey. California abounds in them. In Pennsylvania a student who wishes education beyond the high school must pay high fees in some private or partially State-supported institution. In California he enters public junior colleges as in the case of high school.

Industry will not move into a community which is noncompetitive in the public and private inducements it has to offer. It has been popular in Metropolitan Pittsburgh to blame organized labor and high taxation for the flight of industry. Certainly there are some labor-rate and labor-practice rigidities which must share some of the blame. And certainly taxation methods need overhauling. But these are not the major factors in our industrial decline. More potent factors, according to industrialists who have considered Metropolitan Pittsburgh, are the aging work force, below average education of workers, the community's relatively meager expenditures for education, lack of modern facilities for education after high school. On this last point Pennsylvania is a quarter century behind times. We still think of high school and then only college, not having discovered, apparently, that a whole new range of industrial skills call, not for college education but for something less than college education, albeit more than high school. We have not stepped up to the realization that the study of drama and automobile mechanics; of philosophy and household appliance maintenance; of theology and sales services; of medicine and typewriting; of history and domestic services; of electronics and table waiting; of nuclear physics and computer programing, although requiring different types of schools, can lead, each and every one, to dignified and fruitful employment—all essential to an economically healthy and gracefully cultured society.

Not only are Pennsylvania expenditures for education noncompetitive with the national level but what we do spend is archaically allocated. For example, we spend one-third of funds—Federal, State, and local—available for vocational training for farm training, although farmers in Pennsylvania are only 6 percent of the labor force. We are still in Bible times—agriculture is more important than urbanism, land apparently more important than people. We spend lavishly to teach domestic science; scrimpingly to prepare our youth for new industries.

Nowhere is Pennsylvania's bucolic tradition more eloquently attested than in Pennsylvania's prejudice in favor of rural school districts. Districts such as Pittsburgh receive from the State less than 20 percent of their costs while some country districts receive 90 percent. We do not seem to know that Pennsylvania has moved from an agrarian to an industrial society.

Heavy industry claims to do its own training. But even if that claim were fully justified, small industry, which we so desperately need for diversification, must look to the newer types of school training for its trained personnel and such training is nonexistent in Pennsylvania.

Is it any wonder then that the gross State product has declined from 7.4 percent of the gross national product in 1950 to 6.8 percent in 1960 and is continuing to decline? The decline can be halted only by the methods which have been proved in other States: increased public and private investments in schools, highways, housing, and development of natural resources. So far as public expenditures are concerned it will be urged, not to say, shouted, that our State is in fiscal difficulties and that we have an austerity program. And so we are; and so we have; and so we shall continue to be and have, until we relearn the truth, that Government as well as business must take risks. When business has lost its capital there is no substitute for more capital. It is not different with Government. And do we really lack resources? The national average of State and local taxes is about $85 per $1,000 of personal income. In Pennsylvania the figure is less than $75. This makes Pennsylvania 42d. Business will not invest in a State which will not use its taxing power to invest in itself.

Metropolitan Pittsburgh, public and private, has lost much of its capital. If one wishes the proof of that, let him walk from Gateway Center to the public auditorium, up Penn or Liberty Avenues. Not only is the capital lost but civic pride seems to be gone. One would suppose that municipal authority would at least require that the debris be removed from the empty buildings and that the windows be repaired and washed and the fronts painted. But not so. To find anything worse one must go to McKeesport where the mayor hangs on to his dreary, blighted autonomy as if he thought that, once Pittsburgh dies for lack of a baseball club and mass transportation, McKeesport will then be worth keeping.

Here is a delusion, the delusion that the 129 municipalities which snuggle up to Pittsburgh for economic warmth, like little pigs to an old sow, suckling her milk, can prosper after the sow dies. Here is another delusion, that once mass transportation has made the center of the metropolitan area more accessible the periphery will suffer. Far from it. As people are able to get about, to see excellence, beauty, and grace, tastes will improve, appetites will be whetted, demands will multiply. The periphery will come in for its share in the revival of demand, but only if the center prospers and can set the pace.

Ten years ago the Allegheny Conference on Community Development was studying mass transportation. Today we have gotten as far as a referendum—maybe. Suppose in the last century our Federal and State Governments had held referendums on whether we should have railroads. After 10 years we have a really pitifully modest proposal—one to buy up some franchises and some wheezingly decrepit equipment. The proposal is trivial compared with San Francisco's long range plan for a comprehensive system which will go into the very warp and woof of that great community. Its cost will involve many millions for every million of our proposal. Yet ours is better than nothing. Let us hope we can have it.

I think it is not too much to say that in Metropolitan Pittsburgh we lack leadership on all fronts. Our politicians are engaged in internecine quarrels. Our business and labor leaders are comfortable and secure in their pension-padded industrial cells. The spirit of venture is not among us. The centrifugal forces of our decaying society seem all but inexorable. Even fee-fed squires can play politics with the lives of the citizenry, flouting State motor regulations for the public safety. There seems to be none to say them nay.

A centrifuge tends to create a vacuum. A vacuum tends to be filled. If leaders do not lead or cannot lead because disintegration has gone too far, others less stable will aspire. The people of Metropolitan Pittsburgh have been patient. How long will they wait? Individual men can traffic on the community's sickness. On the other hand only a little inspired leadership can mobilize a spirit which will drum out of the community the predatory elements which can prosper only when statesmanship is wanting. Which way will it be in Metropolitan Pittsburgh?

"There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries."

Metropolitan Pittsburgh can choose fortune or misfortune. I wish I could predict which way the choice will go. I fear that we are ripe for the demagog.

Now I summarize and conclude. Only functional metropolitanism, cooperation by law by all units of the real community, for industrial development, cultural development, and all the basic public services and improvements can save Metropolitan Pittsburgh from the not so slow death it is now suffering. I despair of any such metropolitanism unless it is induced by a comprehensive Federal plan of grants of counterpart funds conditioned upon new metropolitan political organizations sufficiently modern to meet modern problems of urban renewal and mass transportation.

As for the State resources for such a program I have said that we have unused taxing power. As for the Federal fund requirements I renew a previous proposal.

To produce the Federal funds for the necessary programs of transportation, and urban renewal, and the newer education, I would raise the social security retirement age to 70. It is absurd to devote millions to prolonging life and at the same time decree that the work life should end at 65. People are living longer—in better health and in greater competence. The character of industrial jobs is changing. Older people can do the older jobs as well as or better than younger people. Younger people on the other hand can better absorb the higher training required for the newer jobs in this time of constant encroachment of the machine upon human hands. It will take younger people for the cultural revival which I postulate. Hence my thesis: Work for the older people and more education and more training for the younger people.

The savings in outlay, public and private, for pensions for the American people beginning at age 70 rather than at age 65 would be $10 billion per annum. A 10-year national program of urban rebuilding, including transportation, would cost $100 billion per annum. A 20-year program would cost $50 billion per annum. The social security savings would make the funding feasible.

Obviously to apply these vast revenues to the financing of a new urbanism would require more changes in existing law than simply the raising of the retirement age. But such technicalities are always manageable when the national need is felt deeply enough. I think we have the money now. We are wasting it in premature pensions and we are wasting educable young minds by permitting them to enter the industrial work force prematurely. And finally we are not preparing for our industrial and cultural future with adequate new forms of education.

It is significant that one of man's most persistent dreams of perfection—the dream of heaven—should have been stated not in terms of a pastoral scene on a beautiful countryside but in terms of a city. The concept might have been that of a "bowery hollow crowned with summer sea"; or that of a long-shadowed evening landscape; or that of a cool morning on a tinted mountaintop. But no, the concept of heaven was that of the city beautiful. Let us not lose that dream.

POWER, PROFITS, AND PROGRESS

Mr. SCOTT. Mr. President, the steel industry has helped build this Nation. It is vitally concerned with the lack of understanding of the profit motive. Mr. Leslie B. Worthington, president of the United States Steel Corp., in an eloquent address before the Public Utility Buyers Group annual convention in Pittsburgh, Pa., on February 18, 1963, discussed "Power, Profits, and Progress."

I ask unanimous consent to place this address in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

POWER, PROFIT, AND PROGRESS

(By Leslie B. Worthington)

First of all, let me join in extending a warm and sincere welcome to you gentlemen of the Public Utility Buyers group. Here in Pittsburgh, we feel that we have a rather special association with the buying and purchasing field; something beyond the great variety of products we manufacture and sell.

It has to do with Pittsburgh's century-old position as the steel capital of America. History records that it all began largely through the efforts of a man who had been a member of your profession during the Revolutionary War.

His name was William Turnbull, and he had been a buyer of supplies for the Continental Army. After America won its independence, he came to Pittsburgh in search of business opportunities, and I guess he must have had that typical buyer's foresight. Together with several other gentlemen, he helped to build the Alliance furnace, which was located about 25 miles south of here as the crow flies, and was the first blast furnace built west of the Allegheny Mountains.

That was the beginning, and you know the rest of the story. Pittsburgh and the production of iron and steel became synonymous around the world. The portion of the industry located in the Pittsburgh district consumes and produces, every year, goods and services worth hundreds of millions of dollars. It typifies, I believe, the tremendous interdependence of American industry, just as it proves the essential nature of competitive enterprise.

This can also be said, of course, for the fine profit-motivated utilities which serve the Greater Pittsburgh area. Like every other heavily industrialized district in the Nation, Pittsburgh owes a great deal to the public utilities—distributing electricity, gas, and steam—which have met the challenge of steady industrial and residential growth.

It would be possible, no doubt, to spend all our time together today just talking about Pittsburgh and its past and present associations with your industry. There is, for example, Pittsburgh's role in the discovery and early distribution of oil.

Then, there is that famous Pittsburgher, George Westinghouse. His invention of the gas meter, his work on automatic safety valves and his general interest in gas as a fuel contributed substantially to the introduction of gas into the American home.

As you know, he later turned his attention to electricity—and all of us who depend upon and profit from America's vast electric power capacity can be thankful for the inventive genius and foresight of George Westinghouse.

But being a steelman, I find myself irresistibly attracted to the close relationship that has existed between America's investor-owned utilities and its profit-motivated steel industry.

This relationship also dates back about a century, to the time when iron pipe was making possible the first municipal water and sewage systems. It goes back to the iron and steel products used in the first central heating systems—and back to 1876 when gas piped to the Philadelphia Exposition brought about the first public display of a gas kitchen range.

It is steel that helps to harness water power and convert it into electric power with turbines and generators also of steel. When coal is converted into electricity, there are miles of steel pressure tubing in the boilers, heat exchangers, condensers, and superheaters of the generating plant.

Across high-voltage transmission towers, through cables and wires, into substations and transformers, and out again to the home, office building, and factory, electricity and steel travel together.

Of course, gas travels in the same company. Steel drills the well and brings the gas to the surface. Steel carries it across the continent, regulates it with valves and pumps, carries it to city and suburb and meters it to the ultimate consumer.

And when that energy is finally consumed—be it gas or electricity—all of the heating plants, machinery, appliances, and light fixtures are made predominantly of steel.

So from all appearances, this seems to have been a mutually beneficial relationship. I know that in United States Steel, we have found a great challenge and a great satisfaction in supplying your needs and meeting your very exacting demands. We are putting all of that experience, and more, into our current efforts to provide you with even better steel products now and in the years ahead.

But this isn't all. Utilities and steel helped to shape America into the great industrial Nation that it has become. The industrial power of this land is, in large measure, a creation of steel in endless variety and energy in limitless quantity.

It would be difficult to find a single product, a single technological development, a single industry that does not owe a part of its existence to the products and services offered by our two industries.

The American home is one of the most comfortable and convenient to be found anywhere in the world. Products of steel and the products of utilities helped to make it so.

At this very moment, across the length and breadth of our land, electric motors drive the complex and reliable machinery of our industrial plant. Gas-fired industrial furnaces anneal, bake, heat-treat, melt, and otherwise help to process the constantly growing variety of our manufactured goods, while water is used to cool and clean, lubricate, and quench.

From automobiles to Z-shaped steel sections, from safety pins to man-carrying capsules destined for outer space, the products of American industry come off the assembly lines in steady profusion. This is the power of America. It is the ability to produce a gadget or a rocket, and do it accurately and efficiently, not only once or twice, but millions of times if the market exists.

They tell me that when the first modern computer was being built, a little more than a decade ago, there was some question as to what the demand might be and whether there would be any real demand at all. Well, there were some 5,000 computers in operation 2 years ago. The number has climbed rapidly since then, and I read just last month that some 20 electronics companies, offering an increasing variety of computer systems, will compete for an estimated $2.5 billion worth of data processing business in 1963.

In this single illustration, there is revealed much of the wealth, productive capacity, technological greatness and vast potential of our Nation and its system of free, competitive enterprise. Here is one of the reasons why Russian Premier Khrushchev urged his people, late last year, "to learn from the capitalists—to imitate whatever they have that is good and profitable."

What was the magic formula by which we created all this wealth, capacity, greatness, and potential?

One ingredient, most certainly, has been the manner in which you people in the utilities field have worked and profited and invested, so as to step up the available quantity and keep down the cost of the energy you sell.

Year after year, the investor-owned electric companies continue to advance America's world leadership in electricity. You know the statistics better than I, including the fact that we have about three times the power-producing capacity of the Soviet Union, and there is no sign of their catching up in the foreseeable future.

Just the other day I read where residential electric service cost 24 cents a kilowatt hour when it was introduced in New York City back in 1883. Americans now pay about a tenth of that amount for their electric power.

Another major source of America's industrial power and energy is the fact that progress achieved in one segment of our economy almost always becomes progress for many others.

Around the turn of this century, as demand grew for natural gas, you people in that industry asked for pipe of bigger diameters and higher strengths, and the steel industry took up the challenge.

Our research and operating people learned more about the chemical structure and metallurgical properties of steel, and we supplied the pipe you wanted. In fact, we've been supplying the gas industry with 36-inch outside diameter pipe for a number of years, and the working pressures run all the way up to the 60,000 pounds per square inch of the high strength X-60 steel approved last year.

In United States Steel, we think this is only the beginning. We are actively experimenting with line pipe designed for pressures of 70, 90, and a 100,000 pounds per square inch. We're presently installing a new mill here in the Pittsburgh district that will employ the most advanced techniques for making electric resistance weld pipe.

Incidentally, you buyers of welded pipe had a lot to do with our decision to install this mill. You've been stressing to our salesmen that your companies want still higher quality, thinner walls, and longer lengths. The aim of this new mill will be to meet those needs.

Another example is the fruition of a project that began 30 years ago, with our first experiments on a high-strength, low-alloy steel possessing remarkable corrosion resistance properties. A tower made of this steel, which we call Cor-Ten, was erected some time ago out at our Gary Steel Works in Indiana. It has a rich, russet color that developed about a year after it was put up, and is caused by a thin, tightly adhering skin that forms on Cor-Ten. The skin doesn't flake off, but rather, seals and preserves the steel's original strength and thickness.

Recently, when steel and other materials were being considered for transmission towers on one of the earliest 5,000-kilovolt lines, Cor-Ten was selected for the entire project. It was found to be more suitable in appearance and, of greater importance, more economical than any other material studied.

My point is, of course, that a single element of progress within our competitive system can become a many splendored thing, to paraphrase a popular song of a few years back. The demands of one industry spur research and development in another. The results of that effort are applied to meet the needs in still other areas, and the resulting chain reaction produces economic and industrial growth of vast proportions.

Steel developed for utility and other companies in past years is giving success to efforts in the missile and space industry. And what we are doing now in the way of new research for missiles and space will someday find application in utilities, and automobiles, and appliances, and others.

What is the energetic force that drives this whole process forward? Well, you gentlemen know the answer. It is partly our pride of workmanship, the American desire to do a better job, build a better product, provide a needed service. It is our natural, national drive—plus one more element, profit.

What motivated your industry to increase its real output by more than 240 percent from 1947 to 1961, an increase some four times greater than that of the total economy over the same period of time? It was profit. Why does a steel company spend years of time and millions of dollars to develop and produce a better, stronger steel? To improve its profit position. Why are Americans the best fed, best housed, highest paid people on the face of the earth? In a word—profit.

Yet for more years than obviously has been good for the health of our economy, the profit column in our national ledger has been considerably out of balance. Almost every economic yardstick that we have shows the comparative trend of corporate profits going counter to our general economic growth.

About a year ago, the Federal Reserve Bank of Philadelphia studied the decade of 1950's. It found that the 10-year period was one of good national progress. The gross national product increased by about 77 percent; business sales went up some 70 percent; employee compensation rose 90 percent. It was a good decade for most every segment of the economy—except profits. They were just about the same in 1960 as they had been in 1950.

A more recent study by the U.S. Department of Commerce measured what it calls the corporate output, which might be described as the contributions made by America's corporations to gross national product. The study covered the years from 1948 through the first half of 1962, and it showed that annual corporate output more than doubled during that period of time.

But the share of corporate output returned to capital in the form of profits declined by a fourth. And the amount of profits left for reinvestment in the Nation's corporations dropped from an annual rate of $13 billion in 1948 to $10 billion the first half of 1962.

Now, some people will ask: If profits are so important, and if they have been relatively declining all these years, then why does our economy keep moving onward and upward? The answer to this can be found, perhaps, in the attention which official Washington has been directing lately to what they term "a lag in our national growth," dating back over the past 5 years.

The Secretary of the Treasury, among others, has referred to unemployment holding at a 5-percent rate over that period. The administration's chief economic adviser, Walter Heller, said last November that the economy has been suffering from a case of "tired blood" since 1957.

If anyone is interested in a reason, I would suggest that they take a look at the Economic Letter issued last month by the First National City Bank of New York. It reveals that according to Internal Revenue Service figures, manufacturing corporations, as a group, have earned less than 8 percent on their net worth in every year back to 1957. Also, average profits for this same group of corporations have been down around 3 cents per sales dollar ever since 1957.

Largely because of this obvious squeeze on profits, annual expenditures for new plant and equipment among manufacturing companies actually dropped by a billion dollars between 1957 and last year.

The whole situation reminds me of the oldtime melodrama, "Nellie, the Beautiful Cloak Model." In the first act, as some of you may recall, the villain tries to push Nellie into the ocean. In the second act, he ties her to the railroad tracks, and in the third act, he places her in the path of a buzz saw.

Then, in the fourth act, the villain says, "Nellie, why do you mistrust me?"

Profits have been half drowned in a sea of taxation. They have been derailed by the results of excessive wage demands. They have felt the sting of inflation's buzz saw. And now the question is asked, "Why is our national economy lagging?"

The answer is obvious. Our major economic problem may well be "tired blood." If so, it has certainly been caused by "profit deficiency anemia." For too many years, there have been too many variations on the idea that political capital can be made by dreaming up new ways to destroy investment capital.

We have got to call a halt to this economic nonsense that says you can tax away profits, bargain away profits, inflate away profits and still maintain a healthy, vigorously growing economy. It just can't be done, and the statistical proof is beginning to show up.

For almost half a century, economists here and abroad have been studying the direct relationship between excessive wage costs and unemployment. There is similar interest growing today about the relationship between profits and unemployment. I understand that if unemployment rates are plotted out on the same graph with corporate profits, it becomes quite apparent that when profits are squeezed, unemployment rises—and when profits rise, unemployment declines.

There should be no mystery about this. The only way any self-sustaining productive job can come into being is through the investment of capital. The only source of this capital is the profit that contributes to it, and serves to attract savings for use in productive enterprises.

In other words, there has to be incentive. There has to be an incentive for people to give their best, for people to save and invest their savings, for individuals to take the risks and assume the responsibilities that go with economic achievement.

If there is proof of this anywhere, it is certainly in the tremendous progress America made through its investor-owned, profit-motivated utilities and industries. And having done such an outstanding job in this area, I believe we have both the ability and the responsibility to do what we can to get the Nation back on the track of growth through profits.

Some months ago, I saw a little news item on some strange happenings at a hosiery mill—I believe it was down in North Carolina. One day, in the midst of production, all the needles stopped for a moment and then began running backwards, unraveling socks instead of knitting them.

Conveyor belts suddenly reversed their direction, packaging machines began to unpack cartons and everything in the plant seemed to be doing just the opposite of its intended purpose. A power company spokesman explained this strange event as a power reversal, and after a short period, the situation was corrected.

I don't know how often this occurs in the power industry, and I'm not certain that I understand how or why it happens. But I do know that a similar event can happen in an economy.

The developer of our economic power—our national strength—is profit. It is the generating force behind the multitude of products that fill the markets of the land. It is a mighty builder of factories, bridges, hospitals and schools—it is a creator of jobs and income and, yes, even taxes.

Your future plans in the utilities industry, and ours in the steel industry, are based upon the continued ability of America's competitive businesses to earn the profit they need to do the jobs that have to be done. And there are many big jobs to be done in the years ahead.

There are research projects to be carried forward. There is new technology to be installed, new equipment to be purchased, if we are to maintain our leading position among the nations of the world. There are jobs to be created for millions of new workers—a project that will cost more than $270 billion over the next 7 years or so. There are the essential needs to be filled of the more than 250 million Americans who will live in this land less than 20 years from now.

And to do all of this, there will have to be profit—much larger profits than those our businesses, and industries, and utilities have been realizing in recent years.

You and I and our contemporaries have a job to do, then, helping to reduce the alarming misunderstanding and misinformation that exists about the basic importance of profits to the creation of jobs and economic progress. And we have a job to do in our daily business activities.

No one is more aware than I am of the role you people play, as buyers, in determining the size of annual profits. The buyer's function, which was identified for so many years as being clerical in nature, has now become one of the most fertile areas for cost improvement.

I know that in United States Steel, we realized long ago that savings attained through efficient purchasing find their way into the profit column just as rapidly as any other operating cost reduction. In fact, our purchasing people put it this way:

With almost 60 cents of each sales dollar being spent by the average manufacturing company for purchased goods and services, a 4-percent savings in purchase cost can be just as important, profitwise, to many companies as a 20-percent increase in sales volume.

If I may make one further reference to United States Steel, I would like to say this. We are well aware of the responsibility you have to your own companies to fulfill that long-established objective of good buying: "To procure the right material, of the right quality, in the right quantity, at the right time, from the right source, at the right price."

We advise the salesmen who call on our purchasing people, for example, that we expect to receive constructive suggestions that can help our business, and help their own companies as well. And by the same token, we feel that we have a responsibility to do more than just sell steel products.

This is not only an age of steel, but one of 10,000 different steels—each of which possesses an exacting array of characteristics and properties to do exacting jobs.

We expect our salesmen to help you and other purchasing people, including those in companies that supply you with items made from our steel, to select the right material for the right job. And more than this, we expect them to suggest the product that can give you the least cost per pound and the least pounds per job.

This is why we engage in a great amount of research, with special emphasis placed upon applications research. In the same manner that your companies promote the sale of home appliances and offer service and advice on the most efficient use of your products, so we also believe that much of our future business rests upon how well we assist you and other customers to find steel the most efficient, low-cost material you can use.

We are doing this because we are profit-motivated, just as you are. And one thing more: We recognize, as you do, that this is the key to national progress. America will advance only to the extent that its industries and utilities have the incentive—the profit—to do things better today and tomorrow than they were done yesterday, or the day before.

You know, a rather large industry in this country is the fastener industry. Automobiles, houses, bridges, refrigerators—everything is held together with fasteners of various shapes and varieties, and most of them are steel.

Every year, the fastener industry takes about a million tons of steel and transforms it into about one hundred billion fasteners, ranging from tiny rivets to bolts a dozen feet or more in length. From one million tons of steel, come one hundred billion fasteners.

This may sound fantastic, but actually, profit does the same thing for the entire American way of life. Between the power we have generated in our economy, and the progress we hope to achieve in the future, there is the unfailing, steel-like band of profit that binds the two together. Power—profits—and progress, this is the formula of American achievement.

It has never failed us in the past. It is our job, yours and mine, to make certain that it is kept intact to serve us in the future. It will not be an easy job, but then, neither is the job of supplying a vast and productive Nation with gas, electricity, water and other utilities—and steel.

A whole world of freedom-loving people expects us to succeed. I know we will.

FEDERAL TROOPS IN BIRMINGHAM?

Mr. ERVIN. Mr. President, the Greensboro Daily News, of Greensboro, N.C., carried an editorial in its issue of May 20, 1963, entitled "Federal Troops in Birmingham?" This editorial is worthy of wide dissemination because it reflects an understanding of the peril posed to constitutional government in America by the use or threat of use of Federal Armed Forces to discharge the responsibility of preserving order which our constitutional system imposes upon States and local communities.

I request unanimous consent that this editorial be printed in full in the body of the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Federal Troops in Birmingham?

Following so shortly on the heels of armed intervention at the University of Mississippi last autumn, President Kennedy's alerting of Federal troops to "prevent a disaster" at Birmingham was bound to be controversial. And so it has proved.

"There is not the slightest legal basis for the use of such power under the Constitution unless requested by the State government," argues Columnist David Lawrence. This is essentially the position of Gov. George Wallace of Alabama, who has threatened to file a court suit asking for an injunction against the possible use of U.S. troops as a last resort measure in Birmingham.

In a telegram to the Governor, Mr. Kennedy cites title 10, section 333, of the United States Code as his authority. The relevant portions of that statute state:

"The President, by using the militia or the Armed Forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it so hinders the execution of the laws * * * that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right."

Whatever else may be said of this statute, wide as it is in scope, it is highly ambiguous. Who, for instance, is to define "insurrection, domestic violence * * * combination or conspiracy"? Who is to say when they have begun in a city within a State? And who can say, unless it is the "constituted authorities" themselves, when they have ceased to be in firm control of a disorderly situation?

By the letter of title 10, it would seem that the President could find ample text for any armed intervention whatsoever within a State. But in the spirit of constitutional custom, it would, as the President told a gathering of Alabama editors this week, be a defeat for the American system to invoke troops in this context.

In spite of the surface similarity to the disorders in Oxford last fall, there is indeed a world of difference between sending in troops to back the execution of a court order, and sending in troops to supersede the elected governing authorities of a State or city. It is safe to say that enormous pressures have built up on the White House to assert its authority in Birmingham. By promptings that are as short sighted as they are decent, it would be tempting to think that even a form of Federal martial law would be preferable to an explosive situation in which American citizens are being harassed with fire hoses and police dogs as they seek to enjoy their rights of assembly and petition, and in which a Governor is using State troopers to arbitrate a dispute between two different city governments.

The great danger, the great strain on American constitutional custom, in such a situation lies not so much in the exact legal niceties but in setting a grave precedent which could be conveniently turned to ignoble uses by a Chief Executive in the future.

Back in late September, the President was faced with a choice between seeing the writ of Federal law defied and marshals subjected to bodily harm and using Federal troops. So far, in Birmingham, such a clear-cut issue of the defiance of Federal authority has not arisen. Hopefully it will not. And that is why we would join Mr. Lawrence in counseling extreme caution in the brandishing of Federal armed force, even in the face of a George Wallace.

Municipal disorders in Alabama, however shocking they are, should not become a stalking horse for the assertion of constitutional prerogatives which simply do not lie within the traditional scope of Presidential authority.

ORDER OF BUSINESS

Mr. GRUENING. Mr. President, is there further morning business? If not, I would like to obtain the floor.

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I desire that the Senator from Alaska be recognized, with the understanding that at 5 minutes to 1 there be a quorum call, so that the Senate may leave in a body at 1 o'clock to go to the Chamber of the other House.

Mr. GRUENING. Yes, indeed.

REPEAL OF CERTAIN LEGISLATION RELATING TO THE PURCHASE OF SILVER

The PRESIDING OFFICER. Does the Senator from Montana desire that the unfinished business be laid before the Senate?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. The unfinished business will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes.

THE FEDERAL MARITIME COMMISSION HAS SCUTTLED THE PUBLIC INTEREST; ITS MEMBERS SHOULD BE REPLACED

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. GRUENING. Mr. President, it was on June 12, 1961, that President Kennedy sent to Congress Reorganization Plan No. 7 of 1961, to establish a five-member Maritime Commission. It was designed to remedy the schizophrenic organizational malady that had long existed as a result of the conflicting combination of both regulatory and promotional responsibilities for the maritime industry in one organization. At that time, the Chairman of the Federal Maritime Board, which held the regulatory responsibility, was also Maritime Administrator, being charged with the duty of promoting the welfare of the same industry that, under his other hat, he was supposed to regulate. It should long have been recognized that this condition made genuine regulation of the maritime industry difficult to expect. The two functions were, by their nature, incompatible.

Certainly for the last 40 years or more the regulatory machinery of American shipping has favored wholly the operator and never the public. This condition has been so flagrant that within the last 30 years Presidents repeatedly abolished the existing regulatory agency and replaced it with another in the hope that the new agency would modify existing policy and show some regard for the public interest. Thus, President Roosevelt in 1936 replaced the U.S. Shipping Board, established in 1916, with the U.S. Maritime Commission. There was no improvement. So again President Truman, by Reorganization Plan No. 21 of 1950, established the Federal Maritime Board and the Office of the Maritime Administrator. This change proved no more satisfactory than the preceding ones in rectifying the flagrant bias. So the Federal Maritime Board was again replaced on June 12, 1961, by President Kennedy. This time the hopeful distinction was made clear that the regulatory and promotive functions and agencies would be separated.

One reason why there had been no improvement in the past regardless of who were appointed Commissioners was that underneath them the same old bureaucracy, perpetually infiltrated by the steamship lobbyists, continued to hold sway. Instead of serving the public it had invariably served the vested interests. But with the reorganization plan of 1961, promising something of the New Frontier, I hailed it hopefully and testified as follows:

> The new Maritime Commission, replacing the present Maritime Board, would have five members instead of three—a change which should bring new ideas and a fresh approach to the regulation of water carriers subject to its jurisdiction and also a desirable greater diversity or representation. I believe this change, in itself, ought to be productive of a hitherto untried vigorous regulatory policy which is so badly needed.
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> It is of particular importance that the plan of the President would relieve the Chairman of the regulatory body of responsibility for promotional efforts on behalf of the maritime industry. This important duty would be lodged in a Maritime Administrator responsible to the Secretary of Commerce where it appropriately belongs. The anomalous situation now existing in which one individual is both the Chairman of the Maritime Board, in which role he exercises regulatory responsibilities, and also Maritime Administrator, a position charged with responsibility for promoting and encouraging the development of the American merchant marine is, I believe, at the root of many of the freight cost difficulties faced by the offshore areas.
>
> I believe the adoption of this reorganization plan is essential not only to the interests of the public dependent on water transportation but that it will also greatly benefit the water carriers.

Unfortunately, despite these high hopes, the present Maritime Commission has betrayed the purpose of the President and the trust that he put in it. Whatever justification there may have been before the regulatory and promotive functions were separated, this reorganization has not produced the results for which we in Alaska, and no doubt the President hoped, and the long victimized public had a right to expect. The present Maritime Commission has frankly sold out to the maritime industry.

A brief review of the history of attempts to regulate the U.S. maritime industry raises the question whether an entirely different approach to control of this part of the transportation industry—certainly insofar as it serves offshore areas—should not be developed.

Water carriers were the second form of transportation subject to regulation in the United States, following regulation of the railroads by the Interstate Commerce Act in 1887.

Early regulation of water transportation was concerned largely where shipments were partly by rail and partly by water when both occurred under common control, management or arrangement. Thus, provisions for such regulation appeared in the 1887 act to regulate commerce, the subsequent amendment of the Hepburn Act of 1906 and the Panama Canal Act of 1912.

In 1916, after congressional committees had, for 2 years, investigated problems of water transportation, the Shipping Act of 1916 was passed to correct abuses revealed by the investigations. Rate wars in the maritime industry had been frequent, resulting in special agreements or understandings among the larger carriers as to rates, schedules, or sailings, and ports served, deferred rebates and other practices designed to discourage competition. To outlaw these practices, and protect the public against abuses of monopolistic control the Shipping Act of 1916 was passed.

With the passage of this act—the first exclusively concerned with regulation of the shipping industry—first appeared the unfortunate commingling of regulatory and promotional responsibilities in one agency that Reorganization Plan No. 7 of 1961 finally sought to cure. For the 1916 act established the U.S. Shipping Board which had elements of both duties.

Rates in the foreign trades were not subject to direct control of the Board, but it was required to approve carrier agreements relating to rates, services, or traffic arrangements. Domestic carriers were required to publish and file their maximum rates, which had to be just and reasonable. The Board was authorized to prescribe maximum rates.

At the same time, however, the Shipping Act of 1916 had as its purpose to foster development of an American merchant marine; World War I had demonstrated the urgent need for additional shipping. Thus, the act authorized the Shipping Board to form a corporation, later known as the Emergency Fleet Corporation, to purchase, construct, lease, and operate merchant vessels. Subsequent legislation in 1920 and 1928 assigned other responsibilities designed to foster and promote the American merchant marine through sales to private owners of ships constructed under Government auspices and, later, through the administration of subsidies to encourage private construction of vessels for our foreign trade.

Meanwhile, the increasing difficulties of carriers in the domestic trade—largely due to the augmented number of vessels resulting from World War I construction—made legislation to regulate minimum, as well as maximum rates, imperative. After a series of rate wars leaving domestic water carriers in a state of financial chaos, Congress enacted, in 1933, the Intercoastal Shipping Act—the act under which trade to Alaska is regulated. This act required carriers to file and adhere to their actual rates. Power to administer the regulatory provisions, including suspension of proposed changes in rates and investigation of the lawfulness of a proposed new rate was assigned to what was then the Shipping Board Bureau in the Department of Commerce.

The Merchant Marine Act of 1936 abolished the Shipping Board Bureau and created the U.S. Maritime Commission which, in addition to powers of suspension and investigation the Shipping Board had exercised, was given authority to prescribe just and reasonable minimum as well as maximum rates.

However, the act of 1936 repeated previous legislative errors resulting in an incompatible mixture of promotional and regulatory responsibilities. The Maritime Commission was required to administer an amended program of subsidies to encourage the foreign trades, and to promote development of the American merchant marine, meanwhile presumably exercising its regulatory responsibilities.

The subsequent reorganization in 1950 of the Maritime Commission into a Federal Maritime Board and a Maritime Administrator failed to remedy the inconsistent regulatory-promotional pattern of our maritime program, since, as noted above, the Maritime Administrator, having primary promotional responsibility, also served as Chairman of the regulatory body, the Maritime Board.

With the passage of the Transportation Act of 1940 a meaningful scheme of regulation was enacted for the domestic water carriers—placing them under the regulatory aegis of the Interstate Commerce Commission. However, this legislation, by special provision of section 27 (b) of the Alaska Statehood Act, does not apply to the carriers engaged in trade between Alaska and the other States.

From the days of the U.S. Shipping Board Alaskans have suffered the consequences of ineffective rate regulation. They have been and are dependent on water transportation for nearly everything they eat, wear, use, and need for any purpose. Ninety percent of all commodities sold in Alaska have been transported by water.

And through the years there has been one consistent pattern in the cost of living in Alaska—that is, up—always increasing and increasing at a rate faster than other living cost increases. That Alaska's rising costs follow the cost of transportation is undeniable because the pattern of transportation cost has been the same—inexorably increasing, year by year, and the cost of living in Alaska has been roughly proportional to the transportation rates.

Prior to statehood, a constant preoccupation of the territorial legislature, beginning with the first one in 1913, was with means of prevailing upon the Federal Government to bring down the cost of shipping—an area of legislation in which the Territory was completely helpless.

This helplessness was most forcibly demonstrated by the long years of discrimination against the Territory by two words in the Jones Act—the Merchant Marine Act of 1920—which derived its name from its author, Senator Wesley L. Jones, of the State of Washington, whose legislation was designed to help his Seattle constituents in the shipping business. Long before passage of the Jones Act there was general agreement in Congress that the coastal trade of the U.S. merchant marine should be served exclusively by domestic shipping. Section 27 of the 1920 act, however, included provisos designed to relax the exclusive control of domestic shipping in interstate commerce to the extent that the requirement for use of domestic vessels would not be applied to merchandise transported between points within the continental United States over through routes recognized by the Interstate Commerce Commission for which routes rate tariffs are filed with the Commission and where such routes are in part over Canadian rail lines and their own or other connecting water facilities.

Two words spelled injustice and deliberate discrimination for the Territory of Alaska. Into section 27, Senator Jones inserted the words "excluding Alaska." Despite the protests of the citizens of the Territory, as expressed by the legislature, and their voteless delegate in Congress, the machinations of the shipping industry and the fisheries interests, headquartered in Puget Sound, were too much to be overcome. And so, Alaska, the very place the beneficent exception of the third proviso of section 27 should have applied, was crudely excluded. The result was that what benefits the Territory might have derived from lower costs of foreign shipping never materialized. It was imprisoned by the requirement that only domestic shipping would be allowed in its ports, forcing the payment of ever higher and higher charges for waterborne freight paid to what was to become a virtual transportation monopoly.

The discriminatory nature of this throttling provision of the Jones Act was immediately protested by the legislature when it next met in March 1921. It instructed the Territorial attorney general to bring suit against the Federal Government, and test the validity of the exclusion of Alaska from the benefits of the third proviso of section 27. The legislators believed that this violated the constitutional provision prohibiting preference by means of any regulation of commerce or revenue to ports of one State over those of another. The result was enormously disappointing, as, on appeal to the Supreme Court—which finally decided the case—the Court held that the constitutional provision on which reliance was placed protected the States but did not protect a Territory of the United States, and that, with respect to it, whose inhabitants the opinion referred to as "colonials", the Federal Government could exercise plenary power.

Not until passage of the Statehood Act in 1958 was it possible to change the word "excluding" to "including" and, thus, open the door a little for the possibility of lower shipping rates from use of foreign shipping.

In 1939, shortly before I became Governor, the legislature adopted a memorial requesting the investigation of maritime freight rates.

> Freight tariffs—

Said the legislators—

> have been increased to a point where they are now excessive and beyond the value of the service rendered.

With much effort, following this expression, an investigation was secured from a reluctant Maritime Commission, and its investigators indeed found the rates to be excessive. They so reported, and calling attention to discriminatory rates, called for rate reduction.

But, the result was the same as it has been repeatedly. In fact, in May 1940, while the investigation of the excessiveness of the rates against which the Alaska legislators had protested had been ordered but had not yet gotten underway, the carriers obtained from the Commission a further 15 percent rate increase on passenger and freight rates.

Since 1950, water borne freight rates to Alaska have increased 56.4 percent. In the same period the cost of living in the United States had increased 26.7 percent. Thus, the raise in prices the Alaska Steamship Co. has obtained, with the connivance of the Maritime Commission and its predecessor, has been a magnitude of 100 percent greater than the rise in the cost of living, reflecting costs of all commodities used in the United States.

And now the "new" Maritime Commission appointed by President Kennedy has awarded yet another 10 percent increase to the Alaska Steamship Co.—the dominant carrier in the trade.

This decision of President Kennedy's "new" Maritime Commission on May 6 makes it clear that repeated reorganization of the domestic maritime regulatory agencies has not, yet, produced a system on which the public can rely for protection against unwarranted increases in costs of domestic water transportation. It may be further study will indicate no need for additional legislation, but, rather, improvement in the caliber of Commission members.

Let us analyze the case just decided.

It began on December 9, 1959—at the time the former Maritime Board was the regulatory agency—with the filing of a revised tariff by the Alaska Steamship Co. setting forth an increase in rates and charges of 10 percent over those previously filed. Members of the Board at that time were Chairman Clarence G. Morse, Thomas E. Stakem, and Sigfrid Unander. Note, the decision of the Commission has been rendered nearly 3½ years after the case began—an indication, in itself, of the unjustifiable delays that have been chronic with this regulatory agency and nullifying at least one reform President Kennedy had visualized. The power to delay is the power to destroy. Time lost, irretrievably, in administrative procedures leads us to wonder whether our concepts of administrative due process do not need drastic overhaul. Perhaps we would find our rights are being effectively denied by an excess of administrative procrastination in the name of due process—but having little recognizable resemblance to the protection of rights historically associated with this noble phrase.

Immediately upon notification of the intention of the carrier to increase its rates, the State of Alaska filed a formal protest against these increases and my colleagues, Senator BARTLETT and Representative RALPH J. RIVERS, and I personally appealed to the Maritime Board to withhold the imposition of the increase until a hearing could be held. We pleaded with the members of the Board to exercise their statutory authority to suspend the rate increase for the period of 120 days provided by law at least until the arguments in opposition to the increase could be presented by the State.

To our dismay, but perhaps we should not have been surprised, the Maritime Board peremptorily refused to grant this stay of the rate increase. The 10-percent increase automatically went into effect on January 10, 1960, without a hearing, 30 days after the Alaska Steamship Co. had requested it.

The Board stipulated that the carriers maintain an account of all moneys received by reason of the increase and refund to the shippers any freight charges collected under the increased rates which might, eventually, be found by the Board to be in excess of just and reasonable rates.

One of the shocking aspects of this action was that at the time the matter was presented to the Board, one of its three members, Mr. Sigfrid B. Unander, who had been only recently nominated as a member of the Board, expressed his general unfamiliarity with the issues raised by the proposed rate increase. Indeed, his nomination had not been considered by the Senate Commerce Committee and his nomination therefore not confirmed. Nevertheless, he joined the other members of the Board in denying the request of the State of Alaska that the rate increase be suspended pending a hearing.

It has always seemed to me that, in view of Commissioner-designate Unander's admitted unfamiliarity with the matters to be determined after hearing and review, it was improper for him to concur in this decision, and that he should, at least, have abstained from acting on it.

Of course, it was always clear to Alaskans that, even had the increase applied for been denied, and the steamship company made to refund overcharges, this refund would have gone to the shippers—and would never have made its way back to the public that paid for it. The increased rates, as soon as they became effective, were imbedded in the cost of living in Alaska and there has been no way in the world this can be corrected. This has happened repeatedly and is a fairly certain forecast of what the agency will do—namely to decide the case against the consuming public.

It is of incidental interest, now that the Commission has found this rate increase lawful, but, as a sidelight illuminating the manner in which all decisions are made for the good of the industry—and not the public—and significant to point out that the predecessor agency of this Commission—the Federal Maritime Board—did not even require the carrier to keep a separate account of the moneys which, by its own order, it was supposed to hold separately for repayment to the shippers in the event the increase was not approved. In the course of hearings on the case, counsel for the State discovered that the moneys received from the increase were simply thrown together with other revenues, and there was, in fact, no fund whatever to repay the shippers, had this been necessary. Obviously, there was cynical recognition by the carriers they would be protected by the agency intended to regulate them. And the agency no less cynically failed to secure compliance with its own order.

During the long weeks of hearings, which began in Seattle in July 1960, and extended, intermittently, until December 6, 1960, when the record was closed, the State probed and examined the case of the Alaska Steamship Co., developing in full the clear finding there was no justification whatever for an increase which has now been allowed.

Startling information was developed as to the manner in which the Skinner family-owned corporation, which is the Alaska Steamship Co., has extracted money from the people of Alaska in a shockingly highhanded fashion.

In the first place, this is no struggling enterprise needing additional revenues to continue its business. This is no agency of public service whose costs of operation justify payment of ever higher tribute from those it deigns to recognize as customers. The Alaska Steamship Co. is a lucrative moneymaking organization, as shown by the facts.

On the basis of rates in effect prior to the 10-percent increase now approved, the Alaska Steamship Co. earned a return on its investment in 1958 of not less than 19.74 percent; a return in 1959 of not less than 8.35 percent; and a return for the combined 2-year period of not less than 13.246 percent. It was the estimate of the State that, with the application of more realistic depreciation periods than have been allowed, the profits of Alaska Steam actually ranged between 21.931 and 22.737 percent for 1958; between 9.697 and 10.528 percent for 1959 and 14.659 and 15.484 percent for the 2-year period.

More shocking than the bare facts of income, now allowed to be increased and ever increased again, are other facts as to the cavalier fashion in which the Skinner family has used this corporation, bought and paid for many times over by the people of Alaska, as a private bank, as a source of charitable contributions made in the name of the Alaska Steamship Co., but, in reality, contributed by the unconsulted rate payers of Alaska, and as a ready resource of funds for investment in other profitable enterprises from which Alaskans receive no benefit at all.

In the course of its investigation pursuant to the rate proceeding, counsel for the State of Alaska found that personal profits of $361,311 accrued to David E. Skinner, president of the Alaska Steamship Co. and a principal stockholder of the company, and to Robert J. Behnke, his brother-in-law, from an intricate maneuver which they financed by funds borrowed from a wholly owned subsidiary of the corporation—the Alaska Terminal & Stevedoring Co.

An analysis of the records discloses that, in 1955, D. E. Skinner and R. J. Behnke each borrowed the sum of $94,000 from Alaska Terminal & Stevedoring Co. With this money they acquired a 49.9375-percent interest in Tanana Terminals, Inc., a corporation providing van equipment in the Alaska trade and then under the control of Jack Garrison.

On May 31, 1957, a new corporation—Arctic Terminals, Inc.—was incorporated and on June 30, 1957, received an installment stock subscription for $1 million—none of which was paid at the time—$490,000 from Alaska Terminal & Stevedoring Co. and $510,000 from Consolidated Freightways, Inc. On the same date Arctic Terminals—the new corporation—purchased the stock of Tanana Terminals for $1,100,000, took over Tanana's equipment and, thereupon, became liable to the former stockholders of Tanana in the amount of $1,100,000, of which $549,311 was payable to David E. Skinner and Robert J. Behnke, and the remainder to Jack M. Garrison.

Thus, Skinner and Behnke accumulated a profit of $361,311 from the investment of funds conveniently borrowed from a corporation in the Alaska trade under their control.

The money for this maneuver came from the Alaska rate paying public. Arctic Terminals, the purchaser of the stock in Tanana owned by Messrs. Skinner and Behnke received from the shipping public more than $2 million between January 1, 1957, and March 1960. These payments came from pickup and delivery charges as well as charges for water haul collected by Garrison Fast Freight as part of a division of revenues with Alaska Steamship Co. under a section 15 agreement filed with the Maritime Board. It is of interest to note the section 15 agreement filed by Garrison Fast Freight and Alaska Steam with the Maritime Board does not disclose the division of revenues with their common affiliate, Arctic Terminals.

An interesting revelation of the benevolent feeling of shareholders of the

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Skinner Corp.—parent company of the Alaska Steamship Co.—to their fellow men is demonstrated by the establishment of the Skinner Foundation Trust. This charitable undertaking has, it is said, been organized to give meaning to the consciousness of the Skinner family of its responsibility to support worthy causes. While the Skinner Corp., parent company of the Alaska Steamship Co., made no contributions to this fund, Alaska Steamship Co. was made to contribute during 1958, $39,620 to the trust fund, and, in 1959, $10,500, all of which came from the pockets of Alaskans dependent on the Alaska Steamship Co. for transportation.

Now the Alaska Steamship Co. has gotten away with it again. This company, against which the Department of Justice once filed charges of criminal and civil violation of the antitrust laws—dismissed by the Court on grounds of lack of jurisdiction—has, again, become the beneficiary of an agency—this time President Kennedy's Maritime Commission—which apparently sees its responsibility as that of protecting the interests of the steamship company to the exclusion of those of the public that pays. It has gotten away with it with the Federal Maritime Commission, as it did with the Maritime Board before, with the Maritime Commission of nearly 30 years ago, and with the Shipping Board before that.

For a brief time, it looked as though, at last, there was hope for a change in course, and as though the beleaguered citizens of Alaska might hope for some deliverance from the increasingly onerous burden they have been forced to carry in the form of water transportation costs.

On April 3, 1962, a year and 4 months after the record was closed in the Alaska Steamship case, there was a decision of the examiner which, to our real surprise, found the rate increase unjust and unlawful for the future. We were, of course, glad to know that, at last, for the first time in all the years Alaska has struggled against the ever higher tide of freight rate increases that—at last—there was at least—even among the conditioned subordinate personnel—some official recognition of our case. We were, of course, baffled by the part of the decision holding that the rates held to be unjust and unreasonable for the future had been all right during the pendency of the proceedings. Despite the tortured rationalization of this quirk in the decision, it appears the reason for it was that, had there been a finding the rates were unjust prior to the date of decision, the requirement in the original order that shippers must be refunded would have been impossible for compliance by the carrier. For, as noted above, there was never any account established by the Alaska Steamship Co. to repay overcharges—had they been found to be overcharges—to shippers in any case.

However, a finding the rates were to be denied in the future was, to the extent it went, welcomed by the people of Alaska. The examiner found, on the basis of the record, that the increased rates would produce projected earnings for 1960 bringing a return on investment of 19.3 percent, "far in excess of that found reasonable."

Among other findings of the examiner in the case, who died before the present Commission overruled his decision, were determinations that appears wholly reasonable to those of us not given the peculiar capacity of the Maritime Commission for twisting facts to attain results desirable to carriers. The examiner found, among other matters, in justification of his decision, the Alaska Steamship Co. could not include in its base the value of a pier and equipment of the port of Seattle owned by that port, despite the rationale of the company that because it used the port of Seattle it could, in some way, claim ownership of a part of it. He also determined that the company could not, justifiably, claim its charitable contributions to various voluntary agencies as an operating expense chargeable to the people of Alaska.

Our hopes for a New Frontier in maritime regulation were rudely dashed on May 6 when the present Maritime Commission overruled the decision of the dead examiner and found, most peculiarly, that the 10-percent increase enjoyed by the Alaska Steamship Co. since January 1960, was just, reasonable, and lawful.

This decision displays a corruption of the administrative process so flagrant as to warrant careful investigation by committees of Congress having a responsibility for protection of the interests of consumers of the Nation.

An analysis of the decision shows it cannot have been based on the record before the Commission.

It shows an arbitrary determination to do that which is good for the Alaska Steamship Co. without regard to the record, to facts, to arguments in the public interest, to the purpose of President Kennedy in reorganizing this agency in 1961.

The decision admits the examiner was correct in forecasts of tonnage carried by Alaska Steamship Co., yet blithely ignores this as of any consequence on the grounds that the year—1960—for which the forecast was made was atypical and a better year than average. It is to be remembered the record in this case was closed in December 1960. On what basis can the Commission possibly come to the conclusion the years after 1960 will not produce as much traffic for Alaska Steamship Co. when there cannot be any evidence of this before it? They simply say they do not believe Alaska Steam will do as well in years succeeding 1960 as it did in that year.

Further, in the remarkable decision of May 6, the Commission cites as reason for granting Alaska Steam an increase in rates that it has added voyages to its schedules, thus increasing expenses. The question arises why, if tonnage carried is believed to be declining should Alaska Steamship Co. indulge in the luxury of additional voyages?

One reason may be the Prince Rupert-Seward rail barge service initiated last season by the Canadian National Railway. To the Alaska Steamship Co., competition is intolerable and must be attacked. Thus, added service of Alaska Steamship to the rail belt of Alaska presents a possibility of eliminating this new, to it intolerable competition, however desirable it may be for the public.

The decision of the examiner on this point carries greater persuasion, as it points out there is no sound reason why the carrier should "force upon the trade a de luxe service when declining traffic trends under prudent and economical management would dictate retrenchment and the adoption of austerity measures."

Profits made by the carrier in a joint venture to provide transportation service for the Department of Defense are calmly disallowed, although the profits to the Skinners were very real, and there is no reason to expect they will decline.

The Commission graciously agreed with the examiner the steamship company could not claim the port of Seattle as a component of its rate base.

However, the Skinner family can rest assured its charitable contributions via the channel of its steamship company can go on comfortably for them—if not for the Alaskans who pay for them. The Maritime Commission has solemnly decreed the charitable contributions paid by the Alaskans to the Alaska Steamship Co. and by Alaska Steamship Co. to charity are an operating expense, chargeable to the trade and deductible to the Skinners. I would respectfully suggest that Alaskans who pay the freight should be consulted as to what charities they prefer as the recipients of their largesse. From all that has been recounted it is clear the chief beneficiary is the Alaska Steamship Co., and the family that owns it.

To Alaskans, the meaning of this decision of the Maritime Commission is the imposition of a burden of $1,500,000 a year in transportation costs in addition to the more than $5 million that our citizens have already paid during the time this case has been in process. It means the progress of our State will be unfairly halted, as it has been fettered in the past, by an unbearably high cost of living for which these transportation costs are the primary cause. The cost of nearly everything we eat, wear, drive, use and need for everyday living will continue to bear an increased cost. The only possible exception will be our magnificent scenery which should remain to inspire us without cost. However, it can be anticipated that if the Alaska Steamship Co. and the Maritime Commission can find a way to do it we shall soon find an allowance in the rate base for the mountains and glaciers of Alaska on the theory they are the property of the Alaska Steamship Co. And, unless means of relief are found, there will be yet another rate increase.

It is clear we must achieve protection of the public interest in the regulation of transportation. Various methods of doing this are possible which we shall continue to explore.

As for improvement of the Federal Maritime Commission, it is my recommendation to the President that the present membership of it be replaced as rapidly as possible. It is apparent the present members have not merely failed to demonstrate concern for the public interest but have actually betrayed it.

Reason for an immediate change in the membership of the Commission is apparent from a review of the qualifications of this remarkable aggregation of political appointees.

Take first the Chairman, the Honorable Thomas E. Stakem. Mr. Stakem's early career was that of an investigator and special agent—whatever that is—first for the FBI, then the Federal Works Agency and the Public Works Administration. The pinnacle of his investigative career appears to have come with his appointment, in 1943, as chief investigator of the U.S. Maritime Commission, a predecessor of the present Commission.

His talents as an investigator evidently brought him recognition as a man of ability, for, from this post he rose to become, in 1951, Assistant to the Deputy Maritime Administrator, a post he held until he was appointed a member of the Federal Maritime Board in 1956.

In my opinion, the very fact that Mr. Stakem had been a member of the former Maritime Board—an agency discredited by its reorganization by the President—should have been sufficient reason to have precluded any appointment to the new Commission. Alaskans remember he was a member of the Board when the infamous decision was made at the beginning of the Alaska Steamship Co. case to refuse suspension of the rate increase now awarded—a decision made arbitrarily and capriciously, if ever one was. This, alone, should have disqualified Stakem.

And now let us examine the distinguished career of the Vice Chairman of the Federal Maritime Commission, the Honorable Ashton C. Barrett, whose term will expire June 30, 1963.

According to his biography appearing in the record of the hearing on his confirmation, Mr. Barrett, after graduating from the University of Mississippi in 1923, "turned his business talents to the challenging task of providing adequate laundry and dry cleaning services to the growing Army Air Force installation at Keesler Field, Miss. and the growing gulf resort area of Biloxi, Miss." This experience in the dry cleaning business undoubtedly provided Mr. Barrett with the skill he has demonstrated as a Maritime Commissioner. It can certainly be said for him that he knows how to clean out the pockets of Alaskans.

Mr. Barrett's biography further describes him as "a sound conservative American businessman who views the regulatory role as one in which the Government has the opportunity to assure, in cooperation with those to be regulated, a free interchange of products in world trade that will mutually enhance the vigor and prosperity of American and free world shipping." I confess my astonishment at this odd concept of the regulatory responsibilities of Government agencies. Surely, it must have occurred to Mr. Barrett that some one other than the interests "regulated" may have a concern with the price paid for goods and services. His action on the Alaska Steamship case is evidence that Mr. Barrett sees the Federal Maritime Commission and the carriers in their charge as one happy crowd who get together every now and then to see how life can be made more pleasant for the steamship companies. Precisely.

The Honorable James V. Day is a Republican appointee to the Commission. He appears to be a salesman, a press agent and a professional worker for the American Legion. His chief qualification for service on the Maritime Commission appears to have been his membership on and service as vice chairman of the Maritime Committee of the American Legion. He comes from the State of Maine, which is bordered by the Atlantic Ocean, and one which has produced many brave seafarers. Presumably this is another reason for finding Mr. Day qualified as a Maritime Commissioner.

Now, Adm. John Harllee certainly qualifies as a man who should know something about ships. In World War II he achieved a brave and gallant record as a torpedo boat commander and staff officer of the PT organization in the southwest Pacific. I am not qualified to discuss whether there are sufficient similarities between naval war vessels and the CMAV-1s the Alaska Steamship Co. operates to qualify the captain of one to take command of the other. However, my experience with the regulatory functions of Government does, I believe, qualify me to express a doubt whether a career in the Navy, no matter how distinguished, provides a background sensitive to protection of the public in complicated regulatory proceedings.

The Navy does not charge its customer, the U.S. Government, for cargo carrying services. The Alaska Steamship Co. certainly does, and this is the reason I question whether one who has had a seagoing career in which no nasty questions of rates to be charged ever arose can put himself in the place of the consumer of goods whose costs are constantly increasing because transportation charges are unbearably high.

Finally, we come to the second Republican member—who began his second term on the Commission July 1, 1962—Mr. John S. Patterson, who, in a manner of speaking, came to the Maritime Commission from outer space. Before his appointment to the Commission, he was special consultant to the Administrator of the National Aeronautics and Space Administration.

I have searched Mr. Patterson's biography, as presented to the Senate Commerce Committee, and I am at a loss to discover any experience that qualifies him for service on a regulatory agency.

He has been a manager of manufacturers associations and chambers of commerce in Illinois and North Carolina. He was director of industrial and public relations for J. P. Stevens & Co., of Greensboro, N.C., from which position he came to Washington in 1954 to do his duty for the Republican administration as Deputy Administrator of the Veterans' Administration. After 3 years in that post, he became Deputy Director of the Office of Defense Mobilization, and then Acting Director of that agency after it was reorganized as the Office of Civil and Defense Mobilization. From there he went to NASA and has now found a resting place at the Federal Maritime Commission.

I cannot believe we could not find better qualified members of the Federal Maritime Commission. I urge the President to relieve those now serving of their appointments as soon as possible and make a real search for talented individuals who will respond to the needs of the American people for protection of their interests.

Meanwhile, the people of Alaska will continue to search for means to protect themselves against the punishment inflicted by ever-increasing freight rates against which our defenses have not, so far, proved sufficient.

Recently, I participated in the inaugural run of one of our three Alaska State ferries, and am more than ever convinced our State operated ferry system will make an enormous improvement in our economy. Even now, we are transporting cargo and passengers from Prince Rupert, Canada, to Ketchikan, Wrangell, Petersburg, Sitka, Juneau, Haines, and Skagway independently of the Alaska Steamship Co.

Last summer the Canadian National Railroad began operating a rail-barge service to the port of Seward, at the heart of our population center. This successful enterprise gives promise not only of giving us more and better service but of providing welcome competition that may, eventually, result in lower costs of shipping.

At Saxman, an area redevelopment loan is making possible the construction of a bonded warehouse—only the second built in Alaska—giving us a distribution facility for southeast Alaska which will make it easier than before, and, less costly, we hope, to ship commodities to the people of communities in the area. That area has long suffered discriminatory rates from the Alaska Steamship Co. At the new warehouse, loaded railcars transported by Canadian Railroad barges will discharge bulk cargo, which will, then, be shipped via the Alaska ferry system and by other local transfer agencies to surrounding communities. This is another advance by Alaska to independence from the existing monopoly.

I have analyzed the action of the Federal Maritime Commission in the Alaska Steamship case at great detail, as I believe the action of this regulatory agency this time constitutes a warning to the President—a warning that an acid test of his administration may well be the degree to which the interests of the public are protected by the regulatory agencies to which he appoints the members. A Democratic administration cannot allow itself to be charged with favoritism by regulatory agencies of the business interests they are supposed to regulate at the expense of a citizenry helpless to defend itself.

The Maritime Commission is but one of the regulatory agencies of the Government on which we depend to control and regulate prices and practices of purveyors of transportation services, radio, and television programs, security exchanges, and to guard against unfair trade practices. As setting foxes to guard chickens is folly, so appointing regulatory agencies that do not regulate is a fraud on the people.

As a Democrat who has hoped for great achievement by this administration, I call upon the President to demonstrate his concern for its success by acting immediately to strengthen and improve the regulatory agencies of the Government.

It was during the magnificent administrations of great Democratic Presidents, Woodrow Wilson and Franklin Delano Roosevelt, that concepts of protection of public interests by the Government from undisciplined exploitation by big business were developed. It has been a tradition of the Democratic Party, on which Democrats rely, that its leaders will be in the forefront of efforts to insure fair dealing with the public by powerful concerns whose methods of operation cannot be controlled by consumers acting alone. The present administration will be well advised to take stock of the actions of its agencies and its regulatory boards, such as the one I have described here, and determine whether there is not need for serious concern that improvements be made soon in the membership of agencies on which the public relies for protection. We must fulfill our duty to demand and obtain the highest possible standards of administration of the laws for which the regulatory agencies are responsible or the Democratic Party may find itself no longer the party of the people.

Mr. MORSE. Mr. President, will the Senator from Montana yield me 30 seconds?

Mr. MANSFIELD. I yield 30 seconds to the Senator from Oregon.

Mr. MORSE. I am familiar with the speech of the Senator from Alaska. I am sorry that time did not permit me to hear it in its entirety. It is a very important speech. I hope all Senators will read it. I associate myself with the speech.

CONSOLIDATION OF VICKSBURG NATIONAL MILITARY PARK

Mr. BIBLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 386, a bill to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes.

The PRESIDING OFFICER (Mr. Ribicoff in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 386) to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes, which was, to strike out all after the enacting clause and insert:

That, in order to reserve and protect the essential historical features of Vicksburg National Military Park in the State of Mississippi and to enhance visitor enjoyment and safety by means of a park tour road and through the consolidation of park lands, the Secretary of the Interior is authorized, in his discretion, and under such terms and conditions as he determines are in the public interest—

(a) to quitclaim to the city of Vicksburg, Mississippi, approximately one hundred and fifty-four acres of land, including the roads thereon and the park land abutting said roads, in exchange for the city's agreeing to place the roads in its road system and thereby assume jurisdiction and maintenance thereof, and upon the further agreement of the city to maintain the parklike character of so much of the park land conveyed to it and abutting the road as the Secretary may prescribe, said land being generally that part of Vicksburg National Military Park lying south of Fort Garrott with the exception of Navy Circle, South Fort, and Louisiana Circle: *Provided,* That title to so much of said abutting park land prescribed by the Secretary and covered by said agreement of the city to maintain the parklike character thereof shall revert to the United States if its parklike character is not maintained; to quitclaim to Warren County, Mississippi, upon like terms and conditions approximately twenty-four acres of land, including the road and abutting park land, being known as Sherman Avenue and the Sherman Avenue spur; to release or quitclaim to Warren County or any other appropriate political subdivision of the State all interest which the United States of America has, if any, in those portions of any public road located on park land which are no longer required for park purposes: *Provided,* That the United States shall reserve from the conveyance or conveyances made pursuant to this subsection title to all historical monuments, means of access thereto, and such other easements as the Secretary determines are required for the continued administration of said monuments as a part of Vicksburg National Military Park; and

(b) to acquire not in excess of five hundred and forty-four acres of land, or interests in land, for addition to Vicksburg National Military Park, such authority to include purchase and condemnation with appropriated funds but not to constitute a limitation upon existing authority to accept donations; and

(c) to enter into agreements with duly authorized officials of the city of Vicksburg and Warren County relative to the effect which the installation of a one-way park tour road with controlled access will have upon the existing local road systems; subject to the availability of funds, to obligate the United States to make provision for such alterations, relocations, and construction of local roads, including procurement of rights-of-way therefor and the subsequent transfer thereof to the State or its appropriate political subdivisions which shall thereupon assume jurisdiction and maintenance, as the Secretary and said officials agree are directly attributable to the installation of the park tour road; and to transfer to the city or county jurisdiction and maintenance of service roads with the Secretary constructs on park lands to properties that otherwise would be denied access because of the installation of the park tour road.

The Secretary of the Interior shall not, without first obtaining the consent of the city and county officials referred to in subsection (c), convert the portion of the existing road known as Confederate Avenue lying between Graveyard Road and Fort Garrott into a one-way park tour road with controlled access, or otherwise limit the use of such portion by local traffic, until the United States has provided for such alterations, relocations, and construction of local roads (including procurement of rights-of-way) as the Secretary and said officials agree are directly attributable to the installation of such park tour road.

Sec. 2. Upon the delivery and acceptance of the conveyances herein authorized, any jurisdiction heretofore ceded to the United States by the State of Mississippi over the lands and roads transferred shall thereby cease and thereafter rest in the State of Mississippi.

Sec. 3. There are hereby authorized to be appropriated such sums, but not more than $2,050,000, as are required for acquisition of lands and interests in lands and for construction and relocation of roads pursuant to this Act.

Mr. BIBLE. Mr. President, the House has amended the Senate bill to put a limitation of $2,050,000 on appropriations for the acquisition of land and construction of roadways in the Vicksburg National Military Park, as authorized in the bill. The amendment is acceptable to the committee and to the Senator from Mississippi, who introduced the bill. Therefore, I move that the Senate concur in the House amendment to S. 386.

The motion was agreed to.

ORDER OF BUSINESS

The PRESIDING OFFICER. The hour of 12:55 o'clock having arrived, under the agreement the clerk will call the roll for a quorum.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT MEETING OF THE TWO HOUSES—RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate now stand in recess, subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection?

There being no objection, at 1:03 p.m. the Senate took a recess, subject to the call of the Chair.

Thereupon the Senate, preceded by the Secretary (Felton M. Johnston), the Sergeant at Arms (Joseph C. Duke), and the Acting President pro tempore (Mr. Bartlett), proceeded to the Hall of the House of Representatives, for the purpose of hearing an address by Maj. L. Gordon Cooper, U.S. Air Force.

(For the address delivered by Major Cooper, see page 9156 of the House proceedings in today's Congressional Record.)

LEGISLATIVE SESSION

The joint meeting of the two Houses having been dissolved, the Senate returned to its Chamber at 1 o'clock and 55 minutes p.m., and was called to order by the Presiding Officer (Mr. Ribicoff in the chair).

VISIT TO THE SENATE BY LORD CRATHORNE, PRESIDENT OF THE NATO PARLIAMENTARIANS

Mr. KEFAUVER. Mr. President, we in the United States and in the Atlantic

Community appreciate the importance of the North Atlantic Treaty Organization in protecting the freedom of North Atlantic countries and, indeed, the freedom of the countries of the world, and also the importance of the fact that since 1949, when the treaty was first signed, the Organization has grown to such an extent that today there is greater political and economic unity as well as military unity between the 15 nations of the North Atlantic Treaty Organization.

With us this afternoon is the gentleman from Ohio, Representative WAYNE L. HAYS, the sponsor of our participation in the North Atlantic Treaty Organization.

One of the principal statesmen who have worked throughout all these years for the strengthening of NATO is our distinguished visitor from the United Kingdom, now the President of the NATO Parliamentarians Association, who is paying a visit to the United States. He has worked very hard and diligently, and this has been his chief purpose in public life for a number of years.

So, Mr. President, it is my high privilege at this time to introduce to my colleagues in the Senate the Right Honorable the Lord Crathorne, P.C.T.D., a Member of the House of Lords of the United Kingdom, and President of the NATO Parliamentarians.

[Applause, Senators rising.]

Mr. SYMINGTON. Mr. President, will the able senior Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. SYMINGTON. I should like to join the Senator from Tennessee in welcoming this distinguished visitor to our body today. I have heard from a great many persons, including the distinguished Senator from Tennessee and the very able Congressman from Ohio, the Honorable WAYNE HAYS, of all the contributions to the cause of the free nations this gentleman has made, first as a Member of the House of Commons, and then as a Member of the House of Lords; and this especially with respect to his efforts in cementing the warm friendship existing between this country and his great nation. It is indeed a privilege to have him with us this afternoon.

Mr. KEFAUVER. I thank the Senator from Missouri. I wish to say that the United States of America has no better friend or ambassador in the United Kingdom than this distinguished gentleman, who served for so long in the House of Commons, and serves now in the House of Lords.

Mrs. NEUBERGER. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I am glad to yield to the distinguished Senator from Oregon.

Mrs. NEUBERGER. Mr. President, I wish to join Senators in this welcome to Lord Crathorne, whom I first met when I attended the NATO Parliamentarians meeting in Paris, several years ago. I wish to offer my congratulations to NATO for having so distinguished a member of the House of Lords serve as its president, and I desire to join all other Senators in welcoming him here today.

Mr. CANNON. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield to the Senator from Nevada, the chairman of the Military Committee of the NATO Parliamentarians.

Mr. CANNON. I thank the Senator from Tennessee for yielding to me.

Mr. President, I wish to join Senators in welcoming to our country Lord Crathorne. It has been a pleasure to work with him for several years in the NATO Parliamentarians Conference. He is an outstanding gentleman, a leader in his own country, and certainly a leader in the building of better relationships between our country and his country.

I certainly welcome Lord Crathorne very heartily as he visits the Senate today.

Mr. KEFAUVER. I thank the Senator from Nevada.

Mr. MANSFIELD. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield to the distinguished senior Senator from Montana.

Mr. MANSFIELD. I join the distinguished senior Senator from Tennessee [Mr. KEFAUVER] in what he and other Senators have said about our distinguished guest who is in the Chamber this afternoon.

Mr. President, as a mark of respect for our distinguished visitor, I ask unanimous consent that the Senate now stand in recess for 3 minutes, in order to enable Senators to greet our distinguished guest.

There being no objection, at 2:09 p.m., the Senate took a recess to 2:12 p.m., when it was called to order by the Presiding Officer (Mrs. NEUBERGER in the chair).

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 18. An act to change the name of Harpers Ferry National Monument to Harpers Ferry National Historical Park; and

S. 247. An act to authorize survey and establishment of a townsite for the Juneau Indian Village in Alaska.

REPEAL OF CERTAIN LEGISLATION RELATING TO PURCHASE OF SILVER

The Senate resumed the consideration of the bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. ROBERTSON. Madam President, I urge the Senate to pass H.R. 5389 and send it to the President for his signature.

H.R. 5389 would repeal the outdated Silver Purchase Acts and the related transfer tax on silver bullion.

H.R. 5389 would prohibit the Government from selling silver, and it would restrict the use of free silver to coinage and sale to other Government agencies, unless the market price should exceed the monetary value of $1.29 plus.

H.R. 5389 would continue the present statutory requirement that the Treasury must keep a reserve of silver to match outstanding silver certificates and must supply silver in exchange for silver certificates on the holder's demand.

H.R. 5389 would also authorize the issuance of $1 and $2 Federal Reserve notes to meet the needs of business and the public. I do not believe the Federal Reserve Board plans to issue any $2 notes, but it will have the authority to issue notes of $1 and up.

In short, H.R. 5389 would take the Government out of the silver market. It would permit a free silver market, not restricted by prohibitive transfer taxes, and neither supported by Government purchases nor depressed by Government sales. It would provide for an adequate supply of paper currency and subsidiary coinage to meet the Nation's needs, and at the same time it would maintain and honor the Government's pledge to exchange silver for outstanding silver certificates.

As I indicated in the statement I made in the Senate on April 23, the bill would not promote or contribute to inflation—in fact, it would have no inflationary or deflationary effects whatever—and it would not bring about or result in devaluation of the dollar.

The Nation's money supply is made up of three main elements; first, $115 billion of demand deposits in commercial banks—that is what is called bank check money; second, $31.5 billion of paper currency, including $1.8 billion of silver certificates and $29.2 billion of Federal Reserve notes; and third, $2.8 billion in coins, including $390 million of silver dollars, $1.8 billion of dimes, quarters, and 50-cent pieces and $658 million of pennies and nickels.

Madam President, the amount of coins and currency in circulation depends almost entirely on the wishes of the public. How much of your cash do you want to keep in your pocket, and how much do you want to keep in the bank? And do you prefer to carry $5 or $10 bills or $1 bills or change? The amount of currency and coins in circulation depends on the answers given to these questions by individuals and businesses.

The part of our money supply which is significant from the point of view of inflation or deflation is the $115 billion of demand deposits in commercial banks. The Federal Reserve Board exercises its monetary powers over these demand deposits by permitting them to expand or by compelling them to contract. Unless the Federal Reserve Board exercises its monetary powers over demand deposits with caution and good judgment, inflation could be caused by unsound price and wage policies and unsound governmental fiscal policies.

The substitution of about $2 billion of Federal Reserve notes, backed up 25 percent by gold and 75 percent by other assets, mostly Government securities, for the same amount of silver certificates would not be inflationary and would not lead to devaluation of the dollar. Secretary of the Treasury Dillon and Federal Reserve Board Chairman Martin made this entirely clear in their testimony.

I pause here to say that is fully covered by the hearings which are on the desks of Senators, who will find a rather extended reference to it on page 5 of the committee report.

H.R. 5389 would provide the statutory authority to carry out the revision of the Government's silver policies which Secretary of the Treasury Dillon recommended and the President approved in November 1961, in the light of the changed silver situation.

In the 1930's, silver was selling around 35 and 45 cents an ounce. In 1932, it went below 25 cents an ounce; and U.S. consumption was around 30 or 40 million ounces a year. In 1933, consumption was down to 11 million ounces.

In 1962, U.S. industrial consumption came to about 110 million ounces, and U.S. coinage requirements came to 75 million ounces, compared with domestic production of about 35 million ounces. Free-world production of silver in 1962 came to 200 million ounces, compared with free-world consumption of about 350 million ounces.

The price of silver, which had been held down by heavy Government sales in 1959, 1960, and 1961, rose sharply when Government sales stopped in November 1961 and is now in the neighborhood of $1.28 an ounce.

The increased demand for silver and the rapid depletion of the Government's stock of free silver led the Secretary of the Treasury to recommend and the President to approve a complete revision in the Government's silver policy. This change was made late in November 1961.

First. The President directed the Treasury to stop selling free silver, which was done immediately. Section 2 of H.R. 5389 would reinforce this directive by prohibiting the Treasury from selling silver on the market for less than its monetary value. Only sales to other Government agencies and use for coinage would be permitted.

Second. The President directed the Treasury to retire from circulation enough $5 and $10 silver certificates so that the silver thereby released could meet current coinage needs. The $5 and $10 certificates which are retired are being replaced by $5 and $10 Federal Reserve notes issued under existing law. The President recommended that the same thing be done with the $1.5 billion of silver behind the $1 silver certificates. Section 3 of the bill would make this practicable by authorizing the issuance of $1 and $2 Federal Reserve notes to replace the $1 silver centificates which would be retired.

Third. The President recommended repeal of the obsolete statutory silver purchase requirements. Section 1 of H.R. 5389 would do this.

Fourth. The President recommended repeal of the tax on transfers of interests in silver bullion enacted as part of the Silver Purchase Act of 1934. Title II of the bill would do this.

Bills to carry out the President's recommendations were introduced in 1962. The President renewed his recommendations this year in his Economic Report. Administration bills were introduced in February. The House Banking and Currency Committee held hearings on H.R. 4413, and the Committee on Ways and Means considered the tax provisions of the bill. A new bill, H.R. 5389, embodying changes recommended by the Ways and Means Committee and the Banking and Currency Committee, was introduced, reported by the House Banking and Currency Committee, and passed by the House.

When the bill was referred to this committee, I asked the Finance Committee to consider the tax provisions of the bill and to make whatever recommendations to the Banking and Currency Committee it considered appropriate. The Finance Committee considered the bill and recommended that, if the Silver Purchase Acts were to be repealed, the transfer tax should also be repealed, and on that basis recommended the provision of title II of the bill. The Finance Committee's letter is set forth in full at page 8 of the committee's report.

The Nation's commerce and finance must have an adequate supply of change and $1 bills. The mint has to go on supplying dimes, quarters, and 50-cent pieces, and the Bureau of Engraving and Printing has to go on supplying $1 bills.

The mint needs something like 80 or 90 million ounces of silver a year to make dimes, quarters, and 50-cent pieces. The Bureau of Engraving and Printing needs to produce, and the Federal Reserve banks need to keep in circulation, about 1.5 or 1.6 billion $1 bills, and if these are silver certificates, it means keeping a stock of about 1.4 billion ounces of silver on hand. Industrial consumption of silver is now outrunning production. If the mint has to go into the market to buy silver to meet coinage needs, the price of silver would certainly rise above the monetary value of the certificates to a point where holders of silver certificates might find it worthwhile to present their silver certificates to the Treasury and demand silver in exchange. Eventually this could reduce the number of silver certificates to a point where the needs of business and the public could not be met.

The only solution suggested which seems practicable to me is contained in the bill—to authorize the issuance of $1 and $2 Federal Reserve notes to replace $1 silver certificates, and to use the silver behind $1 silver certificates for coinage and for other governmental uses.

This will keep the Government out of the silver market for what we anticipate will be a good many years. This will, we trust, give the silver industry time to reach a satisfactory adjustment between supply and demand and prices. It will make it possible to meet the needs of business and the public for coins and currency. And, as I said in the Senate on April 23, H.R. 5389 would accomplish these things without any inflationary or deflationary effects, and without dishonoring the Government's obligations to supply silver in exchange for silver certificates.

I again urge the Senate to approve H.R. 5389 and to send it to the President for his signature.

Mr. LAUSCHE. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield to the Senator from Ohio.

Mr. LAUSCHE. Would the bill authorize the Federal Reserve Board to issue $1 and $2 notes, and under the law support such issuance by a 25-percent gold backing?

Mr. ROBERTSON. It would. The law requires the Federal Reserve Board to have a 25-percent gold backing for all the notes it issues.

Mr. LAUSCHE. Will the Senator look at page 5 of the report, where there is an exchange of questions and answers between the chairman of the Banking and Currency Committee and Mr. Martin.

The question is by the chairman.

The colloquy reads as follows:

> The CHAIRMAN. If your Board issues $2 billion of $1 bills, would that be printing-press money?
>
> Mr. MARTIN. Not in the slightest, because we would have to maintain 25 percent in gold against it.
>
> The CHAIRMAN. Would it have an inflationary effect?
>
> Mr. MARTIN. It would not, in my judgment.
>
> The CHAIRMAN. Would it be merely replacing the currency that is now in circulation?
>
> Mr. MARTIN. That is correct.
>
> The CHAIRMAN. Does this involve in any way the revaluation of the dollar?
>
> Mr. MARTIN. No. In no way whatever. It merely is a transfer. We do not lose any gold by this. We merely transfer gold out of our present free account to the reserves back of the currency.

My question is this: With our gold supply annually dwindling it is my undertanding that there is now only $3½ billion of free gold?

Mr. ROBERTSON. The Senator is correct. There is about $16 billion worth of gold in all, but $12½ billion worth is required to support our currency. There is available approximately $3½ billion of free gold to meet a potential demand of $19 billion or $20 billion of foreign claims on the dollar, but we anticipate the demand will not come.

Mr. LAUSCHE. There is a potential demand of $19 billion or more in short-term moneys held by foreign countries of the world, which could call upon us to pay the credits in gold?

Mr. ROBERTSON. Only the governments could require redemption in gold, but the citizens could take the local currency and turn the dollars over to their governments, and their governments could require gold.

The Federal Reserve could issue between $15 billion and $16 billion of Federal Reserve notes against the free gold the Government now holds. While the backing legally required is only 25 percent, it is actually close to 33 percent at the present time. This makes no real demand upon our gold.

Another thing of importance is that this change is expected to occur gradually. All of the certificates will not be turned in overnight. The Senator will realize that with the price of silver now at $1.28, or perhaps a bit over, when it goes to $1.29 plus, the man with the silver certificate may say to the Treasury, "Here is a silver certificate; I want my silver," because it will be worth more than a dollar.

Mr. LAUSCHE. Yes.

Mr. ROBERTSON. That would price silver certificates out of the market. We would be out of $1 bills; and the Federal Reserve Board, under existing law, cannot print either a $1 bill or a $2 bill. It is really a matter of necessity to do this, because business needs the $1 bills.

Mr. LAUSCHE. The point I am trying to make is that by transferring into the gold reserve the obligation to support dollar certificates we would in a measure dilute our gold strength insofar as our obligations to the short-term creditors of the world are concerned.

Mr. ROBERTSON. Yes. But if it all rode on that, we would be sunk. I tell the Senator that as my opinion.

Someday we must balance our budget. Someday we must make it clear to the world that our money is sound. Someday we must increase our balance of payments by shipping more abroad.

One way we can do that, in my opinion, is by reducing foreign aid. We know that a good deal of the foreign-aid money has been piled up as a demand on us.

We have military personnel stationed in 52 nations of the world, and 325,000 dependents are overseas. They are all drawing our money. They are all spending our money. In my opinion, we could bring back a substantial number of our military personnel serving abroad, and save some money in that way.

The committee said, as appears on page 7 of the report:

> The committee wants to make it clear that the basic problems underlying our balance-of-payments problem must be squarely met and must be solved on their merits, entirely separate and apart from any action which may be taken under this bill.

Mr. PASTORE. Madam President, will the Senator yield for a question?

Mr. ROBERTSON. I should like to finish my colloquy with the Senator from Ohio, if the Senator will permit.

Mr. LAUSCHE. The Senator pointed out that one of our difficulties with respect to gold reserves lies in the fact that prices and wages have been going up, which places us in a less advantageous position in competing in the markets of the world.

Mr. ROBERTSON. That is true.

Mr. LAUSCHE. The Senator from Virginia recognizes that something must be done to strengthen our gold position.

Mr. ROBERTSON. That is true. But whatever we do with $1½ billion of currency, with 25 percent gold backing, is not going to solve our balance of payments problem. Nor will it ease the demand of $19 billion plus which could be converted into gold if it were thought the United States was going broke or that the dollar was going to lose its purchasing power in the markets of the world.

Mr. LAUSCHE. Has there been any understanding about the velocity at which the Federal Reserve $1 or $2 notes would be issued, so as to lessen the burden which would be imposed on the gold reserves?

Mr. ROBERTSON. If the Senator will look at page 6 of the report, he will see that the committee said, under the title "Gradual Replacement of Silver Certificates":

> Retirement of silver certificates and their subsequent replacement with Federal Reserve notes will require the usual 25 percent gold reserve back of the Federal Reserve notes.
>
> On February 28, 1963, the silver certificates in circulation amounted to $1.8 billion, of which $1.5 billion was in $1 bills and $1.4 million in $2 bills.

Mr. LAUSCHE. There is something wrong with those figures, is there not? The total would result in $2.9 billion of silver certificates, and I do not think that many are outstanding.

Mr. ROBERTSON. The total of silver certificates outstanding on February 28, 1963, was only $1.8 billion—$1.5 billion in $1 bills, and the balance of some $300 million in $2, $5, $10, $20, and bigger certificates. Only $1.4 million of the silver certificates were in $2 bills. Most $2 were U.S. notes, and would not be affected by the bill.

In connection with his earlier comments, I believe the Senator would be interested in the statement on page 7 of the report:

> The committee agreed with the view of the Treasury and the Board of Governors that, if the conversion is effected gradually, so that the demands on gold from this source are kept within the general magnitude estimated by the Secretary of the Treasury, the substitution of $1 Federal Reserve notes for $1 silver certificates in order to supply silver for coinage, and the issuance of $1 Federal Reserve notes to meet the need for additional $1 bills can be effected without creating any problems with respect to our balance-of-payments situation.

We cannot say who is going to turn in certificates, or who might think, "I will hold this certificate and perhaps the price of silver will go up to the point where I can make a little profit."

If the increase were only 2 or 3 cents an ounce, what would they have to do? They would get the ounce of silver. They would have to ship it somewhere. They would have to pay a brokerage fee on it. It would not pay them to handle it.

Our monetary experts are of the opinion that the pending proposal would not create any threat to our gold supply, but that it would help the commercial users of silver, and save our Government a considerable amount of money, if we could use the accumulated supply of bullion now lying idle as a backing for silver certificates for the manufacture of dimes, quarters, half dollars.

Mr. LAUSCHE. At the bottom of page 6, the committee reports that while the balance of $3,750 million in free gold is "an ample quantity to take care of the $450 million reserve requirement which would be created by the issuance of $1.8 billion of Federal Reserve notes, such a conversion, if it were not carried out gradually, might in itself create problems with respect to our balance-of-payments situation."

Then I assume the Secretary of the Treasury said, therefore—and I am now looking at page 7 of the report:

> The withdrawal of silver certificates and the use of silver back of them for coinage will be gradual. We estimate that not over $105 million of silver certificates a year will need to be redeemed in order to obtain the silver needed for coinage.

That would mean that about an 18-year conversion period is contemplated. Is that correct?

Mr. ROBERTSON. That is an outside estimate, if there is an orderly world market for silver. But the Secretary himself made an estimate of 10 to 20 years.

Mr. PASTORE. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. PASTORE. Is it not true that for coinage purposes, silver is in short supply?

Mr. ROBERTSON. That is correct.

Mr. PASTORE. And unless we pass this bill, and it becomes law, the Government will have to begin to purchase silver to produce coin.

Mr. ROBERTSON. Yes; and we will have to do it on the market, when we have it piled up today.

Mr. PASTORE. And if we have to buy it on the market, there is not enough domestic silver to supply the need.

Mr. ROBERTSON. That is correct.

Mr. PASTORE. Therefore, we would have to buy foreign silver?

Mr. ROBERTSON. Yes; and we would have to pay for it with dollars.

Mr. PASTORE. Our balance of payments problem would become so much worse.

Mr. ROBERTSON. Yes.

Mr. BENNETT. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. BENNETT. The Senator from Utah overheard the colloquy between the Senator from Virginia and the Senator from Ohio. The Senator from Utah would like to point out that the estimate that we have an 18-year supply of silver in the Treasury is based on the fact that none of it will be released for any purpose except for coinage. But the bill provides that any person who presents a silver certificate to the Treasury can get the value of the certificate—and I read the language of the bill:

> Silver certificates shall be exchangeable on demand at the Treasury of the United States for silver dollars or, at the option of the Secretary of the Treasury, at such places as he may designate, for silver bullion of a monetary value equal to the face amount of the certificates—

Which means that the Treasury, until the Secretary stops it, can expect to have this stock of silver reduced by demands for silver in exchange for silver certificates, which those who wish to use silver for commerce or the arts can get, in any quantity, by going to the Federal Reserve banks. There is about $2 billion worth outstanding.

What most people do not realize about the bill—and I intend to support the bill—is that instead of having 18 years of safety, the facts show, as I shall point out when I can obtain the floor, we probably have as little as 8 years of safety. I think we need to buy a little time for the Treasury to enable it to face its problems. I think it has not yet faced it.

I hope no Senator will vote for the bill thinking he is assuring the Treasury a supply of silver that will last for 18 years.

Mr. ROBERTSON. The Senator from Virginia is not giving any assurance that the Treasury's silver supply will last for 18 years. We do not know that the dome of the Capitol will be here 18 years from now. We merely say, on the basis of the best estimates, that it may run for as long as 18 years; but, as the Senator from Utah has pointed out, with the Government demand, it is difficult to estimate. I do not know how many submarines this Government is going to build. They may take 2 or 3 million ounces, perhaps 4 million ounces of silver for their batteries, because silver is so much better than any other metal for that purpose. The bill authorizes the Treasury to let other Government Departments have it, but not to sell the silver commercially, unless the market price goes above $1.29.

The bill is the best solution we can reach. We do not have any real choice. We have two or three hard alternatives, and we are trying to arrive at the best solution.

Mr. PASTORE. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. PASTORE. If the bill is not passed, the Government will have to go into the open market and buy the silver on the open market, rather than from the Treasury, and that will shoot the price above $1.29. In all probability we shall have to buy foreign silver, and in all probability that will increase our balance-of-payments problem. So, no matter what is done, unless the bill is passed, the situation will be worse.

Mr. ROBERTSON. If the Government has to pay out dollars to buy foreign silver, they will come back as a demand against our gold supply. We do not have a clear-cut decision to make one way or the other. Those who are best informed say this is the best solution.

Mr. JAVITS. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. JAVITS. In the first place, I wish to associate myself with the viewpoint of the committee chairman; namely, that this bill represents the best of the alternatives of choice. My distinguished and very perceptive colleague from Rhode Island has already pointed out the fact that it would cost us more in our balance of payments if we did not do it this way than if we did. The whole problem points up the lack of resources in terms of metal to back currency.

Already there is a shortage in silver. The key point of the problem is that world production is 250 million ounces, and world consumption is 350 million ounces. We cannot let the monetary needs on top of the industrial demand jack up the price. The same thing applies to gold. The mining of new gold is insufficient to sustain the world's credit structure. Hence, we have been engaged in a search for alternatives.

I make the point because I do not think the RECORD should stand denuded of any observation with respect to the concern expressed that the demands upon us by the central banks of the world represent a sword of Damocles over our head. They do not, because no bank has enough cash in its vaults to pay all its deposits. Nor does the United States. But it does have a fine credit standing.

But, to protect us against a run, we now have a new safeguard. Gold is insufficient. There is not enough gold. We have a new safeguard in the new $6 billion credit agreement negotiated by the International Monetary Fund, which will be available in the event there is a pinch in credit with respect to the European countries. That is a critically important point to understand with respect to the statement that we are threatened with insolvency because of the demands which other central banks may make on us.

Furthermore, I think the Treasury regards this particular measure as one of the most important we shall have before us this year.

The chairman of the committee has shown extraordinarily fine leadership in bringing this measure before the Senate, and in giving support to it. I hope the Senate will do likewise.

Mr. ROBERTSON. I wish to comment on the remarks of the Senator from New York. We have a managed currency. We have $115 billion in bank check money Every time a commercial bank increases its reserves, it has the power, under the normal reserve requirements, if it is a member bank, of increasing its lending power six times. A great deal of our business is now done by bank check money.

As the Senator has pointed out, no one has all the gold he wants. He said, and I believe he is correct, that the commercial and Government demand for silver is a third more than the production of silver.

Mr. JAVITS. That is exactly correct.

Mr. ROBERTSON. It is easier to produce sugar than silver. Yet we know what has happened in a few months over a shortage of sugar. The world price went up 300 percent in a very short time.

We know that with the demand for silver being one-third more than the amount produced, silver may well go up above $1.29 an ounce, and that the silver dollar may be melted down for the bullion that is in it; the same thing would apply to the other silver coins if silver should rise above $1.38 an ounce. That is a possibility that we must take into consideration. By the pending bill, we substituted 25 percent backing of the gold certificate now controlled by the Federal Reserve for the silver backing we need for coinage.

Mr. JAVITS. We do not want to be impaled either on a cross of gold, as Bryan said, or on a cross of silver.

Mr. ROBERTSON. That is correct.

Mr. PASTORE. As has been indicated by the chairman of the committee, if the silver situation becomes so critical that we have to turn to a substitute metal, that in turn will knock the bottom out of the silver industry.

Mr. ROBERTSON. Yes. When we talk about silver we are dealing not only with a partial backing for currency, but also with a very vital commercial metal.

Mr. LAUSCHE. Madam President, I should like to respond to the Senator from New York. I feel that the bill ought to be passed, but I cannot accept as valid the argument that our present position with respect to gold is healthy or sound.

Mention has been made of the fact that a $6 billion fund has been created by subscriptions made by the Western countries of the world. When the International Monetary Fund was established, we had $24 billion of gold. The United States was the principal contributor to that fund, upon which nations with weak currency could call for help in gold hard dollars or gold. Never was it dreamed that our country would have to go to the other countries for gold or hard dollars. I submit that when one country must depend upon other countries for the stability and the strength of its paper currency, that country is in trouble. I was present when the President of the United States pointed out that one of his gravest worries deals with the scarcity of gold in our possession. I do not believe that anyone will doubt that statement. We did have, at one time, $12 billion in gold to support our currency, or free gold. We now have $3½ billion. It is true that from the standpoint of long-term claims, our claims against the nations of the world exceed their short-time claims against us. However, they can call upon us for gold, and if they do we must meet the claims.

While I have put these questions about the taking of the silver dollar out of the market and releasing the gold bullion, and then saddling the gold reserves with an obligation to support the new dollar reserve notes that will be issued, I still wish to point out that we should not be singing about the healthiness of our currency, the healthiness of a managed money system, because I know what happened in 1929.

We now read reports in magazines and newspapers that credit is running rampant, about foreclosures on homes, and about automobiles being repossessed. I sat in the municipal court in Cleveland in 1933 as a judge in the room where replevin and chattel mortgage actions were brought.

I had to declare foreclosed the right of ownership in furniture. Credit was being extended liberally and extravagantly.

From there I went to the common pleas court, where I sat in the room where farms and properties were being foreclosed. That also was the consequence of loose credit.

Two weeks ago the chairman of the home loan bank made a speech in Florida, in which he pointed out to the directors of the home loan banks, "You are lending money on loose security. Your earnings are falling below what they should be. Your cost of operation is beyond what it should be." He warned them what might happen. I cannot dismiss from my mind the fact that we are heading in the direction in which we were headed from 1929 to 1932.

Chairman McChesney Martin made a statement on the subject. As did the chairman of the home loan bank. The records show that the same evils which existed in 1929, 1930, 1931 and 1932 are beginning to reappear. I will support the measure, but I do not want to be told that the gold question is of no consequence. The President will not make that statement. He will not make it publicly; nor will he make it in private when he is meeting with Senators or Members of the House.

Mr. GRUENING. Madam President, will the Senator yield?

Mr. LAUSCHE. I do not have the floor. I am grateful to the Senator from Virginia for allowing me to make that statement.

Mr. JAVITS. Madam President, may I respond to the statement of the Senator from Ohio?

Mr. ROBERTSON. I wish to make a brief comment. For 3 years I have been urging that steps be taken to protect our diminishing gold supply. I pointed out that in various ways we have been putting dollars overseas that could come back to us. I have been voting to curtail foreign aid, because not all the money is spent here any more. I recommended that we bring back some troops. I voted to reduce from $500 to $100 the amount of booty one can bring back as a passenger on returning from overseas, without paying a customs fee.

We have been doing all this. This bill is a relatively minor matter. Certainly we cannot solve the balance-of-payments problem by failure to pass the bill. The bill would help with some of the problems that confront us. From the standpoint of our best monetary experts, it is a desirable bill.

Mr. JAVITS. I should like to respond to the distinguished Senator from Ohio.

Mr. ROBERTSON. I yield.

Mr. JAVITS. I think it is very important for people like myself to make clear the differentiation between two questions which somewhat telescope. The Senator from Ohio has referred to what I believe is a fundamental error; namely, failure to recognize the difference between the balance of payments and the adequacy of our gold stock. As to the adequacy of our gold stock, I point out that when we had $24 billion of it, leading monetary authorities of the world felt that if the world was to progress, we had to get rid of some of it. There was too much in one place.

Mr. LAUSCHE. I agree with the Senator.

Mr. JAVITS. Having that much at one point was not good. That is not the present situation.

But I do not believe, in all honesty, that the gold stock question, which is a real one, should cause us to overlook other factors, because if we wish to, we can reduce the percentage from 25 to 20, as we reduced it from 40 to 25. The dollar will be no better or no worse at 25 percent, 20 percent, 15 percent, or 10 percent. The real question is, Will the world accept the money because it is worth something? It is worth something, not because of the gold buried in Fort Knox. It is worth something based on the productive machine of the United States. That productive machine is based on no less than a 7-to-1 ratio. It is worth not less than a thousand billion dollars as compared with the outstanding obligations of the country, which are about one-third of that, based upon our national debt.

When the Senator from Ohio speaks about our balance of payments, which is our fever chart to show how we are doing in respect to world competition, I am just as much concerned as anyone else, including the Senator from Ohio [Mr. LAUSCHE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Rhode Island [Mr. PASTORE], or the Senator from Utah [Mr. BENNETT]. But I do not believe that the two things—the adequacy of the gold price, and the balance of payments—should be confused. Balance of payments is a separate factor, involving the question of whether we are exporting enough in order to fulfill our responsibilities throughout the world, and whether we can live off fat any more. We have been living off fat for a considerable period of time. The monetary question and the gold question relate to whether the base is adequate for the amount of business which the United States needs to do in the world, and the backing which our currency gives to the currency of most other nations in the world. Ours is the central currency for all mankind. I think here the answer is in the affirmative. As I say, we stand strong in the world of currency; but on balance of payments, we leave much to be desired.

Mr. LAUSCHE. Would the Senator go so far as to say that, while we can reduce the percentage to 25, 20, 19, 18, or 17, if it were reduced to nothing the currency would be as good?

Mr. JAVITS. The Senator from New York did not say any such thing. All of these things are what we lawyers call de minimis. We never know whether a buyer or a holder of currency in the world will consider 24½ percent as good as 25 percent. We make the best judgment we can.

I point out that there is nothing holy about the 25 percent figure. We created it. If we change it, world credit will stand just as effectively. If we have reduced it, we can increase it. I maintain that it is a figure which is completely within our control, dependent on world judgment as to the acceptability of our currency.

Mr. ROBERTSON. Madam President, other Senators wish to discuss the bill. I do not wish to monopolize the time, so I yield the floor.

Mr. BENNETT. Madam President, as the ranking minority member of the Committee on Banking and Currency, I appreciate the opportunity to follow my chairman in the discussion of the silver bill. This is an interesting situation for the Senator from Utah today, because over the past 10 years he has been fighting to preserve silver legislation in order to protect the silver mining industry, which has been very important in the history of the West. However, today I come before the Senate to agree with my chairman that the silver bill now before the Senate is a necessary measure.

I am in favor of the general purposes of the bill and believe that it should pass. I am also convinced that we should not get the idea that this legislation is a solution to our silver problem. The bill does not go to the roots of the problem but just treats some of the surface difficulties, and as such it is only a palliative rather than a cure.

The purposes of the bill are twofold: First, to do away with present laws which have become inoperative and unnecessary; second, to make possible the use of Treasury reserves of silver for coinage purposes. The bill would eliminate the requirement of holding silver in the monetary reserves of the United States, would do away with the floor price of 90.5 cents per ounce for newly mined domestic silver, and would make possible the issuance of Federal Reserve notes in denominations of $1 and $2, to replace silver certificates now circulating, thus releasing the silver reserves of silver certificates for use in coinage purposes.

In 1934, the Silver Purchase Act was passed with a purpose of helping the silver producers of the United States. The act made it necessary for the Government to support newly mined silver at a price above the natural market price. The main purpose of the act was to stockpile silver until it would comprise one-fourth of the total combined monetary stocks of gold and silver. This figure has never been approached.

For many years silver production was much greater than the demand for the metal. During this time the U.S. Government, in order to encourage the domestic production of silver as well as other metals, such as lead and zinc with which silver occurs in many ores, developed a policy of buying all newly mined domestic silver at a stated price. The Treasury stockpiled the silver to keep production at a relatively high level.

It is important to realize that the greatest part of our domestic silver production is a byproduct of other mining operations. Since the war, the trade and tariff policies of the United States have been such that production of lead and zinc have not been profitable, and thus many of the sources of the byproduct silver have been shut off.

I would like to say that my own State of Utah was one of the major producers of silver during the earlier years. Most of it came from successfully operated lead and zinc mines. Today all the lead and zinc mines in Utah are closed, and the silver that Utah produces comes in trace quantities in the production of copper at the great Kennecott copper pit. In that pit, the copper itself is less than 4 percent of the weight of the total ore produced. So these are literally trace volumes.

During the 1930's, production of domestic silver exceeded demand in the United States by significant amounts. In 1939, production and consumption were about equal, and since 1940, production has lagged increasingly far behind consumption as the demand for silver for industrial and monetary purposes has grown rapidly. In 1940 silver consumption in the United States for coinage, industrial uses and uses by the arts was 65.7 million ounces. In 1962, silver consumption had increased to

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187.4 million ounces. To further complicate the problem created by the phenomenal increase, domestic production has dropped. In 1940 domestic production was 68.3 million ounces, and in 1962 it had declined to 34.9 ounces, a reduction of approximately 50 percent. This means that in 1962 we produced only about one-fifth as much silver as we used. Not only has this trend occurred in the United States; but with technological change and the development of other countries, world demand has far outstripped world production. I believe the Senator from Virginia [Mr. ROBERTSON] said that we now have a deficit of about 150 million ounces a year.

Since the demand for silver increased and production fell off, it was natural that world prices should have gone up. By 1959, the price of bar silver in New York had reached 90.5 cents, the level at which the Treasury floor had been set.

Prior to this time, domestic miners would want to sell their silver to the Treasury because world prices were less than 90.5 cents, the price at which the Treasury was required by law to purchase it. Since 1959, the situation has been reversed. When the world price rose above 90.5 cents, the Treasury began to get calls to supply silver at that price to all who demanded it.

The result was that what had been a floor became a ceiling at 91.4 cents an ounce. The Treasury held this position for approximately 2 years, supplying silver to all comers. But in November 1961 it had to stop selling silver.

Since November 1961 when the Treasury stopped selling silver, the price has continued to rise, until on May 8 of this year it was 127.7 cents an ounce on the New York market. This brings it within a cent or two of the official monetary value of slightly over $1.29 per ounce.

The need for this legislation thus stems from the fact that because the demand for silver exceeds production, the U.S. stocks of free silver have been reduced to a point where it is necessary to find new sources of supply if we are to have sufficient silver to meet our needs. The fact that the Treasury tried to hold the price at a level below what the market price would otherwise have been, resulted in a rapid depletion of Treasury stocks of silver, and contributed to the early appearance of the problem which faces us today, namely, of having insufficient free reserves with which to meet our coinage needs. I feel that the attempt to hold the price was extended too long.

At the present time, we have about 30 million ounces of free silver which, under existing law, can be used for coinage. We have an additional 300 million ounces of silver backing $5 and $10 silver certificates which are in the process of being retired and replaced with Federal Reserve notes.

This can be done without any change in the law. The bulk of our Treasury silver reserves—1.3 billion ounces—is backing for $1 silver certificates, in accordance with the law.

In 1962, coinage requirements were 75 million ounces. The increase in $1 silver certificates which were needed for circulation required an additional 38 million ounces of silver backing. In other words, in 1962 about 113 million ounces of silver were needed to meet all monetary requirements. At this rate, the free silver and that which is backing the $5's and $10's being retired will be exhausted sometime in 1965.

If Federal Reserve notes are not authorized in denominations of $1 the Treasury will be required to purchase silver in the world market probably in 1964 or 1965. This would drive the price upward above the $1.29 plus, at which price the silver backing behind the silver certificates would be more valuable than $1 and it would become profitable to demand silver for silver certificates. It would also be profitable to melt silver dollars and sell the silver.

Many persons believe that it is against the law to melt the silver dollar and sell the silver content. Such is not the case. It is against the law to mutilate a silver dollar and then attempt to use it again as a coin; but it is not against the law to melt a silver dollar. So if the price were driven above the $1.29 plus, the silver backing of the silver certificates would be more valuable than $1, and it would become profitable to demand silver for silver certificates, and thus to melt down the silver dollars, and also the dimes, quarters, and 50-cent pieces, which have a slightly lower silver content.

Mr. BIBLE. Madam President, will the Senator from Utah yield for a question?

Mr. BENNETT. I am glad to yield.

Mr. BIBLE. It is my understanding, from the Senator's statement, that approximately 30 million ounces of free silver are available to the Treasury at the present time.

Mr. BENNETT. That is also my understanding.

Mr. BIBLE. And that, in addition, there are approximately 300 million ounces of silver to support the $5 and $10 silver certificates.

Mr. BENNETT. That is correct.

Mr. BIBLE. Based upon the last statement the Senator from Utah made, and assuming that the present bill becomes law, how long would it take to use up the 1,300 million ounces of silver which we now have back of our $1 silver certificates?

Mr. BENNETT. I had not come to my discussion of the 1,300 million ounces which now are back of the $1 silver certificates, when I stated that by 1964, or, at most, 1965, we would have used up all of the silver which now backs the $5 and $10 silver certificates. It is estimated by the Treasury that if we use up the 1,300 million ounces behind the $1 silver certificates for coinage only, and add that to the amount behind the $5 and $10 silver certificates, we would run out of silver somewhere around 18 years from now.

Mr. BIBLE. Does the Senator from Utah believe that to be a realistic estimate?

Mr. BENNETT. No. I shall discuss that point later in my speech.

Mr. BIBLE. I thank the Senator from Utah. It seems to me that goes to the heart of the problem, because at some time in the years ahead we shall be required to face the very problem the Senator frrom Utah is dramatizing now.

Mr. BENNETT. I shall discuss that point; and I appreciate the helpfulness of the Senator from Nevada in bringing it to my attention.

Madam President, if the $1 silver certificates are gradually retired and are replaced with Federal Reserve notes, it is claimed that the present stock of Treasury silver would suffice for coinage needs for between 10 and 15 years.

The Secretary of the Treasury has stated that if the bill is passed, the withdrawal of silver certificates would be gradual. He estimated that not over $105 million of silver certificates a year would be needed. At that rate it would take slightly over 15 years to use up the present reserves which are now backing the $1's, the $5's, and the $10 silver certificates, if the only use for the silver were coinage. Obviously this is not a realistic assumption.

As long as a ceiling is kept on the price of silver, the Treasury will be required to redeem all silver certificates outstanding and thus fill the demands of all who desire to purchase silver. All individuals have to do, in order to obtain silver from the Treasury, is to draw on their banks for a certain amount of silver certificates, and then present them to the Treasury and ask that they be redeemed in silver.

The bill provides that they may be redeemed in silver dollars or, at the option of the Secretary of the Treasury, for silver bullion equal in monetary value to the face of the certificates.

Mr. ROBERTSON. Madam President, will the Senator from Utah yield?

Mr. BENNETT. I am glad to yield.

Mr. ROBERTSON. I hope the Senator from Utah will point out that the exchange of silver certificates for silver may not be as easy as some persons think. The certificates must be presented in person; that cannot be done by sending to the Treasury a letter in which it is stated, "Enclosed are silver certificates. Please ship me by parcel post so many pounds of silver."

The fact is that one must appear in Washington, at the Treasury, with the silver certificates; and when he receives the silver, he must have an armored truck in which to place it. So it is not quite as easy as some persons think to redeem the silver and thus get the Government into a jam.

Mr. BENNETT. It may not be easy; but it seems to me that businessmen who are interested in obtaining silver to be used for industry or for the arts will not have a great deal of trouble in obtaining silver at $1.29 an ounce. At least, the law makes it possible for them to obtain it.

Madam President, since consumption of silver continues to outstrip production, it should be obvious that demands on the Treasury silver will continue at a very high rate. Even with no increase in rate of use, industry and the arts will continue to require in excess of 110,000 ounces each year. Production rather than increasing over the past few years has continued to decline, but if we assume the optimistic view that it will remain constant, the Treasury must be prepared to supply an estimated 78 million ounces a year to make up the difference.

If the Treasury refuses to supply it and the world market price rises above $1.29, those people must go out on the market and pay more than $1.29. Then, of course, we shall have brought the day when it is profitable to melt down silver dollars.

If the demand of 78 million ounces that would be demanded by industry is added to that of coinage, the present Treasury silver stockpile will only provide our needs for less than 8 years. We must however remember also that foreign countries too have greater demands than the amount that is being produced, and although it is not possible to state how much they are likely to require from the Treasury, it could be a very significant sum. In fact, it is not only possible but probable that some countries will begin to stockpile or hoard silver in anticipation of the time when the U.S. Treasury reserves will be depleted and the price of silver will be forced to seek it own level in the world market.

In other words, we would not only hold an umbrella over our domestic processors of silver, but we could be effectively holding an umbrella over the world producers.

There is evidence even at the present time when the price of silver is still below the silver value in a dollar that some of our silver dollars are being withheld from circulation. There is no way of determining what proportion of silver dollars in circulation are being withheld, but the fact that the number of dollars which have been demanded has been increasing more rapidly than the total money supply in circulation in the absence of any increased uses for the silver dollar in business transactions leads one to believe that speculators may be holding silver dollars in anticipation of price rises.

Between January 1960 and January 1963, money in circulation expanded 7 percent. Over the same period, the number of silver dollars in circulation rose over 30 percent. The demand of silver dollars has increased in line with the price rise in the market for silver.

The immediate past history indicates that it will not be possible for the Treasury to peg the price at $1.29 for an extended period of time, and that before long the world market will push through the new ceiling.

The present bill therefore is not a permanent solution to the silver problem and it will be necessary to revise the policy set forth in this bill within the next year or two. This bill buys time during which a satisfactory solution may be attempted, but if this is delayed too long, it may prove to be very expensive time.

It will soon be necessary to decide at what point the Treasury will discontinue sales of silver or the redemption of dollar silver certificates for industry at $1.29 an ounce and thus let it seek its own price as determined by supply and demand. It will also soon be necessary to determine another move, which may well be the reduction of the silver content in our dollars and subsidiary coins. Although this may sound like a drastic move to many, we must remember that the intrinsic value of our silver dollars and other minted coins has, except for a few exceptional cases, and for short periods of time, never been equal to their monetary value. During most of our history the actual value of our coins has been only a fraction of their monetary value and this has not caused any loss of faith in the coins.

I took the position in hearings in the Banking and Currency Committee that we must protect our Treasury silver reserves. In an effort to do so, I proposed that we could immediately call in all silver certificates. The silver that is now backing silver certificates could then be retained as backing for any and all of our currency until it was needed for coinage. The Secretary of the Treasury and Governor Martin of the Federal Reserve System stated their preference for the bill now before us because it would postpone the time of decision when the price of silver will exceed the value of the silver in a silver dollar, the time at which it would become profitable to melt dollars for their silver content. They also expressed the feeling that confidence in our currency could be impaired through such a drastic action, which would immediately deny to the holder of a silver certificate the right to obtain silver for that piece of paper.

I made the proposal I did only in order to protect our Treasury silver reserves. After further consideration I will agree that the bill before us would be less of a shock to the public. I will also agree that it may not be desirable to repudiate the promise printed on each silver certificate that it is redeemable in silver without giving the public time to adjust to the inevitable. My objective, however, to protect our silver reserves, still remains.

Under the present bill the Congress or the Treasury has no control of the rate of withdrawal of silver from the Treasury. It seems advisable to me that such control should be provided. The reason that no such control exists is that there are outstanding about $2 billion worth of silver certificates, which represent a demand upon 1.6 billion ounces of Treasury-held silver.

I would like to see these outstanding certificates retired as rapidly as possible without causing any damage either to the confidence in our money or to our balance of payments position. This should be possible through a rapid replacement of silver certificates with Federal Reserve notes. The silver thus released would be held by the Treasury and would thus not be subject to demand by possessors of silver certificates. This spreads the effect over a longer time and thus would prepare the people for the change without causing a loss of faith in the present promise of the United States to redeem silver certificates with silver. The silver thus released could either be sold at $1.29 an ounce or it could be withheld from the market at the discretion of Congress or the monetary authorities, thus protecting the silver reserves without dishonoring the diminishing supply of silver certificates.

To summarize, I am supporting the present bill. In my opinion, as soon as the bill is passed, the Treasury should do four things.

The Treasury should—

First. Abandon any idea of redeeming silver certificates only as fast as silver is needed for coinage as long as the door is open for private industry and foreign countries to draw on Treasury stocks.

Second. It should develop a definite program for the retirement of silver certificates and their replacement with Federal Reserve notes.

Third. It should set a figure representing the maximum amount of silver it will pay out under the present bill, whether for coinage or for other uses, and should estimate the date at which the minimum reserve level would be reached. After that level has been reached, no further silver should be released for private consumption. At that point, the price ceiling would have to be removed and the remaining silver would be used only for coinage.

Fourth. Finally, it should begin now to make plans for the possible reduction of the silver content in our coins, because such action will be absolutely necessary for the dollars when the price breaks through the $1.29 level, and for the subsidiary coinage when the price breaks to the level of $1.38 plus.

I should like to point out that the price of silver moved from 90.5 cents to $1.27 in less than 2 years.

In addition to these steps which should be taken by the Treasury, the cause of the problem should be attacked. Production of monetary metals, silver and gold, is not able to keep pace with demand. We must have increased volume of production if we intend to keep silver in our coins and also provide for industrial and artistic needs. Our whole national mineral policy needs to be revised to encourage production in the United States of those ores in which gold and silver appear in substantial quantity.

Several Senators addressed the Chair.

Mr. BIBLE. Madam President, will the Senator yield?

Mr. BENNETT. I am happy to yield to the Senator from Nevada.

Mr. BIBLE. I realize that the Senator from Mississippi has a speech which he is very anxious to make. I should like to ask one question of the distinguished Senator from Utah. I have carefully read the record developed before the Committee on Banking and Currency. I noted one statement of Mr. Teske, who is the very able secretary of the Idaho Mining Association. He spoke of a proposal to substitute, to the extent of approximately $2 billion, Federal Reserve notes for silver certificates.

That would, of course, mean that there would have to be 25 percent gold backing.

This would leave a balance of something like $1½ billion in collateral which would be required to be borrowed. If I read the testimony correctly—and I think I did—he estimated that would cost the U.S. Government approximately $45 to $50 million annually.

Does the distinguished ranking minority member of the Committee on Banking and Currency agree with the conclusion reached by Mr. Teske?

Mr. BENNETT. It is true that 75 percent of the backing for the Federal Reserve notes would be U.S. debt securities.

The problem is that we have either reached or are rapidly reaching the point where we must not expect to use silver as a backing for our currency, because we do not have enough silver to use as a backing for our currency and also to use to supply the coinage needs of our country.

Mr. BIBLE. My point is simply this: If we must borrow $1½ billion to back up the Federal Reserve notes and pay interest of $40 to $50 million a year on that amount of borrowing, then to that extent, certainly, it would be inflationary, would it not?

Mr. BENNETT. The Senator from Utah proposed in the committee that the 1.6 billion ounces, which are worth something like $2 billion, should be transferred over as a backing for our currency so that there would be no necessity for borrowing anything else. We would merely say that the silver on hand could be used alongside of gold or together with gold to back the currency.

Of course, the Senator from Utah was immediately accused of moving into bimetalism, and we were told we had left that point a long time ago.

Actually, the Treasury would be in control of the rate at which it would replace the silver certificates with Federal Reserve notes, so it would not do it all at once. I think the replacement is inevitable in any case, unless we are prepared to take all silver out of our coinage and use the silver we now own for other purposes. I think we have passed the point where we can afford to keep $2 billion worth of silver behind our currency and then go out into the world market to buy silver we need, something like 75 million ounces a year for dimes, quarters, and half dollars. We get caught short one way or another because we are running out of silver.

Mr. BIBLE. I certainly recognize that it is a most difficult problem. I appreciate the information given by the Senator.

Mr. KEATING. Madam President, will the Senator yield?

Mr. BENNETT. I am happy to yield to the Senator from New York.

Mr. KEATING. I commend the distinguished Senator for the fine analysis he has given of this bill. It has been very helpful indeed.

In addition to an interest in the broad implications of this proposed legislation, I have what might be referred to as a parochial interest, in the old-fashioned meaning, since it strikes close to home.

There are in New York several large industrial users of silver. The cost of silver in sterling silver flatware, for example, constitutes about 75 percent of the manufacturing cost. There is a limit as to how much you can pass the cost on to the consumers, while still selling the product. Similar considerations are present in jewelry manufacturing.

The largest single industrial use of silver is in the silver sensitized photographic films and papers industry. In 1962 the photographic manufacturers used about 32 million ounces of new silver. Their demands will be heavier in the years of progress which lie ahead. Government is photography's biggest customer, so the high price of silver has affected every citizen as a taxpayer as well as in his role as an individual consumer of photographic products.

My study of the report and of the testimony leads me to the conclusion that the bill would go far toward establishing the adequacy of supply at stable prices which is necessary to progress in these and other large industries in New York which employ so many thousands of people. I would appreciate it if the Senator from Utah could confirm that impression which I have gained, arising out of his deep study of this problem.

Mr. BENNETT. The Senator from Utah wishes he could bring sweetness and light to the situation and confirm it. The Senator from New York has pointed out that one industry alone used 32 million ounces of silver last year. The total domestic production was 38 million ounces. We have reached the point where production is lagging so far behind consumption that our stockpiles are being used up.

The bill would put a ceiling on the price of silver for a limited period of time, during which the Senator's friends in New York, and mine—Eastman and others—will be able to get the silver they need at $1.29 an ounce. The Treasury, by holding that ceiling, will hold an effective ceiling on the world price of silver, and it would also be possible to purchase it from somebody else at that price.

I have a feeling that owners of silver outside the United States, realizing that the price of silver has gone up 37 cents in 2 years, are going to hold their supplies and let the Treasury take care of the market as long as it is willing to do so.

Mr. KEATING. What will happen to them if Congress does not enact this measure?

Mr. BENNETT. I think the bill should be enacted. I wish to point out to my friend that we are only buying a little time. In my opinion, it is only 2 or 3 years of time.

Mr. KEATING. I think probably the Senator's conclusion is correct. However, if we should not pass the bill, would not the large users of industrial silver be in an even worse situation?

Mr. BENNETT. I think it is fair to say that we are seeking to hold back the day when the price of silver will break through the $1.29 ceiling, for a short period of time, measured in terms of 2 or 3 years. Unless there is an increase in production, that break must inevitably come.

I tried to point out in my statement that when the break comes the Treasury must be prepared to reduce the volume of silver in its coins; otherwise, the coins will be worth more melted down than their monetary value.

When it comes, I am afraid we are going to see an upward price pressure on everything that has silver in it, whether it is a space capsule or a set of flatwear. But this is the sad fact of life. The law of supply and demand is operating. As I said the Treasury held back the tide by pegging the price at 90½ cents. Then, in 2 years, the price went up an amount greater than one-third of that base. So this is the problem we face.

I yield the floor.

Mr. KEATING. Madam President, I fully support the enactment of H.R. 5389.

This is an extremely important bill which is long overdue.

Here is a prime example of the necessity of changing the law to meet rapidly changing conditions—changes not anticipated when the original legislation came into force.

Since the passage of the Silver Purchase Act of 1934, and the amendatory acts of 1939 and 1946, there has been a tremendous increase in world demand for silver for industrial and artistic uses. With this there has been a marked decline in the importance of silver as a monetary reserve metal.

While in the 1930's it was necessary for the Government to support the price for newly mined domestic silver by nationalizing it and taking it off the market at an artificially high price, today the silver-producing industry has no further need for Government assistance.

Our aim today should therefore be twofold: First, to insure continued supplies of silver adequate to meet both industrial demand and the Treasury's coinage needs. And secondly, to restore price stability to the silver market.

The chief provision of this bill, Madam President, amends the Federal Reserve Act to authorize the issuance of Federal Reserve notes in denominations of $1 and $2. This will make it possible for the Treasury gradually to retire outstanding $1 and $2 silver certificates, releasing the silver bullion that now backs these certificates for the Treasury's coinage needs.

The retirement of the silver certificates will require placing new dollar bills into circulation as a necessary medium of exchange. These will be Federal Reserve notes, which the bill authorizes. Gold will be required to back up these new notes, just as in the case of Federal Reserve notes of other denominations. The 25-percent reserve for the new notes would come from existing stocks of free gold, to the tune of about $35 million to $40 million annually, and would not depreciate the reserve that backs Federal Reserve notes presently in circulation.

Madam President, I have given careful study to this provision and to the effect it would have upon the dollar. I am thoroughly satisfied that the authorization of new Federal Reserve notes to replace the silver certificates would in no way debase our currency. In no wise would it be inflationary. Were it otherwise, I could not support this measure.

I am also satisfied by the representations of the President and the Secretary of the Treasury that this bill, if enacted, would have no relationship to the question of devaluation of the dollar. The President, of course, has repeatedly stressed that this country has no intention of going off the gold standard on our international accounts. I accept these continued assurances, for I know that it is widely recognized in the administration that dollar devaluation would be ruinous to the interests of the United States and the rest of the free world.

As a matter of historical fact, silver was demonetized in 1900 when we went on the gold standard. All this measure seeks to do is to preserve the use of silver as a domestic medium of exchange, but only in coinage instead of as reserves behind paper currency.

Now, Madam President, the other provisions of the bill would repeal the Silver Purchase Acts, and prohibit the Secretary from supplying silver to the market at a price of less than $1.29 per ounce, or its monetary value. When the price is under that level, the Secretary may use silver only for coinage or to sell to other departments and agencies of the Government.

The net result of this would be to stabilize the market price of silver somewhere close to $1.20 per ounce. This is a fair price for the producers. They are to be commended for their responsible attitude toward restoring a free and open market, realizing that the skyrocketing price of silver has caused great hardship to industrial users of this metal. The industrial users, at the same time, will have assurances of a reasonably stable price level—something they have not enjoyed for a long time. When the 1934 law was enacted, silver went for 45 cents an ounce, while today it hovers around $1.27½. This is not exactly a price trend that encourages stability in the industrial arts and sciences that use silver, and worst of all, it is in the last analysis the consumer who suffers most.

Repeal of the Silver Purchase Acts also calls for repeal of the silver transfer tax as being unnecessary. The tax repeal is in this bill. It has never been a significant revenue-raising device, and I understand that the Committee on Finance has recommended its elimination.

This, Madam President, is a bill which has been framed with a view toward accommodating every interest involved; the Treasury, the silver producers, and users of silver in industry and in the arts. While the producers have objection to releasing the silver behind the present silver certificates, in other respects they have concurred in the objectives sought to be achieved by the bill. The Banking and Currency Committee in the other body reported it favorably by an overwhelming vote, and the full House passed it by a large bipartisan majority. Our own Banking and Currency Committee has worked diligently and expeditiously to bring this bill out for consideration, and there is no reason for the Senate not to clear it for Presidential action today.

Madam President, I shall vote for the bill and strongly urge my colleagues on both sides of the aisle, and from every region of the country, to do likewise.

Mr. DODD. Madam President, today is an important day, even a memorable day, to several thousand Connecticut workers and their families.

The reason for this is that the Senate now has under consideration a bill, H.R. 5389, which will repeal the Silver Purchase Act.

During recent years there has been a deep and growing concern among silver companies and other users of silver over the drastic increases in the price they must pay for raw silver. Eighteen months ago silver could be purchased for 90½ cents an ounce. Today it costs around $1.28 an ounce, an increase of over 40 percent.

Primary responsibility for this unfortunate price situation can be attributed to the Silver Purchase Act, because for 30 years it has required the Treasury Department to purchase silver, thus taking it off the free market.

Three billion ounces of silver have been removed from the market during this period of time. As a result of this excessive Government intervention, the inevitable has happened. Silver is in extremely short supply, and the substantial demand for raw silver by industrial users has driven the price way up.

Two of the leading producers of silver products are located in Connecticut. The largest individual silver manufacturer in the world is the International Silver Co., of Meriden, and Wallace Silversmiths has a fine plant in neighboring Wallingford.

These companies have suffered from the high price of silver, and both management and workers have been in continuing touch with me about the adverse effect this situation is having on the silver business and the jobs it provides.

I have repeatedly urged action on the floor of the Senate. And during the 87th Congress I joined with a number of my colleagues in sponsoring a bill to repeal the Silver Purchase Act. We were not able to get that bill passed last year, but a promise was made to have it seriously considered this year. That promise has been kept, and I am pleased and grateful that a bill embodying this repeal is before us today.

Basically, H.R. 5389 is a two-pronged attack on the silver problem. I have already mentioned one prong, which is to repeal the requirement that the Treasury Department purchase all newly mined silver that is offered to it.

This policy may have had some justification in the 1930's, when the supply of silver exceeded the demand for it, and when the price received by silver producers was low.

The situation we face today is just the reverse of the excessive silver supply in 1934. The demand for silver now far exceeds the supply.

Our annual domestic demand from all sources is five times the domestic supply. And worldwide demand is almost double the current world production, and has to be satisfied primarily through the use of reserve supplies of silver.

In view of this dangerous imbalance between supply and demand, in our country and throughout the world, I do not think there can be any further justification for requiring the Treasury Department to maintain its present huge store of silver.

This brings me to the second major provision in H.R. 5389; 1.3 billion ounces of silver are used to back up $1 silver certificates. The bill provides for the gradual withdrawal from circulation of these certificates, thereby freeing the 1.3 billion ounces, which will be used gradually to satisfy coinage demands for many years to come.

The effect of these two sections of the bill will be to remove the Federal Goverment from the silver business.

When this legislation becomes law, for the first time in 30 years there will be a free market in silver. Prices will no longer be driven up artificially because of the heavy impact of Treasury Department intervention. Prices will instead be set by the laws of supply and demand.

This bill will bring an end to the Government subsidy of the silver mining industry that has been in effect for 30 years, to the deteriment of the silver manufacturing industry and to other businesses that use silver.

Once the Government is removed from the silver purchasing business, silver will be able to seek its proper market value.

The promise of more realistic and stable prices for the purchase of silver will enable silver manufacturing plants in Connecticut and elsewhere to plan for the future realistically and with some optimism.

I hope that the Senate will approve this bill today, without any weakening amendments, and thus bring an end to a silver policy that has seriously damaged a great Connecticut industry.

The PRESIDING OFFICER (Mr. Jordan of Idaho in the chair). The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, the Senator from Rhode Island [Mr. Pastore] has some remarks to make concerning the pending measure. I ask unanimous consent that I may yield to him for such time as he may need on the bill, with the understanding that his remarks will follow those of the Senator from Utah. I think the Senator from Rhode Island will take 7 or 8 minutes.

Mr. PASTORE. No more than 10.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I rise to speak in support of H.R. 5389, a bill to repeal certain legislation relating to the purchase of silver and for other purposes.

I congratulate the chairman of the Senate Committee on Banking and Currency for the efficient and expeditious manner in which H.R. 5389 was handled.

Enactment of this bill will end silver policies which have been in effect for 30 years. These policies have been so universally condemned that there is very little left to say about them.

I came here in 1950, and I have sponsored every bill in the Senate which has had for its purpose the repeal of the laws which have determined our silver policies. This bill is patterned after a bill I introduced in 1961. The reasons for the lack of success in changing these policies until now I will leave to historians. Now our monetary situation demands a change.

I shall briefly review our silver history during the period. Under the silver acts, the Treasury has been forced to acquire 3 billion ounces of silver. In keeping this silver off the market the price gradually has been forced from 45 cents to $1.284 per ounce.

Despite the fantastic purchase program, the production of silver in the United States in 1962 amounted to only 36.8 million ounces—about 4 million ounces more than was produced in 1934. The plain fact of the matter is that two-thirds of the silver produced in this country comes as a byproduct of copper, lead, and zinc. The production of these base metals determines the production of silver.

Senators may wonder where the 3 billion ounces of silver came from.

Here is the breakdown:

[In million ounces]

Purchases of foreign silver	2,000
Nationalization of silver (1934)	100
Acquisition of domestic silver	900
Total	3,000

For 30 years an average of 100 million ounces a year has been taken off the market. This is equal to our yearly consumption today. One may well ask how much more silver would have found its way into the arts and industry if the Treasury had not been forced to take this silver at above market prices and sterilize it in the vaults at West Point. How many more people would be employed in the heart of the silverware and jewelry industries located in my State? How many more silver products would be sold in every State in the Union for the benefit of all, as opposed to the handful of silver producers who have reaped the benefit of our silver policies?

It has been said that our silver policies have resulted in a profit to the Government. This is true. Even more profit could have been made if the Government had printed and issued paper money with even less backing. One pound of copper costing 30 cents makes $1.40 in pennies.

The purpose of a monetary system is to provide a proper medium of exchange to meet the needs of business, and not simply to make a profit. The silver dollar has never served this purpose. There are only 2 per capita in circulation today. One can take his silver certificates to the banks now, and, under this bill, obtain silver dollars.

The Treasury has made a profit in silver transactions by buying silver at prices less than $1.29 per ounce and then arbitrarily valuing the silver at this figure. This overevaluation permitted a profit. But when a profit is made, somebody pays. The users of silver and the consuming public are paying today.

Two-thirds of the silver consumed in this country comes from abroad. Therefore foreign producers are the chief beneficiaries—they have to be paid in gold. While this country maintains a stockpile of 1.6 billion ounces of silver, we now pay nearly $100 million in gold to buy foreign silver for the arts and industry each year. If this bill is not enacted, the Treasury will be forced into the market for its monetary requirements for silver, which could cost an additional $140 million in gold. Yet the opponents of this bill express great concern over the setting aside of an estimated $35 million in gold a year as backing for the $1 Federal Reserve notes provided for in the bill.

There has been some confusion about the silver acts which this bill will repeal. The Silver Purchase Act of 1934 called for purchases of silver at home and abroad, but at the discretion of the Secretary of the Treasury. Actually no domestic silver was ever purchased under this act. In order to force the Treasury to acquire domestic silver, the 1939 act was passed. The 1946 act was passed to permit the sale of silver to industry, Government departments and others, and is so entitled. This law established a selling price of not less than 90.5 cents per ounce. For reasons not apparent, the Treasury has been unjustly criticized for carrying out the mandate of Congress in selling silver in accordance with this act. The Treasury sold approximately 139 million ounces. Treasury purchases during this period amount to 376 million ounces.

I wish to state that I did everything in my power to insure that the Treasury continue sales as long as possible. In view of the 3 billion ounces acquired by the Treasury, and therefore lost to the market, it would seem that the sale of 139 million ounces to industry and Government departments is an insignificant amount. I might add that this silver which was sold by the Treasury was acquired at no cost.

There is still available about 30 million ounces of this silver acquired at no cost which is being sold to Government departments and agencies. This keeps the Government out of the market.

The market price today is $1.284 and the supply situation is reported to be tight. It is vitally important that the Government remain out of the market.

The real purpose of our silver policy has been to help the miners. The objective has been to force up the price by requiring the Treasury to acquire silver thus keeping it off the market. The stated objective has been a price of $1.29 per ounce. The market price is now within a cent of this figure and shows every indication of remaining there.

The mining industry no longer needs help. The earnings of the largest silver producer in this country have increased 700 percent since 1961. Something must now be done for the silver users who have had to cope with a 40-percent rise in the price of silver in the past 17 months.

The silver market has not been free for 30 years. Enactment of this bill will permit the operation of a free market for silver with a resultant stabilization in price. It will keep the Government out of the silver market by authorizing the issuance of $1 and $2 Federal Reserve notes and by providing silver from existing stocks for Government purposes.

In conclusion, I wish to say—and I think this is the very crux of the whole situation and problem before us—that if the bill is not passed, in my judgment, the Government will be compelled to go to the open market to purchase silver for coinage and defense purposes. The inevitable result will be the skyrocketing of prices; the cost will be prohibitive; the cost to the producers will be high, because more than 60 percent of the silver produced in this country is a byproduct, and only a small part of the silver used in the United States is domestically produced. So, if we must go to the foreign market our balance of payments problem will be increased. The only relief we see for the moment is in the passage of this legislation. I realize that it is not a panacea. But I say that we would be choosing a more substantial and damaging evil if we should not pass the bill.

Mr. STENNIS. Mr. President, in order that debate on the silver bill may continue, I ask unanimous consent that I may yield 3 minutes to the Senator from Iowa [Mr. MILLER].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, as I see it, there are two problems. The first is that, due to the recent increase in the price of silver to $1.27, we are in danger of losing the supply of the silver certificates we need, because if the price goes over $1.29 the holders of the certificates will cash them in, because that is in excess of the monetary value. If the price goes above $1.38, the holders of the coins will melt them down and use the silver.

The second problem is that silver users will have to use outside sources. There is a difference of 80 million ounces of silver as between consumption and production.

The solution is to redeem or to replace silver certificates with Federal Reserve notes. In order to do this, and in order to have $1.8 billion of Federal Reserve notes for this purpose, we shall have to draw on our supply of free gold to the tune of $450 million. However, this will not happen all at once. It is anticipated, as has been stated by the distinguished chairman of the committee, that this will be done gradually, probably at the rate of approximately $35 million a year. In other words, we will tap our free gold to the tune of $35 million a year. This, I suggest, is a much lesser evil than tapping to the tune of perhaps $140 million a year, which is what we will have to do if we go into the world market to buy silver in order to meet our requirements, which exceed our production.

As a result, I wish to concur completely in what has been said by the Senator from Rhode Island [Mr. PASTORE], and other Senators, that the pending bill is desirable and that we have no choice but to pass it. However, I would like to say that I do not agree with some of the statements that have been made earlier this afternoon, to the effect that reducing the 25-percent requirement of gold to back up our Federal Reserve notes to 22 percent, 18, or 12 percent would not affect the value of our money in the world market. I recognize that much depends upon the confidence of oversea bankers and governments. However, that confidence has been in the process of being lost to the tune of $900 million a year for each of the last

2 years. If we tamper with the 25-percent requirement we will lose a great deal more confidence. We cannot afford to do that.

Accordingly, Mr. President, I hope the bill will be passed.

ORDER OF BUSINESS

Mr. STENNIS. Mr. President, under the unanimous-consent agreement, at 4:30 p.m. the Senate will return to the consideration of the International Coffee Agreement. The Senator from Mississippi will not be able to yield any more time, except that he does have an understanding with the Senator from Massachusetts [Mr. SALTONSTALL]. I therefore ask unanimous consent that I may yield 3 minutes to the Senator from Massachusetts for the purpose of further debate on the silver bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, the bill is desirable and necessary legislation designed to stabilize the price of silver and to take the Government out of the silver market. The principle behind it was supported by the Eisenhower administration, just as it is now being urged by the Kennedy administration.

Increased industrial and coinage requirements have resulted in a demand for silver beyond the annual production of new silver. Silver has found increased use in industry, not only in the production of jewelry, sterling, and plated silver, but also in such industries as metal joining, photography, and electronics, both for defense-space purposes and civilian consumption. The photographic industry has become the largest user of silver in this country, accounting for about 30 percent of the total consumption. Silverware and jewelry now account for from 20 to 25 percent.

INTEREST IN NEW ENGLAND

As one who represents a State and an area with important silver-consuming industries, I know how necessary this legislation is if we are to stabilize the price of silver. Silver prices have risen 40 percent since late 1961 when the President, in order to conserve the Treasury supply, issued an order stopping Government sales of silver not needed to back paper currency. The present price of about $1.28 an ounce compares to about 45 cents when the 1934 laws were enacted. These price changes have caused serious hardship to industrial users.

New England has more than half of the Nation's silver and jewelry industry, and more than a proportionate share of the country's electronic industry. In terms of employment in the United States, New England's share of the jewelry and silverware industry is 50.8 percent. The corresponding figure for electronic components is 19.3 percent. Adverse price increases or uncertainties in the silver market could increase unemployment substantially in our section of the country.

A brief summary of the effect of the bill is that it will:

First. Stabilize the market price for silver at somewhere close to $1.29—a price favorable for the producers.

Second. Benefit the user industries by giving them the much needed assurance of a relatively stable price level.

Third. Take the Government out of the silver business except as a consumer in the manufacture of its coins.

Fourth. Provide sufficient $1 bills for our monetary system.

Fifth. Provide a supply of silver for subsidiary coins.

Sixth. Permit the operation of a free commodity market for silver.

I have listened to the discussion of this subject for a great many years. I recall very well the situation in 1946, when the legislation was last before Congress. The legislation is no longer needed, because the price of silver has gone up to $1.28 an ounce. We wish to stabilize it for industrial purposes and to provide enough for coinage purposes by our Government. That is what the pending bill would do.

MILITARY FORCES IN ALABAMA

Mr. STENNIS. Mr. President, the recent mobilization of the armed might of Federal military forces in the vicinity of Birmingham, Ala., raises a constitutional question of grave proportions. In addition, it provides another unhappy example of how the rights and privileges of the States of the Union are gradually being usurped as a result of continued encroachment by the executive branch of the Federal Government.

Let us remember the facts in the Birmingham matter. It is true that as a result of the provocative activities of outside agitators there were some local disorders in Birmingham on Saturday night and Sunday morning, May 11 and 12. The President, despite being advised by the proper Alabama authorities—including the Governor and the two U.S. Senators—that Federal troops were neither needed nor desired, issued an order Sunday afternoon, May 12, directing that about 3,000 specially trained, riot-control troops be sent to the Birmingham vicinity. He did this despite assurances by State officials that the local authorities were fully capable of handling the situation.

No Federal court order was involved.

There was no violation of a Federal statute.

There was no abandonment of their functions by the local police. To the contrary, local police officers and State troopers were in control and functioning fully and effectively.

Thus the President apparently believes that there has been an unlimited and unrestrained delegation of authority to him to call forth Federal military forces to supersede and replace local law enforcement agencies whenever he sees fit—even before there has been a violation of Federal law or a defiance of a Federal court decree. If we accept this belief or doctrine as valid it simply means that we abandon our historic freedom and liberty under laws prescribed by the people through their elected representatives. We thus open the doors for a future military dictatorship in this country.

This situation faces us with a direct challenge and threat to our constitutional form of government. In the first place, it has always been recognized that the preservation of the authority of the States in purely local matters is as essential to our form of government as is the maintenance of Federal power in purely national matters. Second, no principle is more firmly established than that the President's power to act, if any, must stem either from the Constitution itself or from an act of Congress. This is still as true today as it was when our government was founded.

It begs the question, of course, to minimize the importance of the actions with respect to Birmingham by saying that the troops have not been used and may not be used. It is the threat of their use and the principle which is involved which is of importance. None of us should be content to sit idly by in the face of this direct assault upon and threat to historic constitutional principles. Whether the troops are actually used in Birmingham or not we may be very sure that—with the precedent thus established—they will be ordered into action on some occasion in the future when the executive department should so desire.

Remembering that no Federal laws were broken in the Birmingham situation and no Federal court orders defied, let me examine briefly the question of the President's authority to usurp the power of the State of Alabama to deal with local and internal disorders.

Section 4 of article IV of the Constitution provides:

> The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Clearly this confers no legal authority upon the President to mobilize the troops in the Birmingham case. The Governor of Alabama did not apply for Federal intervention. On the contrary, he expressly advised the President: "The situation is well in hand and law and order prevail" and asked to leave the entire matter to the State and local governments. He went further and told the President that the unwarranted presence of military forces would be an open invitation to a resumption of street rioting by lawless Negro mobs on the assumption they will be protected by Federal military forces.

The inapplicability of section 4 of article IV to the Alabama situation is so manifest that the President did not rely upon it. Instead, he claimed legal justification for his precipitate action under paragraph 1 of section 333 of title 10 of the United States Code. He even went so far as to claim that under this statute he is vested with all the powers of prosecutor, judge, and jury by saying that, by the statute:

> The Congress entrusts to the President all determinations as to (1) the necessity for action; (2) the means to be employed; and (3) the adequacy or inadequacy of the protection afforded by State authorities to the citizens of that State.

If the President has such unrestricted and dictatorial power as is claimed for him, then no State and no city in the country is safe from the threat of military rule at the whim of a Chief Executive.

I think that a mere reading of section 333 will make it plain that it does not invest the President with the sweeping authority and power which he claims. It is in the following language:

> The President, by using the militia or the armed forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it—
>
> (1) So hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or
>
> (2) Opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.

We may dismiss paragraph 2 of the statute since the President did not invoke it. Under paragraph 1, three things are indispensable before the President can act. There must be, first, an insurrection, domestic violence, unlawful combination, or conspiracy which, second, so hinders the execution of the laws of that State, and the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law; and, third, the constituted authorities of the State must be unable, fail or refuse to protect that right, privilege, or immunity, or to give that protection.

It is crystal clear that these three things must occur in concert before the statute comes into play. If one or more of the essential elements is not present, no Presidential decree or fiat can supply it, and the statute is clearly inapplicable.

As a factual matter it is clear that the domestic violence in Birmingham was not such as to hinder the execution of the laws of Alabama and of the United States so as to deprive anyone of a right, privilege, immunity, or protection named in the Constitution and secured by law. It is equally clear that this was not a case where the local authorities were unable, failed, or refused to give the required protection. The President was assured by the chief executive of Alabama that the situation was well in hand and that law and order prevailed. Thus the claim that section 333 conferred power to act flies in the face of the facts and falls of its own weight.

The claim that the Chief Executive has unlimited discretion to act under this statute is without foundation. It is true that the statute vests him with discretion as to the measures to be taken when an appropriate case for action is presented. However, action is justified if—and only if—certain facts exist. Where the facts are nonexistent, the President's authority is likewise nonexistent. Facts which do not otherwise exist cannot be created by a Presidential proclamation or decree.

When the case is analyzed, it appears that the President is in the position of claiming the arbitrary power to dispatch military forces to deal with any local disorder whenever, wherever, and however it may occur. This is the very power that the framers of the Constitution labored so diligently to negate. They never intended that a door should be opened in this manner for the establishment of a dictatorship in this Nation by the use or threatened use of military force.

Governor Wallace, of Alabama, has now brought suit to prevent the use of troops in Birmingham. While he was correct in doing so, it would appear that a ready technical defense to the action might lie in the fact that the troops are stationed at military bases and have not been used in any manner. It is possible, therefore, that the court might not reach the real issue involved, which is the question of the authority of the President to use or threaten to use military force in such a situation. It is well for us to remember that dictatorships are more frequently created by the threat of military might than by its actual use.

I must say also, Mr. President, that I am deeply concerned about the continued invasion of the Southland or any other part of the Nation by outside agitators who are there for no other purpose than to organize demonstrations and otherwise promote strife and turmoil. They do this under the guise of obtaining so-called civil rights for members of the Negro race.

The hard truth of the matter is that Martin Luther King and his co-workers went to Birmingham for the express purpose of stirring up conflict, strife and disorder. King wanted to be put in jail. He and his co-workers took children out of school and marched them into the business district of the city, seeking to have them arrested. In addition to violating local statutes and ordinances, he committed the common law crime of inciting to riot. Perhaps a word from the Department of Justice or the President advising the Negro parents to return their children to school, and advising the leaders of the agitation to terminate their activities, would have quieted the entire situation quickly.

At the time, Martin Luther King knew full well that within a matter of weeks a decision would be rendered by the Alabama Supreme Court which might put in office in the City of Birmingham a new administration pledged to consider certain of the grievances of King and his associates. He would not await the decision of the court. He wanted to create strife and disorder. He desired to be put in jail.

He violated a court injunction that had been imposed upon him after he got there.

The pattern of activities is clear. The agitators move into a peaceful community, hold meetings, make speeches, organize demonstrations, and otherwise play upon the emotions of both races and excite them to a fever pitch. The actions almost inevitably produce a powder keg situation in which riots, violence, and even bloodshed become almost inevitable.

When this point is reached it then becomes necessary for the local law enforcement officials to take action to maintain law and order. The actions of the law officers in putting down the disturbances results in appeals to Washington for Federal intervention. These appeals—regardless of the merits—all too often receive a preconceived and sympathetic response.

The action of the police force, the mayor, the board, and others in positions of law enforcement in Greenwood, Miss., during recent months was highly commendable. Although the Mayor appeared on a nationwide television program and made a fine impression, the facts as to the real torture from day to day, the harassment, and the vile insults and epithets hurled at those officers have never been told.

It clearly illustrates the pattern of conduct and harassment and the efforts being made in larger and larger areas of the country by strifemakers.

The events of the last few days in Birmingham, earlier in Greenwood, Miss.; and now in Durham and Greensboro, N.C.; Nashville, Tenn.; Englewood, N.J.; Cambridge, Md., and other places make the pattern clear and obvious. They also make it clear that unless firm and responsible action is taken, the extremists on both sides will continue to control, and strife and turmoil will persist—without gain to anyone.

In Birmingham, the agitational activities of the demonstrators appear to have resulted in some sort of agreement between the agitators and an unofficial local group. I find it strange that a Chief Executive of this Nation should feel compelled to use the threat of military might to enforce such a private and unofficial agreement.

I think that the peace and welfare of the Nation would best be served if the Federal Government would abandon its irresponsible policy of intervention in local affairs each time there is a local disturbance. It should be made clear that there would be no intervention at the behest of these agitators unless there is a clear necessity for such intervention under the Constitution or an act of the Congress. This policy should apply most strongly and rigidly in the case of intervention with military forces.

Mr. President, what is needed throughout the country is the application of the elemental and fundamental rules of discipline and law and order—not agitators who preach and provoke law violations and disorderly conduct.

Here in the District of Columbia—the Capital of our Nation—a holiday crowd of 50,000 erupted into a near riot at a football game last fall. At this time, the Metropolitan Police of this city are actually begging for removal of the restrictions upon police activities. Speaking in April of this year, Chief of Police Robert V. Murray said:

> What is really needed is legislation to take the shackles off the department.

In that connection, all of us know that the usual pleas are for money with which to employ more personnel for the various governmental departments. However, in this case when the Chief of Police in Washington, D.C.—and I am not one to try to play up or agitate about such matters—testified before a congressional committee, and when it was pointed out to him that recently a Member of Congress had suggested that the size of the District of Columbia police force be increased from 3,000 to 3,500 men, Chief Murray gave the following extraordinary and unusual answer:

> If the Senate wants to give us more police, that's fine; but what is really needed is legislation to take the shackles off the department.

Meaning the District of Columbia Police Department. He was referring, in that connection, among other things—to the Mallory rule, which excludes from evidence in a criminal trial a confession obtained when there is a delay between the arrest and arraignment of a defendant. Chief Murray said that the restrictions imposed by Mallory and other cases "have made it practically impossible to obtain convictions of criminals in the many serious cases where neither scientific evidence nor eyewitness identification is available."

I should like to make a brief personal reference in this connection, emphasizing the position taken by Chief Murray. At one time, I was a district attorney. Later, I was a trial judge. Particularly during my service as district attorney, I came in contact with all kinds of cases. As a lawyer and as a former prosecuting attorney and a former official for law and order, I know that the Police Department of the District of Columbia is tied almost hand and foot in connection with some of its major activities which are necessary for the enforcement of the law. Furthermore, the police in the District of Columbia are restricted by not being able to make arrests on what in the old days we called "probable cause" or arrests for investigation. That is an essential arm of the law, if the police are to be effective.

I point out these things, not to bring discredit upon our great Capital—where I live most of the year, and where I am a taxpayer; and I have pride in the Capital of our great Nation—but as conclusive proof that we are not dealing with a theory. Instead, we are dealing with hard facts of life; and something must be done. These facts establish in Washington, D.C., a pattern which is spreading to the other areas to which reference has been made.

I do not wish to bring scare stories or bad news; but I hold in my hand an article published on May 11 of this year in the Memphis, Tenn., Commercial Appeal. The article was written by Mr. Riesel, a well-known columnist. I read from the article:

> A massive Negro "march on Washington" coverging on the Capital from all parts of the Nation, by car caravans, buses, airplanes, trains, and even on foot, is being detailedly planned by Negro labor leaders.
>
> Those in charge of the logistics, the routes, the demonstrations here, hope to put 100,000 men and women into the Capital's streets. Target date for the overland march is October 4.

I do not know whether the information supplied by Mr. Riesel is correct, but certainly such activities are in keeping with the times, and show the trend of the times and how such activities are spreading.

Mr. JAVITS. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield briefly.

Mr. JAVITS. I understand. I know that the Senator from Mississippi wishes to conclude his speech. I serve notice that after the vote is taken on the pending treaty, I shall undertake to answer some of the points the Senator from Mississippi is making.

Mr. STENNIS. I thank the Senator from New York.

Mr. President, as a further indication of the wave which is sweeping over the country, I point out that the school officials in the District are now begging for more authority to enforce discipline and to deal with unruly pupils. Dr. Carl F. Hansen, Superintendent of Public Schools, requested that the School Board remove the restrictions on the use of corporal punishment or "reasonable force" to restrain and correct uncontrollable pupils. This request was turned down by the School Board; and the Congress is now involved in the consideration of a bill which would overrule the Board action and would confer the authority which Dr. Hansen seeks. Dr. Hansen has had many years of experience in the schools, and has risen to his present position of great responsibility. In his testimony, he said, in substance, that the rule banning punishment of that kind worked for a while; but he says that conditions have become so bad that he and the teachers are so greatly restricted that they have become victims of abuse, unruly conduct, and insults, and that now it is impossible for them to keep order; and that he has changed his mind, and now is firmly of the opinion that unless this authority is conferred upon them, they cannot continue. Nevertheless, the School Board rejected his request. As I have said, a bill on that subject is now before Congress.

As I pointed out earlier in my remarks, each day the newspapers tell us of the spread of violence and lawlessness across the Nation. As I have mentioned, this situation has already come to the surface in the lower South; in Nashville, Tenn.; in Durham and Greensboro, N.C.; in Cambridge, Md.; in Englewood, N.J.; in Chicago; and in New York City.

In that connection, I think of the State of North Carolina, where the officials have been proceeding in a quiet and nondisturbing way, and in many ways have been very generous in their attitude.

In the educational city of Durham, the home of Duke University, only a few miles from the University of North Carolina and another great institution at Raleigh, the people are overwhelmed. As I understand, they are virtually at a standstill.

In the New York Times I noticed a well-documented story under yesterday's date about the use of the parks in New York. The park association made a survey and was amazed to find that the parks were not being used for the following reason:

> Fear of physical violence even in broad daylight is driving New Yorkers out of their parks, the park association warned yesterday.

I do not know that that situation is connected with racial difficulties. I am not saying that it is. I hope it is not. But I cite it as an illustration of what is occurring in the heart of that great city. It is an illustration of the lawlessness and the danger that lurks even for a passerby. In the daylight the people are afraid to use the parks in that great city. Those are the conditions. I am not reflecting on the people as a whole.

A few days ago, when I was making a long-distance call, the long-distance operator said to me, "May I say a personal word?" I told her, "Yes."

She said, "Will you Senators please pass a law so that we will be safe to go home after we finish our day's work?"

Mr. President, this clear-cut pattern of local disorders and disturbances deliberately created by those who are ready and willing to sow strife and discontent, and who are quickly supported by the use or threat of military forces, is creating a new and unhealthy form of government in this country. It is a form of government which is far removed from that envisioned by the patriots who created this Nation. It is based upon the principle and concept of rule by military might rather than the established and orderly process of law.

Such disturbances, with the quick application or threat of application of military might, are gradually evolving a new concept of government in our great Nation.

I ask, Mr. President, how far this principle is to be extended? Is it to be applied to labor disputes and disagreements? Is it to be applicable in all cases where inflamed emotions pit group against group? Are established legal procedures and remedies to be abandoned in favor of military rule in all cases of local disturbances and disorders involving group action?

Will we apply military force to settle labor and other disputes?

If so, Mr. President, I fear that our system of government of law rather than men and of a healthy and delicate balance of Federal-State relations is in jeopardy as never before. I can only hope that the threatened use of the Federal troops in Birmingham will not become the precedent which will eventually result in the destruction of the principles of individual liberty and freedom upon which this Nation has grown to greatness.

I do not believe that President Kennedy or any other President ought to exercise in our form of government a power that is as serious, as delicate, or as dangerous as that of using military force in our day-to-day affairs in dealing with our people.

Since 1957, less than 6 years ago, military force has been brought into play three times and used against civilians of our Nation. I hope that the President will find time to give more personal attention to the facts in such cases, and thus remove himself further from his advisers who are partisans in this field, and thus make more remote the chance of conflict.

I yield the floor.

REPEAL OF CERTAIN LEGISLATION RELATING TO THE PURCHASE OF SILVER

The Senate resumed the consideration of the bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes.

WE REVISE OUR SILVER POLICIES TO REFLECT THE CHANGED SILVER SITUATION; WHY NOT DO THE SAME FOR GOLD?

Mr. GRUENING. Mr. President, I am happy to support H.R. 5389 to repeal certain legislation relative to silver. It should be beneficial to our silver mines and will help the economy of those areas in the United States where silver is mined. It will have other beneficial results. The bill is sponsored by the administration. It has been enacted by the House and has the support of the Senate Committee on Banking and Currency to which it was referred and which has reported it favorably. I wish to commend those who have brought this proposed legislation to this stage where its being enacted into law may be anticipated.

I can only wish that the administration, and particularly its Treasury Department, would take a correspondingly enlightened attitude on gold. I can only wish that the administration would similarly take the lead in asking the repeal of the existing restrictive, indeed punitive, legislation affecting gold.

The Banking and Currency Committee report in giving the background of this bill states that in November of 1961, Secretary of the Treasury Dillon recommended and the President approved, a revision of the Government's silver policies to reflect the changed silver situation.

Well said. There is a changed silver situation and an enlightened and progressive administration in both the executive and legislative branches therefore moves to revise its changed situation in regard to this precious metal.

But how welcome those words and the attitude they reveal would be if applied also to an even more precious metal—namely gold.

And has not the gold situation also changed? Indeed it has.

Twenty-nine years ago President Franklin Delano Roosevelt raised the price of gold from $20.70 an ounce to $35. It was a most welcome and beneficial action. It gave our domestic gold industry a tremendous lift and it prospered.

Then came World War II and gold mining was suspended by governmental decree as not necessary during the emergency, although that was not done in neighboring Canada, our ally in the war. During that period our gold mining operations were suspended, and much of the gold mining machinery suffered from disuse. When gold mining was resumed the cost of machinery, materials, and labor had increased. But the 1934 price remained. It has remained fixed at that price established 29 years ago, though costs have steadily risen.

Mr. President, this is a unique example of discrimination by law imposed on one and only one industry. In consequence our gold mining is on the way to extinction. One by one our hard rock gold mines have shut down. One by one the dredges engaged in placer gold mining are suspending their operations.

But so far this administration, like its predecessor, has come up with no plan, no policy, no purpose "to reflect the changed gold situation." This is not a partisan matter. The failure to try to revise the Government's gold policy has been equally a Republican and a Democratic failure.

Meanwhile our gold reserves are steadily dwindling.

Repeatedly in recent years Members of Congress have introduced legislation designed to remedy this unhappy situation. Invariably these efforts have met the opposition of the administrations—past and present—opposition dictated by a narrow negative attitude of their Treasury Departments.

This legislation has sought to remedy the dwindling gold problem by proposing a subsidy for our gold miners. The Treasury Department's opposition is based on the fear that such a subsidy may be interpreted in banking circles as a preliminary to devaluating the dollar, although there is no basis whatever for this apprehension.

But—and here is the regrettable and unjustifiable aspect of the executive opposition, namely that while disapproving various approaches to revising its gold policies to reflect the changed situation, it fails to produce any ultimative remedies. It has been asked to do so by the congressional committees concerned.

While applauding therefore the administration's revision of its silver policy to reflect the changed silver situation, there are Members of Congress, of whom I am one, who wish it would correspondingly face the changed gold situation and revise its policies accordingly.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER (Mr. NELSON in the chair). Without objection, it is so ordered.

PRESIDENT'S COMMISSION ON AGING REPORTS ON "THE OLDER AMERICAN"—THE TRAGIC FACTS

Mr. YARBOROUGH. Mr. President, President John F. Kennedy's Council on Aging has recently prepared a report entitled "The Older American," vividly portraying the situation faced today by nearly 18 million people 65 or older.

This report is one of the finest I have ever seen.

It proves with facts and figures the urgent need to help this older 10 percent of our Nation's population solve growing economic, health, and social problems.

The Council on Aging is under the chairmanship of Secretary Celebrezze. In a letter of transmittal to President Kennedy, Secretary Celebrezze said:

> At a meeting of the Council at the White House on March 14, 1963, you expressed the conviction that there is need to increase public concern with the special needs of the aging in this Nation, to recognize the challenges these needs present to public and private organizations, and to understand the largely untapped resource that our older citizens represent for the improvement of our society. The Council is in complete agreement with these views. It seems appropriate that our first report should present a broad picture of aging in America as a means of enlisting interest and concern of Americans generally.

Some of the facts revealed in this report are shocking. They cry out for positive action.

For example: In 1961, 50 percent of the 18 million persons 65 and over, not in institutions, had a total income of less than $1,000 for the year. This is an income of $83.33 a month.

More than 12 million of the people 65 and over have at least one chronic impaired health condition such as high blood pressure, arthritis, diabetes, heart disease or mental disorder.

Since 1950, the cost of 1 day of hospital care has gone up 125 percent and the cost of the doctor bill is up by 47 percent. And 1 out of every 6 people over 65 will go to the hospital some time during a 1-year period, to face an average hospital cost of $525.

Some old people who do not have the money to pay do not go to the hospital until it is too late.

It is not that they had rather die than go. It is that they do not want charity; they do not want to burden relatives; they do not always have proper counsel.

They do not have the legislative help they need. Our responsibility could not be more clearly outlined than it is by this report on the health, housing, and job needs of the aged. Because of the superior work that has gone into the research for this report, I ask unanimous consent that the following excerpts, amounting to a summation of the report on "The Older American" be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

REPORT OF PRESIDENT'S COUNCIL ON AGING—WHO IS THE OLDER AMERICAN?

Page 1: "Probably no other group in America has been more thoroughly studied in the past 15 years than the aging. His health. His housing. His employment. His happiness. His habits. Nearly everything about him. And more research is constantly being started, and still more will follow."

Pages 5 and 6: "In fact, for all the interest and activity which has surrounded the older American * * *, this one conclusion stands out: He has gained longer life—as a result of scientific, economic, and social advances in this century—but is left without the financial means to solve satisfactorily many economic, social, and medical problems.

'This conclusion is one that we, as a nation, have not fully faced.

"But it is the one that millions of our older people have to face—day in, day out. Many are poorly housed, poorly fed. Many are forced to turn to their children or to public charity for the medical care they need. Many have been shoved into a dull, meaningless existence because the opportunities to remain active—to use their skills and talents—are not available.

"The responsibility to help them rests on us as a nation, because many of them cannot solve their greatest problems alone and because their problems have not been of their own choosing but forced on them by a changing society.

"It is a responsibility which, if not met now, will grow greater each day. The nearly 18 million older Americans will be 20 million by 1970 and over 32 million by the year 2000.

"Assigning the responsibility is not easy. * * * It must be shared by all levels of government, by private organizations, and by individuals. It is no more the sole responsibility of the Federal Government to deal with the problems of our older people than it is the sole responsibility of the communities where they live."

Page 6: "Some of (the problems of older people) can best be dealt with through Federal legislation. * * * Others can only be solved by changes in individual attitudes and through more vigorous application of the laws and programs available.

"Somehow, through leadership and education, it must be recognized that a citizen's desire to live a purposeful life does not end with his retirement. It must also be made clear that skills and talents do not suddenly end with retirement.

"We should seek out new means to use these talents, which all too often go unused. It is an incredible waste not to find some way to put this vast reservoir of ability into action.

"None of what has been said before should obscure the substantial progress toward assuring greater dignity and security for the Nation's older citizens made in the past 15 years.

"But—so much still has to be done."

INCOME

Page 7: "No matter what standard might be used to judge the adequacy of the incomes of today's older people, one point is clear: Their incomes are usually inadequate for even a modest level of living.

"Despite the obvious inadequacy of their incomes generally, today's older people have much more income than aged people had a dozen years ago. In 1950, there were 12.3 million Americans 65 and over with a total income of about $15 billion, while the 17 million 65 and over in 1961 had a total income of $35 billion.

"And they are better off individually. In 1961, of the persons 65 and older who were not in institutions, 50 percent had less than $1,000 for the year, while in 1950, 74 percent had less than $1,000. Also, in 1961, about 14 percent had incomes of more than $3,000, compared with 7 percent in 1950."

Page 9: "This is encouraging progress. But, most of the aged are still living on considerably less than an adequate income."

Pages 9 and 10: "Half the older couples in the United States have an income of less than $2,530 a year, and half of them have more * * *. Their yearly income is only slightly more than half that of the average younger couple * * * even when allowance is made for the Federal tax breaks (older people) receive * * *. The average older (person) living alone has an income of only $1,055 a year * * *. The older male(s)—on an average—have a yearly income of $1,315 if they are living alone, while the average older woman has only $960 * * *. The average older person living with a relative had an income of only $463 in 1961—the older male had $895 and the older female $350."

Page 11: "The dilemma posed by this situation * * * is faced by millions of older Americans today * * *. Action is necessary not only for the benefit of today's older people but to assure that tomorrow's aged are not confronted with the same income gap.

"It is likely, however, that the lot of tomorrow's older American will be somewhat better than today's. This is true because some of the improvements made in retirement security programs in recent years have not yet been fully realized.

"Thus, while the economic outlook for tomorrow's older American steadily improves, a gap between income and needs will remain unless additional efforts are made to close it."

HEALTH

Page 12: "Millions of older Americans enjoy relatively good health and many of them can be almost as active as they were when they were years younger. Many of those with disabilities have learned to live with them and accept their limitations.

"But, most have become the prey of at least one disease that will stick with them as long as they live. It is part of the toll the years have taken. It is grim evidence that the causes and cures are still to be found for the diseases that come with age.

"And it is dramatic proof of the health-care problems faced by older Americans who are caught between rising medical and hospital costs and their low, relatively fixed incomes.

"Many older Americans do not get the care they need because they are too proud to accept charity or other outside financial help. And they do not want to be a burden on their families."

Page 15: "For the older American, his major concern over medical care is the possibility of going into a hospital. This is true because the hospital bills are usually large, they can come without warning, and they usually must be paid at once.

"Of the 1 in 6 aged persons who is hospitalized in a year, the hospital bill—not including doctor's and other expenses—average about $525.

"Thus, we have a serious gap between the care most older people need and their ability to pay for the care—either through health insurance or from income or savings.

"One deceptive feature of the health-care picture is the degree to which private health plans cover costs. While more than half of the aged have such coverage, much of this insurance is very limited.

"A study of the health problems of the older American made recently estimated their health insurance does not meet more than one-sixth of total medical costs of the insured or one-fourteenth of the total for all the aged."

Page 19: "Of the various types of help (received by older people toward the payment of their medical bills) public programs are responsible for more than $1 in every $4 * * *. The most important single public program—considering the dollars spent—is the public assistance aid given through the Federal-State programs of old-age assistance (OAA) and medical assistance for the aged (MAA). In 1962, for example, about $635 million was spent by the States and Federal Government.

"The MAA program in 1962 helped to pay medical bills each month for about 1 in every 200 older Americans, and the average monthly payments were just over $200. The program now operates in half the States.

"Further, of the $245 million spent under the program last year, 88 percent of it was spent in five States—New York, California. Massachusetts, Michigan, and Pennsylvania. Of the aged receiving help during a month, 73 percent were concentrated in the same five States, although less than one-third of the Nation's aged live there."

EMPLOYMENT

Page 20: "Employment has different meanings for different older Americans, depending upon their individual needs and wants. It means full-time remunerative work for one; for another, a part-time job to supplement a pension income; for still another, voluntary work in his home community or even abroad in the Peace Corps. To others, employment means a place to go every day—and the paycheck is a minor consideration.

"As the needs and wants relating to employment differ among older Americans, so do the opportunities for satisfying those needs and desires. For the opportunities of obtaining or retaining employment are subject to many severe restrictions.

"A major restriction lies in the age discrimination in hiring or in selection for retraining. Others are forced to quit work because of compulsory retirement policies."

Page 23: "Despite many efforts of public and private organizations to deal adequately with the employment problems of older Americans, these problems have persisted and grown worse with the passing years. This situation will continue unless urgent recognition is given to the vital importance of employment in the lives of older as well as younger people."

HOUSING

Page 24: "A suitable place to live is a necessity for the older American who wants to live a useful and independent life just as it is for a younger person. But an adequate home for an older person is often quite different from what would be adequate for a younger person. Older people have smaller incomes, their health is usually poorer, and, of today's nearly 18 million people 65 or over, nearly 1 out of 4 lives alone.

"Of the people 65 or older who head households, about one-third live in dilapidated housing, deteriorated housing which may or may not have all plumbing facilities, or in housing that, though sound, lacks some or all plumbing facilities.

"In addition, many older Americans live in housing units which are too large, too costly, or too inefficient or unsafe for the special needs which come with age.

"Despite the unpleasant view these facts conjure, the outlook for improvement is bright. For in no area of Federal housing programs has progress during the past 2 years been more dramatic than in housing for the elderly. The progress has been based on cooperation between private groups and governmental agencies with emphasis on local initiative and local action."

Page 27: "The amount of private housing which has been made available to older people without the aid of Federal funds is unknown, but the number of units is small in relation to the need. While the progress has been rapid—for housing built with the aid of both the Federal Government and the States—the actual number of units built is only a small contribution to the need.

"But, the basic effort toward improving the housing of older people is underway. Expansion of the efforts will require continued thought, energy, and capital by all levels of government and by private industry."

RETIREMENT PLANNING AND COUNSELING

Page 28: "Employers, unions, community leaders and others have an important role in helping people with their retirement adjustments and difficulties. A tiny beachhead has been won, but it needs to be greatly enlarged.

"Most of all, those nearing retirement should be encouraged to look ahead and plan for the adjustments they will need to make."

A PLACE IN THE COMMUNITY

Page 29: "For many retired people, nothing is quite so difficult—or quite so important—as maintaining a useful and congenial place in the community around them

* * *. Retirement is a sudden new way of life for the older American. He has a different role in society and in his family relations * * *. At the worst, it erodes to a state that has been called 'retirement shock.' For some, on the other hand, retirement may prove to be the most fruitful period of their lives."

Pages 29 and 30: "Our communities have the primary responsibility (to provide older people with activities). In 838 communities today there are organized councils on the aging. This is a healthy beginning—but only a beginning. Many more organized programs are needed, and many of those that have been started need to be expanded * * *. No community today offers all services needed by its citizens. The greatest single lack is manpower. Conversely, one of the older American's most poignant needs is an opportunity for purposeful activity. It is vitally important that communities organize programs through which these two needs can serve each other."

SOMEONE TO CARE

Page 35: "One fact stands out as we grow older: The years force our body to pay a toll. The effect is at least a gradual decline in our ability to be active.

"Thus, we see among our older Americans several million—mostly in their 70's, 80's, and 90's—whom the toll has made frail and disabled. They need special care and attention to be active at all or to regain lost strength and abilities.

"Out of their needs and the needs of other older people in the past, special kinds of health services and living arrangements have grown—nursing homes, homes for the aged, home health care, homemaker services, foster homes.

"Unfortunately, the need for such services and home arrangements far exceeds the supply, and those available are often very inadequate or too expensive. But, with the growth in the number of older people and the realization that they have special needs, the situation is gradually improving."

Page 39: "In 1961, more than half a million older Americans lived in 23,000 nursing homes or other types of homes providing nursing or supportive services.

"Many of these nursing homes, unfortunately, are unsatisfactory by any modern standard. Many are converted residences. Many are deteriorated and actually unsafe. The number of 'acceptable' nursing-home beds is far short of the need."

Page 41: "Against this rather grim picture * * * there are these facts: More skilled nursing homes are becoming available, and Government help is increasing * * *. Federal assistance in building nursing homes is available through four separate Federal agencies."

A SHORT LOOK BACK, A LONG LOOK AHEAD

Page 43: "The problems of the older American * * * have come dangerously close to making him a second-class citizen. But recognition of the problems and their danger has prompted substantial action to solve them.

"During the 1963 fiscal year, the Federal Government will spend or administer $17 billion for the nearly 18 million older Americans over 65 and will also provide special tax savings of $775 million.

"Much of the money—more than $13 billion—will come from Federal trust funds in payments for social security, railroad retirement, and civil service retirement.

"Ten years ago only 3.5 million older Americans and their dependents were collecting social security payments. Today, 12.7 million collect such payments—almost four times the total in January 1953.

"Part of this growth results from the changes made in the past 2 years."

Page 44: "A good benchmark for measuring what has been done recently is the progress made toward easing the difficulties of older people since the White House Conference on Aging in January 1961.

"From this Conference came a detailed report charting national goals and efforts to be undertaken if, in fact, our Nation is to make possible for its older people a high degree of independence.

"The progress has been impressive. Eighty percent of the Conference recommendations for specific Federal action have been carried out—either wholly or to a substantial degree."

Page 45: "In spite of these investments to correct the inequities faced by our older people, much more remains to be done. Their numbers are large, and their needs are great.

"As the facts surrounding their health problems show, the primary need of older Americans is a basic plan of hospital insurance. President Kennedy explained the need this way in his special message to the Congress: 'A proud and resourceful Nation can no longer ask its older people to live in constant fear of a serious illness for which adequate funds are not available. We owe them the right of dignity in sickness as well as in health. We can achieve this by adding health insurance—primarily hospitalization insurance—to our successful social security system.'"

Page 46: "The President's plan would not only ease the health problems of the Nation's older people but, in effect, give many of them additional income. The money they now use for needed hospitalization would be available for other essentials, such as better food, better housing, and better living generally.

"But the incomes of many would remain inadequate. It is vital—as President Kennedy has directed—that the Advisory Council on Social Security Financing consider extensions of protection and coverage, the adequacy of benefits, and other possible improvements."

Page 48: "In addition to the adoption of these recommendations, we hope that more States will put medical assistance for the aged programs into effect. Currently, only half the States and three territories have done so. These programs will be a necessary supplement—for the needy older people—to the President's hospital insurance program under social security. It is also hoped that the States which have very limited MAA programs will expand them.

"The Welfare Administration is actively cooperating with the States and providing them technical assistance to establish or expand medical assistance for the aged under the Kerr-Mills Act.

"But the work ahead cannot all be assigned to the Federal Government. This is neither desirable nor possible. The effort must be a partnership in which all levels of government—Federal, State, and local—join with private and public organizations, community groups, employers, and unions to pool their strength. From such effort must inevitably come the opportunity for the older American fully to participate in the Nation's affairs and fully to share in the fruits of its labor."

STATE OF HAWAII APPROVES GI BILL

Mr. YARBOROUGH. Mr. President, as the Senators know, the Subcommittee on Veterans' Affairs of the Senate Committee on Labor and Public Welfare has been conducting hearings for the past several weeks on S. 5, a bill which would provide educational and other readjustment benefits for cold war veterans.

This proposed legislation has received growing support among the people of this country. On March 9, 1963, the House of Representatives of the Second Legislature of the State of Hawaii adopted House Concurrent Resolution 21, requesting Congress to provide a peacetime veterans education program. The Senate of the State of Hawaii concurred on April 11, 1963.

The 50th State has asserted its leadership in this field. These magic islands, successively a kingdom, a republic, a territory, now a State, this place of beauty, now works for education and progress and justice. Not content to rest solely on old laurels of beauty and recreation and agricultural production, Hawaii now shows her leadership in new fields. The 50th State is showing the way in the soaring sixties; the 50th State is a leadership State in this second half of the 20th century,

Mr. President, I ask unanimous consent that House Concurrent Resolution 21, a resolution of the State of Hawaii, be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

House Concurrent Resolution 21

Whereas the veterans' education program established by the Federal Government has provided for the training and education of thousands of veterans of World War II and the Korean conflict; and

Whereas the education of these veterans has increased the educational level of the citizens of our great Nation and has contributed greatly to the strength, well-being, and economy of this Nation; and

Whereas, since February 1, 1955, educational benefits provided for persons serving in the Armed Forces have not been available; and

Whereas thousands of our veterans have been deprived of the educational opportunities once available under the veterans' education program; and

Whereas it is believed that the benefits enjoyed by veterans under the veterans' education program should be extended to apply to all qualified veterans of the Armed Forces for such time as the selective service law remains in effect: Now, therefore, be it

Resolved by the house of representatives of the second State legislature regular session of 1963 (the senate concurring), That the Congress of the United States be and it is hereby respectfully requested to extend educational benefits to all persons who have entered military service since February 1, 1955, and that such educational benefits be continued for as long as the selective service law remains in effect; and be it further

Resolved, That certified copies of this concurrent resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to the Members of Hawaii's delegation to the Congress of the United States.

THE TALMADGE-HUMPHREY BILL—NEW APPROACH TO COTTON PRICING

Mr. HUMPHREY. Mr. President, I am pleased that the executive council of the Textile Workers Union of America, AFL–CIO, CLC, has urged in a resolution that the Congress enact the so-called Talmadge-Humphrey bill as the best approach to the achievement of a one-price cotton system. As the resolution points out, a new approach to the problem of cotton prices is badly needed in the face of inflated domestic cotton prices and subsidized American cotton exports which benefit foreign mills.

The Senator from Georgia [Mr. Talmadge] and I have been working on a solution to this problem for more than 4 years. He has taken the lead in this and, rightly so. His leadership, I might add, has been great. He is intimately acquainted with the problems faced by cotton producers, millers, and exporters. I am pleased to be associated with him in this bill, and I hope it will be given serious consideration by the Senate Committee on Agriculture and Forestry, which currently is holding hearings on cotton legislation.

The Talmadge-Humphrey bill—known as the Cotton Domestic Allotment Act, S. 1190—would allow the market price of cotton to fall to the world price level and provide producer payments necessary to sustain farm income on an equitable basis. As the executive council of the Textile Workers Union of America points out, under this plan the great majority of cotton farmers who produce less than 15 bales a year would be assured the same return per bale as at present, but the market price would not be inflated and the Government would not be burdened with the expense of storing and selling cotton.

The resolution further states, and accurately so, that adoption of the Talmadge-Humphrey bill would reduce the domestic cost of cotton by one-fourth and would lead to an increase in mill consumption of at least 10 percent. New job opportunities would be created for some 35,000 cotton textile workers, and the American consumer would benefit from the ability to buy cotton textile products at a saving of approximately $500 million a year. The cost of the program would be $50 million a year less than that involved in the proposal to provide a subsidy of 8½ cents a pound to compensate the textile industry for the inflated cost of cotton under the two-price system.

Mr. President, my own State of Minnesota produces no cotton. But it is my firm belief that individual commodity problems are not limited to the areas in which the products are produced. They are the problems of all Americans and, as such, must be seriously considered by all Members of Congress. It is for this reason, and due to the fact that I always have maintained that a direct payment to the producer is the best way to provide a fair price to the farmer, that I have joined with the Senator from Georgia [Mr. Talmadge] in introducing the Cotton Domestic Allotment Act. I urge my colleagues to join with me in supporting the Senator from Georgia in respect to this badly needed and sensible legislative solution to the problems currently being faced by our cotton farmers, our textile mills, and exporters.

Mr. President, I ask unanimous consent to have included at this point in the Record the resolution of the executive council of the Textile Workers Union of America, AFL-CIO, CLC.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

New Approach to Cotton-Pricing

A new approach to the problem of cotton prices is badly needed. The present system of Government supports creates an intolerable inequity.

Domestic cotton prices are inflated while exports of American cotton are subsidized for the benefit of foreign mills. As a result, imports of cotton textile products have skyrocketed, while domestic mill consumption has fallen. The 8½ cents per pound differential in cotton costs enjoyed by foreign producers imposes an impossible burden on the U.S. textile industry.

The inequity of the two-price system has long been recognized. In May 1961 President Kennedy directed the Department of Agriculture to find the means of eliminating "the adverse differential in raw cotton costs between domestic and foreign mills." The Department's effort to accomplish this through an equalization fee on imports was frustrated by a Tariff Commission ruling in 1962.

It is now up to the Congress to deal with this problem at its source; namely, the cotton price-support program. This program has failed to fulfill its purpose. The high level at which prices are supported has stifled consumption and induced growers to expand production despite acreage limitations. Huge surpluses have piled up. The carryover of cotton is expected to reach 10.6 million bales on August 1, 1963—2.8 million over the previous year's level and the largest total since 1957. The total cost of the cotton support and export subsidy programs will come to over $1 billion in this fiscal year.

It is high time that we faced up to the need for establishing a domestic cotton price equal to the world price. This can be achieved without reducing the income of the cotton farmer.

Senators Talmadge and Humphrey have introduced a bill—the Cotton Domestic Allotment Act, S. 1190—which would allow the market price of cotton to fall to the world price level and provide producer payments necessary to sustain farm income on an equitable basis. Under this plan, the great majority of cotton farmers who produce less than 15 bales a year would be assured of the same return per bale as at present, but the market price would not be inflated and the Government would not be burdened with the expense of storing and selling cotton.

Adoption of the Talmadge-Humphrey bill would reduce the domestic cost of cotton by one-fourth and would lead to an increase in mill consumption of at least 10 percent. New job opportunities would be created for some 35,000 cotton textile workers. And the American consumer would benefit from the ability to buy cotton textile products at a savings of approximately $500 million a year.

The cost of this program would be $50 million a year less than that involved in the proposal to provide a subsidy of 8½ cents a pound to compensate the textile industry for the inflated cost of cotton under the two-price system.

Therefore, be it resolved by the executive council of the Textile Workers Union of America, AFL-CIO, CLC, that we urge the Congress to enact the Talmadge-Humphrey bill as the best approach to the achievement of a one-price cotton system.

FOOD FOR PEACE: WHAT IT IS—HOW IT WORKS

Mr. HUMPHREY. Mr. President, the third annual export issue of the Soybean Digest, the May 1963 edition, contains an article I wrote entitled "Food for Peace: What It Is—How It Works." I call this to the attention of the Senate because I feel it is a good explanation of our food-for-peace program. It goes through Public Law 480 title by title, discussing in a manner which can be readily understood the role of each of the several departments and agencies of the Government involved in the administration of the program.

I am proud to have been the sponsor of food for peace. But what pleases me the most is that this program is no longer seen as one of surplus disposal, but as a humanitarian endeavor to share our agricultural surpluses with those less fortunate than ourselves. As I point out in my article:

> This not only is a material program, even though materials are involved. It not only is a political program, even though foreign policies are involved. It not only is an agricultural program, even though food and fiber are involved. This is a moral program.

It is significant that since enactment of the Agricultural Trade Development and Assistance Act of 1954, Public Law 480, more than 100 million tons of U.S. food and fiber—worth more than $11 billion—have been shared with people of other countries. This is an achievement of which all Americans can be proud.

Mr. President, I ask unanimous consent to have printed at this point in the Record my article entitled "Food for Peace: What It Is—How It Works." I also ask unanimous consent to have included at this point in the Record a food-for-peace press release which was issued January 22, 1963, entitled "Food-for-Peace Donations Reach 92 Million People."

There being no objection, the article and press release were ordered to be printed in the Record, as follows:

Food for Peace: What It Is—How It Works

(By Hubert H. Humphrey)

Frequently one of my friends in the soybean business asks me, "What exactly is food for peace? How does it work, and how do we fit into the picture?"

Food for peace is both a policy and a program of the U.S. Government. It also has two purposes: To move U.S. farm products abroad, and, at the same time, to help hungry people around the world.

This not only is a material program, even though materials are involved. It not only is a political program, even though foreign policies are involved. It not only is an agricultural program, even though food and fiber are involved. This is a moral program.

Under food for peace we have been able to feed hungry people, provide employment, build hospitals, build roads, build schools, provide scholarships, translate books, publish magazines, give research grants, and many more things. All of this has been done with products like edible oils, wheat and flour, dry milk and other dairy products, beans, and feed grains.

The food-for-peace progam is possible because of the success of America's farmers. Farmers make up only 8 percent of our total population, yet they feed us with more food of better quality in greater variety and at a lower cost than any people in any country in all the recorded history of man. Through food for peace the American farmer who feeds us so well also feeds many others throughout the world.

The major export emphasis of American agriculture is placed, of course, on selling in the world market for dollars. But many of the newly developing countries lack dollars and can obtain our products only through programs such as food for peace.

The importance of our dual exporting approach is shown by the fact that somewhat less than half of our export of vegetable oils are moving under commercial dollar sales, and somewhat more than half moving under food for peace.

The main, working structure, and basis of the program is Public Law 480, the Agricultural Trade Development and Assistance Act of 1954. Since the law's enactment, more than 100 million tons of U.S. food and fiber—worth over $11 billion—have been shared with people of other countries.

Exports of soybeans, soybean oil and meal, and other vegetable oils under Public Law 480, have reached the impressive total of about $700 million, and have been increasing each year.

For example, our exports of soybean and other vegetable oils climbed to a record 1.8 billion pounds in the last crop year, an increase of 700 million pounds from 1960–61. Shipments under the food-for-peace program accounted for 450 million pounds of this increase, and constituted 55 percent of the total exports of these oils. In the year ending September 1963, the shipments are expected to remain at least at the same levels.

This is how the program operates: Through Public Law 480 it offers various opportunities for countries to obtain farm products when they do not have enough dollars to buy them in the cash market. Trade under this law does not replace, but only supplements, dollar cash sales. These dollar sales accounted for nearly 70 percent of total U.S. agricultural exports of $5.1 billion the fiscal year ending June 30, 1962.

The working tools of Public Law 480 are four sections called titles. They are: "Title I: Sales for Foreign Currencies"; "Title II: Food Grants for Disaster Relief, Child Feeding, and Economic Development"; "Title III: Donations of Surplus Food and Fiber for Distribution by Nonprofit Relief Agencies; and Barter of Government-Owned Commodities for Strategic Materials"; and "Title IV: Long-Term Dollar Credit Sales."

Administration of the food-for-peace program involves several departments and agencies of the Government. The Director of food for peace on the President's staff, Richard W. Reuter—former executive director of Care—supervises and coordinates all activities under the four titles.

The Department of Agriculture is responsible for determining availability of supplies for all food-for-peace programs, and through its Foreign Agricultural Service has primary responsibility for administering title I, the barter facet of title III, and title IV.

The Agency for International Development (AID) reviews all programs to assure that they conform with aid programs abroad. AID also administers economic development loans and grants of foreign currencies accrued from title I sales, and has primary responsibility for administering all title II programs and the oversea donations section of title III.

The Department of State handles all negotiations of agreements and makes all foreign policy decisions.

SALES FOR FOREIGN CURRENCIES (TITLE I)

These make up the biggest part (over half) of all food-for-peace exports. Farm commodities worth $5.6 billion have been sold for local currencies in 44 dollar-short countries with a total population of 1.4 billion people. More than $627 million worth of soybean and other vegetable oils have been sold under this special program.

Title I exports of soybean and other vegetable oils increased from $71 million in fiscal 1961 to $89 million in fiscal 1962.

Although title I agreements are made between governments, the actual export sales are made by U.S. business firms through normal commercial channels as soon as purchase authorizations are issued to the foreign buying country. The Foreign Agricultural Service of the Department of Agriculture publishes announcements of these authorizations.

Much of the foreign currency accumulated through title I sales is left in the purchasing country in the form of grants and loans for economic development. The United States, however, generally retains a sizable share to pay obligations in the foreign country.

These obligations include expenses for diplomatic or military operations, research, agricultural market development, operation of trade fairs, translations, and so forth. The use of local currencies abroad by the United States reduces the drain on dollar and gold reserves that would otherwise have to flow out to pay our bills abroad. Our balance-of-payments picture is thus improved.

More than $30 million worth of foreign currencies have been committed for market development abroad by the Department of Agriculture in cooperation with such trade groups as the American Soybean Association.

I believe this promotion work will pay off well. Spain already is a good example. It originally bought U.S. soybean oil for pesetas (Spanish currency) but today it is our biggest dollar customer for soybean oil—400 million pounds last year. In Peru, the title I program introduced soybean oil into a new market and now that country is a cash dollar buyer of our soybean oil.

Use of foreign currencies for research also is of considerable interest to the fats and oils industry. Among recent grants for research is one that will enable Japanese scientists to evaluate U.S. soybean varieties for making fresh "tofu," a protein and oil-rich food of the Japanese. Japan bought more than 43 million bushels of U.S. soybeans in 1961, and the outlook for expansion of this market is very good.

Foreign agricultural research done under Public Law 480 is administered by the Department of Agriculture's Agricultural Research Service.

FOOD GRANTS FOR EMERGENCIES (TITLE II)

Relief of famine resulting from crop failure, floods, and other disasters is the vital emergency function of this phase of food for peace; but increasing quantities of U.S. farm products are being provided under this title for refugee and child-feeding programs, and as part payment to local workers employed in economic development projects.

Fats and oils have constituted about $38 million of the $800 million worth of surplus food given on a government-to-government basis to some 60 countries in the past 8 years.

The grants of vegetable oils, though relatively small, have helped sustain 350,000 refugees who fled from Algeria into Morocco and Tunisia. They have helped ease famine in drought-stricken northeast Brazil and Kenya. They have allayed hunger in the Congo. And they have supplemented the meager diet of some 4,000 refugees who fled to Italy to escape communism.

We have fed victims of earthquakes in Greece and Iran, of fire in Hong Kong, of floods in Ceylon and Pakistan, of famine in Indonesia and Ruanda-Urundi, and of typhoons in the Philippines and Ryukyus.

Food gifts from Americans fight malnutrition in children through daily yearround school lunch programs and at child feeding stations. In Lima, Peru, for example, a new project is expected to serve 75,000 meals in 1963, with the aid of the Peruvian Ministry of Public Health. Brazil has a program providing food for 3 million children and almost a million nursing and expectant mothers. In Italy and Tunisia almost 2 million children are receiving supplemental food through food for peace.

Looming large in food-for-peace plans is expanded use of food grants to assist economic development. In more than a dozen countries, U.S. surplus cereal grains are being used to pay part of the wages of previously unemployed workers who are building roads, schools, and other useful community facilities.

In the village of Gangu Bahadur, Pakistan, 1,000 bushels of U.S. food-for-peace wheat valued at about $2,000 helped pay labor costs to build a school for children from six villages. Food for peace also pays for reforestation in Algeria and Tunisia. It feeds families of soldiers fighting communism in Vietnam. Workers in several Latin American countries are being paid with U.S. farm products to build schools and hospitals and reclaim slum areas.

AID is responsible for these title II operations, but purchases of vegetable oil supplies for distribution are made by the Department of Agriculture's Procurement and Sales Division of the Agricultural Stabilization Service. It issues announcements to traders when bids to purchase edible oils are sought.

RELIEF AGENCY DONATIONS (TITLE III)

This section of food-for-peace differs from title II principally because donations are made to U.S. and international nonprofit relief agencies, which in turn distribute the commodities abroad.

Since the enactment of the basic food-for-peace legislation, $65 million worth of soybeans, cottonseed and soybean oils, and other edible oils, have been turned over to private relief agencies to alleviate food deficiencies around the world. In the greatest humanitarian effort in history, donations of U.S. food now are reaching daily an average of 92 million people, including 37 million of the hungriest children in the world.

There are donation programs in 110 countries, operated by 20 agencies, such as Care, the Food and Agriculture Organization (FAO), the World Health Organization, the United Nations Children's Fund (UNICEF), and certain religious relief agencies. Surplus food donations overseas carry the label, "Donated by the people of the United States of America."

Title III also authorizes a barter program under which the U.S. Government contracts with private American business firms to exchange Government-owned farm commodities, stocks held by the Commodity Credit Corporation, for needed materials, such as industrial diamonds and rare metals produced in friendly foreign countries. Fats and oils do not figure greatly in this operation.

LONG-TERM DOLLAR CREDIT (TITLE IV)

This is the newest phase of Public Law 480, added to the law in 1959. I think it is of great interest to everyone, since it provides foreign countries a "bridge" from dependence to independence in food purchasing.

Under this program, low-interest dollar credit up to 20 years is allowed to countries that cannot afford immediate cash outlays. Contracts may provide for distribution over periods of up to 10 years.

The first agreement under this program was signed in 1961, but already nine countries—seven of them in Latin America—have negotiated for purchases totaling more than $80 million; and in a number of cases, these agreements represent a shift from foreign currency sales under title I to dollar purchases.

In the short period of this program's operations nearly $4½ million worth of oil seeds and oil seed products have been sold for dollars on a long-term credit basis. This aspect of the food-for-peace program certainly offers great opportunities for the U.S. fats and oils industry.

A program such as Public Law 480 costs money. We have the obligation to ask ourselves: What are we getting in return for the investment?

First, of course, this program is helping to hold the free world together, and to improve the health of people in underdeveloped countries. A healthy people makes for a healthy economy of a nation.

Second, the program is helping to expand the use of and develop new tastes for our products that will help us win customers in the future.

Finally, our food for peace is contributing materially to the economic progress of countries who are potential cash-paying customers for our farm products. Economic well-being means jobs—and jobs mean purchasing power. Also, purchasing power means imports, not only of U.S. industrial goods, but also of American farm products.

Because of food for peace there is rural electrification today in Greece. There are programs of research underway in Asia, India, Indonesia, the Philippines, Taipoi, and Formosa. Some of the world's leading specialists in cancer are being paid for their research out of the proceeds of food for peace. One of the great breakthroughs in high blood pressure treatment came from funds that were made available to doctors in India out of rupees from the sale of our agricultural commodities.

Through the great abundance and humanitarianism of America, other lands are being reseeded for a world harvest of peace, progress, and prosperity.

Food-for-Peace Donations Reach 92 Million People

U.S. agricultural commodities are increasingly being used "as a resource to assist in achieving our foreign policy goals," Richard W. Reuter, Director of the food-for-peace program, declared today.

In a report to the American Food-for-Peace Council on the program's activities during the last 6 months of 1962, Reuter pointed out:

1. Under food-for-peace emergency feeding activities U.S. food is currently reaching an average of 92 million people a day in more than 100 countries throughout the world, an increase of 9 million compared with a year ago.

2. Sales of foodstuffs and other agricultural commodities for foreign currencies under the program were 50 percent greater in the last 6 months of 1962 than in the previous 6-month period—having totaled 15.6 million metric tons to 19 nations for the foreign currency equivalent of $888 million.

3. Six agreements were signed for the sale of agricultural commodities for dollars payable over a span of years, the total of $51.9 million, including ocean transportation costs, representing a 15-percent increase over the previous 6 months.

Referring to the sales for local currencies, Reuter pointed out that the equivalent of about $94 million of these currencies will be used for common defense and about $683 million for economic development programs in the purchasing countries, primarily through local currency loans from the Agency for International Development.

The food donations, he asserted, are bringing "new life and hope" to needy people throughout the world while the sales programs "are proving to be a unique weapon for waging war upon economic backwardness, and also help for developing future commercial markets for U.S. agricultural commodities."

"Food aid," Reuter continued, "is distributed without an outflow of hard cash, and in these days of unfavorable balances of payment, this is an important factor. Food, as well as the currencies generated by the sale of food, are becoming an increasingly important part of our foreign assistance programs. And by providing our agricultural commodities on concessional terms or on long-term dollar credit, we are creating new appetites and future dollar markets which never before existed."

Discussing the emergency feeding programs, Reuter reported that about 75 million people are currently being provided food under cooperative programs with U.S. voluntary agencies. This number includes 37 million school and preschool children.

A recordbreaking total of 3.6 billion pounds of food valued at approximately $325 million was provided through the voluntary agencies under the food-for-peace program during the latter part of 1962.

Another 13.4 million persons were being provided food in 10 countries under disaster relief programs while 2.4 million were being fed under food-for-work programs in 7 countries. In addition, 1.8 million schoolchildren were being fed under special programs in 2 countries.

"In these donations programs," Reuter said, "an effort is being made wherever possible to move from straight relief toward greater utilization of food for economic development—thus encouraging self-help and employment opportunities for those who are able to work."

The American Food-for-Peace Council, headed by Paul S. Willis, president of the Grocery Manufacturers of America, was formed by President Kennedy to advise the food-for-peace Director on matters of public concern in connection with the program.

A NEW ENVIRONMENT FOR THE SAVINGS AND LOAN INDUSTRY

Mr. LAUSCHE. Mr. President, I have before me a statement issued by Joseph P. McMurray, chairman of the Federal Home Loan Bank Board. This is a speech which he made at the 30th annual meeting of the stockholders, Federal Home Loan Bank of Greensboro, at the Hotel Robert Meyer, Jacksonville, Fla.

I wish to refer to the front page.

Mr. McMurray started by saying:

> I would like to discuss the new environment confronting the savings and loan industry. Let me pinpoint these seven problems:

The first was the cost of money. On that score he said that the home loan and saving institutions were paying a rate of interest in excess of what was justified, having in mind the limited yield on mortgages.

Second, he mentioned the yield on mortgages, as being inadequate.

Third, he mentioned the cost of doing business, as being too high.

Fourth, he mentioned the quality of credit, as being loose, and said that loans were being made not on the basis of sound security, but on the basis of obtaining a high yield.

Fifth, he complained about the adequacy of capital and the reserves of certain financial institutions.

Sixth, he said that the liquidity of the associations was not adequate.

Mr. President, I ask unanimous consent that Mr. McMurray's speech may be printed in the Record. I cannot caution with sufficient pointedness the advisability of reading this speech, because it points out the development of a looseness in the operation of our fiscal institutions which does not bode well for the future.

There being no objection, the speech was ordered to be printed in the Record, as follows:

A New Environment for the Savings and Loan Industry

(By Joseph P. McMurray)

I would like to discuss the new environment confronting the savings and loan industry. Let me pinpoint these seven problems: (1) the cost of money, (2) the yield on mortgages, (3) the cost of doing business—a question commanding more urgent attention than in the past, (4) the quality of credit, (5) the adequacy of capital, (6) liquidity of the associations and, finally, general supervisory problems. As is so often the case, we can't understand the problems that are about to emerge until we have had a look at what caused them. This requires, I think, a brief review of the history of your industry in the postwar period.

At the end of World War II, your industry was quite small. Yet it was a highly profitable industry. The average dividend rate was a little over 2¼ percent, and, more importantly, it was less than half of the average yield on mortgages, 5.25 percent. After the war ended, dividend rates began to inch upward, but mortgage yields slipped to 2 or 3 years because of the strong shift by home buyers to the new VA mortgages and the liberalized FHA program. Yet even in 1949 the dividend rate was still less than half of the mortgage yield.

These relationships permitted the average association to place more than 25 percent of its gross into reserves in 1946. Though there was a bit of slippage because of the decline in average mortgage rates after the war, you were again able to retain about 25 percent of gross earnings in 1950 since mortgage rates had then begun to rise. Since then, dividends have risen sharply and currently amount to almost 75 percent of the mortgage yield. As a result, you have carried only 15.5 to 17 percent into retained earnings in recent years.

One consequence of these changes is that the ratio of reserves and surplus to savings capital has dropped from 8.4 in 1950 to about 7.8 percent today. In effect, you have been buying savings at higher prices, selling your product at lower yields, and reducing your profit and capital margins substantially. At the same time, expense ratios have not dropped in line with the growth of the industry, and today are much too high by any meaningful standard.

It is not surprising then that current problems, as just outlined, mirror the developments of the past 17 years.

The problem raised by the cost of money, I think, is all too obvious to most of you. You know what you are paying; you know what it is doing for you. Let me say merely that, despite bank competition last year, savings and loan associations took in a record amount of new savings. Let me also say that the net additions to savings in the first quarter of this year showed a phenomenal expansion of 51 percent over 1961. The industry's present dividend rate is inducing savers to place very large amounts of money with you by any standard of comparison. There was a time when a statement like this would have been met with cheers. I hear none here today. This in itself is an important indication of the problem you face.

It is not enough to say "Ah, the dividend rate is a success. It is bringing up a record volume of savings"—unless you can also say—"We need these savings to meet an equally large demand for mortgage funds." The demand for mortgage funds hasn't gone down; it hasn't disappeared, but it has changed in relation to savings. Mortgage loans made by associations in the first quarter increased only 16 percent over last year, compared with a new gain of 51 percent in new saving. Commercial banks, mutual savings banks and savings and loan associations had a savings increase of more than $26 billion last year. This amount exceeded the new mortgage volume of about $24 billion, an event which has occurred very few times in our history. In effect, the volume of savings last year was more than adequate to meet a very large increase in mortgage demand; that is why rates declined if we look at the year as a whole. The first-quarter pattern is clearly a repetition of the 1962 experience.

So the basic problem with the cost of money is, What are you getting for it? You are getting a flow of savings which has to be invested at declining or, at best, steady yields. This has occurred when you have already reached a position in which realized yields are not adequate enough to permit building a strong capital structure. Here is a problem that you can no longer avoid or ignore.

The cost of money has to be studied quite carefully. Some searching questions ought to be asked in each institution about the validity of the rate that is paid in terms of the opportunity to invest money at satisfactory rates and reasonable risks. As you know, a number of associations have already reduced rates and some others expect to do so beginning with the third quarter. These associations can rely on the Federal home loan banks to meet any drain on funds that might result from withdrawals occasioned by the reduced rates.

What can we say about the return on mortgages? Much of what is to be said has come out indirectly in my remarks about the cost of money. Let me reiterate just a few points. The rise in mortgage interest rates has come to a halt. Even though it may resume at almost any time, it is not likely to be the type of rise we have had in the past. The flood of savings into commercial banks and savings institutions is bound to act as a restraint on the upward movement of mortgage interest rates.

This creates another type of problem with a number of dimensions. It could be argued that you could improve your yields by taking greater risk but I wonder if this is really wise. We have already had a substantial rise in foreclosures among all kinds of lenders.

It appears that while savings and loan associations in many parts of the country have done better than the average lender, the margin of difference is really not very great. It is also evident that terms have been lengthened and downpayments decreased in recent years. How far can this be carried without endangering the life of the institution which you manage and which forms the basis for your personal prosperity? Indeed, how far can this be carried without an abdication on your part of the trust that the public and the Nation places in you as managers of financial institutions? The conclusion seems inescapable that the pursuit of loans on a yield basis only has probably reached its outer limit.

Before we turn to the quality of credit, let's discuss an area in which management clearly has more discretion than it has with dividend rates. I refer to expenses.

It has long been held that financial institutions should experience a declining per-dollar cost of assets or deposits or share accounts as their size increases. It seems to work reasonably well in the banking field and, in fact, it does among savings and loan associations, which some studies we are making reveal, until you get above the $25 million class. Then, expense ratios which have been falling suddenly take off and start rising again. This is a rather surprising development, particularly in view of the fact that those operating larger associations are very proud of the efficient methods they have developed. Somehow or other, these more efficient methods don't project themselves clearly into your expense ratio.

Perhaps as a footnote, I should add, in all fairness, that the associations with $100 million and over in share accounts do show a little better performance than the $50 to $100 million group, but only about the same performance as many smaller associations with less than $25 million in share accounts.

Evidence that expenses generally may be higher than they should be is found in the servicing costs for mortgages. It is commonly held among mortgage companies, and as a matter of fact, among savings and loan associations, that one ought to be able to manage a mortgage portfolio for one-half percent and less of the mortgages involved. Now, obviously, the manager of a mortgage portfolio who is servicing it for himself, or someone else, is carrying more than servicing expenses on the mortgages.

We recognize that the associations also take in savings capital, but does it cost nine-tenths of 1 percent to service the share account? I ask this question because the average expense ratio for the Nation is 1.4 percent of savings accounts, and in this district it is 1.3 percent. These seem to be dubiously high figures. I might say that the largest associations show only a small variation from that figure, and $50 to $100 million associations are actually above the average. The most efficient associations, in terms of size at least, are those in the $5 to $25 million classes, and even data from these suggests that the cost of servicing savings is about eight-tenths of 1 percent.

It is difficult to resist the temptation to conclude that associations have not been paying enough attention to the expense side of their business. Growth has been so rapid in the past that you have not concentrated your attention sufficiently in this area. Furthermore, so long as rates of return were comfortably high relative to your cost of money, operating expenses were also not a matter of great concern. But I should like to point out to you that there are associations in this country that operate for as little as 1.1 percent, instead of an average of 1.4 percent.

There are a number of States, some with fair growth rates, in which all or a substantial group of associations have average ratios of 1.1 percent. What I am trying to get across to you is that 1.4 percent is probably a high figure and that it has been bettered in a substantial number of places. It seems, therefore, that management faces a real challenge in this respect.

QUALITY OF CREDIT

Let's turn now to the quality of credit. There is a widespread concern about the quality of credit not only among mortgage lenders but among lenders of all kinds. The history of long upswings of business activity has been characterized by a progressive deterioration in the quality of credit. We have now proceeded for about 18 years since the end of World War II in a generally rising economy. The question here is, Shall we as individuals or as a group allow ourselves to be carried along by the tides of time and the stage of our economic development and commit the same errors that have been committed in the past? I think this would be a denial of many of the things that we espouse in our private, if not our professional, lives.

We ought to be able to learn from the past. The fact that you or someone else or all of you collectively have not yet been singed by the reduction in terms on mortgages is no reason to be complacent. This is an area to which you and we are going to have to give very serious consideration and attention. The answers are not easy ones, but for a considerable time during the remainder of this year, we intend to devote as many resources to this issue as we possibly can. I cannot now predict solutions, but those solutions will be easier for you, whatever they may be, if you make your own adjustments in the meantime.

The question of capital adequacy has plagued the financial field for many years. The discussions in banking circles have been even more frequent and vigorous than in the savings and loan field. There have been various attempts in the banking field to develop sophisticated formula for measuring capital adequacy. Some contain instructive lessons which, apparently, have been learned by various savings and loan managers, as reflected in letters received in the Board's offices. Whether or not you prefer a sophisticated or a naive formula, one thing is clear—the ratio of surplus and reserves to share accounts has been declining for some time.

While individual institutions may claim a less risky position than the average institution because they have a high proportion of VA and FHA mortgages, the fact remains that portfolios have obviously become more risky. If this were not the case, we could not account for the rise in rate of foreclosures which all lenders have experienced and which, I assume, savings and loan associations have experienced, too. Today, therefore, we actually need a higher ratio of reserves and surpluses to share accounts than we did 10 or 15 years ago.

This is borne out in the fact that the ratio of loans to purchase price has increased perceptibly for some years. No matter what kind of a formula we choose then, the average association should increase its ratio of net worth to savings accounts. The increased risk for the average association is all too evident. If some action is not taken by the associations along these lines, the support that the associations have in Congress and among other Government agencies for broadened lending and investing powers and other privileges will inevitably decline. So here too you face a challenge—a challenge that is not independent of the cost of money and the rate of return on mortgages.

The next problem involves the liquidity maintained by associations. At the end of the war, associations had an unbelievably high ratio of cash and governments to share accounts. The events of the war had forced you into investments other than mortgages, and you held about 40 percent of your share accounts in the form of cash and Government securities.

The banks, relatively, were in a comparable position, having had, at that time, very low loan ratios. It was inevitable that all our financial institutions should have recorded an increase in loan ratios and a reduction in cash and governments as the economy expanded.

While the average ratio of cash and governments for associations is currently about 11 to 12 percent, it is somewhat less than satisfactory in individual cases. It barely escapes touching the legal minimum for many institutions This is not a very satisfactory situation, particularly in a period when the risk of mortgage lending has increased substantially.

I might say very frankly to you that we have had a committee working on this problem and anticipate taking some steps to require improvement in the liquidity of associations by regulation. In the main, however, this continues to be a management problem. It is one that you are going to have to recognize increasingly if you wish to receive the acceptance of knowledgeable people in the financial community and in academic life who are examining our entire financial mechanism.

SUPERVISION

Finally, I should like to raise the question of general supervision. One of the criticisms that I have encountered in government is that the savings and loan business is not supervised with sufficient firmness. The board is not unsympathetic to this criticism. We have already taken a broad number of actions to improve the supervisory environment. I think in terms of regulation that one of the important things we have done is to limit loans to one borrower.

We have taken various other steps which I need not mention now. I am sure you are aware of them. We have proposed or are proposing legislation which will further improve the supervisory environment. It is in this connection that I think your assistance and your understanding are essential and important, not merely for the board but really for you.

We continually encounter the argument by individual industry members that some other association engages in this or that undesirable practice, but they don't. Why do you wish to impose this kind of a stricture and hurt everyone? My answer must be that if you haven't done anything, a restraint will not pinch you. What puzzles me is why people who feel that a given stricture will not impinge on any present practice that they follow are concerned about a new restraint. As I have already indicated to you, you cannot separate yourself from the industry at large. Nor can the industry establish there is no need for controls on the basis that the majority are clean and pure and the few rascals ought not to set the pattern for regulating the entire industry.

Without proper supervision that reaches the rascals or the foolish, the industry as a whole would suffer. A law professor I once knew said that laws are created for two purposes—to raise revenue and protect fools. I think this is a most cynical approach, but it does have a germ of truth. The fools in this industry can drag you down. Their freedom to imperil your future and the financial fabric of this country needs to be restrained. Freedom is a commodity that is earned and rearned by behavior which does not threaten the welfare and rights of others.

Let me ask you, therefore, to join us in an endeavor that will ultimately bring honor and credit to each and every one of you. I still hear, ringing in my ears, the hope many of you expressed that my tenure in office would improve the stature of the savings and loan industry. Let me say that in large measure your stature as individuals and as an industry rests with you. You can best give this expression by endorsing the endeavors of the Board to create an environment which enforces probity upon those who would not behave with circumspection unless they were compelled to do so. Let me say, too, that without this kind of probity, many of the aims to which you aspire will be outside your reach. It has taken great endeavor on our part and the part of our staff to convince other agencies of Government and interdepartmental committees that the Board is proceeding along a course that will induce the type of behavior that I have been talking about. Without such a program for action, we would never have had the expansion of authority to lend on multi-unit residential properties and we would never receive some endorsements that we are about to gain.

To sum up, it appears to me that the emerging problems of the savings and loan industry are similar to those of many other industries that have grown into prominence in a short period of time. It is necessary to stop and take stock, to review what has occurred and where you are today, and to act in a judicious, forthright manner to bring your practices abreast of the needs of the moment and of tomorrow.

From what I have learned in traveling around the country, I think that the overwhelming majority here and elsewhere will take this action and will support the Board in its endeavors. I think the road ahead is a promising one, but your support and your action must not be a light hidden under a bushel. I think you must stand up and be counted or else the parade of events will pass you by, no matter how good your intentions.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of executive business.

The motion was agreed to.

THE INTERNATIONAL COFFEE AGREEMENT, 1962

The Senate, as in Committee of the Whole, resumed the consideration of Executive H, 87th Congress, 2d session, the International Coffee Agreement, 1962.

The PRESIDING OFFICER. The hour of 4:30 p.m. having arrived, the unanimous-consent agreement, which provides for 30 minutes of debate on the International Coffee Agreement, 1962, prior to a vote to be taken at 5 o'clock, now becomes effective. The Senate is proceeding in executive session. The 30 minutes will be equally divided, 15 minutes to each side, the time to be controlled by the majority leader and minority leader, respectively.

Mr. FULBRIGHT. Mr. President——

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I would like to turn over the control of the time on my side to the distinguished chairman of the committee [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

As we approach a vote on the International Coffee Agreement, I would like to try to bring into perspective what is involved.

We have heard a great deal about this supposedly nefarious scheme to raise coffee prices and to gouge the American consumer. I think that is a misstatement of its real purpose. The purpose, it is true, is to prevent or limit the excessive fluctuations which have occurred in the price of this basic commodity.

I wish to review very briefly the facts of the world coffee situation.

In 1961, 43.2 million bags of coffee were exported in the world. On September 30 of that year, there were 74 million bags of coffee in the warehouses of the world. By September 30, of 1962, coffee stocks had increased to 79.7 million bags. World production for 1963 is estimated at 53.2 million bags.

There is a very large surplus of coffee in the world, and the prospects are that it will increase. This being the case, how can there be any likelihood for an increase in price?

The opponents of the agreement argue that the International Coffee Council established by the agreement will fix the price. Let us examine that argument.

The only influence the Coffee Council can have on the price is by controlling the supply. It will do this mainly through fixing annual export quotas. The agreement itself fixes basic export quotas totalling 45.6 million bags, as compared to 43.2 million bags which were actually exported in 1961. There is a gap here—an excess of supply over demand—of 2.4 million bags.

It is true that the Coffee Council can fix annual export quotas stated as a percentage of basic quotas. The Council could, in theory, fix a percentage so low that it would cause a shortage of coffee in world markets.

There are two convincing reasons why the Council will not do so. First, it could do so only with the concurrence of two-thirds of the votes of importing countries—and the United States will hold 40 percent of those votes. So it could not be done without the agreement of the United States. If Senators do not trust the U.S. representative to protect the consumers' interest, maybe they will trust the representatives of other importing countries, which would be equally interested in keeping the price of coffee at a reasonable level. They also would have the same interest we have in preventing a wide fluctuation, and certainly any undue increase.

Secondly, the Council will not drastically reduce export quotas, because the exporting countries themselves do not want quotas reduced. This is a fact. The exporters want larger quotas.

One of the principal defects of the present agreement, in which we did not participate, is that the exporters have had difficulty in enforcing their quotas.

It is highly unrealistic to anticipate a significant short-term increase in coffee prices. The agreement will prove very successful if it does no more than prevent a further decline in prices, and the Agreement itself recognizes this in article 27(2), where it states the "necessity of assuring that the general level of coffee prices does not decline below the general level of such prices in 1962."

In other words, the principal purpose is not to increase the price but to keep it from going even lower than it is now.

Let us consider what is likely to happen if this agreement is rejected by the Senate. The initial repercussions will be political in nature and they will be severe, especially in Latin America. Rejection of the agreement will be taken as a sign that the United States is really not interested in helping Latin America pay its own way, and that we are more interested in doling out foreign aid.

But the political repercussions would not be the worst. There is now, and has been since 1957, an international coffee agreement limited to exporting countries which have sought to control their own exports. They have had only partial success. If this new agreement is rejected, the pressures on the old exporters' agreement are quite likely to become unbearable.

Brazil and Colombia each have a year's production, or more, in warehouses. As the pressure of coffee surpluses increases, it is reasonable to suppose that somebody will start dumping coffee on the world markets, and the price will take another nosedive.

Suppose the price of Brazilian coffee, which is now about 33 cents, went down to 23 cents. Senators know that Brazil already has severe economic and financial problems. Can they imagine what chaos would ensue with 20- or 25-cent coffee? The same problems would follow in Colombia, Costa Rica, El Salvador, Guatemala, the Ivory Coast, and many other countries of Africa.

Granted, we may have some of these problems even if we ratify the coffee agreement. But we are less likely to have them with the agreement than without the agreement.

Do Senators want to take the responsibility involved in rejecting the agreement?

I do not want this responsibility, Mr. President, and I hope the Senate does not want it. I urge that the agreement be approved.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. Does not this proposal, in substance, amount to putting a base under the price of coffee and subsidizing the price of coffee, so far as we in the United States are concerned?

Mr. FULBRIGHT. I do not see how it is proper to say it is subsidizing the price of coffee. It is an effort to stabilize it at the present level, which is very low. It has been about 33 or 34 cents. Our real function in the United States is, by reporting the origin of the exports, to help the exporters to police the agreement and make it effective.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I yield myself 2 more minutes.

Mr. SALTONSTALL. How does this situation differ from the sugar situation, in which we have had to pay more for sugar on the world market because we wanted to help our friends?

Mr. FULBRIGHT. It has absolutely nothing in common with the sugar agreement, which was initiated primarily by the domestic sugar producers. It was initiated and supported over the years in order to pay large subsidies to the beet and cane growers in the United States. That was the only reason why it was passed. I can see no relation whatever between the sugar agreement and the coffee agreement. The primary function under the proposed treaty is to record the origin of imports into this country from the exporting countries. They have been unable to make effective their own efforts to control exports. A total of about 79 million bags have been accumulated in warehouses, whereas the annual export is 43 million bags. This amount has been hanging over the market. It paralyzes the efforts to bring the coffee market into order. With that kind of supply, I do not see how there is any chance for an unreasonable increase in price. In contrast, the sugar situation today is not the result of any agreement. There has been a failure of the crop in Cuba, the largest single exporter. It will produce only about half its normal supply. There has been a shortage in Europe and the Ukraine also, the next largest producers. The result has been the old story of supply and demand; and the price has gone up because there has been a shortage.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I yield myself 2 more minutes.

Mr. SALTONSTALL. Voting for this agreement would bother me for the simple reason that I voted against the Agricultural Act which was to support our farmers, as opposed to industry. If I vote for this agreement, which would support the price of coffee, or keep it on an equal level——

Mr. FULBRIGHT. It would not support the price of coffee.

Mr. SALTONSTALL. Let me finish.

Mr. FULBRIGHT. Yes.

Mr. SALTONSTALL. It has to do with the price of coffee.

Mr. FULBRIGHT. Yes.

Mr. SALTONSTALL. Do I correctly understand that there would have to be implementing legislation to permit the treaty to become effective? That would be an effectuating act; is that correct?

Mr. FULBRIGHT. The Senate committee recommended that, and we have a letter from the Department of State, signed by the Acting Secretary of State, which agrees with the recommendation of the committee, which states that the implementing legislation will be limited to 2 years.

I ask unanimous consent to have the letter printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington.

Hon. HUBERT H. HUMPHREY,
U.S. Senate.

DEAR SENATOR HUMPHREY: I would like to inform you of our views on certain aspects of the International Coffee Agreement of 1962, which is now before the Senate for its advice and consent to ratification.

The Department of State agrees with the Committee on Foreign Relations that this treaty, if approved by the Senate, will not be self-executing. Since the United States cannot meet its obligations under the treaty without implementing legislation, the passage of such legislation is a prerequisite to active participation by the United States. The principal obligations we assume by participating in this agreement are to limit our imports of coffee from nonparticipating countries and to require certificates of origin for all coffee entering the United States. It is the intention of the executive branch to submit a request for enabling legislation to the Congress immediately after favorable consideration of the treaty by the Senate. The executive branch will not attempt to make its participation in the agreement effective until implementing legislation is approved by the Congress.

We have noted that the report of the Committee on Foreign Relations recommends that the Congress limit the initial validity of the implementing legislation to a period of 2 years. This is intended to assure a congressional review by the appropriate congressional committees after a reasonable period of experience with the operation of the agreement. The executive branch is in sympathy with the motive prompting this recommendation. When our request for implementing legislation is forwarded to the Congress, we will suggest that the expiry date of September 30, 1965, be inserted in the legislation. This date will coincide with the closing date fixed in article 72 for a review of the agreement by its administrative body, and will provide an expeditious time for an independent review of the operation of the agreement by the Congress.

Sincerely,

GEORGE W. BALL,
Acting Secretary.

Mr. FULBRIGHT. This was the committee's suggestion, on the theory that this is a kind of trial or experimental period, and that we will take a look at the situation at the end of 2 years to see how the program is working; if we do not like it, we do not have to extend the implementing legislation. This agreement is not self-executing; it needs implementation. This was the view of the committee. The committee unanimously, at least on this aspect, thought we should not commit ourselves to the full 5 years. The committee report so states. It is available for Senators to read.

Oversimplifying, I should say that this is a tentative effort in this field for exporters of coffee to make effective their own efforts to regulate, to some extent, the coffee market, which has been disastrous to the exporters—primarily in Latin America, countries in which we are very much interested. If we do not take this step to permit them to help themselves, I am sure we will be requested to help them in other ways. This is a much more effective way to do it.

Mr. SALTONSTALL. So if we vote for the agreement, we will have another chance to put it into effect?

Mr. FULBRIGHT. Yes. The Senator may read the letter. It is here for that purpose. I now yield to the Senator from Kansas.

Mr. CARLSON. I notice that article 27 has been read.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I yield myself 1 more minute.

Mr. CARLSON. The Senator read from article 27, subsection 2. I call attention to subsection 1, which reads:

> They agree on the desirability of operating the agreement in a manner such that the real income derived from the export of coffee would be progressively increased so as to make it consonant with their needs for foreign exchange to support their programs for social and economic progress.

I cannot read those words in any other way than that it will mean an increase in the price of coffee.

Mr. FULBRIGHT. One of the principal things they have in mind is to increase the consumption of coffee in Europe. There is nothing in the agreement requiring a country to pay a subsidy, as in the case with sugar.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I yield myself 1 more minute.

Obviously, the exporters are interested in stabilizing the price of coffee, and I suppose that as producers they would like to have an increase. However, the great danger with the enormous supply is that there will be a further disastrous decrease in the price. That is what they hope to avoid. I believe it is to our mutual interest.

I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I wish to associate myself with the very able arguments made the other day by the Senator from Minnesota [Mr. HUMPHREY] and today by the chairman of the committee, the Senator from Arkansas [Mr. FULBRIGHT]. I plead with the Senate to ratify the agreement this afternoon. I wish to make two points very quickly. I call attention to page 6 of the report, which reads:

> On a world scale, it is estimated that each decline of 1 cent per pound in the price of coffee means a loss of $70 million in the foreign exchange earnings of the 35 principal producing countries in Africa, Asia, and Latin America.

I know of no better way to undermine the Alliance for Progress program than to refuse to ratify the agreement this afternoon, because if the agreement is not ratified, and the price of coffee is permitted to go down, it will cost the American taxpayer, if we go ahead with the Alliance for Progress program, more money by far than would be the cost of the agreement.

The American people, as consumers of coffee, must recognize that if we are to preserve freedom, we must do something to stabilize the economy of these countries. Many of these countries are one-commodity countries—coffee. If word goes out this afternoon to Latin American countries that the Senate has refused to ratify the agreement, and that we are therefore not willing to give this much support to stabilizing their economies, we shall be dealing a great blow to the Alliance for Progress program, and, in my judgment—and I say this respectfully—will play right into the hands of those forces in Latin America that want to defeat the program, and play into the hands of the Castro forces. I plead with the Senate to ratify the agreement.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. SALTONSTALL. I should like to ask the Senator from Oregon a question. I respect his opinion on this subject very highly. I read from the Secretary's letter:

> The principal obligations we assume by participating in this agreement are to limit our imports of coffee from nonparticipating countries and to require certificates of origin for all coffee entering the United States.

Mr. MORSE. That is sorely needed.

Mr. SALTONSTALL. Does that mean that we would import no coffee from nonparticipating countries?

Mr. FULBRIGHT. It is limited to the average over the last 3 years.

Mr. MORSE. The average of the last 3 years.

Mr. SMATHERS. Is it not a fact—and I am sure that the chairman of the committee will agree, that the so-called nonparticipating countries actually produce very little coffee?

Mr. FULBRIGHT. About 5 percent.

Mr. SMATHERS. Less than 5 percent, I believe.

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Florida.

Mr. SMATHERS. I wish to associate myself with the remarks of the able chairman of the committee, and with the remarks of the chairman of the Subcommittee for Latin American Affairs. We say a great deal in the Senate—and I am sure we mean it—that we ought to help our good neighbors to the south. We say we should help them economically as much as possible. There is one thing we can do, more than anything else, to help them, and that is to help stabilize their economies. One of the best ways in which we can do this is to help them stabilize the price of coffee. Ten of these most important countries have more than 40 percent of their foreign exchange come to them through the sale of coffee. When the coffee price goes down or up, like a yoyo, it hurts the stability of these governments. If we mean what we say—and I know we do—we should help countries who are our friends. This is the most practical way in which we can assist them and strike an effective blow against the Communist threat.

Today the United States imports 51 percent of the world coffee export. Approximately 78 percent of this comes from Latin America and principally from countries with a one-crop economy. With the dollars they get, they in turn use them for the purchase of U.S. goods. This maintains economic stability beneficial to U.S. interests. At the same time, while halting the decline of coffee prices, the agreement will reduce proportionately our foreign aid assistance program. It will assist in taking these countries off an unwanted dole program and help them to help themselves.

The argument that such action will raise the price of coffee to the consumer is without merit because the amount of imports and production supply exceeds U.S. consumption. Thus all the agreement is designed to do, and will do, is to stabilize the price of coffee and prevent it from wide fluctuation from which the consumer could not and does not gain any benefit.

Latin America needs help in promoting political and economic stability. It is in our own national interest that we render such assistance. The agreement is designed to achieve this objective and in doing so will strike an effective and telling blow against the Communist menace which poses a threat not to be ignored in the area. I urge the Senate to ratify the agreement by an overwhelming vote.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Will the Senator from Illinois yield me some time?

Mr. CARLSON. If this is a unanimous-consent request, I merely wish to say that there is some opposition to the agreement, and some of us hope to get a few minutes of time in which to speak against it.

Mr. DIRKSEN. I now yield 4 minutes to the distinguished Senator from Kansas.

Mr. CARLSON. I am not insensitive to the effect of the agreement before the Senate today on the Alliance for Progress in Latin American countries. However, there are a few things that should be said with regard to the agreement. One is that it represents a new facet in American policy. We have not done this before. It is a new type of support for governments in Latin American countries. This is an Alliance for Progress for the globe, not only for Latin America. It includes Africa also, and many other nations.

The United States places complete control of the movement of coffee in world markets in a board composed of 14 members, with headquarters in London. The United States would have one representative on the board, and would pay 20 percent of the cost of the maintenance of the council and the officers. We would have 20 percent of the exporters' vote and we would have 40 percent of the importers' vote. We should realize what we are doing.

I call attention to the fact that in the United Nations today, the Food and Agricultural Organization, the FAO, is holding hearings and studies on programs on cocoa, citrus fruits, coconut and coconut products, rubber, wool, oil, and cotton. This means that this is the first agreement or treaty for a global price control for undeveloped countries. I believe the Senate should stop, look, and listen. I merely wish to hold up a red flag as to the effect of the agreement, and that Senators should look at this agreement in the light of future treaties or agreements that will come to the Senate.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. FULBRIGHT. Not that I believe it is necessarily wrong for us to do anything we have not done before, but I call the Senator's attention to the fact that we participated in a coffee agreement from 1941 to 1948. We are not doing something today that we have never done before, although I believe that very often we ought to do some things we have never done before. However in this case we did participate in a coffee agreement during that period, at a time when the price was as low as 7 cents.

Mr. CARLSON. Probably one of the most discouraging things is that it resulted in a Senate investigation conducted by Senator Gillette of Iowa.

Mr. FULBRIGHT. The Senator is in error in that respect. That came several years after we got out of the coffee agreement of 1948. It did not come during the period in which we were in the agreement. There was no agreement when the price of coffee went through the roof.

Mr. CARLSON. I stand corrected as to that. For 60 years we have experimented with coffee agreements. We have had agreements of various types, and generally they have been unsatisfactory. There have been two Senate investigations, one conducted by Senator Norris, of Nebraska, and the other by Senator Gillette, of Iowa.

If we take part in the agreement which is presented to the Senate today, I sincerely hope that we shall do so with our eyes open.

It has been stated that there will be implementing legislation. There was a statement to that effect in the report. I have read the letter which the distinguished chairman has placed in the

Record. As I read the proposal for implementing legislation, it will still be necessary to contend with article 66. The language is very plain. I do not see how we can get around the provision in article 66:

> Reservations may not be made with respect to any of the provisions of the agreement.

We may legislate; but I contend that if the Senate ratifies the agreement, we shall have to comply by following through with every article in it. I do not think any other decision can be made.

Mr. JAVITS. Mr. President, will the Senator from Kansas yield for a question?

Mr. CARLSON. I yield if I have time.

The PRESIDING OFFICER. The time of the Senator from Kansas has expired.

Mr. DIRKSEN. Mr. President, I yield 4 minutes to the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I join with the Senator from Kansas [Mr. Carlson] in opposing the ratification of the coffee agreement.

There is no question that the agreement will—and it was so intended—raise the price of coffee to the consumers in this country.

As evidence that this was the clear intention of the State Department in recommending its adoption, I call attention to paragraph 1 of article 27, chapter VII, which reads as follows:

> 1. The members undertake to conduct their trade policy so that the objectives set forth in article 1 and, in particular, paragraph (4) of that article, may be achieved. They agree on the desirability of operating the agreement in a manner such that the real income derived from the export of coffee could be progressively increased so as to make it consonant with their needs for foreign exchange to support their programmes for social and economic progress.

The ratification of this agreement will prove to be but a precedent to the beginning of a long series of international commodity agreements designed to support agriculture products and control production of crops throughout the world. Our own domestic experience in this connection has been disastrous enough both to our farmers as well as to our consumers. Certainly we cannot afford to expand this domestic fiasco to an international scale.

The experience of our Government in regulating supply and demand on sugar, another internationally grown commodity, should prove to all that it just will not work.

The American consumers of sugar are today being taken for a ride largely as the result of the weakness in the provisions of the International Sugar Agreement approved last year. There was no protection for the American consumer in that agreement, which first was opposed by the Kennedy administration but subsequently embraced as the result of a complete reversal of policy.

This International Coffee Agreement likewise gives no protection whatever to the American consumer. It is another one-way street, with the American taxpayers and consumers the suckers.

Under article 57 it is provided that the Council may establish an International Coffee Fund and that the Fund shall be used to further the objective of limiting the production of coffee and to bring it into reasonable balance with the supply and demand.

Contributions to this Fund are listed as voluntary; but knowing the generosity of our officials I am confident that again we will find the U.S. Government playing the international Santa Claus.

Just how anyone thinks an international group can control production of an agriculture product in the various countries throughout the world is beyond my comprehension.

Our frontier bureaucrats have tried to get the authority to exercise controls over production in our own country, but thus far our farmers have rejected their efforts.

Furthermore, there is nothing in the coffee agreement which gives any assurance that the benefits of increased coffee prices would in any way accrue to the farmers producing this coffee; rather, as indicated in article 27, the increased benefits would go to the governments involved to enable them to adjust their balance of payments and to give them more money to support their domestic, social, and economic programs.

Argument has been made that the coffee agreement can be rescinded by the United States upon the giving of 90 days notice, or that we can limit it in its application from the 5 years provided in the treaty to 2 years by merely refusing to enact the enabling legislation.

I disagree with that argument, because once we ratify the agreement the State Department and the administration will then tell us, and very properly so, that we have entered into an international agreement upon which we should not renege.

In my opinion, it is time that someone gives consideration to the American consumers, rather than continuously to look abroad.

It is estimated that each 1-cent increase in the price of coffee will increase the cost to the American consumers by around $30 million annually. A 5-cent increase would thereby cost us $150 million, and there is nothing in the agreement which places any limit upon how high the price of coffee can go. However, there is a recommended floor so that the price would not get any lower than the 1962 level. The 1962 prices were about 1 cent higher than the present 1963 level.

Another questionable factor in the agreement is the manner in which it allows fixed quotas to countries which are not considered so friendly to the United States, while it denies increased quotas to some of our friends.

For example: Cuba under the agreement which we are asked to ratify is guaranteed a basic export quota of 200,000 60-kilogram bags. In 1961, Cuba exported only 85,000 bags. Why are we so generous with Mr. Castro?

Under the agreement, we will be guaranteeing a commitment for a 5-year quota to Haiti of 420,000 60-kilogram bags, with no assurance at the moment as to how friendly that government will remain.

At the same time, the agreement lists as nonquota countries some which are very important friends: for example, Japan and Taiwan.

One of the main arguments advanced by the State Department in recommending this treaty is that the additional millions of dollars which will be received for the sale of coffee in this country, as the result of the increased prices to our consumers, will go to countries which need these dollars to help them solve their balance of payments problems and to finance their social development programs.

The time is long past when some of these same overzealous internationalists should realize that the U.S. Government itself is confronted with a serious balance of payments problem. As pointed out earlier, every 1-cent increase in the price of coffee under the agreement will result in the extra cost of an additional $30 million annually, and thereby mean the loss of that many dollars or gold.

I urge the rejection of the agreement on the obvious grounds that it is definitely unfair to the American consumers and that the benefits of any such increase will not go to the producers in the respective countries involved.

In connection with our own balance of payments problem, I ask unanimous consent to have printed in the Record an article entitled "Just a Thumb in the Dike," written by Mr. Henry Taylor and published in the May 18, 1963, issue of the Wilmington, Del., Morning News. In the article, Mr. Taylor calls attention to the serious situation confronting our country as a result of the drain in gold and emphasizes the failure of the Kennedy administration to recognize and effectively deal with this most important problem.

There being no objection, the article was ordered to be printed in the Record, as follows:

Just a Thumb in the Dike

(By Henry Taylor)

Once again, down goes our gold supply—down and out. Measures to stop it are merely a thumb in the dike so long as the New Frontier Dutch boys' unlimited spending pumps the outflow pressures.

What President Kennedy calls "myths" are not myths to the rest of the world. Informed financiers and governments abroad care not one whit about anybody's personality, TV impact, or other distractions. Appraising what is happening here they believe their eyes, not their ears, and act accordingly.

As one result, America's gold stock has fallen to still another new 24-year low—less than $15.9 billion. The declining ratio of issued currency to this depleted stock is now nudging the legal downside limit.

Moreover, we now own not one penny of this depleted stock, available to pay foreigners on demand. We could not meet their claims by at least $6 billion. In fact, France and West Germany, if they together asked gold for the dollars we owe them, could knock the United States off the gold standard. President de Gaulle and Chancellor Adenauer could pull the plug (as well they know). Japan and Italy are rapidly approaching the same decisive position as creditors to the debtor United States.

Foreigners' forbearance is all that is saving us. The dollar is the anchor for all free world currencies. The splendidly cooperating European central banks agree that dollar devaluation would mean economic chaos here and abroad. They want to help support our financial structure but cannot do so indefinitely unless we put our own house in order.

Their aid, and only this, accounts for the recent lull in gold withdrawals. Presidential reassurances that "our gold situation is improving" are entirely superficial. Such opportunistic presentations represent exactly the kind of manipulated news that is causing us so much trouble.

It is utterly misleading to cite the fact that our gold loss (from its new low base) in the first quarter of 1963 was $150 million compared to $425 million in the same 1962 period.

In truth, dollar claims on our gold increased $700 million in the first quarter this year, compared to $331 million last year. The spread between our obligations to deliver and our ability to deliver increased $94 million. Misrepresenting this is like a man saying his bank balance is better because he hasn't paid his bills, which mount higher and higher.

The many monetary stopgaps—the dike thumbs—our monetary technicians are employing are admittedly only tactical and temporary, desirable but ephemeral. Are we to imagine the New Frontier Dutch boy can keep his thumb in the dike forever? Creditors abroad must protect their own national treasuries and citizens. The value of the 1939 dollar has now dropped 54.5 cents to another low of less than 45 cents. Can we wonder that foreign creditors convert their reserves into our gold instead of keeping them in dollars they see becoming dollarettes?

While our Fort Knox gold has gone with the wind, Britain now has 82 percent of her reserves in gold, France 83 percent, Belgium 82 percent, the Netherlands 88 percent, Italy 69 percent, and even Spain 50 percent.

The New Frontier has boosted our national debt higher than at any time in peace or war. The President, appallingly enough, is urging still another debt increase to $320 billion soon. Yet, by common consent, the worldwide doubt about the dollar can be overcome only by a balanced budget, a favorable balance of international payments, and a systematic reduction in the national debt.

This is even more a crisis of confidence than of trade balances. In our present position, nothing could more surely guarantee a devaluation of the American dollar than the New Frontier program of planned deficits. Rationalizations regarding "myths" will be paid for by the American people and the entire free world unless abandoned. Time runs out. Mr. Kennedy must make the hard turn to thrift and prudence and meet this duty if we are to save the American dollar and the savings of our people.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the distinguished Senator from Michigan.

Mr. McNAMARA. Mr. President, during almost 8½ years in the Senate, I have been a consistent supporter of the foreign aid programs and policies sponsored by the administration, regardless of party.

I have attempted to judge the merits of each proposal presented to us, based on the case made for it by the administration.

Even when the case was somewhat thin, I tried to go along, because I am a firm believer in the principle of foreign aid and in strong congressional support of American foreign policy.

However, in regard to the International Coffee Agreement now before us for ratification I have reluctantly come to the conclusion that I cannot support it.

In my opinion, the case made for the agreement by the administration and the Senate Foreign Relations Committee—does not justify the risks and the cost of the proposed program.

The establishment of a worldwide cartel to control the exportation of coffee and thus rig prices at an artificial level is proposed here as an instrument of our foreign policy.

Even if such international price fixing were not contrary to the very foundations of American business practice which we attempt to encourage, there is a further irony here.

In Geneva, at this moment, our negotiators are working hard to promote lower tariffs and the freer movement of goods with the Common Market nations to the benefit of producers and consumers.

In the Senate, at this moment, we are considering a move to restrict trade—coffee, in this instance—and to keep prices high.

Perhaps our foreign policy experts are able to see no inconsistency here—but I do.

It has been argued that approval of the International Coffee Agreement is vital to our Alliance for Progress programs in Latin America and our programs in Africa.

I wish to make clear that I fully recognize the importance of coffee to the economy of the Latin American and African nations. I also fully support the efforts of the Alliance for Progress and our African policy—in assisting the economy of these nations. But what I cannot support is this latest means devised to provide that assistance.

What we would do under this agreement would be to put a further unfair tax on the consumer.

We would ask him—the coffee drinker, of all people—to underwrite the economy and supply the foreign exchange of the coffee-producing nations by paying an artifically high price for their products.

Since the United States imports 52 percent—more than half—of the coffee moving in world trade, the American coffee drinker would bear a heavy burden.

We are told that the failure of such efforts as the coffee agreement would require a greater investment in the Alliance for Progress to make up for it.

If a case could be made for a greater investment, I would support it wholeheartedly. But that investment would be an investment by the American people—all of them—to aid their neighbors; it would not be a new consumer tax.

Mr. President, I have been impressed by the argument that the ratification of this agreement would be another major step down the road to further international agreements and restrictions on other products.

We already have dabbled with restrictions on sugar imports, but with a notable lack of success so far as the American consumer is concerned.

If there is an additional penalty to the consumer by forcing him to pay higher coffee prices, it may not be long, as has been pointed out, before international agreements are proposed on a wide variety of agricultural products moving in world trade.

Then the food bills of the American consumer, already too high, will go even higher as he is called upon to subsidize world markets.

I regret that I cannot vote for the ratification of this agreement. I am firmly convinced that it would not be in the best interests of the American people or the United States to do so.

Mr. FULBRIGHT. Mr. President, I yield 1 minute to the distinguished Senator from Vermont.

Mr. AIKEN. Mr. President, in view of the understanding reached with the State Department that the treaty will not be self-executing; the further understanding that the executive branch will not attempt to make U.S. participation in the agreement effective until implementing legislation is approved by Congress; and the still further understanding that the State Department agrees to make our participation in the coffee agreement a 2-year trial run, when the subject will again be referred to Congress, I believe it to be in the interest of the United States to approve the agreement today.

Mr. FULBRIGHT. Mr. President, I yield 2 minutes to the Senator from Missouri [Mr. SYMINGTON].

Mr. SYMINGTON. Mr. President, the International Coffee Agreement which we are being asked to ratify this afternoon is an important instrument for assisting the economies of all the nations of Latin America, and therefore should be agreed to by the Senate. Without it, there is danger that economies largely dependent on this one commodity which is being produced in great surplus may suffer further dislocations that would jeopardize the cause of freedom, and thereby advance the cause of communism.

I think it should be clearly understood by the nations we are trying to help through the instrument of this agreement, however, that stabilizing the price of coffee—as important an objective as it is—cannot, by itself, assure the prosperity and the progress of the nations of Central and South America. It must be included as part of a much broader attack on poverty.

The many reforms envisioned under the Alliance for Progress must be undertaken with the same determination—the same persistence in overcoming seemingly impossible obstacles—as was the case when the International Coffee Agreement was negotiated and signed.

I know that most of the responsible leaders in the free countries of Latin America recognize this fact, and are anxious to achieve the kind of broadly based prosperity and freedom of opportunity which alone can solve the serious economic problems of Latin America.

In joining the International Coffee Agreement the United States undertakes a formal responsibility to help achieve fair prices for the producers of coffee. If the agreement works effectively, it will mean the end of a period of steady decline in green coffee prices.

The agreement is intended primarily to prevent prices from going below the general level of 1962. That is its main objective. It is a support program to try to establish a floor for coffee prices.

As the world's largest coffee consuming country, it might be assumed that we would consider it to our economic advantage to push down the world price of coffee and hold it down to the lowest possible level. Instead, this agreement, in which we are joining, will probably require the American consumer to continue to pay a somewhat higher price for coffee than would otherwise be true if coffee prices were allowed to sink lower and lower without hindrance as supplies increase.

We are not out to wreck the economies of other countries for selfish purposes of our own. At the same time, however, we must make certain that our consumers are not victimized by our generosity and simple decency in international economic affairs.

My colleague from Missouri, the Honorable LEONOR K. SULLIVAN, a Member of the House of Representatives who has specialized on consumer issues and is now chairman of the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency, obtained from the State Department last fall a report on the provisions of this agreement which could protect the American consumer against excessive increases in coffee prices. The Department's letter to Mrs. SULLIVAN was placed in the CONGRESSIONAL RECORD yesterday by the distinguished senior Senator from Minnesota, at page 9057.

There is at present a glut of coffee supplies in the world. It is hard to imagine under those circumstances that we would again experience a shortage—either a genuine shortage or one based on rumor or speculation. But such things have happened.

The American consumer is willing to pay a fair price, a reasonable price for anything he buys. The housewife is willto pay a reasonable price for coffee. The American housewife does not ask for coffee prices that they cause starvation and misery for those who produce the coffee beans shipped to the United States. On the other hand in any agreement to stabilize prices and provide a floor, there must be clear guarantees against sudden sharp increases in price.

On the assurance of those who have negotiated this agreement that it provides the necessary safeguards against any excessive price increases, as described by the State Department in the letter to Congresswoman SULLIVAN which appeared in the CONGRESSIONAL RECORD yesterday, I will vote for ratification of the agreement.

But if any further steps are found necessary to buttress the protections for the consumer in this coffee stabilization program we must include them in the legislation we will subsequently enact to implement the International Coffee Agreement.

The agreement should be ratified. But its operations must at all times be subject to continuing scrutiny by both the administration and the Congress to make sure it is working in behalf of the grower of coffee rather than the speculator, and also to see it is resulting in fair prices for the American consumer.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I shall vote for ratification of this agreement. I rise only to point out that in all the work I am doing in connection with bringing European capital into Latin American countries, the one thing that is clear is that in late years the terms of trade—which means the prices which these developing countries obtain for their commodities—have almost completely eroded the benefits of AID. In short, AID is built on a jerry-built structure and basis if it does not have adequate terms of trade to support it.

Inasmuch as this agreement represents a change in policy by our Government—a change to favoring international commodity agreements, which I state frankly our Government has not favored for a long time—I believe the proposed change is a desirable one in our own interest, and therefore it should be approved.

No U.S. consumer wants to live on the back of a distressed producer in another country. The price of coffee has fallen 40 percent in the last 7 years. No American consumer wants to benefit from the distress of someone else. Americans want the producers to receive fair prices for the commodities they produce.

The best warning against a price above and beyond a fair price is to point out that American consumers have in the past, and can again, decrease their consumption of coffee.

The PRESIDING OFFICER. The hour of 5 o'clock having arrived, the Chair——

Mr. DIRKSEN. Mr. President, if my arithmetic is correct, I have 1 minute remaining.

The PRESIDING OFFICER. Without objection, the Senator from Illinois may proceed for 1 minute.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the available time be extended 6 minutes.

Mr. DIRKSEN. In other words, 3 minutes to a side?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DIRKSEN. Then, Mr. President, I have 4 minutes—3 minutes plus the 1 minute I already had.

Mr. MILLER. Mr. President——

Mr. DIRKSEN. I yield one-half minute to the Senator from Iowa.

Mr. MILLER. Mr. President, I should like to ask a question of the Senator from Arkansas: Am I correct in understanding that the treaty is not self-implementing or self-executing, but that it is proposed to have legislation to put the treaty into operation for a period of 2 years only, and that it is further understood that there is no definite commitment to extend that legislation beyond the 2-year period?

Mr. FULBRIGHT. I placed in the RECORD a letter from the Secretary of State in which it is stated that he accepts the theory of the Foreign Relations Committee that the implementing legislation will be for only 2 years, at which time we would make a review of it. In my opinion, if we did not extend it, the President would have no authority to make the reports—or, in other words, to make the agreement effective; and although the agreement itself would technically be extended, we would not be a participant, because our principal function under the treaty is to report to each of the countries the origin of the imports which we receive. This is to enable them to try to make effective their agreement with regard to their exports. If we do not participate, the treaty is a nullity, so far as our functioning under it is concerned.

This is for 2 years, and our committee recommended this in order that we have a part in it for 2 years and be under it for 2 years.

Mr. MILLER. I thank the Senator from Arkansas.

The PRESIDING OFFICER. The time yielded to the Senator from Iowa has expired.

Mr. DIRKSEN. Mr. President, I propose to support the agreement. I can share the doubts and uncertainty in the minds of some Members, as expressed yesterday in the debate on the treaty. But I think three issues have been made clear, as follows:

First, the letter supplied by the State Department indicates beyond all doubt that when it asks for imlementing legislation, it will ask for it under an expiration date in September 1965.

Second, there is assurance that there will be a congressional review.

Third, there is plain agreement, in language which everyone can understand, that this is not a self-executing treaty, and that therefore the words in it would be without meaning and without substance until the implementing legislation was first requested from the Congress and was enacted.

Insofar as I know, the jurisdiction of that proposed legislation would lie with the Senate Finance Committee; and, as everyone knows, the Senate Finance Committee will take a good, hard look at what is requested, and will be in a position to modify it and to make it conform to the general desires of the Treasury.

I share one apprehension: If this agreement is not approved, there are 15 coffee-producing countries in Latin America, in what we affectionately call our backyard. Perhaps they do not like the term; but it is a fact that 25 percent of their foreign exchange is generally derived from this one crop; and if we do not shore them up a little, and if they finally go down the drain, the cost to U.S. consumers will not be expressed in terms of $30 million; instead, it will be expressed in terms of hundreds of millions of dollars, in order to bail them out, before we get through.

So, Mr. President, when put on the basis of a financial equation, it seems to me that commonsense and prudence dictate that we support this agreement.

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, I wholeheartedly support the statements which have been made just now by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN].

I wish to point out that the International Coffee Agreement now before the Senate is absolutely indispensable to our country's good relations with the Latin American Republics.

In view of the fact that our country promised at Punta del Este to work for such an agreement, and played a major role in its development, a fair appraisal of the situation is that adverse action by the Senate on the treaty at this time would undermine a good deal of what we have been trying to accomplish through the Alliance for Progress and by means of our other efforts.

Let me point out that four Latin American countries derive 50 percent of their income from their receipts from the sale of coffee; and many of the other Latin American countries derive substantial percentages of their income from their receipts from the sale of coffee.

Furthermore, the objective of the International Coffee Agreement is to stop the long-term decline in revenues from coffee exports.

Inasmuch as production is today substantially in excess of consumption, with large stocks overhanging the market, it is not expected that the agreement will in the foreseeable future raise prices.

So I join the Senator from Illinois in urging the Senate to give its approval to this worthwhile treaty, especially in view of the fact that the letter which has been received from the State Department and has been read to the Senate strengthens, rather than weakens, the pledge which has been given to the Senate.

Mr. CARLSON. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield.

Mr. CARLSON. The distinguished majority leader has referred to the U.S. delegates report to the Punta del Este Conference. It contains this key sentence:

> The aim of an International Coffee Stabilization Agreement should be to raise prices sufficiently to keep constant the purchasing power of coffee.

To me, that means nothing but an increase in the price.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. How much time remains?

The PRESIDING OFFICER. The majority leader has 3 minutes remaining.

Mr. MANSFIELD. Mr. President, I yield to the minority leader.

Mr. DIRKSEN. Mr. President, Abraham Lincoln once observed that nearly every proposal is an admixture of good and bad, and always the question is whether the larger good should be embraced. On net balance, while there are things in the proposed agreement to which I do not subscribe and I wish they could be changed, they cannot be changed under article 66, which provides for no reservations. But on net balance I think the agreement weighs on the good side, and for that reason I think it ought to be approved.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. I only desire to point out in relation to the exchanges and the balance of payments about which the Senators spoke, that approximately 75 percent of the total balance of payments or exchange is expended in our country. As the majority leader and the minority leader have pointed out, the people cannot earn their way, or at least in part. In light of the obligations we have taken on for the protection of this hemisphere, and in the light of the problems we now face in Cuba and in other areas of our hemisphere, it seems to me the wise and prudent course to follow, with all its limitations and doubts, is the course recommended in the agreement.

I salute the minority leader for his support, which is to be commended, and the majority leader for his statement. It seems to me that we have no other prudent course to follow.

Mr. DIRKSEN. Mr. President, I do not wish to compound and augment the problems that already confront us in this hemisphere. The treaty is worthy of support.

Mr. MANSFIELD. Mr. President, if there is any area in the world which is of primary importance to us, it is the area which the distinguished minority leader often refers to as "our own back yard"—Latin America—not because we have any ownership in it, but because it is so close to us.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, Executive H (87th Cong. 2d sess.), the International Coffee Agreement, 1962, will be considered as having passed through its various parliamentary stages up to the point of the consideration of the resolution of ratification, which the clerk will read.

The legislative clerk read as follows:

> *Resolved, (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of the International Coffee Agreement, 1962 (Ex. H. 87th Cong., 2d sess.).

The PRESIDING OFFICER. The question now is on agreeing to the resolution of ratification. On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Mississippi [Mr. EASTLAND], the Senator from California [Mr. ENGLE], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from South Carolina [Mr. THURMOND] are absent on official business.

I further announce that, if present and voting, the Senator from Mississippi [Mr. EASTLAND] and the Senator from Indiana [Mr. HARTKE] would each vote "yea."

On this vote, the Senator from Maryland [Mr. BREWSTER] and the Senator from California [Mr. ENGLE] are paired with the Senator from Kansas [Mr. PEARSON]. If present and voting, the Senators from Maryland and California would vote "yea" and the Senator from Kansas would vote "nay."

On this vote, the Senator from Michigan [Mr. HART] and the Senator from Minnesota [Mr. MCCARTHY] are paired with the Senator from South Carolina [Mr. THURMOND]. If present and voting, the Senators from Michigan and Minnesota would vote "yea," and the Senator from South Carolina would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON], the Senator from Kansas [Mr. PEARSON], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

On this vote, the Senator from Kansas [Mr. PEARSON] is paired with the Senator from Maryland [Mr. BREWSTER] and the Senator from California [Mr. ENGLE]. If present and voting, the Senator from Kansas would vote "nay," and the Senators from Maryland and California would each vote "yea."

The yeas and nays resulted—yeas 69, nays 20, as follows:

[No. 91 Leg.]

YEAS—69

Aiken
Allott
Anderson
Bayh
Beall
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Clark
Cooper
Dirksen
Dodd
Dominick
Edmondson
Ellender
Ervin
Fong
Fulbright
Gore
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McGovern
McIntyre
Mechem
Metcalf
Miller
Monroney
Morse
Moss
Muskie
Nelson
Pastore
Pell
Prouty
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Williams, N.J.
Yarborough

NAYS—20

Bartlett
Bennett
Cannon
Carlson
Cotton
Curtis
Douglas
Goldwater
Gruening
Hruska
McNamara
Mundt
Neuberger
Proxmire
Russell
Talmadge
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NOT VOTING—11

Brewster
Eastland
Engle
Hart
Hartke
McCarthy
McClellan
Morton
Pearson
Simpson
Thurmond

The PRESIDING OFFICER. Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the resolution of ratification was agreed to.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask that the President be notified that the Senate has today agreed to the resolution of ratification to the International Coffee Agreement.

The PRESIDING OFFICER. Without objection, the President of the United States will be notified of the ratification by the Senate this afternoon of the International Coffee Agreement.

TRIBUTES TO SENATORS

Mr. MANSFIELD. Mr. President, I take this occasion to express my thanks and gratitude to the distinguished chairman of the Committee on Foreign Relations [Mr. Fulbright], the deputy majority leader [Mr. Humphrey], the minority leader [Mr. Dirksen], the ranking minority member of the Committee on Foreign Relations [Mr. Hickenlooper], the distinguished senior Senator from Vermont [Mr. Aiken], as well as the distinguished senior Senator from Oregon [Mr. Morse], and other Senators for the bipartisanship shown in ratification of the International Coffee Agreement. I think this was an indication of the fact that on matters outside the confines of this country but affecting the foreign relations of this country we can forget our differences and work together. That proof, of course, has been given by the vote just announced.

Mr. DIRKSEN. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I think the entire Senate ought to salute the Senator from Delaware [Mr. Williams], the Senator from Kansas [Mr. Carlson], the Senator from Vermont [Mr. Aiken], and the Senator from Iowa [Mr. Hickenlooper] for clarifying and bringing out into the open so many things in connection with the coffee agreement which have been subsequently clarified, which evoked a letter from the State Department setting forth its position and making it a part of the Record.

That is a distinguished service to the U.S. Senate in matters of this kind.

Mr. MANSFIELD. Mr. President, I, too, wish to join the distinguished minority leader in what he has said about the very able senior Senator from Delaware [Mr. Williams] and the very able senior Senator from Kansas [Mr. Carlson], because they did much to clarify this agreement and to make it more intelligible to the Senate as a whole.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THE STATUS OF EDUCATION

Mr. ALLOTT. Mr. President, recently, the junior Senator from Arizona [Mr. Goldwater] testified before the Subcommittee on Education of the Senate Labor and Public Welfare Committee in support of S. 181, a bill he introduced and which I was pleased to cosponsor. The Senator made a thought-provoking presentation on the current status of education in the country today. It appears to me that this statement deserves the attention of my colleagues at this time, and accordingly, I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR BARRY GOLDWATER, REPUBLICAN, OF ARIZONA, BEFORE THE SUBCOMMITTEE ON EDUCATION OF THE SENATE LABOR AND PUBLIC WELFARE COMMITTEE, APRIL 30, 1963

Mr. Chairman, members of the subcommittee, I wish to thank you for this opportunity to present my views on the proposed legislation pending before us. It is my strong belief that most of these proposals, including S. 580, sponsored by the administration, are both unnecessary and unsound. I am convinced that they represent another long and dangerous step in the direction of reducing our State and local governments to mere subordinate, administrative divisions of the Central Government in Washington.

It is for that reason that I have introduced my own bill, S. 181. If a genuine problem of educational shortage really exists, which I do not believe, my proposal will provide the means to solve the problem far more effectively than any of the other measures now before this subcommittee. But what is most important, it will leave the matter entirely in the hands of the States and local communities without an iota of intervention by the Federal Government.

I wish to make it clear that I do not believe we have an educational problem which requires any form of Federal grant-in-aid program to the States. Rather, a casual glance at the significant statistical indicators (obtained from the Office of Education, Department of Health, Education, and Welfare, National Education Association, and the Bureau of the Census, Department of Commerce) serves to demonstrate that the States and localities have done extremely and increasingly well during the past several years in meeting their educational needs, and that these needs themselves are growing at a much slower rate than during the past period.

I. ARE THE SCHOOLS INADEQUATELY FINANCED?

The answer to this question is "No." During the past 21-year period (1939–40 to 1960–61) enrollment in educational institutions of all kinds and at all levels increased 61 percent while during the same period total educational revenues increased 753 percent. Although prices more than doubled during this period, the increase in educational expenditures of 753 percent would still have been 300 percent if computed in dollars of constant purchasing power, as compared with the 61-percent increase in pupil enrollment, a ratio of approximately 5 to 1.

Turning to the share of the national income being spent for education we find a similar upward trend. In 1890, 1.4 percent of the national income was spent on education. In 1913, it was 2.2 percent; in 1930, 3.7 percent; in 1950, 4 percent; in 1956, 5.1 percent; and in 1961, 6.6 percent. Thus, the percentage of the national income going to education has multiplied more than 4½ times since 1890 and increased 29 percent in the last 5 years alone.

It is also significant that, according to UNESCO figures, almost all other countries of the world allocate a smaller percentage of their national income to education, and that the Soviet Union, whose national income is far smaller than ours, spends no greater proportion on education than we do, erroneous assertions to the contrary notwithstanding.

Growth in our total educational expenditures has outdistanced the advance in both business profits and living standards. Thus, between 1929 and 1960, expenditures for education grew 617 percent, while corporate profits increased 177 percent. As a percentage of national income, corporate profits dropped sharply from 9.4 to 5.5 percent while the percentage for educational expenditures rose from 2.6 to 3.9 percent. The growth of expenditures for educational construction has also exceeded the growth in private construction. Between the periods 1925–29 and 1958–62 the expenditures for public educational construction increased 128 percent, while all private construction increased 45 percent for the same period.

When we turn to the public elementary and secondary schools, attendance at which has been proportionate to our population growth while college and private school attendance has been increasing, we find that the rate of expenditure has gone up more rapidly than the living standards of our people. Between 1930 and 1960 per capita expenditures for personal consumption increased 57 percent while public school expenditures per pupil rose 166 percent, both ratios being measured identically in constant dollars. And while this development was taking place public school expenditures were far outstripping public school enrollments in the rapidity of their increase. Thus, from 1900 to 1961, enrollment multiplied 2.4 times whereas school expenditures per pupil, on the average and in constant dollars, have doubled about every 20 years, and the current school expenditures per pupil have multiplied 8.4 times in terms of the same constant dollar, an increase more than 3½ as great as the increase in enrollment.

When we examine the population projections made by the Bureau of Census, the evidence indicates that the peak of educational needs in terms of population growth has already been reached, and that this ratio will decline during the next decade. The school age group (those between 5 and 17 years of age) increased 46 percent between 1950 and 1960. It is estimated that for the next 10-year period (1960–70) this rate of increase will be cut in half, shrinking to about 20 percent. The projected increase for the remainder of the decade 1962–70 will be even smaller, between 15 and 16 percent.

II. IS THERE A CLASSROOM SHORTAGE?

The size of the classroom shortage has been a major issue in the continuing debate on Federal aid to education. Figures on classroom shortages issued by the Office of Education show a shortage of 250,000 in 1950; 312,000 in 1953; 370,000 in 1954; 159,000 in 1956; 142,300 in 1957; 151,000 in 1958; 132,400 in the fall of 1959; 142,100 in the fall of 1960; 127,200 in the fall of 1961; and 121,200 in the fall of 1962. If we take these figures at face value, they indicate a reduction in the classroom shortage from 370,000 to 121,200 between 1954 and 1962 without the benefit of a Federal aid program.

There is, however, some doubt about the accuracy of classroom shortage figures. In March 1955 the Secretary of Health, Education, and Welfare, before a congressional committee stated that a revision of estimates placed the expected shortage in 1959–60 at 176,000 instead of the 407,000 he had estimated a few months earlier. Actually the report issued in the fall of 1960 placed the figure at only 142,100. These estimates are usually based on statistics prepared by the school authorities in each State; there are no national standards and many believe they reflect the subjective attitudes of the compilers rather than any actual classroom situation.

At any rate, a comparison of the inventory contained in the long-range phase of the school facilities survey of 1954 with the fall 1962 survey shows that in the past 8 years enrollment increased 31 percent, number of classrooms 38 percent and the number of pupils per classroom was reduced by two from 27.7 to 25.7.

President Kennedy in his education message to the Congress 2 years ago, asserted that classroom needs for the coming 10-year period between 1960 and 1970 would be 600,000. This averages out 60,000 classrooms per year. However, figures released by the Office of Education disclose that between 1956 and 1963, a total of 487,157 classrooms were built for an average of 69,594, or about 10,000 per year more than the yearly average asked for by the President. Assuming these estimates to be reasonably accurate, it is plain as a pikestaff that to take care of all estimated classroom needs for the next decade it will not be necessary to maintain even the annual volume of school construction that was completed in the average of the past 8 years by the States and localities acting without benefit of a Federal grant-in-aid program.

For the past several years, I have studied very closely these annual surveys published by the Office of Education and I have come to one conclusion; the Office of Education will not allow the alleged classroom shortage to be overcome; no matter how many classrooms are being built—even at record rates—the Office of Education will never let this fact interfere with its classroom shortage.

I would like to cite some figures from the annual surveys of the Office of Education to illustrate my point. In the fall of 1959, the classroom shortage was stated to be 132,400 and during the year 62,700 classrooms were scheduled to be constructed—69,700 were actually constructed, pointing up another Office of Education practice—always underestimating the number of classrooms to be built but never underestimating the classroom shortage. Instead of reducing the backlog to 62,700—132,400 minus 69,700—the shortage, as reported by the Office of Education for fall 1960, believe it or not, increased to 142,160.

Undaunted by this adverse effect on the classroom shortage, the local school districts constructed a record high of 72,700 classrooms for the year 1960–61. But even this alltime high failed to make much of a dent in the impenetrable armor of the classroom shortage manufactured by the Office of Education for in the fall of 1961 the Office of Education reported that the record high number of 72,200 classrooms constructed succeeded only in reducing the shortage by 15,300.

During 1961–62 a near record of 71,987 classrooms were constructed, almost 10,000 more than the Office of Education had reported would be completed. Yet, once again, this tremendous construction activity on the part of the local school districts failed to make much impression on the Office of Education shortage statistics. The January 9, 1963, survey places the classroom shortage at 121,200 only a 6,100 drop over the preceding year.

In submitting his educational recommendations to the Congress at the beginning of the 87th Congress, President Kennedy declared:

"In order to meet current needs and accommodate increasing enrollment, if every child is to have the opportunity of a full-day education in an adequate classroom, a total of 600,000 classrooms must be constructed during the next 10 years."

Thus, the President is recommending an average of 60,000 classrooms a year to be constructed to wipe out the classroom shortage over the next 10 years. Had the President's request been in effect during the past 3 years, the classroom shortage today would not be 121,200; it would be 154,800 because during this same period, without Federal assistance, the local school districts constructed 33,600 more classrooms than the President has declared are necessary to solve the backlog problem. Since the States and local school districts for the past 6 years have been building classrooms at a rate of over 70,000 a year, it is obvious that a complete acceptance of the President's recommendation of constructing 60,000 classrooms annually would actually lead to a sizable reduction in classroom construction.

III. HOW SERIOUS IS THE TEACHER SHORTAGE?

Here again we are confronted with highly suspect statistics. Thus, on August 30, 1959, the Office of Education reported a shortage of 195,000 qualified teachers. But in 1953, the Secretary of Health, Education, and Welfare had estimated that the teacher shortage would be 292,000 by the fall of 1960. These huge disparities between projected estimates and actual future developments are common in the discussion of the issue.

They indicate to me that much of the so-called data consists of poetry and propaganda rather than objective research. At any rate, even if we use these dubious statistics, they point only to the conclusion that the so-called need for Federal aid to education has been exaggerated by its proponents. As a matter of fact, the 1959 report on teacher shortages was so severely criticized that the Office of Education omitted a reference to the teacher shortage in its regular report in the fall of 1960. Since 1929 the number of employees in all forms of public education, both lower and higher, increased 137 percent while employment in private industry rose by only 66 percent; but enrollment in public education rose approximately at the same rate as the population as a whole—enrollment in public education 55 percent; population 51 percent.

Our public schools have increased their teaching staffs proportionately faster than enrollment and the number of pupils per teacher has been consistently reduced. From 1900 to 1961 the number of public school pupils rose 140 percent, the number of teachers 250 percent, and the pupil-teacher ratio was reduced by 9.8, from 35.6 pupils per teacher to 25.8. Even if we take the figures for the last 8 years alone, the number of pupils increased 31 percent, the number of teachers increased 42 percent and the pupil-teacher ratio declined by two pupils per teacher (27.7 to 25.7).

At this point I cannot resist a further illustration or two of the unreliability of the figures emanating from one of the most respected proponents of Federal aid to education. Thus, in a release dated August 28, 1958, the Office of Education estimated the number of qualified teachers in 1958–59 at 1,334,800 and the shortage at 132,000. A year later, on August 30, 1959, it reported the number of qualified teachers in the same year (1958–59) to have been 1,400,700 or 65,900 higher than previously estimated. But strangely enough, instead of reducing the shortage correspondingly by 65,900, it increased it retroactively by 49,800—from 132,200 to 182,000.

In the very same report (August 30, 1959) in which it raised its estimate of qualified teachers for 1958–59 to 1,400,700 it estimated for the next year, 1959–60, a supply of 1,368,000 qualified teachers, a decline of 32,700. But in the December 1959 issue of its magazine, School Life, the Office of Education reported that the number of qualified teachers had risen during the same year (between 1958–59 and 1959–60) by 55,200. Thus, one report suggests a decline of more than 32,000; another from the same source, an increase of more than 55,000.

When we come to the question of the future supply of teachers the outlook is highly favorable. If the percentage of college students seeking a teaching career merely remains stable over the next decade, the number of newly graduated teachers will almost double. But pupil enrollment will be far less, for as I have pointed out, it will be only about 20 percent as compared with 46 percent during the last decade.

Much has been said about the inadequate earnings of the teacher. But these judgments must remain subjective unless they are based on comparisons with earnings of other segments of our population. The figures show that during the period 1929–61, teachers' salaries have more than kept pace with the other working elements of our population. In that period, teachers' salaries rose by 127 percent, as compared to 99 percent for employees in private industries, 86 percent for Federal civilian employees and only 66 percent for State and local government nonschool employees. It should be emphasized also that a huge proportion of our public school teachers are women, and all the surveys on the subject have shown that women teachers average higher earnings than other women college graduates or professional workers.

IV. SCHOOL DROPOUTS

In line with the alleged classroom shortage, the Congress has been subjected in recent years to a new propaganda barrage concerning the number of children who fail to complete high school. These children are known as "school dropouts."

After listening to the hue and cry about this new statistic, one is led to believe that the number of children completing high school education is very low indeed. Nothing could be further from the truth.

Paul Woodring, education editor of Saturday Review, writing in that publication's issue of February 16, 1963, stated, "There is nothing new about the fact that many boys and girls leave high school without a diploma—they always have. What is new is the word 'dropout' with its implication that every adolescent ought to remain in school until graduation.

"There has not been an increase in dropouts in recent years.

"On the contrary there has been a steady increase in both the number and the proportion who complete 12 years of schooling. In 1900 only 6.4 percent of the age group graduated from high school. The percentage rose to 16.8 percent in 1920, 50.8 percent in 1940, and reached a new high of 65 percent last year."

The Secretary of Labor, W. Willard Wirtz reinforced this statement by Mr. Woodring when the Secretary testified before our committee on the Youth Employment Act. Speaking of dropouts he said, "Now it is a diminishing group. The schools are doing a better job than they were doing, not a worse. A lower percentage are dropping out. The work opportunities are less available than they were before."

V. CAN STATE AND LOCAL GOVERNMENTS CONTINUE TO FINANCE THE SCHOOLS?

In December 1959, the Department of Health, Education, and Welfare conducted a telegraphic canvass among chief State school officers, 45 of whom replied. Fifteen of the States reported having districts which, although needing additional classrooms, had reached their borrowing limits and had no access to other funds. There were 237 such districts, most of them small, out of a national total of 40,000—a showing that only one-half of 1 percent of all the school districts in the Nation legally lacked financial means to build needed schools. Despite the heavy burden of Federal taxation, the States and local communities, as I have shown, have done magnificently in meeting their own school needs. The sales of State and local bonds have been at a high level for the past several years, and the overwhelming majority of them are being approved by the votes of the citizens in the States and localities. If the heavy yoke of Federal taxation were eased, there can be no doubt that the States and local community would not only be able, but would be most willing to increase both their taxes and expenditures for all public services including education.

To me it is plain that, judged by any of the relevant criteria which I have set forth above, there is no crisis in education and no justification for extending the activities of the central Government into that area as the administration's bill would do. But even apart from the lack of need for legislation of this type, the proposed measure is self-contradictory in important respect, inequitable in its allocation of benefits, and in a number of instances fails to achieve the President's stated objective of giving the greatest aid to those who need it most.

The high-income States which will pay the largest shares of the cost of the program and receive the smallest allocations, which in many instances are considerably smaller than the amounts they pay out, are precisely the States in which most of the increase in school enrollment has taken place. The low-income States which will contribute least to financing the program and receive far larger sums in their allocations have had the smallest growth in pupil enrollment. Thus, four-fifths of the increase in school enrollment between 1955 and 1970 has and will occur in States with above-average per capita income; but only 6 percent of the enrollment increase will be in the 12 lowest income States.

I would like to add this further comment. The loud fanfares which have accompanied the administration's bill are quite misleading. Many have been led to believe that the bill will add substantially to our educational resources. This is utterly inaccurate. The total amount of aid for public schools which it would provide is about 2 percent of what the States and localities will themselves spend on education during the same period, even if they do not increase their own efforts by a single penny. And when we compare this additional 2 percent with the 16 percent by which the States and localities have during the past 5 years exceeded the rate of construction of classrooms asked for by the President for the next 10 years, it becomes apparent that the administration bill will add little to improving our school facilities. But there is no doubt that it will do much to further impair the strength of our constitutional State-Federal system.

Two years ago when former Secretary of Health, Education and Welfare Ribicoff testified before this same subcommittee I asked him the following question:

"Now, Mr. Secretary, if all the States and local communities were able to finance their own educational development, in other words if the problem were not a financial one, but rather an unwillingness on their part to expand or improve their education facilities to the degree you regard as necessary, would you still favor a program of Federal aid to education?"

Mr. Ribicoff replied and I quote:

"Personally, if I thought that every community and every State could do their own, I would not."

I shall take former Secretary Ribicoff at his word and describe to you a program which will make available to every community in the United States sufficient funds to enable each of them, if their citizens so desire, to meet all of their school needs even as determined on the basis of the former Secretary's own estimates. That program is embodied in title II of my bill, S. 181, which is the successor to my bill, S. 991, which I introduced in the 87th Congress. Its enactment would make all the alternative plans for Federal aid to education which are under serious consideration by this committee irrelevant and unnecessary.

In spite of the tremendous job which the States and local communities have done during the past 17 years to overcome the backlog of school facilities needed in some areas, a backlog brought on by the depression, World War II, Korea, the proponents of direct Federal aid to education are, nevertheless, absolutely insistent that the only way to reduce the backlog is by a massive infusion of Federal grants into the States. In recent years, these same proponents have added to their propaganda the claim that teachers are not paid enough by the local school districts and, therefore, that it is the responsibility of the Federal Government to correct that situation as well.

It is interesting and significant that the demands for Federal aid to education have grown louder and more insistent as the need for expanding our school facilities diminishes. It is fully apparent that many of those promoting the idea of Federal aid to education are interested only in the element of centralized control and, consequently, refuse to recognize that the States and local communities have been rapidly solving the backlog problem. They have seen their crisis selling point melt away in the face of determined local responsibility and are attempting to cover it up by adding new items to their list of needs and more power to their propaganda efforts. The present offensive for Federal aid to and control of the Nation's education is the heaviest ever mounted, and it must be met with a courageously sound proposal incorporating the principles of individual freedom and personal responsibility.

I believe that the alleged evil plight of our schools has been grossly exaggerated and that the magnificent efforts of our State and local governments to find the money to meet school needs has been largely and purposely ignored.

These efforts represented the quiet response of millions of forgotten Americans to the educational problems arising in their communities. The job was done without fanfare by the people who meet their responsibilities on a day-to-day basis without the benefit of prodding by nationwide pressure group organizations. It represents a monument to the efforts of a free people, working with initiative and enterprise in their own communities to meet the problems of those communities as they arose. This is where the big job of meeting the Nation's educational problems has been accomplished up until now, and this is where the job rightfully should be finished.

My proposal will provide the means for solving additional school problems, if they really exist, but it will leave the determination of this question where it properly belongs—with the State and local communities and not with the Federal Government. The basic problem, if there is one, is financial. If State and local governments in some parts of the country are unable to keep pace with their school needs, it is because the Federal taxing power has preempted State and local sources of revenue. Hence, the proper approach is to compel the Federal Government to restore to the States and localities, at least a portion of the tax resources which it has taken away. This is precisely what my measure will do.

The proposal is a simple one. Every homeowner, every owner of real estate, in the United States pays a real property tax to his local community government. In most cases, a substantial part of this tax is used to meet the primary and secondary school needs of the community whether for new construction or for maintenance, teachers' salaries or other past or current school costs. It would merely provide that every taxpayer who pays a school tax on his real property or as a part of his real estate tax shall, after having calculated the amount of Federal income tax which he must pay Uncle Sam, be permitted to subtract from the Federal income tax which he owes the full amount of such school property tax, or such proportion of it as will result in a total additional tax benefit to these taxpayers of between $3 and $4 billion.

Under existing Federal income tax law, State and local school taxes are deductible from gross income but the amount actually saved by the taxpayer depends on his Federal income tax bracket. Thus, for example, a taxpayer who has paid $200 in school taxes as part of the local real property tax on his home, and is in the 20-percent Federal income tax bracket, realizes a saving of $40. My proposal would retain this present practice, but in addition would permit him to take a $100 credit against what he owed Uncle Sam, that is, against his net Federal income tax.

Hence, instead of a savings of $40, the homeowner, under my proposal, would save $140 of the $200 he paid in school taxes on his home. Of course, if the taxpayer's school tax were less than $100, he would be permitted to save in toto no more than the actual amount of his school tax.

This tax credit would be available to real property-school taxpayers whether they itemize their Federal income tax returns or take the standard deduction.

The concrete advantages of this approach are overwhelming:

1. The tax benefits provided would go directly to approximately 40 million taxpayers, including about 34 million homeowners, who with their families constitute almost 90 percent of our population and who, in large part, are the forgotten Americans for whom, I feel, I am speaking today.

2. With the Federal Government completely excluded from the program, there would be no danger of Federal control over education. Depending on State law, each community itself, or the State, would be the final judge of how much more it would like to spend on its educational needs than it is currently spending.

3. The funds made available to the taxpayers are greater than the sum contemplated under any of the other Federal aid to education measures which are seriously being considered.

4. Because of the complete exclusion of the Federal Government, there would be no expanded bureaucracy, no Federal administrative costs, every dollar of tax money thus made available would purchase a full dollar's worth of school aid if the community decided to expand its expenditures for education.

5. Inasmuch as the tax resources of every State and locality would be substantially increased under this proposal, each would have ample funds to provide for its own school needs as it chooses, for none know better what these needs are than the citizens of the States and localities themselves.

6. The so-called richer States would not be required to help finance the school needs

of the allegedly poorer States, for under my proposal every State would have sufficient funds to meet its school needs out of its own resources. Rich State A would not be required to pay to the Federal Government in taxes twice or three times as much as it gets back in Federal school aid while poor State B was receiving back in Federal aid two or three times the amount of tax money it paid to the Federal Government as its share of financing the Federal school aid program.

7. Under any of the other proposed Federal school aid measures, those States which have fully met their school needs would not, if given a free choice, expand their school facilities during the next few years, would nevertheless be compelled to pay their share in Federal taxes to finance the program. The only way these States could recover any of the money thus extracted from them under these various proposals would be to accept the Federal grants and use them to expand their school facilities. The result would be the highly uneconomic and wasteful extension of school facilities in many areas where such extension is unnecessary and where other more urgent needs exist and must perforce remain unsatisfied. Under my proposal, the use made of their money is not dictated to the taxpayer by the bureaucrats in Washington; it is determined by the taxpayers themselves, that is, by the parent, the citizen, the local school board, and the community, or the State.

8. Any objection to my proposal based on the assertion that it would bite into the Federal Treasury is equally applicable to any of the other measures presently under consideration. I believe that mine would lead to a good look at the Federal budget and the discovery of many items of less importance, or even of no importance, which could be readily eliminated with no ill effects on the public welfare.

9. If unemployment does not decrease and business continues to falter, my proposal will provide the necessary tax relief which some of the proponents of expanded Federal aid programs assert to be necessary to stimulate the economy.

10. The preemption of State and local tax resources by the Federal Government would be diminished, and thus an important step would be taken in contracting big central government and strengthening State and local government.

I shall discuss briefly, one other important feature of my proposal, namely, tax relief for families with children attending college.

As the costs of college education continue to rise, it becomes imperative to provide relief to the taxpaying parents of college students, and to do so not in the form of Federal handouts but by narrowing the far-reaching scope of the Federal taxing power.

Providing an education for their children is traditionally the responsibility of the American family and not of the Government. The vast accumulations of private savings and insurance bear witness that most of our people still believe in this principle. Hence, a Federal program to aid our children to secure a college education should be directed toward helping their parents to do the job. It should avoid the form of Federal grants with their accompanying expansion of Federal bureaucracy and Federal supervision which not only wastes funds through unproductive administrative costs, but creates a risk as well of Federal controls over public education.

I, therefore, propose a program of tax relief for most families with children at college. Such families will be given a substantial additional Federal income tax reduction for each dependent attending college.

The advantages of this proposal are:

1. The taxpayer is granted an additional deduction from his taxable income for the expenses incurred by him, his spouse, or his dependent or dependents, while attending college.

2. Expenses shall include tuition and fees charged by the college for a course of instruction and attendance at such college; books, supplies, and equipment; room and board, whether the student is living on or off the campus. The amount the taxpayer may deduct shall be the actual amount of expenses paid but not to exceed $2,000 for each child attending college. Of this amount, the cost of room and board may not exceed $90 a month while the student is in attendance at college ($45 in the case of a student living at home).

3. In addition to his child or children, the taxpayer may also deduct such expenses which he incurs as a student as well as those of his wife and anyone else whom the taxpayer can lawfully claim as a dependent.

4. The deduction is available to a taxpayer whose dependent is attending a college, university, or other institution of higher learning, such as medical school, dental school, law school, or other graduate school. This deduction is not available to a taxpayer whose dependent is attending a trade or vocational school or any other school which does not award a baccalaureate or higher degree.

5. The amount of expenses which the taxpayer may deduct from his taxable income shall be reduced by the amount by which the taxable income of the taxpayer exceeds $10,000 if the taxpayer is unmarried or if married, files a separate return or, $20,000 if the taxpayer is married and files a joint return or is a head of a household or a surviving spouse. Thus, if a taxpayer has $2,000 in educational expenses and a taxable income of $20,800, he would be entitled to a deduction of $1,200 ($2,000 less $800, the amount in excess of $20,000). The taxpayer thereby reduces his taxable income from $20,800 to $19,600. If the taxpayer is in the 50-percent bracket, he would thereby reduce his tax by $600 (50 percent of $1,200).

SHOWING OF THE MOTION PICTURE "THE CARETAKERS" ON WEDNESDAY, MAY 22, IN THE SENATE OFFICE BUILDING AUDITORIUM

Mr. MANSFIELD. Mr. President, for the information of the Senate, the distinguished senior Senator from Alabama [Mr. HILL] and the distinguished senior Senator from California [Mr. KUCHEL] have arranged for a showing tomorrow at 2:30 p.m. in the New Senate Office Building auditorium of a dramatic motion picture on mental health. The name of the movie is "The Caretakers."

All Senators and their staffs are invited to attend.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT UNTIL THURSDAY

Mr. DIRKSEN. Mr. President, if the distinguished majority leader will yield further, I should like to ask him about the schedule for tomorrow and the remainder of this week, if he can tell us; and, insofar as he knows, the schedule for the following week.

Mr. MANSFIELD. Mr. President, in response to the questions raised, may I say that it is not the intention of the leadership to have the Senate meet tomorrow; therefore, I ask unanimous consent that, when the Senate concludes its deliberations today, it stand in adjournment to meet at 12 o'clock noon on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, there will be no votes tonight. It is anticipated that on Thursday the Senate will consider H.R. 5389, to repeal certain legislation relating to the purchase of silver, and for other purposes, which is the bill before the Senate.

On Friday, the Senate will consider H.R. 5207, to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes.

On Monday next it is anticipated the Senate will consider the debt limit bill, which I understand may well be considered by the Committee on Finance on Thursday of this week.

On Tuesday next it is hoped that the Senate can begin consideration of the Interior Department appropriation bill. I do not know what else will come up, but certainly if action on the Interior bill is completed on Wednesday, and there is no pressing business, it is anticipated we will go over or at least transact no business until the following Monday; but that remains to be seen.

Mr. HILL subsequently said: I wish to say that this morning the Committee on Labor and Public Welfare ordered reported a bill on mental health, mental retardation, and extension of the legislation for the training of teachers for the deaf and the handicapped. That bill should be reported within the next day or two, and I hope the distinguished Senator from Montana, our majority leader, will have that bill in mind in connection with the consideration of legislation for the next several days, in the Senate.

Mr. MANSFIELD. Mr. President, apropos of what the distinguished Senator from Alabama [Mr. HILL], chairman of the Committee on Labor and Public Welfare, has said about the legislation covering mental health and mental retardation, I wish to state that, based on that knowledge, I would include it with the other legislation which it has been stated will possibly be up for consideration before Memorial Day.

REPEAL OF CERTAIN LEGISLATION RELATING TO THE PURCHASE OF SILVER—PROPOSED UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I have discussed the unanimous-consent request which I am about to propose. I do not know if in this instance all bases have been touched, but the attempt has been made.

I ask unanimous consent that at the conclusion of the morning hour on Thursday next there be a time limitation of 1 hour on each amendment to the bill to repeal the Silver Purchase Act, and 2 hours on the bill, the time to be equally divided as between Senators who favor it and those who oppose it.

Mr. MAGNUSON. Mr. President, reserving the right to object, as the majority leader knows, many of us from the western part of the United States are deeply interested in this silver legislation. Parts of it, of course, are not satisfactory to those of us in the West; other parts are. I would think a great number of Senators would want to speak longer than 1 hour.

I am thinking particularly of the amendment which the Senator from Idaho will present on the question of silver purchase. Part of this proposal involves the Silver Purchase Act, too. I was hoping, if we could discuss it on Thursday, and have the vote on early Saturday——

Mr. MANSFIELD. Early Saturday?

Mr. MAGNUSON. I meant early Friday. That might solve part of the problem. Two or three of us will not be able to be here on Thursday, but could make our part of the discussion on Friday morning early. I think an hour may be sufficient for many of the amendments, but not for one or two. I am sure several Senators will want to speak on them.

Mr. MANSFIELD. Does the Senator intend to be here on Thursday?

Mr. MAGNUSON. I must go Thursday to a very important dinner in New York, which I think Senators from New England and that area will also attend.

I do not want the Senate to accommodate only the Senator from Washington, but I think there will be several Senators who will want to talk on the amendment to which I have referred. This is really three bills, when one really analyzes it.

Mr. MANSFIELD. Mr. President, I withdraw the unanimous-consent request at this time, because the distinguished Senator from Oregon [Mr. MORSE] has an engagement to keep and has not much time to do it.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, I hope my colleagues will not think me discourteous, as they know I always yield to them whenever I take the floor, but I cannot do it this time, because I am the public member of a board involving the electrical industry and labor, and I must take a plane to Arkansas.

I have in the press galleries a major, if short, foreign policy speech, which I must deliver at this time. Following that, I shall speak for about 5 minutes, as I have told the Senator from Mississippi [Mr. STENNIS], to state my respectful disagreement with the views he stated this afternoon in a speech in which he discussed the Birmingham issue. I respectfully disagree with the Senator in respect to the matter of the law involved and with respect to the public policy involved. I shall outline those views in about 5 minutes, after I finish the speech on foreign policy.

NATO

Mr. MORSE. Mr. President, the trade talks now going on in Geneva, and their apparent lack of progress, prompt me to pursue further the discussion I undertook on January 16 and on February 14 of the entire scope of American relations with Western Europe.

I think it is important to underscore for the benefit of the American delegation in Geneva, and for the benefit of the American delegation at the NATO conference in Ottawa, that I no longer regard the North Atlantic Treaty Organization as a vital part of American policy that must be protected at all cost. Far from it, in my opinion, NATO has become an ingrained dogma of American policy while at the same time our European partners—for whose benefit it was entered into—are displaying a declining interest in it.

I know from experience that a critical appraisal of NATO is almost taboo in Washington. It is rarely discussed in the press. The efforts to reach agreement on some NATO nuclear force are receiving plenty of attention, but the basic reasons for the alliance and the question of whether they are still valid are not considered debatable.

I am strongly of the opinion that they are debatable. I am even of the opinion that unless we face up to the debate in this country, we are going to find that our European friends have gone off on an entirely different tack and left us but little of a genuine partnership with Europe.

At the risk of repeating what I have said before, I want to review the original reasons for NATO and compare them with present conditions. I am satisfied that the changes since 1949 have rendered the North Atlantic Treaty Organization largely obsolete, and that several of our European partners are acting on that fact even if we are not.

ORIGINAL REASONS FOR NATO

Since the close of World War II we have been allied more closely with the nations of Western Europe than with any other nation or nations in time of peace. Our reason for doing so had defensive objectives. The scourge of communism seemed poised over Europe. Large Communist parties and labor unions were active in most countries, and seemed to be the best organized political and economic force. The Marshall plan was designed to thwart that scourge by rebuilding the industrial economies shattered by the war.

Then the seizure of Czechoslovakia by an internal coup, aided and encouraged by the tremendous might of the Soviet armies nearby, brought home the possibility of overt Communist military aggression elsewhere in Western Europe. It became evident that it was not enough to undertake the necessarily slow economic reconstruction of Europe; Europe needed military protection, pending its economic recovery.

It was on that basis that the North Atlantic Treaty Organization was formed. It will be seen that the major assumptions of the treaty were the economics and military weakness of Western Europe, plus the fear of communism. These major premises of the treaty were clearly spelled out in the report by the Senate Foreign Relations Committee. In the words of the committee report of 1949:

> It (the treaty) should facilitate long-term economic recovery through replacing the sense of insecurity by one of confidence in the future.

And again:

> The European recovery program is designed to cure Europe's economic ills; the treaty is an antidote for insecurity. Obviously, each of the programs can contribute much toward the success of the other. On the one hand, the treaty can do much to stimulate new business enterprise and increase production by dispelling the fear that has haunted Western Europe since the war.

EXTENT OF U.S. AID

It was a corollary of this objective of the treaty that the United States would have to furnish the bulk of NATO's forces for some time, both directly and through military aid to our partner members. It was clear from the report on the treaty that for each European member, economic recovery would always have priority over their contribution to NATO defenses.

To quote again from the report:

> In the event there is competition between the two programs for manpower and materials, the committee has been assured that economic recovery will have first priority. The restoration of defense capacity will not be permitted to interfere with economic recovery.

For many years thereafter, the United States provided the bulk of the NATO defenses. Aside from our own forces and our own share of the infrastructure, we provided our NATO partners with some $15 billion in military grant aid. Our combined economic and military aid to Western Europe has come to over $40 billion, plus another billion and a half to Spain, whose American air and naval bases have become an integral part of our defense of Europe even though Spain is not a technical member of NATO.

That is a tremendous investment. But it was not all. Another integral part of the NATO treaty was the provision that an attack upon one member was to be considered an attack upon all. We committed ourselves to come to the defense of Europe with any and all of our own defenses in the event of an aggression upon any one of the partners.

As to that article of the NATO Treaty, the then chairman of the Committee on Foreign Relations, Arthur Vandenberg, assigned to me the task of being the floor leader for the ratification of the treaty with respect to that part of it. It was my task to handle the debate on the floor of the Senate in 1949 on the all-for-one-and-one-for-all section of the treaty. I mention that fact because the NATO Treaty, when it was ratified, was sorely needed. I say soberly here this afternoon, and measure my words very carefully, that I seriously doubt that the

NATO Treaty is any longer needed. I seriously doubt that as a matter of public policy we should continue to be a member of the NATO organization, unless some basic changes can be made with respect to it in Ottawa. I wish to say to the Secretary of State, who is negotiating at Ottawa, that I am not interested in having him bring back a patch job on the NATO Treaty. I am not interested in his bringing out of Ottawa any subterfuge agreement, either. Unless our NATO allies are willing to commit themselves irrevocably and unequivocally in respect to assuming their mutual defense obligations under the NATO Treaty, the United States should get out of NATO, and now. If the Secretary of State brings back from Ottawa any other type of understanding with our NATO partners, my vote in the Senate is a vote that will leave him, not only on that issue, but also on every other foreign policy issue related directly or indirectly to aid to NATO allies. It is not my intention to waste taxpayers' dollars by continuing to build up Europe militarily and economically when Europe is no longer in need of any such help from us.

I say to the Secretary of State that I am not going to go along with the administration in any buildup of nationalist nuclear forces in France or any other country, including Great Britain.

The time has come for a historic debate on this subject, and on the question of where we are going in our foreign policy, in view of the record of our NATO allies.

It is the position of the senior Senator from Oregon that the time has come for us to get out of Europe, if staying in Europe means paying the cost that our allies seek to exact from us. It is time that they assume their full share of that cost. They are not doing it, and their public statements manifest an intention of not doing it. The French Defense Minister made such a statement which was thoughtfully forwarded to Senate offices today, announcing that France does not intend to fulfill her military obligations to NATO.

I have a little advice to give to the Secretary of State with regard to the Pentagon. In my opinion the Secretary of State should make it clear to the Pentagon that it is not going to determine American foreign policy in respect to NATO or in respect to any other facet of American foreign policy. The eyes of the people of this country are upon the Secretary of State in Ottawa. We are watching to see whether or not we have a Secretary of State who is going to insist upon an agreement that protects the interest of the American people in respect to our relations with Europe.

I have spoken before about my great disappointment in the record of the State Department, vis-a-vis Europe. There was some indication that Mr. Herter, in the so-called Geneva Conference, was at long last becoming aware of the great concern and the opposition of millions of American people in respect to that policy, particularly in connection with our trade relations.

Let me say to the Secretary of State that we cannot separate the military phases of NATO from the economic relationships with our European allies. As far as I am concerned, the economic problems that exist between the United States and Europe must be considered along with any military agreement that may be proposed in Ottawa.

As one of the floor managers in the Senate for the NATO treaty in 1949, I believe it was a wise and useful foreign policy for the United States during the postwar period. It was as much in our interest that Communists not sweep over Europe as it was in the European interest. And so I fought for the ratification of the treaty, and I supported the expenditure of very large sums to effectuate it.

TREATY NOT SELF-PERPETUATING

But I did not then and do not now regard it as self-perpetuating. It grew from a specific situation and it had specific purposes. The economic recovery of Europe was one of them.

Another major purpose of the treaty was to bring Germany back into the community of free nations, and that purpose was clearly spelled out in the committee report.

A final purpose of the treaty was to promote the economic integration of Europe.

What I am suggesting is that the major premises of the North Atlantic Treaty Organization are in large part dissipated, and that its major objectives have been met. The next question is whether there remain valid reasons for its continuance.

The treaty itself took this into account in its article 12. It reads:

> After the treaty has been in force for 10 years, or at any time thereafter, the parties shall, if any of them so requests, consult together for the purpose of reviewing the treaty, having regard for the factors then affecting peace and security in the North Atlantic area, including the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security.

I think it is self-evident that the factors affecting peace and security in the North Atlantic area have changed radically since 1949. I also think that most other NATO members are taking them into account, and I think it about time the United States did the same.

Instead, we have been hearing from both policymakers and the press the time-worn lip service to NATO as being indestructible and eternal.

I wish to say to the President of the United States it is time that he made clear once more to the Pentagon that he is the civilian commander-in-chief and that as civilian commander-in-chief it is his responsibility to be the leader in the field of foreign policy, not the Secretary of Defense, or any of the brass under him. I want to say to him: "If you leave this to the Pentagon, you will not only continue NATO, but you will also continue to increase by millions and millions of dollars the unnecessary American military expenses in Europe."

A repetition of our devotion to NATO appears in almost every communique that follows a major international meeting with a NATO country. But there has not been any real examination of the value of NATO to this country in terms of a general foreign policy debate in which the issue is put before the American public. Yet the attitude toward NATO is, I believe, changing considerably in Europe, and I should like to examine some of those changes.

NEW EUROPEAN CONDITIONS AND ATTITUDES

The leading spokesman for the new Europe has been President De Gaulle of France. Yet there are indications that his views represent a wide body of opinion in Western Europe. Certainly the conditions that gave rise to his views are also giving rise to many other new attitudes toward NATO that the United States will have to respond to sooner or later. For it might be possible to "wait out" De Gaulle. But it will not be possible to wait out the British Labor Party, the move to the left in the Italian government, and the post-Adenauer government in Germany, be it led by Mr. Erhard or by the Social Democrats.

First of all, it is obvious that Europe no longer suffers from economic incapacity. Collectively and individually, I do not know of any part of Western Europe that is not better off now than before World War II. This economic well-being has had much the same effect that prosperity has in most nations—it has made its people more independent and less fearful in judging their relations with others.

I might add parenthetically that the lag in our own economic growth which worries us so much could well be due to an unknown extent upon our concentration of capital and skill on nuclear development. Today, about 75 percent of our Nation's research and development skills are going into Government work on military, space, and atomic energy programs. That leaves 25 percent for our civilian industrial technology. Is it any wonder that Europe has prospered by leaving the nuclear and space races to us and the Soviet Union? And is it any wonder that both the United States and the U.S.S.R. are lagging in their economic growth?

As a part of the achievement of economic recovery, our European allies have also greatly progressed toward economic integration. These two purposes of the NATO treaty have gone hand in hand, and I think they can be considered to have been achieved. The same is true of the objective of bringing Germany—at least West Germany—into the community of Western nations.

As the economic strength of Europe has grown, its fear of Soviet aggression has diminished. It is more than likely that the threat itself has diminished. At least the Europeans believe it has; hence, France, for example, feels free to pursue a policy aimed at ousting the United States from Europe and aimed at freeing Europe from dependence upon American military protection. If there remained in France a genuine dread that the Soviet Union were likely to launch an attack across Europe, there would not today be a French policy of Europe for the Europeans; for France knows very well that for the last half century she has never been able to protect herself militarily. For the last half century France has been dependent upon her friends to save France. Apparently Mr. de Gaulle's memory is short, for I cannot reconcile his nationalistic statements, and particularly his anti-American attitude of the recent past, with the great obligation that France owes the United States and her Western allies.

The time has come for us to have a very frank and factual talk about our relations with Europe. I am one Senator who does not propose that there be a one-way street. I am one Senator who has taken note of the anti-American attitude that has been sweeping Europe; and I am ready to reply to it. My reply, in essence is: "If you do not want us there and if you do not want to live up to your obligations to the alliance, then we shall be glad to go home."

Let us make it perfectly clear to our friends in Europe that Europe is not essential to the United States for the security of the United States vis-a-vis Soviet Russia. Any battle that the United States may ever fight with Soviet Russia in this nuclear age will not be fought in Europe.

For some time, France has ceased to think in terms of being the primary Soviet target.

I think the same is true of Italy, and probably of the policies of the British Labor Party. The recent Italian election displayed a trend to the left among a people who are enjoying a level of prosperity they have never enjoyed before. The coolness of the leftwing parties of most of these countries toward the military alliance with the United States, especially its nuclear elements, is well known. The time when fear of Russia opened the door to U.S. missiles in Italy, Britain, and Turkey is probably gone for good.

We will, from now on, have to deal with a much more left-oriented government in Italy than we have known before. It appears certain that the next election in Britain will bring a Labor government to power. The "hard line" days of Chancellor Adenauer in Germany are already gone. In each of these pillars of the NATO alliance there is what appears to me to be a growing self-confidence, a declining fear of the Soviet Union, and a resultant willingness to try new solutions to the old conflicts between East and West.

There are other, and more specific, evidences of dissatisfaction with the NATO alliance among our European partners. Many of them have evolved since the Cuban crisis of last October. Outstanding among them is the contention that the United States and Russia are the chief adversaries, and that the two of them could commence a war without so much as prior notice from us to the European members of NATO. This complaint was certainly made after the Cuban crisis. The European allies, who are committed, at least on paper, to come to our defense in case of attack upon us, were told what was going on, but they were not consulted in advance on the American responses to the Soviet threat.

A related complaint emanating from Europe has been to the effect that America will hesitate to use its nuclear weapons if Europe is attacked, because to do so would invite nuclear retaliation upon American cities. Our apparent willingness to use them if forced to over the Cuban issue, seems to have led to a conclusion in Europe that we would only use them in defense of American territory and not in defense of someone else.

Several other factors have probably contributed to this belief, if that is what it is, or to what is at least the verbal justification being advanced by France for building a nuclear force of its own. One has been the steps taken by the Kennedy administration, to develop the means of fighting wars without making them nuclear wars. To do this, we have added considerably to the mobility of our general-purpose forces, at considerable cost to American taxpayers. In addition, we have urged the Europeans to increase their conventional forces under NATO command, and that has led to the charge that we seek to use European troops as "cannon fodder" for a conventional war in Europe while America remains unscathed.

The Kennedy administration has also taken new steps to make certain that unauthorized use of nuclear weapons is physically impossible. In the past, it has required the authorization of the President himself to use nuclear weapons; but there was the possibility of accidental detonation or the irrational use of them by some unauthorized person. We have now tried to curb that possibility by building new safeguards into the weapons themselves, such as an arming switch that cannot be tampered with without disarming the weapon, and which can be activated only by remote control or by the insertion of some key held in American custody. We have also installed safeguards that make it impossible for one person to prepare an armed missile or aircraft. Similar devices have been used to prevent accidental detonation of nuclear weapons.

These evidences that the United States is determined to make every effort humanly possible to avoid nuclear war, to increase our conventional responses, and ask that the Europeans do the same, have undoubtedly contributed to the impression that we would withhold nuclear weapons in case Europe alone were attacked.

All these factors have given impetus to a desire in western Europe for a nuclear deterrent that would be under entirely European command.

CHANGED AMERICAN CONDITIONS AND ATTITUDES

But there are also many changes in American interests. Knowing the fearful potentiality of nuclear weapons has made us more responsible in our custody of them; it has driven us to step up greatly our own expenditure on our national conventional forces, as well as on American conventional forces in Europe.

While urging a buildup of conventional forces on the part of our allies, we have ourselves maintained in Europe the largest number of troops under NATO command of any nation except Germany—more than France, Great Britain, and Canada combined. In fact, France has left a long, gaping hole on the NATO front, a front without a French soldier on it. Far from seeking to use Europeans, we have put more of our own troops on the ground under NATO command than any of them save Germany. Not only are they on the scene, but it is costing us a lot to keep them there, to the detriment of our balance-of-payments situation.

In addition, we have footed the bill for virtually the entire development of the nuclear deterrent that protects Europe. I have already alluded to the drain upon our civilian industry that has resulted from the American nuclear and missile programs. This is why we are trying to warn Europe that if she insists upon duplicating what we have already done, she faces a decided slump in her economic progress.

I suppose many among our allies will never believe that we are giving them some honest advice in this matter. There will always be those who prefer to see in this advice a desire on our part to perpetuate our control over Europe's nuclear destiny. If that is their assumption, they will pay a high price to learn differently.

What we do want and expect them to do is to contribute what they can best contribute right now, and that is added conventional forces.

IS THERE STILL A BASIS FOR A DEFENSIVE ALLIANCE WITH EUROPE?

All of our complaints made publicly to NATO members have added up to a complaint that the United States is bearing an undue share of the cost of the military defense of Western Europe. But, in my opinion, there is a far more basic issue that we should be talking about.

That is the question of whether it is really time to re-examine the NATO alliance in terms of fulfillment of its original purposes, and in light of the one big change that has drastically affected the peace of Europe and the world since 1949, and that is the advent of nuclear weapons and missile systems for their delivery.

This is the one changed condition that has most vitally affected the United States. I suggest that it is time we reconsidered our mutual defense obligation to Western Europe, and asked ourselves: Is it really in the interest of the United States to continue a commitment to let nuclear weapons fly in defense of a European partner in the absence of any attack upon the soil of the United States? Is it really in our interest to invite a nuclear attack upon American cities by using our nuclear weapons on behalf of Europe?

Is it not possible that France, or Germany, or some other partner could also involve itself in a war with Russia without consulting us in advance, and call upon us to unleash our nuclear arsenal with all that implies by way of response?

More important, many of our European partners are probably right in feeling that the most likely war to break out will not involve them at all, but will involve only Russia and the United States. Does any American really think our NATO allies would come to our support in such a case? I am personally of the opinion that it is the United States that is the most likely target of a Soviet nuclear attack, and I also think that in such an event we will find most of the European end of NATO doing its best to stay out of the whole affair.

We do not find any French, German, British, or Italian troops in the United States to guarantee the good faith of those nations in meeting their mutual defense obligation to us. The Europeans were anxious in 1949 to have a large number of American troops in Europe to guarantee immediate United States involvement if western Europe were attacked. Today, it is more pertinent to ask where are the European troops who will guarantee immediate European involvement in case the United States is attacked. In fact, it is fair to ask this question: Where are the European troops in Southeast Asia? The sad fact is that the Europeans are telegraphing fairly well what their attitude would be in case of an involvement between the United States and Russia, by their nonaction and their failure to cooperate and their refusal to date to send troops into southeast Asia; and the American people are beginning to ask, "Why should American boys be the only ones to be dying in southeast Asia?"

That question is likely to take on more and more impetus in American public opinion; and certainly the Secretary of State has an opportunity and a duty while he is at Ottawa to "lay it on the line" to our European allies.

Mr. President, General de Gaulle's reasoning about our reluctance to involve ourselves on behalf of Europe applies even more to Europe, because a Soviet nuclear attack upon the United States is more likely than is an attack upon Western Europe.

What I am raising is the question of whether the tremendous cost and the horrendous implications of nuclear war do not outmode the concept of mutual defense treaties as a means of securing one's own national safety.

Does not a mutual defense commitment today carry with it more risk than security? And is not this true both for us and for Western Europe?

I believe it is time for the American press, the American people, and American policymakers to reconsider the NATO alliance in light of these questions. As I have said, France has already considered them, and has reached some conclusions. I think Italy and Britain will also be doing so very soon.

To date, the American response to the challenge led by France has been to scurry around, trying to find some glue that will put the old pieces back together again, or at least give the old structure a new facade. I question whether the old foundation of NATO is still there at all; I also think we have a whole new context of military technology that throws its value into doubt.

There is a fairly definite move in Europe to consider Western Europe—with or without Britain—as a unit in itself, requiring a common defense policy. France sees itself as the leader of that unit—an image that I do not believe will long withstand the resurgence of Germany.

But it is not unreasonable to conclude that as an economic and military unit, Western Europe is indeed capable of defending itself without further reliance upon, or help from, the United States.

One place where part of this decision will be made will be in the so-called Kennedy round of trade negotiations. If it is to be the policy of the Common Market to make American participation in European trade so difficult and so expensive as to cripple our sales inside the Common Market, then I think we will know that there is no future for American participation in her defenses, either. Common military policy and common defense policy cannot withstand an economic policy of exclusion on the part of Europe.

I commend Mr. Herter and his associates in Geneva for sticking to their position, if it is accurately quoted in the press. We should find out promptly whether Western Europe plans a policy of economic exclusion through the mechanism of the Common Market, and we should not allow ourselves to be dragged through months of negotiations that are designed to prevent agreement and not to reach agreement.

I wish to say to the Secretary of State that any agreement that he brings back from Ottawa will not be worth the paper it is written on if it ignores the issue of the economic problems between the United States and Europe. NATO cannot be handled in a segmentized fashion. We cannot take up the military matter of NATO at Ottawa without getting some firm commitments from the representatives of Mr. De Gaulle at Ottawa with regard to what the French position will be in respect to the economic problems of the Common Market and the United States.

Ottawa is a second place where part of the decision on the future of NATO will be made, as discussions continue for a nuclear force. Our allies must understand that if what they want is control over and use of nuclear forces for their national purposes, they must develop and pay for those forces themselves. Those who fear or distrust American custody, or who are convinced that our interests are not theirs, had better do just what De Gaulle is doing, and that is construct their own nuclear forces.

They should not expect U.S. financial help in that effort because, in my judgment, the Kennedy administration cannot deliver the money if it had the desire to do so. I believe the Congress is hearing from the American people in regard to this subject. If there is any proposal for us to finance a nationalist nuclear buildup by De Gaulle, Britain, Italy, West Germany, or any other NATO power, the American taxpayers will make perfectly clear to the administration that the proposal will be repudiated. As I have said earlier in my speech, here is one Senator that will never cast a vote in support of any such foreign policy program if this administration should make the mistake of proposing it.

I cannot imagine that my administration would make such a mistake. But what bothers me is talk coming out of the Pentagon and some talk coming out of the State Department which creates doubts as to what their advice might be to the White House.

My confidence in the White House is complete. Until that confidence is justifiably shaken by any official statement of the White House in support of the kind of talk that I am hearing coming from the Pentagon and the State Department, I intend to continue to support my President. But on this issue I will leave him if he ever makes the mistake of following a course of action in Europe that would help De Gaulle in building up the French nuclear power, and by direction or indirection, channeling any American taxpayer's money into such a nuclear program of France or any other nation in Western Europe.

I happen to believe that we would throw away all possibility of avoiding a nuclear war in our time if we ever assist the nuclear buildup of individual nations, members of the NATO alliance.

I frankly regret that we made the offer we did to the British at Nassau, because I believe the British, too, should be expected to finance the entire cost of any nuclear forces or weapons systems available for their national use.

Our European allies must not expect the United States to provide the nuclear umbrella without leaving with this country the full responsibility for its use. I do not favor any gimmick in NATO to add fingers to the nuclear trigger.

If our allies are not satisfied, they are welcome to make their own arrangements.

That ought to be our foreign policy toward Europe.

It is my own personal opinion that through the economic entity of the Common Market, Western Europe is serving notice on us that she is no longer satisfied and that under French leadership, she is using the Common Market to force on us a disassociation.

I am also increasingly of the opinion that such a disengagement of our common defenses would be in American interests, too, and that the American people should undertake a basic reevaluation of all these aspects of the North Atlantic Treaty Organization.

Mr. President, I intend to speak at a later date, and probably an early date, on this issue again, depending upon the developments that occur at Ottawa and Geneva, and depending upon any announcement of future policy that comes from the White House.

This is probably the most basic issue in American foreign policy. It involves also many questions involving the protection of the greatest security weapon we have—our own economy. It is perfectly clear that our NATO allies do not intend to help us keep that economy strong. They are willing now to take advantage of the great program that we have followed since 1949, when the NATO Treaty was ratified. They are perfectly willing to see our economy weaken, rather than to fulfill their moral obligations and, in my judgment, their long-run national security interests as well.

So at the end of my speech tonight I wish to say, in brackets, "to be continued", because I intend to continue the discussion from time to time as long as I think there is a danger, as there is at the present moment, that our Government will go along with a program of expediency and compromise of principle in respect to NATO relationships.

It is not pleasant to make this speech. I have nothing but the highest regard and respect for the Secretary of State and the President of the United States. But on these questions, fulfilling the trust that we owe the people as Senators, we must keep faith with that trust. I happen to believe that there are too many danger signs up indicating that my administration is going in the wrong direction in connection with its relationships with Europe. I hope that my administration will prove me wrong. It is very easy for it to prove me wrong by taking a somewhat different tack than it has been taking in connection with NATO and our relationships with Europe.

BIRMINGHAM, ALA.

Mr. MORSE. Mr. President, earlier this afternoon my highly respected friend from Mississippi [Mr. STENNIS] sought to defend the State government of Alabama in its handling of the Birmingham situation, and criticized the policy of the Federal Government for sending troops into Alabama and in respect to its policies concerning Alabama. I have notified him that I would make a brief statement on this subject matter.

I completely disagree with every legal and public policy premise stated by the Senator from Mississippi. I could not disagree with him more on the various allegations he made that the Federal Government is without legal and constitutional rights to follow the course of action it has followed in Alabama. But I am perfectly willing to let the Governor of Alabama await the Supreme Court decision, because in my judgment the Constitution of the United States clearly sustains the President of the United States on the course of action the Federal Government has followed in Alabama.

On May 6 I made a brief speech in the Senate on the subject of constitutional rights in respect to the problems which had arisen in Alabama. In that speech I cited a section of the Federal code.

Although I understand that the Department of Justice does not think it applies, I ask the Department of Justice, "Why did you not let the courts decide that?" for the Senator from Oregon is satisfied it does apply on the basis of the operative facts that developed in Birmingham.

Section 242 of title 18 of the United States Code makes it a punishable offense for anyone "under color of any law, statute, ordinance, regulation or custom, to willfully subject the inhabitant of any State, territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States."

I say to my friend from Mississippi, I think it applies to the arrest of the Moore marches who were arrested in Alabama and I think it applies to the police attacks on the Birmingham demonstrators.

It ought to be enforced.

I say to my friend from Mississippi that I think the section of the code the Attorney General did use also applies and ought to be enforced—and will be enforced by the use of Federal troops if necessary, if the State officials of Alabama do not maintain law and order and, in so doing, protect the rights of colored people as well as white people in Alabama. It is only unfortunate that the Federal Government did not protect Americans in their exercise of constitutional rights when they were infringed by the State of Alabama. Instead, it waited until they were infringed by a mob. I am of the opinion that Federal acquiescence in the first led to the second.

I say to my good friend from Mississippi, on the public policy side of this matter as well as on the legal side of it, he need only turn the pages of Life magazine of last week for pictorial proof, if he is not already aware of it, of the shocking, inhumane, atrocious, horrendous conduct of the so-called Alabama State law officials and municipal law officials, bespoiling the precious liberties of supposedly free Americans but of colored skin.

Mr. President, we have passed beyond that era in American history when the Federal Government can stand mute and actionless while Negroes in this country are treated as colored people are treated in southwest and South Africa, and in Mozambique and Angola by the Portuguese. There is no place in America for inhumanity to man.

This is not merely a legal issue. It is not merely a public policy issue. It is a spiritual issue, for we also have an obligation to keep faith with our professing about our spiritual beliefs.

On May 6 I alluded to this problem. I repeat that today. The time has come for responsible, moral, religious white people not only in Alabama but also anywhere else in this country—be it Chicago, Detroit, New York, or any other place—to insist that the principles of government by law, which President Kennedy has so courageously and nobly defended and made clear he will enforce, are complied with.

I am sorry it is necessary to so completely disagree with my friend from Mississippi, but, in my judgment, he does not have a legal leg to stand on.

Mr. President, I understand the leadership wishes a quorum call. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

JAPANESE-AMERICAN MILITARY SERVICE

Mr. FONG. Mr. President, on June 2, 1963, commemorative services will be held at Arlington National Cemetery to honor America's war dead and Japanese American military service in World War II. The ceremony will mark the 20th anniversary of the reopening of military service to Japanese Americans, an event that transformed a dark page in our country's history into a shining chapter.

Passage of time has dimmed the national memory of the sad events that befell Americans of Japanese ancestry after Pearl Harbor—how their loyalty to the United States was impugned, their patriotism challenged, and their right to bear arms for their country denied. A massive cloud of suspicion hung over the Japanese American population in Hawaii, despite official Government disclosures that there was not a single act of sabotage or fifth-column activity committed by a Japanese American before, during or after the Pearl Harbor attack. On the west coast, 110,000 persons of Japanese ancestry were uprooted from their homes and placed behind barbed-wire "relocation centers."

Yet, in the face of such mass mistreatment, the patriotism of our Japanese Americans shone through. Although our Government deprived them of military service after Pearl Harbor, they insisted that they be given the opportunity to serve their country—to fight and if necessary die for their native land, to demonstrate that Americanism is a matter of the mind and the heart, and is not and never was a matter of race or ancestry.

Finally, the chance to serve was offered. Early in 1943, the War Department announced its willingness to organize a combat team consisting exclusively of Japanese Americans. A call for 3,500 volunteers was issued. Within a week more than 10,000 eager Japanese Americans volunteered in Hawaii, and hundreds more did likewise at relocation centers on the mainland United States.

They served with great distinction in the European theater. They became known as the most decorated unit in American military history for its size and length of service.

This is only part of the heroic history of the Japanese Americans in World War II. Because of their unique linguistic talent, thousands served in military intelligence as interpreters and translators from Guadalcanal to Burma in the Pacific and Asiatic theaters. Their special abilities have been officially credited with saving numerous American lives and shortening the war.

Still others served with distinction in other branches of our Armed Forces. No matter where they served, the Americans of Japanese ancestry vindicated the faith placed in them. It is their distinguished military record of patriotism and courage that will be commemorated on June 2 at Arlington National Cemetery, where services will be conducted under auspices of the Japanese American Citizens League.

As one who is acquainted intimately with the Japanese Americans, with lifelong friends among them, I am pleased to make these remarks in tribute to them. As a minority group, they rose above suspicion and prejudice to a status of respect and complete acceptance.

They overcame difficult obstacles to earn America's trust and confidence. They won their battles in war so they could live in peace.

The high esteem in which the Japanese Americans are held today is clearly seen in the fact that we have serving in the Congress two Americans of Japanese ancestry, both decorated veterans of World War II—my colleagues Senator Daniel K. Inouye and Representative Spark M. Matsunaga, both from my native State of Hawaii. Both are outstanding Americans whom I am proud to call my personal friends of long standing. They exemplify the sterling qualities of the Japanese Americans who fought so heroically for their country.

An excellent summary of the Japanese American military service in World War II has been prepared for the commemorative services on June 2 by the Public Relations Subcommittee of the Special Arrangements Committee, Japanese American Citizens League. The Japanese American Citizens League's able Washington representative, Mike Masaoka, who was the first mainland volunteer for the Japanese American combat team, is in charge of arrangements for the services. Masaoka's four brothers also volunteered; one died in action and another is totally disabled from war wounds.

Among those who will pay tribute to the Japanese Americans will be Gen. Jacob L. Devers, retired, Chairman of the American Battle Monuments Commission, who was commander of American forces under whom the Japanese American troops served in Europe, and Dillion S. Myer, wartime Director of the War Relocation Authority, who was among those in Government who urged the formation of a Japanese American military unit.

I ask unanimous consent that the "Fact Sheet on Commemorative Services Honoring America's War Dead and Japanese American Military Service in World War II," be printed in the Record at this point.

There being no objection, the fact sheet was ordered to be printed in the Record, as follows:

FACT SHEET ON COMMEMORATIVE SERVICES HONORING AMERICA'S WAR DEAD AND JAPANESE AMERICAN MILITARY SERVICE IN WORLD WAR II

WHY THESE COMMEMORATIVE SERVICES?

Just 20 years ago, Americans of Japanese ancestry were suspect citizens, with almost all of them on the continental mainland confined to war relocation camps after their mass military evacuation from their west coast homes and associations in the spring and summer of 1942. In the then Territory of Hawaii too, they were viewed with suspicion, though not subject to internment as were their fellow Japanese Americans in Alaska and the Pacific Coast States.

Today, Americans of Japanese ancestry are fully accepted and respected citizens of the United States. The more than 500 National, State, and local laws once directed against them, mostly in our Western States, have been repealed or nullified. Resident immigrant Japanese have now become naturalized citizens of the land of their adoption of more than 50 years ago and of their children's birth, as may other qualified Japanese nationals since 1952. The Japanese Exclusion Act of 1924 has been repealed and token immigration quotas extended to those of the Japanese race. Hawaii, with almost a third of its population of Japanese ancestry, has become a full-fledged State in our Federal Union. Americans of Japanese ancestry are being elected to public offices and appointed to high government responsibilities. Other Nisei (Japanese Americans) are winning recognition in business and commerce, in the sciences, in the arts, in almost every sphere of human activity and endeavor.

What caused this dramatic reversal of public sentiment?

There were, of course, many factors.

But, without doubt, the single most effective influence was the unparalleled record of loyalty and gallantry of Americans of Japanese ancestry in World War II—in all the branches of the services and in all the theaters of operations, in Europe against the German enemy and from Alaska, to the island-hopping invasions across the Pacific, and to the jungle-mountain-desert campaigns in China-Burma-India against the Japanese enemy.

Two decades ago this year, the Armed Forces of the United States were reopened to Japanese Americans, first on a volunteer basis and later on the same basis as for other Americans, thereby providing the opportunity to prove in battle against the common enemies that "Americanism is a matter of the mind and the heart; Americanism is not, and never was, a matter of race or ancestry."

It is for this reason that the Japanese American Citizens League (JACL), the only national organization of Americans of Japanese ancestry, is sponsoring on Sunday afternoon, June 2, 1963, commemorative "Services in the Grove," at the flagpole area adjacent to the Tomb of the Unknowns, in Arlington National Cemetery, to honor all of America's war dead, and particularly the Unknown Soldier of World War II (who may be of Japanese ancestry), and all Japanese Americans who served in our Armed Forces in World War II.

These Japanese American war heroes, living and dead, not only proved their Americanism and that of their fellow Nisei but also made available to those of similar ancestry the privileges, opportunities, and dignity of the American way. In a real sense, they proved that democracy can, and does, work.

Appropriately, honorary cochairmen for the services are Senator Daniel K. Inouye, a volunteer who won the Distinguished Service Cross while losing an arm with the 442d in Italy, and Congressman Spark M. Matsunaga, a Purple Heart veteran of both the 100th Infantry Battalion and of the Military Intelligence Service, both being from the State of Hawaii.

Coincidentally, too, on June 4, 1948—15 years ago—high ranking military, Government, and congressional officials participated in the interment services for Pfc's Sadao Tanamachi and Fumitake Nagato, both killed in action with the 442d. They were the first Americans of Japanese ancestry to be placed to rest in Arlington National Cemetery.

Nineteen other Japanese Americans lie in hallowed glory in Arlington, 18 who served with the 442d and one who served in Military Intelligence in Australia, New Guinea, Philippines, and Japan.

BACKGROUND

Following the attack on Pearl Harbor, December 7, 1941, the Government of the United States and the Selective Service System decided not to induct qualified Japanese Americans into the military services. Although the Army retained some of the 3,188 Nisei then in uniform, most of the various commands discharged those within their respective jurisdictions.

Subsequently, in the spring of 1942, in what the President's Committee on Civil Rights in 1947 described as "the most striking mass interference since slavery with the right to physical freedom," the Army evacuated more than 110,000 persons of Japanese ancestry, more than two-thirds of whom were American-born citizens, from the west coast of the United States and interned them in 10 relocation camps in interior wastelands.

While no similar mass evacuation and detention took place in the then Territory of Hawaii, some 3,000 miles closer to the Japanese enemy and an area that was actually attacked, persons of Japanese ancestry there too were viewed with suspicion and some hostility, though not nearly with the hate and hysteria that was directed against others of Japanese ancestry along the Pacific coast of the continental mainland.

Though the object of wartime prejudice, thousands of Americans of Japanese ancestry wrote to the President of the United States and the War Department, demanding the right to serve our country against our enemies. Several organizations, notably the Japanese American Citizens League, joined in urging the President and the War Department to authorize such service, recognizing that questions of undivided loyalty to the United States would continue to be raised against those of Japanese ancestry in certain circles until and unless such loyalty was demonstrated, beyond all doubt, on the battlefield, in mortal combat, against the enemies of the Nation.

Following exhaustive investigations and study, and as a consequence of the thousands of letters demanding to serve in the Armed Forces in spite of the unique burdens imposed on them by their own Army, the War Department on January 28, 1943, announced its willingness to accept qualified Japanese Americans on a volunteer basis.

"Loyal Americans of Japanese ancestry will compose a special unit in the U.S. Army. Plans have been completed for admission of a substantial number of Americans of Japanese ancestry to the Army of the United States. This action was taken following study by the War Department of many earnest requests by loyal American citizens of Japanese extraction for the organization of a special unit of the Army in which they could share in the fight against the Nation's enemies."

Then Secretary of War Henry L. Stimson explained the change in Army policy in these words:

"It is the inherent right of every faithful citizen, regardless of ancestry, to bear arms in the Nation. * * * Loyalty to country is a voice that must be heard, and I am glad that I am now able to give active proof that this basic American belief is not a casualty of war."

On February 1, 1943, then President Franklin D. Roosevelt addressed a White House letter to Secretary Stimson, endorsing the activation at Camp Shelby, Miss., of what has become known as the 442d Regimental Combat Team.

The President wrote:

"The proposal of the War Department to organize a combat team consisting of loyal American citizens of Japanese descent has my full approval. The new combat team will add to the nearly 5,000 loyal Americans of Japanese ancestry who are already serving in the Armed Forces of our country. (These included Japanese Americans then serving in service units, in the 100th Infantry Battalion (formerly of the Hawaiian National Guard), and in the Military Intelligence

Service in the Pacific against the Japanese enemy.)

"This is a natural and logical step toward the reinstitution of the selective service procedures which were temporarily disrupted by the evacuation from the west coast.

"No loyal citizen of the United States should be denied the democratic right to exercise the responsibilities of his citizenship, regardless of ancestry. The principle on which this country was founded and by which it has always been governed is that Americanism is a matter of the mind and the heart; Americanism is not, and never was, a matter of race or ancestry. A good American is one who is loyal to this country and to our creed of liberty and democracy. Every loyal American should be given the opportunity to serve this country wherever his skills will make the greatest contribution—whether it be in the ranks of our armed services, war production, agriculture, Government service, or other work essential to the war effort.

"I am glad to observe that the War Department, the Navy Department, the War Manpower Commission, the Department of Justice, and the War Relocation Authority are collaborating in a program which will assure the opportunity for all Americans, including Americans of Japanese ancestry, to serve their country at a time when the fullest and wisest use of our manpower is all-important to the war effort."

What followed is a matter of record.

According to the Selective Service System Special Monograph on Special Groups:

"Altogether 33,300 Nisei, more than half from the continental United States, served in World War II, almost equally divided between Europe and the Pacific. In the light of the total number who served in the Army, even considering the size of the Japanese American population group, these figures are impressive.

"Nor can statistics measure the quality of patriotic service rendered by Nisei citizens, only one generation removed from the rice paddies and temples of an oriental island empire."

Returning to the commemorative services marking the 20th anniversary of Japanese American military service in World War II, on November 18, 1943, due largely to the heroic exploits in Italy of the 100th Infantry Battalion composed of former Hawaiian National Guardsmen of Japanese ancestry, to the invaluable activities of Japanese Americans in the Military Intelligence Language Service (G-2) in the Pacific, and to the excellent training record of the 442d, Selective Service—without restrictions—was reopened to qualified Americans of Japanese ancestry.

442D REGIMENTAL COMBAT TEAM, AND 100TH INFANTRY BATTALION

The best known of Japanese American troops in World War II were the 442d Regimental Combat Team, and the 100th Infantry Battalion, which was later integrated into the 442d as its 1st Battalion, June 10, 1944, though retaining its identification as the 100th Battalion of the 442d Infantry Regiment.

The 100th Infantry Battalion was organized as the Hawaiian Provisional Infantry Battalion on May 28, 1942, on orders of Gen. George C. Marshall, Army Chief of Staff. Its enlisted men and most of its officers were former members of Hawaiian National Guard units which were inactivated after the Japanese attack on Pearl Harbor.

Immediately after the American victory at Midway, June 5, 1942, the Provisional Battalion left Hawaii for Camp McCoy, Wis. There it was redesignated as the 100th Infantry Battalion (Separate), or the One Puka Puka, and trained for infantry combat duties. In early January 1943, the 100th was transferred to Camp Shelby, Miss., for further training. It left Camp Shelby on August 11, 1943, and on September 2 debarked at Oran, North Africa. There it was attached to the 34th Infantry Division.

The 100th saw action in Italy beginning September 25, 1943, at Salerno, at Volturno, at the Rapido River, at Cassino, at Anzio beachhead, and on the breakthrough to Rome, prior to its integration into the 442d. In its rugged fighting through some of the more difficult battles of the early Italian campaign, the 100th earned its place in the military annals of our country, being given the identification of the "Purple Heart Battalion" because of its battle casualties. Indeed, it suffered so many casualties that most of the 1st Battalion of the 442d were used as replacements, so that when the 442d was sent overseas in May 1944, it sailed minus its 1st Battalion.

Without detracting in any way from the unprecedented record of the 100th Battalion which was the first all-Nisei unit in American history, this is more the story of the 442d Regimental Combat Team, which was composed only of volunteers and was activated with special Presidential blessing. It is probably the only World War II outfit whose motto, "Go For Broke," meaning to "shoot the works" or "go all out," has become an accepted part of the English language. It is said to be the only American unit of less than division strength to be cited by Winston Churchill on the floor of Britain's House of Commons and the only unit of regimental strength to be mentioned in General Marshall's war summation and to be honored with a special Presidential parade in Washington, where it received personally from then President Harry S. Truman its seventh Presidential Distinguished Unit Citation, more than any other regiment in U.S. history. It was featured in MGM's motion picture tribute "Go For Broke," which was released in 1951.

In testimony on numerous occasions before congressional committees, it has been described as "the most decorated unit in American military history for its size and length of service."

After the War Department and the President invited volunteers from among the Japanese Americans to enlist for combat duty early in 1943, within a week more than 10,000 eager Nisei in Hawaii volunteered. Though the response from the mainland was not nearly as enthusiastic, it was in some respects even more heartwarming, for most of these Japanese Americans had to volunteer from behind barbed wire fences of what might be referred to now as concentration camps, American style. These volunteers—some 2,500 in number though only 1,500 qualified for the 442d—had the courage and the vision to see beyond the watchtowers of the camps, into which the Army for which they were volunteering had sent their fathers, and mothers, and families, to the kind of country America had to be if it were to lead the world toward peace and freedom after the end of hostilities in World War II.

Because of Hawaii's response, its quota was doubled and on April 13, 1943, 2,686 volunteers from the Pacific Territory were received at Camp Shelby, where many of them had reunions with brothers, relatives, and friends in the 100th Battalion, then in final training there. The 1,500 mainland volunteers straggled in until late summer in ones and twos from such relocation camps as Manzanar and Tule Lake in California, Poston and Gila River in Arizona, Topaz in Utah, Minidoka in Idaho, Heart Mountain in Wyoming, Granada in Colorado, and Rowher and Jerome in Arkansas.

The 442d Regimental Combat Team was composed of the 442d Infantry Regiment, the 522d Field Artillery Battalion, the 232d Combat Engineer Company, and the 206th Army Ground Forces Band. Most of the officers of the 442d, especially in the beginning, were not of Japanese ancestry, though all of its enlisted personnel were. As might be expected, many of the enlisted volunteers won combat promotions in the field as commissioned officers, including now Senator DANIEL INOUYE.

It may be of incidental interest that the average military IQ of the 442d was 119 per man, which was some 9 points higher than that required for officer candidate school. But these Nisei had volunteered for combat, not for OCS.

Also of interest may be that five of the Masaoka boys volunteered for combat, more than any other known American family. One was killed, another is 100 percent disabled. Four of the Sakura boys volunteered.

Altogether, nine of the sons of Mr. and Mrs. Ginzo Nakada, now of Pasadena, have served in the Armed Forces—five during World War II, when two were in the 442d, two in Military Intelligence, and one with the Office of Strategic Services.

On June 2, 1944, the 442d landed in Italy. Eight days later, as previously noted, the 100th Infantry Battalion became its First Battalion, though retaining its special 100th Battalion identification in tribute to its own war record.

At dawn, June 26, 1943, north of Rome near the town of Suvereto, the 442d was first committed to the attack. A few days later, it was involved in the fighting for Hill 140, the main German line of resistance before the Arno River. The 442d participated thereafter in battles for Belvedere, Luciana, Leghorn, the crossing of the Arno, the southern France invasion and northward thrust, Bruyeres, the rescue of the Lost Texas Battalion, the holding action in the Maritime Alps, and back to Italy for the final drive to victory—La Spezia, Massa, Carrara, and Genoa. Incidentally, in the final 5th Army push, what started out as a diversionary attack became a full breakthrough when the 442d smashed the anchor of the Gothic Line that had held up the Allied advance for 5 months in less than 5 days and hurried Victory in Italy Day considerably.

Among the major infantry divisions to which the 442d was attached in Italy and in France were the 34th "Red Bull" Infantry Division, the 36th Texas Infantry Division, and the 92d "Buffalo" Infantry Division. It was attached to the 5th Army in Italy and to the 7th Army in France.

Probably the best known single action of the 442d was its rescue of the Lost Texas Battalion, the First Battalion of the 141st "Alamo" Infantry Regiment of the 36th Texas Infantry Division, in the forests of the Vosges Mountains in northeastern France, near Biffontaine and Bruyeres, on October 30, 1944.

According to the official history of the 36th Texas Division, "the Fighting 36th":

"The beleaguered force (1st Battalion, 141st Infantry Regiment) held on. It was completely surrounded and heavily bombarded by enemy artillery. Of a combat patrol of 40 men sent out to get through to our lines, only 5 returned. Lieutenant Blonder, to conserve his radio batteries, communicated with regiment only twice a day. For 3 more long days, the 100th and 3d Battalions, 442d, struggled along the trail. The Germans had to be dug out by bayonet.

"The crisis came on the 29th day when a furious counterattack by the Germans was beaten off by the 3d Battalion, 442d. Early next day, the Nisei broke through. The 211 surviving brave men, who had withstood a 7-day siege without food or water or little ammunition, had been rescued by their courageous comrades of the 442d, whose companies in many cases had shrunk to 40 or 50 men out of 200 men that started the rescue. No greater example of fortitude and courage was shown in the war."

In gratitude, the men of the 36th Division began a drive to have all members of the 442d declared "Honorary Texans."

Also, in another unprecedented gesture, the 211 survivors purchased out of their own pockets a silver plaque and presented it to the 442d. The inscription simply read: "To the 442d Infantry Regiment: With deep appreciation and upmost (sic) appreciation for the gallant fight to effect our rescue after we had been isolated for 7 days: 1st Bn. 141 Infantry Regiment; Biffontaine, France; from 24th to 30th October 1944."

Altogether, the records of the Selective Service System reveal that the 442d Regimental Combat Team was involved in seven major campaigns—in Italy, in France, and in Italy again.

In these campaigns, it suffered 9,486 casualties, or more than 300 percent of its original infantry strength, including more than 600 killed in action. In terms of Purple Hearts, this means almost 9,500, including oak leaf clusters. Some men had Purple Hearts with three oak leaf clusters.

Among the 18,143 individual decorations for bravery were 1 Congressional Medal of Honor, 52 Distinguished Service Crosses, 1 Distinguished Service Medal, 28 oak leaf clusters to the Silver Stars, 560 Silver Stars, 22 Legions of Merit, 15 Soldiers' Medals, approximately 1,200 oak leaf clusters to the Bronze Star Medals, approximately 4,000 Bronze Star Medals, 12 French Croix de Guerre, 2 palms to the French Croix de Guerre, 2 Italian Medals for Military Valor.

Among its unit honors were 7 Presidential Distinguished Unit Citations, 2 Meritorious Service Unit Plaques, 13 Army commendations, and 43 division commendations. But treasured most of all by the officers and men is the silver plaque presented by the survivors of the rescued Lost Texas Battalion.

Several correspondents, including Ernie Pyle, wrote that, though the men of the 442d killed more than their share of Germans, it was particularly noteworthy that most of their personal bravery decorations were awarded for saving the lives of their comrades.

Typical of these awards is the Congressional Medal of Honor awarded posthumously to Pfc. Sadao S. Munemori, whose mother, Mrs. Nawa Munemori, now of Los Angeles and a naturalized American citizen, will be one of the guests of honor at the commemorative services. Incidentally, on October 31, 1947, the U.S. Army renamed its cargo ship, *Wilson Victory*, the U.S.S. *Private Sadao S. Munemori*, and converted it into a troop transport, the first and only U.S. vessel to be named after a Japanese American.

During the final Po Valley campaign in northern Italy in April 1945, this young Los Angeles native who had volunteered from the Manzanar Relocation Center, an assistant squad leader in Company A, 100th Battalion, 442d Infantry Regiment, took over command of his squad when his squad leader was wounded. Though his unit was pinned down by heavy machinegun fire and grenades from an enemy emplacement on a solid rock peak ahead, he made frontal, one-man attacks through direct fire and knocked out two machine gun nests with his own grenades. While withdrawing under murderous machinegun fire and grenade fire from other enemy emplacements, and at a time when he was near a protective shell crater, he dived on an unexploded grenade that had bounced off his helmet and smothered the blast with his own body. By making the supreme sacrifice, he saved at least the lives of two of his nearest comrades.

While there were hundreds of individual heroes in the 442d, and the 100th for that matter too, their story is essentially one of dramatizing the group heroics and group loyalty of one nationality group in the United States—the Japanese Americans who, because of their "racial affinity," as the U.S. Supreme Court described it, were subjected to misjudgment and mistreatment such as has been visited on no other American minority in our history.

When then President Truman affixed the 7th Presidential Distinguished Unit Citation to the colors of the 442d, following a special Washington parade and Presidential review on the White House grounds, July 15, 1946, he declared:

"It is a very great pleasure for me today to be able to put on the seventh Regimental Citation on your banner.

"You are to be congratulated on what you have done for this great country of ours. I think it was my predecessor who said that Americanism is not a matter of race or creed, it is a matter of the heart.

"You fought for the free nations of the world along with the rest of us. I congratulate you on that, and I can't tell you how much I appreciate the privilege of being able to show you just how much the United States of America thinks of what you have done.

"You are now on your way home. You fought not only the enemy, but you fought prejudice—and you won. Keep up that fight, and we will continue to win—to make this great Republic stand for what the Constitution says it stands for: 'the welfare of all the people all the time.'"

As a final summary of the kind of fighting engaged in by the 442d is the following, the seventh Presidential Distinguished Unit Citation presented by then President Truman in the above-mentioned ceremony:

"BATTLE HONORS: 442D REGIMENTAL COMBAT TEAM

"(General Orders No. 34)

"WAR DEPARTMENT,
"*Washington, D.C., April 10, 1946.*

"VII. Battle honors: As authorized by Executive Order 9396 (sec. I, WD Bull. 22, 1943), superseding Executive Order 9075 (sec. III, WD Bull. 11, 1942), the following units are cited by the War Department under the provisions of section IV, WD Circular 333, 1943, in the name of the President of the United States as public evidence of deserved honor and distinction. The citations read as follows:

"2. The 442d Regimental Combat Team (less the 552d Field Artillery Battalion) composed of the following elements: 442d Infantry Regiment and 232d Combat Engineer Company, is cited for outstanding accomplishment in combat for the period April 5–14, 1945, in the vicinity of Serravezza, Carrara, and Fosdinovo, Italy. When the 92d Infantry Division with the 442d Regimental Combat Team attached was ordered to open the 5th Army offensive by executing a diversionary attack on the Ligurian coast of Italy, the combat team was ordered to make the main effort of the attack. It was done by executing a daring and skillful flanking attack on the positions which formed the western anchor of the formidable Gothic line. In 4 days, the attack destroyed positions which had withstood the efforts of friendly troops for 5 months. This was accomplished in the face of skilled enemy forces nearly equal in strength to the attacking forces and who had at least 5 months in which to improve their position. The 442d Regimental Combat Team drove forward, despite heavy casualties. Allowing the enemy no time for rest or reorganization, the combat team liberated the city of Carrara, seized the heights beyond, and opened the way for further advances on the way to the key road center and port of La Spezia and to Genoa. It accomplished the mission of creating a diversion along the Ligurian coast, which served as a feint for the subsequent breakthrough of the 5th Army forces into Bologna and the Po Valley. The successful accomplishment of this mission turned a diversionary action into a full-scale and victorious offensive, which played an important part in the final destruction of the German armies in Italy. The gallantry and esprit de corps displayed by the officers and men of the 442d Regimental Combat Team in bitter action against a formidable enemy exemplify the finest traditions of the Armed Forces of the United States.

"By order of the Secretary of War:

"DWIGHT D. EISENHOWER,
"*Chief of Staff.*

"Official:

"EDWARD F. WITSELL,
"*Major General, the Adjutant General.*"

MILITARY INTELLIGENCE SERVICE

Although not nearly as well publicized or known by the general public, about as many Japanese Americans served in the Military Intelligence Service (MIS) in the Pacific as were in the 442d. And, in many ways, their contributions to victory were more dramatic and important than were those of their fellow Nisei in the European theater. As a matter of fact, much of their work is still classified by the Department of Defense.

In a special message to the Ninth Biennial National Convention of the Japanese American Citizens League held in Denver, Colo., February 28, 1946, then President Truman declared in part:

"It is significant that of the 33,000 Americans of Japanese ancestry who served in the Armed Forces, there were a great number of casualties, including hundreds who died for the American way of life.

"The record is documented by episodes of the highest valor. Yet the noblest evidence of their devotion to America is that in fighting for their country, those assigned to the Pacific theater had to fight people of their own race. This they did, knowing that in victory for the American cause was victory for all mankind.

"Their service is a credit not only to their race and to America, but to the finest qualities in human nature."

When strained relations in the summer of 1941 suggested the possibility of war with Japan, it was discovered that in the actual prosecution of any Pacific war, intelligence work would not be successful without knowledge of the Japanese language. Accordingly, in the highest secrecy, the military decided to establish a military intelligence service language school (MISLS).

While it was hoped at first that there would be enough Japanese-speaking Nisei so that a few weeks' review in general Japanese vocabulary and a little instruction in military Japanese terminology and combat intelligence would be sufficient to fit them for field duty, it was soon learned that, after a survey of the first 3,700 Nisei, only 3 percent were relatively accomplished linguists, only about another 4 percent were proficient, and a further 3 percent could be useful only after a prolonged period of training. In other words, the racists notwithstanding, the Americanization of the Nisei on the Pacific coast had advanced more rapidly than most of the U.S. public was aware.

On November 1, 1941, the 4th Army Intelligence School opened in a remote converted hangar in the Presidio at San Francisco, with 60 students, 58 of whom were Nisei. Then Pfc. John F. Aiso was discharged into the Enlisted Reserve Corps to assume his duties as chief instructor. He was subsequently commissioned as a major and was the head of academic training for the school when it moved, first, to Camp Savage and then Fort Snelling, Minn., after the mass evacuation of all persons of Japanese ancestry from the west coast in the spring of 1942. As one of the first Japanese Americans to become involved in this program, and as one with major responsibility for its success, now a colonel (Reserve) in the Judge Advocate General's Corps of the Army, and Los Angeles Superior Court Judge, John Aiso will participate in the June 2 commemorative services.

After the school was moved to Camp Savage in June 1942, the classes were enlarged. It was after the 100th Infantry Battalion had been moved to Wisconsin that the first Hawaiian Nisei were transferred to MIS.

After the call for volunteers early in 1943, those who had special capabilities in the Japanese language were assigned directly to Camp Savage, though they had volunteered for the 442d. Incidentally, on July 7, 1943, Company S, composed of Nisei language specialists from Camp Savage, reported to Camp Shelby and the 442d, for combat training in the field preparatory to being shipped overseas.

Late in 1944, the school was shifted to the more permanent surroundings of historic Fort Snelling.

In June 1945, the first and only Women's Army Corps (WAC) unit was activated as a part of the school.

After the defeat of Germany in Europe, America's armed might shifted completely to the Pacific. To meet this new challenge, the MIS courses had to be accelerated again. Then, after the surrender of Japan in midsummer 1945, MISLS had to shift its emphasis from military Japanese to so-called occupation Japanese.

When MISLS held its 21st commencement at Fort Snelling, June 8, 1946, it had graduated some 6,000 troops, most of whom were Nisei.

Thirty-five of the first MISLS graduating class, soon after the attack on Pearl Harbor, were assigned to the Guadalcanal and the Alaskan areas. These 35 language specialists, being pioneers in their field, left without having any ratings whatsoever, since there was no existing table of organization for this specialty. Not until a year later, when their work was recognized by the various division and Army commanders, did they receive their first stripes.

The first campaign in which they proved themselves was in the Battle of Guadalcanal.

These guinea pigs, as Japanese language specialists, were also instrumental in translating the imperial Japanese Navy battle plans, which proved to be the deciding factor in the U.S. Navy's dealing the Japanese fleet its worst defeat in naval history off the northeast coast of the Philippines later in the war.

Graduates of the MISLS were assigned to approximately 130 Army and Navy units, with the Marine Corps, and also were loaned to our Allies. They were attached to the Joint Intelligence Center, Pacific Ocean area, with headquarters in Hawaii. Teams of at least 10 linguists were selected for each of the headquarters of more than a score of infantry divisions in the Pacific. Other language teams were assigned to the Joint Intelligence Collecting Agency, which later combined with British Intelligence to form the Southeast Asia Translator and Interrogator Center with headquarters in New Delhi.

Teams were also assigned to Merrill's Marauders, Mar's Task Force, Far Eastern Air Forces, and the China-Burma-India theater. During the Attu and Kiska campaigns off the Alaska coast, nearly 50 MIS graduates were working out of the advance Alaska department, with headquarters in Adak.

These Nisei combat intelligence men became the eyes and the ears of not only the American fighting forces, but also that of other Allied armies fighting the Japanese. The Army prepared these men for manifold duties as interrogators, interpreters, translators, radio announcers, propaganda writers, and cave flushers, among their more usual activities.

Because of these Japanese American language specialists, who had to have at least two non-Nisei GI's assigned to them to prevent their being mistaken by their own American troops for the enemy when in the field, it is said that "never before in history did one army know so much concerning its enemy prior to actual engagement as did the American Army during most of the Pacific campaigns."

Graduates of the MISLS translated the entire Japanese battle plans for the naval battle of the Philippines. These plans were captured from commander in chief of the combined Japanese fleets when the plane in which he was hurrying to join his fleet made a forced landing in the Philippines. Likewise, the complete Japanese plans for the defense of the Philippines were also made known long before the landing on Leyte.

Guadalcanal, Buna, New Georgia, Myitkyina, Attu, Munda, Peleliu, Tarawa, Saipan, Iwo Jima, Leyte, Okinawa—these are to mention only a few of the places where American troops were aided by Nisei combat intelligence. And these non-Nisei soldiers will long remember the Japanese American combat intelligence men who lie where they fell—not in a confined cemetery, but in the steaming jungles and sandy beaches far from home.

"The indispensability of the linguists cannot be summarized in a few paragraphs. It can well be said that without the participation of these Nisei, the U.S. forces would have battled against greater odds. Information and knowledge of the enemy obtained by these men cannot be measured in words but by the weight of victory itself."

According to a newspaper report of October 14, 1945, Allied Headquarters in Tokyo for the first time officially revealed the use of Nisei troops in ATIS. It said that approximately 2 million documents were classified by ATIS according to tactical, strategic, and long-range value. Some 20 million pages of translations were made and thousands of prisoners interrogated. The Nisei, who were described as America's "Human Secret Weapon" against the Japanese, were so efficient that captured documents sometimes proved their worth within 20 minutes after seizure by American soldiers when U.S. troops were sent against the new enemy installations they disclosed.

The importance of Nisei combat intelligence troops is indicated in a news dispatch of mid-August 1944, reporting that six Japanese Americans, four evacuees from California and two from Hawaii, had been awarded Bronze Stars Medals for aiding in the capture of Saipan, in the Marianas.

Another example is Sgt. Frank Hachiya, whose name was removed from a courthouse honor roll in Oregon because he was of Japanese ancestry and who received posthumously the Distinguished Service Cross, the highest decoration for valor awarded a Nisei in the Pacific in World War II. Dropped behind Japanese lines weeks before the attack, he was mortally wounded by the invading American troops who mistook him for the enemy. Though dying, he managed to crawl to an American officer and deliver the maps of the Japanese defense of Leyte. By his heroic services, he saved the lives of hundreds of his fellow Americans and shortened the campaign in the Philippines considerably. Hachiya's exploits in MIS are typical of those of thousands of other Nisei in this highly sensitive and important wartime activity.

Californian Frank Bonham, writing in "Burma Rifles," declared:

"Merrill's Marauders were a small unit. They carried the lightest of weapons, ate the meagerest of rations, and were burdened with little credit even from their own rear-echelon headquarters. Yet they carried their own sort of heavy artillery—courage beyond the call of duty—and of the men who demonstrated this quality none were more outstandingly courageous than the 14 members of the little group of Nisei who marched with them.

"In his perceptive and beautifully literate history of the 5307th Composite Unit (Provisional), Charlton Ogburn, himself an ex-Marauder says of them:

" 'All of us, I suppose, when we are moved to reflect upon what human beings are capable of, find that certain images come to mind as illustrations of surpassing achievement. One that will always leap to mine is a composite recollection of Nhpum Ga, and of no part of it more than the heroism, moral as well as physical, of those Nisei, Matsumoto of 2d Battalion, and in the 3d Edward Mitsukado and Grant J. Hirabayashi, decorated for—among other services—their persistent volunteering to go forward to intercept the commands of the enemy when the lead units were engaged by trailblocks.' "

"And General Charles Willoughby, General MacArthur's Chief of Staff for Intelligence states that the Nisels shortened the war in the Pacific by 2 years, in enabling the Allies to learn the real strength of the Japanese army.

"But perhaps the real meaning of their sacrifices and courage for us other Americans is expressed in something Gen. Joseph W. Stilwell—"Vinegar Joe"—had to say about the Japanese American soldier at the conclusion of World War II.

" 'The Nisei bought an awfully big hunk of America with their blood. We cannot allow a single injury to be done them without defeating the purposes for which we fought.' "

In his autobiography "I Was an American Spy," Col. Sidney F. Mashbir, who commanded the Allied Interpreter and Translator Service, in which thousands of Nisei served, devotes a whole chapter to "The Nisei." He begins his chapter with these paragraphs:

"I want to make an unequivocal statement in regard to the Americans of Japanese ancestry who, being American citizens, fought by our side in the war. Had it not been for the loyalty, fidelity, patriotism, and ability of these American Nisei, that part of the war in the Pacific which was dependent upon intelligence gleaned from captured documents and prisoners of war would have been a far more hazardous, long-drawn-out affair.

"The United States of America owes a debt to these men and to their families which it can never fully repay. At a highly conservative estimate, thousands of American lives were preserved and millions of dollars in materiel were saved as a result of their contribution to the war effort. It should be realized, also, that this group of men had more to lose than any other participating in the war in the Pacific. Had any of them been captured, their torture would have been indescribable. They would have been literally taken apart with tweezers, and death would have been the kindest thing that could possibly have happened to them. Not only that, but being of Japanese descent their relatives in Japan, if identified, would have been subjected to the most harsh and brutal cruelties which could have been devised."

Other comments, among many that are available, that may be of interest are:

Maj. Gen. C. A. Willoughby, assistant, Chief of Staff, G-2, GHQ, Pacific: "We used them even on Bataan. They collected information on the battlefield, they shared death in battle, and when one of them was captured his fate was a terrible one. In all, they handled between 2 and 3 million documents. The information received through their special skills proved invaluable to our battle forces."

Col. William Van Antwerp, general staff, G-2, 27th Infantry Division: "The Makin operation afforded the first opportunity for the language section of this division to operate in combat. Their actions and the results of their work reflect high credit on them and the Military Intelligence Service Language School. We would have been twice as blind as we were, without the graduates.

Without a doubt, they have saved many American lives."

Maj. Gen. Clayton Bissell, assistant chief of staff, G-2, WDGS: "If you are ever questioned as to your loyalty, don't even bother to reply. The magnificent work of the graduates in the field has been seen by young fellow Americans of many racial extractions. Their testimony to your gallant deeds under fire will speak so loudly that you need not answer."

Joe Rosenthal, news cameraman, Pulitzer prizewinner: "They work so close to the enemy on these missions that with the danger of being killed by Japs, they run the risk of being shot, unintentionally, by our own marines. Many have paid with their lives. They have done an outstanding job, and their heroism should be recognized. It has been recognized by the marine commanders where I saw them in action at Guam, Peleliu, and Iwo."

OTHER SERVICES

Although more is known of Japanese Americans who served in the 442d and the 100th in Italy and France, and with Military Intelligence in the Pacific, others of Japanese ancestry served with other combat units in Europe. Nisei who were not in military intelligence also served in the Pacific too, some as paratroopers.

In addition, Nisei served with honor in the Air Force, in the Navy, in the Marines, in the Office of Strategic Services, in the Coast Guard, in the merchant marine, and in the Seabees. Nisei women served in the WAC's, as Army nurses, and with the United Nations Relief and Rehabilitation Agency.

No fact sheet of Japanese Americans in World War II would be complete, however, without special mention of Sgt. Ben Kuroki, of Hershey, Nebr. He volunteered the day after Pearl Harbor and, somehow, was accepted into the Air Force. He was the first Japanese American to fight under fire in both North Africa and Europe, being a tail gunner on a Liberator bomber over Axis-held territory. He flew two full tours in the ETO, including the storied bomber raid on the Ploesti oilfields in Rumania. After 30 combat missions, though eligible for an honorable discharge, he insisted upon and received an assignment in the Pacific, where he engaged in 28 more combat bombing flights in B-29's, including raids over Tokyo. Altogether, he flew 58 combat bombing missions, in 2 theaters, and earned 3 Distinguished Flying Crosses and the coveted Air Medal with 5 oak leaf clusters. He was one of four Kuroki brothers who served in World War II.

Probably the only Nisei to earn a Navy Cross and a combat citation in World War II was Lt. James Oda, of Honolulu, Hawaii, of the merchant marine. He saw active wartime service in the Atlantic, Mediterranean, and Pacific waters.

JUNE 2 COMMEMORATIVE SERVICES

The commemorative services on June 2 will feature spoken tributes to America's known and unknown hero dead, and to all Japanese Americans who served in our Armed Forces in World War I.

As the climax to the "Services in the Grove," National JACL President K. Patrick Okura, of Omaha, Nebr., will present a floral wreath at the Tomb of the Unknowns, as a mark of respect to all of America's war dead, including those of Japanese ancestory. One of his brothers was killed while with the 442d, while another served with military intelligence in the Pacific.

Then, in a later ceremony at the Battleship *Maine* Monument, Mrs. Nawa Munemori, mother of the Congressional Medal of Honor Winner Sadao S. Munemori and a naturalized U.S. citizen of Los Angeles, will lay a wreath to the memory of seven Japanese who went down with the Battleship *Maine* when it was sunk in Havana Harbor, Cuba, April 15, 1898. The seven are Suke Chingi, Otogiro Ishida, Yukichi Kitagawa, Tomekichi Nagamine, Mas Ohye, Isa Sugisaki, and Kashitara Susuki (sic).

Finally, the graves of the 21 Japanese-American war heroes who lie in honored glory in Arlington will be decorated individually by those attending the services. Nisei interred at Arlington are Pvt. Victor Hada, Sgt. Haruo Ishida, Cpl. Jimmie T. Kokubu, Pfc. Tamotsu Thomas Kuge. Pvt. Ben Frank Masaoka, Pfc. Roy T. Morihiro, Pfc. Kiyoshi Murakami, T. Sgt. Hisao Matsumoto, Pvt. Hiroshi Nagano, Pfc. Fumitake Nagato, Pvt. John M. Nakamura, Private First Class Raito and Sgt. Wataru Nakashima (brothers), Pvt. Stanley T. Oba, Pfc. Lloyd M. Onoye, T. Sgt. Jimmy T. Shimizu, Pfc. John Tanaka, Pfc. Saburo Tanamachi, Pfc. Shichizo Toyota, and Sgt. George T. Yamaguchi. All except Matsumoto were killed in action with the 442d.

For general informational purposes, following is the Japanese American creed and the JACL hymn, both of which suggest the character of these services:

"THE JAPANESE AMERICAN CREED

"I am proud that I am an American citizen of Japanese ancestry, for my very background makes me appreciate more fully the wonderful advantages of this Nation. I believe in her institutions, ideals, and traditions; I glory in her heritage; I boast of her history; I trust in her future. She has granted me liberties and opportunities such as no individual enjoys in this world today. She has given me an education befitting kings. She has entrusted me with the responsibilities of the franchise.

"She has permitted me to build a home, to earn a livelihood, to worship, think, speak, and act as I please—as a freeman equal to every other man.

"Although some individuals may discriminate against me, I shall never become bitter or lose faith, for I know that such persons are not representative of the majority of the American people. True, I shall do all in my power to discourage such practices, but I shall do it in the American way: aboveboard, in the open, through courts of law, by education, by proving myself to be worthy of equal treatment and consideration. I am firm in my belief that American sportsmanship and attitude of fairplay will judge citizenship and patriotism on the basis of action and achievement, and not on the basis of physical characteristics.

"Because I believe in America, and I trust she believes in me, and because I have received innumerable benefits from her, I pledge myself to do honor to her at all times and in all places; to support her constitution; to obey her laws; to respect her flag; to defend her against all enemies, foreign or domestic; to actively assume my duties and obligations as a citizen, cheerfully and without any reservations whatsoever, in the hope that I may become a better American in a greater America."

—MIKE MASAOKA.

(As read before the U.S. Senate and printed in the CONGRESSIONAL RECORD May 9, 1941.)

"JACL HYMN

"(Music by Marcel J. Tyrrel)
"(Words by Marion G. Tajiri)

"There was a dream my father dreamed for me:
A land in which all men are free—
Then the desert camp with watchtowers high,
Where life stood still, mid sand and brooding sky.
Out of the war in which my brothers died—
Their muted voices with mine cried—
This is our dream that all men shall be free.
This is our creed; we'll live in loyalty.
God help us rid the land of bigotry
That we may walk in peace and dignity."

INTER-AMERICAN DEVELOPMENT BANK AND THE ALLIANCE FOR PROGRESS

Mr. HUMPHREY. Mr. President, it was my privilege to attend the fourth annual meeting of the Inter-American Development Bank as a congressional adviser to the U.S. delegation. I would like to report briefly on this conference, which was held at Macuto, near Caracas, Venezuela, April 22 through 26.

The fourth meeting of the Bank, held 3 years after the Bank was established, was attended by government officials, diplomats, bankers, businessmen, and private citizens from all over Latin America, Europe, and the United States. The presence of leading governmental and financial figures of the Western World is but another indication that the Bank has become a major international financial institution, an indispensable instrument in achieving the aims of the Alliance for Progress.

Despite more skepticism in the United States than many would care to remember, the Bank in a brief period of 3 years is well on the way to achieving in the Western Hemisphere the esteemed position which the World Bank now occupies in the entire free world. Under the able leadership of Mr. Felipe Herrera, the Bank has won wide respect among international bankers, among statesmen in Europe and the Americas, and among officials responsible for implementing the Alliance for Progress program.

In bringing together key officials and leaders from every Latin American country, the Bank is also contributing to the integration of Latin America that has long been desired. As our European friends have often reminded us, the first step essential to integration is the creation of friendship, respect, and trust among the leaders of the individual countries. By attending inter-American meetings such as the annual Bank meeting, Latin leaders have for the first time come to know each other well, have become familiar with problems of their neighbors in Latin America. It is on the basis of this mutual friendship and confidence that the eventual economic and political integration of the continent will proceed.

Of the subjects considered on the formal agenda of the meeting, two should be noted here. First, the Board of Governors of the bank approved a proposed increase of $1.3 billion in the bank's capital. During the 3 years of its existence the bank extended over $727 million in loans to finance new programs in housing, education and health, and new factories and industries, to develop agricultural credit systems, and to permit expansion in the fields of power and transportation. Its handling of these loans won a resounding vote of confidence at the meeting, in that the proposal to increase the bank's capital by $1.3 billion was approved without dissent.

The second major problem considered, and perhaps the most significant accomplishment of the meeting, was the establishment of an export-financing program to finance exports among Latin American countries. This new program, to be supported by an initial fund of 30 million dollars, is designed to stimulate industrialization and diversification of exports.

In my report on the Alliance for Progress issued in March of this year, I discussed this problem of stimulating intraregional trade:

> Another essential means of strengthening the private sector is through expansion of trade. The private sector of Latin American economics cannot be strengthened unless markets are available for exports, both commodities and manufactured products. The immediate need is to expand trade between Latin American countries—which is now only 10 percent of their total trade. One finds that oil imports into Brazil from Venezuela have declined from 75 to 25 percent. Yet Brazil today imports most of the remaining oil from Kuwait and the Soviet Union, claiming that it lacks the foreign exchange reserves to purchase from Venezuela. According to Brazilian businessmen, the needed reserves could be earned through the sale of manufactured goods produced in Brazil if a market were available for them. Because of existing manufacturing patterns set by large international firms, goods such as automobile parts and other machinery are produced in the United States and shipped to Venezuela, rather than produced by subsidiaries of international firms located in Brazil. To the extent that this is true, U.S. firms will have to consider increasing the share of products manufactured in Latin American countries for trade with neighboring countries.
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> One possible way of increasing this intercountry trade would be through the establishment of an export credit system modeled on the U.S. Export-Import Bank. Such a system might be worked out through OAS members, possibly administered through institutions such as the Inter-American Development Bank and/or through the Central American Bank.

The program now launched by the Inter-American Development Bank marks a promising beginning toward providing the medium-term financing required for expanding intraregional trade.

Before moving on to discuss the subject of private enterprise, I would like to add one word about the Central American Bank, the sister institution of the Inter-American Development Bank.

At the meeting in Venezuela a strong feeling of satisfaction was expressed at the progress already achieved toward economic integration in Central America. And a strong consensus exists that much of the credit for this progress in such a brief period is due to the Central American Bank, which has in turn been supported by the Inter-American Development Bank. With the continued support of the Inter-American Development Bank, the Central American Bank will continue to provide leadership for the economic integration movement of this area.

At the meeting in Venezuela, a good deal of attention was focused on the problems of private enterprise in Latin America today. One of the promising prospects now being given increasing attention is the possibility of sizable European private and public investment in Latin America. With the Development Assistance Committee of the OECD as an existing channel for European public investment in Latin America, the Inter-American Development Bank is now turning its attention to developing an appropriate mechanism through which European private investment can be channeled into Latin America.

The Bank called a special meeting in early April in Paris to consider new ways of cooperating the Bank with European countries in obtaining greater European participation in Latin America. To achieve this the Bank is now working closely with Common Market authorities, with the OECD and with European private groups such as the International Christian Union of Business Leaders—UNIAPAC—and with the Atlantic Institute.

My discussions at the Bank meeting with leaders of the UNIAPAC group, who have launched a special project for Latin America, convinced me that the European effort may have profound consequences for the success of the Alliance for Progress in Latin America. The reason is this: What they are attempting to achieve is not only a larger investment of capital in Latin America, but also a fundamental change in attitude in the part of the business community, a change from a shortsighted, narrow, profit-dominated view of private enterprise to an acceptance of a public-spirited, socially minded business system which is sensitive to the social and economic needs of all members of society.

It is significant of the growing recognition that Europe must play a large role in the Alliance for Progress that another group has recently been formed under North American auspices, with the same stated objective of fostering greater European private investment in Latin America. I refer to the group headed by my Republican colleague from New York [Mr. Javits], called the Atlantic Assistance Development Group for Latin America. It is the hope of this group, in which I have collaborated with the Senator from New York [Mr. Javits], that by the end of this year an increased European interest in Latin America will have been stimulated, interest which will express itself immediately in a form of new investments in one or two South American countries. It is also the task of the group to work with the Inter-American Development Bank and the OAS in perfecting a mechanism that can serve as a permanent channel for European capital flowing into Latin America. I discussed this project with Latin American European, and American businessmen and Government officials, and can report that they welcome any contribution that it might make toward increasing Europe's role in the Alliance for Progress.

In my discussions with Latin American leaders at the Inter-American Development Bank meeting, I heard repeated references to one disquieting pattern of events of the past year in Latin America. I refer to the interference in the constitutional democratic governments of certain countries. President Romulo Betancourt of Venezuela stated the problem admirable in his opening address at the bank meeting:

> In the opinion of those who take a realistic view of the present situation in Latin America, peaceful structural change is dependent upon political stability. It is impossible to carry out long-term development programs unless they are conducted by democratic, freely elected governments which are subject to free analysis and criticism by public opinion. The so-called strong governments can succeed, as they have succeeded, in Latin America in temporarily repressing the aspirations of the people to a better life and of free enterprise to the development of its wealth creating activities. But each and every strong government, once it has been removed from the national scene, has left a heritage of fiscal disequilibrium, economic disorder, and deep-seated social rancor.
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> I am addressing myself here to many who have guiding responsibilities in the private financial circles of their respective countries. And it is to them in particular that I wish to say that the worst kind of transaction that can be engaged in by a businessman is to aid or foment a coup d'etat. This is well understood by some but, unfortunately, not by all. It is also increasingly understood by some military leaders. In several Latin American countries, including Venezuela, the armed forces have come to realize that it is in the best interest of their country and of the military establishment itself to turn a deaf ear to those who would incite them to carry out a military coup, for armed uprisings are invariably captured by a dictator and his followers, with detriment to the country and to the men in uniform.
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> It has always been true in Latin America that the use of force, rather than free elections, to replace the government has yielded negative results which, in these times can assume clearly menacing characteristics. From its source in Havana a violent message of hate is going out to all Latin America. This message is promoted and financed by the Sino-Soviet axis, which has succeeded in establishing its bridgehead in our hemisphere. When our peoples lose faith in the ballot, in the regular and peaceful succession of governments by electoral means, they will be tempted to follow the Cuban example.

It is my hope that the future will show that the events of the past year represent a temporary aberration, rather than a permanent trend. It is my belief that political democracy is an indispensable basis for the success of the Alliance for Progress. I believe this view is widely shared in the Senate and in the Congress. I believe that the strong support which the U.S. Congress has given to the Alliance for Progress cannot easily be sustained if political democracy is easily sacrificed before some short-range expediency. Indulgence in such short-range expediency is frequently the road to long-term disaster.

Mr. President, in concluding my remarks on the fourth annual meeting of the Inter-American Development Bank, I would like to call to the attention of my colleagues two excellent addresses which give a lucid and more complete account of the proceedings of the Bank during the past year. I refer to the address of the President of the Bank, Mr. Felipe Herrera, and that of AID Administrator David Bell, who with the Secretary of the Treasury headed the U.S. delegation to the meeting. I recommend both of these excellent addresses to my colleagues and ask unanimous consent that they be printed in the Record.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

ADDRESS BY THE PRESIDENT OF THE INTER-AMERICAN DEVELOPMENT BANK, MR. FELIPE HERRERA, IN THE SECOND PLENARY SESSION, APRIL 23, 1963

Mr. President, distinguished Governors, today, inspired by the generosity of this cordial land of Venezuela, we are initiating the work of the fourth regular meeting of the Board of Governors. Scarcely 3 years have passed since the Inter-American Development Bank first opened its doors. However, for those of us who were entrusted with the honorable and weighty responsibility of launching and planning the work of the institution, these 3 years have signified an experience far more profound and extensive than the passage of chronological time alone could indicate.

At the first meeting of this Board, held in San Salvador in February 1960, the underlying concept of the nascent institution was ratified; 1 year later, in Rio de Janeiro, I reported that the basic organization had been completed and the guidelines established for our operations, which had just begun. In April 1962, at Buenos Aires, I was able to describe a going concern wholly engaged in the work for which it had been created. Today I speak with the assurance of doing so on behalf of an organization which, despite its brief existence, has become consolidated as an institution, is exerting considerable influence on the progress of Latin America and on relations among its member countries, and, perhaps most important of all, can lay claim to tangible accomplishments in a community of nations that is vigorously striving to overcome the factors that still limit its progress. While in Buenos Aires we noted the substantial increase in financial resources committed; in this meeting we can point as well to specific achievements in the installation of factories, public services and housing, investments in the agrarian sector, power and transportation.

The Governors are already acquainted with the activities of the Inter-American Bank during 1962 and with its financial results for that year through the reports on our own resources and on the funds entrusted to us for administration. Hence, my remarks this morning will touch on only a few particularly significant aspects of our work, and those relating to the tasks before us and to the general financial position of Latin America.

RESOURCES AND INVESTMENTS

The year 1962 marks the completion of the process of formation of our own original resources. By October 31 of last year, all our members had paid in full their three installments of capital payable in cash and their two contributions to the Fund for Special Operations, thereby making available to our institution a volume of resources equivalent to $528 million of which 389 million (73.6 percent) are contributions in gold or in U.S. dollars.

During the same year the Bank added to its ordinary funds the proceeds from the first two bond issues, which were promptly welcomed on the capital markets. First, an issue of 15,000 million freely convertible Italian lire, the equivalent of $24.2 million followed by a second operation on the New York market for $75 million, subscribed by more than 100 investment firms and commercial banks of the United States; these latter bonds enjoy the prime triple A rating, and are currently quoted at above par.

If to these resources we add the $394 million received in trust from the U.S. Government for social development and the funds placed at our disposal by the Governments of West Germany and the United States for operations in Bolivia and by the Inter-Governmental Committee for European Migrations for colonization in Brazil, we arrive at a total of $1,036.5 million in cash resources, a figure which contrasts interestingly with the $800,000 for administrative costs with which the Bank initiated its activities 3 years ago, at the first meeting of the Board of Governors.

These funds, added to close to $8 million in portfolio participations and sales to commercial banks in the United States and Europe, have made possible the rapid and steady growth of our credit operations. In the last annual report we have been able to state that the cumulative total of loans made by the bank up to December 31, 1962, amounted to $618 million in economic development and social investment loans, making an increase of 114 percent for 1962 over 1961.

The loans approved during this 4-month period of 1963 raise the total of our credit activities to $727.1 million. Of this amount, 101 loans for the financing of $384.4 million in projects were covered by our own resources and 62 loans aggregating $342.7 million by the Social Progress Trust Fund.

As one positive consequence of our expanded operations, it should be noted that the Bank's 1962 balance sheet showed net surpluses for the ordinary capital and the Fund for Special Operations, after the deduction of our administrative costs and financing services, amounting to more than $4 million, that is, several times more than the comparable figures for 1961.

Obviously, this growth in the volume of our operations poses the need for additional resources, whose urgency cannot be underestimated. It is in consideration of this need that the President of the United States has sent to the Congress of his country a proposal to allocate $200 million in additional resources to the Social Progress Trust Fund to cover requirements for the fiscal year 1963–64. Furthermore, a few weeks ago the Governors approved the proposal to increase the Bank's own resources: the ordinary callable capital by $1 billion, and the Fund for Special Operations by $75 million, considering as well the further possibility of an increase of $300 million to cover the incorporation within the Bank of new member countries.

The board of executive directors and the management feel great satisfaction in being able to report today these positive steps taken to increase our funds. The Governors will remember that, during our meeting at Buenos Aires, we were instructed to conduct a study aimed at expanding the Bank's own resources; the formula arrived at by mature and thorough analysis was confirmed with virtual unanimity by our member countries. In connection with the possibility that the U.S. Government might again make available to the Bank additional resources for social investments, we wish to refer to the highly cooperative attitude of that Government, which, as early as October of last year, through its Secretary of the Treasury and Governor of this Bank, Mr. Douglas Dillon, announced such a decision at the IA-ECOSOC meeting in Mexico.

In addition to expressing our acknowledgment to the member countries for their cooperation in this matter, I feel it is also essential to stress the urgent need for having them adopt the measures required to implement fully the increases planned for 1963.

In establishing the bases of the Charter of Punta del Este, it was estimated that no less than $2 billion would have to be injected into Latin America each year during the next decade, of which 60 percent would have to come from the United States and the remaining 40 percent from international credit institutions and from the private and public capital sectors in Western Europe, Japan and Canada. Within this distribution, it seems reasonable for the Bank to assume an annual quota of $200 million from its own resources, a figure which, by the way, is consistent with the pace of its operations to date. To be sure, to this last sum must be added the use of investment funds for social purposes within the framework of the Social Progress Trust Fund, and, eventually, other operations that could be financed by new sources of funds.

A fundamental characteristic of our future program is its dependence, to an ever increasing extent, on issues of our own bonds to cover ordinary operations. In this way we will continue to mobilize private savings on the capital markets in behalf of Latin America.

I look upon the opening of the capital markets in 1962 as an event of transcendent importance to the Inter-American Development Bank, not only because it marks our entry into these markets, but also because of the excellent terms obtained for our first issues, comparable only to those attained by other international financial organizations of established prestige and experience.

If we can now make projections at reasonable terms for our hard operations, that is, those which constitute the portfolio of our ordinary capital, the same cannot be said for our soft operations. The latter, which are financed by our Fund for Special Operations and the Social Progress Trust Fund, enable us to mobilize resources on more flexible terms, and they acquire particular importance as a means of financing social investments and special projects that would not be eligible under the criteria for the ordinary resources of the Bank. These operations, by their very nature, depend on such public contributions as we may receive from the most highly developed countries.

The Bank management is concerned over the possibility of maintaining the current rate of soft operations, since we have so far no assurance that funds of this type will be available after the end of 1964. We should keep in mind the need for having such sources of financing remain open to Latin America in the immediate future, given the drafting of new development programs, many of which require flexible financing through operations of the same sort as those carried out by the Social Progress Trust Fund and our Fund for Special Operations. We should also keep in mind that there are practically no alternate sources of financing for these operations and that in any attempt by the Latin American countries to expand long-term programing, available funds must not be limited to medium or short terms.

It has been said that, in the last analysis, international agencies are what their members want them to be. In the case of a financial institution, it is true that its administration, the reliability of its technical work, the efficiency of its staff and the quality of its portfolio are all very important factors. But it is evident that the effective range and significance of the institution depend basically and ultimately on the political and financial support of its member countries. Up to now, the Inter-American Bank has enjoyed this support in full measure; this has enabled it to become, during 1962, the most active public source of development financing in Latin America, judging from the overall volume of committed resources, the number of projects financed and its technical and administrative effect on the mobilization of national efforts.

This fact is even more significant when it is considered that the Inter-American Bank has not replaced other channels of international financing, but that quite to the contrary, its activity has been supplementary to and coordinated with that of other institutions dealing in long-term financing. It should be noted, in the latter connection, that we have participated with the International Finance Corp. in financing the expansion of a cellulose factory in Chile, and the establishment of a sodium sulfate plant in Mexico. In a number of other projects and programs, moreover our credit operations have been supplemented by those of the Agency for International Development and the International Development Association.

TECHNICAL ASSISTANCE

In 3 years, the bank has acquired valuable experience in the complex field of technical assistance, which is a characteristic component in the philosophy of our institution and an express mandate of its charter. As in the financing field, the road has not been an easy one; we have been obliged to adjust our operational policy and our administrative approach to the varied demands of our countries without thereby retarding the accelerating pace of these operations.

In fact, these activities have grown more vigorous and effective in regard not only to the number of projects undertaken but also to the volume of resources committed. Whereas 58 applications totaling $5 million were approved in 1961, last year we joined in 86 different operations aggregating more than $9 million.

Quantitatively speaking, it is interesting to note that the bank has allocated close to $15 million to technical assistance since 1961. More than 74 percent of this total has come from the bank's own resources and close to 26 percent from the Social Progress Trust Fund. Of this total, 35.4 percent was granted on a nonreimbursable basis and 64.6 percent in the form of loans.

One hundred and sixty-five technical assistance operations have been undertaken to date, of which 30 were designed to expand the agrarian sector, 40 to strengthen banking institutions in order to intensify the mobilization of domestic resources, 31 to low-cost housing, 9 to water supply and sewerage, 36 to project planning and formulation, and 19 to training activities and the preparation of substantive studies. It may be added that these operations have benefited all the Latin American member countries of the Bank and that, in several cases, they have been broadly regional in scope.

Much of the technical assistance work is done directly by the Bank's own staff, in which case the costs are charged to the general administrative budget of the Bank and to the trust fund. In this way, our professional personnel and specialists have collaborated extensively with the member countries of the Bank in drafting projects and credit applications and, even after the loan contracts have been signed, they have helped in the reorganization of the borrower agencies and in work bearing on execution of the projects. In this way, I believe the Bank has made a powerful contribution to a number of institutional improvements in our member countries, which I intend to discuss at a later point.

It is usual for the Bank to act jointly with other international institutions extending technical assistance. We may cite the joint missions which, pursuant to the provisions of the Charter of Punta del Este, have been organized by the OAS, the IDB, and ECLA to help our member countries in preparing their economic and social development plans.

I am also pleased to point out the decisive role of the Bank in the establishment of the Latin American Institute for Economic and Social Planning, with participation by the Special United Nations Fund. The Institute's activities were initiated in 1962 under the expert direction of Dr. Raul Prebisch. Finally, special mention is due the program of intensive training for officers of development institutions which we have been conducting in Mexico City in association with the Center for Latin American Monetary Studies.

UTILIZATION OF FUNDS

The figures we have cited to illustrate the Bank's growth, with respect to both formation of its resources and its financial and technical operations, do not in themselves adequately reflect the scope of our work in Latin America. This requires, further, consideration of the rate at which the funds we have made available to the countries are being used and of the parallel utilization of domestic savings.

In connection with this, I am happy to say that the member countries of the Bank have become progressively better able to absorb our loans, as reflected in the constantly rising rate of disbursements. At the close of 1961, disbursements totaled less than $8 million. One year later, by the close of 1962, they had already reached close to $80 million, and have since risen to $115 million. If we compare the disbursement rate with loans eligible for immediate utilization, we observe that, from 2 percent at the end of 1961, this rate climbed to 16 percent at the close of 1962 and currently exceeds 20 percent, a ratio we can consider as satisfactory, given the nature of the investment projects, whose average period of execution is no less than 2 years.

There are several factors conditioning the rapid utilization of loans, once they have been authorized. On the one hand, there is the need, in some cases, for carrying out institutional and administrative reforms to ensure sound handling of the credit and ultimate success in execution of the project. On the other hand, there are limitations imposed by the borrower country, where administrative and legal procedures can sometimes unnecessarily prolong the utilization period or where the local contribution cannot be mobilized with the speed or flexibility required to afford prompt utilization of foreign resources. The Inter-America Development Bank gives its fullest attention to problems of this type in every case and its loan officers collaborate with the competent officials of the member countries in solving them. At the same time, we are striving to simplify our disbursement procedures without sacrificing efficiency in the utilization of loans or guarantees to control the use of funds.

The growing complexity of Inter-American Development Bank activities and the great number of projects emerging in Latin America as a result of sectoral programing, preinvestment studies and technical assistance for feasibility studies, make it essential to adopt procedures for the application of funds to top priority projects. This is most important in the case of those member countries that have not yet completed their development programs. A system of bilateral consultations between the Inter-American Development Bank and the member country, along the lines of our recent experiments, makes it possible to agree on preliminary annual work programs expediting the concentration of resources and efforts. These consultations serve to review the most urgent development problems of the member country concerned. In this way, we believe we are also achieving a better mutual understanding vis-a-vis the countries' proposals to the bank and the actual possibilities of our participation considering the status of our resources and the physical and institutional limitations on approving more than a certain number of projects within a specific period. Observers often fail to realize that the bank's goal of an average of 70 projects approved each year is a level difficult to exceed, in the light of the operations undertaken by other institutions with similar aims and organization. The fact that the number of applications usually outweighs our financing potential calls for a careful selection in order to determine the applications to be studied and prepared by our technical staff.

The problem of how to put to work quickly the resources made available to our countries through foreign aid is becoming more urgent as that aid and the demands of development increase. Hence the importance which the Inter-American Development Bank attaches to the training of planning agency and development bank officers and hence its open-door policy at its Washington headquarters in order to enable high-ranking executives from our countries to familiarize themselves with our working methods and those of other financing sources. We are thus helping our countries to adapt their agencies and operating systems to a foreign aid that is more flexible and complete than any known in Latin America prior to the establishment of the Inter-American Bank and the Alliance for Progress program.

It is important to point out that, despite fiscal difficulties, the restrictive policies arising from stabilization programs or balance-of-payments conditions, and the stagnation of important investment sectors, the bank has carried through an impressive mobilization of domestic resources and savings to match the financing it has supplied. Our contribution of 40 percent of the average cost of the projects we have financed has been matched by a member-country contribution of 55 percent of that cost, with the remaining 5 percent drawn from other outside sources. In other words, the $727 million contributed by the Inter-American Bank to Latin America have generated nearly $1.8 billion in new investments.

FIELD OF ACTIVITIES

As in the life of the individual, traits and attributes evolve during the existence of any institution, and a specific image emerges with the passage of time. Owing to what we may regard as an optimum volume of financial and technical operations, the year 1962 accentuated the increasingly representative nature of the Inter-American Bank vis-a-vis the realities of the Latin American scene. The diversity of our own funds has permitted us to act on several fronts, including some that are generally neglected by other financing sources.

I would like to cite the following lines of action which point to a definite pattern in our policies and activities:

Agriculture: Since the last Board of Governors meeting, we have substantially expanded our financing activities in the agricultural field, where we have utilized both our own resources and those of the Social Progress Trust Fund. To date, we have approved 51 operations aggregating $180.9 million, representing nearly 28 percent of the total amount of our loans.

A sizable portion was granted in the form of 20 lines of credit or overall development loans for relending, covering most of our countries and channeled through specialized credit agencies. These operations were designed primarily to benefit small farmers by expanding the application of modern technology to farming and ranching activities. Another important aspect in this sector has been the construction of new irrigation systems and the improvement and expansion of existing systems. Seven loans have been granted to bring under irrigated cultivation 226,402 hectares of arid or semiarid lands in Argentina, Chile, and Mexico. Another considerable amount of resources has been channeled into land settlement and improved land use projects, generally within the framework of a policy of agrarian reform. Ten loans, totaling $49.4 million, will benefit 210,000 low-income farmers. Activities of this type have been financed in Venezuela, Argentina, Bolivia, Chile, Ecuador, Mexico, and Paraguay.

In granting loans for agricultural purposes, consideration has been given to diversification of production, rehabilitation and improved use of soil, introduction of improved seed, fertilizer and production, farm machinery, and larger and better herds.

I would like to stress particularly our loans for livestock in tropical America: most of these credits are designed to improve meat stock, with a view to satisfying the growing needs of these regional populations for proteins to improve the production of milk and dairy byproducts and to replace imports and expand exports.

Manufacturing industries: Also, since our last Board of Governors meeting, we have accentuated our policy of supporting the development of manufacturing industries on a hemispheric scale, particularly through direct or indirect loans to local private enterprises. Manufacturing activities have absorbed 96 percent of the resources we have placed directly at the disposal of private enterprise. In addition, a much larger volume of funds has been committed to national development agencies which, in turn, place them at the disposal of medium and small enterprises in the respective countries. We have granted 45 industrial loans totaling $144.4 million, of which 16 aggregating $66.4 million took the form of global loans. Twenty-nine loans totaling $78 million were granted directly to industrial enterprises, of which five went to metal products manufacturers, six to farm products processors, five to the field of construction materials, six to wood products, five to chemical products, and two to textiles.

By way of example, I would like to state that, in 1962, we granted overall credits for industrial financing in Costa Rica, Ecuador, and Peru. In addition, we have contributed to expansion of the cellulose and paper industry in Colombia and Chile, to installation of the first cement plant in Costa Rica, and of a synthetic rubber factory in northeast Brazil, and to expansion of a cement plant and a petroleum refinery in Uruguay. So far this year, we are financing pressed chipboard manufacturing plants in Argentina and Chile, a soda ash plant in Colombia, and the expansion of a textile enterprise in Paraguay and two private chemical plants in Mexico.

Infrastructure: To the extent allowed by the limitations on its resources, and consistent with the nature of the applications submitted, the Bank has sought opportunities to participate in the financing of power and transportation projects.

We have granted six loans for electric power facilities, furnishing $45.7 million out of an aggregate cost of $100 million. These loans will enable Argentina, Brazil, Costa Rica, El Salvador, and Paraguay to increase their generating capacity by 286,000 kilowatts and to add over 4,000 kilometers in transmission lines. In addition, electric power distribution networks will be improved in 54 localities. We also undertook to finance three projects aggregating $7.3 million for highway construction in Honduras and Uruguay. It is interesting to note that the last projects represent substantial benefits of a multinational nature.

Water supply services: We have carried out 31 credit operations from our own resources and from trust funds for water supply and sewerage projects aggregating $163 million, which is more than 22 percent of all resources committed by the Bank. The total cost of these projects is $307 million and their benefits will extend over the next 3 years to approximately 18 million persons in 12 of our member countries. Approximately 60 percent of these operations were for cities with more than 160,000 inhabitants; about 5 percent were for cities with from 20,000 to 100,000 inhabitants, and about 35 percent were for cities of less than 20,000 inhabitants, small villages and rural works.

A few months ago, I visited the small Guatemalan community of San Lucas Zacatepéquez. When, at the invitation of the major, I attended the inauguration of some installations for the catchment of pure water, I was welcomed as the president of the Inter-American Health Bank. I recall with interest this confusion in the name of our organization because it expresses the profound impression made by our financing of projects for water supply and sewerage systems and for sanitation in general, throughout the hemisphere.

Low-cost housing: Our projects in the low-cost housing field also constitute a very substantial share of the Bank's activities. The operations financed in this field from the Social Progress Trust Fund, which increased considerably in number during 1962, make up over 21 percent of the total amount loaned and now cover almost all our member countries. We have granted 20 such loans to date, aggregating $158 million, which will permit the construction of 163,500 units at a total cost of $326 million. Approximately 43 percent of the houses will be constructed under the self-help system, whereby the benefited families work directly on the construction of their homes; the remainder will be built by national institutions through private contractors, the participation of cooperative savings and loan systems and credits to individual landowners. The income level of the beneficiary families ranges from the equivalent of $30 to $215 a month; about 80 percent of these families have monthly incomes of less than the equivalent of $125. On the other hand, over 50 percent of all the houses will cost less than $1,500, while the average cost of the units will be less than $2,500.

Fourteen of the housing projects are now well under construction and approximately 33,000 units have either been completed or are in an advanced stage.

Higher education: In the field of higher education and advanced training, from early 1962 to date, the Bank has approved 6 operations totaling over $13 million benefiting the universities of 10 member countries by increasing the training of professionals, technicians, and specialists and striving for increased application of modern science and technology to social and economic development.

As in other fields, the Bank's loans in this sector cannot, nor do they pretend to, solve all the difficulties facing the member countries in the execution of their education programs. Actually, they act as seed capital, and their multiple effects are of extraordinary range. They contribute basically to the progressive mobilization of domestic resources for advanced education, stimulate the financial cooperation of other agencies and foundations, and are aimed at the adoption of more effective educational programs, the improvement of academic standards and the administrative reforms required within our universities.

The Bank's operations are consistent with an integrated concept of regional financial needs. Owing to this concept and to our limited resources, we have endeavored to apply our funds to those projects insuring their most effective use, regardless of whether the recipient belonged to the public or private sector. Thus, we have so far channeled into the private sector—either in the form of direct loans or through joint operations with national institutions responsible for extending development loans to small and medium entrepreneurs—almost half of our own resources committed.

The extent to which our loans have benefited the private sector is not accurately represented by this ratio, however, since we must also take into account that a large share of the resources allotted originally to the public sector are ultimately passed on to the companies executing the projects or those producing the materials required. This is particularly evident in the loans granted for the construction of highways, irrigation works, water supply or sewerage services and similar operations which the Bank is helping to finance from its own resources. The loans from the trust fund, too, have a strong impact on the private sector, since a large share of the resources for social development allotted by the Inter-American Development Bank to public institutions are eventually channeled into the private sector when the investment process is carried to completion.

THE NATIONAL DEVELOPMENT PROGRAMS

The year 1962 witnessed an extension of the scope of the Bank's activities by reason of the new political and technical dynamism with which the Charter of Punta del Este has been implemented. Much of this advance stems from the fact that the economic and social programing applicable to our democratic existence has been transformed from a mere aspiration into a real instrument for attaining the objectives of the superior policy of our governments.

Colombia, Chile, Venezuela, Bolivia, Mexico and Honduras have all completed the preparation of their national development programs in a form suitable for presentation to the group of experts organized under the terms of the Punta del Este document to evaluate them. In other cases, the Organization of American States, ECLA and the Inter-American Bank are working jointly with the governments concerned to orient their economic and social policies in accordance with planning techniques. In this manner, the plans of the Central American countries as a group and of Haiti, Uruguay, Peru and Paraguay, are making active progress. Along with these nations, others, such as Ecuador and Panama, employing positive approaches in the form of public, medium-term investment budgets, and Brazil with its decisive 3-year development and stabilization plan, are demonstrating their vigorous adherence to this orientation. Argentina and the Dominican Republic, for their part, have established the instruments needed to take the essential first steps in this direction.

Obviously, the best formula for coordinating the participation of foreign financing in development plans is embodied by adviser groups, which are able to outline, from the outset and over longer terms, the concurrent participation of diverse financing sources together with a valid criterion for division of their activities. It is also the most expeditious way to gage fully the importance of the mobilization of domestic investments and of the fruitful contribution that private capital, whether domestic or foreign, can make. Colombia's financing group, whose organization was completed in January of this year under the leadership of the World Bank, represents the first important step taken in this direction by any of our member countries.

In June of last year we joined with the AID in establishing a system for handling a short-term program in Bolivia. We had the honor of being appointed the financial agent in this arrangement and our participation of slightly over $20 million has been fully implemented, having already resulted in the Bank's approval of the specific projects concerned.

We are also following with lively interest the advances being made toward these same goals by the other nations in the hemisphere. In this connection, allow me to make special reference to the features and aims of the economic and social development program of this great nation which so generously and hospitably receives us today.

The restoration of institutional normality and the consolidation of democracy in Venezuela have been matched by radical changes in the country's economic policy. Anticipating the ends and means contemplated in the multilateral program of the Alliance for Progress, the constitutional government is taking decisive action to transform the economic and social structure of the country.

In 1959 it created CORDIPLAN, its economic planning and coordination bureau; it assigned priorities to economic needs and drafted an adjustable 4-year development plan in 1960; it is launching agrarian reform programs for the economic and social purposes of increasing farm production and of securing for rural towns the living conditions, education, and sanitation that are compatible with human aspirations; it is considerably expanding the educational and sanitary services and has initiated an intensive plan for the construction of rural and urban housing for low-income groups, all this at a time when the decline in the foreign demand for petroleum and many repercussions of the double crisis in the Caribbean have seriously affected the Venezuelan economy.

Those efforts were then projected within the framework of the Alliance for Progress by the 1963–66 national plan. The national plan of Venezuela is one of the most audacious approaches to bold execution of the economic and social transformations set forth in the Charter of Punta del Este and its results will offer Latin America an eloquent example of the extraordinary possibilities for peaceful transformation, establishing democracy in our hemisphere on solid foundations of economic and social justice.

The plan, which calls for a sizable mobilization of domestic resources, since 87 percent of the total investment will be financed with Venezuelan savings, is aimed at increasing the Venezuelan national product at a cumulative rate of 8 percent per annum. In order to insure greater employment opportunities for the population and at the same time to reduce the country's present dependence on its petroleum industry, this plan assigns to other sectors of the Venezuelan economy annual growth rates greater than the projected rate for the petroleum industry.

Among the features of this plan, we may note its acceleration of the agrarian reform process both in land distribution and in the consolidation of existing rural settlements. One hundred thousand rural families will be installed in several parts of the country. Counting settlements already completed, more than 150,000 families, in other words over 1 million persons, will have received the benefits of the agrarian reform by the end of 1966, to bring about a radical transformation of the structure of land ownership in Venezuela.

We are also pleased to mention the collaboration of the Inter-American Bank toward execution of Venezuela's economic and social development programs. The loans totaling $77.7 million we have authorized are being used preferentially in some of the fields to which the Government's development objectives assign the highest priorities: agricultural and livestock development and agrarian reform, housing for low-income groups, the provision of water supply facilities in small- and medium-sized towns, the development of small and intermediate industry and advanced education. In Venezuela, the bank has used its own resources in making loans for subsequent relending for agricultural and industrial purposes and those of the trust fund in the four fields of the Fund's activities.

PARTICIPATION OF WESTERN EUROPE, JAPAN AND CANADA

Another promising gain made by the bank in 1962 is the increasing prospect of better understanding and closer association with Western Europe in our long-term financing operations. We are all aware of the experience of Latin America with the old world in trade and the investment of private capital. There is evidence, however, that a new process of rapprochment between the industrialized world and the new nations is only just beginning to lay the foundations of a relationship much more mature and broader in scope.

I have already noted with satisfaction that the bank initiated its operations on the capital market in April 1962 in Italy; that a considerable number of European commercial banks are participating in our ordinary loans and that the Government of the Federal Republic of Germany has transferred to us for administration the substantial sum of $14.2 million, to be used for rehabilitation of the Bolivian mines. But just as significant as these initial undertakings is the fact that the bank is now engaged in a broad-range dialog with the European Common Market authorities, with the OECD countries, particularly through the DAC, and with large and distinguished private European groups interested in our development.

Despite many limiting factors, I believe we are well on the way to discharging the repeated mandate of our countries to diversify, by a multilateral approach, the long-term financial operations required. This progress has been supported by the image we have managed to project as a solid and technically sound financial agency; but at the same time, we have been aided by Western Europe's growing conviction and acceptance of the need to arrive at arrangements whereby it can cooperate vigorously in meeting the new needs of Latin America. Due consideration should also be given to the fact that, since it is the bank's policy to refrain from conditioning the loans granted from its own resources to purchases from specific sources, 40 percent of the foreign payments resulting from its loans have been channeled to European countries.

The bank has set forth five specific possibilities as formulas for action vis-a-vis Western Europe, Japan and Canada; the placement of bonds as a means of drawing on capital from private sources and from the governments and public agencies; the acceptance of funds in trust; joint financing in parallel fashion; participation in Inter-American Development Bank loans by commercial banks and, lastly, participations by public agencies tied to the exportation of capital goods.

It is interesting to point out that the initiative we have been sustaining since 1961 to create a European Fund for Latin American Development has begun to receive increasing support from important European leaders and circles, as evidenced by the conclusions of the important gathering organized by the International Christian Union of Business Leaders (UNIAPAC) late last year.

The same idea underlies the opinion of Sir George Bolton, president of the Bank of London and South America who, in his annual report on his institution's operations, in 1962, said that: "Latin America needs its own international, even supranational, organization to administer the development funds it may procure. A Latin American organization for economic cooperation could perform a number of useful functions. Since one of such an organization's principal aims would be to borrow long-term capital and distribute it through the most effective channels, the Inter-American Development Bank, which is already performing this service, appears to be the ideal body to serve as the base of such an organization."

I want to avail myself of this opportunity to reiterate my belief that a fund of this sort should be open not only to countries which are prepared to make public contributions, but also to private sectors, under such conditions as might be established for utilization of the respective resources. In my view, the rich and varied experience of the Inter-American Bank as an administrator of funds, particularly of the U.S. Government Trust Fund, qualifies it to assume this new responsibility. I further believe that it would not be necessary to alter the structure of the bank in order to define the proper terms of reference and to establish a system for administration of the resources contributed; to this end, the contributing countries should be assured of full guarantees as respects their participation in executive decisions.

ECONOMIC INTEGRATION

When at the close of the Board of Governors meeting in Buenos Aires I referred to the future tasks of the Inter-American Bank, and said that the BID, having launched its operations by processing national requests, would be obliged to accentuate its nature as a regional agency and join forces with those who are now endeavoring to accelerate the process of Latin American integration. Now, looking back, we can state that, during the past year, the bank was always on hand whenever an opportunity arose to mold the structure of integration, which is gradually acquiring a broader basis and taking on more definite shape with the addition of increasingly varied contributions.

A few weeks ago, at our headquarters in Washington, we began the implementation of a technical cooperation program for studies aimed at clarifying some of the inevitable unknown factors in a process of such a long range as this one. We worked in an atmosphere of vital spiritual communion with representatives of the General Treaty on Central American Trade, the Central American Bank for Economic Integration, the Latin American Free Trade Association, the Organization of American States, the Economic Commission for Latin America, the Committee of Nine, CEMLA and the FAO. We succeeded in defining much of our future work and, what is even more interesting, we were able to establish for the first time an informal procedure for coordination and participation through our specific jurisdictions.

Along these same lines, it is also pleasing to be able to recall at this meeting our first two loans of multinational scope. In the first case, $3 million was granted to a consortium of the Central American universities from the Social Progress Trust Fund; in the second, from our Fund for Special Operations an overall credit line of $6 million was extended to the Central American Bank for Economic Integration to expand that institution's operational capacity.

It is true that conditions in the Central American region have made it easier for us to act there, but we hope that, with the technical aid of the agencies dealing with integration on the rest of the hemisphere, we will be able to define with greater precision the fields of regional financing. Let us not forget that, in addition, our investments themselves influence the integration process. On the one hand, they encourage the growth of regional trade through purchases in the markets of other member countries in Latin America and, on the other hand, many of the Inter-American Development Bank loans are designed to create or augment the possibilities of exporting to other Latin American countries.

As further contribution to this field of operations, in compliance with the instructions of the Board of Governors meeting at Buenos Aires, we made available to the member countries the results of a long and thorough investigation undertaken jointly with prominent international experts regarding the medium-term regional financing of exports of capital goods. One of the items on our agenda calls for consideration by the Governors of the recommendations set before them.

The momentous meeting at San José, with the participation of Presidents from the five Central American countries, Panama and the United States, that is, from seven of our member countries, revitalized the movement toward economic association on the regional and inter-American levels. In expressing the conviction of the participants that "the greatest hope for development of the region lies in economic integration," the declaration of San José enunciates with renewed faith an irrefutably valid aspiration for Latin America as a whole and, in asserting that "the movement toward integration is in itself an effort which lays the foundations for regional planning wherein common sectoral plans will serve as points of departure," it offers a unique indication for our future progress.

Hence, it is no accident that this year the theme of our traditional roundtables refers to the financial aspects of hemispheric integration, for the elucidation of which we rely on prominent experts and businessmen from Europe, the United States and Latin America here present, for whose participation I am, of course, most grateful.

Our institution was established with the clear understanding that our work should be projected and oriented on a hemispheric scale. This is expressed in the letter of our charter, it is revealed in the spirit of service of our staff and it is ratified by our own financial and technical experience. Our bank is becoming, on an ever increasing scale, the agent through which experiences in economic and social programing and financing are transferred from one country to another and from one region to another.

As a means of consolidating this process, the bank has given priority to its operations in certain regions of the hemisphere. This idea is best demonstrated by the distribution of funds earmarked for technical and financial assistance in the relatively less developed nations and areas of Latin America. During the past 2 years we have contributed the sizable sum of $85 million for Central American development; we have associated ourselves with the program for the development of the Brazilian northeast through financing operations aggregating $50 million; we are contributing $34 million to overcome the economic and social underdevelopment of Ecuador. Let us not fail to mention that we have to date allotted more than $54 million to Bolivia and Paraguay, which together have a population of about 6 million inhabitants.

The Governors present here today are well aware of the concern and, false modesty aside, the devotion of our institution to the task of helping surmount underdevelopment factors in other areas of the hemisphere. Activities of broader scope and more positive results have been hampered in certain areas by unresolved limitations, which are in turn the reflection of precarious conditions accompanying their development process.

OTHER ASPECTS OF LATIN AMERICAN FINANCING

It cannot be doubted that the Inter-American Development Bank came into existence at an auspicious time, and, in a sense, as the characteristic offspring of an age. A direct forerunner of the Alliance for Progress, in the midst of the events to which that collective policy owes its existence and to which it in turn gives rise, it has acquired a more profound meaning and a much vaster scope than could have been anticipated at its inception. The Bank has ceased to be a mere financial mechanism—although an important and effective one—to become the dynamic nucleus of a collective effort aimed at economic and social achievement. This is why it has also become a center of petition and hope, at times out of proportion to the nature of our institution.

It was inevitable that our activities should lag behind the actual possibilities of attacking the entire problem of Latin America. That is why we share the deep concern of many of our statesmen at so critical a juncture for the entire hemisphere, which constitutes an obstacle to better understanding between our developing countries and the more highly industrialized nations. However, we must not confuse justified apprehensions of this sort with the attitude of those from within our countries who, because of a false notion of their countries' real contribution to the creation of better living conditions, seek to shift the burden of their responsibilities to other countries. History records no instance of a society that has succeeded in relieving itself of its own duties and hardships by finding another society, however wealthy, to meet all of its needs for establishing progress and well-being on a permanent basis.

That is why it is unreasonable to expect the Inter-American Bank by itself to overcome our slow rate of growth, which results not only from adverse conditions in the raw material market, but also from a legacy, typical of underdeveloped countries, from preceding generations of leaders who had no clear understanding of how to promote economically sound and socially just development. The Inter-American Bank alone cannot solve problems of fiscal deficits and limited mobilization of domestic resources, often caused by adverse conditions of foreign trade, inequitable and antiquated tax systems, and inadequate financial policies. The Inter-American Bank with its bare 3 years of existence and its limited resources cannot be expected to offset the fact that our hemisphere is not yet in a position to create conditions more propitious to the growth and prosperity of the productive efforts of local entrepreneurs and foreign capital.

Another source of concern, gentlemen, is that in certain influential circles of the more advanced countries a dangerous discouragement is setting in regarding the prospects of cooperating with Latin America, thus diminishing the effects of a beneficent association with those centers which have, by virtue of their history, been able to accumulate superior productive elements, techniques, and financial resources. It has been insistently reiterated, usually baselessly, that Latin America is not taking the steps necessary to overcome the limitations of its own backwardness. To insist thusly is to blind oneself—more through ignorance than bad faith, we believe—to the fact that the past decades of this century represent an unremitting struggle by all our societies to create political, social, and economic institutions more in keeping with contemporary demands.

One of the basic aims of the Alliance for Progress policy is precisely the modernization and revision of institutional structures in the Latin American countries with a view to adapting them to the new economic and social objectives set forth in the act of Bogotá and the Charter of Punta del Este. Frequently overlooked is the widespread agreement by almost all our countries to expedite this process. At times observers simply fail to understand the very nature of the changes sought in the belief that within a few short weeks or months our countries can replace or modernize their entire institutional structures.

There is no place in this brief report, for a detailed analysis of this matter, which has been exhaustively dealt with in the current Social Progress Trust Fund report submitted to the Governors early in March of this year, illustrating the Inter-American Bank's resolute participation in this process.

We should like only to mention that, since the close of 1960, laws have been enacted in 10 countries in the region designed to introduce important structural reforms in their present tax systems; in 12 countries, the income tax systems have been improved and, in general, in a total of 15 nations, significant tax reforms have been introduced. In 7 countries, moreover, the necessary legal measures have been taken to permit revision of the agrarian structure; 10 Latin American countries already possess legal instruments for modifying social and economic conditions in rural areas.

During 1961 and 1962, six new national housing authorities were created to launch the execution of housing programs; during the same period, revisions were made in the operational systems of most existing agencies in this field, with a view to focusing their activities on low-income groups. During the past 24 months we have seen 9 Latin American countries establish national or regional institutions to execute projects or programs dealing with water supply or sanitation services; in the same period, five countries have revised the regulations governing activities of the institutions responsible for providing these services.

We have already pointed out the positive steps taken with regard to programing, as attested by the establishment in slightly over 2 years of 10 national planning institutions and by the incipient execution of 6 new national programs of social and economic development.

The foregoing measures point to a completely new orientation. However, while noting these positive changes, we are yet aware of certain inflexibilities and limitations in our tax and administrative systems that hinder better utilization and application of foreign resources, and can realize the extent of the burden such shortcomings place on the development process.

It is incumbent on all who bear the responsibility for preparing and executing development plans to take due account of these factors. International institutions can play a vital role by collaborating with our governments in overcoming these limitations. The technical and financial assistance of the Inter-American Bank has been, and will continue to be, an important incentive and aid in promoting the institutional reforms deemed necessary. Nevertheless, we believe this fundamental task, one of the thorniest confronting all countries in process of development, can be completed only through the unremitting and organized efforts of our societies themselves.

To achieve collective well-being, however, it is not enough to prepare a policy of social reform. The cumulative experience of our countries highlights the need for making rational use of available productive factors within a framework of financial and monetary stability.

At the time of my election as president of the Inter-American Bank, 3 years ago in San Salvador, I outlined the institution's future fields of activity, by stating that "I believe there can be no optimum utilization of any resources we may facilitate in an atmosphere of inflation and financial disorder. I come from a country that has suffered economic stagnation as a consequence of the cancer of inflation. It is unnecessary to repeat the statistics for the hemisphere which categorically refute the thesis that inflation is an appropriate technique or procedure for stimulating the growth of the economy. Inflation, whether latent and hidden, gradual and permanent or explosive and uncontrolled, is always an enemy of growth. Consistent with the solid basis which we will give to this organization we must, in our credit policy, be diligent in analyzing the overall economic and financial conditions. It is a known fact that these conditions directly affect a country's present and future payment capacity.

The intensity and effects of inflationary pressure has varied from country to country, according to the varying composition of their imports and exports and the different policies they have followed, including the divergent effects the same policy has sometimes produced in different countries. Some countries have successfully avoided these reefs and achieved comparative monetary stability, together with a satisfactory development rate. In other cases, though it was possible to maintain monetary stability, there was no appreciable economic growth. There were also countries that purposely made use of inflation to finance their development and, while some acheived a temporary favorable rate of growth, based on the mobilization of hitherto inadequately exploited productive resources in an expanding market, most of them only saw their problems grow worse and, in some instances, their domestic levels of employment and income decline. It can be said that at the present time, however, there is a generally prevalent conviction throughout the hemisphere that monetary and financial stability are a sine qua non for orderly development of our economics. It is interesting to note that monetary and financial stability—an important index of the stability factors in any economy—have remained constant for the past 10 years in eight Latin American countries, two of our countries have made but one readjustment in their exchange rates since 1950, three others have been successfully conducting stabilization programs for more than 6 years, while the other countries have made, or are now making, strenuous efforts to counter inflationary pressures and balance their economies.

We believe our countries have learned a great deal in recent years through recognition and evaluation of the positive aspects of stabilization programs. To be frank, they have also learned that these programs are unequal to achievement of the stated objectives unless they form part of a broader economic policy taking into account other conditions necessary to development. In our opinion, tendencies toward monetary and financial discipline will be strengthened by the proposed solutions attached to development programs, as the experience of several of our member countries is currently demonstrating.

It has been customary, in judging our societies, to parrot the familiar notion of a spectacular flight of capital. This fallacy has been greatly abetted by the physical impossibility of reducing to quantitative terms, based on reliable statistics, the volume of this movement of capital. The unfamiliarity of many foreign observers with our true financial status is illustrated by a financial publication of world renown, which seized upon a figure of $10 billion as a supposed total of deposits in Switzerland from Latin America. The extent to which this figure is exaggerated becomes evident when it is considered that, according to International Monetary Fund figures, total sight and time deposits of the entire Swiss banking system, held by residents and foreigners alike, amounted to little over $11 billion at the close of 1962. If the former figure were correct, this would mean that almost 100 percent of Swiss deposits belonged to residents of South America.

Although it is well known that, in free economies, large masses of resources tend to be displaced by short-term factors, as demonstrated by the experience of the more advanced countries, it is an observable fact also that, to the extent that conditions of instability and uncertainty, in both the political and the financial spheres, are created and maintained, our countries must suffer a drain on their monetary reserves. Although the reply may seem elementary, we do not feel there is any alternative. Not until solid and permanent conditions for economic progress exist—especially in the political and social aspects—will the investors of our countries place their capital permanently in their native lands, and the incentives necessary for attracting foreign capital be created.

The Inter-American Bank is effectively collaborating with its member countries in implementing sound policies designed to make the development process more efficient within a framework of stability. In conducting our credit activities we have endeavored to utilize our funds in close coordination with domestic financial policies, giving special encouragement to the possibility that long-term foreign aid can have interesting positive effects on the balance of payments, public sector financing and, in short, the gross national product.

In evaluating the milieu in which our operations will be conducted in the immediate future, we must be realistic and realize that it will be difficult to bring to an abrupt halt the collective processes of adjustment and readjustment characteristic of the type of civilization we live in. It will be equally difficult to create rapidly a setting similar to that achieved by the advanced societies over a long and painful period of time. We are aware of the fact that we are the only region of the Western World with extensive, permanent characteristics of underdevelopment. It is this very difference between the scale of values on which our communities live or to which they aspire and our faulty immediate material basis that constitutes not only a factor of imbalance but also a spur and dynamic force in our progress. This mistrustful and suspicious attitude vis-a-vis our countries has been a constant factor throughout the entire history of our countries. Suffice it to say that in the last century, too, at a time when we were beginning to consolidate our existence as republics, doubts were entertained about the ability of these young nations to carve out their own destinies as civilized and independent free republics. As Andrés Bello, the eminent Venezuelan who has left a rare legacy to all our countries, noted in the middle of the last century:

"Few have failed to predict that, to reach this happy goal, we would have to traverse a road beset by thorns and bathed in blood; that our inexperience in the science of government would necessarily entail much vacillation within our states; and that until succeeding generations had wiped out the memory of the viciousness of the colonial period, we would be unable to glimpse the first dawning of prosperity. Others, to the contrary, have denied us even the possibility of leading our own existence in the shadow of free institutions which they have believed to be diametrically opposed to all the elements that can constitute the Hispano-American governments. In America, the state of uneasiness and vacillation that has alarmed these friends of humanity is entirely transitory in nature. Obstacles that appear invincible will gradually disappear; the guiding principles, without altering their substance, will be modified externally as required to suit the special position of each nation. America will play on the world stage the distinguished role to which it is destined by virtue of its vast territory, the precious and varied fruits of its soil and the great potential for prosperity it contains."

A further concern of the Latin American countries has been their unfavorable position in the competition for foreign resources as compared to other world regions. Many factors, which have been fully analyzed and are equally well known, have contributed to this stagnation of Latin America. These factors include Europe's reconstruction requirements after the end of the war, the policy of the European nations of aiding chiefly the underdeveloped regions of Africa and Asia and the fact that military costs have enjoyed preference over financial aid.

It cannot be disputed that this situation has changed for the better in recent years. The net flow into Latin America of public capital from the United States and international institutions—excluding the Monetary Fund—increased from an average of $200 million per annum in the 1951–55 period to an average of $310 million in the 1956–60 period.

With the establishment of the Inter-American Bank and the initiation of the Alliance for Progress program, the flow of public capital to Latin America from international institutions and U.S. public agencies became even heavier. Net disbursements from these sources averaged $675 million in 1961 and 1962.

In turn, the net flow of new private U.S. capital which registered in the first of these two periods an average of $216 million per annum, averaged $612 million per annum in the second period, primarily owing to heavy investments in mining and petroleum in those years.

It is a well-known fact that after 1960, these private investments declined, particularly in the last sector. As we noted earlier, the absence in certain countries of the essential conditions of political and social equilibrium—absolute prerequisites for investment—contributed to this process. However, it is interesting to observe that an analysis by sectors of investment shows that net investments in the manufacturing industry, which averaged 75 million a year during the 1957–59 period, exceeded 100 million during the 3-year period 1960-62.

The flow of European capital, for its part, expanded slowly but continually over the last decade up to 1955, when it began to accelerate. For example, direct investments by West Germany, which averaged $23 million a year from 1952 to 1960, reached an average of $50 million in 1961 and 1962.

It must be considered that two processes are currently combining in Latin America to make the region a broadly promising field for foreign capital from the standpoint of investment opportunities. One of these processes is industrial development within national boundaries, the result of a deliberate policy of economic diversification. The other factor is economic integration, undertaken in an effort to expand the regional market for the very purpose of favoring such industrial development. It is superfluous to dwell on the vast possibilities for industrial investment offered by the integrated market of the region if it is borne in mind that, precisely in the countries offering the broadest Latin-American markets—Argentina, Brazil, and Mexico—foreign capital has in recent years evinced a market preference for that sector.

Of course, the increased international flow of private investment to our member countries also depends largely on the incentive policies adopted in this connection by capital-exporting countries, through favorable tax treatment, a program of guarantees in cooperation with capital-importing countries or some other means. Hence, we are exceedingly gratified at President Kennedy's request to the U.S. Congress, on the occasion of the presentation of his foreign aid program for the coming fiscal year, that special tax incentives be established for new private capital investment in developing countries, and that some provisions of the Foreign Assistance Act be amended to broaden and clarify the program of guarantees for such investments.

Any analysis of Latin-American financing problems today would be incomplete if it failed to consider the limiting position of regional terms of trade. It is an acknowledged fact that a disparity exists between the sustained trend to higher prices for manufactured goods and to lower prices for raw materials. The persistent decline in revenue from foreign sources has put greater difficulties in the way of domestic savings, has brought about a loss of capacity to import—particularly capital goods—and has diminished the incentive to develop productive capacity. In this situation, foreign contributions tend not to supplement but to replace the mobilization of domestic resources for development.

The deterioration in the terms of trade and especially its increased pace over the last 5 years, has led to new foreign financial problems, particularly for some countries. At a recent DAC meeting, the representatives of the 12 capital-exporting countries in attendance observed with concern the fact that annual debt servicing by the developing countries has more than doubled during the past 5 years, at an annual rate of $2.5 billion. In the case of Latin America, the balance of the foreign public debt for the IDB member countries increased from $3.7 billion in 1955 to $9.2 billion by the end of 1962, including $2.8 billion in the process of utilization. Debt service, in turn, rose from approximately $550 million in 1955, equivalent to 7.4 percent of the value of the exports from those countries in the same year, to an annual average of almost $1.2 billion in 1961–62, equivalent to 14.5 percent of average export values during those 2 years.

Faced by urgent payment crises and by the need for maintaining a minimum development rate, certain Latin-American countries have been compelled to resort to short- and medium-term debts—such as commercial and suppliers credits—often in excess of their immediate capacity. This, in turn, diminishes their chances of obtaining international financing, which once again drives them into the vicious circle of medium- and short-term credits and refinancing operations.

Reflections of this situation are the inevitable frictions in relations between creditors and debtors and the internal uncertainty that affects the psychology of public opinion and hinders the initiation on execution of programs designed to secure domestic stability.

It was inevitable that this problem should become a source of international and regional concern. We trust that the next Conference on World Trade, to be held in Geneva early in 1964, will contribute effectively to a solution of the problem by suggesting new methods of international collaboration.

We understand that the request made by the Governor for Brazil to include on the agenda of this meeting the point referring to compensation of fluctuations in the prices of basic commodities is related to this concern. Although the possibilities of direct action in this field do not depend on the Bank, within the present framework of its charter, we believe it may be useful for our countries to outline their views on this matter that has already been the subject of extensive study by other regional and international agencies, particularly the International Monetary Fund, which recently adopted operating procedures allowing more flexible utilization of its resources in the case of financing to offset reduced export earnings.

Distinguished Governors, in brief synthesis, we have attempted to present to you the essential happenings in the short span covered by our institution, the factors and circumstances conditioning the sphere of its activities and the prospects we envisage for the future, endeavoring to evaluate pragmatically the facts, the aspirations, and the potential of our mission.

It would appear that various events, some chronological and others new in content, having conspired to serve as a fitting prelude to our deliberations. It is evocative to recall that only 4 days ago, Venezuela commemorated a new anniversary of its national affirmation of independence, which coincided with our traditional Pan American Week in all countries of the region. Thus, national glories were interwoven with the bonds of hemispheric solidarity.

In recent months, all of us who have been participating in international activities have been seeking new approaches that will bring us through revision of the inter-American system, even closer to the point of activating our growth and achieving our rightful stature in relation to other nations.

At the same time we have been receiving new information with regard to the integration which the peoples of the Arab world are rapidly approaching.

Having lived close to the economic, political, and social process of our countries in recent years, thanks to the great responsibility with which you have invested me, I would not be sharing my full experience with you if I failed to repeat before this meeting, as I have done on the most diverse occasions, that the process of Latin American integration on all its levels is the only dynamic force that can lead our countries rapidly not only to their indispensable internal maturity, but above all to their true and rightful place in the concert of great nations and associations constituting the free world. Fortunately, Latin America has already set its course along this path.

Some years ago, Rómulo Betancourt said: "* * * from the Mexican border south to Cape Horn, a powerful movement of redemption has arisen. The goal it seeks is the integration of a single Latin American front which will, without diminishing the essential sovereign attributes of each of its component nations, affirm and establish in every one a representative, democratic form of government, promote the coordinated development of its individual economies, and overcome its inferior status as a secondary power in the field of international relations * * *. Like every nation that played an important role at one point in its history, Venezuela is potentially suited to ample, large-scale undertakings. Isolationist chauvinism is foreign to its mass psychology, and it bears firmly implanted the concept so aptly expressed in the national anthem, 'America exists as a nation.' "

Address by the Honorable David E. Bell, Alternate Governor for the United States in the Fourth Plenary Session, April 25, 1963

I

I am especially glad that my first trip to Latin America as Administrator of the Agency for International Development brings me to Venezuela. This country stands in the vanguard of the Alliance for Progress. Under the leadership of its farsighted and valiant Chief Executive, President Romulo Betancourt, Venezuela anticipated the principles and goals that came to be enshrined in the Charter of the Punta del Este. Since the signing of the charter, this nation has maintained its developmental drive in the face of continuing and violent attempts to disrupt its progress. President Betancourt's stirring address at the inaugural session of this Conference made it clear that Venezuela will continue on this road.

The Inter-American Bank, as a prime institution for the realization of the goals of the Alliance, thus has done well in selecting Venezuela for the site of its fourth annual meeting. Permit me, Mr. President, to express my delegation's and my Government's appreciation for the hospitality extended us and the splendid arrangements made by the Government of Venezuela for this Conference.

II

The Bank's operations this past year—from all its capital sources—add up to another successful record. From all its resources the Bank authorized 68 loans totaling $329,393,000. Considering the careful analysis that has to be made of each loan application, and in view of the fact that the authorized loans represent only a small fraction of the applications that had to be reviewed, the Bank's staff has earned a "well done" from all member countries.

The Bank's record has been very good also in the help it has given Latin American countries to build developmental institutions and to introduce administrative and social reforms. Through effective administration of its loans, the Bank has been instrumental in the creation or improvement of many such organs—among them development banks, housing institutes, savings and loan associations, agrarian credit organizations. It has also aided significantly in restructuring antiquated fiscal, agrarian, and administrative systems.

Experience has shown that the writers of the Charter of Punta del Este were right when they called for basic reforms in Latin America's societies. Among these are: Fair and effective tax legislation; a high standard of professionalism in public administration; changes in land tenure, extension of agricultural credit and the introduction of modern farm techniques designed to raise the production as well as the living standards of Latin America's vast farm population. Such reforms, soundly conceived and adapted to the needs of each country, are essential if the resources we are marshaling under the Alliance are to be used in meaningful and effective ways.

My Government finds special encouragement in the reception accorded to the Bank's first two bond issues in the capital markets of Europe and the United States. The Bank thus has proved itself to be an effective mechanism for attracting private foreign resources into Latin America for economic development and the international financial community has demonstrated its confidence in the soundness of this institution.

The Bank's imaginative approach to its job is reflected in the efforts it has made to obtain supplementary credits from European countries for development projects which it is helping to finance.

The increasing interest of European governments and investors in Latin America is indeed encouraging. We hope that European and other industrialized nations will continue to broaden their participation in international development assistance. At the same time, the Latin American countries must be on guard lest the terms of assistance from any source create a burden for the future that Latin America should not be asked to bear. It would not be a satisfactory solution to the balance-of-payments problem of member countries for the Bank to make long-term development loans while other sources limit their financing to short- and medium-term credits.

The Bank has moved very rapidly in the allocation of its own resources. Accordingly, we have asked the U.S. Congress to authorize support of a substantial expansion of the resources of the Bank, which is seeking a $1 billion increase in callable capital and a 1-year expansion of the Fund for Special Operations by $73 million. Furthermore, most of the $394 million of the Social Progress Trust Fund have been committed. In view of this, President Kennedy has asked the Congress for $200 million to continue the work of the Inter-American Program for Social Progress, including the trust fund and special technical activities by the Organization of American States.

All this is evidence that the Bank has moved fast in meeting the responsibilities which the Inter-American Community has entrusted to it. Indeed, it is because of its rapid progress that the question arises whether the structure of the Bank's early years will be adequate for its new and broader responsibilities.

As we review the Bank's record, we should examine the present lending mechanism with its three windows—ordinary resources, the Fund for Special Operations, and the Social Progress Trust Fund—to see whether it might not be better to simplify the apparatus while retaining the flexibility we all want it to have. The United States accordingly supports the proposal that the Executive Directors make a study of the structure that will be most suitable and efficient as the Bank broadens its range of activity.

The Bank has become one of the main instruments of the inter-American community for financing the development of the hemisphere. Its charter anticipated the principles set forth subsequently in the Charter of Punta del Este. Its membership is also the membership of the Alliance for Progress. All of its operations serve the accomplishment of the goals of the Alliance. In short, this Bank has become El Banco de la Alianza—the Bank of the Alliance—and thus a central operating element of this great endeavor.

President Herrera's imaginative conduct of the office has had a powerful effect in stimulating thought and opening up new approaches in the area of economic integration and in rallying public support throughout the Americas for the principles and programs of the Alliance for Progress. In his management of the affairs of this institution in the past year he has made it emphatically clear that this Alliance is first and foremost a Latin American program; that it depends for success on the performance of all the nations that make up the membership and that inter-American institutions must be the prime contributors to its progress.

III

The United States has geared its policy, with respect to the Alliance, to this concept and we shall continue to meet the commitments we have undertaken under the charter, to provide the margin that is vital to success. It is, of course, only a margin. In his recent message to the Congress on free world defense and assistance programs, President Kennedy outlined a series of objectives designed to improve U.S. performance in these programs. One of them is the application of "stricter standards of selectivity and self-help in aiding developing countries." In relation to Latin America, the President said: "In the Alliance for Progress in particular * * * emphasis is placed upon self-help and self-reform by the recipients themselves, using our aid as a catalyst for progress."

It seems to me useful to remind ourselves that the essential nobility of the Alliance for Progress lies in the recognition of all its members that the goal is genuine economic independence with social justice in the framework of political freedom for all the nations of Latin America. This means that external aid should be so conceived and administered as to outlive its usefulness as soon as possible, with countries satisfying their needs for capital imports thereafter by recourse to normal world capital markets, including international financial institutions, foreign private investment and other sources.

Clearly, foreign assistance of and by itself—no matter how soundly administered—is only one external ingredient in the formula for success. Latin America's foreign trade requires urgent attention. A stabler income from the commodities it exports and greater diversification of the products it can bring to the markets of the world are vital elements in the development equation. These problems must be attacked with a greater sense of urgency as an essential part of this program.

The role for private investment in Latin American economic and social development is still another area which needs urgent attention. Here again, the activities of this Bank and our own policies coincide. Loans from the ordinary resources of this institution to private enterprise in Latin America, as well as investments from the Fund for Special Operations and the Social Progress Trust Fund in cooperatives and intermediate credit institutions reflect the awareness of the Bank that the main impetus for the creation of new job opportunities must come from private initiative.

We hope that the Bank will further increase its efforts in this area, that the Latin American governments will facilitate these activities and that full information on the availability of credits will be conveyed to the business and banking communities. Thus the contribution of private enterprise to rapid economic development could be greatly stimulated.

In addition, a substantial amount of private investment from abroad is indispensable. We are all aware that funds from private sources at the present time, are not forthcoming at the rate at which they are needed. Political instability, a lack of hospitality to foreign capital borne of suspicions bred in the past and excessive reluctance among potential investors both in Latin America and abroad to take what appear to be more than ordinary risks—these factors contribute to the inadequate flow of private capital into the region. My Government is seeking an amendment to the Internal Revenue Code for a trial period to grant U.S. investors a tax credit for new investments in developing countries. This credit also would apply to some extent to reinvestments of earnings in those countries. President Kennedy also is requesting changes in the law designed to broaden and clarify existing programs of investment guarantees. I trust that the Latin American governments and ourselves can cooperate more and more effectively in this whole area of encouraging private foreign investment, and particularly in the conclusion of investment guarantee agreements which will contribute so much to this end.

Such policies will tend to dispel both legitimate fears and unreasonable worries on the part of private investors. None of us, Latin Americans or North Americans, can afford the luxury of blind adherence to any dogma. Instead, each developing country must find the proportion of the private and the public sectors that most productively and efficiency serves its needs. The experience of recent decades has supplied ample evidence that the road to progress in a framework of political freedom is the road of the mixed economy.

My delegation sees potential usefulness for the Bank in the field of export financing. We have studied with great interest the report of the Board of Directors on this subject, which grew out of a proposal made by the Government of Brazil.

The United States believes that at the present time, such activities by the Bank should be carried on within defined criteria and on an experimental basis. Bank funds could, in our view, be used to finance the export of capital goods normally financed on medium term, among the Latin-American countries. Such financing should be made available to countries that are reducing barriers to trade and whose policies encourage the growth of diversified exports.

Furthermore, in order to make the wisest possible use of its resources, the Bank should enter this field only when other financing sources are inadequate; and in all cases it should do so only as a partner with local institutions. That way, the Bank can help mobilize internal financial resources of the Latin American member countries for the pursuit of objectives to which we are all committed.

With this in mind, I would like to make clear that the United States is glad to support the resolution which has been worked out relating to the financing of capital goods.

IV

The Bank, the Agency for International Development and many colleagues of ours in national, inter-American and international institutions are constantly plagued by problems that stand in the way of quicker implementation of projects. At times, we become frustrated and perhaps even short-tempered because outside observers or newcomers to our business criticize our institutions on this score unaware of how intensely we are working to cut down timelag.

Turning to the relationship of disbursements to commitments, it seems to me that we can isolate three distinct problem areas, and point to possible improvements.

On quite a few occasions this Bank, like my Government and other lenders, has made loans without adequate advance preparation. We have done so when impatience on our part or frustration on the part of the country concerned—and sometimes both—had built up psychological pressures for quick action. But I believe you will agree with me that, invariably, such quickly made commitments led to lengthy reevaluations, with even greater frustrations in the end. I think the evidence is ample by now to counsel us against being tempted by the pressures of the moment, against sacrificing sound evaluation to seeming psychological necessities, and to do the job thoroughly and efficiently in the interest of the quickest possible end result—the finished project.

In other cases, loan agreements were well prepared, but because of the large scale of a project, such as a hydroelectric or a major industrial plant, time-consuming and expensive bid plans and specifications were needed. These can take more than 1 year to complete. In most cases, such delays are unavoidable. In some, the timelag might have been reduced or avoided had the bureaucratic mills ground more quickly—and this problem must have our continuing and critical attention.

Finally, there are the social development projects. These can be carried out with relative speed—especially housing and schools. But here, too, problems must be solved unless we are to wind up with white elephants or new slums. The buildings themselves can go up fast. But what good is a housing project without a credit institution that can administer the mortgages and without community development that gives the project meaning and keeps it from falling into disrepair? And what is a school without adequately trained teachers and supplies and a curriculum developed and administered by professionals in ministries or on boards of education?

We have learned that such loans, too, take time for effective implementation because in many cases there is a need to build the institutions and develop the administrative and professional skills that spell the difference between a mere physical structure and a living organization.

But perhaps the most pressing problem, on which delays are avoidable or reducible if we make a concentrated effort, is the scarcity of specific projects to flesh out plans and statements of goals.

To do this, the Bank and the Agency for International Development have made loans for feasibility studies. These are designed to establish what lines of activity in a given economy best lend themselves to development, what resources are needed to do the job and what types of projects look most promising. These studies are than followed by the drafting of loan applications for specific projects which are offered to various institutions, including the Bank, for financing.

So far, we have made feasibility loans of this type to Bolivia, Ecuador, and Peru. We plan in the near future to make similar loans to several other countries and to the Central American Bank for Economic Integration. We stand ready to consider other requests for such loans and thus help convert ideas and plans into practical projects as rapidly as possible.

V

Through meetings like this annual conference, we constantly review and refine our approaches to the complex and changing problems of economic and social development.

Such consultation is particularly important in this region, where 20 countries are trying to mount a concerted and massive drive toward specific goals on the basis of commonly agreed principles and guidelines, spelled out in the Charter of Punta del Este.

The challenge of the Alliance derives largely from this hemispherewide approach. We are breaking new ground, and testing the effectiveness of new methods and techniques, in the hope of finding the way to do our job more quickly and rationally than in the past.

When I say "we," I am referring to all our member republics. The new ideas and techniques must come above all from our Latin American partners, for you know best what is likely to work in your country or region. At the same time, we must be constantly aware that our searching, testing, and our consultation can be fruitful only if we stay within the basic framework set down in the Charter of Punta del Este and that each of us carries his share of responsibility for the program.

Working along these lines; casting aside both complacency and exaggerated expectation; and moving forward at the pace which dedicated men and women throughout the region have set in the first 2 years of the Alliance, I am confident that this program can and will lead to self-sustaining growth of the Latin American Republics.

But beyond this, it is our joint and solemn responsibility to make sure that such growth takes place in the framework of freedom and democracy. As President Betancourt said in his address on Monday: "When our peoples lose faith in the ballot, and in the orderly and peaceful transfer of power from one government to the next through elections, they will be tempted to succumb to the experience of Cuba * * *. They may do so out of sheer despair unless we succeed in establishing and maintaining truly democratic governments which guarantee our peoples not only a reasonable income but also access to land and to cultural values."

The words of President Betancourt are an eloquent definition of the Alliance for Progress. This is a program not for the few—but for the many. Its institutions do not serve one sector to the exclusion of another—they must serve all the people.

Let us, then, heed the urgent call of these peoples by assuring the success of this Alliance—a success for which uncounted millions have yearned so ardently for so long and which they so richly deserve.

Thank you.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 21, 1963, he presented to the President of the United States the following enrolled bills:

S. 18. An act to change the name of Harpers Ferry National Monument to Harpers Ferry National Historical Park; and

S. 247. An act to authorize survey and establishment of a townsite for the Juneau Indian Village in Alaska.

ADJOURNMENT UNTIL THURSDAY

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that the Senate adjourn, under the previous order, until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 6 o'clock and 28 minutes p.m.) the Senate adjourned, under the previous order, until Thursday, May 23, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 21, 1963:

The following-named midshipmen (Naval Academy) to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Thomas H. Aulenbach
Patrick A. Day

The following-named midshipmen (Naval Academy) to be permanent ensigns in the line of the Navy (special duty intelligence), subject to the qualifications therefor as provided by law:

Robert D. Stiger, Jr.
David A. Wells

Roger A. Marlen (Naval Reserve Officers' Training Corps candidate) to be a permanent ensign in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

James R. Moyers
Stephen A. Pye, Jr.

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

James H. Blackburn Garry L. Snodgrass
Nicholas D. Broussard John T. Watson
Eugene S. Kostiuk

The following named (Naval Reserve Officers' Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Michael B. Peterson.

* * *

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 21, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Philippians 3: 13–14: *Reaching forth, I press toward the mark for the prize of the high calling of God in Christ Jesus.*

Almighty God, we thank Thee for this significant day when we are paying tribute and honor to another young American patriot and hero.

We proudly acknowledge that he has captured our imagination and admiration by soaring onward and upward into space.

Grant that his achievement may symbolize the faith and courage we need for the adventure of the aspiring and ascending moral and spiritual life.

Inspire us to believe and feel that our souls belong to a "generation of wings" and that Thou art continually calling and urging us to pursue the lofty altitudes.

Expand and enlarge our minds and hearts with a passion to attain unto the highland and heavenly life.

May we eagerly follow the vision which Thou hast revealed unto us in the life of our Lord and may that vision bless us with its gleams which are always pointing us to the higher levels.

We humbly confess that the highland life is also beset by many obstacles and difficulties but that Thou wilt kindle within in this divine assurance:

"He who, from zone to zone;
Guides through the boundless sky Thy certain flight.
In the long way that I must tread alone,
Will lead my steps aright."

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 537. An act to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; and

S.J. Res. 60. Joint resolution providing for the acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 3 minutes p.m.) the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE TWO HOUSES OF CONGRESS TO RECEIVE MAJ. L. GORDON COOPER, JR., U.S. AIR FORCE

At 1 o'clock and 11 minutes p.m., the Doorkeeper announced the Acting President pro tempore and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Acting President pro tempore, Mr. RUSSELL, taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

At 1 o'clock and 15 minutes p.m., the Vice President entered the Chamber and assumed the chair vacated by the Acting President pro tempore at the right of the Speaker.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort our distinguished visitor into the Chamber the gentleman from Oklahoma [Mr. ALBERT], the gentleman from Louisiana [Mr. BOGGS], the gentleman from Georgia [Mr. VINSON], the gentleman from Texas [Mr. TEAGUE], the gentleman from Illinois [Mr. ARENDS], the gentleman from Wisconsin [Mr. BYRNES], and the gentleman from Massachusetts [Mr. MARTIN].

The VICE PRESIDENT. The Chair appoints on behalf of the Senate the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Florida [Mr. SMATHERS], the Senator from New Mexico [Mr. ANDERSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Maine [Mrs. SMITH], and the Senator from California [Mr. KUCHEL].

The Doorkeeper announced the Ambassadors, Ministers, and Chargé d'Affaires of foreign governments.

The Ambassadors, Ministers, and Chargé d'Affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

At 1 o'clock and 25 minutes p.m., Major Cooper's fellow astronauts, Virgil

I. Grissom, Alan B. Shepard, Jr., Donald K. Slayton, Malcolm S. Carpenter, and Walter M. Schirra entered the Chamber. [Applause, the Members rising.]

(The other astronaut, John H. Glenn, Jr., was in Japan.)

The Doorkeeper announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 1 o'clock and 32 minutes p.m., the Doorkeeper announced Maj. L. Gordon Cooper, Jr.

Maj. L. Gordon Cooper, accompanied by the committee of escort, entered the Chamber and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is a personal pleasure and a great honor for me to present to you a brave man who has made history, a dedicated American who has added luster and glory to our country, and whose achievement will bring extraordinary benefits to mankind, Maj. L. Gordon Cooper, Jr. [Applause.]

Major COOPER. You cannot imagine what an honor it is for me to be invited here, and I thank you all very much. It is indeed a very great privilege and honor.

The other day when we came into Honolulu, coming back from the carrier, the U.S.S. *Kearsarge*, it was Armed Forces Day, and flying in the helicopter from the carrier we deviated over by the U.S.S. *Arizona* and I threw a wreath out on the tomb and I thought as I did so of the many thousands of American military who fought and died and those who are still fighting and dying, and who will in the future fight and die that we might have a free country, a country free to conduct the research and development of a peaceful scientific program such as the one I am now in.

I think that this program is composed of many members of the military such as myself who are integral members of the National Aeronautics and Space Administration as well as the many civilians from all walks of life and from all avenues of endeavor. I do not think I have ever been with a team that was more dedicated, or striving harder, or was more completely sold on their product than the total space effort and particularly the manned space flight effort in which I am involved. I think one thing that we are proving is that man is very definitely a primary part of the space vehicle system, of the manned space vehicle system in particular, that man can still function with his brain, his thoughts, his body, and aided by the various intricate parts of the hardware which we developed over the years, he can still accomplish his mission, take varied courses of action, and conduct research and explore space in all avenues. I think that the door to the manned space flight was opened by the gentlemen who appear here with me; Alan Shepard and his spacecraft *Freedom* 7. [Applause.] Shortly after this momentous occasion and still a man riding on top of the rocket and getting into space was Gus Grissom and his spacecraft *Liberty Bell* 7. [Applause.] Next there was a gentleman whom we certainly all know and the entire world knows and loves and respects, John Glenn and his spacecraft *Friendship* 7. [Applause.] John is doing some ambassadorial work in Japan for us. He is out there with his wife Annie. He phoned yesterday morning via long distance to extend his best wishes and to say that he wished he could be here and all his best wishes were with us, and to give you all his best. He was followed by Scotty Carpenter in his spacecraft *Aurora* 7. [Applause.] We then had a very complete systems wring-out, elongation of flight, an engineering test flight in Wally Schirra's *Sigma* 7. [Applause.] And then followed by myself in the spacecraft that I flew, *Faith* 7. [Applause.]

I think of all things that I am constantly amazed at is the public's response to this program. I think it is tremendously impressive. I think examples of this are the parades that we have had—and more recently in Honolulu, then the one we have had here in Washington. I think that these show that Americans want to express their feelings and their confidence that we as Americans can conduct peaceful research programs; that we can conduct them openly, honestly, and under the surveillance of every man, woman, and child in the entire world. [Applause.]

I think that in furtherance of this—of the interest that is shown in the program—is my privilege of being invited to speak to you ladies and gentlemen here today.

I named my spacecraft *Faith 7* for three reasons: First, because I believe in God and country; second, because of the loyalty to organization, to the two organizations, actually, to which I belong and, third, because of the confidence in the entire space team. [Applause.]

I am not too much of a preacher, but while on the flight on the 17th orbit I felt so inclined to put a small prayer on the tape recorder in the spacecraft—it was over the middle of the Indian Ocean in the middle of the night. Things had been going so beautifully, everything had been working perfectly, and it was an ideal flight. I was encouraged to read a little transcript of this prayer as an ending:

> I would like to take this time to say a little prayer for all the people, including myself, involved in this launch operation. Father, thank You, especially for letting me fly this flight. Thank You for the privilege of being able to be in this position; to be up in this wondrous place, seeing all these many startling, wonderful things that You have created. Help guide and direct all of us that we may shape our lives to be much better Christians, trying to help one another, and to work with one another rather than fighting and bickering. Help us to complete this mission successfully. Help us in our future space endeavors that we may show the world that a democracy really can compete, and still are able to do things in a big way, and are able to do research, development, and can conduct many scientific and very technical programs. Be with all our families. Give them guidance and encouragement, and let them know that everything will be OK.
>
> We ask in Thy name. Amen.

At 1 o'clock and 43 minutes p.m., Maj. L. Gordon Cooper, Jr., accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The joint meeting of the two Houses is now dissolved.

Accordingly, at 1 o'clock and 46 minutes p.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

AFTER RECESS

The recess having expired, at 2 o'clock and 15 minutes p.m. the House was called to order by the Speaker.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MAJ. L. GORDON COOPER

Mr. STEED. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the life of Astronaut Leroy Gordon Cooper, Jr.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEED. Mr. Speaker, like all the other people of Leroy Gordon Cooper's hometown, Shawnee; his home county, Pottawatomie, and his home State, Oklahoma, I feel a limitless pride in his achievement.

All Americans and indeed people everywhere shared in the anxieties and exaltations of his space flight. But we who saw him grow up in Shawnee and who have maintained a warm friendship through the years with the Cooper family felt an unusually keen sense of personal involvement.

Many have known him ever since he was born at Shawnee, March 6, 1927. His father, the late Col. Leroy Gordon Cooper, Sr., was active in the community for many years.

The future astronaut attended all 12 years of public school at Shawnee except for the 10th grade, which he spent in Murray, Ky.

His principal for 7 years at Jefferson grade school, Mrs. Gladys Risher, was typical of many who recall him when she said:

> He was serious, intent on doing what was expected of him and what he expected of himself. He was a happy child, and as so many of us look back to those years we remember the quick smile, the bright, alert eyes, the sunny disposition.

Others recall him best accompanied, as he habitually was, by his dog Max, who lived to be 16 years old.

At Shawnee High School Leroy Gordon Cooper, Jr., was a member of the honor society, the Hi-Y and won a letter in football. He was taught to fly by M. C. "Davey" Davenport, still a resident of Shawnee, where he is assistant city engineer. After his graduation in 1945 he joined the Marine Corps. For several months prior to his discharge in 1946 he was a member of the Presidential Honor Guard here in Washington.

After leaving service, he joined his parents in Hawaii, where he studied engineering for 3 years at the University of Hawaii. It was there that he met and married his wife, the former Trudy Olson of Seattle, Wash., who at the time was teaching flying in Honolulu.

While attending the university, Cooper received an Army commission. After transferring to the Air Force, he was recalled in 1949 for flight training. For 4 years he was with the 86th Fighter Bomber Group in Munich, Germany, flying F-84's and F-80's. Then for 2 years he attended the Air Force Institute of Technology at Wright-Patterson Air Force Base, Ohio, where he received a bachelor's degree in aeronautical engineering in 1956.

Major and Mrs. Cooper have two daughters, Camala K. and Janita. His mother, Mrs. L. G. Cooper, Sr., now lives in Carbondale, Colo., but was in Oklahoma last week during the space flight with his grandmother, Mrs. Orena Herd of Tecumseh. His paternal grandmother, Mrs. Cora Cooper, also is a resident of Shawnee, as is an aunt, Mrs. J. J. Truscott.

Last August 11, when Major Cooper returned to Shawnee to participate in the naming of a Reserve armory in honor of his father, the community showed what it thought of him. Although the temperature broke records in a terrific heat wave, a crowd estimated at 20,000 persons jammed the downtown area for the welcoming parade.

As Jack Reese, news editor of the Shawnee News-Star, wrote last week:

> Today, he imprints permanently his name on the pages of American and world history as one of the seven original U.S. astronauts, explorers of space.

To Oklahomans it is an interesting footnote that the commander of the aircraft carrier which picked up Major Cooper near Midway after his flight, the U.S.S. *Kearsarge*, also is a resident of our State. Capt. Eugene S. Rankin, commanding officer of the *Kearsarge*, is the son of Mr. and Mrs. John A. Rankin of Sapulpa and a 1932 graduate of Sapulpa High School.

HOUSE PARLIAMENTARIAN HAS PLAYED VITAL ROLE IN COURSE OF U.S. HISTORY

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, our distinguished Parliamentarian, Lew Deschler, is now serving his 36th year in that most important position in this House of Representatives. Although he possesses a passion for anonymity, he has become as well known a fixture in this House as the Mace beside which he sits. The late Speaker Sam Rayburn called him "A big brain man." Our beloved Speaker JOHN W. MCCORMACK calls him "The No. 1 Parliamentarian of the world."

Mr. Speaker, I ask unanimous consent to have printed with my remarks a story about Lew Deschler from the May 19 edition of the Springfield (Mass.) Republican:

MEET LEWIS DESCHLER: HOUSE PARLIAMENTARIAN HAS PLAYED VITAL ROLE IN COURSE OF U.S. HISTORY

WASHINGTON.—Meet the man who lays down the law to the Nation's lawmakers.

He is Lewis Deschler, Parliamentarian of the House of Representatives—a big, genial Ohioan who for 35 years has passed judgment on legislation affecting millions of U.S. citizens and the world at large.

GIVES OPINIONS

"I don't make rulings, I just give opinions," insists Deschler.

But so seldom have his "opinions" been challenged over more than a third of a century of both Democratic and Republican rule that he is accepted without question as the lawgiver of the House.

Deschler, a 6 foot, 3 inch, 250-pound former tackle for Miami (Ohio) University, describes the job as "something like refereeing at a football game."

But no football referee ever faced the problems of the man who must have every one of the 11,000 rules of the House at his fingertips, and keep the 435 Members from each other's parliamentary throats.

Only once has he been overruled by the House, and then with his own agreement in order to straighten out a technicality.

He acts as constitutional lawyer, historian, adviser, and confessor to the always independent, sometimes rambunctious Members of the House.

Many Members call him "judge," but he has never presided over a courtroom or served as an attorney, and he didn't even have a law degree when he first took the job.

CAN DECIDE HISTORY

Yet Deschler's opinions can decide the course of the Nation's history.

There would probably still be only 48 States instead of 50 if Deschler had not searched a century of House precedents to find a rule allowing the Alaska and Hawaii statehood bills to bypass the Rules Committee, where they had been blocked.

And in depression days, he thumbed back through 15,000 pages of House rulings to find in President Andrew Jackson's era the legislative key that opened the door for President Franklin D. Roosevelt's "hundred days" of high speed reform legislation.

IMPARTIAL ADVISER

At the same time, Deschler gave impartial parliamentary advice to Republicans who sought to use the rules to block Roosevelt's programs.

Deschler's opinion can mean victory or defeat in a bitter legislative battle, but members of both parties trust him.

"They come to me and ask me questions. I answer them," he says. "It does not matter to me what party they belong to. They are all entitled to the same service."

More than one President has had reason to be grateful to Deschler.

When he was introduced to Franklin Roosevelt as "The man who has kept four House Speakers straight," the President—plagued by a balky Senate—replied: "Why don't you let him work on the Senate."

Deschler's anonymity in the midst of a whirl of nationally known Washington personalities is by his own choice.

"I am not an unduly modest man," he says. "I just believe these Members who have to run for reelection every 2 years should get any credit there is. I'm not running for anything."

WORDS OF PRAISE

"He is less well known in the United States than many men of less importance here," says Representative RICHARD BOLLING, Democrat, of Missouri.

Speaker JOHN W. MCCORMACK calls him "the No. 1 parliamentarian of the world."

Says the Republican House leader, CHARLES A. HALLECK of Indiana: "I have known no other person more fiercely proud of the highest traditions of the House."

Without the rules, and Deschler to interpret them, added HALLECK, "We never would get anything done around here."

The late Democratic Speaker Sam Rayburn of Texas used the highest accolade in his lexicon to describe Deschler: "A big brain man."

Deschler's minute knowledge of the complex workings of Congress would make him invaluable to any industry, but he has turned down offers to become a lobbyist at many times his $22,000 a year salary.

"This is my life, my love," he says.

Deschler was a Republican when first appointed Assistant Parliamentarian by GOP Speaker Nicholas Longworth in 1927, but now, as to politics, "I wouldn't describe myself at all."

RANGE OF DECISIONS

Deschler's opinions have ranged from such solemn matters as the procedure for declaring war, to deciding how soon Americans could buy a drink after the repeal of prohibition.

After a mixup in timing between the House and Senate, Deschler advised that April 7, 1933, was the earliest date a thirsty citizen could legally hoist a highball. The ruling stood.

The Constitution, Thomas Jefferson's manual and the nearly two centuries of precedents make up the rules of the House. They have confused more than one trained lawyer, but Deschler boils down the legalistic maze to one basic principle: "The Nation," he says, "is entitled to fair play in enacting its legislation."

After a mixup in timing belong that now, he says, "I can walk but on the floor and feel it when something is going to happen."

EULOGIZED RECENTLY

But one proceeding he failed to anticipate was the recent eulogy to mark his 58th birthday and 36th year as Parliamentarian.

A rare House tribute usually reserved for congressional bigwigs or other national notables, it covered nearly five pages of the CONGRESSIONAL RECORD.

Looking proudly down from the gallery were Deschler's parents, Mr. and Mrs. Joseph Deschler, both now in their 80's.

"I never dreamed when I was a barefoot boy in Chillicothe that I would ever be here," Deschler said later.

If Deschler ever doubted his value to the House, there is no question in the minds of its Members, past and present.

One of them—President John F. Kennedy—sent Deschler this message: "You have played a unique and vital role in the life and work of the House of Representatives. I had an opportunity myself as a Member of Congress to know of your wise and effective influence."

SMALL BUSINESS COMMITTEE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 of the Small Business Committee be allowed to sit Wednesday and Thursday of this week during general debate.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

POSTPONEMENT OF SPECIAL ORDERS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the special order program for tomorrow may be postponed until Thursday.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Reserving the right to object, Mr. Speaker, what is the occasion for this request, if I may ask the majority leader?

Mr. ALBERT. If the gentleman will yield, two Members have special orders for tomorrow. We do not plan any legislative program for tomorrow. We plan to ask unanimous consent to adjourn over from today until Thursday, when we do have legislative business.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MANMADE FIBERS

Mr. DORN. Mr. Speaker, I ask, unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the informal textile committee of the House, created in the 87th Congress, under the leadership of the distinguished gentleman from Georgia [Mr. VINSON], labored long and hard to save the textile industry of this country from unfair low-wage foreign imports. Much progress was made in calling this problem to the attention of the Congress, to the country, and to the world. As a result of the persistent efforts of the textile committee in the House and that of the other body, the long-range agreement with 23 countries of the world, representing 90 percent of the textile manufacturing of the free world, was signed.

Mr. Speaker, any solution of the textile import problem must take into consideration all phases and all categories of textile imports, including wool, silk, and manmade fibers. So far this year, imports of woolen goods are skyrocketing over last year. There has been a fantastic increase in the imports of manmade fibers. As of May 1, imports of manmade fibers reached a staggering total of more than 34 million square yards above the same period last year. May I remind the House that last year manmade fiber imports were the highest on record. During our many meetings at the White House, at the State Department, here on Capitol Hill, in the Commerce Department, and everywhere, it was agreed that no real solution to the textile problem could be found without limiting imports of wool, silk, and manmade fibers. As secretary of the textile group, I recall that all major participants in these discussions agreed that imports of manmade fibers must be limited in order for any general agreement to work successfully. Those of us in the textile group were aware from the beginning that foreign manufacturers, exporting to the United States while limiting exports of cotton goods, could literally shift overnight to the exports of manmade fibers. This could not only wreck the manmade fiber industry but could undermine any other agreement concerning cotton goods.

Mr. Speaker, I maintain that the President has the tools with which to do the job and, if not, a favorable decision in the textile industry's national security case would give the President the green light to go ahead and save the entire textile industry of this country including wool, silk, and manmade fibers. I urge the Director of the Office of Emergency Planning to proceed under the law and thoroughly investigate the effect of these imports on national security. After such an investigation the Director could come to only one conclusion—that is, the textile industry, including manmade fiber, is essential to national defense. With this ruling by the Director, the President could move swiftly to save this essential industry.

CAHOKIA, ILL., FOUNDED IN 1699

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, today, as the Congress pays tribute to one of the Nation's astronauts, L. Gordon Cooper, I would like to take a few moments to refer to an earlier date in our country's history.

Even before our Nation obtained its independence, there was established near the banks of the Mississippi River in an area now known as St. Clair County, Ill., a thriving community—a community that was to have a significant role in the history of the new world and which has lived continuously since founded by early French missionaries.

In this age of space exploration and jet transportation, it is well for us to look back into history and to examine the manner in which our land and our country was developed. I am particularly interested that my colleagues in the House have some idea of the early settlements in the Midwest—quite a few of which date back as far as Williamsburg and other historic settlements in the East. Cahokia, the community of which I speak, for instance has been in existence since 1699—a historical fact of which relatively few people in our country are aware.

The development of new outposts and frontiers in those early days of Cahokia was as important to the world then as the achievements of our astronauts of today.

For the edification of my colleagues in the House and for posterity, I would like to make the history of Cahokia, one of the earliest settlements in the new world, available to my colleagues and so that it will be of permanent record, I ask unanimous consent to include with my remarks a history of the historic community of Cahokia. This historical data appeared in the dedication program of the new Cahokia Village Hall sponsored by the Cahokia Jaycees and held on May 17, 18, and 19, 1963. It was compiled and written by Dolores B. Tygard.

The story of Cahokia follows:

THE FOUNDING

A young British commandant, Capt. Thomas Sterling, wrote an amazing and very human letter to his general in the year 1765. He was reporting upon conditions in the little French village of Cahokia, which was under his command.

Cahokia was a venerable 66 years old by this date, having been in existence since 1699. In this letter, we read of the captain's distress with his people, who had a tendency to slip across the Mississippi River and settle in the little town of St. Louis * * * which was exactly 1 year old.

He said, in part, "I have not been able to get an exact account of the number of inhabitants, as there is always many of them at New Orleans, trading with the Indians, or hunting, which they go to as regularly as the savages. My estimate of Cahokia is about 40 familys. The new settlement of St. Louis has now 50 familys * * *. I wrote your excellency that few or none had given in their names, which made me hope they intended staying, but I have found since that that was a blind for many of them drove off their cattle in the night and carried off their effects and grain, but as I was not in condition to send partys to the two ferrys of Cahokia and Caskaskias, a good deal has been carried off. If the gentlest methods are not used with those that stay * * * who are the best * * * we shall lose them, too."

These early French settlers, bound by ties of blood to their native France, found life intolerable under the rule of George III. They disregarded all the notices of the young British captain, and carried off grain and cattle * * * even parts of their houses. These emigres made up a large part of the St. Louis settlement and Prairie a Catalan (later Carondelet).

In this 20th century it is like a pendulum of time, swinging in a returning arc, for hundreds of St. Louis families have discovered Cahokia. They are moving back across the river to this historic little town, to take up residence in the new subdivisions.

Everywhere the newcomers discover the rich lore of Cahokia. On Illinois State Highway No. 3, at the intersection of Highway No. 157, the State has erected a marker proclaiming that this village was founded by missionaries from the Seminary of Foreign Missions at Quebec in 1699.

The story began in Paris, 300 years ago, when the first bishop of Quebec was a student. It was his dream to start the Seminary of Quebec, which dream was realized. For 35 years the seminarians prepared for the first great missionary project among the aborigines of the Mississippi Valley. The village of the Tamaroa Tribe of the Illinois Nation was chosen as the most advantageous location for central headquarters, because it was the "key and necessary passage to the nations beyond."

On May 1, 1698, the party left Quebec. There were three missionaries * * * Messrs. De Montigny, Davion, and St. Cosme, a deacon, three lay assistants, two blacksmiths, and some dozen workers.

When they reached the western country, no less a personage than Henri de Tonti, LaSalle's famed lieutenant, joined their party as their guide and friend. They passed slowly along the west shore of Lake Michigan, and by the 6th of December, they reached the mouth of the Missouri, and set up a camp among the Tamaroa-Kaoquis Indians. The first tribe they met were the Kaoquis. The following day, at noon, they were asked to visit the Tamaroa, across the river.

St. Cosme, who seems to have been the chronicler of the expedition, wrote a journal, which has been handed down as a classic of our western literature. He says:

"We camped on the other side of the river on the right bank. Monsieur de Tonti went to the village, and after reassuring them to some extent, he brought the chief, who begged us to go and see him in his village. We promised to do so, and on the following day, the Feast of the Conception, after saying our masses, we went with Monsieur de Tonti and seven of our men well armed. All the women and children were there. No sooner had we entered the cabin, than the young men and women broke away a portion of it to see us. There seemed to be a great many of them although the majority of their people were away hunting. They gave us food and we gave them a small present * * * they received the gifts with many thanks and after that we returned to our camp. The three villages speak the Illinois language."

The party divided, and St. Cosme and two workers remained behind. When Montigny returned on May 14, he found that a presbytery had been built and that the timbers for the chapel had been cut. A few months later, he wrote to Quebec "The chapel being finished, we planted a cross, with the greatest possible ceremony. All the Indians were in attendance."

This was in the week of May 14–22, 1699. The Mission of the Holy Family of Kaoquias was formally established, and here it stands today, at the crossroads of the Middle West, with a history which staggers the imagination.

The little parish has been by turns French, English and American. It has witnessed Indians massacring Europeans, patriots winning a revolution, and Americans marching off to every war our country has fought.

The hardships endured by the young St. Cosme and his men can only be surmised. By 1700, a Father Marc Bergier had been appointed vicar-general for the Mississippi Valley, and he replaced St. Cosme at Cahokia.

Further along in this same year, two Jesuit priests arrived, one speaking the native tongue of the Tamaroa Tribe. The Jesuits, who had been working with the Illinois Indians for 25 years, felt their territory had been taken over. They soon established a mission of their own at Cahokia, but the problem was resolved by decision made in France in 1701. The original instructions were upheld, and the two Jesuits moved on down the river to found the village of Kaskaskia.

For all of them, the days were filled with anxiety and danger. Our histories give us an account of a Sioux uprising, coming down from the north, which surprised a group of local tribesmen out picking strawberries. They cut off the neck of a slave belonging to a Frenchman * * * stabbed two women and scalped them, wounded a girl with a knife, and crushed another underfoot. This was indicative of the resentful minority which opposed the coming of the missionaries, and their first settlers.

Father Bergier died in Cahokia, and, incredibly enough, is one of four priests buried behind the log church in the ancient burial ground.

A letter from the Jesuit father at Kaskaskia, still preserved in Quebec, recounts his death at the faraway outpost * * *.

"His death was a cause of triumph for them. They gathered around the cross that he had erected, and there they invoked their Manitou * * * each one dancing and attributing to himself the glory of having killed the missionary, after which they broke the cross into a thousand pieces. I learned that with great grief afterward."

LOUISIANA PERIOD

Up until 1717 the town was under the government of Quebec. However, in that year the whole Illinois country was reallocated to the administration of Louisiana. A district command was shortly afterward established at the new Fort de Chartres. Things brightened considerably for the little band of French, at that time, for the commandant of Fort de Chartres gave the mission a large grant of land * * * 4 leagues (12 miles square) beginning above the village and extending down along the river. However, Cahokia * * * the most isolated spot on the Mississippi * * * did not show much material progress until the complete defeat of the Fox Indians in the year 1730.

The first official estimate of the population of Cahokia was made in 1723. It credits the village with seven habitants, one white laborer, one married woman, and three children.

The development of the Cahokia plowlands can be followed in part. The ground was fertile and did not have to be cleared of trees. A peculiar "strip farm" layout seems to have been contemplated as early as 1731, when the missionaries purchased from the Indians an area of land of 30 "arpents" frontage. This was laid out in tracts 3 arpents wide, starting at the Commons fence. The Indian occupation of the riverbank interfered with the completion of these fields, which the farmers insisted should run, without interruption, from the river to the bluffs. The unusual pattern of these farms, known as "the long narrow commonfield tracts of Cahokia" can be traced even today. Some of the strips, less than 200 feet wide, were over a mile long.

Farming was most successful, for our first settlers tell us that the ground would produce three times as much food as they could consume. A document of this period says, "* * * there is not, in all America, any special officer who has such a province as has he who commands for the King among the Illinois."

By 1752, the village had grown considerably. The census taken by the commandant was probably incomplete, for it does not contain names which should have been listed. However, it totals 136 persons, a tripling of the population since the first census. The resources were listed as 33 arpents of land, 224 head of cattle, 83 horses, and 100 hogs. Boys above the age of 12 were considered as capable of bearing arms, bringing the total of citizen soldiers to 21. For the defense of the village they had 29 fusils, 67 livres of powder, and 68 of lead and ball.

BRITISH OCCUPATION

These years would see the last of the great frontier struggle between the English and the French for domination of the Mississippi Valley. However, after the fall of Quebec, the war was lost and defeat cost France her colonial empire in America.

The years preceding the peace of 1763 had been hard for the little village, with Indian raids, drafting of her men to campaign for France, and disturbed conditions generally. But this was a bitter blow to the villagers, for they were French to the core.

The English paid little attention to such frontier posts as Cahokia. When administrators were finally sent, they were disdainful of the French customs and ways of thought.

FOUNDING OF ST. LOUIS

The founding of St. Louis, on Spanish territory in 1764 was the real turning point in Cahokia's career. Pierre Laclede's party arrived from New Orleans late in 1763, and spent the winter at the fort. To get settlers for St. Louis, the commandant and Laclede endeavored to empty the French villages on the east bank, in spite of the British efforts to preserve them.

Thus it was that so many families crossed the river to take up life in the Spanish settlement * * * causing Captain Sterling to say, with plaintive sadness * * * "if the gentlest methods are not used with those who stay * * * who are the best * * * we shall lose them, too.

Up to this point, Cahokia had been called "the center of commerce of New France, or Louisiana, which is considerable in furs."

St. Louis was to take its place. The new establishment was located on the opposite bank * * * and under the energetic leadership of Pierre Laclede, it soon became the metropolis of the upper valley.

PONTIAC

After the origin of St. Louis, the most celebrated event of this period was the assassination of the great Indian Chief, Pontiac, on April 20, 1769. The famous Ottawa chief had come down the Mississippi "to trade and talk and drink." On that day, he was doing some trading on the main street of Cahokia at the store of Bayton, Wharton, and Morgan. History or legend tells us that a British trader, being jilted in courtship by one of the Cahokia French maidens, hired an assassin to waylay Pontiac. He, in turn, tried to fasten the guilt upon her lover.

Pontiac, who had been a great chieftain * * * who won his laurels at Detroit against the northern Indians * * * who was heard of at the great defeat of Braddock * * * who was in the French-Indian War at Quebec, and received his uniform from the celebrated French commander, Montcalm, was destined to die in this quiet little town of Cahokia, slain by a halfbreed Indian.

Pontiac had been in St. Louis, visiting with the elder Chouteau. While there, he heard of the great ball to be held at Cahokia. Dressed in his uniform, he crossed the river to mingle with his friends.

During the dance a shock came to the assembly which was as great as a cannon's roar. A young girl, on her way to the festivities, had come upon Pontiac's body on the edge of the forest. It was she who spread the alarm.

On the morning, he was buried within the village limits. The exact spot, pointed out by old citizens, is about 60 feet southeast of the lots owned by an early citizen of Cahokia, a Dr. Illinski. In 1881, the oldest house of the village stood on this lot.

EARLY AMERICAN PERIOD

The Illinois country became an important theater of operations for the Virginia frontiersmen. George Rogers Clark's famous campaign started with the capture of the Illinois country. On July 6, 1778, Capt. Joseph Bowman and 30 Americans (called "Big Knives") rode up on horses borrowed at Kaskaskia, and took Cahokia by surprise. (Note: The Illinois Historical Society has the original account of this by Bowman, himself.)

By reminders that France was on the American side, by promises of political freedom and by direct threat, Clark won over the majority of the French inhabitants. Bowman says he "* * * informed them not to be alarmed that although resistance at present was out of the question * * * they were at Liberty to become free Americans."

The Mississippi River villages then became the base of operations from which Vincennes was laid under the military occupation of Virginia troops.

Among the outstanding events of the Revolutionary period were the visit of the Spanish lieutenant governor of St. Louis, for making war plans, and the reception of great numbers of Indians, from hundreds of miles around. They "soon flocked into the town of Cahos (Cahokia) to treat for peace." Even frontiersman Clark was amazed. The councils, which lasted 5 weeks, were enlivened by an attempted abduction of Clark by one of the tribes.

Within a year, a large striking force of British-led Indians descended on St. Louis and Cahokia, Clark was able to garrison Cahokia with 400 men, and when the attack broke on May 26, 1780, it was firmly repelled.

DESCRIPTION OF CAHOKIA

Much of the descriptive material relating to the old village is obscure, but by piecing together various references, and examining their historical documents, we learn this about our early Cahokians.

They settled their whitewashed houses around a square, close together. Their innate politeness, love of their families, and sheer joy of living runs through the pages of history. Each little house was surrounded by a white picket fence * * * flowers bloomed in profusion * * * and made a picturesque background for their quaint costumes. The people had a strong predeliction for the blue color. Both male and female wore blue kerchiefs on the head. Hats were seldom used; in the winter a "capot made of white blanket" was the universal headdress. Pantaloons for the men were commonly of a coarse blue cloth in the summer and buckskin in the winter.

In "The Pioneer History of Illinois" we find an interesting description of the houses.

"The French houses were generally one story high, and made of wood. They were formed of large posts, being set 3 or 4 feet apart and the intervals were filled up with mortar made of common clay and cut straw. Over the whole wall, outside and inside, it was generally whitewashed with fine white lime, so they presented a clean and neat appearance * * * all of the houses, almost, had galleries around them. The roofs were uniform and peculiar. They were made of rafters and lath for sheeting. The ends sloped considerably toward the center of the building. No nails were used to fasten the shingles to the lath. Pegs were put into the holes * * * and then one course of shingles bound another, until the whole roof was solid and good, never leaking one drop."

The farmlands lay entirely outside the village. The Cahokia Commons, as they were called, consisted of thousands of acres, extending all the way to the present site of East St. Louis. The habitants described the common fields as "land on which to support their cattle, and for getting wood; not only for building but for fuel."

Each family possessed individual interest in a portion of the field marked off and bounded. Ordinances were made to regulate the repairs of fences, the time of gathering of the crop, and the opening of the field for the range of cattle. Each plat of ground in the common field was owned in fee simple by the person to whom granted * * * subject to sale and conveyance, the same as other property.

Sunday, as elsewhere in the colonies, was a day of pleasure. One historian stated that he did not believe there was a more devout people than the primitive French. With sentiments of true piety, it afforded them the utmost happiness to attend the church and perform their devotions.

But after mass was over, they enjoyed the day in amusements, merriment and recreation. Dancing, training the militia, house raising and similar performances were indulged in by the French on the Sabbath.

Public sales of land and other property in early times was held at the church doors on Sunday, after mass.

John Reynolds says; "I have seen the young folks dancing on a Sunday evening under the shade of the trees, with as much gentility and decorum as if the dance were any other day of the week. The old people were frequently seated around, enjoying the amusement with decided approbation."

In the years closing the 18th century, men of affluence and wealth were settling in Cahokia. We see names like the Sauciers, the Trottiers, Charles Gratiot, Nicholas Jarreau (Jarrot).

In the courthouse papers, we read that the commandant, Trottier, was "grandly housed" and received a party of Indians in "a great furnished hall where a large crowd came to see them in the evening."

Charles Gratiot was a formidable resident. He came in 1777 and opened a trading post. The Missouri Historical Society is in possession of his Journal des Cahos," dating from August 6, 1778, to December 1781, and from it we have received much of our information regarding these early times.

He remained in the area until 1781, when he moved to St. Louis and married the sister of Auguste and Pierre Chouteau.

CAHOKIA COURTHOUSE

The courthouse is still standing, one of three remaining landmarks, and is an Illinois State memorial, open to visitors.

It is the oldest house in Illinois, possibly the oldest private dwelling in the Midwest, built shortly after 1737. It is a classic example of this early type of French dwelling.

The house was the home of Capt. Jean Baptiste Saucier, builder of Fort de Chartres. In turn, it became the property of his son, Francois. One historian notes that in 1783 two rooms in this house were rented to a M. Marchessau. However, later documents show that Francois Saucier sold his home to the county for a courthouse.

With the establishment of the Northwest Territory, Cahokia became the seat of St. Clair County, a vast area embracing the largest part of what is now the State of Illinois. A grand jury report on October 4, 1791, recommended "* * * that for the support of the laws and government of our county the speediest means be taken to have a proper jail in this village, such as the state of this district may afford in its present situation * * *."

It appears that about this time a townhouse was bought for public use, but was soon afterward exchanged for the Saucier dwelling, "facing the rigolet next to the parade ground." This was then converted into a prison and courthouse under the authority of a territorial statute.

Nothing more is known about this building, which continued as a courthouse until 1814, when the seat of government was moved to Belleville. It then fell into private hands, and, as a curious specimen of early architecture, was sent to the World's Fair in St. Louis in 1904. Later it was moved to Jackson Park, Chicago. In 1939, such timbers as remained were brought back to Cahokia and reerected on the original site.

Interesting pictures and documents of the early days of Cahokia are now housed there. The names of our first settlers: * * * Thomas Brady, Jean Baptiste LaCroix, the Sauciers, Trottiers, Jarrots * * * run through these documents.

The Cahokia courthouse is considered to be one of the leading relics of the French period in Illinois, a prototype of the better houses of the period.

CHURCH OF THE HOLY FAMILY

The Church of the Holy Family is the second of the landmarks still remaining.

In 1768 a French missionary, Father Pierre Gibault, was to come to Cahokia. He was welcomed with great joy and festivity * * * but Father Gibault sent back to Quebec a very gloomy picture of the Cahokia mission. The presbytery was in ruins * * * the orchards gone * * * everything in disrepair. They needed to reorganize, to build a new presbytery, and for the time being, Father Gibault had to take up residence in Kaskaskia.

It was this early pastor of Cahokia who shows up in the American history books in later years. He was on fire with the cause of George Rogers Clark, and he disposed of all his own private means to lend material aid to the American cause.

The first successful attempt on Vincennes was a peaceful embassy led by Father Pierre Gibault and Jean Baptiste Laffont. His influence and support (which was great among the French) made a great deal of difference to Clark in the subsequent victory at Vincennes.

The years of the Cahokia mission in this period of her history are rather obscure. There was a church which burned down in 1783. That much we know, for they say "they were holding services in a rented church, and dreamed of the day when they would have a fine new one."

A Father St. Pierre came out to join Father Gibault in the Illinois country in 1786, and we have this graphic memorandum * * * "for the purpose of lodging our cure, we have begun by building a priest's house which has cost us almost 5,000 livres. The old house had been entirely ruined by the English and American troops lodged there * * * we have decided to build the church on the ruins of this house * * * we have commenced work on our projected church, which will cost more than 15,000 or 16,000 livres."

This was the present church, standing today, which has a construction date of 1786–99. This is set by a surviving affidavit, "The Reglement de la Fabrique de l'Eglise des Kahokias" * * * which shows it was dedicated and pews sold in that year.

According to manuscripts at the Holy Family Church, the dedication took place in 1799, but it may have been in existence for some time. There is a receipt dated April 3, 1797 to Louis Lebrun, who was paid for "crying several publications" at the door of the church. And a year earlier, Leno Lepage was paid for "tolling the bell for the late Joseph Cecire" which bill is dated March 25, 1796.

If the starting construction date is taken as 1786 or 1787, the church is undoubtedly the oldest church structure standing in the entire Mississippi Valley. The Cane Ridge

Meeting House in Paris, Ky. (1791), and the New Orleans Cathedral (1792–94) are the closest contenders for the title.

There is no doubt whatsoever that the present structure is the one started by Father St. Pierre. The oldest part consists of a simple rectangle entered at the north end. Hewn vertical wall posts of heavy dimensions were channeled out to accommodate a filling of stone and mortar. Another feature it has in common with the ancient Canadian churches is the characteristic fine French-hewn trusswork of the roof. Over the doorway, one sees a round "oeuil de bouc" (literally, goat's eye) window. The contract for the first wooden church called for this type of window. The roof displays bell-cast eaves. The church bell, dated 1776, is still in use. Not a nail was used, but huge wooden pegs were employed when needed.

The dominant men of the community all had a hand in its construction. Nicholas Jarrot, Louis LeCompte, Ettienne, Louison and Louis Pinconeau, and the Voudrie brothers. To the latter was entrusted the actual building of the church, and they and their men cut the timber in the woodlot of the Cahokia Commons. We learn that they were paid partly in money, partly in peltries and wheat.

On the morning of September 8, 1799, on the feast of the Nativity of the Blessed Virgin, the little village was teeming with expectancy * * * for the new church was to be dedicated. Father Gabriel Richards was pastor at this time, and missionary priests came from all the surrounding towns in Illinois.

There is an atmosphere of restrained rugged strength to be felt as soon as one enters the church, which has weathered over 150 years of life.

In 1949, when Cahokia celebrated the 250th anniversary of her founding, the church was completely restored through the efforts of Father Joseph Henry Mueller, her present pastor, and Mr. Joseph Desloge, of St. Louis.

The names of the great men who had charge of the parish from time to time reads like a who's who in eccelesiastical circles. Father John Loisel, the first native St. Louisan to be raised to the priesthood, was its pastor—Father Gibault, the stanch defender of the American Revolutionary forces—Father Gabriel Richards, who is the only priest in America ever to have the distinction of having been elected to Congress, and who left Cahokia to go to Detroit, where he started the first newspaper—Father Robert Hynes, who launched a campaign to save the old church in 1912, and paved the way for its present contemporary restoration—the list goes on and on. Bishop Flaget, Bishop DuBourg, Bishop Rosati—all at one time or another had the care of Cahokia.

In the old burial ground, behind the log church, rest four of these illustrious priests: Father Bergier, Father Condamine, Father Jacquot and Father Hynes.

The church is open to visitors at all times, and attracts tourists from all parts of the United States. Mass is still celebrated there on all holidays. Eventually it will be under the care of our National Park Service. Our Government considers the building so priceless a part of our heritage, that it is to be placed in a category with Independence Hall in Philadelphia.

The parishioners of the Holy Family Church now use the lovely Romanesque church of stone, which stands in the same yard with the log church. This was dedicated in 1891.

Father Mueller came to the parish in 1928, and has remained as pastor since that time.

JARROT MANSION

The third landmark remaining in Cahokia is the celebrated Jarrot House. No history of Cahokia would be complete without the mention of Nicholas Jarrot, one of her most colorful and romantic sons.

Monsieur Jarrot came to Cahokia from France in 1797. He died there in 1820. Arriving a poor man, by his talents and energy he soon acquired an immense fortune. He was an Indian trader; he kept a small general store; he operated several mills, but the bulk of his wealth was acquired through real estate. In 1815, he recorded his land at 25,000 acres, including the site of East St. Louis.

He married twice, the first time to a Marie Barbau of Prairie du Rocher. One child was born of this marriage, Elise. However, when Madame Jarrot died in childbirth, Nicholas married again, several years later. This time his bride was Julia St. Gemme Beauvais of Ste. Genevieve. Her family was the aristocratic French of Illinois, and the St. Gemme Beuvais home in Ste. Genevieve is now a museum.

To Julia, upon her marriage to Nicholas, came the heritage of the wedding ring and the solid silver which her mother had brought from France in 1776. Julia's trousseau came from Paris—even a cloth of gold.

In 1798 they lived in a wooden house across the street from the Church of the Holy Family. However, Nicholas was not content until he built a house which would be suitable for one of his increasing fortune. This ambitious young man began building a mansion which stands today as a monument to his efforts.

He wanted it built directly east of the church, and nothing would do but brick. In 1799 the work commenced and continued until 1806.

A great deal of care was needed in the foundation planning for a house whose outside walls were 18 inches thick, and with partition walls, also made of brick, 16 inches in thickness. Even the roof was built to endure, for it lasted a hundred years.

It was to be a 2-story house, 38 by 50 feet, in the manner of what we know as colonial. The foundation rested upon black walnut timbers with about 2 feet exposed, and several feet underground. The glass for the windows and the panes were imported from France. The bricks were all fired by hand in a kiln located close to the original wooden Jarrot house.

The large hall was 16 feet wide, and ran the length of the house. There were five rooms downstairs—two on each side—with a kitchen built on at the rear. The stairs at the back of the hall led to the second floor, where a large ballroom extended across the front of the house. There was a bedroom on the east side, and one on the west. The slaves were quartered in the basement, where there were four fireplaces.

The large hall was the scene of much gaiety. The guests were received before the large fireplace, while the Jarrot children peered over the railing to see who had come. Slaves stood at each end to fan the guests, who were entertained at banquets in the hall.

The old mansion stood through the earthquakes of 1811, 1812, and 1818. Two large cracks at the rear of the house attest to the severe quake of 1812. Major Jarrot had a cave built in the fields back of his house, and when the first quake was felt, everyone fled to the cave. The children remember that he called the roll for children and slaves alike. The "big quake" blew down the chimneys of the church, caused great damage in the town, but did not seriously injure the mansion.

The Jarrot children born to Julia and Nicholas were Ortance, Melanie, Eugenie, Francois, Vital, Julie, and Felicite. The kindness of heart and urbanity of manner of the father and the gentleness and friendliness of the mother attracted many visitors. Our historians say all visitors were received and entertained by the Jarrots and their interesting children "in a polished and elegant style."

A major in the militia and a judge of the county court, Nicholas gave as much time to public affairs as any man of his day. His church and his family were the core of his life—and anyone in the territory who needed help came to Major Jarrot.

His influence was felt far beyond the confines of Cahokia. There is record of an incident before the War of 1812 when the British were arousing the Indians against the Americans. Major Jarrot, and two men, had gone out to a large Indian camp. The traders were armed only with shotguns, when the Indians descended upon them. A Winnebago chief stepped in front of Nicholas Jarrot with his tomahawk, defending him against the warriors. He was thereafter called "Jarrot," and remained a true friend of the major.

John Reynolds, in "The Pioneer History of Illinois," states the Indian "Jarrot" was seen at Galena as late as 1829.

Another account is recorded when the Indians kidnaped two children of Samuel Garrison, and took them to their village on the Sangamon. There they were kept for a year, and ransomed to "a Col. N. Jarret of Cahokia."

Nicholas had a mania for mills, and spent much money and strength on a water mill on Cahokia Creek, only to be beaten in the end by sand and swamps. He operated another water mill up the river in Illinois-Town (East St. Louis) which was more successful than his Cahokia venture.

The Cahokia mill, which Jarrot started in 1812, was for use of the troops in the war. He provided flour and gunpowder, and the small stone magazine standing behind the Jarrot mansion at the present time was for the storage of gunpowder.

The Jarrots were a very close family—loving, and devoted to one another. They had many slaves, and took excellent care of them. Madame Jarrot was the last slaveholder in Illinois. One of the famous law cases handed down to us is *Jarrot* v. *Jarrot*, where the Supreme Court handed down a decision on a Cahokia slavery case. This, incidentally, antedated the celebrated *Dred Scott* case on the opposite side of the Mississippi by several years.

In the main, all of the French were lenient masters. The wives spun linsey for the Negroes' clothing, and taught them their catechism. One day the children heard a baby crying in the basement of the mansion. Ortance went to investigate and found that the cook had run away and abandoned the child. She took him upstairs and took charge of the boy, naming him "Louis." So kind was her supervision that when he was old enough to obtain his freedom, he did not want to go. Years later, in 1841, when the daughter of Ortance, Maria Brackett, was married, Louis returned from his job on a riverboat to prepare the wedding breakfast in the old house.

Most of the charming vignettes of French family life, as we see it in this period, came to us through stories handed down by the Jarrots.

One ball followed another so closely, they say they could not understand how the ladies carried on. On the 6th of January, the people of Cahokia celebrated "Le Jour de Rois." A large party was given, and a huge cake baked, served only to gentlemen. There were four beans inside, and the men who received them were the kings of the carnival. They chose their queens, and had the honor of giving the first ball. At this affair, succeeding "kings" were selected—and the social season was assured.

The gentlemen had one room set aside for cards, and often played "vingt-un." They say it was not unusual for them to sit at the card table for 30 hours at a stretch. During these weekends, the Jarrots entertained the Chouteau brothers, the Bonds, Ninian Edwards, John Reynolds, Pierre Menard. Before the days of banking, each man kept a considerable part of his fortune in his own home. Jarrot kept his silver in a large horsehair chest. A small red trunk held the more precious gold pieces. When luck was running against him, or one of his guests wished to be accommodated, he gave the key to a slave and sent him up to get "so many scoops of the little yellow fellows." The same red trunk with the original key is in Memorial Hall in Washington.

The holidays were exceptionally bright, with the laughter of the children, and the merriment of their elders, rocking the old mansion. The young men of Cahokia dressed as beggars and went from door to door, where they were entertained at each home.

Another historian tells us that it was the custom of the French to celebrate midnight mass on Christmas eve. It was also the custom to select a young lady of the parish to take up the collection on this night. It was Felicite Jarrot who was performing this service when fire broke out in the presbytery, and seriously threatened the old church.

On New Year's Day, they kissed when they met acquaintances on the streets of Cahokia. Slaves kissed the master and the mistress, to show the affection in which they were held.

Pancake Tuesday was the day before the advent of Lent, and the occasion of a party, where pancakes were served * * * piled high, and cut like cake. Madame Jarrot's were as thin as paper and as light as a feather, and all Cahokia was in attendance at the Shrove Tuesday ball.

However, love of pleasure was not the only characteristic of families such as the Jarrots. They raised their families lovingly and carefully. Separated from the educational advantages of the country, they had to depend upon each other. They were not unlike the same aristocratic class in Virginia for this period.

They still retained the love of France—her customs, and her tongue. The story is handed down through the Jarrot family that one day the grandchildren were out walking in the fields back of the house, hunting for persimmons. Julia Jarrot saw a farmer approaching and asked, "Mistaire, Mistaire, will you tell me where I can find persimonie?" He was deeply concerned * * * "Oh, Madame Jarrot, have you lost your purse-o-money?" And the grandchildren were greatly embarrassed, pulling at her skirts and correcting her * * * "No, no. Grandmere. It is persimmons." However, she persisted that the correct word was "persimonie."

The lives of the Jarrots continued in this happy vein, one day gracefully following another, for all the world like a masterpiece by Manet. However, one day in 1820, Major Jarrot contracted a respiratory ailment while working at his Illinois town mill.

He died in his mansion at Cahokia, and lay in state in his great hall, while the ancient church bell next door tolled his passing.

The great men of his period say that he lived a life which touched all others * * * for a man is measured by his association with his fellow man, his public life, his church, his family.

He is buried behind the old church, in the burial ground. The historians say that if you visit his grave, walk softly and say a prayer, for the words on his tombstone * * * "Priez Pour le Repose de Son Ame" (for there lies a noble man) are true.

The family stayed in the house until 1844, when the floods caused unusual devastation. The marks of the water are still on the rear doors of the church. Boats were tied to the railing in the hall of the mansion, and every member of the house moved to the second floor. For the children, it was high adventure. When the waters started to come up, the boys took skiffs and went out to the slaves' cabins in the field to bring them to safety. One grandchild, Maria, mischievously dumped the cook into the water, and all of Cahokia heard her terrified screams.

The children say they learned to swim during the flood, and lowered themselves into the skiffs in the hall from ropes tied to the stair-railings.

When the waters receded, the entire family moved to St. Louis for 3 months to escape the malaria germs. All of the church vestments were removed from the church, and hung in one of the second-floor bedrooms, to dry. A catafalque and candles was stationed outside the door, to discourage pilfering, and to frighten off the superstitious.

The old house saw generations of children grow up in it. In 1818, Benedicte Ortance became the first bride of the family when she married Robert McCracken. However, Mr. McCracken died at an early age, and Ortance eventually married Dr. James Brackett, of Maine. Maria, their daughter, married Joseph Sibley, and from this source (the Sibley letters) comes much of the information we have on the Jarrot family.

Ortance continued to live in the old family house until 1886. She died there, and is buried in the cemetery beside her father.

Francois, the first son, remained a bachelor, and died when he was 34. Melanie married Samuel Christy, a prominent St. Louis businessman. Their daughter, Mary Felicita Christy, was born in the mansion. She, in turn, became Mrs. James J. Scanlan, and was an outstanding leader of St. Louis society. Her daughter, Marie Therese Christy Scanlan (the great-granddaughter of Major Jarrot) was the Veiled Prophet Queen in St. Louis in 1898.

Mrs. Nicholas Jarrot eventually went to St. Louis to live, and died there in 1875 at the age of 97.

Vital was the child destined to carry on his father's name. At an early age he showed his father's business acumen. His early education was derived from tutoring by Samuel Davidson—when his father set up the first school in Cahokia in the second-floor ballroom—but he continued on at Georgetown.

There were few business enterprises which did not feel his touch. He was in partnership in the publishing of the "American Bottoms Gazette" (the first newspaper in East St. Louis)—the establishment of a railroad in 1833—the building of the Eads Bridge.

Vital served as representative of St. Clair County at the general assembly in Springfield and there became a friend of young Abraham Lincoln. He later on in life received an appointment from President Lincoln—as Indian agent to the Sioux in the Black Hills region.

He was the mayor of East St. Louis in 1869, serving 4 years * * * and was also president of the Bank of East St. Louis.

Vital Jarrot died out in the Indian country in 1877. There he rested for two generations before he was brought back to his father's house. Not too many years ago he was buried in the old churchyard, where he played as a boy.

The house has a history as colorful and as picturesque as any home in America. It has seen laughter and tears—births and deaths—weddings, christenings, and funerals.

In 1825, when the Marquis de la Lafayette visited the Midwest on his triumphal tour, he stopped in St. Louis. At that time, the entire entourage came to Cahokia for a huge ball in his honor. Major Jarrot had been dead for 5 years, and his son, Francois, had just attained his majority. Story has it that it was Francois who stood beside his mother, in the great hall, to receive the distinguished visitor.

The Jarrot mansion is considered the oldest brick house in the Upper Mississippi Valley. The State of Illinois has detailed plans of it in the Library of Congress for safekeeping.

The Jarrot mansion was showing signs of considerable wear and tear when it was purchased by Oliver L. Parks. Mr. Parks commissioned the St. Louis architectural firm of Study, Farrer & Majers (working in collaboration with Hoener and Hubard) to restore it as nearly as possible to its original state. Mr. Study reviews the work, "Oliver Parks Restores the Jarrot Mansion at Cahokia" in the Illinois State Historical Society Journal XXXVIII.

In later years, the Church of the Holy Family acquired the property. At one time it served as a school for the children of the parish. At present it is the residence of the teaching sisters of the parish, the Congregation of the Sisters Adorers of the Most Precious Blood, whose motherhouse is in Ruma, Ill. These sisters who came to Cahokia in 1889, originally, have been teaching the children of the parish since that date.

GOLDEN ERA

Cahokia hit her peak—the golden era—in the early part of the 19th century. There were 3,000 inhabitants, 24 stores, and the people of St. Louis made it their principal trading place. However, her hopes of developing into an important city in the heart of America were foredoomed. Under the banner of Pierre Laclede, St. Louis was destined to take its place as the commercial center.

By 1938, business had definitely moved to the west bank of the river and Cahokia—19 years older than New Orleans—65 years older than St. Louis—104 years older than Chicago—139 years older than St. Paul—declined in importance. It was to remain an agricultural center, where life was pleasant and regular.

PARKS COLLEGE

In 1927, Parks College of Aeronautical Engineering was founded at Cahokia by Oliver L. Parks. Today, as a part of St. Louis University, it is still training hundreds of young men in the various fields of aviation, and many of its students come to Cahokia from all parts of the country, and foreign lands. It is considered one of the most modern aeronautical schools in the United States, with beautiful landscaped grounds and modern dormitories and school buildings.

TWO HUNDRED AND FIFTIETH ANNIVERSARY

In 1949, the little town was teeming with activity, for it celebrated its 250th birthday. Visitors flocked into Cahokia—and distinguished guests included the Archbishop of Chicago, His Eminence Samuel Cardinal Stritch; Adlai Stevenson, Governor of Illinois, and Monsieur Henri Bonnet, French Ambassador to the United States. A fitting tribute was paid to the mission town when a visitor said: "From a mere hut, with a cross beside it in a virgin wilderness, it has grown through 250 years. Cahokia's importance is based on strong foundations. The village and the parish are important because of what was accomplished here for God and His creatures."

PRESENT DAY

An incalculable boost to the town's morale came when news was released in the summer of 1955 that the proposed million-dollar bridge, linking Cahokia and St. Louis, had been approved. The new bridge, under consideration for a number of years, will connect the new superhighway entering St. Louis from the south with Illinois State Highway No. 3, at Cahokia. This will bring the city and the town together as closely as they were in the days when they stood alone in the Northwest Territory.

Now that St. Louis has rediscovered the little town, large subdivisions are springing up on all sides, bringing scores of St. Louis residents across the Mississippi to live in the historic Cahokia. How pleased the young

Captain Sterling would be to see them come—augmenting his first "Forty Familys".

On all sides the newcomers find the rebirth of the "new Cahokia". The schools are making plans for expansion—some have started their building program. They see the new and modern Cahokia Commonfields High School, occupying a campus of 46.5 acres. Stores are expanding—a new supermarket has recently been completed. Churches have announced additional building plans—a new sewerage system is in—and the streets have been widened and repaired.

Many of the St. Louisans feel akin to the early pioneers—a vast number of them actually see Cahokia for the first time when they come to look at the new subdivisions.

On all sides they see the flurry of activity which means resurgence and progress, yet Cahokia still retains the air of smalltown country living. Several miles away from their homes, and the new residents are on quiet country roads, with picturesque farmhouses, cultivated fields, barns and windmills—a monograph of a country scene. Several miles in the opposite direction, and they are in the heart of the bustling spirit of downtown St. Louis.

To the imaginative, the little village is a direct link with our historic past. Some of the new residents of Cahokia will undoubtedly be able to trace their own ancestors back to its early citizens.

The young people of the Church of the Holy Family still hold their summer street dances on the lawn outside the old log church—the women of the parish still do their quilting in the log church—and some of the older residents tell fabulous tales of days when the Mississippi was a solid sheet of ice and they walked across to visit their St. Louis friends—and how all of the produce which they raised was ferried across to the old French Market in St. Louis. It gives a quiet air of timelessness to the old town.

Some of the old French names are still in evidence. Among their new neighbors, the newcomers will meet the LaCroix's, the Jeromes, the Saugets, the LePere's, the LeMieux's, the LaMotte's. If we delve into the historical documents—there is a Narcise LaCroix living within a stone's throw of the church; Jean Baptiste LaCroix was the village magistrate in 1780. The name LeMieux appears in the census of 1732. In the burial records of the church, a Felicite Jerome, daughter of Francois Jerome, was buried on January 4, 1787. The daughters of Joseph LaValle are Cahokia residents, and a Francis LaValle appeared as appellee in a court case in the beginning of the 1800's. Mr. Joseph Desloge, of St. Louis, was influential in the restoration of the church in 1949, and a much earlier Joseph Desloge appears as the opponent of Charles DuCharum in a card game in the 1700's.

The children have come to Cahokia in droves, playing in the fields where Melanie and Ortance Jarrot, and their brothers and sisters played. Once again they dig imaginary caves in the area behind the Jarrot house, in essence very like the one Major Jarrot prepared for the quake of 1812. They roam the fields in small bands, shooting imaginary Indians—they weave weird tales about the old stone magazine—the old "parade ground" adjoining the courthouse is a converted ball field.

Three times a day the Angelus rings in the old church steeple, and the children scatter in all directions, heading home for meals, as uncounted children have before them, for uncounted years.

It is a subtle shading of the old and the new—the progressiveness of the new—Cahokia—the traditional antiquity of the old—in the little town which is preserved as the oldest white man's settlement in the entire Mississippi Valley.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar Day. The Clerk will call the first individual bill on the Private Calendar.

OUTLET STORES, INC.

The Clerk called the bill (H.R. 2300) for the relief of the Outlet Stores, Inc.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DR. AND MRS. ABEL GORFAIN

The Clerk called the bill (H.R. 2706) for the relief of Dr. and Mrs. Abel Gorfain.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk call the bill (H.R. 2728) for the relief of Charles Waverly Watson, Jr.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CATALINA PROPERTIES, INC.

The Clerk called the bill (H.R. 2262) for the relief of Catalina Properties, Inc.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

CLARA G. MAGGIORA

The Clerk called the bill (H.R. 1237) for the relief of Clara G. Maggiora.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212 (a)(3) and section 212(a)(4) of the Immigration and Nationality Act, Clara G. Maggiora may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTANTINOS A. GRIGORAS (GREGORAS)

The Clerk called the bill (H.R. 1560) for the relief of Constantinos A. Grigoras (Gregoras).

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 4 of the Act of September 22, 1959 (73 Stat. 644), section 42.22(d) of title 22 of the Code of Federal Regulations shall not be applicable in the case of Constantinos A. Grigoras (Gregoras) duly registered as an immigrant on August 11, 1953.

With the following committee amendment:

On page 1, line 4, strike out "section 42.22 (d)" and substitute in lieu thereof "section 42.66(a)(7)".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. KAZUKO (JOSEPH JAMES) KAPP

The Clerk called the bill (H.R. 3218) for the relief of Mrs. Kazuko (Joseph James) Kapp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Kazuko (Joseph James) Kapp, the widow of a United States citizen, shall be deemed to be within the purview of section 101(a)(27) (A) of the Immigration and Nationality Act, and the provisions of section 205 of that Act shall not be applicable in this case.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE ATTORNEY GENERAL TO CANCEL DEPORTATION PROCEEDINGS IN THE CASES OF CERTAIN ALIENS

The Clerk called the joint resolution (H.J. Res. 390) authorizing the Attorney General to cancel deportation proceedings in the case of certain aliens.

There being no objection, the Clerk read the resolution as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of Mrs.

Branca da Gloria Franco Freitas, Mrs. Annie Gabbay, Mrs. Mui Kim Chen Liang, Mrs. Chu Chai-Ho Hay, Mrs. Gisela Fuchs, Santa Giammalva, Sister Myriam (Marta Krzyzowska), and Mrs. Agnes Geidl. From and after the date of the enactment of this Act, the said persons shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Private Calendar.

LEGISLATIVE PROGRAM

Mr. MORSE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE. Mr. Speaker, I would like to direct an inquiry to the majority leader as to the legislative program for Thursday.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MORSE. I yield.

Mr. ALBERT. On Thursday, if a rule is reported out tomorrow, the equal pay bill will be taken up.

Mr. MORSE. May I inquire of the majority leader as to the program for next week?

Mr. ALBERT. If the gentleman will yield, we are not ready to announce the program for next week at this time. The program will be announced later, of course.

Mr. MORSE. Then this is all the business for the remainder of this week?

Mr. ALBERT. This will finish the business for this week, so far as I know as of this time.

Mr. MORSE. I thank the gentleman.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DOUBLE STANDARDS CUT TWO WAYS

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, we are all aware of the continuing controversy over the advancement of the Negro. Certainly, we all share dismay at the fact that violence and demagoguery are becoming the order of the day whenever pressures arise in this field.

Columnist Jenkin Lloyd Jones, writing in yesterday's Washington Evening Star, discusses the subject in a progressive, moderate and thorough fashion, deserving of nationwide attention. For this reason, while fully realizing the tremendous differences of opinion that exist, I feel this article is a practical contribution to understanding, and I place it into the RECORD at this point.

DOUBLE STANDARDS CUT TWO WAYS

Among the worst enemies of American Negroes today are many who proclaim themselves as the Negroes' best friends.

These are the people who gloss over, alibi, explain away or attempt to cover up a rising tide of Negro misbehavior in America's big cities. They represent the "It's-all-the-white-man's-fault" school. Down this road lie endless disappointments and setbacks for America's Negro citizens. The inevitable reaction will be particularly rough on those young colored kids who are really trying to better themselves.

A once-submerged race doesn't rise on a record of irresponsibility. Unpunished crime is not the way to obtain social acceptance. Illegitimacy, family abandonment and relief loafing by preference are pretty sure methods of drying up good will. No amount of fair employment legislation will overcome the disastrous results of a record of bad citizenship.

Yet these are the net result of a peculiar social philosophy that has attempted to tell Negroes that they are not responsible for their actions.

Following a riot at the Washington baseball park last month in which a group of young Negro toughs attacked white fans for no reason. Mrs. Agnes Meyer ascribed the outbreak to frustration.

"The Negro is sick and tired of being kicked around 90 years after passage of the 14th amendment, which promised him equality," said Mrs. Meyer. She called for a new outpouring of Federal money to meet the "social, educational and economic problems" of Negroes in the District of Columbia.

Well, the Negro certainly has been kicked around. He needs better schools and wider job opportunities. But he also needs a greater sense of responsibility. Washington news stories are drearily repetitive about young muggers and purse snatchers who are "released to the custody of their parents." What kind of parents?

People don't walk in the Washington parks after dark any more. These are parks that belong to the whole Nation. When the sun goes down, upper Central Park in New York City is deserted and the policemen patrol in pairs. Sure, there's plenty of white juvenile delinquency. But the comparative crime rates make chilling reading even though the NAACP has made every effort to have racial designations suppressed on the police records.

There is too much sly hyprocrisy in the effort to assure Negroes that, however they behave, they are merely innocent victims of white bigotry.

Under our outmoded electoral college system, Negro votes in the large States are rich prizes. You can help gather these prizes by thundering oratory against the little Alabama town where integration would result in Negro majorities in all the schools. Yet there isn't a single politician in Washington of either party who has school-age children who couldn't, if he wished, send them to schools where Negro children are in the majority. How many do?

The Southern whites have plenty to answer for. One of their great errors was the acceptance of a racial double standard of behavior. Southern courts were notoriously lenient with Negroes who stole from Negroes or killed Negroes. It was only when Negroes transgressed against whites that retribution was swift and often brutal.

But the Northern sentimentalists have set up a double standard in reverse. The little candy store owner who is beaten to death by colored thugs draws only mild tongue-clucking and perhaps an editorial, "Where Have We Failed?" Yet the riotous white kid on the Ol' Miss campus who throws eggs at James H. Meredith is photographed for a four-column spread on page 1 and treated as a national menace.

Race relations are not going to improve in America until we climb off these double standards. Crime is crime. Whites and Negroes, alike, have a right to be protected. And they have equal obligations in crime prevention.

In this respect, American Negroes who count themselves among the leaders of their race have been doing a terrible job. They have been long on self-pity and short on self-criticism. It has been more fun to organize marches into Dixie than to level with their people about the end result of the attacks on police in Harlem.

This failure of leadership has been immensely damaging to Negro aspirations. The shenanigans of Adam Clayton Powell have hurt Negroes at least as badly as the stubbornness of Gov. Ross Barnett. It is ironic that the only strong voice calling for better Negro behavior comes from the Black Muslims, who are as racist as the White Citizens Councilites, but are in favor of black supremacy.

Better opportunities may be presented to Negroes by court action, but they can be retained and expanded only by demonstrating reliability. A court has ordered Continental Airlines to hire a Negro pilot. Hooray! There isn't any reason why a Negro shouldn't fly a transport plane. But if he shows up at operations disheveled and hung over he'll betray his people.

Many Americans now concede that it is an outrage to keep a good pilot on the ground because his skin is black. But no one will want to fly with a bad pilot who is in the cockpit by court order merely because his skin is black.

It's as simple as that. Second-class citizens will never become first-class citizens by behaving like third-class citizens. American Negroes need more friends who are honest with them, and more leaders who are ready to go to war against all double standards—even those that have been comfortable.

NAACP, NEWSPAPERS ATTACK KENNEDY

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include an article.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the May 10 issue of "Advance Notice," the newsletter of Advance magazine, carries an interesting article on the disaffection which is presently taking place between Negroes and the administration because of the failure of our present leaders to take effective action in the field of civil rights.

This indignation is well founded, because of the pious promises of the President and the Attorney General during the 1960 campaign and especially since they assumed office. Here is another flagrant example of the failure of the administration's performance to match its promises.

As a member of the District of Columbia Committee, I am becoming more and more aware of the shortcomings of the Kennedy administration and the democratically controlled Congress to meet the problems of the District. The greatest need here is for home rule, and again I would like to call attention to the partnership plan which I have worked out and introduced.

The schools of the District of Columbia are a shocking example of neglect and unconcern. I have visited many of these schools personally, so that I could see for myself just how much they need help and attention. The greatest need, as I see it, is for a separate budget for the District of Columbia schools. I have introduced legislation to authorize this and I am pressing for its adoption.

All of us know that there is discrimination in employment in the District and I am convinced that it will take legislation to correct these abuses. I am drafting this legislation now and trust that it will get proper recognition from the leaders who express themselves so deeply on civil rights, yet do so little to back up their words with deeds.

The Advance article is an indication that those who have been shortchanged on civil rights are becoming fed up with promises and are looking to leaders who are sincere in their efforts to improve race relations; eliminate discrimination and segregation and to give the District of Columbia a model government and a model school system in keeping with its role as the seat of government where "liberty and justice for all" should be more than just a catch phrase.

The article follows:

Shift in Negro Politics: NAACP, Newspapers Attack Kennedy

Some Negro leaders in the NAACP and some Negro newspapers at last seem to be awakening to the hypocrisy that characterizes the Kennedy political technique. By appointing Negro leaders to Federal offices and supporting welfare measures in Congress, the administration hopes to secure continued overwhelming Negro support and at a relatively low price politically.

In Congress meanwhile the Kennedy's follow the now standard pattern of civil rights lip service, followed by no substantive support. Their belief seems to be that with occasional handouts to Negro officeseekers and dole-seekers, colored voters will remain safely in the Democratic fold. This belief was bolstered by the civil rights fight in the Senate earlier this year. The administration first remained aloof from the struggle to impose cloture on the filibuster role—the very key to rights legislation.

After this struggle was lost the administration cynically announced a series of rights proposals it knew would not pass, especially without the determined backing it had no intention of providing (and has not provided). But amazingly enough, much of the Negro press wildly celebrated—in banner headlines—the Kennedy announcement, as though it were the most momentous declaration since the Emancipation Proclamation.

Two months later, however, perhaps as delayed reaction, Negro criticism of the Kennedys is beginning to mount. Roy Wilkins of the NAACP and the Reverend Martin Luther King have warned the President united Negro support in 1964 is by no means assured.

The Negro Sun-Reporter (San Francisco) recently urged Negro leaders who hold State offices as well as posts in the NAACP to resign the latter. It criticized these men for attempting to lead the civil rights crusade while in reality serving as obstructionists and apologists for Democratic Gov. "Pat" Brown. At the same time the Sun-Reporter predicted that nationally Kennedy's "failure to fulfill 1960 campaign pledges will leave Negroes disillusioned" for 1964. If Rockefeller or some equally progressive Republican is nominated, "he will have more appeal to the Negro voters than had either Eisenhower or Nixon."

How durable is the current Negro indignation remains to be seen. Republican candidates in the past have found that Negro papers which praise them throughout their terms are capable of an about-face come election time. Nonetheless, the disenchantment with Kennedy that exists today gives the GOP its best opportunity for winning back Negro support on the basis of promising a practical civil rights program on which it can deliver. Republican senators and congressmen have presented such a program already, and it is now up to the staff of the Republican National Committee and each State committee to sell it.

DEMOCRATS UNITE TO OPPOSE GOP ON CIVIL RIGHTS

The administration and the Senate Democrats chose May Day (Law Day in the United States) to demonstrate that on the issue of racial discrimination the Democratic Party is not always so divided as is often supposed.

It must have been inspiring to Democratic partisans to watch such Southern Democrats as James Eastland and John Stennis join with Northern "liberals" like Joe Clark and Ted Kennedy in support of the Administration and its Senate leadership against the all but unanimous "obstruction" of the Republicans.

The vote occurred on a motion to table an amendment of Senator Jacob Javits, Republican, of New York, which would have prohibited the use of a supplementary appropriation for the Farmers Home Administration in any State where the program's participants or beneficiaries are discriminated against on account of race, creed or color. Senator Javits presented figures to show the almost total exclusion of Negroes from the benefits of the program.

All but one of the Republican Senators—from John Tower of Texas to Clifford Case of New Jersey—voted or paired in favor of the amendment. Milton Young of North Dakota was the exception; all but a handful of the Democrats voted with the Southerners to table. Intense pressure from the administration, unwilling to offend its Southern supporters in the Senate, was reported in opposition to the amendment, and was said to have accounted for the near unanimity of the Democrats.

As Senator Kenneth Keating, Republican, of New York, pointed out during the debate, the appropriate way to end discrimination in the disbursement of Federal funds is through an Executive order. But as long as the President abdicates his constitutional responsibilities, the Congress must step into the breach. In this case the amount of money involved was not large; but the principle involved is indispensable in a free society. Senator Javits is preparing similar amendments to attach to other appropriations. Though like the last one they might not pass, the principle that Federal money gathered without racial discrimination must be distributed accordingly, should not be compromised. Even if to the most liberal Democrats this principle seems to be less important than smooth passage for administration pork barrels.

PUBLIC REACTION TO THE MINORITY STAFFING SITUATION

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, we have been receiving letters about the need for staff responsible and reporting to the minority—99 percent of them favorable—from all parts of the country, from men and women, rich and poor, all obviously active and interested voters.

We are most pleased at the response to the minority staffing fight that the House Republican conference subcommittee on increased minority staffing and the Senate-House joint ad hoc committee on minority staffing, headed by Senator Hugh Scott, our distinguished former national chairman, have been receiving. Below follow excerpts from some of these letters. We are very encouraged indeed that voters do take the time and trouble to write to their legislators and newspapers about this, and that this is an issue which has come to the attention of citizens all across the country. The letters speak for themselves:

W.R., Memphis, Tenn.: "After reading the editorial in the Memphis Commercial Appeal, I feel impelled to write you, and ask what can we do to correct this gross injustice."

B.C., Pawhuska, Okla.: "Mr. Roscoe Drummond had an article in the Tulsa World of recent date on the imbalance in the professional staffing of the congressional committees and showing that the Democratic Members have far more on the staff than the Republicans. * * * We have opened Republican headquarters here in Pawhuska and would appreciate several copies of the information which you will send out."

L.S., New Castle, Pa.: "One of several articles which appeared recently in our local New Castle News carries further information in regard to the imbalance of staffing of congressional committees. * * * May I hear more about this reform which seems to have been set in motion? Always interested in anything which will insure the future of our two-party system and the good of our Republican Party. Thank you."

L.F., Lynn, Mass.: "I am interested in the preservation of the two-party system of government. I wish to see a reform of the injustice of one-sided monopoly of congressional staffing. I believe we should do all we can to gain Republican men in Congress to preserve our two-party system in government. While I am a Democrat, I believe that the good work done by valiant men should not go unrecognized. With a two-party system in the government that will prove strength, unity and show the world our great United States of America."

C.J., McDonald, Ohio: "May I take this occasion to register my strong approval to the stand you are taking concerning congressional staffing. It is again with considerable pleasure I find you being a champion for a cause that is right in face of almost insurmountable opposition. Due to the confines of the Hatch Act and my civil service position, it is impossible for me to offer myself to your cause as an active worker. However, if you have printed information relative to this subject, I would deeply appreciate a copy of it. From time to time I find it possible to drop a well timed word where the effect is most convincing. Again allow me to express my endorsement of your stand. The people of this State can well be proud of the excellent representation you are affording both them and the entire Nation. May God continue to bless your dedication to right in government and justice at all levels."

F.A., Carrolltown, Pa.: "It has been brought to my attention that there is considerable inadequacy in the appointment of the subcommittee members, which may endanger the two party system. What can we do to help?"

H.B., Williston, N. Dak.: "I have just finished reading a column of Roscoe Drummond's * * *. I don't know how they were able to get by with this with a good number of constructive Republicans in Congress, but if there is anything the citizens can do to help, we would like to."

W.P., Memphis, Tenn.: "I'm interested in helping reform this injustice."

W.F., Lancaster, Pa.: "As an American citizen and one accustomed to fairplay, I am deeply distressed at the one-sided monopoly of congressional staffing which the Democratic Party has promulgated. I have talked to many citizens, all of whom are interested in supporting you in your efforts in Congress to reform these injustices in congressional staffing. It is folly for us to attempt to sell democracy abroad if the Democratic Party in our own country is unwilling to practice even fairplay in its handling of the professional staffs in Congress. I wish you success in this fight."

K.T., Perrysburg, Ohio: "What can one do to help in the situation we are reading about in the papers—the imbalance in the professional staffing of the congressional committees?"

H.M., New Haven, Conn.: "You undoubtedly know that in the New York Herald Tribune recently there was an article by Mr. Roscoe Drummond concerning the present flagrant injustice in congressional staffing. I would be most grateful for suggestions indicating what my wife, my friends, and I might do in this connection."

R.G., Philadelphia, Pa.: "I read Roscoe Drummond's piece in the Herald Tribune * * *. I believe you're performing a great service by exposing this injustice to the American people. What can I do to help you?"

E.P., Westfield, N.J.: "I am very interested in the work you are doing about the unbalanced committees in Congress. What can we do to help?"

H.B., Ponca City, Okla.: "What can Republicans do here to help correct the ridiculous imbalance of the congressional committees? The ratio is appalling."

C.M., Abilene, Tex.: "Today I read an editorial by Roscoe Drummond in the Abilene Reporter News in reference to congressional staffing of committees. I am chairman of a local study group; and if you have available material on how to help further a reform of this injustice, I would appreciate greatly your sending this information in order that this study group of about 20 people may benefit from it, as well as help."

M.M., Rutherford, N.J.: "I am enclosing an editorial which appeared in the South Bergen News, our local paper recently. It sets forth the matter of unfair staffing very clearly and I trust will stir up some public indignation."

J.D., Los Angeles, Calif.: "In Roscoe Drummond's column in the Los Angeles Times, yesterday, he alerted us to the egregious imbalance in the professional staffing of the congressional committees, due to the high-handed practice of majority chairmen—Democrats. In order to help, I am writing to those chairmen whose names I know. If there is an available list of these Democrats, I shall gladly write to each one."

R.B., Valley Forge, Pa.: "I am writing you to inquire about how to assist your vital effort to staff congressional committees on an equitable, effective basis."

B.B., Toledo, Ohio: "Thank you for alerting the public as to the unfair imbalance in Washington politics. I feel our two-party system is in grave danger. The entire world suffers when either party lacks sufficient voice to be heard."

P.B., Fair Lawn, N.J.: I have read an article regarding the unfair professional staffing of the congressional committees and I understand that you are taking an interest in this issue. I am not one of your constituents, but I feel deep concern over the arrogance of the present administration and of the party in power. I would like to take this opportunity to express my own sympathy with the efforts you are making to seek some correction of this situation. It was suggested that you might be in a position to offer some guidance to those who would like to make their feelings known. Any such guidance you can give would be appreciated * * *."

R.M., Thompsonville, Conn.: "I have just read Roscoe Drummond's column in the New York Herald Tribune concerning the obvious imbalance in the staffing of congressional committees. It seems to me that the ability of a committee whose purpose is to investigate or examine the operation of any portion of our Federal Government would be severely hampered by this imbalance. A politically balanced staff could not be accused of political leanings, hence giving ordinary citizens the feeling that the facts brought forth are true and meaningful. I applaud your efforts in trying to right this obvious injustice to the opposition and I offer my services to this end. Please advise me as to the means of helping to correct this rather obvious bending of legislative justice."

H.T., Los Angeles, Calif.: "I am sure the public in general has been unaware until recently that the majority chairmen of House committees had the power and used it to keep the staffs of minority members down to such a low level, to hire and fire at will, set salaries, and determine tenure. Like most citizens I thought it was something regulated by law. I am at a loss to understand why nothing has been done about it before. It is such a glaring injustice * * * I intend to do my part in protesting this injustice at every opportunity."

R.E., Casper, Wyo.: "I was not aware of the one-sided monoply of congressional staffing until I read an article by Roscoe Drummond. I am interested in knowing what may be done to further a reform of this injustice in congressional staffing in the interest of both parties and would appreciate having you inform me how I may help."

A.W. and R.W., Ogunquit, Maine: "The undersigned voters in Maine would like to congratulate you heartily on your efforts to bring to public attention inequalities in the staffing of congressional committees to the detriment of the minority party. To the average voter the brazen attempt of the majority party to load the committee staffs and to maintain control of them for obvious political advantage is just one more scandal to add to the sad picture of a Washington bureaucracy gone mad. But it is an exceedingly important scandal, and one which we fervently hope can be so thoroughly aired by your committee's efforts that the people will refuse to stand for it * * *. You have our unqualified support in your efforts."

E.P., Weston, Conn.: "I am interested in your fight against a one-sided monopoly of congressional staffing, and I am indeed shocked that so few of our voters are aware of the Democratic Party's imposition of such a completely inequitable distribution of staffs. Please tell me how I can be of help."

D.J., Wichita, Kans.: "Would you please let me know what I can do to further a reform of the injustice in congressional staffing? Thank you for doing all that you are doing for us who care about this."

D.M., Berkeley, Calif.: "I am writing you in reaction to an article by Roscoe Drummond printed in the Oakland Tribune concerning the intolerable and crippling imbalance in the professional staffing of the congressional committees. How can I help further a reform of this injustice and prevent this attempt to exterminate the party in opposition?"

W.T., Silver Lake, Cuyahoga Falls, Ohio: "I feel strongly that in order to preserve the two-party system of government it is necessary to have a more closely balanced Congress. We cannot have fair play until we correct the unjust congressional staffing. Will you help? Thank you."

W.H., Willow Grove, Pa.: "I am writing editorials for our local newspaper. For an editorial on the disproportionate committee staffing so far as the Republican representation is concerned, I would appreciate any information. I also would appreciate knowing just what work the staff members do and specific instances of the way in which this handicaps the projection of Republican viewpoints. Finally, I would appreciate information as to the plans and progress your fine committee is making in this regard."

R.M., Molverne, Long Island: "May I offer my services in an effort to equalize congressional staffing."

M.F., White Plains, N.Y.: "Have just read an article by Roscoe Drummond in the New York Herald Tribune and am appalled at the imbalances on the various staff committees. As a citizen and a Republican, what can I do to further a reform of this injustice in congressional staffing."

M.C., Passaic, N.J.: "I am very desirous of assisting to further reform the deplorable inequities existing in the Senate and House committees * * *. Please let me know how I can aid with a view to correcting the imbalance."

O.K., Memphis, Tenn.: "I am concerned about the injustice in congressional staffing and will appreciate any suggestions you can give me on how I can help in this matter."

W.F., Orinda, Calif.: "I wish to thank you for your effort in bringing to the attention of many citizens of the United States, the very unfair imbalance in the professional staffing of the congressional committees in the Senate and House. Please send me information."

E.O., Sweet Springs, Mo.: "Congress should not endorse a ratio of 12 to 1 between the majority and minority staffs in Congress. They should not have to be demanded * * *. I do not approve of a system that places virtually complete control of the congressional committee staffs under the majority chairman—with the majority chairman free to hire and fire at will, set salaries, and determine tenure * * *. Neither do I endorse the limitations placed upon the minority in terms of inadequate office space, very limited travel, telephone calls, secretarial services, and other essentials of the mechanics of adequate staff work."

A.K., St. Petersburg, Fla.: "I would like to help in reforming the injustice in congressional staffing in the interest of both parties."

E.M., New York, N.Y.: "I am very much interested in your efforts to correct the intolerable and unjustifiable imbalance in the professional staffing of congressional committees. I would like to enlist my services in this cause and I, therefore, await your instructions and directives, and assure you that it is most refreshing to have you as one of the recognized leaders of the Republican Party taking an aggressive stand and initiative in a matter that approaches a national scandal. Please accept my congratulations and best wishes for your continued success."

F.R., Bronx, N.Y.: "I refer to an article in the Herald Tribune recently concerning a reform of the injustice in congressional staffing. I am very much interested in helping to accomplish this and would appreciate your sending me information as to how to make my influence felt in this respect."

E.B., Kansas City, Mo.: "Noticed a writeup in the Kansas City Star today of the lopsided method of the congressional committees. Please advise what we can do to correct this injustice."

C.L., Tenafly, N.J.: "Would you be kind enough to let me know what I can do to correct the imbalance in the professional staffing of the congressional committees."

C.C., Wichita, Kans.: "I wish to further a reform of this injustice in congressional staffing in the interest of both parties. Please advise me how to help."

S.H., Toledo, Ohio: "I wish to protest vigorously against the present imbalance in the professional staffing of the congressional committees * * *. Such disparity in these appointments is almost unbelievable and should be discontinued at once. If continued, it would lead to the destruction of our two-party system and of the effective functioning of Congress. I trust that you will do all that you have power to do to put an end to this unfair policy."

P.S., Hillsborough, Calif.: "I read with a great deal of interest efforts made by you to secure better representation for our minority party on congressional investigation staffing * * *. I would like to be of assistance to you in this endeavor as would numerous friends of mine, and I therefore look forward to hearing from you as to how best we might help."

P.I., New York, N.Y.: "As a Republican of some 20 years standing, I noted a recent item by a columnist concerning the partisan staffing of congressional committees. I would like further details with particulars as to how citizens can help in bringing about reform in the staffing procedures."

A.W., Smithville Flats, N.Y.: "I have just finished reading Roscoe Drummond's article in the New York Herald Tribune of recent date. What he says about the staffs of the congressional committees has interested me greatly, and I would like to know what I could do to help further a reform in the present setup * * *."

Y.G., Sweet Springs, Mo.: "After reading a New York Herald Tribune article by Roscoe Drummond regarding your fight for a more equitable distribution of resources and power within the Senate and House subcommittees, I would be interested in knowing what measures you recommend to remedy the situation. I would also appreciate knowing where and to whom I should write to give my support to your movement. Keep up the good work, and I will be more than willing to do my part from here."

V.H., Valley Stream, N.Y.: "I am indeed concerned about the conditions described in the Roscoe Drummond recent column in the New York Herald Tribune as regards the professional staffing of the congressional committees. The term dictatorship, I think, has numerous objects less obvious than uniforms and concentration camps, but certainly no less dangerous, therefore, how can I assist you in your efforts to reverse this mistaken trend."

J.S., Los Angeles, Calif.: "We are tired of one party or the other stacking the deck on the other party, by loading the legislative staffing of the congressional committees. We do not think that we, the people, are being properly represented by one party that takes complete rule over the other. A more favorable balance should be reached in the future. Either equal or near equal representatives of both parties would give us much better government and would keep one or the other from ramming through their ideas."

E.M., New York, N.Y.: "I have just read Roscoe Drummond's column in the Herald Tribune on the inequity present in the staffing of congressional committees. I am astounded at the imbalance present and the affront to the public in this packing. Be it Republican or Democratic administration in power, I am most strongly in favor of the minority party having fair representation on any and all legislative committees for the public's protection."

F.T., Norwich, N.Y.: "How can I help to correct professional staffing of congressional committees?"

A.M., Wilkes-Barre, Pa.: "I am interested in a reform of this injustice in congressional staffing, and would appreciate further information on how individual citizens can help."

L.W., Stamford, Conn.: "You probably read Mr. Roscoe Drummond's column in the papers a few days ago, in which he discussed your crusade to correct the imbalance in professional staffing of the congressional committees * * *. What can I do to help in correcting the situation about which he wrote?"

J.T., Glendale, Calif.: "My husband and I wish to express our approval of your crusade to correct the imbalance in professional staffing of the congressional committees. We have been aware for some time of this inequity and wondered just how long the people would tolerate this situation * * *."

G.B., New Orleans, La.: "I am interested in your fight against the imbalance of staffing congressional committees * * *. I am only an independent but I will be glad to help in any way that you think I can * * *."

L.H., Medford, Oreg.: "In a recent issue of the Medford Mail-Tribune, I read an article by Roscoe Drummond concerning the inequities in the staffing in Congress * * * how can I help?"

F.F., Amherst, Va.: "Please send me information on what I should do to further a reform of the injustice in congressional staffings."

J.J., Emmett, Idaho: "I am vitally interested in this and anything else I can do to keep our Nation a government of, by, and for the people, and not one of one party or one man. Please tell me what I can do to help."

M.M., Camp Hill, Pa.: "I am very concerned about the imbalance in the professional staffing of the congressional committees. In a system which places nearly complete control of congressional committee staffs under the majority chairman, and puts limitations on the minority, Congress cannot function effectively. This country has a two-party system of government, and I urge needed reform to correct this condition of imbalance for the good of the American people."

A.M., Hollywood, Calif.: "I wish to register my strong disapproval and disgust in the unfair way the majority party is loading the Senate-House committees * * *. I think a great injustice is being done to the American people by the Democratic leadership, and I hope it will soon be corrected. I am grateful for my privilege of addressing you and expressing my feelings regarding this very important matter."

D.W., Seattle, Wash.: "I am interested in your views on the staffing of congressional committees and would appreciate any information you can send me."

A.P., Chestnut Hill, Mass.: "Having read Roscoe Drummond's article in the Herald Tribune on the intolerable and critical imbalance of the professional staffing of congressional committees, I feel compelled to voice a strong protest against this practice * * *. The two-party system on which our Constitution was formed must be preserved. I wish this outrageous imbalance in Congress could be brought to the attention of the public and that some action could be taken before it is too late."

J.E., Denbigh, N. Dak.: "Please inform us as the public to make our influence felt to promote the true two-party system to reform the injustice in congressional staffing."

R.M., Toledo, Ohio: "I am one of many thousand Republicans who I am sure would like to do what they can to correct the Democratic Party's hold on the lopsided control of legislative committees."

A.J., Glen Rock, N.J.: "In a recent issue of the New York Herald Tribune, Mr. Roscoe Drummond wrote an article concerning the present imbalance taking place in the staffing of congressional committee * * *. I would appreciate your advice in this matter."

E.T., Santa Monica, Calif.: "After reading Roscoe Drummond's article in the Los Angeles Times, I am fully in accord with your fight to get equal representation for the minority party * * *. I do hope the public will be aroused. Best wishes for success in your fight."

G.M., Newark, N.J.: "Have been reading your articles with reference to imbalance in professional staff * * *. Some day I hope more people read and let their Representatives know that they are disgusted with the way this matter is handled."

F.W., Tulsa, Okla.: "What can I, as a private citizen, do to fight the complete control of the congressional committee staffs under the majority chairman?"

D.S., Hartford, Conn.: "Will you tell me how I can help correct the imbalance in congressional staffing?"

B.K., Douglas, Wyo.: "Roscoe Drummond in his column called attention to the imbalance of professional staff members * * *. How can we help?"

D.M., Phoenix, Ariz.: "Recently received information dealing with the injustice of congressional staffing. To say the least, I am not at all pleased with this inequity. Please send me any information you can offer."

W.S., Short Hills, N.J.: "This morning in the New York Herald Tribune, Roscoe Drummond's column, I read of a situation which is described most surely as a very regrettable, unfair imbalance, which, I imagine, few people realize is existing. Now, what can I do?"

N.S., Harrisburg, Pa.: "After reading Roscoe Drummond's article on the imbalance in the professional staffing of congressional committees, my friends and I would like to know how we can help."

E.M., Wichita, Kans.: "I will appreciate any information you can send me concerning this subject of correcting bias in committee staffing."

J.R., Owensboro, Ky.: "I am very anxious to know what I can do to reform congressional staffing * * *."

R.J., Youngstown, Ohio: "I would appreciate receiving from you whatever information you have available on the imbalance in professional staffing of congressional committees."

A.W., Crystal River, Fla.: "In regard to the injustice in congressional staffing, could you inform me of a way in which an ordinary citizen could help the Republican Party gain more representation?"

R.K., New York, N.Y.: "I read with great interest Roscoe Drummond's column today in the Herald Tribune. Please send information about the scandalous imbalance of Democratic staff jobs."

H.W., Marne, Mich.: "Please advise how I may help to eliminate the understaffing of committees of the Republican minority in proportion to the Democrat majority."

A.D., Mission, Kans.: "Please tell me how I can help eliminate the extreme injustice of congressional staffing that now exists."

W.L., New Haven, Conn.: "Please advise what can be done to correct the lack of proper staff personnel for the Republicans in Congress."

M.H., Tulsa, Okla.: "Would like to know what my woman's organization can do to make our influence felt in opposing this injustice in congressional staffing."

P.S., Pasadena, Calif.: "I believe the imbalance of the professional staffs in the Senate and House of Representatives between Republicans and Democrats is wrong. It is detrimental to good government * * *."

M.W., New York, N.Y.: "Looking back to Mr. Roscoe Drummond's column which brings out the intolerable imbalance of the congressional committees * * *. If the Democrats were faced with this situation, you would hear their cries around the world. I do hope something can be done about this."

J.O., Tuckahoe, N.Y.: "Please advise me what I can do to reform the imbalance in congressional staffs * * *."

J.F., Lyons, N.Y.: "How can I help to correct the crippling imbalance in the professional staffing of the congressional committees * * *."

E.W., Sun City, Calif.: "Referring to Roscoe Drummond's recent article in the Los Angeles Times, we are wondering what the average citizen can do with a view to remedying this flagrant injustice."

H.K., Pacific Palisades, Calif.: "We are all behind your efforts to correct the imbalance of the professional staffing of congressional committees."

B.D., Ocean Grove, N.J.: "Please send me any information or pamphlets you have available for distribution concerning the imbalance in the professional staffing of congressional committees."

C.F., Portage, Ind.: "I am greatly disturbed by the recent Roscoe Drummond editorial regarding the unequal staffing facilities of a minority party. What can I do to help?"

R.B., Scarsdale, N.Y.: "Roscoe Drummond's article in regard to the imbalance of the professional staffing of the Congress interests me * * *. I would like to help."

M.S., Kansas City, Kans.: "The editorial by Roscoe Drummond in today's Kansas City Star tells about the imbalanced committees of the House and Senate by the Democratic Party * * *. So many times an individual voter feels so helpless, but if you have ideas how to go about this particular problem, I would surely appreciate hearing."

R.G., La Canada, Calif.: "Thank you for standing up to overwhelming odds in your fight against the Democrats loading our congressional committees. What can I do to help?"

M.E., Alameda, Calif.: "Am interested in receiving information on the congressional staffing reform."

J.T., Lakeland, Fla.: "What can I do to help with reform of injustice in congressional staffing?"

S.H., Elk Rapids, Mich.: "Having reference to an article by Roscoe Drummond syndicated and used by the Grand Rapids Press of Grand Rapids, Mich., I am interested in knowing what I can do in this connection * * *. I have written to my Congressman and Senator as I am very much concerned about these activities * * *."

F.L., Emporia, Kans.: "I want to help. Please send me more information on the staffing of the congressional committees."

R.G., Richmond, Calif.: "I am most in favor of your carrying further your campaign to reform injustices practiced in the staffing of congressional committees."

F.H., New York, N.Y.: "I am on your side regarding imbalance of committee staffing * * *."

J.C., New York, N.Y.: "I have read the Drummond article in the Herald Tribune and am writing to protest the imbalance in professional staffing of congressional committees."

G.C., Glendale, Calif.: "I recently read an article in the Los Angeles Times by Roscoe Drummond regarding your attempts to get the minority party more favorable representation on congressional committees. The article indicated the imbalance that now exists. I heartily endorse your efforts to bring about a more equitable representation by the minority party in regard to assignments to the committees. Some persons have expressed concern that much could be hidden in the present congressional hearings simply because the committee was predominantly Democrats and steps could be taken to avoid party embarrassment."

B.H., Azusa, Calif.: "I wish to register my complaint against the one-sided staffing of congressional committees. More power to you. From a former Democrat."

F.F., Prairie Village, Kans.: "According to Columnist Roscoe Drummond, there is a very unfair imbalance in the staffing of professionals in congressional committees. What can I, as a voter and taxpayer, do to help you?"

H.W., Druedee, Fla.: "Obviously the conditions which Mr. Drummond describes are intolerable and should be corrected if it is possible to do so. What can I do to help?"

J.A., Hollywood, Calif.: "Please tell me what I can do about the injustice in congressional staffing, in the various committees."

H.R., New York, N.Y.: "I have just finished reading Mr. Roscoe Drummond's article * * *. Please tell me how I can help to reform the injustice in congressional staffing."

J.M., Buffalo, N.Y.: "I read of your fearless and determined fight to right the wrongs of the present Democratic majorities in both Houses * * *. How can I help to right this immense wrong and terrible unfairness?"

A.R., Arcadia, Calif.: "Thanks to Mr. Roscoe Drummond, some of our voters will learn and raise their voices against the great inequities put upon the Republican minority Members of Congress. Our attention is called to what you are trying to do to right this contemptible situation imposed upon the Republican members of these committees by the Democratic members. We support you in all these efforts."

C.W., Ottawa, Kans.: "Please tell me how I might help correct the imbalance in the professional staffing of the congressional committees."

J.R., Clearwater, Fla.: "Yesterday in the St. Petersburg Times, we read an article written by Roscoe Drummond, explaining the shocking condition of imbalance that exists in the U.S. Senate-House committees. This is a disgraceful state of affairs * * *. Please do your best to bring this situation out in the open, and if little people like ourselves can help, please instruct us."

R.C., Kansas City, Mo.: "We are interested in this reform and would like information on what we can do to bring or help bring it about."

D.T., Yonkers, N.Y.: "I recently read an article in the New York Herald Tribune about the injustices that exist in congressional staffing. This is certainly not the American way to do things. I want reform. Please write and tell me how I can help."

P.F., Tampa, Fla.: "I would like information on furthering a reform of the injustice in congressional staffing in the interest of both parties."

I.H., Los Angeles, Calif.: "In Roscoe Drummond's article appearing today in the Los Angeles Times, the inequality of partisan staffing of congressional committees is forcibly pointed out. As a citizen, and an actively interested voter, I urge you to continue your efforts, and commend you for so doing, to bring this injustice to the attention of the public and correction of the situation. Without an effective two-party system, the representative form of government which we cherish is doomed * * * ."

A.H., Hutchinson, Kans.: "I am interested in further reform of congressional staffing. Please send information."

R.J., Dearborn, Mo.: "I have just read the editorial by Roscoe Drummond concerning the imbalance in the staffing of the congressional committees * * * . I would like to know how this situation might be protested by thinking citizens."

L.P., Ticonderoga, N.Y.: "In the Herald Tribune I read about the injustice in congressional staffing in the committees. How can the ordinary citizen help to correct this?"

L.R., Syracuse, N.Y.: "Roscoe Drummond, in a recent column stated that an effort was being made to correct injustices in congressional staffing. If I may be of any help to you * * * ."

K.C., Alhambra, Calif.: "I do not condone the limitations placed upon the minority. I do not approve of the complete control of the staffs under the majority chairman. I think it most unfair and most undemocratic."

E.P., Los Angeles, Calif.: "I am most grateful to have found a fine editorial today in the Los Angeles Times regarding the inequities of professional staffing as it exists. I shall give it as much publicity as possible * * * . If there is anything else we can do, please let me know * * * ."

H.C., Clearwater, Kans.: "Have just read Roscoe Drummond's article on the inequality of Republicans and Democrats in the investigating commitees. We wish to commend your action * * * . I belong to an active Republican women's club and thought we might help."

W.D., White Plains, N.Y.: "Please advise me as to how I may help in bringing to a halt the Democratic Members of Congress practice of packing committees with Democrats."

E.A., Liberty, Mo.: "We appreciated the article by Roscoe Drummond and heartily approve the crusade to correct the imbalance in the professional staffing of congressional committees * * * . We wish you every success in this important undertaking."

B.R., Augusta, Kans.: "Could you please send me information that would be helpful in correcting the presesnt imbalance in congressional committee staffing? I am sure that many people would be aroused to action if they were acquainted with the facts in this matter * * *."

P.S., Wichita, Kans.: "Please inform me how I may help correct this politically unhealthy situation."

E.F., Glendale, Calif: "We wish to express our appreciation for your efforts to eliminate the obvious inequitable staffing by majority party of the congressional committees. We are proud to have men of your stature in Congress."

I.R., Syracuse, N.Y.: "Roscoe Drummond in his recent column stated that an effort was being made to correct injustices in congressional staffing. If I may be of help to you, please write to me."

W.H., Queens Village, N.Y.: "What are the facts in the professional staffing of congressional committees, and what can we do about it?"

C.B., Long Beach, Calif.: "The imbalance in professional staffing of congressional committees is of great concern to me, so I am writing to indicate my feeling about it. I cannot endorse the ratio between majority and minority staffs in Congress as it now stands. A strong stand should be taken to bring about a change in this matter to put minority party on a fairer basis."

F.W., Albany, Mo.: "I am interested in the preservation of the two-party system of government and also the effective functioning of Congress * * *. Please send me some information."

H.B., San Francisco, Calif.: "The surprising preponderance of control of professional staff personnel by Democrats on the various congressional committees is a matter of grave concern * * *. The philosophy of too many Democrats is surely leading the country in the wrong direction * * *. Anything you can do to correct this very wrong and serious situation would be a great service to our country."

M.H., Watkins Glen, N.Y.: "As a result of reading a column in the Tribune, I would sincerely like to see a fairer distribution of congressional committee jobs * * *."

A.C., New York, N.Y.: "In the New York Herald Tribune this morning I read of the imbalance of professional staffing of congressional committees. I am writing to ask how I can help further the reform of this blatant injustice. I will be looking forward to hearing as to what my family and I can do."

C.M., Junction City, Kans.: "Your efforts in behalf of correcting the imbalance of the advisory staffs of congressional committees has greatly impressed me. It is this that has inspired me to inquire whether you have any available information suitable for a grassroots individual * * *."

D.C., Los Angeles, Calif.: "I am heartily in accord with your efforts to halt the current practice in congressional committee staffing."

L.F., Great Neck, N.Y.: "Please forward information as to how my influence can be felt in correcting this injustice to the Republican Congress."

B.M., Santa Fe, Calif.: "I approve of your interest and work in connection with the correction of abuses of the professional staffing of committees as they now stand."

E.M., Yonkers, N.Y.: "Please tell me how I can help to publicize the injustice in congressional staffing."

E.F., Los Angeles, Calif: "The intolerable and crippling staffing of the congressional committees has just come to my attention and I certainly wish to take issue with it. It is at last being taken into the hands of high level and influential party leaders and is now being pressed in a manner which indeed cannot be denied. Whatever you may do to help destroy this situation will be appreciated by all red-blooded loyal American citizens and voters."

H.N., New York, N.Y.: "A recent article by Roscoe Drummond in the New York Herald Tribune on the imbalance in professional staffing of congressional committees prompts this note. I believe the ratio as it stands between majority and minority staffs in congressional committees is outrageous, and that the control of these staffs, hiring, firing, salaries, tenure, should not be completely in the hands of the majority chairman. I believe for the preservation of a strong two-party system, there should be a more nearly equal distribution of services, privileges, and facilities to both parties * * * ."

MANNED BOMBER FORCE AND B-52 MODIFICATION PROGRAM

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SHRIVER. Mr. Speaker, the release over the weekend of testimony by Air Force officials before the Defense Subcommittee of the Committee on Appropriations offered support and some encouragement to many of us in Congress who still believe that the United States must maintain a proper mixture of both manned bombers and missiles in its defense arsenal.

In a statement before the subcommittee, Maj. Gen. Robert J. Friedman, Director of Aerospace Programs, Deputy Chief of Staff, Program and Requirements, USAF, said:

> Even though our tactical forces are in a high state of readiness, and our long-range missiles capability is increasing, the manned bombers of the Strategic Air Command with their nuclear striking power and highly skilled crews today remain our greatest deterrent to war.

SAC bombers played a vital part in last fall's Cuban crisis when they maintained an around-the-clock airborne alert for approximately 1 month.

We also have been told that the Air Force plans to spend at least $1.2 billion over the next 3 fiscal years for modifications on the fleet of B-52 strategic jet bombers which will remain operational beyond 1971.

Of course this in heartening news to the people of my district who continue to play a vital role in the maintenance and modification of the B-52 on the flight lines in Wichita.

However, while there will be this program to modernize and keep the B-52 fleet operational into the 1970's, I must again remind you that the production lines are empty. There are no new manned bombers of any kind coming down the line either in Wichita or in any of our Nation's aviation production centers.

Our military authorities have expressed the hope that there will be manned bombers beyond 1972. They tell us that several means are being considered for a follow-on for the current manned bomber force.

The Congress has time and again demonstrated its readiness to provide funds both for continued production and for accelerated development of a new weapons system to follow the B-52H. The administration has chosen not to utilize those funds.

Mr. Speaker, this is a most appropriate day for the administration, the civilian leaders in the Pentagon, and the Congress to be reminded that man has not lost his place in the skies to pushbutton missilery.

We need but remember last week's history-making space flight of Astronaut Gordon Cooper. Here was America's space technology at its finest. I do not discount this great achievement of putting an American in orbit. However, when the automatic electronic devices went inoperative at the crucial period, it was the man in the capsule who manually directed the *Faith 7* to the bull's-eye in the Pacific.

Just as we could not afford to put Gordon Cooper's life in the hands of an automatic pushbutton, we certainly cannot afford to place the defense and security of our Nation entirely in the missile basket.

It is not enough that we keep the B-52 weapons system operational into the 1970's. We must ask what manned weapons system will be available after the B-52 has reached full attrition?

As of today, there is no answer.

NONPROFIT HOSPITALS

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I am introducing a bill today to facilitate the granting of an exemption from admissions tax under section 4233 of the Internal Revenue Code for benefits sponsored by various auxiliary groups for hospitals which qualify as nonprofit tax-exempt organizations for income tax purposes.

An incongruous situation arises under existing law with respect to the tax on admissions to hospital benefits. In order for the benefit to qualify for an exemption, it is not sufficient that the hospital be a nonprofit organization as defined in section 501 of the Internal Revenue Code, which provides for the exemption from income tax. In addition, it must be shown that the hospital is supported either in whole or in part by funds contributed by the United States or any State or political subdivision thereof, or is primarily supported by contributions from the general public.

In the case of hospitals, it is generally impossible to meet the public contributions test because under that test more than half of the gross receipts of the hospital—including any charges for services—must consist of contributions from the general public. Accordingly, the admissions tax exemption under existing law must be based upon a showing that the hospital is supported in whole or in part by governmental funds.

I understand that the latter test has been liberally construed from time to time so that if a hospital had a single county welfare patient, for which reimbursement was received from the State or county, the hospital benefit would qualify for purposes of exemption from the admissions tax. On the other hand, a hospital which might otherwise qualify as a nonprofit organization, and might even have several indigent patients for which no charge would be made, could not qualify for the admissions tax exemption. I see no justifiable basis for this distinction.

Accordingly, under the bill which I have introduced, the admissions tax exemption would be made uniform for all hospitals, whether or not receiving Federal, State, or municipal funds, providing the hospital qualified for exemption for income tax purposes. Exemption of the hospital benefit from the admissions tax would depend solely upon whether the hospital could qualify as an organization exempt from tax under section 501 of the code.

RESOLUTION OF THE STATE OF RHODE ISLAND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I include as a part of my remarks the following resolution, adopted by the State of Rhode Island Legislature:

RESOLUTION H1521

Resolution memorializing Congress respectfully requesting the enactment of appropriate Federal legislation to incorporate the Italian American War Veterans of the United States, Inc., as a national organization

Resolved, That the Members of the Congress of the United States be and they are hereby respectfully requested to enact such legislation to incorporate the Italian American War Veterans of the United States, Inc., as a national organization.

Resolved, That the secretary of state be and he is thereby requested to transmit to the Senators and Representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution in the hope that each will use every endeavor to have favorable action taken by Congress upon this special matter.

AUGUST P. LAFRANCE,
Secretary of State.

THE LATE DR. R. M. WILSON, FOUNDER OF THE R. M. WILSON LEPROSY COLONY IN KOREA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, under leave to extend my remarks and insert material in the RECORD, I should like to call attention to the article appearing in the Greensboro (N.C.) Record, on March 28, 1963, concerning the death on the preceding day of Dr. R. M. Wilson, founder of the R. M. Wilson Leprosy Colony in Korea. This great humanitarian went to Korea as a medical missionary in 1908, and in 1909 he started the leprosy colony, which was officially named for him half a century later, in an old tile kiln. Dr. Wilson spent 40 of his 81 years working among the lepers of Korea and bringing the solace of Christianity to them. In correspondence about the lepers in Korea, Dr. Wilson wrote:

> After receiving Christ I feel they become the happiest people in the world, as seen in the colony. They make remarkable Bible students and it is a real joy to see the miracle that takes place in their lives. This home to the leper is like Heaven on earth and one big problem is to get them to go home, even the cured.

Dr. Wilson retired in 1948 and made his home in Richmond, Va.; however, at the time of his death he was visiting his son, and my good friend, Dr. John K. Wilson, in my hometown of Greensboro.

Although Dr. R. M. Wilson has now gone to his reward, his fine work continues under the supervision of his successor, I understand, and certainly his dedication to this great work and his accomplishments in Korea of a medical and ministerial nature constitute an enduring monument to his life and memory.

Dr. Wilson was named to the "South's Hall of Fame" for the living in 1960, selected as "A Great American" in 1961, and as "Man of the South" for 1962, by Dixie Business magazine. When informed of his selection as "A Great American" in 1961, Dr. Wilson wrote to Mr. Hubert F. Lee, of Decatur, Ga., founder of the "South's Hall of Fame for the Living":

> I appreciate very much the honor * * * I am unworthy of all this and wonder just how it comes about. We must give the good Lord the glory for it is only through His name can real good be accomplished. I often wish I might have another try at the past for I would like to have done a better job. This old world is in a sad and dangerous state and it is time for God's people to be in constant prayer.

Thus a great man modestly disclaimed any personal glory or accomplishment and turned the emphasis to the need for God's people to be in constant prayer. In this noble and selfless life there is a lesson for all of us if we but take it to heart.

The article follows:

FUNERAL FRIDAY FOR DR. WILSON, DEAD HERE AT 83

Funeral for Dr. Robert Manton Wilson, 83, who died at 10 o'clock last night at Moses Cone Hospital after suffering a stroke last Thursday, will be held at 2 p.m. Friday at Ginter Park Presbyterian Church in Richmond, Va.

Dr. Ben Lacy will officiate and burial will be in a Richmond cemetery.

He had been living here with a son, Dr. John K. Wilson, 1008 Dover Road. He was a native of Columbus, Ark., and was married to the former Bess Knox, of Huntersville. He was an elder in the Richmond church and was a missionary to Korea for the Southern Presbyterian Church for approximately 40 years.

Dr. Wilson managed the R. M. Wilson Leper Colony in Soonchun, Korea, while in the country. He was elected "Man of the South" for 1962 by Dixie Business magazine. The leper colony named for him was founded in 1909 and renamed after the Korean conflict. He was cited by the Emperor of Japan for his work at the colony. Dr. Wilson earned his medical degree at Washington University at St. Louis, Mo.

Surviving are 4 other sons, Dr. James S. Wilson, of Durham, Dr. Robert M. Wilson, Jr., of Spokane, Wash., T. E. Wilson, of Sanston, Va., and Dr. Joseph F. Wilson, of Anchorage, Alaska; 2 daughters, Mrs. William C. Budd, of West Long Branch, N.J., and Mrs. Sam A. Mason, of Hampton, Va.; 2 brothers, Joe Wilson and Charlie Wilson, of Hope, Ark.; 1 sister, Mrs. R. E. Jackson, of Columbus, Ark.; and 23 grandchildren.

It was the custom of Dr. Wilson, upon the death of a friend or relative, to donate to the leper colony through the Ginter Park Presbyterian Church in Richmond.

The body will be taken from Hanes-Lineberry Funeral Home to Joseph Bierly Funeral Home in Richmond sometime this afternoon.

COMMUNISTS ON CAMPUS

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it has been no secret that the No. 1 target of the Communist Party, U.S.A. has been the American campus. They have made their plans perfectly clear and as I read the Worker and the other Communist publications each week it is startling to see what giant strides they have made toward their goal of obtaining forums on college campuses throughout our Nation. Almost weekly there are reports about Carl Winter, Gus Hall, Elizabeth Gurley Flynn, and others addressing youth groups at our colleges and universities. While I do not believe that these party members will do much recruiting, the fundamental question arises whether or not they should be afforded the opportunity to speak on campus. It is my contention that they should not be given this forum.

Communists are dedicated to the Leninist principle that "youth will decide the issue of the entire struggle—both the student youth and still more, the working-class youth." J. Edgar Hoover has warned of this in his report, "Communist Target: Youth" which was published by the House Committee on Un-American Activities. Mr. Hoover noted that—

> In 1959, the Communist Party, U.S.A. launched a major campaign with youth as its target. On May 30 and 31, 1959, approximately 20 young Communists from New York City, Baltimore, Chicago, Detroit, Los Angeles, and Philadelphia attended a conference with national leaders of the party at party headquarters in New York City. The purpose of the meeting was to devise a program to attract young blood—teenagers, students, and working youth—to the ranks of the party.
>
> After those May 1959 conferences, campuses throughout the Nation became prime targets for Communist infiltration and recruitment efforts. The party began operating what amounted to a regular lecture bureau, with party spokesmen seizing every opportunity to project their views on campuses across the country.
>
> To establish a closer link between the party and its youth groups, two of the most promising and active young Communists, Mortimer Daniel Rubin and Danny Queen, were included on the party's national committee. A longtime party functionary, Human Lumer, was relieved of all responsibility in youth affairs, and Rubin was given full responsibility for this phase of party activity. A new Marxist youth organization, Advance, was organized in New York City. A drive is currently underway to establish a new Marxist youth publication, New Horizons.

With their plans well laid, they have proceeded from this base to spread the word throughout the Nation. Knowing the controversy that can be engendered by those who battle over what constitutes academic freedom, the Communists have been provided with a perfect wedge to divide honest-thinking Americans. This controversy is raging in literally hundreds of campuses throughout our Nation today.

In 1953, the Association of American Universities made an excellent statement entitled "The Rights and Responsibilities of Universities and Their Facilities." It readily acknowledged the volatility of this problem but noted that "the university supplies a distinctive forum and, in so doing, strengthens the scholar's voice." It is appropriate to add that it also strengthens the voice of visiting speakers, whomever they might be. The statement went on to note:

> There is a line at which "freedom" or "privilege" begins to be qualified by legal "duty" and "obligation." The determination of the line is the function of the legislature and the courts. Any member of a university who crosses the duly established line is not excused by the fact that he believes the line ill drawn.

As to the matter of subversion among the faculty itself, the association stated:

> Invocation of the fifth amendment places upon a professor a heavy burden of proof of his fitness to hold a teaching position and lays upon his university an obligation to reexamine his qualifications for membership in its society.

In condemning Russian communism, the university presidents summed up their beliefs with the direct charge that:

> The police state would be the death of our universities, as of our Government. Three of its principles in particular are abhorrent to us: the fomenting of worldwide revolution as a step to seizing power; the use of falsehood and deceit as normal means of persuasion; thought control—the dictation of doctrines which must be accepted and taught by all party members. Under these principles, no scholar could adequately disseminate knowledge or pursue investigations in the effort to make further progress toward truth * * *. No person who accepts or advocates such principles and methods has any place in a university. Since present membership in the Communist Party requires the acceptance of these principles and methods, such membership extinguishes the right to a university position.

While I readily concede that the university presidents were not specifically including Communist speakers on campus, the case is equally well made for refusal to grant them an academic forum. Visiting speakers are as much a part of the educational process as faculty members though certainly not as important. I firmly believe that no person who accepts or advocates the principles or methods of communism has any place in a university in any capacity whatsoever.

In my own State of Ohio, a bill has been introduced by Hon. Chalmers P. Wylie, Republican of Franklin County, which would deny the facilities of State colleges and universities to Communists and other specified pro-Communists. This legislation, substitute house bill No. 800, has been voted out of committee by a 13 to 6 margin and is before the general assembly for passage. Naturally, the so-called liberal community has protested enactment of such legislation as an invasion of academic freedom and an insult to the students and faculty. I am including in the Appendix following these remarks an excellent editorial from the Cincinnati Enquirer and a letter which I sent to a student who raised this question in a letter to me.

Mr. Speaker, I feel that Representative Wylie is to be commended for introducing house bill 800 and pressing its passage. Communists daily live in contempt of law and authority and it is ridiculous to think that they have any right to be heard on our campuses throughout the United States. Even their speakers' bureau is a ruse. They send out the tired and haggard party members who are a part of the overt conspiracy. The impression they make on students is likely to engender no real fervor for their cause but rather a wistful sympathy for their pathetic pleadings. In many ways, the Flynns, Halls, Winters, and others sell their audiences a false sense of security and make obscure the true nature of the covert Communist conspiracy. The fact that these party hacks offer no real threat is not the issue. The issue is well summarized by the Association of American Universities report when it concluded:

> Academic freedom is not a shield for those who break the law.

APPENDIX A

SUB. H.B. 800

A bill to enact section 3345.021 of the revised code, to regulate visiting speakers at State-supported colleges and universities

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 3345.021 of the revised code be enacted to read as follows:

SEC. 3345.021. The board of trustees of any college or university, which receives any State funds in support thereof, shall have full power and authority on all matters relative to the administration of such college or university.

This authority includes, but is not limited to, the right to determine, by rules or regulations adopted by such board of trustees, what persons shall be permitted to use the facilities of such college or university for speaking purposes.

Such board of trustees shall not permit the use of the facilities of colleges or universities under their control for speaking purposes by any person who:

(A) Is a member of the Communist Party of the United States or any organization which is a Communist-action, or Communist-front, organization as listed on the "Register of Communist-Action Organizations" or the "Register of Communist-Front Organizations" which the Attorney General of the United States is required to maintain pursuant to section 788 of title 50, U.S.C.A., or a Communist-action, Communist-front, or Communist-infiltrated organization of the United States found to be such by the Subversive Activities Control Board pursuant to section 792 or 792a, title 50, U.S.C.A.;

(B) Refuses, upon request of such board, to execute an affidavit that he does not, knowingly or willfully, advocate, abet, advise, or teach the duty, necessity, desirability, or propriety of overthrowing or destroying the Government of the United States or the government of any State, territory, District, or possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government;

(C) Has been convicted of contempt by any court of the United States or of any State, territory, District, or possession thereof, for refusing to answer any question with regard to membership in the Communist Party of the United States or in any organization which is a Communist-action, Communist-front, or a Communist-infiltrated organization of the United States as defined in paragraph (A) herein before any duly-constituted legislative, judicial, or administrative authority of the Government of the United States or of any State, territory, District or possession thereof.

The board of trustees of any such college or university may delegate any administrative authority mentioned in this section, including but not limited to, the enforcement of rules or regulations with respect to the use of university or college facilities for speaking purposes, to the president of any such college or university, or to such other administrative personnel as may be designated or appointed therefor by the board or trustees.

APPENDIX B

[From the Enquirer, Apr. 1, 1963]

SHOULD COMMUNISTS BE HEARD?

The most hotly debated topic on the college and university campuses of America at the moment is whether Communists or alleged Communists should be accorded a campus platform from which to speak.

In many respects, it is fortunate that the debate is afoot. For from a thorough discussion of the pros and cons of inviting Communist spokesmen onto the campus can come a far more meaningful understanding of international communism and its works.

As the debate unfolds, it should be remembered that the Communists themselves are the authors of the controversy. It is they who have undertaken a massive nationwide campaign to convert academic freedom into a tool for undermining American education, for creating violent dissension within the American academic community, for misleading young Americans about their purposes and tactics and for giving themselves the prestige that accompanies identification with the colleges and universities of the Nation.

THE CAMPUS INVASION DESIGNED IN MOSCOW

The first clue to the Communist purpose is described by J. Edgar Hoover in his book, "A Study of Communism." Mr. Hoover writes:

"A meeting of young Communists and party leaders was held at the party's New York City headquarters in May 1959. At this meeting, plans were formulated to concentrate on colleges and universities in promoting a Marxist orientation among students as the first step in their eventual recruitment into the party * * *. To convey Marxism-Leninism to college and university students, party leaders have established a 'lecture bureau' and welcome every opportunity to speak before student groups throughout the country."

Mr. Hoover noted that the Communist campaign on the American campus was the direct outgrowth of the 1960 Communist Party Congress, which took the leaders of 81 Communist parties from around the world—including the United States—to Moscow.

No one can deny that the Communist pitch is a clever one. The form letter that the party directed some months ago to campus organizations all across the Nation took the line that American communism is simply another legitimate form of political expression.

THEIR CREDENTIALS DRIP WITH FALSEHOODS

The letter went on: "The Communist Party, U.S.A., is in existence 43 years and it has, according to objective historians, made valuable contributions in the struggle of labor, of the Negro people and for the cause of peace, democracy and social progress generally. Communists have made heavy sacrifices in the course of these struggles. They ought to be given a fair hearing."

Despite the plaintiveness of the Communist appeal, it rests upon patent falsehood.

The Communist Party is not "just another" political movement. It is—and it has been so held in a long series of court decisions—a part of an international criminal conspiracy; its masters are not in Washington or New York, but in Moscow; its purpose is not to persuade, but to destroy the very fabric of the American Republic.

The Communist interest in the cause of labor and the Negro is an interest in manipulating these—and other elements of American society—as a means of hastening the overthrow of the American system. And the Communist interest in real peace is roughly equivalent to Al Capone's interest in law enforcement.

Notwithstanding the fraudulent nature of their credentials, American Communists have been remarkably successful in their invasions of the campuses of America. In one 12-day period last year, Gus Hall, the Moscow-schooled secretary of the U.S. Communist Party, made no fewer than 37 speeches—most of them on college campuses. Mortimer D. Rubin, national youth director for the party, has been almost as successful. So have Elizabeth Gurley Flynn, the party's chairman, and all the rest.

Why, we may well wonder, do college teachers and administrators fall into the Communist trap?

The most common answer is that Communists are entitled to freedom of speech like every other American. But we should like to think that freedom of speech is not quite the same as the freedom to make a speech anywhere, any time. John Q. Citizen, in other words, possess no inherent, constitutional right to address a joint session of Congress. And Mortimer D. Rubin possesses no inherent, constitutional right to address the students of any specific U.S. college or university.

The same college that insists upon the right of American Communists to be heard does not recognize the inherent right of just any student to gain admission or of just any teacher to join the faculty. Its administrators insist upon standards of performance—both for students and for teachers.

We hear also about the "right to know." This right is—or should be—the right to learn. No university has a responsibility to instruct its students in the various forms of pornography or in the fine art of safecracking.

The Communist Party stands convicted of a crime against the United States in much the same way a proven killer stands convicted of a crime against the state. The only difference is that the crime of the Communist movement is far more loathsome than any of the individual acts for which we dispatch lawbreakers to the penitentiary.

As a final observation, we have deep and abiding faith in the young people of America. We are certain that no amount of platform oratory is going to convert them into Soviet agents.

But we think the Communist campaign is not aimed at conversion. It is aimed, instead, at dissension and distrust. It is aimed at inciting civil war in our academic communities. It is aimed at propagating the subtle, but wholly erroneous, notion that the Communist Party of the United States is entitled to be heard on the same footing as the Democratic Party or the Republican Party. And it is aimed, finally, at undermining the efforts of all American parties and all American Presidents to insure the survival of the United States and the civilization of which it is a part.

APPENDIX C

THE RIGHTS AND RESPONSIBILITIES OF UNIVERSITIES AND THEIR FACULTIES

(A statement by the Association of American Universities, adopted Tuesday, March 24, 1953)

I. ROLE OF THE UNIVERSITY IN AMERICAN LIFE

For 300 years higher education has played a leading role in the advancement of American civilization. No country in history so early perceived the importance of that role and none has derived such widespread benefits from it. Colleges moved westward with the frontier and carried with them the seeds of learning. When the university idea was transplanted from Europe, it spread across the Nation with extraordinary speed. Today our universities are the standard bearers of our whole system of education. They are the mainstays of the professions. They are the prime source of our competence in science and the arts. The names of their graduates crowd the honor rolls of two World Wars and of the Nation's peacetime affairs. By every test of war and peace they have proved themselves indispensable instruments of cultural progress and national welfare.

In the United States there is a greater degree of equality of opportunity in higher education than anywhere else in the world. A larger proportion of Americans study in universities and colleges than any other people. These universities have shown and continue to show greater responsiveness to the needs of our society than their European counterparts. They have equipped our people with the varied skills and sciences essential to the development of a pioneer country. They have imparted the shape and coherence of the American Nation to formless immigrant groups. American ideals have been strengthened, the great cultural tradition of the West has been broadened and enriched by their teaching and example.

Modern knowledge of ourselves and of our universe has been nurtured in the universities. The scientific, technical, medical, and surgical advances of our time were born in them. They have supplied intellectual capital as essential to our society as financial capital is to our industrial enterprise. They have more than justified the faith of the public in our distinctive system of higher education. They have proved themselves dynamic forces of American progress.

II. THE NATURE OF A UNIVERSITY

A university is the institutional embodiment of an urge for knowledge that is basic in human nature and as old as the human race. It is inherent in every individual. The search that it inspires is an individual affair. Men vary in the intensity of their passion for the search for knowledge as well as in their competence to pursue it. History therefore presents us with a series of scholarly pioneers who advanced our knowledge from age to age and increased our ability to discover new knowledge. Great scholars and teachers drew students to them, and in the Middle Ages a few such groups organized themselves into the first universities.

The modern university which evolved from these is a unique type of organization. For many reasons it must differ from a corporation created for the purpose of producing a salable article for profit. Its internal structure, procedures, and discipline are properly quite different from those of business organizations. It is not so closely integrated and there is no such hierarchy of authority as is appropriate to a business concern; the permanent members of a university are essentially equals.

Like its medieval prototype, the modern American university is an association of individual scholars. Their effectiveness, both as scholars and as teachers, requires the capitalizing of their individual passion for knowledge and their individual competence to pursue it and communicate it to others. They are united in loyalty to the ideal of learning, to the moral code, to the country, and to its form of government. They represent diversified fields of knowledge, they express many points of view. Even within the same department of instruction there are not only specialists in various phases of the subject, but men with widely differing interests and outlook.

Free enterprise is as essential to intellectual as to economic progress. A university must therefore be hospitable to an infinite variety of skills and viewpoints, relying upon open competition among them as the surest safeguard of truth. Its whole spirit requires investigation, criticism, and presentation of ideas in an atmosphere of freedom and mutual confidence. This is the real meaning of academic freedom. It is essential to the achievement of its ends that the faculty of a university be guaranteed this freedom by its governing board, and that the reasons for the guarantee be understood by the public. To enjoin uniformity of outlook upon a university faculty would put a stop to learning at the source.

For these reasons a university does not take an official position of its own either on disputed questions of scholarship or on political questions or matters of public policy. It refrains from so doing not only in its own but in the public interest, to capitalize the search for knowledge for the benefit of society, to give the individuals pursuing that search the freest possible scope and the greatest possible encouragement in their efforts to preserve the learning of the past and advance learning in the present. The scholar who pursues the search on these terms does so at maximum advantage to society. So does the student. To the scholar lie open new discoveries in the whole field of knowledge, to his student the opportunity of sharing in those discoveries and at the same time developing his powers of rational thought, intelligent judgment, and an understanding use of acquired knowledge. Thus essential qualities of learning are combined with essential qualities of citizenship in a free society.

To fulfill their function the members of university faculties must continue to analyze, test, criticize, and reassess existing institutions and beliefs, approving when the evidence supports them and disapproving when the weight of evidence is on the other side. Such investigations cannot be confined to the physical world. The acknowledged fact that moral, social, and political progress have not kept pace with mastery of the physical world shows the need for more intensified research, fresh insights, vigorous criticism, and inventiveness. The scholar's mission requires the study and examination of unpopular ideas, of ideas considered abhorrent and even dangerous. For, just as in the case of deadly disease or the military potential of an enemy, it is only by intense study and research that the nature and extent of the danger can be understood and defenses against it perfected.

Timidity must not lead the scholar to stand silent when he ought to speak, particularly in the field of his competence. In matters of conscience and when he has truth to proclaim the scholar has no obligation to be silent in the face of popular disapproval. Some of the great passages in the history of truth have involved the open challenge of popular prejudice in times of tension such as those in which we live.

What applies to research applies equally to teaching. So long as an instructor's observations are scholarly and germane to his subject, his freedom of expression in his classroom should not be curbed. The university student should be exposed to competing opinions and beliefs in every field, so that he may learn to weigh them and gain maturity of judgment. Honest and skillful exposition of such opinions and beliefs is the duty of every instructor; and it is equally his privilege to express his own critical opinion and the reasons for holding it. In teaching, as in research, he is limited by the requirements of citizenship, of professional competence, and good taste. Having met those standards, he is entitled to all the protection the full resources of the university can provide.

Whatever criticism is occasioned by these practices, the universities are committed to them by their very nature. To curb them, in the hope of avoiding criticism, would mean distorting the true process of learning and depriving society of its benefits. It would invite the fate of the German and Italian universities under fascism and the Russian universities under communism. It would deny our society one of its most fruitful sources of strength and welfare and represent a sinister change in our ideal of government.

III. THE OBLIGATIONS AND RESPONSIBILITIES OF UNIVERSITY FACULTIES

We must recognize the fact that honest men hold differing opinions. This fundamental truth underlies the assertion and definition of individual rights and freedom in our Bill of Rights. How does it apply to universities? In the eyes of the law, the university scholar has no more and no less freedom than his fellow citizens outside a university. Nonetheless, because of the vital importance of the university to civilization, membership in its society of scholars enhances the prestige of persons admitted to its fellowship after probation and upon the basis of achievement in research and teaching. The university supplies a distinctive forum and, in so doing, strengthens the scholar's voice. When his opinions challenge existing orthodox points of view, his freedom may be more in need of defense than that of men in other professions. The guarantee of tenure to professors of mature and proven scholarship is one such defense. As in the case of judges, tenure protects the scholar against undue economic or political pressures and insures the continuity of the scholarly process.

There is a line at which "freedom" or "privilege" begins to be qualified by legal "duty" and "obligation." The determination of the line is the function of the legislature and the courts. The ultimate interpretation and application of the 1st and 14th amendments are the function of the U.S. Supreme Court; but every public official is bound by his oath of office to respect and preserve the liberties guaranteed therein. These are not to be determined arbitrarily or by public outcry. The line thus drawn can be changed by legislative and judicial action; it has varied in the past because of prevailing anxieties as well as by reason of "clear and present" danger. Its location is subject to, and should receive, criticism both popular and judicial. However much of the location of the line may be criticized, it cannot be disregarded with impunity. Any member of a university who crosses the duly established line is not excused by the fact that he believes the line ill drawn. When the speech, writing, or other actions of a member of a faculty exceed lawful limits, he is subject to the same penalties as other persons. In addition, he may lose his university status.

Historically the word "university" is a guarantee of standards. It implies endorsement not of its members' views but of their capability and integrity. Every scholar has an obligation to maintain this reputation. By ill-advised, though not illegal, public acts or utterances he may do serious harm to his profession, his university, to education, and to the general welfare. He bears a heavy responsibility to weigh the validity of his opinions and the manner in which they are expressed. His effectiveness, both as scholar and teacher, is not reduced but enhanced if he has the humility and the wisdom to recognize the fallibility of his own judgment. He should remember that he is as much a layman as anyone else in all fields except those in which he has special competence. Others, both within and without the university, are as free to criticize his opinions as he is free to express them.

As in all acts of association, the professor accepts conventions which become morally binding. Above all, he owes his colleagues in the university complete candor and perfect integrity, precluding any kind of clandestine or conspiratorial activities. He owes equal candor to the public. If he is called upon to answer for his convictions it is his duty as a citizen to speak out. It is even more definitely his duty as a professor. Refusal to do so, on whatever legal grounds, cannot fail to reflect upon a profession that claims for itself the fullest freedom to speak and the maximum protection of that freedom available in our society. In this respect, invocation of the fifth amendment places upon a professor a heavy burden of proof of his fitness to hold a teaching position and lays upon his university an obligation to reexamine his qualifications for membership in its society.

In all universities faculties exercise wide authority in internal affairs. The greater their autonomy, the greater their share of responsibility to the public. They must maintain the highest standards and exercise the utmost wisdom in appointments and promotions. They must accept their share of responsibility for the discipline of those who fall short in the discharge of their academic trust.

The universities owe their existence to legislative acts and public charters. A State university exists by constitutional and legislative acts; an endowed university enjoys its independence by franchise from the State and by custom. The State university is supported by public funds. The privately sustained university is benefited by tax exemptions. Such benefits are conferred upon the universities not as favors but in furtherance of the public interest. They carry with them public obligation of direct concern to the faculties of the universities as well as to the governing boards.

Legislative bodies from time to time may scrutinize these benefits and privileges. It is clearly the duty of universities and their members to cooperate in official inquiries directed to those ends. When the powers of legislative inquiry are abused, the remedy does not lie in noncooperation or defiance; it is to be sought through the normal channels of informed public opinion.

IV. THE PRESENT DANGER

We have set forth the nature and function of the university. We have outlined its rights and responsibilities and those of its faculties. What are the implications of current anxiety over Russian communism and the subversive activities connected with it?

We condemn Russian communism as we condemn every form of totalitarianism. We share the profound concern of the American people at the existence of an international conspiracy whose goal is the destruction of our cherished institutions. The police state would be the death of our universities as of our Government. Three of its principles in particular are abhorrent to us: The fomenting of worldwide revolution as a step to seizing power; the use of falsehood and deceit as normal means of persuasion; thought control—the dictation of doctrines which must be accepted and taught by all party members. Under these principles, no scholar could adequately disseminate knowledge or pursue investigations in the effort to make further progress toward truth.

Appointment to a university position and retention after appointment require not only professional competence but involve the affirmative obligation of being diligent and loyal in citizenship. Above all, a scholar must have integrity and independence. This renders impossible adherence to such a regime as that of Russia and its satellites. No person who accepts or advocates such principles and methods has any place in a university. Since present membership in the Communist Party requires the acceptance of these principles and methods, such membership extinguishes the right to a university position. Moreover, if an instructor follows communistic practice by becoming a propagandist for one opinion, adopting a "party line," silencing criticism or impairing freedom of thought and expression in his classroom, he forfeits not only all university support but his right to membership in the university.

"Academic freedom" is not a shield for those who break the law. Universities must cooperate fully with law-enforcement officers whose duty requires them to prosecute those charged with offenses. Under a well-established American principle their innocence is to be assumed until they have been convicted, under due process, in a court of proper jurisdiction.

Unless a faculty member violates a law, however, his discipline or discharge is a university responsibility and should not be assumed by political authority. Discipline on the basis of irresponsible accusations or suspicion can never be condoned. It is as damaging to the public welfare as it is to academic integrity. The university is competent to establish a tribunal to determine the facts and fairly judge the nature and degree of any trespass upon academic integrity, as well as to determine the penalty such trespass merits.

As the professor is entitled to no special privilege in law, so also he should be subject to no special discrimination. Universities are bound to deprecate special loyalty tests which are applied to their faculties but to which others are not subjected. Such discrimination does harm to the individual and even greater harm to his university and the whole cause of education by destroying faith in the ideals of university scholarship.

V. CONCLUSION

Finally, we assert that freedom of thought and speech is vital to the maintenance of the American system and is essential to the general welfare. Condemnation of communism and its protagonists is not to be interpreted as readiness to curb social, political, or economic investigation and research. To insist upon conformity to current beliefs and practices would do infinite harm to the principle of freedom, which is the greatest, the central, American doctrine. Fidelity to that principle has made it possible for the universities of America to confer great benefits upon our society and our country. Adherence to that principle is the only guarantee that the Nation may continue to enjoy those benefits.

Members of the Association of American Universities

Brown University, Providence, R.I.: Henry M. Wriston, president.

California Institute of Technology, Pasadena, Calif.: Lee A. Dubridge, president.

Catholic University of America, Washington, D.C.: Patrick J. McCormick, rector.

Clark University, Worcester, Mass.: Howard B. Jefferson, president.

Columbia University, New York, N.Y.: Grayson Kirk, president.

Cornell University, Ithaca, N.Y.: Deane W. Malott, president.

Duke University, Durham, N.C.: A. Hollis Edens, president.

Harvard University, Cambridge, Mass.: Paul H. Buck, chairman, administrative committee.

Indiana University, Bloomington, Ind.: Herman B. Wells, president.

Johns Hopkins University, Baltimore, Md.: D. W. Bronk, president.

McGill University, Montreal, Que., Canada: F. Cyril James, principal.

Massachusetts Institute of Technology, Cambridge, Mass.: J. R. Killian, Jr., president.

Northwestern University, Evanston, Ill.: J. Roscoe Miller, president.

Ohio State University, Columbus, Ohio: Howard L. Bevis, president.

Princeton University, Princeton, N.J.: Harold W. Dodds, president.

Stanford University, Stanford, Calif.: John E. W. Sterling, president.

State University of Iowa, Iowa City, Iowa: Virgil M. Hancher, president.

University of California, Berkeley, Calif.: Robert G. Sproul, president.

University of Chicago, Chicago, Ill.: Lawrence A. Kimpton, chancellor.

University of Illinois, Urbana, Ill.: George D. Stoddard, president.

University of Kansas, Lawrence, Kans.: Franklin D. Murphy, chancellor.

University of Michigan, Ann Arbor, Mich.: Harlan H. Hatcher, president.

University of Minnesota, Minneapolis, Minn.: J. L. Morrill, president.

University of Missouri, Columbia, Mo.: F. A. Middlebush, president.

University of Nebraska, Lincoln, Nebr.: R. G. Gustavson, chancellor.

New York University, New York, N.Y.: Henry T. Heald, chancellor.

University of North Carolina, Chapel Hill, N.C.: Gordon Gray, president.

University of Pennsylvania, Philadelphia, Pa.: William H. DuBarry, acting president.

University of Rochester, Rochester, N.Y.: C. W. de Kiewiet, president.

University of Texas, Austin, Tex.: James P. Hart, chancellor.

University of Toronto, Toronto, Ont., Canada: Sidney E. Smith, president.

Vanderbilt University, Nashville, Tenn.: Bennett Harvie Branscomb, chancellor.

University of Virginia, Charlottesville, Va.: Colgate W. Darden, Jr., president.

University of Wisconsin, Madison, Wis.: Edwin B. Fred, president.

Washington University, St. Louis, Mo.: Arthur H. Compton, chancellor.

University of Washington, Seattle, Wash.: Henry B. Schmitz, president.

Yale University, New Haven, Conn.: A. Whitney Griswold, president.

APPENDIX D

CONGRESS OF THE UNITED STATES,
Washington, D.C., May 13, 1963.

Miss NANCY TIPTON,
Tallawanda Hall, Miami University, Oxford, Ohio.

DEAR NANCY: I was glad to receive your letter regarding the problem of Communist speakers appearing on college campuses. I agree wtih you that this is a very difficult area in our free society and answers are not easy. To answer your question specifically, were I a member of the Ohio General Assembly at the present time, I would support Representative Chalmers Wylie's house bill 800.

To answer your first question, the bill would not, in my opinion, violate the 1st, 5th, or 14th amendment as you suggest. Freedom of speech is not and cannot be an absolute license to say anything and has never been interpreted to be such in the long history of our American jurisprudence. Certainly no one would have the right to go into a movie and yell "Fire," nor would anyone have the right to incite a mob to violence or tell slanderous lies about you or me. These would be logical areas for freedom of speech if we were to stretch it into an absolute rather than a reasonable right guaranteed by law. While I am inclined to weigh my opinions on the side of hearing diverse views, there is a legitimate reason for singling out Communists as H.R. 800 does. They are not a political party in this country but rather are a conspiratorial party and stand criminally convicted by our highest tribunals. They are part of an international criminal conspiracy which is dedicated to the overthrow of our country by subversion, violence, lies, and deceit. As an international organization they stand convicted at the bar of justice and opinion of every conceivable crime against man and humanity—murder, slavery, dishonesty, atheism, rape—none of which qualify them for acceptance in decent society let alone speaking from our lofty places.

To include Communist speakers as a part of academic freedom is an indication that there will not be academic responsibility for several reasons. First, it is inconceivable that it is an exercise of academic freedom to grant a forum to those whose avowed purpose—even if they deny it—is to "bury us" in the words of their ignoble leader. For example, Ohio Wesleyan students recently heard Carl Winter who served a jail sentence after conviction on these very charges; second, Communists are contemptuous of the law and have failed to register with the Attorney General as required in the Internal Security Act of 1950 and the Communist Control Act of 1954. Do you want to grant a forum to those who violate the law—I'm talking about right now, today, in contempt for our established law and procedures? Even the most ardent liberal who bleeds so profusely over the purported rights of these Communists respects the law of the land and should not tolerate this double standard.

In my own experience, I well remember in the late 1940's at Harvard how the Communist Gerhart Eisler addressed a campus meeting. His oratory was replete with the usual line—Wall Street capitalism, glib lies, denunciations of the House Committee on Un-American Activities, etc. Within a few weeks, he was smuggled out of the United States on a Polish ship in violation of the law and has been living the life of an Iron Curtain Communist ever since. Maybe we gained something by hearing him, under the guise of academic freedom, but I have always doubted it.

This is one of the hard problems to answer in a free society and the Communists are always on hand to stir the strife. They want the rights accorded to decent law-abiding Americans but don't want to acknowledge the responsibilities. Quite frankly, I would not be fearful of letting my three daughters listen to Frank Wilkinson, Gus Hall, or Carl Winter when they go to college a few years hence. This isn't the point, however. These men should not be given a forum in our universities and the respectability that comes with it. I'll worry a great deal more about the economic socialism they will be taught in colleges under the guise of respectability.

I might add as a postscript that my experience in studying communism over the past 15 years has indicated several important conclusions on the basis of my comprehension of the sinister nature of this godless force. The Communists are gaining for several reasons. First of all, we seem bent on conceding to them everything while they concede to us not one thing. In the case in point, there is the tendency to concede to them the respectability which comes from addressing a college audience, the right to speak, the benefit of the doubt, the spirit of fair play, etc. What would they concede us? Nothing. While I don't want to change our ways I do not feel it is necessary to be stupid in light of their 50-year history. Internationally, we set up coalition governments in good faith and abide by the rules. They never intend to from the very start and await the first opportunity to violate the agreement. Again, we concede them everything and they concede us nothing. In giving them access to our university forums we are conceding them one more thing they do not deserve.

The Communist Party, U.S.A., was convicted in our courts. Does it have the right to think it can preach its subversive doctrines—not political ideas but subversive doctrines—on our college campuses? It has not one right in the world, any more than the convicted rapist, arsonist, or robber. Remember, academic freedom is meaningless without academic responsibility.

Sincerely,

JOHN M. ASHBROOK,
Member of Congress.

(P.S. Would we tolerate Communists as professors? I think not. Visiting speakers are as much a part of the education process as professors.)

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. OLSEN of Montana (at the request of Mr. ALBERT), for 30 minutes, on Thursday, May 23; to revise and extend his remarks, and to include extraneous matter.

Mr. HALEY (at the request of Mr. ALBERT), on Thursday, May 23, for 1 hour.

Mrs. MAY (at the request of Mr. MORSE), for 1 hour, on Thursday, May 23.

Mr. ALGER (at the request of Mr. MORSE), for 1 hour on Tuesday, May 28.

Mr. ASHBROOK (at the request of Mr. MORSE), for 30 minutes, today.

Mr. BRAY (at the request of Mr. MORSE), for 30 minutes, on May 23.

Mr. QUIE (at the request of Mr. MORSE), for 1 hour on Wednesday, May 22.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN and to include extraneous matter.

Mr. CAREY.

(The following Members (at the request of Mr. ALBERT) were given permission to extend their remarks in the RECORD and to include extraneous matter:)

Mr. SICKLES.

Mr. HEMPHILL.

(The following Members (at the request of Mr. MORSE) and to include extraneous matter:)

Mr. GOODLING.

Mr. SNYDER.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 537. An act to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

S.J. Res. 60. Joint resolution providing for the acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization; to the Committee on Foreign Affairs.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 18. An act to change the name of Harpers Ferry National Monument to Harpers Ferry National Historical Park; and

S. 247. An act to authorize survey and establishment of a townsite for the Juneau Indian Village in Alaska.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 26 minutes p.m.) under its previous order, the House adjourned until Thursday, May 23, 1963, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. GREEN of Oregon: Committee on Education and Labor. H.R. 6143. A bill to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions; with an amendment (Rept. No. 310). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 3496. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965; without amendment (Rept. No. 311). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON:

H.R. 6451. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 6452. A bill to amend section 13 of the District of Columbia Redevelopment Act of 1945, as amended; to the Committee on the District of Columbia.

H.R. 6453. A bill to amend the act entitled "An act to provide for commitments to, maintenance in, and discharges from, the District Training School, and for other purposes," approved March 3, 1925, as amended; to the Committee on the District of Columbia.

H.R. 6454. A bill to establish in the Treasury a correctional industries fund for the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BYRNES of Wisconsin:

H.R. 6455. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income); to the Committee on Ways and Means.

H.R. 6456. A bill to amend the Internal Revenue Code of 1954 to provide that the admissions tax shall not apply where the proceeds inure to hospitals which are exempt from income tax; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 6457. A bill to amend section 111 of title 23 of the United States Code to permit States to allow certain service facilities to be constructed or located on the rights-of-way of the Interstate System; to the Committee on Public Works.

By Mr. HUDDLESTON:

H.R. 6458. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deductions from either; to the Committee on Veterans' Affairs.

By Mr. KORNEGAY:

H.R. 6459. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 6460. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 6461. A bill to provide for the coverage of physicians by the insurance system established by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. MONTOYA:

H.R. 6462. A bill to amend the Agricultural Adjustment Act of 1938 to permit the sale of cotton acreage allotments under specified circumstances, and for other purposes; to the Committee on Agriculture.

H.R. 6463. A bill to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RIVERS of Alaska:

H.R. 6464. A bill for the relief of certain employees of the Alaska Railroad; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 6465. A bill to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children; to the Committee on Education and Labor.

By Mr. THOMPSON of Texas:

H.R. 6466. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

H.R. 6467. A bill to amend the Tariff Act of 1930 with respect to the rate of duty on brooms made of broomcorn; to the Committee on Ways and Means.

By Mr BASS:

H.J. Res. 444. Joint resolution to authorize the President to designate the week beginning October 27, 1963, through November 2, 1963, as "Country Music Week"; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.J. Res. 445. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.J. Res. 446. Joint resolution to authorize and direct the conduct by the Federal Trade Commission of a comprehensive investigation of chainstore practices which may be in violation of the antitrust laws, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WINSTEAD:

H. Con. Res. 165. Concurrent resolution expressing the determination of the United States with respect to the matter of general disarmament and arms control; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 6468. A bill for the relief of Harold J. Burke; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 6469. A bill for the relief of Frederik Cecil Marie Janssens; to the Committee on the Judiciary.

By Mr. FINNEGAN:

H.R. 6470. A bill for the relief of Asli Eshoo Shamalta Elias and Jennie D'Khedory Elias; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 6471. A bill for the relief of Vincenzo Amato; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.R. 6472. A bill for the relief of Mrs. Ourania Thomareis; to the Committee on the Judiciary.

By Mr. ICHORD:

H.R. 6473. A bill for the relief of Mr. and Mrs. Loward D. Sparks; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 6474. A bill for the relief of Isola Dias; to the Committee on the Judiciary.

H.R. 6475. A bill for the relief of Nicholas Koumarianos; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 6476. A bill to provide for the free entry of certain stained glass for the Congregation Emanuel of Denver, Colo.; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 6477. A bill for the relief of Capt. Otis R. Bowles; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 6478. A bill for the relief of Regina Gebriel Chiari (also known as Gina Chiari); to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 6479. A bill for the relief of Jong Wan Lee; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 6480. A bill for the relief of Rafat S. Souryal; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

134. By Mr. HANNA: Petition of the Committee for the Monroe Doctrine; to the Committee on Foreign Affairs.

135. Also, petition of boards of directors of the sanitation districts of Orange County, opposing H.R. 3166, now pending before the Congress; to the Committee on Public Works.

EXTENSIONS OF REMARKS

The 25th Anniversary of the Hatch Act

EXTENSION OF REMARKS

OF

HON. CARLTON R. SICKLES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 1963

Mr. SICKLES. Mr. Speaker, besides being an election year, next year will mark the 25th anniversary of the Hatch Act, which governs the political activity of Federal employees. There have been many important trends in this country during the last quarter-century, not the least of which is a healthy trend toward increased political activity on the part of our citizens. Federal Government employees have not been full participants in this trend because of the restrictive effect of the Hatch Act.

Since 1939, when the Hatch Act was enacted, we have had two Hoover Commissions study the organization of the executive branch of Government. I think it is time to create a little Hatch Act Commission to make a complete review of legislation limiting political activity by officers and employees of the Government. While it is generally conceded that complete elimination of legislative restrictions on political activity could undermine the merit system, I think that a review of the laws limiting political activity is needed at this time.

To make this review, I am introducing a bill to establish a bipartisan Commission on Political Activity of Government Personnel. The purpose of this Commission would be to study Federal laws limiting political activity and make concrete legislative recommendations regarding any suggested revisions in the law. While there have been minor revisions in the Hatch Act over the years, a thorough review of this law, in the light of almost 25 years of experience, would be very beneficial.

I would hope that the Commission would place special emphasis on the kind of political activity that Federal employees should be allowed to undertake at the local and State levels. At the present time, some political activity is permitted, but the issue is both complex and confused.

In my own State of Maryland, at the latest count we now have 86,412 Federal employees. Most of these employees are concentrated in only a few areas; for example, in Montgomery County there are 21,833; in Prince Georges County, 15,420; in Baltimore City, 11,022; in Baltimore County, 10,433; in Harford County, 9,025; and in Anne Arundel County, 7,135. Many of these people are extremely skilled in the techniques of government and knowledgeable regarding public affairs. Unnecessary Federal restrictions governing their political activity at the State and local level have deprived many of our local communities of the services of these talented individuals.

In summary, the time has come for a thorough review of the laws limiting political activity of Government employees. I have introduced legislation to establish a bipartisan Hatch Act Commission to accomplish this purpose. The final result of this review should be legislative proposals which would enable our Federal employees to participate more fully in the activities that make up the foundation of our democratic form of government.

The International Coffee Agreement

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 1963

Mrs. SULLIVAN. Mr. Speaker, in the debate in the other body yesterday on ratification of the International Coffee Agreement—on which a vote is scheduled for 5 p.m. today—I noted at page 9057 of the CONGRESSIONAL RECORD that a letter to me from Assistant Secretary of State Frederick G. Dutton, dated October 3, 1962, was included in the debate. This communication indicated that the American coffee consumer does not have to fear any excessive increases in coffee prices growing out of the ratification of the agreement.

I sincerely hope the State Department's optimism on this point is valid. I have always taken the position that we should help the producers to obtain a fair price for their product, but sometimes these support programs tend to control excessive price fluctuations in one direction only—that is, while going down, but never while shooting up.

Mr. Speaker, since the Department letter to me of last October is now an important piece of evidence in the International Coffee Agreement ratification debate, I would like to have the RECORD also show the reasoning which prompted me to write to the State Department last September, and my comments at the time of making the reply public in the CONGRESSIONAL RECORD for last October 5, as follows:

WILL PROPOSED INTERNATIONAL COFFEE AGREEMENT PREVENT EXCESSIVELY HIGH AS WELL AS EXCESSIVELY LOW PRICES?—EXTENSION OF REMARKS OF HON. LEONOR K. SULLIVAN, OF MISSOURI, IN THE HOUSE OF REPRESENTATIVES, FRIDAY, OCTOBER 5, 1962

Mrs. SULLIVAN. Mr. Speaker, as one who has always tried here in the Congress to reflect the consumer point of view, I have, however, never opposed fair treatment for the farmer in assuring decent prices for the food he produces. The consumer is not benefited in the long run if prices to the producer of food are so ruinously low as to drive the farmers off the farm.

Similarly, while I have vigorously opposed the recurring—and sometimes successful—attempts to boost prices of coffee to the American consumer on the basis of fake shortages or rumors of shortages, I would certainly not want to give the impression that I think the Latin American producers should not be helped to get fair and reasonable prices for their coffee. Far from it.

The unconscionable speculative price increases of January 1954 did not have much chance to help the individual coffee grower; the subsequent collapse of the wholesale price 6 months later, after the disclosure of the market excesses and irregularities, hurt the coffee grower very much, however. Thus, violent upswings in prices are a problem to both consumer and producer, just as depressed prices are a problem, particularly when the economy of a whole country rests heavily on just one commodity.

With this in mind, Mr. Speaker, I wrote to the Secretary of State last month asking what provisions were being included in the proposed international agreement on coffee which would protect the American consumer—who forms the main market for Latin American coffee, and who is also the individual who is going to have to pay for most of the cost of any stabilization agreement—what provisions were included to protect our consumers against unconscionable price increases, in case today's surpluses should conceivably turn into tomorrow's shortages. There are circumstances under which such a thing could happen, of course.

WHAT PROTECTION FOR CONSUMER AGAINST RUNAWAY PRICES?

Mr. Speaker, I think the correspondence is self-explanatory. We all remember during price control days in this country that while it was politically possible to put a floor under farm prices, it became almost impossible politically to put any effective price ceilings over them once circumstances drove these prices from far below parity to way above parity. I had that in mind when I addressed the following letter to the Secretary of State on September 13:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 13, 1962.

The Honorable DEAN RUSK,
Secretary of State, State Department,
Washington, D.C.

DEAR MR. SECRETARY: Ever since I raised an alarm over runaway coffee prices in the United States in 1954, setting off a Federal Trade Commission investigation which disclosed widespread evidence of speculative price excesses and futures trading irregularities, I have been attempting to keep in touch with developments in this field which might foreshadow possible gouging once again of the consumer. Just recently, I called the attention of the House, and of the housewives of the country, to a news report from Brazil implying that some frost damage to the new crop would, or might, result in higher coffee prices in the nUited States. I warned that any wholesale or retail price increases based on such a scare story would be utterly unjustified, in view of the tremendous stocks of coffee on hand.

My purpose in writing to you is to do two things: first, to assure you and your aids that my concern is directed primarily at unwarranted increases in coffee prices based on false reports and speculative excesses, rather than on any opposition on my part to any reasonable international program for stabilizing coffee prices at prices which are fair to both producers and consumers; and, secondly, to ask what safeguards are being written into the proposed international agreement which would serve to protect the American consumer in case crop controls and other measures should result in inordinately high prices to the American consumer.

We have long followed a policy in this country of encouraging reductions in farm production when prices are ruinously low, so I do not subscribe to the idea that any attempt to stabilize coffee prices for Latin American producers is necessarily a disservice to the American consumer, particularly if it should mean any substantial improvement in incomes and living conditions for the people of Latin America, and thus a reduction in the amount of aid we would have to give there.

On the other hand, it has been the sad experience of the American consumer in both World War II and Korean war days that after having gladly cooperated in building a floor under farm prices, the consumer was denied any effective ceiling over those same prices once inflation became virulent. I fear that if a stabilization program should be adopted for coffee, it would require our consumers to support the idea of a floor under coffee prices, but would give them no protection over excessive increases if unexpected circumstances should precipitate sharp increases in price.

Perhaps this matter has already received departmental consideration, and the necessary safeguards have been included in the draft agreement. If so, I would be glad to know about it. If not, I certainly trust some proviso is included to permit reasonable restraints on excessive price rises as well as on excessive price declines. Since we are the biggest customer-country involved in the negotiations, and since the American consumer will largely pay for the international stabilization program in terms of higher prices for coffee in the stores, I think our consumers are entitled to the kind of consideration I have outlined.

May I have your thinking on this.

Sincerely yours,

Leonor K. (Mrs. John B.) Sullivan,
Member of Congress,
Third District, Missouri.

Mr. Speaker, I have now received a reply to this letter from Assistant Secretary Frederick G. Dutton outlining the provisions of the proposed new agreement which could possibly operate to protect the American consumer in case of sudden inflation in coffee prices.

I think this information will be highly useful to us in assessing the desirability of Senate approval of the agreement. If the safeguards here outlined do not appear strong enough, perhaps we can then take whatever steps might be necessary to assure adequate protection for the American consumer.

SAFEGUARD PROVISIONS IN PROPOSED AGREEMENT

I again want to make clear, as I have tried to do in all my past discussions of coffee prices, that I favor helping the coffeegrowers, particularly those on family sized acreage, to obtain a fair price for their product. A cup of coffee would taste bitter, indeed, if it represented starvation returns for the men and women who raise and gather the beans. But excessive speculative price increases in the commodity exchanges must also be prevented, and any runaway inflation in coffee prices, no matter how improbable such a thing might seem at the moment, is something our consumers must nevertheless be protected against.

Mr. Speaker, the State Department reply to me on this issue was as follows:

Department of State,
Washington, October 3, 1962.

The Honorable Leonor K. Sullivan,
House of Representatives.

Dear Mrs. Sullivan: I want to thank you for your letter of September 13, 1962, addressed to the Secretary, with regard to the new international coffee agreement which is now before governments for consideration. I am sorry that our reply is somewhat tardy; our workload in the closing days of this Congress has been exceptionally heavy.

At the beginning I want to say that the officials of this Department concerned with the coffee problem are sincerely appreciative of the constructive view you have taken in this matter. Accordingly they want me to assure you that they have been mindful throughout the long negotiations with foreign governments that our first duty is to protect the American consumer. The advisory committee appointed by the National Coffee Association to work with the State Department during the negotiation of the new coffee agreement has, of course, always maintained that the U.S. consumer must be protected in any coffee agreement. Toward this common objective we have managed to secure a number of provisions in the new agreement which should fully protect our interests.

Before describing these specific provisions, it is noteworthy that the tremendous stocks of coffee now held by Brazil and Colombia would seem adequate assurance that no substantial advance in green coffee prices could be sustained in the foreseeable future. Stocks are also building up in some African countries, and present productive capacity everywhere is in excess of any likely demand over the next 5 years. Thus the supply and demand situation as presently known argues against any marked increases in coffee prices.

The new international coffee agreement does not have any specific price objective in the sense that it will endeavor to maintain prices for the various kinds and qualities of coffee at certain cents-per-pound figures. It does provide that through the fixing of quotas, the members agree on the necessity of assuring that the general level of coffee prices does not decline below the general level of such prices in 1962. We consider this price objective a realistic one in view of the burdensome stocks overhanging the market. In the light of the price trend it is also a reasonably modest one, as coffee prices have been declining steadily in recent years. During the first 8 months of 1962 the price of Brazilian coffee averaged about 34.3 cents a pound, compared with 36.6 cents in 1960 and 48.4 cents in 1958. The decline set in immediately after 1954, when you will remember the severe frost damage in Brazil resulted in prices averaging 78.7 cents per pound.

Consumer protection against any unwarranted price increases is assured by a number of specific provisions in the agreement. Probably the most important are the provisions relating to the establishment and adjustment of export quotas. Export quotas are intended to control the amount of coffee that may be made available to the market by the producing countries during a given period, and thus they directly influence the price. The agreement provides that all decisions on the establishment and adjustment of export quotas shall be taken by a distributed two-thirds majority vote, i.e., a concurrent two-thirds majority of the importers and exporters voting separately. As the United States has 400 votes this in effect gives us a veto power over decisions of the Council. We would to make the veto effective need only one other importing country voting with us. The number of votes held by it would be of no consequence as we alone have more than one-third, but it was felt desirable to provide that one country alone could not exercise a veto. We cannot conceive of any situation in which the United States advocated a veto where we could not persuade at least one other importer of the merit of our position.

In addition to the voting provisions of the agreement with regard to export quotas, two other provisions are noteworthy, in that they specifically recognize the undesirability of marked changes in coffee prices for whatever reason, and provide for corrective action under voting procedures which are easier to attain than the standard procedure of a distributed two-thirds majority. These two provisions are quoted below for your information.

"(5) All members recognize that marked price rises or falls occurring within brief periods may unduly distort underlying trends in price, cause grave concern to both producers and consumers, and jeopardize the attainment of the objectives of the agreement. Accordingly, if such movements in general price levels occur within brief periods, members may request a meeting of the Council which, by distributed simple majority vote, may revise the total level of the quarterly export quotas in effect.

"(6) If the Council finds that a sharp and unusual increase or decrease in the general level of prices is due to artificial manipulation of the coffee market through agreements among importers or exporters or both, it shall then decide by a simple majority vote on what corrective measures should be applied to readjust the total level of the quarterly export quotas in effect."

In the unlikely event that unforeseeable circumstances might arise in the administration of the agreement which would operate against the interests of our consumers or our coffee trade, the United States could always withdraw from the agreement. It is provided that any government, after September 30, 1963, may withdraw by giving written notice, such withdrawal to be effective 90 days after notification. As the agreement would collapse without our participation, this possibility is the final assurance that our views on the operation of the agreement must be respected.

If I can be of any further assistance in furnishing information please do not hesitate to let me know.

Sincerely yours,

Frederick G. Dutton,
Assistant Secretary.

Louisville, Ky., Signs Antidiscrimination Ordinance

EXTENSION OF REMARKS

OF

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 1963

Mr. SNYDER. Mr. Speaker, on Wednesday of last week the mayor of the city of Louisville signed into law an antidiscrimination ordinance which is the first such legislation passed by any major city in the South in the field of civil rights.

Two years ago Louisville, like many southern cities, was torn by race misunderstandings. We experienced many distasteful demonstrations, wholesale arrests of Negro leaders and demonstrators. About 14 months ago, our mayor, the Honorable William O. Cowger, called together the Negro leadership in Louisville and asked them to cooperate with the city administration in an experiment of trust and understanding. Since that time, we have had no demonstrations in Louisville. In May of last year, our city administration under the leadership of Mayor Cowger formed, by ordinance, an 11-man human relations commission. This commission worked for many months on voluntary integration and met with a respectable degree of success.

It eventually became evident that an antibias ordinance should be attempted, and this legislation was passed by the board of aldermen of the city of Louisville on last Tuesday night and signed into law by the mayor on Wednesday.

We, in Louisville, are proud of our progress in human relations under the leadership of our distinguished mayor, William O. Cowger, and our distinguished county judge, Marlow W. Cook, and I would hope that the leadership of both the white segments of our population and the Negro segments of our population to the south would look to our good city of Louisville as an example that reasonable leaders can sit down and negotiate civil rights without the threat of riots and violence.

I am confident that the leadership of our city would be willing to be of service to any of our sister cities in assisting them with their problems in race relations as it is evident that we, in Louisville, have the leadership among both our leading white and Negro citizens to cope with the problems that confront us.

Accomplishments of U.S. Travel Service

EXTENSION OF REMARKS

OF

HON. ROBERT W. HEMPHILL

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 1963

Mr. HEMPHILL. Mr. Speaker, several days ago the Secretary of Commerce filed his third semiannual report on the U.S. Travel Service. For those of you who have not seen this report I would like to take this opportunity to review some of the major accomplishments of this agency in the short time—less than 2 years—since it was established by an act of Congress.

As the author of a bill to inaugurate a Federal travel promotion program and as a member of the Interstate and Foreign Commerce Committee, which brought out the legislation creating USTS, I have followed the progress of this agency with keen interest. When the idea of setting up another new Government bureau, to promote international travel to this country, was first proposed, I was, frankly, quite skeptical and said so at the time. We have all seen how easy it is for Washington to dream up a new Federal activity, with the net result of adding more dollars to our tax burden, more people to the Government's payroll, more bureaucracy—but adding little else. The Travel Service could easily have followed this pattern, but because I saw that it might also accomplish some real good I supported its creation. I support it even more today because of its concrete achievements under Secretary Hodges and its director, Voit Gilmore.

Two years ago Congress gave USTS the job of encouraging more people from around the world to come and see the United States, spend their vacations here, or bring their wives and families on business trips here. We had two primary objectives in mind: to narrow the "travel dollar gap" by bringing back a higher percentage of the $2 to $3 billion spent abroad every year by U.S. tourists, and to have more of our friends from overseas see the American way of life at first hand. The Travel Service has certainly done this job, and done it well.

During its first 6 months USTS was busy getting organized; recruiting, testing and training a staff, and setting up its offices abroad. It was not until calendar year 1962 that results could fairly be measured. Those results are contained in the Secretary's report to which I have referred.

In 1962 the United States received a total of 604,000 business and pleasure visitors from all oversea countries. This was 89,000, or 17 percent more than visited us in 1961. The year 1962 not only produced a record number of foreign visitors, but the actual increase in travel, both numerically and percentagewise, also established a record. As a matter of fact, 1962's increase of 17 percent was almost exactly double the average annual increase recorded during the previous 10-year period.

These are figures for all oversea countries. Looking at the 1962 statistics from just those 45 countries covered by USTS the record is even more impressive. From these areas travel to the United States was up 23 percent over 1961, compared with an actual decline of 8 percent from all other oversea countries.

The results for 1963 are even better. During the first 4 months of this year we received a total of 179,504 business and pleasure visitors, 22 percent more than arrived during the same period of 1962.

Since the travel program is a frontal attack on our country's balance-of-payments difficulties, it is important to note that each visitor to the United States spends here an average of $470 over and above the cost of his transportation to get here. Our new visitors from abroad bring hundreds of millions of U.S. travel dollars "back home."

These figures should speak for themselves. But let us not make the mistake of assuming that these new visitors to our country just "happen" to come here instead of going somewhere else or staying home. Behind the statistics lies a tremendous amount of intense and dedicated effort by personnel of the Travel Service, by the travel industry, and by the many, many others who have joined the "Visit U.S.A." team.

Some examples of this effort are given in the Secretary's report. But I would also like to highlight some others which are not spelled out in detail. Beginning with the Travel Service itself, here are a few of the things which help to explain why the "Visit U.S.A." program has been a success.

In less than 2 years the USTS has—

Opened 6 tastefully designed and well-equipped travel information centers in London, Paris, Frankfurt, Mexico City, Tokyo, and Sydney;

Assigned additional travel promotion officers to Foreign Service posts in Rome, Bogotá, Colombia, and Sao Paulo, Brazil;

Staffed each of its 9 offices with professional travel promotion personnel drawn from private industry. Every individual assigned overseas was tested on his knowledge of the United States and required to achieve a State Department rating of fluent in the language of his country of assignment;

Helped organize and participated in over 30 industry-sponsored promotional tours and travel seminars abroad; addressed oversea groups of travel agents, carrier personnel, businessmen, travel club members, and community leaders totaling over 20,000 people; placed oversea travel displays in over 100 trade fairs, travel exhibits, hotels, department stores and other business firms; and held over 200 showings of travel films with a total audience of more than 30,000 persons;

Produced and distributed over 500,000 posters showing 24 different scenes of U.S. travel attractions;

Produced and distributed over 12 million separate pieces of travel promotion and information literature—maps; regional folders; special events calendars; tour planner boxes for travel agents; special brochures on food, industry, and outdoor attractions; bill stuffers; shell folders and window displays. Almost all of this material has been printed in 8 different languages;

Procured and distributed another 5 million pieces of travel literature supplied by the 50 States, the chambers of commerce or convention bureaus of every major U.S. city, and principal travel trade associations;

Supervised on-the-spot travel market research surveys in 17 foreign countries involving the compilation of thousands of attitude questionnaires and hundreds of depth interviews of past and prospective travelers to the United States;

Conducted major travel advertising campaigns in the consumer press of 8 principal national markets, covering 375 insertions in media yielding over 300 million separate advertising message impressions;

Conducted travel trade advertising in 3 countries with 30 separate insertions;

Placed 135 professionally written "Visit U.S.A." articles in 142 oversea publications having a combined circulation of over 100 million readers.

Planned and conducted a 13-State tour by leading travel writers from 9 countries, resulting in the publication of approximately 50 articles of locally-created "Visit, U.S.A." material;

Arranged or assisted in over 50 U.S. tours by travel agents, journalists, television teams and carrier personnel from abroad.

In addition to these promotional activities, the Travel Service has also been busy helping to facilitate travel to this country, to create a more friendly welcome for our visitors and to improve our knowledge of international travel habits. As examples, USTS has:

Led the drive for cutting redtape at our borders, with such advances as the waiver of personal appearance requirements for tourist visa applicants, the institution of oral baggage declarations at major ports of entry, accelerated screening of Mexican visitors by Government inspectors and noticeable improvements in the overall efficiency and courtesy with which all incoming travelers are processed by Federal officers;

Designed and erected 12 welcome signs at our principal ports of entry, featuring a message from President Kennedy;

Visited nearly every State, contacting civic leaders, community service organizations, travel industry associations, and other local groups urging them to begin or strengthen grassroots hospitality programs for guests from abroad.

Produced and distributed over 10,500 "community kits" containing a variety of informative material on how localities can become better hosts to guests from abroad;

Mounted a nationwide advertising campaign, built upon the theme "Company's Coming," utilizing prime media space and time donated as a public service by magazine and newspaper publishers, and radio and television station owners through the cooperation of the Advertising Council. This award-winning campaign, stressing how individual Americans can make a visitor's stay more enjoyable, has so far commanded over $2 million worth of advertising space given at no cost to the Federal Government;

Produced and distributed over 8,300 copies of the first comprehensive industrial plant tour guide of the United States for use by foreign and domestic travel agents as well as the individual traveler;

Collected and published detailed statistics on the pattern of tourist travel to the United States, including the results of three comprehensive surveys of 875 departing visitors conducted by USTS at the New York and Honolulu international airports and aboard the cruise ship *Canberra*.

Topping the list of its accomplishments, I believe, has been the Travel Service's foresight and skill in catalysing the efforts of private industry in support of the "Visit U.S.A." program. Working through a 36-man Travel Advisory Committee, representing leading elements of the U.S. tourist and transportation industry, the Travel Service has been instrumental in aiding, developing and promoting a broad range of private programs for the benefit of increased foreign travel. A few leading examples include the $99/99-day bus ticket, the flat-rate fare plans offered by eight local-service airlines to foreign visitors, the 15-percent railroad coach discount, the reduced-rate accommodations given by three major hotel chains, the extensive foreign visitor welcome program launched by the American Hotel Association, the scores of extraordinary advertising and special promotion programs undertaken by U.S. and foreign-flag carriers to sell more travel to the United States of America, and many others.

The most remarkable thing about the Travel Service story is that all of this has been accomplished by one of the smallest agencies in Washington. Compared with the multitudes employed by most of our other international agencies, the USTS worldwide professional staff of 24 persons—12 in the United States and 12 overseas—can only be described as tiny. As a matter of fact, 59 of our 79 foreign-aid missions individually employ a larger number of U.S. citizens than the total complement of USTS personnel assigned abroad. Our economic-aid mission to South Vietnam alone is 20 times larger than the entire oversea staff of USTS. The Travel Service's current budget of $3,350,000 is less than one-tenth of 1 percent of our foreign-aid budget.

I cite these figures simply to show that the U.S. Government does not have to create a giant agency to get things accomplished around the world. Whatever else it may stand for, the U.S. Travel Service is a proud and encouraging example of that fact. Paraphrasing a well-remembered statement by our "fellow citizen," Winston Churchill, it can be said of the U.S. Travel Service that never in the history of Federal bureaucracy has so much been done, with so little, by so few.

Recognition of Dickinson College

EXTENSION OF REMARKS

OF

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 1963

Mr. GOODLING. Mr. Speaker, on April 25, 1963, Dickinson College, Carlisle, Pa., one of the first colleges in America to receive its charter, was presented a certificate and bronze marker designating it as a registered national historic landmark.

"Old West"—

In the words of the architectural historian, Talbot Hamlin, is—

> one of the most distinguished, and certainly the most subtly designed of all early American college structures, for its distinction is founded not on ornament but on solid qualities of functional planning, good proportion, and excellent materials beautifully used.

It was in recognition of this historical building that Dickinson has received this honor. Following are the remarks and words of praise given by friends and distinguished guests at the special convocation held at the college:

Recognition of Dickinson College

THE INVOCATION

(By Samuel H. Magill)

Eternal God, our Father in Heaven, we praise Thee, for Thou art the Lord of history and the sovereign Lord of us all. Thou has required much from us, for Thou art a righteous God, but we have not nearly measured up to Thy expectations. Forgive us, we pray, and strengthen us now.

On this day of recollection and rededication, we thank Thee for raising up those men of old who demonstrated their confidence in the future of this Nation and their recognition of the need for an educated and morally sensitive citizenry by contributing of their treasure to the construction of this hall of learning. We are grateful, too, for preserving it, and the college, through times of great hardship and suffering that it might come to stand both as a symbol of the enduring values of our heritage and a living challenge to us to continue the task set before us.

Grant, O Lord, that those who would participate in the rebirth of this college might engage in their task with the same courage, confidence, and wisdom that characterized John Dickinson and Benjamin Rush. Raise up in our day, too, men and women who will see the need as clearly and respond as generously as did the architect of this building, Benjamin Latrobe, and those who made its construction possible.

Finally, we invoke Thy blessing upon those gathered here today. May they be loyal sons and daughters and friends of this seat of liberal learning. We offer this prayer in the name and for the sake of our Lord, Jesus Christ. Amen.

INTRODUCTION OF GUESTS BY HOWARD LANE RUBENDALL, PRESIDENT OF THE COLLEGE

Mr. Rubendall. It is a pleasure to extend a word of welcome to the guests, friends and family of Dickinson who have gathered on this occasion of recognition of the great heritage of this college.

Today we remember the past. Someone has called the word "remember" the most dynamic word in human speech. This judgment is based on faith in the power of retrospective thought, and the belief that one's heritage can work mightily to determine one's destiny.

It is in this faith that we introduce our speakers on this significant day.

I now present to you the Honorable George A. Goodling, our Representative to the Congress of the United States. Horticulturist, businessman, churchman, as well as sterling representative of his constituency, Mr. Goodling is among those who were instrumental in bringing today's recognition to our "Old West."

REMARKS OF CONGRESSMAN GEORGE A. GOODLING

Mr. Goodling. On August 31, 1935, the Historic Sites Act became law. Its purpose was to designate and register historic landmarks possessing exceptional value in commemorating and illustrating the history of the United States. The responsibility for carrying out the provisions of the act rests with the National Park Service, U.S. Department of the Interior.

Carlisle is rich in tradition. Several weeks ago I participated in similar ceremonies when the Carlisle Indian School, now Carlisle Barracks, was designated a national historic landmark.

Today we gather on a similar occasion and I am happy to share with you the drama and glamour as we dedicate "Old West" as a national historic landmark.

Few academic institutions share the historical ancestry, or have been so deeply involved in the growth and development of our Nation from earliest times.

When Dickinson received its charter in 1783, there were but 11 other chartered colleges in the Thirteen Colonies. Dickinson's claim to greatness and its significance as a national historic landmark can be measured only partially by its age. Unique because of the mission it was created to fulfill, the mission of Dickinson College today is just as vital and urgent as it was 180 years ago in 1783. Need through the years has greatly expanded rather than diminished.

Our Founding Fathers were men of vision, men with a purpose who dared to be different in a cause to which they were dedicated. Do we today display that same devotion when the crowd stands against us? Can we with the bridgebuilder of old say:

"There followeth after me today
A youth whose feet must pass this way.

This chasm that was as naught to me
To that fair youth may a pitfall be.

He, too, must cross in the twilight dim,
Good friend, I am building this bridge for him."

Dr. Benjamin Rush, Dickinson's founder, was a bridge builder. He saw the liberal arts college as an essential part of a program of culture reform to which Americans were committed by the Declaration of Independence. Having signed that document, this college was Dr. Rush's attempt to apply its principles. He was interested not only in government, but in education, medicine, science, letters and social reforms.

Shortly after Dickinson had been granted its charter, Dr. Rush wrote an article entitled, "The Mode of Education Proper in a Republic." In it he said, "the business of education has acquired a new complexion by the independence of our country. The form of government we have assumed has created a new class of duties of every American."

These duties to which he referred were the duties of responsible citizenship without which the Declaration of Independence might have been just an expression of noble ideals. From Dickinson's halls, Rush declared, "rays of knowledge" would issue which "shall finally reform our Constitution and laws and humanize even the half-civilized of the western counties of Pennsylvania." What would be his counsel were he here today?

Our primitive frontiers have gone, but Old West proudly stands as a symbol of the tremendous influence education has played in the development of our free society and our free institutions. But, as this dedication today summons us to the greatness of our past, we dare not for a moment forget that our Nation today even more urgently needs the same quality of devoted dedication to the principles upon which Dickinson was founded and which Dickinson has, throughout these intervening years, attempted to maintain.

Dickinson is one of the Nation's outstanding small colleges. This is attested to by its long list of distinguished alumni.

Old West, as a national historic landmark, must always serve as an inspiration to our people.

The following inscription appears on the Archives Building in Washington and I think it is most appropriate in today's ceremonies: "The heritage of the past is the seed that brings forth the harvest of the future." Dickinson College is well equipped to help make that harvest a bountiful one.

I congratulate you and trust Dickinson may continue to render dedicated service for another 180 years.

Mr. RUBENDALL. It is a special privilege to present to you Dr. Whitfield J. Bell, Jr., scholar, teacher and writer; a Dickinsonian who not only had a spectacular career as an undergraduate on this campus, having earned Phi Beta Kappa honors as well as having served as editor-in-chief of the Dickinsonian, but one who will always be known as one of the great teachers in Dickinson's long history. A member of Dickinson's faculty for 13 years, his appointment to the Boyd Lee Spahr Chair of American History in 1950 marked him as the youngest person ever to hold an endowed chair at the college.

Happily for his college, his present scholarly work with the American Philosophical Society keeps him in the neighborhood of alma mater so that we can call on him from time to time to enrich our work.

OLD WEST—DICKINSON COLLEGE

(By Whitfield J. Bell, Jr.)

Mr. BELL. Most Dickinsonians during the past 50 or 75 years, I suppose, have thought of Old West as a historic building. The college catalogs, handouts, and official history have all exclaimed in varying terms of extravagance on its priority—"the oldest college building west of the Susquehanna"—its beauty, and the unique events that have occurred in it. In comparisons with bigger, richer, more famous institutions, Dickinsonians could reflect that their enterprise was like Mark Hopkins'—a boy and a teacher on a log; but a log with a fanlight doorway. So, while they are not insensitive to the formal designation of this structure by the Federal Government as a historic building, Dickinsonians may be excused for feeling that this is only the recognition of something they have always known.

They are not entirely without reasons for this conviction. After all, interesting people have lived and worked in West College. That undisciplined child of enlightenment, Thomas Cooper, taught chemistry in one of the apartments of the West College—taught it with such single-minded attention and success that he even had the students in for experiments on Sunday mornings, to the great scandal of the godly President Atwater. Moncure Conway lived in room 47 in his senior year, 1848–49. The world knew him as a persuasive and influential exponent of liberal religion, a sound historian, and an early advocate of world peace, and Dickinson should honor him for these achievements; but it is his fate to be remembered here forever as the man who had President Peck confined in an insane asylum. (A modern college president, after a day with his faculty or the interfraternity council, might wonder whether Peck found the company so very different.) And James Buchanan, pride of the Union Philosophical Society and later President of the United States, lived in room 34 (according to a plaque—cast iron, not bronze—that used to hang in the east basement entrance to West), the room that is now Mr. Shuman's office.

If Old Buck's (I am quoting, not being familiar)—if Old Buck's presidential style was not the one that appears now to be generally approved, it ought at least be said in explanation of his inclination to compromise that James Buchanan was a Pennsylvania politician of the early 19th century, and only an adept at compromise and evasion could manage a state and party composed of as many irreconcilable and competing interests as Pennsylvania and its democracy—the old agriculture versus a rising industry; the Philadelphia bankers versus the debtors of the West; the farmers versus the canal—and railroad builders; the Germans versus the Scots-Irish. Politician or statesman, a great President or weak, the occupant of room 34 has a place in Dickinsonian history. Though often told, the story may be worth telling again.

1. Buchanan, U. P., appointment of the valedictorian.

2. Mediation after Jacob Rheem's funeral.

3. His rejection of the "James Buchanan professorship."

Some of the events that happened in West College are no less worthy of notice and remembrance than the occupants. I pass over all the student high jinks: the theft from Union Philosophical's rooms of their secret ritual and regalia by members of Belles Lettres, an abstraction once known from West to College Streets as "the great outrage"; the occasions on cold nights when students climbed into the cupola, turned the bell upside down, filled it with water and held it so until the water froze—so that the 6 o'clock chapel would not ring next morning; and more recent episodes when bicycles and banners have been hung on the mermaid's tail and the creature herself has disappeared for short vacations. On an academic occasion like this, I should speak of more significant events in West College; and so mention the McClintock Riot.

Even now, after more than a century, the facts are not clear. Suffice it to say that on June 2, 1847, three runaway slaves belonging to a Colonel Kennedy, of Hagerstown, Md., were apprehended in Carlisle and carried into court, where their master proved his ownership. Dr. John McClintock, professor of Greek, joined the swelling crowd in the courtroom; and for some reason both the judge and the crowd got the impression that he was in active sympathy with the Negroes' cause. When Colonel Kennedy and his slaves came out of the courthouse, the crowd surged forward, separated the slaves from their owner, and carried them away. When it was all over, the Negroes were nowhere to be found and Kennedy was lying mortally wounded in a pool of his own blood in Market House Alley. McClintock and 18 free Negroes were indicted.

The indictment of a clergyman and professor for riot, conspiracy, and murder would be a sensation under any circumstances. What made it worse at Dickinson was that half the student body came from slave States. The southerners assembled in the chapel in West College, signed a statement angrily declaring they would never attend a college which allowed an abolitionist on its faculty, and called on McClintock for an explanation and apology. He came, told them what had happened, and left without arguing or appealing. The southerners stayed. Meanwhile, of course, the trustees learned about the riot, which the newspapers now called after its most prominent participant. Abolitionism was a hot issue in 1849, and anyone who seemed to give it aid and comfort was, of course, "controversial." To a meeting of the board a month after the riot—and before McClintock's trial—President Emory stated the college's attitude: "The duty of professors, he declared, is to teach their subjects, not to be partisans or propagandists of any peculiar creed in politics or religion. * * * We would not seek the discussion of vexed questions, whether in politics, morals, or religion, but if they come up naturally and properly, we would not, as honest men and faithful teachers, withhold the frank statements of our opinions."

The board endorsed this principle, and left McClintock alone. College trustees have not always been so wise and generous, and it should be a matter for some pride here that West College was the scene of this victory of reasonableness.

But it is not only for reasons of biography and history that the Department of the Interior has designated West College a historic building. The structure has importance as an architectural monument. It is still singularly satisfying, "chaste, elegant and imposing," in the words of President Morgan; a striking contrast to the unadorned plainness of East College and the ugly, graceless, pretentious 20th century copies that have arisen to the west and southwest of it. The story of the origins of West College as a building is moving and thrilling. Having decided to move from the shabby brick building in Liberty Alley where classes had been taught since 1784, the trustees laid the cornerstone of a commodious "college house" in 1799. The building was just completed when it was totally destroyed by fire in February 1803. Most of the trustees were discouraged, and President Nisbet, to whom they owed several years' salary, took a bitter satisfaction from the disaster: "But it could not stand, as it was founded in fraud and knavery." Colonel John Montgomery and a few others, however, were undismayed. They opened subscription books—Thomas Jefferson, Aaron Burr, and Chief Justice John Marshall were contributors—and began a new building. At this juncture Judge Hugh Brackenridge, a trustee, holding court at Easton, heard that Benjamin H. Latrobe, the ablest architect in the United States, was about to leave Philadelphia for Washington, where he was architect in charge of the public buildings. Mounting his horse and, as he reported, riding "with the speed of an express," Brackenridge pounded his way to Philadelphia in a single day, laid Dickenson's case before the great man, and within a week had drawings for a new college building. Latrobe's gift was of incomparable worth, as anyone can see who more than glances at the building.

It was slow in being completed; but in 1805 was ready for classes. The finished apartments were on the south side, where, as a local newspaper cheerfully observed, they would be comfortable with but little aid from artificial warmth on all but the coldest days of winter. In the ensuing century and a half, the uses of the building have varied—faculty members lived in it, literary societies had their libraries and meeting rooms there, dining rooms and kitchens were in the basement, and it contained dormitory rooms until 1927. Most of the space now absorbed by the offices of administration was once devoted to the business of education.

It used to be generally believed that in its construction West College had somehow got turned around. The hall system, the doorways that were on the north side, the inconvenience of the broad fanlight doorway as an entrance, all suggested that the north facade should have faced High Street. Needless to say, this belief fathered some wry speculations and might have provided the text for a sermon. For colleges do sometimes get turned around—not necessarily physically, of course—and face in other ways than their founders or the Nation might have wished. Arrogant laymen, irresponsible politicians, narrow-minded churchmen, cynical faculties, have the power to turn colleges around. Colleges have certainly been turned around when football coaches or public relations men or business managers become more important than deans, and deans more important than professors. They are facing the wrong way when the fanlight is more important than the log with its teacher and student. In short, they are facing the wrong way when anything but teaching and learning come first. And once a college has been turned the wrong way around, it is the labor of a dozen Hercules to get it facing right again; and all that pushing and turning probably weakens the foundations permanently.

But to return to West College—the truth, as we now certainly know, is that it stands as Latrobe meant it to. Architecturally, it never turned around. Though more subtly than many old college buildings, it faces the town, as most colleges of its period did. The buildings of the "Brick Row" at Yale, for example, stood shoulder to shoulder like so many phalanxes of light and truth, proudly facing out; so do the "old Mains" of a score of hilltop colleges in this State and the older Middle West. I do not want to labor the point, or see significance where there is none; but I think that the position of American college buildings is symbolic of an age and attitude. There was a time—the founding of West College belongs to it—when the doors and windows of American colleges opened on the town, and the town's paths led through the college yards; a time when learning and democracy were regarded as supports each of the other and men of profound scholarship—John Adams, Thomas Jefferson, James Madison, John Quincy Adams—held the highest offices of state. Things changed about midcentury. Egalitarianism with its suspicion of excellence, ostentatious wealth, a sentimental attachment to the European past, unsureness about the American tradition produced an alienation of colleges from the community and of the community from its centers of learning. College architecture reflected this. Quadrangles were built, as colleges turned their backs to the towns, looking in upon themselves. Nowhere was the shift more apparent than at New Haven, where the Brick Row was razed to make way for the great quad where the freshmen now live; and the residential colleges Yale built in the 1920's and 1930's carried this trend to a peak.

For many years college planners have favored this style, for it has much to recommend it; but if it keeps the students together, it also pretty effectively keeps them away from the rest of the community. It is encouraging to note there are many signs that the period of withdrawal is coming to an end, and we may expect to find the growing integration of learning with democracy reflected in collegiate architecture.

Be this as it may, of West College one can say that it has stood, as it will probably continue to stand, through many changes of style and tone. It is a historic building if only because it has survived so long; but, thank God, it is not a shrine—it is still in daily use, still used daily for purposes like those for which it was built. It is not simply a mute witness to what has gone before, but a place where things are done and plans made; and the highest honor you can pay it, I submit, is to go on using it with intelligence and respect. Keep Old West that way—a place where today and every day for years to come, the students and faculty of this college demonstrate by their work that learning and wisdom, no less than righteousness—that learning and wisdom, which are righteousness—shall exalt the nations.

REMARKS BY DANIEL B. BEARD, ASSISTANT DIRECTOR, NATIONAL PARK SERVICE ON PRESENTATION OF REGISTERED NATIONAL HISTORIC LANDMARK DESIGNATION TO "OLD WEST," DICKINSON COLLEGE, CARLISLE, PA., APRIL 1963

Mr. **Beard**. It is an honor for me to represent the National Park Service of the U.S. Department of the Interior upon this important occasion in the history of Dickinson College.

The movement for public agencies to preserve historical properties in this country began about 1850 when the State of New York acquired Hasbrouck House which was Washington's headquarters at Newburgh. Since that time, State and local historical societies, interested individuals, patriotic groups, Civil War veterans and others, spurred public bodies into action on historical preservation. In 1906, the Antiquities Act was signed, bringing the Federal Government strongly into the movement.

It was not until 1935, however, that a unified directive was given to one public agency, the National Park Service, to seek out our most important historic sites, evaluate them and take appropriate action to preserve them. This was the Historic Sites Act which stated: "That it is hereby declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States."

This action brought two related activities into being: the National Survey of Historic Sites and Buildings, and the Historic American Buildings Survey. Thus, Uncle Sam began to systematically study, evaluate, and sort out his historic heritage. Except for the period around World War II, the work has continued ever since with excellent results.

The Registry of National Historic Landmarks is an outgrowth of the national survey. Sites selected through the survey studies, recommended by the advisory board, and approved by the Secretary of the Interior as having exceptional value in illustrating and commemorating the history of the United States are eligible for the Registry of National Historic Landmarks. The registry is the means through which the Federal Government recognizes sites of national importance irrespective of ownership. Such sites are not units of the National Park System. The registry identifies these important segments of American heritage and brings them to the attention of the American public. The owner, if he wishes, may receive free of cost a certificate and plaque from the National Park Service designating the historic property as a national landmark. This registry, we feel, provides encouragement to a number of organizations and individuals to preserve the Nation's historic and archeological properties. "Old West" is well qualified for such a designation.

The origin of Dickinson College goes back to the very roots of our independence as a Nation, the institution having been incorporated by Pennsylvania in September 1783. With the granting of the charter, the trustees of the school held their first meeting at the Philadelphia home of one of their members, John Dickinson, president of the Supreme Executive Council of Pennsylvania. It is from this illustrious patriot, the "Penman of the Revolution," that the new institution took its name. Another trustee was Dr. Benjamin Rush, who, first and foremost, is recognized as the founder of the college.

At the request of a committee charged with obtaining plans for a new building, Hugh Henry Brackenridge, justice of the Pennsylvania Supreme Court and a noted satiric author of the time, went to Philadelphia and approached the architect, Benjamin H. Latrobe, explaining to him the nature of the town, the college site, and the probable funds available for the new construction. Latrobe accepted the commission and in the middle of May 1803 preliminary drawings were submitted by the architect, accompanied by a long letter explaining the principles and purpose of his design for the building. The preliminary plan, two drawings of which survive in the collection of Dickinson College, was followed by the working drawings, now lost. Early in 1804 work on the building was well underway, but as contributions lagged, so did the construction. Although some of the rooms were finished in 1805, not until 1821–22 was West College, as it was called, ready for full occupancy.

"Old West," the original building of Dickinson College, has been described as "one of the most distinguished, and certainly the most subtly designed, of all early American college structures, for its distinction is founded not on ornament but on solid qualities of functional planning, good proportion, and excellent materials beautifully used."

In addition to its architectural distinction, "Old West" is a notable example of the struggle to provide higher education for the youth of the Republic in the generation after independence. Of this aspect of "Old West's" significance it has been written: "Perhaps no other building today can lay better claim to representing the courageous purpose of the men who committed themselves, in spite of great difficulties, to providing worthy educational institutions, in America."

With the presentation of this plaque and this certificate signed by Secretary of the Interior Stewart L. Udall, "Old West" is now recognized as a registered national historic landmark because this distinguished building, still in use, has been classified as of exceptional value as commemorating and illustrating the history of the United States.

REMARKS MADE BY MR. MASLAND AT FOUNDERS DAY AT DICKINSON

Mr. **Masland**. On behalf of Dickinson College, I accept this certificate with deep appreciation of its significance. I am sure that national recognition of the jewel that is ours will stimulate an already limitless pride; cement our determination to preserve it inviolate, and instill in generations to come a regard for the courage and convictions of our Founding Fathers.

Mr. Beard, we do indeed appreciate your representing the Park Service here today. We ask you to convey our greetings and our appreciation to the Secretary of the Interior and the Director of the Park Service.

Teacher's Appreciation Day

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 21, 1963

Mr. CAREY. Mr. Speaker, today as we are preparing to welcome Maj. L. Gordon Cooper, America's man about the world, to the Congress, the State of New York is marking Teacher Appreciation Day. I am certain Major Cooper would credit a measure of his success to the dedicated men and women who taught him the lessons he exemplified in his latest feat.

As a member of the Committee on Education and Labor I will introduce legislation to institute a National Teacher's Hall of Honor. Our Nation does all too little to hail its men and women of merit who devote their lives to the foremost task of preparing our students for the space age. On the other hand we are quick to mark and prompt to note any deficiency in education, too often laying the blame on the teacher rather than our own neglect of interest.

I fully realize a national award or symbol is no substitute for the adequate pay and other incentives necessary to provide good teachers. That is why I am also pleased to sponsor, in addition to other school bills, the quality educational bill H.R. 6013 to increase proficiency of teacher training for teachers in elementary and secondary schools, public and private, in subject matter areas found to be critically below standard.

On this Teacher Appreciation Day I feel we should look to positive ways to attract and maintain the best possible teachers in our schools. The national average length of service in the public system is about 10 years. In a business firm a personnel system which lost its trained welders and salesmen every 10 years would be bankrupt. Our schools will fare no better. Sound business in education demands at least these concrete steps:

First. Broader recruitment to attract more qualified college students from the upper class quadrants. I have never seen a recruiting poster to attract career teachers pointing up a chance to see the world or learn a skill or probe in space—things we cannot do without good teachers.

Second. Search out unused manpower resources for intensive training in elementary and secondary instruction in these principal areas. First, among young mothers who either have teacher experience or potential skill by giving them adequate care, stipends, and facilities to maintain their children during the class day. Secondly, seek ways to bring the disappearing male back to the classroom. There is nothing like a man—as a symbol of authority at the head of the class, especially in secondary schools. I mean no offense to the ladies—but if it is nice to have a man around the house it is just as fine to have a few men around the school. On today's scale of pay a father of three children must leave the teaching profession to get the income to educate his own children. More pay for dads and less educational doo-dads will yield dividends. A family cost of living increment would be one approach if we cannot sell the professionals on merit pay.

Third. Promote teacher status among those who desire ways to achieve equality. The civil service system has done much more than any other single factor to promote racial equality in employment. Classroom service should have the same effect. While we are about the business of integration in our schools I feel we need to develop teaching strength to a far greater degree among racial minorities and Spanish-speaking groups.

Finally, good professional teachers must be paid as good professionals and demean themselves as professional persons. I find it almost profane that teachers deem it necessary and may find it necessary to strike against the community, themselves, and their pupils. There must be a way for the world's richest Nation, for the sake of its own dignity, to pay our teachers in every school, public and private, an income in keeping with the value we place on the lives of our children. On this Teachers' Appreciation Day if we want our children taught like teachers' pets we had better be prepared to give good classroom teachers a pat—in the pocketbook.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 23, 1963

The House met at 12 o'clock noon.

Rabbi Harry Nelson, Congregation Rodeph Sholom, Bridgeport, Conn., offered the following prayer:

O Lord our God, how excellent is Thy name in all the earth, without whom no human work can long prosper. We beseech Thee to bestow upon the Members of this body wisdom and courage, equal to their responsibilities.

We acknowledge with gratitude our glorious achievements in exploring Thy universe. Help us now to widen the horizons of our hearts to encompass all mankind in a common love.

Grant that our beloved country be a mighty force for righteousness among men, ever seeking to provide more adequate forms of freedom and justice for all its citizens, and ever advancing the cause of democracy and peace among all the nations of the world. Amen.

THE JOURNAL

The Journal of the proceedings of Tuesday, May 21, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 386. An act to consolidate Vicksburg National Military Park to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes.

HON. FRANCIS E. WALTER

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I want to call the attention of the House to the fact that next Sunday, May 26, is the birthday of one of our most distinguished and beloved colleagues, the Honorable FRANCIS E. WALTER of Pennsylvania.

I know I speak for every Member of the House when I say we all regret that he cannot be with us today so that we might extend our birthday wishes to him in person.

"TAD" WALTER is one of the ablest men I have ever served with. He is able and effective in everything that he undertakes. His brilliant and penetrating mind, his instinctive capacity for leadership, his thoroughness as a legislative student, his firmness and fairness as a presiding officer, his ability to work with other men and to get other men to work together, his quiet, deeply felt patriotism—these are but a few of the qualities that have made "TAD" WALTER a big name and a big figure in this House of Representatives for so many years.

He has enjoyed a fascinating and varied career as a baseball player, a criminal lawyer, a corporate attorney, a local official, and as a Member of the House of Representatives for more than 30 years. He has been outstanding in each of these capacities.

Because he was doing his duty to his country courageously and effectively, "TAD" WALTER in recent years has been subjected to ruthless and unprincipled abuse. He not only has received unbridled abuse from the enemies of our country and their sympathizers, but also from many unthinking people who berated an effective public official because they did not know the facts and did not understand what he was trying to do. All this abuse "TAD" WALTER has borne as a stalwart soldier of democracy. The bitterness of these attacks has never for one moment swayed him from moving straight ahead to do his duty as he saw it. Our country is stronger, more secure, and more alert because of his long, continued personal efforts to unmask those who conspire against our future as a free nation.

Moreover, the public has never given proper recognition to "TAD" WALTER'S deeply felt humanitarian efforts to help the poor, the weak, the homeless, who, through no fault of their own, found their lives shattered by war and dictatorship. It was "Tad" Walter who conceived and put through the Congress the Displaced Persons Act, the first legislation which opened our doors to 420,000 displaced persons who had been driven out of their homes by World War II. It was "Tad" Walter who first offered legislation setting up the intergovernmental Committee for European Migration, which helped millions of war victims to find new homes all over the world. As the coauthor of the Walter-McCarran Act, he led the way to this Nation having a more liberal immigration policy. Visiting the Hungarian border at the time of their bloody uprising, he saw refugees shot to death before his eyes. He responded with legislation to admit thousands of these terrified refugees to permanent homes in this country.

I wish I knew how many thousand private immigration bills this good man has helped to become law, providing entry into this country of individuals from all over the earth. I doubt that any man in this Congress, or in any other Congress, has ever personally touched with a helping hand more individual human lives.

There is an old saying that to have friends you must be a friend. The fact that "Tad" Walter is almost universally popular in this House and that he remains popular even with those who seldom agree with him politically is proof enough that "Tad" Walter has truly been a friend to all his colleagues. I suspect there are few Members of this House to whom "Tad" Walter has not extended a helping hand on immigration bills, on patronage matters, in campaigns for reelection, and in countless personal cases. Firm and determined in what he believes is right, "Tad" Walter has always given his colleagues full right to disagree with him, without straining personal friendship.

I well remember the magnificent skill and impartiality with which he presided over the heated debate on the last civil rights bill and I can remember as if it were yesterday that when he completed his duties as Chairman of the Committee of the Whole, the House broke into a thunderous ovation in which both the opponents and proponents of the legislation joined with great enthusiasm and admiration. It was our way of acknowledging a masterful job by a masterful man.

Many of us will agree that the late Speaker, Sam Rayburn, was one of the shrewdest judges of men that we have ever known and we all recall that from the time he came to the Congress until Mr. Rayburn's death, "Tad" Walter enjoyed his unlimited confidence and friendship. We also remember that it was Speaker Rayburn himself who called upon "Tad" Walter to take over the difficult job as chairman of the House Committee on Un-American Activities, a job "Tad" did not want and which he knew would bring down upon him unlimited personal abuse. But we remember that "Tad" Walter responded like the good soldier he has always been. He accepted the responsibility that was offered and he has never flinched from doing his duty.

So I want to say to our great friend that we wish him everything good on his birthday and every day of the year and we hope for the improvement of his health and his speedy return to this Chamber. On this birthday, as the elected representatives of the American people, we want to express on behalf of those people, their heartfelt thanks to a gallant warrior and a noble public servant, Francis E. Walter of Pennsylvania.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Oklahoma, the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I am happy that the distinguished majority whip has taken this time for this purpose. I join him in extending warm congratulations and good wishes for a happy day on May 26 to our beloved and distinguished colleague, "Tad" Walter.

Mr. Speaker, a few years ago I had occasion to speak in the congressional district represented by Congressman Walter. While there, I discovered that his constituents hold him in real esteem and affection equaled only by that which he enjoys in this House. It would be passing strange, of course, if a man of "Tad" Walter's brilliant intellect, great spirit, and dedicated patriotism were not revered by the people who sent him to Congress for more than three decades. It was, nevertheless, an impressive demonstration of recognition accorded a great Congressman and great American by the people of his district.

Mr. Speaker, "Tad" Walter has given outstanding representation to his people and outstanding service to the House and the Nation. As chairman of the Committee on Un-American Activities he has borne grave and unusually difficult responsibilities and has discharged these duties in a manner which has won him recognition as the most important sentinel in the internal security system of our country. A brilliant lawyer, Congressman Walter has authored several of the most monumental landmarks of statutory law, among them the Administrative Procedures Act, Internal Security Act of 1950, and the Immigration and Nationality Act of 1950.

Mr. Speaker, birthdays are apt to make us look back to see what we have accomplished during the years. When "Tad" Walter reviews the past years, he is entitled to feel justifiable satisfaction. His rare talents, his great courage and dedication have combined to make him an outstanding legislator, a great and admired citizen and statesman.

Mr. Speaker, I join with the gentleman from Louisiana and other colleagues in wishing him many happy returns of the day.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the distinguished minority leader.

Mr. HALLECK. Mr. Speaker, I am glad on this occasion to take a little time out to pay this richly deserved tribute to a truly great public servant, this being the occasion of his forthcoming birthday anniversary.

Mr. Speaker, it has been my great pleasure to have known and worked with "Tad" Walter for nearly 30 years.

His career in the Congress almost parallels mine as far as length of service is concerned. And we have been friends from the start.

Mr. Speaker, one of the most rewarding aspects of coming to this body lies in the fact that while we may get here as advocates of different political philosophies, respect and admiration for a colleague know no party boundaries.

Mr. Speaker, I have every reason to think that "Tad" Walter likes me as Charlie Halleck. I can assure everyone here that I have an abiding affection for him as "Tad" Walter, a kind, understanding, thoughtful, accommodating fellow American.

Mr. Speaker, these are the purely personal reasons why I like "Tad" Walter. I feel sure they are shared by every Member of the House who has been fortunate enough to know him more than just casually. But I also hold "Tad" Walter in highest esteem for his loyalty to ideals, for his refusal to compromise with something less than honest conviction.

To me the name "Tad" Walter is synonymous with a sturdy belief in Americanism. Through the years he has fought courageously to preserve and protect his beloved country against forces which seek to undermine our way of life. He has been a jealous steward of our immortal Constitution. And in that stewardship he has endured the rebukes of those who see in him a man standing between them and their own designs.

Let me say one more thing: Nearing three score and ten—and I realize he will be a young 69 next Sunday—"Tad" Walter has already contributed more than most of us to the welfare of the country he holds so dear.

My wish to him on this anniversary is that the Lord will grant him many more years to carry on with his dedicated efforts to keep America the kind of country all of us want it to be.

Mr. BOGGS. Mr. Speaker, I yield to the distinguished gentleman from Ohio [Mr. Feighan].

Mr. FEIGHAN. Mr. Speaker, our colleague and friend, Francis Walter, will observe his 69th birthday in but a few days hence and I join with my colleagues in wishing him good tidings and happiness.

We are saddened that "Tad" is not able to be with us so that we can present our good wishes to him in person. All of us hope it is God's will that he will be back with us soon. We miss him as an able and dedicated colleague. We miss him as a friend. Francis Walter is not an ordinary man and that fact makes his absence from our ranks felt more keenly and deeply.

"Tad" possesses all the qualities of a born fighter and natural leader. Those talents have been ably demonstrated in this House, in the work of the many committees he chairs and in the great arena of public issues. He has weathered the tests out of which great men emerge as leaders, respected and esteemed by their fellow men.

When I think about "TAD" WALTER's 30 years of devoted service in this body I am reminded of the admonition of St. Augustine, an early teacher of the Christian church. St. Augustine inspired his band of followers with this rule of conduct: "The crown of victory shall be won only by those who enter the fray." "TAD" WALTER entered the fray of life with spirit, vigor, determination, and purpose. He knows the meaning of the crown of victory and he has striven to win victory for those things that have meaning well beyond the passing struggles of the moment.

"TAD" is now engaged in a struggle to regain his health. The spirit of the true warrior burns brightly in his breast. I hope and pray that he will emerge victorious.

Happy birthday, FRANCIS.

Mr. BOGGS. Mr. Speaker, I yield to the distinguished minority whip, the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, the distinguished gentleman from Pennsylvania [Mr. WALTER], affectionately known to us as "TAD," has many well-wishers on both sides of the aisle. With our birthday greetings to him goes our fervent prayers for him. We have missed him greatly. We wish he could be here today that we could extend our hand across the center aisle to this great American.

"TAD" is a partisan, and we respect him for his loyalty to his political party. At the same time, he has exercised independent judgment when he has felt that the issue transcended any political considerations. "TAD" is one of those rare individuals who leads and not simply follows. He was born to lead. What he has had to say he said with clarity, with emphasis of conviction and with persuasion.

"TAD" came to Congress 2 years before I did. Over these many years we have been political adversaries, and we have been personal friends. I cherish his friendship.

Mr. Speaker, I extend my sincerest birthday greetings to my friend "TAD." I hold for him the deepest affection and the greatest respect. I wish for him the very best.

Mr. BOGGS. Mr. Speaker, I yield to the distinguished chairman of the Committee on the Judiciary [Mr. CELLER] of New York.

Mr. CELLER. Mr. Speaker, none of us can help but wish that FRANCIS WALTER were present today so that he could see and hear for himself the Members of the House express their esteem and affection for him on the occasion of his 69th birthday. It is right and just that we say "happy birthday" to him in this Chamber over which he has presided with the greatest of parliamentary skill on just such occasions which called for the mental agility, wit and precision together with the knowledge of the legislation before us. Such skill is not accidental. It is born out of study, knowledge, and sharpened by intelligence. I have watched the exercise of this skill at close range when, as ranking member of the Committee on the Judiciary, he could and did win approval of bills he presented to the full committee.

It is disheartening, though, to speak of him while he is laid low in the hospital. We all fervently hope for his recovery and that he will soon be restored to us.

Our affectionate regards and words of good will go forth from these Halls like the peal of a great organ and may he cheerfully respond.

We do indeed remember his 69th birthday. I know and he knows that growing old is just becoming more like oneself each day. We bestow upon him the greatest gift of all—our genuine friendship.

We await eagerly his return to this Chamber so that we can say to him, face to face, what we say on the floor today—"Happy birthday, FRANCIS."

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, when I came here more than 14 years ago "TAD" WALTER had already been here much longer than that. He had found time then and through the years many, many times to be helpful to me, to give me advice, to give me encouragement and, more than that, to help me with bills and in other ways.

I was out the other day to the hospital to see him. I want to tell the membership that although he is physically ill his great spirit and his great mentality are still as keen as they ever were. He assured me and I reassured him that if it is the will of God he will come back to this Chamber and he will soon be sitting in his accustomed seat. The last thing he said to me as I came out of the room was, "Tell everybody on the Hill how much I miss them." I think it is the hope of all of us that he not only have a happy 69th birthday but that he will be spared to come back and join the colleagues whom he respects so much and the House that he loves so well.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Speaker, it has been my pleasure and privilege to have been in close association with Congressman FRANCIS WALTER on the House Committee on the Judiciary for 15 years and on the House Committee on Un-American Activities for 8 years. This has been a rare opportunity to learn parliamentary law and the art of legislation. "TAD" WALTER is the most talented and effective legislator I have ever come in contact with.

The late and great Sam Rayburn used to say that a good judgment is man's greatest characteristic. He reserved that characterization for a select few and "TAD" WALTER was one of them. But more than that, Mr. Speaker, "TAD" WALTER is one of the most courageous and fearless men I have ever met. I have never know him to run away from an issue or to run out on a friend.

I have a great honor to count myself as his friend and I regard that as one of my richest possessions.

So, Mr. Speaker, I join in these felicitations to him on this occasion and simply say, "Happy birthday, 'TAD'."

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Mr. Speaker, I count it a high privilege, indeed, to join in these birthday greetings in tribute to our distinguished colleague [Mr. WALTER] of Pennsylvania. I regard myself particularly fortunate to have the privilege of serving with him as a member of the House Committee on Un-American Activities and to serve now as the ranking minority member of the committee under his very able and distinguished chairmanship.

I join in all the good wishes and all the tributes that are paid to him. There is nothing I can add except to recall an incident that will always remain vivid with me. I think it was early this year that we had been testifying before the House Administration Committee, and on the way back through the Capitol Mr. WALTER said to the group, "Come with me a minute. I want to show you something." He took us into Statuary Hall and pointed out the statue of the first Speaker of this House of Representatives, Frederick A. Muhlenberg, from Mr. WALTER's own great State of Pennsylvania. He directed our attention to the fact that Muhlenburg—this was immediately at the outbreak of the Revolutionary War—was garbed as a clergyman and beneath it wore the uniform of a major general. Mr. WALTER recalled the dramatic moment when Muhlenburg having preached a sermon urging the Colonies to rally to the cause of independence dramatically removed his clerical garb and revealed the uniform of a major general and went from that church on that occasion to service in the field. Mr. Speaker, I salute the gentleman from Pennsylvania [Mr. WALTER] as a great soldier for America without uniform.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Ohio [Mr. MCCULLOCH], the distinguished ranking member of the Committee on the Judiciary.

Mr. McCULLOCH. Mr. Speaker, I am pleased to join my many colleagues in wishing FRANCIS E. WALTER—"TAD" WALTER—a happy birthday. It has been my privilege to serve on the Committee on the Judiciary of the House of Representatives with FRANCIS WALTER since the first day I came to the House, more than 15 years ago. In that time I have learned many fine things about "TAD" WALTER and his outstanding ability. He is recognized and accepted as the congressional authority on immigration and naturalization and he probably knows more about that subject than any man in America.

In addition, his legislative service in other fields has always been courageous, resourceful, and effective.

He has contributed much to this country. On his birthday, and every day we wish for him a speedy and complete recovery and that he will come back to help us in these difficult times.

FRANCIS, you have my very best wishes for as many more happy birthdays as you may desire.

Mr. BOGGS. Mr. Speaker, I yield to the distinguished gentleman from Pennsylvania [Mr. Green].

Mr. GREEN of Pennsylvania. Mr. Speaker, in this allotted time to honor the natal anniversary of my good friend and colleague from Pennsylvania, the Honorable Francis E. Walter, we meet on a note of sadness that his absence from this Chamber evokes upon all of us.

During his many years of service in this House, he has made thousands of friends among the past and present membership. His good counsel and sage advice have left an indelible impression on the old as well as the new. His courage and fortitude have made him a recognized leader in the affairs of the Congress and the problems confronting the Nation as a whole.

Therefore, on this day, it becomes my privilege on behalf of all Pennsylvanians to salute Francis Walter as an able statesman and a great patriot in the service of his country. We wish him well in the years ahead, and pray for his speedy recovery.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Virginia [Mr. Poff].

Mr. POFF. Mr. Speaker, I want to add my voice to those raised in birthday greetings to and in personal praise of the distinguished gentleman from Pennsylvania [Mr. Walter]. As the ranking minority member, I have been privileged to serve under his chairmanship on the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary. Never has any chairman of any committee or any subcommittee of the House of Representatives enjoyed more universal and more unreserved respect among the members of his committee.

When we refer to him as the gentleman from Pennsylvania, we intend more than an idle formal expression, for he is in truth a gentleman in every sense which that word denotes. As gentlemanly and as genteel as he is, he is not wanting in that quality of firmness, without which no gentleman can be a true man. That quality of firmness, born of deep dedication to principle and courage of conviction, has enabled him to stand steadfastly when the storms of controversy would have dislodged a lesser man.

Congressman Walter was not only the sponsor and the patron but the principal architect of the Walter-McCarran Act, which is generally acknowledged to be the most generous immigration and naturalization statute on the books of any modern nation of the world. He was also the moving force in the establishment of the International Committee on European Migration, which has resettled countless thousands of displaced persons, the hapless victims of tyranny and persecution.

Perhaps no man in the history of the world has touched more lives in more remote and isolated areas of the world in a more benevolent way than has the gentleman from Pennsylvania, "Tad" Walter.

I trust and pray he will soon be restored to vigorous health in order that he may rejoin his colleagues in the House of Representatives.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. Rodino].

Mr. RODINO. Mr. Speaker, like others who have preceded me, and those who may follow, I wish to join in the sentiments being expressed today on the occasion of another milestone in the life of our good friend and esteemed colleague—the Honorable Francis Walter, who this coming Tuesday will observe another birthday.

Mine is a simple and heartfelt wish for him—the fulfillment of the hope and prayer he personally expressed the other day—that he will soon rejoin us—to continue in the great and dedicated work as a distinguished servant of the people and of our country.

And, I would like to add a little commentary which is fitting at this time. Having just returned from Geneva where I attended the Conference of the Intergovernmental Committee on European Migration, an instrument of Mr. Walter's contention—and a lasting monument to his humanity. I carry to "Tad," the personal expression of high esteem and warm friendship of the many delegates and officials represented at this international conference. It was gratifying and reassuring as well as inspiring and heartwarming to learn of their great respect and admiration for our friend and colleague, "Tad"—as the delegates spoke on the Council floor. They told of their deep sense of gratitude for his monumental and lasting contribution to this great project of humanity.

I know that they—the many friends from across the seas would want to join us in extending their greetings—with their hands full of friendship and good wishes—even as we do now.

May the good God of all of us give you many more happy birthdays.

Mr. BOGGS. I yield to the gentleman from Indiana [Mr. Bruce].

Mr. BRUCE. Mr. Speaker, I would like to join, as a member of the committee which is chaired by the distinguished gentleman from Pennsylvania, in paying a very brief tribute on this 69th birthday salute to a great man.

We recognize him as a combination of all the things that so many of us would like to be—a statesman, man of honor, man of integrity, a politician in the very best sense of the word; and to sum it up, I think express the hope that the good Lord in His infinite wisdom will bring back good health to Francis Walter, so that he may rejoin us in the great work he has done.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Colorado [Mr. Rogers].

Mr. ROGERS of Colorado. Mr. Speaker, may I join with my colleagues in congratulating our esteemed Member, the Honorable Francis E. Walter, in wishing him well on his birthday. Mr. Walter has been the guiding influence in the adoption of many important pieces of legislation throughout the years he has been a Member of the House of Representatives. It has been my pleasure to serve with him as a member of the House Judiciary Committee and this afforded me an opportunity to observe his understanding of proposed legislation and the ultimate effect when enacted into law. He has been honest and sincere in his endeavors and that has made us appreciate his contribution to the welfare of the Nation. It is the hope and prayers of all of us that he will have a speedy recovery and can soon rejoin us in helping to solve the many problems of the Nation.

Happy birthday, "Tad."

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Virginia [Mr. Tuck].

Mr. TUCK. Mr. Speaker, I am glad to have this opportunity to join the distinguished gentleman from Louisiana [Mr. Boggs] in extending felicitations and good wishes to our able and beloved colleague from Pennsylvania, the Honorable Francis E. Walter, on the occasion of his impending birthday. I have served since January 1955 on the Committee on the Judiciary of the House with the gentleman from Pennsylvania, on which committee he is the ranking member. I have served since January 1958 on the Committee on Un-American Activities, during all of which time the gentleman from Pennsylvania has been chairman. In other respects also I have been drawn into close association with the gentleman from Pennsylvania, Representative Walter, and I regard him as one of the ablest Members of the House of Representatives on either side of the aisle during the 10 years which I have served in this body. He is impartial and fair in all of his dealings with his colleagues and others. The gentleman from Pennsylvania, Francis Walter, is thoroughly established in the confidence and in the esteem of all who know him.

Mr. Speaker, the most compensating feature of our service in the Congress is to be brought in close cooperation with so many outstanding Americans. It is stimulating to be able to count the gentleman from Pennsylvania, Francis Walter, as one of our colleagues and to realize that we are privileged to serve with one who has done so much to enhance the betterment and the welfare of our country and who is endowed with such sterling qualities of character. I wish our colleague many happy returns on the occasion of his birthday, which we are glad to remember and at the same time to express the hope that he may witness and experience many more such happy events.

I am sure we are all concerned over the prolonged illness of our colleague. I fervently hope that he may have a full recovery. I prefer to embrace a sanguine philosophy: it is much better to live in hope than to live in despair.

I prize and appreciate the friendship of so fine a colleague as Francis E. Walter.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. Kunkel].

Mr. KUNKEL. Mr. Speaker, ever since the first day back in 1939 when I was sworn in as a Member of the House of Representatives, "Tad" Walter has been one of my best friends. He helped me on many occasions with advice and suggestions. In many instances we have cooperated together in problems relating to the great State of Pennsylvania. It is a privilege and honor for me to pay tribute to him on the occasion of his 69th birthday.

Time will not permit me to mention the many, many honors which the Congress and the Democratic Party have conferred on Francis E. Walter. Others will bring many of these to the attention of the membership.

Back in 1947, I was chairman of the Finance Committee of the Select Committee on Foreign Aid, generally known as the Herter Committee. Our mission was to secure the general financial picture of the postwar world, particularly Europe, and, more specifically, to study what could be done in the British Isles to help the British to recover from the colossal damage done by the war. Incidentally, there were only two of us on this subcommittee, "Tad" Walter and myself. And this is one congressional committee about whose action I have never heard a word of criticism, and a great deal of praise. It laid the foundation for the Marshall plan, subsequently so effective in the restoration of Europe. During the past few years we have been watching the fruition of the work of that committee.

It was strange that two Pennsylvanians should have had this important role to play.

We shared the same room for the entire duration of the voyage by ship to and from Europe and during our stay in London and Manchester. When it came to writing our report and recommendations, we had no disagreements and were able to file a unanimous report. It was a pleasure to write it and to discuss these complex problems with such a discerning mind and keen brain as that of my distinguished colleague from Pennsylvania. Even today the report is really worth reading.

We never had any disagreements. We had a lot of fun because "Tad" Walter has a keen sense of humor and a marvelously friendly disposition. as you know. While the work was hard, every minute was enjoyable because we both felt we were getting some of the answers. We both liked the English people very much. We made many friends. They seemed to like us. We both always felt that we had done a real good public relations job as well as having made an intelligent and worthwhile study. I know of no one who could have done this better than "Tad," looking at it from every standpoint. This was the high point of my career in Congress, and I am sure "Tad" rates it high on the list of his many achievements and honors.

More recently, we have been cooperating, both last Congress and again this year, in securing the passage of H.R. 824, granting a charter to the National Science Fair International. My contribution was extremely small. "Tad's" was extremely large. But it was always a pleasure to work with him.

Frankly, my honest and considered judgment, formed over a period of many years, is that Francis Walter is one of the most capable men who has ever served in the Congress of the United States. He has made a record which few will equal and, of course, he has been outstanding in other fields than that of his work in Congress even though the latter has been his major achievement. I am sure I know whereof I speak.

Mr. Speaker, I join with my distinguished colleague, the gentleman from Louisiana [Mr. Boggs], and the many others who have spoken of our colleague, the gentleman from Pennsylvania [Mr. Walter], in the hope that he will soon be back with us with his health recovered, and wish him every good blessing on this 69th birthday.

Mr. McCORMACK. Mr. Speaker, Sunday, May 23, is the birthday of my dear friend, Congressman Francis E. Walter. It is with admiration and in the spirit of kind remembrance that I extend to him my personal greetings.

I think this legislative body should be congratulated because Francis Walter is our colleague. I had been a Member of Congress for 4 years when he first came as a Representative from Pennsylvania. Through the years, from the opening date of the 73d Congress on March 4, 1933, grew a warm personal friendship which I deeply cherish.

It is often difficult for us to look at our problems objectively and I recall that during those first years of the Franklin Roosevelt administration that Francis Walter always strived to understand both sides of the coin. He knew that we, as a legislative body, sought to perform our tasks with enlightenment and understanding.

His seemingly limitless energy, prior to his illness, for those things in which he believed, set an enviable record. His capacity for friendship was unusually great. His legislative endeavors have been a conspicuous exhibit of the traits and convictions of a fine citizen, a true American, and an outstanding statesman. He is my dear and valued friend.

I wish him a return to health and a happy birthday.

Mr. McINTIRE. Mr. Speaker, it is with most sincere pleasure that I join with my colleagues in extending warmest birthday greetings to the distinguished American, the Representative from Pennsylvania [Mr. Walter]. I bring warmest greetings also from his many friends in Maine. His service to his country is distinguished in many fields but may I say that I have learned to feel that our country is more secure in its fight against communism by virtue of his leadership as chairman of the Committee on Un-American Activities.

Warmest best wishes as Father Time marks another birthday. Our prayers are with you always, and will be fulfilled as you join us again in the House Chamber.

Mr. WHITENER. Mr. Speaker, on May 26 my dear friend and esteemed colleague, Hon. Francis E. Walter, will celebrate his 69th birthday. I am happy to extend to him my sincere congratulations on this wonderful event in his life.

Francis E. Walter is a great American patriot, an outstanding Congressman, and a Christian gentleman. His unceasing efforts in the Congress in behalf of his district, State, and Nation, and his devotion to the great and lasting principles upon which our free society rests, have won for him the admiration and profound respect of the American people.

His life and character are an inspiration to all of us who are privileged to bear the responsibilities of representative government.

I congratulate Mr. Walter again on his 69th birthday. It is our earnest hope that his health will improve and that we will again be privileged in the near future to enjoy his warm friendship and to have the benefit of his wise counsel and the example of his unselfish devotion to duty.

Mr. CHELF. Mr. Speaker, my heartiest felicitations are offered to my dear friend and colleague, the Honorable Francis E. Walter, upon the occasion of his approaching birthday.

It is a real privilege upon this significant occasion to add my personal expression of appreciation for his rare and distinguished service to the State of Pennsylvania and the Nation in his 30 years as a Member of Congress. I am also truly and everlastingly grateful for the pleasure of his friendship and association.

I have known and served with "Tad", as he is affectionately known among his friends, for over 18 years on the Judiciary Committee of the House. I have been more closely associated with him as a member of the Immigration and Naturalization Subcommittee of which he has been our able and effective chairman for many years. His work in the House, in the committee, in the subcommittee and as chairman of the Un-American Activities Committee, has always been characterized by loyalty, dedication, and loftiness of purpose. His contribution to the cause of legislation and to the building and preserving of our democratic free society is incalculable. He is a valiant, outstanding, and conscientious Representative of his district, his State, and our Nation.

He has been a pioneer in immigration legislation and many bills that have inured to the benefit of the United States of America have borne his name. When he arises to speak on the floor of the House of Representatives every Member thereof listens to his words of wisdom intently and, as a result of his cogent and effective presentations, have supported and passed with overwhelming majorities the bills he has supported both in the Subcommittee of the Judiciary and the Un-American Activities Committee of the House.

We are sorry that his illness prevents his presence among us today and it is my fervent hope and prayer that he may soon recover completely and be back here where he is highly respected and greatly loved.

Mr. LIBONATI. Mr. Speaker, our esteemed colleague, Francis Eugene Walter, of Pennsylvania, celebrates his 69th year this 26th day of May. His long service in the Congress—34 years—has added to his stature as a statesman, parliamentarian, and advocate. His duties in Congress encompassed many fields in the area of legislation. As chairman of the Un-American Activities Committee he wields tremendous powers over the lives and reputations of our citizenry who are subpenaed as witnesses under subversive charges. In this delicate operation he has been subjected to the most caustic criticism ever leveled against a public servant.

As chairman of the Judiciary Subcommittee on Immigration Matters again he receives the critical lambastings of ethnic groups who question the quota limitations of the McCarran-Walter Act affecting their respective groups.

Yet, in recent years "Tad," as he is affectionately called by his intimates, has not only improved procedure both in the field of investigation and the conduct of hearings, but he also tightened the rules of the admissibility of evidence.

He pioneered the liberalizing of these immigration limitations by the passage of bills permitting the unification of families, the entry of adopted orphans, and so on. He has made it possible for thousands to join their kin.

His legislation to permit the entry of trained artisan immigrants whose talents as marble and stone men, and tailors and so forth were needed by industry is a contribution to the economy.

His parliamentary astuteness as chairman of the party caucus, of the Whole House, or on the floor went unquestioned.

We of the Illinois delegation salute our distinguished colleague on this, his 69th birthday, and wish for him immediate recovery from his present illness and pray to God for his early return to continue his much needed services to the Congress and the people of the Nation. With warm embrace, we again pledge our friendship and admiration for a great American patriot and statesman.

Mr. KEOGH. Mr. Speaker, I am happy to join in these tributes to our esteemed colleague, Francis Walter. It has been my extreme good fortune to count him as one of my close friends in the House since the 75th Congress, and my admiration for him stems from our first meetings.

If I may adopt the parlance of the sports world, Francis Walter is a Congressman's Congressman, and a lawyer's lawyer. As the ranking member of the House Committee on the Judiciary, he displays that breadth of legal knowledge that is so much a part of his character. I am confident that there have been many opportunities for him to forsake the legislative branch for the judicial branch and he would have been one of the outstanding judges in this Nation, but he has never chosen to leave the House, which he so dearly loves, and we can rejoice in that.

Mr. Speaker, I have been distressed by the serious illness of Francis Walter, and I join my colleagues in hoping that he will soon be restored to complete health and return to us.

Mr. SMITH of California. Mr. Speaker, I heartily concur in all the fine remarks which have been made here today in tribute to the gentleman from Pennsylvania [Mr. Walter] and am honored to request permission to associate myself with them.

And to you, "Tad," may I say that the opportunity I had to serve under your chairmanship on the Immigration and Nationality Subcommittee of the House Judiciary Committee was one of the richest experiences that I have had while serving in the legislative field. You are a great American, 100 percent fair at all times, and one of the most able legislators I know. It is no wonder you are so loved and respected by your fellow Members of the House of Representatives.

I wish you a happy birthday, a speedy recovery, and am looking forward to having the opportunity of working further with you in the House of Representatives.

Mr. BOLAND. Mr. Speaker, I rise to salute the 69th birthday of our distinguished colleague, the Honorable Francis E. Walter of Pennsylvania. It is with deep regret that we find him absent from our midst because of illness. I wish for him a speedy return to good health.

Congressman Walter has been an able and affable colleague through the years. His leadership in our party, on congressional committees, and on the floor of the House has always been effective.

I feel certain that Francis Walter's untiring labors as a Member of Congress not only have had great influence on our past and present, but the years that follow will be better because of his contributions to our Nation.

Congressman Walter is a warm, friendly man and has never displayed the back-slapping, half-hearted gestures of the phony. He has the enviable qualities which indicate personal characteristics of honesty, fearlessness, and integrity.

We miss his presence here. Again I extend to him my deep affection and good wishes for this anniversary and the days to come.

Mr. MORGAN. Mr. Speaker, on Sunday next our beloved colleague, Francis E. Walter, of Easton, Pa., will celebrate his 69th birthday, which comes during his 30th year of continuous and distinguished service as a Member of this body.

"Tad" Walter, as his friends affectionately call him, has recently been ill and I know that his host of friends here on Capitol Hill, as well as throughout the country, all wish him a speedy return to health and many more years of the fine and dedicated public service which has made him one of our great and outstanding patriots and statesmen.

Mr. AUCHINCLOSS. Mr. Speaker, I can add little to what has already been said in appreciation of "Tad" Walter and what he has done for all of us by the example of his fearless character and dynamic patriotism. There is no one in or out of Congress who is his superior in the appreciation of what it means to be an American citizen and what it means to enjoy the privileges of freedom and justice.

All I wish to express is my eternal thankfulness for having him as a friend and the inspiration that it brings me. His philosophy of life and service to his fellowmen is unexcelled and I wish him many more days of service and the happiness and contentment which comes alone to men who have done well.

Mr. ULLMAN. Mr. Speaker, the gentleman we are honoring here today, Francis Walter, of Pennsylvania, is one of the finest gentlemen, one of the most able legislators and one of the most courageous human beings in this great land. I join in wishing him a happy birthday and extending my sincerest hope that "Tad" Walter will soon be back with us continuing his work here in Congress.

Mr. THORNBERRY. Mr. Speaker, I want to join my colleagues of the House on both sides of the aisle in paying deserved tribute to that valued and great American, the distinguished gentleman from Pennsylvania, the Honorable Francis E. Walter, and to wish him many happy returns of the day on his birthday.

We have missed him keenly and we are anxious to have him back with us.

Mr. PELLY. Mr. Speaker, during the six terms that I have been in the Congress of the United States, Francis E. Walter has been a symbol to me of what is best under our two-party legislative system.

To begin with, he typifies to me what I respect most in Members of Congress. I respect him as a loyal Democrat. I try to be a loyal Republican and our voting records often are quite different, but I recognize that Francis Walter is an outstanding and loyal American, and although I differ in viewpoint at times, never have I failed to respect him as a true, patriotic, and great American. So much so that last summer, my admiration for him led me to urge him to reconsider and run for reelection, when he had indicated he was considering retirement on account of health. I was glad when he decided to run.

In the same spirit, my admiration for him has led me to testify before the Committee on House Administration, without any suggestion from anyone, and support an appropriation for continuation of the House Un-American Activities Committee, of which, as everyone knows, he is the chairman.

He is a great American and I have admired him as a man and as a legislator, because from every observation I have found him modest, honest, firm, fearless, and yet absolutely and always fair. Whenever and wherever he presides, he has the respect of all except those few who have no respect for our Constitution and our system of government.

The other day, I stopped by the hospital, but he was sleeping, so I did not see him. Now, instead, by this means, I wish him well in his fight against leukemia. I say we need him back in this Congress. He is one of the great Americans of our time and no partisan or any kind of opposition to him has ever dimmed the glory of his achievements. In the words of Tennyson, Francis Walter's strength is as the "strength of 10 because his heart is pure." May that same strength, moral strength, bring him a speedy recovery and return to his work.

Mr. Speaker, the Nation needs Francis Walter.

With this in mind I join my colleagues in extending to him birthday greetings on the occasion of his 69th birthday.

Mr. POOL. Mr. Speaker, because I serve with Congressman WALTER on the House Committee on Un-American Activities, I know how high he stands in the affections of Americans as far removed from his State as my own. Yesterday, for instance, my mail included a letter from a Dallas lady who asked:

> Whenever you go to the hospital to see our beloved Congressman WALTER, will you please give him our constant appreciation, affection, and prayers.

Representative WALTER has lived the life of the complete patriot. He has defended the land he loves as seaman and naval officer in two World Wars. After World War II, he helped build a strong new world through his service on the Postwar policy and Planning Committee which laid the foundation for the Marshall plan. During the postwar years when another kind of enemy threatened the United States, Representative WALTER took up new weapons when he became chairman of the Committee on Un-American Activities in 1955. Now, Representative WALTER is fighting a personal enemy—illness. We who serve with him on the Committee on Un-American Activities wish him well and echo the words of the lady from Texas in sending him our constant appreciation, affection, and prayers.

Mr. FLOOD. Mr. Speaker, this Sunday our distinguished colleague from Pennsylvania [Mr. WALTER] will observe his natal day. I know we are all very sorry that "TAD" cannot be present today to hear the richly deserved sentiments expressed by his colleagues. His service in this body for over three decades has been truly outstanding and it is my fervent hope that he regains his health so that he can once again take up his highly responsible position as chairman of the House Un-American Activities Committee, a vital arm to our legislative process.

"TAD" WALTER has been a close and dear friend of mine for many years. I know firsthand of the immense contributions he has made to his constituency, as his congressional district is adjacent to mine. He is highly respected in the State of Pennsylvania and in the Nation as one of the most courageous Members of the House for his continuing and intrepid battle against the insidious menace of communism. He has never backed down from a fight to make this Nation a stronger and better place in which to live.

I am sure I express the thought of all here today when I say that this Nation could use many more "TAD" WALTERS.

Happy birthday, "TAD," and many more of them.

Mr. KIRWAN. Mr. Speaker, it is a genuine pleasure to join our distinguished majority whip in extending best wishes to the Honorable FRANCIS E. WALTER on his birthday this Sunday, May 26, 1963.

It has been a real privilege for me to know and serve with this distinguished gentleman for the past 27 years. One of the most satisfying experiences I have ever had is my association with him and the generous friendship he has afforded me.

He has been honored during his service in the House, a record which spans 31 years, with responsibility that is a tribute to the quality of his service and dedication. "TAD" WALTER was elected Speaker pro tempore in the 81st Congress; appointed Speaker pro tempore in the 87th Congress; served as chairman of the Democratic caucus in the 81st Congress, the 87th Congress, and the present 88th Congress; chairman of the Un-American Activities Committee since the 84th Congress; chairman of the House patronage committee since the 84th Congress and chairman of two subcommittees on the House Judiciary Committee.

His awards and citations include recognition from local civic, fraternal, and political groups, the American Bar Association and many foreign governments.

It is indeed a pleasure to wish "TAD" many long years of health and happiness and years of distinguished and irreplaceable service in this House.

Mr. EVINS. Mr. Speaker, I wish to join with my colleagues in extending birthday greetings and best wishes to our distinguished colleague and friend the gentleman from Pennsylvania, Congressman FRANCIS E. WALTER.

Congressman WALTER is one of the most outstanding Members of this House and has always stood courageously and voted for what he believed to be right. He is a devoted Member of the Congress and a great American.

I called to visit with "TAD" WALTER recently at the hospital and found him to be sitting up and in good spirits. He expressed the hope of being back in the harness soon—and I know that we all wish devotedly that his wish and hopes may come true—that he will be returned to health and that he may be able soon to return to the Congress.

Congressman WALTER serves as a great member of the Judiciary Committee, as chairman of the House Un-American Activities Committee, as chairman of the Speaker's committee on patronage and as chairman of the Democratic caucus of the House.

It has been my privilege to serve with him as a member of the Speaker's committee on personnel and patronage.

As he reaches his 69th birthday and completes 30 years of distinguished service to his district, State, and Nation, I think it is most fitting and appropriate that we not only wish for him a happy birthday, but pay tribute to his great and distinguished service in the Congress.

Happy birthday, "TAD" WALTER, we love you, we miss you, hurry up and get well. We need you in the Congress.

Mr. SCHADEBERG. Mr. Speaker, I wish to associate myself with the remarks by the distinguished gentleman from Louisiana, the distinguished majority leader, Mr. ALBERT, from Oklahoma, and my distinguished minority leader, Mr. HALLECK, from Indiana, and other colleagues who have spoken.

I have had the distinct pleasure and privilege of serving as a member of the House Committee on Un-American Activities chairmaned by the very able and dedicated gentleman from Pennsylvania, Mr. FRANCIS WALTER.

I came to Congress and to the committee as a freshman in politics but not as a freshman American. I soon learned that those who preceded us in time on the firing line of opposing our country's insidious enemies have made it possible for freedom to survive. As some have sacrificed themselves in a time of war to buy time that we might be free so "TAD" WALTER has sacrificed much in times of relative peace to make sure that the time purchased by those in uniform would not be wasted and corrupted. Mr. WALTER has, through the past years, been the recipient by some of our Nation's enemies of some of the most vitriolic remarks ever directed against an American and a Member of this House but his loyalty has remained undimmed; his dedication and courage untouched.

I wish him well on his birthday and pray that God's blessings will rest upon him in the months and years ahead.

Mr. LINDSAY. Mr. Speaker, I want to join my colleagues on the floor today in wishing the gentleman from Pennsylvania [Mr. WALTER] a happy birthday. I am very sorry to hear that he is so terribly ill in the hospital and I as all of us wish him comfort and a speedy return to health. I have the privilege of serving on the Judiciary Committee of the House. The gentleman is a senior and respected member of the Judiciary Committee and we who serve with him have missed in the last weeks his wit, his good humor, and his many contributions to our deliberations.

Mr. Speaker, the gentleman has our good wishes and congratulations on the occasion of his birthday and our fond hopes that good health returns.

Mr. FULTON of Pennsylvania. Mr. Speaker, Congressman "TAD" WALTER is such a good friend of so many in Congress and has so many friends in so many parts of the world, it is a pleasure to join with his many friends in honoring this great American on his birthday.

We people who have known "TAD" WALTER for a long time, know how dedicated he has been to his duties in Congress and his devotion to the best interests of the American people.

Being a Member of the Pennsylvania congressional delegation with "TAD" WALTER has certainly been a privilege to me, and I have really enjoyed our friendship and pleasant association over the years.

"TAD" is loyal to his friends and his country and his high abilities have added to the stature of the whole Congress.

To "TAD" WALTER, a fine birthday and the knowledge we friends are thinking of you and hope you will soon be back.

Mr. CORMAN. Mr. Speaker, I am pleased to join with my colleagues in paying tribute to one of the most distinguished Members of the House, the gentleman from Pennsylvania, FRANCIS E. WALTER, on his 69th birthday. The gentleman from Pennsylvania [Mr. WALTER] has been a Member of Congress for more than 30 years. During that time he has rendered great service to the Nation as chairman of the Subcommittees on Immigration and Naturalization, and Administrative Procedure.

I wish to pay special tribute to the gentleman from Pennsylvania [Mr.

WALTER] for the assistance he has given new Members on immigration matters. He has approached each problem brought to him with a humane attitude.

In the three decades the gentleman from Pennsylvania [Mr. WALTER] has served in the House, he has supported much progressive legislation.

Mr. WALTER has been honored for his contributions to the Nation by numerous organizations, including the American Bar Association, American Legion, and Veterans of Foreign Wars.

On this occasion, I extend my best wishes to Congressman WALTER. He is sorely missed and we hope he will be with us again very soon.

Mr. GROSS. Mr. Speaker, it is a pleasure to join my colleagues in extending birthday greetings to our good friend, the Honorable FRANCIS E. WALTER.

He must know from the expressions here this afternoon that he is greatly missed on both sides of the aisle; that we all wish him a speedy recovery, and the happiest possible birthday.

Mr. TOLL. Mr. Speaker, it is with much affection that I extend my congratulations and good wishes on his approaching birthday this coming Sunday, May 26, to the Honorable FRANCIS E. WALTER, dean of the Pennsylvania delegation and my senior colleague on the Judiciary Committee. These congratulations, however, are offered not only to "TAD" WALTER but to the Congress, the State, and the country which he has served faithfully and well for many years.

May his present enforced hospital sojourn prove a blessing in disguise that will send "TAD" back to us with a renewal of the health and strength that he has long expended in behalf of others. He is needed here.

Mr. WINSTEAD. Mr. Speaker, I would like to join my colleagues in honoring the Honorable FRANCIS E. WALTER on the occasion of his 69th birthday, which he will celebrate Sunday, May 26. I consider it a privilege to have been associated with FRANCIS WALTER during the years I have been a Member of this House. Few men are serving their country and their fellow man with greater distinction than is FRANCIS WALTER. As chairman of the House Committee on Un-American Activities, his contributions to the security of these United States continue to be invaluable.

Mr. FASCELL. Mr. Speaker, I join our distinguished majority whip, the gentleman from Louisiana [Mr. BOGGS], and all of my colleagues to wish a very happy birthday to our eminent colleague, FRANCIS E. WALTER.

I am pleased to add my testimony to the quality and to the dedication of FRANCIS WALTER'S service to the people he represents and to the United States. The splendid record he has made in this body speaks for itself, and we here today have detailed but a small fraction of his many achievements. All tributes paid to him by his colleagues for his work are well deserved.

FRANCIS WALTER is a man of courage and a man who has a sympathetic affection for the problems of mankind. These qualities are reflected throughout his personal life and his legislative career. All that he does bears the stamp of the great love he has for his country and for his fellow man. These qualities are the threads of the fabric of his service.

We here have all been enriched by our association and by our work with FRANCIS WALTER. We today not only send him our greetings but hope and pray that he will be able to be back with us again soon.

Mr. RIEHLMAN. Mr. Speaker, I certainly want to join with my colleagues in offering "TAD" WALTER good wishes on his birthday.

Although it has never been my pleasure to serve with him on his committee, I have had many opportunities to converse with him on legislation in which I was interested.

He has always been most helpful to me on matters over which he exercises responsibility and I have appreciated it. As chairman of the Un-American Activities Committee he is to be commended for the outstanding work he has done and the manner in which he has directed the committee's activities. The committee has issued outstanding reports regarding investigations.

I wish him well today and I hope that he will be back with us soon to resume his activities on the floor and in committee.

Mr. PASSMAN. Mr. Speaker, in every branch of human endeavor there are some names that stand out over and above all others. As we join today in extending birthday greetings, along with our warmest regards and best wishes, to a beloved and distinguished colleague, the Honorable FRANCIS E. WALTER, it is obvious that this great man's personal excellence and outstanding accomplishments place him high among those who are in that select group.

All of us who have had the privilege to know "TAD" WALTER well, and especially those of us who have had the opportunity of extended friendship, close contacts and counsel with him, have been deeply impressed by his superior abilities, his great activity, and his moral integrity. But, even so, words are so empty when one attempts to describe the virtues and qualities of such a strong personality.

In the weeks that our friend has been in a hospital and away from our midst, struggling for improved health and renewed strength, I have thought of him often, and frequently as I have done so I have sought to analyze his life and determine the outstanding characteristics which have made him such a unique figure in the Congress. But, from a life so rich in experience and a personality so generously endowed with admirable traits, it is not easy to single out any one thing responsible for his outstanding character.

It is clear, however, that the life story of "TAD," as we fondly address him, is a living memorial to him. As one reviews his contributions and accomplishments—through his 31 years in the Congress up to now, as well as in the period prior to the beginning of his service here—it seems almost incredible that any man could have accomplished so much as he has done or to have been of such value to our Nation as he has been.

I shall not undertake here a biographical sketch of our dear friend's life, Mr. Speaker, but I shall say that it is readily obvious to those of us who know him well and know of his life that the course he marked out for himself as a young man, and the pathway he has hewed for himself in the forest of human needs, has justified fully the confidence of his constituents and fellow-citizens, of his associates and, most assuredly, of his colleagues in the Congress. His character, his talents, and his constant preparation for the future made him ready, through the years, for the opportunities which he encountered. And the record of how superbly he has met and fulfilled those opportunities and responsibilities is one of the bright pages in contemporary history.

We, the congressional colleagues and friends of "TAD" WALTER, respect and admire him, of course, for his outstanding abilities; but even more important than that, I expect, is the fact that not only do we respect and admire him on that score, but we have the deepest appreciation and the warmest affection for him because of those characteristics and qualities of human nature that make a man's life most useful and worthwhile.

To each individual are given specific talents, graces, and thoughts, which make up his personality. Thus one becomes an individual and each deed he performs, in his own way, has its influence in both known and unknown paths. Glancing back over the 17 years it has been my honor and privilege to be associated in the Congress with our distinguished colleague, the attributes of his which come most clearly to my mind today are those of his devotion to his duties, his high integrity and moral purpose, his intense love of country, his words of encouragement, and his depth of understanding.

It is my heartfelt prayer, and I am sure it is the prayer of each Member of this body, that, through the grace of God, "TAD" WALTER may recover sufficiently from his serious illness to return to our midst, and resume at least a measure of his normal activities and duties. And, as he approaches the observance Sunday of his 69th birthday, it also is my prayer that he may be spared to this life—to his family and friends, to the Congress and the Nation—for the observance, in improved health, of many more happy and meaningful birthdays. And finally it is my prayer, Mr. Speaker, that the sure knowledge of his wisdom, his strength, and his moral integrity will help give to each one of us the courage that we need to continue our journeys.

Mr. DONOHUE. Mr. Speaker, it is a particular privilege and pleasure to join with the Members here in expressing birthday congratulations to our esteemed colleague and distinguished Representative from Pennsylvania, FRANCIS E. WALTER.

Through 30 of these birthdays this revered gentleman has patriotically served in this body. The breadth of his legislative knowledge, the depth of his human understanding, the guiding wisdom of his recommended actions in committee and this Chamber, his unfailing willingness, in spite of personal time and duty pressures, to give counsel to less experienced associates; these with a host of other superior qualities, have already made his name a legend in the modern accomplishments of this body and the pages of our current legislative history.

It has been a most rewarding experience for me to have served, over these past several years, with my distinguished colleague on the House Judiciary Committee. Through this association I have come to know him very well, and I am, indeed, honored to call him a personal friend. It is, therefore, a multiple pleasure to extend him my warmest personal congratulations on this particular birthday occasion.

Mrs. KELLY. Mr. Speaker, to my colleague, the Honorable Francis E. Walter, I pray God will send His choicest blessings on your birthday, May 26th. Your courage to face daily the problems is well known to all of us who have been privileged to work with you in the House of Representatives. In these trying days, in our work in Congress we miss you and look forward to the day when you again will join us in answering "aye" and "nay."

Mr. ROSENTHAL. Mr. Speaker, I would like to join with my colleagues in extending felicitations and good wishes to our distinguished Member from Pennsylvania [Mr. Walter] on his forthcoming birthday.

In addition, may I say that we all hope and pray that his condition will improve to the extent that he will be able to leave the hospital and rejoin us in the very near future.

Mr. ZABLOCKI. Mr. Speaker, I am delighted to join with my colleagues in extending sincere felicitations to our distinguished friend and colleague from Pennsylvania, the Honorable Francis E. Walter, on the occasion of his 69th birthday.

All of us have been deeply concerned about his illness and pray for a speedy and complete recovery. It has been my privilege to be associated with Chairman Walter during my years in Congress, and I highly respect him for his skill as a legislator and his devotion to the public cause.

Mr. ROOSEVELT. Mr. Speaker, I am happy to have this opportunity to associate myself with the remarks of my colleagues on the occasion of the 69th birthday of "Tad" Walter. I have come to regard him with great admiration and affection, as have all of us. He is truly a remarkable man, possessed of great intelligence and energy, and he has unstintingly given of himself for the benefit of this House and the people of the United States. I have learned much from him, and am truly sorry he cannot be here today to hear the deserved praise of his fellows.

Mr. ROONEY. Mr. Speaker, I should like to join the other Members of this House in extending warmest birthday greetings to our esteemed colleague, the gentleman from Pennsylvania, the Honorable Francis Eugene Walter, who will celebrate his 69th birthday this Sunday, May 26. We are all very sorry that "Tad" cannot be here with us on this occasion so that we might be able to extend our felicitations in person.

When I first came to Congress in 1944 "Tad" had already served many years in this House and from the start I have been privileged to count him among my friends. I have a deep sense of gratitude for the advice and help he has extended to me over these many years. "Tad" is one of our ablest Members, a modest man and above all fair and impartial in his dealings with his colleagues.

I am sure there are thousands of people all over the world who would like to extend "Tad" a most happy birthday for it was through his humanitarian efforts that many hundreds of refugees found it possible to start a new life at a time when they had lost all hope. Also through his help on private immigration bills many more thousands of people have been permitted to join their kin here in America. There is probably no one who has accomplished so much for the unfortunate, homeless, and displaced persons.

My hopes and prayers are that "Tad" will have a speedy recovery and will soon be back with his many friends here in the House of Representatives to continue his dedicated work for his district, the State of Pennsylvania, and his beloved country.

GENERAL LEAVE TO EXTEND

Mr. BOGGS. Mr. Speaker, there are requests from at least a dozen other Members on both sides of the aisle to express their views relative to this distinguished Member of our body, and, therefore, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the 69th birthday of the gentleman from Pennsylvania [Mr. Walter].

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

LET'S HOLD THE LINE ON TOURISTS' FARES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may address the House for 1 minute and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, congressional committees are properly concerned over current negotiations relative to an increase in airline fares across the transatlantic route. It appears that our two transatlantic carriers—Pan American and TWA—would be faced with the problem of having aircraft impounded in many countries—principally Great Britain—unless they agree to what amounts to an increase in tourist fares, as insisted upon by the International Air Transport Association.

Mr. Speaker, Pan American and TWA are privately owned by American citizens. Their foreign competitors—to a large extent—are Government owned. The wage scales are radically different, in fact, our U.S.-flag carriers pay substantially more in wages to their personnel than do the foreign lines. Yet, until this past week, the fares across the North Atlantic were substantially the same.

It is ironic that the champions of higher fares are the same carriers that are heavily invested in by their governments and which pay much lower wages for supposedly identical services.

As a matter of fact, the subject of lowered fares across the Atlantic has been almost a fixation with Pan American World Airways and its farsighted Maryland-raised president, Mr. Juan T. Trippe. As early as 1943, when it was apparent that postwar air growth would be stupendous, Mr. Trippe began clamoring for some system whereby international air fares could be reduced.

Today, an overwhelming amount of the revenues across the North Atlantic are engendered by American citizens. Ironically, again, our two transatlantic carriers are hauling only about 35 percent of the traffic. Yet, led by Pan Am, they seek to keep the fares below the levels advocated by their European competition.

Mr. Trippe, in his 1962 annual report to his stockholders, had this to say:

> If a reasonable reduction in transatlantic tariffs were acceptable to European air carriers and their governments, everybody would gain. Trade between free world nations will gain. Tourists and business travel will gain. Airline employees will gain. Airline owners will gain, as well as private shareholders in America and government owners in Europe. Many more paying passengers will fill empty seats although each will have paid less for his transatlantic flight—an objective long sought by your company.

I think we should support Mr. Trippe and Pan Am in lowering the fares and let our international air carriers operate with more substantial payloads.

PROFITEERING IN SUGAR

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, the time has come for the Congress of the United States through its appropriate committees to investigate the skyrocketing price of sugar within the last 30 days, the price of sugar has increased 3 cents a pound to the individual consumer. The prices give every prospect of continuing to rise. The hoarders are hard at work to join the profiteers.

Simple arithmetic will disclose that with an annual per capita consumption of sugar totaling 100 pounds each year, the current 3-cent per pound increase will cost $3 additional for every man, woman and child in the country. The total cost of the sugar price increase this year to 188 million Americans will total $664 million—and the cost could reach $1 billion if the present price spiral is not halted.

We should endeavor to find out who is getting the bonanza of lush profits.

FEDERAL COMMUNICATIONS COMMISSION

Mr. ROBERTS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS of Alabama. Mr. Speaker, on March 28, 1963, the Federal Communications Commission issued a public notice that it planned to consider limiting the number of commercials that a station can broadcast in a given period.

While the Commission indicated it wishes to take into consideration all possible alternatives and to consider whether special provisions should be made for stations which, because of their location in sparsely populated areas or other factors, might not be able to observe the limitations contained in the NAB codes and at the same time maintain operation in the public interest, I must confess that I am very disturbed over this proposal.

The adoption of such a proposal by the FCC, as I view it, Mr. Speaker, is a very definite form of rate setting which I believe to be outside and beyond present regulations.

Should this proposal be permitted to be placed in effect, it would mean the establishment of and control of time a station may devote to commercial broadcasting and thereby determine station rates without being in a position to insure that station that its advertisers will patronize the station at the greatly advanced rates that would be necessary to sustain its operation. Further, the proposal completely ignores the overcrowded radio field as it currently exists and ignores the economic facts of life. For example, last year, a so-called prosperous year, over one-third of the AM radio stations in the country operated at a net loss. I submit, Mr. Speaker, to limit commercial time would necessarily cause advancement in rates and thereby drive advertisers to other advertising media. I am therefore most hopeful that the Commission will be very careful in moving ahead in this area.

THE WHEAT REFERENDUM

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, the wheat farmers of America are to be congratulated on their courage and fortitude in defeating the wheat referendum. They have won the fight against the brazen propaganda campaign of the Department of Agriculture which tried desperately hard to influence a favorable vote in the referendum. Secretary Freeman used the full power of the Department and a lot of the taxpayers' money in this effort to influence the election. Rushing the feed grain bill through Congress without amendments made no difference. Even President Kennedy's personal appeal for a "yes" vote went unheeded. Statistically, the "yes" vote in the referendum received only 47.79 percent of the total vote, not even a majority, whereas a two-thirds vote was required. Only five States cast a two-thirds vote in favor of the referendum. In defeating the referendum, the wheat farmers served notice on the Kennedy administration that they love freedom more than a regimented and controlled agricultural economy.

Our corn and feed grain farmers, dairy farmers, as well as our livestock producers are also to be heartily congratulated. If the wheat referendum had prevailed, it would only have been a question of time before they would have again been confronted with strict control legislation.

The Kennedy administration and Secretary Freeman have suffered a humiliating defeat.

I call on the Kennedy administration to immediately propose a new wheat bill to protect the wheat farmers of the Nation. I cannot conceive of the administration letting wheat farmers hang out on a limb with $1 a bushel wheat which Secretary Freeman said they would get if the referendum failed.

The responsibility for new wheat legislation rests with the Kennedy administration.

MUZZLING THE MILITARY

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SNYDER. Mr. Speaker, so much has been said lately about muzzling the military that I hesitate to use the term. How, when, and where the military should speak out is a controversy that I am certain will not soon be resolved. Nevertheless, the law seems to be quite clear that military personnel cannot legally be restrained from communicating with their respective Congressmen. Public Law 51, 82d Congress, states:

> No member of the Armed Forces shall be restricted or prevented from communicating directly or indirectly with any Member or Members of Congress concerning any subject unless such communication is in violation of law, or in violation of regulations necessary to the security and safety of the United States.

Recently, the gentleman from California [Mr. TALCOTT] and I received numerous complaints from military personnel at Guantanamo that they were instructed that they could not communicate with their Congressmen without first getting permission from their superiors.

The gentleman from California caused an inquiry to be made at the base and a sampling of the personnel indicated this information was incorrect. Perhaps the fact that each man was required to give his name, rank, and serial number could have influenced the outcome.

More recently a constituent of mine sent me a memorandum signed by 19 physicians—officers of the U.S. Air Force which reads as follows:

> On or about February 8, 1963, the following announcement was made before the physicians at Travis Air Force Base Hospital. It was stated to be a base order.
>
> 1. The expense and time incurred by congressional investigations was becoming quite excessive. To help alleviate these bothersome investigations the following steps would be taken:
>
> (a) The serviceman would first take his complaint to his immediate commander. If the complaint could not be solved to the serviceman's satisfaction then he could take the complaint to the Inspector General's Team. If they could not correct his complaint, then he could write his Congressman.
>
> (b) If a serviceman failed to take the above steps, then it would be reflected on his officer effectiveness reports that he was using political influence.
>
> (c) If a serviceman's wife wrote in his lieu, then it would be reflected upon his officer effectiveness reports that he had no control over his household.

I am told that this order was also disseminated to the enlisted men in a written form for them to initial and the forms collected.

Mr. Speaker, I would hope that this practice is not becoming prevalent in our military. This is a form of coercion which has no place in any society. It is reducing our military personnel to a state of indentured servitude with no right to petition for a redress of grievances. It is an encroachment upon personal liberty as guaranteed by our Constitution. With so much power being centralized in the Federal Government, it would seem all the more necessary for citizens to more frequently write their Congressmen.

CAPT. H. E. BECKMEYER, U.S. NAVY BUREAU OF SUPPLIES AND ACCOUNTS, AND CAPT. JOHN A. SCOTT, OFFICE OF NAVAL MATERIAL

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, credit must be given where credit is due. Therefore, I want to highly commend Capt. H. E. Beckmeyer, of the U.S. Navy Bureau of Supplies and Accounts and Capt. John A. Scott, of the Office of Naval Material. Last week these two men were responsible for the halting of a procurement for which industry could not secure drawings. Absence of these drawings would have virtually eliminated competition and imposed an added burden on the taxpayer. I am happy to report today that just the opposite will occur—drawings are going to be made available and the procurement will be truly competitive.

By far the greatest percentage of Government employees are honest, dedicated people, and that includes military personnel. Where such an exhaustive chain of command is involved, as in the case of our sprawling Defense Department, even a few rotten apples in the barrel can contaminate most of the rest and, therefore, make the majority look bad.

In this case, as in many others, a private industry notified me that the Navy Department had up for procurement a variable resistor that is a part of a computer system known as the AN/ASA 13. The Navy contended this item was to be purchased under competitive conditions, but there was no description of the item to be bought and no drawings were available. All the Navy had was a commercial company part number to identify the equipment. Only that one company knew the technical aspects of the item to be bought. In effect, this made the whole concept of a competitive procurement, in this case, laughable.

Learning of this deplorable and shameful camouflage, I followed my usual procedure and demanded drawings and specifications be furnished so that real competitive bidding could be brought about with the usual savings of defense dollars for the taxpayer.

Captain Scott and Captain Beckmeyer cooperated wholeheartedly with my request. Captain Beckmeyer said he learned there were drawings but they could not be found. He assured me that they would be found, and he delayed this procurement until that time. He actually went so far as to cancel the procurement, assuring me he will have it reissued once the drawings are uncovered. These specifications will then be furnished to bidders, and we should then see a truly competitive procurement with a liberal savings to the taxpayer.

Mr. Speaker, Captain Beckmeyer and Captain Scott should receive a commendation from the Secretary of the Navy for their actions in this procurement. And I might say here today that I cannot for the life of me see how those in higher positions of authority fail to recognize the importance of this type of administration. I cannot understand how they fail to make such actions the rule instead of the exception.

Mr. Speaker, if I could only receive this type of cooperation and could get a few of the hardheaded, hell-bent-for-leather, pot-bellied, bureaucratic, self-styled, conceited administrators to see the merits of actions such as those of Captains Beckmeyer and Scott, my job could be labeled by a geometric expression, "Q.E.D."

WHAT "PROMISES" WERE MADE TO KHRUSHCHEV ON CUBA?

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I read on the UPI press ticker this morning that in bidding Castro farewell at a mass rally in Russia, Khrushchev is quoted as saying:

> The world may face a more difficult crisis than the Cuba confrontation of last October unless the United States adheres to its promises in the Caribbean.
>
> It is clear that if the American Government does not follow the promises it has made to Cuba the world may find itself in a more dangerous situation than last year.

Mr. Speaker, the time has come for the President of the United States to tell the American people what are the "promises" that were made to Khrushchev on Cuba in October and November of last year. It is strange and ironic that we have to learn about such deals from Communist Cuba and from Khrushchev.

Khrushchev further said:

> Normalization of the Caribbean situation might be reached on the basis of the well-known five points put forward by Castro.

Incidentally, that Castro five-point demand took place on October 28 of last year when the blockade was still in effect.

One of these was to stop attacks by the Cuban freedom fighters. This demand has been conceded by the New Frontier to Communist Castro.

Another is the complete evacuation of the U.S. naval base at Guantánamo. All portents indicate pressure is building up on this demand.

I wonder if one of the others; that is, resumption of trade, is not partially being put into effect with a foot-in-the-door technique by the FAA in connection with the overflights of Cuban Communist registered planes being permitted to use U.S. airspace so long as they go through a certain traffic corridor and stop for inspection at either Boston, New York, or Washington, D.C.

I have requested that all flights by Cuban registered planes or the planes of other countries going to or coming from Cuba be stopped, and the use of U.S. airspace to perpetuate Castro in power be denied.

If that is not done, I shall introduce a bill to accomplish this result and ask for an immediate hearing on this whole mess.

It is time that President Kennedy lay before the American people the promises he made last year to get Russian missiles and troops out of Cuba.

It appears that, as usual, the American people have to get their news on our Government's activities from Khrushchev. The Kennedy news managers have built up the myth that there were no promises made last fall.

It was made to appear that we stood "eyeball to eyeball" with Khrushchev and told him to take his missiles and go but now it becomes apparent through actions that followed that the President dealt away our bases in Europe, our posture in Laos, our Monroe Doctrine in the Western Hemisphere, and who knows what else.

I hereafter include in the RECORD the five demands Castro made on October 28, 1962, referred to repeatedly by Castro and Khrushchev and reiterated as their joint demands from Moscow.

Those demands are as follows:

First. End all subversive activities, dropping and landing of arms and explosives by air and sea, organization of mercenary invasions, infiltration of spies and saboteurs, all of which are organized in U.S. territory and certain accomplice countries.

Second. Withdraw from Guantánamo.

Third. End U.S. economic blockade and all measures of commercial pressures.

Fourth. End United States and Puerto Rican based pirate attacks.

Fifth. End all violation of air and naval space by North American military aircraft and ships.

EQUAL PAY ACT OF 1963

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 362 and ask for its immediate consideration.

The clerk read the resolution, as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6060) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentlewoman from New York [Mrs. ST. GEORGE] and, pending that, myself such time as I may consume.

Mr. Speaker, House Resolution 362 makes in order the consideration of H.R. 6060, a bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce. It is an open rule and provides for 2 hours of debate.

Mr. Speaker, I know of no controversy over the rule, although there is some controversy over the bill, and I therefore reserve the balance of my time.

Mrs. ST. GEORGE. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this resolution, House Resolution 362, makes in order the consideration of H.R. 6060 to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce. Similar bills have been before this House before, but this one, I think, is by all odds the best one, although it is by no means perfect, that we have had so far.

For those who fear this legislation—and there are some—I would like to point out that all women are by no means covered in this act. As a matter of fact, we see, according to the supplemental views in the report, that the prohibition against discrimination because of sex is placed under the Fair Labor Standards Act, with the act's established coverage of employers and employees. All of the Fair Labor Standards exemptions apply; and, this is very noteworthy, agriculture, hotels, motels, restaurants, and laundries are excluded. Also all professional, managerial, and administrative personnel and outside salesmen are excluded. So, a very great quantity of women will not be covered in this act, especially because it considers hotels, motels, restaurants, and laundries, where women are by far the majority of the workers. They will not be included.

Mr. Speaker, I have always felt that these bills would come to us from now on, and I hope that they will, but in every instance it is only one bite of the cherry. In other words, we are just nibbling away at a thing that could have been completely covered by an amendment to the Constitution simply giving women equal rights and letting it go at that. That apparently has not been the will of the House so far. I hope someday that it will be. However, in the meantime, we are going to have to have these bills which will help, which will do a little, which will get a foot in the door, and they will have to continue to come to us.

Mr. Speaker, this bill in my estimation is good. It is a little bit too little and, of course, it is too late. But on the other hand it is the best thing we can get at this time.

Mr. Speaker, I know of no serious objection to it. I feel sure that the House will be glad; in fact, we feel that it is high time for it to pass favorably on this legislation and certainly pass favorably on the rule.

Mr. Speaker, I reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. Colmer].

Mr. COLMER. Mr. Speaker, I do not know that I will use the 5 minutes that the gentleman from Missouri [Mr. Bolling] has so graciously granted me. But I cannot sit idly by without expressing my opinion about this legislation. I recognize that this bill is going to pass. It is going to pass overwhelmingly, I suspect, because it has an appeal to a minority or special group. It deals with women. I recognize the seeming popular appeal and then, too, Mr. Speaker, I recognize in addition to the futility of my stating my position the politically unwise situation in which I find myself. I certainly do not want to be put in the position of opposing the women of this country, and I could dwell at some length on that subject. I am not so sure that the women want this bill. However, I am opposed to this proposal because I think it is basically unsound, just as I have opposed proposals here that were aimed at other minority or special groups

I doubt seriously, Mr. Speaker, if this bill is constitutional. I do not like the idea of pointing out women here as if they are an inferior group and that the Federal Government with its strong arm must step in and try to protect them. I think they can stand on their own. They have been doing that for many, many generations.

Mr. Speaker, there are many instances where women are entitled to more pay than the opposite sex and why should we just put them on an equal basis? This strikes at the merit system.

Mr. Speaker, I am principally opposed to this legislation because it represents further regimentation of our people.

This sets up another army of Federal agents to go about snooping into every little, as well as every big business in the country to see whether the Federal law is being enforced.

I think women should be paid. I think they should be paid upon an equal basis with men for similar work, and I think generally it is true that they are, where they have the qualifications for that particular position, but this thing of regimentation is something that just does not appeal to me. In fact, our people are already overregimented.

Mr. Speaker, there has grown up a custom in this country that we have to have the Federal Government stick its strong arms out to get into every phase and facet of our local government and of our industry. There is a provision in this bill, Mr. Speaker, that I think throws some light on what I am talking about. There is a provision that an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of an employee. That recognizes the fact that there are many, many women in this country who are receiving better pay than men for equal service, as spelled out in this bill. I recognize, I repeat, the political appeal of this bill. I am not going to ask anyone to oppose this bill, or to cast their ballot against it, but I am going to emphasize, as one who is opposed to the ever-spreading tentacles of the Federal Government into the management and the conduct of the affairs of the people of this Nation, that the Members had better give some consideration to it and its far-reaching implications.

Moreover, Mr. Speaker, I am not so sure that this proposed legislation in the long run is going to benefit the women employees of this country. It is highly probable that the employers may find it advantageous to employ men in positions now filled by women. Certainly, they would feel inclined so to do in marginal instances where the labor market is plentiful. In other words, it is highly probable that the passage of this bill would result in less employment for women.

Mr. Speaker, finally I am opposed to this bill because I do not think that this subject is any of the Federal Government's business.

Mrs. ST. GEORGE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio [Mrs. Bolton].

Mrs. FRANCES P. BOLTON. Mr. Speaker, as a long-time advocate of the principle of equal pay for equal work, I am very glad to speak in favor of H.R. 6060. I am very much interested in the remarks of the previous speaker because it is some time since the women of this country have been in the minority. We are rather far ahead of you in that regard, my distinguished colleague. Of course, if you care to be the spokesman for the actual minority. Equal pay legislation has been introduced in every Congress since 1945 by Members of both parties, a truly bipartisan effort.

The bill which is now before us is essentially the same as the one introduced in March of this year by the distinguished gentleman from New York [Mr. Goodell]. It is a very logical approach to the problem in that it places administration of equal pay under the Fair Labor Standards Act. This alleviates the fear voiced by many that passage of such a bill would lead to the establishment of a new bureaucracy with a new set of rules and a new set of investigators. The procedures under the Fair Labor Standards Act are already well established. However, let me remind you of what the gentlewoman from New York [Mrs. St. George] has already told us, that this bill in no way covers all the women workers of this country. Indeed, it leaves out a very great many of them. So I would like to consider this bill and have you consider it as one of the first steps toward an adjustment of balance in pay for women.

As a matter of fact, you know it is going to affect some of you men because there are places where the men do not get paid as much as women for doing the same job.

Furthermore, I am glad to note that H.R. 6060 gives a 1-year moratorium on enforcement, thereby giving ample opportunity for voluntary compliance. Also, recognition is given the special problem created by existing collective bargaining agreements by providing that enforcement proceedings will be undertaken only at the expiration of such agreements or a maximum of 2 years after enactment.

There are 24 million women in the labor force today and by 1970 we shall have over 30 million. Most women work to contribute to essential living expenses for themselves or their families. For example, over 6 million single women workers support themselves; over 2 million working women are heads of families; others are the primary wage earner in the family although not technically the family head.

Married women who are not the primary wage earner in the family work to raise family living standards and to send children through college in many, many families, but there are others who must work to give their children proper education. The contribution of these women to the Nation's productive resources must be recognized, encouraged, and maximized.

It is a matter of simple justice to pay a woman the same rate as a man when she is performing the same duties. We have had equal pay in the Government for some years through the Federal classified civil service. Some 22 States have enacted equal-pay laws, but let me say right there that in many of these they do not work too well. However, a Federal law is needed to give complete and adequate coverage.

It is my hope that the House will give favorable consideration to H.R. 6060, as it provides a sound and workable approach to this problem.

Mrs. ST. GEORGE. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Speaker, I will not consume the 5 minutes. I do not think there is much doubt but that this legislation is going to pass, but since it is going to pass I think we ought to concern ourselves about some of the provisions in the bill. I will not take the time of the House to discuss the bill in detail, but would merely point out to the membership that they should pay particular attention to the way the jurisdiction and the responsibilities of the Secretary of Labor are spelled out in this bill. I would admonish the members of the legislative committee when they speak in general debate to make the legislative history abundantly clear as to what the responsibilities are and where the limitations on the responsibilities and rights of the Secretary of Labor rise.

I particularly am concerned about a statement that is carried in one of the additional views by the gentleman from Nebraska [Mr. MARTIN] which is not, as I read it, entirely in conformity with some of the statements that were made to the Rules Committee. As I understood the members of the legislative committee, the Secretary of Labor has authority to investigate and to negotiate with the employers on the basis of any irregularities he might discover on the basis of his investigation, but as far as inflicting any penalty or other sanctions against the employer is concerned, this can only be done by the Federal district court. In other words, the essential authority is not extended to the Secretary of Labor. I hope this will be clearly brought out in the debate.

Mrs. ST. GEORGE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, I have long cosponsored this legislation. I believe it is a good approach and a basic policy the country should adopt. I strongly recommend the passage of this legislation. I like the statement that this is a matter of simple justice to everyone in our civilization and our business community, that we treat everybody alike.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. FULTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 362, nays 9, not voting 64, as follows:

[Roll No. 54]

YEAS—362

Abele
Adair
Addabbo
Albert
Anderson
Andrews
Ashbrook
Ashley
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Barrett
Barry
Bass
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Boggs
Boland
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Cannon
Carey
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Clausen
Cleveland
Cohelan
Collier
Conte
Corbett
Corman
Cramer
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Derounian
Derwinski
Devine
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Flood
Flynt
Ford
Foreman
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Gathings
Gavin
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halpern
Hanna
Harding
Hardy
Harris
Harrison
Harvey, Mich.
Hawkins
Healey
Hechler
Hemphill
Hoeven
Hoffman
Holifield
Holland
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Jensen
Joelson
Johansen
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kelly
Keogh
Kilgore
King, N.Y.
Kluczynski
Knox
Kornegay
Kunkel
Kyl
Laird
Landrum
Langen
Latta
Leggett
Lennon
Libonati
Lindsay
Lipscomb
Long, La.
McClory
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
Macdonald
MacGregor
Madden
Mailliard
Marsh
Martin, Calif.
Martin, Mass.
Mathias
Matsunaga
Matthews
May
Meader
Miller, N.Y.
Milliken
Mills
Minish
Minshall
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Norblad
Nygaard
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pillion
Pirnie
Poff
Powell
Price
Pucinski
Quie
Quillen
Rains
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Roberts, Ala.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Roosevelt
Rosenthal
Roudebush
Roush
Rumsfeld
Ryan, Mich.
Ryan, N.Y.
St. George
St Germain
St. Onge
Saylor
Schadeberg
Schneebeli
Schweiker
Secrest
Selden
Shelley
Sheppard
Shipley
Shriver
Sibal
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Snyder
Springer
Staebler
Stafford
Steed
Stephens
Stinson
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Tollefson
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vinson
Waggonner
Wallhauser
Watson
Watts
Weaver
Weltner
Whalley
Wharton
White
Whitener
Wickersham
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Wright
Wydler
Wyman
Young
Younger
Zablocki

NAYS—9

Abernethy
Colmer
Fisher
Mahon
Poage
Pool
Purcell
Williams
Winstead

NOT VOTING—64

Abbitt
Alger
Arends
Blatnik
Bonner
Brademas
Brooks
Brotzman
Buckley
Casey
Cooley
Davis, Tenn.
Diggs
Finnegan
Fogarty
Forrester
Giaimo
Grabowski
Grant
Gray
Halleck
Hansen
Harsha
Harvey, Ind.
Hays
Hébert
Henderson
Herlong
Horan
Kee
Kilburn
King, Calif.
Kirwan
Lankford
Lesinski
Lloyd
Long, Md.
McMillan
Martin, Nebr.
Michel
Miller, Calif.
Monagan
Nelsen
Nix
O'Brien, Ill.
O'Brien, N.Y.
Pilcher
Rivers, S.C.
Rooney
Rostenkowski
Roybal
Schenck
Schwengel
Scott
Senner
Short
Staggers
Thomas
Van Pelt
Walter
Westland
Whitten

So the resolution was agreed to.

The Clerk announced the following pairs:

Until further notice:
Mr. Walter with Mr. Alger.
Mr. Kirwan with Mr. Westland.
Mr. Rivers of South Carolina with Mr. Kilburn.
Mr. King of California with Mr. Harsha.
Mrs. Hansen with Mr. Schenck.
Mr. Bonner with Mr. Brotzman.
Mr. Monagan with Mr. Lloyd.
Mr. Hébert with Mr. Horan.
Mr. Staggers with Mr. Martin of Nebraska.
Mr. Roybal with Mr. Schwengel.
Mr. Rooney with Mr. Van Pelt.
Mr. Buckley with Mr. Harvey of Indiana.
Mr. Fogarty with Mr. Short.
Mr. Giaimo with Mr. Nelsen.
Mr. Gray with Mr. Lesinski.
Mr. Hays with Mr. Miller of California.
Mr. Henderson with Mr. O'Brien of Illinois.
Mr. Nix with Mr. Finnegan.
Mr. Davis of Tennessee with Mr. Rostenkowski.
Mr. Diggs with Mr. O'Brien of New York.
Mr. Lankford with Mr. Whitten.
Mr. Forrester with Mr. Grant.
Mr. Herlong with Mr. McMillan.
Mr. Brademas with Mr. Abbitt.
Mr. Blatnik with Mrs. Kee.
Mr. Brooks with Mr. Cooley.
Mr. Pilcher with Mr. Casey.
Mr. Scott with Mr. Thomas.
Mr. Senner with Mr. Long of Maryland.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. POWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6060) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce.

The motion was agreed to.

Accordingly, the House resolved itself in the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6060, with Mr. PRICE in the chair.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. POWELL. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, I rise in support of H.R. 6060, a bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce.

I would like to inform this body that the bill comes out of the Committee on Education and Labor with bipartisan support. Only three committee members opposed the passage of this legislation.

Legislation of this kind has been recommended over a period of years and during the 87th Congress the House acted favorably on an equal-pay bill. However, the Senate appended this legislation to another bill and the 87th Congress closed without final action on the measure.

There is little doubt as to the need for this legislation. The objective sought is wage justice for working men and women. Discriminatory wage practices based upon sex, like other forms of discrimination in employment, are contrary to our basic employment, are contrary to our basic traditions of freedom and fairplay.

The payment of wages on a basis other than that of the job performed is not only harmful to the individual worker and our economy, but also to our Nation's image abroad. The fact that employers still pay lower wage rates to women workers for the same or comparable work as that performed by men workers in the same place is contrary to every concept of equality and justice in which we so strongly believe.

This principle of equality has been endorsed by labor, by leaders in both political parties, and by numerous business organizations and spokesmen. The International Labor Organization—of which we are a member and which I shall attend next week—provides in its constitution that "men and women should receive equal remuneration for work of equal value." Thirty-eight countries have ratified an ILO Convention which sets up standards and procedures for establishing equal pay in fact as well as in principle. The European Common Market agreement, the Rome Treaty, also carries a specific provision for equal pay.

Thus we come to this legislation buttressed by support at home and abroad, from labor and management, from men and women, and from Democrats and Republicans.

This bill would amend the Fair Labor Standards Act to add as a labor standard worthy of protection by the Federal Government that of equal pay for equal work without discrimination on the basis of sex. We are fitting on an administrative framework, tried and tested through the years—and perhaps weathered a bit—a Federal policy the merit of which no one seriously questions. The effect of the bill is to give to employees who would be entitled to receive equal-pay treatment under it the same remedies which are prescribed for workers in relation to minimum wage and overtime payments required by the Fair Labor Standards Act.

We know that the majority of married women who work are those whose earnings even when combined with their husbands' puts them in the lower economic income scale. We know that 4.6 million women workers are the heads of households and that their number represents one-tenth of all the families in the United States.

Twenty-four and one-half million workers or one-third of the labor force today are women. Most of these women cannot look to unions for protection from unequal pay and other discriminatory treatment since only some 21 million of them belong to unions. We know that the earnings of women are estimated to be more than $45 billion annually. Women are essential to some of our key industries, such as our space and electronic industries. They perform work—and competently—in almost every occupation in our industrial complex. All of these facts serve to point out the importance economically and morally of more equally sharing the benefits of our national prosperity with the hardworking ladies of our land.

The bill prohibits the payment of discriminatory wage rates which are based on sex and would apply, therefore, in the unusual case where men are now paid a lower wage rate than women for performing the same job. However, the bill, if passed, will be primarily and immediately beneficial to women. More specifically, it will be even more beneficial to Negro women who, because of the dual discrimination they encounter, are the victims of the most unjust wage rates. This bill will relieve them at least of the downgrading wage rate discrimination based on sex.

As one of the distinguished witnesses testifying in favor of equal pay legislation said: "Democracy bleeds a little each time those who champion it stand idly by in the face of discrimination." This is one compelling and immediate opportunity to stanch such bleeding. How can we longer delay action?

I urge this House to give its full support to this vital legislation.

I would like to ask the distinguished chairman of the subcommittee, the gentleman from New Jersey [Mr. THOMPSON] to control the time on this side of the aisle.

The CHAIRMAN. The gentleman from New York [Mr. POWELL] has consumed 6 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I rise in support of H.R. 6060. Perhaps, as the gentlewoman from New York has stated, this proposal is too little and too late. Perhaps, as the gentlewoman from Ohio says, this is only the first step in the right direction.

Mr. Chairman, passage of this bill will mark an important milestone in the campaign for equal rights for women. Its aim is simple, few will argue about the desirability of what it seeks to achieve. Under its provisions, the women of America will be assured of equal pay when they perform equal work. This undeniable right is now to be bolstered and secured by appropriate legislative action.

As you know, Mr. Chairman, last July, during consideration of this question on the floor of the House, a number of Republican amendments were adopted. Unfortunately, the administration incorporated only a few of these changes when it submitted a new equal pay bill, H.R. 3861, this year. The shortcomings of the administration proposal were numerous, and our committee had some difficult in working out a satisfactory bill.

Fortunately, on March 25, the gentleman from New York [Mr. GOODELL] introduced H.R. 5605. This bill, for the first time, placed the administration and enforcement of equal pay legislation under the Fair Labor Standards Act. This concept was the catalyst that had been needed. Very quickly this proposal was accepted by the members of the subcommittee. The full committee then voted its approval. Finally, last week the other body passed a bill, S. 1409, which is similar in all major respects with the bill now before us.

However, H.R. 6060 differs substantially from both last year's proposals and this year's administration bill. For that reason I believe the significant changes should be pointed out. The following are the major differences between H.R. 6060 and the earlier administration proposal. Under H.R. 6060:

First. The prohibition against discrimination because of sex is placed under existing law, the Fair Labor Standards Act, with that act's established coverage of employers and employees.

Second. All the exemptions of the Fair Labor Standards Act apply: Agriculture, hotels, motels, restaurants, and laundries are excluded. Also, all professional, managerial, and administrative personal, and outside salesmen are excluded.

Third. Investigation and administration will be under the existing Wage and Hour Division, thus avoiding the creation of a vast new bureaucracy.

Fourth. Enforcement must be obtained in the Federal courts and not arbitrarily through an all-powerful administrative body.

Fifth. The definitions and interpretations of the Fair Labor Standards Act will apply. These have been court tested and are generally understood by business and labor.

Sixth. The concept of equal pay for jobs demanding equal skill has been expanded to require also equal effort, responsibility, and similar working conditions. These factors are the core of all job classification systems. They form a legitimate basis for differentials in pay.

Seventh. A specific exception has been added for a system which measures earnings by quantity or quality of production.

Eighth. A general exception has been added for differentials based on factors other than sex.

Ninth. As the act does not take effect for 1 year following the date of enactment, time is provided for voluntary adjustment.

Tenth. Where there is a bona fide collective bargaining agreement, the act will not apply for an additional year, or at the expiration of the agreement, whichever occurs first.

Eleventh. The Secretary of Labor is not given broad regulatory and rulemaking authority.

Twelfth. The proposed power of the Secretary of Labor to blacklist Government contractors who allegedly discriminate against women has been eliminated.

Thus it is apparent that a number of important changes have been made by our committee. As a result, we can expect that the administration of the equal pay concept, while fair and effective, will not be excessive nor excessively wide ranging. What we seek is to insure, where men and women are doing the same job under the same working conditions that they will receive the same pay. It is not intended that either the Labor Department or individual employees will be equipped with hunting licenses.

The inequities which this legislation seeks to correct are apparent to us all. For example, a plant may have one rate for a classification such as male selector and packager and another for the classification female selector and packager. Yet both are doing the same job on the same assembly line. Such discrimination would be a violation. As another example, the classification names may not match—there would be male packagers and female selectors, nonetheless the work the two groups perform is identical in every respect. This, too, would be a violation if the men as a group received more pay than the women. On the other hand, the male packagers may be required to lift the heavy crates off the assembly line and place them on dollies or do various jobs requiring additional physical effort. The women selectors may work on the assembly line, selecting small items, for example, and placing them in crates. This would be a significant difference which would justify a difference in pay.

The same reasoning can be applied to a department store which employs sales personnel who range from part-time, high school help, selling candy or trinkets, to highly trained and experienced personnel, selling such bread-and-butter items as appliances, furniture, suits, and other articles of clothing. It is not intended that salesmen or store clerks, for example, holding widely varying jobs, although in the same general category, should be compared or equated. If they are to be entitled to equal pay, they must be engaged in the same type of selling or clerk job, with the same type of experience and responsibility requirements. Mechanical and surface similarities are not to be confused with, or viewed as, basic job evaluation characteristics.

In conclusion I would like to outline what I believe should be the procedure that should be followed when an allegation of discrimination is lodged with the Labor Department.

First, of course, it should be ascertained whether or not the charged employer is covered by the Fair Labor Standards Act. It must be determined also whether or not the job in question is a covered or exempt job.

Next, the investigation should be reasonable and in no event beyond the scope of the original charge. Requests for books and records should be specific and not of the shotgun variety.

Nothing in this bill prohibits discrimination in pay strictly between men or strictly between women. Discrimination that operates against both men and women is not prohibited. The only thing prohibited is a difference in pay that is based solely on sex.

Finally, the jobs in dispute must be the same in work content, effort, skill, and responsibility requirements, and in working conditions. As indicated earlier, it is not intended to compare unrelated jobs, or jobs that have been historically and normally considered by the industry to be different. Violations usually will be apparent, and will almost always occur in the same work area and where the same tasks are performed. A bona fide job classification system will normally furnish the answer to a claim of discrimination. But in any event, the Labor Department or the employee, where an employee brings suit, will have the burden of proving to the court's satisfaction that a violation has occurred. The time-honored concept that an individual is presumed innocent until proven guilty will in no way be changed or altered by this act.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I am enthusiastically in favor of this legislation as the subcommittee reported it.

In this connection I might point out that I am indeed grateful as the chairman of the subcommittee to all of the members of the subcommittee who were not only vitally interested in the legislation but more than normally cooperative and helpful. We had rather wide differences early in the game which were resolved, I think, in such a way that we have a really splendid and entirely responsible piece of legislation for the membership of this body to consider today.

The gentleman from New Jersey [Mr. FRELINGHUYSEN] has explained rather well some of the aspects of the legislation. I think it should be emphasized that the bill does amend the Fair Labor Standards Act, and this, we feel, is a great advantage, since there is a long history of familiarity and a large body of definitions within the structure of the act to be amended by the addition of a new section.

Further, it is quite true that there are already employed in the Department of Labor, in the Wage and Hour Division, almost all of the personnel which will be needed for the enforcement of this act. It does not create any great bureaucracy. There are approximately 1,800 employees in that Division at the moment, and the best possible estimates indicate that an increase of only a handful of employees would be needed, and that is all, to protect the more than 27.5 million persons covered under the Fair Labor Standards Act. The Secretary of Labor, in a letter to the committee, has given his assurance that he will assign this legislation, if it passes, to the Wage and Hour Division. Now, this, as I say, eliminates the need for a new bureaucratic structure, and perhaps the most worthy result, as the report indicates, is in the question of coverage. The bill neither extends nor curtails coverage under the act.

It has been pointed out by the distinguished gentlewoman from New York that this is a first step. And, that is so. It is true that many, many women who are employed are not to be covered under the act. I might point out the fact that, for instance, in hotels, which would be exempt, the work which women do in those establishments is almost exclusively women's work, such as chambermaids, laundries, and so on, and therefore, even if they were covered under the act, very, very few of them, and then only in a larger establishment employing more than 25 persons, would be able to benefit in any way. This legislation does not affect the wage of women vis-a-vis women or men vis-a-vis men. It only applies to instances where men and women are doing work and where there is a wage differential based solely on sex. It would make a violation of its provisions an unfair labor practice. The lower wage rate must be increased to the higher level so that there will not be an adverse effect on already established wage patterns. The language recognizes that there are many factors used to measure the relationship between jobs and which establish a valid basis for a difference in pay. We do not want to disturb these. These factors will be found in a majority of the job classification systems. Thus, it is anticipated that a bona fide classification program that does not discriminate on the basis of sex will serve as a valid defense to a charge of discrimination. Thus, among other things, shift differentials, restrictions on or differences based on time of day worked, hours of work, lifting or moving heavy objects, differences based on experience, training, or ability would also be exempted under this act. It provides a 1-year moratorium on enforcement as to all employees and employers, and in addition, in the case of employees covered and working under collective bargaining agreements, there would be an additional year during which time that bargaining agreement could run its course.

Mr. Chairman, the distinguished gentleman from Kansas [Mr. AVERY] during the discussion of the rule, expressed some trepidation about the powers given to the Secretary of Labor and asked, I think quite reasonably, that these powers be explained. Here, again, we have a difference between the legislation of last year and the legislation of this year. Before proceeding, I might point out that many of the differences between this legislation and last year's legislation are attributable to the fact that I was not the chairman of the subcommittee last year. My distinguished friend, the gentleman from New York [Mr. ZELENKO], was chairman. My views with respect to the manner in which this problem should be solved differed from the views of the gentleman from New York [Mr. ZELENKO] and in large measure the differences which are before you today and the differences between this measure and that which the House passed last year reflects my thinking in the matter. I do not say that they are so much better than those of my predecessor, but I did have differences with him and they are reflected here as I think is quite natural. Mr. ZELENKO did a splendid job in the last Congress and deserves much credit.

Mr. Chairman, back to a discussion of the Secretary of Labor and the proposed grant of authority to the Secretary to issue regulations: This was strictly limited by the subcommittee. The Secretary will only have specific regulatory authority for the enforcement and administration of this act, since it is in fact a part of the Fair Labor Standards Act as it is.

Mr. Chairman, I might emphasize that where there is a charge of discrimination no action can be taken by the Secretary if that discrimination persists, except following an action initiated by him, or it could be initiated by the employee or the employer in a Federal district court.

The CHAIRMAN. The time of the gentleman from New Jersey has again expired.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, in other words there will not be any capricious or arbitrary action on the part of the Secretary. He cannot communicate with an employer and say "You cease and desist this immediately on the payment of some penalty." The only means by which enforcement is possible under this act, as I said, and I reemphasize it, is before the Federal district court.

Mr. Chairman, it is true that as under the Fair Labor Standards Act if there is a proven discrimination and a determination is made by the Federal district court the guilty party is liable to double damages—liquidated damages—under the existing law.

Mr. Chairman, some of my colleagues may think it somewhat arrogant because they have other ideas, but I suggest that the members of this subcommittee are thoroughly familiar with this legislation. It was considered most carefully over a reasonable period of time. We did not rush it. We worked very closely back and forth between the Republicans and the Democrats and arrived at a concensus that was almost unanimously reported by the full committee. We are quite proud of it in its present form, and it is my intention today to ask the Members in considering this, following any questions which they may have, to support the subcommittee's position with respect to holding this legislation as it is.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I want to commend the gentleman from New Jersey [Mr. THOMPSON] as chairman of the subcommittee, for, I think, drastically changing and improving this legislation over what it was last year and over what was proposed earlier this year. His bill now is virtually my bill of March 1963, introduced at a time when no bill in either body of the Congress took the fair labor standards approach to equal-pay-for-women legislation.

Mr. Chairman, I want to make one major point here: Some of our colleagues are disturbed because they feel that there may be a broad, regulatory power granted to the Secretary of Labor, and I want to make it clear and have the confirmation of the chairman of the subcommittee that there is no general regulatory power granted to the Secretary of Labor under this legislation, that he will have no such power if this legislation in its present form passes the Congress.

Mr. THOMPSON of New Jersey. I agree with the gentleman from New York emphatically.

Mr. GOODELL. I thank the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, I want to commend the gentleman from New Jersey, the chairman of this subcommittee, for the very fair and judicious way in which he conducted the hearings and the deliberations on this legislation. As has been indicated, the bill was not handled in a hasty manner. I am glad to say that the recommendations and the arguments of the minority in this case were always given very careful consideration. Indeed, the proposal made by the gentleman from New York [Mr. GOODELL] that the legislation should be an amendment to the Fair Labor Standards Act was a very major difference from the bill presented by the administration. The subcommittee, as well as the full Committee on Education and Labor, saw fit to adopt the approach proposed by the gentleman from New York [Mr. GOODELL]. I consider it to be a good approach, a good way to implement this basic principle which has been a part of the platforms of both of the great political parties. I refer, of course, to the principle that there should be no discrimination in the payment of wages on the basis of sex; that there should be equal pay for equal work.

It should be noted in the debate that 38 member nations of the International Labor Organization, in one of its conventions, endorsed the principle of equal pay for equal work. The countries which are members of the European Common Market, in their Rome Treaty, also endorsed this principle.

I consider this bill to be a very good and practical approach. I should like to recall for the committee that in the debate last year there were arguments centering around three amendments or points raised on the floor.

The first such amendment, it will be recalled was offered by the gentlelady from New York [Mrs. ST. GEORGE] who called for use of the term "equal work," rather than "comparable work." It will be recalled that the House adopted her amendment last year.

This bill today speaks in terms of equal work. We go further in this legislation and provide some definition as to what equal work is—what is meant by equal work. The bill refers to jobs, the performance of which require equal skill, equal effort, equal responsibility, and which are performed under similar working conditions.

Mr. THOMPSON of New Jersey. Will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I am very glad that the gentleman is taking care to explain this. I believe in addition to the gentleman from New York [Mr. GOODELL] that the gentleman deserves a little credit, too, because this particular section or definition of "equal work" was a bothersome one last year. I think that the contribution which the gentleman made in adding these other factors and, rather specific ones, to it is a most valuable contribution.

Mr. GRIFFIN. I thank the gentleman from New Jersey.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from New York.

Mr. GOODELL. I also want to commend the gentleman for the very hard work which he did. I think it is important that we have clear legislative history at this point. Last year when the House changed the word "comparable" to "equal" the clear intention was to narrow the whole concept. We went from "comparable" to "equal" meaning that the jobs involved should be virtually identical, that is, they would be very much alike or closely related to each other.

We do not expect the Labor Department people to go into an establishment and attempt to rate jobs that are not equal. We do not want to hear the Department say, "Well, they amount to the same thing," and evaluate them so they come up to the same skill or point. We expect this to apply only to jobs that are substantially identical or equal. I think that the language in the bill last year which has been adopted this year, and has been further expanded by reference to equal skill, effort, and working conditions, is intended to make this point very clear.

Mr. GRIFFIN. In other words, would the gentleman agree with me that there would be no basis for comparing, say, an inspector with an assembler, for example? The Department of Labor could not say, "Well, now, these two jobs involve about the same level of skill and the same degree of responsibility." It would be appropriate to compare inspectors with inspectors or assemblers with assemblers, but not to compare an inspector with an assembler.

Mr. GOODELL. We are talking about jobs that involve the same quantity, the same size, the same number, where they do the same type of thing, with an identity to them.

Mr. GRIFFIN. In addition, it would be clear that in comparing inspectors, if one inspects a complicated part of an engine, for example, while another inspector makes only a cursory type of inspection, obviously, the fact that both are inspectors would not mean that they should necessarily receive equal pay.

Mr. GOODELL. I agree with the gentleman. I wish the gentleman would yield on that point to the chairman of the subcommittee, who made that very point yesterday to the Rules Committee.

Mr. THOMPSON of New Jersey. I do agree with what the gentleman said thus far. The gentleman said the Department of Labor could not, where these differences exist, make such determinations. There are two protections. First of all, the Department is not given that broad discretion and is deliberately restricted in the act to the definition set forth in the act.

Mr. GRIFFIN. I am very glad to have that important contribution.

Mr. THOMPSON of New Jersey. In the event in a very close matter they charge discrimination, it would be incumbent upon them to establish that before a Federal judge. Further, in the case of inspectors, someone asked hypothetically yesterday, Suppose they are doing the same work but one of them at the end of the line lifts the parts and carries them away? Obviously this comes under what we construe to be effort involved. It is an additional matter which clearly obliterates any question that they would be the same.

Mr. GRIFFIN. I thank the gentleman for that important comment.

Mr. GOODELL. I think the point made by the chairman of the subcommittee is important. We discussed earlier the regulatory power. The Secretary may believe that a violation exists but the court will make a second independent judgment. That is very significant. We are not allowing the Secretary of Labor to make decisions which excluded the court from an independent new interpretation of this act, as to whether the words we use are being administered reasonably and properly.

Mr. THOMPSON of New Jersey. Indeed, we are not granting any such authority, but the fact is that we are specifically and categorically restricting it, so that this is a negative action rather than a positive one.

Mr. GOODELL. I would like to pursue the point about differences in efforts of employees. This is perhaps the broadest category we are talking about in comparing jobs.

It should be understood to be a very broad concept. This could involve a great many factors in terms of personal evaluation of continuous performance on the job, if an employee has demonstrated over a period of time that his performance exhibits more effort in the opinion of the supervisor, then a differentiation in pay will be justified. It also may include such factors as willingness exhibited by the employee and by his actions to expend extra effort and to expend a little extra energy. It should be understood that it is not necessarily that the job requires extra effort, but it may be that an employee expends extra effort so that the performance of the employee on the job justifies a special consideration in terms of his pay.

If I may conclude on just that point: It is our intention, I believe, on both sides of the aisle to provide here with the use of the terms "effort," "skill," "responsibility" and "working conditions" a maximum area for the interplay of intangible factors that justify a measurement which does not have to be given a point-by-point evaluation. In this concept, we want the private enterprise system, employer and employees and a union, if there is a union, and the employers and employees if there is not a union, to have a maximum degree of discretion in working out the evaluation of the employee's work and how much he should be paid for it.

Mr. GRIFFIN. So long as pay differentials are not based on sex.

Mr. GOODELL. Yes, as long as it is not based on sex. That is the sole factor that we are inserting here as a restriction.

Mr. GRIFFIN. Mr. Chairman, I now yield to the distinguished minority leader.

Mr. HALLECK. Mr. Chairman, without in any way undertaking to detract from the effort that has been put into the drafting of this measure by the majority Democratic side, I would just like to put in a word of commendation at this time for our Republican members on the Committee on Education and Labor for the constructive work that they have been doing in connection with this very important measure. At times, of course, we in the minority are accused of being completely negative in our approach. I have denied that because the facts and the record do not bear out any such contention. I am happy to point out on this particular occasion that here is another evidence of what the minority can do in the way of constructive effort in the drafting of legislation that is of great consequence to the country. As a matter of fact, from what I understand, much of this bill as it now appears before us is the result of these minority efforts and efforts that have been adopted or accepted by the majority—and for that I commend them. But, certainly, if anything can be said to be representative of bipartisan action, I think this is such a bill.

Mr. GRIFFIN. I thank the distinguished minority leader very much.

Mr. GOODELL. Mr. Chairman, will the gentleman yield further?

Mr. GRIFFIN. I yield to the gentleman.

Mr. GOODELL. We have been talking about restrictions on the regulatory power. Some of our colleagues have asked where those restrictions are in the bill. I think this is a key point. We are amending the Fair Labor Standards Act. The existing provisions of the Fair Labor Standards Act will apply for enforcement and administration. The Fair Labor Standards Act is very carefully drawn to grant regulatory authority only under certain sections of the act. It does not grant broad regulatory authority or power to issue regulations for the act in general. By this bill we are adding a new subsection of the act and we specifically make it clear that it is to be enforced in the same pattern generally as the Fair Labor Standards Act is today, which means that there is no general power to issue regulations. No power is given to the Secretary in any way to write legislation for the Congress.

Mr. GRIFFIN. I think it should be pointed out that an earlier version of this legislation did contain a section which would have authorized the Secretary to promulgate regulations. The gentleman from Ohio [Mr. TAFT] provided leadership in this field; and, as a result of his persuasive ability that provision was stricken out. As a result, it should be clear from the legislative history that we do not intend to give the Secretary of Labor any broad regulatory powers. I am sure the gentleman from Ohio [Mr. TAFT] will have more to say on this subject.

Mr. GOODELL. I agree with the gentleman.

The contribution of the gentleman from Ohio was very significant in this respect.

I would like to make specific reference to the report of the other body in reference to regulation, because the other body specifically struck out the power of the Secretary to write regulations, then passed them all over.

I want to quote it because I think it is inaccurate in the other body's report, and we should repudiate it as a part of our legislative history.

They say on page 3 of the report:

> The committee recognizes that the application of this new legislation will require a cautious step-by-step implementation in developing the rules, regulations, and procedures necessary to a sound administration and enforcement of this act.

The implication left there is that the Secretary will have the power to issue rules and regulations, but he would do it on a step-by-step basis. That is entirely wrong, it is an error, and it should be specifically stated.

Later, at the bottom of the paragraph, they use another improper reference when they say:

> These consultations will take place prior to the issuance of regulations.

Again implying there will be regulations. There will not be in the form that the bill passed the Senate, and there will not be in the form that the bill is placed before the House.

Mr. GRIFFIN. I thank the gentleman.

For a moment, I want to focus attention on two other major points in the debate of a year ago. One was an amendment which I offered to prohibit labor organizations from causing or attempting to cause an employer to discriminate in violation of the act. We have a provision in this bill along those lines. It may not be as strict as some would like, but it does clearly prohibit labor organizations from causing or attempting to cause an employee to violate the provisions of the act. Unfortunately, the bill adopted by the other body does not include that provision. I would hope that our conferees will see fit to stand by the House, if the House sees fit to retain this provision.

Another point of controversy in last year's bill was the matter of whether or not wages could be reduced in order to eliminate discrimination. There is no authorization in this bill for wages to be reduced after the effective date. However, in lieu of that, the effective date has been postponed for 1 year. In other words, the law would not become effective until 1 year after its enactment. This will give time for unions, employers, and employees to make adjustments or changes in the job classifications, wage rates, and so forth, if necessary.

There is another important difference between this bill and the bill passed by the other body, and it pertains to situations where a collective bargaining agreement is in effect. It should be the policy of Congress, I think, not to open up collective bargaining agreements in effect if that is not absolutely necessary. We want to encourage industrial peace and stability, and we do not wish, unnecessarily, to stir up strikes or labor strife. So we have provided that where there is collective agreement in effect, the legislation will not go into effect until the termination of the collective agreement, or 2 years after enactment, whichever occurs sooner, provided, of course, that no employers or employees will be subject to this act until 1 year after date of enactment, whether or not they are covered by a collective bargaining agreement.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 5 minutes to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, once again this House has legislation before it which would provide equal pay for equal work. I have sponsored similar legislation for years, and before I came to the Congress 9 years ago, colleagues on my side of the aisle, especially the gentlewoman from Missouri [Mrs. SULLIVAN] and the gentlewoman from New York [Mrs. KELLY] had been working on this legislation. I think prior to this time, unfortunately, it was considered pretty much a woman's piece of legislation. Women's groups across the country, for many, many years, have worked for years to try to get favorable consideration on an equal pay bill. I also want to say how much I appreciate the tremendous leadership that Esther Peterson, Assistant Secretary of Labor, has shown in this legislation, and also Morag Simchak, without whom I think this legislation would not be before us today. Those of us who have sponsored this legislation are grateful for their untiring efforts, their sincere and deep interest in this legislation.

As I said, at one time this was considered as legislation in which only women were interested. Today we find the very distinguished gentleman from New Jersey [Mr. THOMPSON], chairman of the Special Subcommittee on Labor, handling it. His untiring efforts to reach agreement on language that would be acceptable and at the same time meaningful are appreciated. It is a bipartisan effort, and the gentleman from New Jersey and his committee have done an outstanding job in presentng it to the House.

I find the report a very excellent document. I am particularly delighted with one sentence. This legislation has always been considered controversial. I think the bill before us today is far less controversial, but still open to differing viewpoints. However, there is one sentence in the report that seems to me most delightful—most intriguing—and I suspect it will not be challenged on either side of the aisle, when it says that "women are more prone to homemaking and motherhood than men."

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I am glad that she called our attention to that delightful sentence in the supplemental views by our colleague, the gentleman from Illinois [Mr. FINDLEY].

Mrs. GREEN of Oregon. Mr. Chairman, seriously, may I say that we are not debating the question of whether women should work. That was decided a long time ago. There are approximately 25 million working women in the labor force today, and we are simply asking, by this legislation, to look at the facts as they face us in 1963, in instances where there is unequal pay. The letters that arrived in opposition to this legislation, in a large part, come from those who have a vested interest in continuing the inequality of pay and the economic exploitation of women workers; and those people who demand that the Congress do nothing about it are those who profit most by having this inequity continued.

As has been previously mentioned, women's earnings account for about 40 percent of the family incomes. Women are the heads of 4.6 million families in the United States; one-tenth of all the families in this country. Nearly 1 million working women have husbands who are not employed, mainly because they are disabled or retired. Nearly 6 million working women are single. The proportion of married women who work is materially higher in the low-income families, and, according to the testimony that was presented to the committee, some 7.5 million women workers supplement the income of male wage earners who make less than $3,000 a year. Women's wages average less than two-thirds of the wages paid men. In 1961 the median income for women workers was $3,351, while the median income for men workers was $5,655, or $2,293 more.

In a 1961 survey by the National Office Management Association of more than 1,900 employers, 33 percent said they had a double standard pay scale for men and women officeworkers. In 9 cities surveyed by the Labor Department this year, 91 job orders listed different wages for men and women. As far as the work itself was concerned, it was identical, and yet there were different wage scales, with the wage for women always the lower.

For example, a job for an order clerk in a machine manufacturing industry would pay a male worker $100 a week, but a woman worker only $56 to $60 a week. And, Mr. Chairman, I could go on and state innumerable examples. However, they are listed in the hearings of the committee, on pages 14 and 15.

Mr. Chairman, a Wall Street Journal survey in 1962 of 30 college placement officials and 50 corporation personnel executives found that the starting salaries for women college graduates would lag by $50 to $100 a month behind the salaries offered men graduates for an equivalent position.

Mr. Chairman, an earlier speaker said while the debate was underway on the rule that he was opposed to this bill because it inferred that women were inferior to men. I suggest the fact that women have been treated in an inferior way for many years; they have been paid less over the years. Today we are offering legislation to correct this inequality, this inferior economic status.

Mr. Chairman, may I also suggest that as we make progress in working against the Jim Crow laws of the Nation, that it is high time that we also work against the Jane Crow laws. Let us start by taking favorable action on this legislation today.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, I think we are closer today to the final enactment of an equal pay for women bill than we have ever been before. For 18 years, equal pay legislation has been before the Congress, and so those of us who have long fought to establish this minimum requirement of social justice as a matter of law find this a most significant moment.

I hope the House will pass the bill in the form the committee has reported it and without further weakening amendments. I would be less than candid if I suggested that the committee bill is everything that supporters of equal pay legislation had hoped it would be. There are a number of weaknesses in this bill which I believe unwisely limit the scope of its application and unnecessarily encumber its enforcement.

Nevertheless, I believe it is urgent that the House today approve this legislation. This is the only opportunity we are likely to have this year to vote on an equal pay bill. The record of the committee hearings documents, beyond any dispute, the widespread existence of wage discrimination based on sex, reflects the virtual agreement among witnesses that equal pay for women is, as a matter of principle, a desirable and worthwhile objective.

Here are some facts. In 1960, the average annual wage or salary income for all men was $5,417 and for all women $3,293, with this general salary differential reflected in most of the individual occupational groups. The gap between income levels of men and women workers is actually widening: In 1955, women workers' median income was 64 percent of that of men workers; in 1960, the median women's wage was only 61 percent of that of men. For specific job categories in which men and women do work that is comparable in all respects, these are some recent wage differentials: among bank tellers, men earn from $5.50 to $31 per week more than women. Among machinery assemblers, women average $1.68 an hour while men average $2.07; among machine tool operators, women earn $1.71 an hour and men earn $2.05. Even in such relatively new industries as synthetic textiles and plastic products, men are being paid from 8 to 19 cents an hour more than women for doing identical work.

In a special study in 1958–59, the Bureau of Labor Statistics analyzed actual earnings of men and women in the same plants and offices and in the same job categories. They found that in 5 out of 6 office jobs women averaged less pay than men in the majority of all the companies surveyed. Pay differentials average from $8 to $20 a week.

Despite its weaknesses, the committee bill would establish the principle of equal pay as the law of the land. It would permit the administrative machinery of an experienced and broadly accepted Government agency to be used to obtain compliance with this principle. It would recognize and sustain every legitimate situation in which an employer pays his employees at different wage levels even though they perform the same kind of work—differentials based on merit systems, longevity, and the quality and quantity of work.

In justice to the women of America, I do not see how Congress can give them any less protection than is provided in this bill. Any further weakening amendments would render it virtually meaningless and almost completely unenforceable.

I can assure you that women would not be inclined to welcome an empty shell of a bill—legislation with a title but with no substance. This would be a heartless deception, and Congress would only be fooling itself if it should follow such a course.

The issue here is really a very simple one—the elimination of one of the most persistent and obnoxious forms of discrimination which is still practiced in this enlightened society. There is no question here of changing wage levels or working conditions. It is a matter of justice, fairplay, and equity. Most of those who express doubt about equal pay legislation seem to base their concern on the assumption that women are incapable, either in general or in specific cases, of doing work that is truly comparable to the similar work men are doing. Even if the fears of these skeptics are warranted, they have nothing to be alarmed about from this legislation. This equal pay bill is quite specific—in fact, excessively specific, in my judgment—about what constitutes equal work. In any instance where women are not, in fact, doing work that fully measures up in quality and quantity to that of men, or where women cost more to employ, then the bill does not require an employer to pay women an equal wage.

The House can, therefore, in good conscience pass this bill. I hope our colleagues will approve it without further amendment.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, I ask only for a few minutes to say that although I support this legislation I do not want anybody to think that it is the kind of legislation I believe we ought to pass. I think that this legislation falls very short of doing the job that has to be done in this area of employment.

If you will take on page 2 and add that to all of the other specified exemptions in this act, I would like to have someone tell me just where you can put your finger on any employer and show that he is not abiding by this act, regardless of what he pays in the matter of a differential rate. For instance, he is exempted if he employs persons under a seniority system, or a merit system, or a system which measures earnings by quantity or quality. I would like to know how any person could argue against an unscrupulous employer who would say that this person's work does not meet the quality of performance of a worker alongside of one who happened to be of a different sex. It is only based on a differential in sex when that differential is not subject to these other qualifications.

I am hoping that the word that is necessary in this legislation will be put into it in the Senate. I am hoping that the other body will add to it the word "comparable" work in order that equality may be realized in due course in the establishment of equal wages for equal work.

I know that the committee labored long. I do not detract from their efforts. I know that they have tried. However, let us not enter into this day's voting without knowing exactly that the bill does not accomplish its true purpose.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, I take this time merely to point out that I do believe one further amendment is needed to this bill. I believe H.R. 6060 should be amended to prevent broad bureaucratic harassment and abuse which can come from fishing expeditions conducted by the division which will administer this bill. The principle of equal pay for equal work cannot be denied, but I do not believe it is necessary to have broad administrative power of the nature that is given here to conduct this type of so-called fishing expedition into every business in America.

On page 3, line 13, I will offer an amendment as follows:

> Page 3, line 12: At the beginning of the line, insert the following: "Investigation of alleged discrimination under this subsection shall be limited to the facts set forth in writing by an aggrieved employee and".

I happen to think this would make this legislation much better and would prevent abuse.

The point was raised during the hearings that if you require an aggrieved employee to file a charge few if any would in fact be filed. I am sure this is not the case. It seems to me this is a typical attitude we have in Washington, that the people back home just are not smart enough to take care of themselves and utilize the law to protect themselves. I happen to think, as a matter of fact, that women throughout America are much more intelligent than that, and if there is an abuse they will not in any way deem it unwise to file such complaint out of fear and trepidation. We know in our homes that our wives are not afraid to speak up. To allege that they would be afraid to file a complaint is to say in effect that they would be afraid to speak up where there is an abuse in the law. To my thinking, this type of thinking is no credit to the women of America.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. TAFT.]

Mr. TAFT. Mr. Chairman, may I first express my appreciation for the pleasant opportunity of serving on this committee and working together so well with the members. I suppose that dealing with such a fair subject it is not surprising that we should have all gotten along so well.

I do think there are one or two things that should be pointed out as additional observations with regard to a couple of points that have already been made with respect to the bill.

The first is that it has been stated in the minority views at one point that this bill will in effect give a hunting license to the Wage and Hour Division of the Department of Labor to go on what they call a fishing expedition. I think the gentleman had better get a fishing license if he is going to go on that, rather than a hunting license, but in any event I do not think the accusation is true.

I would call to the attention of the members of the committee that in a couple of cases we have researched it has specifically been held that the Wage and Hour Administrator does not have the authority to go on a fishing expedition to make blanket demands of material. The only sanction, actually, of which the Administrator can avail himself, if there is a refusal to provide information he requests, is to go in and ask for a subpena.

In the case of *Mississippi Road Supply* v. *Walling* (136 Fed. 2d, 391), the Fifth Circuit held that the Administrator does have the burden of showing that violations probably occurred before a subpena may be enforced.

Another case I would call to the attention of the committee is the case of *Walling* v. *McGinley* (7 Labor cases, No. 61,600), which held that motions for general search of records will be denied where the purpose of the search was a fishing expedition. I do not think there are any broad powers of this sort given in this particular measure.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from New York.

Mr. GOODELL. I should like to say that I join the gentleman in making clear that the intent of all of us is that these limitations upon the subpena power obtain. Our legislative intent here is that these limitations on the power of subpena and investigation, as cited in the court cases by the gentleman from Ohio, shall apply in the enforcement of this amendment. I believe the chairman of the subcommittee will agree on this point.

Mr. THOMPSON of New Jersey. I agree with the gentleman from New York. I might point out that, since the establishment of the Fair Labor Standards Act and the body of law built up around it, there are established a number of criteria, all of which would apply to this in view of the fact that it is simply an amendment to the act.

Mr. TAFT. I thank the gentleman.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman.

Mr. LAIRD. I have very carefully read the fine report of the committee. I note on page 2 of the report where you are discussing the enforcement of this act through the Fair Labor Standards procedure there is a statement made near the bottom of the page:

> Very few if any new employees will be required to enforce the act.

Those of us who are serving on the Subcommittee on Labor Department Appropriations are very interested in this particular statement because there may be a request for new employees before our committee either in the form of a supplemental or in the regular appropriation for 1965. I would like to get an estimate from you and, perhaps, also from the gentleman from New Jersey [Mr. THOMPSON] as to the number of employees that might be involved. Now is the time to find out if any new positions are involved. The report says "few if any" giving the clear implication that perhaps no new employees are involved.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman from New Jersey to answer that question.

Mr. THOMPSON of New Jersey. I checked this point rather carefully with the Department. The language of the report is accurate. They do not anticipate need for any new employees to begin with and ultimately there will be no more than a mere handful. The people are already there.

Mr. LAIRD. I thank the gentleman for his statement.

Mr. TAFT. I thank the gentleman for that explanation.

Mr. Chairman, there is one other point I think I would like to make at this time to the members of the committee. The report states at the bottom of page 3:

> The proposed grant of authority to the Secretary of Labor to issue regulations in connection with the administration and enforcement of this program was eliminated by the subcommittee.

That, indeed, was done. However, the following language then appears in the report:

> The Secretary of Labor will have only the specific and limited regulatory authority for the enforcement and administration of the Equal Pay Act which he has under the present Fair Labor Standards Act.

I think we should understand that the power under the Fair Labor Standards Act is not a general rulemaking or regulation power. It relates only to the issuance of bulletins as has been done under the Portal-to-Portal Act.

I would also point out another factor in that regard. Section 9 of the Portal-to-Portal Act, providing a defense for an employer who relies on a bulletin or an interpretation issued by the Administrator, would apply under this act as well.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman.

Mr. THOMPSON of New Jersey. I agree with the gentleman, and I would state again that with respect to the powers of the Secretary, the powers which he has now under the Fair Labor Standards Act and the Portal-to-Portal Act would be his under this act since it is an amendment to the Fair Labor Standards Act. Whatever powers he now has, he will have—and only those powers with respect to the administration of this act.

Mr. TAFT. I agree with the gentleman.

Mr. Chairman, there is one other point I would like to make in closing. The testimony we had from the Department of Labor was that this bill will cover 27,500,000 employed men and women in our country. I would point out that the original administration bill introduced in this session, with the exception for less than 25 employees, only would have covered 25 million. So, in effect, the changes that have been made increase the coverage of this act.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield for a question?

Mr. TAFT. I yield to the gentleman.

Mr. PUCINSKI. The figures that the gentleman has cited interest me. The gentleman said that this will cover 27,500,000 employed women. My understanding is that only 24 million people are covered by the whole Fair Labor Standards Act in this country.

Mr. TAFT. The testimony we have from the Department of Labor was to the contrary on that point.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I yield to the gentleman.

Mr. THOMPSON of New Jersey. The figure we have is 27,500,000. I would point out to the gentleman from Illinois that this is an amendment to the Fair Labor Standards Act and that all of those covered under that act will be covered by this act.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield further?

Mr. TAFT. I yield further to the gentleman.

Mr. PUCINSKI. When the gentleman says that this will cover 27,500,000 women working in this country, while I am not saying that the gentleman is correct, it would appear that the information given to the gentleman is incorrect because only 24 million men and women are covered by the Fair Labor Standards Act in the entire country; is that not correct?

Mr. TAFT. I am not aware of the figures in that connection.

Mr. THOMPSON of New Jersey. It is true that there are 27,500,000 men and women covered under the act and would be covered by this. I did not understand the gentleman to say 27 million women. If he did, I am sure it was an inadvertence.

Mr. TAFT. That was an inadvertence, yes; 27,500,000 covered by the act applies to men as well as women.

Mr. PUCINSKI. I understood the gentleman to say originally that the administration bill last year would have covered less women than this bill does. Is that what the gentleman is saying?

Mr. TAFT. Not last year. The administration bill as introduced this year and brought before our committee covered 25 million. The exemptions were for employers of 25 or less.

Mr. PUCINSKI. Just to understand the figures, the administration attempted to cover 25 million women in this act in its original bill. The bill now before the House covers only those who come under the Fair Labor Standards Act.

Mr. TAFT. The gentleman is incorrect about the original administration bill. It would have covered 25 million people. The comparison is 25 to 27.5 million.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY. Mr. Chairman, the bill before us today is one of the most important pieces of legislation to be reported for enactment. There is no denial of the fact that there has been need of this legislation. There is no denial that there is a differential in wages in the salary received by men and women in all fields of endeavor and production. This is an admitted fact.

I, along with many others, have sponsored this type of legislation. The bill I introduced in 1951 was a more comprehensive piece of legislation. It embodied and incorporated equal pay for women in all categories of industry and labor. It is true that possibly this is the reason for the failure of this legislation to be enacted. It is true that my bill would have been more costly. It gave the right to people in industry, in a group of at least 25 people, to bring action for correction of the differential in salary into the Federal court.

However, Mr. Chairman, I support the bill before us today. It is a beginning to seek and establish corrective legislation for equal pay for women who are in the labor field. The purpose is well defined in the bill. It is to establish equal work on jobs—and I quote—

> The performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a

merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex: *Provided,* That an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

The policy of this act is placed in the Labor Department in the Wage and Hour Division, and is subject to the rules and regulations of the Fair Labor Standards Act. It is my regret that the bill is subject to the rules and regulations of this act, because the differential in wage earning exempts women employed in executive, administrative, and professional capacities and those working in hotels, motels, and restaurants; those employed in laundries, dry cleaning establishments; in agriculture, and in hospitals.

However, Mr. Chairman, I will sponsor this legislation because, as I said, it is a beginning. It is operative and it is not costly. I, therefore, reluctantly accept this new approach and hope the day will soon be here when women in all industries will receive just compensation for their endeavors.

Mr. Chairman, I now will speak directly to the bill.

Mr. Chairman, for many years there have been intensive efforts to enact legislation to provide for equal pay for women "for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions." H.R. 6060, the bill under consideration is a start toward rectifying the existing injustice—and does so in an efficient manner.

Why is this legislation necessary? In addition to an obvious social injustice, plain economics indicates its need. Every Labor Department study made in this area indicates that our women work because of financial need. The declaration of purpose in the bill amply sets forth the findings of the Committee on Education and Labor regarding wage differentials based on sex. They are:

1. Depresses wages and living standards for employees for their health and efficiency;
2. Prevents the maximum utilization of the available labor resources;
3. Tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;
4. Burdens commerce and the free flow of goods in commerce; and
5. Constitutes an unfair method of competition.

Three-fifths of all the Nation's working women in 1961 were married and were holding down jobs to help support their families. Translated into numbers, this means that approximately 15 million women were earning income that was quickly turned into the consumption of goods. And, the number of women in the work force is increasing. By 1970, it is expected that 30 million women will be members of our work force.

Today's working women find their earnings seriously hampered by discriminatory pay rates. As a few examples, let me cite the findings of the Bureau of Labor Statistics. During the last 3 years, a BLS survey of occupational earnings by major labor market areas found that top male accounting clerks received weekly pay ranging from $134.50 to $77.50. Their female counterparts had earnings ranging from $99 to $68.50.

Male elevator operators had hourly earnings ranging from $2.14 to 77 cents. Female elevator operators—obviously doing the same work—had earnings ranging from $1.75 to 63 cents.

Professional women are subjected to the same unequal pay for equal work. Women doctors, lawyers, psychologists, psychiatrists, teachers, and others are paid an average of $1,000 a year less than men in the same professions.

In 1960, the last figures available, the median wage and salary of working women was $3,293—or only 61 percent of the $5,417 median wage and salary of men.

Whether in private industry or in government, women must pay the same taxes as men. They must report to their jobs at the same hour, and they often must carry out identical duties.

Due to opposition by previous administrations, labor, and management, no legislation was enacted. I am glad that the present administration and labor support the equal pay legislation.

Last year this House and the other body enacted equal pay legislation. Due to the manner in which the legislation was enacted in the other body no conference was possible and there was no final enactment.

H.R. 6060 represents a new approach to the equal pay problem. The bill amends section 6 of the Fair Labor Standards Act of 1938, as amended, by prohibiting wage differentials between men and women for equal work. In addition, this legislation prohibits the lowering of wages of male employees to comply with its provisions.

To enforce the substantive provisions of the legislation, section 3 treats violations as unpaid wages. By utilizing this method the U.S. district courts and not an administrative body will make final determinations in regard to the enforcement of this legislation. In the event of success, double the amount of the wage differentials will be awarded, as in the case of other resolutions of the Fair Labor Standards Act.

In recognition of the needs of industry to adjust to the requirements of the bill, section 4 provides that it will not be effective until 1 year from the date of its enactment. Existing collective bargaining agreements will remain in effect for up to 2 years from the date of enactment, making mass renegotiations unnecessary.

It is important to note that in setting standards as to what constitutes equal work the bill provides that seniority systems, merit systems, systems based upon quantity or quality of production; or any other differential based on factors other than sex may be taken into consideration.

Simplicity in enforcement is important in all legislation. In this instance the bill would be enforced through the existing Wage and Hour Division of the Department of Labor which has extensive experience in the wage area.

Mr. Chairman, since 1953 I have introduced equal pay legislation. The legislation which I have sponsored was broader in scope than the bill before the House. It applied to almost all female employes. Perhaps this is the reason that it was not enacted but, at the same time, it is the reason that I feel that this legislation is only a start in the right direction.

Under the Fair Labor Standards Act, which this legislation will become a part of, many, many women will not be protected. Under section 213 of that act there are some 22 categories of employees who are not covered. The exempt employees range from those employed in executive, administrative, and professional capacities to those employed in hotels, motels, and restaurants. Also excluded are persons employed in retail or service establishments, the annual dollar volume of which is less than $250,000, of which more than 50 percent is made in the State where the business is located. In addition most employees employed in laundries, dry cleaning establishments, in agriculture and hospitals are exempt from coverage.

These exempt industries are ones in which there are heavy concentrations of women employees and ones in which wages are generally low. These are the women that require the greatest protection and it is disappointing that they are not being afforded the protection they deserve.

As I previously stated I view this legislation as a starting point. When the barrier is broken I am hopeful that full coverage will be realized in the shortest possible time.

I wish to compliment the Committee on Education and Labor for their efforts in reporting this bill. I believe it to be carefully considered and capable of efficient enforcement and urge its enactment, as reported.

Mr. GOODELL. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from New York.

Mr. GOODELL. I understand the gentlewoman's deep interest in this cause, but I understood the gentlewoman to say that she felt that the 25-employee exemption, which was the original proposal, the bill which was introduced by the administration, would include more women employees than this bill. If I misunderstood the gentlewoman, I would like to have the record clarified, because I think it is just the opposite.

Mrs. KELLY. I was not aware of the administration bill. I said that the bill that I had introduced in previous years covered the entire women labor force and that I regretted that this bill covered too small a percentage of the women working force.

Mr. GOODELL. The gentlewoman understands that this bill covers more women, however, than the original proposal of the administration.

Mrs. KELLY. If you so state that that was the administration bill, I will accept it, because I am not aware of an administration bill. I am only aware of the bill reported out of the committee at this time.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. Daniels].

Mr. DANIELS. Mr. Chairman, I wish to take this opportunity of commending the gentlewoman from Oregon [Mrs. Green], and the members of her committee for their efforts and hard work in bringing this legislation to the floor, which, in my opinion, should have been brought to the House for consideration a long time ago.

Mr. Chairman, it gives me great pleasure to speak in behalf of H.R. 6060, the equal pay proposal reported by the Education and Labor Committee.

We have talked too long about the inequities and hardships brought about by pay discrimination based on sex. It is high time the Federal Government took action to remove this evil. As has been pointed out, it not only falls most oppressively on the most unprotected and lowest paid employees; it also penalizes fair employers whose pay practices are based upon job content and results.

I think the Labor Committee has presented a workable bill for effecting an equal pay policy. The committee's bill would add an equal pay standard to the Fair Labor Standards Act.

Instead of imposing a new, untried regulation with a separate administrative channel upon employers, H.R. 6060 would make the experience and resources of 25 years of application of labor standards legislation available to implement the equal pay provisions. Moreover, the bill affords ample time for preparation to meet equal pay standards. At the minimum, it allows employers a full year in which to make any necessary adjustments in their employment practices.

I think H.R. 6060 is an eminently fair, efficient measure embodying a principle the justice of which no one can dispute. We cannot fail to take this opportunity to insure its enactment into law. The time, the means, and the procedures are at hand to eliminate the unfair pay rate discriminations on account of sex from the instrumentalities and producers of interstate commerce. There is no justifiable excuse for refusing this opportunity.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. DANIELS. I am happy to yield to the gentleman from California.

Mr. ROOSEVELT. Mr. Chairman, I wish to express my support for the equal pay legislation we have before us today—H.R. 6060. In my view, it is a fortunate vehicle to implement a Federal policy in this area.

Certainly, no reasonable person could oppose the basic principle of equal pay for equal work. We all like to think that we are fairminded. And yet, study and hearings have established evidence of widespread wage rate differentials based on sex. The problem before us now is simply how best to remove this anachronism.

H.R. 6060 would accomplish this by incorporating the equal pay for equal work principle in Federal labor standards legislation, that has been effectively administered, tried, and tested in the courts since 1938—the Fair Labor Standards Act.

Further, it would allow a suitable grace period for administrators, employers, and workers to become acquainted with its demands and to make any necessary adjustments.

In the case of employers in general, it would be 1 year before the provisions would apply; in the case of employers having collective bargaining agreements, this period would be 2 years, or when an existing agreement ends, if that be sooner.

Mr. Chairman, I think H.R. 6060 offers a workable solution to remove unequal pay practices from the channels of interstate commerce. It makes investigative, interpretative, educational and enforcement resources and techniques available for this purpose which have been familiar and acceptable to employers and workers for a number of years. At the same time, it would not require any new administrative setup.

Convinced as I am of the need for Federal legislation to protect against wage rate discrimination on account of sex, I am also convinced that H.R. 6060 will well accomplish this aim. I cannot urge too strongly that this House take favorable action on it.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. Fountain].

Mr. FOUNTAIN. Mr. Chairman, I asked for this time in order to propound some questions to members of the subcommittee on both sides of the aisle in connection with this legislation. However, before doing so, I would like to commend the chairman of the subcommittee, the gentleman from New Jersey [Mr. Thompson], and my colleagues on both sides of the aisle who serve on this subcommittee for the very splendid job they have done in bringing to the floor a vastly improved and much more equitable piece of legislation than the bill brought to the floor last year—a piece of legislation which, I think, based upon the explanation thus far given, and further explanations I hope we will get, more clearly indicates the purpose of the bill and at the same time, shows some concern that the door is not opened to a fishing expedition for imaginary violations which could result in frivolous complaints.

Mr. Chairman, it has been said by members of the subcommittee that the Secretary would not have broad regulatory authority, authority to issue "broad regulations" under this act. However, I would like to know just what kind of regulations the Secretary of Labor can or would issue under this bill?

Mr. THOMPSON of New Jersey. Mr. Chairman, if the gentleman will yield, there would be no new regulations.

Mr. FOUNTAIN. I think it ought to be made crystal clear just what we are doing through this legislation because it is the kind of legislation that has certain inherent dangers if we do not make crystal clear what congressional intent is.

Certain exceptions are set forth in the bill, one being a "seniority system." I think the record ought to show just what is meant by the term "seniority system"—especially the word "system"—because the Secretary may decide to issue a regulation defining a seniority system, a merit system, and so forth.

Mr. THOMPSON of New Jersey. Many employers have currently established systems under which persons who have worked for them 10 years, doing a job identical to that of a person having been employed by them for 5 years, the senior employee is paid a differential on the basis of his accumulated seniority. That would exempt him, the employer, from any discriminatory charge, if the sole basis for the differential in this case were on the basis of seniority or of merit or on the other criteria set forth in the report.

Mr. GRIFFIN. Mr. Chairman, will the gentleman from North Carolina yield to me for a brief observation?

Mr. FOUNTAIN. Yes, I yield to the gentleman from Michigan.

Mr. GRIFFIN. I should like to focus the attention of the gentleman upon small roman numeral iv, at the top of page 3 which makes clear and explicitly states that a differential based on any factor or factors other than sex would not violate this legislation. In other words, even though jobs involve the same skill, equal effort, equal responsibility, and are performed under the same working conditions, if there is any other factor not based on sex upon which a differential is based, then no violation of this law can be found. Roman numeral iv is a broad principle, and those preceding it are really examples: such factors as a seniority system, a merit system, or a system which measures earnings on the basis of quality or quantity of production. The other body saw fit to leave out references in the bill to a merit system, a system which measures on the basis of quality and quantity, and a seniority system, and included only the broad language found in roman numeral iv of our bill. However, it should be clear that under either bill a wage differential based upon any factor other than sex is not a violation.

Mr. FOUNTAIN. I thank the gentleman for his explanation. I had concluded that the language—"a differential based on any other factor" than sex would take care of the situation, but since some of the exception factors are specifically mentioned such as seniority system, merit system, I just wanted to be sure that an employer does not have to have some written or otherwise well-defined system.

Mr. GRIFFIN. I do not think this necessarily means a formal system or that it must be written out in any particular form as long as there is actually a practice or a system that is not based on sex. It may be a practice that has not been reduced to writing.

Mr. THOMPSON of New Jersey. I yield to the gentleman from Florida [Mr. Pepper] for 5 minutes.

Mr. PEPPER. Mr. Chairman, this is the second time in the last few weeks I have had the feeling that I could almost say "this is where I came in." A little bit ago when we had the bill up for Federal aid for medical education here I recalled that with the distinguished father of the able gentleman from Ohio [Mr. TAFT] and others, I had been privileged to be one of the introducers of that bill in the other body in 1949. It passed the other body but it failed in this. Fourteen years later I had the privilege as a Member of this body to vote for the bill and to send it back over to the other body.

Eighteen years ago—in 1945 in the 79th Congress—the able Senator from Oregon [Mr. MORSE] and I in the other body introduced a bill of similar character to the measure which we are considering today. It was reported out of the Committee on Labor and Public Welfare, of which I was then a member, favorably to the floor of the other body. We introduced a similar measure in the 80th and 81st Congress also in the other body. Again in the 81st Congress the Committee on Labor and Public Welfare favored and recommended the bill. The other body however failed to pass the measure. I am glad that last year both of the bodies of the Congress passed the measure, although they did not get together upon the same language. That is what we propose to complete here at this session.

Mr. Chairman, this measure, it seems to me, is justice too long delayed for a large segment of our citizenship. Of the 65 million people in our work force it is estimated that 25 million are women. Surely they who do equal work are entitled to equal pay. It is not an inappropriate addition to the standards prescribed as fair labor standards in the Fair Labor Standards Act, that this principle shall be required in observance by the employers of this country. This bill does not extend the coverage of the Fair Labor Standards Act; nor does it prescribe additional penalties to those that are covered in that law. It does not add any additional bureaucracy to the governmental structure of this country.

Khrushchev has predicted that by 1970 Russia will overtake this country economically. We need all the incentive that we can provide to the labor force of this Nation to keep America superior in economic power and progress in the free world today.

When we give the pledge of allegiance to the flag we refer to this as, "one Nation, under God, indivisible, with liberty and justice for all." Too long have we delayed the requirement of social and economic justice to a large and honorable part of our citizenship and population. I therefore commend the able lady from Oregon [Mrs. GREEN], and all those who have had a part in this measure for bringing it to this stage of progress. I hope that it shall be enacted by this House and the other body and shall become one of the commendable achievements of the 88th Congress of the United States.

Mr. RIVERS of Alaska. Mr. Chairman, will the gentleman from Florida yield to me?

Mr. PEPPER. I yield with pleasure.

Mr. RIVERS of Alaska. Mr. Chairman, I might say that I think it fitting that the northernmost and the southernmost get together on this bill. I am in support of this legislation and I think it is worth our affirmative action and consideration.

Mr. PEPPER. I thank the gentleman from Alaska very much. Hands across the continent for a good cause.

Mr. RIVERS of Alaska. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. RIVERS of Alaska. Mr. Chairman, I rise to support this legislation designed to prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce.

I have received expressions of support for this legislation from women's groups and individual women from all over Alaska.

To denote my cosponsorship and support, I introduced a bill on this subject, H.R. 5672.

As to the merits of the bill before us, H.R. 6060, which is approved by the Committee on Education and Labor, I will speak but briefly for the issue is clear. I sincerely feel that under the provisions of our Constitution this legislation is right in principle, besides which, America's women have proved their capabilities and worth in all fields of endeavor. From the standpoint of practical justice, therefore, as well as principle, they should not be discriminated against in the matter of wages paid for services performed. Furthermore, I am sure that all of us want to reduce the cases of human hardship which occur in families with only marginal or submarginal incomes, not the least of which is the attrition on human spirit and the loss of human resources when "the wolf comes in the window and hope goes out the door." Another desirable product of this legislation would be discontinuance of the process of allowing unscrupulous employers to profit by exploiting women for the purpose of gaining a competitive advantage, while at the same time rejecting the services of men to whom they would have to pay better wages. Thus this legislation would establish fair play in the area of employment and wages for both men and women as well as improving the situation for our considerate and scrupulous employers by protecting them against the inroads of unfair competition in this regard.

With respect to the idea that, Federal equal pay legislation, eminently justified in the interstate commerce area—will also pave the way for extension of equal pay practices to all areas of employment, I am proud to say that Alaska has already done some paving along this line by adopting its own equal pay act—14 years ago. Chapter 29 session laws of Alaska 1949 provides in section 1 as follows:

> No employer shall discriminate in any way in the payment of wages as between the sexes, or shall employ any female in any occupation in this Territory at salary or wage rates less than the rates paid to male employees for work of comparable character * * *.

This territorial statute has carried over under Alaska statehood.

From the foregoing you can see that it is not from personal gain that the women of Alaska have expressed wholehearted support of the bill now under consideration by this body. They have done so in behalf of their sisters elsewhere who have not been accorded the recognition implicit in this legislation.

Not only would passage of this bill supply a missing foundation stone in the structure of our complex democratic society, but it would highlight the main legal inequity remaining against the women of the United States, and thereby speed the day for amending the Constitution to extend to women equality of rights under the law.

Mr. THOMPSON. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. TOLL] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. TOLL. Mr. Chairman, I should like to urge the enactment of H.R. 6060, which amends the Fair Labor Standards Act to prohibit wage discrimination on account of sex, in the payment of wages by employers engaged in commerce or in the production of goods for commerce.

This bill, which has the carefully considered support of the administration and of numerous outstanding organizations and individuals, I firmly believe to be a step in the right direction.

As pointed out in the bill, the present existence of wage differentials based on sex depresses wages and living standards essential for the health and efficiency of the employees. These wage differentials are not only grossly unfair to the many hundreds of thousands of such women employees, but in their ultimate impact on our national economy they burden commerce and the free flow of goods, resulting in unfair competition, tending to cause labor disputes, and preventing maximum utilization of available labor resources.

After decades of fruitless effort to correct some of the glaring inequities that have long existed in this field, H.R. 6060 if enacted will at least bring the status of working women to the threshold of the 20th century. I sincerely trust it will be passed, and without any crippling amendments.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Chairman, I want to indicate my strong support of H.R. 6060, to provide equal pay for equal work in certain commerce operations.

I have never heard an argument advanced which really justifies the primary inequity the bill would eliminate—the payment to a woman of a lower wage rate than that made to a man for performing the same task with equal competency and speed. Excuses or rationalizations may be advanced for this discrimination, but no justifications. I submit that in the realm of reason there is absolutely no support for the premise that the work of a woman is worth less than that of a man. The marketplace in the pricing of consumer products sells for no less to a woman than to a man. Why, I ask, should a woman then receive less wages than a man for making the same products?

Further, there can be no doubt that the equal pay principle is important to the morale and efficiency of workers in their everyday jobs. There can be no doubt that wage justice for women will mean an incentive for women—who are entering our labor force in ever increasing number—to improve their skills. The most effective labor utilization cannot proceed without a high development of skills.

We cannot rely on the States to take care of the problem of unequal pay practices since only 23 States have equal pay laws. Furthermore, these laws are spotty in their coverage and in many instances not very effective in their terms or enforcement.

Other reasons for eliminating the unequal pay practices which rob the pocketbooks of women are the increase in consumer purchasing power which a higher wage for women would insure, and the economic security of workers' families in which the wage of the women workers is a substantial factor in economic standing.

Economically, we stand only to gain as a nation by the operation of H.R. 6060. Ethically, it is time we honored the principle of justice reflected in the bill by sharing it. Let us practice this ideal of justice to which we give consistent praise.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 3 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I rise in hearty support of H.R. 6060, a bill to require simple fairness in the wages and salaries of women workers under the Fair Labor Standards Act.

During the years when I was in the business training field, preparing young men and young women for positions in the business world, and placing them in many of our major business firms, and then following their careers, I was struck again and again by the inequities and injustices of salary policies which based a skilled person's paycheck not so much on the work done but on whether the work was performed by a man or a woman. Often the women I helped to train were far superior at the work than men doing the same assignments, and yet the men almost invariably received better salaries.

SUBSTANTIAL DIFFERENCES IN PAY SCALES

I do not think it is necessary for me to try to go into the details of this legislation, because the Members who have handled the bill in committee are better qualified to discuss the specific provisions, but I want the Members to know, Mr. Chairman, that from my personal experience—from actual experience in placing young men and women in jobs over the years—I found substantial differences between the pay scales for men and women doing the same work. This discrimination still exists. I think this bill will accomplish a great deal in ending this discrimination. The legislation is necessary.

It does not go far enough, in my opinion, but, as far as it goes, it is a good bill. I am happy that we are getting a good start in this legislation in eliminating the unfairness of unequal pay for women when doing the same work as men.

I have made my views on this legislation clear enough, often enough, on previous occasions in insertions in the CONGRESSIONAL RECORD and in remarks here in the House, both this year and in previous Congresses, and also in testimony before the committee each time the issue arose—that I do not think I have to say anything further now except that the legislation will add a further important dimension to our laws intended to assure fair treatment for all American workers. Women make up one-third of our total labor force. In this legislation, we are endorsing the principle of assuring them fair, nondiscriminatory treatment on pay for the work they perform in the Nation's commercial and industrial life.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, this bill states the commendable objective of improving job opportunities for women, but in my opinion it shows little promise of reaching that goal. The uncertainty in achievement is reflected in the mixed attitude of those supporting this bill.

Some support it as a gallant gesture to the fairer sex but insist that the legislation, if enacted, "won't amount to a hill of beans." They point to little-enforced similar legislation in some 20 States of the Union.

Still others are convinced it would be enforced. They predict it would cause employers to quit hiring women for some jobs and thus it would be a subtle but effective way to get some women out of the labor force. They support it for that reason.

A small-scale employer myself (country weekly newspaper), I believe in the principle of equal pay for women and have always tried to put this principle into practice. But I also believe legislation can sometimes do more harm than good no matter how noble the motive.

It would be risky to assume that this legislation would gather dust and not be enforced. If the Wage and Hour Division is given the assignment of enforcing equal pay for women throughout the width and breadth of this land, I, for one, expect the bureaucratic machinery to be fully staffed in short order and, from that moment on, move inexorably forward.

Although this bill may have motives in the finest tradition of gallantry, it actually is about as ungallant as a kick in the shins.

Testimony before the subcommittee suggests that its enactment would worsen rather than improve job opportunities for women. One executive, for example, said his company has made studies which show the average cost of employing women is about 30 cents an hour more than in the case of men. These costs relate to rate of turnover, flexibility for overtime hours, and special facilities—not to performance when on the job.

Most of these extra costs arise from the indisputable fact that women are more prone to homemaking and motherhood than men. No one of my acquaintance would for the world want to change this fact, but it is one that enters into personnel costs. It will necessarily be considered by management in establishing wage and salary policies whether this bill passes or not.

Under the compulsion in this bill, employers who contend that employment costs for women are higher than for men will tend to cut back on female employment. The effective date of this legislation is delayed in such a manner to give employers time to make these changes. This legislation has the laudable objective of equal pay for women. If, in practice, it leads to fewer jobs for women, the victory indeed would be pyrrhic.

Mr. Chairman, this legislation is entitled "A bill to prevent discrimination on account of sex." I think we all are in accord with the laudable objectives of equal pay for women. But I think we need to consider some of the possible side effects of this legislation and go into the whole proposal for equal pay for women with our eyes open, realizing it might possibly bar women from some job opportunities. An official testifying to the subcommittee said cost records of his Illinois manufacturing firm show that the employment costs for women were about 30 cents an hour higher than for men. Regardless of what we may think about the validity of his contention, we have to recognize that if a manufacturing firm actually thinks that the cost of employing women is higher, because of a faster rate of turnover or because the firm has been subjected to State laws which might require longer rest periods at noon or more frequent rest periods for women than for men, or because there are such limitations as inability to keep women on the job after 8 hours to complete a rush order, for example, these costs are not apt to be ignored. It would necessarily follow, I believe, that if this bill is passed and enforced that same firm would have a tendency to hire men rather than women in the future. Perhaps that is one of the goals of this legislation, but it is not very clearly stated.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman.

Mr. GRIFFIN. I wish to commend the very able gentleman from Illinois for his great interest and contribution, particularly to the committee report. While we may not agree on the merits of this particular legislation, I wish to make one point clear. Although an employer might see fit to release some women and hire men because of apprehension concerning the bill, there might well be no reason for such apprehension. For example, suppose a State law requires longer rest periods for women; the employer, of course, could not establish differentials on the basis of sex—but he could have wage differentials based upon time actually worked. Such a differential would be all right so long as it was based upon time actually worked, regardless of why one person did not work as long as another—and even though the difference in time worked resulted from the operation of a State law, a differential in pay based on absenteeism would be all right. Some say that women are prone to absenteeism—some women may be and other women may not be prone to absenteeism. So long as the differential is made on the basis of such factors as absenteeism, or on the basis of time actually worked, and not on the basis of sex, then the wage differential will not violate this legislation.

Mr. FINDLEY. I thank the gentleman. I did not mention absenteeism, but I think you would also agree that there are other cost factors that an employer would have difficulty in establishing in order to enable him to go ahead with a differential in wage rates between women and men. For example, his experience in turnover in employment would certainly be an exception. As I say, maybe this bill is actually misnamed. Maybe instead of being a bill to prevent discrimination on account of sex, perhaps it is actually a bill to get women back home on the range, you might say.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman.

Mr. ROOSEVELT. Mr. Chairman, I would just like to make the record clear in the matter of the rate of turnover in jobs occupied by women. The World War II figures show that there was less turnover with respect to women workers than there was in the male category. In actuality the cost, including fringe benefits and everything else considered, came out so that the employer did just as well with his women employees as he did with men employees at a time when real hard work had to be done during the World War II years. So I think the gentleman is raising a bogey that really does not exist except in very, very rare cases. I assure the gentleman there is no plot here to try to get men to take over women's jobs.

Mr. FINDLEY. I am afraid the gentleman missed the point of my statement.

A leading firm in Illinois testified before the subcommittee that it was the firm's contention its cost of employing women were higher than employing men. I was trying to point out that where such contentions do exist, and the firm actually believes its costs for employing women are higher than for men, it would tend to employ men rather than women in the future.

I have an amendment which would clarify the right of a manufacturing firm or any other employer to differentiate in the pay based on specific and ascertainable costs. I hope it will be accepted in order to preclude the danger that this bill might actually bar women from job opportunities.

Mr. GOODELL. I think this point should be clarified. The gentleman has made a good point that there are many factors that can be taken into consideration in working out differentials of pay among employees, that the gentleman has mentioned, which would be proper under this legislation so long as they were based on those factors and not on the basis of whether employees are women or men. If any employer wants to set up a system where he pays a job differential relating to absenteeism, regardless of sex, he can do that. If he wants to set up a system of differentials in pay relating to insurance costs of all employees, regardless of sex, he can do that. There are a good many other examples that could be given—all valid under this bill as written, provided the employer does not base his differentials on sex.

Mr. FINDLEY. My amendment would simply provide for a differential where specific and ascertainable costs can be established. If they are provable, employers should be permitted to take them into account. In that regard I would like to ask the gentleman if it is his opinion that the language at the top of page 3, subsection 4, would permit employers to provide higher pay to the head of a family, say a fellow who has eight or nine kiddies at home. Could an employer take into account the dependents of an employee in establishing his wage rate?

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. If such an amendment were offered, would the gentleman be willing to have it apply to women? Suppose she has nine children?

Mr. FINDLEY. Yes, indeed. My proposed amendment would not discriminate on the basis of sex. A woman who has dependents would have the same status as a man.

Mrs. GREEN of Oregon. So that she would have the same increase?

Mr. FINDLEY. Yes. And under those circumstances would the gentlewoman accept the amendment?

Mrs. GREEN of Oregon. I am afraid I could not. This is based on merit, on work that is performed, rather than on other factors.

Mr. GOODELL. In reference to the last question, I think it should be pointed out that if an employer did set up a differential for all employees, regardless of sex, where he paid something additional to employees that were heads of families, I presume this would not be discrimination on the basis of sex. I am afraid that the situation might often be used as an obvious subterfuge. If the employer establishes this policy as an honest and open policy, regardless of sex, it would be all right under the present bill.

Mr. FINDLEY. Surely the gentleman would not wish this legislation to discourage employers who are now carrying out a policy of this kind from continuing it.

Mr. GOODELL. I do not think there would be any trouble at all if employers had a history of doing this, and if the history indicates it is not based on sex itself but based on the fact the employee is the head of a family. This is an obvious case. Many new differentials could also qualify as to heads of families, if not potentially a subterfuge.

Mr. FINDLEY. Mr. Chairman, my proposal would simply clarify the right of an employer to give a little extra money if he so desires.

The Federal Government has had an equal pay for women policy for 40 years. It is noteworthy that the majority of women Federal employees are concentrated in lower salary levels. This makes me wonder if this equal pay provision may, in practice, have become a barrier to women moving into high salary categories.

I cite these figures from "Economic Indicators Relating to Equal Pay—1962," issued by HEW:

Distribution of white-collar employees of the Federal Government, by grade and sex, 1959

Grade	Women			Men	
	Number	Percent distribution	As percent of all employees	Number	Percent distribution
Total	476,448	----------	32.7	982,778	----------
Grade specified	413,303	100.0	42.5	560,103	100.0
GS-1	946	.2	26.5	2,625	.5
GS-2	23,652	5.7	56.7	18,057	3.2
GS-3	119,276	28.9	71.9	46,528	8.3
GS-4	114,921	27.8	71.8	45,170	8.1
GS-5	68,199	16.5	61.3	43,084	7.7
GS-6	25,248	6.1	52.2	23,135	4.1
GS-7	30,021	7.3	32.5	62,425	11.1
GS-8	5,496	1.3	21.5	20,113	3.6
GS-9	13,825	3.3	13.7	86,942	15.5
GS-10	1,494	.4	10.6	12,571	2.2
GS-11	5,974	1.4	7.3	75,960	13.6
GS-12	2,634	.6	4.4	57,594	10.3
GS-13	1,158	.3	2.9	38,185	6.8
GS-14	351	.1	2.0	17,563	3.1
GS-15	90	[1]	1.1	8,416	1.5
GS-16	9	[1]	.8	1,058	.2
GS-17	7	[1]	1.4	496	.1
GS-18	2	[1]	1.1	181	[1]

[1] Less than 0.05 percent.

Source: U.S. Civil Service Commission.

Is it not possible that the so-called equal pay provision has had the effect of keeping women from high job classifications?

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. Carey] and ask the gentleman if he will yield at this point.

Mr. CAREY. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I think in discussing the matter which the gentleman from Illinois [Mr. Findley] has just discussed, when he considered this, notwithstanding the assertion of some employers that women are more expensive to employ, for a variety of reasons, than men, the fact is, first, that notwithstanding their own statistics, obviously they are more efficient on the job for which they have been employed. I think that is a crucial factor, and second, there was complete absence of any evidence from any of them to the effect that the additional productivity of the women was a benefit which would in any way offset these alleged costs, and the gentleman from New York [Mr. Goodell] pointed out rather precisely when, for any of a variety of reasons, other than sex, there is a differential, it will not be covered under this proposal.

Mr. CAREY. I thank the chairman.

Mr. Chairman, I want to commend my colleagues on the subcommittee and the chairman of our subcommittee and the ranking minority member for their unusual and most welcome harmony in orchestrating this proposal we have before us today.

Mr. Chairman, I rise to speak in support of H.R. 6060, the Equal Pay Act of 1963. It seems strange that the policy of equal pay for equal work should be in controversy—should need champions and vocal support in a year as far advanced in our history as 1963. We have lived for as many years, since 1789, under a Constitution which proclaims—and in many instances expressly provides—safeguards for the principle of equality.

The failure to right the wrong of unequal pay is a dark spot on our national consciousness. It should be said by the Congress, however, that it is a blind spot. Its existence has been pointed out to us over too long a period of time and too forcibly. Last year this House passed an equal pay bill, as did the Senate. The Senate action, it will be recalled, was late in the session and the two enactments failed to be reconciled before Congress adjourned.

Many of my colleagues doubtless have been confronted by unequal pay practices or seen them in operation in one form or another over the years. We have probably seen them touch the experience and the lives of many persons and may have noted that the effect is an affront to human dignity. In the proudness of our democratic heritage, I believe we all smart under injustice, no matter the degree.

H.R. 6060 offers us a simple way to effect wage justice in a large segment of our business life. It amends a going law—the Fair Labor Standards Act—by adding a prohibition against unequal pay practices. In previous years, equal pay bills have been new and independent laws. Here, we have a proposal which rides on a law in operation since 1938, another fair labor standard and uses the existing structure of that act, including administration and enforcement, to make it effective.

I would just like to advance this caveat to the minority. I think the point that this bill establishes no new regulatory agency or creates any additional employees would be a good argument for not offering amendments. I think any amendment offered to extend the operation of this bill should be carefully considered and determined in a way which will not broaden nor extend any function.

I think the committee is to be congratulated for a bill so easy to comprehend and so logical in its approach to the objective of equal pay.

Two other features of this bill which commend its enactment are that it seeks to prevent any labor disputes arising by reason of its operation and that its effective date is delayed.

The first objective is accomplished by prohibiting labor unions from seeking to induce employers to violate the act. The second, defers the effective date of the act for 1 year after passage and, in the case of collective bargaining agreements in effect 30 days before passage, defers the effective date for an additional year or until the end of the agreement, if that date comes first. The postponement of the effective date gives clear recognition to the fact that employers will want to study the act in the light of their operations and that the Department of Labor, the administering agency, will want to assist employers in their study and otherwise promote an understanding of the act.

Mr. Chairman, I suggest to my colleagues and urge my colleagues and make the plea that any amendments which would broaden the act and complicate the act should not be offered.

Mr. Chairman, I would suggest also that where there are clear remedies available under the present code of civil procedure that that would be the proper route to redress a grievance so that further procedural steps would be surplusage.

Mr. Chairman, I urge adoption of this legislation.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 2 minutes to the gentlemen from Illinois [Mr. Pucinski].

Mr. PUCINSKI. Mr. Chairman, the Chicago Daily News carried an editorial entitled "Equal Work Deserves Equal Pay." I think this editorial answers several of the questions which have been asked today. I quote from the editorial:

> Employer representatives assert that if the pay is the same men will be hired in preference to women. The reason, they say, is that State laws restrict the hours of women, prescribing rest periods and the like. They contend that the absentee and turnover rates for women are higher, making them more expensive to employ.
>
> This may all be true without destroying the case for equal pay. If a man and woman are seated beside each other on a production line and solder an equal number of wires per hour, no logical case can be made for a differential in pay. Women now comprise one-third of the work force. Most of them need their income just as much as men. Anyway, business in a capitalist economy is not concerned with motives for working, but in efficient production.
>
> It may be that jobs are rarely equal. On the production line that we described, an employer may choose to hire only women and avoid any comparisons of inequality. It may also be true that it costs more to employ women. Their absentee rate is compounded by the fact that if the children get sick it is mother who stays home. But that difference should go into overhead for labor, not the wages of women.

Thus, stated the Chicago Daily News editorial.

Mr. Chairman, it concluded as follows:

> The same industry predictions of widespread loss of jobs by women were made in 1943 when the Illinois law was passed. Employers have proved their ability to live with it, and we are confident that a Federal law would prove neither more difficult nor more devastating.
>
> It would, however, voice indorsement of a principle of equality that is basic to our notions of a good society. We hope Congress will finally take the plunge.

Mr. Chairman, I certainly agree with this editorial and intend to support this legislation.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from West Virginia [Mr. Staggers].

Mr. STAGGERS. Mr. Chairman, I am in favor of the immediate passage of H.R. 6060, the Equal Pay Act of 1963.

This legislation, which would prohibit discrimination because of sex in the payment of wages by employers in commerce, has been introduced in every session of Congress for almost the past 20 years by Members of both parties. Personally, I cannot see dilly-dallying any longer. The time has come for action—in fact, it is long overdue. I join my colleagues in supporting this bill.

It is my sincere belief that there should be no difference in wage rates for men and women who do the same work. If both are paid equally for equal work, not only will women be protected, but men as well. The employer who pays a woman a lower wage for the same work will also hire cheap labor. In areas of chronic unemployment, this equal pay legislation will protect the jobs of men as well as assure women who must work that they will receive a fair wage.

Most women work to contribute to essential living expenses. Millions of single women work to support themselves; many working women are heads of families, and others are the primary wage earner in the family although they are not technically the family head. Many, many thousands of single women support one or both parents and in many cases other members of their families who are in need.

I truly believe the working woman deserves equality in every respect, not only the voting privilege which has already been made her right, but also her right to equal pay for equal service.

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. Waggonner].

Mr. WAGGONNER. Mr. Chairman, I take this time to ask a question of the floor handlers either on the majority side or on the minority side. Page 2 of the bill, section (d)(1) states as follows:

> No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex:

The gentleman from North Carolina went part of the way into this problem and I am not sure he ever got the answer to his question. My question is whether or not these exceptions must be set forth in writing, or will the Secretary of Labor or his representatives accept a verbal explanation of what these systems consist of, whether they are promulgated in writing or not, should charges be filed?

Mr. GRIFFIN. Will the gentleman yield?

Mr. WAGGONNER. Yes, I will be glad to yield to the gentleman from Michigan.

Mr. GRIFFIN. I should like to make it clear that the burden of proof to show a violation is on the Secretary of Labor; he must prove that any differential in pay which exists is actually based on sex, and he will have to sustain that burden of proof. I think this is a very important part of the legislative history.

Mr. WAGGONNER. Then you feel it would not be necessary prior to a charge to set forth in writing these exceptions?

Mr. GRIFFIN. No, I do not.

Mr. GOODELL. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from New York.

Mr. GOODELL. If I understand the gentleman's question correctly it hits at the point that many employers will not have a written plan or system for setting up differentials in pay.

Mr. WAGGONNER. That is exactly the point.

Mr. GOODELL. This is obviously not required in order to fit under the exceptions. If it is established that there is system or practice and he has differentials based on any factor or factors other than sex, then the system or practice is all right, whether or not it has ever been described in writing.

Mr. WAGGONNER. Then the gentleman would expect in cases where charges are filed, where an employer stated his exceptions only verbally during the course of an examination, that these explanations should be acceptable by the labor examiner?

Mr. GOODELL. The burden would be on the Department of Labor to prove that the exceptions are not true. The Secretary would have to establish a prima facie case showing that there is discrimination based on the factor of sex. If that is done, then, of course, the employer could rebut the proof and show that the differential was based upon factors other than sex.

Mr. WAGGONNER. Can the gentleman tell me what penalties might possibly be invoked where discrimination is alleged by the examiner?

Mr. GOODELL. Nothing where it is only alleged. The employee or the Secretary would have to go to court, and the court would have to decide that there has been a violation. The Labor Department may get an injunction against an employer to eliminate the violation. If the employee sues the employer under one section of the Fair Labor Standards Act he may be able to recover double the wage differential involved.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 6 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, Paul Woodring a few weeks ago wrote:

> The emancipation of women was an achievement of the 19th century and the early decades of the 20th.

He said:

> It is not yet worldwide, but today no American girl is denied educational opportunity because of her sex, and very few careers are closed to women.

Mr. Woodring went on to say:

> With emancipation the feminist movement came to an end.

He said:

> The victory was so complete that any girl who now doubts the equality of the sexes probably assumes the natural superiority of women. Having achieved emancipation and equality of opportunity, women did a sharp about-face and during the 1950's "the thundering hoofs of women stampeding back to the nest" were heard.

I quote this because I want to illustrate rather dramatically that I think there will be a boomerang effect in this legislation. There may be a stampeding back to the nest. I think many of the women advocating this legislation recognize that in some instances the women are going to lose their jobs because an employer has to pay the women the same price he pays the men. In many other cases the women will just not be hired.

We have worked very hard in this debate to set up a legislative history to make it clear what our intention here is.

I introduced the first bill that would put this under the Fair Labor Standards Act in either body of Congress, and the first bill using the terms "effort," "responsibility," and "working conditions" in defining equal work. Since this bill before us largely adopts my own personal views, and most of the words in this bill derive from my proposal, I would like to make clear the legislative history, and I think the chairman of the subcommittee agrees on these points:

No. 1. Skill includes a myriad of factors. It is not limited to just a few. It includes training, experience, education, the qualities of the person himself, and a good many other factors that are too numerous to put into the bill specifically, so we used a generality in referring to them. The same is true of effort, the same is true of responsibility, and the same is true of similar working conditions.

No. 2. It is not necessary for an employer to have an elaborate and formal or written job classification system to qualify for exemptions under this bill or to prove that he is not discriminating on the basis of sex. If he has a reasonable standard of differentiation, the Labor Department is not to come in, even, and judge the reasonableness or unreasonableness of this differentiation among employees, except as it shows a clear pattern of discrimination against sex.

In the bill itself we did a little thing. We added an "s" to the word "employee." This is very significant. We said that no employer shall discriminate within any establishment within which such employees are employed between employees on the basis of sex. We did not say discriminate against an employee. The reason for that, which was very specific, is that we feel that there should be established a pattern of discrimination, that there should be something here that is more than an isolated single case, before a violation is held. The employer will not have to come in with his own proof. The burden will lie completely on the Department of Labor to establish a prima facie case that there is discrimination.

When the burden of proof lies on the Secretary of Labor, I think it should be made clear that he must show that the violations are not based on a merit system, that he must show they are not based on a seniority system, that the violations he is claiming are not based on piece rates of production, and that the violations he is claiming occur are not based on any of the other factors other than sex. That is his burden.

Having established the prima facie case in the Federal Court, the burden itself will shift to the employer to prove or disprove the allegations of the Secretary of Labor. This is the procedure we have in mind. The employer does not have to prove the exceptions as an affirmative defense. The burden remains on the Secretary of Labor to prove that the exceptions do not apply. We do not have in mind the Secretary of Labor's going into an establishment and saying, "Look, you are paying the women here $1.75 and the men $2.10. Come on in here, Mr. Employer, and you prove that you are not discriminating on the basis of sex." That would be just the opposite of what we are doing.

The Labor Department must prove this, and I think the chairman of the subcommittee has amply verified this point in our exchanges thus far.

With reference to regulations, we have talked a great deal about this. It is an oversimplification but, generally speaking, we have three different types of guidance that can be offered by the Administrators to those who are being regulated. One of them is legislative regulation. That is the case when the Congress in effect tells the administrator, "You write the law in these areas, you define what we mean." When they get to court under such circumstances the court will often say, "We cannot even go into that matter. Congress delegated that authority to write regulations, to write the law, so do not question that. We are not even considering that here."

That was in the original proposal this year and it was in the proposal last year, granting legislative regulatory authority. It is out of this bill. We also knocked out the right of the Secretary of Labor even to issue interpretative regulations.

I emphasize that interpretative regulations are also barred. Interpretative regulations involve a case where there is an ambiguity in the law which admits of two or more constructions. Then in that case, if we have given interpretative regulatory authority, the Secretary moves in and tries to say what we meant between the two or three constructions. He does not have such authority here. The Secretary, in my opinion, has the inherent authority to write interpretative bulletins. All this amounts to is telling the public the Secretary's interpretation of the law for the guidance of those who are to be regulated. Such bulletins have no standing in court, but they are there as a guidance to the court as to what the view of the administrator was. They have no other significance, except that if an employer relies on this interpretative bulletin, he is protected. He is not in violation if he has done something in reliance upon those interpretative bulletins.

One final point, I would like to ask the gentleman from Michigan [Mr. O'HARA], if I may, to respond to this.

We have been concerned here in a situation where an employer is bound by an existing agreement as to a wage differential. The Labor Department and the courts say that agreement violates this act—it discriminates against women. It is my view, and I think it is the view of the gentleman from Michigan and the view of our subcommittee that this bill as now written obligates the union and gives the union the responsibility to negotiate in this case to eliminate the discrimination and gives the Secretary of Labor, if necessary, the power to enjoin not only the employer but the union, to sit down and negotiate and eliminate the discrimination in violation of this act.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. O'HARA of Michigan. Mr. Chairman, the language of the bill on line 7, page 3, reads:

> (2) No labor organization, or its agents, representing employees of an employer having employees subject to any provisions of this section shall cause or attempt to cause such an employer to discriminate against an employee in violation of paragraph (1) of this subsection.

It is my understanding, as it is the understanding of the gentleman from New York that if a labor organization is in any way at fault in maintaining such a discriminatory wage rate, they would be subject to all the penalties and all the enforcement provisions provided under the Fair Labor Standards Act.

Mr. GOODELL. I would stress the word "maintaining" in your reply, because we feel that the words "shall cause or attempt to cause" put an obligation on a labor union, as well as the employer, to change that existing agreement, if the agreement is in violation of this act and this requires the employer to violate the act. Does the gentleman agree?

Mr. O'HARA of Michigan. I would agree. Not only does it refer to new agreements but to an existing agreement where a labor organization would attempt to maintain a discriminatory pattern in an old agreement and resist efforts to change to the pattern required by this act.

Mr. GOODELL. Mr. Chairman, here are examples and general guidelines as to the intent of Congress in enacting H.R. 6060, the equal-pay-for-women bill:

First. Differences in pay that exist between women alone are not covered by this act.

Second. Differences in pay that exist between men alone are not covered by this act.

Third. Differences in pay between groups or categories of employees that contain both men and women within the group or category are not covered by this act.

Fourth. Only those jobs that are the same and normally related shall be compared.

Fifth. Normally the jobs that are compared will be physically located in the same work area or will fall within closely related job classifications.

Sixth. Differences in pay that are based upon historical and widely accepted differences in job content will not be challenged, if not based on sex.

Seventh. Differences in pay that are based upon a bona fide job classification system will not violate this act, if not based on sex.

Eighth. It is not intended that the Secretary of Labor or the courts will substitute their judgment for the judgment of the employer and his experts who have established and applied a bona fide job rating system. It is not the business of the Secretary of Labor to write job evaluations or judge the merits of job evaluation systems. This sole obligation is to uncover and prosecute cases where a pattern of job differentials in pay is permeated by sex discrimination.

Ninth. Although only the factors, skill, effort, responsibility, and working conditions are listed, such things as experience, ability, and training may be considered under the broad heading of skill. The usual factors of push, pull, lift, and carry come under effort. Direction of others as well as value of commodity worked upon and overall importance of assignment may be considered as part of an employees' job responsibility. Finally, standing as opposed to sitting, pleasantness or unpleasantness of surroundings, periodic rest periods, hours of work, difference in shift, all would logically fall within the working condition factor.

Tenth. A difference in pay between male selectors and packers and female selectors and packers who work on the same production line and have the same duties and responsibilities would be invalid.

Eleventh. A difference in pay between male selectors and packers and female selectors and packers would be valid if, in addition to the duties performed by the female selectors and packers, the male selectors and packers are required to lift the crates off of the assembly line, or sweep up the room or work on the loading dock during slack periods.

Twelfth. An installer's job on an assembly line that, for example, requires soldering could not be compared or equated with a welder's job.

Thirteenth. A truck driver's job and a tug operator's job are dissimilar.

Fourteenth. The work of a machine operator and the work of a skilled machinist cannot be equated.

Fifteenth. Plant and office clerical assignments are normally distinguishable.

Mr. Chairman, the majority views and supplemental views, follow:

EQUAL PAY ACT OF 1963—MAJORITY VIEWS AND SUPPLEMENTAL VIEWS

BACKGROUND

Legislation to eliminate wage discrimination based upon sex of the employee has been recommended by the present and two immediately preceding administrations.

During World War II the War Labor Board promulgated and administered an equal pay for women policy.

During the 87th Congress the Committee on Education and Labor considered a number of equal pay bills, reported favorably to the House of Representatives and a bill was enacted. The other body also acted favorably on equal pay legislation, but its affirmative action took the form of an amendment to a House-approved bill, the subject matter of which was outside the jurisdiction of the Committee on Education and Labor.

Following the convening of the 88th Congress many Members of the House of Representatives reintroduced bills they had sponsored during prior Congresses. On February 14, in a letter to the Speaker of the House of Representatives, Secretary of Labor Willard Wirtz recommended enactment of equal pay legislation and submitted a draft bill.

These bills were assigned to this committee's Special Subcommittee on Labor for hearings and preliminary consideration.

The bill (H.R. 6060) represents the results of this deliberation.

Oral testimony was heard from 20 witnesses, and many statements and letters were submitted for the record.

The committee was impressed by these points:

1. Proponents urged legislation that would protect maximum numbers of employees, and that had enforcement procedures.
2. Some witnesses expressed concern that they might be faced with unusual difficulties in adjusting to an entirely new Federal program administered by a new agency.
3. Many of the separate provisions of the administration's proposal closely parallel provisions of the Fair Labor Standards Act.
4. A number of witnesses recommended that various specific provisions be rewritten in precisely the terms of the Fair Labor Standards Act; and one witness recommended that elimination of sex-based wage discrimination be accomplished by amending section 6 of the Fair Labor Standards Act.

PURPOSE AND SUMMARY OF MAJOR PROVISIONS

This bill amends the Fair Labor Standards Act to provide that payment of a discriminatory wage rate, where the discrimination is based on sex of the employee, shall in the future be a violation of the Fair Labor Standards Act.

The Fair Labor Standards Act provides that workers must be paid a decent minimum wage, that if employees must put in long hours, they must be paid at an overtime rate, and that children may be employed only under rigid conditions which protect their health and safety.

The bill (H.R. 6060) would add one additional fair labor standard to the act; namely, that employees doing equal work should be paid equal wages, regardless of sex.

Because of the long history and experience of Government and business and workers with the Fair Labor Standards Act, a simple expansion of that act to include the equal pay concept offers the most efficient and least difficult course of action.

The Fair Labor Standards Act has been on our statute books now for almost a quarter of a century.

Over that time the Wage and Hour Division of the Department of Labor, which has the responsibility for enforcement of such act, has developed a now familiar system of investigation, administration, and enforcement, which will be utilized fully to complement the new provision. Moreover, Secretary of Labor Willard Wirtz in a letter to the committee has given his assurance that he will assign the administration of the equal pay legislation to the Wage and Hour Division. Very few, if any, new employees will be required to enforce the act.

Such utilization serves two purposes: First, it eliminates the need for a new bureaucratic structure to enforce equal pay legislation; and second, compliance should be made easier because both industry and labor have a long-established familiarity with existing fair labor standards provisions.

Perhaps the most worthy result in this approach is in the question of coverage. This bill neither extends nor curtails coverage of the Fair Labor Standards Act but simply provides that those employers and employees who are presently covered by that act shall be covered by the new provisions relating to equal pay for equal work, regardless of sex. The Fair Labor Standards Act covers an estimated 27,500,000 employees.

Section 2 of the bill (H.R. 6060) amends section 6 of the Fair Labor Standards Act by adding a new subsection thereto. This subsection, in effect, declares that wage differentials based solely on the sex of the employee are an unfair labor standard. The lower wage rate must be increased to the level of the higher.

The bill (H.R. 6060) refers to "equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions."

This language recognizes that there are many factors which may be used to measure the relationships between jobs and which establish a valid basis for a difference in pay. These factors will be found in a majority of the job classification systems. Thus, it is anticipated that a bona fide job classification program that does not discriminate on the basis of sex will serve as a valid defense to a charge of discrimination.

Three specific exceptions and one broad general exception are also listed. It is the intent of this committee that any discrimination based upon any of these exceptions shall be exempted from the operation of this statute. As it is impossible to list each and every exception, the broad general exclusion has been also included. Thus, among other things, shift differentials, restrictions on or differences based on time of day worked, hours of work, lifting or moving heavy objects, differences based on experience, training, or ability would also be excluded. It also recognizes certain special circumstances, such as "red circle rates." This term is borrowed from War Labor Board parlance and describes certain unusual, higher than normal wage rates which are maintained for many valid reasons. For instance, it is not uncommon for an employer who must reduce help in a skilled job to transfer employees to other less demanding jobs but to continue to pay them a premium rate in order to have them available when they are again needed for their former jobs.

Section 4 provides a 1-year moratorium on enforcement as to all employees and employers. In addition, in the case of employees covered by bona fide labor-management contracts, enforcement is deferred for 1 additional year or until the termination of the contract whichever occurs first.

During this "grace period" your committee expects the Secretary of Labor to make such changes in the administration of the Fair Labor Standards Act as are necessary to reflect this amendment. The committee would anticipate that, at an early date, full information including material to be posted, would be given employers and employees covered by the Fair Labor Standards Act. We would expect that by informal methods of conference, consideration, and persuasion, efforts would be made to achieve voluntary compliance.

The proposed grant of authority to the Secretary of Labor to issue regulations in connection with the administration and enforcement of this program was eliminated by the subcommittee. The Secretary of Labor will have only the specific and limited regulatory authority for the enforcement and administration of the Equal Pay Act which he has under the present Fair Labor Standards Act.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in black brackets, existing law in which no change is proposed is shown in roman):

SECTION 6 OF THE FAIR LABOR STANDARDS ACT OF 1938

"SEC. 6. (a) Every employer shall pay to each of his employees who in any workweek is engaged in commerce or in the production of goods for commerce wages at the following rates—

"(1) not less than $1.15 an hour during the first two years from the effective date of the Fair Labor Standards Amendments of 1961, and not less than $1.25 an hour thereafter, except as otherwise provided in this section.

"(2) if such employee is a homeworker in Puerto Rico or the Virgin Islands, not less than the minimum piece rate prescribed by regulation or order; or, if no such minimum piece rate is in effect, any piece rate adopted by such employer which shall yield, to the proportion or class of employees prescribed by regulation or order, not less than the applicable minimum hourly wage rate. Such minimum piece rates or employer piece rates shall be commensurate with, and shall be paid in lieu of, the minimum hourly wage rate applicable under the provisions of this section. The Secretary of Labor, or his authorized representative, shall have power to make such regulations or orders, as are necessary or appropriate to carry out any of the provisions of this paragraph, including the power without limiting the generality of the foregoing, to define any operation or occupation which is performed by such homework employees in Puerto Rico or the Virgin Islands; to establish minimum piece rates for any operation or occupation so defined; to prescribe the method and procedure for ascertaining and promulgating minimum piece rates; to prescribe standards for employer piece rates, including the proportion or class of employees who shall receive not less than the minimum hourly wage rate; to define the term 'homeworker'; and to prescribe the conditions under which employers, agents, contractors, and subcontractors shall cause goods to be produced by homeworkers;

"(3) if such employee is employed in American Samoa, in lieu of the rate or rates provided by this subsection or subsection (b), not less than the applicable rate established by the Secretary of Labor in accordance with recommendations of a special industry committee or committees which he shall appoint in the same manner and pursuant to the same provisions as are applicable to the special industry committees provided for Puerto Rico and the Virgin Islands by this Act as amended from time to time. Each such committee shall have the same powers and duties and shall apply the same standards with respect to the application of the provisions of this Act to employees employed in American Samoa as pertain to special industry committees established under section 5 with respect to employees employed in Puerto Rico or the Virgin Islands. The minimum wage rate thus established shall not exceed the rate prescribed in paragraph (1) of this subsection.

"(b) Every employer shall pay to each of his employees who in any workweek (i) is employed in an enterprise engaged in commerce or in the production of goods for commerce, as defined in section 3(s)(1), (2), or (4) or by an establishment described in section 3(s) (3) or (5), and who, except for the enactment of the Fair Labor Standards Amendments of 1961, would not be within the purview of this section, or (ii) is brought within the purview of this section by the amendments made to section 13(a) of this Act by the Fair Labor Standards Amendments of 1961, wages at rates—

"(1) not less than $1 an hour during the first three years from the effective date of such amendments; not less than $1.15 an hour during the fourth year from such date; and not less than the rate effective under paragraph (1) of subsection (a) thereafter;

"(2) if such employee is employed as a seaman on an American vessel, not less than the rate which will provide to the employee, for the period covered by the wage payment, wages equal to compensation at the hourly rate prescribed by paragraph (1) of this subsection for all hours during such period when he was actually on duty (including periods aboard ship when the employee was on watch or was, at the direction of a superior officer, performing work or standing by, but not including off-duty periods which are provided pursuant to the employment agreement).

"(c) The rate or rates provided by subsection (a) and (b) of this section shall be superseded in the case of any employee in Puerto Rico or the Virgin Islands only for so long as and insofar as such employee is covered by a wage order heretofore or hereafter issued by the Secretary pursuant to the recommendations of a special industry committee appointed pursuant to section 5: *Provided*, That (1) the following rates shall apply to any such employee to whom the rate or rates prescribed by subsection (a) would otherwise apply:

"(A) The rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1961, increased by 15 per centum, unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendations of a review committee appointed under paragraph (C). Such rate or rates shall become effective sixty days after the effective date of the Fair Labor Standards Amendments of 1961 or one year from the effective date of the most recent wage order applicable to such employee theretofore issued by the Secretary pursuant to the recommendations of a special industry committee appointed under section 5, whichever is later.

"(B) Beginning two years after the applicable effective date under paragraph (A), not less than the rate or rates prescribed by paragraph (A), increased by an amount equal to 10 per centum of the rate or rates applicable under the most recent wage order issued by the Secretary prior to the effective date of the Fair Labor Standards Amendments of 1961, unless such rate or rates are superseded by the rate or rates prescribed in a wage order issued by the Secretary pursuant to the recommendations of a review committee appointed under paragraph (C).

"(C) Any employer, or group of employers, employing a majority of the employees in an industry in Puerto Rico or the Virgin Islands, may apply to the Secretary in writing for the appointment of a review committee to recommend the minimum rate or rates to be paid such employees in lieu of the rate or rates provided by paragraph (A) or (B). Any such application with respect to any rate or rates provided for under paragraph (A) shall be filed within sixty days following the enactment of the Fair Labor Standards Amendments of 1961 and any such application with respect to any rate or rates provided for under paragraph (B) shall be filed not more than one hundred and twenty days and not less than sixty days prior to the effective date of the applicable rate or rates under paragraph (B). The Secretary shall promptly consider such application and may appoint a review committee if he has reasonable cause to believe, on the basis of financial and other information contained in the application, that compliance with any applicable rate or rates prescribed by paragraph (A) or (B) will substantially curtail employment in such industry. The Secretary's decision upon any such application shall be final. Any wage order issued pursuant to the recommendations of a review committee appointed under this paragraph shall take effect on the applicable effective date provided in paragraph (A) or (B).

"(D) In the event a wage order has not been issued pursuant to the recommendation of a review committee prior to the applicable effective date under paragraph (A) or (B), the applicable percentage increase provided by any such paragraph shall take effect on the effective date prescribed therein, except with respect to the employees of an employer who filed an application under paragraph (C) and who files with the Secretary an undertaking with a surety or sureties satisfactory to the Secretary for payment to his employees of an amount sufficient to compensate such employees for the difference between the wages they actually receive and the wages to which they are entitled under this subsection. The Secretary shall be empowered to enforce such undertaking and any sums recovered by him shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to the employee or employees affected. Any such sum not paid to an employee because of inability to do so within a period of three years shall be covered into the Treasury of the United States as miscellaneous receipts.

"(2) In the case of any such employee to whom subsection (b) would otherwise apply, the Secretary shall within sixty days after the enactment of the Fair Labor Standards Amendments of 1961 appoint a special industry committee in accordance with section 5 to recommend the highest minimum wage rate or rates in accordance with the standards prescribed by section 8, not in excess of the applicable rate provided by subsection (b), to be applicable to such employee in lieu of the rate or rates prescribed by subsection (b). The rate or rates recommended by the special industry committee shall be effective with respect to such employee upon the effective date of the wage order issued pursuant to such recommendation but not before sixty days after the effective date of the Fair Labor Standards Amendments of 1961.

"(3) The provisions of section 5 and section 8, relating to special industry committees, shall be applicable to review committees appointed under this subsection. The appointment of a review committee shall be in addition to and not in lieu of any special industry committee required to be appointed pursuant to the provisions of subsection (a) of section 8, except that no special industry committee shall hold any hearing within one year after a minimum wage rate or rates for such industry shall have been recommended to the Secretary by a review committee to be paid in lieu of the rate or rates provided for under paragraph (A) or (B). The minimum wage rate or rates prescribed by this subsection shall be in effect only for so long as and insofar as such minimum wage rate or rates have not been superseded by a wage order fixing a higher minimum wage rate or rates (but not in excess of the applicable rate prescribed in subsection (a) or subsection (b)) hereafter issued by the Secretary pursuant to the recommendation of a special industry committee.

"[(d)(1) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex: *Provided*, That an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

"[(2) No labor organization, or its agents, representing employees of an employer having employees subject to any provisions of this section shall cause or attempt to cause such an employer to discriminate against an employee in violation of paragraph (1) of this subsection.

"[(3) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this Act.

"[(4) As used in this subsection, the term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.]"

SUPPLEMENTAL VIEWS

Last year the equal pay for women bill was substantially amended during consideration on the House floor. However, the administration this year adopted only a few of the changes made on the floor last year. Its proposal was embodied in H.R. 3861. On March 25 Congressman Goodell introduced a new proposal, H.R. 5605, to place administration and enforcement of equal pay legislation under the Fair Labor Standards Act. Virtually all of the proposals of the Goodell bill were accepted by the House subcommittee, and are now embodied in H.R. 6060.

Since this bill now before the House differs substantially from either last year's proposals or this year's administration bill, we feel that these changes should be pointed out. The following are the major differences between the bill reported by the full Education and Labor Committee and the earlier administration proposal. Under the committee bill:

1. The prohibition against discrimination because of sex is placed under the present Fair Labor Standards Act, with the act's established coverage of employers and employees.
2. All of the fair labor standards exemptions apply: Agriculture, hotels, motels, restaurants, and laundries are excluded. Also, all professional, managerial, and administrative personnel, and outside salesmen are excluded.
3. Investigation and administration will be under the existing Wage and Hour Division, thus avoiding the creation of a vast new bureaucracy.
4. Enforcement must be obtained in the Federal courts and not arbitrarily through an all-powerful administrative body.
5. The definitions and interpretations of the Fair Labor Standards Act apply. These have been court tested and are generally understood by business and labor.
6. The concept of equal pay for jobs demanding equal skill has been expanded to require equal effort, responsibility, and similar working conditions as well. These factors are the core of all job classification systems and the basis for legitimate differentials in pay.
7. A specific exception has been added for a system which measures earnings by quantity or quality of production.
8. A general exception has been added for differentials based on factors other than sex.
9. As the act does not take effect for 1 year following the date of enactment, time is provided for voluntary adjustment.
10. Where there is a bona fide collective bargaining agreement, the act will not apply for an additional year, or at the expiration of the agreement, whichever occurs first.
11. The Secretary of Labor is not given broad regulatory and rulemaking authority.
12. The proposed power of the Secretary of Labor to blacklist Government contractors who allegedly discriminate against women has been eliminated.

Peter Frelinghuysen, Jr.
William H. Ayres.
Albert H. Quie.
Charles E. Goodell.
Alphonzo Bell.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RYAN of New York. Mr. Chairman, I support H.R. 6060, the equal-pay-for-equal-work bill.

I should like to commend our colleague, the gentlewoman from Oregon, Edith Green, for her role in advancing this legislation. She has introduced equal pay bills ever since her election to the House. Last year she sponsored the administration bill for equal pay. As a member of the President's Commission on the Status of Women, the gentlewoman from Oregon [Mrs. Green] has worked with dedication and determination to see that women receive equal treatment with men in employment.

Mr. Chairman, I support this bill to provide justice in the pay envelope to both men and women by forbidding employers in interstate commerce to discriminate among their employees on the basis of the sex of the worker in setting rates of pay.

Discrimination in the form of a rate differential for comparable work when performed by women instead of men is based on the incredible notion that a woman, although she may accomplish as much or more, deserves less pay than a man. It is shocking to think that an employer would pay a woman less than a man for doing the same work.

We may not be aware of the role women have come increasingly to play in the economic life of America.

By 1970 it is estimated that the number of women workers will approach 30 million. In 1920 there were about a quarter of that number, 8.2 million. The place of women in our labor force has changed since 1920. Traditionally, they were only temporarily a part of that force. A girl left school, worked for a few years, married, and left the labor force for good. This picture of the place of women in the labor force was sufficiently accurate to gain a wide degree of acceptance although it was never the full picture.

Today it is not true at all. Whereas, as recently as 1930, 40 percent of women workers were under 25 years of age and less than 20 percent over 45, today the proportions are reversed. Less than 20 percent in 1960 were under 25 and nearly 40 percent were over 45. Women enter the labor force, leave it temporarily to have children, and return to it, for good. In 1930, 29 percent of working women were married. In 1961, 61 percent of the women who work were married. This is one of the significant and major changes in our labor force in this generation. Workingwomen are as much a permanent part of the labor force as the workingmen.

It should be noted that this bill does not raise wages. Each employer is left entirely free to set his own wage standards within the existing framework of law. But once set, it prohibits paying a wage differential between men and women for work of a comparable character at the time location on jobs the performance of which requires comparable skills. If a woman does the same work as a man, she must receive the same pay.

In addition, the bill before us today, H.R. 6060, amends the Fair Labor Standards Act which means that the enforcement procedures under this measure are the same as under the Fair Labor Standards Act. We can, therefore, draw upon 25 years of experience and an existing body of law in the administration of this measure. The bill is clear in its language and intent. It prohibits the following acts of discrimination:

First. An employer having employees subject to the jurisdiction of the Fair Labor Standards Act shall not discriminate between his employees on the basis of sex by paying wages to his employees at a rate less than the rate at which the employer pays wages of employees of the opposite sex for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to a seniority system, a merit system, a system which measures earnings by quantity or quality of production, or a differential based on any other factor than sex.

Second. An employer who is paying a wage rate differential in violation of this requirement shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

Mr. Chairman, wage discrimination based on sex should have no place in our American economic structure. As long as such discrimination exists, whether against men or women, the American economy will suffer. Enactment of this bill will be another forward step in providing equality and justice in the labor market. However, the House still has an unfulfilled responsibility to enact a comprehensive measure to eliminate discrimination in employment based on race, creed, color, or national origin as well as sex.

Mr. DONOHUE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DONOHUE. Mr. Chairman, as our immediate inspiration to unanimously approve this legislation, the Equal Pay Act of 1963, we need only to look around us and observe the most competent, industrious, distinguished and gracious ladies whom we are privileged to call our colleagues.

I know we will agree that these distinguished lady legislators work as hard and as diligently as any male Member of the Congress and indeed, by their gracious presence, contribute more to this body than any male Member. There is no thought here of a differentiation in legislative salary because of sex.

For our background inspiration to promptly and favorably act on this bill, we need only to reflect that it is designed simply and solely to provide wage justice for workingwomen.

Under the legislative proposal before us now, we can accomplish this just objective without the creation of any new Government compliance unit and through procedures of the Fair Labor Standards Act, with which labor and industry have long been familiar.

We all realize that the origin of the wage rate differential for men and women performing comparable jobs is the false concept that a woman, because of her very nature, somehow or other should not be given as much money as a man for similar work.

This antiquated concept has been long and completely demonstrated to be false and it is indefensible from every standpoint. This being so, we may wonder why this legislation is necessary.

The answer is furnished to us in the authoritative information provided by witnesses before the House Committee on Education and Labor and the impressive array of statistics unhappily proving that discrimination in wage payments, on the basis of sex alone, continues to exist even in this modern space age.

Recognizing that the concept of wage payment discrimination against women is false; having before us the surprising but overwhelming evidence that such discrimination still continues to exist; and realizing that this measure represents the correction of basic injustice being visited upon women in many fields of endeavor, let us, I urge you, firmly reject any crippling amendments and proceed immediately and unanimously to the enactment of this bill extending simple wage justice to the increasing corps of America's workingwomen.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. Cohelan] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COHELAN. Mr. Chairman, I rise in support of this important and long overdue legislation to prohibit discrimination on the basis of sex in the payment of wages.

The right of equal opportunity is one of the great pledges of this country. It is a pledge which in the field of employment should mean the right of women to receive pay equal to that of men for work of a comparable nature, for work requiring comparable skill. The hearings conducted by the House Committee on Education and Labor and the studies done by the Department of Labor, however, make it very clear that this is not the case today; that discrimination in pay on the basis of sex continues to exist; that unequal pay has not been nearly so eliminated in practice as it has in theory.

It is obvious and true that there are certain types of work which can be best performed by men. It is equally true that there are other types of work in which women excel. In each case pay should be commensurate with the work.

There is, though, a great middle ground, a large number of positions or jobs, which men and women can perform with equal ability. In these positions there should be no distinction in pay based on sex; women should not be asked or expected to accept wages less than that paid to men.

This legislation, Mr. Chairman, would enable us to take an important step toward this goal; it would enable us to remove an economic waste we can ill afford, and I urge that it be approved without delay.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. Fisher] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FISHER. Mr. Chairman, I entertain grave doubts as to the need and propriety of this legislation. It is another one of those bills which, on its face, sounds good, but which when in practice can be expected to have an adverse effect on the employment of women in many instances. The bill gives to the Wage and Hour Division of the Labor Department a hunting license to go into business establishments, examine their books, and impose upon their time, in seeking possible violations. It creates an invitation for bureaucratic harassment of business in general. The enforcement of it will create an administrative nightmare, and in many instances will permit the views of an enforcement officer to supersede those of the employer with respect to employment practices. It will require the employment of a substantial number of new employees to administer it.

As the committee points out, the bill does not take into account the higher cost, averaging about 30 cents an hour, involved in the employment of women. This is due to greater turnover and absenteeism, State laws limiting hours of employment of women and placing restrictions on lifting, longer lunch and relief periods for women, higher insurance rates for women, and the cost of providing women with special facilities.

Moreover, the bill is so worded that the Secretary of Labor will have a field day in the interpretations that he may apply to "equal." This may be interpreted to mean "comparable" or "identical."

It has been said here that there are 22 States that now have equal pay legislation. That would indicate no necessity for Federal intervention, assuming that there is merit in the proposal to enter into this compulsion program.

It has already been indicated that once this legislation is put into effect, an undetermined number of employers will choose to avoid employing women in order to protect themselves against the harassment by the Labor Department and the possible increase in the cost of operating their business.

It is feared that such a law will result in many deserving women losing their jobs or failing to obtain employment.

Again, Mr. Chairman, I am sure we all subscribe to the principle that every employee should be compensated on a basis of equal pay for equal work, particularly when the equal work results in comparable production. It could very well be that the personality of an employee, or the church and social acquaintances of an employee, could add substantially to the value of an employee's usefulness. Yet, that factor is completely ignored in this legislation.

In conclusion, by this proposal, the Congress will be arming the Wage and Hour Division of the Labor Department with authority to impose restrictions upon businessmen which may be expected to result in less employment for women, particularly those in the fringe area of production and usefulness. I therefore seriously doubt that a vote for this bill today is one that can be said to benefit the women workers of America. It may very well have the opposite effect.

Mr. HALPERN. Mr. Chairman, I rise in support of this bill. As the sponsor of similar legislation, my bill being H.R. 1624 introduced on January 10, 1963, I fully back the gentlewoman from Oregon [Mrs. GREEN] and highly commend her superb work on this issue. The objectives of H.R. 6060 are highly desirable and are long overdue, and I strongly urge this House to give it an overwhelming vote of approval.

This bill will go far in eliminating a thoroughly inequitable employment practice. It will establish wage justice for workingwomen. It will create equal opportunity regardless of sex, in industries engaged in commerce or in the production of goods for commerce. Enactment of this bill establishes once and for all that work of comparable character, requiring comparable skill must be compensated on a nondiscriminatory basis.

Unfortunately, today in the United States many women still work under the wage and opportunity handicaps. The time has come when we must banish all discrimination against working women, and wipe out the long-standing pay differentials between men and women doing the same work.

I urge my colleagues to join me and the other supporters of this bill to make this a day to be remembered by all women. Let us leave this House today, with the knowledge that we have wiped out a great social inequity.

Mr. MATSUNAGA. Mr. Chairman, I rise to urge a favorable vote on H.R. 6060 which has become known as the equal pay for equal work bill.

There was a time when women were considered as mere chattels. Through education of man himself, however, the male specie has come to the realization that indeed the so-called fairer sex is his equal and in many respects his superior. For example, it has been scientifically shown that a woman can stand hotter and colder temperatures than a man can. It has been statistically shown too that women have a longer life span than men. And, not only are they "more prone to motherhood than men," as so sagely observed by a member of the minority party, the gentleman from Illinois, in the committee report, but women are in fact the sole claimants to motherhood.

Through availing herself of advanced education and training, the American woman especially has advanced herself to a position of equality with members of her opposite sex in ability and performance. The great economic advancement which our Nation enjoys today is partly due to the contributions made by women both in industry and research.

In recognition of this painful but nonetheless undeniable fact, proud men have taken measures through legislation and other means to improve the status of the working women over the years. There is, however, discrimination still being shown against women in the payment of wages and salaries for performing equal work with men. H.R. 6060 will not correct this inequity altogether but is definitely a step in the right direction.

It has become abundantly clear, especially from our experience in World War II, that one of our Nation's greatest resources is womanpower. If we are to maintain our leadership among the nations of the world in economics, science, industry, and social welfare, we must continue to utilize the talents and contributions of our female population. Presently there are 22,835,000 women gainfully employed. Of this number less than a million are in top administrative posts, according to Department of Labor statistics. With more and more women possessed of advanced education and training, they should account for a greater number in this category. In order to attract the best qualified women where they are most needed, it is imperative that the pay as well as the job be made attractive and challenging.

As a matter of simple justice, there is no longer an excuse for paying women less than men for performing the same work, if there ever was any. Women today are frequently pursuing professional and occupational careers as men are and are not infrequently breadwinners for their families. Women have long proven the importance of their role in our economy. They deserve equal pay for equal work. Let this body, consisting principally of men, vote "yes" on this important legislation today.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Equal Pay Act of 1963,".

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby finds that the existence in industries engaged in commerce or in the production of goods for commerce of wage differentials based on sex—

(1) depresses wages and living standards for employees necessary for their health and efficiency;

(2) prevents the maximum utilization of the available labor resources;

(3) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;

(4) burdens commerce and the free flow of goods in commerce; and

(5) constitutes an unfair method of competition.

(b) It is hereby declared to be the policy of this Act, through exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct the conditions above referred to in such industries.

SEC. 3. Section 6 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. et seq.), is amended by adding thereto a new subsection (d) as follows:

"(d) (1) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex: *Provided,* That an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

"(2) No labor organization, or its agents, representing employees of an employer having employees subject to any provisions of this section shall cause or attempt to cause such an employer to discriminate against an employee in violation of paragraph (1) of this subsection.

"(3) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this Act.

"(4) As used in this subsection, the term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."

SEC. 4. The amendments made by this Act shall take effect upon the expiration of one year from the date of its enactment: *Provided*, That in the case of employees covered by a bona fide collective bargaining agreement in effect at least thirty days prior to the date of enactment of this Act, entered into by a labor organization (as defined in section 6(d)(4) of the Fair Labor Standards Act of 1938, as amended), the amendments made by this Act shall take effect upon the termination of such collective bargaining agreement or upon the expiration of two years from the date of enactment of this Act, whichever shall first occur.

Mr. THOMPSON of New Jersey (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ASHBROOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: Page 3, line 13, at the beginning of the line, insert the following: "Investigation of alleged discrimination under this subsection shall be limited to the facts set forth in writing by an aggrieved employee and".

Mr. ASHBROOK. Mr. Chairman, I would like to state at the outset, this is the same amendment that was offered by the gentleman from Nebraska [Mr. MARTIN] in subcommittee. Obviously, it was not accepted. I believe it has merit and I believe the House should consider this amendment in an effort to prevent fishing expeditions and that type of abuse that could come from investigations.

Mr. Chairman, I believe that H.R. 6060 should be amended to prevent broad bureaucratic harassment. The principle of equal pay for equal work cannot be denied. The broad administrative power to conduct fishing expeditions should not be necessary, however, to implement the noble purposes of this bill. I am offering this amendment for the purpose of preventing investigation unless and until a complaint is filed by an aggrieved employee who alleges discrimination on account of sex.

I disagree with point four of the supplemental views of my Republican colleagues. They state:

> Enforcement must be obtained in the Federal courts and not arbitrarily through an all-powerful administrative body.

I do not believe anyone can realistically allege that opinion, interpretative bulletins, questions and answers issued by the Administrator of the Wages and Hours Division have less validity than the law and duly announced regulations in the day-to-day operation of a business. As a practical matter the differences are more imagined and semantic than real.

It is true that H.R. 6060 amends the Fair Labor Standards Act which does not grant regulatory power to the Secretary for section 6 of that act to which the equal pay amendment would be added. At first glance, this might seem fine, but this would be a gross oversimplification. The difference is more apparent than real. Under Fair Labor Standards Act, the Secretary has the right, and he exercises it, to issue opinion, interpretative bulletins, and questions and answers. These are issued without hearings and have the effect of regulations.

The Supreme Court of the United States established the legal similarity between regulations and interpretations when it said:

> "There is no statutory provision as to what, if any deference courts should pay to the Administrator's conclusions * * *. We consider that the rulings, interpretations, and opinions of the Administrator under this act, while not controlling upon the courts by reason of their authority [do] constitute a body of experienced and informed judgment to which courts and litigants may properly resort for guidance. The weight of such a judgment in a particular case will depend upon the thoroughness evident in its consideration, the validity of its reasoning, its consistency with earlier and later pronouncements, and all those factors which give it power to persuade, if lacking power to control" (*Skidmore et al.* v. *Swift and Company*, (1944), 323 U.S. 134).

In H.R. 6060, the Secretary of Labor through the field of investigators of the Wage and Hour Division, armed with the Secretary's interpretations and opinions, are free to investigate and enforce at will.

The grant of authority which permits these field investigators to look for trouble, to seek out alleged pay discrimination with the same vigor with which they now seek insignificant and technical pay or overtime violations should be strenuously resisted. This was a major defect in the original administration equal pay bill.

Under H.R. 6060, the Secretary gives interpretations and opinions without hearings which have the effect of regulations. The broad unrestricted hunting license given to wage and hour investigators under H.R. 6060 is not needed in an equal pay bill and should not be tolerated.

I intend to offer an amendment which would limit the investigators' authority only to the field of the filed complaint.

Unless the approach in H.R. 6060 is amended to restrict investigations to written complaints by aggrieved employees, it should be vigorously and actively opposed.

On page 71 of the hearings on this bill, Secretary of Labor Willard Wirtz submitted a statement which set forth the procedures and sanctions for a contempt of the administrative process established in section 5(a)(2) of the Fair Labor Standards Act. The statement is as follows:

INVESTIGATION PROCEDURES UNDER 5(a)(3) OF THE EQUAL PAY ACT OF 1963

The Secretary of Labor's investigation authority under the proposed Equal Pay Act,[1] (H.R. 3891, H.R. 4269) follows section 11(a) of the Fair Labor Standards Act of 1938, as amended.[2]

1. Fair Labor Standards Act investigation authority:

There is no coercive aspect to the investigation authority in the Fair Labor Standards Act. Section 9 of that act authorizes the Secretary to secure oral testimony or access to records required for administration of the act by issuing subpenas pursuant to section 9 of the Federal Trade Commission Act. A subpena, therefore, is resorted to in the unusual situation in which an employer refuses access to premises or records in connection with investigations under section 11(a).

There are no legal sanctions which can be applied administratively under the Fair Labor Standards Act or under general provisions of law for failure to comply with such an administrative subpena. In cases of contumacy, it is necessary to go into court and obtain a court order to enforce a subpena. If a court order is issued ordering compliance and compliance still is not forthcoming, the noncomplying individual then would be subject to civil court proceedings for contempt.

As the courts have said: "No officer or other person has sought to enter petitioners' premises against their will, to search them, or to seize and examine their books, records or papers without their assent, otherwise than pursuant to orders of court authorized by law and made after adequate opportunity to present objections with in fact were made." (*Oklahoma Press Pub. Co.* v. *Walling*, 327 U.S. 186 (1945)).

In a footnote, the court comments upon the investigation authority: "The section thus authorized both general and specific investigations, one for gathering statistical information concerning entire industries, cf. *Walling* v. *American Rolbal Corp.*, 135 F. 2d 1003, the other to discover specific violations. The pattern has become common since its introduction into Federal law by the Interstate Commerce Commission legislation. See the summary given as to both Federal and State instances in Handler, the Constitutionality of Investigations by the Federal Trade Commission (1928) 28 Col. L. Rev. 708, 905, at 905–909, see also 925–929)."

2. Experiences under the Fair Labor Standards Act:

Subpenas to employers in connection with investigations are required in rare instances, totaling only five or six a year. Court actions to enforce them are also rare—one a

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[1] "Sec. 5. (a) The Secretary of Labor—

"(2) may investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any industry subject to this act, and may enter and inspect such places and such record (and make such transcriptions thereof), question such employees, and investigate such facts, conditions; practices, and matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this act, or which may aid in the enforcement of the provisions of this act;"

[2] Under section 601 of the Labor Management Reporting and Disclosure Act of 1959, the Secretary of Labor is vested with investigation authority similar to that in the Fair Labor Standards Act and in the proposed Equal Pay Act of 1963.

> year for the past 4 fiscal years and one during the present fiscal year.
>
> 3. Inspection policy under the Fair Labor Standards Act:
>
> As to the extent of investigations under the Fair Labor Standards Act, the Department usually inspects less than 5 percent of the 1,200,000 covered establishments. Selection of establishments for inspection is usually made under the following priority:
>
> (1) inspections on complaints;
>
> (2) reinspections following inspections which have revealed violations;
>
> (3) routine checks of firms not previously inspected in industry or areas where violations have been found in some number.

Note that the first sentence is a complete contradiction to the realities of the situation.

> There is no coercive aspect to the investigation authority in the Fair Labor Standards Act.

Could anything be more ridiculous?

The point was raised during the hearing that if an aggrieved employee were required to file a charge, few if any would be filed. I am sure that this is not the case. This is the typical attitude here that people are not smart enough to take care of themselves and utilize the law to protect themselves. Quite frankly, I respect the ability of our women far more than that.

The acceptance of this amendment would substantially improve this legislation and prevent bureaucratic abuse. I urge your support.

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Ohio.

Mr. TAFT. May I ask the gentleman if he is in disagreement with my statement made earlier today in connection with the two cases which I cited, the one in the district court and the one in the fifth circuit, which indicated at the present time under the Fair Labor Standards Act and also under the provisions of the bill, if enacted into law, there would be no general investigatory power with any sanctions in it other than to go to the circuit court and ask for a subpena? Under those circumstances a subpena would be issued by the court only after a showing that a violation had occurred and knowing that a general search of the records had been denied, where there was a fishing expedition and no specification of the area involved.

Mr. ASHBROOK. Yes. I think the realities of the case are very clear. The keywords concerned the sanctions involved. The same thing was said by the Secretary of Labor in the report that he filed in response to the request of the gentleman from Ohio in the subcommittee. The statement appears on page 71 and is certainly a misnomer. Here is what the Secretary of Labor said:

> There is no coercive aspect to the investigation authority in the Fair Labor Standards Act.

I do not believe on a realistic basis we can accept the fact that there is no coercive force in effect in an investigation and that simply because the Government needs to go into court as the gentleman from Ohio stated, there can be no coercion. I do not agree with what Mr. Wirtz said in his answer to the gentleman from Ohio and I believe the gentleman is correct in a legal sense but in a realistic sense it does not work out this way.

Mr. TAFT. In investigating into the Fair Labor Standards Act, it is necessary, if there is a refusal to reveal the record or to permit access to an employer's record, the Administrator must go into court and he must get a subpena. The subpena may be opposed and the propriety of the investigation then comes before the court at that time.

Mr. ASHBROOK. That is correct, but on the practical side, the average businessman throughout the country is not going to do this. This is why the tremendous power is coercive. There have been very few cases where it has been necessary to go into Federal court because the coercive power of the Government is so great that the average small businessman capitulates.

Mr. PUCINSKI. What the gentleman from Ohio has said, I believe is correct, before the Government can step in. But if an employer refuses to cooperate——

Mr. ASHBROOK. That is the keyword.

Mr. PUCINSKI. If that is correct, then we do not have the broad powers that the gentleman explained or described in the first instance as a fishing expedition as such.

Mr. ASHBROOK. I do not think that is at all correct. The Bureau can go into any business throughout the country and conduct investigations. It just simply works out that way.

Mr. THOMPSON of New Jersey. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all other amendments conclude at 20 minutes past 4.

Mr. GROSS. Mr. Chairman, reserving the right to object, does the gentleman mean all amendments to this amendment or all amendments to the bill?

Mr. THOMPSON of New Jersey. I mean all amendments.

Mr. GROSS. All amendments to the bill?

Mr. THOMPSON of New Jersey. Yes.

Mr. GROSS. Mr. Chairman, I would be constrained to object to that.

The CHAIRMAN. The gentleman will restate his request.

Mr. GROSS. Mr. Chairman, if the gentleman wants to limit it to this amendment and all amendments thereto, that is one thing.

Mr. THOMPSON of New Jersey. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto conclude in 10 minutes.

Mr. WILLIAMS. Mr. Chairman, reserving the right to object, I have an amendment to the amendment that might require a little discussion. I think the gentleman should wait a few minutes to see how things go. It may or may not require discussion.

Mr. THOMPSON of New Jersey. I withdraw my request, Mr. Chairman.

The CHAIRMAN. The gentleman from New Jersey withdraws his unanimous-consent request.

Mr. THOMPSON of New Jersey. Mr. Chairman, in asking consent, it was not my intention to cut off any necessary debate on this legislation. I was trying to be considerate of some Members who have commitments and want to leave early.

Mr. Chairman, I am very strongly opposed to the amendment offered by the gentleman from Ohio. Its adoption would, in my mind, emasculate the act, and were it to pass with it attached, it would be almost utterly unenforceable. It would make it encumbent upon literally millions of rather poor and uneducated persons to embark on legal processes. It would involve the retention of lawyers, the filing of pleadings, and technical matters with which no reasonable person could expect women who work to be familiar. I think that the subcommittee considered the legislation most carefully. I think that it has derived the best possible legislation under the circumstances, and I urge that this amendment be defeated.

Mrs. MAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to this amendment to H.R. 6060 because it would place severe limitations on the remedies available to persons injured by violations of the Equal Pay Act. I am strongly opposed to the amendment and wish to explain my position.

H.R. 6060 prohibits employers from discriminating between employes on the basis of sex by paying different wages for the same job. It would accomplish this by amending the Fair Labor Standards Act. The remedies that would be available when a violation of the Equal Pay Act occurs would be the same as those remedies currently available under the Fair Labor Standards Act for those employees who are not paid the minimum wages or overtime compensation to which they are entitled. These remedies are of three types.

First of all, an employee may bring a suit to recover the back wages to which he is entitled.

Second, at the written request of an employee, the Secretary of Labor may bring suit in the proper court to recover the employee's back wages.

Third, the district courts are given jurisdiction to restrain violations of the act upon the petition of the Secretary, on his own initiative.

The proposed amendment would, in the case of equal pay violations, limit remedial action to those placing the burden on the injured employee to proceed in his own behalf. It would not permit the Secretary to sue for the back wages in the absence of a specific, formal employee request, nor would the courts have jurisdiction to restrain violations of the act.

By removing these remedies, the amendment would dangerously weaken the Equal Pay Act. We must not forget that the person who is likely to be discriminated against will often be in a low income group. The formidable necessity to make arrangements for his own litigation or to formally file papers with the Secretary may be an experience the employee cannot bring himself to face.

Many employees will simply accept the less than equal wages rather than go through strange procedures on their own involving Federal officials and perhaps court action. We know in the context of employee attitude in enforcement of other labor standards laws that this is often the case.

Surely this is not what we want. The person who has been discriminated against should have some administrative protection which does not depend on initiative which he may lack or be afraid to exercise. The Fair Labor Standards Act presently provides for this. If the Fair Labor Standards Act approach is feasible—it should be for all purposes. The act's remedies should not be fragmented for equal pay restitution.

I strongly believe that administrative officers should have an obligation to protect exploited employees and that the courts should have jurisdiction to restrain violations and bring about wage restitution independent of the employee taking the risk of incurring employer wrath and fear of reprisals.

For these reasons I urge that the proposed amendment to H.R. 6060 be rejected.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to commend the gentlewoman from Washington for her statement and say that I too am inclined to agree that this amendment should not be adopted. While I do not necessarily agree that it would emasculate this bill if we should include such a provision, as the gentleman from New Jersey [Mr. THOMPSON] indicated, I do think that there is sufficient protection here against fishing expeditions. I also think the necessity of the one discriminated against filing a complaint in order to get an investigation of the situation would be unfair to the woman concerned, as the gentlewoman from Washington has pointed out. For that reason I think we would do better to reject the amendment and recognize that the limitation upon the investigatory powers of the Department are already included in the law and there is adequate protection as the law is now written.

Mr. WILLIAMS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS to the amendment offered by Mr. ASHBROOK: After the words "set forth" insert the words "under oath or affirmation."

Mr. O'HARA of Michigan. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, the bill before us is an amendment to the Fair Labor Standards Act. It would involve all of the enforcement and investigative procedures of the Fair Labor Standards Act. Our prohibition of discrimination in pay on account of sex should be enforced in the same way in which other violations of the wage-hour law are enforced. There is no reason to establish a different procedure.

The Fair Labor Standards Act has been with us since 1938. Its procedures are established and familiar to employers, employees, and bureaucrats. They are eminently fair and reasonable.

In a bill prohibiting discrimination in pay on account of sex it would be unreasonable to insert an amendment that provides discriminatory investigative provisions. Where there is a failure to pay the minimum wage, a violation of the overtime provisions, or a violation of the child labor provisions of the act, there can be an investigation without a written complaint. Why should a written complaint be required of a woman complaining because she is being paid less than a man doing the same work? Why should a written complaint be required in her case, but not in the others?

One final note. The gentleman from Mississippi said that he agrees that any criminal charge should be backed by an oath or affirmation. I want to remind you that we are talking about the power of the Wage and Hour Division of the Department of Labor to conduct investigations. When it comes to a criminal charge, if it ever does, all of the procedures and safeguards of our law will be followed.

Mr. WILLIAMS. Will the gentleman yield?

Mr. O'HARA of Michigan. I will be glad to yield.

Mr. WILLIAMS. I did not mean to confine that to criminal charges, but I meant to state I thought a charge should be under oath when the charge may result in taking a person's property, or in the invocation of some kind of an economic or criminal penalty against him.

Mr. O'HARA of Michigan. I could not agree with the gentleman more. I am happy to say, however, that the enforcement procedures of the Fair Labor Standards Act recognize all the requirements of due process. The question before us, however, is whether or not the Secretary can make an investigation when he has reason to believe a violation occurred.

Mr. GOODELL. Mr. Chairman, I rise in opposition to the amendment and the amendment to the amendment. Mr. Chairman, this kind of a procedure, involving an oath and affirmation, is not required today under the National Labor Relations Act. The National Labor Relations Act involves only a requirement that a charge be made. I feel if we require an oath and affirmation it will emasculate this equal pay for women's bill, if I may use the words of my distinguished colleague from New Jersey [Mr. FRELINGHUYSEN]. I do not believe a requirement alone that a complaint or charge be filed, would emasculate this legislation, but I do feel it would do very serious injury to it. There are not very many women employees who would make a complaint against their employer under circumstances where they were not represented by a union and where they had no job security. They just would not come to the point of filing a charge against their employer under such circumstances. What this means then for the nonunion employees who are covered under this equal-pay-for-women provision is, it would knock out a sizable percentage of the enforcement if you enact this provision. Under the National Labor Relations Act, where we require a charge to be filed, we are dealing with employees in union organizations or incipient union organizations. In this case we are covering nonunion and union employees alike. I do not think we want to knock out from the coverage of this act essentially all the nonunion women employees.

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to both the substitute and the amendment.

Mr. Chairman, the substitute offered by the gentleman from Mississippi could find some merit and support if it were offered as an original amendment, but since it comes as an amendment to an amendment which is designed to make this legislation effective only when the aggrieved employee files a complaint and requires that the employee file a complaint, I cannot support the substitute.

I agree with the gentleman from Mississippi that certainly nobody wants to imposed upon the employer any more hardships. I think the employer should be protected from capricious harassment by people who feel they are being aggrieved in some way or other. I think there is merit to the proposal requiring that when complaints are filed against an employer the complaint must bear the authenticity of an oath or sworn statement.

Addressing myself to the amendment offered by the gentleman from Ohio [Mr. ASHBROOK], it has been pointed out here repeatedly, that under the Fair Labor Standards Act, all employees in America who come under the minimum wage, the 27 million, who might feel some form of grievance, are not required to come forward and file personally but rather the Department of Labor can file in their behalf. As the gentleman from New York [Mr. GOODELL] stated, under the National Labor Relations Act we do not require the individual employee to file a complaint whenever he charges an unfair practice or grievance, but rather the General Counsel can file it in his behalf. Also, under the Davis-Bacon Act, where there is a claim of aggrieved treatment the employee does not have to file a complaint personally but rather the Labor Department can file it for him.

With all this history before us it seems somewhat unfair that under this amendment when a woman in this country feels she is aggrieved, that she is not being given fair treatment, she must stand before the tribunal and make the complaint personally, and then compound it more by the amendment offered by the gentleman from Mississippi who says that her complaint must be under oath.

Therefore, I submit that both the original amendment and the substitute would impose an unfair hardship cn the women we are trying to help in this legislation. For that reason I hope both the substitute and the amendment will be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi to the amendment offered by the gentleman from Ohio.

The amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. ASHBROOK) there were—ayes 48, noes 84.

So the amendment was rejected.

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 3, line 1, after the semicolon, add these words: "(iv) a differential which does not exceed ascertainable and specific added cost resulting from employment of the opposite sex;" and change the remaining roman numeral in the balance of line 1 from (iv) to (v).

Mr. FINDLEY. Mr. Chairman, this is a constructive effort to try to keep this bill from becoming an antiwoman bill.

As I said earlier, testimony before the subcommittee suggested that some manufacturing firms, based on their own cost records, believe that the cost of employing women is higher than the cost of employing men. If the effect of this bill is to force them into a wage policy that will deny them the opportunity to make a wage differential, then surely it will follow that they will tend to employ men instead of women. It might then have the effect of destroying job opportunities for women rather than improving those opportunities.

The wording of my amendment is restrictive. I do not believe it is open to abuse. The differential could occur only where the employer could show facts indicating ascertainable and specific added costs resulting from employment of the opposite sex.

Mr. Chairman, I urge the support of this amendment.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sure the gentleman's purpose is well meant, but I would suggest that the language the gentleman would add is redundant. As a matter of fact, if I understand it, and I think I do, it would lead into a great maze of difficulties of interpretation. The language as developed by the subcommittee, I think, again, is well thought out, and is very specific and clear. I feel with all due respect to the gentleman that this amendment should be rejected.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. GOODELL. Mr. Chairman, I also am opposed to this amendment. I would like to make one thing clear. One of the reasons I oppose it is I think a great deal of the specific and ascertainable costs may well be included in our present bill. I would not want to have a legislative history in the rejection of this amendment indicate that none of these specific and ascertainable costs would be eligible for consideration by the Administrator. We feel if there are specific and ascertainable additional costs as to certain employees, if the employer sets up a differential in pay which applies equally to men and to women that those specific and ascertainable costs may very well be valid exceptions to this bill. I think the gentleman would agree with me.

Mr. THOMPSON of New Jersey. I think the protection the gentleman seeks already exists in the bill. I agree with the gentleman that the legislative history should show our intention.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. PUCINSKI. Does not the language on page 3 referring to "a differential based on any other factor than sex" really cover what the gentleman from Illinois is trying to do?

Mr. THOMPSON of New Jersey. Yes; it does.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The amendment was rejected.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6060) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce, pursuant to House Resolution 362, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1409) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There being no objection, the Clerk read the Senate bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Equal Pay Act of 1963".

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby finds that the existence in industries engaged in commerce or in the production of goods for commerce of wage differentials based on sex—

(1) depresses wages and living standards for employees necessary for their health and efficiency;

(2) prevents the maximum utilization of the available labor resources;

(3) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;

(4) burdens commerce and the free flow of goods in commerce; and

(5) constitutes an unfair method of competition.

(b) It is hereby declared to be the policy of this Act, through exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct the conditions above referred to in such industries.

SEC. 3. Section 6 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. et seq.), is amended by adding thereto a new subsection (d) as follows:

"(d) (1) No employer having employees subject to any provisions of this section shall discriminate in the payment of wages within any establishment in which such employees are employed, between employees in such establishment, on the basis of sex for equal work on jobs the performance of which requires equal skill, effort, responsibility, and are performed under similar working conditions, except where such a wage differential is based on any factor or factors other than sex: *Provided,* That an employer who is paying a wage rate differential which would be in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

"(2) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this Act."

SEC. 4. The amendments made by this Act shall take effect upon the expiration of one year from the date of its enactment.

Mr. THOMPSON of New Jersey. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of New Jersey: Strike out all after the enacting clause and insert the following:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the 'Equal Pay Act of 1963,'.

"DECLARATION OF PURPOSE

"SEC. 2. (a) The Congress hereby finds that the existence in industries engaged in commerce or in the production of goods for commerce of wage differentials based on sex—

"(1) depresses wages and living standards for employees necessary for their health and efficiency;

"(2) prevents the maximum utilization of the available labor resources;

"(3) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;

"(4) burdens commerce and the free flow of goods in commerce; and

"(5) constitutes an unfair method of competition.

"(b) It is hereby declared to be the policy of this Act, through exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct the conditions above referred to in such industries.

"SEC. 3. Section 6 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. et seq.), is amended by adding thereto a new subsection (d) as follows:

"'(d) (1) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex: *Provided*, That an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

"'(2) No labor organization, or its agents, representing employees of an employer having employees subject to any provisions of this section shall cause or attempt to cause such an employer to discriminate against an employee in violation of paragraph (1) of this subsection.

"'(3) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this Act.

"'(4) As used in this subsection, the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.'

"SEC. 4. The amendments made by this Act shall take effect upon the expiration of one year from the date of its enactment: *Provided*, That in the case of employees covered by a bona fide collective bargaining agreement in effect at least thirty days prior to the date of enactment of this Act, entered into by a labor organization (as defined in section 6(d)(4) of the Fair Labor Standards Act of 1938, as amended), the amendments made by this Act shall take effect upon the termination of such collective bargaining agreement or upon the expiration of two years from the date of enactment of this Act, whichever shall first occur."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H.R. 6060) was laid on the table.

A motion to reconsider was laid on the table.

The title was amended to read as follows: "To prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce."

GENERAL LEAVE TO EXTEND REMARKS

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, may I inquire of the majority leader as to the program for the balance of the week and for next week, if he can tell us at this time?

Mr. ALBERT. Mr. Speaker, we have concluded the legislative business for this week. The program of the House of Representatives for next week is as follows:

Monday is District Day. There is no District business.

Tuesday is undetermined.

Wednesday, H.R. 5497, continuation of the Mexican farm labor program, an open rule, with 2 hours of debate. We expect there might be other business.

Thursday is Memorial Day; no session.

Friday, no legislative business.

Mr. HALLECK. I would like to inquire of the majority leader whether or not a Rules Committee meeting is likely for Tuesday next.

Mr. ALBERT. It is my understanding that the Committee on Rules will meet and consider at least two matters before the committee.

Mr. HALLECK. Could the majority leader tell us at this time what they might be and whether or not there might be some prospect of their coming up on Wednesday next?

Mr. ALBERT. It is my understanding that the Committee on Rules will consider a rule on H.R. 3496 to amend the Reorganization Act, and it might consider a resolution authorizing the Speaker to appoint Members to attend the ILO conference.

Mr. HALLECK. I thank the gentleman.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to call the attention of the distinguished majority leader to the fact that on Monday, May 20, during or after special orders, request was made that a committee be permitted to sit on two days, on May 22 and Thursday, May 23. Now, this is not the important thing. The gentleman who was presiding on the minority side during special orders asked whether this request had been cleared on the minority side with respect to this committee, and the answer was that "I cannot answer" or "I do not know whether the minority agreed to this committee meeting or not." But, the important thing is that business is being transacted after the membership should be on notice that the business of the day is over. Now, as I started to say a moment ago, it is not the fact of the request for committee meetings; it is the fact that other unanimous-consent requests can be made of major importance to the membership of the House. I would like the assurance of the distinguished gentleman that proper notice be given.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, I will give assurance, insofar as I am able to do so, that in all but extraordinary circumstances requests to call up legislation or to grant permission for committees to sit while the House is in session will not be made except when proper notice has been given to both the majority and minority sides.

Mr. GROSS. I thank the gentleman and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE NEW HORIZONS OF SPACE POWER

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, on May 1, Gen. B. A. Schriever was the principal speaker at the dedication of the new Air Force Missile Tracking Station, the U.S.S. *Arnold* at Cape Canaveral, Fla., at which I was privileged to be present.

I include as part of my remarks the address given by General Schriever on that occasion:

THE NEW HORIZONS OF SPACE POWER

Distinguished guests, ladies and gentlemen, first of all I want to extend a warm welcome to Mrs. Arnold and her three sons who are present at this ceremony.

It is a special pleasure for me to say a few words at the dedication of the advanced range instrumentation ship *General H. H. Arnold*. Every member of the Air Force today owes General "Hap" Arnold a debt of gratitude for his continued fight for American airpower. I also have a personal reason to remember him. Just after I graduated from flying school as a new lieutenant, I received my first assignment to March Field, Calif., in 1933, where General Arnold was the commanding officer as a lieutenant colonel.

During his assignment there, he gave the bride away at my wedding 25 years ago.

The U.S. Air Force has come a long way since those days, and the ship we are dedicating today is one measure of how far we have come. It is a ship with a mission that could not have been imagined 30 years ago—or even 20 years ago. It is not designed for any of the traditional functions of an oceangoing vessel, such as transport, exploration, fishing, or warfare. Rather, its purpose is to serve as a floating platform for some of the most complex and sophisticated equipment ever designed by the wizards of electronics. With this equipment it will greatly extend the instrumentation facilities of the Atlantic Missile Range.

Instrumentation is a key element of technology in the space age. It plays a crucial role in the rapid progress of our research and development efforts, through the provision of more complete and accurate information on test results. As a result, far fewer tests are required than was formerly the case.

The Atlantic Missile Range could be called an instrumented shooting gallery. On any major development test, thousands of people and scores of complex instruments are involved. Instrumentation today is big business—a billion dollar business. The procurement of major instrumentation items, including new range ships like the *General Arnold* may involve hundreds of millions of dollars.

The need for advanced range instrumentation ships is an indication of the striking growth in our missile and space technology. The first 5,000 miles of the Atlantic Missile Range are covered by 10 island tracking stations and the complex instrumentation at Cape Canaveral. But beyond Ascension Island there are no island tracking stations.

The *General Arnold*, which is the first of our advanced range instrumentation ships, will carry radars more powerful than any now employed on the Atlantic Missile Range. Its instruments will be able to collect between 10 and 20 million bits of information on a missile it will monitor for only 2 or 3 minutes. Its giant computer will be able to process 800 million items of information a minute. It will carry its own weather station which will be capable of taking both surface and upper air data.

In addition, the *General Arnold* carries a complex of advanced instruments, including short range and long range communications systems, data handling equipment, a telemetry subsystem, a timing subsystem accurate to one ten-thousandth of a second, and optical error-correcting equipment.

Many of these subsystems are the first of their kind, and it was not certain that they could all be installed and operated successfully. In fact, there were quite a few sceptics when the program was started. But we have been very pleased with the results so far. The *General Arnold* passed its Coast Guard seaworthiness trials after a 1-day run, and the functional testing of equipment has been very successful.

The ship is designed to provide several capabilities. First, it will be able to provide detailed radar observations of nose cones. Second, it will be capable of making ballistic missile trajectory and impact measurements including the reception and recording of telemetry data. And third, it can give support to space missions.

From the preliminary indications of its performance, we have every reason to be proud of this addition to the Nation's instrumentation facilities. It is very appropriate that this triumph of engineering should be named for the man who pioneered many of our Nation's great advances in aerospace power.

General "Hap" Arnold always looked to the future. Originally he had wanted to be a cavalry officer, but after he was assigned to flight training, he became an enthusiastic believer in airpower. He was one of the first students trained by the Wright brothers. He held Pilot License No. 29 and Expert Aviator Certificate No. 4. Early in his flying career, General Arnold showed an acute awareness of the rapidly changing nature of airpower.

His foresight was demonstrated as far back as 1917, when he worked with Charles Kettering on the development of a remarkable guided missile called the Bug. This was a pilotless airplane, powered by a 40-horsepower gasoline engine, which weighed about 300 pounds and could carry 300 pounds of explosives to a target. Its total cost was about $400. Although it was tested successfully, World War I ended before it could be put into production.

In many ways this device was 25 years ahead of its time. It foreshadowed the German V-1 buss bomb that was used against London and even anticipated some of its control devices.

Throughout his career "Hap" Arnold was a pioneer of new ideas. As early as 1938 he predicted the development of airplanes that would use variable wing geometry. He wrote at that time "Planes of the future may have telescopic wings, which, once in flight, can be foreshortened, telescoped, or pulled in * * *, thus greatly accelerating the forward progress of the vessel of reduced size and decreased air resistance." Again he was 25 years ahead of his time, in anticipating the principle which will be incorporated in the Nations' newest aircraft, the TFX.

General Arnold's greatest lasting contribution to the growth of airpower came during World War II when he called together the Nation's top scientific brains to determine the long-range research and development needs of the Air Force.

In November 1944 he set up an organization of scientists, under the direction of Dr. Theodore von Karman, as the Army Air Force Scientific Advisory Group.

He told these scientists that he wanted them to think ahead 20 years. He directed them to forget the past and to regard the equipment then available only as the basis for their boldest predictions. As he later wrote, "I want them to think about supersonic speed airplanes, airplanes that would move and operate without crews, improvements in bombs * * *; defenses against modern and future aircraft; communication systems * * *; television, weather, medical research; atomic energy, and any other phase of aviation which might affect the development and employment of the airpower to come."

Nearly 20 years have passed since General Arnold invited his scientists to look 20 years into the future. Many of his predictions have proved to be amazingly accurate. But he was not content merely to be a prophet. He took the practical steps that laid the foundation for the development of today's aerospace systems.

Dr. von Karman's report to General Arnold, "Toward New Horizons," provided many guidelines for a sound and vigorous research and development program.

One of the descendants of this scientific advisory group is the present Air Force Scientific Advisory Board, which provides a close and valuable link between the Air Force and the Nation's civilian scientific community. Another descendant is the Rand Corp., an outgrowth of Project Rand which was set up in March 1946, at General Arnold's suggestion. It is interesting that one of the first Rand projects was a pioneer study of space satellite systems.

I do not think "Hap" Arnold would be very surprised at today's missile and space systems. He would see them as the logical extension of the airpower for which he fought all his life. In fact, he would probably again urge the Air Force to look 20 years into the future. As he wrote in 1945, "National safety would be endangered by an Air Force whose doctrines and techniques are tied solely to the equipment and processes of the moment. Present equipment is but a step in progress, and any Air Force which does not keep its doctrines ahead of its equipment, and its vision far into the future, can only delude the Nation into a false sense of security."

In dedicating this range ship today, we are not only honoring a man; we are also honoring a rare quality of heart and mind. General "Hap" Arnold consistently looked to the future. He had a great vision for the growth of aerospace power, and he did the hard work that helped make his vision become a reality. He pointed the way, and his three sons are following in his footsteps as officers in the Nation's Armed Forces.

The naming of this ship pays tribute to his memory. But we can honor him more truly by displaying the qualities he possessed. Now more than ever, our Nation needs the kind of foresight and courage that were the hallmark of General "Hap" Arnold.

Thank you.

KINGS POINT MARITIME ASSOCIATION DINNER

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, on Thursday, May 9, and again on Monday, May 20, I had the good fortune to participate at the Kings Point Maritime Association dinner in New York City, and the Brooklyn Chamber of Commerce annual luncheon at the St. George Hotel in Brooklyn, N.Y. The principal speaker on both occasions was Hon. Franklin D. Roosevelt, Jr., the Under Secretary of Commerce, and he spoke forcibly and forthrightly on the subject of our nuclear-powered merchant ship the *Savannah*.

Mr. Roosevelt described in detail the shut-down procedures taking effect in taking the ship out of operation due to the labor problems involved. Mr. Roosevelt specifically stated that the U.S. Government guaranteed the continuous operation of this ship in the future. He stressed that this ship was devised, designed, constructed, and operated with the American taxpayers' money and its purpose was to study the feasibility of the economy of operating nuclear powered ships for the American Merchant Marine.

The Under Secretary stated that this Government will operate the ship, or will contract the operation to private companies, and has asked for proposals from many shipping companies for this purpose.

He has examined all proposals and will make the decision in the best interests of this country. He continually emphasized in his remarks that no private interest should supersede the national interest, and he should most certainly be commended for his stand in an area where some public officials fear to tread.

I wish to extend my congratulations to Mr. Roosevelt for his presentations and to assure him that the vast majority of his audiences share in my opinions.

AVAILABILITY OF CLASSIFIED INFORMATION ON FOREIGN AID

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. The Committee on Foreign Affairs is conducting hearings on the foreign aid authorization for fiscal 1964. A comprehensive explanation of the program, describing in detail the plans for individual countries and the way in which funds are to be distributed among countries and various types of operations, is contained in three large looseleaf volumes which include classified information.

Although there is a tendency in the Departments of State and Defense to overclassify, I am sure that there is general recognition of the reasons why a certain amount of the material submitted in support of the program cannot be made public.

Material relating to the military assistance program includes specific information as to the numbers and equipment of the forces of our allies which would be of value to our enemies.

The amount of assistance proposed for individual countries and projects is not published in order to avoid disappointment if, as a result of action by the Congress, reductions and readjustments become necessary.

In addition, these volumes contain evaluations and expressions of opinion from U.S. oversea officials which are of great importance in analyzing the program but which would not be available to the committee and the Congress if they were made public.

In order that the classification of this material will not prevent any Member of Congress from obtaining full information concerning the foreign aid program, it has been my practice during recent years to invite all Members of the House who are willing to observe the security classification to examine these volumes. They are available every day in the Foreign Affairs Committee room on the gallery floor of the Capitol and will be at the committee table during consideration of the bill.

I believe that Members of the House will be favorably impressed with the nature of the information which is contained in these volumes and will find it worth while to devote some time to examining them. I hope that everyone will accept this invitation.

WAKE FOR THE WHEAT REFERENDUM

Mr. ROSENTHAL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, yesterday, in and out of the Congress, there was a wake for the wheat referendum.

Considerable emphasis was placed on the political aspects of the continuing wheat problem.

This is misplaced emphasis.

The wheat situation today is no more political than a professional bridge tournament. Wheat has significant economic status, it has humanitarian aspects, but it now carries neither privilege nor responsibility in the realm of politics.

In the wheatgrower referendum Tuesday over a half-million farmers, farm wives, and landlords endorsed the wheat program offered to them by the Congress. It can be assumed all had one reason for the endorsement—they simply accepted it as the best available answer to their personal farm income problems and the Nation's supply and subsidy problems.

At the same time over a half-million farmers, farm wives, and landlords rejected the program offered to them by the Congress. There are, naturally, more reasons for voting against than for.

It can be presumed that some voted against it because they simply want Government out of agriculture and saw a "no" vote as a good start in that direction.

Others probably voted "No" because they felt the alternative program now effective as a result of the referendum the best of two choices.

Still others cast their "no" votes on the proposition advanced by some farm leaders and Republican Congressmen that new legislation would provide a voluntary program for 1964 in which some farmers could participate for full benefits and others could ignore while still collecting fringe benefits.

If the administration suffered a defeat in the Tuesday referendum it was a defeat shared by better than a half million Americans concerned with the production and sale of wheat.

If the administration's opponents experienced a victory in the referendum it was a victory shared by more than a half million Americans who sought it for a wide variety of reasons.

To which groups, then, are politicians responsible? And for what reasons?

Perhaps the political explanations to the farmers in all groups should come from those who have since 1961 consistently voted against every proposal to increase farm income and reduce Government costs—who have since 1961 constantly pleaded for the operation of the free market and the end of Government interference—and who now demand what they have consistently opposed.

Farmers last Tuesday were not offered a choice between a program and no program, but a choice between a realistic approach to improved income and reduced surpluses and Government costs in which all would share in responsibilities and benefits, and a voluntary program carrying less responsibility and less benefits.

They elected one of the two choices offered by the Congress—and the administration has the same obligation to carry out the program the voters endorsed as it would have had to carry out the rejected program.

This is a legal process, not a punitive one.

It is no secret that if the rural voting pattern had been followed nationally in 1960 we would today have a Republican rather than a Democratic President. That is a frightening thought, but statistically sound.

What, then, was the Democratic President's reaction to this lack of farm support at polling places in 1960, which was far more important to him and his party than the wheat referendum in 1962? What kind of punitive action did he take?

He appointed as Secretary of Agriculture an articulate leader who made it his first order of business to change the national image of the American farmer from the picture of a burden on our society inherited from his predecessor to the truthful and honest picture of a No. 1 benefactor.

Then, under the leadership of the President, the Congress initiated legislation that upped farm income a billion dollars a year.

And what do that President and that Secretary of Agriculture say now, in the wake of the wheat referendum?

They pledge every effort to administer the choice farmers expressed in ways that will give every possible protection to the farm economy and the related general welfare.

If all that represents punitive action, farmers could certainly do with more of the same—and so could all the rest of us.

ERNIE DAVIS

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include two editorials.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, the people in my district were sorrowed by the passing of Ernie Davis, a great athlete and a fine human being. We were fortunate indeed to have had him at Syracuse University where he brought fame and honor to his school and our city.

It seems unfair that a young man of such great ability should be taken so young, but he left a monument to his memory: the good clean sportsmanship he practiced and the achievements he accomplished despite obstacles. All young people struggling along in life can look to his example for inspiration.

The newspapers in Syracuse, the Post Standard and the Herald-Journal have expressed very well the profound loss we have all suffered. Therefore, I am inserting their editorials here to show our local feeling of great sadness, along with an editorial from the Washington, D.C., Evening Star which is representative of the nationwide expression of admiration and respect for Ernie Davis.

[From the Syracuse (N.Y.) Post-Standard, May 19, 1963]

Death of a Champion—Ernie Davis—Example of the Best

Ernie Davis was a great competitor. And he was a great human being.

He brought glory to himself, to his race, to his university, to his coaches, and to football.

He played to win, and he played clean.

Stricken last summer with acute leukemia, Ernie took his death sentence like a man. His friends hoped that he had overcome the odds last fall when the doctors reported there had been a remission of the blood cancer, and there was a nationwide debate as to whether he should have been allowed to play football for the Cleveland Browns.

Fortunately, Ernie was not permitted to play, but he had hopes for months that he might have achieved another personal victory.

It was not to be. Neither medical science nor the courageous determination of a champion could conquer the disease.

Winner of All-America honors and of the Heisman Trophy as the oustanding college football player of 1961 in his senior year at Syracuse University, Ernie Davis had followed in the footsteps of the tremendous Jim Brown to reach even greater heights.

Ernie was much more than a perfect physical specimen and a champion. He became the idol and the example for thousands of American youngsters across the land.

In his modesty, he enjoyed nothing more than appearing before a gathering of young scholastic athletes to stress the importance of clean living and of sportsmanship in competition.

Everywhere he went, as he was acclaimed for his gridiron prowess after winning the Heisman Trophy, Ernie was a worthy representative of the best in intercollegiate sport.

Ernie enjoyed many proud Saturdays in Archbold Stadium while wearing an orange football jersey, but probably his proudest day in the stadium came on June 2, 1962, when he officiated as one of the two marshals for the graduating class.

Wearing the uniform of an officer in the U.S. Army, Ernie Davis was the focus of thousands of eyes as he performed the duties of marshal, conducting the various groups of graduates to their proper places on the football field and escorting the recipients of graduate degrees to the platform.

And later, as Chancellor Tolley was conferring an honorary degree on U.S. Judge Henry F. Friendly, of Elmira, he interrupted the reading of the citation to comment about Elmira: "A town made famous by a marshal here who is graduating this morning."

The commencement crowd understood the reference and applauded, and we daresay no football cheers ever sounded sweeter to Ernie Davis.

Finally, he was one of nine class leaders called to the platform to receive their diplomas personally and to be congratulated by the chancellor. It was a fitting conclusion to a remarkable career in Archbold Stadium.

As word of his death spread across Syracuse yesterday morning, it was almost as if a pall had fallen over the city.

Everyone had a word of shock and sorrow over the unexpected news.

On the national press association wires, the Ernie Davis story topped the news of the day as thousands of words about him were sent into every newspaper office and radio and television station.

We can only echo the words of Arthur B. Modell, president of the Cleveland Browns: "It will be a long time before we see a boy like Ernie Davis again, as an athlete or as a man."

[From the Syracuse (N.Y.) Herald-Journal, May 20, 1963]

Ernie Davis: A Brief but Brilliant Life

The life of Ernie Davis was not long, but the 23 years were packed with more success and brilliance than most men know in the normal span of existence. When he died last Saturday he was a national sports figure, already a legend.

Besides the tangible football honors—the Heisman Trophy, player-of-the-year title, the $80,000 professional contract—Ernie won the special personal respect reserved for those whose virtues extend beyond the ability to play a game better than anyone else. Syracuse University Chancellor William Tolley said it this way: "Ernie was as fine a man as he was an athlete—whether in the classroom, the dormitory, or on the playing field. He exemplified the highest standards of industry, integrity, responsibility, and fidelity to duty."

There is a kind of champion whose excellence is an inspiration rather than only an object of cheers and admiration. Ernie was that kind.

[From the Washington (D.C.) Evening Star, May 21, 1963]

Pride of Syracuse

The game of life was a short one for Ernie Davis. He had only 23 years to do what he wanted to do, and that was not long enough. The sports world will never know whether he could have eclipsed the pro football records of his friend and idol, Jim Brown, as he already had done at Syracuse University. But anyone with his courage, skill, and determination certainly deserved a chance to try. As a student and Heisman Trophy winner at Syracuse, he made a lasting contribution. As one who faced his last illness bravely, he won admiration. His name will continue to live, through the Ernie Davis Foundation, in the worthy cause of leukemia research.

A BILL TO EXTEND PROTECTION BY THE FEDERAL MEAT INSPECTION ACT, PERMITTING COOPERATION WITH STATE MEAT INSPECTION SERVICES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, in 1961 I introduced a bill extending protection by the Federal Meat Inspection Act and permitting cooperation with State meat inspection services.

Although the bill was not passed by the House at that time, it did stir up considerable interest in the meatpacking industry and among consumer groups. It also resulted in several of the State legislatures becoming interested in the subject matter and at least one legislature passed the kind of a State act that would protect consumers from diseased meat, permit State inspectors being deputized, and the processors for whom they work being permitted to use a Federal inspection stamp.

I reintroduced the bill early this year. Recent outbreaks of trichinosis and examples of diseased meat being sold to unsuspecting customers who assumed they were buying meat that would be safe to eat has again increased the interest to some extent. It is a sad commentary, but I am afraid it is true, that too many people live with danger without protest until unnecessary suffering and misery has afflicted their neighbors, friends, or themselves.

If enough American citizens knew that meat from large uninspected plants is being sold that is from cancer-eyed cows, lump-jawed steers, and diseased pigs, more of them would refrain from buying meat that does not carry a Federal inspection seal and would press harder for this needed legislation to give protection against the harmful results that can flow from the consumption of the 20 percent of our meat that comes from nonfederally inspected plants. Only 5 States have adequate State inspection laws to protect against this situation and enough uninspected meat for approximately 30 million people is slaughtered in large slaughterhouses each day.

In addition to consumer groups, among those who have shown interest in this matter and made reports to the group they represent is the United Packinghouse Workers Association. A copy of their report to the membership is set forth in the May 1963 issue of their paper. Others who are interested in this might also like to see a copy of the report and I am having it reprinted in the Record so that readers of the Record might have an opportunity to see it.

It is as follows:

Clean Meat Measure Put to Congress

Washington.—A bill to extend Federal standards to cover all meatpackers and meat processors whether or not their product is sold across State lines will soon be called up for consideration before a House agriculture subcommittee.

The bill, H.R. 1015, is by Representative Neal Smith, Democrat, of Iowa. Its principles were given endorsement last year by President Kennedy in his message to Congress on consumer protection legislation.

The U.S. Department of Agriculture which administers the present Meat Inspection Act (passed in 1906) considers such legislation both practical and desirable.

Approximately 80 percent of all livestock slaughtered commercially is now inspected by agents of the Agriculture Department's Meat Inspection Division. Over 2,500 medium-sized slaughterers and many thousands of meat processors are beyond the jurisdiction of the law, however; meat processors purchase raw materials from slaughterers for fabrication into a variety of products ranging from sausage to frozen dinners.

MADE PERSONAL OBSERVATIONS

Congressman Smith said he decided to work for extension of Federal inspection standards because of his own experience.

"I've attended these sales rings out in the country and I've seen some pretty sick looking animalis picked up by local slaughterers," he said.

"I think that's not only bad for the public, but it makes for unfair competition. They can undersell packers that have to meet Federal standards," he observed.

ASSIGNED TO COMMITTEE

Representative Smith said his bill has been assigned to a subcommittee of the House Committee on Agriculture chaired by Representative W. R. Poage, Democrat, of Texas.

He said he would welcome letters from the public expressing opinions on the subject of H.R. 1015.

The Smith bill would extend Federal jurisdiction to all slaughterers whose volume is not less than 50,000 pounds per week, and to processors with weekly output of 20,000 pounds or more.

It is estimated that these standards would extend inspection to about 95 percent of the commercial slaughtering in the country, and to between 80 and 90 percent of the processing.

COST IS SMALL

The cost of administering the additional load would be about $10 million a year, the Department of Agriculture has estimated.

Under the Smith bill the Secretary of Agriculture would be authorized to utilize State inspection departments where they exist and where they have adequately trained inspection staffs.

Federal standards would be observed by the State inspectors in the course of their work, however.

No State employee would be certified to inspect under the Federal program if his compensation came from firms which he inspects.

SURVEY COVERS 49 STATES—UNITED STATES FINDS FILTH, DISEASE-CONTAMINATED MEAT IN NON-U.S.-INSPECTED PLANTS

Agents of the U.S. Department of Agriculture have found meat from sick animals being prepared for human consumption in slaughtering and other processing establishments exempted from Federal meat inspection under present legislation.

This, and equally startling information, is contained in congressional testimony presented by the Department and based upon a survey previously ordered by the House of Representatives Appropriations Subcommittee on Agriculture.

The report was made public by Representative JAMIE WHITTEN, Democrat, of Mississippi, chairman of the subcommittee.

FINDS SOME PLANTS GOOD

Some nonfederally inspected plants were found to be in good sanitary condition and operating safely for the health of the public, but, according to the Agriculture Department's Dr. M. R. Clarkson who presented the testimony, in the course of a 49-State survey his observers found contamination, unsafe chemical additives being used, false labels, use of improper cleaning techniques, and failure to detect or control dangerous parasites such as trichinosis.

Every State except Alaska was surveyed by the Agriculture Research Service, an administrative branch of the Department of Agriculture. It checked on establishments which are exempt from Federal inspection under present law because they confine their business within State lines.

Dr. Clarkson testified that his observers also discovered bad practices in States which have inspection laws of their own. Thousands of concerns are now operating under varying degrees of State inspection. Nineteen States don't bother with inspection of any kind.

Congress has under consideration legislation which would require practically all meat processors in the country to come up to Federal health standards.

Even at federally inspected plants, where relatively good sanitary controls are maintained, it was necessary to condemn over 22 million pounds of meat on reinspection last year, because of deterioration which occurred after the product had passed inspection at the time of slaughter.

Dr. Clarkson indicated that the point of greatest need for strengthened food inspection is in the meat-processing end of the business, where many hundreds of operators have set up shop in recent years.

Dr. Clarkson said, "Processing is the area of greatest potential for adulteration, contamination and use of meat that has become unsound through improper handling. Once processing is completed, certain types of adulteration and deterioration are almost impossible to detect.

"This is also the area in which industry faces its greatest pressures of competition," he testified. "Shortcuts in procedures tend to accentuate the potentials in meat and meat food products for the use of practices and the existence of conditions that may not be wholly acceptable from the standpoint of sanitation, wholesomeness and safety that the public has a right to expect," he said.

Dr. Clarkson noted that the danger of trichinosis in improperly cooked pork products has been intensified by the appearance of many new producers of frozen dinners and ready-to-eat hams and sausage that are served in the home following short periods of cooking at relatively low temperatures.

Continuing his testimony, Dr. Clarkson warned of the uncontrolled use of chemical additives which can mask the presence of spoilage.

Ordinarily, spoilage becomes evident to the housewife because of discoloration, odors or other evidence, but processed meats when treated with certain chemicals "may appear to have normal color, normal odor and flavor—yet these products with preservatives but without evidence of spoilage, may contain toxins or disease-producing organisms," Dr. Clarkson said.

"Meat color can be improved by the use of dyes or the addition of chemicals such as sodium sulfite. Other chemicals, such as benzoate compounds, would serve to act as preservatives. These and other harmful practices deceive the consumer by making the product appear better than it really is.

"The use of harmful or otherwise unacceptable additives can be successfully prevented only by actions of trained inspectors having at their disposal competent laboratory facilities, such as those provided under the Federal system," he declared.

On the subject of adulterants that reduce nutritional value Dr. Clarkson observed that Federal inspection "prevents the substitution of inexpensive materials such as gums, alginates and cereals to cut costs of production.

"Water, as an extender, is the one we have to watch most carefully," Dr. Clarkson said.

WARNS AGAINST USE OF ANTIBIOTICS

Doping meat with aureomycin or other antibiotics as a substitution for sanitation is another practice opposed by Federal meat inspectors. Dr. Clarkson warned that use of antibiotics in food "presents the possibility of sensitizing or rendering large segments of the population tolerant to them so that their use for serious purposes would be nullified." Similarly, certain antibiotics if consumed in meat could damage the useful bacteria normally present in the body, he pointed out.

In other portions of his testimony Dr. Clarkson noted that the services of the Federal Meat Inspection Division currently cost the country only 13 cents a year per consumer. If all inspection costs were charged against the 107 million animals slaughtered under Federal inspection last year, the cost would average 22.5 cents per animal, he said.

Congress has been asked to increase the appropriation to provide service for the 347 establishments whose applications for Federal inspection are pending.

DUMPS STATE INSPECTION PROJECT IN NEW YORK

ALBANY.—New York State residents will continue to consume hotdogs loaded with finely chopped pork skin, hamburger "embalmed" with sulfite, and assorted meat products containing such U.S. Government forbidden elements as hog blood, lungs, detergents, antibiotics and excessive amounts of water. The legislature failed to vote funds for a complete State inspection program.

Dr. William E. Jennings, head of meat inspection services in the New York Department of Agriculture and markets called the situation "a disgrace."

Dr. Jennings said dead animals are skinned out and made into hamburgers practically under the shadows of the State capitol building in Albany.

Sanitary conditions in many plants were described as "deplorable" by the director of the State inspection service who must cut his payroll in half, because of the legislature's action.

The legislature appropriated only $475,000 of the $1,700,000 necessary to finance an adequate meat inspection project.

Accordingly, the program will be restricted to about 60 of the approximately 300 slaughterhouses operating outside of other inspection areas in the State.

There are 738 slaughtering and processing establishments in the State in addition to 115 plants operating under Federal inspection and another 346 under New York City inspectors.

Dr. Jennings estimated that 90 percent of the uninspected processed meat sold in the State is deceptively labeled.

He said his inspectors found sulfite in 26 out of 30 samples of hamburger taken at random in a single week.

Sulfite is used to give old meat a deceptively bright pink color. Although it looks fresh, such meat can be on the point of spoilage. Use of sulfite as an additive is forbidden in establishments under Federal inspection.

Hog blood, banned for human consumption by the Federal Government, is also used in New York State establishments, according to Dr. Jennings.

He said processors in the State are putting more than allowable amounts of water in hams and up to 20 percent cereal in sausage.

UPWA URGES SMITH BILL SUPPORT TO STOP THE USE OF UNSAFE MEATS

The United Packinghouse, Food & Allied Workers of America, AFL-CIO, supports legislation now pending in the Congress which would require meat processors to meet Federal standards of sanitation and public safety.

We join with the Council of Public Health & Regulatory Veterinary Medicine of the American Veterinary Medical Association in its endorsement of H.R. 1015, introduced by Representative NEAL SMITH, of Iowa.

Under this legislation the Federal Government would be empowered to designate State agencies (where they meet Federal requirement of competence and efficiency) to cooperate in meat industry inspection under standards regarded as essential by the U.S. Department of Agriculture.

OUR OBSERVATIONS

The Nation's packinghouse workers know from personal observation that the rigorous and continuous inspection of meats as they are processed into sausage, frozen dinners, lunch meat, or other meat products is just as important to the public health as is inspection for disease at the time the animal is slaughtered.

When the Meat Inspection Division of the U.S. Department of Agriculture reports that in 1 year it condemned over 22 million pounds of meat as tainted, rancid, moldy, odorous, unclean or contaminated, our members can assure the American public that such condemnation is thoroughly in the public interest.

By their own observations in the course of their work the members of our union know how unwholesome meat products can become if not preserved and produced under the highest standards.

We also know how tempting it is to a management to allow dirty products to proceed through the processing channels rather than to incur the financial loss of its destruction.

GRAVE DANGER EXISTS

The members of this union have good reason to warn the American public that it faces a grave danger in the rapidly expanding volume of meat slaughtered and processed which escapes adequate inspection under present Federal and State legislation.

Inspection by State or municipal authorities in the nonfederally inspected area of the meat industry varies in effectiveness from State to State and from one community to another. Some States provide no inspection whatever. Others confine inspection to the slaughtering operation while ignoring later decomposition of the product. Some States fail to finance their inspection service sufficiently to assure that it can perform its duty.

PUBLIC SAFETY IS PARAMOUNT

We point out to those who would permit the States to be lax in their supervision of meats prepared for local consumption on the traditional grounds of States' rights, that the American public is engaged in interstate travel.

A traveling citizen of any State in the Union is surely entitled to the assurance that when he pulls up at a roadside restaurant the hamburgers which he orders for his family are not made from a tubercular cow, nor was the meat ground up by a local processor using equipment contaminated because of improper cleaning.

Moreover, such a traveler ought to be assured by public authority that his hamburger is not loaded with adulterants and toxin-masking chemicals which make it impossible for him to detect spoiled meat by the ordinary tests of taste and smell.

We do not doubt that the public, once made aware that the assumption that the Nation's meat supply is fully guarded by the highly respected Federal meat inspection service is unfounded, will insist that Congress move promptly to fill this gap in the essential protection of the health interests of the people.

We presume that the Congress, which so recently adopted legislation to the effect that livestock must be slaughtered in a humane fashion, will move with expedition to assure the sanitary preparation of healthful meat products for all the American people.

Montana Axes Budget; Won't Check Product

Helena, Mont.—The Montana Legislature refused to expand its State meat inspection to include supervision of processing and labeling in State-inspected slaughtering plants.

The appropriation for ante- and post-mortem inspection was increased to $129,500 for the next 2 fiscal years.

The livestock sanitary board was refused its requested $75,000 for the biennium to support product inspection.

Michigan Bill Dies in Committee

Lansing, Mich.—A bill providing for mandatory meat inspection in Michigan was allowed to die in committee by the State legislature although endorsed by the Michigan State Meat Packers Association.

Michigan law does not even require the licensing of slaughtering plants within the State.

Approval Stamp in Minnesota

St. Paul.—Under a recently passed law a "Minnesota Approved" label may be placed on meat products from establishments which have been licensed by the State for inspection purposes.

Hearings are to be held in June on proposed regulations.

Finds Wide Variations in State Inspection Laws

Washington.—An examination of State meat inspection laws made by the Agriculture Department reports:

Examination of live animals for obvious disease, 17 States.

Examination of all carcasses and viscera, 18 States.

Reinspection of meat for possible deterioration, 6 States.

Mark of inspection on products, 27 States.

Examination of meat during processing, 16 States.

MEXICAN FARM LABOR IMPORTATION PROGRAM

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, it is my understanding that this next week the House will be asked to extend, for another 2 years, Public Law 78, the Mexican farm labor importation program.

This, Mr. Speaker, is a program which feeds on poverty in Mexico while it increases the destitution and unemployment of American farmworkers. It is subsidy for less than 1 percent of American growers, while at the same time it works to the disadvantage of thousands of small farmers. It is a program supported by those who espouse the free enterprise system, yet it is a complete denial of that system by making inoperative the laws of supply and demand.

The mass importation of Braceros—227,000 in 1962—is one of the major reasons why American farmworkers are the poorest labor group in the United States today—a group with an unemployment rate of 7.3 percent; a group which in 1961 was able to work on the average only 134 days in agriculture for the pittance income of $881.

The very form of the importation, moreover, makes a mockery of the adverse effect prohibition of Public Law 78. Growers offer work at a set wage—a wage which in some Bracero-using areas is as low as 60 cents an hour. If this is not adequate to attract a sufficient number of American workers, they need not raise the wage as would be the case in any other industry. They merely ask the Federal Government to recruit Mexican farmworkers, and with the poverty existing in northern Mexico, this becomes possible. It is obvious, that such a condition makes it impossible for the free enterprise system to operate; to allow wages to be set by the law of supply and demand. It is obvious, furthermore, that no matter what reforms are put into effect, the very existence of Public Law 78, with its inexhaustible supply of cheap, docile labor is bound to have a depressing effect on wages and job opportunities for U.S. farmworkers.

We should be very clear in our minds that this is not a program designed to benefit American farmers as a whole. Rather it is a subsidy for less than 1 percent, and in almost every case, these are large corporation-type farms.

According to the most recent agriculture census, 88.4 percent of this Nation's farms use no or very little hired labor. These are hardly the people benefiting from the importation of 227,000 Mexican nationals.

The charge is made, Mr. Speaker, that growers need Public Law 78; that American farmworkers will not do stoop labor. This simply is not true. Let me remind our colleagues that coal mining is stoop labor, and nobody is suggesting that we import foreign laborers to do this work.

American farmworkers are available, but wages must be raised to a minimumly decent wage, and recruiting programs, not unlike that involved in Public Law 78, must be inaugurated. Legislation to accomplish both these goals is now before the Congress, and I submit that economically and morally this is what we should be supporting.

Mr. Speaker, I urge our colleagues to study the minority views presented in House Report 274; I urge them to be present when H.R. 5497 is debated next week; and I urge them to join us in our efforts to terminate a law which is unnecessary and harmful to most American farmers, to American farmworkers, and to the American conscience.

ATTACKS ON PATRIOTIC GROUPS

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, during the past several days several Members of both bodies have attacked various members of certain patriotic groups who, in their opinions, had overstepped the bounds of proper enthusiasm in their Americanism or the bounds of fair play in exposing those who seek to water down the Constitution or appease the enemies of America.

Undoubtedly abuses of propriety have occurred, as will happen in every organization or endeavor, Mr. Speaker, but the purpose of these remarks is to inquire if this is sufficient cause for us to ignore or downgrade the expressed concerns of millions of dedicated Americans over our Nation's course in the perilous waters of today's troubled seas, both domestic and foreign.

It is, of course, elementary to state that we do not wish to discourage patriotic groups. And these groups need not the slightest defense by me. Their record will stand for itself. But I cannot allow the attack upon them to go unnoticed and unanswered.

Although I am not affiliated with any of the groups castigated by these Members, I am personally familiar with some people who are and I say without hesitation that they are among our most dedicated, responsible, and patriotic citizens. Also, I have read many of the publications of these organizations and have found them to be informative, forthright, and helpful.

Mr. Speaker, let us never suggest to the people that only the Congress or the executive branch of the Federal Government may properly engage in anti-Communist activities and education. Let us never become so vehement or critical of others that we, by our own actions, engage in the same activity for which we condemn them.

It ill behooves us as elected leaders to discourage patriotic efforts by our people unless we are willing, which I shall never be, to suggest that Americans should not love their country or devote their efforts toward exposing those who are attempting to destroy our way of life.

Frankly, I welcome the fact that people are concerned today because I share their concern in many areas. Irresponsible fiscal policy, a skyrocketing national debt that tends to go only one way, is but one example. And neither political party has a monopoly on this.

The United Nations is another subject warranting our concern. Heralded as a hope for lasting peace, we have seen it grow, not in prestige, but only in membership. All too eagerly, the welcome mat into the society of nations is laid out to groups just weeks away, if at all, from cannibalism and savagery. Nations totally and obviously unprepared even for self-rule are invited to participate in shaping the destiny of this entire planet. To suggest that this is unwise, is met by tirades of scorn and vituperation by the liberal press and officials in high echelons of our own Government.

Charity and compassion for the emerging nations are certainly in order, Mr. Speaker, but to entrust our destiny to nations unable to form a definite or knowledgeable conception of their own destinies is absurd.

Communism is still the greatest threat we face, both within and without. We are in competition with that international menace in every phase of human activity—space, production on the homefront, military power, and the battle for men's minds. Some of us concern ourselves with this menace more than others. Some of us become more alarmed than others over other national problems. Individuality is something that our system of government not only permits but encourages. Certainly we would not suggest the policy of conformity so espoused by the Communists.

Mr. Speaker, the point I am making is that we should never stand in judgment upon the motivations of our fellow man. While we hear condemned as superpatriots many God-fearing, loyal, concerned Americans, I am grateful for their activity, because too many of us take for granted the privileges that they are concerned about losing. Far better for us all that these citizens be overly patriotic than unpatriotic or too little patriotic.

To those who continue to sit in judgment from their ivory towers, I can only express my hope that someday they may be aroused to the serious, clear, and present dangers lurking in the shadows. By condemning those who fear these evils, they do a disservice to themselves and their fellow countrymen.

Oddly enough, Mr. Speaker, those who were so critical of the ACA and some of its principal supporters were strangely silent in reference to the ADA and other pressure groups, many of whose officers have been directly linked with Communist-front organizations by a committee of this Congress.

Personally I had rather be associated with those who have been criticized for being overly loyal to America than those whose loyalty has been questioned.

ATTEMPT TO SABOTAGE SALE OF HANFORD BONDS FAIL

Mr. **HOLIFIELD**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **HOLIFIELD**. Mr. Speaker, charges have recently been made that the contract between Washington Public Power Supply System, Bonneville Power Administration and more than 70 publicly and privately owned utilities for the purchase of electric energy generated by steam from the Hanford reactor, and the exchange of that energy for firm energy from Bonneville, are illegal. The contracts were alleged to be in violation of the civil rights requirements of this administration. These charges are specious and require an answer.

As a part of his civil rights program, President Kennedy issued Executive Order 10925 on March 8, 1961. Subject to an exception which I will explain in a moment, section 301 requires Government contracting agencies to include in every Government contract certain designated provisions, the major one being a covenant that the contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The remaining provisions implement that covenant with detailed requirements. One of them provides remedies, including cancellation of the contract, for a violation of the nondiscrimination provisions:

> 6. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 10925 of March 8, 1961, and such other sanctions may be imposed and remedies invoked as provided in the said Executive order or by rule, regulation, or order of the President's Committee on Equal Employment Opportunity, or as otherwise provided by law.

The possibility of a cancellation of the contract because of a violation of the nondiscrimination provisions required by the Executive order posed two separate and independent problems in connection with the Hanford contracts. One of the big advantages of the contract to the participating utilities is their acquisition of a supply of firm power for a long term. They can count on that power to meet their loads in the same manner as though it were generated by their own plants. But if the contracts could be cancelled by the Government because of a breach of the nondiscrimination provisions by the Washington Public Power Supply System, over whose activities the participants have no control, the participants could not rely on the power as firm power. They would have to have other sources of generation in reserve to meet their loads if the contract was terminated. That would make the purchase unattractive, and both the privately owned and publicly owned utilities declined to participate on that basis.

The second problem was the impact of the cancellation provision upon the sale of the revenue bonds, in the amount of more than $120 million to be issued by the supply system to finance the project. The bondholders' security depends, in large measure, upon the contracts above described, and the possible cancellation by the Government because of the supply system's breach of the nondiscrimination provisions would subject the bondholders to a potential loss of their security which they would be powerless to prevent. The major prospective bidders for the bonds indicated that the retention of the cancellation provision would make bidding and sale of the bonds extremely difficult, if not impossible. Based upon advice from bond counsel, financial consultants, bonding houses and independent appraisal, the Department of the Interior was of the opinion that the cancellation provision would make the bonds unmarketable or result in a substantial increase in the interest rate and thereby jeopardize the feasibility of the project. A subsequent independent check by the President's Committee on Equal Employment Opportunity with representatives of the Secretary of the Treasury and leading New York financial institutions indicated there was a possibility that the retention of the cancellation clause might seriously hamper or endanger the success of the project.

In these circumstances a request to eliminate the cancellation provision from the contracts, but leaving all other remedies intact, was made pursuant to a procedure which the Executive order itself provides. Section 301 of the order does not require that the nondiscrimination provisions be included in any contract exempted by section 303. The latter provides in part:

> SEC. 303. The committee may, when it deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including the provisions of section 301 of this order in any specific contract, subcontract, or purchase order.

The Secretary of the Interior, by letter dated January 2, 1963, to the Vice Chairman of the President's Committee on Equal Opportunity, requested an exemption from the requirement that the cancellation provision be included in the contracts and suggested that this be accomplished by adding the following to the language required by section 301 of the order:

> 8. Notwithstanding the provisions of paragraph 6 hereof, in the event of the supply

> system's noncompliance with the nondiscrimination clauses of this agreement or with any of the said rules, regulations, or orders, this agreement will not be canceled in whole or in part so long as such cancellation would impair the security of the revenue bonds issued by the supply system. The contracting parties agree that compliance with this section is of the essence, and in the event of a violation all other remedies, including injunctive relief and specific performance, shall remain available to the United States.

The Secretary supplemented that request with an additional letter dated January 8, 1963. A similar request was made by the Chairman of the Atomic Energy Commission by a letter dated January 9, 1963, with respect to a proposed contract and leases between the supply system and the Atomic Energy Commission. The Vice Chairman of the President's Committee on Equal Employment Opportunity, by a letter dated January 14, 1963, advised the Secretary of the Interior "that special circumstances in the national interest require that in connection with the proposed agreement with Washington Public Power Supply System, a partial exemption be granted to the Department of the Interior, and the AEC, and that such exemption may properly be effected through the addition, for the purpose of these agreements only, of a paragraph (8) to the standard clause as set forth in the second paragraph of this letter; approval for such modification and partial exemption being hereby granted."

What are the special circumstances in the national interest which support the request and partial exemption? They include the following:

First. The timing of the project is of great importance and cannot be delayed. The Pacific Northwest will be short of firm power in 1965–66 under critical water conditions. The two generators of the project are scheduled for completion on October 1 and December 1, 1965. In addition, it is estimated that the reactor will be operated for both the production of plutonium and the generation of power for a period of 7 years. Thereafter, the cost of operating the project only for the generation of power will increase substantially. Any delay which will shorten the 7-year dual-purpose period will have an adverse effect on the financial feasibility of the project.

Second. Continuous use of the reactor for power generation will assure its constant availability for rapid conversion to plutonium production should such production be necessary for defense purposes. It is my understanding that many Russian reactors are dual-purpose and are capable of rapid conversion to plutonium production. This will be the only dual-purpose reactor in the United States.

Third. The completion of the project will result in steam payments to AEC—payments which may amount to as much as $155 million or more. These will help to defray the cost of the reactor and plutonium production to the taxpayers of the country.

Fourth. Two presently unused products, waste steam from the reactor and unsalable hydroelectric secondary energy, will be combined to make a usable product—firm electric power.

Fifth. The generating facilities will have a capacity of approximately 860,000 kilowatts. It will be the largest nuclear powerplant in the world.

The removal of the cancellation provision in no way permits discrimination to occur. The problems have not been solved at the expense of employees. The supply system will remain subject to every obligation imposed by the Executive order. With the single exception of the cancellation of the contract, all sanctions and remedies imposed by the order or by law, including injunctive relief and specific performance, are available. The Government will be in a position to enforce vigorously the obligation against discrimination.

The actual construction of the Hanford power facilities will be undertaken by contractors. They will be subject to all remedies for the enforcement of the nondiscrimination clause, including cancellation.

The contractor operating the power facilities for the supply system will also be subject to the full enforcement provisions, including cancellation.

The supply system, the only organization against which the remedy of cancellation would not be available, will employ less than 50 people. Even these employees are protected by Washington State laws prohibiting discriminatory practices. Employees' rights against discrimination have in no way been jeopardized or sacrificed.

The charge that the order permits only an exemption and not a modification is hardly worthy of comment. A grant of authority to exempt a contract from all the provisions of the order obviously includes authority to make a partial exemption. That was what was done here. The effect of section 8 is to make a partial exemption, but one more protective to employees than the complete deletion of the phrase "may be cancelled in whole or in part" in section 6 of the order. The addition of section 8 to the standard language required by the order was sufficient to achieve the objectives of the national interest required but at the same time retained adequate protection against discriminatory practices. Would the author of these charges, who is so zealous in championing the civil rights program, have completely eliminated the standard nondiscrimination language prescribed by the Executive order, leaving no protection for employees, when it was not necessary to do so?

The partial exemption in the new section 8 of the contract was expressly approved in accordance with the exemption procedure provided in the Executive order itself. The legality of the contracts is attested by the opinions of attorneys for the Department of the Interior and the Atomic Energy Commission, by attorneys for each of them more than 70 purchasers of the power—including counsel for the private utilities, five of the leading law firms in the States of Oregon, Washington, and Montana. The bonds also were approved by independent bond counsel—Wood, King, Dawson & Logan, of New York City, one of the country's leading law firms specializing in bond issues. Four separate groups of bond underwriters submitted bids—an action hardly consistent with an illegal issue of bonds. The bonds were sold to the highest bidder.

The people who are trying to undermine this project also claim that the nondiscrimination clause, in the form required by the Executive order, was submitted to the Congress prior to the act authorizing the project and therefore became part of the legislative history of the AEC Authorization Act for fiscal year 1963. As chairman of the committee which handled the AEC Authorization Act and as floor manager for the bill, I believe that I am in a position to provide some definitive information on the legislative history of this project.

The joint committee was well aware that the contracts submitted to it were only in draft form and that some modifications might occur before actual signing. However, as long as these modifications did not materially affect the contract terms, the executive agencies were able to make such modifications without seeking further congressional authorization. In my view, as a person who has played a major role in the enactment of this legislation and as chairman of the committee handling the bill, I can say categorically that the final clause arrived at in this contract is not a material departure from the contract originally submitted to the committee, in view of the fact that other provisions in the contract, general law and the power of the Federal Government to sue for performance will give adequate protection against practices involving racial discrimination.

There is no question concerning the legality of the bonds. These wild and completely false charges, made the day before the bids on the bonds were to be opened, appear to have been uttered solely in the vain hope of blocking a sale of the bonds to an underwriter and his resales to the public.

I use the words "vain hope" with deliberation; for I have just been informed that every one of the long-term bonds, amounting to $62 million, has been sold at a price which assures a satisfactory profit for the underwriter. As a matter of fact, I understand that on Monday, the sale of the long-term bonds will be formally closed in New York City, and that the Washington Supply System will deliver the bonds to the underwriter and receive the full proceeds of the bond sales.

In toto, $79,370,000 worth of bonds have now been sold at a price which clearly indicates that the remaining short-term bonds will be sold promptly and satisfactorily.

Mr. Speaker, clear heads have prevailed and the last-ditch attempts to block this project, which is in the public interest, have failed miserably.

THE 1964 WHEAT PROGRAM

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, on Tuesday 1,100,000 wheat producers voted on whether they prefer a certificate program for 1964 of loans at $2 per bushel with production limited to the amount that can be sold without adding to surpluses, or an alternative program of no limitation on acreage for those who do not want guaranteed loans or supports.

Fifty-two percent voted for the latter alternative, which is in many respects like the feed grains program. Like the feed grains program, it is voluntary; price supports are limited to those who comply with allotments, and the nonrecourse loan is at the same comparable level—wheat at $1.30 will provide about the same nutrients as corn at $1.25.

While the 1964 wheat program does not provide payments in grain for acres idled and diverted, it permits diverted acres to be used to raise grain. No one doubts that the alternatives presented had been made very clear. In fact, there was considerable complaint against the Extension Service for explaining the alternatives so clearly.

Fifteen States voted by a majority vote for the certificate plan which was defeated. Most of these States were in the Midwest and most of them produce a higher dollar volume of commodities other than wheat.

Wheat producers had been under a mandatory program for 13 years and constantly propagandized to the effect that they would be better off with lower prices and no limitations on production. I think the results of the election indicate they wanted to try a different approach for 1 year. I also think they were thankful for an opportunity to make a choice.

Opponents of the balanced supply program have said it increases the cost of bread. This will give a chance to see what happens to the price of bread when wheat prices are reduced drastically again.

Although President Kennedy and Secretary Freeman made it clear that they preferred the program that would reduce rather than increase the surplus we are holding in Government storage, I am glad to see the very responsible and conciliatory attitude they have taken since the vote was counted. While former Secretary Benson punished farmers who complied with corn allotments which he did not like by granting supports to noncompliers and encouraging higher production so allotments would be further reduced, President Kennedy and Secretary Freeman have promised to do everything reasonably possible to reduce hardship to producers which may result from the alternative chosen. They have said there will be no dumping of Government-owned wheat and that they will not push for legislation that would deny producers the opportunity to try the choice they made. They have even said they would approve legislation that would reduce surplus wheat without high cost to taxpayers if it does not interfere with the farmers' decision against a mandatory program.

No program meeting such a universally desired test has been devised and I doubt that one can be, but the conciliatory, nonvindictive and constructive attitude of the President and Secretary Freeman and the desire to still be as helpful as possible under these circumstances without violating the rules the farmers laid down is certainly worthy of commendation.

AID TO EDUCATION WITHOUT FEDERAL CONTROL

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, education must move forward in the 1960's to keep pace with the age of astronautics. Education must meet the challenges of the hour: spiritual, moral, scientific, and economic.

I am today introducing a bill which would direct the district directors of Internal Revenue to return to each State at the end of each fiscal year 5 percent of the Federal income taxes collected from such State to be used for education. The use and expenditure of this money so returned to the State for education would be solely at the discretion of the State and would not be subject to any control, review, or audit by the United States.

Mr. Speaker, this is a good bill. It is one that all sections of our country can unite upon and support if we really believe in the future of our country and the education of our young people. This bill would permit the States to meet the urgent need of increased teachers' salaries, laboratories, and the most modern, up-to-date school facilities. It is past time that we recognized the great contributions being made in the cold war by our devoted and dedicated teachers. If America is to survive, our teachers and students need to be furnished with the tools with which to compete in the world of today. Our civilization may survive or fall in the field of education. In the field of teaching, we must be permitted to compete with business, the Federal Government, the military, and our Foreign Service in securing the best possible talent.

Mr. Speaker, I know of nothing more important today than to assure our children of a future through improved education. In recent years many bills have been introduced in the Congress which would provide for Federal aid to education. If the advocates of Federal aid to education are really sincere, my bill provides the opportunity for this aid to become available. If, however, these advocates are only interested in Federal control of education and nationalizing our educational system, then it would be natural for them to oppose this bill. By returning this money directly to the States for education, more money will be provided for education. If a Federal aid to education bill is passed which would first bring this money to Washington, then a portion of it would be taken by the Washington authorities and thus less returned to the States and to the taxpayers for the education of our children.

Mr. Speaker, my bill is an expression of confidence in our teachers at the local level. It is an expression of confidence in the trustees running our local schools. It is an expression of confidence in the boards of education, county, municipal, and State governments. Our people at the grassroots level throughout the United States have done and are doing a remarkable job in the field of education. They have added classrooms at a fantastic rate and have increased teachers' salaries; however, this added revenue is urgently needed so that education can keep pace with a fast-changing world.

Last fall it was my privilege to address practically every high school in my congressional district. I spoke to more than 20,000 young men and women including members of the faculty, trustees, and superintendents of education. It was a privilege and really an education for me as a Member of the Congress to spend this time with young Americans and those who guide their destiny. It was hard work but at the same time a pleasant task and was time well spent. I wish all of you could find time every fall to spend a month or two visiting your schools.

Mr. Speaker, I am familiar with the problems of education. I started visiting schools with my father before I was the age of 6. My father taught school for 19 years and was superintendent for 16 more. My mother taught for 32 years and reared 10 children during those 32 years. I have five children of my own. As a result of these experiences, I earnestly solicit your consideration of this bill. Many of my high school principals and teachers have recommended this form of legislation. Our distinguished and able Governor, the Honorable Donald Russell, has advocated for many years a similar bill. Governor Russell is well acquainted with the problems of education, having made a magnificent record as president of the University of South Carolina.

Mr. Speaker, let us move the wheels of educational progress forward. The adoption of this bill would be a long step in the right direction.

POOR CHOICE OF TARGET

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, on Monday last, several of our colleagues made vigorous attacks on Americans for Constitutional Action. It was contended that the organization is doing the Devil's work in American politics and is engaged in an attack on democracy.

I submit that my colleagues made an extremely poor choice in their selection of a target. I will explain.

But, first, let me point out that I am not what the liberals like to term "a 100-percent rightwing extremist." For instance, I supported the United Nations bond issue and manpower retraining; in most years I have voted for foreign aid; and I even voted for the Peace Corps, college construction, the Disarmament Agency, the Trade Expansion Act, and—yes—even the school lunch program.

Also, I issued a press release—which was widely and prominently printed in California—defending much of what Senator KUCHEL had to say in his recent speech, "The Fright Peddlers." You can well imagine the sort of vituperation I have received because of that. But, Mr. Speaker, not from Americans for Constitutional Action.

I consider the Americans for Constitutional Action to be an entirely responsible and reasonable purveyor and defender of the conservative point of view. Let me tell you why. I have here a news release issued by Americans for Constitutional Action announcing that one of our fellow House Members is being awarded the "Distinguished Service Award" for having supported legislation which strengthens and defends the political, economic, and social system upon which the United States has grown and prospered. It goes on to recite that Herbert Hoover, Sr., and Edgar Eisenhower are trustees.

And please note this—the release also contains these words:

> The award announced here tonight does not imply that the recipient is in complete agreement with all the principles supported by Americans for Constitutional Action, nor does it imply any commitment to support those principles in the future. The Americans for Constitutional Action does not and will not impugn either the patriotism or the probity of those legislators who do not agree with its views.

Really, gentlemen of the left, do those words sound like unreasoning extremism or an attack on democracy? Can you imagine the Americans for Democratic Action presenting an award under these same conditions? You certainly could have picked a better target for your accusations.

Are you not laying yourselves open to charges of being unreasoning radicals of the left and of indulging in the practices which all liberals are said to despise—guilt by association and denial of freedom of expression?

CONGRESS IS THE CONSTITUTIONAL LAWMAKING POWER OF GOVERNMENT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, during many years' service in the Michigan Legislature and now as a Member of Congress, I have been alarmed by the widening area of law governed by administrative rule rather than legislative enactment.

Such administrative regulations have the effect of law and are as binding on our citizens as are acts of Congress.

Almost all of our bills get at a problem in general terms and grant to one of the departments the power to carry out the policy by appropriate regulation.

Under the Constitution, all of the lawmaking power of the Government is vested in the Congress. The administrative rulemaking power, promulgating regulations having general effect as law is not inherent in the Executive and rests entirely in the statutes which we write.

In order to provide for congressional scrutiny of rules and regulations before they become effective; in order to assure that they do not violate congressional intent, I have today introduced a bill which would withhold the effect of such regulations for 15 days after they are published in the Federal Register. During that 15-day period, a congressional committee would scrutinize the regulation. If the committee does nothing, the regulation would go into effect. If it believes the regulation violative of congressional intent, it could report a concurrent resolution, giving both this House and the other body the opportunity to express its will as to such regulation.

During the period of congressional consideration the effect of the regulation would be suspended.

The bill would amend the Federal Register Act, adding a new section. The full text of the bill is a short one, and is as follows:

H.R. 6504

A bill to amend title 44 of the United States Code to provide for congressional review of certain rules and regulations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 44 of the United States Code is amended by adding thereto a new section to stand as section 315, to read as follows:

"SEC. 315. Documents hereafter published pursuant to section 305 of this Act, except Presidential proclamations and Executive orders, shall not be effective until the provisions of this section are complied with. At the time any such document is filed with the General Services Administration pursuant to section 302 of this Act as amended, a copy of the same shall be transmitted to the Speaker of the House of Representatives and by him referred to an appropriate committee. If the committee fails to report to the House a concurrent resolution thereon within fifteen days after publication of the document in the Federal Register, the document shall be effective at the end of such fifteen-day period. If the committee finds the document in any respect violative of the congressional intent of the statute upon which the document purports to be based, it may report a concurrent resolution altering such document to make it conform to congressional intent or setting it aside, in which case the effect of such document shall be suspended until the Congress shall have finally acted upon such resolution. If the resolution be adopted, the document shall be thereby rescinded or altered as in such resolution provided. Notice shall be published in the Federal Register of the suspension of any document occasioned by report of a concurrent resolution altering or rescinding such document and publication shall be made in the Federal Register of a resolution altering such document in the form in which it was finally adopted."

COMMUNISM IS NOT CHANGING

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, ever so subtly, Americans today are being encouraged to believe that in some indefinable way communism is changing and that there may be some Communist governments that we can live with at peace. Part of this subtle campaign is observed in the current policies of our State Department in regard to Mr. Khrushchev. There is a definite developing soft line that it is in the interests of the United States to keep Khrushchev in power in the Communist bloc; that we should not push too hard to rid Cuba of communism lest it harm Mr. Khrushchev's image.

The concept that communism is changing, is part and parcel of a new even softer line of the Kennedy administration. We hear more and more frequently that Chinese Communists under Mao Tse Tung are more dangerous than Russian Communists because they have less to lose and more people in reserve in depth. We are told that Yugoslavia is an independent Communist nation and that the Communist Government of Hungary, because it releases some political prisoners, may now be ready for consideration of recognition.

Mr. Speaker, any Communist government, anywhere in the world is the mortal enemy of the United States of America, whether it is Titoism, Chinese communism, or Moscow Soviet communism. The whole purpose of communism—spelled with a capital "C", is to destroy freedom in every nation in the world and to convert the form of government of every nation in the world to a Communist government by violence if necessary.

This objective is the same on the part of Communists whether they live in satellites or principal Communist nations. Marxism-Leninism, with its indoctrination of overthrow of governments by force and violence, aided by subversion and sabotage, is the basic rule for communism everywhere.

Every aid we give, every day that passes that sees increased trade with Soviet satellites, whether this trade is by Great Britain or by ourselves with Yugoslavia, makes the Communist bloc stronger and the United States weaker.

May Divine Providence help us if the day comes that the balance of power in the world passes to communism, for with that day will come escalation of allout nuclear destruction of the free nations.

Communism has no God, no conscience, and no principle, but it has a fanatic hatred of us and a psychotic goal of world domination for Communist imperialism. In these circumstances, there is only one thing for this Nation to do, which is to stand firm against further Communist military conquest of the world.

Of prime significance in this direction is Cuba, wherein we should demand inspection and back this demand up by the full power and authority of the Armed Forces of the United States. We should not tolerate Communist military governments in this hemisphere and we should tell the world that we are prepared to see that there are no such governments here, even if it takes force to do so.

The present program to further mislead and confuse the American people by encouraging them to believe that it is in their interests to have Khrushchev and Castro is a tragedy and an indictment. It is a tragedy because it permits further buildup of Communist military might. It is an indictment because it represents the deliberate planning of those responsible for American policy who know what they are doing and know that it means further weakening of the United States.

DEMANDS PLANES OF CUBAN REGISTRY AS WELL AS ALL OTHER PLANES GOING TO OR COMING FROM CUBA BE DENIED USE OF U.S. AIRSPACE

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Florida.

There was no objection.

Mr. CRAMER. Mr. Speaker, I was appalled and shocked at the FAA regulation, published in the Federal Register Saturday, May 18, that permits flights over U.S. territory by Communist-Cuban registered airplanes going to and from Canada. I was further amazed that the FAA, in admitting that previous flights had taken place as I had charged, admitted also that permission had been asked for clearance for such flights and that such clearance had been granted.

As a result of this FAA regulation, overflights of nonscheduled airplanes are now being invited. This regulation opens up specific corridors to Cuban air traffic so long as the plane stops en route for inspection at either New York, Boston or Dulles Airports. Thus, we have the alarming probability that Castro's Cuban airplanes will be flying right into the Washington, D.C., area.

I have requested that all flights by Cuban registered planes or planes of other countries going to or coming from Cuba be denied the use of U.S. airspace. I am in the process of drafting legislation to accomplish this very objective and should the U.S. Government fail to ban these flights, I shall introduce a bill to accomplish it and will, as well, ask for immediate hearings on this whole sordid mess.

This is another gaping hole in the so-called trade ban on Cuba, and can be classed with our weak leadership as also evidenced by the meaningless shipping ban, the medicines and foodstuffs paid to Castro for ransom, U.S. citizens traveling to Cuba for subversive indoctrination, the failure to exert the leadership necessary to persuade Great Britain and Italy to stop trading with Castro, and the failure to stop Alliance for Progress money from going to the five Latin American countries that continue to recognize and do business with Castro.

I am inserting in the Record, at this point, the news story covering this issue which appeared in the Washington Daily News, May 21, 1963. As evidenced by the news story, the FAA admitted the overflights of Cuban registered airplanes. I am also including my May 20 statement on this subject:

Cuban airliners have flown over U.S. territory three times in the past 2 months, with permission from the Federal Aviation Agency (FAA).

There was only one such flight in the entire previous 12 months, FAA said today.

As a result of the increase in Cuban overflights of the United States, the FAA has issued a special regulation. Effective immediately, the regulation is a warning to Cuba.

It says any Cuban planes seeking to overfly the United States in future must land at a U.S. airport and submit to search.

KNOWLEDGE

"There's nothing mysterious about the overflights," an FAA official said, "We knew they were there. We always know exactly who is in our air. The three overflights this spring were from Havana to Montreal. There was one one-way flight and one round-trip flight. The flights were not regularly scheduled and were commercial, carrying both passengers and cargo.

"The Cubans filed flight plans with the FAA requesting permission, and permission was granted. But in the future," the FAA spokesman said, "they must land where we tell them and submit to search."

IDLEWILD

He said they probably would be ordered to land at Idlewild Airport, New York City.

Asked what would occur if a Cuban plane refused to land when ordered, the spokesman declined comment.

Asked why the FAA issued the new regulation, the spokesman explained that the United States, under existing international air conventions has had authority for regulation of overflights since 1958 "but there has been no need to enforce it for there have been no overflights—until recently."

He said the action was taken after conferring with State and Defense Departments.

Cramer Calls for Halt to Cuban Airplanes Overflying United States

Washington.—U.S. Representative William C. Cramer, Republican of Florida, today revealed in a House speech that Cuban airlines, both scheduled and nonscheduled, have been overflying the United States, apparently with no protest or action to prevent it by the United States.

In inquiring into the FAA published regulation of Saturday, May 18, in the Federal Register dealing with nonscheduled flights by planes of Cuban registry, Cramer was told by an FAA official that three overflights of nonscheduled Cuban registry planes took place in the last 2 months and that others were known to have taken place recently.

These flights take place from Toronto, Montreal and Ottawa and include passengers as well as freight cargoes.

"Numerous times the scheduled Cubana Airlines overflies the Eastern part of the United States on its return trip from Communist Prague to Havana via Newfoundland when, because of bad weather, it is diverted to Montreal," Cramer said. "This happened 2 weeks ago and has happened a number of other times in the recent past," Cramer added.

"The notice of the regulation sent to airmen permits continued overflights of scheduled Cuban airlines without restriction or objections from the United States.

"It also provides that nonscheduled overflights will have to follow a designated corridor and stop for search at Idlewild or Logan Airport, Boston, as a first alternate and Dulles in Washington, D.C. as a second alternate," Cramer said.

"Thus the administration is not even protesting or restricting the overflights of commercial airliners from behind the Iron Curtain to Havana, but is inviting their continuance. Overflights of nonscheduled planes of Cuban registry are being condoned so long as a specific corridor is followed and search is permitted," Cramer said.

"This is typical of the pussyfooting of the New Frontier in dealing effectively with Castro's Communist Cuba. Economic and political quarantining of Cuba is our announced policy which we are supposedly trying to get other Latin American nations to follow and enforce. We now announce to the world that we are willing to let Cuba continue trading with Canada and even overfly the United States to do it.

"We are announcing to the world that we don't mind Cuban-Communist planes coming from behind the Iron Curtain to overfly the United States, thus facilitating trade between Communist Cuba and the Communist satellites.

"All air routes over the United States should be closed to anyone trading with Cuba, let alone all such routes to planes owned and operated by Castro's Communist government that are trading with other countries," Cramer said.

THE CONDUCT OF MEMBERS OF CONGRESS AND CERTAIN OTHER PUBLIC OFFICIALS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SNYDER. Mr. Speaker, today I have introduced in the House of Representatives a joint resolution in regard to the conduct of Members of Congress and certain other public officials.

If any one factor predominated the comments which I received on the returns on my questionnaire, I would say that it was the concern of the people of the Third Congressional District of Kentucky over the problem of the apparent failure of Congress to regulate itself and the attendant adverse publicity which indicates there is reason to believe that this failure has led to some abuses on the part of some Members.

The resolution which I have introduced would provide stricter controls over expenditures by Members of Congress in their travels and would require a rather complete accounting process for those who are authorized by proper resolution to make a trip. It would also place restrictions upon the amounts which could be spent for this purpose.

The resolution likewise would prohibit employees of Members of Congress from receiving pay for services rendered unless the services were performed by the employee either in the District of Columbia or in the area represented by the Congressman, except where special permission is granted otherwise.

In addition, this legislation would require statements to be filed by Members and certain other government officials outside the legislative branch showing the items of income received by such Member or official, including gifts the value of which is in excess of $10. It would also require an annual statement to be filed of assets bought and sold at a value in excess of $100 and certain other provisions which would make legal evasion of the provisions extremely difficult.

Perhaps as important as any other provision of this legislation is the provision which prohibits nepotism in government whether it be in the legislative, executive or judicial branch. Under this legislation a public official could not appoint, employ or recommend for appointment, employment, promotion or advancement any relative in a department in which he is serving or over which he exercises jurisdiction or control.

My sponsorship of this legislation is one of the evidences of the usefulness of my questionnaire project. The need for this legislation was pointed up to me hundreds—probably thousands—of times by the comments of people from my district on this subject. This legislation now is a bipartisan effort since identical legislation has recently been introduced by the gentleman from South Carolina [Mr. DORN], a Democratic Member of the House.

GENEVA TRADE TALKS

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. DENT], is recognized for 60 minutes.

Mr. DENT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, it is my opinion that failure of the Geneva trade talks gives many American industries a breather and a little longer lease on life. It also gives American workers in competitive industries a few more months to get ready for the inevitable unemployment that will follow any further reduction in tariffs and increases in quotas in glass, footwear, stainless steel, textiles, olives, mushrooms, steel products, automobiles—in fact, not one single U.S. product that is produced in surplus in the Common Market will be safe or secure in the event the trade expansion bill goes into effect before European wages and production costs are raised to meet U.S. standards.

The failure of the trade talks had to be expected and although the meeting is now being ballyhooed as a success, the truth is that it is a postponement of action for at least a year. The Europeans will be happy to cut tariffs on products they need but never on products they have in surplus. Everybody but the United States wants to make deals that mean jobs for their country and, in fact, they consider our Trade Expansion Act as an opportunity to increase their exports; not their imports.

They will buy from us what they need and sell us what we do not need. It is a one-way street of no returns, except unemployment and economic distress.

You will note, Mr. Speaker, that in this so-called trade meeting we have again come out second best. We have agreed to cut tariffs without guarantees of reciprocity.

Mr. Speaker, for the information of my colleagues, I insert the following newspaper article:

UNITED STATES-ALLIES OK TARIFF PLAN BUT DEFER KNOTTY PROBLEMS

GENEVA, May 21.—The United States and the West European Common Market agreed Tuesday on general principles for trimming world trade barriers. Some hard bargaining still lay ahead.

The two greatest trading blocs reached a compromise after 6 days of discussions in which both sides made major concessions.

TASK FOR EXPERTS

A conference source said the compromise will permit work to go ahead on preparations for specific tariff reductions.

The source said the United States and the six common Market nations had failed to settle their fundamental differences on the way the tariffs were actually to be cut. Details will be worked out by a committee of experts.

"In effect," the source said, "the delegates merely postponed some of the basic decisions they came here to make."

TWO U.S. CONCESSIONS

The U.S. delegation, led by Republican ex-Secretary of State Christian A. Herter, made two major concessions after Herter had consulted President Kennedy:

The United States acknowledged that its high tariffs are a problem in themselves, and no country would have to prove in the bargaining that it was injured by these rates before asking compensation.

The United States agreed that these high tariffs would have to be handled on the basis of special rules of general and automatic application. France, dominating the six Common Market countries, had pressed hard for this. It meant that the experts would have to work out a formula to deal specially with such high tariffs.

The Common Market also made two main concessions:

It dropped the French plan for a system of ideal tariffs, which was a means of lopping off the peak American rates without equivalent European concessions.

It accepted the American principle that most tariffs should be cut by large percentages, applying equally to all industrialized countries.

The agreement came after nearly a week of hard bargaining on the principles to govern the long series of negotiations on tariffs and related issues due to start next May 4. These forthcoming negotiations acquired the name of the "Kennedy round" in months of preliminary talks.

The name was given in tribute to the efforts of President Kennedy to put the Trade Expansion Act of 1962 through the U.S. Congress.

COMPROMISE PLAN

At the base of Tuesday's agreement was a compromise between two opposing ideas on how to cut tariffs.

Mr. Kennedy had won unprecedented authority to cut nearly all tariffs by 50 percent, provided he could get a fair deal from America's trading partners—notably the Common Market.

The French, dominating the Common Market, found this system placed them at a disadvantage. They worked out a formula for cutting high American tariffs more than low European tariffs.

The compromise was finally worked out along these lines:

In general, tariff cuts would be made on a straight percentage basis—50 percent if possible. This principle replaces the old, laborious method of dealing one by one with the thousands of items in world trade.

Mr. Speaker, this is the first step in the plan that will put into effect the 50-percent cut in tariffs by the United States without a like cut by any other nation or the Common Market.

The American economy is or was a dynamic organism. It is or was preeminently an economy of abundance. It will either maintain that characteristic or it will be transformed into a state-governed system in which both dynamism and abundance will disappear. This follows from the very nature of economic dynamism and from its origin in the nature of human demands for goods. Abundance, in turn, depends on the fortunes of an economic system that is essentially self-propelling and self-renewing but inclined to balk if excessively cluttered, burdened, or restrained.

All economies are dedicated to the fulfillment of man's needs and desires. These needs are highly variable but may be regarded roughly as falling into two broad categories; namely, the primary and secondary ones. The primary needs, very simply, are those that must be satisfied if man is to subsist.

The secondary needs are those that lie above the minimum level. They may be denied satisfaction without courting extinction but not without withholding from life the gratifications that distinguish man from the lower animals and mark his progress in civilization.

An economy that is dedicated to nothing more than provision of goods at the minimum level is necessarily a static economy. It will do no more than provide food, clothing, shelter, and the necessary tools and means of locomotion required to furnish these goods. Its growth is limited by the population it serves. If the number of people remains the same so will the output of the economy. The latter will grow only in step with the increase in population.

On the other hand, an economy that undertakes to provide means of satisfying the secondary needs and desires has before it great possibilities of growth and ramification. The extent to which it will meet these needs depends on a variety of factors. Some of the most perplexing problems of economics and government arise over this question.

Most economies of the world do much more than merely provide the means of satisfying the primary needs. There are some others, however, that hover close to the subsistence level.

Of all the countries the United States developed the most productive economic system in the world and has catered most extensively to the secondary needs and desires of the people. This productive explosion became most visible in the first half of the 20th century. As a material civilization this country as a result of this forward surge has hitherto seen no equal.

Strangely enough as a country we were barely conscious of the origin of our industrial and agricultural leadership. As a result it has been too much taken for granted. In fact, some of the most fruitful factors of the combination of elements that together achieved the peak of productivity have been under heavy attack from some quarters.

Many heavy-handed efforts have been made to discredit and to clothe with ill-repute some of the very elements that have been responsible for the success of the system. It may be granted both that some of the criticism has been innocent and sincere and that some of it was deserved. Nevertheless it would be a most unfortunate retribution to the critics if their notions should prevail and should succeed in deranging our system to the point of perverting its genius in the guise of reform.

To be sure, any system breeds evils; and reform is a necessary accompaniment of progress; but not all that goes by the name of reform is reform. It may entail changes so radical that the system can no longer be what it was or perform as it did. This may be the result even if the reform bore no such intention. At the same time it must be clear that not all reform will be fatal or even burdensome to the economy. The question is how the changes comport with the inner genius of the system.

Obviously this genius must be understood if a judgment is to be made with respect to the soundness of past or prospective changes and reforms.

It is important that the composite elements and nature of the system be clearly set forth.

We have, to begin with, the people who settled this country. The natives who were displaced were not in a stage of development that would soon have produced the phenomena of production that were witnessed here after a few centuries. Therefore the character of the people who displaced the red Indians must be given a great part of the credit; for the rich resources of this country were no less present to the aboriginals than to the Europeans who displaced them.

Nevertheless the presence of diversified and rich resources was necessary to support the productive system that was launched as time went by.

The settlers had a strong penchant for freedom and established a system of government that incorporated freedom as the very essence of its genius. That this was a basic ingredient of success of the system may be concluded from the settlement of other areas of the world equally endowed with natural resources by people who established different systems of government or if they modeled their organic law after ours and hailed freedom as an ideal veered seriously from its mandates in practice. None of these countries achieved the productive apparatus devised in this country, even though they had the example before them for some decades.

We may, therefore, set down freedom and a government that in practice accepted the restraints of power as constituent and essential elements of the combination that led to industrial and agricultural supremacy.

If we cast about for other elements that were indispensable we will recognize initiative and self-propulsion as characteristic companions of the long period of our development and accumulation. These were but reflections of the motivating forces at work; namely, reasonable assurance that the enterpriser, developer, and exploiter would enjoy the fruits of his visions, labors, and efforts. There are those who think that this assurance was overdone. Yet, to build productive empires needed not only vision, resolution, courage, and aggressiveness but also ambition and a strong ego.

To convert a continent of mountains and vast ranges of prairies, forests, and streams, into a tame urbanity in a matter of 150 years needed men of acumen and strong inclination, who used as grist the ruder characteristics of the frontier and the rougher qualities of the untamed. They smote savages and mountains and drilled through both, deflowered the forests and dammed the rivers, connected the plains with iron and plowed deep the virgin soil. This they did and they built cities and laid the groundwork for a culture and civilization that ironically enough takes their work for granted or even despises them for their rude strength and want of savoir faire. To be sure, they were not idle boulevardiers or cynical drones.

Very well, the land, the soil and the forests, the plains and the streams were rich in potential products. The settlers were people who were already inured to hardship, disciplined in their own fatherland or motherland by the ice of winter to stand against privation and to look ahead and to worry; yes, to worry whether the provender from the sparse harvests would carry through the winter or whether the specter of want would pursue them before the sun again turned toward the meridian for enough warmth to kindle new buds and seeds put in the earth for new harvests.

Searching for freedom and thereafter schooled to the marrow in freedom and jealous of its blessings; then devising and building a government designed to preserve freedom and to respect mutual rights; and accepting the responsibilities and restraints of self-government, yet giving to individual competence, skill and capability—with some exceptions—full leash to prove and establish themselves and to build private empires: these assets, too, our people had—and a strong faith.

Yet it will be quickly discerned that even this rare combination was not enough. A complicated machine has many vital parts without the proper functioning of one part among them it will squeak, grate, rattle, or falter. We learned on the way, after the Civil War, that the tendency to monopoly was contrary to the function that we foresaw or sensed for our economy; namely, the furnishing of more goods to more people who previously had not enjoyed them, that is, a proliferation and extension of the means of meeting more and more of the secondary human needs. Monopoly power could and probably would stand in the way.

The concept of competition answered to the quest. Competition would keep productive efforts at their highest and the flow of goods to consumers at its greatest volume. Soon we learned, however, that competition as competition was not the total equation: the competition must be fair. We supplemented the Sherman Anti-Trust Act of 1890 with the Clayton and the Federal Trade Commission Acts and other legislation. The purpose was not merely to keep industry doing its best but also to make sure that the lower costs achieved through installation of laborsaving devices and machinery would be passed on to the consumers. In so doing, however, we did not endorse cutthroat competition.

It soon became clear that low prices of themselves will not assure an absorbent market for a mountainous volume of goods pushed out willy-nilly from production lines. The market must have purchasing power. Henry Ford is often credited with perception of this fact—something that now seems obvious. He instituted the $5 per day wage to demonstrate his faith. A people armed with good purchasing power could be converted into a mammoth market if the right product were offered at the right price.

This concept took hold and our production broke all known bounds; but in 1929 as a result of the distortions of war and unwise postwar operations here and abroad we suffered a spectacular crash. The depression following the crash led to much regulatory legislation and the institution of governmental controls in areas that were previously free of them. In many instances the legislation led to increasing costs and less competitive flexibility. One order of legislation, however, was in keeping with the genius of our system. It bolstered the mass-production, mass-consumption concept by removing wages—the most important support of the mass market—from the ravages of unfair competition. The most important of these was the minimum wage law. Outlawing of child labor was another. The tariff was already standard equipment as an outward defense against low-wage competition.

If purchasing power were undermined by employers who paid relatively low wages, as it would be but for the requirement of fairness of competition in the wage field, an important support of our uniquely productive system would have failed. Goods would have crowded our warehouses and shelves while facing a sluggish market. By introducing the element of fairness into wage competition as it had already been introduced into the field of industrial competition, the way was open for expansion of purchasing power, not only as the population grew, but hand in hand with the productive magic of our technology. The cross-fertilization acted as a catalyst; that is, higher wages enriched the market while costs were lowered through technology. This in turn increased the output of goods at still lower costs thus opening a yet broader market.

Previously the lagging of wages always meant the overaccumulation of inventories or stock to the point of a breakdown. Consumption lagged and an economic crisis was frequently the result—with the help of other factors.

Yet, the self-propelling feature that was characteristic of our system needed something more, something already mentioned, that is, the magnetic drawing force of profits as a reward for success. To repeat, some have said that this reward was overdone but the men of enterprise needed something to draw them on, something to sustain their hopes in the dark beginnings of a new industry or a new product, and something to justify their chafing disappointments and discouraging setbacks as they sought the key to a market that was thought or hoped to be there waiting for them. These men were not artists, musicians, or poets who might be satisfied with the plaudits of their viewers, hearers, or readers.

After all, there was no special honor in being known as a leading sardine canner or maker of rubber tires or talking machines. Also there was no lasting esthetic satisfaction to be gained from contemplation of an accumulation of shovel handles or brooms turned out by the thousands. The reward must be more robust.

The manufacturer is no dilettante or virtuoso and must often come to terms with the very entrails of production, not always pleasant, wherein the processes of tearing, crushing, boiling, shredding, rasping, cutting, stripping, or melting encompass a raw realism that sometimes suffuses the atmosphere with special stench, noise, heat, clatter, dust, and unrelieved grimness in general.

The bright products that emerge and give the glitter and gilding to our civilization were unrecognizable in the bowels of the factories and mills, in the course of the processes that smelted out the dross, dissolved raw stock; pressed, extruded or twisted malleable compounds or leeched this material and that out of its original crudeness with hostile and caustic liquids. To court this sort of world calls for a species of nerves and sensory insulation not given to everyone, plus a tangible incentive. Between the esthetic world and the processors of the goods that delight the esthetes there is no early or natural affinity. The latter often express their hostility while the former simply endure it.

Yet, it is the uninspiring acts of travail and parturition that set before us most of the esteemed goods that we all, esthetes and commonalty, consume. As the child takes for granted the delights of toys, the delicious magic of varied candies, or the sheen and freshness of new-bought items, so are consumers inclined to take for granted the great array of goods in the show windows, the showcases, on the floors, and on the shelves. All manner of desires and needs are excited by these goods, but little thought is given to the effort involved in producing them. Window shoppers spend their budgets many times over in their roaming fancies, usually admiring the goods that are out of their financial reach. In their unthinking wonderment they do provide a measure of the unsated potential demand that greater purchasing power would bring to life.

The teasing through displays goes on, guided by the designers and manufacturers who have mastered the techniques of production and management and are now seeking their justification at the far end; namely, consumer demand, which they seek to excite. Without consumer acceptance the producers could not live. Their initial incentive, profit, would not be fulfilled. Thus the consumers are used in turn as guides to point the way to further production.

As there are many failures of productive enterprise because of misreading of consumer desires, poor management, and so forth, the abundance nevertheless achieved by our economic system, not only in gadgets and gewgaws but in the solid appurtenances of civilization, represents a tribute both to the fortitude and persistence of the enterprisers in seeking consumer preferences and the power of incentive.

Erosion of this incentive—that is, profit, status, and power—would, therefore, be expected to produce negative and regressive consequences. Since the incentive of profits has provided the element of selfpropulsion of our system, for which no satisfactory substitute has yet been found, its function should be taken seriously. It is not simply a callous motive, although it often lends itself to callousness, but represents a magnetism that finds a deep affinity in human character; and instead of being maligned and despised it should be studied and refined. There is an unspoken as well as articulate sentiment in this country, alluded to above, that holds our productive system in contempt, as something crass, ugly, cold, or even offensive. Such sentiment, often held by people who would not soil their hands or expose their sensibilities to the unavoidable offensive aspects of manufacturing processes, is apparently blind to the distance our industry has already moved, not only in providing means of filling needs and desires of a large population, far beyond anything accomplished elsewhere, but moving increasingly toward the satisfaction of the secondary needs and desires, always with progressive—if seemingly slow—refinement, of more and more people. Indeed the degree to which this is accomplished measures the attainment of productive civilization.

Finally, the combination of factors here paraded, still leaves out of account the crucial characteristic that is seated in the nature of demand itself.

It is sometimes assumed that demand is indefinitely expansible. Much mischief may result from this error. The demand for rice or wheat or any of the staples, such as salt, sugar, milk, eggs, meat, and so forth, is biologically limited by the number of stomachs possessed by the populatioin. This is normally one per person. In a country that is not underfed, the magnitude of demand for these and similar products is limited by the number of people.

No productive system such as the American could be built on a foundation of staple products for which the demand is quite static. Most of these items lie in the field of necessities and fall into the area of primary needs. Much of agricultural activity is devoted to production of such goods. Specialty crops, such as tree nuts, strawberries, melons, artichokes, and spices, are exceptions.

Demand for staple goods is characteristically inelastic; that is, it does not oscillate much with price changes.

There is, however, a class of demand that is amazingly expansible. This lies in the field of secondary needs and desires. Such demand is usually elastic, meaning that its volume is sensitive to price changes. This is readily understandable when we reflect that disposable income for items beyond the necessities will only reach so far. If prices go up while income remains the same, some purchases must be sacrificed, whereas if prices fall, more goods can be bought. The sacrificial items will fall largely into the luxury or near-luxury field; and it is these that will be bought more freely if prices fall or if income rises while prices remain steady or rise less rapidly than income.

This is preeminently the field that provided the soil for magnification of the American productive system. The attack was on two fronts: First, reduction of costs in relation to the mass income; and second, increase in the volume of such income. This was accomplished in the manner already described.

If an enterpriser had before him an invention or a product for which the demand was unknown, he was faced with a difficult problem, mostly financial in character. How test demand? Demand might appear to be very cold and unresponsive if the cost of the product was too high while it might burst into a bonanza if the price were brought down sufficiently; but how sense this latent response? The solution to the problem called for a strong faith, much patience and fortitude—and money. How bring down the price? This would require new machinery and special equipment. Who would provide this on a gamble that the lower cost would tap a rewarding market? Money is sometimes bold but it is not always on the prowl for palpable risks. It is easily scared off. The sources of its timidity are many. Risk is nevertheless often taken if a handsome reward looms as a fair probability.

If this probabiilty of a reward is offset by external circumstances or if the magnitude of the probable reward is not heartlifting the risks and agonizing uncertainties will hardly be assumed. Yet again if the outlook is that the reward will be greatly reduced—possibly by governmental action, such as taxation or onerous regulation—or that conditions unfavorable to further success will likely arise, a hesitancy that will sap the vigor of venture will spread.

It was in the production of goods with an elastic demand that American industrial supremacy found its cradle. Since, however, such goods could be and were also produced in other countries without duplicating the highly productive American economy, it follows that elasticity of demand of itself did not generate the American leadership, even if it was an indispensable ingredient.

The OECD—Organization for Economic Cooperation and Development—in a report of April 1962, more nearly laid its finger on the spot. It said:

> The first and basic condition for growth is that private firms should want to grow, and this, in turn depends on their having confidence.
>
> They need to be confident that they will be able to dispose of increases in output at a profit.

This is a statement that implies understanding of the function of profits in a capitalistic economy and no less the essential role played by confidence in such a system.

The American system, more than any other, spreads its ventures into all fields of production supported by confidence that profits would smile at the end of the road if the consumer were approached with a suitable product at an attractive price. Unquestionably the ground on the way was strewn with failures, more numerous by far than the successes. Yet, self-confidence and a knack for business in a variety of men, kept the ventures flowing. Enough of them flourished to act as examples to others, and the ranks did not thin out but were everywhere replenished and kindled anew.

What was it in the very makeup of goods that opened consumers' pocketbooks? The necessities, to be sure, came first, but the great proliferation of goods that in their making employed millions of workers, was not found in this field. It was found in goods that consumers desired but did not need, or did not need in the quantities in which they bought them or in the refined state of quality that they preferred. A pair of shoes may be a pair of shoes, but milady does not merely seek a foot cover but much else besides, in a variety of forms. Immediately such demand, if supported by cash, or credit, jumps the biological limit of two feet per person by introducing variety, style, hues and tints to match this or that, design, and so forth, into this lowly appurtenance of living. At the same time the primary need is converted into the secondary. Some consumers make do with two or three pairs of shoes, possibly of the same color, while others would feel poor and bereft with less than a dozen pairs or a score in a variety of styles, colors, and stitches.

Undoubtedly the automobile embodies the supreme example, not only of the genius of the American productive system, in which it was a pioneer, but also of the inner possibilities and peculiarities of consumer demand.

The automobile has the advantage of being supremely useful while at the same time serving other human cravings, weaknesses, or inclinations. As a useful vehicle it represents a means of locomotion, taking man off his feet, as did and does the horse; and it bears burdens. Locomotion represents a primary need and the automobile was superior to the equine form of this commodity both in terms of speed and the poundage it could carry.

This combination would possibly have given us little more than the automotive truck; but the automobile had other advantages, real or spurious. It not only moved faster currently than the horse but promised to go faster and faster with improvements in the motor. This fact alone gave the vehicle an enviable claim on the pocketbook. Americans had an inborn desire to move faster no less than to break previous records.

Equine beauty may be of a high order if special care is blended with breeding but the ordinary horse presented no great esthetic phenomenon while the automobile could be designed to combine speed with handsome features—although it must be admitted in retrospect that automobile designers in the early years did not, contrary to the opinion of the time, hit profusely on beautiful form.

Since the automobile was never cheap, ownership set the owner apart from those who continued in a pedestrian status, and beyond that, it separated the owner of a "prestige" car from those who must be satisfied with a "flivver" or a "jalopy."

This ingredient of ownership was invaluable as a sales lure and as an advertising symbol; and it came to be exploited severely. Since the automobile was not cheap but very desirable a sharp reduction in costs would open a gold mine. To the manufacturers it was like striking at a baseball with bases loaded. A home run would deliver the thrill of a jackpot. Money would roll over the gunwales to the floor. Here was a product that had an admirable combination of assets that fitted it to the mission of bellwether of the American system. The demand was elastic and therefore could be expanded and proliferated if the right key were used.

Either actually or by legend Henry Ford—once more—perceived the golden ore that lay below the surface of ordinary purchasing power, if he but had the wit to mine it. He discovered that the best implement was a low price and used it. It did wonders; but he could not have done it with butter or eggs, wheat flour or beef; that is, not in the sense of laying a foundation for an industry that in turn generated and heavily supported other big industries, such as petroleum, iron and steel, rubber, glass, repair shops, garages, filling stations, finance companies, not to mention mortuaries.

Between automobiles on the one end and silk hats and carillons or sweet potatoes and onions, eggs and butter on the other, there are many gradations of potential consumer demand. Not all fields are equally attractive. Some are very limited, pedestrian, and even dead or moribund. Others offer veritable fortunes to bright and energetic enterprises. Yet, all segments are under constant probe by some bright or desperate entrepreneur who seeks not only a livelihood but may also be on the lookout for an upgoing elevator or at least an escalator to carry him to greater heights: this, so long as the outlook is considerably better than the security of working for the Government or a large corporation. These ambitious enterprisers of many ilk are the original breeders of employment.

In recent years the quest for lower costs, so essential to penetration and holding of a market, has run so hard in the old established industries that jobs have been falling by the wayside in one industry after another even as more goods come tumbling from the production lines; and our plowboys are being decimated by our agricultural efficiency and turned into tractor riders or city slickers. This means that too many are looking for too few jobs.

Even the packagers, freezers, slicers, precookers, and so forth, who have gone far to replace the housewives who in turn have deserted the kitchen for the office and factory, have not filled the gap. These caterers to convenience employ such highly productive methods that one worker does the work of a dozen or a score of housewives, all the while working less than half as hard.

The lag of employment in this country is very serious and will become worse as more men are disgorged from employment and whole new armies of war babies come knocking on the doors of the employment offices.

What then has happened to the vaunted American industrial system? Has it become too efficient or is it getting old and afflicted with hardening arteries, conservatism and timidity? Many are tempted to say the latter; but the characterization is solidly belied by many visible phenomena. Mechanical, chemical, and other technological efficiency is displacing workers very rapidly in some industries and other pursuits, such as coal mining and agriculture while output rises. Without progressive efficiency this would not happen. Therefore the indictment of inefficiency falls.

There is another measure of the stamina of our industry that negates the charge of anemia. This is foreign investment and expansion of American business activity abroad. In this country outlays for new plant and equipment in the manufacturing industries declined 6 percent between 1957 and 1962 whereas in the foreign field they expanded at a lively rate. Output of U.S.-owned companies in Europe increased 70 percent in 1961 over 1957, compared with only a 6-percent rise in volume of manufacturing and mining production in this country from 1955 to 1961.

Employment in this country shifted heavily into the service trades, professions, commercial, and governmental activities, particularly State and local government, between 1950 and 1960. Since 1957 investment in these fields, such as insurance, banking, real estate, wholesale and retail trade, increased 30 percent. That is also where employment since 1950 increased faster than population growth. Again, it is an area that is not damaged by import competition. In other words, while manufacturing, mining, and agriculture, all of them confronting import competition or subject to it, were releasing workers, nonmanufacturing employment rose, but yet not sufficiently to offset the declines elsewhere. The result has been a stubborn residual unemployment.

Our problem quite surely is not inefficiency; nor is it entrepreneurial anemia.

Our industries are producing abundantly and many of them have idle capacity.

Why then do we not grow as fast as some other countries and in any case not fast enough to employ the unemployed? The latter is the real question, because Europe and Japan represent rather special cases. Their burst of speed was delayed about 10 years behind our feverish postwar activity; and they built more modern plants than ours to replace bombed-out facilities and obsolete plants. Their gain in productivity was phenomenal but readily explained. We were already far ahead; and they, too, will catch up with the pentup war demand even as we did.

Taxes are mentioned as restraints on industrial activity; and the complaint undoubtedly has merit. High wages and high profits are also cited, but they do in any event provide purchasing power. In some industries rates of profit, moreover, are declining. This fact is widely and properly regarded as detracting from incentive to growth and expansion.

Yet there is an obvious element of industrial discouragement that is seldom cited if not ignored altogether. This is rising import competition, stimulated by the national policy of tariff reduction. The far-reaching effect of this policy in stifling growth and expansion while encouraging laborsaving installations and automation as a means of remaining competitive, has not been officially recognized. Rather there persists a wholly irrational obstinacy against entertainment of the subject.

The effects of the policy are becoming yearly more obtrusive. Scores of our industries have been browbeaten and intimidated into silence or acceptance of a fate they know to be regressive, by a stubborn and egregious official wrongheadedness.

We witness hundreds of our firms investing billions of dollars in enterprises overseas for no reason other than the more favorable outlook for profits abroad. No surer barometer reading is needed. The signals proclaim the tragic fallacy of our policy; and we will persist in it at our national economic peril.

The problem of unemployment in the face of galloping technology has indeed been recognized; but an almost pathological shrinking from hard realities has marked the official reaction.

Unless steps that conform to the genius of the American system are taken the remedies will aggravate the problem. An increase in employment, for example, that is achieved through spot or ad hoc pumped-in money will be temporary. Pump priming cannot succeed by itself because it does not shift the self-propelling mechanism of our system into gear. It is, therefore, good as long as it lasts and no more, unless it is accompanied by other corrections that do restore the self-propelling mechanism to health.

The profit system, as a system, also will not come to the rescue. It is a question of the climate in which it is to operate. Our system is not one that can constantly be discouraged, handcuffed, confronted with a nagging hostility, repression and grudging toleration and yet be expected to function bountifully. Prosperity cannot be imposed on our economy for this reason. It must be induced by looking to the climate.

The profit system can again, as it has in the past, unlock and liberate productive and managerial energies that cannot be reached or ignited by discontinuous projects dependent upon legislative appropriations. There is no likeness between such efforts to impose prosperity and the Promethean magnetism that draws forward from ahead. The one is a dead hand; the other represents the beckoning future. If that future is attractive no whip is needed. If there is no future no amount of either sticks or carrots will beget sustained locomotion.

American capital produced expansion, growth and employment because vast potentials lay before many enterprises. The fortunes of these enterprises—with a few notable exceptions such as land grants to railroads—did not rely on doles of public money dependent in turn on legislative sentiment.

They prospered because the way was open for a $500 enterprise to grow into a million or a billion-dollar operation, not indeed tomorrow, but in a generation. Ramifications and growth were not only possible but beckoned to those who had the vision and the necessary qualities to fulfill it. The real magnet was the prospect of an expansive profit, not merely on one large transaction, such as building a dam or some other public work, but through a continuing and indefinite future.

Today, actual and prospective import competition is closing the door to the type of expansion that is most prolific in generating jobs. This is industrial expansion, not public works or foreign trade. In 1940, the ratio of industrial, mining, and agricultural jobs to nonproductional jobs was 1 to 1. By 1950 this ratio had grown to 1 to 1.5 while by 1960 it had risen to 1 to 2. In other words, one job at production now supports two nonproductional jobs; and the trend is still upward. The best employment seed is, therefore, the production job. Each gives rise to two others, with prospects of progressive future expansion.

Imports of finished products represent the poorest job-seeds. Raw-product imports are better, but only if they do not displace raw products produced in this country. If they compete directly they displace domestic production and do not add to employment in this country.

Exports consisting of manufactured products do represent as good employment-generating activity as production for the domestic market and in the past our exports consisted principally of such goods.

In recent years, however, our imports have come to consist increasingly of finished manufactures and manufactured foodstuffs while the trend in our exports has been in the opposite direction, finished products representing a declining share.

These trends, which may be expected to continue, represent for us a losing game in terms of employment. Foreign trade is not our economic forte.

Yet, the impact of import competition on our economy is much more negative and repressive in other respects. The difficulty comes from pitting our system against outside systems that have not in the past or do not even now obey the economic mandates of our system, such as fair competition, both in industry and in wages, prevention of monopoly, achievement of a high mass purchasing power through high wages, freedom of enterprise, etc. Some countries appear to be following in our footsteps but their lower starting point, particularly in point of wages, confronts us with great difficulties.

We face several other stubborn difficulties. Our industry cannot be driven to do what comes naturally to it in the right climate. This is the same as saying that if the climate is not right our system will not behave in the manner that brought it world leadership. If the climate is right it will move ahead.

Do we lack products of the kind that gave to our system its many sprouting and spreading branches? Is all demand for all products saturated? Of course not. We have only to glance at the window shoppers to answer such questions.

Something else then must hinder the operation of the system.

An entrepreneur in the past could be quite confident that if he launched a new product for which there was an elastic demand he would be handsomely repaid if he found the mechanical means of reducing the costs to the common pocketbook level. If the introduction of laborsaving machinery at first displaced a number of workers, the lower price opened more than enough new demand to rehire the displaced workers. In a few years he doubled or tripled his work force. In 10 years he might have a payroll of 10 or 20 times the original.

If he found a way to reduce radically the cost of producing an existing product for which there was a greater potential demand if the price were sufficiently reduced, he might perform a similar employment feat. After first laying off workers he might in a few years' time recoup his work force and hire still more hands, perhaps many more.

The difference between the employment potentials in enterprises built around production of consumer goods, which if successful reverberate through capital goods in the form of more demand on them—the difference between such developments and public works as generators of jobs for the present and the future, must be obvious.

Since the mid-1950's this pattern has been shattered in this country, with the exception of a handful of growth industries, such as electronics, aircraft, plastics, synthetics, biologicals, certain types of machinery, and so forth.

The established industries have moved backward in terms of employment even while increasing output. A dozen leading industries during the 1950–60 decade reduced employment of production workers by 1,056,000. This means that technologically they have advanced.

In point of employment, however, they have shrunk. The surge of demand that would have been expected in the past, calling for expansion of the work force, has not in many important industries come to the rescue.

Why?

The technological efforts were more negative than positive. They represented efforts to remain competitive with imports. They were not in response to a buoyant confidence that saw in the future a burst of demand that would swallow a large increase in output year after year. Instead the industries had seen their future field of demand invaded by imports that boasted the advantage derived from lower wage costs. These lower wage costs lying beyond our legislative control, were of the kind that had been regarded as competitively unfair in this country and had been outlawed through minimum wage and similar legislation to avoid shrinkage of mass purchasing power.

Little wonder then that the technological improvements that were instituted in recent years, while indeed displacing workers, did not produce the happy results of the past. An element that we could not reach—lower foreign wages—was in the field and we had dismantled our defenses or protection against it. Imported goods were supplying the increased demand that responded to lower prices and our industries were left with net displacement of workers. The backwash of newly opened demand that would have called for hiring more and more workers did not rise to a swelling tide. It was despoiled by imports.

Under these circumstances whence could come the confidence that the industries would "be able to dispose of increases in output at a profit"?—OECD quotation.

It could come only if there were assurance that if operations were expanded or a new product launched the market would respond favorably. Such assurance cannot be given if imports have already demonstrated their capacity to capture a growing share of the market and, moreover, have access to greater shares of the market virtually without further restriction.

Indeed, today, under the provisions of the Trade Expansion Act of 1962, the domestic market outlook for industry after industry is not only bleak so far as holding the present share of the market is concerned, but forbidding so far as any expansion plans that would be of sufficient magnitude to help employment is concerned.

This would be true even if taxes were reduced both for the purpose of expanding consumer spending and industrial expansion. If consumers gain a greater disposable income they will as readily buy imports as the products of domestic industry—often more readily because of the cost-conscious nature of elastic demand. Therefore, the market for competing domestic goods would not flourish sufficiently to increase employment appreciably.

Moreover, the confidence-dampening specter of a market contest with goods that do not bear the burdens of costs—that is, imports—will not have been lifted from our manufacturers.

The genius of the American productive system which has provided unprecedented abundance, demands recognition of the conditions that gave it birth, nourished it and swept it to great heights. It cannot survive half intimidated, half free. It can live with domestic curbs and regulations within reason but it cannot surmount a paralysis of its incentive. That is what an invitation to rising competitive imports produces. These are already hitting at our leading labor-intensive industries, that is, those heaviest in employment, while our automating industries, facing the same dismal prospect, are investing heavily overseas rather than here.

Even our growth industries such as electronics—TV, computers, and so forth—synthetic fibers, plastics, antibiotics, aluminum, pleasure watercraft, household appliances, and so forth, to which we have looked for employment that exceeds population growth can themselves no longer look forward with bold confidence to an expanding market when imports, usually with clear cost advantage, intrude upon the scene to spoil the market's promise. Seeing their market's bright future, such as would entice greater outlays, greatly bedimmed, these industries become victims of caution one by one. The old assurance of the past that lower costs would tap rewarding consumer response is now the special stimulus to imports since they can undersell us. They gobble up a great part of the demand thus awakened and leave our industries with such little room for expansion that employment is boosted very little, if at all. Thus is lost the very matrix of our former self-propelling expansion.

This matrix must be restored not only to our growth industries if they are to continue their upward career, but to the old established industries to prevent their progressive employment shrinkage; and the hand of assurance that our system previously extended, not by way of help but through a conducive climate to new industries, must again be held out not only to new industries but to those not yet born if we are to recoup our lost ground.

The point of no return is not far distant. Therefore, early action is imperative.

Great segments of the American productive economy face a barren outlook for domestic expansion. A veritable pall has been lowered over the scene by abandonment of the unique American formula of economic growth. This formula must be restored.

Action should include an immediate 5-year moratorium on further tariff cuts such as were authorized in the Trade Expansion Act of 1962.

Second, our future policy should hold tariff reductions to 25 percent in 10 years or not over 2½ percent per year.

Third, a true remedy for the serious injuries caused by past tariff reductions should be provided.

WHEAT REFERENDUM

The SPEAKER. Under the previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, on Tuesday the wheat farmers of the United States voiced their opinion on which type of farm legislation they would prefer of the two choices that were given to them in the referendum.

Mr. Speaker, this referendum covered almost the entire country. The farmers by a better than 50 percent vote rejected the Administration's certificate wheat plan. In fact it did not carry in any wheat State which is traditionally called a wheat State in the country. In most of the wheat States, approximately half or less than that of the farmers voted in favor of it.

The farmers who looked at this program, based on the visits which I made within my district and other parts of the country, really did not like either choice. However, it took a great deal of courage on their part for farmers throughout the country to choose to vote "no"; because next year it would have been economically more favorable for them to vote "yes." But rather than accept further Government controls over their own business they decided to vote "no," and suffer the consequences, if need be.

I must briefly point out exactly what they voted on on Tuesday. For a "yes" vote it would have been necessary to secure a two-thirds vote in order for it to prevail. I think it is important for this to be the case in any farm legislation of this nature because any time that mandatory controls are put into effect it is important that a clear majority of the group of people involved, in this case the farmers, should decide in favor of it. Usually every farmer does not vote who has the opportunity to do so. Usually, in fact, much less than half do. This time a greater percentage voted than at any time before.

I felt it was wise for the legislation to require a two-thirds vote for a "yes" vote to prevail. And I am happy that when the "no" vote prevailed it was by such a substantial number.

Now back to the alternatives. If the "yes" vote had prevailed the farmers would have received 80 percent of parity on 80 percent of their production. Eighty percent of parity would have meant $2 a bushel. On the remaining 20 percent of their acreage they could have received $1.30 a bushel, which would have meant 52 percent of parity on that portion of their production.

However, it is important that if they had voted "yes" they would have accepted stringent controls, the most stringent that we have voted for in American agriculture. The important factor is that the certificate wheat plan would have been completely mandatory. The farmers would not have been given the option of deciding whether or not they wanted to come in or to stay out. The "no" vote which the farmers did choose will drop wheat price supports down to legal minimum of $1.25 a bushel.

Before the referendum the Secretary of Agriculture threatened that the price of wheat would drop to $1 a bushel. In other words, our farm economy is asked to pay a dear price for the right to make its own management decisions.

I understand that the Secretary of Agriculture has indicated that he will permit the CCC stocks of wheat to go onto the market for the legal minimum which is $1.25 a bushel plus 5 percent, plus carrying charges, which undoubtedly will be something between $1.25 and $1.30.

It is obvious from this that the two choices were unacceptable to most farmers, even though a majority voted "no."

I am not going to stand idly by and permit the Secretary of Agriculture, because of the choice that the farmers were required to make, to cause the kind of disaster in the farm economy that has been predicted. I am going to do my best to see that sound remedial legislation is passed. I am happy to say that 19 of my colleagues have joined with me today in introducing a bill which Congressman DOLE, of Kansas, who represents the largest wheat district in the country, Congressman SHORT, of North Dakota, and I put together quite some time ago. We believe this to be the best possible piece of legislation for the wheat farmers in the event they "no" vote. We thought for a while we might introduce this bill prior to the referendum in order that farmers might know what they could possibly have if the Congress would pass remedial legislation. We decided against that because we felt that the farmers should make the clear choice themselves on the alternatives that were presented to them in the referendum even though both choices were undesirable.

Now we feel it is necessary for the Congress aggressively to attempt to help the wheat farmers adjust to the new situation. I think there is a new situation today. The decision made by the wheat farmers will determine the future of American agriculture and especially American agricultural legislation.

I think if the "yes" vote had prevailed we would have seen a direction toward more and more mandatory controls for additional commodities. I think now we are going in the direction, and I hope we we are, that price supports will stabilize the farmer's price, and he will be able to operate in the market place and find the markets for his commodities rather than losing them each year.

There is a great danger with mandatory control legislation for the same thing to happen in feed grains and wheat, if we went in that direction for those commodities, as has presently happened for tobacco and cotton. Take cotton, for example, a crop under mandatory controls. It is in a very severe situation today. If we do nothing in cotton I think that in 2 years we will not have a cotton industry in this country. There is a great deal of talk about the foreign competition in cotton textiles because foreign mills purchase cotton from this country for 8½ cents less than a domestic mill can purchase it. The situation is worse than that. Because of the competition of synthetics, mills are really forced, because of the high price of cotton for textile mills, to shift to synthetics.

Once we lose a market it is virtually impossible to ever gain it back again. If cotton loses its market in this country to rayon and other synthetics, it will be lost forever.

This is indirectly of importance to those of us who come from the feed grain and wheat areas, because every farmer who shifts out of cotton will have to produce something else on the land. This year the Secretary of Agriculture announced that 2.1 million acres of land will have to be shifted out of cotton. We can expect that a substantial amount of this will have to go into feed grains. The effect of this will be that under a voluntary feed grain program already enacted into law it will take an additional 2 million acres out of production. This will cost a great deal. The burden of it is going to be put on the feed grain budget. This is an extra cost to all the feed grain part of the Department of Agriculture program. If we continue causing the cotton industry to go out of business, it means another 16 million acres will have to be diverted to some other crop eventually. I do not want to see that happen, nor do I want to see this happen to the commodities of feed grains and wheat.

We have a program on the books for feed grains. In the Congress I think we have had a choice between mandatory control of both supply and price, such as was proposed to farmers in the certificate wheat program, or a voluntary program, giving the farmers the means to adjust their production and help tide them over with assistance given to the farmers who voluntarily comply with the program. We have had the latter in the feed grains law in 1961, 1962, and 1963. Those of us who have introduced the wheat bill have looked at the feed-grain program and have taken what we believe is a sound and basic part of the volunteer feed grain program and propose to put wheat in with it. Putting wheat in with the feed grain program will enable the farmers who so desire to adjust their production and help bring supply into balance with demand, and assist in reducing the surpluses presently on hand. If a farmer chooses not to do so, he is free to stay out of the program. He will not harm the farmers who enter the program, who are adjusting, because the non-complier will get no benefit from the program at all. I think the opportunity ought to be given to the farmers to make a decision, not to choose between two things they do not want in a referendum but rather to choose at planting time, whether they want to get into a program. A program should be opposed which will assist them in adjusting production to demand or else stay out entirely and get no benefit.

If we are going to inspire the farmers of this country to produce enough feed and clothe the people of this country and still produce enough to take care of the other parts of the world, we have to leave management decisions to the farmers themselves, and this comes at planting time. The program we have proposed today will do this and not require a referendum.

I have an outline, which I will submit as a part of my statement at this time, a description of what this bill will do. It briefly, besides being voluntary, would require land retirement, not just adjustment from one crop to another. Until the feed grain bill was passed we never really had any control programs. All that was provided for was adjustment from one crop to the other. We hear the cotton farmers sometimes saying, "We have adjusted." They reduced acres in cotton, but they put their acres into wheat, feed grains, or something of this nature. The corn programs in the past, except for the voluntary program we had from 1961 to 1963, did not reduce production. It reduced the production of corn, but then farmers put in some other crop. In my area they are producing wheat where they never did before. They are growing it under the 15-acre exemption. All that happened was to adjust production around the country but total production went up.

Our bill, as in the voluntary feed grain program, would require retirement of land. So that as we make the adjustment over these few years—I expect there would be a very minimum of years for adjustment in wheat as there has been in feed grains—the land that has been taken out of wheat or feed grains will not cause a surplus in other commodities. I should point out here, however, that we do permit an exemption in the case of safflower, castor beans, sunflower seeds and guar and crops of this nature which are imported so if a farmer wants to put his diverted land in those he can forgo payments or a portion of the payments and produce those crops. But on crops where there is a possibility of being in surplus and which receive price supports, they would not be available to be planted on diverted acreage. We would use payment in kind and only payment in kind as an inducement to farmers to comply with the programs. When the surpluses are used up, there will not be a diversion program. We will be back to supply and demand. The voluntary diversion program would then be standby authority in the event of future surplus conditions.

We use payment in kind in the same way as it has been done in the past in the voluntary feed grain program permitting the Secretary to assist in the sale of negotiable certificates for the farmers because there are some farmers who live quite a good distance from the big feed grain areas and the wheat-producing areas of the country. These are mostly in the Northeast and the Southeast. They, it is felt, need assistance in the sale of their negotiable certificates because otherwise they would have to take a substantial discount in the value of their negotiable certificates. This has worked well to date, and this bill prohibits the Secretary of Agriculture from buying high and selling low as he did in 1961 and 1962.

Lastly, this bill is based on a market economy. The market will make the decision on what the prices will be and the Secretary of Agriculture, as this program progresses will be in the business of stimulating the market and permitting the farmer to receive adequate prices for his commodities. A negotiable certificate could only be sold on the market, that is the grain that reflects them, at the support level plus carrying charges. This is the same as the present 1963 feed grain program which is now in operation.

The remainder of surpluses can only be sold as the law now provides at 105 percent of the support level plus carrying charges. But when we bring the supply down to where there is just a normal carryover and when things are in balance, then the Secretary could not sell for less than 115 percent of the support level, giving the market place the opportunity to function and pull the prices to the farmers upward and enable farmers to secure a better income.

Section 407 of the law now provides that the Secretary can dispose of grains that have gone out of condition or grains that he suspects will go out of condition. Many times in the past administrations as well as in this administration we have suspected that they have dumped a great deal of grain under section 407 which permits them to dump it if they suspect it might be going out of condition. This bill provides that in the event that things are in balance and we only have a normal carryover, the Secretary will be required to replace that grain which he has removed from CCC stocks under section 407 at less than support level by immediately replacing an equal volume from the market.

This is the kind of protection in a farm program that is very inexpensive and it has been proven by experience to date. Yet it gives the kind of assistance that is helpful to the farmers' prices, but does not get him in trouble with surpluses.

Many people ask what will be the support level under this program. For wheat the Secretary will have the same authority as he presently does with corn. The Secretary may set supports between 65 percent of parity and 90 percent of parity. Sixty-five percent of parity for wheat is $1.62. Ninety percent of parity for wheat is $2.24. Sixty-five percent of parity for corn is $1.04. The Secretary has chosen to set the support level this year at $1.25 for corn. What he would do for wheat is unknown, but he would have to make a determination so that there would not be a great shift from feed grains into wheat and neither would he want a great shift from wheat into feed grains. Only through the Department of Agriculture figures and information can anyone make that determination.

As to the diversion rates, and there are differences of opinion on that, some of us have introduced a bill which provides that they will be made up to 50 percent of normal production plus the support level. Others have increased diversion rates in order that we may be able to dispose of our surplus more quickly and give a bonus to farmers who take possession of grain rather than the negotiable certificates.

We have added another incentive to retire the land for 3 years to 5 years, in order that the increase in production due to the idling of 1 year will not come back immediately next year but will stay idled 3 to 5 years.

The bill will permit farmers, if they have less than 40 acres of wheat and feed grains to take their entire base out of production.

BRIEF OUTLINE OF THE FEED GRAIN AND WHEAT ACT OF 1963

The proposed completely voluntary program would apply to wheat, corn, grain sorghum, barley, and at the discretion of the Secretary, oats and rye.

If the Secretary should find that there will be a supply of designated grain in excess of a "normal supply," he would put into effect a special agricultural conservation program, based on four principles:

First. It would be voluntary. Price support and diversion payments would be available only to those who retire acreage from production.

Second. It would require land retirement and conservation as a condition of eligibility for program benefits. A minimum 20 percent would be required with an optional and additional 30 percent reduction allowed.

Third. It would use only payment in kind for making diversion payments. The Secretary could, however, advance the producer cash in anticipation of the sale of grain, but there would be no direct payments, as provided under the 1963 feed grain program.

Fourth. It would be based on a market economy. The CCC release price for surplus grain in inventory could not be less than 105 percent of current support price, plus reasonable carrying charges. When the supply of grain is back to a "normal supply," this release price would be 115 percent of the current support price, plus reasonable carrying charges, and CCC would be required to make equivalent market purchases for grain which has been sold as being "out of condition."

OTHER MAJOR PROVISIONS INCLUDE

(a) Time: Applicable to 1964 and subsequent crops.

(b) Support price: 65 to 90 percent of parity when the special agricultural conservation program is in effect.

(c) Base period: 1959–60–61.

(d) Diversion rates: Up to 50 percent of normal production times county support rate on first 20 percent reduction; also at farmers' option up to 50 percent on next 30 percent reduction.

(e) Optional longer term retirement: Up to 60 percent diversion payment for acreage diverted for periods of from 3 to 5 years.

(f) Advance payments: Up to 50 percent in kind at signup time.

(g) Diverted acres: Control weeds and pests. Allow oilseed crops at up to one-half regular diversion rates.

(h) Small farms: Allow retirement of entire farm base if less than 40 acres.

The permanent price support law on wheat and feed grains would be amended to establish price supports on the designated grains at 90 percent of the previous 3-year market average unless a special agricultural conservation program were in effect.

All acreage allotments and marketing quotas on the designated grains would be repealed. There would be no referendum.

I think it is a sound piece of legislation, and I am hopeful that the Congress will have an opportunity to consider it. It is now necessary for the bill to go to the Committee on Agriculture in order to have an opportunity to consider the legislation there. And I hope the chairman will schedule early hearings.

I want to point out again that in the wheat referendum the farmers did not choose between two good alternatives. Neither is acceptable. If we are going to prevent disaster to some of these people in our farm economy, we need to act now. We have a period of time to deliberate seriously on that. The fall planting of winter wheat will not be in full operation until August 15, so we have a period of time to develop sound legislation.

There is a tendency, I believe, to have some rancor throughout the majority party in the Congress and the administration, due to the fact the farmers turned the referendum down. The farmers did it so conclusively that I hope these individuals will get over their rancor as quickly as possible. Then we will get at the business of passing what we believe is sound legislation. The whole economy, the whole Nation, is looking forward to this. It is not only the farmers who will suffer, but the whole Nation will suffer unless we act.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kansas.

Mr. DOLE. First, I wish to commend the gentleman and join in the remarks he has made. Secondly, on the basis of repudiation by the American farmers of the two wheat plans, I think we have a very serious obligation to act responsibly and quickly. A lot of people are guessing on what caused the complete defeat of the certificate wheat program. Any way you look at the returns from any State you find nothing written in the returns but defeat of the Freeman plan. Many say it has been oversold, and we have evidence of this. People who were never interested in farm legislation voted for the first time. I know many in Kansas have voted because they thought they were overpropagandized by a Government agency.

I recently pointed out on the floor the example of one lady who has received something like 20 notices from the ACE offices, and most of these in duplicates, triplicates, and perhaps more.

It appears Mr. Freeman had everything going for him except the farmer. He had the Public Treasury, he had thousands of employees, he had a feed grain bill enacted at the last minute. All of these were in favor of a "yes" vote. All of the propaganda put out, which was politics, was not enough to rescue this defeat at the hands of the American farmer.

The American farmer should be commended because he has displayed that he no longer wishes complete regimentation. He is willing to accept less when it comes to dollars and cents. I believe, therefore, we have this obligation on both sides of the aisle.

This is no time for bickering between Democrats and Republicans. Our farmers have spoken. I may say very honestly that in Kansas, for example, many outstanding Republicans voted "yes," and many Democrats sponsored a "no" vote. That has been part of the issue, and I do not think it should any longer become a part of the issue.

Our responsibility is clear. We are hopeful that the bill introduced today by 20 Members may have immediate acceptance; that it may be taken up by our committee chairman at the earliest time. Certainly there has been a big switch in Kansas, only 42 percent voted "yes," compared with around 66.5 just 2 years ago.

The mandate is clear, and I believe it is incumbent upon all of us to work out some suitable program. We do have this responsibility. I am not going along with the theory that the farmer made his bed, let him lie on it. The farmer considered every possible alternative. No one could promise the farmer any new legislation would be enacted. He has voted against the control program, and I stand on that responsibility as a Member of the Congress.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I am joining with my colleagues in introducing a new wheat and feed grain bill today which becomes necessary as a result of the vote on the wheat referendum on Tuesday. Not that I wish to resort to a "I told you so" line, but I do wish to point out at this time that we who objected to the manner in which the recent feed grain bill was steamrolled through the Congress took the proper approach in advising that action on the bill should be delayed pending outcome of the wheat referendum. Now the wheat farmers of the Nation in having voted down the wheat referendum have told us that they want to take things out of the hands of the power-hungry bureaucrats and have put the question in the lap of the Congress.

We here today are responding to the voice of the Nation's farmers, and at the same time I think some of the record should be set right. The farmers were told yesterday they are now better off than they have been in the past 10 years, and they were told that farm income in the past year was at a record high level. When the President made this statement he was, in effect, stating that total farm income was up as a result of Government payments, but he did not mention the fact that farm costs are also at an alltime high with the result that the parity ratio has been at near record lows all during this year. In fact, the parity ratio for the first 3 months of this calendar year averaged 77 percent—the lowest first quarter parity ratio since 1939. We who live on the farm know that merely handling more money means little, and that for the farmer to be actually well off he must be able to keep some of the cash in his pocket.

The President also stated on Wednesday that the farmers had spoken and that he accepts their judgment. I certainly agree with that since, I, too, accept the judgment of the Nation's farmers and respond with the introduction of this voluntary wheat and feed grain proposal.

Abraham Lincoln once said that he had an abiding faith in the ultimate good judgment of the American people. This observation can well be applied to the outcome of the 1963 wheat referendum, and now that the wheat farmers have expressed themselves, it is the undenied responsibility of all Members of Congress interested in agriculture to work for the enactment of an acceptable and workable farm program.

The bill which I am introducing today provides for a voluntary program with price supports based on compliance with the program and provides for payment in kind for land diversion and soil conservation. This program would require land retirement as a condition of eligibility for diversion payments. A minimum 20-percent retirement from base would be required, with an optional 30-percent additional reduction allowed. Payment in kind would be used for making the diversion payments, but the Secretary of Agriculture would be authorized to advance the producer cash in anticipation of the sale of grain. There would be no compensatory payments as provided under the 1963 feed-grains program.

This program would apply to the 1964 and subsequent crop years with support prices at 65 to 90 percent of parity when a diversion program is in effect. The feed-grain base period would be the 1959, 1960, and 1961 crop years. Advance payments would be authorized up to 50 percent at the time of signup, which, incidentally, is the provision which was added by my amendment to the feed-grains program enacted by the Congress in 1961.

A provision of my bill would allow the farmer to ask for his diversion payment to be made in actual grain rather than in payment-in-kind certificates. He would then be entitled to a 15-percent increase in his payment.

This provision in the bill would encourage the producer to participate even though he would normally use his feed-grain production for livestock feed right on his own farm. The long-range effect of this provision would be to work a wider distribution of feed grains and deemphasize the importance of the Commodity Credit Corporation in the marketing and handling of feed grains. The tendency would be for feed grains to be either fed on the farm or moved in normal commercial channels rather than being channeled through the CCC with the Government acting as the marketing agent.

I include a news article written by Julius Duscha which appeared in this morning's Washington Post to be inserted in the RECORD at this point of my remarks.

The article is as follows:

Question Here: Will Congress Speed to Rescue of U.S. Wheatgrowers?

(By Julius Duscha)

Will Congress save wheat farmers from the low prices they voted for in the wheat referendum on Tuesday?

That was the big question on Capitol Hill, in the White House, and in the Department of Agriculture yesterday as jubilant Republicans and disappointed Democrats assessed the results of the referendum.

The decisive defeat of the administration's wheat control program was a severe setback for President Kennedy and Secretary of Agriculture Orville L. Freeman and could end Freeman's effectiveness on Capitol Hill although the President yesterday indicated otherwise.

As expected, the rural midwestern strongholds of the Republican Party and the powerful American Farm Bureau Federation, the principal opponent of the proposed wheat program, voted heavily against the rigid controls.

APPROVED BY NONE

Not one of the big western wheat States, where the administration thought it was strong, turned out the two-thirds vote needed for approval of the program.

Farmers were given a choice between rigid controls on wheat production accompanied by a high price guarantee of $2 and what in effect will be unlimited production with no effective guarantee for wheat prices.

During the intensive wheat referendum campaign, which began last winter, Freeman repeatedly told farmers that rejection of the administration's program would mean $1-a-bushel wheat.

Some farmers may be ready to accept a 50-percent reduction in wheat prices, but when I talked with wheat farmers during a tour of the Midwest and West earlier this month I found few of them who looked on the vote as a choice between $1 and $2 wheat.

The vote is an emphatic expression of farmers' opposition to controls, to the Federal bureaucracy, and in many respects to Government itself.

THEY STILL WANT AID

But it is not a vote to get the Government completely out of agriculture. Farmer after farmer told me that the Government must continue to provide a floor under their prices, just as it guarantees workers a minimum wage and helps businesses through tariffs, tax concessions, and other programs.

Republican Members of Congress, Farm Bureau President Charles B. Shuman, and State and local Farm Bureau officials repeatedly assured farmers that Congress would approve a less onerous wheat price guarantee program if the administration's program were defeated.

Most of the farmers who voted against the program now expect Congress to save them from the potentially disastrous economic consequences of their votes.

If no new wheat legislation is passed by Congress in the summer, acreage planted to wheat next fall will skyrocket and by the summer of 1964, when the wheat is harvested, wheat prices will decline sharply.

The wheat surplus, which is the Nation's No. 1 farm-surplus problem, already is large enough to supply U.S. wheat needs for 2 years.

Farmers expect Congress to approve a bill guaranteeing wheat prices below the $2 figure—perhaps at $1.50 a bushel—and to continue the relatively painless acreage controls of recent years.

The Farm Bureau is sponsoring a voluntary wheat program under which farmers could decide whether to have their wheat acreage limited somewhat in exchange for a price guarantee of $1.35 a bushel. The Farm Bureau program also includes land retirement.

The President, Freeman, and Democratic leaders in Congress have been adamant in their statements that Congress will pass no wheat legislation this year or next.

But will this opposition remain solid in the face of political considerations? From Senate Democratic Leader Mike Mansfield of the important wheat State of Montana on down, the Senate and the House have many Democrats who must get votes from wheat farmers to be reelected next year.

But if the Agriculture Department and the White House stick by their statements and do not propose or support any wheat legislation, it will be extremely difficult to get a bill through Congress.

SOUTHERNERS MAY ACT

City Democrats from the Northeast, the Midwest, and California, who have had to be dragooned into voting for farm legislation in recent years, would have no reason to support a wheat bill if there were no White House pressure behind it.

But then there are the southern Democrats who desperately want a cotton bill. If they should get together with the Midwest Republicans who want a new wheat program, Congress may yet save the wheat farmers from themselves.

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, I thank the gentlemen who added their remarks, and I just want to point out in closing an editorial which I read in the New York Times of the 23d. The article states in its final paragraph:

> Many of those who rejected controls are counting on Congress to come to the rescue by increasing price supports without curbing production. But giving temporary sops to the farmer would be as bad as doing nothing. Congress could follow a third course: enactment of a voluntary program of land retirement or diversion, aimed at cutting down on wheat production while maintaining farm income. Given the farmers' own vote against controls, the objective should be a return to a free market, but in an orderly fashion and one that provides for reduction of the wheat surplus.

Mr. Speaker, I want to point out that what we offer here is no sop at all in order to tide the wheat farmer over or to secure his vote. This is an alternative that some of us in this House, who have introduced the bill today, have been working on for a long time, that is, this course of a voluntary program of land retirement and diversion.

When you study the agricultural legislation on the books these many years since 1933, it is clear that programs that have solved anything have been voluntary and have provided for land retirement. That is exactly what we are proposing today to help the farmers of this country adjust, because it has not been their fault that they are in trouble. They have been trying to do the best they possibly could under the laws of the land. The laws of the land and the actions of the Department of Agriculture helped cause this difficulty, and we have some responsibility to farmers to help them make their adjustment.

I am willing to make an effort, and I think this is a sound piece of legislation that many of us have joined together to introduce today, and we seek the opportunity now to work with others to develop in this session of the Congress wheat legislation which farmers can live under in the years to come.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Iowa.

Mr. JENSEN. I join the gentleman from Minnesota [Mr. Quie] in the remarks that he has just made. I, too, introduced a similar bill to the one which the gentleman from Minnesota [Mr. Quie] and many other Members of Congress from the breadbasket of America introduced today. Those bills were introduced to give to the American farmer his just dues. That is what he will receive should our bill or bills become the law of the land.

Mr. Speaker, there is a little difference in the bills which were introduced today. I had some ideas which I thought should be incorporated in the bill which others did not incorporate. But nonetheless, every Member who introduced a wheat and feed grain bill today has it in his heart to assist the American farmers in the price squeeze in which they have found themselves for the past many years.

Mr. Speaker, certainly it is our responsibility, and today as representatives of the people, to do the thing that we have done in the hope that in the very near future the farmers of America can be released from this price squeeze and again enjoy the freedom that every American is supposed to enjoy under our form of government.

Mr. Speaker, the gentleman from Minnesota [Mr. Quie] is a very important leader in Congress for the farmers. The gentleman knows that vocation from the grass roots up, and we respect him. We respect his judgment. We respect his sincerity. As I said before, Mr. Speaker, I am happy to join in the remarks which the gentleman has just made. We shall continue to work together, as I know most every Member from the feed grain States, both Democrats and Republicans, will do their very best to make possible under law the best possible feed grain bill that can be written. We think we have written such a bill or such bills today. Now, of course, without a doubt there will be, I am sure, amendments offered when the bill comes to the floor, which I hope it will come to the floor very soon. Some people say it will not, that there will not be a wheat and feed grain bill this year, or another wheat bill. Well, I am sure that there is not a Member of either party who would want this thing hanging fire and leave the farmers of America hanging out on a limb as would be the case if they did not have a wheat and feed grain bill under which to operate after this year. After all, the American farmer is very anxious to be free to operate his farm without too much Government restriction. That was proven on day before yesterday.

Again, let me thank the gentleman from Minnesota [Mr. Quie] for the great job he is doing.

Mr. QUIE. Mr. Speaker, I thank my distinguished colleague, the gentleman from Iowa [Mr. Jensen] for his assistance in developing this legislation. Again I want to show my appreciation to the gentleman from Kansas [Mr. Dole] and the gentleman from North Dakota [Mr. Short] for the great work they have done in developing this bill. I want to thank others who have worked on this legislation and who have joined today in introducing this bill—

The gentleman from Illinois [Mr. Anderson], the gentleman from Kansas [Mr. Avery], the gentleman from Montana [Mr. Battin], the gentleman from South Dakota [Mr. E. Y. Berry], the gentleman from Iowa [Mr. Bromwell], the gentleman from Kansas [Mr. Ellsworth], the gentleman from Wyoming [Mr. Harrison], the gentleman from Washington [Mr. Horan], the gentleman from Iowa [Mr. Jensen], the gentleman from Iowa [Mr. Kyl], the gentleman from Minnesota [Mr. Langen], the gentleman from Washington [Mr. May], the gentleman from Minnesota [Mr. MacGregor], the gentleman from Minnesota [Mr. Nelsen], the gentleman from North Dakota [Mr. Nygaard], the gentleman from Ohio [Mr. Taft], and the gentleman from Wisconsin [Mr. Thomson].

Others have indicated their support and many will introduce the bill later. There is going to be the temptation on the part of those in Congress who voted for the certificate wheat plan last year to say to those of us who voted against it, "Now it is your responsibility to bring out some legislation."

I can tell you right now that those of us who have introduced this bill today are accepting that responsibility, and this is our answer. There are others who say that those of you who were in the majority last year, and still are in the majority, have the responsibility to do this. I feel it is the responsibility of all of us now to forget about our differences and work together for the best possible piece of farm legislation that we can enact in this session of Congress.

SOVIET SUBMARINE THREAT

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House the gentleman from Maryland [Mr. Mathias] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, I was surprised at a public meeting recently to hear a man prominent in public affairs, with access to sources of knowledge, say that "America lay naked to the threat of the Soviet submarine force." I feel that this is a misstatement of such a character that I am moved to say a few words this afternoon to correct the misapprehension that was obviously created. I think it is only fair to the men of the Navy who work so courageously and diligently in all kinds of weather and at all times to keep this country safe from enemy submarine forces, to see that the record is correct.

As a matter of fact, Mr. Speaker, our antisubmarine capability has improved to such a marked degree in recent years that I think it is one of the most noteworthy achievements of the armed services. As a preface, let me say that I have been a Naval Reserve officer for many years and a member of the naval service for almost 21 years. Throughout that entire period I have had an active connection with the service and I have been following with a more-than-average interest the year-by-year growth of knowledge and capability in the antisubmarine operational forces of the Navy.

The subject is one which, to be understood, must of course, include some estimate of the danger to which we are exposed. There is no question but that there is a Soviet submarine threat. I think it would be foolish to minimize the nature and size of that threat. On the other hand, I think that the threat can be counterbalanced by the factors which can lead us to victory in the event of submarine warfare.

Mr. STRATTON. Mr. Speaker, will the gentleman yield to me?

Mr. MATHIAS. I am glad to yield.

Mr. STRATTON. Mr. Speaker, I am interested in the remarks of my colleague and friend from Maryland. I am not aware of any remarks to which he may be referring but, insofar as he has expressed his opinion that we are by no means naked to any threat from the Soviet submarine force, I would like simply to join with him in that assertion both as a member of the Committee on Armed Services, and as a member of the Naval Reserve.

I believe that I can speak with some assurance in joining with the gentleman on that point. I think our antisubmarine warfare capabilities were amply demonstrated, for example, during the Cuban crisis. That story has not been and cannot be fully told, but the fact of the matter is we did an outstanding job. We have done an outstanding job over the years. I think that while this aspect of the Navy is perhaps not as glamorous as some others, and while some of us would like to see a little more attention paid to antisubmarine warfare than we have done and are continuing to do, this is a magnificent job. After all, the best defense against the submarine is another submarine. Those who gave their lives in the *Thresher* were in the process of testing one of our most effective weapons to deal with that threat.

I congratulate the gentleman for taking this time to make this excellent statement.

Mr. MATHIAS. I thank the gentleman from New York for his contribution. His statement carries weight, not only because of his membership in the House but because of his naval experience. He is now a captain in the Naval Reserve and is a member of the Committee on Armed Services.

Mr. Speaker, antisubmarine warfare victory is dependent on several factors. It requires superiority in technical equipment, but it also requires adequacy of forces. The adequacy of forces is unusually important in antisubmarine warfare, because one submarine can require a very large force to detect and combat it. So there has to be adequacy which is measured by standards more exacting than those normally required by a single aggressive vessel.

In order to handle this equipment we need highly trained personnel. These are not people who can be taken off the deck and immediately be put at the controls of very complex equipment. They need to be trained and have experience, and in the development of that experience they also have to develop teamwork.

Finally, of course, antisubmarine warfare victory requires intelligence, not only as to the nature of the enemy forces, but to the extent possible, of his probable operations.

In the U.S. Navy we have a remarkable antisubmarine warfare organization. The apex of the organization is, of course, the Chief of Naval Operations, and he is in immediate contact with field commanders, who provide for the support of the unified and specified commanders who have the antisubmarine warfare responsibility. In carrying out their tasks these men must of course consider the potential possibilities of a strike by the numerically largest submarine force in existence.

It is known that there are at least 400 Soviet submarines. Not all of these submarines are operational at great distances. Some of them are coastal submarines. Some of them are of an age that might be considered obsolete. Yet we know that large numbers of the Soviet submarine fleet are being improved constantly. Some of them have been fitted with missile launchers. Some of them, the new construction, are coming out as nuclear-powered submarines. In the aggregate, they do form a threat which justifies all of the effort which we are putting into the antisubmarine warfare effort.

The submarines of the Soviet Union, of course, are operational for general war uses. This would mean missile launching against American civilian targets as well as against military targets. But we cannot forget that submarines are available for limited war uses which could involve raids on shipping and disruption of trade channels. There is, of course, a secondary threat from submarines other than those of the Soviet Union itself because we know that Red China and Bulgaria, for example, do have operational submarines.

I would salute the officers and men of the U.S. Navy who have devised an antisubmarine strategy which is both ingenious and imaginative. The different types of operations these men have worked out in theory and in practice include, for instance, mining by air, by surface or by subsurface vehicles. They contemplate the forward deployment of our own submarines and this is a daring mission which requires the highest skill and the highest degree of readiness. They contemplate massive submarine warfare barriers by air, surface or subsurface units in any possible combination which the operational circumstances would permit. They also contemplate mobile forces which are familiarly known as hunter killer groups made up of carriers and especially designed aircraft trackers along with helicopters supported by destroyers.

The mobile forces include sea surveillance by VP and CVS type aircraft. The VP type includes: P2V "Neptune", P3A "Orion", and P5M long-range, land and water-based patrol aircraft.

VS includes S2D "Tracker", carrier or land-based, medium-range aircraft and SH-3A "Sea King ASW helicopters for shorter range surveillance and screening. I have had personal operational experience with many of these aircraft and can testify as to their usefulness and versatility.

Screening units include destroyers and destroyer escorts, VS aircraft and helicopters from HUK groups, and VP aircraft patrols in direct or indirect support of underway forces.

The strategy as the U.S. Navy now practices it includes training, it includes forward deployments, it includes the establishment of barriers which we believe will be virtually impenetrable without detection, the operation of Hunter/Killer forces and the screening of underway forces.

All of this is a superb naval accomplishment, but it is dependent to a great degree upon coordination of these balanced forces. Without coordination any single element of ASW team would have a greatly reduced value. In coordination we not only have to consider the factor of different elements of our own Navy but the fortunate circumstance that we do have support from allied navies. If these are to be used in ASW problems to the greatest advantage, there must be constant coordination now in training and in development of tactical plans.

When our forces are operational, the primary problem becomes that of the detection of the enemy underseas. We have numerous devices which have become available to the Navy in recent years. There are nonacoustic devices, which depend on electronic principles for their operation. The so-called MAD gear, visual gear, radar, the sniffer which detects diesel fumes and other equipment of this character. We have active acoustic gear which uses a sound source to track the target. These are air-borne or hull-mounted or may be used by aircraft and "dunked" in the ocean.

We have passive acoustic devices which utilize the sound emitted by the target for the detection of the target.

All of this equipment, however, has certain problems in operation due to the thermal layers in the sea and, therefore, in its use it is necessary to develop a particular skill in evaluation and this leads back to the necessity of trained personnel.

In addition to the equipment which I have just itemized, we have a tremendous variety of sonar equipment which can be mounted on submarines or surface ships, sonars which can be adjusted to variable depths and to some degree overcome the thermal layers of water. We have sonar buoys which are acoustic sensors, which can be distributed to areas of suspicion by aircraft and the "dunking" sonars usually used in conjunction with helicopters.

Experience in using all of this equipment indicates a great need in the field of antisubmarine warfare, and that is exhaustive knowledge about the nature of the ocean. Oceanography is a new science of increasing naval importance. If we can know more about the ocean, we can learn how to operate our equipment more effectively under various sea conditions. Therefore, oceanography becomes in itself one of the realms of interest in which those who have responsibility for antisubmarine warfare are exercising both their knowledge and their professional curiosity.

Once the problem of detection has been solved and the target is held in view, then the question of the ASW weapon itself becomes important. The United States can mount three separate categories of weapons. One is mounted on surface ships, the other are submarines, and the third for airplanes. Surface ships can mount light or heavy torpedoes. They have the antisubmarine rocket known as ASROC. We are very shortly going to have remote-controlled helicopters known as DASH, which can be sent out to work at a distance from other activity. We have the hedgehogs, which are a proven staple of armament.

Submarines can themselves be the hunters of submarines and are today equipped with antisubmarine warfare torpedoes, mines, and nuclear weapons. We have aircraft that may carry rockets, torpedoes, and nuclear weapons, all of which would be fatal to a submarine.

The commander of the antisubmarine forces for an ocean or for a more limited geographic area can review the forces under his control with a degree of satisfaction and confidence. He has carriers which are both deterrent weapons and have a striking capability which could destroy a hostile submarine base facility in other parts of the world.

He has the Polaris, which is a magnificent deterrent, and has been a primary weapon in our arsenal in recent years. Polaris also has the striking capability of hitting back at bases in other parts of the world.

The ASW Commander's forces can be organized into HUK groups including helicopters, ships and planes, all of which compose tremendous striking force whose whereabouts can be effectively concealed but whose strength can be brought to bear on short notice.

He has patrol aircraft whose range has been extended in recent years, which will greatly help in our surveillance of the vast and empty area of the ocean. We have the destroyers which today, as they have been for many years past, are the backbone of antisubmarine warfare.

There are newcomers in the field of submarines from the Guppy to the nuclear powered submarine, which is making its own contribution and whose full potentiality is not yet clear.

In summary, I think it is very unfair to say that we are today naked to the threat of Soviet submarine warfare. We must face the fact that there is a danger from potential enemy submarines, but the United States Navy is taking a very active and vigorous role to prevent the danger from becoming acute. The Navy is making every effort to stay ahead of the actual probabilities of national disaster from this danger. America is making great strides in the sciences upon which the antisubmarine warfare effort must be mounted.

To the Members of this House I would add that we have a special responsibility imposed upon us by the Constitution to provide for the common defense of the country. Certainly, if we are to provide for the common defense, we must continue to support the effort that is being made in the antisubmarine warfare field.

For this reason I have been moved to discuss this afternoon the progress that we have made, the potential that we have, and the need for a continuing alertness in the support of these magnificent forces of the Navy.

Mr. MORSE. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from Massachusetts.

Mr. MORSE. I would like to take this opportunity to congratulate the gentleman from Maryland on what I deem to be a knowledgeable and reassuring reply to the uninformed charges that have been made with respect to our antisubmarine defense. The gentleman from Maryland, who had a distinguished naval career in World War II, has today revealed himself as a scholar of naval science, and I think he has made a notable contribution.

Mr. MATHIAS. I thank the gentleman from Massachusetts.

W. A. "TONY" BOYLE, PRESIDENT, UNITED MINE WORKERS OF AMERICA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. OLSEN] is recognized for 30 minutes.

Mr. OLSEN of Montana. Mr. Speaker, W. A. "Tony" Boyle is the new president of the United Mine Workers of America.

I know Tony as a personal friend of 15 years. He is a fellow Montanan, a fellow hard rock miner, and Tony has been a great leader in the labor movement in Montana and in America for many years. He has played a key role in innumerable activities.

Tony is a native of my Montana. He was born at Bald Butte, Mont. He is from a family of many generations of coal miners. His Irish father began work in the mines of Scotland at the age of nine, and his maternal and paternal grandfathers and great grandfathers worked in the mines in Great Britain. His father, two brothers, and he worked in the Butte metal mines where many of his relatives still work.

Mr. Boyle was educated in the schools of Montana and Idaho. He has two brothers residing in Montana, and a sister who lives in the State of Washington. He married the former Miss Ethel V. Williams, a schoolteacher. Mr. and Mrs. Boyle have a daughter, Antoinette, who practices law in Billings, Mont.

My personal friendship with Mr. Boyle commenced while I was Attorney General of Montana in the legislative session in January and February of 1949 and thereafter again in 1951 and 1953 and 1955. Tony Boyle was an aggressive leader of the workers of the coal mines of Montana in establishing more adequate safeguards for the safety of the men who work in the mines. I think that Mr. Boyle can well be called the "Father of the Montana State Coal Mine Safety Act" of the present day. It is not perfect, but it is the best that could be gotten passed by the State legislature, and it took every bit of energy and persuasion at Mr. Boyle's command to get the job done. I came to admire my friend for his great vigor and his extreme tenacity to principle. His success was not inevitable—his success has been earned by hard work, loyalty, keen intellect, and a disciplined life of principle.

He was elected international vice president of the United Mine Workers on January 14, 1960, to succeed Thomas Kennedy, who was on the same day elected UMWA president. The full membership of the union reelected him on December 13, 1960, in the regular election of officers. Mr. Boyle served as acting president since November 1962, and upon the death of Mr. Thomas Kennedy on January 19, 1963, Mr. Boyle became international president of the United Mine Workers.

Mr. Boyle has served in all of the various local union offices of the UMWA and in 1940 he was elected president of district 27, UMWA. While president of district 27, Mr. Boyle was appointed CIO regional director for four Western States and later he served as regional director for district 50 in the same territory. Under the leadership of Mr. John L. Lewis, Mr. Boyle and his staff were successful in bringing the benefits of the CIO and later the UMWA union contract to large number of employees in industries which were not previously organized in these four States.

During World War II, he represented the union on various Government and industry committees, manpower councils, and War Labor Board panels. When the Unemployment Compensation Commission was established in Montana, Mr. Boyle was named by the Governor of Montana as the first labor representative on the advisory council. As a member of the council for many years, he worked diligently to improve and increase the unemployment benefits accruing to the workers of that State.

From 1948 until 1960 Mr. Boyle served as assistant to John L. Lewis in Washington, D.C. During this period he represented the union on numerous Government and industry boards and committees, including the Joint Board of Review and the Joint Industry Safety Committee.

In addition to his constitutional duties as president of the UMWA, Mr. Boyle is also a member of the executive committee and the board of directors of the National Coal Policy Conference, Inc. He is chairman of the John L. Lewis scholarship committee which was established to make scholarship awards to students of professional nursing in coal mining areas. Mr. Boyle is also a member of the President's Advisory Committee on Labor-Management Policy.

Tony Boyle inherits the problems of the UMWA at a time when relations between the larger mines and the UMWA have improved, but the union and small operators are having difficulties. Coal has been harder and harder pressed by competing fuels. Nonunion production has increased from 20 to 27 percent of the national output. It is a tragic situation that the nonunion production is also the production that is not covered and is exempt under the national coal mine safety laws which are not applicable where a mine employs fewer than 15 men. It is a sad commentary to note that the nonunion mine production which is now challenging the United Mine Workers and the leadership of Tony Boyle is also failing to comply with the mine safety laws which have been the life work of Tony Boyle.

However, this country's coal mine activity will grow and grow in productivity. The country's greatest reserve of energy lies in black veins beneath the surface of the United States. It is estimated at 1.7 trillion tons. The State of Montana is among those having the largest reserves of 221,705 million tons. Yet above ground more than 250,000 coal miners have been displaced from their jobs because of machines and automation.

At the age of 58 years, Tony still has a fine set of red eyebrows and a gift for direct, plain, and vigorous speech. He takes with him over 30 years of experience and hard-hitting qualities. The United Mine Workers of America has at the helm a navigator of unmistakable character and ability. I think that he will respond to the challenge and will lead the rank-and-file coal miners to greater productivity and to greater employment at better pay and better working conditions.

Mr. BURTON. Mr. Speaker, will the distinguished gentleman from Montana yield to me?

Mr. OLSEN. With pleasure I yield to the gentleman from Utah.

Mr. BURTON. Mr. Speaker, I would like to join the gentleman from Montana in his tribute to Mr. Tony Boyle, president of the United Mine Workers. I would like to call the attention of the House to the fact that Mr. Boyle is the first westerner ever to head this great organization. He is truly a great western labor leader and one in whom both employers and union members in my State take pride. Mr. Boyle worked in both metal and coal mines in the Mountain States and knows our problems from personal experience.

My first encounter with the new president of the Mine Workers of America occurred 2 months ago when he appeared before a meeting of the House Interior and Insular Affairs Committee. He made a deep impression on every member of our committee with his grasp of every issue, foreign and domestic, which affects the great industry he serves.

It is a pleasure to join the gentleman from Montana in congratulating Tony Boyle and in wishing him successful years of service in his capacity as the leader of one of our Nation's great labor organizations. I thank the gentleman for yielding to me.

Mr. OLSEN. I thank the gentleman from Utah for his remarks and I yield back the balance of my time, Mr. Speaker.

AMERICANS FOR CONSTITUTIONAL ACTION

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Florida [Mr. HALEY] is recognized for 60 minutes.

Mr. HALEY. Mr. Speaker, on last Monday, a small band of self-styled liberal Members of this body took to the floor of this House to deliver—in the guise of defenders of the U.S. Constitution—a harsh and intemperate attack on one of this country's great political action organizations and, by inference, on a substantial number of the Members of this House who will tonight receive awards from this political organization for what it regards as meritorious service in the Congress.

This attack on the organization known as Americans for Constitutional Action was, to my mind, a strange and weird performance. We were told by these speakers that the Congress—and, indeed, the Nation—must beware of Americans for Constitutional Action because it is in reality an organization which has as its purpose the destruction of the U.S. Constitution and the form of government which we have established under that great document.

But the record will show that these very speakers who were hurling these reckless charges were, by their own words and their own actions, seeking themselves to deny to others some of the basic freedoms which are guaranteed to Americans by our Constitution.

Any reasonably impartial analysis of what was said on this floor last Monday, Mr. Speaker, will show that our distinguished colleagues who made these speeches believe that Americans for Constitutional Action, its officers, and its members, are not entitled to these basic guarantees of our Constitution: Freedom of speech, freedom of press, and the right to peaceably assemble or join together and to petition the Government for a redress of grievances.

I do not doubt that those of our Members who made this attack on Americans for Constitutional Action would deny the charge I have made. But I submit that any person, reading their words without bias and without prejudice, could conclude only that the little band of liberals who addressed this House on Monday believes that these constitutional guarantees are reserved for those who share their own view, and that those who happen to be conservatives are but upstarts when they seek to enjoy those same constitutional guarantees—upstarts who would destroy the Constitution.

Why, Mr. Speaker, this little group of our colleagues has even resorted to the tactic of "guilt by association" in asserting that Americans for Constitutional Action is an extremist organization of the rightwing's lunatic fringe—and I quote last Monday's speakers—on the sole ground that 3 or 4, or perhaps 8 to 10, of the organization's thousands of supporters have been identified with other organizations which are regarded by some as being on the extreme right. I know of nothing in our Constitution, nor in our system of justice, which provides for the conviction of any individual or any group of individuals on grounds of association with the guilty. I may add that I know of no group that can be more outraged by the doctrine of "guilt by association" than our liberal element—when that doctrine strikes at one of their own number. I suspect that we have here another proof of the old truism that it makes a difference whose foot the shoe pinches, or whose ox is gored.

To say that, because somebody in the John Birch Society also is a supporter of Americans for Constitutional Action, or that Gerald L. K. Smith endorses some of the principles of Americans for Constitutional Action, this organization becomes an enemy of our Constitution, or our form of Government, is absurd.

It would be just as absurd to say—and I do not say it—that Americans for Democratic Action, which is at the other end of the political spectrum, is suspect as a Communist front because some of its members also have been members of suspected Communist-front organizations or because one of its members was Alger Hiss.

I, for one, do not share most of the beliefs of Americans for Democratic Action, but as much as I may disagree with those beliefs, I will defend the right of that organization and its individual members not only to have and to express those opinions, but to join together in support of them. I am distressed that those who joined in Monday's attack on Americans for Constitutional Action—with whose principles they disagree—do not have sufficient respect for the Constitution, or sufficient understanding of its real meaning, to defend the right of that organization and its members to have, express, and join together in support of its opinions and its principles.

Americans for Constitutional Action needs no defense from me. It is a respectable—and respected—organization, which operates with sincerity, and dedication in support of what it believes are the underlying principles of our Constitution, and in support of the way of Government which it believes the Founding Fathers intended under that Constitution.

But, because of the slurs cast upon this organization, because of the distortions of truth and the innuendoes concerning it which were contained in the Monday attack on it, I feel that the record of the proceedings of this House should contain the basic and real truth about this organization, which is the major voice of conservative thought in this country today. I do not believe that the floor of the House of Representatives, and the pages of the CONGRESSIONAL RECORD, should be used to broadcast an unfounded smear on the purposes and character of dedicated men and women who have banded together, under our Constitution, to exercise their rights of free speech, free press, free assembly, freedom to seek redress from their Government of grievances.

I am thus impelled to stand here today to state, factually and without prejudice for or against, just what Americans for Constitutional Action stands for, and who makes it up.

In the first place, Americans for Constitutional Action exists for two primary purposes. The first of these is to assist in the reelection of Members of the Congress who, by their voting records, here have shown their dedication to the principles of constitutional conservatism. The second of these is to assist in the election to the Congress of others who will strengthen the ranks of constitutional conservatives.

I do not believe these objectives are subversive. I do not believe that anybody could think that these objectives are subversive; for to say that support of candidates for office who support your own beliefs is subversive is to say that our two great political parties, every political action organization, even every individual who votes, is subversive—unless, of course, they agree with you.

Now who—as judged by its officers and trustees—makes up Americans for Constitutional Action? Obviously they are not liberals; nor are they those who would set aside our Constitution or distort its principles; for the dedication of this organization is to constitutional conservatism, and to nothing else.

Here are the men and women, who, because of their own dedication—they receive no compensation of any kind, even for out-of-pocket expenses—lead Americans for Constitutional Action:

Adm. Ben Moreell, U.S. Navy, retired, organizer of the famed "Seabees" and chief of civil engineers in the Navy in World War II; former chairman of the board and president of Jones & Laughlin Steel Corp., and former water resources and power task force chairman for the second Hoover Commission on Government Reorganization. Admiral Moreell is chairman of the board of trustees for Americans for Constitutional Action.

Vice chairman of that board is Brig. Gen. Bonner Fellows, U.S. Army, retired, who is national director of "For America" and of the Citizens Foreign Aid Committee, a former director of public relations for the Veterans of Foreign Wars, and author of "Wings for Peace."

The treasurer of the board of trustees is Charles Edison, son of the great electrical inventor, former Democratic Governor of New Jersey, former Secretary of the Navy under President Franklin D. Roosevelt, past president of the National Municipal League, and former chairman of the board of McGraw-Edison Co.

These are the officers of the Americans for Constitutional Action. Do their records sound like those of anti-Americans, or subversives? An admiral, a general, a former Governor and Navy Secretary—a steel company president, a major electric company board chairman? I think not—and I daresay that no man in this House, including those who made last Monday's attack on Americans for Constitutional Action, would rise to challenge the Americanism of any of these distinguished men.

Now, who are the remaining trustees of this conservative organization? Are they the kind of people who would destroy our Constitution and subvert our form of government? I think not—I believe that these are people who are outstanding Americans dedicated to the preservation of our form of government. But I will leave it for you to decide if these trustees of Americans for Constitutional Action are seeking to destroy our Constitution, our form of government—if, in short, they are subversives, as was implied on this floor Monday.

They are: Herbert Hoover, 31st President of the United States, engineer and humanitarian, revered as an elder statesman by both Republicans and Democrats.

Edgar N. Eisenhower, lawyer, banker, businessman, industrialist, and brother of the immediate past President of the United States, Gen. Dwight D. Eisenhower.

Allan B. Kline, past president of the American Farm Bureau Federation and director of the national committee on Boys and Girls Club Work.

Dr. Walter B. Martin, past president of the American Medical Association.

Loyd Wright, past president of the American Bar Association and chairman of the house of delegates of the International Bar Association.

Mrs. R. Templeton Smith, president of the Allegheny County (Pittsburgh) League of Women Voters.

Mr. Philip M. McKenna, industrialist and member of the American Academy of Political Science Clubs.

Howard Buffett, investment banker and former Member of the U.S. House of Representatives from Nebraska.

Brig. Gen. Robert W. Johnson, U.S. Army Reserve, industrial executive.

Mr. Speaker, I do not know personally all of these people. I may even disagree with some of their actions, as individuals and as members of the board of trustees of Americans for Constitutional Action. But I am in accord with their belief—their dedicated belief—in the basic principles of sound, constitutional government. I am totally lacking in sympathy for those who have used the floor of this House to smear the names and the reputations of this dedicated group of Americans, including a former great President of the United States, a former Governor and Cabinet official, and three former ranking officers of the Armed Forces who have so well and so long defended our Nation.

It goes without saying that I am concerned about this uncalled for smear of great Americans and this attack on an organization of thinking Americans—an intemperate and I think indecent attack inspired by nothing other than the philosophy of the attackers that "whosoever dares to disagree with me shall be labeled as un-American."

With this philosophy, Mr. Speaker, I am proud to say I disagree. I am sorry that, more often than not, a majority of my colleagues in this House disagree with my views of the manner in which our Government should be conducted. But I have never labeled—nor will I ever—label anyone in this House of Representatives, nor any citizen of our country, as un-American, as subversive of our Constitution, simply because he disagreed with my own views. I would wish that those who attacked Americans for Constitutional Action on this floor also could say, "we are against your views, but we respect your sincerity and your constitutionally guaranteed right to have such views even though they disagree with what we think."

There may be those in this House who are puzzled by the origin of last Monday's concerted but seemingly unmotivated action on a conservative political action organization.

I do not know, myself, what was the reason behind this sudden smear. But I do know that there is operating in Washington an organization called Group Research, Inc., and that under this high-sounding name, a man named Wesley McCune has been compiling a report on the sources from which so-called rightwing political groups obtain their financial backing. I understand that Group Research is preparing a list which—if it were prepared by so-called rightwingers—would be called a blacklist. I do not know what Mr. McCune would call his own list, but I have reliable information that by whatever name it is called, it is in fact a leftwinger's smear-list.

I may say that I do not personally know Mr. McCune, who has his offices in suite 422, at 1402 New York Avenue NW., but I am informed that he was an assistant to former Agriculture Secretary Charles F. Brannan and later information director of the National Farmers Union.

Mr. Speaker, I ask unanimous consent that there be inserted at this point in my remarks a copy of an article by Edith K. Roosevelt, published in the San Diego (Calif.) Union on May 19, relative to Mr. McCune's activities as head of Group Research, Inc.

HUSH-HUSH FIRM LISTS ANTI-REDS

(By Edith K. Roosevelt)

The name "Group Research, Inc." sounded intriguing. I decided to look into it. I have been a reporter for more than a decade but this gave me a new experience.

Wesley McCune, head of the three-room office, was out. While awaiting his return, I noticed a wall chart. When I began taking notes, the staff of three girls leaped up suspiciously and a young man came from an outer office. The scene ended with my being ordered to leave.

Next day, I tried again, and met McCune. He gave me a velvety welcome which turned to harsh negatives when I began to ask questions.

Group Research, Inc., has been quietly operating for more than a year. Only last month, a syndicated newspaper dispatch said the organization was investigating where and how rightwing groups got their financial backing. An informant told me it specialized in accumulating dossiers on anti-Communists and so-called rightists. When anti-Communists do this, it is called a blackist.

My decision to do so some researching into Group Research, Inc., was hastened when I was told that its headquarters at room 422, 1404 New York Avenue, NW., was crammed with filing cabinets—one of which contained a card about Edith Kermit Roosevelt.

I wondered why the dossier on me included such details as that I had "discussed the folly of shipping foreign aid to India."

Why should this go into a record in an office listing itself as "nonprofit" and "educational"?

I was in eminent company. Also listed are writers, educators and scholars of world renown. Dr. Wilhelm Roepke, who helped guide West Germany's miraculous postwar economic recovery, is one. Why? Also anyone who was a sponsor of groups like Young Americans for Freedom, or is listed on the masthead of publications such as Modern Age. This academic-type quarterly features contributions by many extremists.

Who compiles this "educational" information? McCune was assistant to Charles F. Brannan when he was Secretary of Agriculture, and later was public information officer of the National Farmers Union.

The chart in this office listed a dozen organizations opposed to communism, such as the Farm Bureau Federation, the Association of American Physicians and Surgeons, Freedoms Foundation, and Young Americans for Freedom.

Above these names were colored balloons, bearing the labels, "racism," "book burners," "bogey of inflation—the balanced budget," "promilitary," "anti-Cuban extremists," "anti-UNICEF," "anti-Semitic," "antimedicare," "States rights primitives," "censorship," and "anti-Federal aid to education."

One of the questions I naturally asked McCune was: "For whom are you compiling these names and data?" "That's my business," he said.

"Who are the people behind your group?" "That's my business," he said.

This secretiveness and the smear labels on the chart raised many questions. I thought of the curiously synchronized campaign alleging the wealth of anti-Communist groups, broadly implying that anti-Red leaders were raking in huge profits. These smears are false but they dried up many contributions, forcing serious cutbacks in the work of these anti-Communist groups.

A final question: "Who pays for Group Research?" I asked McCune. He said: "That's my business."

I think it is my business—and that of the public.

But without regard to what Mr. McCune may think about the so-called right wing of American politics, and without regard to what degree of influence he may exercise over those who have attacked Americans for Constitutional Action, I would like to include in the RECORD brief summaries of first, how Americans for Constitutional Action defines proof of allegiance to the original spirit and principles of our Declaration of Independence and our Constitution, and second, the procedure by which it compiles its index of adherence to those principles.

As outlined in an address by Admiral Moreell, on the preservation of our sacred national heritage, before the Daughters of the Barons of Runnymede last April, they are these:

ACA believes that if a significant number of dedicated constitutional conservatives are elected to the Congress of the United States, they will retard and, eventually, reverse the current movement of our Nation into socialism and toward a completely regimented society.

To this end, ACA helps to elect those candidates who by their actions, have proven their allegiance to the original spirit and principles of our Declaration and Constitution. We have defined these principles as follows:

(1) Man derives, directly from the Creator, his rights to life, to liberty and to the means of acquiring and possessing property. These rights are inherent and inalienable. They are not mere privileges granted by government, subject to withdrawal at the whim of government, as decreed by political overlords.

(2) To deprive a man of his God-given rights is to violate a natural law. This will call forth its own penalties, as does the violation of any natural law, moral or physical.

(3) No man has a right to deprive his posterity of their God-given rights. Just as he may not sell them into slavery, so may he not vote away their economic or political freedoms. Jefferson held that the act of deferring payment on the public debt, thus imposing this burden on future generations, is tantamount to enslaving them.

(4) The powers of government are obtained from God, or by forcible seizure, or from voluntary delegation by the individual citizens. Long ago we rejected the doctrine of "divine right of kings," as well as "divine right of majorities." Nor do we concede the right of government to seize powers which belong to individuals. There remains only one morally sanctioned source of governmental power, i.e., voluntary delegation by individuals. But, since one cannot delegate that which he does not possess, it follows that governments can exercise, with moral propriety, only those powers which individuals first possessed and then delegated to government.

(5) Because the essence of government is power, which is wielded by fallible human beings, safeguards must be erected against the abuse of government authority, to make sure that the instrument forged to protect the rights of the people will not be used to destroy those rights.

(6) To secure the blessings of economic freedom, from which all other freedoms flow, we must preserve a free market, with government intruding only to protect individual rights and to prevent predatory action. It is only under this system that the individual can exercise his freedom of choice effectively, using his dollars as ballots with which he can vote for those enterprises which serve him best.

(7) Onerous or punitive taxation, including the cruelest tax of all, inflation, destroys economic freedom. It is unfortunate that we have carelessly surrendered freedom in the economic sphere, forgetting the old adage "whoso controls our subsistence controls us." Slavery is commonly thought of as ownership of one man by another. But no slaveholder would care about owning the man if he can own the products of the man's labor. A slave is a person to whom economic freedom is denied. From this premise the denial of all other freedoms follows.

(8) For every right there is a collateral responsibility. The rights with which an individual is endowed by the Creator impose on him a duty to use those rights in conformity with the moral law as derived from such statements as the Ten Commandments and the "Sermon on the Mount." From this source flows that inner restraint or self-discipline which is essential for a free social order. Edmund Burke said, "Society cannot exist unless a controlling power upon the will and appetite is placed somewhere; and the less of it there is within the more there must be of it without." Unless there is a generally prevailing individual self-discipline, which stems from devotion to the moral law, it is impossible to achieve that balance between public order and personal freedom which is essential for spiritual and material well-being.

In describing the ASA Index, Admiral Moreell continued as follows:

"The ACA-Index is comprised of one major and six subsidiary indexes which" constitute the basis for rating the voting records of legislators. They are defined as follows:

(1) The consistency index: For safeguarding the rights of the individuals and strengthening constitutional Government and against group morality, a socialized economy and centralization of government power.

(2) For sound money and fiscal integrity and against inflation.

(3) For a free market economy and against Government price fixing and controls.

(4) For States rights and against central government intervention in local affairs.

(5) For private ownership of production and distribution and against Government ownership and competition with private industry.

(6) For individual rights and responsibilities and against coercion and regimentation by Government.

(7) For strengthening our national sovereignty and against surrendering control of our foreign or domestic affairs to international organizations usually dominated by nations whose ideals differ drastically from those of most Americans.

Mr. Speaker, I would conclude my remarks by adding to the RECORD a statement made by Admiral Moreell on April 21, 1963:

(A) The ACA board of trustee: We have a group of distinguished citizens serving as trustees of ACA. (The names and backgrounds of these persons appear earlier in this speech.)

Admiral Moreell's statement continues as follows:

(B) It is the fixed policy of ACA to refrain from impugning the motives, integrity, or loyalty of a Senator or Representative. We do sometimes raise questions as to their judgment in their voting on specific issues.

(C) ACA never resorts to "name calling" or other forms of vilification. We are interested in principles, policies and practices, not in personalities.

(D) ACA has tried to interpret the spirit and principles of the Declaration of Independence and the Constitution of the United States, as these were conceived by the Founding Fathers. We recognize that others may have different interpretations. We concede their right to have them. We do not claim infallibility.

(E) ACA has no affiliation with any other organization of any kind, neither the John Birch Society, COPE, the ADA, the National Farmers Union, the Committee for an Effective Congress, the National Council of American Soviet Friendship, or any other. It has been stated that the ACA is dominated by the John Birch Society. This is not true. The affairs of the ACA are conducted by its board of trustees. I have no knowledge that any member of our board is a member of the John Birch Society. I have not inquired of the trustees on this point as this is a matter which does not concern me. I am concerned as to whether our trustees subscribe to and support the principles of ACA. The Honorable Charles Edison is listed as a member of the editorial advisory committee of "American Opinion," a magazine published by Robert Welch, Inc. Robert Welch is the head of the John Birch Society. I have heard rumors that one other trustee at one time endorsed the John Birch Society. Whether he did or did not is not relevant. I can assure you that the affairs of ACA are conducted strictly in accordance with our published principles, policies, and practices as these are defined in enclosure A. (Quotations which appear elsewhere in these remarks.) ACA has no way of knowing whether our supporters are or are not members of the John Birch Society or of any other organization.

(F) The fact that ACA honors a legislator with its Distinguished Service Award does not indicate that he is in complete agreement with the principles of ACA nor does it commit him to conform to ACA's principles in the future. There are no obligations attached to the award. It is merely a recognition of past voting performance as a constitutional conservative.

LAST DITCH STAB AT HANFORD IS FAILURE

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Washington [Mrs. MAY] is recognized for 60 minutes.

Mrs. MAY. Mr. Speaker, on May 7, and again on Monday of this week, lengthy statements were made on the floor of the House in which questions were raised as to the validity of contracts in connection with the Hanford nuclear powerplant, which is located in my congressional district. Questioned in these two speeches were certain provisions in the contracts between the Atomic Energy Commission and the Washington Public Power Supply System, and contracts between the Bonneville Power Administration and the Washington Public Power Supply System. These contracts relate to the construction of a nonfederally financed powerplant on Federal land near the new production reactor at Hanford, Wash., and exchange agreements for disposition of the electric power generated at the reactor powerplant.

The statement of May 7 was headed "Civil Rights Provisions of the Contract Between the United States of America and Washington Public Power Supply System and Portland General Electric Co." and can be found on pages 7897 through 7899 of the CONGRESSIONAL RECORD.

The statement of May 20 was headed "Investigation of Conspiracy To Evade Civil Rights Law Demanded" and can be found on pages 8963 through 8966 of the CONGRESSIONAL RECORD.

It is not my purpose, Mr. Speaker, to question the motives of the gentleman from Pennsylvania who made these speeches, the first of which was made just hours before bids were opened at Seattle for $122 million in bonds with which to build the plant. I am sure the gentleman had in mind only the highest of motives when at that late hour he suggested, "If I were a banker, I would hesitate to make a bid for the proposed bond issue on May 8, 1963." I am equally as sure of his high motives when, at the same time, he asked for a congressional investigation because he was sure Federal antidiscrimination laws were being violated.

It was immediately apparent that little, if any, attention was paid to the gentleman from Pennsylvania's remarks of May 7. The bond bidders apparently agreed with one Wall Street representative, who in referring to the gentleman's dialog, said, "This sort of thing doesn't bother us. We're used to this sort of tactics."

To prove the point, not the expected three, but four bids were submitted. And to prove it further, all of the bids were very good, the lowest calling for an unexpected low interest rate of about 3.26 percent. The award of the $122 million Washington Public Power Supply System bond issue to cover costs of the project was made on May 8. The winning bidder was William S. Morris & Co., of New York, who offered the interest rate averaging 3.26 percent for the entire issue. The three other bidders all offered rates below the 3.4 percent the system had estimated it would have to pay. The difference will amount to a total of about $9 million in interest charges.

As of late today, two-thirds of the total Hanford issue has already been sold, representing an $81 million investment in the project. The remaining bonds are fully expected to be placed within the next few days.

For the record, Mr. Speaker, I feel compelled to outline for my colleagues the facts of the situation so that it is unmistakably clear that civil rights responsibilities of our Federal Government were not violated, and that the contracts are completely valid.

The Washington Public Power Supply System, with enthusiastic support from throughout the Pacific Northwest region, was instrumental in gaining congressional authorization to add power-generating facilities on a non-Federal basis to the Hanford new production reactor now under construction near Richland, Wash. On September 26, 1962, authorizing legislation was signed into law by the President of the United States, enabling Washington Public Power Supply System to enter into the operating and construction contract with the Atomic Energy Commission as well as the exchange agreements with the Bonneville Power Administration and participating public and private utility systems of the Pacific Northwest.

The basic concept and feasibility of utilizing the large quantities of waste heat, inherent in the Hanford type plutonium production reactors for commercial power purposes, is made possible only when use is made of the required large backup reservoir capacity of the Federal complex of hydro projects. This happy circumstance, which makes possible the full utilization of the nonfirm new production reactor energy is the essential economic and operational ingredient of the arrangements, and exists in necessary quantities and values nowhere else in the United States.

The Washington Public Power Supply System-Atomic Energy Commission contract provides specific terms for the purchase of byproduct steam, lease of the site on which the power plant is to be built, rights-of-way for transmission lines and lease of the reactor during periods of power-only operations.

The exchange agreements among Washington Public Power Supply System-Bonneville Power Administration and participating utility systems provide for the sale of the nonfirm power output of the Hanford project to participating utilities, which, in turn, will be exchanged with Bonneville Power Administration for an amount of firm power equal in value, at Bonneville Power Administration's standard rates, to the operating costs of the project. This procedure insures first, maximum effective integration of the Hanford project's power output with the resources of the Bonneville system and second, basic security for the revenue bonds issued by Washington Public Power Supply System to finance construction of the project.

While proposed contract forms were presented to the Joint Committee on Atomic Energy prior to congressional authorization of the Washington Public Power Supply System proposal, a serious problem developed: The possibility of a cancellation of the contracts with Washington Public Power Supply System because of a possible violation of the nondiscrimination provisions required by the President's Executive Order 10925 of March 6, 1961. This posed two separate and independent problems. One of the big advantages of the contract to the participating utilities is their acquisition of a supply of firm power for a long time. They can count on that power to meet their loads in the same manner as though it were generated by their own plants. But if the contracts would be canceled by the Government because of a breach of the nondiscrimination provisions by the supply system, over whose activities the participants have no control, the participants could not rely on the power as firm power. They would have to have other sources of generation in reserve to meet their loads if the contract was terminated. That would make the purchase unattractive, and both the privately owned and publicly owned utilities declined to participate on that basis.

The second problem was the impact of the cancellation provision upon the sale of the revenue bonds, in the amount of more than $120 million to be issued by the Supply System to finance the project. The bond-holders' security is based upon the contracts above described, and the possible cancellation by the Government because of the Supply System's breach of the nondiscrimination provisions would subject the bondholders to a potential loss of their security which they would be powerless to prevent. The major prospective bidders for the bonds indicated that the retention of the cancellation provisions would make bidding and sale of the bonds extremely difficult, if not impossible. Based upon advice from bond counsel, financial consultants, bonding houses and independent appraisal, the Department of the Interior was of the opinion that the cancellation provision would make the bonds unmarketable or result in a substantial increase in the interest rate and thereby jeopardize the feasibility of the project. A subsequent independent check by the President's Committee on Equal Employment Opportunity with representatives of the Secretary of the Treasury and leading New York financial institutions indicated there was a possibility that the retention of the cancellation clause might seriously hamper or endanger the success of the project.

On January 2, 1963, the Secretary of the Interior requested approval of the President's Committee on Equal Employment Opportunity for certain exchange agreements to be concluded between the Bonneville Power Administration, the Washington Public Power Supply System and various public and private utility organizations to contain a modification of the standard nondiscrimination clause prescribed for Government contracts by Executive Order 10925. A similiar request was also received by the President's committee on January 9 from the Atomic Energy Commission with respect to a related contract and two leases which the Commission was to enter into with Washington Public Power Supply System. The proposed modification, which would impose a limitation upon the Government's right to cancel these contracts in the event of non-compliance with the requirements of the Executive order, would be in the form of an added paragraph (8) to the standard clause and reads as follows:

> Notwithstanding the provisions of paragraph (6) hereof, in the event of the Supply System's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract will not be canceled in whole or in part so long as such cancellation would impair the security of the revenue bonds issued by the Supply System. The contracting parties agree that compliance with this article is of the essence and in the event of a violation all other remedies, including injunctive relief and specific performance, shall remain available to the United States.

Mr. Speaker, I want to specifically draw special attention to the final sentence of the foregoing paragraph, because in the remarks of the gentleman from Pennsylvania on May 20, he inadvertently, I am sure, neglected to quote that last sentence, which states:

> The contracting parties agree that compliance with this article is of the essence and in the event of a violation all other remedies, including injunctive relief and specific performance, shall remain available to the United States.

In making this request, the Secretary of the Interior stated that the retention of the cancellation provision without modification would place the success of this project in jeopardy, as I have previously pointed out.

Now, with this background information in mind, Mr. Speaker, I would like to put this entire matter in its proper perspective.

The Washington Public Power Supply System itself will employ less than 50 persons. The actual construction of the power facilities will be accomplished by contractors who would be subject to all of the enforcement remedies of the standard nondiscrimination clause, including a cancellation provision, and actual operation of the system is planned to be carried out by a contractor who would similarly be subject to all such remedies. The Supply System will also be subject to Washington State laws prohibiting discriminatory employment practices. It should also be made clear, Mr. Speaker, that all other instrumentalities engaged in the construction or operation of the System are subject to all enforcement remedies of the standard nondiscrimination clause.

Under section 303 of Executive Order 10925, the President's Committee on Equal Employment Opportunity is empowered to exempt a contracting agency from the requirement of including the provisions of section 301 of the order in any specific contract when it deems that special circumstances in the national interest so require. The committee, by section 601.3(b) of the rules and regulations issued pursuant to the order, has delegated this authority to its executive vice chairman.

Pursuant to such authority, the executive vice chairman found that special circumstances in the national interest require that, in connection with the proposed agreements with Washington Public Power Supply System, a partial exemption should be granted to the Department of the Interior, and the AEC, and that such exemption should properly be effected through the addition, for the purpose of those agreements only, of a paragraph (8) to the standard clause as set forth earlier in this discussion. Approval for such modification and partial exemption was granted by the executive vice chairman on January 14, 1963.

Mr. Speaker, the legality of such a partial exemption cannot seriously be questioned. Attorney General Rogers, during the previous administration, advised the predecessor of the President's committee that the power to grant exemptions under an equal employment opportunity Executive order included the power to grant partial exemptions with conditions or modifications. And in connection with the partial exemption granted in this case, this conclusion has been concurred in by attorneys for the Supply System, for the Atomic Energy Commission, the Department of the Interior, the President's Committee on Equal Employment Opportunities, the 76 participating public and private utilities, and the bond counsel. It would therefore appear in the face of this that any charge of illegality is frivolous.

In view of the remarks made on May 7 and on May 20, I feel I should also point out that the only matter ever considered by the executive branch in this regard was a partial modification of the cancellation clause. I have personal knowledge that on no occasion was there ever requested by either the Department of the Interior or the Atomic Energy Commission a complete exemption from section 301 of the President's Executive order.

I have just two more comments, Mr. Speaker.

The remarks made on the floor of the House on May 7 suggested that some kind of an injunction was about to be brought against the issuance of the bonds on the grounds that the contracts were illegal. However, no injunction was brought.

The remarks of May 7 seemed to imply that the injunction might be brought by the Portland General Electric Co. which was named in the heading of the May 7 remarks. I checked with the Portland General Electric Co. and they told me that they not only had no intention to seek an injunction, but as a participating utility they do not question the legality of the contracts whatsoever. As a matter of fact they were considerably less than happy that the gentleman from Pennsylvania had used their name in connection with his remarks.

This is all I have to say on the subject. Perhaps it was not necessary to say anything at all. But I felt that inasmuch as the project is located in my district, I should take the responsibility of correcting the record.

ATTORNEY GENERAL URGED TO INTERVENE IN THE DEERFIELD CASE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 5 minutes.

Mr. RYAN of New York. Mr. Speaker, I rise to discuss a situation involving racial discrimination in one of its most insidious forms. The discrimination I am speaking of did not occur in the South, but in the North—in Deerfield, Ill.

In 1959 Progress Development Corp., builders of integrated housing, began two separate developments in Deerfield, Ill., a 12,000 population suburb of Chicago. In November 1959 after the plans had been approved, sewer and water lines laid, and two model homes nearly finished, Deerfield, an all-white community, discovered that some of the 51 planned $30,000 homes would be sold to Negroes. When the community realized that the housing developments would be integrated, Deerfield was in an uproar. Protest meetings were held, and groups to combat the interracial developments were established. Although two park referendums already had been defeated that year, the Deerfield Park Board proposed another referendum with the understanding that the Progress Development Corp. sites would be included in the park plan. This park referendum was adopted. After the refusal of Progress Development Corp. to sell its land, the park board condemned the property. After almost 3 years of litigation, the Supreme Court of Illinois upheld the condemnation. In February of this year the corporation filed a petition in the U.S. Supreme Court for a writ of certiorari. At that time the Attorney General was asked to intervene as amicus curiae on behalf of the petitioner. Unfortunately the Attorney General failed to do so, and the Supreme Court denied the petition for certiorari. The time for an application for a rehearing is about to expire.

Mr. Speaker, I urge the Attorney General to reconsider his decision not to intervene in this case with the hope that he will see that the United States has a vital interest in the outcome of the Deerfield controversy.

As I have stated on this floor on many occasions, the elimination of racial discrimination in housing is basic to the achievement of full civil rights. Discrimination in housing is at the heart of slum conditions, juvenile delinquency, segregated schools, and many other social and economic ills. There have been gains in cities, such as New York, in this area, but suburbia remains a fortress of segregated housing. It is clear that, if

Deerfield is allowed to thwart integrated housing by the use of the condemnation power, other communities will do the same. In addition, the very existence of this threat will deter those builders who, in the future, might attempt to break through the wall of suburban segregation and build houses for all citizens.

Because of the national importance of this case the NAACP, CORE, the Urban League, A. Phillip Randolph, and many others have urged that the Attorney General take action.

The time has come for the United States to stand up and fight for the right of every citizen to own a home in whatever community he can afford to live. The Attorney General should act now to prevent future Deerfields.

SOCIAL SECURITY ADVISORY COUNCIL WINDOW DRESSING

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS. Mr. Speaker, the other day my attention was called to a news story in the New York Times of May 17 which should be of great interest to every single Member of Congress. This news story was headlined "Wider Benefits Due in Social Security."

Now I would like to quote from this news story which originated from Yonkers, N.Y. It says:

> An expansion of social security taxes and benefits will be drafted by an Advisory Council to be appointed in the next 10 days by the Secretary of Health, Education, and Welfare.
>
> Commissioner Robert M. Ball, of the Social Security Administration, disclosed the plan here today.

These and other remarks were made by Commissioner Ball before 150 social security employees from New York and New Jersey.

The Council to which the Commissioner was referring is called for in present social security law. It provides that the Secretary of Health, Education, and Welfare shall appoint before the end of this calendar year "an Advisory Council on Social Security Financing for the purpose of reviewing the status of the Federal old-age and survivors insurance trust fund and of the Federal disability insurance trust fund in relation to the long-term commitments of the old-age survivors and disability insurance program."

The law further specifies that the Advisory Council to be appointed this year shall "in addition to the other findings and recommendations it is required to make, include in its report its findings and recommendations with respect to extensions of the coverage of the old-age survivors and disability insurance program, the adequacy of benefits under the program, and all other aspects of the program."

This Council has not yet been appointed. It must complete its deliberations by the end of 1964, and make its report and recommendations to Congress by January 1965. The Chairman of this Council is the Commissioner of Social Security. This is also specified in the law.

Now this is why I believe this news story is of such great significance. It says that the Commissioner disclosed the plan—for what this Advisory Council—not yet appointed—will draft in its report to us by January 1965. And in this meeting of social security employees, the Commissioner told them the Council will draft an expansion of taxes and benefits. I'm wondering what other social security changes the Commissioner and his staff have already decided this Advisory Council will draft in its report to the Congress.

When I helped to develop this particular amendment to broaden the scope of the Advisory Council's purview back in 1960, I had fully expected that this Advisory Council would be composed of people each of whom would be permitted to make up his own mind, independently, on the basis of the evidence presented. However, the Commissioner is here telling us in May 1963 one of the things that this Council will report to us some 18 months hence. He is in effect saying that this Advisory Council, advisory not to the Commissioner, advisory not to the Secretary of Health, Education, and Welfare, but advisory to the Congress of the United States—this Council is in fact a rubberstamp advisory council.

In the light of this, how can any trust at all be put on the report that this Advisory Council will submit to us when the Commissioner is already telling Social Security employees what this Council will report. When this Council is appointed, I intend to write each person appointed to it and send him a copy of this news clipping, and of my remarks, so that each will understand exactly what the Commissioner of Social Security—the Chairman of this Advisory Council—expects from him.

Make no mistake about this news story and its accuracy. A check with the Commissioner's office reveals that he was reported accurately in the remarks he made before this group of 150 Social Security employees.

Perhaps the Commissioner has rendered a great service to all Members of Congress by revealing that this Advisory Council is really "window dressing" for things some of the Social Security staff want put into law.

I might add that this is not the first instance in which the present Commissioner played an important part in setting up an advisory panel to circumvent an explicit directive from Congress. Fortunately, the distinguished Senator from West Virginia, Mr. ROBERT BYRD, as chairman of a Senate appropriations subcommittee straightened out that situation.

The social security law calls for an Advisory Council of 12 persons and the Commissioner of Social Security. Employers and employees shall be equally represented, plus representation from self-employed and the public.

I would like to know how this Advisory Council is being selected? Has the Secretary of Health, Education, and Welfare written to organized labor for suggestions? Has he written to the large employer organizations for names of businessmen who would reflect the thinking of the business community? This is the procedure followed for many years by the Secretary of Labor in selecting people for the Federal Advisory Council on Employment Security.

Are we going to have a hand-picked Council of safe people? Perhaps one from Cleveland? And some others who almost perennially have served on Social Security Advisory Councils?

The Commissioner, in his remarks, has cast a deep dark shadow on anything this Council—not yet appointed—will send up to us in 1965, when he, as its Chairman, admits there is a plan of what the Council will report. If the report is already written, we might as well have it now.

[From the New York Times, May 17, 1963]

WIDER BENEFITS DUE IN SOCIAL SECURITY

YONKERS, May 16—An expansion of social security taxes and benefits will be drafted by an advisory council to be appointed in the next 10 days by the Secretary of Health, Education, and Welfare.

Commissioner Robert M. Ball, of the Social Security Administration, disclosed the plan here today.

Speaking to 150 New York and New Jersey executives of the department at the Westchester Town House, he predicted that a hospital insurance program would be added to social security by Congress this year, or next year at the latest.

He said that the hospital insurance would include nursing home care, but no payments to physicians.

Mr. Ball said that the council would consider increasing the social security base, revising disability payments to cover short-term disability, and gearing benefits to the actual value of the dollar at the time of retirement and after.

EXCHANGE OF LETTERS ON THE BALANCE-OF-PAYMENTS PROBLEM WITH SECRETARY DILLON

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS. Mr. Speaker, for sometime I have been carrying on a correspondence with Secretary of the Treasury Dillon with regard to certain special transactions devised by the administration to show an improvement in our balance of payments and to ease the immediate problem of the outflow of gold. On May 6, 1963, I inserted the correspondence up to that point in the CONGRESSIONAL RECORD. It appears on pages 7850–7851.

I have now received a reply from Secretary Dillon to my letter of April 29 in which he discusses in greater detail some of the questions which I posed in my second letter.

The area discussed in the correspondence is highly complex and delicate, and I believe that this exchange of letters

has increased public and congressional understanding of our serious balance-of-payments problem and of the efforts being made by the administration to provide what Secretary Dillon calls shorter term measures to bridge the gap until balance is attained.

The information developed, however, still leaves unanswered in my mind a question about the extent to which the balance of payments has shown basic improvement in the past several years in contrast to the improvement resulting from these measures which Secretary Dillon himself has said "cannot of course be regarded as any substitute for the more fundamental and lasting correctives which I noted in my previous letter."

Another question which remains to be answered is what the balance-of-payments effects of these special transactions will be in the future. I think that this question, as well as several points raised in the Secretary's letters, need further discussion and clarification before the implications of these special transactions become fully apparent. An opportunity to examine these transactions in more detail will present itself when the Joint Economic Committee conducts a study of the balance of payments sometime this summer.

I include Secretary Dillon's letter of May 15, 1963, and the attachments to that letter in the RECORD at this point along with a copy of my reply to it:

THE SECRETARY OF THE TREASURY,
Washington, May 15, 1963.

HON. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR TOM: In response to your further letter of April 29, I am happy to provide the more detailed information you requested regarding certain transactions which affected our balance of payments last year.

Our sales to foreign monetary authorities during 1962 of long-term nonmarketable U.S. Government obligations denominated in foreign currencies consisted of $200 million of 15-month lira bonds which were issued to the Bank of Italy and $51 million of Swiss franc bonds with maturities of 15–16 months issued to the Swiss National Bank. Further details as to the terms and conditions of these transactions and the background and circumstances from which they evolved are contained in the enclosed press release and fact sheets, issued by the Treasury on October 23, November 5, and December 5, 1962, and on pages 10–16 of the enclosed report by Mr. Charles A. Coombs on "Treasury and Federal Reserve Foreign Exchange Operations," which was published in the March 1963 Monthly Review of the Federal Reserve Bank of New York.

Statutory authority for the issuance of these foreign currency series obligations is contained in section 16 of the Second Liberty Bond Act, as amended (31 U.S.C. 766). Moreover, such foreign currency series obligations bear the same relationship to the debt ceiling as any other public debt obligations.

The net increase during 1962 in funds committed by foreign governments for military purchases in the United States and counted in our balance of payments statistics as Government nonliquid liabilities to foreigners was about $450 million. As I indicated in my letter of April 11, these commitments of funds were a result of our efforts to offset U.S. military expenditures abroad by negotiating agreements with major allied countries for increased sales of U.S. military equipment and services and had been earmarked, mainly against firm orders, for use solely for military purchases in the United States.

A third type of transaction during 1962 reflected in our balance of payments as an addition to Government nonliquid liabilities to foreigners was a net increase of about $135 million in the funds held by certain international organizations as reserves in the form of noninterest-bearing nonmarketable U.S. Government obligations. The procedure of our paying capital subscriptions to these organizations, and their holding reserves, in this form until such funds are needed for actual disbursements to member countries is believed to be more realistic, and also more closely in line with the traditional balance-of-payments treatment of our bilateral foreign-lending programs, than the alternative course of treating all commitments of funds to these institutions as liquid liabilities which immediately add to our payments deficit.

While it might be of possible interest, for purposes of some particular analysis, to adjust the published amount of our overall payments deficit to exclude one or another of the above transactions or the $666 million of advance payments on Government loans which we received during 1962, I do not believe that any such calculation would really provide the most meaningful measure of our overall deficit. While each of these transactions did of course have a somewhat special character, this does not by itself appear to warrant our treating them differently from a great variety of other transactions of a more or less temporary or unusual character which from time to time also affect our international accounts.

As I indicated in my letter of April 11, our overall program for dealing with the balance-of-payments problem necessarily involves both a longer-term program to bring about a lasting correction of our payments deficits, consistent with our traditional reliance on free market forces and encouragement of free international payments arrangements, and also a variety of shorter-term measures to bridge the gap before this balance is fully attained. Moreover, it is essential that we meet the gross financing needs associated with our international payments in a way that will assure continued confidence in the U.S. dollar and the international payments system.

In carrying out this program, we fully recognize—as I know you do—that transactions of the kinds you have inquired about, however helpful their immediate effects on our payments position and on the international strength of the dollar, cannot, of course, be regarded as any substitute for the more fundamental and lasting correctives which I noted in my previous letter.

With best wishes,

Sincerely,

DOUGLAS DILLON.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 21, 1963.

HON. C. DOUGLAS DILLON,
Secretary, U.S. Treasury Department, Washington, D.C.

DEAR MR. SECRETARY: Thank you for your prompt and courteous reply to my letter of April 29, 1963, which posed certain questions dealing with three specific types of transactions affecting our balance of payments.

I feel that our correspondence has served a useful purpose in advancing public understanding of a complex and delicate subject matter, by casting light on some of the techniques devised by the administration to show an improvement in the balance of payments and to ease the immediate problem of the outflow of gold.

However, I believe that the Congress and the public would benefit from a further discussion and clarification of these special techniques and their present and future effects upon the balance of payments. It is my own belief that confidence in the dollar can best be maintained by full and frank disclosure of the facts.

We will have a further opportunity to consider the implications of the special transactions discussed in our correspondence when the Joint Economic Committee conducts its study of the balance of payments sometime this summer. I look forward to examining these subjects with you or other Treasury officials at that time.

Thank you again for your assistance in this matter and with very best wishes.

Sincerely yours,

THOMAS B. CURTIS.

TREASURY ISSUES SECURITIES IN SWISS FRANCS

WASHINGTON, D.C.,
October 23, 1962.

The Treasury announced today that it is issuing during October $23 million equivalent of bonds denominated in Swiss francs as well as about $50 million equivalent of certificates of indebtedness denominated in Swiss francs. These transactions represent the first Treasury foreign currency borrowings at terms longer than 3 months—the bonds carry a 15-month maturity and the certificates of indebtedness maturities of 5 and 8 months. This new type of public debt operation is authorized by the Second Liberty Bond Act, as amended—the same authority under which 3-month foreign currency-denominated certificates of indebtedness were issued beginning in October 1961. Previous borrowings of $46 million of Swiss francs undertaken at that time were repaid in the spring of 1962.

The longer term borrowings of Swiss francs now undertaken are to be the mutual advantage of Switzerland and the United States. They afford the Treasury an opportunity to tap at a very reasonable cost a large pool of capital funds arising from Swiss Government surpluses and other fiscal measures designed to mop up excess liquidity in the Swiss money and capital markets. At the same time, the Treasury's borrowing transactions will assist the Swiss authorities in dealing with Switzerland's problems of fiscal and monetary management, particularly by providing a desired investment outlet for capital funds which might otherwise be sterilized.

Borrowings of this kind can also provide a convenient means of strengthening the Treasury's Swiss franc resources available for exchange operations, although the present borrowing is not needed for this purpose. Large scale flows of funds to Switzerland at times have had destabilizing effects in the exchange markets. Such effects have been and will continue to be counteracted through offical transactions, undertaken in full consultation and cooperation between the Swiss and United States authorities. Actually, the flow of funds to Switzerland has ceased since July and official U.S. commitments have been reduced in an orderly manner since that time. The new arrangements will provide useful flexibility, however, not only for Treasury operations in Swiss francs but also for bringing about a flow of capital into the United States.

FACT SHEET CONCERNING REFUNDING OF TREASURY BORROWING OF ITALIAN LIRE

TREASURY DEPARTMENT,
Washington, November 5, 1962.

The Treasury's daily statement for October 31, 1962, shows that the Treasury has issued bonds denominated in Italian lire of approximately $25 million equivalent (15.5 billion lire). These bonds will bear interest at 3 percent per annum. The Statement also shows that the Treasury's outstanding certificates of indebtedness denominated in Italian lire have declined by a corresponding amount. This is the first step in a program, which will be completed before yearend, of refunding into 15-month bonds all outstanding Italian lira-denominated certificates of indebtedness, which total about $150 million or 93 million lire.

The borrowings of lire were undertaken by the Treasury beginning in January 1962 to provide resources for exchange operations in the market for both spot and forward lire. Such operations, conducted in close cooperation with the Italian authorities, have proven their usefulness in slowing down the accumulation of dollars in Italy's official reserves. However, exchange market developments have not yet permitted a reversal of these operations, and therefore it has been deemed desirable to place the Treasury's lire indebtedness on a 15-month maturity basis, which should permit greater flexibility in the gradual liquidation of the Treasury's lire operations.

FACT SHEET CONCERNING TREASURY BORROWING OF ITALIAN LIRE

TREASURY DEPARTMENT,
Washington, December 5, 1962.

The Treasury's daily statement for November 30 shows that the Treasury has now isued a total of $150 million in Italian lire bonds. In addition, $50 million of certificates of indebtedness still remain outstanding but they will also be converted into bonds before yearend. The statement thus reflects an increase in Treasury borrowing of Italian lire by $50 million, raising the total to $200 million. The additional $50 million borrowing was again handled as a public debt operation, authorized under the Second Liberty Bond Act as amended. The bond has a maturity of 15 months and will bear interest at 3 percent.

Italy has recently undertaken reforms in its money and capital markets and is now issuing Treasury bills at auction on a regular monthly basis. These developments, representing a step in the direction of more active European money and capital markets are welcomed by the United States.

These institutional changes, however, have created a need for additional domestic liquidity in Italy which has been partially met by commercial bank sales of dollars to the Italian exchange office. The additional $50 million lire borrowing serves to absorb part of the increase in Italian official reserves in anticipation of an eventual reversal of the flow.

AMERICA'S FARM FUTURE

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MATHIAS. Mr. Speaker, the biggest legislative news of the past week is the decision of the wheat farmers of America. They have voted resoundingly against a supply management program which had been proposed to them by Secretary of Agriculture Freeman.

This leaves a vacuum in our agricultural policy which must be filled. The Secretary of Agriculture says that he will have no further suggestions for a wheat program in the coming months and the initiative has reverted to the Congress to draft the policy for this vital field of American economic community.

We should go further than just wheat planning in writing legislation to take care of the situation created by the defeat of the wheat referendum. This is a great opportunity in which the Congress can make a step forward in our agricultural thinking and planning. Part of my thinking is influenced by the fact that I have been watching with great interest in the recent years the condition of the lands which have been held under trust for the people of the Nation in what is known as the soil bank. The soil bank program retired from active agricultural use many thousands of acres of farm land and the crops which might have been grown on those lands never went into our surplus, never became a charge upon the taxpayers for their storage and handling, and have not added to our agricultural marketing problems. It is true that the soil bank costs money, but it has been a justified expense, as is apparent when you actually go and walk upon these lands and see how they have been held as an agricultural and conservation reserve for the future. We should use some of the experience which has been gained from our use of the soil bank and start a land retirement and a soil conservation program. Such a program might be limited to 3 years rather than to the 5 or 10 years' span which was previously contemplated in the soil bank program. Under the soil use provisions a 3-year contract could be adequate. The landowner would, of course, be compensated for putting his land into retirement under this program.

We should not, however, stop at that point but ought to direct the Secretary of Agriculture to make a study of land uses throughout the United States. He should consult the Department of the Interior, the Department of Defense, the Housing and Home Financing Agency, the States, local governments, all of those who have a hand in land use, and we should develop a consistent land-use program which would go forward from current conditions to a more efficient or appropriate use for the Nation's soil.

With the opportunity now given us by defeat of the wheat referendum we should also at this time provide for some crop support program which would bolster up our agricultural community until the full effect of a land retirement and soil use program can be put into effect. These price supports would be at such a level as to provide disaster protection to farmers rather than at levels that provide incentives to produce more crops. It would also help meet the surplus problems we have in wheat and feed grains.

For this reason I have introduced a soil conserving program in the House of Representatives and I hope that it will get favorable consideration.

TARIFFS ON WATERPROOF FOOTWEAR

Mr. MORSE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE. Mr. Speaker, under the Presidential proclamation on tariffs of 1933, waterproof footwear is defined as "composed wholly or in chief value of india rubber." This has been interpreted to mean "natural rubber." Although a large part of imported footwear is composed of synthetic rubber or plastics, and compete directly with footwear composed of natural rubber, it is able to escape the American duty. In 1962 the Tariff Commission in its tariff classification study declared that this distinction is "technical in nature" and results in an "anomaly."

As the Commission pointed out, there is no practical distinction between footwear of natural rubber or synthetic rubber. I am today introducing an amendment to the Tariff Act of 1930 that will correct this discrepancy and carry out the original intent of the Congress that all waterproof footwear be placed under the same tariff duty.

Not only will this measure ease the administration of the act, it will put the U.S. policy on waterproof footwear on the same basis as that of the principal exporters of this footwear to the United States.

KENNEDY WOOS AND WINS SUPPORT OF DIXIE SOLONS

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DEROUNIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, much has been said by the Washington Post and papers of like editorial tendency about the southern Democrat-Republican coalition. This was always pure nonsense and it is so, today. In yesterday's Atlanta Journal, an article by Vincent J. Burke points out that in the five key votes thus far this year, southern Democrats overwhelmingly supported the Kennedy New Frontier. I am wondering if the Washington Post will now write an editorial about this coalition:

KENNEDY WOOS AND WINS SUPPORT OF DIXIE SOLONS

(By Vincent J. Burke)

WASHINGTON.—Two years and four months after he entered the White House, President Kennedy is enjoying a belated honeymoon with southern Democrats in Congress.

This runs counter to the historic pattern of Presidential relations with Capitol Hill. According to the traditional script, the President is accorded a brief honeymoon after taking office, whereupon lawmakers of both parties gradually become more difficult to deal with.

This year, congressional Democrats from the South provided a bigger margin of support for Kennedy's "must" legislation than they did in either 1961 or 1962.

The rise in party loyalty among House Democrats from States of the old Confederacy has enabled Kennedy's lieutenants to win every one of their five big battles in the House this year despite marked stiffening of opposition from Republicans.

Mississippi's five Democrats are still voting almost solidly against Kennedy but there has been a good deal more support from the other Old South Representatives.

Kennedy's success in weaning a significant number of southern Democrats away from the long-standing coalition with GOP House leaders has been achieved so gradually that it has received scant public attention.

Yet it constitutes the most impressive political triumph of the Kennedy administration and ranks as one of the most surprising developments in recent political history.

The causes are many. Foremost among them is that Kennedy and his aids have assiduously wooed and lobbied the southerners and painstakingly cultivated their friendship. Influential southerners, such as Representative CARL VINSON, Democrat, of Georgia, have thrown their support to Kennedy on issue after issue.

Federal funds have been liberally dispensed for construction projects in the South. Patronage has been used with a view to winning support in Dixie. Moreover, Kennedy has been willing to compromise on legislative issues.

On the crucial final rollcall in each of the five House battles, 41 of the 95 southern Democrats did not cast a vote against Kennedy. On these showdowns 20 others voted with the administration forces more often than not. Only 12 die-hard Kennedy foes failed to cast one vote in support of the administration.

The five 1963 struggles:

HOUSE RULES

On Jan. 9 the House on a 235–196 rollcall kept lawmakers friendly to Kennedy in control of the powerful House Rules Committee. Southern Democrats supported the President 50–44. This compared with a 62–36 vote they cast against the administration on the same issue 2 years earlier.

PUBLIC WORKS

On April 10 the House voted 228–184 to restore $450 million in public works funds which Republicans and conservative Democrats had stripped from an appropriation bill in committee. Southern Democrats voted 60–30 in support of the administration.

DOCTOR TRAINING

On April 24, despite opposition from a majority of Republicans, the House approved an administration plan to provide Federal loans for needy medical students. The vote was 239–171; southern Democrats favored it 53–32.

FEED GRAINS

On April 25 the House by a 12-vote margin passed a 2-year extension of the administration's surplus-curbing feed-grain program. Southern Democrats voted yes 71–18.

DEBT CEILING

On May 15, party lines tightened further on passage of legislation to raise the legal ceiling on the national debt. The vote was 213–204. Voting no by 172–1, Republicans were beaten by a 212–32 Democratic vote, with southerners helping, 60–29.

THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER pro tempore (Mr. LIBONATI). Under the previous order of the House the gentleman from Ohio [Mr. ASHBROOK], is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, as a new member of the House Committee on Un-American Activities I feel that it is incumbent upon me to state my philosophy concerning the purpose of this committee which plays such a vital part in controlling the Communist conspiracy against the United States. In speaking in support of the House Committee on Un-American Activities, I am not defending its work since its record speaks for itself. In fact, the opponents of this Committee constitute such a small minority that it is hardly necessary to answer their charge. Few Americans have been convinced by the thunder from the left against this vital and hardworking congressional committee.

It is my contention that since its inception, in 1938–39, the House Committee on Un-American Activities has been one of the major vanguards of freedom in unmasking the devious activities, techniques and philosophy of a movement bent on engulfing not only America but the entire world.

In 1960, 81 Communist Parties from different parts of the world met in Moscow. It was decided at that meeting that the time had come for the Communist apparatus to wage a resolute war against the anti-Communist agencies and organizations throughout the world. In a short space of a few months, it was frightening to find out how many writers and publications from the non-Communist left had suddenly directed a long series of vicious attacks against the anti-Communists, particularly in the United States. I am sure there is no direct connection but it is indeed a unique coincidence. Here are just a few examples:

The national defense strategy seminars, which have been held under the auspices of the Department of Defense featuring outstanding authorities on communism have been smeared in the leftist-oriented publication the New Republic. Gradually these seminars have been disbanded. We also found a series of attacks on anti-Communist military personnel in the Pentagon. The military has been muzzled. There was a renewed sniping at the Federal Bureau of Investigation and its great director, J. Edgar Hoover. The House Committee on Un-American Activities, of course, had been over the years constantly under the guns of the Communists and the leftwing crowd in this country, but since the Moscow meeting the tempo of the attack was stepped up and highlighted by the publishing of a book entitled, "The Un-Americans." This book is a vicious and libelous attack upon the committee and parrots the description which the Communist apparatus has for many years given to the Committee on Un-American Activities.

I only mention the book "Un-Americans," because it is typical of the insidious attacks of the far left and the Communist satellites. Written by Frank Donner, who is billed only as a "constitutional lawyer," it is full of innuendo and distortion. Who is Frank Donner? On December 13, 1955, ex-Communist Herbert Fuchs identified Donner as a member of a Communist cell in the National Labor Relations Board of the early 1940's. Fuchs, identification was confirmed on December 14, 1955, by Mortimer Riemer and on March 1, 1956, by Harry Cooper. Questioned about these identifications, Author Donner invoked the first and fifth amendments. Mr. Speaker, I have an authentic tape of the testimony of this man and it conveys far more than the word record ever could. It indicates the extreme contempt of these people who willingly do the work of the Soviets and then cling to every safeguard that a free country such as ours gives them to protect their perfidy. Many hundreds of constituents in my district have heard it and it conveys a message which I cannot match in my brief remarks today.

In 1962, the drive against the committee was further stepped up when top-ranking Communists from more than 20 countries met in Liblice, Czechoslovakia, late in May, to plan how the various constituent parties could best destroy their enemies. In fact, the theme of their meeting was "Anticommunism, the Enemy of Mankind." Their abridged proceedings of this parley were recorded in the World Marxist Review, the official world Communist organ which is published in 18 languages. These proceedings outline the seven steps which were considered essential to the victory of communism in the United States. The fourth step, in part, was announced as "abolition of the House Un-American Committee."

LEGISLATIVE RECORD

From 1941 until the close of the 87th Congress in 1962, the Committee on Un-American Activities has made 142 legislative recommendations to the Congress, 98 of these without repetition. A total of 42 of the committee's recommendations have been enacted into law. In the 87th Congress alone, six of our seven recommendations were enacted into law. This is not by any means the total picture. The committee has developed information on policy matters which has resulted in 13 of its policy recommendations being adopted in various forms by Executive orders and directives in the executive branch of Government.

The findings of the American Bar Association's Special Committee on Communist Strategy, Tactics, and Objectives which was announced on July 1, 1960 provides a fine endorsement. This report had the following to say regarding the committee's legislative activity:

> The record of the House Committee on Un-American Activities and the Senate Subcommittee on Internal Security is one of accomplishments and achievements despite the fact they have been the targets of inspired propaganda attacks designed to curb their effectiveness. Continuation of these committees is essential to the enactment of sound security legislation.

It is usually alleged as a part of the wornout script against the committee that it mistreats witnesses. The same American Bar Association special committee had the following to say on this subject:

> The congressional committees investigating communism, and in particular the House Un-American Activities Committee, have been attacked on the ground that they have engaged in smear campaigns and have invaded the constitutional rights of persons investigated. Your committee is impressed with the fairness with which hearings before that committee have been conducted * * *. We are satisfied that the witnesses called to testify before the committee are being treated fairly and properly in all respects and we also feel satisfied that each witness is accorded full protection so far as his constitutional or other legal rights are involved.

As to the matter of constitutionality, invariably the committee's contempt citations are appealed following conviction. Although the Supreme Court has upset a number of these convictions on technicalities, it has repeatedly sustained the constitutionality of the committee, its procedures and actions. There is no committee of the Congress, in fact, which has had its constitutionality considered so thoroughly in our courts as the committee on which I am proud to serve, and it has always come through without question.

WATCHDOG FUNCTION

The Members of Congress could hardly enact wise laws without the power to inquire into the necessity for such laws nor could they amend or change laws already enacted if they did not have the power to investigate and to recommend new legislation in consonance with changing conditions. The House Committee on Un-American Activities exercises this right of inquiry which is afforded legislative bodies. The committee is one of the standing committees of the House of Representatives and was established on January 3, 1945, for the express purpose of investigating the extent, character, and objects of un-American propaganda activities in the United States. It was continued as a standing committee by the provisions of the Legislative Reorganization Act—Public Law 601, 79th Congress. In the discharge of its duty, the Committee on Un-American Activities seeks to develop factual information on the administration and operation of the Internal Security Act of 1950, the Communist Control Act of 1954, the Foreign Agents Registration Act, and various criminal statutes relating to treason and subversion. Its prime obligation is to exercise watchfulness over the execution by administrative agencies relating to subversive activities and internal security.

Mr. Speaker, it is my belief that the record of the House Committee on Un-American Activities is such that every patriotic citizen should proffer his endorsement. Keeping a watchful eye on the administration of the law by the executive branch of Government is a main duty of every congressional committee and especially the House Committee on Un-American Activities. On the basis of investigation, remedial legislation is offered and reforms instituted. The commitee has brought to the attention of the public many situations that have resulted in remedial legislation and tighter security systems throughout our Government.

I will cite a few examples that have affected our national security. The Ellenton-Hoakon case was the first involving espionage exposed by any congressional committee. It concerned the attempts of the Soviet Union to obtain information regarding the development of the first atomic bomb. The Gerhart Eisler case is another. Eisler was a member of the International Communist movement, or Comintern, and was uncovered as the actual leader of the Communist Party of the United States directing the official party line through the Daily Worker. Eisler fled the United States while under indictment by the Department of Justice and is now heading the agitation and propaganda arm of East Germany. The famous case of William Remington who was originally investigated by a Senate committee, dismissed from a Government position for alleged espionage activities, and later won reinstatement to his Government post through the courts. Soon after, however, due to the efforts of the House Committee on Un-American Activities, he was determined to have been an actual member of the Communist Party, was prosecuted by the United States, convicted of perjury and sent to the Lewisburg Penitentiary. There was the Elizabeth Bentley espionage case involving a number of Government employees, the investigation of Red influences in Hollywood and, of course, the famous Alger Hiss case. Who can forget J. Peters, Harry Dexter White, Nathan Gregory Silvermaster, just a few of the many persons whose operations were exposed by this committee? Our hearings have not only uncovered infiltrators and spies in Government but even more important they have exposed and thereby destroyed the effectiveness of numerous party fronts, infiltration schemes and united front operations which might have duped many well-meaning Americans.

A RECENT CASE

One of the most appalling and shocking revelations to come on the scene in recent years is the defection of Bernon Mitchell and William Martin to the Soviet Union. These two men were employed by the National Security Agency with access to highly classified information. The NSA, of course, is the Government's supersecret code and communications arm. The committee instituted an extensive investigation of the circumstances surrounding the defection, together with a thorough and detailed examination of the personnel security regulations and procedures in effect at the time of defection, and of subsequent measures taken by the Agency to resolve any weaknesses in its procedures. A detailed report of the investigation, titled "Security Practices in the National Security Agency," was released by the House Committee on Un-American Activities in August of 1962.

At this point I would like to bring out some of the high points of the investigation by the committee just to emphasize the serious need for the committee and its work in maintaining a strong national security program. From the outset it appeared that there were violations and inconsistent application of security procedures, for up to the time of the committee's investigation, cryptologic information was permitted in the hands of those who had not received a complete security clearance. Through this procedure, the Agency was failing to make certain that an employee given access to cryptologic information was of "excellent character and discretion and of unquestioned loyalty to the United States." In fact the Agency was even making appointments in classified areas without full field investigations and national agency checks of the parties receiving them, further demonstrating severe laxity in security practices. Another example of security flaccidity was the hiring of a person who had been denied employment by another Government agency because he was strongly suspected of both homosexuality and Communist activities.

The committee's discoveries regarding the two defectors, Bernon Mitchell and William Martin, should have an awakening effect on every citizen concerned about the danger of international communism. The following are some of the facts that the House Committee on Un-American Activities turned up which were unknown to the National Security Agency's security office until after the two had defected:

First. When Martin, as an employee of NSA, was sent to study at the University of Illinois in 1959, he had associations with members of the Communist Party.

Second. In December 1959, Mitchell and Martin traveled to Cuba without permission of the Agency and in violation of its directives.

Third. Martin was sexually abnormal; in fact, a masochist.

Fourth. Mitchell had posed for nude color slides perched on a velvet-covered stool.

Fifth. Mitchell and Martin were agnostics who were critical of the United States and complimentary of the Soviet way of life. This was known by several dozen employees of NSA, yet unknown to its Office of Security Services.

Sixth. In May 1960, Mitchell sought the services of a psychiatrist, whose offices are located near the Nation's Capital in suburban Maryland. The psychiatrist testified in executive session before the committee in September 1960 to the effect that, on the basis of three consultations with Mitchell, he had concluded that Mitchell had had homosexual problems for many years.

Further investigation revealed that the Director of Personnel had falsified records and he was subsequently compelled to resign. During the course of this long probe into the supersecret agency, House Committee on Un-American Activities discovered evidence of misconduct on the part of other Agency officials. Inasmuch as the nature of most of the misconduct was outside the jurisdictional scope of the committee, the evidence and investigative leads were turned over to the Department of Defense. Followup inquiries resulted in the removal of several officials from the Agency's payroll.

Conclusions of the investigation pointed out appalling defects in this, the most sensitive security organization in our Government, which seriously affected the integrity of the U.S. Government and its people in their life and death struggle with the international Communist conspiracy. It is my contention that the House Committee on Un-American Activities' investigation into the personnel security practices of the National Security Agency has proven to be one of the most worthwhile and constructive undertakings in the history of the committee for it has resulted in sweeping reforms. Not only were two top officials removed, but 26 employees were dismissed as sex deviates and 22 basic reforms in NSA security procedures were instituted. In addition, H.R. 950, which amends the Internal Security Act of 1950, making sweeping reforms in personnel security procedures in the National Security Agency, was introduced and passed the House on May 9, 1963 by a vote of 340 to 40. This case could well serve as a model for proper cooperation between Government agencies and legislative committees.

THREAT FROM WITHIN

We are at war with the Communists—make no mistake about that. If we relax for one moment, we risk national disaster. Atheistic communism now controls one-fourth of the earth's surface and one-third of its people. Yet the greatest Communist threat is from within, not without. The Communist Party has attempted to infiltrate every segment of American life and these efforts have been thwarted by the country's internal security programs, the FBI and the House Committee on Un-American Activities. At this very moment, the Communist Party has deliberately refused to register with the Attorney General as required by the law of the land. Communist apologists should recognize once and for all the serious nature of this godless force. Leftists can no longer feign innocence of the true nature of the criminal conspiracy which they support.

The record of the House Committee on Un-American Activities, Mr. Speaker, indicates that it was never fooled by Communist perfidy. Few other organizations or individuals can make that statement. It was not deceived in the pre-World War II era, it was not fooled during the war and it has not been fooled since. Its long and lengthy hearings indicate a consistent record of warning to the American people, warnings which if heeded would have helped prevent nearly one billion people going under Communist subjugation, warning which if heeded would have prevented the waste of billions of dollars in foreign aid going directly into the Communist camp, warnings which if heeded would have meant no coalitions, no "improved relations" in trade diplomacy. Yes, these warnings have been there all of the time.

Consider this 1948 testimony brought to light by the Committee on Un-American Activities in 1948:

> Mr. STRIPLING. General Groves, did you ever report the efforts of the Russian agents to obtain information regarding atomic development to the President of the United States?
>
> General GROVES. Yes.
>
> Mr. STRIPLING. When was that?
>
> General GROVES. It would have to be in 1944. It was contained in a report to the President which President Roosevelt read in my presence and the matter was discussed with me. This was just before he left for Yalta. It was brought to the attention of President Truman in the first report that was made to President Truman after he took office which was as soon after his taking office as the Secretary of War could make an appointment and on that occasion the written memorandum was read by Mr. Truman.

Page after page documents the tedious and unrewarding efforts of this committee to expose a traitorous enemy. Today as in the past the House Committee on Un-American Activities stands as the major obstacle to Communist subversion in the United States and as such it also is the chief target of Communist abuse.

Misinformed people often criticize the FBI because they do not know its proper role. Personally, I believe that J. Edgar Hoover is one of the greatest Americans of our generation. He is of unquestioned ability and loyalty. Why, many ask, has he not done something about this situation? Let me say that like the House Committee on Un-American Activities, Mr. Hoover has never been deceived by the Communists, their strategy, their goals, their tactics. Like the House Committee on Un-American Activities' warnings, moreover, many of his have gone unheeded. Unlike the House Committee on Un-American Activities, however, the FBI is an investigatory body with no power to subpena witnesses or suggest remedial legislation to plug loopholes in our security program. The FBI is in the executive branch of government and as a fact-gathering agency lays its reports before the enforcement division of the Justice Department. Its responsibility ends here. Consequently, no blame can attach to the FBI for alleged failure to expose the facts of the Hiss case, for example. The FBI has no power to make public the facts it uncovers; in fact it is prohibited from doing this. It is for this reason that the House Committee on Un-American Activities and not the FBI brought to light the sordid details of the Hiss case. Responsibility does lie with those individuals in the executive branch who have access to the FBI reports and then fail to act upon them.

It is our committee, not the FBI, that has the proper role of informing the public regarding matters affecting the Communist conspiracy. As a part of this function, the Committee on Un-American Activities has often been branded as "witch hunting" and "headline hunting." The facts hardly bear this out. In the case of the National Security Agency investigations, referred to previously, the committee's hearings were held in 16 secret sessions—no flair, no glare. Many of our hearings are in executive session to protect witnesses. Many of these hearings are never made public. However, as a part of our informing function, information developed for the Congress by the committee during the past 25 years has been published in 497 separate volumes comprising the testimony of almost 4,000 witnesses—most of them Communists—and reports on these investigations.

In a broadcast of February 1962 which it beamed toward European countries, Radio Moscow, the official agency of the Soviet Union's Communist propaganda effort, viciously attacked the House Committee on Un-American Activities, calling it a detriment to the American people. It is dangerous, of course, to say that something is wrong when the Communists favor it and good if they oppose it. No American should make his judgment on this arbitrary standard. However, when their true hand is shown consistently over a long period of time against the House Committee on Un-American Activities, and it is certain that the committee is their chief target, this vendetta should cause many critics to study the real basis for their opposition to our work. Yet, the campaign to abolish this vital work of the House Committee on Un-American Activities continues. Abolishing this committee would mean destroying the agency which has developed more security legislation, given the Congress more information about Communism and has done more harm to the Communist Party than any other agency or group, public or private, in the world. I can well understand why the Communists want to destroy our committee but quite frankly, I find it difficult to understand what motivates the so-called liberals in our country.

DEVELOPMENT OF THE PEACEKEEPING CAPACITY OF THE UNITED NATIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, one of the most thoughtful and valuable discussions of the United Nations I have seen was the address of the distinguished Deputy Assistant Secretary of State for International Organization Affairs, the Honorable Richard N. Gardner, which Mr. Gardner delivered before the American Society of International Law here in Washington on April 26, 1963.

Because there has been so much recent analysis of the role of the United Nations as an instrument for keeping the peace and because Mr. Gardner's speech on this occasion was primarily directed to this aspect of the work of the United Nations, I should like to call his remarks to the attention of Members of Congress.

Under unanimous consent I therefore include the text of this address at this point in the Record:

THE DEVELOPMENT OF THE PEACEKEEPING CAPACITY OF THE UNITED NATIONS

(Address by Richard N. Gardner)

In his latest book, "Thinking About the Unthinkable," Herman Kahn imagines a nuclear war with "millions, perhaps tens of millions of people killed," which is suddenly called off when President Kennedy sends Chairman Khrushchev a copy of "World Peace Through World Law," by Louis Sohn and Grenville Clark, and proposes that they adopt the book's proposals forthwith.

Kahn has the President say to Khrushchev: "There is no point to your reading this book; you will not like it any more than I did. I merely suggest you sign it right after my signature. This is the only plan which has even been roughly thought through; let us, therefore, accept it."

Thereupon Kahn has Chairman Khrushchev "accepting the offer and signing."

Like this charming allegory, much current discussion about the control of violence in the nuclear age is at once apocalyptic and

Utopian. We are told that unless a particular brand of Utopia is accepted—whether it be called "world peace through law," or "general and complete disarmament"—we are doomed to incineration in a nuclear holocaust.

Too often the spokesmen for a particular brand of Utopia are satisfied merely to state the stark alternatives. Few of them stop to answer the question: "How do we get from here to Utopia?"

I do not pretend to know the answer to this question. But I suspect it is composed of a number of elements—among them, the maintenance of our deterrent capacity, the building of the material basis of freedom through aid and trade, and the development of the political cohesion of the free world through regional and functional organization.

Tonight, I should like to emphasize another element of the answer—the development of the peacekeeping capacity of the United Nations.

PEACEKEEPING FUNCTIONS OF U.N.

There are two sides to the U.N.'s peacekeeping coin:

The first side, which corresponds roughly to Chapter VI of the U.N. Charter, is preventive diplomacy—measures of pacific settlement to keep disputes from erupting into violence.

The second side, which corresponds roughly to chapter VII of the charter, is international policing action to contain violence and prevent it from widening into a global conflict.

How do these peacekeeping functions of the United Nations help us get from here to Utopia? They do so in two principal ways:

In the first place, they help avoid global conflict and preserve the values of a free society during the dangerous ideological, political, and military confrontation in which we now find ourselves.

This value of the U.N.'s peacekeeping role is fairly well understood.

The U.N. serves as a forum for ventilating grievances and for mobilizing public opinion and political pressure against breaches of the peace and acts of aggression.

The U.N. serves as center of negotiation in which the settlement of disputes can be sought through quiet diplomacy, with the special advantage of a third man in the person of the Secretary General to get negotiations started where neither side is willing to take the first step.

The United Nations is an action agency able to mount economic, administrative, and policing operations in situations where action by one country or even a group of countries might prove politically inexpedient. The United Nations has special advantages of acceptability and noninflammability because its actions are taken in the name of the community of nations as a whole.

It is often said in criticism of the United Nations that it has not been able to keep the Great Powers together. The point is, however, that the U.N. has been able on numerous occasions to keep the Great Powers apart.

In disputes between small states, or in areas where the withdrawal of a colonial regime has left a power vacuum, the involvement of the United Nations through debate, negotiation, or a peacekeeping presence has helped insulate a potentially dangerous situation from the cold war.

And even in confrontations between the Soviet Union and the United States, the United Nations has demonstrated its value as a vehicle for Great Power disengagement.

In the recent Cuban crisis, for example, the United Nations offered a valuable channel of negotiation which helped keep Soviet ships clear of our quarantine fleet. It also indicated future potential when both the Soviet Union and the United States agreed to U.N. inspection in Cuba to verify the withdrawal of Soviet missiles.

In the second place, and beyond these immediate benefits, the peacekeeping functions of the United Nations are an indispensable element in plans to escape from the balance of terror and to create a disarmed world under law.

This value of the U.N. as a peacekeeping agency is less well understood. But in getting us from here to Utopia it is scarcely less important. For if general and complete disarmament is ever to be achieved, there will have to be a major buildup in the U.N.'s peacekeeping role—its capacity for peaceful settlement and for controlling international violence by all means including the employment of international peace forces.

RELATIONSHIP BETWEEN PEACEKEEPING AND DISARMAMENT

The fact is that nations will never be willing to eliminate their arms until they have some substitute means of protecting their territorial integrity and vital interests. As President Kennedy told the U.N. General Assembly in September 1961: "To destroy arms * * * is not enough. We must create even as we destroy—creating worldwide law and law enforcement as we outlaw worldwide war and weapons."

The U.S. draft outline of a disarmament treaty recognizes the inescapable relationship between peacekeeping and disarmament when it states at the outset that the objective of the treaty is to insure that disarmament is accompanied "by the establishment of reliable procedures for the settlement of disputes and by effective arrangements for the maintenance of peace in accordance with the principles of the Charter of the United Nations."

The outline goes on to specify a number of measures for the development of the U.N.'s peacekeeping role—among them, the acceptance of the compulsory jurisdiction of the International Court of Justice, the improvement of nonjudicial methods of peaceful settlement, the establishment of a U.N. Peace Observation Corps for information and factfinding, and the buildup by the end of the disarmament process of a U.N. peace force with sufficient armed forces and armaments so that no state could challenge it.

This recognition of the importance of developing the U.N.'s peacekeeping capacity in order to get us from here to utopia is one of the major points separating the Western countries and the Communist bloc.

It is an unhappy fact of life that the Soviet Union has never accepted this concept of a disarmed world under law. The most highly publicized difference between ourselves and the Soviets has been on the subject of inspection. But our difference on the peacekeeping role of the United Nations has been no less wide and no less fundamental.

Some 18 months ago, during the summer of 1961, we engaged in lengthy negotiations with the Soviets in Washington, Moscow, and New York on a draft statement of principles governing general and complete disarmament. At the end of the negotiations we did achieve an agreed statement which noted, among other things, that the goal of negotiations is not only general and complete disarmament but also the establishment of reliable procedures for the peaceful settlement of disputes and effective arrangements for the maintenance of peace in accordance with the principles of the United Nations Charter.

As a matter of fact, the joint statement not only provided for the establishment of a United Nations peace force but specified: "Arrangements for the use of this force should insure that the United Nations can effectively deter or suppress any threat or use of arms in violation of the purposes and principles of the United Nations."

As a result of this agreement, some people were encouraged to believe that the Soviets had at long last accepted the need for the building up of worldwide law and law enforcement as an accompaniment to general disarmament.

SOVIET POSITION

These hopes were quickly destroyed.

In the negotiations which followed in Geneva, Soviet spokesmen attacked the emphasis placed by Western delegations on the relationship between disarmament and peacekeeping. Indeed, the Soviet delegate, Mr. Zorin, had this to say: "In the statements of the Western representatives a definite distortion of view is discernible. The fact that disarmament itself will be the surest and most certain means of securing peace and the security of States is disregarded. When the means of waging war are destroyed, when states dispose of neither armies nor armaments, no one will be able to start a war and no one will be able to apply force or the threat of force in international relations."

This Soviet position, of course, is sheer nonsense. The magnitude of the nonsense is revealed when one notes that under the Soviet disarmament plan nations would be permitted to maintain—even at the end of the disarmament process—national forces for the "safeguarding of frontiers." Without effective international measures for settling disputes and suppressing aggression, it is only too obvious that these forces—and even citizens armed with ordinary firearms—could be used to threaten the security of other nations.

Indeed, bloc spokesmen in the disarmament negotiations have clearly reserved the right of Communist countries to continue to pursue their goals of world domination in a disarmed world through indirect aggression and subversion and so-called "wars of national liberation."

To be sure, the Soviets pay lipservice to the concept of peacekeeping. But their concept is devoid of substance. The disarmament plan tabled by the Soviets proposes a United Nations peace force operating under the Security Council (where they have a veto) and controlled by a military troika (where they would have another veto).

The informed public is reasonably well aware of one obstacle to progress on disarmament—the refusal of the Soviets to accept effective inspection. We should do much more to develop public understanding of the second obstacle to progress—the Soviet approach to the peacekeeping issue.

Khrushchev has made great play of his 4-year plan for general and complete disarmament. But no one is entitled to a hearing on his brand of Utopia unless he has a serious proposal on how to get there.

The Soviets have steadfastly shut their eyes to the peacekeeping problem. They cannot claim sincerity about general and complete disarmament until they are prepared to face up to it.

U.N. CAPACITY FOR KEEPING THE PEACE

In the 17 years of its existence the United Nations had demonstrated a significant capacity for keeping the peace. Some aspects of its peacekeeping role have followed lines clearly anticipated at San Francisco. Others have taken directions which the framers of the charter did not anticipate.

In the field of pacific settlement, the statute of the International Court of Justice approved together with the charter provided impressive machinery for judicial settlement. In addition, the charter itself offered pacific settlement through nonjudicial machinery—including negotiation, inquiry, mediation, conciliation, arbitration, resort to regional arrangements, and discussion by the Security Council and General Assembly.

Looking back over the last 17 years, I think we must admit candidly that the original hopes for judicial settlement were somewhat exaggerated.

The International Court has had comparatively little business, about two cases a year on the average.

Few countries have been willing to accept the compulsory jurisdiction of the Court without reservations. And the adversary proceedings brought to the Court as a result of voluntary agreement between the parties have been relatively few.

The main reason for this has not been, as some people assert, that international law is too vague or ambiguous. It is rather that there are relatively few disputes which both parties are willing to have decided on the basis of the existing law.

The major conflicts of our time are typically "nonjusticiable" in the sense that at least one party is challenging the legal status quo. The disputes between the Soviets and the West over Berlin, between Red China and the Republic of China over Formosa, and between the Arab countries and Israel over Israel's existence, are obvious examples. Clearly these are not disputes which are susceptible to solution by judicial settlement.

This is not to say that the role of the International Court has been insignificant. The Court has performed a useful function in a number of adversary proceedings. It could render further useful service if states could be persuaded to be more forthcoming in taking justiciable disputes to it. Moreover, in its advisory jurisdiction the Court has acted with distinction as a kind of "constitutional court" for the United Nations system. In this latter function its recent opinion affirming the binding character of peacekeeping assessments more than justified its existence.

Nevertheless, the primary means of pacific settlement in the last 17 years has been through nonjudicial machinery. The principal U.N. successes in this area are well known:

In 1947, a U.N. Commission for Indonesia was able to help arrange a political settlement which gave independence to that country.

In 1948, the U.N. Commission for India and Pakistan helped achieve a cease-fire in Kashmir.

In 1947–49, Count Bernadotte and Ralph Bunche served as U.N. mediators to help bring about an armistice between Israel and the Arab countries.

In 1958, and subsequently, a U.N. presence in Jordan helped ease tensions between Jordan and her neighbors.

Within the last year, a U.N. mediator played a central role in bringing about a settlement in West New Guinea.

And only in recent months U.N. intermediaries have helped ease relationships between the new Yemen Arab Republic and its neighbors.

Looking back across 17 years of U.N. experience in pacific settlement, one major theme is unmistakable. This is the impressive development of the political role of the Secretary General.

The Security Council and the General Assembly have, as anticipated in the charter, made important contributions in pacific settlement. What the drafters at San Francisco perhaps did not fully anticipate was the potential importance of articles 98 and 99—the Secretary General's progress, to use Michel Virally's apt description, from "moral authority to political authority."[1] For some of the major accomplishments of the U.N. in pacific settlement have resulted from political initiatives taken by the Secretary General or his agents.

With respect to policing, the growth of the U.N. has been no less significant. Here the landmarks of accomplishment are equally well known:

In 1950, the Security Council, assisted by the voluntary absence of the Soviet Union, authorized the defense of South Korea against Communist aggression.

In 1956, the General Assembly established the United Nations Emergency Force in the Middle East and made possible the resolution of the Suez crisis.

In 1958, the Security Council dispatched a U.N. observer group to Lebanon to help prevent the illegal infiltration of arms and personnel across the borders of that country.

In 1960, the Security Council established the United Nations operation in the Congo to protect the territorial integrity and political independence of that country.

POLICING ACTIONS OF THE U.N.

These U.N. policing actions have involved personnel from 54 countries. In the Congo alone, there were 20,000 U.N. troops contributed by 21 different members.

Just as in pacific settlement, the U.N.'s development in policing has also taken courses not fully anticipated at San Francisco. The framers of the charter placed primary emphasis on article 43 and the conclusion of agreements which would have made available to the U.N. contingents of national military forces for use in dealing with aggression.

As everyone knows, these agreements never came into existence. In their place the principal instruments for U.N. policing were two:

The first was the Uniting for Peace Resolution, enacted in 1950, which provided for the calling of an emergency special session of the General Assembly at 24 hours' notice upon the vote of any seven members of the Security Council in the event that the Council was prevented from exercising its primary responsibility for international peace and security.

Under this resolution the General Assembly can make appropriate recommendations to members for collective measures including, if necessary, the use of armed forces. This was the instrument for the establishment of the United Nations Emergency Force in the Middle East.

The second instrument for the U.N.'s policing role has been action of the Security Council. But in the absence of the armed forces made available to it under article 43 the Council has called upon members to supply forces on an ad hoc basis, with much of the responsibility for directing those forces resting on the Secretary General.

The Soviets have challenged the legality of carrying out the U.N.'s policing responsibilities. They have cited the so-called "principle of unanimity," by which they mean the U.N. can undertake and maintain policing action only with the agreement at every step of the way of all five permanent members of the Security Council.

Such an assertion, of course, is a perversion of the U.N. Charter and of the veto provision. Certainly it was originally hoped that there would be sufficient unanimity among the great powers to enable the organization to require the mandatory action of all the members to repel aggression. But in the absence of that unanimity resort has been made to other provisions of the charter enabling the United Nations to maintain security through the voluntary action of its members.

The United Nations Charter does provide that a major power can prevent its own forces from being used for policing actions with which it does not agree. It does not provide that a major power can prevent other powers from using their forces in a course of action to which they have agreed. To put the meaning the Soviets do on the "principle of unanimity" is justified neither by history nor reason. It would condemn the United Nations to impotence and frustration—to being a debating society devoid of executive capacity.

It is true that U.N. policing actions have been carried out in ways which may not have occurred to the draftsmen at San Francisco. But this is no basis for challenging their legality or propriety. As Oscar Schachter has put it: "There are certainly no logical reasons why the admittedly vague and imprecise language of the Charter must be restricted in meaning. The Charter is surely not to be construed like a lease of land or an insurance policy; it is a constitutional document whose broad phrases were designed to meet changing circumstances for an undefined future."[2]

Some time ago Mr. Justice Stone noted in our domestic context: "If we remember that 'it is a Constitution we are expounding' we cannot rightly prefer, of the possible meanings of its words, that which will defeat rather than effectuate the constitutional purpose."[3] The principal constitutional purpose of the United Nations is the maintenance of international peace and security. The accomplishments of the U.N. during the last 17 years both in pacific settlement and in international policing have implemented that purpose through measures consistent with the Charter and have provided a firm foundation for future efforts at building a stable world order.

PROPOSALS FOR STRENGTHENING THE U.N.'S PEACEKEEPING ROLE

Despite the considerable progress made during the last 17 years in the development of the U.N.'s peacekeeping ability, we have no cause for complacency. Indeed, the accomplishments are still inadequate when weighed against the needs. This is true whether we measure the needs in terms of keeping the peace in the dangerous present or facilitating future progress toward general and complete disarmament.

There is no lack of proposals for strengthening the U.N.'s peacekeeping role. The problem is to select those which represent significant steps forward and which have some chance of political acceptance in the world in which we live. The following is a 10-point program which meets both tests and for which we shall seek support in the months ahead:

1. The political role of the Secretary General: The continuing political role of the Secretary General is a vital element in the U.N.'s effectiveness as a peacekeeping agency. To maintain this role, the Secretary General should continue to use his senior aids and resident country representatives as agents in missions of peaceful settlement. Continuing efforts will also be needed to maintain the efficiency and political independence of the international secretariat without which effective peacekeeping cannot take place.

2. Rapporteurs: The League of Nations made successful use of a rapporteurs or conciliators in contentious cases to report on the facts and recommend possible solutions. Greater use should be made of this device in disputes before the General Assembly and Security Council.

3. International Court of Justice: The present administration, of course, continues to support repeal of the Connally amendment which provides that our acceptance of the compulsory jurisdiction of the International Court does not apply to matters within U.S. domestic jurisdiction as determined by the United States. It would be desirable to secure the acceptance by free world nations of the compulsory jurisdiction of the Court at least with respect to the interpretation of international agreements—matters which are clearly not within a nation's domestic jurisdiction. This is a possibility which merits careful consideration.

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[1] "The Political Role of the Secretary-General of the United Nations," L'Annuaire Francais de Droit International, IV, 1958.

[2] Review of Kelsen, "Law of the United Nations," 60 Yale L. J. 189 (1951).

[3] *United States* v. *Classic,* 313 U.S. 299, 316, 320 (1941).

4. International Law Commission. Consideration also should be given to reconstituting the International Law Commission on a full-time basis. The Commission now meets only about 10 weeks each year. At its present rate of progress, it may well take 10 years to complete the three subjects which the General Assembly has assigned it on a priority basis—the law of treaties, state responsibility, and the succession of states and governments—and at least 25 years to get through these and other important topics on the Commission's agenda. The codification and progressive development of international law is too urgent a matter to be dealt with on a part-time basis if it can be better dealt with. While the difficulties of putting the Commission on a full-time basis may be substantial, we are now in the process of taking a good look at the possibilities of overcoming them.

5. U.N. Institute: The General Assembly last December called upon the Secretary General to study the feasibility and desirability of establishing a U.N. Institute. The Institute would arrange programs to train personnel for service in the U.N. system in both diplomatic and development operations. It would also serve as a center for operations research in major areas of U.N. activity. Distinguished persons from member countries associated with the Institute as faculty members, research fellows, lecturers or seminar participants could be selected, on occasion, by the Secretary General for important special missions. The United States warmly supports the establishment of the Institute.

6. Analysis of peacekeeping experience: The Congo presented the U.N. with peacekeeping problems of unprecedented difficulty. It raised questions about the training, supply, intelligence, public relations, military command, and political control of U.N. peacekeeping operations. An intensive review and analysis of the Congo experience would help the U.N. do better in the future.

7. U.N. military staff: To promote the success of future peacekeeping operations, the Secretary General needs an expanded military staff unit at U.N. Headquarters. The recent appointment by the Secretary General of a permanent military adviser is a step in the right direction.

8. Earmarking and training of national forces for U.N. use: In future peacekeeping emergencies, we must avoid the dangerous vacuum which might arise from delays in assembling U.N. forces. We must also avoid the erosion in the U.N.'s authority which would result from thrusting into peacekeeping actions national forces without special training in situations unique to the purposes and methods of the U.N. U.N. members should therefore be encouraged to train and maintain in readiness special forces which could be employed by the U.N. in peacekeeping emergencies. We welcome the decisions just taken by Denmark, Norway and Sweden to establish a 3,000 man Scandinavian force available for U.N. service.

9. U.N. observer corps: The U.N. already has a Peace Observation Commission which was created in 1950. Observer corps have demonstrated their utility in the past and will continue to be needed in the future. For example, the U.N. is expected soon to undertake important observer functions in Yemen.

10. Financing peacekeeping operations: The decision of the International Court of Justice, accepted overwhelmingly in December by the General Assembly, affirmed that peacekeeping assessments are binding on all members of the U.N. But the principle of collective financial responsibility has not yet become a fiscal practice as well as a legal theory. As of March 31, 1963, arrearages owed on the Middle East and Congo operations amounted to about $100 million, of which $63 million was owed by the Soviet bloc and $14 million by France. Although some countries have started paying up on the peacekeeping accounts since the International Court ruling, there are still 46 countries who have paid nothing for the Congo and 24 countries who have paid nothing for UNEF. The minimum condition for maintaining the U.N.'s peacekeeping capacity is the prompt liquidation of these arrearages, the application of article 19 against defaulting countries who are subject to its provisions, adequate provision by the forthcoming special session of the General Assembly for financing the Congo and UNEF operations during the last half of 1963, and sensible ad hoc financial arrangements for future peacekeeping operations which will accompany rather than follow the decisions to authorize such operations.

PEACEKEEPING NOT THWARTED BY SOVIET

The 10 points outlined above represent the commitment of the United States to the progressive strengthening of the U.N.'s peacekeeping capacity. We can expect a large measure of support on many of these proposals from other countries of the free world. The same cannot be said, of course, of the Soviet bloc.

In recent years the Soviet Union has rejected in both principle and practice the independent character of the international secretariat which is essential to effective peace keeping; attacked as illegal the U.N. peacekeeping actions in the Congo and the Middle East; and refused to pay its assessed share of these peacekeeping operations.

These Soviet actions are disquieting. But they do not doom the U.N. to frustration as a peacekeeping agency.

The whole history of the organization—in Korea, the Congo, and elsewhere—proves that the contrary is the case. This will continue to be so as long as the United States and other free nations work together to maintain and strengthen the U.N. as a peacekeeping agency on the basis of the common interest of the vast majority of U.N. members in peace and freedom.

Communist obstruction alone will not destroy the U.N. as a peacekeeping agency. But the peacekeeping role of the U.N. could be jeopardized by a failure of support within the free world.

The fact is that the Soviet leaders are not the only ones who oppose the buildup of the U.N.'s capacity to keep the peace. There are even some Americans who proclaim that the development of the U.N.'s peacekeeping role, and particularly the peacekeeping provisions of our disarmament treaty, are a threat to our national security.

These American critics are prisoners of dangerous illusions which prevent them from understanding the thoroughgoing transformation in international relations wrought by the advent of modern weapons.

In an age when the Soviet Union and the United States have in their arsenals weapons each of which has the destructible power of all the bombs dropped in the Second World War—in an age when no matter how many weapons one side may build neither side can escape unimaginable destruction in a nuclear holocaust—in an age when the danger of war by accident or miscalculation grows with the increasing complexity of weapons systems—in such an age there is no rational alternative but to develop a civilized system of collective security under the aegis of the United Nations.

Obviously the difficulties involved in building a disarmed world under law are enormous. But the difficulties of failing to do so are even greater.

We must continue to struggle with the problem of getting "from here to Utopia."

Men who describe themselves as "realists" regard the peacekeeping provisions of the United States disarmament plan as visionary.

They are mistaken.

It is those who look forward to a world several decades hence without disarmament and effective peace keeping who are the real visionaries.

It is those who work untiringly for disarmament and the strengthening of the United Nations as a peacekeeping agency who are the down-to-earth realists.

H.R. 701 AND H.R. 2349

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, the following are remarks which I prepared for delivery to the Briefing Conference on National Patent Policies and Practices sponsored by the Federal Bar Association and the Government Patent Lawyers' Association in cooperation with the Georgetown University School of Law, at the Gramercy Inn, Washington, D.C., on May 21, 1963:

Ladies and gentlemen, thank you for the opportunity of being with you today as a participant in your discussion on Government patent policies and on the ownership of patents on inventions produced on projects financed by the Federal Government.

No matter how you would describe the age we are living in, it certainly is not a dull one. Controversies and debates on every imaginable topic are the order of the day. And that, of course, is the way it should be in a democracy. The swapping of ideas and proposals in an attempt to reach a consensus satisfactory to most and in the furtherance of the public interest is an American trademark. It has always been one of our characteristics of greatness.

Among the many subjects around which differing opinions swirl, is that of Government patent policy, particularly as respects ownership of patent rights on inventions resulting from governmentally financed research. But the problem is larger than just patent policies in respect to Government research contracts and grants. It actually concerns patent policies arising under all Federal contracts. Even more, it concerns the creation of a sound framework in which reasonable uniformly applied patent policies and practices as respects Government interests therein can be carried on in the furtherance of the public interest and the protection and encouragement of private property rights.

The problem requires our concentrated attention. Over 70 percent of research work in the Nation today is financed by public funds. A large proportion of this, of course, is directly related to our defense and space efforts.

The very magnitude of the public interest is reflected in the amounts currently being spent by the Federal Government on research. For instance, a recent survey by the National Science Foundation discloses that the Federal Government plans to obligate $14.7 billion for research and development during the 1963 fiscal year. This is an increase of 31 percent over the amount spent for research and development in fiscal 1962, and is about 16 times the amount spent in 1948.

Other problems that have arisen relate to changes in the inventive practice. Group research is replacing the lonely inventor and this in its turn gives rise to new patent ownership problems.

Another area of growing concern is the necessity for working out satisfactory patent policies with major economic concentrations abroad such as the European Economic Community.

Finally, there is the serious question whether our entire patent laws and patent system need revision. Is it, perhaps, out of date in an up-to-date world?

Of these problems I would like to touch upon the first, that of Government patent policies and the creation of a reasonable, uniform system for their administration.

I have introduced in the 88th Congress, two bills of major importance in this field, H.R. 701 and H.R. 2349. Both bills were also introduced in the last, the 87th Congress.

The purpose of H.R. 701 is to attempt to bring some order out of chaotic and conflicting Government patent policies to the end that a uniform practice as respects ownership of patents derived from Federal contracts and grants, research, and otherwise, would be carried out by executive agencies.

This bill has been referred to Subcommittee No. 3 of the House Judiciary Committee. My colleague, the Honorable Edwin E. Willis, is the chairman of this subcommittee.

The second bill, H.R. 2349, would amend the existing patent code to permit patent holders to bring civil actions against Government contractors who infringe their patents while carrying out Government contracts.

This bill is also in the Judiciary Committee but not yet referred to a subcommittee. There was a subcommittee hearing on that bill in 1961, but no action was taken.

This audience need not be told about the confusing and contradictory policies among the executive branch agencies as respects the ownership of patents developed from federally funded research. This past winter, the Monopoly Subcommittee of the Senate Small Business Committee was caught in the crossfire of internecine agency warfare as regards differing approaches to the problem.

Ranged on one side in testimony before the subcommittee were the Department of Justice and the Federal Trade Commission which roughly contended that the Government should generally retain title to inventions growing out of its research contracts on the ground that the public is entitled to all the fruits of taxpayer-financed research. This is the so-called "title theory."

Ranged on the other side were the Departments of Defense and Commerce, and the National Aeronautics and Space Administration which argued generally that private interests should retain patent rights arising out of such research, with the Government having royalty-free rights to the inventions. This is the so-called "license theory."

The Atomic Energy Commission follows the policy of the Government retaining title.

In the middle was Dr. Jerome B. Wiesner, director of the White House Office of Science and Technology who presented proposals on which his office had been working for some months. Generally, he proposed a compromise under which the Government would retain title to the inventions under certain circumstances and waive ownership to private industry in others.

In any event, as the Senate Subcommittee on Patents, Trademarks, and Copyrights reiterated in its April 1963 report, there was an "urgent need for the Congress to legislate a Government patent policy which will provide guidance to the departments and agencies in the disposition of patent rights in inventions resulting from the research they are conducting."

H.R. 701 is submitted as a vehicle for the establishment of such guidance standards, in accordance with the recommendations of the House Small Business Committee filed in December 1960.

It attempts to bring together under one controlling administrative authority, the two major areas of Government patent interest—inventions by its own officers and employees, and interests in patents resulting from Federal contracts and grants, research and otherwise.

As respects the first area, ownership of patents on inventions by Government employees, this has largely been a matter, up to now, of regulation by Executive order.

The basic Executive order was No. 10096, issued on January 23, 1950, and until 1962, amended but once by a minor technical change in 1957.

It provided that the Government would obtain the entire domestic, right, title and interest in and to all inventions made by any Government employee during working hours, or with a contribution by the Government of facilities, equipment, materials, funds, or information, or of time, or services of other Government employees on official duty, or, which bore a direct relation to or were made in consequence of the official duties of the inventor.

The order specified that where the Government contribution or interest was minimal, title would be left to the employee subject to a reservation to the Government of a nonexclusive, irrevocable, royalty-free license in the invention with power to grant licenses for all governmental purposes.

Certain presumptions were set forth by which work done by employees would be deemed to be within the scope of the Government-ownership concept.

The order applied to all Government agencies, with one major exception, the Atomic Energy Commission.

It applied to all employees, civilian and military.

On April 5, 1962, a revision of parts of this order was promulgated by the Patent Office, and published in the Federal Register of April 6, 1962. The revision primarily concerned administrative changes. The substantive sections were left untouched.

H.R. 701 would incorporate as a part of permanent law, provisions regarding ownership of patents in inventions by Government employees. It would provide a means by which the will of Congress, which is charged under the Constitution with authority over patents, would be expressed in this particular area.

Section 3(a) of H.R. 701 is substantially similar to the provisions of Executive Order No. 10096 and the regulations issued thereunder as respects standards for Government ownership of patents on inventions by its employees. Its scope, however, would be a bit broader and would include in addition to executive branch agencies, the Government Printing Office, and the Library of Congress. In part, its provisions would also include AEC employees as a result of a repeal of a provision of the Atomic Energy Act.

The second part of H.R. 701 provides uniform standards for the ownership of patents on inventions made in the performance of contracts with the Government. Section 3(b) would grant an exclusive right and title to the United States to any invention made by any non-Government employee if the invention were made in the performance of any obligation arising from a contract or lease executed, or grant made by or on behalf of an executive agency, and is directly related to the subject matter of such contract; or, it resulted from any activity undertaken in the performance of services under any contract or lease executed, or grant made by or on behalf of an executive agency for work involving scientific or technological research, development, or exploration.

In other words, the contract section covers two separate situations whereby exclusive right and title in an invention would be vested in the United States. The first would involve an invention made in the performance of an obligation arising under any contract or grant with the Government and which was directly related to the subject matter of the contract.

The second would involve an invention resulting from any activity undertaken in the performance of services under any research contract or grant.

In this respect the bill would establish a uniform patent policy not only for research contracts and grants, but for all other Government contracts where the conditions set forth in the bill would be applicable.

But the bill goes even further in seeking uniformity. It would create in the executive branch a Federal Inventions Administration charged with the duty of protecting, promoting and administering the proprietary interests of the United States in respect to the various contract fields I have mentioned. It would be headed by an Administrator of Federal Inventions.

Among other things, he would be authorized to prescribe rules and regulations for the fulfillment by executive agencies of their obligations under any provision of law relating to the proprietary interests of the United States in inventions and in scientific and technological information. He would also conduct studies and investigations of patent policies of such agencies and report to Congress such recommendations for additional legislation as he might determine to be necessary to protect the proprietary interests of the United States.

He would take title to all U.S. patent interests, and effectuate the dedication for public use of the proprietary rights of the United States with respect to any patent if he determined that such action would best promote the public policy declared by the bill.

He would, in fact, be a preservator of U.S. patent interests and a clearinghouse for scientific and technological information obtained by the United States through research activities conducted by Federal agencies and by other organizations incident to the performance or contracts and grants.

He would be charged with the public dissemination, within security limits, of scientific and technological information obtained by the United States.

He would carry out the basic policy of the bill to make available to all, in the public interest, scientific and technological information gained through Federal activities.

In pursuance of this policy, he would provide for the granting of nonexclusive, royalty-free licenses for the use of patents held by the United States, for certain public policy purposes.

He would also be authorized to grant, for the purposes of commercial exploitation, a license for the use of any patent held by the United States, for such times and for such fees as he would determine to be just and equitable.

He would be empowered to request, within 90 days after an application for a patent is made to the Commissioner of Patents by a Federal employee or a party under a Federal contract, that such patent be assigned to the United States. The patent application would be permitted to request a hearing before a Board of Patent Interferences within 30 days after receipt of a notice that the Administrator had requested assignment of the patent to the United States. Appeal would be provided from determinations by such a Board.

To more fully protect the interests of the United States and all its citizens, the Administrator would be allowed a period of 5 years after date of issuance of a patent to a Federal employee or a party under a Federal contract to request assignment of such a patent to the United States if he had reason to believe there was a failure to file or a false filing by the patent holder of pertinent information about the patent, initially. The same procedural protections as on initial requests for assignment would apply.

Finally, the bill would provide that the Administrator could waive all or any part of the proprietary rights of the United States in patents obtained on inventions made under Federal grants or contracts if he determined that certain conditions as set forth in the bill existed. He would reserve to the United States an irrevocable license for the practice of such inventions in such cases.

The major principles of the bill then, would be somewhat along the middle lines advocated by Dr. Wiesner before the Monopoly Subcommittee of the Senate Small Business Committee. Although exclusive title to patents on inventions by Federal employees and by persons under Federal contracts would basically be vested in the United States, this would not be an automatic procedure. Some patent rights would be retained by the United States. Its rights to others could be lost through default or by waiver.

The result would be a uniform, Government-wide system for handling patents where the United States has a proprietary interest, and for protecting such rights. It would provide a method for systemically making available to the public at large much of the information gained from U.S.-sponsored research activities. However, at the same time, by providing appropriate standards, it could and would encourage the American inventive genius. In addition, the bill would provide for a system of monetary, incentive awards to inventors of merit as a further stimulus.

I have given you a general outline of the major provisions of H.R. 701. I hope that it has been sufficient to convey the central purpose of the bill, that of establishing uniform and reasonable policies and practices for the handling of patents derived from Federal activities and for the dissemination of scientific and technological information obtained therefrom.

It is designed to bring order out of chaos in one area of our modern world where the Federal Government is currently spending almost $15 billion.

It is intended to protect the public interest while at the same time encouraging private initiative.

I ask you to give it your earnest consideration.

My other bill, H.R. 2349, would make available to a patent holder whose invention has been infringed by a Government contractor, the same remedies that are available to all patent holders for patent infringement.

At the present time, when contractors infringe patents while carrying out Government contracts, the aggrieved patent holders have no recourse except to enter suit against the United States in the Court of Claims; in effect, the United States is placed between the infringing contractor and the patent holder and the contractor is relieved of the consequences of his infringement.

The bill would amend section 1498 of title 28 of the United States Code to permit the patent holder to sue the infringing contractor under section 1338 of title 28, and chapter 29 of title 35, for the recovery of his reasonable compensation for the use and manufacture of his invention.

The bill would, however, deny the patent holder injunctive relief against the use or manufacture of his invention for the United States "in time of war or national emergency," or if the "Secretary of Defense certifies to the court that such use or manufacture is necessary in the interest of the national security." The restriction on injunctive relief makes it possible for the Government to proceed with its procurement without fear of delay or restriction caused by patent infringement claims or controversies.

Here again, the intent is to protect the public interest while at the same time satisfactorily observing private rights.

I hope that in these remarks today I have offered you some food for thought.

The patent system is one of the strongest bulwarks of democratic government today. It offers the same protection, the same opportunity, the same hope of reward, to every individual. Under our patent system, American industry has flourished, new products have been invented, new uses for old ones discovered, and employment given to millions. Under it, a small, struggling Nation has grown into the greatest industrial power on earth.

Now we are confronted with new conditions and new challenges. The Government, of necessity, has had to carry on numerous activities in which patentable inventions are involved. The framework for such activity is jerry built, however. It is rickety, a patchwork glued together over the years from a series of policies and practices.

My bills seek to reestablish our patent system on a sound, stable, and reasonable basis so that both public and private interests will be protected, preserved, and encouraged, for the greatest good of America.

I hope that you will join with me. I welcome your comments and your suggestions.

LET US BE HEARD ON A SPECIAL COMMITTEE ON THE CAPTIVE NATIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FLOOD. Mr. Speaker, recently I sent a letter to our distinguished chairman of the Rules Committee, the gentleman from Virginia, the Honorable HOWARD W. SMITH, requesting that immediate consideration be given to the over two dozen resolutions which propose the creation of a Special Committee on Captive Nations. My colleagues and I are hopeful that in the security interests of our Nation early action will be taken on this vital proposal. We cannot believe that on this basic issue all the evidence accumulated since 1961 in further justification of this special committee will be overlooked.

ILLUMINATING EVIDENCE FOR SPECIAL COMMITTEE

It is a matter of record that the chairman of the Rules Committee has been steadily informed of the growing, additional evidence proving the desperate need for a special committee. Doubtless his many preoccupations have prevented a careful evaluation of this evidence. The time for such an evaluation is now. In fact, such action would be completely in the public interest. Once the facts are examined, I have no doubt about a favorable outcome on the creation of a Special Committee on the Captive Nations.

Our efforts to establish a special committee have been more than rewarded by the evidence furnished us by the Secretary of State and our own Committee on Foreign Affairs. The letters sent by Secretary Rusk in response to inquiries about the special committee almost border on the ridiculous as concerns both East European history and American groups interested in the formation of this special committee. If some members of the Rules Committee find it difficult to understand the significance of these letters and their defective preconceptions, we shall be most happy to explain it.

Moreover, the recent publications of the Foreign Affairs Committee, which has suddenly taken an interest in some captive nations, also substantiate our many arguments for a special committee. After studying these publications, one cannot but have grave doubts about entrusting this vital subject to a committee that is heavily burdened with other matters. The knowledge and conceptions disclosed in these publications cause one to wonder whether the lessons of the Captive Nations Week resolution have even by an iota rubbed off on some members of the committee.

Mr. Speaker, this is a pretty sad record at this stage of the cold war. I have requested that this record be examined by the Rules Committee in its consideration of the proposal for a Special Committee on the Captive Nations. This accumulated evidence should prove to be most illuminating to our constituents. It readily confirms all we have been saying for the past 2 years.

INTENSIFIED SUPPORT FOR HOUSE RESOLUTION 14

In addition to all this, it is remarkable that support for House Resolution 14 has been intensified. Week after week, letters keep pouring in, urging the creation of a Special Committee on the Captive Nations. As citizens across the Nation learn of the ineffectiveness of our dealings with the captive nations, they are inspired to voice their support for a special committee. A heavy percentage of these letters are also addressed to the chairman of the Rules Committee.

Moreover, as the original sponsor of this proposal, I am also happy to observe that my Republican colleagues have once again issued a policy statement in favor of a special committee. From the very start of this movement I have consistently emphasized the necessary bipartisan nature of this all-important resolution. The Statement of Policy on Captive Nations, issued on May 7, 1963, by the House Republican Policy Committee fully expresses this bipartisan motivation and demonstrates further the necessity for early action by the Rules Committee.

Mr. Speaker, for the record I include my letter of April 9, 1963, addressed to the chairman of the Rules Committee, in full text in the RECORD. For the benefit of our Members and their familiarity with the total captive nations issue, I also include both the letter of February 22, 1963, written by Dr. Lev E. Dobriansky, in behalf of the Ukrainian Congress Committee of America and the National Captive Nations Committee, and his article on "The Roots of Russia," which appeared in the April 1963 issue of the

United States Naval Institute, at this point in the RECORD:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 9, 1963.
Hon. HOWARD W. SMITH,
Chairman, Committee on Rules,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: There are at present 28 resolutions calling for the establishment of a Special House Committee on the Captive Nations. My own original resolution, House Resolution 14, was submitted early in January. These resolutions have been pending in your committee, awaiting early consideration.

Once again, as in the past 2 years, I urge that this proposal for a special committee be given fair and just consideration in the very near future. Recently, it was my privilege to point out in a House address the various maneuvers that have been effected to stave off a final determination of this most important issue. In the event you have not seen it, I am enclosing a copy of the discussion on "What Is the Next Maneuver On a Special Committee on the Captive Nations?" which appeared in the March 28 issue of the CONGRESSIONAL RECORD.

It appears that each new maneuver provides us with additional evidence substantiating the pressing need for such a special committee. As shown in the quoted article, "How Not To Treat the Captive Nations," the feeble attempt made by a sub-subcommittee in foreign affairs last year is truly a sad reflection on all Members who deeply appreciate the strategic value of all the captive nations to our national security. This attempt has demonstrated that even some members of Foreign Affairs could well profit from the work of a special committee.

I cannot believe that we could ignore for long the support behind this proposal. There has been a dangerous tendency in some quarters to play down and even silence the truths that are yet to be popularly disclosed about the captive nations. I am confident that you and your committee do not countenance this tendency. It is with this abiding confidence that I strongly urge a favorable consideration and passage of this proposal by your committee.

With warmest regards and best wishes, I remain,

Sincerely yours,
DANIEL J. FLOOD.

GEORGETOWN UNIVERSITY,
Washington, D.C., February 22, 1963.
Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FLOOD: On this day, when we honor the first President of our Nation, it behooves me to express in behalf of the two committees I represent our warmest gratitude and solid support for your House Resolution 14, proposing the establishment of a Special Committee on the Captive Nations in the House of Representatives. When we reflect on the principles, the spirit, and the courage that guided our American Revolution, we cannot but embrace the whole captive nations issue with serious thought and profound concern for the security of our country.

House Resolution 14, which you submitted on January 9, symbolizes for countless Americans a continuation of the fight you led in the 87th Congress for this special committee. The bipartisan basis provided by the able support of Congressman DERWINSKI, of Illinois, has demonstrated to many the national importance of this measure. It is most encouraging to note that in these early days of the present Congress already over 20 similar resolutions have been submitted, which was not the case in the 87th.

Our members are well aware of the unsuccessful attempt made in the last Congress to smother the popular movement for a Special House Committee on the Captive Nations. Your splendid statement on "The Need for a Committee on Captive Nations" in the January 10 CONGRESSIONAL RECORD shows quite vividly the acute shortcomings of the hastily contrived hearings staged by a foreign affairs subcommittee. If it hadn't been for the movement, the hearings would not have been held. Indeed, these hearings offer further concrete evidence for the need of a special committee.

You may rest assured that in these weeks ahead, as preparations are being made for the fifth Captive Nations Week, our members will join with you in this important fight. It is pitiful, indeed, that some have failed to understand the meaning of a special committee for the interests of our country. We pray that recent world developments have convinced them of its utter necessity. For only Khrushchev can really benefit from any obstructions to your measure.

With kindest regards,

Sincerely,
LEV E. DOBRIANSKY,
President, Urkainian Congress Committee of America, and Chairman, National Captive Nations Committee.

THE ROOTS OF RUSSIA

(By Lev E. Dobriansky)

For five centuries, in the name of "Holy Mother Russia," the heirs of Ivan the Terrible and Peter the Great have committed imperialistic expansion and totalitarian despotism under a variety of expedient ideologies. We cannot dam the Red tide by damning it. Rather, suggests the author, we must try to understand a people who are not at all like us.

Perhaps no subject is fraught with as many basic misconceptions and errors as that of Russia. What so often happens is that on the basis of these fundamental errors, misleading analyses are constructed, and invariably a number of false conclusions are drawn. Then, in time, the popularization of these conclusions only helps to reinforce and perpetuate the original erroneous premises. The cycle repeats itself on higher levels of assembled information, while the malformed perspectives spun about the subject become more entrenched than ever. At no risk of exaggeration, this is the general state of our so-called Russian studies in this country.

There are two essential ways of treating the supposedly involved subjects of "Russia" or what many mistake for the Soviet Union. One is the usual detailed description of the geography, climate, economics, and peoples of the Soviet Union. This amounts to a travelog, winding up more often than not in a swamp of statistics and disconnected facts upon which loose interpretations are built. This approach, through the more general one, is plainly elementary and accomplishes no more than perhaps a hundred visits to the Soviet Union without one arriving at a fundamental knowledge and understanding of the many countries encased in this political entity.

The other essential way is an institutional analysis that generates a holistic view of "Russia," a comprehensive conception of the nature and salient features of the object under study. Such an analysis shows how the lands and nations constituting this body came to be what they are in the present framework in order to grasp their significance for our thought and actions in the present and for the future. It is an approach by which the subject is functionally understood in a working conception of historical movement which serves to furnish both background and perspective. As one cannot truly come to know a person by his surface appearance and transient behavior, so with societies, empires, states, and nations, it is a sine qua non to perceive the background, the habits, the fibers of traditional force, the living past in the object of our concern. Material resources are important, but peoples and nations which determine the level and use of resources are vastly more important. Indeed, regardless of the age—preatomic, nuclear, or space—the ultimate factor is man, not what he devises.

CURRENT MISCONCEPTIONS ABOUT RUSSIA

Before we depict the broad outlines of a holistic view of Russia, it would profit us to glance at a few current misconceptions about the Soviet Union upon which some presume to base our policies. The first and foremost is that the U.S.S.R. is Russia. One may perhaps excuse the average journalist for notoriously perpetuating this myth and all the consequent errors it breeds, but it is clearly unpardonable for any responsible scholar or official to reveal his limitations by committing this basic error. Russia, the homeland of the Russian people, is no more coincident with the U.S.S.R. than the United States is with North America.

A second ruling misconception has the Soviet Union as a "nation," with a Soviet people, a Soviet society, a Soviet economy, and a Soviet political system. Here too, the Soviet Union is no more a nation than was the British Empire. Whether many realize it or not, these monolithic terms, which readily serve the semantic purpose of blurring the real, diverse, and distinctive elements in the Soviet Union, have for some time been the stock of Moscow's terminology for export. The true meaning of a soviet, as a council of workers, is now scarcely recognizable.

From these two paramount misconceptions many others evolve. For example, how often have you heard that the U.S.S.R. is like the United States, a country of many nationalities and ethnic groups, some 177 or more of them; or, that like the United States, the Soviet Union has its "national minorities, the Great Russians constituting the majority"; or that the U.S.S.R. is a federal union like ours, Byelorussia being a counterpart of Massachusetts, or, as George Kennan would have it, the Ukraine being a counterpart of Pennsylvania. These notions have as much real meaning as those harbored by many uncritical Americans only two decades ago that the constitution of the U.S.S.R. is like ours and that in many respects the U.S.S.R. is a democracy like ours. In fact and history they bear as much validity as the baseless assertions that the Soviet Union was formed 44 years ago, that Kiev, Kharkov, and Baku are Russian cities, that there are the Russian peoples, and that there even is a gross national product of the Soviet Union, which again suggests the fiction of a Soviet nation.

Needless to say, the greatest part of anyone's education is devoted to an objective and accurate identification of things and events. If an address or lecture contained remarks to the effect that the United States was formed in 1776 or that Warsaw or Sofia is a Russian city, you would entertain prudent doubts about the interpretations and judgment of the speaker. It obviously follows with equal force of logic that if these misconceptions about the Soviet Union prevail, interpretations that follow can only be viewed with similar doubt. In fact, as the Nazi experience in the U.S.S.R. well showed, policies and plans based on flagrant misconceptions invite only disaster. The moral is simple: We cannot afford to misidentify the sources of the enemy.

If these are the dominant misconceptions, then the significance of this concise institutional analysis becomes manifestly evident.

It is meaningful for every concourse of our national activity in relation to the U.S.S.R., be it diplomatic, military, economic, political, cultural, or psychological. Above all, the analysis penetrates the very base of the totalitarian Russian empire, indicating its strengths and weaknesses. Although admittedly there are several points of weakness and potential vulnerability in the Soviet Union—economic and sociological in character—the invincible force of nationalism within the U.S.S.R. will be shown to be the most explosive and dangerous for Moscow.

Thus, this type of analysis cannot be undertaken in the usual historical vacuum, captioned by rhetorical vagaries and cliches such as the fight against communism and Marxism-Leninism. For an accurate and effective understanding of Russia, history is vital and indispensable. If we are to aviod all sorts of institutional hiatuses and ideologic simplisms, the history of the Russian Empire, both old and new, must be read with vision and a sense of idealism. In short, as one renowned Russian scholar soundly warns in his classic book, "It is particularly important for Western minds to understand the national roots of Russian Communism and the fact that it was Russian history which determined its limits and shaped its character. A knowledge of Marxism will not help in this."[1]

THE INSTITUTIONAL BACKGROUND OF THE U.S.S.R.

Let us then look into these roots, into this institutional background of the U.S.S.R. One of the most misleading illusions is that the Bolshevik Revolution represented a break with Russia's past and uniquely ushered in a new and chaste society. It is the height of unrealism to believe that any such institutional hiatus is achievable in the existence of any social organism. The eminent Russian historian, Peter B. Struve, points out in the preface to his authoritative work on "The Social and Economic History of Russia" that "the roots of the Russian Revolution are deeply imbedded in the historical backwardness of Russia * * *." In a holistic view of Russian development down to the present these roots and their long stems can be essentially summed up in three over-all and determinative phenomena: (1) Russian imperialist expansionism and colonialism, (2) totalitarian despotism and tyranny, and (3) an institutionalized Messianism expressed in a variety of expedient ideologies. There are, of course, other strains of a more constructive and salutary kind, but they certainly fall short of the weight and predominance of these.

(1) Russian imperialism and colonialism: Considering the first imposing feature of the czarist past and the pseudo-Communist present, probably no definition of it surpasses the one offered by Secretary of State Dean Acheson in 1951. He observed: "Historically, the Russian state has had three great drives—to the west into Europe, to the south into the Middle East, and to the east into Asia. Historically, also, the Russian state has displayed considerable caution in carrying out these drives. The Politburo has acted in the same way. It has carried on and built on imperialist tradition * * * the ruling power in Moscow has long been an imperial power and now rules a greatly extended empire. It is clear that this process of encroachment and consolidation by which Russia has grown in the last 500 years from the Duchy of Moscovy to a vast empire has got to be stopped." A glance at any political map covering this imperialist expansion is sufficient for one to appreciate the old Russian saying, "Russia grows larger and larger."

Tolstoy put it this way: "Russia is the continent and Europe its peninsula." A review of the record of Russian imperialist expansion reveals that there really is nothing new in the drives of present-day Moscow. As every alert student of Russian history knows, pressure in three directions—west, south, and east—has always been present. Moreover, the frequency of wars and aggressions, the eternal peace gestures followed by broken treaties, constant meddling in the affairs of other states, the tactic of alternation—first west, then east, again west, and then south—and the relentless conquest of nations form an unmistakable legacy for the heirs of the czars.

Fortunately, American scholars are beginning to recognize this pattern. Dinko Tomasic, one of the most perceptive writers on the subject, captures the meaning of this institutional foundation of the U.S.S.R. when he describes its roots in terms of "expansion, greatness of the state, ideas of grandeur and Messianic ideas of world redemption or world domination." He writes accurately in "The Impact of Russian Culture on Soviet Communism," "This tendency toward exhibitionism and ideas of greatness was manifested also in the glorification of Russia, and the belief in the sacredness of its exalted mission in the world." In short, anyone who has read Russian history but failed to perceive its primary strand of imperialist conquest and colonial domination has lost sight of the forest because of the trees.

(2) Totalitarian despotism and tyranny: Now let us consider the second institutional basis of typical Russian rule—totalitarian despotism and tyranny. Usually without defining what they mean, people ascribe to communism certain institutional forms which, significantly, are deeply rooted in the traditional Russian base of so-called Communist institutions. For policy and political action, the importance of grasping this institutional Russian continuum cannot be too strongly emphasized. With only differences in degree due to technology and bureaucratic skill, totalitarian despotism and tyranny—by which are meant thought and act aimed at the subordination of institutions and persons to a centrally dictating and boundless will—are not the mutational product of any supposed Communist innovation in Russia proper. They, too, have their sturdy roots in the cumulative tradition of Russian political institutions.

When one reads the reflections of a De Tocqueville or the journals of a De Custine, two able observers in the last century, he cannot but be impressed by the truth of this continuum. In his "Democracy in America," De Tocqueville makes a foresighted comparison of the profoundest kind: "The American struggles against the natural obstacles which oppose him; the adversaries of the Russian are men; the former combats the wilderness and savage life; the latter, civilization with all its weapons and its arts; the conquests of the one are therefore gained by the plowshare; those of the other by the sword." Supplementing this reflection today, it may be added that there can be no greater danger to civilization than the combination of modern technology and a barbaric scheme of institutions as found in the U.S.S.R.

Portrayed so vividly by De Custine, this scheme is a traditional one supported by the submissiveness, servility, and humility of the beaten Russian masses whose wounds have been largely palliated by dreams of the deliverance of the entire world. Russian history is replete with many writers of the stature of Timofeiev and Nekrasov who have rebelled against this chronic submissiveness to totalitarian rule. Too often in the past what was uncritically accepted as a mass Russian rebellion was actually non-Russian in character and depth; and in the past 40 years of the new empire, nearly all the mass eruptions were thoroughly non-Russian.

A systematic enumeration of the chief institutional forms of traditional Russian totalitarianism further demonstrates, except for minor accidents of degree and magnitude, the substantial identity of these forms in the past and present. The first form is statism and all that it entails in the way of leader worship, state dominance, parasitical bureaucracy, an expedient policy of concessions and the like. The far-flung power of the state in the U.S.S.R. is self-evident. But what is not evident to many of us is the fact that barbaric statism has always been a typical characteristic of "Holy Mother Russia."

At the head of Russia was the "God-anointed" head of the state and empire, the czar. For example, Peter I, in every major respect the first Bolshevik, could without restraint dismiss the Moscow patriarch and proclaim himself the God-anointed head of the Greek Orthodox Church. He and other czars set the precedent of deification for Stalin later. State and personal worship, bureaucracy, class stratification, and unlimited power were the dominant characteristics then as now. Concessions and their reduction to the peoples were determined by the weakness and strength of the regimes then as now. In this century, for instance, Nicholas II, forced by defeat in the Russo-Japanese War of 1905 to concede a constitution and a parliament, soon quelled the revolution and by absolute decree neutralized the Duma.

How powerful the Russian institution of statism is can also be gleaned from the writings of Russians who oppose the present type of regime but not the power of "Holy Mother Russia." As a fair example, Alexander Romanoff, a Grand Duke of Russia, writes: "Could I, a product of an empire, an individual raised to believe in the impeccability of the state, still continue to denounce the present rulers of Russia? The answer was 'yes' and 'no.' To remain loyal to Russia and to follow the example of the early Romanoffs who had never thought themselves bigger than their empire meant to admit that the Soviet Government should be helped and not hindered in its experiment and to wish it would succeed where the Romanoffs had failed." In passing it may be noted that the Grand Duke regarded the independent Baltic Republics—Lithuania, Latvia, and Estonia—as nonsense.

Even Alexander Kerensky is on record as saying, in 1943: "Russia—a geographical pivot of history—has to be mighty and strong no matter who or how he rules her. From this comes his (Milyukov's) testament for all of us: to be on watchful guard of Russia—no matter what her name is—selflessly, obediently, and to our last breath." These examples could be multiplied, including the Nacionalno-Trudovoy Soyuz—the Russian N.T.S.—which, ironically enough, receives American aid.

The second important institutional form, economic collectivism and planning, is also not without deep roots in the Russian colossus. So-called communism has only magnified and refined collectivist economic instruments for more extensive state political control. The 5-year plans and economic crash programs have in essence nothing over similar crash programs initiated by Peter I. Lauded by the present Russian totalitarians as a progressive empire builder, Peter spared no costs, human or material, in the building of Petersburg and numerous industrial projects. In this century, on the eve of World War I, even Nicholas II ordered his Minister of Commerce and Trade to prepare a 5-year plan for state execution.

This traditional collectivist mentality is observable also in Russian agriculture. The commune, known as the "mir," institutionalized collective ownership of farm property and was managed by an elderman—Starosta—who was appointed by the head of the local czarist police. At the beginning of this century under the Stolypin reforms which allowed peasants to leave the commune, only small numbers in Russia did, and even some of these returned. In non-Russian Ukraine, however, as much as 50 percent of all peasant holdings were turned into privately owned farms by 1915. Thus, the transition from the "mir" to the present kolkhoz or sovkhoz was an institutionally easy one. The Russian Narodniki or Populists clearly envisioned this transition to complete socialist enterprise, and in the same 19th century, the Russian writer, Hertzen, shared this vision of the collectivist nexus.

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[1] See Nicholas Berdyaev, "The Origin of Russian Communism," London: Geoffrey Bles, 1948.

To complete this institutional picture of the Russian continuum into the present, other dominant forms would include genocide and the Russification of conquered nations, censorship and the methodical distortion of history, the Iron Curtain technique, the secret police, Siberian slave labor, anti-Semitism, the fraud of the Potemkin village, and diplomatic duplicity and fifth columns. These institutional forms are all compatible parts of a totalitarian whole and, again, despite differences in degree, have their able precedents in the tradition. The record of genocide is long and extends back to the slaughter of the people of Novgorod, the fourth eastern Slavic nation. The mass murder of the population of Buturyn under Peter I, the drowning of 10,000 Crimean Tartars in the Black Sea under Catherine II, and the massacre of Polish revolutionaries and Ukrainian Catholics in the Kholmland under Nicholas I are just a few precedents to the crimes of Stalin and Khrushchev.

Russification programs under Stalin, and more subtly under Khrushchev, in Turkestan, Ukraine, Lithuania, and elsewhere, continued the czarist policies of banning books not in the Russian language, as under Peter I and the many cultural suppressions under Alexander II in the last century. The same holds true for censorship and official distortion of history. When, for example, in 1863 the czarist Minister Valuyev declared, "There never was, is not, and never will be a Ukraine," he gave eloquent expression to a policy of distortion and censorship which in different ways has characterized the modern princes of Moscow. Prohibitions against traveling abroad and passports for travel within the Empire presented a czarist version of the Iron Curtain technique now practiced more severely by Red Moscow. As to the dreaded secret police, the current security force has its erstwhile predecessors in Czar Nicholas I's third section and Ivan III's Oprichnina. Needless to say, Siberia and slave labor have a perennial Russian meaning which surely was not conceived by Marxist ideology. So with anti-Semitism and the ubiquitous Potemkin villages, whether under Catherine II, Nicholas II, Stalin or Khrushchev.

When it comes to diplomacy, duplicity, and divisive conspiracy, the institutional approach provides deeper insights into the present than any abstractionist reliance on the principles of Leninism. The progress of imperialist Russian expansionism over the centuries has been largely based on these factors. To mention only the zigzag operations of Alexander I, his doublecross of the Western allies for Napoleon in the Treaty of Tilsit was a perfect model for Stalin's doublecross of Hitler in 1939. And, none of the countless violations of treaties by the Red czars would improve upon Alexander's violations of the Holy Alliance of 1814-15. Although pledged to police Europe in the maintenance of the status quo, he used the alliance as an umbrella for the instigation of Greek uprisings against Turkey. Alexander himself only perpetuated for his heirs a tradition set by Ivan III, Peter, and Catherine.

To strike a note of irony here, let us see how Marx and Engels viewed the Russian menace in writings which are taboo in the Soviet Union. In an article on "The Foreign Policy of Russian Czarism" (1890) Engels observed, "Once again stupid Europe was made a fool of; czarism preached legitimacy to the princes and reactionaries, to the liberal Philistines it preached the liberation of oppressed peoples and enlightment—and both believed it." How different is this today—peaceful coexistence for the West, arms for Asia and Africa; trade for the business interest, the inevitably victory of socialism for the masses and so forth? In an article on "Poland's European Mission" (1867) Marx strikes a familiar ring: "In the first place the policy of Russia is changeless, according to the admission of its official historian, the Muscovite Karamsin, but the polar star of its policy—world domination—is a fixed star."

The czars of the past sought such domination and employed all the tools of the trade, including fifth columns and ideologies. One could go back to the conspiratorial fifth columns of Ivan III in his peaceful destruction of Novgorod in 1478, but again let us hear how Marx described it with reference to the Russian conspiracy in the Balkans, Austro-Hungary, and elsewhere. In the April 19, 1853, issue of the New York Tribune, he wrote: "Hundreds of Russian agents perambulated Turkey, pointing out to the Greek Christians the orthodox Emperor as the head, the natural protector, and the ultimate liberator of the oppressed Eastern Church, and to the South Slavonians especially pointing out that same Emperor as the almighty czar, who was sooner or later to unite all the branches of the great Slav race under one scepter, and to make them the ruling race of Europe." These deceptive ideologies of orthodoxy and pan-Slavism, now combined with so-called communism, still play their role in totalitarian Russian expansionism.

(3) The ideologic masks of Russian Messianism: Finally, for our understanding of Russia and its people, the third institutional strand—Messianism as expressed by some deceptive ideology—must be briefly considered. Russian communism, as Berdyaev puts it, is the third form of Russian imperialism, the dominant preceding forms being the Third Rome ideology and Pan-Slavism. In each, the Messianic elements of sacred mission, protection and liberation of others, the certain deliverance of the world, and the racist superiority of Russia to achieve these ends are present. They sanctify the conquest of nations and by pretext justify more conquests. This was so in the confined civilized world of the 15th–18th centuries, in the more expanded world of the 19th and early 20th centuries, and by virtue of technology and science, the globe now.

The ideology of the Third Rome commenced with Ivan III in the 15th century when he claimed the privileges of the Emperor of Constantinople, proclaimed Moscow the Third Rome, and adopted the double-headed eagle. The ideology was later formulated by the Pskovian Monk Philoteus who in 1524 wrote: "All Christian empires ended and were absorbed by one empire—that of our autocrat, in accordance with the prophetical books, the Russian Czardom. Two Romes have fallen, and the Third exists; but there will be no Fourth."

Serving the expansionist interests of Russia, this Messianic belief has lasted 500 years, even into the present atheistic Russian Empire. Peter the Great exploited it before he named, for the first time, his imperial realm "Russia." Propaganda before the partitions of Poland by Catherine II claimed that her fellow Orthodox had to be protected from Polish and Jesuit persecutions. "Protection of fellow Christians" and "protection of the holy places and the Orthodox" in Jerusalem preceded and sanctified the wars against Turkey. And in 1948, on the occasion of the 500th anniversary of the independence of the Russian Church, Bishop Hermogen, rector of the Moscow Theological Academy, let it be known that the present Patriarchate of Moscow alone preserved the true Christian faith, not shared by either the Catholic or Protestant worlds. Clearly, this Messianistic expansionism not only persists behind its Third Rome mask, but also, and more importantly, has been channeled into the latest form of materialistic millenarianism: Russian communism.

But in the tradition there was and still is another ideologic mask, pan-Slavism. Here too, it partakes of a sacred mission. one of protection and liberation, and is offered to Slav nations as a means of world deliverance. The czars proclaimed it their sacred duty to unify all Slav nations, and the constant wars in the Balkans ensued. It was also a sacred duty to hoist the Russian cross over the Hagia Sophia in Constantinople and plant Russian interests in the Near East. However, as Hans Kohn shows in his work on "Pan-Slavism: Its History and Ideology," what started as pan-Slavism soon developed into the ideology of pan-Russia. Pushkin gave literary punch to this since all Slavic rivers had to run into the Russian Sea. Nevertheless, this ideologic strategem was used in World Wars I and II; it was applied on our soil with the attempted American Slav Congress only a decade and a half ago; and is being skillfully exploited by Khrushchev in the Slav precincts of his empire today. In words that could be readily adapted to so-called communism, Engels cogently observed that "in truth Panslavism is a smoke screen for world dominion, appearing in the cloak of a nonexistent Slavic nationality, and is therefore our, as well as the Russian people's, worst enemy."

The new smoke screen for world dominion is the third Messianic form and mask, communism. As a militant faith within the empire it vanished over 30 years ago with Lenin's new economic policy and with the reintroduction of traditional modes of totalitarian rule supported by mass submissiveness. It never actually took hold in the non-Russian nations conquered by the Russian Bolshevik armies. As many had predicted—among them the Russian scholar Hertzen—Russian communism quickly proved to be Russian autocracy turned upside down. Like the Third Rome and pan-Slavist ideologies, it nevertheless continues to be a tool for the empire.

If one accepts this grounded institutional analysis, then romantic notions about some institutional chasm between the submissive Russian masses and their Moscow regime, about a powder keg of popular revolt in Russia proper, about evolution to freedom through technical Russian education are dangerous illusions which could only benefit the present heirs of a totalitarian tradition. "Psychologically," as Father Edmund A. Walsh persuasively taught, "the Russian people—upon whom the revolution is based and without whose acquiescence it could not have been launched or so long sustained—have always revealed qualities of frustrated mysticism which inclines them to constant acceptance of contradictions and paradoxes." Let us now look at this revolution and how the pains of this frustrated mysticism laid the foundation, in terms of conquered lands and nations, for the threat confronting our own national existence today.

THE RUSSIAN AND NON-RUSSIAN REVOLUTIONS OF 1917

In thinking about our present foreign policy, it is extremely important to understand the framework of essential events which occurred in 1917 and the period thereafter. First, an empire called Russia, and built in the course of nearly 500 years, was in dissolution and utter collapse. Like the demise of the Ottoman and Austro-Hungarian Empires, its fate appeared to be sealed for good. Second, in that year there were three revolutions in the empire, not just one. There were two revolutions on the soil of Russia itself and one vast revolution for national independence among the non-Russian nations in the collapsing empire. What is called the Russian Civil War was mainly between the White Czarist loyalists and the Red Bolshevik rebels; the revolution for national independence was fought by non-Russian patriots in the Baltic area, in Poland, in the Ukraine, the Caucasus and in Asia against foreign Russian domination, whether White or Red. And third, at the time both the Russian Bolshevik revolution and the national non-Russian revolution succeeded, the March Russian revolution with Kerensky failed.

The failure of the first Russian revolution and Kerensky's social democracy may be attributed to many proximate causes. For example, one was Kerensky's greater external concern for the imperialist retention of Ukraine and the Caucasus than for the political entrenchment of his Government against internal Bolshevik opposition. The ultimate cause of this failure, however, rested in the conspicuous absence of any institutional environment for democratic function in Russia—a significant point for romanticists envisioning a spontaneous democratic Russia in the future. As now, there was no real middle class in Russia for Kerensky to build on, and the weight of the totalitarian past could not be easily set aside. Lenin, who a few years before never dreamed of ruling Russia, provided the controls that were in complete consonance with the institutional sinews of the long Russian tradition. Despite his expeditious coup, he had the broad support of the masses with promises of land, bread, and peace.

Careful scholarship and realistic thinking do not support the politically contrived notion that the Russian people were the first to be victimized by Bolshevism. In addition to Father Walsh and many others, the Russian scholar, George Fedotov, wrote: "Moscow and Petersburg succumbed easily to Bolshevism. There must have been something in the Great Russian tradition that provided more food for Bolshevism than the soil of the rest of the empire: serfdom, the village commune, czarist autocracy."

The truth is that in the rest of the empire the struggle was not only against Bolshevism but also—even more so—against any form of Russian imperialism and colonialism. Decades before the full awakening of national consciousness in Asia and Africa, popular movements for national self-determination and independence surged forth in the very bowels of the Russian empire. Significantly, passages from our own Declaration of Independence and the addresses of Lincoln and others were quoted to further inspire these movements; and with the announcement of Wilson's doctrine of national self-determination, they bloomed into open revolution.

As against czarist bureaucrats and Kerensky Menshiviks, Lenin understood the full significance of these non-Russian liberation movements. Similar to what is going on today in Africa and Asia, the Russian Bolsheviks sought, even before the outbreak of World War I, to exploit the good and morally principled cause of national self-determination and independence for their own nefarious ends. Russian Bolshevik literature abounds with this appeal to the non-Russian nations. In essence, it repeats Lenin's cynical writings on self-determination. As late as May 1917, Lenin stated that "if Finland, if Poland, if the Ukraine break away from Russia, there is nothing bad about that. Anyone who says there is, is a chauvinist. No nation can be free if it oppresses other nations."

In 1917 and 1918, not only Finland, Poland, and Ukraine declared their independence and popularly determined themselves as sovereign states, but also Lithuania, Latvia, Estonia, White Ruthenia, North Caucasia, Georgia, Armenia, Azerbaijan, and Turkestan. Even within the projected territory of Russia, the creation of a Federal Idel-Ural Republic was attempted by Moslems located between the Volga and the Urals; the Far Eastern Republic was founded in what is now the Soviet Far East; and millions of non-Russians and Russian Siberyaks in Siberia sought decentralization from Moscow rule. Many of these states, like Poland, Ukraine, Georgia, and Lithuania, were recognized not only by the new Soviet Russia, i.e., the Russian Soviet Federative Socialist Republic, but also by Western Powers. Contrary to a common misconception, there was no Soviet Union in this period; there was truly a Soviet Russia with scarcely a colonial empire.

But this state of affairs was not for long. If not in words, certainly in deeds, Lenin and the Russian Bolsheviks proved to be old-style Russian chauvinists. By familiar Russian political devices of divide and conquer, fifth column infiltration, and the setting up of puppet regimes, Red Moscow picked up the institutional threads of the Russian totalitarian tradition and began to weave its own colonial empire. In this first wave of Red Russian imperialism, the newly independent countries were invaded and conquered one by one until Trotsky's Russian armies were stopped at the gates of Warsaw. Some, like Finland, Poland, and the Baltic nations, were fortunate to preserve their independence, thanks to Western aid and the absorption of Russian energy in capturing the economically richer prizes of the Ukraine, the Caucasus, and Turkestan.

This first series of conquests was made possible not only by the organization, armed might, and political devices of the new Russian totalitarians, but also by the ignorance of Woodrow Wilson about the nature of the Russian empire and on the part of others who materially supported the decadent czarist forces which likewise fought the independence movements. One could only contemplate how different the course of history might have been in our time had the principle of national self-determination been tangibly supported for all nations in the Russian empire. History has shown, instead, that these early conquests laid the foundation both for an empire called the Soviet Union and for future aggressions leading to an even more expanded empire. In 1922–24, as a response to the national feelings of its first captives, Moscow formed the Union of Soviet Socialist Republics, a spurious voluntary federation concealing a prison of nations. With this empire and the opportunities it presented, Moscow was prepared for a future of direct and indirect aggressions. We are witnessing and are also being threatened by the consequences of this original imperialist success of Red Moscow.

U.S.S.R.—MOSCOW'S PRIMARY EMPIRE

For those concerned with policymaking, the factors of population, resources, economy, and so forth in the Soviet Union should have more realistic meaning in this institutional context than could otherwise be the case. Statistics and factual data, especially those provided in the monolithic and padded categories of Moscow, do not and cannot speak for themselves. An uncritical acceptance of such monolithic data in fact tends to misrepresent the realities of the Soviet Union and to breed all sorts of misconceptions, not to say some unwarranted fears. Aggregate population figures, for example, have considerably less meaning than those required by our context. Aggregate resources are also less meaningful than the particular location of these resources. So with economic and other aggregates resting on untenable assumptions about the nature of the Soviet Union and serving to conceal important facts of economic colonialism, slave labor composition, occupational discrimination and a host of other inequities drawn along national lines.

The determining fact is that the Soviet Union is not a monolith nor has it ever been. It is not a country or nation like the United States or France; nor is it a genuine federation of nations. Like its predecessor, the czarist Russian Empire, the Soviet Union is today Moscow's primary empire, with worse totalitarian features but also with the same multinational pressures.

Above all, let us not confuse the terms "nation" and "state." It is sometimes amazing how the two terms are confused by our officials and journalists. Legalistically, the present Russian Empire may be viewed as a state, but its political structure is thoroughly multinational; and at that consisting of relatively few nations. As we saw, the Baltic countries were absorbed into this empire-state, but this in itself did not extinguish the Lithuanian, Latvian, and Estonian nations. In fact, the criteria for what constitutes a nation, the integrating soul of a people—namely, common territory, descent, language, tradition, customs, history, and religion—are more applicable in number to such non-Russian nations as Georgia, Armenia, Ukraine, and Turkestan than they are to most of the independent nations or states in Asia and Africa, or even to our own country where the language, in common with several other nations, is English. These non-Russian nations in the U.S.S.R. have all these qualities that make up their individual national consciousness and their collective personalities, plus the indomitable will for national independence.

Without our institutional understanding of the Soviet Union, the usual population figures and classifications could be very misleading. This shows up in such inaccurate usages as "the national minorities" or "177 ethnic groups." First, since we are dealing in effect with manipulated estimates, there is real doubt that in the Soviet Union as a whole the Russians even constitute a majority. In fact, considering the dominant political position of Russia in the Empire and the background to current statistics, there is every reason to believe that they are in the minority. Past estimates on the basis of the Empire census of 1897 showed about 60 percent of non-Russians. Lenin himself held that "in czarist Russia the Russians constituted 43 percent of the total population, i.e., a minority, while the non-Russian nationalities constituted 57 percent." In the present period it is interesting to read in a standard textbook used in the U.S.S.R. that "particularly rapid is the natural increase of population among the formerly oppressed nationalities. The census of 1926 showed that already the rate of natural increase among the formerly backward nationalities surpassed considerably the average birth rate of the U.S.S.R. as a whole."

There are many statistical tricks in padding figures for political purposes as, for example, counting a person as a Russian because he knows the Russian language or making election districts larger to reduce the quantitative influence of non-Russians. However, as in the above case or in the careless disclosures of G. M. Chekalin in 1941, slips are made. With the aid of U.S. governmental demographers, the Displaced Persons Commission took an interest in this subject and on the basis of reasonable extrapolations of the 1939 census, showed in 1951 that of an estimated total population of 202 million, over 54 percent were non-Russians.

It should be mentioned that soon after the release of this estimate in November 1951, the MVD head, Lavrenti P. Beria, sensitively denied its validity. Not only the overall percentages must have politically vexed the Kremlin then, but also the breakdowns which refute the misleading notion of "177 ethnic groups." The non-Russian nations as represented by the non-Russian republics and certain cohesive groupings—with Turkestan combining the five central Asiatic republics—comprise alone over 90 percent of the total non-Russian population. This obviously leaves little for percentage distribution among the other so-called ethnic groups, most of which are tribes with no national character. In the event of the collapse of the Empire, the problems will not be insoluble as some with unjustified horror suppose. Moreover, it is rather fuzzy thinking to regard any nation a national minority by virtue of its absorption and captivity in the Empire.

A critical analysis of the 1959 census in the U.S.S.R. further substantiates these observations. The original 208.8 million estimate was rather quickly revised to 212 million which also represents an underestimate. After the 1951 episode mentioned above, Moscow evidently could not afford to leave a detailed republic breakdown to other sources. What was not revealed along these lines in the 1939 census now appears. As anticipated, the Russians are painted in the majority. From a political viewpoint it could scarcely be otherwise. About 10 million Cossacks who are profoundly proud of their distinctive heritage are indiscriminately merged in the Russian figure. The countless who find it expedient to call themselves Russians are also covered by this nebulous figure. And what Frank Lorimer some time ago established in his book, "The Population of the Soviet Union," the genocidal Russification process is poignantly revealed by this census, particularly in Turkestan. In the Kazakh part of this Moslemic country the Russian colonialists now make up about 43 percent of the population.

The natural resources of the U.S.S.R. also assume more meaningful significance within the broad dimensions of our institutional analysis. In the 8.5 million square miles of this empire, the most productive land is in the oftmentioned triangle from the Baltic Sea to the Black Sea and into central Asia. Significantly, most of this area is located within the non-Russian homelands, notably Ukraine and its black earth region. For some time one of the great livestock countries of the world, Ukraine is the chief wheat-producing area and provides abundantly in sugarbeets, oil seeds, and numerous other commodities. White Ruthenia is important agriculturally in flax, grain, and potatoes. There are fertile regions in the Caucasus and central Asia. In the Uzbek area of Turkestan are some of the finest cotton lands, and in the Turkmen area, cotton, grain, and oil seeds are prominent. The colonial importance of these non-Russian areas for Moscow is quite evident.

It is true that almost every significant mineral used in modern production is found in the U.S.S.R. To say that the empire is self-sufficient, however, is as meaningless as the term self-sufficiency is vague. But here, too, it is vitally important to note the location of some of these mineral resources. Iron ore, of all kinds and grades, is located in the Caucasus, Turkestan, the Far East, and, as one of the most essential sources, in the Krivoy Rog area of eastern Ukraine. For some time Ukraine was second to the United States in iron ore mining and doubled France, a leading European producer. In coal, the Donets Basin in Ukraine, Karaganda in Turkestan, Georgia in the Caucasus rank among the greatest in the world. Among the largest oil centers in the world are the Baku in Azerbaijan, the Emba Basin in Turkestan where new oil finds requiring little refining have been made in the Fergana Valley, and the second Baku in Idel-Ural.

Other examples include the largest manganese mines in the world, located in Georgia, which, along with Nikopol in Ukraine, supplies almost the entire output in the empire. About half of the copper, lead, and zinc resources are in Turkestan where also bauxite, uranium, silver, the exportable item of chromium, and tungsten figure prominently. Many of these resources are found in the Caucasus where Azerbaijan is also rich in zinc, silver, gold, copper, and vanadium. The resource base of the nearly 30 million Moslems in this empire is undoubtedly a firm one and should be considered, once we attain to the vision, in a general policy aimed at the entire Moslem world.

THE NONRUSSIAN CENTRIFUGE IN THE NEW RUSSIAN EMPIRE

The outspoken Milovan Djilas significantly points out that "in the U.S.S.R. operations are not concerned with communism but are simultaneously concerned with the imperialism of the great Russian Soviet state." Both Russian institutional totalitarianism and Russian imperialism have been fiercely resisted by the non-Russian nations in the U.S.S.R. The record is detailed by the decade for each of them. For the largest non-Russian nation, not only in the Soviet Union but also behind the European Iron Curtain, perhaps it suffices to quote William Henry Chamberlin, who writes: "No people in Europe have a better fighting anti-Communist record than the Ukrainians." Their nationalist upsurges in the twenties, the famous Kharkiw trials of 1930, the politically manmade famine of 1932–33—when the Russian satrap Kossior warned that "Ukrainian nationalism is our chief danger"—the purges and the Vinnitsa massacre of the 1930's, their mass desertions to the Germans followed by U.P.A. underground operations against both Russian and German totalitarianism in the 1940's, their leadership of opposition in Vorkuta and elsewhere in the early 1950's, all these events and more signify an irrepressible will to reestablish the independence that was theirs in 1918.

As a matter of historical fact, the non-Russian centrifuge in the U.S.S.R. has always existed, but it has gained not even the knowing understanding of our Government, no less various means of support. In sharp contrast, Moscow's policy under Khrushchev has been shrewd and clever. At the 20th congress of the CPSU, he admitted that Stalin had attempted to kill off 40 million Ukrainians and had failed. His policy is different. He seeks to join them with a wide variety of favors and concessions under the semblance of Ukrainian independence. With no sympathetic ear in the nontotalitarian free world, these strategically situated non-Russian nations may well seek their freedom through other means than unrewarded self-sacrifice, and in the process we may stand to lose. Truly, the indifference of our policy in the cold war toward this non-Russian centrifuge hardly distinguishes itself from German policy in the last hot war.

"The steady flow of Ukrainian volunteers for the German forces we ignored. The millions of Ukrainians, who by themselves could have turned the scales in the east, were not only being left unused, but were actually being repulsed and disillusioned," writes Erick Kern.

Can we do anything about this? The answer is emphatically, yes. First, with the structure of thought provided here, we must rid ourselves of the many myths that becloud the nature and content of the titanic struggle. Second, we can conduct political warfare aimed at the very heart of the totalitarian Red Russian Empire. It is impossible for us to realize the expansion of freedom in the world, and perhaps even to preserve existing freedoms, by giving the enemy the advantage of creating tensions on this side of the Iron Curtain.

With minimum danger of precipitating any hot war, we can employ diplomatic, political, psychological, and cultural weapons in an area that is even more important than the so-called satellite one. In the empire within an empire, we can truly generate pressures for freedom by simultaneously pursuing these three goals: (1) Real national self-determination and independence for all the non-Russia nations in the Soviet Union, (2) the advancement of decentralist Siberyak tendencies in the Asiatic sphere of the R.S.F.S.R. itself, and (3) the hope of genuine freedom to countless innocent Russians in an attempt to create and broaden any discernible rift between the Moscow government and the underlying Russian masses.

This strategy of liberation through guided evolution would confirm our own great American tradition. It would offer us the long-awaited opportunity to follow a single moral and political standard of national self-determination and independence anywhere in the world. It would focus world attention on the only remaining and worst empire in history. Its expression alone would decimate the aims of such spectacles as the Asian-African Conference in Cairo and Moscow's policies in Black Africa by relentlessly working for the affirmative answer to the question posed by the editors of the New York Times: "Is freedom any less the right of Latvians, Lithuanians, Estonians, Ukrainians, Byelorussians, Moldavians, Armenians, Georgians and the like than it is of those about whom the Cairo meeting pretends to be so solicitous?"

Whether we will sensibly work for this answer depends on our intelligent attitude toward the same problem that Marx recognized a century ago when he said, "They will have learned before that the idea of Russian diplomatic supremacy owes its efficiency to the imbecility and the timidity of the Western nations, and that the belief in Russia's superior military power is hardly less a delusion. * * * There is only one way to deal with a power like Russia, and that is the fearless way."

REPRESENTATIVE F. EDWARD HÉBERT HONORED IN HIS NATIVE CITY OF NEW ORLEANS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, one of our colleagues, the dean of the Louisiana delegation in the House, F. EDWARD HÉBERT, of the First Congressional District, was recently signally honored in his native city of New Orleans when he was presented the Gold Good Citizenship Medal by the Louisiana Chapter of the Sons of the American Revolution.

The presentation on behalf of the society was made by one of New Orleans most distinguished citizens, Hugh M. Wilkinson, Sr., the great-great-great grandson of Gen. James Wilkinson, who served as one of the three commissioners during the transfer of the Louisiana Territory to the United States.

The Wilkinson name in Louisiana has a long and honored history. It was most fitting that a scion of this illustrious family speak for the Sons of the American Revolution.

Following is the address delivered by Mr. Wilkinson upon the occasion of honoring our colleague:

REMARKS OF HUGH M. WILKINSON, VICE PRESIDENT GENERAL OF THE SOUTHERN DISTRICT, THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION, IN PRESENTING TO THE HONORABLE F. EDWARD HÉBERT ITS GOLD GOOD CITIZENSHIP MEDAL, ON BEHALF OF THE LOUISIANA SOCIETY, SAR, AT NEW ORLEANS, LA., TUESDAY, APRIL 30, 1963

Mr. President, compatriots of the Louisiana Society of the Sons of the American Revolution, distinguished guests, ladies, and gentlemen, an adult lifetime of devotion and dedication to the cause of the preservation in the United States of true and sound constitutional government, and the maintenance of those traditions of high and unselfish patriotism which accord with the ideals of our National Society of the Sons of the American Revolution, is a well deserved tribute epitomizing the career of the splendid citizen whom our nationwide organization, through its Louisiana society, honors by the presentation tonight of this gold Good Citizenship Medal: the Honorable F. EDWARD HÉBERT, who has represented the First Congressional District of Louisiana in the U.S. House of Representatives longer than any man in history.

I might, and should, advisedly add that not only has Mr. HÉBERT served his district, his State, and his Nation, longer than any delegate from this constituency, but more consistently usefully, as well; and I say this with a full realization that his predecessors in office have included such stalwarts of public service as Edward Livingston, John Slidell, Edward Douglas White, Randall Gibson, Theodore Stark Wilkinson, and Gen. Adolph Meyers.

Like those men whom I have just named, F. EDWARD HÉBERT is not by instinct or nature a politician; and he owes his longevity in office, not to the winds of political favor, but to the circumstance that the people of his district overwhelmingly know and appreciate that he is a good and dedicated Congressman, a good Louisianian, and, above all, a good American. He practices, in his personal and official life, the purposes of what has become the modern symbolic objective of the National Society of the Sons of the American Revolution: to "Keep U.S.A. First" in the dangerous world of today.

This medal is merely another of many outstanding honors and recognitions which have come in his public career to F. EDWARD HÉBERT.

On the little finger of his left hand he wears a family-crested ring which bears the inscription: "To F. EDWARD HÉBERT from a grateful people."

The legend of a plaque on his office wall includes these words: "And in appreciation of a consistently brilliant and effective record of public service performed often beyond the call of normal congressional duties and which service has been of inestimable value to the progress, prosperity and wellbeing of the First Congressional District, the State of Louisiana and the Nation as a whole." This plaque carries the great seals of the State of Louisiana, of the city of New Orleans, and of the parishes of St. Bernard and Plaquemines. Also attached are 48 individual medallions exhibiting the facsimiles of the signatures of civic, business, and professional leaders in his district.

He is a holder of Louisiana's Distinguished Service Medal, presented for the first time to a civilian, and awarded for "a significant, unselfish and untiring interest in the Louisiana National Guard and in furthering the security and welfare of the State of Louisiana and the United States of America."

He has a citation from the Association of the United States Army "for faithful service to his country and his community, with the respect of his colleagues and fellow-citizens for outstanding leadership on the House Armed Services Committee."

From the American Legion, he holds the George Washington Great American Award: "in the cause of an unswerving devotion to the historic principles of American constitutional government."

By the U.S. Air Force Academy, he was made an honorary letterman of 1960 "in recognition of outstanding sportsmanship and achievement."

The government of the city of New Orleans officially designated November 2, 1960, as "F. EDWARD HÉBERT Day" and presented him with the highest honor within our city's gift: the New Orleans International Order of Merit.

The Young Men's Business Club of New Orleans, of which he was president in 1932, has conferred on him a life honorary membership and its citation for having always placed "an interest of his country and his people above partisanship, and has rejected national or local politics in discharging the duties and responsibilities of his office."

Always elected as a Democrat, he values a tribute which came recently from Gettysburg, Pa., and which read: "Courage and ability, and a readiness at all times to stand up to public and private pressures when in his judgment those pressures have been at odds with the convictions and needs of his district and the Nation—these qualities, for which EDDIE HÉBERT has been noted for years, are rightly prized and lauded."

This great compliment, to the integrity of a Democratic Congressman, was signed by a Republican President of the United States, Dwight D. Eisenhower.

To these many fine honors and tributes, the Louisiana Society of the Sons of the American Revolution is proud tonight to add its gold Good Citizenship Medal to Mr. HÉBERT for his outstanding quality of patriotic public service. By this presentation, I think we are honoring not only the recipient, but we are honoring our society, because we are making the presentation to an individual who has rendered national service of a character which is related to its patriotic and historical meanings, purposes and objectives—the very reasons for the existence of this society. The things we assert, he asserts; the evils we defend against, he defends against; the things we stand for, he stands for; and this ceremony, therefore, not only honors F. EDWARD HÉBERT, but it can do no less than honor all of us by his selection for the honor.

F. EDWARD HÉBERT is a native Orleanian. He was born here on October 12, 1901, the child of a marriage which united two leading Creole families of Louisiana's history. His father was Felix Joseph Hébert and his mother was the former Miss Lea Naquin.

He graduated from the Jesuits' High School in 1920 and attended Tulane University from 1920 to 1924, serving as president of his class at both institutions. "Ask for any office in the land—it is thine," prophetically declared of him the Blue Jay yearbook of Jesuits' High School.

Even before he graduated from high school, young HÉBERT began newspaper writing. He started with the Times-Picayune in 1918, but later went with the New Orleans States. He ran the gamut of newspaper experience—an experience which has stood him in good use in his later public life—working as sports reporter, general assignment man, rewrite man, columnist, political editor, and finally city editor of the New Orleans States.

Undoubtedly, these newsrooms of the New Orleans dailies constituted the crucible in which any dross was melted out of the nature of EDDIE HÉBERT, and his character was fired and tempered to the steel of the unyielding integrity and high patriotic motive which has marked his brand of public service thereafter.

The shadow of events to come was cast in 1938 and 1939 when his work as city editor of the New Orleans States, was largely responsible for that political exposé in Louisiana which came to be known as the Louisiana scandals. For this reportorial series, the New Orleans States was awarded the Sigma Delta Chi plaque for "courage in journalism," and it was this newspaper crusade which, in 1940, literally catapulted City Editor HÉBERT into the Congress of the United States.

There, at Washington, D.C., he has followed his reportorial tendencies. He has been a crusader for the public welfare, but never the sort of crusader who crusades only for headlines or for political advantage. On the contrary, EDDIE HÉBERT's crusades have been honestly intended, purposeful, well considered and directed, and always effective in results.

As a young Congressman, he was a member of the House Un-American Activities Committee during its investigation of the now-famous Whittaker Chambers-Alger Hiss controversy. In the book called the "Six Crises," former Republican Vice President Richard M. Nixon credits Congressman HÉBERT with being the most effective Democrat on this committee, adding that his tough questions, in cross-examination of witnesses, helped to break that difficult and sensational case against communism.

Later, Mr. HÉBERT progressed to important service on the House Naval Affairs Committee, and ultimately the House Armed Services Committee, of which, after 11 reelections to Congress over a period of 23 years, he has reached the seniority of fourth ranking member, and chairman of the Subcommittee on Reserve and National Guard Affairs.

For 12 years—and 10 years as its chairman—he served on the important Subcommittee for Armed Services Special Investigations, checking hundreds of instances of waste in military procurement, to the result of a series of new laws which have saved the taxpayers millions of dollars in defense moneys, and have restricted retired military personnel from engaging in conflict-of-interest deals with defense contractors. The investigation, under his leadership, of the airplane production industry, has been held up as a model for such congressional inquiries by both industry and Government.

Quite recently, Mr. HÉBERT's direction of the committee handling National Guard and Reserve military programs obliged the Secretary of Defense to abandon his plan to eliminate ROTC programs in the Nation's high schools. This general ROTC program, as an essential of the Nation's defense training, is, of course, a subject dear to the hearts of all Sons of the American Revolution. We maintain a recognition system of our own through presentations of ROTC medals; and our society owes a debt of gratitude to Congressman HÉBERT for the stand which he took against this training of our youth being curtailed or, in any of its phases, eliminated.

Congressman HÉBERT is married to the former Miss Gladys Bofill, whom we are most happy to have with us on this auspicious occasion. They have one daughter, a young lady as lovely as her mother, Mrs. John Malcolm Duhe, Jr., presently residing in New Iberia, and EDDIE and Gladys are the proud grandparents of two boys and two girls.

Now the dean of the Louisiana delegation in Congress, F. EDWARD HÉBERT, if he is reelected once again in 1964—as we sincerely hope, pray and anticipate will happen—will become the first man in Louisiana history to serve in Congress for a quarter century—for 25 consecutive years. To his credit, and to the advantage of the Nation, let his Washington reputation be echoed here that he is feared and respected on Capitol Hill as one of the toughest, most effective, and most fact-productive inquisitors in the House of Representatives.

His philosophy of service, as often expressed by him to his close friends—among whom I am very proud to be numbered—may be stated by a quotation from Sir Thomas More, the Lord Chancellor of England, who, in the 16th century, lost his head to the public executioner for defying the tyranny of King Henry VIII: "* * * when statesmen forsake their private consciences for the sake of their public duties," said Sir Thomas, "they take their country on a short route to chaos * * *."

Tonight, Congressman Hébert, we will give you another fine declaration of principle to support your established pattern of integrity in public service. You will find it, in raised letters, on the reverse of this medal which I am about to hand you, with the compliments and esteem of the Louisiana Society of the Sons of the American Revolution:

"Our inspiration is from the past; our duty is in the present; our hope is in the future."

As long as you, and men like you, continue true, as you always have been, to the inspirations derived from our forefathers of the day and time of the American Revolution—those Founding Fathers of the Nation—the United States of America then never can be led on any route, short or long, leading to national chaos, and our duty of the present will always be well performed, and our hope of the future perpetually fulfilled.

On behalf of the Louisiana Society of the Sons of the American Revolution, it is now my privilege and my pleasure, in the name of the society, to confer upon you, sir, this Good Citizenship Medal, and its accompanying citation, which reads as follows:

"The National Society of the Sons of the American Revolution presents to the Honorable F. Edward Hébert its Good Citizenship Medal, in recognition of the splendid service which he has rendered to the Nation throughout his long membership in the Congress, with fidelity always to those principles of true patriotism and adherence to constitutional democracy as the way was pointed out for posterity by the Founding Fathers during and after the American Revolution.

"The Louisiana Society of the Sons
of the American Revolution,
"Donald G. Snider, *President*.
"John B. Wilkinson, *Secretary*.
"New Orleans, La., *April 30, 1963*."

BUSINESS ENTERTAINMENT DEDUCTIONS NEED CLARIFICATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Rogers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I have just introduced legislation to clarify the confusion surrounding what is and what is not deductible for business entertainment expenses. My bill would require the Internal Revenue Service to issue new regulations governing these deductions.

Since the Internal Revenue Service began writing new regulations pursuant to the 1962 Revenue Act, there has been a great deal of confusion surrounding these deductions. The impact of this confusion on nationwide business entertaining shows the level of banquet functions to be down some 40 percent, general food and beverage sales down 10 percent, and overall hotel, motel, and restaurant employment to be off from 5 to 10 percent. Further estimates state that some 140,000 jobs in the restaurant industry alone have been affected by these new regulations.

No one condones abuses of the deduction regulations. However, the efforts which have been taken to correct past abuses are in my mind too stringent, and have caused more reaction than I am sure was intended by the Congress when it enacted the Revenue Act last year. I therefore feel that additional action is needed in the Congress to more clearly state congressional intent, and restore reasonable principles in judging deductibility.

Furthermore, the American business community has the right to proper representation in deciding the standards for deductions. The voices of those affected cannot be adequately heard when the Internal Revenue Service is faced with the job of in effect legislating—as it has been required to do in recent months. This task has been difficult simply because Congress was not specific in the law.

The bill which I have introduced is specific in its language and performance. It is written within the framework which every businessman is able to understand because it amplifies standards for deductions with which he is familiar. My bill also affords more equal treatment for self-employed persons as well as employees.

The legislation which I have proposed would erase the detailed "Government-set standards of morality" imposed on the American businessman in the existing IRS regulations. My bill would reduce the regimentation of business conduct, and restore freedom for the businessman to exercise his judgment. In short, it returns the concept of reasonableness in judging standards for business deductions.

Massive redtape and detailed accounting of these expenses can only increase encroachment of the Federal Government on the conduct of our private lives. America's business community is basically honest. To assume otherwise shows a lack of faith in our free enterprise system.

THE EQUAL PAY BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Delaware [Mr. McDowell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McDOWELL. Mr. Speaker, I rise in support of H.R. 6060, a bill to prohibit discrimination on account of sex in the payment of wages by certain employers and to provide for the restitution of wages lost by employees by reason of such discrimination. I am particularly pleased to lend my support for H.R. 6060 since it is similar to a bill I introduced in the 87th Congress and my H.R. 6021 introduced on May 2, 1963.

The principle of equal pay, or payment of a rate based on the job performed, is fundamental to the American free enterprise system. Both employers and union leaders find its application important to the morale and efficiency of workers in their daily employment. It benefits the community by upholding the general level of wages and by maintaining purchasing power. In practice, it has proved workable and advantageous.

Leading women's and civic organizations have long promoted the equal-pay principle as it relates to a major American objective—that is, the maintenance and development of a high level of economic activity and employment. In recent years, the increasing employment of women on many types of jobs, often in new and complex fields and on the same basis as men, has contributed toward this objective.

To encourage the use of a woman's highest skills, many organizations and individuals seek a more nearly universal application of the equal-pay principle, through voluntary action by employers, collective bargaining, and legislation.

The cost of food, rent, and other essentials of living are the same to both men and women consumers. Women as well as men work because of economic necessity and many working women support children, dependent parents, and husbands. However, it is not these considerations but the proven efficiency of women workers and the essential role they play in the economy which entitle them to equal pay.

WATER POLLUTION CONTROL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Dingell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DINGELL. Mr. Speaker, almost every national conservation organization, the Water Pollution Control Advisory Board to the Secretary of Health, Education, and Welfare, and many of my colleagues in the House of Representatives, have felt great dissatisfaction with the poor handling of water pollution by the bureaucrats of the Public Health Service.

The other day I made a statement before the Subcommittee on National Resources and Power of the House Government Operations Committee, wherein I pointed out the abundant failures on the part of the Public Health Service in abating pollution in our Nation's waters.

Because of this dissatisfaction many members of this body and the other body have joined in introduction of legislation to create a Federal Water Pollution Control Administration in the Department of Health, Education, and Welfare. Repeatedly, I have made known to the present Secretary and his predecessor failures by the Public Health Service in vigorously combating pollution of our rivers and streams. The attitude of the Secretary to my comments has appeared to be one of indifference and I can ascertain no change in the policy of the Department of Health, Education, and Welfare nor is there to be seen any reinvigoration of the effort of that agency to abate water pollution. I believe I believe I speak for many Americans in manifesting my disgust over this situation.

Water pollution can only be abated by vigorous enforcement, which it appears will not be forthcoming from the Department of Health, Education, and Welfare because of apparent unconcern with the real needs of pollution abatement. For this reason I am introducing legislation today to establish a Federal Water Pollution Control Administration in the Department of Interior and to transfer all functions in water pollution control to that Department. I insert at this point in the RECORD a statement made by me on May 21, 1963, before the House Committee on Government Operations expressing clearly the failure of the Department of Health, Education, and Welfare and the Public Health Service to act vigorously in the public interest in this important area:

TESTIMONY OF HON. JOHN D. DINGELL, DEMOCRAT, 15TH DISTRICT OF MICHIGAN, BEFORE HOUSE COMMITTEE ON GOVERNMENT OPERATIONS ON WATER POLLUTION CONTROL

Mr. Chairman, complete abatement of pollution in the Nation's waterways can be delayed no longer. Over 100 million Americans get their drinking water today from rivers carrying radioactive materials, detergents, toxic chemicals, untreated sewage, industrial wastes, rotting animal carcasses, and effluent from mortuaries and hospitals, among other things.

Reports continue to pour in from across the Nation of fish and duck kills due to polluted lakes and streams. Wildlife using these waters are being poisoned in ever increasing numbers.

Even more serious, home and industrial use of water is increasing at an astounding rate which will see our present daily consumption of 320 billion gallons soar to 600 billion gallons a day by 1980. Unless all-out efforts are made immediately to preserve this precious resource, we will be totally incapable of meeting the demands of the very near future.

In view of the imminent menace to the American public, I wrote the following letter to the Honorable Anthony Celebrezze, Secretary of the Department of Health, Education, and Welfare:

FEBRUARY 28, 1963.

Hon. ANTHONY CELEBREZZE,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: I am aware that you have not had time to form judgments on the workings of all parts of your vast Department. I also appreciate your fine record of sound administration in the public interest.

It is for this reason that I write you to urge your support of a Water Pollution Control Administration, as provided for by H.R. 3166 and H.R. 3167, sponsored by myself, my colleague, Congressman JOHN BLATNIK, and a number of Senators, including Senators MUSKIE, HART, and RIBICOFF, the former Secretary of Health, Education, and Welfare.

It is the sincere consensus of almost every one of my colleagues who has studied this situation, that water pollution abatement and effective enforcement suffer greatly by the low level of emphasis which is placed upon them by your Department. As you recall, during the past session of Congress water pollution was, according to legislation sponsored by myself and others, to be taken from the Public Health Service, significantly upgraded, and placed into an administration with authority to move vigorously against water pollution. Subsequent changes in the bill resulted in authority for the then Secretary of Health, Education, and Welfare to move water pollution from the Public Health Service to any status he so chose. The result was that the Secretary allowed Public Health Service to continue organizational control of water pollution, but removed water pollution directly under the Office of the Secretary for policy direction. This is a situation which history, sound administration, and lack of effective action prove unwise.

This has resulted in small, if any, progress and again the initiation of the same fight by a number of Members of Congress and by all organized conservationists, who object strenuously to the ineffectiveness of this weird administrative monster which has been created. I am sure you can recognize that it is one wherein there is no clear responsibility nor any direct line authority from the Office of the Secretary to the actual operating levels. Furthermore, I am sure you are aware that at the operating level, water pollution enforcement is too low in the bureaucracy of your Department to be able to establish its own vigorous policy direction and to be immune from a continuous series of reviews which hamper, delay, and water down its decisions.

In order to apprize you of how poorly this situation is working out in the public interest I have made a study of a series of editorials and articles which I inserted into the CONGRESSIONAL RECORD in 1959 involving interstate pollution, and find to my great distress that little real progress has been made under the provisions of Public Law 660 to abate pollution.

These situations are:

1. THE OUACHITA RIVER (ARKANSAS AND LOUISIANA)

Major sources of interstate pollution are industries in Arkansas which discharge waste from oil production, mining, paper, and paper pulp manufacture, into the river and its tributary streams. The most serious pollution is from brine discharged as a byproduct of oil production. The wastes caused deterioration of water quality making it unsuitable as a source of public water supply, unfit for industrial use, seriously interfering with sport and commercial fishing, and unfit and unsafe for water sports and recreation.

On review I find that some progress has been made on the Ouachita River, but that major sources of interstate pollution remain. The sole action taken under Public Law 660 by your agency has been the project grants to the city of Camden for $220,466.10 for treatment plants and intercepting sewers, and to the town of Huttig for a treatment plant, interceptor sewer and outfall sewer in the amount of $11,469.69, both located on the main stem and seven other municipalities discharging to tributaries below Camden.

I can find no record of any enforcement action taken by your agency whatsoever, even though Public Law 660 imposes upon your agency the duty to act on the basis of surveys, reports and studies where the pollution is interstate in nature.

2. THE ROANOKE RIVER BASIN ABOVE THE KERR DAM

Although I reported in 1959 that a number of Rockingham County, N.C., towns and firms were listed by the State stream sanitation committee as significant polluters, including Draper, Leaksville, Madison, Mayodan, Reidsville, Spray, and others, I find that interstate pollution resulting from discharge of the above towns and others, as well as a number of industries in the area, remains. The Public Health Service has made grants of $107,807 to Madison and Mayodan. I find that although progress has been made in abatement of pollution on the Roanoke River, some important sources of interstate pollution remain, and that no record of enforcement action by your agency can be observed, even though deterioration of water quality in the area has been observed in a number of instances.

3. SNAKE RIVER IN THE IDAHO-OREGON BOUNDARY AREA AND ITS PRINCIPAL TRIBUTARY STREAMS INCLUDING THE BOISE, PAYETTE, AND WEISER RIVERS

Although Idaho has been successful in having secondary treatment facilities put into operation at Boise, Nampa, and Caldwell, the State agency has only begun issuing orders for cleanup by potato and sugar industries. The State agencies are concentrating on the Upper Snake area and it will probably be at least 2 years before the State takes action on interstate pollution on the lower portion of the river. Although progress has been made, the Boise River is most seriously affected during low flows in the summer, and winter sugar and potato processing place a high nutrient load in the river. Downstream from the Weiser at Brownlee reservoir heavy algae growth is present and oxygen depletion is experienced during the summertime. Wastes discharged into the Snake River in Idaho interfere seriously with water uses in Oregon. More vigorous action in abating industrial pollution is required.

4. THE SNAKE RIVER IN THE WASHINGTON-IDAHO BORDER AREA

The Snake River where it forms Washington's southeast border with Idaho in the area of Lewiston, Idaho, and Clarkston, Wash., is another part of the river suffering heavy pollution.

Major sources of pollution in the area are kraft pulp and paper wastes from Potlatch Forests, Inc. Vegetable and potato processing wastes from Sea Brook Frozen Foods Co. and from Smith Frozen Foods Co. in Clarkston, Wash., are important sources of pollution. Meat packing wastes from Meats, Inc., and Bristol Packers involve discharge of blood and other wastes directly into the Snake River with only minimum screening given paunch manure. Industrial wastes are the primary problem in all parts of the Snake and unless there is a great step up in pollution abatement, industrialization will create a terrific danger when a chain of dams projected for the area slows down water velocity substantially.

5. BLACKSTONE RIVER, MASSACHUSETTS-RHODE ISLAND

In an area 23 miles long downstream between Worcester, Mass., and Woonsocket, R.I., much of the domestic and municipal wastes are discharged into the Blackstone with little or no treatment provided. The New England Interstate Water Pollution Control Commission in 1958 approved a classification for the river as it crosses the State line which would establish water of a quality which is unsuitable as a source of water supply even with treatment, for bathing and recreation, irrigation of crops consumed without cooking and as a good fish habitat. This classification would not create good aesthetic value. The river needs to be upgraded to reach this low classification.

This pollution is interstate in character and I find no effort by your Department to carry out the mandates of Public Law 660.

6. MIAMI RIVER (TRIBUTARY TO THE OHIO)

The problem was described by an article I inserted in the CONGRESSIONAL RECORD reporting thousands of fish killed in the lower Miami River. The source of pollution, although not pinpointed, was presumed to be of industrial origin.

Reports of serious pollution in the area go back to 1951 involving water pollution in the

Hamilton County, Ohio, area. The only action taken has been a grant to that county of $151,601.85 in October of 1961.

This pollution enters the Ohio River and combined with the pollution load there may adversely affect downstream communities.

7. THE DELAWARE RIVER IN THE PHILADELPHIA-CAMDEN AREA

In the Philadelphia, Pa., metropolitan area there are some 64 communities served by 20 plants. Four communities provide no treatment. On the Pennsylvania side there are some 20 industries and only 15 provide any treatment. Fifty-four municipal plants on the New Jersey side provide some kind of treatment for 40 communities, but of 18 major industries in New Jersey dumping industrial processing effluent into the stream 14 provide some degree of treatment and 4 no treatment. The naval shipyard in the area provides no treatment whatsoever for 14,100,000 gallons per day of industrial waste. Other Federal installations also discharge untreated sewage and industrial wastes to the river.

Although progress has been made in abating pollution in the Delaware River, serious interstate pollution still exists and renders this important river unfit for most uses.

8. THE ARKANSAS RIVER

A. Kansas-Oklahoma area

Oil and gas production and processing industries and large salt processing plants in the vicinity of Hutchinson and Lyons, Kans., contribute to the pollution of the river. Municipalities in the area discharge raw sewage and inadequately treated sewage into the river. Water quality is sufficiently deteriorated as to interfere with its use as a source of public water supply.

B. Arkansas-Oklahoma area

The degree of pollution of all types of the Arkansas River at this point indicates that it has been used principally for transportation of wastes to the exclusion of practically all other productive water uses except for industrial cooling. Oil field contamination on the Cimarron, North and South Canadian, Walnut and Arkansas Rivers deteriorates quality of the Arkansas River. Although Kansas, Oklahoma, and Arkansas have very active programs for abating pollution from oil and brines, considerable work remains to be done. Municipal and industrial wastes continue to be a serious problem in the area and the only real abatement of pollution appears to be construction of sewage treatment plants by municipalities because of the stimulus of Public Law 660 grants. Although in each of these areas pollution is interstate in nature, I can find no abatement action by your Department under Public Law 660.

9. THE OHIO RIVER

A. General

The Ohio River is a classic example of pollution of a stream. Where the Ohio is at low stage one quart in every gallon flowing through the faucets of Cincinnati has been through a toilet, kitchen sink, mine dump, or industrial plant. Interstate pollution appears to be present at most points on the Ohio. The recent ORSANCO report indicates that 97 percent of the communities along the main stem have established waste treatment facilities. However, most of these facilities offer only primary treatment and some provide chlorination. The same ORSANCO report indicates that 15 percent of the industries releasing effluent into the stream have failed to come up to the standards fixed by that agency, and that some of the largest industries in the area and largest polluters of the river have failed to meet the standards fixed by ORSANCO. It would be only fair to indicate that ORSANCO standards for industries are a good deal lower than they could be or should be.

B. The Ohio River in the Ohio-Pennsylvania area

Chief sources of pollution in this area are Pittsburgh, Ambridge, and Aliquippa, Pa. Pittsburgh discharges considerable amounts of industrial waste while Ambridge and Aliquippa discharge both municipal and industrial wastes. The Allegheny and the Monongahela River flowing into the Ohio receive waste from some 42 metal processing plants and 12 petroleum plants with most of these plants not complying with State regulations regarding treatment of wastes. Deterioration of water quality in the area adversely affects its use as industrial and municipal water supply and has a harmful effect on fish and wildlife.

C. Ohio River (Pennsylvania-West Virginia)

Pollution discharged into the Kanawha River is responsible for much of the odor and taste problems in the Ohio River far downstream.

I can find no evidence of action by your Department to abate interstate pollution on these parts of the Ohio and its tributaries.

10. East River (New York City area)

There are something like 60 sewers discharging from the island of Manhattan to the lower Hudson River and East River alone. Water quality in the New York metropolitan area is so low as to exclude public bathing everywhere in the inner harbor area. Even though some 70 percent of domestic sewage in New York City is treated, the pollution load discharged into the streams is increasing. The New York Harbor is a series of tidal streams which holds wastes discharged into these waters for longer periods of time than are common in other streams with faster and more defined current. The wastes accumulate and tend to remain in the area and have an unduly heavy impact on water quality in the area. The city sewage system is of the combined type resulting in up to 90 percent of the sanitary flow being discharged directly to the waterways during periods of rainfall.

The waters of the East River are so polluted that waters as far away as the Raritan Bay and the Narrows and lower New York Bay are adversely affected.

I am sure after analyzing this you will realize the importance of vigorous action by yourself and your Department to abate these and other examples of interstate pollution according to the clear mandate of Public Law 660. I do not feel this can be accomplished without upgrading and moving water pollution enforcement from under the dead hand of the Public Health Service. Certainly these situations reveal failure by your Department to carry out the mandatory requirements of calling a conference leading to pollution abatement where surveys, etc., disclose interstate pollution.

Moreover, these instances do not disclose in my opinion, either compliance with the requirements of Public Law 660 or the recommendations of the President's Conference on Water Pollution which recommends that our water bear the least pollution load possible rather than the maximum servitude.

Certainly, in order to accomplish this, important and effective action must be taken by yourself and your Department to upgrade water pollution abatement significantly within your Department.

I hope these facts will have a heavy bearing on your consideration of H.R. 3166 and H.R. 3167.

Sincerely,

JOHN D. DINGELL,
Member of Congress.

One month later, on March 28, 1963, Mr. Celebrezze acknowledged my letter and informed me that he had ordered further studies made of the waterways in question.

On April 3, 1963, I sent Mr. Celebrezze a clipping I had inserted in the CONGRESSIONAL RECORD 5 days earlier which had appeared in the Pawtucket, R.I., Times on August 18, 1962. The article indicated not only the failure of local water pollution control authorities to abate pollution in the Blackstone River, but also failure by the Public Health Service to enter and abate interstate pollution according to the provisions of Public Law 660. I asked the Secretary for his comments on the matter.

Twelve days later on April 15, I again addressed a note to Mr. Celebrezze relating that to date I had received no information or communication from his office beyond a simple acknowledgment of my two earlier letters.

Three weeks elapsed and still no reply came. Finally on May 6, I wrote the Secretary that I had not yet received any indication of what his Department had done or what it proposed to do about the cases of pollution I had cited to him. I asked for a forthright and prompt reply to my query.

On May 8, 1963, I received the following letter from the Department of Health, Education, and Welfare:

"DEAR MR. DINGELL: The Secretary has asked me to answer your letter of April 3, 1963, and your letter of April 15, 1963, commenting on the pollution of the Blackstone River, an interstate stream flowing from Massachusetts into Rhode Island. We regret the delay in answering these letters which was occasioned by efforts to get precise data on the pollution situation of the Blackstone River.

"This river originates, as the editorial in the Pawtucket, R.I., Times, of August 1961, points out, above Worcester, Mass., and ends at its confluence with the Providence River at Providence, R.I. There are 15 Massachusetts communities discharging wastes into the river. As of this time, 11 provide treatment while 4 do not. In Rhode Island, one community provides treatment and four do not.

"The Public Health Service 1957 inventory of municipal and industrial waste facilities lists a total of 22 industrial plants in the State of Rhode Island which discharge waste without treatment into the Blackstone River. In Massachusetts, the same inventory shows a total of 16 industrial waste plants discharging waste into the Blackstone River, 3 of which provide treatment.

"A Federal project grant has been given to the city of Worcester in the amount of $5,913.31 for improvements to that city's second treatment plant. Woonsocket, R.I., has received two grants; a Federal water pollution control grant of $600,000, and an accelerated public works program grant of $400,000.

"This situation along with many other interstate pollution situations is under surveillance by the Department. We are using the full spectrum of devices authorized by law, including technical assistance and comprehensive programs, to assist States to abate pollution. In the event, however, that satisfactory progress is not obtained, we will not hesitate to recommend the use of the enforcement provisions of the Federal Water Pollution Control Act.

"I hope that this provides the information which you desire.

"Sincerely yours,

"JAMES M. QUIGLEY,
"Assistant Secretary."

This communique did nothing but confirm the allegations by the Providence Times that the Blackstone River is horribly polluted. While the letter indicated that several grants have been made in connection with this situation, in no way does it state that any real progress is being made or that we can expect satisfactory abatement in the near future. Furthermore, no mention is ever made of the 10 major pollution problems cited in my initial letter to the Secretary.

The Department's response is a clear self-indictment of its unwillingness or inability to effect a cleanup of the Nation's polluted waters.

Finally, on May 17, I received the Secretary's reply to my letter of February 28, the text of which follows:

"Dear Mr. Dingell: This is a further response to your letter of February 28, 1963.

"You indicated in your letter of May 6 that you had received no acknowledgement to your previous letter. Enclosed is a copy of the acknowledgement which was sent to you on March 28, in which I informed you that I had asked that a complete staff study be made of each of the pollution situations that you cited in your letter. That study has now been completed and will be considered in determining the Department's water pollution abatement program. A copy of the staff report is enclosed herewith.

"As I indicated earlier, your deep interest in this Department's water pollution control program is keenly appreciated.

"Sincerely,
"Anthony J. Celebrezze,
"Secretary."

"STAFF REPORT

"1. Ouachita River (Arkansas-Louisiana):

"(a) Municipalities: In 1956 a joint study made by Louisiana and Arkansas revealed 31 municipalities discharging raw or inadequately treated sewage. By January 1, 1963, all of these municipalities had taken some action. Several now have new construction planned where improvements had been made earlier.

"Total construction costs for these projects amount to approximately $4,000,000; the Federal share being $1,186,325.

"(b) Industries: In 1961 the Arkansas Water Pollution Control Commission completed a survey on the Mill Creek, a tributary of the Ouachita near El Dorado, Ark., involving 21 companies and 145 oil wells. Orders to abate brine pollution were issued. An estimated base brine production volume of 563,000 barrels a day was being discharged. By the end of 1962, 88 percent of this brine was being reinjected. At least 11 injection systems are now in operation. By June of 1963 more improvements are expected.

"(c) Program: Arkansas is now in the 4th year of its 5-year stream pollution clean-up program. A survey has recently been completed on the upper portion of the Ouachita (Malvern to the headwaters). Another survey is being planned for 1963 on the Ouachita (Malvern to Camden).

"Louisiana: The Louisiana Stream Control Commission has in operation a continuing water pollution control program. During the 1st week of each month samples are taken in the Ouachita River Basin. A 3-year study on water quality in the Ouachita River Basin conducted jointly by Louisiana and U.S. Geological Survey has recently been completed. The results have not yet been published.

"2. Roanoke River Basin above the Kerr Dam: The current status of those towns and firms specifically cited is as follows:

"(a) Leaksville, Spray, and Draper, N.C., have just recently formed a metropolitan sewer district. At least one, and possibly two, treatment plants are being planned to serve the district. It is expected that the seven Fieldcrest Mills plants in these towns will discharge to the district.

"(b) Madison, N.C.: Secondary treatment facilities are in operation; completed June 8, 1961.

"(c) Mayodan, N.C.: Secondary treatment is now provided and wastes from the Washington Mills Co. are discharged to the municipal system.

"(d) Reidsville: There are two treatment plants in operation; the larger one provides secondary treatment and discharges to the Cape Fear Basin. The smaller plant provides primary treatment but the State is asking for expansion to secondary treatment or construction of a pumping station to carry wastes to the larger secondary plant.

"Substantial progress is being made by other municipalities and industries in the basin. In most cases municipal systems are being designed to provide secondary or intermediate treatment. Some type of treatment is provided or being planned for all but three municipalities and all but one industry.

"3. Snake River in the Idaho-Oregon boundary area and its principal tributary streams, including the Boise, Payette, and Weiser Rivers: Situation is as described.

"4. Snake River in the Washington-Idaho border area:

"(a) The Idaho Department of Health is not pressing Potlatch Forests, Inc, or the two food-processing plants in Lewiston to install treatment facilities. They are not convinced that a significant pollution problem exists at present. The State is aware of the serious effects to be expected with the completion of Lower Granite Dam in 1972 and shortly prior to that time plans to establish schedules for construction of waste treatment facilities.

"(b) The State of Washington is working for provision of treatment for blood wastes by two meat packing plants at Clarkston. Final detailed plans and construction are being delayed until June or July 1963 at which time the Corps of Engineers will have complete data on stream backup and water levels from construction of the dams. Oxidation ponds are being planned.

"5. Blackstone River (Massachusetts-Rhode Island): Federal project grants have been offered to the two major cities on the river, Worcester, Mass., for $8,620.59 in March 1960, project now completed; Woonsocket R.I., for a combined grant, WPC, $600,000 in March 1962, APW, $40,000 in November 1962.

"6. Miami River, tributary to the Ohio River (Ohio): This is a heavily populated and industrialized area.

"ORSANCO requirements call for 90 percent reduction in municipal waste load and 85 percent for industrial waste load. A December 1964 deadline has been set which in most cases will be met.

"(a) All municipalities of any significance have treatment facilities in operation, under construction or being replaced. Improvement is needed at Franklin, Harrison, and Lewisburg. An engineer has been hired to prepare a report for Franklin; Harrison is in the planning stage; at Lewisburg the State is asking for expansion of facilities.

"(b) Major industries are papermills, steel mills, food processing plants, and oil refineries. Some problems concerning the Armco plant at Middleton remain. Deleterious amounts of iron are found in the river even on a controlled discharge basis. Further improvement requires the development of an economic treatment process by the steel industry.

"Papermills discharge wastes in more than recommended amounts at a dozen mills in the basin.

"Although primary treatment is being provided by most, secondary treatment for 85 percent reduction of BOD load is required.

"(c) An important consideration is that even with 90-percent reduction by municipalities and 85-percent reduction by industries a 3ppm D.O. level cannot be maintained at all times due to the flow characteristics of the Miami River. Low flow augmentation is needed.

"The Miami Conservancy District has an excellent flood control system for the Miami River—but all controls are designed for this purpose alone.

"7. Delaware River (Philadelphia-Camden area):

"(a) Philadelphia is served by two large plants, one providing primary treatment, the other secondary. However, storm water overflow creates a problem with an estimated 100 storm water outlets in Philadelphia. All significant industries in the city discharging wastes independently of the municipal system provide some type of treatment.

"(b) Figures on municipalities and industries on the Pennsylvania side of the Delaware River and municipalities on the New Jersey side are as stated.

"(c) Complete figures on major industries on the New Jersey side of the river are as follows: Of the 35 major industries 8 are connected with a municipal system; 22 provide some type of treatment; 5 provide none.

"(d) Pennsylvania reported (September 1962) on the whole Delaware River basin with respect to its standards and program the following information:

"Municipalities: 71 percent in compliance; 13 percent satisfactory progress being made where violations had been found; 16 percent unsatisfactory progress being made.

"Industries: 62 percent in compliance; 21 percent satisfactory progress being made where violations had been found; 17 percent unsatisfactory progress being made.

"8. Arkansas River:

"A. Kansas: Oklahoma area.

"B. Arkansas: Oklahoma area.

"Kansas: The State has an active abatement program and has geologists stationed in each drainage basin; two in the Arkansas River drainage basin. It is estimated that 99 percent or better of oil brine production is being reinjected. Kansas is conducting a 3-year study on the Walnut River (tributary to the Arkansas) which carries significant brine amounts. An effort is being made to determine the effectiveness of abatement in controlling brine pollution.

"Oklahoma: The State has no formal sampling program in operation. Observations are made on brine discharges, then, where necessary, orders are issued. The State considers it has a comprehensive program and that brine discharges at some rather extensive oil fields have been cleared up.

"Oklahoma has fully committed all aid available with other projects still awaiting Federal financial contribution. Its allotment for fiscal year 1963 was $1,287,520 and an additional $105,290 has been made available.

"Arkansas: In 1961 a number of hearings were held in the upper portion of the Arkansas River in the Bentonville area. Canning wastes in that area create a problem for municipal water treatment plants. The State has fully committed all Federal aid available for fiscal year 1963. Its initial allotment was $1,484,520 and additional funds of $119,693 were made available.

"9. Ohio River:

"(a) General: At present a cooperative study is being conducted by ORSANCO and scientists from the Robert A. Taft Sanitary Engineering Center. Their goal is to develop methods of tracing pollutants to their sources.

"(b) Ohio-Pennsylvania area:

"1. Pennsylvania reported (Sept. 1962) with respect to their water pollution control program and standards, the following information on the Ohio River Basin including the Allegheny and Monongahela Rivers:

"Municipalities: 69 percent in compliance; 15 percent satisfactory progress being made where violations had been found; 16 percent unsatisfactory progress.

"Industries: 59 percent in compliance; 20 percent satisfactory progress where violations had been found; 21 percent unsatisfactory progress.

"2. In Allegheny County, which includes Pittsburgh, the river has been classified as requiring intermediate treatment. A sewage treatment plant which provides treatment for virtually all municipal wastes was completed in 1959 at a cost of $100 million.

"3. Construction grants offers have been made for 60 projects in the Ohio River Basin in Pennsylvania.

"4. Programs: At the present time Pennsylvania is giving consideration to reclassification of the Beaver River, a tributary to the Ohio, and also of the upper reaches of the Monongahela River.

"Acid mine drainage is the major water pollutant in Pennsylvania and the State does have an active program in this area.

"A request was made last year for $5 million in Federal funds to support a demonstration project on the acid mine drainage problem. However, funds were not available. Another request has been made this year.

"(c) Kanawha River, tributary to the Ohio (West Virginia):

"Following a 1958 survey conducted jointly by the State of West Virginia and industry, a comprehensive waste reduction program was established calling for two-phase reduction in industrial plant waste loads leading to a 40-percent BOD reduction by June 30, 1963. A reevaluation in 1963 or 1964 will be made following which goals for the final phase will be set with completion by 1965. The first phase is on schedule.

"Among the objectives set for the river by the West Virginia Division of Water Resources are: a minimum D.O. level of 3 parts per million, substantial removal of solids, foams, oils and scums, reduction in taste and odor to an acceptable level.

"10. East River (New York City metropolitan area): With the completion of the Newton Creek sewage treatment plant all discharges entering the East River from Manhattan and Brooklyn will receive primary treatment with the exception of one small area—the Red Hook section of Brooklyn. However, no provision is being made for storm water overflows."

This letter merely reinforces my charges that the 10 rivers in question are badly polluted and that the situation has not been remedied. The report is full of references to existing treatment plants and proposed ones, present programs and future possibilities. However, there is no statement to the effect that the Secretary will enforce complete abatement in these cases as directed in the Federal Water Pollution Control Act, Public Law 84–660.

The Secretary indicates not only that no administrative action has been taken by his Department, but that nothing of that sort is contemplated.

In an attempt to make HEW's water pollution control program more effective, my colleague, Congressman JOHN BLATNIK, and I introduced bills authorizing the upgrading of the program from its present status as a division in the Bureau of State Services to a position directly under the Secretary. It was our belief that this would enable the Department to carry out its mandatory directive to call a conference leading to the abatement of interstate pollution whenever surveys and studies indicated its existence.

The Secretary responded by creating a de facto Bureau of Environmental Health in which he placed the Division of Water Service and Pollution Control. This proposed bureau is an administrative monster with neither head nor direction which has only succeeded in pushing water pollution abatement activities one rung further down the ladder of efficiency and effectiveness

Water pollution control activities are continuing to fail on all fronts. The Secretary has been remiss in his duties under Public Law 660 to police interstate pollution conditions wherever they exist. A prime example of this failure to initiate adequate enforcement action when it was clearly required, was the situation which existed in Raritan Bay, N.J. In this case it took a near calamity to shock local abatement authorities and the Public Health Service into motion.

The tidal waters of Raritan Bay are the home of a large and prosperous shellfishing industry. The same waters are also receiving sewage effluent in enormous quantities. Sewage outfalls receive 65 million gallons per day treated and untreated, with most of the former limited to a primary screening. This represents the wastes of over 30 cities and municipalities.

Shellfishing was conducted in areas of dangerous pollution and the catch was marketed in the area. What could have logically been expected occurred; there was a major outbreak of infectious hepatitis and long lasting liver disorders which affected several hundred people.

It was this critical situation which forcefully made the Public Health Service aware of its two main failings in this situation. It had neglected to enforce the existing interstate quarantine laws with regard to transit of shellfish and disregarded the clear mandate of Public Law 660 to abate the pollution.

I am convinced that a careful scrutiny of this matter and an investigation of the Public Health Service's files by this committee will reveal a deliberate attempt by the Public Health Service hierarchy to hush up and cover over this disastrous twin failure. Certainly this twofold happening indicates either a lack of confidence on the part of the Public Health Service to grapple with the problem or a reluctance to engage in the kind of controversial action which the public interest requires to halt pollution of this magnitude despite the many powerful economic interests involved.

Another shortcoming has been the Secretary's failure to prepare or develop any definitive comprehensive program outlining the methods to be used in eliminating or reducing the pollution of interstate waters. It was Congress' hope that these reports, which are required under section 2 of Public Law 84–660, would insure the most efficient use of available abatement funds. Without any guiding program, pollution control becomes piecemeal and much less effective.

In this same context, it is interesting to note that since assuming office, the Secretary has not called a single conference of the State water pollution control agencies and interstate agencies, required by Public Law 84–660 whenever pollution problems arise.

Under its present circumstances, the interstate abatement program is further handicapped by the large sums of money tapped from its direct operation appropriations by the Bureau of State Services Management Fund. In fiscal year 1963 alone, taps from the Water Pollution Control Division amounted to $1,255,000, which represented 8.6 percent of the division's cleanup appropriation.

It is also interesting to note that section 8(b) of Public Law 80–845 which authorizes funds for the creation of the Taft Research Center in Cincinnati, Ohio, specifies its use for activities "in connection with the research and study of water pollution and the training of personnel in work related to the control of water pollution."

At the present time, the center is utilized for research in the areas of air pollution, radiological health, environmental engineering, and food protection, and occupational health in addition to water pollution control. This represents just one more instance in which the Public Health Service has sacrificed the resources of its pollution abatement program to other interests.

One of the Secretary's justifications for the proposed Bureau of Environmental Health is the supposed need for additional research in the field of water pollution. However, I challenge the Secretary or anyone in the Public Health Service to inform me of any major research breakthrough in this area in the past 30 years. Officials of the Public Health Service have continually stated that enough is presently known about pollution control to effect satisfactory abatement of our Nation's unsanitary waters.

It is with the recognition of these facts that I intend to introduce legislation authorizing the transfer of all functions relating to water pollution control from HEW to the Secretary of the Department of Interior. The bill would further provide for a Federal Water Pollution Control Administration to be headed by a Commissioner of Water Pollution Control.

It is my conviction that enactment of this legislation, by removing pollution abatement activities from under the dead hand of the Public Health Service, will be the first step toward effectively making our Nation's waterways healthy once more.

A BILL TO EXEMPT LABOR ORGANIZATIONS FROM TAX ON UNRELATED BUSINESS INCOME

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the measure I am introducing today provides that labor organizations which are exempt from tax or corporation shall also be exempt from taxes on unrelated business income if that income is used for retirement homes or hospitals for aged and infirm members of those unions.

This legislation is badly needed at the present time. To cite just one example, the United Brotherhood of Carpenters and Joiners of America purchased 1,800 acres of land in Lakeland, Fla., approximately 35 years ago.

A home was built on the property for aged members of the union in 1928. At the present time, there are approximately 350 aged union carpenters at the home. If the Carpenters' Union did not provide for these elderly people, the Federal Government and the cities and towns in which they reside would have to do so.

Under present law, the Carpenters' Union must pay taxes on the amounts received from the sale of fruit on the property of the home.

Other unions have a similar problem with the products they produce. Since these funds are used for charitable purposes and since the Federal, State, and local governments realize substantial savings in relief costs, it does not seem realistic to tax these amounts.

It is my hope that Congress will act favorably on this proposal.

FLAGS OF CONVENIENCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ASHLEY. Mr. Speaker, today I have introduced legislation which I believe is badly needed if our country is to continue to have a merchant marine worthy of the name.

This legislation would close the loophole which presently allows tax exemption for the earnings of foreign registered vessels even when owned by U.S. citizens and engaged in the commerce of this country. Simply stated, my bill would tax the earnings of so-called flags of convenience which are owned or controlled by U.S. citizens and which are substantially engaged in U.S. trade.

Mr. Speaker, an alarming chapter in the history of the American merchant marine has been written since the end of World War II. At the end of this conflict, the United States had some 50 million tons of shipping and in an effort to solve the problem of this excessive wartime tonnage and at the same time help our allies to restore their merchant fleets, Congress enacted the Ship Sales Act of 1946. This act permitted American-owned vessels to be sold to foreign citizens to use until their own shipbuilding capacities were restored. However, many Americans found it more desirable to transfer their ownership of the vessels to subsidiaries for operation under foreign registry.

There were a number of obvious reasons why it was found desirable to pursue this course. Under foreign registry, foreign crews could be hired at substantial reductions; American labor laws could be obviated; high U.S. safety requirements and costly inspection systems would no longer apply; and there would be reduced rates for supplies, insurance, repairs, and so forth.

Quite clearly, however, the main incentive of foreign registry of an American owned or controlled vessel was—and continues to be—exemption from income tax by any country.

Although the "flag of convenience" device may have assisted in serving the purpose of the Ship Sales Act at the time it was enacted, it has become increasingly evident that the flight of American shipping to foreign flags has adversely affected the U.S. economy and has decimated our merchant fleet.

It is acknowledged that maintenance of a strong American merchant marine is vital to national defense. During World War II we frequently had more than 1,000 merchant ships in a single operation and in 1946 the United States had approximately 2,500 vessels of 1,000 gross tons and over. As of April 1, 1963, however, we had only 931 of these same type vessels in the active oceangoing U.S. merchant fleet. This means that we do not now have in operation on the Atlantic and gulf coasts enough merchant ships to supply our minimal peacetime requirements, much less wartime. Furthermore, in 1935, a depression year, we had approximately 56,000 employed seamen; at the end of 1961, a tense cold war period, we had 48,000. Our ships are not only few—they are old, inefficient and obsolescent. By all other standards the United States is the greatest and most powerful nation in the world but our merchant marine fleet has been sharply reduced in number, tonnage, efficiency, and other respects so that it is now exceeded by second, third, and ever lower rank powers.

It is interesting to note, Mr. Speaker, that while U.S. oceanborne foreign commerce was increasing greatly during the period from 1950 to 1959, the relative participation of U.S.-flag ships in the carriage of this country's foreign commerce has shown a steady decline. Total oceanborne cargo shipments to and from the United States increased from 117 million long tons in 1950 to 263 million long tons in 1959. However, the percentage of this trade carried by all U.S. flag vessels decreased from 65.3 in 1946 to 42.6 in 1950 and to 9.7 in 1959. Official statistics show that at the present time less than 10 percent of the entire U.S. export and import trade is carried by American-flag vessels.

This is a shocking statistic, Mr. Speaker, but it does not tell the whole story. During this period of disintegration the cost to the American taxpayer of merchant marine subsidy programs has gone up astronomically. Ship construction and operating subsidies currently cost in the neighborhood of $300 million a year. And while we have been doing this with one hand in order to maintain at least a modest American merchant fleet, with the other we continue to invite unfair competition by exempting from taxation American-controlled vessels registered in a foreign country.

This is a ridiculous and obviously inconsistent situation, Mr. Speaker. We are told that "flag of convenience" vessels actually are an asset to our military strength because they are under the "effective control" of citizens of this country. If this is true, then why must the American taxpayer continue to support a growing maritime subsidy program?

In fact, there is real reason to question whether these foreign flag vessels are under the "effective control" of the United States for purposes of national security. My personal judgment would be that any advantage they represent is more than offset by the unfair competition they enjoy by being able to operate in the U.S. trade on a tax-free basis.

Their advantage is not illusory. In effect we have a domestic merchant marine divided into American-flag and foreign-flag vessels which compete against each other. We allow the foreign-flag vessels the enormous advantage of escaping tax liability, and then to help compensate American-flag operators for this advantage, we institute one of the costliest subsidy programs on record.

And there are other reasons why this does not make sense, Mr. Speaker. Our Government is greatly concerned with the imbalance of international payments and the foreign demands upon the U.S. supply of gold. In this regard, I believe it is worthy of note that in 1961 the estimated net dollar exchange savings through transport of American exports on U.S.-flag ships amounted to $758 million. This substantial sum in a single year resulted at a time when only 8.8 percent of our trade was carried in U.S.-flag vessels, so it is obvious that if the tax loophole were closed which, in turn, would result in an increase in the percentage of trade carried by U.S.-flag ships, our dollar earnings would be increased immensely, thereby easing our balance-of-payments problem. I would also like to point out that the American outflow of gold is highly accentuated by the "flag of convenience" operations because the majority of outbound cargoes carried on these vessels is paid for in American currency which, since it is paid to foreign corporations, is cashable abroad and constitutes a drain on our gold reserve. In addition, crew costs of these vessels, as well as construction and repair costs, are generally paid in American currency, practically all of which is cashed and spent abroad. It has been estimated by American maritime trade groups that at least a billion dollars a year, which should go to our maritime industry, is thus converted into foreign demands upon our gold reserves.

In closing, Mr. Speaker, let me say that we have a responsibility to protect American seamen and American flag operators from cutthroat competition from U.S.-owned vessels which pay substandard wages and escape payment of Federal income taxes imposed on all other American citizens and business firms.

It is unthinkable that we should permit the national security to be weakened, the country's finances to be jeopardized and the entire American shipping industry to be destroyed, merely in order to perpetuate an artificial device through which runaway flagship operators can escape the responsibility of paying their fair share of the tax burden. It is imperative that the U.S. Congress close the tax exemption loophole which provides the greatest incentive for shipowners to operate their vessels under foreign registry.

THE HONORABLE ADLAI STEVENSON, "MR. AMBASSADOR"

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SHELLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SHELLEY. Mr. Speaker, I wish to bring to your attention and to our colleagues' attention an article written by Peter Lyon in the June edition of Holiday magazine entitled "Mr. Ambassador."

Peter Lyon is to be commended for this excellent article which details the key role performed by the U.S. mission to the United Nations and reviews the distinguished service of its chief, the Honorable Adlai Stevenson.

In my judgment, Mr. Speaker, this article should be required reading for all Americans who wish to familiarize themselves with the workings of the U.S. mission to the United Nations and who wish to keep abreast of the activities of one of our most eminent and brilliant Americans:

MR. AMBASSADOR

(By Peter Lyon)

Scattered over the island of Manhattan, from Greenwich Village north to Yorkville, are missions to the United Nations from all but 2 of the 110 sovereign states that belong to that organization. (Iceland and Libya maintain their missions in Washington.) Like the countries they represent, these missions come in all shapes and sizes, and their style is likely to reflect the wealth, power, and presumptive pomp of their sponsors back home. The Hashemite Kingdom of Jordan, for example, is splendidly ensconced in a penthouse high above Sutton Place, while various Socialist Republics occupy fashionable quarters on or just off Park Avenue. But, if you press the bell of apartment 7-A at 150 East 52d Street, a modest address, you will be admitted to the Permanent Mission of the Republic of Chad, perhaps by His Excellency, the Ambassador Extraordinary and Plenipotentiary, M. Adam Sow himself.

Most conspicuous of all the missions is that of the United States of America, and this is as it should be, if for no other reason than that the American mission must play host to the other 109. The U.S. mission to the United Nations—known within the State Department as the USUN—is housed in a new 12-story building of eye-catching design at 799 United Nations Plaza, directly across the street from the headquarters of the United Nations itself. On the facade of the building are interlinking hexagons of cast stone, giving it the look of a honeycomb and suggesting that, within, all is as busy as in a beehive.

Such an impression is not far wrong. Business at the USUN has increased steadily since the mission was first created; its responsibilities and the reach of its influence have never been greater than in the last 2 or 3 years. In part, this growth has come about because the United Nations itself has grown—from 51 states in 1945 to 80 in 1956 to 110 today—and because the U.N. has taken a more positive role in world affairs. In part, it is because President Kennedy, rather more than his predecessors, has seen fit to test how well American foreign policy might be served in the international forum of the United Nations. But mostly the USUN is busier and more influential than ever before because its chief is Adlai Stevenson.

One way to measure Stevenson's consequence at the USUN is to recall the warm way he was greeted by the diplomats of the United Nations in January 1961, when he presented his credentials as Permanent Representative from the United States. Without question he was the most eminent public figure ever accredited to the United Nations, by his or any other government. The permanent representatives from foreign lands literally clustered about him. In the community of the United Nations, President Kennedy was at that time still an unknown quantity and Secretary of State Dean Rusk close to a cipher; but Stevenson was an old friend, a familiar and reassuring personage. Some delegates remembered him from San Francisco in 1945, when he assisted at the birth of the United Nations; others had met him along the way of his extensive travels; a few, now introduced to him for the first time, were charmed by his wit and by his easy, informal manner. All were delighted to have him in their number.

To some men in domestic politics, of course, Stevenson's appointment seemed a disaster. As a result of his two Presidential campaigns, he has won (if that is the word) a persevering and embittered opposition. His appearance as Ambassador to the United Nations provoked a revival of the mindless slogan: "Get the United States out of the U.N. and the U.N. out of the United States." Stevenson was aware of this sullen hostility; he is too sensitive a man ever to have got inured to it, but he went his way with his usual aplomb.

Even some of his admirers were glum when he took the job. They had hoped he would be named Secretary of State. Anything else would have been too slight for his talents. To be merely Ambassador to the U.N. was demeaning: he would be no more than an errand boy; he would come no closer to making policy than the suggestion box outside the boss' office.

And yet all the appearances roundly contradicted these fears. Where his predecessors had had only one deputy of ambassadorial rank, Stevenson had two—Francis T. P. Plimpton and Charles W. Yost—and they were men he had chosen. Plimpton is an experienced and skillful New York attorney who has been an intimate of Stevenson's since they were roommates at Harvard Law School. Yost, a soft-spoken career officer in the foreign service, worked with Stevenson in San Francisco to help create the United Nations. Stevenson needed two deputies, for he was in Washington 2 or 3 days a week. He was a member of the Cabinet (as were Henry Cabot Lodge and James J. Wadsworth before him), and he was also a member of the National Security Council.

It is hard to see how Stevenson could have been more intimately involved in the process of making policy. When he reported to the Secretary of State, if he went through channels he talked to an old friend, Harlan Cleveland, the Assistant Secretary for International Organization Affairs. The Under Secretary, George Ball, is Stevenson's former law partner. If he wanted the ear of the President, he had only to call another old friend, Arthur Schlesinger, Jr., who is one of the éminences grises in the White House.

Nevertheless, only a few weeks after Stevenson had taken office, he was caught, redfaced and mortified, in a most painful plight.

Two days before the ill-starred attempt to invade Cuba at the Bay of Pigs, some B-26 bombers, made in America, raided air bases in Cuba and subsequently landed in Florida. At the U.N., in answer to Cuban charges of American guilt, Stevenson righteously waved photographs and insisted the planes were Cuban, piloted by Cuban defectors who had bombed their own bases and fled to freedom. He was wrong. On the day of the invasion, Stevenson still denied American responsibility. Wrong again.

Stevenson's friends were sad. Here was clearest proof that, so far from having shared in the making of policy, he had never even been told what was going on. At the United Nations, his stock tumbled.

Stevenson insists that, on the contrary, here was only a spectacular example of how liaison can break down at moments of great urgency. He knows who was responsible for the lapse. He refuses to believe he will ever again be so embarrassed. He smiles at the notion that he is only an errand boy, for he knows better.

In one sense, of course, every Ambassador is an errand boy who has been grandly dignified with a set of sonorous titles. Indeed, the more actively a President concerns himself with foreign affairs, the more even his Secretary of State may find himself shriveling in status. President Kennedy, however, has made it clear that he wants not messengers but trusted advisers, each in the post best suited to his talents.

From this more flexible approach to the world and its woes there has evolved a kind of triple-ply diplomacy. The first ply is bilateral: the traditional diplomacy of this Nation with each other nation, conducted by the State Department through the American Ambassador abroad and the Ambassador of each other nation in Washington. The second ply is regional: a diplomacy conducted by the State Department with such groups of nations as the North Atlantic Treaty Organization and the Organization of American States. The third ply is worldwide: the diplomacy conducted by the State Department through the USUN with the United Nations as a body and with the separate missions to the United Nations.

It is the third ply, of worldwide diplomacy, that was entrusted to Stevenson in 1961, and it was not easy to weave its problems into the texture of American foreign policy. He faced task after task of patient, unpublicized negotiation: the American aims in the Congo, the election of U Thant as Secretary General of the U.N., a solution of the U.N.'s desperate financial problems, the question of admitting the People's Republic of China to membership. On all these matters, the United States needed the votes of other U.N. members. And so, before Stevenson had been at his post very long, changes were evident in the position taken by the United States in the councils of the United Nations.

Of these changes, the most dramatic and the most abrupt was in the American attitude on the colonial question. Earlier, in December 1960, before a plenary session of the General Assembly of the United Nations, a resolution had been offered which denounced the alien subjugation and exploitation of colonial peoples and demanded that immediate steps be taken to grant them complete independence. An overwhelming majority of the United Nations backed the resolution. Its passage was never in doubt. But the State Department instructed the American delegation to abstain from voting.

Here was an irony. The United States, the first nation to wrest independence from a colonial master, seemed to be withholding its support from others struggling toward the same goal. Why? Presumably someone in authority believed that a U.S. vote in favor of the resolution would vex our allies in NATO—Great Britain, France, Belgium, Portugal and the other powers that still cling to colonial possessions—and so might weaken the alliance.

In vain the American delegation argued against the instruction. One delegate, Mrs. Zelma George, showed her displeasure by standing up and conspicuously applauding when the resolution was carried by the General Assembly. To no effect: the United States was recorded as declining to support the surge of colonial peoples toward independence—which was like declining to support the weather.

But that was in 1960. In 1961, with Kennedy in the White House and Stevenson the chief of the USUN, the policy was reversed at the first opportunity. Before long the United States was on record as approving the resolution and standing ready to assist in carrying it out. Sure enough, peevish protests came from within the NATO alliance. And before long domestic stentors joined them.

Perhaps the weightiest of the critics was Senator HENRY M. JACKSON, Democrat, of Washington. Senator JACKSON went before the National Press Club and viewed both the United Nations and the USUN with considerable alarm. He wondered whether we were not taking an exaggerated view of the importance of the United Nations. He questioned the part played by the Ambassador to the United Nations in the determination of foreign policy and deplored the fact that the Ambassador was a member of the Cabinet. (JACKSON never, in this speech, mentioned Stevenson by name.) "The Ambassador to the United Nations," he said, "is not a second Secretary of State." Nor, he added, should the U.S. delegation to the United Nations "operate as a second foreign office."

At this point, Stevenson could have been forgiven for wondering what in tophet was expected of him. A few months earlier he had been derided for knowing so little about the Nation's affairs; now he was being raked as though he had been wilier than a serpent in his control of those affairs.

Stevenson never retorts to a criticism by a friend, much less to an ill-informed criticism. (He is always ready to concede that his well-informed critics may have a point.) He tucked a copy of Jackson's speech into his capacious briefcase, read it once or twice, wrote one or two speeches in indirect answer to it, forgot it and went on about his business. He was probably grateful to one commentator who observed tartly, "The mistakes so ably criticized by Senator Jackson are indeed grave and foolish. The President, the Secretary of State and our Ambassador to the United Nations are all to be congratulated on not having made them." But the Jackson speech was another confirmation of the growing importance of the USUN under Stevenson's leadership. And it afforded, as well, evidence of how poorly informed most of us are about the USUN.

The nature of Stevenson's assignment is still puzzling to many people. The USUN, created by act of Congress in 1947, is now 16 years old; like many teenagers, it gets a lot of mail and seems to be forever talking on the telephone. Since the machinery of American foreign policy is nowhere more publicly displayed than at the United Nations, it follows that, when a citizen is aggrieved by that policy—or when, as sometimes happens, he is delighted by it—he is inclined to pick up either pen or phone and sound off to the USUN. From the bushels of this mail and the torrent of these phone calls it is possible to form a judgment: the USUN suffers from a case of mistaken identity.

Some people vaguely suppose the mission to be part of the United Nations. Some confuse the mission with the State Department, or with the American delegation to the General Assembly. Still others imagine the mission is merely a man—he was once Henry Cabot Lodge, now he is Adlai Stevenson—whom they can occasionally watch on their television screens as he wrangles with the Russians, rather as they might watch a marshal of the Wild West who is out to arrest the bad guys.

There is justification for all this confusion. The USUN is something new in American diplomacy. To define with exactness its character and its functions is a tricky task, because the definition has changed in the past few years and is still changing. It is easier to say what the USUN is not. Its chief is an ambassador but it is not an embassy. It transacts more consular business than most consulates, but it is not a consulate. It boasts a minister, but it is not a ministry. It is not a foreign service post, although a dozen or more foreign service officers work, and are overworked, within its walls.

The confusion is semantic as well as functional. The chief of the mission bears, among other lofty titles that of Permanent Representative to the United Nations. But how permanent is permanent? In 16 years there have been four permanent representatives—the late Warren Austin, Lodge, Wadsworth, and now Adlai Stevenson. Clearly, the permanent representative is not permanent; indeed by statute he keeps his office "at the pleasure of the President," who is himself perforce impermanent.

To add to the confusion members of the Soviet mission have often implied, with some heat, that the USUN in fact owns and operates the United Nations as it pleases. Furthermore, at least a few of the international civil servants who work for the United Nations have got the notion that the headquarters of the USUN was built so near (and at such a vantage over) the United Nations only so that the United States might keep a secret big brotherly eye on the U.N. The suspicion is voiced in jocular fashion, but still it is voiced.

The work of the USUN and of its chief are, then, befogged by confusion, innuendo, suspicion and outright error. This is a pity, for their work is important enough to warrant clarification and sympathetic understanding.

As chief of the USUN Stevenson's job, primarily, is to get the United Nations to do what the United States wants it to do. This has never been easy, and it is getting harder all the time. Last year for example, the U.N. came to its decisions only after holding 2,209 separate meetings of councils, commissions and committees, at virtually all of which the USUN somehow contrived to represent the United States excluding Saturdays and Sundays, this works out to more than eight meetings a day, every day in the year.

But the work is not spread evenly over 12 months, nor is it limited to 5 days a week. The peak comes during the last 3 months of the year, when the General Assembly is in session. Throughout this quarter, there may be two dozen meetings a day, 6 days a week. Nor does that officer properly represent, who merely shows up on time to answer when his name is called. He must be thoroughly familiar with parliamentary procedure, well rehearsed on his own government's proposals, and well briefed on the arguments likely to be raised by foes, friends, or neutrals. He must also be articulate, logical, persuasive, intelligent, and alert.

But representation does not stop here. Obviously, if the U.S. position is to prevail, delegates from a majority of the other nations must support that position. This calls for negotiations and consultation before and after the meeting of council, commission or committee. Where and when can this be done? Since every available hour is taken up with private homework and public debate, the only time a man can find to negotiate and consult with his opposite numbers from the delegations of other countries is at lunch, over cocktails and at dinner. And so we enter upon the round of so-called pleasure.

Lunches, receptions, intimate cocktail parties; dinners by candlelight, in black tie and formal gown; nights of dancing on roof gardens from which every prospect is of Manhattan's lights gleaming in the velvet dark—how gay it is, and how glamorous! Sometimes we invite our guests to a concert by the Philharmonic, or to skate on a frozen pond in Riverdale with grog served afterward. It is not a delightful whirl?

No, it is brutal. Consider the so-called social calendar of Adlai Stevenson during the first 5 days of last October:

Lunched on Monday with U Thant, the Secretary General of the United Nations; lunched on Tuesday with the permanent representative from Belgium; lunched on Wednesday with the foreign minister of Israel; on Thursday gave a lunch in honor of the daughter of Prime Minister Nehru, of India; lunched on Friday with leading members of the American Bar Association. Sent his regrets that he could not attend three other lunches: with the mayor of New York City in honor of the mayor of Berlin; with the permanent representative from Italy; and with the permanent representative from Mali.

Gave 1 reception and attended 13 others, to which he had been invited by the Permanent Representatives from Burma, Morocco, Nigeria, Ethiopia, Guinea, the U.S.S.R., Thailand, Cameroon, Liberia, Israel, the Philippines and Togo, and by the Permanent Observer from South Korea. Declined invitations to five other diplomatic receptions.

Gave a dinner at his ambassadorial suite in the Waldorf Towers in honor of Prince Faisal of Saudi Arabia, and joined Secretary of State Rusk in giving two buffet dinners to a total of 112 foreign ministers and permanent representatives. Declined invitations to four other diplomatic dinners.

Leaving aside the state of the Ambassador's liver and lights after 5 such days, there is the strenuous test to which he must put his orbicularis oris, his smile muscles. All that polite grinning, hour after hour.

As with Stevenson, so, on a humbler scale, with the other ambassadors, the special advisers, and the Foreign Service officers at the USUN. When they are not giving parties, they are attending them. But joy is confined at these affairs, in deference to representation. (It may be noted that even the funds appropriated by Congress for diplomatic entertainment are scrupulously described as "representation," lest any scandalized taxpayer suspect that some one is getting pleasantly plastered on money from the public purse.)

Representation involves listening as well as talking, and the USUN, set down as it is among all those other missions, is an invaluable listening post. Here one can tune in on the opinions and apprehensions of diplomats from all over the world. And, having listened, one can report to Washington.

Representation by the USUN, then, is put to its most searching test in the fall, when the U.N. General Assembly is in session. Like a benevolent nanny, the State Department is always ready to volunteer information, give advice or rap out instructions; but it is the USUN and its chief of mission, Adlai Stevenson, who must do the work and get the results.

Last fall there were just over one hundred items on the agenda of the General Assembly; items having to do with such troubled areas as the Congo, the Gaza strip, Kashmir and the Arabian refugee camps; items dealing with such desperate human needs as disarmament, food for the hungry, rights for the dispossessed and a ban on nuclear testing; contentious items such as colonialism and Hungary.

To advocate the American point of view on these complex problems was taxing enough. But in the midst of the job two major crises erupted—first Cuba and then the Congo.

In retrospect, one of the most striking aspects of the Cuban crisis is how smoothly and surely the triple-ply diplomacy functioned. In Washington, the President clenched the national fist of U.S. military power; the State Department dealt swiftly, on a bilateral basis, with all the nations concerned; and on a regional basis Secretary Rusk won unanimous support from the Organization of American States. And in New York the third ply, of worldwide diplomacy, came onstage in the memorable exchange of crisp dialog at the Security Council:

"Stevenson. Do you, Ambassador Zorin, deny that the U.S.S.R. has placed and is placing medium- and intermediate-range missiles and sites in Cuba? 'Yes' or 'no'—don't wait for the translation—'yes' or 'no'?"

"Zorin. I am not in an American courtroom, sir, and therefore I do not wish to answer a question that is put to me in the fashion in which a prosecutor puts question."

"Stevenson. You are in the courtroom of world opinion right now, and you can answer 'yes' or 'no'."

"Zorin. You will have your answer in due course."

"Stevenson. I am prepared to wait for my answer until hell freezes over."

That exchange took place, of course, before the television cameras and so was brought into millions of American homes. Stevenson then dropped out of sight again, to join with John J. McCloy in the private and protracted negotiations with the Russians over the removal of missiles, bombers and military personnel from Cuba. While those conversations were going on, word came that fighting had again broken out in the Congo.

From the time when the Congo collapsed into chaos, in the first week of its independence back in July 1960, the USUN has played a key role—and one that has gone almost wholly unreported—in helping that hapless country achieve a reasonable degree of political stability. The USUN helped organize the airlift of 20,000 U.N. troops from 21 countries; the USUN negotiated the agreements, between the U.N. on the one hand and the U.S. on the other, covering the costs of the peace-keeping operation; USUN officers joined in the protracted, intensive negotiations with Belgium and Great Britain that eventually led to U Thant's plan for a reconciliation between the central government of the Congo and the dissident province of Katanga. Most important of all, it was the USUN diplomats—Stevenson, his deputy Charles Yost and others—who were the most resolute in opposing the counsels of timidity and procrastination, who insisted that Moise Tshombe and his mercenaries would collapse at the first show of determined pressure. Last December, when the U.N. soldiers moved purposefully into Katanga, Stevenson and Yost were proved right.

A hand in two crises met and resolved; and along the way, the business of the General Assembly transacted to the satisfaction of the State Department. It was a fair record; yet for his pains Adlai Stevenson was assailed from two directions, and savagely.

An anonymous official, presumably a member of the National Security Council Executive Committee (the group of administration leaders who advised President Kennedy during the Cuba crisis), was quoted as saying that Stevenson had wanted a Munich, that Stevenson had urged a deal by which American missile bases in Turkey, Italy, and Britain would be withdrawn if the U.S.S.R. would pull out of Cuba, and had opposed the blockade of Cuba.

No sooner had Stevenson issued a sharp, angry and effective denial of these charges than he found himself (and the USUN) under attack for what was happening in the Congo. In this case the criticism, as Stevenson acknowledged, was of every kind, "from honest doubts about the legal basis for U.N. action to purple propaganda and outrageous lies."

Nevertheless, with the beginning of the new year Adlai Stevenson could find a number of reasons to take heart. For one thing, there was his mail. In the days before Stevenson took over as chief of the mission to the United Nations, something like 12,000 letters a year were addressed to the USUN. This number rose sharply in Stevenson's first year at the post. But last fall, and especially in response to his televised confrontation of Ambassador Zorin, his mail was remarkably heavy, and almost all of it was favorable.

For another thing the new year brought him welcome tidings from the Gallup poll. In case Stevenson had any doubts, here was the evidence so beloved by politicians: never in his political career had he been so popular across the country. Only a diehard 11 percent of those questioned by Dr. Gallup's reporters disapproved of Adlai Stevenson as Ambassador to the United Nations.

A few days later, U Thant held a press conference. A reporter asked: In regard to Governor Stevenson, there are strong rumors about his imminent resignation. Since he is widely respected and admired, as you well know, by Afro-Asian leaders—one of them has even told me that he thinks Mr. Stevenson has done more for the prestige of his country abroad than any other American since Franklin Delano Roosevelt—I wonder whether you, as a former leading figure of the Afro-Asian group and as U.N. Secretary General, who have had to deal with him almost every day on vital issues, could tell us what you think about him?"

U Thant answered: In my experience of public men, I have very rarely come across a statesman of Ambassador Stevenson's stature, a man of such mellow wisdom, perceptive thought, and balanced judgment. To my knowledge he has represented his country in the United Nations with eminence and with extraordinary competence, and I am sure he is very highly esteemed by most of his colleagues in the United Nations."

These were signs that any politician could read. When, last March Stevenson reported on the work of the USUN to a subcommittee of the Senate Committee on Foreign Relations, the occasion was like a love feast. The Senators scrambled to congratulate him on his prepared remarks; they vied with each other in suggesting that the United Nations did a better, and cheaper, job of keeping the peace than, for example, did the Defense Department. The session of the subcommittee was one long sweet song.

Two days later, when I had breakfast with Stevenson in his suite atop the Waldorf Towers in New York, he was still glowing happily at the recollection of the way he had been treated on Capitol Hill.

I had arrived as requested, at 8:30, and had been shown into a small drawing room and left alone for a few minutes. On one wall was hung a painting by John Singer Sargent; on another a portrait of George Washington by Rembrandt Peale. On an end table I noticed a silver plate on which had been engraved the calendar for the month of October 1962; the 13 fateful days of the Cuban crisis had been etched so as to stand out from the rest; at the top was inscribed, in cursive letters, "A.E.S." and "J.F.K." (President Kennedy gave a similar plate to each member of the National Security Council Executive Committee.) Propped on this memento was a gay water color portraying a sort of sphinx; the upper part of the beast was a young lady attired in an Empire gown. It was a valentine, subscribed "For the Governor with love from Jackie."

Then Stevenson came in, squeaking slightly, for he was wearing ripplesoled shoes. He ushered me into a dining room that has windows looking south and east—overlooking the United Nations. The morning was bright and clear.

He mentioned his appearance before the Senate subcommittee. "Senator CHURCH told me that last October—after that Security Council meeting, the one that was televised, you know—he heard people at magazine counters and in cigar stores saying, 'Give me a pack of cigarettes,' and if there was any delay, they'd say, 'Never mind the translation, just give me the cigarettes.'" Stevenson flashed his smile. "Senator CHURCH said he thought maybe I'd added a new phrase to the language.

"You know, it's funny. That speech made such an effect. But it was mostly luck. In the first place, I was lucky because of the timing. It was 7:30 at night; everybody was at home, at dinner. When I think of all the Security Council meetings that dragged on till 2 in the morning. And of course, there are no television cameras around at that hour.

"And another factor was the situation. Everybody was on edge. So the audience was bound to be big. Actually, I was thinking more of the audience inside the Security Council chamber, all the members of the United Nations who crowded that tense room.

"But there's been too much preoccupation with that one incident. Everybody's got the impression that it was unique. They don't realize that we've been slugging away for years on the same sort of issues at the U.N. Apparently we were slugging away in the dark.

"And another thing. People seem to think that the United Nations served no purpose, in the Cuban crisis, other than to afford a public forum. It did that, of course. But the United Nations—or, more precisely, the Secretary General of the United Nations—was also able to be a third party to the issue.

"Do you remember? At a critical moment, when the nuclear powers seemed to be headed straight toward each other on collision course, U Thant was able to intervene and help divert the Soviet ships away from Cuba and interception by our Navy. An indispensable first step. Just the fact that there was a third party who could perform such a service in the middle of the night at such a time—well, the human race can give thanks.

"And then the United Nations provided a site where we could enter into bilateral negotiations, with no need for either party to yield prestige."

He spoke about the role of the United States in the United Nations. "We don't own or control the United Nations." I raised an eyebrow. "No," he insisted. "We are no more and no less than the most influential of the 110 members. We need make no apologies for our influence. If we were less, we would be failing to do what we must, as leaders of the free countries. But if we were more, we would harm the U.N., which is and always must be an international organization."

He spoke about his problems as Ambassador to the United Nations. "The gravest problem at the moment is how the U.N. is to pay its bills. The financing. There is, as you know, a statutory limit on what we can contribute. That is, the United States cannot by law contribute more than one-third to the upkeep of any international organization. Of course, anything that involves money involves the Congress.

"That's another of my problems: Congressional relations. I should like to have more time just to fraternize with Senators and Congressmen—after all, they're the men who reflect what the country is thinking.

"In Washington the preoccupation is, naturally, with the Congress and the domestic audience. Here in New York, at the United Nations, we're preoccupied with the foreign audience. The two views are not always completely compatible. There's got to be a very sensitive equilibrium. The Department, the White House, the Congress, the public—I'd like to have more time to be able to tell them all about our problems. And instead——"

He burrowed in his briefcase and came up with a piece of paper. "Yesterday, for example, I had appointments with the U.N. Ambassador from France, the U.N. Ambassador from Norway, and the U.N. Observer from Kuwait. And there was also an appointment with U Thant.

"The French Ambassador was just back from Paris and from a tour of the French African states. He could tell me, state by state, what was going on, and of course it's very important to get a fresh look of that kind. He also wanted to urge a seat for Africa on the Security Council. The Norwegian Ambassador wanted to talk to me about Gromyko's visit to Oslo, about the arrival in this country of the Foreign Minister of Norway and about the NATO nuclear force. Also about his own trip to Israel, later on. Also about the U.N. presence in Berlin. The observer from Kuwait wanted to discuss the revolutions in the Middle East and ascertain just what course we were planning to take as a result of them.

"As for U Thant, I wanted to discuss with him the possible return to Saudi Arabia of Ralph Bunche, and the efforts the U.N. is making toward a disengagement of the two forces fighting in Yemen.

"And before every appointment, there is consultation with the political advisers, and after every appointment there is telephoning back and forth with the Department. So you see, there's very little time."

He glanced at his watch.

"Good heavens," he said, getting up. "I'm late already."

It was after 9:30, the time when he was supposed to be in his office for a morning briefing. Ten or 12 men gather each day for these briefings in Stevenson's office, and it is still another mark of the growing importance of the USUN that today five of these men are of ambassadorial rank. Besides Stevenson, and his deputies, Plimpton and Yost, Jonathan Bingham and Sidney Yates have recently been confirmed as Ambassadors. Bingham is the American representative on the Economic and Social Council; Yates is the American representative on the Trusteeship Council.

In the limousine on the way to his office, Stevenson spoke of the Congo. "The test over there is just beginning," he said. "We have got to help them develop an entire political and financial administration. They haven't even an adequate police force. I hope it will be only a few years before they are equipped to govern a modern state steadily and sensibly, but ——"

In the lobby of the mission's headquarters, he waved a hand at a painting on the wall. "What do you think of that?" he asked. It was an abstract expressionist painting of the sort that was much in vogue 4 or 5 years ago. He guessed from my expression what I thought of it. "I wanted to have all kinds of American paintings in the U.S. mission," he said.

The elevators in the USUN building rise swiftly, and we were on the 11th floor in a few seconds. "There," I said, as we got out, "there is a painting I like better."

It is a primitive called "The Peaceable Kingdom," and it shows the lion lying down with the lamb and a lot of other farm animals, against a serene country background. The Permanent Representative of the United States to the United Nations looked at it fondly. "Oh, of course," he said. "I like it better, too. Why do you think it's up here on the 11th floor?" He stared at it for a few seconds. "I like to think it's symbolic," he said.

THE MAGNIFICENT RECORD OF THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH IN THE CONTINUING FIGHT AGAINST PREJUDICE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STRATTON. Mr. Speaker, the fight against prejudice and bigotry is a fight that never seems to end, as we realize these days. Despite the Constitution, the Bill of Rights, and the ideals upon which this Nation was founded, millions of Americans have been and are still being subjected to prejudice and discrimination because of their race or their religion. For these Americans there has been a gap between the promise of democracy and its reality, a gap which has been narrowed through the years but never closed.

The June 4 issue of Look magazine traces the advances made in the past half century toward democratic understanding. In an article called "The Fight Against Prejudice," it examines our progress through the story of a Jewish human rights organization, the Anti-Defamation League of B'nai B'rith, which this year is observing its 50th anniversary.

The Anti-Defamation League is the organization which presented President Kennedy with its America's Democratic Legacy Award last January. In his acceptance speech, the President cited the League for its "tireless pursuit of equality of treatment for all Americans" and its "lasting and substantial contribution to our democracy." President Kennedy likened what the League has stood for for 50 years to "what this country has stood for for 200 years—what this country will continue to stand for."

Mr. Speaker, this article clearly shows how far this Nation has come, and how much further it still has to go, in changing ideals into facts. Its author, Thomas B. Morgan, in paralleling the history of the Anti-Defamation League with the history of America, points out the fact that the League "has been free and ready to fight is perhaps part of what America is all about."

Mr. Speaker, I want to express my own admiration for what the Anti-Defamation League is and for what it has done, and to congratulate them for the magnificent record of achievement which this article unfolds.

Under leave to extend my remarks I include the text of Mr. Morgan's article:

THE FIGHT AGAINST PREJUDICE

(By Thomas B. Morgan)

In the United States in the 1960's:

Jews are excluded from, or meet discrimination in, more than half of America's social-cum-influential city and country clubs, from New York City to Los Angeles. (In a reverse twist, a number of Jewish clubs bar Christians.)

Until last year, it had been virtually impossible for a Jew to buy a house in the incorporated village of Bronxville, N.Y., on the northern outskirts of New York City, home of about one-third of America's 5,510,000 Jews.

In early 1960, nearly 300 separate acts of desecration were committed against Jewish houses of worship in America, including swastika painting, vandalism, and dynamiting.

Job orders from thousands of U.S. firms are on file in the offices of private employment agencies across the country, stating specifically, or in code, that Jews need not apply. (Negroes and Oriental Americans, of course, get the same treatment.)

Many hotels in America's playland, Florida, bar Jews, although the situation has improved in recent years.

And last year in Berkeley, Calif., by dialing a well-advertised number, you could, during a 1-week period, listen to a 3-minute tape-recorded phone message telling of the Jews conspiracy to take over Western civilization. This is an awe-inspiring concept when you consider that, in nearby Oakland, Jews have a hard time winning membership in the Elks Club.

The Anti-Defamation League, which is the civil rights arm of B'nai B'rith, largest (400,000 members) Jewish service organization, says that anti-Semitism persists in America—not only in the lunatic fringe, but also among nice people, some of whose best friends are Jews, and who ought to know better. "Anti-Semitism changes its forms and its intensity, but it does not disappear," the league's new national chairman, Dore Schary, told Look recently.

Research, which is a large part of ADL's business, shows that anti-Semitism is a pervasive (if sometimes secret) fact of American life. Yet, ADL hastens to add, that fact should not obscure the truth: American Jews today command more respect as Jews and have greater equality as Americans than at any time in this century. America itself is more egalitarian today than it has ever been, at least since the closing of the frontier. There are obvious social, political, and economic reasons for this—but one less appreciated reason should be taken into account: Jewish Americans have won respect for themselves and for other minorities by fighting for it, individually and through organizations such as the Anti-Defamation League.

This year marks the league's 50th anniversary. That it has been free and ready to fight is perhaps part of what America is all about.

The league is a highly skilled human-relations organization dedicated to combating prejudice and promoting understanding. It has headquarters in New York and regional offices in 25 cities. Its staff includes 150 full-time lawyers, social scientists, educators, and public-relations specialists. Its governing body is a 110-man commission of 58 B'nai B'rith representatives and 52 other community leaders. Each regional office is governed by community representatives (total, 4,000), who are, in turn, ADL's major source of volunteer workers. League funds come from voluntary contributions collected in annual drives—plus the B'nai B'rith treasury. The budget for next year: $3,940,000. "We will do with it what we've always done," Schary told Look. "Where we find prejudice, we fight it. That's a commitment you make as an American and as a Jew."

On the theory that the best defense is a good offense, the league was organized in 1913 at the urging of a Bloomington, Ill., lawyer and B'nai B'rith member, Sigmund Livingston, who served as chairman for 33 years. "The immediate objective of the league," its charter said, "is to stop, by appeals to reason and conscience and * * * law, the defamation of the Jewish people. Its ultimate purpose is to secure justice and fair treatment to all citizens alike * * *." For B'nai B'rith, whose Hebrew name means Sons of the Covenant, this new covenant was a declaration of faith in America's promise.

Such an organization, assuming responsibility beyond the interests of one sect, was novel. But more to point, it was something new for U.S. Jews. There had been Jews among the earliest settlers. Jews fought in the Revolution, helped found cities and died for the Union and the Confederacy. The myth of the Christ-killers and the stereotype of Shylock were part of their burden, but they were generally treated with fairness and judged as individuals. They were able, industrious. And most of them wanted to integrate.

Unlike the Mormons, Jews were not massacred for their beliefs. Their pains were minor compared to those of the Negroes, Jehovah's Witnesses and west coast Orientals. They were not victimized, as Catholics were, by Know-Nothings; and they were spared such pogroms as were visited upon the red Indian. They were spared so much that, in 1877, when Saratoga's Grand Union Hotel turned away the New York financier Joseph Seligman solely because he was a Jew, the American Jewish community was genuinely startled.

Rapid change came after 1890, czarist persecutions sent a flood of Eastern European Jews to America, where they crammed into New York and Boston ghettos. Between 1900 and 1913, almost 100,000 Jews a year landed in the United States. The Jewish population mushroomed—from the few hundred thousand of the year Seligman was rebuffed to some 2 million at the time ADL was founded. With little more than hope as a resource, younger immigrant Jews broke out of U.S. ghettos to compete in the rough-and-tumble, open society beyond. Now, the Jew became visible.

He appeared against the background of an America that was transforming itself from a rural republic into an industrial superstate. Painfully, clumsily, but inexorably, political power was moving away from farmers to city folk, from the old majority to the new minorities, from statehouse to Capitol Hill. There was no turning back, but neither was there any way to know what the democratic life would be like when the country got where it was going.

Some Americans resented change; others frankly feared it. Embittered, they fixed upon the Jew, a traditional scapegoat, and prejudice that was latent and abstract became manifest and real.

By 1913, most U.S. newspapers identified Jewish lawbreakers as Jews: "Samuel Green, a Russian Jew, was apprehended today perpetrating * * *." Dime novels stereotyped Jews as heinous swindlers, arsonists and satyrs. Resorts and hotels advertised: "Restricted clientele—no Jews, no consumptives and no dogs." The noun "Jew" became a verb and an adjective in spoken and written American English. Silent movies, whose daily audience topped 10 million, presented a steady diet of Rosenstein, the Jew moneylender, and Lowenstein, the Jew fence, in what were advertised as "Jew movies." On stage, Jewish comics themselves contributed to the stereotype. And, especially in the South and Midwest, labor unionism, reform, anarchism, communism, capitalism, and birth control were all incorporated in the myth of a Jewish plot, passed on as gospel—and often with the Gospel. Jews, meanwhile, quietly and privately criticized their tormentors, but they had not yet begun to fight.

Then in Atlanta, Ga., on the afternoon of April 26, 1913, someone murdered Mary Phagan, a 14-year-old white Christian girl from nearby Marietta. Except for her killer, the last person to see her alive was the superintendent of the pencil factory where she worked. He was a 29-year-old Jew named Leo Frank. The young man—Brooklyn-reared president of the Atlanta chapter of B'nai B'rith—had given Mary Phagan her wages. Next day, he was arrested for the crime. As it happened, this circumstance had a galvanic effect on the men who created ADL. Certainly, B'nai B'rith would have founded the league sooner or later, but the story of Leo Frank struck the American-Jewish community like nothing before in its experience. It was Frank's destiny to give the league the sense of urgency that characterizes its operations to this day.

Frank's trial was a farce, and he was sentenced to hang. Crowds outside the courthouse chanted, "Hang the Jew." Spectators inside got up to quote the Georgia bigot, Thomas E. Watson. In his widely distributed publications, Watson switched from anti-Catholicism to anti-Semitism for the Frank case: "Our little girl—ours by the eternal God—has been pursued to a hideous death and bloody grave by this filthy perverted Jew of New York." Despite protests from the Atlanta Journal, the Hearst press, the newborn ADL and numerous emergency defense committees, Frank stayed in the death house.

Hope rose when, at the cost of his career, Georgia's Gov. John Slaton commuted Frank's sentence to life imprisonment. Said Slaton: "Two thousand years ago, another governor washed his hands and turned a Jew over to a mob. For 2,000 years, that governor's name has been a curse. If today another Jew were lying in his grave because I had failed to do my duty, I would all through life find his blood on my hands, and must consider myself an assassin through cowardice." His term in office ended, Slaton had to leave the State to save his own life from the mob.

Leo Frank did not last long in jail. First, his throat was cut by a mad inmate. Then, as he recuperated, Tom Watson published: "Are the old lessons lifeless? Are the old glories gone? Are there no feet to tread old paths?" On August 17, 1915, 25 men of Georgia answered Watson's questions. They walked, unmolested, into the Milledgeville prison hospital, seized Frank, chained him to an automobile, and drove him from Milledgeville to the outskirts of Marietta, Mary Phagan's hometown. There, they strung him up on an old oak tree. While across the country Americans denounced the law of the mob, Watson triumphantly wrote: "Jew libertines take notice."

With Leo Frank as a bloody symbol, the Anti-Defamation League went to work. Its headquarters was Sigmund Livingston's Chicago law office. It had two desks, a $200 budget and the pledge of 150 prominent American Jews to work for its objectives. Except for the Frank case, they were kept busy in the early days dealing with so-called "random prejudice." Thus, in 1913, the late Adolph S. Ochs, publisher of the New York Times, wrote an Anti-Defamation League memorandum that went to the editor of every U.S. daily newspaper. It was entitled "A Note on the Word 'Jews'" and explained: "The word 'Jew' is a noun and should never be used as an adjective or verb. To speak of 'Jew girls' or 'Jew stories' is both objectionable and vulgar * * *. The use of the word 'Jew' as a verb—'to jew down'—is a slang survival of the medieval term of opprobrium and should be avoided altogether * * *."

Effective beyond the league's greatest expectations, the memorandum was reprinted in newspapers across the country and tacked up in city rooms, where it remained for years as a style guide for reporters and editors. In 1915, only 50 cases of "objectionable and vulgar" usage were found in the press, and, by 1920, virtually none.

Simultaneously, private persuasion (the league's most effective tactic in this period) was applied to the problem of "Jew movies" and "stage Jews." With scripts, photos, and film clips to document their arguments, ADL representatives visited vaudeville comics, theater owners, and booking agents to request changes. Motion picture producers received appeals and were threatened a little, while league volunteers campaigned for local film censorship ordinances. As a result, in a few years, the offensive characters disappeared.

In 1914, the league also conceived a list of reasons why Shakespeare's "The Merchant of Venice" should not be taught to schoolchildren and sent it in a letter to the school superintendent in every town with over 10,000 population. Personal ADL visits often followed up the letters. By the end of the decade, many big city schools and even colleges had dropped the Shylock play.

What with prohibitionists smashing saloon windows, suffragettes stopping traffic, anarchists blowing up buildings, and Comstockians charging through our libraries, the league's approach was mild, indeed. But by today's standards of free speech, the early league was sometimes in conflict with the Bill of Rights. ADL has changed. Last year, while suggesting that harm might come from a TV production of "The Merchant of Venice," the league reiterated the stand it has taken in recent years—that "a work of great artistic quality * * * cannot be subject to censorship." In the official history of ADL, to be published this year, the league offers this stand as an example of how, "as it matured, ADL displayed more and more understanding of the basic issues of civil liberties and freedom of expression."

When America went tooting off to make the world safe for democracy in 1917, war hysteria multiplied the league's challenges. Unlike Abraham Lincoln of Illinois, Woodrow Wilson of Virginia was not quick to use the moral prestige of the Presidency as a force for tolerance. At the request of ADL and other Jewish groups, he did suppress an official U.S. Army manual advising draft-board medical examiners that "the foreign born, and especially Jews, are more apt to malinger than the native born." But Wilson did nothing to stop the witch hunting of his Attorney General, Mitchell Palmer. The country's war fever went up and stayed up, inflaming the growing tendency toward prejudice. Try as it would, ADL could never catch up with the fiction of Jewish malingering.

After the armistice, ADL found that it had to fight harder to stay in one place. America went on the last fling of the "old order." Race riots in Chicago, Palmer's raids nationwide, the Ku Klux Klan's ride to a peak membership of over 4 million, all formed a dismal background for Jew baiting—perhaps best typified by the activities of Henry Ford, who invested millions of tax-deductible dollars in his newspaper, the Dearborn (Mich.) Independent, which published spurious anti-Jewish tracts and revisions of history under headlines like "The International Jew: The World's Problem." It was the first massive anti-Semitic campaign in U.S. history. Ford required his dealers to see to the newspaper's distribution. At the height of the campaign, Independent circulation reached 700,000 weekly.

For 7 years, all efforts by the league and other organizations to move the auto tycoon, and all public denunciations of the Independent failed. The paper kept up the attack until 1927. Then, at last, Ford released a letter of apology to the Jewish community for the Independent's policies and publicly disclaimed anti-Semitism. After World War II, the League was gratified by the efforts of the Ford family to make amends: The 1951 recipient of an America's Democratic Legacy Award, presented annually by ADL for "distinguished contributions to the American heritage of freedom," was Henry Ford II, and a winner for 1954 was the Ford Foundation.

Private persuasion remained the league's most frequent tactic in the twenties. But as discrimination became more virulent, the league began to fight in public. To counter the widely held belief that the Russian revolution was a Jewish uprising, ADL set up a nationwide lecture tour for the Chicago Daily News correspondent, Isaac Don Levine, who had just come back from the Soviet Union with precisely the opposite information. And, along with other organizations, the league did what it could to harass the hooded KKK. Ironically, ADL's proposals for "unmasking legislation" brought little response in the twenties, but were models for the laws passed in many States during the Klan revival of the forties.

By all odds, the twenties were the nadir in the modern history of U.S. civil liberties. But the league and other groups fighting for minority rights accomplished more than they knew at the time. Out of America's ideal of equality, they built what historian John P. Roche calls the "ideology of civil liberty," a doctrine of fairplay for all groups that millions could accept. In the thirties, the New Deal incorporated this doctrine in its philosophy. It was the adhesive that held together Franklin Roosevelt's coalition of underdogs.

The league in the Roosevelt years—which were also the Hitler years—concentrated on "vigilance work," gathering facts about native Fascist movements and exposing them. Exposure, it found, worked where private persuasion could not. ADL kept tabs on 121 anti-Semitic organizations and hundreds of pro-Nazi crackpots. It became a leading source of information for the FBI and other police agencies. One of its undercover investigators turned up as chauffeur for Fritz Kuhn, Führer of the German-American Bund. ADL also joined a coalition of groups fighting Father Charles Coughlin, the Royal Oak, Mich., radio priest, and in 1940, Coughlin went off the air.

During the Roosevelt era, the Jewish-American community developed a new conception of self-defense. "The Jews no longer imagined their interests to lie in appeals to the powerful," says historian Oscar Handlin, "but in solidarity with the underprivileged. They sought security, not in * * * tolerance for themselves alone, but in the general assertion of the rights of all Americans." To ADL, this meant an increased concentration on "affirmative" work, more literature, films and lectures on fairplay, and a multiplication of local community activities.

For the league, the American scene in World War II was different from what it had been in World War I. While the west coast was gripped by war hysteria, and thousands of Japanese-Americans were shamefully interned, the country as a whole remained calm. There were few anti-Semitic outbursts, and the old lie of Jewish malingering made only a feeble comeback. Finally, the revelations of the Germans' "Final Solution of the Jewish Problem," which left 6 million Jews dead in Nazi extermination camps, taught a seemingly unforgettable lesson about intolerance.

In the aftermath of the war, league activities reflected the changing expression of prejudice in American life. There was a running battle to be fought with such relics of the old anti-Semitic movements of the 1930's as Gerald L. K. Smith and with those who made fitful attempts to reorganize hate groups. Whipped up by the Red threat abroad and the capture of home-grown Russian spies, among whom were a number of Jews, extreme tension set in for a period, and all the old prejudices bobbed back into view. During the Army-McCarthy clash over security at the Fort Monmouth, N.J. Signal Corps research center, 36 employees, most of whom were Jews, were suspended. Bigots cried, "Jew Bolsheviks." ADL, however, investigated the case of each man, and helped win reinstatement for 28 of the 36. There was also a campaign—unsuccessful because it was nonsensical—to portray the Zionist movement, which aimed to establish a Jewish homeland in Israel, as a subversive plot demanding dual loyalties from U.S. Jews. But, above all, the postwar era was the time in which the league opened an intensive fight for full equality, not only for Jews, but for all minorities.

Here is how ADL has fought its new battle:

Racial discrimination: Soon after the war, ADL enlisted on the side of President Harry S. Truman's Civil Right Commission, the National Association for the Advancement of Colored People and other organizations in the struggle for Negro rights. The league's lawyers filed a brief in support of desegregation while the Supreme Court was weighing its historic 1954 decision. And in 1961, a year before the scheduled desegregation of schools in Chattanooga, Tenn., league experts helped local school officials, civic groups and police devise a program for peaceful integration. Last fall, Negro and white children in Chattanooga started going to school together without incident. An ADL book on this experience will be available soon as a guide for other communities in the South.

Job discrimination: In the thirties, a personnel specialist estimated that almost all job orders filed with private employment agencies discriminated against somebody. For the past 15 years, the league has been helping to sponsor FEP (fair employment practices) laws. In California, for example, the 1958 FEP fight was going badly because groups agitating for the legislation lacked documentary evidence of actual job discrimination. Then an employee of a private employment agency brought copies of coded job orders from 200 Los Angeles firms to ADL's local office. He explained the code—the number 99 meant "no Negroes," number 53 meant "no Jews"—to the league's regional director, Milton Senn, a former U.S. Army counterintelligence officer. In 1958 and again in 1959, Senn filed complaints against hundreds of firms with the President's Committee on Government Contracts. "We knew few of these firms would fall under Federal jurisdiction," Senn told Look, "but the charges created a public discussion of job discrimination and called attention to the seriousness of the situation." Then, armed with photographic enlargements of the telltale job orders, an ADL representative testified for the FEP bill again. Later in 1959, it passed the California Legislature. ADL had been the only organization among the many in the FEP campaign to come up with substantive evidence.

Discrimination in college admissions: The practice of discriminating against Jewish applicants for college admissions became widespread in the twenties and thirties. By 1949, for example, many U.S. colleges maintained a quota system—which limited the number of Jewish students to a fixed percentage of the total admitted, no matter how many might qualify. That year, ADL conceived a crack-the-quota-system campaign. The American Council on Education, together with the league, called a conference, attended by delegates from more than 100 colleges and graduate schools, to discuss discriminatory admissions practices. From this beginning, and helped along by such other pressures as the country's critical need for scholars, the ADL campaign resulted in a drastic decline in the number of quota colleges. Recently, ADL reported that over 1,000 schools have revised application blanks to eliminate one or more questions regarding the racial or religious background of potential students.

Housing discrimination: After 1917, it was commonplace for homeowners to enter into restrictive covenants (the buyer of a house pledged, under penalty of law, not to resell the house to a member of particular minority groups). In the late forties, the Supreme Court ruled that restrictive covenants were not enforceable in the courts. Voluntary agreements on neighborhood purity were not affected. Since then, the league has worked for State and city ordinances aimed at outlawing housing discrimination of any kind. Such regulations are now in force in several States and a number of major cities. The league has also been effective in the housing area using persuasion—backed up by the threat of exposure in the press.

Eight years ago, an ADL regional office began to study complaints of discrimination against Jews in a vast middle- and upper-income housing development owned by a major U.S. corporation. Jews, it was said, were restricted to certain buildings in a section that had become known as "The Ghetto." ADL obtained a list of all project residents and, through a check of contributors to the United Jewish Welfare Fund, followed by a door-to-door "solicitation" of new members of B'nai B'rith, determined that Jews were concentrated in six buildings. Next, with wives of B'nai B'rith members posing as applicants, ADL proved conclusively that the rental officer gave certain preferences to applicants with "non-Jewish" names. Evidence in hand, ADL representatives met with an officer of the corporation, who assured them that discrimination was contrary to company policy. After an investigation of its own, the corporation confirmed the league's findings. ADL checked on the buildings periodically and is now satisfied that desegregation is being accomplished.

Separation of church and state: From its earliest days, ADL took the position that sectarian religious observances in public schools were a violation of the constitutional provision for freedom of religion. It kept an account of schools displaying religious symbols and distributing sectarian texts to students, but mere exposure of such data had little effect. In recent years, the league has taken a more active role. In New York, it challenged the practice of beginning each school day with the "regents' prayer." It opposed in Pennsylvania a requirement that the Bible be read without comment in the daily opening exercises of public schools; and in Maryland, a requirement that the Lord's Prayer be recited.

Inevitable, the league's vigorous intervention in the running church-state controversy has created friction between Jews and non-Jews. Recently, the Jesuit magazine America wrote an editorial, "To Our Jewish Friends," asking whether the zeal of a "vocal segment within the Jewish community was not damaging to the community as a whole. Commonweal, a lay-edited Catholic weekly, answered America: "After centuries of Christian persecution of Jews, it would be a monumental irony to accuse Jews of fostering anti-Semitism."

While Catholics argue among themselves about Jews, the consensus is that a greater understanding exists between Catholics and Jews than might have seemed possible a generation ago. To a degree, this accord has been a result of work done by ADL, which has defended Catholic rights; publicized, as a forgery, the so-called Knights of Columbus oath; organized interreligion seminars, conferences and summer camps, and joined on numerous occasions with Catholic social-action groups to combat intolerance.

Busier than ever today, the league is fighting a single sin—prejudice—in a multitude of ways through national and regional vigilance work, education, and research. From a $500,000 research project set up at the University of California, 2 years ago, it hopes to find out, among other things, the role that Christian churches play in anti-Semitism and how prejudice is learned. Dr. Charles Glock, director of the University of California survey research center says: "We want to find out under what conditions Americans, who are usually ambivalent about Jews, transcend this and react toward the Jew, not as a Jew, but as a person." The league expects Dr. Glock's report in 3 years. Meanwhile, some of ADL's continuing concerns include: textbooks that inadequately teach the history of U.S. minority groups or the story of Nazi Germany; immigration laws that discriminate against ethnic groups; and radical rightwing political groups whose leadership now eschews anti-Semitism, but among whose members are well-known professional bigots.

The league sees no end to the work it is in. As Benjamin Epstein, ADL's operational chief, told Look: "Fighting prejudice is part of a process. The league is one force among many in a great country. Prejudiced behavior has changed because enormous forces—education, Government, unions, business and civic organizations—have been at work and all of them together have made progress. We feel that the league may have been, on occasion, a catalyst. But the important thing is that change for the better has come about because the goal of full equality coincides with the ideals that Americans really believe in. Change comes because people of good will want their ideals to be meaningful in their own lives."

TARIFF CLASSIFICATION STUDY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Macdonald] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MACDONALD. Mr. Speaker, I have introduced legislation today which is intended to correct what the Tariff Commission, in its report to Congress on its tariff classification study, has called an anomaly in our tariff regulations. Under a recent ruling of the Bureau of Customs, imports of waterproof footwear take substantially less duty if they are composed wholly or in chief value of synthetic rubber or plastics, than they would take if wholly or in chief value of natural rubber. That is because the term "india rubber" was used in paragraph 1537(b) of the Tariff Act of 1930 to describe this type of footwear, and "india rubber" has been held to mean "natural rubber."

This proposed legislation would merely define waterproof footwear so that all such imports would take the same customs treatment whether made of natural rubber, synthetic rubber, or plastics. This was not important when the description of waterproof footwear was originally written, because synthetic rubber and plastics were virtually unknown, or at least were only in the test-tube stage. Now synthetic rubbers and various plastics are used along with natural rubber in the production of waterproof footwear both here and abroad.

This correction of the anomalous condition, which has resulted entirely from technical considerations, would greatly simplify the administration of the tariff regulations in this particular area. At present the Bureau of Customs officials must determine whether imports of waterproof footwear are wholly or in chief value of natural rubber, synthetic rubber or plastics. This, I am told, is difficult now—and in many instances impossible—and will become more difficult as new synthetics and plastics are developed.

Furthermore, it would bring the U.S. treatment of the affected imports into line with the treatment given such products by the various countries who export waterproof footwear to this country. Generally, natural rubber, synthetic rubber and plastic products are subject to the same duty when imported into these countries. The exceptions are where plastic products take a duty higher than rubber.

There is another point that must not be overlooked. By extending this advantageous tariff treatment to waterproof footwear made of synthetic rubber and plastics, we discourage the use of natural rubber. This is detrimental to the various countries whose economy is based largely on the production of natural rubber. By having a uniform duty on imports of waterproof footwear, whether made of natural rubber, synthetic rubber or plastics, there would be no benefit to the importer in going over to synthetics and plastics, and the use of natural rubber would thereby be increased.

The present treatment of waterproof imports works to the serious disadvantage of the domestic industry. More than half the waterproof imports are now classified in the lower duty bracket, as nonnatural-rubber products, and the trend is steadily upward. If this goes on, it will nullify the protection Congress intended for this industry which already is severely pressed in holding its own in its home markets against the production of low-wage foreign manufacturers.

USE A RIFLE—NOT A SHOTGUN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Randall] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RANDALL. Mr. Speaker, out in western Missouri in the area embraced by the Fourth Missouri District, there has been a recent flood of constituent mail generated by an organization described as the "National Write Your Congressman Club, Inc.," listing as their address a post office box in Dallas, Tex. They prepare what they describe as an "opinion ballot."

Recently, one of the ballots concerned itself with such things as globetrotting by Congressmen and other matters including a possible increase in congressional salaries.

But Mr. Speaker, we have heard recently about an anonymous Congressman who furnished one of our syndicated writers with information about his fellow Congressmen. Instead, today, I want to mention an anonymous constituent who penned a handwritten comment on one of these opinion ballots but omitted to sign his name.

The comments of our constituent which we received had a handwritten notation at the bottom of the opinion ballot as follows:

> I prefer not to work a hardship on anyone who does his or her best to serve the people. Most of the time being a Congressman is a thankless job. But, anyone taking the job of serving is morally responsible and should be made publicly responsible and accountable to the people he serves on all things at all times. I am not interested in the ways these people spend their personal salaries unless they are dealing in something illegal or bordering thereon. These servants of the people are entitled to whatever private life they can manage without neglecting their duties. I would hate to see a public display made of the honest Congressmen, but I am quite sure there are a few that could use a thorough going over.

It seems to me that this constituent has rightfully concluded that even a Congressman is entitled to at least a few of the benefits of the long-established right of privacy so long as there is no neglect of duty. It seems to me our constituent is implying that the people should express their dissatisfaction by well-aimed rifle shots and not a broadside with a shotgun against every Member of Congress.

What a shame a man who can present his thoughts in such a sound, logical manner would prefer to remain anonymous, because it is usually the cowardly type that can neither think nor express what thoughts they have in writing that are ashamed to affix their names to their letters.

INTERNAL REVENUE SERVICE REVERSES ITSELF

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Randall] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RANDALL. Mr. Speaker, about a week ago, the Internal Revenue Service, here in Washington, completely reversed its position on tax exemptions for gifts made to a charitable fund which goes under the name of the Greater Kansas City Fire Disaster Fund.

Before being critical of the IRS, it would be in order to explain the purpose of this fund and give some background material on the reasons for the origin of this fund. In August 1959, there was a disastrous fire on Southwest Boulevard which resulted in the death of several firemen engaged in fighting the fire. If my recollection is accurate, the fire was occasioned by the explosion of a Conoco bulk plant. Several companies answered the alarm and many injuries were sustained, but several brave firemen gave their lives in response to their call of duty.

Kansas City has always been noted for its big heart. In times of other disasters, such as the 1951 flood this quality of charity was known as the Kansas City spirit. The quality of mercy and the virtue of charity again expressed themselves following the Southwest Boulevard fire in 1959. A great number of persons and many business firms contributed to a fund set up at that time to help the widows, orphans, and dependents of firemen killed in this fire.

Early in January 1960, the IRS ruled that the gifts made to this fund to be administered by the municipality of Kansas City, Mo., were deductible. Now, IRS has had a change of heart, or at least a change of mind, and finally decided very recently that gifts made to this fund could not be regarded as charity.

Now, Mr. Speaker, I find it rather difficult to believe that the definition of "charity" should suddenly become so restricted and limited in its meaning that it should in this instance exclude widows and orphans of brave firemen who gave their lives in line of duty.

As an observer sitting on the sidelines but close enough to know something about the happenings, we would find reason to voice two complaints against IRS:

First. The most recent ruling concludes that the donations to aid widows and orphans of firemen killed in action is not a charitable purpose, and yet, the same IRS finds no reason to be hesitant for awarding a deductible or tax exempt status to the large quantities of ransom supplies sent to Castro's Cuba by some of our large corporations. It is not our suggestion that because of this comparison that there was anything evil about the ransom effort. Instead, my premise is, if the Cuban operation is accepted as charity, then certainly the Kansas City donations should be recognized as charity, for the valid reason which has been oft expressed in the adage and which has now become a statement of self-evident truth, "charity begins at home."

Second. Our second complaint against the IRS is that as to this matter it seems to have experienced more than the usual or ordinary difficulty in making up its collective mind. In January 1960, the gifts were deductible. Today they are not deductible. The city counselor of Kansas City, Mo., Keith Wilson, recently asserted that this change in the ruling by the IRS is a tragic commentary on our times, particularly in relation to the liberality accorded those willing to ransom persons held by Castro.

The IRS cannot contend it did not know all the facts of the Kansas City disaster because it had from August 1959 to January 1960 to fully consider a ruling and should have known at the time of its initial ruling that such would be an effective inducement to further contributions to the Kansas City Fire Disaster Fund. Yet, for over 3 years, the approval as a deduction was permitted to stand and be relied upon by those making donations to this fund. The sudden right about-face leaves these donors, for such a very worthy purpose, without the status they have relied upon all this time. IRS has now made a half turn on the circle. Let us hope a reconsideration of the facts will enable IRS to make it around the full circle and back to its first and much more sensible definition of charity which will cover our own widows, orphans, and dependents of brave firemen who gave their lives in line of duty to an equal extent we allow deduction to those who would ransom prisoners from Castro.

SAVE EXCELSIOR SPRINGS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. RANDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RANDALL. Mr. Speaker, one day last week our office received an announcement by General Gleason, now Administrator of the Veterans' Administration that it was their plan to close the tuberculosis hospital at Excelsior Springs, Mo., on July 31 of this year.

This announcement came to some of us who represent areas in western Missouri as quite a surprise and certainly as a considerable shock. Before going on, I think I should point out that Excelsior Springs is located in the Sixth Missouri Congressional District very ably represented by the Honorable WILLIAM R. HULL. Our own interest in this announcement comes about because of service during the 86th and 87th Congresses as a member of the House Veterans' Affairs Committee, and as a member of the Hospital Subcommittee which had direct legislative oversight of all VA hospitals in the United States. As a member of the subcommittee, we were commissioned just about a year ago by the chairman to make a field inspection of this facility and report our findings. Our report in part was as follows:

First. The Excelsior Springs Hospital facility was well managed and the operation seemed to be running smoothly. Patient morale was high. The veteran organizations in the surrounding areas were found to be doing an excellent job of assisting through their visiting program.

Second. The buildings were found to be in a good state of preservation. The manager estimated exterior resurfacing might cost $25,000 but the interior could be handled out of operating funds.

Third. An elevator needed to be rehabilitated which could be done for an amount not to exceed $25,000.

Fourth. X-ray equipment was in good condition and only a small amount of additional laboratory equipment was needed.

Fifth. Personnel were well trained. They were kind to the patients and courteous to the public. We were impressed with the high quality of help found throughout the facility. They demonstrated themselves to be efficient, faithful, and dedicated employees.

Sixth. The only adverse circumstances were the cost per patient because of the declining average daily patient load—ADPL—and this was solely and only because of the fewer patients that had to be spread against a base of accumulated fixed costs. This simply meant that you get a larger quotient when you divide a smaller divisor into a stationary dividend.

At that time we strongly recommended the facility remain open for the treatment of TB as it was presently operated. Now, the Administrator in a very kind and considerate letter assures us that he is most interested in the welfare of the patients at this facility and the employees of the present staff will be given priority for employment elsewhere, but the cold hard fact remains that this well-operated facility is just another to be added to the list of those VA hospitals to be closed.

The letter of announcement assures everyone that upon the closing of the Excelsior Springs Hospital the VA facilities at Kansas City, Mo., and Wadsworth, Kans., are capable of absorbing the patient load and that there will be improvement in patient care. We have no doubt that General Gleason is correct when he says that the two nearby hospitals can absorb the patient load, but after visiting Excelsior Springs Hospital on several occasions, I would have to challenge the statement that there will be improvement in patient care. That might be rather hard to accomplish. There, we know from our own observation, the patients were cared for by well-trained personnel in pleasant surroundings, and it is very difficult to believe the move can result in any improvement in patient care.

As a former member of the Hospital subcommittee, we had been indoctrinated for years with the belief that the treatment of TB patients required some degree of isolation and that there was a danger of infection when such patients were intermingled with other patients. We are now advised there has developed a new concept and that because the danger of infection is now minimal, TB patients can be associated with other patients.

After all the good assurances and reassurances in the nature of window dressing contained in the letter of announcement about the closing of this hospital has been trimmed out and removed, we seem to be left with the statement that the reason for closing the hospital—which opened in 1924—is that it is "obsolete and uneconomical to maintain." This statement we challenge because less than 1 year ago the building was in a good state of preservation with the exception of ordinary maintenance and was not obsolete for the purpose for which it was then used. The truth of the matter is it has been a very economical facility to maintain over the years as can be demonstrated or established by the relatively small amount of funds that has been spent on its maintenance.

The letter announcing the closing goes on to cite as one of the principal reasons that the patient per diem cost is much higher than the cost for other hospitals. Such a statement gives only part of the true situation. As we suggested earlier, the real reason its true costs were higher per patient is that there were not enough patients housed at this facility to offset the accumulated fixed annual cost of the facility. Had the VA management seen fit to give the hospital a greater use the cost per patient would have declined into the bracket of other hospital costs. The argument that the hospital is being closed as an economy move, because the hospital cannot compete in efficiency with other hospitals, does not measure up to good logic because enough patients to fill the hospital were never assigned to Excelsior Springs to reduce the patient cost per day.

Now let us take a look at this closing as a move for economy on the part of the VA. I am sure every Member of the House hopes that this first session of the 88th Congress will be long remembered for its efforts toward reducing Federal expenditures. We all hope that this Congress can earn a reputation for economy in Government by the elimination of all nonessential expenditures. I suppose there would not be a single Member without a keen interest in holding the line on Federal expenditures. But why, Mr. Speaker, does it always seem that it is in the area of veterans' compensation or pensions and in the area of adequate hospitalization for veterans that must be the first to feel the ax? Why is it that curtailment of expenditures must seem to start with the veterans' program? If it can be established that this same striving for economy is being exercised by the other independent agencies of our executive branch with equal vigor then curtailing VA programs would be in step with the trend of the times.

Unfortunately the veterans' program seems to get sliced first and cut the most.

We are mindful that it is most unlikely that the Administrator can be prevailed upon to reverse his decision and let the hospital go on as a TB unit. Good things like that just do not happen very often. But after our inspection of this facility just 1 year ago, we would be hopeful that if there cannot be a reversal of this order to close Excelsior Springs as a TB hospital, there will be a very careful study by the Administrator leading to some other possible use for this facility. In our report to the Hospital Subcommittee last year, we recommended that this hospital should be more fully utilized. We did not stop there. We further recommended that it become an annex to the large G.M. & S. facility at Kansas City where those patients who are in a recovery process after surgery or after extensive treatment could be transferred to Excelsior Springs to make room for more serious cases. As an alternative proposal we then suggested this facility could be more completely utilized by being put into a domiciliary-care unit. Those recommendations which were made to the chairman of the Hospital Subcommittee have equal application today. Now we are at the crossroads where there must be a decision as to whether this facility should be completely abandoned or converted to some alternate use. That it will not be a TB hospital after July 31 seems likely but with all the nationwide need for hospital beds for veterans in the several other classifications of patient care this facility can surely be put to a good and valuable alternative use.

We cannot be expected to have at the tip of our tongue all of the statistics about the VA domiciliaries that house those who do not require nursing care and who may be able to take care of themselves but have no home. We understand there are 17 in the United States with about 16,000 members. We suggest Excelsior Springs is well suited for conversion to one of the domiciliary-care hospitals. We hope the Administrator will carefully survey the possible future use of Excelsior Springs for such a purpose.

Two years ago as a member of a special hospital committee I visited Coronado, Calif., to see why a former naval hospital should not become through conversion, a unit of the VA hospital system. There at that time we were confronted by the oft heard arguments that the hospital was too far away from the bright lights of Los Angeles to be able to enlist sufficient personnel including doctors and nurses. It was argued then the time had come that all VA hospitals would have to be located close to the big metropolitan centers or it would be impossible to have them adequately staffed. Well, that argument cannot apply to Excelsior Springs, Mo. Here, we have a large capital investment located in a beautiful setting close in to Metropolitan Kansas City. It is a facility which is in an excellent state of preservation, but more important, it is within just a few minutes driving time of the great teaching hospital of the University of Kansas. It is located only a matter of minutes from downtown Kansas City via a recently completed freeway. Excelsior Springs can be said to be a part of Metropolitan Kansas City.

It is our sincere hope that the VA, before it gives any consideration to asking for an order that this property be declared to be surplus to its uses, should give long study and thorough consideration to the fact that the Government has a fine capital investment in this property. The buildings were built during the days when costs were one-half what they are today. As we have pointed out above, not from hearsay, but from the word of those in charge of this facility, the building can be restored to top condition for a relatively small amount of money. We do not profess to know what may be the future plans of the VA as to the metropolitan area of Kansas City, Mo., but we respectfully point out that they will not find another chance soon to provide for what those who are armed with statistics tell us will be an ever-increasing future load for our veterans' hospitals, because of aging processes of the great segment of our veteran population. It is just good business sense to keep this property as a unit in the VA hospital system.

Assuming the figures on the cost of operation per patient computed by the Veterans Administrator are accurate and correct, I would respectfully point out that the figures which have been furnished to justify the closing of this facility are at variance with and higher than those given me by personnel at the hospital about 1 year ago.

If the Administrator, in his executive capacity as the head of this independent agency, cannot find it possible to rescind the order and keep this hospital as a TB facility, then it would take only a short visit to the facility for anyone to see that it can be economically adapted to a use as a sort of nursing home concept for care for this kind of patient by the VA. But the Administrator need not stop there. This beautiful facility could be easily adapted as a domiciliary-care unit for veterans that do not require nursing care. The point is, this valuable, useful, beautiful, and well-located Federal property should not be lost as a VA hospital of some type. Mr. Administrator, it is our earnest entreaty that you weigh carefully these suggestions we have offered with all the sincerity we can generate. Save Excelsior Springs for some continuing use as a unit in the VA hospital system.

ALBERT EINSTEIN MEMORIAL DAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced a resolution designating the 14th day of March of each year as "Albert Einstein Memorial Day," in honor of the Nobel Prizewinner and theoretical physicist known for the formulation of the relativity theory. Under the resolution the President is authorized and requested to issue annually a proclamation inviting the people of the United States to observe the date of birth of this adopted son of our country in our schools and other suitable places with appropriate ceremonies and activities.

As we all know, Albert Einstein was compelled to flee his native Germany in 1933 to escape the dangers and oppressions of nazism. It was to America, the country which traditionally welcomes oppressed peoples of all races and religions, that he turned for refuge; and it was in this country that he was permitted and encouraged to continue his work, which is of benefit to all mankind.

At this time of concentration on scientific endeavor, Albert Einstein's background would serve as an inspiration to American youth who are considering careers in science; and it is only fitting and proper that his birth date be recognized by the country of his adoption as an illustration of American opportunity and advantage.

It gives me great pleasure to announce that my own city, the city of New York, recently designated the week of April 22–29 as "Albert Einstein Week," thus commemorating April 18, the anniversary of his death. This action was taken by our mayor, the Honorable Robert F. Wagner, at the request of my friend, Mr. Joseph Fisch, chancellor commander of the Albert Einstein Lodge No. 813, Knights of Pythias. This organization, formed on the very day of Albert Einstein's death—April 18, 1955—is, to the best of my knowledge, the first organization in the United States to pay homage to the late scientist. Mr. Fisch and his organization are to be commended on their efforts to perpetuate the memory and achievements of this eminent American.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 5389. An act to repeal certain legislation relating to the purchase of silver, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BROTZMAN (at the request of Mr. ARENDS), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN of New York, for 5 minutes, today, and to revise and extend his remarks.

Mr. GROSS, for 20 minutes, on Monday, May 27.

Mr. LINDSAY, for 1 hour, on Monday next.

Mr. PATMAN, for 30 minutes, on May 27 and June 3, to revise and extend his remarks and include extraneous matter.

Mr. PUCINSKI, for 60 minutes, on May 29, 1963, vacating his special order of today.

Mr. BRAY (at the request of Mr. MORSE), for 30 minutes, on June 4.

Mr. ASHBROOK (at the request of Mr. MORSE), for 30 minutes, today.

Mr. WRIGHT (at the request of Mr. ALBERT), for 30 minutes on Monday, May 27, and for 30 minutes on Tuesday, May 28, to revise and extend his remarks, and to include extraneous matter.

Mr. HEMPHILL (at the request of Mr. ALBERT), for 1 hour, on Monday, May 27, 1963, and Tuesday May 28, 1963.

Mr. FARBSTEIN (at the request of Mr. ALBERT), for 15 minutes, today, to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROGERS of Texas.

Mr. ROBERTS of Alabama.

Mr. CELLER (at the request of Mr. FARBSTEIN) and to include extraneous matter, notwithstanding the fact that it will exceed two pages of the RECORD and is estimated by the Public Printer to cost $382.50.

Mr. ALBERT and to include addresses by the Vice President of the United States and Senator MONRONEY.

Mr. PHILBIN and to include extraneous matter.

Mr. BONNER.

Mr. GOODELL while in the Committee of the Whole on H.R. 6060 and to include the majority views from the committee report.

Mr. WHARTON.

Mr. FULTON of Pennsylvania.

Mr. SILER.

(The following Members (at the request of Mr. MORSE) and to include extraneous matter:)

Mr. MARTIN of Nebraska.

Mr. SMITH of California.

Mr. FINO.

Mr. PELLY.

Mr. SCHWENGEL.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. ALBERT.

Mr. POWELL.

Mr. THOMAS.

Mr. WILLIS.

Mr. MULTER.

Mr. MACDONALD.

Mr. RODINO.

Mr. HARRIS.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 386. An act to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until Monday, May 27, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

839. A letter from the Administrative Assistant Secretary of the Treasury, transmitting a list of the negotiated purchases and contracts made by the Coast Guard under clause 11 of subsection (a) since November 19, 1962, pursuant to section 2304e of title 10, United States Code; to the Committee on Armed Services.

840. A letter from the Assistant Secretary of the Navy (Installations and Logistics) relative to the Department of the Navy proposing to transfer the battleship *Alabama* (*BB 60*) to the State of Alabama, pursuant to title 10, United States Code, section 7308 (c); to the Committee on Armed Services.

841. A letter from the Secretary of Commerce, transmitting the 63d quarterly report on export control covering the first quarter 1963, pursuant to the Export Control Act of 1949; to the Committee on Banking and Currency.

842. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a copy of the Annual Report of the Commissioners of the District of Columbia for the year ended June 30, 1962; to the Committee on the District of Columbia.

843. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill authorizing to be appropriated to the Department of State such sums as may be necessary from time to time for the payment by the United States of its share of the costs of the operations of the International Commission for Supervision and Control in Laos as provided in article 18 of the Protocol to the Declaration on the Neutrality of Laos dated July 23, 1962"; to the Committee on Foreign Affairs.

844. A letter from the Comptroller General of the United States, transmitting a report on examination of catalog prices charged for airborne radar beacons developed with Government funds and supplied to the military departments and their prime contractors under noncompetitive procurements with ACF Electronics Division, ACF Industries, Inc., Paramus, N.J.; to the Committee on Government Operations.

845. A letter from the Comptroller General of the United States, transmitting a report on the audit of the power generating and related activities of the Corps of Engineers (Civil Functions), Department of the Army, in the Southwestern area of the United States and the power marketing activities of the Southwestern Power Administration, Department of the Interior, for the fiscal years 1960 and 1961; to the Committee on Government Operations.

846. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Veterans' Canteen Service, Veterans' Administration, for the fiscal year ended June 30, 1962; to the Committee on Government Operations.

847. A letter from the Chairman, Federal Power Commission, transmitting a copy of each of the following: "Regulations To Govern the Preservation of Records of Public Utilities and Licensees"; "Regulations To Govern the Preservation of Records of Natural Gas Companies"; and a map of major natural gas pipelines, as of December 31, 1962; to the Committee on Interstate and Foreign Commerce.

848. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to the following claim: *The Lower Pend O'Reille or Kalispel Tribe of Indians, petitioners* v. *the United States of America, defendant* (Docket No. 94), pursuant to 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

849. A letter from the vice president, the American Society of International Law, transmitting the annual audit of the American Society of International Law covering the period April 1, 1962, to March 31, 1963, pursuant to 64 Stat. 869; to the Committee on the Judiciary.

850. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 3, 1963, submitting a report, together with accompanying papers and an illustration, on a letter report on Newport Harbor, R.I., authorized by the River and Harbor Act, approved July 24, 1946; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, pursuant to the order of the House of May 21, 1963, the following bills were reported on May 22, 1963:

Mr. O'NEILL: Committee on Rules. House Resolution 361. Resolution for consideration of H.R. 4996, a bill to amend certain provisions of the Area Redevelopment Act; without amendment (Rept. No. 312). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 362. Resolution for consideration of H.R. 6060, a bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce; without amendment (Rept. No. 313). Referred to the House Calendar.

[*Submitted May 23, 1963*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OLSEN of Montana: Committee on Post Office and Civil Service. H.R. 4837. A bill to provide for the payment of certain amounts and restoration of employment benefits to certain Government officers and employees improperly deprived thereof, and for other purposes; with amendment (Rept. No. 317). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 2461. A bill to direct the Secretary of the Interior to convey to the city of Henderson, Nev., at fair market value, certain public lands in the State of Nevada; with amendment (Rept. 318). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 4062. A bill to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande; with amendment (Rept. No. 319). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 5222. A bill to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Chocolate Mountain Aerial Gunnery Range, Imperial County, Calif., for defense purposes; without amendment (Rept. No. 320). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENNER: Committee on the Judiciary. H.R. 4839. A bill for the relief of certain persons involved in the negotiation of forged or fraudulent Government checks issued at Parks Air Force Base, Calif.; without amendment (Rept. No. 321). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHRIVER: Committee on the Judiciary. H.R. 5495. A bill for the relief of the city of Binghamton, N.Y.; without amendment (Rept. No. 322). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H.R. 6441. A bill to amend Public Law 86-272, as amended, with respect to the reporting date; without amendment (Rept. No. 342). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 5905. A bill to amend section 1871 of title 28, United States Code, to increase the per diem and subsistence, and limit mileage allowances of grand and petit jurors; without amendment (Rept. No. 344). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1232. A bill for the relief of Asterio Quitoriano; with amendment (Rept. No. 314). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 1276. A bill for the relief of Federico Lopez-Blanco; with amendment (Rept. No. 315). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 2309. A bill for the relief of Luigi Giuseppe Luraschi; without amendment (Rept. No. 316). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 1191. A bill for the relief of Wilmer R. Bricker; without amendment (Rept. No. 323). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 1192. A bill for the relief of William C. Doyle; without amendment (Rept. No. 324). Referred to the Committee of the Whole House.

Mr. LIBONATI: Committee on the Judiciary. H.R. 1281. A bill for the relief of Capt. Leon M. Gervin; without amendment (Rept. No. 325). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 1458. A bill for the relief of Kathryn Marshall; with amendment (Rept. No. 326). Referred to the Committee of the Whole House.

Mr. SHRIVER: Committee on the Judiciary. H.R. 1475. A bill for the relief of John William Horling; without amendment (Rept. No. 327). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 1726. A bill for the relief of William H. Woodhouse; without amendment (Rept. No. 328). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 2244. A bill for the relief of Osmundo Cabigas; without amendment (Rept. No. 329). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 2944. A bill for the relief of Hurley Construction Co.; without amendment (Rept. No. 330). Referred to the Committee of the Whole House.

Mr. KING of New York: Committee on the Judiciary. H.R. 3219. A bill to provide for the payment of a reward as an expression of appreciation to Edwin and Bruce Bennett; without amendment (Rept. No. 331). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 4144. A bill for the relief of Gordon E. Martin; without amendment (Rept. No. 332). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 4501. A bill for the relief of Anthony F. Bernardo and Ambrose A. Cerrito; without amendment (Rept. No. 333). Referred to the Committee of the Whole House.

Mr. MARTIN of California: Committee on the Judiciary. H.R. 5144. A bill for the relief of Doyle A. Ballou; without amendment (Rept. No. 334). Referred to the Committee of the Whole House.

Mr. SENNER: Committee on the Judiciary. H.R. 5305. A bill for the relief of Dr. Ernest P. Imle; without amendment (Rept. No. 335). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 2239. A bill for the relief of Annunziata Sabatini; with amendment (Rept. No. 336). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2251. A bill for the relief of Juana Brandariz Sanchez; with amendment (Rept. No. 337). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary H.R. 2287. A bill for the relief of Shin Sook (Renee) Whang; with amendment (Rept. No. 338). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 2289. A bill for the relief of Marie Tchernosvitoff; with amendment (Rept. No. 339). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 2444. A bill for the relief of Mrs. Mabel Constance Kennedy; with amendment (Rept. No. 340). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 5834. A bill for relief of Anthony Joseph Calandi; without amendment (Rept. No. 341). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 2765. A bill for the relief of Mirko Jaksic; with amendment (Rept. No. 343). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 6481. A bill to permit the Government of Guam to authorize a public authority to undertake urban renewal and housing activities; to the Committee on Interior and Insular Affairs.

By Mr. BARRETT:

H.R. 6482. A bill to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.R. 6483. A bill to provide for the construction of recreation facilities in the Belle Fourche Reservoir Area, S. Dak.; to the Committee on Interior and Insular Affairs.

By Mr. BROMWELL:

H.R. 6484. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the Judiciary.

H.R. 6485. A bill to amend the Internal Revenue Code of 1954 to provide a 20 percent credit against the individual income tax for certain educational expenses incurred at an institution of higher education; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 6486. A bill to amend the Internal Revenue Code of 1954 to provide withholding on all remuneration paid for agricultural labor and to take such remuneration into account for social security tax and benefit purposes; to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 6487. A bill to amend paragraph 1537(b) of the Tariff Act of 1930 with respect to certain footwear; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 6488. A bill to establish a commission to study means of selecting and according recognition to outstanding American schoolteachers; to the Committee on Education and Labor.

By Mr. CLAUSEN:

H.R. 6489. A bill to provide for the establishment of the King Range National Conservation Area in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. COLLIER:

H.R. 6490. A bill to repeal the excise tax on communications; to the Committee on Ways and Means.

By Mr. COOLEY:

H.R. 6491. A bill to remove the $10 million limitation on programs carried out under section 16(e)(7) of the Soil Conservation and Domestic Allotment Act for 1964 and subsequent calendar years; to the Committee on Agriculture.

By Mr. DELANEY:

H.R. 6492. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the amount of the income tax exemption allowed a taxpayer for a dependent under 19 years of age; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 6493. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 6494. A bill transferring to the Secretary of the Interior all functions relating to water pollution control; to the Committee on Public Works.

By Mr. DORN:

H.R. 6495. A bill to provide aid to States for educational purposes only; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 6496. A bill to authorize the Secretary of the Interior to convey certain federally owned land in trust status to the Cherokee Indian Tribe of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS:

H.R. 6497. A bill to amend the Federal Water Pollution Control Act to protect the navigable waters of the United States from further pollution by requiring that synthetic detergents manufactured for use in the United States or imported for use in the United States comply with certain standards of decomposability; to the Committee on Public Works.

By Mr. EVERETT:

H.R. 6498. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRASER:

H.R. 6499. A bill to promote the cause of criminal justice by providing for the representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States; to the Committee on the Judiciary.

By Mr. VINSON:

H.R. 6500. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. GIBBONS:

H.R. 6501. A bill to provide extended unemployment compensation to workers who have lost their jobs by reason of the embargo on the importation of raw materials of Cuban origin; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 6502. A bill to prohibit discrimination on account of race, color, religion, or national origin in the furnishing of accommodations and facilities to any person at hotels or motels, the business of which affects interstate commerce; to the Committee on the Judiciary.

By Mr. HARVEY of Michigan:

H.R. 6503. A bill to amend the Civil Service Retirement Act to require final determination by the Civil Service Commission of the eligibility of an employee for retirement prior to his separation from the service for that purpose; to the Committee on Post Office and Civil Service.

By Mr. HUTCHINSON:

H.R. 6504. A bill to amend title 44 of the United States Code to provide for congressional review of certain rules and regulations; to the Committee on the Judiciary.

By Mr. LIBONATI:

H.R. 6505. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the Judiciary.

H.R. 6506. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 6507. A bill to facilitate the entry of alien sons and daughters of World War I veterans of the U.S. Armed Forces; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 6508. A bill to amend the act of June 20, 1906, to provide that the Board of Education of the District of Columbia shall submit to the Congress a budget for its operation separate from the budget submitted for the remainder of the municipal government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. McDADE:

H.R. 6509. A bill to increase from $600 to $1,000 the amount of a taxpayer's regular personal income tax exemptions (for himself, his spouse, and his dependents); to the Committee on Ways and Means.

By Mr. MACDONALD:

H.R. 6510. A bill to amend paragraph 1537(b) of the Tariff Act of 1930 with respect to certain footwear; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 6511. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income); to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 6512. A bill to amend title 38, United States Code, to provide additional pension and medical assistance to veterans suffering from seriously disabling non-service-connected disabilities; to provide for expansion of health facilities for such veterans; to authorize 5,000 beds for nursing care for veterans, of which not less than 200 shall be in New Mexico; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6513. A bill to amend title 38, United States Code, so as to revise the rates of disability and death pension authorized by the Veterans' Pension Act of 1959, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6514. A bill to provide that the Administrator of Veterans' Affairs shall construct a 500-bed neuropsychiatric hospital at Albuquerque, N. Mex.; to the Committee on Veterans' Affairs.

By Mr. MURPHY of Illinois:

H.R. 6515. A bill to provide for the issuance of a special postage stamp in commemoration of the 175th anniversary of the establishment of the customs service, and of custom employees killed in enforcing the customs laws; to the Committee on Post Office and Civil Service.

By Mr. O'HARA of Michigan:

H.R. 6516. A bill to amend the Internal Revenue Code of 1954 to provide the same benefits for employees of public hospitals with respect to pensions and profit-sharing plans as those presently provided for employees of private nonprofit hospitals, other charitable organizations, and public and private schools; to the Committee on Ways and Means.

By Mr. OLSEN of Montana:

H.R. 6517. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. ROBERTS of Alabama:

H.R. 6518. A bill to improve, strengthen, and accelerate programs for the prevention and abatement of air pollution; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 6519. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954, relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 6520. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income); to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 6521. A bill to amend title 23 of the United States Code to require officers and employees of State highway departments be given notice of certain criminal laws; to the Committee on Public Works.

By Mr. SHELLEY:

H.R. 6522. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 6523. A bill to amend the Agricultural Marketing Agreement Act of 1937 to encourage a supply of milk more closely related to the demand therefor, and to establish a temporary program of incentive payments to dairy farmers for reducing their production; to the Committee on Agriculture.

By Mr. WYMAN:

H.R. 6524. A bill to amend chapter 35 of title 38, United States Code, to provide educational assistance to the children of veterans who are disabled 50 percent or more in degree from service-connected disability incurred during wartime or induction period service; to the Committee on Veterans' Affairs.

By Mr. DENT:

H.R. 6525. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. GLENN:

H.R. 6526. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 6527. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 6528. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 6529. A bill to amend section 883 of the Internal Revenue Code of 1954 with respect to exemption from taxation of earnings of ships under foreign flag; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 6530. A bill to permit an individual to obtain coverage under title II of the Social Security Act on the basis of service which was not covered employment at the time it was performed, if service of that type has since become covered employment and such individual makes payment of the applicable social security taxes; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 6531. A bill to amend section 1034 of the Internal Revenue Code of 1954 to provide that where the taxpayer or his spouse has attained the age of 65 no gain on the sale or exchange of the taxpayer's home will be taxed; to the Committee on Ways and Means.

By Mr. FULTON of Tennessee:

H.R. 6532. A bill to provide for a National Service Corps to strengthen community service programs in the United States; to the Committee on Education and Labor.

By Mr. HANNA:

H.R. 6533. A bill to amend section 202 of the Housing Act of 1959 and section 231 of the National Housing Act to improve and render more effective the Federal direct loan and mortgage insurance programs providing assistance to housing for the elderly; to the Committee on Banking and Currency.

By Mr. LAIRD:

H.R. 6534. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income); to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 6535. A bill to amend section 9(a) of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, to permit certain part-time Federal employees to engage in political activities; to the Committee on House Administration.

By Mr. MORSE:

H.R. 6536. A bill to amend paragraph 1537 (b) of the Tariff Act of 1930 with respect to certain footwear; to the Committee on Ways and Means.

By Mr. SICKLES:

H.R. 6537. A bill to promote safe driving, to eliminate the reckless and financially irresponsible driver from the highways, to provide for the indemnification of certain persons suffering injury or loss as a result of the operation of motor vehicles by uninsured motorists, and for other purposes; to the Committee on the District of Columbia.

By Mr. TOLLEFSON:

H.R. 6538. A bill to repeal subsection (d) of section 1346 of title 28 of the United States Code relating to the jurisdiction of the U.S. district courts; to the Committee on the Judiciary.

H.R. 6539. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either; to the Committee on Veterans' Affairs.

By Mr. CLARK:

H.R. 6540. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. DENT:

H.R. 6541. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. PIRNIE:

H.R. 6542. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. RIEHLMAN:

H.R. 6543. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mrs. ST. GEORGE:

H.R. 6544. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. MATHIAS:

H.R. 6545. A bill to provide for a study of soil uses, to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. QUIE:

H.R. 6546. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. DOLE:

H.R. 6547. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. SHORT:

H.R. 6548. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. ANDERSON:

H.R. 6549. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. AVERY:

H.R. 6550. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. BATTIN:

H.R. 6551. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. BROMWELL:

H.R. 6552. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. ELLSWORTH:

H.R. 6553. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. HARRISON:

H.R. 6554. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. HORAN:

H.R. 6555. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. JENSEN:

H.R. 6556. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. KYL:

H.R. 6557. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. LANGEN:

H.R. 6558. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. MacGREGOR:

H.R. 6559. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mrs. MAY:

H.R. 6560. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. NELSEN:

H.R. 6561. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. NYGAARD:

H.R. 6562. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. TAFT:

H.R. 6563. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. THOMSON of Wisconsin:

H.R. 6564. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years, and for other purposes; to the Committee on Agriculture.

By Mr. BERRY:

H.R. 6565. A bill to establish a voluntary feed grain and wheat program for 1964 and subsequent years; to the Committee on Agriculture.

By Mr. ELLSWORTH:

H.J. Res. 447. Joint resolution to provide for the issuance of a special postage stamp in commemoration of the 75th anniversary of the Hi-Y movement; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.J. Res. 448. Joint resolution designating the 14th day of March of each year as Albert Einstein Memorial Day; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.J. Res. 449. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. SICKLES:

H.J. Res. 450. Joint resolution to prohibit the Postmaster General from requiring that work measurement systems used by the Post Office Department be used to determine individual employee productivity; to the Committee on Post Office and Civil Service.

By Mr. SNYDER:

H.J. Res. 451. Joint resolution to provide stricter control over expenditures by Members of Congress traveling outside the United States, to require employees of Members to serve at specific places, to promote ethical standards of conduct among Members of Congress, and to prohibit nepotism in Government employment; to the Committee on House Administration.

By Mr. COLLIER:

H. Con. Res. 166. Concurrent resolution relating to the revision and simplification of the Internal Revenue Code of 1954; to the Committee on Rules.

By Mr. HOLIFIELD:

H. Con. Res. 167. Concurrent resolution expressing the sense of the Congress with respect to the University of the Seven Seas; to the Committee on Education and Labor.

By Mrs. KELLY:

H. Con. Res. 168. Concurrent resolution entitled "Objective—A Just Peace"; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H. Con. Res. 169. Concurrent resolution congratulating the American Veterinary Medical Association on its centennial; to the Committee on the Judiciary.

By Mr. STINSON:

H. Con. Res. 170. Concurrent resolution expressing the determination of the United States with respect to the matter of general disarmament and arms control; to the Committee on Foreign Affairs.

By Mr. BECKER:

H. Res. 363. Resolution creating a Select Committee to Conduct a Study of the Fiscal Organization and Procedures of the Congress; to the Committee on Rules.

By Mr. DANIELS:

H. Res. 364. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. HARRISON:

H. Res. 365. Resolution to create a Select Committee on Fiscal Organization and Procedures of the Congress; to the Committee on Rules.

By Mr. HOEVEN:

H. Res. 366. Resolution to create a Select Committee on Fiscal Organization and Procedures of the Congress; to the Committee on Rules.

By Mr. MacGREGOR:

H. Res. 367. Resolution creating a selected committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. ROOSEVELT:

H. Res. 368. Resolution authorizing the Speaker to appoint delegates and alternates to attend the International Labor Organization Conference in Geneva; to the Committee on Rules.

By Mr. WATSON:

H. Res. 369. Resolution authorizing the Committee on the Judiciary to conduct an investigation to determine whether a Reserve commission is incompatible with the holding of a seat in Congress; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. ULLMAN: House Joint Memorial No. 19 of the Oregon State Legislature urging the full authorized appropriation for Federal participation in the Federal-State-private cooperative fire patrol and fire suppression program; to the Committee on Appropriations.

Also, House Joint Memorial No. 25 of the Oregon State Legislature urging enactment of legislation providing for multiple-use management of lands administered by the Bureau of Land Management; to the Committee on Interior and Insular Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States relative to urging enactment of legislation providing for multiple-use management of the lands administered by the Bureau of Land Management; to the Committee on Interior and Insular Affairs.

Also, a memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States to consider revising the Federal highway-use tax as set forth in the Federal-aid Highway Act of 1956 so that the essential industries of agriculture, horticulture, and forestry be relieved of the tax burden during those months when operations in such industries are suspended and motor vehicles are not used by them on the highways; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 6566. A bill for the relief of Marie Panoyote Vlahaki; to the Committee on the Judiciary.

By Mr. OLIVER P. BOLTON:

H.R. 6567. A bill for the relief of Anthony Harry Giazikis; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 6568. A bill for the relief of Frances Sperilli; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 6569. A bill for the relief of Mariam Beatrice Bedrossian; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 6570. A bill for the relief of Natale Arico; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 6571. A bill for the relief of Carmino di Martone; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 6572. A bill for the relief of Dr Ferdinand Anton Rossman; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 6573. A bill for the relief of Homero Sada; to the Committee on the Judiciary.

H.R. 6574. A bill for the relief of Mrs. Mauricia Reyes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 6575. A bill to authorize Victor E. Werner to accept the Silver Medal of the Order of Leopold II from the Belgian Government; to the Committee on Foreign Affairs.

By Mr. HORTON:

H.R. 6576. A bill for the relief of Maria Angela Visca; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 6577. A bill for the relief of Rumia Rachel Nahari-Levy; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 6578. A bill for the relief of Mrs. Cesira Doddy; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 6579. A bill for the relief of Albert Carter; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 6580. A bill for the relief of Bhopal Bahadur Singh; to the Committee on the Judiciary.

By Mr. MACGREGOR:

H.R. 6581. A bill for the relief of Madam Sophie Wolter; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 6582. A bill to amend the act of May 25, 1920, relating to conveyance of certain parts of rights-of-way by railroad companies; to the Committee on Interior and Insular Affairs.

By Mr. POAGE:

H.R. 6583. A bill for the relief of Louis Jung Shaw Gore, his wife, Sue Won Wong Gore, and their two sons, Jone Yee Gore and Jone Fon Gore; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 6584. A bill for the relief of Mrs. Kodungallore Janaki Warner; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 6585. A bill to confer jurisdiction on the U.S. District Court for the Eastern District of Pennsylvania to hear, determine, and render judgment on the claims of Pius Stancavage against the United States; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.R. 6586. A bill for the relief of Mrs. Helen Virginia Herd; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 6587. A bill to direct the Secretary of the Interior to convey certain lands in Boulder County, Colo., to W. F. Stover; to the Committee on Interior and Insular Affairs.

By Mr. SHELLEY:

H.R. 6588. A bill for the relief of Crispulo Degala; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 6589. A bill for the relief of Elivio Trovini; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 6590. A bill to provide for the free entry of a fundus camera for an eye clinic at St. Francis Hospital, Santa Barbara, Calif.; to the Committee on Ways and Means.

By Mr. THOMAS:

H.R. 6591. A bill for the relief of Constantine Theothoropoulos; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.R. 6592. A bill relating to the effective date of the qualification of the joint pension plan for employees of Local Unions 150 and 193, Sheet Metal Workers International Association as a qualified trust under section 401(a) of the Internal Revenue Code of 1954; to the Committee on the Judiciary.

H.R. 6593. A bill for the relief of Earnest O. Scott; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 6594. A bill for the relief of Mrs. Kodungallore Janaki Warner; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

136. By Mr. SNYDER. Petition of Richard H. Treitz and other citizens of Louisville, Ky., relating to the preservation of the Monroe Doctrine; to the Committee on Foreign Affairs.

137. By the SPEAKER: Petition of Dean Cloussens, president, the Dade County League of Municipalities, Miami, Fla., petitioning consideration of their resolution with reference to requesting the President to approve the U.S. participation in Interama by providing for a Federal exhibit and by assisting in the construction of exhibits of Latin American nations; to the Committee on Foreign Affairs.

138. Also, petition of J. L. Brown, county clerk, Fresno County Board of Supervisors, Fresno, Calif., petitioning consideration of their resolution with reference to endorsing S. 1275, relating to the Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

139. Also, petition of Arcadio Rubiano, Sr., municipal secretary, Abucay, Bataan, Philippines, relative to opposing amendment of Public Law 87-616, and that it remain as it is for the benefit of the individual claimants; to the Committee on Foreign Affairs.

SENATE

THURSDAY, MAY 23, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Alfonso Jordan, Chaplain, House of Representatives of North Carolina, offered the following prayer:

Our God, we thank Thee that in the years gone by Thou didst call Thy chosen people to give the law of God to the world. We thank Thee for the freedom that they sought, for the hand of God that was with them, and that God led them in a pillar of fire by night and in a pillar of a cloud by day. We thank Thee that they came to the promised land, and that the prophets gave them instructions on how to live. They were Thy chosen people.

We thank Thee that we can say that we are Thy chosen people.

Nine score and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

We thank Thee that Thou didst give our forefathers grace and strength to write our Constitution and to give us our Declaration of Independence.

We thank Thee that Thou hast been with us through all the years, through cloud and sunshine, through war and peace and calamity. We thank Thee that Thou art with us today.

We ask Thy blessings on these, Thy servants, who serve in this body today. Give them, we pray Thee, wisdom as they work to solve the problems which come before them.

Forgive us now our sins, we pray, and lead us to glory, for we pray in the name of our Lord. Amen.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 21, 1963, was dispensed with.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of February 11, 1963,

Mr. HAYDEN, from the Committee on Appropriations, reported favorably, with amendments, on May 22, 1963, the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, and submitted a report (No. 181) thereon.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 1237. An act for the relief of Clara G. Maggiora;

H.R. 1560. An act for the relief of Constantinos A. Grigoras (Gregoras);

H.R. 3218. An act for the relief of Mrs. Kazuko (Joseph James) Kapp; and

H.J. Res. 390. Joint resolution authorizing the Attorney General to cancel deportation proceedings in the cases of certain aliens.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 1237. An act for the relief of Clara G. Maggiora;

H.R. 1560. An act for the relief of Constantinos A. Grigoras (Gregoras);

H.R. 3218. An act for the relief of Mrs. Kazuko (Joseph James) Kapp; and

H.J. Res. 390. Joint resolution authorizing the Attorney General to cancel deportation proceedings in the cases of certain aliens.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. HUMPHREY, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Textile Subcommittee of the Committee on Commerce.

The Constitutional Rights Subcommittee of the Committee on the Judiciary.

The Subcommittee on Intergovernmental Relations of the Committee on Government Operations.

The Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. HUMPHREY, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Proposed Transfer of Battleship to State of Alabama

A letter from the Assistant Secretary of the Navy (Installations and Logistics), reporting, pursuant to law, on the proposed transfer of the battleship *Alabama* (BB 60) to the State of Alabama; to the Committee on Armed Services.

Report on U.S. Coast Guard Contracts for Experimental, Developmental, or Research Work

A letter from the Administrative Assistant Secretary of the Treasury, transmitting, pursuant to law, a report on U.S. Coast Guard contracts negotiated for experimental, developmental, or research work, since November 19, 1962 (with an accompanying report); to the Committee on Armed Services.

Report on Export Control

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the first quarter of 1963 (with an accompanying report); to the Committee on Banking and Currency.

Publications of Federal Power Commission

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, certain publications entitled "Regulations To Govern the Preservation of Records of Public Utilities and Licensees," "Regulations To Govern the Preservation of Records of Natural Gas Companies," and "Map—Major Natural Gas Pipelines, as of December 31, 1962" (with accompanying documents); to the Committee on Commerce.

Audit Report on Veterans Canteen Service, Veterans' Administration

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Veterans Canteen Service, Veterans' Administration, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

Audit Report on Southwestern Power System and Related Activities

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Southwestern Power System and related activities, Corps of Engineers (Civil Functions), Department of the Army, and Southwestern Power Administration, Department of the Interior, fiscal years 1960 and 1961 (with an accompanying report); to the Committee on Government Operations.

Report on Examination of Catalog Prices Charged for Certain Airborne Radar Beacons

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of catalog prices charged for airborne radar beacons developed with Government funds and supplied to the military departments and their prime contractors under noncompetitive procurements with ACF Electronics Division, ACF Industries, Inc., Paramus, N.J., dated May 1963 (with an accompanying report); to the Committee on Government Operations.

Audit Report of Reserve Officers Association of the United States

A letter from the executive director, Reserve Officers Association of the United States, Washington, D.C., transmitting, pursuant to law, an audit report of that association, as of March 31, 1963 (with an accompanying report); to the Committee on the Judiciary.

Audit Report of the American Society of International Law

A letter from the vice president and executive director, the American Society of International Law, Washington, D.C., transmitting, pursuant to law, an audit report of that society, for the period April 1, 1962, to March 31, 1963 (with an accompanying report); to the Committee on the Judiciary.

Report of Judicial Conference of the United States

A letter from the Chief Justice of the United States, transmitting, pursuant to law, a report of the proceedings of a special meeting of the Judicial Conference of the United States, held at Washington, D.C., March 11–12, 1963 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Oregon; to the Committee on Agriculture and Forestry:

"House Joint Memorial 25

"To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas the Federal Government has embarked upon a program of rehabilitating the Federal grasslands under the administration of the Bureau of Land Management in the State of Oregon, to a condition that will permit their maintenance at a high level of forage production, in cooperation with the permittees and owners of the base properties; and

"Whereas grazing fees on the lands administered by the Bureau of Land Management have recently been increased 50 percent based upon the proposed rehabilitation; and

"Whereas rehabilitation of the land and the maintenance of high level of production will be a long and continuing process requiring expenditure of money, labor, and management skill on the part of the permittees in cooperation with the Bureau of Land Management; and

"Whereas present tenure rules do not encourage such cooperation and do not provide adequate security to warrant a maximum contribution by the permittee toward long-range improvement practices; and

"Whereas valuation of the permittee's base property as security for loans for long-range improvements is impaired by lack of permanence of grazing privileges on Federal land: Now, therefore be it

"Resolved by the Legislative Assembly of the Senate of Oregon:

"(1) The Congress of the United States is urged to enact legislation:

"(a) To provide for multiple-use management of the Federal lands under the administration of the Bureau of Land Management along the line of Public Law 86–518 Forest Land; and

"(b) To provide for continuing tenure of grazing privileges on Federal land subject to reduction or cancellation only for failure of the permittee to effectively cooperate in the management of the range for maximum productivity.

"(2) The secretary of state shall send a copy of this memorial to the President of the U.S. Senate, to the Speaker of the House of Representatives of the United States, and to each Member of the Oregon congressional delegation.

"Adopted by House April 22, 1963.

"Cecil L. Edwards,
"Chief Clerk of House.
"Clarence Barton,
"Speaker of House.

"Adopted by Senate May 9, 1963.

"Ben Musa,
"President of Senate."

A resolution of the Seventh Guam Legislature; to the Committee on the Judiciary:

"Resolution No. 132(1–S)

"Resolution relative to respectfully petitioning the Congress of the United States to amend the immigration laws of the United States to permit fewer restrictions on travel for the people of the Northern Marianas Islands between the various islands thereof and Guam

"Whereas the Marianas Islands were originally colonized by one people, the ancient Chamorro, and were thereafter, following the conquest by Spain, administered as one unit, with the Island of Guam, the largest and most developed of said islands, being the capital, and, as a result, the people of the Marianas Islands, although administered separately ever since the Spanish-American War, are still today a homogeneous population, having the same language, the same religion, and the same culture, all of the people of the Marianas being interrelated; and

"Whereas not only are the people of the Marianas a distinct cultural unit, the islands also can be best utilized as a single economic unit, since all of them are relatively near each other, are similar geographically and agriculturally, and have a long history of trading back and forth between each other, although unfortunately at present, because of the difference in governments, the peoples of the Marianas are not as close economically as they desire or as is best for their mutual economic growth; and

"Whereas all of the foregoing leads the Seventh Guam Legislature to believe that one of the best methods of rehabilitating typhoon-stricken Guam is to increase the amount of trade by and between the Marianas Islands, which increase in trade can quickly be brought about if the present immigration restrictions on travel of the inhabitants of the Northern Marianas to and from Guam be relaxed; and

"Whereas although the people of the northern Marianas are, for immigration purposes, aliens, and the legislative does not urge that this status be changed, nevertheless, because of the close ties between the peoples of all the Marianas, including Guam, it would appear that a relaxation of certain immigration restrictions only as they apply to Guam and the inhabitants of the northern Marianas would not be unreasonable to the general principles behind the immigration laws of the United States: Now, therefore, be it

"*Resolved,* That the Seventh Guam Legislature, on behalf of the people of Guam, and, as well, for all the people of the Marianas Islands with whom they are kin, does hereby respectfully petition the Congress of the United States to amend the immigration and naturalization laws of the United States to permit fewer restrictions on travel for the people of the northern Marianas between the various islands thereof and Guam; and be it further

"*Resolved,* That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the Senate, to the Speaker of the House, to the chairman of the Committees on Interior and Insular Affairs, Senate and House, to the Secretary of State, to the Secretary of the Interior, to the Attorney General of the United States, to the Commissioner, Immigration and Naturalization Service, to the High Commissioner of the Trust Territory, to the speaker of the Saipan Legislature, and to the Governor of Guam.

"Duly adopted on the 16th day of May 1963.

"M. U. Lujan.
"Vice Speaker.
"V. B. Bamba,
"Legislative Secretary."

By Mr. HICKENLOOPER:

A concurrent resolution of the Senate of the State of Iowa; to the Committee on Finance:

"Senate Concurrent Resolution 23

"Whereas the U.S. Congress by a series of amendments to the Social Security Act during the period 1956–62 has extended and broadened the Social Security Act to provide disability and other benefits for work-connected injuries and disease; and

"Whereas the workmen's compensation laws were designed to be the basic and exclusive method and remedy providing benefits for work-connected injuries and diseases, and their administration has for over 50 years been the function of the several industrial accident boards and commissions based on the accepted principle that benefits for work-connected injuries and diseases be tailored to fit social and economic conditions at the local level; and

"Whereas the extension of the Social Security Act to provide benefits for work-connected injuries and diseases has resulted in duplication of benefits; and

"Whereas legislation resulting in further intrusion into the field of work-connected injuries and diseases will constitute a severe threat to the survival of the State-administered workmen's compensation programs: Now, therefore, be it

"*Resolved by the senate (the house concurring),* That the General Assembly of the State of Iowa is opposed to any legislation by the U.S. Congress which would infringe on the right of this State to enact and administer its own workmen's compensation laws, and to further Federal encroachment into the field of State-administered workmen's compensation programs, and strongly urges that the U.S. Congress again affirm that the workmen's compensation system is the basic program for compensating work-connected injuries and diseases; and be it further

"*Resolved,* That the secretary of the senate is directed to forward a copy of this resolution to each member of the Iowa delegation in the Congress of the United States.

"W. L. Mooty,
"President of the Senate.
"Carroll A. Lane,
"Secretary of the Senate."

MEMORIAL FROM OREGON LEGISLATURE

Mrs. NEUBERGER. Mr. President, for myself and my colleague, the senior Senator from Oregon [Mr. Morse], I offer the enrolled copy of House Joint Memorial No. 8 adopted by the 52d Legislative Assembly of Oregon, 1963. The memorial urges revision of the Federal highway use tax, so that motor vehicles used in agriculture, horticulture, and forestry be relieved from the highway use tax during months when operations in such industries are suspended and motor vehicles are not in use.

I ask consent that the text of house joint memorial No. 8 be included in the Record with my remarks.

There being no objection, the joint resolution was referred to the Committee on Finance, and, under the rule, ordered to be printed in the Record, as follows:

House Joint Memorial 8

To the Honorable Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the Federal Government has, in the provisions of the Federal-Aid Highway Act of 1956, imposed an annual excise tax on the use of certain motor vehicles; and

Whereas, while providing for a reduction in the amount of the tax where vehicles begin the use after the start of the tax year, yet no provision for a reduction in the amount of the tax is made where the use of vehicles is required to be suspended because of seasonal situations or for other unavoidable causes; and

Whereas the agricultural, horticultural and forestry industries present seasonal operations and there are periods of time during the year when vehicles used in these industries are idle; and

Whereas the agricultural, horticultural, and forestry industries are essential industries which merit beneficial consideration by the taxing authorities: Now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to consider revising the Federal Highway Use Tax as set forth in the Federal-Aid Highway Act of 1956 so that the essential industries of agriculture, horticulture, and forestry be relieved of the tax burden during those months when operations in such industries are suspended and motor vehicles are not used by them on the highways.

(2) The Secretary of State shall send a copy of this memorial to the Presiding Officer of the U.S. Senate, the Speaker of the House of Representatives of the United States, the Secretary of the U.S. Treasury, and to each member of the Oregon congressional delegation.

Adopted by house March 13, 1963.

Cecil L. Edwards,
Chief Clerk of House.
Clarence Barter,
Speaker of House.

Adopted by senate May 7, 1963.

Ben Musa,
President of Senate.

(The PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of Oregon, identical with the foregoing, which was referred to the Committee on Finance.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCLELLAN, from the Committee on Government Operations, without amendment:

S. 261. A bill to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris (Rept. No. 182); and

S. 814. A bill to amend section 7 of the Administrative Expenses Act of 1946, as amended (Rept. No. 184).

By Mr. McCLELLAN, from the Committee on Government Operations, with amendment:

S. 572. A bill to amend section 201(a)(3) of the Federal Property and Administrative Services Act (40 U.S.C. 481(a)(3)), and for other purposes (Rept. No. 183).

By Mr. McCLELLAN, from the Committee on Government Operations, with amendments:

S. 876. A bill to authorize the Administrator of General Services to convey certain land in Prince Georges County, Md., to the American National Red Cross (Rept. No. 185).

By Mr. LONG, of Louisiana, from the Committee on Finance, with amendments:

H.R. 6009. An act to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act (Rept. No. 186).

By Mr. JORDAN, of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 43. Concurrent resolution authorizing the printing of additional copies of part 1 and part 2 of the 1963 hearings of the Joint Committee on Atomic Energy on the "Development, Growth, and State of the Atomic Energy Industry" (Rept. No. 187).

MABEL V. LOLLIS

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 146) to pay a gratuity to Mabel V. Lollis, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mabel V. Lollis, widow of Oscar F. Lollis, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CONTINUANCE OF THE SENATE YOUTH PROGRAM

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 147) authorizing the continuance of the Senate youth program, and submitted a report (No. 188) thereon; which resolution was placed on the calendar, as follows:

Whereas by Senate Resolution 324 of the Eighty-seventh Congress, agreed to May 17, 1962, the Senate expressed its willingess to cooperate in a nationwide competitive high school Senate Youth Program supported by private funds, which would give representative high school students from each State a short indoctrination into the operation of the United States Senate and the Federal Government generally, and authorized the Senate Committee on Rules and Administration, if it should find such a program possible and advisable, to make the necessary arrangements therefor; and

Whereas the Committee on Rules and Administration, after appropriate investigation having determined such a program to be not only possible but highly desirable, authorized its establishment and with the support of the leaders and other Members of the Senate and the cooperation of certain private institutions made the necessary arrangements therefor; and

Whereas, pursuant to such arrangements, and with the cooperation of and participation by the offices of every Member of the Senate and the Vice President, one hundred and two student leaders representing all States of the Union and the District of Columbia were privileged to spend the period from January 28, 1963, through February 2, 1963, in the Nation's Capital, thereby broadening their knowledge and understanding of Congress and the legislative process and stimulating their appreciation of the importance of a freely elected legislature in the perpetuation of our democratic system of government; and

Whereas it is the consensus of all who participated that the first year's program was an unqualified success, and in all respects worthy and deserving of continuance; and

Whereas the private foundation which financed the initial program has graciously offered to support a similar program during the period January 27, 1964, through January 31, 1964: Now, therefore, be it

Resolved, That the Senate Youth Program, established pursuant to the provisions of Senate Resolution 324 of the Eighty-seventh Congress, agreed to May 17, 1962, is hereby continued through the Eighty-eighth Congress.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MUNDT (for himself, Mr. Carlson and Mr. Young of North Dakota):

S. 1581. A bill to continue for the 1964 and 1965 crops of wheat the program in effect for the 1963 crop of wheat; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mr. CHURCH:

S. 1582. A bill to amend the Act of August 31, 1954 (68 Stat. 1026), providing for the construction, maintenance, and operation of the Michaud Flats irrigation project; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Church when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 1583. A bill for the relief of Chong Jin Kim; to the Committee on the Judiciary.

By Mr. MOSS:

S. 1584. A bill to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

S. 1585. A bill for the relief of Robert T. Barnes; and

S. 1586. A bill for the relief of the Worthington Oil Refiners, Incorporated; to the Committee on the Judiciary.

S. 1587. A bill authorizing construction of a dam and reservoir on Mill Creek in Grand County, Utah, in the interest of flood control and allied purposes; to the Committee on Public Works.

(See the remarks of Mr. Moss when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. ELLENDER (by request):

S. 1588. A bill to remove the $10 million limitation on programs carried out under section 16(e)(7) of the Soil Conservation and Domestic Allotment Act for 1964 and subsequent calendar years; to the Committee on Agriculture and Forestry.

By Mr. CASE:

S. 1589. A bill to amend the Act approved July 14, 1960, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Commerce.

(See the remarks of Mr. Case when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER (for himself, Mr. Dodd, Mr. Allott, Mr. Bayh, Mr. Beall, Mr. Case, Mr. Fong, Mr. Gruening, Mr. Hartke, Mr. Humphrey, Mr. Inouye, Mr. Javits, Mr. Keating, Mr. Kuchel, Mr. Long of Missouri, Mr. Metcalf, Mr. Morton, Mr. Nelson, Mrs. Neuberger, Mr. Randolph, Mr. Ribicoff, and Mr. Scott):

S. 1590. A bill to protect the right of all qualified persons to attend public schools, and for other purposes; to the Committee on the Judiciary.

By Mr. COOPER (for himself, Mr. Bayh, Mr. Beall, Mr. Case, Mr. Dodd, Mr. Fong, Mr. Gruening, Mr. Hartke, Mr. Humphrey, Mr. Inouye, Mr. Javits, Mr. Keating, Mr. Kuchel, Mr. Long of Missouri, Mr. Metcalf, Mr. Morse, Mr. Morton, Mr. Nelson, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Randolph, Mr. Ribicoff, and Mr. Scott):

S. 1591. A bill to prohibit discrimination against any person on account of race or color in the furnishing of the advantages, privileges, and facilities of any business or business activity affecting the public which is conducted under State license; to the Committee on the Judiciary.

(See the remarks of Mr. Cooper when he introduced the above bills, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1592. A bill for the relief of Dr. Maria C. Zografidou; to the Committee on the Judiciary.

By Mr. RANDOLPH (by request):

S. 1593. A bill to amend section 14 of the Federal-Aid Highway Act of 1954 concerning the interstate planning and coordination of the Great River Road; to the Committee on Public Works.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT (for himself, Mr. Anderson, Mr. Dominick, and Mr. Mechem):

S. 1594. A bill to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. NEUBERGER (for herself, Mr. Case, Mr. Clark, Mr. Douglas, Mr. Gruening, Mr. Kefauver, Mr. Long of Missouri, Mr. McGee, Mr. Morse, and Mr. Young of Ohio):

S. 1595. A bill to provide Federal assistance to National and State committees of political parties in the financing of campaigns for election of candidates for Federal office; to the Committee on Rules and Administration.

(See the remarks of Mrs. Neuberger when she introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. Thurmond):

S. 1596. A bill to impose an annual quota on the quantity of softwood lumber which may be imported into the United States; to the Committee on Finance.

By Mr. PELL:

S. 1597. A bill for the relief of Juliano Barboza Amado and Manuel Socorro Barboza Amado; to the Committee on the Judiciary.

By Mr. HILL:

S.J. Res. 83. Joint resolution to provide for the designation of the month of February in each year as American Heart Month; to the Committee on the Judiciary.

RESOLUTIONS

MABEL V. LOLLIS

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 146) to pay a gratuity to Mabel V. Lollis, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan, which appears under the heading "Reports of Committees.")

AUTHORIZATION FOR CONTINUANCE OF THE SENATE YOUTH PROGRAM

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 147) authorizing the continuance of the Senate youth program, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan, which appears under the heading "Reports of Committees.")

THE WHEAT REFERENDUM AND A FARM PROGRAM

Mr. MUNDT. Mr. President, defeat of the national wheat referendum on Tuesday does not solve the farm problem confronting the wheat producers of America; neither did that vote by the farmers, in my opinion, relieve the administration, the Secretary of Agriculture, or this Congress from the responsibility which all of us have for finding an enduring and economically sound answer to the wheat problem which exists in this country.

In the business of dealing with the complications of the farm problem, Mr. President, no one can be so sure of his own judgment or can proceed on such a cocksure basis that he can submit to the farmers of this country a "take-it-or-leave-it" proposition, on the basis that "You must do as I say, or face economic disaster," and then try to con the public into believing that the farmers have spoken and that they do not want a farm program because they refused to vote, by two-thirds majority, for some specific kind of administration proposition.

Senators will recall that a year ago when the farm legislation including this wheat proposal was before the Senate, I predicted precisely the type of possibility which we now confront. In an effort to eliminate that potentiality and possibility, I offered in the Committee on Agriculture and Forestry—and the committee twice approved—and amendment to the wheat title of the farm bill which would have given the farmers a choice in the first referendum between a continuation of their present farm program and the wheat certificate program on which they voted on Tuesday.

Twice the Senate rejected the recommendations made by the Senate Committee on Agriculture and Forestry to give the farmers such a choice. The steamroller was applied which eliminated any right of option or choice by the American wheat producers except to take the highly complicated program as proposed by a two-thirds vote or have nothing.

Now the farmers have spoken. Although I was one of those who advocated a "yes" vote, the farmers in their own good judgment decided emphatically that they do not want that specific program. I point out that the most important business that this Congress confronts from the standpoint of American agriculture is to come up with a wheat program which is sound, workable, and acceptable to the American farmer.

I am happy that the leadership of the Senate has not, thus far at least, taken the attitude of the leadership of the other body, the Secretary of Agriculture, and the President of the United States by indicating to Americans that they will do nothing whatsoever now to try to meet the problem existing in the Wheat Belt. I expect a better and more constructive type of leadership in the Senate. I am confident that before this Congress ends, some corrective legislation will be enacted for the wheat producers of America.

Mr. President, I send to the desk for appropriate reference a bill to continue for the 1964 and 1965 crop years the wheat program in effect for the 1963 crop year. I also ask unanimous consent that there be printed in the Record at this point a copy of the press release which I issued yesterday on the subject soon after the results of Tuesday's wheat referendum was publicized.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the press release will be printed in the Record as requested by the Senator from South Dakota.

The bill (S. 1581) to continue for the 1964 and 1965 crops of wheat the program in effect for the 1963 crop of wheat, introduced by Mr. Mundt (for himself, Mr. Carlson, and Mr. Young of North Dakota), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The release presented by Mr. Mundt is as follows:

> Senator Karl Mundt, Republican, of South Dakota, announced today that he will introduce on Thursday legislation to extend the 1963 wheat program for the years of 1964 and 1965.
>
> Senator Mundt who supported a "yes" vote in the wheat referendum said here today, "The farmers have spoken loud and clear in rejecting the complicated wheat certificate proposal which the administration pushed through the Congress a year ago over the protests of many of us who voted against last year's legislation as being unnecessarily restrictive, coercive, and complicated. However, the political steamroller operated by the administration against the wishes of many Members of Congress resulted in the rejection of all perfecting amendments at that time. Now the wheat farmers have rejected the administration's wheat proposal. They had no third choice such as I had proposed with my amendment last year; namely, that of voting for extension of the 1963 wheat program for another 2 years.
>
> "In my opinion," Mundt said, "as indicated by the almost 2-to-1 vote in the wheat-producing Dakotas, there remains much support in the Farm Belt for a workable, simplified, two-price system for wheat and I regret the fact the proposal voted on was so complicated and confusing. Furthermore, the unrelenting and almost hysterical oversell of the program conducted by Secretary Freeman and the Department of Agriculture alienated many potential "yes" votes. American farmers do their own thinking and are more easily lead than frightened or bluffed. Farmers prefer factual discussions to the force feeding of information or the scare stories by Department of Agriculture employees who are subjected to loyalty oaths.
>
> "The legislation which I am introducing would continue the 1963 crop year wheat program through the 1965 crop year. It would hold the line for the wheat producer while Congress continues to evolve improved wheat legislation which I hope would give recognition and appropriate reward to the superior strains of wheat produced in the Northwest. I shall press vigorously for congressional approval of a new wheat program and I cannot conceive that the administration will stubbornly oppose all efforts in the Congress to correct the financial difficulties confronting the wheat producer as a result of a chain of circumstances created by the administration by its handling of the farm legislation in 1962 and the referendum campaign this year. Congress just enacted legislation extending the feed grain program for another 2 years. Congress should do no less for the wheat producers. I hope the Democratic leadership in the Congress will now show the same concern for the wheat farmers as they did for the feed grain producers and move this legislation rapidly through the Congress so that it can become the law of the land in time for application to 1964 crops.
>
> "In fact," Mundt said, "I predict that before adjournment, right will prevail, and the administration will withdraw its opposition to this helpful wheat legislation. The votes yesterday did not solve our wheat problem. We must now proceed to enactment of a more acceptable and functional wheat program."

CONSTRUCTION OF MICHAUD FLATS IRRIGATION PROJECT

Mr. CHURCH. Mr. President, I introduce, for appropriate reference, a bill to amend the act of August 31, 1954 (68 Stat. 1026), providing for the construction, maintenance, and operation of the Michaud Flats irrigation project in Idaho.

Under the original act, it was provided that prior to the undertaking of construction, a contract or other arrangement must be made with respect to a water supply for the Michaud division lands. Much of the land included in the Michaud Flats irrigation project are Indian lands. The contract requirements with respect to tribal lands of the Bannock-Shoshone Tribe have been satisfied by a tribal resolution and ordinance. With respect to allotted lands, however, both the consent requirement and the limitation of water supply requirements call for a contractural agreement of the landowners. Contract forms have been prepared and many of them signed by non-Indian land owners. Difficulty has been experienced, however, in obtaining the signatures of all landowners of Indian allotments. This is due mostly to the fractionated heirship status of the land and the difficulty of procuring the addresses of minority interest landowners. Many of these heirs are scattered throughout the United States.

The proposed bill authorizes the Secretary of Interior to execute a contract on behalf of any Indian holding an individual interest in trust or restricted land where the contract has been signed by or on behalf of a majority of the interests in the land. The Secretary may also execute the contract on behalf of any Indian who is a minor, or who is deemed by the Secretary to be in need of assistance in managing his affairs, or who after reasonable search cannot be located. This authority is needed if Indian-owned lands are to make beneficial use of water on the Michaud division of the Fort Hall Indian Reservation.

The PRESIDING OFFICER (Mr. Bayh in the chair). The bill will be received and appropriately referred.

The bill (S. 1582) to amend the act of August 31, 1954 (68 Stat. 1026), providing for the construction, maintenance, and operation of the Michaud Flats irrigation project, introduced by Mr. Church, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONTRACT NEGOTIATED WITH NEWTON WATER USERS' ASSOCIATION, UTAH

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to have a contract negotiated by the Newton Water Users' Association renegotiated. I ask that the bill be received and referred to the appropriate committee.

This is a bill for a repayment contract for the Newton Water Users' Association, in Cache County. The project was approved in October 1940, under the Water Conservation and Utilization Act, but, because of the war, was not constructed until 1946. The cost was $712,591. The reimbursable share was set at $350,000, repayable in 40 equal annual installments. The association has met each payment, except in 1961, when part was deferred by public law.

Because of the variable water supply, the association has found it difficult to pay the fixed annual charge, and wants to repay the remaining charges on a variable basis, related to the amount of water delivered. Before the Department of the Interior can execute the contract, legislation is necessary, because repayment will go beyond the 40-year repayment period.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1584) to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONSTRUCTION OF A DAM AND RESERVOIR ON MILL CREEK, GRAND COUNTY, UTAH

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to authorize construction of a dam and reservoir at Mill Creek, in Grand County, Utah.

Mr. President, nothing holds greater promise for the future of the people of Utah than the full development of their slender water resources. This year my State is again facing a serious water shortage, and 8 of its southern counties have already been designated as drought areas, based on the April 1 water supply forecast of only 19 to 40 percent of the 15-year average for the area.

The people of Grand County, Utah, where present forecasts for streamflows are ranging between 15 and 50 percent of normal, are particularly anxious to adopt feasible means of conserving for beneficial use every drop of water which falls in their arid section of the State. Too much of this precious water is now being lost. Even in good water years, streams flood in the springtime, and during cloudbursts, to destroy farms and homes, only to run completely dry by midsummer and fall. This year those streams will be dry much earlier than usual.

At my request, the U.S. Corps of Engineers began a study, some time ago, of Mill and Pack Creeks, in Grand County, which in the cloudburst season have been flooding into the basements and homes of some of the newer areas of the town of Moab, and destroying considerable property in this important county seat. On May 7, a public hearing was held in the courthouse there, and was attended by about 140 people, including representatives of the town of Moab, of Grand County, of agencies of the State of Utah, of Federal agencies, and a representative of General Frye, South Pacific Division engineer, together with members of the district engineer's staff and the district engineer.

This hearing brought out very forcibly the interest of the people of the area in the construction in the Mill and Pack Creek Valleys of a multiple-purpose dam which would control floods, make water available for domestic and irrigation uses, and establish a recreation area around the dam. The location recommended by the local people was the Plainfield site, on Mill Creek, about 2 miles above the city of Moab. The people also indicated their desire for channel improvements on both Mill and Pack Creeks, within the city of Moab.

I realize that it will take some time to evaluate the studies already made, and to undertake the further investigations which will be necessary before it can be determined whether such a plan is economically justified. I am well aware, also, that further investigations may develop a site considered more satisfactory than the Plainfield site. But I am convinced that the Mill Creek and Pack Creek Valley has a potential of far greater water resource development than has yet been planned, and I want to do everything possible to move forward a multiple-purpose project. I am, therefore, today introducing a bill to authorize such a project, to be constructed by the Chief of Engineers, U.S. Army, with appropriations of the necessary sums be provided to carry the project out.

Comprehensive and coherent development of the area's water resources now, under a plan which is sound, and will, therefore, avoid costly modifications later on, is most important to the people of this rugged and beautiful section of Utah. Tourism is a growing industry. Moab and Grand Counties are on the brink of a great economic development which will follow in the wake of the authorization of the Canyonlands National Park; and this is the time to be preparing the area to cope with that future growth.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1587) authorizing construction of a dam and reservoir on Mill Creek in Grand County, Utah, in the interest of flood control and allied purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Public Works.

EXPANSION OF COVERAGE OF NATIONAL DRIVER REGISTER SERVICE

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill to expand the coverage of the National Driver Register Service, which has been in operation in the Department of Commerce since July 1, 1961.

My own interest in establishing a national clearinghouse for information on traffic violations was aroused in the fall of 1959 after the tragic accident at North Brunswick, N.J., in which a tractor-trailer truck crashed into the rear of a bus. Eleven New Jersey college students and their professor lost their lives as a result of the ensuing holocaust. It was later learned that the driver of the truck had eight previous moving traffic violations on his record, but these offenses had occurred in three different States, none of which was aware of his total record.

The following spring, I introduced the first bill in the Senate to establish a national clearinghouse on traffic offenses. The version enacted by the Congress later that year, which I also introduced in the Senate, provided more restricted coverage than my original bill, but did represent a significant step forward in promoting highway safety. It authorized the Secretary of Commerce to establish a register containing the names of persons whose licenses have been revoked or suspended for one of two reasons: Driving while intoxicated and conviction of a traffic violation involving a fatality.

Beginning with the State of New Jersey, 46 States are now participating in the Driver Register Service, as are the District of Columbia, Guam, the Panama Canal Zone, Puerto Rico and the Virgin Islands. By the middle of May of this year, the Driver Register Service file had grown to 307,085 records of individuals whose licenses have been revoked or suspended. The Service is now handling between 10,000 and 11,000 search requests each day. With the aid of electronic computer equipment, the names of those applying for licenses in a State can be quickly checked against the central file in Washington. A report on them is put in the mail within 24 hours.

As of May 15, the Driver Register Service had made 20,361 identifications. However, helping the States to catch up with drivers who attempt to conceal their records is only one of the ways in which the Driver Register Service is helping to keep unsafe drivers off the roads. For it is clear that the Service also has an important deterrent effect. This was dramatically illustrated about a year ago, when an applicant for a driver's license in Arizona learned that his driving record would be checked with the National Driver Register Service. He bolted out of the examination room, colliding with a plate glass window in his effort to leave the premises.

It is estimated that about 54 percent of all revoked licenses have been taken away for driving while intoxicated. Convictions for offenses involving a highway death add approximately two-thirds of 1 percent more, so that approximately 45 percent of revoked licenses are still not eligible for inclusion in the National Driver Register.

The principal change proposed in my bill would be to permit the States to send in information on licenses which have been revoked or suspended for a period of 30 days or more, regardless of the reason for taking away the permission to drive a motor vehicle.

The need for such legislation is well illustrated by a letter which Mr. William M. Millen, Jr., Chief of the Driver Improvement Section of the New Jersey State Bureau of Motor Vehicles, wrote to the Driver Register Service earlier this month:

> We desire the above subject's name being placed on the National Driver Register Service. He has not been convicted of driving while under the influence of intoxicating liquor, nor has he been involved in a fatal accident; however, it is felt that his name should be on the National Driver Register, because it is believed that he may attempt to obtain a driver's license in some other State.
>
> His record is of a most unfavorable nature. His driver's license is revoked for speeding, driving during suspension and obtaining a driver's license in an illegal manner.

Mr. President, I would like to point out that the Driver Register Service does not deny a license to anyone. Action on the information it provides remains at the discretion of State motor vehicle agencies. There is no good reason I can think of to keep the Driver Register Service files limited to two particular types of offenses.

My bill also proposes to permit agencies of the Federal Government to receive information from the National Driver Register Service. Unsafe drivers are a hazard, whether they are private citizens, military service personnel, or civil servants, and I believe it is evident that the Federal agencies which license drivers should be able to obtain the information available to the States.

The present cost of the Driver Register Service would not be substantially increased by the expanded coverage proposed in this legislation, for the machines of the Driver Register Service are capable of handling a substantially larger volume of traffic.

I hope that the Congress will act to broaden the coverage of the Driver Register Service so it can provide more of the same useful services to the States. Permitting it to handle information on license revocations, whatever the offense causing the revocation may have been, will be a further step in helping to keep unsafe drivers off our highways.

I ask unanimous consent, Mr. President, to have the text of my bill printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1589) to amend the act approved July 14, 1960, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers, introduced by Mr. Case, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved July 14, 1960 (74 Stat. 526), as amended, is hereby amended to read as follows:

"That the Secretary of Commerce shall establish and maintain a register containing (1) the name of each individual reported to him by a State or political subdivision thereof as an individual with respect to whom such State or subdivision has denied a license or the privilege to operate a motor vehicle, or with respect to whom such State or subdivision has terminated, or withdrawn for a period of thirty days or more, such individual's license or privilege to operate a motor vehicle; and (2) such other information as the Secretary may deem appropriate.

"Sec. 2. The Secretary of Commerce may, at the request of any State or political subdivision thereof, or of any Federal agency, furnish to such State, subdivision, or agency such information with respect to any individual as may be contained in the register established pursuant to the first section of this Act.

"Sec. 3. As used in this Act, the term 'State' includes each of the several States, Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, or any political subdivision of any of the foregoing."

AMENDMENT OF SECTION 14 OF FEDERAL-AID HIGHWAY ACT OF 1954

Mr. RANDOLPH. Mr. President, I introduce, by request, for appropriate reference, a bill to amend section 14 of the Federal-Aid Highway Act of 1954, in order to expedite the interstate planning and coordination of the Great River Road, a Mississippi River parkway to traverse the Mississippi River Valley from Canada to the Gulf of Mexico.

The proposed legislation is requested by the Department of Commerce and is submitted in accordance with an act approved August 24, 1949, in which Congress authorized a joint survey by the National Park Service and the Bureau of Public Roads of a route for a national parkway to be known as the Mississippi River Parkway, to follow the route of the Mississippi River.

I ask unanimous consent that the bill, together with an explanatory letter from the Secretary of Commerce to the President of the Senate, be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1593) to amend section 14 of the Federal-Aid Highway Act of 1954 concerning the interstate planning and coordination of the Great River Road, introduced by Mr. Randolph, by request, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14 of the Federal-Aid Highway Act of 1954 (68 Stat. 70), is hereby amended to read as follows:

"For the purpose of expediting the interstate planning and coordination of a continuous Great River Road and appurtenances thereto traversing the Mississippi Valley from Canada to the Gulf of Mexico in general conformity with the provisions of title 23, United States Code, and with the recommended plan set forth in the joint report submitted to the Congress November 28, 1951, by the Secretaries of Commerce and Interior pursuant to the Act of August 24, 1949 (Public Law 262, Eighty-first Congress), there is hereby authorized to be expended by the Secretary of Commerce from general administrative funds not to exceed $500,000: *Provided,* That the amount expended under this section shall be apportioned among the ten States bordering the Mississippi River on the basis of their relative needs as determined by the Secretary of Commerce."

The letter presented by Mr. Randolph is as follows:

The Secretary of Commerce,
Washington, D.C., May 17, 1963.

Hon. Lyndon B. Johnson,
President of the Senate,
Washington, D.C.
Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. President and Mr. Speaker: The Department of Commerce has prepared and submits herewith as a part of its legislative program for the 88th Congress, 1st session, a draft of a proposed bill: "To amend section 14 of the Federal-Aid Highway Act of 1954 concerning the interstate planning and coordination of the Great River Road."

Under an act approved August 24, 1949 (63 Stat. 626), the Congress authorized the joint survey by the National Park Service of the Department of the Interior and the Bureau of Public Roads of this Department of a route for a national parkway to be known as the Mississippi River Parkway, following the route of the Mississippi River. The report following this survey was submitted to the Congress on November 28, 1951, by the Secretaries of Interior and Commerce in their letter of that date which stated that "since the existing roads are necessary to the economy of various localities, it is apparent that such a parkway plan should be developed by the States and continue under the administration of State highway departments. The needed road construction, reconstruction, and improvement can undoubtedly be done with regular apportionments under the Federal-Aid Highway Act, or by the States under their own programs, or by both means."

In 1954, under section 14 of the Federal-Aid Highway Act of 1954 (68 Stat. 70), the Congress authorized the expenditure, from general administrative funds of the Bureau of Public Roads, of $250,000 for the purpose of expediting the interstate planning and coordination of the Mississippi River Parkway, also known as the Great River Road, in general conformity with the recommended plan submitted in 1951. This amount was required to be apportioned among the 10 States bordering the Mississippi River in proportion to the amount allocated by these respective States for the improvement and extension of existing sections of this highway project as approved by the Secretary of Commerce in cooperation with other public agencies concerned.

In carrying out work authorized under the 1954 act, the Bureau of Public Roads, in cooperation with the National Park Service, has assisted each of these 10 States in studies and reports on general route locations. In certain States, studies have been completed or are in progress of delineating needed land acquisition, scenic easements and control of access desirable to accomplish the objectives of a Mississippi River Parkway contained in the report of November 28, 1951. The amount presently authorized, however, will be insufficient for completion of these studies and reports in all of the States.

In order that the necessary planning and coordination may proceed without interruption, it is recommended that section 14 of the 1954 act be amended to increase by $250,000 the amount which may be expended from general administrative funds of the Bureau of Public Roads for this purpose. This proposed increase in the Great River Road limitation would not require an additional authorization as administrative funds of the Bureau are provided for under section 104(a) of title 23, United States Code, by deduction from sums authorized for Federal-aid highways.

It is also proposed that the authorization be allocated on the basis of relative need among the States bordering the Mississippi River, rather than in proportion to amounts allocated by these States for the improvement and extension of existing sections of the highway. Allocation on the basis of relative need would assure that the planning work will proceed in a uniform manner and that the objectives of the 1954 provision will be more readily accomplished.

The Department of Commerce recommends the enclosed draft bill for the favorable consideration of the Congress.

The Bureau of the Budget advises that there would be no objection to the submission of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,
LUTHER H. HODGES,
Secretary of Commerce.

A MATCHING INCENTIVES PROGRAM OF FEDERAL CAMPAIGN FINANCING

Mrs. NEUBERGER. Mr. President, not all of our political practices are admirable, but surely one of the least palatable to Americans is the dominance of the large, private campaign contributions. For the prospective candidate to national political office, the first order of business in seeking election is the selling of his political beliefs, not to the electorate at large, but to the narrow financial constituency who must be prevailed upon to finance the campaign.

The surprising aspect off this narrow funding process is, not that it exists, but that the vast majority of legislators nevertheless exercise independent judgment and action. Yet the pressure to treat with sympathy the interests of one's major contributors is obviously great, and too often disrupts the freedom of judgment which a truly representative legislator must maintain.

Ironically, I know of no Member of this body who enjoys the frantic pursuit of funds which has become the constant counterpoint of every campaign. It is demeaning, where it is not an affirmative evil; and it is unworthy of the most powerful deliberate body in the world.

Nor is this a static situation. No one in Congress needs to be told of the explosion in the costs of adequate campaigning. Hundreds of thousands of dollars are consumed in today's campaigns by needs which were nonexistent as recently as 20 years ago. Television enables the presidential or congressional candidate to confront his electorate as intimately as does the local candidate who can call personally on his neighbors, who will elect him. It is no luxury for the candidate. It has become an absolute necessity. And extensive radio, billboard, and newspaper coverage are equally critical to the effective campaign.

For the prospective candidate contemplating such an undertaking, there is bitter truth in an old joke, slightly paraphrased:

> It makes no difference whether you're a rich candidate or a poor candidate, so long as you (or your friends) have money.

As a society, we are thus deprived of the services of men and women of talent and spirit who simply have not found the key to unlocking a sufficient campaign treasury. And, as an electorate, we are foreclosed from evaluating the attitudes, characteristics, opinions, and qualifications of our candidates, unless they are blessed with abundant funds.

Yet proposing campaign financing reform to Congress is not, as my husband, Senator Richard Neuberger, early discovered, a rewarding occupation. It is, of course, natural for those who have succeeded in the quest for political office to cherish an affirmative view of our present political processes and their own ability to exercise fierce independence. Nevertheless, the risks of the present situation are very real and they are great.

Eight years ago, Dick proposed a carefully circumscribed program of direct Federal aid to congressional and presidential candidates. His proposed legislation was warmly endorsed by law professors, political scientists, Republican and Democratic office-holders, and campaign workers who had been squeezed by the rigors of a modern election campaign. Newspapers and magazines throughout the country echoed his call for a fiscal bill of rights for the political candidate; and many of Dick's most distinguished colleagues joined him in this effort—along with them, the then Senator John F. Kennedy. At each session of Congress, Dick reintroduced his campaign financing bill, only to see it submerged time and again by the apathy of Congress.

The campaigns of 1960 furnished fresh evidence, if any was needed, of the massive financial pressures upon the candidates, inherent in all major election campaigns. The reported expenditures of the two major parties in the national campaigns alone reached nearly $20 million, as compared with $12.9 million in 1956, and $11.6 million in 1952. The Democrats in 1960 spent $3.8 million more than they had raised, while the Republicans incurred a deficit of $700,000.

At his press conference of May 5, 1961, President Kennedy spoke warmly of the need for Federal campaign financing:

> I wish and I hope that before we get into another presidential campaign, we can work out some system by which the major burdens of presidential campaigns on both sides would be sustained by the National Government, as suggested by Theodore Roosevelt, as suggested by Senator Neuberger—Dick Neuberger—when he was here.

On November 8, 1961, the President directed his newly formed Commission on Campaign Costs to make "recommendations with respect to improved ways of financing expenditures required of nominees for the Office of President, and Vice President." The report of the Commission, issued on April 18, 1962, with strong bipartisan support, proposed certain significant, if limited, reforms. Though the dictates of bipartisan unanimity obviously tempered the Commission's boldness, the Commission's recommendations nonetheless contained the seeds of meaningful campaign-financing reform.

The Commission's most substantial recommendation was a 50-percent income tax credit for contributions, up to $10, made to a party committee. The Commission also supported tax deductions for campaign contributions of $1,000 or less.

The tax credit is a salutary device. Provision for such credit was included in the legislation first introduced by Dick in 1956 and again by myself in the last Congress. Tax credits can serve to stimulate small contributions though I believe that a 100-percent credit would be a more effective stimulant than the 50-percent credit proposed by the Commission.

The $1,000 tax deduction—or the $500 deduction now proposed by the President—would be an affirmative evil. The average taxpayer in a tax bracket of 25 percent or under would still be making 75 percent of his donation out of pocket. The deduction is less likely to be a stimulus for him than it is to be a windfall to the taxpayer in the higher brackets who can and already does make $500 or $1,000 contributions.

The major novel contribution of the Commission to the public dialog on campaign financing was the concept of "matching incentives." Under a matching incentives plan as envisaged by the Commission, contributions in amounts of $10 or less per person raised by designated political committees would be deposited by those committees with an office of the U.S. Treasury, whereupon the money would be matched by a like sum from funds appropriated by Congress. The combined total would then be used to pay certain designated campaign expenses precisely as the Government pays its own bills—thus avoiding the possibility of abuse inherent in the direct transfer of funds to political committees.

Although the Commission suggested that Congress forbear enacting a matching incentives program for two successive presidential campaigns in the unlikely event that tax incentives alone prove sufficient to eliminate the defects in campaign financing, the President in his recent message to Congress on campaign financing urged us to consider the matching incentives program now.

Certainly we should not wait. While tax incentives may encourage the individual taxpayer to contribute to his party, a matching incentives program is essential to motivate the political committees to organize solicitation drives on a broad basis—drives which have not in the past been characterized by either enthusiasm or efficiency. A matching incentives program would hold out to the parties a doubling of their successes in small-gift fund raising. Without the stimulus of a matching incentives program, I doubt seriously whether tax incentives alone would produce sufficient numbers of small gifts to free candidates from the need to rely on major contributions from a narrow circle of sources.

For these reasons I am today introducing legislation to provide for a matching incentives program, substantially as envisioned by the Commission, except that I have provided that where a contribution is earmarked for the use of a particular candidate, the matching grant must also be used to pay the expenses of the designated candidate. I hope that this legislation will be considered simultaneously with the administration's program of tax incentives.

This is a limited program, more severely circumscribed than those earlier proposed by Dick or by myself, but it will, if favorably acted upon, be a beginning. Fifty years ago President Theodore Roosevelt endorsed the principle of Federal contributions to campaign financing. It is time for a beginning.

Mr. President, I also ask unanimous consent that a statement by the Senator from New Jersey [Mr. Case], who is supporting the proposal, be printed in the Record at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR CLIFFORD P. CASE

I am happy to join with Senator Neuberger in introducing a bill aimed at improving our system of financing political campaigns.

The need for improvement is generally recognized, by the press, by the public, indeed by the Congress itself. Yet for several years now Congress has given little or no attention to the problem. The last serious effort was made some years ago when the Rules Committee, of which I was then a member, worked long and hard on a bill to strengthen the Federal election laws. The bill reported out by the committee was built on further extension of the disclosure principle, a principle I heartily endorse. Although the bill was imperfect in several respects, it represented a step forward. Unfortunately, although the Senate acted favorably on the measure, the House failed to take it up and the measure died with the close of the 85th Congress in 1958.

The approach embodied in the bill introduced today—that of a system of matching incentives—is admittedly a novel one. It is not put forward as a final solution. Rather, in the face of mounting campaign costs, of which the Members of this body are certainly aware, it is presented as a fresh way of getting at an old problem.

First put forward by the President's Commission on Campaign Costs, it merits at the least, careful exploration. Hopefully it will serve to stimulate a comprehensive examination of the whole problem.

Mr. CLARK. Mr. President, will the Senator yield?

Mrs. NEUBERGER. I am glad to yield.

Mr. CLARK. I should like to commend my friend from Oregon for the initiative she has taken in this highly important area which involves the political morals of every Member of this body. I join the Senator from Oregon in urging support for the proposed legislation. I hope very much that arrangements can be made at an early date for hearings on this and other suggestions for enabling us to raise the funds needed to finance a political campaign without the present necessity of having large contributions from a relatively small number of givers, which, when that happens, puts all of us under undue obligation to those large donors.

I congratulate again the Senator from Oregon for the proposal, and as a member of the Committee on Rules and Administration, I shall do whatever I can to assure a prompt and full hearing.

Mrs. NEUBERGER. I appreciate the remarks of the distinguished Senator from Pennsylvania, who has so recently gone through a campaign. Those who are facing election next year are immediately confronted with the problem.

Mr. CLARK. Mr. President, will the Senator yield further?

Mrs. NEUBERGER. I am glad to yield.

Mr. CLARK. I was shocked at the amount of money which was raised by both parties in Pennsylvania last year, every cent of which was spent, and most of which came, on the Democratic side, from relatively small donors. A significant part of what was raised did come from contributions in at least four figures. The Democratic State Committee, at one $100 dinner, attended by 13,000 Democrats, raised $1,300,000. As the candidate for the U.S. Senate I raised over $130,000 additional. The candidate on the Democratic ticket for Governor of Pennsylvania raised over $200,000 additional. I am confident that our Republican opponents raised at least as much and probably more.

A great deal of this expenditure is rendered necessary in a large State such as Pennsylvania, which has wide geographic areas, by the absolute necessity for a substantial amount of television and radio time.

I hope very much that ways and means can be found in the foreseeable future to require the donation, as a public service, of television time not only to presidential candidates but also to all statewide candidates—gubernatorial, senatorial, and candidates for other statewide office.

I also think that arrangements should be made by which congressional candidates should have a certain amount of free time from television stations located in or covering their congressional districts.

While I am in accord with the Senator from Oregon that it is important to stimulate small gifts from the grassroots, I have never been able to understand why television and radio stations—licensees of the airways from the Federal Government, with no vested interest whatever and no rights whatever except those given to them as a matter of grace by the Government—should not be required to make their fair contribution in terms of donated time to the proper working of the democratic process.

Mrs. NEUBERGER. I am entirely in sympathy with the fine remarks of my colleague, the Senator from Pennsylvania. The point of raising money for these elections has an unusual flavor in a State like Oregon, in which we do not seem to have very many donors who contribute in large figures.

Mr. CLARK. To the Democratic Party.

Mrs. NEUBERGER. That is correct. That means, in order to raise money for their campaigns, our candidates must go outside the State. A great deal of financing of campaigns for the U.S. Senate is from money raised in Beverly Hills, Calif., in New York, and perhaps some from the State of Pennsylvania and from the District of Columbia.

I think the people in our State should be encouraged to contribute through this method to their own representatives. I must say that I appreciate the support we receive from other States; however, this proposal seems a more reasonable and fair way to accomplish the objective.

Mr. President, I ask unanimous consent that the bill may be printed in the Record, and remain at the desk through June 5, for cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and will be held at the desk, as requested by the Senator from Oregon.

The bill (S. 1595) to provide Federal assistance to national and State committees of political parties in the financing of campaigns for election of candidates for Federal office, introduced by Mrs. Neuberger (for herself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Election Campaign Assistance Act of 1963".

STATEMENT OF FINDINGS AND PURPOSES

Sec. 2. Congress finds that it is in the national interest that voters in elections for Federal offices should have opportunities to judge competing candidates and their programs on fair and equal terms before choosing among them, and that the dominant importance of large, private campaign contributions should be eliminated from such Federal elections.

Free and untrammeled representation of the public interest is possible only when men and women in high Federal office are not indebted for large financial campaign gifts to private donors who feel a special interest in Federal legislation and policies.

Substantial inequality among candidates, with respect to campaign financing, imperils the democratic premises of free and informed choices by the citizen, particularly in an era when access to the most compelling media of public information is increasingly decisive and costly.

Government contributions to the essential costs of major election campaigns in direct partial assumption of certain costs, through Federal matching of small, individual contributions, offer the most effective means to assure citizens of exercising their choice of government on fair and equal terms, to prevent private persons and groups of great wealth from unduly influencing the conditions of that choice, and to eliminate the undesirable and undemocratic significance of candidates' dependence on large, private campaign gifts.

DEFINITIONS

Sec. 3. As used in this Act—

(1) The term "political committee" means—

(A) The national committee (not to exceed one for each party) of a qualified political party; or

(B) A State political committee (not to exceed one for each party in each State) designated by such a national committee of a qualified political party.

(2) The term "qualified political party" means—

(A) In the case of contributions received or expenses incurred during a calendar year in which the electors of President and Vice President are chosen, a political party presenting candidates or electors for such offices on the official election ballot of 10 or more States, or

(B) In the case of contributions received or expenses incurred during any other calendar year, a political party which met the qualifications described in subparagraph (A) in the last preceding election of a President and Vice President.

(3) The term "political contribution" means a gift of money to a political committee, and includes any such gift designated for use only on behalf of a particular candidate in an election, but does not include a gift to the State political committee of a State other than the State of residence or employment of the contributor.

(4) The term "election" means a regular, special, or general, election for Federal elective office, with respect to which the names of two or more candidates for election to the office have been and remain qualified for presentation on the ballot, and includes the election of a slate of presidential electors by votes cast for the names of candidates for President and Vice President, or the vote of the electoral college.

(5) The term "Federal elective office" means the offices of President or Vice President, electors of President or Vice President, Senator, or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States.

(6) The term "State" includes any territory, District, or Commonwealth in which an election may be held.

(7) The term "Fund" means the Election Finance Fund established by section 3(a).

(8) The term "Secretary" means the Secretary of the Treasury.

ELECTION FINANCE FUND

SEC. 3. (a) There is hereby established in the Treasury of the United States a fund to be known as the Election Finance Fund.

(b) There shall be deposited in the fund to the credit of a political committee—

(1) So much of any political contribution by an individual to such committee in any calendar year as does not exceed $10 and as is transmitted to the Secretary for that purpose; and

(2) An amount equal to the amount deposited under paragraph (1), to be paid from the appropriation authorized by section 5.

PAYMENT OF CAMPAIGN EXPENSES

SEC. 4. (a) Upon application by a political committee the Secretary is authorized to pay, from the amount to the credit of such committee in the Fund, the expenses incurred or assumed by it in connection with a campaign for election of one or more candidates for Federal elective office. Such expenses shall be limited to, expenses of (1) printing or other reproduction of campaign materials, (2) films and recordings, (3) advertising space or facilities, (4) broadcast time, (5) office rent, equipment and supplies, (6) postage, and (7) telephone and telegraph service, and shall not include the personal, traveling, or subsistence expenses of individuals or payments to any individual for personal political activities.

Amounts deposited in the Fund to the credit of a political committee under Section 3(b) (1) and (2), which are attributable to a gift designated for use only on behalf of a particular candidate, shall be available only for payment of expenses incurred or assumed by the committee on behalf of such candidate.

(b) An application for payment under this section shall be in such form, and be accompanied by such bills, vouchers, or other information as shall be required by the Secretary. Such payments shall be made directly to the supplier of the goods or services with respect to which the bills or vouchers are submitted.

(c) Amounts deposited in the fund under section 3(b) to the credit of a political committee shall be available only for use in the payment of expenses incurred by such committee during the calendar year in which the contribution to which the deposit is attributable was received by the committee, but any such amount which remains unexpended may be permitted to remain in the fund for a period of one year following the end of such calendar year for use in the payment of such expenses.

(d) Any amount deposited in the fund to the credit of a political committee under section 3(b)(1) may, so long as it remains unexpended, be withdrawn by such committee upon application to the Secretary. Any such unexpended amount which is not so withdrawn and which remains in the fund at the end of the year following the calendar year in which the contribution to which the deposit is attributable was received shall be returned to the political committee. In any case in which any amount deposited to to the credit of a political committee under section 3(b)(1) is withdrawn by or returned to the committee under this subsection, the corresponding amount deposited to the credit of the committee under section 3(b) (2) shall be withdrawn from the fund and covered into the general fund of the Treasury.

APPROPRIATIONS

SEC. 5. There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to make the deposits referred to in section 3(b)(2).

REGULATIONS

SEC. 6. The Secretary is authorized to promulgate such regulations as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 7. This Act shall become effective on January 1, 1964.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATION BILL

Mr. YOUNG of North Dakota submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely: On page 7, line 2, after the word "Colorado," insert the following: ": *Provided further*, That not to exceed $450,000 shall be for assistance to the Newtown, North Dakota, Public School District Numbered 1, for construction of an addition to the Newtown Public School".

Mr. YOUNG of North Dakota also submitted an amendment intended to be proposed by him to House bill 5279, making appropriations for the Department of the Interior and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. MUNDT submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely: On page 5, line 18, after $88,350,000" insert the following: ": *Provided*, That not to exceed $477,645 may be available for assistance to the State of South Dakota or any political subdivision thereof for enforcement of State civil or criminal laws within the Indian country in said State where such laws are applicable".

Mr. MUNDT also submitted an amendment, intended to be proposed by him, to House bill 5279, making appropriations for the Department of the Interior and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. ANDERSON submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely: On page 7, line 2, after the word "Colorado," insert the following: "*Provided further*, That not to exceed $370,000 shall be for assistance to the Grants, New Mexico, Municipal School District Numbered 3, Valencia County, New Mexico, for construction of an addition to the public high school serving the Pueblos of Leguna and Acoma."

Mr. ANDERSON also submitted an amendment, intended to be proposed by him, to House bill 5279, making appropriations for the Department of the Interior and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. MOSS submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely: On page 24, line 9, after the word "therein," insert the fellowing: "(including improvements of the county road from Brigham City, Utah, to the headquarters Bear River Migratory Bird Refuge)".

Mr. MOSS also submitted an amendment, intended to be proposed by him, to House bill 5279, making appropriations for the Department of the Interior and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. JACKSON submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely: On page 9, line 10, after the word "Secretary", insert the following: ", except that tribal funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims shall not be further appropriated until a report of the purposes for which the funds are to be used has been submitted to the Senate and House Committees on Interior and Insular Affairs and those purposes either have been approved by resolution of each of said committees or have not been disapproved by resolution of either of said committees within sixty calendar days from the date the report is submitted, not counting days on which either House is not in session because of an adjournment of more than three calendar days to a day certain".

Mr. JACKSON also submitted an amendment, intended to be proposed by him, to House bill 5279, making appropriations for the Department of the Interior and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. HAYDEN submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 5279) making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely: On page 7, line 7, after the word "expended", insert the following: ": *Provided*, That not to exceed $15,870 shall be available for reimbursing the city of Winslow, Arizona, for the cost of improvements to streets and appurtenant facilities adjoining property under the jurisdiction of the Bureau of Indian Affairs".

Mr. HAYDEN also submitted an amendment, intended to be proposed by him, to House bill 5279, making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

PROMOTION OF PUBLIC CONFIDENCE IN THE INTEGRITY OF THE CONGRESS—ADDITIONAL COSPONSOR OF BILL

Mr. CASE. Mr. President, on behalf of my cosponsors and myself, I ask unanimous consent that the name of the senior Senator from Tennessee [Mr. Kefauver] be added as a cosponsor of S. 1261, "to promote public confidence in the integrity of Congress and the executive branch," and that his name be included as a cosponsor in future printings of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SERVICE CORPS—ADDITIONAL COSPONSOR OF BILL

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the name of the Senator from North Dakota [Mr. Burdick] may be added as an additional cosponsor of Senate bill 1321, the bill to establish a National Service Corps.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE TO STUDY RAILROAD FINANCING—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. HARTKE. Mr. President, I ask unanimous consent to have the name of the junior Senator from Ohio [Mr. Young] added as a cosponsor to Senate Resolution 136, a resolution establishing a Select Committee To Study Railroad Financing, which I submitted in the Senate on May 8, 1963.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, CONCURRENT RESOLUTION, AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills, joint resolution, concurrent resolution, and resolution:

Authority of May 14, 1963:

S. 1534. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by stabilizing the domestic lead and zinc industry, and for other purposes: Mr. Allott, Mr. Bartlett, Mr. Dominick, Mr. Edmondson, Mr. Engle, Mr. Kefauver, Mr. Long of Missouri, Mr. Monroney, and Mr. Nelson.

Authority of May 15, 1963:

S. 1541. A bill to amend title 18, United States Code, to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption: Mr. Boggs and Mr. Burdick.

S. 1542. A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for equalization grants, to extend coverage of the unemployment compensation program, to establish Federal requirements with respect to the weekly benefit amount and limit the tax credits available to employers in a State which does not meet such requirements, to establish a Federal requirement prohibiting States from denying compensation to workers undergoing training and deny tax credits to employers in a State which does not meet such requirement, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment taxes, to establish a Federal unemployment adjustment and equalization account in the Unemployment Trust Fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a Special Advisory Commission, and for other purposes: Mr. Clark, Mr. Douglas, Mr. Gruening, Mr. McGee, Mr. Metcalf, Mr. Morse, Mr. Randolph, and Mr. Williams of New Jersey.

S. Con. Res. 42. Concurrent resolution establishing the Joint Committee on National Security Affairs: Mr. Clark and Mr. Engle.

Authority of May 16, 1963:

S.J. Res. 82. Joint resolution proposing an amendment to the Constitution of the United States relating to residence and physical presence requirements for voting in presidential and vice presidential elections and for voting in election for U.S. Senators and Members of the House of Representatives: Mr. Humphrey and Mr. Pell.

Authority of May 8, 1963:

S. Res. 136. Resolution establishing a Select Committee To Study Railroad Financing: Mr. Burdick, Mr. Cannon, Mr. Church, Mr. Gore, Mr. Hart, Mr. Keating, Mr. McCarthy, Mr. McGee, Mr. Metcalf, Mr. Morse, Mrs. Neuberger, Mr. Proxmire, Mr. Talmadge, Mr. Williams of New Jersey, and Mr. Yarborough.

NOTICE OF HEARINGS ON GOVERNMENT IN METROPOLITAN AREAS

Mr. MUSKIE. Mr. President, I would like to announce for the information of the Senate and other interested persons that the Senate Subcommittee on Intergovernmental Relations has scheduled joint hearings with the House Subcommittee on Intergovernmental Relations on the subject of "Government in Metropolitan Areas." These hearings will be held in New York City on June 7, 8, and 10.

Selected public officials in the New York metropolitan region have been invited to present their views on the nature of governmental problems and the role of the Federal and State governments in the metropolitan area affairs.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. McINTYRE:

Address delivered by Senator Muskie before the American Public Power Association, Cleveland, Ohio, on May 2, 1963:

By Mr. HARTKE:

Address delivered by Hon. Douglas Dillon, Secretary of the Treasury, at the sixth annual University of Connecticut Loeb Awards Presentation Luncheon, New York City, on Wednesday, May 22, 1963.

Article entitled "Uncompensated Counsel: They Do Not Meet the Constitutional Mandate," written by Senator Sam J. Ervin, Jr., and published in the American Bar Association Journal of May 1963.

By Mr. RANDOLPH:

Excerpts from speech by Hon. Leslie C. Arends, U.S. Representative from Illinois, at the 1963 Advertising Woman of the Year Luncheon, at the Washington Hotel, Washington, D.C., May 23, 1963, along with remarks by C. Bedell Monro, president, United Service Associates, at that event.

CIVIL RIGHTS

Mr. JAVITS. Mr. President, on Tuesday of this week, when the Senate was last in session, the Senator from Mississippi [Mr. Stennis] made a statement about the presence of Federal troops in Alabama which I stated I would answer. I now rise for that purpose.

The Senator from Mississippi objected to the President's having stationed troops on the alert in Alabama for possible use in Birmingham. I think that what is missing on the part of any spokesmen for this point of view—the Senator from Mississippi and others—is that they fail to recognize that Negroes are citizens not only of their States but also of the United States. Therefore they have privileges under the Constitution of the United States which deserve—and, indeed, demand—protection and safeguards. What is involved in Birmingham is a violation of the rights of citizens as citizens of the United States in the denial to them of freedom under the first amendment to assemble and petition for the redress of grievances.

Where we have fallen down is that we have no law which would enable the Attorney General to go into court and assure that right for citizens. The Attorney General has said that he has no such authority because Congress did not enact the necessary legislation. I hope the President, who is now making up his mind as to enlarging his package of civil rights bills—and it is high time that he did so—will understand that the key issue which must be decided here if he desires the desegregation question handled in the courts rather than in the streets—which is what the President has said he does desire—is the need for giving a broad range of power to the Attorney General at least to get the question into the courts.

The Attorney General has said he cannot sue in cases like those involved in Birmingham. He has also said that what took place in Prince Edward County, Va., where his attempt to intervene as a party in a school desegregation case was rejected, shows that the courts will not permit him to bring suit in the absence of congressional action. So if the President really desires to give an answer to points of view such as that expressed by the Senator from Mississippi [Mr. STENNIS], which challenges present Executive power to do anything, he must come to the Congress and put the Executive muscle behind a bill along the lines of the so-called part III proposal, which would enable the Attorney General to go into court in such cases.

I do not think there is any question under the law that the President had authority to station troops in Alabama for possible use there. The law as contained in section 333 of title 10 of the United States Code, not only authorizes, but requires, the President as follows:

> The President shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it—
>
> (1) so hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or
>
> (2) opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.
>
> In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

That is the whole issue which is at stake. The laws of the United States prevail in the State of Alabama, including the constitutional right to assemble and petition for the redress of grievances. If the Governor of Alabama and the officials of the State of Alabama will not protect citizens of Alabama under those laws, the United States has a duty to do so.

Mr. President, the Negro community took to the streets. I point out that, even with the great frustrations and provocations in Birmingham, including the use of fire hoses, police dogs, and clubs, there has been extraordinarily little violence. There has been some violence, but there has been evidence of great restraint on the part of the Negro community. Even in Birmingham, what the people were seeking was nothing but their elementary rights as U.S. citizens. That is the whole issue in civil rights. Citizens are citizens of their States, yes; but the people are also citizens of the United States, and as the Constitution of the United States is the supreme law, the United States can nullify a State law which is contrary to the Constitution. The United States can prevent a State from enforcing such law, and can protect the citizens of the United States in that State when he seeks to exercise rights which that State seeks unconstitutionally to deny him.

That is the fundamental question which is before the Senate—a question from which my good and distinguished friend the Senator from Mississippi [Mr. STENNIS] and other similar spokesmen prefer to avert their eyes. But that is it; and until we enforce those rights, law and order will not be given the opportunity to prevail.

EQUITY'S 50TH ANNIVERSARY

Mr. JAVITS. Mr. President, by designating this week as National Actors Equity Week, the Congress has done honor not only to a distinguished American trade union on its 50th anniversary, which we are celebrating on May 26, but to a great profession as well. Every free society has cherished its theater and the actors in it who have, in each age, fulfilled their mission "to hold as 'twere the mirror up to nature." In a living democracy, the living theater is welcomed. The mirror which the free spirits of the acting profession hold before us is often an instrument of valued self-appraisal. Totalitarianism rejects a truthful reflection of its own monstrous ways; and so it is, that wherever freedom is to be shackled, it is the actor who is first placed in chains. There is probably no group in Russia today that is giving Mr. Khrushchev more trouble than the artists of the stage, of music, of the canvas.

The actor is not only an artist. He is also a human being and the treatment of himself and of his profession becomes a reflection of the society of which he is a part. Mr. Lee Strasberg, director of the New Actors Studio Theater in New York, has observed:

> In the glory of Greece, the actor received the respect due to a serious worker in an art sanctioned by the State. But in Roman times, only slaves could be actors, and there begins the separation between the adulation shown to the actors' art and the condemnation of the actors' person and profession.

Although we model our basic society from the Greeks, we have only recently come to realize that the strength of Greek thought in the ways of governing men derived from a culture that also understood the value of theater and the other performing and visual arts.

It is extremely unfortunate, then, that the American actors' lot has not been a happy one. He has had to fight against the apathy and indifference that stems from ignorance of the role which theater plays in a free culture.

Actors Equity, the union we honor this week, has done more than any other institution in our American life to bring to the actor and to the theater the honor and the dignity so well deserved and so well understood in ancient democracies. Last week's issue of Life magazine told the Equity story:

> Fifty years ago, actors were third-rate people; they rehearsed endlessly without salary; they furnished their own costumes and when a play faltered, were abandoned on the road without a smile or a return trip ticket. The actors formed Equity in 1913. Six years later, the infant union revolted against the hardships it suffered. Actors walked off stage. After 30 days of the strike the producers gave in to all of Equity's demands. Over the next years, the union fought many a bitter battle, winning everything from sanitary dressing rooms to desegregation of theater audiences.

But, Equity and the American theater have a long road still ahead. For although today we do the actor honor for his spirit and his skill, he still is found most often among the ranks of unemployed in what is the most distressed of economic activity in our Nation. And, although today the actor and his Union have prestige, his Government has largely ignored his economic plight. We persist in taxing his income as if it was steadily earned when, in fact, the actor knows no steady income; we persist in taxing the theater as if it was a dispensable luxury, which most great civilizations know it is not. We have fashioned unemployment insurance laws that bar the actor from its benefits because he must travel from State to State to bring his art to all our people; we have failed to support the living theater as a civic obligation akin to that of providing libraries and schools. Indeed, it is ironic that we admit the need for supporting libraries in which the works of Shakespeare, Moliere, and other great plays can be offered in bookform, but we close our eyes to the fact that millions of our children are being denied the opportunity to see and hear the classics in the theater for which they were written.

I have, together with others of my colleagues, introduced legislation to correct what is an appalling situation in the relationship between the American theater and the National Government. I have addressed this body before regarding the need for action on these matters. I shall speak out again, I assure you.

At this time, however, as we observe the 50th anniversary of Actors Equity Association, I think it befitting to call your attention to that scene in Hamlet wherein Hamlet admonishes his palace lords:

> Will you see the players well bestowed? Do you hear, let them be well used; for they are the abstracts and brief chronicles of the time; after your death, you were better have

a bad epitaph than their ill report while you live.

When we passed a resolution observing National Actors Equity Week, this Congress in a sense said to America's actors, "You are welcome, masters." I trust that we will soon see to it that they are also "well bestowed."

ON HIS OWN FEET

Mr. YOUNG of Ohio. Mr. President, as a Senator from the State of Ohio, I receive almost daily letters from constituents in my State denouncing price controls and price supports for farm products, and all welfare legislation. During the last 2 days, since the wheat referendum, we have heard more talk in Washington to the effect that citizens are sick and tired of price supports and interference by the Federal Government in the daily lives of the people of our country.

In that connection I should like to tell a story about a young man who lived with his parents in a low-cost public housing development in Hamilton County, Ohio.

He attended public school, rode the free school bus, enjoyed the free lunch program. Following graduation from high school, he entered the Army and upon discharge kept his National Service Life Insurance, as all of us who were in the Armed Forces do, or should do. He then enrolled in an Ohio university, receiving regularly his GI check. Upon graduation, he married a Public Health nurse, bought a farm in southern Ohio with an FHA loan, and became a wheat farmer in my State. Later going into the feed and hardware business in addition to farming, he secured help from the Small Business Administration when his business faltered. His first baby was born in the county hospital. This was built, in part, with Hill-Burton funds. Then, he bought considerable additional acreage adjoining his farm, and obtained emergency feed from the Government. He then put part of his land under the Eisenhower Soil Bank Program and used the payments for not growing crops to help pay his debts. His parents, elderly by now, were living comfortably in the smaller of his two farm homes, using their social security and old age assistance checks. Though electricity at first was lacking, the Rural Electrification Administration supplied the lines, and a loan from the Farmers Home Administration helped clear the land and secure the best from it. A department of Agriculture agent suggested building a pond, and the Government stocked it with fish for my constituent. The Government guaranteed him a sale for his farm products. The county public library delivered books to his farm door. He, of course, banked his money in an institution which a Government agency had insured up to $10,000 for every depositor.

The PRESIDING OFICER. The time of the Senator from Ohio has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, as the community grew, he signed a petition seeking Federal assistance in developing an industrial project to help the economy of his area. About that time he purchased business and real estate at the county seat aided by a Federal Housing Administration loan. He was elected to office in the local chamber of commerce. It was rumored, after all those years, that he joined a cell of the John Birch Society in the county seat.

He wrote me, as one of his two U.S. Senators, protesting excessive Government spending and high taxes, and enclosed John Birch pamphlets, some containing outlandishly false statements, such as "Take the United Nations out of the United States, and the United States out of the United Nations"; and the suggestion of impeachment of Chief Justice Earl Warren, who, as we know, is one of the truly great men of our time. At one time he was the candidate for Vice President of the United States of that Grand Old Party of which you and I, Mr. President, are not members. He is a great, loyal, patriotic American.

He went on to say in his letter:

> I believe in rugged individualism. People should stand on their own two feet, not expect Government aid. I stand on my own two feet. I oppose all those socialistic trends you have been voting for and demand return to the free enterprise system of our forefathers. I and my neighbors intend to vote against you next year.

SMALL BUSINESS SUPPORTS PRESIDENT'S TAX PROPOSALS

Mr. HUMPHREY. Mr. President, in the course of the national debate now under way concerning the President's proposals for tax reduction and revision, entirely too much emphasis has been given to the narrow question of who will get what. What many seem to have overlooked is the salutary effect on the entire economy, and thus on every citizen, of a revision of the Federal income tax structure designed to spur consumer demand and business growth.

We have heard support for such a program from the leaders of our largest businesses, as well as from organized labor. Until recently, however, there has been but little articulation of the extraordinary stake which the small business community has in such a program—and in the particularly beneficial treatment which the President has proposed for the 4½ million small business concerns.

I was therefore gratified to learn of the recent action which was taken by the National Small Business Advisory Council. The Council is a group of individuals from all parts of the country, appointed pursuant to the Small Business Act as "truly representative of small business."

The Council thus represents the views of an intelligent and enlightened cross section of the small business community.

The Council meeting this week in Washington has unanimously endorsed a program of tax reduction and revision along the general lines of that proposed by the President. The group met with the President in the White House Rose Garden on May 16 to advise him of their support for such a program.

I ask unanimous consent that the statement on tax revision, which was adopted by the Council, and the press release which was subsequently issued by the White House, be inserted at this point in the RECORD.

There being no objection, the press release and statement were ordered to be printed in the RECORD, as follows:

PRESS RELEASE BY NATIONAL SMALL BUSINESS ADVISORY COUNCIL

Members of the National Small Business Advisory Council met with President Kennedy at the White House today and presented the President with a statement pledging their support to a program of tax revision which would give maximum benefit to small business.

The statement recommended that such a program be enacted this year and "include a net reduction of individual and corporate taxes totaling about $10 billion and an immediate reversal of corporate normal and surtax rates."

Cortland J. Silver, St. Paul businessman and council vice chairman, in presenting the statement to the President said, "the small business community has a particular stake in a program of tax reduction to spur consumer demand and business growth and in a sensible program of tax revision which makes greater reductions possible through a broadening of the tax base."

Council members said they would lend their active efforts to bringing about widespread awareness, understanding and support of a tax program, "with the objectives and along the lines of that proposed by the President."

They said the President's tax proposals were carefully designed and timed to give the small businessman a reduction which is as large as possible in the context of a balanced program, and as rapid as possible in an atmosphere of fiscal integrity.

The statement asserted that small businessmen remain the chief victims of an economy operating at less than full capacity and that the current and prospective inadequacy of our economic performance is due in part to the present income tax structure which serves to retard incentive, discourage growth and check demand.

The business group that met with the President are members of the Council established in 1961 by Small Business Administrator John E. Horne.

An advisory group serving without pay, the Council advises on small business problems and needs, evaluates the effectiveness of SBA programs and recommends methods for improving them.

The group, comprised of outstanding business and professional men having a special knowledge of and interest in the problems of small business, is currently conducting a 2-day meeting here with SBA, congressional leaders, and officials of other Government agencies.

Text of the statement is attached.

TAX REVISION IN 1963

Whereas despite the striking advances made during the last 2½ years under the leadership of President John F. Kennedy, our national economy is performing at levels inadequate to make full use of our human and material resources; and

Whereas despite the vigorous attention and unstinting support which the administration has given to the small business community, the small businessman remains the chief victim of an economy operating at less than full capacity; and

Whereas the present Federal income tax structure, designed in a time of war and postwar inflation to hold back both consumer demand and business expansion, now serves to retard incentive, discourage growth, and check demand and, therefore, must share responsibility for the current and prospective inadequacy of our economic performance; and

Whereas the small businessman, having less access to the capital markets than his larger competitor, is able to finance his progress only with difficulty, and is greatly hindered by a tax structure which makes a substantial retention of earnings virtually impossible; and

Whereas the small business community therefore has a particular stake in a program of tax reduction to spur consumer demand and business growth—and in a sensible program of tax revision which, while removing inequities in the tax structure, simultaneously makes greater reductions possible through a broadening of the tax base; and

Whereas the tax proposals recently presented to the Congress by the President offer the Nation a long-awaited opportunity to embark upon a vital program of tax reduction and revision; and

Whereas these proposals are carefully designed and timed to give to the small businessman a reduction which is as large as possible, in the context of a balanced program, and as rapid as possible, in an atmosphere of fiscal integrity:

Now therefore, we, the undersigned, all of whom are members of the National Small Business Advisory Council, a nonpartisan group of individuals appointed pursuant to the Small Business Act as truly representative of small business, do hereby:

1. Support a program of tax revision with the objectives and along the general lines of that proposed by the President. Such a program, to give maximum benefit to small business, should be enacted this year and should include a net reduction of individual and corporate taxes totaling about $10 billion and an immediate reversal of corporate normal and surtax rates.

2. Urge all members of the State and Regional Small Business Advisory Councils, and all other citizens devoted to the welfare of small and independent businesses, to promote widespread awareness, understanding and support of such a tax program.

3. Wholeheartedly concur with the President that, "Now is the time to act. We cannot afford to be timid or slow. For this is the most urgent task confronting the Congress in 1963."

Whereunto we have set our hands, this 16th day of May 1963.

Cortland J. Silver, vice chairman, Minnesota; Godfrey Bloch, Pennsylvania; Von Allan Carlisle, Illinois; Jacob Clayman, District of Columbia; Robert M. Cleckler, Alabama; Frank M. Cruger, Indiana; Madelyn S. Davidson, Vermont; Bryan E. Gibson, California; Louis E. Goldstein, New York; Weston E. Hamilton, Utah; David G. Kelly, North Dakota; Louis C. Kingscott, Jr., Michigan; Jack T. Lynn, Arkansas; Arthur Maciszewski, New Mexico; Hoke T. Maroon, Florida; Larston D. Farrar, District of Columbia; Felix A. Mirando, Rhode Island; Daniel J. Mooney, Montana; Clifton E. Morris, Delaware; Bob E. Myers, West Virginia; Frederick B. Nelson, Maine; George L. Pumphret, Massachusetts; J. Victor Richardson, Alaska; Francis A. Rondeau, Wisconsin; George E. Saunders, Colorado; Robert E. Short, Minnesota; C. J. Smith, Georgia; W. Eric Smith, District of Columbia; Sakae Takahashi, Hawaii; Clarence W. Wickham, North Carolina; William L. Ulmer, Ohio; Constantine N. Kangles, Illinois.

INJUSTICE DONE THE SHIPYARD

Mr. McINTYRE. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point an editorial from the Portsmouth, N.H., Herald entitled "Injustice Done the Shipyard," which deals with false and misleading newspaper and magazine reports on the loss of the submarine *Thresher*.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INJUSTICE DONE THE SHIPYARD

News that gets the biggest headlines usually draws the most attention, and this was unfortunately the case with testimony in the *Thresher* inquiry which raised doubts about the quality of workmanship at the Portsmouth Naval Shipyard.

Early in the proceedings of a Navy court of inquiry charged with investigating the *Thresher's* tragic loss, several witnesses made statements that gave a lurid impression of shipyard efficiency. They told of a faulty periscope installation, backward valves, and various other purported deficiencies.

To an untrained observer who lacked familiarity with the technical procedure of getting a submarine ready for sea, this all sounded quite shocking. And coming at a time when a sensitive and sorrowing public was eagerly watchful of every development in the *Thresher* inquiry, the testimony created a wide sensation.

Certain newspapers, and even the news magazines, reported the story almost as if they enjoyed it. The accounts were liberally flavored with hints of bungling that conjured a picture of wholesale ineptitude.

It made no difference that the witnesses responsible for the testimony in question were speaking with far less knowledge than they presumed to convey, or that their testimony was totally demolished later by experts of better qualification. The story was out and the damage was done.

Evidence of its impact is shown in a recent editorial published by the Haverhill, Mass., Gazette. Captioned "Intolerable Incompetence," this particular diatribe undertakes to demonstrate the dangers of ignorance by virtually pointing the finger of blame for the *Thresher's* loss at the shipyard.

The editorial makes free inference of dereliction at the shipyard, repeating the all refuted charges of defective workmanship, and suggesting that the situation constituted cause for a congressional investigation.

Then with an attitude of condescension, the editorial alludes to the fact that "Some of the proud working folk at the Portsmouth yard do not like to hear such criticisms."

Of course, the shipyard workers don't like to hear such comment. And with good reason—because there's no justification for it.

The Portsmouth yard has more brains and know-how among its personnel than any other submarine construction or repair facility in the world, and its record for excellence of workmanship fills some of the most honored pages in American naval history.

It's a gross injustice when these facts are overlooked for the sake of pure sensationalism and the shipyard's reputation is made to suffer.

Those critics who are so quick to remember a disagreeable bit of unreliable information about the Portsmouth shipyard's performance would be better prepared to render judgment if they heeded some of the other testimony presented before the present court of inquiry. They would know then that the local yard makes meticulous use of the most elaborate testing system employed anywhere to insure the safety of the submarines it builds.

Our purpose here isn't simply to defend the shipyard; it's a matter of counteracting pious frauds circulated by people who don't know what they're talking about. But despite the harm these might cause, we are confident that the shipyard will survive them.

THE THREAT TO THE U.S. LUMBER INDUSTRY FROM IMPORTS OF LUMBER

Mr. JORDAN of Idaho. Mr. President, in a recent release the able syndicated columnist Holmes Alexander, who is skilled in his research and accurate in his facts, discussed the U.S. softwood lumber industry. He has clearly presented, with facts and figures, what is happening to our domestic softwood lumber industry and to the men employed in this industry by reason of certain advantages which accrue to importers of foreign softwood lumber.

I ask unanimous consent that Mr. Alexander's column titled, "For Them or Us," as it was printed in the May 9 issue of a Riverton, Wyo., newspaper, may be printed in the RECORD at this point.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

FOR THEM OR US?

(By Holmes Alexander)

WASHINGTON, D.C.—Jobs for Americans is going to be a continuing subject in this column, because it's plain that President Kennedy doesn't always give the matter the top priority it deserves.

He puts other things first—for instance, our relations with Canada. These relations were ruffled by some bungling diplomacy a while back, including the President's own back-of-the-hand attitude toward the then Prime Minister Diefenbaker and his Conservative Party.

Now that Canada has a more left-leaning domestic Government under Lester Pearson, there seems less chance than ever that Mr. Kennedy will do anything about the protection of American lumbering companies and their employees in our Northwestern and Southern States. American employment in lumbering has dropped from 361,000 to 160,000 between 1947–61.

Canada has a 10-percent tariff against American timber imports. We have a reciprocal tariff of only 1.5 percent, and no quota limitation at all. Canadian labor and stumpage charges are less than ours, and late in the Eisenhower era the Canadians rigged themselves another cost advantage. They commenced shipping British Columbian lumber on cheap rate vessels of Nigerian, Liberian, and Panamanian registry, through the Panama Canal to American markets in the Gulf of Mexico and the Atlantic seaboard. Canadian shipments accounted for a very high 13.6 percent of American consumption in February 1962. In February of this year, the percentage jumped to 17.1 percent.

We have a law, the Jones Act, which forbids shipping on foreign bottoms from one American port to another. But last year, in the confusion of the closing session, Senator MAURINE NEUBERGER pulled a fast move that benefited her Pacific Coast constituents. She obtained a 1-year Jones Act waiver which permitted shipping into Puerto Rico when suitable American vessels were not available. This year, Mrs. NEUBERGER has a bill that would allow shipping between all American ports, with the same proviso. The effect would be to help Northwest lumber, but it would result in a ruinous discrimination upon the Southern States where timber moves to its markets by railroads.

During late April and early May, the Senate Commerce Committee held regional meetings for southern lumbermen. Chairman STROM THURMOND heard anguished cries from a perishing industry. Canadian imports have already hit hard in the 12 Southern States. Between 1953–61, Canadian sales in this timber-rich region rose from 3,800 carload quantities to 14,800. From Mr. Truman's administration through Mr. Eisenhower's, southern sawmills dropped from 28,000 to 15,000, although the tree crop remained plentiful. Today the South grows 6 percent more timber than it is profitable to harvest.

There are a number of actions that the President could take to protect American enterprise and employment in the lumbering industry. He might lean on the Tariff Commission to give our side some realistic protection. He could use his Executive power to set a quota against excessive imports from over the famous unguarded border. He could throw his support behind congressional bills which would require: that lumber be marked as to nation of origin; that only American products be used in federally aided housing; that lumber from Canada must come in Canadian or American ships in order to enter American ports. All this legislation hinges upon the President's approval.

It will be said, and it's the standard argument, that we must build and keep friendly relations with our allies. But our economic and unemployment problems being what they are, the President should put his own country first. And Americans ought to be very insistent that he does.

Mr. JORDAN of Idaho. Mr. President, an editorial in yesterday's Washington Post entitled "Marked Wood" suggested that the new spirit of cooperation between our country and Canada dictates that the U.S. Congress no longer concern itself with legislation pending before it, designed to assist the domestic lumber industry. I request unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MARKED WOOD

Now that a more amicable mood marks Canadian-American relations it would be a pity if Congress should approvė a measure that could once more needlessly roil up the waters. Senator JORDAN of Idaho is proposing an amendment that would require the marking of imported lumber in order to indicate the country of origin. The proposal is clearly designed to give the Northwest lumber industry a weapon with which to curtail imports from across the border.

When hearings were held last March by the Senate Finance Committee, opposition testimony was overwhelming. Every interested executive agency—including the State Department, Tariff Commission, and Commerce Department—opposed the Jordan amendment. Important spokesmen for the lumber and homebuilding industry joined in the attack. And an aide memoire prepared by the Canadian Government noted that the amendment would conflict with U.S. treaty obligations and would have serious restrictive implications for Canada's trade with this country.

The amendment could be dismissed from attention were it not for the potent political support from Senators representing lumber States. To his credit, Senator MORSE, of Oregon, has not endorsed this shortsighted protectionist device. "There is now evidence which suggests," Mr. MORSE recently said, "that instead of constantly flailing away at the Canadian lumber industry, the domestic industry of the United States should join hands with its Canadian counterpart to determine a course of action which will protect and develop markets for lumber." This is the kind of constructive course that makes more sense than stamping an invidious brand on imported lumber.

Mr. JORDAN of Idaho. Mr. President, the senior Senator from Washington and I have sponsored legislation to require that all lumber imported into the United States be marked to indicate the country of origin. My bill, S. 957, was cosponsored by Senators ALLOTT, MCCLELLAN, MUNDT, SIMPSON, TOWER, and YOUNG of North Dakota. The senior Senator from Washington and I both testified before the Finance Committee in support of our proposal, pointing out that lumber is the only major product imported into the United States which does not have to be stamped as to the country of origin. The identification of lumber as to its place of manufacture would not restrict its purchase by any consumers here in the United States. Such marking would only indicate to the prospective purchaser where his goods were made. As sponsors of this legislation, we feel very strongly that consumers of lumber in this country ought to have the same protection as is afforded most other imported articles.

There apparently are those who do not understand the nature of the lumber industry in the United States. It is not made up of two or three large producers with large concentrations of capital which would easily permit research and development and marketing programs of the scope found in some American industries. The lumber industry is made up of between 40,000 to 60,000 small producers—all competing vigorously for U.S. lumber markets. It is the least concentrated of any major industry in the United States. And the lumber industry is a major industry, since it is the fourth largest employer of manufacturing labor in our country.

As my colleagues can appreciate, it is very difficult to get so many small producing units to cooperate in research and development efforts and in market improvement programs. Nevertheless, to their everlasting credit, the lumber industry embarked in 1958 on what has been a very successful national wood promotion program. Through voluntary contributions by individual lumber producers, $6 million has been spent by the various regional species associations and brand-name products. However, all of this effort is in jeopardy because of the entry of low-priced subsidized Canadian lumber into U.S. markets. The most recent figures released jointly by the Federal Trade Commission and the Securities and Exchange Commission show that the net profit rate after taxes of companies in the lumber and wood products industries for the fourth quarter of 1962 dropped to 2.1 percent of sales as compared to 4.8 percent for all manufacturing industries. The average profit level for the entire year of 1962 equaled 2.4 percent on sales for the lumber industry as compared to an average rate for all manufacturing industries in excess of 4.5 percent on sales. These are average figures and represent the experience of a sample of the more efficient and better financed companies. Many smaller lumber operators have not made any money in 2 years.

It is naive to expect the U.S. lumber industry to continue market development and research efforts when it seemingly results only in creating new markets for Canadian lumber, which certainly is not spending its money to develop U.S. markets.

Mr. President, the problems confronting the U.S. lumber industry are not limited to any single State of our great Union. I ask unanimous consent to have included in the RECORD at this point a letter which I received from Mr. Jim Parsons, manager of the North Idaho Economic Development Association, Inc., at Sandpoint, Idaho, which points out that in the 10 northernmost counties of Idaho there were 213 sawmills in operation in December 1961—and only 115 a year later.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NORTH IDAHO ECONOMIC
DEVELOPMENT ASSOCIATION, INC.,
Sandpoint, Idaho, March 26, 1963.
EDITOR, THE WALL STREET JOURNAL,
San Francisco, Calif.

DEAR SIR: A lengthy article in the March 25 issue of the Wall Street Journal describes the various steps Canada is taking in a trade drive to reduce its payments deficit. This article states that in addition to currency devaluation and other moves affecting all types of businesses, "Canada has been prodding individual industries to help fulfill the nation's foreign trade goals."

There is no mention of the singular success of Canada's softwood lumber industry in increasing its exports. These are primarily responsible for the increase in U.S. total imports from 1.3 billion feet in 1947 (3.7 percent of apparent domestic consumption) to 4.9 billion feet in 1962 (13.2 percent of consumption) and an estimated 5.3 billion feet in 1963. (Softwood imports accounted for 94 percent of total imports in 1962.)

It is to be presumed that many Canadians, like many Americans, realize the importance of the huge two-way trade between our countries. However, at some point self-interest must take over. Canada has reached this point and effectively does something about it. It is taking various steps to reduce purchases of U.S. products while actively seeking new U.S. customers for its goods. It further campaigns to take away U.S. customers in other countries.

Provincial efforts back up the national policies. Ontario's trade crusade is reported to be "anti-import as well as pro-export." The Provincial government has erected 80 billboards proclaiming: "$100 less per person of imports a year means 60,000 new jobs."

The huge increase in lumber exports from British Columbia to the United States has resulted in more jobs in that Province and a corresponding elimination of jobs in Idaho, Montana, Washington, and Oregon.

Many of us do try to be objective about this situation, even though we hurt seriously. We realize that the United States does have to absorb some Canadian lumber—but we also think we now have reached and passed that point where self-interest demands more action and less conversation by our Government.

Why should it be any less desirable for the administration to want to protect the jobs of American workers and the economies of large geographical areas than for Canada and its Provinces to do the same for theirs?

Here in the 10 northernmost counties of Idaho there were 213 sawmills in operation in December 1961—but only 115 a year later. The Senate Commerce Committee was told at its Lewiston, Idaho, hearing last June that the average wage in 1961 for persons employed in lumbering in north Idaho was one-third to one-half less than the average for the preceding 5 years.

To these things of immediate concern is added the fear of what lies ahead because of the estimates of a still greater inflow of lumber from Canada this year. A rough rule of thumb is that 1,000 feet of timber on the stump—translating to 1,100-plus feet of lumber on the car—represents 2 man-days of employment. Imports from Canada increasing by billions of feet in recent years thus have represented many thousands of new jobs for British Columbians and a corresponding loss of jobs for Idahoans and other Pacific Northwest workers.

What puzzles people of this area is why our own Government can't show at least a little of the concern for a domestic economy that Canada does for its. British Columbia and Canada make no secret of the fact that they want a healthy, thriving lumber industry and will take all measures possible to insure that objective. Our Government seems unconcerned about a reeling regional economy which, while hanging on the ropes, is still expected to help pay for a generous helping hand policy for foreign nations and foreign workers.

No one as yet has satisfactorily explained to us why there can't be a happy—or partly happy—medium whereby we would still import some Canadian lumber, but not enough to choke to death on.

Sincerely,

JIM PARSONS,
Manager.

The PRESIDING OFFICER. The time of the Senator from Idaho has expired.

Mr. JORDAN of Idaho. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JORDAN of Idaho. Mr. President, I call attention also to the hearings held in Columbia, S.C., Atlanta, Ga., and Shreveport, La., during the last month by the Senate Commerce Committee. One single fact reported at those hearings was very impressive. In 1953, 3,800 railroad cars of lumber moved from Canada into the 12 Southern States of South Carolina, North Carolina, Georgia, Alabama, Florida, Texas, Louisiana, Virginia, Kentucky, Tennessee, Mississippi, and Arkansas. In 1961, the figure had jumped to 14,800 carloads of lumber from Canada which represents something more than one-half billion board feet of lumber.

I would be the first to admit that the Canadian import problem is not all that is wrong with our domestic softwood lumber industry. But it is an important part of the picture, and, if relief is to come to our lumber industry, it must start somewhere. As the Post editorial says, now that a supposedly more amicable mood does mark Canadian-American relations, I think this is the very time to press the Canadians for some settlement of this problem.

Mr. President, I know these Canadians. I have worked with them on the International Joint Commission. I have a high regard and a wholesome respect for their Canadian nationalism. Certainly they are people who are looking out for their own country first—an attitude which I heartily wish more people in this administration had. But they are also people who, though they might not like it, would respect a similar position taken by the United States. I say it is time this country started looking out for its own and letting other countries do the same for themselves. And the Canadians will certainly look out for their own, because they have already demonstrated this ability in many ways. One case in point was the action by the Canadian Government in 1961 when it artificially manipulated the value of the Canadian dollar at 95 cents as compared to the U.S. dollar. This was done with the announced intention by the Minister of Finance of increasing exports and curtailing imports. This single act had the effect of reducing the price to U.S. purchasers of Canadian lumber by 5 percent, giving them more Canadian lumber for their money. Stated differently, this deliberate action by the Canadian Government gave to Canadian lumber producers a 5-percent advantage in U.S. markets.

Now, let us look into one of the reasons why in recent years the Canadians have turned to this country for lumber markets. Russia enters into the picture.

According to a Department of Commerce publication, "Forest Resources and Lumber Export Potential of the Soviet Union," Russia's forest resources are larger than those of any other country in the world—even larger than those of the United States and Canada combined. Russia possesses 19.4 percent of the total world forest resources, while the United States and Canada combined have only 17.1 percent of the world's total. Our country has only 8.2 percent of the total alone, with Canada outranking us with 8.9 percent.

Soviet exports have increased tremendously since World War II—from 134 million board feet in 1946 to 2,106 million board feet in 1960. This increase is accounted for entirely by softwoods, because hardwood exports are much less now than they were in 1946. Although there is no evidence of an immediate effort by Russia to increase her exports drastically, cutting into U.S. lumber markets, the possibility is certainly there.

Actually, even if indirectly, the increased exports of softwood lumber from the Soviet Union already have cut into our U.S. lumber markets. In 1958 the United Kingdom imported 444.9 million board feet of softwood lumber from Canada and 514.5 million board feet of softwood lumber from the Soviet Union. However, the next year, in 1959, the United Kingdom only imported 294.1 million board feet of softwood lumber from Canada, while its imports of softwood lumber from the Soviet Union increased to 678.4 million board feet for that year. And 1959, Mr. President, is the year when Canadian softwood imports into this country began to cut drastically into U.S. markets for softwood lumber.

In other words, when the Canadians suddenly found themselves in stronger than usual competition with Russia for the softwood lumber markets of the United Kingdom—previously Canada's main market for softwood lumber—the Canadian Government and the Canadian softwood lumber producer began to look around for other softwood lumber markets—turning quite naturally to the United States, its nearest neighbor. Although since that time United Kingdom imports of Canadian lumber have picked up, the United Kingdom still imports more softwood lumber from Russia than it does from its own Commonwealth, Canada.

Mr. President, I first became interested in the potential danger to our lumber industry from Russian lumber a couple of months ago when I received a letter from Mr. R. E. Broderick, who is secretary-treasurer of the Northeastern Lumber Manufacturers Association, Inc. I ask unanimous consent that Mr. Broderick's letter be included in part in my remarks at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NORTHEASTERN LUMBER
MANUFACTURERS ASSOCIATION, INC.,
New York, N.Y.

Hon. LEN B. JORDAN,
Senate Office Building,
Washington, D.C.

DEAR LEN: The real purpose of this note is to thank you very much for your interest in the problems of the lumber industry. You can be very sure that those of us in the Northeast corner are most appreciative of your efforts in our behalf. We are very much in favor of your lumber labeling legislation.

Perhaps you know of the potential danger of Russian lumber coming into this country. They have tremendous forest resources in Russia, about the same kind of softwood lumber that we have in this country. Of course, it is all made by * * * cheap labor and manufactured on Swedish machines. I had an opportunity to see and to carefully examine quite a lot of it that had come in as a sample shipment.

If ever the Russians decide to export their lumber to this country, it will be a sad day for our American lumber industry, for it can be delivered here for half the cost of U.S. production. I have been trying to get people excited to the point of action on this matter for a long time, and now I am sure the lumber labeling legislation which you propose will do the job.

Sincerely,

R. E. BRODERICK.

Mr. JORDAN of Idaho. Mr. President, this potential danger from the imports of Russian lumber is, in my opinion, all the more reason why lumber should be marked with the country of origin.

DEPARTMENT OF SCIENCE AND TECHNOLOGY

Mr. McCLELLAN. Mr. President, on March 4, 1963, the Committee on Government Operations reported a bill, S. 816, providing for the establishment of a Commission on Science and Technology. This bill, S. 816, was approved by the Senate on March 8, 1963, without opposition, and is now pending before the House Committee on Science and Astronautics.

An editorial relating to this bill was printed in the May issue of Industrial Research, entitled "It's Time for Evaluation." I ask unanimous consent that the editorial be included in the body of the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

It's Time for Evaluation

Senator John L. McClellan, Democrat, of Arkansas, isn't an easy man to discourage. Every year since 1958 he has introduced a bill in Congress for the purpose of studying Federal science activities and determining whether there is need for a Cabinet-level Department of Science. And each time the bill has died. Just recently he introduced his latest version (S. 816), which calls for the creation of a Commission on Science and Technology, composed of eminent scientists and representatives of the legislative and executive branches of the Government. The Commission's job would be to study problem areas, recommend improvements, and consider the need for a science department. The Joint Engineers Council, the American Chemical Society, and the National Association of Manufacturers have come out in favor of the Commission, saying it would be useful in appraising existing science programs and for providing a sound basis for future development. The Budget Bureau, the National Science Foundation, and other Government agencies have opposed the proposal, arguing that it is premature. The administration believes the new Office of Science and Technology should have a chance to show its capabilities before other remedies are adopted. While we sympathize with Government officials, we must agree with Senator McClellan on the need for an immediate examination of the Nation's sprawling scientific efforts. We believe there are at least four major values of the proposed study:

1. It should serve to evaluate how well the Nation's overall scientific needs are being met.

2. It should identify and suggest possible solutions to the problems of emphasis, coordination, and financing in Federal science programs.

3. It should be helpful in clarifying the role of the newly created Office of Science and Technology.

4. It should assist in determining the need for some further coordinating force, such as an independent agency or Cabinet-level department. At the moment, we react rather negatively to the establishment of another Government agency or department. Part of this reaction undoubtedly is due to our basic opposition to the further expansion of Government bureaucracies.

However, our principal reservation relates to the practicalities of the matter. We simply doubt that it would be possible to pull together all Federal scientific activities under a single roof; and failure to do so would mean that the agency or department would be little or no improvement over the existing Office of Science and Technology. It is highly unlikely that the National Bureau of Standards could be taken from the Department of Commerce; the National Institutes of Health from the Department of Health, Education, and Welfare; the Bureau of Mines from the Department of the Interior; the research and engineering activities from the Department of Defense; the nuclear laboratories from the Atomic Energy Commission; etc., without impairing the effectiveness of these governmental bodies. However, we are willing to be convinced. But there is not much chance of change unless someone—such as the proposed Commission—takes a good, hard look at the ongoing Federal science programs.

Mr. McCLELLAN. Mr. President, I desire to point out, however, that the editorial in its conclusion contains a misconception of the objectives and responsibilities which would be assigned to a Commission on Science and Technology, if it is established. It is stated:

> At the moment, we react rather negatively to the establishment of another Government agency or department. Part of this reaction undoubtedly is due to our basic opposition to the further expansion of Government bureaucracies. However, our principal reservation relates to the practicalities of the matter. We simply doubt that it would be possible to pull together all Federal scientific activities under a single roof; and failure to do so would mean that the agency or department would be little or no improvement over the existing Office of Science and Technology.

In order to clarify this point, I also ask unanimous consent that there be included in the Record pertinent extracts from the committee's report on the bill proposing the establishment of a Commission on Science and Technology which, I believe, will clarify the misconceptions which seem to be prevalent as to the objectives of this proposed legislation.

There being no objection, the extracts were ordered to be printed in the Record, as follows:

The proposed Commission would be authorized and directed under section 2 of the bill to make a determination as to the need for establishing within the executive branch of the Government a Department of Science and Technology, or for the reorganization of existing scientific and technological functions through the transfer of such functions to existing or new executive departments or agencies, to provide more effective and better coordinated Federal science programs and operations. The bill provides that, if such a Department of Science and Technology is deemed necessary, the Commission should, in so recommending, determine what existing functions or agencies should be transferred to the new Department, or to other departments, and which functions and operations, now performed by Federal departments and agencies, can more properly be performed by private industries or nonprofit organizations, including universities and other educational or technological institutions.

The Bureau of the Budget interposed objections to certain committee guidelines contained in section 2 of the previous bills to create a Commission on a Department of Science and Technology (S. 1581, 86th Cong., and S. 2771, 87th Cong.), on the premise that it might be construed as a directive to the proposed Commission to submit such a recommendation. The committee feels, however, that inasmuch as practically all witnesses, and numerous statements, articles, and extracts from publications and books which were inserted in the record of the hearings, advanced or dealt at length (either for or against), with recommendations that a Cabinet officer for science and technology should or should not be appointed, the proposed legislation should contain a specific directive that the Commission determine whether such a department is necessary.

Some of the members of this committee have indicated that they were inclined to support the creation of a Department of Science and Technology, but have been unable to recommend legislation to achieve this objective. There was no agreement among the expert witnesses who have testified as to what functions or agencies should be included in the department, if it is established. All witnesses were in agreement that many of the scientific and technological functions of the Government should remain a part of the mission of existing departments, and that certain of those agencies established to perform functions in specialized areas of science, education, or research and development might operate better as independent agencies, or as presently constituted. None made specific proposals as to which agencies or functions should be included or which should continue to operate outside of such a department. Accordingly, the bill also directs that the Commission recommend, if it should determine that a Department of Science and Technology is necessary, what functions and operations should be transferred to the new department, which should remain independent, or remain as an essential component of existing departments as essential to the primary mission of the department in which they are presently located.

Mr. McCLELLAN. Mr. President, I also wish to include in the Record certain comments made by Dr. Jerome B. Wiesner, Director of the Office of Science and Technology, which is incorporated in the report on S. 816, together with the views expressed by the committee in its report, and ask unanimous consent to have them printed in the Record at this point.

There being no objection, the statements were ordered to be printed in the Record, as follows:

There has been concern, first as to whether a Department of Science was needed to centralize science programs and operations that are now integrated in various departments and agencies, perhaps by combining National Science Foundation, Atomic Energy Commission, National Aeronautics and Space Administration, National Bureau of Standards, and so forth; and second, concern expressed in these studies as to whether staff resources in the Office of the President were adequate to meet his needs.

"As I have said many people believe that the present system is inevitably evolving toward a Department of Science. However, I don't believe that a single Department of Science with the responsibility for all of the scientific activities of the Federal Government would be a workable arrangement because most of the scientific activities of the individual agencies are carried out in support of their specific missions. If, as has been proposed, a less comprehensive Department of Science were created—by consolidation of the Atomic Energy Commission, National Science Foundation, National Bureau of Standards, and other agencies I talked about earlier—their operations might be made more effective. There would still be need, however, to coordinate and integrate their activities with that of the mission-oriented agencies having related scientific and technical programs. In other words, the OST is neither a substitute for nor in competition with a Federal Department of Science."

This statement by Dr. Wiesner is in accord with the views expressed repeatedly by this committee, and by witnesses testifying at the hearings before the committee, and conforms to the objectives set forth in S. 816. The committee has always taken the view that a comprehensive study must be made by a commission composed of qualified persons who are familiar with the problems relating to the operation and support of science and technological programs by the Federal Government. The committee has also repeatedly pointed out that such a study is vital in order to determine whether there is a need for a Department of Science and Technology. Also, that if such a department is necessary, that the commission should further recommend what Federal activities should be incorporated therein, and a determination made as to those which would better perform their allocated tasks as independent agencies or as components identified as an important function related to the mission of existing departments. These are among the major objectives of the proposed legislation being submitted to the Congress in the subject bill.

The committee also took the view as stated by Dr. Wiesner, when considering Reorganization Plan No. 2 of 1962, that, even should a Department of Science be created, there would still be need for an Office of Science and Technology in the Executive Office of the President in order to insure that there was proper coordination of its activities with those dealing with science in other agencies.

JOINT RESOLUTION OF ALABAMA SENATE COMMENDING MRS. ELIZABETH PARKS BEAMGUARD

Mr. SPARKMAN. Mr. President, one of the most helpful acts of Congress ever put on the statute books was the Library Services Act. With a relatively small expenditure of public funds, this act made possible the extension of library services to rural areas, to towns, and to other areas that up to that time had not enjoyed library services.

The State of Alabama has enjoyed a tremendous growth in its library work during the few years that have elapsed since the enactment of the law. Much credit for this fine work throughout the State of Alabama must go to the director of the Alabama Public Library Service, Mrs. Elizabeth Parks Beamguard.

Several days ago the Legislature of the State of Alabama adopted a joint resolution praising the work of Mrs. Beamguard and taking note of the fine job that she has done in bringing library services to the people of Alabama. This is a deserving tribute. I am glad to see this action taken.

I ask, Mr. President, that this Alabama Senate joint resolution be printed at this point in the RECORD as a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE JOINT RESOLUTION 17

Whereas under the able leadership and direction of Mrs. Elizabeth Parks Beamguard, director of the Alabama Public Library Service, library facilities and services in the State, and particularly in the small towns and rural area, have recently been tremendously expanded and improved; and

Whereas the naming of the Eufaula Carnegie Library as the recipient of the 1963 Dorothy Canfield Fisher Award for Alabama, brings nationwide acclaim to Alabama's public libraries, for this award is given in signal recognition of the excellence of both the facilities and the services of libraries in counties or in cities of less than 25,000; and

Whereas the Eufaula Carnegie Library is only one of the many excellent libraries currently available to Alabama citizens: Now, therefore, be it

Resolved by the Legislature of Alabama (both houses thereof concurring), That we hereby commend Mrs. Elizabeth Parks Beamguard, director of the Alabama Public Library Service, for her outstanding public service in promoting the extension and development of public libraries in this State; and be it further

Resolved, That a copy of this resolution be sent to Mrs. Beamguard.

Attest:

J. E. SPEIGHT,
Secretary of Senate.

STEEL MILL IN INDIA

Mr. SIMPSON. Mr. President, it is out of concern for the philosophy represented in the act and for the sheer folly of the finances involved that I noted with great alarm U.S. plans to sink nearly $1 billion of taxpayers' money into a Government-run steel mill in India.

U.S. involvement in this venture and some of the ramifications pertaining thereto were graphically illustrated in a recent editorial in the Wyoming State Tribune. In an editorial entitled "Bokaro, a Name to Remember," editor James Flinchum notes that the enormous steel development for which the Indian Government would need to borrow from the United States $891 million will be pitting the U.S. Government against private enterprise in a sorely impoverished land that desperately needs the economic stimulus provided by the private enterprise system.

In a succinct paragraph, the Wyoming publisher summarizes the issue by saying:

> We think the taxpayers of this country have every right to demand why their money, amounting to nearly a billion dollars, should be risked on a venture in which no return of either interest or principal may ever be realized to create a State-run business venture contrary to the business principles of our own economic system and furthermore to create a possible competitor of our own concerns in the steel markets of the world.

Mr. President, the principle of this Bokaro program was viewed critically by the Foreign Aid Study Committee headed by the distinguished American, Gen. Lucius D. Clay. The report said the United States "should not aid a foreign government in projects establishing government-owned industrial and commercial enterprises which compete with existing private endeavors."

This steel mill at Bokaro will be working against the two privately owned steel mills in India. It will be putting the Governments of India and the United States into business in direct contravention of the fiscal policies which have placed this Nation and some of those reconstructed after World War II far ahead of other economic and industrial powers.

I bring this editorial to the Senate's attention in the earnest hope that this body will inveigh against the doling out of much needed taxpayers' dollars into a program which is wrong fiscally, mechanically, and in its very principle.

I ask the consent of my colleagues in requesting that this Cheyenne Tribune editorial be printed, with my remarks, in the body of the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BOKARO: A NAME TO REMEMBER

Mark well the word "Bokaro." It is likely to produce one of the biggest squabbles in years in this country, pitting the proponents of private enterprise against those who favor Government-run business possibly in full scale contest.

Bokaro is a city in India. In that city the Indian Government is proposing to build a large steel mill. To build it the Indian Government must have capital and it is seeking to borrow that capital amounting to nearly $1 billion from the United States. The proposal already has been approved, by none other than President Kennedy.

Bokaro would be the largest single U.S.-aid project ever undertaken by the U.S. Government. It would take the form of two loans: First, an initial loan of $512 million; and later one of $379 million, a total of $891 million altogether.

These are the outright loans for this project; it does not include the fringe expenditures. The Agency for International Development otherwise known as AID already has conducted a technical study of the project, through United States Steel, at a cost of $686,344.

The big rhubarb about Bokaro, though, is that it puts the Indian Government in the steel manufacturing business. The Clay Committee which made such a critical study of the U.S. foreign aid program earlier this year already has ruled against Bokaro. It contended its opposition was not ideological but economic; that one cannot build an economy by putting the Government into private business competing with the private enterprise that sustains it.

That theory holds true for all countries, ours as well as India's. But the prime concern right now is with India.

We think the taxpayers of this country have every right to demand why their money amounting to nearly a billion dollars should be risked on a venture on which no return of either interest or principal may ever be realized, to create a state-run business venture contrary to the basic principles of our own economic system, and furthermore to create a possible competitor of our own concerns in the steel markets of the world.

Truly, the ideas fostered by the Kennedy administration sometimes tax the credibility—along with the citizens' pocketbooks.

GOLDEN ANNIVERSARY OF THE ANTI-DEFAMATION LEAGUE

Mr. HUMPHREY. Mr. President, a Senator is privileged to attend many different affairs, commemorating the activities of many worthwhile organizations. Sometimes these occasions, no matter how praiseworthy, tend to blur in our minds. But every now and then there is a night, an occasion, a cause, which kindles a spark which underscores American principles, which reestablishes the fact that men of good will can accomplish great purposes.

For some time I have planned to comment on one such occasion, the golden anniversary celebration of the Anti-Defamation League of B'nai B'rith that was observed here in Washington last January.

It may be that other Senators watched that evening's proceedings on television. They saw an hour-long pageant of song and dance, celebrating the struggles and sorrows and triumphs of wave after wave of immigrants who enriched this land by their energies, skills, and devotion as well as by their different faiths and cultures. And they saw the evening climaxed by the presentation of the League's America's Democratic Legacy Award to President John F. Kennedy.

What could not be seen were the ideals and aspirations, the powerful dedication, the passionate belief in human rights and human dignity which led the league through a half century of dramatic progress in the fight against the practices and patterns of bigotry and discrimination.

The Anti-Defamation League of B'nai B'rith was born in 1913, when a Chicago attorney named Sigmund Livingston determined to do something to end the vicious stereotyping of Jews in American newspapers, magazines, and vaudeville. He formed a committee of some 15 members of B'nai B'rith, the oldest Jewish service organization. The fledging league had two desks in Livingston's law office and an operating budget of $200. It also had something quite priceless—an overriding purpose "to stop, by appeals to reason and conscience, the defamation of the Jewish people," and "to secure justice and fair treatment to all citizens alike." For concerned though it was with its own people, the league realized long ago that in a democracy the fate of all men is intertwined—that no man, no race, no group may be held up for ridicule or stripped of dignity without degrading all.

The league sought allies among the responsible elements of American society, among those who believed in the brotherhood of man. As time passed, so did offensive caricatures of Jews. But a new danger arose, a new battle for the league.

Well organized, well financed anti-Semitism appeared—in the Ku Klux Klan; in the 7-year campaign of Henry Ford's Dearborn Independent to use the bogus "Protocols of the Elders of Zion" to circulate bigotry nationally.

After many setbacks and broken promises, the league saw the end of Ford's anti-Jewish attacks; Ford himself sent a letter of apology to the Jewish people. The Klan's power began to dwindle and diminish too, due in good measure to educational campaigns which exposed the Klan and brought together all decent elements in repudiation of the KKK.

All this was in the twenties. In the light of what was to come, bigotry was in its infancy. In the thirties, with the rise of Hitler, anti-Semitism was to have an audience in the tens of millions, was to become a political tool in the hands of those who sought world conquest. It was to be directed by master propagandists who knew the ways and means of using every furtive fear and latent hostility.

Hundreds of neo-Fascist groups sprang up. The German-American Bund goose-stepped through the streets of New York and Chicago. Shiploads of Nazi anti-Semitic literature was distributed throughout America. The Christian Front and the Social Justice Society, The Silver Shirts, and scores of other groups, took their cue from Berlin.

For the Anti-Defamation League, this was a new kind of battle, perhaps its most bitter and crucial battle. Through trial and error, the league found new ways and means of waging it. Because it was important to know the nature of the enemy, the league employed experienced researchers to establish a unique arsenal of information of every bigot, on every hate movement in America, as well as facts and figures on those who backed the bigots with moral and financial support. Thus, when America entered World War II, law enforcement agencies turned to the Anti-Defamation League for information which could not be elsewhere found, information which helped America halt the fifth column activity the Nazis had employed so well in other nations.

In the postwar era the league was to grapple with other hatemongers—Gerald L. K. Smith, Joseph P. Kamp, Merwin K. Hart, Conde McGinley—but the plain and simple fact was that millions of Americans had developed a kind of immunity to crude and overt bigotry. They had learned, through Hitlerism, the ghastly price nations and whole societies pay when one group seeks to rob another of its human rights.

Now, at last, the opportunity was at hand for the league to change its emphasis. From fighting clear and present dangers, from watching, and warning, it went straight to the heart of human relations; to the whole delicate, intricate area which determines the attitudes and interplay between different groups, races, and faiths.

Overt hatemongering was no longer the prime target. But imbedded deep in American social and economic life was something equally odious, equally destructive to the American dream. Its name: discrimination; its practices and institutionalized patterns far more difficult to reach. For while it is one thing to quarantine a hatemonger, it is quite another to convince a corporation president that Jews, Negroes, and Catholics, belong in his front office—or in his neighborhood.

Difficult though it has been, the league has a remarkable record of achievement in this area. Anti-Defamation League cracked "the quota system" against minorities in medical and professional schools across the country; its research and studies contributed to the enactment of fair employment legislation in some 18 States; its exposure of discrimination in housing developments and resorts has done much to put an end to such efforts to create second-class citizens.

But to my mind, one of the foremost, farthest reaching achievements of the league may well be that its pioneering and continuing efforts to bring discrimination out of the dark corners of our society have helped to make the whole area a prime public issue. Americans of good will now know that discrimination is wrong; that its moral and economic price is paid by all Americans.

The league has refused to believe, as many do, that man must hate. Hate is born of fear, the league says, and fear is born of ignorance. Its job has therefore been to eliminate ignorance, to get the true meaning of democracy to all our citizens.

Anti-Defamation League books, pamphlets, records, and films are helping a new generation of Americans to be emotionally healthy, to understand their neighbor's differences and respect them, to be secure from the appeals of prejudice, to be incapable of joining hate movements—or even of tolerating them.

Anti-Defamation League is bringing its vast wealth of experience and human relations materials to teachers and school administrators, to interreligious and intercultural forums which dramatize and promote the concepts of brotherhood and fair play.

After 50 years, the Anti-Defamation League has won recognition for its efforts "to secure justice and fair treatment to all citizens alike." With national headquarters in New York and 25 regional offices throughout the country, Anti-Defamation League carries on five basic programs:

To strengthen and sustain civil rights and civil liberties through law.

To probe, through research, the why and wherefore of discrimination and its impact on American life.

To make human relations education as vital to our school systems as the "3-R's."

To translate broad human relations concepts into the grassroots, neighbor-to-neighbor approach that is a prerequisite for democratic living.

To present a positive image of the American Jew and his contributions to democracy.

The nature of these programs, the scope of Anti-Defamation League's concern, is nowhere better revealed than in the distinguished roster of those upon whom the league has bestowed its annual America's Democratic Legacy Award. In 1948, Anti-Defamation League awarded the medallion to Charles E. Wilson, Chairman of the President's Committee on Civil Rights. From this Committee came the impetus, in little more than a decade, for more civil rights progress than this country had seen in nearly a century. In 1949, Anti-Defamation League bestowed its America's Democratic Legacy Award upon President Harry S. Truman, who had conceived and created the Committee; in 1950, upon J. Howard McGrath, who, as Attorney General, had helped lead the fight to implement the Committee's findings.

In 1951 it went to Henry Ford II, the founder of the Ford Foundation. In 1952 to Herbert H. Lehman, the foremost champion of civil rights in the Senate, the man who was not only its voice but its very heart and soul and conscience.

In 1953 President Dwight D. Eisenhower was honored for his leadership in the great crusade to bring about the elimination of Nazi tyranny over the oppressed peoples of Europe; for his vigorous campaign to eliminate racial segregation in the Armed Forces; for his efforts to end undemocratic patterns of discrimination in Washington, our Capital City; for his leadership of the free world.

The award for 1954–55 went to the Carnegie Corp., and the Ford and Rockefeller Foundations. In 1956, Herbert H. Lehman was the recipient for the second time, along with James P. Mitchell and Charles P. Taft for advancing democratic principles and institutions and contributing to good intergroup relations, civil liberties, and human rights.

The 85th Congress of the United States received it in 1957 for enacting the first civil rights law in 82 years. In 1958, the Columbia Broadcasting System, Look magazine, and the New York Times were the recipients for leading mass media in communicating democracy. In 1959 Actors Equity, the Dramatists Guild, the

League of New York Theaters, and the Society of Directors and Choreographers were honored for projecting the basic American concept of individual worth in the American lifestream through the theater.

Three great universities—Harvard, Notre Dame, and Brandeis—received the award in 1960 for their academic freedom and social responsibility in leading intellectual development in the United States. And in 1961, Adlai E. Stevenson, the U.S. Ambassador to the United Nations, was awarded the medallion for personifying America's democratic purpose and humanity to Americans and to the rest of the world.

President Kennedy received the current Anti-Defamation League America's Democratic Legacy Award for his "distinguished contribution to the enrichment of our democratic heritage." His words upon receiving the medallion, perhaps best describe the strong relationship between the work of the Anti-Defamation League and the work of our Nation itself:

> I am honored to receive this award from an organization which, on its 50th anniversary, should, itself, be receiving an honor for distinguished contribution to the enrichment of America's democratic legacy. Your tireless pursuit of equality of treatment for all Americans has made a lasting and substantial contribution to our democracy.
>
> The men who first shaped the democratic legacy that you honor tonight were filled with a sense of commitment and of wonder at the importance of the events in which they were participating. It was not only as John Adams exalted, that they were to have the unique opportunity to write a new Constitution and form a new government and begin a new nation; it was also the deep conviction, as later expressed by Walt Whitman, that here we have planted the standard of freedom, and here we will test the capacities of men for self-government.
>
> America was to be the great experiment, a testing ground for political liberty, a model for democratic government, and although the first task was to mold a nation on these principles here on this continent, we would also lead the fight against its tyranny on all continents. In short, wrote Jefferson to Adams, "The flames kindled on the 4th of July 1776 have spread over too much of the globe to be extinguished by the feeble energies of despotism," although Jefferson also foresaw that to attain liberty in other parts of the globe, years of desolation must pass over.
>
> Almost two centuries have passed since a small, weak nation, a beachhead on a continent, began the great experiment of democracy in a world where government by the consent of the governed had been extinguished for 2,000 years. And as Jefferson prophesied, there have been many years of desolation and destruction since.
>
> It seems to me that it is our responsibility in this year of change and hope to prove that we are equal to this great inheritance, to make it possible for the Four Freedoms which Franklin Roosevelt so eloquently described in another time of peril and danger 20 years ago—to make sure that those Four Freedoms, indeed the great concept of indivisible freedom, are made available to all of our people, to all of our citizens, and to bear our part of the burden as we have for so many years in making that great concept available to all people.
>
> This is a great inheritance. It is a proud privilege to be a citizen of the great Republic, to hear its songs sung, to realize that we are the descendants of 40 million people who left other countries, other familiar scenes, to come here to the United States to build a new life, to make a new opportunity for themselves and their children.
>
> I think it is not a burden, but a privilege to have the chance in 1963 to share that great concept which was felt so deeply among all of our people then, to make this really, as it was for them, a new world, a new world for us, and, indeed, for all those who look to us.
>
> That is what this organization has stood for for 50 years. That is what this country has stood for for 200 years, and that is what this country will continue to stand for.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "The Fight Against Prejudice," written by Thomas B. Morgan and published in this week's issue of Look magazine.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FIGHT AGAINST PREJUDICE

(By Thomas F. Morgan)

In the United States in the 1960's:

Jews are excluded from, or meet discrimination in, more than half of America's social-cum-influential city and country clubs, from New York City to Los Angeles. (In a reverse twist, a number of Jewish clubs bar Christians.)

Until last year, it had been virtually impossible for a Jew to buy a house in the incorporated village of Bronxville, N.Y., on the northern outskirts of New York City, home of about one third of America's 5,510,000 Jews.

In early 1960, nearly 300 separate acts of desecration were committed against Jewish houses of worship in America, including swastika painting, vandalism and dynamiting.

Job orders from thousands of U.S. firms are on file in the offices of private employment agencies across the country, stating specifically, or in code, that Jews need not apply. (Negroes and oriental Americans, of course, get the same treatment.)

Many hotels in America's playland, Florida, bar Jews, although the situation has improved in recent years.

And last year in Berkeley, Calif., by dialing a well-advertised number, you could, during a 1-week period, listen to a 3-minute tape-recorded phone message telling of the Jews' conspiracy to take over Western civilization. This is an awe-inspiring concept when you consider that, in nearby Oakland, Jews have a hard time winning membership in the Elks Club.

The Anti-Defamation League, which is the civil-rights arm of B'nai B'rith, largest (400,000 members) Jewish service organization, says that anti-Semitism persists in America—not only in the lunatic fringe, but also among nice people, some of whose best friends are Jews, and who ought to know better. "Anti-Semitism changes its forms and its intensity, but it does not disappear," the league's new national chairman, Dore Schary, told Look recently.

Research, which is a large part of Anti-Defamation League's business, shows that anti-Semitism is a pervasive (if sometimes secret) fact of American life. Yet, Anti-Defamation League hastens to add, that fact should not obscure the truth: American Jews today command more respect as Jews and have greater equality as Americans than at any time in this century. America itself is more egalitarian today than it has ever been, at least since the closing of the frontier. There are obvious social, political, and economic reasons for this—but one less-appreciated reason should be taken into account: Jewish Americans have won respect for themselves and for other minorities by fighting for it, individually and through organizations such as the Anti-Defamation League.

This year marks the league's 50th anniversary. That it has been free and ready to fight is perhaps part of what America is all about.

The league is a highly skilled human relations organization dedicated to combating prejudice and promoting understanding. It has headquarters in New York and regional offices in 25 cities. Its staff includes 150 full-time lawyers, social scientists, educators, and public relations specialists. Its governing body is a 110-man commission of 50 B'nai B'rith representatives and 52 other community leaders. Each regional office is governed by community representatives (total, 4,000), who are, in turn, ADL's major source of volunteer workers. League funds come from voluntary contributions collected in annual drives—plus the B'nai B'rith treasury. The budget for next year: $3,940,000. "We will do with it what we've always done," Schary told Look. "Where we find prejudice, we fight it. That's a commitment you make as an American and as a Jew."

On the theory that the best defense is a good offense, the league was organized in 1913 at the urging of a Bloomington, Ill., lawyer and B'nai B'rith member, Sigmund Livingston, who served as chairman for 33 years. "The immediate objective of the league," its charter said, "is to stop, by appeals to reason and conscience and * * * law, the defamation of the Jewish people. Its ultimate purpose is to secure justice and fair treatment to all citizens alike." For B'nai B'rith, whose Hebrew name means Sons of the Covenant, this new covenant was a declaration of faith in America's promise.

Such an organization, assuming responsibility beyond the interests of one sect, was novel. But more to the point, it was something new for U.S. Jews. There had been Jews among the earliest settlers. Jews fought in the Revolution, helped found cities, and died for the Union and the Confederacy. The myth of the Christ-killers and the stereotype of Shylock were part of their burden, but they were generally treated with fairness and judged as individuals. They were able, industrious. And most of them wanted to integrate.

Unlike the Mormons, Jews were not massacred for their beliefs. Their pains were minor compared to those of the Negroes, Jehovah's Witnesses, and west coast orientals. They were not victimized, as Catholics were, by Know-Nothings; and they were spared such pogroms as were visited upon the red Indian. They were spared so much that, in 1877, when Saratoga's Grand Union Hotel turned away the New York financier Joseph Seligman solely because he was a Jew, the American-Jewish community was genuinely startled.

Rapid change came after 1890. Czarist persecutions sent a flood of Eastern European Jews to America, where they crammed into New York and Boston ghettos. Between 1900 and 1913, almost 100,000 Jews a year landed in the United States. The Jewish population mushroomed—from the few hundred thousand of the year Seligman was rebuffed to some 2 million at the time Anti-Defamation League was founded. With little more than hope as a resource, younger immigrant Jews broke out of U.S. ghettos to compete in the rough-and-tumble, open society beyond. Now, the Jews became visible.

He appeared against the background of an America that was transforming itself from a rural republic into an industrial superstate. Painfully, clumsily, but inexorably, political power was moving away from farmers to city folk, from the old majority to the new minorities, from statehouse to Capitol Hill. There was no turning back, but neither was there any way to know what the democratic life would be like when the country got where it was going.

Some Americans resented change; others frankly feared it. Embittered, they fixed upon the Jew, a traditional scapegoat, and prejudice that was latent and abstract became manifest and real.

By 1913, most U.S. newspapers identified Jewish lawbreakers as Jews: "Samuel Green, a Russian Jew, was apprehended today perpetrating * * *." Dime novels stereotyped Jews as heinous swindlers, arsonists, and satyrs. Resorts and hotels advertised: "Restricted clientele—no Jews, no consumptives and no dogs." The noun "Jew" became a verb and an adjective in spoken and written American English. Silent movies, whose daily audience topped 10 million, presented a steady diet of Rosenstein, the Jew moneylender, and Lowenstein, the Jew fence, in what were advertised as "Jew movies." On the stage, Jewish comics themselves contributed to the stereotype. And, especially in the South and Midwest, labor-unionism, reform, anarchism, communism, capitalism, and birth control were all incorporated in the myth of a Jewish plot, passed on as gospel—and often with the Gospel. Jews meanwhile, quietly and privately criticized their tormentors, but they had not yet begun to fight.

Then in Atlanta, Ga., on the afternoon of April 26, 1913, someone murdered Mary Phagan, a 14-year-old white Christian girl from nearby Marietta. Except for her killer, the last person to see her alive was the superintendent of the pencil factory where she worked. He was a 29-year-old-Jew named Leo Frank. The young man—Brooklyn-reared president of the Atlanta chapter of B'nai B'rith—had given Mary Phagan her wages. Next day, he was arrested for the crime. As it happened, this circumstance had a galvanic effect on the men who created Anti-Defamation League. Certainly, B'nai B'rith would have founded the league sooner or later, but the story of Leo Frank struck the American-Jewish community like nothing before in its experience. It was Frank's destiny to give the league the sense of urgency that characterizes its operations to this day.

Frank's trial was a farce, and he was sentenced to hang. Crowds outside the courthouse chanted, "Hang the Jew." Spectators inside got up to quote the Georgia bigot, Thomas E. Watson. In his widely distributed publications, Watson switched from anti-Catholicism to anti-Semitism for the Frank case: "Our little girl—ours by the eternal God—has been pursued to a hideous death and bloody grave by this filthy perverted Jew of New York." Despite protests from the Atlanta Journal, the Hearst press, the newborn Anti-Defamation League and numerous emergency defense committees, Frank stayed in the death house.

Hope rose when, at the cost of his career, Georgia's Gov. John Slaton commuted Frank's sentence to life imprisonment. Said Slaton: "Two thousand years ago, another governor washed his hands * * * and turned a Jew over to a mob. For 2,000 years, that Governor's name has been a curse. If today another Jew were lying in his grave because I had failed to do my duty, I would all through life find his blood on my hands, and must consider myself an assassin through cowardice." His term in office ended, Slaton had to leave the State to save his own life from the mob.

Leo Frank did not last long in jail. First, his throat was cut by a mad inmate. Then, as he recuperated, Tom Watson published: "Are the old lessons lifeless? Are the old glories gone? Are there no feet to tread old paths?" On August 17, 1915, 25 men of Georgia answered Watson's questions. They walked, unmolested, into the Milledgeville prison hospital, seized Frank, chained him to an automobile, and drove him from Milledgeville to the outskirts of Marietta, Mary Phagan's hometown. There, they strung him up on an old oak tree. While across the country Americans denounced the law of the mob, Watson triumphantly wrote: "Jew libertines take notice."

With Leo Frank as a bloody symbol, the Anti-Defamation League went to work. Its headquarters was Sigmund Livingston's Chicago law office. It had two desks, a $200 budget and the pledge of 150 prominent American Jews to work for its objectives. Except for the Frank case, they were kept busy in the early days dealing with so-called "random prejudice." Thus, in 1913, the late Adolph S. Ochs, publisher of the New York Times, wrote an Anti-Defamation League memorandum that went to the editor of every U.S. daily newspaper. It was entitled, "A Note on the Word 'Jew'," and explained: "The word 'Jew' is a noun and should never be used as an adjective or verb. To speak of 'Jew girls' or 'Jew stories' is both objectionable and vulgar. The use of the word 'Jew' as a verb—'to Jew down'—is a slang survival of the medieval term of opprobrium and should be avoided altogether."

Effective beyond the league's greatest expectations, the memorandum was reprinted in newspapers across the country and tacked up in city rooms, where it remained for years as a style guide for reporters and editors. In 1915, only 50 cases of "objectionable and vulgar" usage were found in the press, and, by 1920, virtually none.

Simultaneously, private persuasion (the league's most effective tactic in this period) was applied to the problem of "Jew movies" and "stage Jews." With scripts, photos, and film clips to document their arguments, Anti-Defamation League representatives visited vaudeville comics, theater owners, and booking agents to request changes. Motion picture producers received appeals and were threatened a little, while league volunteers campaigned for local film-censorship ordinances. As a result, in a few years, the offensive characters disappeared.

In 1914, the league also conceived a list of reasons why Shakespeare's "The Merchant of Venice" should not be taught to school children and sent it in a letter to the school superintendent in every town with over 10,000 population. Personal Anti-Defamation League visits often followed up the letters. By the end of the decade, many big-city schools and even colleges had dropped the Shylock play.

What with prohibitionists smashing saloon windows, suffragettes stopping traffic, anarchists blowing up buildings, and Comstockians charging through our libraries, the league's approach was mild, indeed. But by today's standards of free speech, the early league was sometimes in conflict with the Bill of Rights. Anti-Defamation League has changed. Last year, while suggesting that harm might come from a TV production of "The Merchant of Venice," the league reiterated the stand it has taken in recent years—that "a work of great artistic quality * * * cannot be subject to censorship." In the official history of Anti-Defamation League, to be published this year, the league offers this stand as an example of how, "as it matured Anti-Defamation League displayed more and more understanding of the basic issues of civil liberties and freedom of expression."

When America went tooting off to make the world safe for democracy in 1917, war hysteria multiplied the league's challenges. Unlike Abraham Lincoln of Illinois, Woodrow Wilson of Virginia was not quick to use the moral prestige of the Presidency as a force for tolerance. At the request of Anti-Defamation League and other Jewish groups, he did suppress an official U.S. Army manual advising draft-board medical examiners that "the foreign born, and especially Jews, are more apt to malinger than the native born." But Wilson did nothing to stop the witch-hunting of his Attorney General, Mitchell Palmer. The country's war fever went up and stayed up, inflaming the growing tendency toward prejudice. Try as it would, Anti-Defamation League could never catch up with the fiction of Jewish malingering.

After the armistice, Anti-Defamation League found that it had to fighter harder to stay in one place. America went on the last fling of the old order. Race riots in Chicago, Palmer's raids nationwide, the Ku Klux Klan's ride to a peak membership of over 4 million, all formed a dismal background for Jew baiting—perhaps best typified by the activities of Henry Ford, who invested millions of tax-deductible dollars in his newspaper, the Dearborn (Mich.) Independent, which published spurious anti-Jewish tracts and revisions of history under headlines like: "The International Jew: The World's Problem." It was the first massive anti-Semitic campaign in United States history. Ford required his dealers to see to the newspaper's distribution. At the height of the campaign, Independent circulation reached 700,000 weekly.

For 7 years, all efforts by the league and other organizations to move the auto tycoon, and all public denunciations of the Independent failed. The paper kept up the attack until 1927. Then, at last, Ford released a letter of apology to the Jewish community for the Independent's policies and publicly disclaimed anti-Semitism. After World War II, the league was gratified by the efforts of the Ford family to make amends: The 1951 recipient of an America's Democratic Legacy Award, presented annually by Anti-Defamation League for distinguished contributions to the American heritage of freedom," was Henry Ford II, and a winner for 1954 was the Ford Foundation.

Private persuasion remained the league's most frequent tactic in the twenties. But as discrimination became more virulent, the league began to fight in public. To counter the widely held belief that the Russian Revolution was a Jewish uprising, Anti-Defamation League set up a nationwide lecture tour for the Chicago Daily News correspondent, Isaac Don Levine, who had just come back from the Soviet Union with precisely the opposite information. And, along with other organizations, the league did what it could to harass the hooded Klu Klux Klan. Ironically, Anti-Defamation League's proposals for unmasking legislation brought little response in the twenties, but were models for the laws passed in many States during the Klan revival of the forties.

By all odds, the twenties were the nadir in the modern history of U.S. civil liberties. But the league and other groups fighting for minority rights accomplished more than they knew at the time. Out of America's ideal of equality, they built what historian John P. Roche calls the ideology of civil liberty," a doctrine of fair play for all groups that millions could accept. In the thirties, the New Deal incorporated this doctrine in its philosophy. It was the adhesive that held together Franklin Roosevelt's coalition of underdogs.

The league in the Roosevelt years—which were also the Hitler years—concentrated on vigilance work, gathering facts about native Fascist movements and exposing them. Exposure, it found, worked where private persuasion could not. Anti-Defamation League kept tabs on 121 anti-Semitic organizations and hundreds of pro-Nazi crackpots. It became a leading source of information for the FBI and other police agencies. One of its undercover investigators turned up as chauffeur for Fritz Kuhn, Führer of the German-American Bund. Anti-Defamation League also joined a coalition of groups fighting Father Charles Coughlin, the Royal Oak, Mich., radio priest, and in 1940, Coughlin went off the air.

During the Roosevelt era, the Jewish-American community developed a new conception of self-defense. "The Jews no longer imagined their interests to lie in appeals to the powerful," says historian Oscar Handlin, "but in solidarity with the underprivileged. They sought security, not in * * * tolerance for themselves alone, but in the general assertion of the rights of all Americans." To Anti-Defamation League, this meant an increased concentration on "affirmative" work, more literature, films and lectures on fair play, and a multiplication of local community activities.

For the league, the American scene in World War II was different from what it had been in World War I. While the west coast was gripped by war hysteria, and thousands of Japanese-Americans were shamefully interned, the country as a whole remained calm. They were few anti-Semitic outbursts, and the old lie of Jewish malingering made only a feeble comeback. Finally, the revelations of the Germans' "Final Solution of the Jewish Problem," which left 6 million Jews dead in Nazi extermination camps, taught a seemingly unforgettable lesson about intolerance.

In the aftermath of the war, league activities reflected the changing expression of prejudice in American life. There was a running battle to be fought with such relics of the old anti-Semitic movements of the 1930's as Gerald L. K. Smith and with those who made fitful attempts to reorganize hate groups. Whipped up by the Red threat abroad and the capture of home-grown Russian spies, among whom were a number of Jews, extreme tension set in for a period, and all the old prejudices bobbed back into view. During the Army-McCarthy clash over security at the Fort Monmouth (N.J.) Signal Corps research center, 36 employees, most of whom were Jews, were suspended. Bigots cried, "Jew Bolsheviks." Anti-Defamation League, however, investigated the case of each man, and helped win reinstatement for 28 of the 36. There was also a campaign—unsuccessful because it was nonsensical—to portray the Zionist movement, which aimed to establish a Jewish homeland in Israel, as a subversive plot demanding dual loyalties from U.S. Jews. But, above all, the postwar era was the time in which the league opened an intensive fight for full equality, not only for Jews, but for all minorities.

Here is how Anti-Defamation League has fought its new battle:

Racial discrimination: Soon after the war, Anti-Defamation League enlisted on the side of President Harry S. Truman's Civil Rights Commission, the National Association for the Advancement of Colored People and other organizations in the struggle for Negro rights. The league's lawyers filed a brief in support of desegregation while the Supreme Court was weighing its historic 1954 decision. And in 1961, a year before the scheduled desegregation of schools in Chattanooga, Tenn., league experts helped local school officials, civic groups and police devise a program for peaceful integration. Last fall, Negro and white children in Chattanooga started going to school together without incident. An Anti-Defamation League book on this experience will be available soon as a guide for other communities in the South.

Job discrimination: In the thirties, a personnel specialist estimated that almost all job orders filed with private employment agencies discriminated against somebody. For the past 15 years, the league has been helping to sponsor FEP (fair employment practices) laws. In California, for example, the 1958 FEP fight was going badly because groups agitating for the legislation lacked documentary evidence of actual job discrimination. Then an employee of a private employment agency brought copies of coded job orders from 200 Los Angeles firms to Anti-Defamation League's local office. He explained the code—the number 99 meant "no Negroes," number 53 meant "no Jews"—to the league's regional director, Milton Senn, a former U.S. Army counterintelligence officer. In 1958 and again in 1959, Senn filed complaints against hundreds of firms with the President's Committee on Government Contracts. "We knew few of these firms would fall under Federal jurisdiction," Senn told Look, "but the charges created a public discussion of job discrimination and called attention to the seriousness of the situation." Then, armed with photographic enlargements of the telltale job orders, an Anti-Defamation League representative testified for the FEP bill again. Later in 1959, it passed the California Legislature. Anti-Defamation League had been the only organization among the many in the FEP campaign to come up with substantive evidence.

Discrimination in college admissions: The practice of discriminating against Jewish applicants for college admissions became widespread in the twenties and thirties. By 1949, for example, many U.S. colleges maintained a quota system—which limited the number of Jewish students to a fixed percentage of the total admitted, no matter how many might qualify. That year, Anti-Defamation League conceived a "crack the quota system" campaign. The American Council on Education, together with the league, called a conference, attended by delegates from more than 100 colleges and graduate schools, to discuss discriminatory admissions practices. From this beginning, and helped along by such other pressures as the country's critical need for scholars, the Anti-Defamation League campaign resulted in a drastic decline in the number of quota colleges. Recently, Anti-Defamation League reported that over 1,000 schools have revised application blanks to eliminate one or more questions regarding the racial or religious background of potential students.

Housing discriminations: After 1917, it was commonplace for homeowners to enter into restrictive covenants (the buyer of a house pledged, under penalty of law, not to resell the house to a member of particular minority groups). In the late forties, the Supreme Court ruled that restrictive covenants were not enforceable in the courts. Voluntary agreements on neighborhood purity were not affected. Since then, the league has worked for State and city ordinances aimed at outlawing housing discrimination of any kind. Such regulations are now in force in several States and a number of major cities. The league has also been effective in the housing area using persuasion—backed up by the threat of exposure in the press.

Eight years ago, an Anti-Defamation League regional office began to study complaints of discrimination against Jews in a vast middle-and-upper-income housing development owned by a major U.S. corporation. Jews, it was said, were restricted to certain buildings in a section that had become known as "the ghetto." Anti-Defamation League obtained a list of all project residents and, through a check of contributors to the United Jewish Welfare Fund, followed by a door-to-door solicitation of new members of B'nai B'rith, determined that Jews were concentrated in six buildings. Next, with wives of B'nai B'rith members posing as applicants, Anti-Defamation League proved conclusively that the rental officer gave certain preferences to applicants with "non-Jewish" names. Evidence in hand, Anti-Defamation League representatives met with an officer of the corporation, who assured them that discrimination was contrary to company policy. After an investigation of its own, the corporation confirmed the league's findings. Anti-Defamation League checked on the buildings periodically and is now satisfied that desegregation is being accomplished.

Separation of church and state: From its earliest days, Anti-Defamation League took the position that sectarian religious observances in public schools were a violation of the constitutional provision for freedom of religion. It kept an account of schools displaying religious symbols and distributing sectarian texts to students, but mere exposure of such data had little effect. In recent years, the league has taken a more active role. In New York, it challenged the practice of beginning each school day with the "regents' prayer." It opposed in Pennsylvania a requirement that the Bible be read without comment in the daily opening exercises of public schools; and in Maryland, a requirement that the Lord's Prayer be recited.

Inevitably, the League's vigorous intervention in the running church-state controversy has created friction between Jews and non-Jews. Recently, the Jesuit magazine America wrote an editorial, "To Our Jewish Friends," asking whether the zeal of a "vocal segment" within the Jewish community was not damaging to the community as a whole. Commonweal, a lay-edited Catholic weekly, answered America: "After centuries of Christian persecution of Jews, it would be a monumental irony to accuse Jews of fostering anti-Semitism."

While Catholics argue among themselves about Jews, the consensus is that a greater understanding exists between Catholics and Jews than might have seemed possible a generation ago. To a degree, this accord has been a result of work done by Anti-Defamation League, which has defended Catholic rights; publicized, as a forgery, the so-called Knights of Columbus oath; organized interreligion seminars, conferences, and summer camps, and joined on numerous occasions with Catholic social-action groups to combat intolerance.

Busier than ever today, the league is fighting a single sin—prejudice—in a multitude of ways through national and regional vigilance work, education, and research. From a $500,000 research project set up at the University of California 2 years ago, it hopes to find out, among other things, the role that Christian churches play in anti-Semitism and how prejudice is learned. Dr. Charles Glock, director of the University of California survey research center says: "We want to find out under what conditions Americans, who are usually ambivalent about Jews, transcend this and react toward the Jew, not as a Jew, but as a person." The league expects Dr. Glock's report in 3 years. Meanwhile, some of the Anti-Defamation League's continuing concerns include: textbooks that inadequately teach the history of U.S. minority groups or the story of Nazi Germany; immigration laws that discriminate against ethnic groups; and radical rightwing political groups whose leadership now eschews anti-Semitism, but among whose members are well-known professional bigots.

The league sees no end to the work it is in. As Benjamin Epstein, Anti-Defamation League's operational chief, told Look: "Fighting prejudice is part of a process. The league is one force among many in a great country. Prejudiced behavior has changed because enormous forces—education, government, unions, business, and civic organizations—have been at work and all of them together have made progress. We feel that the league may have been, on occasion, a catalyst. But the important thing is that change for the better has come about because the goal of full equality coincides with the ideals that Americans really believe in. Change comes because people of good will want their ideals to be meaningful in their own lives."

BONNEVILLE POWER ADMINISTRATION EXTENDED TO SOUTHERN IDAHO

Mr. CHURCH. Mr. President, in September, southern Idaho will start collecting on a debt that is long overdue.

The decision of the Kennedy administration to include all of Idaho in the Bonneville power marketing area means that, by late summer, Federal wholesale power customers in southern Idaho will have their rates reduced by approximately 40 percent.

This is only the dramatic beginning of what extension of low-cost Bonneville Power Administration power can mean to southern Idaho—the first installment on a long-deferred payment to Idaho for her contribution to the downstream generation of Federal power.

Since first coming to the Senate, I have sought means by which Idaho could obtain her just share in this downstream generation. Our Snake River drains nearly half of the great Pacific Northwest basin, providing over one-fourth of the annual flow at the big Government dams on the lower Columbia. Our tax money has helped build these mighty dams, and they belong every bit as much to the people of Idaho as to the people of Oregon or Washington. From the beginning, we should have had the right to share in the bounty of our own resources.

Yet, Mr. President, from the start, southern Idaho was left out, while the remainder of the Northwest was enriched by abundant low-cost power from tremendous generators at such projects as The Dalles, McNary, and Bonneville, creating industry, payrolls, and new wealth. Our second-class citizenship lasted until Secretary of the Interior Udall signed the order this week, including the whole of southern Idaho, and small adjoining portions of Wyoming, Utah, and Nevada, within the marketing area of the Bonneville Power Administration. The Secretary's order makes the Bonneville Power Administration marketing area conform with the natural basin drained by the Snake-Columbia River system.

1. IMMEDIATE IMPACT

Of immediate benefit to southern Idaho from the extension, will be the savings from the reduced rates targeted to go into effect by September 1. The 17 municipalities and rural electric cooperatives in southern Idaho, which have been purchasing their wholesale power from the Bureau of Reclamation, will become customers of the Bonneville Power Administration. From now on, Bonneville Power Administration will be the sole marketing agent for all power generated at Federal dams in the Northwest, including the Bureau dams in southern Idaho.

The Bureau's wholesale rates have averaged 5.26 mills per kilowatt-hour, while the Bonneville Power Administration rate for the same class of customers elsewhere in the Columbia River Basin has been 3.10 mills. This means that the Idaho public power agencies should realize savings of approximately 40 percent in the first year. The potential annual savings to the Bureau's present customers, set out in dollar amounts, are listed in the schedule which I ask unanimous consent to have printed at this point in the RECORD:

There being no objection, the schedule was ordered to be printed in the RECORD, as follows:

Comparative cost of wholesale power to public agency power distributors in southern Idaho area

Bureau of Reclamation customers	Actual cost, 1961 (calendar year)		Cost at Bonneville Power Administration wholesale rates and potential savings			
	Dollars	Mills per kilowatt-hour	Dollars	Mills	Potential savings	
					Dollars	Percent
1. Nongenerating:						
Village of Albion	12,229	5.81	6,637	3.15	5,592	46
City of Burley	213,962	5.72	112,449	3.01	101,513	47
Village of Declo	6,598	6.23	3,586	3.39	3,012	46
Village of Heyburn	99,191	5.55	58,586	3.28	40,605	41
Village of Minidoka	3,601	6.06	1,913	3.22	1,688	47
City of Rupert	134,888	5.74	71,660	3.05	63,228	47
Lost River Electric Cooperative	118,608	4.45	75,376	2.83	43,232	36
Prairie Power Cooperative	9,505	5.58	6,365	3.74	3,140	33
Raft River Rural Electric Cooperative	237,513	5.06	144,048	3.07	93,465	39
East End Mutual Electric Co	13,956	6.14	7,427	3.27	6,529	47
Farmers Electric Co	8,919	6.26	4.748	3.33	4,171	47
Riverside Electric Co	11,723	6.22	6,259	3.32	5,464	47
Rural Electric Co	52,753	5.93	27,909	3.14	24,844	47
South Side Electric Lines	38,664	5.86	20,697	3.24	17,967	46
Unity Light & Power Co	69,899	5.90	36,946	3.12	32,953	47
Walcott Electric Co	3.285	6.28	1.757	3.36	1.528	47
Subtotal	1,035,294	5.41	586,363	3.07	448,931	43
2. Generating:						
City of Idaho Falls	431,884	4.88	325,000	3.67	106,884	25
Fall River Rural Electric Cooperative	54,379	6.03	44,850	4.97	9,529	18
Lower Valley Power & Light	89,820	5.06	45,000	2.54	44,820	50
Subtotal	576,083	5.00	414,850	3.60	161,233	28
Total	1,611,377	5.26	1,001,213	3.27	610,164	38

Mr. CHURCH. Mr. President, the public power agencies appearing in the above chart service some 25,000 accounts. Since the wholesale cost of the Government power they buy represents a substantial portion of their cost of doing business, the low Bonneville Power Administration rate should result in savings that can be passed through to the ultimate consumer, whether the housewife in Burley or Idaho Falls, or the farmer who pumps his water with power supplied from his rural electrical co-op.

The Secretary's order also meets the projected future power needs of these agencies. The Bureau of Reclamation would have been able to meet their requirements only until the fall of 1964.

2. RECLAMATION HELPED

Contrary to the scare talk already being seeded, the Secretary's order fully protects water needs for irrigation. The Bureau of Reclamation will continue to operate its projects for irrigation and other project purposes. Use of these projects to generate electricity shall remain subordinate to their use for irrigation, in accordance with applicable State water law. Repayment arrangements between the Bureau and irrigation districts will not be disturbed, and there will be no adverse effect upon any irrigator's present water supply or rates.

Far from detracting in any way from irrigation, the order actually enhances the future prospects for new reclamation projects in southern Idaho, since the extension will permit added financial assistance for Idaho projects from downstream power revenues. In this respect also, Idaho thus becomes a full-fledged partner in the development of the Northwest.

3. PROMISING LONG-TERM BENEFITS

The Bonneville Power Administration sells its power only in wholesale lots to: first, municipalities; second, electrical rural co-ops; third, private utility companies; or, fourth, large industrial users. It is the latter that holds such promise for the phosphate industry in southeastern Idaho. At present rates, 25 percent of the cost of producing elemental phosphorus is the cost of power. A reduction of 2 mills would drop production costs by $4.50 per ton, meaning lower prices for concentrated fertilizers and their increased use and demand. It is estimated that an assured supply of cheap power at the Bonneville Power Administration rates would add 3,000 new jobs to Idaho's phosphate industry, and 6,000 new jobs to supporting industries and services, with an aggregate payroll of some $75 million. These new taxpaying industries would be a major breakthrough for Idaho's economy, but to achieve them will require either the construction of a transmission line from the main Bonneville Power Administration grid at Lewiston to Soda Springs, or a wheeling contract with the Idaho Power Co. Because the public interest so obviously demands it, I am confident that a way will be found to solve this problem.

4. DISPELLING SOME "BOGEYS"

The argument heard most frequently against the extension of the Bonneville Power Administration into southern Idaho, is that it will somehow ruin the private utility companies which have opposed the move, and thus deprive us of the taxes they pay. Nothing could be further from the truth, as the years ahead will bear out. Private power companies have long engaged in business within the old Bonneville Power Administration marketing area, in Oregon, Washington, northern Idaho, and western Montana, without impediment. In fact, they have prospered and expanded most profitably, while their rates have actually declined.

In southern Idaho, where the Idaho Power Co. rates were increased just months ago, our experience has not been so favorable. But, in the long run, with Bonneville Power Administration power becoming available to bulk customers and to the private utilities themselves, the lower wholesale rate will gradually temper retail rates, unless our experience is to differ from that of our neighbors. Thus even those who purchase their power from the private utility companies will eventually stand to gain.

Last year when I joined with Representatives Ralph Harding and Gracie Pfost to petition Interior Secretary Udall to investigate the feasibility of marketing Bonneville Power Administration power in southern Idaho, I predicted there would be bitter recriminations. Now that the investigation has proved the extension to be sound, and the order has been signed, that prediction is coming true. But I said then, and say again, that with our success in finally getting cheap power introduced into southern Idaho, the day will come, after all the sound and fury has died away, when people will say: "What a great thing this has been for everybody. Why didn't we have it from the start?"

THE COMMUNIST CONSPIRACY—SOUTHEAST ASIA

Mr. DOMINICK. Mr. President, on May 17, 1963, I addressed the Senate on the subject of southeast Asia, pointing out the problems in Laos, and the possible loss of all of southeast Asia as a result of the failure of the coalition government which we were largely instrumental in forcing into power. I asked what the administration policy was in southeast Asia. Recently other comments were made by Senators of both political parties, asking what the administration policy is in a number of foreign fields.

I was interested to read in yesterday's Washington Daily News a column written by Virginia Prewett, a highly competent reporter, entitled "What Is Administration Policy?"

I believe that at least two paragraphs of the article should be read to the Senate. Later I shall ask unanimous consent that the entire article be printed in the Record. Miss Prewett writes:

> Leaders of the Kennedy administration who back the "Rostow Position Paper" in foreign policy apparently have leaked the details of this key set of guidelines to inform the American people of what is going on. This is healthy.
>
> As previously noted in this column, expressed most simply, the "Rostow policy"—when applied at Latin America and Africa—is "an effort not to win allies or even friends, but to help build stable, peaceable and economically sturdy nations, 'hopefully responsive to the consent of the governed.'" Cuban policy concentrates on avoiding war with Russia.
>
> Major postwar history disproves the idea that communism can be overcome with economic aid alone. The Marshall plan in Europe, even though it rebuilt devastation, was not winning against communism until NATO was formed and Truman took a bold decision to stop communism by force in Greece.
>
> If we need any further proof that a rising living standard by itself does not wean people away from communism, we have only to consider the recent Italian elections. Italy is more prosperous today than it has ever been. Yet the Communist vote is rising, as the United States tolerates Castro, courts Yugoslavia, and toys with recognizing Hungary.

Mr. President, the point of my reading from this article is that throughout the entire country people are trying to determine what the administration's policy is with respect to all the crucial areas which confront us on every continent of the world. We get no reply other than that, apparently, we do not wish to embarrass Mr. Khrushchev, or that we do not wish to take any firm action which will result in our being able, as leaders of the free world, to try to win the contest in which we are engaged.

Because I believe this is such a good article, I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Daily News, May 22, 1963]

What Is Administration Policy?

(By Virginia Prewett)

Leaders of the Kennedy administration who back the Rostow Position Paper in foreign policy apparently have leaked the details of this key set of guidelines to inform the American people of what is going on. This is healthy.

As previously noted in this column, expressed most simply, the Rostow policy—when applied at Latin America and Africa—is an effort not to win allies or even friends, but to help build stable, peaceable, and economically sturdy nations, hopefully responsive to the consent of the governed. Cuban policy concentrates on avoiding war with Russia.

ACCOUNTING

This thesis accounts for the Kennedy administration's heavy emphasis on the Alliance for Progress in Latin America and the attempt to avoid political issues there.

Major postwar history disproves the idea that communism can be overcome with economic aid alone. The Marshall plan in Europe, even though it rebuilt devastation, was not winning against communism until NATO was formed and Truman took a bold decision to stop communism by force in Greece.

If we need any further proof that a rising living standard by itself does not wean people away from communism, we have only to consider the recent Italian elections. Italy is more prosperous today than it has ever been. Yet the Communist vote is rising, as the United States tolerates Castro, courts Yugoslavia, and toys with recognizing Hungary.

In studying the Rostow position, the question arises as to why the United States finds its desirable to make "an effort not to win friends or even allies." The Kennedy administration's "Kremlinologists" are supplying the answer quite freely in their behind-scenes briefings these days. They say simply that a major objective of U.S. foreign policy at present is to avoid pushing Khrushchev, for fear that he'll fall and we'll get somebody worse in Russia.

EXPLANATION

The Christian Science Monitor recently explained how this works in Cuba and southeast Asia.

In Cuba, the United States is protecting the position of the Russians because Castro's more violent tendencies would make things worse without them, says the Monitor.

In Laos, says the paper, the United States thinks Russia should be the more dominant power, in opposition to the Red Chinese. Hence we are taking a strong stand there.

This respected newspaper explains U.S. policy by saying in effect that U.S. policy is guided by a desire to protect Russian interests in Cuba and southeast Asia.

This manipulation may explain what is happening, but it by no means agrees with what the administration says when its leaders go to Congress for money or to the American people. The whole question needs clarification by the White House.

ANNUAL SESSIONS OF THE U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT IN THE DISTRICT OF HAWAII

Mr. INOUYE. Mr. President, I have recently been appraised by my colleagues in the Hawaii Bar Association that pressures might be exerted upon Congress to eliminate the practice of the judges of the U.S. Court of Appeals for the Ninth Circuit sitting in Honolulu once a year. The argument apparently seems to be that such trips undertaken by these judges place an unnecessary drain on Federal funds.

I should like to point out the following facts, which are supported by members of the Hawaii Bar Association, as well as distinguished members of the bench in Hawaii.

Prior to 1962, the practice was that Hawaii attorneys all had to go to San Francisco or Los Angeles to argue cases initially brought up in Hawaii. Although, of course, every attorney welcomes a client who can afford to send him to the mainland United States to argue a case in the Ninth Circuit Court, such trips imposed a tremendous burden upon the client. In addition to the $300-plus round trip expenses involved, it usually took 3 days of the attorney's time, plus expenses. This meant that there was a minimum bill of between $750 to $1,000 imposed against each side in every case appealed to the Ninth Circuit Court. Furthermore, prior to 1962, in terms of judicial procedure, prior to 1962, local attorneys in Hawaii had no opportunity to see and observe how an appeal was handled by the circuit court until they had to confront the court for the first time with one of their own cases to argue.

Thus, in terms of expenses involved and judicial procedure it appears to me that any attempt to deny the State of Hawaii the right to confront the judges of the U.S. Court of Appeals for the Ninth Circuit in Honolulu is unreasonable.

In addition to these factors, I should like to point out another factor which indicates how valuable it is to the cause of justice to have members of the Ninth Circuit Court visit Honolulu annually.

This factor was starkly brought out during the last sitting of the court in Honolulu. At that particular time there were two appeals taken in proper. This meant that the citizens involved presented their own cases to the judges of the Ninth Circuit in Honolulu. In neither case could the appellants have afforded to have taken the expensive trip to San Francisco or Los Angeles to present their own cases. Regardless of the merit of the appeals in the two instant cases, the mere physical presence of the judges of the Ninth Circuit in Honolulu enabled these citizens to present their cases before the bench of justice, a right which should be always resident in the citizen. Now, had it not been for the judges of the Ninth Circuit going to Honolulu, this fundamental right of every American citizen would naturally have been denied these appellants.

The annual visits of the judges of the U.S. Court of Appeals for the Ninth Circuit to Honolulu since 1962 for these reasons mentioned have been looked upon by all in Honolulu—citizens, trial attorneys, as well as the members of the bench—as extremely necessary.

In conclusion, I wish to state that any attempt to discontinue this practice is to me basically an infringement of the American concept of justice and due process.

Mr. President, I ask unanimous consent to insert at this point in the RECORD a resolution adopted by the executive board of the Bar Association of Hawaii on May 13, 1963, pertaining to annual sessions of the U.S. Court of Appeals for the Ninth Circuit in the District of Hawaii.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION PERTAINING TO ANNUAL SESSIONS OF THE U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT IN THE DISTRICT OF HAWAII

Whereas there has been both a desire and a need of long standing for the U.S. Court of Appeals for the Ninth Circuit to hold annual sessions in the District of Hawaii; and

Whereas, it is evident that the citizens of the State of Hawaii are entitled to enjoy the same opportunity afforded all other citizens expeditiously and economically to pursue the right of appeal; and

Whereas the geographic location of the State of Hawaii is such that, unless said court of appeals holds annual sessions in the State of Hawaii, the citizens of the State of Hawaii must incur unusually heavy burdens, both in time and in money expended, in order to pursue the right of appeal; and

Whereas such considerations of time and money have in the past precluded citizens from exercising their right of appeal; and

Whereas the principle of equal justice recommends that no citizen be forced to abandon a right before the courts because it cannot be pursued expeditiously and economically; and

Whereas in response to this need, the Court of Appeals for the Ninth Circuit held sessions in Honolulu, Hawaii, in 1962 and 1963, resulting in an opportunity for persons who would otherwise have been forced to abandon their right to appeal to be heard: Now, therefore, be it

Resolved by the Executive Board of the Bar Association of Hawaii, That the U.S. Court of Appeals for the Ninth Circuit be, and it hereby is, respectfully requested and invited to hold annual sessions in the District of Hawaii on a permanent basis; and be it further

Resolved, That copies of this resolution be sent to the Members of the Congress of the United States from the State of Hawaii, to the chief judge, U.S. Court of Appeals for the Ninth Circuit, and to the Director, Administrative Office of the U.S. Courts.

I hereby certify that the foregoing resolution was adopted by the executive board of the Bar Association of Hawaii on May 13, 1963.

BETTY M. VITOUSEK,
Executive Secretary,
Bar Association of Hawaii.

RADICAL RIGHT

Mr. JAVITS. Mr. President, our distinguished colleague and deputy minority leader, Senator KUCHEL, made a speech here some days ago on the radical right so timely and appealing that it is still reverberating in the public press. A fine article on this subject has been written by Alan E. Emory in the outstanding north country newspaper, the Watertown Times of Watertown, N.Y.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CALIFORNIA'S KUCHEL ALL THROUGH BEING PATIENT WITH RADICAL RIGHT

(By Alan S. Emory)

"I would like to call you a lot of rotten, insulting names befitting a traitor or rat.

"If we get enough Senators like you in Washington, the Communists certainly will have nothing to worry about.

"There is more Americanism in one of [Gerald L. K.] Smith's little fingers than your whole rotten, foul-smelling carcass."

This is the kind of mail that has been flooding the office of Senator THOMAS H. KUCHEL (pronounced Kee-kul), son of a pioneer newspaper editor who ran the Ku Klux Klan out of Anaheim, Calif., for persecution of Catholics. Now the California Republican is under fire himself for pointing the finger at the far rightwing groups whose "ugly labors," he says, "perform * * * a service to the Kremlin itself."

Senator KUCHEL, a determined, energetic liberal, first heard of the John Birch Society at the 1960 Republican National Convention, but did not concern himself very much about it. Soon, however, an avalanche of mail descended on his office condemning former President Eisenhower and Chief Justice Earl Warren as tools of the Soviet Union, and in the spring of 1961 Senator KUCHEL made a speech urging investigation of the rightwing elements.

Even after his reelection last fall by more than 700,000 votes the rightwing attacks continued, particularly on Operation Water Moccasin III, an Army exercise in counterinsurgent warfare attended by 124 observers from friendly nations.

Senator KUCHEL had his staff get the facts from the Army, conferred with the Senators from Georgia, where the exercise was conducted, wrote calm letters of explanation to his constituents explaining that thousands of foreign troops were not being trained by the United Nations to take over the United States. His efforts failed.

As the "hate mail" continued to pour in, the Senator decided it was time to stand up in the Senate and call them to account.

"A Member of Congress has the responsibility of leadership," he said in an interview the other day. "I tried to discharge that leadership. This is something that needed to be said, needs to be said again and by more people. In every generation you have people who take an extreme position on questions, but it is simply incredible they can believe there is a giant conspiracy in the American Government to turn over the whole country to the Soviet Union and communism."

One of the Senator's problems is that the rumors about Operation Water Moccasin were spread in a congressional newsletter by Representative JAMES UTT, of California, who denounced Senator KUCHEL for the attack on the rightwing.

The KUCHEL speech was not exactly a surprise to those who knew him well. His father, Henry Kuchel, son of a pioneer family that founded Anaheim (home of Disneyland) in 1859, lost his sight when Thomas was born in 1910, but continued his work, dictating editorials to his wife and later, his son. Young THOMAS researched history and Government for his father, acquiring a thorough background in the subjects.

As a child he did odd jobs in the print shop and on the Anaheim Gazette, attended public schools in Anaheim, and received his bachelor's and law degrees from the University of Southern California. He practiced law and, when a man who worked for his brother suggested he run for the State assembly in 1936, he did and was elected twice there, twice to the State senate.

At the age of 30 he was the youngest man ever elected chairman of the Republican State Central Committee of California, spent from 1942 to 1945 in the Navy and, on February 11, 1946, was appointed State comptroller. The following November he was elected by the largest vote ever received by a candidate for that office. In 1952 Gov. Earl Warren appointed him to the U.S. Senate, and he was reelected by whopping margins in 1954, 1956, and 1962.

"I take my Republicanism from the Lincolns, the Teddy Roosevelts, Hiram Johnsons, Earl Warrens, and Dwight Eisenhowers," Senator KUCHEL says. He distributed Johnson handbills while in high school and worked in the Senator's reelection campaign in 1934.

A stanch public power advocate—he supported New York State construction of the Niagara River redevelopment—he battled against bitter opposition to win Government construction of the Trinity River project in California. The Pacific Gas & Electric Co. fought him every foot of the way, and the Eisenhower administration Secretary of the Interior, Fred A. Seaton, favored Federal building of the water project, but sale of the hydroelectric power by the utility company.

Senator KUCHEL strongly opposed this partnership plan that gave kilowatts priority over actual use of the water and won his fight. However, the battle continues with the question of who should distribute the power from other phases of the project.

The Senator is an energetic, but comparatively self-effacing man. He writes no newsletter, only does a regular twice-a-month radio show during campaign years when funds are available. He makes a point of barring afternoon appointments, preferring to stay on or close to the Senate floor, from which he can be summoned for discussions. He frequently works out in the Senate gymnasium to stay in shape.

However, he does not get much chance to play his favorite game of golf, though he has a standing invitation to match shots with Sam Snead at White Sulphur Springs, W. Va., whenever he wants. Recently he and a newspaper publisher friend drove a long distance to a good course to play, got out of the car and closed the doors, automatically locking it with the keys inside and the clubs on the back seat. The two men had to search high and low along the manicured course to find a rock to break a car window so they could get their clubs out.

Senator KUCHEL's speech on the right wing was notable, because among other things, he is the GOP Senate whip, or assistant leader and the liberals' counterpart to conservative Everett M. Dirksen, of Illinois. On May 2 he told the Senate, "It is disgusting to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anticommunism. They are doing the devil's work far better than the Communists themselves could do.

"America has enough immediate and deadly dangerous enemies without adding hobgoblins," he added. "It is distressing and disillusioning to find persons of normal educational attainments—or any educational level—falling hysterically and emotionally, without reservations, for the unadulterated venom spewed by out-and-out crackpots for paranoia and profit * * * They seek to divide and too often succeed in dividing our people, far better than any Communist agents could do."

Replied an unsigned correspondent. "That was a speech that could only come from the brain of a jackass. You are indeed a damn fool." A postcard shouted, "You lier (sic)." Another writer saluated the Senator with, "Hail Comrade," and attached a red ribbon as the "red sash of the Great Order of Lenin."

Others said, "You are brainwashed." "You Kennedy-Khrushchev-Knigger-lovin' demon." "Why don't you create an army made up of Senators and Jews?" "I went to the bathroom and vomited." "Dear TomAss the Kuchelectivist."

"Have you consulted a psychoanalyst lately?" asked a letter. "You know you really should. We are sorry for you, you are a sick man." Another wondered if "you think you will get a slice of the Communist pie, a seat in the Politburo or if you are just plain stupid."

And one said that "if Nelson Rockefeller is as intelligent as I think he is he won't have you on the same ticket with him."

"I read the letters in fascinated horror," Senator Kuchel says.

Senator Kuchel, who has been mentioned as a possibility for the Republican ticket in 1964, is weathering the storm, with the support of his wife, Betty, and his daughter, Karen, who feels he did the right thing. The editorial commendations are beginning to pour in, though the 10,000 communications that followed his speech still tend to favor the "lunatic fringe."

One of the Senator's staff assistants, Miss Ruth Crayford, is a native and former resident of Heuvelton. A former White House employee, she is the granddaughter of Fred Rounds, former town clerk of Depeyster and later of Ogdensburg.

The nephew of the last speaker of the Arizona territorial legislature, Senator Kuchel is fond of quoting Lincoln and Winston Churchill "at the drop of a hat," as an aid put it. And his friends think it typical that he frequently uses the words "honor" and "honorable" when he speaks in the Senate.

They think those words fit Thomas Kuchel to a T.

THE NEED FOR VOCATIONAL EDUCATION

Mr. BOGGS. Mr. President, a chorus of support appears to be rising throughout the country concerning the need for a fresh approach toward vocational education.

The idea that young people, and older people too, require training for jobs is not a new one. But the emphasis on this need for training has increased in direct proportion to the advancement of our technology and the disappearance of jobs requiring little or no skills.

An employer today is looking for something besides willingness. He wants the person he hires to apply know-how right away, or at least be trained sufficiently in basic skills needed for advanced or specialized training.

It is with this background in mind that I introduced S. 1222, which would expand vocational training programs in the country in cooperation with the States. It is already late for this expansion, and to mark time in the field of education for employment is to fall behind.

The latest publication to feature the need for a new look in job training is Look magazine. Companion articles by George B. Leonard, entitled "Are We Cheating 20 Million Students?" and "The Real Crisis in Education," explore an effective new vocational education program and appraise the overall education problem.

I commend both articles to my colleagues and ask unanimous consent to have them printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From Look Magazine]

Forgotten 8 Out of 10—Are We Cheating 20 Million Students? Most High Schools Cater to Students Who Will Go On To Finish College—Neglect of Those Who Will Not Has Created a New Crisis

(By George B. Leonard)

"If the present trend continues, we are going to have 7½ to 8 million high school dropouts in the next 10 years. This probably means that in some areas we're going to have 70 to 80 percent of the young people unemployed. I think that's dynamite. If people don't have any hope, any prospect for the future, what are they going to turn to?"

Attorney General Robert F. Kennedy, the President's top adviser on youth problems, raised this ominous and seemingly unanswerable question in a recent Look interview. His dismay springs from a startling set of figures now circulating among political and educational leaders: During this decade, a record 26 million young people will enter the Nation's already overloaded labor force. At most, 2 out of 10 will be college graduates, even if college enrollments double. The remaining 8 out of 10—more than 20 million—will be high school dropouts, high school graduates and those who fail to finish 4 years of college. Every available study of the job market shows that from this 20 million will come most of our unemployed.

A growing number of experts are using these figures to argue that our schools must turn to the immediate needs of the majority, must train them for specific jobs rather than prepare them for college.

The argument is a strong one. Today, nationwide, nearly 30 percent of high school dropouts are unemployed—and in some big cities, this figure more than doubles. Even high school graduates average 15 percent unemployed. Yet only 5 percent of those who have graduated from trade schools are out of work. Furthermore, Look research reveals that the few first-rate vocational schools in the Nation can count on more jobs than they have graduates to fill them—sometimes five times as many.

But the issues being raised here go far beyond the problem of unemployment. Hidden in the current push for more job training in U.S. schools is a fundamental criticism of our educational philosophy and our social values.

On the following pages, Look shows how one good trade school can affect the lives of America's forgotten 8 out of 10, then goes on to examine the promise and dangers of a new emphasis on vocational education.

MOST SCHOOLS TRAIN STUDENTS FOR COLLEGE OR NOTHING—TRADE-TECH FILLS THE VOID

Most parents and teachers would find Los Angeles Trade-Technical College a strange sort of school. As an accredited California junior college, it offers an optional 2-year academic program leading to an associate in arts degree. But the great majority of its 10,000 students never see the inside of an academic classroom. They are at Trade-Tech for a single purpose—to learn a trade and get a job—and they toil 6 hours a day with a singlemindedness that verges on grimness—at giant ovens, in auto shops, at long rows of metal-working lathes.

Trade-Tech teaches 60 trades, ranging from industrial electronics through fashion design to drycleaning. In most cases, students stay with one instructor throughout the school day. The Trade-Tech instructor is not an academic man, but a successful practitioner of his craft. He guides his students through both theory and practice, and eventually helps place them in the right jobs.

Jobs. At Trade-Tech, everything else is secondary. School officials listen less passionately to scholarly voices than to the voices of industry. "Will this help our students get jobs?" a Trade-Tech dean asks labor and management representatives. "Are jobs in this field available? Otherwise, let's forget it."

There's another thing about Trade-Tech that would surprise educators of a less practical persuasion: Nationally, and in California, too, more than half of all junior-college students drop out during their first year. And yet Trade-Tech's shops are always full. Should a student leave (many get jobs before finishing their full 2 years), his place is taken by the next man on the school's huge waiting list. ("I could fill a new 10-story building from our waiting list," Trade-Tech's dean of admissions told Look.) This irregular influx of new students during a term is hard on instructors and students alike. But school administrators feel it would be far worse, in this urgent age, to let a single piece of equipment stand idle.

Look at Trade-Tech from the vantage point of its waiting list, and you see not merely a school, but a desperate rescue operation. Some students come directly from high school. But most have been out of school for months or years. They are members of the unfortunate majority who leave school with no marketable skill. They are among the millions who are buffeted from job to job, who know the despair of seeing the word "unskilled" or "semiskilled" on their employment forms. They are workers who have gone through an average of 10 jobs before coming to Trade-Tech. "They have been defeated," says Dean of Instruction Franklin R. Johnson. "You can see defeat in their eyes."

To such people, "getting a trade" takes on a distant, almost magical glow. A university graduate student may yearn for a Ph. D. But his yearning cannot match that of an unemployed, unskilled young man with wife and children who has a simpler goal: to be able to take a battered fender and make it smooth and right.

"I'm ready to settle down with all my heart and soul and learn a trade," says the unemployed graduate of a "general" high school course. Trade-Tech opens its doors to him and everyone else, asks few questions about the past, looks into the future with an almost doctrinaire faith that every human being can learn some marketable skill.

Those who can attend Trade-Tech are more fortunate than most young Americans who will not graduate from college. In communities of less than 2,500, only about 1.5 percent of the schools offer any vocational education other than agriculture. Even in the largest cities, less than a fifth of the students are enrolled in vocational training.

How good are the Nation's vocational schools? Mediocre to poor for the most part, say experts in the field. Vocational agriculture gets a disproportionate share of Federal and State vocational funds, though the farm population is fast declining. Most schools teaching trade and industrial skills lag behind the rush of technology, waste time on out-of-date crafts and techniques. Many serve as a sort of backroom where academic-minded superintendents can hide the educational cripples their own practices have helped create.

Trade-Tech and a growing number of schools around the Nation offer trade training after high school. But, generally, vocational schooling is jammed into a high school curriculum that leaves little time for education in art, music, the pleasures of cultural knowledge, the uses of citizenship.

A multitude of problems appear when vocational education is closely examined. These problems reduce the great education debate of recent years to what it always was: a quibble over terminology, a tilting at windmills.

"THIS SCHOOL IS MY ONLY CHANCE"

Raymond Hornsby was put in a Kentucky orphanage at the age of 8, after his mother died. At 13, he ran away. The years that followed were a nightmare of constant travel, loneliness, and insecurity. "I've done it all and seen it all," Ray now says, referring to a past that can best be described as checkered. His travels took him to many towns, many schools. He never got a high-school diploma. Ray Hornsby's case is extreme. But he shares one problem with millions of young Americans who may have had stable homes and good high school educations: In his mid-twenties, married and the father of a child, he has no skill that will earn him a steady living. This winter, close to despair, Ray heard about Trade-Tech. "At first," he says, "all I knew was it was free. That was enough. I'd always liked to work with cars, so I went down and took my test to be an auto mechanic, but there weren't any openings at the time. I was in a hurry. I needed a trade bad. So the counselor told me I could go into body-and-fender work. I felt it was my only chance. Now, I like it. I like my instructor. And now, I have hope."

"I'M NOT RESENTFUL, I'M GLAD"

"I feel glad that Ray's doing something that he likes and wants to do," Shirley Hornsby says. "And I don't feel resentful that I have to work while he's doing it. I know someday we'll have a little extra money so we can own our home and have another child or so—maybe a little girl." Says Ray, "Now that I'm learning it, I like it, I like body-and-fender work. It's something that's tore up and you put it back together yourself, and you look at it and say, 'I did this myself.' It's a great feeling."

At the beach, Ray speaks of his son: "He's everything to me. I want him to grow up and go to college and be a lawyer. But if it turns out he doesn't like bookwork, I won't push him into it. He might want to work with his hands. Then he could go to trade school and be a body man. And that would be all right."

THE REAL CRISIS IN EDUCATION—WE NEED MORE VOCATIONAL EDUCATION—BUT PRESSURES MAY TURN OUR STUDENTS INTO TECHNICIAN SLAVES

The most explosive subject in this country is no longer religion or politics. It is schools. Education became public issue No. 1 around the time of the first sputnik in 1957. Since then, the feelings of millions of parents have gone from concern to obsession to near hysteria.

Those most vehement in the Great Education Debate usually have assumed that the major purpose of the public schools is to prepare students for college, that the purpose of college is to prepare them for personal success, and that perhaps the ultimate purpose of the whole process is to make our Nation stronger than its potential enemies.

In all the talk about schools, vocational education until now has rarely been mentioned. All has changed. After years of neglect, vocational-technical training has become a hot issue. This spring, in fact, it is being pushed as a solution for every problem from high school dropouts to juvenile delinquency and unemployment. Recent magazine articles have followed this panacea tack. In Washington, President Kennedy now gives top priority to improved job training in our schools. Republican strategists are supporting more vocational education as an alternative to Democratic-sponsored youth-employment bills. The President wants both.

Much of the credit for the new, urgent national interest in school job training must go to the President's Panel of Consultants on Vocational Education. This group, headed by Chicago school superintendent Benjamin Willis, released its final report in April. The report details the chilling employment statistics presented on preceding pages of this story, and sets forth strengths and weaknesses in American schooling for "the world of work." It ends with a recommendation that Federal spending for vocational education be increased more than fivefold, to a total of $400 million next year. Since the panel members represented opposing viewpoints, the report bears the invisible scars of compromise. It offers few if any new ideas.

Arguments on means aside, everyone agrees that some change must be made in the way we educate those millions who are not going to finish college. The present crisis does not signify a deterioration of our schools or a sudden jump in dropouts. Just the opposite: The percentage of young Americans graduating from high school has risen from 6 percent in 1900 to 17 percent in 1920 to an all-time high of 65 percent today. Then what is wrong? This: Today's complex, technological society has become entirely unforgiving of the untrained. Young people who once could have worked as unskilled factory or farm laborers have no place to go but street corners.

In coast-to-coast visits to vocational schools and interviews with leading educators, Look has confirmed that more and better vocational education is one of the answers to the problems of the noncollege graduate. But it is not the only answer. And it holds dangers that are not being aired in the current public statements on the subject.

Start with Connecticut, which boasts the best statewide system of vocational schools in the Nation. Its 14 trade schools are operated by the State, rather than by local school districts. Students may travel beyond their own districts to get the vocational and technical training they wish—but only if they qualify. Right now, barely a third of those who apply are accepted by Connecticut's fine vocational schools. The State's two postgraduate technical institutes are even more exclusive. Junior high school principals complain, only half jokingly, that "it's easier to get into Yale than into the vocational and technical schools."

Throughout the Nation, vocational schools are raising their admission standards. This rise will improve the quality of training. And it will brighten the public "image" of vocational education—which certainly needs brightening. But it will not help the slow student who is most likely to become a dropout. Low admission standards don't seem to help him either. In those big-city vocational schools that make no attempt to keep out slow students, the dropout rate generally is higher than in academic or comprehensive high schools. "Vocational education is not the big answer to dropouts," Daniel Schreiber, chief of a dropout project for the National Education Association, told Look.

Vocational education can be quite effective as an aid in solving youth unemployment. Seymour Wolfbein, Director of the Office of Manpower, Automation and Training of the U.S. Department of Labor, was emphatic on this point. "Scratch an unemployment problem," he told Look, "and you find a vocational education problem. We'll need 5 million new skilled laborers in the next 10 years. We're training about a fifth of this." Many experts shake their heads at the spectacle of skilled jobs going begging while millions of the unskilled can find no work.

A CHILD'S EARLIEST LESSON IS THIS: LEARNING CAN EXCITE, CHALLENGE, PLEASE—OR TURN INTO A MEANINGLESS HELL

But even as an antidote to joblessness, vocational eduction has limits. Today, the most effective trade schools, in close cooperation with labor and industry, train students for specific jobs (plasterer, sheet metal worker, machinist, etc.). But in this swift-changing world, specific skills constantly move toward obsolescence, while new, strange skills suddenly pop up out of nowhere. Said Wolfbein, "Even if the schools were doing good vocational education, we'd have to have post-graduate retraining in the future. Look at the ads for technicians in the New York Times. There are words there not even existing 5 years ago."

STUDENTS DESPISE ACADEMICS

A growing number of schools offer vocational training after high school. High schools that attempt to give both full-scale vocational training and the regular high-school curriculum often succeed at neither. These schools are dreary places. Three hours a day of shop leave time for only a skeletal academic program. What happens? Academic subjects tend to be taught in a dry, perfunctory way that serves to reinforce the dislike for bookwork many students bring with them from home and earlier schooling. Almost every vocational student interviewed by Look said he despised academics. "What I like about this school," a Georgia electronics student emphasized, "is that you don't have to take social science and literature and art. That stuff is good for conversation and social affairs, but there's no other use for it."

Here is deep irony: The U.S. workweek, already short, is almost certain to become even shorter in the future. Skilled craftsmen, now training in vocational schools, will have more leisure time than any other job group. But it is they who are getting the least experience in activities that will make leisure creative rather than destructive. The age of automation holds few threats more ominous than an overdose of free time for those unprepared to use it.

The worst thing about all-out vocational training at the high school level is that it forces the student to choose his trade, his slot in the work force, at the age of 13 or so. Good vocational schools try to keep the way clear for students to change vocations throughout their school careers. But the average student finds it difficult, if not impossible, to make a change after the 10th grade.

If vocational training as it now exists should be crammed into more and more high schools, it could well change the entire structure of our society. As in Europe (where the educational system is now undergoing reform), a majority of our young people would have their lives decided for them just when they enter their teens. They might develop into efficient human tools in the technological machine. But they would have no opportunity to develop to the full as human beings.

The history of vocational education in America has been a sequence of crisis actions. This type of schooling has flourished in wars and national emergencies. Today, we are cheating millions of students by failing to give them job training. But we would also be cheating them with new crash programs that treat human beings as means, not ends. Some situations—notably in the centers of the big cities and in depressed areas—cry out for specific job training at the high school level. But far better are programs that retain the richness and diversity of the best secondary schools, reserving the years after high school for specific job training. Such is the opinion of many educators interviewed by Look.

What may be needed is an entirely new way of handling the nonacademic student in high school. One plan would create a high-school "technical track" that would enroll practical-minded students who are not necessarily planning to finish a 4-year college course. This track would teach the basics of our technological age—mathematics, practical physics, blueprint reading, and the like—and would replace the conventional 3-hour-a-day shop period with a 1-hour "tech lab," relating closely to the basic subjects. That would still leave time for the other elements of the American high school experience: humanities, citizenship training, art, music, and—also important—extracurricular activities.

Technical-track graduates would go on to specific job training in concentrated post-high-school programs. Or they would attend technical institutes to become technicians or engineering aids. They could even go on to a 4 year college—or leave the vocational-technical field entirely.

An experimental technical-track program is underway in two Richmond, Calif., high schools and may expand to seven more California schools. Reports Marvin Feldman, director of the program, "Though it's still experimental, it looks so good we're holding our breath."

WE'VE GOT TO CATCH THEM EARLY

Many educators interviewed by Look insisted that vocational training not be treated in a vacuum apart from the rest of the educational process. The solution for the dropout problem, they argue, starts not in trade school, but in the first grade.

A child's earliest lesson is simply this: He discovers that learning is exciting, challenging, a pleasure. Or he finds it a sort of meaningless hell that he will try to avoid as long as he lives. To make learning a pleasure requires knowledge, skill and direction of a high order, especially in working with children who come from culturally deprived homes. The best teachers may be the true heroes and saints of this age.

Some educators fear that the present school atmosphere of pressure and near hysteria is the worst possible environment for making learning a pleasure. Part of the blame for this must go to those critics of American education who rode high in the years following sputnik. At best, they demanded better teacher education, an end to extremes of permissiveness and an emphasis on the basic subjects. At worst, they engaged in meaningless diatribes about terminology ("progressive," "life adjustment," etc.) and made vague and threatening demands for "excellence" and "rigor"—which they rarely if ever defined in operational terms. Most incredible of all was their claim that it matters not in the least "how to teach" if the teacher knows "what to teach." ("Anyone who says that should have his head examined," educator and philosopher Harold Taylor told Look. "Or, better yet, he should be sentenced to attend a week of lectures by a subject-matter specialist who doesn't know how to communicate with students.")

Teachers and school administrators were badly frightened by the critics' attacks. What could they do? In all the semantic nonsense assaulting them, the teachers found one prescription that lent itself to action: "Get tough." Many, many teachers did just that. Often without improving the quality of the material or the presentation, they doubled their demands on students. It is doubtful that the students are learning more than they would with half the work intelligently and imaginatively assigned. What they are mainly learning is to despise school and all intellectual activity.

This state of affairs, writes Prof. Nevitt Sanford, director of the Institute for the Study of Human Problems at Stanford University, can create a "slave mentality" in students. "We are not proceeding in a way that will give us excellence in performance on the job or in life. Our student-slaves might be suitable technicians in the future, but it is a little hard to imagine their becoming leaders of society . . . or well-developed individuals."

Again, we are face to face with the assumption that human beings—be they in vocational school, academic school, grade school or college—can be treated as means rather than as ends in themselves.

Instead of "getting tough" and making the learning process as unpleasant as possible, educators would do better to join in the search for improved methods of teaching and learning that will make our schools more effective, more pleasant and more human. Significantly, most critics of modern American education are not be bound in the forefront of those calling for new and better methods of teaching. Among their more imaginative ideas is the proposal that we go back to McGuffey's Reader. Despite their longing for a dear, dead world, the last few years have seen the development of several promising new learning methods. For example, recent experiments in programed instruction (Look, June 5, 1962) suggest that every child, except the seriously retarded, can learn to read—with pleasure. And lack of reading ability is at the very heart of the dropout problem.

Another factor in the destructive pressure brought to bear on today's students is the rat race for college degrees. "Today, attendance at college . . .," John W. Gardner, president of the Carnegie Corp. of New York, has observed, "becomes, in the false value framework we have created, the only passport to happiness."

The greatest danger in education today—whether vocational or college—is that human beings will be treated as nothing more than slaves of schools and tools of society. John Gardner and others have pointed out that education in the future will not end with any certificate of graduation; people will go "back to school" perhaps several times in their lives.

This itself will help destroy the artificial emphasis on certain types of education. "Emphasis will be on individual fulfillment and personal growth, however they may best be furthered," writes Gardner, "and they will be sought for all."

George B. Leonard.

HILL-BURTON FUNDS AND THE NEW ANDERSON MEMORIAL HOSPITAL IN ANDERSON, S.C.

Mr. JOHNSTON. Mr. President, just last Saturday in my native county of Anderson there was dedicated a five and one-half million dollar hospital. This hospital is one of the finest and most modern in the State of South Carolina and climaxes 50 years of efforts on the part of the people of Anderson County. In commending the citizens of Anderson for constructing this hospital I could not do so without paying tribute to my distinguished colleague from Alabama—Lister Hill. Because if it were not for $2 million made available under the Hill-Burton Act the hospital in Anderson probably might not be off the planning board yet. The Hill-Burton Act is one of the finest ever devised in the Congress because it stimulates construction of hospital facilities and at the same time leaves management of the hospital to the local people. The doctors of America have been blessed with the Hill-Burton program as well as have been the patients who are treated in these hospitals. Hospitals built with Hill-Burton funds have enabled doctors to reach many more patients and give them much finer care than they could have done without such facilities. An editorial which appeared in the Anderson Independent of Saturday, May 18, 1963, carries this message, and I think it should be seen by as many people as possible since it pays such great tribute to the senior Senator from Alabama.

Mr. President, I ask that this editorial from the Anderson Independent be printed in the body of the Record together with my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

ANDERSON HOSPITAL DEDICATION: MILESTONE IN COUNTY'S PROGRESS

Dedication today of the new and renovated Anderson Memorial Hospital is a proud moment in the history of Anderson County.

It marks the culmination of a massive cooperative $5,500,000 effort on the part of individuals, both as private contributors and as citizens and taxpayers; the U.S. Government, Anderson County government, and the Anderson County Hospital Association.

History of Anderson Hospital dates back to May 1904, when a group of interested women met at the home of Mrs. Jennie Gilmer and discussed the need of a hospital for Anderson.

The Anderson County Hospital Association was formed 2 years later, and in April 1908—that was 55 years ago—the first patient was admitted to the new 25-bed hospital.

In intervening years various additions were made, including a school of nursing, and after World War II the memorial wing was added, but it soon became apparent that the swift growth of Anderson and this area soon would make the hospital facilities totally inadequate.

By 1957 the need had become acute. It was apparent any expansion program designed to come within striking distance of adequate space for new beds and additional facilities and equipment would cost at least $4 million. For a time the problem appeared insurmountable.

It was at this point that the full impact and benefits of the Federal Hill-Burton Act became apparent to Anderson County citizens.

Under the Hill-Burton Act—adopted by a Democratic Congress over bitter opposition of many Republican "conservatives"—the Federal Government allocated to the States funds for hospital construction and improvement on a matching basis. Allocation of money in South Carolina is a responsibility of the State board of health.

The State board of health notified Anderson County and Hospital Association that $2 million had been tagged for a $4 million Anderson Hospital building program if the $2 million could be matched by April 1958.

A proposal that Anderson County issue $2 million in bonds was placed before the people in March 1958, and was approved by a vote of almost 5 to 1.

Thus the availability of the Federal Hill-Burton assistance actually sparked and made possible the building program which has provided Anderson County with hospital facilities equal to those available in metropolitan centers of the Nation.

To achieve this size and status required more than the original $4 million would cover. This difference was met by an additional $450,000 approved by Anderson County and $350,000 raised by the hospital association in a campaign for donations from individuals, businesses and industries.

And this is not all.

Architects are preparing plans for a $1 million school of nursing. This new structure, due for completion by September 1964, will be 5 stories high and capable of housing 152 students. Classroom space will accommodate 200 or more, thus permitting attendance by day students. It is anticipated that about 100 nurses will be graduated annually.

Funds for the school of nursing, to be affiliated with Clemson College, were provided by $500,000 from the Federal Hill-Burton fund matched by $300,000 appropriated by Anderson County and $200,000 raised by the hospital association. Senator J. B. Lawson and the House delegation are to be commended for giving quick approval to the Anderson County appropriation.

Hospital Administrator George B. Little deserves credit for hard work and diligent forward-looking planning he has done in connection with the expansion program.

The Federal Hill-Burton Act has proven of vital importance. Total cost of the new and expanded hospital and the School of Nursing Building comes to $6,500,000. Of this, the Federal Government has provided through the Hill-Burton Act a total of about $3,200,000—or half the cost.

All who possibly can are invited to attend the dedication ceremonies today, and to inspect the hospital's expanded and improved facilities during the open house period from 2 to 4 p.m.

This dedication marks a real and lasting milestone in the progress and growth of Anderson County and is a proud and prayerful day for all responsible for our greater Anderson Memorial Hospital.

TROTTERS SHOALS NOT DEAD

Mr. JOHNSTON. Mr. President, I wish to bring to the attention of the Senate a splendid editorial appearing in the Anderson Daily Mail of Anderson, S.C., entitled "Trotters Shoals Not Dead." This editorial pinpoints with logic and restraint the situation concerning Trotters Shoals Dam on the Savannah River. I ask that this editorial be printed in the RECORD together with my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TROTTERS SHOALS NOT DEAD

Gov. Donald S. Russell has determined that on the basis of information now available he cannot recommend construction of the Trotters Shoals Dam, on Savannah River.

His decision was arrived at on information gleaned at public hearings, in private investigation, and finally on a study made by Dr. Thomas F. Jones, president of the University of South Carolina, and a well-known engineer.

Governor Russell's integrity in dealing with Trotters Shoals, or any other public issue cannot be questioned.

Many supporters of the project will, without doubt, differ with the Governor's conclusions. But it must also be recognized that few individuals, no matter how competent or conscientious they may be, will place the same evaluation on a given set of facts, and will come up with identical conclusions.

Georgia Gov. Carl Sanders, for instance, with approximately the same basic information, decided in favor of Trotters Shoals development just as Governor Russell decided against it. Yet both Governors are able and honorable men.

As the Trotters Shoals situation now stands, two facts seem obvious.

In the first place, the Governor's recommendation, important as it may be, does not, in itself, alter the basic situation nor final determination of the project, which is in the hands of Congress.

The second is that some of the factors entering into the Governor's adverse recommendation may, within a year or so, prove to be erroneous or unfounded and could, in the course of time, change his point of view.

Governor Russell apparently accepted as facts the early construction of a large paper plant in the Trotters Shoals area, and the erection of a mammoth steam plant at Middleton Shoals by Duke Power Co.

Neither project is nailed down. Neither the Meade Paper Co., nor Duke Power Co., has made a final commitment, and there is, at the moment at least, no definite assurance that either will become a reality.

The Governor himself, in his statement, pointed out there are no "compelling or clear engineering reasons for favoring one side or the other in the Trotters Shoals issue."

Other issues sociological, economic, and political, which he cited, are far less stable, and are inclined to shift with changed political and economic winds. They could change in this instance.

Those who believe in Trotters Shoals and the development of natural resources for the benefit of residents of their areas will not consider Trotters Shoals a closed book.

Events in the next few years could easily shift so as to make many of the factors entering into the Governor's decision less compelling than they seem today, and so as to bring the proposed development into a far more favorable light.

If that should happen, the Governor, we are sure, would be among the first to change his position.

CURRENT PROBLEMS IN THE SECURITIES FIELD

Mr. WILLIAMS of New Jersey. Mr. President, on May 20 Commissioner Manual F. Cohen, of the Securities and Exchange Commission, delivered an address before a meeting of the Bar Association of the city of New York. Commissioner Cohen chose as his topic "Current Problems in the Securities Field." He discussed the course of the SEC special study and summarized the legislative proposals which the SEC will submit to Congress in the near future.

In his remarks Commissioner Cohen observed that—

> The initiative which led to the Commission's special study of the securities markets is a high tribute to the wisdom and foresight of the congressional committees which have jurisdiction over the activities of the Commission.

Speaking for my colleagues on the Banking and Currency Committee, I would like to thank "Manny" for his kind remarks.

Mr. President, this speech of Commissioner Cohen should carry considerable public interest and I therefore ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CURRENT PROBLEMS IN THE SECURITIES FIELD

(By Manuel F. Cohen, Commissioner, Securities and Exchange Commission, May 20, 1963)

A little over 4 years ago, I discussed with you the background, rationale and proposed amendments to rule 133 under the Securities Act—the so-called no-sale rule. The evolution of that rule, originally adopted to deal with a problem which had its roots in the financial troubles of the early thirties and later amended to cope with an abuse born of the more prosperous fifties, marks but one chapter in the continual reevaluation and, when necessary, modification by the Securities and Exchange Commission of its rules, regulations and practices to achieve statutory objectives in the varying contexts of growing and ever-changing securities markets. Many of you here tonight will recall that the Commission made a number of proposals in an attempt to find a reasonable solution to a recognized problem. With your assistance, though not unanimous agreement, we did find a formula which, I venture to say, has been working well.

You are also familiar, I am sure, with other attempts by the Commission, generally successful, to grapple with and to overcome problems that needed solution. Rules 154, 155, 10b–6, 7 and 8 are but a few of these examples. None of them, I should hasten to add, would have been nearly as successful without your good will and constructive criticism.

In my view, rulemaking, and similar efforts through the decisional process, by which standards are enunciated, general statutory directives are implemented, and guidance furnished to those affected by the Federal securities laws represent an important, if not the most important, responsibility of the Commission. Indeed they represent, apart from enforcement, the reason for the very existence of the regulatory agency. Theoretically at least, a body of experts able to devote attention exclusively to the regulated area should be able to define, in the first instance, the complex, the technical and seemingly undefinable and then constantly to refine these definitions to reflect new experience and changed conditions. No one has as yet devised a better way to provide that informed flexibility in regulation so necessary to avoid economic stagnation and delusive and oppressive proscriptions

In the securities field this job has not been entrusted to the Government alone. While there are other examples of industry-oriented and managed self-regulatory schemes, it is probably no overstatement to note that in no other industry does there exist as sophisticated and as fully developed a system of cooperative regulation as that enjoyed by those engaged in various phases of the securities business. The stock exchanges and the NASD have developed extensive regulatory requirements, proscriptions and standards. This is not to suggest that there is unnecessary duplication of effort and expense among these organizations and governmental authorities. On the contrary, accepting for the moment that there may be some overlapping jurisdiction, in the main these organizations complement each other as well as State and Federal authority and keep small what might otherwise become a much larger governmental bureaucracy. Conceding the existence of some unresolved problems, the point I wish to make is that the principle of industry participation in the regulation of the securities industry has been firmly established and that industry organizations share with the Commission the responsibility to develop standards of fair dealing and to refine them in the light of experience and changing conditions.

The explosive growth of virtually every segment of the industry in recent years, however, seriously affected our efforts in this all important field. The tremendous growth, on the one hand, has accentuated the need for the development of new rules and reappraisal of old ones, and, on the other, increased greatly the burdens of administration and enforcement for the Commission and the industry regulatory agencies. Geometric increases in the workload you and your clients produced for the Commission deflected attention from necessary policy development. More important, it became very clear that the comprehensive examination of developing practices in the industry and of the adequacy of the regulatory structure demanded by pressing problems and incompletely recognized abuses could not be achieved by a staff concerned with other exacting responsibilities.

During the late 1950's the Commission began to explore available means of keeping pace with the expansion and changes in the industry. In 1958 we commissioned the Wharton School of the University of Pennsylvania to conduct a study of the size and structure of the mutual fund industry which had by then emerged as a significant factor in the securities markets. The completed study was published in August 1962, and we are currently making, through a special staff in our Division of Corporate Regulation, a thorough examination of that study, as well as additional inquiries into certain aspects of the industry not covered by the Wharton School, to determine what changes, if any, are necessary in the existing regulatory pattern under the Investment Company Act.

More perplexing within the framework of existing personnel and budgetary limitations was the larger problem of reevaluation of the changes wrought in an industry which had enjoyed rapid growth and segments of which were showing dangerous signs of a breakdown of standards in certain practices. The persistence of boiler-room operations despite vigorous enforcement efforts, the lack of effective controls over the hot-issue phenomena, and the failure of self-regulation on the American Stock Exchange served to heighten our concern and increase our frustration. Fortunately, the answer came from the Congress which, on September 5, 1961, directed the Commission to make a comprehensive investigation into the adequacy of existing regulatory controls in the securities markets and to report its findings and recommendations to the Congress. The initiative which led to the Commission's Special Study of the Securities Markets is a high tribute to the wisdom and foresight of the congressional committees which have jurisdiction over the activities of the Commission.

The intensive efforts thus made possible are now reaching fruition. The first segment of the report of the special study, as all of you probably know, was transmitted to the Congress on April 3, 1963. Many of you may have made futile attempts to obtain copies for your own use, and I must apologize for the unfortunate delay in the availability of printed copies for public distribution. Hopefully, the balance of the report, some or all of which should be completed by June 1, will find its way to the printing presses with somewhat greater speed.

When you do have an opportunity to read the complete report, you will find that it represents a responsible and painstaking effort to examine carefully changes in the industry and the need for adjustments and improvements in the mechanisms of the securities markets to ease the strain and mitigate the excesses which have developed particularly in the past decade. More important, it reflects a recognition that the securities industry is made up of many different institutions designed to meet the varying needs of small and large issuers, and persons of great and relatively small resources; that the problems found are complex and interrelated; that solutions are not always clear and rarely subject to simple treatment. While the report as a whole will point to many areas of abuse and other problems that require urgent attention, the portions I have seen thus far certainly do not call for any basic reconstruction of the industry or of the securities laws. The experience of over 25 years of Federal securities regulation and the much longer period of industry development undoubtedly is an important reason for these conclusions. It should be emphasized, however, that the entire report will suggest what Milton H. Cohen, the director of the study, has described as a major program of reform consisting of over 100 separate recommendations. Some of you may have heard him say 10 days ago that "the reform is needed no less because we suggest applying a scalpel in 100 separate places rather than a meat ax in 3 or 4."

It is probably too much to expect agreement with all the findings and conclusions of the study. To quote Milton Cohen again, however, it undoubtedly will provide a "springboard" for action. The report merits careful examination and should result in serious dialog between the industry and the Commission. I think it fair to predict that most of you will agree its recommendations call for vigorous implementation by the Congress, the Commission, self-regulatory agencies and by others interested in the welfare of the industry, along the lines suggested by the study or by effective alternative routes.

For our part, the program of implementation is already underway. While the balance of the report is nearing completion, the Commission has determined to transmit to the Congress a number of legislative proposals based largely on the first segment of the report. We are now considering the details of these proposals and have been able to discuss preliminary drafts with a representative securities industry advisory committee. We have also solicited and received the views of various members of other industry groups and of the association of the bar of the city of New York and the American Bar Association. Despite the pressures of a very tight time schedule, industry and the bar have been unstinting in their cooperation and effort for which we are most grateful. Areas of agreement have been reached and potential areas of disagreement eliminated. In other respects, we have benefited from helpful criticisms and comments on the proposed legislation. We have also received suggestions which can, perhaps, be considered more effectively after we have dealt with the proposals now under consideration.

Current legislative proposals reflect a reaffirmation of our conviction, shared by the special study, that the disclosure principle coupled with somewhat broader enforcement authority, should remain the primary tools for insuring fair and honest securities markets for the protection of investors. Our legislative aims now are limited to implementing certain of the study's recommendations to close anomalous gaps in the present regulatory scheme or to carry out that design in a more flexible fashion.

While we have been discussing with industry a number of proposals, the Commission has not as yet reached final decisions as to the precise provisions of the program it will shortly submit to the Congress. I am, therefore, not in a position tonight to give you the details of the proposals. However, the Commission has indicated that it agrees in principle with the legislative recommendations made in the study report and that it intends to submit legislative proposals to implement them. I shall, therefore, discuss the recommendations as they have been advanced by the special study.

Only one proposal relates to the Securities Act. It would extend the requirement for delivery of prospectuses by dealers following a public offering—reduced from 1 year to 40 days in 1954—to 90 days in the case of new issues and empower the Commission to shorten the 40- or 90-day period for all issues. The proposals with respect to the Exchange Act include antifraud provisions designed to reach fraudulent dissemination of corporate publicity; a mandatory requirement of membership in a self-regulatory agency for all registered broker-dealers; authorization for national securities associations to adopt qualification and financial standards for admission to membership, authority in the Commission to deal directly, and more flexibly than the present statute permits, with individuals associated with registered broker-dealers and to impose intermediate sanctions against a broker-dealer firm in lieu of revocation. In addition, an important gap would be closed by enactment of legislation to deal more effectively with the collection and publication of securities quotations.

Implementation of these legislative recommendations of the special study would provide a more effective Federal regulatory structure. In my view, however, the most fundamental recommendation concerns legislation which would extend to over-the-counter issuers the reporting, proxy and insider trading provisions of sections 13, 14, and 16 of the Exchange Act, now applicable only to issuers with securities listed on a national securities exchange and to a limited number of other companies. I would like to deal more fully with this aspect of the legislative proposals now under consideration to which I shall refer as Frear-Fulbright legislation because of the early sponsorship of such legislation by Senator FULBRIGHT and my colleague J. Allen Frear, Jr., when he was a Member of that august body.

As some of you may know, the disparity between investor protections in the two markets was not intended by the Congress which enacted the Exchange Act even though volume in the over-the-counter market then was far less significant than now. Although the mysteries surrounding trading in over-the-counter securities in 1934 made the Congress hesitant to impose, by statutory fiat, the requirements applicable to listed securities, the Exchange Act originally made it unlawful for brokers or dealers to create a market in unlisted securities in contravention of such rules as the Commission might provide to insure investor protection comparable to that provided in the exchange markets. This provision was deleted at the request of the Commission in 1936, when Congress adopted section 15(d)—which requires an undertaking to file reports by many companies offering securities registered under the Securities Act—because it was found impracticable to enforce obligations for issuers by curtailment of the activities of broker-dealers which would serve only to deprive shareholders of adequate markets for their securities.

Section 15(d), however, was never considered the ultimate answer to the obligations of publicly held companies whose securities are traded over the counter, as the Commission pointed out in a report published at that time. Many of you are familiar with, and several of you have had a hand in, the various proposals and the intensive but futile efforts since that time to extend the disclosure and other basic protections of the Exchange Act to over-the-counter securities.

The importance of this difference between the over-the-counter and the exchange markets has been greatly magnified by the dramatic growth of the over-the-counter markets. The special study found that the number of different stocks appearing in the pink sheets of the National Quotation Bureau on January 15, 1963, for example, amounted to 8,200, as compared to 3,700 stocks on the same day in 1939. Trading volume in the over-the-counter market grew from an estimated $4.9 billion in 1949 to $38.9 billion in 1961, a gain of almost eight times. Adequate investor protections in a market which can generate such widespread trading interest is obviously a matter of great public importance. A comprehensive analysis of the mechanics and the mechanisms of the over-the-counter market will appear in chapter VII of the special study report and a detailed discussion of its findings and recommendations should await another time and forum. But concern with investor and public interest in the over-the-counter market must start with a revaluation of the obligations of the issuers whose securities find their sole marketplace there. The first segment of the report already published contains a comprehensive discussion of this facet of the over-the-counter markets.

Since previous reports of the Commission and reports of the Senate Banking and Currency Committee demonstrated beyond reasonable question the need to extend to over-the-counter issuers the disclosure provisions and other safeguards applicable to listed securities, it was determined at the outset that the special study should, in the main, direct its efforts to the areas of unresolved controversies and uncertainties and to develop new data and appropriate guideposts for consideration of these problems in the context of the expanded securities markets. Before discussing the findings and conclusions of the special study, it is important to note that the lack of adequate information concerning securities traded in the over-the-counter markets is inextricably related to the various abuses documented in the first segment of the report. Irresponsible selling tactics, uninformed investment advice, extravagant financial public relations and erratic after markets apparently thrive best where lack of information is most marked. In a real sense chapters II, III, and IV which deal with abuses found in these areas provide a strong argument, without more, for legislation of the Frear-Fulbright kind. But the study was not content to rest its recommendations on these narrow grounds alone.

A survey by the study of 771 of the over-the-counter issuers listed in the January 1962 Monthly Summary published by the National Quotation Bureau confirmed the findings of previous Commission studies that the financial reporting and proxy solicitation practices of a significant percentage of companies whose securities are traded in the over-the-counter market are seriously inadequate. The disturbing results of the latest survey are detailed in chapter IX of the report. I do not intend to dwell on them or to belabor further the need for Frear-Fulbright legislation. On this point most of you agree in principle. It is in the details of this legislation that we find areas of potential disagreement which require further examination and discussion. Three of these problems, the determination of appropriate coverage criteria, the exemption of banks and insurance companies, and the impact of section 16(b) have always been the important storm centers of controversy. At the risk of boring those of you who have been able to read chapter IX, I would like to address myself in more detail to the study's findings and recommendations on these questions.

It may be argued that, in principle, the reporting, proxy and insider trading provisions of the Exchange Act should extend to all over-the-counter issuers in which public investors have an interest. Such a pervasive pattern of regulation might however, create a burden on issuers and upon the Commission unwarranted by the number of investors protected and other relevant considerations in the public interest. The question of where to draw the line has been one of considerable uncertainty in previous legislative proposals. To establish better guideposts, the special study conducted a survey of the characteristics of over 1,600 over-the-counter issuers who furnished adequate data in response to a questionnaire sent to every fifth issuer, excluding exchange listed companies and foreign issuers appearing in the January 1962 Monthly Summary of the National Quotation Bureau. A correlation was sought between number of shareholders versus size and concentration of security ownership of these issuers and trading interest in their securities, as measured by number of transfers and broker-dealer quotations in the Monthly Summary.

Based on findings from the numerous tests and analyses made, and in the light of overall policy considerations as well as the burden on issuers and on the Commission, the special study recommended that coverage should extend, in a phased program, to virtually all over-the-counter issuers having 300 or more equity security holders of record and known beneficial holders. It found that an asset test has no relevance to the number of public shareholders, the extent of trading interest, or the value of outstanding securities. Indeed, it is suggested that the need for protection may vary in inverse proportion to the amount of available assets. At any rate it is pointed out that, unless the asset test is very small, it would exclude from coverage of the statute a significant number of actively traded issues. The study estimated that at a level of 300 or more shareholders the proposed legislation would reach 6,910 companies, 1,438 of which are now subject to reporting requirements under section 15(d). This would include almost all the actively traded over-the-counter companies and only a small percentage of relatively inactive ones.

The Commission is currently studying a variety of possible criteria of public interest and their relevance to various types of issuers on the basis of the information developed by the study, materials gathered from other sources, the comments of various members of the industry committee and others. It is evident, however, that whatever test or combination of tests is finally proposed by the Commission, the requirements of sections 13, 14 and 16 should be administered discriminately and flexibly.

It would be unnecessary, for example, to require that mining corporations with no current material revenues or expenditures comply with the full panoply of accounting requirements established for large and complex business organizations. Nevertheless, the hundreds and sometimes the thousands of public shareholders of such a corporation, or those interested in purchasing its outstanding securities, would receive significant protection if they could learn of its dormant status, the factors bearing on a possible resurgence of activity and events reflecting subsequent material changes in that status. Undoubtedly there would be a wider range of companies so far as activity, financial resources, and public interest are concerned among over-the-counter issuers than generally exists in respect of companies whose securities are registered for trading on stock exchanges. The Commission would necessarily undertake to develop a range of requirements to fit the special needs of such companies and to take into account any special burdens imposed by the legislation. To this end, the Commission should be provided with ample authority to classify and to exempt issuers, persons, and transactions.

The special study recommended against providing exemptions for banks on the ground that existing State and Federal bank regulations, albeit effective as a tool for safeguarding the interests of depositors, does not, as has been urged, provide equivalent protections for investors. The securities of the 13,445 banks in the United States form an important part of the over-the-counter market. Bank stocks accounted for an estimated 20 percent of the issues listed in the January 1962 Monthly Summary of the National Quotation Bureau. Since bank stocks tend to be more closely held than other over-the-counter securities, a 300 shareholder standard would reach only about 1,000 of the more actively traded bank stocks.

All but approximately 500 banks are subject to the authority of one of the three Federal bank regulatory agencies. The others are regulated only by the various States. It is important to reemphasize that the regulatory controls imposed by these agencies historically have not been designed to provide information essential to investment decision by security holders. Recently, the Comptroller of the Currency, who has jurisdiction over the 4,520 national banks, took a number of steps toward furnishing protections for shareholders. Although far short of Commission requirements, and without benefit of statutory guides, regulations of the Comptroller now require that ownership reports be filed when a change in control occurs and that banks with more than $25 million in deposits send annual financial reports, including income statements, to shareholders and provide "adequate" information if proxies are solicited. Except for these limited requirements of the Comptroller, bank regulation provides no controls over proxy solicitation or insider trading and is not concerned, to any significant degree, with public disclosure of financial or other material information. Statements of income are generally not required, and reports of earnings and dividends are deemed to be confidential information. I should point out that although the Commission, in its letter transmitting the first segment of the study report, urged that the legislative proposals should apply to banks, it did suggest that administration might well be granted to an appropriate Federal banking authority.

The report also points out that existing regulation of insurance companies does not provide an adequate substitute for investor-oriented securities legislation. Securities of insurance companies comprise about 5 percent of the over-the-counter market. It is an industry that has grown rapidly in recent years. The Commission has previously had occasion to express its concern over the pressing enforcement problems created by the fraudulent promotions of a large number of newly organized insurance companies. Regulation of insurance companies, which rests almost exclusively in the hands of the various States, is directed toward the protection of policyholders and has been described by the Supreme Court as "less and less meaningful" to investors. Concerned mainly with such matters as solvency, adequacy of reserves and legality of investments, the reports required to be filed with State authorities, while voluminous, are extremely complicated and designed to disclose matters primarily of interest to the regulatory authority.

Finally, it should be pointed out that the special study's separate examination of the financial reporting and proxy solicitation practices of banks and insurance companies produced a picture of deficiencies generally similar to, and in some aspects worse than, that revealed by the survey of other over-the-counter issuers.

Perhaps the most perplexing of the problems connected with Frear-Fulbright legislation, and one that has caused much concern in the financial community, is the impact of section 16(b) on the market-making functions and the sponsorship activities of broker-dealers. This problem arises, of course, only in the situation where the broker-dealer who is making a market in a security is an insider of the issuer, usually a member of its board of directors. Despite a wide divergence of industry views on the desirability of such affiliation, the Commission's decision in the Cady, Roberts case and the New York Stock Exchange's warnings as to the potential conflicts of interest involved, the special study found that in early 1961 a little less than 10 percent of the registered broker-dealers held directorships and made markets for the securities of approximately 13 percent of all over-the-counter issuers whose securities evoked some trading interest at that time.

In the opinion of the study the application of section 16(b) to over-the-counter securities would have little effect on the market for such issues and that the concern of the industry as to the impact of section 16(b) was unwarranted. The study recommended against statutory exemption from section 16(b) for transactions of market-makers but urged that the Commission have authority to exempt, on an ad hoc basis, the rare situation in which it is shown that a continued affiliation between the issuer and a broker-dealer and market-making by that same broker-dealer are both necessary.

These conclusions have evoked widespread disagreement among those who have been meeting with the Commission to discuss the details of the legislative proposals. The Commission is presently considering these objections to determine what, if any, exemption from 16(b) should be provided for marketmakers. Whatever the recommendation of the Commission, this is a problem which will require continued study to achieve a satisfactory reconciliation of the policies of section 16(b) and the function served by the activities of marketmakers in the over-the-counter market. I should also note, parenthetically, that the proposed drafts of legislation circulated to the industry did not incorporate the special study recommendation that the Commission seek statutory reversal of the holding of the Supreme Court in *Blau* v. *Lehman*. In that case, recovery of the trading profits realized by a broker-dealer firm from short-swing transactions, in the security of an issuer of which a member of the firm was a director, was limited to the partner-director's share in the absence of evidence showing that he was deputized by the firm to represent its interests on the board.

The special study has made a number of other recommendations for legislative changes which are closely related to the extension of sections 13, 14, and 16 to over-the-counter securities. These include retention of section 15(d) until the phasing in process of initial registration is completed, repeal of the provisions for extension of unlisted trading privileges contained in section 12(f)(3) and a strengthening of the proxy rules with respect to both listed and unlisted securities. We have been giving active, indeed, daily consideration to all these and a multitude of related matters at the Commission table. None of our responsibilities is more important, for the application of the reporting, proxy, and insider trading provisions of the Exchange Act will provide the underpinnings for effective investor protection in the over-the-counter market. I should also mention the Commission intends to consider with the Federal Reserve Board proposals for the imposition of margin and related provisions of the Exchange Act to some categories of over-the-counter securities.

The extension of adequate disclosure obligations to issuers of securities traded in the over-the-counter market is important in light of the obligation of the financial community to observe the standards of fair dealing imposed under the anti-fraud provisions of the securities laws. Most of you are probably aware of the Commission's view "that the making of representations to prospective purchasers without a reasonable basis, couched in terms of either opinion or fact and designed to induce purchases, is contrary to the basic obligation of fair dealing." Unfortunately, we do not have time tonight to explore the background of and rationale for this application of the "shingle theory," a concept first enunciated by the Commission in the 1930s. It has aroused great interest among the members of the securities bar and some suggestion that the Commission is seeking to impose unprecedented and perhaps unwarranted responsibilities on members of the financial community. In my view, however, this application of the "shingle theory" merely reflects the widespread recognition within the securities industry that it is good business to "know your merchandise." Put simply, the "shingle theory" serves to prevent the unscrupulous from exploiting the confidence of the investing public built upon the integrity and competence of responsible elements of the industry.

It seems clear that the vitality of the over-the-counter market and the fulfillment of the obligations of all those who deal with the public will be affected by the availability of reliable and current information concerning the securities traded. Moreover, the extension of these requirements to issuers of over-the-counter securities is in the interest not only of investors and the financial community but also of corporate management which has a legitimate concern in the maintenance of informed and orderly markets for the securities of their companies.

Finally, those of you who constitute the securities bar, share with us a responsibility in advancing these proposals. Many of you represent issuers, as well as broker-dealers, whose interest may be affected by the proposed legislation. You will be asked to advise whether it merits sympathetic consideration. The public interest demands your support for the basic legislation as well as the benefit of your counsel as to proper implementation.

Neither industry nor the bar can afford to refuse the challenge and the opportunity to strengthen the capital markets which occupy such an important and strategic position in our economy.

THE PHYSICIAN'S RESPONSIBILITY TO THE COMMUNITY

Mr. KUCHEL. Mr. President, throughout America there are tens of thousands of dedicated practitioners of medicine. They work night and day, most often quietly and silently, to preserve and enhance the well-being and vitality of our people.

One of the most distinguished physicians of our land is a resident of my own State. Dr. Russell V. Lee is not only an able practitioner of the art of healing, but also a capable administrator of medical services, and a philosopher concerned with the capability of his profession in meeting the health needs of our society and, indeed, of mankind.

As the founder and guiding spirit of the Palo Alto Medical Clinic and the Palo Alto Medical Research Foundation in California, he has long been actively concerned with providing the highest quality of medical care within the spirit of the free enterprise system. He has been especially interested in the more effective utilization of doctors and those in related health fields. His ideas are provocative. They are worthy of the careful consideration of all—public official, doctor, and citizen alike—who are concerned with matters of good health.

Mr. President, I ask unanimous consent that the address by Dr. Russel V. Lee, entitled "The Physician's Responsibility to the Community Viewed by the Practicing Physician," be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE PHYSICIAN'S RESPONSIBILITY TO THE COMMUNITY VIEWED BY THE PRACTICING PHYSICIAN

(By Russel V. Lee, M.D.)

After salvation, and I suspect for many before salvation, the boon most desired by sane men is health. Health is that state which by providing freedom from pain, disability, and premature death makes possible the fullest expression of the physical, emotional and mental functions of mankind. It is of prime importance to the strength of any nation. All should contribute to this desirable state, but the physician can and should contribute more than any other to the attainment and maintenance of health for all men. This, in essence, is his responsibility to the community.

He has done much in the past to discharge this responsibility, particularly in view of the limitations imposed by lack of knowledge. Instances of wholehearted devotion to the general welfare at great personal sacrifice are many in the annals of the medical profession. But sadly, and paradoxically, as his competence has increased his zeal, seems to have diminished. Preoccupation with political and with economic considerations seems to have replaced dedication to the good of all.

The present situation is a challange to us all, because now, for the first time in the long agonized history of the human race, the means exist, if we but have the wit to use them, to bring a medical utopia to mankind. And the chances of attaining this happy state are better in the United States than anywhere in the world. What is meant by a medical utopia? It means a situation wherein the active and planned promotion of health is an accepted policy of government, in which all methods for the prevention of disease are fully utilized; wherein there are enough physicians and paramedical personnel, properly trained, to give the sick all the care they need; wherein adequate facilities exist to make this care possible; and above all a state in which all these benefits are accessible to all the people. The physician, more than any other man, can bring this about. This truly is our responsibility. Let us examine, point by point, the ways in which we can discharge this responsibility.

In a complete health program to which the physician should contribute, there are seven elements. These are: (1) Promotion of health; (2) prevention of disease; (3) diagnosis and treatment of disease; (4) rehabilitation of the ill and disabled; (5) medical and health education; (6) research; and (7) organization of health services.

I. PROMOTION OF HEALTH

There is much justification for the claim that the remarkable progress in health in the past century is due as much to the tremendous improvement in our conditions of living—housing, nutrition, education, etc.—as to the dramatic medical discoveries. It is certain that a trend for the better in many disease entities long preceded these great medical advances and can only be ascribed to improvement in our standard of living and our sophistication. All citizens and all officials share in responsibility for those measures which promote health. This is not always the case. There is widespread lack of comprehension among physicians themselves of even the meaning and the implication of the term "promotion of health." Understandably, there is a tendency to claim credit for medical advances as being due to advances in the art of medicine when they are due to improved conditions of living. And unfortunately, due largely to bad leadership, the physicians have been frequently jockeyed into a position of opposing measures designed to improve the general welfare, and hence the health of the people, on the grounds that these measures are socialistic. The social security system which has contributed immensely to the peace of mind and the standards of living of older people has not had the support of organized medicine. Quite the opposite. It does not even let its own members vote on their personal acceptance. Organized medicine is not conspicuous in other vital aspects of the promotion of health—cigarette smoking, alcoholism, air pollution, urban crowding, dietary deficiencies, eradication of venereal disease are areas in which we should play an active part in the promotion of health. And in the most important of all—the prevention of atomic war on which the health and even the survival of us all depend—we find more doctors conspicuously vocal supporters of the rightwing war whoopers and Birchers than in the ranks of the followers of the Prince of Peace. The promotion of health, to be sure, is everyone's business but the physician should be in the van and not in the rear.

II. PREVENTION OF DISEASE

The prevention of disease is the most creditable achievement of the human race in the past 200 years. One by one the great plagues which devastated and terrified mankind have been vanquished. It is a noble and exciting story. No one dissents from the aphorism that it is far better never to have acquired the disease than to be cured if the catastrophe occurs. While in terms of relief of human misery we get a hundred times as much return from each dollar spent in public health as we do from each dollar spent in diagnosis and treatment, we still spend a hundred times as much on medical services as we do on preventive medicine. We, the physicians, must bear great responsibility in this field. We have made the practice of medicine so attractive and so lucrative that only dedicated men go into public health. There are thousands of unfilled places in the preventive medical field. It is quite accepted that the primary responsibility for preventive measures is vested in government (why are not water and food and drug control socialized medicine?), but it is the responsibility of the physician to give such measures full support. Physicians in general have done this even to their personal disadvantage. There is a heartening change in their attitude toward widespread immunization campaigns instituted by public health agencies. A few years ago there was pretty violent opposition to such procedures on the part of physicians. The K.O. Polio is an example of just the opposite—cordial and intelligent cooperation. But we as doctors should upgrade the field of public health and insist that physicians in this field be as well paid as we are. The U.S. Public Health Service loses many of its good, well-trained young men to higher paid positions.

We have a more direct responsibility in the field of personal preventive medicine—hygiene, immunization, dietary controls, etc. The pediatricians have done nobly in this field and have wiped out most of the epidemic diseases of childhood. In fact, most of our vaunted improvement in health statistics is due to the success of their efforts. And as a reward the pediatrician is the most poorly paid of all specialists. The rest of us, on an individual and on an organized basis, have failed to meet this responsibility in many, many ways. At all levels preventive medicine needs much more personal and financial support from the practicing physician.

III. DIAGNOSIS AND TREATMENT OF DISEASE

This is the chief responsibility of the practicing physician. Furthermore, I affirm—and this may surprise some who have made judgments about me—that the Government should largely get out of this field and leave it almost exclusively to the private physician. There are some services, such as to the military, that must still be rendered by governmental agencies and personnel. But while the Government should and must see that such services can be made available and can be paid for, it should get out of the business of rendering the services directly. Yes, this means the Veterans' Administration medical services, the care of the mentally ill, and the care of the indigent. The financial means should be provided by Government and the services by private physicians, particularly by groups of private individuals.

The acceptance of this principle—that the rendering of services be left to the private physician while their financing is guaranteed by Government—imposes great responsibility upon the physician in the community. The responsibility is to insure that the services are of high quality and that honesty and integrity prevail in the rendering of the bill. Chiseling—dirty word—chiseling has been widespread in systems laudably planned and launched wherein padding of accounts and rendering of unnecessary services are possible. Human nature and physicians' human nature being what they are, such systems must be designed in which there is a built-in deterrent to abuse. Such systems, fought, alas, by organized medicine, are the closed panel, capitation prepaid plans. The acceptance by physicians of systems under which they guarantee to provide all needed medical services to the beneficiaries on a capitation basis can obviate abuse. This is the true way to avoid Federal medical care.

Medical services—diagnosis and treatment—are now worth having and the demand for them has increased enormously. It is the responsibility of the physician to meet this demand, not only quantitatively but with high quality services. We should accept what the rest of society accepts—the concept that access to medical services of high quality at a price he can pay is the right of every man in our modern society. Let us accept the responsibility of providing the services; let the individual, the employer, and the Government cooperate in providing payment for these services.

In the light of the shortage of physicians and in the presence of the great demand, it is the responsibility of the practicing physician to so organize the delivery of medical services as to make the most of our limited supplies of personnel and facilities. Group practice is one such organizational device that makes possible the best utilization of physicians and the best assurance of quality care by insuring that those who do the special procedures are especially qualified for the task. Hospital staffs as presently organized can be utilized to carry out group practice procedures when by prepayment plan intrastaff economic rivalry is eliminated.

In general the quality of the diagnostic and therapeutic care in this country is high—for those who have access to it. It is the physician's responsibility, one of the most direct and urgent of his responsibilities, to see to it that the quality of this care is of the highest possible order. More self-examination and more self-discipline, as well as more self-education, are called for. And while we concern ourselves with the quality of the care we furnish, we must also concern ourselves with its accessibility to all men.

But fundamentally, if we are to escape governmental medicine, we must accept responsibility for four things: (1) To see that enough services exist to satisfy the need; (2) to see that such services are accessible to those who need them; (3) to see that all classes receive services of the same high quality; and (4) to see that the means for payment for these services are in the reach of all.

IV. REHABILITATION

We have the responsibility to recognize that rehabilitation is a necessary sequel to almost all illness and disability and in many cases is the primary need. While recognizing that by the very nature of the problem—long-term treatment of those who have no income—government and private philanthropy must carry the financial burden, the practicing physician has the responsibility of assisting in the staffing of the various institutions, of recognizing the need in his own practice of recruiting and training workers in this field, and of giving financial support when this is needed.

The modern concept of rehabilitation is not understood and accepted by enough physicians. They should become aware of the fact that practically every patient who has been through a serious illness or accident needs some rehabilitation, and for many illnesses (such as strokes) it is almost the whole of therapy. The enormous number of those afflicted by mental illness need rehabilitation desperately and as of now are almost totally neglected by physicians. This, too, is part of our responsibility.

V. MEDICAL AND HEALTH EDUCATION

In the Hippocratic Oath is this pledge: "To consider dear to me as my parents him who taught me this art, to live in common with him and if necessary to share my goods with him; to look upon his children as my own brothers, to teach them this art if they so desire without fee or writter promise; to impart to my sons and the sons of the master who taught me and the disciples who have enrolled themselves and have agreed to the rules of the profession, but to these alone, the precepts and the instruction." We have done well and we have done badly in discharging the responsibility for training future physicians. Well—in regard to the quality of the training. The Flexner Report (headed by a layman) put the diploma mills out of business and the quality of medical education is good. Badly—insofar as numbers are concerned, and badly in the paramedical fields in which there are great shortages. The record of organized medicine is not altogether inspiring. For many years certain farsighted people like Dr. Lowell Reed, lately President of Johns Hopkins, have been pleading for increased production of medical personnel and for governmental aid to medical education. They have had scant help from the American Medical Association. When I was on the President's Commission for the Health Needs of the Nation, I urged a great increase in the numbers of physicians. I was blistered in an all-day hearing before the National Health Council and told in an authoritarian way by the big brass in the AMA, "There is no shortage." Today 17 percent of the doctors starting practice in America are trained in foreign medical schools. It is shameful that this country, the richest in the world, parasitizes other countries for doctors. We should export thousands. The present proposals of the Government are farsighted and vitally necessary. They should have AMA support not sabotage.

The hypocrisy of the attitude of the AMA lobby in regard to aid to medical education should be brought to the attention of all physicians. Hardly a physician who has graduated in the past 30 years but has had most of the costs of his education paid for by the state or by philanthropy. In the face of the demonstrated shortage of applicants of high ability, in the face of the overwhelming evidence that financial considerations play the most important part in this shortage, the opposition of the AMA to the scholarship proposals for students and subsidies of the schools is simply complete nonsense. It is the responsibility of the physician to correct this deplorable attitude.

In the education of the public in health matters we have also a great responsibility and an important one. The best assurance any individual has of the attainment of health comes primarily from being well informed. The more sophisticated in medical matters will know how to get good health care. A greatly increased program of public education in health matters is greatly needed. And not the Whitaker and Baxter curriculum either. That silly, sentimental picture of the old frock-coated doctor at the child's bedside is a sample of health education at its worst. The radio, TV and public and private instruction by physicians should all be used. Such programs as the one in Birmingham, doctors news conference here, etc., are good examples of what can be done. Health education in the best sense is a responsibility of the physician in the community.

VI. RESEARCH

Research has made us what we are today. We, as physicians, profit the most by the work of the research man in the laboratory. Almost all I do today has been taught me by the research workers who as a class have received far, far less than I have of the world's goods. Our responsibility to support research in every possible way is very great indeed for it is based on common gratitude for favors received, on proper regard for the welfare of mankind, in the broadest humanitarian considerations and on expectations for our future. Money—yes—support the government and private agencies. People—much more so—let us attract more and more people into research; let us follow the example of our fathers and do research ourselves; let us keep on the lookout for bright young people and put them into this field.

We should not overlook the obligation and responsibility to do research ourselves. Most of the great early discoveries were made by the practicing physician, such as the circulation of the blood, aseptic surgery, anesthesia, etc., and there is still great though all too often latent research genius in the active physician. Such institutions as the Palo Alto Medical Research Foundation, a facility at the disposal of the physicians in this area, should exist in every city and town of over 25,000 people. Let us have more "do it yourself" research. It is also a responsibility, and in the present avalanche of publications, a very difficult one, to keep ourselves informed about the research going on. Much more adult education among physicians is needed.

Our responsibility in the research field is fourfold: (1) To encourage private and Government support of medical research; (2) to help provide trained personnel capable of going into research; (3) to keep ourselves and the public informed as to the progress being made; and (4) to do it ourselves.

VII. ORGANIZATION

The American genius for organization, so well demonstrated in industry, transportation, communication, and war, is conspicuously lacking in the field of health. The intense individualism of the physician and, indeed, the intensely personal nature of the practice of medicine mitigate against formal organized practice. But the immense complexity of modern medicine, the serious shortages of personnel, the increasing demands and the unmet needs require efficient organization if potential health benefits are to be achieved. It is time to take a more receptive attitude toward innovations in the methods of delivery of health services. The acceptance of the disciplines and restrictions of hospital staff practice indicate that the objective of a more rational health service organization can be achieved.

Group practice is one such innovation which, properly developed, can do much to improve the delivery of health services. The possibility of each man following his own specialty without economic penalty surely tends to higher quality of care. The delegation of all nonprofessional activity, such as business, taxes, etc. to others, leaves the physician free to see more patients and do more real medical work and helps the shortage problem. The utilization of paramedical personnel and the welding together of these with the doctor into a health team is a device that saves personnel. And the suitability of the group for comprehensive prepaid arrangements directly with its patients is not possible for the solo practitioner and is, after all, the best solution of the economic problem of payment for medical services. Hospital staffs if they are willing to cooperate can do many, indeed, almost all of these things. The organization of community health councils to which physicians and interested laymen belong, and which concern themselves with the health problems of the area, is another responsibility of the physician. Properly guided, these councils can solve many of the community problems and are fine buffers against State medicine. Most communities would welcome such health councils.

The organization of a regional approach to health problems can come out of such cooperation between physicians and health councils. Prepaid plans, on a regional basis, can follow and they would be far better than the "Blues" with their incentive to overutilization, and private insurance (for some strange reason the pet of organized medicine) which takes such a large bite from the premium.

In this company and before this audience, it requires considerable temerity to suggest that the reorganization of the American Medical Association is also a responsibility of the physician. But the facts are that this 100-year-old society, great and powerful as it is, has come far short of fulfilling its responsibility to the physicians and the people of this country. It is first in money spent in lobbying before the Congress of the United States; it is unequaled among professional and labor organizations in the control it exercises over its members (dissents are ridiculously few) but it seldom is on the side of the angels in fights for the betterment of conditions of living. A long list of good measures which it has opposed could be prepared. One thinks of the Alexander Brothers' song, "I heerd the crash on the highway but I never heerd nobody pray." It is certain that many physicians do not subscribe to the policies laid down in the board. But as the organization is presently set up they are never heard. In the councils of the AMA one seldom if ever sees a great medical educator; medical researchers are very rare; even eminent practitioners are poorly represented. The preponderance of representatives from small country towns on the board of trustees reminds one of the Georgia county court system. This is an urgent job of reorganization and a responsibility of the physician.

We have had the opportunity to see the medicine of Russia, the British Health Service, the semi-insurance plans of Scandanavia. We can do better—far better—than any of these. We can do this in the framework and under the unexcelled opportunities of free enterprise. There is no reason why we cannot evolve a system of medical services far better than any in the world today. This we must do or assuredly we will have state medicine thrust upon us as it has been on most of the world today.

SUMMARY

The profession of medicine is the most rewarding of any field of human activity. It imposes great responsibility to go with its great opportunities. Here in the United States we have the opportunity as no people ever had before to bring about something like a medical utopia. Let us look beyond our own selfish interests and particularly let us look beyond our sordid economic aspirations. The rewards of the physician are not expressed by yachts and expensive golf clubs. They are expressed in the hearts of men and in the heart of mankind. To know that some are happily alive that but for me might have been dead, to know that there is less pain and suffering, less anxiety and fear because of things I have done are rewards enough. We will meet our responsibilities only when we bring to all who need them all the benefits our predecessors and our brilliant research men have given us. It is no light responsibility.

THE SHELDON MEMORIAL ART GALLERY

Mr. HRUSKA. Mr. President, the campus of the University of Nebraska in Lincoln is graced with a building which has been described as the "best designed, most beautiful small museum in America today."

It is the Sheldon Gallery, a gift to the university through the estates of the late Miss Frances Sheldon of Lincoln and her brother, A. Bromley Sheldon, of Lexington, Nebr. They were the children of the late George Sheldon, a Lincoln businessman and civic leader.

This lovely structure, designed by Philip Johnson, of New York, was dedicated last week and on the first weekend it was open to the public was viewed by 4,300 persons.

Principal speaker at the dedication was Mr. Frank Stanton, president of the Columbia Broadcasting System, and also a Nebraskan, whose direct, lucid remarks struck a note of accord with the crisp, clean lines of the gallery's unique design.

Mr. President, we Nebraskans count ourselves unusually fortunate to receive this legacy from the Sheldons. It is a welcome and appreciated addition to the campus of a first-rate, growing university.

I ask unanimous consent that there be printed in the Record the remarks of Mr. Stanton, together with an article from the Lincoln Sunday Journal and Star which describes this striking structure.

There being no objection, the remarks and article were ordered to be printed in the Record, as follows:

Dedication of Sheldon Memorial Art Gallery

(Remarks by Frank Stanton, president, Columbia Broadcasting System, Inc., University of Nebraska, May 16, 1963)

It is most generous of you to invite me to share with you this significant event today. Such a forward step as the opening of a new museum by an imaginative and venturesome university is highly satisfying to everyone concerned with the enrichment of

American life. And the launching of a new structure designed by an imaginative and gifted architect is always an occasion of importance. When the two are brought together—the imaginative institution and the imaginative architect—there is ample justification for holding the highest hopes of a noteworthy achievement. It comes as no surprise to me that, in the case of this museum, those hopes have been fully realized.

Already, the Sheldon Memorial Art Gallery has been pronounced, on respectable authority, the "best designed, most beautiful, small museum in America today," and Philip Johnson is well on his way to becoming the master of the 20th century museum as Christopher Wren was of the 17th century church. The fact that this gallery is completely wired for television leads me to add the hope that other architects will see fit to emulate the way in which Mr. Johnson quietly blends genius with eminent good sense.

There are also both at least a touch of genius and eminent good sense in the building up of the Hall Collection and the subsequent acquisitions over the years. I say a touch of genius, but I am not sure that the great collector does not rate, in some cases, even higher tribute. Collectors, whether individual or institutional, are in a sense the entrepreneurs of art, bringing talent and audience together. The insight, the taste, the qualities of recognition and judgment that your collection here represents seem to me of a very high and an uncommon order. And it is in far more than a ceremonial, perfunctory sense that I want to salute the memory of Mr. and Mrs. Hall and those who have been guiding the collection since the university began to add to it 35 years ago. It is an achievement in which any university—any institution—should take exceptional pride.

Both the inherent architectural distinction of this building and the impressive and important collection that it houses give this day a very special interest and excitement that go far beyond the University of Nebraska in the worlds of architecture and the other fine arts. But it is an occasion, I think, of even greater and wider significance.

In the first place, all of us, all over the United States, have been disturbingly aware, for two decades now, of the enormously disparate pace at which facilities for the advancement of the physical sciences and those for the advancement of the humanities have grown. There have, of course, been pressing reasons for this. We had, as a nation and as the leader of the free world, material chores of a vast and most intricate nature thrust upon us by the events of the Second World War and by the rise of the cold war conflict and the immense scientific achievements and aspirations of our adversary. We had also, in more peaceful areas, to take up the great slack that is always left by long preoccupation with war—including the adaptation and development, for peacetime uses, of the scientific advances achieved under the impetus of war. No one can deny that a great flow of good from all this has filtered through to benefit the daily lives of all of us.

But it has been easy for us to be lured into putting too great a proportion of our resources into the sciences and too little into the humanities. The opening of a new physics or chemistry or biology laboratory has been an everyday occurrence on hundreds of campuses since the war. The opening of a university art museum is, by comparison, an extraordinary event. The supply of scientific equipment of the most sophisticated sort has been lavish in contrast to the trickle of provisions made for teaching the humanities.

Even our wealthiest universities are beginning to take stock of themselves, with surprise and concern, on this score. The dimensions of the problem are only hinted at by the fact that Federal commitments for basic research alone in American universities totaled, in 1963, $625 million, of which 98 percent went to the physical, biological, and agricultural sciences, 2 percent to the social sciences, and nothing to the humanities.

Today this museum is an eloquent reminder that man does not live by science alone—that there is little advance if we better the physical conditions of our environment at the price of neglecting all those things that give life its richness and its point, its depth and its meaning. And if we have a great deal of catching up to do in this respect in all the humanities, it seems to me that we have a special problem in the fine arts.

The reason for this is that up until very recently we have lived in almost a completely verbal society. We have had printing from movable type for 500 years, but we have had photography and the photographic printing processes for little more than a century. Journalism up until a very few years ago dealt almost entirely in words, with some exceptions usually directed at sensationalism. Pictorial history is a whole new field, despite some respected antecedents in the military area. Pictorial archives are just beginning to be seriously undertaken as necessary repositories, for the future of material casting light on the past. The wireless, and then radio—the first great communications inventions since the printing press—necessarily dealt only in words.

In man's wordy total cultural history, museums themselves are latter day innovations. Universities date from the 12th century, but they had antecedents in classical times. The great library at Alexandria was established in the third century B.C., and the Emperor Hadrian's Rome of the second century A.D. had 29 public libraries. But it was not until 1739 that the first collection of art was permanently opened to the public at the Vatican. There was no museum of fine arts in England until 1759, none in France until after the Revolution, none in the United States until 1791. And though we had our first college in America in the 1630's and our first library in the 1620's, we did not have our first college museum of art until over 150 years later.

Today there are some 1,400 senior colleges and universities in the United States. They all have libraries. Only 1 in 14 has an art collection and a place to show it. One of Phi Beta Kappa's criteria for accrediting colleges is the number of books in their libraries. No one that I know of accredits a college of liberal arts on the number of paintings that it has or on whether it has any at all. The educational process has for centuries been word oriented, with even the fine arts taught by book and lecture.

We lived in a verbal society, and most people went through life not only with little exposure to the visual arts but with little awareness of them. "In the beginning was the word," and the word was the end, too.

The 20th century is beginning to change all this. In mass communications, fine reproduction techniques and new printing processes have made pictorial communications fast and excellent. Color can now be reproduced with exceptional fidelity. Electronic communications, once wholly verbal except for transmission of wire photos to newspapers, are now visual. Reporting, interpreting, and documenting painting and painters, sculpture and sculptors, architecture and architects are now being done repeatedly on television. As a result of the broad awareness of the arts created by the mass media, there is today an unprecedented popular appetite to see and to appreciate. For the first time on any scale the fine arts exist for people who have never been in a museum. What is more important is that the mass media are leading them to museums in increasing numbers. At the Metropolitan Museum in New York, for example, attendance has increased 200 percent since 1950, now reaching some 4 million visits a year.

Museums are also proliferating—although not fast enough in the places that most need them. Nevertheless, the trend is here, and although the number of college and university museums is still pitifully few, nearly two-thirds of them have been started since 1948—in the past 15 years. This trend, if it continues, should be greatly satisfying to all of us in education and communications.

We in the mass media can introduce people to works of art. We can present profiles of great artists. We can report events and trends. We can stimulate interest and generate curiosity. On looking at the record, I find that during the past year the CBS Television Network has presented programs on Thomas Hart Benton; Edgar Tafel; the head of Christ as envisioned by great painters; Salvador Dali; the Director of the National Gallery, John Walker; Edward Steichen; the recreation of the Armory Show of 1913; paintings of the Corsican artist, Lucien Marett, publicly shown on CBS for the first time in the United States; a history of ecclesiastical architecture, suggested by the new Coventry cathedral; Leonardo da Vinci. Several other programs treated art subjects less extensively.

By their very nature the mass media can do only part of the job. The museum has to take up where we leave off. The museum has to go farther and go deeper and its essential role is quite different. You cannot really "report" art. You cannot really "reproduce" it. A work of art, primarily, has being rather than meaning, and you must be in its presence to know it, for that is the only way that you can know the artist. We recall from Picasso's famous comments of 1935, "It is not what the artist does that counts, but what he is," and Mark Rothko, "A painting is not a picture of an experience; it is an experience."

Because this is so—and fundamentally so, without susceptibility of change in spite of scientific progress in communications—it seems to me that a university museum has a very special privilege as well as a very special responsibility.

The great advantage of the university museum is the irretrievable opportunity of serving the young, before the patterns of observation and experience are structured, while there is still a kind and a degree of openness that are crowded out in later life. The regional museum serving a general public does not have the luxury of this emphasis. Your distinguished sister institution in Omaha, with its remarkably broad collections, the Joslyn, must serve many purposes and many age levels. The Sheldon Gallery, on the other hand, can enter into the continuing educational experience of young people day after day and year after year. Here they can live in a world of new dimensions—color and form.

No one here needs to be reminded that this has too often and too long been a failure of our educational environments in the past. We all know that the profoundest things of life are not to be formally learned and not to be formally taught. They must be experienced. And so it is with a great painting, a great drawing, a great piece of sculpture. It is to be experienced—and life will never be quite the same again.

The very presence of this gallery and of the superior collection in it is the first thing, the essential thing, the great thing, for the thousands of students who come to this university each year. They are going to have a matchless opportunity to come to know the first-rate paintings, drawings and sculpture that make up your permanent collection.

The broad function of the university museum, however, and also its unique opportunity, go quite beyond this. You have the function of enlightening the student on the whole, varied past and present of art and the opportunity to do it at a time when it can be related to his total development as an educated man. The very fact that a university gallery's resources are not endless can be a help rather than a hindrance in performing that function and realizing that opportunity. I think that the general excellence of your collection already proves this. In time, I suspect, you will be increasing not only the number of works in the collection but their range as well. Ideally, a university collection should include representative works from the whole spectrum of the arts. But I do not believe it either practicable or desirable that it do so in the same copious way that the all-purpose museums of major cities do.

All university museums' financial resources are always less than their needs. Prudence and ingenuity in stretching them will always be a necessary discipline—necessary and probably constructive, because, for economic reasons if no other, the university museum can avoid the temptation to become saturated with the works of one artist or one period or one school in the wake of the contagion of high-riding nationwide enthusiasms. Equally important, it can seek the objective of a collection finely representative of the art spectrum by one or two distinguished examples in each category rather than amassing them by the roomful.

Much of the function of the university museum can also be achieved by a lively policy of circulating exhibits. It is most reassuring to note that the Sheldon Gallery has provided separate and pliable space for these. This seems to me of the highest importance to a university museum. It is important, primarily, for the purpose of enlarging the experience of the student in the fine arts. Many of them are in the university for 4 years, some for many more. In that time, they should be exposed to a variety of visual experiences. Most of them cannot go to distant museums to see other collections, and they ought not to have to postpone such experiences until they can go in later life. Having become possessed of their sense of sight here and now, they should be able to develop it over as broad range of art as their time and your facilities will permit.

Traveling loan exhibits are important also for a fuller participation by students in the dialog among truly educated men and women that exposure to the arts evokes. I am not willing to put too much store in critical talk, as compared to the experience and discovery of looking at the art itself, but I think that there will always be something of provocative interest in what a Malraux or a Berenson has to say. It is in the nature of man to consider the evolution and the past of the arts as of everything else he has experienced, to bear witness to the excellence or the lack of it in what he has seen, and to construct theories and hypotheses about it. To do this intelligently requires exposure to more than a single segment of the world's art—however important it might be.

This need, I am sure you will agree, is one with which no acquisition program is ever going to be able to keep pace—nor should it try. But an active, imaginative loan program and circulating exhibition policy can go a long way in meeting it.

I have had some familiarity with the circulating exhibitions of the Museum of Modern Art in New York. A grant of $150,000 was made by the CBS Foundation in 1960 to the museum in order to pack and ship selected works, over a period of 4 years, to an increasing number of institutions all over the United States and Canada. Fifty-six of these traveling exhibitions have had 413 showings in 156 cities in 44 States. A very high proportion of them have gone to university and college museums. You may recall one, "Orozco: Studies for the Murals at Dartmouth College," here at the University of Nebraska last July. They have drawn heavy attendances and a great deal of attention by television, radio and newspapers. Eighty-six radio stations and ninety-eight television stations have broadcast special programs based on the exhibits. Undoubtedly many visitors were drawn to the exhibits by these programs. In addition, the broadcasts deepened the interest of those who saw the exhibits and broadened their participation in the continuing dialog.

And so we come back again to the great truth of the voices of silence—as Malraux has so memorably called the world of art—the experience of seeing. But you are members here of a great university as well as administrators or friends of one of the most rewarding and delightful of museums. You are therefore concerned with teaching and with knowledge.

I have not meant to separate these from exposure to the experience of art. They are inseparable, when we are speaking of the fine arts. The purpose of knowledge is to make distinctions, not only as to the good and bad, but as to scope, intensity, relevance—and a score of other things that will occur as readily to you as to me. But in art there are no absolutes, nothing that can be taught as a geometrical proposition or a chemical formula or a chronology of history or a rule of grammar can be. And so the gallery is as necessary to the teacher of the arts as the laboratory is to the teacher of the physical sciences or the library to the teacher of literature.

But let none of us—whether from the physical sciences, the social sciences, or the ancient disciplines—consider that we are dealing, in the world of art, with something precious, something far removed from a world of overwhelming realities that may swamp us at any moment. I am concerned with both worlds—as you are—and, like you, I am not so sure that they are separate worlds. We could not do better, because this is a day for the restatement of purpose, than to recall a thoughtful and perceptive passage from a venerable observer of the relationship of art to life—Berenson in "Aesthetics and History":

"Art is not actual life, it is true, but it is ideated life and perhaps as important. What distinguishes us from the other higher mammalia is precisely the capacity for this ideated life. This capacity leads higher and higher, and the longed-for goal is far away. But the goal of totalitarianism is not distant, and if it wins through it will shape man into a completely mechanized brute, guaranteed to remain a brute till he becomes a domestic animal.

"Every individual who feels the need of a human society must learn to understand his responsibility toward art almost as toward life. He must avoid encouraging the undesirable let alone the bestializing forms, not only of life but of art as well. This he can do only if he takes the trouble to educate himself for the ideated as he does for the actual world."

In closing, I congratulate the University of Nebraska's Faculty of Art on acquiring this most accommodating of galleries. I congratulate the administrators of the gallery on its high and promising mission. And I congratulate the university and the people of Nebraska on having had in their midst the men and women of vision and action who made this happy occasion possible.

[From the Lincoln Journal, May 12, 1963]

BLEND OF CLASSIC, CONTEMPORARY DESIGN DONE IN GLEAMING MARBLE

The University of Nebraska campus carillon sounded for the demolition of a familiar landmark, the administration building. The same carillon will ring at 11 a.m. Thursday to summon proud Nebraskans to the dedication of the gleaming new Sheldon Memorial Art Gallery which now occupies a nearby site at 12th and R.

With its roots firm in the past, and its hopes attuned to the future, the $3 million gallery symbolizes the essence of Nebraska pioneer spirit in realizing the dream of its donors. The late Miss Frances Sheldon, of Lincoln and her brother, A. Bromley Sheldon, of Lexington, made this gift of a museum in hopes it would strengthen Nebraska's position on the Nation's artistic frontier.

Of white travertine marble, the museum is a blend of classic and contemporary design by New York Architect Philip Johnson. The 100-by-150-foot facade is sculptured by tapered and curving piers standing 16 feet apart to reflect changing patterns of light and shade with the movement of the sun by day and floodlights by night. This drama of illusion and reality is defined in scale and beautiful in simplicity of detail.

"Build us a building that will be as much a work of art as the objects inside" was the expressed wish of the Sheldon donors.

This magnificent coup was planned and executed by Mrs. A. Bromley Sheldon, widow of the late Mr. Sheldon, with the help of Norman Geske, director of the university galleries, and Prof. Linus Burr Smith, chairman of the University of Nebraska Architecture Department.

Tenative plans were started in 1958 when Geske and Smith visited European art galleries to collect general technical ideas. Mrs. Sheldon toured Europe in 1961 with the Nebraska Art Association.

While in Italy, she and a group of association members visited the Italian quarries where the marble for the Sheldon Gallery was being hewn, carved, polished, and numbered to be shipped to this country and reassembled in Lincoln.

A citizen's committee including University Chancellor C. M. Hardin and members of the Nebraska Art Association chose Johnson from a list of top-ranking architects as the man to design the gallery.

Johnson, regarded as one of the outstanding designers of museums in this country today, was given carte blanche as to architectural theme and cost. The only stipulation was, "The best will be none too good."

Inside as well as out, the affinity between classic simplicity and enduring practicality applies to the Sheldon Gallery. Thirty-foot-tall glass arches on either side of the main hall afford views of the city and campus and filter sunlight on the three permanent sculptures which are the only effort to decorate the serene repose of this vast room.

MEMORIAL SCULPTURES

Flanking the stairway are the two memorial sculptures in honor of A. Bromley and Francis Sheldon; the 8-foot bronze "Bather," by Lipchitz, and "Song of the Bird," a composition in Norwegian granite and Greek marble by Noguchi. Beneath the stairway is the famous "Princess X," a 22-inch-high white marble figure by Brancusi, one of the leading sculptors of this century.

The Byzantine arched ceiling of the main hall is separated by recessed circular panels of goldleaf. Graceful, bronze-faced stairways bridge the west end of the great hall leading to the 10 viewing galleries. These rooms are without windows but are attuned to the mood of the viewer by special lighting which produces a gentle wash effect and places uniform light intensity upon the walls.

A world of privacy is created by the varying size of the individual galleries which are carpeted in charcoal with walls covered with plastic coated cotton pile, a biscuit colored loopy carpet material which absorbs sound and permits indefinite hangings of pictures without visible damage to the walls. Benches are spaced apart to provide an opportunity to study the collections.

For the ultimate in visitors' enjoyment, an electronic guide service will be provided soon. As the visitor walks through the exhibits he will carry a wandlike receiver which can tune in lectures on a transistorized radio system.

The 300-seat gold-and-black auditorium has the finest audio and visual equipment in the Midwest. The Art Association board room, which was specified in Mr. Sheldon's will, is paneled in teak and has $7,000 worth of custom-made furniture. This room is to be used for general conferences and social events. Besides office and storage space there is a small shop which will offer for sale original works by the artists.

IDEAL SETTING

The overall planning is as elaborate as the design is simple to provide an ideal setting for a million dollar art collection. Protective air-conditioning and dehumidifying systems, along with a closed circuit TV are located 2½ floors below ground level in the steel reinforced building.

Among the gallery's hidden assets is a burglar alarm system which, when the building is closed, fills every inch of space with sensitive sound waves which will notify the police if anything as small as a moth should move. This is our best insurance that there will be no recurrence of thefts in the future," said Keske.

The Sheldon Art Gallery, for all of its timeless splendor of structure, is not just a public exhibition building. There is no question that it will be one of the State's outstanding tourist attractions. But it also achieves what it was built to achieve—in a word, art.

THE GREATER MINNEAPOLIS INTERFAITH HOUSING PROJECT

Mr. HUMPHREY. Mr. President, some time ago I commented on the need for a fair-housing ordinance in the District of Columbia. I pointed out the fact that Washington is a badly segregated city in terms of existing residential housing patterns and accepted real estate practices. The lack of fair housing must be considered as a major contributor to the serious racial problems confronting the Nation's Capital City.

The District Commissioners have acknowledged they have the authority to issue such a fair-housing ordinance. Certain members of the House District Committee have challenged this authority and at present the situation remains unresolved. As I previously stated on the Senate floor, I believe the Commissioners do have this authority and I again urge them to exercise it.

But it would be a grave mistake to assume that merely the issuance of a District ordinance barring racial discrimination in the sale or rental of housing would constitute a solution to this grave social and economic evil. In fact, unless the Washington community were prepared to implement this ordnance in a responsible and intelligent fashion, extremely serious consequences could follow.

As former mayor of Minneapolis and now as Senator from Minnesota, I have watched with intense interest and concern the progress of the Greater Minneapolis interfaith fair-housing program. Recently a full report of the outstanding progress achieved by this program appeared in Social Action, the monthly publication of the Council for Christian Social Action of the United Church of Christ. I am proud to bring this story to the attention of my colleagues since it illustrates graphically the vital role that must be assumed by local citizens, churches, and private welfare agencies in any metropolitanwide effort to provide equal housing opportunities to all citizens. In fact, such communitywide involvement is an essential ingredient in any such effort.

In Minneapolis the local churches assumed the lead in bringing the problem of segregated housing directly to the attention of the citizens of the greater Minneapolis area.

I would like to note briefly some of the accomplishments of this communitywide effort to bring equal housing facilities to all Minneapolis residents, regardless of race. The program has enlisted the support of lay and clerical members of churches and synagogues and their social action groups in promoting the principles of fair housing. Both religious and secular institutions have been assisted in formulating fair-housing policies. Speakers for over 200 groups have been trained in the economic and sociological facts relating to fair housing. The fair-housing program has worked with Dr. Arnold Rose of the University of Minnesota in conducting a survey to determine the nature and dimensions of fair-housing problems in the Minneapolis community. Minority families have been assisted in finding housing in Morningside, Minnetonka, St. Louis Park, Wayzata, southeast Minneapolis, south central Minneapolis, Anoka, Fridley, Bloomington, and north Minneapolis. Stabilization programs followed the entry of the minority families.

Activities of other community human relations groups have been coordinated, including the provision of information about housing currently available on a nondiscriminatory basis. The program of the first fair-housing institute sponsored by the Greater Minneapolis council of churches' fair-housing committee was planned. A systematic follow-up program has been designed to initiate and sustain concrete fair-housing activities in each of the 90 churches participating in the fair-housing institute.

The program has disseminated widely the results of its experience and has helped to start church-related fair-housing programs in at least a dozen cities through consultation visits, correspondence and telephone consultations.

I believe these accomplishments constitute an impressive demonstration of how a community can make meaningful progress in attacking America's foremost social and moral problem, the equality of opportunity for people of all races.

In February I was honored to lend my name to a full-page advertisement which appeared in the Minneapolis Star and the Minneapolis Tribune, entitled, "Let's Open the Doors in Greater Minneapolis." Over 1,700 citizens signed this statement, including the junior Senator from Minnesota [Mr. McCarthy], and my good friend, the present mayor of Minneapolis, the Honorable Arthur Naftalin. Along with the solid achievements enumerated, this ad represented the determination of Minneapolis citizens to continue the fine work that has begun so constructively. Much remains to be done and Minneapolis is not waiting to get at it.

I would like to commend the many community leaders who have initiated and implemented the Greater Minneapolis interfaith fair-housing program, particularly Mr. James A. Tillman, Jr., the executive director. And as a member of the United Church of Christ, I am most pleased by the assistance its Council for Christian Social Action provided in this program. The Minneapolis experiment provides the entire Nation with a living demonstration of how the urgent challenge of fair and nondiscriminatory housing can be approached in a responsible and just fashion.

Mr. President, I ask unanimous consent to have printed at this point in the Record two articles published in the May 1963 issue of Social Action. One is entitled, "To Open Doors," by Galen R. Weaver, secretary for racial and cultural relations, Council for Christian Social Action; the other, "The Quest for Fair Housing and Community-Wide Religious Involvement: A Case History," by James A. Tillman, Jr., who, as I have noted, is executive secretary of the Minneapolis program. Also, I ask unanimous consent to have printed in the Record an article entitled "Washington, D.C., Portrait of a Sick City," written by Fletcher Knebel and published in the magazine Look for June 4, 1963.

There being no objection, the articles were ordered to be printed in the Record, as follows:

TO OPEN DOORS

(By Galen R. Weaver)

"I believe that every person has the moral right to rent, buy or build a home anywhere without restrictions which are based on race, religion or national origin. Therefore, I will welcome into my neighborhood any law-abiding and responsible person of whatever race, religion or national origin; and will work with him to build, to improve, and to maintain a community which is good for all."

In the Minneapolis Star and the Minneapolis Tribune of February 5 and 6, respectively, of this year, a full page ad appeared under the caption "Let's Open the Doors in Greater Minneapolis." The names and addresses of over 1,700 householders were listed as signers of the above statement. Leading the list were the senior and junior U.S. Senators from Minnesota, two Congressmen, the Governor, Lieutenant Governor, Attorney General, and the mayor of Minneapolis. The signers represented a cross-section of the total greater Minneapolis community.

This is one fruit of the greater Minneapolis interfaith fair housing program which was inaugurated by the Council for Christian Social Action in October 1959. The executive director of the program, Mr. James A. Tillman, Jr., has written a case study highlighting a particular aspect of the project. There are so many facets to this pilot demonstration that Mr. Tillman has written a book which will be published in order to present an adequate report of what has been learned in the three and a half years. A convincing evidence of its usefulness and further promise is the decision of the local board guiding the program to raise the total budget necessary to carry it forward for another 3 years. The council, in accordance with the original agreement, is terminating its financial participation as of April 30, 1963.

THE RATIONALE

What was the rationale that led the council to invest approximately $32,000 in a local project?

1. We believed it was imperative that organized religion, for the sake of its own integrity, should seek to close the wide gap between its pronouncements on the moral issues involved in race relations and its performance. Unless churches are willing and able to become involved in the struggle for justice and equal opportunity for all persons regardless of racial origin, their noble-sounding preachments will continue to be discounted or even regarded as hypocritical. Granted that the civil rights advances made in recent years have very frequently been achieved with considerable leadership from individuals who are members of churches and synagogues, it remains true that relatively few congregations have been effectively involved.

2. We believed that ways could be found to enlist "the church gathered" more directly in the struggle to remove the barriers to an open market in housing. The methods for doing this, we felt, could best be discovered by a partnership with a group of committed Christians and Jews in a given urban community.

3. We chose to concentrate the effort in the field of housing because we believed that segregated housing is the foundation of all other forms of segregation. This is because residential segregation leads to and sustains segregated religion, segregated education, segregated recreation, segregated friendship patterns and the segregationist personality. Therefore, to improve race relations the restricted market in housing must be supplanted by a free market.

A TREND SINCE THE TWENTIES

Segregated residential living became a trend in the 1920's. It has increased alarmingly decade by decade as white families have moved to the restricted suburbs and more and more nonwhites have moved into the crowded central cities. Racial and religious restrictive covenants were invented as a deliberate device to prevent free choice of houses and neighborhoods. Court enforcement of such covenants placed in deeds was finally outlawed by the U.S. Supreme Court in 1948. Mr. Reginald Johnson's article outlines some of the developments up to and including the President's Executive order of November 1962. That order will have limited but useful long-run effects even though it is much less comprehensive than many anticipated. There are also voluntary actions by citizens, motivated by their religious commitment to the rights of all the sons of God, that can help significantly in promoting rich human fellowship and mutual appreciation. Segregation now makes it difficult, even impossible, for most people to enjoy experiences that transcend the artificial barriers based on race or color. Segregation in all its manifestations, beginning with housing, also penalizes fellow human beings of the excluded groups. It creates political, economic, and social ghettos. It fosters intergroup antipathies and undermines the democratic way of life which we all cherish.

Since its inception in 1959 the greater Minneapolis interfaith fair housing project has made certain definite achievements. Some of these are reported by Mr. Tillman. The project has—

Enlisted the support of lay and clerical members of churches and synagogues and/or their social action groups in promoting the principles of fair housing.

Assisted both religious and secular institutions in formulating their fair housing policies.

Trained and provided speakers for over 200 groups wishing to learn about fair housing.

Worked with Dr. Arnold Rose, of the University of Minnesota, in conducting a survey to determine the nature and dimensions of fair housing problems in the community.

Placed or assisted in the entry of minority families in Morningside, Minnetonka, St. Louis Park, Wayzata, southeast Minneapolis, south-central Minneapolis, Anoka, Fridley, Bloomington, and north Minneapolis. Stabilization programs followed the entry of the minority families.

Assisted in coordinating activities of other human relations groups, including providing information about housing currently available on a nondiscriminatory basis.

Planned the program for the first fair housing institute sponsored by the Greater Minneapolis Council of Churches' Fair Housing Committee.

Developed a systematic followup program designed to initiate and sustain concrete fair housing activities in each of the 90 churches which participate in the fair housing institute.

Shared some of its findings with other American communities through published materials in human relations and intergroup relations journals. In addition to a series of manuals which have been used widely in Minneapolis and in other communities, the executive director of the program has published seven articles relating to the program's practical activities and findings.

Helped to start church-related fair housing programs in at least a dozen other cities through consultation visits, correspondence, and telephone consultations.

This is an impressive list of accomplishments. The Council for Christian Social Action is gratified to have been a partner in this significant experiment in relevant churchmanship in relation to our foremost domestic social and moral problem. The project has focused on what is perhaps the most urgent unfinished business of those who profess to follow the prophetic religion of the Bible. We commend to the readers of Social Action careful reading of the case study which Mr. Tillman has prepared for this issue. We look forward to the publication of a full report sometime in 1963. We hope that this experience will be suggestive to church and synagogue congregations and members elsewhere as they seek to bring about the open society in which all persons will have equal opportunities for growth and fellowship through freedom to choose their place of residence. As the program moves on under local auspices we will endeavor to learn further lessons that will be pertinent to what Mr. Tillman has called "The Quest for Religious Credibility and Relevance."

THE QUEST FOR FAIR HOUSING AND COMMUNITYWIDE RELIGIOUS INVOLVEMENT: A CASE HISTORY

(By James A. Tillman, Jr.)

There are always primary questions about the nature and function of organized religion implicit in the fundamental objectives of church-sponsored and church-related fair housing programs. The more basic questions may be stated this way:

1. Is it possible for organized religion, in spite of its priestly nature, to recapture the revolutionary prophetic spirit which characterized it during its early history?

2. Is it possible for organized religion to disentangle itself from the institutional complex of which it is a part sufficiently to speak to other institutions in prophetic terms?

3. Is it possible for the members of the priestly class to overcome the psychosocial disabilities and constrictions imposed upon them by their maturation in a culture in which basic collective practices are not only alien to but antagonistic to the original ethic of Judaeo-Christianity?

4. In a social system in which members of the priestly class as well as members of the population in general have viewed the priestly class as a necessary but isolated and nonfunctional part of the day-to-day operations of the community, is it possible for the clergy and laymen to impute to the priestly office a functional specificity, a specialization and a duty to speak and act in ways which do not reflect and often oppose current individual and collective thinking?

5. Can Catholicism, Judaism, and Protestantism find, at the local level, sufficient ecumenical and community grounds on which to mount a cooperative and concerted attack upon the sin of segregation?

LABORATORY SETTING REQUIRED

In Minneapolis, the interfaith fair housing program could not determine answers to these questions until there existed a laboratory situation in which to test these questions. While the program's work with individual churches and synagogues was necessary and was functionally effective in helping to catalyze changes in both the general community and the larger religious structure in the Minneapolis area, it must be admitted that a sound laboratory situation did not exist until involvement of organized religion in a general and collective way developed.

It is believed that the religious involvement which has developed since the organization of the program is both a sound research laboratory crucible and an influential fair housing action lever in the general community.

NEW INVOLVEMENT

Since the organization of the program, a new effort to open racially segregated housing areas of Minneapolis and its suburbs to Negroes and other minorities has been launched by local Protestant churches. The effort is designed to create favorable attitudes toward open occupancy housing.

The idea for the concerted Christian witness for housing integration came when Dr. Fredrik A. Schiotz, president of the American Lutheran Church, contacted national and State leaders of Lutheranism in Minneapolis. A breakfast meeting was arranged for about 100 Lutheran clergymen in November of 1960. Another meeting a week later included Lutheran lay leaders who filled Messiah Lutheran Church. The executive director of the interfaith fair housing program addressed both sessions, indicating the nature of the problem and outlining remedial steps which organized religion should take in helping to create a residentially open city.

Tuesday evening, January 10, 1961, a third meeting, sponsored by the Greater Minneapolis Council of Churches, brought out 270 persons, most of them non-Lutheran Protestants. Meeting at Salem English Lutheran Church, we discussed ways in which the effort could be expanded.

Between the second meeting, in late November 1960, and the third meeting, on January 10, 1961, a steering committee was organized. It was composed of representatives of the various member denominations of the Greater Minneapolis Council of Churches as well as the executive director of the Greater Minneapolis interfaith fair housing program. Dr. Schiotz was named chairman of the group which eventually named itself: The Fair Housing Committee of the Greater Minneapolis Council of Churches.

It was decided that congregations should first focus attention on the objective of fair housing by observing race relations weekend, February 10–12, as a "time of prayer for fair housing in Greater Minneapolis." February 12 was also declared official Fair Housing Day for the State by the Governor. Similar proclamations were issued by the mayors of Minneapolis and St. Paul for their respective jurisdictions.

During the observance of fair housing prayer weekend, February 10–12, at least 175 clergymen, including rabbis, preached sermons relating directly to fair housing. Some churches and synagogues explored the need for fair housing in discussion groups in the churches and synagogues.

The Fair Housing Committee of the Greater Minneapolis Council of Churches continued to meet regularly after the 12th of February 1961. Because of the recognition that the community is an organic whole, the committee met with representatives of other segments of the community. The committee engaged in dialog with the press and members of the realty segments of the community.

During the summer prior to the First Protestant Fair Housing Institute, concerted efforts were made to identify fair housing leadership in the churches which are members of the Greater Minneapolis Council of Churches. Once this leadership was identified, serious and comprehensive plans for training and further developing this leadership were made. The first step involved a Fair Housing Institute which was planned by the executive director of the interfaith fair housing program and which was conducted over a period of 3 weeks during September and October of 1961 for the clerical and lay leadership of over 90 local churches. This institute was followed by a series of other activities designed to make it possible for these churches and the neighborhoods in which they are located to make full and effective use of this emerging leadership.

The committee and the interfaith fair housing program immediately following the institute laid plans for a series of other activities involving the local churches. During the year following the institute, a series of cottage meetings was held in local churches, synagogues, and in local neighborhoods to determine what could be done in each neighborhood in terms of both action and education. Insofar as possible, the leadership for these meetings involved local church people who had been trained at the institute.

The program gave central direction and guidance to the followup activities required in this context. Out of these endeavors are emerging people, at the neighborhood level, who are assuming continuing responsibility within the church for both education and action in the fair housing field. It is also believed that these developments augur well for the laboratory which the testing and the application of the program's commitment require over the next 3 years.

THE PROTESTANT FAIR HOUSING INSTITUTE

The outline of the institute was set forth in a news story which appeared in the Minneapolis Star on September 16, 1961. The story follows:

"CHURCHES WILL SPONSOR FAIR HOUSING INSTITUTE

"Minneapolis area churches will follow passage of a State fair housing law by preparing members to receive Negroes and other minority group members in their neighborhoods. A three-session fair housing institute will begin Tuesday night at Augsburg College under sponsorship of the Greater Minneapolis Council of Churches to train churchmen to spearhead the effort.

"Some 300 ministers and laymen from 90 congregations have indicated a willingness to lead discussion groups in homes and churches on minority housing and will attend the training institute. The institute was arranged by the church council's fair housing committee, headed by Dr. Fredrik A. Schiotz, president of the American Lutheran Church. Chairman of the Institute program is James A. Tillman, Jr., executive director of the Greater Minneapolis interfaith fair housing program.

"The Reverend David Preus, pastor of the University Lutheran Church of Hope, will be main speaker at the institute's sessions September 19 and September 26. Speaker October 3 will be Dr. Lowell Gess, minister of the Evangelical United Brethren Church and a medical missionary to Africa.

"Chairmen of the meetings will be the Reverend Ray Boehlke, minister of Oakland Avenue Evangelical United Brethren Church, and Joel Torstenson, professor at Augsburg College. Besides Dr. Schiotz, Mr. Boehlke and Mr. Torstenson, the sponsoring committee includes: Dr. A. W. Arthur of Bethlehem (Augustana) Lutheran Church; the Reverend Fred Wolff, of Our Savior's Lutheran Church; the Reverend J. Carlton Forshee, of Hennepin Avenue Methodist Church; the Rev. John T. Hughes, of Bethlehem Presbyterian Church; the Reverend Dewaine Kolbo, of Good Shepherd Lutheran Church, Spring Lake Park; the Rev. David E. Witheridge, of the Greater Minneapolis Council of Churches; Grant Walseth, of Victory Lutheran Church; Herbert Olson, of the Lutheran Church of the Reformation; Alan R. Anderson, of Plymouth Congregational; and Elwood Lindberg, of Bethlehem Covenant."

It should be noted that after each plenary session, the registrants were divided into small (10 to 15) groups for section meetings at which time they were further instructed in matters of content and procedure by specialists in human relations, ministers, and other competent personnel in both religion and the social science disciplines.

FOLLOWUP ACTIVITIES

The program's records showed that there were 90 churches represented at the institute. Among this group, there were some which had fair housing programs underway. The number of such churches was small, involving less than 20.

The problems immediately subsequent to the institute were those of: (1) Organizing an effective followup instrument and (2) having the followup committee members trained in both procedural and substantive matters. The interfaith fair housing program undertook these two tasks.

By December 15 of 1961, the followup committee members had been selected and trained and had selected churches with which they wished to work. The committee is composed of 15 active members. Its work is supplemented by members of the program's board. The followup activities are being actively carried forth by approximately 20 persons, including 5 of the program's board members.

To date, followup activities have been initiated in 60 of the 90 churches which participated in the institute. Each church, of course, represents a separate and distinct entity; programs are tailored to meet the unique conditions and peculiar needs of each church. The nature, extent and results of these programs cannot be assessed or evaluated at this time.

At the very least, however, it can be categorically stated that the institute and the followup activities have been responsible for initiating within many churches a dialog among members concerning the relevance of the Christian witness for the open society. Gradually, many of these churches are overcoming the timidity which had long served as their badges of distinction in this vital area of human endeavor.

It is our belief—and the author is a realtistic optimist—that eventually the small committed groups within each church will be able to educate the congregations to the point where they (the churches) can speak to and counsel with other institutions effectively. When the interfaith program was organized, they could not do this; for, on the whole, these churches and other institutions occupied the same ground and reflected the same posture in the area of equality of opportunity.

Basically, these followup activities are designed to make it possible for the church-gathered as well as the church-dispersed to adopt a prophetic posture in the field of fair housing.

While inequality of opportunity and the inevitable inequities which it fosters should have been abolished yesterday, we are realistic enough to know that individual and collective habit patterns cannot be done away with in 1 day. The followup program, therefore, represents—at the very least—initial steps, which must be nurtured and sustained over the next few years if they are to develop congregational viability and congregational effectiveness in the exertion of influence upon other institutions.

As I see it, the followup program must be expanded and sustained by the interfaith fair housing program and the committee until each church develops a viable and self-sustaining program. Because we are a full-time program, we can, should, and will accept responsibility for day-to-day operations which are designed to translate impact programs of a larger symbolic nature into effective practical programs at the level of the local congregation. Volunteer groups can, where there is the will, do the same.

It seems to me that the Fair Housing Committee of the Council of Churches has developed three effective impact programs thus far: (1) the fair housing prayer time, (2) the race relations ad relating to the open fellowship, and (3) the fair housing ad.

As a sequel to the fair housing prayer weekend, February 10–12, 1961, it was decided that the churches of the Minneapolis Council of Churches should openly declare their commitment to the open fellowship. This was done in a full-page newspaper ad during Race Relations Week of 1962.

The interfaith fair housing program has viewed these as necessary and significant opening wedges. They created for us both the opportunity and responsibility for developing programs in churches whose doors had been shut, for all practical purposes, to social action endeavors relating to fair housing. I would strongly suggest that the committee ought to continue the development of impact programs.

RACE RELATIONS AD PROGRAM, FEBRUARY 11, 1962

From reports which came to the author, most observers thought the ad was both a sound and effective idea. Thematic in much of the comment was this notion: "Most of these churches can afford to embrace the open fellowship in this fashion, since they are located in areas where its practice is not really a meaningful option for them." At the subconscious and nonreflective levels, this statement simply reiterates the need for free mobility in housing because the open fellowship becomes a live option only when the housing pattern makes the open fellowship one of a series of possible behavior alternatives in a practical context.

FUTURE COMMITTEE ACTIVITIES

In view of these remarks concerning the location of many of the churches signing the open fellowship ad, the committee began at the author's suggestion, to undertake a program designed to have local churches publicly—via a newspaper ad—embrace fair housing as the only sound principle for both the church and the larger community. This culminated, of course, in the ad publication just prior to Race Relations Sunday in 1963.

Denominations, conferences, and synods have issued statements embracing fair housing, but such public endorsement by the local congregation is quite another matter and, because it is potentially much more effective, such attempts may meet with real resistance. The resistance, I believe, can be used for creative good. It seems to me that the church-gathered cannot speak to other institutions in effective and prophetic terms until it has said publicly as a local congregation that it embraces the open fellowship, the free society resting on open housing and the concept of the equal dignity of all of God's children.

The fair housing declaration by churches in 1963 was done in very much the same fashion as was followed by their declaration for the open fellowship prior to Race Relations Sunday of 1962.

THE FOLLOWUP AND OTHER INSTITUTIONS

The program, in its work with the churches which participated in the institute, is seeking to help these churches adopt a posture which will enable them to speak to and influence other institutions at the neighborhood level. This can only be done by the church-gathered and by the church-dispersed; that is to say, the program seeks to develop programs, at the parish level, which will enable the church as a collectivity to influence housing practices at the neighborhood level and which will also motivate church members to exert their influence in behalf of fair housing in their individual lives and vocations. The assumption, of course, which undergirds the follow-up activities with these Protestant churches is this: the Christian witness, if it is to be effectual in today's world, must be systematically and deliberately sustained in both its individual and collective dimensions by organized efforts which are directed toward a specific societal goal.

The program, at this stage, is working to increase the influence of the first Protestant Fair Housing Institute in a centripetal way by using each church and/or neighborhood as the center of focus. This is based on the assumption that interested groups at this level can multiply concern for fair housing by involving and leading to commitment other groups at the grassroots level.

Somewhat extensive programs have been developed by and among regular groups in some churches.

A few listings of homes for sale or rent on a nondiscriminatory basis have been developed and utilized by the program's Placement Bureau as a direct consequence of these activities. This is the most fundamental and effective way in which education can be translated into action programs which can make changed community conduct possible within a short time span.

The program is assisting and guiding the members of the followup committee to develop materials and programs which will enable the committed groups in local churches to initiate and sustain meaningful dialog with relators, financiers and builders.

One of the ultimate goals of the institute followup program is the establishment of a local church posture which will enable the local church to engage in meaningful dialog with communicants who happen to be members of the realty, financing and homebuilding industries. No church has yet adopted the ultimate posture which was set as the goal. It is now my considered opinion that we must accept, as a matter of pragmatic necessity, a proximate goal at this time.

The object of the dialog which is now being initiated—prior to our reaching the ultimate goal—is, of course, to bring the influence of the church to bear upon the attitude of realtors, financiers and builders as the effective date of the Minnesota fair housing statute approaches.

Although such dialog may not, in fact, motivate these people to take the lead in helping make the new fair housing statute—within its inherent limitations—functional, it is felt that such dialog can help mitigate resistance and negativism which may further shackle and encumber legislation's potential as a remedial device in the area of fair housing.

STEPS UTILIZED BY INSTITUTE FOLLOWUP COMMITTEE

1. First, members selected three churches with which they wanted to work. Committee members chose the churches which, in their opinion, offered the greatest possibility of success.

2. They telephoned the registrants from each church, identified themselves, informed the registrants they were members of the followup committee, and that they had chosen to work with them and their church in developing followup activities designed to improve the fair housing climate of opinion.

3. Followup committee members suggested in their first telephone conversation that they and the registrants should perhaps get together to discuss the possibilities of developing followup programs in their churches. They then let the registrants suggest when and where * * * also told each registrant that "there are two other persons from your church who attended * * * perhaps all of us can meet together, etc., etc." (It was possible for some of them to meet all of their registrants at the same time.) The ministers of each church attended the first meeting.

4. At the initial meeting, each church delegation decided tentatively what could be done in the church which they represented.

5. After the initial meeting, the committee members found it necessary to work with each church on an individual basis. Followup committee members relied heavily on the resources and experience of the interfaith fair housing program office for guidance. This office was in constant touch with each member by phone.

From time to time, the committee convened in order that members could share their experience with each other, thus increasing the sense of community and expanding the knowledge gained from practical experience.

WHAT INSTITUTE REGISTRANTS CAN DO

From the initial experience of the followup committee, it seems accurate to say that the followup committee members can train registrants to perform the following initial tasks in their own churches:

1. Become fully familiar with sound human relations principles and literature. This should be the very first step and could be carried out through discussions with the followup committee member, the minister, and, if required, professional human relations officials.

2. Get the official board of the church to adopt a resolution placing the local church congregation on record in support of both fair housing and the open fellowship.

3. Organize and set up in the congregation official social action committees or committees on social concern.

4. Arrange and promote discussion groups in homes and in the church. Also arrange to discuss fair housing with regularly constituted church groups, e.g., women's fellowships, men's clubs, etc.

5. Assist Sunday school superintendents in developing ongoing programs relating to the human relations implications of the Christian witness in contemporary society.

6. Get members of the congregation to sign the council of churches good neighbor pledge, thus making themselves available for positive assistance when minority families attempt to buy in their neighborhoods.

7. Have social action committees initiate and sustain dialog between the church on one hand and the realty, finance, and building industries on the other hand. This dialog should be designed to reassure and give support to those who wish to sell or develop housing, at the neighborhood level, on a nondiscriminatory basis. Successful pledge signing campaigns by churches will enhance the possibility of dialog success.

8. Seek out and list with appropriate agencies members who are willing to sell on a nondiscriminatory basis.

The institute and its followup activities are not exhaustive; they are simply illustrative. Institute registrants, ministers, and followup committee members can plan many other activities which would seem to be useful within local churches. The ultimate objective of all activities should be the development of a concern and support which will enable the local church to address itself to other institutions at the local level in such a way that the local church helps to initiate and sustain changed community conduct with respect to open housing.

CONCLUSIONS

Certain inescapable conclusions relating to the social processes and institutional structures involved in securing communitywide religious support emerge from the foregoing discussion.

To begin with, it is clear that such support cannot be achieved by sporadic efforts; communitywide religious involvement is the result of systematic and sustained goal-directed activities. Again, such efforts must rest upon the premise that religious support and involvement can initiate specific and perceptible changes in community conduct in a given time period.

Moreover, efforts to galvanize the religious structure in the community, must have two practical dimensions. Such efforts must be directed, in the first instance, to impact programs which have the capacity to highlight the seriousness of segregated housing for both the religious structure and the total community. It will be noted that the fair housing prayer weekend, the open fellowship, and the fair housing advertisements in the local press were all designed as impact activities. The second primary dimension of efforts to utilize religion in pursuit of fair housing on a communitywide basis involves the willingness of those concerned systematically to seek out committed leadership at the parish level so that such leadership can be further trained and generally reinforced. Such parish leaders must eventually head the leadership corps at the parish level. They must be given training in both content and procedural matters. This training will enable them often to act independently but effectively in conceptualizing and implementing fair housing programs at both the parish and neighborhood levels.

It is also clear that at least three different groups or institutional structures must work together in securing communitywide religious support: (1) An ad hoc fair housing group within the religious community (the initiating group), (2) an advisory and planning group (a human relations group), and (3) the regularly constituted Council of Churches (the umbrella and administrative support group).

The initiating group in the Minneapolis venture was the fair housing committee of the Council of Churches. This group was organized specially to seek communitywide religious support for fair housing. The advisory group was, of course, the interfaith housing program, which actually planned both the content and procedure of the Fair Housing Training Institute. The interfaith program also accepted full responsibility for the followup activities subsequent to the institute. This could be done in other cities by a committee from regularly functioning human relations groups. The umbrella and administrative support group consisted of the Council of Churches. This group, working with and through denominational executives, accepted major responsibility for contacting parish ministers who then assisted in locating committed leadership at the parish level. This leadership was further trained at the Fair Housing Institute so that its members could go back to the parish and take charge of fair housing programs as set forth in the section dealing with followup activities.

The ultimate objective of community-wide religious support is the goal of utilizing religion in initiating practical changes which will result in changed community conduct. This means that the ultimate operational goal must be the creation of programs which will accelerate and facilitate the entry of minority families into hitherto closed neighborhoods. This is the ultimate test which must be applied to determine the effectiveness of both education and social action in the fair housing field.

If fair housing efforts do not contribute, in a reasonable time, to the process of changing the composition of existing neighborhoods, organized religion has not been able to speak effectively and in a prophetic way to other institutions.

Organized religion can speak prophetically to this problem. The Minneapolis experience demonstrates how this can be done.

WASHINGTON, D.C.—PORTRAIT OF A SICK CITY

(By Fletcher Knebel)

Behind its domes, spires, monuments and broad, tree-bowered avenues, Washington, D.C., is a sick city. Only a few blocks from the great, scrubbed Federal buildings lies a savage urban jungle where life is cheap and human dignity is an alien term. Within a mile of the glittering White House state dinner, "latchkey" kids who know no family restraint roam the midnight streets, yoking [mugging], beating and gang-raping. The Nation's Capital probably boasts more civilized brainpower and more good intentions to the square mile than any city in the world, yet there are miles and miles of Washington streets on which no sensible woman dares to walk at night.

Just beyond the Capitol, where Senators and Congressmen vote $100 billion a year to obtain the good, secure life, begins an area where filth, crime, and poverty form a trinity of squalor.

The District of Columbia, proud symbol of the American dream since the days of John Adams, is a city in disgrace. In its public schools, discipline is a mocked word. The dropout rate, 39 percent, runs above the national average. Brawls, vandalism, and pillage abound. Police answer frequent school alarms. Teenage pregnancy is widespread. In many classes, homework is a vanishing art for lack of simple reading skill.

It is a city where crime stalks the streets and alleys and forces the doors of unwary apartment dwellers. Wives, daughters, and secretaries of prominent citizens, both military and civilian, are mugged, robbed, raped. Washington has more aggravated assault than any U.S. city in the 500,000-to-1,000,000 population bracket. Even churches have installed thug-proof iron bars to protect their female clerical workers from the danger of attack.

It is a city where responsibility is shredded. Congress refuses to let this Federal stepchild rule itself. It is a city where illiteracy increased slightly in the last decade, while declining in all the States. It is a city with scandals in its welfare program, bribery and corruption in its distribution of surplus foods, leniency in its courts and shock and alarm spreading among those of its respectable citizens who have not fled to the suburbs.

"This city is not far from an explosion," says Father Cletus Gillson, director of a Catholic mission in a high-crime district. "The disease is spreading fast. Children are living like animals. The schools are in a horrible mess."

Benjamin M. McKelway, editorial chairman of the Washington Evening Star, says: "The forgotten men and women of Washington are those innocent and law-abiding citizens who, through no fault of their own, are robbed, raped, beaten, or murdered in cold blood on the streets, in their homes—or even in church."

President Kennedy terms the District of Columbia's plight "a very bad situation," and his brother Robert, the Nation's chief law-enforcement officer, sees it as a real time bomb.

The Nation's Capital has come face to face with a disagreeable fact: Crime and school hooliganism spring overwhelmingly from the large Negro population. As whites migrated to the suburbs and Negroes took over its core, Washington became the only large city in the United States with a black majority. Here are the statistics:

In 1940, the city was 28 percent Negro. Today, it is 54 percent Negro. The racial shift in the public schools has been even greater. Predominantly white two decades ago, the District of Columbia public schools have become 83 percent Negro. During these two decades of drastic change in the city's racial complexion, per capita crime has increased 57 percent, according to an FBI tabulation. Negroes commit most of the crimes and are the most frequent victims of crime. The Metropolitan Police Department's annual report shows that last year 84 percent of those arrested for major crime were nonwhites; the victims in 85 percent of the cases of homicide, rape, and aggravated assault were also nonwhites.

Washington's crime rate, compared with that of other cities, is about average. Of the 15 largest U.S. cities, it ranks eighth in crimes per capita. Of the 16 cities in the 500,000-to-1 million population range, the Capital again ranks in the middle—eighth in major crimes per capita. But statistical talk of normality is no solace to residents who have seen their town change in a generation from a reasonably secure place to a city of fear.

The rest of the Nation may have other conversational obsessions, but Washingtonians today concentrate on crime. Betty Beale, veteran society columnist for the Evening Star, recently wrote that "bodily attack on women" had, for the first time in her career, become the chief source of talk at feminine social gatherings: A general's wife assaulted in her bathtub, the rape of a retired minister's wife, the granddaughter of a Washington official attacked in her home at noon. A chain drugstore recently featured prominent window displays of tear-gas pencils for women's self-protection.

Armed marauders prowl the night streets. In one sample 4-hour early-morning period, at a busy Washington intersection, police arrested five men carrying guns and one carrying a deadly tile-cutting knife. Lethal weapons are easy to procure in the Capital, and only half the arrested gun-toters get jail sentences.

No residential area is immune from crime. The home of Senator CLINTON P. ANDERSON, Democrat of New Mexico, remote from downtown, was broken into and ransacked. Teenage Negroes snatched the purse of Mrs. Barnet Nover, wife of the correspondent of the Denver Post, at the rear of her home on upper Connecticut Avenue, and fled with $125.

A note of grim humor even creeps into the never-ending tales of assault and theft. A Negro arrested for robbing liquor stores in daytime explained that he preferred the daylight hours for holdups because he was afraid to carry money on the streets at night.

Washington today is in a ferment of community self-analysis after many years of soft-pedaling talk about an obviously growing problem. Three shocking events shattered the cocoon of apathy. Two of the incidents were symbols; the third, a manifestation of the ailments afflicting the city.

Last summer, Mary Lou Kosterlitzky, administrative assistant to Congressman FRANK J. BECKER (Republican of New York), was stabbed in St. Peter's Roman Catholic Church, only a short walk from the Capitol, where Congress was in afternoon session. As she knelt in prayer, Miss Kosterlitzky was seized by a Negro, who grabbed her pocketbook. She tried to pull away and was stabbed nine times in the back, one knife blow puncturing a lung. A 25-year-old man was later arrested and charged with the assault, as well as assault or attempted rape of three other women. He pled guilty to robbery and assault charges.

Another incident that upset Washingtonians was the January 21 attack on Mrs. Brooks Hays, the petite, 65-year-old wife of a former Congressman who headed the Southern Baptist Convention and now serves as a special assistant to President Kennedy. Mrs. Hays was sewing that afternoon in an upstairs bedroom of the Hays home near the Capitol. Suddenly, a young Negro appeared at the bedroom door. He told her that a woman had sent him upstairs. When she tried to talk him into leaving the house, he snatched a pair of scissors from her hand, threatened her, grabbed $12 from church envelopes being saved for Sunday school and fled. Her wrist was broken in the struggle.

The Hayses are gentle people. Brooks Hays, ironically, lost his longtime seat in Congress from Little Rock, Ark., in 1958 because he was a moderate on the race issue. He was defeated by Dale Alford, a militant segregationist.

Police charged the Hays robbery to a 17-year-old boy who was arrested after trying to enter the home of Mrs. John G. Norris, wife of the military writer of the Washington Post, while Mrs. Norris was taking a shower. Investigation revealed the youth had committed a series of offenses, beginning in his 14th year.

But it was a manifestation of deep social tension, the Thanksgiving Day football-game riot, that really frightened the city. Last fall, 50,000 spectators gathered in the new D.C. Stadium to watch St. John's, Catholic League high school football champions, beat Eastern High School, the public school winners, by a score of 20 to 7. St. John's is predominantly white; Eastern, 99.7 percent Negro.

With the defeat of Eastern, violence exploded among young Negro spectators. Soon gangs of them were thundering through the stadium to attack white men, women and children with knives, fists, boots and bottles. The warfare surged through the exits with the homegoing crowd and fragmented into dozens of assaults in the surrounding streets. When it ended hours later, almost 500 persons had been left such reminders as black eyes, slashed faces, broken jaws, snapped ribs, missing teeth and smashed noses.

A biracial committee (seven whites, four Negroes) investigated the riot, and its report in January caused many to grieve for their city. Especially chilling were the committee's words on the "atmosphere of lawlessness" in Washington's public schools:

"Fear rages through many school buildings, which have become tramping grounds for outside influences, including thugs, hoodlums and persons of the lowest character. The school administration has difficulty in coping with this situation. The morale of many teachers has suffered, and the percentage of resignations and transfers has increased. Nevertheless, school officials fail to cooperate with police and report violations of the law, nor do they maintain a citywide reporting system of incidents of misconduct.

"With such a climate in the school system, students receive little discipline, little guidance and little incentive to develop strong citizenship qualities in far too many cases, and the result has been a steadily worsening misconduct problem in the public schools.

"Conduct at athletic games—including the recent stadium contest—is symptomatic of the school conditions the committee discovered. Alarming were the reports that many public school children and officials decided not to attend the game because of the fear of violence.

"Staggering was the testimony of various individuals and police as to the stockpiling of weaponry—umbrellas with sharp points, broken bottles, rocks, knives and chains—which are used in public schools and in some instances were displayed at the stadium."

Some authorities and educational specialists charged that the committee exaggerated conditions in the schools. In the end, however, School Superintendent Carl F. Hansen declared that disciplinary problems were acute and had worsened in this school year. Some of the unpublished testimony and reports to the committee told why. Here are samples:

From Eleanor P. McAuliffe, principal of Sousa Junior High School and sister of Gen. Anthony C. McAuliffe (retired), hero of the Battle of the Bulge in World II: "The riot stemmed from the lawless code observed by a sizable proportion of youth in Metropolitan Washington. That code condones 5, 10, or more boys or girls jumping an individual; using a beer-can opener, a pair of scissors, a heavy tree limb, or other instrument in a fight or attack; kicking an individual, boy or girl, who is lying on the ground; kicking a prone individual in the ribs, in the face or about the head; bringing a group of 5 or 10 larger and older boys or girls to get a younger or smaller boy or girl; demanding money with an implied threat of a beating if no money is forthcoming."

From Ruth A. Wynn, principal of John Tyler elementary school: "All last week (after the game), the student body at the Tyler School seemed to be charged with antisocial behavior. Eight boys from a slow sixth grade ran recklessly around the playground at noon, Monday, November 26. They ran pell-mell into the little children, knocking them to the ground. They refused to heed the directions from the teachers in charge. Parents have been contacted and * * * are appalled at the lawlessness of some of the city youth."

From May T. Vermillion, principal of Stanton elementary school: "There is a strong feeling among teachers and principals that we lack authority to really do something to make children and parents realize that certain attitudes and types of behavior are not accepted and will not be tolerated in public schools."

From Catherine D. Bray, principal of Congress Heights elementary school: "Some of these people (at the game) anticipated trouble and came prepared with knives, chains, brass knuckles, and clubs. This reminded me of my first year as principal at H. D. Cooke School where, on the last day of school, the children were to have a fight between Wilson and Cooke. I alerted the teachers, we collected about a dozen knives, and, as I dismissed all classes through the front door, I collected umbrellas and baseball bats. We were covered with police protection." Veteran teachers told the principal this was a problem many schools had to face each year.

From John C. DeShazo, English teacher at Eastern High School: "I don't feel that I am teaching at Eastern High School. My day begins at 8 o'clock. I go into the classroom, and I write an assignment on the board. And the rest of the day virtually is spent barking and growling at my students to get them to do what I tell them to do."

From Wendall A. Parris, director of boys' physical education: "I was called into a situation the other day * * * a new teacher had been there 2 days. Six thugs came in. He had actually to pull a desk around to preserve and protect himself until he got help. This boy is taught to teach physical education. He is not taught to be a jailer or a strong-armed person. Well, somehow, I think this boy needs help. And yet * * * a policeman was knocked down 2 years ago and beaten on the front steps of a school at 9 o'clock in the morning by eight thugs, you see. And this happens * * * every other day, twice a day, three times a day, and * * * all over the city."

Superintendent Hansen submitted a lengthy report too of his own to the board of education, chiding the special committee for failing to point out the schools' good side, but nevertheless underlining the discipline problem. He asked authority to expel rowdy pupils and urged that Washington's rule against physical punishment of students be rescinded. Dr. Hansen added his own examples of the problems faced by Washington teachers:

When a high school teacher reprimanded a boy for failure to do a lesson, the boy cursed him, returned after school with three hoodlum friends to beat him up. One boy threatened to stomp his teacher with heavy combat boots, a type of footgear much in evidence at the Thanksgiving Day game. When the mother of a high school girl demanded that the high school boy responsible for her daughter's pregnancy should marry the girl, the boy said he already was the father of a two-week-old baby by a girl at another high school. One principal reported that only 13 percent of her kindergarten, first- and second-grade pupils have anyone at home when they return from school.

The Washington Post backed Superintendent Hansen's argument that the schools were being made "the whipping boy for society's failure" by the very people who fight for reduced school budgets.

Dr. Hansen has had mixed backing from the school board. In April, it gave him authority to suspend student troublemakers, but refused, by a 5-to-4 vote, to lift the ban on bodily punishment.

Many prominent Negroes—like the whites—seek to shield their children. John B. Duncan, one of the three Commissioners who run the city, doesn't allow his 13-year-old daughter to leave the house after dark. Wendall Parris took his son out of the public school system for which he works, and although not a Catholic, enrolled him in a parochial high school. Wesley S. Williams, president of the city's board of education, sent his daughter to a parochial high school, although he, too, is not a Catholic.

Abuses in the city's welfare program match crime in the streets and faltering discipline in the schools. A series of Senate investigations in the last 2 years revealed that cheaters and ineligibles were getting help under the general assistance and aid-to-dependent-children programs. More recently, a spot check of persons receiving aid because of permanent and total disability showed that half were not entitled to the assistance. A Washington Daily News reporter, Samuel Stafford, got himself a surplus-food card for a $6 bribe, found that distribution of free food to the needy is laced with corruption.

That Washington's crime, school and welfare problems spring overwhelmingly from the Negro community is no longer a matter of dispute. Prominent Negroes and whites agree on that fact. They also agree on the underlying causes: poverty, unemployment, broken homes, ignorance, and parental irresponsibility among thousands of Negroes who have flocked to the Capital from the rural South.

It is when the discussion centers on what to do about the city's disgrace that agreement breaks down. At the poles are the extremists: at one pole, the Black Muslims, who preach their own brand of segregation and hostility toward the white race; at the other, the white racists in Congress who contend that Washington's shame proves their case against integration.

Negroes differ among themselves. George O. Butler, of President Kennedy's Committee on Equal Employment Opportunity, thinks the Negro at work in a good-paying job is the solution.

"It's as simple as this," he says. "If a Negro boy can't get a decent job, he'll turn to welfare or crime. I agree that there's a crisis in Negro leadership in this city, but it's because the Negroes who should lead have become frustrated at their inability to break through the white wall. And if they were leading, they'd get very few followers."

Butler contends that the Negro now has good employment opportunities in Washington's largest industry, the Federal Government, but is thwarted in the unions and finds jobs hard to get in the District of Columbia government, the Washington police force, the printing industry, research plants, banks, and stores.

Says Carl Rowan, a State Department official in Washington for 2 years and now Ambassador to Finland: "When the school authorities, the judiciary and the police are largely white, it's ridiculous to contend that Negro leaders must bear the responsibility for Negro crime. As a Negro, I feel just as concerned for my wife's safety when I leave town as a white man, but Negroes must be integrated into community leadership if they are to be made responsible."

Wendall Parris disagrees. He argues that both races are guilty of failing to "develop leadership in the Negro community." Parris' harsh conclusion: "We've got to quit blaming everything on poverty and broken homes and begin exerting real discipline in our schools and in our lives."

Says Simeon Booker, Washington correspondent of Ebony magazine: "Of course, we must tackle the underlying causes with long-range programs, but that will take years, and in the meantime, we've got to adopt a firm policy of enforcing the law and demanding discipline in the schools."

White leaders disagree even more widely. Some want vastly expanded welfare, social work, and psychiatric programs among Negroes. Some employers contend that Negro applicants for jobs have neither the training nor responsibility for steady employment. Some want home rule instead of the offhand and somewhat disenchanted management of Washington by Congress. Others contend home rule would bring a Negro mayor and council and that the city's Negroes aren't ready for self-government. Some want more integration among civic leaders. Others would rely on a larger police force.

In the field of law enforcement, Police Chief Robert V. Murray, who heads one of the cleanest police forces in the Nation, finds himself frustrated by court decisions that increasingly narrow the scope of police power and give the offender more latitude. Murray's prize exhibit is a graph showing a steady decrease in crime in Washington from 1953 to 1957 and a steady rise thereafter. In the 1957 Mallory decision, the Supreme Court ruled that police officers must not question a suspect unduly before his arraignment. A new city rule imposes additional restraints on Washington police. Arrests for investigation, a fruitful source of information on crime, are now banned.

The series of court decisions that handcuff police in their efforts to cope with criminals, says Benjamin McKelway, of the Washington Star, leads to the belief that "a growing preoccupation with the rights of the criminal has been accompanied by a growing neglect of the rights of the public."

Meanwhile, the police radio crackles all night with announcements of new offenses—yokings of newspaper collection boys, holdups, murder, stolen cars, juvenile gangs hijacking buses, robberies, brutal street beatings. The police cruisers and police-dog teams rush to spot after spot, but almost always they are outmanned by the offenders. It was after one such evening of routine violence that Detective Robert J. Long went off duty at midnight, shrugged his shoulders and said, "Well, the bad guys won again."

The search for an answer to Washington's plight baffles many earnest men. "I wish," says Commissioner Duncan, "I were wise enough to know the solution. But some of the causes stretch back 300 years and have no easy remedy. All I know is that we should marshal the best brains of the Nation to save this city—and the others like it."

The Washingtonian's Washington, the city behind the massive Federal buildings, the luxury hotels, and the national monuments, is in serious trouble. It may be years before the Capital emerges into the sunshine of civic pride. Right now, the shame of Washington gives every indication of getting worse before it gets better.

THE 1968 WINTER OLYMPICS

Mr. KEATING. Mr. President, I am delighted to learn that the Department of State, in a formal report to the Senate Foreign Relations Committee, has given its full approval to a Senate joint resolution (S.J. Res. 67) inviting the International Olympic Committee to hold the 1968 winter games in the United States and, specifically, at Lake Placid, N.Y., which is the choice of the U.S. Olympic Committee.

This official Government support and the hope which the Department of State has expressed that these games will be held in Lake Placid are extremely gratifying. A tremendous amount of work has already been done by the organizing committee in Lake Placid to prepare their formal application and to meet the demands which such an event would pose. The presentation which has been drawn up is a most impressive document, and I only wish that I could include it, pictures and all, in the CONGRESSIONAL RECORD.

Lake Placid offers unique facilities for winter Olympics, some of them dating back to 1932 when winter Olympics were held there. Others are more recent, and there are plans underway now for construction of an additional jumping hill and another downhill course.

The provisional organizing committee, under the chairmanship of J. Bernard Fell, is also planning to attend international meetings in Athens and, if possible, also Finland, Innsbruck, and Montreal, to press the case for Lake Placid.

Mr. President, the support of the State Department is very welcome and much appreciated in this effort, and I am hopeful that, with approval of the Department, it will now be possible to secure prompt congressional ratification of this resolution which I introduced with the support and cosponsorship of the senior Senator from New York [Mr. JAVITS] and the distinguished majority whip, Senator HUMPHREY, who is also an enthusiastic advocate of U.S. participation in international sports activities.

Mr. President, I ask unanimous consent to have printed in the RECORD, the text of the letter from the Department of State to the Foreign Relations Committee and the text of the joint resolution.

There being no objection, the letter and joint resolution were ordered to be printed in the RECORD, as follows:

DEAR MR. CHAIRMAN: Thank you for your letter of March 29 enclosing a copy of Senate Joint Resolution 67.

The Department of State endorses Senate Joint Resolution 67, extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States. The decision as to where the games will be held will be made by the International Olympic Committee at its meeting in January 1964 in Innsbruck, Austria. It is the Department's hope that this committee will accept the invitation of the U.S. Olympic Association to hold the games in Lake Placid, N.Y.

The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, whereas the United States Olympic Association will invite the International Olympic Committee to hold the winter Olympic games in the United States at Lake Placid, New York, in 1968, the Government of the United States would welcome the holding of the 1968 Olympic games in the United States and expresses the sincere hope that the United States will be selected as the site for this great enterprise in international good will.

Mr. AIKEN. Mr. President, will the Senator from New York yield?

Mr. KEATING. I am glad to yield to the Senator from Vermont.

Mr. AIKEN. I am sure the Senator from New York would like to point out that one of the great advantages of Lake Placid—possibly the greatest advantage—is its proximity to the very superior and numerous ski areas in the State of Vermont. I am sure he would not want Lake Placid to be denied that recognition which I am glad to supply.

Mr. KEATING. I am grateful to the Senator from Vermont. It is certainly an advantage to Lake Placid to be in close proximity to Vermont, just as the Senator from New York always considers it to be advantageous to be in close proximity to the Senator from Vermont. However, I would not consider that that was the greatest advantage. I would have to differ with that statement of my friend from Vermont, but I hope that many of those who will come to this country for the Winter Olympics in 1968 will have occasion to drop over to Vermont and see the wonders and beauties of that neighboring State with which we in New York enjoy such cordial relations.

Mr. AIKEN. I can assure the Senator from New York that the visitors from other countries will not be able to resist the opportunity to visit Vermont, to which he has called attention.

Mr. KEATING. I am sure of that.

Mr. AIKEN. I agree that the Adirondacks are very beautiful; in fact, the Adirondacks almost became a part of Vermont.

Mr. KEATING. I had heard that it was the other way: I had heard that there was some thought of absorbing Vermont into New York State.

Mr. AIKEN. New York lost that chance in pre-Revolutionary days and even now if we draw a line from Glens Falls to Watertown, we will find all that area in New York north of that line has not yet fully recognized the jurisdiction of Albany.

Mr. KEATING. I thank the Senator from Vermont for his contribution to the discussion.

Mr. DOMINICK. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. DOMINICK. I congratulate the Senator from New York for his work in having the State Department endorse the joint resolution extending an invitation to the International Olympic Committee to hold the 1968 winter Olympic games in the United States.

If in the process there happens to be, unfortunately, any problem of procuring good snow or ice conditions in New York, we would welcome the participants to come to Colorado where there are excellent facilities for winter sports.

Mr. AIKEN. Is the Senator referring to such snow problems as confronted Colorado during the past winter?

Mr. DOMINICK. That was something which we thought would be fine for the visitors. We arranged to have the snowfall at night so that the visitors could ski during the day, without having to interrupt their other sporting activities.

Mr. AIKEN. It seemed to me that for the first 3 months of the winter, people from Colorado were coming to Vermont, where they could find some snow and which we were glad to share with them.

Mr. KEATING. One community in New York, in the very area about which I am speaking, had so much snow that it covered the second story of many houses. So we assure those who will come to New York that they will have an abundance of snow and an abundance of cold weather to make their stay enjoyable.

Mr. AIKEN. Mr. President, will the Senator from New York further yield?

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. KEATING. Mr. President, I now wish to speak about summer vacations, so I ask unanimous consent that I may discuss them for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from New York is recognized for an additional 3 minutes.

Mr. AIKEN. Now that the Senator from New York has referred to the depth of snow on the west side of Lake Champlain, I should like to point out that at one period this winter the snow was so deep in Vermont that some of the chairlifts which carry skiers to the top of the mountains were actually operating under snow.

Mr. KEATING. Mr. President, I can always be sure that my friend the Senator from Vermont will top what I cite by referring to another situation—just as he so often tops our observations in the Senate with his observations.

NEW YORK'S FABULOUS FINGER LAKES REGION

Mr. KEATING. Mr. President, not only is New York proud of its winter facilities, but it is also justly proud of its many scenic beauties, natural resources, and attractions for vacationers at other times of the year, as well as in winter. Today, I wish to call particular attention to the area which surrounds the Finger Lakes in central western New York.

This region is famed for its history, natural beauty, industrial potential, and attractions for visitors. Its endless variety of sights and scenes make it a mecca for an increasing number of vacationers.

To those who have been fortunate enough to visit this lovely area, I extend a cordial invitation to return. To those who have never been there, I say come take a look, so that you will learn why this region has earned the name of the fabulous Finger Lakes.

Mr. President, the Rochester Times-Union on May 18, 1963, featured a special section outlining the wonders of the Finger Lakes region and also setting forth a proposed datebook for Finger Lakes fun, running from May 26 to November 31. However, so far as I recall, November has only 30 days; so I suppose this program will extend until December 1.

I do not suppose many Members of the Senate will have time to spend all of that period in this area; but this section of the Rochester Times-Union is available to all Members to read. I welcome them to this wonderfully beautiful area in central western New York; and I ask unanimous consent that excerpts from the section published in the Times-Union be printed at this point in the RECORD.

There being no objection, the excerpts from the article were ordered to be printed in the RECORD, as follows:

THE FINGER LAKES: NATURE'S GIFT FROM THE GREAT GLACIER

(By Jose Echaniz, Jr.)

The crystal clear water of the Finger Lakes region—crashing down a waterfall, coursing through a rock gorge or serenely rippling in a cool lake—is permeated with history and legend.

The names of William Henry Seward, Mark Twain, Millard Fillmore, Samuel Hopkins Adams echo from glen to glen, mingling with Indian myths and legend.

The very formation of the Finger Lakes is steeped in legend. Indian lore saw the entire area as an enormous turtle. The blue lakes were pools between the ridges in the turtle's shell.

Later, early white settlers originated the legend that the lakes were the imprint of the hand of God which remained after He laid His hand in blessing on this favored land.

Geologists see the area as formed by the Great Glacier. As it receded it opened deep lakes in what were once river beds. The glacier blocked southerly flow of the rivers and forced them to back up and eventually carve new routes north into Lake Ontario.

Then the new streams feeding the lakes began to cut picturesque gorges into the land. By the time the Indians arrived, the area was a region of unrivaled beauty.

The streams had cut scenic gorges through the rock, and waterfalls plunged by the hundreds.

The Indians gave the lakes names: Skaneateles, meaning "long lake"; Owasco, "the crossing"; Cayuga, "boat landing"; Keuka, "canoe landing"; Canandaigua, "the chosen place."

And to the mightiest and longest lake they gave the name of the mightiest nation of the Indian confederacy—Seneca.

Names in American history also ring through the area.

Millard Fillmore, 13th President of the United States, was born near Moravia in the Owasco Lake area. The same region was the boyhood home of John D. Rockefeller.

The home of William Henry Seward, Secretary of State under President Lincoln, is preserved as a museum in Auburn at the northern tip of Owasco.

Auburn also was the home of Samuel Hopkins Adams, one of the State's best known authors ("It Happened One Night," "Revelry," and "Tenderloin").

Elmira is the former home of Mark Twain who wrote "The Adventures of Tom Sawyer" and other works in a small octagonal study built in the form of a Mississippi riverboat pilot house in 1874 just outside the city.

Today the Finger Lakes area is one of the State's richest agricultural regions. Wineries in Hammondsport and Naples make New York State wines famous.

Its industry ranges from one of the largest rope manufacturing plants in the world in Auburn, to Watkins Glen, one of the largest salt producing centers.

Annual attractions combined with the natural beauty and resort facilities make the region an attraction for 2 million tourists each year.

Thousands are attracted to the Newark Rose Festival, the Grand Prix sports car races in Watkins Glen and the Mormon pageant on Hill Cumorah near Palmyra.

Tours of the wineries, the Corning glass center, the 10 State parks in the area, the new Finger Lakes racetrack near Canandaigua, and numerous historical homes and museums draw thousands more.

YOUR DATEBOOK FOR FINGER LAKES FUN

To May 26: Apple Blossom Time, Williamson; Blossom Queen parade and crowning, other events, next Saturday from 2:30 p.m.

June: Antique Show, Skaneateles.

June 12–13: House and garden tour, sponsored by the Syracuse Area Garden Clubs, Skaneateles.

June 27–29: Junior tennis tournament, sponsored by the New York State Junior Chamber of Commerce, for boys up to 18, Ithaca College.

June 28–30: Watkins Glen Grand Prix, sports car road races for $4,250 in prizes, Watkins Glen.

July 1 to Labor Day: Sesquicentennial celebration of the burning or Sodus Point by the British, June 19, 1813, Sodus Point.

July 2–12: National Soaring Contest at Harris Hill near Elmira.

July 3: Fireworks display, Schoellkopf Field, Cornell University, Ithaca.

July 3: Flares for youth, Skaneateles.

July 4: Fireworks and races, Sodus Point.

July 4–6: New York State junior tennis tournament, sponsored by Ithaca Junior Chamber of Commerce, Ithaca College, and Cornell University.

July 4–5: Sesquicentennial celebration, Prattsburg.

July 9–13: Trumansburg Fair, Firemen's parade, Friday, July 12; horse races, Friday and Saturday, Trumansburg.

July 10–11: Reading Antique Show and Fair, Reading Center, Route 14A.

July 10–14: Yates County Fair, horse show, exhibits, Penn Yan.

July 12–14: Genoa Days, parade, exhibits, entertainment, Genoa.

July 17–18: Antique show, Penn Yan.

July 24–25: Kiwanis Do-Good Auction, Penn Yan.

July 26: Sidewalk sale, beauty contest, Penn Yan.

July 12–13: Antique show and sale, St. Thomas Church, Bath.

July 15–20: Ontario County Fair, firemen's parade, Canandaigua.

July 26–28: New York State Babe Ruth League Championship Playoff, Wayland.

July 27–28, August 3–5: Glenora Music and Art Festival, concerts and art exhibits, Glenora, Route 14, north of Watkins Glen.

July 31–August 3: Mormon Pageant, Hill Cumorah near Palmyra.

July: Art and ceramics show, St. Matthews Parish House, Moravia.

August: Antique show, St. Matthews Parish House, Moravia.

August: Outboard Motorboat Regatta, Skaneateles.

August 6–10: York State Craft Fair, Ithaca High School.

August 9–11: Annual Aqua Festival, Seneca Falls.

August 10: Pro football, New York Giants versus Chicago Bears, 3 p.m., Schoellkopf Field, Cornell, Ithaca.

August 13–17: Wayne County Fair, Palmyra.

August 14–15: Empire State Potato Field Day, Prattsburg.

August 14–17: Fire Department and VFW Fair, parade, Saturday, August 17, Moravia.

August 15: Fireworks display, Clyde.

August 18: Keuka Lake water carnival, Penn Yan.

August 20–25: Steuben County Fair, parade, all-girl rodeo, Bath.

August 23–25: National Glen classic race, championship sports car road races and Indianapolis midget races, Watkins Glen.

August 24–25: Invitational regatta, Sodus Bay.

August 31: Genundowa ceremony, "Feast of Lights" on Keuka and Canandaigua Lakes.

August 31–September 2: Yacht races between Rochester and Sodus Bay.

August 31–September 2: One design 1–26 regatta, Harris Hill, Elmira.

September 1: Peach Orchard Choral Music Festival, art exhibits, Watkins Glen.

September: Water Ski festival, Skaneateles.

September 4–7: Dundee Fair, Dundee.

September 21: Indian celebrations, rites of direct descendants of Owascan and Cayugan Tribes, Auburn.

October 3: Grape festival, Naples.

October 4–6: U.S. Grand Prix, 253-mile, 110-lap race, Watkins Glen.

November 28–31: Snowbird meet, Harris Hill, Elmira.

THE TRUTH-IN-PACKAGING BILL

Mr. RIBICOFF. Mr. President, the voice of the consumer is finally being heard in the land. When the Senate Antitrust and Monopoly Subcommittee began its hearings on the truth-in-packaging bill, introduced by the Senator from Michigan [Mr. HART], it enjoyed only scattered support, mainly from Senators deeply concerned with the plight of the unorganized consumers in this country. Opposition to the bill was formidable and organized, however.

Now I note that the fight which Senator HART and the cosponsors of his bill have been carrying on for the consumers has won significant support. On May 18, the New York Times, in an effective editorial, unequivocally gave its support to the truth-in-packaging bill. On May 20, the Washington Post added its support for truth-in-packaging, in an equally effective editorial.

The bill is presently in the Antitrust and Monopoly Subcommittee, and hopefully it will soon be reported to the full committee. Senator HART should have the thanks of all the American people for his conscientious hard work on this important proposal.

I ask unanimous consent that these two editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 20, 1963]

INSIDE STORY

Have you been misled by packages promising a "giant half quart" or confused by labels giving exotic quantities for making price comparisons? With more and more emphasis on consumer packaging, it seems a legitimate public concern that the labels bear a proximate relationship to truth. This at least is the contention of Senator PHILIP A. HART, who, with a group of colleagues, has introduced a "truth-in-packaging" bill. The legislation is now before the Senate Antitrust Subcommittee, and it seems to us that favorable consideration is in order.

Extended hearings have disclosed abuses and have pointed to the lack of remedies under present law. The proposed bill would permit the Food and Drug Administration to issue regulations that would assure honest and conspicuous labeling. When necessary, the FDA would also be authorized to establish standard weights and measures in which commodities may be sold and determine what constitutes "small," "medium," or "large" in various items. The bill is not designed as a criminal measure but is an amendment to the Clayton Act, stressing civil sanctions.

Though there may be dissent on details of the legislation, the essential principle is surely sound. The old doctrine of caveat emptor has long been modified by the law, and it is as much a technique of unfair competition to mislead on size as to deceive with misleading advertisements. Secretary of Commerce Hodges, who is not insensitive to business needs, says of the measure: "The bill would not only serve to protect the interests of consumers throughout the country, but would also serve to protect and advance the interests of manufacturers, packagers, and all other business elements participating in the distribution of consumer goods."

[From the New York Times, May 18, 1963]

TRUTH IN PACKAGING

The Senate Antitrust and Monopoly Subcommittee will decide in the next few weeks whether to report out the truth-in-packaging bill sponsored by Senator HART, of Michigan, and eight other Democrats. The bill is designed to protect buyers against the grossly misleading designations, illustrations, and size manipulations that often make sensible shopping almost impossible.

Deceptive packaging and labeling practices, as President Kennedy observed in his consumer message last year, are "clearly incompatible with the efficient and equitable functioning of our free competitive economy." In the modern supermarket the function of salesmanship has largely been taken over by the package. Consumers have a right to expect that packages will carry trustworthy information about their contents, set forth in a manner that permits ready comparison with competing products. Responsible manufacturers will benefit as much as the shopper from legal safeguards against unethical competition.

Senator HART announced when public hearings closed last month that modifications were planned to ease some excessively restrictive features in the bill's original draft. These should help guard against the danger of stifling ingenuity or enterprise in making foods and other goods more attractive to buyers. The general purposes of the measure are sound and deserving of subcommittee support. On the basis of positions already indicated, it appears that the key vote may be that of New York's Senator KEATING. His attitude toward the bill may determine whether it goes before the full Judiciary Committee and from there to the Senate floor.

TRIBUTE TO SENATOR GRUENING

Mr. MOSS. Mr. President, a man of decision and vision makes the world in which he lives and in which future generations will live a much better place. Such men often have diversified talents.

Friends in Alaska have called to my attention an article which appeared in the March 29, 1963, edition of the Juneau Daily Empire. The article, entitled "Speaking of Just About Everything," was written by Mr. Vern Metcalfe; and in the article the author reflects on the many talents of my good friend, the Senator from Alaska [Mr. GRUENING].

Mr. Metcalfe suggests that Senator GRUENING's command of the English language is second only to that of Winston Churchill. While ERNEST GRUENING has not yet written as many books as this Nation's new citizen, he has added substantially and substantively to our book shelves with such major works as "Mexico and Its Heritage," "The Public Pays," and "The State of Alaska." I hope he is presently putting into manuscript form accounts of the other events in which he has participated.

I commend Mr. Metcalfe for his well-written column, and am pleased to have this opportunity to call it to the attention of my colleagues.

Mr. President, I ask unanimous consent that the article "Speaking of Just About Everything," written about our colleague, the Senator from Alaska [Mr. GRUENING], be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPEAKING OF JUST ABOUT EVERYTHING

(By Vern Metcalfe)

This past week saw our friend, ERNEST GRUENING, in town for a wedding, that of his son, Hunt, and again we were exposed to the charm that can only be generated by this particular man. There are those, as I well know, who would use another word than the one I've chosen, "charm," but then everyone is entitled to his own opinion.

I've been exposed to the man known as ERNEST GRUENING for some 17 years now and I have heard any number of adjectives, printable and otherwise, applied to the gentleman in question. But one thing I've never heard is anyone doubting his intelligence. And it might be well to point out that Alaskans who have been exposed to the Gruening ways, are certainly among the most fortunate of peoples because, when this man starts to speak, we are hearing one of the true artists of the English language.

This was brought home to me forcibly this past week when I tape recorded an interview for my "Voice of the People" show with our junior U.S. Senator. The lobby of the Baranof will probably still show pieces and parts of the Department of Defense, Fish and Wildlife Service, and what he quaintly terms the "steamship monopoly." I asked two questions of the Senator, one more than I usually get in this sort of thing, and then sat back to enjoy the proceedings. It is interesting to note that two staff members of KJNO were so enamored with what they were hearing on the monitor that they came up to the lobby to hear it first hand.

My purpose here is not to agree with all ERNEST GRUENING had to say, although I would find it hard to disagree, but to point out that our elder statesman has a command of the English language second only to Winston Churchill. There are those doubters, probably, in the audience, but here is a man who thinks in paragraphs and chapters where the rest of us mortals are desperately seeking a complete sentence.

I've always felt that I was indeed fortunate in coming to Alaska at the tender age of 18 and being interested in politics because I've had the opportunity of meeting such men as GRUENING and BOB BARTLETT. There are men who know both of them better, but I've had my moments and this has given me a great insight into the world of politics. I frankly doubt if anyone could have two better, or more contrasting, teachers than these two men.

Both have an uncommon talent for seeing many years in the future, but they attack their chosen course in far different matters. In a later article I'd like to write about BOB BARTLETT, but this piece relates to E. GRUENING. I must have heard the man in question speak well over 100 times, but he has never failed to delight me and I've heard him in the company of such people as Adlai Stevenson and John F. Kennedy. He has yet to come off second best.

Last Saturday morning I proved, without a shadow of a doubt, that I'm a Gruening buff when I arose at an uncommonly early hour following a Democratic legislative banquet to wend my way to a joint meeting of the legislature just to hear GRUENING speak for the one hundredth and umpteenth time. The Senator was not in full cry by any means but I found out later that he felt that he should drop only hints to what he termed "My fellow legislators" which sets a new course record for E.G.

In the past I've never noticed any reluctance on the part of the man I consider one of the great catalysts of our time to lay waste to various and sundry enemies, usually governmental agencies, that stand in the way of Gruening projects. If I had not only the previous day seen the GRUENING of old in full cry I would have suspected a general softening in the Gruening attitude. I can assure you, however, that this is not the case at all.

His remarks about the Fish and Wildlife Service brought a hurry up visit of one of the minions of this department requesting a tape so that his remarks could be transcribed to paper for the files of Secretary of the Interior Udall who, I would gather, is developing a Gruening complex. This has happened to other men who have held this same job and one cannot accuse our ERNEST of playing any favorites. He has been equally harsh with Harold Ickes, Douglas McKay, and Fred Seaton so I wouldn't want Stew Udall to think he is being unfairly treated.

GRUENING's great project is the Rampart Canyon Dam which would provide hydroelectric power for the State of Alaska, and it takes a visionary, and GRUENING is all of this, to even believe that such a project can be brought off. There are any number of people who are opposed to this including a group mistakenly termed "conservationists."

I for one am as interested as anyone in conserving our resources, but I've never found any merit in what one friend of mine once termed "conservation through waste." Neither is Ernest Gruening who wants resource development and knows that this can only come about once there is a vast amount of cheap power.

The arguments now being advanced against Rampart are the same advanced some 30 years and more ago against the development of Grand Coulee Dam. Having been raised near this sagebrush and jackrabbit haven, I can assure you that the project not only provided power but it turned the desert green and the lake behind the dam is now a sportsman's paradise. All of this was accomplished by other visionaries who fought for some 20 years and overcame those who were positive that it would lay waste to the fisheries resource. I could at this point recommend a book called "Hail Columbia" for history revisited but since George Sundborg, who works for Gruening, wrote it, I'm afraid someone would find it suspect.

Be this as it may, I just wish they hadn't cracked the mold, and I'm sure they did, when Ernest Gruening was created. We could use a couple of more like him. Say one on the city level and one on the State level. But then maybe this would be too much of a good thing.

RECREATIONISTS SHOULD HELP DEFRAY COSTS

Mr. MOSS. Mr. President, as a cosponsor of Senate bill 859, I was very much pleased to read in the Salt Lake Tribune of May 6 a lead editorial entitled "Recreationists Should Help Defray Costs." This is a very well written and thoughtful editorial concerning the bill, which has been introduced, to provide additional funds for the acquisition of recreation land. I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Recreationists Should Help Defray Costs

Although some details of the proposed national land and water conservation fund are under attack, and several questions are unresolved, the fund likely will be approved eventually along the general lines of administration proposals now in Congress.

The fund would be created to help the States and Federal Government meet increasing public demand for additional outdoor recreation areas and facilities. It would provide outdoor recreation grants-in-aid to States on a matching basis and enable the Federal Government to buy certain lands for recreational purposes.

The fundamental aim of the conservation fund is to assure future generations sufficient opportunities for outdoor recreation.

Millions of Americans who find physical and mental refreshment through outdoor recreation would help pay the cost of making land and water recreation areas available.

The fund would derive from three main sources: a recreation user fee for public land and water areas, rededication of an existing 4-cents-a-gallon tax on pleasure boat fuel, and receipts from the sale of Federal land and property.

The most controversial phase of the program, particularly in the Western States where most outdoor recreation has been free, is a proposed automobile sticker, to be sold for $3 to $5 per year, for admission to various public areas. Similar stickers already are required for entry to major national parks. As envisioned, the new stickers would admit the vehicle into various kinds of parks, monuments, and recreation areas. No doubt some national forests would be included in the plan, although an explanatory statement by Interior Secretary Udall says that "the great bulk of national forests, national grasslands, and national land reserves" would not require the stickers.

Supplementary fees would be charged for special camping, picnicking, and swimming areas. The charges would be made where special facilities are provided, such as hot water, washing machines, bathhouses, and trailer hookups.

Enforcement and fee collections will pose administrative problems. Use fees were charged on an experimental basis in several popular areas of the national forests several years ago, with uneven results. In some areas collection and administration costs exceeded the money taken in. Collection boxes and coin turnstiles, proposed for some out-of-the-way places, could encourage theft and vandalism. This phase of the program well might be combined with plans to put youth to work during the summer months.

States would occupy a key role in the administration and development of public outdoor recreation opportunities.

The program envisions acquisitions of substantial acreage to be financed with as little impact as possible on the Federal budget.

It is fair and basically sound that outdoor recreationists should pay directly into a fund to improve and maintain facilities and protect scenic resources.

The principal aim should be to keep the charges fair and equitable and in keeping with initial aspirations of the Outdoor Recreation Resources Review Commission which years ago pointed to the need for such a fund.

ROBINS AWARD OF AMERICA CONFERRED ON HENRY J. KAISER

Mr. MOSS. Mr. President, the Utah State University annually holds an award ceremony called the Robins Award of America, which is under the direction of the student assembly, at which various outstanding persons in the United States are given awards by various categories.

This year, one of the awards went to Henry J. Kaiser, for his accomplishments in the field of industrial development. On that occasion Mr. Kaiser delivered an excellent and thought-provoking address. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Henry J. Kaiser, Robins Award of America, Utah State University, Logan, Utah, April 20, 1963

Tonight I address myself to the fine young men and women in this audience and to those on other campuses across the Nation, who are responsible for our being here.

I think everyone here must know that this is a most inspirational and memorable evening for me.

Learning how young college men and women of America vote to select the Robins awardees, I immediately made plans to make it possible to attend the award ceremony. The importance of this event is because it is an expression of youth. I take great inspiration whenever I can be among young people. It is youth who will build the world of tomorrow.

To the young men and women who voted the award, I wish I could adequately express my very deep appreciation.

It is a privilege indeed to be in this distinguished company of leaders and of youth who will be leaders in the coming one-third of the 20th century.

What will be the opportunities for young men and women?

Who will build the tomorrow but today's youth?

My reply to youth can best be said in these words of a poet:

"TODAY

"(By Angela Morgan)

"To be alive in such an age!
With every year a lightning page,
When miracles are everywhere,
And every inch of common air
Throbs a tremendous prophecy
Of greater marvels yet to be.

"To be alive in such an age—
To live in it,
To give to it!
Give thanks with all thy flaming heart—
Crave but to have in it a part."

Looking ahead in this age of wonders coming true, think of what lies immediately ahead of you—the opportunities, the challenges, the time of progress in which you will be shaping your lives and careers.

It is not necessary to pull forecasts of what will take place out of thin air. The U.S. Government and two sound planning associations have joined in predicting what Americans will accomplish in coming years.[1] Let's look at a few of their official forecasts:

First, take 1976. That's only 13 years from now, and from my vantage point of 81 years, that's like tomorrow.

In 1976, this country's annual output of goods and services will reach about $1 trillion.

America's population will top 235 million. And more than 92 million will be gainfully employed.

Almost 70 percent of American families will be earning more than $6,000 a year.

We'll fly from Los Angeles to New York in 90 minutes at 2,000 miles an hour.

And there will be literally thousands of new products and services resulting from today's and tomorrow's amazing discoveries in electronics, chemistry, metals, plastics, and all the fields of science. Thus, this forecast indicates there will be a tremendous array of new products and services for you to improve and make and market and use.

And now what do the forecasters say about your world in 37 years—the year 2000?

You and your family will be part of a Nation of 350 million people.

Your work will contribute to a gross national product of $2 trillion. Think of it—$2 trillion.

And if you are only average—but I think you're better than average—your family income will be $14,750 a year, after taxes. And I'm talking in terms of 1959 dollars.

There will be those who will say, "Impossible. It can't be so good."

These may be the descendants of the people who said to me a few short years ago, "Henry, don't be fantastic," when I proposed that we set our goals for the postwar years at a $400-billion economy with a national work force of 60 million men and women. As it turned out, those figures were too small; they were greatly exceeded.

So if the short-range shooters tell you that you're all wet—that things can't possibly be that good—listen to what they say. Then readjust your sights. Chances are they set their sights too low.

I recommend that you carry one piece of equipment with you all the time: A specialized eraser that automatically wipes out the "t" in can't.

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[1] "Projections to the Years 1976 and 2000: Economic Growth, Population, Labor Force and Leisure, and Transportation"—reports to Outdoor Recreation Resources Review Commission to President and Congress; U.S. Government Printing Office, Washington, D.C.

I have found that so-called impossibles are usually only impossibles as fear and lack of courage make them so. I well remember when the Doubting Thomases said, "It can't be done; it's impossible for the west coast to mass-produce ships." Yet, ships were built—at record low cost—at the rate of one a day.

The same "can't-ers" sang their negative tune about aluminum and steel, cement and medical care. And you will hear those who say you cannot accomplish your goals.

As I grew to manhood and became a builder, I was told that the day of the individual success was past; the big things had been done; the great fortunes had been made. I could not believe that and I hope you don't.

But I recommend this conviction to you: The prospects for your tomorrows are as limitless as the minds and hearts of men—yet as real as the bold imagination, the faith, the love, and the will to work that men can unleash.

In just a nutshell, what is the best counsel I can give you to achieve the most and best with your own life?

Find a purpose—an aim—a goal for your life. Choose what you most of all want to accomplish. Evaluate your abilities and field of greatest interest. Set your aim on an underlying purpose that will call forth your finest aspirations and energies. The psychologist Walter Pitkin brought to light that the average man never uses more than one-fifth of his brain as he could.

Find a need of people and fill it. That is a key to success. Discover in what work you can be of greatest service. Only as you give of yourself to others will the more abundant rewards of life flow back to you. The person who really loves people and wants to serve others will realize the happiest and most successful life.

Have faith—faith in yourself and your highest aspirations, faith in your fellow men, faith in God that gives you help from the Higher Power. Yet faith without works is dead. Believe in your dreams, and then work with joy, unceasingly to make your dreams come true. You'll learn the adventure and fun in working to achieve your goal.

The future holds wide horizons of limitless opportunities—the opportunities of this age of scientific revolution—opportunities of achieving the benefits of material civilization and lasting peace of all mankind. Give thanks to live in such an age; yet never for a moment underrate the part you, yourself can take in it.

Vow to yourself that you will achieve the best within you, knowing as the poet wrote:

"ASPIRATIONS

(By Emily Dickinson)

"We never know how high we are,
Till we are called to rise;
And then if we are true to plan,
Our statures touch the skies."

THE WHEAT FARMERS HAVE MADE THEIR DECISION

Mr. HUMPHREY. Mr. President, the wheat farmers of America made their decision Tuesday in the referendum on the wheat certificate plan. Their decision is to be respected. There now is a great deal of work that lies ahead of us.

I have outlined four suggestions that I hope will be helpful:

First, the U.S. Department of Agriculture should do all it can under existing law to enable the wheat farmer to obtain the fairest possible price for his product.

Second, there should be immediate consultation among the Department of Agriculture, all farm organizations, representatives of wheat producer associations, grain cooperatives, and the private grain trade in order to study all of the alternatives available for maintaining wheat prices.

Third, we must redouble our efforts to find new markets and new uses for wheat, both at home and abroad.

Fourth, the Commodity Credit Corporation must not use its surplus stocks of wheat so as to affect adversely the prices on this year's crop. This means that Commodity Credit Corporation stocks must be withheld from the market, as necessary, in order to prevent price-depressing effects.

Adoption of the feed-grains program for the 1964-65 crop years will aid in maintaining better prices for wheat, by acting as a stabilizer.

Mr. President, I repeat that the wheat farmers of America have given their decision, and it shall be respected. It now is up to the Government and the wheat producers, working together, to do everything possible to maintain a fair level of farm income.

I am confident that Secretary of Agriculture Freeman, who is a good friend of the American family farmer, will continue to carry out his duties as Secretary in a manner which will provide the maximum benefits under existing law to wheat producers, handlers, processors, and exporters.

The Secretary said, in a statement released yesterday, that, among other things, there will be no dumping of Commodity Credit Corporation wheat, either domestically or in world markets, and sales of wheat for export will be handled in normal channels of private trade to the maximum extent possible consistent with the fulfillment of our international obligations under the International Wheat Agreement.

Mr. President, I ask unanimous consent that the text of Secretary Freeman's statement be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Secretary Freeman on Wheat Referendum

Yesterday, wheat farmers in the United States with complete information on the alternatives open to them, chose to reject national marketing quotas for the 1964 crop. It means that for the next year unlimited wheat production with no price support is an option open to every American farmer.

It is the earnest hope of the Secretary of Agriculture and this administration that wheat farmers and our agricultural economy in particular and our national economy in general will benefit from this decision freely made by American farmers at the ballot box. We will do everything in our power to that end. There will be no dumping of CCC wheat. CCC sales of wheat for unrestricted use in domestic markets will be limited in 1964 to prices 5 percent higher than the price support of $1.25 plus reasonable carrying charges.

The wheat program, however, is a continuing program. Since 1938 Congress has wisely provided an alternative to acreage allotments and marketing quotas, to be effective if marketing quotas are not approved. That alternative program as provided by law will be in effect for the 1964 crop.

The 1964 wheat program provides price supports at 50 percent of parity for producers who voluntarily choose to comply with the acreage allotments applicable to their farms. Such farmers will be eligible for price support loans on the 1964 crop at about $1.25 a bushel.

This program then will be in effect for the 1964 wheat crop. If it works satisfactorily and farm income is maintained and wheat supplies are not excessive as those who urged a "no" vote in the referendum confidently predicted, no further program will be necessary. In any event, this point of view which prevailed in the referendum is entitled to a full and fair trial. Only when we see what happens can we be certain what program is the best.

If however, supplies of wheat in 1963-64 prove to be excessive the Secretary of Agriculture under the law must proclaim a national marketing quota and a national acreage allotment for the 1965 crop of wheat prior to April 15, 1964. And a referendum must by law then be held within 60 days after such a marketing quota is announced to determine if two-thirds of the wheat farmers support quotas. This means that should the program voted in on May 21, 1963, not succeed that a referendum will be held for the 1965 crop prior to June 13, 1964. Such a referendum if it proves necessary will be held not later than June 13, 1964.

In the world market, we can and will continue to fulfill our obligations under the International Wheat Agreement despite the current price and production uncertainty. This will be done under authority delegated to the Secretary of Agriculture by the President. The United States will work with the International Wheat Council and with its member countries and with the wheat trade and wheat producers to preserve the stability of world wheat markets and world wheat prices which we have so long sought together. Sales for export will be handled in normal channels of trade to the maximum extent possible consistent with the fulfillment of our international obligations. There will be no dumping of U.S. wheat in world markets.

THE WHEAT REFERENDUM VOTE

Mr. HOLLAND. Mr. President, I approve heartily of much of what has been said by the Senator from Minnesota in regard to the need for taking counsel and the best possible advice immediately as to what should be done about the wheat situation. I did not have an opportunity to follow all of the Senator's statement.

But, Mr. President, I believe that any of us who feels that we have reached the end of the road merely because the wheat farmers of America strongly expressed their unwillingness to accept the regimentation offered to them, without trying to find some helpful alternative, would be very unwise, indeed; and I hope that philosophy will not prevail.

In order that Senators may have before them a picture of the editorial comment on this important matter, I have chosen several editorials which I now ask unanimous consent to have printed in the Record, as a part of my statement:

First, an editorial entitled "Another Wheat Plan," from the Washington Post of today.

Second, an editorial entitled "They Don't Believe in Santa Claus," from the Philadelphia Inquirer of today.

Third, an editorial entitled—and, Mr. President, I observe that the editorial writer, in seeking for a superlative term to express the ideal of independence, reached into the South for the headline of the editorial—"A Rebel Yell From the Farmers," which was published today in the New York Herald Tribune.

The fourth editorial, entitled "Victory for Farmers; Defeat for Kennedy," published in the Chicago Tribune of today, I ask to be included.

The fifth editorial, entitled "Wheat Vote," published in the Baltimore Sun of today.

The sixth editorial, entitled "The Open Road," is from the Wall Street Journal of today.

The seventh editorial, entitled "No Controls on Wheat," is from the New York Times.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 23, 1963]

ANOTHER WHEAT PLAN

Defeat of the administration's wheat plan in the farmer referendum presents the Government with a very serious economic problem. The results of the voting were so decisive as to leave no room whatever to doubt farm dislike for the plan under which wheat acreage would have been cut 5.5 million acres, individual farm plantings reduced 10 percent, bushel quotas established and a two-price system instituted. The country now knows very clearly what farmers do not wish to do. It does not have a very clear idea of what they wish to do.

Many will be tempted to say that nothing more should be done about wheat this year—that the wheat growers should be left with virtually no price supports or acreage or marketing controls. This alternative will involve greater production than ever and very low wheat prices. In many rural areas of the United States, real economic hardship will result. It is not only the wheat farmers who will suffer, but rural communities in wheat growing areas. The hardship will spread beyond its source to a whole sector of the economy. And it is idle to suppose that it will not have its effect on employment throughout the country.

There may be impatience with the wheat growers. Confronted with a choice between rigid controls coupled with high price supports and loose controls and low price supports they seem to wish to have loose controls and high price supports. They are, no doubt, illogical. The Government cannot indulge in a fit of pique, however, and leave the wheat farmers to their own devices. Despite all impatience and annoyance, it must pick up the pieces and try to devise a program that will keep an important segment of agriculture from going into an economic tailspin.

What is called for is a serious reexamination of the whole apparatus of wheat production control and support prices. The Department of Agriculture's answer to the wheat problem had much to recommend it, but it certainly did not commend itself to the growers. They did not want this particular program. The Government will have to try again with a different combination of devices to keep output and demand in some kind of balance without catastrophic price declines.

[From the Philadelphia Inquirer, May 23, 1963]

THEY DON'T BELIEVE IN SANTA CLAUS

We don't know what happens next in wheat marketing after that thunderous "no" vote to strict production controls and a guarantee of $2 a bushel. We doubt it will be as bad as Secretary of Agriculture Orville Freeman made it sound while he was campaigning for a "yes" vote—unless, in a fit of pique, he orders dumping of Government surpluses already held, which is unlikely.

And we suppose the middleman will keep the housewife's daily loaf of bread at a price near what she has been accustomed to pay, no matter what happens to the price of the raw material.

But it was refreshing, all the same, to find any segment of American society at all these days willing to tell Santa Claus to go jump in the lake. Wheat farmers, evidently, prefer to run their own farms at their own risk.

The American Farm Bureau Federation which, as much as any single factor, brought about the growers' revolt, had only a rather middling-hopeful victory statement, in our estimation. Charles Shuman, head of the organization, said: "The way now is open for the Congress to solve the wheat surplus problem on a basis consistent with the maintenance of the market system."

The way is clear, to be sure, but the solution is less so; and surplus grain storage costs are already in the neighborhood of $1 billion a year—an expensive neighborhood.

If Congress doesn't come up with better ideas, the existing stopgap plan may produce about $1.25 a bushel support prices for those farmers who voluntarily cut production 10 percent—or whatever Santa Claus may ask.

The farmers, however, may well have had in mind that the likelihood of their being left standing out in the cold very long is minimal. There will be another vote, political in nature, next year. No doubt it will have some little bearing on what Congressmen—and the administration—do next.

[From the New York Herald Tribune, May 23, 1963]

A REBEL YELL FROM THE FARMERS

The wheat vote was a stunning defeat for the administration planners. It was also a striking affirmation by the Nation's farmers that the spirit of independence isn't dead.

They voted for a reversal of the farm policies of the last 30 years. They opted for less Government in agriculture, not more—and they probably torpedoed administration hopes of extending to yet other products the unprecedentedly rigid controls proposed for wheat.

It was just 30 years ago this month that Franklin Roosevelt signed into law the Agricultural Adjustment Act. Those three decades have seen a technological revolution on the farm. Productivity has soared; it still is outstripping increases in consumption. To compulsive planners, this means one thing: That there have to be ever tighter controls (or, in the current euphemism of the New Frontier, "supply management") to keep producers from flooding the market.

But the best regulator of the number of producers, even though it sometimes is cruel, is a free market.

The Farm Bureau Federation, which led the fight against the administration plan, aims for a gradual but definite return to a market economy for agricultural products. Interim measures are going to be needed to ease the transition. But both the farmers and the Nation will be better off if this week's vote, a staggering upset for Secretary Freeman, is taken as an indication that farmers have had their fill of playing junior partner to the Department of Agriculture. They are ready to cast aside their depression era crutches and learn once more to stand on their own feet.

[From the Chicago Tribune, May 23, 1963]

VICTORY FOR FARMERS; DEFEAT FOR KENNEDY

The Kennedy administration's farm policy has been dealt a crushing defeat by the landslide referendum vote of the wheat farmers against the plan to impose strict Federal controls on them in return for high prices. The extent of the defeat can be measured by the fact that not only did the administration's proposal fail to win the required two-thirds majority, but failed to gain even a simple majority. All the important wheat States rejected it and only 47.8 percent of the total vote favored it.

The results and the record outpouring of voters that produced them are clear indication that farmers overwhelmingly oppose the type of dictatorial management the administration sought to force on them. For this, they are to be congratulated and commended by taxpayers and consumers. The Kennedy plan would have made wheat farmers permanent fixtures on the Federal payroll. The vote showed farmers don't want it that way.

It took courage to vote "no," knowing it might mean only $1 a bushel for wheat, when a "yes" vote would have brought a guarantee of $2 a bushel. The big "no" vote should dispel any lingering doubts among those few city people who might regard farmers as a greedy lot willing to vote their pocketbook and exchange their freedom to farm for a check from the Federal Treasury.

As the only foe of the Kennedy plan among major farm groups, the American Farm Bureau Federation deserves much credit for its all-out fight against the price fixers and interventionists in and out of Government. Its president, Charles B. Shuman, can consider as an accolade the derisive nickname, "One-Buck Charley," which opponents hung on him. Only the Farm Bureau accurately gaged the mood of the farmers.

Having failed for 2 years to get its phony "supply management" policies through Congress, the administration's strategy was to put the issue directly up to farmers in the obvious belief they would accept it. It rigged the referendum for a "yes" vote by establishing an unreasonably wide disparity in the choice of prices, then proceeded to mount a propaganda campaign that was a scandalous waste of taxpayers' money and a shameful misuse of the administration's power and prestige.

But the administration misjudged the wheat farmers, just as it did the turkey growers last year when they soundly trounced a Federal control scheme in a referendum.

The responsibility of Congress is clear. It should enact new legislation, not to "bail out" farmers but to correct its own mistake. The legislation ought to provide protection against the economic hardship that might befall many if prices are allowed to drop to $1 a bushel and should have the ultimate objective of getting the Government out of farming. The Farm Bureau's proposal for such a program, long ignored by Democratic leaders, now deserves a fair hearing.

In the wake of the vote, President Kennedy, Secretary of Agriculture Freeman, and other administration leaders have reiterated that they won't support new legislation. Senator ELLENDER, Democrat, of Louisiana, chairman of the Senate Agriculture Committee, even carried his pique so far as to assert he will do all in his power to prevent a new law.

Congress should ignore such soreheads. It has a mandate from wheat farmers and should proceed to act on it.

[From the Baltimore Sun, May 23, 1963]

WHEAT VOTE

The administration's main argument for the wheat plan which the farmers voted down so decisively yesterday was this: that if farmers are to have high support prices (subsidies) they must accept rigid controls on the amount of wheat they produce.

This plan went all the way—without question the tightest scheme of control ever proposed for any farm product. It set up the Secretary of Agriculture as a czar of wheat production with power not only to determine wheat prices and acreage quotas for every farmer, but the number of bushels per acre that could earn the support price. It meant a farm policing job of immense proportions—and in addition a system of policing processors and producers of wheat products to see that no bootleg wheat was slipping by.

The reasons for the vote against this plan were many:

Nearly all farmers are happy to accept a subsidy, but they were not willing to accept the detailed policing which is the logical complement.

It was widely supposed that a tightly regimented wheat production-supply scheme would be followed by extensions of the same idea to one commodity after another—dairy, livestock, poultry—with the ultimate result a whole agriculture dominated by Government.

There was a widespread revulsion in commercial farming areas against the tremendous campaign mounted by the Department of Agriculture to put this plan across—a plan involving parades, press kits, and TV time.

A good proportion of the "no" vote was undoubtedly cast by farmers with small acreage allotments who feed the grain on their own farm and never really enter the commercial market.

There were other objections, of a different order. The plan envisaged a permanent subsidy of export wheat. We have been subsidizing wheat exports for a long time, but such operations have not been acknowledged to be permanent. A permanent policy would array the other great wheat-exporting nations against us.

The plan proposed precisely what Secretary Freeman and others of this administration have been fighting against in the European nations. Its effect would have been to weaken our position in trade negotiations.

Finally, there is the argument that the alternative to Government regimentation is the discipline of the market—the mechanism of supply and demand—as the one sure method of regulating price and production that is consistent with some degree of freedom on the farms.

In essence, then, this is a vote for the return of wheat to the discipline of the market. Wheat has been out from under the discipline so long that most farmers have forgotten what it means. It means ugly surprises for many—for shortsighted producers who misjudge future demand, for inefficient producers, for producers of poor-quality wheat. And existing surpluses hang over the market.

So far as wheat production is concerned, farmers have been living ever since the war in a fool's paradise. A return to market discipline—it will not be a complete and immediate return, of course—will have some of the characteristics of a fool's hell. But the same could perhaps have been said for the plan the administration failed to put over.

[From the Wall Street Journal, May 23, 1963]

The Open Road

It was assuming the proportions of a national political campaign, and in its way Tuesday's wheat referendum was almost as important. For the issues raised go beyond wheat and by implication even beyond agriculture.

The farmers were offered a choice between the strictest controls in history with high price supports on the one hand; on the other, greater freedom with much lower supports. Their rejection of the controls was overwhelming. The control proposal fell far short of the two-thirds majority required; indeed, the total vote against the plan exceeded that for it. It was the first defeat for controls in 13 such votes over the years.

But this referendum was different, not only in the toughness of the proffered regimentation. Rarely in the annals of a free Government has there been such Government pressure for control. The Agriculture Department for months has been sponsoring informational sessions, distributing millions of booklets, sending out radio and TV tapes—a propaganda activity so blatant it led to calls for Secretary Freeman's immediate resignation.

In all this was the pocketbook bait of prices propped at $2 a bushel and the threatened pocketbook bite of $1.25 wheat. Mr. Freeman went further, predicting a farm depression if the controls were rejected. President Kennedy warned the farmers there would be no other legislation to bail them out this year if they turned down the plan.

What will in fact happen is anybody's guess. But all this pressure only emphasizes what a chance the farmers took in voting for freedom. At the risk of immediate economic loss and political displeasure, they said in effect that the road of regimentation must end in economic stagnation and political serfdom. That is why the outcome is regarded as a possible turning point in agricultural policy.

There are, after all, two roads; the closed and the open. The inherent logic in the administration approach is this: Wheat surpluses have been growing for years because farmers have had the high-price-support incentive to grow as much as possible on their permitted acreage. The existing controls, in short, were not effectively controlling production.

Letting the farmers have it both ways made little economic sense, and was indeed an affront to the taxpayer and the housewife. So the Government decided that if the farmers were going to get high supports they were finally going to curtail production—or else.

Since this is the logic of the managed economy, it disquieted many people not directly concerned with agriculture. A Government so willing to rush to extreme controls, and to lobby so intensively for them, might sooner or later find other industries in which to apply its logic.

For the control approach refuses to admit the logic of the obvious alternative which is gradually to let market forces adjust the disproportion between supply and demand. And the adjustment, though complicated by decades of farm planning, need not be nearly as painful as the planners profess to believe.

One of the many distortions produced by that planning, for example, is an excessive output of low-quality wheat. As the American Farm Bureau Federation's Charles Shuman says, if the farmers will now improve quality they need not suffer a sharp drop in prices. That course would also imply lower total output which could greatly help smooth the adjustment without severe price dislocations.

Such are the objectives of any rational farm policy. The long years of subsidy and control have failed to achieve them and the farmers have emphatically said no to outright coercion; in Mr. Shuman's words they have clearly indicated they "favor a change in the direction of national farm policy."

Now that the long campaign is over and the vote decisive, the planners could hardly get better advice than the comment of House Democratic Leader ALBERT yesterday: "Farmers have made their choice, so let's try the open market for a while."

[From the New York Times]

No Controls on Wheat

The results of the wheat referendum settled one issue. Farmers have shown that they reject rigid controls over production even if they suffer no loss of income.

But that is all that the decisive turndown of the administration's program accomplished. The wheat glut will undoubtedly increase, as the President noted yesterday, because there will be no limit on the acreage that farmers can plant. Farm income will decline. The smaller and less efficient producers are bound to suffer the greater hardship. Furthermore, the lifting of production controls could mean new declines for livestock and other farm prices and threaten to disrupt agricultural exports.

Many of those who rejected controls are counting on Congress to come to the rescue by increasing price supports without curbing production. But giving temporary sops to the farmer would be as bad as doing nothing. Congress could follow a third course: enactment of a voluntary program of land retirement or diversion, aimed at cutting down on wheat production while maintaining farm income. Given the farmers' own vote against controls, the objective should be a return to a free market, but in an orderly fashion and one that provides for reduction of the wheat surplus.

Mr. HOLLAND. Mr. President, I do not believe we have reached the end of the road. Our problem now is to find how to accommodate a new approach through law to the expressed intent of many hundreds of thousands of very fine American citizens who make their living and have their investments in the field of the production of wheat.

I think there is much sound food for thought in the final sentence of the editorial in the Washington Post, which reads: "The Government will have to try again with a different combination of devices to keep output and demand in some kind of balance without catastrophic price declines."

SENATE BILL 1190, THE COTTON DOMESTIC ALLOTMENT ACT, SHOULD BE ENACTED

Mr. TALMADGE. Mr. President, the existing Federal cotton program—when studied in the cold light of present-day economics and commonsense—is so utterly foolish and financially disastrous as to defy the imagination.

Any reasonable appraisal of the program can lead to only one conclusion:

The program is an abject failure.

Its injustice to the cotton grower is incredible.

Its effect on the textile manufacturing industry is devastating.

Its cost to the American people is such that—if the facts were fully known and understood—it would cause a great public outcry.

I submit, Mr. President, that unless this ill-conceived program is abandoned, we will see the end of cotton in the United States.

Although cottongrowers and the textile industry, with its hundreds of thousands of employees, already are staggering under this ruinous program, there is still time to save cotton.

If the facts are faced and if bold and positive action is taken by the Congress, this vitally important segment of the national economy can be revitalized and put back on the road to recovery.

Mr. President, the American public is entitled to know the truth about the miserable plight of cotton.

The people should know the facts about a cotton program which costs them approximately $1 billion a year—including some $600 million in price-support payments, over and above the world price. And this is not including almost $2 billion in tax funds tied up in the more than 10 million bales of cotton in Government storage.

What we have, Mr. President is a costly and unsound cotton program which benefits only a few, at the expense of a great many.

It is a program which doles out pittances to the needy and makes gifts of millions of dollars to those who do not need Government aid.

It is a program which is driving the small and the medium-sized cottongrower off his farm.

It is a program which is closing hundreds of textile mills and is throwing hundreds of thousands of workers into the ranks of the unemployed.

It is a program which is causing cotton acreage in the United States to shrink, while encouraging foreign production.

The purpose of any farm program is to help the farmer, to guarantee him a profitable position in the competitive, free enterprise economy of this country.

Let us see, Mr. President, what the Federal cotton program accomplishes to achieve this desired aim. Let us see how it helps the farmer.

According to the latest figures available, in 1961, more than $600 million in public subsidies were distributed among cottongrowers. How was this public money distributed? Three hundred and twenty-two growers averaged $113,000 in support payments, while 650,000 small farmers received $63 on the average.

To break the figures down even further: Approximately 280,000 small farmers received an average subsidy of $142, while 13 large growers received an average of $649,753 for their cotton.

This can be expressed another way: Only 3 percent of our cotton farmers produce 56 percent of the national crop and receive 56 percent of the support payments.

Thus, hundreds of thousands of small farmers, struggling for a bare existence, are given little, if any, incentive to grow cotton. Conversely, a few hundred growers, receiving handsome subsidies whether they need it or not, find cotton farming profitable indeed.

The existing cotton program is highly popular with large growers. In 1961, 99 percent with 200 or more acre allotments, planted their acreage. On the other hand, more than 50 percent of the farmers with allotments under 10 acres planted no cotton.

Mr. President, if the aim of the Government is to help small farmers, the cotton program is failing miserably.

It is likewise a failure if the cotton program is meant to aid the textile industry. It is ironic that the Government would spend $450 million for public works to stimulate the economy, and at the same time force the country to pay out $600 million in a cotton subsidy program which is wrecking cotton production and the textile industry, the Nation's second largest employer.

The cotton situation has become so critical that it demands a fresh and sensible approach.

My proposal for cotton legislation, the Cotton Domestic Allotment Act, in which the distinguished majority whip joined in sponsoring, is the least expensive, the most workable and the simplest solution to this complex problem.

My bill is designed to meet the needs of the small and medium cotton growers, to insure them their fair share of the national income and to put cotton back on a free enterprise basis.

It would eliminate the inequitable two-price cotton system and allow our mills to once again buy cotton at the same prices foreign mills pay.

The Federal Government would be taken out of the business of buying, storing, transporting, selling and giving away cotton which is done at great cost to the taxpayers.

Farmers would be free to farm as they please. Small growers would be insured a decent income while the large farmers could produce as much cotton as they wished for the world market without Government restrictions.

Under my compensatory direct payment plan, the largest supports would go to the small farmers, who need it the most, with lower price supports paid large growers.

Mr. President, the present situation must be corrected without further delay. The existing cotton program is in such a shambles that it cannot be built upon, added to, or even slightly modified. It must be relegated to the scrap heap.

Any approach to cotton legislation which fails to fill the needs of the farmer and textile employees and manufacturers will serve only to perpetuate what we all know to be a mess and will result in a dismal end for cotton.

Mr. President, I yield the floor.

THE RINGING GROOVES OF CHANGE

Mr. McINTYRE. Mr. President, I come from a State where proposals for social and economic progress are weighed carefully against all the alternatives and where novelty alone is not a guarantee of acceptance. But in New Hampshire, as should be true for the Nation as a whole, real progress in treating social and economic conditions is our fixed goal.

I have become increasingly concerned about the rightwing efforts to peddle naive oversimplifications which depend upon old ideas. I detect in the noisy, disruptive activities of the superpatriotic rightwing a pathetic nostalgia for outmoded ideas that were not even adequate to their own day, much less to ours. An editorial in today's Wall Street Journal points to the ever-increasing complexity of our society. It has been observed that nine-tenths of all the scientists who ever lived are now alive. We have become involved in many crises overseas that may not be of our own making but which must be resolved if we are to move toward a stable world order.

The point of the editorial, Mr. President, is not that we are helplessly borne along on the streams of history. It is that to progress, we must above all be realists who understand the forces we seek to master. The true conservative is the enemy of dogma and the friend of timely reform. Yankee caution is not inconsistent with his outlook, and neither is imaginative foresight into what the future may bring. Success for our generation, Mr. President, requires that we see old problems in the light of new conditions. This point of view is well expressed in this morning's editorial and I ask unanimous consent that it appear in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MUTATIONS OF THE MIND

In these days of space exploration, nuclear threats and a crowded competitive daily life, Americans may feel a sense of loss which is more than a yearning for some vague good old days. Look at pictures of the bright faces of African tribal youngsters or the serene countenance of a peasant in a Southern European vineyard, and it is possible to feel that what is being lost is a capacity for simple happiness.

If we analyzed it, we would realize that both tribesman and peasant have their social and economic difficulties, and are not free of terrors of their own background's devising. Yet it remains true that as our sophisticated society advances apace, it spawns its special penalties.

Ours is preeminently, and increasingly, an intellectual society. We have no philosophers to match the Greeks', but we have something else—knowledge spread among almost all the people in the Nation. Not only that, but knowledge as an ever more insistent requirement for making a living, let alone getting ahead. It takes brains to develop spacecraft and to fly them, as Major Cooper did, into the fire of ultimate danger; it also takes brains to make steel, work a farm and do many other things once dominated by sheer physical labor. This is becoming true not only of America but of the whole Western world and, generally, of Russia as well.

The more intellectual the people as a whole become, the faster and more ramified the progression. Already we accept space probes as fact instead of fantasy and anticipate rapid new technological changes in the terrestrial economy. The turn to the mind is so fast we may not recognize our grandchildren, or at least not be able to communicate with them.

So swift an evolution must bring some disorientation. More than ever, the infinity of space now intensifies doubts about the relation of a man and universe and hence about the traditional values of human civilization. To this is added the uneasiness about the nuclear weapons the same search for knowledge has created. Even when these thoughts do not intrude, the motions of daily life and dealing with people, the issues of politics, the frustrations of small wars, seem somehow more complicated because in fact they are.

In short, many a man can wonder, even in a comfortable and established community, whether knowledge is uprooting him as an individual and whether his whole environment is heading toward annihilation or transformation in the vast reaches of the unknown. If all this has contributed its share to mental illness, family breakdowns and other disorders, it is hardly surprising. In such a society happiness cannot be a primary goal.

Still, though the mind cannot revert to a lost innocence, the condition can be kept in balance. The degree of intellectuality which this society has attained is what the primitive tribesman and peasant, even if they can't rationalize it, aspire to, as peoples always have. Whether they understand the process, they can see the results.

We here have fared well indeed. That circumstance is the product of the mind, but also of man's drives for profit and self-improvement, permitted to flourish and feed upon themselves and each other in an atmosphere of political and economic liberty.

The unfortunate and the dispossessd in our midst are emphatically the minority, and it is often forgotten that this was never true of any society before. The majority are materially well off and their futures protected as best as can be, and as never before, by the proliferation of pension and health plans—the private welfare state, if you will.

With this unprecedented diffusion of material well-being has come the burgeoning of cultural and intellectual pursuits on a scale impossible in a subsistence economy. Whatever the threats of the future or the attractions of an irretrievable past, we have gained greatly in human comprehension and compassion.

And if the rushing flood of our collective knowledge inevitably does carry its risks, then it must finally be asked how else it could be with man. The mind that devised the atomic bomb is the same mind that seeks the stars and spreads wealth on earth; the bomb's discovery could hardly have been prevented unless it had been possible to stop the unquenchable quest for knowledge in every direction.

Would we, if we could, put back the atomic genie, knowing that out of the same bottle came the prosaic dishwasher and the soaring achievement of *Faith 7*? And would we, if we could, return to a placid primitivism, never to thrill to an astronaut's flight or share with him the incomparable excitement of breaking through the door of heavenly knowledge?

Man was not born with immutable limits but has been evolving always. Certainly mutation toward increasing intellectuality is preferable to an animalistic degeneration or an evolution frozen in the mentality of Neanderthal man. Philosophers of old would say this kind of evolution is on the track of realizing man's highest potentialities, and out of it might come, not disaster, but manageable mastery of the problems that plague us.

Wherever it leads, it is far more to be valued than the happiness of an illusory simplicity.

RUSSIAN OIL EXPORTS

Mr. SCOTT. Mr. President, in the April issue of Petroleum Press Service it was reported that Soviet bloc countries shipments of crude oil and products to other countries—including Cuba—went up from 30.7 million metric tons in 1961 to an estimated 33 million tons in 1962—an increase of about 2¼ million tons or about 7 percent.

The publication which points out that this is not a sizable increase also recognizes that the Russians have not given up their longtime aim of capturing a much larger part of the free world's oil markets.

Why then such a slight increase last year? There are indications that an increase of exports last year was inhibited by a number of adverse factors and I here quote the Petroleum Press Service:

> There are strong indications that the construction of new facilities in the U.S.S.R. for the refining and handling and, above all, for the transportation of oil has recently been lagging.

And how do the Russians hope to overcome this bottleneck? "By the commissioning of new oil pipelines, some of which have been expressly designed for export purposes." At this point, Mr. President, I ask that the Petroleum Press Service April issue be made part of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RUSSIAN EXPORTS LOSE MOMENTUM

(EDITOR'S NOTE.—After rising annually for many years by around one-third or more, last year oil exports from the Soviet bloc staged a much more modest increase, of slightly more than 2 million metric tons or 7 percent, reaching about 33 million tons. The expansion of Soviet oil exports now appears to be hampered by internal difficulties, notably in the sphere of transportation, while further encroachments of the free world's markets are encountering stiffer resistance than before. But there is no indication that the Russians have yet given up their long-term aim of capturing a much larger part of these markets, or that their oil reserves, if properly developed, will be insufficient for this purpose.)

The contention previously made in these columns that the expansion of the Soviet bloc's oil exports is losing momentum, is supported by new statistical evidence. The bloc's shipments of crude and products to other countries (including Cuba) went up from 30.7 million metric tons in 1961 to an estimated 33 million tons in 1962—an increase of only about 2¼ million tons or about 7 percent. In each of the preceding 3 years, the rise was of the order of 6 or 7 million tons, and the average annual compound rate of increase for these years was as high as 36 percent. Crude oil production in the Soviet bloc rose last year by 11 percent, reaching 206 million tons, so that for the first time in many years, the proportion of the Soviet bloc's output earmarked for exports has somewhat declined. At the same time, the share of the Soviet bloc's deliveries in the rising supplies of the free world has remained virtually unchanged at about 3 percent.

As always, the great bulk of the Communist countries' exports in 1962—say, around 30 million tons—came from the U.S.S.R. itself, and most of the remainder from Rumania. Shipments from Russian and Rumanian Black Sea ports totaled about 27 million tons but other trade routes, including those via the Baltic, have gained in prominence, and they will become still more prominent in 2 or 3 years, after the completion of the various current pipeline projects in the U.S.S.R. and Eastern Europe. More than half the oil last year—about 18 million tons—was exported as crude, with black oils accounting for most of the balance.

The Soviet bloc's export trade as a whole is subject to complex and divergent influences. Oil is undoubtedly one of their most convenient levers in international trade, and there is nothing to indicate that the Russians have given up their long-term aim of capturing a much larger part of the free world's oil markets, or that their oil reserves, if properly developed, will be insufficient for this purpose. But expansion was last year inhibited by a number of adverse factors which are described below and, as far as can be seen, these factors will remain in force for some time to come. All the recently concluded trade agreements point to the probability of a comparatively modest expansion of Soviet oil trade in the immediate future, and this evidence is reinforced by the recent report that Sojuznefteexport, the Soviet's oil export concern, does not appear to be seeking any further substantial orders for the current year. Also, in February, Russian oil deliveries to Egypt and Iceland appear to have been below the agreed level.

There are strong indications that the construction of new facilities in the U.S.S.R. for the refining and handling and, above all (for the transportation) of oil has recently been lagging. It is true that Russian crude oil production is nevertheless growing at an impressive rate, but most of this is needed to satisfy the rising demand within the Soviet bloc. The Russian Transport Minister indicated a short while ago that the already overburdened railways have to carry a growing load of mineral oils every year. Eventually, it is hoped that the transport bottleneck will be lessened by the commissioning of our new oil pipelines, some of which have been expressly designed for export purposes. But, in general, the construction of gas pipelines is given a higher priority in the allocation of scarce steel resources, and the steel scarcity may be further aggravated by the recent NATO resolution urging members to discontinue the supply of large-diameter pipe.

The rapid expansion of the Soviet bloc's oil exports up to 1961 was partly due to price-cutting and other aggressive trading tactics. But more recently, the Russians have tended to ask for somewhat higher prices, and trading with them has become correspondingly less attractive for their actual or potential partners. This hardening of prices presumably reflects the fact that the Russians are now seeking new outlets for a smaller volume of oil than previously, but the Russians may also have learned from experience that to charge very low prices for a major export is not to their advantage. Oil exports from Eastern to Western Europe in 1957 accounted for about 13 percent of the value of all exports, and the subsequent sharp rise in oil exports (even allowing for a higher proportion of crude) should normally have resulted in a significant rise in their relative share of total value in the following years; but it is interesting that, according to the United Nations Economic Commission for Europe, the share in 1960 and 1961 was still only about 13 percent, the effect of the higher volume having been offset by the drop in prices.

Except for a relatively small Soviet-owned distributing company in Finland, the Communist countries have no oil-trading facilities of their own in the free world. They nevertheless found it comparatively easy in the early stages of their postwar trading offensive to obtain substantial footholds in various countries, mainly by making suitable arrangements with independents and, in some cases, with state oil entities. However, most distributors in the free world have no reason to switch over to the distribution of Soviet bloc oil and, as time goes on, the Communist oil exporters will naturally encounter greater obstacles in their attempts to increase their market share. On the other hand, even without price cutting, the Russians and other Communist governments are able at times to make tempting offers, notably by coupling the oil sale proposals with offers to buy industrial goods. And, if everything else fails, the Communists may still decide, in the case of certain outlets, to accept the heavy but necessary financial burden involved in building up their own distributing facilities.

Excluding the special case of Cuba, the Soviet bloc's exports last year are assessed at 28.7 million tons, of which nearly nine-tenths went either to European countries or to Japan. The foremost purpose of this trade, from the Communists' point of view, is to facilitate imports of industrial goods, either through direct barter arrangements or otherwise. As the following table shows, Soviet bloc oil is now being regularly exported to a great variety of countries in the free world but the nine largest buyers include only two—Egypt and Greece—who have no industrial goods to offer in exchange.

Estimated Soviet bloc exports to rest of world

[Thousand metric tons]

	1958	1959	1960	1961	1962	Percent change, 1961–62
Italy	1,180	3,150	4,840	6,425	7,315	+13.8
Western Germany	1,100	2,160	2,900	3,895	4,175	+7.2
Sweden	930	1,510	2,030	2,590	2,865	+10.6
Finland	1,360	2,070	2,300	2,300	2,795	+21.5
Austria	380	900	1,100	1,035	1,155	+11.6
France	1,020	1,190	1,160	935	1,125	+9.7
Greece	430	490	1,040	1,135	980	−13.7
Belgium	90	390	290	300	360	+20.0
Yugoslavia	470	510	520	155	295	+90.0
Norway	200	410	350	270	280	+3.7
United Kingdom	40	110	240	160	255	+59.6
Iceland	330	370	340	330	250	−24.3
Denmark	50	110	160	260	230	−11.5
Switzerland	30	80	70	80	140	+75.0
Spain	----------	----------	----------	----------	40	----------
Netherlands	100	70	50	20	10	−50.0
Turkey	----------	----------	10	50	5	−90.0
Portugal	50	20	50	----------	----------	----------
Total, Europe	7,760	13,540	17,450	19,940	22,275	+11.7
Japan	10	130	1,400	3,040	3,000	−1.3
Egypt	2,290	2,180	1,520	2,195	1,610	−26.7
India	----------	30	20	175	450	+158.0
Brazil	----------	60	160	500	275	−45.0
Morocco	30	60	40	120	195	+62.5
Syria	270	490	270	190	195	+2.6
Ceylon	----------	----------	----------	----------	180	----------
Guinea/Mali	----------	----------	30	90	135	+50.0
Afghanistan	40	50	50	70	70	----------
Tunisia	20	10	10	45	55	+22.2
Algeria	40	25	60	55	40	−27.3
Sudan	----------	----------	----------	----------	15	----------
Ghana	----------	----------	----------	----------	10	----------
South Africa	----------	----------	----------	----------	5	----------
Lebanon	----------	70	90	100	----------	----------
Uruguay	220	500	70	25	----------	----------
Argentina	1,040	500	10	----------	----------	----------
Antarctica and other	30	155	160	160	170	+6.2
Total, other free world	3,990	4,260	3,890	6,765	6,405	5.0
Cuba	----------	----------	2,160	4,030	4,300	8.7
Grand total	11,750	17,800	23,500	30,735	32,980	+7.3

It is perhaps significant that in both these cases there was last year a sharp drop in the Soviet bloc's oil deliveries.

Contrary to expectations the Soviet bloc's deliveries to the European Economic Community showed a further rise, from 11.6 million tons in 1961 to 13 million in 1962, or by about 12 percent. Italy alone took 7.3 million tons which covered 16 percent of her total oil imports, and made her once again by far the free world's largest purchaser of Soviet bloc oil. Western Germany takes second place among the importing countries of the free world but her imports of 4.2 million tons from a variety of Communist sources (including Eastern Germany) were just within the limit of 10 percent of total oil imports which has now been accepted by all EEC countries, other than Italy, as the permissible upper limit. In France and Belgium, imports from the Communist world covered about 3 percent of all oil imports but in the Netherlands they have so far been negligible. ENI, the main Italian purchaser of Russian crude, will conceivably be rather more reticent in future, in view of its new contract with Jersey Standard.

There was also a substantial increase in exports to Scandinavia, from 5.8 to 6.4 million tons or by 11½ percent, and there are indications that this area remains a foremost target for Soviet-bloc oil. Not only have the Russians recently resumed the construction of pipelines to the Baltic in order to facilitate their supplies to northern Europe, but Mr. Khrushchev has now proposed that oil and gas pipelines be laid directly into Finland. The Russians already dominate the Finnish and Icelandic markets and provide about one-fifth of the large Swedish requirements. It is thought possible, moreover, that they will shortly propose an increase in their deliveries to Sweden, as a quid pro quo to shipbuilding orders recently placed in that country. In Norway and Denmark, the Russians have so far only been moderately successful but they now seem to be determined to improve their position in the Danish market, possibly by constructing their own storage installations.

The other main importers of Soviet-bloc oil in Europe are Austria and Greece. In Austria, supplies from various Communist countries account for about half the rising imports but this proportion may be expected to decline after the construction of the projected pipeline from the Adriatic. As already indicated, the trade with Greece is relatively unattractive for the Russians but the recent cut in their deliveries seems also to have been staged partly for political reasons, as a move in the campaign against Greece's association with the Common Market. There are smaller deliveries of Soviet-bloc oil to most of the remaining European countries. Indeed, some oil is now going to Spain where a barter arrangement involving the exchange of textile fibers for Soviet oil has been concluded. Renewed efforts have recently been made, moreover, to increase Russian deliveries to the United Kingdom, again under barter arrangements.

Japan started taking large quantities of Russian oil (mainly crude) during 1960 and has since become the free world's third largest importer of such oil, but the hope previously entertained by the Russians that they might push these deliveries up to some 10 million tons annually seems to be wide of the mark, at any rate as far as the foreseeable future is concerned. Last year's deliveries totaled 3 million tons—the same as in 1961 and 400,000 tons less than had been foreseen in the trade agreement—and it is shown in a separate article on page 144 that a recently concluded new agreement envisages a relatively modest further increase, to 4 million tons by 1965. The tentative Russian proposal for the construction of an export pipeline to the Pacific, using Japanese steel, has found little favor in Japan.

The Communists' exports to the underdeveloped part of the free world deserve attention both because of their economic significance and because of their political implications. However, the quantities of oil entering this trade are relatively small, amounting last year to somewhat over 3 million tons, of which half went to Egypt. Highlights of last year's trade were the start of deliveries to Ceylon, Sudan and Ghana, and the sharp rise in deliveries to India. In the Western Hemisphere, apart from Cuba, Brazil is now the only importer of Soviet-bloc oil.

Some of the drawbacks of the trade with the Communists were demonstrated last month when Russian coal deliveries to France were suddenly stopped, ostensibly because Russian dockworkers refused to load ships during the strike of French mineworkers. In some quarters, this action was regarded as a thinly disguised embargo, staged by the Russian authorities in order to gain the political sympathies of the strikers, and possibly to add to the economic difficulties of France. The action is on par with the sudden stoppage of all Russian oil deliveries to Israel during the Suez crisis in 1956, and the recent less flagrant cut in Russian oil deliveries to Greece. Trading with the Soviet bloc has its attractions to countries seeking to expand their exports in a highly competitive world, but in current international political conditions, it makes little sense for any country in the free world to depend on the Communists for more than a relatively small proportion of their requirements of fuel and other basic supplies.

Mr. SCOTT. Mr. President, with these facts in mind, it is important to call attention to some trade negotiations presently being carried on by our British cousins.

Briefly, the case history of these negotiations is as follows: The Soviets had placed orders for 163,000 tons of steel pipe with three Ruhr—German—steel companies. At a meeting of the North Atlantic Treaty Organization held last October, the Atlantic Council recommended that all Alliance members refuse Soviet orders for such pipe. The German Government although under heavy domestic fire, forced the three companies holding the orders to cancel the already signed contracts. The Bonn government is to be complimented for this action. It was in accord with the NATO unanimous vote to place an embargo on these pipes.

Now the British threaten the solidarity of NATO at a very sensitive point by taking the position that the NATO vote was not binding. It is now reported that the South Durham Steel Co. of England is on the verge of agreeing to supply this pipe.

Mr. President, American industry and the American people have supported our Government's position on the embargo of goods to the Soviet Union and Soviet bloc countries. I am sure American industries would like to find an outlet for such a sizable order as here discussed.

The filling of orders such as this in my mind undoubtedly strengthens the Soviet in the cold war. In particular, there is substantial feeling in the trade community that the Soviets believe their trade expansion program will pay off with the tapering off of the Western

European business boom. It is not extreme to think that the Soviet not only will use their new trade offensive to build up their own internal strength but to divide the West which is still shocked by France's veto of Britain's entry into the Common Market and attempt to create a Western dependency on Soviet trade.

I am not advocating here, Mr. President, that the United States should for all time turn its head away from the possibility of expanding our trade with the Soviets. If the atmosphere of the cold war should change; if the Soviets historical designs of world domination should show change with deeds rather than talk, then surely the United States in fairness to its industries, should reevaluate its trade relationship with them. But until that day arrives I endorse the policy of trade limitation with Iron Curtain countries.

Considering the position taken by the United States and in this instance endorsed by the Federal Republic of Germany, I consider it most disturbing and ill advised for the British to take an opposite position. Especially in face of the NATO Council resolution banning the sale by member nations of such pipe to the Soviets.

This matter is not merely a matter of dispute between the British and German Governments but an essential link in the economic alliance against a Soviet buildup. If there is a weak link in the chain, the other links will be weakened.

The NATO Council is presently meeting in Ottawa and I feel that it is essential for our representatives to raise this matter as a vital point in the discussions.

Last night in a speech before a dinner meeting of the Pilgrims of the United States, the British Ambassador, Sir David Ormsby Gore, urged that Britain and the United States make new efforts to revive unity among Western democracies. He further said "that the two countries should consider whether new initiatives may not be necessary to bind together the democracies in common endeavor." I heartily commend the Ambassador's position and call upon the British to present a common front on this embargo.

OPPOSITION TO SOFTENING OF U.S. POLICY TOWARD RED HUNGARY

Mr. SCOTT. Mr. President, last week many Members of the Senate received a State Department memorandum which clearly implies a softening of the U.S. Government's policy toward the brutal regime of Janos Kadar in Hungary.

This memorandum, which purports to show a shift toward moderation in Hungary, gives substance to the persistent and disturbing reports of possible reestablishment of normal diplomatic relations between our country and the butchers of Budapest, and withdrawal of U.S. opposition to seating Hungarian representatives in the United Nations.

I am unalterably opposed to such a cynical change in established policy.

Are our memories so short, our beliefs in liberty and human dignity so weak, that we are now going to reward rather than condemn the suppression of basic human rights? I cannot believe it, and I would suggest that those who do would do well to recall some words of the President during the 1960 campaign. He said at that time:

> We will never surrender positions which are essential to the defense of freedom, nor will we abandon people who are now behind the Iron Curtain through any formal approval of the status quo.

The President's words applied then, and they apply now. As I have repeatedly done in the past, I again urge the State Department to instruct our U.N. delegation to oppose any move to seat representatives of the Kadar government in the United Nations.

We cannot keep alive the flame of freedom for which thousands of Hungarian revolutionaries gave their lives by legitimizing those who would put it out forever.

SMALL BUSINESS ADMINISTRATION LOAN PROGRAM

Mr. SMATHERS. Mr. President, because it is not the best known of the Federal administrative agencies, the Small Business Administration, sometimes finds itself misrepresented. SBA has been accused of setting size standards which result in most of its loans going to the big firms, of competing with banks and enmeshing its loan procedures in so much redtape as to discourage borrowing.

To anyone familiar with the character and record of the SBA's present Administrator, John E. Horne, these charges are preposterous. But, busy with their own problems, the best witnesses, SBA's borrowers, for the most part, are silent. The charges therefore go mostly unanswered and in some few industries are credited, though happily not in most.

In motor freight transport, there is a thorough understanding of the SBA lending program and this is fortunate, for, though including some very large carriers with yearly revenues exceeding $100 million, this industry, in the main, by SBA's very reasonable standard of a ceiling of gross yearly revenues of $3 million for smallness, consists of small firms.

By law, SBA may make these small carriers long-term loans secured by chattel mortgages and with bank participation; a plan developed by Administrator Horne under which SBA defers repayment of its portion to encourage banks to take part. But if, as charged, the program discourages such borrowing, then the motor freight industry can become dominated by bigger firms to the injury of its own and the Nation's economy and the frustration of the congressional intention. If the program is misunderstood, the result can be equally bad.

This industry's weekly newspaper, Transport Topics, founded nearly 30 years ago by Morris Glazer, its present editor emeritus, owes it wide circulation and high esteem to his policy of presenting the news without fear or favor in furtherance of healthy competition. Aware of the importance to the industry of the SBA loan program, Mr. Glazer, through his weekly column, has closely followed its course.

Becoming aware of the charges against the program, Mr. Glazer, through the American Trucking Associations, publisher of Transport Topics, set out to get the facts through a questionnaire mailed to the best-qualified witnesses, 20 of the most recent borrowers. Mr. President, I ask unanimous consent that two articles by Mr. Glazer from the issues of Transport Topics of April 22 and April 29, in which he analyzes the results be inserted in the Record at this point of my remarks.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From Transport Topics, Apr. 22, 1963]

SBA Loan Program—Transport Topics Surveys Trucking Borrowers To Get Views for Benefit of Others

(By Morris H. Glazer)

(Editor's Note.—This is the first of two articles on the lending program of the Small Business Administration as related to motor carriers.)

Transport Topics surveyed a group of motor carriers who recently obtained loans through the Small Business Administration. The purpose was to ascertain what their experiences were with a view to providing helpful information for other carriers who may want to apply for loans.

Borrowers were asked these questions: How did you learn of the SBA program? How long after applying did you receive the loan? What is the interest rate, the maturity, the security? Did a bank participate? Was a substantial part of the loan applied to fleet, terminal or warehouse modernization or expansion? Has the investment increased the quality of your service, tonnage, earnings? Have you added any employees because of the loan? What advice would you give a fellow carrier in your position who may want to qualify for an SBA loan?

SBA will make a loan only when two banks—one in small communities—have declined it. This is to preclude SBA from competing with commercial banks. Because of the fact that some banks have refused motor carrier applicants a rumor has developed that SBA borrowers, by banking standards, lack credit-worthiness. This is not the case. SBA borrowers, particularly motor carriers, who want credit for modernization and expansion, need loans in larger amounts and for longer terms than commercial banks usually are able to extend. SBA business loans can be approved for as long as 10 years and, if a bank wants to participate, SBA, by law, must allow it to do so.

LOAN LIMIT $350,000

Through SBA, independent motor carriers not dominant in their field and with gross yearly revenue not exceeding $3 million may obtain loans up to $350,000 for modernization, expansion and working capital. The carrier's local bank may take a percentage of the loan, which portion may mature prior to the SBA portion.

SBA has developed four different plans for business loans, all designed to encourage a maximum of bank participation. The program of bank participation has been indorsed by the American Bankers Association.

Of the respondents to the questionnaire, half were charged the regular interest rate of 5½ percent, while the other half were charged 4 percent, the rate in effect in areas of high unemployment designated for redevelopment. More than 900 of these areas of comparative economic stagnation have been designated for Government assistance in establishing or expanding industry to generate new employment, and the 4-percent interest rate is intended to further the attainment of that goal.

The processing of an SBA loan takes time. The average elapsed time from filing of the application to granting of the loan for the carriers responding to the questionnaire was about 4 months, and the average term of the loans is 6½ years.

While most of the carriers were pleased with their SBA borrowing, one at least was unhappy because he received less money than he applied for. SBA never gives an applicant more money than it thinks he needs, nor more than its judgment of sound fiscal management dictates.

ONE CARRIER'S EXPERIENCE

The reply of a carrier in Oregon illustrates the problems involved in SBA borrowing. He stated:

"Originally, two chain banks would not participate in our first application for $100,000 for the construction of a new warehouse. The filing entailed a great deal of expense for an accountant to assist in preparing the application. Legal fees to complete the loan requirements after approval were quite high.

"It was found, because of the delay in approval—11 months—that this loan would not meet our requirements. Subsequently, an application for an entirely new loan of $120,000 was filed through a bank which participated to the extent of $10,000. The loan went through in 2 months and the costs of preparation and legal fees were practically nil. The old loan was paid off through proceeds of the new loan.

"My advice to any applicant would be that a bank participate to keep the loan on a local level and to accelerate the application. In our case, a new warehouse was desperately needed and the banks were not interested in completely financing such a project over a 5-year period.

"This loan has enabled us to bring a modern, fireproof warehouse to this area, which was not possible without the SBA program."

Carriers interested in the SBA program may want to hear C. R. Lanman, chief loan officer of the Small Business Administration, who addresses a meeting of the National Accounting and Finance Council of ATA at the Statler-Hilton Hotel, Washington, D.C., May 15.

[From Transport Topics, Apr. 29, 1963]

SBA LOAN PROGRAM—MOTOR CARRIERS GIVE ADVICE ON HOW TO QUALIFY AS BORROWER

(By Morris H. Glazer)

(EDITOR'S NOTE.—This is the second of two articles on the lending program of the Small Business Administration as related to motor carriers.)

The SBA loan is the answer to trucking company financing—independent carriers with gross yearly revenue not exceeding $3 million. This is the opinion of Lawrence A. Couch, president and general manager of C. K. M. Transportation Co., Inc., Montebello, Calif., who answered a questionnaire disseminated among SBA borrowers to learn of their experiences and what they think of the lending program.

"We believe the SBA loan is one way to combat the ever-present hazards of the industry—lack of capital to support the rapid growth and expansion, coupled with intensive competition, rising wage scales and narrowing profit margins," replied Mr. Couch.

Among advantages, he listed lower interest rates, longer term financing with lower payments in paying off the debt. All of these things allow growth and stability at the same time, he added.

The company is 9 years old, having been organized in 1954 with four 3-axle diesel tractors and four 35-foot semitrailers. Today it operates 25 diesel power units and 30 flat-bed semitrailers, and expects a gross revenue of $500,000 this year. As a result of the SBA loan, it increased its tonnage by 55 percent, its earnings by 23 percent, and added five employes. The loan, $85,000 granted in 1960, provided funds for the down payment on land held on a 5-year lease option, permitted the construction of a maintenance repair shop, the purchase of additional power and trailer units, allowed the consolidation of equipment obligations, and lowered monthly payments and interest rates. A subsequent loan of $115,000 was granted, in 1962. This paid off the remaining part of the first loan, provided funds for the purchase of additional equipment and a portion for operating capital.

COMPLETENESS IS ESSENTIAL

In his desire to help other motor carriers who may be in need of funds, Mr. Couch offers the following advice:

1. Have application prepared by a good accountant, preferably a CPA, one who knows you and the trucking business.
2. Submit comparative statements for 5 years of operation. Be sure they are accurate and reflect the true condition of the company. Be prepared to furnish a certified audit, if required.
3. Anticipate future needs; plan and make application when profit picture and growth potentials are good. Don't wait until the company is in trouble and showing a loss.
4. Be prepared to discuss the following items honestly and intelligently: Reasons for making the loan; the history of the company, its operation, growth, management, etc.; future plans and aims of the company; how the SBA loan would benefit the company; repayment ability.

Mr. Couch added that he had found the SBA to be very cooperative and that "any request we have made has been granted; they do not try to interfere in any way with your business."

CARRIERS' COMMENTS

Other motor carriers offered these comments in reply to the question: What advice would you give a fellow carrier in your position who may want to qualify for an SBA loan?

Get a qualified person to aid in filing the application. Detailed information is important. Work closely with SBA advisers. As a general rule, they are very helpful.

Have a good set of books to substantiate a true financial statement.

Suggest application be made through a bank that would be willing to participate in the loan. This reduces the expense of the application and speeds processing.

Have accurate accounting records. Make a plan for repayment, showing effect of cash flow. Don't withhold any pertinent information. Be realistic in your request. Work closely with your local banker.

Go to your local banker and ask him to participate. This makes it easier to obtain the loan.

Would suggest that terminal and equipment loans be separated on different applications so as to expedite processing.

Analyze the needs of the company. Know what you want, where you want to go, and how you are going to get there. Be sure the books of the company are accurate and reflect the true condition of the company. A certified appraisal is not absolutely necessary, but it will give the applicant material with which he can work and be certain he is correct.

Mr. SMATHERS. Mr. President, a thoughtful reading of these articles can leave no doubt that the SBA loan program, in motor freight transport, is fostering its smaller carriers and promoting competition. Had there been any basis for the sweeping criticisms, the incisive questions would have brought it out.

While, as Mr. Glazer reports, one or two borrowers were unhappy, most were pleased by their experience. The average loan took 4 months to process, certainly not an unreasonable time considering the safeguards required on these public moneys. Of two respondents whose loans were discussed in detail, one received $120,000; the other $85,000, certainly in this industry not big business loans.

As responses indicate, SBA-bank cooperation is excellent; the American Bankers Association has endorsed the SBA deferred participation plan, as Mr. Glazer says. One might wish that one or two sets of answers, for example, those disclosing the number of bank participations, might have been tabulated, but Mr. Glazer obviously had space limitations.

Here, through his cooperation, are some tabulations he lacked the space to treat.

To the question, "Did a bank participate?" all but four responses were affirmative.

To the question: "Was a substantial part of your loan applied to fleet, terminal, or warehouse modernization or expansion?" all but three respondents answered "Yes."

To the question: "Has the investment increased the quality of your service, tonnage, earnings?" the recentness of the loans precluded many definite answers but of those that did reply most expected gains.

Mr. Glazer deserves praise for his enterprise in undertaking this fact-finding study of the effect of the SBA loans on the motor carrier industry and the SBA a compliment for the outcome. Those in and out of Congress who know of Administrator Horne's devotion to his duty and to the welfare of small business will, I am sure, share my confidence that were similar questionnaires conducted in other industries, the responses would be equally good.

WHEAT REFERENDUM VOTE

Mr. ALLOTT. Mr. President, on May 21, the wheat farmers of this Nation spoke—in a loud and clear voice—and I want to take this opportunity to pay tribute to them for what they said.

By an overwhelming vote, they said they did not want to be led further down the road to a completely regimented agriculture. They said they did not want the bureaucrats in Washington to do their farming for them, they wanted to do it themselves. They said they could not be lured into accepting a basically unsound program by "sweeteners" consisting of high price supports and compensatory payments. They said they would not be intimidated by threats of curtailed credit.

It was a courageous voice with which they spoke and they deserve applause.

I opposed the Agriculture Act when it was before the Senate last year and as we here on the minority side indicated at the time, the program put forth by the administration was not what the farmers wanted or needed. We now have that fact made amply clear by a referendum which showed that less than a majority, let alone the required two-thirds, were willing to accept a complicated, highly regulated, planned agricultural economy.

But, in my judgment, a disapproval of the program does not end our responsibility. On the contrary, now, while there is sufficient time, is the moment for us to get to work and put together a program which will be acceptable to the farmers of this country and which will help them to bridge the gap. I do not share the President's view that by this vote the farmers have expressed themselves in favor of going it alone, so to speak. There is only one thing which comes out of the vote and that is a resounding rejection of the program which was offered. All that was indicated was: "We don't want this program, but give us a reasonable program responsive to our needs." We have a responsibility to American agriculture and that responsibility needs to be met. I am hopeful that hearings can be held in the near future and that all those interested will be given the opportunity to present their views. There are several approaches which even now have been formulated and I am certain that more will be brought forward. Let us get to the task of meeting the challenge and offering a sound approach which the farmers can live with and work with.

POPE JOHN

Mr. PELL. Mr. President, reports continue to circulate throughout the world regarding the illness of Pope John XXIII.

Let us hope that these reports stem in part from the unusually heavy schedule which Pope John has been maintaining in recent days and that the rest he now contemplates may restore him.

Among his other important activities, he has entered personally into negotiations which the Vatican is conducting to ameliorate conditions in the Communist-dominated regimes of Poland and Hungary. We think of the heroism and dedication displayed by those prelates of the Roman Catholic church who serve in these most difficult areas; and we would wish for every conceivable success to follow Pope John's intervention.

He is also deeply involved with preparations for the resumption of the Ecumenical Council this coming September. Tremendous impetus has been given to the concept of international cooperation through the work this council has already completed. It has been a source of inspiration to people of all faiths.

Mr. President, let us join in wishing a full recovery to health for this benign and kindly, yet dynamic religious leader, who so personifies the dignity and spirituality of mankind and who has so articulated the desires for universal peace which all of us, regardless of our beliefs and backgrounds, do urgently share.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

REPEAL OF CERTAIN LEGISLATION RELATING TO THE PURCHASE OF SILVER

Mr. HUMPHREY. Mr. President, I move that the Senate resume consideration of the bill (H.R. 5389).

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to and the Senate resumed the consideration of the bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes.

Mr. HUMPHREY. Mr. President, it is our hope that the Senate will finish consideration of the bill today. I should like to put Senators on notice to be available. There may be some rollcalls. We shall proceed as expeditiously as possible.

CIVIL RIGHTS

Mr. COOPER. Mr. President, today the senior Senator from Connecticut [Mr. DODD] and I are introducing two bills, the purpose of which is to provide statutory authority in two fields for the Federal enforcement of the constitutional rights of all of our citizens.

A large number of our colleagues in both parties has joined as cosponsors, and we are grateful for their interest and support. They are as follows: cosponsoring both bills are Senators BEALL, CASE, FONG, HARTKE, INOUYE, JAVITS, KEATING, KUCHEL, LONG of Missouri, METCALF, MORTON, NELSON, NEUBERGER, RANDOLPH, RIBICOFF, and SCOTT. In addition, Senator ALLOTT has joined in the school bill, and Senators MORSE, PASTORE, and PELL in the public accommodations bill.

I ask unanimous consent that the two bills and a brief explanation of them be printed in the body of the RECORD at this point.

I ask further that the bills lie at the desk until May 31, for the Senator from Connecticut [Mr. DODD], and I hope that other Members of the Senate will join as cosponsors.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and explanation will be printed in the RECORD, and the bills will remain at the desk until May 31, as requested.

The bills, introduced by Mr. COOPER (for himself and other Senators), were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1590

A bill to protect the right of all qualified persons to attend public schools, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "School Rights Act of 1963."

SEC. 2. Whenever the Attorney General receives a written allegation on oath or affirmation that any individual or group of individuals is being deprived of, or threatened with the loss of, by reason of race, color, religion or national origin, the right to equal protection of the laws with respect to attendance at a public school, the Attorney General is authorized to institute for or in the name of the United States a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, against any person or persons who, acting under color or law or otherwise, deprive or threaten to deprive such individual or group of individuals of the right to equal protection of the laws with respect to attendance at a public school by reason of race, color, religion, or national origin, and against any person or persons acting in concert with them.

SEC. 3. The district courts of the United States shall have jurisdiction of proceedings instituted under this Act and shall exercise the same without regard to whether the party or parties aggrieved have exhausted any administrative or other remedies that may be provided by law. In any proceding under this Act, the United States shall be liable for costs the same as a private person.

SEC. 4. Nothing contained in this Act shall be construed to deny, impair, or otherwise affect any right or authority of the Attorney General under existing law to institute, maintain, or intervene in any action or proceeding.

S. 1591

A bill to prohibit discrimination against any person on account of race or color in the furnishing of the advantages, privileges, and facilities of any business or business activity affecting the public which is conducted under State license

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Accommodations Act of 1963."

SEC. 2. The Congress finds and declares that—

(a) Many persons have been denied, on account of race or color, the advantages, privileges and facilities of businesses and business activities affecting the public, conducted under State license.

(b) Businesses and business activities holding their facilities out to the public for sale or use and conducted under the authority of a State license, are clothed with a public interest when operated so as to affect the community at large.

(c) Congress has the right under the Fourteenth Amendment to prohibit discrimination, on account of race or color, by businesses or business activities affecting the public which hold their facilities out to the public for sale or use, and are conducted under the authority of a State license.

SEC. 3. As used in this Act—

(a) The term "business or business activity affecting the public" includes any business or business activity which holds itself out as offering for sale or use to the public, food, goods, accommodations, facilities, or transportation, including services connected with the sale or use of such food, goods, accommodations, facilities or transportation.

(b) The term "State license" includes, with respect to any business or business activity, and license (by whatever name designated) which is required, under the laws of the State in which such business or business activity is conducted or under rules or regulations of any agency or instrumentality of such State, as a condition for conducting such business or business activity in such State.

(c) The term "State" includes the political subdivisions of a State, and the District of Columbia.

SEC. 4. Any person who, acting as a proprietor, manager, or employee of any business or business activity affecting the public which is conducted under a State license, denies or attempts to deny to any other person the full and equal enjoyment of any accommodation, advantage, privilege, service, or facility of such business or business activity, on account of race or color, shall be subject to suit by the injured party in an action at law, suit in equity, or other proper proceeding for damages or for preventive, declaratory, or other relief.

SEC. 5. Any person who, acting under color of law or otherwise, denies or attempts to deny to any other person the right of such other person to the full and equal enjoyment of any accommodation, advantage, privilege, service, or facility of any business activity affecting the public which is conducted under a State license, on account of race or color, shall be subject to suit by the injured party in an action at law, suit in equity, or other proper proceeding for damages or for preventive, declaratory, or other relief.

SEC. 6. Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by section 4 or section 5 of this Act, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the the United States shall be liable for costs the same as a private person.

SEC. 7. (a) The district courts of the United States shall, with respect to civil actions or proceedings instituted pursuant to this Act, exericse the jurisdiction conferred upon them by section 1343(4) of title 28 of the United States Code, without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

(b) The provisions of subsection (f) of section 2204 of the Revised Statutes (42 U.S.C. 1971) shall apply with respect to any person cited for an alleged contempt under this Act, and the provisions of section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995) shall apply in all cases of criminal contempt arising under the provisions of this Act.

The explanation presented by Mr. COOPER is as follows:

EXPLANATION OF COOPER-DODD SCHOOL DESEGREGATION AND PUBLIC ACCOMMODATIONS BILLS

OBJECTIVES

1. School bill: Designed to implement the Brown decision by providing authority to the Attorney General to enforce the right of all qualified persons, irrespective of race, color, religion or national origin, to attend desegregated public schools.

2. Public accommodations bill: Designed to prohibit discrimination against any person on account of race or color in obtaining the advantages, privileges, and facilities of any business or business activity affecting the public (defined below) which is conducted under State license.

PROVISIONS

1. School bill:

(a) Requires that the Attorney General receive a written allegation, on oath or affirmation, that an individual is being deprived of or threatened with the loss of his right to equal protection of the laws with respect to attendance at a public school.

(b) Authorizes the Attorney General, upon receipt of such an allegation, to institute a civil action against any person who deprives or threatens to deprive any individual of the right to equal protection of the laws with respect to attendance at a public school.

(c) Grants jurisdiction to the Federal District Courts to hear proceedings instituted under the act.

2. Public accommodations bill:

(a) Creates a statutory remedy for any person who has been denied, on account of race or color, the advantages, privileges, and facilities of any business or business activity affecting the public which is conducted under State license.

(b) Authorizes the Attorney General to institute a civil action whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of equal access to the advantages, privileges, and facilities of any business or business activity affecting the public and which is conducted under State license.

(c) Defines "business or business activity affecting the public" as one which holds itself out as offering for sale or use to the public, food, goods, accommodations, facilities, or transportation, and services connected therewith; and "State license" as any license which is required under State laws or regulations as a condition to conducting business within the State.

(d) Subjects to the remedies provided in the bill those persons who, acting under color of law or otherwise, discriminatorily deny or attempt to deny any person the equal advantages, privileges, and facilities of such business.

(e) Grants jurisdiction to the Federal district courts to hear proceedings instituted under the act.

(f) Makes applicable the protections of previous civil rights acts to persons cited for alleged contempt.

REMEDIES

1. School bill: preventive relief, including permanent or temporary injunction.

2. Public accommodations bill:

(a) Injunctive relief by the injured party or by the Attorney General against persons denying the rights protected by the act.

(b) Action at law for damages by injured party against persons denying the rights protected by the act.

Mr. COOPER. Mr. President, I have a short statement to make on the purpose of the two bills, and then the Senator from Connecticut [Mr. DODD] will speak.

One of the bills we introduce today would authorize the Attorney General to initiate suits, in the name of the United States and at its expense, for persons discriminatorily denied the right to attend a desegregated public school. In practice, it would mean that the Attorney General could sue in Federal district courts to require school boards to undertake and put into effect desegregation plans—as required by the Supreme Court in its 1954 and 1955 decisions in Brown against Board of Education of Topeka.

The constitutional right of all citizens of our country to attend a public school without discrimination has been determined to fall under the "equal protection of the laws" guaranteed to all citizens by the 14th amendment. Under the procedures established by the Supreme Court in the Brown case, it was expected that local school boards would prepare and put into effect "with all deliberate speed" plans to assure this right. But in January of this year the Civil Rights Commission reported that of some 3 million Negro students in 11 Southern States, less than 12,000 attended desegregated schools last year.

If school boards do not act under the procedures prescribed by the Supreme Court, the only legal remedy at present is for a suit to be brought by individuals whose rights have been denied. This is a slow, tedious, and costly procedure for individual citizens. If means are not provided to the Federal Government to speed up the process of school desegregation, it will be years before substantial progress is made. In practice, our bill would authorize the Attorney General to initiate suits in Federal district courts in the name of the United States, and at its expense, on behalf of citizens against whom discrimination has been practiced, to speed up the legal process of school desegregation.

It is the duty of the Congress to provide means of enforcement under section 5 of the 14th amendment which states:

> The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

If our bill is enacted, it could be expected that the Attorney General would file a number of court actions against school boards in each of the States which refuse to follow the order of the Supreme Court. These actions would, we believe, convince States, and school boards created by the States, that the Constitution must be obeyed.

The public accommodations bill which we introduce may be a controversial bill. But it is an important bill, as indicated by the events of recent weeks and months, and, in our judgment, it is a constitutional bill.

The 14th amendment made Negroes citizens of the United States, and of the States in which they reside—and they are entitled to constitutional and legal rights equal to those enjoyed by other citizens. Our "public accommodations" bill, if it should be enacted by the Congress, would prohibit discrimination against persons seeking to patronize businesses, licensed by a State, which hold themselves out as offering for sale to the public, food, goods, accommodations, entertainment, facilities, or transportation. A "State license" includes in legal comprehension all licenses issued by legal subdivisions of a State, as well as by the State itself.

In its recent decisions in the sit-in cases—Peterson against City of Greenville; Lombard against Louisiana; Wright against Georgia; Avent against North Carolina; Gober against Birmingham; and Shuttlesworth against Birmingham—the Supreme Court held that a State could not by legislative act, city ordinance, or executive action of its officials acting under color of law, enforce discrimination against individuals seeking their equal right to use restaurants. If a State cannot enforce its legislative acts or ordinances in this respect, I think it is logical that the reason it cannot do so is because there is a legal right of these citizens to enjoy the equal use of these businesses. While the Court did not adjudge directly this legal right, we contend that a business which is licensed by the State or its political subdivisions, and which holds itself out to public patronage, falls within the purview of the 14th amendment. The Congress of the United States thus has the authority and the duty under section 5 of the 14th amendment to enact legislation to secure the right.

Our bill in no way attempts to regulate businesses in respect of safety, public health, and other areas which are within the police power of the State. Our bill acts in one area only—an area which is within the constitutional power of the Congress to act. That is, to provide that the constitutional and legal right to use these businesses must not be the subject of discrimination.

I point out that our bill would give to the Attorney General the power to enforce those rights. However, the bill goes only to those businesses which are held out for use to the general public, and does not affect private associations or professions.

Senator Dodd and I support the efforts by the administration, by State and local officials, and by individuals in States throughout the Union, to secure voluntary acceptance of the provisions of the Constitution and Supreme Court decisions—for consent is an element in our system of government. But we also believe that enforcement of the Constitution is the primary and necessary element of law and government. Properly used, it will more quickly bring about consent and respect for the law. Unless this administration asks for, and the Congress provides, legal measures of enforcement such as we suggest, we can expect the continued denial of these rights.

In the recent and sad situation in Birmingham and elsewhere—and we must not limit these situations to Southern States—the Federal Government found itself without power, and waiting until disturbances occurred, before it could move to prevent violence and disorder. The frustration of citizens in the South and elsewhere throughout the country undoubtedly arises from this inability to secure acceptance in many sections of their constitutional rights. This frustration arises also from the delay and failure of the executive branch and the Congress to take legislative action to move toward the assurance and enjoyment of these rights. These issues cannot be quieted, and they will not die.

In 1961 and 1962, I introduced in the Senate bills to authorize the Attorney General to act in school desegregation cases. The Senator from Connecticut [Mr. Dodd] and I announced several weeks ago that we would introduce a second bill—to assure the equal use of businesses affected with a public interest and licensed by the State—as we do today.

Mr. President, although I am introducing the two bills today, and they will bear first my own name, I want it to be known that the Senator from Connecticut [Mr. Dodd] and I have collaborated and worked together, beginning last year, on both bills and, in fact, on the series of three bills. The first of the three bills, S. 666, relates to voting rights. Senator Dodd and I introduced that bill earlier this year on February 4. We have worked together, and many of the ideas are the result of the great legal ability and intense interest in this field of the Senator from Connecticut.

I do not seek to make a political issue of this question, because we speak for legislation which will help to bring these rights to all, but I must state the facts. The administration has delayed for more than 2 years seeking the authority it needs—and a statutory definition of legal rights protected by the 14th amendment—upon which it could proceed to take action in the courts to secure these rights. I was, therefore, gratified to hear the President say yesterday that his administration would now ask for additional legal power to meet these problems.

I have actively supported the objectives of civil rights legislation introduced by my colleagues in the past, and cosponsored many of their bills.

Many of the proposals before the Senate would have reached some of these problems. There is, however, a distinction as between general "title III" legislation, which has been introduced several times, and the bills Senator Dodd and I have introduced.

The general title III provision, which has been before the Senate and the House several times in the past 7 years, does not specify the rights which are to be secured. It has aroused opposition for that reason, because those who oppose civil rights legislation are able to say that the Congress is not specifying the rights it intends to secure by the legislation.

The three bills which Senator Dodd and I have thus far introduced specify at least three rights. There are other rights, and other legislation can be proposed. Our bills, however, do specifically enumerate three important rights.

Mr. President, I point out that the public accommodations bill, relating to the use by the public of accommodations licensed by the State, which the Senator from Connecticut [Mr. Dodd] and I are introducing, is the first comprehensive and bipartisan effort to eliminate racial discrimination in public places.

We are confident that the great majority of our citizens do not want to see these disturbances, with all their possibilities of violence, continue. I fear that they will continue unless steps are taken to meet the constitutional rights of all our people.

It is time for the administration and Congress to act. We must come to grips with these issues. It is for these purposes that the Senator from Connecticut [Mr. Dodd] and I introduce these bills today.

Before I close, Mr. President, I ask unanimous consent to have printed in the Record at this point an editorial entitled "In the Nation—The Advancing Prospect of the Sit-In Decisions," written by Mr. Arthur Krock and published in the New York Times, which emphasizes that the Court's decisions have left undetermined the question as to whether these are rights, although the Court implies by its decisions that they are rights.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Advancing Prospect of the Sit-In Decisions

(By Arthur Krock)

Washington, May 22.—The legislation which Senators Cooper, of Kentucky, and Dodd, of Connecticut, will formally propose tomorrow to sweep away all discriminatory practices of privately owned, public marketing facilities is a logical application of the Supreme Court's lunchroom sit-in decisions last Monday. The Cooper-Dodd bill advances beyond the point where the decisions stopped for the time being, to proposed congressional enactment of Justice Douglas' legal thesis. This is, that private business which can be engaged in only under State or local licensing, thereby loses any constitutional claim for "protected privacy."

The Court declined to follow Justice Douglas to this dynamic extension of its ruling that, wherever "State police power" in any form is present in an act of discrimination by privately owned business, the act is unconstitutional. The Court confined its ban on customer exclusion, on the discriminations listed in the Constitution, to privately owned, public marketing facilities in two areas. One, where any State or local ordinance stipulates them. Two, where, even in the absence of such ordinances, the Court concludes by a process of deduction that the actual sources of these discriminations was a policy of coercion by State or local authorities.

The practical result of these rulings is that private business in areas where neither the legal nor the judicially assumed situation exists may constitutionally practice customer discrimination for reasons based on "race, religion or previous condition of servitude." In effect, therefore, privately owned stores, bars, hotels, etc., in the North though required to have some form of government license to sell their goods and services to the public, can still legally exclude the patronage of such groups. Among those usually excluded are citizens who, in the judgment of proprietors, are members of the Jewish or the Negro community—the second on a more wholesale basis.

This geographical discrimination, the inevitable consequence of the rationale of the Supreme Court in the sit-in decisions, would be removed by the enactment of the Cooper-Dodd bill. But, since the proposal to accomplish it by Federal legislation foreshadows last-ditch opposition in Congress, the shorter route to the Cooper-Dodd goal would seem to be through the Supreme Court. That is because of the steady whittling down, and occasional evisceration, by the Court in recent years of State and individual acts which for years the same Court held to be within their constitutional prerogatives.

However, of all the temptations of mankind to try to fathom the future, the prediction least likely to succeed is how the Supreme Court will decide cases involving issues it previously decided. And now that the Supreme Court often makes and unmakes public policy, by the exercise of judicial supremacy over the other two Federal branches, it is downright silly to try to read its mind in advance. Hence the logic of Justice Douglas' thesis as a projection of last Monday's rulings offers no assurance that a majority of his current brethren will ever adopt it.

The scope of a finding that every privately owned unit of public marketing is affected with the public interest because it must be licensed by government is indicated by the list of such licenses in the District of Columbia alone. Exclusive of alcoholic beverage licenses, this list consists of several hundred items ranging from amusement parks, apartment houses, apothecaries, and auctioneers to pawnbrokers.

Nearly all, if not all, of these would be required to give their services without group discrimination under the Cooper-Dodd bill. Specifically, the measure enumerates food, goods, accommodations, similar facilities, and transportation. But in general terms it covers the entire free enterprise business system of this country.

Either legislated, or supervened by a comparable Supreme Court ruling, this would at least dispel the existing constitutional paradox of customer discrimination that remains legal in Montana but illegal in States where it is law or where, as in New Orleans, the Court assumed it to be the intent of a police policy, though this was officially designated as necessary to the preservation of community law and order. Of course, long-established judicial and legislative concept of private property rights would disappear with the paradox.

Mr. COOPER. Finally, Mr. President, I ask unanimous consent to have printed in the RECORD the decision of the Supreme Court in the Civil Rights Cases of 1883—and that is a long time ago—on the issue of the use of private businesses affected with the public interest. While it was an adverse decision, I think it contains the best discussion of this issue I have ever read. I think the dissenting opinion by the first Mr. Justice Harlan is as conclusive today on these points as it should have been conclusive 80 years ago.

I ask also that a statement by the senior Senator from Hawaii [Mr. FONG], who has joined in sponsoring both bills, be included in the RECORD.

There being no objection, the decision and the statement were ordered to be printed in the RECORD, as follows:

CIVIL RIGHTS CASES

United States v. *Stanley*, on certificate of division from the Circuit Court of the United States for the District of Kansas.

United States v. *Ryan*, in error to the Circuit Court of the United States for the District of California.

United States v. *Nichols*, on certificate of division from the Circuit Court of the United States for the western district of Missouri.

United States v. *Singleton*, on certificate of division from the Circuit Court of the United States for the southern district of New York.

Robinson & Wife v. *Memphis and Charleston Railroad Company*, in error to the Circuit Court of the United States for the western district of Tennessee.

(Submitted October term, 1882.—Decided October 15, 1883.)

CIVIL RIGHTS—CONSTITUTION—DISTRICT OF COLUMBIA—INNS—PLACES OF AMUSEMENT—PUBLIC CONVEYANCES—SLAVERY—TERRITORIES

1. The 1st and 2d sections of the Civil Rights Act passed March 1st, 1875, are unconstitutional enactments as applied to the several States, not being authorized either by the XIIIth or XIVth Amendments of the Constitution.

2. The XIVth Amendment is prohibitory upon the States only, and the legislation authorized to be adopted by Congress for enforcing it is not direct legislation on the matters respecting which the States are prohibited from making or enforcing certain laws, or doing certain acts, but is corrective legislation, such as may be necessary or proper for counteracting and redressing the effect of such laws or acts.

3. The XIIIth Amendment relates only to slavery and involuntary servitude (which it abolishes); and although, by its reflex action, it establishes universal freedom in the United States, and Congress may probably pass laws directly enforcing its provisions; yet such legislative power extends only to the subject of slavery and its incidents; and the denial of equal accommodations in inns, public conveyances and places of public amusement (which is forbidden by the sections in question), imposes no badge of slavery or involuntary servitude upon the party, but at most, infringes rights which are protected from State aggression by the XIVth Amendment.

4. Whether the accommodations and privileges sought to be protected by the 1st and 2d sections of the Civil Rights Act, are, or are not, rights constitutionally demandable; and if they are, in what form they are to be protected, is not now decided.

5. Nor is it decided whether the law as it stands is operative in the Territories and District of Columbia: the decision only relating to its validity as applied to the States.

6. Nor is it decided whether Congress, under the commercial power, may or may not pass a law securing to all persons equal accommodations on lines of public conveyance between two or more States.

These cases were all founded on the first and second sections of the Act of Congress, known as the Civil Rights Act, passed March 1st, 1875, entitled "An Act to protect all citizens in their civil and legal rights." 18 Stat. 335. Two of the cases, those against Stanley and Nichols, were indictments for denying to persons of color the accommodations and privileges of an inn or hotel; two of them, those against Ryan and Singleton, were, one on information, the other an indictment, for denying to individuals the privileges and accommodations of a theatre, the information against Ryan being for refusing a colored person a seat in the dress circle of Maguire's theater in San Francisco; and the indictment against Singleton was for denying to another person, whose color was not stated, the full enjoyment of the accommodations of the theater known as the Grand Opera House in New York, "said denial not being made for any reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude."

The case of Robinson and wife against the Memphis & Charleston R.R. Company was an action brought in the Circuit Court of the United States for the Western District of Tennessee, to recover the penalty of five hundred dollars given by the second section of the act; and the gravamen was the refusal by the conductor of the railroad company to allow the wife to ride in the ladies' car, for the reason, as stated in one of the counts, that she was a person of African descent. The jury rendered a verdict for the defendants in this case upon the merits, under a charge of the court to which a bill of exceptions was taken by the plaintiffs. The case was tried on the assumption by both parties of the validity of the act of Congress; and the principal point made by the exceptions was, that the judge allowed evidence to go to the jury tending to show that the conductor had reason to suspect that the plaintiff, the wife, was an improper person, because she was in company with a young man whom he supposed to be a white man, and on that account inferred that there was some improper connection between them; and the judge charged the jury, in substance, that if this was the conductor's bona fide reason for excluding the woman from the car, they might take it into consideration on the question of the liability of the company. The case was brought here by writ of error at the suit of the plaintiffs.

The cases of Stanley, Nichols, and Singleton, came up on certificates of division of opinion between the judges below as to the constitutionality of the first and second sections of the act referred to; and the case of Ryan, on a writ of error to the judgment of the Circuit Court for the District of California sustaining a demurrer to the information.

The Stanley, Ryan, Nichols, and Singleton cases were submitted together by the solicitor general at the last term of court, on the 7th day of November, 1882. There were no appearances and no briefs filed for the defendants.

The Robinson case was submitted on the briefs at the last term, on the 29th day of March, 1883.

MR. SOLICITOR GENERAL PHILLIPS FOR THE UNITED STATES

After considering some objections to the forms of proceedings in the different cases, the counsel reviewed the following decisions of the court upon the Thirteenth and Fourteenth Amendments to the Constitution and on points cognate thereto, viz: *The Slaughter-House Cases*, 16 Wall. 36; *Bradwell* v. *The State*, 16 Wall. 130; *Bartemeyer* v. *Iowa*, 18 Wall. 129; *Minor* v. *Happersett*, 21 Wall. 162; *Walker* v. *Sauvinet*, 92 U.S. 90; *United States* v. *Reese*, 92 U.S. 214; *Kennard* v. *Louisiana*, 92 U.S. 480; *United States* v. *Cruikshank*, 92 U.S. 542; *Munn* v. *Illinois*, 94 U.S. 13; *Chicago B. & C.R.R. Co.* v. *Iowa*, 94 U.S. 155; *Blyew* v. *United States*, 13 Wall. 581; *Railroad Co.* v. *Brown*, 17 Wall. 455; *Hall* v. *DeCuir*, 95 U.S. 485; *Strauder* v. *West Virginia*, 100 U.S. 303; *Ex parte Virginia*, 100 U.S. 339; *Missouri* v. *Lewis*, 101 U.S. 22; *Neal* v. *Delaware*, 103 U.S. 370.

Upon the whole these cases decide that,

1. The Thirteenth Amendment forbids all sorts of involuntary personal servitude except penal, as to all sorts of men, the word servitude taking some color from the historical fact that the United States were then engaged in dealing with African slavery, as well as from the signification of the Fourteenth and Fifteenth Amendments, which must be construed as *advancing* constitutional rights previously existing.

2. The Fourteenth Amendment expresses prohibitions (and consequently implies corresponding positive immunities), limiting State action only, including in such action, however, action by all State agencies, executive, legislative, and judicial, of whatever degree.

3. The Fourteenth Amendment warrants legislation by Congress punishing violations of the immunities thereby secured when committed by agents of States in discharge of ministerial functions.

The right violated by Nichols, which is of the same class as that violated by Stanley and by Hamilton, is the right of locomotion, which Blackstone makes an element of personal liberty. Blackstone's Commentaries, Book I., ch. 1.

In violating this right, Nichols did not act in an exclusively private capacity, but in one devoted to a public use, and so affected with a public, i.e., a State, interest. This phrase will be recognized as taken from the *Elevator Cases* in 94 U.S., already cited.

Restraint upon the right of locomotion was a well-known feature of the slavery abolished by the Thirteenth Amendment. A first requisite of the right to appropriate the use of another man was to become the master of his natural power of motion, and, by a mayhem therein of the common law to require the whole community to be on the alert to restrain that power. That this is not exaggeration is shown by the language of the court in *Eaton* v. *Vaughan*, 9 Missouri, 734.

Granting that by involuntary servitude, as prohibited in the Thirteenth Amendment, is intended some institution, viz, custom, etc., of that sort, and not primarily mere scattered trespasses against liberty committed by private persons, yet, considering what must be the social tendency in at least large parts of the country, it is "appropriate legislation" against such an institution to forbid any action by private persons which in the light of our history may reasonably be apprehended to tend, on account of its being incidental to quasi public occupations, to create an institution.

Therefore, the above act of 1875, in prohibiting persons from violating the rights of other persons to the full and equal enjoyment of the accommodations of inns and public conveyances, for any reason turning merely upon the race or color of the latter, partakes of the specific character of certain contemporaneous solemn and effective action by the United States to which it was a sequel—and is constitutional.

MR. WILLIAM M. RANDOLPH FOR ROBINSON AND WIFE, PLAINTIFFS IN ERROR

Where the Constitution guarantees a right, Congress is empowered to pass the legislation appropriate to give effect to that right. *Prigg* v. *Pennsylvania*, 16 Peters, 539; *Ableman* v. *Booth*, 21 How. 506; *United States* v. *Reese*, 92 U.S. 214.

Whether Mr. Robinson's rights were created by the Constitution, or only guaranteed by it, in either event the act of Congress, so far as it protects them, is within the Constitution. *Pensacola Telegraph Co.* v. *Western Union Tel. Co.*, 96 U.S. 1; *The Passenger Cases*, 7 Howard, 283; *Crandall* v. *Nevada*, 6 Wall. 35.

In *Munn* v. *Illinois*, 94 U.S. 113, the following propositions were affirmed:

"Under the powers inherent in every sovereignty, a government may regulate the conduct of its citizens toward each other, and, when necessary for the public good, the manner in which each shall use his own property."

"It has, in the exercise of these powers, been customary in England from time immemorial, and in this country from its first colonization, to regulate ferries, common carriers, hackmen, bakers, millers, wharfingers, innkeepers, etc."

"When the owner of property devotes it to a use in which the public has an interest, he in effect grants to the public an interest in such use, and must, to the extent of that interest, submit to be controlled by the public, for the common good, as long as he maintains the use."

Undoubtedly, if Congress could legislate on the subject at all, its legislation by the act of 1st March, 1875, was within the principles thus announced.

The penalty denounced by the statute is incurred by denying to any citizen "the full enjoyment of any of the accommodations, advantages, facilities, or privileges" enumerated in the first section, and it is wholly immaterial whether the citizen whose rights are denied him belongs to one race or class or another, or is of one complexion or another. And again, the penalty follows every denial of the full enjoyment of any of the accommodations, advantages, facilities or privileges, except and unless the denial was "for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude."

MR. WILLIAM Y. C. HUMES AND MR. DAVID POSTEN FOR THE MEMPHIS AND CHARLESTON RAILROAD CO., DEFENDANTS IN ERROR

Mr. Justice Bradley delivered the opinion of the Court. After stating the facts in the above language he continued:

It is obvious that the primary and important question in all the cases is the constitutionality of the law: for if the law is unconstitutional none of the prosecutions can stand.

The sections of the law referred to provide as follows:

"SEC. 1. That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theatres, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

"SEC. 2. That any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall for every such offence forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered in an action of debt, with full costs; and shall also, for every such offence, be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or shall be imprisoned not less than thirty days nor more than one year: *Provided*, That all persons may elect to sue for the penalty aforesaid, or to proceed under their rights at common law and by State statutes; and having so elected to proceed in the one mode or the other, their right to proceed in the other jurisdiction shall be barred. But this provision shall not apply to criminal proceedings, either under this act or the criminal law of any State: *And provided further*, That a judgment for the penalty in favor of the party aggrieved, or a judgment upon an indictment, shall be a bar to either prosecution respectively."

Are these sections constitutional? The first section, which is the principal one, cannot be fairly understood without attending to the last clause, which qualifies the preceding part.

The essence of the law is, not to declare broadly that all persons shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances, and theaters; but that such enjoyment shall not be subject to any conditions applicable only to citizens of a particular race or color, or who had been in a previous condition of servitude. In other words, it is the purpose of the law to declare that, in the enjoyment of the accommodations and privileges of inns, public conveyances, theatres, and other places of public amusement, no distinction shall be made between citizens of different race or color, or between those who have, and those who have not, been slaves. Its effect is to declare, that in all inns, public conveyances, and places of amusement, colored citizens, whether formerly slaves or not, and citizens of other races, shall have the same accommodations and privileges in all inns, public conveyances, and places of amusement as are enjoyed by white citizens; and vice versa. The second section makes it a penal offence in any person to deny to any citizen of any race or color, regardless of previous servitude, any of the accommodations or privileges mentioned in the first section.

Has Congress constitutional power to make such a law? Of course, no one will contend that the power to pass it was contained in the Constitution before the adoption of the last three amendments. The power is sought, first, in the Fourteenth Amendment, and the views and arguments of distinguished Senators, advanced whilst the law was under consideration, claiming authority to pass it by virtue of that amendment, are the principal arguments adduced in favor of the power. We have carefully considered those arguments, as was due to the eminent ability of those who put them forward and have felt, in all its force, the weight of authority which always invests a law that Congress deems itself competent to pass. But the responsibility of an independent judgment is now thrown upon this Court; and we are bound to exercise it according to the best lights we have.

The first section of the Fourteenth Amendment (which is the one relied on), after declaring who shall be citizens of the United States, and of the several States, is prohibitory in its character, and prohibitory upon the States. It declares that:

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject matter of the amendment. It has a deeper and broader scope. It nullifies and makes void all State legislation, and State action of every kind, which impairs the privileges and immunities of citizens of the United States, or which injures them in life, liberty or property without due process of law, or which denies to any of them the equal protection of the laws. It not only does this, but, in order that the national will, thus declared, may not be a mere brutum fulmen, the last section of the amendment invests Congress with power to enforce it by appropriate legislation. To enforce what? To enforce the prohibition. To adopt appropriate legislation for correcting the effects of such prohibited State laws and State acts, and thus to render them effectually null, void, and innocuous. This is the legislative power conferred upon Congress, and this is the whole of it. It does not invest Congress with power to legislate upon subjects which are within the domain of State legislation; but to provide modes of relief against State legislation, or State action, of the kind referred to. It does not authorize Congress to create a code of municipal law for the regulation of private rights; but to provide modes of redress against the operation of State laws, and the action of State officers executive or judicial, when these are subversive of the fundamental rights specified in the amendment. Positive rights and privileges are undoubtedly secured by the Fourteenth Amendment; but they are secured by way of prohibition against State laws and State proceedings affecting those rights and privileges, and by power given to Congress to legislate for the purpose of carrying such prohibition into effect: and such legislation must necessarily be predicated upon such supposed State laws or State proceedings, and be directed to the correction of their operation and effect. A quite full discussion of this aspect of the amendment may be found in *United States* v. *Cruikshank*, 92 U.S. 542; *Virginia* v. *Rives*, 100 U.S. 313; and *Ex parte Virginia*, 100 U.S. 339.

An apt illustration of this distinction may be found in some of the provisions of the original Constitution. Take the subject of contracts, for example. The Constitution prohibited the States from passing any law impairing the obligation of contracts. This did not give to Congress power to provide laws for the general enforcement of contracts; nor power to invest the courts of the United States with jurisdiction over contracts, so as to enable parties to sue upon them in those courts. It did, however, give the power to provide remedies by which the impairment of contracts by State legislation might be counteracted and corrected: and this power was exercised. The remedy which Congress actually provided was that contained in the 25th section of the Judiciary

Act of 1789, 1 Stat. 85, giving to the Supreme Court of the United States jurisdiction by writ of error to review the final decisions of State courts whenever they should sustain the validity of a State statute or authority alleged to be repugnant to the Constitution or laws of the United States. By this means, if a State law was passed impairing the obligation of a contract, and the State tribunals sustained the validity of the law, the mischief could be corrected in this Court. The legislation of Congress, and the proceedings provided for under it, were corrective in their character. No attempt was made to draw into the United States courts the litigation of contracts generally; and no such attempt would have been sustained. We do not say that the remedy provided was the only one that might have been provided in that case. Probably Congress had power to pass a law giving to the courts of the United States direct jurisdiction over contracts alleged to be impaired by a State law; and under the broad provisions of the act of March 3d, 1875, ch. 137, 18 Stat. 470, giving to the circuit courts jurisdiction of all cases arising under the Constitution and laws of the United States, it is possible that such jurisdiction now exists. But under that, or any other law, it must appear as well by allegation, as proof at the trial, that the Constitution had been violated by the action of the State legislature. Some obnoxious State law passed, or that might be passed, is necessary to be assumed in order to lay the foundation of any Federal remedy in the case; and for the very sufficient reason, that the constitutional prohibition is against State laws impairing the obligation of contracts.

And so in the present case, until some State law has been passed, or some State action through its officers or agents has been taken, adverse to the rights of citizens sought to be protected by the Fourteenth Amendment, no legislation of the United States under said amendment, nor any proceeding under such legislation, can be called into activity: for the prohibitions of the amendment are against State laws and acts done under State authority. Of course, legislation may, and should be, provided in advance to meet the exigency when it arises; but it should be adapted to the mischief and wrong which the amendment was intended to provide against; and that is, State laws, or State action of some kind, adverse to the rights of the citizen secured by the amendment. Such legislation cannot properly cover the whole domain of rights appertaining to life, liberty and property, defining them and providing for their vindication. That would be to establish a code of municipal law regulative of all private rights between man and man in society. It would be to make Congress take the place of the State legislatures and to supersede them. It is absurd to affirm that, because the rights of life, liberty and property (which include all civil rights that men have), are by the amendment sought to be protected against invasion on the part of the State without due process of law, Congress may therefore provide due process of law for their vindication in every case; and that, because the denial by a State to any persons, of the equal protection of the laws, is prohibited by the amendment, therefore Congress may establish laws for their equal protection. In fine, the legislation which Congress is authorized to adopt in this behalf is not general legislation upon the rights of the citizen, but corrective legislation, that is, such as may be necessary and proper for counteracting such laws as the States may adopt or enforce, and which, by the amendment, they are prohibited from making or enforcing, or such acts and proceedings as the States may commit or take, and which, by the amendment, they are prohibited from committing or taking. It is not necessary for us to state, if we could, what legislation would be proper for Congress to adopt. It is sufficient for us to examine whether the law in question is of that character.

An inspection of the law shows that it makes no reference whatever to any supposed or apprehended violation of the Fourteenth Amendment on the part of the States. It is not predicated on any such view. It proceeds ex directo to declare that certain acts committed by individuals shall be deemed offences, and shall be prosecuted and punished by proceedings in the courts of the United States. It does not profess to be corrective of any constitutional wrong committed by the States; it does not make its operation to depend upon any such wrong committed. It applies equally to cases arising in States which have the justest laws respecting the personal rights of citizens, and whose authorities are ever ready to enforce such laws, as to those which arise in States that may have violated the prohibition of the amendment. In other words, it steps into the domain of local jurisprudence, and lays down rules for the conduct of individuals in society towards each other, and imposes sanctions for the enforcement of those rules, without referring in any manner to any supposed action of the State or its authorities.

If this legislation is appropriate for enforcing the prohibitions of the amendment, it is difficult to see where it is to stop. Why may not Congress with equal show of authority enact a code of laws for the enforcement and vindication of all rights of life, liberty, and property? If it is supposable that the States may deprive persons of life, liberty, and property without due process of law (and the amendment itself does suppose this), why should not Congress proceed at once to prescribe due process of law for the protection of every one of these fundamental rights, in every possible case, as well as to prescribe equal privileges in inns, public conveyances, and theaters? The truth is, that the implication of a power to legislate in this manner is based upon the assumption that if the States are forbidden to legislate or act in a particular way on a particular subject, and power is conferred upon Congress to enforce the prohibition, this gives Congress power to legislate generally upon that subject, and not merely power to provide modes of redress against such State legislation or action. The assumption is certainly unsound. It is repugnant to the Tenth Amendment of the Constitution, which declares that powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

We have not overlooked the fact that the fourth section of the act now under consideration has been held by this Court to be constitutional. That section declares "that no citizen, possessing all other qualifications which are or may be prescribed by law, shall be disqualified for service as grand or petit juror in any court of the United States, or of any State, on account of race, color, or previous condition of servitude; and any officer or other person charged with any duty in the selection or summoning of jurors who shall exclude or fail to summon any citizen for the cause aforesaid, shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not more than five thousand dollars." In Ex parte *Virginia*, 100 U.S. 339, it was held that an indictment against a State officer under this section for excluding persons of color from the jury list is sustainable. But a moment's attention to its terms will show that the section is entirely corrective in its character. Disqualifications for service on juries are only created by the law, and the first part of the section is aimed at certain disqualifying laws, namely, those which make mere race or color a disqualification; and the second clause is directed against those who, assuming to use the authority of the State government, carry into effect such a rule of disqualification. In the Virginia case, the State, through its officer, enforced a rule of disqualification which the law was intended to abrogate and counteract. Whether the statute book of the State actually laid down any such rule of disqualification, or not, the State, through its officer, enforced such a rule: and it is against such State action, through its officers and agents, that the last clause of the section is directed. This aspect of the law was deemed sufficient to divest it of any unconstitutional character, and makes it differ widely from the first and second sections of the same act which we are now considering.

These sections, in the objectionable features before referred to, are different also from the law ordinarily called the "Civil Rights Bill," originally passed April 9th, 1866, 14 Stat. 27, ch. 31, and re-enacted with some modifications in sections 16, 17, 18, of the Enforcement Act, passed May 31st, 1870, 16 Stat. 140, ch. 114. That law, as re-enacted, after declaring that all persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses and exactions of every kind, and none other, any law, statute, ordinance, regulation or custom to the contrary notwithstanding, proceeds to enact, that any person who, under color of any law, statute, ordinance, regulation or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any rights secured or protected by the preceding section (above quoted), or to different punishment, pains, or penalties, on account of such person being an alien, or by reason of his color or race, than is prescribed for the punishment of citizens, shall be guilty of a misdemeanor, and subject to fine and imprisonment as specified in the act. This law is clearly corrective in its character, intended to counteract and furnish redress against State laws and proceedings, and customs having the force of law, which sanction the wrongful acts specified. In the Revised Statutes, it is true, a very important clause, to wit, the words "any law, statute, ordinance, regulation or custom to the contrary notwithstanding," which gave the declaratory section its point and effect, are omitted; but the penal part, by which the declaration is enforced, and which is really the effective part of the law, retains the reference to State laws, by making the penalty apply only to those who should subject parties to a deprivation of their rights under color of any statute, ordinance, custom, etc., of any State or Territory: thus preserving the corrective character of the legislation. Rev. St. §§ 1977, 1978, 1979, 5510. The Civil Rights Bill here referred to is analogous in its character to what a law would have been under the original Constitution, declaring that the validity of contracts should not be impaired, and that if any person bound by a contract should refuse to comply with it, under color or pretence that it had been rendered void or invalid by a State law, he should be liable to an action upon it in the courts of the United States, with the addition of a penalty for setting up such an unjust and unconstitutional defence.

In this connection it is proper to state that civil rights, such as are guaranteed by the Constitution against State aggression, cannot be impaired by the wrongful acts of individuals, unsupported by State authority in the shape of laws, customs, or judicial or executive proceedings. The wrongful act of an individual, unsupported by any such authority, is simply a private wrong, or a crime of that individual; an invasion of the rights of the injured party, it is true, whether they affect his person, his property, or his reputation; but if not sanctioned in some way by the State, or not done under State authority, his rights remain in full force, and may presumably be vindicated by resort to the laws of the State for redress. An individual cannot deprive a man of his right to vote, to hold property, to buy and sell, to sue in the courts, or to be a witness or a juror; he may, by force or fraud, interfere with the enjoyment of the right in a particular case; he may commit an assault against the person, or commit murder, or use ruffian violence at the polls, or slander the good name of a fellow citizen; but, unless protected in these wrongful acts by some shield of State law or State authority, he cannot destroy or injure the right; he will only render himself amenable to satisfaction or punishment; and amenable therefor to the laws of the State where the wrongful acts are committed. Hence, in all those cases where the Constitution seeks to protect the rights of the citizen against discriminative and unjust laws of the State by prohibiting such laws, it is not individual offenses, but abrogation and denial of rights, which it denounces, and for which it clothes the Congress with power to provide a remedy. This abrogation and denial of rights, for which the States alone were or could be responsible, was the great seminal and fundamental wrong which was intended to be remedied. And the remedy to be provided must necessarily be predicated upon that wrong. It must assume that in the cases provided for, the evil or wrong actually committed rests upon some State law or State authority for its excuse and perpetration.

Of course, these remarks do not apply to those cases in which Congress is clothed with direct and plenary powers of legislation over the whole subject, accompanied with an express or implied denial of such power to the States, as in the regulation of commerce with foreign nations, among the several States, and with the Indian tribes, the coining of money, the establishment of post offices and post roads, the declaring of war, etc. In these cases Congress has power to pass laws for regulating the subjects specified in every detail, and the conduct and transactions of individuals in respect thereof. But where a subject is not submitted to the general legislative power of Congress, but is only submitted thereto for the purpose of rendering effective some prohibition against particular State legislation or State action in reference to that subject, the power given is limited by its object, and any legislation by Congress in this matter must necessarily be corrective in its character, adapted to counteract and redress the operation of such prohibited State laws or proceedings of State officers.

If the principles of interpretation which we have laid down are correct, as we deem them to be (and they are in accord with the principles laid down in the cases before referred to, as well as in the recent case of *United States* v. *Harris*, 106 U.S. 629), it is clear that the law in question cannot be sustained by any grant of legislative power made to Congress by the Fourteenth Amendment. That amendment prohibits the States from denying to any person the equal protection of the laws, and declares that Congress shall have power to enforce, by appropriate legislation, the provisions of the amendment. The law in question, without any reference to adverse State legislation on the subject, declares that all persons shall be entitled to equal accommodations and privileges of inns, public conveyances, and places of public amusement, and imposes a penalty upon any individual who shall deny to any citizen such equal accommodations and privileges. This is not corrective legislation; it is primary and direct; it takes immediate and absolute possession of the subject of the right of admission to inns, public conveyances, and places of amusement. It supersedes and displaces State legislation on the same subject, or only allows it permissive force. It ignores such legislation, and assumes that the matter is one that belongs to the domain of national regulation. Whether it would not have been a more effective protection of the rights of citizens to have clothed Congress with plenary power over the whole subject, is not now the question. What we have to decide is, whether such plenary power has been conferred upon Congress by the Fourteenth Amendment; and in our judgment, it has not.

We have discussed the question presented by the law on the assumption that a right to enjoy equal accommodation and privileges in all inns, public conveyances, and places of public amusement, is one of the essential rights of the citizen which no State can abridge or interfere with. Whether it is such a right, or not, is a different question which, in the view we have taken of the validity of the law on the ground already stated, it is not necessary to examine.

We have also discussed the validity of the law in reference to cases arising in the States only; and not in reference to cases arising in the Territories or the District of Columbia, which are subject to the plenary legislation of Congress in every branch of municipal regulation. Whether the law would be a valid one as applied to the Territories and the District is not a question for consideration in the cases before us: they all being cases arising within the limits of States. And whether Congress, in the exercise of its power to regulate commerce amongst the several States, might or might not pass a law regulating rights in public conveyances passing from one State to another, is also a question which is not now before us, as the sections in question are not conceived in any such view.

But the power of Congress to adopt direct and primary, as distinguished from corrective legislation, on the subject in hand, is sought, in the second place, from the Thirteenth Amendment, which abolishes slavery. This amendment declares "that neither slavery, nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction;" and it gives Congress power to enforce the amendment by appropriate legislation.

This amendment, as well as the Fourteenth, is undoubtedly self-executing without any ancillary legislation, so far as its terms are applicable to any existing state of circumstances. By its own unaided force and effect it abolished slavery, and established universal freedom. Still, legislation may be necessary and proper to meet all the various cases and circumstances to be affected by it, and to prescribe proper modes of redress for its violation in letter or spirit. And such legislation may be primary and direct in its character; for the amendment is not a mere prohibition of State laws establishing or upholding slavery, but an absolute declaration that slavery or involuntary servitude shall not exist in any part of the United States.

It is true, that slavery cannot exist without law, any more than property in lands and goods can exist without law: and, therefore, the Thirteenth Amendment may be regarded as nullifying all State laws which establish or uphold slavery. But it has a reflex character also, establishing and decreeing universal civil and political freedom throughout the United States; and it is assumed, that the power vested in Congress to enforce the article by appropriate legislation, clothes Congress with power to pass all laws necessary and proper for abolishing all badges and incidents of slavery in the United States: and upon this assumption it is claimed, that this is sufficient authority for declaring by law that all persons shall have equal accommodations and privileges in all inns, public conveyances, and places of amusement; the argument being, that the denial of such equal accommodations and privileges is, in itself, a subjection to a species of servitude within the meaning of the amendment. Conceding the major proposition to be true, that Congress has a right to enact all necessary and proper laws for the obliteration and prevention of slavery with all its badges and incidents, is the minor proposition also true, that the denial to any person of admission to the accommodations and privileges of an inn, a public conveyance, or a theatre, does subject that person to any form of servitude, or tend to fasten upon him any badge of slavery? If it does not, then power to pass the law is not found in the Thirteenth Amendment.

In a very able and learned presentation of the cognate question as to the extent of the rights, privileges and immunities of citizens which cannot rightfully be abridged by state laws under the Fourteenth Amendment, made in a former case, a long list of burdens and disabilities of a servile character, incident to feudal vassalage in France, and which were abolished by the decrees of the National Assembly, was presented for the purpose of showing that all inequalities and observances exacted by one man from another were servitudes, or badges of slavery, which a great nation, in its effort to establish universal liberty, made haste to wipe out and destroy. But these were servitudes imposed by the old law, or by long custom, which had the force of law, and exacted by one man from another without the latter's consent. Should any such servitudes be imposed by a state law, there can be no doubt that the law would be repugnant to the Fourteenth, no less than to the Thirteenth Amendment; nor any greater doubt that Congress has adequate power to forbid any such servitude from being exacted.

But is there any similarity between such servitudes and a denial by the owner of an inn, a public conveyance, or a theatre, of its accommodations and privileges to an individual, even though the denial be founded on the race or color of that individual? Where does any slavery or servitude, or badge of either, arise from such an act of denial? Whether it might not be a denial of a right which, if sanctioned by the State law, would be obnoxious to the prohibitions of the Fourteenth Amendment, is another question. But what has it to do with the question of slavery?

It may be that by the Black Code (as it was called), in the times when slavery prevailed, the proprietors of inns and public conveyances were forbidden to receive persons of the African race, because it might assist slaves to escape from the control of their masters. This was merely a means of preventing such escapes, and was no part of the servitude itself. A law of that kind could not have any such object now, however justly it might be deemed an invasion of the party's legal right as a citizen, and amenable to the prohibitions of the Fourteenth Amendment.

The long existence of African slavery in this country gave us very distinct notions of what it was, and what were its necessary incidents. Compulsory service of the slave for the benefit of the master, restraint of his movements except by the master's will, disability to hold property, to make contracts, to have a standing in court, to be a witness against a white person, and such like burdens and incapacities, were the inseparable incidents of the institution. Severer punishments for crimes were imposed on the slave than on free persons guilty of the same offenses. Congress, as we have seen, by the Civil Rights Bill of 1866, passed in view of the Thirteenth Amendment, before the Fourteenth was adopted, undertook to wipe out these burdens and disabilities, the necessary incidents of slavery, constituting its substance and visible form; and to secure to all citizens of every race and color, and without regard to previous servitude, those fundamental rights which are the essence of civil freedom, namely, the same right to make and enforce contracts, to sue, be parties, give evidence, and to inherit, purchase, lease, sell and convey property, as is enjoyed by white citizens. Whether this legislation was fully authorized by the Thirteenth Amendment alone, without the support which it afterward received from the Fourteenth Amendment, after the adoption of which it was reenacted with some additions, it is not necessary to inquire. It is referred to for the purpose of showing that at that time (in 1866) Congress did not assume, under the authority given by the Thirteenth Amendment, to adjust what may be called the social rights of men and races in the community; but only to declare and vindicate those fundamental rights which appertain to the essence of citizenship, and the enjoyment or deprivation of which constitutes the essential distinction between freedom and slavery.

We must not forget that the province and scope of the Thirteenth and Fourteenth amendments are different; the former simply abolished slavery: the latter prohibited the States from abridging the privileges or immunities of citizens of the United States; from depriving them of life, liberty, or property without due process of law, and from denying to any the equal protection of the laws. The amendments are different, and the powers of Congress under them are different. What Congress has power to do under one, it may not have power to do under the other. Under the Thirteenth Amendment, it has only to do with slavery and its incidents. Under the Fourteenth Amendment, it has power to counteract and render nugatory all State laws and proceedings which have the effect to abridge any of the privileges or immunities of citizens of the United States, or to deprive them of life, liberty or property without due process of law, or to deny to any of them the equal protection of the laws. Under the Thirteenth Amendment, the legislation, so far as necessary or proper to eradicate all forms and incidents of slavery and involuntary servitude, may be direct and primary, operating upon the acts of individuals, whether sanctioned by State legislation or not; under the Fourteenth, as we have already shown, it must necessarily be, and can only be, corrective in its character, addressed to counteract and afford relief against State regulations or proceedings.

The only question under the present head, therefore, is, whether the refusal to any persons of the accommodations of an inn, or a public conveyance, or a place of public amusement, by an individual, and without any sanction or support from any State law or regulation, does inflict upon such persons any manner of servitude, or form of slavery, as those terms are understood in this country? Many wrongs may be obnoxious to the prohibitions of the Fourteenth Amendment which are not, in any just sense, incidents or elements of slavery. Such, for example, would be the taking of private property without due process of law; or allowing persons who have committed certain crimes (horse stealing, for example) to be seized and hung by the posse comitatus without regular trial; or denying to any person, or class of persons, the right to pursue any peaceful avocations allowed to others. What is called class legislation would belong to this category, and would be obnoxious to the prohibitions of the Fourteenth Amendment, but would not necessarily be so to the Thirteenth, when not involving the idea of any subjection of one man to another. The Thirteenth Amendment has respect, not to distinctions of race, or class, or color, but to slavery. The Fourteenth Amendment extends its protection to races and classes, and prohibits any State legislation which has the effect of denying to any race or class, or to any individual, the equal protection of the laws.

Now, conceding, for the sake of the argument, that the admission to an inn, a public conveyance, or a place of public amusement, on equal terms with all other citizens, is the right of every man and all classes of men, is it any more than one of those rights which the States by the Fourteenth Amendment are forbidden to deny to any person? And is the Constitution violated until the denial of the right has some State sanction or authority? Can the act of a mere individual, the owner of the inn, the public conveyance or place of amusement, refusing the accommodation, be justly regarded as imposing any badge of slavery or servitude upon the applicant, or only as inflicting an ordinary civil injury, properly cognizible by the laws of the State, and presumably subject to redress by those laws until the contrary appears?

After giving to these questions all the consideration which their importance demands, we are forced to the conclusion that such an act of refusal has nothing to do with slavery or involuntary servitude, and that if it is violative of any right of the party, his redress is to be sought under the laws of the State; or if those laws are adverse to his rights and do not protect him, his remedy will be found in the corrective legislation which Congress has adopted, or may adopt, for counteracting the effect of State laws, or State action, prohibited by the Fourteenth Amendment. It would be running the slavery argument into the ground to make it apply to every act of discrimination which a person may see fit to make as to the guests he will entertain, or as to the people he will take into his coach or cab or car, or admit to his concert or theatre, or deal with in other matters of intercourse or business. Innkeepers and public carriers, by the laws of all the States, so far as we are aware, are bound, to the extent of their facilities, to furnish proper accommodation to all unobjectionable persons who in good faith apply for them. If the laws themselves make any unjust discrimination, amenable to the prohibitions of the Fourteenth Amendment, Congress has full power to afford a remedy under that amendment and in accordance with it.

When a man has emerged from slavery, and by the aid of beneficent legislation has shaken off the inseparable concomitants of that state, there must be some stage in the progress of his elevation when he takes the rank of a mere citizen, and ceases to be the special favorite of the laws, and when his rights as a citizen, or a man, are to be protected in the ordinary modes by which other men's rights are protected. There were thousands of free colored people in this country before the abolition of slavery, enjoying all the essential rights of life, liberty and property the same as white citizens; yet no one, at that time, thought that it was any invasion of his personal status as a freeman because he was not admitted to all the privileges enjoyed by white citizens, or because he was subjected to discriminations in the enjoyment of accommodations in inns, public conveyances and places of amusement. Mere discriminations on account of race or color were not regarded as badges of slavery. If since that time the enjoyment of equal rights in all these respects has become established by constitutional enactment it is not by force of the Thirteenth Amendment (which merely abolishes slavery), but by force of the Thirteenth and Fifteenth Amendments.

On the whole we are of opinion, that no countenance of authority for the passage of the law in question can be found in either the Thirteenth or Fourteenth Amendment of the Constitution; and no other ground of authority for its passage being suggested, it must necessarily be declared void, at least so far as its operation in the several States is concerned.

This conclusion disposes of the cases now under consideration. In the cases of the *United States* v. *Michael Ryan*, and of *Richard A. Robinson and Wife* v. *The Memphis & Charleston Railroad Company*, the judgments must be affirmed. In the other cases, the answer to be given will be that the first and second sections of the act of Congress of March 1st, 1875, entitled "An Act to protect all citizens in their civil and legal rights," are unconstitutional and void, and that judgment should be rendered upon the several indictments in those cases accordingly.

And it is so ordered.

MR. JUSTICE HARLAN DISSENTING

The opinion in these cases proceeds, it seems to me, upon grounds entirely too narrow and artificial. I cannot resist the conclusion that the substance and spirit of the recent amendments of the Constitution have been sacrificed by a subtle and ingenious verbal criticism. "It is not the words of the law but the internal sense of it that makes the law: the letter of the law is the body; the sense and reason of the law is the soul." Constitutional provisions, adopted in the interest of liberty, and for the purpose of securing, through national legislation, if need be, rights inhering in a state of freedom, and belonging to American citizenship, have been so construed as to defeat the ends the people desired to accomplish, which they attempted to accomplish, and which they supposed they had accomplished by changes in their fundamental law. By this I do not mean that the determination of these cases should have been materially controlled by considerations of mere expediency or policy. I mean only, in this form, to express an earnest conviction that the court has departed from the familiar rule requiring, in the interpretation of constitutional provisions, that full effect be given to the intent with which they were adopted.

The purpose of the first section of the act of Congress of March 1, 1875, was to prevent race discrimination in respect of the accommodations and facilities of inns, public conveyances, and places of public amusement. It does not assume to define the general conditions and limitations under which inns, public conveyances, and places of public amusement may be conducted, but only declares that such conditions and limitations, whatever they may be, shall not be applied so as to work a discrimination solely because of race, color, or previous condition of servitude. The second section provides a penalty against any one denying, or aiding or inciting the denial, to any citizen, of that equality of right given by the first section, except for reasons by law applicable to citizens of every race or color and regardless of any previous condition of servitude.

There seems to be no substantial difference between my brethren and myself as to the purpose of Congress; for, they say that the essence of the law is, not to declare broadly that all persons shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances, and theatres; but that such enjoyment shall not be subject to conditions applicable only to citizens of a particular race or color, or who had been in a previous condition of servitude. The effect of the statute, the court says, is, that colored citizens, whether formerly slaves or not, and citizens of other races, shall have the same accommodations and privileges in all inns, public conveyances, and places of amusement as are enjoyed by white persons; and vice versa.

The court adjudges, I think erroneously, that Congress is without power, under either the Thirteenth or Fourteenth Amendment, to establish such regulations, and that the first and second sections of the statute are, in all their parts, unconstitutional and void.

Whether the legislative department of the government has transcended the limits of its constitutional powers, "is at all times," said this court in *Fletcher* v. *Peck*, 6 Cr. 128, "a question of much delicacy, which ought seldom, if ever, to be decided in the affirmative, in a doubtful case. * * * The opposition between the Constitution and the law should be such that the judge feels a clear and strong conviction of their incompatibility with each other." More recently in *Sinking Fund Cases*, 99 U.S., 718, we said: "It is our duty when required in the regular course of judicial proceedings, to declare an act of Congress void if not within the legislative power of the United States, but this declaration should never be made except in a clear case. Every possible presumption is in favor of the validity of a statute, and this continues until the contrary is shown beyond a rational doubt. One branch of the government cannot encroach on the domain of another without danger. The safety of our institutions depends in no small degree on a strict observance of this salutary rule."

Before considering the language and scope of these amendments it will be proper to recall the relations subsisting, prior to their adoption, between the national government and the institution of slavery, as indicated by the provisions of the Constitution, the legislation of Congress, and the decisions of this court. In this mode we may obtain keys with which to open the mind of the people, and discover the thought intended to be expressed.

In section 2 of article IV of the Constitution it was provided that "no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." Under the authority of this clause Congress passed the Fugitive Slave Law of 1793, establishing a mode for the recovery of fugitive slaves, and prescribing a penalty against any person who should knowingly and willingly obstruct or hinder the master, his agent, or attorney, in seizing, arresting, and recovering the fugitive, or who should rescue the fugitive from him, or who should harbor or conceal the slave after notice that he was a fugitive.

In *Prigg* v. *Commonwealth of Pennsylvania*, 16 Det. 539, this court had occasion to define the powers and duties of Congress in reference to fugitives from labor. Speaking by MR. JUSTICE STORY it laid down these propositions:

That a clause of the Constitution conferring a right should not be so construed as to make it shadowy, or unsubstantial, or leave the citizen without a remedial power adequate for its protection, when another construction equally accordant with the words and the sense in which they were used, would enforce and protect the right granted;

That Congress is not restricted to legislation for the execution of its expressly granted powers; but, for the protection of rights guaranteed by the Constitution, may employ such means, not prohibited, as are necessary and proper, or such as are appropriate, to attain the ends proposed;

That the Constitution recognized the master's right of property in his fugitive slave, and, as incidental thereto, the right of seizing and recovering him, regardless of any State law, or regulation, or local custom whatsoever; and,

That the right of the master to have his slave, thus escaping, delivered up on claim, being guaranteed by the Constitution, the fair implication was that the national government was clothed with appropriate authority and functions to enforce it.

The court said: "The fundamental principle, applicable to all cases of this sort, would seem to be that when the end is required the means are given, and when the duty is enjoined the ability to perform it is contemplated to exist on the part of the functionary to whom it is entrusted." Again: "It would be a strange anomaly and forced construction to suppose that the national government meant to rely for the due fulfilment of its own proper duties, and the rights which it intended to secure, upon State legislation, and not upon that of the Union. A fortiori, it would be more objectionable to suppose that a power which was to be the same throughout the Union, should be confided to State sovereignty which could not rightfully act beyond its own territorial limits."

The act of 1793 was, upon these grounds, adjudged to be a constitutional exercise of the powers of Congress.

It is to be observed from the report of Priggs' case that Pennsylvania, by her attorney-general, pressed the argument that the obligation to surrender fugitive slaves was on the States and for the States, subject to the restriction that they should not pass laws or establish regulations liberating such fugitives; that the Constitution did not take from the States the right to determine the status of all persons within their respective jurisdictions; that it was for the State in which the alleged fugitive was found to determine, through her courts or in such modes as she prescribed, whether the person arrested was, in fact, a freeman or a fugitive slave; that the sole power of the general government in the premises was, by judicial instrumentality, to restrain and correct, not to forbid and prevent in the absence of hostile State action; and that, for the general government to assume primary authority to legislate on the subject of fugitive slaves, to the exclusion of the States, would be a dangerous encroachment on State sovereignty. But to such suggestions this court turned a deaf ear, and adjudged that primary legislation by Congress to enforce the master's right was authorized by the Constitution.

We next come to the Fugitive Slave Act of 1850, the constitutionality of which rested, as did that of 1793, solely upon the implied power of Congress to enforce the master's rights. The provisions of that act were far in advance of previous legislation. They placed at the disposal of the master seeking to recover his fugitive slave, substantially the whole power of the nation. It invested commissioners, appointed under the act, with power to summon the posse comitatus for the enforcement of its provisions, and commanded all good citizens to assist in its prompt and efficient execution whenever their services were required as part of the posse comitatus. Without going into the details of that act, it is sufficient to say that Congress omitted from it nothing which the utmost ingenuity could suggest as essential to the successful enforcement of the master's claim to recover his fugitive slave. And this court, in *Ableman* v. *Booth*, 21 How. 506, adjudged it to be "in all of its provisions fully authorized by the Constitution of the United States."

The only other case, prior to the adoption of the recent amendments, to which reference will be made, is that of *Dred Scott* v. *Sanford*, 19 How. 399. That case was instituted in a circuit court of the United States by Dred Scott, claiming to be a citizen of Missouri, the defendant being a citizen of another State. Its object was to assert the title of himself and family to freedom. The defendant pleaded in abatement that Scott—being of African descent, whose ancestors, of pure African blood, were brought into this country and sold as slaves—was not a citizen. The only matter in issue, said the court, was whether the descendants of slaves thus imported and sold, when they should be emancipated, or who were born of parents who had become free before their birth, are citizens of a State in the sense in which the word "citizen" is used in the Constitution of the United States.

In determining that question the court instituted an inquiry as to who were citizens of the several States at the adoption of the Constitution, and who, at that time, were recognized as the people whose rights and liberties had been violated by the British government. The result was a declaration, by this court, speaking by Chief Justice Taney, that the legislation and histories of the times, and the language used in the Declaration of Independence, showed "that neither the class of persons who had been imported as slaves, nor their descendants, whether they had become free or not, were then acknowledged as a part of the people, nor intended to be included in the general words used in that instrument;" that "they had for more than a century before been regarded as beings of an inferior race, and altogether unfit to associate with the white race, either in social or political relations, and so far inferior that they had no rights which the white man was bound to respect, and that the negro might justly and lawfully be reduced to slavery for his benefit;" that he was "bought and sold, and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it;" and, that "this opinion was at that time fixed and universal in the civilized portion of the white race. It was regarded as an axiom in morals as well as in politics, which no one thought of disputing, or supposed to be open to dispute; and men in every grade and position in society daily and habitually acted upon it in their private pursuits, as well as in matters of public concern, without for a moment doubting the correctness of this opinion."

The judgment of the court was that the words "people of the United States" and "citizens" meant the same thing, both describing "the political body who, according to our republican institutions, form the sovereignty and hold the power and conduct the government through their representatives;" that "they are what we familiarly call the 'sovereign people,' and every citizen is one of this people and a constituent member of this sovereignty;" but, that the class of persons described in the plea in abatement did not compose a portion of this people, were not "included, and were not intended to be included, under the word 'citizens' in the Constitution;" that, therefore, they could "claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States;" that, "on the contrary, they were at that time considered as a subordinate and inferior class of beings, who had been subjugated by the dominant race, and, whether emancipated or not, yet remained subject to their authority, and had no rights or privileges but such as those who held the power and the government might choose to grant them."

Such were the relations which formerly existed between the governent, whether national or state, an the descendants, whether free or in bondage, of those of African blood, who had been imported into this country and sold as slaves.

The first section of the Thirteenth Amendment provides that "neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." Its second section declares that "Congress shall have power to enforce this article by appropriate legislation." This amendment was followed by the Civil Rights Act of April 9, 1866, which, among other things, provided that "all persons born in the United States, and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the

United States." 14 Stat. 27. The power of Congress, in this mode, to elevate the enfranchised race to national citizenship, was maintained by the supporters of the act of 1866 to be as full and complete as its power, by general statute, to make the children, being of full age, of persons naturalized in this country, citizens of the United States without going through the process of naturalization. The act of 1866, in this respect, was also likened to that of 1843, in which Congress declared "that the Stockbridge tribe of Indians, and each and every one of them, shall be deemed to be and are hereby declared to be, citizens of the United States to all intents and purposes, and shall be entitled to all the rights, privileges, and immunities of such citizens, and shall in all respects be subject to the laws of the United States." If the act of 1866 was valid in conferring national citizenship upon all embraced by its terms, then the colored race, enfranchised by the Thirteenth Amendment, became citizens of the United States prior to the adoption of the Fourteenth Amendment. But, in the view which I take of the present case, it is not necessary to examine this question.

The terms of the Thirteenth Amendment are absolute and universal. They embrace every race which then was, or might thereafter be, within the United States. No race, as such, can be excluded from the benefits or rights thereby conferred. Yet, it is historically true that that amendment was suggested by the condition, in this country, of that race which had been declared, by this court, to have had—according to the opinion entertained by the most civilized portion of the white race, at the time of the adoption of the Constitution—"no rights which the white man was bound to respect," none of the privileges or immunities secured by that instrument to citizens of the United States. It had reference, in a peculiar sense, to a people which (although the larger part of them were in slavery) had been invited by an act of Congress to aid in saving from overthrow a government which, theretofore, by all of its departments, had treated them as an inferior race, with no legal rights or privileges except such as the white race might choose to grant them.

These are the circumstances under which the Thirteenth Amendment was proposed for adoption. They are now recalled only that we may better understand what was in the minds of the people when that amendment was considered, and what were the mischiefs to be remedied and the grievances to be redressed by its adoption.

We have seen that the power of Congress, by legislation, to enforce the master's right to have his slave delivered upon claim was implied from the recognition of that right in the national Constitution. But the power conferred by the Thirteenth Amendment does not rest upon implication or inference. Those who framed it were not ignorant of the discussion, covering many years of our country's history, as to the constitutional power of Congress to enact the Fugitive Slave Laws of 1793 and 1850. When, therefore, it was determined, by a change in the fundamental law, to uproot the institution of slavery wherever it existed in the land, and to establish universal freedom, there was a fixed purpose to place the authority of Congress in the premises beyond the possibility of a doubt. Therefore, ex industria, power to enforce the Thirteenth Amendment, by appropriate legislation, was expressly granted. Legislation for that purpose, my brethren concede, may be direct and primary. But to what specific ends may it be directed? This court has uniformity held that the national government has the power, whether expressly given or not, to secure and protect rights conferred or guaranteed by the Constitution. *United States* v. *Reese*, 92 U.S. 214; *Strauder* v. *West Virginia*, 100 U.S. 303. That doctrine ought not now to be abandoned when the inquiry is not as to an implied power to protect the master's rights, but what may Congress, under powers expressly granted, do for the protection of freedom and the rights necessarily inhering in a state of freedom.

The Thirteenth Amendment, it is conceded, did something more than to prohibit slavery as an institution, resting upon distinctions of race, and upheld by positive law. My brethren admit that it established and decreed universal civil freedom throughout the United States. But did the freedom thus established involve nothing more than exemption from actual slavery? Was nothing more intended than to forbid one man from owning another as property? Was it the purpose of the nation simply to destroy the institution, and then remit the race, theretofore held in bondage, to the several States for such protection, in their civil rights, necessarily growing out of freedom, as those States, in their discretion, might choose to provide? Were the States against whose protest the institution was destroyed, to be left free, so far as national interference was concerned, to make or allow discriminations against that race, as such, in the enjoyment of those fundamental rights which by universal concession, inhere in a state of freedom? Had the Thirteenth Amendment stopped with the sweeping declaration, in its first section, against the existence of slavery and involuntary servitude, except for crime, Congress would have had the power, by implication, according to the doctrines of *Prigg* v. *Commonwealth of Pennsylvania*, repeated in *Strauder* v. *West Virginia*, to protect the freedom established, and consequently, to secure the enjoyment of such civil rights as were fundamental in freedom. That it can exert its authority to that extent is made clear, and was intended to be made clear, by the express grant of power contained in the second section of the Amendment.

That there are burdens and disabilities which constitute badges of slavery and servitude, and that the power to enforce by appropriate legislation the Thirteenth Amendment may be exerted by legislation of a direct and primary character, for the eradication, not simply of the institution, but of its badges and incidents, are propositions which ought to be deemed indisputable. They lie at the foundation of the Civil Rights Act of 1866. Whether that act was authorized by the Thirteenth Amendment alone, without the support which it subsequently received from the Fourteenth Amendment, after the adoption of which it was reenacted with some additions, my brethren do not consider it necessary to inquire. But I submit, with all respect to them, that its constitutionality is conclusively shown by their opinion. They admit, as I have said, that the Thirteenth Amendment established freedom; that there are burdens and disabilities, the necessary incidents of slavery, which constitute its substance and visible form; that Congress, by the act of 1866, passed in view of the Thirteenth Amendment, before the Fourteenth was adopted, undertook to remove certain burdens and disabilities, the necessary incidents of slavery, and to secure to all citizens of every race and color, and without regard to previous servitude, those fundamental rights which are the essence of civil freedom, namely, the same right to make and enforce contracts, to sue, be parties, give evidence, and to inherit, purchase, lease, sell, and convey property as is enjoyed by white citizens; that under the Thirteenth Amendment, Congress has to do with slavery and its incidents; and that legislation, so far as necessary or proper to eradicate all forms and incidents of slavery and involuntary servitude, may be direct and primary, operating upon the acts of individuals, whether sanctioned by State legislation or not.

The propositions being conceded, it is impossible, as it seems to me, to question the constitutional validity of the Civil Rights Act of 1866. I do not contend that the Thirteenth Amendment invests Congress with authority, by legislation, to define and regulate the entire body of the civil rights which citizens enjoy, or may enjoy, in the several States. But I hold that since slavery, as the court has repeatedly declared, *Slaughter-house Cases*, 16 Wall. 36; *Strauder* v. *West Virginia*, 100 U.S. 303, was the moving or principal cause of the adoption of that amendment, and since that institution rested wholly upon the inferiority, as a race, of those held in bondage, their freedom necessarily involved immunity from, and protection against, all discrimination against them, because of their race, in respect of such civil rights as belong to freemen of other races. Congress, therefore, under its express power to enforce that amendment, by appropriate legislation, may enact laws to protect that people against the deprivation, because of their race, of any civil rights granted to other freemen in the same State; and such legislation may be of a direct and primary character, operating upon States, their officers and agents, and, also, upon, at least, such individuals and corporations as exercise public functions and wield power and authority under the State.

To test the correctness of this position, let us suppose that, prior to the adoption of the Fourteenth Amendment, a State had passed a statute denying to freemen of African descent, resident within its limits, the same right which was accorded to white persons, of making and enforcing contracts, and of inheriting, purchasing, leasing, selling, and conveying property; or a statute subjecting colored people to severer punishment for particular offenses than was prescribed for white persons, or excluding that race from the benefit of the laws exempting homesteads from execution. Recall the legislation of 1865–6 in some of the States, of which this court, in the Slaughter House Cases, said, that it imposed upon the colored race onerous disabilities and burdens; curtailed their rights in the pursuit of life, liberty and property to such an extent that their freedom was of little value; forbade them to appear in the towns in any other character than menial servants; required them to reside on and cultivate the soil, without the right to purchase or own it; excluded them from many occupations of gain; and denied them the privilege of giving testimony in the courts where a white man was a party. 16 Wall. 57. Can there be any doubt that all such enactments might have been reached by direct legislation upon the part of Congress under its express power to enforce the Thirteenth Amendment? Would any court have hesitated to declare that such legislation imposed badges of servitude in conflict with the civil freedom ordained by that amendment? That it would have been also in conflict with the Fourteenth Amendment, because inconsistent with the fundamental rights of American citizenship, does not prove that it would have been consistent with the Thirteenth Amendment.

What has been said is sufficient to show that the power of Congress under the Thirteenth Amendment is not necessarily restricted to legislation against slavery as an institution upheld by positive law, but may be exerted to the extent, at least, of protecting the liberated race against discrimination, in respect of legal rights belonging to freemen, where such discrimination is based upon race.

It remains now to inquire what are the legal rights of colored persons in respect of the accommodations, privileges and facilities of public conveyances, inns and places of public amusement?

First, as to public conveyances on land and water. In *New Jersey Steam Navigation Co.*

v. *Merchants' Bank*, 6 How. 344, this court, speaking by Mr. Justice Nelson, said that a common carrier is "in the exercise of a sort of public office, and has public duties to perform, from which he should not be permitted to exonerate himself without the assent of the parties concerned." To the same effect is *Munn* v. *Illinois*, 94 U.S. 113. In *Olcott* v. *Supervisors*, 16 Wall. 678, it was ruled that railroads are public highways, established by authority of the State for the public use; that they are none the less public highways, because controlled and owned by private corporations; that it is a part of the function of government to make and maintain highways for the convenience of the public; that no matter who is the agent, or what is the agency, the function performed is that of the State; that although the owners may be private companies, they may be compelled to permit the public to use these works in the manner in which they can be used; that, upon these grounds alone, have the courts sustained the investiture of railroad corporations with the State's right of eminent domain, or the right of municipal corporations, under legislative authority, to assess, levy and collect taxes to aid in the construction of railroads.

So in *Township of Queensbury* v. *Culver*, 19 Wall. 83, it was said that a municipal subscription of railroad stock was in aid of the construction and maintenance of a public highway, and for the promotion of a public use. Again, in *Township of Pine Grove* v. *Talcott*, 19 Wall. 666: "Though the corporation [railroad] was private, its work was public, as much so as if it were to be constructed by the State." To the like effect are numerous adjudications in this and the State courts with which the profession is familiar. The Supreme Judicial Court of Massachusetts in *Inhabitants of Worcester* v. *The Western R.R. Corporation*, 4 Met. 564, said in reference to a railroad:

"The establishment of that great thoroughfare is regarded as a public work, established by public authority, intended for the public use and benefit, the use of which is secured to the whole community, and constitutes, therefore, like a canal, turnpike, or highway, a public easement. It is true that the real and personal property, necessary to the establishment and management of the railroad, is vested in the corporation; but it is in trust for the public." In *Erie, Etc., R.R. Co.* v. *Casey*, 26 Penn. St. 287, the court, referring to an act repealing the charter of a railroad, and under which the State took possession of the road, said: "It is a public highway, solemnly devoted to public use. When the lands were taken it was for such use, or they could not have been taken at all. Railroads established upon land taken by the right of eminent domain by authority of the commonwealth, created by her laws as thoroughfares for commerce, are her highways. No corporation has property in them, though it may have franchises annexed to and exercisable within them."

In many courts it has been held that because of the public interest in such a corporation the land of a railroad company cannot be levied on and sold under execution by a creditor. The sum of the adjudged cases is that a railroad corporation is a governmental agency, created primarily for public purposes, and subject to be controlled for the public benefit. Upon this ground the State, when unfettered by contract, may regulate, in its discretion, the rates of fares of passengers and freight. And upon this ground, too, the State may regulate the entire management of railroads in all matters affecting the convenience and safety of the public; as, for example, by regulating speed, compelling stops of prescribed length at stations, and prohibiting discriminations and favoritism. If the corporation neglect or refuse to discharge its duties to the public, it may be coerced to do so by appropriate proceedings in the name or in behalf of the State.

Such being the relations these corporations hold to the public, it would seem that the right of a colored person to use an improved public highway, upon the terms accorded to freemen of other races, is as fundamental, in the state of freedom established in this country, as are any of the rights which my brethren concede to be so far fundamental as to be deemed the essence of civil freedom. "Personal liberty consists," says Blackstone, "in the power of locomotion, of changing situation, or removing one's person to whatever places one's own inclination may direct, without restraint, unless by due course of law."

But of what value is this right of locomotion, if it may be clogged by such burdens as Congress intended by the act of 1875 to remove? They are burdens which lay at the very foundation of the institution of slavery as it once existed. They are not to be sustained, except upon the assumption that there is, in this land of universal liberty, a class which may still be discriminated against, even in respect of rights of a character so necessary and supreme, that, deprived of their enjoyment in common with others, a freeman is not only branded as one inferior and infected, but, in the competitions of life, is robbed of some of the most essential means of existence; and all this solely because they belong to a particular race which the nation has liberated. The Thirteenth Amendment alone obliterated the race line, so far as all rights fundamental in a state of freedom are concerned.

Second, as to inns. The same general observations which have been made as to railroads are applicable to inns. The word 'inn' has a technical legal signification. It means, in the act of 1875, just what it meant at common law. A mere private boarding-house is not an inn, nor is its keeper subject to the responsibilities, or entitled to the privileges of a common innkeeper. "To constitute one an innkeeper, within the legal force of that term, he must keep a house of entertainment or lodging for all travellers or wayfayers who might choose to accept the same, being of good character or conduct." Redfield on Carriers, etc, § 575. Says Judge Story:

"An innkeeper may be defined to be the keeper of a common inn for the lodging and entertainment of travellers and passengers, their horses and attendants. An innkeeper is bound to take in all travellers and wayfaring persons, and to entertain them, if he can accommodate them, for a reasonable compensation; and he must guard their goods with proper diligence. * * * If an innkeeper improperly refuses to receive or provide for a guest, he is liable to be indicted therefor. * * * They (carriers of passengers) are no more at liberty to refuse a passenger, if they have sufficient room and accommodations, than an innkeeper is to refuse suitable room and accommodations to a guest." Story on Bailments, §§ 475–6.

In *Rex* v. *Ivens*, Carrington & Payne, 213, 32 E. C. L. 495, the court, speaking by Mr. Justice Coleridge, said:

"An indictment lies against an innkeeper who refuses to receive a guest, he having at the time room in his house; and either the price of the guest's entertainment being tendered to him, or such circumstances occurring as will dispense with that tender. This law is founded in good sense. The innkeeper is not to select his guests. He has no right to say to one, you shall come to my inn, and to another you shall not, as every one coming and conducting himself in a proper manner has a right to be received; and for this purpose innkeepers are a sort of public servants, they having in return a kind of privilege of entertaining travellers and supplying them with what they want."

These authorities are sufficient to show that a keeper of an inn is in the exercise of a quasi public employment. The law gives him special privileges and he is charged with certain duties and responsibilities to the public. The public nature of his employment forbids him from discriminating against any person asking admission as a guest on account of the race or color of that person.

Third. As to places of public amusement. It may be argued that the managers of such places have no duties to perform with which the public are, in any legal sense, concerned, or with which the public have any right to interfere; and, that the exclusion of a black man from a place of public amusement, on account of his race, or the denial to him, on that ground, of equal accommodations at such places, violates no legal right for the vindication of which he may invoke the aid of the courts. My answer is, that places of public amusement, within the meaning of the act of 1875, are such as are established and maintained under direct license of the law. The authority to establish and maintain them comes from the public. The colored race is a part of that public. The local government granting the license represents them as well as all other races within its jurisdiction. A license from the public to establish a place of public amusement, imports, in law, equality of right, at such places, among all the members of that public. This must be so, unless it be—which I deny—that the common municipal government of all the people may, in the exertion of its powers, conferred for the benefit of all, discriminate or authorize discrimination against a particular race, solely because of its former condition of servitude.

I also submit, whether it can be said—in view of the doctrines of this court as announced in *Munn* v. *State of Illinois*, 94 U.S. 113, and reaffirmed in *Peik* v. *Chicago & N.W. Railway Co.*, 94 U.S. 164—that the management of places of public amusement is a purely private matter, with which government has no rightful concern? In the Munn case the question was whether the State of Illinois could fix, by law, the maximum of charges for the storage of grain in certain warehouses in that State—the private property of individual citizens. After quoting a remark attributed to Lord Chief Justice Hale, to the effect that when private property is "affected with a public interest it ceases to be juris privati only," the court says:

"Property does become clothed with a public interest when used in a manner to make it of public consequence and affect the community at large. When, therefore, one devotes his property to a use in which the public has an interest, he, in effect, grants to the public an interest in that use, and must submit to be controlled by the public for the common good, to the extent of the interest he has thus created. He may withdraw his grant by discontinuing the use, but, so long as he maintains the use, he must submit to the control."

The doctrines of *Munn* v. *Illinois* have never been modified by this court, and I am justified, upon the authority of that case, in saying that places of public amusement, conducted under the authority of the law, are clothed with a public interest, because used in a manner to make them of public consequence and to affect the community at large. The law may therefore regulate, to some extent, the mode in which they shall be conducted, and, consequently, the public have rights in respect of such places, which may be vindicated by the law. It is consequently not a matter purely of private concern.

Congress has not, in these matters, entered the domain of State control and supervision. It does not, as I have said, assume to prescribe the general conditions and limitations under which inns, public conveyances, and places of public amusement, shall be conducted or managed. It simply declares, in effect, that since the nation has established universal freedom in this country, for all time, there shall be no discrimination, based merely upon race or color, in respect of the accommodations and advantages of public conveyances, inns, and places of public amusement.

I am of the opinion that such discrimination practiced by corporations and individuals in the exercise of their public or quasi-public functions is a badge of servitude the imposition of which Congress may prevent under its power, by appropriate legislation, to enforce the Thirteenth Amendment; and, consequently, without reference to its enlarged power under the Fourteenth Amendment, the act of March 1, 1875, is not, in my judgment, repugnant to the Constitution.

It remains now to consider these cases with reference to the power Congress has possessed since the adoption of the Fourteenth Amendment. Much that has been said as to the power of Congress under the Thirteenth Amendment is applicable to this branch of the discussion, and will not be repeated.

Before the adoption of the recent amendments, it had become, as we have seen, the established doctrine of this court that negroes, whose ancestors had been imported and sold as slaves, could not become citizens of a State, or even of the United States, with the rights and privileges guaranteed to citizens by the national Constitution; further, that one might have all the rights and privileges of a citizen of a State without being a citizen in the sense in which that word was used in the national Constitution, and without being entitled to the privileges and immunities of citizens of the several States. Still, further, between the adoption of the Thirteenth Amendment and the proposal by Congress of the Fourteenth Amendment, on June 16, 1866, the statute books of several of the States, as we have seen, had become loaded down with enactments which, under the guise of Apprentice, Vagrant, and Contract regulations, sought to keep the colored race in a condition, practically, of servitude. It was openly announced that whatever might be the rights which persons of that race had, as freemen, under the guarantees of the national Constitution, they could not become citizens of a State, with the privileges belonging to citizens, except by the consent of such State; consequently, that their civil rights, as citizens of the State, depended entirely upon State legislation. To meet this new peril to the black race, that the purposes of the nation might not be doubted or defeated, and by way of further enlargement of the power of Congress, the Fourteenth Amendment was proposed for adoption.

Remembering that this court, in the Slaughter-House cases, declared that the one pervading purpose found in all the recent amendments, lying at the foundation of each, and without which none of them would have been suggested—was "the freedom of the slave race, the security and firm establishment of that freedom, and the protection of the newly-made freeman and citizen from the oppression of those who had formerly exercised unlimited dominion over him"—that each amendment was addressed primarily to the grievances of that race—let us proceed to consider the language of the Fourteenth Amendment.

Its first and fifth sections are in these words:

"SEC. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

* * * * *

"SEC. 5. That Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

It was adjudged in *Strauder* v. *West Virginia,* 100 U.S. 303, and *Ex parte Virginia,* 100 U.S. 339, and my brethren concede, that positive rights and privileges were intended to be secured, and are in fact secured, by the Fourteenth Amendment.

But when, under what circumstances, and to what extent, may Congress, by means of legislation, exert its power to enforce the provisions of this amendment? The theory of the opinion of the majority of the court—the foundation upon which their reasoning seems to rest—is, that the general government cannot, in advance of hostile State laws or hostile State proceedings, actively interfere for the protection of any of the rights, privileges, and immunities secured by the Fourteenth Amendment. It is said that such rights, privileges, and immunities are secured by way of prohibition against State laws and State proceedings affecting such rights and privileges, and by power given to Congress to legislate for the purpose of carrying such prohibition into effect; also, that congressional legislation must necessarily be predicated upon such supposed State laws or State proceedings, and be directed to the correction of their operation and effect.

In illustration of its position, the court refers to the clause of the Constitution forbidding the passage by a State of any law impairing the obligation of contracts. That clause does not, I submit, furnish a proper illustration of the scope and effect of the fifth section of the Fourteenth Amendment. No express power is given Congress to enforce, by primary direct legislation, the prohibition upon State laws impairing the obligation of contracts. Authority is, indeed, conferred to enact all necessary and proper laws for carrying into execution the enumerated powers of Congress and all other powers vested by the Constitution in the government of the United States or in any department or officer thereof. And, as heretofore shown, there is also, by necessary implication, power in Congress, by legislation, to protect a right derived from the national Constitution. But a prohibition upon a State is not a power in Congress or in the national government. It is simply a denial of power to the State. And the only mode in which the inhibition upon State laws impairing the obligation of contracts can be enforced, is, indirectly, through the courts, in suits where the parties raise some question as to the constitutional validity of such laws. The judicial power of the United States extends to such suits for the reason that they are suits arising under the Constitution. The Fourteenth Amendment presents the first instance in our history of the investiture of Congress with affirmative power, by legislation, to enforce an express prohibition upon the States. It is not said that the judicial power of the nation may be exerted for the enforcement of that amendment. No enlargement of the judicial power was required, for it is clear that had the fifth section of the Fourteenth Amendment been entirely omitted, the judiciary could have stricken down all State laws and nullified all State proceedings in hostility to rights and privileges secured or recognized by that amendment. The power given is, in terms, by congressional legislation, to enforce the provisions of the amendment.

The assumption that this amendment consists wholly of prohibitions upon State laws and State proceedings in hostility to its provisions, is unauthorized by its language. The first clause of the first section—"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside"—is of a distinctly affirmative character. In its application to the colored race, previously liberated, it created and granted, as well citizenship of the United States, as citizenship of the State in which they respectively resided. It introduced all of that race, whose ancestors had been imported and sold as slaves, at once, into the political community known as the "People of the United States." They became, instantly, citizens of the United States, and of their respective States. Further, they were brought, by this supreme act of the nation, within the direct operation of that provision of the Constitution which declares that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." Art. 4, § 2.

The citizenship thus acquired, by that race, in virtue of an affirmative grant from the nation, may be protected, not alone by the judicial branch of the government, but by congressional legislation of a primary direct character; this, because the power of Congress is not restricted to the enforcement of prohibitions upon State laws or State action. It is, in terms distinct and positive, to enforce "the provisions of this article" of amendment; not simply those of a prohibitive character, but the provisions—all of the provisions—affirmative and prohibitive, of the amendment. It is, therefore, a grave misconception to suppose that the fifth section of the amendment has reference exclusively to express prohibitions upon State laws or State action. If any right was created by that amendment, the grant of power, through appropriate legislation, to enforce its provisions, authorizes Congress, by means of legislation, operating throughout the entire Union, to guard, secure, and protect that right.

It is, therefore, an essential inquiry what, if any, right, privilege or immunity was given, by the nation, to colored persons, when they were made citizens of the State in which they reside? Did the constitutional grant of State citizenship to that race, of its own force, invest them with any rights, privileges and immunities whatever? That they became entitled, upon the adoption of the Fourteenth Amendment, "to all privileges and immunities of citizens in the several States," within the meaning of section 2 of article 4 of the Constitution, no one, I suppose, will for a moment question. What are the privileges and immunities to which, by that clause of the Constitution, they became entitled? To this it may be answered, generally, upon the authority of the adjudged cases, that they are those which are fundamental in citizenship in a free republican government, such as are "common to the citizens of the latter States under their constitutions and laws by virtue of their being citizens." Of that provision it has been said, with the approval of this court, that no other one in the Constitution has tended so strongly to constitute the citizens of the United States one people. *Ward* v. *Maryland,* 12 Wall. 418; *Corfield* v. *Coryell,* 4 Wash. C. C. 371; *Paul* v. *Virginia,* 8 Wall. 168; *Slaughter-house* cases, 16 id. 36.

Although this court has wisely forborne any attempt, by a comprehensive definition, to indicate all of the privileges and immunities to which the citizen of a State is entitled, of right, when within the jurisdiction of other States, I hazard nothing, in view of former adjudications, in saying that no State can sustain her denial to colored citizens of other States, while within her limits, of privileges or immunities, fundamental in republican citizenship, upon the ground that she accords such privileges and immunities only to her white citizens and withholds them from her colored citizens. The colored citizens of other States, within the jurisdiction of that State, could claim, in virtue of section 2 of article 4 of the

Constitution, every privilege and immunity which that State secures to her white citizens. Otherwise, it would be in the power of any State, by discriminating class legislation against its own citizens of a particular race or color, to withhold from citizens of other States, belonging to that proscribed race or color, to withhold from citizens of immunities of the character regarded by all courts as fundamental in citizenship; and that, too, when the constitutional guaranty is that the citizens of each State shall be entitled to "all privileges and immunities of citizens of the several States." No State may, by discrimination against a portion of its own citizens of a particular race, in respect of privileges and immunities fundamental in citizenship, impair the constitutional right of citizens of other States, of whatever race, to enjoy in that State all such privileges and immunities as are there accorded to her most favored citizens. A colored citizen of Ohio or Indiana, while in the jurisdiction of Tennessee, is entitled to enjoy any privilege or immunity, fundamental in citizenship, which is given to citizens of the white race in the latter State. It is not to be supposed that any one will controvert this proposition.

But what was secured to colored citizens of the United States—as between them and their respective States—by the national grant to them of State citizenship? With what rights, privileges, or immunities did this grant invest them? There is one, if there be no other—exemption from race discrimination in respect of any civil right belonging to citizens of the white race in the same State. That, surely, is their constitutional privilege when within the jurisdiction of other States. And such must be their constitutional right, in their own State, unless the recent amendments be splendid baubles, thrown out to delude those who deserved fair and generous treatment at the hands of the nation. Citizenship in this country necessarily imports at least equality of civil rights among citizens of every race in the same State. It is fundamental in American citizenship that, in respect of such rights, there shall be no discrimination by the State, or its officers, or by individuals or corporations exercising public functions or authority, against any citizen because of his race or previous condition of servitude. In *United States* v. *Kruikshank*, 92 U.S. 542, it was said at page 555, that the rights of life and personal liberty are natural rights of man, and that "the equality of the rights of citizens is a principle of republicanism." And in *Ex parte Virginia*, 100 U.S. 334, the emphatic language of this court is that "one great purpose of these amendments was to raise the colored race from that condition of inferiority and servitude in which most of them had previously stood, into perfect equality of civil rights with all other persons within the jurisdiction of the States." So, in *Strauder* v. *West Virginia*, 100 U.S. 306, the court, alluding to the Fourteenth Amendment, said: "This is one of a series of constitutional provisions having a common purpose, namely, securing to a race recently emancipated, a race that through many generations had been held in slavery, all the civil rights that the superior race enjoy." Again, in *Neal* v. *Delaware*, 103 U.S. 386, it was ruled that this amendment was designed, primarily, "to secure to the colored race, thereby invested with the rights, privileges, and responsibilities of citizenship, the enjoyment of all the civil rights that, under the law, are enjoyed by white persons."

The language of this court with reference to the Fifteenth Amendment, adds to the force of this view. In *United States* v. *Cruikshank*, it was said: "In *United States* v. *Reese*, 92 U.S. 214, we held that the Fifteenth Amendment has invested the citizens of the United States with a new constitutional right, which is exemption from discrimination in the exercise of the elective franchise, on account of race, color, or previous condition of servitude. From this it appears that the right of suffrage is not a necessary attribute of national citizenship, but that exemption from discrimination in the exercise of that right on account of race, et cetera, is. The right to vote in the States comes from the States; but the right of exemption from the prohibited discrimination comes from the United States. The first has not been granted or secured by the Constitution of the United States, but the last has been."

Here, in language at once clear and forcible, is stated the principle for which I contend. It can scarcely be claimed that exemption from race discrimination, in respect of civil rights, against those to whom State citizenship was granted by the nation, is any less, for the colored race, a new constitutional right, derived from and secured by the national Constitution, than is exemption from such discrimination in the exercise of the elective franchise. It cannot be that the latter is an attribute of national citizenship, while the other is not essential in national citizenship, or fundamental in State citizenship.

If, then, exemption from discrimination, in respect of civil rights, is a new constitutional right, secured by the grant of State citizenship to colored citizens of the United States—and I do not see how this can now be questioned—why may not the nation, by means of its own legislation of a primary direct character, guard, protect and enforce that right? It is a right and privilege which the nation conferred. It did not come from the States in which those colored citizens reside. It has been the established doctrine of this court during all its history, accepted as essential to the national supremacy, that Congress, in the absence of a positive delegation of power to the State legislatures, may, by its own legislation, enforce and protect any right derived from or created by the national Constitution. It was so declared in *Prigg* v. *Commonwealth of Pennsylvania*. It was reiterated in *United States* v. *Reese*, 92 U.S. 214, where the court said that "rights and immunities created by and dependent upon the Constitution of the United States can be protected by Congress. The form and manner of the protection may be such as Congress, in the legitimate exercise of its discretion, shall provide. These may be varied to meet the necessities of the particular right to be protected." It was distinctly reaffirmed in *Strauder* v. *West Virginia*, 100 U.S. 310, where we said that "a right or immunity created by the Constitution or only guaranteed by it, even without any express delegation of power, may be protected by Congress." How then can it be claimed in view of the declarations of this court in former cases, that exemption of colored citizens, within their States, from race discrimination, in respect of the civil rights of citizens, is not an immunity created or derived from the national Constitution?

The court has always given a broad and liberal construction to the Constitution, so as to enable Congress, by legislation, to enforce rights secured by that instrument. The legislation which Congress may enact, in execution of its power to enforce the provisions of this amendment, is such as may be appropriate to protect the right granted. The word appropriate was undoubtedly used with reference to its meaning, as established by repeated decisions of this court. Under given circumstances, that which the court characterizes as corrective legislation might be deemed by Congress appropriate and entirely sufficient. Under other circumstances primary direct legislation may be required. But it is for Congress, not the judiciary, to say what legislation is appropriate—that is—best adapted to the end to be attained. The judiciary may not, with safety to our institutions, enter the domain of legislative discretion, and dictate the means which Congress shall employ in the exercise of its granted powers. That would be sheer usurpation of the functions of a co-ordinate department, which, if often repeated, and permanently acquiesced in, would work a radical change in our system of government. In *United States* v. *Fisher*, 2 Cr. 358, the court said that "Congress must possess the choice of means, and must be empowered to use any means which are in fact conducive to the exercise of a power granted by the Constitution." "The sound construction of the Constitution," said Chief Justice Marshall, "must allow to the national legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional." *McCulloch* v. *Maryland*, 4 Wh. 421.

Must these rules of construction be now abandoned? Are the powers of the national legislature to be restrained in proportion as the rights and privileges, derived from the nation, are valuable? Are constitutional provisions, enacted to secure the dearest rights of freemen and citizens, to be subjected to that rule of construction, applicable to private instruments, which requires that the words to be interpreted must be taken most strongly against those who employ them? Or shall it be remembered that "a constitution of government, founded by the people for themselves and their posterity, and for objects of the most momentous nature—for perpetual union, for the establishment of justice, for the general welfare, and for a perpetuation of the blessings of liberty—necessarily requires that every interpretation of its powers should have a constant reference to these objects? No interpretation of the words in which those powers are granted can be a sound one, which narrows down their ordinary import so as to defeat those objects." 1 Story Const. § 422.

The opinion of the court, as I have said, proceeds upon the ground that the power of Congress to legislate for the protection of the rights and privileges secured by the Fourteenth Amendment cannot be brought into activity except with the view, and as it may become necessary, to correct and annul State laws and State proceedings in hostility to such rights and privileges. In the absence of State laws or State action adverse to such rights and privileges, the nation may not actively interfere for their protection and security, even against corporations and individuals exercising public or quasi public functions. Such I understand to be the position of my brethren. If the grant to colored citizens of the United States of citizenship in their respective States, imports exemption from race discrimination, in their States, in respect of such civil rights as belong to citizenship, then, to hold that the amendment remits that right to the States for their protection, primarily, and stays the hands of the nation, until it is assailed by State laws or State proceedings, is to adjudge that the amendment, so far from enlarging the powers of Congress—as we have heretofore said it did—not only curtails them, but reverses the policy which the general government has pursued from its very organization. Such an interpretation of the amendment is a denial to Congress of the power, by appropriate legislation, to enforce one of its provisions. In view of the circumstances under which the recent amendments were incorporated into the Constitution, and especially in view of the peculiar character of the new rights they created and secured, it ought not to be presumed that the general government has abdicated its authority, by national legislation, direct and primary in its character, to guard and protect privileges and immunities secured by that instrument.

Such an interpretation of the Constitution ought not to be accepted if it be possible to avoid it. Its acceptance would lead to this anomalous result: that whereas, prior to the amendments, Congress, with the sanction of this court, passed the most stringent laws—operating directly and primarily upon States and their officers and agents, as well as upon individuals—in vindication of slavery and the right of the master, it may not now, by legislation of a like primary and direct character, guard, protect, and secure the freedom established, and the most essential right of the citizenship granted, by the constitutional amendments. With all respect for the opinion of others, I insist that the national legislature may, without transcending the limits of the Constitution, do for human liberty and the fundamental rights of American citizenship, what it did, with the sanction of this court, for the protection of slavery and the rights of the masters of fugitive slaves. If fugitive slave laws, providing modes and prescribing penalties, whereby the master could seize and recover his fugitive slave, were legitimate exertions of an implied power to protect and enforce a right recognized by the Constitution, why shall the hands of Congress be tied, so that—under an express power, by appropriate legislation, to enforce a constitutional provision granting citizenship—it may not, by means of direct legislation, bring the whole power of this Nation to bear upon States and their officers, and upon such individuals and corporations exercising public functions as assume to abridge, impair, or deny rights confessedly secured by the supreme law of the land?

It does not seem to me that the fact that, by the second clause of the first section of the Fourteenth Amendment, the States are expressly prohibited from making or enforcing laws abridging the privileges and immunities of citizens of the United States, furnishes any sufficient reason for holding or maintaining that the amendment was intended to deny Congress the power, by general, primary, and direct legislation, of protecting citizens of the several States, being also citizens of the United States, against all discrimination, in respect of their rights as citizens, which is founded on race, color, or previous condition of servitude.

Such an interpretation of the amendment is plainly repugnant to its fifth section, conferring upon Congress power, by appropriate legislation, to enforce not merely the provisions containing prohibitions upon the States, but all of the provisions of the amendment, including the provisions, express and implied, in the first clause of the first section of the article granting citizenship. This alone is sufficient for holding that Congress is not restricted to the enactment of laws adapted to counteract and redress the operation of State legislation, or the action of State officers, of the character prohibited by the amendment. It was perfectly well known that the great danger to the equal enjoyment by citizens of their rights, as citizens, was to be apprehended not altogether from unfriendly State legislation, but from the hostile action of corporations and individuals in the States. And it is to be presumed that it was intended, by that section, to clothe Congress with power and authority to meet that danger.

If the rights intended to be secured by the act of 1875 are such as belong to the citizen, in common or equally with other citizens in the same State, then it is not to be denied that such legislation is peculiarly appropriate to the end which Congress is authorized to accomplish, viz., to protect the citizen, in respect of such rights, against discrimination on account of his race. Recurring to the specific prohibition in the Fourteenth Amendment upon the making or enforcing of State laws abridging the privileges of citizens of the United States, I remark that if, as held in the Slaughter-House cases, the privileges here referred to were those which belonged to citizenship of the United States, as distinguished from those belonging to State citizenship, it was impossible for any State prior to the adoption of that amendment to have enforced laws of that character. The judiciary could have annulled all such legislation under the provision that the Constitution shall be the supreme law of the land, anything in the constitution or laws of any State to the contrary notwithstanding. The States were already under an implied prohibition not to abridge any privilege or immunity belonging to citizens of the United States as such. Consequently, the prohibition upon State laws in hostility to rights belonging to citizens of the United States, was intended—in view of the introduction into the body of citizens of a race formerly denied the essential rights of citizenship—only as an express limitation on the powers of the States, and was not intended to diminish, in the slightest degree, the authority which the nation has always exercised, of protecting, by means of its own direct legislation, rights created or secured by the Constitution. Any purpose to diminish the national authority in respect of privileges derived from the nation is distinctly negatived by the express grant of power, by legislation, to enforce every provision of the amendment, including that which, by the grant of citizenship in the State, secures exemption from race discrimination in respect of the civil rights of citizens.

It is said that any interpretation of the Fourteenth Amendment different from that adopted by the majority of the court, would imply that Congress had authority to enact a municipal code for all the States, covering every matter affecting the life, liberty, and property of the citizens of the several States. Not so. Prior to the adoption of that amendment the constitutions of the several States, without perhaps an exception, secured all persons against deprivation of life, liberty, or property, otherwise than by due process of law, and, in some form, recognized the right of all persons to the equal protection of the laws. Those rights, therefore, existed before that amendment was proposed or adopted, and were not created by it. If, by reason of that fact, it be assumed that protection in these rights of persons still rests primarily with the States, and that Congress may not interfere except to enforce, by means of corrective legislation, the prohibitions upon State laws or State proceedings inconsistent with those rights, it does not at all follow, that privileges which have been granted by the Nation, may not be protected by primary legislation upon the part of Congress. The personal rights and immunities recognized in the prohibitive clauses of the amendment were, prior to its adoption, under the protection, primarily, of the States, while rights, created by or derived from the United States, have always been, and, in the nature of things, should always be, primarily, under the protection of the general government.

Exemption from race discrimination in respect of the civil rights which are fundamental in citizenship in a republican government, is, as we have seen, a new right, created by the nation, with express power in Congress, by legislation, to enforce the constitutional provision from which it is derived. If, in some sense, such race discrimination is, within the letter of the last clause of the first section, a denial of that equal protection of the laws which is secured against State denial to all persons, whether citizens or not, it cannot be possible that a mere prohibition upon such State denial, or a prohibition upon State laws abridging the privileges and immunities of citizens of the United States, takes from the nation the power which it has uniformly exercised of protecting, by direct primary legislation, those privileges and immunities which existed under the Constitution before the adoption of the Fourteenth Amendment, or have been created by that amendment in behalf of those thereby made citizens of their respective States.

This construction does not in any degree intrench upon the just rights of the States in the control of their domestic affairs. It simply recognizes the enlarged powers conferred by the recent amendments upon the general government. In the view which I take of those amendments, the States possess the same authority which they have always had to define and regulate the civil rights which their own people, in virtue of State citizenship, may enjoy within their respective limits; except that its exercise is now subject to the expressly granted power of Congress, by legislation, to enforce the provisions of such amendments—a power which necessarily carries with it authority, by national legislation, to protect and secure the privileges and immunities which are created by or are derived from those amendments. That exemption of citizens from discrimination based on race or color, in respect of civil rights, is one of those privileges or immunities, can no longer be deemed an open question in this court.

It was said of the case of *Dred Scott* v. *Sandford*, that this court, there overruled the action of two generations, virtually inserted a new clause in the Constitution, changed its character, and made a new departure in the workings of the federal government. I may be permitted to say that if the recent amendments are so construed that Congress may not, in its own discretion, and independently of the action or nonaction of the States, provide, by legislation of a direct character, for the security of rights created by the national Constitution; if it be adjudged that the obligation to protect the fundamental privileges and immunities granted by the Fourteenth Amendment to citizens residing in the several States, rests primarily, not on the nation, but on the States; if it be further adjudged that individuals and corporations, exercising public functions, or wielding power under public authority, may, without liability to direct primary legislation on the part of Congress, make the race of citizens the ground for denying them that equality of civil rights which the Constitution ordains as a principle of republican citizenship; then, not only the foundations upon which the national supremacy has always securely rested will be materially disturbed, but we shall enter upon an era of constitutional law, when the rights of freedom and American citizenship cannot receive from the nation that efficient protection which heretofore was unhesitatingly accorded to slavery and the rights of the master.

But if it were conceded that the power of Congress could not be brought into activity until the rights specified in the act of 1875 had been abridged or denied by some State law or State action, I maintain that the decision of the court is erroneous. There has been adverse State action within the Fourteenth Amendment as heretofore interpreted by this court. I allude to *Ex parte Virginia*, *supra*. It appears, in that case, that one Cole, judge of a county court, was charged with the duty, by the laws of Virginia, of selecting grand and petit jurors. The law of the State did not authorize or permit him, in making such selections, to discriminate against colored citizens because of their race. But he was indicted in the federal court, under the act of 1875, for making such discriminations. The attorney-general of Virginia contended before us, that the State had done its duty, and had not authorized or directed that county judge to do what he was charged with having done; that the State had not denied to the colored race the equal protection of the laws; and that consequently the act of Cole must be deemed his individual act, in contravention of the will of the State. Plausible as this argument was, it failed to convince this court, and after saying that the Fourteenth Amendment had reference to the political body denominated a State, "by whatever instruments or in whatever modes that action may be taken," and that a State acts by its legislative, executive, and judicial authorities, and can act in no other way, we proceeded:

"The constitutional provision, therefore, must mean that no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction the equal protection of the laws. Whoever, by virtue of public position under a State government, deprives another of property, life, or liberty without due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition; and, as he acts under the name and for the State, and is clothed with the State's power, his act is that of the State. This must be so, or the constitutional prohibition has no meaning. Then the State has clothed one of its agents with power to annul or evade it. But the constitutional amendment was ordained for a purpose. It was to secure equal rights to all persons, and, to insure to all persons the enjoyment of such rights, power was given to Congress to enforce its provisions by appropriate legislation. Such legislation must act upon persons, not upon the abstract thing denominated a State, but upon the persons who are the agents of the State, in the denial of the rights which were intended to be secured." *Ex parte Virginia*, 100 U.S. 346–7.

In every material sense applicable to the practical enforcement of the Fourteenth Amendment, railroad corporations, keepers of inns, and managers of places of public amusement are agents or instrumentalities of the State, because they are charged with duties to the public, and are amenable, in respect to their duties and functions, to governmental regulation. It seems to me that, within the principle settled in *Ex parte Virginia*, a denial, by these instrumentalities of the State, to the citizen, because of his race, of that equality of civil rights secured to him by law, is a denial by the State, within the meaning of the Fourteenth Amendment. If it be not, then that race is left, in respect of the civil rights in question, practically at the mercy of corporations and individuals wielding power under the States.

But the court says that Congress did not, in the act of 1866, assume, under the authority given by the Thirteenth Amendment, to adjust what may be called the social rights of men and races in the community. I agree that government has nothing to do with social, as distinguished from technically legal, rights of individuals. No government ever has brought, or ever can bring, its people into social intercourse against their wishes. Whether one person will permit or maintain social relations with another is a matter with which government has no concern. I agree that if one citizen chooses not to hold social intercourse with another, he is not and cannot be made amenable to the law for his conduct in that regard; for no legal right of a citizen is violated by the refusal of others to maintain merely social relations with him, even upon grounds of race. What I affirm is that no State, nor the officers of any State, nor any corporation or individual wielding power under State authority for the public benefit or the public convenience, can, consistently either with the freedom established by the fundamental law, or with that equality of civil rights which now belongs to every citizen, discriminate against freemen or citizens, in those rights, because of their race, or because they once labored under the disabilities of slavery imposed upon them as a race.

The rights which Congress, by the act of 1875, endeavored to secure and protect are legal, not social rights. The right, for instance, of a colored citizen to use the accommodations of a public highway, upon the same terms as are permitted to white citizens, is no more a social right than his right, under the law, to use the public streets of a city or a town, or a turnpike road, or a public market, or a post office, or his right to sit in a public building with others, of whatever race, for the purpose of hearing the political questions of the day discussed. Scarcely a day passes without our seeing in this courtroom citizens of the white and black races sitting side by side, watching the progress of our business. It would never occur to any one that the presence of a colored citizen in a court-house, or court-room, was an invasion of the social rights of white persons who may frequent such places. And yet, such a suggestion would be quite as sound in law—I say it with all respect—as is the suggestion that the claim of a colored citizen to use, upon the same terms as is permitted to white citizens, the accommodations of public highways, or public inns, or places of public amusement, established under the license of the law, is an invasion of the social rights of the white race.

The court, in its opinion, reserves the question whether Congress, in the exercise of its power to regulate commerce amongst the several States, might or might not pass a law regulating rights in public conveyances passing from one State to another. I beg to suggest that that precise question was substantially presented here in the only one of these cases relating to railroads—*Robinson and Wife* v. *Memphis & Charleston Railroad Company*. In that case it appears that Mrs. Robinson, a citizen of Mississippi, purchased a railroad ticket entitling her to be carried from Grand Junction, Tennessee, to Lynchburg, Virginia. Might not the act of 1875 be maintained in that case, as applicable at least to commerce between the States, notwithstanding it does not, upon its face, profess to have been passed in pursuance of the power of Congress to regulate commerce? Has it ever been held that the judiciary should overturn a statute, because the legislative department did not accurately recite therein the particular provision of the Constitution authorizing its enactment? We have often enforced municipal bonds in aid of railroad subscriptions, where they failed to recite the statute authorizing their issue, but recited one which did not sustain their validity. The inquiry in such cases has been, was there, in any statute, authority for the execution of the bonds? Upon this branch of the case, it may be remarked that the State of Louisiana, in 1869, passed a statute giving to passengers, without regard to race or color, equality of right in the accommodations of railroad and street cars, steamboats or other water crafts, stage coaches, omnibuses, or other vehicles. But in *Hall* v. *De Cuir*, 95 U.S. 487, that act was pronounced unconstitutional so far is it related to commerce between the States, this court saying that "if the public good requires such legislation it must come from Congress, and not from the States."

I suggest, that it may become a pertinent inquiry whether Congress may, in the exertion of its power to regulate commerce among the States, enforce among passengers on public conveyances, equality of right, without regard to race, color or previous condition of servitude, if it be true—which I do not admit—that such legislation would be an interference by government with the social rights of the people.

My brethren say, that when a man has emerged from slavery, and by the aid of beneficent legislation has shaken off the inseparable concomitants of that state, there must be some stage in the progress of his elevation when he takes the rank of a mere citizen, and ceases to be the special favorite of the laws, and when his rights as a citizen, or a man, are to be protected in the ordinary modes by which other men's rights are protected. It is, I submit, scarcely just to say that the colored race has been the special favorite of the laws. The statute of 1875, now adjudged to be unconstitutional, is for the benefit of citizens of every race and color. What the Nation, through Congress, has sought to accomplish in reference to that race, is—what had already been done in every State of the Union for the white race—to secure and protect rights belonging to them as freemen and citizens; nothing more. It was not deemed enough "to help the feeble up, but to support him after." The one underlying purpose of congressional legislation has been to enable the black race to take the rank of mere citizens. The difficulty has been to compel a recognition of the legal right of the black race to take the rank of citizens, and to secure the enjoyment of privileges belonging, under the law, to them as a component part of the people for whose welfare and happiness government is ordained.

At every step, in this direction, the nation has been confronted, with class tyranny, which a contemporary English historian says is, of all tyrannies, the most intolerable, "for it is ubiquitous in its operation, and weighs, perhaps, most heavily on those whose obscurity or distance would withdraw them from the notice of a single despot." To-day, it is the colored race which is denied, by corporations and individuals weilding public authority, rights fundamental in their freedom and citizenship. At some future time, it may be that some other race will fall under the ban of race discrimination. If the constitutional amendments be enforced, according to the intent with which, as I conceive, they were adopted, there cannot be, in this republic, any class of human beings in practical subjection to another class, with power in the latter to dole out to the former just such privileges as they may choose to grant. The supreme law of the land has decreed that no authority shall be exercised in this country upon the basis of discrimination, in respect of civil rights, against freemen and citizens because of their race, color, or previous condition of servitude. To that decree—for the due enforcement of which, by appropriate legislation, Congress has been invested with express power—every one must bow, whatever may have been, or whatever now are, his individual views as to the wisdom or policy, either of the recent changes in the fundamental law, or of the legislation which has been enacted to give them effect.

For the reasons stated I feel constrained to withhold my assent to the opinion of the court.

Statement by Senator Fong

I am pleased to cosponsor two bills with the distinguished senior Senator from Kentucky, Senator COOPER. One proposal would desegregate our public schools and the second proposal would prohibit racial discrimination in certain public accommodations.

The school desegregation measure would protect the right of children to attend public schools without discrimination. We all know that education is the bedrock of our constitutional form of government. It is the foundation on which the success of our democracy and our free economy ultimately rest.

The 14th amendment to the Constitution guarantees all Americans the equal protection of the laws. It guarantees that our children shall not be discriminated against in their right to enter public schools.

Nine years have passed since the U.S. Supreme Court, enforcing this constitutional protection, declared that segregation in the public schools was contrary to the supreme law of the land. It has been 8 years since the High Court ordered the States to make a "prompt and reasonable start" toward full compliance with that ruling, and to admit pupils on a racially nondiscriminatory basis "with all deliberate speed."

Yet, since that landmark decision, the Civil Rights Commission found that "The Nation's progress in removing * * * segregation in the public * * * schools—north, south, east, and west—is slow indeed."

The proposal we now introduce would allow the Attorney General to initiate school desegregation suits and permit the Government to bear the cost of such suits.

The Congress enacted the same remedy for voting rights cases in the Civil Rights Act of 1957.

By providing the Attorney General the authority to secure the right of children to attend a desegregated school, all our citizens would be given an equal educational opportunity.

The second bill which I jointly sponsor with Senator COOPER would prohibit racial discrimination in facilities providing accommodations for public use, such as hotels, restaurants, theaters, parks, and playgrounds.

All Americans, regardless of race, should have equal access to such public facilities.

It was the great Justice John Marshal Harlan, grandfather of the present Justice Harlan, who in 1883 pointed out that State-licensed activities fell within the purview of the 14th amendment's guarantees.

The President himself has said that, "No act is more contrary to the spirit of our democracy and Constitution—or more rightly resented by a * * * citizen who seeks only equal treatment—than the barring of that citizen from restaurants, hotels, theaters, recreational areas, and other public accommodations and facilities."

The present measure allows persons who are denied the use of any public accommodations because of race, color, or creed to sue for damages and for an injunction. In addition, it would give the Attorney General power to prevent discrimination against anyone in a public facility.

These proposals, which have bipartisan support, merit serious consideration and should be passed by the Congress.

By enacting these two measures, we would be proclaiming that equal treatment and opportunity under the law are not only promised by the Constitution, but also enforced by the representatives of the American people in Congress.

Mr. DODD. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. DODD. I thank my colleague for yielding.

Mr. President, I am more than pleased to join my distinguished colleague, the Senator from Kentucky [Mr. COOPER], in sponsoring two bills aimed at the protection of the rights guaranteed to all Americans by the 14th and 15th amendments to the Constitution.

The Senator from Kentucky is a very modest man, as all of us who are privileged to serve with him in the Senate know. He is a worthy man, a compassionate man, a just man. In his modesty I know he has given me too much credit for the little I have had to do in cooperating with him on these two important bills, and on the voting rights bill which he and I introduced some time ago. The Senator from Kentucky has done the greatest amount of work. He deserves whatever credit is due—and I think considerable credit is due—for the work on these two bills.

As the Senator from Kentucky pointed out, the first bill is designed to implement the Brown desegregation decision of the Supreme Court by enforcing the right of all qualified persons to attend desegregated public schools.

Nine years have passed since the Supreme Court ordered the desegregation of all public schools with "deliberate speed." The Senator from Kentucky [Mr. COOPER] and I feel that the time is long overdue for the Congress to act to uphold the action of the Supreme Court.

At the present time, the road leading to school desegregation in any given locality is a long and tortuous one. The burdens of bringing a desegregation case successfully through the courts fall primarily upon humble, private citizens.

A single child, a single family, must endure the burdens that should be carried by society as a whole. For it is they who must secure legal assistance, bring suit, suffer the abuse, the emotional tension, the fear of physical and financial harm that attends these situations.

The bill which we offer today would empower the Attorney General to take up these burdens and to launch an organized assault upon school segregation wherever it exists. Upon receipt of a written allegation that an individual is being deprived of his rights to the legal protection of the laws with respect to attendance at a public school, the Attorney General's Office would be authorized to institute a civil action in the Federal district courts against any person responsible for denying these constitutional rights.

This bill would make of the Federal Government what it ought to be in this grave constitutional struggle, and that is the advocate and the guardian of the rights of all Americans.

The second bill is designed to prohibit racial discrimination in obtaining the advantages, privileges, and facilities of business activities open to the public which are conducted under State license.

This bill would strike down the exclusion of Negroes from business establishments which offer for sale or use to the public foods, goods, accommodations, transportation facilities, and related services. This bill would authorize the Attorney General, or the injured party, to institute civil action against any person who deprives any other person of equal access to these activities.

The Attorney General would seek court orders ordering such discrimination to cease, and violation of such orders would be subject to the contempt provisions of the Federal courts.

We believe that a business enterprise, though it be privately operated, takes on a public character when it receives a State license to conduct business with the public. We believe that every citizen has a right to equal treatment in places of business that are open to the general public and we believe that this right should be written into the law with appropriate enforcement provisions.

Under the bill, the Attorney General would seek court orders ordering such discrimination to cease, and the violation of such orders would be subject to the contempt provisions of the Federal courts.

The enforcement provisions of this bill go beyond injunctive relief by the injured party or by the Attorney General and include action at law for damages suffered by the injured party as a result of discrimination. This is a strong bill, but I believe it to be a reasonable, constitutional remedy for a great evil.

The two bills which the Senator from Kentucky [Mr. COOPER] and I are cosponsoring together, added to a bill to protect voting rights which we jointly introduced on February 4, 1963, make up a package which we hope will go a very long way toward making the civil rights guaranteed by the 13th, 14th, and 15th amendments to the Constitution a reality for all Americans.

I am proud to be associated with the Senator from Kentucky [Mr. COOPER] in this endeavor, and I shall certainly do all that I can to work with him for the passage of these bills. I consider them to be among the best things I have worked on since I have been privileged to serve in this body.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. DODD. I am glad to yield to the Senator from Alaska.

Mr. GRUENING. I want to commend highly the action of the Senator from Kentucky and the senior Senator from Connecticut in introducing this legislation. This legislation is needed. It is sad and depressing that we must have legislation of this kind, but it is obvious, as we look around the country, that it is needed.

So far as voting rights are concerned, we have seen the depressing spectacle in certain communities in which persons parading peaceably to try to establish their constitutional rights have been set upon by dogs in the hands of local police and have been arrested for peaceably demonstrating. It is a terrible blot on our national escutcheon and it is tragic that we must stand revealed as having these grave defects in our society.

So far as discrimination against colored Americans is concerned, it is not limited to any section of the country. It exists, in varying degrees, in many States of our Nation. This is not a sectional problem; it is a national problem.

For that reason, I am glad to cosponsor with my colleagues, these two bills.

Mr. DODD. I thank my distinguished friend.

Mr. President, I ask unanimous consent that the name of the distinguished Senator from Alaska [Mr. GRUENING] be added to the list of cosponsors of these two bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DODD. I am glad to yield to the Senator from New York.

Mr. JAVITS. I have studied these bills very carefully before joining as a cosponsor. It may be remembered that, with other colleagues on this side of the aisle, I joined in March in introducing a whole package of bills implementing the 27 recommendations of the U.S. Civil Rights Commission. After studying these two additional bills I decided to join my very distinguished colleagues from Connecticut and Kentucky, whom I respect so highly, because I felt it was forwarding the common cause.

I think the part III bill, limited to school desegregation cases, is good, but too limited. Be that as it may, we have our own part III proposal. But this present version is very important to the case, in an area in which the frustration of the Negro has been so legitimate, because school desegregation since the 1954 Supreme Court decision has proceeded at a snail's pace, and there is so little to show for it, a minor percentage of Negroes attending integrated schools in biracial school districts.

Secondly, on the public accommodation aspect, I have studied the legal approach of my distinguished colleague, the Senator from Kentucky, with respect to the utilization of the State's licensing power.

There are indications, in the opinions in the sit-in cases decided by the Supreme Court this week, that this may be the basis for Federal jurisdiction. In my own bill prohibiting discrimination in public accommodations, I have relied upon interstate commerce as being the determining factor. The Senator from Kentucky [Mr. COOPER] relies on the licensing aspect. Because it is desirable to inject new concepts, new ideas, new bases for possible Supreme Court decision into this situation, I consider it an honor to join in this fresh, new initiative in this field, especially when it comes from such eminent sources as my colleagues from Connecticut and Kentucky.

I am glad they have acted as they have. I pledge them my full cooperation.

Mr. DODD. I am sure I speak for the Senator from Kentucky [Mr. COOPER] when I say we are deeply grateful to the Senator from New York, who has been a great leader in this field all along the line, for his support.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DODD. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I commend the Senator from Connecticut and the Senator from Kentucky, who are partners in this effort. It is difficult to put one ahead of the other, because, as the Senator from Kentucky said, they have joined together to pool their respective talents and abilities to produce these two bills.

These two bills represent careful thinking, careful planning, careful analysis of constitutional law, constitutional provisions, and present statutory law. They represent, also, strengthening of the statutory law and the implementation of the provisions of the 13th, 14th, and 15th amendments.

Many such measures have been introduced, all of them varying in some degree. Nevertheless, they have had, as their objective, the strengthening of the body of civil rights legislation for the protection of the constitutional rights of the American people.

I want to comment on what the Senator from Kentucky [Mr. COOPER] said, as well as what the Senator from New York and the Senator from Connecticut said, with respect to the citizenship of a U.S. citizen. There is a dual citizenship in the United States, but the priority citizenship, the citizenship that qualifies us as Americans, is that which makes us citizens of the United States of America; and that right, of course, is the citizenship right that has to be protected under the terms of the Constitution.

I am very happy to associate myself in the endeavor which has been made here today. I know that there will be other such endeavors made at a later date.

Yesterday the President of the United States was asked a question relating to the consideration of new civil rights legislation. I ask unanimous consent that the question and the reply of the President to that question, as reported in this morning's Washington Post, Thursday, May 23, be incorporated in my remarks at this point in the RECORD.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

RIGHTS LEGISLATION

Question. Mr. President, sir, are you considering asking Congress for new civil rights legislation as a result of the recent developments down South?

Answer. Yes, we are considering, as a result of the recent developments and as a result of the Supreme Court decision yesterday, we are considering whether any additional proposals will be made to the Congress, and the final decision should be made in the next few days.

As you know, we have several proposals up there now, dealing with voting, extension of the Civil Rights Commission and the conciliation service. But I think there may be other things that we could do which would provide a legal outlet for a desire for a remedy other than having to engage in demonstrations which bring them into conflict with the forces of law and order in the community.

I would hope that we would be able to develop some formulas so that those who feel themselves barred, as a matter of fact denied equal rights, would have a remedy. As it is today, in many cases they do not have a remedy, and therefore they take to the streets and we have the kind of incidents that we have in Birmingham. We hope to see if we can develop a legal remedy.

Mr. HUMPHREY. It is to be understood that the administration is giving consideration, as was indicated today in the discussion, to further civil rights legislation. What the details of that legislation will be, it is too early to predict, but it is quite obvious that something needs to be done.

I wish to join the Senator from Kentucky, the Senator from Connecticut, and other Senators in support of this legislation. If they will permit, I would like to join as a cosponsor. I ask unanimous consent so to do.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. DODD. Mr. President, again, I know I speak for my colleague the Senator from Kentucky [Mr. COOPER] in expressing gratitude to the assistant majority leader, who for so many years has been a real leader in this field. To have him on our side means a great deal to us.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DODD. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. First of all, I desire to congratulate the distinguished Senator from Kentucky and the distinguished Senator from Connecticut for their initiative in this legislation. I am very happy to be a cosponsor, and I am more than proud to associate myself with all that has been said in behalf of this legislation.

It is regrettable that we cannot go a step further. It is regrettable that we cannot include all that the dignity of man connotes, as was proclaimed in famous part III of the pioneer civil rights bill. Those provisions were defeated here on the floor of the Senate. We here in America exalt the dignity of man. This legislation exemplifies the very philosophy which is the keystone of our democratic process.

It is regrettable that we must be engaged in discussing this kind of legislation, to secure rights which in my view are absolutely fundamental if we read properly the Declaration of Independence and the Constitution of the United States. We must face the facts of life as they are. It is necessary not only for America but to the rest of the world, that this problem not go unnoticed by the Senate. For that reason I am very happy to be a cosponsor of the proposed legislation. It is my fervent hope and belief that inasmuch as the distinguished Senator from connecticut is a member of the Judiciary Committee, he will exert all his influence to see to it that hearings are held on the bills. I hope that in due time the proposed legislation will be considered by the committee and reported to the Senate for open debate and open decision. I thank the Senator from Connecticut.

Mr. DODD. Mr. President, I thank the Senator from Rhode Island. I wish to assure him and other Senators that as a member of the Judiciary Committee I shall exhaust every possibility of getting committee action. I am hopeful that we will be able to get prompt and efficient consideration by the committee, so that we can bring this legislation to the floor and let the Senate work its will on it. I shall leave no stone unturned to see to it that this is done.

RECOGNITION OF SENATORS

Several Senators addressed the Chair.

Mr. BIBLE obtained the floor.

Mr. BIBLE. Mr. President, does the Senator from Colorado [Mr. ALLOTT] desire me to yield? If so, for how long a time?

Mr. ALLOTT. The Senator from Nevada has been recognized. I would like to call the attention of the Chair to the fact that the Senator from Colorado would like to be recognized.

Mr. BIBLE. I have been standing for 50 minutes seeking recognition. If the

Senator has a short insertion, I will be glad to yield to him for that purpose.

What is the pending business?

The PRESIDING OFFICER. The pending business is H.R. 5389, the silver bill.

Mr. HUMPHREY. Mr. President, will the Senator yield for the suggestion of the absence of a quorum, provided that he will not lose his right to the floor?

Mr. BIBLE. I am happy to yield with that understanding.

Mr. COOPER. Mr. President, will the Senator yield for a moment?

Mr. HUMPHREY. Yes.

Mr. COOPER. I understand that the Senator from Colorado wishes to comment on the bill on which other Senators have commented.

Mr. BIBLE. I am very happy to yield to the Senator from Colorado for that purpose.

Mr. HUMPHREY. I withhold my suggestion of the absence of a quorum.

Mr. ALLOTT. Mr. President, I had two purposes in seeking the floor. I have been on my feet for some time. I hope the Senator from Minnesota will not leave the Chamber, because I desire to call his attention to a practice which has been growing in the Senate more and more, the practice of looking to the other side of the Senate and ignoring Senators on this side who have been standing for some time.

I call this to the attention of the other side because I believe it is high time that this practice, which has grown this year, be corrected, and corrected quickly.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield.

Mr. HUMPHREY. The acting majority leader would like to say to those who have witnessed the proceedings here that there has been a deliberate attempt to see to it that there was a balance maintained between both sides; in fact, that Members on both sides be accommodated. An effort was made to accommodate Senators who had to catch airplanes to leave the city, or for other reasons. I do not want the Record to reveal that any effort has been made to discriminate. I agree with the Senator that we must accommodate one another and attempt to balance out the time. The Senator from Nevada has been in the Chamber since noon. I went to him earlier to ask him if it would be possible to accommodate one or two other Senators, who had other things to attend to that needed to be done. He was most gracious in yielding. I am sure the Senator realizes that to be the fact.

Mr. ALLOTT. In reply to the distinguished Senator from Minnesota, I realize that that is true. I have no quarrel whatever with my friend from Nevada. I have never had any. I do not intend to pursue one or make one now. I have no reason to do so. I do say that this practice has been continuing and growing since this session of Congress began. It should be stopped.

CIVIL RIGHTS LEGISLATION

Mr. ALLOTT. Mr. President, utilizing the courtesy of my distinguished friend from Nevada, I merely wish to say that I have joined the distinguished Senator from Connecticut and the distinguished Senator from Kentucky in introducing the bill to provide the Attorney General with the power to initiate suits in places where it appears that the children of this Nation cannot enter a desegregated public school.

I did not join in the introduction of the other measure because I have a deep reservation in my mind about the constitutionality of it. I recognize the great legal experience and great legal judgment of the distinguished Senator from Connecticut and the distinguished Senator from Kentucky, who introduced that bill.

I merely wish to say that there can be no solution of the racial problem in this country until we recognize that people who have a little different color than some of the rest of us, have exactly the same rights in public places, in schools, at the polling place, and at the bar of justice as the rest of us have.

If we could accomplish this one simple thing, the removal of this one little bar of second-class citizenship, we would solve all the racial problems in this country. I have had an opportunity to observe it not only in our country, but in the United Nations as well. One little racial incident can be expanded and blown up by the Communists in this world, and can be magnified and retold until one would think that there were race riots in every city in this Nation.

What we are trying to do is to start on the road that will make it possible for these people to have all the rights of citizenship. Surely this is not too much to ask. Surely this is not too much to ask after a hundred years. I hope it will be done.

I wish to express my appreciation to the Senator from Nevada for yielding to me. I shall attempt to obtain the floor after he has concluded his remarks.

Mr. BIBLE. Mr. President, I understand the Senator from Alaska [Mr. Gruening] would like to make an insertion in the Record. I shall be glad to yield 2 minutes to him for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

AN EDUCATIONAL ITEM OF IMPORTANCE—MANY COLLEGE SCHOLARSHIPS NOW GO BEGGING BECAUSE THEIR EXISTENCE IS NOT KNOWN

Mr. GRUENING. Mr. President, there is encouraging news in the educational field.

For while, regrettably, the prospects for enactment of President Kennedy's highly desirable and necessary omnibus education bill are not favorable, certainly not in its totality, and while that other excellent bill, S. 5, the cold war GI education bill, sponsored by Senator Yarborough and others, among whom I am happy to be, may again not pass the House although it passed the Senate in the 86th Congress, there are untapped and untouched educational opportunities which I am happy to help reveal. In the Sunday Star of May 5 appeared a most excellent article entitled "College for the Asking: Scholarships Go Begging," with a subtitle "$30 Million Left Unused, Loan Fund Stays Huge." This article is by Sidney A. Eisenberg. It reveals that scholarships worth $30 million are unclaimed and loans up to $450 million for college education are not asked for.

College education is expensive and its costs are rising. It costs between $2,000 and $3,000 a year to send a boy or girl to college. When, as it frequently happens, two or more children want to go to college from one family at about the same time there are, indeed, many families in America who cannot afford this expense. If all of these families knew what scholarships and loans are available and whether their children might be eligible, that situation would be substantially improved.

Sidney A. Eisenberg's article tells where, how, and by whom this aid can be secured. In presenting this to the public and giving it the additional publicity that these scholarships and loan funds are available, he is rendering a most valuable service to the cause of education and for the benefit of our youngsters who aspire to higher education but whose parents cannot afford it, and who themselves cannot quite earn their way through college or university.

I ask unanimous consent that this article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star,
May 5, 1963]

College for the Asking: Scholarships Go Begging—$30 Million Left Unused, Loan Fund Stays Huge

(By Sidney A. Eisenberg)

Each year college scholarships worth $30 million are unclaimed and loans up to $450 million are not asked for.

College education today costs between $2,000 and $3,000 a year. Half of all American families earn less than $5,600 a year. Thus two children in college might require all of a family's income. And college tuition costs are still going up.

Yet statistics show that of the 400,000 scholarships available each year, many are unused. And while 100,000 of our brightest high school students did not go to college last year because of lack of funds, nearly half a billion dollars in loan funds were unused.

The reasons for this situation are: (1) lack of diligence, persistence, and resourcefulness of both the student and the parent and (2) lack of publicity about the scholarship loan that is unused or unclaimed.

Every college, large or small, has some kind of scholarship and loan program. In Ivy League institutions the grants run into millions of dollars.

How does one find out if a college has a scholarship? A prospective student can check with his high school guidance counselor. He can fill out the form supplied by the College Scholarship Service of the College Entrance Board, 475 Riverside Drive, New York 27. He can get a copy of "Undergraduate College Scholarships" from the Office of Education, Washington 25, D.C. He can write to the college of his choice.

How is a student to know if he is entitled to a scholarship? Two major questions must be answered: Does he have good high school grades? Does he need tuition aid?

New scholarship programs are being set up almost every day. For example:

Wesleyan University, Connecticut, has announced 85 new scholarships from $100 to $2,000 a year. The University of Wisconsin has received a bequest of $1.3 million from John Darwin Manchester to provide loans for premedical and medical students. Tufts University, Medford, Mass., has initiated work scholarships that pay up to $500 a year for 340 hours of work during the college term. The University of the South, Sewanee, Tenn., has set up 10 to 15 undergraduate scholarships from $2,000 to $2,400 each. Hofstra College, Hempstead, N.Y., has 47 new high school scholarships providing up to full tuition.

I receive thousands of letters telling of unused scholarship and loan funds from colleges. A few random samplings:

An accredited medical school in a Midsouthern State had over $6,000 in unused funds.

A fine Eastern dental school has almost $20,000 in unused funds every year.

A college in California reported over $12,000 of its $15,000 loan fund unused last year.

A liberal arts college in a Mideastern State reported over $30,000 in unused scholarship funds in 2 years.

JUNIOR GI BILL PROVIDES FUNDS

Five major misunderstandings keep eligible children of deceased servicemen from applying for the educational privileges granted them by Congress, the Veterans' Administration reports. Under the junior GI bill, adopted in 1956, scholarships were made available to 160,000 children of veterans who died in, or as a result of, service in the Armed Forces. In 1960, the benefits were extended to children of peacetime veterans.

The legislation provides education for 36 months, or 4 academic years. Those who attend approved colleges, vocational and business schools can receive $110 a month if on full time, $80 on three-fourths time, and $50 a month for those going on a half-time basis.

A study made by the American Legion's education and scholarship program showed less than half the eligible students have taken advantage of the benefits under this law.

Here are the five misunderstandings that keep many thousands of eligible students from applying for the scholarships under the War Orphans Educational Assistance Act, the junior GI bill.

1. The fact that one parent still lives makes some children believe they do not qualify as orphans. An orphan is a child whose parent is dead as the result of a wound, accident, or illness attributable to service in the Armed Forces.

2. The fact that the dead parent had no wartime service makes others believe they are ineligible. If the veteran parent's death resulted from the performance of duty or from extrahazardous service during peacetime, the child is eligible.

3. The fact that they are married makes some believe they are no longer children. Marriage does not affect eligibility.

4. The fact that their living parent, usually their mother, has remarried and their stepfather has adopted them, makes some children believe they are ineligible. This does not affect eligibility.

5. The fact that many children are not planning to go to college makes some believe they cannot take advantage of this benefit. Eligible children may take vocational courses and other noncollege training that will help them earn a living.

The American Legion, and its various auxiliary posts offer hundreds of scholarships annually. The Legion's National High School Oratorical Contest provides scholarships from $4,000 to $5,000 for the four finalists. In addition, district and State Legion posts award hundreds of scholarships to the participants.

For further information write to: The American Legion, Education and Scholarship Program, Post Office Box 1055, Indianapolis 6, Ind.

The Fraternal Order of Eagles Memorial Foundation was founded to honor Eagle servicemen and to provide scholarships for children of members who were killed or died while in the armed services. The fund totals $4 million. For further information write: The Eagles Memorial Foundation, 321 North Michigan Street, South Bend, Ind.

The Elks Emergency Educational Fund serves a similar purpose. It does not give full tuition, but supplements the college costs of needy students. Applications should be made to the lodge of which the father was a member.

The Knights of Columbus has established an Educational Trust Fund of $1 million as a memorial to members of the order. Scholarships are available to sons and daughters of Knights who were killed or disabled as a result of military service during World War II or the Korean conflict. Scholarships are for 4 years and include allowances for tuition, board and room. In addition, many State and local councils of the Knights have scholarship programs. Write to: The Supreme Secretary, Knights of Columbus, Drawer 1670, New Haven, Conn.

The AMVETS annually grant 4-year college scholarships to high school seniors whose fathers are deceased or disabled veterans of World War II or the Korean conflict. Each scholarship provides financial assistance for undergraduate college study at an accredited institution selected by the student. Fellowships are also available for graduate study. Write to AMVETS National Headquarters, Post Office Box 6038, Mid-City Station, Washington, D.C.

FUNDS AVAILABLE TO WOMEN

There are many scholarship and loan opportunities for women to pursue careers. It is a national disgrace that over 400,000 women in Russia pursue professional and scientific careers, while in the United States fewer than 12,000 pursue these careers.

The AMVETS award scholarships for undergraduate or graduate study to any girl whose father was a veteran or was killed or disabled in World War II. Write to the addresses above.

The American Veterans of World War II award another group of scholarships for women. Write to American Veterans of World War II, 710 Rhode Island Avenue NW., Washington, D.C.

Many other organizations offer similar opportunities for women. An 18-year-old girl in Houston won a $4,000 scholarship from the San Jacinto State Bank Foundation. Two girls in Cleveland won Fisher Food Scholarships. The Sears Foundation and the Special Libraries Association also offer scholarships for women. Here are the addresses: The San Jacinto State Bank Foundation, Houston; Fisher Foods, 2323 Lakeside Avenue, Cleveland 1; the Sears Roebuck Foundation, 3333 Arlington Street, Chicago 7; the Special Libraries Association, 31 East 10th Street, New York 3.

For 40 years, Montgomery Ward has been awarding six scholarships. They are arranged and announced by the National 4–H Service Committee, 59 East Van Buren Street, Chicago 5.

The Zonta International awards from one to five scholarships up to $2,500 each to eligible women for graduate study in aeronautical sciences. Write to Amelia Earhart Scholarship Committee, care of Zonta International, 59 East Van Buren Street, Chicago 5.

The North Carolina Division of the United Daughters of the Confederacy has awarded many scholarships to women. Write to North Carolina Division, United Daughters of the Confederacy, Mrs. Robert B. Street, Chairman of Education Committee, North Carolina Division, UDC., R.F.D. 1, Box 405, Huntersville, N.C.

The American Association of University Women, Educational Foundation, awards about 50 fellowships at $3,000 to $5,000 each. Write to the American Association of University Women, Fellowship Office, 2401 Virginia Avenue NW., Washington 7.

The Hattie M. Strong Foundation makes loans without interest or collateral up to $3,000 to students who have finished 2 years of college or to graduate students. Write to the Hattie M. Strong Foundation, Suite 409, Cafritz Building, 1625 I Street, Washington 6.

The Western Electric Fund Scholarship awards about 170 scholarships up to $800 each with no restrictions regarding sex, race, color, creed or national origin. Write to Western Electric Fund Scholarships, John G. Payne, coordinator of college relations, personnel division, 222 Broadway, New York 38.

The Daughters of the Cincinnati awards about 16 scholarships to high school seniors who are daughters of regular Army, Navy, Air Force, or Marine officers. Write to Mrs. Alexander Jay Bruen, scholarship secretary, Daughters of the Cincinnati, 1088 Park Avenue, New York 28, N.Y.

The Student Aid Foundation has over $100,000 to lend to women at low interest rates. No interest is charged while the student is in college. Write to the Student Aid Foundation, 1025 Clairmont Avenue, Decatur, Ga.

The Delta Delta Delta General Fund Scholarship has assisted over 2,510 women students in the last 18 years, awarding more than $335,000. It operates on 106 campuses, and the applicants need not be sorority members. There is no restriction as to race, creed or color. Write to Vice Chairman of Service Projects, Mrs. G. W. Whiteman, 609 W. Highland Drive, Seattle 9, Wash.

The PEO Educational Fund gives financial aid to qualified students as a loan to be repaid when the student is out of school. The maximum loan is $1,250 and the most granted in 1 year is $625. Write to PEO Educational Fund, 3700 Grand Avenue, Des Moines 12, Iowa. These loans are for women only.

NURSING STUDENTS CAN GET HELP

The shortage of trained nurses will increase as our population continues to soar.

Many competent young women are eager to enter the nursing profession but are held back because of lack of funds.

Scholarships, fellowships, grants, and loans are available. Here are some of the major sources:

National Foundation, 800 Second Avenue, New York 17, N.Y., offers nursing scholarships to one or more graduating high school seniors from each State who plan to take up a baccalaureate degree program. Information is available from high schools and from the National Foundation.

The Bergen Foundation, 6536 Sunset Boulevard, Hollywood 28, Calif., provides loans for prospective nurses. Apply to the executive secretary.

The Clara Barton Memorial Scholarships Awards, auxiliary to the United Spanish War Veterans, offers help. Information is available from the secretary, 40 G. street N.E., Washington 13.

The Children's Bureau, Department of Health, Education, and Welfare, Washington 25, has a program to help train professional nurses.

Traineeships to enable nurses to prepare for positions in consultation and teaching in maternal and child care and crippled children's programs may be obtained through the School of Nursing, Boston University and the Division of Nursing Education, Teachers College, Columbia University, New York 37.

The School of Hygiene and Public Health, Johns Hopkins University, Baltimore, accepts qualified nurses who are preparing for positions in public health programs for the care of mothers and children. Address the dean.

Awards of $1,000 each to assist nurses to prepare for positions in supervision, administration or teaching are offered by the Eight and Forty Tuberculosis Nursing Scholarships Fund, the American Legion Education and Scholarship Committee, Box 1055, Indianapolis 6, Ind.

The Nurses Educational Funds is an independent corporation administered by the National League for Nursing, which grants scholarships, fellowships and loans to nurses to equip them for advancement in nursing.

Lists of institutions offering traineeships are available from the Division of Nursing Resources, Public Health Service, Washington 25, D.C.

STUDENTS CAN GET LOANS FOR COLLEGE

It is obvious that if the high school graduate cannot get a scholarship he should get a loan. Almost everyone can qualify for one, and there are more than enough legitimate loan funds available.

A total of 1,454 colleges and universities in all 50 States and Puerto Rico are participating in the National Defense Student Loan program. All the information, plus a list of participating colleges, is supplied in a free booklet from the Department of Health, Education, and Welfare, Washington 25. Ask for booklet number GE–55001–62.

The U.S. Aid Funds, a non-profit corporation which underwrites loans to college students through private banks, has $50 million available in low-interest, long-term loans.

For information write: United Student Aid Funds, Bennett E. Kline, 350 Lexington Avenue, New York 16.

Many colleges have their own loan funds, in addition to participating in the National Defense Student Loan program. Some of these are interestfree while in college. Others bear a very small interest charge.

Many other major loan funds offer millions of dollars. Almost anyone can qualify, regardless of need or class standing. The repayment terms have been geared to a college education. Most of them make loans from the freshman year on up and have maximum amounts of $14,000 to finance college educations. Some institutions will make loans to you regardless of place of residence or college attended.

NEGROES OFFERED ADDITIONAL AID

It is very difficult for many qualified Negroes to go to college. They come from very low income families and need extensive financial aid.

One special source of scholarships for Negro students is the Alpha Phi Alpha Fraternity, which has awarded as much as $12,000 in scholarships, in a single year, with $500 minimums, to selected high school, college and postgraduate students. For information on scholarships for the next school year, write to: Dr. Clifton S. Jones, director of educational activities, Alpha Phi Alpha Fraternity, Morgan State College, Baltimore.

Dr. W. Montague Cobb, professor and chairman of the anatomy department of the College of Medicine, Howard University, deplores the fact that the number of Negro medical students in colleges throughout the country has dropped. This is in spite of the fact, Dr. Cobb says, that all Northern and Western colleges and 19 in the South have made their course available to Negroes. Of the 260,000 physicians in the United States, only 4,000 are Negroes.

What is being done about this?

Last year, 10 outstanding Negro graduates were awarded 4-year medical scholarships with annual payments ranging from $1,000 to $2,000 each, under a program financed by the Alfred P. Sloan Foundation and administered by the National Fellowships, Inc., of Chicago.

Known as the National-Medical Sloan Foundation Scholarships, the program is designed to help relieve the critical shortage of Negro physicians and surgeons. Its objective is to make it possible for qualified Negroes to attend leading medical schools.

There are about 24 McCormick Foundation Scholarships and National Medical Scholarships. Applications should be made to: Mrs. Hilde Reitzes, executive secretary, National Medical Fellowships, Inc., 951 East 58th Street, Chicago 37.

The National Scholarship Service Fund for Negro Students awards about 150 scholarships annually. They are renewable for the sophomore and junior years. This fund is designed to provide supplementary financial assistance to Negro high school seniors who are awarded college or other scholarships but need additional financial assistance.

Inquiries should be addressed to the National Service Fund for Negro Students, 6 East 82d Street, New York 38.

The Catholic Scholarships for Negroes, Inc., 216 Central Street, Springfield, Mass., has a limited amount of aid for Catholic Negroes.

Negro law students who attend full time at Boston College, Boston University, Harvard, and Suffolk University, may borrow up to $1,000 a year for 3 years directly from these laws schools. This program of long-term low-interest loans to deserving students was set up by the Massachusetts Bar Association.

Negroes are also eligible for loans under the National Student Defense Loan Program of the Federal Government, as well as under the many bank loan programs, loans from private institutions, college loan programs, and the various higher education loan associations in many of our States. Such a foundation is the Jesse Smith Noyes Foundation, Inc., 205 East 42d Street, New York City, which is open to students generally, but especially Negroes.

The Martin de Porres Foundation, 1650 Suburban Station Building, Philadelphia, has six scholarships for Negro Catholics, of approximately $800 each per year to cover tuition, fees, and books: One each to Immaculata, Rosemont, and Chestnut Hill Colleges for girls, and to La Salle and St. Joseph's Colleges and Villanova University for boys. An applicant must submit his high school record, letters of recommendation from high school principal and pastor, and what he hopes to do with a college education.

SCIENCE STUDENTS' AID IS PLENTIFUL

The Science Clubs of America, with financial support from the Westinghouse Educational Foundation, annually conducts a talent search for outstandingly able high school seniors who are especially inclined toward science. Information can be obtained from science teachers or by writing to Science Clubs of America, 1719 N Street NW., Washington 6, D.C.

General Motors has two undergraduate scholarship plans under which approximately 400 4-year scholarships are awarded annually. Applicants must be secondary school seniors who are citizens. Stipends vary from $200 to $2,000 a year, depending on the need. Write to General Motors Corp., Detroit 2, Mich.

If you already have your master's degree in aerospace and need help for your doctorate, one of the best sources of help is the National Aeronautics and Space Administration's program. Ten universities select 10 candidates for the degree you are seeking. The 100 students selected for these studies each receive $2,400 for 12 months, plus expense allowances up to $1,000. Annual renewals depend on students' performance.

These institutions are University of Maryland, College Park, Md.; Georgia Institute of Technology, Atlanta; University of Michigan, Ann Arbor, Mich.; University of Minnesota, Minneapolis; State University of Iowa, Iowa City; Texas A. & M. College, College Station; University of California at Los Angeles; Renssalaer Polytechnic Institute, Troy, N.Y.; University of Chicago, and Rice University, Houston.

An $8 million loan program has been established by the Ford Foundation to assist doctoral engineering students prepare for teaching careers. Students up to age 40 may borrow up to $10,000 over 3 years. For a list of participating institutions, write to the Ford Foundation, 477 Madison Avenue, New York, N.Y.

The Procter & Gamble Fund provides about 80 scholarships in the sciences. Awards are renewable for up to 4 years and include full tuition, plus an allowance for books, fees, and supplies. For further information, write to the Procter & Gamble Scholarship Program, Post Office Box 599, Cincinnati, Ohio.

The following is a very small sampling of scholarship sources available to prospective majors in science or engineering and is intended merely to show the diversity of these sources.

Alcoa Foundation Scholarships, Aluminum Co. of America, Pittsburgh, has 140 scholarships available for study at certain specified institutions.

From 185 to 190 scholarships, limited to specified institutions, are offered by the Foundry Education Foundation Scholarships, Terminal Tower Building, Cleveland, Ohio.

The American Institute of Steel Construction, Inc., Committee for Education, 101 Park Avenue, New York, N.Y., has 10 scholarships for work in institutions accredited to civil or architectural engineering.

The Radio Corp. of America, 30 Rockefeller Plaza, New York, N.Y., offers 33 science scholarships and 30 scholarships in the science teaching field.

The American Society for Tool Engineers, 10,700 Puritan Avenue, Detroit 18, Mich., offers tool engineering scholarships for college juniors and seniors interested in careers in tool engineering.

The Atomic Energy Commission offers fellowships in nuclear science and engineering. Basic stipends are $1,800 the first year, $2,000 the intermediate year, and $2,200 the terminal year. An additional $500 each is allowed for a wife and a maximum of two dependent children. For further information, write to NSE Fellowship Office, Institute of Nuclear Studies, Oak Ridge. Tenn.

The AEC also offers fellowships in health physics with a basic annual stipend of $2.500 and an additional $350 for a wife and each dependent child. Write to: Health Physics Fellowships Office, Institute of Nuclear Studies, Oak Ridge, Tenn.

Industrial hygiene is another field in which the AEC offers fellowships. The basic stipend of these fellowships is $2,500 to $2,700 for fellows having one or more years of related graduate study or industrial work. An additional allowance of $350 is made for a spouse and for each dependent child. Address: Industrial Hygiene Fellowship Office, Institute of Nuclear Studies, Oak Ridge, Tenn.

[From the Washington (D.C.) Star, May 5, 1963]

Own Struggle for College Set Hobby for Eisenberg

Ever since his own financial struggles to get through Ohio Northern University back in 1927, 1928, and 1929, Sidney A. Eisenberg's hobby has been helping young people get a college education.

For years, Mr. Eisenberg, Cleveland attorney, has conducted extensive research into scholarships and student loans. Skyrocketing college costs, with tuition going from an average of $500 a year to $1,000, make the problem acute, he says. But money is available. Parents have no conception of the vast amount of scholarships and the huge number of loans they can get for their children.

Costs didn't begin to compare with those of today when young Sid Eisenberg enrolled in the little Ada college, but money was scarcer, too.

He waited table at the Alpha Epsilon Pi fraternity house for his board and shoveled coal for his room. He worked for Barton Snyder, publisher of the Ada Herald then as now.

On Saturdays he worked for the old Boston store in Lima for $4 a day, hitch-hiking to and from Ada. His second year he was a part-time floorwalker for a women's wear store.

In between times, Sid served as managing editor and columnist for the Northern Review and edited the college yearbook.

Within 5 years after leaving Ohio Northern, alumnus Eisenberg had helped establish 30 scholarships there. His interest in college scholarships has never waned.

It isn't waning now, either, for he is querying 50,000 sources of loans or scholarships. He expects to spend $25,000 in this research, and will provide booklets and lists answering the many inquiries it is anticipated this series will produce.

Mr. BIBLE. Mr. President, I ask unanimous consent that I may yield to the Senator from North Carolina [Mr. ERVIN] for a short insertion.

The PRESIDING OFFICER. Without objection, it is so ordered.

HARLAN RAISES PERTINENT QUESTIONS FOR THE COURT

Mr. ERVIN. Mr. President, the Charlotte Observer, of Charlotte, N.C., for May 21, 1963, contained an editorial entitled "Harlan Raises Pertinent Questions for the Court."

This editorial places in proper focus one of the most significant questions raised by the current agitation for so-called civil rights legislation; namely, whether the Federal Government is going to accept completely the tragic theory that minority groups cannot be made secure in their civil rights without destroying the equally as precious basic civil, personal, and property rights of all other Americans. It would certainly be a tragic day for law enforcement and personal property owners in America if the courts should ever transgress their constitutional authority so far as to rule that owners of private property cannot protect their property against invasion by trespassers except through the exertion of necessary force upon their individual parts. I ask unanimous consent that the editorial in question be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered printed, as follows:

Harlan Raises Pertinent Questions for the Court

In overturning the convictions of sit-in demonstrators in North Carolina and three other Southern States, the Supreme Court did not invalidate the right of owners of private property to operate their businesses on a segregated basis.

The sense of the majority opinion in the four cases is that State and local segregation ordinances are unconstitutional under the 14th amendment, and that the individual property owner's personal performance is not the deciding factor where such a law exists.

The court has yet to come to final grips with the question of whether a business licensed to serve the public has a right to discriminate among its would-be patrons on a basis of race, although Justice Douglas' concurring opinion speaks directly to this question. Douglas feels that a business serving the public has no right to discriminate by race.

The heart of the court action is in Chief Justice Warren's statement citing previous decisions that private conduct abridging individual rights does no violence to the equal protection clause unless to some significant extent the State has been found to have become involved in it.

This statement would appear to support the proposition, first stated by the court in 1883, that the equal protection guarantee bars discrimination only through action by a State.

Justice Harlan, in dissenting vigorously to a portion of the court's decision, feels that his colleagues went too far in setting aside the convictions in all the cases, and especially in a New Orleans case where no segregation ordnance existed. The varying circumstances indicated to him the need of "discreet treatment and results."

Speaking to Chief Justice Warren's contention that the intrusion of State law negates the individual businessman's personal preference and does violence to the equal protection clause, Harlan said:

"Although the right of a private restaurateur to operate, if he pleases, on a segregated basis is ostensibly left untouched, the court in truth effectually deprives him of that right in any State where a law like Greenville (S.C.) ordinance continues to exist.

"A choice that can be enforced only by resort to self-help has certainly become a greatly diluted right, if it has not indeed been totally destroyed. An individual's right to restrict the use of his property, however unregenerate a particular exercise of that right may be thought, lies beyond the reach of the 14th amendment.

"The dilution or virtual elimination of that right cannot be justified either on the premise that it will hasten formal repeal of outworn segregation laws or on the ground that it will facilitate proof of State action in cases of this kind."

Harlan rightly raises the question of how public order can be maintained, in the event of a clash of "rights" under the 14th amendment, if the private property owner is deprived of the assistance of the State in removing from his premises those he does not choose to serve.

The State could not justify such removal for trespass under the terms of a segregation ordinance, according to the Court's decision, for the property owner's freedom of choice is canceled by the law. In the Greenville case, an attorney for the store management pointed out that if the owner could not use a State trespass law he might be required to "take the law in his own hands" with possible violence resulting.

It is clear from the Court's decision that inability to rely on State or local laws regarding trespass would make it more difficult for stores to maintain a segregation policy. In that case, unwanted patrons might be charged with "disorderly conduct" or "breach of the peace" upon refusal to leave, but conviction would be difficult to obtain where demonstrators were sitting quietly awaiting service.

There is the possibility, too, of civil action and criminal charges against the owner and his employees if ejection is handled without assistance of law or on flimsy legal grounds. Indeed, it may have been the Court majority's thinking that the decisions in these cases will make it so difficult to enforce a segregation policy in a private business that racial bars will gradually crumble.

The effect of the Court's decisions is likely to be the abolishment of widespread State and city segregation ordinances. Numerous test cases then will result when individual restaurateurs and others with segregation policies attempt to enforce them through other means.

Official segregation laws have been nullified and the individual restrictive use of property, where no segregation laws exist, has been upheld by the decision.

But there will be no definitive answer until there is a choice between Justice Douglas' argument and Justice Harlan's contention that "an individual's right to restrict the use of his property * * * lies beyond the reach of the 14th amendment."

If Douglas' view prevails, thus taking away the property owner's right to set his own business policy, the country will pay too high a price for the misguided notion that all discrimination—public and private—can be legally eliminated.

It would seem, rather, that in ruling out segregation laws and ordinances the Supreme Court has gone as far as it can go to combat discrimination without undue interference with personal liberty. It is desirable that voluntarism take over where the law ends and personal choice begins.

Mr. BIBLE. Mr. President, I now yield briefly to the assistant majority leader, with the understanding that I will be recognized after he has concluded his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, there is a rather brief Executive Calendar. It will take only a moment, I am sure, to dispose of it. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

William A. Meadows, Jr., of Florida, to be U.S. attorney for the southern district of Florida; and

Herbert J. Lidoff, of the District of Columbia, to be an examiner in chief, U.S. Patent Office.

By Mr. SYMINGTON, from the Committee on Armed Services:

Thomas H. Aulenbach, and sundry other midshipmen, to be permanent ensigns in the line of the Navy;

Roger A. Marien, of the Naval Reserve Officers' Training Corps, to be permanent ensign in the Supply Corps of the Navy; and

Michael B. Peterson, of the Naval Reserve Officers' Training Corps, for permanent appointment to the grade of second lieutenant in the Marine Corps.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

Mr. HUMPHREY. Mr. President, on the Secretary's desk are nominations in the Army, in the Air Force, in the Marine Corps, and in the Navy. These nominations relate to graduates of the Military, Air Force, and Naval Academies. It is desired to have the nominations confirmed and sent to the White House, so that the President may affix his signature to the commissions.

Mr. President, it is a real honor for me to call these nominations to the floor. Today we have on the Executive Calendar names of the young men who will graduate this June from our academies and colleges and will at that time be commissioned as the new officers of our Nation's Armed Forces. These men have received the finest training that the Nation can offer in our three great service academies, or in other of our finest colleges and universities across the country. The commissioning of these men is recognition of successful completion of that training. These men soon will leave behind the demands and disciplines of the halls of learning to assume far greater demands and disciplines of our defensive forces in an unsettled and uncertain world.

They will join a proud tradition; perhaps the proudest military tradition the world have ever seen. This is because the forces they will lead are dedicated not to conquest, but to freedom from conquest, not to government by force but to government by self-determination. The democratic traditions which our Nation adopted at its birth have been inseparable from the cause of our fighting men from the minuteman at Concord to the Crossing of the Rhine.

Today these men are called for duty into such far places as outer space and the jungles of Asia. To perform these duties in a way that will always carry forward the best interests of the United States requires better training, greater judgment, and higher dedication than in any previous time.

I am confident that these men whom we are about to confirm can meet and exceed these high standards.

Mr. President, I ask that the nominations be considered en bloc.

The **PRESIDING OFFICER.** Without objection, the nominations in the Army, the Air Force, the Marine Corps, and the Navy, which have been placed on the Secretary's desk, are confirmed en bloc.

Mr. HUMPHREY. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The **PRESIDING OFFICER.** Without objection, the President will be notified forthwith of the confirmation of the nominations.

LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

REPEAL OF CERTAIN LEGISLATION RELATING TO PURCHASE OF SILVER

The Senate resumed the consideration of the bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes.

Mr. BIBLE. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator from Nevada will state it.

Mr. BIBLE. Do I correctly understand that the pending business is H.R. 5389?

The **PRESIDING OFFICER.** The Senator is correct.

Mr. BIBLE. A few minutes ago, the acting majority leader suggested that there be a quorum call before I begin my speech. I concur in his suggestion. I suggest the absence of a quorum, with the understanding that I will not lose my right to the floor.

The **PRESIDING OFFICER.** The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. BIBLE. Mr. President, the pending business, H.R. 5389, has been accurately described on page 1 of the House bill:

> An act to repeal certain legislation relating to the purchase of silver and for other purposes.

The senior Senator from Nevada has for many years had an active interest in silver legislation. My illustrious predecessor, as most Senators know, the late Senator Key Pittman, was the author of the Silver Purchase Act. The great State of Nevada is known as the Silver State, although I am sorry to state that today there is not one, single, operating silver mine in my native State. Not because there is no silver; but, as I stated at the time of the Senate hearings, the silver producer has found it extremely difficult to mine silver at the present-day prices. He has watched the market since November 28, 1961, and is watching the action of this body today, in hope that he will not again be the forgotten man, and that this great deliberative body will find the time to explore and debate this piece of proposed legislation to the fullest extent.

I just am not satisfied that we have explored the bill as much as it should have been, and I am hopeful that Senators today will get into the discussion and that a record can be made as to the intent of the measure and whether or not the urgency exists that the Secretary of the Treasury and the Chairman of the Federal Reserve Board have so stated exists, and just why an emergency exists.

As I stated previously, the bill has been accurately described. I am not one who objects just for the sake of argument. This is not my nature. I do not object to the wording or intent of some parts of the bill, such as "to repeal certain legislation relating to the purchase of silver." I believe, as I know many other Senators believe, that the Silver Purchase Act is outmoded.

It is outmoded simply because the market price of silver has exceeded the price originally set at 90.5 cents per ounce by the Congress for which the Treasury should purchase silver. This has been due, we are advised, to greater industrial needs, greater need in the minting of coins, and larger needs by other agencies of our Government. So, in effect, in my considered judgment, the Silver Purchase Act is outmoded.

I do object, however, to the description of the act, which involves the last four words, "and for other purposes."

It is here that my curiosity is aroused—"for other purposes."

It is here that I am concerned: What are the "other purposes"?

The Secretary of the Treasury has stated that we will face a shortage of free silver for coinage purposes once the 1.2929 monetary value of the dollar is pierced, and, Mr. President, it is about to be pierced. It will not be the first time it has been pierced—it was pierced in 1920 and 1921 when the price of silver rose to a price of 1.38 plus and 1.37 plus, respectively. Our monetary value was then, the same as now, 1.2929 per ounce, and it has, as those who have studied the problem know, been our monetary standard value for the dollar since 1792 when we were then the Original Thirteen Colonies and there were no great giant silver producers controlling the industry as some would like for us to believe.

Is the phrase "other purposes" designed for a free market in silver?

Are the "other purposes" designed to put a floor on the price of silver at 1.2929?

Will not the bill, as it is written, permit the Secretary of the Treasury to sell silver bullion, should the open market price exceed 1.2929?

Will this sale of silver stabilize the market for as long a period as he envisions some 12 to 15 years?

Will it protect our subsidiary coinage—something which must be done—as every Senator realizes, including the Treasury Department?

Will it protect our subsidiary coinage at the rate which our Secretary of the Treasury envisions, and will he be able to call in the silver certificates at a rate he envisions? This is a problem that has constantly bothered me. It is something to which the Secretary of the Treasury and the Chairman of the Federal Reserve Board have testified. It is a problem which the distinguished chairman of the Committee on Banking and Currency [Mr. Robertson] brought before the Senate on Tuesday. The testimony is to the effect that the redemption would be done gradually. But can it be done gradually as a strict legal matter?

The Federal Reserve Chairman has stated that he supported the Treasury position in that the silver certificates should not be redeemed at a rate of more than 110 million ounces of silver per year or $140 million per year, in order that the drain on our gold supplies would not exceed $35 million annually. Again I ask the question: Can the redemption be done practically, financially, or legally?

Will there be a run on silver when this magic figure of 1.2929, the monetary value of the dollar, is pierced? Is there any clause in this bill which will protect our silver stocks from being depleted other than to permit the Secretary of the Treasury to sell silver on the open market once the monetary value has been reached?

Will the sale of Treasury stocks enable our Government to control or put a floor on the market of a figure comparable to the monetary value 1.2929?

Is it not true that we must honor our silver certificates whether they are presented today, tomorrow or next year—not only by our own citizenry, but by those throughout the world who may think more highly of silver than some of our own citizenry?

Will not silver certificates be honored any time, any place, when presented to the Treasury, regardless of whether the persons presenting the certificates may be adverse to our form of government?

And is there in this proposed legislation language which would stop, shall we say, the citizens of those from outside the free world or Communist bloc nations from redeeming silver certificates, should they be in a position to attempt to corner the market on a metallic product which is fast becoming more valuable, day by day?

In the 1st session of the 84th Congress a similar bill to H.R. 5389 was introduced, S. 1427. This was in 1955, when we were, so the backers of this bill said, in need of a revision in our monetary policy, and the need was then also said to be great for repeal of the Silver Purchase Act. The silver user was finding it extremely difficult to make a profit, so we were told. He was, for all purposes, practically ready to go out of business, simply because the open market price of silver was approaching the Treasury's obligation to purchase domestic mined silver at 90.5 cents an ounce.

Eight long years have elapsed, and the silver users are still in business. The silver producers are very, very definitely "on the skids," and I doubt that the ratio has changed much, except that today there are fewer domestic silver producers.

The table on page 74 of the report accompanying the bill makes crystal clear the decline over the past 5 years in the number of silver producers.

This, of course, does not take into consideration the allied mining industries, which produce copper and lead and zinc, and still produce silver as a byproduct; and this has, no doubt, dropped, as there is little production today of lead and zinc in this Nation today, unfortunately.

Mr. President, I have been pleased to join with the distinguished Senator from Alaska [Mr. GRUENING], the illustrious chairman of the Mining Subcommittee of our Interior Committee, in an effort to attempt to be of some help in the situation. I know the Senator from Alaska is doing everything he can—in scheduling hearings and in attempting to move forward legislation which can be of assistance to a very, very depressed segment of the mining industry.

Mr. GRUENING. Mr. President, I thank the Senator from Nevada for his kind words. I hope we can do something for our domestic mining industry.

It is a striking and a pathetic paradox that such mines in other countries are helped by our Government with American dollars. In that way, our Government is helping them out of their difficulties. But such mines at home, when operated by American citizens, are not helped.

Mr. BIBLE. I thank the Senator from Alaska.

Mr. President, earlier today I heard the Senator from Wyoming allude to the building of a steel mill in India with American money. This has a very direct effect in Nevada, because by building the steel mill in India, the iron ore producers in Nevada—and today that is quite an important industry there, in the depressed state of mining generally—are being "forced to the wall," simply because our Government thinks more kindly of those overseas than it does of those within our own borders.

I appreciate very much the sentiments expressed by the Senator from Alaska.

There were some 30 Members of the Senate who signed their names to a letter to Senator FULBRIGHT, then chairman of the Banking and Currency Committee, requesting more time to explore this very complicated problem. Fourteen of those Members are still Members of this body. The hearings were carried over into the 2d session of the 84th Congress and the bill was not acted upon. The urgency did not exist, as was so stated by some Members of this body.

The Honorable Chairman of the Federal Reserve, our present Chairman Mr. Martin, testified at that time that he "opposed the Silver Purchase Act of 1934," and that he had never changed his position so far as the principle of bimetallism is concerned. He stated flatly that he was opposed to bimetallism, even though the percentage of silver backing our currency was minute in relation to Federal Reserve notes which at that time amounted to around $25.2 billion, and, as we know, today stands at a figure of about $30.1 billion—although the relation of silver has not so expanded.

Mr. President, in the 84th Congress, the complicated nature of this problem was very apparent. It was then urged that there was a great sense of urgency, and that this action should be taken immediately. However, such urgency simply did not exist. Now, many years later, that urgency still does not exist, in my opinion—at least, not to the extent described by those who have testified before the Banking and Currency Committee.

I mention this little bit of history merely to show that there do exist now, and have always existed, forces in our Nation which believe paper money is all that is needed. I hasten to add that our Federal Reserve notes are backed by 25 percent gold, and I am sure the Chairman of the Federal Reserve does not object to this metallic backing, inasmuch as most nations have long since done away with bimetallism, and have a gold standard.

I do believe it is a fair speculation to state that the Federal Reserve may be concerned about the outflow of gold from our shores. The President has stated time and time again that this is an emergency which he hopes this administration can correct; and I am certain that every Member of the Senate joins in his expressed hope that the outflow of gold from our shores will be corrected.

Yet, if we take favorable action on the proposed legislation which is before us in its present form, we add fuel to the fire, for we shall be substituting Federal Reserve notes in an equal amount to silver certificates, and this will eventually cause a further drain on our fast diminishing gold reserves of one-half a billion dollars. This figure has been passed over lightly, in that it is planned that it will occur on a managed basis, at the rate of approximately $35 million annually. The annual proposed drain on our gold supplies will come about only if there is not a raid on our treasury for silver. But should this raid develop, our silver will disappear as fast as our gold has disappeared and is disappearing.

I submit that a drain of one-half a billion dollars on our gold reserves is a matter of concern for this Congress. It is a matter of deeper concern when we are faced with proposed legislation which will also permit a drain of our valuable silver stocks from the U.S. Treasury.

Mr. DOMINICK. Mr. President, at this point will the Senator from Nevada yield?

Mr. BIBLE. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. I am glad the Senator has brought out that point, because in the course of his statement in support of this bill, the chairman referred to certain sections of the report showing that this would not be a particular drain on our gold reserves. Yet the fact is that in the statement made by William McChesney Martin, Chairman of the Board of Governors of the Federal Reserve System, he specifically stated:

> If this bill is enacted, it is important that the resulting shift from silver certificates to Federal Reserve notes takes place gradually. Roughly $2 billion in silver certificates are outstanding. A complete shift of this amount to Federal Reserve notes would reduce the Treasury's free gold stock by $500 million, because of the 25-percent gold certificate reserve requirement on Federal Reserve notes.

It seems to me that that is really important, in order to assure that if the bill is enacted, we may have a record to show that this must be done gradually, so that we do not further impair our gold reserves, which already are so far down.

Mr. BIBLE. Mr. President, I could not agree more fully with the Senator from Colorado.

One problem which bothers me as a practical one is how we are legally and practically to insure that this will be done only gradually. I am not sure on this point, and I hope we can develop it during the debate.

Mr. DOMINICK. I think the Senator from Nevada is entirely correct. I think the bill, so far as I understand it, does not contain any provision which would prevent the Treasury from doing this all at once. Is that not true?

Mr. BIBLE. I think that is absolutely true; and, as I understood the remarks of the very gracious and distinguished chairman of the Banking and Currency Committee in response to a question raised the day before yesterday, his contention is that, as a practical and a physical matter, it would be almost impossible for someone to bundle up large amounts of silver certificates, take them to the Treasury, and have them converted into silver. However, I am sure it could be done as a practical and physical matter.

We might substitute $2 billion in $1 silver certificates for silver dollars or, if one should choose, as is provided in the bill, for silver bullion. I do not know how physically it could be done, but I am sure that there is a legal right to do it.

I thank the Senator for his contribution. I was developing my concern in relation to the inevitable drain that would come upon the gold behind the Federal Reserve notes to the tune of a half billion dollars if the silver certificates were converted. Most nations of the world have a high regard for gold and silver, and I suspect that nations which have been rejecting our dollar and calling for our gold may also be interested in obtaining our silver. The past history in respect to the nations of the world that have been interested in our silver makes very interesting reading. I do not believe that Congress should permit that to occur.

The Federal Reserve Chairman, has stated, as did also the junior Senator from Colorado, that there is elbow room. The Federal Reserve Chairman has approximately $4 billion in gold reserves that he can use for backing our silver certificates at the rate of 25 percent, the same as the backing required for other Federal Reserve notes.

I do not believe anyone would question that figure with regard to the amount of money in circulation. But it should be noted that the Federal Reserve notes themselves, from 1955 to date, have expanded from approximately $25.2 to $30.1 billion in a period of 8 years, so we have added some $5 billion of credit of Federal Reserve notes to our system in a period of a few short years, and we have obviously increased the additional burden upon the gold backing of the Federal Reserve System.

Members of this body who were here a few years ago will remember—and those who were not undoubtedly read about it—that our former President, Dwight Eisenhower, regarded the transfer of approximately $300 million into gold as cause for great concern. It was such a cause that he took an unprecedented step and called publicly upon one of the largest manufacturers of automobiles in this country not to exchange $300 million U.S. dollars for gold in England, where the manufacturer planned to expand his automobile facilities. If $300 million in a gold drain was cause for concern several years back, I submit that a proposal for a $500 million gold drain with an added incentive to throw our silver stocks into the bucket is cause for grave concern by Members of this Congress.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. BIBLE. I am delighted to yield to the senior Senator from Idaho.

Mr. CHURCH. Would not the distinguished senior Senator from Nevada agree with me that, whether the Treasury retires the silver certificates slowly in accordance with the plan suggested by the Secretary of the Treasury in his testimony before the Committee on Banking and Currency, or whether market conditions should force the Treasury rapidly to retire the silver certificates in exchange for Federal Reserve notes, in either case the end result will be the replacement of $1,800 million in $1 and $2 silver certificates for an equivalent number of Federal Reserve notes, and the burden on our dwindling gold supply would inevitably be increased in the amount of approximately $500 million?

Mr. BIBLE. The Senator from Idaho is eminently correct. I do not believe there is any question that what he has said is exactly what would happen. Whether it would happen in 1 or 2 years or 10 years from now if the bill were passed, there would still be increased pressure on gold.

Mr. CHURCH. So the argument that it would be done painlessly is, in reality, no argument at all, because whether it is done painlessly or painfully, depending upon how market conditions might require the Treasury to act, the unavoidable result will be to increase the burden on our dwindling gold supply by some $500 million.

Mr. BIBLE. The Senator from Idaho is 100-percent correct.

Mr. CHURCH. Is it not also true that despite the strenuous efforts of the present administration to correct our adverse balance of payments, to date those efforts have been unsuccessful. I noted in the newspaper this morning that the Secretary of the Treasury admitted that the outflow of our gold has again increased in recent months. He conceded his disappointment in this respect. So I think, in all candor, we must admit that the problem is far from solved. It haunted the last 3 years of the Eisenhower administration. It has not been solved in the first 2 years of the Kennedy administration. Therefore, what has occurred merely underlines the hazard of further increasing the burden upon our dwindling gold supply through the enactment of the pending legislation. Would not the Senator agree?

Mr. BIBLE. The Senator from Idaho is eminently correct.

The conclusion is inescapable. We cannot reach any other conclusion.

Mr. CHURCH. I commend the Senator for his observation. This is one of the serious questions which the Senate must face up to in connection with the proposed legislation.

Mr. BIBLE. I thoroughly agree.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. BIBLE. Has the Senator from Idaho completed his questions?

Mr. CHURCH. I have. I thank the Senator.

Mr. BIBLE. I yield first to the junior Senator from Colorado.

Mr. DOMINICK. I thank the Senator from Nevada.

I was extremely interested in the development by the senior Senator from Idaho of the point he sought to make. I thought it was extremely well done.

I should like to know the opinion of the Senator from Nevada on this question. If the bill is passed today, we shall add to the burden of the Treasury and the people of the United States an increased drain on gold. We would seem to be doing so deliberately, because under our present system there is no possibility of avoiding that drain on our gold if we replace the silver certificates with Federal Reserve notes. Is that correct?

Mr. BIBLE. I think that is the end effect, yes.

Mr. DOMINICK. I should like to go a little further on the question, because it seems to me it is one of the key problems. We have a situation in which there is such a shortage of free gold that demands by foreign creditors on our free gold reserves, even at the present time without the proposed added requirements under the bill, could easily result in the technical bankruptcy of our country. I believe we now have approximately $3.8 billion in gold reserves in order to take care of potential claims in the neighborhood of $21 billion. If we should continue to lose our gold reserves, we could easily be forced into a position in which we either would have to dafault on payment of gold to various creditors, as we have agreed to do, or we would be forced into new legislation which would remove the gold backing from our currency and put the entire currency into terms of managed money. It seems to me that is the most serious point in the whole bill, although there are other points which are equally of concern to many of us.

In other words, is this a first step in putting the Congress and the American people in such a mood that if this should happen we would have to remove our own gold reserves behind our own currency? The administration spokesmen have said it is not. I think it is something the Senate ought to determine, with respect to what the effect could easily be as to accelerating the loss of gold in determining the mood of the Congress and the people in connection with gold reserves behind our currency.

Mr. BIBLE. I appreciate the observation made by the Senator from Colorado. I think this is one of the problems we should face.

In line with the thought of the Senator from Colorado, I believe there is pending on the House side of the Capitol proposed legislation to reduce the amount of gold backing to a percentage less than the 25 percent presently required.

These are all indications of the danger ahead, in my opinion.

Mr. DOMINICK. I thank the Senator for yielding.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. BIBLE. I yield to the Senator from Alaska.

Mr. GRUENING. Does not the Senator from Nevada think, in view of the point so effectively made by the Senator from Idaho, the Senator from Nevada and the Senator from Colorado about the increasing drain on our dwindling gold supply and the failure of this administration, like its predecessor, to solve the balance of payments situation, that it is difficult to understand why this administration does not come forward with some constructive plan to enable us to mine more gold?

Both this administration and the preceding one have rejected various bipartisan proposals made throughout the years yet the administration fails to come forward in response to urgent request by Members of this body and of the other body, with any alternative. It allows our American gold mines to close. It watches our gold supply dwindle. It sees other nations reaching for our gold. Yet it takes no constructive action.

It is really puzzling to note the indifference to and lack of interest in this pressing problem, which affects what was once not only a very important segment of our mining industry, but also an important segment of our entire economy.

If there is a feeling, as has been expressed, that the proposal for a subsidy for gold miners, which most of us felt was a practical and innocuous proceeding, would cause a panic and a run on the dollar, which is an alarmist myth without any foundation in logic, I believe that the proposals which have been mentioned—to decrease the amount of gold necessary to back our paper currency—would be truly far more alarming. I wonder whether the Senator from Nevada has any comment to make on that situation.

Mr. BIBLE. As the Senator from Alaska well knows, I have joined him in cosponsoring practically every bit of proposed gold legislation the Senator has introduced, in the hope that some adequate incentive could be found to bring more gold into production.

Obviously, as an economic point, it is impossible for the miner today to exist, when he must pay higher wages and has higher costs of every kind, in the face of an absolutely straitjacketed price of $35 an ounce on gold.

As the Senator from Alaska knows, this problem has been probed over many sessions. I hope the Senator will continue his energetic pursuit of the problem in the hope that we can arrive at something concrete which will be of assistance in bringing more gold into the Treasury.

Mr. ALLOTT and Mr. CHURCH addressed the Chair.

Mr. BIBLE. I yield first to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I think probably Senators who are now in the Chamber are in general agreement on this question. We all have a common interest in it.

I am reminded, by the remarks of the distinguished Senator from Alaska, of the efforts the Senator made in starting hearings not long ago upon the general mineral question, in which hearings he specifically opened up the testimony to questions involving both gold and silver, even though these questions as monetary matters are ordinarily not considered by the Committee on Interior and Insular Affairs. I applauded the Senator at that time. I think he was very wise in so doing.

I have studied this problem; and personally I cannot see how we are to avoid further demands upon our gold reserves by passing the pending bill.

My distinguished colleague mentioned a figure of $21 billion, and I have also heard it more recently said that $23 billion of foreign credits are demandable in gold. I am not sure as to the exact figure. However, if we increase whatever the figure is by about $12 billion in gold necessary to back up our currency, this results in somewhere between $33 billion and $35 billion demand against our gold reserves which can be exercised.

There is no doubt about the fact that the International Monetary Fund took a very dim view of our fiscal policies in this country when it made the advance to us. We are in a precarious situation, because a small loss of confidence anywhere in the world, particularly in Europe, as to the integrity of the dollar, could start a "run," like an old-fashioned "run" on a bank; and then what my colleague spoke of would almost surely result.

I cannot feel that the pending proposal could do anything other than cause a greater demand upon our gold.

Looking at the basic problems involved from another angle, I hope that at some time legislation may be enacted looking toward a stimulation of the production of gold. It has been pointed out very well that gold simply cannot be economically produced at $35 an ounce.

I thank the distinguished Senator from Nevada for yielding to me.

Mr. BIBLE. I appreciate the comments made by the Senator from Colorado. I share them. I believe I made it abundantly clear that there will be further pressure on our gold.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. BIBLE. I now yield to the Senator from Idaho.

Mr. CHURCH. Would it not be correct to say that we now find ourselves in a position which could be likened to that of a large water barrel which is rapidly running out of water, by virtue of the fact that we cannot turn off the spigot?

The spigot cannot be closed until we rectify our adverse balance-of-payments situation.

While the Government, under both this administration and the previous administration, has acknowledged its inability to turn off the spigot, it has likewise opposed putting any more water into the barrel, arguing that to do so would require incentive payments which might raise questions as to the value of the dollar.

Mr. President, as surely as I am standing on the floor of the Senate today, if the available gold supply in the Treasury continues to diminish, we shall inevitably come to the time, within a few short years, when our creditors abroad will be forced to demand gold—particularly the private creditors, who will come to see that unless they begin to demand gold, there will be none left, against which to exercise their demand. Once that becomes the case, no restraint upon them will be effective, and they will quickly exhaust the Treasury of the last of its gold supply. Then the very thing which the Treasury says would be most harmful will be upon us. Then the United States will have no recourse but to devalue the dollar, with all the impact that might have upon the finances of the Western World.

I intend to vote against this bill today. I shall vote against it because I believe it will further aggravate our gold outflow problem by imposing another half-billion-dollar burden upon our dwindling gold supply.

I cannot reconcile the position which, on the one hand, admits that the spigot cannot be turned off, and, on the other hand, contends that no action should be taken to fill the barrel.

We are headed for the fiscal shoals unless we can change direction, insofar as the integrity of the dollar is concerned; and no amount of protest that we will not devalue the dollar means anything in light of the indisputable fact that the Treasury is running out of gold.

In pointing up this essential defect in the bill, the Senator from Nevada is making a record on the floor of the Senate that I hope will be a warning to the Treasury to face up now to the need of either closing the spigot or filling the barrel before the moment of crisis arrives.

In that sense, I commend the Senator for the very effective public service he is rendering in making his speech this afternoon.

Mr. BIBLE. I appreciate the comments of the Senator from Idaho. A most difficult problem confronts us; and it could be a very catastrophic problem if it were not handled properly.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. MOSS. Is it not true that the intrinsic value of the silver that is used for coinage is approximately $1.29 an ounce?

Mr. BIBLE. The value of the silver used in the subsidiary coinage is about $1.38. The amount of the coinage used in the silver dollar is about $1.29. There are two plateaus, one at $1.29, another at $1.38. I shall comment on that aspect later in my speech. But it will not be too long, if some considerable study is not given to this problem, before even the second plateau will be pierced.

Mr. MOSS. The second plateau is $1.38. But all that is to be gained by withdrawing the silver backing for the silver certificates is to make that silver available to the Treasury, which could be made over into the subsidiary coinage. Is not that the immediate effect so far as the Treasury is concerned?

Mr. BIBLE. There is expressed in section 2 of the bill language about which many of us have considerable doubt. The presentation seems to indicate that it would be possible to use it only for coinage. This is one thing we have to be very clear on.

Mr. MOSS. But so long as the price of silver is now approximately $1.27 or $1.28, the Treasury could very readily buy silver in the open market for coinage. It is not prohibited from obtaining the silver for coinage at a price that is available to the Treasury. Is that not correct?

Mr. BIBLE. The record is very clear that we are in short supply so far as silver is concerned. I do not know the exact amount. It is very well detailed in the report. But whereas world consumption is something like 330 million ounces a year, actual production is something like 250 million ounces. There is an imbalance of something like 80 million ounces a year as between consumption and supply on a worldwide basis. So we are in short supply with respect to silver.

Mr. MOSS. We import silver at this time.

Mr. BIBLE. We have to, because we produce so little of it domestically. That is correct.

Mr. MOSS. But if the price were to remain at $1.29, or go up a little, it might become profitable to mine silver again in our Western States, or it might permit the mining of other metals of which silver forms a reasonable part, and therefore some silver could be produced in certain areas. Is that correct?

Mr. BIBLE. I could not agree more with the Senator from Utah. The stockholders' reports of some of these mining companies provide fruitful information. Likewise, the stockholders' reports of users provide fruitful information. Every study of the stockholders' reports of the producing mines shows that with the price going from 90½ cents, to $1, to $1.05, to $1.10, to $1.20, and now almost up to $1.28, we might very well be approaching the day when more operations would be encouraged. It means more money for the producer, and he is better able to stay in business. The stockholders' reports reflect this fact.

In my own State of Nevada, I have been told by people in whom I have considerable confidence that even as to those mines that are solely silver producers, when the price goes up to $1.38, or in that area, it will bring more mines into production. We hope for that. We think that is good. It will give us an opportunity to correct the domestic supply, which we need to do, because we are dependent on foreign sources for our supplies. It would mean employment and thriving industries in areas of the West. So every increase of 1 cent in the price of silver helps the mine producer, and that is as it should be.

Mr. MOSS. And this will mean much not only to the silver mines, but to mines which produce other metals associated with silver, such as lead and zinc in my State. In my State the lead and zinc mines have been closing down to the point where there is only one operating now. But with the price of silver going up, the margin is close to the point where these mines may be opened again.

So, rather than arrest this price increase by the device which the bill would employ, we should look forward to the time when the price of silver, finding its level, will encourage production. In addition to the production of the commodity itself, there would also be an economic stimulus in our Western communities and States.

Mr. BIBLE. It would certainly help the mines that have silver as a part of their production; and that includes the lead and zinc mines.

Now I wish to continue with my statement.

I know that history records that nations which have no metallic backing behind their money have inflation at the wink of an eye and their citizens do not know from one day to the next what the value of their currency is worth. Brazil is an excellent example.

I want the dollar to be worth a dollar. I want it to have a metallic backing which is intrinsic and cherished throughout the world—even in face of a managed currency, and we must be objective—that is exactly what we have, a managed currency, to the extent that it can be managed.

I think the management practices in recent years with regard to our silver stocks have been deplorable. It was evident to many of us, back in 1959, that a run was being made by six or seven of the large silver users, when figures were made available showing just who was securing our Treasury supplies of silver at 90.5 cents per ounce. There was no law forbidding this practice, but the administration at that time could have taken steps to stop the outflow of silver stocks, just as President Kennedy did on November 28, 1961.

In that time the stocks had deteriorated to something like 30 million ounces of free silver.

I commend the Senator from Idaho for the leadership he took in having the sale of free silver stopped. Personally, I thought the sale should have been stopped at an earlier date. If it had been, we would not have the problem we have today. In any event, it was stopped.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. CHURCH. I appreciate the Senator's remarks and his help, at that time, as we tried to get the Treasury to stop its sale of free silver. The President issued the stop order in November 1961, but only after the supply of free silver had dropped to the point where it was nearly exhausted.

Does not the Senator agree with me that the same policy that the Treasury followed during the months before November of 1961; namely, of selling free silver into the open market, in order to peg the price of silver at a level of 90½ cents an ounce, is exactly the policy that would be open to the Treasury to follow upon the enactment of this legislation; that is to say, when the price rises above $1.29, the present monetary value, the bill would enable the Treasury to commence selling whatever excess silver may be available in the Treasury, freed from the exchange of silver certificates for Federal Reserve notes, and this will keep the price at $1.29 an ounce until its supplies are exhausted; and as unfortunate as the policy was in the months before November 1961, it is a little difficult for me to understand why we are now about to pass legislation which will clear the way for the Treasury again to pursue the same kind of policy.

As the Senator well knows, I intend to offer an amendment to the bill which would close this door to the Treasury, and hold the silver supply for our future coinage needs and for other public purposes, thus serving the public interest, while letting the price of silver be determined in the free market, where it belongs.

I hope our past experience will suffice to demonstrate the wisdom of such a course of action and that the proposed legislation now before the Senate will be amended in this way.

Mr. BIBLE. I appreciate the observation of the Senator from Idaho. I thoroughly agree with him. One of the real concerns I have about the bill—and the statements that have been made—is that if this matter was managed so badly in the past 5 or 6 years, how can we hope for better management in the years ahead? That is why I commend the Senator from Idaho for the amendment which he will offer, and of which I am a cosponsor. I will support it enthusiastically.

I should like to hurry along and complete my statement because I realize many other Senators wish to be heard on this subject.

The point is constantly made that there is great urgency for this legislation. I do not believe that the facts bear out that statement or claim.

The world production of silver, it is said, will not meet our expanded industrial needs, our coinage and our defense needs. It is short approximately by 100 million ounces per year. I wonder if some have not already started hoarding silver, awaiting the day that they can exchange the silver certificate for silver at the monetary figure of 1.2929—knowing and praying that silver will continue to be held in high esteem and that nations of the world will be using more and more silver as time goes on. Silver dollars held by anyone would then become profitable to melt down or sell on the open market once the monetary value is pierced.

There is not the urgency for this legislation which is so stated. The Secretary of the Treasury has already stated he can, by redeeming $5 and $10 silver certificates, keep our coinage requirements ample for several years.

There exists a greater—much greater—emergency, than existed 8 years ago, for the price of silver today is approximately 1.28 per ounce, near our monetary standard set for the dollar in 1792.

This urgency could have been met by raising the monetary value, if the Secretary of the Treasury believes that our coins would soon be melted down should the price exceed the monetary standard. The original figure of 1.2929 has stood for many years and perhaps there existed a sentimental attitude that this figure should not be changed. Some would say it would be an act devaluing our dollar—or an inflationary act of our Government.

Nevertheless, the figure was originally set on a basis when bimetallism was popular and it was believed that the ratio of 15 to 1 for silver and gold was a good figure. The history, as many of you know, dates back to Sir Isaac Newton, long before our Government took such action. Since 1792 the figure has stood; and to my knowledge the Treasury has not recommended such action be taken to raise the monetary standard.

Now we are faced with issuing Federal Reserve notes and calling in our silver certificates. The Treasury and Federal Reserve sees no danger in this action; except to point out that sooner or later we will be faced with another problem and that is subsidiary coinage; when the price of silver rises to 1.38 per ounce we can then melt down our dimes and quarters and should the price go higher, a profit can be made.

I believe that if we pass this legislation in its present form we will deplete our valuable silver stocks and the subsidiary coinage problem will be a problem which this body will have to meet much faster than is now predicted.

We will cause a drain on our gold supplies to the extent of a half billion dollars and we will issue Federal Reserve paper notes, with 25 percent backing in gold but neither you nor I, nor anyone else, can obtain that gold in exchange for a Federal Reserve note. It must be retained in our Treasury. This will not be the case with silver if we do not take action to amend the present bill.

It has been said that the United States, as great a nation as it is, cannot afford not to redeem its silver certificates and I agree. I do not agree that the Secretary of the Treasury should be permitted to sell silver bullion once the market price of silver goes beyond 1.2929 per ounce.

With the Federal Reserve backing the replaced silver certificates with 25 percent gold—an additional burden which does not now exist will be thrust on our citizens and taxpayers and that will be to assist in carrying interest charges on 1.3 billion new Federal Reserve notes to the extent of 75 percent which will be in the form of bonds or paper required for the Federal Reserve to make up the difference in the 75 percent value of the newly created $1 Federal Reserve notes. These annual interest charges on 75 percent of the collateral which the Federal Reserve must hold to back up the replaced silver certificates has been calculated at the rate of $45 to $50 million per year. This figure was given at the Senate hearing by a competent authority and, to my knowledge, was not questioned.

In addition, the Chairman of the Federal Reserve testified in the hearings 8 years ago that it cost the Federal Reserve approximately 5 percent annually to keep a Federal Reserve note in circulation. This would mean an additional interest cost of $75 million annually. By contrast, the present silver bullion backing costs only storage charges and a small printing charge of some $8 or $9 million yearly.

Our balance-of-payments problem is a troublesome one, and we need to correct this problem. Our outflow of gold is interrelated to the balance of payments and is also a troublesome problem. Our national debt, increasing annually, and our interest charges—now over $10 billion annually—are all problems which we must face. They are problems of the greatest magnitude and I know our President and Members of this body are concerned with all of these related problems. We have a difference in opinion as to how to correct some of them. This is natural and to be expected.

I believe that we must now face up to the fact that the Silver Purchase Act is outmoded. I believe that we may have to issue Federal Reserve notes and replace our silver certificates; but I cannot go along with those who would take away our gold backing from our managed currency—the Federal Reserve notes—as has been proposed year after year in the Congress.

I cannot be a party to adding to our outflow of gold by a half billion dollars and throwing in for good measure our valued silver stocks. I suggest at this late date that there is still time for debate on this subject—still time to correct the legislation before us—still time to improve upon its content.

I hope that other Members of this body will join me in requesting a more thorough study of how this legislation is a part and parcel of our fiscal policy and not just a monetary problem which can be resolved in such an easy fashion as outlined in the present legislation.

I submit that this legislation can be improved. It can be improved on the floor of this Senate and it should be improved.

We could not begin to pay off our foreign obligations should foreign nations choose to call for our gold stocks. Our gold stocks, low as they are—slightly over $15 billion—could evaporate tomorrow if foreign nations lose faith in our dollar.

We cannot now afford to dissipate our silver stocks as small as they may be in relation to our money supply. The silver bullion in our Treasury vaults is a valuable asset. It has proven so many times in the past—in times of war when friendly nations called upon our supplies to use in coinage—to bolster their currency and meet their industrial needs.

With silver becoming more valuable day by day we cannot afford to permit legislation to pass this body which will cost the taxpayer more money in interest charges; which is inflationary and which will ultimately deplete our Treasury of its silver. The least we can do is keep it and protect it for use in meeting our growing coinage needs and for use in our defense, where it has become a valuable metal. This can be done and should be done and it can be accomplished very simply in the legislation.

Mr. President, the proposed legislation is sorely in need of amendment and, as I have previously indicated, I am happy to be a cosponsor and will energetically and enthusiastically support the amendment of the distinguished senior Senator from Idaho [Mr. CHURCH].

Mr. ALLOTT. Mr. President, I know the distinguished Senator from Idaho has been waiting to take the floor, and he has been waiting for a long time. I would like to ask him to let me speak for not more than 5 minutes, in order that I may attend a committee meeting at 3 o'clock this afternoon.

Mr. President, in a frantic effort to persuade the farmers of this country to vote yes in the referendum, the administration literally rammed through feed grain legislation. It passed the Senate last Friday and was signed into law on Monday. Speed was the criterion and in the haste to get the law on the books, the feed grain bill was passed in spite of a patent defect; namely, the reference to a nonexistent section. This is unwise legislating.

I am fearful that today there is a repetition of this hasty process in the consideration of H.R. 5389, at least insofar as section 3 of title I is concerned. This is the controversial section which would amend the Federal Reserve Act so as to authorize the issuance of Federal Reserve notes in denominations of $1 and $2.

I have looked at the rather short hearings that were held on the bill, which in my opinion involves more critical areas than any bill that we have considered for a long time. It not only involves our trade agreements and our trade with foreign countries, but also involves inflation, our gold reserves, the relation between silver and gold, and the wealth and prosperity of the entire West. No other bill that has come before us has covered so many fields.

The Treasury indicates that it now has an adequate supply of silver for coinage purposes to last until sometime in 1965. This is probably an estimate on the modest side.

What is of greatest concern to me is the fact that this may be a step along the way toward devaluation of our currency.

Several Senators have mentioned this point, including the senior Senator from Idaho and the senior Senator from Nevada. We have had assurances from Secretary Dillon to the contrary, but it appears to me that this section 3 of the bill deserves a great deal more study. I am in accord with the thinking expressed by the Western Governors in a resolution they adopted on April 22, 1963, which states:

> (3) That proposals to authorize the issuance of $1.00 Federal Reserve notes be rejected until such time as a thorough study has been made of the entire silver situation by Congress and the Treasury Department.

No complete study of the silver and gold situation has been made by Congress for a long time, that I am aware of.

Every piece of legislation relating to silver or gold has been immediately referred to the Banking and Currency Committee. I have introduced a number of bills over the past few years, and they have all been referred to the committee. I have never been able to obtain a hearing on any of those bills.

It seems to me that if it is proposed to have hearings they should be held.

One of the arguments offered by Treasury in support of section 3 is that our current stocks of silver will soon be inadequate to meet coinage needs, and that when current stocks are exhausted the United States will have to buy silver in the open market. Since the United States produces an insufficient quantity, this means that purchases will have to be made abroad. The result, according to Treasury spokesmen, would have an adverse effect on our balance of payments. This would not be the case, however, if greater attention were paid to our balance of trade. Our balance of payments is really a twofold problem consisting of first, gold input versus outflow; and second, balance of trade. The latter is the key factor. If the factors which make up the balance of trade were favorable to the United States, we would not be experiencing the current drain on our gold supply. In other words, two wrongs do not make a right. I referred to this point in my comments a few moments ago.

Before we plunge into an area of great uncertainty, it seems to me that greater consideration should be given the entire subject. In this connection, an editorial published in the Mining Record for March 28, 1963, casts a very disapproving view on the Treasury proposal. I ask unanimous consent that the editorial be printed at this point in my remarks.

There being no objection the editorial was ordered to be printed in the Record, as follows:

SEQUENCE OF INFLATION

The Secretary of the Treasury is now asking Congress for legislation providing that silver certificates be discontinued and the Federal Reserve banks be authorized to issue, $1, $2, and $5 Federal Reserve notes to replace such silver certificates. This, of course, comes as no news to the readers of this paper. Under the existing laws these Federal Reserve notes are presumed to have a 25 percent gold reserve. In law that is called rebuttable presumption. Right now, our National Government is several billion dollars short of having enough gold to meet all its short term liabilities without allowing any gold reserve for Federal Reserve notes. To a private individual that would mean bankruptcy, but it seems to be a matter of small moment in Washington.

So, what next? Well, one of these days the U.S. Treasury will point out that we really do not need a 25 percent gold reserve because the American people cannot own gold anyhow. The Treasury will also resume selling silver to silver users, because after all the world production of silver is less than the consumption of silver by some 150 million ounces, annually, and silversmiths and silver users must be accommodated.

When that happens, our Government will have but two alternatives: (1) It can meet those demands for payment in gold as long as the gold reserve lasts, or (2) the Government can refuse to make further payments in gold. In either event, the result will be the same. The moment this Nation ceases paying in gold, either voluntarily or because it has no gold left, the purchasing power of the Federal Reserve paper dollar will start plummeting downward. The purchases we make overseas will begin costing two and three times as many paper dollars as they now cost, when these paper dollars spent overseas can still be redeemed in gold at the lowest world price of $35 an ounce. When the buying power of these paper dollars drops that way, it will require more paper dollars with which to buy military supplies or pay rent, or other costs and, in turn, that means our printing presses will have to print three times as much paper money as now. From there on, prices in terms of paper dollars will rise rapidly.

That situation is not new in this country. It happened to the same kind of paper money the Continental Congress issued before the U.S. Constitution was adopted. That is why the Constitution of the United States refers only to gold and silver and speaks of coining money and silver and gold coins. Nowhere does it mention paper money. The writers of our Federal Constitution had experience with paper money. They knew it became worth less and less. Whether it be called shinplasters, continentals, greenbacks, or Federal Reserve notes, the result is inflation.

Unfortunately, it seems our bureaucrats in Washington must learn the lessons of history all over again. This acute inflation is coming. We do not know when it will hit, but if you want to avoid the effects of it—if you want to have inflation-proof money, you can have it. Simply lay in a supply of silver money—quarters, dimes, and half dollars. Even in an acute inflation these silver coins will still buy food and the necessities of life, while the holders of paper money are finding it takes scads of paper dollars to buy even a loaf of bread.

An acute inflation will last only 1 or 2 months. But in that time you can starve. And if you are not prepared for that inflation, you will find yourselves selling heirlooms and all manner of personal property, even wedding rings, just to buy one single meal. But even in an inflation a silver dollar will still buy its worth in food.

How will it end? Well, Congress will legislate a new monetary system, and each unit of that system will by law be made exchangeable for so many hundreds or thousands or even millions of paper dollars. All debts will be wiped out, including those owed by the U.S. Government. But we will bet one sure thing will happen. The new money will be gold and silver—hard cold cash.

Again, the Treasury cannot let the price of silver go above its coinage rate of $1.29 an ounce for dollars, or $1.38 an ounce for subsidiary coins. If it did, it would be profitable to melt the silver coins and sell the silver. So, to keep the price of silver below its coinage price the Treasury will again start selling silver. Somewhere along the line, the Treasury will also ask for authority to melt its "excess" silver dollars on the ground that they are unnecessary and the silver is needed elsewhere. All this will eventually lead to the situation where we have neither gold nor silver bullion as reserves to support the paper currency.

Then, too, some time in the not too distant future one or more of the foreign nations which owns short-term liabilities of this country, which are payable in gold (and these liabilities now exceed $20 billion), will become fearful of our ability to pay their claims in gold and so demand immediate payment in gold. The wonder is that they haven't done so already.

Mr. ALLOTT. Mr. President, in my judgment, the remainder of H.R. 5389 is needless legislation, with the exception, however, of the amendments which the distinguished senior Senator from Idaho and other distinguished Senators propose to offer. I believe that both of those amendments have very great merit, and I shall support them. However, I cannot support the bill so long as section 3 remains in it. It seems to me that this is one question upon which the Senate should have an opportunity to make a complete and open record. We of the West and others who believe that the bill would actually be a step toward inflation—that is, a step damaging to our gold reserves—would like to have our votes spread on the Record, for the country to see.

Colorado has a vital stake in the proposed legislation. In the period from 1858 to 1959 Colorado mines produced $598,714,121 worth of silver. In recent years, there has been a decline to a point where in 1962 Colorado mines produced 2,025,825 troy ounces, and so far this year approximately 399,523 troy ounces.

In other words, let us not legislate in haste; it may be exceedingly difficult to undo what is being done here today.

I reemphasize that the effect upon our country and our economy may be of very long duration.

Mr. CHURCH. Mr. President, I wholeheartedly agree with the views of the distinguished senior Senator from Colorado. He has pointed out the basic danger in the bill and the basic reason why I, personally, shall vote against its passage. I hope that it may be possible to amend the bill, so as to make it satisfactory; however, I am not sanguine as to the prospect for doing so. Nevertheless, I think the effort should be made. Therefore, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 2, it is proposed to strike out line 3 and capitalize the first word of line 4.

Mr. CHURCH. Mr. President, on page 2 of the bill, the amendment would strike line 3 and begin a new sentence with the first word of line 4. The sentence would then read:

> The Secretary of the Treasury shall not dispose of any silver held or owned by the United States in excess of that required to be held as reserves against outstanding silver certificates, but any such excess silver may be sold to other departments and agencies of the Government or used for the coinage of standard silver dollars and subsidiary silver coins.

The part to be stricken is the clause which precedes the sentence which I have just quoted from the printed bill, and which appears on line 3, page 2, as follows:

> Unless the market price of silver exceeds its monetary value,

The effect of the amendment would be to deprive the Secretary of the Treasury of authority, otherwise reserved to him under the bill, to sell silver to private purchasers at a price higher than its monetary value.

I wish to point up the second paragraph of the general statement on page 1 of the committee report, which reads as follows:

> H.R. 5389 would take the Government out of the silver market. It would permit a free silver market, not restricted by prohibitive

> transfer taxes, and neither supported by Government purchases (at least for many years) nor depressed by Government sales.

I wholly agree with that objective. But the footnote at the bottom of page 1 of the report explains that the objective would not be fully achieved by the proposed legislation. The purpose of my amendment is to make the legislation serve the stated objective. I read the footnote:

> The fact that the holders of the $1.8 billion of silver certificates now in circulation could present them at the Treasury and demand silver in exchange at the monetary value of $1.29-plus an ounce (established by the act of January 18, 1837 (5 Stat. 137), which prescribed the weight and alloy of the dollar, so as to call for 371.25 grains of fine or pure silver in a standard silver dollar) would keep the market price from rising much above that figure. To that extent the silver market would not be completely free. But there is no way to avoid this except by dishonoring the Government's pledge to exchange silver certificates for silver.

Mr. President, I disagree with the accuracy of that footnote. No one suggests that the Government's pledge to exchange silver certificates for silver be dishonored. Nor does the reservation of authority to sell silver into the market at a price higher than its monetary value bear directly on this question. If there is a run on the Treasury's silver there is no defense so long as silver certificates are outstanding. The Treasury can yield up its silver in exchange for the certificates, or it can sell silver in the open market; but in order to free silver for sale, in excess of the reserves required to cover outstanding certificates, it will first have to retire an equivalent value of certificates. This is true because the Treasury's reserves of free silver are not now significant, amounting to only some 30 million ounces, and because the Treasury must always hold in reserve enough silver to back, at the full monetary value, whatever silver certificates are outstanding.

I suggest, however, that there is a way to bring about a genuinely free market in silver. The first step is to prohibit the Treasury from selling into the open market silver freed by the retirement of certificates. My amendment would do this.

The second step is for the Treasury to retire the certificates outstanding while the market price of silver remains below its monetary value. This would require, in order that a sufficient quantity of small denomination currency remain in circulation, that the Federal Reserve make up for the retirement by exercising the authority, granted to it by the bill, to issue Federal Reserve notes in these denominations, backed by gold and securities of the Reserve system.

Since the Treasury seems determined to retire the certificates backed by 1.8 billion ounces of silver, and has won the endorsement of the committee for this course of action, common sense requires that this substantial amount of silver be conserved for future coinage requirements, rather than be dissipated into the market in a costly, and ultimately vain, effort to keep the price of silver pegged at $1.29 an ounce.

Secretary Dillon testified that free world production of silver is now running about 200 million ounces a year; consumption is around 350-million ounces. Since 1961, when the Treasury finally stopped selling silver at 90½ cents an ounce, the price has risen more than 40 percent. In 1959, 1960, and 1961, the Treasury sold, for 90½ cents an ounce, some 110-million ounces of silver. If this silver had not been sold into the open market, it would now be worth something more than $41-million over and above what the Treasury received for it. Now the Treasury proposes to stabilize the price of silver, in the face of the supply-demand factors which would surely cause it to go higher, at $1.29, and specifically reserves, in the bill now before us, authority to sell silver into the open market as soon as it goes above that price.

Mr. President, I objected, in 1960 and 1961, to the Treasury's policy of squandering its supplies of free silver by voluntarily selling at a price which artificially depressed the market. That practice was finally stopped. But, Mr. President, I may say that it was not stopped until the President issued a stop order. Now the Treasury has made perfectly clear, in the hearings on this bill, its intention to stabilize the price of silver, for as long as possible, at or near $1.29 an ounce, by overhanging the market with more than 1.8 billion ounces to be made available for sale by the retirement of silver certificates.

I ask why? Why should the Treasury have sold, in the years immediately preceding the President's stop order issued in 1961, 110 million ounces of silver, now worth $1.28 an ounce at 90½ cents an ounce? Why should it now propose to sell silver, in a rising market, with consumption outrunning supply by 150 million ounces a year, the minute the price rises above $1.29? There is no answer, Mr. President, except that the Treasury intends to continue its policy of subsidizing a few industrial and commercial purchasers of silver at the taxpayer's expense. I protest this giveaway of an immense asset owned and paid for by the people of the United States, for the benefit of the few who would be placed in a privileged position by the policies of the Treasury.

The only policy which would be fair to the taxpayers, who own this silver, and which would serve the public interest, is the one called for by my amendment. Let the Treasury forgo its requested authority to sell silver into the market. Let the Treasury defend itself against a run on silver certificates by retiring them promptly, while they are still worth less as silver than they are as currency, holding the present stocks of bullion for future coinage requirements.

If this is done, the price of silver will rise gradually, until market forces bring about a balance of supply and demand. Meanwhile, both producers and consumers will have an opportunity to adjust to these factors, as they should in a free-market economy. If it is not done, the price of silver will be artificially stabilized, at the public's expense, for a number of years—perhaps 10, perhaps only 8 or 6 or fewer still. At the end of that time, the Treasury's excess silver will have been exhausted. The price will then rise abruptly. There will be no recourse but to make drastic adjustments in the monetary value of silver, or to abandon silver coinage, and every ounce of silver sold in the intervening period will represent an unjustifiable giveway of a valuable asset owned by the people of the United States.

Mr. President, for these reasons, and by virtue of the experience we had only 2 years ago, when the Treasury persisted in a policy similar to the one authorized in the pending legislation, I believe this amendment should be adopted; and I urge that the Senate act favorably upon it.

Mr. ROBERTSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McGovern in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, I am opposed to the amendment offered by the distinguished Senator from Idaho [Mr. Church]. I think it would have no practical value but might well lead to confusion. I see no reason why we should go to conference with the House over this proposal.

The reported bill prohibits the Treasury from selling silver on the market unless the market value is above the monetary value of silver—$1.29 an ounce—except for sales to other government agencies. The Senator's amendment would prohibit sales of silver by the Treasury on the market even when the market price is above its monetary value.

I understand that the provision which this amendment would change—the second sentence of section 2—was inserted at the request of the silver producers in order to make sure, by a prohibition embedded in the statute, that the Government could not continue to depress market prices below the monetary value of silver by sales in the market at prices below $1.29, as was done up to November 28, 1961. It is interesting to note that this provision was not in S. 2885, 87th Congress, the administration bill, which I introduced by request last year, but it was, I understand, inserted this year at the request of the silver producers for their protection, and it was accepted by the House and by the Senate Banking and Currency Committee on the understanding that it was designed to protect the producers.

I think the amendment would be meaningless for all practical purposes. The footnote on the front page of the committee report points out that the market price of silver cannot rise substantially above $1.29 an ounce as long as there are silver certificates in circulation which can be presented to the Treasury in exchange for 371.25 grains of fine or pure silver, either in bullion or silver dollars. What citizen, what businessman, would pay substantially more than $1.29 an ounce for silver, either to the Treasury or on the market, if he could get it from the Treasury for $1.29 an ounce by presenting silver certificates?

It is true that it may be inconvenient to get silver from the Treasury, if the Treasury puts the holder to the trouble of coming to Washington to get it in his own armored truck, but even this expense would not be so great as to warrant a substantial rise in prices above the monetary value. And, of course, while the Treasury is not required by law to exchange silver for silver certificates anywhere else but at the Treasury, it may, as it now does, supply silver dollars through the Federal Reserve banks and commercial banks for the convenience of people who want silver dollars.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. It seems to me that the amendment offered by the Senator from Idaho, first, would cause confusion in the way the bill would read without the language which the Senator would strike out; and secondly, and most important, would permit the Secretary of the Treasury to sell silver or to dispose of silver to other departments of the Government at any price he saw fit.

Mr. ROBERTSON. The Senator is correct.

Mr. SALTONSTALL. Therefore, it would not protect the producers of silver, which, under the terms of the bill, could be sold to other departments only when the price of silver was in excess of $1.29 an ounce.

Mr. ROBERTSON. The amendment is not needed to protect silver producers. As I have pointed out already, we put in the bill the restriction recommended by the smelters and producers, which was that the Treasury silver could not be sold on the open market until the price went to $1.29 an ounce, when it would become theoretically profitable to melt down silver dollars for the silver in the dollars.

But the amendment really would not protect the producers in any practical way because, as I said, and as the Senator from Massachusetts has pointed out, so long as there are outstanding silver certificates and so long as the United States honors what is printed on them—and I cannot imagine our Government repudiating the promise that those are redeemable in so many grains of pure silver—who would go to Idaho or somewhere else to buy silver at more than $1.29 an ounce, when he could get silver at that price in exchange for silver certificates?

The amendment would only complicate the bill and leave things in doubt as to what could be done under the other section of the bill about the redemption of silver certificates, if the Senate should agree to the amendment. Also the Senate would have to go to conference with the House. I think we would be in a very weak position, in view of the fact that the House amended the bill at the request of the silver producers, and at that time satisfactorily so. Now, after the House has acted by a roll call vote, and after the Senate committee has acted, an additional request is made, to the effect that, "We are still not satisfied. We want to amend it further."

Mr. SALTONSTALL. Which would merely cause confusion in this industry.

Mr. ROBERTSON. Shortly I shall read a letter from the distinguished Secretary of the Treasury, in which he says that the amendment would have no practical value but would lead to confusion, that the amendment is quite unnecessary, and that he hopes the Senate will not agree to it.

Mr. President, I want to repeat and to emphasize what we said in the committee report, that since the price of silver cannot rise appreciably above $1.29 as long as there are silver certificates outstanding, the amendment would have no practical effect.

In my judgment, the amendment would also be confusing. It would prohibit sales of silver by the Treasury when the market price exceeds the monetary value however little the overage. It seems to me the public might well think this repealed the right of holders of silver certificates to get silver from the Treasury.

I think this is not the intention of the amendment, and I would hope that it would not be so interpreted. Nevertheless, it seems to me that people could easily believe that a prohibition on sales of silver at anything over the monetary value would prohibit the exchange of a $1 silver certificate for anything over $1 worth of silver. I think most economists and lawyers would consider this transaction a sale, a sort of put or call contract. I am sure it is not the intention of the Senator from Idaho in proposing his amendment to dishonor the Government's pledge which is printed on every silver certificate, but it seems to me the amendment would lead to a great deal of confusion and misunderstanding.

We are considering H.R. 5389, a bill reported from the House Banking and Currency Committee and passed by the House on a roll call vote. The Senate Banking and Currency Committee reached the conclusion that the bill in its present form was satisfactory. I should be reluctant to have the Senate adopt an amendment and ask the House to go to conference on the amendment when we could not demonstrate that the amendment would have any substantial effect and when the amendment itself would surely cause confusion and uncertainty in the public mind.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. I believe there is a sufficient number of Senators in the Chamber to have the yeas and nays ordered.

Mr. ROBERTSON. Mr. President, I yield to the Senator from Massachusetts with the understanding that I shall not lose my right to the floor, for a request to have the yeas and nays ordered on the Church amendment.

Mr. SALTONSTALL. Mr. President, I ask for the yeas and nays on the Church amendment.

The yeas and nays were ordered.

Mr. ROBERTSON. Mr. President, Secretary Dillon has written me a letter expressing his opposition to the amendment. I should like to read this letter into the RECORD at this point. It is dated May 22, 1963:

> DEAR SENATOR ROBERTSON: In answer to your inquiry, I would be opposed to an amendment of H.R. 5389, the administration's silver bill, which would prohibit the Government from selling silver.

That is what the amendment would do, regardless of how high the price of silver might go.

> Such an amendment is unnecessary and would be meaningless in view of the obligation of the Treasury to redeem silver certificates in silver on demand at the monetary value of $1.29-plus per ounce. In the light of this obligation, which as you know is contained both in the present law and would be continued in the bill now pending before the Senate, it is hard to see why silver purchasers would be willing to pay in excess of the monetary price for silver either from the Treasury or in the market. The principal danger of such an amendment would be that it could raise a question in the public mind of whether it was in conflict with the obligation to redeem silver at $1.29-plus per ounce.

I add that the price of silver must go to a fraction more than $1.29 an ounce for the silver which is in a silver dollar to be worth more than $1.

The Secretary also said:

> I feel this confusion could arise from the apparent contradiction between the obligation to redeem and a prohibition against sale.
>
> Since an amendment of this kind is unnecessary and could be mischievous in the way I have indicated, I hope that it will not be favorably considered by the Senate.
>
> Sincerely yours,
>
> DOUGLAS DILLON.

Mr. President, on the basis of the action taken by the House and the action taken by the Senate committee—and the failure up to this time of anybody from a silver-producing State to outline the inadequacy of the provision now in the bill which was adopted at the request of the producers, merely to prohibit sales unless the price went above $1.29 an ounce plus—I hope the amendment will not be agreed to, and that the Senate will vote for the bill as passed by the House, so that it will not be necessary to have a conference and that we can conclude our consideration of the proposed legislation. If that course is followed, the bill will go to the President, where it will be signed because, after all, it is the President's bill. I have introduced the bill by request, but I endorse it. I think it is a good bill.

I yield now to the Senator from Rhode Island [Mr. PASTORE].

Mr. PASTORE. Mr. President, I want to associate myself with everything the Senator from Virginia has said. This bill is in the public interest. This job needs to be done. Unless we pass the bill, we shall be in serious trouble. The United States will be compelled to go on the open market to buy silver at a very inflated price. It will increase the problem of our balance of payments.

I hope the bill will be passed intact. It is an administration bill. I take this occasion to congratulate my good friend from Virginia, who has done an exemplary and splendid job on this legislation.

Mr. ROBERTSON. I thank my friend from Rhode Island. I recall that on Tuesday I said, with respect to the current shortage of sugar, that it was easier to increase the price of sugar than it was to increase the supply of silver; and we are now consuming one-third more than is being produced. Because some of the candy manufacturers are being hurt, I took occasion to say what the present increase in price from 6 cents to 12 cents a pound in sugar would cost the consumers in this Nation. I find that it is estimated that our consumption will be 10 million short tons. On that basis a 6-cent increase would cost $1.2 billion. That just shows how, when inflation gets behind something in short supply, it quickly amounts to big money.

As the Senator from Rhode Island pointed out, we must protect our coinage. We have the opportunity to do so by freeing the silver certificates and letting them be replaced by Federal Treasury Notes with 25 percent gold backing, and the rest backed by the collateral of Government bonds, and reserving that silver both for coins and for essential uses, like batteries for submarines.

Mr. BIBLE. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. Gladly.

Mr. BIBLE. The report of the committee of which the gracious and distinguished Senator from Virginia is the chairman contains this language under the general statement:

> It would prohibit the Government from selling silver, restricting the use of free silver to coinage and sale to other Government agencies, unless the market price exceeded the monetary value.

My understanding of the position in which we find ourselves at this very moment is that there is still approximately $1.8 billion outstanding in silver certificates.

Mr. ROBERTSON. That is correct.

Mr. BIBLE. And I am certain that the senior Senator from Idaho has no intention of having the U.S. Government repudiate its pledge to redeem those silver certificates.

Mr. ROBERTSON. That is correct.

Mr. BIBLE. I am certain that the senior Senator from Idaho has no intention of having the U.S. Government repudiate its pledge to redeem silver certificates.

Mr. ROBERTSON. I said so in my remarks.

Mr. BIBLE. In other words, those of us who have been discussing the situation today are in thorough agreement, that if the holders of the $1.8 billion of silver certificates took that amount of silver certificates to the Treasury or the Federal Reserve banks, they could receive in exchange $1.8 billion in either silver dollars or bullion.

As I understand the position of the Senator from Virginia, this particular sentence would apply only in the event that the price went beyond $1.2929 per ounce.

Mr. ROBERTSON. That is correct.

Mr. BIBLE. This would apply to how much silver?

Mr. ROBERTSON. We have no way of knowing; but I have just said it is not reasonable to assume that, while we have silver certificates outstanding which are redeemable at $1.29-plus, anybody will go to an Idaho mining company and pay $1.35 for silver. In other words, this supply would stabilize the price for a while.

Mr. BIBLE. I am clear about the statement so far as concerns the silver behind the silver certificates. In what instances can the Treasury sell silver which is not back of the silver certificates?

Mr. ROBERTSON. Will the Senator restate that question?

Mr. BIBLE. There are $1.8 billion worth of silver certificates backed up by an equivalent amount of silver.

Mr. ROBERTSON. That is correct.

Mr. BIBLE. As to that particular amount of silver certificates, I think it is conceded that the pledge of the U.S. Government will be honored; and if those certificates are presented, they will be honored either by payment of coin or silver bullion.

Mr. ROBERTSON That is true.

Mr. BIBLE. That being true, what silver can the Treasury sell?

Mr. ROBERTSON. There are outstanding now about $398,800,000 in silver coins, 10 cent, 25 cent, 50 cent, and $1 pieces. Those silver coins will still be in existence, but all of the current backing of the $1.8 billion silver certificates will be withdrawn and be made available to the Government over a period of perhaps 12, 16, or 18 years, to back our monetary demand, plus the essential needs of our own Government agencies for silver, as in the case of batteries for submarines, which metal is much better than any other metal we can get for that purpose.

Mr. BIBLE. In my considered judgment, one of the parts of this problem has been the sale of free silver by the Treasury in the past, particularly up to November 1961. As I understand, the only amount of free silver still in the Treasury is 30 million ounces.

Is it the Senator's position that the Treasury can or cannot sell this free silver stock?

Mr. ROBERTSON. That stock is restricted, by the provisions that were agreed upon with the producers, to the backing of our currency and the use of our own Government agencies, unless, and until, the price goes beyond $1.29-plus.

Mr. BIBLE. I think I am very clear. We are talking about 30 million ounces of silver, but up to the price of $1.2929, the U.S. Treasury can use that silver only for coinage or sell it to Government agencies for their use. Is that correct?

Mr. ROBERTSON. And when the bill was before our committee and the House, the silver producers agreed that they were fully protected.

Mr. BIBLE. Whether they are or not—and I am frank that I do not know—up to the price of $1.2929, the Treasury can sell its stock of free silver only to the agencies or for coinage uses. Is that correct?

Mr. ROBERTSON. That is correct. The Treasury could use it for coinage, or could let other Government agencies use it. Otherwise, as the Senator from Rhode Island pointed out last Tuesday, the Treasury would have to go out and buy silver, and would have to pay dollars for it, and they would come back as a demand on our diminishing gold stocks.

Mr. BIBLE. I am clear on that point.

This market is very volatile, unusual, and rather fluctuating. If, by chance, the market price of silver went up to $1.3929 an ounce, which is 10 cents an ounce higher, is it the Senator's position, under the bill as now written, that the Secretary of the Treasury could sell the 30 million ounces if he wanted to?

Mr. ROBERTSON. The Secretary of the Treasury has recommended the bill. Therefore, the fear that he would take a little temporary profit from a quick sale and deprive us of silver that we need to have behind our silver coinage is not well founded. We have been assured that the purpose of the bill is to keep our reserve stock of silver, and get the advantage of it, whereas now it is piled up and drawing no interest, because we are not on a silver basis, but, rather, on a modified gold basis. We would merely put the silver certificates on the same basis.

Mr. BIBLE. I am happy to have the assurance from my distinguished friend from Virginia. If I understand his position correctly, is it that the silver now in the Treasury, whether it is in back of silver certificates or whether it is free silver, will in the future be used only to redeem silver certificates for coinage and the other necessary governmental uses; is that correct?

Mr. ROBERTSON. That goes a little beyond the testimony. We did not go into that point. I told the Senator what the purpose was. I told the Senator that so long as we had silver certificates to be redeemed and we had the silver with which to redeem them, it was not logical to assume that the price would go up to $1.35. I believe the Senator is propounding a hypothesis to me that is not based on a realistic concept of what the price might be.

Mr. BIBLE. The price of silver has been fluctuating widely, from 90½ cents, as the Senator knows, to $1.28.

Mr. ROBERTSON. That is correct.

Mr. BIBLE. Under the original Silver Purchase Acts.

Mr. ROBERTSON. Yes.

Mr. BIBLE. What I am trying to determine is whether it is the intention of the Banking and Currency Committee, in reporting the bill, to hold the silver in reserve for two general purposes, coinage and necessary governmental uses.

Mr. ROBERTSON. I have a letter from the Secretary of the Treasury, from which I will read again:

> Such an amendment is unnecessary and would be meaningless in view of the obligation of the Treasury to redeem silver certificates in silver on demand at the monetary value of $1.29-plus per ounce.

I assume that the mining companies believe that if we put the amendment in the bill something may happen to shoot the price above that level.

Mr. BIBLE. So far as I know, that is not the intention, and I am one of the sponsors. I know that the intent of the amendment is to make it crystal clear beyond peradventure of doubt that the silver which the Treasury holds today will be used for only two purposes, namely, coinage and governmental use.

Mr. ROBERTSON. I see in the Chamber the assistant majority leader. This is an administration bill. I yield to him to answer that question.

Mr. HUMPHREY. The Senator is extending a great compliment to me. We always look to the Senator from Virginia as the oracle in matters related to currency and banking, and also with respect to gold reserves and silver policy. However, I believe that the letter which the Senator has brought to our attention is definitive. I believe it has been entered in the RECORD.

Mr. ROBERTSON. It has been entered in the RECORD. I will risk my reputation to this extent: I do not believe there will be any finagling at the Treasury over this silver issue if the amendment is not adopted.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. HUMPHREY. It would be looked upon as a breach of faith on the part of the Treasury Department, in light of the explanations which have been given here, if any so-called finagling occurred. I cannot imagine the Secretary of the Treasury doing any such thing.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the Senator from Colorado, my colleague on the committee.

Mr. DOMINICK. I should like to propound a question to the Senator. Suppose the bill is passed and the Treasury Department exchanges $100 million worth of $1 silver certificates for Federal Reserve notes; so it would have $100 million worth of free silver in addition. Suppose that at that point the price of silver goes over $1.29. Under the terms in which the bill is now written, does not the Treasury Department have the power to sell the free silver on the public market at any price it wishes?

Mr. ROBERTSON. The answer is "Yes."

Mr. DOMINICK. So there are circumstances in which this free silver might be used for something other than coinage.

Mr. ROBERTSON. That is right in theory. But let me ask the Senator a question. How many would pay $1.40 for silver that they can get from the Treasury for $1.29 by turning in silver certificates? I fear that the Senator is fighting windmills.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. PASTORE. We must look at the other side of the coin. If we tie the hands of the Government with this kind of amendment, we actually peg by legislative fiat and constrict the supply of silver to the point where the market will run wild, unless we have this stabilizing force. When the market is calling for $1.29 an ounce, I hope no Secretary of the Treasury is going to sell the American public short and sell that silver for $1.20 an ounce. If the market knows that the Treasury has a certain number of ounces of silver tied up that it cannot dispose of except at a certain figure, what will that do to the market? It will make the market short in supply. It will skyrocket the price. We would stabilize the market for the benefit of the consumers of America.

That is the reason why I say the amendment should not be adopted, because psychologically it would hurt the silver market, and make the silver market speculative.

Mr. ROBERTSON. In that connection, I refer to what has happened to sugar. Today 500,000 more pounds of sugar are available than were available last year at this time. Nevertheless, the price of sugar has jumped up. It is because people are afraid that when the time for canning comes there will be a shortage of sugar. There is more sugar on hand now than ever before. There is no stabilizing influence. The canners and chain stores and other manufacturers are buying sugar and holding it against a possible shortage.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. GRUENING. Because the Senator has used the analogy of sugar, I ask, Who recommended the sugar bill? Whose bill was it?

Mr. ROBERTSON. I believe it was the Secretary of State.

Mr. GRUENING. It was an administration bill.

Mr. ROBERTSON. We asked him about it; and it was said that the sellers were asked why they did not deliver the sugar. He said that he sent a telegram, and he was told that under the law they could wait until December.

Mr. HUMPHREY. Before the vote, Mr. President, the distinguished Senator from Washington [Mr. MAGNUSON] is in New York today with the President. He had hoped to be here for the discussion of the pending amendment, but he has been unable to participate in the debate. He has made available to me a short statement on the Church amendment, and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MAGNUSON ON THE CHURCH AMENDMENT

There is no question that a new silver policy is urgently needed but it would seem that something is necessary beyond a temporary expedient. There is almost complete agreement that prompt repeal of the transactions tax is imperative so that trading in futures can assist in maintaining an orderly market. Beyond this point, however, there seems to be a wide difference of opinion.

Lack of foresight has brought on the current problem and it appears to me that now is the time to anticipate the threat to our coinage system. Although U.S. coinage needs are now being met from our monetary reserves, the tremendous increase in the minting of coins has several startling implications. According to Bureau of Mint reports, the amount of outstanding silver certificates was reduced by $122 million during the 14-month period from September 30, 1961, to November 30, 1962. In this same period subsidiary coinage in circulation was increased by $154 million and additional $41 million in silver dollars was moved out of the Treasury into the channels of trade. At least two mints have been stepped up to a 24-hour, 7-day operation.

Silver is being consumed at an astronomical rate in many end-use industries. Photography, of course, continues as the largest commercial consumer, accounting for approximately one-third of all industrial users. Silver is a most popular metal in our space program because the superior properties of this metal in thermal and electrical conductivity, malleability, reflectivity, and corrosion resistance make it most adaptable to the solution of problems in aerospace technology. Silver-cadmium and silver-zinc batteries is a new space use that is finding increasing application. Because these small units are unsurpassed in power output with relation to their weight they are in demand not only for space capsules and rockets but also for more conventional applications such as jet planes, submarines, and highly technical scientific instruments. With reference to the aerospace application it is interesting to note it involves either the complete dissipation of the metal or that its recovery for reuse is so expensive as to prohibit the attempt at salvage. Because of the new and increased use of silver, the gap between consumption and production, exclusive of coinage requirements, was in the range of 75 to 80 million ounces in 1962. We can only guess that the requirements of the future will be, but there is a strong indication that it will be vastly increased over present usage. These factors along with the burgeoning increase of coin-operated vending machines make it only too clear that we are quickly reaching the point where we will find ourselves in short supply of this precious metal. I support Senator CHURCH's amendment as I believe that if we allow our Treasury reserves to become dissipated—and this is likely to occur in less than 10 years—the market will inevitably move up to threaten our subsidiary coinage.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. CHURCH] and other Senators. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BEALL (when his name was called). On this vote I have a pair with the senior Senator from Washington [Mr. MAGNUSON]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. HUMPHREY (when his name was called). On this vote I have a pair with the majority leader, the senior Senator from Montana [Mr. MANSFIELD]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from West Virginia [Mr. Byrd], the Senator from California [Mr. Engle], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Montana [Mr. Mansfield], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Oregon [Mr. Morse], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from Texas [Mr. Yarborough] are absent on official business.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from West Virginia [Mr. Byrd], the Senator from California [Mr. Engle], and the Senator from Missouri [Mr. Long] would each vote "nay."

On this vote, the Senator from Alaska [Mr. Bartlett] is paired with the Senator from Massachusetts [Mr. Kennedy]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Wyoming [Mr. McGee] is paired with the Senator from Florida [Mr. Smathers]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Florida would vote "nay."

On this vote, the Senator from Oregon [Mr. Morse] is paired with the Senator from Georgia [Mr. Russell]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from Georgia would vote "nay."

On this vote the Senator from Montana [Mr. Metcalf] is paired with the Senator from Texas [Mr. Yarborough]. If present and voting, the Senator from Montana would vote "yea," and the Senator from Texas would vote "nay."

Mr. KUCHEL. I announce that the Senators from Kansas [Mr. Carlson and Mr. Pearson], the Senator from Hawaii [Mr. Fong], the Senator from Arizona [Mr. Goldwater], the Senator from New York [Mr. Javits], and the Senator from New Mexico [Mr. Mechem] are necessarily absent.

The Senator from Kentucky [Mr. Morton] is detained on official business.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from New York [Mr. Javits], the Senator from Kentucky [Mr. Morton], and the Senator from Kansas [Mr. Pearson] would each vote "nay."

On this vote, the Senator from New Mexico [Mr. Mechem] is paired with the Senator from Hawaii [Mr. Fong]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Hawaii would vote "nay."

The result was announced—yeas 24, nays 52, as follows:

[No. 92 Leg.]

YEAS—24

Allott
Bennett
Bible
Burdick
Cannon
Church
Dominick
Edmondson
Gore
Gruening
Hayden
Jackson
Jordan, Idaho
Kefauver
McGovern
McNamara
Monroney
Moss
Mundt
Neuberger
Randolph
Simpson
Tower
Young, N. Dak.

NAYS—52

Aiken
Anderson
Boggs
Brewster
Byrd, Va.
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Douglas
Eastland
Ellender
Ervin
Fulbright
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Johnston
Jordan, N.C.
Keating
Kuchel
Long, La.
McCarthy
McClellan
McIntyre
Miller
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Ribicoff
Robertson
Saltonstall
Scott
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Young, Ohio

NOT VOTING—24

Bartlett
Bayh
Beall
Byrd, W. Va.
Carlson
Engle
Fong
Goldwater
Humphrey
Javits
Kennedy
Lausche
Long, Mo.
Magnuson
Mansfield
McGee
Mechem
Metcalf
Morse
Morton
Pearson
Russell
Smathers
Yarborough

So Mr. Church's amendment was rejected.

Mr. ROBERTSON. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. HUMPHREY. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER (Mr. Edmondson in the chair). The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished acting majority leader about the program for the remainder of today and for tomorrow.

Mr. HUMPHREY. It is my understanding that there are two additional amendments to be offered to the pending bill. I hope the Senate will be able to act on them today and also vote today on the question of passage of the bill. Then, if the work of the Senate can be expedited, we hope to move along to the Foreign Service buildings bill. If that bill is passed tonight, Senators can have tomorrow off, and can return on Monday, when the appropriation bill for the Department of the Interior will be taken up.

REPEAL OF CERTAIN LEGISLATION RELATING TO PURCHASE OF SILVER

The Senate resumed the consideration of the bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes.

Mr. HUMPHREY. Mr. President, I desire to propound a unanimous-consent agreement in regard to the amendment of the Senator from Colorado [Mr. Dominick]; namely, that 30 minutes—15 minutes to each side—be allowed on the amendment, with the time to be controlled by the Senator from Colorado [Mr. Dominick] and the Senator from Virginia [Mr. Robertson], respectively.

Let me ask whether the Senator from Alaska [Mr. Gruening] will agree to a similar time limitation on his amendment?

Mr. GRUENING. I doubt whether that much time would be necessary; I think 5 minutes to a side would suffice.

Mr. HUMPHREY. Then, Mr. President, if it is agreeable to the Senator from Alaska to include in the proposed agreement a provision that a total of 10 minutes be allowed on his amendment, with 5 minutes to each side—

Mr. GRUENING. Yes.

Mr. HUMPHREY. I include that in my unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I understand that the Senator from Colorado [Mr. Dominick] wishes to have the yeas and nays ordered on the question of agreeing to his amendment. I so request.

The yeas and nays were ordered.

Mr. HUMPHREY. Mr. President, I also understand that there is a desire to have the yeas and nays ordered on the question of the passage of the bill; and I so request.

The yeas and nays were ordered.

Mr. HUMPHREY. Mr. President, in addition, the Senator from Alaska [Mr. Gruening] wishes to have the yeas and nays ordered on the question of agreeing to his amendment. I so request.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado will state it.

Mr. ALLOTT. May the yeas and nays be ordered on the question of agreeing to an amendment before it is pending?

The PRESIDING OFFICER. That may be done by unanimous consent.

Is there objection? The Chair hears none.

Is there a sufficient second to the request for the ordering of the yeas and nays on the question of agreeing to the amendment of the Senator from Alaska?

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I send my amendment to the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 2, line 7, after the word "be" it is proposed to strike out all down through the word "or" in line 8.

Mr. DOMINICK. Mr. President, this amendment is quite simple, insofar as what it provides is concerned. However, in its effect, the amendment is a little more far-reaching. The amendment provides that the Treasury Department may not use the free silver it gets for sale to other agencies.

I should like to review briefly why I believe this amendment is important: Throughout the hearings on the bill, both before the House committee and before the Senate committee, it was repeatedly stated by Secretary Dillon and by Chairman Martin that the sole and primary purpose of the bill, other than to repeal the Silver Purchase Act and the silver transfer tax, was to take the Government out of the silver business, except as a consumer in the manufacture of its coin.

The hearings record shows this quite clearly. I refer, first, to page 147 of the record hearings, where it is pointed out that our coinage requirements in 1962 ran to about 75 million ounces of silver.

There has been testimony before the Committee on Banking and Currency in relation to the mint bill, to the effect that within the next decade our coinage requirements will greatly increase, beyond any arithmetic progression or regular progression that could be forecast on a graph at this point. It is anticipated that they may rise to as much as 17 or 18 times what they are now.

On page 15 of the hearing record Secretary Dillon said:

> Thus, it is vitally important that Congress authorize the issuance of $1 Federal Reserve notes so as to provide in an orderly way for handling of our future needs for coinage and $1 bills.

On page 16 Secretary Dillon said:

> If the $1 Federal Reserve note is not authorized, the Treasury will soon be forced into the untenable position of entering the market to buy silver for its coinage needs.

On page 27 of the hearing record Chairman Martin of the Federal Reserve System Board of Governors said:

> The Board believes that it is unnecessary to utilize silver "backing" for our currency, and that its use could appropriately be confined to coinage.

On page 29 Chairman Martin said:

> Mr. MARTIN. Well, I think under present conditions it is a help to the Treasury that we ought to conserve our silver for coinage.

On page 32 Admiral Ramse, testifying on behalf of the users, pointed out again that one of the main purposes is to provide a supply of silver for subsidiary coinage.

On page 161, table 5 shows the Treasury purchases and sales of silver. The table shows that, until 1962, the Treasury had been selling to other Government agencies an increasing amount of silver for industrial and commercial purposes. Silver is used in photographic work. It is being used in connection with submarines. It is being used in the defense agencies in a great number of ways. In 1961 alone more than 3 million ounces of silver was supplied by the Treasury Department to other Government agencies.

As now written, the bill would not reserve the silver supply of the free world, which we will get when those notes are exchanged for Federal Reserve notes, for coinage purposes, because, as the Senator from Idaho pointed out, the bill would give to the Treasury the right, first, to sell on the open market if the price should go over $1.29.

Second, the bill provides that silver may be sold to other departments and agencies of the Government.

Third, the bill provides that the silver certificates may be turned in for silver bullion, which would once again reduce the supply of the silver within the Treasury for coinage purposes.

If we are attempting to preserve the silver supplies for coinage purposes, we ought to write into the bill the necessary safeguards to be certain that we will attain that objective. With the price now in effect, defense agencies would be permitted to go into the open market and buy silver at less than it would cost them to get it from the Treasury. At present they must pay $1.29 for each ounce of silver which they get from the Treasury. They could go into the open market at the present moment and get it for $1.28. But they are not doing so. They are getting it from the Treasury.

The more the price increases, the more likely the Treasury will eventually have to go out, when its own supply is depleted, and buy silver in the open market, and probably from imported stock, thereby again increasing our own gold reserve and balance of trade problems.

So there would be a double impact under the bill. First, as the Senator from Idaho [Mr. CHURCH] said, no matter whether the exchange of Federal Reserve notes for the silver certificates is painlessly or painfully performed—in other words, whether it is done over a long period of time or a short period of time—an additional $450 million to $500 million of gold will be required to be transferred into a frozen position for currency support. We have that drain on our gold supply. If we do not preserve the silver which we have on hand for coinage purposes, we shall create another drain or potential drain on our gold supply.

So the proposal would not adversely hurt the departments or agencies, so far as I can see. It could be of assistance in providing the necessary silver for coinage, and it could do some good in our free gold supply.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. DOMINICK. I yield 2 minutes to my distinguished colleague.

Mr. ALLOTT. Mr. President, I rise to support the amendment of my distinguished colleague, as I supported the amendment of the distinguished Senator from Idaho. My colleague has stated the situation exactly. It is not a single-pronged problem that we approach, but it is a problem which also would affect our foreign reserves. The Senator's amendment would merely strike the language in the bill—

> Sold to other departments and agencies of the government or.

Such action would leave us in a very sound position, I believe.

It is my sincere hope that Senators would consider, on a really contemplative basis, what we would do today in acting on the bill. I am sure that those of us who support the amendments and who are opposed to the bill in its present form are absolutely convinced—and I am absolutely convinced—that the bill could affect the whole fiscal policy of the Government. It could affect the balance-of-payments question in relation to our gold reserves. For that reason I shall support the amendment. Without the amendment, I must vote against the bill.

I thank my distinguished colleague for yielding to me. He has contributed a great deal to the debate on the bill. If the amendment were agreed to, the bill would become far more palatable.

Mr. DOMINICK. I thank my distinguished colleague.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield to the Senator from Alaska.

Mr. GRUENING. I am happy to support the amendment of the junior Senator from Colorado. The amendment would be a substantial improvement in the bill for the reasons he has set forth so lucidly.

Mr. DOMINICK. I thank the distinguished Senator from Alaska.

I wish to make one further point. The chairman of the committee, my distinguished friend from Virginia, should understand that the amendment would not create any new situation with the Government agencies. In 1962 alone, the defense agencies bought more than 5 million ounces of silver in the general market for submarine batteries alone.

The Treasury Department, by its own action, reduced its sales to Government agencies from 3 million ounces in 1961 to only 19,000 ounces of silver in 1962; so the Treasury Department, by its own actions, has been following the same course that I am recommending be provided in the bill. It does not seem to me that we should have any fear that this would hamper the defense agencies, in view of the transactions which already have occurred in the Treasury as to the administration of the program and what the defense agencies themselves have been doing.

That is the last point I wish to make. I reserve the remainder of my time.

Mr. ROBERTSON. Mr. President, I oppose the amendment of the junior Senator from Colorado. The committee's bill would take the Government out of the silver market. The Senator's amendment would keep the Government in the silver market in the case of purchases by other Government agencies.

I have available a table showing the sales by the Treasury Department to other Government agencies beginning with 1946. The amounts vary considerably. In 3 years there were no such sales. In many years the figures have been very small. In 1958, 1959 and 1960 it was close to 1.3 million ounces, in 1961, 3.7 million ounces and in 1962, 900,000 ounces. The Bureau of Ordnance of the Navy Department and the Bureau of Naval Weapons have taken most of the silver. I think no one would question the desirability of meeting the demands of the Bureau of Naval Weapons or the other Government agencies listed on the chart.

If these other Government agencies do not make use of the Treasury stock of silver, they will have to go on the market and buy their supplies commercially, an added demand of about a million ounces a year. Unless the silver industry increases its production substantially, the added Government demand could be met only from two sources. It might be imported from abroad, which would have a direct adverse effect on our balance of payments or it might, by driving up the domestic market price of silver to a point above the monetary value, cause withdrawals by the public from the Treasury stock of silver. This would mean that the other Government agencies would in effect, be getting their supplies from the Treasury stock by this roundabout and expensive method.

I recognize that there is a possibility that the Treasury stock of silver may be used up faster, if other Government agencies can have access to it for their own purposes when the market is below $1.29—though, as I have indicated, if these other agencies buy on the market, it would probably send the price above $1.29 quite quickly. However, I do not think this possibility outweighs the undesirable effect of the amendment—keeping the Government in the silver market. I favor a free silver market—as free a market as we can possibly make it, with as little governmental influence in the market as possible. Accordingly, I oppose this amendment.

I ask unanimous consent to have printed in the RECORD the table to which I have referred, entitled "Sales of Silver to Other Government Agencies."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Sales of silver to other Government agencies

[In fine troy ounces]

Year	Agency	Act of July 31, 1946	At $1.29+	Total
1946	Miscellaneous	469.44		469.44
1947	U.S. Naval Air Station, Alameda, Calif	796,75		796.75
1948	do	1,071.06		1,071.06
1949				
1950				
1951	Bureau of Ordnance, Navy Department	1,550,000.00		
	Miscellaneous	10.17		1,550,010.17
1952				
1953	Bureau of Standards	599.40		
	Miscellaneous	35.85		635.25
1954	Department of Army, Redstone Arsenal	17.12		
	Miscellaneous	1,727.41		1,744.53
1955	Naval Research Laboratory	290.40		
	Naval Gun Factory	6.93		
	Miscellaneous	778.05		1,075.38
1956	Department of Army, Frankford Arsenal	1,310.00		
	U.S. Atomic Energy Commission	6,061.32		
	U.S. Naval Air Station, Alameda, Calif	1,987.80		
	Miscellaneous	1,231.63		10,590.75
1957	Department of Army, Frankford Arsenal	26,354.68		
	U.S. Naval Air Station, Alameda, Calif	10,016.32		
	Department of Commerce, Bureau of Standards	47.00		
	Miscellaneous	747.82		37,165.82
1958	Bureau of Ordnance, Navy Department	1,314,603.51		
	U.S. Naval Air Station, Alameda, Calif	5,998.98		
	Miscellaneous	998.42		1,321,600.91
1959	Bureau of Ordnance, Navy Department	1,292,936.01		
	U.S. Naval Air Station, Alameda, Calif	12,424.57		
	Miscellaneous	6,212.04		1,311,572.62
1960	Bureau of Naval Weapons	1,256,789.97		
	Bureau of Standards	58.40		
	Miscellaneous	21,309.76		1,278,158.13
1961	Bureau of Naval Weapons	3,031,498.28	673,927.72	
	Miscellaneous	21,289.77		3,726,715.77
1962	U.S. Air Force	19,037.58		
	Bureau of Naval Weapons		870,464.59	
	Miscellaneous	318.57	11,168.19	900,988.93
1963—January	do		172.67	
February	do			
March	do		2,056.57	2,229.24
Total		8,587,035.01	1,557,789.74	10,144,824.75

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Am I correct in my understanding that if the amendment should be agreed to it would knock the "guts" out of the bill?

Mr. ROBERTSON. Absolutely. It would destroy the major purpose of the bill.

Mr. SALTONSTALL. As a member of the Committee on Armed Services and as a member of the Appropriations Subcommittee which deals with the Defense Department—as is the Senator from Virginia—I know that the departments use a lot of silver today in research and development programs.

Mr. ROBERTSON. That is correct.

Mr. SALTONSTALL. The whole purpose of this proposal is to use the 30 million ounces to take care of Government requirements.

Mr. ROBERTSON. The bill involves a two-pronged approach. First, we seek to take care of most of the Government requirements of silver for industrial uses, mostly defense uses. Second, we seek to take care of the anticipated demand for silver for coins.

Mr. SALTONSTALL. The Senator is correct.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the Senator from Colorado.

Mr. DOMINICK. The point I wished to make clear for the Senator from Massachusetts and the Senator from Virginia is that the Treasury Department by its own order and its own decision in 1962 cut back more than 3 million ounces of sales of its own silver to Government agencies. It decided this was what it should do, itself.

We are not seeking to take any action in opposition to what the Treasury Department wants to do, nor would we change the present situation, in which defense agencies are going out on the open market to buy silver.

Mr. ROBERTSON. The amendment was considered by the Committee on Banking and Currency and overwhelmingly defeated in the committee. I hope it will not be approved. The administration is very much opposed to the amendment.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. I point out to my friend from Colorado that the operative word in the bill is "may," not "shall."

Mr. ROBERTSON. Mr. President, if the distinguished Senator from Colorado is willing to yield back his remaining time I am willing to yield back the remainder of my time.

Mr. DOMINICK. Mr. President, I yield back my remaining time.

Mr. ROBERTSON. Mr. President, I yield back my remaining time and ask for a vote.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. DOMINICK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BEALL (when his name was called). On this vote I have a pair with the distinguished Senator from Washington [Mr. MAGNUSON]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. HUMPHREY (when his name was called). On this vote I have a pair with the majority leader, the senior Senator from Montana [Mr. MANSFIELD]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from West Virginia [Mr. BYRD], the Senator from California [Mr. ENGLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. McGEE], the Senator from Montana [Mr. METCALF], the Senator from Oregon [Mr. MORSE], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from West Virginia [Mr. BYRD], the Senator from California [Mr. ENGLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Ohio [Mr. LAUSCHE], the

Senator from Missouri [Mr. Long], and the Senator from Massachusetts [Mr. Kennedy] would each vote "nay."

On this vote, the Senator from Wyoming [Mr. McGee] is paired with the Senator from Georgia [Mr. Russell]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Georgia would vote "nay."

On this vote, the Senator from Montana [Mr. Metcalf] is paired with the Senator from Florida [Mr. Smathers]. If present and voting, the Senator from Montana would vote "yea," and the Senator from Florida would vote "nay."

On this vote, the Senator from Oregon [Mr. Morse] is paired with the Senator from Texas [Mr. Yarborough]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from Texas would vote "nay."

Mr. KUCHEL. I announce that the Senators from Kansas [Mr. Carlson and Mr. Pearson], the Senator from Hawaii [Mr. Fong], the Senator from Arizona [Mr. Goldwater], the Senator from New York [Mr. Javits], and the Senator from New Mexico [Mr. Mechem] are necessarily absent.

The Senator from Kentucky [Mr. Martin] is detained on official business.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from New York [Mr. Javits], the Senator from Kentucky [Mr. Morton], and the Senator from Kansas [Mr. Pearson] would each vote "nay."

On this vote, the Senator from New Mexico [Mr. Mechem] is paired with the Senator from Hawaii [Mr. Fong]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Hawaii would vote "nay."

The result was announced—yeas 19, nays 54, as follows:

[No. 93 Leg.]

YEAS—19

Allott
Bennett
Bible
Cannon
Church
Curtis
Dominick
Edmondson
Gruening
Hayden
Hruska
Jackson
Jordan, Idaho
McGovern
Moss
Mundt
Simpson
Tower
Young, N.Dak.

NAYS—54

Aiken
Anderson
Boggs
Brewster
Burdick
Byrd, Va.
Case
Clark
Cooper
Cotton
Dirksen
Dodd
Douglas
Eastland
Ellender
Ervin
Gore
Hart
Hickenlooper
Hill
Holland
Inouye
Johnston
Jordan, N.C.
Keating
Kuchel
Long, La.
McCarthy
McClellan
McIntyre
McNamara
Miller
Monroney
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Young, Ohio

NOT VOTING—27

Bartlett
Bayh
Beall
Byrd, W. Va.
Carlson
Engle
Fong
Fulbright
Goldwater
Hartke
Humphrey
Javits
Kefauver
Kennedy
Lausche
Long, Mo.
Magnuson
Mansfield
McGee
Mechem
Metcalf
Morse
Morton
Pearson
Russell
Smathers
Yarborough

So Mr. Dominick's amendment was rejected.

Mr. ROBERTSON. I move to reconsider the vote by which the amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, the distinguished Senator from Alaska [Mr. Gruening] has an amendment. He has suggested that the yeas and nays are not necessary on the amendment. Am I correct?

Mr. GRUENING. That is correct.

Mr. HUMPHREY. I ask unanimous consent that the order for the yeas and nays on the Gruening amendment be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On line 14, page 2, it is proposed to add the following sentence:

> The Secretary of the Treasury shall, if and when the Nation's gold reserves drop below $15,000,000,000, immediately recommend to the Congress legislation to increase the domestic production of gold by incentive payments to United States gold miners with the objective of maintaining the Treasury's gold supply at not less than that level.

Mr. GRUENING. Mr. President, our gold reserves have steadily declined from $24 billion and some million in 1949 to something more than $15 billion. It has been clearly brought out in the debate this afternoon that the proposed legislation on silver, which is likely to pass the Senate, would cause an additional drain on our gold reserves, perhaps exceeding a half billion dollars, which would bring us perilously close to the $15 billion mark.

My amendment merely recognizes that in order to save our dwindling gold supply from further dwindling which neither the present administration nor the preceding administration has been able to do, or successfully plan for, whenever the point is reached when the supply drops to $15 billion the Secretary of the Treasury should recommend legislation to Congress to increase the production of gold by our domestic gold miners by incentive payments.

Congress would still have complete control of the situation. The amendment merely provides that the Secretary of the Treasury shall face the situation which neither this administration nor the previous administration faced. When the supply drops to $15 billion, it will certainly be time for action. Indeed the time for action was yesterday. By anticipating this further decline now, and warning the Treasury that some action such as this legislation is likely to be requested, the administration may be willing to do something about increasing our own gold supply, which is steadily diminishing. The amendment is very simple. It does not involve anything except a request to the Secretary of the Treasury, that when that time comes, he shall submit legislation to the Congress to enable it to act on this vital issue. I hope the chairman of the Committee on Banking and Currency will accept the amendment.

Mr. ROBERTSON. Mr. President, I regret that I cannot accept the amendment. It was not proposed either in the House or in the Senate committees, and there has been no testimony on it at all. It is entirely foreign to the purpose of the pending bill, which is to get the Government out of the silver business. The proposed amendment would get us into the gold business.

I agree that we are losing gold very fast. On May 15 the stock of gold was down to $15.8 billion, and it takes about $12 billion to back our currency. The bill would not make an immediate $500 million drain on the gold supply. The Federal Reserve Board has ample gold certificates and ample bonds to back the $1.8 billion of $1 and $2 bills. If the Senator will introduce his bill, and if it should be referred to the Committee on Banking and Currency, I assure my distinguished friend from Alaska that he will be given a hearing on it.

However, I am sure the House would not take this amendment. I do not believe we should go into the matter of subsidizing the production of gold without any hearings on such a proposal. Therefore, I cannot take the amendment. I hope it will be defeated.

Mr. GRUENING. I yield back the remainder of my time.

Mr. ROBERTSON. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alaska.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

Mr. WILLIAMS of New Jersey. Mr. President, I favor the passage of H.R. 5889. It has been a long time since the Silver Purchase Act was passed to support the price of newly mined domestic silver by taking nearly all of it off the market at an artificially high price. Within the last 2 years, the price of silver has risen 40 percent, as a result of market forces. With a domestic production insufficient to meet the needs of manufacturing and other uses in this country, there is no further need for Government assistance.

This bill would stabilize the market price of silver near present levels without active Government intervention in the market. The present market price is one which is favorable for producers. At the same time, industrial users would be benefited by the assurance of a relatively stable price level.

The fact is that world consumption of silver for industrial uses and coinage has grown to the point where it has far outstripped world production. Modern technology has changed the function of silver from that of a monetary metal to that of an industrial metal. Traditionally, we have thought of silver primarily as a basic material for the manufacture of jewelry, flatware, and hollowware.

But research and development programs have created new industrial and military applications for silver.

These new uses are sure to increase in number and variety because of the inherent properties of silver: It is superior to all other metals for electrical and thermal conductivity as well as for optical reflectivity. It is so ductile that it can be drawn in wire form to a diameter of eight one-thousandths of an inch, and it is so malleable that it can be worked into a wide variety of mill forms.

Moreover, silver nitrate is light-sensitive, and the principal use for silver continues to be in the form of nitrate for the photographic industry. This market now accounts for an estimated 25 percent of industrial consumption in this country.

Another major use for silver, and one that continues to expand, is as a brazing alloy for the bonding of metals. These alloys resist corrosion, shock, vibration and the effects of elevated temperatures, and are used in the production of consumer hard goods, tungsten carbide tool tips, food handling equipment, jet engines, electronic subassemblies, and in the fabrication of assemblies for rockets and missiles.

The catalytic properties of silver are also the subject of increasing scientific and military use. Silver catalyst in the form of a screen decomposes hydrogen peroxide, and the resulting steam and oxygen combination provides that thrust that powers auxiliary control systems for manipulating space vehicles.

Mr. President, these few examples will serve to show that, while silver is still essential in the manufacture of beautiful ornaments and luxurious housewares, it has assumed a much more important place as a necessary component in industrial production and defense technology. Once the symbol of weddings and anniversaries, silver now plays a vital role in rocket launching and space flight.

I think that the uncertainty of the market in so important a commodity presents a disturbing situation, which can easily be remedied by the passage of H.R. 5389. I hope that Senators will recognize the great changes which have taken place in the silver industry and will support this measure to remove unnecessary Government intervention.

Mr. HUMPHREY. Mr. President, I understand that the yeas and nays have been ordered on the passage of the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY (when his name was called). On this vote I have a pair with the junior Senator from Montana [Mr. METCALF]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from West Virginia [Mr. BYRD], the Senator from California [Mr. ENGLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Wyoming [Mr. McGEE], the Senator from Montana [Mr. METCALF], the Senator from Oregon [Mr. MORSE], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from West Virginia [Mr. BYRD], the Senator from California [Mr. ENGLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Missouri [Mr. LONG], the Senator from Oregon [Mr. MORSE], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Texas [Mr. YARBOROUGH], the Senator from Indiana [Mr. BAYH] would each vote "yea."

On this vote, the Senator from Wyoming [Mr. McGEE] is paired with the Senator from Massachusetts [Mr. KENNEDY].

If present and voting, the Senator from Wyoming would vote "nay," and the Senator from Massachusetts would vote "yea."

Mr. KUCHEL. I announce that the Senators from Kansas [Mr. CARLSON and Mr. PEARSON], the Senator from Hawaii [Mr. FONG], the Senator from Arizona [Mr. GOLDWATER], the Senator from New York [Mr. JAVITS], and the Senator from New Mexico [Mr. MECHEM] are necessarily absent.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from New York [Mr. JAVITS], and the Senator from Kansas [Mr. PEARSON] would each vote "yea."

On this vote, the Senator from Hawaii [Mr. FONG] is paired with the Senator from New Mexico [Mr. MECHEM]. If present and voting, the Senator from Hawaii would vote "yea" and the Senator from New Mexico would vote "nay."

The result was announced—yeas 68, nays 10, as follows:

[No. 94 Leg.]

YEAS—68

Aiken
Anderson
Beall
Bennett
Boggs
Brewster
Burdick
Byrd, Va.
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Douglas
Eastland
Edmondson
Ellender
Ervin
Gore
Gruening
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Johnston
Jordan, N.C.
Keating
Kefauver
Kuchel
Long, La.
McCarthy
McClellan
McGovern
McIntyre
McNamara
Miller
Monroney
Morton
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Robertson
Ribicoff
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—10

Allott
Bible
Cannon
Church
Dominick
Hayden
Jackson
Jordan, Idaho
Mansfield
Moss

NOT VOTING—22

Bartlett
Bayh
Byrd, W. Va.
Carlson
Engle
Fong
Fulbright
Goldwater
Humphrey
Javits
Kennedy
Lausche
Long, Mo.
Magnuson
McGee
Mechem
Metcalf
Morse
Pearson
Russell
Smathers
Yarborough

So the bill (H.R. 5389) was passed.

Mr. SPARKMAN. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. HUMPHREY. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the speaker had affixed his signature to the enrolled bill (S. 386) to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes, and it was signed by the President pro tempore.

STUDY OF STRATEGIC AND CRITICAL STOCKPILING—EXTENSION OF TIME FOR FILING COMMITTEE REPORT

Mr. SYMINGTON. Mr. President, from the Committee on Armed Services, I report favorably without amendment, Senate Resolution 132, and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 132).

Mr. SYMINGTON. Mr. President, Senate Resolution 79 of the 88th Congress authorized expenditures of $10,000 by the Subcommittee on the National Stockpile and Naval Petroleum Reserves during the period March 1 to May 1, 1963.

The subcommittee is still engaged in the preparation of its report. We expect that this work will be completed by May 31.

Senate Resolution 132 would extend the terminal date in Senate Resolution 79 from May 1, 1963, to May 31, 1963. This action would permit the subcommittee to continue the salaries of two employees involved in the preparation of the report. No increase in the expenditure authorization is involved; only the terminal date of the expenditure resolution would be extended.

Mr. President, this resolution ordinarily would be referred to the Committee on Rules and Administration at this time. Because Senate agreement to the resolution is necessary to permit the two employees of the subcommittee to receive their salaries for the first half of this month, I have secured the concurrence of the chairman of the Committee on Rules and Administration in the immediate consideration by the Senate of this resolution without reference to that committee, and also the Committee on Armed Services, whose chairman has recommended its consideration.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 132) was agreed to as follows:

> *Resolved*, That S. Res. 79, agreed to March 14, 1963, is amended by striking out "May 1, 1963" and inserting in lieu thereof "May 31, 1963."

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, earlier this afternoon I had a colloquy with the distinguished acting majority leader [Mr. HUMPHREY] in regard to the schedule for tomorrow and Monday. There has now been some modification of the schedule, and I believe it would be well if he will inform the Senate of the change.

Mr. HUMPHREY. Mr. President, it had been understood that next Monday the Senate would proceed to consideration of the Interior Department appropriation bill. However, because of some developments relative to that bill and because certain Senators have a particular interest in it, we shall change our plan of activity for Monday. The Senate will have before it then Calendar No. 161, Senate bill 1576, a very important bill which provides assistance in combating mental retardation. It is the so-called mental health bill.

If that bill is disposed of on Monday—and I hope that will be possible—it is hoped that the Senate will convene on Tuesday at 10 a.m. and proceed to consider the Department of Interior appropriation bill and, following that bill, the debt-limit bill.

That program has been cleared with the chairman of the Appropriations Committee, with the chairman of the Committee on Labor and Public Welfare, and with the minority leader.

Mr. DIRKSEN. Mr. President, I should like to ask another question. I understand it is the desire of the acting majority leader to have the Senate conclude action today on the so-called Foreign Service buildings bill.

Mr. HUMPHREY. That is correct.

Mr. DIRKSEN. And to have the Senate then go over until Friday.

Mr. HUMPHREY. No, until Monday.

Mr. DIRKSEN. Until Monday?

Mr. HUMPHREY. Yes, until Monday.

Mr. President, if the Senate is able to take final action tonight on the Foreign Service buildings bill—and I hope the Senate will be able to do so—it will have Friday off, and return at noon on Monday—according to the schedule as outlined. On Monday, there will be a morning hour, followed by consideration of the mental health bill.

I solicit the cooperation of Senators to enable the Senate to proceed expeditiously with consideration of the Foreign Service buildings bill.

AMENDMENT OF FOREIGN SERVICE BUILDINGS ACT, 1926

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 159, House bill 5207.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 5207) to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes, which had been reported from the Committee on Foreign Relations with an amendment, on page 5, after line 2, to insert a new section, as follows:

> SEC. 3. The Act entitled "An Act to authorize the payment of the balance of awards for war damage compensation made by the Philippine War Damage Commission under the terms of the Philippine Rehabilitation Act of April 30, 1946, and to authorize the appropriation of $73,000,000 for that purpose", approved August 30, 1962 (Public Law 87-616), is hereby amended to read as follows:
>
> "That (a) there is hereby authorized to be paid by the Government of the United States to the Government of the Republic of the Philippines the unpaid balance of awards for war damage compensation heretofore made by the Philippine War Damage Commission under the terms of title I of the Philippine Rehabilitation Act of 1946 (60 Stat. 128), not to exceed a total of $73,000,000: *Provided*, That such payment shall not be made until the Secretary of State shall have received assurances satisfactory to him from the Government of the Republic of the Philippines that such sum will be received by the Government of the Republic of the Philippines in full satisfaction and final settlement of any and all claims arising out of awards for war damage compensation made by the Philippine War Damage Commission and that the Government of the Republic of the Philippines shall insure that no part of such sum shall be directly or indirectly paid to any former Commissioner or employee of the Philippine War Damage Commission as compensation for services rendered as attorney or agent in connection with any such claim.
>
> "(b) All documents currently held by the Foreign Claims Settlement Commission and relating to unpaid claims arising out of war damages in the Philippines, except for internal documents of any agency of the United States, shall be transferred to the Government of the Republic of the Philippines by the Foreign Claims Settlement Commission."

Mr. HUMPHREY. Mr. President, what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. FULBRIGHT. Mr. President, H.R. 5207 is designed to accomplish two very important purposes. The first of these is to continue the Foreign Service Buildings program by authorizing new appropriations. The second is to amend the act of August 30, 1962, which authorized the payment of the balance of awards for war damage compensation made by the Philippine War Damage Commission under the terms of the Philippine Rehabilitation Act of April 30, 1946. I shall discuss both these purposes in turn.

There is no need really to say much about the amendment to the Foreign Service Buildings Act of 1926 because the Senate on October 3, last year, passed a bill containing these identical provisions except for the sums authorized to be appropriated which have been revised downward by the House of Representatives. Last year's bill carried funds not to exceed $53,899,000 for a 2-year building and maintenance program. The bill now being considered authorizes $49,824,000 for the same period and purposes. The Senate will recall that final enactment was not possible last year because a nongermane amendment adopted by the Senate prevented the bill from being sent to conference in the House.

The sums provided for in this bill are broken down between acquisition and maintenance. For acquisition, either through purchase or building, $26,324,000 is authorized, and this figure is even further broken down by area and activity. For maintenance, the bill provides $23,500,000 for the same 2-year period. No transfers are authorized between the various areas and functions. Thus, the program will proceed under far greater restrictions than it has in the past, when it operated with no-year funds and no area limitations.

I call the Senate's attention to one provision in this portion of the bill which received the wholehearted endorsement of the committee. It is the language on page 2, beginning with line 3, which states:

> To the maximum extent feasible, expenditures under this act shall be made out of foreign currencies owned by or owed to the United States.

This has been done in the past, and the language merely assures that it will be continued in the future.

Of the $251,625,000 made available for this program since 1926, 86 percent was used to purchase these foreign currencies. The Department of State estimated that of the funds authorized in this bill, 70 percent will be used in the same manner. The committee fully approves this means of utilizing U.S.-owned foreign currencies, especially in those countries where these currencies are not convertible.

I would like to say just one final word about the urgency for enactment of these amendments to the Foreign Service Buildings Act. The program here presented was first submitted to Congress over 2 years ago, when the buildings program had nearly exhausted its authorized appropriations. The situation, of course, is much more critical now and is further complicated by the need to open many new posts in Africa where adequate housing is both difficult to obtain and expensive to rent. Parenthetically, the State Department estimates that through enactment of this bill, the U.S. Government will be able to save $1,316,000 in rentals.

The buildings program has come to a virtual standstill for lack of funds, and the Foreign Relations Committee feels it vitally necessary to get it moving again. On behalf of the committee, I urge prompt approval of this portion of H.R. 5207.

As to the second item of the committee amendment with respect to the Philippine war damage claims, there is not much new that I can add. The Senate discussed that question quite thoroughly in connection with the supplemental appropriation bill, on two occasions. I think that the committee's proposal, which had been previously adopted by the Senate, is the best way to solve the problem.

The committee reinserted the same provision in the pending bill It would meet at least some of the objections of the House, as a procedural matter. Objection was raised to its being a rider on an appropriation bill. This bill in effect is an authorization, though the amendment is not directly germane to the principles involved.

This problem was discussed with the Apropriations Committee. They had no objection as it was stated. The chairman of the Subcommittee of the House Committee on Foreign Affairs, Representative Hays of Ohio, suggested this procedure to me as being a proper way to get the matter before the House under circumstances which would allow the House to make a clear-cut decision.

So I recommend to the Senate that it again adopt the amendment, to this bill, and thereby submit it to conference. Then it will be acted upon by the House.

I ask unanimous consent to have printed in the Record at this point an article written by Mr. Laurence Stern, published in the Washington Post of May 21, 1963, relating to this matter. Mr. Stern has paid special attention to this whole problem, and I think he has written some of the best informed and most thoughtful articles on the subject.

There being no objection, the article was ordered to be printed in the Record, as follows:

Manila Sugar Firm Tied to Political Gifts

(By Laurence Stern)

A Philippine sugar executive linked by Washington lobbyist John A. O'Donnell to an $18,000 campaign fund for friendly Congressmen is president of a Manila firm that stands to get $621,564 in war damage claims.

The sugar official is Gerald Wilkinson, president of the Hawaiian-Philippine Co., which will collect the new claim under the 1962 Philippine War Damage Act that O'Donnell helped lobby through Congress.

In testimony before the Senate Foreign Relations Committee last March, O'Donnell said he suggested to Wilkinson in 1960 that "we give some of our friends some help—and he thought it was a good idea."

O'Donnell identified Wilkinson as first vice president of the Philippine Sugar Association, a group for which O'Donnell is registered as a lobbyist.

However, Wilkinson's association with the Hawaiian-Philippine Co. was not disclosed to the Foreign Relations Committee.

The firm also is one of 136 individuals and corporations to be represented by O'Donnell and his Washington associate, Ernest Schein, for claims under the 1962 act. Attorneys' fees under the act are set at 5 percent of the claim, or about $31,000 in the case of Hawaiian-Philippine Co.

The list of claimants to be represented by O'Donnell and Schein was furnished to the Foreign Relations Committee by the Foreign Claims Settlement Commission, which processes the claims payments.

O'Donnell testified he was "flabbergasted" when $18,000 was sent to him from the Philippines for congressional contributions since he had suggested a much smaller sum to Wilkinson.

Hawaiian-Philippine is one of a group of big beneficiaries who together will collect nearly half the $73 million Congress appropriated under the new war damage act although they comprise less than one percent of the total number of recipients.

Another big claimant is Benguet Consolidated, Inc., an American-controlled firm which will collect $1,124,000 under the new act, according to Treasury Department records.

Standard & Poor's corporate directory reports that Benguet has collected $5.8 million in past war damage claims and expects to receive, along with a subsidiary, $2,480,000 under the 1962 act.

Critics of the 1962 War Damage Act argue that the money should be paid directly to the Philippine Government, rather than to individuals and corporations. Such an approach, they argue, would be more in keeping with congressional intent in the original 1964 relief measure to aid the Philippine economy.

It also came to light yesterday that the former chairman of the Philippine-American War Damage Commission, Frank Waring, testified in 1960 that the claims agency had never made any public commitment to the Philippines for the additional $73 million in damage payments voted by Congress last year.

He gave his testimony to the House Foreign Affairs Far East Subcommittee headed by Representative Clement J. Zablocki, Democrat, of Wisconsin, on March 17, 1960. On the following day O'Donnell and Schein, who were both associated with the war claims body, testified that the United States had committed itself to the payment.

The following year, when Zablocki ordered the 1960 testimony reprinted in the transcript of a 1961 hearing on his new claims bill, Waring's testimony was omitted. Also dropped from the 1961 transcript was the previous year's testimony from State Department witnesses who opposed Zablocki's bill making the payments to individuals rather than to the Philippine Government.

Zablocki said yesterday he could not explain the missing testimony but would check with the Foreign Relations Committee staff to find out why it was dropped.

Senate Foreign Relations Committee Chairman J. William Fulbright, Democrat, of Arkansas, disclosed last month that Zablocki had received a campaign contribution from O'Donnell of $2,000 and that the lobbyist had contributed to 24 other U.S. political campaigns out of the $18,000 Philippine sugar fund.

Zablocki said the contribution arrived too late for his 1960 campaign and that he contributed it to the Democratic Party at O'Donnell's suggestion.

Fulbright earlier disclosed that O'Donnell, Schein and a Philippine member of the War Damage Commission, Francisco A. Delgado, collected more than $1 million in attorney's fees for Philippine claims work.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Has any motion been made to accept the committee amendment?

The PRESIDING OFFICER. The question before the Senate is on agreeing to the committee amendment.

Mr. LONG of Louisiana and Mr. DOUGLAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. LONG of Louisiana. Mr. President, for myself and the Senator from Illinois [Mr. Douglas], I offer amendment 95 as an amendment to the committee amendment. I believe it would be a substitute for the second section of the committee amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated for the information of the Senate.

The Legislative Clerk. On page 5, in the committee amendment, in lieu of the matter beginning on line 3 and ending on line 10, page 6, it is proposed to insert the following:

Sec. 3. The Act entitled "An Act to authorize the payment of the balance of awards for war damage compensation made by the Philippine War Damage Commission under the terms of the Philippine Rehabilitation Act of April 20, 1946, and to authorize the appropriation of $73,000,000 for that purpose," approved August 30, 1962 (Public Law 87-616), is hereby repealed.

Mr. LONG of Louisiana. Mr. President, I wish to explain briefly the purpose of the amendment. Then I shall yield before I go further.

It is the contention of the Senator from Louisiana that there was never any basis whatever for this Government paying the $73 million that it is proposed be paid to the Philippine Government. The whole thing was the result of improper lobbying activities which have proved to be both immoral and corrupt. Such activities border on international blackmail.

The only argument that can be made to pay the Philippine Government the $73 million is that corrupt lobbyists undertook to give the impression that the obligation was owed to certain individual claimants among the people of the Philippines. Having done that, and having led the people to believe that they were going to get the money, it is suggested that this country demonstrate itself as still being the generous old Uncle Sam; that we have not become tightfisted with our money; and that we will give the Philippine Government $73 million because we passed a corrupt and improper act and gave the impression that the claimants were going to get the money.

It is my argument that, while the Senator from Arkansas, our distinguished chairman, has made a very compelling argument that we should not pay this $73 million in so-called claims, and while his amendment would prevent payment to the claimants, but give the money to the Philippine Government, there is no case made to show why the money should be given to the Philippine Government.

The history of this legislation is that the late President Roosevelt made a statement during the last war that this Nation was going to make the Philippines whole, down to the last carabao—which is a water buffalo. So, when the war was over, in order to be helpful to the nation, and because there was not much money in circulation and things were stagnant, this Nation undertook to ascertain how much damage had been done. Claims were accepted more or less willy-nilly. If a person had had a boat sunk, we would buy him a new boat. If his automobile had been damaged, we would buy him a new automobile.

The man who was Chairman of the Commission was Mr. Waring. Mr. O'Donnell was a member of the Commission, and Mr. Delgado was the Philippine member of the Commission.

These two men succeeded in getting rid of $400 million. Then these men proceeded to organize themselves and engage in lobbying activities undertaking to sell the people in the Philippines the idea that more money should be paid. Those who had so-called small claims, up to $500—which amount of money bought much more in the Philippines than it could buy here—would be compensated for that amount, even though the damage had not been done by this country, but by the Japanese. It was undertaken to make a settlement of about 50 cents on the dollar for the larger claims.

The House of Representatives refused to pass any more claims legislation. The House looked into the question. Some money had been used to rehabilitate a race track that had been burned down, or to rebuild a brewery, and that sort of thing. The House said it would not have any of this corruption.

Someone contrived for the President of the Philippines to announce a planned trip to this country, only to cancel it, to suggest that that country was insulted and that the people were outraged because the claims were not being paid.

It was ascertained that only a few big concerns might get this money, and by putting blackmail pressure on us, we were led to believe that we had a moral obligation to pay the claims, which we did not.

The lobbyists recognized, in their correspondence, that nobody in the Philippines thought this country owed them anything, or had any obligation to them. There was no interest in it, and nobody thought we should pay them. But these gentlemen obtained contracts, got more than $1 million, made campaign contributions to good, honorable persons who did not know what they were trying to achieve, and eventually, with the international pressure they brought to bear, were able to put the bill through.

How should we go about correcting such a horrible mistake? The best thing is to strike the whole thing off the record. Then no one will get money through crooked means. But it is now proposed to give $73 million; and it is said that we do not want Mr. O'Donnell or Mr. Delgado to get it. How do we know the government over there will not give it to them? I am told that, perhaps Mr. Delgado and Mr. O'Donnell could have gotten their fists more effectively into that till through dealing with the Philippine Government than through our paying the claimants directly.

That being the case, my proposal would be, in the first place, that we repeal the whole sorry act. No obligation exists.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. I note, on the first page of the report of the Committee on Foreign Relations, on which the Senator serves, the following statement:

> The amendment approved by the committee relating to the unpaid balance of awards made by the Philippine War Damage Commission is for the purpose of making payments of that balance to the Government of the Republic of the Philippines.

Did the Philippine War Damage Commission hold hearings at which testimony from claimants in support of these awards was adduced?

Mr. LONG of Louisiana. There have been determinations that claims should be paid to various and sundry individuals who suffered various injuries during the war between the United States and Japan. The committee amendment does not seek to pay anything to these so-called claimants. Please understand that these persons have no right to claim anything against this country, because it was not our fault their property was damaged; that responsibility rests with the Japanese.

Mr. CLARK. Will the Senator yield further?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. Is it not a fact that the Philippine War Damage Commission, after hearing testimony, determined that these claims were just? Does the Senator cast doubt on the validity of that determination?

Mr. LONG of Louisiana. Let me try to answer the question with a little more language than merely a categorical "yes" or "no."

Soon after the war, this Government undertook to pay the so-called claimants and to determine the amounts.

Mr. CLARK. Through a Commission.

Mr. LONG of Louisiana. Then we sent the Bell Commission over there to study the situation in the Philippines. That Commission said we should make no more payments to individual claimants; that if we wanted to do something to help the Philippines, we ought to do it in the form of direct economic aid to that Government.

Subsequently, we extended more than $1 billion in aid. We are still sending aid over there. They are drawing $80 million in pensions under the Veterans' Administration for widows and other beneficiaries. The Philippines are still included under the foreign aid bill, as the Senator knows. But the so-called claims bill was contrary to our national policy.

The record shows that no bill of this sort would have been passed had it not been for the activities of Mr. Delgado and Mr. O'Donnell, who saw in this situation a bonanza, an opportunity to benefit certain individuals and benefit themselves in a handsome way.

Mr. CLARK. I wish the Senator from Louisiana would advise me whether, nevertheless, there was an open and public hearing before a Philippine War Damage Commission duly authorized to take the testimony which determined that the claims were just?

My query to the Senator from Louisiana is, first, Was that the fact; and if so, why should we not now honor the determination of the Philippines War Damage Commission? Second, does he think the determination was tainted with fraudulent or any other type of testimony?

Mr. FULBRIGHT. Mr. President, will the Senator yield to me to answer that question?

Mr. LONG of Louisiana. I yield to the distinguished chairman of the committee.

Mr. FULBRIGHT. I believe that one answer is that the House committee in which the bill originated expressly said, in language which is in the report, that this is not really a claims bill, and that it was not intended as a claims bill. However, it was felt that the economy of the Philippines was so badly damaged—the Philippines had been given their independence on the 4th of July, 1946—that they wished to rehabilitate the economy. On that point the exchange before the committee showed that $400 million was what they were willing to pay, and that no more than 75 percent should be paid. I believe the testimony is quite clear, from the exchange, that that was considered to be all. No obligation was ever undertaken to pay individual claims up to 75 percent. That is where O'Donnell and the others were in error, contrary to the clear intent of the House of Representatives when it passed the bill.

Mr. CLARK. Mr. President, will the Senator from Louisiana yield so that I may ask the chairman of the committee a question?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. What bothers me in determining whether I should support the amendment of the Senator from Louisiana or not is the doubt in my mind as to whether the money is justly due to individual claimants. I can understand the reasons of the Senator from Arkansas for wanting to pay this money to the Philippine Government rather than to individual claimants. Behind that there is the question in my mind as to whether these individual claimants have established that, in equity and justice, they are entitled to the money.

Mr. FULBRIGHT. If the Senator is asking my opinion, I do not believe there is any obligation to the individual claimants so far as an obligation goes.

Mr. CLARK. A moral obligation.

Mr. FULBRIGHT. Other than the fact that subsequent events have taken place, and the previous administration, as well as this one, have more or less publicly promised to make this payment. I feel very much torn with respect to this question. There is much to be said for the argument of the Senator from Louisiana on the merits. The fact that the Government made a mistake, in my judgment, and that the Executive made a commitment, leaving the impression that we were going to make the payment, puts us in a very difficult position. I am sympathetic with the Senator's argument. Personally, I have thought that, in view of the commitments made by our Executive, I would have to go along with the payments.

There are other factors that fortify that belief. We have acknowledged a kind of general feeling of obligation of a moral nature to help the Philippines. We help them in the aid program. Certainly that is disconnected from any kind of obligation. That is a part of this picture. I find it very difficult to dispute what the Senator from Louisiana says as on the merits.

Mr. CLARK. Do I correctly understand that the Committee on Foreign Relations has never taken any testimony to determine the validity of the claims on the basis of which payment of this money is proposed to be authorized; nor is there any evidence that these claimants have established a valid claim which might be available to the Senate in determining whether to go along with the Senator from Louisiana?

Mr. FULBRIGHT. The Commission was established under the 1946 act, with three members: Delgado, O'Donnell, and Waring. Waring, in his testimony before the committee, testified that there was no commitment on the part of this Government to pay the claimants anything. That is about what he testified before the House committee. I have before me his testimony, which through some inadvertence was left out of the subsequent reprint of the testimony. Waring had no part in the lobbying activities. He is a professional career man. After the Commission dissolved, he went back to his business, and had nothing further to do with it. At page 14 of the testimony Mr. Waring testified:

> Mr. WARING. I think the wording of the act itself leaves some doubt as to that. The act did say "up to a maximum of 75 percent." But it did say "maximum," and it did provide for the pro rata distribution of the funds authorized.
>
> I think the feeling, certainly my feeling, and I believe that of the other members of the Commission and the staff, was that our Philippine friends hoped for payment up to the 75 percent and perhaps even anticipated it.
>
> I think it fair to say that in our public utterances there was no action on our part that would have enforced such hopes.
>
> Mr. JUDD. There were no commitments made?
>
> Mr. WARING. None to my knowledge.

Waring was the Chairman of the Commission. No commitments were made. In the processing of these claims, of which there were a great many, we now find certain instances in which some of the claimants are apparently claiming 100 percent of their original claims.

I also point out that on inquiry from Mr. Maguire, the chief counsel, there are a number of claims which cannot be located; that is, the original files have either been misplaced or lost. There were vast numbers of them. It would be extremely difficult to make any orderly distribution even if the law stands.

Mr. CLARK. Is there any indication as to what the general nature of the claims was? Were they on behalf of individuals or corporations?

Mr. FULBRIGHT. The Senator from Louisiana has already stated that less than 1 percent of all the claims are allotted approximately 80 percent of all the money involved. One of the largest claims is that of Mr. Wilkinson, who, testimony before our committee indicated, was the man who supplied the money for Mr. O'Donnell. He is the president of the Hawaiian-Philippine Co., which has a claim of more than $600,000. There are some very large claims.

Mr. LONG of Louisiana. I believe the distinguished chairman of the committee has very fairly and logically pointed out the difference between the position for which he contends and the position for which I contend. If I were to state the situation in my own words, it would be about to this effect:

Franklin D. Roosevelt made the statement during the war—I do not know precisely when or where he made it—"We will make the Philippines whole right down to the last carabao."

We gave them $400 million. Then we were told it would be better to give it to the Government than to the individuals, and we proceeded to go ahead and give them about a billion, seven hundred million dollars. That is not including payments under the Sugar Act. If we assessed so-called claims based on the damage that the Japanese did to them, and look at the Philippine economy, we probably made them whole twice. In addition we are aiding the Philippines under the foreign aid program.

The argument that we should give the Philippines $73 million has to do with the fact that Messrs. O'Donnell and Delgado, with their immoral activities, persuaded Congress to pass a bill that never should have been passed. Many Members who have voted for it have said that if they had known what was behind it, and what they were voting for when they voted for the bill, they would not have voted for it.

The chairman of the committee correctly seeks to keep Messrs. O'Donnell and Delgado from receiving a reward. I say that the best way to keep them from getting a reward is to repeal the whole corrupt act and have nothing more to do with it. It is argued that, inasmuch as some people were led to believe that they would get something, we should not disappoint them and deny them this money. Certain people have engaged in improper activities, and the testimony shows, as the chairman knows—and there is actual correspondence in the record to prove this—that Delgado wrote O'Donnell and said—

> You have got to do something about it; somebody must get on the radio to stir things up.

They proceeded to buy some radio time. They got on the radio and stirred things up. They stirred things up by saying that Uncle Sam ought to pay more money. The chairman brought this all out very fully in our hearings.

Then a trip by the President of the Philippines to the United States was scheduled merely so that it could be canceled, to point up the Philippine contention that we owed them a big obligation.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. AIKEN. I agree with the Senator from Louisiana that the bill which we passed last year authorizing an appropriation of $73 million to remunerate the supposed losers as the result of the war in the Philippines should not have been passed. The fact remains that a couple of good operators hoodwinked both the House and the Senate, along with such allies as they could pick up here and there. We were "taken." Both Houses of Congress were "taken" by a couple of smooth operators.

We have felt very bad about it, thinking of the humiliation in our finding that they "took us," as they did. However, we passed the bill which authorized $73 million to reimburse the war-damaged people of the Philippines. I understand that fact has been publicized all over the Philippines.

It is true that those who were so successful in hoodwinking both Houses of Congress expected to make very substantial profits for themselves out of the job. Nevertheless, it is now suggested that we appropriate $73 million to the Philippine Government. It is presumed that some of this amount will be paid to those who suffered war damage.

Mr. LONG of Louisiana. But there is no condition in the bill to assure that result.

Mr. AIKEN. I suggest to the Senator from Louisiana that some time late in the fall Congress will probably be appropriating money for assistance to other countries. By that time, we should be able to ascertain the extent to which the amount of $73 million has been paid. It may be that most of it will have been paid. My suggestion is that when we ascertain that amount, or get the best possible estimate of it, our committee and the Committee on Appropriations should see to it that any unwarranted payments to the Philippines will be deducted from the amount of aid which that country would normally receive through the aid bill. I do not know any way out of the situation. I do not see what we accomplish by complaining that we were "taken."

Mr. LONG of Louisiana. We were deceived and misled. Unless the Senate adopts my amendment, the United States will be "skinned" out of $73 million.

Mr. AIKEN. There is no question that we have been "taken."

Mr. LONG of Louisiana. We ought to thank the merciful Lord that although we were fooled, the money has still not been disbursed. My proposal is that the payment of the money be stopped before it can be paid. It is still not too late to close the stable door before the horse can get out.

As the Senator from Vermont knows, if the amendment supported by the distinguished Senator from Arkansas [Mr. FULBRIGHT] and the majority of the committee should prevail, it would direct payment to the Philippine Government with no strings attached—73 million "bucks" to be taken by them. There is no condition that the Philippine Government should pay any claim; the money could be used for whatever purpose it was thought would help the economy of the Philippines. It would be the same as payments made by the Federal Government to State treasuries by Uncle Sam. The States could use the money for whatever purpose they desired.

The money we have paid the Philippines has been carefully calculated as a part of our foreign aid program, taking into consideration the amount of money we believe should be made available. We have tried to determine how much we can aid the Philippines. That is what we will do when we pass the foreign aid bill.

But this measure proposes that we correct an error that we made. What was the error? We were misled, we were defrauded, we were hoodwinked into passing a bill that never should have been passed.

My argument is that the simple way to correct that mess is to repeal the fool thing and be done with it. Otherwise we will pay $73 million that we do not owe to the Philippines for no good reason.

The President of the Philippines had scheduled a trip to the United States for no other purpose than to cancel it. Yet we now propose to reward the Philippines with $73 million. Why should we? Why not repeal the act and tell the Philippine Government that we do not appreciate what was done?

At one time the Philippines were a part of the United States. The Filipinos were treated like citizens of the United States. They ought to understand what corruption means. They ought to prevent the doing of something that is corrupt in their own country.

Mr. President, in due course I shall ask for the yeas and nays on the amendment I offered for the Senator from Illinois [Mr. DOUGLAS] and myself. However, I believe other Senators wish to discuss the amendment, so I yield the floor.

Mr. DOUGLAS. Mr. President, I rise to support the amendment offered by the Senator from Louisiana, of which I have the honor to be a cosponsor. The Senator from Louisiana has made a very cogent and a very truthful argument.

If we examine the legislative history of the 1946 act, it will be found that it was expressly stated, over and over again, that its purpose was to aid in the rehabilitation of the Philippines, and not specifically to satisfy claims for war damages. That was later emphasized in a very clear fashion in the views of a minority of the House Foreign Affairs Committee, headed by Representatives HAYS of Ohio, CURTIS, and BARRY in 1962.

It was also clearly spelled out in the 1946 House committee report. The 1962 House committee minority report quoted from the report of the committee in 1946 which accompanied the bill in the House which became the Philippine Rehabilitation Act of 1946. That report stated:

> The bill is not a private claims measure to reimburse individuals or organizations for damage incurred in war. The primary function of the payments is to assist and encourage rehabilitation and rebuilding of the economy and social structure of the nation. Some individual hardships may be caused by insistence on the rehabilitation principle, but your committee felt that no other considerations should be provided in this legislation. * * *
>
> The claims here involved are not war damage claims in the sense in which those words are usually used—as for example where property has been seized for use in war and should be paid for. What is here involved is aid for rehabilitation of a wartorn country.

The sum of $400 million was appropriated in 1946. Claims up to $500, which were approved, were paid. And as the 1962 Senate report correctly states, the law provided authority for payment on claims above $500 of—and I emphasize this—up to a maximum of 75 percent. But no promise was made that the maximum be paid.

Actually, after the $500 was paid to each authorized claimant, there was left, out of the $400 million, enough to pay 52½ percent of the amounts of the claims above $500.

The bill which Congress approved last year was designed to raise the percentage of payment from 52½ percent to the maximum of 75 percent. I emphasize the word "maximum" over and over again, because there was never any explicit or implicit promise that we would pay 75 percent. That was merely the ceiling; it was not the floor.

The Philippine War Damage Commission completed its work and filed its final report on March 31, 1951. What happened then? Just about nothing. The Filipinos were grateful. There were no complaints, except that in the final report the Commission noted simply that some had expressed disappointment because the entire amount of the claims had not been paid.

The Commission had recommended that the 81st Congress approve legislation to permit payments up to the statutory maximum, but Congress did not do so. Therefore, the Commission report notes, other missions, notably the Bell mission, went to the Philippines and offered suggestions for other types of aid.

While I am about this matter, let me read from an editorial published in the Philippine Sentinel, which is an organ of the national Catholic Church of that country. I read from page 85 of the final report of the Philippine War Damage Commission:

> The rehabilitated public and private buildings, roads, bridges, and public works * * *

Incidentally, those were paid for in addition to the $400 million; I think $120 million was paid for them—

> stand as an eloquent testimony to the all too widely known trait of American generosity. But these monuments to American philanthropy are unique in the sense that this is the first case in recorded history where a sovereign nation has shouldered the losses suffered by its subject. True enough the 800 million pesos—

The equivalent of $400 million—

> cannot be looked at as an outright gift but as a commensurate return for the steadfast loyalty of the Filipino nation throughout the duration of the war. The fact still remains that the United States was in no way obligated to make up for misfortunes occasioned by the indiscriminate workings of a fortuitous event. Without taking credit away from the Filipino people a true balancing of the War Damage Commission's work must show that it was in the main sustained by driving motivation of American generosity.

The editorial goes on to compliment Commissioners Waring, O'Donnell, and Delgado. Then:

> It is true that there have been dissatisfactions in the manner the percentages of different claimants had been awarded. These can only be attributed to the unavoidable misdirections in such a prodigious traffic of money and to considerations of priorities based on the potential value of the beneficiary to the needs of the country.

The editorial concludes:

> And the Filipino people should be properly appreciative of the benefits they have received from the U.S. people.

Mr. President, these claims seem to have largely slept for 10 years. It is true that bills were introduced in 1951, 1953, 1955, 1957, and 1959; but there was no testimony in behalf of them, and they were dormant. But then as the Senator from Louisiana has implied, apparently some of the big claimants felt that here was a chance to get additional money, and possibly they may have been solicited by Messrs. O'Donnell, and Delgado, and by Mr. Schein—who had been the chief examiner; and in 1960, hearings were held on two of the bills by the Far East Subcommittee of the Foreign Affairs Committee.

Mr. LONG of Louisiana. Mr. President, will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. McCARTHY in the chair). Does the Senator from Illinois yield to the Senator from Louisiana?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. I believe the record will show that some of the claimants have agreed to retain Mr. Delgado and Mr. O'Donnell on a contingent-fee basis; and if they could get an act through Congress, they would be compensated in very large fashion, although of course if they could not get such an act through Congress, they would not be paid as much.

Mr. DOUGLAS. Yes.

I now wish to compliment the Senator from Arkansas [Mr. FULBRIGHT] for placing in the RECORD—although perhaps belatedly—the testimony of Mr. Waring which appears at page 14 of those hearings. I hold in my hand the 1960 testimony of Mr. Waring; and I wish to compliment him for making a completely honest and honorable statement.

Representative Judd of Minnesota, asked:

> Did the U.S. personnel on your War Damage Commission have the understanding that it was not only the purpose and intent of the Congress to take care in full of all claims up to $500, as made clear in the act, but also to pay up to 75 percent of the approved amount of larger claims?
>
> Mr. WARING. I think the wording of the act itself leaves some doubt as to that. The act did say "up to a maximum of 75 percent." But it did say "maximum," and it did provide for the pro rata distribution of the funds authorized.
>
> I think the feeling, certainly my feeling, and I believe that of the other members of the Commission and the staff, was that our Philippine friends hoped—

and I emphasize his word "hoped"—

> for payment up to 75 percent, and perhaps even anticipated it.

And now listen:

> I think it fair to say that in our public utterances there was no action on our part that would have enforced such hopes.
>
> Mr. JUDD. There were no commitments?
>
> Mr. WARING. None to my knowledge.

Mr. LONG of Louisiana. Mr. President, will the Senator from Illinois yield again to me?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. The Senator so well knows that on these claims bills it is unusual for someone to be paid 100 cents on the dollar by the Government. More often than not, these claims are settled for only a certain percentage of the amounts claimed.

For example, on the Czech claim resulting from seizure of a steel mill which had been built by the Benes government, $10 million was gotten for it; but when the fund was distributed to the claimants, they received only about 10 cents on the dollar.

Last year there was a bill for claims of Germany and Japan; and, as the Senator knows, the average claimant will get perhaps 10 cents on the dollar, or less, even though some will be paid up to $1,000, or something of that sort.

Mr. DOUGLAS. The Senator is correct; it certainly is unusual for claimants to get the maximum authorized. And the fact is the maximum was not expected in these cases and there was no commitment the maximum would be paid.

In 1961, further hearings were held by the House committee; and as part of the record of those hearings, the testimony in 1960 of Messrs. O'Donnell, Schein, Calhoun, Gideon, and Anderson were reprinted, but the testimony of Mr. Waring was not reprinted.

Mr. LONG of Louisiana. Can the Senator from Illinois explain why that happened?

Mr. DOUGLAS. No; I do not know why. I simply say it was not reprinted.

In 1962, the House turned down the proposal to pay $73 million. The House turned it down after very stirring speeches by Representative HAYS, of Ohio, and others.

Then the bill went back to the committee; and the committee reported the bill again. And, as the Senator from Louisiana has said, then the President of the Philippines announced that he would not come unless it was paid.

Now I have to say something that I regret to say, but it is true: Our State Department backed down, and then urged that the payment be made; and the great newspapers of the Atlantic seaboard and elsewhere insisted that the payment be made—newspapers which we properly honor. They published editorials denouncing the House for trying to save $73 million. I hope the Senator from Arkansas [Mr. FULBRIGHT] will not take it amiss if I say that the Senate Foreign Relations Committee yielded to that clamor. Apparently the committee did not go behind the testimony of 1962 or 1961, and did not go back to the 1960 testimony of Mr. Waring, but accepted the assertion that there was a commitment in good faith.

I had been more than skeptical about the bill and had intended to vote against it. But when our Government, the great journals of information and, most of all, our own Committee of Foreign Relations, all argued that we pay the $73 million, I lost confidence in my own judgment. Had the Foreign Relations Committee publicized the Waring testimony of 1960 I would not have done so, I feel let down. We were failed by groups on whom we have the right to rely.

Mr. FULBRIGHT. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. FULBRIGHT. It required about 3 months and the subpena power to find out what we now know.

Mr. DOUGLAS. I understand.

Mr. FULBRIGHT. It was not easy.

Mr. DOUGLAS. I understand, and I am not criticizing the committee. It was under pressure. The State Department was pressuring it. The great newspapers and columnists were thundering at the committee, and were thundering at the Members of Congress for not passing the bill. Although the testimony of Mr. Waring was included in the 1960 report of the hearings of the House committee, it was not included in the 1961 reprint. Whether the staff should have gone back to 1960 is something else again; but we shall not put them on trial for not having done so. It was a slip. Perhaps they will do better next time.

Mr. FULBRIGHT. Mr. President, will the Senator from Illinois yield again?

Mr. DOUGLAS. I yield.

Mr. FULBRIGHT. I think it is true that in 1959, as part of an overall agreement, the previous administration agreed to pay this amount—in which other elements were involved. There was a reverse amount, I think, of $20 million that the Philippines owed us.

Mr. DOUGLAS. The administration tried to offset $24 million as a claim against the $73 million.

Mr. FULBRIGHT. But I point out that that agreement was a government-to-government agreement. That is why I say the recommendation of this committee to pay it to the Government is in accord with the Eisenhower administration's agreement.

Mr. DOUGLAS. But they did ask for $24 million as a counterclaim?

Mr. FULBRIGHT. Yes; but I do not want to have all of it blamed on the State Department. It is a commitment, so to speak, to which several things contributed; and one was the agreement made in 1958 or 1959, I believe, by the previous administration.

Mr. DOUGLAS. I would like to point out that in addition to the $400 million our Government has paid to the people of the Philippines enormous sums of money in foreign economic and military aid, according to a table which I hold in my hand, which is entitled "U.S. Foreign Assistance Obligations, Loans, and Loan Authority up to June 30, 1962," published by AID. It shows a total of $1,737 million from 1946 to 1962, in economic and military aid from the United States to the Philippines.

In addition, I have checked with the Department of Agriculture and its officials report that the surplus payments which American sugar consumers paid to the producers of Philippine sugar under the quota premium system over and above the world price level from 1948 to 1962 amounted to $433,900,000. Therefore, the people of the United States furnished to the Philippines a total of $2,170,900,000, in approximately 16 years, in economic and military assistance. That is certainly great generosity.

And now some interests in the Philippines appear to want $73 million more.

Mr. President, I appreciate the efforts of the Senator from Arkansas [Mr. FULBRIGHT] to prevent Mr. O'Donnell, Mr. Schein, and possibly Mr. Delgado from collecting their 5- or 10-percent fees. But, in my judgment, the committee's provision will be inoperative, because even though the Philippine Government receives the funds, these gentlemen will be able to collect from the private claims which individuals file against the Philippine Government; and the U.S. law will not be operative inside the Republic of the Philippines.

I am afraid the Fulbright amendment is a delusion and a snare. I do not want to be led down the garden lane.

So that while I appreciate the effort of the Senator from Arkansas and wish to commend him for it, the provision is inoperative. The only way to strike at the abuse of lawyers' fees as well as at the abuse of the $73 million itself is to adopt the substitute amendment, which I have the honor of sponsoring with the Senator from Louisiana. That will really deal with the question.

Now, Mr. President, I think we should also examine who the claimants are who would benefit under the law we seek to repeal. In the main, they are the large claimants. I read from page 3 of the 1962 Senate report, which shows that corporations with claims of over $100,000 number only 83, but the total amount of their claims is $21,766,000. There are no individuals in that group.

There are 55 corporations with claims between $50,000 and $100,000. The total of those claims is $3,874,000. I am reading to the nearest thousand dollars. There are 16 private individuals in that group with claims of $1,032,000.

There are 85 corporations with claims from $25,000 to $50,000, the total of which amounts to $3,012,000, and 48 individuals in that group with claims of $1,692,000.

There is a total of only 233 corporations with claims of $28,650,000.

There are 64 individuals with total claims of $2,724,000, making a total of $31,375,000.

All other claimants—presumably individuals—were less than $25,000 bringing the total to $36,455,000. So in the main it will be the large corporations that will get the money.

In the 1962 report of the House of Representatives, on pages 16 and 17, appears an itemization of some of those corporations. The figures are given in pesos, but, of course, a dollar figure would be just one-half of the peso figure. I shall read the figures to the nearest 1,000.

San Miguel Brewery, Inc., 799,000.
Manila Hotel Co., 500,753.
Philippine Packing Corp., 755,000.
Talisay-Siay Milling Co., Inc., 666,000.

I hasten to say again that the figures I am giving are pesos. To translate them into dollars, the figures should be divided by 2.

Masbate Consolidated Co., 928,000 pesos.

Philippine Refining Co., 1,298,000, which would be $649,000.

Philippine Long Distance Telephone Co., 1,765,000 pesos, or $883,000.

The Atlantic Gulf and Pacific Co., of Manila, 866,044.

Benguet Consolidated Mining Co., 2,248,289.

Compania Maritima, 652,365.

Luzon Stevedoring Co., Inc., 782,996.

Elizalde and Co., Inc., 973,888.

Yutivo Sons Hardware Co., 617,425.

Maao Sugar Central Co., Inc., 663,514.

The Hawaiian-Philippine Co., to which reference was made by the Senator from Louisiana, 1,243,128.

Spencer Kellogg & Sons, 600,439, or $300,000.

Marsman Trading Corp., 343,529.

Manila Electric Co., 1,835,523.

Pampanga Sugar Mills, 660,151.

Itogan Mining Co., 1,041,392.

United Paracale Mining Co., 516,925.

So approximately 83 companies have presented claims, which will be paid if the Long-Douglas amendment is not passed, totaling 43,531,000 pesos, or $21,765,000.

Mr. President, that is a rank steal. The bill should never have been passed. It was put over by pressure. A careful examination of the legislative history shows that the United States has no legal or moral commitment to pay the additional $73 million to claimants under the Philippine Rehabilitation Act of 1946. We have never made such commitments.

Mr. Waring, an honorable man, in his testimony told the truth. The Commission never made any commitments; nor did the Congress. We have already assisted with the Philippines with U.S. funds, taxpayers' funds, to the extent of over $2 billion.

I wish to pause at this point to remark that there is altogether too great a tendency on the part of our Government to approve unjust claims and unjust payments to foreign governments and foreign nationals in the name of international amity. In the case of sugar, in the last 15 years these overpayments have amounted to billions of dollars. Two years ago, when some of us attempted to cut off those payments, we saw the sugar lobby send its people from Central and South America. They proceeded to carry on the most elaborate lobbying campaign anyone could imagine and with the aid of the State Department defeated my amendment which would have saved our Government over $250 million.

We now have something of the same difficulties that we experienced last year in trying even to reduce the amount although we then had the help of the State Department. Some of us believe that the coffee agreement, which was approved by the Senate only a few days ago, will ultimately cost the American consumer hundreds of millions of dollars, because each cent increase on a pound of coffee results in an increase of $1.33 a bag. We import approximately 21 million bags of coffee a year. Each 1-cent increase in the price of coffee results in a return to someone other than the consumer of $30 million.

As our representative said at Punta del Este, the purpose of the agreement was to raise the price of coffee. That is what will happen. The increase will not be merely 1 cent a pound; it will be more than that. The agreement which was approved the other day, and which I opposed, will cost American consumers hundreds of millions of dollars.

Now it is proposed to give $73 million to the Philippines, chiefly to the large corporations, American and Philippine, and enrich the pockets of those groups and of the attorneys. In the offing is cocoa. We are shoring up South America by the Coffee Act. Soon a treaty will be proposed to shore up Africa with a Cocoa Act. Very appealing arguments can be made.

After that will come jute. It will be pointed out that labor conditions in India and Pakistan are deplorable—and they are—and that therefore we should support the world price of jute.

So we will support the ruling and wealthy groups of South America with coffee, of Africa with cocoa, and of Asia with jute. Atlas, himself, would faint under such a load as that.

I do not attack the motives of the people who are urging these expenditures. They wish to have us play our part in diminishing poverty all over the world. They would like to encourage the backward nations. Their motives are good. But it is very easy to be reckless with American dollars.

I have supported foreign aid throughout my 15 years in the Senate. I have taken much punishment from Chicago newspapers for doing so. I still believe it is in the main a good program. I intend to continue to support it—with some changes and some moderation—but I submit that we cannot let ourselves continue to be taken for a ride time after time after time. We do not win the respect of other countries by doing that. We cannot buy their respect. They believe they can take us for a ride. There are always people inside our country ready to promote claims, at a 5- or 10-percent fee for themselves, and to use political influence to do it.

Mr. President, I reproach no one. I am sure all have acted with the best of motives. I merely say there is only one way to cope with this problem, and that is to stop the payments. Fortunately, no payments have as yet been made. We were told that the Senator from Arkansas was able to prevent disbursements from being made. The Senator deserves credit for that. Fortunately, therefore, no payments have been made.

I do not think we should take the attitude, "well, it is done; there is nothing we can do about it; let us make the payment."

Mr. President, I yield the floor.

Mr. FULBRIGHT. Mr. President, I wish to say to the Senator from Illinois that one argument is, I feel fairly sure the House is not likely to accept it, if the Senate should attach the amendment to the bill. Then we might end up with no bill at all.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. DOUGLAS. I think the conscience of the House is very uneasy in this matter. I remind the Senator from Arkansas that the House once defeated a proposal to pay anything. It was turned down. The conscience of the House is very uneasy.

Mr. FULBRIGHT. I agree that I cannot speak for the House. I was thinking of the likelihood and probabilities.

Mr. DOUGLAS. Each House must act for itself.

Mr. FULBRIGHT. That is one argument.

I agree that there is no commitment to the claimants, but I remind the Senate again that on August 4, 1959, the Department of State issued a press release, which I ask unanimous consent to have printed in the RECORD, which is entitled "U.S. Replies to Philippine 'Omnibus' Claims," section 1 of which says in part:

> The U.S. Government will, at the next regular session of the Congress and in connection with the legislative program for fiscal year 1961, request appropriate legislation enabling the settlement of the Philippine claim for payment of additional war damage compensation.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
August 4, 1959.

U.S. REPLIES TO PHILIPPINE "OMNIBUS" CLAIMS

The United States today replied to the Philippine Government's "omnibus" claims. The reply was contained in a note handed to Philippine Ambassador Carlos P. Romulo by the Acting Secretary of State. The note also replied to Philippine claims presented separately regarding U.S. coconut oil and sugar processing taxes.

The Acting Secretary presented to Ambassador Romulo a check for $23,862,751 representing final satisfaction of the Philippine claim arising from the revaluation of the dollar in 1934.

The claims of the Philippine Government to which the note replies were submitted to the U.S. Government during the period January–April 1955. Since then they have been the subject of the most exhaustive and sympathetic study by the agencies concerned, as a result of which the United States has informed the Republic of the Philippines that:

1. The U.S. Government will, at the next regular session of the Congress and in connection with the legislative program for fiscal year 1961, request appropriate legislation enabling the settlement of the Philippine claim for payment of additional war damage compensation in accordance with the Philippine Rehabilitation Act of 1946 (Public Law 370, 79th Cong.). The amount of $73 million, according to the records of the War Damage Commission, reflects the statutory maximum of such unpaid private claims authorized by the Philippine Rehabilitation Act of 1946.

2. The United States is prepared to discuss in detail with the Philippine Government possible adjustments of the amount owed by the Philippines under the Romulo-Snyder Agreement of November 6, 1950.

3. In view of the fragmentary and general nature of evidence submitted in support of the Philippine claim for reimbursement of expenses incurred in connection with the Recovered Personnel Division, the United States is willing to consider any further

evidence in support of the claim that the Philippine Government might wish to make available.

4. With respect to the remaining 13 claims formally presented by the Philippine Economic Mission of 1955 and the 2 presented separately requesting refunds of the payments of U.S. coconut oil and sugar processing taxes, the United States considers these claims are invalid. The U.S. Government has examined exhaustively all of the arguments and evidence submitted in support of each of these claims. When it concluded that it was under no legal obligation, the U.S. Government further considered the claims in an effort to determine whether there might exist any basis for their approval as a matter of equity. The most careful and sympathetic study led the United States to the conclusion that none of the rejected claims warranted approval on this basis. They have thus been finally rejected.

The United States has noted that most of the claims submitted deal with payments to the Philippine veterans who served in the U.S. Armed Forces or as guerrillas during World War II. From the end of that war through 1958 payments to Philippine veterans and dependents as well as survivors by the U.S. Veterans' Administration totaled about $700 million. These payments are continuing. They are made to approximately 130,000 individuals in the Philippines each month, and currently amount to some $60 million annually. In addition, payments made by the United States for arrears in pay, redemption of guerrilla currency, and other matters, have totaled approximately $250 million.

A list of the claims is attached.

LIST OF OMNIBUS CLAIMS

1. Import duties and other customs charges.
2. Claim under Executive Order No. 22.
3. Deductions from arrears in pay of the equivalent of 3 months' advance pay.
4. Payment of arrears in pay to members of the Army of the Philippines who were suspended from duty because of criminal charges preferred against them.
5. Expenses of the Recovered Personnel Division.
6. Deductions for clothing issued upon return to military control.
7. Deductions from arrears in pay on account of guerrilla or emergency notes received during the Japanese occupation.
8. Arrears in pay canceled by the Adjutant General records depository after previous approval by the Recovered Personnel Division.
9. Deductions from arrears in pay of personnel who failed to report to military control on or before August 15, 1945.
10. Arrears in pay under the Missing Persons Act of 1942.
11. Currencies confiscated by Japanese authorities during World War II.
12. Unpaid quarters allowances.
13. Additional war damages.
14. Erroneous deductions of national service life insurance premiums from arrears in pay.
15. Dollar devaluation (gold revaluation claim, 1934).
16. Adjustment of accounts under the Romulo-Snyder loan agreement.
17. The case of the Philippine Army veteran (service determination and other matters).
18. Request for refund of processing tax on Philippine sugar.
19. Request for refund of the 3-cent processing tax on coconut oil.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. If I may finish, then I will yield to the Senator.

In pursuance of that, that administration offered a bill providing for payment to the Philippine Government. I introduced the bill at the request of the administration.

That is the commitment which I feel has some validity, because it was a part of an omnibus claims settlement.

Last, the amendment of the committee on this bill would not require the Philippine Government to pay the claimants of large sums, to whom the Senator referred, and I hope very much it would not pay them. If some of the smaller claims are still worthy, payment would be all right.

That is all I have to say.

Mr. DOUGLAS. Mr. President, this is the first time I have heard that a press release issued by the U.S. Government, unratified by Congress, can be presumed to have the effect of a treaty. We are supposed to have a representative government in which the legislature makes the decisions on appropriations. If we have reached the point where any press release issued by the Department of State constitutes a binding obligation upon the people of the United States, we might as well abandon representative government. This is about the lowest point to which legislative responsibility can fall.

Mr. HUMPHREY. Mr. President, will the Senator yield, so that the yeas and nays may be ordered on the amendment?

Mr. DOUGLAS. Yes, but I do not know that I have finished speaking.

Mr. HUMPHREY. That is all right. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. DOUGLAS. I thank the Senator from Minnesota.

Mr. President, apparently the argument of the Senator from Arkansas is, "We have done it; there is nothing we can do about it."

I submit that we can do something about it. Not a dollar has been paid. No commitments have been made. When we do something improper, something lavish, something wrong, we have a right to correct ourselves. Fortunately, we can do that in our private lives. We certainly can do it in our public lives.

To regard $73 million as not important is wrong, in all charity. It is the tyoe of thinking which has crept into our relationships with foreign countries. We are torn between those who would do nothing for foreign countries and who would adopt a selfish, insular attitude, and those who have such an inferiority complex in dealing with foreign countries that they would give them everything.

There must be some middle way. If there is not a middle way, we are going to lose the good in foreign aid. We will lose it, and there will be a public revolt which will sweep all the good measures into the discard.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. Does the Senator not think that it would set a bad precedent for this Nation to pay out $73 million because somebody had the misguided impression he might get something out of Uncle Sam?

Mr. DOUGLAS. I think it is a terrible proposal.

Mr. LONG of Louisiana. I must agree.

Mr. DOUGLAS. I think it is terrible. I read all the great eastern newspapers and most of the other leading journals of the country. They raise the level of journalism. They are accurate. They are humane in spirit. But they contributed to this problem by the drumfire which they set up, of constant attacks on the House for turning down the appropriation in the first place, and urging the Senate to take a different point of view. Their research was faulty, too. They did not go back to the Waring testimony. I hope Mr. Waring will be properly rewarded by the Foreign Service, of which he is a member, for the honesty with which he testified. But I fear there will be groups which will try to discipline him.

I do not know that there is much good to be accomplished by talking longer. I suppose "the establishment" in the Senate is determined to accept the Fulbright amendment and continue the error, but I must protest. I urge the Senate to adopt the substitute amendment and repeal the 1962 act.

The PRESIDING OFFICER. The question is on agreeing to Long of Louisiana-Douglas amendment, numbered 95 to the committee amendment on page 5. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from North Dakota [Mr. BURDICK], the Senator from Virginia [Mr. BYRD], the Senator from West Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from California [Mr. ENGLE], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Wyoming [Mr. McGEE], the Senator from Michigan [Mr. McNAMARA], the Senator from Montana [Mr. METCALF], the Senator from Oregon [Mr. MORSE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Virginia [Mr. ROBERTSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL], the Senators from Kansas [Mr. CARLSON and Mr. PEARSON], the Senator from Hawaii [Mr. FONG], the Senator from Arizona [Mr. GOLDWATER], the Senator from New York [Mr. JAVITS] and the Senator from New Mexico [Mr. MECHEM] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] is detained on official business.

If present and voting, the Senator from Maryland [Mr. Beall], the Senator from Kentucky [Mr. Cooper], the Senator from Hawaii [Mr. Fong] and the Senator from Arizona [Mr. Goldwater] would each vote "nay."

The result was announced—yeas 22, nays 45, as follows:

[No. 95 Leg.]

YEAS—22

Anderson
Cannon
Clark
Cotton
Curtis
Douglas
Edmondson
Ellender
Ervin
Gruening
Hart
Jordan, N.C.
Long, La.
McGovern
McIntyre
Moss
Nelson
Proxmire
Ribicoff
Simpson
Thurmond
Young, Ohio

NAYS—45

Aiken
Allott
Bennett
Bible
Boggs
Brewster
Case
Dirksen
Dodd
Dominick
Eastland
Fulbright
Hartke
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Johnston
Jordan, Idaho
Keating
Kefauver
Kuchel
Mansfield
McCarthy
Miller
Monroney
Morton
Mundt
Muskie
Pastore
Pell
Prouty
Randolph
Saltonstall
Scott
Smith
Sparkman
Stennis
Tower
Williams, N.J.
Williams, Del.
Young, N. Dak.

NOT VOTING—33

Bartlett
Bayh
Beall
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Church
Cooper
Engle
Fong
Goldwater
Gore
Hayden
Javits
Kennedy
Lausche
Long, Mo.
Magnuson
McClellan
McGee
McNamara
Mechem
Metcalf
Morse
Neuberger
Pearson
Robertson
Russell
Smathers
Symington
Talmadge
Yarborough

So the Long-Douglas amendment to the committee amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the amendment to the committee amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I call up the amendment numbered 96 which I introduced for myself and the Senator from Illinois [Mr. Douglas].

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 5, in the committee amendment, in lieu of the matter beginning on line 3 and ending on line 10, page 6, it is proposed to insert the following:

Sec. 3. (a) Notwithstanding the provisions of the Act entitled "An Act to authorize the payment of the balance of awards for war damage compensation made by the Philippine War Damage Commission under the terms of the Philippine Rehabilitation Act of April 30, 1946, and to authorize the appropriation of $73,000,000 for that purpose", approved August 30, 1962 (Public Law 87-616), or any other provision of law, no payment shall be made to any claimant under such Act unless otherwise hereafter provided by the Congress.

(b) The Foreign Claims Settlement Commission shall transmit to the Congress at the earliest practicable date a report concerning each application approved by it under such Act, which shall include a statement of the pertinent facts upon which the claim of the applicant is based, the amount heretofore paid to the applicant under the provisions of title I of the Philippine Rehabilitation Act or any other provision of law by reason of such claim, and the amounts paid or agreed to be paid by the claimant to any person for services as attorney or agent in connection with such claim.

Mr. HUMPHREY. Mr. President, I have discussed the amendment with the Senator from Louisiana [Mr. Long]. He is very considerate of the situation which prevails tonight, in that many of our colleagues in the Senate are scheduled to attend a dinner which is of some importance to them. I wonder if the Senator from Louisiana would be willing to accept a limitation on time with respect to this amendment.

Mr. LONG of Louisiana. I would suggest 15 minutes to a side.

Mr. HUMPHREY. I ask unanimous consent that the time on the amendment be limited to 15 minutes to each side.

The PRESIDING OFFICER (Mr. Brewster in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, we shall be asked next week to raise the national debt limit to $309 billion. One reason we shall be asked to do so is that Congress has insisted time and again on voting money for things for which there is really no need to spend money at all. The Senator from Illinois [Mr. Douglas] and I have just completed spelling out the fact, in connection with the amendment which the Senate has rejected, that with regard to the $73 million.

There is no need whatever and no obligation to pay this money on any of these claims. The whole thing was put over by improper representations that were made to Congress.

If we cannot save the whole $73 million, we should save some part of it. This is how I suggest doing that:

We should leave the act as it is, and let the Foreign Claims Settlement Commission report to us what the claims are, what the nature of the claims is, how much the claimants paid for representation; in other words, to bring all the facts to us, so that we can take a look at them, and in that way act on them as we should. We should act on them in the same way in which we act on private relief claims of our own claimants in this country.

The amendment would require that the claims be carefully examined. Not one cent would be paid out until Congress had acted subsequently.

Insofar as some people have been led to believe that they will get something, they can still entertain that hope, but Congress will have an opportunity to say how many of the claims shall be paid.

If Senators do not want to save the whole $73 million, they should vote to save a part of it, by saying that we will honor a claim if it is an honest claim. That is all that the amendment seeks to do.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has been yielded back.

The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. Long] and the Senator from Illinois [Mr. Douglas] to the committee amendment on page 5. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from North Dakota [Mr. Burdick], the Senator from Virginia [Mr. Byrd], the Senator from West Virginia [Mr. Byrd], the Senator from Idaho [Mr. Church], the Senator from California [Mr. Engle], the Senator from Tennessee [Mr. Gore], the Senator from Arizona [Mr. Hayden], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from Wyoming [Mr. McGee], the Senator from Michigan [Mr. McNamara], the Senator from Montana [Mr. Metcalf], the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mrs. Neuberger], the Senator from Virginia [Mr. Robertson], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], the Senator from Missouri [Mr. Symington], the Senator from Georgia [Mr. Talmadge], and the Senator from Texas [Mr. Yarborough] are absent on official business.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. Beall], the Senators from Kansas [Mr. Carlson and Mr. Pearson], the Senator from Hawaii [Mr. Fong], the Senator from Arizona [Mr. Goldwater], the Senator from New York [Mr. Javits], and the Senator from New Mexico [Mr. Mechem] are necessarily absent.

The Senator from Kentucky [Mr. Cooper] and the Senator from Massachusetts [Mr. Saltonstall] are detained on official business.

If present and voting, the Senator from Kentucky [Mr. Cooper], the Senator from Hawaii [Mr. Fong], and the Senator from Massachusetts [Mr. Saltonstall] would each vote "nay."

On this vote, the Senator from Arizona [Mr. Goldwater] is paired with the Senator from Maryland [Mr. Beall]. If present and voting, the Senator from Arizona would vote "yea," and the Senator from Maryland would vote "nay."

The result was announced—yeas 25, nays 41, as follows:

[No. 96 Leg.]

YEAS—25

Anderson
Boggs
Cannon
Clark
Cotton
Curtis
Dodd
Douglas
Ellender
Ervin
Gruening
Hart
Jordan, N.C.
Long, La.
McGovern
McIntyre
Moss
Ribicoff
Simpson
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—41

Aiken
Allott
Bennett
Bible
Brewster
Case
Dirksen
Dominick
Eastland
Edmondson
Fulbright
Hartke

Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Johnston
Jordan, Idaho
Keating
Kefauver
Kuchel
Mansfield
McCarthy
Miller
Monroney
Morton
Mundt
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Scott
Smith
Sparkman
Williams, N.J.

NOT VOTING—34

Bartlett
Bayh
Beall
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Church
Cooper
Engle
Fong
Goldwater
Gore
Hayden
Javits
Kennedy
Lausche
Long, Mo.
Magnuson
McClellan
McGee
McNamara
Mechem
Metcalf
Morse
Neuberger
Pearson
Robertson
Russell
Saltonstall
Smathers
Symington
Talmadge
Yarborough

So the amendment offered by Mr. LONG of Louisiana to the committee amendment was rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendment to the amendment was rejected.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the committee amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. COTTON. Mr. President, before the vote on the passage of the bill, I wish to ask a question either of the chairman of the Committee on Foreign Relations or of some other member of the committee.

Will he indicate what percentage of the overall funds embraced in the bill represents so-called counterpart or foreign currency funds, and what proportion consists of dollars of American taxpayers, collected in this country?

Mr. FULBRIGHT. I stated those figures in my initial statement. Approximately 70 percent, or $35 million, of the total of $49,824,000, are paid for with foreign currencies owned by this country. Our experience since the beginning, since this program began, is that 86 percent of funds used for this purpose have been foreign currencies. The only reason for the lesser amount now is that in many countries these currencies no longer exist.

This is a very good average. I see no reason to doubt that the program will be successful.

Mr. COTTON. I thank the Senator from Arkansas.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 5207) was passed.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AUTHORIZATION FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO FILE REPORT

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare may have until midnight tomorrow night to file its report on S. 1576.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

Mr. HUMPHREY. Mr. President, I ask that the Senate proceed to the consideration of certain nominations reported today, which are at the Secretary's desk.

IN THE JUDICIARY

The PRESIDING OFFICER. The clerk will state the nominations in the judiciary.

The legislative clerk read the nomination of William A. Meadows, Jr., of Florida, to be U.S. attorney for the southern district of Florida for the term of 4 years, vice Edward F. Boardman, transferred.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PATENT OFFICE

The legislative clerk read the nomination of Herbert J. Lidoff, of the District of Columbia, to be an examiner in chief, U.S. Patent Office.

The PRESIDING OFFICER Without objection, the nomination is confirmed.

IN THE NAVY

The PRESIDING OFFICER. The clerk will state the nominations in the Navy.

The legislative clerk read sundry nominations in the Navy.

Mr. HUMPHREY. I ask that the nominations in the Navy be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

Mr HUMPHREY. Mr. President, I ask that the President be notified forthwith of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of the confirmation of the nominations.

LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ASSISTANCE IN COMBATING MENTAL RETARDATION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 161, S. 1576.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare.

ADJOURNMENT TO MONDAY

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate stand in adjournment until 12 o'clock noon, on Monday.

The motion was agreed to; and (at 7 o'clock and 1 minute p.m.) the Senate adjourned until Monday, May 27, 1963, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23, 1963:

U.S. PATENT OFFICE

Herbert J. Lidoff, of the District of Columbia, to be an examiner-in-chief, U.S. Patent Office.

U.S. ATTORNEY

William A. Meadows, Jr., of Florida, to be U.S. attorney for the southern district of Florida for the term of 4 years.

U.S. NAVY

The following-named midshipmen (Naval Academy) to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Thomas H. Aulenbach
Patrick A. Day

The following-named midshipmen (Naval Academy) to be permanent ensigns in the line of the Navy (special duty intelligence), subject to the qualifications therefor as provided by law:

Robert D. Stiger, Jr.
David A. Wells

Roger A. Marien (Naval Reserve Officers' Training Corps candidate) to be a permanent ensign in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law.

U.S. MARINE CORPS

The following named (Naval Reserve Officers' Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Michael B. Peterson

IN THE ARMY

The nominations of distinguished military students, midshipmen (Naval Academy), U.S. Military Academy graduates, and U.S. Air Force Academy graduates, beginning Leroy D. Fahle to be second lieutenant, and ending Joe H. R. Wilson to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 6, 1963.

IN THE AIR FORCE

The nominations of Distinguished Officers Training School graduates, cadets, U.S. Air Force Academy, distinguished military students, Air Force Reserve Officers Training Corps, and midshipmen (Naval Academy), beginning Bruce Ackert to be second lieutenant, and ending Roy Lee Welch to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 14, 1963.

IN THE MARINE CORPS

The nominations of Naval Reserve Officers Training Corps, Army Reserve Officers Training Corps, U.S. Military Academy, U.S. Naval Academy, and Air Force Academy graduates beginning David G. Amey to be second lieutenant and ending Joseph G. Tkac, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 22, 1963; and

The nomination of James R. Harper to be second lieutenant, which nomination was received by the Senate and appeared in the CONGRESSIONAL RECORD on May 13, 1963.

IN THE NAVY

The nominations of midshipmen (Naval Academy), Air Force Academy graduates, and Naval Reserve Officers Training Corps beginning Donald L. Abbey to be ensign, and ending Dennis W. H. Wong to be ensign, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on April 22, 1963; and

The nominations of midshipmen (Naval Academy), and Naval Reserve Officers Training Corps candidates beginning Bruce W. Gunkle to be ensign, and ending Philip M. Young to be ensign, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 13, 1963.

EXTENSIONS OF REMARKS

The Herbert J. Pascoe Educational Scholarship Foundation

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. RODINO. Mr. Speaker, one of the most important assists to the youth of America in its achievement of higher education is the foundation. And, one of the most important and outstandingly successful foundations in the State of New Jersey is the Herbert J. Pascoe Educational Scholarship Foundation. Last Sunday, this foundation celebrated its 10th anniversary, and it was my pleasure to extend the following greeting to the members attending the anniversary dinner at the Military Park Hotel in Newark:

The American foundation is a unique institution which opens doors of opportunity and enriches human existence everywhere. Philanthropy in the field of education is perhaps one of the most rewarding of foundation activities. At the time when education has been termed "our most important national resource," when the extension of educational opportunity is essential to our national goals and to our very survival, private efforts on behalf of education are vitally important to our American way of life.

Thus, it is particularly gratifying to pay tribute to the 10 years of development and success of the Herbert J. Pascoe Educational Scholarship Foundation, which has created wider educational opportunity for deserving young people throughout the State of New Jersey. With your scholarship awards in the field of education which encourage and assist qualified students to enter the noble profession of teaching, you strengthen the school system itself. Your endeavors richly honor the memory of Herbert J. Pascoe, a dedicated public servant who also served the cause of better education.

This decade since your founding has seen a new awareness of the value of education and a growing need for assistance to our schools and young people if we are to maintain our position of leadership in the free world. I am sure you are all familiar with statistics describing the spiraling costs of higher education, the serious shortage of facilities, and the inadequacies of our schools. Vigorous and unceasing efforts at all levels are necessary if we are to complete the tasks confronting us in the future. The interest and support offered by this foundation for both higher education and excellency in teaching will continue to grow even more valuable in this crucial decade ahead.

With a very special pride in my membership in the Herbert J. Pascoe Educational Scholarship Foundation, I send my sincere congratulations for 10 years of fruitful and dedicated activity and good wishes for your continued success.

Remarks by Vice President at Luncheon Honoring Astronaut Cooper

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. FULTON of Pennsylvania. Mr. Speaker, I include the following in the RECORD under permission granted:

REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON, LUNCHEON HONORING ASTRONAUT GORDON COOPER, BEN FRANKLIN ROOM, STATE DEPARTMENT, WASHINGTON, D.C., TUESDAY, MAY 21, 1963

In 1942, President Roosevelt called together our wartime leaders for the final decision on continuing or abandoning the Manhattan project which produced the atomic bomb. One of the most eminent leaders present heard presentation from all sides. Then, he solemnly gave President Roosevelt his verdict: "The bomb will never go off—I speak, of course, Mr. President, as an expert on explosives."

In that first, uncertain spring of the space age 5 years ago, some conscientious experts took the same attitude toward Project Mercury. History has proved them grossly wrong.

Today, same kind of doubts are expressed about further space explorations. History will prove those doubts wrong, also.

Project Mercury has established the capacity of free and open societies to come from behind—and forge ahead. We realize competition is intense. We expect further successes by the totalitarians. We expect continuing successes ourselves.

Americans do not intend that space shall be defaulted. Americans do not intend to live in a world which goes to bed at night by the light of a Communist moon.

Success has been achieved by teamwork—the teamwork of astronauts, scientists, engineers, plus teamwork of our political system. Responsible support of Members of Congress has been indispensable. The support will continue from responsible members of both parties. There will be no American default in space.

Hitler once predicted the Nazis would wring England's neck like a chicken. After the Battle of Britain, Winston Churchill said to Commons, "Some chicken. Some neck." We have heard some say recently that the civilian space program is only "leaf-raking." Considering Major Cooper—considering the vast technological cooperation which made his mission a success—I would say today, "Some leaf. Some rake."

Mr. Larry E. Doyle

EXTENSION OF REMARKS

OF

HON. H. ALLEN SMITH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. SMITH of California. Mr. Speaker, last evening in Philadelphia my good friend and constituent, L. E. Doyle, was installed as president of Sales and Marketing Executives—International. This is a distinct honor and one in which I share his pride. In inserting these remarks in the RECORD I attempt to show Larry Doyle just how proud I am of his achievement in this regard and offer my sincere congratulations.

Sales and Marketing Executives—International is a nonprofit organization with more than 30,000 business executive members, organized in 230 clubs in 36 countries of the free world. Larry Doyle is vice president of the sales division of Forest Lawn Memorial Parks, Glendale, Calif., and has been associated with Sales and Marketing Executives—International for the past 23 years. He is recognized as one of the top sales executives throughout the cemetery and mortuary industry. He has also been a leader in his own community and for this reason the honor of the presidency of this fine organization is doubly meaningful.

I reiterate my pride in men like Larry Doyle who contribute to the outstanding quality and character of my 20th Congressional District in California.

Hydroelectric Power in the Nuclear Age

EXTENSION OF REMARKS

OF

HON. THOMAS J. McINTYRE

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Thursday, May 23, 1963

Mr. McINTYRE. Mr. President, for too long the New England States have been at a competitive disadvantage for want of a modern system for the generation and transmission of electric power. My colleague, the junior Senator from Maine [EDMUND S. MUSKIE], in a recent address before the American Public Power Association, has pointed to changes in technology that will improve this situation in the near future. The use of more efficient high voltage transmission lines will enable the States of northern New England to seek low cost power sources which will benefit the region in industrial expansion and residential consumption of power. With foresight and imagination Senator MUSKIE has pointed the way for all the New England States in the development of this most critical resource. I am pleased to call your attention to his remarks on the revolution in electrical technology and ask unanimous consent that Senator MUSKIE's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

HYDROELECTRIC POWER IN THE NUCLEAR AGE

No discussion of our energy needs is meaningful, unless it is undertaken in the context of our position as a world power. The strength of nations, today, depends on their industrial capacity and resources. The conduct of our diplomacy and the adequacy of our defense structure are vital to our future, but each depends, for its effectiveness, on the industrial and economic strength of the Nation. That strength, in turn, is rooted in our developed energy resources.

If we are to maintain our position as the leader of the free world; if we are to make significant advances in our productive capacity and in the employment of our human and natural resources; we must make bold strides in the expansion of our electrical energy output. This is a matter of national importance and concern.

Two facets of this problem interest me, today: nuclear power and hydroelectric power. Some view them as competitors; I see them as complementary systems.

What will be the role of nuclear powerplants in the next 40 years?

Recently, the Atomic Energy Commission reported to President Kennedy its estimate that, by the end of the century, nuclear power will be assuming the total increase in national electric energy requirements and will be providing half the electric energy generated.

Such long-range predictions can only be tested by time. Opinions concerning the advent of economic atomic power have run the gamut from dazzling predictions to dark pessimism.

Today, there are no nuclear plants on the line which are competitive with comparable conventional generating facilities. We are still in the position of judging nuclear power on its promise not its performance. But the promise is very great, and must be taken into account in power planning.

Nuclear energy is unique in its widespread availability, and radically different in character from sources of energy that man has used in the past. Usable world reserves of nuclear fuels are estimated to represent an energy potential 15 to 20 times as great as deposits of coal, oil, and gas; with controlled fusion of hydrogen, the earth would have at hand an unlimited supply of energy. Nuclear fuels are highly concentrated forms of energy, capable of providing enormous amounts of potential power from relatively small physical quantities. But nuclear energy presents hazards to health and safety not associated with conventional fuels; radiation released with power reactors is a far more serious type of contamination than the usual industrial pollution because it can destroy living cells and mark future generations through harmful mutations.

In view of these and other special attributes, including its role in weapons production, nuclear energy has been properly vested with a public interest. The Federal Government has expended approximately $25 billion in the development of nuclear energy for war and peace, and continues to closely supervise its application for both purposes.

Even if the Atomic Energy Commission's predictions for the turn of the century prove correct, it is likely that, for at least several decades, steam power plants using heat from coal, oil, or gas will remain the principal source of electricity in this country. Today such steamplants represent about 80 percent of our power supply; this percentage will likely increase as feasible hydro sites diminish and demand for electricity rises.

Despite these qualifications, the potential of nuclear power is of particular interest to those of us who live in New England. Electric bills in our part of the Nation are among the highest in the country, although our use of electricity has not kept pace with other regions. In 1961, the average residential customer in New England used 3,113 kilowatt hours—23 percent below the national average—and paid approximately 3.47 cents per kilowatt hour—which is more than 15 percent above the national average.

We have no coal mines, oil wells, or gasfields to supply a source of low-cost fuel. Average fuel cost of New England steam plants in 1961 was 36.9 cents per million B.t.u. compared with a national average of 26.7 cents.

Federal Power Commission Chairman Swidler pinpointed one of the basic reasons for our area's poor showing electrically when he told the Electric Council of New England: "New England in the past has built and still relies on too many small and inefficient generating units and on too few of the large, low-cost units. The evidence suggests that New England's electrical progress is restrained by the chain of high costs, which in turn leads to high rates, which delays growth of energy use and thus tends to keep costs high."

Mr. Swidler advanced several suggestions for solving this dilemma, including increased integration of facilities and operations, more efficient use of fuel, and greater use of power through power use promotion. I would like to discuss a fourth proposal he made for a review of the economic feasibility of many of the area's undeveloped hydropower sources, for additional blocks of capacity on the basis of power pooling for the region as a whole and in cooperation with neighboring regions.

The Northeast has millions of kilowatts of undeveloped hydroelectric capacity. In New England alone, FPC studies show a potential of 2.8 million kilowatts. This is an extremely conservative figure. It does not include, for example, the potential 1 million kilowatts of peaking capacity at the Passamaquoddy Tidal project.

Hydropower can—and should—be developed now. Unlike atomic energy, the technology is already perfected and feasible sites have been surveyed. The major cost of a hydro project is in building the dam to form the reservoir. This expense is subject to escalation as price levels rise; thus, the sooner these projects are constructed, the lower the anticipated price tag.

Today, the States of Maine, New Hampshire, and Vermont are supplied in about equal amounts of hydro and thermal generation. The predicted power supply pattern of the future calls for large generating stations integrated through extra high voltage transmission grids.

Some say that giant, low-cost steampower—especially in nuclear energy plants—has doomed the future of hydroelectric generation. Nothing could be further from the truth.

The expanded use of nuclear energy and modern high capacity fossil fuel plants accentuate the opportunities for hydroelectric power. It is growing more and more important as a source of peaking power. The inherent characteristics of a hydropower plant permit wide variations of load in extremely short intervals of time. This is ideal for peaking purposes. On the other hand, high capacity thermal powerplants using energy from either fossil fuels or from nuclear sources do not possess this flexibility. The heat balance required under the high pressures and high temperatures encountered in the large thermal units does not permit wide variations in output within short intervals of time. The high investment and operating costs of these units require practically continuous operations at full-rated output with only minor shutdowns for maintenance purposes to obtain economical outputs.

The outlook of the power industry is, I think, well exemplified in the present plans by the Consolidated Edison Co. of New York. This system has in the active planning or early construction stages three generating plants with an output of 1 million kilowatts each. One of these plants will be hydroelectric, operated on a pumped storage basis to provide peaking requirements. Of the remaining two plants, one will utilize conventional fossil fuels, and the other will be supplied by nuclear energy.

Several large generating units are under construction for operation in the utility systems of southern New England. The largest plant is rated at 340 megawatts and will be installed at the L Street station of the Boston Edison Co. Unit operation is scheduled for July 1965.

Two hundred and twenty-five megawatt power plants will be installed at the Brayton Point plant of the New England Power Co. The first 225 megawatt power unit is scheduled for operation in July 1963, and the second is scheduled for operation in July 1964.

The Hartford Electric Co. also has a large unit scheduled for initial operation in 1964. This is the Middletown Unit No. 3 and will have a capacity of 220 megawatts. Initial operation is scheduled for October 1964.

One method of meeting peaking needs for such plants involves pumped storage. In a recent issue of the Electrical World, the Central Hudson Gas & Electric Corp. announced plans for development of a 600,000 kilowatt pumped storage hydroelectric project. The site is at Breakneck Mountain overlooking the Hudson River south of Beacon, N.Y., and is directly across the river from the 1 million kilowatt pumped storage project of the Consolidated Edison Co. of New York.

The Taum Sauk project by the Union Electric Co., of St. Louis, Mo., is another prime example of what is happening in the hydro field. In this project, the top of a mountain was literally blown off to provide a manmade reservoir so that a pumped storage hydroelectric power project for peaking functions could be constructed.

In my own State of Maine, we have the potential of a unique hydroelectric power development. This could benefit Maine, New England, and the Maritime Provinces of Canada. In this case, the waterfall or head is not provided by the natural terrain of the country and the streamflow from rainfall but by the lunar forces responsible for the tides.

This unique hydroelectric power development has certain problems, to be sure, but it can also boast of features that are not present in a riverflow hydroelectric power development.

The tides are produced by gravitational forces between the Earth and the Moon and the configuration of the land area. In view of the absolute determinability of the relative position of the Earth, the Sun, and the Moon, it is possible to accurately calculate and to predict the amplitude of a tide at any time in the future. With the exception of a few tidal storms, there are no physical factors which can destroy these predictions. Thus, instead of having a source of hydroelectric power depending upon the vagaries of rainfall and terrain, we have a source of power which can be absolutely predicted.

In many of the earliest studies of Passamaquoddy, attempts were made to match the tidal cycle to the solar day with relatively little success. In the most recent concept developed in the IJC report, Passamaquoddy was proposed as a source of dependable hydroelectric energy.

In contrast, the studies by the Department of the Interior indicate a great need in the future for peaking capacity. The two-pool concept developed in the IJC report provides an excellent opportunity for developing peaking power of the characteristics which have been historically experienced in the marketing area considered by the Department of the Interior. This embraced the New England States, eastern New York, and the maritime Provinces of Canada, particularly New Brunswick and Nova Scotia.

Computer studies are being made as part of the overall Passamaquoddy review to determine the optimum peaking capacity that could be developed at the Passamaquoddy Tidal Powerplant. We understand these studies are progressing satisfactorily and they will show the number of hours' peaking capacity of various magnitudes could be provided by the Passamaquoddy development, both on the basis of isolated operation and on the basis of interconnected integrated operation with power generated on the St. John River. We understand the studies are being made for various capacities from 500 megawatts to 1 million kilowatts.

Studies already made by various people indicate that the development of the Upper St. John River is entirely economical and makes good financial sense. If it can be demonstrated that Passamaquoddy can stand on its own feet, certainly the coordination of power capacity of the Passamaquoddy with the Upper St. John River will be an even better development. On this basis, the dependable capacity of Passamaquoddy could be calculated on the basis of the potential output from the average tide of 18 feet, rather than from the lowest tide of about 13 feet.

I, and I am sure many of you, are anxiously awaiting the results of the studies in progress by the Department of Interior. We have every assurance that the report to the President will be completed by July 1, 1963. Should this report demonstrate the feasibility of Passamaquoddy operating on its own, I will recommend that serious consideration be given to this potential resource.

As we consider these and other potential sources of hydroelectric energy, we must not let the glamour of the nuclear age obscure the new look in hydroelectric power. Hydro is the partner of modern steam generation, not its enemy. By applying imagination, hard work, and determination to the potential of hydroelectric peaking plants, large-scale steam plants, and efficient high-voltage systems, we can open a new day in the sound development of our economic, natural, and human resources. We will also demonstrate to the world the power for growth in a free society.

Citation for Mr. Edgar M. Bowers, Jr., District Manager for Social Security Administration, at Lafayette, La.

EXTENSION OF REMARKS

OF

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. WILLIS. Mr. Speaker, helpful and understanding relations between Members of Congress and the Federal agencies with which we transact business are necessary to the welfare of our constituents and to the successful operation of Government.

In this connection I have in mind particularly those agencies which we have occasion to call upon most frequently, such as the Social Security Administration. My contacts in that direction have been pleasant and valuable and I am happy to join in congratulations to Mr. Edgar M. Bowers, Jr., who, on Tuesday, May 21, received the Commissioner's citation for outstanding service as district manager at Lafayette, La., during ceremonies at the Social Security Building at Baltimore. Mr. Bowers was among 75 employees of the Social Security Administration selected from among those throughout the Nation upon whom citations were conferred by Commissioner Robert M. Ball. Former Commissioner Arthur Altmeyer was the speaker during this program.

Mr. Bowers has been with the Social Security Administration since October 1947, when he became a field assistant with the Galveston, Tex., office. Later he was employed at various Texas points, including Corpus Christi, Waco, Sherman, and Austin, also at San Angelo where he was District Manager and at Victoria where he opened a District Office. Since October 1958, he has been District Manager at Lafayette for an area comprising St. Martin, Iberia, Lafayette, and Vermilion Parishes—counties—in the Third Congressional District of Louisiana, which I have the privilege of representing, and St. Landry, Acadia, and Evangeline Parishes in the Seventh District represented by Congressman T. A. Thompson.

Mr. Bowers and his efficient office have helped with the problems of many of the people of the two districts mentioned above, while the Parishes of Assumption, Lafourche, St. Mary, and Terrebonne, in the Third District, and the community of Grand Isle, in Jefferson Parish, in the Second District represented by Congressman Hale Boggs, are also ably served by District Manager J. H. Simpson and his office at Houma, in the Third District. The Lafayette District Office, established in 1950, and the Houma District Office, opened later, are in the Social Security Administration's region 7, composed of Louisiana, Texas, New Mexico, Arkansas, and Oklahoma.

Wheat-Potato Program

EXTENSION OF REMARKS

OF

HON. HERBERT C. BONNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. BONNER. Mr. Speaker, on Tuesday of this week the wheat farmers throughout the Nation voted in a referendum to determine the type of program they desired to be in operation in 1964. The alternatives were clearly presented and debated throughout the Nation.

Coming from a State where agriculture is still our major industry, and from a district where agriculture is not only a way of life, but is life itself, I was very much interested in the decision farmers would reach on Tuesday.

I must say that I was surprised at the decision and do not understand the reasons back of the decision reached. In my district we grow practically all agricultural commodities. Flue-cured tobacco, of course, is the principal commodity, but we also produce substantial quantities of peanuts, cotton, feed grains, potatoes, fresh vegetables, livestock, and practically anything that can be named in the agriculture field. The wheat producers made a choice on Tuesday to accept an alternative program which provides unlimited production at market prices, or for those who desire to plant within their acreage allotment, a guaranteed price support of 50 percent of parity. It is ironical to me that the wheat producers would reject marketing quotas with guaranteed higher prices. I say this is ironical because producers of Irish potatoes are at the present time and have been for more than a year trying to secure legislation which would authorize acreage allotments without guaranteed price supports. The producers of potatoes are entitled to this legislation. They have learned that they cannot exist with unlimited production much in excess of market demands.

Since wheat producers have made their choice, I sincerely hope that it is a wise one and that no action will be taken by this body to adopt a different program from that which they have elected to accept. I also urge this body to hasten consideration of potato legislation which has been urgently requested by potato producers.

Address by the Vice President of the United States, Jefferson-Jackson Day Dinner, Oklahoma City, May 20, 1963

EXTENSION OF REMARKS

OF

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. ALBERT. Mr. Speaker, it was my pleasure to preside at a great Democratic fund raising banquet in Oklohama City on the night of May 20. Citizens of Oklahoma were honored on that occasion by the presence of the eminent and distinguished Vice President of the United States, the Honorable Lyndon B. Johnson. We were also privileged to hear the Vice President deliver one of the most outstanding speeches I have ever heard.

The distinguished senior Senator from Oklahoma, Mike Monroney, presented the Vice President. His remarks on the occasion were a fitting tribute to our honored guest.

Under leave to extend my remarks, I include both Senator Monroney's introductory address and the address of Vice President Johnson.

TEXT OF SENATOR A. S. MIKE MONRONEY, JEFFERSON-JACKSON DAY DINNER, OKLAHOMA CITY, OKLA., MAY 20, 1963

I am very grateful for this opportunity and privilege of introducing our principal speaker of the evening. This is one of the few genuine rewards of seniority that I have discovered.

This will go down in history as one of the greatest Jefferson-Jackson dinners ever held in Oklahoma. It has been made possible through the hard work of Speaker J. D. McCarty and President Pro Tempore Roy Boecher. They have had the loyal and diligent assistance of their colleagues, including State Senator Don Baldwin and State Representative Bill Skeith, and of the county chairmen and cochairmen and other county, district, and State party officials. All of the hard-working Democrats who helped make this event what it is deserve our gratitude and appreciation.

I and the other members of the congressional delegation were very grateful when our distinguished guest accepted our invitation to come here and make this address. But at the time he accepted, quite frankly, our gratitude was tempered with a certain amount of worry and anxiety.

Every Democrat in this audience, Mr. Vice President, will understand the reason for our worry and concern. Democrats—whether they be Oklahoma Democrats, Texas Democrats, Massachusetts Democrats, or Democrats of any kind—go about their business of party organizing and party functioning in strange and wonderful ways. Sometimes they are worrisome ways born of primary stresses. Sometimes of disappointments in general elections. Sometimes in stresses generated by issues or by rival candidates.

A strong political party is not born in sweetness and light and it does not survive that way. It survives in the heat of battle. It survives in the struggle within itself to find its true mission and its means of obtaining same. It survives and grows in its travail.

The Democratic Party in Oklahoma is now in a terrific struggle with its Republican foe, and financing has always been one of the major problems of our party. Let's face it. Our financial needs promoted this Jefferson-Jackson dinner campaign. As Democrats we are not ashamed to admit this. Democrats always have had more trouble raising money than Republicans because Democrats as a party represent all the people—not a privileged few.

In fact, money is so hard to come by for Democrats that we are compelled to put aside our differences over issues and candidates and get down to work for our survival as a party. And, as a matter of fact, in adversity we have seen Democrats set aside their differences and close ranks as real Democrats. Mr. Vice President, these are the Democrats you see here tonight. Our efforts in what we feel will be a successful fund raising campaign have furnished a unity of purpose and a new sense of determination. The loss of one battle does not mean we have lost a war.

Mr. Vice President, we were grateful for your accepting our invitation. Your confidence in us made us work harder.

This has become a victory banquet. All across the State, in precincts and counties, Oklahoma Democrats have worked hard to make this event a success. The response at the local level by individual Democrats contacting their neighbors and friends has been terrific. Your coming here has lit the lamp of victory, a lamp that will lead us to success in 1964 for the entire Democratic ticket.

Introductions are easy when you have such a guest as we have here tonight. The principal task is one of editing, condensing in order to give even a brief summary of hundreds of important items in the speaker's distinguished record.

We are also tremendously honored that Lady Bird Johnson has accompanied her husband to Oklahoma for this occasion. Few people yet realize the tremendous contribution that is being made in important areas of national and international life by the Vice President's partner—his charming wife Lady Bird. Her gracious and intelligent activity and leadership in dozens of important areas of American life, in causes where women can best serve, is setting a new high for this administration. She is carrying on in the great tradition of the late first lady of the world, Mrs. Eleanor Roosevelt. Her love for human beings and respect for human dignity are a part of Lady Bird Johnson, just as these qualities were a part of Mrs. Roosevelt.

One cannot begin to describe our Vice President without referring to two of his closest friends and colleagues who are no longer with us. I refer, of course, to the late Speaker of the House, Sam Rayburn, and the late senior Senator from Oklahoma, Robert S. Kerr. One of Bob Kerr's favorite stories, which he told time and again to audiences around Oklahoma, recalled the occasion when Senator Everett Dirksen, the Republican leader in the Senate, learned that Lyndon Johnson, who was then the majority leader, had had a mobile telephone installed in his automobile. Bob Kerr would recite the procedures through which the leaders of the Senate exercised such prerogatives and how after a telephone call or two to the right functionary, Senator Dirksen obtained a telephone for his limousine.

A few days later, driving through the heavy Washington traffic en route to the Capitol, Senator Dirksen saw the majority leader's limousine at a distance and decided to try out his new telephone.

"This is Senator Dirksen. Please give me the majority leader's automobile," the story went.

After a few seconds, according to the way Bob Kerr told it, a pretty feminine voice came on the line to Senator Dirksen and said, "This is the majority leader's automobile. May I help you please?"

"This is Senator Dirksen. I am calling from my automobile. Let me speak to the majority leader please."

From the automobile in the traffic a short distance ahead Senator Dirksen heard this report from the secretary, "I am sorry Senator. Could you hold the telephone? The majority leader is talking on another line."

Bob Kerr used that story to illustrate Lyndon Johnson's industrious and go-getting personality. L. B. J.'s drive to get things done is his trademark.

Long before we had such great astronauts as Leroy Gordon Cooper, Lyndon Johnson gave some clear indication of these magical things to come. Certainly years before we put a man in a Mercury capsule, Lyndon was in orbit in the House and Senate chambers. Some indications of the speed and accuracy of a Mercury flight came from the legislative performance of Lyndon Johnson as a leader under Speaker Sam Rayburn in the House of Representatives and as his own leader of the U.S. Senate.

With all the dexterity and coolness of a present-day Major Cooper, Lyndon proved again and again that he had the ability to give "manual" control to the mercurial Senate and to effect a safe re-entry accurately and without too much heat in the splashdown target area.

It is certainly no exaggeration to couple Rayburn and Johnson, two Texans, as the two greatest legislative leaders of the two Houses. As first a protege of Sam Rayburn and later as an equal partner in the House and Senate leadership team, the pair set a new high note in responsible leadership of the two Houses of Congress.

It was during these 6 years that the youthful rapid-fire leadership, the new Johnson techniques of Senate organization, and the spectacular knowledge and energy of the leader set new records and new goals.

Old timers of the press—and in the Senate Chamber—who had watched the Senate procedures for scores of years, found it difficult to understand what had happened to the Senate's pace and to understand the Senate's willingness to follow—eagerly—the program and timetable of the young, aggressive leader.

Even the press was amazed when, despite all indications to the contrary, Lyndon announced he would pass civil rights legislation even if it meant breaking the filibusters of his friends of the deep South. He not only announced that he would pass it—he did pass it. This was the first breakthrough in nearly 75 years.

What a temptation it is to go on and on with the record of achievements in the Senate—and of the renovation which occurred in that body during the Johnson leadership.

Lyndon Johnson has been unpredictable in many of his big decisions. His upsetting all the political pundits to accept the Democratic nomination for the Vice Presidency was one of the biggest. Few could envision that his desire for activity and leadership would end in the quiet regime of the Vice Presidency. They didn't know Lyndon.

Lyndon Johnson knew that his strength was great where the presidential nominee had his most severe weakness. Thus it was that Southern and border State votes, where Lyndon's influence was greatest, brought the needed margin for the Democratic victory in 1960. I have always felt that Lyndon Johnson was willing to make the sacrifice of the job he loved, majority leader of the Senate, if it would help elect a Democratic administration.

L. B. J.'s proven ability and influence soon led President Kennedy to assign many new important duties to his new administrative partner. In the same way Lyndon Johnson revolutionized the leadership role in the Senate, he has changed the Vice President's role from one of respectable obscurity to one of dynamic action.

In the President and Vice President we have a pair of champions who put their duty to the Nation far ahead of party loyalty or self-aggrandizement. As majority leader of the Senate LYNDON JOHNSON has written: "I am a free man, an American, a U.S. Senator, and a Democrat—in that order."

LYNDON JOHNSON, along with Sam Rayburn, proved that the best politics was the dedication to national responsibility and not any short-term gain by sharp or destructive partisanship.

That was the reason that for nearly 30 years the Republicans have won so few victories and the Democrats have won so many.

LYNDON was and is a natural born doer. If things were quiet, he sought action. If the policy of drift threatened progress, he reversed the course. If the bill was in danger, he dug up the votes—or added on a new amendment.

His legislative record is filled with landmark bills of outstanding achievement. Strength in military preparedness was one of his earliest concerns as a House Member, as the Senate leader, and now as Vice President.

He was the first to recognize our loss to the Communists of leadership in space. He sought to correct this loss and created and became the first Chairman of the Committee on Aeronautical and Space Sciences. Much of our progres today is due first to LYNDON'S establishment of the committee, his enlargement of the scope of the program, and his enlistment of Bob Kerr as his successor.

His interest in conservation—of both human and natural resources—in rural electrification, and in water development projects marked him as a leader in our national development of industrial as well as military strength.

Thus, he now heads up important sections of the administration program, such as chairmanships of the National Aeronautics and Space Council, the President's Committee on Equal Employment Opportunity, and the Peace Corps Advisory Committee. He is also a member of the National Security Council. Whenever a new crisis develops, there's apt to be a new oversea diplomatic assignment for L. B. J.

In addition to all the administrative and legislative duties so ably performed by the Vice President, he has become the principal spokesman of the Democratic Party in its efforts to re-elect a Democratic administration and Congress in 1964. He is the most sought-after speaker in the party.

Oklahoma is honored to have been able to bring the Vice President here for our Jefferson-Jackson Day Dinner. This has been a vital challenge to the Democrats of Oklahoma. And now, knowing the Vice President's urge for more action and less talk, it's time for you to hear our distinguished guest.

Ladies and gentlemen, the Vice President of the United States.

REMARKS OF VICE PRESIDENT LYNDON B. JOHNSON, JEFFERSON-JACKSON DAY DINNER, OKLAHOMA CITY, OKLA., MAY 20, 1963

Fellow Democrats, neighbors, it is always a pleasure to return to Oklahoma.

You State has been blessed with abundant resources of vitality and leadership.

Your colorful history has provided us with colorful and able leaders.

Many of our more learned Senators today still shy away from using long, flowery words in their speeches because they remember too well how much the beloved Bob Kerr enjoyed pulling out his dictionary, stopping the Senate proceedings and thumbing through the dictionary's worn pages to check the meaning of a word.

Just as Bob Kerr checked the meaning of a word to bring his colleagues down to size, he always checked the meaning of every bill, every piece of legislation, to weigh its effect on Oklahoma, on the Nation, on our party.

Bob Kerr is gone from Washington. The leadership he typified is not.

Men like MIKE MONRONEY and HOWARD EDMONDSON can be seen daily digging into the legislative storehouse for something to benefit Oklahoma, the Nation, and our party.

In the House of Representatives CARL ALBERT, TOM STEED, ED EDMONDSON, JOHN JARMAN, and VICTOR WICKERSHAM form a strong, cohesive team that is willing to take on all comers for benefit of Oklahoma, the Nation, and our party.

Of course, we are not unmindful that there is an occasional accident when someone from that other party slips into office here. It does happen "when the corn is as high as the elephant's eye."

I am going to present our party as a party of action. The other party is a party of opposition.

I am going to present our party as a party that moves. The other holds back.

I am going to present our party as one which lives with hope. The other party lives with doubt.

I am going to present our party as a spokesman for the people. The other party is the spokesman for property.

Before I contrast the two parties, however, allow me to contrast the two ideologies that must be the concern of both parties.

There is a struggle today between two great philosophies—the philosophy of freedom and the philosophy of communism. The issue of the kind of leadership our party can provide is all-important.

We must understand that if we just call the roll on the differences between our country and the Soviet Union, the balance sheet in terms of resources and population does not guarantee success.

Here are a few examples:

1. In terms of population, the Soviet Union has a distinct edge—221 million people to our 187 million people.

2. In terms of arable land, the Soviet Union again has a distinct edge—585 million acres compared to our 188 million acres.

3. In energy fuels—oil and coal—Soviet reserves are definitely larger than ours, even though our production is more efficient and we make better use of our resources.

4. In many vital minerals—perhaps the best example is manganese—the Soviet Union has far larger reserves.

5. In overall food supplies, we are far ahead—but this is efficiency of production and not resources, and we could be overtaken.

6. In housing our people, we take the lead: In 1960 we constructed 1½ times as much.

7. Soviet steel production is below ours, but at the present rates of growth, we could be overtaken by the end of the decade.

8. In the field of space, the Soviets took an early lead in constructing the big booster rockets, and we have not caught up to them yet. And, they are also ahead of us in experience gained from manned space flights, although the recent magnificent achievement by one of your native sons, Maj. Gordon Cooper, helped narrow that gap significantly.

9. In electric power we are far ahead of the Soviets.

10. But in one vital field there is a disturbing trend which could be decisive—the field of education. In 1950 we graduated 52,000 scientists and technicians while the Russians graduated only 36,000. Ten years later, in 1960, we graduated only 38,000, and the Russians graduated 111,000.

When we look at these trends, I think it is apparent to all of us that we cannot sustain freedom merely by statistical superiority. What counts is the superiority of freedom as a way of life and the willingness of people to work and to sacrifice for it.

This they will do only if we make our system work.

And it is in this field—making our system work—that we must really choose between the two parties.

Let us look at the record of seven of America's problems—every one of which our administration—a Democratic administration—offers a program.

1. Education: It has been said that the educated mind is the guardian genius of democracy. It is not theory. It is fact.

2. In addition to Russia's outstripping our efforts to produce more scientists and technicians, other statistics should be noted.

At our present rate, the United States will be short 90,000 doctoral degree holders by 1970. We need to be turning out 2½ times more Ph. D.'s in engineering, mathematics, and the sciences.

We need a wider dispersal of the graduate schools from which such degrees are obtained, because today three-fourths of all Ph. D.'s are being granted by a handful of universities located in only 12 States, and the region we so proudly call the Great Southwest turns out fewer than any other region in the Nation.

There must be an answer.

The Democratic Party has the answer, a comprehensive education program, but it has been decimated and successfully bottled up by members of the other party, joined by a few diehards of our own party.

2. Care for the aged: When the 20th century began, only 1 out of 20 Americans was over the age of 65. Now, it is 1 of 10. There are 1,000 more Americans past 65 tonight than there were at this hour last night.

Fifty-six percent of the aged couples live on less than $2,000 a year. Eighty percent suffer chronic diseases. One in five aged couples have hospital bills each year—and half the time the bills exceed $700—one-third or more of their total income.

There is a need.

There must be an answer.

The Democratic Party says "Yes."

We have an answer.

The Republican Party says "No."

Eighty-six percent—let that penetrate—86 percent of the Republican Senators voted to defeat and succeeded in killing—medical care for the aged.

They don't want to let the employee and employer each contribute $1.50 each month under social security to assure the aged of some peace of mind after retirement.

3. Youth: at the other end of the age spectrum, 40 percent of our population today is under 21. We have 1 million more 16-year-olds alone this year than last. Eighteen percent of our unemployed are boys and girls under the age of 21.

We must in this decade provide 26 million new jobs—and we are running far behind. Unemployment among young workers is two and a half times higher than the national average and it will grow worse if we don't act.

There must be an answer.

The Democratic Party says "Yes."

The Republican Party says "No."

The youth opportunity bill is designed to alleviate part of this problem. Twenty Republicans voted against it. Only seven voted for it.

4. Resource development: Oklahoma has taken the lead in developing its resources. But vast areas of our Nation lag behind.

Thirteen million acres of Dust Bowl lands need to be revegetated.

Two hundred millions acres of rangeland need to be cleared and planted.

Our rivers still run red to the bottom carrying away topsoil—if not detergents.

There must be an answer.

The Democratic Party says "Yes."

The Republicans say "No."

Eighty-eight percent of the Republican Senators—88 percent—voted to cut funds for America's water resources.

5. Public works: Closely related to resource development. Additional public works projects mean more employment, more funds in circulation, benefits to everyone upon completion. But Republicans make

public works projects one of their prime targets for budget cutting, merely for the sake of opposing.

6. Space: This has gained the lion's share of publicity—and justifiably so.

When we talk of space and space research, there are those who raise the question that our efforts cost too much. Certainly American leadership in space is not cheap. We are now spending 20 cents per week per capita on our national space program.

Other Americans ask if our space efforts are worthwhile.

I can answer in terms we can all understand. While the space age is not yet 5 years old, more than 5,000 companies and research organizations have been or are now involved in our space effort. We have produced more than 3,200 space-related products, many of which are already being put to use.

But, many prominent Republicans are questioning the value of the program. A former Republican President has referred to our moon project as a "stunt."

I can answer that simply: I do not believe that this generation of Americans is willing to resign itself to going to bed each night by the light of a Communist moon.

7. The farm program: Something close to every Oklahoman's and Texan's heart. In production, the strides our farmers have made have been fantastic.

One farmer in America today feeds 27 people.

In Russia, only five or six people can be fed by one farmer's output. But, it is costing our Government to keep our surpluses in storage and to help diminish them.

The feed grain program, which was debated hard and long in the Senate last week, will help reduce the surpluses—will raise the farmer's income—will keep him from moving from the farm to the city.

It is a program the Democratic Party believes in.

We say "Yes." It will work.

The Republicans say "No." Eighty-four percent of them voted against it.

When I speak of these things, I speak with strongest personal feelings.

The test of our parties—and of their service to our people—is how well and how faithfully they are serving America and the opportunities of America's future.

We are Democrats because we believe America is still master of its own destiny.

We are Democrats because we do not believe America must pull back from the world or pull out from the pursuit of a better life for all its people at home.

As Democrats, we can hold our heads high in the company of any Americans. And we must go among them all—we must knock on every door—and carry to responsible Americans the story of a responsible party—responsibly serving all the people at home and in the world.

Hon. Fritz Lanham To Leave Washington After 40 Years

EXTENSION OF REMARKS

OF

HON. ALBERT THOMAS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. THOMAS. Mr. Speaker, it is with great reluctance that we realize our former colleague and most able and distinguished friend, Fritz Lanham, is leaving Washington after some 40 years.

Congressman Lanham served with us in the House for 28 long and important years. During my service in the House I do not think I have ever had the privilege of knowing a more capable, effective, or more dedicated and patriotic person than Fritz Lanham. All of us will miss him and his lovely wife, Hazel. They have a host of friends in Washington and all of us will regret their departure.

Legislation Needed To Combat Unemployment Due to Internal Revenue Regulations

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. PELLY. Mr. Speaker, I have today introduced legislation to amend sections 162 and 274 of the Internal Revenue Code of 1954, relating to the deductibility of certain business entertainment expenses, and so forth. My bill is identical to a number of others currently pending before the Committee on Ways and Means.

Ever since the Internal Revenue Service's regulations were published in final form in the Federal Register of December 29, 1962, I have received ever-increasing complaints from businessmen whose enterprises in large part depend on the promotion of good will by means of legitimate entertaining, and so forth, and also from the restaurant, hotel, motel, and entertainment industries generally. These communications represent the protests of both management and labor in these industries, not to mention the related food and meat suppliers, who are also seriously affected.

However, early in April, the real impact of this problem was brought to my attention by representatives of the National Restaurant Association from my State of Washington. These gentlemen came to Washington, D.C., to draw attention to the serious economic problem facing their industry, not only in the State of Washington, but also in the Nation as a whole.

This problem has been created primarily by reason of the incomprehensible and complex regulations imposed by the Internal Revenue Service in connection with the new expense account law, which in turn has resulted in confusion on the part of businessmen, leaving them foundering in a state of uncertainty.

For example, in the city of Seattle, during the months of January and February 1963, alone, there has been a job loss of 605, directly related to the restaurant industry, involving a wage loss of $359,160. This does not include allied businesses, which have also been adversely affected by the uncertainty of the Internal Revenue regulations. A countrywide survey by the National Restaurant Association during the same period of time points up a job loss of some 44,000 persons, which, if projected on an annual basis, will amount to approximately 140,000 persons, and will involve a loss to the industry itself for the same period in excess of $1 billion.

Some entrepreneurs in the industry with whom I have consulted favor the National Restaurant Association's position which supports specific legislation to remedy the confusion. However, up until now, I have been loathe to follow this course, because, in view of the major tax legislation pending before the House Ways and Means Committee, it seemed to me that the enactment of special legislation to cope with the problem was not practical. More realistically, I believed that once the Internal Revenue Service was presented with all the facts, it would be persuaded to handle the matter administratively.

After considerable correspondence with Mr. Caplin on this subject, however, I found that I had been unduly optimistic. He either cannot or will not correct the uncertainty created by these new regulations.

Certainly, IRS regulations which, on the basis of all indications, will result in such a substantial loss of jobs and sales volumes, are self-defeating—taxwise—and obviously not in the best interests of the Government.

Consequently, it appears the only way the matter can be handled to correct this confusion and relieve an already distressed industry, is by the passage of legislation such as I have introduced, which would impose a standard of reasonableness to govern the deductibility of business and entertainment expenditures, together with a reasonable recordkeeping program.

The matter is critical and I urge early consideration by the Committee on Ways and Means.

The Wheat Referendum

EXTENSION OF REMARKS

OF

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. MARTIN of Nebraska. Mr. Speaker, Tuesday's wheat referendum was a resounding mandate to the Congress and the administration that our people want less Government, fewer controls, and an end to this cycle of having the Government do more for its citizens. The people of this country want to solve their own problems without the do-gooders and bureaucrats from Washington interfering.

In the questionaire which was just completed, the farmers in the Third District of Nebraska voted 68.8 percent against this wheat referendum. Their reaction to the Domestic Peace Corps is 69 percent "no"; to the Youth Conservation Corps, 78.6 percent "no."

If the Congress and the administration will heed this referendum and interpret this wheat vote correctly, plans for more new programs such as mass transportation, urban renewal, Domestic Peace Corps, National Youth Opportunities Act, education bills, Medicare—and yes, even tax cuts as long as we are running a deficit—will be dropped. If a referendum could be held on all of these spending programs, the voters would overwhelmingly reject them as they did the wheat program Tuesday.

I trust that the Congress will give pause and reflect somberly on this vote of Tuesday and carry the mandate into other fields of legislation.

Hudson VFW Anniversary

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 23, 1963

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks, I include remarks I made in part on May 4, 1963 at the 40th anniversary banquet of the Veterans of Foreign Wars, Hudson, Mass., in my district:

> This occasion has great significance for the town of Hudson, and indeed for all of us, since from the very time of its inception, and before, the members of this organization have always exemplified the most inspiring kind of patriotism and the best kind of citizenship.
>
> In war, its members have been a tower of strength in every generation in defending our country against its enemies.
>
> In peace, they have unselfishly furnished the leadership and example that has been so meaningful and constructive for community, State and Nation, for our spiritual ideals, and for the promotion of the public good and well-being.
>
> It is, therefore, with great pride that I join in this outstanding celebration, and extend to you all, as your Congressman and as your friend, my warm congratulations, commendation, and the faith and prayer that your great work will long continue.
>
> Though your members and other gallant Americans and allies have fought a succession of bloody wars to preserve our blessed heritage, and for the liberation of the oppressed, we have by no means, as yet, realized our goals of freedom and world peace.
>
> The Communist conspiracy is still with us, vigorously pressing its aims to dominate the world and to stifle the lamps of freedom. It has been responsible for much bloodshed, turmoil, strife, and injustice in the world. It is continuing its bitter struggle to capture, not only the territories, but the political independence and minds of men and women in the many nations where it continues its incessant warfare against human freedom.
>
> But it is now increasingly evident that the Communists are losing the cold war. The might, power, and strength of our country and the free world is now becoming clear to all, even the leaders of the Kremlin.
>
> If we but continue with firmness and strength to stand resolutely against the Communist conspiracy, its aggressions, its design, its infiltrations of free nations, we may yet even sooner than we think, achieve that peace and brotherhood which the whole world seeks and yearns for.
>
> We must not allow the establishment of a Communist beachhead in this hemisphere, spreading subversion and violence, to threaten our safety and security and that of our neighbors.
>
> We must stand by our commitments for ordered liberty and for justice, decency and collective encouragement and assistance for those who stand with us in the fateful struggle that could well determine the course of history for the next thousand years or more.
>
> These tasks will require continued courage and firm, sagacious leadership, but I am sure that the American people will never abandon our historic resolve to protect our free institutions and the rights of man.
>
> In this critical period, as we face one crisis after another, let us continue to show that indomitable spirit, allegiance and loyalty to the free way that has so gloriously marked the members of this organization, and others like you, who have stood and will continue to stand for God and country, for the dignity of man and for the cherished freedoms we so dearly cherish.
>
> Let us hopefully look forward to the day, which we pray may soon come to afflicted mankind, when subversive conspiracies will cease and when judicial institutions will replace armed might as the effective instrument for implementing a just world peace and establishing in the world the blessings and fruits of human brotherhood.
>
> Until that day comes, let us courageously face up to every task, keep our great Nation united, vigorous and strong, and wisely and patiently use our great power, spiritual and material, and our resources to secure a just, enduring peace and to guard our territorial integrity, political independence and free democratic institutions.

Government Lotteries of Australia and New Zealand

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 23, 1963

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about two more foreign countries which operate government-run lotteries. Both of these countries have found that lotteries not only yield high revenues but also help eliminate underworld problems.

Australia has four state-controlled lotteries which, last year, brought in over $88½ million. The net income to these states amounted to over $27¼ million in 1962. It might be interesting to point out that the 1962 gross receipts exceeded the previous year's sales by more than $15 million.

It is apparent that the Government of Australia sees nothing wrong with properly regulated and controlled lotteries. Last year's Government profit from its lottery operations was earmarked for hospitals, child and motherhood welfare, mental institutions, and for financial help in constructing the Sydney Opera House.

Mr. Speaker, the other country which neighbors Australia is New Zealand. Although New Zealand is a small nation, it is long on financial wisdom, for it, too, has had the sense to recognize the merit of harnessing the gambling urge so as to make it work for the public good.

Last year, the gross sales amounted to $13,300,000 and after prizes, almost $4 million was distributed for youth and sporting organizations, community projects, charitable objects, and other worthwhile projects.

Why, Mr. Speaker, can we not exercise the same kind of wisdom in this country? Why can we not capitalize on our American people's urge to gamble? Why can we not cut our taxes and reduce our national debt with a Government-run lottery which can easily raise over $10 billion a year in additional revenue? Let us grasp this financial wisdom of our friends—it is never too late.

Pesticides

EXTENSION OF REMARKS
OF
HON. KENNETH A. ROBERTS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 23, 1963

Mr. ROBERTS of Alabama. Mr. Speaker, since it is my privilege to serve as chairman of the Subcommittee on Public Health and Safety of the Committee on Interstate and Foreign Commerce it is with a great deal of interest and relief that I learned of the President's recent order calling for the Government to take immediate steps to cut down the health hazards resulting from the widespread use of pesticides.

The reckless and, in some cases, uncontrolled use of lethal chemicals in so-called bug-killers has been a source of real concern to me, as it has to many others, for quite some time. Everyone remembers the cranberry scare only a couple of Thanksgivings ago. Unfortunately it became almost a joke and the public, in general, felt that a mountain was being made of a molehill. However, I submit, Mr. Speaker, that this was a warning bell which we must heed in the interest of something as basic as human survival.

Mr. Speaker, the excessive and increased use of certain chemicals in today's pesticides are, while not as sudden in their action as the atomic bomb, just as lethal and actually far more insidious. We already know what some of these chemicals in larger doses have done to birds, fish, soil, and animals. As a result, Audubon and garden societies all over the Nation are rising in protest over indiscriminate spraying of thousands upon thousands of acres of our land and foliage. Of course, some kind of pest control is very necessary. But, Mr. Speaker, in spite of some claims, pesticides simply cannot discriminate between honeybees and gypsy moths—fish and budworm—crab grass and mocking birds—San Jose scale and you and me. So, without proper controls the use of pesticides borders so close to an "imbalance of nature" that we run the risk of eliminating the words "future generation" from our vocabulary.

Mr. Speaker, some action has already been taken by the executive branch of the Government. This is the result of the work of the President's Science Advisory Committee with more than modest motivation by one of our brilliant authors, Miss Rachel Carson. It is my understanding that Miss Carson will testify before one of the committees of the other body the latter part of this month and I am sure I will be most interested in hearing what she has to say.

Mr. Speaker, because I am fully aware of the effect any legislative action will have on commerce as well as the health of our people; because of the lack of coordination among the various Government agencies involved in the use of pesticides; I pledge my full support and seek active participation on the part of my colleagues in the Congress, in formulating legislative and technical controls on the use of pesticides. Through apathy, Mr. Speaker, let us not turn the word pesticide into genocide.

I might add one thing further, Mr. Speaker, and that is that my subcommittee is currently holding hearings on the reorganization of the Public Health Service. We have heard testimony from the top officials in all the various agencies of the Public Health Service and we hope to have the pleasure of hearing testimony from Dr. Jerome Weisner, Chairman of the President's Science Advisory Committee in the near future at which time we sincerely hope to obtain further information on the use of pesticides and determine the best course of action to follow in this area.

Our Local Transport Airlines: Progress and Problems

EXTENSION OF REMARKS

OF

HON. OREN HARRIS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. HARRIS. Mr. Speaker, in view of its timeliness I should like to call the attention of the Members of the House to an address made by our distinguished colleague and hard-working member of the Committee on Interstate and Foreign Commerce, Representative Walter Rogers of Texas, before the Association of Local Transport Airlines, Fort Worth, Tex., May 9, 1963.

Among other pertinent and significant comments Mr. Rogers refers to the long-standing interest of the Committee on Interstate and Foreign Commerce in the problem of securing a successful replacement for the DC–3 workhorse aircraft, especially for use by local service airlines.

Mr. Rogers' address follows:

Mr. Chairman, members of the Association of Local Transport Airlines, distinguished visitors and guests, it is always a pleasure and an honor to visit with you, and I am especially honored to join you at this quarterly meeting in the discussion of vital problems affecting our country.

To get right to the point, let me call to your attention that the Congress has charged the Civil Aeronautics Board with the responsibility of developing a national system of air transportation which, among other objectives, will "* * * recognize and preserve the inherent advantages of * * * and foster sound economic conditions in, such transportation * * * and * * * encouragement * * *." Certainly the Congress, in fixing this responsibility, knew or, by the exercise of reasonable foresight, should have known that Government help would be required. In other words, there would be need for substantial subsidies. Air transportation as we know it today was born during the lifetime of many of us here in this Hall. As an economic infant, it was no different from a human infant in its need for attention, assistance, and care to bring it to maturity. Its growth has been incredible, and when we look back across the few short years to the World War I "Jenny," it is difficult to believe the progress that has been accomplished. I remember quite vividly my first flight in the two-seated "Jenny" in the 1920's, and the time I took my life in my hands and rode in a Ford trimotor. We then graduated step by step to the DC–3. Many considered this plane as the acme of perfection in engineering and development. The unbelievers refused to acknowledge that such a large plane could be a continuing success, and they were certain that no longer plane could ever be built and lifted into the air. I think of the story of the hillbilly boy in Arkansas, who had refused to accept motor transportation. He was watching the driver of a Model T trying to get it out of a mudhole in which it had become mired. The hillbilly boy was shaking his head and repeating to himself, "He'll never get it started. He'll never get it started." About that time, as flivvers were sometimes likely to do, one of the wheels struck a hard object and the Model T literally leaped out of the mudhole and sailed off down the road. The country boy continued to shake his head, but began to say, "He'll never get it stopped. He'll never get it stopped."

I think this is applicable to the air transportation industry. It was most difficult to get it started, and it will be much more difficult to get it stopped. No one individual or small group of individuals can take credit for these outstanding developments. Certainly the CAB would be the last to try to assume such a role. I am sure that this agency would readily admit that on occasion they have probably hindered the advance of aviation, but not intentionally so. In carrying out the responsibility of the CAB in implementing Government participation in the development of this industry, it was necessary for the agency to weigh each step with great care because they owed an allegiance not only to the promotion and development of this industry, but also to the taxpayers of this Nation who provided the vital funds. Many think that the CAB has followed too rigid a policy in failing to provide proper subsidy to insure full development of a national air transportation system that would extend into the small cities and the thinly populated areas, as well as to provide connections between the metropolitan centers. In any event, and I am sure that the point is debatable as to whether or not the Federal Government has participated as fully as intended in the solution of this problem, in my opinion, we do not now have the national air transportation system intended to have been created by the Congress. Although the tremendous strides forward, the unbelievable development and the unanticipated achievements in air transportation have been the result of a unified effort on the part of all segments of the air transportation industry and associated groups working in conjunction with the Federal Government, our present national air transportation system is a divided rather than a unified system. Two classes of carriers and certainly two general classes of service have emerged from what has been done in the past. One of these is the domestic trunkline carrier, which is presently occupying the status of being self-supporting. The other is the local service carrier which is not self-supporting, and is in a quandary at times to know just what status it does occupy, which calls to mind the story of the baboon who walked about his cage carrying a Bible under one arm, and a copy of Darwin's "Origin of the Species" under the other. One spectator inquired as to the cause of such actions. The keeper advised that the baboon was confused because he couldn't make up his mind whether he was his brother's keeper, or his keeper's brother. I am sure you local service people understand the dilemma. Whatever your status, let it be said that you are true pioneers wrestling with a problem to which the proper solution is of great interest to this Nation just as was the need for success in the westward movement of wagon trains.

I am sure that none of you enjoy being on subsidy. In this age of semantics the word "subsidy" has been turned into a dirty expression. There are, no doubt, many areas and instances in which Federal subsidy should be condemned, but certainly not in the local service air carrier system. As I pointed out earlier, you are, relatively speaking, an infant growing to maturity. If your body is to be sound, and your mind keen, proper provision must be made to build this industry on a sound basis, and opportunity must be afforded to bring about that end. Perhaps I will offend the trunkline carrier by what I am about to say, but nevertheless, in my opinion, it should be said. Until the trunkline carriers were able to confine their operations to the cream of the market, they too were on subsidy. If the local service carriers were taken out of business either by the canceling of certificates or by bankruptcy, and the trunklines had to assume the present responsibilities of the local service carriers in order to provide a national air transportation system, they would require a substantial subsidy, probably more than is presently going to the local service carriers. In other words, it seems rather unfair to me to charge the local service carriers with being the recipients of a Federal subsidy, if the dictates of the Congress for the creation of a national air transportation system are to be carried out. The matter should be viewed as one system as important to the welfare of this Nation as the communications system and the Postal Department. The records will reflect that in 1962, public service payments amounted to $66 million. In turn, it can also be pointed out that the local service carriers originated $69 million worth of revenue for the trunklines of the United States. Five hundred and seventy-seven cities having a population of more than 116 million people were served by these carriers. Of these cities, 341 received their only air service from the local carriers. Two hundred and fifty-two military bases received service from the carriers, and of these, 69 were entirely dependent upon the local airlines for their commercial air service. The last decade has seen passenger traffic increase fourfold in these operations, and it has increased 130 percent in the last 5 years. Some 14,000 people depend upon paychecks totaling $91,500,000 per year for their livelihood, their sustenance of themselves and their families. The local service industry paid more than $2,250,000 in State and Federal taxes on fuel and oil, and collected over $10 million in transportation taxes for the Government during 1962. At the same time and during the same period, additional services that were being provided by the local service carriers and public benefits for each dollar spent have increased some twofold in the past 5 years. This in spite of the deflated dollar. Many statistics can be provided to show that the local service carriers are receiving less subsidy than did the trunkline operators during their time on subsidy. However, it is not my purpose here tonight to try to generate a controversy between two segments of a great and vital industry. It is my purpose to lend what assistance I can toward unity in the industry with proper participation by the Federal Government in providing the national security safeguards so closely associated with the air transportation industry and to properly foster the full economic expansion of this business.

Although great strides have been made as I have heretofore indicated, there are many soft spots that are in need of treatment. It is my feeling that these soft spots have been created by the Government rather than by the industry. I do not mean to indicate that the industry is free of just criticism. There are many things that the industry can do and should do in the furtherance of the solution of the overall problem. However, I do not think that they should be called upon to respond to such criticism until the Government measures up to its full responsibility. I am also of the opinion that perhaps the CAB is in a state of confusion as to the role the Congress expects it to assume. In order to bring the overall problem into clear focus, I think it would be well if the Congress could enunciate a policy to the effect that the national air transportation system is a national problem and a problem that must be treated as a single problem. Certainly there are many facets and fragments to be dealt with, but it should be understood that each of these are to be tied together and properly equated with the whole. It is only by this procedure that we can insure proper service, proper defense, and proper economic growth to our country in its entirety. And it is only by this procedure that the full potential of the aviation industry can be brought to bear for its contribution to the growth of our Nation. If expanded participation by the Federal Government in supporting the local service airlines is necessary to bring about the needed results, this obligation on the part of Government should be squarely faced. It would be disastrous to permit the feeder lines to slip backward into poor financial conditions and to try to cure such an ailment by further curtailment of service to the thinly populated areas. It is my understanding that all of the local service airlines made a little bit of money last year. This fact standing alone does not mean that that segment of our economy is in a healthy condition and it does not mean that subsidy payments should be promptly reduced. You will agree with me that getting these local service lines into the black was, to some extent, at the expense of service. The people in the United States are widely scattered throughout our country from the single-family isolated farmer or rancher to the thickly congested metropolitan areas. They are all Americans and they are all entitled to consideration in this or any other problem which faces us as a Nation. If the local service airlines are to be graded solely on the basis of a good balance sheet, then there will be many citizens of our country who will not have available to them the transportation services to which they are entitled. We all know of the substantial curtailment of rail passenger services, as well as limited bus schedules in many of the thinly populated areas. America is today living in an air age and our people in all walks of life are entitled to the opportunity to participate. To condemn the local service airlines because they require subsidy in order to provide needed transportation services is utter folly. Until the local service problem is answered, there will be a great untapped market. Many millions of our people have never been in an airplane and many others would be in an airplane more if the services were available. It is the age-old problem of which comes first, the chicken or the egg. Every industry and every segment of that industry, like a human being, must crawl before it walks, and it must walk before it runs. If more attention is paid to the solution of the problem than to the condemnation of these small struggling corporations, success would be nearer.

One of the crying needs of the industry at this time is a modern aircraft geared to the needs of the feeder line. This is not a new difficulty, but one that was anticipated several years ago. A difficulty about which nothing concrete has been done. I well remember in 1955 an investigation made by the Interstate and Foreign Commerce Committee of the House of Representatives of which I was a member. This investigation concerned this very problem. It was obvious at that time that the aircraft builders in this country were moving toward the development of aircraft that could fly nonstop around the world in the shortest possible time. The plane was to further conquer the oceans and the vast land expanses to move the air traveler from one metropolitan center to another, from one continent to another. The trunklines moved from the two-motored DC–3 to the larger four-motored craft, and then into the very expensive jets. The DC–3 that had been the workhorse of the trunklines continues to be the workhorse of the local service lines and remains today as a stalwart ship that is bearing this load. The 1955 investigation took our committee to Amsterdam, to Paris, and to London in search of an answer to the short-haul problem. Of all the new aircraft that we viewed, only the F–27, then the Fokker-Friendship, appeared to be a possible solution to the problem. Several of our local carriers, including two Alaskan carriers and one Hawaiian carrier, have testified to the economic benefits derived from this aircraft, which is presently manufactured in this country by Fairchild-Stratos in Hagerstown, Md. The record on this craft is written and can be reviewed by those seeking machines for the short-haul purpose in this country. There is no doubt but that it does afford a solution to part of the short-haul problem. Some say that there are other available aircraft on the market today to meet the low density problem in the short-haul category. Frankly, I have not yet seen the plane that will answer all functions of the short-haul problem. It is my feeling that if we can find an answer to the low density portion of that problem, we will be in the vicinity of a breakthrough. I would hope that effective action in that area would be of great service to the small cities where it is most badly needed and where the basic answer to this problem lies. It would certainly not be out of line for Congress to provide funds for experimental and developmental work on this subject. It would be an investment rather than a subsidy; an investment that would pay substantial dividends. Perhaps we need two planes in order to attain success—one of which would service the "third level" type of operation and create a several-phase situation in air service, each of which would complement the other. This would also provide the smaller communities with a weapon to meet the "use it or lose it" criterion fixed by the CAB. Frankly, I do not feel that this criterion is the answer to the problem. Once the local service group becomes healthy and the cities being served have the opportunity to utilize air service fitted to their needs, there may be a sound basis for the "use it or lose it" idea. However, as long as this type of service is in the embryonic stage, it should be helped, not hindered.

It is indeed encouraging to know that Postmaster General Day is feeding out more first-class mail to the local service lines for movement on a space available basis. This will provide a much needed service especially in those areas where surface transportation is slow and inadequate. There are other ways that the Government can help in the solution of this problem other than the subsidy route, and on a value received basis such as the postal service. I, of course, feel that the Members of Congress will address themselves to greater participation by the Government in this area.

I yield to no one in my desire to see Government in business as little as possible. I yield to no one in my desire to see a balanced budget and marked reductions in Federal expenditures. I yield to no one in my desire to avoid every possible Federal subsidy. But I am equally aware of the fact that any country intending to be and remain strong must have and maintain a strong, healthy, and vigorous communications and transportation system. Each segment of these general categories presents different requirements and different challenges. It is only by a unified approach on a national basis that these challenges can be met and a vigorous free enterprise industry built. It is one of the responsibilities of the Congress to take such step as necessary to insure that end, in keeping with the general philosophy of the Government under which we live.

We all know the difficulties of wrestling with economic feasibility in high cost air operations. I do not think that the Congress should be penny wise and pound foolish in trying to solve a national problem. Once the local service problem has been substantially answered and that segment of the industry begins to enlarge its muscles, it can assume and absorb some of the services now being handled by the trunklines, which the trunklines would like to get rid of. This would, of course, contribute measurably to the stability of the overall industry and all of its segments and associated businesses and speed the day when subsidies can be discontinued—a day we would all welcome. It is a problem that, in my opinion, cannot be put off, and I would hope that you who are in the front line trenches would do your best to bring forward a sound and well based program containing your suggestions and observations so that the Congress may move forward at an early date on the subject matter. I would conclude by calling to your attention that we have a representative form of government, and I know of no Member of the Congress who does not have some direct or indirect concern with the local service airlines and their associated industries. I do not presume to tell you how to proceed, and I certainly do not want to burden my colleagues in the Congress with additional mail. But I would point out that in my judgment, the local service airlines, the Alaskan carriers, the Hawaiian carriers, and the Caribbean carrier have many friends in the Congress. It has always been my experience that when one is in trouble, he should see his friends.

Women's Advertising Club of Washington Honors Mrs. Kay Hanson as "Advertising Woman of 1963"—Representatives Leslie C. Arends and A. S. Herlong, Jr., and C. Bedell Monro Speak

EXTENSION OF REMARKS
OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 23, 1963

Mr. RANDOLPH. Mr. President, it is difficult to measure the effect of advertising in the everyday life of the average American. Each of us is repeatedly reminded, influenced, and aided by advertisements, and our decisions and actions are determined in part by the appeal and scope of a particular publicity approach. Advertising is a significant part of American business, and millions of dollars are flooded into the economy each year by firms which wish to publicize their services, wares or capabilities.

In the Nation's Capital, there exists an efficient and effective organization devoted to the field of advertising, which brings together individuals concerned with that aspect of commerce. The group, the Women's Advertising Club of Washington, has among its membership women of demonstrated ability and imagination in ad making.

Annually the club holds an award luncheon, at which time homage is expressed to the woman who, in the past year, has made the most outstanding contributions to the advertising field. Honoree for 1963 is Mrs. Kay Hanson, secretary-treasurer of United Service Associates, and a woman experienced and respected in the techniques and requirements of advertising.

Mr. President, it was my privilege to attend the 1963 Advertising Woman of the Year Luncheon, sponsored by the Women's Advertising Club of Washington, at the Washington Hotel, May 23, 1963. It was my opportunity to greet and congratulate Mrs. Hanson, a cherished friend, on this meaningful recognition of her abilities and accomplishments. Likewise, it was gratifying to meet other leaders in the advertising area.

Principal speaker was Hon. Leslie C. Arends, Republican, of Illinois, who has been re-elected to the House of Representatives each term since the 74th Congress, and with whom I served in that body.

Also participating in the program and commending the achievements of Mrs. Hanson were U.S. Representative A. Sydney Herlong, Jr., Democrat, of Florida, and C. Bedell Monro, president of United Service Associates. Mr. Monro is a personal friend with whom I was associated when he was president of Capital Airlines.

Sharing recognition were the following ladies who in the past have been named Ad Woman of the Year: Mrs. Julia Lee, 1962 recipient, who made this year's presentation to Mrs. Hanson; the 1959 winner, Miss Kathryn Bowers, who is with the Public Relations Department of the National Bank of Washington; Miss Ruth Sheldon, honored by the club in 1957; Mrs. Ruth Cotting, of Woodward & Lothrop, award winner in 1956; Miss Vi Sutton, of the Hecht Co., named in 1954; and the 1952 Ad Woman of the Year, Mrs. Jean Ambrose Schulthies, of Ohio.

Presiding was Mrs. Margaret K. Scott, president of the Women's Advertising Club of Washington. Mrs. Scott introduced guests at the head table: U.S. Representative Charlotte E. Reid, Republican, of Illinois; Representative Herlong; noted newspaper columnist George Dixon; Robert Bowerman, president of the Advertising Club of Metropolitan Washington; Wallace Carroll, president of the American Gauge & Machine Co.; and Mrs. June Miller, program chairman of the event.

Mrs. Scott read congratulatory telegrams from well-known personages, including former President Dwight D. Eisenhower. Also quoted was a gracious hand-written message from Bernard Baruch, which praised Mrs. Hanson, and said in part: "I hope that the future will continue to shine on you."

Also in attendance was the former U.S. Senator from Pennsylvania, Hon. James H. Duff.

I request that excerpts from the address by Hon. Leslie C. Arends at the 1963 Advertising Woman of the Year Luncheon, at the Washington Hotel, Washington, D.C., May 23, 1963, be printed in the Record, and also remarks by C. Bedell Monro, president, United Service Associates.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Remarks of Mr. C. Bedell Monro

It is not only a pleasure but a real privilege to say a few words about the guest of honor, particularly since as secretary-treasurer of our company she has worked for me and with me for some 16 years. That alone is a terrific accomplishment which deserves special recognition—at the very least a bronze plaque attesting to Kay Hanson's extraordinary courage and heroism.

Aside from that, at the very start of her association with our company she wasn't satisfied with the onerous duties of her office but made herself useful, in fact invaluable, as account executive for public relations, advertising and promotional programs, and legislative information for a certain of our client companies.

In her spare time, whenever that may have been, she devoted much effort to the affairs of the Women's Advertising Club of Washington, of which she was president for three terms in the last decade. Further, she continues to be active in political and civic endeavors.

We in United Service Associates are proud of Kay Hanson and deeply pleased that she is being so honored. I am certain that her many friends and associates join with us in extending the sincerest best wishes for her continued success far into the future.

Speech of Representative Leslie C. Arends at the Women's Advertising Club of Washington

You are asking yourselves: Why should I—a common, ordinary, garden variety of politician—be the guest speaker on an occasion such as this?

That's a good question. I don't know the answer. And it is most unlike a politician to admit that he doesn't know the answer to any question.

There is this possibility: While politicians are plentiful in Washington—all eager with words to extol and cajole, to commend, and condemn—I am of the political species with which some of you may not be too well acquainted.

Maybe that's why I was invited to this luncheon: That you might see and hear a rather rare type of politician—rare in the sense of scarcity. There are all too few of us in the Congress—all too few of us in this New Frontier city.

Frontier life at best is hard and trying for any one. New Frontier life is unusually hard and trying for some of us. It is a constant struggle for us to survive.

We are rare. We are unique. We are not too plentiful. Maybe that's why I was accorded this privilege. But I hardly think my being a diehard Republican is the answer. I certainly wasn't invited here to make a Republican speech—not even a nonpartisan Republican speech. Those are the only two kinds of speeches I have occasion to make. And I like to make them.

I do not know why I was asked, though I do know why I came. Not that I for a moment thought I had much to offer at a luncheon of this character, but I welcome this opportunity to express my admiration for the women of the advertising profession and, particularly, to congratulate and publicly pay my respects to Miss Kay Hanson, the Advertising Woman of the Year.

I propose to make some observations with respect to the use of slogans and labels in politics.

It may appear presumptuous of me, as a Member of Congress, to talk to you who are professionals in the field of advertising about the use of labels and slogans. While I know next to nothing about advertising principles and techniques, nonetheless I have witnessed firsthand how skillful advertising has influenced elections and legislation. It is to this, based on my own observations and experience as a Member of Congress, that I propose to make some brief comments.

Much of which I have to say, you may already know. I will be content if I contribute in some degree to a deeper appreciation of how important advertising is—with its slogans and labels—not only in the sale of products but in the sale of ideas that enter into national policy and the making of both laws and lawmakers.

When one thinks of advertising, he invariably recalls various slogans and the products associated with them. H_2O is water to the scientist, but 99 44/100ths percent pure is Ivory Soap to the housewife. If you would ask the man who owns one, you wouldn't need to walk a mile for a Camel. You would get there in a Cadillac. But it could well be that even your best friend won't tell you where the seductive young lady lives who has repeatedly and alluringly said, pick me up and smoke me sometime. Whatever you do or propose to do, don't make a move without calling Smith, not even for a pause that refreshes.

Reach for a Lucky instead of a sweet. But what man wouldn't really prefer "a sweet"—if you know what I mean? "They satisfy," and I don't mean Chesterfields. That I don't smoke is immaterial. After all, there is "the skin you love to touch."

"They laughed when I sat down at the piano, but when I started to play." To tell you the truth, they laughed when I first ran for Congress 28 years ago, but when the votes were counted I was the talk of the party—the Republican Party—in my district that is.

"First he whispers. Then he shouts." That applies to Congressmen as well as to Big Ben. Not infrequently we have to shout to awaken our audience to the next point in our speech.

The point of all this is simply to indicate to you ladies of the advertising profession the extent to which your profession has conditioned the mental processes of all of us. The important point I wish to next make is that this conditioning of public thinking is not solely in the area of consumer goods but also in the larger area of governmental policy. Labels and slogans employed to secure public acceptance and enthusiasm for a product are likewise employed to secure public acceptance and enthusiasm for an idea—a political concept or an economic theory.

We all know that the spoken and the written words have had a tremendous impact on the course of history. Informing people and persuading people is not new. Cicero's orations in the Roman Senate had basically the same purpose as the orations delivered in the U.S. Senate. And I have no doubt that the Congressional Record is read with no more relish by many than we relished having to translate as students the orations of Cicero. I might add, parenthetically, that there are some speeches in Congress that also require some degree of translation to be understood.

The effect of the novelists, the poets, the playrights, the philosophers and the pamphleteers on the course of history is generally fully recognized. They were, for the most part, engaged in informing people of conditions they believed should be corrected. Such novels as "Oliver Twist," as "Uncle Tom's Cabin," "Main Street," "Oil," "Grapes of Wrath"—to mention just a few that immediately come to mind, and there are numerous others—contributed to the molding of public opinion. The writings of Marx, Tolstoy, Plato, Aristotle, Voltaire, had their impact in the formulation of public opinion.

All this we learned in our high school and college days. But this doesn't—it seems to me—tell the whole story. As professional advertising advisers you know; and I, as a Member of Congress all too well know, it is one thing to inform people but quite another to get them to act. It is not enough that you obtain acceptance of the merits of a product or idea. We must persuade them to buy the product. We must persuade them to act. From your point of view, action is doubtless the actual purchase of the item you through advertising seek to sell. In my field of endeavor, action would be at the ballot box.

How better can a people be moved to action than by an inspiring sentence—a Churchillian "blood, sweat, and tears" or a Rooseveltian "four freedoms"—or by a pithy phrase or some impelling slogan—Ben Franklin's "Unite or die."

We know how important slogans are in consumer advertising. Did you ever consider how important they have been and continue to be in political advertising? Apparently very few have, or I overestimate the importance of slogans in history, for I have not been able to find anywhere—not even in the Library of Congress—any book on the subject. The pages of history are replete with slogans, rallying men's minds to a cause and inspiring them to action. But no one has seen fit to put them all together as a subject for a book.

Everyone seems to be writing a book these days and seem to be finding it quite lucrative. Someone of you advertising ladies might profitably to your profession as well as to yourself, dollarwise and otherwise, try your literary talents on a potential "best seller" entitled "Slogans in History." And I might add, as a special inducement, earnings from a book have been known to get a special treatment under our income tax laws.

Governments have been destroyed and governments born behind a slogan. "Liberty, Fraternity, and Equality" was the banner in the French Revolution. "Taxation without representation" was the cry for independence in the American Revolution. In this connection I might say that if our Founding Fathers had visualized the present day situation and had known what taxation with representation would be like, they would probably have said—"let's forget the whole thing and go along without the representation."

Before coming here today I sat down with a pad and pencil and jotted down what slogans I could recall as being important, in one way or another, in the history of the United States itself. These are some that came to mind, and you can doubtless think of others. Without taking the time to put them in chronological order or to classify them, here they are, simply as they came to mind:

"Fifty-four, forty or fight."

"Tippecanoe and Tyler too."

"Rum, romanism and rebellion."

"Remember the Alamo."

"Millions for defense but not one cent for tribute."

"Crucified on a cross of gold."

"Give me liberty or give me death."

"We all hang together or we hang separately."

"No entangling alliances."

"To make the world safe for democracy."

"A war to end wars."

"Back to normalcy."

"Chicken in every pot."

"New Deal, Fair Deal."

"New Frontier."

"Bundles for Britain."

"America First."

"Honest Abe."

"The happy warrior."

"The economic royalists."

The "Brain Trust" and so on.

Some are slogans. Some are labels. Some are designed to inspire; others to deride. Some were effective. Some were not. The mere listing of only those I recalled suffices to say, without any explanatory comment on any of them, that slogans and labels with which the professional advertising counselor daily deals play a major role in marketing ideas as well as products.

I should like to digress for a moment to call your attention to an interesting historic fact which came to my notice about a year ago when reading William L. Shirer's classic book entitled, "The Rise and Fall of the Third Reich." While not actually a slogan, as we commonly think of the term, the "Heil, Hitler," salute of Nazi, Germany served, as have so many slogans in history, as the symbol of unity of thought and purpose.

Hitler's father was the illegitimate son of a peasant woman whose name was Maria Anna Schicklgruber. Accordingly, Schicklgruber was the official name of Hitler's father until he was 39 years of age when, for some unknown reason, an elderly man by the name of Hitler officially acknowledged paternity of the 39-year-old Schicklgruber. Adolf's father thus became legally known as Hitler instead of Schicklgruber.

Mr. Shirer speculates whether Hitler could have become master of Germany had he been known as Schicklgruber. Can one imagine the frenzied German masses acclaiming Schicklgruber with thunderous "heils."

"Heil Schicklgruber."

This is not only one of the oddities of history. The story is pertinent to our discussion here as it points up how slogans, names, and symbols can be used to influence men's minds and to motivate action. It also points up the great importance of the slogan, the label, and the name being appropriate to the desired end. The proper phrasing, just the right words, at the right time, place, and circumstances—these and many other factors are doubtless a part of the technique of advertising. They are indeed factors entering into the formulation of political strategy.

Now, if you will, I should like to comment briefly on the use of slogans and labels in the legislative processes based on my personal experience as a Member of Congress. Some bitter battles have been fought in Congress over a bill against which or for which people have been aroused to action largely because of a descriptive slogan cleverly used by the proponents or opponents of the measure. Some of these legislative slogan campaigns have caused many a Member of Congress to tremble for his political future and, in the aftermath, a Member's vote on the measure has caused his defeat.

In the early days of the New Deal the Congress had presented to it the public utility holding company bill. It was a very complex measure, directed at the public utility investment empires, whereby a few individuals through the pyramiding of company on company, one company owning the stock of the others, were able to realize a substantial profit on a relatively small investment. The Insull empire would be a notorious example. Those on top the pyramid controlled through this device, with interlocking directorates, the operating company forming the base.

The passage of this legislation would bring an end to these financial manipulations. Those who profited by the holding company device were called economic royalists, and those who conceived the proposed legislation were called the brain trust. The question that confronted the Wall Street barons, as they were derisively called, was how to create a public opinion to which the Congress would react. It is no easy matter to get people interested in, much less vigorously expressing their opposition to, a complicated financial investment measure of this character.

But it was done, and it was done with a slogan behind which were rallied in a well financed, highly organized campaign, everyone who owned a single share of stock of any kind in a public utility. Even people who didn't have any such investment joined in the campaign.

The public utility interests, doubtless well advised by some members of your advertising profession, seized upon a provision in the bill, that was really the heart of the measure, and labeled it the death sentence clause. It was represented as being a bill which would destroy the companies in which you have invested, make your investment valueless, and destroy the hard-earned savings of the people.

Letters and telegrams poured into the offices of Members of Congress, urging, appealing, demanding that we vote against the "death sentence clause." Many, if not most of those who wrote knew very little about the bill itself, not even its title. All they knew was that they were against the "death sentence clause." It would hurt them. It would hurt the little man. It would deny the elderly their old-age income. It would discourage anyone investing in our country's future. It would retard free enterprise. It was a sentence of death to everything we here in America stand for.

A Senate committee held hearings to expose those conducting the campaign against the "death sentence clause." Sam Rayburn, then Chairman of the Committee on Interstate Commerce, who guided this highly controversial bill through the House, became "the man of the hour," so to speak. He later became Speaker, as you know. The Member of Congress from Pennsylvania who brought to public attention that many of the telegrams were fraudulent, and exposed the utility interests, lost his seat in Congress in the next election as a result of a well financed and organized campaign against him as a reprisal.

This is but illustrative of the power of a slogan in the legislative processes. It also gives you some idea of the problems that confront a Member of Congress in seeking to do what he considers right and, at the same time, reflect the view of the people he represents.

Another example, and one with which most of you are no doubt familiar, is the legislative battle over the Taft-Hartley Act. It was characterized by the labor union leaders as a slave labor law. If you were to ask the average workingman to tell you in just what way the bill would make him a slave or deny him any rights, he couldn't tell you. Nor could the labor union leaders point to a single section of the bill that would deny labor its rights. And yet many a battle was fought in the political arena over a slave labor law which, as it turns out, is actually labor's bill of rights.

It goes without saying that labeling and packaging—what you call a product and how you dress it up for display in the store window, the showcase or for sale on the supermarket shelf—is rudimentary in marketing and advertising. As you alert ladies of the advertising profession are aware, there are a number of bills pending in the Congress dealing with labeling and packaging. I do not know how far these measures go, but I do not want the American schoolboy of today being denied one of my boyhood pleasures of discovering the prize in the box of Cracker Jack.

If you require putting on the label what the prize is in the Cracker Jack box, something will pass that was American. And this possibly is a point I think should be made to the committee members handling product labeling legislation.

If we are going to legislate in this area, I think it would be helpful if we require all prices above $100, let us say, be stated in even dollars. It would be much easier for everyone, particularly for the party writing the check, if the price of the used car were an even $2,000 instead of $1,999.98. Perhaps an even better idea for legislation in this area would be to require the price to be stated before taxes and after taxes. Such a requirement would certainly be helpful to us Republicans in our efforts to make the American electorate budget conscious and tax conscious. This income withholding tax procedure has hurt our cause.

But, quite seriously, just as labeling is important in securing public acceptance of a product, it is important in the field of legislation. Much ado has been made about the public not knowing from the label what the package actually contains. And I tell you from my own legislative experience that bills are enacted that might not otherwise be enacted were it not for its title. Not infrequently the title of the measure is misleading—deceptive, if not actually fraudulent.

Let me give you an example. You will recall that following the launching of sputnik by Soviet Russia, there arose a great hue and cry from the party out of power about how our missile program had been so seriously neglected, which, however, was not true in fact. Throughout the country there was an atmosphere of hysteria. We must do something to develop scientists, engineers, mathematicians, linguists, that we may insure our defense security for the future.

And so, the National Defense Education Act was expeditiously enacted by the Congress. Who would risk his political future by voting against a measure to assist in developing scientists so necessary to our national defense? To do so would be voting against both education and defense. Politically, that would be like voting against God and motherhood.

So now we have on the books what is known as the National Defense Education Act. You can imagine how startled I was when, upon looking over a list of the university fellowships awarded under this act, I found that comparatively few were for the advanced study of mathematics, or engineering, or chemistry; and that most of them were for the study of such subjects as church music, comparative religion, comparative literature, Buddhism, Mohammedanism, philosophy, world history, poetry, and so on.

Those are interesting subjects, to be sure. But I cannot for the life of me see what relationship they have to our national defense. Nonetheless, this is the education program being carried out under what is labeled the National Defense Education Act. If we change the label—if we change the title so that it described accurately what the bill really pertained to, that the people would know just what this legislative package contained—I think there would be considerably less support for this Federal expenditure of the taxpayers' money.

Let me conclude with just one thought. It is an informed public opinion that makes the wheels of democracy turn. You in your profession, and I in mine, as a Member of Congress, are in this important work. Ours is a representative form of government. Each individual Member of Congress actually speaks only for the people who sent him to Congress to speak for them. Each Member must, therefore, consider not only what he personally may feel is the best course to pursue, he must take into account the sentiment—the wishes and wants—of the people he represents. Public opinion on a national level may be quite different from the public opinion in some one congressional district.

Thus, while a Member of Congress necessarily reflects public opinion, as he should, he also must mold public opinion. He must not simply be a follower. He must also be a leader.

And let us always remember these words of John Stuart Mill: "If all mankind minus one were of one opinion and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing mankind."

My best wishes to all of you. And my heartiest congratulations to Miss Kay Hanson, your wonderful advertising woman of the year.

Improving Government-Business Relationships

EXTENSION OF REMARKS

OF

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. ALBERT. Mr. Speaker, a special supplement of the current issue of the Prentice-Hall Executive Report contains an article written by the distinguished gentleman from Tennessee [Mr. EVINS] entitled "Improving Government-Business Relationships."

The article points out the need for Government-business cooperation and provides examples of the steps being taken by Government agencies and the Congress to bring about this arrangement.

I believe this article by the distinguished chairman of the House Select Committee on Small Business will be of interest to all my colleagues:

IMPROVING GOVERNMENT-BUSINESS RELATIONSHIPS

(By JOE L. EVINS, Member of Congress, chairman, House Small Business Committee)

Our economy is moving swiftly both here and abroad. To keep apace with these momentous changes, we must reappraise some of our views.

We should think anew about the relationship between public and private business. There must be a growing partnership. This is no time for pointless division and conflict.

We are confronted with new trade problems with the advent of the European Common Market, the passage of the Trade Expansion Act of 1962 and the flow of goods from the Far East. Our views must be adjusted to meet these changes.

All too often in this century, extremists have pictured our Federal Government as a monster bent upon the destruction of our society. Congress has been maligned and defamed; yet the Congress is a mirror of the public's needs, the public's wants and the public's aspirations. Business itself has been most vocal in its attacks upon the Executive and the Congress. American industry and business at times also has been the object of attack.

Certainly this Nation has matured to the point where we can and should lay aside bickering and recrimination and get down to the business of doing business.

On a number of occasions the President has said that the Federal Government and business should work together in harmony and cooperation and in partnership in a joint enterprise.

This certainly does not mean that all of the cooperating must come from business. The various branches of Government also must play a major role to insure that the Government-business partnership will be an effective means by which the economic potential of our country will be realized.

The legislative branch of Government shares a great responsibility in bringing about a fuller understanding of what the Government's role will be in this partnership.

There is no doubt that over the decades there has been a growing amount of regulation and organization. This is due to the growing amount of specialization and complexity of our economic structure plus its accelerated tempo. Congress has been called upon to enact legislation of a positive nature in a wide area and range to assist business in the overall public interest. The business community has not always accepted this assistance with enthusiasm. A better understanding of this partnership is needed.

Initially, the banking fraternity sharply opposed the creation of the Federal Deposit Insurance Corporation. But today, bankers consider the FDIC as a stabilizing influence on their activities. Indeed, they advertise boldly and proudly that their deposits are insured by FDIC.

GOVERNMENT POLICING NEEDED

Certainly there is a continuing need for a certain amount of policing by the Federal Government. In some instances it has become necessary to issue regulations curbing certain practices because of the actions of a few irresponsible members of an industry.

In retrospect, it cannot be fairly said that this legislation and these regulations have retarded our growth and development. We have developed the greatest and most vibrant economy of any nation in the world. We are the envy of our allies and of our adversaries. All this has been attained within the general framework of free enterprise with due regard to the public interest and protection.

As chairman of the House Select Committee on Small Business it is my belief that our free enterprise system must be preserved and extended and that the public-private partnership concept can and should be accelerated.

Congress and the executive branch can be helpful to business. And conversely, business can be helpful to the Congress and to the departments and agencies of the Federal Government by coming forward with their particular ideas and suggestions for solving various problems that face industries and government.

Congress is called upon to consider legislation that will assist business in overcoming obstacles to growth and prosperity. Proposed legislation is considered by appropriate congressional committees. Public hearings are held to determine whether the particular legislative proposal is needed and will have the desired effect. It is at these hearings that the representatives of business, Government, labor, farmers, consumers and the public generally have an opportunity to express their views and to suggest changes and amendments which, in their view, will strengthen the bill under consideration.

It is not necessary to come to Washington, or to hire someone to lobby for your views. A letter or postcard to your Congressman or Senator is enough to show your interest. But, if you do come to Washington, you will find that Members of Congress—and their staffs—are accessible.

Our Small Business Committee membership has always sought to serve, encourage and promote American small business in the hope that in due course it will become big business. The concept of our committee is that what is good for small business, generally, is good for all business, and good for the public at large. Our committee is not against big business as such; it is rather pro small business.

TAX AND TRADE HELP

We have promoted tax policies and trade policies favorable to small business. We have worked to secure a greater share of Government defense and other contracts and subcontracts for small business. It is my expressed hope that we may be able to serve American small business generally and in a broader field by encouraging and guiding small businessmen to enter into export trade—thus expanding American business and helping to improve our balance-of-payments situation. We must continue to do this in the light of the quickening changes of the times.

In promoting this public-private partnership, we should consider what the various agencies of the executive branch of our Government are doing and can do to be of assistance. Many businessmen are not aware of what is available, just for the asking.

I wish to mention two agencies in particular—the Department of Commerce and the Small Business Administration.

ROLE OF THE SBA

The Small Business Administration was created in 1953 on a temporary basis to promote, stimulate and assist small business firms in both foreign and domestic commerce. By 1958, SBA had proved so necessary and effective that the Congress gave it permanent status.

One of the functions of the House Small Business Committee is to review the operations of the Small Business Administration. My committee recently, during extensive public hearings, received a comprehensive report from Mr. John E. Horne, SBA Administrator. His report made several impressive points, illustrating how effective the Small Business Administration has been in carrying out the mission assigned to it by Congress.

The Small Business Administration—with a loan authority of $1.5 billion—cooperates closely with banks in making financial assistance available to small business.

As fresh evidence of the determination of SBA to cooperate with the Treasury Department and to encourage the private banking industry to help itself and at the same time help small business, a regulation has recently been issued authorizing commercial banks holding Small Business Administration deferred participation loan certificates to use them as collateral for Government deposited funds. As Mr. Horne explained, the Small Business Administration's role is to supplement the private credit available to small business and "to lead the way in demonstrating the term loans and other sound loan innovations are of positive economic value to the local community."

The legislation enacted by Congress that created the Small Business Administration requires that agency to insure that a fair proportion of Government contracts are placed with small business.

SMALL BUSINESS SET-ASIDES

In fulfilling this assignment SBA cooperates closely with other Government departments, and as a result, there has evolved a set-aside arrangement whereby a substantial portion of Government procurements may be purchased only from small business concerns.

By act of Congress, SBA also is empowered to protect a small business concern that has submitted a low bid on a Government procurement. For instance, if the mailman who brings the mail to your residence rides a little scooter, the chances are that this little scooter was made by a small business firm whose low bid initially had been rejected because of an apparent lack of ability to perform. SBA inquired into the matter, however, and found the small business firm to be fully capable of delivering on schedule. As a result, the procuring agency was required to accept the bid and award the contract to the small business firm.

This proceeding is doubly beneficial. It helps the small business manufacturing concern and it helps the taxpayer. It demonstrates good government in action.

Savings to the taxpayers of at least $4.5 million were directly attributable to this program for fiscal year 1962. These savings, in procurement costs to the Government, which represent the difference between the small business' low bid and the amount of the next highest bid, more than covered total annual administrative costs for all of SBA procurement and technical assistance programs.

Another important development associated with this SBA procedure rests in the fact that although SBA has reversed the procuring agencies in many instances, experience shows that SBA has been right 97 percent of the time.

The Department of Commerce is primarily concerned with the promotion, encouragement and stimulation of commerce and trade, both domestic and foreign. Within the Department there are specialists in every field of business activity. They are able men who are dedicated to the promotion and improvement of American industry.

COMMERCE DEPARTMENT ROLE

Of special significance at this time is the determined effort being made by the Department of Commerce to increase our export trade and thereby give a major assist to halting the outflow of gold from the United States. There has been created within the Department a special branch to deal with this problem, and industry is being encouraged and urged to engage in export trade.

The impetus behind the drive for greater export trade markets stems from the passage of the Trade Expansion Act. This legislation has the support of such diverse groups as the U.S. Chamber of Commerce, the AFL-CIO, and many farm organizations. The Bureau of International Business Operations and the Bureau of International Programs, both in the Department of Commerce, are primarily responsible for promoting foreign trade and are doing much in this field. These facilities of the Department of Commerce are available to all classes of business, regardless of size.

WANTED: EXPORT ADVICE

In the export expansion drive, the Government is pleading for advice from business. In a recent speech, Mr. Eugene M. Braderman, Director of the Department's Bureau of International Commerce, asked businessmen to write detailed briefs on their difficulties in export trade. He pointed out that these facts were essential to the Government as it moves into negotiation under the Trade Expansion Act. This is an example of the interdependence of Government and business. It is one facet of the partnership that needs recognition.

All American businesses—whether large or small—have a very high stake in the future of international trade. Some may talk about a rising tide of foreign trade. But there is also a rising tide of foreign competition. I urge business management to participate more actively in this competition for foreign trade. It should be pointed out that Government provides many programs of assistance.

For instance, the United States operates three Trade Centers abroad—in London, Bangkok, and Frankfurt. A fourth has just been opened in Tokyo. In these centers, the products of different American industries are displayed. The Department of Commerce supervises these exhibitions.

SBA INVITES EXHIBITS

The Small Business Administration, through its Foreign Trade Division, has invited more than 1,000 small manufacturers to exhibit their products. The types of products exhibited include toys and games; automotive service and maintenance equipment; industrial instruments and laboratory apparatus; small farm machinery and irrigation equipment; and business machines and office equipment among others.

Our Government is also sponsoring trade missions consisting of groups of business specialists who have volunteered to carry specific business proposals to international markets. Upon their return, the mission members discuss trade and sales opportunities which the mission has developed abroad. The Small Business Administration encourages small business concerns to participate in this program by becoming mission members and by submitting business proposals.

Another aspect of Government-business cooperation is exemplified in foreign trade fairs. The United States will be represented this fall in commercial-type fairs in such diverse places as Turkey, Greece, Czechoslovakia, Yugoslavia, and West Berlin. The Commerce Department's Bureau of International Commerce has full information about such events. This is available on request from the Department.

FREE COUNSELING

Our Government is also providing free counseling assistance to private business with regard to foreign trade possibilities. For example, last year, a St. Louis firm with 27 employees, was assisted in a joint endeavor by the Small Business Administration and the Department of Commerce. The firm manufactures firetrucks and firefighting equipment. It purchases truck chassis and builds firetrucks with all the necessary components. The businessman concerned was hesitant about entering the export market, but was persuaded to mail out price lists and brochures. The firm has since made sales in Lima, Peru; Damascus, Syria; and Bangkok, Thailand. In addition, the company participated in a trade fair and now has an agent in Peru. This is an example of what can be done in the export trade in partnership with Government.

Over a span of years, there have been areas of disagreement between Government and private business and undoubtedly there will continue to be some areas of disagreement. However, business and Government must work for more areas of cooperation and accord and a better partnership in the interest of both. In our new horizon, we should look forward to a patient public-private partnership, with peace and cooperation and prosperity for all.

Independence of Jordan

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. POWELL. Mr. Speaker, on May 25 Jordan will celebrate the 17th anniversary of her independence. On this memorable occasion, I wish to extend warm felicitations to His Majesty King Hussein of the Hashemite Kingdom of Jordan; and His Excellency, the Jordanian Ambassador to the United States, Saad Juma.

The Hashemite Kingdom of Jordan gained its independence on May 25, 1946, after the culmination of many years of gradual autonomy. Great Britain, as advisory power, had been in control since World War I when the then-called Transjordan fell under its sphere of influence. As a part of the Ottoman Empire, the people were nomadic and authority rested with the tribal leaders. There was little industry and farming to warrant great interest in the country by either the Porte or British authorities. Within the Palestine towns later occupied by Jordanian forces, home industries, such as needle and silverwork, did exist and were famous throughout the world as artistic treasures.

However, from the beginning of World War I, the people allied themselves with Britain. With the guidance of T. E. Lawrence, the tribes were effective in cutting supply lines and disrupting communication. During World War II, Jordan once more declared its allegiance to the allies when the ruling Prince, Amir Abdullah, pledged himself and his people. It was at this time that the country became important because of its strategic location, its proximity to the Suez Canal and the oil fields of the Persian Gulf.

As an independent Kingdom, Jordan is most noted for its tourism. Much of what is called the Holy Land is now within its borders. The old city of Jerusalem has been contested for centuries for its religious connections. It is the center of three religions—Christianity, Judaism, and Islam. Within its walls, Christians may visit the Mount of Olives, the Via Dolorosa, and the Holy Sepulcher. A Jew may search for and find the ruins of Solomon's Temple and David's Tomb. And the Muslim may pray within the confines of the mosque of the Dome of the Rock, the third most sacred place in all Islam.

To the lovers of antiquity, Jordan offers a more fertile area of study in the south. The magnificent city of Petra, carved from the cliffs, is a mute testimony of the grandeur of its ancient past. Situated on the main route between Damascus and Arabia, Egypt and Babylon, the city prospered and became an empire.

The Romans, who were to cause the downfall of Petra, left behind them the ruins of Jerash, one of the best preserved of all Roman cities. Mosaic floors, a columned street, a triumphal arch, the Forum, and other buildings lie exposed to the weather and the discerning eye of the visitor.

Another Roman city is Amman, the capital of the country, the once proud city of Philadelphia. Here can be seen an amphitheater which dominates the entire city, as well as other ruins.

Not all Americans who come to Jordan are tourists. Many have been sent by our Government to help in the development of the country. Our aid projects provide assistance in the fields of agriculture, industry, transportation, health, education, and community development. We are also helping to finance certain development projects which will, when completed, benefit greatly the economy of the state. One such project is the East Ghor Canal, which will provide water from the Yarmuck River for the irrigation of thousands of acres of desertland.

Another project in which the United States has taken a financial interest is road construction. These new roads will enable agricultural produce to reach quickly the markets while still fresh. They also facilitate the movement of machinery used in the development of the country. Furthermore, tourism has benefited greatly since the discomfort of travel throughout Jordan has been to a large extent eliminated.

The present monarch, King Hussein, has remained a steadfast friend and ally of the United States. Although recent disturbances have left his country less stable than usual, the King continues to pursue his policy of anticommunism and support for the United States. On this their 17th anniversary of independence, I salute the King and the citizens of Jordan on their accomplishments and extend to them the wish for continued progress and prosperity.

Secretary Freeman Should Take Note of the Northeastern Dairy Problems

EXTENSION OF REMARKS

OF

HON. J. ERNEST WHARTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. WHARTON. Mr. Speaker, under leave previously granted, I include the remarks which my distinguished friend, the gentleman from New York, Congressman Alexander Pirnie, made this past Monday during hearings on Federal Milk Marketing Order No. 2 in New York City.

His description of the dairy situation in general and the plight of the farmers in particular is, in my opinion, accurate and his plea that the market administrator recommend an adequate producer return is most worthwhile. In my own 28th District, a similar situation exists, and recent statistics revealing the fact that no fewer than 4,000 dairy farms have closed during the past year in New York State reinforce his contention. Under such conditions, our farm purchasing power is seriously diminished and thousands are thereby forced into the growing ranks of unemployment.

While a solution must be pursued, and the sooner it is found the better off we will all be, I believe that today's sentiment demands less rather than greater intervention by the Federal Government in the farmers' affairs. This week's vote on the wheat referendum is a case in point. The farmer is not ready to accept the logic of the computer as a substitute for good management and industry. Mr. Pirnie's testimony:

Testimony of Hon. Alexander Pirnie, Republican, of New Hartford, N.Y., at the Milk Marketing Hearing, Involving 10 Northeastern Milk Orders, New York City, May 20, 1963

Mr. Chairman, I appreciate this opportunity to appear personally at this hearing involving 10 milk-marketing order areas in the Northeast. I understand that many issues are to be considered but I wish to direct my remarks to the prices now prevailing for reserve milk in the New York-New Jersey marketing area.

At the present time dairy farmers of our milkshed are in danger of losing a substantial portion of their markets due to the present unrealistic pricing of milk used for manufacturing purposes. I propose that appropriate action be taken to meet an emergency situation and to preserve and, hopefully, to increase dairy farm income. My apearance has no other objective and I will leave the technical aspects to others who are better qualified.

In recent months it has become evident that a modification of the class III price is necessary if the market is to be cleared of this milk. It is my understanding that producers and cooperatives are virtually unanimous in their request to modify the class III price by adding a butter-cheese adjustment.

Because of the current price level, proprietary handlers are threatening to refuse milk since they are finding it very difficult to break even—much less make a profit. Moreover, buyers of milk have reduced premiums and hauling subsidies and are refusing to pay handling charges sufficiently adequate to reimburse farmers and their cooperatives for their cost of running country plants. Many plants have already closed, eliminating convenient outlets for producers. Cooperatives have had to accept an increasing quantity of milk. Many dairy farmers have been forced to accept less than the established price and have had to invest in expensive milk-handling facilities.

The dimensions of this problem are great, since slightly over half of the milk production in the New York-New Jersey market is utilized for manufacturing purposes. The situation will be further aggravated on July 1 of this year, when the class III price is scheduled to be increased by 14 cents per hundredweight.

I make no claim to being an expert in the technical aspects of our milk-marketing order, but there are over 4,000 producers in my congressional district whose milk is marketed under order No. 2 and I am reliably informed as to the situation I have described. Dairy farm income has already declined to critical levels and I do not believe it fair to require producers to assume the additional burdens imposed by the current price situation. Moreover, I am confident that the Congress, which has delegated authority for detailed marketing regulations to expert agencies, does not intend that farmers be forced to dump their milk, nor that their cooperatives be required to suffer substantial losses. Therefore, it is hoped that this hearing will result in the establishment of a more realistic price level for class III milk, thereby assuring markets and income for dairy farmers.

Finally, I urge that there be no lowering of class I prices. Such a move would seriously aggravate the already depressed economic circumstances of dairy farmers. A few weeks ago I personally urged the Secretary of Agriculture to defer consideration of fluid milk pricing since the present problem essentially involves the class III price structure. Therefore, I earnestly hope that the class I price will be maintained at current levels.

Address by Hon. Daniel K. Inouye, May 5, 1963, Cornerstone Laying Ceremonies, Albert Einstein College of Medicine, Yeshiva University

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EXTENSION OF REMARKS
OF

HON. ABRAHAM J. MULTER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 23, 1963

Mr. MULTER. Mr. Speaker, our distinguished colleague in the other body, the Senator from Hawaii [Mr. INOUYE], delivered the principal address on May 5, 1963, in connection with the cornerstone laying ceremonies for the new Ullmann Research Center for Health Sciences and for the Einstein College Hospital which includes the Horace W. Goldsmith Pavilion, the David and Irene Schwartz Pavilion, the Charles H. Revson Diagnostic Center, and the Evelyn and Joseph I. Lubin Rehabilitation Center. All of these buildings are presently under construction on the campus of the Albert Einstein College of Medicine of the Yeshiva University of New York.

During the ceremonies at the site a "Letter to the Future" was placed in the cornerstone which reads as follows:

LETTER TO THE FUTURE—THIS IS ADDRESSED TO YOU—THE LEADERS AND BUILDERS OF THE FUTURE

May the hopes, dreams, and aspirations which motivate and inspire us in this building program today become the living realities of your day. May our efforts and dedication to the programs and ideals of the Albert Einstein College of Medicine of Yeshiva University bear fruit in fuller, healthier lives for all mankind. May the dread diseases which cause man so much pain and cut so many down in the prime of life be consigned to medical history as scourges conquered by man's ingenuity. May the generations of doctors and scientists trained at the Albert Einstein College of Medicine and the scientific achievements emanating from its laboratories serve as an enduring testament to our faith in the future, an affirmation of Albert Einstein's belief that there is no higher purpose than service to one's fellow man.

Albert Einstein College of Medicine, of Yeshiva University, cornerstone ceremonies, May 5, 1963.

Mr. Speaker, at the dinner following this impressive ceremony Senator INOUYE delivered an address of great importance advocating the establishment by the United States of a Health Corps like our Peace Corps.

His address follows:

ADDRESS BY SENATOR DANIEL K. INOUYE

It is a privilege to share in your pride and joy at this exciting new stage in the life of your fine young medical school. Today, when so much strife and self-interest divides whole continents, it is gratifying to celebrate an occasion which brings together people dedicated to the health and happiness of humanity everywhere.

This afternoon, the cornerstone ceremonies heralded the near completion of magnificent new facilities for research and for the care of the sick and disabled. These new hospital and research buildings, as I understand, mark the completion of your college's grand design for a medical city which will rank among the world's truly great centers for human healing.

Eight years ago, John F. Kennedy greeted the opening of Einstein college with the expectation that it would become a monument of hope and pride to the future health and the happiness of all of its citizens. That prophecy has been fulfilled in a remarkably short time and the college is physical proof of the miracle that can be accomplished by men and women of all races and creeds united by a common concern for all.

Just a few hours ago, a "Letter to the Future" was enclosed in the new buildings, bearing the names of the visionary men and women who are determined that generations to come will inherit a world freer of disease and needless suffering than our own. This was a vote of confidence in man's potential to build a more joyous world—an affirmation that we can harness the positive forces of science for life rather than be helpless pawns in a tragic race for mutual annihilation.

It is only fitting that the school which bears Albert Einstein's name should epitomize the lifegiving aspects of science. The college has in its short existence already made an impact that reaches far beyond the confines of its metropolitan home. Conceived in the spirit of equality and freedom, it has become an international focus for the exchange of medical knowledge and training.

It is inspiring to read the list of far-flung states and nations of the world at which your graduate doctors and scientists are now practicing. Australia, Peru, Korea, Israel, Turkey, the Philippines, India, my own State, Hawaii—these are only a few of the scores of places across the length and breadth of the globe at which your faculty and student members are serving.

We of Hawaii have firsthand evidence of the skill and humanitarianism of your graduates—several of whom now serve with distinction in Queens Hospital of Honolulu.

During the past year alone, the college was home to more than 50 foreign scholars from 30 countries throughout the world. Soon they, too, will return to their native countries or move on to new posts in foreign lands which desperately need their skills. This is a new kind of international exchange—not of commodities, or capital—but of human resources which can be one of the major bridges of understanding between nations of differing beliefs.

We Americans have a long tradition of lending a helping hand to people less fortunate than ourselves. We have, for example, since the end of World War II, given billions of dollars to scores of nations. Such foreign aid is, of course, essential for these newly developed nations. But economic underdevelopment is not the only factor that separates the affluent nations from the poverty-stricken masses of the world.

Less apparent to Americans perhaps are the woeful medical inadequacies which are the daily lot of billions. So long as this terrible imbalance of health exists—so long as men, women and children are deprived of the most elementary health standards—so long will the smouldering flames of conflict remain to be fanned into active antagonism in a world divided.

Here, for example, are some of the appalling statistics of the gap in health standards that separates the more fortunate parts of the world from its less fortunate neighbors:

1. While the life expectancy of the average American is 67 years, a new born Asian can look forward to a life expectancy of less than 40.

2. While we in the United States have for the most part brought infectious diseases under control, millions in Asia and Africa suffer and die each year from dysentary, influenza, sleeping sickness, yellow fever, and typhoid.

3. Two-thirds of the world's 2.7 billion people are still without the most rudimentary health services such as clear water, plumbing, sewage, vaccination.

4. In the underdeveloped areas, virtually whole populations suffer from childhood endemic diseases like cholera, leprosy, and smallpox which in our land have been relegated to the status of "textbook cases."

5. We in America can boast of 1 bed for every 100 persons. Yet in India, there is a hospital ratio of 1 bed for every 3,500 people.

This gap, as we see is truly staggering. In this age of medical miracles millions die from diseases which long have been mastered in the laboratory.

At a time, when a revolution in the biological sciences offers unprecedented opportunities for longer life, millions of people still believe that sickness and early death are immutable fates. You here who have visited Africa, Asia, or the Middle East, have seen for yourself these appalling statistics translated into terms of human suffering. Paradoxically, however, this contrast between medical promise and the world's actualities suggests an area of agreement between opposing camps that could well show the way to peaceful solutions. Indeed unless and until our war driven world is able to find common ground for the positive use of the astonishing discoveries of science, we stand every chance of seeing science mobilized for the future extinction of life itself.

We know that the constitution of the World Health Organization of the U.N. guarantees "the health of all people as fundamental to the attainment of peace and security." Each of you here, through your association with Einstein College, has given evidence of your belief that every man has the inalienable right to freedom from disease, as he has to the other freedoms guaranteed in the charter of the U.N. and our own Constitution.

The example of medical institutions, such as yours—in acting as an international training ground for health practitioners—points to the way in which the advanced nations have begun to meet their responsibility to the entire world.

Many other medical schools, private institutions, Government agencies, and U.N. groups are currently engaged in serving the world's health needs on a relatively large scale. But we are still merely scratching the surface of the world's health problems. We can no longer afford the luxury of piecemeal efforts or mere guerrilla warfare against disease. The time is ripe for a massive retaliation of all nations against disease and needless suffering. Programs of such scope and significance are expensive—indeed running into millions or billions of dollars—and we understand full well the difficulties that stand in the way of organizing and administrating a global war against disease.

Nevertheless, our Nation can act as a catalyst in speeding such worldwide health efforts, much as our Peace Corps is doing its fine job of hastening the industrial progress of underdeveloped nations throughout the world.

I therefore want to put forward the following proposals by which our Nation can help to equalize the world's health imbalance:

1. I propose that our Nation's medical universities, along with our private philanthropic institutes—and in cooperation with the Government health agencies, should call a conference for the purpose of setting up a Health Corps along the lines of our existing Peace Corps.

2. The purpose of the Health Corps would be to send teams of scientists, physicians, nurses and medical administrators to those nations of the world which would request our help.

3. Once established in a specific area, these Health Teams in collaboration with that nation's own health authorities, would lay plans for short- and long-range programs, for the construction of vitally needed training and research and hospital resources.

4. These Health Teams would be drawn from private doctors and scientists in the United States and from undergraduate and graduate personnel of the Nation's medical schools, who would volunteer to spend their period of elective study, their internships, or residencies in the foreign nations involved.

5. The U.S. Health Corps would, of course, act in conjunction with the World Health Organization of the U.N. It might invite the participation of health teams from other nations, so that ultimately the Health Corps would become an international agency for promoting health throughout the world.

6. The Health Corps would be in a sense self-liquidating. That is, it would aim at eventually bringing the health standards of each of the member nations up to the point where they would be capable of meeting their own basic health needs.

7. The Health Corps would seek the advice, aid and experience of the World Health Organization so that the efforts of both would be pooled in solving the complex problems that exist.

This proposal is only one of the ways in which our Nation's unlimited potential for saving and prolonging life could be extended to other areas of the world. It would, in my opinion, also serve as a vital link in binding together the people of the world in a crusade that would transcend any and all dividing interests which now exist at the level of narrow nationalism.

Your presence here, as friends and founders of the Albert Einstein College of Medicine, attests to the deep concern which you have for a better and happier physical life on this earth. Your "Letter to the Future" is written not merely in words but in your generous support of the splendid new halls of healing and research in which that letter is forever enclosed.

In the future, I am certain those of the forthcoming generations who will have benefited from your courage and concern will read in it a testament of man's humanity to all of the members of the human race.

From England Came a Great Texan

EXTENSION OF REMARKS

OF

HON. WALTER ROGERS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. ROGERS of Texas. Mr. Speaker, yesterday a most distinguished citizen of Texas celebrated his 85th birthday anniversary. He is Mr. Montagu Kingsmill Brown of Pampa, Tex., who, on April 30, 1963, celebrated the anniversary of his 60th year in the Lone Star State.

Montagu Kingsmill Brown, affectionately known to his friends young and old as "M. K.," was born in Eastcote, Middlesex, England, on May 22, 1878, the 7th child of 12 born to Margaret Kingsmill and Thomas Davy Brown. He attended traditional English schools where, in addition to academic courses, he studied music and manners and, among other subjects, how to sit a horse properly—an accomplishment which was to be useful to him in later life.

After completing his education, M. K. went to work in a London bank. Agriculture interested him, and as a young banker he dreamed of leaving England to take up farming in Australia or Canada.

In 1899, the Boer War started in Africa. Queen Victoria sent out a call for recruits. Thus presented with an opportunity for travel and adventure, young M. K. Brown enlisted in early 1900 as a cavalry trooper in the Yorkshire Yoemanry. During distinguished service in Her Majesty's Royal Cavalry in Africa, M.K. rose to the rank of regimental sergeant major. When the war ended in 1902, he returned to the London bank but, after tasting adventure in Africa, found the banking career unsatisfying. The enterprising M. K. Brown landed a job with the English-owned White Deer Land Co. in far-off Pampa, in the Texas Panhandle, and booked freighter passage to the United States, thus beginning a long love affair with his adopted country.

M. K. Brown's ship docked at New Orleans on April 26, 1903, and there he boarded a train for Texas. On April 30, 1903, he stepped off the train onto the vast plains of the Texas Panhandle. He was home.

During his early years in the Panhandle, M. K. Brown worked in all phases of the land and cattle business—as a surveyor, bookkeeper, secretary, and general troubleshooter for his company. The record shows that his civic and community accomplishments began early in his Texas residence. He was elected Pampa's second mayor; he was a member of the first band organized in the Panhandle; he was the driving force behind early cultural, civic, and religious achievements in the Pampa area.

From the time of his christening in the Church of England Parish Church in Ruislip, England, M. K. Brown was a devout and active member of the Episcopal Church. He helped from his arrival to provide a Christian atmosphere in Pampa. In the absence of a duly ordained minister, he conducted the first Christian funeral service in Pampa.

On August 30, 1922, M. K. Brown married Miss Josye Barnes of Pampa. If, in the nearly 20 years he had been in the United States his English relatives still had doubts about his plans to remain, certainly his marriage to this lovely Texas girl was final proof that he loved everything about Texas. Mr. and Mrs. Brown made many trips back and forth to England before World War II but, as much as he loved the land of his birth, his roots remained firmly planted in Texas soil and he was never tempted to return to his native land.

Through the years M. K. worked diligently for community improvement. It would require pages to list the activities, organizations and individuals he has helped and supported by personal effort or financial assistance, or both. Perhaps no man has given more of himself to the development of the Texas Panhandle than M. K. Brown. M. K. has provided aid to the building of churches of all denominations, to hospitals, to education. He has helped countless young persons with their education. The Boy Scouts and Girl Scouts are his devoted friends and admirers.

M. K. Brown's untiring efforts have resulted in making his home community and his adopted country a better place in which to live. Although he has become a true Texan in every sense, an aura of his English background still is to be found in his habits, his manners and his speech. His manners have the flavor and gallantry of the Old World; he is still a great walker, covering at least 5 miles of walking every day of his life, and his military training is still evident in his gait and his erect posture. He has a quick wit, and his speech is a fascinating mixture of Texas twang and British clipped cadence.

Shortly after he "retired" in 1938 he and Mrs. Brown started dividing their time between their homes in San Antonio, where he still spends his winter months—although Mrs. Brown has passed on—and Pampa, but he has always considered Pampa his home and retirement is a word that means little to him. He has remained active in the life of each city, active in business and civic affairs.

I have known M. K. Brown for many years and I consider him to be a loyal friend and fine Christian gentleman who truly cares for his fellow man. He loves his adopted country and the institutions which have brought the United States to greatness. In his dedication to Texas, M. K. Brown recently provided funds necessary to publish a set of six volumes of the State's early range history.

The people of Texas and of the United States owe this fine citizen a debt of gratitude for the wonderful contributions of his life's dedication, energy and resources. It is with great pleasure that I wish M. K. Brown a happy 85th birthday and wish for him many more of them.

Treasury Secretary Dillon Discusses Both Debt Limit and Tax Cut Before University Awards Dinner

EXTENSION OF REMARKS

OF

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, May 23, 1963

Mr. HARTKE. Mr. President, just yesterday, Secretary of the Treasury Douglas Dillon discussed both the proposed tax program of the administration and the ceiling of the national debt limit at the University of Connecticut's sixth annual Loeb Awards presentation affair in New York City.

Because the Treasury Secretary's remarks are timely, they are worthy of consideration of my distinguished colleagues, and I therefore ask unanimous consent that the text of Secretary Dillon's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF HON. DOUGLAS DILLON, SECRETARY OF THE TREASURY, AT THE SIXTH ANNUAL UNIVERSITY OF CONNECTICUT LOEB AWARDS PRESENTATION LUNCHEON

I am delighted to take part in the presentation of the Loeb Awards for distinguished business and financial journalism. It gives me an opportunity to pay tribute both to my friend, Gerald Loeb, who founded these awards, and to their recipients, who can take justifiable pride in this recognition of their excellence in the practice of a demanding craft.

I have had considerable opportunity to observe newsmen at work, both at home and abroad, in the most difficult and sensitive of fields. I have a high regard for them and for the skills they employ in the public service.

Those skills are particularly needed in economic and financial reporting. To achieve and maintain a clear perspective on complex economic problems is difficult enough. To do so when these matters become major political issues—hence subject to the distortions of partisan debate—requires not only intelligence and judgment of a very mature order, but an extremely comprehensive background as well.

I am well aware how difficult it is to gather and understand economic facts—let alone interpret them—when the facts themselves are constantly changing. For, in the fluid and intricate economic picture, appearances can be deceiving—and foresight must rely heavily upon a hindsight that is itself often elusive and uncertain. As a result, sound and imaginative evaluation of national economic policy is extraordinarily difficult. With this in mind, let me examine briefly with you today some areas of economic policy in which I have direct responsibility.

The most urgent economic business before this Nation is the President's tax program. It has quite naturally dominated the public discussion of economic matters. That discussion has inevitably brought forth disagreements and misconceptions about the program. But it has also served to strengthen the widespread consensus among all segments of our society that the President's principal proposal—substantial tax reduction this year—is our best hope of accelerating the forward pace of our economy. Let me recall some of its main features:

The President has proposed a cut in the corporate tax rate from 52 to 47 percent to supplement last year's 7 percent tax credit for productive new investment and the liberalization of the rules and procedures governing tax treatment of depreciable equipment. Those two measures reduced business taxes by $2.5 billion a year. The proposed five-point corporate tax rate reduction would cut business taxes by another $2.5 billion by the time the program is fully in effect. This total of $5 billion would give business 40 percent of the overall tax reduction, provide a strong and continuing stimulus toward accelerated economic growth, and increase the profitability of new business investment by almost 30 percent.

The effectiveness of last year's tax changes on capital investment is impressive indeed. The latest McGraw-Hill survey of capital spending estimates that expenditures for plant and equipment in 1963 will rise to $40 billion from a level of just over $37 billion for 1962. Last year's tax reforms are responsible for at least 43 percent of the increase.

But the whole job cannot be done solely by stimulating business investment. No company will produce more goods without markets to absorb them. And the best way to assure those markets is to increase consumer purchasing power. The President's program would do that by reducing personal income tax rates from the present range of 20 to 91 percent to a much lower range of 14 to 65 percent. Such a cut in individual tax rates, combined with the proposed corporate rate reduction, would total $13.6 billion. When the various structural reforms that have been recommended are taken into account, the net reduction would amount to $10.3 billion.

The impact of that overall cut would be felt much quicker than most people realize. If the President's program were to receive final approval by October 1, over $10 billion would be released into the economy within the following 15 months—and some $8 billion of that amount would represent increased consumer purchasing power. The stimulus of a $10 billion tax cut would not stop there. For example, the Joint Economic Committee of the U.S. Congress had estimated that it would eventually increase our annual gross national product by $40 billion.

Those, then, are some of the main features of the President's tax program. As an inevitable result of the legislative process, that program will be somewhat revised by the time the tax bill emerges from the House Ways and Means Committee some weeks hence. However, I am confident that the bill the committee reports out will be one that we can all support wholeheartedly.

Thus far, much of the discussion on tax reduction has centered, not on specific tax proposals, but on expenditure control. If the heat of that discussion has sometimes obscured the facts, I think they are now beginning to come through quite clearly—including the fact that an exceptionally large portion of the expenditure increases during this administration has occurred in the areas of defense and space.

One particularly enlightening comparison shows that, leaving aside only defense and space, all other governmental expenditures in the 3-year period 1958–1961 increased by $800 million more than they will in the first 3 years of the present administration. That comparison shows, cogently and unanswerably, that this administration has continually exercised a firm control over expenditures. And it offers the strongest possible endorsement of what is by far the most significant fact in the present discussion of tax reduction and expenditure control: the President's repeated commitment that, as the economy expands in response to tax reduction and Federal revenues increase, a substantial portion of those increased revenues will be used to reduce and eliminate the current deficit.

Last week, this issue of expenditure control was raised in an old and familiar context—when the House of Representatives debated the proposal to raise the temporary debt limit between now and the end of August, and once more brought a hardy perennial to the forefront of the news. As that debate made clear, there are few areas of fiscal policy as much in need of more light and less heat as the debt limit. I should like to try to supply some needed light:

First, let no one labor under the delusion that the debt ceiling is either a sane or an effective instrument for the control of Federal expenditures. No one is more conscious than I of the need to keep Government spending under firm control. But this cannot be done by trying to exert controls at the tag end of the expenditure process, when the bills are coming due. The debt limit is not and can not be made a substitute for the control of expenditures at the decisive stage of the expenditure process—when the funds are being appropriated.

Second, since the executive branch cannot refuse to pay the bills incurred in carrying out the programs approved by the Congress, the only alternative is simply to delay paying them. That is exactly what happened in 1957, when an unrealistic debt ceiling forced the Executive to defer payment on its bills. No expenditures were cut back; they were simply postponed and Government contractors had to wait for their money. The unhappy economic effect of that unrealistic 1957 debt ceiling—in combination with other restrictive fiscal measures—needs no retelling here. But anyone who recalls the lesson of 1957—the year from which we date the pattern of slow economic growth which the President's tax program is designed to alter—is not likely to forget it.

Third, the temporary debt limit approved last week by the House, and currently before the Senate, would provide the absolute minimum levels needed by the Treasury for the proper management of the Federal debt and the Treasury's cash balance. These limits—$307 billion through June, and $309 billion throughout July and August—are tight, so tight that they provide little or no room for meeting unforeseen contingencies. The Treasury can attempt to operate within these limits only because it is likely that our expenditure estimates for so short a period will be reasonably accurate and our revenues are unlikely to fall below estimated levels. In addition, since Congress will be in session until some time in the fall, we could always obtain new debt limit legislation, should it be necessary, without having to call a special session of Congress.

And fourth, should we be required to operate between now and the end of August under the present debt ceiling of $305 billion, it would no longer be possible to handle the finances of the U.S. Government in a prudent and responsible manner. We would be forced to resort to an array of unusual financial procedures of the sort which had to be used in 1957–58—procedures which, in the end, would only add to the burdens of the taxpayers of this country. A $305 billion debt limit would also deprive us of one of our most important tools for keeping our short-term interest rates competitive with rates abroad: the ability to add to the market supply of short-term Government securities when the occasion demands. The timely use of this technique has undoubtedly helped reduce the outflow of short-term funds throughout the past 2 years by many hundreds of millions of dollars. It is no exaggeration to say that part of the price of an unrealistically restrictive debt limit would have to be paid in gold.

Those are but a few examples of the havoc that can be wrought in the name of fiscal responsibility. I think they make it obvious that the debt ceiling is not only the wrong instrument to use in attempting to control Federal expenditures, but that an unduly restrictive ceiling could place this country in an untenable fiscal situation. I suppose it would be unrealistic to expect that the seasonal storm over the debt limit through which we are now passing will not deluge us in future years. But I do hope, for the sake of fiscal sanity and prudence, that its intensity may clear the air and generate some fresh and lucid thinking about the whole question of the debt limit.

Another vital, if less incendiary, problem that is now receiving considerable attention is our balance of payments position. More specifically, some in this country have recently expressed concern over the adverse impact on our payments balance of foreign borrowing in the U.S. capital market, and have suggested that through one means or another, we make access to our market more difficult or more expensive.

Unquestionably, a large amount of money is being raised in our capital market by borrowers from countries which enjoy healthy surpluses in their own payments position. That is natural enough, since foreigners can find in our financial market what they often lack in their own: unmatched facilities and resources, and freedom from excessive government regulations. It is a market in which both borrower and lender can operate with maximum efficiency and minimum difficulty.

Although foreign borrowers undoubtedly contribute to our payments imbalance, it would be a shortsighted solution indeed if we were to make the facilities and resources of our capital market less available to them. The real solution—as I urged more than a year ago in Rome—is the development of capital markets in Europe and elsewhere that are better able to meet the needs of their own nationals, and that are more accessible to borrowers from other countries as well. That calls for removal of existing government restrictions, enlargement of capital resources, and improvement of facilities to increase the efficiency of doing business.

I am glad to say that some progress in this direction has been made and that more can be expected. But the development of markets more comparable to ours will take time. Meanwhile, there is every reason to maintain free access to our market, so that it can continue to function as an important part of the international payments system.

It is not enough, however, to encourage progress in improving markets abroad. We must equally encourage the participation of foreign capital in our own market. If we take full advantage of the possibilities of attracting foreign capital—as borrowers are now attracted—we can offset to a great extent the outflow of funds from the sale of foreign issues here.

We would, for example, like to see underwriters in this country seek actively and energetically to put the highest practicable proportion of their new foreign issues into the hands of foreign subscribers. Moreover, in order to give more foreign subscribers a greater opportunity to invest in these issues, we would like to see more of them publicly marketed, rather than privately placed.

When issues are privately placed—and private placements accounted for more than half of the new foreign issues in our market last year—they are offered almost exclusively to U.S. investors. Last year, for example, almost all of the Canadian and Latin American issues, which together accounted for a large part of the foreign use of our market, were private placements.

On the other hand the buyers of publicly placed new foreign issues are by no means all Americans. Last year foreigners purchased more than one-third of the publicly offered foreign issues. The willingness of foreigners to purchase new foreign issues in our market reflects the attractiveness of our facilities to both borrowers and lenders. Because of that fact, we have every reason to strive to develop and exploit our techniques for selling not only goods, but also securities, to foreign buyers. We have undertaken a great drive to expand our exports—a drive that is imperative if our receipts from exports are to meet the irreducible cost of our defense and aid commitments abroad and match the outflow of American long-term investment. We need an equally determined drive by the financial community to sell its very unique range of products.

This, then, has been a brief look at some aspects of the current economic scene. The outlook for the future no one can predict with certainty. But I think most of us will agree that the signs are generally favorable.

In the short run, our economic picture looks bright, but not perhaps so gloriously rosy as some would paint it. Our present economic upturn is heartening. A number of economists, after scrutinizing the latest pattern of the indicators, and paying particular attention to the rising level of capital investment, are hoping for a long run upswing to near boom-time levels. My feeling, while genuinely optimistic, is not quite so sanguine as this. Last January the President's Council of Economic Advisers estimated that 1963 gross national product would fall within a range of $5 billion either side of the $578 billion figure that was used as the basis of our revenue forecasts. It now looks like the high side of that range might be about right. That is what I had in mind when I suggested earlier this month that, if the present improvement continues, Federal revenues might perhaps exceed our estimates for fiscal 1964 by as much as $1 billion. But even such a result would not lead to any appreciable improvement in our employment situation. For that, we must look to tax reduction.

The first-quarter balance-of-payments picture is perhaps less rosy and I think it would be unrealistic to look for any sudden solution in this area. Because we are relying on the slower, but surer, solutions brought about by a market economy, it is entirely possible that this year's deficit will still be comparatively large. Obviously, the payments deficit is a stubborn problem, but with the Trade Expansion Act of 1962, the Revenue Act of 1962, and particularly with the prospect of a meaningful tax program this year, we will certainly have the tools to work more effectively for a solution.

The answers to this and other vexing economic questions require close cooperation between the public and private sectors of our society. They also call for wider discussion of the major issues and broader understanding of their implications for the individual citizen and for the Nation—the sort of informed public understanding that the specialists in the business and financial press can help to generate. With your help—and, as President Kennedy said recently—"with the help of all of those in business, labor, and other professions who share your concern for the future, we shall build a future from which all Americans can take pride as well as sustenance."

Reins, Hames, and Britches

EXTENSION OF REMARKS
OF
HON. EUGENE SILER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 23, 1963

Mr. SILER. Mr. Speaker, quite a conflict seems to have taken place in the House of Representatives this week between liberalism and conservatism, between ADA and ACA, between leftwingers, and rightwingers.

While I am quite proud to be among that number of Congressmen who will receive special recognition by the ACA today for our willingness to stand upon and behind the U.S. Constitution, yet I feel that I am truly neither a liberal nor a conservative but am rather a constitutionalist, an American, a nationalist, a flag waver for our own great country 365 days out of the year. I do not owe allegiance to any group, whether political or civic, or ecclesiastical, above the allegiance I owe to the United States of America. No labor group owns me, no farm organization has bought my soul, no part of the fourth estate either to the far left or extreme right has ever fitted a collar for my neck.

I am an American. And if the ACA or any other establishment wishes to honor me for my own honor toward the American Constitution, then I am very grateful for such a gesture. William E. Gladstone said our Constitution was "the most wonderful work ever struck off at a given time by the brain and purpose of man." And I truly wish that all 435 Members of the House would put themselves into such unanimous support for this modern yet ancient, rigid yet flexible, liberal yet conservative document we call the Constitution that all Americans everywhere could rise up to honor this kind of deep patriotism on the part of their elected representatives.

What is the Constitution? The word literally means "standing together." And certainly if we do not stand together on something, then we will surely fall apart on nothing.

One court of last resort here in our country said, "The Constitution is the embodied will of the people by which they govern their governors." Therefore, this great, living instrument, the Constitution, is the liaison, the connecting link, the umbilical cord between the operating machinery of the Government and the vibrant soul of the people.

The Constitution is moderate and temperate. It is concerned with the freedom and liberties and rights of the people. An official voice may sometimes wish to say you must pay $1,000; but the Constitution says you have a right to trial by jury on this very question. An official voice may sometimes wish to say you must stay in prison; but the Constitution says your body has a right to be brought forth for explanation as to why it is being held—habeas corpus. Some ecclesiastical authority may sometimes wish to say you must pay taxes to support this church or this church school; but the Constitution says no law shall be made to support—establish—any religion.

The Communists are on the far left. The Fascists are on the far right. The Constitutionalists are in the middle and they are the moderates of our Nation.

The Constitution tends to be a very considerate instrument. It provides no method of taking your tax money to distribute it in foreign aid; it provides no Peace Corps; it provides no back-door spending; it provides no absolute power for one official or one branch of Government but establishes three separate branches of Government having many officials in charge of them; it provides for no undeclared wars in faraway lands but only for wars declared by Congress and the swelling symphony of its many voices. The erroneous interpretations of officials have destroyed some of these constitutional benevolencies, I am sorry to say.

The Constitution is an instrument of great service. It provides for your defense and welfare; it provides for regulation of commerce between the different States of the Union; it provides for a monetary system and a standard of weights and measures; it provides for a postal system; it provides for an Army and a Navy.

The Constitution is a set of practical harness that controls the power of the people and yet is hitched to the carriage of your safe travel through this mortal life. And because it is a set of harness, the Constitution is the "reins, hames, and britches—or breeches" of your national life. You, the people, hold the reins, you cause the hames to work to pull the load of the Nation; you make the britches work to restrain the power that could destroy our country on the steep incline toward socialism.

I am proud to be a constitutionalist. I look neither to the right nor to the left, but to the Constitution.

Preparation for Aggression

EXTENSION OF REMARKS
OF

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 23, 1963

Mr. MACDONALD. Mr. Speaker, in the wake of the congressional debate on Near East policy these past weeks, it was gratifying to hear the firm statement made by the President last week.

The President said then, and I quote:

> In the event of aggression or preparation for aggression, whether direct or indirect, we would support appropriate measures in the United Nations and adopt other courses of action on our own to prevent or put a stop to such aggression.

This should make it quite clear to President Nasser of Egypt that we are committed to defend the integrity of sovereign states in the Near East and that we will not acquiesce in a threat to Israel, to Jordan, or Saudi Arabia.

The President's words, "preparation for aggression," point specifically at the current activities of Egypt in relation to her neighbors.

The arms buildup in Egypt, accompanied as it is by forthright declarations of ruinous war, is preparation for aggression.

The fomentation of violence and rebellion, through endless propaganda from all the organs of mass communication, through skilled instigators disseminating hatred in the street, is preparation for aggression.

President Nasser has been employing both of these methods to undermine the entire Near East. I was glad to hear that our Department of State, during the pro-Nasser rioting which recently threatened the Hashemite throne of Jordan, urged radio propagandists in Baghdad, Damascus, and Cairo to desist in their war against King Hussein. It was about time that we acknowledged that in today's Arab world, words fly across frontiers with the accuracy of missiles and with the same intent to kill.

The President's policy, as always, depends on interpretation and evaluation of the threat in the Near East.

The threat to Israel was made explicit, as it has been innumerable times during the last 15 years, when Iraq, Syria, and Egypt signed their unity declaration in Cairo last month.

In their relations with Israel, the Arab States have continually violated the principles of the United Nations Charter. Thus, it may seem rhetorical to cite that this new Arab unity declaration flaunts the charter once more.

The new union has a provision in its declaration of formation which includes provision for the destruction of Israel. The United Nations should find it intolerable that the founding document of a new state, the United Arab Republic, which will undoubtedly become a member of the United Nations, should provide for the destruction of another state which is also a member of the United Nations.

It is dangerously incredible that the destruction of Israel should be a founding principle of the new United Arab Republic, as though it were a goal of the same status as economic union or cultural exchange.

We have watched with all possible good will and considerable assistance the economic development of Egypt, Iraq, and Syria. We should have been able to welcome their unity declaration. But the shocking paradox which betrays this declaration is all too clear. Instead of taking a positive step toward progress, Egypt, Syria, and Iraq have taken a negative step—toward war.

Those of us who contemplate with hope the struggle of oppressed peoples for freedom cannot but contemplate with fear a child of that struggle which is born deformed by hate.

The outstanding element in Nasser's pattern of international relations is his system of absolutes. "The friend of my enemy is my enemy," the Arabs say, and that is all there is to it. A Near East regime may be friendly, but if it is not abjectly pro-Nasser, then its friendship is unacceptable. This is the absolutism that denies Jordan a place in the Arab future, despite the extensive assurances of King Hussein and his Prime Ministers that Jordan wishes to participate with all her heart and energy in Arab development.

Even within the new union itself, it has become obvious that if Nasser is not inside the government, he is against it. Such is the nature of the conflict which has been aggravating Syria.

It seems clear by this time that the Egyptian President makes peace only with those who swear him allegiance. He is the most powerful man in the Arab East. He may fulfill his declarations and lead the Arab world into a war against Israel which would end in disaster for humanity.

The heart of the administration's statement is to do just this—to assure all our friends that the United States stands ready to preserve peace in the Near East, by whatever means it deems effective by the manifold channels of direct and indirect diplomacy and/or by the adjustment of written and unwritten agreements. We must feel free to be firm at all times with any state in the region that defies our defense of peace and threatens to involve itself or anyone else in a needless conflict.

Right now, there is an arms race in the Near East which has locked an economic and spiritual stranglehold on the inhabitants of that area. Israel is being forced to spend far beyond her means for defensive armaments. Her economic development since 1948 has been spectacular. The individual's income has risen from $294 to $750. But this same individual must carry one of the world's highest tax burdens to pay for a defense establishment which, if it will not bring him peace in the real sense it will bring him some peace of mind.

Egypt has been accumulating weapons over the years, to the great detriment of her impoverished people. Egypt has fed her children with American wheat—$576 million worth of American aid has gone to Egypt since 1955. At the same time she has been training for battle, she has made purchases of arms of over $700 million from the Soviet Union since 1955. And she has urged her farmers to maintain unnecessarily high cotton production in order to pay the Russians. Egypt is still suffering from the economic inertia that comes from a one-cash crop economy, not because she has lacked assistance in expanding it, but because her leader feels compelled to prepare for aggression.

I have said in the past and I still believe that the United States should see to it that economic assistance does not serve as a catalyst for the military aspirations of prospective aggressors.

If there has been stalemate and paralysis in our own Government's Near East policy, it has not been so grievous as the paralysis of the United Nations in dealing with the Arab war against Israel.

Any resolution in the United Nations which censured the Arab states has been obstructed by a foreseeable voting alinement.

The Soviet Union's veto insulates the Arab bloc in the Security Council. In the General Assembly, 13 Arab states can always gather at least one-third of the votes needed to prevent passage of any resolution they oppose.

At the recent Afro-Asian Solidarity Conference in Moshi, Tanganyika, we saw that Nasser has no trouble trading influence with the Russians and the Communist Chinese, just as he does in the United Nations. At that conference, we heard the United States and Israel condemned in the same breath. And we understood in which marketplace Nasser can meet most amicable with communism.

The United Nations has been incapable of condemning Arab provocations against Israel in the past. There is no reason to believe that it will have better luck condemning the current preparation for aggression which is taking place in Egypt.

For this reason, I am happy to hear the President assert that we will act on our own, even while acting within the U.N. framework, and even if action within that framework is unsuccessful.

In dealing with the tension in the Near East, our State Department has been plagued by a conflict of goals. We wish to bar the entry of communism in the area. But in our attempt to keep the Arabs out of Moscow's reach, we have hesitated to speak strongly in the defense of Israel. For many years, many of us in Congress have been arguing that these two goals are not mutually exclusive. That to guarantee the safety of Israel, our only democratic friend in the Middle East, is to tighten the containment of communism.

At last, there has been strong and public recognition of this identity in a statement reinforcing our intention to give a security guarantee to Israel, to watch over her continued growth. We can do no less. We have guaranteed by other means the safety of our other stanch allies throughout the world.

The most successful implementation of the President's policy will be nonimplementation. We declare our firm intention to defend peace in order that no action will have to be taken "to prevent or put a stop to" aggression.

If there is still some reasonable judgment left to the hate-ridden Arab world, then this brief, pointed statement by the American President should still be worth more in meaning than the tirades of Radio Cairo.

Republicans Have the Best Candidates in Years

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. SCHWENGEL. Mr. Speaker, the New York Herald Tribune recently carried a very interesting letter to the editor written by Hon. WILLIAM E. MILLER, chairman of the Republican National Committee. The article was entitled "Republicans Have the Best Candidates in Years," and I wish to commend our distinguished colleague for taking the time and trouble to write this letter. I am delighted to see that the New York Herald Tribune is printing thoughtful letters of this type from notable Republicans and Democrats alike about important issues and personalities before our people.

The Republican Party has a great deal to offer, both in the way of issues and in the way of topnotch candidates, and my good friend, BILL MILLER, has made a worthwhile contribution in his letter which follows below.

REPUBLICANS HAVE THE BEST CANDIDATES IN YEARS

To the HERALD TRIBUNE:

To inspire the loyalty and win the support of a majority of Americans in 1964 will require splendid candidates, constructive party principles and a proven record. The Republican Party approaches next year's election campaigns with these tangible assets. The Democratic Party does not.

We shall have the good fortune, for example, to select our presidential ticket from a crop of the most able, attractive and articulate personalities either party has put forward in years. The national spotlight is turning on at least a dozen Republican Governors, Senators, and Members of Congress who will provide us with magnificent presidential and vice presidential timber. The healthy competition set off by their followers will vibrate through the Nation, capturing attention and rallying strength to the Republican Party.

The chosen candidates will be able to point to a series of important Republican initiatives, contrasted with the Democratic Party's chronic lack of ability to govern, in spite of its occupancy of the White House and possession of heavy congressional majorities.

Last fall, for example, strong Republican pressure forced a reluctant administration to belated recognition of the peril in Cuba and impelled the President at long last to clamp down on Soviet shipping. On that day, October 22, the stock of the United States soared around the world, and at the polls in November the Democratic Party reaped the benefits of Republican firmness.

Since then, as we know, the initiative has melted away. The White House permitted the Soviets to welsh on inspection of Cuban military areas, now seems content to coexist with a Soviet bastion 90 miles off shore, and receives Castro's public praises for U.S. action in halting refugee raids on Cuba.

On the domestic front, the first constructive step toward solving unemployment under this administration, the Manpower Retraining Act, was essentially a Republican measure. Early this year Republicans introduced the first legislation on education and civil rights. The Democratic civil rights bill, incidentally, came along over 2 years after the passionate promises of 1960.

These are examples of Republican adherence to sound principle, as the deep antagonisms within the Democratic Party render it impotent. The Nation faces urgent domestic and international problems, but the haloed youngsters in the White House wage war with the gentlemen who rule the Democratic roost on Capitol Hill. Result: stalemate and threats of a Southern purge.

Members of Congress of both parties almost without exception report a "couldn't-care-less" attitude toward the President's program among their constituents.

In the first 3 months of this year Gallup reported a 10-point drop in the Kennedy popularity. No candidate has promised more and delivered less. One by one, the glittering Kennedy pledges—over 500 of them—are being junked. The New Frontier as a political philosophy stands revealed, according to one eminent Washington journalist and Kennedy biographer, as a "dud."

Nevertheless, Republicans face an uphill climb in 1964, and the battle will be fought on three major fronts: the big cities, the suburbs, and the South. Reasonable gains in these areas, added to the steady advances we have scored in State and local elections since 1960, can put us over the top next year.

You will recall that in 1960, while we were losing the White House by a hair, we picked up 21 seats in Congress and 290 seats in State legislatures.

In 1962 we added 2 House seats, a governorship, and 159 additional seats in State legislatures. At the same time we increased our turnout for the House of Representatives by 4,500,000, over 4 times the Democratic vote increase. Meanwhile, our vote in the South was jumping 224 percent. It's still zooming.

The most significant test of public opinion on the New Frontier's policies which has occurred since 1962 was the special election held in the First Congressional District of California on January 22, 1963. This district, which went Democratic last November, was carried by Republican DON CLAUSEN in the special election.

In April we elected a State legislator in Corpus Christi, Tex., and two members of the city council in North Augusta, S.C. Both were notable firsts in the history of the South.

Earlier we sent a Republican to the Georgia Senate, 1 to the Mississippi House, and 12 to the Florida Legislature.

In Michigan, after ending a 14-year period of Democratic control by electing Gov. George Romney, we followed up by carrying the State for the new constitution, winning an extremely large percentage of the vote in Detroit.

In Chicago our candidate for mayor took 44 percent of the vote, a 15-percent jump over the previous showing in the Chicago mayoralty contest.

In Kansas City we lost city hall by a very slim margin, but our candidate carried 62.4 percent of the vote in three heavily Negro wards.

All of this shows that Republican organizational muscle is being built in the three major target areas mentioned. This effort will continue at an accelerated pace, and we shall continue to place emphasis on sound Republican principles.

A major challenge to Republicans lies in communicating our more responsible positions. Our mission is to teach that you do not get something for nothing from your Government. Any party which promises that—as the oppositon consistently has—undermines the foundations of America's strength and is unworthy of the support of the citizens of a great nation.

Republicans on the record have retained the stanch friendship and respect of our allies by a firm and wise foreign policy, have maintained a strong military posture, have kept the Nation at peace, and have created an economic climate at home which produced record levels of prosperity.

If we add to this constructive record, the magic ingredient of hard work in the precincts, the Nation can look forward to Republican victory in 1964.

WILLIAM E. MILLER,
Chairman, Republican National Committee.

WASHINGTON.

Senator Sam Ervin, of North Carolina, Urges Congress To Implement Sixth Amendment by Enactment of Legislation

EXTENSION OF REMARKS

OF

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, May 23, 1963

Mr. HARTKE. Mr. President, recently in the American Bar Association Journal, one of our distinguished and learned colleagues, the Honorable Senator from North Carolina [Mr. ERVIN], wrote an article urging congressional attention and enactment of legislation.

This scholarly thesis is worthy of all of our attention, and I therefore, Mr. President, ask unanimous consent that it be printed in the CONGRESSIONAL RECORD at the close of the extension of my remarks.

The senior Senator from North Carolina, a former practicing attorney and judge is exceptionally qualified to speak out on the subject about which he has written. The article is titled "Uncompensated Counsel: They Do Not Meet the Constitutional Mandate," and it basically states that Congress should implement the right-to-counsel guarantee of the sixth amendment by enactment of legislation under which Federal districts may establish compensated-counsel systems to provide representation for indigents charged with crime.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Uncompensated Counsel: They Do Not Meet the Constitutional Mandate

(By SAM J. ERVIN, JR., U.S. Senator from North Carolina)

"If we are to keep our democracy, there must be one commandment: Thou shalt not ration justice."

These words of the late Judge Learned Hand remind us that justice is a keystone of our democracy and that we must be ever vigilant in providing for just and democratic processes. Unfortunately, we as a nation have not adequately provided for the administration of justice. In a very real sense, justice is being rationed in this country as a result of Congress failure to appropriate funds to guarantee counsel for indigent defendants in Federal courts.

The financial resources of a defendant should be irrelevant to the administration of justice. If equal justice under law is to be more than a hollow phrase, then indigent defendants must be afforded adequate counsel. A fundamental principle of our Nation is that law, not force, maintains the social order. And yet each year thousands of defendants are brought before the Federal bench without benefit of paid counsel. The forces of the Government, with experienced prosecutors, trained investigating staffs, and expert witnesses, are pitted against a defendant whose appointed counsel must find the spare time to defend without compensation.

The Constitution of the United States speaks for these defendants through the sixth amendment, which in part provides: "In all criminal prosecutions, the accused shall enjoy the right * * * to have the Assistance of Counsel for his defense." In 1938 the Supreme Court defined the rights of an accused to representation in the Federal courts. In *Johnson* v. *Zerbst* (304 U.S. 458 (1938)), the Court held it was necessary, even to establish jurisdiction of the trial court, that the accused be granted the right to counsel; without that right any judgment against him is void. The Court's holding was very clear: "The sixth amendment withholds from Federal courts in all criminal proceedings the power and authority to deprive an accused of his life or liberty unless he has or waives the assistance of counsel." The *Johnson* case did not answer all the constitutional questions involving the right to counsel in the Federal courts; but it clearly stated that, if a defendant wished counsel and could not afford it, counsel must be provided.

Twenty-five years have passed since that decision was pronounced, breathing life into the sixth amendment. And what has been done by the Federal Government to implement the decision? The answer is: very little.

In 1946 Congress recognized the constitutional mandate for counsel when the sixth amendment provision for counsel was restated in rule 44 of the Federal Rules of Criminal Procedure:

"If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel."

However, with the exception of legislation passed in 1960 providing for a Legal Aid Agency in the District of Columbia, Congress has done nothing to allow compensation for those lawyers or agencies representing the poor in Federal cases. The system of appointing uncompensated counsel has placed a great burden on the shoulders of the legal profession. The profession has performed admirably through the years, but the system has proved unsatisfactory both for the defendant and his counsel.

Some years ago when I was a young practicing attorney in North Carolina, I was appointed counsel for an indigent defendant in a capital case. The trial resulted in a conviction; I was awarded a fee of $12.50 by the court. After I filed notice of appeal, however, it cost me $84 for a transcript of the record. A local newspaper published an editorial saying, in effect, that the defendant was obviously guilty and that his lawyer was only appealing because of the huge fee involved. I was elected to the State legislature shortly thereafter, and my first bill was one authorizing the State to pay for the trial transcript of an indigent defendant appealing to the North Carolina Supreme Court. This, of course, was a State case, and the laws in North Carolina are considerably different today. But the situation I faced is analogous to that confronting many lawyers practicing in the Federal courts today.

There is no provision even to reimburse counsel for out-of-pocket expenses; there are countless cases in which attorneys have borne heavy personal sacrifices to be certain that the defendant received a fair trial. Even an accused charged with a capital offense does not have the benefit of compensated counsel in the Federal courts.

The following statement from the 1961 study of the Senate Subcommittee on Constitutional Rights clearly sets forth the constitutional problem:

"The Subcommittee on Constitutional Rights wholeheartedly endorses legislation designed to assure competent legal counsel for indigent defendants in all Federal courts.

"The subcommittee believes that this is necessary to achieve full compliance with the mandate of the sixth amendment to our Constitution that 'in all criminal prosecutions, the accused shall enjoy the right * * * to have the assistance of counsel for his defense.'

"The subcommittee believes further that the right to counsel as guranteed by the Constitution is a hollow right indeed if it is not accompanied by proper safeguards that all accused persons will be represented by adequate counsel—even those who cannot afford to pay for it."

There are many examples I could cite of unfairness to the accused because of lack of funds for defense. One in particular is illustrative. It was related to a House of Representatives subcommittee in 1959 by William Reece Smith, Jr., past chairman of the American Bar Association Junior Bar Conference:

"[This] involves a young attorney from Philadelphia, who was appointed to represent an indigent who was unable to speak English. This particular assigned counsel states that he was practically as indigent as the defendant, and for that reason was unable to afford an interpreter in order to converse with his client. He, of course, sought the services of an interpreter through the court and eventually the Government did provide the interpreter. However, this provision was not made until the day of trial. And so for the first time both counsel and court heard the defendant's side of the story while in the courtroom in the course of the trial.

"It so developed in this particular instance that there was a witness to the event who might have been of great importance in the defense of the case. This witness was not made available, could not be made available under the circumstances, and in counsel's opinion the defendant was convicted as a result of this development."

This example is a startling one, but it is only one of a long list—all evidence that the constitutional guarantees are not being satisfied in the Federal courts.

YOUNG, UNPAID LAWYERS FREQUENTLY APPOINTED

The accused is defended frequently by a young lawyer who either may take the case for experience or may have no yearning whatsoever for courtroom advocacy. Many judges understandably are inclined to appoint young lawyers rather than other members of the bar with crowded schedules. This is not an indictment by any means of young lawyers or the Federal judges and their procedures. Most young lawyers meet their responsibilities in the courtroom with zeal and imagination. Generally speaking, the young man provides a good defense, but certainly in extremely serious matters the accused is entitled to the same defense as the person of means who can and will retain only a seasoned attorney.

In addition to the constitutional problem, there is the great burden which is placed on members of the legal profession. In the 1959 House of Representatives hearings the story was told of a lawyer in Wyoming who had long experience in criminal law and was in practice by himself. He was appointed to defend in a Federal criminal case which involved 10 days and 3 nights of actual trial time, plus considerable preparation. The Government presented 114 witnesses. For practical purposes the lawyer was required to close his office for 6 weeks. As a result, he was practically bankrupted. The lawyer himself should not fear indigency while defending the indigent. This unfairness to the accused and hardship on the bar are intolerable. They are not at all conducive to the effective administration of justice.

Several years ago, in considering this matter, the distinguished chairman of the Judicial Conference of the United States, Judge Augustus N. Hand, spoke for the Conference:

"To call upon lawyers constantly for unpaid service is unfair to them, and any attempt to do so is bound to break down after a time. To distribute such assignments among a large number of attorneys, in order to reduce the burden upon anyone, is to entrust the representation of the defendant to attorneys who in many cases are not proficient in criminal trials, whatever their general ability, and who for one reason or another cannot be depended upon for an adequate defense. Too often, under such circumstances, the representation becomes little more than a form."

Congress not having acted to provide practical implementation of the sixth amendment, the legal profession has attempted to alleviate the problem in some instances by utilizing defender services established for State and local courts. The Legal Aid Society of New York, for example, established as a local service by private funds, will assign a lawyer to represent those accused of Federal crime. But funds are so low within the local defender services that most of the 115 now existing throughout the country can barely manage the heavy load in the State and local courts, much less be expanded to include the Federal system. (The National Legal Aid and Defender Association reported 115 defender services throughout the United States as of March 1963. Twelve of these are financed completely by private funds and a few others by a combination of public-private funds.)

LEGISLATION IS NEEDED TO FULFILL REQUIREMENT

As population expands, society becomes more complex, and the legal profession becomes more highly specialized. We can no longer expect the bar alone to implement what is a requirement under the Constitution. Legislation providing for reasonable compensation has been before the Congress for more than 20 years. Support has come repeatedly from the Judicial Conference and the American Bar Association. Both deserve praise for their tireless efforts. Every Attorney General since 1937 has asked enactment of legislation allowing compensation for counsel to represent the poor.

Legislation which would permit appointment of public defenders in populous districts and compensated assigned counsel in others has passed the Senate three times—in the 85th, 86th, and 87th Congresses. However, these measures have never been reported to the House of Representatives for consideration.

This year, for the first time, a President has allotted a portion of his state of the Union message to this problem, stating: "The right to competent counsel must be assured to every man accused of crime in the Federal courts, regardless of his means." With this encouragement of the administration and with the wholehearted support of the lawyers of the country, I am optimistic over the chances for passage during this Congress.

On the same day that President Kennedy's message was delivered, Senator KEATING, Senator COTTON and I joined Senator HRUSKA in introducing S. 63, "a bill to provide for representation of certain defendants in the Federal courts." This is the same proposal we cosponsored last year and which passed the Senate.

More recently, the President has sent to Congress a proposal which Senator EASTLAND introduced and Senator HRUSKA cosponsored as S. 1057. The same measure was introduced in the House of Representatives by Congressman CELLER as H.R. 4816. This proposed legislation, the Criminal Justice Act, is the product of months of study by the Special Committee on Poverty and the Administration of Federal Criminal Justice, under the chairmanship of Prof. Francis A. Allen, of the University of Michigan Law School. It differs in some respects from S. 63; however, the objectives are the same, and I am confident the differences can be resolved satisfactorily in committee.

ACT MAKES LOCAL OPTION IMPLEMENTING KEY

The Criminal Justice Act provides for compensated counsel plus auxiliary defense services. Local option is the implementing key to the bill, as each Federal district may choose a method of representation tailored entirely to fit its own needs and conditions. The choices authorized are these: (1) Appointing private practitioners to be paid up to $15 an hour for each individual case; (2) establishing a Federal public defender office with appointing power in the judicial council of the circuit after recommendations from the Federal court; (3) appointing attorneys from local bar associations or legal aid societies at the same rate as assigned individual counsel; or (4) providing for any combination of these.

Counsel is guaranteed at every stage of the criminal proceedings, beginning with the initial appearance of the accused before the U.S. commissioner and extending through the trial, sentencing, and appeal. The plan for each district will make provision for furnishing investigative, expert and other services to assist the defense counsel in preparing and analyzing his case. These services may be employed either on an individual basis or through a defense-services agency.

The proposal would apply to the defense of those persons financially unable to obtain an adequate defense. This would allow some defendants to defray part of the costs of their defense if they were able.

To me, this act, and the essentially similar S. 63, presents the best plan to meet an acute national problem. Their greatest asset is flexibility. In some Federal districts the crime rate is very low and there is no need for full-time defenders. In other districts the need is already being met to some extent by private agencies. In still other metropolitan districts, the crime rate is so great that only a full-time staff of public defenders could provide an efficient and satisfactory answer. The important point is that each year more than 9,000 defendants (not including those in the District of Columbia), or more than one-third of all criminal defendants in Federal district courts, are not able to provide for their defense. Congress must act for them. The proposal under consideration allows each locality to choose its own method: The choice will be up to the area judicial conference and the local district judge. This provision is designed to eliminate political interference. By the same token, politics will be absent from the choice of defenders, since the administration will have no voice in the appointments, as it does with U.S. attorneys.

SOME OBJECTIONS RAISED TO PUBLIC DEFENDERS

The biggest objection to our approach, as I see it, concerns the provision allowing districts to adopt a public-defender system. Many feel that placing the defense in the hands of the Government would be a step toward a police state. This danger should not be minimized. After years of unsuccessful searching, however, it appears impossible to find an effective and economical means of guaranteeing counsel other than through an organized service. Experience with long-established defender organizations, furthermore, has shown their attorneys to be competent, zealous, and no more apathetic than their colleagues in the prosecutor's office. I feel certain that the local bar associations can be counted on to see that the defenders perform their duties properly.

Another frequent objection is that a public-defender system would eliminate the traditional freedom in choosing an attorney. However, I fail to see how an accused individual, friendless and penniless, now has any choice. Of course, we know that he does not under the present system of appointing uncompensated counsel.

Under present statutes, rules, constitutional provisions, and recent court decisions, the rights of a defendant are many. If anything, it would appear from some cases that the criminally accused in Federal court today is in many ways better protected than society.

For instance, under the Supreme Court ruling of 1957 in *Mallory* v. *U.S.* (354 U.S 449), it was held that a voluntary confession of a convicted and self-confessed rapist was inadmissible as evidence because of the delay in taking him before a committing magistrate. The Court held that a delay of 7½ hours in arraigning the prisoner violated Rule 5(a) of the Federal Rules of Criminal Procedure, which requires that an arrested person be taken before a committing officer without "unnecessary delay." Recently in *Killough* v. *U.S.*, No. 16,398, the Court of Appeals for the District of Columbia Circuit greatly extended the *Mallory* doctrine. In *Killough* the court not only used the *Mallory* doctrine to throw out a voluntary admission of the accused made prior to his arraignment, but extended this doctrine to invalidate an admission made after arraignment on the ground that it was prompted by the first admission, which was inadmissible under *Mallory*. Thus, the first confession, which the court of appeals felt was obtained in violation of Rule 5(a), was deemed to invalidate the later confession, even though the second confession was obtained in full compliance with the Federal rules and there was never an allegation by the defendant that the confession had been anything but voluntarily given.

Notwithstanding the many rights of criminal defendants in Federal courts today, a defendant's financial inadequacy must not preclude his having an adequate defense, as guaranteed by the sixth amendment.

Society is not well protected when an accused is convicted due to inadequate representation and is thereby embittered over our legal process. When a prisoner is released from confinement, he is worth something to himself and society only if he returns with a desire to find his place, make proper adjustments, and live a productive and useful life.

Until a prisoner's bitterness over an unfair legal process has been overcome, the correctional process will not work. If a poor prisoner leaves the courtroom with hate for a legal system because he rightly believes he has been defended inadequately, the chances for his rehabilitation are meager indeed.

Nor is society protected when defendants are released because of a technical error in the legal process. Law enforcement officers and prosecutors strongly prefer that adequate defense be available for persons accused of crime.

Chances are lessened for the overruling of convictions on error when adequate defense has been provided. In addition, most prosecutors prefer to enter the courtroom knowing that the conduct of trial will not be interrupted or prolonged by incompetent or unwilling defense counsel.

Society and the defendant both are protected by the right to counsel as guaranteed in the sixth amendment. If a defendant is to take advantage of his legal rights, he must have competent counsel; in the Federal system today, such counsel is not guaranteed. The defendant's rights are useless to him if he does not know what they are or how to use them.

The wealthy defendant need never fear an inadequate defense. It is now up to Congress to eliminate that fear for the indigent. In these days when our Nation is spending billions in aiding the poor of a multitude of other countries, when we are forced to spend more billions for national defense, I believe we can and must afford the cost to defend the basic rights of the poor here at home.

American Bar Association Joins the Opposition to "Quality Stabilization"

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 23, 1963

Mr. CELLER. Mr. Speaker, the American Bar Association has joined with others in registering its concern over the so-called quality stabilization bills pending before the Congress. Prof. Glen Weston, of the George Washington University Law School, recently expressed the American Bar Association's opposition to "any proposed legislation which would attempt to create a Federal right of enforcement of resale price maintenance by private persons." Professor Weston's own analysis of the legislation now before the Congress is so cogent and so forceful that I take this occasion to bring it to the attention of my colleagues.

The analysis follows:

STATEMENT OF GLEN E. WESTON, PROFESSOR OF LAW, THE GEORGE WASHINGTON UNIVERSITY, ON BEHALF OF THE AMERICAN BAR ASSOCIATION, PRESENTED TO THE SUBCOMMITTEE ON COMMERCE AND FINANCE, OF THE INTERSTATE AND FOREIGN COMMERCE COMMITTEE, OF THE HOUSE OF REPRESENTATIVES, APRIL 25, 1963

My name is Glen E. Weston. I am a professor of antitrust and trade regulation law at the George Washington University Law

School here in Washington, D.C. I am a member of the bar in the District of Columbia and in Virginia. I have taught law since 1949 and trade regulation law since 1952. Before becoming a full-time teacher I practiced law with the law firm of McFarland & Sellers in Washington, D.C. I appear here today on behalf of the American Bar Association. I am currently chairman of the subcommittee on fair trade and implementing Federal legislation of the section of antitrust law of the American Bar Association. I am grateful to you for affording me this opportunity of presenting the views of the association, the antitrust section, and my personal views.

On August 9, 1962, at the annual meeting of the American Bar Association in San Francisco, Calif., the house of delegates of the American Bar Association adopted the following resolution, upon the recommendation of its antitrust law section:

"*Resolved*, That the American Bar Association disapproves of and opposes Senate Joint Resolution 159, 87th Congress, and any proposed legislation which would attempt to create a Federal right of enforcement of resale price maintenance by private persons; and be it further

"*Resolved*, That the officers and council of the section of antitrust law are directed to urge such opposition and disapproval upon the proper committees of Congress in connection with any legislation embodying any such concept."

While the resolution referred to Senate Joint Resolution 159 of the 87th Congress, may I call your attention to the fact that it expresses opposition to "any proposed legislation which would attempt to create a Federal right of enforcement of resale price maintenance by private persons." The officers and council of the section of antitrust law, who were directed to urge such opposition upon the proper committees of Congress, are of the opinion that H.R. 3669 and the various other quality stabilization bills currently pending are clearly within the terms of the house of delegates resolution. For this reason I was requested by them to appear before you today to represent the association in urging disapproval of these bills.

The policymaking body of the American Bar Association is its house of delegates, composed of some 250 members, about one-half of whom are delegates elected to represent State and local bar associations. Resolutions, when approved by the house, become the official policy of the American Bar Association. The comments and supporting data included in reports of sections or committees of the association are not a part of the official policy but are the views of the section or committe submitting them. The council of the section of antitrust law submitted a report to accompany its recommendations to the house of delegates.

I do not want to take your valuable time today reading this entire report, but will merely summarize the conclusions for you, and invite you to read the fuller statement which is attached as an appendix to this statement.

First. The section of antitrust law feels that there are significant uncertainties in the bill. Although a right of revocation and to sue is given for "bait merchandising practices" and "misrepresentation" these terms are undefined. This could provoke considerable trivial litigation and thus result in harassment and injury to business concerns. "Bait merchandising" in particular is an uncertain term. If it were defined merely to include the flagrant type of loss-leader selling it would be somewhat less objectionable but its vagueness may lead to attempts to apply it to many other types of practices and could result in harassing litigation that might injure business concerns whom the proponents desire to protect.

Second. The most fundamental objection of the Section of Antitrust Law is to the granting of power to brand owners to control resale prices. This goes far beyond any requirements needed to control loss-leader selling and is inconsistent with basic antitrust policy of reliance upon price and other competition. Exemptions should be enacted only in compelling circumstances.

Third. The antitrust law section feels that the quality stabilization bills would be an unwarranted intrusion upon the public policy of the States. There are now about 27 States plus the District of Columbia and Puerto Rico in which resale price maintenance enforcement against nonsigning dealers is considered contrary to the State's legislative or constitutional policy. Moreover, the present bills by asserting a paramount Federal policy probably deny to the States the right to legislate in this significant area of economic policy. Indeed, in some States such as Montana, Utah, and perhaps Idaho (where the question is pending on appeal), there are State constitutional provisions which prohibit resale price fixing. Other States such as Texas prohibit such practices by statute. H.R. 3669 and similar bills would therefore impose upon these States a price maintenance system that such States have declared contrary to their policy. The Federal courts would also have transferred to them the burden of policing resale price maintenance through litigation without regard to the amount in controversy.

Finally, speaking only for myself as an individual and a teacher of trade regulation law I would like to give my further personal reasons why I think quality stabilization should not be enacted. The remainder of my statement is not to be attributed to the American Bar Association or its antitrust law section. And let me first assure you that I am not paid or retained by anyone. My only interests are those of a teacher, consumer and citizen who is interested in the maintenance of a strong, free, private competitive enterprise system. I think that the general objectives of those who have introduced these bills of trying to help small businessmen, improve quality and protect consumers against deception are laudable. As a teacher of trademark law as well as antitrust law I also believe that a system of reasonably strong protection of trademarks is a sina qua non of free competitive enterprise. But I believe that these quality stabilization bills will not achieve the objectives that some of you in good faith think that they will. Instead, you are asked to enact one of the most drastic departures from a free enterprise system that has ever been before Congress. It would in reality throw the baby of price competition out with the bath water of the loss leader and bait merchandising. I am confident of the sincerity of those who have introduced these bills but in my opinion the very name "quality stabilization" is misleading because it erroneously implies that the bill will achieve quality control and obscures the stark truth that this is primarily a price-fixing bill. At the moment consumers are blissfully unaware of the purport of this bill. If the real effect of this bill were made known to the American public, Congress would be inundated with protests by consumers. If it is enacted and put into effect I think you are going to witness a severe reaction from consumers all over the Nation.

These quality stabilization bills are designed to aid three classes of persons: brand owners, small dealers, and consumers. However, I sincerely believe there are substantial unanticipated problems in the bills that can boomerang and cause trouble for each of these groups:

A. QUALITY STABILIZATION PRESENTS SEVERE PROBLEMS FOR BRAND OWNERS

There are severe problems for brand owners in these bills that ought to make them think twice about supporting these bills or using them if enacted.

1. Since these bills do not authorize any agreement or combination a brand owner may find himself violating the Sherman Act and FTC Act when his dealers in complete good faith try to cooperate in enforcement. These bills thus create a dangerous trap for brand owners. Unlike fair trade, the trademark owner is the only person authorized to bring suit or enforce the provisions of the bills. This means the brand owner alone must bear the cost of enforcement of his price stabilization system. While he may do this by revocation of the right to sell as well as suit against the price cutting dealer it is doubtful whether he can either invoke or accept any assistance from dealers in detecting violations and policing. Nothing in the bill authorizes agreements with dealers or indicates that dealers may help. Under *United States* v. *Parke, Davis & Co.*, 362 U.S. 29 (1960), a refusal to deal must be kept strictly unilateral to keep it from becoming an unlawful "combination" to fix prices violative of section 1 of the Sherman Act. Unsolicited aid from dealers in detecting violations or even oral assurances by dealers that they will adhere to a manufacturer's suggested prices are unlawful as some persons interpret the Parke, Davis case. While an amendment might be drafted to overcome this, such an amendment would convert the bills into a mere authorization of price-fixing agreements and also destroy the claim that the resale price maintenance provisions are voluntary with the brand owner. Such an amendment would also unwisely permit dealers to pressure brand owners into price fixing even though brand owners do not desire to do so.

2. A second danger for brand owners in this bill is that it may cause a substantial increase in product liability claims against them. This danger arises partly from the provision in paragraph (10) of the bill (H.R. 3669) that subjects the brand owner to jurisdiction in every Federal district in which his goods are sold. This jurisdiction is solely for purposes of suits by consumers arising out of alleged misrepresentations by the owner as to size, capacity, quality, condition, model, or age of the goods. Although this does not expressly create a right of action, it seems to imply the existence of one. While I do not quarrel with creation of a right of action on behalf of consumers for misrepresentation by brand owners, this provision, coupled with other provisions in the bill giving some control over retail dealers, may arguably go much beyond that. They may result in a substantial increase in the trend toward absolute liability for any defects in the goods, particularly in those States that still cling to the so-called "privity" doctrine. In other words, the control over dealers provided in this bill may create "privity" between the brand owner and the retail purchaser that will make the brand owner liable to the ultimate consumer for any defects in the product. Now this may be good; in fact, I think it probably is. But is this what you intend, and do brand owners realize its potential effect? Do they realize it could result in substantial increase in their insurance costs? I doubt whether they have even thought about it much.

3. A third problem for brand owners is increased difficulty in complying with the Robinson-Patman Act. Normally a brand owner who sells to wholesalers is not responsible under the Robinson-Patman Act for price or service discrimination resulting from the wholesaler's resales to retailers. Retailers who purchase from wholesalers are not considered purchasers or customers of the brand owners. But under cases such as *American News Co.* v. *FTC* (300 F. 2d 104 (2d Cir. 1962)) (certiorari denied) the control that this bill gives to brand owners over retail dealers who purchase from independent

wholesalers may be enough to make such dealers be considered purchasers from the brand owner. This could mean that some brand owners will have hundreds or thousands of new purchasers or customers to whom they must proportionalize all advertising allowances and all promotional services or facilities. It may also arguably make the brand owner liable for any discrimination practiced by his wholesalers. Again I doubt seriously if brand owners have realized this problem.

4. Another serious drawback for many brand owners is that this bill may preclude a brand owner from selling private brand goods to mass merchandisers even through the price differential is fully cost justified or is made to meet competition. Paragraph 11(B) of H.R. 3669 creates a defense if the dealer shows that plaintiff has sold the same kind of goods of like grade and quality to another person similarly situated under more favorable terms or at lower prices. This would create a Robinson-Patman type defense of discrimination. But there is a notable complete absence of mention of any cost justification or meeting competition privilege. From this it may be interpreted to mean that a brand owner who tries to keep small dealers happy by fixing resale prices with high margins while still maintaining his volume by selling private brand goods may find himself in difficulty. I do not know whether this is intended by the drafters of the bill or whether it is a "sleeper" planted by someone who does not like private brands. They are permissible under Robinson-Patman when any price differential is cost justified and there is no sound reason why this proposed legislation should in effect, preclude them under such circumstances.

5. Brand owners may find quality stabilization very expensive and troublesome to enforce. The superimposing of quality stabilization on top of State fair trade laws and the Miller-Tydings and McGuire Acts creates a lot of confusion and uncertainty. Some types of conduct will thus be permitted under some State laws and other types under Federal law. Suits may be pending in both State and Federal courts dealing with similar conduct. The many unanswered legal problems arising out of such a situation will mean many attempted defenses and subterfuges and a high cost of enforcement. Moreover, the bill is completely silent and therefore ambiguous concerning the status of such things as trade-in allowances and trading stamps which have caused a great deal of trouble in fair trade States. Finally, since discount houses are thoroughly entrenched in most States it is going to take a long, expensive litigation effort to halt their discounting—if it can be accomplished. Such subterfuges as covering the trademark with tape, making a few scratches on an appliance and calling it damaged or secondhand, overvaluing trade-ins and the like are likely to be employed.

B. PROBLEMS FOR SMALL DEALERS IN QUALITY STABILIZATION

There are some ways in which small dealers may be injured as a result of quality stabilization:

1. Dealers may be prosecuted under the Sherman Act or be sued for treble damages for "combining" with brand owners if they attempt to help in reporting violations or cooperate in enforcement. As I mentioned earlier these bills do not contain any authorization for agreements or combinations between brand owners and dealers. The Parke, Davis rule requiring strict unilateral action by the brand owner is presumably still in effect. In a recent Federal district court case, *Klein* v. *American Luggage Works, Inc.*, 206 F. Supp. 924 (D. Del. 1962), two retailers were held liable for treble damages along with the brand owner because they "volunteered assistance in the ascertainment of noncomplying dealers" in a refusal-to-deal price maintenance system. The present bills do not contain anything that would change this part of the rule of this case. Therefore there is real danger to dealers under quality stabilization.

2. Quality stabilization may give some substantial advantages to chain stores, mail order houses and large department stores. In some ways quality stabilization may give mass merchandisers advantages over independent dealers. It should give greater incentive for the use of private label merchandise by such mass merchandisers. The independent dealer will find his hands tied by quality stabilized pricing so that he is unable to meet the price competition of such private brand products. A surprisingly large percentage of the suits brought under fair trade laws have been against small dealers—not just chain stores or discount houses. Chain stores and other mass merchandisers also have greater capital to invest in advertising or in servicing stabilized products and thus may grow even more rapidly with guaranteed margins.

3. The lack of a right of action for competing dealers makes them dependent solely upon the brand owner for enforcement. If brand owners are slow to bring suit, the dealer may suffer losses for which he has no right of action against anyone. Experience under fair trade has shown that many brand owners are not enthusiastic about maintaining such litigation since it is expensive and is largely for the benefit of the dealer rather than the brand owner. Small dealers may find themselves afraid to cut prices because of fear of revocation under quality stabilization, afraid to complain of price cuts by competitors because of possible Sherman Act claims against them, and unable to bring suit on their own behalf. What recourse do they have under such circumstances?

4. Small dealers may find themselves faced with threats of revocation of their right to resell trademarked articles. There is no requirement that price cutting or "bait merchandising" be intentional to be grounds for revocation. Mistakes by employees or salesmen might be grounds for revocation of a dealer's right to resell. And since brand owners must use diligence in enforcement, there is some question as to how far they may go in overlooking such violations. Consequently there may be some danger that small dealers may find themselves cut off from their sources of supply or being named as defendants in litigation under this proposed legislation.

C. CONSUMERS WILL BE DAMAGED BY THIS PROPOSED LEGISLATION

1. Although one of the stated purposes of this legislation is to protect consumers against bait merchandising and misrepresentation, the bills do not provide effective remedies for this purpose. Why is the consumer given no right of action for such practices? More significantly, why isn't the Federal Trade Commission's jurisdiction enlarged to reach such practices merely "affecting commerce" if the real purpose is to protect consumers? Why aren't competitive dealers given a right of action? These significant omissions make the bait advertising and misrepresentation provisions of these bills ineffective as a means of protecting consumers and create a suspicion that their principal purpose is to soft-pedal the price-fixing provisions by equating discounting with misrepresentation.

2. There is a strange omission of any requirement, guarantee or assurance of high quality products, except for the pretentious title "quality stabilization" which seems to imply a paramount intention to achieve quality control. Why isn't it a good defense to a suit by the brand owner for the dealer to show the brand owner's product was of poor quality? Why aren't consumers who will be required to pay fixed prices given recourse against the brand owner who sells a poor quality product? There is little reason to believe that these quality stabilization bills will aid materially in improving quality since the bills signally fail to contain adequate means of assuring quality.

3. Consumers will be damaged because resale price maintenance on trademarked commodities facilitates horizontal price fixing between competing brands even in the absence of actual agreement. These bills purport to permit only the elimination of intrabrand competition but they will significantly lessen competition between rival brands since they contain insufficient safeguards. There is nothing to prevent rival brand owners from announcing stabilized resale prices that are identical or virtually so, as long as they did not agree among themselves to do so. The only limitation in the bill is the "free and open competition" requirement but under fair trade this has sometimes been interpreted as being met even though there were only two competitive producers. Professor Walter Adams, the most sophisticated economist favoring fair trade, has advocated more stringent interpretation of the "free and open competition" limitation, but the only State that has applied it with any degree of strictness is Pennsylvania. Instead of the greatly inadequate "free and open competition" requirement, why don't you write into this bill a requirement that there be "free and effective price competition" between the stabilized commodity and similar products produced or distributed by others? This would limit price stabilization to products where a substantial degree of interbrand price competition exists and the consumer has real alternatives. The courts or the FTC could then preclude resale price maintenance when there was insufficient interbrand competition.

CONCLUSION

In conclusion, let me emphasize my personal opinion that the objectives of this proposal are good but the means employed are unsound. A far more effective means of dealing with the loss-leader problem, if you feel new legislation is needed, would be a Federal sales-below-cost statute modeled after those in effect in about one-half of the States (such as S. 1804 of the 87th Cong.). Misrepresentation and bait merchandising affecting interstate commerce could be more effectively dealt with by such legislative proposals as the Lindsay-Javits bill (H.R. 4651 and S. 1038) that would create a right of action for "unfair commercial activities in or affecting commerce." The quality stabilization bills are drastic proposals. They go far beyond fair trade because they would create a nationwide price-fixing system enforceable in the Federal courts. They are so replete with legal problems and pitfalls that the main beneficiaries will be lawyers not brand owners, dealers or consumers. What kind of answer can you give to the unemployed workers, the low wage laborers, the retired pensioners, the disgracefully underpaid public school teachers and the underprivileged in our society if they find themselves required to pay higher prices for such items as packaged foods, clothing, aspirin, first aid supplies, toothpaste, shaving cream, razor blades and other necessities? I have read a good many economic studies concerning the effects of fair trade and they are conflicting in their conclusions; perhaps no one can say with complete certainty exactly what the long-range effects will be. In my opinion the most objective and reliable studies point to the probability that consumer prices will be materially increased. At any rate it seems to me you should not enact this drastic departure from a free enterprise system unless you are quite certain it will not have such an undesirable result. Can you honestly say that you are certain it will not increase consumer prices? I do not see how anyone can.

AMERICAN BAR ASSOCIATION, SECTION OF ANTITRUST LAW—RECOMMENDATION

The section of antitrust law recommends that the house of delegates adopt the following resolution:

"*Resolved*, That the American Bar Association disapproves of and opposes Senate Joint Resolution 159, 87th Congress, and any proposed legislation which would attempt to create a Federal right of enforcement of resale price maintenance by private persons; be it further

"*Resolved*, That the officers and council of the section of antitrust law are directed to urge such opposition and disapproval upon the proper committees of Congress in connection with any legislation embodying any such concept."

REPORT

1. Background

On May 18, 1959, the board of governors of the American Bar Association adopted the following resolution:

"*Resolved*, That the American Bar Association disapproves of and opposes any amendment of the Federal Trade Commission Act which would further expand the philosophy of so-called fair trade acts and create a Federal right of action in the enforcement of fair trade contracts; and be it further

"*Resolved*, That the officers and council of the section of antitrust law are directed to urge such opposition and disapproval upon the proper committees of Congress in connection with any legislation embodying any such amendment."

In February 1962 a proposal by the antitrust section to update this recommendation as a current expression of the association was considered at the midwinter meeting of the ABA's house of delegates in Chicago. At that meeting consideration of a proposal by the antitrust section to oppose legislation creating a Federal right of action in the enforcement of fair trade contracts was postponed to the August meeting of the house of delegates. (During the 85th, 86th, and 87th Congresses, several bills had been introduced which would create in some form a Federal right of action for the enforcement of fair trade contracts entered into under State law.)

Since the February 1962 meeting attention has been directed to Senate Joint Resolution 159, the Quality Stabilization Act proposal introduced by Senators HUMPHREY, CAPEHART, and others on February 21, 1962.[1] While hearings were held on S. 1722 on July 25 and 27 and August 28, 1961, it is understood that they will not be printed in the light of the shift of interest to Senate Joint Resolution 159. Hearings on Senate Joint Resolution 159 have been held by the Senate Committee on Commerce. In the course of the hearings the heads of the two principal antitrust enforcement agencies (Lee Loevinger, Assistant Attorney General in Charge of the Antitrust Division, Department of Justice, and Paul Rand Dixon, chairman, Federal Trade Commission), testified in opposition to Senate Joint Resolution 159.

2. Provisions of Senate Joint Resolution 159

The resolution opens with six recitals setting forth legislative statements of objectives. A key recital refers to unfair or deceptive acts or practices "such as * * * store-traffic baiting and misrepresentation as to the size, capacity, quality, condition, model, or age" of branded goods, "all tending to destroy unfairly the value" of brands[2] to their owners, to smaller resellers, and to the public. Among the effects of these practices recited is a tendency to diminish the volume of branded products moving in commerce, thereby reducing producers' incentive to maintain the value of their goods and producing other value-diluting consequences ("substitutions of inferior labor and materials forced by the downward spiral of unrestrained predatory pricing on popular identified products, in the fields of goods, drugs and beverages, endanger public health, and in other fields, endangers (sic) public safety"). Recognition of the property right in a brand and the goodwill associated therewith is also recited.

The operative provisions of the resolution would amend Section 5(a) of the Federal Trade Commission Act, 15 U.S.C.A., Sec. 45(a), by adding eight new paragraphs, (7) to (14). The new paragraphs may be summarized as follows:

7. A brand owner is deemed to retain his property rights in the brand and associated good will regardless of any transfer of the goods to which the brand relates. Any person who resells branded goods in commerce may use the brand but only in effecting resale of such goods, and subject to (8).

8. When goods usable for the same general purpose are available to the public from sources other than the brand owner, the right of any person to use the brand in reselling may be revoked (on written notice) by the brand owner on the ground that the reseller (a) has used branded goods "in furtherance of bait merchandising practices"; (b) has with notice advertised, offered for sale or sold such goods at prices other than at the brand owner's currently established resale prices; or (c) with intent to deceive, has "published misrepresentation concerning such goods."

9. Nothing in (8) shall abridge the right of the reseller, in the regular course of his business and within a reasonable time after revocation, to sell the goods in his possession on the date of revocation, so long as he does not violate (8) in so selling. A procedure is established for the reseller to offer his inventory to the brand owner at the price he paid for them; if the offer is not accepted, the reseller may sell the goods without restriction as to price so long as his advertisements or offers state the fact of revocation as to goods not in his possession on the revocation date.

10. A reseller who sells under the brand name after revocation commits an act of unfair competition and is liable in a civil action for damages and injunctive relief by the brand owner, in any U.S. district court in which the defendant resides or is found or has an agent, without respect to the amount in controversy; the owner may recover the cost of suit including reasonable attorneys' fees.

11. Lack of due diligence in revoking as to competing resellers who are violating (8) is specifically set forth as a defense.

The other paragraphs are saving and definitional provisions, and include antitrust exemption language and a statement that the Miller-Tydings and McGuire Acts, inter alia, are not modified or repealed.

3. Objectives of Senate Joint Resolution 159

Senator HUMPHREY's statement introducing the quality stabilization resolution emphasized the following reasons in support of the legislation:[3]

1. The resolution is merely an extension of the trademark laws enabling a brand owner to protect his property rights through channels of distribution.

2. The resolution would permit a reseller to remove the brand from the product—"thus separating the physical property, which he owns, from the goodwill, which is another's property"—and then sell at any price.

3. The legislation would be permissive and would leave decision as to enforcement in the hands of the brand owner.

4. The proposal would permit the continuance of independent retailing and provide assurance to consumers that quality tested and reliable products will continue to be available.

5. In the light of increasing numbers of bankruptcies of small business concerns, the proposed legislation is essential to competitive survival of hundreds of thousands of independent businessmen.

Several of these reasons have been equally appropriate in past consideration of fair trade legislation and have been reviewed in detail by many commentators in the past. The most compelling reason now offered in support of the quality stabilization proposal would seem to be the reference to the current plight of independent retailers, particularly in the light of the present phenomenon of widespread discount selling. The inroads of discount operations on sales of traditional retail stores have no doubt been substantial—"Last year, according to trade sources, discounters grossed more than $4 billion in sales."[4]

The extent to which there has been a substantial causal relationship between retailing of branded goods at prices below those established or suggested by manufacturers and small business failures is, of course, a difficult factual issue involving many and complex considerations. Wholly apart from the question whether the proposal is the appropriate solution, reliable probative evidence of such a relationship would undoubtedly be significant in any differentiation of the present setting from that confronting Congress during its consideration of proposed Federal fair trade legislation in recent years.

4. Relationship to other legislation

The three practices condemned in paragraph (8) as proposed by the joint resolution deserve separate comment.[5]

(a) Bait merchandising: The scope of this term, not defined in the resolution, is somewhat vague and uncertain. Ordinarily the concept "bait merchandising" would be thought to embrace only the use of "loss leader" selling by which certain branded goods are offered for sale at less than cost in order to bait customers into a store in the mistaken belief that all goods in the store are being sold at comparably low prices. This practice may already be subject to various State unfair practices statutes, sales below cost statutes, or fair trade statutes, or to condemnation under section 5 of the Federal Trade Commission Act or common law principles as a species of false advertising or unfair competition. As so limited, prohibition of the practice would seem to be consistent with traditional antitrust or trade regulation principles.

(b) Resale price maintenance: While the Miller-Tydings Act of 1937 and McGuire Act of 1952 created a condition permitting State fair trade laws to be effective by providing exemption from Federal antitrust legislation, fair trade is not available in a number of States where no fair trade legislation has been enacted or where fair trade legislation has been rendered ineffective by adverse holdings on constitutional issues.[6] An apparent objective of the proposed legislation would be to supplement the remaining State laws by creating a Federal right of brand owners to effect resale price maintenance on certain goods.

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[1] Companion proposals and those who introduced them include H.J. Res. 636 (Harris), H.J. Res. 637 (Mack), H.R. Res. 639 (Tollefson), H.R. 10517 (McMillan), and H.R. 10335 (Madden). (A joint resolution is used ordinarily to effect temporary extension or suspension of existing statutes.)

[2] This report uses the "term brand" as a reference to "brand name, or trademark" as used in the resolution.

[3] CONGRESSIONAL RECORD, vol. 108, pt. 2, pp. 2711–2714. A list of over 50 national trade associations supporting the measure was appended to Senator HUMPHREY's remarks.

[4] New York Times, Jan. 30, 1962, p. 32.

[5] The legislation would apply "to all acts and transactions in or affecting commerce which Congress may lawfully regulate," in territories and in the District of Columbia.

While the proposed legislation provides that "No exercise of any rights or remedy provided (herein) shall be construed to be a violation of any of the antitrust acts", it is not clear whether this language is intended to immunize arrangements between manufacturers and retailers as to prices or enforcement of rights or remedies of the brand owner. A significant aspect of this problem is that while a principal reason advanced in support of the joint resolution is the plight of small independent resellers, the rights and remedies are given only to brand owners, who will presumably be urged by resellers to enforce the statutory rights and remedies.

(c) Misrepresentation: The proposed legislation would create a limited private cause of action providing for relief against commission of acts of misrepresentation which would probably be considered to fall within the scope of section 5 of the Federal Trade Commission Act, which prohibits unfair methods of competition and unfair or deceptive acts or practices in commerce. In consideration of the effects of the proposed law, the elastic scope of section 5 as it would bear on the content of the private right to proceed against "misrepresentation concerning such goods" and the problems attendant to possible overlapping of or conflict between privately obtained injunctions and the cease-and-desist order authority of the Federal Trade Commission, would be significant.

5. Observations and Conclusion

The basic principle of the quality stabilization resolution appears to be that certain desirable national objectives will be maintained by providing specific private rights against three types of activities asserted to be detrimental to maintenance of a valuable property right in a brand name.

With respect to the protection against "bait merchandising practices," a prime difficulty is the lack of precision of the term. If flagrant "loss leader" selling is all that is encompassed by the term, the natural question would be whether the practice is sufficiently prevalent and serious to warrant Federal legislation, and whether the legislation would be effective in its apparent objectives to protect small retailers against the competition of discount or other operations which may sell all items at a low markup over cost. Substantively there is probably general agreement among most antitrust students that the flagrant type of loss leader selling should be actionable. But it is unclear whether the scope is to be interpreted as so limited.

With respect to misrepresentation, again a fundamental problem is that the scope of the prohibition should be sufficiently defined. Private enforcement to supplement Federal Trade Commission authority against flagrant types of misrepresentation directly injuring a producer or brand owner, such as undisclosed substitution of goods, might well be useful. But without precise delineation of the scope of the term, problems of vagueness and provocation of trivial litigation[7] similar to those presented by Section 5 of the Federal Trade Commission Act could be expected.

With respect to resale price maintenance, the proposed legislation differs in language considerably from existing Federal and State fair trade statutes; however, the fundamental approach seems to be the same—to permit a brand owner to control prices at which resellers may sell branded goods. Since at least 1912 the subject of resale price maintenance legislation has been highly controversial; during this 50-year period retailing and distribution have adapted to a series of drastic innovations. While the fundamental question of the desirability of such legislation may be an economic issue,[8] any such legislation would have important legal ramifications as well. The belief that a general resale price maintenance system goes beyond the requirements for protection against practices such as loss leader selling and the basic antitrust reliance upon price and other competition, with exemptions enacted only in compelling circumstances, have been strong factors in the opposition to extension of Federal resale price maintenance legislation beyond the enabling principle of the Miller-Tydings and McGuire Acts. In fact, a majority of the Attorney General's National Committee to study the antitrust laws in 1955 recommended congressional repeal of the Miller-Tydings and McGuire Acts. The Department of Justice and Federal Trade Commission have consistently opposed fair trade legislation, and recently specifically opposed the quality stabilization proposals.

Apart from the problems of the judicial administration which may be posed by transferring to the Federal courts the burden of policing resale price maintenance through litigation brought without regard to the amount in controversy, the creation of a Federal cause of action for the enforcement of resale price maintenance would appear to represent one more step in the intrusion of Federal legislative power into the area of control of the public policy of the several States. As noted above, in 24 States as well as the District of Columbia and Puerto Rico, resale price maintenance is incompatible with the State's legislative or judicially construed constitutional policy. Under the provisions of Senate Joint Resolution 159, the right to legislate under the McGuire Act with respect to this significant area of economic policy in the interest of its own citizens is denied the several States by the assertion of a paramount Federal policy in the exercise of the constitutional power over interstate commerce.

There can be no doubt that many small independent businesses are faced with effective "price cutting" competition by discount houses and others which may cause them significant loss of trade. Assuming that maintenance of the traditional independent business part of the retailing and distribution structure is an important national objective, alternative methods of alleviating the situation should be considered. Examples would include Federal legislation designed to prohibit retail selling, of at least specified categories of goods, at prices below defined cost, or additional financial assistance by the Government to small business; such measures might suffice to alleviate the situation depicted. But it would seem that to date the strong factual justification required to overcome traditional reluctance of Congress and the enforcement agencies to endorse Federal resale price maintenance legislation has not been shown.

A copy of Senate Joint Resolution 159 is attached as an appendix.

Respectfully submitted,

S. CHESTERFIELD OPPENHEIM,
Chairman.

(Paul Rand Dixon and Lee Loevinger did not participate in the consideration or voting on this matter.)

APPENDIX

[87th Cong., 2d sess.]

SENATE JOINT RESOLUTION 159

In the Senate of the United States, February 21, 1962, Mr. HUMPHREY (for himself, Mr. CAPEHART, Mr. PROXMIRE, Mr. JOHNSTON, Mr. MCCLELLAN, Mr. SCOTT, Mr. RANDOLPH, Mr. MCCARTHY, Mr. MUNDT, and Mr. CASE of South Dakota) introduced the following joint resolution; which was read twice and referred to the Committee on Commerce:

Joint resolution to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes.

Whereas it is recognized that, in the chain of distribution of products so identified, there may be encountered resellers having predatory interests and committing, in the resale of such products, unfair, or deceptive acts or practices (such as, but not limited to store-traffic baiting, and misrepresentation as to the size, capacity, quality, condition, model, or age of the goods), all tending to destroy unfairly the value to its owner, to smaller resellers, and to the public, of the brand, name, or trademark, and tending to disable and destroy competition, thus to create monopoly of retail distribution, contrary to public interest; and

Whereas the above-recited deceptive acts and practices and unfair methods of competition tend to diminish the volume of such identified products moving in commerce by adversely affecting the demand for such goods, thereby impairing the producer's ability, and reducing his incentive, to maintain and increase, with relation to price, the value of such goods to the public, or to maintain and increase opportunities for employment, or pay rates for labor, in his factory; and

Whereas substitutions of inferior labor and materials forced by the downward spiral of unrestrained predatory pricing on popular identified products, in the fields of foods, drugs, and beverages, endanger public health, and in other fields, endangers public safety; and

Whereas it is recognized that unless fair competitive practices can be maintained in all appropriate stages in the distribution of such identified products, the marketing of such identified products is depressed and the quality thereof tends to deteriorate; and

Whereas the distinguishing brand, name, or trademark of a product, and trade and public goodwill associated therewith, constitute property, the rights to which are entitled to protection by the owner thereof despite transfer of the product itself; and

Whereas in order to remove the above-recited obstructions to commerce, and to remove the quality-deteriorating and value-diluting pressures resulting therefrom, in the manufacture and resale of products bearing distinguishing brands, names, or trademarks, it is found and declared that it is in the public interest to define, confirm, and implement said property rights: Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this act may be cited as the "Quality Stabilization Act."

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[6] Alaska, Missouri, Nebraska, Texas, Vermont, and the District of Columbia do not have fair trade laws. Puerto Rico's fair trade law was repealed in 1959. The laws of at least 19 States have been held in part or generally unconstitutional at some time. See chart 2 Tr. Reg. Rep. par. 6041.

[7] See dissenting opinions of Commissioner Elman in matter of Gimbel Bros., 3 CCH Tr. Reg. Rep. par. 15,748 (1962); and Judge Friendly in *Exposition Press, Inc.* v. *F.T.C.*, 295 F. 2d 869 (2d Cir. 1961).

[8] "Whether a producer of goods should be permitted to fix by contract, express or implied, the price at which the purchaser may resell them, and if so, under what conditions, is an economic question. To decide it wisely it is necessary to consider the relevant facts, industrial and commercial, rather than established legal principles." Brandeis, J., concurring in *Boston Store of Chicago* v. *American Graphophone Co.*, 246 U.S. 8 (1918).

(b) Section 5(a) of the Federal Trade Commission Act, as amended, is hereby amended by adding, at the end thereof, paragraphs (7) to (14), inclusive, as follows:

"(7) The owner of a brand, name, or trademark shall be deemed to retain his property rights therein, and in the trade and public goodwill symbolized thereby, regardless of any sale or transfer of the goods to which such brand, name, or trademark relates, and no such sale or transfer shall be deemed to diminish or extinguish any such rights. Any person who resells in commerce goods identified by a distinguishing brand, name, or trademark, either on the label, container, dispenser thereof, or otherwise, may rightfully employ such brand, name, or trademark, but only in effecting the resale of such goods, and subject to the provisions of paragraph (8) hereof.

"(8) When goods usable for the same general purpose are available to the public from sources other than the owner of such brand, name, or trademark, the right of any person to employ such brand, name, or trademark in effecting resale of goods so identified may be revoked by the owner of such brand, name, or trademark, on written notice, for any of the following reasons:

"(a) that the person reselling such goods has employed goods bearing the brand, name, or trademark in furtherance of bait merchandising practices;

"(b) that the person reselling such goods, with knowledge of the owner's currently established resale price or prices, has advertised, offered for sale, or sold such goods at prices other than such currently established resale prices; or

"(c) that the person reselling such goods, with intent to deceive purchasers, has published misrepresentation concerning such goods.

"(9) Nothing herein shall be interpreted to abridge the right of a person, in the regular course of his business and within a reasonable time after the date of any revocation pursuant to paragraph (8) of this subsection, to sell all such goods of which on such date he is possessed: *Provided*, That in such sale he shall commit none of the acts described in paragraph (8) of this subsection: *Provided, however*, That if and in the event that such person, promptly upon such revocation, shall have supplied to the owner of said brand, name, or trademark a correct itemized listing of said inventory with a statement of the price paid per item and the total price paid therefor, together with a firm offer to sell and deliver all said inventory to said owner at any time within ten days thereafter upon payment of said total price, then such person, upon expiration of the ten-day term of said offer without acceptance, may so sell such goods in said inventory, in the regular course of his business and within a reasonable time thereafter, without restriction as to price, in which event each advertisement of, or offer to sell, such goods, shall state plainly that the right of the reseller, offering such goods, to employ in any way the brand, name, or trademark carried by the goods has been revoked as to any such goods not in that reseller's possession at the time of such revocation.

"(10) Any person whose right to employ a brand, name, or trademark has been revoked by the owner thereof pursuant to the provisions of paragraphs (8) and (9) of this subsection and who thereafter, without the express written consent of said owner, first had, resells such goods so identified, or who otherwise employs such brand, name, or trademark in effecting resale of such goods or any other goods, shall be deemed to have committed an act of unfair competition and shall be liable in a civil action for damages and injunctive relief by the owner of the brand, name, or trademark, to prevent and restrain further violations of this Act. Such owner may sue in any district court of the United States in the district in which defendant resides or is found or has an agent, without respect to the amount in controversy, and may recover the cost of suit including reasonable attorneys' fees.

"(11) In any proceeding under paragraph (10) it shall be a defense to the charge of unfair competition for the defendant to establish that the plaintiff has not used due diligence in revoking the right of all other persons in substantial competition with the defendant who are known to plaintiff to be committing any of the acts set forth in subparagraphs (a), (b), and (c) of paragraph (8) hereof.

"(12) No action pursuant hereto shall preclude action otherwise provided by law for wrongful use of a brand, name, or trademark.

"(13) Paragraphs (7) to (12) hereof shall apply to all acts and transactions in or affecting commerce which Congress may lawfully regulate, and to all acts and transactions in any territory of the United States or in the District of Columbia. As used in paragraphs (7) to (12) hereof, the term 'person' means any individual, partnership, or corporation.

"(14) No exercise of any right or remedy provided in paragraphs (7) to (13) inclusive of this subsection shall be construed to be a violation of any of the Antitrust Acts, and all such rights and remedies shall be also available to any owner of a brand, name, or trademark who, in the resale of goods identified by such brand, name, or trademark, shall compete, at any level of distribution, with any reseller offering such goods: *Provided*, That such owner shall sell such identified goods at any level of distribution at the price established for that level of distribution: *And provided further*, That nothing in this Act shall be deemed to modify or repeal the Lanham Trademark Act, Public Law 489, approved July 5, 1946; the Miller-Tydings Act, Public Law 314, approved August 17, 1937; the McGuire Fair Trade Act, Public Law 342, approved July 14, 1952, or any State law described therein."

SENATE

MONDAY, MAY 27, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, our help and our hope, guardian of these pilgrim days, the hurrying pace of our fleeting years frightens and awes us. Strained and tense with the pressures of our burdened lives, we seek the shelter and strength that undergird us as around our restlessness flows Thy rest, in the fulfillment of the promise that Thou wilt keep in perfect peace the mind that is stayed on Thee.

As for this moment of quiet we look away from ourselves and our tasks to Thee, Thou judge of all men, strip us, we beseech Thee, of our disabling illusions, and chasten us for our willful blindness. As the titanic global battle for men's minds rages, may we be strong and of good courage and enabled by Thy grace not only to defend the truth that alone can make all men free, but to live it, as well.

In the performance of this day's duties may we ascend the hill of the Lord with pure hearts and clean hands. Even as sometimes we may question the judgment of comrades by our side, save us from impugning without cause their sincerity and integrity.

We ask it in the Name of the Holy One who warns us: *Judge not, that ye be not judged.* Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 23, 1963, was dispensed with.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on May 24, 1963, he presented to the President of the United States the enrolled bill (S. 386) to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REORGANIZATION PLAN NO. 1 OF 1963, RELATING TO THE FRANKLIN D. ROOSEVELT LIBRARY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 117)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying paper, was referred to the Committee on Government Operations:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 1 of 1963, prepared in accordance with the Reorganization Act of 1949, as amended, and providing for the reorganization of certain functions relating to the Franklin D. Roosevelt Library.

The library project was built under authority of the joint resolution of July 18, 1939. It is located on a site in the town of Hyde Park, Duchess County, N.Y., donated by the late Franklin D. Roosevelt. The library contains historical material donated by him, and other related historical material.

At the present time responsibility for the library is divided as follows:

(1) The Secretary of the Interior is responsible for the care, maintenance, and protection of the buildings and

grounds of the library and for the collection of fees for the privilege of visiting and viewing the exhibit rooms or museum portion of the library, exclusive, however, of the function of fixing the amounts of fees charged.

(2) Responsibility for the contents and professional services of the library, and all other responsibility for the library except as indicated above, are vested in the Administrator of General Services.

When the transfer of functions with respect to the Franklin D. Roosevelt Library from the Secretary of the Interior to the Administrator of General Services, as provided for in the reorganization plan transmitted herewith, becomes effective, the Administrator will have complete responsibility for the library, including its buildings, grounds, contents, and services.

Three other Presidential libraries are now entirely under the jurisdiction of the Administrator of General Services (in pursuance of sec. 507(g) of the Federal Property and Administrative Services Act of 1949, as amended): the Harry S. Truman Library at Independence, Mo., the Herbert Hoover Library at West Branch, Iowa, and the Dwight D. Eisenhower Library at Abilene, Kans. The taking effect of the provisions of the accompanying reorganization plan will place the administration of the Franklin D. Roosevelt Library fully on a common footing with the administration of these three other Presidential libraries.

I am persuaded that the present division of responsibility between the Secretary of the Interior and the Administrator of General Services is not conducive to the most efficient administration of the Franklin D. Roosevelt Library. Reorganization Plan No. 1 of 1963 will apply to this library the preferable pattern of organization existing with respect to other Presidential libraries.

After investigation I have found and hereby declare that each reorganization included in Reorganization Plan No. 1 of 1963 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended.

The taking effect of reorganizations included in the reorganization plan will provide improved organizational arrangements with respect to the administration of the Franklin D. Roosevelt Library. While such arrangements will further the convenient and efficient carrying out of the purposes of the library, it is impracticable to specify or itemize at this time the reductions of expenditures which it is probable will be brought about by such taking effect.

I recommend that the Congress allow the reorganization plan to become effective.

JOHN F. KENNEDY.

THE WHITE HOUSE, *May 27, 1963.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1409) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination, with amendments, in which it requested the concurrence of the Senate.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

Upon request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Education of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

SUGAR PRICES

Mr. MANSFIELD. Mr. President, during the past week I have received from the State of Montana a number of communications relative to the price of sugar. These communications have come from bottlers, who of course are interested in the manufacture of soft drinks; but what they say applies not only to bottlers, but also to confectioners, bakers, and housewives.

I have before me some interesting figures from Montana. They indicate, for example, that on January 1, 1963, the price of sugar per hundredweight was $10; on April 1 of this year, it was $10.15; on April 22, $10.30; on May 1—this month—$10.80; on May 6, $10.95; on May 10, $11.45; on May 13, $12.30. Not only that, but on May 16—the same month—the price paid was $13.30; and on May 21, $14.05. This communication comes from a concern in Great Falls, Mont. I have other figures from Missoula, Mont.

This morning I received from a bottler in Oklahoma a letter on this subject; and he shows that in Oklahoma the price of sugar advanced from $9.90 to $15.75 in a period of less than a week.

Mr. SIMPSON. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. SIMPSON. Similar letters are coming from Wyoming. The price has increased to $15.05 per hundredweight. There is plenty of sugar in the factories, but it is being held by them for $20 sugar. For the bottlers and others and for the housewives throughout the Nation this is bringing about a situation that is most distressing; and I commend the distinguished majority leader for bringing up this matter and calling it to the attention of the American people.

Mr. MANSFIELD. I thank the distinguished Senator from Wyoming. It was because of his particular interest in this subject, as well as the interest of others in it, that I dispatched a letter to the chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD], who has undertaken to investigate this situation.

Mr. President, rather than take further time of the Senate, I ask unanimous consent to have printed at this point in the RECORD various communications, figures, the letter which I wrote to the distinguished chairman of the Finance Committee, and other communications which will be of interest to those concerned with this particular field.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). Without objection, it is so ordered.

The letter and articles submitted by Mr. MANSFIELD are as follows:

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., May 24, 1963.

Hon. HARRY F. BYRD,
Chairman, Committee on Finance, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I have received a number of communications from businessmen in Montana, especially in the soft drink bottling field, expressing their concern about the skyrocketing increases in the cost of sugar. As an illustration, on the 21st of the month sugar in Missoula, Mont., was $14.05 per hundredweight. A year ago on that same date it was $9.45. It is my understanding that advances in May have been from $10 to $10.15, then to $11.45, then to $12.50, and on May 21 at $14.05 per hundredweight (mentioned above), f.o.b., Missoula.

There are indications also that if some action is not taken shortly that sugar will go up still further in the near future. I have been informed that prior to March 1963, bottlers in Montana were notified in advance of price rises in sugar but that now price advances are in effect the same day that they are notified. It would appear that the larger sugar producers are banding together, and the net result could well be to put the squeeze on all other users including bottlers, bakers, candy makers, and the like.

It has come to my attention that in the State of Montana there are restrictions on purchases of sugar to an amount equal to what was purchased in the same month a year ago.

As I study the statistics that are available, I am under the impression that there are surpluses of sugar on hand and that most of the countries are fulfilling their quota agreements. I would express the hope, Mr. Chairman, that there is no attempt being made by speculators or others to "rig" the price of such a basic commodity as sugar.

In view of the situation as it is developing not only in Montana, but throughout the country, I respectfully request that your committee, which has legislative jurisdiction over this commodity, institute an investigation into this matter at your earliest convenience. It is my belief that only through the use of the investigative power of the Congress can this matter be dealt with as it deserves, and I therefore urge that you give this proposal for an investigation your most earnest, serious, and personal attention because of the need for it and the need to do something as soon as possible.

Must close now, but with best personal wishes, I am

Sincerely yours,

MIKE MANSFIELD.

[From the Washington Daily News, May 24, 1963]

SUGAR PRICE HITS 83 CENTS HERE

The retail price of sugar, which averaged 55 cents for a 5-pound package recently, rose yesterday to an average of 83 cents, the highest since a record of $1.53 for 5 pounds early in 1920.

Officials said the world sugar market has been growing "tighter" for several months due to two bad crops of sugar beets in Europe and the absence of Cuban sugar.

Refinery officials, meanwhile, pointed out that there is an adequate supply in this country to meet all the demands of the industry and the housewives for the next year. Retailers say there has been no panic buying here, and wholesalers, while still puzzled over the manufacturers' hike in prices, hope for a leveling off soon.

Officials in the bottling, baking, and confectioners businesses here said they are beginning to feel the pinch, but refused to comment on how soon it would affect their retail prices.

[From the U.P.I., May 25, 1963]

WASHINGTON.—The Agriculture Department today expected big new delivery commitments from foreign sugar producers to end speculation and the resulting skyrocketing of sugar prices around the Nation.

The Department announced receipt of the very large new commitments late yesterday, and said the speculative bubble in sugar is bound to burst in the face of this plentiful supply.

Prices have soared in some grocery stores to 98 cents for a 5-pound bag of sugar because of a tight world supply; and hoarding has been reported. Two congressional investigations into the sugar situation have been announced.

As a result sugar already on hand or committed to the United States for 1963 totals 500,000 tons more than last year's entire national consumption.

Murphy said "speculators may be able to keep the bubble going for a while, but not for very long."

The latest congressional investigation was announced yesterday by Senator HARRY F. BYRD, Democrat, of Virginia, who said his finance committee would look into the price increases. It will parallel an investigation by the House Banking Committee.

Murphy said the investigations will show that U.S. sugar supplies are going to be plentiful. They will help restore stability in the sugar market.

A relatively tight world sugar supply early this year caused uncertainty in the market, Murphy said, and gave speculators a chance to bid up prices. The Under Secretary warned that persons who stock up with sugar at the present high prices may suffer losses when the price goes down.

BYRD told a reporter that his Finance Committee will begin its investigation "as soon as we can." One reason for the hearings, he said, will be to determine whether speculators are responsible for the high prices.

[From the Great Falls (Mont.) Tribune, May 23, 1963]

MARKET IN PANIC, SAYS SUGAR OFFICIAL

WASHINGTON.—Lawrence Myers, head of the Agriculture Department's sugar policy staff, said Wednesday the sugar market is in a state of panic.

World prices, he said, have risen from a disastrously low point of about 2 cents a pound for raw sugar in January 1962 to more than 11 cents now. Normally, comparatively little sugar is sold at the world price, which has applied to supplies not committed to specific markets.

[From the Great Falls (Mont.) Tribune, May 24, 1963]

WORLD DEMAND FOR SUGAR SENDS PRICES ROCKETING

NEW YORK.—Sugar prices are climbing like crazy and no one seems to know where it will end.

A commodity that in 1961 was worth 2 cents, and which was excluded from the United States except under rigid quota systems, is being pursued with ardor at about 12 cents.

That's what a pound of raw foreign sugar costs at dockside New York these days.

The American Sugar Refining Co. announced the latest hike in the wholesale price of refined sugar: by $1.75 to $16.80 per 100 pounds in the Northeast. The price was about $10 in January.

The 5-pound bags of sugar that sold for about 55 cents in the supermarket last year are tagged at 69 cents and up.

The 360° turnabout from depressed to premium prices involves several factors. Weather has been bad for Europe's beet crop. Cuba's crop has been far below normal. Demand, meanwhile, has been growing rapidly. Sugar is one of the first luxuries people in emerging nations seek.

The domestic crop generally is all right, but traditionally it is only about half enough to meet needs.

Most trade sources say there should be price relief when the fall beet crop comes in. But the general view seems to be that above-normal prices will continue for a couple of years.

[From the Wall Street Journal, May 27, 1963]

SUGAR FUTURES FALL, NEW DROPS SEEN—CONGRESS TO STUDY RECENT RISES

World and domestic sugar futures declined the daily trading limit of 50 cents a 100 pounds Friday, and an announcement by the Agriculture Department Friday night could point to further declines after the steady rise of recent months.

Agriculture Under Secretary Charles S. Murphy said U.S. buyers have received commitments from oversea suppliers for 10,250,000 tons of raw sugar—500,000 tons more than was distributed in the United States in all 1962.

Mr. Murphy said this indication of plentiful supplies will cause the speculative bubble to burst, and that the speculators can't forestall the decline much longer.

Three congressional committees announced they will begin investigations into the soaring prices of sugar, and Mr. Murphy said he welcomes the inquiries. He said the hearings will show that sugar supplies will be plentiful, and this will help restore "stability" in the sugar market.

However, Mr. Murphy's view that sugar prices will fall soon wasn't supported by Earl P. McHardy, president of the New York Coffee and Sugar Exchange.

"I think that there is little likelihood of prices declining materially during the next few months or possibly a year or two," Mr. McHardy said in a recorded interview on the Columbia Broadcasting Systems Washington Report yesterday. He said the recent price surge followed a period when prices were so low producers couldn't make a profit.

Sugar trade sources said the tight supply situation does appear to be easing, but any great improvement will have to wait the fall harvest of sugar beet crops in this country and Europe.

HOUSEWIFE HOLDS KEY

Until that time, these sources said, the supply and price situation depends largely on the U.S. housewife. If she doesn't hoard sugar, supplies will be adequate; if she hoards, there could be additional price increases, they said.

Trading in sugar futures Thursday and Friday showed the first signs of profit taking in many months. After an early rise Thursday, prices dropped the daily limit of 50 cents a 100 pounds on the New York Coffee and Sugar Exchange. Friday also saw a 50-cent decline.

At the start Friday, the exchange put into effect a pool arrangement to match orders. There was a heavy influx of sell orders, with few dealers ready to buy.

The spot price of domestic and world raw sugar each declined 50 cents a hundred pounds Friday. This took the domestic price at New York to $12.70 a hundred pounds, delivered, and the world price to $12.10 a hundred pounds, f.o.b. Caribbean ports.

Traders saw three factors at play in the decline in futures prices: Profit taking following the long upsurge, the threat of congressional investigations, and the fact that the United States has nearly completed its buying of global quota sugar in the world market.

The congressional investigations into why sugar prices have rocketed will be held by the Senate Finance Committee, the Senate Small Business Committee, and a House banking subcommittee. The Small Business Committee noted that soft drink bottlers, bakers, confectioners and other heavy users of sugar "are predominantly small and independent businesses," according to the Associated Press.

CAUGHT IN PROFIT PINCH

With the rise in sugar prices, many heavy users of sugar have been caught in a profit pinch, and some have increased prices or reduced the size of their products. Over the weekend the Jell-O Division of General Foods Corp. announced immediate increases of about 5 percent in the wholesale prices of its gelatin desserts, puddings, pie filling, and sirups. The company cited a rise of "more than 50 percent in the price of refined sugar over the last 6 months."

Sugar dealers said foreign producers, principally Argentina, last week sold about 60,000 tons of global quota raw sugar to U.S. merchants. The dealers estimated this left less than 2,000 tons to be filled of a 221-317-ton global purchase authorization. This authorization was made when the Government increased U.S. sugar quotas May 6. The global quota is apart from the quotas assigned to specific nations; the overall quota for 1963 is 10,400,000 tons. And, according to Mr. Murphy, 10,250,000 tons of the total quota also has been committed.

Thus, with the global quota nearly filled, the United States will be withdrawing from bidding in the world market. This bidding has been contributing to the upward spiral in prices, dealers say.

The United States still has some buying to do from countries with assigned quotas, but dealers believe this buying will have little effect on prices. Foreign countries are anxious to fill their assigned quotas for the U.S. market so they will receive large quotas in the future, dealers said.

COLD WAR MOVES TO SUGAR MARKET—POSSIBILITY OF SOVIET SALES IN WEST CLOUDS OUTLOOK AS SHORTAGES MOUNT

(By William D. Smith)

The Soviet Union, the "riddle wrapped in a mystery inside an enigma" is living up to its characterization in the present world sugar situation.

Sugar is perhaps in its tightest supply-and-demand position of the century. Consumption is expected to exceed production by some 3,500,000 metric tons in the 1962–63 crop year after a deficit of about 2,500,000 tons in 1961–62. World reserve stocks as a result have been figuratively and literally eaten into.

Prices for raw sugar, refined sugar, and sugar futures have climbed to their highest levels in more than 40 years. On Friday raw sugar sold at 13.20 cents a pound, refined sugar was priced at 16.30 cents a pound and futures were selling around 12.45 cents a pound. A year ago raw sugar stood at 6.45 cents a pound, refined at 9.30 cents a pound and futures were about 2.75 cents a pound.

Standing in the background of this clear picture of one of mankind's most basic economic laws, supply and demand, is the specter of Soviet Russia.

THE LARGEST PRODUCER

The Soviet Union is the world's largest producer of sugar. It produced about 6,500,000 tons in 1962 and some 6,600,000 tons in 1961.

In addition to its own production the Soviet Union has been importing the bulk of the Cuban sugar crop, which formerly went to the United States. In 1962 the Soviet Union is estimated to have imported about 2,400,000 tons and in 1961, some 3,600,000 tons. In both years the bulk of the imports came from Cuba, which until 1961 had been the world's leading producer.

Above and beyond internal production and Cuban imports, the Soviet Union can call upon the far from negligible sugar resources of its European satellites.

The Soviet Union has a potent economic cold war weapon—if it chooses to use this weapon.

The central question is: Has the Soviet Union built up its inventory of sugar or has it allowed an increase in internal consumption? Is the Soviet Union waiting to dump an invisible hoard of sugar, estimated as high as 10 million tons, on the free world or is it simply allowing "Ivan" to use more sugar?

NO ACTION NOTED

The great majority of sugar authorities believes the Soviet Union has thus far not utilized mankind's sweet tooth as an economic lever in the cold war. Refiners, raw sugar sellers, futures traders and industrial users almost to a man say they have seen little evidence of unusual Soviet activity in the world sugar market.

Even some observers, who strongly opposed segments of the sugar bill last summer because of the opportunities it presented for Communist manipulations, concede that, as of now, they have seen no evidence of this feared manipulation.

Most traders hold that prices would not be at their present levels if the Soviet Union was dumping or even slipping sugar on the market to any extent. There was some Soviet selling at discount prices late in 1961 but this was limited and has since been discontinued, according to most sources in the industry.

Although statistics and statements from the Soviet Union must be mixed with a large grain of salt, there is ample evidence to support the sugar trade's assumption that the Soviet Union is not in the world sugar market to any unusual degree.

OUTPUT INCREASED

The Soviet Union has been increasing its production since World War II and is now engaged in a 7-year plan that contemplates an increase in output to 10 million tons by 1965. Plantings have increased according to plan but production has not kept pace with expectations because of poor growing weather and low yields.

Since the war consumption has also increased considerably. Average total consumption during the period 1951–55 was almost twice as high as the 1934–38 average, and the average for the second half of the 1950's was 185 percent higher than for the prewar period. Part of the increase in consumption is a result of population growth but a large percentage stems from increased per capita consumption.

During the period 1934–38 the average Soviet citizen consumed 24.7 pounds of sugar a year. In the early 1950's consumption rose to 44.1 pounds and increased an additional 14.1 pounds in the second half of the decade. In 1961 Soviet per capita consumption was 80.9 pounds compared with about 97.9 pounds in the United States. Under the present 7-year plan, Soviet consumption is expected to increase to about 97 pounds by 1965.

Mr. DIRKSEN. Mr. President, I noted with interest the observations of the distinguished majority leader with respect to the sugar squeeze that presently confronts nearly every consumer in the country.

Last week the confectioners of the country had their national convention in Washington. Sugar was the main topic of conversation, because it bulks so large in the production of confections and confectionery products. Some of the confectioners have expressed the belief that if prices continue to appreciate for another sustained period of time, some of them would probably be driven out of business. So at once sugar becomes a very serious and acute problem.

I have heard it said that one of the reasons for what has occurred is a 50-percent reduction in the Cuban crop, which, of course, does not come to this country, but is available for the world supply.

The second reason assigned is the increasing consumption in European countries. However, I am confident that there is sugar available to break the squeeze. In 1934, Congress enacted the so-called Sugar Act, parceling out the American sugar needs. It was an act of suffrance on the part of the Congress to preserve stability in the sugar market, to make sure that the cane and beet producers and the offshore producers all received a fair share of the market, and that the consumer was protected by the use of a processing tax. That has been in effect for a long time. In fact, the revenues derived from the processing tax are such that over and above what was required as a subsidy for producers became net revenue for the Federal Treasury.

In view of that act, and in view of what we have done under the Sugar Act, I think every sugar producer is under some obligation to the United States, to the people and to the Government which made this possible. There must be sugar in the inventories. It was said that there is sugar in some of the Western States which is presently being held for a price appreciation. Whether we can do anything about that I do not know, but certainly, so far as offshore countries are concerned, if they are holding sugar off the market I think we can use the authority and the leverage we have at the present time to indicate in no uncertain terms that because we have given them a part of the American sugar bowl we want some deliveries and we want the deliveries right now. That is the only way we are going to meet the sugar shortage which presently confronts us.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred as indicated:

PROPOSED AMENDMENTS TO THE BUDGET, 1964, FOR THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE AND RAILROAD RETIREMENT BOARD (S. DOC. NO. 19)

A communication from the President of the United States, transmitting proposed amendments to the budget for the fiscal year 1964, involving changes in limitation and provisions for the Department of Health, Education, and Welfare and for the Railroad Retirement Board (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUMMARY REPORT ON THE TRANSIT DEVELOPMENT PROGRAM, REPORT OF THE NATIONAL CAPITAL TRANSPORTATION AGENCY, AND AUTHORIZATION OF PROSECUTION OF A TRANSIT DEVELOPMENT PROGRAM FOR THE NATIONAL CAPITAL REGION

A communication from the President of the United States, transmitting, pursuant to law, a summary report on the transit development program, by the National Capital Transportation Agency, dated May 1963; a report of the National Capital Transportation Agency, dated November 1, 1962; and a draft of proposed legislation to authorize the prosecution of a transit development program for the National Capital region (with accompanying papers); to the Committee on the District of Columbia.

SALE BY ADMINISTRATOR OF VETERANS' AFFAIRS OF LOANS MADE TO VETERANS UNDER CHAPTER 37, TITLE 38, UNITED STATES CODE

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable direct loans made to veterans under chapter 37, title 38, United States Code (with an accompanying paper); to the Committee on Banking and Currency.

REPORT ON CLAIM OF THE LOWER PEND O'REILLE OR KALISPEL TRIBE OF INDIANS V. THE UNITED STATES OF AMERICA

A letter from the Chief Commissioner and Associate Commissioners, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of the *Lower Pend O'Reille or Kalispel Tribe of Indians, petitioners,* v. *The United States of America, defendant,* Docket No. 94 (with accompanying papers); to the Committee on Interior and Insular Affairs.

JOINT RESOLUTION OF MAINE LEGISLATURE

Mrs. SMITH. Mr. President, on behalf of myself, and my colleague, the junior Senator from Maine [Mr. MUSKIE], I present, for appropriate reference, a joint resolution of the Legislature of the State of Maine, recommending full development of electric power potential of Passamaquoddy and upper St. John River. I ask unanimous consent that the joint resolution be printed in the RECORD.

The **PRESIDING OFFICER.** The joint resolution will be received and appropriately referred.

The joint resolution was referred to the Committee on Public Works, as follows:

JOINT RESOLUTION MEMORIALIZING CONGRESS RECOMMENDING FULL DEVELOPMENT OF ELECTRIC POWER POTENTIAL OF PASSAMAQUODDY BAY AND UPPER ST. JOHN RIVER

We, your memorialists, the Senate and House of Representatives of the State of Maine in the 101st legislative session assembled, most respectfully present and petition your honorable body as follows:

Whereas the people of Maine throughout the years have supported the concept of developing Passamaquoddy Bay for electric power purposes as indicated by a great number of favorable and sometimes unanimous acts of the State legislature, and earlier by a statewide referendum that favored Quoddy by nearly 10 to 1; and

Whereas the need for vast quantities of reasonably priced power to satisfy the future needs of Maine, the Northeastern States, and the Eastern Provinces of Canada has been established without question; and

Whereas development of electric power from the upper St. John River and Passamaquoddy Bay can be very valuable as peaking power and for base load power; and

Whereas other substantial benefits such as increased numbers of tourists, increased recreational uses of the bay and river, downstream power benefits on the St. John River, flood control benefits, and much needed construction job opportunities in the site areas will result: Now, therefore, be it

Resolved, That the 101st legislature recommends the full development of the electric power potential of Passamaquoddy Bay and such supplemental development of the electric power potential of the upper St. John River as may be recommended as economically feasible by studies now under way by the Department of the Interior without substantial destruction of the recreational and industrial advantages now recognized as existing in the St. John River area, and that necessary interconnecting transmission facilities be provided between the projects and the load centers of the Northeast to provide the optimum benefits to the United States and Canada; and be it further

Resolved, That this 101st legislature respectfully asks that required action be taken to start the projects at the earliest possible time in the most economic and practical sequence of development; and be it further

Resolved, That a copy of this memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Senate and House of Representatives in Congress and to the Members of the said Senate and House of Representatives from this State.

In senate chamber: Read and adopted (in concurrence) May 17, 1963.

CHESTER T. WINSLOW,
Secretary.

House of representatives: Read and adopted May 16, 1963; sent up for concurrence.

HARVEY R. PEASE,
Clerk.

RESOLUTION OF THE SENATE OF THE REPUBLIC OF VENEZUELA

Mr. HUMPHREY. Mr. President, the Vice President has received a communication from the President of the Senate of the Republic of Venezuela, transmitting an official copy of a resolution adopted by the Senate of that country, condemning the dictatorial regime existing in Haiti and appealing to the free Parliaments of America to wage a campaign for the freedom of the people of Haiti.

I ask unanimous consent that, notwithstanding the prohibition on the receipt of petitions from foreign countries, it be noted in the CONGRESSIONAL RECORD and referred to the Committee on Foreign Relations.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, without amendment:

S. 331. A bill to amend section 632 of title 38, United States Code, to extend the period during which the Administrator of Veterans' Affairs may contract for the hospital and medical care of certain veterans in the Republic of the Philippines (Rept. No. 190); and

S. 384. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in order to provide increased protection against eviction of dependents from premises rented for dwelling purposes (Rept. No. 191).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with an amendment:

S. 449. A bill to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans (Rept. No. 192).

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

S. 978. A bill to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel (Rept. No. 194); and

S. 1036. A bill to amend the inland and western rivers rules concerning anchor lights and fog signals required in special anchorage areas, and for other purposes (Rept. No. 195).

By Mr. BARTLETT, from the Committee on Commerce, with amendments:

S. 583. A bill to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force (Rept. No. 196); and

S. 969. A bill to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crew members and their dependents, and for other purposes (Rept. No. 197).

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, with an amendment:

S. 522. A bill to amend the act establishing a Children's Bureau so as to assist States in providing for day-care services for children of migrant agricultural workers (Rept. No. 198).

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, with amendments:

S. 526. A bill to amend the Public Health Service Act so as to establish a program to assist farmers in providing adequate sanitation facilities for migratory farm laborers (Rept. No. 199).

FINANCIAL ASSISTANCE TO THE STATES TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR MIGRANT AGRICULTURAL EMPLOYEES—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT NO. 201)

Mr. WILLIAMS of New Jersey. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 521) to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children, and I submit a report thereon. I ask that the report be printed, together with the minority views of the Senator from Texas [Mr. TOWER].

The **PRESIDING OFFICER.** The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

EXTENSION OF CHILD LABOR PROVISIONS TO CERTAIN CHILDREN EMPLOYED IN AGRICULTURE—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 200)

Mr. WILLIAMS of New Jersey. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (S. 523) to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes, and I submit a report thereon. I ask that the report be printed, together with the minority views of the Senator from Texas [Mr. TOWER].

The **PRESIDING OFFICER.** The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

REGISTRATION OF CONTRACTORS OF MIGRANT AGRICULTURAL WORKERS—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 202)

Mr. WILLIAMS of New Jersey. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 524) to provide for the registration of contractors of migrant agricultural workers, and for other purposes, and I submit a report theron. I ask that the report be printed, together with the minority views of the Senator from Texas [Mr. Tower].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

ESTABLISHMENT OF A COUNCIL TO BE KNOWN AS THE NATIONAL ADVISORY COUNCIL ON MIGRATORY LABOR—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 203)

Mr. WILLIAMS of New Jersey. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 525) to provide for the establishment of a Council to be known as the National Advisory Council on Migratory Labor, and I submit a report thereon. I ask that the report be printed, together with the minority views of the Senator from Texas [Mr. Tower].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from New Jersey.

REPORTS OF COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. WILLIAMS of New Jersey subsequently said in reference to the reports he made today from the Committee on Labor and Public Welfare:

Mr. WILLIAMS of New Jersey. Mr. President, several weeks ago the Subcommittee on Migratory Labor held hearings on a number of bills that would bring much needed help to our hard-pressed migratory farmworkers. Much of the testimony was an eloquent and articulate appeal for these often forgotten people. Witnesses described the burdens and the hardships of the migrant life—the low wages, backbreaking work, the lack of education, lack of child care, the inadequate housing and sanitation facilities, and the abuses of labor contractors. Experts gave us carefully prepared statistics on the wages, the employments rate, the illiteracy rate, and the disease rate. The picture painted by the testimony was neither pleasant nor new. Not that much has changed. Here and there the enlightened efforts of States or of hardworking individuals have improved the life of the migrant. But too much of the bitter hardship and deprivation of these people remains.

In a life marked by thousands of daily, silent tragedies, the public only hears about the newsworthy tragedy. Such a tragedy occurred last Saturday in Florida. A bus, returning a group of 42 migrants to their homes after a day of work in the bean fields near Miami, was sideswiped by a passing truck and plunged into a canal beside the road. In the nightmare panic that followed, 15 adults and over 10 children under the age of 12 were drowned. The youngest child was only 4 years old.

Mr. President, two of the migratory labor bills presently before the Congress are designed to protect the young children of migratory farmworkers. The day-care bill (S. 522) would make it unnecessary for migratory farmworkers to take their young children into the field with them. The child labor bill (S. 523) would protect children from harmful employment in agriculture.

Both of these bills were passed by the Senate in the last Congress. Had these bills been signed into law, the tragedy of these young migrant children might not have occurred.

It is incumbent, therefore, upon us here in the Congress to see to it that these sound measures are enacted in this session. It is the very least we can do for the children of migratory farmworkers.

AMENDMENT OF TITLE 38, UNITED STATES CODE, RELATING TO WAIVER OF INDEBTEDNESS IN CERTAIN CASES—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT NO. 189)

Mr. YARBOROUGH. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (S. 412) to amend title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration, and I submit a report thereon. I ask that the report be printed, together with the minority views of Senators Goldwater, Prouty, Tower, and Jordan of Idaho.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Texas.

AMENDMENT OF SECTION 601 OF TITLE 38, UNITED STATES CODE, WITH RESPECT TO DEFINITION OF THE TERM "VETERANS' ADMINISTRATION FACILITIES"—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 193)

Mr. YARBOROUGH. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (S. 625) to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities," and I submit a report thereon. I ask that the report be printed, together with the minority views of Senators Goldwater, Tower, and Jordan of Idaho.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Texas.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Capt. Albert J. Carpenter, U.S. Coast Guard, for promotion to the permanent rank of rear admiral in the U.S. Coast Guard.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BIBLE:

S. 1598. A bill to amend section 8 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C., sec. 315g);

S. 1599. A bill to authorize the classification, segregation, lease, and sale of public land for urban, business, and occupancy sites, to repeal obsolete statutes, and for other purposes;

S. 1600. A bill to amend section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), and for other purposes;

S. 1601. A bill to provide for public land management and disposition; and

S. 1602. A bill to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be managed under principles of multiple-use and to produce a sustained yield of products and services, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bills, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 1603. A bill to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON:

S. 1604. A bill to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments; to the Committee on Agriculture and Forestry.

By Mr. RIBICOFF (for himself and Mr. Pearson):

S. 1605. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1606. A bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; and

S. 1607. A bill to amend paragraph (4) of section 15 of the Interstate Commerce Act; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON (for himself and Mr. Bennett) (by request):

S. 1608. A bill to amend the act approved July 14, 1960 (74 Stat. 526), as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK (by request):

S. 1609. A bill to provide for payment of a death gratuity in certain cases involving deaths of members of the uniformed services after June 27, 1950, and before January 1, 1957; to the Committee on Armed Services.

By Mr. DOMINICK (for himself, Mr. Allott and Mr. Holland):

S. 1610. A bill to authorize the Secretary of the Interior to set aside certain land within the National Capital Parks System in Washington, D.C., for construction of a building by the Bureau of Water Resources of the National Rivers and Harbors Congress, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 1611. A bill for the relief of Fernando Palmieri; and

S. 1612. A bill for the relief of Antonio Palmieri; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 1613. A bill to establish an Office of Reports for each judicial circuit of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Case, Mr. Cooper, Mr. Engle, Mr. Keating, Mr. Morse, Mr. Moss, Mr. Scott, and Mr. Williams of New Jersey):

S. 1614. A bill to encourage and promote the expansion through private enterprise of domestic exports in world markets; to the Committee on Commerce.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON (for himself and Mr. Long of Missouri):

S. 1615. A bill to amend the General Bridge Act of 1946 for the purpose of maintaining existing bridge clearances on navigable rivers and waterways connecting with the sea; to the Committee on Public Works.

By Mr. HAYDEN:

S. 1616. A bill for the relief of Jao Fernandes Nunes; to the Committee on the Judiciary.

By Mr. HICKENLOOPER (for himself, Mr. Anderson, Mr. Aiken, and Mr. Holland):

S. 1617. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Hickenlooper when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 1618. A bill to provide for a scenic parkway connection between units of the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Burdick when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 1619. A bill for the relief of certain employees of the Department of the Army at the Redstone Arsenal, Ala.; to the Committee on the Judiciary.

By Mr. MANSFIELD (for Mr. Inouye):

S. 1620. A bill for the relief of Miss Min Min Wong; to the Committee on the Judiciary.

By Mr. COTTON:

S. 1621. A bill for the relief of Tauba Fajga Skowronek; to the Committee on the Judiciary.

By Mr. HART (for himself and Mr. Humphrey):

S. 1622. A bill to prevent certain discriminatory practices by persons engaged in businesses affecting commerce; to the Committee on Commerce.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTIONS

UNIVERSITY OF THE SEVEN SEAS

Mr. ENGLE submitted the following concurrent resolution (S. Con. Res. 46); which was referred to the Committee on Labor and Public Welfare:

Whereas the University of the Seven Seas is an institution of higher learning incorporated as a nonprofit educational institution in the State of California; and

Whereas the University of the Seven Seas has been recognized by the Commissioner of Internal Revenue of the United States as a tax-exempt institution authorized to accept tax deductible gifts; and

Whereas the University of the Seven Seas has complied with all requirements of the Department of Education of the State of California pursuant to the issuing of transcripts and the awarding of degrees and diplomas; and

Whereas the University of the Seven Seas is international in scope, having selected members of its Board of Trustees and its faculty from many nations, and being in the process of admitting students from many nations; and

Whereas the several hundred students who will study on its campus will be aboard an ocean liner visiting many nations and acting as informal ambassadors for the nations of their citizenship; and

Whereas these students with their faculty will pursue a serious course of study aboard ship and will undertake field trips in ports which will bring their activities to the attention of many dignitaries in education, government, religion, and other fields; and

Whereas the course of study undertaken in this institution is designed to promote better understanding of international relations and to promote good will among the students and peoples of many nations and has been inspired by the people-to-people concept; and

Whereas this is the first institution of higher education to be established as an international university; and

Whereas the University of the Seven Seas will begin its operations in October 1963; and

Whereas the university is privately endowed: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) it approves the establishment of the University of the Seven Seas and congratulates its founders for their vision in developing such university,

(2) all agencies of the United States Government should cooperate fully with the University of the Seven Seas and assist the institution with the conduct of its international program, and

(3) all institutions of higher education in the United States and other countries should cooperate with the University of the Seven Seas giving due and careful consideration to the accomplishment of students in this institution so that the transfer of a student's achievement among universities everywhere may be facilitated.

ADDITIONAL COPIES OF CERTAIN HEARINGS ON EFFECTS OF TELEVISION PORTRAYAL OF CRIME ON YOUNG PEOPLE

Mr. DODD submitted the following concurrent resolution (S. Con. Res. 47); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary four thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency entitled "Effects on Young People of Violence and Crime Portrayed on Television," part 10, dated June 8, 9, 13, 15, 16, and 19; July 27 and 28, 1961; January 24 and May 11 and 14, 1962.

RESOLUTION

EXPRESSION OF SENSE OF THE SENATE ON BANNING ALL NUCLEAR TESTS WHICH CONTAMINATE THE ATMOSPHERE OR THE OCEANS

Mr. DODD (for himself and Senators Humphrey, Bartlett, Burdick, Case, Church, Douglas, Clark, Engle, Gruening, Hart, Inouye, Keating, McGee, McGovern, Metcalf, Morse, Moss, Muskie, Neuberger, Prouty, Randolph, Ribicoff, Scott, Sparkman, Yarborough, Dominick, Javits, McCarthy, Kefauver, Pell, Lausche, Hartke, and Brewster), submitted a resolution (S. Res. 148), to express sense of the Senate on banning all nuclear tests that contaminate the atmosphere or the oceans, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. Dodd, which appears under a separate heading.)

PUBLIC LANDS REVIEW

Mr. BIBLE. Mr. President, earlier in the session I announced that the Public Lands Subcommittee of the Committee on Interior and Insular Affairs would be conducting an extensive review of the public land laws. Today I shall introduce several bills dealing with this subject, but before doing so I wish to discuss the status of the subcommittee review.

This review is divided into two parts. The first is a review of the Taylor Grazing Act. On January 16, 17, and 18, hearings were held at Reno, Nev.; and these hearings, which total 361 pages, have been printed as part I. On February 7 and 8, a further hearing was held in Washington, D.C. This hearing has been printed as part II, and includes 626 pages of testimony. These two hearings, which cover the grazing-fee question, will be printed and will be made part of the hearing record on public lands problems.

On March 12, a third hearing was held. It was a meeting with the National Advisory Board Council. The transcript runs to some 51 pages. This hearing dealt with the question of the general operation of the Taylor Grazing Act and the question of tenure of grazing permits.

The subcommittee has not completed its review of the Taylor Grazing Act, and consideration is being given to further hearings. The Department and the Council are making their own studies of the question of tenure, and our subcommittee will endeavor to work in a cooperative manner with all interested groups. The subcommittee will consider holding hearings later on Senate bill 872, to compensate range users for authorized range improvements where land is taken to be devoted to Federal nonmultiple use. This is an administration bill which was introduced by the subcommittee chairman on February 20. The companion bill in the House is H.R. 3387, which has been the subject of hearings held on March 14 and April 4. The Senate subcommittee has not yet determined when hearings will be held, but this is a matter which will be scheduled at a later date.

The second major part of our review involves the public land laws themselves. Part I of this review was a hearing held on May 6 and 7 on Senate bill 758, to establish a Board of Public Land Appeals in the Department of the Interior. This hearing is in the process of being printed. At the conclusion of that hearing, the chairman asked the Solicitor of the Department of the Interior to convey directly to the Secretary that within 30 days the Department should come back to the committee with its thoughts on improvements that could be effected in the appeals procedures. There will be further hearings on this subject as we go along.

Part II of the public lands review will be hearings on two measures. One of the bills is S. 41, introduced on January 14 by Senator Anderson and nine other Senators, which would authorize public land States to select certain public land in exchange for land taken by the United States for military and other purposes. There will be included in that hearing consideration of a second bill submitted on April 12, 1963, which I am introducing today by request of the Secretary of the Interior. This bill would amend section 8 of the Taylor Grazing Act by revising the exchange procedures spelled out in that act.

Mr. President, I ask unanimous consent that the letter requesting this legislation and the text of the proposed bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1598) to amend section 8 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C., sec. 315g), introduced by Mr. Bible, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C., sec. 315g), as amended, is further amended to read as follows:

"(a) The Secretary of the Interior may, on behalf of the United States:

"(1) Accept a gift of land or an interest in land when in his judgment the gift will promote the purposes of this Act, facilitate the administration of public lands, or otherwise will be in the public interest.

"(2) Exchange for any lands or interests in lands which are privately owned, or which are owned by a State or political subdivision or instrumentality thereof, not to exceed an equal value of surveyed, unappropriated, and unreserved public lands or interest therein when in his judgment the exchange will be in the public interest: *Provided,* That—

"(A) if the lands or interests in lands offered in exchange for public lands have a value at least equal to two-thirds of the value of the public lands, the exchange may be completed upon payment to the Secretary of the difference in values, or the submittal of a cash deposit or a performance bond in an amount at least equal to the difference of values assuring that additional lands acceptable to the Secretary of the Interior and at least equal to the difference in values will be conveyed to the Government within a time certain to be specified by the Secretary of the Interior;

"(B) an exchange with a State or political subdivision or instrumentality thereof may be made only if the lands involved in the exchange are in the same State.

"(b) Subject to the provisions of subsection (a)(2)(A) of this section the Secretary of the Interior may exchange surveyed, unappropriated, and unreserved public lands or interests therein for lands or interests in lands of approximately equal value that are held by the United States in trust for an Indian or a tribe, band, or group of Indians, or that are owned by an Indian or a tribe, band, or group of Indians subject to a restriction against alienation imposed by the United States, if the exchange is in the best interests of the Indian owner or owners and if the Indian owner or owners consent. The lands or interests in lands acquired by or on behalf of the Indian or Indian tribe, band, or group shall be held in the same status and be subject to the same laws and regulations that applied to the lands relinquished by the Indians.

"(c) Any lands or interests in lands acquired by the United States as a gift or through an exchange under subsection (a) of this section shall upon acceptance of title become public lands and shall become a part of any district established pursuant to this Act or any withdrawn or reserved area within which they are located, subject to all of the laws and regulations applicable thereto and any lands or interests in lands relinquished by an Indian or a tribe, band, or group of Indians pursuant to an exchange under subsection (b) of this section shall upon acceptance of the relinquishment become public lands and shall become a part of any district established pursuant to this Act, or any withdrawn or reserved area, other than an area withdrawn or reserved for a tribe, band, or group of Indians, within which they are located, subject to all of the laws and regulations applicable thereto.

"(d) Either party to an exchange under this section may reserve minerals, easements, or rights of use either for its own benefit, for the benefit of third parties, or for the benefit of the general public. Any such reservation, whether in lands conveyed to or by the United States, shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary by the Secretary of the Interior. When minerals are reserved in a conveyance by the United States, any person who prospects for or acquires the right to mine and remove the reserved mineral deposits shall be liable to the surface owners according to their respective interests for any actual damage to the surface or to the improvements thereon resulting from prospecting, entering, or mining operations and said person shall, prior to entering, either obtain the surface owner's written consent, or file with the Secretary of the Interior a good and sufficient bond or undertaking to the United States in an amount acceptable to the Secretary for the use and benefit of the surface owner to secure payment of such damages as may be determined in an action brought on the bond or undertaking in a court of competent jurisdiction.

"(e) This section shall apply to all the public lands States without exception."

The letter accompanying Senate bill 1598 is as follows:

U.S. Department of the Interior,
Washington, D.C., April 12, 1963.

Hon. Lyndon B. Johnson,
President of the Senate, Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill to amend section 8 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C., sec. 315g).

We recommend that the proposed bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The proposed bill would eliminate gaps in the Department's exchange authority, and would facilitate the consummation of such exchanges.

More specifically, the proposed bill would (1) authorize exchanges of interests in lands; (2) authorize the acceptance of cash in order to equalize values; (3) establish the same rules for both exchanges with States and exchanges with private individuals and give the Secretary more complete authority to determine whether State exchanges would be beneficial; (4) authorize Indians owning restricted lands to exchange them for public lands; (5) designate lands acquired through exchange as automatically a part of the withdrawn area within which they are located; and (6) make the exchange provisions applicable to Alaska.

The present statute has been construed as not permitting the exchange of interests in lands. Our experience has indicated that some exchanges, of mutual benefit to the Government and to the exchange proponents, have been precluded by the limitation on authority. Our proposal explicitly provides for exchanges of such interests.

Under existing law, exchanges with private individuals can be consummated only if the value of the offered land is not less than the value of the selected land. Often such differences in value lead to extended negotiations and examinations at considerable cost to the Government. Not uncommonly, exchanges die because the exchange proponent is unable to offer additional lands to meet the value requirements. The bill would permit cash payment for not to exceed one-third of the value of the selected land or the filing of a bond or cash deposit to assure the conveyance of additional lands to the Government to make up for any difference in values.

Under existing law where a State exchange involves the selection of lands within a grazing district, the offered lands must lie within the same grazing district and be otherwise unreserved and unappropriated and the sole discretion vested in the Secretary is the determination of "whether the selected lands lie in a reasonably compact body which is so located as not to interfere with the administration or value of the remaining land in such district for grazing purposes." Where the selected lands in a State exchange application are not within a grazing district and are unappropriated and unreserved, the Secretary is directed by the statute "to proceed with such exchange at the earliest practicable date," and he is without authority to consider the impact of the proposed exchange upon good land tenure and use, the local economy and Federal land programs and interests. Under the proposed change he could consider those and similar factors to determine whether a State exchange truly would be beneficial.

The present statute provides that State exchanges can be made on one of two bases—equal value or equal acreage. The Secretary by regulation (43 CFR 147.2(b)) has authorized use of the equal value concept only. Equal acreage is not a sound criterion owing to the vast differences in land values, often depending on location only. The proposed bill would take cognizance of our present practice. Equal value is also the usual concept adopted by the Congress in measures having their own exchange provisions.

Another broadening feature of the proposed bill is the provision which would permit an Indian or Indian tribes owning restricted lands to exchange them for public lands. At the present time public lands are not available for exchange for Indian lands held, with restrictions against alienation, or title to which is in the United States in trust for the Indians, except insofar as authorized by special statutes operative only in limited areas. The proposed bill would extend the privileges of these special statutes to all Indian trust or restricted lands, but exchanges would be made only upon the request or with the consent of the Indian or Indians involved, and the land acquired by the Indians through such exchange would be clothed with all the privileges—and restrictions—as the lands surrendered by them. This provision would afford a greater measure of flexibility both to the Government and to Indians and Indian tribes. It is in part designed to avoid the need for future special legislation on the subject.

Under the present statute, lands acquired through exchange by the United States became a part of the grazing district within which they are situated. However, such lands do not automatically otherwise become a part of other reservations within which situated. Our proposal thus would obviate the issuance of public land orders to some extent. It would not be operative as to lands received by the United States in Indian exchanges in cases where they are situated within an area withdrawn for Indians.

Section 8 of the Taylor Grazing Act has been deemed to be inapplicable to Alaska. There are similar needs for exchange authority in Alaska as in other public land States. Our proposal explicitly provides that its provisions shall apply to all the public land States without exception.

The proposal omits the provisions of subsection (d) of section 8 relating to publication of exchanges. Experience has demonstrated that essentially internal work procedures embodied in statutes decrease their flexibility. They can be effectively instituted through regulation.

Also omitted is the provision that no fees shall be charged for exchanges. This provision was superseded by section 201 of the act of July 14, 1960 (74 Stat. 506; 43 U.S.C. 1361 et eq.) which states that, notwithstanding any other provision of law, the Secretary may establish reasonable fees for processing applications relating to public lands under his jurisdiction.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administraion's program.

Sincerely yours,

John A. Carver, Jr.,
Assistant Secretary of the Interior.

Mr. BIBLE. Part III of the public land review is the consideration of basic changes in the techniques and methods under which public lands are retained or disposed of by the Department of the Interior. Today I am introducing three bills which deal with this subject. The first measure—and I ask unanimous consent that the message accompanying it and the text of the bill be printed at this point in my remarks—is the request made by the Department of the Interior on June 14, 1961, which was S. 2219 of the 87th Congress. No hearings were held on that bill in the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1599) to authorize the classification, segregation, lease, and sale of public land for urban, business, and occupancy sites, to repeal obsolete statutes, and for other purposes; introduced by Mr. Bible, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Lands Act of 1961".

Sec. 2. For the purposes of this Act–

(a) The word "Secretary" means the Secretary of the Interior.

(b) The term "public lands" means all public lands (including minerals, vegetative and other resources) in the United States, including lands within reservations formed from the public domain and other lands permanently or temporarily withdrawn from any or all forms of appropriation provided for in the public land laws, except (1) public lands in any national forest or national wildlife refuge or other wildlife management areas, or areas administered by the Secretary of the Interior through the National Park Service, (2) the revested Oregon and California Railroad or the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon, (3) any Indian lands or lands set aside or held for the use or benefit of Indians, (4) public water reserves which the Secretary finds are needed by the public for the use, control, or conservation of water and (5) public lands which the Secretary determines are chiefly valuable for minerals other than coal, phosphate, sodium, potassium, oil, gas, oil shale, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), and for lands in the States of Louisiana and New Mexico sulfur also.

(c) Notwithstanding the provisions of subsection (b) of this section, the term "public lands," insofar as the Act authorizes leasing of lands for occupancy purposes, includes the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon.

(d) Notwithstanding the provisions of subsection (b) of this section the term "public lands," insofar as it authorizes the Secretary to subdivide and dispose of lands for urban purposes under section 6 of this Act, includes any lands in the State of Alaska that are held by the United States for the use or benefit of Indians without a recognition of a compensable title in the Indians and that are outside any reserve for Indians or administrative use.

(e) The words "subdivide" and "subdivision" refer to the surveying and platting of lands into lots, blocks, streets, alleys, reserves for public purposes, rights-of-way, and such other tracts as the Secretary finds suitable for proper development of lands for urban purposes or for occupancy purposes.

(f) The term "urban purposes" means any purpose, including commercial, related to the development of an urban or suburban residential community.

(g) The term "business purposes" includes, without limiting the meaning thereof, commercial and industrial activities (including the milling or processing of natural products) but does not include crop agriculture or the removal, mining, extraction, or harvesting of natural products in their natural state.

(h) The term "occupancy purpose" means recreational, residential, business, or community use of separate individual sites of five acres or less and any purpose, including commercial, related to the development of a rural recreational community.

(i) The term "qualified individual" means (1) any individual who is a citizen of the United States aged twenty-one years or more, (2) any partnership or association, each of the members of which is a citizen of the United States aged twenty-one years or more, and (3) any corporation, including nonprofit corporations, organized under the laws of the United States, or of any State thereof, and authorized to do business in the State in which the land is located.

(j) The term "qualified governmental agency" means any of the following, including their lawful agents and instrumentalities: (1) The State within which the land is located, (2) the county or municipality or other local government subdivision within which the land is located, and (3) any municipality within convenient access to the lands: *Provided,* That the lands are within the same State as the municipality.

(k) The word "concurrence", in addition to its usual connotation, also means with the consent of the head of the Federal department or agency or of the State or local governmental unit, in any case where the lands involved have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, county, municipality, water district, or local governmental subdivision or agency.

(l) The word "value" means, in connection with sales, the fair market value of land, including all mineral and other interests in land not to be reserved to the United States under this Act, and, in connection with leases, the fair market rental of land, in either case as determined by the Secretary by appraisal or otherwise, taking into consideration all factors affecting market value.

(m) The term "bona fide occupant" means (1) any person who, at the time when public lands are segregated under the provision of this Act has any right of possession or occupancy of any such lands which is based upon a settlement, entry, location, or other action initiated and maintained in accordance with any statute other than this Act and which, if perfected under the statute, would enable such person to obtain title to such lands, and (2) any person who, at the time of such segregation, has any right of possession or occupancy of any such lands (including a right based on actual possession under section 8 of the Act of May 17, 1884 (23 Stat. 24)) which is subject to extinguishment or termination at will by the United States and is not open to perfection under any statute other than this Act, but which, under the provisions of law applicable to the lands immediately prior to the segregation thereof, is protected against intrusion or invasion by third persons until it is extinguished or terminated by authority of the United States, and (3) any other person who meets such requirements for the recognition of an equity in segregated lands, including, in the case of an Indian in Alaska, an equity based on considerations of economic need as may be prescribed by the regulations issued under this Act;

(n) The word "Indian" means Indian, Eskimo, or Aleut and any tribe, band, or community thereof.

(o) The term "excess public lands" means any public lands (1) which are withdrawn by Executive Order Numbered 6910 dated November 26, 1934, as amended, or by Executive Order Numbered 6964 dated February 5, 1935, as amended, or pursuant to section 1 of the Act of June 28, 1934 (48 Stat. 1269;

43 U.S.C. 315) as amended, or which are vacant, unappropriated, and unreserved public lands in Alaska, and (2) which the Secretary finds are not suitable for disposition under any public land law, other than section 8 of this Act, and (3) which the Secretary finds are not needed for any Federal program, project, or activity.

SEC. 3. It is the policy of the Congress that the Secretary administer this Act so as to promote the beneficial use and disposition of public lands subject to the provisions hereof, and at the same time safeguard the public interest in the lands. To this end, proposed classifications, leases, and sales under this Act should be considered in the light of their effect upon the conservation of natural resources and upon the welfare of the individuals and communities involved, and of their consistency with State laws and local governmental ordinances, plans, and programs. This Act should be administered in a manner which will tend to promote development of the public lands, to maintain in public ownership or control scenic attractions or water or other resources that should be kept open to public use, and to avoid unreasonable interference with the use of water for grazing purposes, undue impairment of the protection of watershed areas, scattered or isolated settlement which would impose undue burdens upon State or local governments in providing governmental services, interference with the application of the sustained yield timber management requirement established by the Act of August 28, 1937 (43 U.S.C. 1181a–1181f), as amended, and nonconforming or substandard land uses.

SEC. 4. (a) The Secretary, with concurrence and under such regulations as he may deem necessary, is hereby authorized to sell to qualified governmental agencies, in tracts not exceeding five thousand acres, at their value any public lands which he may classify as chiefly valuable for urban or business purposes.

(b) Before any lands may be disposed of under this section, it must be shown to the satisfaction of the Secretary that the land is to be devoted to an established or definitely proposed project or program and that the qualified governmental agency has the bona fide intention, authority, and means to develop the lands, or to dispose of the lands for development, for urban or business purposes.

(c) No more than five thousand acres may be conveyed under this section in any twelve-month period to any one grantee for any one project or program, and applications by any one applicant for more than ten thousand acres for any one project or program may not be pending at one time.

SEC. 5. (a) The Secretary, with concurrence and under such regulations as he may deem necessary, is hereby authorized to sell at public auction and at not less than their value to qualified individuals, in tracts not exceeding one thousand two hundred and eighty acres each, any public lands which he may classify as chiefly valuable for urban or business purposes. No qualified individual shall purchase within any twelve-month period more than one thousand two hundred and eighty acres under this section and applications by one qualified individual for more than three thousand eight hundred and forty acres shall not be pending at one time.

(b) To carry out the policies expressed in this Act, the Secretary may, in sales of lands pursuant to this section, prescribe such conditions precedent and conditions subsequent as he deems practicable, feasible, and reasonable.

SEC. 6. (a) Notwithstanding any other provisions of law, the Secretary, with concurrence, is hereby authorized, by contract or otherwise, to cause subdivisional plans to be prepared for and to have subdivided any public lands which he may classify under this Act as chiefly valuable for urban purposes or occupancy purposes.

(b) The Secretary is hereby authorized to lease or sell, at not less than their value, public lands subdivided in accordance with the provisions of this section to qualified individuals and to qualified governmental agencies under such rules and regulations as he may deem desirable, or the Secretary may in the disposal of such subdivided lands to qualified governmental agencies for public purposes apply the provisions of the Recreation and Public Purposes Act of June 14, 1926 (44 Stat. 741; 43 U.S.C. secs. 869—869-4), as amended, but the Secretary in the disposal of such subdivided lands (1) shall give bona fide occupants a preference right to purchase the lands occupied by them or other lands within the same subdivision in lieu thereof, at prices which shall be based upon the value of the property at the time when it is offered for sale diminished by the amount of any increased value resulting from the development or improvement of the lands by the occupant or his predecessors in interest, and by the amount of any further adjustment that is appropriate for giving full effect to the equities of such occupants, (2) shall subject such preference rights to such restrictions, exceptions, and other conditions as he may find to be needed in order to prevent speculation, facilitate settlement, or otherwise protect the public interest, (3) shall not require any payment by any Indian for lands in any subdivision which he finds will serve primarily the needs of the Indian population of Alaska or for lands in any other subdivision of which such Indian is a bona fide occupant, (4) shall not require any payment for any streets and alleys dedicated by any means whatsoever for use of the public or to any qualified governmental agency, and (5) shall not sell or lease more than one tract to any one qualified individual except upon a showing of good faith and reasons satisfactory to the Secretary.

(c) There are authorized to be appropriated such sums, not exceeding $500,000 per annum, as may be necessary for the segregation and classification of lands, the preparation of plans and plats, the determination of improvement requirements, and the conduct of surveys authorized by this section. The Treasury shall be reimbursed for all expenditures for these purposes out of the proceeds from sales of lands under this Act.

(d) The Secretary may require, as a condition precedent to the lease or sale of lands surveyed in accordance with the provisions of this section, the payment or the agreement to pay by the lessee or purchaser to a contractor or contractors selected by such means as the Secretary may provide by regulation of a fair share of the cost of providing on, or for the benefit of, the lands applied for such grades, roads, streets, drains, water supply systems, and other improvements as may be required by local zoning ordinances and standards or as may be usual to subdivision tracts as the Secretary in his discretion determines to be necessary and appropriate for construction prior to the consummation of such lease or sale.

SEC. 7. The Secretary shall issue a restricted patent for any lands disposed of under section 6 of this Act to any Indian who, in the opinion of the Secretary, is not competent to manage the property to be conveyed. Such restricted patent shall prohibit the alienation or taxation of the lands without the approval of the Secretary and may contain such other provisions for the protection of the interests of the owner of the lands as the Secretary finds advisable. Such patent shall also provide that the Secretary, if he determines that the owner of the lands is in a position to manage them without protection by the United States, may terminate the restrictions imposed by the patent in such circumstances and upon such conditions as he finds advisable, whether or not the owner has applied for a termination of the restrictions. The approval by the Secretary of the act of the owner in selling a tract of land for which a restricted patent has been issued under this section shall vest in the purchaser a complete title (which shall be subject to the restrictions only if the purchaser is an Indian and the conveyance provides for a continuance of the restrictions) from the date of such approval.

SEC. 8. (a) The Secretary, under such regulations as he may deem necessary, is hereby authorized to sell at public auction and at not less than their value to qualified individuals and to qualified governmental agencies, in tracts not exceeding one thousand two hundred and eighty acres each, any public lands which he may classify as excess public lands.

(b) In the interest of protecting the stability of dependent economic activities, the Secretary may provide by regulation that, under such conditions which he deems appropriate to effect the purposes of this paragraph, owners of lands contiguous to land offered for sale under this section shall have a preference right to buy the offered land at the highest bid price.

SEC. 9. All revenues derived from the sale or lease of public lands under this Act, except for the reimbursements provided for in subsection (c) of section 6 of this Act, shall be deposited in the Treasury and disposed of in the same manner as moneys received from the sale of public lands.

SEC. 10. All patents or other evidence of title issued under this Act shall contain (1) a reservation to the United States of all deposits of coal, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), oil, gas, oil shale, phosphate, sodium, potassium, and for lands in the States of Louisiana and New Mexico sulfur also, in the lands described in the patent or other evidence of title, together with the right to prospect for, mine, and remove them under applicable provisions of law and (2) any other reservations, conditions or limitations which the Secretary deems necessary or desirable in the public interest.

SEC. 11. (a) The notation in the proper land office of a proposal to classify lands under this Act or the classification of lands pursuant to this Act shall segregate the lands from further application to make entry, selection, or location and from settlement and location under the public land laws to such extent and under such terms and conditions as the Secretary may deem appropriate.

(b) All segregations under this Act shall be subject to valid rights existing at the time of segregation.

(c) No applications shall be filed to lease or purchase lands pursuant to this Act except lands which have been opened thereto by the Secretary.

SEC. 12. (a) Notwithstanding any other provision of law, any lawful zoning action by duly constituted local governmental authority shall govern construction and utilization of improvements on public lands classified under the terms of this Act, except as to such improvements which are being utilized by, or being constructed by or for, the United States or any of its agents or instrumentalities.

(b) Where the governing body of the county so requests it, the Secretary will allow local zoning authorities a reasonable period in which to consider and zone lands in each proposal for subdivision, lease, or sale under the terms of this Act.

SEC. 13. The Secretary is authorized to issue such regulations, make such determinations, and do such other acts or things as may be necessary or appropriate to carry out the terms of this Act.

SEC. 14. (a) Subject to valid rights and liabilities existing at the date of approval of this Act, the following statutes or parts of statutes are repealed:

(1) Sections 2380, 2381, 2382, 2383, 2384, 2386, 2387, 2388, 2389, 2391, 2392, 2393, and 2394 of the Revised Statutes, as amended (43 U.S.C. 711–715, 717–724);

(2) Act of March 3, 1877, as amended (19 Stat. 392; 43 U.S.C. 725–727);

(3) Section 22 of the Act of May 2, 1890 (26 Stat. 91; 43 U.S.C. 1094);

(4) Act of May 14, 1890, as amended (26 Stat. 109; 43 U.S.C. 1111–1117);

(5) Sections 11 and 16 of the Act of March 3, 1891 (26 Stat. 1099, 1101; 48 U.S.C. 355, 43 U.S.C. 728);

(6) Joint Resolution of September 1, 1893 (28 Stat. 11; 43 U.S.C. 1118);

(7) Act of May 11, 1896 (29 Stat. 116; 43 U.S.C. 1119);

(8) Section 3 of the Act of January 18, 1897 (29 Stat. 490; 43 U.S.C. 1133);

(9) Act of February 9, 1903 (ch. 531, 32 Stat. 820; 43 U.S.C. 731);

(10) The fourth paragraph of section 1 of the Act of March 12, 1914 (38 Stat. 307, 48 U.S.C. 303);

(11) Act of July 9, 1914 (38 Stat. 454; 43 U.S.C. 730);

(12) Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355a–355d);

(13) Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a–682e), as amended;

(14) Act of February 26, 1948 (62 Stat. 35; 48 U.S.C. 355e);

(15) Act of August 30, 1949 (63 Stat. 679; 48 U.S.C. 364a–364e);

(16) Section 2455 of the Revised Statutes (43 U.S.C. 1171, 1171a, 1171b, 1175, 1176, 1177), as amended;

(17) Act of July 24, 1947 (61 Stat. 414; 48 U.S.C. 364).

(b) Section 10 of the Act of May 14, 1898 (30 Stat. 413; 48 U.S.C. 359, 461–465), as amended, is hereby amended to read as follows:

"That ingress and egress shall be reserved to the public on the waters of all streams, whether navigable or otherwise. No entry for railroad, wagon road, or tramway purposes shall be allowed under this Act on lands abutting on navigable water of more than eighty rods. The Secretary of the Interior shall reserve for the use of the natives of Alaska suitable tracts of land along the waterfront of any stream, inlet, bay, or seashore for landing places for canoes and other craft used by such natives: *Provided*, That the Annette, Pribilof Islands, and the islands leased or occupied for the propagation of foxes be excepted from the operation of this Act.

"That all affidavits, testimony, proofs, and others papers provided for by this Act and by said Act of March third, eighteen hundred and ninety-one, or by any departmental or Executive regulation thereunder, by depositions or otherwise, under commission from such officer as the Secretary of the Interior may designate, which may have been or may hereafter be taken and sworn to anywhere in the United States, before any court, judge, or other officer authorized by law to administer an oath, shall be admitted in evidence as if taken before such officer as the Secretary of the Interior may designate. And thereafter such proof, together with a certified copy of the field notes and plat of the survey of the claim, shall be filed in such office as the Secretary of the Interior may designate, and if such survey and plat shall be approved by him or by such officer as he may designate, certified copies thereof, together with the claimant's application to purchase, shall be filed in the United States land office in the land district in which the claim is situated, whereupon, at the expense of the claimant, such officer as the Secretary of the Interior may designate of such land office shall cause notice of such application to be published for at least sixty days in a newspaper of general circulation published nearest the claim within Alaska, and the applicant shall at the time of filing such field notes, plat, and application to purchase in the land office, as aforesaid, cause a copy of such plat, together with the application to purchase, to be posted upon the claim, and such plat and application shall be kept posted in a conspicuous place on such claim continuously for at least sixty days, and during such period of posting and publication or within thirty days thereafter any person, corporation, or association, having or asserting any adverse interest in, or claim to, the tract of land or any part thereof sought to be purchased, may file in the land office where such application is pending, under oath, an adverse claim setting forth the nature and extent thereof, and such adverse claimant shall, within sixty days after filing of such adverse claim, begin action to quiet title in a court of competent jurisdiction within Alaska, and thereafter no patent shall issue for such claim until the final adjudication of the rights of the parties, and such patent shall then be issued in conformity with the final decree of the court."

(c) Any townsite now existing under the above statutes or parts of statutes may continue to be administered thereunder in the same manner as if this Act had not been passed, or, subject to any rights or liabilities now existing, may be administered under the provisions of this Act, as the Secretary finds to be most practicable in each case.

The letter accompanying Senate bill 1599 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., June 14, 1961.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to authorize the classification, segregation, lease, and sale of public land for urban, business, and occupancy sites, to repeal obsolete statutes, and for other purposes.

We request that the proposed bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

Through its Bureau of Land Management this Department manages the national land reserve. For the foreseeable future, our principal function with respect to these lands will continue to be that of management. However, to some extent, we will continue also to be a land disposition agency, transferring relatively small acreages each year where emerging private and governmental needs require lands from the national land reserve and the lands are not needed for more compelling purposes. The President's special message on natural resources to the Congress, dated February 23, 1961, emphasizes the importance of these lands to the national economy and refers to them as "a vital national reserve that should be devoted to productive use now and maintained for future generations."

We have been attempting to perform our management and disposition functions with inadequate means at our disposal. In some measure, this situation stems from the fact that the public land laws are the result of a series of enactments over the years, a large number of which are now obsolete or otherwise insufficient. To some extent, these laws reflect social and economic conditions of the last century and no longer accommodate themselves to today's situations. The Committees on Interior and Insular Affairs have been receptive to proposals to modernize these laws, but as yet have not been presented with any comprehensive proposal to bring the laws up to date. This we intend to do in the months to come.

Our studies to date indicate that a comprehensive, modernized system of nonmineral public land laws should probably encompass the following elements:

1. A system of disposition by lease and sale of public lands found to be chiefly valuable for private use and development other than agriculture. A draft to accomplish this is enclosed in this letter and is more fully described below.

2. Disposition of public lands considered to be chiefly valuable for agriculture. A draft of legislation for this purpose will be prepared. One approach could be to remedy some of the features of existing agricultural public land laws which have caused the greatest difficulties and to introduce to some extent at least, payment for the hands under terms more in keeping with the value of the resources to be obtained in order to eliminate speculative interest in such lands. This could include higher standards for classification, higher standards for development, and changes in details of the homestead and desert land acts. Repeal of the Pittman Act of October 22, 1919 (41 Stat. 293; 43 U.S.C. secs. 351–355, 357–360), and the act of September 22, 1922 (42 Stat. 1012; 43 U.S.C. 356) is another possibility. A proposal (H.R. 6241) for the repeal of the Pittman Act was previously submitted and a hearing held before the House Public Lands Subcommittee on April 21, 1961.

3. Modernizing and streamlining administrative procedures for exchanges of public lands with States and individuals and also exchanges of public lands for Indian trust lands in appropriate circumstances. A draft of legislation to accomplish this will be prepared.

4. Revision and extension of basic authority for the management of public lands under the administration of the Bureau of Land Management. A draft of legislation will be prepared providing specific authorization for the administration of balanced usage of such lands and for sustained-yield management of renewable range, forest, and other resources. Study is also being given to administrative matters for the purpose of determining the need for legislative clarification and simplification of the general authority for the administration of public lands.

5. Easements over public lands. We will prepare draft legislation for the modification of existing right-of-way laws to the extent necessary to provide modern, workable, and uniform law for granting easements affecting lands administered by the Department of Agriculture and the Department of the Interior. Existing right-of-way laws do not make provision for various uses which would seem properly to fall within their general objectives, do not always permit ready terminations of rights granted, and do not contain adequate provision for appropriate terms and conditions for proper management of the surface, and for adequate dimensions to permit necessary utilization.

6. Mineral reservations in connection with land sales. This general field will be considered in two parts. The first part would tend to relieve the difficult situation in Tucson, Ariz., and other localities where the locating of mining claims for the mineral estate in lands, the surface of which has been patented, conflicts with private development of the surface for residential, industrial, and commercial purposes. There are over 30 million acres, only the surface of which has been patented and the mineral estate may be appropriated under the U.S. mining laws regardless of surface development. We expect shortly to submit draft legislation on this first part. A draft for the second part will encompass a proposed uniform system of disposition and reservation of mineral interests in public lands.

One possible approach would be the retention by the United States in all circumstances of those minerals which may be subject to lease under the Mineral Leasing Act of 1920 (41 Stat. 437; 30 U.S.C. 181), as amended, and provision for the sale of the mineral interest for nonleasable minerals, to the patentee in all instances where such mineral values are minor as compared to the surface values.

The above six subjects, of course, describe only certain major areas of concern. Other and less far-reaching proposals will also be made. Requests for legislation on these lesser proposals, together with those above, will be submitted as rapidly as they can be prepared. We anticipate, however, that the completion of all the proposals will take substantial time and accordingly urge that each proposal be given congressional consideration as it is submitted.

The above proposals reflect the opinion of this Department and, except for item 1, have not been as yet approved by the executive branch.

The increasing economic activity in public land States has caused a growing demand for land for commercial and industrial purposes. While this demand exists in connection with many industries, it is particularly pressed for those requiring locations within large areas of open land and climatic conditions of the type found in certain regions where a great deal of public land is situated, such as electronics, aircraft, and missile industries. There is no means easily available for the disposal of public lands, in tracts of sufficient size for these purposes. Cumbersome and roundabout methods have to be used, such as exchanges for the acquisition of suitable lands. Occasionally special legislation for individual sites has been sought.

At the same time that there has been such an increasing demand for public land for commercial and industrial purposes, there has also been an increasing demand for public land in connection with urban and, particularly, suburban development. This development in the periphery around cities and along highways leading out from cities has been one of the most noticeable phenomena of the period since the close of the Second World War.

The proposed bill takes cognizance of these demands and would provide for the disposition of lands at their appraised fair market value to State and local governments for urban or business development under their direction or authorization. Similar provision would be made for the disposition of lands at public auction to private enterprises for urban or business development under their initiative or direction, subject to conditions which the Secretary might prescribe to insure effectuation of the purposes of the transfer.

The proposed bill would authorize this Department to subdivide lands chiefly valuable for urban or occupancy purposes, and to make disposition of such subdivided lands and other small tracts by lease or sale.

The proposed bill also contemplates the sale at public auction of public lands not suitable for disposition under other provisions of law and which are not needed for any Federal program, project, or activity.

The proposed bill does not contain to any appreciable extent operational requirements and restrictions, since these, experience amply shows, tend to impede, if not prevent, efficient and effective operations and lead to numerous amendments of law. The proposed bill would contain policy directives and authority for the Secretary to act effectively to carry out the beneficial use and disposition of the public lands consistent with the public interest. This authority would permit us to classify lands, to segregate them for planned dispositions, to grant preference rights where equity would dictate, and to make conditional conveyances.

This proposed bill, if enacted, should not be regarded as a final resolution of all questions of aboriginal title in Alaska, nor should the proposed bill be considered as prejudicing the claims now pending thereon.

Subsection 6(c) and section 9 of the proposed bill contemplate that receipts from the sale of lands equal to the costs of segregation and classification of lands, the preparation of plans and plats, the determination of improvement requirements, and the conduct of surveys will not go into the funds from which the States allocations are computed. In other words, revenues equivalent to such costs, are impressed with a lien and are to be wholly returned to the U.S. Treasury and the States will receive their shares from the remainder of the proceeds.

Our proposal would repeal a number of laws which are now obsolete in whole or in part or which will be unnecessary if this proposed general legislation is enacted. The laws which would be affected are:

A. The townsite laws, a hodgepodge of legislation passed over the years with varying provisions. The need for their complete revision is discussed in detail in appendix A, enclosed.

B. The Small Tract Act (52 Stat. 609, 43 U.S.C. 682a), as amended, a general and rather simple law which contains certain objectionable features but which is otherwise incorporated in the new proposal. Objectionable features include the automatic reservation of all minerals (discussed in detail in appendix B, enclosed) and the provision for Interior employee participation in the program. With the large scale acquisition of lands by the State of Alaska in the more desirable areas, it no longer seems necessary to make Alaska an exception to the general rules.

C. The homesite, headquarter site, and trade and manufacturing site laws of Alaska, settlement laws. The laws with their limitations are not entirely suitable for the intended purposes. Further, they serve to impede State selections and management of public lands. The low statutory prices for the lands ($2.50 per acre) are inconsistent with good public policy. The proposed bill would permit the Secretary to allow settlement where it would prove satisfactory.

D. Section 2455 R.S., 43 U.S.C. 1171, as amended, providing for the sale of isolated and rough or mountainous tracts. The fact that lands are isolated, rough, and mountainous does not necessarily mean that they are suitable for disposition. On the other hand, the fact that they lack such characteristics does not mean that they are suitable for retention. The criteria in the law are therefore obsolete. The preference right added to the law in 1934 serves to deter competition and to invite sales of adjoining lands for the purpose of creating such rights. The new proposal would permit the Secretary to grant preference rights to adjoining owners under certain conditions.

E. The Alaska Public Sale Act, the act of August 30, 1949 (63 Stat. 679; 48 U.S.C. 364a–364e). The restrictive nature of the act makes it unsuitable for present conditions, as is discussed in detail in appendix C, enclosed.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed draft bill from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.
Assistant Secretary of the Interior.

APPENDIX A

TOWNSITES

Over the years the Congress has enacted a series of laws providing for the withdrawal, location, use and disposal of townsites upon the public lands. The varying procedures prescribed by these laws are partially interdependent, partially alternative, and partially unrelated. Many of the provisions of these laws have become obsolete by reason of such circumstances as changes in other provisions of the public land laws, disposition of substantially all the public lands within a particular category upon which a particular set of provisions was designed to operate, or development of new and better techniques for townsite planning and management that have caused the public to lose interest in employing the older and less advantageous techniques. Practical experience has also revealed a number of particulars in which the existing laws are ambiguous, contradictory, incomplete, or otherwise in need of technical improvement.

Some of the townsite laws; e.g., R.S. 2389, 43 U.S.C. 720, as amended contain limitations upon the size of townsites and upon the area of the various types of tracts in townsites. These limitations at times have tended to impede normal community growth, or the laying out of the townsite and its various public facilities in the most beneficial manner.

Some of the townsite laws contemplate a system of public sales to be followed by private sales (this latter system, except for townsites, was repealed in 1891). Private sales have resulted not uncommonly in dispositions at inordinately low prices. The proposed procedures, on the other hand, would call for disposition of town lots at fair market value, less improvements resulting from activities of bona fide claimants and their predecessors in interest and taking into consideration their equities.

Present townsite laws do not all make provision for preference rights to bona fide occupants or other meritorious claimants. The preference rights proposed to be granted would be subject to "such restrictions, exceptions, and other conditions as he (the Secretary) may find to be needed in order to prevent speculation, facilitate settlement, or otherwise protect the public interest."

APPENDIX B

SMALL TRACT ACT

One of the major problems in the development of land is that the development of subsurface values is often inconsistent with the development of surface values. In particular, the development of land for residential, business, recreational, and community purposes is often inconsistent with the development of the minerals underlying those lands. The impact of the development of the leasable minerals such as oil and gas upon the surface of land can be limited, but the development of other minerals in the category of those locatable under the U.S. mining laws, such as the hard rock minerals, can greatly handicap or even prevent the proper development of the land for surface purposes.

Section 2 of the Small Tract Act of June 1, 1938, as amended (43 U.S.C., sec. 682b), provides that each patent for a tract bought under that act shall contain a reservation to the United States of all the mineral deposits together with the right to prospect for, mine, and remove them. This provision permits, subject to the promulgation of regulations by the Secretary of the Interior, the development of the reserved minerals under the applicable mining and mineral leasing laws. The Secretary of the Interior has by regulation made the reserved leasable minerals subject to the mineral leasing laws, but he has not made the mining laws applicable to the other reserved minerals. Since there is no provision in either the mining laws or the Small Tract Act to protect surface values and improvements, to permit the development of minerals under the mining laws could cause serious loss to surface owners. There is not such a great danger with respect to minerals subject to the mineral leasing laws, since under those laws there is opportunity to establish terms and conditions necessary to make reasonable adjustment between surface and subsurface development.

Even though the minerals in patented small tract lands have not been opened to appropriation under the U.S. mining laws, the possibility thereof has probably retarded the development of the full surface potential of such lands. Prospective intensive developers could well hesitate to invest the large sums of money required for such development in the light of the possibility that surface values may be entirely destroyed by activities under the U.S. mining laws.

APPENDIX C

The Alaska Public Sale Act (61 Stat. 414; 48 U.S.C. 364a–364e) has not achieved its objective of facilitating industrial and commercial development in Alaska and to make more rapidly available lands suitable for commercial and industrial use than was possible under laws then in effect. The original bill authorized the private or public sale of certain Alaskan land which the Secretary might classify for such disposition. The bill provided that patent should not issue until survey, but contemplated the immediate passage of the entire fee in the land to the purchaser after sale, and contained no provision for the issuance of certificates of purchase, the delay of issuance of patent after sale, or the submission of proof by a purchaser of use of the land conforming to its classification. The bill was amended to include provision for issuance of certificates of purchase and the Department objected to such inclusion, but the amendments prevailed. The law has been interpreted as requiring proof to be filed within 3 years after issuance of the certificate of purchase, otherwise forfeiture of the moneys paid to the Government for the land results, 62 ID 243, 251. The Congress has recognized implicitly the difficulties attendant upon operations under the Alaska Public Sale Act by Private Law 654 (84th Cong., 2d sess.) of May 18, 1956, authorizing in certain circumstances that an extension of time to perform certain acts be granted to Matanuska Valley Lines, Inc., and to Joe Blackard and Russell Swank.

We are informed that issuance of certificates of purchase has not afforded a sufficient predicate upon which loans may be obtained. Without adequate financing, development is difficult, if not impossible.

The restrictive provisions of the Alaska Public Sale Act, requirements for publication, acreage limitation of 160 acres, and withholding of patent until proof of compliance are not conducive to effectuation of the purposes of the law.

Mr. BIBLE. The second measure is a request from the Department of the Interior to amend the sales statutes, which was submitted on February 27, 1963. I ask unanimous consent that the message and text of the bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1600) to amend section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), and for other purposes, introduced by Mr. BIBLE, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), is further amended to read as follows:

"SEC. 2455. (a) Notwithstanding the provisions of section 2357 of the Revised Statutes (43 U.S.C. 678) and of the Act of August 30, 1890 (26 Stat. 391), the Secretary is authorized to sell any public lands which he classifies as proper for disposition and as not needed for Federal program requirements or the long range administration of the public lands, in tracts not exceeding five thousand acres each, to qualified governmental agencies at the fair market value of the lands or to qualified individuals at public auction at not less than their fair market value. The Secretary may provide by regulation, under such terms as he deems appropriate, that owners of land contiguous to the land offered for public auction under this section and authorized users of such offered land may have a preference right to buy the offered land at the highest bid price, considering such factors as extent of contiguity of the offered and privately owned land, duration of ownership of the privately owned land, legitimate historical use and topography of the offered land, and desirable land pattern and use.

"(b) The Secretary shall administer this section to promote the beneficial use and disposition of public lands. Proposed classifications and sales under this section shall be considered in the light of their effect upon the conservation of natural resources and upon the welfare of the individuals and communities involved, and their consistency with local governmental laws, ordinances, plans, and programs.

"(c) The notation in the proper land office of a proposal to classify lands under this section, or the classification of lands under this section shall segregate the lands from further application to make entry, selection, or location, and from settlement and location under the public land laws, including the United States mining laws, but not the mineral leasing laws, to the extent the Secretary considers appropriate, but all segregations under this section shall be subject to valid rights existing at the time of segregation. No application shall be filed to purchase lands under this section except lands which have been opened thereto by the Secretary.

"(d) For the purposes of this section—

"(1) The word 'Secretary' means Secretary of the Interior.

"(2) The term 'public lands' means any public lands which are withdrawn by Executive Order Numbered 6910 dated November 26, 1934, as amended, or by Executive Order Numbered 6964 dated February 5, 1935, as amended, or pursuant to section 1 of the Act of June 28, 1934 (48 Stat. 1269), as amended (43 U.S.C. 315), and not otherwise reserved or which are vacant, unappropriated, and unreserved public lands in Alaska.

"(3) The term 'qualified governmental agency' means any of the following, including their lawful agents and instrumentalities: (A) the State, county, municipality, or other local government subdivision within which the land is located and (B) any municipality within convenient access to the lands if the lands are within the same State as the municipality.

"(4) The term 'qualified individual' means (A) any individual who is a citizen or otherwise a national of the United States (or who has declared his intention to become a citizen) aged twenty-one years or more; (B) any partnership or association, each of the members of which is a qualified individual as defined in subparagraph (A); and (C) any corporation organized under the laws of the United States or of any State thereof, and authorized to hold title to real property in the State in which the land is located.

"(e) The Secretary is authorized to issue such regulations as he deems appropriate to effectuate the purposes of this section."

SEC. 2. The Secretary is authorized to consider and proceed with the applications filed and transactions initiated under section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), prior to the effective date of this Act which were valid and subsisting on the effective date of this Act, as if this Act had not been enacted.

The letter accompanying Senate bill 1600 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., February 27, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to amend section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171), and for other purposes.

We recommend that the draft bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

The statute now provides that the Secretary of the Interior may order into market for sale at public auction, at the land office district in which the land is situated, isolated tracts not to exceed 1,520 acres. He may also, upon the application of an adjoining owner or an adjoining entryman, order into the market tracts not exceeding 760 acres, the greater part of which is "mountainous or too rough for cultivation." For a period of not less than 30 days after the highest bid is received any owner or owners of the contiguous lands must be afforded a preference right to buy the offered land at the highest bid price, and where two or more persons exercise such preference right the Secretary of the Interior is authorized to make an equitable division of the lands among such preference right claimants. However, an adjacent landowner or owners cannot be required to pay any more than three times the appraised price.

The requirement that land be sold at the land office has impeded the administration of the public sale law and has resulted, we believe, in many situations where the United States has failed to obtain the maximum monetary return from the sale of lands. A sale held at a most advantageous place would bring greater competition and would enhance the probability of greater pecuniary returns to the United States. Today the fact that public lands are isolated or rough or mountainous does not necessarily mean that they are suitable for disposition. On the other hand, the fact that lands lack such characteristics does not mean that they are needed for retention by the Federal Government. Therefore, the criteria embodied in the present law are obsolete.

The preference right provisions embodied in the present law have led sometimes to results not in keeping with good land tenure and use. Presumably, these provisions were designed to protect activities on adjoining privately owned lands which were dependent on the public lands in issue. Not uncommonly, preference rights have been asserted, and recognized by this Department as required by law, by persons who bought a few adjoining feet of privately owned land in order to establish a preference right claim. In many situations persons who owned private land having a considerable acreage contiguous to the public land and whose activities were interrelated with the lawful use of the public land have sustained economic damage because of the inflexibility of the preference right provisions. Since the statute allows a period of 30 days for the assertion of preference rights to buy lands at public sale, many persons have bought adjoining lands during the 30-day period merely to establish a preference right claim under the law. The provision in the existing law that a preference right claimant may purchase the offered land at no more than three times the appraised price has on occasion resulted in loss of revenue to the United States.

In recent years the increasing economic activity in the public land States has caused a growing demand for public land by local governments and private enterprises for commercial and industrial purposes and for urban and suburban development. The demand for land is particularly urgent for those industries, such as the electronics, aircraft, and missile industries, requiring locations within large areas of open land and climatic conditions of the type found in certain regions where a great deal of public land is situated. There is no readily available means for the sale of public lands in tracts of sufficient size to meet these needs of local governments and private enterprises.

The acreage limitations embodied in the existing statute do not permit sufficient flexibility to satisfy changing demands by industry, local communities, and others.

The draft bill takes cognizance of governmental and industrial requirements for public lands and would grant the Secretary of the Interior authority to sell public lands, not needed for Federal program requirements, in tracts not exceeding 5,000 acres to qualified governmental agencies by negotiated sale for not less than the fair market value and to qualified individuals at public auction at the highest bid price. The bill also contains certain criteria to be followed in the determination whether land is to be sold. The bill also envisages in the interest of protecting the stability of dependent economic activities that the Secretary of the Interior may by regulation establish criteria to grant owners of lands contiguous to the land offered for sale a preference right to buy the offered lands at the highest bid price.

In order to facilitate sales under the bill, it provides that the Secretary would have authority to segregate the lands from other disposition upon a proposal to classify lands for disposition at public sale and that no application shall be accepted to purchase the land except for those lands which have been opened to such application by the Secretary of the Interior. One of the major problems facing our Bureau of Land Management has been the uncontrolled filing of applications under various public land laws. We believe that a more businesslike mode would suggest that applications be filed only for those lands which have been determined to be proper for disposition under the public sale law.

Our bill also envisages that the Secretary would be authorized to issue such regulations as may be necessary to effectuate the purposes of the act and that he may consider and proceed to act upon valid and subsisting applications pending on the effective date of enactment of the bill.

We believe that the enactment of this proposed bill will enable the Department to meet more readily the ever-increasing needs of local governments and private enterprises for public land.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed draft bill from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

Mr. BIBLE. The third bill is a composite sale and management proposal which I have had drafted and which I am now introducing. I ask unanimous consent that the text of this measure be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1601) to provide for public land management and disposition, introduced by Mr. BIBLE, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall apply to all lands, whether vacant, unappropriated public domain, or otherwise under the administrative jurisdiction of the Bureau of Land Management in the Department of the Interior as of March 15, 1963, and to lands subsequently placed under the jurisdiction of this agency by any Act of Congress.

SEC. 2. The purpose of this Act is to provide for the management and disposition of the lands defined in section 1.

Lands determined to be best suited to public development will be maintained in public ownership and the soil, water, scenic, forest, mineral, range, wildlife, and other resources shall be developed for public use under the principles of multiple-use and sustained yield. Lands determined to be best suited to private development will be disposed of in an orderly manner in cooperation with State and local governments. In determining whether to dispose of lands and resources by sale or lease for private development or certain lands in public ownership, Federal, State, or local, the Secretary shall consider the effect upon the conservation of resources, the welfare of individuals as compared to communities and areas and the relation to State and local laws, ordinances, land development plans, and programs.

The Secretary of the Interior is authorized to sell, lease, or otherwise dispose of any public lands covered by this Act, to classify lands and to retain them for public use and management, to effect their withdrawal and reservation in accordance with applicable statutes, to retain the mineral estate in the United States in any lands where title passes, and to issue rules and regulations to effect the purpose of this Act. No conveyance of title, lease, or withdrawal for a period of more than ten years shall be made under this Act covering an acreage in excess of five thousand acres except by a specific Act of Congress.

No one, including but not limited to individuals, partnerships, corporations or instrumentality of State or local government, shall be eligible to receive conveyances of title, or leases in excess of ten years, or a combination thereof for a series of tracts which will aggregate more than five thousand acres except by a specific Act of Congress. No lease shall convey exclusive use of public lands except by a specific Act of Congress.

SEC. 3. Upon becoming law this Act shall govern the disposition of all public lands to which applicable, except as specifically provided, and the Secretary is authorized to consider and proceed with pending applications made under Acts repealed by this Act if filed and allowed prior to the effective date of this Act, providing that they were valid and subsisting on the effective date of this Act, as if this Act had not been enacted.

SEC. 4. COOPERATION WITH STATES AND LOCAL GOVERNMENT.—Upon the request of the Governor of any State with public lands as defined in this Act, the Secretary of the Interior is authorized to create within that State a land management advisory board which shall consist of nine persons, four to be selected by the Secretary from a group of at least eight persons nominated by the Governor and five to be appointed by the Secretary. The purpose of these boards shall be to advise the Secretary generally on proposals to dispose of, transfer, or retain the public lands covered by this Act. The Secretary shall also seek the advice of these boards on criteria for land classification, disposal, or management, regulation, and such other aspects of the operation of this Act as he elects.

Members of such boards, while attending meetings of the board or otherwise serving at the request of the Secretary shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time, and while away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 736-2) for persons in the Government service employed intermittently. Notwithstanding the foregoing or any other provisions of law, the Secretary may accept the services of appointed members under this section without the payment of compensation therefor (and with or without payment of travel expenses or per diem in lieu of subsistence). Members shall serve at the pleasure of the Secretary for terms of not more than four years and their service shall be subject to sections 281, 283, 434, and 1914 of title 18, United States Code, and section 99 of title 5, United States Code.

SEC. 5. The Secretary is directed to sell or lease lands under this Act at fair market value determined by an appraisal except as herein provided. Sales may be at auction or sealed bid; prior to sale there shall be reasonable public notice, including advertisement in newspapers situated in the county where the lands are located: *Provided,* That sales or leases may be made for public purposes to States, counties, and local governments at a nominal sum which shall not be less than a reasonable estimate of the cost of survey, examination, and processing: *Provided,* That such lands will be used for nonprofit purposes.

Conditional transfers may be made to States, counties, and local governments for resale to private parties, when in the public interest, and such transfers shall be made at not more than two-thirds the ultimate sale price and shall include standards of performance. The Secretary may defer all of the payment due from the State or local government until it actually completes the sale, except for the costs incidental to effecting the conditional transfer. Conditional transfers may not be effective for more than a single five-year period plus one extension of equal time.

Where the lands have been and are currently at the time of sale under a permit or lease covering the surface resources, and the land is zoned for a continuation of this use, the Secretary may permit leaseholders or permittees to secure the lands by matching the high bids submitted. Where valuable fixed improvements have been placed on the lands the Secretary may permit the permittee to acquire such lands at the fair market value exclusive of the value of the improvements and the increase in value resulting from such improvements. Indians of Alaska who are the bona fide occupants of land in Alaska shall not be required to make payment for such land.

SEC. 6. In making sales or leases of lands under this Act, or in making decisions to retain land in public ownership the Secretary shall be guided by the following criteria.

He shall seek the general advice of the boards created under section 4. He may refer specific proposals for the advice of the board in the State where the lands are located. He shall be guided, insofar as it is practical and in the national and area interest, by the recommendations of local zoning and planning organizations. Prior to making leases or transfers to States or local governments, he shall, insofar as it is practical, fill such requests for lands by meeting obligations under applicable land selection Acts in each State so as to extinguish, as promptly as feasible, claims under these Acts.

He shall encourage, when indicated, the development of subdivision plans prior to disposal, including the platting of sites for schools, hospitals, local parks, roads, sewers, utilities, and other normal services of government, and may require an agreement prior to conditional transfer for the equitable sharing of the cost of such improvements in a manner consistent with local law or ordinance.

He shall encourage State and local governments to carry out the role of suburban, urban, business, and industrial site developers.

Except as to improvements which are utilized by or constructed by or for the United States or any of its agents or instrumentalities, lawful zoning action by duly constituted local authority shall govern the construction and utilization of improvements on public lands under this Act.

When a duly constituted local authority with the power to zone lands requests, he shall allow a reasonable period, not to exceed three years, for such zoning authority to take such action and during that period shall make no sale or lease which would permit a use inconsistent with that being made on the day such request was made.

No requests to lease or purchase lands under this Act shall be construed to create a preference or right to lease or purchase, except when provided for adjoining landowners in the case of sale.

Sec. 7. The Secretary shall issue a restricted patent for any lands disposed of under section 6 of this Act to any Indian who, in the opinion of the Secretary, is not competent to manage the property to be conveyed. Such restricted patent shall prohibit the alienation or taxation of the lands without the approval of the Secretary and may contain such other provisions for the protection of the interests of the owner of the lands as the Secretary finds advisable. Such patent shall also provide that the Secretary, if he determines that the owner of the lands is in a position to manage them without protection by the United States, may terminate the restrictions imposed by the patent in such circumstances and upon such conditions as he finds advisable, whether or not the owner has applied for a termination of the restrictions. The approval by the Secretary of the act of the owner in selling a tract of land for which a restricted patent has been issued under this section shall vest in the purchaser a complete title (which shall be subject to the restrictions only if the purchaser is an Indian and the conveyance provides for a continuance of the restrictions) from the date of such approval.

Sec. 8. All revenues derived from the sale or lease of public lands under this Act, except for the reimbursements provided for in subsection (c) of section 6 of this Act, shall be deposited in the Treasury and disposed of in the same manner as moneys received from the sale of public lands.

Sec. 9. All patents or other evidence of title issued under this Act shall contain (1) a reservation to the United States of all deposits of coal, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rocks or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), oil, gas, oil shale, phosphate, sodium, potassium, and for lands in the States of Louisiana and New Mexico sulfur also, in the lands described in the patent or other evidence of title, together with the right to prospect for, mine, and remove them under applicable provisions of law and (2) any other reservations, conditions, or limitations which the Secretary deems necessary or desirable in the public interest.

Sec. 10. For the purposes of this Act—

(a) The word "Secretary" means the Secretary of the Interior, but he may delegate all responsibility under this Act, except for the promulgation of regulations and final decisions on appeals or disputes, to the Director, Bureau of Land Management.

(b) The term "public lands" means all public lands (including minerals, vegetative, and other resources) in the United States, including lands within reservations formed from the public domain and other lands permanently or temporarily withdrawn from any or all forms of appropriation provided for in the public land laws, except (1) public lands in any national forest or national wildlife refuge or other wildlife management areas, or areas administered by the Secretary of the Interior through the National Park Service, (2) the revested Oregon and California Railroad or the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon, (3) any Indian lands or lands set aside or held for the use or benefit of Indians, (4) public water reserves which the Secretary finds are needed by the public for the use, control, or conservation of water and (5) public lands which the Secretary determines are chiefly valuable for minerals other than coal, phosphate, sodium, potassium, oil, gas, oil shale, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), and for lands in the States of Louisiana and New Mexico sulfur also.

(c) Notwithstanding the provisions of subsection (b) of this section, the term "public lands", insofar as the Act authorizes leasing of lands for occupancy purposes, includes the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon.

(d) Notwithstanding the provisions of subsection (b) of this section the term "public lands", insofar as it authorizes the Secretary to subdivide and dispose of lands for urban purposes under section 6 of this Act, includes any lands in the State of Alaska that are held by the United States for the use or benefit of Indians without a recognition of a compensable title in the Indians and that are outside any reserve for Indians or administrative use.

(e) The words "subdivide" and "subdivision" refer to the surveying and platting of lands into lots, blocks, streets, alleys, reserves for public purposes, rights-of-way, and such other tracts as the Secretary finds suitable for proper development of lands for urban purposes or for occupancy purposes.

(f) The term "urban purposes" means any purpose, including commercial, related to the development of an urban or suburban residential community.

(g) The term "business or agricultural purposes" includes, without limiting the meaning thereof, commercial and industrial activities (including the milling or processing of natural products), crop agriculture grazing or the removal, mining, extraction, or harvesting of natural products in their natural state.

(h) The term "occupancy purpose" means private recreational, or residential uses.

(i) The term "public purpose" means any function of State or local government including but not limited to schools, parks, hospitals, buildings, and structures needed for government facilities: *Provided*, That all such facilities are open to public use and nonprofit in character.

(j) The term "qualified individual" means (1) any individual who is a citizen of the United States aged twenty-one years or more, (2) any partnership or association, each of the members of which is a citizen of the United States aged twenty-one years or more, and (3) any corporation, including nonprofit corporations, organized under the laws of the United States, or of any State thereof, and authorized to do business in the State in which the land is located.

(k) The term "qualified governmental agency" means any of the following, including their lawful agents and instrumentalities: (1) the State within which the land is located, (2) the county or municipality or other local government subdivision within which the land is located, and (3) any municipality within convenient access to the lands: *Provided*, That the lands are within the same State as the municipality.

(l) The word "concurrence", in addition to its usual connotation, also means with the consent of the head of the Federal department or agency or of the State or local governmental unit, in any case where the lands involved have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, county, municipality, water district, or local governmental subdivision or agency.

(m) The word "value" means, in connection with sales, the fair market value of land, including all mineral and other interests in land not to be reserved to the United States under this Act, and, in connection with leases, the fair market rental of land, in either case as determined by the Secretary by appraisal or otherwise, taking into consideration all factors affecting market value.

(n) The term "bona fide occupant" means (1) any person who, at the time when public lands are segregated under the provision of this Act has any right of possession or occupancy of any such lands which is based upon a settlement, entry, location, or other action initiated and maintained in accordance with any statute other than this Act and which, if perfected under the statute, would enable such person to obtain title to such lands, and (2) any person who, at the time of such segregation, has any right of possession or occupancy of any such lands (including a right based on actual possession under section 8 of the Act of May 17, 1884 (23 Stat. 24)) which is subject to extinguishment or termination at will by the United States and is not open to perfection under any statute other than this Act, but which, under the provisions of law applicable to the lands immediately prior to the segregation thereof, is protected against intrusion or invasion by third persons until it is extinguished or terminated by authority of the United States, and (3) any other person who meets such requirements for the recognition of an equity in segregated lands, including, in the case of an Indian in Alaska, an equity based on considerations of economic need as may be prescribed by the regulations issued under this Act;

(p) "Multiple-use" means the management of the various surface and subsurface resources so that they are utilized in the combination that will best meet the present and future needs of the American people; the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; and harmonious and coordinated management of the various resources, each with the other, without impairment of the productivity of the land, with consideration being given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.

(q) "Sustained yield of the several products and services" means the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of land without impairment of the productivity of the land.

Sec. 11. (a) Subject to valid rights and liabilities existing at the date of approval of this Act, the following statutes or parts of statutes are repealed:

1. Chapter 7 of title 43, United States Code, sections 161–302, homesteads generally.
2. Chapter 8 of title 43, United States Code, section 315f, Taylor Grazing Act.
3. Chapter 9 of title 42, United States Code, sections 321–338, desert land entries.
4. Chapter 10 of title 43, United States Code, sections 351–360, Pittman Act.
5. Chapter 16 of title 43, United States Code, sections 671–700, sale and disposal of public lands.
6. Chapter 17 of title 43, United States Code, sections 711–731, reservation and sale of townsites on public lands.
7. Chapter 24 of title 43, United States Code, sections 1021–1048, under State laws, Minnesota and Arkansas.
8. Chapter 26 of title 43 (United States Code, sections 1071–1080, abandoned military reservations.
9. Chapter 27 of title 43, United States Code, sections 1091–1134, public lands in Oklahoma.
10. Chapter 28 of title 43, United States Code, sections 1153–1156, patents for private claims, Missouri.
11. Chapter 28 of title 43, United States Code, sections 1171–1177, sale of isolated tracts.
12. Chapter 28 of title 43, United States Code, sections 1191–1193, evidence of title.
13. Sections 11 and 16 of the Act of March 3, 1891 (26 Stat. 1099, 1101; 48 U.S.C. 355, 43 U.S.C. 728), townsites, Alaska.
14. The fourth paragraph of section 1 of the Act of March 12, 1914 38 Stat. 307; 48 U.S.C. 303), townsites, Alaska.
15. Act of May 25, 1926 (44 Stat. 629; 48 U.S.C. 355a–355d), townsites, Alaska.
16. Act of February 26, 1948 (62 Stat. 35; 48 U.S.C. 355e), townsites, Alaska.
17. Act of August 30, 1949 (63 Stat. 679; 48 U.S.C. 364a–364e), sale of public domain, Alaska.
18. Act of July 24, 1947 (61 Stat. 414; 48 U.S.C. 364), zoning of land, Alaska.

(b) Section 10 of the Act of May 14, 1898 (30 Stat. 413; 48 U.S.C. 359, 461–465), as amended, is hereby amended to read as follows:

"That ingress and egress shall be reserved to the public on the waters of all streams, whether navigable or otherwise. No entry for railroad, wagon road, or tramway purposes shall be allowed under this Act on lands abutting on navigable water of more than eighty rods. The Secretary of the Interior shall reserve for the use of the natives of Alaska suitable tracts of lands along the waterfront of any stream, inlet, bay, or seashore for landing places for canoes and other craft used by such natives: *Provided*, That the Annette, Pribilof Islands, and the islands leased or occupied for the propagation of foxes be excepted from the operation of this Act.

"That all affidavits, testimony, proofs, and other papers provided for by this Act and by said Act of March 3, 1891, or by any departmental or Executive regulation thereunder, by depositions or otherwise, under commission from such officer as the Secretary of the Interior may designate, which may have been or may hereafter be taken and sworn to anywhere in the United States, before any court, judge, or other officer authorized by law to administer an oath, shall be admitted in evidence as if taken before such officer as the Secretary of the Interior may designate. And thereafter such proof, together with a certified copy of the field notes and plat of the survey of the claim, shall be filed in such office as the Secretary of the Interior may designate, and if such survey and plat shall be approved by him or by such officer as he may designate, certified copies thereof, together with the claimant's application to purchase, shall be filed in the United States land office in the land district in which the claim is situated, whereupon, at the expense of the claimant, such officer as the Secretary of the Interior may designate of such land office shall cause notice of such application to be published for at least sixty days in a newspaper of general circulation published nearest the claim within Alaska, and the applicant shall at the time of filing such field notes, plat, and application to purchase in the land office, as aforesaid, cause a copy of such plat, together with the application to purchase, to be posted upon the claim, and such plat and application shall be kept posted in a conspicuous place on such claim continuously for at least sixty days, and during such period of posting and publication or within thirty days thereafter any person, corporation, or association, having or asserting any adverse interest in, or claim to, the tract of land or any part thereof sought to be purchased, may file in the land office where such application is pending, under oath, an adverse claim setting forth the nature and extent thereof, and such adverse claimant shall, within sixty days after the filing of such adverse claim, begin action to quiet title in a court of competent jurisdiction within Alaska, and thereafter no patent shall issue for such claim until the final adjudication of the rights of the parties, and such patent shall then be issued in conformity with the final decree of the court."

(c) Any townsite now existing under the above statutes or parts of statutes may continue to be administered thereunder in the same manner as if this Act had not been passed, or, subject to any rights or liabilities now existing, may be administered under the provisions of this Act, as the Secretary finds to be most practicable in each case.

Sec. 12. This Act is not intended to repeal or supersede any section of the Mining Act of 1872 as amended (30 U.S.C. 21–54), the Mineral Leasing Act of 1920 as amended (30 U.S.C. 18–287) the Color of Title Act of 1928 as amended (43 U.S.C. 1181), the Mining Claims Occupancy Act (30 U.S.C. 701–709) or any other Act affecting the public lands unless this is specifically done in this Act.

Mr. BIBLE. I wish to emphasize that in introducing these measures I express no favoritism or sentiment toward any one of them. What I seek to do is to place before us the broadest possible range of solutions so that the committee will benefit by receiving the comments of all interested groups and persons, along with their suggestions on how the public land laws may best be modernized.

The draft legislation which I have had prepared, deals with the retention and management of lands, the sale of lands, the application of the multiple-use principle to lands retained and repeals a vast amount of existing public land law dealing with homesteading and sale of land. The bill would create land management advisory boards in each of the public land States and would develop a cooperative Federal, State, and local government procedure for the operation of our public land program. The bill proposes to utilize the tools of local zoning and cooperation to achieve proper disposal goals while, at the same time, providing needed authority for multiple-use management.

Prior to scheduling any hearings on this part of the public land review, the subcommittee will solicit the views of the various States and their subdivisions, as well as the views of various groups concerned with land management and use.

Part IV of the public land review involves the consideration of multiple-use legislation. Should the comprehensive land revision contemplated in part III of our review adequately treat the subject, this legislation would be unnecessary. There is presently before the committee S. 601, a bill introduced by the Senator from Utah [Mr. Moss] and the Senator from Wyoming [Mr. McGee] which would direct the Secretary of the Interior to manage the public lands under the jurisdiction of the Bureau of Land Management in the principles of multiple use and sustained yield. On March 25 the Secretary of the Interior transmitted to the Congress a request for similar legislation which I am today introducing. I ask unanimous consent that the message from the Secretary and the text of the proposed bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 1602) to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be managed under principles of multiple-use and to produce a sustained yield of products and services, and for other purposes, introduced by Mr. Bible, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of the Congress that (a) the public lands, (b) the revested Oregon and California and Coos Bay Wagon Road grant lands, and (c) all other Federal lands, including those situated in the State of Alaska, which are exclusively administered by the Secretary of the Interior through the Bureau of Land Management, shall be managed for (1) domestic livestock grazing, (2) fish and wildlife development and utilization, (3) industrial development, (4) mineral production, (5) occupancy, (6) outdoor recreation, (7) timber production, (8) watershed protection, (9) wilderness preservation, and (10) other beneficial purposes. Nothing herein shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to these lands.

Sec. 2. The Secretary of the Interior is authorized and directed to develop and administer the lands described in section 1 for multiple use and sustained yield of the several products and services obtainable therefrom. In the administration of such lands due consideration shall be given to all pertinent factors, including, but not limited to, ecology, priorities of use, and the relative values of the various resources in particular areas.

Sec. 3. As used in this Act, the following terms shall have the following meanings:

(a) The term "public lands" means any lands (1) withdrawn or reserved by Executive

Orders Numbered 6910 of November 26, 1934, as amended, or 6964 of February 5, 1935, as amended, or (2) within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, or (3) located in the State of Alaska, which are not otherwise withdrawn or reserved for a Federal use or purpose.

SEC. 4. The purposes of this Act are declared to be supplemental to the purposes for which any of the Federal lands in section 1 of this Act have been designated, acquired, withdrawn, reserved, held, or administered. This Act shall not be construed as a repeal, in whole or in part, of any existing law, including, but not limited to, the mining and mineral leasing laws.

The letter accompanying Senate bill 1602 is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., March 25, 1963.
Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of proposed legislation to authorize and direct that certain lands exclusively administered by the Secretary of the Interior be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes.

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The proposed bill would direct the Secretary of the Interior to manage the public lands and other Federal lands, including those situated in the State of Alaska, which are administered exclusively by the Secretary of the Interior through the Bureau of Land Management under the principles of multiple-use and sustained-yield management. The national forests were directed to be managed under these same principles by the act of June 12, 1960 (74 Stat. 215; 16 U.S.C. 528-531).

The lands which would be affected by this bill comprise a total of approximately 467 million acres, and contain an almost infinite variety of publicly owned resources. Through the years, the desirability of the planned management of these resources for maximum benefit to the general public has become increasingly apparent, not only to various organizations promoting conservation, but also to distinguished Members of the Congress and the executive branch of the Government.

The President in his special message to Congress on natural resources dated February 23, 1961, termed these lands "a vital national reserve that should be devoted to productive use now and maintained for future generations." The President took cognizance of the need for improved management of the public lands and directed the Secretary of the Interior in the above message to "develop a program of balanced usage designed to reconcile the conflicting uses—grazing, forestry, recreation, wildlife, urban development and minerals."

Congress took an important step in the direction of providing for the management and conservation of the public lands with the enactment in 1934 of the Taylor Grazing Act (43 U.S.C. sec. 315, et seq.). This law, in part, authorized the Secretary of the Interior, "in order to promote the highest use of the public lands pending its final disposal" to classify the public lands for various types of disposition and to establish and manage grazing districts in those areas where the lands are chiefly valuable for grazing and raising forage crops.

Three years later, in the historic O. & C. Act (43 U.S.C. 1181(a)) Congress directed that the revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road grant lands under the jurisdiction of the Secretary of the Interior be managed "for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal (sic) of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

When, in 1955, legislation was enacted authorizing the disposal of materials on public lands of the United States (30 U.S.C. 601), the Department, in conformity with the principles enunciated by Congress in the landmark O. & C. Act, adopted the goal of disposing of timber "in such a manner and in conformance with sound timber management principles as to obtain maximum permanent benefits and in addition, dispose of forest products under the principles of sustained yield management" 43 CFR 259.4(a).

Thus, in fiscal year 1962 under the provisions of these various management and sustained yield acts, almost 11 million head of sheep, horses, and cattle grazed on the lands administered by the Secretary through the Bureau of Land Management, and 1,165 million board feet of timber, of a value of over $30 million, was harvested therefrom. These same lands supported well over 2 million big game animals, and in addition, pursuant to leases issued under the Mineral Leasing Act (30 U.S.C. 181, et seq.) yielded revenues of slightly over $100 million.

It is now timely and highly desirable to have statutory recognition of multiple-use principles with respect to the lands being administered by the Secretary of the Interior through the Bureau of Land Management.

The enactment of the proposed bill would not preclude the disposition of any lands subject to classification and disposition under the Taylor Grazing Act, as amended, 43 U.S.C. 315f. Similarly, lands would continue to be disposed of under the Small Tract Act, as amended, 43 U.S.C. 682a, the Recreation and Public Purposes Act, as amended, 43 U.S.C. 869, and under such other public land laws as may require or render desirable the disposition of lands.

The proposed bill explicitly provides that it is not to be construed as a repeal, in whole or in part, of any existing law, including, without limitation, the U.S. mining laws and mineral leasing laws. The bill is not intended to, and would not, prohibit the reserving of lands for specific purposes.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed draft bill from the standpoint of the administration's program.

Sincerely yours,
STEWART L. UDALL,
Secretary of the Interior.

Mr. BIBLE. In order to assist in achieving an orderly flow of this legislation, the subcommittee will shortly publish a committee print which will contain the text of these bills and pertinent statistics which will be useful to the various groups considering the legislation.

At this time I want to assure all who may be interested that the subcommittee intends to proceed with deliberate speed and that it will take into account, as best it can, all the recommendations which may be made to it. The public land laws of the United States have been in effect for many, many years and there is a definite need to modernize them. The subcommittee will want, however, to proceed with caution so that any new legislation which is enacted will include all the features necessary for sound public land administration.

INCREASE IN CAPITAL STOCK OF INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock.

The proposed legislation has been requested by the Secretary of the Treasury, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point together with the letter from the Secretary of the Treasury dated May 13, 1963, in regard to it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1603) to amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Bretton Woods Agreements Act, as amended (22 U.S.C. 286–286K–1), is amended by adding at the end thereof the following new section:

"SEC. 19. The United States Governor of the Bank is authorized to vote for an increase of $1,000,000,000 in the authorized capital stock of the Bank under article II, section 2, of the articles of agreement of the Bank, as recommended in the report, dated November 6, 1962, to the Board of Governors of the Bank by the Bank's Executive Directors."

The letter presented by Mr. FULBRIGHT is as follows.

THE SECRETARY OF THE TREASURY,
Washington, May 13, 1963.
The Honorable LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a proposed bill, "To amend the Bretton Woods Agreements Act to authorize the U.S. Governor of the International Bank for Reconstruction and Development to vote for an increase in the Bank's authorized capital stock," together with a Special Report of the National Advisory Council on International Monetary and Financial Problems on the subject.

The draft bill is technical in nature. It would authorize the U.S. Governor of the Bank to vote for an increase of $1 billion in the authorized capital stock of the Bank as provided for in a draft resolution now pending before the Board of Governors. The

United States will not subscribe to any of the new shares, hence the approval of the draft legislation would not contemplate or require the appropriation or expenditure now or in the future of any funds by the United States. However, section 5 of the Bretton Woods Agreements Act (59 Stat. 514, 22 U.S.C. 286C) requires congressional authorization for the U.S. Governor to agree to an increase in the capital stock of the Bank whether or not the United States actually subscribes to any part of the increase.

The last legislative action in regard to the capital of the Bank took place in 1959, when the Congress amended the Bretton Woods Agreements Act to authorize the U.S. Governor to the Bank to vote for a 100-percent increase in authorized capital, raising the Bank's total authorized capital from $10 billion to $20 billion, and for a further $1 billion special increase in authorized capital to meet anticipated subscription needs (Public Law 86-48, approved June 17, 1959, 73 Stat. 80). Upon the increase in the Bank's capital, members increased their subscriptions by not less than 100 percent generally, and by larger percentages in the case of certain members. On its part, the United States, under authority of the same 1959 legislation amending the Bretton Woods Agreements Act, subscribed to an increase of $3,175 million in the callable portion of its subscription, bringing the total U.S. subscription to $6,350 million.

As of March 15, 1963, $20,710 million of the authorized capital had been subscribed by member countries, leaving an unsubscribed balance of $290 million. However, expected increases in capital subscriptions currently amount to $66 million. In addition, pending membership applications from 18 countries will involve capital subscriptions of over $300 million. Thus, subscription requirements already in view substantially exceed the balance of available authorized capital.

To meet this situation, the Board of Governors, at the annual meeting of the Bank in September 1962, adopted a resolution directing the executive directors to consider the question of a $1 billion increase in the Bank's authorized capital and to submit a proposal to the Governors for action. The executive directors, in a report of November 9, 1962, concluded that an increase in capital stock is desirable to insure that the Bank has adequate capital stock for additional new members and to provide for special increases in members' capital subscriptions. Attached to the report was a draft resolution for the approval of the Board of Governors which authorizes an increase of $1 billion in authorized capital stock. The draft resolution also provides that in the absence of notice to the contrary by December 31, 1963, members waive their rights to subscribe to a proportionate share of the increase as provided in article II, section 3(c) of the Bank's articles of agreement. This provision was inserted in order to formalize the expectation that present members will not avail themselves of their right to subscribe to the new capital stock. The United States at present has approximately 28 percent of total votes in the Bank. Even with the subscription of newly authorized capital by others, the United States will continue to have a sufficiently large proportion of the votes to assure adequate representation of its interests.

Since its foundation the United States has actively participated in the work of the Bank. We have strongly supported its highly successful efforts in promoting economic development in less developed areas. The passage of the draft legislation would assure the continued smooth functioning and expansion of the Bank.

It would be appreciated if you would lay the proposed bill before the Senate. A similar proposal has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

Douglas Dillon.

PREMARKETING CLEARANCE OF INSECTICIDES

Mr. RIBICOFF. Mr. President, as the Senate knows, the Subcommittee on Reorganization and International Organizations has started its study of interagency coordination in environmental hazards. Our initial hearings are being devoted to the problems of chemical poisons, especially pesticides, and we have already found that there are a number of problems in this field that warrant careful study.

I am pleased to note also that the Commerce Committee, under the chairmanship of the distinguished senior Senator from Washington, has announced its intention to look into those aspects of this field that come within its jurisdiction. This is a most significant development, and I am hopeful that before long other committees of the Congress will find that there are parts of this problem which merit their serious attention as well.

The focus of our inquiry is upon the problem of coordination of policy and programs within the Federal Government. Just last week we uncovered an important example where lack of coordination has perpetuated a serious gap in Federal law that should have been closed some time ago.

Under present law a manufacturer who wants to market a pesticide applies to the Department of Agriculture for registration. The Department reviews the application to determine whether the product is safe and whether the labeling is proper. If the Department disapproves the product, present law permits the manufacturer to market the product under a procedure called protest registration.

This means that the Department of Agriculture can determine that a product is too hazardous to be allowed on the market, yet that same product can be sold to the public, and there will not even be a warning on the label to tell unsuspecting purchasers that it has been disapproved by the Government. The Government's only remedy then is to catch up with the product after it has been placed on the market and bring a court action to have it removed. But this may not happen for a great length of time, and until it does, the public continues to buy the product. This has happened before, and there are products for sale today that have been disapproved by the Department of Agriculture.

The problem is similar to the one that had existed in the drug field until adequate legislation was passed. As with drugs, the issue is whether an undesirable product will come on the market and stay on the market until the authorities catch up with it, or whether premarket clearance will make sure that the public is never subjected to a hazard in the first place.

At our hearings last week, we learned that the Secretary of Agriculture strongly favors a change in the law to close this gap. Yet we also have learned that no bill has been submitted to Congress by the executive branch for a considerable length of time because of disagreements between agencies on the details of such a bill.

Of course, recommendations from the executive branch are often helpful to Congress, but I do not believe there is any need for Congress to wait for such recommendations. We have our own responsibilities, and initiating needed legislation is certainly one of the most important parts of our job.

I am therefore introducing today, for myself and the Senator from Kansas [Mr. Pearson], a bill to end the practice of protest registrations. This means that premarketing clearance will be required of all insecticides without the exception presently contained in the law. Provision is made for hearings on all applications and judicial review of any disapproval.

The bill deletes the provisions now in the Federal Insecticide, Fungicide, and Rodenticide Act for registration of economic poisons under protest and prescribes the procedure to be followed in refusing or canceling registrations. Provision is made for referral of the question of eligibility of an article for registration to an advisory committee; for public hearing if requested with respect to the Secretary's action after consideration of the views of such committee; and for judicial review of the order issued by the Secretary after such hearing. The procedure generally follows that provided in the Federal Food, Drug, and Cosmetic Act with respect to pesticide chemicals. In addition, the bill gives the Secretary of Agriculture power to require that every pesticide formulation carry its registration number on the label.

The need for this legislation has been recognized by the executive branch and by industry representatives. I am hopeful that hearings can soon be held.

I ask unanimous consent that the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1605) to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes, introduced by Mr. Ribicoff (for himself and Mr. Pearson), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2.z.(2)(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163, as amended; 7 U.S.C. 1958 ed., Supp. III, 135(z)(2)(b)) is hereby amended by inserting before the semicolon at the end thereof the following phrase: "other than the registration number assigned to the economic poison."

Sec. 2. Section 3 of said Act (61 Stat. 166; 7 U.S.C. 135a) is hereby amended by deleting the word "and" at the end of section 3.a.(2) (b), changing the period at the end of section 3.a.(2) (c) to a semicolon, and adding after section 3.a.(2) (c), a new provision reading as follows: "and (d), when required by regulation of the Secretary to effectuate the purposes of this Act, the registration number assigned to the article under this Act."

Sec. 3. Section 4 of said Act (61 Stat. 167; 7 U.S.C. 135b) is hereby amended by changing the word "registrant" wherever it appears in subsection a. and in the first sentence of subsection c. to "applicant for registration" and by deleting the remainder of subsection c. and inserting in lieu thereof the following:

"If, upon receipt of such notice, the applicant for registration does not make the corrections, the Secretary shall refuse to register the article. The Secretary, in accordance with the procedures specified herein, may require the modification of the claims or labeling of, or cancel the registration of, an economic poison whenever it does not appear that the article or its labeling or other material required to be submitted complies with the provisions of this Act. Whenever the Secretary determines that registration of an economic poison should be refused, or that an economic poison that is registered does not appear to warrant the claims made for it or that the article or its labeling or other material required to be submitted does not comply with the provisions of this Act, he shall notify the applicant for registration or the registrant of his determination and the reasons therefor. Within thirty days after service of such notice, the applicant for registration or the registrant may file a petition requesting that the matter be referred to an advisory committee to be appointed by the Secretary. Each such advisory committee shall be composed of experts, qualified in the subject matter and of adequately diversified professional background selected by the National Academy of Sciences and shall include one or more representatives from land-grant colleges. The size of the committee shall be determined by the Secretary. Members of an advisory committee shall receive as compensation for their services a reasonable per diem, which the Secretary shall by rules and regulations prescribe, for time actually spent in the work of the committee, and shall in addition be reimbursed for their necessary traveling and subsistence expenses while so serving away from their places of residence. The members shall not be subject to any other provisions of law regarding the appointment and compensation of employees of the United States. The Secretary shall furnish the committee with adequate clerical and other assistance, and shall by rules and regulations prescribe the procedures to be followed by the committee. The Secretary shall forthwith submit to such committee the application for registration of the article and all relevant data before him. The petitioner, as well as representatives of the United States Department of Agriculture, shall have the right to consult with the advisory committee. As soon as practicable after any such submission, but not later than sixty days thereafter, unless extended by the Secretary for an additional sixty days, the committee shall, after independent study of the data submitted by the Secretary and all other pertinent information available to it, make a report and recommendation to the Secretary as to the registration of the article. After due consideration of the views of the committee and all other data before him, the Secretary shall make his determination and issue an order, with findings of fact, with respect to registration of the article and notify the applicant for registration or registrant. Any person adversely affected thereby may file objections thereto and request a public hearing thereon. In the event a hearing is requested, the Secretary shall, after due notice, hold such public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. Any report, recommendations, underlying data, and reasons certified to the Secretary by an advisory committee shall be made a part of the record of the hearing, if relevant and material, subject to the provisions of section 7(c) of the Administrative Procedure Act (5 U.S.C., sec. 1006(c)). The National Academy of Sciences shall designate a member of the advisory committee to appear and testify at any such hearing with respect to the report and recommendations of such committee upon request of the Secretary, the petitioner, or the officer conducting the hearing: *Provided*, That this shall not preclude any other member of the advisory committee from appearing and testifying at such hearing. As soon as practicable after completion of the hearing, the Secretary shall act upon such objections and issue an order granting, denying, or canceling the registration or requiring the modification of the claims or the labeling. Such order shall be based only on substantial evidence of record at such hearing, including any report, recommendations, underlying data, and reason certified to the Secretary by an advisory committee, and shall set forth detailed findings of fact upon which the order is based. All data submitted to the Secretary or to an advisory committee in support of a petition under this section shall be considered confidential by the Secretary and by such advisory committee until final action is taken concerning registration of the product. Until such final action such data shall not be revealed to any person other than those authorized by the Secretary or by an advisory committee in the carrying out of their official duties under this section. Notwithstanding any other provision of this section, the Secretary may, when he finds that such action is necessary to prevent an imminent hazard to the public, by order, suspend the registration of an economic poison immediately. In such case, he shall give the registrant prompt notice of such action and afford the registrant the opportunity to have the matter submitted to an advisory committee and for an expedited hearing under this section. Final orders of the Secretary under this section shall be subject to judicial review, in accordance with the provisions of subsection d. In no event shall registration of an article be construed as a defense for the commission of any offense prohibited under section 3 of this Act."

Sec. 4. Section 4 of said Act (61 Stat. 167; 7 U.S.C. 135b) is hereby further amended by redesignating subsections d. and e. as subsections e. and f., and by adding a new subsection d., as follows:

"d. In a case of actual controversy as to the validity of any order under this section, any person who will be adversely affected by such order may obtain judicial review by filing in the United States Court of Appeals for the circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia Circuit, within sixty days after the entry of such order, a petition praying that the order be set aside in whole or in part. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose, and thereupon the Secretary shall file in the court the record of the proceedings on which he based his order, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have exclusive jurisdiction to affirm or set aside the order complained of in whole or in part. The findings of the Secretary with respect to questions of fact shall be sustained if supported by substantial evidence when considered on the record as a whole, including any report and recommendation of an advisory committee. If application is made to the court for leave to adduce additional evidence, the court may order such additional evidence to be taken before the Secretary, and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper, if such evidence is material and there were reasonable grounds for failure to adduce such evidence in the proceedings below. The Secretary may modify his findings as to the facts and order by reason of the additional evidence so taken, and shall file with the court such modified findings and order. The judgment of the court affirming or setting aside, in whole or in part, any order under this section shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 18 of the United States Code. The commencement of proceedings under this section shall not, unless specifically ordered by the court to the contrary, operate as a stay of an order. The court shall advance on the docket and expedite the disposition of all causes filed therein pursuant to this section."

Sec. 5. Subsection 8.b. of said Act (61 Stat. 170; 7 U.S.C. 135f.(b)) is hereby amended by deleting the second proviso therein.

Sec. 6. Subsection 3.a.(1) and subsection 9.a.(1) (b) of said Act (61 Stat. 166, 170; 7 U.S.C. 135a.(a) (1), 135g.(a) (1) (b)) are hereby amended by changing the phrase "has not been registered" wherever it appears therein, to read "is not registered."

Sec. 7. This Act and the amendments made hereby shall become effective upon enactment.

AMENDMENT OF INTERSTATE COMMERCE ACT, RELATING TO RECOVERY OF REASONABLE ATTORNEY'S FEES IN CERTAIN CASES

Mr. MAGNUSON. Mr. President, at the request of the American National Cattlemen's Association and the National Woolgrowers Association, I introduce, for appropriate reference, a bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property. I ask unanimous consent to have printed in the Record a brief in support of the bill by those two associations.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the brief will be printed in the Record.

The bill (S. 1606) to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The brief presented by Mr. Magnuson is as follows:

Brief in Support of Proposed Bill To Amend Paragraph 11 of Section 20 of the Interstate Commerce Act

That the proposed amendment is required by the farmers, producers, shippers and consignees of fruits, livestock, vegetables, and other perishable commodities to insure the payment of the full actual loss, damage, or injury to property in transportation caused by any common carrier, railroad, or transportation company as provided in paragraph (11) of section 20 of the Interstate Commerce Act, hereinafter termed the "act." In support of such amendment we respectfully say:

I. That paragraph (11) of section 20 constitutes the Carmack amendment, enacted as part of the Hepburn Act of June 29, 1906, as amended by the first Cummins amendment of March 4, 1915, the second Cummins amendment of August 9, 1916, the transportation act, 1920, the act of July 3, 1926, the Newton amendment of March 4, 1927, the act of April 23, 1930, United States Code, August 9, 1935; 34 Stat. 595; 38 Stat. 1197; 39 Stat. 441; 44 Stat. 835; 44 Stat. 1448; 46 Stat. 251; 49 Stat. 543, and 54 Stat. 919.

(a) That while paragraph (11) of section 20 definitely provides the liability of any common carrier, railroad, or transportation company * * * shall be the full actual loss, damage, or injury to the property caused by it or them, and further provides time for filing claims and instituting suits, it is silent as to reasonable attorney's fees in such suits.

II. (a) That section 8, and paragraph (2) of section 16 of the act, each contains provision respecting reasonable attorney's fee, substantially the same as here proposed to be added to paragraph (11) of section 20.

1. That, however, the U.S. Supreme Court in *Atlantic Coast Line R. Co.* v. *Riverside Mills* (219 U.S. 186 (1911)), held:

"Section 8 of the act, providing for the taxing of an attorney's fee as part of the costs, applies to cases where the cause of action is the doing of something made unlawful by some provision of the act, or the omission to do something required by the act, and there is a recovery of damages sustained in consequence of such violation of the act, but does not apply to cases where, as here, the loss or damage is in no way traceable to the violation of any provision of the act."

2. That the Court in *Meeker* v. *Lehigh Valley R. Co.* (236 U.S. 412 (1915)) further ruled, in substance:

"The services for which an attorney's fee is to be taxed and collected, as provided in sections 8 and 16 are those in Court action, involving violation of some provision of the act, in which the recovery is had and not those in the proceeding before the Interstate Commerce Commission, hereinafter termed the 'Commission'."

3. That as loss, damage, or injury to property in transportation is not traceable to the violation of any provision of the act, as stated by the Court in *Atlantic Coast Line R. Co., supra,* the shipping public, under the present act, cannot recover reasonable attorney's fee as a part of the costs of the suit.

III. That the anomalous situation confronting the shipping interests is illustrated, using the same shipment, by the following:

1. That the rates and charges thereon are assailed before the Commission as unreasonable under section 1 of the act, and reparation is sought. After an investigation by the Commission, it finds for complainant and awards reparation. Complainant brings suit, and the Court, as is usual in such case, enters judgment for the plaintiff, and under section 16(2) of the act, reasonable attorney's fee is taxed and collected from defendant as a part of the costs of the suit.

2. That the same shipment was partly lost, damaged, or injured in transit. The owner files a claim, which the carrier refuses to pay, and the owner seasonably institutes suit, and sustains the burden of proof on the trial of the case. The Court enters judgment in favor of the owner for the full actual loss to the shipment. However, the owner must pay and bear the reasonable fee of his attorney as the present law governing such loss and damage suits estops the Court from including such fee as part of the costs of the suit. The owner is "out" the amount of the attorney's fee.

IV. That common carriers, railroads, or transportation companies have been and are fully cognizant of the foregoing facts, and proceed accordingly. Rarely do they pay more than 50 percent of the full actual loss, if anything, account loss, damage, or injury to perishable traffic, including livestock. Consequently, the owners of such traffic have been and are being deprived of millions of dollars annually to which they are rightfully and lawfully entitled. Thousands of such transactions could be cited, of which the following are representative:

1. Amount claim $406.50: "The additional investigation conducted has developed time of loading origin, equipment was inspected and found to be mechanically okay and cars were freshly bedded. The shipment was handled in accordance with the contemplated schedule and was stopped for the normal times for F.W. & R. while enroute. You, of course, can appreciate the natural droppings from calves after being confined to cars for approximately 8 days would, of course, contribute considerably to condition of bedding at time of arrival destination. Also, we have been advised that this condition was not reported to the carrier until approximately 2 days after arrival at which time it was noted that calves were developing 'shipping fever'. As you know, shipping fever is a disease which increases in virulence and is a condition over which the carriers would have no control nor be responsible for due to the inherent weakness or natural propensity of the animals. * * * Therefore, have no alternative than to confirm disallowance of claim."

2. Amount claim $2,402.16: "Shipment was handled in accordance with the contemplated schedule, being stopped at * * * and * * * for feed, water, and rest. Stock was being unloaded at * * * with one dead being noted at that point. Upon arrival at destination, at time of unloading four head dead, seven down, five sick. Veterinarian was called, diagnosed sickness as being hemorrahagic septicemia, basing diagnosis on autopsy. Mr. * * * was notified and local veterinarian was authorized to treat the animals on the approval of Mr. * * * delivering carrier's agent."

"This being a clear record case, have no choice than to advise you claim for 11 dead * * * from hemorrhagic septicemia is respectfully disallowed. However, and so as to concede all possible doubt in favor of the claimant, I do offer to adjust for 50 percent the average value of one head dead * * * plus $45 salvage realized from sale of one animal at, * * * or $145.09, and would like to have your permission to so adjust. Other than amount offered claim being respectfully disallowed."

3. Amount claim $375.58: "Now find that this shipment was loaded at, * * * received by the * * * from the * * * and arrived at stockyards, * * *, and unloaded. Reloaded at * * * unloaded * * * reloaded at * * * and unloaded * * *, reloaded and arrived destination same date, and unloaded.

"In view of the detailed service record, and in accordance with the uniform and consistent practice, and so as to concede all possible doubt in your favor, offer is made to adjust for 50 percent the average value of two head, or $187.79, and would like your permission to do so. Other than the foregoing offer, balance of claim is respectfully disallowed."

That the following is a rare exception to the prevailing policy of the carriers to either deny any payment or to pay only 50 percent of the full actual loss, damage, or injury:

4. Amount claim $250.80: "Investigation has also developed there was no carrier negligence, or mishandling, per copy of the movement attached. It is apparent the animals died of natural causes, or from getting down in the car and suffocating. * * * This would make the average value of the lambs to be $21.24 each, or a total of $233.64. In line with the uniform and consistent practice, am willing to adjust this claim on a basis of 75 percent of the $233.64, or $175.23. * * * I am therefore willing to adjust this claim for 75 percent of $233.64, the value of the 11 head of sheep, plus $18.20 refund on the feed at * * * or a total of $193.43, and request your permission to do so. Any amount over the proposed offer of settlement is respectfully disallowed."

V. That claimants under the existing law are forced, generally, to pay and bear their attorneys' fees in suits for loss, damage, or injury to perishable shipments, including livestock, is the proximate cause for the chiseling tactics of the carriers hereinbefore outlined respecting such claims, is clear. In some instances where claimants have refused to accept less than the amount of the full actual loss, damage, or injury, and signified their intention to bring suit, the carriers have reluctantly increased their offers to as much as 75 percent of such loss; in other cases, the carriers have pointed out to claimants that the latter would have to pay their attorneys' fees, and the carriers have offered to and did pay on such claims the amount of the full loss, damage, or injury, less the estimated amount of the attorneys' fees. Therefore, the farmers, producers, shippers, and consignees of fruits, livestock, vegetables, and other perishable commodities, are subjected to unjust discrimination, undue prejudice and preference at the hands of the carriers in the settlement of legitimate claims for loss, damage, or injury. Consequently the proposed amendment to paragraph (11) of section 20 should be enacted into law.

Respectfully submitted.

AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION,
Denver, Colo.
NATIONAL WOOL GROWERS ASSOCIATION.
Salt Lake City, Utah.

AMENDMENT OF PARAGRAPH (4), SECTION 15, OF INTERSTATE COMMERCE ACT

Mr. MAGNUSON. Mr. President, at the request of the American National Cattlemen's Association and the National Woolgrowers' Association, I introduce, for appropriate reference, a bill to amend paragraph (4) of section 15 of the Interstate Commerce Act. I ask unanimous consent to have printed in the Record a brief in support of the bill by those two associations.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the brief will be printed in the Record.

The bill (S. 1607) to amend paragraph (4) of section 15 of the Interstate Commerce Act, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The brief presented by Mr. Magnuson is as follows:

Brief in Support of Proposed Bill To Amend Paragraph 4 of Section 15 of the Interstate Commerce Act

That paragraph 4 of section 15 of the Interstate Commerce Act, hereinafter termed the act, contains limitations on the power of the Interstate Commerce Commission, hereinafter termed the Commission, to prescribe through routes, and is commonly known and hereinafter referred to as the short-haul provision of the act, and provides:

"In establishing any such through route the Commission shall not (except as provided in section 3, and except where one of the carriers is a water line) require any carrier by railroad, without its consent, to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction and under a common management or control therewith, which lies between the termini of such proposed through route, (a) unless such inclusion of lines would make the through route unreasonably long as compared with another practicable through route which could otherwise be established, or (b) unless the Commission finds that the through route proposed to be established is needed in order to provide adequate, and more efficient or more economic, transportation: *Provided, however*, That in prescribing through routes the Commission shall, so far as is consistent with the public interest, and subject to the foregoing limitations in clauses (a) and (b), give reasonable preference to the carrier by railroad which originates the traffic. No through route and joint rates applicable thereto shall be established by the Commission for the purpose of assisting any carrier that would participate therein to meet its financial needs."

Average circuity by major commodity groups and short-line length of haul

[In percent]

Mileage blocks	All commodities	Products, agriculture	Animals and produce	Products, mines	Products, forests	Manufacturings and miscellaneous
1 to 49	14	30	----------	6	6	19
50 to 99	16	19	0	13	16	19
100 to 199	16	20	4	16	12	18
200 to 399	15	16	10	13	11	18
400 to 599	14	18	6	12	10	17
600 to 999	14	12	8	18	13	16
1,000 to 1,399	13	11	8	14	13	15
1,400 and over	12	12	5	21	10	12
Total	14	13	8	14	11	15

(e) Obviously, the required or authorized movements of freight via circuitous routes are wasteful transportation. They result in increased operating expense and decreased net operating revenue of the railways as a whole, and are violative of the national transportation policy. Moreover, the circuitous hauling of commerce cannot be reconciled with paragraph 2 of section 15a of the act respecting honest, economical, and efficient management of the railways as a whole.

VI. (a) That there can be no sound argument that circuitous hauling of traffic by the rail lines does not increase their operating expenses. The Commission has prepared and made available to the public numerous studies of railroad carload costs. Thereunder such costs increase as the distance increases. Moreover, such cost scales, generally, include or require an allowance for 14-percent circuity in each territory (i.e., the amount by which the actual miles of haul exceed the short-line or ratemaking miles), based upon the report for 1947 hereinbefore cited (I.C.C. statement No. 2–54, May 1954, p. 7). Therefore, scales of rates prescribed by the Commission, or voluntarily established by the rail carriers, based upon such studies, apparently are 14 percent higher than they would be if circuitous transportation was nonexistent. Thus, the shipping public is unduly burdened thereby, and the rail lines have no incentive to, and therefore, they see no necessity for, curtailing or eliminating their uneconomical and wasteful transportation.

(b) Likewise the decreased net operating revenue of the railways resulting from circuitous and wasteful transportation appears to be of no great concern to them. They merely seek further general increases, and there have been eight such permanent proceedings since 1946, in all their rates and charges to recoup their losses due to such wasteful transportation, and other factors.

In Increased Freight Rates, 1951 (284 I.C.C. 589), the Commission, at page 612, said:

"Neither the strongest nor the weakest lines can control the rate adjustment; and as has been shown, the great body of the rail carriers are in the middle class, with aggregate earnings that for the immediate future must be considered as substandard, and inadequate."

1. Therefore, the middle class or average rail carriers are the yardstick. Consequently, transportation should be conducted so as to improve their conditions, as distinguished from that of particular carrier or carriers. Eliminating circuitous hauling of freight, by the repeal of the short-haul provision of the act, will result in decreased operating expense and material increase in the net operating income of the railways, all of which is in the public interest, as contemplated by the national transportation policy.

VII. While generally the originating railway zealously retains its long haul, the fact that there are important exceptions thereto strongly establishes that the "long haul" is used in some instances as a bargaining or trading factor between the originating and other lines. For example, the Union Pacific to retain its long haul refused to establish through routes and joint rates with the Denver & Rio Grande Western Railroad Co., on traffic between points in the Northwest, on the one hand, and points Denver and east thereof, on the other hand. *Denver & R.G.W. R. Co.* v. *Union Pac. R. Co.* (287 I.C.C. 611). However, on traffic originating on the Union Pacific in Colorado, Iowa, Kansas, Missouri, and Nebraska and destined to points in California, the Union Pacific does not retain its long haul but delivers such traffic to the Atchison, Topeka & Santa Fe Railway Co. and other carriers at Denver or east thereof although it could handle the traffic through to Barstow, Calif., via its own line and thus secure its long haul. The Union Pacific and its connections defended the latter practice before the Commission in *Kern Valley Packing Co.* v. *Atchison, T. & S.F. Ry. Co., supra.*

VIII. The railways, in support of their position and practices, hereinbefore outlined, rely upon the short-haul provision of the act. In order for a shipper or consignee to secure relief thereunder he must file formal complaint with the Commission and adduce evidence upon the trial to establish either or both of the propositions, (a) that present through route is unreasonably long as compared with another practicable through route which could otherwise be established, or (b) that the through route proposed to be established is needed in order to provide adequate, and more efficient or more economic, transportation. Moreover, in the majority of such cases where the Commission finds in favor of complainants, the railways appeal to the courts and after substantial cost, effort and time to all concerned the Supreme Court of the United States ultimately decides the controversy. Therefore, stronger degree of proof is first required before the Commission than otherwise if complainant is to prevail and second, long drawn-out court proceedings generally follow before relief is obtained. *D. A. Stickell & Sons, Inc.*, v. *Alton R. Co.* (255 I.C.C. 333); *Pennsylvania R. Co.* v. *United States* (323 U.S. 588); *Omaha Grain Exc. of Omaha, Nebr.* v. *Missouri Pac. R. Co.* (278 I.C.C. 519); *Thompson* v. *United States* (343 U.S. 549); *Valier Community Club* v. *Montana Western Ry. Co.* (275 I.C.C. 512); *United States* v. *Great Northern R. Co.* (343 U.S. 562); *Chicago, M., St. P. & P. R. Co.* v. *United States* (366 U.S. 745), and many others cited in annual reports of the Commission to the Congress. Consequently, in a large number of instances the shipping public suffers in silence rather than to become involved in such costly litigation, and the railways continue to further dissipate their net earnings through inefficient, uneconomic, and wasteful circuitous transportation, contrary to the public interest and the national transportation policy.

In the Chicago, M., St. P. & P. R. Co. case, supra, the Supreme Court in a 6 to 2 decision recently ruled that the protection against short hauling in section 15(4) of the act, although "framed in the singular," applies where two railroads own a third railroad as well as when only a single railroad and a subsidiary are involved, and affirmed the judgment of the Federal district court sustaining the decision of the Commission.

However, Justice Douglas wrote a dissenting opinion, in which he was joined by Justice Black. Therein he said that the question presented concerned the meaning of the words "common management or control" as they were used in section 15(4) of the act. He declared that "if the Great Northern and the Northern Pacific, which own the Spokane, Portland & Seattle Line, are to be granted the special monopolistic protection now extended, section 15(4) should be rewritten."

Proponents of the proposed bill to cancel the short-haul provision of section 15(4) of the act agree with Justices Douglas and Black that said provision is monopolistic and should be rewritten; however, reducing the two spears of grass to one would not go far enough. It would still leave the monopolistic provision in the act, contrary to the public interest and the national transportation policy.

IX. (a) The short-haul provision was enacted in 1910. The Commission was opposed to the provision at that time. Difficulties were encountered in administering it, which are well illustrated in various decisions of the Commission and the courts, and in a number of annual reports to the Congress between 1930 and 1940 the repeal of the provision was recommended.

(b) In 1937 the then Federal Coordinator of Transportation, the late Joseph B. Eastman, made a similar recommendation in which the Commission concurred (S. Doc. No. 152, 73d Cong., 2d sess., p. 94) saying:

"Upon consideration, however, it appears that the Commission was right in 1910 when it opposed the proviso in its entirety. Railroads have no private or proprietary rights with respect to the traffic which they originate, and railroad lines are built to furnish transportation service to the public. These lines ought to be used to the best public advantage, in the public interest, and the Commission ought to have full power to require their joint use with that end in view. It follows that the proviso should be entirely eliminated, as it already has been, in effect, where one of the participating carriers is a water line."

(c) In 1940 when the Transportation Act of 1940 was under consideration, Commissioner Eastman, as Chairman of the Commission's Legislative Committee, repeated this recommendation in a joint letter to Chairmen Wheeler and Lea, dated January 29, 1940 (House committee print, 76th Cong., 3d sess., p. 47). The Congress did not see fit to follow that recommendation, and since then section 15(4) has continued to be a perennial center of controversy before the Commission and the courts.

(d) The Commission in its report on S. 438 to Hon. Edwin C. Johnson, chairman, Senate Committee on Interstate and Foreign Commerce, dated February 1, 1949, suggested the repeal of section 15(4) and in its further report to Mr. Johnson on S. 792, dated February 10, 1949, the Commission recommended the repeal of the first two sentences and the retention of the third sentence of section 15(4), and submitted proposed bill identical to the instant proposed bill, in lieu of S. 792. Moreover, the Commission in its report on S. 2782 to Hon. Edwin C. Johnson, dated April 21, 1952, reiterated its prior and repeated opposition to the short-haul provision here concerned (Senate committee print, 82d Cong., 2d sess., p. 1681). However, the Congress did not adopt the Commission's recommendations and the controversy has continued before the Commission and the courts.

That the short-haul provision of the act, which the proposed bill would repeal, is repugnant to the public interest, and the national transportation policy as declared by the Congress in 1940 to promote safe, adequate, economical and efficient service and to foster sound economic conditions in rail transportation. The short-haul provision results in inefficient, uneconomical, substantial and needless wasteful transportation by the railways, and greatly increased operating expenses which are saddled upon and borne by the shipping public. In support of the foregoing we respectfully say:

I. That since February 27, 1920, under the act, the railways of the Nation, in theory at least, are supposed to constitute a national railway transportation system. However, on October 31, 1954, in actual practice, there were a total of 444 separate and distinct railways (126 class I and 318 class II and III) reporting to the Commission, not including 135 switching and terminal companies, of joint terminal companies, and 41 electric lines (Commission's 68th annual report (1954), p. 68). Consequently, instead of a national railway transportation system there were, at least, 444 separate and independent railways each of which takes the position that it has a private or proprietary right with respect to the traffic which it originates, and juggles the freight tariffs traffic and traffic accordingly.

II. That, therefore, in actual practice, it rests within the power of the individual railways by insistence on their long hauls to place localities and shippers on the lines of other railways or not on their direct lines at severe rate and competitive disadvantages and to deprive shippers of relatively equal opportunities in markets served only by them. However, because of the short-haul provision of the act, the Commission cannot make any general order which will correct this situation, but must apply its mandatory process to particular cases, which must be presented and considered upon their individual merits. *Investigation of Alleged Unreasonable Rates on Meats* (23 I.C.C. 656 (May 13, 1912)). As hereinafter shown, in some detail, such procedure places an unwarranted, costly, and unbearable burden upon the shipping public.

III. That is has been and is well understood that the carriers' operating costs for moving traffic increase as the distance increases. Therefore, for many years it has been the practice of the Commission to prescribe maximum reasonable class and commodity rates on mileage basis. In such cases the Commission since June 6, 1922, has said that "the rate between any two points shall be determined by the shortest route over which carload traffic can be moved without transfer of lading." *Southern Class Rate Investigation* (100 I.C.C. 513), *Consolidated Southwestern Cases* (123 I.C.C. 203; 269 I.C.C. 214), *Western Trunk-Line Class Rates* (164 I.C.C. 1), *Eastern Class-Rate Investigation* (164 I.C.C. 314), *Livestock—Western District Rates* (176 I.C.C. 1), hereinafter termed the Western Livestock case, and later cases too numerous to mention. In *National Forge and Ordnance Co.* v. *Pennsylvania R. Co.* (256 I.C.C. 744), the Commission, at page 745, stated:

"However, in fixing the mileage which is to govern a rate between any two points, it is customary to use the distance over the shortest line or route over which carload traffic can be moved without transfer of lading, and not the distance over a longer route which may be more satisfactory for operating purposes."

Hence, circuitous hauling of freight should be discontinued whenever possible.

IV. (a) That in the Western Livestock case the Commission in 1931 prescribed maximum reasonable mileage rates, which were the same for both single-line or joint-line application, for the future on edible livestock for distances of 2,500 miles and less throughout the western district of the United States. Therein the Commission, at page 83, said:

"That rates in excess of those so determined are, and for the future will be, unreasonable; that the rate between any two points shall be determined by the shortest route over which carload traffic can be moved without transfer of lading, except that in making the rate for an interterritorial haul the rate shall be determined by the route which, when the arbitrary is considered, will result in the lowest rate; but that where said shortest route would, within the meaning of section 15(4) of the act, short haul a carrier, * * * the carrier be not required to maintain over said shortest route the rate determined as above indicated."

(b) That the prescribed rates became effective January 25, 1932. However, while the rates between any two points were based on the short-line distance between said points, their joint-line application, generally, was not authorized by the railways over the short-line route, or over many other slightly longer routes, but was purposely restricted by the railways to substantially greater distance routes, in order to preserve to the origin or destination lines their long haul. Consequently, where shippers or consignees route their livestock over the short-line or slightly longer routes not authorized by the governing tariffs, in order to avoid additional stops for feed, water, and rest under the Federal 28- to 36-hour law, the higher cost thereof, and excess shrink to their livestock resulting from moving such perishable traffic over the greater distant routes authorized by the railways, such shippers have been and are charged materially higher combination of the full local rates. Numerous illustrations can be cited but the following should suffice:

1. That between representative origin in New Mexico and destination in Nevada, from and to which there has been an annual movement of livestock, the short-line and ratemaking distance via a practical route was only 1,059 miles compared with distance of 2,139 miles via the only authorized tariff route, which was 201.93 percent of the short-line distance route. However, in order to secure its long haul the origin line for 22 years only authorized routing via its unduly circuitous route; it held itself out to move the livestock 2,139 miles over its line at the prescribed rate for only 1,059 miles. The experienced livestock shippers and receivers would not allow their shipments to move via the circuitous route for the reasons hereinbefore stated, and directed that their livestock move via the shorter and direct route via which combination of the local rates of $1.2995 per 100 pounds prior to January 15, 1954, was assessed and collected by the railways and paid by the consignees, compared with prescribed rate of $1.0868 had the livestock moved via the unreasonably longer authorized route. In other words, the consignees were penalized 21.27 cents per 100 pounds to move their livestock but 1,059 miles while the railways would have moved it 2,139 miles at the lower rate prescribed for 1,059 miles.

2. That between representative origin in North Dakota and destination in California the short-line distance was 1,960 miles. However, the distance via the shortest-authorized tariff route was 2,433 miles, or 473 miles greater than the short-line and ratemaking distance. On shipments which moved via the shorter route the consignees were forced to pay higher charges than would have accrued had the railways performed 473 more car-miles of service.

3. That between representative points in New Mexico, Arizona, and California the distance via the only authorized routes exceed by as much as 119 miles those via the short-line and ratemaking route. However, shippers and consignees are penalized approximately 29 percent when they route their livestock via the short-line route.

4. That the same principle is further illustrated by many reports of the Commission, of which the following are representative: *Crouch* v. *Nevada N. Ry. Co.* (208 I.C.C. 586); *Los Angeles Union Stock Yards Co.* v. *C., M., St. P. & P. RR. Co.* (222 I.C.C. 23); *Cuneo Bros.* v. *Northern Pac. Ry. Co.* (229 I.C.C. 429); *Anker Meat Co.* v. *Great Northern Ry. Co.* (281 I.C.C. 179); *American National Live Stock Association* v. *A., T. & S.F. Ry. Co.* (284 I.C.C. 531, reopened), and *Kern Valley Packing Co.* v. *Atchison, T. & S.F. Ry. Co.* (292 I.C.C. 729). *Corn Fed Cattle Co.* v. *Southern Pacific Co.* (296 I.C.C. 423), *Same* v. *Same* (299 I.C.C. 73), and *Chicago, M., St. P. & P. R. Co.* v. *Spokane, P. & S. Ry Co.* (300 I.C.C. 453, 492).

V. (a) That the inefficient, uneconomical, and wasteful transportation performed by the railways is not limited to the livestock traffic but applies to all railroad traffic even to a greater degree than to livestock.

(b) That the distance rail traffic is hauled over the actual route of movement generally exceeds the corresponding distance over the shortest route, or the short-line distance route. This important fact is due to a number of causes, the more important of which are the general practices of each of the 126 class I railways, which operate approximately 95 percent of the total railway mileage of the United States, and obtain about 97 percent of the total revenues, and some of the 318 classes II and III railways, to (a) secure its long haul on all traffic originated or terminated by it irrespective of the circuity of its line or route, (b) circuitous lines, under relief from the fourth section of the act, handling substantial volume of traffic in competition with the direct or short-line route carriers, and (c) some consignors or consignees routing their traffic via circuitous routes for various reasons, one of which is that representatives of railways constituting such circuitous routes have solicited the traffic.

(c) There has been and is substantial movement of freight traffic via circuitous routes under relief from the fourth section of the act. Moreover, each week the railways file and the Commission processes additional applications for such relief. For example, the Traffic Bulletin for the representative week ending April 2, 1955, part I, pages 12, 13 and 14, lists 40 fourth-section applications Nos. 30394 and 30433, inclusive, of which 34 are based upon circuitous lines or routes desired to meet the competition of the direct lines or routes.

(d) That the ratio of the average of the distances via the actual route of movement, the shortest route, or the short-line distance route, expressed as a percentage of circuity has been of considerable interest in traffic studies. The following table shows the average circuity of traffic in terms of specified average lengths of haul (short-line) and major commodity groups based on a representative 1-percent sample of the Commission's waybill sample of carload traffic for the year 1947, as reported in monthly comment on transportation statistics of the Commission's Bureau of Transport Economics and Statistics dated January 11, 1952:

(e) During 1954, the National Association of Railroad and Utilities Commissioners, which organization like the Commission represents the public interest, and the American Short-Line Railroad Association, American National Cattlemen's Association, National Wool Growers Association, and others, went on record in support of the repeal of the short-haul provision of paragraph 4 of section 15 of the act. Hence, it is clear, we think, that the public interest requires such repeal, and we respectfully but urgently ask the Congress to enact the bill here proposed.

AMENDMENT OF ACT RELATING TO A REGISTER OF NAMES IN THE DEPARTMENT OF COMMERCE OF CERTAIN MOTOR VEHICLE DRIVERS

Mr. MAGNUSON. Mr. President, on behalf of myself and the Senator from Utah [Mr. BENNETT], by request, I introduce, for appropriate reference, a bill to amend the act approved July 14, 1960, 74 Stat. 526, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of Commerce, requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1608) to amend the act approved July 14, 1960, 74 Stat. 526, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers introduced by Mr. MAGNUSON (for himself and Mr. BENNETT) (by request), was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., April 19, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Department of Commerce has prepared and submits herewith as a part of its legislative program for the 88th Congress, 1st session, a draft of a proposed bill: "To amend the act approved July 14, 1960, 74 Stat. 526, as amended, relating to the establishment of a register of names in the Department of Commerce of certain motor vehicle drivers."

The driver register established in the Department of Commerce pursuant to the act approved July 14, 1960, 74 Stat. 526, as amended by the act approved October 4, 1961, 75 Stat. 779, is now well established and operating in accordance with the objectives of the Congress in enacting this legislation. At the present time, more than 90 percent of eligible jurisdictions are participating in this service. Many States have utilized information available in the driver register files and some 18,000 reports have been sent to the States relating to the identification of approximately 10,000 drivers.

The experience of the Department of Commerce with the newly established driver register has led us to believe that certain amendments to existing legislation would permit the Department of Commerce to furnish improved service to the States with respect to motor vehicle operators. We proposed, therefore, that the basic act be amended to remove two specific restrictions on the State reporting function.

The first restriction in the existing law relates to the type of State action taken, and limits the States to reporting only their terminations or temporary withdrawals of driving privileges. It does not now authorize the reporting of the important category of denials of licenses, regardless of the gravity of the cause of such action. The proposed legislation would specifically include this necessary and uniformly used type of State action as a reportable matter.

The second restriction limits the reportable terminations and withdrawals to those occasioned by only two causes; namely, driving while under the influence of intoxicants, and convictions of an offense resulting in a death. Other causes deemed by a State to be of comparable gravity are not authorized to be reported, whether or not they result in termination or withdrawal of driving privileges. The draft bill would meet this problem by removing the restrictive language from the basic act. It would permit the inclusion of drivers denied licenses because of mental or physical disability, all mandatory revocations appearing in the Uniform Vehicle Code, and habitual violators who lose driving privileges under point systems now in effect in various States. It is considered that the inclusion of drivers in these categories would improve the scope of the service in line with the fundamental intent of the Congress.

Under the draft bill, with respect to any given individual who has lost or has been denied operating privileges in one State, a sequence of three identifiable State actions would still be required before he may be denied operating privileges in another State on the basis of information furnished through the driver register. First, the State in which he lost or was denied the privilege may or may not decide that the transmission of this information to the driver register is desirable. Second, the State in which he subsequently applies for a license may or may not request information from the driver register concerning the applicant. Third, this latter State may or may not decide that the information furnished provides a valid ground, under its own law, for denying a license to the applicant. If at any point in this sequence, a State decision is negative, then the loss of driving privileges in the first State will not operate by itself to preclude the issuance of a license in the receiving State. It is thus evident that the operation of the program would continue to depend entirely upon the concurrence of both, or all, of the States concerned.

This proposal would therefore be sufficiently flexible to allow the States' administrators, the men who are in the best position to determine which drivers are problem drivers, to determine in each instance which records are to be sent to or requested from the driver register. We believe that the States making use of the driver register service, as well as other interested organizations, would be in accord with the enclosed draft legislation.

The draft bill would also amend section 2 of the 1960 act establishing the driver register to provide that Federal agencies may request of and receive from the Secretary of Commerce such information as may be contained in the register. The purpose of this amendment is to permit Federal agencies, such as those having highway safety responsibilities in connection with which data from the driver register would be extremely valuable, to obtain such information directly from the Secretary. For example, this authority would be particularly helpful to the Interstate Commerce Commission in its investigative work relating to drivers and vehicles.

It is anticipated that enactment of this proposed legislation would not require additional funds for the operation of the driver register.

The Department of Commerce recommends the enactment of the proposed draft legislation.

The Bureau of the Budget advises that there would be no objection to the submission of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

LUTHER H. HODGES,
Secretary of Commerce.

CONSTRUCTION OF A BUILDING BY THE BUREAU OF WATER RESOURCES OF THE NATIONAL RIVERS AND HARBORS CONGRESS

Mr. DOMINICK. Mr. President, on behalf of myself and the senior Senator from Colorado [Mr. ALLOTT], I introduce, for appropriate reference, a bill which would authorize the Secretary of the Interior to set aside land within the National Capital Park System in Washington, D.C., for construction of a building by the Bureau of Water Resources of the National Rivers and Harbors Congress.

The building would be devoted entirely to the education of the public in the field of water resources. We in Colorado are particularly interested in this bill, since water is a very valuable commodity in the arid West, and it is imperative that the public of the entire country be educated generally in the field of water resources.

Perhaps the most favorable aspect of this legislation is that the building is to be constructed and equipped without cost to the United States by the Bureau of Water Resources of the National Rivers and Harbors Congress, and further that the building will be operated and maintained by the Bureau without cost to the United States on a nonprofit basis.

As we all know, most States in the West, including the State of Colorado, are now experiencing a time of great drought; and, therefore, we in Colorado are enthusiastic in supporting legislation which would further public education and research in the field of water resource development.

Mr. President, I ask leave to have the bill remain at the desk for a week, because I think this is a subject of such interest that many other Senators will wish to cosponsor the bill.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. HOLLAND. I congratulate the distinguished Senator for the introduction of that bill. I am strongly interested in the objectives pursued in the bill. I should like to be one of those who will join as cosponsors. I have heard other Senators express the same desire. Do I correctly understand the Senator is asking that the bill be held at the desk, so that we may have the privilege of joining, to show our interest, in cosponsorship?

Mr. DOMINICK. I sincerely appreciate the comments made by the Senator from Florida. I ask to have the bill remain at the desk for 1 week, if I may, for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table for 1 week, as requested by the Senator from Colorado.

The bill (S. 1610) to authorize the Secretary of the Interior to set aside certain land within the National Capital Parks System in Washington, District of Columbia, for construction of a building by the Bureau of Water Resources of the National Rivers and Harbors Congress, and for other purposes, introduced by Mr. DOMINICK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CREATION OF EXPORT ADVISORY COUNCIL

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to create a National Advisory Council on Export Policy and Operation to encourage increased U.S. exports. Cosponsoring the bill are Senators CASE, COOPER, ENGLE, KEATING, MORSE, MOSS, SCOTT, and WILLIAMS of New Jersey.

This bill is designed to encourage and promote the expansion of U.S. exports through private enterprise. This is by general agreement the most effective answer to our very vexing balance-of-payments deficit.

The bill would establish a National Advisory Council on Export Policy and Operation, an interdepartmental council under the Secretary of Commerce, first, to develop a unified export expansion policy for the United States; second, to give to the export expansion effort a permanent place in the machinery of the U.S. Government; and third, to develop new ideas in the export field for the use of both Government and private business.

The greatest weakness of our present export expansion effort is that it lacks specific objectives and that its outlook and purpose are limited. It is vital that we see exports in total perspective. To look at the subject in a fragmented way, through the eyes of one Government agency or through spokesmen of some special interest groups, is not enough. There is a national interest involved here which exceeds the interests of any one group or any one Government agency. The proposed Council is designed to infuse the Government, U.S. labor and the U.S. business community through the existing Export Expansion Council of the Commerce Department with a deep sense of motivation in the export field which it is seriously lacking at this time.

Substantial progress has been made in the past 3 or 4 years to promote U.S. exports and to arouse the interest of the U.S. business community in exporting. The Export-Import Bank since 1961 has instituted such new programs as export guarantees for medium-term export sales and export credit insurance for both short-term and medium-term transactions, the latter through the Foreign Credit Insurance Association—FCIA. The Departments of Commerce and State have expanded their export promotion services, and the Small Business Administration has created a Foreign Trade Division, which in cooperation with the Commerce Department assists small business in exporting.

But nonetheless, notwithstanding all these Government export expansion efforts, only a small fraction of American business firms are in the export field today; our exports are still only 4 percent of our gross national product—in contrast with Canada's 16 percent, United Kingdom's 14 percent, West Germany's 16 percent, France's 12 percent—and the dollar value of our exports has remained relatively unchanged since 1961, when it was $20.2 billion; in 1962 it was $20.9 billion; and during the 1st quarter of 1963, $20.4 billion—annual rate.

In short, the answer to our international balance-of-payments deficit does not lie in cutting down on the great responsibilities which we have and must carry forward, whether it is in foreign aid or in the stationing of our troops in various areas of the world, or in our responsibilities to the U.N.; the answer lies in doing a better business job. These figures clearly demonstrate that we are not doing the job, even remotely, which is within our potential and capabilities. In addition, greater exports will place greater competitive factors on American business—both management and labor—causing them to deal more realistically than ever before with automation and financing of foreign developments in the real sense of private enterprise.

The proposed Council, which is to be composed of the heads of Federal agencies which have major programs in the export expansion field, would be empowered to make recommendations to the President on policy measures designed to improve the effectiveness of those programs. After close consultations with the existing Export Expansion Council, a group of businessmen appointed by the Secretary of Commerce in April 1962 to increase the awareness of the American business community to opportunities in exporting, the proposed interagency Council would advise the President concerning major obstacles affecting expansion of our exports, and would recommend steps to be taken for their elimination, on the basis of studies for which this bill also provides.

The proposed Council would be empowered to undertake studies of issues of basic importance, such as tax and other types of incentives to exporters; export problems caused by noncompetitive ocean freight rates; various means to improve communications between the United States and foreign business communities, particularly with the business communities in developing nations. The Council would also be charged with responsibility to study the organization and composition of our exporting community; and to keep under continuous review tax and other incentives made available to competitors of the United States. Under its authority to make studies, the Council could explore, for example, how we could strengthen the hands of our exporters through new forms of business organization, such as joint private-public corporations, and could convene conferences to examine the exporting problems and needs of a particular industry.

While there has been much talk of providing tax incentives to American business in the export field, the administration has not yet come forth with a meaningful proposal. I believe that the Council, by including all interested Government agencies, would be in an excellent position to make recommendations to the President on tax incentives designed specifically to increase our exports. The tax credit approach is a potent weapon applied on a growing scale by European countries: It has been applied recently with notable success in France, and other Common Market countries are quickly following this lead. Secretary of Commerce Hodges asserted in a recent interview that the United States will soon have to adopt every trade-promotion technique used by competing countries in further intensifying our own export expansion. I heartily concur.

The proposed Council could make a major contribution to the success of our export expansion efforts.

I consider this an extremely important bill, focusing the attention of our whole governmental machinery on the need for export expansion. That is something other countries, faced by the necessity of either exporting or dying, like Great Britain, for example, have done. We have not done it, because we have not had the pressures that these countries have had. Now we do have such pressures. They come in a different way, of course. It is not necessary for us to export in order to eat. However, it is necessary for us to export in order to keep the peace, which is at least as critical to all mankind.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks. In view of the interest expressed by several of my colleagues, including those who along with me were cosponsors of the original bill introduced by Senator SPARKMAN in the 87th Congress, I ask unanimous consent that the bill lie at the desk for 1 week for additional cosponsors and that it be printed in full in the RECORD as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie on the desk, as requested by the Senator from New York.

The bill (S. 1614) to encourage and promote the expansion through private enterprise of domestic exports in world markets, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Export Policy Act of 1963".

SEC. 2. The Congress finds and declares that foreign trade represents a strong and vital element in the economic leadership of the United States in the free world, that the expansion of exports by and through private enterprise is the most effective and positive answer to the balance-of-payments deficit, that such expansion has become increasingly important to the economic welfare of this Nation, and that a tremendous opportunity exists for realizing such expansion by opening to small business concerns the great opportunities which exist in foreign markets for United States products and services.

In recognition of the foregoing, it is the purpose of this Act to establish an interagency advisory council which shall, on a continuing basis, (1) provide for the coordination of Government programs and policies designed to promote and expand United States exports, and (2) give guidance and direction to the implementation or augmentation of such programs and policies.

SEC. 3. (a) There is hereby established the National Advisory Council on Export Expansion Policy and Operations (hereinafter referred to as the "Council") which shall consist of the following members: The Secretary of Commerce, who shall serve as Chairman; the Secretary of the Treasury; the Secretary of Agriculture; the Secretary of State; the Secretary of Defense; the President of the Export-Import Bank of Washington; the Administrator of the Small Business Administration; and the Administrator, Agency for International Development.

(b) It shall be the duty and function of the Council—

(1) to recommend to the President, after consultation with the National Export Expansion Council, established by the Secretary of Commerce on April 4, 1962, general policy directives for the guidance of departments and agencies of the Government in the carrying out of programs and operations relating to export promotion and expansion;

(2) to review and coordinate, to the greatest extent practicable, those programs and operations of the departments and agencies of the Government which relate to motion and expansion; and

(3) to review, revise and augment, insofar as is practicable, recommendations of the interagency export promotion task force, established in 1959, in the light of changing conditions and needs.

(c) The Council shall undertake studies, after consultation with the National Export Expansion Council, with a view to making recommendations to the President, for the promotion and expansion of United States exports. Among such studies the Council shall consider—

(1) means to assist the development of business councils, associations, or chambers of commerce, or representatives of local United States and of indigenous business in particular foreign countries (especially in developing countries) where such entities do not exist, to foster better understanding between the United States and the business communities of such countries, and to provide a means for the free exchange of information concerning production, distribution, marketing, and advertising techniques, labor-management relations, and other matters of mutual interest in the furtherance of trade between the United States and such countries;

(2) the desirability of providing additional tax incentives, consistent with United States treaty obligations, to encourage United States exports; and

(3) the respects in which existing laws providing benefits to United States business concerns engaged in the export trade could be strengthened.

(d) The Council shall also conduct continuing studies on the nature and composition of the United States exporting community, and the problems resulting from the maintenance of non-competitive ocean freight rates by United States carriers; and shall maintain current information on tax or other forms of assistance accorded to foreign competitors of the United States business concerns.

(e) For the purpose of carrying out the studies referred to in subsections (c) and (d), the Council may contract with private groups or organizations without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), or any other provision of law requiring competitive bidding.

(f) The Council is authorized to utilize the facilities, information, and personnel of the departments and agencies of the executive branch of the Government which it deems necessary to carry out its duties under this Act; and each such department or agency is authorized to furnish such facilities, information and personnel to the Council upon request made by the Chairman.

(g) The functions, powers and duties of the National Export Expansion Coordinator are hereby transferred to the Council.

(h) The Council shall make semiannual reports to the President and to the Congress concerning its activities and functions under this section setting forth therein such recommendations as it deems advisable.

ADJUSTMENT OF WHEAT AND FEED GRAIN PRODUCTION

Mr. HICKENLOOPER. Mr. President, for myself, the senior Senator from New Mexico [Mr. ANDERSON], the Senator from Vermont [Mr. AIKFN], and the Senator from Florida [Mr. HOLLAND], I introduce, for appropriate reference, a bill entitled "A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes."

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1617) to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes, introduced by Mr. HICKENLOOPER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. President, I ask unanimous consent that the bill may be printed in the RECORD, at the conclusion of my remarks, in full.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HICKENLOOPER. Mr. President, I also ask unanimous consent to have printed in the RECORD a technical explanation of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HICKENLOOPER. Mr. President, the four Senators who introduce the bill—myself, the Senator from New Mexico [MR. ANDERSON], the Senator from Vermont [MR. AIKEN], and the Senator from Florida [MR. HOLLAND]—have been interested in the basic economic aspects of this approach to the farm problem for a long time.

The Senator from New Mexico is a former member of the Agriculture Committee of the Senate, a former distinguished Secretary of Agriculture, and a former Member of the House of Representatives. The Senator from Vermont [MR. AIKEN] is the ranking Republican member of the Senate Committee on Agriculture, former chairman of the committee, and one of the outstanding agricultural authorities in this country.

The Senator from Florida [MR. HOLLAND] is chairman of the Agriculture Subcommittee of the Appropriations Committee, a member of long standing of the Agriculture Committee of the Senate, and a devoted student of agriculture and its economic problems.

So far as I am concerned, I do not claim competence in agriculture that will compare with the knowledge of these gentlemen, but I am a member of the Agriculture and Forestry Committee of the Senate and have been for 14 years—almost 15 years—and I come from a State with the biggest volume of diversified agricultural production in the United States. We have a vital interest in the approach to and solution of the economic problems of agriculture, the freedom of the farmer, and the maintenance of a self-determining system in agriculture which will bring economic prosperity as well as continued freedom of operation.

Those of us who have offered this bill call attention to the fact that the time has come for Congress to take an economic approach to the solution of what is essentially an economic problem.

Excessive partisanship is inappropriate at this time. A totally political approach to the problem of agriculture cannot succeed. Last week's wheat referendum makes it clear that the Nation's farm families do not want to be pawns on a political chessboard.

Our bill will be known as the "Wheat and Feed Grains Act of 1963."

The bill would repeal existing law, giving authority to the Secretary of Agriculture to conduct another referendum on the multiple-price certificate plan for wheat in 1964.

Last week's vote makes it abundantly clear that there is no sense in another referendum. It is now obvious that Congress made a mistake in adopting the legislation which authorized the 1963 referendum. The major purpose of our bill is to correct this error, rather than to "bail out" wheat farmers.

Our bill offers them the type of wheat program for which we believe many farmers voted last week when they turned thumbs down on the compulsory control program.

The Hickenlooper-Anderson-Aiken-Holland bill repeals authority for the Secretary of Agriculture to set wheat acreage allotments or proclaim wheat marketing quotas. Beginning in 1964, price support for wheat would be set at the U.S. equivalent of the average world market price during the immediately preceding 3 marketing years, or 50 percent of parity, whichever is higher. The average world market price is currently about $1.35 per bushel. Fifty percent of parity is about $1.25 per bushel.

To assure farmers that the market price would be above the support level, the bill provides that the Secretary of Agriculture could not sell wheat from the Commodity Credit Corporation's stocks for unrestricted domestic use at less than 115 percent of the support price. Assuming a support level of $1.35 per bushel, the CCC's sales price would be about $1.55 per bushel, plus carrying charges.

The Hickenlooper-Anderson-Aiken-Holland bill sets up a feed grain program which would be completely compatible with the wheat program provided in our legislation and consistent with the long-term interests of livestock, dairy and poultry producers.

The bill repeals the provisions of the Feed Grain Act passed earlier this year. Beginning in 1964, there would be no acreage allotments for feed grains, and price supports would be set at 90 percent of the average prices received by farmers during the immediately preceding 3 years—currently about $1 per bushel—or 50 percent of parity, whichever is higher. Fifty percent of parity is about 81 cents per bushel.

As in the case of wheat, the bill provides that the Secretary of Agriculture could not sell feed grains for unrestricted domestic use from the Commodity Credit Corporation's stocks at less than 115 percent of the support price, plus carrying charges. With the support price at $1 per bushel, this would mean a CCC sales price of about $1.15 per bushel, plus carrying charges, for corn.

To help bring supplies of wheat and feed grains into line with current demand, the Hickenlooper-Anderson-Aiken-Holland bill would direct the Secretary of Agriculture to carry out a cropland retirement program. The Secretary would make an annual determination of first, the total cropland available for the production of crops in the United States; second, the total acreage of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed necessary to bring the total estimated annual production plus the anticipated release from the Commodity Credit Corporation stocks into balance with the estimated annual disappearance of such commodities; and third, the total acreage of farm cropland which should be retired from production in order to achieve a supply-demand balance.

It is recognized that it will not be possible to retire all the necessary acreage the first year, and so the Secretary would be directed to estimate the amount of acreage that can be effectively and economically retired in the respective year.

The Secretary would be authorized for 3 years to enter into contracts for the retirement of cropland. Emphasis would be placed on the retirement of whole farms. Producers of all commodities would be given an opportunity to participate. To prevent unduly disruptive effects upon the economies of counties and communities, the Secretary would be directed to place a maximum limitation on the percentage of total cropland which may be retired.

The Secretary would be authorized to make rental payments in cash or in kind to producers who have retired cropland under the program.

The principles of our Wheat and Feed Grain Act are those for which wheat farmers voted in last Tuesday's referendum. Enactment of this legislation would be a second giant step toward a prosperous and relatively free agriculture.

I shall not burden the Senate further except to ask unanimous consent that the bill remain at the desk until the close of business of the Senate a week from today for the addition of names of other sponsors who have indicated their desire to cosponsor the legislation.

The PRESIDING OFFICER. Without objection, the bill will remain at the desk as requested.

EXHIBIT 1

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Wheat and Feed Grain Act of 1963."

Declaration of Policy

SEC. 2. The Congress finds that the production of excessive supplies of wheat and other grains depresses prices and the income of farm families, constitutes improper land use, and is wasteful of our natural resources. It is hereby declared to be the policy of the Congress and the purpose of this Wheat and Feed Grain Act of 1963 to bring the supplies of wheat and feed grains into line with current demand in order to (a) increase per family farm income; (b) reduce the surplus of wheat and feed grains; and (c) decrease the public costs of maintaining farm programs. To effectuate the policy of Congress and the purpose of this Act, programs are herein established to assist farmers in (1) diverting a portion of their cropland from the production of excessive supplies of wheat and other grains; (2) carrying out a voluntary program of soil, water, forest, and wildlife conservation; and (3) obtaining commodity prices in the marketplace higher than levels at which commodity loans are made available by the Commodity Credit Corporation.

TITLE I—LAND RETIREMENT AND SOIL CONSERVATION

Annual determination, voluntary land retirement, rental payments in cash or kind

SEC. 101. Beginning with the 1964 crop year, the Secretary of Agriculture is authorized and directed to establish and carry out a cropland retirement program. In formulating and administering such program—

(a) The Secretary shall each year make and announce an annual determination of—

(1) the total estimated cropland available for the production of crops in the United States in that year;

(2) the total acreage of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed necessary to bring the total estimated annual production plus the anticipated release from the Commodity Credit Corporation stocks into balance with the estimated annual disappearance of such commodities; and

(3) the total acreage of farm cropland necessary to be retired and devoted to soil-conserving uses in order to achieve this balance, and the acreage that can be retired effectively and economically in the respective year.

(b) The Secretary is authorized to enter into contract for periods of not less than three years with producers determined by him to have control for the contract period of the farms covered by the contracts, if such producers agree to retire and devote to soil-conserving uses any or all farm cropland. The Secretary shall determine and announce the period within which such contracts will be entered into. This period shall be of sufficient duration to provide an opportunity for maximum producer participation. The Secretary shall encourage the retirement of whole farms and shall provide full opportunity for producers of all commodities to participate voluntarily in the cropland retirement program: *Provided,* That the Secretary shall place a maximum limitation on the percentage of total cropland which may be retired and devoted to soil-conserving uses in any State or county if he finds that such action is necessary to prevent the cropland retirement program from having an unduly disruptive effect on the economies of counties and local communities; and *Provided further,* That any cropland retired and devoted to soil-conserving uses under the cropland retirement program established pursuant to this title shall be deemed in subsequent years to have been planted cropland for the purpose of establishing cropland history.

(c) The Secretary shall make an annual rental payment either in cash or in kind to producers who: (1) retire and devote cropland to soil-conserving uses with proper management pursuant to subsection (b) of this section, and (2) otherwise comply with the cropland retirement program as set forth in this title.

The Secretary shall determine the rate of rental payments that will provide producers with a fair and reasonable annual return on the land retired and devoted to soil-conserving uses after taking all relevant factors into consideration, including (1) the incentive necessary to achieve voluntary participation in the program, (2) the loss of crop production on the retired acres, (3) any savings in cost which result from not planting crops, (4) the estimated profit margin of crop production on the designated acres, (5) continuing farm overhead expenses, (6) the cost of establishing a conservation practice on the retired acres, (7) the value of the land for production of commodities customarily grow on such kind of land in the county or area, (8) the prevailing rates for cash rentals for similar land in the county or area, and (9) drought, flood, or other abnormal condition.

The rate on lands determined in accordance with the preceding paragraph shall be adjusted on a State, county, and individual farm basis in such a manner as the Secretary determines will facilitate the practical administration of the program. The lands to be covered by contracts shall be determined by a competitive bid procedure whereby a producer wishing to obtain a contract shall specify the percentage of the rental rate applicable to his farm which he is willing to accept.

(d) The Secretary shall compensate producers for participating in the cropland retirement program—

(1) through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem in accordance with regulations prescribed by the Secretary in cash upon presentation by the producer or by any holder in due course; or

(2) if option is exercised by the producer thirty days before compensation is tendered, through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem in accordance with regulations prescribed by the Secretary in wheat, corn, oats, rye, barley, or grain sorghum upon presentation by the producer or by any holder in due course. The Secretary shall limit the distribution of the certificates redeemable in kind if he finds the issuance of such certificates will have an adverse effect on wheat, corn, oats, rye, barley, or grain sorghum market prices or upon livestock marketing or livestock market prices, and in no case shall a certificate be redeemable at less than 115 per centum of the current support price plus reasonable carrying charges for any such commodity. In order to assist producers in the establishment of soil-conserving uses on cropland retired under the cropland retirement program, the Secretary shall coordinate such program with the agricultural conservation program established pursuant to the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 163, 16 U.S.C. 590 and the following).

Terms and conditions of contracts with producers

SEC. 102. (a) Under any cropland retirement contract the producer shall agree—

(1) to establish and maintain with proper management for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities or other soil-, water-, wildlife-, or forest-conserving uses (excluding orchards and vineyards) on an acreage of land which is specifically designated at the time the contract is entered into and which has been regularly used in the production of crops (including crops such as tame hay, alfalfa, and clovers), which do not require annual tillage;

(2) to allow to remain fallow, idle, and in the production of crops (including tame hay, alfalfa, and clovers) which do not require annual tillage throughout the contract period, an acreage of the remaining cropland on the farm which is not less than the acreage normally allowed to remain fallow, idle, and in the production of crops which do not require annual tillage on such remaining acreage;

(3) not to harvest any crop from the acreage established in protective vegetative cover, excepting timber (in accordance with sound forestry management) and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals;

(4) not to graze any acreage established in protective vegetative cover;

(5) not to adopt any practice, or divert lands on the farm from conservation, woods, grazing, or other noncropland use, to any use specified by the Secretary in the contract as a practice or use which would tend to defeat the purposes of the contract;

(6) to abide by regulations prescribed by the Secretary with respect to the planting of crops during the contract period for later harvest or use; and

(7) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of this title and to facilitate the practical administration of the cropland retirement program, including provisions relating to control of noxious and other objectionable weeds.

(b) In the event that the Secretary determines that there has been a violation of the contract (including the prohibition of grazing on retired acreage) at any stage during the time such producer has control of the farm and that such violation is of such a substantial nature as to warrant termination of the contract, the producer shall forfeit all rights to payments or grants under the contract, and shall refund to the United States all payments and grants received by him thereunder. In the event that the Secretary determines that there has been a violation of the contract but that such violation is of such a nature as not to warrant termination of the contract, the producer shall accept such payment adjustments, and make such refunds to the United States of payments received by him, under the contract, as the Secretary may determine to be appropriate.

SEC. 103. The Soil Bank Act, as amended, (70 Stat. 118, 7 U.S.C. 1801 and the following) is amended as follows:

Administrative and judicial remedy

(1) The first sentence of section 107(d) of such Act (7 U.S.C. 1831(d)) is amended by adding after the words "paragraph (6) of subsection (a)" the phrase "or under section 102(b) of the Wheat and Feed Grain Act of 1963."

Effect on other programs

(2) Section 112 of such Act (7 U.S.C. 1836) is amended by adding after the words "under this subtitle" each time it appears therein the phrase "or under title I of the Wheat and Feed Grain Act of 1963."

Geographic applicability

(3) Section 113 of such Act (7 U.S.C. 1837) is amended by adding after the words "subtitle B" the phrase "and title I of the Wheat and Feed Grain Act of 1963."

Reapportionment prohibited

(4) Section 115 of such Act (7 U.S.C. 1803) is amended by adding after the words "conservation reserve programs" the phrase "or the cropland retirement program established pursuant to title I of the Wheat and Feed Grain Act of 1963."

Utilization of local and State committees

(5) Section 117 of such Act (7 U.S.C. 1805) is amended by adding after the words "this title" the phrase "or title I of the Wheat and Feed Grain Act of 1963."

Utilization of other agencies

(6) Section 118 of such Act (7 U.S.C. 1806) is amended by adding after the words "this title" the phrase "or title I of the Wheat and Feed Grain Act of 1963."

Utilization of land use capability data

(7) Section 119 of such Act (7 U.S.C. 1807) is amended by adding after the words "this title" the phrase "or title I of the Wheat and Feed Grain Act of 1963."

Finality of determinations

(8) Section 121 of such Act (7 U.S.C. 1809) is amended by adding after the words "this title" the phrase "or under title I of the Wheat and Feed Grain Act of 1963."

Protection of tenants and sharecroppers

(9) Section 122 of such Act (7 U.S.C. 1810) is amended by adding after the words "this title" the phrase "or under title I of the Wheat and Feed Grain Act of 1963."

Penalty for grazing or harvesting

(10) Section 123 of such Act (7 U.S.C. 1811) is amended by adding after the words "section 103 or 107" the phrase "or under title I of the Wheat and Feed Grain Act of 1963."

Pooling of cropland retirement land

(11) Section 126 of such Act (7 U.S.C. 1814) is amended by adding after the words "conservation reserve program" the phrase "or in the cropland retirement program pursuant to title I of the Wheat and Feed Grain Act of 1963."

Incorrect information furnished by the Government—marriage of producers

(12) Section 128 of such Act (7 U.S.C. 1816) is amended by adding after the words "conservation reserve program" the phrase "or the cropland retirement program established pursuant to title I of the Wheat and Feed Grain Act of 1963."

Authorized period of contract and expenditure—appropriations

SEC. 104. (a) The Secretary is authorized to formulate and announce programs under this title and to enter into contracts thereunder with producers during the three-year period 1964–66 to be carried out during the period ending not later than December 31, 1969, except that contracts for establishment of tree cover may continue until December 31, 1976.

(b) The period covered by any contract shall not exceed three years except that contracts for the establishment of tree cover may extend for ten years.

(c) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title, including such amounts as may be required to reimburse the Commodity Credit Corporation for its actual costs incurred under the payment-in-kind program established by this title.

Termination and modification of contracts

SEC. 105. The Secretary may terminate any contract with a producer by mutual agreement with the producer if the Secretary determines that such termination would be in the public interest. The Secretary may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of this title and to facilitate the practical administration of the cropland retirement program.

Regulations

SEC. 106. The Secretary shall prescribe such regulations as he determines necessary to carry out the provisions of this title.

TITLE II—REPEAL OF AUTHORITY FOR ACREAGE ALLOTMENTS AND MARKETING QUOTAS ON WHEAT AND CORN—THE PRICE SUPPORTS ON WHEAT, CORN, OATS, RYE, BARLEY, AND GRAIN SORGHUM

SEC. 201. Notwithstanding any other provision of law, effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum, sections 321 through 339 of parts II and III of subtitle B and sections 379 (a) through 379 (j) of subtitle D of title III of the Agricultural Adjustment Act of 1938, as amended, (52 Stat 31; 7 U.S.C. 1281 and following) are repealed. Parts IV, V, and VI of subtitle B are redesignated as parts II, III, and IV respectively, and subtitle F is redesignated subtitle D.

SEC. 202. Effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum, the Act of May 26, 1941, as amended (P.L. 74, 77th Congress, 55 Stat. 203), is repealed.

SEC. 203. Effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum, sections 327 and 328 of the Food and Agriculture Act of 1962, (P. L. 87–703, 87th Congress) are repealed.

SEC. 204. Subsection (h) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended, (Public Law 46, 74th Congress) is repealed.

SEC. 205. Effective with the 1964 crops, section 105 of the Agricultural Act of 1949, as amended (7 U.S.C. 1441 note) is amended to read as follows:

"SEC. 105. Notwithstanding the provisions of section 101 of this Act, beginning with the 1964 crops, price support shall be made available to producers for each crop of corn, oats, rye, barley, and grain sorghum at 90 per centum of the average price received by farmers during the three calendar years immediately preceding the calendar year in which the marketing year for such crop begins, adjusted to offset the effect on such price of any abnormal quantity of low-grade corn, oats, rye, barley, and grain sorghum marketed during any such years: *Provided*, That the level of price support for any crop of corn, oats, rye, barley, and grain sorghum shall not be less than 50 per centum of the parity price therefor."

SEC. 206. Section 107 of the Agricultural Act of 1949, as amended, (7 U.S.C. 1445 (a)) is amended to read as follows:

"SEC. 107. Notwithstanding the provisions of section 101 of this Act, beginning with the 1964 crop, price support shall be made available to producers for each crop of wheat at the United States farm price equivalent, as determined by the Secretary, of the average world market price during the immediate preceding three marketing years: *Provided*, That the level of price support for any crop of wheat shall not be less than 50 per centum of the parity price therefor."

TITLE III—GENERAL PROVISIONS

Federal irrigation, drainage, and flood control projects

SEC. 301. Section 211 of the Agricultural Act of 1956, as amended, (7 U.S.C. 1860) is amended (1) by striking "three years" each time it appears therein and inserting in lieu thereof "eleven years", and (2) by adding after the words "soil bank provisions of the Act" in subsection (b) the phrase "and under title I of the Wheat and Feed Grain Act of 1963."

Restrictions on sales by the Commodity Credit Corporation

SEC. 302. Section 407 of the Agricultural Act of 1949, as amended (7 U.S.C. 1427) is amended by changing the period at the end of the fourth sentence to a colon and adding the following:

"*Provided*, That effective July 1, 1964, the Commodity Credit Corporation shall not make any sales (except sales offset by equivalent purchases) of wheat, corn, oats, rye, barley, grain sorghum, soybeans, or flaxseed for domestic use at less than 115 per centum of the current support price for any such commodity, plus reasonable carrying charges."

EXHIBIT 2

TECHNICAL EXPLANATION OF THE WHEAT AND FEED GRAIN ACT OF 1963, A BILL TO ADJUST WHEAT AND FEED GRAIN PRODUCTION, TO ESTABLISH A CROPLAND RETIREMENT PROGRAM, AND FOR OTHER PURPOSES, INTRODUCED BY SENATOR BOURKE B. HICKENLOOPER AND OTHERS IN THE SENATE, MAY 27, 1963

Short title: This act may be cited as the Wheat and Feed Grain Act of 1963.

Section 2: Declaration of policy. To bring the supplies of wheat and feed grains into line with the current demand in order to increase per family farm income, reduce the surpluses, and decrease the public costs. Programs are established to assist farmers in diverting cropland from production, carrying out voluntarily a program of conservation and obtaining market prices higher than support prices.

TITLE I—LAND RETIREMENT AND SOIL CONSERVATION

Section 101: (a) The Secretary of Agriculture is directed to carry out the cropland retirement program. The Secretary shall make an annual determination of (1) the total cropland available for the production of crops in the United States; (2) the total acreage of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed necessary to bring the total estimated annual production, plus the anticipated release from the Commodity Credit Corporation stocks into balance with the estimated annual disappearance of such commodities; and (3) the total acreage of farm cropland which should be retired from production in order to achieve a supply-demand balance. It is recognized that it will not be possible to retire all the necessary acreage the first year, and the Secretary is directed, therefore, to estimate the amount of acreage that can be effectively and economically retired in the respective year.

(b) The Secretary is authorized to enter into contracts for the retirement of cropland for 3 years. He must announce a period within which such contracts will be entered into. There should be sufficient time so that maximum producer paricipation is possible. Policies should emphasize the retirement of whole farms. Producers of all commodities should be given the opportunity to participate. To prevent unduly disruptive effects upon the economies of counties and local communities, the Secretary is directed to place a maximum limitation on the percentage of total cropland which may be retired in any one State or county. Cropland so retired shall be deemed in subsequent years to be planted cropland for the purpose of establishing cropland history.

(c) The Secretary is directed to make rental payments in cash or in kind to producers who have retired cropland under the program and have complied with other requirements of the program. The rate of rental payments shall be determined by the Secretary with the view toward providing producers with a fair and reasonable return on the land retired and in accordance with other specified criteria. Rental rates shall be adjusted on a State, county, and individual farm basis, and the lands to be covered by contracts shall be determined by a competitive bid procedure whereby a producer wishing to obtain a contract shall specify the percentage of the rental rate applicable to his farm which he is willing to accept.

(d) The Secretary is directed to compensate participating producers (1) through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem in cash or (2) if option is exercised by the producer 30 days before compensation is tendered, through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem in wheat, corn, oats, rye, barley, or grain sorghum. The Secretary is directed to limit certificates redeemable in kind if he finds such certificates will have an adverse effect upon the market price of wheat, corn, oats, rye, barley, grain sorghum or livestock. A certificate may not be redeemed at less than 115 percent of the current support price, plus reasonable carrying charges for such commodity. The Secretary shall coordinate this program with the agricultural conservation program established pursuant to the Soil Conservation and Domestic Allotment Act.

Section 102: (a) Under any cropland retirement contract, the producer shall agree (1) to establish and maintain the proper vegetative cover on a specifically designated acreage of land which has been regularly used in the production of crops; (2) to allow to remain idle on acreage of the remaining cropland on the farm which is not less than the acreage normally allowed to remain idle; (3) not to harvest any crop from the designated acreage except timber, wildlife, or other natural products; (4) not to graze the acreage; (5) not to adopt any practice or divert lands to any use specified by the Secretary as tending to defeat the purposes of the contract; (6) to abide by regulations prescribed by the Secretary; and (7) to such additional provisions as the Secretary determines are desirable, including provisions relating to control of noxious and other objectionable weeds.

(b) In the event that the Secretary determines that there is a substantial violation of the contract, the producer shall forfeit all rights to payments and shall refund to the United States all payments received by him under the contract. Where the Secretary determines that the violation is not substantial, adjustments of payments may be prescribed by the Secretary.

Section 103: Technical provisions of the Soil Bank Act, including judicial review, reapportionment, utilization of local and State committees and other agencies, utilization of land use capability data, protection of tenants and sharecroppers, etc., are incorporated.

Section 104: (a) The Secretary may formulate and announce retirement programs during the 3-year period 1964–66. All contracts are to expire by December 31, 1969, except contracts for establishment of tree cover which may continue until December 31, 1976.

(b) Contracts may not exceed 3 years except tree cover contracts which may extend for 10 years.

(c) Funds are authorized to be appropriated as may be necessary to carry out the program, including funds to reimburse the Commodity Credit Corporation for its actual costs under the payment-in-kind program.

Section 105: The Secretary is authorized to terminate or modify contracts with producers by mutual agreement when determined to be in the public interest.

Section 106: The Secretary is directed to prescribe such regulations as he determines necessary.

TITLE II—REPEAL OF AUTHORITY FOR ACREAGE ALLOTMENTS AND MARKETING QUOTAS ON WHEAT AND CORN—PRICE SUPPORTS ON WHEAT, CORN, OATS, RYE, BARLEY, AND GRAIN SORGHUM

Section 201: Authority for the establishment of acreage allotments and marketing quotas for wheat and corn is repealed, effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum.

Section 202: Public Law 74, 77th Congress, relating to farm marketing quotas is repealed, effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum.

Section 203: Sections 327 and 328 of the Food and Agriculture Act of 1962 are repealed, effective with the 1964 crops of wheat, corn, oats, rye, barley, and grain sorghum.

Section 204: Authority to conduct a special acreage diversion program for the 1964 and 1965 crops of feed grains is repealed.

Section 205: Beginning with the 1964 crops, price supports shall be made available to producers for each crop of corn, oats, rye, barley, and grain sorghum at 90 percent of the average price received by farmers during the 3 calendar years immediately preceding the calendar year in which the marketing for such crops begins. Authority is given to adjust price supports so as to make allowance for abnormal quantities of low-grade grain in any of the years. The price support for such crops may not be set at a level lower than 50 percent of the parity price for such crop.

Section 206: Beginning with the 1964 crops, price support for wheat shall be set at the U.S. farm price equivalent of the average world market price during the immediately preceding 3 marketing years. The level of price support for wheat may not be less than 50 percent of the parity price.

TITLE III—GENERAL PROVISIONS

Section 301: Lands reclaimed under flood control projects are made ineligible for any land retirement benefits under the cropland retirement program.

Section 302: Effective July 1, 1964, the Commodity Credit Corporation shall not sell wheat, corn, oats, rye, barley, grain sorghum, soybeans or flaxseed for domestic use at less than 115 percent of the current support price for any such commodity, plus reasonable carrying charges. Sales which are matched by equivalent purchases are exempted.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. CARLSON. I appreciate the Senator from Iowa's introduction of this bill as it affects wheat. I have just returned from Kansas, having been there 3 or 4 days after the referendum. I am convinced, based on the last vote, that the wheatgrowers of our Nation are concerned about and interested in a voluntary program. They realize also that in the present situation, where we have a large surplus of wheat, it is not possible to immediately go to a supply-and-demand program. Therefore, while I have not read the Senator's bill and am not familiar with it, I shall, coming from the largest wheat-producing State in the Nation, look at it with great interest, with the hope that I can give most of it, if not all of it, favorable consideration.

Mr. HICKENLOOPER. I thank the Senator. I have asked that the bill be printed in full in the Record, and it will appear in the Record in the morning, and I have also asked that there appear in the Record an explanation of the bill.

I am sure those of us who sponsor the bill believe that something should be done about the present problem. It is an economic approach to an economic problem. It is not a partisan, political approach to a segmented portion of the whole agricultural problem which has beset us for a long time. I and the sponsors of this bill believe it has great merit and deserves earnest and proper consideration and real study as an approach to the problems of agriculture, if a free economy is to be preserved and if agriculture is to avoid the necessity of a planned or regimented one, which all of us hope will be avoided.

Mr. SIMPSON. Mr. President, a Congress can consider itself extremely fortunate when it has at hand clear and tenable evidence of public sentiment regarding the field of legislation it is debating.

In the vitally important area of farm legislation we now have such evidence, provided very graphically by the May 21 wheat referendum. The overwhelming majority of nearly 1½ million wheat producers has told us unequivocally that private enterprise and the laws of supply and demand must govern farm production. The American farmer told the Nation loudly and clearly that he opposes the continued presence of Government in agriculture.

The American wheat producer stood tall and declared loudly and clearly last Tuesday that he does not want the Federal Government controlling his livelihood and his very way of life. For the first time in 13 national wheat referendums, the farmer declared that he wants controls diminished and eventually withdrawn through an orderly but definite process.

There are some other lessons contained in the stunning defeat of the administration's wheat program. Perhaps the most important—the most patent—is that farmers are looking to the legislative branch of Government, not the executive branch, for the remedial action necessary to draw the Federal machine off the farm. The farmer has shouted loudly and clearly to Congress that he wants us to stop delegating our authority and prerogatives to the executive branch of Government. If the Chief Executive and the Bureaus have unwarranted and unjustified powers, it is because the Senate and the House have given them those powers.

Another truth apparent in the May 21 vote is that farmers recognize the need to unite to battle their way out of the bureaucratic jumble in which they are entangled.

In handing the Kennedy-Freeman wheat program a stunning defeat, the farming community has indicated to us what our action must be.

This administration indicated, through a Presidential press conference, that it will oppose any new farm program. But, from what provision of the U.S. Constitution does the President draw the power to dictate the policy of Congress?

Mr. President, and colleagues, it is not in the providence of the administration to direct the course of this body. We are the lawmakers—the legislators of the United States. From this Hall and from the floor of the House of Representatives come the laws that the executive branch is directed by the Constitution to implement.

Mr. Freeman doubts that new legislation will emanate from Congress. He predicts that wheat farmers will reap not their wheat because of last week's vote, but the bitter fruit that he thinks they deserve because they had the effrontery to oppose the might of the U.S. Department of Agriculture. It is our duty to prove the Secretary wrong in his false basic premise.

The distinguished Senator from Iowa [Mr. Hickenlooper], with others of us joining as cosponsors, introduced a bill that has several qualities rare in farm legislation—not the least of which is its logic and commonsense workability. This bill is bipartisan in nature and is understandable to farmers.

By supporting the Wheat and Feed Grains Act of 1963, the Senate now has an opportunity to rescind its hasty action in passing H.R. 4997, a bill that is violently opposed by the Nation's wheat farmers.

It is truly a rare occasion when the Senate can view its action in the clear light of retrospection and make the corrections expected of a group which is dedicated to the representation of the people.

I am confident that the Senate's Agriculture Committee will give speedy consideration to the Wheat and Feed Grains Act of 1963 so this session of Congress can claim authorship of a farm bill that is supported by the man it so vitally affects—the American farmer.

THEODORE ROOSEVELT SCENIC PARK ROAD

Mr. BURDICK. Mr. President, in Medora, N. Dak., on May 18, I attended a public meeting in regard to S. 786, my bill to provide for the construction of a scenic road between units of the Theodore Roosevelt National Memorial Park in North Dakota.

The discussion at Medora developed, among other things, the need for more specifics to guarantee minimum disruption to the ranching industry. I had been assured by Park Service representatives that the scenic road would not inconvenience the ranchers to any appreciable degree and that their wishes in regard to fencing would be followed. However, to remove all doubt, these assurances have been incorporated into a new bill that I introduced today for appropriate reference.

The new bill provides specifically that the road may be used by adjoining landowners for movement of farm vehicles, including trucks. In regard to fencing, it provides that the Department of the Interior shall be guided by the range laws of North Dakota, local requirements and the desires of adjoining landowners. The bill also specifies that the easement on the land adjoining the right of way, which shall not exceed an average of 100 acres per mile, shall preserve the present use and appearance of such land, thus permitting grazing and other present uses, as well as prohibiting the erection of unsightly signs and structures.

An objection heard at Medora was that the bill would permit unlimited acquisition of land for recreational and interpretive facilities, which included a site for a typical ranch of the Old West on which to provide longhorn cattle and other stock to characterize the period. Unlimited acquisition, of course, was never intended. Upon consultation with the Park Service, I learned that the related sites would be adequately developed in an area not to exceed 1,500 acres and, therefore, that limitation has been placed in the new bill.

Although the bill provides for the acquisition of 25 acres per mile for road purposes, as a practical matter, a rancher could graze his cattle right up to the shoulder of the road, and the only loss of use of land would be the roadbed itself, which has been estimated to be about 3 acres per mile.

The construction of this road would open up an area of great natural beauty and historical interest to thousands of Americans—the Badlands of North Dakota. I hope it will receive favorable consideration in this Congress.

Mr. President: I ask unanimous consent that the bill be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1618) to provide for a scenic parkway connection between units of the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes, introduced by Mr. BURDICK, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to enhance public enjoyment of the Theodore Roosevelt National Memorial Park, the Secretary of the Interior is authorized to accept the donation of, or to procure by such other means as may be in the public interest, lands and interests in lands in the State of North Dakota for the development of a scenic parkway that traverses generally the area of the Little Missouri River and connects the existing units of the memorial park. Such parkway shall include necessary connections, bridges, and other structures and utilities, together with related sites for recreational and interpretative facilities, including a site which the Secretary may manage as a typical ranch of the Old West and on which he may provide longhorn cattle and such other stock as characterize the period: *Provided,* That the related sites shall not exceed fifteen hundred acres.

SEC. 2. Lands acquired for such parkway, not including lands for related recreational and interpretive purposes, shall consist of the fee title to a right-of-way of not more than an average of twenty-five acres per mile and of scenic easements on lands adjoining the right-of-way to preserve the present use and appearance of such lands, said easements not to exceed an average of one hundred acres per mile. Notwithstanding any other provision of law, Federal property required for such parkway or its directly related facilities may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior, without consideration, for use by him in carrying out the purposes of this Act. All property acquired or transferred pursuant to this Act shall become a part of the Theodore Roosevelt National Memorial Park and be administered in accordance with such special rules and regulations as the Secretary may promulgate to further the purposes of this Act: *Provided, however,* That the Secretary shall permit the use of the parkway by farm vehicles, including trucks, of adjacent land owners; and in regard to fencing, the Secretary shall be guided by the range laws of North Dakota, local requirements, and the desires of adjoining landowners.

SEC. 3. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

PREVENTION OF CERTAIN DISCRIMINATORY PRACTICES BY PERSONS ENGAGED IN BUSINESSES AFFECTING COMMERCE

Mr. HART. Mr. President, on behalf of myself, and the Senator from Minnesota [Mr. HUMPHREY], I introduce, for appropriate reference, a bill which would authorize the Attorney General of the United States to bring civil action in any instance where a person engaged in interstate commerce might deny those services or facilities to any person because of his race, religion, color, or national origin.

Congress is being called upon to explore the desirability of expanding the authority of the Federal Government to enter suits on behalf of individuals who are barred from accommodations or services because of race. Many of us have urged such expansion.

Congress has found it desirable explicitly to give this authority to the Attorney General in the area of voting. On a number of occasions we have sought to extend this so-called title III authority to all areas covering rights guaranteed by the 14th amendment. The distinguished Senator from Illinois [Mr. DOUGLAS] has introduced S. 1389, on which I am cosponsor, to achieve this broad and desirable objective.

Legislation requiring equal access to the public accommodations and services offered by businesses licensed by a State was introduced last week by a bipartisan group headed by Senator COOPER, of Kentucky, and Senator DODD, of Connecticut. This proposal represents an important and useful area for the Congress to consider.

It is my view, Mr. President, that the bill I introduce today would reach this end by another route. The commerce clause of the Constitution is the basis of the proposal I offer.

Many competent students of the Constitution hold the view that there exists today sufficient authority under which the Attorney General could enter suits in behalf of individuals whose rights might be impaired and argue that there is little or no need for additional statutory authority to give the Attorney General title III authority. This general view would also be held by those who feel that such authority presently exists under the commerce clause. Indeed, a recent decision by the Fifth Circuit Court of Appeals in United States and Interstate Commerce Commission against City of Jackson, et al. implies such authority.

Clearly, Mr. President, Congress should move expeditiously to explore and resolve this question of whether additional authority is needed. This is essentially the purpose of the bill I introduce today and I would hope that hearings by the appropriate committee can proceed on this all-important matter of assuring every citizen of our Nation full and equal access to any service or facility of businesses which stand in the flow of commerce between the States.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD and that this bill remain at the desk for 3 days so that those who may wish to cosponsor it may have an opportunity to do so.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Michigan.

The bill (S. 1622) to prevent certain discriminatory practices by persons engaged in businesses affecting commerce, introduced by Mr. HART (for himself and Mr. HUMPHREY), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever a person engaged in any business affecting commerce refuses or denies to any other person, or withholds from another, equal treatment in the facilities, services or accommodations afforded by one in such business on the ground of race, religion, color, or national origin of such other person, the Attorney General may institute for the United States, or in the name of the United States a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

SEC. 2. (a) When used in this Act, the term "business affecting commerce" includes those engaged in transporting goods in commerce, in selling goods or services in commerce, in purchasing goods in commerce for resale, in purchasing services in commerce, or in advertising in commerce or through the use of the mails or by radio or television.

(b) The term "commerce" includes trade, traffic, commerce, transportation, or communication among the several States; or between any State or Commonwealth or possession of the United States or the District of Columbia any place outside thereof; or within the District of Columbia, the Commonwealth of Puerto Rico or any possession of the United States; or between points in the same State but through any point outside thereof.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1964—AMENDMENT

Mr. McGOVERN submitted an amendment, intended to be proposed by him, to the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF REPORTED BILLS

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the name of the junior Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor to Senate bill 522, Senate bill 523, Senate bill 524, Senate bill 525, and Senate bill 526.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILL

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the junior Senator from Rhode Island [Mr. PELL] be added as the cosponsor of S. 702, relating to domestically produced fishery products, on the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCREASING THE PERSONAL EXEMPTIONS IS THE BASIC ESSENTIAL TO A SOUND TAX CUT—ADDITIONAL COSPONSOR OF BILL

Mr. GRUENING. Mr. President, I ask unanimous consent that I may be permitted to join my able and distinguished colleague, the senior Senator from Indiana [Mr. Hartke] in cosponsoring the measure he introduced on May 16, 1963, (S. 1555) entitled the Individual Income Tax Reduction Act of 1963. I commend him for his foresight in introducing this measure and for the simplicity of his approach. It requests an increase of the individual exemption from $600 to $1,000. In this effort he has taken the leadership since he first introduced this measure in 1961.

At that time he met with a negative report from the Treasury Department. I hope that his latest effort will not meet a similar response.

Speaking on February 25 last before a symposium on economic growth, sponsored by the American Bankers Association, President Kennedy said that if no tax cut is enacted, he would make the following predictions:

> First, that tax revenues will continue, year in and year out, to be insufficient to balance the budget, no matter how tight the administration and Congress control expenditures.
>
> Second, that the country will, in the not too distant future, be struck by its fifth postwar recession, with a heavy loss of jobs and profits, a recordbreaking budget deficit, and an increased burden of national debt.
>
> Third, that unemployment and unused business capacity will remain at or above their present high levels, creating a lack of investor confidence at home, and a lack of confidence in the dollar abroad.
>
> Fourth, that the pressure for a 35-hour week, for restrictions on imports and automation, and for large, "quickie" tax cuts, and sharply increased Federal spending, will all grow beyond manageable limits.
>
> Fifth, that this Nation's rate of economic growth will not match over the next 10 years the record of most other industrial powers, or our own record in this country.

I am not gainsaying the fact that tax reforms are needed to distribute the Federal tax burden more equitably. I am saying, however, that we need an immediate tax cut that would bring immediate benefits to the largest number of people. Many of the President's tax reforms would bring about inequities and cause a decrease in purchasing power in the hands of the very people who should be receiving an increase in purchasing power.

Increasing the personal exemption, which is what Senator Hartke's bill does, would achieve the result the President seeks although it may not follow the final Presidential prescription. It would release immediately approximately $200 million in purchasing power and the sum available in one year would be $11.7 billion. It would give an immediate boost to our economy by putting this purchasing power in the take-home pay of the taxpayers of the Nation in the very next paycheck after this amendment becomes effective. There will be no forms to fill out. There will be no long delays in obtaining rebate checks—those will come later.

I am not unaware, Mr. President, that, since the delivery of the President's tax message, the state of our economy, as measured by national indexes, has improved. But the serious pockets throughout the country do persist. They must be wiped out. We cannot be complacent while 5.6 percent of our total labor force is unemployed. We cannot tell the more than 4 million unemployed men and women that there is no need to get this country moving economically.

It was for this reason that on March 19, I, together with a number of my colleagues, introduced a bill, S. 1121, to increase the authorized amount for the accelerated public works program.

That is why today, I am joining the distinguished senior Senator from Indiana in cosponsoring his bill which will give the President the tax cut which he so rightly believes we need, but will give him the tax cut speedily and simply and in a manner which each taxpayer can understand readily without waiting to compute his income tax return next year.

ESTABLISHMENT OF JOINT COMMITTEE ON NATIONAL SECURITY AFFAIRS—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. HUMPHREY. Mr. President, I ask unanimous consent that, at the next printing of the concurrent resolution (S. Con. Res. 42) establishing the Joint Committee on National Security Affairs, the name of the Senator from Connecticut [Mr. Dodd] may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

TV VIEWING OF SENATE SESSIONS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent to add the name of the distinguished Senator from Pennsylvania [Mr. Clark] as a cosponsor of my resolution (S. Res. 140) which is now sponsored by the Senator from Oregon [Mr. Morse] and myself, allowing TV viewing of Senate sessions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of May 13, 1963:

S. 1517. A bill to provide for the issuance of a special U.S. postage stamp in commemoration of the Crusade against Cancer: Mr. Clark, Mr. Dodd, Mr. Douglas, Mr. Gruening, Mr. Hill, Mr. Keating, Mr. Long of Missouri, Mr. Magnuson, Mr. Metcalf, Mr. Ribicoff, and Mr. Symington.

Authority of May 16, 1963:

S. 1555. A bill to amend the Internal Revenue Code of 1954 so as to increase to $1,000 the amount of each personal exemption allowed as a deduction for income tax purposes: Mr. McGovern and Mrs. Neuberger.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MAGNUSON:

Address by Secretary of Interior Stewart L. Udall, delivered at the commissioning of the oceanographic research vessel *Albatross IV*, Woods Hole, Mass., May 9, 1963.

DESIRES OF CATTLEMEN

Mr. SIMPSON. Mr. President, I call to the attention of the Senate four resolutions which, in my opinion, reflect the feelings and philosophy of the people of Wyoming. These well-prepared resolutions have been written by the Green River Valley Cattlemen's Association, of Pinedale, Wyo.

These resolutions, which deserve the attention of every person in Government—whether an elected official, a dedicated civil service employee, a political appointee, or one who is only in Government temporarily—are a tribute to the cattlemen of America.

These resolutions show that the cattleman is keenly aware of the Federal Government's ever-presence. The cattlemen want the Federal Government to return to a government of law and not men; to reduce expenditures and abolish all needless spending; to halt attempts to influence the public on highly controversial programs which are advocated by the administration; and to adopt a responsible fencing program.

Mr. President, I ask unanimous consent to have printed at this point in the Record, resolutions adopted by the Green River Valley Cattlemen's Association on May 11, 1963.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

GREEN RIVER VALLEY CATTLEMEN'S ASSOCIATION RESOLUTION ADOPTED MAY 11, 1963, PINEDALE, WYO.

Whereas the administrative and executive department of the Federal Government exercises dictatorial powers over the people of the United States and can change rules and regulations over the voice of our duly elected Representative in Congress through the use of the Federal Register: Therefore be it

Resolved, That we, as members of the Green River Valley Cattlemen's Association, expend every effort and use every available means to assist all other groups that are endeavoring to return to rule by legislation in lieu of rule by Executive order and that we urge our State legislature and our U.S. Congressman and Senators to do everything possible to return to the government of statute and laws.

GREEN RIVER VALLEY CATTLEMEN'S ASSOCIATION RESOLUTION ADOPTED MAY 11, 1963, PINEDALE, WYO.

Whereas it is apparent that the offices of the Bureau of Land Management and the Forest Service are overloaded with administrative personnel;

Whereas we feel that too much money is expended on the cost of administration and not enough on range improvements: Therefore be it

Resolved, That the congressional Appropriations Committees be requested to make a careful study of the administrative forces of these departments with the idea in mind to reduce the expenditures in this area and apply the money saved to an overall range improvement program in cooperation with the permittees; and be it further

Resolved, That a copy of this resolution be sent to the Wyoming Stock Grower's Association, American National Cattlemen's Association, and Appropriations Committees of the U.S. House of Representatives and U.S. Senate, the Secretary of Interior, and Secretary of Agriculture.

Green River Valley Cattlemen's Association Resolution Adopted May 11, 1963, Pinedale, Wyo.

Whereas the U.S. Government is using taxpayers moneys to finance propaganda, literature, films, travel, public appearances, radio, and TV to promote support of programs which are highly controversial to the general public;

Whereas the Government is using these moneys to present half-truths of only one side of the controversial subjects and are threatening agriculture with reprisals if cooperation is not obtained: We, the Green River Valley Cattlemen's Association

Resolve, To oppose such tactics and propose the enactment of such legislation to make these tactics illegal and penalties applicable to the same.

Green River Valley Cattlemen's Association Resolution Adopted May 11, 1963, Pinedale, Wyo.

Whereas fences are essential to the efficient control of livestock on U.S. Forest Service lands and also to proper range management, and

Whereas Forest Service policy is contrary in spirit to Wyoming fencing laws: Be it therefore

Resolved, That the legislature be requested to adopt legislation specifically placing the responsibility and liability for negligent fence maintenance on the Department of Agriculture and the Forest Service, and where livestock is in trespass, the owner shall in no way be responsible if the fences have not been properly maintained.

A CITY DRENCHED WITH LIGHT

Mr. INOUYE. Mr. President, there are times when inaugural speeches by university presidents are noted for their brilliance and keen understanding of the role of education in a contemporary American community. However, this type of speech is an uncommon occurrence. When there is an exceptional one, it seems to me appropriate not only for the State and the university concerned but for the United States as a whole. I think that the inaugural speech delivered by President Thomas Hale Hamilton of the University of Hawaii on March 28, 1963, is outstanding in this respect. I ask unanimous consent that the speech by President Hamilton be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A City Drenched With Light

(Inauguration address by Thomas Hale Hamilton, president, University of Hawaii)

On a day such as this, one is pleased with the many blessings he sees about him. It is good to have one's family and friends with him. To share a platform with the Governor of his State is an honor. It is gratifying to see so many legislators and other public servants here. The presence of representatives of a large number of colleges, universities, and learned societies, who come to honor not an individual but the University of Hawaii, gives pleasure in its contemplation. And of course, one is reassured by the presence of a dedicated faculty and administrative staff, a conscientious board of regents, our concerned alumni, and representatives of an able student body.

I am particularly pleased with the presence in the presidential party of two distinguished educators to whom we all are so deeply indebted. I refer, of course, to Dr. Laurence Snyder and President-Emeritus Gregg Sinclair.

Gratitude needs to be expressed to all who have worked so hard to make this day and this week a success. My special appreciation is extended to the members of the drama department, for they, I think, have best caught the spirit of the occasion. I urge those of you who have not done so to attend their singularly appropriate performance of "Oh Dad, Poor Dad, Mamma's Hung You in the Closet and I'm Feelin' So Sad." I must confess to a certain relief that the department passed by the opportunity to present "Long Day's Journey Into Night."

One, of course, does not assume the duties of a university president lightly. It is a position, under the very best of conditions, fraught with a fair number of frustrations, a host of dilemmas, constant paradoxes, and, it often seems, but pitifully few successes.

Unfortunately, society seems to expect a great deal of the university president. These expectations recently were expressed with both style and wit by John Gardner, the president of the Carnegie Corp. of New York: "The university president is expected to be kindly with the students, patient with the alumni, irreproachable with the faculty, irresistible to the legislators, and awe-inspiring to the general public."

Then he continues with a sentence from which I have never taken much comfort: "It is an impossible job."

Now I am sure that I cannot meet all of these requirements, nor even one of them perfectly. So I shall have to be what I am, a professional who will try to muster enough stamina to get through until next Tuesday and enough vision to see a little beyond Wednesday. If this be good enough, fine; if not, let us paraphrase the bard by saying, "Men have died, and worms have eaten them, but not for a university presidency."

Since I arrived in Hawaii, a number of citizens have been willing to give me the benefit of their views on various matters, large and small. And for all of this I have been grateful. I have been conscious of the number of times this counsel has concluded with the statement, "Hawaii wants one of the world's great universities." And one or two have held that we should settle for nothing but the world's greatest university.

Now such advice is not quite so novel as one might suppose. It has been some years since a university president was inaugurated with the admonition that he should bend his every effort to bring forth an institution of marked mediocrity. But I do wonder whether all who have expressed this goal are fully aware of its implications. I am reminded that, when told of a man who excused himself by saying, "After all, I'm only human," Dylan Thomas retorted, "But deep down inside himself he really doubted it."

Part of the difficulty arises, I suppose, from the debasement of language which we have suffered in recent years. In some quarters what is really but an adequate product is described as great; if it has the slightest elegance it is magnificent. There must be a kind of Gresham's law for language as there is for currency.

But assuming that we mean what we say, how does a university become great or for that matter even good? It requires, I think, the presence of five factors: resources, the proper environment, time, knowledge of the special nature of a university, and a sense of purposiveness within the university itself.

When one considers these factors one is impressed by the extent to which such reflection indicates the necessity for mutuality of concern on the part of both the university and the larger society of which it is a part. For while some seem to be primarily the responsibility of the university and others the responsibility of other segments of society, the sense of mutuality is the thing which penetrates. Surely only a good society can produce a good university, and, contrariwise, to postulate the former without assuming the presence of the latter is misleading.

The resource factor is, I think, the easiest to comprehend, although sometimes very difficult to come by—but one must face up to the fact that the higher learning is very costly.

Not quite at random, I selected three American State universities which I consider of first quality. Whether they are great or not is a moot question, but in my opinion they are among the best we have; and incidentally, I have been in this profession long enough not to be so foolish as to name them. Originally I included here a fairly elaborate analysis of the resources available to these three institutions, but this is no day for me to play the numbers game or, indeed, for you to consume a diet of statistics. Let it only be said that without any increase in number of students, our total budget would need to be doubled if the resources of our university were to equal the least affluent of these three. This is true in spite of the fact that the State of Hawaii in recent years has made a far greater effort than ever before to support its university.

No one could hold seriously that the quality of an institution can be judged solely by resources available related to its enrollment. But a relationship there is, for in the long run less than average effort produces less than average results and never excellence. If this be a part of the price of greatness, are we willing to pay it? And can we pay it? Interestingly enough, if the university properly plays its role, I am not too concerned about the willingness of the community. This I think is present. Our economic ability to do so is another matter, one to which I have given some thought and to which I shall return.

I said that the second factor necessary for excellence relates to the environment. Much of this the university itself has to create. Institutions, as individuals, tend to play the roles they cast for themselves, and a great institution always must exhibit competence and poise and maturity and self-respect. But the environment of the larger community of which the university is but a part also is a conditioning element.

There must be present a society which at least in the main is sufficiently mature that it pays no homage to small words, to small deeds, to small men. While it must glory in the distinctiveness of human beings and delight in the creativity which results in a society which not only permits but encourages one man to differ from the other, it must strive to settle no issues of import on any basis other than principle. It must, without denying the importance of the emotional and the spiritual, have a high regard for rationality as the primary faculty by which we can comprehend man's essentially tragic condition.

And then there is the factor of time. It is paradoxically true that an excess of virtue may produce a vice. And this is sometimes true in our American attitude toward time. So eager are we, and properly so, to correct errors, to make progess, that we sometimes forget that some growth simply demands time.

A plant gains no health and vigor if it is pulled from the ground periodically to note the condition of its roots. A university, in particular, does not achieve excellence overnight. Recall that while many of the American universities which we now revere came into being in the 17th and 18th centuries, as late as the latter part of the 19th they were characterized by Dean Andrew West, of Princeton as mainly institutions "with some anticipations of university studies toward the end of the course."

There is of course a danger here. If brash and imprudent impatience is a danger, complacency is its equal. Between Scylla and Charybdis the wise must steer.

The community desiring excellence in its higher learning must know a great deal about the special nature of a university. A university is the most perplexing, frustrating, difficult, and wonderful social institution devised by man. And it is all of these things because it exists for paradoxical ends. It is inevitable that universities should occupy an ambivalent place in a society even though that society creates, supports, and at times praises them. A university is established by a society to insure that the values to which that social order subscribes are perpetuated; there is, in effect, an orthodoxy at stake. And yet, in its rarer moments society also acknowledges that it is equally important to examine and, indeed, to modify that orthodoxy. Thus the university is mandated to question the value system which it is also supposed to preserve. Problems inevitably arise, however, from the fact that the whole society does not uniformly subscribe to both these ends. There are always some to whom it appears that the university ought to be preserving instead of questioning. And to others the reverse is true. This is why universities are so often misunderstood by the society which sustains them. This is why a public university is not like any other agency of government and cannot be so regarded if it is to achieve the excellence of its nature. And the proper treatment of a university cannot await universal agreement that it has achieved excellence, for the former is a prior and necessary condition of the latter.

The only proper stance for a university as it faces the paradox of its nature is the fundamental premise of the vocation of scholarship: That truth is always preferable to error. This does not mean that at all times the university can be confident it possesses the truth. A little humility here would help. With the best of intentions, universities have, with all their solemnity and tradition, taught error, whether it be the astronomy of Ptolemy or the theory of ether. But the validity of the premise is not by such facts disproved.

Finally, it seems to me that no good university can exist unless it contains within itself a sense of purposiveness which is shared by all who make up the university community. It must know its nature, it must know its purposes, it must know the needed means, and it must have a plan which relates means to its purposes. The possibilities of planning can, of course, be overemphasized. What physics department chairman in 1940 could have foretold his need for a reactor and an accelerator just 10 years later? But the university must develop the general sense of direction related to time and means. If it does not, others will do the job and understandably so.

Keeping all these matters firmly in mind is perhaps most difficult in an institution such as this. This is the people's university. Being such it must be both responsible to the society of which it is a part and responsive to the needs of the peoples of that society. But this does not mean that it should sway with each new gust of the wind of public opinion. At times it will best serve the people by saying "no." And it need not be too concerned at the criticism which then ensues. One of the remarkable things about good universities is that their record of survival is far better than that of the particular societies which first established them.

These remarks may seem sobering. They were meant to be. It does no good for either you or me to underestimate the magnitude of the task with which we jointly are confronted. And yet I am not pessimistic. Given determination, we can, I think, by combining the assets of the State with Federal assistance, and a great increase in private giving, muster the resources necessary. Time is always available for wise use, use which avoids both imprudence and complacency. I shall use my influence, as others have and will, to see that the university exhibits poise and maturity and self-respect. We can hope with some confidence that the proper nature of a university becomes increasingly clear, and concern with purpose and means will be at the university a first order of business.

It is important that this be done. Given a society, such as ours, dedicated to human dignity and the equality of men, a society which must remain free and open, safe and productive, there exists no better investment than a university of quality. For it is a great university which can make of our society what Athens was in the eyes of Socrates. Maxwell Anderson described that vision in these words which I have quoted before, which I shall quote again, and with which I close: "Athens has always seemed to me a sort of mad miracle of a city, flashing out in all directions, a great city for no discoverable reason. But now I see that Athens is driven and made miraculous by the same urge that has sent me searching your streets. It is the Athenian search for truth, the Athenian hunger for facts, the endless curiosity of the Athenian mind, that has made Athens unlike any other city. This is a city drenched with light—the light of frank and restless inquiry—and this light has flooded every corner of our lives: our courts, our theaters, our athletic games, our markets—even the open architecture of the temples of our gods. This has been our genius—a genius for light * * *. Shut out the light and close our minds and we shall be like a million cities of the past that came up out of mud, and worshipped darkness a little while, and went back, forgotten, into darkness."

A KEY TO VICTORY IN VIETNAM—OUR DETERMINATION TO SUCCEED

Mr. INOUYE. Mr. President, last December, the very distinguished Senator from the State of Washington [Mr. JACKSON], one of our ranking members of the Senate Committee on Armed Services, visited South Vietnam at the invitation of the Secretary of the Army, Cyrus R. Vance, for a close look at the counterinsurgency program.

During this visit, the Senator from Washington conferred with many hundreds of persons—American and Vietnamese Government officials; American and Vietnamese officers and men in the field.

The March 1963 issue of the Army magazine has a special report submitted by U.S. Senator HENRY M. JACKSON on his South Vietnam visit.

I most respectfully feel that the Senator's candid observations on the counterinsurgency program is worthy of our serious consideration.

Mr. President, I ask unanimous consent to have Senator JACKSON's special report entitled "A Key to Victory in Vietnam" printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

A KEY TO VICTORY IN VIETNAM—OUR DETERMINATION TO SUCCEED

(By Senator HENRY M. JACKSON)

The struggle in South Vietnam, with all its frustrations and vexations, is the kind of effort the U.S. Army will be making for a long time. We have got to get used to that idea.

In Communist jargon this is a "war of national liberation"—the kind of war that Khrushchev and Mao think they can win. More than 2 years ago Khrushchev pledged that he would wage such struggles in Asia, Africa, Latin America, and the Middle East. We have got to take him seriously. There are signs aplenty that he has other such ventures in mind—perhaps some in our own backyard.

This is not war on a large scale, involving the movement of big units, heavy firepower, sustained combat, and well-defined fronts. Militarily it is a war of skirmishes and ambushes, hit-and-run attacks, with the enemy breaking off contact when opposed and filtering away into the rice paddies or the jungle. Politically it is a war to destroy the confidence of the people in their Government, to build up such physical exhaustion and such war-weariness that the will to resist will be eroded, and to create the fear and uncertainty which will pave the way for any regime which can promise order, no matter the terms.

The Chinese Communists have been perfecting this type of warfare for more than a generation. We have got to learn to combat it in a fraction of the time. The encouraging fact about the struggle in South Vietnam is that we are learning.

Because the experience in South Vietnam has much to teach us, I wanted to see it for myself and was privileged to spend 8 days there last December at the invitation of Secretary of the Army Cyrus Vance. Along the way I stopped to talk with Admiral Felt in Hawaii, and in Saigon I talked with Ambassador Nolting and the key members of the country team. I was accompanied by Col. George B. Sloan, chief of the U.S. Army congressional liaison and inquiry division, who had had a chance to study the situation there on an earlier trip in October. Together we visited a number of units in the field, talking with the officers in South Vietnamese units and their American advisers. I also had a number of talks with high officials of the Vietnamese Government, including Premier Diem and his brother and close adviser, Nu.

Of course, I spent a good deal of time in discussions with Gen. Paul D. Harkins, Maj. Gen. Charles J. Timmes, chief of the MAAG, Brig. Gen. Joe Stilwell, Jr., the Army support commander, and Col. George Morton, who is directing our Special Forces operations. From my own personal standpoint the visits to the field, with opportunities to observe combat operations and conditions, were the highlights of the trip.

The first thing to observe is that our effort in Vietnam involves all elements of our Government. State, AID, USIA, CIA, and the military all have their parts to play—and all must be played well.

The second point to be made is that our effort in South Vietnam is closely related to the situation in the rest of southeast Asia, especially Laos, Cambodia, and Thailand. It is not possible, I am sure, to conduct a wise policy in Vietnam in isolation from our policies in southeast Asia as a whole.

I have often heard it said in a critical tone of voice, that we should send our best people overseas on tasks like this one. I am prepared to testify that we have a splendid group of Americans in South Vietnam, and we back home can and should take pride in them and their efforts. They are mature, competent, and realistic. They show a real sensitivity to the nature of the struggle in which they are engaged. They have good morale and preserve a good American sense of humor—qualities that are as important as they are remarkable when one is living knee-deep in water, as many of our advisers are. These comments apply not only to the Army personnel, but also to the Embassy, the AID, and USIA missions, the Marines, Air Force, and Navy, and others. A lot of credit goes to General Harkins and Ambassador Nolting for creating a real team effort—of the kind that we are going to be called on to make elsewhere. It is good to know that it can be done when you have the right people with the right spirit.

Of special interest to the Army, and something Army officers will be studying with great care, is the role of the helicopter and slow, highly versatile, fixed-wing aircraft like the Caribou. Together with good communications, so that one has up-to-the-minute information on where the Viet Cong are, this equipment gives the South Vietnamese forces an advantage in terms of ability to move quickly and concentrate that is probably the key factor in turning the tide in Vietnam.

The sky is a highway without roadblocks. The helicopter frees the Government forces from dependence on the poor road system and the canals which are the usual arteries of communication. It enables them to achieve surprise. I think of it as a cavalry of the air—with all of the advantages and more that cavalry used to give in combat with an enemy on foot. There is still a lot to learn, but our people are learning fast. One place where we can improve is to supply more of these craft and to improve our maintenance.

The new Army is a lot more than a well-trained group of fighting men. American personnel are living, for example, with peasants in the Delta and with mountain people, or Montagnards, in the high country. Wherever they are, they are teaching—and they are learning. And the latter is probably more difficult than the former, for an American is inclined to doubt that a primitive tribesman has much to teach him. But these do, and we can learn just as our forefathers learned a lot from the Indian about survival in the wilderness.

Our men are doing a marvelous job of establishing personal links with the people. I saw American soldiers helping with the construction of huts, simple schoolrooms, community facilities, and the simple but effective fortifications around the so-called strategic hamlets. A good many have learned some words of the native dialects and a good many are teaching English to the villagers. In one unit I met a noncom who had been up all night helping with the delivery of a baby. In short, the American soldier has a kind of "peace corps" of his own—but in this peace corps one carries his rifle on his shoulder, for the crackle of gunfire may interrupt any task.

For this is a struggle in which blood is being spilled. Last year the South Vietnamese suffered more than 11,000 casualties. According to the official estimates the Vietcong had 28,000. Admiral Felt estimates that the enemy is making about 50 armed attacks a month at the present time, which is about half the number a year ago. So progress is being made, thanks in large part to the effectiveness of U.S. Army advisers, who serve not only at corps and divisional headquarters but down to the battalion level. As our casualty lists show, a good many advisers have been in the thick of operations, which often involve units of platoon or squad size.

Large areas of the delta and the high plateau and mountain country in the north have been in Vietcong hands since shortly after World War II. In fact, Vietnam has never been truly unified in modern times. The Government therefore must not only try to protect the country against guerrilla attacks but also carry out an effort to establish its authority and legitimacy in areas where it has never been recognized. To win the loyalty and support of the people and to build a sense of statehood where none has existed are difficult tasks in the best of circumstances. Probably the remarkable thing is how much has been accomplished along this line.

The Communists control nearly half of the countryside and nearly half of the villagers, who make up almost 90 percent of the population. In the areas that they dominate, the Vietcong collect taxes, highway tolls, and contributions of food and supplies from the peasants.

It is still not safe to venture far from Saigon without an armed convoy. The railroads have to be protected from sabotage and ambush and train service and other ground transport are frequently interrupted.

Why are we involved? Not just because Vietnam is a potentially rich country, though it is that. More because its loss would be an important political and psychological victory for the Communists, helping to confirm in their minds that the tide is running their way in Asia and that the West really has no answer to the war of national liberation.

But mostly for the simplest of all reasons: the Communists have got to be stopped. And they have got to be stopped where they make their effort. There isn't any nice, pleasant battleground where we could make a stand in preference to this one.

Since my return I have been asked many times how the struggle is going. Are we winning? When will it end?

The honest answer is that no one can be certain whether he is winning. It isn't that kind of a fight. It doesn't oppose large, organized units. It doesn't have clearly defined fronts. It won't end with a surrender ceremony. What we hope for, and have a chance of achieving, is that it will peter out—the attacks will become less frequent, the Vietcong will find it more difficult to recruit, the supporters of the Government will gain confidence, and one day the enemy will slink away into the swamps and not return, or return as a defector.

By such measures as we have, the trends are favorable at this time; the tide seems to be turning. Viet Cong casualties are up; losses of Government equipment are down; captures of Viet Cong supplies are up; the number of armed attacks is declining; the number of strategic hamlets is increasing; and so on.

But optimism even of this kind has to be qualified. Of course ups and downs around this trend have to be expected, and we should not be surprised by setbacks or read too much significance into one or two spectacular victories. Furthermore, the basic trend could be reversed if the Viet Cong receives stepped-up assistance from the north, Red China, or the Soviet Union.

And it would be reversed if events go badly in Laos and Cambodia. In all frankness the prospect in these neighboring countries is not good. The "neutralist" government of Cambodia is leaning with the wind—and it thinks the wind is blowing from the north. The so-called coalition government in Laos was a marked child from its birth. It will be little short of miraculous if it can preserve effective neutrality in the struggle that rages in and around it.

In these circumstances the U.S. Government must take a long, hard look once again at its policies in southeast Asia. What are the areas that must be genuinely, not just nominally, denied to the Communists if the security of South Vietnam is to be safeguarded? Obviously, or so it seems to me, the area along the Mekong River, in what might be called the panhandle of Laos, is of key importance. If this area is, in fact, denied the Communists—that is, neutralized in the full sense of the word—this will have great meaning for the position of Cambodia, Vietnam, Thailand, and even Burma. If it is not, that will have other, grave implications.

We must look also at the intensity and adequacy of our efforts in South Vietnam. The road ahead is probably long and hard. We must be prepared for that. But the journey may be shortened and the burdens lightened if we approach the task with the determination to succeed and ask ourselves what is needed for success. Perhaps the question of determination is the key question.

It is just possible that with a few more shoves, we might get a bandwagon rolling. Little successes can lead in this situation to more and bigger victories. Confidence in the Government could grow rapidly once it is evident that the Government is beginning to get the upper hand.

For this reason this seems to me a psychologically opportune moment to step up the scale and intensity of our programs in all reasonable ways.

MAJ. LEROY GORDON COOPER, JR.

Mr. INOUYE. Mr. President, on May 18, 1963 the people of Hawaii gave Maj. Leroy Gordon Cooper, Jr., a tremendous reception, second only to that given the late President Franklin D. Roosevelt when he visited the islands.

In welcoming Major Cooper, Gov. John A. Burns, of Hawaii, gave the following public remarks, which I ask unanimous consent to have printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Welcome Remarks by Gov. John A. Burns on Arrival of Maj. L. Gordon Cooper, Jr., Hickam Air Force Base, May 18, 1963

Major Cooper, it is always a great pleasure to welcome distinguished guests to Hawaii. It is doubly pleasurable, in your case, because we regard you as a hometown boy—a native son of Hawaii.

You have traveled a greater distance than any other person in history to reach our islands. We, therefore, hope your short stay with us will be as memorable for you as it will be for us in having you here.

There are cherished events in the lives of all of us. In your case, I am sure that two such events are linked with Hawaii: first, your marriage to your very lovely wife, here on this very base in 1947; and second, your reunion today with her and your family. This is a fitting epilog to your historic and courageous orbital flight in space.

We are honored to welcome you and your family to our islands, and we hope that you will return often.

Remarks by Gov. John A. Burns, Presentation of Maj. Leroy Gordon Cooper, Jr., to the People of Hawaii at Iolani Palace, May 18, 1963

I am most pleased to see how well the citizens of this State have responded today to honor a most distinguished visitor to Hawaii. It is not every day that we have the privilege of welcoming a person who has traveled such a long and historic route to reach our shores.

We have all read or heard of Maj. Leroy Gordon Cooper, Jr.'s successful multiorbit mission around the earth in his *Faith 7* spacecraft.

His achievement is something that those of us earthbound individuals, who live somewhat more mundane lives, marvel at. Major Cooper is an inspiration to all of us, not merely because of his successful orbital flight, but also because he stands as a symbol of the kind of heights within reach of those of us who live in a democratic society.

Behind Major Cooper's accomplishment is the long record of his pioneer forefathers. Just as the early pioneers dared to brave the unknown West, so, too, has Major Cooper, along with his fellow Project Mercury astronauts, opened up a new frontier for others to follow.

Major Cooper's successful completion of his hazardous journey is a tribute to his personal courage and ability. It exemplifies the manner in which Americans are able to rise to any challenge thrown against them. Major Cooper is a reminder to all of us, that we can do whatever we dare to do.

As most of you know, Major Cooper is regarded as a hometown boy—a "native son" of Hawaii. He lived here when his late father was stationed with the Air Transport Command at Hickam Air Force Base. Major Cooper attended the University of Hawaii for 3 years. He was married at the Hickam Chapel.

We are proud to have him and his family back, especially under such auspicious circumstances.

We are doubly proud that the first American soil Major Cooper set foot on after his 575,000-mile trip through space is Hawaiian soil.

Hawaii and Major Cooper have something very much in common. Major Cooper is a pioneer in the new space frontier. We, in Hawaii, are pioneers in a new frontier involving the entire Pacific and the countries rimming this vast ocean.

I am priviliged, in behalf of the people of this State, to present Major Cooper with a medal in commemoration of his noble achievement.

Major Cooper, I present to you, from the people of Hawaii, this bronze Statehood Medallion, which was struck in 1959 to commemorate Hawaii's admission into the Union.

I believe this is a fitting token by which to mark this great day in your life and in the lives of all of us, who, as fellow Americans, share in the glory of your feat.

TRIBUTE TO DR. ALLAN F. SAUNDERS

Mr. INOUYE. Mr. President, once before I spoke of the effectiveness in teaching and community service of Dr. Allan Frederic Saunders, dean of the University of Hawaii. I indicated then that he was probably one of the most outstanding educators Hawaii has ever had. It seems now that my feelings on this have been seconded by an editorial in the Honolulu Star-Bulletin.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin, May 24, 1963]

EXPANDING RIPPLES

There is given to some in this, as in other communities, the capacity to influence the life of their communities through those they have taught.

Among this rare group is Dr. Allan F. Saunders, dean of the College of Arts and Sciences of the University of Hawaii, who retires this year after a career in education extending back 44 years.

His field is political science and his special concerns have been political theory, more especially American political theory, and group dynamics.

Many of the young men who came into political prominence in Hawaii since World War II sat at his feet and were influenced by his thinking. He schooled them not only in political techniques, but in the socioeconomic principles which we see being applied to the Government of Hawaii by our latter year legislatures.

Senator DANIEL K. INOUYE, one of Dr. Saunders' students, honored him with a testimonial in the CONGRESSIONAL RECORD. The legislature, during its recent session, memorialized his work in a concurrent resolution. On Tuesday, the city council similarly spoke in glowing terms of his contributions to higher education in Hawaii.

In another sphere, he has given devoted leadership to the cause of the United Nations in Hawaii.

Tomorrow night, his admirers are uniting to honor him at a "mahalo party" at the Ala Moana Center banquet hall.

Considering the political connections of so many of his former students, we can forecast that the oratory will be eloquent and Dr. Saunders, while pleased, may find himself just a bit embarrassed by the effusiveness to which politicians, including his own former students, often are given.

When all the whereases have been recited and the resolves set forth, Dr. Saunders will retire from the scene at the University of Hawaii secure in the knowledge that by influencing the minds of men now influential, he has left his mark on this community.

STUDY OF KEY CURRENCIES REVEALS WEAKNESSES IN DOLLAR AND POUND

Mr. ROBERTSON. Mr. President, there is a thoughtful article in the May 24, 1963 issue of the American Banker by a London correspondent concerning a recent British study of the British and United States currencies. Those of us whose primary concern is with the fiscal affairs of our Government have been aware for some time of the weakness of our dollar. And we know how serious that weakness could be to us should there be any general consensus among foreign nations, who are in a position to present to us for redemption in gold between $19 and $20 billion, that gold would be more valuable to them than interest on our money and the goods and services that can be bought in this country with our dollars.

The weakness of our dollar is clearly demonstrated by the continued drain upon our diminishing gold supply. That gold supply is now below $16 billion and is falling nearly every month, although we need more than $12 billion of gold to back our currency even on a 25-cent gold basis. We have, of course, a very small amount of free gold with which to meet potential demands from abroad for the exchange of dollars for gold.

The study of this situation by the distinguished economist, A. R. Conan, leads him to the conclusion that there are three ways in which the weaknesses in both dollar and pound could be strengthened, namely: "Visible trading, government spending and investment policy."

Administration experts and banking experts are now urging expansion of our foreign trade. We already have a sizable export surplus, and we are handicapped in expanding it further by two factors:

First, modern plants built in competing countries with our money.

Second, creeping inflation in this country which over the years has been gradually pricing our products out of world markets. So our opportunities to expand our exports are rather limited. And the same thing is true of foreign investments. Those investments are made by private individuals and corporations and are largely influenced by the attitude toward private capital of the undeveloped nations of the world.

That leaves Government spending as a factor on which this Congress can and should act. We now have military establishments in 52 nations of the world—and all of that military personnel, plus hundreds of thousands of their dependents, are spending dollars abroad. That grandiose display of military power is no longer necessary and it can and should be substantially reduced, including a reduction of our NATO forces and a reduction of our military aid to our allies. But by far the biggest element of spending which is accumulating surplus dollars abroad is our foreign aid program. There was a time when war-torn countries could not get the supplies they needed except in this country. During that period nearly all of our foreign aid came back to U.S. suppliers. Today, at least $1 billion of our $4 billion foreign-aid program results in a drain on our balance of payments. The question is whether under present circumstances we can afford the level of commitments we have undertaken, particularly when the foreign-aid program is confused in purpose, scattered over more than 80 countries, and capable of reduction even in the view of the President's own advisory Clay Commission. Hence, I recommended in a speech in the Senate on March 7 that we could and should reduce the current foreign-aid budget by $1.8 billion.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article from the American Banker, entitled "Study of Key Currencies Reveals Weaknesses in Dollar and Pound."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the American Banker, May 24, 1963]

STUDY OF KEY CURRENCIES REVEALS WEAKNESSES IN DOLLAR AND POUND

LONDON.—An interesting study of the dollar and the pound in recent years has been made by A. R. Conan, the economist who is now consultant to the Overseas Development Institute, for the Westminster Bank Review.

Although they have faced rather different problems and have followed totally different policies, he concludes, the two Governments concerned (the United States and Britain) now need to pay attention to the same thing—to the invisible account in general and oversea investment in particular.

Both key currencies have been under pressure, Mr. Conan remarks. Weaknesses have appeared in each. Britain, until very recently, has relied on deflation to overcome the weaknesses. The United States however has relied on direct action. It has opened up oversea markets, tied aid to American goods, checked the increase in Government spending overseas and limited travel expenditure.

The United States, says Mr. Conan, has been the more successful. It has maintained "an enoromous export surplus" without deflation. But Britain even with deflation has been unable to do more than "effect a near-balance between exports and imports."

Some experts had forecast a U.S. trade surplus of $2–$3 billion. The average American surplus at the beginning of the sixties, Mr. Conan notes, was in fact almost $5 billion.

Britain, which was in earlier times geared to a visible deficit of about $1 billion, has almost reached a point of balance.

America's imports, at more than $16 billion, have increased substantially. Britain's imports have not increased.

The high standard of living in the United States, a number of British experts reckoned, would in the end create an adverse trade balance. The fundamental forces postulated by these authorities either do not operate as stated or are offset by other factors, Mr. Conan believes.

In spite of inflation, Britain's deficit has been reduced. At the same time, in spite of recent deflation, no surplus has appeared. The British economy seems resistant to both inflation and deflation.

Part of Britain's difficulties, Mr. Conan reckons, may be due simply to the fact that Commonwealth trade arrangements are a one-way street, with Britain giving quotas, guaranteed markets, protection and safeguards to the products of countries like Australia and India, while its own goods are aften impeded or prohibited from the very same countries.

On invisible account, America has a deficit, Britain a surplus. There is, however, one common factor: Government spending overseas is now the major factor in the invisible account. The experience of both countries shows that it is difficult to bring this spending under effective control, even when a main objective of policy may be to reduce it.

There is also one uncommon factor: America's investment income from overseas has increased very rapidly to exceed $4 billion while Britain's has risen very slowly to almost $900 million.

The final effect, taking both visibles and invisibles into account, is that the United States has a large current account surplus ($2.8 billions in 1962) and Britain a small one ($200 million).

Now, says Mr. Conan, summing up, the lesson is that for each of the world's key currencies there are the same three areas in which strengthening operations can be undertaken; visible trade, government spending and investment policy.

The most effective policy would be one that had an impact on all three. "To produce such an impact, however, might not be easy except in a tightly controlled economy."

Government account is immune from economic policy, he adds, but can be contained by political decisions limiting commitments. Private invisibles, however, are to a great extent immune from policy decisions of any kind. In between is the visible trade balance, which can be controlled directly or indirectly.

A further increase in America's trade surplus, while not ruled out, is considered unlikely (it is huge already and it always has to be remembered that one country's surplus is another's deficit). At the same time Britain's plan for an increased surplus is dependent on a twofold increase in invisible earnings, which is equally unlikely.

"This aspect of a complex problem may be a corrective to overoptimism as to the possible results of growth policy," Mr. Conan concludes. "The key currencies must not only pay their way but have also to do a good deal more."

There is a lot in it. If Britain's trade surplus now rises sharply, which is by no means impossible, or its investment income grows, and if America's capital account is strengthened, which is not impossible either, the key currencies could both look really good again quite soon. And that in spite of any apparent setbacks in Geneva.

TRIBUTE TO MRS. LADY BIRD JOHNSON

Mr. MONRONEY. Mr. President, students and faculty members of the University of Oklahoma had the privilege last week of welcoming to their campus for a brief visit Mrs. Lady Bird Johnson, the charming and intelligent wife of the Vice President. Many of my constituents have told me how pleased they were to have the opportunity to acquaint Mrs. Johnson with many of the efforts being made at the university to improve academic programs there. They were delighted to have the privilege of showing Mrs. Johnson what is being done at the University of Oklahoma to help train members of the Peace Corps, to improve adult education opportunities, and to pioneer in student leadership training activities.

Mrs. Johnson made a contribution of lasting significance to the progress of the university by making this visit. This was another example of the gracious and meaningful interest taken by Lady Bird Johnson in important areas of American life.

Her untiring attention to causes where women can best serve is in the tradition of the late first lady of the world, Mrs. Eleanor Roosevelt. Lady Bird Johnson's love for human beings and respect for human dignity have made and will continue to make a tremendous contribution to our national and international welfare.

It was good to have these facts recognized editorially in the Washington Post recently. I think the editorial merits the attention of those who may not have seen it the day it was published. Therefore, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Salute

It appears to be the fate of Vice Presidents to serve in relative obscurity. But this ought not to obscure the usefulness of what they do in quiet ways. In particular it ought not to obscure the warmth and unstinting compassion with which Vice President LYNDON JOHNSON has used his office for human and healing purposes—or the extraordinary degree in which he has been helped in this service by a lady of exceptional grace, his wife.

A week ago Vice President JOHNSON was given the Distinguished Service Award of the Capital Press Club and accepted this tribute to his efforts in the field of civil rights with an expression of faith that "the day will come when it is not necessary nor remarkable to give or receive human rights awards—not necessary or remarkable simply because justice will be colorblind and all men and women will be judged on their merits and not on irrelevant considerations of ancestry."

And last night at Cleveland, the Volunteers of America gave the Ballington and Maud Booth Award Citation to Mrs. Lyndon Johnson "in grateful recognition of her devoted, untiring and outstandingly successful efforts to marshal the forces for good in our land in behalf of the less fortunate, particularly those who suffer from economic and social disadvantage."

Both awards were richly earned. And we presume that the Vice President will take no offense if we salute with particular appreciation a lady who holds no public office but has nonetheless rendered unstinting and indefatigable public service. Her countrymen owe her the warmest gratitude.

ANGOLA

Mr. CURTIS. Mr. President, several days ago I offered for the RECORD a column written by our distinguished colleague, the junior Senator from Arizona, relating to Africa. For your further interest, I would like to offer for the RECORD an article appearing in the Newark (N.J.) Star-Ledger on Thursday, May 2, 1963, written by Senator GOLDWATER, entitled "Is U.S. Winking at Plot on Angola?" I believe this interesting and very informative news story deserves the attention of all Members of this body.

Mr. President, I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Is U.S. Winking at Plot on Angola?

(By BARRY GOLDWATER)

The problem of Angola in West Africa is still plaguing one of our important NATO partners, the Portuguese. But the U.S. Government is strangely quiet about one important facet of that problem, the maintenance on Belgian Congo soil of a camp where men are being trained for an armed invasion of Angola.

The Congo Government of Cyrille Adoula is openly supporting the movement aimed at the Portuguese province. Moreover, the revolutionary camp has the active support of Algerian Premier Ben Bella, who came to this country to negotiate for American aid and then went on to Havana where he pledged his undying support of Fidel Castro.

Castro himself has described the movement to drive the Portuguese out of Angola as a Communist objective. And Ben Bella has on several occasions proclaimed that he will give aid and arms to the Angolan rebels.

There can be no doubt that the action of the Adoula government in helping to pave the way for an invasion of Angola is a violation of the United Nations Charter. And it is perfectly obvious that the United Nations, dominated by the Afro-Asian bloc, is not about to pay any attention to the Portuguese protests.

This being the case, the whole question comes back to Washington and the attitude of the U.S. Government. For the Adoula government in the Belgian Congo exists primarily through the support of the United States. While the Congo budget is about $400 million a year, the country's internal income is only about $160 million. Somebody must pick up the tab, of course, and in this case it is the United States which contributed over $200 million in 1962.

Quite naturally, the Portuguese want to know why the United States doesn't insist that the Adoula government disband the training camp and put a halt to the flow of arms and trained guerillas from Algeria and Tunisia. As our NATO ally sees the situation, Adoula would have no choice but to agree if we took a firm stand against his tacit participation in a program of armed aggression.

In March, 1961, an uprising in Angola near the Congo border resulted in horrible excesses, including the killing of more than a thousand Portuguese. The Portuguese claim the rebels actually were terrorists from the Congo and that the so-called uprising was, in actual fact, an invasion of Angola.

In this instance, the Portuguese drove the revolutionaries back across the Congo border, and the fact that the fighting was confined to a relatively small area seems to support Portugal's claim that there is little popular support inside Angola for the overthrow of the existing government.

To say the very least, the New Frontier's attitude on the question of Portuguese provinces is confused and contradictory. In March 1961 we voted against Portugal at the United Nations on the Angolan question—including a resolution which condemned the Portuguese for defending themselves. But late in 1962, we pulled away from the Afro-Asian bloc and voted against resolutions urging sanctions and other punitive measures aimed at the Portuguese.

Of course, the critics of the Portuguese claim that Angola and Mozambique, a province on the east coast of Africa, are colonies and must be freed. Portugal, on the other hand, claims that both provinces are integral parts of their own country.

RESOLUTION OF TOWN OF LANCASTER, N.Y., FOR 1965 CENSUS

Mr. KEATING. Mr. President, on May 6, 1963, the Town Board of the Town of Lancaster, Erie County, N.Y., adopted a resolution favoring and urging enactment of legislation by the Congress of the United States of America, authorizing a national census of population, housing, and unemployment to be held in 1965.

Mr. President, I ask unanimous consent that this resolution be printed in the Record at this point.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas legislation has been introduced in the Congress of the United States of America, authorizing a national census of population, housing and unemployment to be held in 1965, and

Whereas it is in the best interests of the residents of the town of Lancaster to have the said census conducted in 1965: Now, therefore, be it

Resolved, That the Town Board of the Town of Lancaster favors and urges enactment of legislation by the Congress of the United States of America, authorizing a national census of population, housing and unemployment to be held in 1965; and further be it

Resolved, That certified copies of this resolution be forwarded to the Subcommittee on Census and Government Statistics of the House Committee on Post Office and Civil Service; U.S. Senators Jacob K. Javits and Kenneth B. Keating; and to Congressman John R. Pillion.

RESOLUTIONS ADOPTED AT THE UPPER NEW YORK STATE REGION OF HADASSAH

Mr. KEATING. Mr. President, at a recent conference of the Upper New York State Region of Hadassah, three resolutions were adopted that have particular bearing on world governments and policies.

The first resolution deals with freedom of emigration—that is, the right of every individual to leave and return to any country, including his own, retaining the full enjoyment of all the rights of that country. The second resolution calls for the elimination of racial discrimination—discrimination which is becoming increasingly evident and harsh in some areas of the world. The third resolution condemns the Arab military buildup in the Middle East—a buildup apparently undertaken for the purposes of subjugating Israel to the ambitions of Middle East rulers.

Mr. President, I have a great deal of respect and admiration for this organization. The response to many compelling world problems, as exemplified by the following resolutions, is highly commendable.

Mr. President, I ask unanimous consent that following my remarks the texts of the three resolutions may be printed in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolutions Adopted at Upper New York State Region of Hadassah at Buffalo, N. Y., April 30, 1963

FREEDOM OF EMIGRATION

Hadassah, representing more than 318,000 American Jewish women from every State in the United States is encouraged by the adoption of a set of principles by the United Nations Subcommission on the Prevention of Discrimination and Protection of Minorities in respect of the right of every person to leave any country including his own and to return to his own country freely.

These principles emphasize that one of the purposes of the United Nations is to promote and encourage universal respect and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion; describing the right of everyone to leave any country including his own as an indispensable condition for the full enjoyment by all of their civil, political, economic, social and cultural rights. These principles, extending freedom of movement from one country to another to nationals of every country, represent a heartening move toward achieving the objectives of the United Nations.

Hadassah expresses the fervent hope that these declarations will be adopted by the appropriate bodies of the United Nations, which will testify to the peoples of the world that the dignity of all human beings will be legally protected as well as morally professed.

ELIMINATION OF RACIAL DISCRIMINATION

Hadassah, representing more than 318,000 American Jewish women from every State in the United States, is encouraged by the adoption of a series of basic principles by the United Nations Subcommission on the Prevention of Discrimination and Protection of Minorities designed to eliminate all forms of racial discrimination. This declaration seeks to embody in international law the principles of justice, equality and freedom, subscribed to by the American people.

Hadassah views with apprehension and concern mounting evidence of antisemitism in many countries and especially in the Soviet Union. The above principles, when adopted, would outlaw racial discrimination, a flagrant violation of the charter of the United Nations, and a denial of the fundamental human rights proclaimed by the Universal Declaration.

We especially welcome the draft declaration of Mr. Morris B. Abram, U.S. representative on the Commission (attached to this resolution), and his statement emphasizing the American desire "to give effect to the principle of equality of all men and all peoples without distinction as to race, color, or religion as guaranteed in the United Nations Charter."

Hadassah urges the Government of the United States to exert its prestige and influence to promote the adoption of these principles in the appropriate bodies of the United Nations so that they may be written into the record of the society of nations.

ARAB MILITARY BUILDUP IN MIDDLE EAST

The 318,000 American Jewish women, who are members of Hadassah, the women's Zionist organization of America, view with consternation and apprehension, reports that Egypt is engaged in a powerful military buildup, directed at the destruction of Israel. Egypt is now producing the most modern and sophisticated military weapons, including rockets, warheads and missiles. German citizens have gone to Egypt to lend their scientific knowledge, technical skills and experience, and the resources of German parent factories, to assist Premier Nasser to develop the military strength necessary to achieve his objective.

The Federal Republic of Germany, which has accepted the moral responsibility of preventing a resurgence of Nazi ideology and a recurrence of its concomitant barbarism, has expressed the view that it is "legally helpless" to stop this collaboration with Premier Nasser on the part of its nationals. We believe that a government committed to prevent a repetition of one of the most shameful eras in history, must and will find a way to overcome these legal technicalities and will take steps to recall its nationals from Egypt and to stop their collusion with that country's aggressive plans.

The conscience of the German people can hardly fail to be sufficiently aroused to demand such action.

It is our hope that the community of nations, as well as the Government of West Germany, will take every possible measure to prevent the President of Egypt from pursuing a course which would result in what the President of the United States has referred to as a "military balance of power in the Middle East which is such as to encourage aggression rather than discourage it."

SHREWD ANALYSES OF WORLD POLITICS

Mr. KEATING. Mr. President, over the last few months a number of extremely interesting articles have appeared in the New York Herald Tribune, authored by veteran Reporter Marguerite Higgins. These articles, covering world affairs from Cuba to Laos, and from Europe to Uruguay, offer valuable insights which, I believe, deserve the careful attention of Washington policymakers.

Miss Higgins points out with undeniable force that U.S. Kremlinologists have a dangerous record of inaccuracy in predicting Soviet intentions from Korea to Cuba. Too often, she maintains, we accept the Communist line that poverty and economic motives breed communism whereas in fact, in almost every case of Communist takeover, military superiority and political agitation have been the main contributing factors.

As far as U.S. policy in Cuba is concerned, Miss Higgins rightly, in my judgment, points out that a lot more is at stake than one small Caribbean island. She quotes the neutralist Premier of Laos, Prince Souvanna Phouma, as saying:

> Anything that happens anywhere in the world that makes the Kremlin believe you Americans have lost the will to act lessens our chances of survival.

She sees our present Cuban policy as a serious threat to the credibility of U.S. policies all over the world.

Mr. President, these articles offer a wealth of information and perceptive judgment. I ask unanimous consent that they be included following my remarks in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Herald Tribune, Apr. 22, 1963]

THE STATE OF THE SOVIET UNION

(By Marguerite Higgins)

WASHINGTON.—Shrunken as the world is, Americans tend to have a foreshortened view of the globe that makes it hard to grasp that ebbs and flow of American policy in Cuba can set up cataclysmic tides and cross-currents in a place as far away as Laos.

But this is the case because, as a top diplomat put it, "every single thing the United States does—or fails to do—is minutely examined by the Soviet bloc as a measure of its will to use its power to defend the freedom of others when this is threatened."

Or as Prince Souvanna Phouma, neutralist Premier of Laos once put it to this correspondent: "The only thing that stands between a Communist takeover of all of Laos is fear of U.S. intervention. Anything that happens anywhere in the world that makes the Kremlin believe you Americans have lost the will to act lessens our chances of survival."

On Cuba, American policy has become one of making the Caribbean physically safe for the Communists by preventing harassment of Castro or the Russians by the freedom fighters.

Now no one would disagree with President Kennedy on the proposition that refugees and exiles cannot be allowed to determine American policy, which must rest solely on the national interest. But there is certainly room—indeed a necessity—for responsible debate as to whether the national interest is in fact served by a policy of making the Caribbean physically safe for the Communists.

How does it look, for instance, to Mr. Khrushchev? If he were to give a State-of-the-Soviet-Union address—and speak frankly—what conclusions might be drawn about American attitudes toward Cuba today and its effect on the international interests of the Soviet bloc?

Considering that the United States itself was created by revolution instigated by the freedom fighters of 1776, Mr. Khrushchev might reasonably be expected to be somewhat surprised at the rather substantial degree of acquiescence by both public and the press in the decision to prevent harassment of the Communists in the Caribbean.

Is it perhaps that Americans of our day being comfortable, satisfied, and already blessed with freedom, do not like to be disturbed, especially if they can comfort themselves with the administration's assurance that the preservation of order in the Caribbean is in the best interests of everybody including the would-be disturbers of the peace, the freedom fighters?

And would Mr. Khrushchev be unreasonable if, in talking privately to the comrades, he posed this question: "If the Americans are unwilling to be disturbed about Cuba, a place so close to home, are they really likely to do anything more than talk about Laos?"

In the New Frontier's rationale for making the Caribbean safe for the Communists, we often hear that the hit-and-run raids by such organizations as Alpha 66 are illegal and indecisive.

This is unlikely to be taken seriously by Mr. Khrushchev who is not likely to forget that revolution, by definition, is illegal and that goes for the American Revolution, the Russian revolution, and the Algerian revolution. And as a Senator, Mr. Kennedy did not let the "illegality" prevent him from being one of the earliest and most ardent supporters of the Algerian revolution even at the early period when it was still in the pinprick stage and therefore indecisive.

Indecisive? No revolution based on guerrilla war (as distinguished from a palace coup d'etat) ever was decisive in its first phases. And hit-and-run raids, far from being ineffective, are the only tactics that will accomplish the guerrilla warriors' aims, which are not to do formal battle but to undermine the enemy's will to fight and make it too uncomfortable for him to stay around for more pinpricks. By Mr. Kennedy's standards, China's Mao Tse-tung was a failure because for more than 20 years his hit-and-run guerrilla war was ineffective.

More significant to Mr. Khrushchev will be the New Frontier's statement that attacks by freedom fighters (even though disavowed by Washington) might drag this country into war. It is an advantage to know that your enemy is afraid, especially if it appears that he is more afraid of you than you are of him. And Mr. Khrushchev may be tempted to make that judgment. He sees that the mere presence of Soviet troops in Cuba has caused the United States in its anxiety to avoid a confrontation with the Soviet Union to tie not only its own hands but those of its friends. The same degree of fear has not yet been displayed by the Kremlin. Americans are in Vietnam. No orders have yet come out to prevent Vietcong attacks on American soldiers. Russian officers are present in Laos as advisers to the Red side.

Can Khrushchev do anything other than ask himself whether fear of a confrontation with the Communists may not immobilize American power in Laos as it has in the Caribbean?

Fortunately, Mr. Khrushchev would also have to remember some recent history showing that Americans are very undependable people. For instance, in 1950, just when the whole world thought they had written off Korea, the Americans changed their minds and went in.

[From the New York Herald Tribune, Apr. 8, 1963]

A NEW BREED?

(By Marguerite Higgins)

WASHINGTON.—Is the same old pattern of military coup d'etat repeating itself in Latin America? Are the bright hopes of the Alliance for Progress to be tarnished by antidemocratic eruptions such as those of the last 12 months in Peru, Guatemala and Argentina?

In Washington there has been a notable lack of handwringing over the military coups. Indeed, New Frontiersmen will insist at the drop of a sombrero that despite the military takeovers progress is being made. On inquiry one discovers that the New Frontier Latin-American experts have some fascinating reasons for this silver-lining approach.

These reasons center on the New Frontier's growing belief that a new breed of military leaders is developing in Latin America: the new breed can be summed up as military with a social conscience and a sense—even if still somewhat limited—of the political directions and long-run needs of our times. The new Latin-American breed differs as much from the gaudy and greedy caudillos of the past as Egypt's Nasser differed from Farouk or Pakistan's Ayub Khan differed from old style Asian war lords.

Latin-American military dictators in the style of the late unmourned "General" Trujillo of the Dominican Republic have traditionally created the image of seeking power for personal gain in the form of Swiss bank accounts, pleasure palaces, yachts, rank and title for the men, jewels for the ladies. The easiest way to get where the Trujillos of Latin America were going was to "cooperate" with the landed gentry and the established rich, who were in turn rewarded by getting richer.

In any case, few have accused Trujillo types of being nagged by social consciences or hep to the 20th century.

No one is arguing that any Latin-American country has yet produced a leader of, say, the stature of Ayub Khan. But things are better than they used to be.

Consider the case of Guatemala and the coup conducted by former defense minister Enrique Peralta Azurdia. Washington, of course, is disappointed that President Ydigoras was not permitted to finish out his term. There are some (by no means all) who doubt the seriousness of that Communist threat to Guatemala posed by the return from exile of left-leaning former President Arevalo. But Washington, having been convinced that both Mao Tse-tung and Castro were only agrarian reformers, has shaky grounds for attempting to insist that Colonel Peralta's measure of the threat is wrong.

And with the coup a fait accompli, Washington is taking comfort from the fact that Colonel Peralta has promised elections "when things return to normal in 6 months or so," that he has given respected civilian leaders a majority of posts in his cabinet; and that he has displayed the essential element of the new breed—a social conscience.

According to both public and private reports out of Guatemala, Colonel Peralta has announced a plan of economic and social reform that goes beyond anything the previous regime attempted and includes a law to defend workers' rights, massive public-works projects, and rural electrification. Further, he has announced acceptance of financial reforms essential to qualify for certain types of Alliance for Progress assistance.

As to Peru, Washington is convinced that the military junta there is going to live up to its promises of June elections, and partly as the result of pressure from the new breed of officer. For it is the younger officers of the Peruvian Army who have been pushing their elders toward a return to civilian rule.

In Argentina, it was a retired officer—one of the old breed—who took the lead in seeking apparently unsuccessfully to upset the constitutional processes. So far, the new breed appears to prevail.

In Latin America there is fortunately more than one example of the new breed of military contributing to progress. In El Salvador, a coup d'etat of young officers (in 1961) led in due course to free elections and a democratic (an incidentally pro-American) government.

The motto of the Alliance for Progress calls for social justice and economic progress—in freedom. Every one would like to see all three at once. Still, in the New Frontier view, the new breed even as dictators help to create the climate for eventual freedom in so far as their budding social consciences contribute to economic progress and stability. So, despite occasional upsets in the cast of characters, the word with regard to the Alliance for Progress remains: "the show must go on."

[From the New York Herald Tribune, Apr. 29, 1963]

KHRUSHCHEVISM—THE PROBLEMS

(By Marguerite Higgins)

WASHINGTON.—The first time this writer heard Premier Khrushchev bring up the subject of his own mortality was in the process of a scolding.

It was fall, 1960, the year of shoepounding. The scene was a Soviet mission reception. In a tone more in sorrow than anger, Mr. Khrushchev began: "Miss Higgins, you have been writing filthy things about me * * * but I tell you what I will do. When I am in the Communist heaven, and I see you at the gate, I shall turn to our Communist God and say 'God, let her in for she did not know what she was doing'."

It brought down the house—and is typically Khrushchev. It is typical of his gift for the unexpected and the nonconforming. It is a quality that frees him from being an ideological bore and has helped to give him a greater claim to a measure of popularity with the Soviet people than any other political leader.

It is also a quality that gets him into trouble. Indeed, back in the fall of 1954, the reigning U.S. Kremlinologists pooh-poohed rumors of Khrushchev's rise, saying that the Russian people and the Soviet hierarchy would never settle for such an uninhibited, informal type as Khrushchev and much preferred as a leader someone with the steady aloof style of Malenkov who was then Premier. So it was a wrong guess. But it is true that there has been much evidence throughout the years of mutterings against Mr. Khrushchev's impetuous and garrulous manner, especially on the part of his more stiff-necked colleagues like Molotov.

Now Mr. Khrushchev's public mention of his age (69) and inability to go on forever as Soviet Premier and Party Secretary have become the launching pad for new rumors that he is in trouble and on his way out.

In this case there is an interesting split among the Kremlinologists. Those in Europe have almost automatically assumed that if there is reshuffle of any kind in the top leadership, it is because Mr. Khrushchev is being pushed into a change against his will.

Washington begs to differ. There is a surprising unanimity among the Kremlinologists here that Mr. Khrushchev is deliberately acting on his own best judgment to set the stage for a change that, in the beginning at any rate, will do very little to alter the real power situation however many titles he may choose to shed.

The basic reason for this judgment is the lack of evidence that any Soviet faction could or would reverse the basic policies pursued by Mr. Khrushchev. Criticism of style and timing is outweighed by agreement on substance.

For instance: Russia's quarrel with Red China is a product of history (the fact that Mao Tse Tung gained power in spite of Moscow rather than because of Moscow) not of Mr. Khrushchev. No future Soviet leader could capitulate to Red China's unconditional demands for acceptance of its more militant, riskladen attitude toward the world. No Soviet leader can risk confrontations leading even in the remotest possibility to atomic destruction; therefore there is no substantive way in which Soviet policies toward the United States can harden (except in tone and manner) in those areas where Washington's commitment to freedom has any credibility.

And whatever Mr. Khrushchev's personal feelings in the matter, it is clearly not in the interest of the Soviet Communist party to have its leader appear to be quitting under fire.

At the same time, both Mr. Khrushchev and his collective leadership have shown themselves very conscious of the unsettling effects both internationally and nationally of a transition inside Russia carried on in an atmosphere of uncertainty. After all, they went through it themselves after the death of Stalin.

And there is also the simple fact that Mr. Khrushchev's health is not of the best. So why not give himself a release from some of the pressures attendant to the ceremonials of being Premier as well as party Secretary by giving the Premiership and some on-the-job training to a potential future leader? Fear of competition? So far, it is Mr. Khrushchev who is the expert at getting rid of competition.

Moscow wits are currently quipping that the new Soviet constitution will soon add to its extensive (on paper) Bill of Rights the right to posthumous rehabilitation. The betting in Washington is that Mr. Khrushchev is still on the go—not on the skids—and will never have to have his friends invoke that right.

[From the New York Herald Tribune, May 6, 1963]

Fallacies for Our Time

(By Marguerite Higgins)

Washington.—The Italian elections have been more unsettling to the New Frontier than at first meets the public eye. Look below the surface and it will be found that gains made by the Italian Communists constitute a most impudent assault on a pillar of New Frontier ideology. This is the doctrine that poverty breeds communism and that the answer to Moscow's ambitions in this hemisphere is to concentrate south of the border on social reform and the gross national product. Even in his Moscow-supplied military clothing Castro is no threat to the United States, according to the New Frontier, and all the psychological, tactical and subversive potential of a Soviet military presence in this hemisphere will be as nothing if the good guys (us) can only get to Latin America fustest with the mostest in the way of a rising standard of living.

But wait just one moment. Isn't this precisely where the Italian elections come in?

For in the last year the Italians have been the stars of Europe economically. In Italy the standard of living has been rising faster than almost anywhere else, the gross national product has been spurting and the summation of it all is the current phrase "the Italian economic miracle."

So do economic miracles also breed communism?

It is a silly proposition but useful at least if it makes the point that the opposite proposition—that poverty breeds communism—is equally silly if accepted as absolute dogma on the causes and cure of the Communist challenge.

Now to be specific, the Alliance for Progress is laudable and necessary to the United States irrespective of the Communist threat because the long-run economic good of this country will be adversely affected if its next-door neighbors remain have-not nations with chaotic and depressed economies.

But it is fallacious to pretend that higher standards of living are going to buy off or fend off the Communist challenge.

It was not poverty that bred communism in Cuba. Cuba had the highest standard of living in Latin America prior to Castro, according to such an authority as Dr. Alberto Lleras Camargo, an outstanding statesman and former President of Colombia. It was a political-military revolution that carried Castro to power on the strength of false promises of freedom and an end to the Batista corruption at the top.

It was not poverty that bred communism in Vietnam. In company of Vietnamese local officials this reporter has tramped and jeeped through scores of villages in both North and South Vietnam and talked with innumerable village elders in areas threatened by the Communists. Their overwhelming anxiety was whether the authorities could offer them physical protection against the Communist infiltrators that came into the village at dark. They were not interested in President Diem's views on Western dancing or even, at that moment, in his promises of land reform. They wanted a specific commitment of soldiers to prevent the Communists from cutting off (literally) a village head or two to "bend" one village into collaborating. It was not poverty but terror that bred communism.

In fact, in all 12 Communist-seized countries visited by this writer, there was not one in which the poor—the workers and peasants—were in the Communist vanguard. It was only a tiny minority of intellectuals who had the leisure and freedom from hard physical work to initiate Communist activity.

And at the decisive moment in areas ranging from the South China Sea to the Caribbean, the Communists won despite high standards of living (as in Czechoslovakia) or low standards of living (as in North Vietnam) by skillful, relentless use of violence usually abetted by a Red army.

In Latin America there is not the slightest reason to believe that the Communists are going to let rising standards of living stand in their way in the future any more than in the past. "Che" Guevara, who is Castro's leading doctrinal strategist, confidently told the London Daily Worker (December 1962) that the Cuban example proved there is no solution but armed struggle to overthrow governments. He boasted that guerrillas in Venezuela, Guatemala, Paraguay, and Colombia are already beginning their pinprick wars, and this of course has been verified in testimony by John McCone, head of the Central Intelligence Agency.

It is fine to fight poverty. It is fallacious to believe that dollars and cents can buy freedom from fighting back against the Communists when they have declared war against those on our side. And the true measure, of course, of the cost to us of the Soviet military presence in the Caribbean is the degree to which it will enhance the Communist prospects in this violent struggle which the Yankee dollar is powerless to buy off.

[From the New York Herald Tribune, May 13, 1963]

Kremlinologists and the Kremlin

(By Marguerite Higgins)

Washington.—Should Communist North Vietnam forever be assured of remaining a privileged sanctuary from which Red guerrillas can be launched into Laos and South Vietnam (and soon Thailand and Malaya) to torment and murder the people of those tragic lands? Is there some inexorable force that compels the United States of America always to fight on its own side of the 40-yard line? Is Hanoi entitled permamently to a guaranty that it can play as dirty as it pleases without fear of reprisal on its own home ground?

This point was raised the other day by Senator Stuart Symington who, in addition to being from Missouri, was a Democratic contender for the Presidential nomination and is a former Secretary of the Air Force. He was promptly and predictably denounced for being rash by certain New Frontiersmen, including the new Assistant Secretary for Political Affairs, W. Averell Harriman.

Yet the truth is that some very prominent New Frontiersmen have forcefully and officially questioned North Vietnam's status as a privileged sanctuary.

White House sources admit, for example, that Walt Whitman Rostow, head of the State Department policy planning staff, has forcibly taken this position: Why should the Communists end their troublemaking in Laos and South Vietnam so long as the main culprit—the Communist Vietminh—knows that there is no punishment to fit the crime? It should be hastily added that none of this means that anybody advocates bombing Hanoi tomorrow. It does mean that Communist Vietnamese must be put on notice—as a first step—that immunity from reprisal will be withdrawn if provocations continue and that such things as Communist escalation of the war in Laos carry this risk.

One reason that this advice has been ignored in the past is the argument of the Kremlinologists that the Soviet Union wanted for its own reasons to put the situation in Laos and Vietnam "on the back burner"—to use the jargon of the experts. And if the Soviet Union not only would—but could—deal with Kremlinologists, leave the problem to Moscow?

The theory that Moscow really wanted to restore the peace in southeast Asia has prevailed through the recent Harriman mission to Moscow. But in recent days the Kremlinologists (perhaps to excuse a theory gone wrong) have suggested that perhaps Moscow is helpless to enforce its will in south Asia.

Then on Friday, Soviet Premier Khrushchev roughly pulled the theoretical house down. For it was Moscow—not Peiping or Hanoi—that demanded an end to the only development that has contributed in the slightest to the keeping of the peace in Laos. This was the stationing of the peace-keeping mission of the International Control Commission on the Laotian Plain of Jars. The presence of the Commission on this plain at least has deterred the Reds from renewing their attacks. Yet Moscow formally demanded the withdrawal of the peace-keeping unit from this crucial area—which amounts to saying to the Commission, "Get out of the way and let our Communist friends take over."

Now the Kremlinologists have more right to be wrong than most experts. Kremlin-watching is an inexact science. Even so, the reigning Kremlinologists have had an extraordinary influence on this administration.

It is understandable. When he took office, President Kennedy had an extraordinary respect for experts, especially if they were articulate, and could, so to speak, recite well in class. Before he entered the White House, Mr. Kennedy had not been involved in the stresses and strains of direct dealings with the Soviets. This only heightened his respect for the experts who had.

Their advice then has had a crucial part in New Frontier history. This helps explain why the advice has become controversial and has been a source of concern to such Americans as Gen. Lucius D. Clay during those periods in Berlin when he sought to exert counterpressure against the Russians and was called "provocative" for his pains.

In the recent past, of course, the worst mistake of the Kremlinologists has been to assure the administration that Khrushchev would never dare put long-range missiles in Cuba. The Kremlinologists also had an important hand in getting the blockade of Cuba lifted even before the Russians lived up to their end of the bargain (the Soviet bombers were still in Cuba at the time). The early lifting of the blockade was urged as a means of saving face for Khrushchev who must not, it was argued, be driven into a corner there to act like a wounded bear.

But history will certainly show that almost without exception the top Kremlinologists have been on the side of attempted accommodation with the Soviets and have sincerely felt that honorable solutions could be found in areas "where mutual interests coincide." Laos was judged to be such an area. But those who disagree with the Kremlinologists simply don't believe that interests can coincide on anything important so long as the Russians are committed to maintaining their Communist character.

U.S. PARTICIPATION IN INTERAMA

Mr. HOLLAND. Mr. President, the State of Florida has created a State agency known as the Inter-American Center Authority, for the purpose of creating and maintaining in Dade County, Fla.—that is, in Miami—an institution known as Interama, which is designed to be the first permanent international exposition to portray the American way of life—not only the North American way, but also the Central American and South American way—of "Progress with Freedom," to show what all the Americas have achieved without the sacrifice of civil liberties or individual freedom within the framework of democratic institutions.

The State of Florida, the County of Dade, and the city of Miami have all made important contributions of great value to this project, and work is now in progress in an area of approximately 1,700 acres, which has been donated by the city of Miami or by Dade County, through the use of a $21 million bond issue which has been issued by the State authority which is handling that institution.

The county commissioners of Dade County, Fla., recently passed a resolution requesting the President of the United States to give his support and approval to the participation of the United States in Interama by authorizing the construction and operation of an appropriate Federal exhibit pavilion at Interama and by giving other assistance. I ask unanimous consent that resolution 8640 of the County Commissioners of Dade County, Fla., be printed in the body of the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows.

RESOLUTION 8640

Resolution requesting the President of the United States to approve the U.S. participation in Interama by providing a Federal exhibit and by assisting in the construction of exhibits of Latin American nations

Whereas the prosperity of the United States requires the development of improved relations and increased trade with the Latin American republics; and

Whereas international friendship and trade are founded upon the good will and mutual respect of the people of one nation for those of others, and must be based primarily upon extensive and direct personal contact and understanding; and

Whereas the natural expansion of our trade with Latin America, without subsidy or compulsion, will sustain employment and production and improve living standards both in the United States and in Latin America, preventing the infiltration of undemocratic philosophies in Latin America while promoting mutual good will, understanding, and confidence, lasting trade connections, and solidarity among all the American republics; and

Whereas the State of Florida has established as a State agency, the Inter-American Center Authority, to create and maintain Interama in Dade County, Fla., as the first permanent international exposition to portray the American way of life; "Progress With Freedom," to show what the Americas have achieved without the sacrifice of civil liberties or individual freedom within the framework of democratic institutions; and

Whereas Interama will be a showcase of life in the Americas and will reflect the accomplishments and aspirations of the peoples of the Americas through dynamic exhibits, events and live performances that will be constantly revised and updated; and

Whereas Interama will bring together, under freedom, the governments, industries and cultures of the Americas in a spirit of good will and understanding and provide a continuous exchange of ideas and peoples; and

Whereas Interama has been endorsed by the Congress of the United States and by Latin American nations and the spirit and substance of Interama's goals parallel and support those of the Alliance for Progress; and

Whereas the State of Florida, Dade County and the city of Miami have already donated substantial moneys and contributed land which is now being developed as the Interama site, and the proposed construction and operation of Interama have been proven economically feasible, based on studies made by responsible survey organizations: Now, therefore, be it

Resolved by the Board of County Commissioners of Dade County, Fla., That on behalf of the people of Dade County, this board does hereby respectfully request the Honorable John F. Kennedy, President of the United States, to approve the participation of the United States of America in Interama by authorizing the construction and operation of an appropriate Federal exhibit pavilion at Interama and by assisting the countries of Latin America in constructing their own national exhibits; be it further

Resolved, That copies of this resolution be dispatched to the President of the United States; to the President of the U.S. Senate; to the Speaker of the U.S. House of Representatives and to each Member of the Florida delegation to the U.S. Congress.

ABOLITION OF CIVIL DEFENSE AGENCY OF PORTLAND, OREG.

Mr. YOUNG of Ohio. Mr. President, last week, the City Council of Portland, Oreg., showed extreme wisdom in voting to abolish the local civil defense program and to put an end to the expenditure of the taxpayers' money in that city for the purpose of fallout shelters. The members of the city council, by a 4-to-1 vote, eliminated the local civil defense agency's $110,000 budget for the coming year. In doing so they typified the growing national disillusionment in the civil defense program.

The only person voting to the contrary was the mayor of Portland. Of course, following the vote of the city council, he took action to put an end to the civil defense shelter program in Portland, Oreg., effective on July 1.

We cannot be too harsh upon the mayor of any city in the United States who desires to adhere to the shelter program, because it affords him an opportunity to put some political hacks on the payroll of his city and have the Federal Government, by matching funds, bear the major share of the expenditure. I do not condemn the mayor of Portland. I praise him for immediately following the decision of the city council appointing a commission to dispose of civil defense operations in Portland. The agency's functions will be assumed by fire, police, and other existing departments that normally deal with disasters.

The decision to abolish the city of Portland's civil defense agency has been followed by a move to cut the Oregon State program drastically. Following the action by the Portland City Council, the $410,000 budget for a 20-man State staff was slashed by the Oregon Legislature's ways and means committee to $50,000 for a 6-man staff. It is to be regretted that Assistant Secretary of Defense for Civil Defense, Steuart L. Pittman, injected himself into the issue by threatening to withhold Federal civil defense funds from Oregon because he claims it would be impossible for a six-man staff to perform civil defense functions satisfactorily in Oregon. Mr. Pittman, who was a lawyer in Washington before he was appointed to his job, knows or should know that the advance of science has been so rapid in this country that it has outstripped these civil defense shelters, and that the civil defense shelters that might be of some little use now will be of no use whatever a year from now. Furthermore, he might well consider following Oregon's example and reduce the number of high-salaried personnel in the Federal civil defense bureaucracy. There are too many now doing nothing but thinking up silly schemes to waste taxpayers' money. Not only would this save money but it would probably result in a more efficient agency with a more realistic program.

He ought to know, as all Senators do know, that in England and France there are no fallout shelters such as we have. There is no civil defense bureaucracy in England, feeding at the public trough, and rendering no service to the citizens.

When I first spoke out against the expenditures for civil defense shelters early in 1959 I was practically alone. Now I am happy to see that officials of a great city such as Portland, Oreg., see the utter waste and futility of a civil defense shelter program, and have officially adopted that position by an overwhelming vote of the city council.

It is to be regretted that a Federal official seeks to inject himself into the situation by trying to compel the councilmen of the city of Portland and officials of the State of Oregon to disregard their best judgment, and continue to waste taxpayers' money. I am glad those councilmen have stood up and been counted in favor of curtailing useless expenditures which would result in no good to the people of Portland.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. GRUENING. I commend the Senator from Ohio for his persistent and sound position against the waste and extravagance that have characterized the civil defense and shelter program. I think it has been made increasingly clear to those who want to view the question intelligently, analytically, and without panic, that there are no shelters that would truly protect those seeking refuge in them against the varying forms of attack that could come in the event of nuclear war. There are better methods, I believe, of protecting the people; namely, by being strong and thereby deterring aggression. But if we continue in the direction we have been going, with our shelter program, we will continue to waste money, while giving our people a wholly false and unjustified sense of security.

I commend the Senator for his forthright persistence in presenting facts and information to the American people.

Mr. YOUNG of Ohio. I express my appreciation to the distinguished Senator from Alaska, who is one of the great public servants of this country.

U.S. STAND ON CUBA

Mr. YOUNG of Ohio. Mr. President, mail from Ohio citizens to me indicates that the Cuban situation is foremost in the minds of many people.

Let us give this situation a moment's consideration. The United States' greatest cold war triumph was won last October when President Kennedy, with his firm, determined, and unyielding attitude toward Khrushchev and toward the missile and offensive airplane buildup in Cuba, compelled Premier Khrushchev to turn tail and withdraw those offensive weapons from that little island.

The Soviet Union would be at a great disadvantage were it to wage a war against us based on Cuba. It must have been in the realization of that fact that Khrushchev wrote those hysterical letters to our President following last October 20, yielded altogether, and withdrew the offensive missiles at that time.

The Soviet Union would be at an even greater disadvantage than we would be were we compelled to wage a war against Red China or the Soviet Union in South Vietnam or Laos. Former President Eisenhower recently said that Americans should support the Kennedy administration's Cuban policy. The facts are that our Government officials have more information than is available to others. Furthermore, our forces at Guantanamo Naval Base and our airpower could readily destroy all of Castro's military installations, war planes, and artillery in 1 day—probably in one strike—and, incidentally, kill many Cuban civilians women, and children, as well as men, in the process.

Our Government is doing everything against Cuba short of a shooting war. Our U-2 planes continue constant surveillance, and all photographs are examined minutely for possible Soviet missiles and military buildups.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. YOUNG of Ohio. I ask unanimous consent to continue for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Were this Nation to do to any strong nation, what we have been doing to Cuba since last October, there would immediately result either a declaration of war or a shooting down of our U–2 planes violating the air space of such nation.

I favor continuing the administration's policy of bringing to bear every possible pressure short of war to remove communism and Castro from Cuba. We have already succeeded in cutting off much of the trade between Cuba and the free world.

We have at this time what we did not have at the time of the Bay of Pigs—we have the complete cooperation and support of the Organization of American States. No Americans are losing their lives in the process, as some would surely lose their lives were we to use our tremendous armed might to wipe out all the strength Castro has, to singe his whiskers, and send him fleeing from Cuba if he had the opportunity to do so.

We have the cooperation of our friends and allies. We are engaged in a tough economic quarantine of Cuba, and we are doing everything short of war to suppress the spread of communism in the Western Hemisphere and to end the tyranny of Castro in Cuba. At the same time no American lives are being lost. The policy of this Government toward Cuba deserves the support of the American people.

TREASURY'S DILLON

Mr. GRUENING. Mr. President, in the current June issue of Harper's magazine is an extremely interesting and well-written article entitled "Treasury's Dillon," with the subtitle "The Conservative Power Center in Washington."

This article sheds a good deal of light on the policies of the administration and where some of them apparently originate.

I believe that reprinting this biographical essay performs a useful service in informing the public about the direction in which we seem to be moving and why, and I ask unanimous consent that this article be printed at the conclusion of my remarks.

Similarly illuminating is an interpretative column by James Reston entitled "On the Art of Quitting and Firing." I ask unanimous consent that it, too, be printed following the previous insertion.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

TREASURY'S DILLON: THE CONSERVATIVE POWER CENTER IN WASHINGTON

(By Joseph Kraft)

At a meeting in Washington not long ago, one of the Nation's leading economists was projecting a complicated set of equations showing the relation between employment and Government spending. Off in a corner, jotting the numbers on a pad, sat the Secretary of the Treasury, Douglas Dillon. It happened that there was a slip in the addition supporting one of the equations. Dillon spotted the mistake, and, minor though it was, interrupted the proceedings to point it out. "Mr. Secretary," the economist said, rounding on him, "I always knew you were good at small problems."

It was a just verdict—but incomplete. For it overlooks that rare technique known in Washington as Dillontory tactics. By being good at the small problems Dillon makes himself master of the big ones.

He has utilized to the full the overwhelming bureaucratic force of the Treasury. He has charmed the White House, and kept his congressional fences in constant repair. As a result he has been able to put across relatively conservative policies, while smothering, within the councils of the administration, projects for a far more energetic effort to revitalize the economy. Though the only card-carrying Republican in the Cabinet, Dillon has had a major impact on the main domestic program of the Democratic administration. He has been the odd man in it.

For three-quarters of a mile Pennsylvania Avenue runs on a straight line from the Capitol toward the White House. But one block from the Executive mansion it bends sharply, north and then west, to get round the Treasury Building. It is a symbolic detour, expressing a change of course imposed on many things more important than Pennsylvania Avenue. For the Treasury Department is one of the great power centers of the U.S. Government.

Next to the Supreme Court, Treasury is probably the most august institution in Washington. Since 1836, or longer than any other Department, it has lived in the same house: a 5-story, granite Greek temple with long, airy corridors, a dearth of elevators, and a plenitude of high spacious offices hung with somber portraits of frock-coated gentlemen. It is still administered in the cozy, old-fashioned way; 4 or 5 men making all the policy decisions, without the encumbrance of State's 11 Assistant Secretaries or the Pentagon's network of committees, boards, and steering groups. Old-line bureaus like the Mint, with a strong instinct of craftsmanship, engross much of Treasury's personnel. The Department has an unmatched reputation for staff competence; Walt Whitman was a Treasury clerk, and the case of Daniel Bell, who rose from stenographer to Under Secretary in the Truman administration, offers perhaps the only modern example of Horatio Alger in the Federal bureaucracy. "Around here," one Treasury aide says, "the quill pen is still in vogue."

Not that the computer is ignored. As much as any other agency, Treasury has profited from the expanding role of Government. The New Deal reforms made the Secretary trustee of billions of dollars worth of pension funds. During the war, Treasury undertook all foreign financing operations, from lend-lease through UNRRA. Today, the Secretary has principal responsibility for all international monetary arrangements, and, as Chairman of the National Advisory Council on International Monetary and Financial Problems, he has veto power over all foreign loans. Indeed, the Treasury is probably the only major Government body whose writ runs indisputably to both foreign and domestic matters.

For on the domestic side, the Treasury is probably the only Federal agency which handles a major area of public policy without a check, or at least some kibitzing by some other agency. It is, within the Executive, the unquestioned master of Government revenues. It administers and collects taxes through the Bureau of Internal Revenue. Its Office of Tax Analysis is the principal source of all information on the tax system. At the same time, Treasury has sole responsibility for debt management, or the business of selling Government securities to meet Government deficits. Every year, the Treasury markets something like $100 billion in I O U's of one kind or another, and the rates it sets or gets determine the pattern of credit for the whole economy.

BANKER'S BIAS

Revenue responsibilities impart to the Treasury a characteristic, institutional bias—a bias against Government spending. When the Government needs more money, Treasury has a choice. It can go to the Congress and ask for increased taxes. It can float securities in the market—a step which in recent years has also meant asking for an increase in the national debt.

Either way, however, increased Government spending spells trouble for the Treasury. Moreover, in managing the Federal debt, the Treasury comes into daily contact with the private credit system. What farmers are to the Agriculture Department and unions are to the Labor Department, banks are to the Treasury. From the earliest years, Treasury has tended to take on the bankers' prejudices in favor of sound business practice, balanced budgets, and restrained spending. Homilies like, "I don't think you can spend yourself rich," may seem a matter of personal preference in the mouth of Eisenhower's Secretary of the Treasury, George Humphrey. But it should not be forgotten that Truman's Secretary, John Snyder, expressed doubts on the wisdom of the Marshall plan, while so dedicated a New Dealer as Henry Morganthau constantly implored Roosevelt to "be very careful about money spending." The fact is that even more than the Bureau of the Budget, Treasury is the "no" man in Government.

Because of the Treasury Department's institutional bias, the personality of the Secretary tends to become a matter of strategic political choice. The Republicans, being opposed to spending, have generally put strong men at the Treasury and made it the anchor of their policies. Andrew Mellon dominated the Cabinets of Harding, Coolidge, and Hoover. George Humphrey differed privately and publicly with President Eisenhower on the budget for fiscal 1958, and was able to make his views prevail. Indeed, 6 days after Humphrey had declared himself, Eisenhower told the press, "With the thought behind the Secretary's statements, I am in complete agreement."

The Democrats, on the other hand have tended to place at the Treasury men who would easily bow to the White House. Wilson's Secretary of the Treasury, William G. McAdoo, became his son-in-law. For Morgenthau, as Arthur Schlesinger wrote, "his highest ambition * * * was to serve Franklin D. Roosevelt." Snyder held office entirely by the favor of Harry Truman, and the measure of his power was well reflected in what happened when he expressed doubts about the Marshall plan. The next day, Truman told his press conference: "The Secretary of the Treasury and the Secretary of State and the President are in complete agreement."

When the Democrats regained power in 1960, economic circumstances seemed to call for another round of the old tradition. The Nation was slipping into its third recession in 6 years. Unemployment was above the 6 percent mark. In rate of economic growth the United States had lagged behind almost all the other industrial nations. For all these headaches, the accepted Democratic medicine was an increase in consumer demand, brought about either (1) through more Government spending, or (2) through a tax cut unleashing purchasing power, or (3) through easy credit, or (4) through all these combined. And that indicated a Secretary of the Treasury who, far from dominating, would be dominated by the rest of the administration.

But there was a new element in the economic picture—a balance-of-payments crisis reflecting an excess of dollar spending abroad over dollar earnings. In the month of October 1960, there had been a particularly sudden shift of short-term capital from dollars to pounds sterling and Swiss francs—the consequence of preferential interest rates abroad, and (some said) of a lack of investor confidence in Kennedy. Politically, moreover, there was heavy weather. The Democratic margin in the presidential election had been exceedingly narrow, and in the congressional races, Democratic strength had ebbed since 1958. All polls indicated widespread congressional and public enthusiasm for the Eisenhower goals of balanced budgets and curtailed Federal spending. For all these reasons there was pressure on the new President to pick a Secretary of the Treasury who would inspire confidence outside, as well as inside, the administration.

In these conflicting circumstances, the President chose, as the 55th American Secretary of the Treasury, C. Douglas Dillon.

COOL TO DOGMA

To many, it looked as though another weak sister had come to the Treasury. "An affable easygoer," Senator ALBERT GORE called Dillon. And superficially, at least, his life record seemed less a biography than a composite picture of the establishment.

He came from the right background (son of a Wall Street tycoon). He underwent the right schooling (Groton and Harvard). He made the right marriage (to a Boston debutante). He chose the right jobs (partner in the family firm of Dillon, Read; Ambassador in Paris; Under Secretary of State). He favored the right hobbies (golf and the collection of French paintings and fine china). He accumulated the right properties (an apartment on Fifth Avenue in New York, and homes in Washington; Hobe Sound, Fla.; Dark Harbor, Maine; Far Hills, N.J.; and Versailles, France). He supported the right causes (Groton, Harvard, the New York Hospital, and the Metropolitan Museum of Art). He wore the right clothes (dark suits with vests over finely striped shirts and figured ties). He was blessed by the right looks (tall and lean with a well-shaped head and good features). And he conducted himself in the right manner (reserved with strangers and crowds; engaging with friends).

But beneath the surface were two qualities invaluable for success in the Government. For one thing there was an extraordinary flexibility, and capacity to adjust. Dillon acknowledges no intellectual heroes and no philosophy of public affairs. He is cool to dogma, and one of the few occasions on which he got angry in a congressional hearing occurred when a legislator called him, in Dillon's own words, "a goddamned Keynesian." "Compromise," says the person who has worked longest with Dillon, is the word that best characterizes his approach to governmental problems.

On occasion, that approach has seemed opportunistic. As Ambassador in Paris, Dillon twice left the reservation to endear himself to his French hosts: supporting the French position in Algeria in a speech in March 1956, and hinting at support for the Suez expedition during a TV interview in 1957. But the Dillon approach also opens the door to good ideas. At the State Department in the Eisenhower years, Dillon was a champion of development loans in foreign aid. He worked out with the Latin American countries at the Bogotá conference of 1960 plans which give him a claim to be at least the grandfather of the Alliance for Progress. He was the undoubted father of the chief agency for economic cooperation with Western Europe—the Organization for Economic Cooperation and Development, or OECD. Being flexible, moreover, he felt no pain—despite the adverse advice of Eisenhower and Nixon—in switching from a Republican to a Democratic regime.

In no time at all he absorbed the ruling cliches of New Frontier economics. Answering a question on the issue of the balanced budget at his confirmation hearings, he might have been John Kennedy himself: "I think that the basic thing about a balanced budget is that it should be balanced over a period of years." Social grace and the pragmatic style won him friends up and down the new administration. Prof. Seymour Harris, a leading figure in the Harvard group, called him "the Alexander Hamilton of the 20th century." "Winning" was the adjective he evoked among the White House staff. He became a regular member of the half-social, half-academic exercises at Robert Kennedy's Hickory Hill University. With the President his relations have been easy and warm. The Dillons are among the very few Washington hosts who have had the Kennedys to dinner. The President placed the Secretary on what has become the topmost organ of the Government—the Executive Committee of the National Security Council.

With flexibility Dillon combines an iron grasp over whatever he does. During his first weeks at the Embassy in Paris he read every single incoming and outgoing cable, and learned every job in the shop. At his thrice-weekly staff meetings in the Treasury, he goes round the room systematically searching out what his subordinates are doing. "He really runs this place," they say to a man. Meticulously detailed information features all his congressional appearances. Here, for example, are excerpts from a series of exchanges with Congressman HALE BOGGS on the 1963 tax bill:

"Mr. BOGGS. If my memory serves me correctly, corporate profits for 1962 were running over $50 billion. Is that right?

"Secretary DILLON. $51 billion.

"Mr. BOGGS. We have continued to run an unemployment situation which exceeds 5 percent.

"Secretary DILLON. Yes: 5.8 percent.

"Mr. BOGGS. So the result of the recession was a deficit approaching $13 billion.

"Secretary DILLON. $12.4 billion was the administrative budget. $13.1 billion was the cash budget.

"Mr. BOGGS. The fact is that the tax rate was reduced by $7 billion.

"Secretary DILLON. $7.4 billion."

Dillon has been known to go on that way for hour after hour, speaking on the most detailed matters, with only a few notes, and with his aids, sitting—not, as is usually the case, at his side, but behind him. "Way behind him," the late Senator Kerr once said.

In fact, three of Dillon's helpers, if not always abreast of him, have been vitally important in the Treasury operation. There is the Under Secretary, Henry Fowler, a courtly Virginian, with a vast experience of politics gained as a Washington lawyer inside and outside the Government. It is a mark of Fowler's political skill that though he once ran against the Byrd machine in Virginia, nearly beating the veteran Congressman HOWARD SMITH, he won confirmation from Senator BYRD's Finance Committee without a hitch. Fowler has imparted to the Treasury an acute sense of the climate on Capitol Hill. For example, one of the items due for inclusion in this year's tax proposals was the repeal of an amendment made in last year's measure by Senator RUSSELL LONG of Louisiana. But when Senator Kerr died in January, LONG became No. 2 man on the Finance Committee. Fowler had the repeal of the Long amendment out of the tax proposals within a week.

Besides Fowler, there are Robert Roosa, the Under Secretary for Monetary Affairs, a brilliant, bespectacled and bow-tied economist who taught at MIT before moving to the research staff of the Federal Reserve Bank of New York; and Assistant Secretary Stanley Surrey, a smiling, gray-haired tax lawyer from the Harvard Law School. Roosa and Surrey are experts' experts—some say, fanatics—in their fields. They have worked very closely with Dillon in forging Treasury measures in the areas of taxation and international monetary policy.

CREDITS—AND DEBITS

On the tax side, Dillon's aim has been to stimulate the economy by increasing incentives for the private sector. To that end, the Treasury under Dillon has probably done as much in the past 2 years, as any previous peacetime administration did in four. By an administrative action (considered by the Eisenhower regime but abandoned as too difficult in 1959) the Treasury has revised depreciation guidelines in order to speed up, by an estimated 32 percent, the rate of tax writeoffs on some 70 to 80 percent of the machinery and equipment currently in use. Through the Revenue Act of 1962, Treasury has provided a 7 percent tax credit for investment in new machinery and equipment. The tax proposals submitted to the Congress this year include a comprehensive, across-the-board reduction of corporation and personal income taxes, and a start at closing some of the more famous loopholes—notably the exceptions made for depreciation allowances for stock option plans, for personal holding companies, and for charitable and interest deductions.

On the international monetary, or balance-of-payments side, Dillon's aim has been to whittle down the deficit gradually until the demand pull of a revitalized economy could suck back enough investment funds to right the balance entirely. To that end the Treasury under Dillon has carried out an extensive range of measures never before even considered by this country. An arrangement has been negotiated with nine other countries giving the International Monetary Fund extra resources of $6 billion to use in heading off a run on the dollar. By the so-called "twist" policy, long- and medium-term interest rates have been kept relatively easy, while short-term rates have been held high enough to make it profitable for investors to keep their short-term holdings in dollar accounts. By a series of exceedingly complicated "swap" and "forward market" operations, the Treasury has acquired holdings of Italian, West German, and Swiss currency to use against speculative assaults on the dollar.

It cannot be argued with any confidence that Dillon's policies have failed. The recession of 1960 has come to an end. Gross national product has advanced ever since February 1961. Unemployment has been cut back, and the workweek has been lengthened. The balance-of-payments deficit has dropped from $4 billion in 1960, to $2.2 billion in 1961, and $2 billion in 1962. On the other hand, GNP at the end of 1962 was only $562 billion against an administration estimate of $570 billion. Unemployment has stayed above the 4 percent target. Growth has been well below the administration's pledged goal of 5 percent annually. And the specter of an aborted recovery, and a new recession, has haunted the administration since the early summer of 1962.

In these circumstances, many of the President's advisers have criticised Dillon's actions as inadequate technical fiddling. They have advocated a far bolder address to national economic problems. But at every turn they have encountered stubborn resistance. Dillon has consistently held that "no drastic measures are immediately necessary." And the true measure of his powers lies less in what he has done than in what he has cut off. Two stymied initiatives, in particular, are important.

One of the initiatives came last summer on balance of payments. A number of European countries, including France and Britain, felt that the $6 billion earmarked for defense of the dollar in the International Monetary Fund was insufficient, and proposed that further joint measures be considered. Dillon and Roosa argued that the possible alternatives were impractical, and that any American show of a desire for help at a moment when the balance was adverse would only weaken confidence and spur a further flight from the dollar.

But almost everywhere else in the administration—in the Council of Economic Advisers, in the State Department, in the White House—there was keen interest in the proposals. It was argued that a massive new effort to protect the dollar would insulate the domestic economy against balance-of-payments pressure and thus make possible new domestic measures to stimulate the economy. Prof. James Tobin, then a member of the Council of Economic Advisers, was delegated to keep watch over the proposals. Two American officials—former Assistant Secretary of the Treasury John Leddy, and the Assistant Secretary of State for Economic Affairs, Griffith Johnson—went to Europe to learn more of the proposals, and to evince American interest. The President himself chaired one meeting that discussed the matter, and participated actively in the give-and-take. While no decision was reached, it was agreed that the door would be held open for the new proposals until after the meeting of the IMF and World Bank scheduled for September 17, 1962, in Washington. At least that was the agreement that everyone but Dillon and Roosa seemed to remember.

For in the first week of September, without any warning or any advance clearance, the Treasury exploded a bomb. It took the form of an article by Roosa in the Businees Review of the Federal Reserve Bank of Philadelphia. The article criticized in great detail and in the sharpest terms the proposals that were expected to be put forward at the Fund and Bank meeting. It argued that apart from the measures already being undertaken by the Treasury, there was "no real escape" from the balance-of-payments problem. If only because a denial might in fact have weakened confidence and started a run on the dollar, the article killed, there and then, any prospect of a new approach to the problem.

The second important initiative came last December in the field of taxation. Ever since the administration took office, the Council of Economic Advisers, and notably Chairman Walter Heller, had been advocating a major tax cut as a means of stimulating the economy. Treasury had consistently opposed the cut on the ground that it was not necessary to the economy, and would throw the budget seriously out of balance. And, repeatedly, circumstances reinforced the Treasury argument. Thus in the spring of 1961, when the issue first came to a head, the need for new defense and space spending ruled out the cut. In the summer of 1962, when it again came up, the tax-cut proposal ran into the deep-seated conviction of Surrey and of Chairman WILBUR MILLS of the House Ways and Means Committee that a tax reform was also necessary. They argued that a quick cut would rule out the chance for reform.

But by December 1962, a program had been worked out that incorporated a tax cut with tax reforms. The administration was pledged to the cut; both the Congress and the public had been accustomed to the idea. The big question was how much of the cut would apply in 1963. Heller argued for roughly $5 billion. For the first time he had important support by the White House staff. But Dillon argued that such a cut now would force him to seek an increase in the debt limit, and he said that he doubted the Congress, and particularly the Republicans, would go along. When the tax proposals finally emerged, they were spread out over 3 years, and carried a cut for 1963, of about 1 billion. Against all the odds, Treasury had won again.

PUBLIC PREJUDICE STILL INTACT

Combine what Treasury has done with what it has stopped, and there emerges the main substance of the administration's record in economic policy. It is a program that places main reliance for stimulating the economy on tax measures—many of them highly technical and difficult to comprehend. It is remarkable for avoiding the familiar Democratic policies of easy money, welfare spending, and a big push for consumer demand.

No doubt the national mood, far more than the Secretary of the Treasury, has been the shaper of these policies. Nothing drastic has happened to shake the public prejudice against more far-reaching Government measures. The Congress is under no pressure to modify its conservative bent. And the President, while not as orthodox in economic matters as some believe, is politically a man inclined to middle positions. "He prefers," one White House official has said, paraphrasing the old French Socialist motto, "to have 'no enemies on the right.' "

But what Dillon has done is to fragment majority opinion within the administration. He and his associates have at all times been able to come up with measures--ingenious if not dramatic—which seem to meet immediate needs. By compromise, as in the tax issue, they have reduced major questions of principle to matters of detail. By bureaucratic end running, as in the balance-of-payments matter, they have bottled up proposals for alternative action. The net effect has been to imprison the administration within the prevailing climate of opinion. The majority of the President's advisers have not been able to publicize their ruling convictions in a way that might eventually change public opinion. For Dillon has not only won most of the points in the continuing debate. He has won them in a way that obscures the fact that a debate has even been going on. He has won them bureaucratically, on the inside, by being good at small problems.

[From the New York Times, May 24, 1963]

On the Art of Quitting and Firing

(By James Reston)

Washington, May 23.—The art of quitting and firing has almost vanished in Washington. Officials are never "fired" these days: they are merely "called to fields of higher dedication." They never quit on principle: they slip away silently, blaming "family considerations."

Baseball is the last of the professions where losers are booted out publicly. When the Washington Senators lost 10 out of 11 games recently, which is only slightly worse than their average, Mickey Vernon, the manager, was canned on 12 hours' notice. But even he issued a communique of unsurpassed sweetness.

"I just feel disappointed," he said. "But I think I've been treated very well."

How John McGraw would have hooted at that. He would have kicked in the clubhouse door. He would have declared that even an act of Congress couldn't get the Senators out of the American League cellar. And, so saying, he would have shoved over the Washington Monument and left town in a blaze of profanity.

AGE OF EVASION

This, however, is the age of evasion. We haven't had a good slambang exit since General MacArthur. Even Sherman Adams, who was supposed to be the curmudgeon's curmudgeon, took his rug and flew softly away, and Allan Dulles, as a reward for Cuba, was all but canonized at the end.

Under President Kennedy the system is remarkably smooth. He is a master of the delayed shift. Chester Bowles is the best illustration of this technique. If the man doesn't measure up as Under Secretary of State, or somebody at the White House thinks he doesn't measure up, he is not called in and asked to go away, but is shifted to the White House and given a fancy title as adviser to the President on Africa, Asia, Latin America and underdeveloped points east.

IN LONELY SPLENDOR

There, then, he sits in lonely splendor, like a deviationist in Siberia, until he is sufficiently softened up to want out, at which time he is smuggled off to India without a fuss.

Sometimes the direct transfer or consolation-prize technique is used. For example, if Adm. George W. Anderson is being stubborn, awkward or too talkative, or all three, as Chief of Naval Operations, he is given the option of retirement or opulent banishment to a new post which, the President explains, "requires a good deal of skill and a good deal of dedication." All men who get this treatment are "dedicated."

From the administration's point of view the system has certain advantages. Mainly it muffles the struggling on the back stairs and keeps a lot of awkward questions from being debated in public.

What is harder to explain is why the victims go so quietly. Here the expert is former Secretary of State Dean G. Acheson, who after long personal study and experience has a taste for stylish resignations and deft decapitations.

Mr. Acheson believes that officials stay on partly because of the boredom of private life, partly because "making a fuss" has gone out of style, partly because "saving face" has become increasingly important in the Western World, and partly because officials, like other people, like to eat.

STIFLED DISSENT

One result of all this is that a good deal of informed and dissenting opinion within this administration is not getting out.

Equally important, the dissenters are hesitating more and more to push their views up to the top in private.

Every President has this problem sooner or later. As time goes on and problems and frustrations build up, officials hesitate to add their own doubts to the President's worries. Meanwhile, Presidents hesitate to provoke dissent, important as it is.

This problem increases in direct proportion to the respect and affection inspired by a President in the members of his staff. The more they admire him and sympathize with his burdens, the more they hesitate to question or challenge him. And this is a real problem for President Kennedy, for he has both the respect and admiration of his staff.

BACK TO TOPEKA

Accordingly, the decline of the volcanic resignation is a loss. This is not to say that tame and deserving bureaucrats, like condemned convicts, do not deserve a good dinner before they go, but an apoplectic dissenter on his way out had a certain therapeutic and educational value.

Anyway, the polite habits of the Government establishment do not have to be transferred to baseball. The opposite might even be preferable.

For the old rule of professional baseball, was that losers were either benched, traded or sent back to the minors whence they came. McGraw didn't transfer hitless infielders to the outfield, or tanglefoot outfielders to the infield. He didn't ask whether they were nice guys, either. He just sent them back to Topeka.

WESTERN ELECTRIC'S PARTICIPATION IN AID—NIGERIAN PROJECT

Mr. JAVITS. Mr. President, under a $352,000 contract awarded by AID, Western Electric Co., 195 Broad Street, New York, is assisting the Government of Nigeria in developing a master plan for a telecommunications system in that country, as well as working out the time-phasing of the plan for continued appropriate AID financing.

As is well known, it has been my longstanding belief that aid to developing countries is within the long-range self interest of the private economic sector as it assists in forwarding and supporting the peace leadership of U.S. foreign policy. It is clear to me that this Nigerian effort is such a project.

Western Electric, in supplying the technical services needed to embrace the Nigerian 6-year economic development plan for a telephone, telegraph, and radio transmission network and including all levels from local exchanges to international links, called back into temporary service, key personnel, who have recently retired.

The spirit and ingenuity demonstrated by Western Electric in solving the evident problem of a shortage in expert talents by recalling retired employees in order to implement this national interest project is highly commendable and represents an approach which could well serve as an example to the whole U.S. business community—management and labor alike.

So I hope Senators will read it. All of us know of great companies. This great company is helping our Government win the war for freedom in the world. I pay the greatest tribute to Western Electric for having participated in this way.

Mr. President, I ask unanimous consent to insert in the Record a release dealing with this subject.

There being no objection, the release was ordered to be printed in the Record, as follows:

Nigeria Communications Planning Helped by U.S. Technical Study

Nigeria's planning for the future of its telecommunications system will benefit from an American technical services effort announced today by the Agency for International Development.

Under a $352,000 contract awarded by AID, Western Electric Co., 200 Church Street, New York, will provide up to 20 engineers, technicians, and other personnel to assist the Government of Nigeria in preparing analytical and planning data as part of the countrywide telecommunications development program. Working with the Nigerian Government's Posts and Telegraphs Division, Western Electric experts will help in formulating a telecommunications development plan.

The AID-financed effort will assist the Government of Nigeria in defining the telecommunications portion of the country's 6-year economic development plan now in its second year. It embraces telephone, telegraph, and radio transmission networks and includes all levels from local exchanges to international links.

TRANSITION TO AUTOMATION

Mr. JAVITS. Mr. President, one of the greatest object lessons as to how to deal with the transition to automation without putting the burden on the back of the worker is contained in an article published in the New York Times this morning. It relates to force automation by the longshoremen on the docks of the Pacific Coast. We learn how a militant union has solved a difficult problem dealing with the automation of the docks.

Every Senator, and every believer in free enterprise in this country, should read the article. It describes a wave of the future.

I ask unanimous consent that the entire article may be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PORT AUTOMATION ON WEST COAST THRIVES UNDER A NEGOTIABLE PACT

(By John D. Pomfret)

SAN FRANCISCO, May 26.—A revolution in cargo handling is gradually taking place on the bustling docks of the San Francisco area and at other ports along the west coast.

While important in itself, this has a broader significance as a case history of the capacity of labor and management through collective bargining to make sweeping adjustments to major technological changes.

Balancing labor's demand for job security against managements' for more flexible and efficient operation is a common theme running through many contract negotiations at a time when automation and other kinds of technological change are making it possible to do more work with fewer workers. west coast longshoring is one of the few industries where a fundamental revision of the rules by which men work has been made successfully so far.

The work practices and rules that had grown up in the west coast longshoring were about as tightly restrictive as any.

Loads brought to the docks and warehouse pallets used to be removed, then rebuilt on the longshoremens' pallets before being loaded into the hold. No more than 2,100 pounds in a single load could be lifted into or out of a ship, although available equipment could handle much more.

When work was mechanized, the union would insist that the same number of men be kept on. Sometimes workers simply refused to allow new methods to be introduced. Some gangs worked on what was called a four on-four off system—four men working while the other four, called witnesses, watched. Now vastly bigger loads, glued or strapped together and put into large containers at distant warehouses, move in one smooth flow from truck to hold. Resistance to new methods has almost disappeared. So have "witnesses." Employers assign men with much greater flexibility and no longer fear that if they make costly investments in new machinery the longshoremen will not use it.

This dramatic change on the waterfront was brought about through a mechanization and modernization agreement between the International Longshoremen's and Warehousemen Union and the Pacific Maritime Association, representing the employers. Reached late in 1960 and running to July 1, 1966, the agreement gives the employers much greater leeway in introducing new methods and assigning longshoremen.

TWENTY-NINE MILLION DOLLARS FOR RETIREMENT

In exchange, the employers agreed to pay into a fund $29 million over the life of the contract to provide for voluntary retirement at age 62 and to finance a guarantee that the pay of regular longshoremen would not be allowed to drop below the equivalent of 35 hours' wages a week because of more efficient operation. The guarantee does not apply to reduced hours that come as a result of economic conditions.

In addition, longshoremen are protected under the contract from unduly burdensome work, unsafe methods, and individual speed-up.

The Pacific Maritime Association has not yet developed figures that it feels measure precisely the gains in output accomplished through the agreement. One reason for this is that the agreement has allowed the employers to dispense with the services of so many clerks that there are not enough left to collect the needed data.

However, J. Paul St. Sure, association president, said that association's figures indicated a saving in 1961 of 1,500,000 man hours over 1960. The 1962 payroll for the same tonnage was about what it was in 1958, indicating that the employers were getting enough extra work for each labor dollar to have absorbed a 20-percent increase in labor costs, Mr. St. Sure said.

"We can't tell how much of this is attributable to the agreement with the union and how much to other factors," Mr. St. Sure said. "The important thing from our standpoint is the reversal of a trend. Year after year we have been adding to labor costs and unit costs kept going up, too. Now we have turned the corner on unit costs. They are declining."

BIG SAVINGS ON SHIPS' USE

But the biggest saving is probably the extra use the steamship owners get from their ships. Vessels that once took days to unload and load now turn around in hours. This timesaving is like adding ships to a fleet without cost.

So radical a change in waterfront labor relations did not occur overnight.

Years of conflict in the industry reached a climax in a strike in 1948 that lasted 95 days. Both the union and the industry came out of that ordeal determined to find a better way.

With Sam Kagel, their chief arbitrator, they developed a system of instant arbitration by which grievances on the docks are handled on the spot by arbitrators who are always on call. The system has virtually eliminated the "quickie" work stoppages that used to plague the docks.

Mr. St. Sure and Harry Bridges, union president, talk frequently, and the union and employers' association also developed a system of continuous consultation through their joint west coast labor relations committee.

In addition to a disposition to agree rather than fight, the union and the association prepared carefully for the new agreement.

Although the agreement was not signed until October of 1960, the union was taking stock of the situation more than 3 years before. The report of a union study committee in 1957 was remarkably candid.

"Our present policy," the report said, "can be described as one of intermittent guerrilla warfare directed against all changes which we anticipate will reduce the need for men. Do we want to stick with our present policy of guerrilla resistance or do we want to adopt a more flexible policy in order to buy specific benefits in return?"

The union, convinced for one thing that it could not stave off change forever, decided on the more flexible policy.

The employers' group, for its part, began a conformance program in 1958 to make the stevedoring contractors toe the line. The contractors usually are paid on a cost-plus basis by the association's member steamship companies; so the higher the contractors' labor costs, the higher their fees. This gave them a vested interest in loose labor practices. The employers' association sent observers to the docks and instituted a system of fines of up to $5,000 for contractors who allowed longshoremen to violate the terms of the labor agreement.

In 1958 the union and the association froze the registration of so-called A longshoremen to avoid a buildup that would necessitate layoffs when restrictive practices were eliminated. The A men under the hiring-hall system used on the west coast have first chance at the available work. The available work is divided evenly between them under a rotational hiring system. Only A men are union members. When there is work left over, it goes to the B men, who are not union members, and finally to the casual workers whose connection with the industry is marginal and who average 50 to 60 hours of work each year.

Far from being starved for work, as many had feared they would be, the B men have been getting almost as much work as the A men under the new agreement. Their annual earnings in 1962 averaged $5,800, compared with $6,100 for the A men.

BRIDGES URGES INNOVATIONS

The attrition rate among longshoremen, partly due to the early retirement provision in the new agreement, has risen from 4 to 8 percent a year since the agreement went into effect.

Nor have the employers introduced innovations as rapidly and cut manpower requirements as had been expected, partly because of the large investment required to buy containers and cranes and modify ships to use the new methods. In fact, Mr. Bridges has been urging the employers to move faster. One of the benefits of the agreement promised the union members was relief from heavy work and Mr. Bridges does not think they are realizing it fast enough.

Attrition has cut the A list from about 14,000 in recent years to about 10,500 today. Gang shortages have developed in some ports. For the first time since 1958, about 1,500 men now are being added to the A list. The money from the fund has yet to be used to make good on the 35-hour pay guarantee.

SUBCOMMITTEE MEETING DURING SENATE SESSIONS ON TUESDAY AND WEDNESDAY OF THIS WEEK

Mr. BIBLE. Mr. President, I ask unanimous consent that the Subcommittee on Fiscal Affairs of the Committee on the District of Columbia be permitted to meet during the sessions of the Senate on Tuesday and Wednesday, May 28 and 29, of this week.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEATH OF ORVIL DRYFOOS, PRESIDENT AND PUBLISHER OF THE NEW YORK TIMES

Mr. KEFAUVER. Mr. President, it was with profound regret that I learned of the death of Mr. Orvil E. Dryfoos, the able and widely admired president and publisher of the New York Times. He was, as Herbert H. Lehman has simply described him, a great newspaperman and a great American. The loss of Mr. Dryfoos in the prime of his distinguished career is a tragedy which will truly be felt throughout the Nation.

The passing of Mr. Dryfoos is felt with special sadness by those of us from Chattanooga, where the sister paper of the New York Times, the Chattanooga Times, is published. We remember with pride and affection that the man who took over as publisher of the Chattanooga Times in 1878, the late Adolph S. Ochs, later became publisher of the New York Times and molded it into the great newspaper that it continues to be today.

It was in the same fine tradition of Mr. Ochs and subsequently of Mr. Dryfoos' father-in-law, Mr. Arthur Hays Sulzberger, that Mr. Dryfoos directed the New York Times until his death. Mr. Ochs, in his will, had written that it was the responsibility of the Times to be "an independent newspaper, entirely fearless, free of ulterior influence, and unselfishly devoted to the public welfare without regard to individual advantage or ambition, the claims of party politics, or the voices of religious or personal prejudice and predilection." When, a little more than 2 years ago, Mr. Dryfoos became publisher of the Times, he pledged publicly that he and his associates would maintain vigilantly the high standards set by his predecessors.

And so he did. He bore his vast responsibilities with great humility, including those which weighed upon him during the long and trying New York newspaper strike. He also bore his responsibilities well.

That Mr. Dryfoos was held in the highest esteem throughout the journalism profession is evidenced by the many editorial tributes which are being accorded him. One is the editorial appearing in today's Washington Post.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ORVIL E. DRYFOOS

Orvil E. Dryfoos, president and publisher of the New York Times, in the new tradition of newspaper proprietors and managers, was a man who chiefly found his creative fulfillment in fostering the creative gifts of others. He never had a byline in his own newspaper but he did not need one to prove his journalistic gifts to those who had occasion to know of his talents. His death Saturday, at the early age of 50, was a severe blow to newspaper colleagues who had confidently looked forward to great accomplishment under the leadership which Dryfoos had so recently assumed.

The role which he chose for himself was one that required greater restraint than the old-fashioned journalistic proprietors imposed on themselves. It was the same role as that of the late Adolph Ochs, who rejuvenated the New York Times, and the same as that of Arthur Hays Sulzburger, now chairman of the board, who as publisher so largely fashioned the present-day New York Times. It is one of the marks of the great influence of the paper that this new sort of proprietor has largely succeeded the old-time publishers who often combined the genius of circus owners and bankers. Their flamboyance and self-advertised personal idiosyncracies left no one in doubt about who was managing their newspapers. The new school of proprietor proceeds in ways that often leave the talents of the publisher largely undiscovered by the general public. So it was with Mr. Dryfoos but no one on the New York Times was unaware of the impact of his personality upon his institution. This method of working not only suited the New York Times tradition, but it suited the personality of the newspaper's publisher. He clothed his very great journalistic authority in a mild and modest demeanor that did not diminish his power and that made him, at the same time, a man greatly loved both in his own professional community and in every other circle in which he moved.

Mr. JAVITS. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. JAVITS. I have just come from the funeral of Mr. Dryfoos, where there was a representation of most distinguished citizens of the State of New York and other States, led by the Governor and Lieutenant Governor of New York.

The solemnity and distinguished character of the services reflected the exemplary life and distinction of leadership quality of Orville Dryfoos, who was very dearly beloved in our State.

Mr. KEFAUVER. I read the excellent statement by the distinguished senior Senator from New York as published in the New York Times yesterday.

Mr. JAVITS. Will the Senator from Tennessee include in his remarks the statements made by a great many distinguished Americans?

Mr. KEFAUVER. Yes. Mr. President, I ask unanimous consent that there may be printed at the conclusion of this colloquy the remarks made by several distinguished Americans, as published in the New York Times of yesterday.

Mr. JAVITS. I thank the Senator from Tennessee.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, May 26, 1963]

ORVIL E. DRYFOOS DIES AT 50; NEW YORK TIMES PUBLISHER

Orvil E. Dryfoos, president and publisher of the New York Times, died of a heart ailment shortly after 3 a.m. yesterday in the Harkness Pavilion of the Columbia Presbyterian Medical Center. He was 50 years old.

Mr. Dryfoos entered the hospital on April 15. Two weeks earlier, at the end of the 114-day New York newspaper strike, he had gone to Puerto Rico for a rest. But while there he entered San Jorge Hospital at Santurce, near San Juan.

Upon his return to New York, he went directly from the airport to the medical center.

During his final illness he was in good spirits and replied cheerfully to get-well messages. He said he was getting a good rest and hoped to be back on the job soon.

Mr. Dryfoos had had rheumatic heart disease as a young man. He first learned of it when it prevented his acceptance for military service in World War II.

Mr. Dryfoos is survived by his widow, three children, his mother and two brothers. Mrs. Dryfoos is the former Marian Effie Sulzberger, oldest child of Arthur Hays Sulzberger and Iphigene Ochs Sulzberger. Mr. Dryfoos succeeded Mr. Sulzberger as president and publisher of the Times. Mr. Sulzberger is chairman of the board of the newspaper.

The three Dryfoos children are Jacqueline Hays, born May 8, 1943; Robert Ochs, born November 4, 1944, and Susan Warms, born November 5, 1946.

Mr. Dryfoos lived at 1010 Fifth Avenue, near 81st Street, and at Rock Hill, Stamford, Conn. His mother, the former Florence Levi, now Mrs. Myron G. Lehman, lives at Carlton House. His father, Jack A. Dryfoos, died at the age of 52 in 1937. His brothers are Donald Dryfoos, of 301 East 47th Street, and Hugh Dryfoos, of 969 Park Avenue.

A funeral service will be held at 10 a.m. tomorrow at Temple Emanu-El, Fifth Avenue at 65th Street. The burial will be private. The family has requested that instead of sending flowers, friends make contributions to Dartmouth College, from which Mr. Dryfoos was graduated in 1934.

Mr. Dryfoos took over the duties of publisher of the Times from Mr. Sulzberger on April 25, 1961. He had been president of the New York Times Co. since 1957 and a director since 1954, when he was named vice president.

Beginning in 1943 he served as assistant to the publisher. For a year previously, he was on the Times' local reportorial staff. It was in that capacity that he began newsroom friendships that continued on a first-name basis for the rest of his life.

Mr. Dryfoos brought to his associates a genial disposition and a warm good nature that showed itself in his ready smile. An adjective frequently applied to his appearance was "boyish."

At the same time, he brought to the newspaper a dedication and a steadiness of judgment that met a severe test in the 16-week newspaper strike, the longest and costliest in the industry in this city.

The long negotiations were wearing on those who were to any degree involved. (During a lull, Mr. Dryfoos flew to Puerto Rico for a few days, but he was already feeling the effects of his illness and did not get the rest he had sought.)

An informal, unpretentious man, the publisher kept generally in the background during the tedious and sometimes rancorous talks. Yet he exerted a constant influence toward conciliation and a fair settlement.

He kept in mind the situation of newspapers in a weaker position, whose survival was threatened. There were times when he acted as a peacemaker and was instrumental in persuading negotiators to resume interrupted talks.

MOBILIZED RESOURCES

During the strike, the Times' working personnel dropped from about 5,000 to 900. Mr. Dryfoos and his advisers mobilized the 900 so that the newspaper could continue to publish its international and western editions and maintain its ancillary services as far as possible.

The 72 newspapers in the United States, Canada and overseas that subscribe to the New York Times News Service were given 20,000 words a night.

The Western edition of the Times, printed in Los Angeles since October 1, 1962, continued to receive most of its 80,000 words a day from the New York office.

The Western edition had been announced formally by the Times on October 31, 1961, after a year's study of the operation of the international edition, printed in Paris since October 1960.

Mr. Dryfoos had taken a primary role in the groundwork for the Western edition; the decision to go ahead with it was one of the major steps taken during his administration as publisher.

The international edition continued to receive an average of 36,000 words a night during the strike. WQXR, the Time's radio station, more than doubled its news broadcast time.

Throughout the long winter of dislocation, Mr. Dryfoos maintained contact with his staff, including those who were not at work.

He wrote a letter to employees at their home addresses early in the shutdown. Some of them replied to Mr. Dryfoos to express their appreciation of the tone of the letter.

On March 9, he wrote again, promising "a warm welcome" when the strike was over. And on March 31, when employees finally returned to work, they found a letter reproduced in Mr. Dryfoos' handwriting, beginning: "It's good to see you back at work."

To a friend, he wrote on March 14, when the end of the strike remained in doubt: "Certainly these 'hundred days' have been the most awful I have ever lived through." And, in a scrapbook begun when he was appointed publisher, a reproduction of the Associated Press bulletin, announcing the end of the strike, on March 31, lay yesterday at the top of a batch of unmounted material.

Apart from an ability to maintain a personal touch throughout his large organization, Mr. Dryfoos, as publisher strove to make the Times more readable and more incisive while sacrificing none of the paper's comprehensive news coverage.

Mr. Dryfoos' first act as publisher, announced on April 25, 1961, was the appointment of John B. Oakes as editor of the editorial page. He kept in close touch with Mr. Oakes on editorial policy.

He also kept abreast of the daily news flow. He usually attended the daily news conference, at which the next morning's newspaper is planned.

The publisher also bore a heavy responsibility for the economic health of the paper. The Times operated on a profit margin so modest that it sometimes astonished men in other lines of business.

While Mr. Dryfoos, like Mr. Sulzberger and Adolph S. Ochs before him, felt that his primary task was to maintain the paper's independence and reliability, he also felt that it was necessary for the institutional strength and growth of the New York Times to improve its profit position. He made that one of his principal aims as publisher.

MARRIED IN 1941

Orvil Eugene Dryfoos joined the Times 6 months after his marriage on July 8, 1941, to the Sulzbergers' daughter. Mr. Sulzberger in 1935 had succeeded his own father-in-law, Mr. Ochs, as publisher.

"I was sensible enough to marry the boss' daughter," Mr. Sulzberger once remarked to Mr. Dryfoos, "and you were, too."

Marriage changed the course of Mr. Dryfoos' career. A sociology major at Dartmouth, he had obtained his bachelor of arts degree and then started as a runner in Wall Street. Eventually, he bought a seat on the New York Stock Exchange. Mr. Sulzberger urged him to join the Times.

"I was hesitant about coming in," Mr. Dryfoos once recalled. "I was enjoying my work downtown and doing fairly well, considering conditions then. When Mr. Sulzberger spoke to me about it, I thought about it for some time before I made my decision."

When, having made his decision, and joined the Times, Mr. Dryfoos was put into the city room. For a year he worked as a cub reporter and once had an unbroken string of 17 night assignments—an ordeal that gave him a lasting distaste for after-dinner speeches.

He also worked as a legman for more experienced reporters. Late in March 1942, he accompanied two of them to an arms plant in Bridgeport, Conn., where an explosion had killed three persons and injured many.

FOUND SATISFACTION

It was an assignment that gave the junior reporter great professional satisfaction.

As a reporter he never got a byline—an omission he occasionally referred to later with mild regret.

For a while, he was on the makeup desk. Then he was named assistant to Mr. Sulzberger. As an executive observer, he accompanied Times teams to every major party national convention, beginning in 1944.

As an administrator, Mr. Dryfoos made an outstanding record at the Times. He knew how to delegate responsibility and at the same time how to master intricate details himself. But none of his ultimate responsibilities lessened his ease of manner with his staff.

During the late hour negotiations in the Daily News strike last November that preceded the citywide shutdown, Mr. Dryfoos never failed to chat with his own and other reporters assigned to the meetings.

Orvil Dryfoos was born in New York on November 8, 1912. His father was in the textile business and was treasurer of a paper novelty manufacturing company. The boy was sent to the Horace Mann school, where he was on the soccer, tennis, and swimming teams. He also wrote a sports column called "The Dug Out" for the Horace Mann Record.

HONORARY DEGREE GRANTED

From Horace Mann he went to Dartmouth. In 1957 Dartmouth granted him an honorary master of arts.

Last June he received an honorary doctor of laws degree from Oberlin College.

His first job was with the brokerage firm of Asiel & Co., where he remained for 3 years. In 1937, as a partner in Sydney Lewinson & Co., he purchased a seat on the Exchange. He was an active trader until the end of 1941, and gave up his seat on the Exchange 8 years later.

A sketch of Mr. Dryfoos in the Times of April 26, 1961, on his appointment as publisher, noted that he "is not known as a 'driving' executive, although he can be firm when necessary," and that "he prefers to vest responsibility in competent men and let them carry out the duties to which they have been assigned."

Mr. Ochs, publisher of the Times from 1896 until his death on April 8, 1935, wrote in his will that it was the responsibility of the Times to be "an independent newspaper, entirely fearless, free of ulterior influence, and unselfishly devoted to the public welfare without regard to individual advantage or ambition, the claims of party politics, or the voices of religious or personal prejudice and predilection."

Under that will, Mr. Dryfoos eventually became one of three trustees controlling a majority of the voting stock of the Times. He succeeded Julius Ochs Adler, vice president and general manager, who died on October 3, 1955. The two other trustees were Mr. and Mrs. Sulzberger.

SETS FORTH GOAL

In a personal statement on the editorial page on his first day as publisher, Mr. Dryfoos wrote:

"I pledge that my associates and I will maintain vigilantly the high standards set by our predecessors."

Mr. Dryfoos became president of the company in 1957, and Mr. Sulzberger, remaining as publisher, became board chairman, a new position in the organization. Mr. Sulzberger's retirement as publisher came 4 years later.

Mr. Dryfoos was active in civic, educational, philanthropic, and publishing industry programs. He was a trustee of Dartmouth College and a lay trustee of Fordham University. He was a trustee and a member of the executive committee of the Rockefeller Foundation.

He served as a director of the New York Convention and Visitors Bureau, the Hundred Year Association of New York, the Fifth Avenue Association and the New York World's Fair 1964.

In 1963, when he retired as a director of the Bureau of Newspaper Publishers Association, he was awarded a bronze plaque for distinguished service to the newspaper business.

AIDED RED CROSS

In World War II he was vice chairman of the New York Red Cross Chapter's Blood Donor Committee. This was the forerunner of the peacetime blood donor program.

Mr. Dryfoos was a trustee of the Baron de Hirsch Fund. He belonged to the France-America Society, the American Australian Association, the Pan-American Society of the United States, the Pilgrims, and Sigma Delta Chi.

He was a member of Congregation Emanu-El.

His clubs included the Century Country of White Plains, the Dutch Treat, and the Century Association of 7 West 43d Street. His suburban address was 1219 Rockrimmon Road, Stamford.

Mr. Dryfoos was president and director of the Interstate Broadcasting Co., Inc. (WQXR), and various Times subsidiaries. He headed the New York Times Foundation, a corporation arranged for charitable purposes, and the New York Times Neediest Cases Fund.

[From the New York (N.Y.) Times,
May 26, 1963]

KENNEDY AND OTHER LEADERS EXPRESS SYMPATHY

President Kennedy was among the many prominent persons from around the world who yesterday paid tribute to the late Orvil E. Dryfoos, publisher of the New York Times. The following are some of the many messages received here:

President Kennedy: "American journalism has lost one of its most distinguished figures today with the death of Orvil Dryfoos, publisher of the New York Times. That great newspaper has suffered a serious loss. Mr. Dryfoos will be sorely missed by those who knew and admired his integrity, courage, and his devotion to journalistic truth."

Secretary of State Dean Rusk: "I have learned with deep sadness of the untimely death of Mr. Orvil E. Dryfoos, president and publisher of the New York Times. His passing is a profound loss to journalism, to the public whom he so well served, and to the many, like myself, who valued him as a personal friend and a creative American."

Mayor Wagner: "I am shocked and saddened by the death of Orvil E. Dryfoos, who was an outstanding publisher, an outstanding citizen, and a friend whose memory I shall always cherish. He was a vital force in this community, a man who was never afraid to speak out for things in which he believed, and the good he did testifies to the kind of fine man that he was. Orvil Dryfoos was a man of broad interests, of penetrating viewpoint, of unchallengeable personal integrity; and most of all, he was a man of warmth, wisdom, and compassion—the kind of man we are proud to know as friend. New York City mourns his passing. All of us shall miss him greatly in the years to come."

Adlai E. Stevenson, U.S. representative at the United Nations: "I am shocked by the death of this young and brilliant man. His promise in journalism was limitless and I have lost an old and dear personal friend."

Secretary of the Interior Stewart L. Udall: "All of us in Washington who knew Orvil had the highest regard for his convictions and traits of character. By his thoughtfulness and his deep interest in the large and small problems of the world in a sense he personified the best traditions of the New York Times. He was deeply interested in the things that add quality to life, and this also gave him special distinction. It is tragic that his service to the nation has ended in the very prime of life."

Herbert H. Lehman, former Senator and Governor: "I am deeply shocked and saddened to hear of the untimely passing of Orvil Dryfoos. I have known him for a great many years and had a great affection and admiration for him. He was a great newspaperman and a great American. He will be sorely missed not only by his family and his countless friends but by the entire community which he served so well, I send heartfelt sympathy to his family."

Senator JACOB K. JAVITS: "He was one of the finest of men. Already a leading publisher, every sign pointed to greatness for him in his chosen field and in the unique position of his paper. We shall all miss a great and warm friend and an outstanding American."

Senator KENNETH B. KEATING: "Journalism has lost one of its most brilliant and distinguished leaders. His death is a tragic loss not only to the New York Times but the entire profession which he so responsibly and nobly served. His friends and admirers, of whom I was privileged to be one, are deeply saddened."

Bernard F. Gimbel, chairman of the board, Gimbel Brothers, Inc.: "In the untimely passing of Orvil E. Dryfoos, the newspaper world and the community has suffered a great loss. His character, ability and high sense of integrity and modesty, were inspirations to all. He enjoyed the affection and respect of everyone who knew him and will be missed by many."

Jack I. Straus, chairman of the board of R. H. Macy & Co.: "Orvil's death is a tragic blow to the newspaper profession, to the New York community and to the world. His brilliant and courageous leadership of his great institution was testimony to his character and unique ability. We have lost one of our city's great people and I have lost a fine personal friend."

Henry C. Alexander, chairman, Morgan Guaranty Trust Co. of New York. "The death of Orvil Dryfoos in the prime of his distinguished service to publishing and to the community is shocking and tragic. He filled with competence and unassuming modesty a place of high responsibility in the life and work of a great city. The condolence of all goes to his family and his associates on the great loss they have suffered."

Rev. Dr. Julius Mark, senior rabbi, Congregation Emanu-El: "His untimely passing was a severe shock not only to his associates but to his host of friends. He carried on the fine traditions of the Times. He was respected in his profession and won the esteem of newspapermen not merely in this country but throughout the world. His passing at so early an age is a tragic blow. The hearts of his innumerable friends go out in sympathy to his wife, his children, and to Mr. and Mrs. Arthur Hays Sulzberger."

Rabbi Maurice N. Eisendrath, president, Union of American Hebrew Congregations: "We join with the many persons throughout the world in mourning the loss of a distinguished leader in the field of journalism. His personal integrity and high ideals were reflected in the high standards for which the New York Times has come to be esteemed."

Very Rev. Laurence J. McGinley, rector and president, Fordham University: "New York and the publishing world have lost a very fine young leader who had a great vision and both the intellectual and moral stamina to do a great deal of good through the printed word. He had a very personal sympathy with good causes and he will be much missed by those of us who knew him and who are grateful to him for the fine example he gave in a very important sphere. This university is particularly sorry to lose him because he was a very cherished member of our board of lay trustees."

Trustees of Dartmouth College: "The trustees of Dartmouth College have lost in Orvil E. Dryfoos a beloved colleague. The warmth of his heart and the range of his knowledge were remarkable. In academic life, he remained in touch with the world that gives substance to the mind, but he never lost sight of the spiritual aspirations that give meaning to practical affairs. Dartmouth College will be ever in his debt, not merely for what he did, but also for what he was. His life was a noble example of what it means to be a liberally educated man."

Dr. John S. Dickey, president of Dartmouth College: "I have never known private responsibility to be borne as a public trust with more grace and greater fidelity than he brought to the leadership of the Times. Dartmouth College was the beneficiary of his devoted trusteeship. All who knew him were enriched by the generosity of his spirit."

Howard S. Cullman, honorary chairman, Port of New York Authority and president of Cullman Brothers, Inc.: "America has lost a great citizen and an outstanding, public-spirited publisher. I have lost a warm personal friend, whom I have admired all his life."

John Hay Whitney, editor in chief and publisher of the New York Herald Tribune: "No one knows a man quite as well as his competitors, and in the 2 years since he assumed control of the New York Times, we at the Herald Tribune came to know and admire Orvil Dryfoos. He was an asset to his newspaper. He presided over its recent expansion to the West Coast and he helped to maintain its finest qualities. But more than that, he was an asset to the entire newspaper community in this city and in the Nation as a man of good will, good taste, and constant interest in the value and function of news. For that, and more for the fine human qualities that made him a friend, we shall miss him."

Paul Miller, president of the Associated Press and the Gannett Newspapers: "I am shocked to learn of Orvil's passing. He was a wonderful friend and a dedicated publisher who put the call of his many responsibilities to his newspaper ahead of everything else. He will be sadly missed by many."

Pierre Lazareff, publisher and editor of France-Soir: "The death of Orvil Dryfoos throws newspapermen and newspapers throughout the world into cruel mourning. The New York Times and the one who was its most recent animator are examples and guides for our entire profession."

Henry L. Lambert, president of the New York Board of Trade: "His services not only to the Times, which he served so well, but to the community as well, will be missed."

Mims Thomason, president of United Press International: "Not only his family and the New York Times, but the entire profession, has suffered a great loss in the death of Orvil Dryfoos. It is twice a tragedy that his passing should have occurred so early in an already outstanding career."

Walter Thayer, president of the New York Herald Tribune: "Orvil Dryfoos and I became warm friends under one of the most difficult situations our newspapers, or the newspapers of this city, have ever faced: the long, drawn-out strikes that ended only 2 months ago. In that time, when public and private demands were at odds, when the need was for understanding and breadth of outlook, he showed himself to all involved as a man of deep personal integrity and complete selflessness. His concern had become the whole of the newspaper industry in the city and the Nation and he gave of himself unstintingly to solve its problems. To all those who dealt with him he was generous, intelligent and fine. His sudden passing is a sharp personal loss. It is a loss, too, to New York and to the Nation of which he was a leading citizen."

Richard D. Peters, editor of the New York World-Telegram and the Sun: "This is a great loss for American journalism. Mr. Dryfoos had wonderful enthusiasm for everything about newspapers and the men and women working with them."

F. M. Flynn, president of the Daily News: "Orvil's death is a deeply saddening shock to me. He was a loyal friend, a kind and generous person of great character. His firm belief in a strong and free press caused him to give untiringly of his time and ability to newspaper problems. The long hours and endless seeking for fair solutions to the recent labor controversies undoubtedly placed a heavy toll on his health. Newspapermen everywhere will share the loss which his associates at the New York Times must suffer. My most sincere and hearfelt sympathy is extended to Marian and other members of Orvil's family."

Miles H. Wolff, acting president of the American Society of Newspaper Editors and executive editor of the Greensboro (N.C.) Daily News: "The death of Orvil E. Dryfoos is a blow to American journalism. Although he was head of the New York Times only a short time, he had demonstrated that he was a worthy successor to Arthur H. Sulzberger and the late Adolph S. Ochs. His ability had brought him recognition as a leader in the newspaper industry. The American Society of Newspaper Editors joins the Nation in sympathy to his family and his associates on the New York Times."

Donald B. Abert, executive vice president and general manager of the Milwaukee Journal: "The Journal Company certainly extends its sympathy to the Times. It is a great shock to learn of the death of Mr. Dryfoos. His death is a great loss to the newspaper industry."

Jack Tarver, chairman of the board of the Bureau of Advertising of the American Newspaper Publishers Association and president of the Atlanta Journal and Constitution: "Mr. Dryfoos was one of the ablest working newspapermen I ever knew. He was a member of our board and I came to rely on him and his instinctive insight into our problems. As publisher of the New York Times, it would have been easy for him not to care about the problems of smaller papers but he showed that he did care and that he had an overall understanding of the industry. He had a tremendous grasp not only of the obligations of a newspaper but also of what it must have to serve the public and its readers."

Harold L. Bache, of Bache & Co.: "His devotion and accomplishments in the field of journalism will remain an inspiring example for many future generations."

Dr. J. George Harrar, president, Rockefeller Foundation: "The tragic and untimely death of Orvil Dryfoos is an irreparable loss to much more than the world of journalism. Mr. Dryfoos has been one of the clearest voices in the Nation in support of progressive effort towards the solution of problems involving race relations and equality of opportunity for all. As a trustee of the Rockefeller Foundation, he was a sensitive but strong and wise force. All of us share with his family a deep sense of personal sorrow."

George D. Woods, president of the International Bank for Reconstruction: "Orvil Dryfoos had great integrity and a kindly, sympathetic, understanding character with a fine training under his predecessor and father-in-law, Arthur Hays Sulzberger. He was at the threshold of a constructive career as one of our great newspaper publishers. His influence for sound liberalism and tolerance in national and international problems will be sorely missed. His family and friends have suffered a tragic and untimely loss."

Barrett McGurn, president of the Overseas Press Club: "Members of the Overseas Press Club stricken at tragic news. Sincerest condolences."

The Newspaper Guild of New York: "Mr. Dryfoos will ever be remembered by Guild members at the Times as an understanding and sympathetic employer, and by newspapermen everywhere as a publisher of vision who boldly expanded his great newspaper to national and international scope against the tide of so many newspaper closings."

John Costello, chairman of the Times unit of the Newspaper Guild: "We will remember Mr. Dryfoos for his friendly ways and his many acts of personal kindness."

Mr. KEATING. Mr. President, the death of Orvil E. Dryfoos brings a tremendous loss, both to journalism and to the Nation. The publisher of the New York Times was renowned for the guidance he provided his newspaper and for the interest and dedication he gave to his city, State, and Nation.

Personally, he will remain in my memory as one of the towering figures of our time in the field he so richly honored by his gifts of spirit, of intellect, and of personal dedication.

Professionally, the excellence of the Times is its own eloquent testimonial to his genius as a newspaper executive.

Publicly, his devotion to serving the best interests of the people and his selfless efforts in the public service have won him the gratitude and respect of countless numbers the Nation over.

I join with the world in mourning his death.

VISIT TO TENNESSEE BY PRESIDENT KENNEDY

Mr. KEFAUVER. Mr. President, on Saturday, May 18, my State of Tennessee was honored by an all-too-brief visit by President Kennedy. I believe it was the first visit to Tennessee by a President in office since the administration of the late Franklin D. Roosevelt.

The welcome given President Kennedy was one of the warmest and most enthusiastic that I have ever seen the people of Tennessee give a distinguished visitor. Some 250,000 persons turned out to greet him during the approximately 3 hours he was in the capital of our State.

The high point of his visit, of course, was the President's speech before about 33,000 persons at Dudley Field, the Vanderbilt University stadium. He spoke on the occasion of the 90th anniversary of Vanderbilt. Not only was the speech interrupted many times by applause, but it was hailed by many distinguished Tennesseans as a great declaration of human rights and responsibilities. For example, Dr. Alexander Heard, the chancellor of Vanderbilt, called it "an educational state paper of the first importance." I am confident that it will be quoted for many years.

Mr. President, the entire proceedings at the Vanderbilt stadium, including the President's address as actually delivered, have been recorded in the Vanderbilt Gazette of May 22, and I ask unanimous consent that this report be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[From the Vanderbilt Gazette, May 22, 1963]

AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES COMMEMORATING THE FOUNDING OF VANDERBILT UNIVERSITY—RECORD OF THE PROCEEDINGS AT VANDERBILT STADIUM, MAY 18, 1963

Chancellor ALEXANDER HEARD (presiding). Please remain seated while the Reverend William C. Finch, Dean of the Divinity School of Vanderbilt University, gives the invocation.

Dean WILLIAM C. FINCH. Almighty and Eternal God, we thank thee for the vision of the founders of this university, for the high purpose of its creation in a time of national crisis, that unity might be restored and the peoples of this country be made one. We praise Thee for all who have shared in its service across these years and we pray Thy continued blessing upon Vanderbilt University as it moves into ever-enlarging service.

O God, bless our country. Upon the President of the United States and all those in authority let Thy benediction rest. In this day, alike of our peril and our opportunity, lift us up to be a force for freedom, for righteousness, and for peace. Above all, grant us a spirit of service which will abolish pride of place and inequity of opportunity. Through Jesus Christ. Amen.

Chancellor HEARD. Ladies and gentlemen, Vanderbilt University welcomes you to this celebration of the 90th anniversary of its founding. We welcome especially the students and faculties of the schools, and colleges, and universities of Nashville and Tennessee. Vanderbilt is glad to be situated in a congenial city of many educational institutions. We have invited the chief executive of each of this community's 13 other institutions of higher learning to sit with our guest, on the platform, as a symbol of our welcome to them and of their welcome to him.

Vanderbilt is a private university in the public service. We are pleased that our guest chose to visit this State on the 30th anniversary of the signing of the congressional act creating the Tennessee Valley Authority. This act has made the name of Tennessee known in every spot on the globe where nations struggle for orderly and comprehensive development of their human and natural resources, under conditions of political liberty and economic opportunity, for the benefit of all the people. The three directors of the Tennessee Valley Authority are here with us on the platform. [Applause.]

It is our pleasure to share this occasion with the U.S. Army Corps of Engineers. In a few minutes, when the Commander in Chief of the Armed Forces speaks to you, he will begin excavation for the Cordell Hull Dam near Carthage, Tenn., by pressing a key that will explode the first charge of dynamite at the construction site. Nearer by, work on the Percy Priest Dam will also begin in the immedate future. These 2 projects are the seventh and eighth units in a system of 14 dams and reservoirs in the Corps of Engineers' program for the development of our Cumberland River Basin. I will ask four persons on the platform to stand, and I ask you to withhold your recognition until all of them have done so.

Mrs. J. Percy Priest, whose husband for many years represented this district in the Congress of the United States.

Lt. Gen. Walter K. Wilson, chief of the U.S. Army Corps of Engineers.

Brig. Gen. Walter P. Leber, division engineer for the Ohio River.

Col. James B. Newman III, division engineer for the Nashville District. [Applause.]

You will see in your program the names of persons who have been asked to add distinction to this occasion by their presence on the platform. They represent many phases of our political system through which the people of the United States govern themselves. I wish to ask certain of these to stand, after which you may give them a cheer.

The leader of the most significant current innovation in local government in America, the mayor of Metropolitan Nashville, the Honorable Beverly Briley.

Members of the U.S. House of Representatives from Tennessee: The Honorable Ross BASS, the Honorable ROBERT A. EVERETT, the Honorable JOE L. EVINS, the Honorable RICHARD FULTON. [Applause.]

I also ask to stand the following Senators of the United States: The Honorable ESTES KEFAUVER, of Tennessee; the Honorable ALBERT GORE, of Tennessee; the Honorable LISTER HILL, of Alabama; the Honorable JOHN SPARKMAN, of Alabama. And finally, the Governor of Tennessee, the Honorable Frank G. Clement. [Applause.]

Ninety years ago Vanderbilt University was born. It was born of a need, deeply felt; of a vision, clearly held; and of the essential means, wisely provided. The educational poverty of a section was a liability of the Nation. To help meet the need, a farsighted bishop projected a university, as he said, "of the highest order." To build and endow such a university, Commodore Cornelius Vanderbilt made a well-informed donation. Our country, rent by a civil war, needed desperately to be united. Commodore Vanderbilt, a northerner, suggested his purpose when he said:

"If Vanderbilt University shall through its influence contribute to strengthening the ties which should exist between all sections of our common country, I shall feel that it has accomplished one of the objects that led me to take an interest in it."

In the 90 years since, this institution has become a university with complex educational missions. It views the Nation as its campus and the world as its proper concern. Its students come here from all States in the Union and from many nations around the globe. It occupies a significant place in the community of American universities—these universities that have become the most effective agents of our highest national purpose: a just, enlightened, and productive life. Its achievement and its hopes spring from the labor and the devotion of many. They spring from the talent and dedication of its facilities and staffs, of its trustees, of its alumni, of its friends everywhere, and from the loyal support of this community where it lives. The university's hopes, and their fulfillment, have been the special concern of descendants of Commodore Vanderbilt. For individual achievement and philanthropy over multiple generations this famous family has few parallels in our history. Many Vanderbilts, over many decades, have given of themselves and their substance to this university in a glowing expression of social responsibility.

First among these is the present leader of the university's board of trust, Mr. Harold Stirling Vanderbilt, great-grandson of the founder. He has, to the regret of us all, been forced by illness to cancel his plans to attend these ceremonies and to present our guest, who is his friend of over 20 years. To represent all of the Vanderbilt family, we are honored to have on the platform two of its members, the Honorable William H. Vanderbilt, president of the Citizens' Research Foundation and former Governor of Rhode Island, and his son, William H. Vanderbilt, Jr. We will be grateful if these two gentlemen will stand so that you may see them to acknowledge their presence. [Applause.]

Now, ladies and gentlemen, Vanderbilt University welcomes to its campus and presents to you the President of the United States. [Applause.]

President JOHN F. KENNEDY. Thank you very much.

Mr. Chancellor, Mr. Vanderbilt, Senator Kefauver, Senator Gore, Congressman Fulton, Congressman Evins, Congressman Bass, Congressman Everett, distinguished guests, members of the judiciary, the Army Corps of Engineers of the Tennessee Valley, I first of all want to express my warm appreciation to the Governor and the mayor of this State and city and to the people for a very generous welcome. And particularly to all those young men and women who lined the streets and played their music for us as we drove in to the stadium. We are glad they are here with us and we feel the musical future of this city and State is assured. [Applause.]

Many things bring us together today. We are saluting the 90th anniversary of Vanderbilt University, which has grown from a small Tennessee university and institution to one of our Nation's greatest, with seven different colleges, and with more than half of its 4,200 students from outside of the State of Tennessee.

And we are saluting the 30th anniversary of the Tennessee Valley Authority, which transformed a parched, depressed, and flood-ravaged region into a fertile, productive center of industry, science, and agriculture.

We are saluting—by initiating construction of a dam in his name—a great Tennessee statesman, Cordell Hull [applause], the father of reciprocal trade, the grandfather of the United Nations, the Secretary of State who presided over the transformation of this Nation from a life of isolation and almost indifference to a state of responsible world leadership.

And, finally, we are saluting—by the recognition of a forthcoming dam in his name—J. Percy Priest [applause], a former colleague of mine in the House of Representatives who represented this district, this State, and this Nation in the Congress for 16 turbulent years, years which witnessed the crumbling of empires, the splitting of the atom, the conquest of one threat to freedom and the emergence of still another.

If there is one unchanging theme that runs throughout these separate stories, it is that everything changes but change itself. We live in an age of movement and change, both evolutionary and revolutionary, both good and evil—and in such an age a university has a special obligation to hold fast to the best of the past and move fast to the best of the future.

Nearly a hundred years ago Prince Bismarck said that one-third of the students of German universities broke down from overwork, another third broke down from dissipation, and the other third ruled Germany. I do not know which third of the student body of Vanderbilt is here today, but I am confident we are talking to the future rulers of Tennessee and America in the spirit of this university. [Applause.]

The essence of Vanderbilt is still learning—the essence of its outlook is still liberty—and liberty and learning will be and must be the touchstones of Vanderbilt University and of any free university in this country or the world.

I say two touchstones—yet they are almost inseparable, inseparable if not indistinguishable. For liberty without learning is always in peril, and learning without liberty is always in vain. This State, this city, this campus have stood long for both human rights and human enlightenment—and let that forever be true.

This Nation is now engaged in a continuing debate about the rights of a portion of its citizens. That will go on, and those rights will expand, until the standard first forged by the Nation's founders has been reached—and all Americans enjoy equal opportunity and liberty under law. [Applause.]

But this Nation was not founded solely on the principle of citizen rights. Equally important—though too often not discussed—is the citizen's responsibility. [Applause.] For our privileges can be no greater than our obligations. But the question of our rights can endure no longer than the performance of our responsibilities. Each can be neglected only at the peril of the other.

I speak to you today, therefore, not of your rights as Americans but of your responsibilities. They are many in number and different in nature. They do not rest with equal weight upon the shoulders of all. Equality of opportunity does not mean equality of responsibility. All Americans must be responsible citizens, but some must be more responsible than others, by virtue of their public or their private positions, their role in the family or community, their prospects for the future or their legacy from the past. Increased responsibility goes with increased ability—for "those to whom much is given, much is required."

Commodore Vanderbilt recognized this responsibility—and his recognition made possible the establishment of a great institution of learning for which he will be long remembered after his steamboats and railroads have been forgotten.

I speak in particular, therefore, of the responsibility of the educated citizen—including the students, the faculty, and the alumni of this great institution. The creation and maintenance of Vanderbilt University, like that of all great universities, has required considerable effort and expenditure. And I cannot believe that all of this was undertaken merely to give this school's graduates an economic advantage in the life struggle. [Applause.]

"Every man sent out from a university," said Professor Woodrow Wilson, "should be a man of his nation, as well as a man of his time."

You have responsibility, in short, to use your talent for the benefit of the society which helped develop those talents. You must decide, as Goethe put it, whether you will be an anvil or a hammer, whether you will give to the world in which you are reared and educated the broadest possible benefits of that education.

Of the many special obligations incumbent upon an educated citizen, I would cite three as outstanding: your obligation to the pursuit of learning; your obligation to serve the public; your obligation to uphold the law.

If the pursuit of learning is not defended by the educated citizen, it will not be defended at all. For there will always be those who scoff at intellectuals, who cry out against research, who seek to limit our educational system. Modern cynics and skeptics see no more reason for landing a man on the moon—which we shall do [applause]—than the cynics and skeptics of half a millennium ago saw for the discovery of this country. They see no harm in paying those to whom they entrust the minds of their children a smaller wage than they pay to those to whom they entrust the care of their plumbing.

But the educated citizen knows how much more there is to know. He knows that knowledge is power, more so today than ever before.

He knows that only an educated and informed people will be a free people—that the ignorance of one voter in a democracy imperils the security of all—and that if we can, as Jefferson put it, "enlighten the people generally * * * tyranny and the oppressions of mind and body will vanish, like evil spirits at the dawn of day." And, therefore, the educated citizen has a special obligation to encourage the pursuit of learning, to promote exploration of the unknown, to preserve the freedom of inquiry, to support the advancement of research, and to assist at every level of government the improvement of education for all Americans, from grade school to graduate school.

Secondly, the educated citizen has an obligation to serve the public. He may be a precinct worker or President. He may give his talents at the courthouse, the statehouse, the White House. He may be a civil servant or a Senator, a candidate or a campaign worker, a winner or a loser. But he must be a participant and not a spectator. [Applause.]

"At the Olympic games," Aristotle wrote, "it is not the finest and strongest men who are crowned, but they who enter the lists—for out of these the prize men are selected. So, too, in life, of the honorable and the good, it is they who act who rightly win the prizes." I urge all of you today, especially those who are students, to act, to enter the lists of public service and rightly win—or lose—the prize.

For we can have only one form of aristocracy in this country, as Jefferson wrote long ago when rejecting John Adams' suggestion of an artificial aristocracy of wealth and birth. It is, he wrote, the natural aristocracy of character and talent, and the best form of government, he added, was that which selected these men for positions of responsibility.

I would hope that all educated citizens would fulfill this obligation—in politics, in government, here in Nashville, here in this State, in the Peace Corps, in the Foreign Service, in the Government service, in the Tennessee Valley, in the world. You will find the pressures greater than the pay. You may endure more public attack than support. But you will have the unequalled satisfaction of knowing that your character and talent are contributing to the direction and success of this free society.

Third, and finally, the educated citizen has an obligation to uphold the law. This is the obligation of every citizen in a free and peaceful society—but the educated citizen has a special responsibility by the virtue of his greater understanding. For whether he has ever studied history or current events, ethics or civics, the rules of a profession or the tools of a trade, he knows that only a respect for the law makes it possible for freemen to dwell together in peace and progress.

He knows that law is the adhesive force in the cement of society, creating order out of chaos and coherence in place of anarchy. He knows that for one man to defy a law or court order he does not like is to invite others to defy those which they do not like, leading to a breakdown of all justice and all order. He knows, too, that every fellow man is entitled to be regarded with decency and treated with dignity. Any educated citizen who seeks to subvert the law, to suppress freedom, or to subject other human beings to acts that are less than human, degrades his inheritance, ignores his learning, and betrays his obligation.

Certain other societies may respect the rule of force—we respect the rule of law. [Applause.]

The Nation—indeed, the whole world—has watched recent events in the United States with alarm and dismay. No one can deny the complexity of the problem involved in assuring to all of our citizens their full rights as Americans. But no one can gainsay the fact that the determination to secure these rights is in the highest tradition of American freedom.

In these moments of tragic disorder, a special burden rests on the educated men and women of our country to reject the temptations of prejudice and violence and to reaffirm the values of freedom and law on which our free society depend.

When, 90 years ago, Bishop McTyeire proposed to Commodore Vanderbilt, the establishment of a university, he said, "Commodore, our country has been torn to pieces by a civil war * * *. We want to repair this damage." And Commodore Vanderbilt retorted, "I want to unite this country, and all sections of it, so that all our people will be one."

His response—his recognition of his obligation and opportunity—gave Vanderbilt University not only an endowment but also a mission. Now, 90 years later, in a time of tension, it is more important than ever to unite this country and strengthen these ties so that all of our people will be one.

Ninety years from now, I have no doubt that Vanderbilt University will still be fulfilling this mission. [Applause.] It will still uphold learning, encourage public service, and teach respect for the law. It will neither turn its back on truth and wisdom nor turn its face from newborn challenge. It will still pass on to the youth of our land the full meaning of their rights and their responsibilities. And it will still be teaching the truth—the truth that makes us free, and will keep us free.

Thank you. [Applause.]

Chancellor HEARD. The President will now press the key that will explode the charge that will begin excavation of the

Cordell Hull Dam. [Loud sound of explosion transmitted from damsite over public address system.]

President KENNEDY. Really, it shows how easy it is to be President.

Chancellor HEARD. These exercises now stand adjourned.

PROPOSAL TO MAKE KNOXVILLE, TENN., AN OPEN CITY

Mr. KEFAUVER. Mr. President, on May 15, the Knoxville News-Sentinel published an editorial entitled, "Let's Make Knoxville an Open City." The editorial called for a solution to discrimination in Knoxville "by common consent and not by force."

I commend the News-Sentinel for proposing this thoughtful, conscientious approach to a problem that has plagued many areas of our country, in both the South and the North. By this editorial, which has received much acclaim in letters to the editor since it was published, the News-Sentinel is rallying the same kind of courageous community leadership that such newspapers as the Memphis Press-Scimitar and the Nashville Tennessean, among others, have inspired for coping with similar problems in their areas of Tennessee.

Mr. President, I ask unanimous consent that the editorial from the News-Sentinel be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LET'S MAKE KNOXVILLE AN OPEN CITY

Let's open up.

The time has come when Knoxville, an all-American city, opened up to all Americans. We are convinced of this and urge it upon this community.

This means admit everybody to every place that caters to the general public—to the movies, the stores, the hotels, motels, and to the private hospitals.

And let's do it by common consent and not by force. This calls for leadership from Knoxvillians of all races and faiths—from the mayor and other public officials, civic clubs, the churches, the educators, and above all the business and professional people. There will be difficulties, yes, but what are difficulties to a city whose people in recent years have given Knoxville its nationally famous facelift with an auditorium-coliseum, mall, promenade, and the many other physical and esthetic achievements? It can be done and we believe the time is now.

We are weary and ashamed of the violence which occurred in Little Rock, New Orleans, Albany, Greenwood, Birmingham, and Nashville. A new industry will think long and hard before opening in any of them. Knoxville can avoid this by taking down no admittance signs and becoming an all-American city.

Our local schools are on the way to desegregation. All of our public, tax-supported facilities are open to everyone. But many of our eating places still bar Negroes. So do our movies, even though Nashville and Atlanta theaters admit them.

This newspaper contends that private concerns are entitled under law to admit whom they please and bar whom they please. But most who bar Negroes do so because they fear the loss of their white customers. We would like to see a concerted community movement to persuade all business establishments to open their doors to everyone, and a like movement pledging all customers to patronize these establishments. We urge men and women of good faith to take up this challenge and give it a try.

Meanwhile, pickets, disband. Even if your resistance is passive, it will get out of hand. Look at Birmingham. Look at Nashville.

Discrimination in use of facilities open to the public cannot be harbored by anyone who really believes in either the Christian religion or the Constitution of the United States—or in democracy. Knoxville has a chance to prove that she is not only an all-American city, but a southern one. The true southerner was a gentleman.

"GENERAL PATTON, OLD 'BLOOD AND GUTS', HAD ANOTHER SIDE"—ADDRESS BY SENATOR BOGGS

Mr. STENNIS. Mr. President, at a recent meeting of the Senate breakfast group, our esteemed colleague, the distinguished junior Senator from Delaware [Mr. BOGGS], delivered an excellent address regarding the late Gen. George Patton, dealing with some of the personal facets of his life. As always, the remarks of the Senator from Delaware were extremely worthwhile. In this instance, he presented, in a most clear and attractive way, valuable thoughts about this fine soldier.

I ask unanimous consent that the remarks of the distinguished Senator from Delaware be printed at this point in the RECORD, so that they may thus be shared with all Senators and the public.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

GENERAL PATTON—OLD "BLOOD AND GUTS"—HAD ANOTHER SIDE

(Remarks by Senator J. CALEB BOGGS at Senate breakfast group, May 22, 1963)

Major Cooper's achievement, his appearance yesterday before the joint session, and his humble and modest manner—with his deep reliance upon God—I am sure have been an inspiration to all.

We could dwell this morning on Major Cooper's faith and courage, but I planned my talk around another military man in recognition of our Armed Forces and observance of Armed Forces Day. We are all living in dangerous times of conflict and revolution and of exciting new adventure, each of us fighting a battle every day in one way or another. Steadfast faith in God is essential, and I thought we might find some encouragement in the spiritual experience of an unusual man best known as a hot war battle leader.

The man is Gen. George Patton, who did his utmost to live up to his "Blood and Guts" nickname. He was so colorful, in fact, that the spiritual side of his nature has been almost completely obscured in the popular impression of him.

A little story will help illustrate the point.

At one time in Europe a dozen clergymen visited his 3d Army Headquarters. They were surprised, because of General Patton's rough and tough reputation, to be treated with dignity and courtesy. As the interview neared its end, Patton apparently sensed the clergymen felt something was lacking.

At this point one of them noticed a Bible on Patton's desk.

"General, do you read the Bible?" he asked.

To which the General quickly shot back: "Dammit, I read it every day."

Apparently the clergymen left with the feeling that the general had at least in part lived up to his crusty character.

I felt something of the same reaction as these clergymen when I was privileged to be a part of General Patton's command in the European Theater. At the time I was a division staff officer, and remember that when I first had the occasion to be at a dinner with General Patton, he displayed a kind and gracious manner. It was difficult to fit this in with the stories which were always circulating about his tendency to "chew out" a subordinate and even be critical of higher ups.

As time went on, I came to appreciate the fact that there were actually two General Pattons.

On public view was the spit-and-polish general with the colorful uniform and ever-present pistols, leading his men with dash and a bold disdain for his own safety. This was the tough-bitten, two-fisted man who knew one battle plan—"attack" and one goal—"victory."

But to his friends and family General Patton was another man—kind, compassionate, and deeply religious. He had a faith sufficient to move the mountains of obstacles between his army and victory.

Another story helps illuminate this faith.

Rain had mired down his 3d Army at a critical point in France. General Patton knew he needed help, and he summoned a chaplain to his tent. One version of the exchange between the two goes this way:

"Father," said the general bluntly, "I never bother the Lord for help unless it's something pretty important. Well, this is one time I need help. This rain is beating hell out of us worse than the Nazis. I want it to stop."

The chaplain raised his eyebrows in disbelief. "General, you certainly don't expect me to stop it."

"By God, I'll say I do," the general retorted. "You're my liaison man with 'Supreme Headquarters' up there." He pointed to the heavens. "Now you get to work and rustle up a powerful prayer that we can pass out to the men."

"But General Patton," the badly shaken chaplain protested, "it—it just can't be done. It isn't right."

In rather forceful language, Patton insisted it was right, and what's more he would be getting another chaplain if it wasn't done right.

At this the chaplain went back to his tent. A few hours later the prayer was delivered to the general's headquarters.

Patton read it carefully:

"Almighty and most merciful Father, we beseech Thee humbly, of Thy great goodness, to restrain these immoderate rains with which we have to contend. Grant us fair weather for battle. Graciously harken to us as soldiers who call upon Thee that, armed with Thy power, we may advance from victory to victory and crush the oppression and wickedness of our enemies, and establish Thy justice among men and nations. Amen."

When he had finished the general looked up, satisfied.

"Have copies of this run off and passed out to the men," he said. "And tomorrow morning, I want to see every man at services down on his knees praying."

Late the next afternoon, the rain stopped and the sun came out. General Patton's faith was vindicated, and the chaplain learned something in the bargain, I imagine.

It was not at all unusual for General Patton to mention God in his messages to his troops.

Before landing in North Africa, for instance, his message included the paragraph:

"A pint of sweat will save a gallon of blood. The eyes of the world are watching us. The heart of America beats for us. God is with us. On our victory depends the freedom or slavery of the human race. We shall surely win."

And he recorded the following sentiment in his diary during the Sicilian campaign:

"Went to church with General Gay. We had a new preacher, at my insistence, who was good. He preached on the willingness to accept responsibility, even to your own hurt. I pray daily to do my duty, retain my self-confidence, and accomplish my destiny. No one can live under the awful responsibility I have without Divine help. Frequently I feel that I don't rate it."

Later, in Europe, he made this typical reference to the weather and the Lord:

"On November 7, 1942, there was a storm but it stopped at 1600. All day the 9th of July, 1943, there was a storm, but it cleared at dark. I know the Lord will help us again. Either He will give us good weather or the bad weather will hurt the Germans more than it does us. His will be done."

It may be difficult for some to understand just how a man could be completely devoted to the art of destroying the enemy and yet remain so close to his Maker. But that was the unusual character of General Patton. He was proud and yet humble, stern yet likable, coarse yet with a poetic nature, and religious yet profane.

His character was formed along military lines even in his California boyhood. Though his family wanted him to enter the ministry, he had his mind made up to be a military commander, and his resolve never wavered.

He showed his courage and skill in the Mexican border dispute, then saw active service in World War I. Between the world wars, he was an outstanding swordsman, polo player, and rider after the hounds. But when war broke out he was ready and eager for battle and his skill and daring probably shortened the war and certainly saved American lives.

And while his exploits made the front pages, and war correspondents loved to write about his language and clothes and swashbuckling ways, few apparently penetrated the inner man. I'm sure that is the way General Patton wanted it. His flamboyant displays probably helped mold a better fighting force, and this was in line with his constant concentration on victory.

I recall another time when I had occasion to see General Patton at close quarters. Again I was impressed with his dignity and devotion to duty—combined with a deep-seated feeling for the lives of the individual men he was leading. He stopped at an old chateau east of Nancy, France, across the Moselle River. It was just before another big attack, and he was emphasizing the necessity to push forward regardless of obstacles.

Instead of a strutting, loud-talking leader of troops in the field, however, he was quiet and reserved and altogether a gentleman.

Incidentally, I remember, too, that in the shelter of that old chateau, we saw the movie "Going My Way" with Bing Crosby and Barry Fitzgerald. It was most impressive.

There are many passages from the Bible which may have been favorites of General Patton in his daily reading, and I have to guess what may have particularly appealed to him.

Psalm 27, in which David speaks of his faith in God, is one which he may have liked. Though you all are perhaps familiar with it, I'll read it in part:

"The Lord is my light and my salvation; whom shall I fear? The Lord is the strength of my life; of whom shall I be afraid?

"When the wicked, even mine enemies and my foes, came upon me to eat up my flesh, they stumbled and fell.

"Though an host would encamp against me, my heart shall not fear; though war should rise against me, in this will I be confident."

Yes, General Patton must have noted the message in that psalm.

Besides praying, this versatile man also composed prayer, and the one entitled "A Soldier's Prayer" is the best known. I quote:

"God of our Father, Who by land and sea has ever led us on to victory, please continue Your inspiring guidance in this the greatest of our conflicts.

"Strengthen my soul so that the weakening instinct of self-preservation, which besets all of us in battle, shall not blind me to my duty to my own manhood, to the glory of my calling, and to my responsibility to my fellow soldiers.

"Grant to our armed forces that disciplined valor and mutual confidence which insures success in war.

"Let me not mourn for the men who have died fighting, but rather let me be glad that such heroes have lived.

"If it be my lot to die, let me do so with courage and honor in a manner which will bring the greatest harm to the enemy, and please, oh Lord, protect and guide those I shall leave behind.

"Give us the victory, Lord."

General Patton was speaking of conditions of war, of course, but the thoughts in his "Soldier's Prayer" are well for us to ponder in our daily struggle to fulfill our responsibilities in a world too prone to disaster. Our souls need strengthening. We need Divine guidance. We seek the victory of universal freedom in the world. And the battle is a long and costly one.

After the war, General Patton returned to the United States a conquering hero, and he reflected to the hilt the popular picture of the colorful and dashing war general which had been painted in accounts of his campaigns.

But after a tumultuous parade in Boston, he went to San Gabriel, Calif., to the little Episcopal Church of Our Saviour, where he had been baptized and confirmed. Earlier he had made a vow to return. "God has been very good to me," he had written, "and I'd like to go there and give thanks to Him."

This he did, kneeling alone in the small church.

He then spoke to a wide-eyed group of boys and girls in their Sunday best to the effect that he had found much comfort in religion during battle. He urged them to cultivate their religious life.

And he stood before them, erect, a proud old soldier, and led the Sunday School in singing his favorite hymn, "Onward, Christian Soldiers."

There was a sad sequel to this appearance at the San Gabriel Church. A few months later, General Patton was killed in an automobile accident in Europe, and the church was the scene of a memorial service for him.

The Right Reverend W. Bertrand Stevens, bishop of the Los Angeles diocese, talked of the youth who had gone forth from this community to fight his way across war-torn Europe and into world history. He talked of the old warrior's love of rumbling tanks. He mentioned General Patton's characteristic poem, "God of Battles."

Just before a bugler sounded "taps," Bishop Stevens read these lines from "God of Battles":

"From pride and foolish confidence,
From every weakening creed,
From the dread fear of fearing
Protect us, Lord, and lead."

WILL THE KREMLIN'S INTERVENTION CAUSE THE UNITED STATES TO PAY MORE TO DICTATOR FRANCO?

Mr. GRUENING. Mr. President, on February 6, 1963, the question of negotiations with Spain for the possible extension of our military bases there came up in the Senate. On this occasion, the chairman of the Committee on Armed Services, the distinguished senior Senator from Georgia [Mr. RUSSELL], said:

> It is very difficult for me to understand why there should be any difficulty whatever in extending the lease on the bases in Spain. I do not recall the exact amount of money we expended to construct these installations, but I am confident it will run to more than a billion dollars. They are utilized by the Spanish forces, as they are by ours, and they are the finest military establishments of their kind in the world. They are jointly occupied. For example, the great naval base at Rota has both Spanish and American naval units and headquarters.
>
> We have fallen into the habit lately, Mr. President, of doubling and tripling the payments which we are making to countries in which such bases are located, without the slightest justification therefor. For example, we increased payments to Libya by more than 100 percent to be permitted to retain the Wheelis Air Base in that country. The fact that the base is there is one of the chief props of the Libyan economy because of the money spent there by American personnel, yet we have found it expedient to more than double the payments which were previously made.
>
> I sometimes think, Mr. President, that when the Congress does not allow all the appropriations requested for the so-called foreign aid program, the executive branch of the Government finds ways to supplement the funds available by payments of this kind, which are completely unjustified and uncalled for and when so spent defeat and circumvent the intent of Congress.
>
> I know of no reason why there should be an increase of any kind in any payments for these bases. We have been very generous to Spain. We have remodeled their navy. We have furnished planes for their air force. We have supplied them a great deal in the way of agricultural products under Public Law 480. I would certainly be disturbed to believe that Spain was about to demand a great increase. I hope that those who are conducting the negotiations on the part of the U.S. Government will have some little consideration for the American taxpayers as they go about their negotiations; that they will make a real effort at bargaining; and that they will point out the fact that any increase in the payments for these bases is completely unjustified. I say this as a friend of Spain and the Spanish people—who voted to earmark the first funds for Spain that brought that country into the mutual assistance program.

The Senator from Georgia was supported by the ranking Republican member of the Committee on Armed Services, the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], who expressed wholehearted accord with his views.

Now that negotiations are again being resumed, there is an interesting new angle in that the Kremlin has injected itself into this issue. Although Madrid and Moscow maintain no diplomatic relations, the Soviet Union took it upon itself to warn Spain that U.S. submarines should not be allowed to carry Polaris missiles while operating from bases in Spain.

According to Paul Hofmann, writing for the New York Times from Madrid, the interesting aspect of this strange intrusion is that these Soviet threats were viewed in Madrid as providing the Spanish government with a fresh argument in its effort to exact better financial terms for the extension of the accords on our bases there. Spain, he relates, is pressing for more U.S. aid.

This is exactly what has been forecast by other Members of the Senate and by myself. The acid test of U.S. commonsense, determination, and backbone is whether we are going to continue to be blackmailed by foreign governments which are allegedly anti-Communist and presumably, in the conflict between the Western World and the Communists, on our side. Of course, there is no reason to believe that Dictator Franco is a great friend of freedom, as we understand and practice it; as it is practiced in other West European countries, in Canada, and in Mexico. Quite the contrary. His policies during his long dictatorship have demonstrated suppression of the basic liberties—freedom of press, assembly, and worship. But U.S. recent policy has been consistently that no matter what a dictator's attitude toward freedom, what his internal policies may be, whether he be honest or crooked, provided he alleged himself to be a foe of communism he would have our support. I think that has been most unwise policy.

It will be interesting to see whether this intervention of the U.S.S.R. in United States-Spanish relations will assist Dictator Franco in seeking to exact from the United States additional aid in exchange for the military bases we have or desire there. The fact is that we have already given him far too much. Elsewhere we have seen the United States yielding feebly to governments to which we have given not only bases and extensive economic aid, but also military aid, and have allowed them even to "raise the ante" for the privilege of helping defend their freedoms, as well as our own.

The time has come to demonstrate clearly and unmistakably that while these arrangements have been, in the past at least, mutually beneficial, we do not intend to be bled or blackmailed henceforth.

I ask unanimous consent that Paul Hofman's article, entitled "Soviet Says Spain Is Periled by United States," with the subtitle "Madrid Sees Note on Bases as a Diplomatic Weapon," be printed at this point in the Record, in connection with my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Soviet Says Spain Is Imperiled by United States—Madrid Sees Note on Bases as Diplomatic Weapon

(By Paul Hofmann)

Madrid, May 25.—The Soviet Union warned Spain early this week not to allow U.S. submarines that carry Polaris missiles to operate from bases in Spain.

The Spanish regime appeared to be pleased with the warning because it seemed to sense that it could make diplomatic capital of the Soviet threats in its dealings with the United States.

The Soviet threats were seen here as providing Madrid with a fresh argument in its efforts to obtain better terms for the extension of the accords on U.S. military bases in Spain. The accords expire in September. Spain is pressing for more U.S. aid and such political concessions as membership in the North Atlantic Treaty Organization.

All newspapers reported a Foreign Ministry statement on the Soviet communication on their front pages. The press was permitted to publish the news after Generalissimo Francisco Franco and Foreign Minister Fernando Maria Castiella y Máiz conferred for 3 hours yesterday afternoon.

The Spanish Ambassador in Washington, Antonio Garrigues y Diaz-Canadate, who is here for consultations, attended the meeting.

WANTS ACCORDS RENEGOTIATED

Spain wants to renegotiate the accords that provide for the use by U.S. forces of a network of U.S.-built installations across this country. The military facilities include the naval air station of Rota in the Bay of Cadiz on Spain's Atlantic coast, which has been mentioned as a possible base for nuclear-powered submarines carrying Polaris missiles.

The Soviet warning was sent to Spain and other Mediterranean nations last Tuesday. It said that the stationing of Polaris submarines in their regions would expose their peoples to the danger of nuclear reprisals in case of an attack.

Madrid and Moscow maintain no diplomatic relations. The Soviet Ambassador in Paris handed his Government's note to the Spanish Ambassador Tuesday. Today's press announcement said the Spanish Government was "studying" the Soviet communication.

No explanation was offered why the Spanish public was allowed only today to learn of the Soviet warning.

Similarly, last month state censorship delayed the publication of an exchange of messages between Premier Khrushchev of the Soviet Union and General Franco for a whole week.

Mr. Khrushchev had asked General Franco to show clemency for Julian Grimau Garcia, a Spanish Communist leader who was sentenced to death by a court-martial here. Mr. Grimau was executed April 20 and General Franco said in a reply to Premier Khrushchev that the atrocities Mr. Grimau had committed during the Spanish civil war precluded mercy.

ADM. BEN MOREELL ADDRESSES NATIONAL DISTINGUISHED SERVICE AWARD PRESENTATION CEREMONIES AT ACA WASHINGTON RECEPTION

Mr. MUNDT. Mr. President, many Members of Congress and several hundred citizens from the Washington area and from around the country gathered in the Presidential Room of the Statler-Hilton Hotel in Washington last Thursday for the second biennial presentation ceremonies at which the distinguished service awards made by Americans for Constitutional Action are given to Members of Congress whose voting records in the indices published by Americans for Constitutional Action meet the performance criteria for sound and progressive government and meet their standards of propriety. Adm. Ben Moreell, distinguished former wartime head of the Seabees and widely recognized American patriotic leader, made the presentations on behalf of Americans for Constitutional Action which he serves as national chairman.

In his presentation address, Chairman Ben Moreell took the occasion to put on the public record the purposes and programs of Americans for Constitutional Action. Distinguished service plaques were presented to a total of 154 Senators and Congressmen. In addition, a number of plaques were presented to former Members of Congress including, I am pleased to note, former Senator Joseph Bottum, Jr., from South Dakota. Awards were made to both Democrats and Republicans without regard to partisanship since Americans for Constitutional Action is a completely nonpartisan organization which supports candidates and causes without regard to political consideration so long as they conform with the standards and criteria for sound government as reflected in the constitution and bylaws of Americans for Constitutional Action.

For the information of the Congress and the country, therefore, I ask unanimous consent that there appear at this point in my remarks the full text of the awards presentation address made by Ben Moreell together with the list by States of the sitting Members of Congress who were recipients of the 1963 distinguished service awards.

There being no objection, the list and address were ordered to be printed in the Record, as follows:

The complete list of Senators and Representatives who are recipients of the Americans for Constitutional Action Second Biennial Distinguished Service Award are as follows:

Arizona (2): Senator Barry M. Goldwater; Representative John J. Rhodes.

Arkansas (1): Senator John L. McClellan.

California (10): Representative William S. Mailliard, Representative Charles S. Gubser, Representative J. Arthur Younger, Representative Charles M. Teague, Representative H. Allen Smith, Representative Glenard P. Lipscomb, Representative Alphonzo Bell, Representative Craig Hosmer, Representative James B. Utt, Representative Bob Wilson.

Colorado (3): Senator Gordon Allott, Senator Peter H. Dominick, Representative J. Edgar Chenoweth.

Delaware (1): Senator John J. Williams.

Florida (4): Senator Spessard L. Holland, Representative A. Sydney Herlong, Jr., Representative James A. Haley, Representative William C. Cramer.

Georgia (1): Senator Richard B. Russell.

Illinois (9): Senator Everett McKinley Dirksen, Representative Edward J. Derwinski, Representative Harold R. Collier, Representative Elmer J. Hoffman, Representative John B. Anderson, Representative Leslie C. Arends, Representative Robert H. Michel, Representative Paul Findley, Representative William L. Springer.

Indiana (7): Representative Charles A. Halleck, Representative E. Ross Adair, Representative Richard L. Roudebush, Representative William G. Bray, Representative Earl Wilson, Representative Ralph Harvey, Representative Donald C. Bruce.

Iowa (6): Senator Bourke B. Hickenlooper, Senator Jack Miller, Representative James E. Bromwell, Representative H. R. Gross, Representative Charles B. Hoeven, Representative Ben F. Jensen.

Kansas (4): Representative Bob Dole, Representative William H. Avery, Representative Robert F. Ellsworth, Representative Garner E. Shriver.

Kentucky (2): Senator Thruston B. Morton, Representative Eugene Siler.

Louisiana (1): Representative Joe D. Waggonner, Jr.

Maine (1): Representative Clifford G. McIntire.

Massachusetts (4): Senator Leverett Saltonstall, Representative William H. Bates, Representative Joseph W. Martin, Jr., Representative Hastings Keith.

Michigan (8): Representative George Meader, Representative August E. Johansen, Representative Gerald R. Ford, Representative Charles E. Chamberlain, Representative

James Harvey, Representative Elford A. Cederberg, Representative Victor A. Knox, Representative William S. Broomfield.

Minnesota (4): Representative Albert H. Quie, Representative Ancher Nelsen, Representative Clark MacGregor, Representative Odin Langen.

Mississippi (4): Senator James O. Eastland, Representative John Bell Williams, Representative Arthur Winstead, Representative William M. Colmer.

Missouri (2): Representative Thomas B. Curtis, Representative Durward G. Hall.

Montana (1): Representative James F. Battin.

Nebraska (5): Senator Roman L. Hruska, Senator Carl T. Curtis, Representative Ralph F. Beermann, Representative Glenn Cunningham, Representative David T. Martin.

New Hampshire (1): Senator Norris Cotton.

New Jersey (5): Representative Milton W. Glenn, Representative James C. Auchincloss, Representative Peter Frelinghuysen, Jr., Representative William B. Widnall, Representative Frank C. Osmers, Jr.

New York (14): Representative Steven B. Derounian, Representative Frank J. Becker, Representative Robert R. Barry, Representative Katherine St. George, Representative J. Ernest Wharton, Representative Carleton J. King, Representative Clarence E. Kilburn, Representative Alexander Pirnie, Representative Howard W. Robison, Representative R. Walter Riehlman, Representative Harold C. Ostertag, Representative Charles E. Goodell, Representative John R. Pillion, Representative William E. Miller.

North Carolina (1): Representative Charles R. Jonas.

North Dakota (2): Representative Hjalmar C. Nygaard, Representative Don L. Short.

Ohio (13): Representative Donald D. Clancy, Representative Paul F. Schenk, Representative William M. McCulloch, Representative Delbert L. Latta, Representative William H. Harsha, Jr., Representative Clarence J. Brown, Representative Jackson E. Betts, Representative Samuel L. Devine, Representative William H. Ayres, Representative Frank T. Bow, Representative John M. Ashbrook, Representative Frances P. Bolton, Representative William E. Minshall.

Oklahoma (1): Representative Page Belcher.

Oregon (1): Representative Walter Norblad.

Pennsylvania (5): Representative William H. Milliken, Representative Paul B. Dague, Representative John C. Kunkel, Representative Herman T. Schneebeli, Representative George A. Goodling.

South Carolina (3): Senator Strom Thurmond, Representative W. J. Bryan Dorn, Representative Robert T. Ashmore.

South Dakota (3): Senator Karl E. Mundt, Representative Ben Reifel, Representative E. Y. Berry.

Tennessee (1): Representative Tom Murray.

Texas (6): Senator John G. Tower, Representative Bruce Alger, Representative John Dowdy, Representative Omar Burleson, Representative O. C. Fisher, Representative Bob Casey.

Utah (1): Senator Wallace F. Bennett.

Virginia (8): Senator Harry F. Byrd, Senator A. Willis Robertson, Representative J. Vaughan Gary, Representative Watkins M. Abbitt, Representative William M. Tuck, Representative Richard H. Poff, Representative Howard W. Smith, Representative Joel T. Broyhill.

Washington (3): Representative Thomas M. Pelly, Representative Jack Westland, Representative Catherine May.

Wisconsin (5): Representative Henry C. Schadeberg, Representative Vernon W. Thomson, Representative William K. Van Pelt, Representative Melvin R. Laird, Representative John W. Byrnes.

Wyoming (1): Representative William H. Harrison.

Remarks of Adm. Ben Moreell, CEC, U.S. Navy, Retired, Chairman of the Board of Trustees, Americans for Constitutional Action, at the Reception for Recipients of the ACA Distinguished Service Award, May 23, 1963, Washington, D.C.

Distinguished Members of the Senate and of the House of Representatives of the United States, honored guests, ladies and gentlemen, on behalf of the board of trustees of Americans for Constitutional Action, I welcome you to this reception. Our purpose is to honor those Senators and Representatives who are the recipients of the ACA second biennial distinguished service award.

A great philosopher once said, "If all men were angels we would need no laws." But few men, if any, are angels. So we must have laws which can be invoked to prohibit some from encroaching on the natural rights of others.

There is a hazard which inheres in lawmaking. History reveals the tendency of all governments to enact, not only laws which are designed to prevent violation of individual rights, but others which can and do act to restrict the creative energies of men, and thus to destroy individual freedom and to impede material progress.

Therefore, it is of vital importance that we have laws which are workable, equitable, and morally sound. This, in turn, requires that we must have lawmakers who are dedicated to the principles which undergird such laws.

We of ACA are devoting our energies to the achievement of this objective. We believe that the principles of the Declaration of Independence and the Constitution of the United States, as conceived by our Founding Fathers, constitute the solid foundation on which our people have erected the most beneficent social structure in the history of mankind. We want to conserve that structure by means of a government, not of men, but of laws which have been enacted by high-minded lawmakers.

ACA has prepared a declaration of eight basic principles of governmental, social, and economic policy which, we believe, stem from the Declaration and the Constitution. We call this our "credo." Also, we have formulated seven criteria or indexes which have been derived from those basic principles. These constitute the ACA code of practice which is used to calculate the voting records of legislators.

The credo is as follows:

ACA believes that the principles of constitutional conservatism, enunciated in the Declaration of Independence, and made operative by the Constitution, are as follows:

1. Man derives, directly from the Creator, his rights to life, to liberty, and to the means of acquiring and possessing property. These rights are inherent and inalienable. They are not mere privileges granted by government, subject to withdrawal at the whim of government, as may be decreed by political overlords.

2. To deprive a man of his God-given rights is to violate a natural law. This will call forth its own penalties, as does the violation of any natural law, moral or physical, as for example, the law of gravity.

3. No man has a right to deprive his posterity of their God-given rights. Just as he may not sell them into slavery, so may he not vote away their economic or political freedoms. Jefferson held that the act of deferring payment on the public debt, and thus imposing this burden on future generations, is tantamount to enslaving them.

4. The powers of government are obtained either from God, or by forcible seizure, or from voluntary delegation by the individual citizens. Long ago we rejected the doctrine of the "divine right of kings" as well as the "divine right of majorities." Nor do we concede the right of government to seize powers which belong to individuals. There remains only one morally sanctioned source of governmental power; i.e., delegation by individuals. But one cannot delegate that which he does not possess. It follows that governments can exercise, with moral propriety, only those powers which individuals first possessed and then delegated to government.

5. Because the essence of government is power, which is wielded by fallible human beings, safeguards must be erected against the expansion of government authority to make sure that the instrument forged to protect the rights of the people will not be used to destroy those rights.

6. To secure the blessings of economic freedom, from which all other freedoms flow, we must preserve a free market, with government intruding only to protect individual rights and to prevent predatory action. It is only under this system that the individual can exercise his freedom of choice effectively, using his dollars as ballots with which he can vote for those enterprises which serve him best.

7. Onerous or punitive taxation, including the cruelest tax of all, inflation, destroys economic freedom. It is unfortunate that we have carelessly surrendered freedom in the economic sphere, forgetting the old adage "whoso controls our subsistence controls us." Slavery is commonly thought of as ownership of one man by another. But no slaveholder would care about owning the man if he can own the products of the man's labor. A slave is a person to whom economic freedom is denied. From this premise the denial of all other freedoms follows.

8. For every right there is a collateral responsibility. The rights with which an individual is endowed by the Creator impose on him a duty to use those rights in conformity with the moral law as derived from such statements as the Ten Commandments and the Sermon on the Mount. From this source flows that inner restraint or self-discipline which is essential for a free social order. Edmund Burke said: "Society cannot exist unless a controlling power upon the will and appetite is placed somewhere; and the less of it there is within the more there must be of it without." Unless there is a generally prevailing individual self-discipline, which stems from devotion to the moral law, it is impossible to achieve that balance between public order and personal freedom which is essential for spiritual and material well being.

The criteria of ACA's code of practice are as follows:

1. For safeguarding the God-given dignity of the individual and promoting sound economic growth by strengthening constitutional government; against "group morality" and a socialized economy through centralization of government power.

2. For sound money and fiscal integrity; against inflation.

3. For a private, competitive market and individual freedom of choice, against Government interference by price fixing and controls.

4. For local self-government and the citizens' right to be let alone; against Central Government intervention in local government and private affairs.

5. For private ownership and control of the means of production and distribution; against government ownership and competition with private competitive enterprise.

6. For individual liberty, rights and responsibilities; against coercion of individuals through government regulation.

7. For strengthening national sovereignty.

The credo and code have been printed in small folders which are available for you here tonight or to those who request them by mail addressed to Americans for Constitutional Action, 20 E Street NW., Washington, D.C.

In light of the many heated charges which have been launched against ACA recently by some who may be well-meaning, but assuredly have little understanding, a brief résumé of what ACA is, and what it is not, may be in order.

ACA is a nonpartisan, nonprofit, political action organization whose sharply limited and clearly defined objective is to help elect to the Congress of the United States men and women who are dedicated to the preservation of the basic principles of our free Republic. We call these persons constitutional conservatives, because they work to conserve the spirit and principles of the Constitution as originally conceived.

ACA carefully refrains from impugning the integrity, the patriotism, or the motives of any legislator. Our rating system is devised to indicate the probable impact of his votes on the original structure of the Constitution, as ACA sees it. Rating systems devised by others would probably show results which differ from ours. We have no quarrel with such systems. We do not claim infallibility for ACA, just as we do not concede infallibility to others.

ACA never indulges in character assassination, name calling, or other forms of vilification, direct or by implication. We are interested in principles, policies, and practices; not in personalities. We carefully avoid the practice, now so popular in certain circles, of convicting others of guilt by association, just as we wish to be absolved of such guilt.

ACA has no affiliation with any other organization, either of the right, the center, or the left. We are independent and self-sustaining. We act strictly within the limitations of our credo of principles and our code of practice. No one can impose the policies or practices of any other organization on ACA, nor has anyone ever tried to do so.

ACA is not critical of any legislator because of his voting record. We merely tabulate his votes and rate them by our indices, letting the chips fall where they may. We never make recommendations to any legislator nor do we inform him as to what action ACA thinks he should take. Our distinguished service award carries no implication that the legislator is in complete accord with our views. It is a token of honor and of our great esteem in recognition of his past voting performance as a constitutional conservative.

Now, I have the honor to present the awards. It would give me great pleasure to present each award individually, but because of the large number involved this would take too much of your time. I will, therefore, read the names of the States in alphabetical order, together with the names of those Senators and Representatives from that State who have earned and accepted the award. The plaques are all here and the recipients may take them with them or have them delivered by ACA, as they prefer.

The plaque reads as follows:

"AMERICANS FOR CONSTITUTIONAL ACTION

"The board of trustees has conferred upon John Doe the distinguished service award for a notable voting record in the Congress of the United States (during the period from 19---- to 19----), in support of those legislative measures which would serve to sustain, strengthen, and defend the spirit and principles of the Constitution of the United States as these were defined by the Founding Fathers of our Republic.

"Second biennial awards given at Washington, District of Columbia, on the 23d day of May in the year 1963.

"BEN MOREELL,
"Chairman, Board of Trustees.
"BONNER FELLERS,
"Recording Secretary."

There seems to be a growing disposition amongst certain of our better publicized theoreticians of political and social conduct to downgrade the noble traditions and the glorious history of our great free Republic and to promote the surrender of our national sovereignty to international bodies. It appears that they look forward eagerly to becoming citizens of the world, in exchange for their privilege of being citizens of the United States of America.

We must resist them at all costs. As a token of our resistance, I propose that this ceremony be concluded by joining together in singing one verse of our national anthem, under the leadership of Miss Marilyn Savage, after which, I trust you will remain to enjoy this heart-warming occasion.

Mr. MUNDT. Mr. President, in view of the fact that last Monday in the House of Representatives a small group of embittered or frightened speakers calling themselves liberals—but advocating the type of steadily expanding governmental controls and spending which actually qualify them as the Tories of yesterday who promoted big government and feared the results when the people themselves exercised their own initiatives—launched an attack on Americans for Constitutional Action and completely misrepresented both its purposes, its programs, and its position on the American political scene, I think it appropriate that there also appear in the CONGRESSIONAL RECORD at this point an earlier statement made by Ben Moreell, speaking as national chairman of Americans for Constitutional Action, on just what Americans for Constitutional Action does and does not do and just who does and who does not comprise its rank and file members and its governing body. Chairman Moreell made this statement on May 21, 1963:

It is the fixed policy of ACA to refrain from impugning the motives, integrity, or loyalty of a Senator or Representative. We do sometimes raise questions as to their judgment in their voting on specific issues.

ACA never resorts to "name calling" or other forms of vilification. We are interested in principles, policies, and practices, not in personalities.

ACA has tried to interpret the spirit and principles of the Declaration of Independence and the Constitution of the United States, as these were conceived by the Founding Fathers. We recognize that others may have different interpretations. We concede their right to have them. We do not claim infallibility.

ACA has no affiliation with any other organization of any kind, neither the John Birch Society, COPE, the ADA, the National Farmers Union, the Committee for an Effective Congress, the National Council of American Soviet Friendship, or any other. It has been stated that the ACA is dominated by the John Birch Society. This is not true. The affairs of the ACA are conducted by its board of trustees. I have no knowledge that any member of our board is a member of the John Birch Society. I have not inquired of the trustees on this point as this is a matter which does not concern me. I am concerned as to whether our trustees subscribe to and support the principles of ACA. The Honorable Charles Edison is listed as a member of the editorial advisory committee of "American Opinion," a magazine published by Robert Welch, Inc. Robert Welch is the head of the John Birch Society. I have heard rumors that one other trustee at one time endorsed the John Birch Society. Whether he did or did not is not relevant. I can assure you that the affairs of ACA are conducted strictly in accordance with our published principles, policies, and practices as these are defined in enclosure A. (Quotations which appear elsewhere in these remarks.) ACA has no way of knowing whether our supporters are or are not members of the John Birch Society or of any other organization.

The fact that ACA honors a legislator with its distinguished service award does not indicate that he is in complete agreement with the principles of ACA nor does it commit him to conform to ACA's principles in the future. There are no obligations attached to the award. It is merely a recognition of past voting performance as a constitutional conservative.

The foregoing clear-cut, straight-from-the-shoulder statement by Ben Moreell, an outstanding American whose reputation is so widely recognized and applauded that not one of Monday's critics of Americans for Constitutional Action had either the courage or the convictions to attack it, should for all time set at rest and refute the snide insinuations of guilt by association in which these critics engaged. Strangely but consistently, it appears the spokesmen for the embattled left in this country attack the concept of guilt by association whenever it injures one of their own but steadily and strongly employ this indefensible formula of character assassination whenever they feel it might discredit a respectable and responsible conservative organization or any individual American who shuns the socialistic programs advanced by Americans for Democratic Action and its excited associates.

Americans for Constitutional Action, Mr. President, is only 5 years old. I deem it a great tribute to this new and effective voice in American politics that the easy spenders and the seekers after extreme political power in our midst have started to "target in" on Americans for Constitutional Action. Could it be because Americans for Constitutional Action in the last congressional election supported or assisted in one way or another in primary or fall elections 184 candidates for public office and that, in all, 135 of them—both Republicans and Democrats—were elected? This is a rating of 74 percent effectiveness. Or could it be because Americans for Constitutional Action publishes at about quarterly intervals and finally in one complete annual report the exact voting records of all Members of Congress on votes dealing with national security, sound Government, preservation of our private profit and reward-of-merit economic system, maintenance of our constitutional freedoms and concepts and like criteria and that until Americans for Constitutional Action was organized no group in America made such a revealing analysis and report? Or could it be because Americans for Constitutional Action is one national, bipartisan, responsible, and effective political action organization that disdains the use of tax-exempt contributions but which does raise political dollars to fight for freedom and against some of the collectivistic programs of Americans for Democratic Action—ADA—and the Committee on Political Education—Walter

Reuther's COPE—and which in contest after contest where the issues were clear between candidates demonstrated voting citizens have supported the Americans for Constitutional Action position? Could it indeed be that because Americans for Democratic Action and the Committee on Political Education for so long had the field to themselves and thus became a highly effective third force in American politics that they now resent the fact that an equally effective opposition is developing as a fourth force in American politics in the form of Americans for Constitutional Action—ACA—and that these critics thus seek to destroy their opposition?

Mr. President, whatever the reason for these intemperate attacks, it can be said on the record without fear of contradiction that Americans for Constitutional Action under the chairmanship of Ben Moreell is a thoroughly respectable, dependable, patriotic, democratic, and effective political-action organization which dares to fight openly for what it believes to be right and which believes our American system is so consistently right that it is worth fighting for. I am informed that annual membership dues start with a minimum of $5 per year but that those who have interest or affluence enough to put more of their dollars into the fight for freedom are encouraged to make annual contributions or to pay membership fees sufficiently larger in order to help support the effort to stop the leftward drift and the socialistic slide which currently threatens America at home just as outright communism remains our most deadly foreign peril.

Americans for Constitutional Action national headquarters is located at 20 E Street NW., Washington, D.C., and membership checks and/or contributions may be sent there payable to Americans for Constitutional Action—Washington, D.C. Receipts and the regular mailings of the Americans for Constitutional Action voting indices and other informative material will be sent to all members, according to Charles McManus, the executive director of Americans for Constitutional Action. The trustees and officers of Americans for Constitutional Action as listed on its letterhead are as follows:

Americans for Constitutional Action, ACA, 20 E Street NW., Washington, D.C., RE. 7-3316.

Trustees—Ben Moreell, chairman, Washington, D.C.; Charles Edison, treasurer, West Orange, N.J.; Bonner Fellers, vice chairman, Washington, D.C., secretary; Howard Buffett, Omaha, Nebr.; Edgar N. Eisenhower, Tacoma, Wash.; Herbert Hoover, New York, N.Y.; Robert W. Johnson, New Brunswick, N.J.; Allan B. Kline, Western Springs, Ill.; Walter B. Martin, Norfolk, Va.; Philip M. McKenna, Latrobe, Pa.; Mrs. R. Templeton Smith, Pittsburgh, Pa.; Loyd Wright, Los Angeles, Calif.

Executive director: Charles A. McManus.

Finally, Mr. President, speaking as one who recognizes the right of such groups as Americans for Democratic Action—ADA—and of the Committee on Political Education—the political action group founded by the CIO and Walter Reuther known as COPE—and of the International Teamsters political action organization known as DRIVE to operate in our American political scene and to associate themselves with other groups—both political and nonpartisan in nature—to advance their concepts and their programs. I think and believe that those Americans who hold different concepts and have the desire, the money, and the energy to support them should have an equal right to work through such a national group as Americans for Constitutional Action.

I am sure the frightened cries of Congressmen whom they might oppose for reelection will not deter Americans for Constitutional Action. With a fourth force now available to counteract and challenge the successes of the Americans for Democratic Action, the Committee on Political Education third force, things seem to be shaping up for a fair fight. The ultimate victor will depend upon how many associates and members each force can attract and activate added to the correctness and the eternal values involved in the programs they espouse. To me, this is the American way in action. The challenge is clear—let Americans respond in conformity with their own convictions.

PROPOSALS FOR FEDERAL AID TO EDUCATION

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement made by Roger A. Freeman, senior staff member, the Hoover Institution on War, Revolution, and Peace, Stanford University, Stanford, Calif., before the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, on May 27, 1963.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ROGER A. FREEMAN, SENIOR STAFF MEMBER, THE HOOVER INSTITUTION ON WAR, REVOLUTION, AND PEACE, STANFORD UNIVERSITY, STANFORD, CALIF., BEFORE THE SUBCOMMITTEE ON EDUCATION OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE, U.S. SENATE, MAY 27, 1963

My name is Roger A. Freeman; I am a senior staff member of the Hoover Institution on War, Revolution, and Peace, Stanford University, Stanford, Calif. For the information of your committee I would like to mention that I directed the research for the education committee of the U.S. Commission on Intergovernmental Relations in 1954–55, was a consultant on school finance to the White House Conference on Education in 1955, and subsequently served on the White House staff. Previously I had been assistant to the Governor of the State of Washington. Opinions I may express are my own and do not necessarily reflect the views of any of the organizations with which I am or was connected.

I appreciate the invitation of your committee to testify on pending proposals for Federal aid to education and have prepared a statement which focuses primarily on aid to construction of academic facilities in institutions of higher learning (to which I shall refer from this point on as IHL); it is herewith submitted. Some of the considerations also apply to other parts of the education program.

The President in his message on education of January 29, 1963, emphasized the paramount importance of education to the well-being and security of the Nation and described the precarious situation which many of our schools, colleges, and universities face in adequately financing their activities. Since the end of World War II educational enrollment has jumped from 28 to 50 million, an increase of 76 percent. This was accompanied by a growth in funds from $4 billion to $29 billion which, when adjusted for the simultaneous loss in the value of the dollar, amounts to an increase of 334 percent. The share of the national income devoted to education meanwhile tripled—from 2.3 percent to 6.8 percent.[1]

But even this tremendous increase in financial support has not been enough, the President pointed out, to meet and correct some of the educational deficiencies which continue to plague us. Prompt action is called for.

Few will question that there is a strong national interest in education. Under a division of labor, such as was established by our Federal system of Government, each member—that is, each level of Government—has a vital interest in the activities and satisfactory performance at the other levels. The word "Federal" itself implies an obligation of mutual aid when needed. There is little doubt but that the National Government by imposing an exorbitant tax burden has made the financing of education more difficult. If States, communities, and institutions are unable to meet their educational responsibilities and the National Government has the necessary means at its disposal, then it appears proper that it render assistance. The crucial question to be decided concerns the most appropriate and effective method in which such aid can be given.

To deal with specific shortcomings in our educational system, the President formulated 24 programs which are incorporated in S. 580. His major plan of aiding IHL appears in "Title II, Part A: Higher Education Facilities."

FEDERAL LOANS FOR ACADEMIC FACILITIES

The President proposed Federal loans to IHL for the building of academic facilities, totaling $1 billion in the years 1964, 1965, and 1966. A similar plan, the college housing program, has been quite successful for the past dozen years in promoting and assisting in the building of dormitory and dining halls and other auxiliary structures. But doubt was expressed at these hearings in 1961, as well as 2 weeks ago, that a loan program would be particularly helpful in building academic facilities and, in fact, that it would be of any help to most IHL, public or private.

Long-term borrowing is employed for the financing of many types of construction but is not widely used to build academic facilities. In recent years less than 2 percent of the funds for instructional buildings came from the proceeds of institutional bonds. Residence and dining halls are commonly debt-financed because they produce sufficient income to service the securities which therefore constitute no drain on general revenues and may be regarded as self-financing. But the only income which academic buildings may be held to produce are the fees of the additional students whom the new structures accommodate.

IHL have shied away from debt-financed academic construction programs because debt retirement and interest would restrict the funds available for salaries and operations in future years. If institutions wished to engage in debt-financing, they could sell very substantial amounts of bonds in the market at reasonable interest rates. But IHL have, on the whole, been suppliers rather than borrowers of funds in the money market: Their endowment and other funds total well in excess of $5 billion, growing at the rate of more than $300 million a year. What IHL need is not a market for their bonds but additional revenues. Those the Federal loan plan would not provide.

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[1] School Life (Office of Education), January 1963, p. 23.

To finance expansion, private IHL prefer to rely on available funds and on donations which often are much easier to obtain for the construction of permanent (and name-bearing) buildings than for general operations. It is questionable whether even the somewhat lower Federal interest rate which Federal loans offer would cause many IHL to commit future income, although the 50-year terms might tempt some. At least 90 percent of the loan funds set aside for private schools under title III of the National Defense Education Act lapse each year for lack of applicants. Some institutions with an astute management could conceivably take advantage of Federal 50-year 3.5-percent loans for building, instead of using their own funds which they then would invest at higher rates of interest.

The proposed rate of interest is the same as under the college housing program: one-quarter percentage point above the average annual rate on all interest-bearing obligations of the United States. This equals presently 3.5 percent because most of the Federal debt is of short-term type. Federal long-term bonds now yield about 4 percent.

State constitutional and statutory restrictions prohibit most public IHL from incurring general debt without the approval of the legislature or the voters. State institutions usually finance their expansion from current State appropriations or through State bond issues which often bear a lower interest rate than Federal loans because they enjoy tax exemption. Few public IHL ever issue general obligation bonds for academic facilities.

All of this suggests that a loan program for academic facilities might not be widely used by IHL and would be of questionable value to institutions with inadequate revenues.

FEDERAL GRANTS FOR ACADEMIC FACILITIES

It has been suggested that the gap between needs and available resources for academic facilities ought to be filled by Federal grants to IHL, both public and private. Several of the major national organizations in higher education reached agreement on such a program in 1961 and have been advocating it ever since. Some, however, have objected. The American Association of University Professors, overruling its own council, resolved in 1962 to oppose a grant program that includes private IHL.

Several other organizations and individuals have taken a similar stand. Still others oppose Federal grants-in-aid to public and private IHL, because they deem them unnecessary and in the long run detrimental. But the main bone of contention for the past 2 years has been the inclusion of private IHL, because many of them are church related. To supply public funds to denominational institutions, it is held, would violate the constitutional principle of separation of church and state. Some suggested that the decision on the constitutionality could be left, or even referred, to the U.S. Supreme Court. But this satisfied neither side to the conflict.

Some of those who oppose the inclusion of private IHL in Federal grants are convinced that such a program would constitute a serious breach in the wall that separates church and state and must be prevented at all costs, regardless of what the Supreme Court might say in a particular case. They are unwilling to take the risk of letting the matter be decided by litigation.

The other side holds that to exclude private IHL from the benefits of the law, or to increase by some of the special clauses which have been suggested the likelihood of judicial proceedings which could lead to the same result, would be discriminatory, would gravely disturb the balance in and freedom of education and would jeopardize the future of private higher education. Its spokesmen point out that Federal programs in higher education have traditionally not distinguished between public, private secular, and church-connected institutions and have been available to all on equal terms, that private colleges labor under more severe financial handicaps than public colleges, that enrollment has long been shifting from private to public institutions, and that a new Federal program aiding public but not private IHL would lead to increasing difficulties and the demise of many private institutions. They insist that Federal benefits of any type must be available to all or to none.

Several organizations in higher education support Federal construction grants to public and private IHL. But some organizations representing the administrators and employers of the public elementary and secondary schools have lodged strong protests against the inclusion of private IHL in a Federal grant program. They are afraid that it would set a precedent for parallel action at the lower levels of education—as, in my opinion, it would indeed. Some hold that to find a distinction in the constitutionality of grants by levels of education in a constitution which does not even mention education is legal legerdemain.

A review of enrollment trends may go a long way in explaining the concern of the public school forces. Since 1940 enrollment in public schools has grown 55 percent, in nonpublic schools, 152 percent. This shift took place although class sizes in most nonpublic schools are more than 40 percent—and often 50 to 100 percent—larger than in public schools, that public schools offer more elaborate facilities and between 50 and 100 percent more space per pupil, and that the parents of children in private schools bear a heavy burden of tuitions, fees and expected donations. If parents show such a strong preference for private schools that they are willing to accept these discomforts and burdens, what would their response be if the economic penalties on sending children to nonpublic schools were reduced? While a continued and accelerated shift from public to private schools might provide relief for the taxpayers, it would diminish the relative position of the public schools. This would particularly be true during a period such as we are now facing, when the pressure of expanding enrollment at the elementary and secondary levels, will sharply decline. So, in consequence, the mentioned groups would rather have no Federal aid for themselves than a program which also aids nonpublic schools.

One reason for the greater willingness of public IHL to let private IHL participate in Federal benefits—besides awareness that they are unlikely to secure legislative approval of plans excluding private IHL—is that they need not be afraid of numerical competition. Enrollment at public IHL has increased 226 percent, at private IHL only 131 percent since 1940. Sending their children to private colleges has simply become too expensive for many parents. Tuition and fee charges for undergraduates in 1961–62 averaged at public IHL, $185, at private IHL, $731.[2] Room and board charges also tended to be higher at private IHL. In spite of their higher tuitions, most private colleges find it increasingly difficult to maintain a competitive position in regard to faculty salaries, as the following comparison shows:

Average salaries at liberal arts undergraduate colleges, 1961–62

	Public	Private
All faculty ranks (9 to 10 months)	$7,800	$6,550
Professor	10,590	8,160
Associate professor	8,560	7,000
Do	7,160	6,100
Instructor	5,580	5,250
Junior colleges: All faculty ranks	7,450	5,270

Source: "Higher Education Salaries, 1961–62," Office of Education, circular 683, 1962.

Deep personal convictions on the nature and need of public or private education, of religious or secular training, and disagreement on principles, such as the nonestablishment of religion and equal treatment under the law, are involved in the argument over the participation of private IHL in a program of Federal grants for academic facilities. There is no sign that those conflicts have been or are likely soon to be resolved. Nor have some of the other objections to a Federal grant program in higher education, which I shall discuss later, been overcome. Since loans, as I pointed out earlier, offer only very limited help, and grants appear effectively blocked, it seems desirable to search for other methods by which the National Government could aid in the construction of academic facilities. Most widely discussed are various types of Federal tax concessions for educational expenditures.

FEDERAL TAX CREDITS

More than 100 bills proposing Federal income tax deductions, exemptions, or credits for educational expenses were introduced in the 87th Congress. Over 120 such bills are pending in the 88th Congress. Very few types of proposals of any kind have ever been advanced in so many simultaneous bills. This suggests at least that there is widespread sentiment for such plans and that the time may be ripe for action.

Such tax concessions need not aim as much at providing relief for the students and their families as at enabling the institutions to augment their tuition income without proportionately increasing the burden on those who pay the fees. At a time when the average family income in the United States exceeds $8,000 per annum and continues to rise rapidly, when scholarship and student loan funds reach new record levels each year, and when the Federal Government is about to grant general income tax relief, there appears to be greater justification and urgency for adding to the resources of our IHL than for reducing the cost of tuition.

By using an indirect method of aiding higher education, instead of direct grants, the Federal Government can eliminate the conflict over the participation of private IHL. All transactions would take place between the individual taxpayer and the Internal Revenue Service, and the plan involves no dealings between the institutions and the Government. No church-state issue could arise and the Federal control argument which has always been present in the Federal aid controversy would evaporate because existing relationships in higher education would be left undisturbed. So the two major objections which have so far prevented Federal aid for academic construction from being enacted would be laid to rest.

IHL could use—or earmark and pledge—income from increased tuitions and fees for the service of bond issues adequate to their facility needs, with any surplus accruing to general purposes, including additional scholarships for the small group of students whose families are in such a low income bracket that they pay no Federal income tax. Institutional borrowing for capital outlays would not cut into general income, and the securities would be in the nature of revenue bonds which ought to ease some of the legal problems.

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[2] "Higher Education, Basic Student Charges 1961–62," Office of Education, circular No. 685, 1962.

Most of the pending proposals can be divided into three types:

(a) Deductions: The cost of tuitions, fees, and also possibly books, supplies, travel and added living expenses would be deductible from adjusted gross income up to a specified upper limit.

(b) Exemptions: A student or his family would be entitled to one or several additional personal exemptions of $600.

(c) Credits: The cost of tuitions, fees, and also possibly other expenses attributable to attendance at an IHL can be offset against the tax liability (rather than against income, as under (a)), at a specified percentage or in full and up to a maximum amount.

Tax deduction or an additional exemption would administratively be the simplest method and have ample precedent. As long as other outlays which are expected to produce income are deductible, and as long as tangible goods may be amortized, there appears to be little justification for denying similar concessions for educational costs.

Both methods, however, have been criticized for giving the greatest benefit—up to 91 percent—to persons in the high brackets and only 20 percent to those of moderate income.

A tuition boost would cost a student or his family of low income 80 percent net, while the net cost to those in high brackets would be only 50 percent, 31 percent, or as little as 9 percent. This, of course, may be explained as the result of our steeply graduated income tax schedule. But it would largely defeat the purpose of granting tax concessions in higher education. Thus, attention seems to be shifting to plans which would permit the student or his family to offset part of the educational expenses against the tax itself rather than against the income base.

If such tax credits were permitted at a low percentage, say 20 or 30 percent of the educational expenses, up to a relatively high maximum (e.g. $1,500 or $2,000), they would tend to be of greater aid to private institutions, particularly those with high fees, and to persons in the upper brackets. If credit were allowed for a major part or for 100 percent of expenses up to a low maximum, it would more effectively benefit public institutions and low-income families.

It seems to me that a combination of both plans would be fair to all and yield the best results. It might permit 100-percent offset up to a low maximum and percentage offset by a graduated schedule up to a higher maximum.

The taxation section of the American Bar Association developed a flat percentage plan in 1954 which was submitted to the House Ways and Means Committee by the American Council on Education in 1958.[3] It would allow the student or his family to deduct from the income tax liability 30 percent of the tuition and fees actually paid up to $1,500. The maximum net tax credit thus would be $450. Such a plan, however, would still let the student foot at least 70 percent of every additional tuition dollar. This could be corrected by a 100 percent offset up to, for example, $100. A schedule might be as follows: Tuition and fees up to $100, credit 100 percent; $100 to $500, credit 30 percent; $500 to $1,500, credit 20 percent; maximum net tax credit, $420.

A small credit might also be given for other educational expenses, such as books, travel, and added cost of living away from home.

Under such a schedule an institution could raise its fees by $100 without added cost to the student or family, by $400 at a net cost of $210. This would open up substantial revenue possibilities for IHL.

It has been argued that such a plan would give no benefits to families which pay no income tax and would let them bear the full cost of a fee boost. That argument, on closer analysis, seems to have little validity.

Few families, and particularly families of college students, nowadays pay no Federal income tax.[4] Six out of seven fathers of children reaching college age are in their peak earning years, between 38 and 58; most enjoy incomes substantially above the average. In a survey at the University of Massachusetts (class of 1965), 90 percent of all fathers reported their 1960 income above $4,000.[5] No study is available which shows which percentage of the students and their families pays no Federal income tax, but we may safely assume that it is no more than 10 percent, and possibly as few as 5 percent. Those students come from very low income families and most of them probably are already on scholarships. In those cases the institutions could forego the fee increase.

Moreover, the granting of income tax credits would free additional scholarship funds, as Vice President John F. Meck, of Dartmouth College, representing the American Council on Education, stated, when he proposed the council's tax credit plan: "Many parents in the $8,000-, $10,000-, and even the $12,000-a-year brackets, who now require partial scholarships in order to keep their children in college would be able to forgo these scholarship funds, thus making them available for children coming from homes of less financial ability."[6]

The suggested tax credit schedule would result in an average tax saving (or revenue loss to the Treasury) during the 1960's of about $700 million a year, of which possibly as much as $500 million could be recouped by the institutions through higher fees. This would amply take care of the service needs of bond issues to finance the needed facilities.

Suppose the IHL were to issue $5 billion 25-year bonds. About two-thirds of the bonds would be issued by State institutions and be tax exempt, at an average interest rate of (presently) 3.2 percent. Private institutions may have to pay 5 percent (unless the Federal Government were to grant them the same tax exemption that public institutions enjoy). The annual service cost would be:

	Million
Retirement of principal	$200
Interest in the first year would be $190 million if all bonds were immediately issued. If the issue is staggered over 5 years, it would never reach the total because part of the principal is being paid off. The interest cost over the life of the bond issues may average $100 million per annum; during the 1960's about	160
Average annual principal and interest in 1960's	360

A tax credit program could achieve the same purpose as a grant program: The Federal Government—that is, the taxpayers of the whole Nation—would make a major financial contribution for the construction of facilities (or toward the operations) of the IHL.

The National Government could also materially aid the IHL by permitting tax credits—rather than mere deductibility—of private donations, as the American Association for the Advancement of Science proposed some years ago. The present high marginal tax rates make such donations inexpensive to wealthy individuals, while persons in low income brackets must bear 80 percent of the cost of their contribution. So many of them do not now contribute. By permitting tax credits—such as I suggested in the schedule for tuitions and fees—persons in low and medium income brackets could be encouraged to donate more liberally to higher education.

Gifts to higher education amounted to more than $1 billion in 1961, according to the Council for Financial Aid to Education, an increase of 28 percent over the total 2 years earlier. By materially widening the range of potential contributors, the granting of tax credits could very substantially augment this important source of support for IHL.

ENROLLMENT OUTLOOK

In trying to design an effective program of Federal aid to IHL, it is, of course, important to know how great the needs are, or are likely to be several years hence. I, therefore, reviewed some of the recent estimates of facility requirements of IHL. Those estimates usually are based on the outlook for enrollments which, as we all know, are growing at a rapid rate.

The Under Secretary of Health, Education, and Welfare, Mr. Ivan A. Nestingen, said in a speech on April 3, 1963: "Two years from now the first large wave of college applicants will hit our institutions across the country. This is the bumper crop of babies born in 1946, just after World War II. They will be succeeded by other large waves of students seeking college entrance."

The President was specific in his message on education of January 29, 1963:

"Our educational system faces a major problem of quantity—of coping with the needs of our expanding population and of the rising educational expectations for our children which all of us share as parents. Nearly 50 million people were enrolled in our schools and colleges in 1962—an increase of more than 50 percent since 1950. By 1970 college enrollment will nearly double, and secondary schools will increase enrollment by 50 percent—categories in which the cost of education, including facilities, is several times higher than in elementary schools."

This suggests that the rate of enrollment growth is increasing and will pose a greater problem to our educational system in the next 8 years than it did in the past 12. However, enrollment projections by the Bureau of the Census and the Office of Education, the two offices which regularly engage in such studies, indicate a slowdown.

So, according to the Census Bureau, all educational enrollment grew 66 percent between 1950 and 1962 and may, in the next 8 years, expand between 14 and 21 percent for an average of 17 percent. Data in a census report of January 10, 1963, captioned "Decline in Rate of Increase in School Enrollment," suggest that the lower estimates are more likely to materialize. Taking the Census Bureau averages, high school enrollment will rise not 50 percent but about 24 percent, college enrollment will not nearly double but increase 51 percent. Reports by the Office of Education show virtually the same picture. They project an enrollment increase between now and 1970 of 14 percent in elementary schools, of 24 percent in high schools, and in both combined of 17 percent (average of four projections).[7] At the college level, Office of Education studies

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[3] "General Revenue Revision," Hearings before the Committee on Ways and Means, House of Representatives, 85th Cong. 2d sess., 1958, pt. I, p. 1064.

[4] In 1960 out of a total U.S. population of 182 million (Dec. 31), 168 million persons (—92%) were claimed as exemptions on income tax returns. Some of those returns however, were not taxable.

[5] Congressional Record, vol. 108, pt. 2, p. 1690.

[6] General Revenue Revision, op. cit., pp. 1063–1064.

[7] Office of Education, "Enrollment in Public and Nonpublic Elementary and Secondary Schools, 1950–80," Circular No. 692, 1962.

Enrollment increases, 1950–62, and 1962–70 (projected)

	Fall enrollment		Increase, 1950–62	Projected enrollment increase, 1962–70	
	1950	1962		Average of 4 projections	Range of 4 projections
	Thousands	*Thousands*	*Percent*	*Percent*	*Percent*
All education	29, 274	48, 704	+66	+17	+14–21
Kindergarten and elementary	20, 501	32, 980	+61	+11	+8–14
High school (grades 9 to 12)	6, 643	11, 516	+73	+24	+22–26
College and professional school	2, 130	4, 208	+98	+51	+38–64

Source: Bureau of the Census, Current Population Reports, Series P–20, Nos. 52 and 120; Series P–25, No. 232.

suggest an increase in college enrollment between fall 1962 and 1970 of 55 percent as the average of three projections which range from 25 percent to 67 percent.[8]

It is true that colleges will grow faster than other schools. But even according to the highest projections, colleges will account for no more than 12 percent of all enrollment by 1970, and their influence on the total cost of education will be correspondingly small.

A comparison of past and future rates of growth should preferably be based on periods of equal length. When we compare enrollment expansion in 1954–62 with projections for 1962–70, we find that the rate of growth is expected to decline at every level of education. Here are the data computed from reports of the Bureau of the Census:

	Actual enrollment increase 1954 to 1962	Projected enrollment increase 1962 to 1970 (average of 4 projections)
	Percent	*Percent*
All levels of education	35	17
Kindergarten and elementary	27	11
High school (9 grades, 9 to 12)	49	24
Kindergarten to 12th grade	32	14
College and professional schools	74	51

Source: Bureau of the Census, Current Population Reports, Series P–20, Nos. 89 and 120; Series P–25, No. 232.

Projections by the Office of Education, in the publications which I cited above, closely parallel those by the Census Bureau. They suggest that educational enrollment will, over the next 8 years, grow at about half its rate over the past 8 years, and that, even in the colleges and universities—contrary to what is widely believed—the rate of growth will decline.

Enrollment trends at the elementary-secondary level have an important bearing on higher education. Fall 1963 may see the last of the big attendance jumps in the common schools. As the postwar babies graduate, annual increases will shrink to half the size they maintained in the past dozen years. For some time the States have had to concentrate their funds on the rapidly expanding common schools. In the future they will be able to channel a larger share of their resources into higher education.

During the 1950's enrollment grew at a faster rate than GNP or national income. Between 1962 and 1970 GNP is generally expected to advance between 27 percent and 37 percent (minus 3 percent to 4 percent per annum), for an average of 32 percent. This is almost twice the expected rate of increase in educational enrollment. Thus, the problem of financing education should gradually become easier to solve, its weight less burdensome to bear.

COLLEGE AND UNIVERSITY FACILITY NEEDS

The President stated in his education message that in the 1960's "23 billion of new facilities will be needed" in colleges and universities and an attached fact sheet explained: "To provide for additional students, replace obsolete structures, and modernize usable buildings, institutions of higher education should invest an average of $2.3 billion annually. Expenditures currently fall short of this by $1 billion."

Several projections of facility needs in IHL were prepared in recent years. One study by the American Council on Education estimated 1958–1970 requirements for academic, auxiliary and residential facilities "from a high of $15 billion to a low of $12 billion."[9] That averages between $1 and $1.2 billion per year which, at the time, seemed a steep increase because capital outlays had been running about half that volume up to the mid-1950's.

The Office of Education published a study in 1960 which placed the cost of new facilities and replacement, rehabilitation and depreciation between 1958 and 1970 at $1.2 billion annually.[10] As the volume of higher educational construction expanded and outlays reached, and then exceeded, $1 billion annually, need estimates also climbed and kept well ahead of simultaneous expenditures.

In 1961 the Office of Education placed needs during the 1960's at an average of $1.9 billion per year.[11] The authors computed requirements over the 10-year period 1961–70 at $18.9 billion, of which $16.4 billion (87 percent) appeared likely to come from current sources (if apparent trends continued); this left a deficiency of $2.5 billion.

How did the President arrive at an estimate of $23 billion with a deficiency of about $10 billion (43 percent)? The author of the earlier Office of Education study prepared a more elaborate report in which he showed three projections of cumulative facility needs 1961–70: high, medium and low, at $22.9, $18.8, and $16.3 billion, respectively.[12] The medium projection was unchanged from his earlier report, but the newly added "high" projection equaled the amount used by the President.

It may be helpful at this point to recall our experience with the classroom shortage in the public schools. The Office of Education placed the deficiency in 1950 at 250,000 classrooms. In October 1954 the Commissioner of Education testified that it had risen to 370,000, and the chairman of the Senate Committee on Labor and Public Welfare stated on January 27, 1955, that "each day the shortage of classrooms grows more severe" and predicted that "within 3 years our shortage of classrooms throughout the Nation will have climbed to 600,000."[13]

Two months later the Secretary of Health, Education, and Welfare testified that the estimates had been reviewed and that "we find that the estimated classroom deficit by the year 1959–60 would be 176,000 classrooms rather than 407,000."[14] When the school year 1959–60 came around, the Office of Education reported the shortage at 135,264 and has since lowered its estimate to 121,235 in the fall of 1962. It also proved that the fears in 1955 that the school construction would be unable to keep up with the enrollment increase had been groundless: the number of pupils per classroom dropped from 29.4 in the fall of 1955 to 27.0 in the fall of 1962.[15]

Of the 600,000 new classrooms which the President indicated in his education messages of February 20, 1961, and February 6, 1962, to be needed during the 1960's, at least 210,000 were completed in the first 3 years, which corresponds to a decennial construction rate of 700,000.

Similar wide variations exist in the need estimates of facilities in IHL. The deficiency in higher educational facilities—that is, the gap between estimated needs and prospective revenues from presently available sources—will, by 1970, equal $2.5 billion according to a study by the Office of Education, which Secretary of Health, Education, and Welfare, Abraham Ribicoff presented to your committee on August 17, 1961—or to nearly four times that amount, as suggested by a fact sheet of the Department of Health, Education, and Welfare in January 1963.

Part of the trouble is that there are no uniform and unchangeable standards of facility needs in either school or higher education, nor is there agreement on the degree of effective space utilization that can be expected. We may profitably review some of the studies that have been made on space utilization in IHL and on proposals to use available facilities more fully.

SPACE UTILIZATION IN HIGHER EDUCATION

Recent reports on the utilization of available facilities in IHL suggest that there is much room for improvement.

The Fund for the Advancement of Education wrote:[16]

"Particularly in the use of space—classrooms, laboratories, and libraries—most colleges and universities persist in traditional and inefficient practices that waste their resources and result in unneeded construction. Studies showing excessive waste of existing space were reported in the first manual on space utilization prepared with fund support by the American Association of Collegiate Registrars and Admissions Officers in 1955 and, again, in a brochure published in

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[8] Office of Education, "Economics of Higher Education," ed. Selma T. Mushkin, 1962, p. 18; and "Opening (fall) Enrollment in Higher Education," 1962, Circular No. 697, 1962.

[9] John D. Long and J. B. Black, Jr., "Needed Expansion of Facilities for Higher Education—1958–70," American Council on Education, 1958.

[10] College and University Facilities Survey, pt. 2, by Robert W. Bokelman; pt. 3, by Louis A. D'Amico and E. Eugene Higgins, Office of Education, 1960.

[11] "Physical Facility Needs of American Higher Education, 1961–70," in Aid for Higher Education, hearings before the Subcommittee on Education, Committee on Labor and Public Welfare, U.S. Senate, 87th Cong., 1st sess., 1961, pp. 42 ff.

[12] "Economics of Higher Education," op. cit., p. 193.

[13] "Emergency Federal Aid for School Construction," Hearings before the Committee on Labor and Public Welfare, U.S. Senate, 84th Cong., 1st sess., 1955, p. 1.

[14] "Federal Aid to States for School Construction," Hearings before the Committee on Education and Labor, House of Representatives, 84th Cong., 1st sess., p. 282.

[15] "Enrollment, Teachers and School Housing, Fall 1960," Office of Education, 1960. Office of Education, release, Jan. 9, 1963.

[16] The Fund for the Advancement of Education, A Report for 1961–62, p. 29.

1962 by the Educational Facilities Laboratories. Some institutions are now demonstrating that it is possible to have well-filled classrooms and laboratories throughout the day and in late afternoons, evenings, and Saturdays, and to use classrooms and laboratories during the summer without loss in quality of the educational program."

The space utilization manual referred to, reported that IHL used their classrooms and laboratories an average of 44 percent of the possible periods in a 44-period week, and that student stations were used only 25 percent of the available time. The manual's senior author, John Dale Russel, of New York University, the country's leading authority in such studies, told the Committee on Higher Education in New York State in 1960, that "if classrooms were used to the greatest extent possible during the day and evening and all through the year, present classrooms could handle four times the present number of students." [17]

The mentioned study for the Educational Facilities Laboratories, by the College of Education, at Michigan State University, found:

"Considered from almost any point of view, utilization of classroom and laboratory space in the colleges covered by this study is low. Classrooms are used about 18 times a week, or 40 percent of the time they could be used; laboratories about 11 times a week, or 25 percent of the time. As for student stations, in general classrooms they are used about nine times a week, and in labs about seven times. This is 22 and 15 percent of possible utilization on the basis of a 44-hour week. No matter which way it is juggled, this leaves a lot of empty classrooms and vacant seats. Worse to say, there is little reason to suspect that other colleges of this type or any other type do much better." [18]

A report under the auspices of the American Council on Education stated:

"Without stopping to enumerate the studies made from Florida to California and throughout the United States regarding the utilization of existing space in our colleges and universities, it is generally agreed that we use no more than 50 percent of our rooms and 25 percent of our student stations on a 45-hour week. This may be a luxury we can no longer afford and one which we can hardly justify." [19]

Several IHL, including, for example, Brigham Young University, have demonstrated that it is possible to use academic facilities far more fully than is now the general practice. Space Utilization Analysis, a group of management consultants who have done work for several universities, government, and industry, placed the 1957–70 facility requirements in IHL at $12.7 billion under current utilization practices but estimated that with better space programing in new buildings the amount could be cut to $7.2 billion, with such practices in all (new and old) buildings to $4.3 billion.[20]

These reports—and more could be cited—raise serious doubt whether some of the need estimates at $19 billion or at $23 billion should be accepted at face value.

YEAR-ROUND USE OF ACADEMIC FACILITIES

Year-round operations of IHL would sharply reduce the need for additional educational facilities. Pres. Grayson Kirk of Columbia University said at the dedication of the new NEA Building in Washington:

"Some of our institutions with physical plants involving an investment in each case of scores of millions of dollars remain largely idle for several months each year. We should ask ourselves if it would not be better to operate these great institutions on a plan which would divide the academic year into three parts, one which would, in effect, replace the present 6-week summer school with a full-fledged summer semester. * * *

"Since the institution would be able to serve the needs of one-third more students in a given period of years than it now can, an approach of this kind to the problem of student numbers might enable us to meet our expanding student needs without such a huge expenditure for additional plant construction." [21]

Chancellor Edward H. Litchfield of the University of Pittsburgh, which has been operating a trisemester plan since 1959, wrote:

"Educators and legislators have greeted it as a means of getting more efficient use of existing educational plants, which cost the same to maintain whether they are operated 8, 9, or 11 months of the year. The plan, if adopted nationwide, could reduce the $10 billion needed in the next decade for new facilities to about $6 billion." [22]

Dean Elmer Easton, of Rutgers University Engineering College pointed out in a booklet, "Year-Around Operation of Colleges," that a trisemester schedule would provide up to 56 percent more degrees per year, make up to 30 percent more use of instructional facilities, increase faculty salaries approximately 30 percent (p. 36).

Former U.S. Commissioner of Education Earl J. McGrath (now executive officer of the Institute of Higher Education as Columbia Teachers College) has for several years been crusading for year-round college operation. He wrote in a recent article: [23]

"If the three-term plan advocated here were put into effect, present institutions could take one-third more students than they can now.

"Consider this arithmetic: In the fall of 1962, our colleges accepted 1,037,000 entrants. In the academic year 1965–66, according to present estimates, they will be asked to accept 1,507,000. Where will they find room for the extra half million? The best answer would be a 3-year course to increase our college capacity by one-third.

"(4) College and university plants now commonly stand idle for from a few weeks to more than 3 months in each 12. Yet while classrooms, dormitories, libraries, laboratories, and other facilities are unused for these long periods, presidents clamor for billions of dollars for new buildings. Robert Bokelman of the U.S. Office of Education estimates that between 1961 and 1975 the average annual requirement for capital expenditures will be between $1.5 and $2.2 billion. Each additional full-time student will impose a building burden of about $6,150.

"To the degree that institutions can make fuller use of existing facilities by keeping them in steady use, these figures can be correspondingly reduced. The three-term plan will save taxpayers and donors millions of dollars that would otherwise be needed for new facilities under the conventional academic year."

Mr. McGrath sees many other advantages in an all-year plan. He wrote:

"A properly designed three-term academic year can provide a 20- to 30-percent increase in faculty incomes and still leave adequate time for scholarly activities and recreation. * * *

The average student could complete the requirements for the degree in something less than 3 calendar years rather than 4. * * * The economic advantages to the student would be great since he would pay less for his education while in progress and enter gainful employment a year earlier."

A recent booklet by the Fund for the Advancement of Education listed "40 institutions which have established formal plans for operating their campuses on a year-round basis. All permit the student who desires to do so to earn his B.A. degree in 3 rather than the usual 4 calendar years * * * without requiring him to carry more than a normal full-time course load." [24] It suggested the plan as an alternative to constructing facilities which were listed as "required" in some of the recent facility need surveys. All of those estimates were based on the traditional 4-year undergraduate study on a two-semester or three-quarter basis.

How can IHL be persuaded to adopt a trisemester or four-quarter plan? Mr. McGrath in his mentioned article wrote "that it is as hard to change an educational practice as to move a graveyard." It appears that only by force of necessity can academic institutions (and most others) be brought about to change long established practices and habits. If Federal funds were made available to them, most would keep building without major improvement in space utilization practices or going over to all-year operation.

OPERATING INEFFICIENCIES

The effectiveness with which available resources are being used, whether for facilities or for current operations, has, of course, a major bearing on the magnitude of the need for additional funds. In its reports "Better Utilization of College Teaching Resources," the Fund for the Advancement of Education suggested four "handles" to increase efficiency; place greater responsibility on students for their education, rearrange course structures, discover new resources both in teaching and in performance of duties ordinarily expected of the teacher, and increase the institutional reach of IHL. It listed several innovations by individual institutions which ought to be more widely applied.

The faculty-student ratio has been falling in recent decades and is far lower than in European universities.[25] Hundreds of studies and experiments have failed to show an advantage of small classes over large or of low faculty work loads. "All that is accomplished [by low ratios] is to enable the teacher to communicate his mediocrity in an intimate surrounding" commented the late President Charles Johnson, of Fisk University. An American Council on Education report, "Faculty Work Load," summarized: "To the best knowledge of the author [John Hicks, of Purdue University], no objective study has ever been made of the relationship between quality of faculty performance and faculty work load" (p. 4). A course by an outstanding teacher once put on film, such as the famous White physics course, can be taught to thousands at a fraction of the cost of live instruction.

Many IHL feel obligated to keep spoonfeeding their students because high schools neither trained them adequately in the essential skills nor taught them study habits. This could be corrected by insisting on higher standards of admission and continued academic standing. An Office of Education booklet, "Quest for Quality," reported: "The data from the present experimentation in independent study seem clear on this point: Students are able to learn as well with much less class time than we have been accustomed to require of them" (p. 9).

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[17] "The Year-Round Campus Catches On," by Sidney Tickton, the Fund for the Advancement of Education, 1963, p. 6.

[18] "To Build or Not To Build," Educational Facilities Laboratories, New York, 1962, p. 35.

[19] Ronald B. Thompson, "Educational Alternatives," in Vital Issues in Education, American Council on Education, p. 117.

[20] "Space Programing and Physical Plant Investment in American Colleges and Universities 1957–70," Space Utilization Analysis, Inc., New York, 1958.

[21] Grayson Kirk, "Looking Ahead in Education," Vital Speeches, Mar. 1, 1959.

[22] Edward H. Litchfield, "The Trimester System," in a symposium, "Colleges Can Operate All Year," in Saturday Review, Dec. 15, 1962.

[23] Earl J. McGrath, "Plea for the Year-Round College," the New York Times magazine, Apr. 28, 1963.

[24] Tickton, op. cit., p. 6.

[25] One recent computation: Between 1919-20 and 1955–56 the student body multiplied 3.4 times, the faculty 5.4 times. Seymour Harris, "Higher Education: Resources and Finance," McGraw-Hill, 1962, p. 544.

Beardsley Ruml and Donald Morrison (both since deceased) proposed in their book, "Memo to a College Trustee," prepared for the Fund for the Advancement of Education, to trim the curriculum of excess content and to double the number of students per faculty member to about 20. This would enable the IHL to double salaries without additional funds. The authors concluded that "new money is not needed in anything like the amounts presently estimated. Many of the necessary funds are already at the disposal of the college or can be made so, but they are being dissipated through wastes in curriculum, wastes in method of instruction, wastes in administration, and in the property and plant" (pp. 9-10).

Quality in education does not depend on the student-faculty ratio but on the establishment and maintenance of scholarly standards in higher education and sufficient differentiation in secondary curricula to prepare all children for the life that awaits them and for which nature endowed them. Many IHL have in recent years raised their admission requirements but too many still are open to all who can flash a high school diploma—which is commonly awarded for 12 years of faithful residence.

Most American secondary schools, a wonderment and a mystery to the rest of the world, have not yet found a way toward an education which challenges the academically talented, educates the great majority in the middle for their civic and occupational tasks, and trains those of low intelligence in the type of work which they have the capacity to perform. S. 580 offers no solution to this problem.

We have stretched the process of formal schooling to more years than any other country in the world, with unsatisfactory results on both ends of the ability scale. It may well be that greater differentiation at the secondary level, between academic and vocational high schools, and a general tightening up of the process are better answers than a further stretching out.

In a recent book, "The Production and Distribution of Knowledge in the United States (1962)," Fritz Machlup, professor of economics at Princeton University (who is now serving as president of the American Association of University Professors), proposed to shorten education from first grade through college from the present 16 to 12 or 13 years. "A system of accelerated schooling is at the same time more effective and less costly. This is one of the rare instances where we really can get more for less. The proposed acceleration of the school program can permit an acceleration of the economic growth of the Nation that could not be attained in any other way. For we would not only save several million man-years annually now wasted in semi-idleness at school, but also several million man-years wasted in the unemployment of those unemployables because of inadequate schooling."

Without necessarily taking a stand of any of the mentioned methods of stretching the educational dollar, I feel that some of the estimates of huge financial needs of IHL should be considered in the light of possible improvements in efficiency. But such changes will take place only under considerable pressure and are likely to be rejected if sufficient funds are made available to carry on in the traditional way.

THE OUTLOOK FOR IHL CONSTRUCTION AND FINANCES

In the early and mid-1950's when the public schools faced a 40 percent to 50 percent enrollment jump, it was suggested that school funds ought to be raised by 100 percent which, it was held, was far beyond the capacity of State and local governments to accomplish. The White House Conference on Education in 1955 concluded "that within the next decade, the dollars spent on education in this Nation should be approximately doubled." As it turned out, school funds from State and local sources doubled within the succeeding 7 years and have been rising at a decennial rate of over 150 percent.

I pointed out earlier that according to presently available projections, educational enrollment, in total as well as at every level, will grow at a slower rate during the balance of the 1960's than it has since the mid-1950's. This suggests that school and college support will still need to be boosted but not at as rapid a rate as it actually advanced over the past 10 years. So, the outlook for adequate financing of education is bright unless the national economy takes a nosedive or turns sluggish.

Well-informed observers have expressed the opinion that planned expansion of higher educational facilities will meet requirements. Gene R. Hawes, author of "The New American Guide to College," after conducting a survey of all IHL, so asserted in an article, "The College Shortage Is a Myth": [26] "I can now report that, if present expansion plans are realized, there will be room in college—room for all of our children who seriously want to go—through the 1960's."

State funds for higher education tripled between 1950 and 1960. No later financial statistics are available from the Office of Education, but according to the Bureau of the Census, State expenditures for higher education increased 27 percent between 1960 and 1962.[27] If that rate continued, State support would triple during the 1960's. Since enrollment and needs—if not necessarily the demands—of the elementary and secondary schools will rise only half as fast in the 1960's as they did in the 1950's, the States will be able to allocate a larger share of their revenues to higher education. Several recent analytical studies have concluded that State support of IHL will keep climbing steeply and meet requirements throughout the 1960's.[28]

Tuition income tripled during the 1950's. Fees in State institutions are still indefensibly low—the national average in 1961-62 was $185—and could be very substantially boosted, with part of the added funds set aside for scholarship purposes. Most students in public IHL spend more on cigarettes and alcohol, let alone cars, than on tuition. The Los Angeles Times reported on September 19, 1961, that on the opening day of Los Angeles State College—which charges $76 in fees and enrolls 14,000 students—7,000 cars tried to park there. If half the students can afford to drive a car, can they not afford to pay more than $76 for their education? (Unless they feel that a car is more important and worth more than the education they are to receive.)

The low tuition policy not only restricts the revenues of public institutions, it also cuts into the potential and jeopardizes the very existence of private colleges. Former University of Chicago Chancellor Lawrence A. Kimpton was quoted as saying, "To put it in the crassest terms possible, it is hard to market a product when down the street somebody is giving it away." Private IHL would find it much easier to maintain an adequate fee schedule if public IHL raised their own to more reasonable levels. This could be done without inflicting hardship, by establishing a system of income tax credits such as I suggested earlier. Also, the availability of student loans on reasonable terms is expanding, and guarantee programs under the auspices of State governments and of the united student aid funds, which are rapidly growing and now cover most States, help to make students eligible for long-term loans who might otherwise have difficulty borrowing for lack of a credit rating or a collateral.

Private donations also tripled between 1950 and 1960 and can be expected to keep rising, particularly if some recognition, such as tax credits, were extended.

Several competent studies have placed the budgetary needs of IHL in 1970 at $10 billion.[29] An analysis and appraisal of past and present trends suggest that revenues are likely to exceed that amount even without the addition of new Federal grant-in-aid programs.

FEDERAL AID TO EDUCATION AND THE CLASS STRUGGLE

It has recently been asserted, as was mentioned at this hearing 2 weeks ago, that the Federal aid-to-education controversy is really "a struggle between people with wealth and people with kids." It was claimed that Federal taxes are largely paid by the rich, State and local taxes by the poor, and that objection to Federal grants is an attempt by rich people to shift their responsibilities to the poor.

This line of argument exaggerates out of proportion the difference in location of the burden between Federal and State-local taxation, is based on a misunderstanding of tax incidence, and seems to be derived from Marxist dialectic materialism. It apparently assumes that the corporate income tax is wholly borne by the stockholders. If it were, stockholders would, after Federal corporate and individual income taxes, have left between a maximum of 38.4 percent and a minimum of 4.3 percent of the profits—less a few percentage points for State and local corporate and personal income taxes. If that were the case, the American economy would long since have broken down. But there is ample evidence that much or most of the corporate tax is in the long run shifted to consumers in the form of prices. After-tax earnings on net worth were maintained over a period during which the corporate tax rate quadrupled.

That most of the personal income tax rests on the rich was true until a generation ago. But it no longer is since it turned from a class tax into a mass tax. The bulk of all income in the United States goes to families "in the middle" who cannot escape paying a proportionate share. Taxpayers with an adjusted gross income between $5,000 and $15,000 accounted in 1960 for 58 percent of all income and paid 55 percent of the Federal individual income tax. The steeply graduated rate schedule makes for a sharp progression between the upper and lower end of the scale, but yields only small revenue. A flat 20-percent rate on the reported income in 1960 would have brought in 87 percent of the actual yield. It has been estimated that tax rates over 50 percent yield less than $1 billion, out of a total yield between $40 and $45 billion annually, and rates over 65 percent slightly over one-quarter billion.

Labor compensation and welfare payments account for a steadily growing share of all personal income—presently 78 percent—while the share of dividends and business income has been shrinking. Less than 10 percent of all personal income in the country accrues to individuals and families in the $25,000 a year-and-up category. A government that claims 25 percent of its citizens' income, as the Federal Government now does, cannot get a major share of its revenue from an upper class that receives less than 10 percent of all personal income. Only a small share of the Federal taxes is paid by the rich, simply because there are not enough of them, and very little of the State and local taxes is paid by the poor. Most of the taxes in the United States are eventually paid by the great mass in the middle of the income scale.

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[26] This Week magazine, Nov. 4, 1962.

[27] Bureau of the Census, "Compendium of State Government Finances in 1962," 1963.

[28] B. F. Sliger and Thomas R. Beard, "State Support of Higher Education," Proceedings of the 55th Annual Conference on Taxation, National Tax Association, 1963 (in print); M. M. Chambers, "Where Will the Money Come From?" Journal of Higher Education, May 1960.

[29] "Financing Higher Education 1960–70," ed. Dexter M. Keezer, McGraw-Hill, New York, 1959; Seymour Harris, at pp. 73–75, Robert D. Calkins, at pp. 195 ff. Also: Seymour Harris, "Higher Education: Resources and Finance," McGraw-Hill, New York, 1962, p. 21.

That Federal personal and corporate income tax rates are too high, repress economic growth, and cause unemployment is now generally recognized, and the President has proposed to reduce their rates. Because the Federal Government has been using income taxes up to—and more likely beyond—their bearing capacity, State and local governments rely more heavily on sales and property taxes. The claim that those taxes are sharply regressive has been disproven by several studies which showed that both types of taxes are about proportional through much of the income range and regressive only at the two extreme ends; in top and bottom brackets they slighly alleviate the heavy progressivity of the Federal personal income tax.

The property tax, which plays such a major role in the school finance picture, has been more often and more bitterly assailed than any other tax: by the taxpayers because it is too big and rises too fast and by the school forces because it is too little and rises too slowly; by some because it is restricted and by others because the restrictions are not tight enough; by some because assessments are too low and by others because they are too high. The real curse of the property tax which primarily accounts for its unpopularity is that, in contrast to almost all other taxes, it is not hidden but out in the open, clearly labeled by purpose. What is more, it identifies the official who is doing the taxing. Such relationships are veiled or obscured for sales and income taxes, particularly at the Federal level. The trouble with the property tax is that the taxpayer knows that he is paying it, what he is paying for, and who is taxing him.

That property tax revenues do not respond to economic expansion and grow too slowly is disproven by the record: Since World War II collections of property taxes have increased 291 percent, of all other taxes combined only 121 percent. A similar relationship prevailed in prior periods except during war and depression. One reason for the rapid increase in property tax collections during the postwar period: contrary to what is widely believed, national wealth has been growing more rapidly than national income.

Homeowners, who in the national average pay approximately one-third of all property taxes, have understandably been complaining about ever bigger tax bills. It is not widely realized that the homeowner offsets a substantial part of his real estate tax against the Federal income tax because (a) local taxes and mortgage interest are deductible items; (b) imputed income on his equity is not taxable. The homeowner's net burden is far less than the amount he actually pays. A $4,000-a-year man who is married, has two children, owns a $10,000 home with a $9,000 mortgage, and pays $140 in real estate taxes, saves $103 on his Federal income tax. If his mortgage totals only $4,000, he saves $89. In other words, he recoups 64 percent to 74 percent of his real estate tax by a reduction in his Federal income tax. Savings in other brackets are comparable. In an appendix to my book, "Taxes for the Schools,"[30] which contains a comprehensive chapter on property taxes, I showed several examples of income tax offsets by homeowners in various income brackets. I am attaching a copy to this statement.

If your committee feels that the homeowner should get greater relief, then it might consider the proposal in S. 181 to grant an income tax credit up to $100 for school property taxes. This would either lighten the load of homeowners or enable school districts to boost their taxes without adding a direct burden on their local taxpayers.

If so, it would seem appropriate also to grant tax credits—similar to those I proposed in higher education—to the patrons of nonpublic schools. Such credits could result in very substantial savings for taxpayers. The average cost for 1 pupil through 12 grades of public school now amounts to about $4,800, in addition to the large capital outlay for elementary and high school facilities. Modest relief through tax credits may cause many more parents to send their children to nonpublic schools and reduce the need for public school funds by several times the amount of the tax credit.

BROADER ASPECTS OF FEDERAL GRANTS-IN-AID

I mentioned earlier that the church-and-state question has in recent years been in the center of the debate over Federal grants to education, but that there were also other objections which had prevented legislative action. Some of them relate specifically to education, others to the principle of Federal grants-in-aid as such.

Soon after President Truman's Commission on Higher Education (1946–48) advocated a comprehensive program of Federal aid, the Association of American Universities sponsored a Commission on Financing Higher Education to restudy the subject. The commission's members included: Detlev W. Bronk, president of Johns Hopkins University; Paul H. Buck, provost of Harvard University; Carter Davidson, president of Union College; Lee A. Du Bridge, president of the California Institute of Technology; J. E. Wallace Sterling, president of Stanford University; Henry M. Wriston, president of Brown University, and others. Its executive director was John D. Millet, now president of Miami University. The commission concluded:

"This commission has reached the unanimous conclusion that we as a nation should call a halt at this time to the introduction of new programs of direct Federal aid to colleges and universities. We also believe it undesirable for the Government to expand the scope of its scholarship aid to individual students. Our position is based on what we regard as conclusive considerations."[31]

One member of the commission, President Carter Davidson, explained soon after:

"One broad highway to financial security the members of the commission viewed unanimously as the 'primrose path that leads to the everlasting bonfire.' This road was named Federal Government support. Some of us at first felt that we should even advocate that the Federal Government should withdraw its support from those areas which it is now already subsidizing, but we finally agreed that this step was impracticable and that we would be satisfied if the Federal Government would stop where it now is and give to private initiative the chance to show that it really believes sufficiently in higher education to give it ample support."

"There was a feeling that increased Government support from Federal sources was not only a blind alley, but also blinded those who traveled down it."[32]

The commission feared that expansion of Federal grants-in-aid to higher education would jeopardize the institutions' freedom, diversity and independence:

"Such independence will be threatened if higher education is subjected to further influence from the Federal Government. That influence flowing from present support is already a cause for concern. Its withdrawal or its unwise administration would produce grave results for our institutions. But in our view, as things are now, such exigencies as these can be weathered. We are convinced that they would be fatal were Federal support to be substantially extended."[33]

Ten days ago Prof. David McCord Wright presented a parallel presentation to your committee.

"That Federal grants would lead to Federal control is being strongly denied by their advocates. But some weighty questions arise. If the basic deficiency is merely lack of resources, why should the Federal Government not render purely fiscal aid and let the presently constituted authorities decide to what programs they should be applied? Why is it necessary to devise two dozen programs instead of finding means to increase the revenues of States and institutions and letting State legislatures and boards of trustees decide how to allocate the funds?"

Why should the Federal Government tell a university that it must spend more on its library, that additional moneys must go toward acquisition of books and construction but not for staff—although staff accounts for at least two-thirds of academic library costs? Why should it tell a university whether and how to run a student work program—that it must be "of substantial educational character," that it must be available only to a student who needs it and is capable of maintaining his academic standing, that it cannot exceed 15 hours for any student in 1 week, etc.? Why should 35,000 boards of education be told to boost maximums and minimums in teacher salary schedules but not necessarily the brackets in between? Why should State and local educational authorities be compelled to use not less than 10 percent—but not more than 20 percent—of the funds for certain specified projects?

The record of Federal grants-in-aid in such fields as public welfare, highways, urban renewal, etc., shows that Federal administrative agencies gradually tighten their controls—and that this often comes about when certain abuses occur or policy disagreements arise between Federal and State officials, as inevitably they must. Such parallels are too close to be overlooked.

Some have questioned the need for Federal grants-in-aid generally and expressed doubt about the asserted inadequate fiscal capacity of State and local governments to meet their educational and other responsibilities. On the other hand, it has been claimed that State and local tax sources are inflexible and do not expand as rapidly as those of the National Government. ("The whole is greater than the sum of its parts.") But State and local revenues have been growing at a much faster rate than Federal receipts in the period since the end of World War II—as they had always done in prior periods except during shooting wars. Now it is being asserted that State and local governments have exerted such an effort by quadrupling their income while Federal revenues only doubled that they have exhausted their fiscal capacity and will henceforth have to rely more heavily on the National Treasury. We may assume that if State and local revenues had not climbed so steeply, this would have been advanced as proof that the States lacked the power to do it. It appears that no set of facts can convince those who prefer Federal grants-in-aid to States' self-financing.

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[30] The Institute for Social Science Research, Washington, 1960.

[31] "Nature and Needs of Higher Education," the Report of the Commission on Financing Higher Education, Columbia University Press, 1952, pp. 157–158.

[32] Carter Davidson, "Blind Alleys in College Finance," the Educational Record, April 1953.

[33] Op. cit.. pp. 158–159.

Federal grants to the States have long been climbing steeply:

Federal aid to State and local governments, 1902–64

	Millions
1902	$7
1922	118
1932	232
1942	887
1952	2,604
1962	8,167
1964 (estimated)	10,395

Source: Bureau of the Census, "Historical Summary of Governmental Finances," 1957. "The Budget of the U.S. Government for the Fiscal Year 1964" Special Analysis H.

There are now about 100 such programs in operation and many more are being asked for and considered. The President's education message alone proposes 13 new programs. With amounts tripling every decade, it can easily be seen that within not so many years the National Government would control all activities of State and local governments, if this trend continued. That would destroy the balance of power which the Founding Fathers tried to assure by diffusing power among several levels of government. It would concentrate all authority in the Central Government, which is what the authors of the Constitution tried to prevent from happening.

It is hard to deny that the rapid expansion of the National Government in the field of domestic public services is changing the aspect of our system of government and converting it from a Federal to a unitary, centralized type.

President Kennedy and Budget Director Kermit Gordon have stated that Federal nondefense spending has been rising at a slower rate than population and prices or gross national product. However, a comparison of the 1964 budget with Federal operations 10 years earlier shows that Federal expenditures for domestic functions grew much more rapidly than other factors. On a per capita basis and in 1962 dollars, Federal spending for domestic purposes grew 141 percent, while personal consumption grew only 13 percent.

Federal expenditures in 1954 and 1964 (proposed) and related data (consolidated cash statement)

	Fiscal year ending in—		Increase
	1954	1964	
Total	$71,900,000,000	$122,500,000,000	*Percent* +70
War-connected purposes [1]	58,600,000,000	76,700,000,000	+31
Domestic functions	13,300,000,000	45,800,000,000	+245
Gross national product (calendar year 1953 and latest official estimate, calendar year 1963)	$365,400,000,000	$583,000,000,000	+60
Personal consumption (for same periods as GNP)	$232,600,000,000	$375,000,000,000	+61
Population	161,700,000	191,000,000	+18
Prices (GNP, estimate, 1962 equals 100)	84.0	101.5	+21
Per capita in 1962:			
Federal expenditures for domestic functions	$98	$236	+141
Personal consumption	$1,712	$1,934	+13

[1] National defense, international relations, veterans services and benefits, interest on the national debt.

Source: U.S. Budget, 1964; Economic Report of the President, 1963; Economic Indicators.

It required 160 years—from 1789 to 1948—for Federal spending for civilian purposes to reach $7 billion. It took only another 16 years, from 1948 to 1964, to boost it another $46 billion. If this rate of progression continues for another 20 years, almost all resources will be flowing through the National Government by 1984.

I would like to conclude with one other consideration. Congress and the President are gravely overburdened by their present workload and often lack the time to study in sufficient detail such intricate but fateful subjects as weapons systems, space exploration, or developments in some 114 foreign nations. There are not enough hours in the day for the adequate study and consideration of matters of national defense, international relations, plus hundreds of domestic subjects. Senator HUBERT H. HUMPHREY demonstrated in a recent article the need for lightening the workload of Congress.[34] It seems to me that the effective way in which this could be done is for Congress to refrain from devoting a substantial part of its time to matters which can be dealt with by State legislators, local bodies, and private institutions and organizations. To the extent to which financial aid may be deemed necessary, it could be provided by purely fiscal methods, such as tax credits, tax reallocation, or monetary, nonearmarked grants, rather than by a multitude of programs which will eventually lead to a monolithic system of government.

APPENDIX

[From Roger A. Freeman, "Taxes for the Schools," the Institute for Social Science Research, Washington, D.C., 1960]

APPENDIX D: INCOME TAX RELIEF FOR THE HOMEOWNER

The homeowner, according to a frequently voiced opinion, bears an unduly heavy burden of real estate taxes. But some observers of the tax scene believe that the homeowner receives benefits from the Federal income tax which are denied to the renter, and that in the end the homeowner is, taxwise, better off than the renter.

Here is the bill of particulars: The Internal Revenue Code pronounces a general principle for allowable deductions from adjusted gross income: "Except as otherwise expressly provided in this chapter, no deduction shall be allowed for personal, living, or family expenses" (sec. 262). But then the Code proceeds to permit the homeowner to subtract from his income a substantial part of his housing expenses—mortgage interest and property taxes (secs. 163 and 164). The renter receives no comparable benefits. He cannot deduct the part of his rental which represents property taxes and mortgage interest paid by his landlord. Nor can he omit from his tax return the income he receives from whatever capital he owns and has invested. The homeowner, on the other hand, does not have to report the income on his invested capital, his equity, which he receives "in kind," in the form of rent-free living. These three loopholes are believed to cost the U.S. Treasury several billion dollars a year, and to relieve homeowners of a burden which tenants, an economically weaker group, are called upon to bear.[1]

Two articles which appeared in June 1958 denounced this as gross discrimination against tenants. Stephen G. Thompson in "The High Cost of Renting" stated that "tax laws force renters to pay as much as 66 percent more than homeowners for equal accommodations," and that "Federal tax and housing laws conspire against healthy urban growth and maintenance."[2] Bruce Lee Balch in "Individual Income Taxes and Housing" traced the legislative background of the benefit provisions and found:

"It is clear that the deduction for local real estate taxes places an undue burden on tenants. * * * The present system of individual income taxes places a heavier burden of tax on a renter than on a homeowner in a similar situation. The result is that a renter does not receive as much housing value for a given amount of economic sacrifice as does a homeowner."[3]

The case seems clear cut and convincing. Table D–I presents illustrative examples of the Federal income tax liability of homeowners and tenants with an income of $4,000, $8,000, and $12,000, respectively, both with small and with large equities. The $4,000-a-year homeowner, in the examples shown, pays $89 to $103 less income tax than a renter in the same income bracket. The $12,000-a-year homeowner is $272 to $285 ahead of the renter. In the six examples in this table, the tenant pays between 16 and 73 percent higher income taxes than the homeowner. The latter's income tax savings equal 64 to 93 percent of his real estate tax. Most of the benefits accrue only to homeowners who itemize deductions on their income tax returns. Deductibility of taxes and interest is not available to those who use the standard deduction or the optional tax table.

The practice of itemizing has grown rapidly in recent years, because of widened deductibility, and in keeping with progress in income and in tax sophistication. The following percentages of all taxable returns showed itemized deductions:[4]

	Percent
1944	18
1950	23
1953	29
1956	37
1957	40
1958	42

Between 1944 and 1958 adjusted gross income grew 139 percent, the amount of itemized deductions 468 percent.

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[34] HUBERT H. HUMPHREY, "To Move Congress Out of Its Ruts," the New York Times magazine, Apr. 7, 1963.

[1] See: Randolph Paul, "Erosion of the Tax Base and Rate Structure," Tax Law Review, 1956. Joseph A. Pechman, "Erosion of the Individual Income Tax," National Tax Journal, March 1957. Melvin I. White, "Deductions for Nonbusiness Expenses and an Economic Concept of Net Income," Federal Tax Policy for Economic Growth and Stability, papers submitted by panelists appearing before the Subcommittee on Tax Policy, Joint Committee on the Economic Report, 84th Cong., 1st sess., 1955, p. 353. William Vickrey, "Agenda for Progressive Taxation," the Ronald Press, New York, 1947, p. 18.

[2] Architectural Forum, June 1958.

[3] National Tax Journal, June 1958.

[4] These and the subsequent data on itemized deductions were taken from: U.S. Treasury Department, Internal Revenue Service, "Statistics of Income," pt. I, Individual Income Tax Returns, 1953; 1956; 1957; Preliminary, 1958.

The higher a taxpayer's income, the more likely is he to itemize. The percentage of taxable returns itemizing deductions in 1958 were:

	Percent
Adjusted gross income under $2,500	16
$2,500 to $5,000	35
$5,000 to $10,000	54
$10,000 to $20,000	62
$20,000 and over	87

The types of itemized deductions in 1958 were:

[By number of returns in percent of all taxable returns]

	Percent
Taxes	41
Interest paid	33
Contributions	40
Medical and dental expense	24
All	42

Taxpayers with below-average income who pay neither real estate taxes nor mortgage interest seldom have allowable deductions which exceed the 10 percent standard deduction. They rarely itemize unless they have incurred unusually heavy medical expenses, casualty losses, or capital losses. On the other hand, homeowners—unless their property is of very low value—are much more likely to itemize, particularly if they carry a substantial mortgage. Homeownership reached a new record of 61 percent (of all nonfarm dwelling units) in 1958. In the same year 41 percent of all taxable returns listed taxes as an itemized deduction, 33 percent listed interest payments. This does not necessarily mean that 67 percent of all homeowners listed property taxes and 54 percent mortgage interest as deductions. Some of the income tax returns with itemized deductions came from business partnerships, some from taxpayers in high brackets who are tenants, others from farmers, etc. But it appears likely that close to one-half of all homeowners now itemize and that most of those do who own homes valued at or above average or carry a substantial mortgage.

Taxpayers who do not itemize are likely to fall into one or several of these categories:

(a) Tenants, except those in higher income brackets;

(b) Owners of low-value homes;

(c) Owners of mortgage-free homes;

(d) Taxpayers with few or no deductions besides real estate taxes and mortgage interest (who can claim only minor deductions for other taxes, contributions, medical expenses, casualty losses, etc.);

(e) Taxpayers who are ignorant of the provisions of the tax law;

(f) Taxpayers who find the listing of deductions too cumbersome and prefer the convenience of the standard deduction to the effort of listing itemized deductions.

TABLE D-I.—*Illustrative examples of the Federal income tax liability of homeowners and renters*

[General assumptions: Married couple; 2 children; joint return; mortgage interest, 5 percent; interest earned on capital, 4 percent]

	(a) Earned income, $4,000			
	Equity, $1,000		Equity, $6,000	
	Homeowner	Renter	Homeowner	Renter
Assumptions:				
Value of home	$10,000	-----------	$10,000	-----------
Mortgage	9,000	-----------	4,000	-----------
Real estate taxes	140	-----------	140	-----------
Earnings	4,000	$4,000	4,000	$4,000
Interest income	-----------	40	-----------	240
Adjusted gross income	4,000	4,040	4,000	4,240
Less 4 exemptions	2,400	-----------	2,400	-----------
Total	1,600	-----------	1,600	-----------
Less deductions:				
Property taxes	140	-----------	140	-----------
Mortgage interest	450	-----------	200	-----------
Other	300	-----------	300	-----------
Taxable income	710	-----------	960	-----------
Tax	142	[1]245	192	[1]281
Homeowner's saving	103	-----------	89	-----------
In percent of real estate tax	74	-----------	64	-----------

[1] Using the optional tax table. Use of the standard deduction results in a tax liability of $247.20 or $283.20, respectively.

	(b) Earned income, $8,000			
	Equity, $4,000		Equity, $10,000	
	Homeowner	Renter	Homeowner	Renter
Assumptions:				
Value of home	$16,000.00	-----------	$16,000.00	-----------
Mortgage	12,000.00	-----------	6,000.00	-----------
Real estate taxes	225.00	-----------	225.00	-----------
Earnings	8,000.00	$8,000.00	8,000.00	$8,000.00
Interest income	-----------	160.00	-----------	400.00
Adjusted gross income	8,000.00	8,160.00	8,000.00	8,400.00
Less 4 exemptions	2,400.00	2,400.00	2,400.00	2,400.00
Total	5,600.00	5,760.00	5,600.00	6,000.00
Less deductions:				
Property taxes	225.00	-----------	225.00	-----------
Mortgage interest	600.00	-----------	300.00	-----------
Other	600.00	-----------	600.00	-----------
Standard	-----------	816.00	-----------	840.00
Taxable income	4,175.00	4,944.00	4,475.00	5,160.00
Tax	838.50	1,007.68	904.50	1,055.20
Homeowner's savings	169.18	-----------	150.70	-----------
In percent of real estate tax	75	-----------	67	-----------

TABLE D-I.—*Illustrative examples of the Federal income tax liability of homeowners and renters*—Continued

	(c) Earned income, $12,000			
	Equity, $7.000		Equity, $16,000	
	Homeowner	Renter	Homeowner	Renter
Assumptions:				
Value of home	$22,000.00	-----------	$22,000.00	-----------
Mortgage	15,000.00	-----------	6,000.00	-----------
Real estate taxes	308.00	-----------	308.00	-----------
Earnings	12,000.00	$12,000.00	12,000.00	$12,000.00
Interest income	-----------	280.00	-----------	640.00
Adjusted gross income	12,000.00	12,280.00	12,000.00	12,640.00
Less 4 exemptions	2,400.00	2,400.00	2,400.00	2,400.00
Total	9,600.00	9,880.00	9,600.00	10,240.00
Less deductions:				
Property taxes	308.00	-----------	308.00	-----------
Mortgage interest	750.00	-----------	300.00	-----------
Other	800.00	-----------	800.00	-----------
Standard	-----------	1,000.00	-----------	1,000.00
Taxable income	7,742.00	8,880.00	8,192.00	9,240.00
Tax	1,623.24	1,908.80	1,729.92	2,002.40
Homeowner's savings	285.56	-----------	272.48	-----------
In percent of real estate tax	93	-----------	88	-----------

TABLE D-II.—*Comparison of deductions in illustrative examples in table D-I with deductions actually taken in 1958*

	Adjusted gross income bracket		
	$3,000 to $5,000	$7,000 to $9,000	$10,000 to $15,000
Average deductions actually taken by taxpayers who claimed these deductions in 1958:			
All deductions	$853	$1,450	$2,001
Taxes	217	407	605
Interest	238	456	588
Contributions	160	270	413
Medical and dental	283	329	485

	Income					
	$4.000		$8,000		$12,000	
	Low equity	High equity	Low equity	High equity	Low equity	High equity
Average deductions of homeowners in illustrative examples in table D-I:						
Property taxes	$140	$140	$225	$225	$308	$308
Mortgage interest	450	200	600	300	750	300
Other deductions	300	300	600	600	800	800
Total	890	640	1,425	1. 125	1,858	1,408

The benefit of nontaxibility of the imputed income of their houses accrues to all homeowners who are subject to income taxes, whether or not they itemize deductions. Imputed income from owner-occupied dwellings is taxable in Great Britain, France, Germany, Austria, and, in fact, in most industrial countries with the notable exceptions of the United States and Canada.[6]

The first permanent individual income tax in the United States, enacted by Wisconsin in 1911, taxed imputed income from 1911 to 1917. All other Federal and State income taxes in the United States omit it. Whether taxation of imputed income is constitutional under the 16th amendment has been doubtful since a 1934 decision of the U.S. Supreme Court.[7] But the equity of taxing imputed income is apparent. Home ownerships combines two distinct economic activities:

(a) The ownership of usable and occupied living quarters which earn a rental income;

(b) The occupancy of living quarters which requires a personal consumption expenditure.

The Office of Business Economics in the U.S. Department of Commerce, in preparing its national economic accounts, correctly includes in the income account an estimate of the (net) rental value of owner-occupied dwellings, and among the consumption expenditures an amount for the (gross) space rental value of owner-occupied dwellings.

Let us take an example of two families, both of which have a capital of $10,000. Family A puts it into a savings and loan association and receives $400 annual interest. If its top rate bracket is 26 percent, it pays an income tax of $104 on the interest. Family B uses its capital for an equity in a home. If it rented the home to another family and lived elsewhere, it would receive taxable income from one house and incur an expenditure on another. It could not offset its rental expense against its rental income. But if the family lives in the house it owns, and, in effect, pays the rental to itself (it earns income and consumes it in the form of occupancy), it pays no tax on the rent. It saves $104 compared with the tenant family mentioned above. This places a premium on living in one's own house rather than somebody else's. Basically, it violates the principle of the tax law that personal consumption expenses are not deductible from income. Donald Marsh suggested:

"The amount of imputed rent is considered equal to the amount obtainable if the property were rented to others."[8] The space rental value of owner-occupied nonfarm dwellings in 1956 totaled $19.8 billion.[9] If we assume that three-fourths of this was absorbed by expenses and that one-fourth constitutes net rent, the owners' income amounted to $5 billion. The revenue loss to the U.S. Treasury of the tax exemption of imputed income on owner-occupied dwellings may be estimated in excess of $1 billion.[10]

The homeowners' saving from the deductibility of real estate taxes and mortgage interest may be computed as follows:

	Billion
Real estate taxes on owner-occupied dwellings in 1957	$3.3
Mortgages on 1-family owner-occupied dwellings in 1956 totaled $84.8 billion (national housing inventory) at a rate of 5 percent, interest amounted to	4.2
Total	7.5

If we assume that at least half of the taxes and mortgage interest was itemized on Federal tax returns, and that most of this—if it were taxable—would be subject to rates between 20 and 30 percent, the Treasury's net loss from these deductions may be estimated at $1 billion a year.[11]

It appears then that the combined Federal income tax advantage of homeowners approximated $2 billion in 1956–57. Their total benefits may be slightly higher because State income tax laws parallel the relevant provisions of the Internal Revenue Code. Homeowners' real property taxes totaled $3.3 billion in 1957; about two-thirds of this may be offset by income taxe benefits.[12]

Some observers justify and welcome income tax benefits as an expression of a governmental policy which tries, through a variety of activities, to promote and aid the widest possible distribution of homeownership. Homeownership is regarded as desirable in itself and as an avenue toward a better and more stable citizenry. Governmental encouragement and subvention undoubtedly help accelerate the mass migration from the cities to the suburbs. This policy leaves in its wake rapidly decaying central cities, multiplies the public service needs of mushrooming new developments, and creates a virtually insoluble problem of commuter traffic between home and working place.

Some view benefits to homeowners as an indirect means of strengthening the autonomy of local governments, particularly school districts: Federal tax offset enables local authorities to impose heavier property taxes than their constituents would willingly bear if property taxes rested wholly upon owners. Others believe that there are better ways of promoting homeownership or providing local funds than the present system of income tax relief.

By and large, the charge of income tax discrimination against the tenant appears highly persuasive. But it could well be not as airtight or as strong as it seems. Spokesmen for the renters state correctly that landlords shift the burden of property taxes and mortgage interest to the tenant. Stephen G. Thompson in his earlier-cited article wrote: "In effect, the landlord is really only an agent or conduit for real estate taxes and interest payments."[13] Bruce Lee Balch said: "The landlord can be thought of as a collecting agency for the local government. * * * Again it should be noted that a tenant must pay [mortgage interest] in the form of increased rent to his landlord, although the tenant gets no deduction."[14] The tenant, of course, gets no deduction for the real estate taxes and mortgage interest paid by his landlord. But the landlord does. We found earlier that the homeowner's net cost of real estate taxes is less than the amount he pays to the tax collector. Is this not equally true of the landlord? The question is: Does the landlord pass on to the tenant his gross outlays or his net cost? If, as Thompson expressed it, the landlord is a "conduit" for real estate taxes, could he not also be a conduit for income taxes? The pricing goal of real estate as well as of industrial enterprises is gross receipts which, after deducting costs and taxes, yield the investor an adequate net return on his capital. If property taxes and mortgage interest were not deductible from the landlord's Federal income tax base, rents would have to be higher to yield a comparable net return. Thus, it seems possible that the benefit of the deduction and the resulting lower Federal taxes accrue, at least partly, to the tenant. Further research would be required to explore whether or to what extent income taxes and savings thereon are passed on to the tenant.

The renter is likely to receive greater benefits from the standard deduction than the homeowner. The 10 percent standard deduction was intended to equal the allowable deduction of the average taxpayer, including property taxes and interest payments. A renter in the low-income brackets seldom has enough allowable deductions to equal 10 percent of his adjusted gross income. The standard deduction may permit him to deduct from his income twice or three times the amount he could itemize. The owner of a mortgaged home needs few if any other deductions to equal the 10 percent standard deduction. If the deductibility of property taxes and interest payments were eliminated—as has been suggested by those who want to equalize the position of homeowners and renters—the standard deduction would have to be adjusted downward from the present 10 percent. This could well increase taxes for renters proportionately as much as for homeowners.

In summary, then, it appears certain that a substantial part of the residential property taxes is offset by benefits under Federal and State income taxes. It is not certain whether only homeowners enjoy the benefits or whether renters also share in them. The net savings to homeowners approximate, in the national average, two-thirds of their real estate taxes, which makes those taxes easier to bear. Of course, somebody pays for the difference as long as government maintains its level of revenue. Since home-owning families, as a group, constitute the majority of the American people, and receive about three-fourths of all income in the United States, they probably bear in the end, in some form or other, the cost of the benefits they receive through the deductibility of property taxes, mortgage interest, and nontaxability of imputed income.

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[6] Henry C. Simons, "Personal Income Taxation," University of Chicago Press, 1938, pp. 112 ff.

[7] *Helvering* v. *Independent Life Insurance Co.*, 292 U.S. 371 (1934).

[8] Donald B. Marsh, "The Taxation of Imputed Income," Political Science Quarterly, December 1943. See also: Melvin I. White, "Consistent Treatment of Items Excluded and Omitted From the Individual Income Tax Base," in Tax Revision Compendium, Committee on Ways and Means, House, 86th Cong., 1st sess., 1959, p. 317.

[9] Survey of Current Business, July 1959, p. 17. The corresponding figure for 1958 is $24 billion.

[10] It was estimated at $1 billion or more by Louis Shere in "Federal Tax Revision To Promote Economic Growth and Stability," January 1957 Economic Report of the President, hearings before the Joint Economic Committee, 85th Cong., 1st sess., 1957, p. 428; likewise by Joseph A. Pechman, in National Tax Journal, March 1957, p. 24.

[11] Joseph A. Pechman (ibid.) estimated the 1956 tax loss from all personal tax and interest deductions at $2.1 billion. It seems reasonable to assume that about half of this is accounted for by owner-occupied homes.

[12] Louis Winnick (as quoted by Stephen G. Thompson in Architectural Forum, June 1958) estimated that comparable benefits for renters would amount up to $1 billion. Since the space rental value of owners is about twice that of renters, Winnick's estimate agrees with ours of $2 billion benefits for homeowners.

[13] Op. cit.

[14] Op. cit.

PROJECT HOPE

Mr. MOSS. Mr. President, when the Project HOPE ship sailed from Peru recently on completion of her 10-month mission, 30,000 Peruvians came and stood for hours in the rain to say goodby to the ship that had brought them so much help. They had covered her decks with flowers, a very great gift in a parched area. This final moving tribute, only one of the many the ship has received, is dramatic proof of the happiness and gratitude HOPE creates in carrying out her aim of a better health opportunity for people everywhere.

Project HOPE has been made possible through the generosity and dedication of a great many individuals and industries. The funds for her operation are from private contributions. Most of her medical supplies have been donated. Her staff works for much less than they would receive in the United States and most of the doctors aboard are volunteers working on a 2-month basis. I am very proud to say that two members of SS *Hope*'s dedicated and hard-working staff on this recent trip to Peru were from Utah. They were Dr. Robert Loehning, assistant professor of anesthesiology at the University of Utah College of Medicine, and Mary Joe Ann Crary, a medical technician.

The ship is now in New York being overhauled, and as soon as she is ready, she will set forth on another mission of mercy—probably to Latin America again.

Project HOPE's mission is twofold. She brings medical care to thousands who might never receive it otherwise. On this last trip alone about 80,000 persons received some attention, either on board or ashore. Uncounted lives have been saved and many of the cures have seemed miraculous. Quite literally the blind have been made to see. However, SS *Hope*'s contribution to health extends far beyond the patients her doctors treat directly. Her primary purpose is to serve the function of a university teaching hospital which, by training local people, will help them to improve their own medical facilities.

SS *Hope* went to Peru at the invitation of the medical profession of Peru and the faculty of the University of Trujillo Medical School. These men carry an extremely heavy workload. They are interested in improving their knowledge and techniques but they cannot afford the time to come to the United States to study. They do not even have time to give their students adequate practical training. While the SS *Hope* was at Trujillo, doctors and students were able to participate in formal classes, seminars, and ward-rounds, both on board and ashore. They were able to see modern American medicine as it is practiced. Each month at least 20 medical students were in residence on the *Hope*.

Every member of the staff from the surgeons to the laundryman had a Peruvian counterpart training with him. As a result of this, the new university hospital will have personnel trained for all its various functions, which would not have been possible without Project Hope—and the program of training will continue for a minimum of 3 years at the hospital with Project HOPE personnel and funds.

In working to improve health in the countries the SS *Hope* visits, the project also achieves greater world understanding through personal relationships. As a byproduct, the *Hope* has won friendship for the United States from people of all social and economic levels. Few gifts are as much appreciated as that of health—and life. During the political unrest in Peru last summer all factions were unanimous in their desire to have the white hospital ship stay. The Peruvian people have further demonstrated their enthusiasm by contributing funds to the Peruvian Hope Committee to assure that care of their poor would be continued after the departure of SS *Hope*.

Project HOPE has received invitations from all over the world. Wherever she goes the ship's presence will fill a need, but her departure will not create a vacuum.

THE WHEAT REFERENDUM

Mr. McGOVERN. Mr. President, on May 21 the farmers of the Nation made a choice between two alternative possibilities. They rejected a plan which would have required a further cutback in wheat production and higher price supports. They chose instead the possibility of unlimited wheat production with little or no protection in the form of price supports.

Many of us feel that this was an unwise decision, but we, of course, recognize the right of farmers to express their views in a free referendum.

Both before the referendum, and since it has passed into history, opinions have been expressed by commentators and editorialists across the country. Two editorials by Mr. John Sittner, of the Lake Preston Times, written before the referendum, and an editorial by the editor of the Mitchell Daily Republic, which appeared immediately following the referendum, seem to me to be worthy of the attention of the Congress. I ask unanimous consent that the editorials be printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Lake Preston (S. Dak.) Times, Apr. 25, 1963]

WHOLE SYSTEM AT STAKE

In less than a month the Nation's wheat producers will vote in another referendum, casting ballots in an election most vital to all agriculture and the small town social-economy that depends upon agriculture.

We in the eastern half of Kingsbury County cannot afford to regard this coming referendum as a vote that affects only those gaining their living primarily from wheat production. We cannot look upon it as vital only to farmers in Kansas and Nebraska, central South Dakota, or even western Kingsbury County.

If the referendum comes up with a "No" result—and remember, it takes two-thirds "Yes" votes to carry, only 34 percent "No" votes can prevail—here is what we can expect to happen:

Price supports will drop to $1.25 a bushel for those few farmers who will still plant within acreage allotments; but by far the larger number of wheat producers will plant all they can, fertilize as heavy as they can to produce all possible in an effort to maintain income through sheer mass of production. This mass of wheat, which close observers predict might well be a billion bushels over normal, will hit an open market and a dollar a bushel is about all anyone can expect to get for it.

"So what, how does that affect us in the corn-hog-cattle country?" you say.

Here's what, and it is the reason meat, corn, oat, and barley producers have had a big stake in every wheat referendum for the past decade, even though we may have paid little attention to it:

When this billion bushels of overproduction wheat hits the market at $1 a bushel or less it's the feed grain market it will hit, knocking the bottom out of feed grain prices, and inevitably putting hog and cattle prices on the skids, too. Those feed grain farmers in the Government program will have some protection for 1 year, but at a cost to the Government that will jeopardize any future feed grain program.

In the past, even though outcome of wheat referendums have been most important to meat and feed grain producers, the latter could do little to affect the result, voting being largely limited to the larger producers.

This year, however, voting eligibility rules have been changed and any wheat producer can qualify to vote. And that includes a majority of the farms in the central and eastern areas of Kingsbury County.

Any farmer with an allotment of under 15 acres, or with a so-called small farm wheat base, can qualify to vote. Any such producer wishing to vote in the referendum may do so by filling in the form on back of his allotment notice, signifying his intention to participate in the 1964 program, and then return the form to the county ASCS office by May 13.

Thus this area—directly dependent upon feed and meat production for income but indirectly dependent upon an effective wheat program to protect our meat and feed markets—can have a say in the decision on May 21.

It's hoped we won't muff the opportunity that is ours to vote in behalf of the area's welfare. For not only wheat, but the price structure of our entire feed and meat production system is at stake.

[From the Lake Preston (S. Dak.) Times, Mar. 28, 1963]

IT'LL BE MANAGED EVENTUALLY—QUESTION IS, BY WHOM?

The furor over supply management, already quite loud as competing forces clash over the upcoming wheat referendum, will become even more heated during the coming weeks as the spring vote nears.

As we see it, not supply management but whether or not we will have farm programs in the future is the thing that is at stake—and we think those who are presently campaigning for a "No" vote 2 months hence are fully aware of that fact.

Because eventually we're going to have supply management in agriculture—just as we now have it in practically every other industry and line of endeavor in these United States. And that means the big question to be decided in the wheat referendum this spring is actually, "Just who will manage agricultural production in this country?"

The answer to that question should be a subject of intent speculation for all of us in the farm country since our economic future, indeed our entire way of life, depends upon the answer.

Since the best way to assess the future is from effect of happenings, events and forces from the past, here's the way we size up future developments on the farm front. We don't expect you to agree wholeheartedly, perhaps not agree at all, but we do hope these speculations will provoke some serious thought.

Should wheat growers approve the new program in this spring's referendum, we will see supply management by farmers themselves in a program coordinated by their Federal Government's Department of Agriculture. We will see each wheat producer allotted his share of domestic and foreign market production and receive a good price for it—and for all production over that he will receive less. We will see the mountainous wheat surplus continue to diminish and with it we will see farm program costs go down, thus retaining urban legislators' willingness to go along with continued farm programs. We will see the wheat farmer—and the small towns that depend upon him for their well-being—continue relatively prosperous. And most important, we will see that this illustration of benefits to be derived from supply management will be "catching" in other branches of agriculture, in the corn-hog-cattle belt in which we live; and we can reasonably expect to see upgraded feed grain programs in the years to come. In short, we will see our agricultural social-economy continue about as present, with a few refinements and improvements as we make our pricing programs more effective.

But what can we expect if the wheat referendum fails this spring, if foes of farm programs succeed in confusing the issue and persuade over one-third of wheat producers to vote "No?"

First thing we will see will be this Congress refusing to write another program and then there will be no effective price support for wheat. And next spring we will see Congress take the same attitude toward other crops—at long last fulfilling the ambition of those who want to force agricultural production on an open market.

Then "dollar wheat" will be inevitable—and it is significant that this prediction is not disputed by the false Messiahs preaching opposition to supply management.

Dollar wheat will drag corn down to 50 cents, 50-cent corn will halve the price of hogs and cattle and will leave half our farmers—and all of our small town Main Streets—with our backs to the wall.

Then every last one of us, farmer, businessman, professional man, regardless of political persuasion or prejudice, will realize the absolute necessity for supply management, for control of the excess production that an open market converts into an economic quicksand.

Then it will be late in the game to institute a system of supply management. Such a system could be instituted in time to save our rural social-economy from total destruction only if the following conditions prevail: If farmers overwhelmingly agree on necessity for action; if there's some organization to serve as a nucleus for bargaining action; if all farmers will stick together against intense efforts to divide them; if we can forget the political prejudices that set farm group against farm group; if agriculture and those who depend upon agriculture can voluntarily set up, impose and abide by effective production controls.

If all these conditions prevail, then perhaps order could be brought out of an open market price chaos in time to save the majority of our farms and farm dependent businesses from bankruptcy.

If price protection isn't soon achieved, then individual farmers would go under financially. A few big operators, highly capitalized, will survive and form a nucleus for a vertically integrated agriculture and a system of corporate farms—all of them buying wholesale and bypassing the services offered by small towns.

After all the small farms are eliminated and production is in the hands of a few, those few will waste little time in cutting back production to market needs. We may be sure that production will be held until the few producers get what they want for it—just like the steel producers, the car makers, the implement manufacturers hold production to what the market will absorb at the price the producers need to make a profit.

All this is a gloomy picture of what could come to pass. We hope it won't materialize but the elements for it certainly do exist.

However, we really don't need to let it happen—if we'll just wake up, approve farm programs applying the principle of supply management by ourselves now, rather than waiting and having opposing interests impose it later.

[From the Mitchell Daily Republic, May 24, 1963]

The Farmers' Choice

Rejection of the Kennedy administration's 1964 wheat program in last Tuesday's national referendum bodes no good for Wheat Belt States. There is, at this moment, little prospect for passage of new wheat legislation at this session of Congress; and, unless, some plan is put forward toward maintaining profitable wheat prices, major wheat producers will suffer. Repressed wheat prices also would reflect upon feed grain prices and extend into the livestock industry.

Allen J. Ellender, chairman of the Senate Agriculture Committee, and Harold D. Cooley, chairman of the House Agriculture Committee, seem agreed that no new legislation will be forthcoming. Said Ellender, "The farmers have voted themselves out of the wheat program and I wish them well." Said Cooley: "Growers now are free to plant the whole face of the earth in wheat at prices one-third to one-half below the prices provided by the program they rejected. I intend to respect their decision and I do not believe Congress will now consider any legislation to interfere with that choice."

It is to be expected that farm State Congressmen will unleash a strong campaign for some replacement wheat measures. However, the odds they face in obtaining passage are perhaps more against them than ever before. The once-powerful farm bloc in Congress no longer exists. The makeup of the House and Senate today is largely oriented to an urban America, and even those representing metropolitan districts who in the past have supported farm legislation, in the face of constituent criticism, have thrown in the towel.

The National Wheat Growers Association, the Grange, the National Farmers Union, the National Farm Organization, and many other smaller groups worked long and hard for approval of the wheat certificate plan. They were opposed mainly by the National Farm Bureau, this country's largest single farm organization. The Farm Bureau won and now it is up to this group to lead the way toward a solution to the problem of wheat surpluses. They have led agriculture down a blind path in the "survival of the fittest" jungle. Whether they can clear the way to a safe destination remains to be seen.

Those who supported the wheat certificate plan, including the Daily Republic, will continue to fight to save family type agriculture and to oppose vertical integration which poses a threat to farm-supported cities and towns. Enough farmers have indicated disenchantment with the Federal program to throw it out. This is their inalienable right in a democracy. We hope the decision will not bring about severe economic setbacks. The vote result is to be respected. They have attained the freedom to farm which the Farm Bureau plugged for. Now efforts must be directed toward seeking new uses and new markets to handle the abundance.

SCHOOL MANAGEMENT: HOW TO TEACH DATA PROCESSING IN YOUR SCHOOL

Mr. MORSE. Mr. President, during the course of our hearings before the Education Subcommittee on S. 580 and related bills, I anticipate that much testimony will be presented concerning title V of that measure which deals with vocational education.

In the May 1963, issue of School Management there appeared a most interesting article entitled "How To Teach Data Processing in Your School," which sets forth a program of instruction in this new field of technology undertaken by the capital city of the great State of Washington, Olympia. It would appear from the article that the vocational training program under the leadership of Superintendent Rolland Upton could be most helpful to many other communities engaged in revitalizing this important aspect of the secondary school curriculum.

In view of that, Mr. President, I ask unanimous consent that the article to which I have alluded together with the charts pertaining thereto be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

How To Teach Data Processing in Your School

Your vocational training program is obsolete unless you are preparing at least some of your students for careers in data processing.

Within the next 10 years, according to an industry spokesman, data processing will make more than 500,000 jobs available to qualified persons trained in the skills of programing and operating machines, maintenance and repair, even filing and bookkeeping in support of the machinery.[1]

If this figure seems high, look at your own situation. You, yourself, are an employer. Pressures are mounting daily for school districts to use various forms of data processing. But how many people do you have available who can actually operate, maintain, or program the equipment you may have to use? The lack of such personnel has been a major stumbling block in getting data processing into schools.

The average high school graduate is still ill prepared to earn a satisfactory wage. He has almost no marketable skills, can find few really rewarding jobs, is hardly better off than the dropout. While a few communities have established plans and seriously considered revamping their vocational curriculums, only a handful have done anything.

One district which has taken a step in the right direction in Olympia, Wash., where a 2-year technical training institute, operated under board of education auspices, trains vocationally oriented personnel in data processing, electronics, and related skills. The institute has been operating for almost a year in an old abandoned department store (renovated at minimal expense for laboratories, classrooms, and offices), with a faculty recruited primarily from local industry (the instructors are paid a competitive wage), and a curriculum that is in a constant state of change because the students are forcing practical and necessary modifications.

While the Olympia vocational school is not set up specifically for the training of nonacademic students, many of those enrolled are considered to be in this category; they are, in fact, gaining a technical education that (1) has never been available before, and (2) will qualify them for employment upon graduation. The institute is operated as a separate educational unit by the board, and is set up as a post high school institution. As a result, it has enrolled dozens of persons who have been away from formal education for years, but who feel no shame at returning to gain knowledge in higher education.

In effect, the school is a compromise with local factions who originally wanted to establish a community college, but who have settled for this kind of training school to service local employment needs. The fact that it is achieving its goal can be seen by the makeup of its first class in data processing. There are 21 students 3 of whom were previously unemployed, plus several housewives, high school graduates and older persons who are looking for work. They all have one thing in common—a high mathematical aptitude—and they are all being trained in the art of programing a data processing installation.

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[1] See, "Is Your Vocational Training Obsolete," School Management, April 1962.

Of course, high mathematical aptitude is not necessary for all data processing jobs. As the institute gains momentum and support in the years to come, it is likely to expand and train machine operators, technicians, repairmen and maintenance personnel as well.

For the moment, however, the institute is confining its data processing training to the programing function. (During the course of their instruction, of course, the potential programers operate the equipment; in their laboratory sessions, they also produce useful data processing records for the school district.)

WHY TEACH DATA PROCESSING?

The decision to train students in data processing was not taken lightly. "Olympia is the State capital," says Superintendent Rolland H. Upton, "and 13 of the larger departments in our State government use data processing in their recordkeeping. We held some conferences with knowledgeable people in the various departments asking them to advise us as to the kinds of trained personnel which were in demand in the field, and which, in their opinion, would continue to be in demand. The discussions convinced us that our community (and most others) needed a training course in data processing, programing and management, and that properly selected trainees who took this course would be in demand at good salaries.

"It also became apparent," continues Upton, "that a full 2-year course should be offered for persons who would specialize in this field, and that there should be variations in the program to permit special training in specific cases. For example, there should be an accommodation for on-the-job upgrading for people already involved in data processing—people who want to get ahead."

Upton's discussions with State officials also convinced him that it would be in the best interests of the community to offer electronics and secretarial training at the vocational school, because both skills are so much in demand in Olympia. Being the capital, Olympia has more than its share of secretarial jobs to fill, and the State of Washington has a booming aviation-electronics industry.

"The message for schoolmen is clear," says Upton. "We didn't just move into this vocational training area blindly. No district should. As we did, every community's schools should investigate and determine what its local employment needs are, then train vocational students to fill those career jobs. In most instances, data processing will be one course to offer."

Knowing what the district wanted to teach in its vocational institute was only a start, however. Converting the plan to a program took administrative activity in five general areas: housing, faculty, enrollment, curriculum, and financing. Here's how Superintendent Upton and his staff approached each of these problems.

HOUSING

"We had no available classroom space in the district," Upton reports, "and since we lacked capital funds, there were only two possibilities. We could acquire temporary, portable classrooms, but discounted the idea because we knew this would be a permanent institution and wanted permanent quarters. We then considered, and acquired, a former department store which was still under lease by the owner, Montgomery Ward Co. It was a structurally sound building of 20,000 square feet consisting of four floors (including a mezzanine and basement). The amount of space was about twice as much as we felt we needed, but we were able to justify the leasing costs by moving in our district administrative offices from another building, and applying that rent to the new quarters. The extra space also gave us room to expand our program when necessary, as it probably will be within a few years.

"One thing that appealed to us about the old department store was the fact that it was not cut up by partitions. It was genuine 'loft' space, and we were free to develop the interior without limitations. By partitioning, treating the ceilings acoustically and bringing in heavy electric cables, we were able to create an excellent teaching space.

"We set the basement aside for storage space and half the first floor was given over to the district office. The remainder of the first floor, plus the entire mezzanine and top floor, were for the use of the vocational school.

"The area where data processing is taught is all on one floor, and occupies a rectangle about 30 by 60 feet. Included in this area are a classroom, two laboratories, with machines, and a combination counseling space and office. Since our operation is not large, and there are times when only one instructor is on duty, we have many glass partitions so as to achieve visual supervision of the entire area. We attacked the problem of planning the facilities within the area by making scale models of the various spaces and facilities, and taking into account the various relationships, traffic patterns, etc. We moved the models about until we had a plan that we felt would work best—and that final plan has served us well. Of course, we employed an architect to assist us in planning and supervising the changes within the building."

With regard to facilities, the school's computer lab has IBM 1620 and 1622 equipment. The unit record (punch card equipment) lab has such equipment as an interpreter, verifier reproducer, collator, card punch, tabulator, sorter, and accessory equipment such as file cabinets and card racks.

The classroom is not equipped with desks. Says one instructor, "Desks aren't feasible in a school of this type. We find that two-man tables are better. We have 13 of them plus an instructor's desk, and they are just what we need."

THE FACULTY

"In general," remarks Superintendent Upton, "a district must choose between two types of vocational instructors: those who know quite a bit about teaching, but are not completely expert in their subject fields and those who know the subject matter, but who don't know a great deal about teaching. In view of the technical nature of our curriculum, we felt it best to hire technicians and train them to teach. It is easier to teach methodology and instructional techniques to data processing experts, than vice versa."

As a director or principal of the technical institute, the district hired a former Navy officer with a career background in electronics. He was a member of the training faculty of the Boeing Aircraft Co., when Upton lured him away with a competitive salary. "In arriving at his salary," Upton says, "we recognized that we would have to pay a competitive rate and so we made no attempt to relate his compensation to our district salary schedule for administrators."

The remainder of the school's faculty consists of four full-time instructors, supplemented with several part-time teachers who are still regularly employed in the field in which they teach. The full-time instructors are all specialists and experts. The chief instructor of the data processing department, for example, had been a programer in one of the State government agencies.

In setting salaries for the faculty Upton "generally stuck to the district salary scale for teachers—but to make our salaries competitive, we set up a scale of 'equivalents.' We matched years spent in the actual practice of the instructors' specialties against the years spent in academic preparation and experience of our classroom teachers."

THE STUDENTS

"We actually had to recruit our first students," reports Upton, "because we got started late in the school year. Graduating seniors were not particularly attracted to our program at first, probably because they had already made plans along other lines. But we were able to recruit with success by 'word-of-mouth' advertising and by utilizing local communications media. We simply set forth the information that courses were being offered in data processing (and electronics and clerical and secretarial work) to any who were interested, regardless of age or present occupation.

"In all, about 50 persons appeared for interviews and applied for enrollment in the data processing program. They asked all kinds of questions, all the way from 'What is data processing?' to technical questions which indicated a deep knowledge and interest in the subject. Of the 50 who showed initial interest, 41 returned at a later date for a math oriented aptitude test (programers' aptitude test, available from IBM) and additional interviews with the program instructor to discuss test scores and aptitudes. Remember, at the start, at least, our data processing instruction is designed to turn out programers—the highest data processing skill. At some future date we'll probably offer training in the less demanding skills.

"An initial class of 21 students was selected from this group. The test was not, in itself, the determining factor for admission to the school. Other factors were grades which the student had earned in high school, and the personal interviews—in which efforts were made to discover the interests of the applicants, their maturity and probable staying power. We felt that of the 21, 15 had an excellent opportunity to succeed as data processing programers. Six were in the marginal category. The latter had registered test scores that were below the optimum for predicted success, but they possessed personal characteristics and other traits which impressed us. Our experience with the class, however, has further impressed us with the validity of aptitude testing as a predictor of success."

The initial 50 applicants for data processing instruction ranged in age from 17 to 47. Twelve were unemployed at the time of their application, nine were students, eight were engaged in clerical work, seven were factory workers, five were already in data processing, four were housewives, and five had miscellaneous backgrounds. More than half of these persons indicated that they were trying to find themselves in an employment field, and 17 stated flatly that they were looking for better jobs. Upton regards this as an indication of how important school programs can be to a community.

THE CURRICULUM

The State board of vocational education provided Olympia with its basic curriculum for data processing. The district was already teaching some data processing (such as basic machine operation in an adult evening school), and parts of this material were incorporated into the technical institute's lesson plans. Additionally, the district acquired curricular material made available by the U.S. Office of Education. (This material in turn, is based on a curriculum being taught at Orange Coast College in Costa Mesa, Calif.)

Finally, the district asked people who had been advising on data processing (especially State officials who would be employing the school's graduates), to comment on the content and adequacy of the course of study. Many of their suggestions were adopted.

As finally developed, the curriculum is heavily oriented toward mathematics, with particular emphasis on the math used by the data processing industry—binary and octal numbering systems, probability and statistics, statistical analysis, etc. In addition, a great deal of time is devoted to such subjects as basic bookkeeping, knowledge of the data processing vocabulary, principles and structure of accounting, accounting data, etc. Emphasis is also placed on programing analysis—analyzing data and structing it (translating it into machine language) for processing.

As it was originally planned, the curriculum left much to be desired. In the first place, it did not provide enough time to explore deeply into technical areas which attracted the interests of the students. Also, instructors frequently found that they barely had time to cover a unit in class, with no time remaining for the practical application or demonstration in the laboratories. For these reasons, the curriculum is in a constant state of change, a situation that bothers no one, so long as the changes are designed to improve the course.

Now, toward the end of its first year of trial, it appears as if the basic curriculum will not change, but the time allotments will. Major curriculum changes will wait until the school expands.

WHAT IT COSTS

"Financing the school was our chief concern," says Upton. There were no local funds earmarked for the founding and maintaining of the school.

"We investigated very carefully and determined that we would be able to finance the school only if the board of education would permit us to do a little 'pump priming' by drawing from surplus funds of the district for the expensive initial effort—heavy expenditures for furniture and equipment. The first year's budget, we figured, for the entire school, would run about $120,000 (see end of article), and we would have to juggle funds to make ends meet. After the costly first year, however, we felt that we could finance the school completely from student fees, State funds (which are provided under law for the encouragement of vocational and technical education), and Federal aid."

The district, already paying $6,000 a year for 3,000 square feet of office space in another building, leased the department store (20,000 square feet) for $10,000. The district offices were moved into the store, and for an additional $4,000 there was a net gain of 17,000 square feet.

After the first year, however, the rent for the store is to be reduced from $10,000 to $8,000. So, in effect, the district acquired housing for its new vocational institute for only $2,000 a year above previous costs. Additionally, the new lease agreement contains a provision that the rental payments could, on the option of the district, apply to the building's purchase.

The basic funds for operating the technical school came from several sources. State aid based on attendance amounted to about $46,000, and the district received another $17,000 from the State because it was actively involved in a planned program of vocational-technical education. NDEA funds to the tune of $44,000 were received for partial compensation of personnel and equipment. "All told," says Upton, "the school is actually costing us only about $14,000 the first year in out-of-pocket expenditures. We feel that it can be justified. Incidentally, our actual experience with the budget has shown that our estimates of financing were fairly accurate. We have not had to revise our figures.

"In conclusion," says Upton, "let me say that I often refer to this technical school as 'an adventure in the teaching of data processing.' Adventure or not, it is certainly a consideration for every school district that believes in the philosophy of 'meeting the needs of individual students.'"

WHAT IT COSTS

Here's a glance at the Olympia district's first-year budget for the technical institute. As the close of the first year approaches, Superintendent Rolland Upton reports that no significant changes have had to be made:

1. Revenue and balances:

Per diem attendance support	$46,200
Educational unit support	17,115
NDEA personnel support	12,000
NDEA equipment and supplies	32,000
Cash reserve to balance	8,185
Abatements	5,000
Totals	120,500

2. Expenditures:

Part-time supervisor[1]	4,675
5.5 teachers	32,325
Supplies	6,000
Equipment	42,500
Equipment rental	15,000
Building rental	10,000
Textbooks	5,000
Heat and utilities	5,000
Totals	120,500

[1] This is a full-time man, but half his salary is charged to supervision and half to teaching.

Mr. MANSFIELD. Mr. President, is there further morning business?

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

MENTAL RETARDATION FACILITIES CONSTRUCTION ACT OF 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and be made the pending business.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes.

Mr. McGOVERN. Mr. President, no bill before the present session of Congress appeals more to our humanitarian sympathies or to our approval of intelligent social action than this measure designed to improve the mental health of Americans. Across the Nation millions of our citizens are afflicted with mental illness or mental retardation. These afflictions, by their very nature, are more difficult to diagnose, expensive to treat, and cause more suffering in the families concerned than any other category of illness. Over three-quarters of a million Americans are confined to institutions for mental illness or mental retardation. As the President said in his magnificent message of February 5:

> This situation has been tolerated far too long. It has troubled our national conscience, but only as a problem unpleasant to mention, easy to postpone, and despairing of solution. The Federal Government, despite the nationwide impact of the problem, has largely left the solutions up to the States. The States have depended on custodial hospitals and homes. Many such hospitals and homes have been shamefully understaffed, overcrowded, unpleasant institutions from which death too often provided the only firm hope of release.

This bill calls for a new approach to our national responsibility in the field of mental health. It seeks to stimulate State, local, and private action to use the breakthroughs already achieved in the diagnosis and treatment of mental disabilities, as well as to train the skilled personnel needed in research and treatment. It calls for Federal grants for the construction of community health centers for the prevention, diagnosis, and treatment of the mentally ill, and for research centers and facilities for the mentally retarded. This approach relies heavily on new knowledge and new drugs discovered in recent years.

The bill calls for the creation of many new comprehensive community mental health centers financed by Federal and State authority. These would be located in the patient's own community, where continuous treatment and a familiar atmosphere would prevail. The Federal grants would be based on a program of stimulating local and State efforts, and consequently the Federal contribution would be phased out in a few years. Other parts of the bill would provide help in improving care in State mental institutions, stimulate research in mental disease, and train professional and auxiliary personnel. Another section of the bill deals with mental retardation which, as the President says, "hits more often and harder at the underprivileged and the poor; and most often all, and most severely, in city tenements and rural slums where there are heavy concentrations of families with poor education and low income."

Some critics have argued that we cannot afford this program or that it is indicative of a "spending" philosophy that is alien to America. I challenge this argument. If it is un-American to take intelligent national action on a problem as critical and widespread as mental affliction, or if we cannot afford, for example, to help provide teachers for the three of every four retarded children who lack them, then I understand neither our heritage or the productiveness of our economy. President Kennedy refuted these critics when he said:

> In an effort to hold domestic expenditures down in a period of tax reduction, I have postponed new programs and reduced added expenditures in all areas when that could not be done. But we cannot afford to postpone any longer a reversal in our approach to mental affliction. For too long the shabby treatment of the many millions of the mentally disabled in custodial institutions and many millions more now in communities needing help has been justified on grounds of inadequate funds, further studies, and future promises. We can procrastinate no

> more. The national mental health program and the national program to combat mental retardation warrant prompt congressional attention.

I agree with the President. I have been much impressed with the interest in this legislation in my State of South Dakota. In a recent letter, Mr. Louis A. Kimball, executive director of the South Dakota Mental Health Association, reported a strong undercurrent of feeling in favor of this legislation.

> The bill would provide—

Mr. Kimball wrote me—

> the type of help that we definitely are in need of in order to afford appropriate action in this almost overwhelming battle against mental illness.

Another constituent, Mrs. Bob Claseman, of Rapid City, has raised a question I find difficult to answer: "Why must politics interfere with a program which would help such a needed cause?"

In the past few days I have received many telegrams from South Dakotans who support this legislation. Among others I have heard from Mr. Gene Nieses, president of the Yankton County chapter of the South Dakota Mental Health Association; Mrs. Jerome Mayer, president of the Minnehaha County chapter, Hand County Mental Health Association; Mr. James Fitzgerald, of Yankton; Mr. J. S. Kibben of Rapid City; Mr. Glenn Gering, of the Freeman Courier; Mr. William Green, of Huron; and Mr. Charles Snow, of Mitchell, my fellow townsman who has been in the forefront of the South Dakota effort for better programs for the mentally retarded.

I would like to point out that my State was a pioneer in the development of the regional mental health centers which would be encouraged by this bill. As a Member of the other body, I introduced legislation similar to that now before us to provide Federal assistance for them.

Early mental health efforts in South Dakota occurred at Rapid City, where a 1-a-day-a-week outpatient mental health clinic commenced operations in 1949. Three years later, the first full-time outpatient mental health center opened its doors in Sioux Falls. Further centers have been initiated at Aberdeen, Huron, and Watertown. If more funds were available, this valuable program could be expanded still further.

I feel that every dollar that we as Americans invest in the treatment of the mentally ill and the rehabilitation of the mentally retarded will return rich dividends in the form of more useful and secure human beings. I can think of no more fitting way in which to conclude these remarks than to cite the eloquent words of the President when he recommended this legislation:

> We as a nation have long neglected the mentally ill and the mentally retarded. This neglect must end, if our Nation is to live up to its own standards of compassion and dignity and achieve the maximum use of its manpower.
>
> This tradition of neglect must be replaced by forceful and far-reaching programs carried out at all levels of government, by private individuals, and by State and local agencies in every part of the Union.
>
> We must act to bestow the full benefits of our society on those who suffer from mental disabilities; to prevent the occurrence of mental illness and mental retardation wherever and whenever possible; to provide for early diagnosis and comprehensive care, in the community, of those suffering from these disorders; to stimulate improvements in the level of care given the mentally disabled in our State and private institutions, and to reorient those programs to a community-centered approach; to reduce, over a number of years, and by hundreds of thousands, the persons confined to these institutions; to retain in and return to the community the mentally ill and mentally retarded, and there to restore and revitalize their lives through better health programs and strengthened educational and rehabilitation services; and to reinforce the will and capacity of our communities to meet these problems, in order that the communities, in turn, can reinforce the will and capacity of individuals and individual families.
>
> We must promote to the best of our ability and by all possible and appropriate means—the mental and physical health of all our citizens.

Mr. President, on May 4, 1963, I addressed the Minnehaha Mental Association in Sioux Falls, S. Dak. I ask unanimous consent that my address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

UNITED ACTIONS TO COMBAT MENTAL ILLNESS

Ladies and gentlemen, I appreciate very much the invitation to speak here tonight in observance of National Mental Health Week.

As some of you may know, I have had for many years a special interest in mental illness and retardation. During the two terms I served in the U.S. House of Representatives I sponsored legislation providing for grants to institutions of higher learning for conducting research and training teachers in the field of mental retardation. I also introduced legislation to provide construction grants for mental health clinics. One of these bills designed to improve the teaching of mentally retarded children was enacted in 1958.

I'm proud to see that the things I was working for in 1957 and 1958 and 1959 are now the major provisions of the President's program for mental illness and retardation. The President's leadership and public information programs by groups such as this one will help to create a favorable climate for the enactment of this much-needed legislation during 1963.

In his mental health message to the Congress in February, the first such major address on mental health by any American President, the President outlined broad new programs for an intensive 5-year effort to combat mental illness and retardation. Although I consider these disabilities equally important, since time is short and since our purpose tonight is to study the problem of mental illness, I will discuss only that part of the proposed legislation.

First, the President advocates the construction of community mental health centers which would provide diagnostic and inpatient and outpatient services, day care, and rehabilitation programs. Wherever possible these centers would be connected with existing general hospitals, and the Federal Government would provide from 45 to 75 percent of the cost. Secretary of Health, Education, and Welfare, Anthony J. Celebrezze, recently testified before the House of Representatives Committee on Interstate and Foreign Commerce that the administration hopes that 420 of these centers will be constructed in the next 5 years.

Within the past few years there has been a definite trend away from large custodial institutions for the mentally ill. But even so, the majority of the 530,000 patients in our State mental institutions are crowded into hospitals housing more than 3,000 patients each. Under such circumstances it is virtually impossible to provide the patients with the individual treatment and counseling they need if they are to recover. Yet many patients could recover with proper care. Although 45 percent of our mental patients have been hospitalized continuously for 10 years or more, the President's Joint Commission on Mental Illness and Health believes we could reduce the number requiring custodial care by half with the necessary drugs, facilities, and personnel. For example, studies demonstrate that two out of three schizophrenics—our largest category of mentally ill—could be released after less than 6 months of treatment although the average stay is now 11 years.

There is no question about the need for expanded facilities for the mentally ill. At the present time 94 percent of our mental hospitals do not merit the full approval of the American Psychiatric Association, and many are actually unsafe. The association states that new space is needed for some 352,000 beds to relieve overcrowding and to replace unacceptable accommodations. As far as outpatient facilities are concerned, this group estimates that we have only about 20 percent of the full-time clinics we need.

I have said there is no question about the need for mental health facilities, and I think there is also no question that community-centered mental health clinics must replace our large State institutions. When we send a mentally ill person many miles away from home, we cut him off from his family and friends, from his church, from his job, from everything that has been important to him. Recent pilot projects show that many mental patients make excellent progress under an outpatient system without ever having been confined to a hospital. Even those who must spend some time in a hospital make more rapid recoveries in small clinics close to their homes than they do in large State institutions. The transition back to everyday activities is much smoother if the patient has had the benefit of rehabilitation programs and has had help in getting a job again in his own community. Moreover, readmission rates at State hospitals are sharply reduced when discharged patients have access to supportive treatment in community clinics.

In commenting on the importance of the trend toward community mental health centers, Dr. Robert H. Felix, Director of the National Institute of Mental Health and former president of the American Psychiatric Association, had this to say: "I have no doubt that * * * mental hospitals as we know them today will have ceased to exist within 25 years. In the history of mental illness, this will be recorded as an accomplishment matching that of Pinel when he broke the chains in a Paris asylum."

As Dr. Felix pointed out, however, in order for this to happen the communities must assume their essential responsibility in building strong mental health programs. You will recall that the President is recommending a Federal matching program for the construction of mental health facilities—not a Federal giveaway program. That means the States will have to meet, on the average, 40 percent of the cost of construction. Moreover, although the President has suggested that the Federal Government help meet the operating expenses of the clinics by paying up to 75 percent of the salaries of new professional personnel during the first year, the Federal share will then be decreased during each of the 3 following years and finally withdrawn altogether. This too, then, is only temporary assistance. Ultimately the community must assume the responsibility of supporting those mental health center activities which cannot be covered by fees.

I believe these are sound provisions. For too many years the States alone have borne the burden of caring for the mentally ill. The Joint Commission on Mental Illness and Health calls this state of affairs a historic mistake and recommends, along with the American Medical Association and other professional groups, that Federal, State, and local governments work together to combat mental illness. A troika such as Khrushchev suggested for the United Nations would never work for the three horses would be pulling in different directions. But State, local and National Government pulling together in coordination could be a mighty force for mental health.

Another of the President's proposals was for increased appropriations for the training of professional personnel under the fellowship grants program of the National Institute of Mental Health. This, it seems to me, is an essential requirement of any program to combat mental illness. As one pioneer in the field of mental health, Dr. George Preston, said, "No building ever cured a patient. Patients can be cured only by trained people. They can be cured at home or in tents, or on farms, or crowded wards, if there are enough trained people to spend enough time with each patient."

In the field of general education, I have always said good teachers are more important than fancy buildings. I would rather have my children sitting on a log with a first-rate teacher than sitting in a plush classroom under the deadening impact of a dull teacher. This principle applys equally to the field of mental health.

We face such a severe shortage of professional manpower in the field of mental health that only a massive national effort can hope to fill that need. According to the New York Academy of Sciences we now have only 45 percent of the physicians needed, only 65 percent of the psychologists required, and a mere 19 percent of graduate nurses necessary for adequate care for the mentally ill. The President's program is urgently needed to help fill these serious shortages.

The third major provision of the President's proposed legislation on mental illness is for planning grants to the States under the National Institute of Mental Health for evaluation of existing programs and facilities and the development of new or extended services. This provision should be of great help to the States in adapting old methods to conform to modern principles regarding the care of the mentally ill. It could also lead to new and even better methods than are known today as the States experiment with as yet untried ideas.

The proposals the President has submitted to Congress represent the most comprehensive program that has ever been proposed in this area. Although the problem of mental illness is a large and complex one, a great deal can be done, and I believe the plan under consideration would be a decisive factor in conquering this serious health problem.

I have spoken in general terms of mental illness as a national problem. For a few minutes I would like to deal more specifically with mental illness in our own State. Those of you who are familiar with our mental health facilities know that South Dakota has moved with the national trend toward community clinics. We can be proud of our three clinics in Aberdeen, Rapid City, and here in Sioux Falls. These clinics employ four full-time psychiatrists, two full-time psychologists, and five full-time and one part-time psychiatric social worker. These clinics provide a real service to our State, and through the efforts of their dedicated staffs many patients each year are saved from severe mental breakdowns which would result in long and costly hospitalization and the waste of precious human resources.

The picture in our State mental hospital is not so bright. In 1960 the average daily resident population was 1,787. To care for these people we spent only $3.50 per patient-day, well below the national average of $4.40. Contrast either of these figures with the $27.65 which it costs to maintain a patient for 1 day in a general hospital and you will see how little we and most of the other States are doing to help the mentally ill. Three dollars and fifty cents per day barely provides custodial care; drugs, treatment, and professional counseling are out of the question.

I have said South Dakota is below average in expenditures for care of the mentally ill. We are about average in the ratio of three patients per each member of the staff at the State hospital, but I don't think we want to be merely average. An adequate and well-trained staff is the most valuable asset of any mental institution. We should consider it a vital necessity to appropriate annually the funds required to acquire and keep top-rate personnel.

I realize that the present staff at Yankton is overburdened and that limited funds can only be stretched so far. It is unfortunate, however, that we haven't been able to do more in the way of extramural care. At any given time only 25 or 30 patients are at home under extramural care programs. Surely there are many more who could function satisfactorily outside the hospital if outpatient treatment were available. This would not only be much better for the patient, but would be a savings for the taxpayers as well.

Another problem we have not yet coped with satisfactorily is that of mentally ill children. We really have no suitable place for the care of mentally ill children as distinguished from the mentally retarded who are cared for at the Redfield State School. Throughout the country the development of inpatient treatment facilities for children has lagged far behind child guidance clinics. Therefore, seriously ill children who require hospitalization must often be placed in wards with adults, obviously not the most desirable solution.

Informed opinion holds that the number of mentally ill children is greater than is generally realized and that this figure seems to be growing. There is no doubt that early treatment for these children is of utmost importance yet the shortage of trained personnel in this area is more severe than in mental illness as a whole. According to Dr. Nina Ridenour in her book "Mental Health in the United States: A 50-Year History," fewer than 50 child psychologists are developed each year and there are not a hundred qualified child psychiatrists in the entire United States.

Some of you may have read the story or seen the television documentary or schizophrenic children called "The Rebirth of Jonny." The plight of children like Jonny who are gripped by nameless terrors they can't communicate and isolated in weird, unreal worlds must surely arouse our pity. And we have children like Jonny in our own State. What are we doing to help them? The answer again is "far from enough."

If we are not doing enough to combat mental illness, what should we do now? First, let your friends and neighbors know about the President's proposals in the field of mental illness. Congress is responsive to the wishes of the people so if you can win the support of the citizens of South Dakota, I'm confident they can in turn win the votes of your Senators and Representatives for this important legislation. This is not a partisan issue. It is a human issue. It has doubtless been especially close to the President's heart because he has a sister who suffers from mental retardation.

Another step which mental health associations and other civic groups in this State could take would be public education programs to inform the people of South Dakota of the urgent need for increased appropriations for our State hospital. Many times a society which is accused of indifference is only uninformed. Once the facts are publicized, many will respond vigorously to help combat this tragic situation.

Finally, through consultation with authorities of our State board of health, the State board of charities and corrections, and the staffs of our community mental health centers, I am sure interested citizen's groups will find countless ways in which they can be of service to the patients in the State hospital and at the community centers and to help ease their adjustment after discharge.

It is true that our State has a long way to go in developing better services for the mentally ill. We have neglected our mentally ill too long. As the President has said of the Nation as a whole, this neglect must end if we are to live up to our own standards of compassion and dignity. However, I know we can provide excellent care for the mentally ill, and we can live up to our long-established standards of compassion and dignity. With all three working together—Federal, State, and local governments—an era of splendid progress lies ahead of us.

Mr. BAYH. Mr. President, the problems of mental health are too compelling to justify anything short of the cooperative, nationwide program contained in this mental health aid bill.

We know that most mental illnesses are curable just as pneumonia, whooping cough, pleurisy, and other physical ailments are. But mental illnesses require special kinds of facilities, and treatment by specially trained personnel to be effective.

This bill will take a giant step toward making up for the years of neglect in this field.

I draw special attention to the tactics as well as the goals, embodied in the bill. It is designed to maximize the efforts of our States and local communities, our schools and private, nonprofit institutions. This is no gigantic federally operated program, but an aid to State and locally controlled efforts to care for our mentally distressed friends and neighbors.

I endorse this bill enthusiastically—with confidence that its passage will be a major step toward easing the burden of the mentally handicapped and, indeed, the conscience of the entire Nation.

ORDER OF BUSINESS

Mr. DODD obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Connecticut yield, if it is understood that in doing so he will not lose his right to the floor, so that I may suggest the absence of a quorum?

Mr. DODD. I yield.

Mr. MANSFIELD. Then, Mr. President, I suggest the absense of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, if the Senator from Connecticut will yield further, if it is understood that in doing so he will not lose his right to the floor, at this time I should like to call up some measures on the calendar to which there is no objection.

Mr. DODD. With that understanding, Mr. President, I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the measures on the calendar, beginning with Calendar No. 163, be called in sequence.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

CONVEYANCE OF CERTAIN LANDS IN HARRIS COUNTY, TEX.

The Senate proceeded to consider (S. 261) to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris.

Mr. YARBOROUGH. Mr. President, this De Zavala Park bill, S. 261, which I am pleased to author, making land available for the creation of a Lorenzo de Zavala Park in Harris County, Tex., is supported by the people of Texas. I thank the distinguished Senator from Arkansas [Mr. McCLELLAN] for the expeditious handling of this proposal by the Government Operations Committee and for its approval by that committee. This action will greatly hearten those in Texas who have been seeking for years to acquire this site as a fitting memorial to Lorenzo de Zavala, first vice president of the Republic of Texas and other heroes of the Texas revolution. This bill would clear the way for acquisition by the State of Texas of the portion of the former San Jacinto Ordinance Depot, now surplus to the needs of the Government, on which De Zavala had his homesite and private cemetery. This 142-acre tract is directly across Buffalo Bayou from the San Jacinto Battlefield, and the site of the anchorage of the battleship *Texas*. It is historically sacred ground, in a historically sacred location.

De Zavala was born in 1789 in southeast Mexico, was Governor of the State of Mexico in the 1800's, served in the Cortes of Spain, served in the Mexican Senate and Chamber of Deputies, was Mexican Minister Plenipotentiary to France, then returned to Texas in 1835 to build his home near the present San Jacinto State Park. He became active for the Independence of Texas in the Texas revolution. His home was used as a hospital for wounded Texans and Mexicans, following the battle of San Jacinto.

De Zavala was the first vice president of the Republic of Texas, serving with President David G. Burnet during the Texas revolution. His home was then on the east side of Buffalo Bayou, in sight of the battle of San Jacinto.

I have received many, many communications from the people of Texas recommending the conservation of this historic site as a public park. As the Interior Department stated in recommending enactment of the bill:

> The area is well suited for development as a public park. It has a pleasing contour and an abundance of trees, grasses and other natural vegetation.

Many newspapers, public officials, and conservation societies have spoken out for the creation of this park. I shall refer now only to the most recent, and ask unanimous consent to insert in the RECORD at this point an editorial endorsement of the De Zavala Park from the Dallas Morning News of May 23, 1963.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Dallas (Tex.) Morning News, May 23, 1963]

DE ZAVALA PARK

Congress has been given the green light by a Government operations committee to help Texas pay honor to Lorenzo de Zavala, Mexican statesman, who threw in his lot with Texas revolutionists rather than bow to the dictatorship of Santa Anna. Under the committee-approved bill by Senator RALPH YARBOROUGH, 142 acres of the San Jacinto Ordnance Depot would be conveyed for a park in his honor.

The location is particularly appropriate because it includes the site of De Zavala's Texas home immediately across Buffalo Bayou from the San Jacinto battleground. It served as the field hospital for the wounded in Sam Houston's defeat of Santa Anna. There De Zavala, ad interim vice president of Texas, died shortly afterward and was buried. The park should be created and maintained as a memorial to this revolutionary hero.

Mr. YARBOROUGH. Mr. President, I recommend that the bill pass.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 109 of the Act of August 20, 1958 (72 Stat. 641), as amended, the Administrator of General Services is authorized to convey to the State of Texas or the county of Harris, Texas, for historic monument use, or for park and recreational use, or both, in accordance with the provisions of section 13(h) of the Surplus Property Act of 1944, as amended, so many of such parcels of certain lands adjacent to the San Jacinto Battleground Park located in Harris County, Texas, as may be approved under said section 13(h) for such use or uses, the parcels (containing approximately one hundred and forty-two acres) being more specifically described as parcels A–23, A–25, A–26, A–27, and A–28, as shown on General Services Administration's resubdivision map, dated January 1962, of the San Jacinto Ordnance Depot property, Harris County, Texas.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 182), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill is to authorize the Administrator of General Services to convey certain lands in Harris County, Tex., to the State of Texas or the county for historic-monument use or for park and recreational use, or both. The lands are adjacent to the San Jacinto Battleground Park in Harris County and consist of 142 acres. The bill further authorizes the Administrator to convey as many of these acres as may be approved in the manner prescribed by section 13(h) of the Surplus Property Act of 1944, as amended. That act provides for the conveyance of Federal surplus property to States or their political subdivisions for historic-monument purposes without monetary consideration, or for public park purposes at 50 percent of fair market value.

BACKGROUND

The land covered by this bill is part of the former San Jacinto Ordnance Depot which originally comprised approximately 4,902 acres of land located outside of the city of Houston, Tex. The depot was established in 1941–42 in Harris County, Tex., with an investment of $14,855,974 for the land, buildings, and appurtenances thereto. The depot was used for ammunition storage and outloading of ships during World War II and during the Korean war. The property was declared excess to the needs of the U.S. Army on March 17, 1960, and on March 22 the General Services Administration proceeded to sell it without screening for possible use by other Government agencies as required by the Federal Property and Administrative Services Act of 1949, as amended. This action was taken by the General Services Administration pursuant to section 109(a) of the Military Construction Act of 1958, Public Law 85–685, approved August 20, 1958, which provided as follows:

"(a) The Secretary of the Army is authorized and directed, unless the Secretary of Defense finds after due investigation that such action would be inimical to the national security, to make available to the Administrator of the General Services Administration, or his designee, the San Jacinto Ordnance Depot, Tex. Upon such property being made available, the Administrator or his designee is authorized and directed to enter into a contract or contracts for the sale of such property in lots or in its entirety under public bid procedures and at not less than the fair market value and to convey by quitclaim deed, all right, title, and interest of the United States, except as retained in this act, in and to such property to any legal person or group except Government agencies or departments upon such terms and conditions as the Administrator or his designee determines to be in the public interest.

"(b) Any conveyance made pursuant to the provisions of subsection (a) hereof shall include the following conditions:

"(1) All mineral rights, including gas and oil in the lands to be conveyed shall be reserved to the United States; (2) the San Jacinto property shall be offered for sale within 24 months from the date of enactment of this act; (3) title in and to such property shall remain in the United States until full payment of the agreed purchase price is made."

The committee is informed that the General Services Administration has sold several parcels of land, improvements, railroad sidings and rights-of-way of the original depot and recovered in excess of $3 million.

An identical bill (S. 3041) was reported by the committee and passed the Senate during the 87th Congress.

S. 261 authorizes the conveyance of 142 acres of land, which surrounds the De Zavala Cemetery and burial plot of Lorenzo de

Zavala, who was active in Mexican politics during the early 1800's as Governor of the State of Mexico, member of the Mexican Senate and Chamber of Deputies, and Mexican Minister Plenipotentiary to France. This area has sufficient historical importance to be preserved and the State and local historical societies have strongly recommended that this property be preserved for these purposes.

The committee has also received several communications from the Honorable Price Daniel, Governor of the State of Texas, and from the county commissioners of Harris County and other local civic organizations urging enactment of this measure.

TO AMEND FEDERAL PROPERTY AND ADMINISTRATION SERVICES ACT

The Senate proceeded to consider the bill (S. 572) to amend section 201(a)(3) of the Federal Property and Administration Services Act (40 U.S.C. 481(a)(3)), and for other purposes, which had been reported from the Committee on Government Operations with an amendment in line 8, after the word "such", to strike out "utilities" and insert "utility services"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201(a)(3) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481(a)(3)), is amended by changing the proviso at the end thereof to read as follows: "*Provided,* That contracts for public utility services, and for the purchase of natural gas, coal, or oil for the production of such utility services directly or indirectly by any executive agency, may be made for periods not exceeding ten years; and".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 183), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

S. 572 is designed to provide uniformity and equality in Government contracting for public utility services and in the purchase of natural gas, coal, or oil for the production of such utilities, by providing that all such contracts may be made for periods not exceeding 10 years.

BACKGROUND

The provision to be amended by S. 572, section 201 of the Federal Property and Administrative Services Act, sets forth the authority of the Administrator of General Services with regard to procurement, warehousing, and related activities on behalf of the Government.

The pertinent language of that section currently provides:

"Sec. 201. (a) The Administrator shall, in respect of executive agencies, and to the extent that he determines that so doing is advantageous to the Government in terms of economy, efficiency, or service, and with due regard to the program activities of the agencies concerned—

"(1) Prescribe policies and methods of procurement and supply of personal property and nonpersonal services, including related functions such as contracting, inspection, storage, issue, property identification and classification, transportation and traffic management, management of public utility services, and repairing and converting; and

"(2) Operate, and, after consultation with the executive agencies affected, consolidate, take over, or arrange for the operation by any executive agency of warehouses, supply centers, repair shops, fuel yards, and other similar facilities; and

"(3) Procure and supply personal property and nonpersonal services for the use of executive agencies in the proper discharge of their responsibilities, and perform functions related to procurement and supply such as those mentioned above in subparagraph (1): *Provided,* That contracts for public utility services may be made for periods not exceeding ten years; and."

S. 572 would amend the language by changing it to read:

"*Provided,* That contracts for public utility services, and for the purchase of natural gas, coal, or oil for the production of such utility services directly or indirectly by any executive agency, may be made for periods not exceeding ten years; and."

Senator Gruening explained the need for this legislation in the following extracts of a statement made on the floor when introducing S. 572 (Congressional Record, p. 1275, Jan. 29, 1963):

"The need for this amendment arises because of the interpretation of a provision in the Federal Property and Administrative Services Act which permits natural gas suppliers to enter into ten-year contracts to supply Government agencies with natural gas for the production of utilities but denies the same privilege to coal and oil producers.

"The present provision states clearly: '*Provided,* That contracts for public utility services may be made for periods not exceeding 10 years'.

"The intent of the law has been spelled out and all three fuels should be treated alike and should be permitted to compete equally.

"However, the provision of the Federal act to which I have referred, places coal and oil under a competitive handicap in bidding for Government contracts and gives to natural gas a competitive advantage.

"That should not be. An oil producer, a natural gas producer, a coal producer faces long-term expenditures and investments if he is to operate properly. Producers of one fuel should not have an advantage denied to their competitors.

"To achieve and insure quality, the enactment of my amendment is necessary."

With regard to the intent of the present law, an analysis of the present provision prepared by the General Services Administration in 1958, stated that—

"The Administrator is authorized to negotiate contracts for public utility services, for agencies and departments where it is deemed advantageous to the Government for periods not exceeding ten years.

"The purpose of this provision is to permit the Government to take advantage of discounts which may be obtained only under authorized contracts for periods of longer than 1 year, particularly under contracts for electric power requirements."

TO AMEND ADMINISTRATIVE EXPENSES ACT OF 1946

The bill (S. 814) to amend section 7 of the Administrative Expenses Act of 1946, as amended, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 7 of the Administrative Expenses Act of 1946 (60 Stat. 808, as amended; 5 U.S.C. 73b–3(b)) is amended by deleting the word "promoted" wherever it appears and substituting the word "assigned", and by deleting the word "promotion" wherever it appears and substituting the word "assignment".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record excerpts from the report (No. 184), explaining the purposes of the bill.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

PURPOSE

S. 814 amends the Administrative Expenses Act of 1946 to authorize payment of travel and transportation expenses to student trainees when assigned, with or without promotion, upon completion of college work to positions for which there is determined by the Civil Service Commission to be a manpower shortage.

Upon recommendation of this committee, the 86th Congress approved S. 3485, which became Public Law 86–587, providing authority to pay travel expenses of persons selected for appointment to duty stations of Federal appointees in occupations where a manpower shortage exists. The bill also gave such authority with respect to student trainees when promoted upon completion of their college work. The legislation was needed as the Federal Government had been placed at a disadvantage in its recruitment of personnel in certain specialized fields because private industry customarily paid the travel expenses of newly hired employees to their duty stations.

It now appears that a few student trainees failed to receive these benefits because they had received promotions while in school or before. To cover this group, the Civil Service Commission requested that the law be broadened to include those "assigned" to the specified positions.

Executive Office of the President,
Bureau of the Budget.
Washington, D.C., March 18, 1963.

Hon. John L. McClellan,
Chairman, Committee on Government Operations, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Reference is made to your request for the views of the Bureau of the Budget respecting S. 814, a bill to amend section 7 of the Administrative Expenses Act of 1946, as amended.

The proposal submitted by the Civil Service Commission is a perfecting amendment to existing law which now permits payment of travel and transportation expenses to student trainees on promotion to shortage category positions following completion of college training. In certain cases, however, students may receive promotion prior to graduation.

As now worded, the law precludes payment of travel expenses to such students. Substitution of the word "assigned," as proposed by S. 814, will permit payment of these expenses to all student trainees upon graduation, irrespective of the timing of promotion.

There would be no objection from the standpoint of the administration's program to enactment of the bill.

Sincerely yours,
Phillip S. Hughes,
Assistant Director for Legislative Reference.

CONVEYANCE OF CERTAIN LANDS IN PRINCE GEORGES COUNTY, MD., TO THE AMERICAN NATIONAL RED CROSS

The Senate proceeded to consider the bill (S. 876) to authorize the Administrator of General Services to convey certain land in Prince Georges County, Md., to the American National Red Cross, which had been reported from the Committee on Government Operations with amendments on page 2, line 8, after the word "conveyance," to strike out "and" and to insert "or," and in line 14, after the word "interest," to insert "and less any damage to the land as determined by the Administrator"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, should such land become surplus property pursuant to the Federal Property and Administrative Services Act of 1949, as amended, the Administrator of General Services is authorized to convey, within a period of two years following the date of enactment of this Act, not to exceed two and one-half acres of land located at the northeast corner of the intersection of Rhode Island Avenue and Sunnyside Road in Prince George County, Maryland, to the American National Red Cross upon the payment to the United States of the fair market value of the property as determined by the Administrator: *Provided,* That the instrument of conveyance authorized by this Act shall provide that upon determination by the Administrator of General Services that the American National Red Cross has failed to begin construction of a chapter house on said property within two years after the conveyance *or* to complete construction thereof within a reasonable time after such construction has begun, all right, title, and interest to the property shall revert to the United States in the then existing condition of that property, and the Secretary of the Treasury is authorized upon such reverter to pay from the general funds of the Treasury to the American National Red Cross the amount, without interest and less any damage to the land as determined by the Administrator, paid by the American National Red Cross to the United States for such property.

SEC. 2. The cost of any survey required in connection with the conveyance of this property shall be at the expense of the American National Red Cross.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 185), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The bill would authorize the Administrator of General Services to convey to the American National Red Cross, within a period of 2 years following enactment of the bill, 2½ acres of land located at the northeast corner of the intersection of Rhode Island Avenue and Sunnyside Road in Prince Georges County, Md. The American National Red Cross would be required to pay the fair market value of the property as determined by the Administrator, and the cost of any survey required in connection with the conveyance of the property.

The bill authorizes conveyance of the land only if it is designated as surplus property pursuant to the Federal Property and Administrative Services Act of 1949. The Department of Agriculture, in June 1962, declared the property excess to the Department's needs. Since no other Federal agency has indicated a desire to utilize the land, the General Services Administration has declared the property surplus.

The American National Red Cross is a nonprofit corporation created by Congress for the purpose of rendering public service. However, the corporation does not qualify for priority in the disposal of surplus property under section 203(k) of the Federal Property and Administrative Services Act. Since there is apparently no other existing law under which this land could be conveyed upon a negotiated basis to the American National Red Cross, congressional authorization is required to permit such conveyance.

The American National Red Cross now maintains a chapter house in Takoma Park, Prince Georges County, Md. Since that chapter house in inadequate for the performance of its public services functions in that area, the American National Red Cross desires to construct a new headquarters for its Prince Georges County chapter. In view of the worthy purposes to be served by the construction of such a chapter house, the committee believes that it would be in the public interest to convey this 2½-acre trace to the American National Red Cross for that purpose. The American National Red Cross would be required to pay the current fair market value for the land which, according to the General Services Administration, is estimated at approximately $50,000, but the exact price will be determined by an appraisal before the sale is effected.

This bill is identical to H.R. 10134 of the 87th Congress which was amended and approved by the House of Representatives on August 20, 1962.

BILL PASSED OVER

The bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

AUTHORIZATION FOR PRINTING OF ADDITIONAL COPIES OF ITS 1963 HEARINGS FOR USE OF JOINT COMMITTEE ON ATOMIC ENERGY OF "DEVELOPMENT, GROWTH, AND STATE OF THE ATOMIC ENERGY INDUSTRY"

The concurrent resolution (S. Con. Res. 43) authorizing the printing of additional copies of part 1 and part 2 of the 1963 hearings of the Joint Committee on Atomic Energy on the "Development, Growth, and State of the Atomic Energy Industry" was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Committee on Atomic Energy one thousand additional copies each of part 1 and part 2 of its 1963 hearings on the "Development, Growth, and State of the Atomic Energy Industry".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 187), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on Rules and Administration, to whom was referred Senate Concurrent Resolution 43, having considered the same, report favorably thereon without amendment and recommend that the concurrent resolution be agreed to by the Senate.

Senate Concurrent Resolution 43 would authorize the printing for the use of the Joint Committee on Atomic Energy of 1,000 additional copies each of parts 1 and 2 of its 1963 hearings on the "Development, Growth, and State of the Atomic Energy Industry."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Pt. 1, back to press, 1,000 copies	$1,842.45
Pt. 2, 1,000 additional copies	520.00
Total estimated cost, S. Con. Res. 43	2,362.45

MABEL V. LOLLIS

The resolution (S. Res. 146) to pay a gratuity to Mabel V. Lollis was considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mabel V. Lollis, widow of Oscar F. Lollis, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CONTINUANCE OF SENATE YOUTH PROGRAM

The resolution (S. Res. 147) authorizing the continuance of the Senate youth program was considered and agreed to, as follows:

Resolved, That the Senate youth program, established pursuant to the provisions of S. Res. 324 of the Eighty-seventh Congress, agreed to May 17, 1962, is hereby continued through the Eighty-eighth Congress.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 188), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on Rules and Administration, having had under consideration an original resolution authorizing the continuance of the Senate youth program, having considered the same, report favorably thereon and recommend that the resolution be agreed to by the Senate.

Senate Resolution 147 would continue through the 88th Congress the Senate youth program established pursuant to Senate Resolution 324 of the 87th Congress, agreed to May 17, 1962. By its adoption of that resolution the Senate expressed its willingness to cooperate in a nationwide competitive high school program, supported by private funds, which would give representative high school students from each State a short indoctrination into the operation of the U.S. Senate and the Federal Government generally. It also authorized the Senate Committee on Rules and Administration, if it should find such a program possible and desirable, to make the necessary arrangements therefor.

In consideration of the support pledged to the proposal by all Senators and the generous grant of funds made by the William Randolph Hearst Foundation, the Committee on Rules and Administration approved the necessary arrangements to establish the project. An advisory committee was formed under the cochairmanship of Senator JOHN SHERMAN COOPER and Senator CLAIBORNE PELL. The other members of the advisory committee were Senator Carl T. Curtis, Senator B. Everett Jordan, Dr. Evron M. Kirkpatrick, executive director of the American Political Science Association, and Mr. Randolph A. Hearst. Senator HUBERT H. HUMPHREY and Senator THOMAS H. KUCHEL served as ex officio members.

Pursuant to such arrangements, and with the cooperation of and participation by the offices of every Member of the Senate and the Vice President, 102 student leaders representing all States of the Union and the District of Columbia were privileged to spend the period from January 28, 1963, through February 2, 1963, in the Nation's Capitol, thereby broadening their knowledge and understanding of Congress and the legislative process and stimulating their appreciation of the importance of a freely elected legislature in the perpetuation of our democratic system of government.

The detailed day-by-day schedule followed by the high school representatives during their sojourn in the Capital City is set forth in the CONGRESSIONAL RECORD for January 31, 1963, at pages 1459–1461. This account also contains the names of each participating student, the State and school represented by him, and other pertinent information.

This year the Senate leadership has requested the Committee on Rules and Administration to approve the U.S. Senate youth program for a second time. This request has received the support of all those who were most concerned with the implementation of the project last January. At the regular meeting of the committee held on May 22, 1963, it was unanimously agreed that an appropriate resolution be favorably reported to continue the Senate youth program through the 88th Congress.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, if the Senator from Connecticut will yield further, if it is understood that in doing so he will not lose his right to the floor, I should like to suggest the absence of a quorum.

Mr. DODD. Certainly, Mr. President; I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED BAN ON ALL NUCLEAR TESTS THAT CONTAMINATE THE ATMOSPHERE OR THE OCEANS

Mr. DODD. Mr. President, I submit, for appropriate reference, a resolution declaring the Senate's support of a ban on all nuclear tests that contaminate the atmosphere or the oceans. I ask unanimous consent that the text of the resolution be printed at this point in the RECORD, as background for my further remarks.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 148) was referred to the Committee on Foreign Relations, as follows:

> Whereas a ban on all tests that contaminate the atmosphere or the oceans can be effectively monitored and requires no onsite inspection apparatus, would completely eliminate the danger of cumulative atmospheric fallout, and would constitute a beginning in curtailing the arms race;
>
> Whereas 5 years of negotiations at Geneva have failed to produce a comprehensive treaty banning tests in all environments, despite the numerous concessions offered by the United States;
>
> Whereas the difficulties in negotiating an agreement revolve around the unresolved technical aspects of monitoring underground tests and of onsite inspections; and
>
> Whereas Soviet intransigeance on the question of inspection, as President Kennedy has pointed out, raises serious questions about Soviet good faith and about the prospects of achieving a comprehensive test ban in all environments: Now, therefore, be it
>
> *Resolved*, That it is the sense of the Senate that the United States should again offer the Soviet Union an immediate agreement banning all tests that contaminate the atmosphere or the oceans, bearing in mind that such tests can already be monitored by the United States without onsite inspections on Soviet territory;
>
> That if the Soviet Union rejects this offer, as it has in the past, on the grounds that it wants a ban on all tests or nothing at all, we should not bow to this rejection but should, on the contrary, reiterate our offer and pursue it with vigor, seeking the widest possible international support for our position;
>
> That if the Soviet Union refuses to accede to such a first-step agreement, we commit ourselves before the world to conduct no nuclear tests in the atmosphere or under water so long as the Soviet Union abstains from them;
>
> That, in committing ourselves to such a moratorium, either unilaterally or by agreement, we keep the Soviet record of deceit and bad faith in mind, and maintain our testing facilities in a state of constant readiness so that the United States will never be caught unprepared should the Soviet Union suddenly resume nuclear testing in the atmosphere or under water.

Mr. DODD. In sponsoring this resolution, I am honored to be joined by a distinguished group of Senators of both parties—Senators HUMPHREY, BARTLETT, BURDICK, CASE, CHURCH, DOUGLAS, CLARK, ENGLE, GRUENING, HART, INOUYE, KEATING, MCGEE, MCGOVERN, METCALF, MORSE, MOSS, MUSKIE, NEUBERGER, PROUTY, RANDOLPH, RIBICOFF, SCOTT, SPARKMAN, YARBOROUGH, DOMINICK, JAVITS, MCCARTHY, KEFAUVER, PELL, LAUSCHE, BREWSTER, and HARTKE. This makes 34 Senators, all told.

The text of this resolution speaks for itself. I believe that it may be considered a collective statement by the 30 Members of the Senate who have joined in sponsoring it. I also believe that it is a resolution on which all Members of the Senate can unite, regardless of party and regardless of their attitude toward the comprehensive test ban treaty that is currently being discussed in Geneva. This, in fact, is the special value and significance of the resolution which I have submitted.

The support which has already been manifested for this resolution demonstrates the overwhelming commitment of Congress and of the American people to the cause of peace. When we speak of peace, needless to say, we do not mean peace at any price; we do not mean a peace of passivity before Communist aggression, or the kind of peace that would prevail if mankind submitted to a Communist subjection. When we speak of peace, we mean peace with honor, peace with justice, a peace that does not contract the frontiers of freedom.

Within the framework of this definition, commonsense and humanity both dictate that we do everything in our power to avoid the horror of thermonuclear war and to strive for some kind of limit on the arms race.

No one in his right mind could believe in unilateral disarmament, or in disarmament without a structure of safeguards that would protect the free world against the possibility of Soviet cheating. But, although we share the same values and the same objectives, it is inevitable that there should be differences of opinion between us on the nature and degree of the safeguards that should be written into any disarmament treaty. The question of what would constitute adequate safeguards for a comprehensive test ban treaty is particularly complex. It has already been the subject of much study by various committees of the Senate, and this intensive study is still being continued.

The negotiations at Geneva envision a comprehensive test ban treaty banning tests in all environments, not merely in the atmosphere and in the oceans. As my colleagues are aware, I have on several occasions taken the floor to express grave reservations about some of the concessions we have made in an effort to achieve agreement on a comprehensive ban. These doubts I know, are shared by many other Senators who have carefully studied the problem.

I am aware that there are distinguished Senators on the other side who hold that the test ban treaty now under discussion does provide adequate safeguards and would, if accepted by both sides, add to our national security and the security of the free world.

I respect the opinion of these Senators and I am particularly pleased that several of them have seen fit to join with me in sponsoring the resolution which I submit today. Above all, I am pleased that the distinguished Senator from Minnesota [Mr. HUMPHREY] is serving as the principal cosponsor, despite the fact that he and I differ in our evaluations of the comprehensive test ban proposals now under discussion in Geneva.

The Senator from Minnesota enjoys a world reputation as a champion of peace and disarmament. He more than merits his reputation. He has devoted much time to the study of the many problems involved in the establishment of disarmament measures. He has proposed many initiatives. His efforts in this field, I firmly believe, are of an order which make him the logical candidate for the next award of the Nobel Peace Prize.

In offering this resolution, there are several observations I would like to make in my own name.

First of all, I want to say that I consider it great tragedy that we failed to make a ban on all tests that contaminate the atmosphere and the oceans our prime objective at Geneva.

If any kind of agreement could have been achieved with the Soviets it seems to me that an agreement such as is proposed in my resolution would have been the easiest.

Since such agreement would require no monitoring network in the Soviet Union and no onsite inspection, I can think of no logical reason which the Soviets could have advanced in rejecting the proposal. Indeed, I would go further and say that, because of its very simplicity, this proposal could and should have been made a test of Soviet good faith in the test ban negotiations.

True, proposals that bore some resemblance to this were submitted to the Soviets once by the Eisenhower administration and a second time by the Kennedy administration. But I believe it is accurate to state that in neither case did we make a serious fight for our position. The proposal on both occasions was submitted to the Soviets in a half-hearted and perfunctory manner; and when the Soviets said no, the proposals were immediately dropped.

There are some, I know, who will say that a ban on tests that contaminate the atmosphere and the oceans is inadequate; that it would leave both the Soviets and the United States free to test underground and conceivably in outer space; that it would not effectively terminate the race in nuclear technology.

I agree that a comprehensive test ban is preferable to a partial test ban. But a ban on tests in the atmosphere and oceans would be a tremendously significant beginning. It would substantially reduce the amount of testing conducted by both sides. It would eliminate the testing of multimegaton weapons. It would take account of the legitimate, if somewhat exaggerated concern of world public opinion over the danger of cumulative atmospheric fallout. Moreover, once such an agreement was reached, it could be extended, in stages, to other areas as improved methods of monitoring and detection became available, thus justifying an extension in the scope of the agreement.

It has repeatedly been said that we must be prepared to take some risk in negotiating a nuclear test ban. I agree with this, although I believe there is a limit to the size of the risk.

The proposal outlined in my resolution does incorporate a degree of risk; I want to be very frank about this. I am aware, for example, that we have developed improved types of nuclear weapons that can only be proof tested in the atmosphere—and this would clearly be impossible under the terms of my resolution unless the Russians were first to engage in atmospheric testing. I am also aware of the great difficulties in keeping facilities in a state of readiness when a testing program has been inactivated. Finally, as I have pointed out previously, there is at least a serious possibility that certain types of atmospheric tests could not be effectively monitored from positions outside the Soviet Union.

I offer my proposal despite these risks, and despite the misgivings I have about them, because I honestly believe that such a first-step agreement is feasible and that it should be made a test of Soviet good faith.

I want to emphasize that this agreement does not call upon either side to inactivate its program of underground testing. I take it for granted that, if the Soviets accept our proposal, they will pursue their underground testing program with all possible vigor; the Soviets after all, never do anything halfway. Recognizing this fact, I also take it for granted that, if we commit ourselves to a ban or a moratorium on atmospheric and ocean tests, either unilaterally or by agreement, we will also push our underground test program with all the energy and resources at our command.

I believe that this is essential to our national security. But beyond this, I also believe that an energetic and effective underground test program will exercise pressure on the Russians to accept a system of reasonable safeguards as the essential price of including underground tests in a test ban treaty.

The distinguished Senator from Wisconsin [Mr. PROXMIRE], in his recent statement on the nuclear test ban, made the point that the test ban treaty now being discussed at Geneva, if it were signed, would almost certainly not be ratified by the Senate. He may be right in this estimate. Although I have not made any head count, I know that many of the most respected Members of the Senate share the reservations which I have expressed about certain aspects of the comprehensive treaty and of the concessions we have made in successive drafts.

I want to make it emphatically clear that I am not opposed in principle to a comprehensive test ban treaty. I am for such a treaty. Indeed, I believe that all of us would be ready to support a comprehensive test ban treaty which incorporates adequate safeguards against cheating and which does not jeopardize our national security. As I have pointed out, there are differences of opinion as to what constitutes adequate safeguards. It is proper that there should be such differences and that we should endeavor to hammer out our national policy by frankly discussing these differences.

I come back to the point that a ban on all tests that contaminate the atmosphere or the oceans is not merely a logical first step but an imperative first step in the direction of a comprehensive test ban treaty.

It is my earnest hope that the Senate will unanimously approve this first step proposal, while we pursue our study of the terms under which such a treaty might safely be extended to other areas.

It is my hope that the administration will offer such an agreement, and that the Soviets will accept it.

It is my hope that this logical and easy first step will lead to further steps and that ultimately the Soviet Union, in the interest of peace, will agree to abandon its secrecy and open up its society—because without openness there can be no mutual confidence—and without mutual confidence there can be no secure peace.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. DODD. I am happy to yield.

Mr. GRUENING. I congratulate my able friend the Senator from Connecticut for submitting the resolution, of which I am happy to be a cosponsor, and for his excellent presentation of the cause which is so vital to the survival of the human race.

The Senator is quite correct in saying that a partial test ban—a test ban to stop the pollution of the atmosphere and of the oceans—is absolutely essential. Not unrelated is the fact that we are now pursuing before a committee of the Congress, the Committee on Government Operations of which I am a member, hearings on the question of pollution of the air, water, and animal and vegetable life by pesticides. What kind of nest befoulers are we becoming? We are ruining the priceless inheritance God gave us. Every effort to stop this tragic poisoning of our natural environment seems to be met with well reasoned objections, and they are understandable. But unless we stop this poisoning of the air we breathe and the waters of the earth we will leave a legacy of ill-health, degeneration, and death to our progeny and to future generations.

I also share my colleague's commendation of the distinguished senior Senator from Minnesota [Mr. HUMPHREY]. I highly approve of his thought that the Senator from Minnesota is worthy of the Nobel Prize. If Senator DODD's resolution is adopted and then leads to a favorable result, which it deserves, and an international agreement to ban nuclear testing in the air and in the oceans consideration should be given to a sharing of honors.

There have been numerous examples of the Nobel Prize being shared by recipients working in the same field. It seem to me that in this case the sponsor of the resolution, the able senior Senator from Connecticut [Mr. DODD], might well be a copartner in receiving the honor with the distinguished senior Senator from Minnesota. Both Senators are fully deserving of the honor.

Mr. DODD. Mr. President, I am deeply grateful for the kind remarks made by the Senator from Alaska and for his support. I assure the Senator that I do not consider myself a candidate. My primary purpose was to call attention to the work of the Senator from Minnesota, who so richly deserves this honor.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. DODD. I yield to my colleague from Connecticut.

Mr. RIBICOFF. Mr. President, I commend the senior Senator from Connecticut for bringing forth and drafting this resolution, and for his brilliant speech explaining it. I also think it is most significant that the distinguished senior Senator from Minnesota [Mr. HUMPHREY] is a cosponsor of the resolution. There is no question about the fact that both the Senator from Connecticut and the Senator from Minnesota have given much time and careful thought to the problem of nuclear testing. There is no question that at times it might have been thought that there was great variance of thinking as between the senior Senator from Connecticut and the senior Senator from Minnesota; yet the resolution, drafted by the distinguished Senator from Connecticut and cosponsored by the distinguished Senator from Minnesota, indicates that basically both are dedicated to ending nuclear testing and eliminating radiation hazards, as mentioned by the distinguished Senator from Alaska.

I believe that, considering the initiative and drive which can be supplied to the resolution by both the Senator from Connecticut and the Senator from Minnesota, we may be on our way to solving this very important problem.

Mr. President, I am more than glad to join with my distinguished colleague [Mr. DODD] in sponsoring the resolution to oppose nuclear testing in the atmosphere and in the oceans.

It has long been my view that reaching an effective nuclear test-ban treaty should continue to be a high priority goal of U.S. policy. President Kennedy deserves the support of every American in his steadfast efforts to secure such a treaty at Geneva.

But Soviet opposition to an all-inclusive test-ban treaty should not stop the efforts of this country to do everything it can to end to the greatest extent possible the further contamination of the atmosphere and the oceans.

It is clear that tests in the atmosphere and under the seas can be detected without getting involved in the complicated issue of onsite inspection, which has been a major problem in the effort to ban underground tests.

We should therefore try to seek agreement on a ban at least of those tests that both sides can readily agree to ban. And even if the Soviets refuse, we should announce our determination to refrain from tests in the atmosphere and in the oceans with the clear warning to the Soviets that we will refrain from such tests only so long as they do the same.

The resolution of the senior Senator from Connecticut is a constructive step forward toward the vitally important goal of ending nuclear testing. If we can accomplish this much, we will have made great progress, and the goal of an effective treaty banning all nuclear tests will be brought that much closer.

I close by saying to the distinguished senior Senator from Connecticut that his suggestion concerning the Nobel Peace Prize for the senior Senator from Minnesota [Mr. HUMPHREY] deserves deep thought and consideration by those responsible. I say this not only because of the efforts of the senior Senator from Minnesota in regard to solving the problems of disarmament and nuclear testing, but also because for many years no other person in this country or in the world has been more cognizant of the great efforts needed to bring about international cooperation.

I recall that during my service as Secretary of the Department of Health, Education, and Welfare the senior Senator from Minnesota expressed deep concern about the problems in health and education on an international and worldwide scale. The distinguished Senator from Minnesota has been aware that much must be done if we are ever to solve the problems which bedevil mankind.

The Senator from Minnesota is well aware that the pitiful cry of a sick child is heard above the harangues of conference tables. The Senator has been consistent in his advocacy that the nations of the world—not merely the United States—which are blessed with many resources, share in the fields of education and health to move mankind forward.

Not only because of his efforts in the field mentioned by the distinguished Senator today, but also because of his many efforts for the betterment of mankind throughout the world, the suggestion made by the senior Senator from Connecticut is a brilliant concept and most deserving of serious consideration.

The senior Senator from Connecticut could not have made his suggestion at a better time, because today happens to be the anniversary of the birth of the senior Senator from Minnesota [Mr. HUMPHREY]. I join with all his colleagues in wishing him many happy returns of the day. I am sure he will have many more healthful and vigorous years for serving the people of his State, as well as the people of his Nation and freedom-loving mankind all over the world.

I know of no better present the senior Senator from Connecticut could have given to the senior Senator from Minnesota than to have made his brilliant suggestion concerning the Nobel Prize on the floor of the Senate today.

Mr. DODD. Mr. President, I am deeply grateful to my colleague from Connecticut for his support and for his generous remarks. I am particularly grateful to him for notifying me that today is the anniversary of the birth of the senior Senator from Minnesota. I had not known that when I prepared my remarks; I am sorry I did not know it.

I join with all my colleagues in extending my very best wishes to the senior Senator from Minnesota. My colleague from Connecticut has stated the case correctly when he says that the distinction which the Senator from Minnesota enjoys does not rest exclusively on his great interest in the question of a nuclear test ban treaty, but on a wide, strong and firm base—a lifetime of dedication to the causes of peace and justice in the world.

I am very grateful to the Senator for his suggestions and remarks.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. DODD. I am glad to yield to the Senator from Idaho.

Mr. CHURCH. First of all, I join in commending the distinguished senior Senator from Connecticut for the outstanding speech he has just made. I share his high opinion of the distinguished senior Senator from Minnesota [Mr. HUMPHREY] as a man who has earned the right to special recognition in what might be referred to as the quest for peace.

I have served under his chairmanship as a member of the Senate Subcommittee on Disarmament. I know of his very important work in that field. I have followed with interest and respect the leadership of the Senator from Minnesota in the field of atomic testing.

I think the suggestion the Senator from Connecticut has so generously made that the Senator from Minnesota [Mr. HUMPHREY] be considered for the Nobel Peace Prize is highly commendable. I join in it.

In offering his resolution, the senior Senator from Connecticut has dispelled any feeling that may have arisen to the effect that he is opposed to any ban on nuclear testing, and is an advocate of continued testing of nuclear weapons regardless of any arrangement which might be arrived at between the United States and the Soviet Union.

The Senator from Connecticut has made it perfectly clear today that, quite to the contrary, he shares fully the feeling that we ought to strive to end such testing if we can do it safely and in ways consistent with our national security. He has come forward with a constructive proposal in this regard.

I recall that, in 1958, the distinguished Senator from Tennessee [Mr. GORE] proposed that nuclear testing in the atmosphere be ended on a unilateral basis, which is quite similar to one provision in the resolution the Senator from Connecticut has submitted today. In that year I, myself, proposed a treaty ban on atmospheric testing. As the Senator has pointed out in his excellent statement, that position was adopted by both the Eisenhower and the Kennedy administrations, but never pressed with persistence, as I think it should have been.

So in putting all these aspects together, as the Senator from Connecticut has done, he makes a great contribution, which I hope the administration will seriously consider, as a position of strength from which we can negotiate at Geneva, and through which we can demonstrate to all the world, in unmistakable terms where we stand and where the Soviet Union stands.

The Senator from Connecticut renders a fine service to the country, and I commend him for it.

Mr. DODD. I am deeply grateful to my friend the Senator from Idaho. What he has said means a great deal to me.

I am glad the Senator from Idaho pointed out that some time ago the Senator from Tennessee [Mr. GORE] urged something very similar to what I have suggested today. I recall the suggestion of the Senator from Idaho. At one time the Senator from Minnesota made a somewhat similar suggestion to that. If I am not mistaken, other Senators did likewise.

I am not offering this proposal as a new idea. What I have tried to do is put it together, as the Senator from Idaho has said, with the hope that perhaps we could get it "off the ground" with another try.

I am grateful to the Senator from Idaho.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DODD. I am glad to yield to the distinguished Senator from New York.

Mr. JAVITS. After very considerable thought, I joined in the resolution which was submitted by the Senator from Connecticut. As I have not had an opportunity to talk to the Senator personally, it may be just as well to spread what I have to say on the record. This is a step. It may well be a first step. We very much hope that a broader step will be taken.

I join in the tribute to the deputy leader on the Democratic side for his perserverance and profound understanding of this subject and his constant leadership in that field. If I have any ambition, it is to be, on the other side of the aisle, what he has been on his side of the aisle in terms of arms control and disarmament. I have tried to approach the problem in the way the Senator from Minnesota has approached it.

While I support this limited step, I believe in a broader step. I was concerned by the argument that the limited, or inhibited step, might hinder the broader step. I joined in it to vindicate the position of the Senate, because it is my belief the American people can give great latitude to the administration in negotiation so long as they feel the final decision will be made in the Senate, and that it will be deliberated upon in the deepest conscience. The country must see and understand that we have a desire to succeed in this effort.

I think it is a good thing for this movement to come from the Senator, because of the way the Senator has been publicized as being against every proposal in this field. It indicates that the Senator is not going to indulge in a blocking operation in connection efforts to agree with the Soviet Union. It shows that the Senator is eager to move in the right direction, and will close ranks behind any proposal which may have any promise, regardless of the source—and the Senator knows I do not mean that in an invidious way—and will not refrain from entering into it because the Member who has put it forward may have been identified with the avant garde in the field.

That is the reason why I reached the conclusion that it was my duty to join in this proposal. I think the Senator has picked the right time and the right person to show that the Senate is ready to do business in this field if given half a chance.

Mr. DODD. I thank the Senator for his support and his kind words. I believe that if we all put our shoulders to the wheel, we can get some action that will greatly advance our objectives.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DODD. I yield to the distinguished Senator from Minnesota.

Mr. HUMPHREY. First, I wish to express my sincere personal thanks to the Senator from Connecticut and other Senators for their comments today relating to my own work in the field of nuclear testing and the quest for peace. This subject has been the constant concern of many Senators and many private citizens.

I am pleased to join the distinguished senior Senator from Connecticut in sponsoring this important resolution on nuclear testing. This is one of the most significant proposals in the field to come before the Senate, at least in the past 2 years. With its impressive list of sponsors—I believe 33—from both parties it should gain the approval of the Committee on Foreign Relations and subsequently should be adopted as the considered judgment of the Senate. The proposed resolution, Mr. President, could serve as an important step toward ending all further contamination of the human environment through radioactive fallout. It deserves—and I trust will receive—the support of the great majority of Senators.

It is especially gratifying to note that my friend from Connecticut and I are on the same side of the barricades on this most vital issue. We may have differed in the past over the U.S. proposals for a comprehensive test ban, particularly with regard to safeguards against underground cheating, but there is absolutely no disagreement between us concerning the need to prevent that form of testing which constitutes a real and present danger to the human race.

Indeed, Mr. President, one of the outstanding aspects of this resolution is the fact that it is offered by the Senator from Connecticut, who has distinguished himself as a genuine internationalist as well as an exponent of enlightened progress in the field of urban and community relations.

The senior Senator from Connecticut is a valued colleague on the Foreign Relations Committee. He has represented the Senate in meetings of the Interparliamentary Union. He makes exhaustive studies of every international and domestic problem that engages his attention. Whether or not one agrees with him on any given issue, it is impossible not to respect his knowledge and the skill with which he evaluates and presents his evidence. He has made a significant contribution to our thinking on political and economic problems of African countries, particularly economic. I hardly need point out that the Senator is a stanch champion of the captive nations and an uncompromising foe of international communism. One of my proudest possessions is a plaque from the Organization of Captive Nations in recognition of the efforts the Senator from Minnesota has been able to exert in behalf of the people who are victims today of Communist oppression and tyranny. I need hardly point out, also, that the Senator from Connecticut has stimulated useful debate on the question of a nuclear test ban. He has done, as a constructive critic, what I feel has been necessary for us to do, to express our point of view and to stand up and argue these questions as Members of the Senate should do, without rancor or animosity and on the basis of intellectual understanding and competition of ideas. I find the Senator from Connecticut, as well as other Senators who have spoken today, to be the highest type of adversaries in debate and the best kind of cooperators when we join together. As the Senator himself stated in a recent letter to George C. Holt, executive director of the United World Federalist:

> I support a test ban treaty and have been proposing a detailed treaty for several years. My position is just as "strongly internationalist" as it was at the time of the Nuremburg trial. I have, for years, supported the unilateral suspension of atmospheric tests because these are the tests that result in fallout, and this kind of testing can be accurately detected by scientific means, without a treaty.

The Senator from Connecticut has come forward with a proposal embodying the spirit of these remarks. I repeat that it is one of the most constructive that I have yet encountered. I am honored to be associated with the Senator in support of it.

I hope that the resolution will be studied carefully and meticulously, not only by Members of Congress, but also by members of the press, by commentators on political questions, and by those who bring to us an interpretation of the news, through radio, television, and the press. It should be studied by all students and scholars in the field of foreign policy. It deserves the same favorable consideration as was accorded Senate Resolution 96 of the 86th Congress, which provided overwhelming Senate support for President Eisenhower's efforts to negotiate an effective test ban agreement.

Mr. President, let us consider the merits of the proposed resolution.

It is a well-known fact that atmospheric and underwater tests have the advantage of being easily detectable. There can be no doubt that the United States and all prospective parties to a test ban agreement can detect and identify any nuclear explosion which takes place in the atmosphere, under water, and at least on the fringes of outer space. For this reason it is perfectly feasible to follow the initiative of the Senator from Connecticut and the cosponsors of the resolution. The nuclear powers can ban all tests which contaminate the air we breathe and the food we eat. They can do so without in any way jeopardizing their military security or, in particular, the military security of the United States.

Such tests can be stopped either unilaterally or by agreement among the nuclear powers. A limited test ban agreement would unquestionably improve our total security posture. But even if the Russians will not accept such an agreement—and there are no indications that they will accept one—it will do us absolutely no harm to refrain from atmospheric testing so long as the Russians show similar restraint. The only qualification, as the resolution states, is that we must "maintain our testing facilities in a state of constant readiness so that the United States will never be caught unprepared should the Soviet Union suddenly resume nuclear testing in the atmosphere or underwater."

This is an eminently sound position. In my speech to the Senate on March 7, I, too, emphasized that we must do all that is necessary to keep our complex testing apparatus in a state of ready alert. This means maintaining a psychological state of readiness as well as the necessary men and equipment. If the resolution has its intended effect, there will be no need for the United States to resume aboveground or underwater nuclear tests. I personally hope that we have seen the last of them. But these tests can be ended only on the basis of mutual restraint, if not on the basis of mutual agreement. This, I would suggest, is the real burden of the resolution offered by the Senator from Connecticut; it would commit us "before the world to conduct no nuclear tests in the atmosphere or underwater so long as the Soviet Union abstains from them."

The resolution, however, clearly compels the United States to take full cognizance of the "Soviet record of bad faith and deceit"—a record which has left a very bad taste in our mouths and which automatically makes the word "moratorium" unpalatable to some people. The resolution not only would make the moratorium conditional upon Soviet restraint, but it would, in addition, oblige us to be prepared for instant response should the Soviet Union undertake a sudden program of nuclear testing, as it did in the fall of 1961. Finally, the resolution imposes no restrictions whatsoever on underground testing or on testing in the farther reaches of outer space. Testing in these environments would not contaminate the atmosphere and thus would not come under the provisions of the present resolution. Testing underground or far out in space is relatively difficult to detect and to identify. The problem of secret underground testing has in fact been the major stumbling block to a comprehensive nuclear test ban. The failure to resolve this impasse has been discouraging. President Kennedy, in his news conference of May 8, said the negotiations gave him no "sense of movement." He stated that he was "not hopeful at all" about the prospects for agreement, and he foresaw the "disaster" of another round of nuclear testing. He closed with the ominous and much-quoted phrase—

> If we don't get it (a test ban) now, I would think perhaps the genie is out of the bottle and we'll never get it back in again.

Mr. President, having attended the Geneva test ban talks as recently as February of this year, I can well understand President Kennedy's frustration. The Kennedy administration has gone the extra mile in meeting the often irrational stipulations of the U.S.S.R. We have significantly scaled down our requirements for an annual quota of on-site inspections—although never at the cost of jeopardizing national security and never without the soundest scientific support. Late last year the Kennedy-Khrushchev correspondence gave us some hope that our perseverance might pay off. By February, however, the Soviet position had so hardened that it was impossible to conduct meaningful negotiations.

My colleagues in the Senate may remember that I said then, on returning from those negotiations, that if we could not get a test ban by April, I saw little or no prospect of obtaining one at all along the lines we were pressing.

The Soviet concession of two to three on-site inspections a year meant just that and nothing more. Since the Russians have not budged from this figure, and since it is manifestly unacceptable to the United States, the President had every reason to warn of the genie being let out of the bottle. I recall that I expressed similar thoughts after my own experience with Soviet instransigence at Geneva. I said, in effect, that we had to have a test ban now or never. There were some suggestions at that time that I was overstating the situation. Now the President of the United States has spoken even more pessimistically than I did in February—and with good reason.

But let no one misinterpret pessimism as indicating that the Western Powers have given up in their quest for a comprehensive test ban treaty. On the contrary, President Kennedy, in his news conference of May 22, promised that the United States would push for a test ban in May, June, and July "in every forum." The administration is clearly intensifying its efforts to reach some sort of understanding with the Russians before late summer and early fall—the most favorable time of year for testing nuclear devices on Soviet territory. Regardless of the chances for getting a comprehensive agreement on our terms, the diplomatic effort must be made—for a ban on tests in all environments is demonstrably preferable to any other kind of agreement, written or tacit. All who stand in favor of a test ban will be gratified by the President's attitude.

The proposed resolution is not in conflict with this statement or with the current emphasis of the Kennedy administration. Its primary purpose, I would say, is to smooth the way to a comprehensive test ban treaty. It is a major attempt to stuff the genie of radioactive contamination and proliferation of nuclear weapons capabilities back into the bottle where it belongs.

I repeat that this resolution is talking only about that kind of testing which can be reliably detected by apparatus under direct U.S. national control. Information about such testing, if it takes place, will be relayed instantly to the President for such action as he deems appropriate. There would be no cumbersome machinery of international control posts or inspection teams. There would be no areas of uncertainty to arouse fears that we were depending upon Soviet good faith. In the words of the resolution itself, nuclear tests in the atmosphere or under water "can already be monitored by the United States without on-site inspections on Soviet territory." This is a flat, truthful statement which needs no elaboration.

It should be pointed out, however, that the resolution implies no criticism of our current efforts aimed at obtaining a comprehensive test ban—including a ban on tests underground and in outer space. The resolution simply notes the fact that 5 years of negotiating under both U.N. and three-power auspices have failed to produce the optimum treaty, namely, an agreement to outlaw tests in all environments. It does not imply that we should abandon either the 17-nation or the tripartite talks. Indeed, widespread acceptance of the principles underlying the resolution should provide an impetus to the conclusion of a treaty covering the disputed areas. But since the President of the United States himself is "not hopeful at all" concerning a comprehensive test ban, we should renew our efforts to get off with at least three quarters of the loaf. Such would be the effect of the action proposed by the Senator from Connecticut and endorsed by at least 30 of our Members.

In their joint statement of August 27, 1962, President Kennedy and Prime Minister MacMillan set forth the alternatives clearly and forcefully. They left no doubt concerning their preference for a ban on nuclear testings in all environments. At the same time they were prepared to negotiate, as an interim measure, a treaty banning all tests in the atmosphere, under water, and in outer space. They made it clear that their offer of a partial test ban was in no sense a retreat from their emphasis on the need for a comprehensive treaty. Rather, it was an effort to achieve some results rather than nothing at all. Let me quote from the historic words of these two heads of state:

> The United States and the United Kingdom have instructed their representatives at Geneva to present today to the 18-Nation Disarmament Committee a draft treaty containing proposals for an end to all nuclear testing in all environments as well as an alternative draft treaty providing for an end to nuclear testing in the atmosphere, underwater, and in outer space. We both believe the arrangements we have outlined in these documents for insuring compliance with the terms of the agreement—whether comprehensive or limited—are sound and reasonable providing, as they do, the necessary guarantees for our own security and the security of all nations which might become parties to either agreement. We wish to make clear the strong preference of the United States and the United Kingdom for prompt action on the first of them, namely, the comprehensive treaty. However, we are also prepared to conclude an early agreement on the basis of the second document, that covering a more limited field, if this represents the widest area of agreement possible at this time.

The draft treaty for a partial test ban was duly submitted. It remains an official proposal of the two Western powers. Despite its abrupt rejection by the Soviet Union, we have never allowed the Soviet representatives to forget that a partial, self-monitoring test ban would meet with instant approval on the part of the United States. What the current resolution would have us do, however, is to reaffirm this treaty proposal and then, if necessary, to go one step further. Assuming that the Soviet Union still wants all or nothing at all, we should unilaterally commit ourselves to refrain from all tests that would contaminate the atmosphere or the oceans—provided only that the Russians also refrain from such testing and that our own testing facilities are maintained in a state of constant readiness.

I have never left anyone in doubt, Mr. President, as to my distress over the effects of radioactive fallout. On July 25, 1962, I remarked in the Senate that a partial test ban was one of three "imperative yet feasible goals which should be pursued with the utmost energy and diligence" at Geneva. As I told the Senate on August 7, 1962:

> An end to radioactive fallout would be desirable, whatever one thinks of the dangers to mankind represented by fallout. Clearly, as we move on into the nuclear age, the amount of contamination from the peaceful uses of atomic energy will increase; and it would be desirable, as a general principle, to keep to a minimum the unnecessary contributions to the reservoir of background radiation in the human environment.

In my letter of August 21 to Director William Foster of the Arms Control and Disarmament Agency, I urged our Government to seek an immediate cessation of nuclear weapons tests in the atmosphere, under water, and in outer space.

> Soviet indifference to human health—

I wrote:

> gives the West no excuse to neglect a single opportunity, however slim, to halt the upward spiral of nuclear weapons development and testing. * * * We should not be deterred from stating publicly that we will work for a mutual cessation of atmospheric nuclear tests under a system of purely national controls. This would be a seven-league first step toward a ban on all testing. * * * Even a partial test ban agreement, provided it does not threaten anyone's national security, corresponds with the vital interests of mankind.

Having written and spoken these words, I was understandably gratified by the joint United States-United Kingdom test ban proposals of August 27 last year. My gratification was exceeded only by disappointment over the U.S.S.R.'s flat rejection of the Western initiative. We have no more reason today to expect that the Russians will sign the sort of agreement which they have consistently rejected in the past. I do not believe, however, that anyone can sit back complacently and accept the unchecked forward march of the arms race.

This is why the Senator from Connecticut has offered his resolution. This is why such a large number of Senators, including myself, have added our names to it. As my distinguished friend from Connecticut has pointed out already, one of the salient features of this resolution is that it mobilizes a broad front of senatorial opinion in favor of a first step toward curtailing the arms race. The resolution is an effort to undo the failure of the test ban talks to date. Action in the spirit of this proposed resolution could bring about a definite downward turn in the arms race—an international phenomenon that offers no lasting security to any nation engaged in it. It could check the proliferation of nuclear weapons which has already spread to Western Europe and which threatens to infect both the Far and Middle East. Finally, a prohibition on testing in the atmosphere and the oceans would end the radioactive pollution of these media. To halt the contamination of our surroundings is a goal which should be welcome to every inhabitant of the globe. I, therefore, urge the Senate, and above all, the administration, to endorse the resolution proposing a ban on all nuclear tests that contaminate the atmosphere or the oceans.

Again, I compliment the distinguished Senator from Connecticut and all other Senators who have joined in sponsoring the resolution. This may be one of the most significant resolutions which has been submitted for many a year in the Senate. I say this because I believe that at long last Senators are coming to a consensus as to what we can do and what we should do to improve the world situation, particularly as it concerns nuclear testing, without at the same time jeopardizing the security of our country.

I say to the Senator from Connecticut that I am highly honored to be associated with him in this effort. I hope other Senators will see fit to join as cosponsors of the resolution, and speak in behalf of it, so that the world may know that in the Senate there is a continuing concern over the well-being of humanity, the protection of property and liberty and freedom, and that we are dedicated to the proposition that we will leave no stone unturned in trying to find means of securing a just and enduring peace.

But we do so with full knowledge of the position of the opposition and of the competition which we face. The Senator from Connecticut is again helping his country, as he has done during many years of his life. I believe he has made a real contribution to the upgrading of the thinking and discussion in the Senate.

Mr. DODD. Mr. President, I find it difficult to express my reaction to the generous, uplifting, and encouraging remarks of the Senator from Minnesota. He knows how I feel about him. I think the Senator also knows how much his support, commendation, and approval mean to me.

Mr. SCOTT. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. SCOTT. I congratulate the distinguished senior Senator from Connecticut on having taken the initiative in a matter of such interest. After all, there can be no greater interest on the part of all the people of the world than the preservation of peace.

The resolution begins as a unilateral proposal. It can be distinguished from other forms of unilateralism. For example, unilateral disengagement has little appeal to me, because it implies that we, acting alone, would limit, reduce, or cancel our weaponry, or that we would withdraw from our present posture of security and the preparation of adequate capacity.

Unilateral disarmament has a further disadvantage, in that it would rest entirely upon the good will of another nation and the good faith of another nation, which would be asking too much of human credibility and would involve taking human risks which are insupportable.

But a unilateral approach to a possible solution, such as the Senator from Connecticut proposes, is, it seems to me, of the highest value, because we do not seek to weaken ourselves in our posture, either militarily or philosophically, as a nation devoted to peace. We do not undertake to lower our armaments, nor do we undertake in any sense to surrender, appease, or withdraw. But we do undertake to conciliate in the highest sense of the word.

In proposing a unilateral response to the world's great need for peace, we will have said to the world, should the resolution be adopted and receive the approbation of the Executive, that we have gone as far as a nation can go; that the United States has agreed not to continue testing in these areas and under these conditions so long as no other nation engages in further testing. Therefore, the Soviet Union must bear the onus of world disapproval if it undertakes to continue testing in the face of the expressed desire of the United States for a peaceful solution. We continue to keep the door open, after 5 years of frustrating, unsatisfied attempts to find a solution. Therefore, it seems to me that we have nothing to lose and everything to gain.

I am glad that the Senator from Connecticut, by the resolution, has recognized the need for Congress to initiate action on its own, because were we to leave all matters of this kind to development solely by the executive department, they would naturally have to undergo a period of a lack of information as to what proceeds. Perhaps it is entirely necessary that secrecy be maintained in these circumstances. But there would be no opportunity for the progressive formulation of public opinion, were the Executive to wait until the Executive was ready to announce a change in foreign policy.

On the other hand, because of the initiative of the Senator from Connecticut, we can have full and free discussion, in the hope that the proposal will leave an impression upon others, including the Soviet Union. We may hope, further, that the President of the United States will accept the merit of the Senator's proposal, cosponsored as it is by almost a third of the membership of the Senate.

I again congratulate the Senator from Connecticut on his very sagacious, well thought out approach.

Mr. DODD. I am deeply grateful to the Senator from Pennsylvania for his support and approval.

Mr. KEATING. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I am happy to yield to the distinguished Senator from New York.

Mr. KEATING. Mr. President, first, I commend the distinguished Senator from Connecticut for submitting the resolution, which obviously has been the subject of deep study and is designed to ban nuclear tests in the atmosphere and under water.

There is no doubt that testing in the atmosphere offers the greatest dangers of nuclear contamination for our own generation and for generations still unborn. If agreement could be reached to ban atmospheric testing, it would virtually eliminate the pestilence of radioactive fallout and at the same time might be the first move toward a more comprehensive agreement. Although I believe very strongly in the need for adequate inspection with regard to underground or outer space tests, there seems to be complete scientific agreement that nuclear tests in the atmosphere can be monitored without on-site inspection.

Under those circumstances, it is unnecessary to delay, and we would be well advised to take the first step. We can publicly stress, not only at Geneva, but also here in Washington and throughout the world, that we are ready not only to talk, but also to act with regard to a test ban agreement involving atmospheric tests.

Since there is no need for inspection to detect whether any nation is violating such an agreement, this proposal should be acceptable to the Soviet Union—if the Soviets are really concerned to put an end to the peril of fallout. It should make clear once and for all that the United States stands ready to stop atmospheric tests. Even more, we are ready to commit ourselves to conduct no further atmospheric tests unless the Soviets do. Naturally we must remain fully prepared and equipped should the Soviets break such a moratorium—as we all know they have done in the past.

But a treaty along the lines proposed in this resolution would be hard for the Soviets to refuse without denying all their own propaganda of the last decade and a half. If they are prepared to go along, it would be a tremendous breakthrough for the whole human race. If they refuse, at least it should be clear to the world where the blame lies.

Mr. President, I believe the support of a significant number of Senators for the resolution should be a clear signal of U.S. willingness to move ahead toward a test ban in areas where detection is adequate and cheating impossible. We cannot trust the Soviets, but such a treaty would not require trust, only adequate monitoring equipment and a state of continued readiness. Since we do have such equipment and can remain on the alert, we should offer the Soviets an agreement along these lines, both for the sake of our own security and for the sake of protecting mankind from the dangers, known and unknown, of radioactive fallout.

It seems to me that the resolution as phrased is carefully worded to protect the interests of the United States and still serve as a notice to the world that we are ready to make appropriate agreements, provided they contain the safeguards which are necessary for the security of our own people and of the people of the entire world.

Mr. DODD. I thank the Senator from New York.

Mr. HART. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I am glad to yield to the Senator from Michigan.

Mr. HART. I think that virtually all has been said on this subject that needs to be said. I, too, congratulate the distinguished Senator from Connecticut upon his initiative in designing a suggested expression of Senate attitude. He moves in a field, and we who have joined with him move in a field, where foolish and sometimes frightening conversation is expressed across the country and across the world.

I think he is injecting a sensible note and is proposing a course which wisdom supports; and I hope we shall have the courage wisely to communicate to the rest of the world what motivates us. Everyone agrees that this subject relates to the overriding question of our generation; but I think what sometimes is missed is the difficulty not only of understanding the motives of the Soviets, but also the difficulty of understanding our own motives. We have extraordinary difficulty in expressing, in a fashion which others in the world can understand, what we think our motives are. There are times when I think we overestimate our ability to understand our own motives, not only with respect to this question, but also on other subjects. If this is true with respect to our own evaluation, it is also true that we must be tentative in expressing our judgment about the motives of our enemy.

I believe that a proposal such as this one offers hope of obtaining a reasonable "feedback" from our potential enemy. This proposal will give us a much stronger basis on which to test and to judge his motives; and I hope our own motives in proposing it are clearly understood around the world.

I commend the Senator from Connecticut for submitting the resolution.

Mr. DODD. I thank the Senator from Michigan. He is one of the most thoughtful and effective men I know, and his support means a great deal to me.

Mr. HUMPHREY subsequently said: Mr. President, on behalf of the Senator from Connecticut [Mr. DODD], I ask that the resolution which he submitted today, on behalf of himself and a number of other Senators, be held at the desk for 1 week, so as to provide other Senators an opportunity to join in sponsoring the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

During the delivery of Mr. HILL's speech on S. 1576,

Mr. HILL. Mr. President, I ask unanimous consent that I may yield to the distinguished junior Senator from South Carolina [Mr. THURMOND] and that his remarks may appear elsewhere in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I thank the distinguished Senator from Alabama for yielding. I ask unanimous consent that the remarks I am about to make be placed in the RECORD following the remarks made by the distinguished Senator from Connecticut [Mr. DODD] and other Senators on the nuclear test ban proposal.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I congratulate the Senator from Connecticut on the continuing diligent efforts he devotes to critical security issues and particularly to the subject of a test ban.

While I cannot agree in full with the Senator's resolution that the United States propose a moratorium on atmospheric and ocean nuclear testing, I am sure that on many of the issues relating to test ban and test-ban negotiations our conclusions are in very substantial accord.

In my opinion, were the resolution of the Senator from Connecticut for a moratorium of testing in the atmosphere and the ocean to be effectuated, either by agreements with the Soviets or by a unilateral declaration by the United States, as he proposes, the practical effect would be no more, so far as the rate of U.S. testing is concerned, than is already the case. The United States has quite obviously suspended nuclear testing in the atmosphere and in the oceans, and, from my observations of the administration's current policies, I am very much concerned that the administration cannot be persuaded to resume testing in these elements until after the Soviets launch a new test series. In effect, we already have a unilaterally imposed moratorium on testing in the atmosphere and in the oceans—and apparently also in space—and it is also obvious that our underground testing is being held to a dangerous minimum, if indeed the United States has not also decided to suspend underground testing. The news media have reported the cancellation of some underground tests previously scheduled for the latter part of this month.

I also concur with the Senator from Connecticut that the current proposals of the United States to the Soviets at Geneva involve risks to the United States security which are completely unacceptable. I am convinced that under this proposal the Soviets could cheat with impunity to the very substantial detriment of the United States defense posture.

Judging from previous Soviet negotiations, there seems little likelihood that the Soviets would agree to a moratorium on testing in the atmosphere and the oceans, for to date they have stanchly maintained a position based on a comprehensive test ban in all elements, or nothing. There appears little probability, therefore, that the resolution introduced by the Senator from Connecticut could lead to any agreement with the Soviets which could be used as an opening wedge, or, as some have called it, a confidence-building measure between the Soviet Union and the free nations of the West.

I must disagree with the Senator from Connecticut on the degree of risk involved in our failure to proceed with testing now in all elements, including the atmosphere and the oceans. We can only estimate the progress which the Soviets made in their 1961 and 1962 nuclear test series. It is quite possible that the Soviets learned enough in these tests that in the absence of further testing by either side in the atmosphere and the oceans, the Soviets with knowledge gained from tests already made, could achieve a superiority in nuclear strike power which would put the United States in a hopelessly binding situation.

We need to test in the atmosphere to determine the effect of nuclear detonations on our second-strike nuclear forces. We must test in the atmosphere in order to complete development and permit deployment of our defense system against ballistic missiles. It also is imperative that we test in the ocean to determine the radius of effect of large nuclear detonations on surface and underwater craft such as our Polaris submarines.

In conclusion, it is my opinion that we should conduct sufficient tests in all elements to insure that our knowledge of nuclear weapons and nuclear weapons effects have reached a level at which our military forces could be maintained in a posture of assured superiority and not be subjected to the very substantial risk that our deterrent power would disappear during the early years of a test ban, even if the Soviets actually suspended testing according to an agreement.

So long as the Soviets do not believe themselves to have achieved a sufficient margin of knowledge through nuclear testing by which to attain a strategic superiority, they will either continue refusing to enter a test ban agreement or they will enter a test ban agreement under which they can test clandestinely with relative impunity and with the full intention of cheating.

Mr. President, I thank the distinguished Senator from Alabama for his usual courtesy in connection with a matter of this kind.

Mr. HILL. Mr. President, I may say to the able Senator from South Carolina that I was very happy to yield to him, so that he could make the contribution he has made on this subject, which is so important to all the American people.

Mr. THURMOND. I thank the Senator from Alabama very much.

Mr. PROUTY subsequently said:

Mr. President, I am happy to have joined with the senior Senator from Connecticut [Mr. DODD] and other Senators in the cosponsorship of Senate Resolution 148.

This has been called a first step in the area of nuclear disarmament. I certainly have no doubt that it is wise, prudent, and necessary to pursue such a thing as nuclear disarmament by degrees.

We all recognize the serious problems which the testing of nuclear weapons raises. And I think the public has been exposed to the question of nuclear testing and nuclear test bans perhaps more thoroughly than to most national issues.

The language of this resolution recognizes what I consider to be one of the gravest problems arising in the whole area of nuclear testing. Contamination of the oceans and the atmosphere can occur just as readily from testing weapons as well as from actual combat in a nuclear war.

It is this kind of thing that I hope this resolution will help us prevent.

Mr. McGOVERN subsequently said: Mr. President, I am pleased to join with Senator DODD, of Connecticut, and numerous other Members of the Senate in sponsoring a resolution banning nuclear tests that contaminate the atmosphere and the oceans.

It has been my hope for some time that an agreement could be worked out to stop the testing of all nuclear weapons. I regard these continued tests as a threat both to the health and the survival of mankind. There is, of course, some risk involved in a test ban agreement, but in my view there is a much greater risk involved in the uncontrolled explosion of nuclear devices by the great powers. This threat will grow as the number of countries testing weapons increases.

Senator DODD's resolution proposes a substantial step in the right direction in banning the tests which now threaten to contaminate both the atmosphere and the oceans.

While there are conflicting reports on the damage to human health from radioactive fallout, there seems to be ample evidence that continued testing represents a genuine danger to the human race.

I strongly hope that this resolution will win prompt support in the Congress and throughout our Government. It is my earnest hope that the Soviet Union and the other nuclear powers will follow a similar course of action.

UNITED NATIONS FACES POLITICAL, NOT MERELY FINANCIAL, CRISIS

Mr. CHURCH. Mr. President, as chairman of the Subcommittee on International Organizations of the Foreign Relations Committee, I have been following with a good deal of concern the evolution of the very complex financial crisis of the United Nations.

Though it was little noted at the time, that crisis really began taking shape some 7 years ago when the requisite two-thirds majority of the members passed a resolution in the General Assembly assessing the members to pay for the cost of the U.N. Emergency Force in the Middle East in addition to the regular assessment for the normal operating expenses of the Organization.

I say that the U.N.'s financial crisis began to take shape at that time because from that time forward the Communist members and the Arab States declined to pay their fair share—or, indeed, any share at all—to maintain the peacekeeping force along the Gaza Strip and at the mouth of the Gulf of Aqaba. Obviously, this was a political decision on their part, having nothing whatever to do with their ability to pay or with anything else—except that they did not like the operation, and decided that they would not help to pay for it. This was the beginning; and this remains the essential characteristic of the so-called financial crisis at the United Nations—a political refusal by certain members to accept collective financial responsibility for duly authorized U.N. peacekeeping decisions.

The arrearages accumulated by those who refused to pay for the Middle East peace force were not very great; and the problem did not become serious, financially speaking, until 1960, when the Assembly again assessed the membership—on the regular scale of assessments, of course—to pay for the much larger and much more expensive United Nations operation in the Congo. Again, the Soviet Union and the Communist bloc—plus France and Belgium, for their own political reasons—simply did not pay their assessments on the Congo account. As this operation continued, as the costs increased, and as assessments followed assessments, the arrearages accumulated at an alarming rate. Nations delinquent because of political decisions not to contribute were joined by many smaller nations which felt that they simply could not afford to pay their share of the heavy peacekeeping costs.

From the beginning, the Soviet Union and some of the other members maintained that the assessments for the Middle East and Congo peace forces were not legally mandatory, and that therefore it was up to each member to decide whether it wished or did not wish to pay. In short, they said they were not delinquent on those accounts, in a legal sense. By last year, as we all know, the U.N. was more than $100 million in the red, and the financial crisis began to look like a case of bankruptcy.

Between midsummer last year and the present, however, a number of things have happened to clarify the situation, to identify the real issue, and to establish an approximate deadline for a decision which will affect the future of the United Nations—perhaps critically.

We all know that, as an emergency interim measure, the United Nations was authorized last year to issue 25-year bonds, up to an amount of $200 million, to be retired in annual installments out of the assessed regular budget. Some $137.3 million worth of bonds have been subscribed so far, plus pledges of $2.4 million worth. This device has served to buy time for a sufficient clarification of the issues to set the stage for a resolution of the crisis. As I already have indicated—and intend to stress—the essential nature of that crisis is political and constitutional—not financial.

In this process of clarification, the first critical step was recourse to the International Court of Justice for an advisory opinion as to whether assessments for the peacekeeping forces in the Middle East and the Congo are legally binding on the membership. The point at issue was whether the cost of maintaining these forces were "expenses of the organization" within the meaning of the charter. If the answer was "yes," then the assessments were mandatory. If the answer was "no," then the only way to finance the Middle East and Congo operations would be by voluntary contributions. Last July, the International Court handed down its advisory opinion; and the majority view of the Court was that these expenses had been construed properly as expenses of the organization within the meaning of the charter.

That opinion was formally and emphatically accepted by the General Assembly, in December, by a vote of 76 to 17, with 8 abstentions.

This settled once and for all the legal question. The impact of the International Court of Justice decision and its firm acceptance by the General Assembly was soon discernible in a clear, if unspectacular way. Over the past 4 months, some 40 members have paid up $16 million on arrearages. This, of course, did not make a serious dent in the U.N.'s total deficit, since a very large part of the arrearages is owed by a handful of members. But it does reflect an acceptance by many members of their financial obligation, once that obligation was confirmed by judicial process and ratified by formal action of the membership.

With the legal question out of the way, the stage was set for the next step toward an eventual resolution of the so-called financial crisis. As you know, Mr. President, article 17 of the U.N. Charter states in straightforward language:

> The expenses of the organization shall be borne by the members as apportioned by the General Assembly.

And article 19 states in equally straightforward language:

> A member of the United Nations which is in arrears in the payment of its financial contributions to the organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding 2 full years.

And in line with the International Court of Justice's opinion and the subsequent action of the Assembly in accepting it, assessments to finance the peacekeeping operations in the Middle East and the Congo must be included in the calculation of arrearages to which article 19 applies.

Again, Mr. President, the impact on the U.N. membership of this unfolding picture is quite discernible today. Two months before the opening of the Special Assembly, 10 members had accumulated arrearages in excess of assessments of the preceding 2 years and therefore faced the application of article 19 and the loss of their votes in the Special General Assembly that is now in session.

Now there has been a great deal of cynicism and skepticism regarding the force of article 19. Many people have said, in effect: "Oh, come on now, let's be realistic. Can you really imagine the United Nations depriving a member of its vote just because it hasn't paid its dues?"

The question betrays not only a lack of confidence in the determination of the membership, but a failure to understand that the application of article 19 is mandatory and automatic under the Charter. The language is crystal clear: it says that a member which is delinquent in its terms "shall have no vote in the General Assembly." It does not say that the members will decide whether the member in question shall or shall not be deprived of its vote. Article 19 is an integral part of the Charter, which has been accepted and ratified by the members which has the force of international law. And it stipulates—in language which can be read no other way—that a member in arrears to the tune of 2 years' assessments shall have no vote in the General Assembly unless the Assembly determines that the arrearage has been incurred for reasons beyond the control of that member. No one has claimed—or is likely to claim—that delinquents like the Soviet Union have failed to pay for reasons beyond their control.

The experience of recent weeks with respect to the force of article 19 has been most instructive. One after another, 9 of the 10 members which were 2 years or more in arrears made payments adequate to escape the application of article 19. The force of law and logic was clear enough to these nine nations—including Cuba and Hungary—to convince them that article 19 says what it means and means what it says. And it is, or should be, clear enough to all of us that the prospect of losing the voting privilege was an unacceptable price to pay for financial delinquency. The 10th delinquent nation was Haiti—and its failure to make a payment before the opening of the Special Assembly last week has resulted in further clarification of the so-called financial crisis—which is really, I repeat, a political and constitutional crisis—of the United Nations.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. MORSE. I wish once again to compliment and congratulate the Senator from Idaho on a major and very important foreign policy speech. Although I have read the speech, I shall sit here and listen to it for further enlightment. Later today I shall make a short speech of my own in support of the thesis of the Senator from Idaho. But at this point, in order to emphasize the major thesis of the speech, I should like to ask the following question: Is it not true that the two major delinquents—and I believe that is the proper term to use, without any quotation marks around it—in the United Nations in regard to this subject of living up to what I think is the clear meaning of the appropriate language of the charter, and unquestionably the only meaning of the advisory opinion of the World Court in regard to the payment of dues, including special assessments, are Russia and France?

Mr. CHURCH. The Senator is correct. Those are the major delinquents.

Mr. MORSE. I shall have something further to say about the delinquencies later this afternoon.

Mr. CHURCH. I thank the Senator very much. In a letter dated May 14—the opening day of the special session—Secretary General U Thant notified the President of the General Assembly that Haiti was in arrears within the terms of article 19 and that a payment exceeding $22,400 "would be necesary in order to reduce the arrears below the limit specified in article 19."

The current President of the General Assembly is the distinguished international lawyer and former judge of the International Court of Justice, Sir Zafrullah Khan of Pakistan. In a letter dated the following day, he informed the Secretary General as follows:

> I would have made an announcement drawing the attention of the Assembly to the loss of voting rights in the Assembly of the member State just mentioned [Haiti], under the first sentence of article 19, had a formal count of vote taken place in the presence of a representative of that State.

He added that he was transmitting a copy of the correspondence to the Chairman of the Fifth Committee, which is considering the financial problem "so that he may be informed of the situation which will give rise to the loss of voting rights in the Fifth Committee of the member concerned if the situation is not previously rectified."

This formal correspondence makes it unmistakably clear that the Secretary General and the President of the Assembly have no question whatever about the fact that the application of article 19 is obligatory and automatic.

In a less formal fashion, the President of the Assembly spelled out the situation when he appeared on "Meet the Press" on the following Sunday, May 19. I should like to quote several questions and answers from the transcript of that program:

> Question. Do you believe this sanction [article 19] should be applied now to countries * * * such as Haiti * * *?
>
> Answer. The matter has nothing to do with my opinion or belief. The article is perfectly clear. Article 19 of the charter says that when that situation arises which you have mentioned, that a member is in default up to a certain point, it has no vote in the Assembly. It is not for me to decide whether it has or it hasn't. The English version says it shall have no vote and the French version says it cannot vote. It applies automatically * * *.
>
> Question. If Haiti had shown up on the first day of the session and been in arrears as it was, you would not have allowed Haiti to vote?
>
> Answer. If a vote had been taken and Haiti had been present, I would have had to announce that Haiti would not be able to participate in the vote.
>
> Question. And if the Soviet Union * * * next year, for instance—in sufficiently in arrears to lose its vote—would you deprive it from exercising its vote?
>
> Answer. It has nothing to do with any particular member. All members stand on the same footing.
>
> Question. Is there a general feeling in the General Assembly that any country that falls in arrears must be automatically deprived of its vote?
>
> Answer. I do not know whether that is the feeling in the Assembly or not, but that is what the charter says.
>
> Question. So it would go into effect automatically and maybe some 50 members of the Assembly could lose their votes in the near future?
>
> Answer. If 50 were in default.

So there we have it in stark and unequivocal terms: the sanction is there; it is mandatory; and it is automatic. The result is that 9 of the 10 delinquent members paid up to retain their right to vote, and the 19th, Haiti, having stayed away from the meetings of the current session last week to avoid the penalty, paid up over the weekend.

In other words, Mr. President, the evidence is that article 19 is, in fact, taken seriously; the evidence is that the sanction in article 19 already is working; the evidence is that there are teeth in the Charter of the United Nations to enforce the principle of collective financial responsibility, and most of the members know it.

One big question remains, Will the few nations which have not yet accepted the fact of article 19 or the validity of the opinion of the International Court, or both, force a constitutional crisis in the United Nations next year by directly challenging article 19?

I would not risk a prediction about Soviet policy on this point. But I would point out that on Wednesday morning the Soviet delegate in the Fifth Committee made a long and vehement speech in which he denied the legality of any peacekeeping operation not initiated by the Security Council, not operated directly by the Security Council or its appointed agent, and not financed on a pattern of contributions determined by the Security Council. He stated flatly that the Soviet Union would refuse to pay a kopek toward the Middle East or Congo operation, would refuse to pay assessments for retirement of the bond issue, would refuse to help pay for the U.N. Commission in Korea, the U.N. Truce Supervision Organization for Palestine, the U.N. Field Service, or even the technical assistance program operated by U.N. Headquarters, the latter on the grounds that the Secretary General is operating that program under the guidance of the western clique.

Mr. President, I would agree with the Soviet delegate on one point. "The situation now confronting the United Nations," he said on Wednesday, "is not a financial crisis, but an illusion of a political situation."

The political situation is that the Soviet Union does not want a United Nations with a capacity to act in either the peacekeeping or the economic and social fields. This is not new. This has been the Soviet aim from the beginning. This was behind the Soviet effort to hamstring the Secretariat with the notorious Troika proposal to inject a Soviet veto power into the whole administrative apparatus of the U.N. And it is behind the present Soviet drive to withhold operating funds until the U.N. is forced into bankruptcy or is forced to dismantle its peacekeeping missions.

So what we have seen, Mr. President, in the last 9 months or so, is not a resolution of the financial crisis of the United Nations in financial terms, but a clarification of the constitutional issue that underlies the money problem. We have seen the establishment of the necessary precedents for a resolution of that constitutional issue—either by an acceptance by all members of collective responsibility, or by a loss of voting privileges in the Assembly which, in turn, might raise the question of continued membership by important nations. If the constitutional issue does come to a head—and I anticipate it must at the next General Assembly—the outcome will either strengthen materially, or weaken materially, the United Nations.

I might point out, however, that as this situation has unraveled in recent months, the United Nations has continued to play its vital peacekeeping roles in the Middle East and the Congo—and I am heartened by this fact—which serve the interests of this country and all nations which seek peace and order around the world. The operational capacity of the U.N. has not been crippled despite anguished predictions of bankruptcy on the morrow. The responsible members—and I am proud to recall that the United States stands in the forefront of that category—have refused to be either bullied or bored into quitting the cause of peace and order.

Meanwhile, the problem remains of financing the continuing operation in the Middle East and the greatly reduced operation in the Congo.

This, as we all know, is the subject of current debate and negotiations at the Special Assembly now meeting for that purpose. I therefore shall not speculate on the outcome of these deliberations, except to make one point.

The position of the United States in these discussions is that the Special Assembly should confine itself to agreement on a formula for financing the two peacekeeping operations for the second half of the calendar year 1963, for which no provision has yet been made. The fact that the United States does not wish to go beyond this question at this time has been interpreted by some as an abandonment of the search for a permanent formula to finance all peacekeeping operations that might arise in the future.

If that is what it is, then I suggest to the members that the United States has done well to abandon any such search at this time. With the crystal ball as cloudy as it is at the moment—with no way of foretelling what peacekeeping missions the United Nations will be called upon to undertake in the future—it is, in my mind, the better part of wisdom to reserve our position and to maintain the maximum degree of flexibility in facing the unforeseeable. A long-term solution has a fine, positive ring to it, but in practical politics there is a great deal to be said for an ad hoc approach to specific problems—one by one, as they arise in their own sets of circumstances.

Mr. President, we shall all watch with a great deal of interest, I am sure, the further unfolding of this complex crisis which confronts the United Nations. The main reason for my speaking about it today is to call to the attention of the Members of the Senate the basic point that the underlying issue is not a simple question of finding the $30 or $40 million needed to maintain two peacekeeping forces in the field for another 6 months. If the nations of the world were agreed that this money should be raised, it is obvious that there would be no very great difficulty in raising it.

The real question is much more fundamental than that: it is a question of collective responsibility for collective action. And that is a constitutional question; it is a question of what kind of a United Nations the members want to have—a mere forum for debate, or an organization capable of executive action to preserve the peace, to restore order when the peace has been breached, and to help manage peaceful change. If we understand the present situation in this way, we will take our eyes off the account books and see this crisis for the important political issue that it really is.

Mr. MORSE subsequently said:

Mr. President, earlier this afternoon I said I would make a statement supplementary to the very able address delivered earlier today by the Senator from Idaho [Mr. CHURCH] on the crisis in the United Nations.

Mr. President, it is becoming increasingly evident that the effort to expand the use of international organizations and the rule of law into major peacekeeping operations in the world is encountering one of its most serious threats from the failure of two of the great powers of the United Nations to fulfill their obligations to it.

As I had occasion to stress last Friday before the section on international law of the American Bar Association, this failure is a trial for the new nations of the world, as well as for the old.

The outcome will not only tell us how much interest in the rule of law exists among the new nations of the world. It will also tell us the future of the United Nations itself. The issue goes to the heart of the organization, not only because it is literally a constitutional issue, but also because the subject matter is the lifeblood of most organizations—money.

Certainly the hopes that were raised last year by the advisory opinion of the World Court, holding that the loss of voting rights in the Assembly is applicable to failure to pay special assessments, have been dashed by the flouting of that decision by two so-called great powers.

Great in their national selfishness, great in their obstructionism, and great in their stupidity, France and the Soviet Union have notified the organization that they will ignore the Court's opinion. Worse yet, they have gone much further in their undermining of the organization, by declaring their refusal to pay the part of their regular assessment that will go to retire the bond issue necessitated by their failure to pay the special assessments.

It is one of the great ironies of history that the Congo operation was opposed by France because the U.N. tried to salvage a new nation from the wreckage of colonialism, and by the Soviet Union because it considered the operation "a colonial aggression." Between the two of them, these two nations, that are more interested in nationalist objectives than in world peace, may yet succeed in destroying the U.N.

Having the veto in the Security Council has not been enough for them; they are now trying to veto the General Assembly, as well. If they are allowed to do that, it will not be long before the United Nations will peter out in just about the same fashion as did the League of Nations. One can only wonder how much destruction France and Russia must undergo before they learn the lessons of history.

But neither of the two great "delinquents" has made any suggestion to the effect that it is incapable of paying. I use advisedly the term "delinquents," for

France and Russia stand before the world today, in respect of the clear moral and legal obligations they owe the United Nations, as delinquents, and they should be so branded.

Because the organization undertook actions and programs with which they disagreed, France and Russia are refusing to contribute their share of the financing of those actions. As we know, the Russians have drawn up a list of deductions which they will make from their regular contribution, including their share of the cost of the Congo operation, and of the Middle East emergency force, the remnants of the Korea operation, and the United Nations field service, which means the United Nations trouble-shooting missions overseas. In addition, the U.S.S.R. has announced that its contribution to the technical assistance budget will henceforth be made in rubles, for expenditure only in the Soviet Union.

So at long last we have "smoked out" Russia on that issue. Let no one forget that our United Nations payments, for its expenditures and its programs, are evaluated in terms of the value of the dollar. But because Russia can change her rate of exchange by fiat and—interestingly enough—can follow a policy of a rate of exchange not on a uniform basis, but on a program basis, payment in rubles can very often be worthless payments.

I encountered the strategy of the Russians as a congressional delegate to the 15th General Assembly of the United Nations. One of my tasks was to represent the United States in negotiating for our Government for contributions from the respective members to carry on the so-called nonregular activities of the United Nations in the field of humanitarian causes—the whole list of United Nations activities which fall under the direction, so far as our representative is concerned, of the great Paul Hoffman. That was the first year when so many new African nations were seated in the United Nations. The delegate for the Russian Government made its offer before the delegate from the United States was called upon for the U.S. offer for negotiation purposes. The Russian staged a propaganda "10 strike," for in a paper which he read—which is always done by the Russian delegates, because they are not free to leave their written instructions—he announced that the Soviet Union was going to double its contribution of the preceding year.

The conference exploded with an ovation, for that was a great propaganda strike for the Russians. I was satisfied that it did not mean what it seemed to mean, but at the moment of its announcement I was not too sure what it did mean. There was little time available to reflect on the announcement as the Russian went on and read the statement of his government.

But Senators should have seen the favorable reaction immediately of the delegates of the new African nations. Of course, the Russian delegate forgot to point out that they had paid only 24 percent of their last contribution and they were in arrears 76 percent. At least I felt a question ought to be asked. So on behalf of the U.S. Government, I said that if the Soviet Union had doubled its contribution to this great humanitarian program of the United Nations, I desired to be the first, on behalf of my Government, to extend my congratulations to the Soviet Union. But then I pointed out that all contributions are evaluated on the basis of the value of the dollar, and I asked the Russian delegate if the Russian contribution was to be made on the basis of four or eight rubles to the dollar.

Within a few seconds the import of my question sank into the assembled group and into the head of the Russian. His angry reply followed quickly. It was soon recognized by the other delegates that, of course, an offer to double a contribution meant nothing unless the country making the offer were willing to state what their rate of exchange would be in evaluating the contribution.

Do not forget that Russian delegates are never free to leave their written instructions. So in his reply, the only thing the Russian said apart from his written instruction was that it was clear that the U.S. delegate did not either understand or did not want to understand the announcement of his government; so he would read it again for our benefit. All he did was to reread his written instructions. That action immediately made clear to the other delegates how accurate was the implication of my question.

So now at least we have the Russians out in the open. They are now saying that their contribution to the technical assistance budget will henceforth be made in rubles and not dollars, which in my judgment means that their contribution will be worth exactly what they wish to make it worth by fiat.

ACTION OF OTHER MEMBERS IN APPLYING CHARTER WILL BE EQUALLY IMPORTANT

The next question is what the General Assembly will do about France and Russia.

I wish to say from the floor of the Senate today, for the benefit of the head of the American delegation, Adlai Stevenson, "It is up to you, as the head of the American delegation, in your conversation with this administration, to decide what the American course of action will be in the United Nations. So far as the senior Senator from Oregon is concerned, the American delegation cannot justify," I say to Mr. Stevenson, "ducking, evading or ignoring this basic issue."

The issue is whether or not the U.S. delegation at the United Nations will take the lead in insisting that the rule of law be followed in the United Nations. I desire to say to Mr. Adlai Stevenson that I am not interested in the kind of argument heard for so many years from our State Department and from our representatives in the United Nations to justify a soft-pedal policy on the part of the United States, for letting something slip past instead of awakening it when it is a basic issue that ought to be awakened. The American delegate and the Ambassador representing the United States in the United Nations must insist that we find out what nations in the United Nations are willing to stand for a rule of law. If the rule of law is not going to be carried out in the United Nations, the United Nations will wither and die.

The best way to keep the United Nations vital is to follow the charter and insist upon the law set out in the charter being followed by France, Russia, and every other nation.

I wish to say to our Ambassador in the United Nations that it will be but a face-saving tactic on the part of the United States to fail to raise this issue. Let us have it out in the United Nations, for we have two delinquents—France and Russia—and I want to know how many members of the United Nations are willing to ignore their delinquency or to contribute to their delinquency, or to condone it.

The advisory opinion of the World Court was issued last year. I ask Senators not to forget that the United States was a leader in calling upon the World Court for that advisory opinion. I assume it was not our intention to receive the advisory opinion and file it. I assume that we desired an advisory opinion in order to activate it. The time has come for activation. So the next question is, What will the General Assembly do about it?

Under article XIX of the charter the following language appears:

> A member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amounts of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.

I sat in the United Nations General Assembly as a delegate of this Government. It was one of the greatest privileges and honors ever bestowed upon me. I know something about the procedures of the United Nations as a result of that experience.

I desire to say to the U.S. Ambassador, Mr. Stevenson, that in my judgment there is but one course of action for the Government of the United States to follow in the United Nations, and that is for the American Ambassador to raise a point of order and challenge Haiti, France, Russia, and any other nation if any nation 2 years in arrears attempts to vote, and if there is an indication on the part of the presiding officer of the United Nations to allow them to vote.

I should like to read again the language of the charter:

> A member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amounts of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.

If France and Russia fall under the restrictions of that rule, then I wish to say that Mr. Stevenson, as our representative to the United Nations, has the clear obligation to insist that the rule be carried out.

The governing language, I point out, does not make the penalty permissive, but says "shall have no vote," as was brought out so ably earlier this afternoon by the distinguished Senator from Idaho [Mr. CHURCH]. The only exception is contained in the next sentence which allows the Assembly to permit the member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member, an exception which does not apply either to France or Russia.

There is no question about the ability to pay. They stand before the world as confessed delinquents. They have no intention of paying.

Of course, there are several ways in which one can get the issue before the General Assembly. One is by the point of order I have suggested. Another, of course, is by introduction of a resolution calling upon the members of the General Assembly to stand up and be counted in respect to the issue of delinquency raised by France and Russia.

If the General Assembly declines to apply the advisory opinion of this Court that failure to pay special assessments falls under article 19, and if the Assembly declines to apply article 19 to failure to pay assessments, then the Assembly will have acquiesced in its own death warrant.

I think it is safe to say that the United States and every other member will be guided by what the Assembly does. If the Assembly chooses to rewrite the charter by failing to enforce one of its major provisions, then the United States will have little choice but to adopt the same de facto system of limiting our U.N. payments to those activities with which we are in sympathy, and ignoring our assessments for the others.

Let me make it very clear to Mr. Stevenson that this policy should never be adopted by the United States unless and until the United Nations General Assembly by formal action modifies article 19 as far as its procedures are concerned and goes on record as aiding and contributing to the delinquency of France and Russia, and anyone else who becomes 2 years in arrears saying, in effect, "Anyone else who wants to follow a pattern of delinquency is free to do so."

If that is what the United Nations decides to do, then we cannot justify to the American taxpayers our continuing to pour millions of dollars into the United Nations, paying for the bills that delinquent members should share in paying.

If the United Nations takes this sad course of action there will be a murdering of the United Nations, a killing of the United Nations, for the United Nations could not long exist after such formal action on the part of the General Assembly.

We have already been through a discussion in the Senate of the U.N. technical assistance program for Cuba, and the publication of some questionable documents by UNESCO. I think the matter was fairly well resolved on the basis of the universality of the organization. Failure to apply article 19 will alter that basis considerably.

It is one thing to make voluntary the participation in a police action voted by the General Assembly; but it is quite another for a member to ignore the decision of the Assembly to assess all members for its expense. It is optional to participate in a peace keeping function recommended by the Assembly; but it is not optional to decline to pay what the Assembly has assessed its members unless such a nation accepts the penalty of loss of voting rights.

If they want to persist in their refusal to pay, then France and the Soviet Union would be wise to accept the application of article 19. Above all, the Assembly must insist on its enforcement if it wishes to have any real impact on the great events of today's world.

Thus, the fate of the United Nations lies with the small powers as well as with the large powers. We are seeing once again that neither the large nor the small is alone in the world. It is to the shame of France and Russia that they have refused to live up to their international responsibilities; but the world organization can survive their action if the other nations do live up to their responsibilities. If not, if the payment of United Nations dues becomes a purely voluntary matter, if the cost of peacekeeping functions is borne only by those countries which voted for the function, then the road ahead for the U.N. will be all downhill.

In conclusion, I shall ask that there be printed as part of my remarks certain tables showing United Nations financial problems. They make clear that many nations are in arrears on their U.N. payments, some owing very large amounts.

But only France and Russia are deliberately flouting the will of the Assembly and the decision of the World Court. Those in arrears outside of France and the Communist bloc have continued to express a hope and intention of paying.

I ask unanimous consent to have inserted at this point a part of the semiannual report on the financial condition of the United Nations from the Department of State.

There being no objection, the pages of the report were ordered to be printed in the RECORD, as follows:

Summary as of Dec. 31, 1962, collections and arrearages for 1962 and prior years of United Nations accounts for the regular budget, emergency force, and the Congo [1]

	Gross assessments	Credits and reductions	Net assessments	Amount received	Percent received	Balance due
United Nations regular budget: [2]						
Calendar year—						
1959	$61,500,000	$5,274,335	$56,225,665	$56,223,609	99.9	$2,056
1960	58,347,514	5,241,314	53,106,200	53,060,740	99.9	45,460
1961	[3] 69,399,839	5,321,143	64,078,696	59,602,980	93.0	4,475,716
1962	74,124,117	7,450,960	66,673,157	53,448,526	80.2	13,224,631
Total balance due						17,747,863
United Nations Emergency Force:						
Calendar year—						
1957	15,028,988		15,028,988	11,040,057	73.5	3,988,931
1958	25,000,000		25,000,000	17,740,741	71.0	7,259,259
1959	15,205,000	41,226	15,163,774	10,808,891	71.3	4,354,883
1960	20,000,000	3,553,223	16,446,777	11,716,401	71.2	4,730,376
1961	[3] 19,000,000	1,754,991	17,245,009	12,351,264	71.6	4,893,745
January–June 1962	9,750,000	1,467,296	8,282,704	5,863,259	70.8	2,419,445
Total balance due						27,646,639
United Nations Congo account:						
July–December 1960	[4] 48,500,000	3,900,000	44,600,000	27,285,891	61.2	17,314,109
January–October 1961	100,000,000	15,305,596	84,694,404	54,523,967	64.4	30,170,437
November 1961–June 1962	80,000,000	11,457,858	68,542,142	39,817,076	58.1	28,725,066
Total balance due						76,209,612
Total amount due, regular budget, United Nations Emergency Force, and United Nations Operation in the Congo						121,604,114

[1] Source: United Nations statement on the collection of contributions as at Dec. 31, 1962.

[2] Contributions to the regular budget prior to 1959 are fully collected.

[3] Includes new members' assessments.

[4] Total costs, including airlift, amounted to $60,000,000.

Balance due, 1962 and prior years, Dec. 31, 1962

Country	Regular budget	United Nations Emergency Force	United Nations Operation in the Congo	Balance due, 1962 and prior years
Afghanistan		$39,323	$34,365	$73,688
Albania	$15,648	34,108	3,664	83,420
Argentina	1,254,177	856,376	649,372	2,759,925
Australia				
Austria			843,847	843,847
Belgium	798,899	158,778	2,876,284	3,833,961
Bolivia	48,684	38,059	33,664	120,407
Brazil	672,421	18,934	410,943	1,102,298
Bulgaria	87,088	129,306	141,055	357,449
Burma				
Byelorussian S.S.R.	240,413	443,761	1,108,811	1,792,985
Cambodia	24,746		27,298	52,044
Cameroun				
Canada				
Central African Republic				
Ceylon				
Chad		777	13,036	13,813
Chile	160,340	91,802	160,247	412,389
China	5,923,775	4,189,837	5,751,743	15,865,355
Colombia	157,687	4,720	41,339	203,746
Congo (Brazzaville)	26,369	8,745	16,452	51,566
Congo (Léopoldville)	17,670	1,362	11,196	30,228
Costa Rica	9,231	7,628	23,978	40,837
Cuba	199,464	191,001	205,598	596,063
Cyprus				
Czechoslovakia	549,255	822,112	2,218,437	3,589,804
Dahomey	19,936	1,159	6,246	27,341
Denmark				
Dominican Republic		10,275	42,079	52,354
Ecuador	21,133		34,535	55,668
El Salvador		5,377	16,263	21,640
Ethiopia		65,085	34,365	99,450
Federation of Malaya				
Finland				
France			14,186,015	14,186,015
Gabon				
Ghana	63,574	1,676	14,341	79,591
Greece	29,273	160,116	137,869	327,258
Guatemala	61,074	18,053	29,971	109,098
Guinea	25,682	8,219	33,664	67,565
Haiti	69,634	14,470	23,978	108,082
Honduras	71,014	8,408	23,978	103,400
Hungary	625,660	402,928	734,270	1,762,858
Iceland				
India	140,000			140,000
Indonesia				
Iran	124,392	3,663	99,281	227,336
Iraq		76,598	75,744	152,342
Ireland				
Israel	95,548			95,548
Italy	187,580			187,580
Ivory Coast				
Japan				
Jordan		$34,108	$33,664	$67,772
Laos	$24,746	3,722	17,612	46,080
Lebanon		19,845	12,108	31,953
Liberia				
Libya		34,108		34,108
Luxembourg			7,949	7,949
Madagascar			17,330	17,330
Mali		15	14,321	14,336
Mexico		527,028	602,331	1,129,359
Morocco		29,451	117,823	147,274
Nepal	29,702	26,346	23,977	80,025
Netherlands				
New Zealand				
Nicaragua	41,717	3,697	23,978	69,392
Niger	40,100	4,983	15,386	60,469
Nigeria				
Norway				
Pakistan	140,000			140,000
Panama	24,734	28,241	23,977	76,952
Paraguay	55,058	30,346	23,978	109,382
Peru		94,408	64,337	158,745
Philippines		47,329		47,329
Poland	384,920	1,269,004	1,852,915	3,506,839
Portugal			161,919	161,919
Rumania	8,926	375,230	757,181	1,141,337
Saudi Arabia	45,715	55,309	52,095	153,119
Senegal	32,717	971	7,994	41,682
Somalia			7,507	7,507
South Africa			1,249,477	1,249,477
Spain		867,164	771,483	1,638,647
Sudan	2,392	71,118		73,510
Sweden				
Thailand		2,940	25,465	28,405
Togo		4,983	15,387	20,370
Tunisia				
Turkey				
Ukrainian S.S.R.	983,706	1,700,104	4,237,317	6,921,127
U.S.S.R.	3,692,107	14,218,288	32,052,762	49,963,157
United Arab Republic	342,672	317,409	266,110	926,191
United Kingdom			2,936,578	2,936,578
United States				
Upper Volta	25,744	8,745	16,452	50,941
Uruguay	125,655	24,983	70,332	220,970
Venezuela			302,917	302,917
Yemen	26,885	34,108	33,664	94,657
Yugoslavia			299,358	299,358
Total	17,747,863	27,646,639	76,209,612	121,604,114

Summary of 1962 and prior years' arrearages owed the United Nations as of Dec. 31, 1962

	Regular budget	UNEF	UNOC	Total
Communist bloc:				
Albania	$15,648	$34,108	$33,664	$83,420
Bulgaria	87,088	129,306	141,055	357,449
Byelorussian S.S.R.	240,413	443,761	1,108,811	1,792,985
Czechoslakia	549,255	822,112	2,218,437	3,589,804
Hungary	625,660	402,928	734,270	1,762,858
Poland	384,920	1,269,004	1,852,915	3,506,839
Rumania	8,926	375,230	757,181	1,141,337
Ukrainian S.S.R.	983,706	1,700,104	4,237,317	6,921,127
U.S.S.R.	3,692,107	14,218,288	32,052,762	49,963,157
Subtotal	6,587,723	19,394,841	43,136,412	69,118,976
Cuba	$199,464	$191,001	$205,598	$596,063
Belgium	798,899	158,778	2,876,284	3,833,961
France			14,186,015	14,186,015
Arab States	417,664	672,054	591,208	1,680,926
China	5,923,775	4,189,837	5,751,743	15,865,355
All others	3,820,338	3,040,128	9,462,352	16,322,818
Total arrearages	17,747,863	27,646,639	76,209,612	121,604,114

FRANCE, UNITED STATES, AND NATO

Mr. MORSE. In a few days I shall discuss at some length on the floor of the Senate another field of international affairs in which France is delinquent. I have already discussed it on three separate occasions, but the knowledge and memory of my party's administration in Washington in the field of foreign policy in respect to Europe and NATO needs to be constantly refreshed.

Let me say now that I have not been impressed at all—not at all—by the statements made by the French emissary in Washington over the weekend in his negotiations with the President and with the Secretary of State. They evidenced the age-old deception of diplomacy whose purpose it is to promote an objective while convincing one's host that an entirely different objective is sought. In some parts of this country, we would call it the old shell game. In my opinion, the statements of this French emissary do not mean what they purport to mean when one stops to analyze them, and I shall go into that at some length before the week is over.

There is nothing in any statement made by the French emissary which gives any hope to the American taxpayers that France is going to change her course of action vis-a-vis the United states. I say to the American farmers that there is not a syllable in any statement made by the French emissary in Washington over the weekend which gives any hope to the American farmers that there is to be an end to the discrimination being practiced by France against America in the field of foreign trade involving agricultural products.

I say to the Secretary of State that I am not interested in the diplomatic gobbledygook of the State Department in its public statements, which, in my judgment, add up to doing a "snow job" for France on the American people. That goes also for the pronouncements coming out of Ottawa by the Secretary of State, for in my judgment nothing was accomplished at Ottawa which in any way changes the position of France in regard to her plans for a nationalistic nuclear program. Nothing came out of Ottawa, I say to the Secretary of State and to the President of the United States, which will get my vote for NATO, as NATO problems come before the Foreign Relations Committee and the Senate, because in my judgment the time has come to have it out over the future of NATO.

I shall point out in some detail my reasons for taking the position that we cannot justify treating NATO except in terms of the fact that it is both a military and an economic pact; and in both respects France is delinquent in connection with her NATO obligations, as she is delinquent in respect to her other military obligations.

What I have said about the Secretary of State in regard to Ottawa, I apply also to Mr. Herter in regard to Geneva. In my judgment, the press releases that have come from the American diplomats on what is supposed to have transpired in Geneva represent another "snow job," covering up not only the transgressions of France, but the transgressions of some other NATO allies in connection with GATT and in connection with the trade obligations flowing out of an alleged Reciprocal Trade Agreements Act which long ago lost the word "reciprocal" from it.

So we move into this historic debate on foreign policy between now and next Christmas. I would not be surprised if we took a recess only for Christmas dinner, and we probably will have our Thanksgiving dinner in the Senate restaurant. I yield to no one in this body in my desire to support the President of the United States. Nor do I yield to any other Senator in my determination to keep faith with the trust of my oath to take me where the facts lead. The facts are not going in the same direction as the administration is going with respect to NATO, if we are to judge from the nothingness that came out of Ottawa and the nothingness that came out of the statements of the French emissary, and the nothingness that came out of Geneva on trade negotiations.

I do not intend to vote with the administration in the field of foreign policy unless this administration is willing to follow a course of action, which it presently is not following, that will do a more effective job of protecting the best defense weapon we have, namely, the economy of this country.

THE SPACE PROGRAM

Mr. ANDERSON. Mr. President, this Nation has had cause for great pride and thankfulness in the flight of Maj. Gordon Cooper. His 22 orbits and his safe return have brought increased confidence to the space program. But had his mission not ended in success, I would still discuss today this Nation's policy of landing Americans on the moon and bringing them back safely within this decade.

Over the recent months, there has been an intensification of the debate on this objective and I feel it may be time to bring additional perspective to the exchange. I believe that much of the criticism is well intentioned and comes from men for whose scientific credentials I have the highest respect. It may be that they are so deeply involved in their own important activities that they have had neither the time nor the opportunity to keep current with the broad space program. Some criticism comes from the misguided and misinformed, and I would not want the criticism from that source especially to go unanswered. I would like to discuss the objections raised by both of these sources.

I want to make it clear that many of the statements I will make are well-known and appreciated by my distinguished colleague, Senator MARGARET CHASE SMITH, ranking minority Member, and members of the committee from both sides of the aisle. However, even at the risk of repeating what is known to members of the Senate Committee on Aeronautical and Space Sciences and by other Members of the Senate, for the sake of clarity and understanding I will say them again.

On May 10, the staff of the Senate Republican Policy Committee, at the direction of the senior Senator from Iowa, published a document entitled "A Matter of Priority: An Examination of the Budget and Benefits of the Moon Shot in Relation to Other National Problems." The report at least serves to compile some of the misconceptions about the Project Apollo, the manned lunar landing program. But let us take a look at the impression which the pamphlet leaves.

MILITARY

The document states that "those in favor of a crash program and an all-out effort to place a man on the moon during this decade" contend that missiles based on the moon could dominate the globe, and that the moon would be a vantage point for observing all happenings on earth.

Mr. President, that statement lacks a footnote to indicate who advocates the moon landing for those reasons. The report totally ignores the real military reasons which were advanced by President Eisenhower when he recommended establishment of a civilian space program to Congress on April 2, 1958. He endorsed the report of his Science Advisory Committee, which said:

> There is the defense objective for the development of space technology. We wish to be sure that space is not used to endanger our security. If space is to be used for military purposes, we must be prepared to use space to defend ourselves.

Our defense objectives in space were clearly stated last month in Dallas by Gen. Thomas S. Power, commander in chief of the Strategic Air Command, who said:

> We must continue our intensive nonmilitary effort along the entire spectrum of space and space-related sciences. The primary responsibility for this effort rests with the National Aeronautics and Space Administration. Its close cooperation with the Department of Defense will not only further its own objectives of the peaceful conquest of space but also help create the building blocks for the future military systems which may be required, to repeat President Kennedy's words, "to make sure that space is maintained for peaceful purposes."

In essence, President Eisenhower and General Power were saying that this Nation cannot afford to be caught unaware in space by the Soviet Union.

The military requirement demands the development of the basic science and technology which will enable us to operate in space as we have learned to operate on land, on and under the sea, and in the air, so that we can apply that ability for whatever purpose the national interest may require.

In addition to the technology, the space program is making these added contributions to our military strength and national security.

We have established a worldwide tracking and data acquisition system and an excellent communications network.

We are improving our organization and management capabilities of far-reaching programs.

We are developing high thrust boosters with payload capabilities exceeding any others now known to exist in the world.

We are gaining experience and knowledge in orbital and translunar flight, including the development of superior guidance and control, the perfection of rendezvous and docking techniques, and the ability to maneuver accurately in the space environment.

We have established a structure of facilities to assemble, test, and launch space vehicles which will serve the Nation's needs for many years to come, plus a strong industrial base which will be available to undertake development and manufacture of any space systems required in the future.

We have developed great scientific competence in the Nation's universities and research laboratories on a broad basis throughout the Nation.

We have trained increasing numbers of scientists and engineers through the NASA policy of placing research work with the universities, and a reservoir of technicians in industry, of astronauts, and of miltiary personnel in services such as the Corps of Engineers, which is responsible for about 75 percent of NASA construction.

The mastery of space techniques learned in the Mercury project, the follow-on Gemini techniques of earth orbital rendezvous and docking, and later the Apollo program involving more complex manned maneuvers in space are all adding increments of essential knowledge to military know-how in space. Armed services personnel in the civilian space program are gaining militarily useful experience and knowledge. Most of the astronauts have been outstanding individuals from the military services. Over 200 military officers from the services are on duty in NASA headquarters and field installations.

All of these factors indicate that insofar as our national security is concerned, the development of this basic structure for space power, and the scientific knowledge and technical skill required to enable men safely to explore the moon is probably of greater consequence than the lunar landing itself.

MORE MILITARY

In discussing military requirements, the report states:

> Another significant and perhaps imperative consideration is the effect upon our national defense program caused by the diversion of electrical and missile experts to the far outer space probes.

This statement clearly implies that the space program is doing damage to the national defense effort. I would welcome specific examples of diversion of electrical and missile experts from defense projects. I am sure the Senate Aeronautical and Space Sciences Committee would go into this matter. The statement completely misses the point that the guidance systems of the missiles which we have been using for our manned and instrument shots are modified to give us far greater precision and are more reliable than the guidance systems of the military version. These NASA launched missiles have what amounts to pinpoint accuracy which the military missiles—because of tactical and strategic requirements—need not possess. Additionally, the accuracy essential to the NASA probes will be of direct value to the military space program where rendezvous for inspection of other spacecraft demands the highest order of guidance. The statement is made in the report:

> Many maintain it is essential that the United States produce and stockpile the most efficient and reliable system of intercontinental ballistic missiles to guarantee the security of the United States and the free world from any conceivable aggressive move.

Mr. President, on January 16, 1963, the senior Senator from Oregon [Mr. MORSE] provided the Senate, in a speech on the floor, with a study by the Institute of Strategic Studies in London which identified the strategic nuclear weapons systems of the United States and the Soviet Union and listed the numbers and nuclear yield. This material subsequently was put into tabular form by the Saturday Review, and I ask unanimous consent that it be inserted at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Strategic nuclear weapon systems operational in 1963

U.S. weapon system	Total yield (megatons)	Yield per vehicle (megatons)	Number of delivery vehicles
B-47 bombers	6,000	10	600
B-52 bombers	12,000	20	600
B-58 bombers	2,000	20	100
Atlas missiles	120	[1] 1	120
Titan 1 missiles	50	[1] 1	50
Titan 2 missiles	30	[1] 1	30
Minuteman missiles	500	[1] 1	500
Skyhawk A-4D Navy aircraft	1,000	[1] 1	1,000
Skywarrior A-3D Navy aircraft	150	[1] 1	150
Polaris submarines (15 with 16 missiles each)	120	.5	240
Total	21,970		3,390

[1] Estimated.

NOTE.—Table does not include smaller planes, intermediate and short-range missiles, torpedoes, mines, cannon, tactical rocket launchers (Davy Crockett).

Source: Congressional Record, Jan. 16, 1963, pp. 421–444, report of study by Institute of Strategic Studies, London.

Strategic nuclear weapon systems operational in 1963—**Continued**

Soviet Union (estimated) weapon system	Total yield (megatons)	Yield per vehicle (megatons)	Number of delivery vehicles
Intercontinental missiles	1,875	25	75
Long-range bombers	4,000	20	200
Submarines (10 to 12 estimated, carrying 10 missiles each)	100-200	1	100-200
Medium-range missiles	3,500	5	700
Medium-range bombers	14,000	10	1,400
Superintercontinental missiles	500	50	
Total	23,975–24,075		2,395–2,495

NOTE.—This adds up to approximately 2,500 delivery vehicles carrying 24.0 billion tons of TNT equivalent, and breaks down to:

Long-range: 435 delivery vehicles carrying 6.5 billion tons TNT equivalent.

Medium-range: 2,100 delivery vehicles carrying 17.5 billion tons TNT equivalent.

Medium-range missiles and bombers are included in estimate of Soviet strategic weapons (though not in the U.S. estimate) because the shorter range Soviet weapons could be directed to European cities and other areas adjacent to U.S.S.R.

Source: CONGRESSIONAL RECORD, Jan. 16, 1963, pp. 438–441. New York Times, Jan. 19, 1961.

Mr. ANDERSON. Mr. President, our major military delivery vehicles can deliver warheads with the explosive impact equivalent to more than 20 billion tons of TNT. We have a variety of weapons to assure capacity to retaliate against a first attack.

The launch vehicle program of the space agency has been designed to provide the greatest flexibility of booster capability for the lowest investment. The family of Saturns, starting with Saturn I, Saturn IB, and Saturn V are all presently under various stages of development. Their payload capacity starts with the Saturn I's ability to place up to 22,000 pounds in a 100-mile earth orbit, the Saturn IB capability of putting 32,000 pounds in a 100-mile orbit, and the Saturn V, with a capability of putting a payload of 240,000 pounds in near earth orbit and carrying 90,000 pounds to the moon. The current plan calls for a 10-vehicle development program, its first flight scheduled for 1966. In visualizing the flexibility which these boosters will give the country, it must be realized that a selective booster can place a high payload into low orbit and a low weight payload into near earth orbits. It has a wide range of selectivity of scientific capability. The Saturn, in possible combinations with other vehicles, can further increase this flexibility. Typical of this kind of flexibility is the proposed present Atlas-Centaur arrangement and the Titan-Centaur arrangement under active study at this time. Future developments in the launch vehicle program may occur at both ends of the system. By this I mean the first stage and last stage of multistage launch vehicles. The nuclear rocket comes into its own when used as the third or fourth stage of a Saturn combination. Its greatest utilization is in the higher reaches of space. Then its economics in terms of cost per pound of payload in orbit is very cheap compared to the same payloads boosted by chemical systems. At the other end of the launch vehicle system, the concept of recoverable boosters begins to have extreme interests. The various alternative ways of designing recoverable first stage boosters, with its inherent tremendous savings of its reusable features, are receiving some attention on the part of NASA, the Defense Department, and others.

CRASH PROGRAM

The decision to try to land a man on the moon by 1970 does not constitute a crash program. The decisionmaking process does not allow for vacuums; failure to decide on a schedule for attempting to reach the moon is equivalent to setting no deadline at all. Work is done best—even by the technical community—which is not exempt from the laws of human nature—when a specific goal is set. An objective of landing on the moon in the 1960's was chosen as the one that would permit us to work for a lunar landing in a rapid, yet efficient manner. This permits us to work at a challenging pace; yet, does not absorb a greater percentage of the Nation's resources than our country can afford. This is only 1 percent of the gross national product at current rate.

Once having been made—in 1961—the decision is subject to review and modification every year at budget time and can be modified within limits. Each year at budget time there is the choice of, first, moving up the schedule if the technology permits; second, continuing with our basic timetable; third, slowing down the timetable with budget cuts; or, fourth, abandoning a manned space program beyond Project Mercury altogether.

Project Apollo does not fit the description of a crash program. The wartime Manhattan project was a crash program. We used all the resources we could to develop the atomic bomb in the shortest period of time, regardless of cost. We maintained duplicating operations over a 3-year period in the hope that one would work—and one did, in time to help win a war. Apollo is no such project. If it were, we would not have had the controversy over whether earth-orbiting rendezvous, lunar-orbiting rendezvous, or a direct landing was the best way to get a man to the moon. A crash project would have gone into operational stages of all three alternatives to a moon landing.

Incidentally, large research and development programs are not foreign to us. Since it first began in fiscal year 1956, the Polaris missile program—through fiscal 1963—has cost $8.859 billion, and the budget request for the coming fiscal year is an additional $1.783 billion.

We should not be led to believe that because large sums of money are involved, there is a correspondingly large measure of waste.

The shortage of scientific manpower has not been aggravated in a measurable way by Apollo. Those critics who fear that it has, have not established their case. For example, in 1970, it is predicted that U.S. scientists and engineers will total 1,995,000, of which only 114,700 or less than 6 percent, will work for NASA and its contractors. It should be noted that a substantial portion of those are merely moving over from research and development work on aeronautics and missiles. NASA Administrator Webb says that the space program is inspiring students to enter the sciences who might otherwise not have done so. Mr. President, NASA is enlarging its efforts to increase the national supply of scientific and engineering personnel. Last fiscal year, the agency provided graduate science and engineering fellowships to 100 students at 10 universities. In its budget proposal for fiscal 1964, NASA requests authorization for 1,250 fellowships covering 110 universities.

Additionally, the agency has provided funds for 150,000 square feet of research space at five universities; it is asking for funds to provide 400,000 square feet of laboratory space at 11 universities.

Members of the Aeronautical and Space Sciences Committee, particularly the senior Senator from Missouri [Mr. SYMINGTON], are very interested in this expanding education program. The staff is in the process of taking a detailed look at it for the members.

What we see here is a valuable way to help add to the reservoir of skills we will need not just for the space program, but to meet other scientific and engineering requirements.

PEACEFUL COMPETITION

Mr. President, we could get involved in a discussion of semantics—whether we are in a race in space with the Russians or whether we should call it a competition or perhaps whether it is best to avoid either word. There is no doubt, however, in the minds of any of us that we are challenged by the Communist world on many fronts. This challenge will be ours to live with and it may be that it will face generations to come.

When confronted militarily, we do not hesitate to offer up every resource at our command—to enlist our young men, to mobilize every tool that we have or can create to assure victory. We now are faced with a competition that is psychological, political, economic, and scientific. I do not mean to say that if there were no threat from the Communist world that it would be unnecessary for us to aid the underdeveloped nations or explore space. As men of good will and unlimited curiosity about our world we would do both these things. But the competition is still grave and requires great national effort and perhaps sacrifice.

When we were engaged in combat with the Communists in Korea, 5.8 percent of the 1950 class of West Point were killed. This was a sacrifice of one kind. Now we are told that something on the order of 6 percent of the scientists and engineers in this country will have to be involved in the space program. That can be interpreted as a sacrifice of another order—one that also involved a decision to use manpower in answer to a challenge.

While we compete with the Soviet Union, it is not inconsistent to believe that perhaps in some areas in space we can also cooperate. It appears that the agreement with the Russians on weather satellites may be delayed for 2 or 3 months. Dr. Hugh Dryden, Deputy Administrator of NASA, has been in Geneva discussing with Russian representatives the possibility of cooperation in geomagnetic mapping of the globe by instrumented satellite. It may not be too dim a prospect—despite political differences and a rather dismal record in the disarmament and test ban negotiations—that the extreme expenses of space exploration may produce a firm footing for East-West cooperation.

In the current issue of the Bulletin of the Atomic Scientists, Editor Eugene Rabinowitch writes:

> If space exploration could help bring together the two alienated parts of humanity and reduce, even slightly, the danger of all-destroying nuclear war, that alone would make worth while investing in it many billions of dollars.

But, Mr. President, the only reason why we have reached even this modest degree of cooperation is that the United States has achieved major breakthroughs in weather satellite technology. Had we not, there would be no basis for cooperation between two sovereign powers.

COST

The size of the proposed Federal budget being what it is, Mr. President, we are all conscious of the need to practice self-discipline in funding programs. I have no quarrel with that attitude. Nor do I have any quarrel with those who counsel careful oversight of the NASA budget. NASA is not immune from congressional appropriations review.

But I do think when we discuss the space budget, we should be accurate.

The most useful answer, perhaps, would be to note that Administrator Webb has announced that NASA, in this decade, will accomplish all the programs now planned, including lunar landing, for under $35 billion. This is less than two-thirds of the budget requested by the Department of Defense for fiscal year 1964 alone—a small price for the experience, technology, industrial base, and facilities which may be required for national security.

Although space investment is substantial and will increase, only about 1 percent of the gross national product is now going into space programs. Gross national product and national income are rising and will more than absorb the cost of the effort.

Manned lunar landing programs consist of about $7 billion for the Apollo project; about $5 billion for the Saturn V launch vehicle to put Apollo on the moon; approximately $2.75 billion for 15 unmanned scientific payload projects; $1.5 billion for launch vehicle activities in support of the unmanned program; and another $1 billion for launch vehicles—for example, the Saturns I and IB—that are planned for use in the unmanned scientific program as well as the early earth orbit phases of Apollo.

The notion that manned lunar landing programs are being conducted at the expense of unmanned scientific projects is simply not correct. A large number of unmanned scientific projects are included in our manned lunar landing programs. Examples are Ranger and Surveyor. These programs involve more than $3 billion in payloads and directly related launch vehicle developments and operations.

Exclusive of the Apollo Saturn V, almost $3 billion of the manned lunar landing program is devoted to launch vehicle developments which form the present and projected basis for the unmanned payload program. In other words, with one modest exception—Scout—all of the launch vehicles and/or stages from Centaur on up which are currently employed or planned for the unmanned programs are being developed as a part of the manned lunar landing program.

Preliminary cost data indicates that unmanned payload programs are usually as, and often more, expensive on a comparable dollar-per-pound cost basis when compared to manned payloads. In addition, they are not necessarily smaller. Witness the current or planned use of all manned lunar landing program boosters up through and including Saturns I and IB, for unmanned missions.

Approximately 20 percent of all funds expended on manned lunar landing programs are for facilities, almost all of which are required for, and being used by, a broad-based scientific exploration program.

Mr. President, there may be political overtones in certain aspects of the current debate over the space program. Perhaps then we should attempt to establish the record of the last several years on obligational authority and expenditures by the previous administration and the present one. An examination of these figures starting with fiscal year 1955 shows that spending on all space programs—the National Advisory Committee on Aeronautics—forerunner of NASA—Defense Department, Atomic Energy Commission, Weather Bureau, and National Science Foundation—doubled between 1955 and 1957, nearly doubled between 1957 and 1958, more than doubled between 1959 and 1960, the last fiscal year controlled by the Eisenhower administration.

Thus we see that the previous administration was experiencing what the present administration is aware of, and that is that major scientific and technical undertakings are costly and require larger financial support as they progress in order to build on increasingly larger measures of technical progress.

The difference—and it is an important one—is that the incumbent administration made a positive decision to accelerate the space program and set as a national goal the landing of Americans on the moon in this decade and their safe return. The previous administration was committed no further beyond orbiting men around the earth. But I understand that there was some thought given to a manned landing on the moon by 1975. That is only a half decade beyond the announced objective of the present administration.

I ask unanimous consent to insert in the RECORD at this point a table showing how costs have risen from 1955 through fiscal 1964.

There being no objection, the table was ordered to be printed in the RECORD.

Space activities of the U.S. Government—Historical summary and 1964 budget recommendations, Jan. 17, 1963

[In millions of dollars]

	NASA		Department of Defense	AEC	Weather Bureau	NSF	Total space
	Total	Space only [1]					
New obligational authority:							
Historical:							
1955	56.9	56.9	3.0	----------	----------	----------	59.9
1956	72.7	72.7	30.3	7.0	----------	7.3	117.3
1957	78.2	78.2	71.0	21.3	----------	8.4	178.9
1958	117.3	117.3	205.6	21.3	----------	3.3	347.5
1959	338.9	338.9	489.5	34.3	----------	----------	862.7
1960	523.6	523.6	560.9	43.3	----------	.1	1,127.9
1961	966.7	926.2	793.8	67.7	----------	.6	1,788.3
1962	1,824.9	1,796.0	1,284.3	147.8	$50.7	1.3	3,280.1
1964 budget:							
1963	3,673.3	3,622.6	1,617.6	228.9	43.2	1.5	5,513.8
1964	5,712.0	5,663.6	1,667.6	254.3	26.2	2.3	7,614.0
Expenditures:							
Historical:							
1955	73.8	73.8	1.5	----------	----------	----------	75.3
1956	71.1	71.1	16.5	6.3	----------	6.2	100.1
1957	76.1	76.1	47.5	19.2	----------	7.3	150.1
1958	89.2	89.2	135.5	20.2	----------	4.0	248.9
1959	145.5	145.5	341.0	32.6	----------	1.5	520.6
1960	401.0	401.0	518.1	41.1	----------	----------	960.2
1961	744.3	694.0	710.0	64.3	----------	----------	1,468.3
1962	1,257.0	1,229.0	1,028.8	130.0	1.0	.9	2,389.7
1964 budget:							
1963	2,400.0	2,358.0	1,421.0	190.6	19.3	1.1	3,990.0
1964	4,200.0	4,154.0	1,622.0	247.1	44.7	1.5	6,069.3

[1] Excludes amounts for aircraft technology in 1961 and succeeding years. Amounts for NASA-NACA aircraft and space activities not separately identifiable prior to 1961.

NOTE.—Historical amounts are estimates based on best data available.

Source: Bureau of the Budget.

MORE COST

Mr. **ANDERSON**. Mr. President, there is ample room in the current debate on the space program for divergent views and criticism and for constructive suggestions. But are we to believe that if we cancel the Project Apollo, the savings will be so translated into new hospitals, modern classrooms, and better diets for the ill nourished?

I am aware, and this administration which proposed the lunar landing as a national objective is aware, that we have many unfulfilled needs on this planet, that we need more and better schools, that our hospitals need expansion and modernization, that our cities are in need of transportation systems to match expanding population and that many of our people lack the diets sufficient to good health. But can we be sure that some of those in public life who would slash billions from the space program would not then vote against social welfare legislation?

We have been increasing our spending on education and medical research—as well as on the space effort. In fiscal year 1958, the period in which Sputnik I rudely awakened the United States to the technological capacity of the Soviet Union, the National Institutes of Health had a budget of $133 million, and the budget request today is for $612 million. The Office of Education, in fiscal year 1958, proposed a budget of nearly $249 million, and today it is requesting $700 million. So, we are doing more in these areas, and more remains to be done. We are not faced with an "either-or" proposition. We can afford to have an effective, logical, and successful space program and we can afford these other efforts to improve well-being here on earth. Mr. President, we cannot afford not to go to the moon.

The only reason we had a National Defense Education Act in 1958 is because the Russians had a Sputnik I in 1957.

Mr. President, the report states that over $4 billion has been spent on the Apollo, "much of it devoted to building a rocket, the Saturn series, which at best is not as good as a 6-year-old Russian rocket which first put a sputnik in orbit." I do not understand this statement. I know of no competent authority who has stated that the Russian booster capability is on the order of 1½ million pounds of thrust, which is the capability of our first generation of Saturn vehicles. This statement is a gross error which the writer could have easily avoided had he checked with the staff of the Space Committee or NASA.

The first four Saturn tests have been successful. To the best of our knowledge, the Russian rockets have a thrust in the range of 800,000 pounds, but not more than a million pounds. We are already developing the advanced F-1 engine to be used in the Saturn V. Each F-1 is capable of producing 1½ million pounds of thrust and they will be arranged in a series so that the advanced Saturn will have a thrust ranging to 7½ million pounds.

There have been reports that the Russians may, by using their 800,000 pound basic booster in series, put together in space a so-called freight train with enough power to go to the moon. This may take place. Among our own space people, this approach was given serious thought, but a determination was finally made to develop the larger booster capability because we simply did not have the technology for rendezvous which the freight train technique requires.

The report continues:

> By the end of fiscal year 1964, NASA will have spent $8.6 billion on Apollo and we will still be a long way from the moon.

By the end of fiscal year 1964, we will be a long way from the moon. But, we will be closer than we were in fiscal year 1963, and certainly much closer than in 1955 when we begin our first halting steps into space.

SCIENCE

Mr. President, I have heard and read accounts of the controversy whether or not a scientist should be included in the first expedition to go to the moon. Briefly, some contend it is ridiculous to spend $20 billion for a manned lunar landing without including a scientist; to do so would make an expensive stunt of the moon landing, and greater attention generally must be paid to the scientific aspects of the moon program.

NASA counters that scientists will be included on later missions in the program. The first lunar astronauts will have to concentrate their efforts on the tremendous mechanical complexities of just getting to the moon and back, NASA says. Furthermore, astronauts can collect data—take pictures, collect rock samples, and so forth—for scientists to study after returning to earth.

The weakness of both these positions, it seems to me, is the assumption that you have to find a scientist to go to the moon. What kind of scientist? A geologist? An astronomer? A physicist? Any one discipline that might be chosen would necessarily slight the others. What is really needed is an expert scientific observer who can be trained to make critical observations in a number of areas. Furthermore, there is plenty of time between now and the lunar landing to add a substantial amount of such training to the schedule of all of NASA's lunar astronauts.

This particular ability as an expert scientific observer for a lunar mission, however, does not now exist. There is no such person now in the scientific community or anywhere else. Therefore, to develop such an expert, and at the same time heal the growing rift between NASA and the scientific community, let me suggest one of the ways this could be accomplished.

First. NASA could negotiate a five-point contract with the National Academy of Sciences. This contract could be performed by an ad hoc panel of the Space Science Board.

Second. This panel could consist of a number of educators and leading scientists in the space-related disciplines.

Third. The first task of the panel would be to identify what scientific data would be desirable to have and might be possible to obtain in the lunar mission.

Fourth. The second task would be to devise a special curriculum to cover the areas that had been identified.

Fifth. The third phase would involve the actual training of all of the astronauts. The time, place, costs, and other details would, of course, have to be carefully coordinated with NASA. There is no reason why a full year or more might not be reserved for this training, although it would not necessarily have to be all at one time. A grading system would be devised to evaluate the candidates.

Sixth. The fourth phase would be the selection of the ones who would make the trip. This could work as follows: NASA would select a group—say, six—any of whom would be acceptable. The panel would then make the final selection of the three that they felt would be the best scientific observers.

Their lunar observations could be the source of data to help guide a decision as to just what scientific specialty should make future trips. In addition their scientific contribution could well start the ball rolling on just what kind of science training interplanetary travel will require. Changes in our university science training and curriculum course content is a definite possibility.

Even if this exact procedure were not followed, at least the panel could have a significant voice in the selection of members of the moon expedition so that the relative scientific standing of the candidate would be one of the factors taken into consideration in the final selection.

Seventh. Finally, the panel could conduct followup studies of the quality of the actual observations in an effort to revise and improve an on-going training program for future astronauts.

The key feature of the proposal is, of course, that the scientists themselves would be given a definite responsibility in the selection of the lunar explorers without in any way diminishing NASA's responsibilities and authority to select astronauts on the basis of other important criteria.

Within the scientific community, there also is debate over manned versus unmanned probes, with some members suggesting that instruments are a cheaper and more reliable information system than man.

Other scientists have pointed out that the presence of man is essential for the detection of unexpected phenomena, and that the existence of anything that can be measured automatically is essentially already known before the instrument can be designed.

In fact, President Kennedy's recommendation that the United States undertake manned lunar exploration as a national goal within this decade was based in part on a 1961 report of the Space Science Board of the National Academy of Sciences which said:

> U.S. scientific exploration on the moon and the planets should be clearly stated as the ultimate objective of the U.S. space program. From a scientific standpoint, there seems little room for dissent that man's participation in the exploration of the moon and the planets will be essential.
>
> Man can contribute critical elements of scientific judgment and discrimination in conducting the scientific exploration of those bodies which can never be fully supplied by his instruments however complex and sophisticated they may become.

What appears to be happening in the scientific community is an understandable expression of parochial interest by some members. A researcher in one area of science may feel that his discipline is being neglected while another area is receiving too large a share of support. Any scientist who is worth his salt should be an advocate for his own discipline. This is a never ending conflict, but I believe it is resolved when a group can establish in the mind of the Government that the basic scientific content of the cause it espouses is sound and has met the test of peers and not only requires, but deserves, greater support. This has been the case in medical research, in atomic energy, and other fields, and I think I can say safely that it will one day be so in such areas as weather modification and oceanography. We should not operate on the possibility that the squeaky wheel will get the grease—we do not want to put science on the same kind of dole merely to meet the protests. We should support specific scientific programs when convinced of their contribution to society.

I believe the scientists who have views on the space program should be provided with a national forum. Since the Congress is charged with the responsibility of authorizing the space program and appropriating funds to sustain it, the Congress seems to me to be an appropriate setting for airing these views. Accordingly, Mr. President, the Senate Aeronautical and Space Sciences Committee plans to invite eminent scientists from various disciplines and leaders of the academic community to appear for a 2-day hearing at the time the committee takes up the 1964 NASA authorization bill. Our intention is to have these scientists fully briefed by the NASA officials responsible for the programs in which the scientists have a special interest. In that way, the scientists will be brought current with NASA activities and they will then be in a position to speak with both the knowledge of their own disciplines as well as the NASA programs where their special interests lie.

PROPAGANDA

The document strongly implies that the moon program is little more than a headline-grabbing exercise. It quotes anonymous advocates of the program as justifying the massive effort as a preventative to the West's suffering "permanent and traumatic" shock if the Russians arrive first. Of course, Mr. President, there would be disappointment, dismay, and perhaps disillusionment in that event. Such is the human psychology.

But the report continues that those who champion the propaganda argument say that "the same thing would be true of the Communist bloc should the United States be first."

That conclusion does not necessarily follow. The Soviets are the avowed challenger for world superiority. I strongly suspect that the onus of being second best in the moon competition would fall far more heavily on American shoulders than on those of the Communists because they are recognizably starting from a more modest industrial and technological base.

Any slowdown in our Nation's space programs would certainly afford great comfort to our enemies and spread dismay among our friends overseas. To slacken the space effort after having accepted publicly on a national basis the Soviet challenge would open us to accusations of lack of firmness and resolution regarding national goals. We would have looked fine in the dash, but not in the long-distance run. The United States could be branded as another example of a great nation which had passed its prime and was too effete to endure even nominal belt tightening in order to remain the lead nation in the free world. A general impression of this kind overseas would be disastrous to prestige.

Mr. President, I do not believe in a government policy of bread and circuses. It is true that the attention of the world has been captured by the activities of men in space. This is not surprising. The courage of men and the mustering of vast armies of scientists and technicians is inherently dramatic. When men do what Astronaut Cooper and Cosmonaut Gagarin have done the eyes and ears of the world are tuned to their feats. We all remember Lindbergh and the tumultuous reception he received on both sides of the Atlantic. More importantly, however, we should recognize that the headlines have come only because we have accomplished something. If this is called propaganda, our information policies only are accepted if those who are on the receiving end believe that they represent the truth and a factual account of events.

American standing abroad based on the gains made by the space program is remarkably high. Some evidence of this is afforded in the United Nations where not only United States allies, but the neutrals as well, have consistently backed our policies on space in opposition to the Soviet Union. Indeed, the Soviet Union has become isolated in the United Nations in its insistence on secrecy of its space activities. In contrast, the U.S. space policy has emphasized the open and cooperative exploitation of space for peaceful purposes. In implementing its cooperative space program the United States is holding joint experiments with and training people from over 60 foreign countries. The U.S. space effort is providing this country with a foreign policy asset of major significance.

In 1958, President Eisenhower declared:

> There is the factor of national prestige. To be strong and bold in space technology will enhance the prestige of the United States among the peoples of the world and create added confidence in our scientific, technological, industrial, and military strength.

If prestige has no importance then why is the U.S. Information Agency asking for $146,550,000 for the coming fiscal year?

TECHNOLOGICAL FALLOUT

NASA is making an active and continuing effort to identify benefits to the economy resulting from the U.S. space program. As new industrial products, processes and techniques are discovered, NASA is trying to disseminate information about them to bureaus and industry as rapidly as it can.

The active effort to seek out such benefits is bound to produce results in view of the magnitude, range and duration of the U.S. space program. The requirements for space exploration run through the gamut of scientific and technological interests. They also impinge on and tend to stretch the state of the art in many fields. This combination of circumstances is bound to result in new manufacturers, new systems of organization, new products and services.

Let us look at just an example. By extending man's vision into new dimensions through satellites, weather forecasting will make major advances as a science, until reliable predictions can be made a season ahead. This goal, which is not being impaired because of Apollo, will have far-reaching economic benefits for all. The Tiros satellites have been giving us very good weather data for over a year. These are some estimates of cost savings based on accurate prediction of weather only 5 days in advance: $2½ billion a year in agriculture, $45 million in the lumber industry, $100 million in surface transportation, $75 million in retail marketing, $4 billion in water resources management.

These estimates are for the United States alone. Worldwide savings would be many times greater.

In touching on the strides in communications technology resulting from the space program, the report declares:

> The facts which we learn in this research will ultimately benefit the homeowner who wants to telephone the grocery store.

That may be so. We are developing new systems and I cannot say that the statement is in error.

But, I can say that it represents an exceedingly myopic view of the unlimited possibilities on the frontiers of communications.

We will possess extraordinary instruments for communicating not so much with the corner grocery but the far corners of the world. A means will be in our hands to provide basic education—and in stages, more advanced knowledge—to millions of people in the back waters of development. It is not difficult to imagine this taking place. The progress being made in educational television in the United States in only the last few years offers a measure of comparison.

The report says that most of the scientific data acquired from the Mariner II shot to Venus has not been disseminated.

Only NASA scientists had access to this information to date.

Mr. President, mountains of data were telemetered back from the Mariner II shot last December, and these data are being carefully examined. Since this was a NASA experiment, the NASA scientists are obligated to provide interested people outside the Agency with accurate information and so they must ascertain that the information is accurate. This is not an attempt at secrecy; rather it illustrates a most critical problem throughout science. And that is, how to most rapidly disseminate accurate data resulting from an experiment before the information becomes obsolete and valueless. This problem grows with intensity and NASA is one of the Government agencies attempting to work out at least partial remedies.

Mr. President, I have taken a good deal of time to discuss the space program and the criticism directed at its various aspects in the hope that a little more light could be shed on the problem. The Senate Aeronautical and Space Sciences Committee certainly is aware of this criticism. The committee is concerned about manpower and it is taking a serious look into NASA's various programs in support of higher education. The question of whether there should or should not be another orbital flight in the Mercury program is under discussion within the administration and will be subject to discussion by the committee as well. Reports of duplication of facilities have come to the attention of the committee and we have called on the most qualified persons we could to assist in the examination of this matter.

But, I do not believe that we should lose sight of the forest for the trees. Space is a place. It is through this Nation's scientific exploration we now know of such phenomena as solar winds and radiation belts. We have an idea of the cloud cover and the temperature of Venus. Those of us who only stand on the fringe of scientific knowledge still appreciate that this place called space is a new sea whose shores are not completely chartered, whose depth remains largely unmeasured, and whose significance will best be understood by generations yet to come.

As surely as the ancient mariners ventured across unmapped seas, as certainly as explorers opened our own West, and men established bases at the barren and inhospitable poles, we are going to continue this bold journey through space with all of its direct and side benefits to this generation and those which come after.

WORLD REACTION TO BIRMINGHAM RIOTS

Mr. JAVITS. Mr. President, two current surveys of world opinion have demonstrated the widespread reaction to the Birmingham riots. As might be expected, they show that the Communist-bloc countries, led by the Soviet Union, had a field day with the Birmingham situation and continued their attacks on the United States long after the situation had come under control. There can be no question that, even in friendly countries, the prestige of the United States suffered as a result of the conflict.

What is clearly evident is that we are on trial before the world. If we do something about the situation effectively, we shall not be materially damaged; but if we do not take action, we shall be irremediably hurt in our struggle for freedom.

I ask unanimous consent to have printed at this point in the Record the review of world opinion collected by the USIA on May 13 and 15, 1963, and the survey conducted by newspaper correspondents which was published in the Washington Post of May 27, 1963.

There being no objection, the review and survey were ordered to be printed in the Record, as follows:

Summary

Light to moderate coverage of Birmingham developments continues, with some slackening of the already scanty editorial comment. There has been no reportage on foreign press coverage of the bombings and resulting riots, but coverage will undoubtedly be paced by sensationalized headlines and pictorial treatment, staples in critical reaction to events so far. The possibility of Federal intervention to prevent further violence is likely to be met with approval.

Available reaction from south Asia, the Middle East and the Far East dropped sharply over the weekend, though it may pick up following the riots. These areas have shown a relatively balanced portrayal of the current racial tension, with many reports noting progress in race relations made over the years.

African media, however, have devoted a large volume of comment and reportage to Birmingham, with Ghanaian comment being especially critical and caustic. But potential critical comment in other countries of Africa has not materialized to any degree, with only some sensational headlines and photos marring what otherwise is surprisingly moderate and balanced reporting. Cumulatively, though, there is no doubt that pictures of police brutality, particularly the use of police dogs, has militated strongly against the U.S. image.

Wide coverage has been given events by the Latin American media, but only the leftist and Communist press have given sensational treatment to the news.

West European press treatment has also been surprisingly mild and understanding. There has been relatively little evidence of a desire to mock at the U.S. predicament. The West European press and a few leading papers elsewhere in the world have been among the first to note the new meanings in racial events in the United States—the stepped-up Negro expectations, the choice between violence and nonviolence, the swing of majority U.S. opinion behind integration.

Most comment throughout the world has shown a reluctance to understand or realize why the Federal Government has stayed out of Birmingham events, and has been critical of President Kennedy personally. A few papers have reported the behind-the-scenes activities for a peaceful settlement spearheaded by the administration, but there has been more frequent reference to alleged political reasons behind the President's failure to intervene. The President's good faith is certain to be applauded in reaction to weekend events, however.

Propaganda exploitation from Moscow, slow to develop, began to hit high C over the weekend, particularly in output to Africa. In addition to citing the Birmingham events as a blot on the U.S. image, Moscow propaganda depicted the administration's reluctance to protect Negro rights at home as evidence of colonial-mindedness.

SOVIET UNION

The moderate attention devoted to the Birmingham situation during the past week has turned into voluminous propaganda over the weekend. Soviet media heavily exploited Birmingham incidents, depicting them as a blot on the U.S. image. In prominent news coverage and commentary to world audiences, with emphasis on Africa, Soviet output made extensive use of the theme that the Birmingham racial "atrocities" belie U.S. democracy. It also used stereotyped propaganda depictions of the unequal, poor lot of American Negroes. Another propaganda tack consisted of attacks on alleged Federal inaction, as Moscow ignored the behind-the-scenes activity efforts at conciliation. The administration's "reluctance" to protect Negro rights at home, in Moscow's view, was evidence that U.S. foreign policy favors colonialism and domination over other peoples, and some commentators stated that the administration was concerned over the next election, and hence did not wish to spoil its chances for the southern vote. Related output also noted unfavorable world reaction to the events, including condemnations by Soviet citizens and U.S. popular indignation and concern. Commentaries, especially those designed for consumption in the underdeveloped areas, linked racism in the United States with the alleged U.S. policy of colonialism.

Early Soviet reaction to the weekend bombings referred to the President's concern, but noted that he still "did not condemn at all the resolute racist terror." One available comment seemed to be enamored of the possibility of further clashes, stating that "the American Negro population is determined to take the struggle for their rights to its victorious conclusion."

REACTION TO RACIAL TENSION IN BIRMINGHAM, ALA.

Scattered reports from most regions indicate increased coverage of the bombings and the alerting of troops but comment, while light, generally supports the administration while attacking extremists of both sides for blocking a peaceful solution. Soviet and local Communist media continue their heavy exploitation of the issue.

In Western Europe, the issue is again front-page news and extensive comment (the United Kingdom, France, Germany) blames extremists on both sides while applauding administration efforts to achieve a peaceful solution.

The Far East reports increased coverage but light comment in support of the dispatch of troops. Meanwhile Peiping and local Communist media continue to sensationalize developments.

In the Near East and South Asia, moderate to light news coverage is being maintained but there is little available comment. Three Indian English-language papers, while tending to support the President's military alert, suggest that political considerations have prevented the decisive action which was taken in the Meredith case.

In Africa, there is declining coverage and only light comment as interest turns to the African summit meeting.

Latin America reports moderate coverage and light comment which contrast with sustained local Communist exploitation.

The U.S.S.R. continues heavy exploitation. One quarter of Moscow Radio's output on May 14 was devoted to U.S. racial discrimination.

[From the Washington (D.C.) Post, May 27, 1963]

GLOBAL NEWS RESTRAINT ON BIRMINGHAM SHOWN

Worldwide reaction to the Birmingham riots shows a new level of understanding abroad toward America's racial troubles and wide sympathy with President Kennedy's efforts to deal with them.

This trend, especially in race-sensitive Africa and India, became evident in a survey conducted by correspondents for the Washington Post and Newsweek magazine.

The racial violence in Birmingham was page-1 news around the world and although the tone of criticism was generally moderate, the Alabama situation obviously hurt U.S. prestige. If U.S. image makers had hoped that the Nation's latest space feat would eclipse the specter of bigotry in Birmingham, they were rudely disappointed.

Pictures of police dogs lunging at Negroes vied with photos of Astronaut Gordon Cooper's space capsule on front pages throughout the world.

AFRICAN PRAISE

Nevertheless, in Addis Ababa, for example, leaders of 30 African states adopted a declaration Sunday condemning racism but praising the Kennedy administration for its efforts to "put an end to these intolerable malpractices" in the United States.

This mirrors the increasing tendency in Europe, India, and the Middle East to look at America's racial problems in their full complexity rather than in strictly monolithic terms.

Here is an area-by-area breakdown of reaction to the Birmingham crisis and the Cooper flight:

Egypt and the Middle East: Egyptian press reaction to Birmingham was surprisingly moderate, in sharp contrast to the day-in-day-out denunciations of the United States in recent times. Because Egypt's press is nationalized, the newspapers are presumed to reflect Government opinion.

The sharpest criticisms in the area were registered in the anti-American Al Baath, organ of the Baath Socialist Party which governs Syria and Iraq. It said Birmingham is reminiscent of policies followed by "some of the Fascist states against the Negroes in Africa."

One explanation for the restraint in Egyptian press commentary is the improvement of relations with the United States, of which Egyptian officials themselves speak. This is attributed to American economic aid, a more sympathetic attitude toward Arab unity and the personal diplomacy of Ambassador John Badeau.

Western diplomats believe the reaction to Alabama reflects a deliberate effort by President Gamal Abdel Nasser to minimize criticism of the United States at this time.

India: Indian reaction was symbolized by a front-page cartoon in the Hindustan Times which depicted the Statue of Liberty with a Ku Klux Klansman perched on her shoulder. The klansman was trying to snuff out the torch but it was kept ablaze, safely beyond his reach.

Public opinion in India has identified itself with President Kennedy as the embattled friend of the Negro. One Indian correspondent spoke with praise of the role of moderates in the racial crisis.

As a whole, Birmingham was given restrained news play, in sharp contrast to the angry criticism aroused by American race troubles a decade ago. Privately, however, Indian political leaders expressed a wish for a more militant policy by the White House in confronting the Birmingham crisis.

In both India and Pakistan there has been a remarkable lack of interest and controversy over Birmingham. The Pakistani newspaper, Dawn, reported President Kennedy's dispatching of troops to Alabama on page 8. In headline and tone, the treatment had been deadpan.

Africa: The declaration of praise at the Addis Ababa summit conference for President Kennedy's policies in Birmingham was the most recent official reaction to the U.S. racial crisis.

At a news conference in Addis Ababa yesterday. Sekou Toure, Premier of Guinea, told a news conference:

"We cannot say that the American people are racists—racism exists everywhere, even in Guinea.

"We know that in the United States a fight is being organized by the Government of President Kennedy. We approve without reserve of this policy of President Kennedy."

Toure's remarks take on added significance since Guinea was once described as the first Soviet satellite in Africa.

In sharp contrast was the gleeful account of Alabama's racial troubles in the press of white-ruled South Africa. Man-in-the-street interviews echoed the theme: "Why is the United States sticking her nose in South African apartheid (segregation) policy when she can't control her own Negroes?"

Jeeringly, South African newspapers referred to the United States as "the land of the free—except for the Negroes."

Europe: In the British press, the Birmingham disorders received fair to heavy play, with the southern city characterized as "the city of hate" and "riot city." Britons, who have their own growing agenda of racial problems, viewed the riots as a local rather than national failing. Editorialized the Daily Telegraph: "We (in England) have not yet reached a consistent national attitude to the color bar."

In Italy, the news from Birmingham was subordinate to domestic politics and the unsolved murder of a Bavarian playgirl in Rome's "dolce vita" area. The bulk of press opinion condemned "white extremists" in Alabama but endorsed the efforts of the Kennedy administration, as one newspaper put it, to promote the fulfillment of the justified aspirations of the Negro population." Only the Communist Daily Unita criticized President Kennedy for his "fainthearted" conduct in Alabama.

In Bonn, the Birmingham story received subdued news treatment, taking the backseat to the Cooper space flight. Editorially, the German newspaper reserved their criticisms for Birmingham's segregationist leaders and praised both moderates and the administration for their role in the crisis. But a 19-year-old secretary had this reaction: "Look who's talking about the way we treated the Jews. The way Americans suppress the Negroes, why we were no worse than they are now."

France, too, took a restrained view of the Birmingham racial conflict—far more so than in the case of Little Rock which precipitated a flood of protest letters to the American Embassy in Paris. This time France reacted with cool impartiality—no mass protests, anti-American newspaper crusades or heated attacks on radio. Pictures of police dogs mauling Negroes were widely published in France and evoked the strongest reaction to Birmingham's troubles. Generally, however, the French expressed the feeling that the Kennedy administration was doing its best to cope with a difficult situation.

NUCLEAR TESTING AND FALLOUT

Mr. MORSE. Mr. President, earlier this afternoon the distinguished senior Senator from Connecticut [Mr. DODD] submitted a resolution cosponsored by 30 Members of the Senate, of whom I am privileged to be one.

The resolution states:

> It is the sense of the Senate that the United States should again offer the Soviet Union an immediate agreement banning all tests that contaminate the atmosphere or the oceans, bearing in mind that such tests can already be monitored by the United States without onsite inspections on Soviet territory.
>
> That if the Soviet Union refuses to accede to such a first-step agreement, we commit ourselves before the world to conduct no nuclear tests in the atmosphere or underwater so long as the Soviet Union abstains from them.
>
> That, in committing ourselves to such a moratorium, either unilaterally or by agreement, we keep the Soviet record of deceit and bad faith in mind, and maintain our testing facilities in a state of constant readiness so that the United States will never be caught unprepared should the Soviet Union suddenly resume nuclear testing in the atmosphere or underwater.

In making his presentation, the Senator from Connecticut said:

> I consider it a great tragedy that we failed to make a ban on all tests that contaminate the atmosphere and the oceans our prime objective at Geneva. * * * Because of its very simplicity this proposal could and should have been made a test of Soviet good faith in the test-ban negotiations.

I compliment and congratulate the Senator from Connecticut for submitting the resolution to ban atmospheric tests. I thank him for giving me the privilege and opportunity of joining with him as a cosponsor of the resolution.

Many people in our country today are alarmed about the use and are talking about the control of insecticide sprays. It is well that they should be interested in them, for such sprays also constitute an important public policy problem.

But when all is said and done, that problem is de minimis compared with the proportions of the problem which confronts the people of the United States and the world in connection with the continuation of atmospheric nuclear testing.

A remarkable propaganda job has been done in this country in the last year with respect to atmospheric testing. A very interesting program of misinformation, concealment of facts, propaganda, and deception has been foisted upon American public opinion. A few warmongers among our scientists have sought to give the American people the impression that we now almost have nuclear testing without fallout dangerous to mankind. So before I made these brief remarks today, I did a little checking with scientists; and I wish to say that that statement simply is not true; and, in my judgment, scientists who are making such representations to the American people are not giving them the facts. I do not care whether a man is a scientist or what position he holds; when he does not give the American people correct information, his hand should be called. What is going on, in endangering mankind and endangering generations yet unborn, is a shocking betrayal of the obligations of our generation to future generations.

The Senator from Connecticut has submitted a resolution, which, in my judgment, should be followed immediately by hearings, so we can answer the propagandists who are endeavoring to lull the American people into a sense of false security in regard to the effects of atmospheric testing on health, for atmospheric testing is doing great damage to the human organism, and that damage will be perpetuated in the reproductive processes of mankind for generations to come. In the name of humaneness and commonsense, it must be stopped.

I make these few remarks today in order to call upon the leadership of the Senate and the members of the committee to which the resolution will be referred for immediate hearings, and, as soon as the hearings are completed, for immediate consideration of the resolution at this session of Congress.

MENTAL RETARDATION FACILITIES CONSTRUCTION ACT OF 1963

The Senate resumed the consideration of the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes.

Mr. HUMPHREY obtained the floor.

Mr. HUMPHREY. Mr. President, I yield to the Senator from Alabama [Mr. HILL].

Mr. HILL. Mr. President, with the understanding that I do not lose my right to the floor, I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, may I ask what the pending business is?

The PRESIDING OFFICER. The bill—S. 1576—to provide assistance in combating mental retardation, is open to amendment.

Mr. HUMPHREY. Mr. President, in line with the suggestion of the Senator from Alabama, that he does not lose his right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama is recognized.

Mr. HILL. Mr. President, the Committee on Labor and Public Welfare has approved S. 1576, the proposed Mental Retardation Facilities and Community Mental Health Centers Act of 1963.

S. 1576 would permit great strides forward in the fight against two of our major health problems—mental retardation and mental illness. The provisions of this bill would carry out the President's program for the construction of research centers and facilities for the mentally retarded, for the construction and initial staffing of community mental health centers, and for the training of teachers of mentally retarded children and other handicapped children.

TITLE I. CONSTRUCTION OF RESEARCH CENTERS AND FACILITIES FOR THE MENTALLY RETARDED

Our present body of knowledge in the field of mental retardation is so limited that we can ascribe precise causes for the condition in only 15 to 25 percent of the 5 million mentally retarded in the United States. For the majority of the retarded individuals—from 75 to 85 percent of the cases—it is not yet possible to identify a specific cause for the retardation. We do know, however, that there are a great many diseases and conditions which affect the brain and result in retardation, including infections or poisons in the mother's system during pregnancy, infection of the central nervous system during infancy, injuries to the brain at birth, head injuries in childhood, metabolic disorders determined by heredity, and abnormal brain growths.

The scope and the diversity of the causes of mental retardation present an area of scientific inquiry that is so comprehensive and complex that universities and existing research institutions have neither the facilities, the funds, nor the personnel to do the job.

The urgency of dispelling the scientific ignorance in the field of mental retardation is such that this committee has recommended that Congress approve the authorization of $30 million over the 5-year period beginning July 1, 1963, to pay up to 75 percent of the costs of constructing research centers that would develop new knowledge to combat mental retardation and train research personnel.

Approximately 5 percent of the mentally retarded require residential care, but our present facilities are obsolete and crowded. Based on 1960 data, about 160,000 of mentally retarded are in 108 residential institutions specifically designated for their care. Another 10,000 are in private institutions and the remaining 43,000 of the mentally retarded are cared for in public hospitals for the mentally ill. The population of State residential facilities range from a few hundred to in excess of 6,000; on the average, each institution is caring for 350 patients over stated capacity and has a waiting list of more than 300.

There is a growing public concern for action against mental retardation. The concern of the public stems from the lack of adequate facilities and the absence of coordinated programs of services for the mentally retarded. These deficiencies maximize the impact of mental retardation on the individual, his family, and our country. If day care facilities and related community services were available it would be possible to eliminate the need for placing many of the mentally retarded in residential institutions.

To assist in providing adequate facilities for the mentally retarded, the committee has authorized the appropriation of $42.5 million over a 5-year period beginning July 1, 1963, to pay up to 75 percent of the costs of constructing college or university associated public or other nonprofit facilities with a full range of services for the mentally retarded. These facilities would also serve as demonstration centers and would train the personnel that are needed in the care and rehabilitation of the mentally retarded.

In addition, the committee has approved the authorization of $67.5 million in appropriations over the fiscal years beginning July 1, 1964, to be allocated among the States to pay from 45 to 75 percent of the costs of constructing public and other nonprofit facilities for the diagnosis, treatment, education, training, or care of the mentally retarded.

In testifying in support of this legislation, the American Medical Association cited the following from their statement of principles on mental health:

> The mentally retarded: There are more than 5 million Americans who are mentally retarded and their existence constitutes a medical, educational, and social problem of vast dimensions. Care facilities for these individuals must be integrated into every community's mental health program.

That is exactly what the proposed legislation seeks to do. The statement continues:

> The extent to which this problem can be ameliorated in future years depends largely upon continued research. Some breakthroughs have been effected, as, for example,

the prevention of some types of mental retardation as a result of our increased knowledge about body metabolism. However, there is still a lack in research planning, personnel, and financing which must be overcome.

In October 1961, the President appointed a panel of very distinguished scientists, doctors, and lay people to study and report on the matter of mental retardation. A year afterwards the panel made its report, and the report of that distinguished panel is exactly in line with the statement that I have read from the American Medical Association.

TITLE II. CONSTRUCTION AND INITIAL STAFFING OF MENTAL HEALTH CENTERS

In 1955 Congress approved the Mental Health Study Act—Public Law 182 of the 84th Congress—that authorized an intensive, long-range study of our Nation's mental health problem. The study was carried out by the Joint Commission on Mental Illness and Health.

The Commission spent approximately 5 years studying the subject of the mental health problems of our people.

The final report of the Commission, "Action for Mental Health," will take its place in the annals of medical history along with the famous Flexner report as a document of far-reaching influence in the evolution of medicine. In the same way that the Flexner report recommended a revolutionary new approach to the teaching of medicine, the report of the Joint Commission provides the realistic concepts and plans for carrying out badly needed reforms in the treatment of mental illness.

Our present programs for the treatment of the mentally ill have changed very little since the first public mental hospital was opened at Williamsburg, Va., in 1773. In the overwhelming majority of cases, the mentally ill individual finds that his only treatment resource is a large public mental hospital located most often far from his home where continuing contact with his community is difficult if not impossible to maintain.

Approximately four-fifths of the hospitalized mentally ill patients are institutionalized in the 286 State and county mental hospitals. Two-thirds of these institutions were opened prior to 1900. That means that they are more than 63 years old. Less than one-third of them have been approved by the Joint Commission on Accreditation of Hospitals. Nearly half of the patients in the State mental hospitals are in institutions with over 3,000 patients, where individual care and consideration are almost impossible. Forty-five percent of the patients have been hospitalized continuously for 10 years or more and the average length of hospitalization for all the patients is 8 years. The patients in these institutions are largely our forgotten men and women.

A 1960 survey revealed that 41 percent of the patients had not had a visitor within the whole of the last year; 16 percent had not had a visitor since they had been hospitalized; and there were some patients who had not been visited for 25 years.

Prior to 1955, there was an increasing trend in the number of patients resident in the public mental hospitals. Since that year, however, there has been a decline in the census that has averaged about 1 percent per year despite a continuing increase in the number of patients admitted. This decline in resident population is attributed to the use of newly developed drugs and to an increase in the amount of time and attention being devoted to the patients by hospital staff.

Many thousands of them are still in big old antiquated and, in some instances, archaic mental hospitals. We have made progress, which lights the way for the proposed legislation, and shows what can be done in the programs provided for in the proposed legislation now before the Senate.

The progress made in reducing the resident population at public mental hospitals is gratifying but there is ample evidence that much more can be done and must be done to reduce the toll taken by mental illness.

In Georgia, for example, four psychiatric units in general hospitals were opened in 1960 in its major cities. In about 2 years of operation, 1,800 patients from 151 counties have been treated in these units that are serving as community mental health centers. Only 7 percent of the patients treated in the general hospitals required long-term care at a State mental hospital.

In other words, out of approximately 1,800 patients, only 126 had to be sent on to one of these State mental hospitals. They were treated and provided for in the local hospitals.

California reports the same experience in San Diego where a day treatment center has intercepted patients awaiting admission to a State hospital in Patton, Calif. Only 10 percent of the intercepted patients had to go to the State hospital. Other States report the same success with community mental health centers.

These pilot programs indicate that we can substantially reduce the toll of human suffering caused by mental illness through the establishment of community mental health centers. Such centers would ideally provide services for the prevention, diagnosis, treatment and rehabilitation of the mentally ill patient in his own community. In many cases, an existing general hospital or mental health clinic would serve as the nucleus of the new facility.

Many of the general hospitals constructed under the Hill-Burton program could serve as the nucleus for a community mental health center. But additional construction would be required in almost all cases to provide the comprehensive mental health services that are needed. The need for additional general hospital beds is such that additional legislation is required to provide for community mental health centers.

If we are to adopt new concepts which have been demonstrated as being successful in treating the mentally ill, it is essential that we embark on a construction program to bring comprehensive mental health services to the community level. In the absence of such construction we can only continue to rely on the isolated public mental hospitals as the principal resource for the treatment of mental illness.

Federal assistance in the establishment of comprehensive community mental health centers is essential if we are to move ahead at this time in combating mental illness. S. 1576 would authorize the appropriation of $230 million over the 4 years beginning July 1, 1964, to be allocated among the States to pay for 45 to 75 percent of the costs of constructing public and other nonprofit community mental health centers.

The long-term care at public mental hospitals where the average length of patient stay amounts to 8 years has made the cost of treatment prohibitive to the majority of patients even though the daily cost of care is relatively low. The concept of comprehensive community mental health services with emphasis on short-term hospitalization and a program of outpatient services should make it possible for a substantial number of patients to finance their own treatment. In addition, the growth of provisions covering mental illness in health insurance is encouraging. Of the 83 Blue Cross plans, 57 provide benefits for mental illness under basic certificates and 64 under comprehensive certificates. There is no doubt that the trend toward the inclusion of mental illness as a part of health insurance plans will continue.

The committee has recognized, however, that during the initial period of operations, a short-term program of Federal assistance in meeting part of the staffing costs of comprehensive mental health centers would greatly contribute to bringing mental health services to the community level.

To assist in establishing community mental health centers, the committee has approved authorizing the appropriation of $427 million over the 8-year period beginning July 1, 1965, for grants to pay part of the initial staffing costs of some centers constructed under this legislation.

These initial staffing grants would only be available to centers providing, as a minimum, several basic types of comprehensive services. In addition, Federal funds could be provided only to pay the costs of new or additional staff; the grants could not be used for the salaries of personnel already on the payroll. Finally, the Federal aid would be limited to the first 54 months of a center's operations with a progressively decreasing Federal proportion. The bill authorizes Federal funds for the payment of a maximum of 75 percent of the initial staffing costs during the first 18 months, a maximum of 60 percent during the next 12 months, a maximum of 45 percent for the next 12 months, and a maximum of 30 percent for the next 12 months.

A few moments ago I quoted from the American Medical Association's statement on the matter of mental retardation centers.

I shall quote from a declaration by the American Medical Association on the subject of mental illness centers. This statement was presented at the time the witnesses for the American Medical

Association testified before our committee. It emphasizes that a problem exists which can be met through the proposed legislation.

> Few communities have the resources necessary to meet their mental health needs. The AMA therefore supports multiple source financing for community mental health services and accepts the need to expand this financing. It also supports increased expenditures for State and Federal mental hospitals.
>
> Shared financing tends not only to preserve local responsibility but also to develop more effective and stable programs. For example, if a clinic depends entirely on voluntary contributions, it may be forced to curtail its services in lean years; if it depends entirely on local tax funds then it must refuse to accept patients from adjacent areas. Community mental health funds must come from both public and private sources, including philanthropy and patients' fees.
>
> In terms of tax dollars, responsibility for the support and development of community health programs must be shared by local, State, and Federal agencies. In such programs, the apportionment of funds will vary, depending on the wealth and industrial tax base of the communities and States involved.

That is the declaration of the American Medical Association that the bill follows the principles enunciated and the programs proclaimed in their statement.

Mr. CARLSON. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. I expect to discuss this subject later at length, but I wish to ask a question on the point of the distribution of contracts. For example, some States have made greater progress than others in the field of mental health and in establishing programs to take care of the mentally retarded, particularly handicapped children. Can the Senator compare the distribution or division of funds as between States that have made good progress and those that have made very little progress?

Mr. HILL. When money is distributed to a State, it is distributed according to the formula, which has been in various public health laws for some time, for the distribution of funds for the control of tuberculosis and venereal disease, vaccines for typhoid fever and polio, and similar projects.

Also, there is a provision under which universities, colleges, and research institutions may receive funds in accordance with a formula. The distribution is based largely on the ability to conduct research, personnel, and perform other essential types of work contemplated by the legislation.

Therefore, I should say that the States which have good institutions and which have been working on these problems would stand in a very favorable position so far as the receipt of project funds is concerned.

Mr. CARLSON. I appreciate the answer given by the Senator from Alabama. I shall discuss the subject in full later. I shall express my commendation and appreciation to him for his fine work when I obtain the floor.

Mr. HILL. No Senator has been more interested in waging the battle against mental illness and mental retardation than has the distinguished senior Senator from Kansas. He is an inspiring leader, one who has put his State in the forefront of the battle. I do not know of any State among the 50 States of the Union that has pioneered and moved forward with so many fine programs and achieved such beneficial results for the mentally ill and mentally retarded as has the State of Kansas, which is so ably represented, in part, by the Senator from Kansas.

Mr. CARLSON. I appreciate the Senator's yielding to me at this point. In 1948, 70 percent of those who entered mental institutions in Kansas remained in them for life. In 1960, 85 percent went home; and of that number, about 34 left within the first 3 months. I believe that is a very fine record for our State, and I expect to discuss it later.

Mr. HILL. It is a wonderful record. I hope the Senator from Kansas will discuss it, because it is an example of what can be done through the passage of the proposed legislation. As I have said, Kansas has pioneered in blazing the trail and has done wonderful work in this field.

TITLE III. TRAINING OF TEACHERS OF MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

Title III of Senate bill 1576 would amend and extend the act of September 6, 1958, for training teachers of the mentally retarded, to strengthen and expand the program and to include the training of children with other handicaps, such as the deaf, the visually handicapped, the speech impaired, and the emotionally disturbed.

There are an estimated 5 million handicapped children, and they require some 200,000 teachers with specialized training. At present, however, we have approximately one-fourth of the required faculty.

To assist in narrowing the gap between the existing supply of teachers and the need for such specially trained individuals, the committee has recommended the authorization of $45.5 million, beginning July 1, 1963, for training teachers of handicapped children, and the appropriation of $6 million, over the same 3 years, for project grants for research and demonstration projects relating to the education of the handicapped.

The Subcommittee on Health of the Committee on Labor and Public Welfare conducted hearings on Senate bill 755, the proposed Community Mental Health Centers Act of 1963, and on Senate bill 756, the proposed Mental Retardation Facilities Construction Act of 1963, on March 5, 6, and 7, 1963. The provisions of these administration bills have been incorporated in Senate bill 1576, the proposed Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963. Testimony in support of the legislation was submitted by Governors of these States: Alaska, Arkansas, California, Connecticut, Delaware, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Missouri, Nebraska, New Jersey, New Mexico, North Carolina, Pennsylvania, South Carolina, Tennessee, Washington, West Virginia, and Wisconsin; and from the State Mental Health Program Director of these additional States: Alabama, Arizona, Colorado, Kansas, Louisiana, Maine, Maryland, Minnesota, New Hampshire, New York, North Dakota, Oregon, Rhode Island, Utah, Vermont, and Wyoming.

And from the following organizations: National Association of Counties, National Association of State Mental Health Program Directors, Southern Regional Education Board, Academy of Dentistry for the Handicapped, American Academy of Pediatrics, American Association on Mental Deficiency, American Academy of Pediatrics, American pital Association, American Medical Association, American Nurses Association, American Parents Committee, Inc., American Osteopathic Association, American Psychiatric Association, American Psychological Association, Joint Committee on Pediatric Research, Education and Practice, National Association of Retarded Children, National Association of State Mental Health Program Directors, and the National Committee Against Mental Illness.

Following the conclusion of the hearings, the director of legislation of the American Legion wrote me to express support for the provisions of Senate bills 755 and 756. The letter is as follows:

THE AMERICAN LEGION,
Washington, D.C., May 22, 1963.

Hon. LISTER HILL,
Chairman, Senate Committee on Labor and Public Welfare, Senate Office Building, Washington, D.C.

DEAR CHAIRMAN HILL: I regret that circumstances prevented an expression by the American Legion in support of bills S. 755 and S. 756 before the conclusion of your hearings which resulted in the reporting of S. 1576.

I now wish to advise that the national executive committee of the American Legion unanimously approved Resolution No. 49 supporting Federal legislation designed to attack the problem of mental retardation on a broad scale, to include research, improvement of clinical and social services, and adequate provisions for residential care of mental patients where needed. The resolution goes further to encourage provisions for education and training of the retarded.

The American Legion resolution, referred to above, is attached to this communication and we suggest that you may make such use of it as you deem necessary in the furtherance of the legislation in question.

For your information, a similar communication is being sent to Senators MANSFIELD and DIRKSEN.

With kind wishes and regard, I am,
Sincerely yours,
CLARENCE H. OLSON,
Director.

Whereas mental retardation in children is a continuing social problem and there is reason to believe a substantial percentage of mental deficiency can be prevented in children; and

Whereas the American Legion has always concerned itself with the welfare of children and youth of our country; and

Whereas there are approximately 5,400,000 mentally retarded people in the United States, and at the present rate 126,000 more will be born annually; and

Whereas mental retardation ranks fifth among major health problems; and

Whereas there is an increased interest on the part of local posts and communities in the mental retardation problem: Now, therefore, be it

> *Resolved, by the national executive committee of the American Legion in meeting assembled in Indianapolis, Ind., May 1–2, 1963,* That we support legislation at both Federal and State levels of government which is designed to attack the problem on a broad scale and which will include research in methods of prevention, the improvement of clinical and social services, adequate provisions for residential care where needed and provision for education and training of the retarded; and, be it further
>
> *Resolved,* That the American Legion encourage and support in any way possible the training of personnel to work in this broad field of mental deficiency.

That is a most impressive array of witnesses. They came before our committee and testified in support of the proposed legislation.

The committee received telegrams from many State Governors, and received testimony from the heads of the mental health departments of the various States, as well as the testimony of the heads of many of the great voluntary organizations, and testimony from many other witnesses. All the witnesses favored the passage of this measure; not one opposed it. No witnesses could have spoken with greater authority or in a more commanding way than did those who appeared and testified before the committee.

Mr. President, in concluding, let me quote from the message relating to mental illness and mental retardation that was submitted by the President on February 5, 1963. In this message, the first message on mental illness and mental retardation ever transmitted to the Congress by a President, the President stated:

> We as a nation have long neglected the mentally ill and the mentally retarded. This neglect must end, if our Nation is to live up to its own standards of compassion and dignity and achieve the maximum use of its manpower.
>
> This tradition of neglect must be replaced by forceful and far-reaching programs carried out at all levels of government, by private individuals and by State and local agencies in every part of the Union.

Mr. RIBICOFF. First, Mr. President, I commend the distinguished senior Senator from Alabama [Mr. Hill] for again bringing to the Congress and to the people of the United States another landmark measure. When the history of our country is read, no man will be found to have contributed more greatly to the alleviation of human suffering or to have done more to chart new courses and new measures for future generations than the distinguished senior Senator from Alabama [Mr. Hill].

When I served as Secretary of Health, Education, and Welfare, a part of my duties which will always be bright in my memory was to work closely with the distinguished chairman of this committee, the senior Senator from Alabama. One always found him with an open mind, a deep understanding of the problems besetting our people, and a willingness to chart new fields. Many important acts of Congress bear his name.

This is another Hill bill. Many thousands of people today and thousands yet unborn will bless the distinguished senior Senator from Alabama for his many contributions. Among the contributions he has made, this one, in my opinion, will be among the greatest contributions ever made in the history of the legislative process in our Nation.

Mr. HILL. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am pleased to yield to the Senator from Alabama.

Mr. HILL. Mr. President, in all humility and with a sense of deep appreciation, I thank the Senator from Connecticut for his most generous words.

He has spoken of our association in working together. I have never worked with anyone with greater satisfaction or with better results than those stemming from my work with the distinguished Senator from Connecticut. A team is required to pass such bills, just as a team is required to win a game on the gridiron. No one has been more effective, more dedicated, or more inspiring as a member of this team than has the distinguished Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I recall that while I was still Secretary of Health, Education, and Welfare, the President charged me with starting the research and making the recommendations for the program which now finds its way to the floor of the Senate. Those of us who have been in government and who understand the legislative process realize that it is a continuous process, and that one step builds upon another. Yet I realize that in the final analysis, leadership by Members of Congress is required in order to translate ideas and programs into legislation and steer them through successfully on the floor of the Senate and on the floor of the House of Representatives. No one is more skilled in that field than is the genial and able Senator from Alabama [Mr. Hill], whose brilliant leadership has given the Nation so many advances in the interest of the welfare of all its people.

Mr. President, about 800,000 patients now fill our Nation's mental institutions—600,000 for mental illness, and over 200,000 for mental retardation. Every year nearly 1½ million people are treated in these institutions.

All told, mental ills cost the taxpayers over $2.4 billion a year—about $1.8 billion for mental illness, and $600 million for mental retardation.

Some State mental hospitals give pathetic and inadequate care. There are 18 with 5,000 or more patients; in one there are 13,000 patients. But the Joint Committee on Mental Illness and Health tells us that no mental hospital should have more than 1,000 beds.

Three-fourths of these State mental institutions were opened before World War I. Many are fire and health hazards. Almost all are understaffed. The average expenditure per patient in State institutions is only $4 a day, and in some States the average is less than $2 a day.

The cost in dollars only introduces the story. In terms of loss of precious human talent, in terms of family misery, in terms of personal tragedy, the cost cannot be measured.

For many years I have worked for the principles embodied in President Kennedy's mental health program, and now in Senate bill 1576. As a Governor, and as Secretary of Health, Education, and Welfare, I have sought to lighten the burden carried by every mentally ill and mentally retarded man, woman, or child in our land and by the members of their families.

So it is a dream come true to see this forward-looking legislation come before the U.S. Congress, and to have a vote, as well as a voice, in translating it into reality. By helping establish mental health centers right in the communities of our land, this legislation will mark the new era in the treatment of disease.

Mentally ill and mentally retarded men, women, and children will be treated in our towns and cities—near or in our general hospitals or university-affiliated clinics. These Americans will not be shunted away to remote institutions, which often are fire and health hazards, and almost always are understaffed. And since the mental health centers will serve teachers, courts, and all parts of the community, mental health problems and mental illness of all sorts may be prevented—or at least alleviated.

These community mental health centers would offer to the mentally ill or to those in danger of becoming mentally ill a wide range of services, including inpatient and outpatient care, followup care, and rehabilitative services. They would provide consultative services to schools, courts, public and private welfare agencies, and also to agencies or individuals concerned with the problems of mental retardation.

The purpose of the community centers would be twofold: First, to prevent mental disorders; and second, to bring to bear concerted services and techniques for the comprehensive diagnosis, treatment, and rehabilitation of mentally ill people within their own communities.

Since each community in which these centers would be located is unique, each center would be unique. And it is expected that they would function under a variety of auspices: State vountary, municipal, private, within-a-group practice arrangement, or any combination of these.

These centers could be set up in a number of different ways. For example, in one city, the center might be based at a general hospital. Since most of the large general hospitals—those with more than 500 beds—already have psychiatric facilities, facilities for day care, night care and outpatients could be added all at once, or in several stages to fill out the comprehensive program.

In another community, the development of the community mental health center might start with an outpatient facility. Facilities for day care, night care and inpatient services could be built—with enough office space for staff to operate consultative and educational programs.

While these centers would be designed first of all to serve the mental health needs of the community, they would also provide important services for mentally retarded people. For example, they could offer diagnostic services, counseling services for parents, the services of special therapists and they could provide a staff of consultants for public school systems, health departments, and public and private agencies.

This is a most significant piece of legislation. I hope Congress will support it with its heart and its purse, to give mentally ill and mentally retarded Americans—and their families—a better break.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. RIBICOFF. I am glad to yield to the able Senator from Alabama.

Mr. SPARKMAN. I invite the attention of my colleague to the question I am about to propound. I have read the bill, and I have noticed repeated reference to "mental illness" and "mental retardation." I have briefly discussed the subject with the Senator from Alabama, but I should like to have an opinion on it.

The question came to my attention recently when a lady talked with me regarding her child. I referred to the child at one time as being mentally retarded. She corrected me. She said, "He is not mentally retarded. He is what is called an emotionally upset child—all confused." It seems to me that the condition is a form of mental disorder, but since she raised that particular objection to my reference to the condition as mental retardation, I desire to ask the question whether or not that kind of person would be included under the term "mental retardation" or "mental illness" or any other term contained in the provisions of the bill.

Mr. RIBICOFF. I defer to the chairman of the committee, who is the principal sponsor of the bill. From my experience, both as Governor and Secretary of Health, Education, and Welfare, having dealt with the problem, I think the bill should cover the entire gamut of children and adults involved. A person involved might be mentally retarded to such an extent that he would be what is known as a basket case. We could visit State institutions in which people live out 50, 60, and 70 years of their lives, never being able to get out of a bed or a basket, so-called.

Yet I have seen many hundreds of young boys and girls who have started out with some mental defect—slowness in thinking, or slowness of body movement—and through patient care and treatment, I have seen those children trained and enabled to go out into a community and obtain jobs.

I have seen young boys and girls, trained in proper training schools, enabled to get jobs in industry, on farms, and in stores. In other words, they can be trained to lead useful lives.

The great tragedy of America has always been that we have taken people who might have been mentally disturbed or mentally ill and cast them aside into the shadows. We have locked them behind bars. Some of the most disgraceful episodes in the entire history of our country have occurred in the way the mentally ill and the mentally retarded have been treated. But modern psychiatry and modern treatment have so advanced that, with proper care, guidance and treatment, we can cure many people. We can get them back into their communities. If many people who are presently locked up in State institutions were given proper treatment along the lines contemplated by the bill offered by the distinguished Senator from Alabama, we would find that they would need only short stays in the hospital. They would be able to become a part of the community. They would not be a burden to their families or public charity, but would be able to make their own living. I am sure the record shows that with proper care and treatment thousands of people in our country have returned to their families, to their loved ones, and to gainful employment. That is why the bill which is before the Senate today is a landmark measure.

The distinguished Senator from Alabama deserves great commendation for bringing forth such a measure as the one proposed.

Mr. SPARKMAN. Mr. President, I join with the Senator in commendation of my colleague, who deserves it in connection not only with the measure now before the Senate but also dozens of other measures which he has sponsored in the past.

Do I correctly construe the remarks of the Senator to be that the intent of the bill, as he sees it, is to cover the whole gamut of what might be called mental illness, regardless of the degree?

Mr. RIBICOFF. That is my intent. In a State like my own State of Connecticut, there are various types of institutions. There are institutions for emotionally disturbed young children. There are community facilities. There are State institutions, large and small. It is my understanding that the bill would allow each community and each State to deal with its own program. The program that is being put forward by the senior Senator from Alabama is not a program to be applied in the same way in every community throughout the Nation; but each community would deal with its own problems and try to devise a program that would help solve the local problems, whether they are private or public, large or small.

Mr. SPARKMAN. I am glad that the Senator used the term "emotionally disturbed." I erroneously used the term "emotionally upset." I believe the Senator is correct.

Mr. HILL. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. HILL. I thoroughly agree with the Senator from Connecticut. I am familiar with the case that my colleague from Alabama has in mind. There is no doubt that case would be eligible for services, care, and treatment in one of the mental health centers.

I call to the attention of the Senator the following specific language in the report:

> The term "community mental health center" would be defined as a facility providing services for the prevention or diagnosis of all types of mental disorders.

That would cover the whole gamut, as the distinguished Senator from Connecticut has said.

Mr. SPARKMAN. I thank the Senator from Connecticut and also my colleague.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. SIMPSON. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I think the Senator from West Virginia asked first that I yield; I yield first to him, and then I shall be glad to yield to the Senator from Wyoming.

Mr. RANDOLPH. I am grateful for the cooperation of my colleague from Connecticut.

Mr. President, as the Senate considers S. 1576, the bill providing for local-Federal cooperation to combat mental illness and retardation, it is significant to note that this administration proposal as carefully studied and amended in our Committee on Labor and Public Welfare, has the support of 24 Governors, while in 16 other States and territories the authorities of mental health programs have voiced their support.

During hearings on this measure and a similar bill in the House, the committee received cogent and compelling testimony from Gov. Elbert N. Carvel of Delaware and from Drs. Daniel Blain of California and V. Terrell Davis of New Jersey, both of whom are members of the executive committee of the National Association of State Mental Health Program Directors. We likewise received the testimony of Dr. Charles Bush of Delaware. Meanwhile, the House committee heard favorable testimony by Gov. Frank G. Clement of Tennessee, from Dr. Harold L. McPheeters of Kentucky, also a member of the executive committee of the National Association of State Mental Health Program Directors, and from Dr. Daniel Lieberman of California.

There have been charges and intimations to the effect that the States allegedly are seeking to shift too much of the burden for mental health programs to the Federal Government. The fact is that the 50 States have spent $11.9 billion on their programs in this vital field of activity over the past 10 years—more than $1 billion a year. In West Virginia, State government funds aggregating $58,485,641 have been expended during that period to combat mental illness and retardation.

Mr. President, I have 54 messages received from Governors, including Hon. W. W. Barron, of West Virginia, and other State authorities in support of S. 1576. I ask unanimous consent that they be printed in the Record in further evidence of the broad and deep interest in its enactment.

There being no objection, the messages were ordered to be printed in the Record, as follows:

Statements of Support by the States for a Program of Local-National Cooperation in Development of Community Mental Health and Retardation Centers

ALABAMA

Superintendent, Alabama State hospitals, J. S. Tarwater, M.D.: "As superintendent of the Alabama State hospitals and the Partlow State School, I am listed as the mental hospital authority in Alabama. As such, I am very much interested in the President's program to combat retardation and mental illness, and the need for more community psychiatry is extremely necessary if we in Alabama are able to give better service to communities and prevent commitments to our State institutions.

"I know Dr. Dan Blain who for a number of years was the executive secretary of the American Psychiatric Association, is presently the director of the department of mental hygiene in the State of California and in his capacity as president of the National Association of State Mental Health Program Directors appeared before the Senate Committee on Labor and Public Welfare March 6, 1963. I have carefully read his address and wholeheartedly agree with his recommendations. I also agree with the recommendations of V. Terrell Davis, M.D., director of the Division of Mental Health and Hospitals of the State of New Jersey, given to the Senate Committee on Labor and Public Welfare on March 6, 1963."

ALASKA

Gov. William Egan: "I would urge your support of these measures. Both of these bills, S. 755 for community mental health centers and S. 756 for mental retardation facilities construction, would be of great assistance to Alaska in implementing the programs under consideration by the State."

Acting Commissioner, Department of Health and Welfare, Henry A. Harmon: "We urge support of H.R. 3688 and H.R. 3689. These bills reflect the growing emphasis on community-based treatment of mental illness and the great need for intensified research in mental retardation."

ARIZONA

Director, Arizona State Hospital, Samuel A. Wick, M.D.: "I am in agreement with the principles expressed in Senate bill 755 and House bill 3688 to assist States for improvement in mental health programs related to community services and for staffing of community mental health centers. It is necessary for each State to expand these psychiatric services to treat psychiatric illness in the community and prevent increased admissions to State hospitals."

ARKANSAS

Gov. Orval E. Faubus: "Please be advised that I approve of H.R. 3688 and H.R. 3689, and state that Arkansas will make arrangements to participate in the construction program provided in these measures, should same be approved by the Congress."

CALIFORNIA

Gov. Edmund G. Brown: "Services to the mentally ill and retarded have the highest priority in California. The President's message and these bills (S. 755, S. 756) reflect the same reasoning that our own studies have brought out.

"Planning of our department for both mentally ill and retarded has emphasized the medical reasons why these people should be treated early and continuously and close to their homes where social restoration is most available. Local treatment is also more economic and administratively more efficient.

"S. 755 and S. 756 emphasize community centers, which are directly in line with California's planning. The department of mental hygiene last year called for 12,250 bed units serviced by day treatment rehabilitation and consultants' service to be locally operated and financed. Local governments are slow to accept the financial responsibility. The 1962 legislature rejected the demand for additional large hospital for the retarded and appropriated money for building one and planning two other units for retarded almost identical to those authorized in S. 756.

"In 1957 California inaugurated a State-local mental hygiene program—17 counties have participated but the other 41 wait for greater sharing of expenses before moving ahead. Private mental facilities and general hospitals are already strong partners in handling the growing demand for admissions, but they can only move ahead if financial support is found.

"S. 755 and S. 756 appear to provide the one-shot help in constructive and the temporary help in staffing that could give the needed impetus for a great expansion in local services. Out hospitals have done a magnificent job in admitting and releasing ever increasing number of patients, but this system of large distant State hospitals must give way to the advantage of treatment near home in the hands of many groups of responsible people. I urge the passage of S. 755 and S. 756 as a great step forward in the help for mentally ill and retarded patients and their families. I am convinced it will help the economy in the long run.

"I specifically call attention to the provisions of S. 756 relating to research. Though the great problem of the retarded will be helped by better treatment, training, and assistance to families, only research to uncover the causes of retardation can do the whole job. My earnest request is for a unanimous committee approval."

COLORADO

Director, department of institutions, David A. Hamil: "We in Colorado believe in community based hospitals for the mentally ill as well as community centers for the retarded.

"We are at present engaged in statewide programs to assist in the development and maintenance of such facilities. We, therefore, support in principle House bills 3688 and 3689, and trust that the individual States, through community efforts, may be able to assume more of the obligation of financial support as outlined by these bills. By putting the emphasis at the community level, and maintaining it there, we should be able, in a reasonable time, to fulfill the needs in the field of the mentally ill and retarded."

CONNECTICUT

Gov. John Dempsey: "S. 755 and S. 756 will, if adopted, make possible great new achievement in the diagnosis and treatment of mental illness and retardation. Connecticut's experience in these fields clearly demonstrates the soundness of the approach recommended in both these bills. May I respectfully urge upon your distinguished committee favorable consideration of S. 755 and S. 756?"

Commissioner, department of mental health, Wilfred Bloomberg, M.D.: "H.R. 3688 and H.R. 3689 will, if adopted, greatly hasten the implementation of effective new concepts in the diagnosis, care, and treatment of mental illness and mental retardation which Connecticut, among other States, is eager to adopt. The soundness of the approach embodied in these bills is widely supported in Connecticut. May I respectfully urge your committee to give these measures favorable consideration?"

DELAWARE

Gov. Elbert N. Carvel: "As Governor of Delaware I wish to express on behalf of the people of our State my firm support of H.R. 3688 and H.R. 3689 which would implement the President's programs on mental health and mental retardation.

"The Governors of the United States have made many studies in the field of mental health and have solidly backed programs which should insure a breakthrough in this area and a reduction of those in mental institutions of 50 percent during the next 10 years.

"In order to accomplish this tremendous progress it will be necessary to triple our expenditures in the areas of patient treatment, providing small-size institutions at the community level, and stepping up the training of psychiatrists, psychologists, and psychiatrist helpers.

"Presently there is an acute shortage of this personnel, and this is one of the main reasons why we are not making greater progress today. In view of the fact that there are millions unemployed, one of the encouraging aspects of the President's program is to provide funds for increasing the number of people who are being trained to do this work.

"I know that the Congress, when they realize that as many as 30 percent of our population may have some mental affliction, will appreciate the tremendous importance of this great problem. I know that when they realize that with sufficient funds we can cut the populations of our mental institutions in half in the next 10 years, they will take steps to see that President Kennedy's program will be a major contribution in this effort. For these reasons I strongly urge the prompt enactment of this important legislation."

GEORGIA

Director, department of public health, John H. Venable, M.D.: "As the mental health authority of the State of Georgia, urge favorable consideration of S. 755 and S. 756 relating to Federal assistance in construction and operation of mental health centers and construction of research centers and facilities for the mentally retarded. We strongly support in principle this legislation."

GUAM

Gov. Manuel Flores Leon Guerrero: "Guam supports Senate bills 755 and 756 which provide Federal support for mental illness and mental retardation programs. Guam has need for strong material support of these programs particularly now as we rebuild and replan our typhoon-devastated organizations."

HAWAII

Gov. John A. Burns: "We have been apprised of the introduction of H.R. 3688, a bill to provide assistance in the construction and initial operation of community mental health centers, and would appreciate your support of this bill."

ILLINOIS

Gov. Otto Kerner: "I would like to express myself as being in favor of Senate bills 755 and 756 (House bills 3688 and 3689) which are designed to help carry out the President's recent recommendations in the area of mental health.

"Here in Illinois, we have already begun a similar program of community mental health centers. Such a program is designed to serve our citizens with the most advanced facilities and therapy in the country. We in Illinois feel that this program on a national basis will be a gigantic step forward in the care of our mentally incapacitated.

"As we all know, one of the major problems is to secure adequate personnel. The provisions of title II would provide assistance toward staffing these mental health centers.

"Lack of scientific knowledge in the area of mental retardation is one which only recently has been brought to the fore. If we are going to make the necessary progress in this area, we must first have a broad research program to point to directions where progress can be made. Senate bill 756 (House bill 3689) would provide great help to the States in undertaking this research.

"Crowding in the institutions for mentally retarded is a most shameful and degrading treatment. Title II of 756 (3689) would aid the States in constructing facilities for the most overlooked group of needy citizens.

"For these reasons, we in Illinois strongly urge support and passage of these vital measures."

INDIANA

Gov. Matthew E. Welsh: "The day of the ever-expanding central State institution for the care of the retarded or the mentally ill is behind us. We have increasingly come to recognize that both for the patients and for the taxpayers, smaller centers close to the homes of patients are more effective and, in the long run, less costly. Our experience in Indiana with 11 State institutions now caring for approximately 25,000 patients a year, has convinced us that the President's proposal for community centers for the mentally ill and the retarded is both the most economical and the best medical method for meeting our responsibilities to those among us who suffer these disabilities. I give my wholehearted support to the President's courageous and far-seeing proposals as contained in H.R. 3688 and H.R. 3689."

IOWA

Governor Harold E. Hughes: "I wish to express my full support of President Kennedy's legislative proposal on facilities for the mentally ill and retarded as expressed in S. 755 and S. 756."

Chairman, board of control of State institutions, W. I. Conway and director, mental health division, J. O. Cromwell, M.D.: "We believe that strengthening of community mental health facilities personnel and program are vital to future mental health of Iowa. We further believe advances will more likely be made in mental health and retardation with Federal participation."

KANSAS

Director of institutions, R. A. Haines, M.D.: "The Kansas Mental Health Authority, the State Board of Social Welfare, and the State Director of Institutions, The State Mental Health Program Director, urge favorable consideration of Senate bills 755 and 756 to permit establishment and/or expansion of comprehensive community mental health centers, and to permit construction of research centers and facilities for the mentally retarded. We believe mental health services should be available closer to the people needing them and that expansion of services must be planned and then carried out accordingly. We will look forward to improving community mental health services in Kansas in the future."

KENTUCKY

Governor Bert Combs: "Kentucky is most interested in both Senate bills 755 and 756 providing for construction of community mental health centers and facilities for mentally retarded. Community mental health centers will enable better mental health care near home rather than in State hospitals. Kentucky is presently short 1,000 beds for the retarded. I join my commissioner of mental health in urging favorable consideration of this legislation."

LOUISIANA

Director, department of hospitals, Winborn E. Davis, ACSW: "Louisiana State Mental Health Authority endorses H.R. 3688 and H.R. 3689 matching State funds are available to carry out these programs and will greatly assist Louisiana's mental health and retardation programs."

MAINE

Director, bureau of mental health, William E. Schumacher, M.D.: "Future plans for mental health services in Maine include all-purpose community mental health centers in southern and northern Maine, functioning as services associated with contiguous general hospitals.

"Presently we are active in promoting a regional boarding school and day-care center for trainable retarded children in northern Maine.

"Both of these services would be given substantial impetus by the passage of Senate bills 755 and 756. Our department has contacted our congressional delegates to seek their support of these bills.

"Our efforts in the future in mental health programing will be toward community services of the broadest type. Since the Hill-Burton construction program has demonstrated the effectiveness of Federal aid in general hospital construction, the program which would result from these two bills would obviously provide the same impetus for improved facilities for the mentally ill and mentally retarded."

MARYLAND

Commissioner, department of mental hygiene, Isadore Tuerk, M.D.; "Maryland Department of Mental Hygiene strongly endorses Senate bills 755 and 756 to promote mental health and alleviate mental retardation that will enable the Federal Government to participate in matching funds with States to create a satisfactory system of programs and facilities long needed by the State of Maryland which these particular bills will make possible."

MINNESOTA

Medical director, department of public welfare, David J. Vail, M.D.: "Improvements in mental health facilities and programs are urgently needed in the national interest. As director of the State mental health program in Minnesota I strongly support S. 755 and S. 756."

MISSOURI

Gov. John M. Dalton: "Senate bills 755 and 756 have my strong support. They are in line with our plans to improve Missouri's program for the mentally ill and the mentally retarded. Missouri has found small cents for the rapid treatment of the mentally ill to be humane and economically sound. I have endorsed the program now before our State senate to create three mental health centers in the next biennium."

Director, division of public health and welfare, George A. Ulett, M.D.: "Senate bill 755 and 756 certainly have the complete endorsement of those of us responsible for the direction of the program of Missouri's Division of Mental Diseases. We have just established a section on mental retardation within our division and are developing a master State plan in that area. A bill is now pending before the Missouri State Legislature to establish three mental health centers at general medical centers across our State to offer early, rapid, intensive treatment for Missouri's mentally ill."

NEBRASKA

Gov Frank B. Morrison: "We strongly urge consideration of S. 755 and S. 756 which we understand are to be heard by your Committee on Labor and Public Welfare. It is our opinion that the passage of these bills will be of great help to the States and particularly to Nebraska in stimulating our programs for the mentally ill and mentally retarded."

Director, department of public institutions, George L. Morris: "I understand that Senate bills 755 and 756 are to be heard by your Committee on Labor and Public Welfare. I hope your committee gives favorable consideration to these bills which are designed to promote programs for the mentally ill and mentally retarded. In Nebraska we are embarking on a long-range program in both of these areas, and we feel that if these bills are passed into law it would be of great aid to us in stimulating our long-range planning and assisting us in reaching our ultimate objectives."

Director of mental health, Cecil L. Wittson, M.D.: "I respectfully offer my strongest support for bills S. 755 and S. 756. Community based centers for the mentally ill are effective and economical means of reducing the needs for long and expensive institutionalization. Additional research and other facilities for the mentally retarded are urgently needed in Nebraska and throughout the Nation. With the aid of such facilities much human suffering and waste of our most valuable resource—the individual—can be prevented."

Chairman, inter-agency committee on mental retardation, Mrs. L. A. Enersen: "We beg your committee to report favorably on S. 755 and S. 756. Passage of these bills is of vital importance to millions of persons who can be helped through concerted efforts in these two fields and millions more who are their families."

NEW HAMPSHIRE

Director, division of mental health, John L. Smalldon, M.D.: "New Hampshire firmly supports President's mental health and retardation program (H.R. 3688 and H.R. 3689)."

NEW JERSEY

Gov. Richard J. Hughes: "As Governor of New Jersey I strongly support passage of H.R. 3688 and H.R. 3689 which would implement significant parts of President Kennedy's program on mental health and mental retardation.

"The New Jersey Legislature is currently considering proposals for amendment and recodification of statutes pertaining to the mentally ill and mentally retarded which are oriented in the direction of the President's proposals. Passage of these bills would give impetus to new programs and planning already well underway in New Jersey as a result of the combined leadership of physicians and other mental health professionals, organized citizen groups, and legislative and executive officials in our State, county, and local governments."

NEW MEXICO

Gov. Jack M. Campbell: "Hope your committee will take favorable action in regard to President's proposal for matching funds to States for construction of mental health centers. Believe it would greatly aid New Mexico's mental health program."

Assistant superintendent, state hospital, Albert E. Ball, ACSW: "Heartily approve President Kennedy's mental health program. Please convey to Senate Labor and Welfare Committee endorsement of S. 755 and S. 756 by New Mexico. State Hospital and many other State citizens interested in progressive care and treatment of mentally ill and mentally retarded."

NEW YORK

Gov. Nelson Rockefeller approved a statement by Dr. Paul Hoch, director of mental hygiene for the State of New York, on February 20. Excerpts from this release indicate the position of the State of New York on this type of program:

"These objectives (the President's message) represent the fundamental requirements in the field of mental health today and are entirely consistent with goals delineated in New York State's Master Plan for Mental Disability promulgated by Governor Rockefeller last year and soon to enter its second phase of implementation. This master plan and those of other forward looking States have contributed to the recognition by the Federal Government of the size and gravity of this problem and the important issues involved * * *. There is no doubt that financial contributions of the Federal Government will be welcomed. But it is of utmost importance that leadership and direction remain in the hands of each State * * *. There must be full provision for flexibility and adaptability for the specific requirements of individual States. Maximum effectiveness can be achieved only if Federal, State and local authorities are all involved in developing and maintaining services with full provision for correlations and integration."

NORTH CAROLINA

Gov. Terry Sanford: "I urge the passage of the Community Mental Health Centers Act of 1963 and the Mental Retardation Facilities and Construction Act of 1963 which are before Congress. These bills represent needed Federal efforts to encourage, initiate, and expand local efforts directed toward finding remedies for mental retardation and other mental illnesses. I am happy to support both of these measures."

Commissioner of Mental Health, Eugene A. Hargrove, M.D.:

"In support of S. 755 and S. 756 I submit that science and commonsense have presented practicable methods for the treatment of rehabilitation of mental handicap and a rising hope for their prevention. The needed impetus is toward putting ideas into action and furthering needed research by encouraging the construction and initial operation of community-oriented mental health facilities (S. 755) and the construction of facilities for research in human development (S. 756). As a citizen, psychiatrist, and North Carolina's Commissioner of Mental Health, I urge your committee's serious consideration of these bills."

NORTH DAKOTA

Director, North Dakota Mental Health Authority, Albert F. Samuelson, M.D.: "I have studied carefully the President's recent message on mental illness and mental retardation, the principles of which are embodied in H.R. 3688 and H.R. 3689. In general, I feel these proposals are very progressive and will undoubtely have many lasting beneficial effects upon treatment programs for the mentally ill and mentally retarded of our country. These proposals appear to be a composite of the joint commission report on mental illness and health, recommendations of the recent American Medical Association Congress on Mental Health, and reflect the thinking of other major authorities in psychiatry and related health fields.

"In North Dakota, because of limited tax revenues, Federal funds are needed to supplement our programs for treatment and rehabilitation of these unfortunate victims. These Federal programs, if initiated, will be of immense value to our State and help achieve treatment goals which heretofore have been beyond our reach."

OREGON

Administrator, division of mental health, J. H. Treleaven, M.D.: "We in Oregon feel very strongly the need of the measures outlined in H.R. 3688 and H.R. 3689 and that they have our complete support."

PENNSYLVANIA

Gov. William Scranton: "The proposal for development of community mental health centers has our hearty endorsement. The Office of Mental Health of the Commonwealth of Pennsylvania has been programing for the past several years toward the development of resources within the community for a continuum of care necessary in the treatment of mental illness. We would like to encourage the development of more community resources for the mentally retarded as well as greater efforts in the field of prevention, but we see little hope of moving as rapidly as necessary through this transitional period from a State hospital-centered program to a community-centered program without financial help. The knowledge and skills are at hand; citizen interest and support are at their highest, and all that is needed is the means to mobilize these skills and this support to productive activity. There is a real danger of much of the existing momentum being lost by failure to act boldly and decisively. Your effort toward favorable action in support of the development of community mental health centers is strongly urged so that fight against mental illness can move forward with new vigor."

RHODE ISLAND

Director, department of social welfare, Augustine W. Riccio: "As the Mental Health Authority for the State of Rhode Island, we endorse in principle the above-referenced legislation (S. 755–756). It is my understanding that these bills will be considered by the Senate Subcommittee on Public Health and Welfare in executive session. As a member of this Committee, we felt that you should know our position on these bills."

SOUTH CAROLINA

Gov. Donald S. Russell: "Would like to recommend favorable action in Senate bills 755–756, House bills 3688–3689."

Director, mental health commission, W. P. Beckman, M.D.: "South Carolina has submitted to the U.S. Public Health Service, a plan for planning a master mental health program for South Carolina. We anticipate approval of this plan and activation of it within the near future. We further anticipate that out of this 2 year study will come recommendations for immediate, short range and long range plans for comprehensive mental health services.

"It appears very necessary that the Federal Government join hands with the States and communities in financing these programs and we wish to urge favorable action on H.R. 3688 and H.R. 3689. Our Governor, the Hon. Donald S. Russell, is very interested in this matter and has agreed to cooperate with us in our plan for planning a master mental health plan for our State."

TENNESSEE

Gov. Frank G. Clement: "The passage of your proposals, Senate bills 755 and 756, would greatly enhance the mental health and mental retardation programs in Tennessee. These measures have been discussed with Dr. Joseph Baker, commissioner of the Tennessee Department of Mental Health, and we feel that their passage would be of great value in these fields."

Commissioner, department of mental health, Joseph J. Baker, M.D.: "These bills (S. 755 and 756) would tremendously assist our effort to improve quality of care for the mentally ill and the mentally retarded."

UTAH

Associate superintendent, State hospital, H. Edward Beaghler, M.D.: "As acting superintendent of the only hospital for the mentally ill in the State of Utah, as past president of the Utah Psychiatric Society and as president of the Intermountain Psychiatric Association, I urge your favorable consideration of H.R. 3688 and 3689, which embody the principles of a constructive mental health program and carries the endorsement of a significant majority of the mental health personnel in the State of Utah."

VERMONT

Superintendent, Vermont State Hospital, R. A. Chittick, M.D.: "May I urge your favorable consideration of S. 755 and S. 756 which I understand are soon to be heard by the Senate Labor and Public Welfare Committee. As you are aware, Vermont has made admirable progress in the field of mental health but the problem is tremendous, and requires all of the resources, encouragement, and assistance it can receive if we are to conquer. One of the large factors is that this attack has been too long delayed. I hope that now the Federal Government will be able to apply the needed impetus.

"Any help you can give in this matter will be greatly appreciated by many, many people."

WASHINGTON

Gov. Albert D. Rosellini: "Would like to add my personal appeal for your support House bills 3688 and 3689 regarding Federal aid to further State mental health programs and research in field of retarded. Critical need exists to increase funds in these areas toward improved research, training, and treatment programs. Legislature, State of Washington unable to appropriate additional moneys to take care of all requests of our State mental hospitals and institutions for retarded. Believe Federal aid to State mental hospitals and institutions for retarded necessary and urgent at this time. Urge your personal support and consideration."

Director of Institutions, State of Washington, Garrett Heyns: "Appreciate your support House bills 3688 and 3689 re Federal aid to further State mental health programs and those developing research and training in field of retarded. Heretofore Federal aid not available for State mental hospitals and State institutions for retarded. Critical need now exists to increase funds in these areas to insure improvement in research, training, and treatment through increased development. Legislature, State of Washington, past few years has given considerable attention to these areas but unable to increase funds to any great extent at this time due to other State programs in need of financial assistance. Federal aid would be step forward and I urge your personal support and consideration."

Supervisor, division of mental health, William R. Conte, M.D.: "Urge your careful consideration and support of House bills 3688 and 3689. They provide desperately needed help in the area where it can be used most effectively."

WEST VIRGINIA

Gov. William Wallace Barron: "The State of West Virginia has the problem of providing adequate treatment and prevention of mental illness, as do all other States and territories of this Nation.

"This staggering problem, which costs so much in human suffering, lost production, and money, demands a nationwide program of action.

"No one State can work alone to solve the problem, with a concerted effort there is real hope. I have consulted Dr. Mildred Mitchell-Bateman, director of department of mental health, who assures me that we are ready and able to join forces with the Federal Government. This State will find a way to do its part.

"May I urge your most careful consideration of Senate bills S. 755 and S. 756?"

Director, department of mental health, Mildred Mitchell-Bateman, M.D.: "As director of Department of Mental Health of West Virginia, I urgently request favorable action on Senate bills S. 755 and S. 756. There is no question but that the problems of mental illness affect our well being as a Nation to as great an extent as any other problems with which we are faced.

"The State of West Virginia does not have the resources in either money or qualified personnel to effectively work alone on this problem. It is more economical to have a totally correlated program for the entire Nation so that duplication is avoided and resources shared.

"There is no reason to believe that with adequate attention the problem of mental illness cannot be solved by a Nation which has made such progress in solving other health problems.

"Hopes are high in this State that the President's message will incite legislative action which will bring us nearer the goal of increasing the mental health of our citizens through research and prevention and treatment of mental illness and retardation."

WISCONSIN

Governor John W. Reynolds: "As a forward-looking State in the field of mental health and as a State that is following with detailed interest the implementation of the President's historic mental health message, Wisconsin registers its support and urges passage of bills S. 755 and S. 756.

"Wisconsin's mental health programs, recognized as among the most progressive in the

Nation, have been and will continue to be in the direction of increased assumption of responsibility by communities—their professional and lay leaders.

"It is my conviction, supported by the many interested organizations and individuals in Wisconsin, that bills S. 755 and S. 756 are important stepping stones in the implementation of a progressive national mental health program and that they are in keeping with our philosophy of community oriented programs."

WYOMING

Superintendent, State hospital, William N. Karn, Jr., M.D.: "Senate bills 755 and 756 have my endorsement inasmuch as I, superintendent of Wyoming's only State hospital, recognize the need of such programs throughout the States. Some 4 years ago I launched a program for intensive treatment, inservice training and research here at the hospital, and, although our results have been most gratifying, we do not have adequate community based psychiatric facilities. Community services for mental illness are of great value to the citizens of Wyoming as has already been demonstrated by a few mental health clinics that have been functioning during this past year. Establishment of these community centers has encouraged local handling of psychiatric problems, and has prevented hospitalization in this remote part of our State. However, in order to more effectively establish a training and research program, more moneys are needed for the recruitment and training of additional personnel so that a greater number of people might have a better knowledge and understanding of mental illness and mental retardation."

Mr. RANDOLPH. Mr. President, it was my privilege to make the motion in the Senate Committee on Labor and Public Welfare, which brought this bill to the Senate for debate and determination. I wish to express special commendation to Chairman LISTER HILL, whose leadership in health legislation has been so constructive over the years, and also to members of our committee who cooperated to submit this measure for action.

Mr. HILL. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HILL. I thank the distinguished Senator from West Virginia for his very generous words. No member of the Committee on Labor and Public Welfare contributed more or did more to bring the bill to the Senate than did the distinguished Senator from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. I appreciate the Senator's remarks.

Mr. SIMPSON. Mr. President, I do not wish to trespass upon the time of the Senate or to enter unduly into the colloquy or argument which may ensue today.

As the distinguished Senator from Connecticut [Mr. RIBICOFF] knows, I was vice president of the National Association for Mental Health, in charge of the 15 Western States area, when he so capably held the position of Secretary of the Department of Health, Education, and Welfare.

I, too, commend the distinguished Senator from Alabama for being such a great champion of this work. We know how well he has done over the years. Had it not been for his championship of the things we seek to do, I am sure we would now be further behind than we are.

There is one question I should like to ask the distinguished Senator from Connecticut, though it may have been answered previously in the discussions.

As one who has worked with mental associations and mental health problems in the 15 States over which I presided, I should say, due to inadequate analysis of causes of commitment, that the custodial institutions were so overburdened with people that the care given was a shameful thing. Has that problem been discussed today?

Mr. RIBICOFF. There is a provision in the bill for research facilities for training personnel in the research field. This is an important part of the measure.

The distinguished Senator from Wyoming was an outstanding Governor of a great State and is vitally interested in the problems of mental illness and mental retardation in his own State. I recall that, at the request of the distinguished Senator when he was Governor, at the time when I was Secretary of the Department of Health, Education, and Welfare, I went to Portland, Oreg., to address the Western Conference on Mental Health, under the chairmanship of the present distinguished Senator from Wyoming.

All of us who have worked in this field owe a deep debt of gratitude to the distinguished Senator from Wyoming for his work in the entire field of mental health and mental retardation.

Mr. SIMPSON. I thank the Senator from Connecticut.

Mr. HILL. I thank the Senator from Wyoming for his kind words. For many years I have known of the deep interest of the Senator from Wyoming in the battle against mental illness, and of what he has done to provide leadership and inspiration to carry forward the battle in the great western part of our country. Certainly the Senator deserves the thanks of all of us.

In connection with the question raised by the distinguished Senator from Wyoming, the testimony shows that in the large State hospitals the patients do pretty well if they get 1 hour a week of medical attention. There are not enough doctors or psychiatrists. The average expenditure per patient throughout the United States is only $4 a day. In some institutions it is as little as $2 a day.

With respect to 286 institutions—including some county hospitals as well as State hospitals—less than one-third have been approved by the Joint Commission on Accreditation of Hospitals, which, as the Senator knows, is made up of representatives of the such great organizations as the American Medical Association, the American Hospital Association, and the American College of Physicians. Less than one-third of those hospitals today qualify to be certified by the commission. Most of them were built before the turn of the century, before 1900. They are old. As I said earlier, they are archaic.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. SIMPSON. What has been the experience, as stated before the committee, with respect to the adequacy of many of the custodial institutions, and the lack of a number of the more sensitized institutions needed for psychiatric treatment?

Mr. HILL. I am glad the Senator asked that question.

When Governor Carvel, of Delaware, was before the committee—he came representing the Governor's Association, and was accompanied by our distinguished colleague the Senator from Delaware [Mr. BOGGS], for they had worked closely together in the whole field of mental health—he called our attention to this fact:

> And although there is a great deal of unemployment in the United States, in the field of psychiatry and mental health there is a great dearth of personnel and the President's message gives us tremendous hope that we can institute a national program of training which will eliminate this tremendous void in personnel field of mental health.

Governor Carvel also said:

> I talked to the Governor of Colorado a couple of months ago and he told me that psychiatrists were not available for any amount of money, that it didn't make any difference how much money he had, he just couldn't get sufficient psychiatrists to staff the mental hospitals in the State of Colorado.

According to the testimony, one of the great advantages of the program now proposed for the mental health centers in the general hospitals or local communities is that not only could they make use of psychiatrists who may be in the communities but also they could make use of general practitioners. For a number of years the National Institutes of Health, through the Institute on Mental Health, have been carrying on a training program for the training of what we might call general practitioners. They have had more applications for training than funds with which to provide training.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. SIMPSON. Does the Senator recollect some regional conferences of Governors of various States—undertaken because of a lack of facilities and a lack of money to implement the work we are trying to accomplish—the purpose of which was to set up regional institutions supported by the money of States in the region?

Mr. HILL. The Senator is correct.

Mr. SIMPSON. That has been totally inadequate, has it not?

Mr. HILL. It is inadequate. They do not have sufficient doctors. They do not have a sufficient number of psychiatrists, as the statement from the State of Colorado shows. They simply do not have the personnel needed.

Mr. SIMPSON. Is it not true that the situation in many parts of the United States is so lacking as to help and aid to these people as to require a remedy; and is it not the fact that there are people who have joined in trying to hurt these people who cannot help themselves; and that help is needed from this great body and from the people of the United States to bring about a proper solution to this awful problem facing America?

Mr. HILL. All the testimony before the committee sustains and supports the very timely statement the Senator has just made.

Mr. SIMPSON. I thank the Senator.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. DOMINICK. I did not want the RECORD to appear as if Colorado is one of the bad States in doing something about the mental health program. I was one of the trustees in the first community center within the metropolitan area of Denver, and was active in this field during my time in the State legislature, and I know of the intensive efforts many of us have made in trying to have something done to solve the problems that have been so ably spelled out by the Senator from Alabama.

We have a problem in connection with trying to get enough psychologists and psychiatrists to treat these people. This is true, I think, in almost all the States. But I still have a reservation about the section of the bill which provides for payment by the Federal Government of the cost of staffing the hospitals. If it is not money which is involved—and this is what has been indicated by the letter—but the fact that there are not enough psychologists and psychiatrists, it seems to me we are getting the Federal Government into the personnel problems of these centers by paying at least a portion of the cost of the staffs.

I wonder if the Senator will give me the benefit of his thought on that question.

Mr. HILL. What I said, in commenting on what the Governor of Delaware said about the inability of Colorado to obtain psychiatrists, is no criticism of the Senator's State. I know Colorado has made a great effort to do the best she can under the circumstances, under the old system, for the care and treatment of the mentally ill. It is a problem that confronts California and all the other States.

On the matter of staffing, that involves a limited program of only 54 months. For the first 18 months after the construction of a community mental health facility not more than 75 percent of the cost of new or additional staffing can be obtained. The amount is reduced thereafter to the point where the maximum is 30 percent for the new and additional staff during the last 12 months of the 54-month period which I have just mentioned.

Mr. DOMINICK. Would the Senator say it is the opinion of the committee that, as of the present moment, those funds for staffing would be cut off at the end of that time?

Mr. HILL. I should say they will be. The partnership arrangement, so to speak, between the Federal Government and the States in the field of health is not new. For several years, as the Senator from Colorado well recalls, the Federal Government has put up money for the care, treatment, and possible prevention of tuberculosis, gonorrhea, typhoid, malaria, many other terrible diseases of the old days, about which we do not hear so much today because, largely through the action of the States, with some help from the Federal Government, they have been wiped out and made a thing of the past. So there is nothing new about the Federal Government coming in, as proposed here, for the limited period of 54 months, to help with some of the new, additional staffing.

Mr. CARLSON. Mr. President, I did not want to let this opportunity pass without expressing appreciation for the excellent work of the chairman of the committee. For many years it was my privilege to serve with him in the House. It has been my privilege to serve with him in the Senate. This program will be another monument to his credit in the field of dealing with the health of our people. In my opinion, he has already had many monuments constructed for him in the way of programs he has instituted and proposed and which Congress has approved. An example is the Hill-Burton Act, which has meant so much to our State and to our country. As we enter into this new program, which I am sure will be approved by Congress, it will be another mark to his credit. I shall discuss briefly the mental health program because for many years I have had a personal interest in it.

I regard mental health as one of our most serious problems. The progress that is being made is good, but we have much more to do. Only in recent years have we actually come to grips with the problem. We are now treating patients for mental illness, instead of incarcerating them in hospitals, which, in reality, became prisons for them.

The Kansas revolution in mental health began in 1948 when, as Governor, I appointed a commission of outstanding doctors and private citizens to recommend changes in the State's mental health program.

Since that time our State has advanced from 45th place in the Nation in per capita expenditures for the care of patients in public mental institutions, to 10th in 1948 to 1951, 6th in 1952, 3d in 1955, and, since 1958, to 2d place, and now to 1st place.

While we were spending $1.06 per patient day in 1948, in 1960 we were spending $7.34 per patient day.

In 1948, 70 percent of those who entered mental institutions in Kansas remained for life.

In 1960, 85 percent went home; and of these about three-fourths left within the first 3 months.

Since 1948, Kansas has had more than a 30-percent reduction in mental hospital populations, despite having five times the number of admissions. This has been possible because dynamic programs of psychiatric care and treatment have replaced mere custodial care.

These programs have made possible the recovery of great numbers of individuals who have come to be regarded as patients capable of cure rather than hopeless inadequates, relegated to the "back room" and consequently forgotten.

The high caliber of our mental health personnel in Kansas was acknowledged by the American Psychiatric Association and National Association for Mental Health when, in 1958, it rated the Kansas mental health program among the best staffed in the Nation—despite the fact that it cost less than the mental health programs in 16 other States.

The Council of State Governments has named Kansas one of the best examples of good investment in personnel in terms of human values and financial returns.

Kansas began to earn its reputation as "Psychiatric Training Center of the World" shortly after a special committee studied the State hospital program in 1948.

The philosophy "brains before bricks," reflected the belief that, taking first things first, it would be necessary to train highly qualified psychiatrists and other mental health personnel. We believed that good treatment in old buildings was preferable to bad treatment in new buildings.

One of the earliest training programs was at the Topeka State Hospital, where the Menninger Foundation had a program to study problems of educating psychiatric aids.

This program was inspired by an earlier experience at the Winter Veterans' Administration Hospital, where young doctors had come to respect the average man's ability to learn basic nursing procedures on the basis of their experience in training farmers and mechanics to be effective medical corpsmen during World War II.

During this period, the Menninger School of Psychiatry was a potent force in training personnel who soon proved to the world that mental illness can respond to treatment just as physical illness can. Today the school trains more psychiatrists than any other institution in the world.

In addition to its excellent training programs for mental health personnel, Kansas also has trained law enforcement officials, clergymen, voluntary workers, teachers, and others who deal with emotional problems in their jobs.

Today Kansas is in step with one of the latest educational trends—that of teaching the principles of psychiatry to general practitioners. Family doctors, who have day-to-day contact with patients, can recognize many early symptoms of mental illness and help eliminate them before they reach serious proportions. The American Academy of General Practice has a program whereby general practitioners receive educational credit for attending diagnostic and appraisal conferences at Topeka State Hospital.

Thus, through the excellence of its training programs, Kansas has risen to first place in the Nation for the number of physicans per 100 resident patients in public mental hospitals. It also leads the Nation in the number of professional patient care personnel per 100 resident patients. It is first in the number of full-time employees per 100 patients in public mental hospitals, and it is seventh in the number of psychiatrists per 100,000 population.

I mention this because Kansas has pioneered in this field; and it proves to me that once an agency of the Government, a State, or the Federal Government, takes an active interest in these programs, we are able to advance very rapidly in this field.

One of the most potent forces for making the supply of community facilities meet the demand is the National Institutes of Mental Health. Under the leadership of Dr. Robert H. Felix, it has encouraged and assisted State and local governments to provide for facilities for the mentally ill.

Dr. Felix, incidentally, is one of three Kansans—the others being Dr. William Menninger and Dr. Karl Bowman—who have served as president of the American Psychiatric Association. They have also been very active in the field of institutional mental health.

In discussing these problems, I do not believe that a State should become overly dependent on Federal assistance for its research programs. Federal aid is intended solely to stimulate the States into initiating and conducting their own programs. The Federal Government must, as always, stand ready to assist when asked and needed. But the leadership, initiative, and responsibility must rest with the States.

Just as Kansans built strong fences by using stone instead of wood many years ago—so they have provided a strong basis for their mental health programs by making them the best staffed in the Nation.

Now the next must be taken—these personnel resources must be mobilized and expanded to provide community mental health services so that every citizen can receive psychiatric help when and where he needs it.

Given prompt and adequate treatment, as many as 85 percent of our mentally ill can achieve partial or total recovery within a few months. Denied this care, these individuals will be forced out of the mainstream of life—causing suffering for themselves and their families—a heavy financial burden to society—and a needless, tragic waste of human life.

I feel confident that we who have come so far will not stop now. We hold the key to progress in the strength of our mental health programs—and we cannot afford to throw it away.

I am delighted that the proposed legislation which the Senate is considering today also deals with another important phase of the mental problem, and that is the mentally retarded. In Wichita, Kans., there is an institution which is nationally and internationally known. It is the Institute of Logopedics. It was established as a part of the Wichita University on June 1, 1934. It was established as "a nonprofit corporation dedicated to the alleviation and prevention of communicative handicaps."

The ever-increasing growth of this institution is the result of the dedication of Dr. Palmer and his determination to be of assistance to those who are afflicted with difficulties of speech. The record speaks for itself.

By 1962, 27,000 individuals had received help from the institution. They came to the institute from all 50 States and from 15 foreign countries. At the present time, approximately 15,000 individuals, with all types of communicative problems, are enrolled. Five hundred of these are at the Wichita Clinic, with the rest receiving training at the 21 field service centers throughout the State of Kansas.

The Institute of Logopedics is more than a treatment center. It is also an institution where professional training is given. Since 1934, more than 700 students have taken courses in the Department of Logopedics. Over 30 masters degrees have been earned since 1944, and presently, there are 186 students majoring in the field of logopedics.

Graduates from the Department of Logopedics are bringing communication to persons in 27 States and 4 foreign countries.

It seems to me that such impressive statistics prove that the Institute of Logopedics is the heart center of efforts in the field of communicative rehabilitation and research.

I should like to state the reasons for designating the Institute of Logopedics at Wichita, Kans., as one of the three clinical centers for a study of mental retardation. Let us think now of how the institute fits, almost as though created for it, into present administrative planning:

The President has proposed the establishment of three clinical research centers in mental retardation at a probable cost of $2 million each per year, with others to be established later.

There are a number of reasons for choosing the institute among the first three centers:

It is centrally located and of easy access.

In its 29 years it has built strong popular support.

In 1962 there were more than 70,000 individual contributors, as well as many nationwide organizations and subsidies from the State of Kansas, the city of Wichita, and so forth.

With most centers the program will have to be built from near zero. The Institute of Logopedics is already the largest center of its kind in clinical work, professional preparation, research, and residential care. It is, in short, a program already geared to accept the challenge. However, it cannot expand these areas without long-range, sufficient, and adequate program support.

The Institute of Logopedics has a full academic affiliation with the University of Wichita as well as an approved affiliation with Michigan State University. Formal affiliation is waiting for funding support.

The Institute of Logopedics has the wholehearted cooperation of the pertinent specialists in medicine, social welfare, psychology, and education.

The large clinical program is already established giving adequate material for research (about 1,800 at present) and complete clinical records of more than 28,000.

The President called for the establishment of community centers. The Institute of Logopedics has operated such centers for other communities since 1936. At present 23 such community centers, locally supported, are administered by the institute. The wealth of practical information acquired can be made available as the President's program develops.

The results of 29 years of clinical research almost guarantee that the Institute of Logopedics can assure positive gains from such a Federal investment.

The Institute of Logopedics already attracts high level investigators. With funds assured, the team could be expanded extremely rapidly.

The Institute of Logopedics is known around the world. Regular scientific communications go on steadily with investigators from Japan, Korea, the Philippines, Malaya, India, Syria, Iran, Turkey, Spain, France, Italy, Russia, Poland, England, Australia, Canada, Yugoslavia, Germany, Austria, Switzerland, Argentina, Brazil, Norway, Sweden, Denmark, the Netherlands, Belgium, and so forth.

Again I wish to state that I heartily support the proposed legislation. I shall look forward to the results, because I know the results can be achieved, based on the experience in our own State.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an article written by Mrs. Roosevelt, after she visited the Institute of Logopedics at Wichita, Kans.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A WONDER OF WICHITA

(By Eleanor Roosevelt)

NEW YORK.—A few days ago the wife of the head of the University of Wichita, Mrs. H. F. Corbin, took me to the Institute of Logopedics in Wichita, Kans. Mr. and Mrs. Martin F. Palmer are the heads of this project, which was started in 1934 in the University of Wichita under President W. M. Jardine.

This is a most remarkable institute, designed to help children and adults handicapped by speech and hearing. In fact, anyone who for any reason cannot communicate through language is welcome. It is the largest residential institution of its kind in the world.

There are 160 individual apartments where children can live under the care of expertly trained house mothers and no house mother has more than three children to care for. Also, parents may come with their handicapped children and live in one of these cottages.

A vital part of the layout is a central administration and clinic building, where may be found the latest equipment. Cooperation with the municipal University of Wichita is at its best.

There are 40 acres of ground, so the children can play as if they were at home and still get expert training. In 1955 there were 1,566 cases undergoing rehabilitation, 611 were dismissed improved and 1,771 were examined. Thirty-two States and seven foreign countries are represented by those who are there for treatment. Wichita was chosen for this project because it is geographically in the center of our country, but the institute provides field services in Maryland, in Bedford, N.Y., and many other cities in Kansas.

This corrective center is organized as a nonprofit corporation and chartered under the laws of the State of Kansas. Only 1 out of every 10 cases treated by the institute in 1955 paid the full cost of service. The organization depends on support from charitable gifts by individuals, organizations, chests, and other special sources.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CARLSON. I am happy to yield to the Senator from New York.

Mr. JAVITS. First, I apologize to the Senator from Kansas for rising a short time ago. I had no intention of preempting the floor. I did not realize that he was seeking the floor.

Second, I share with the Senator his approval of the measure, which I believe introduces for the first time in the national establishment the concept of enlightened treatment as well as the home care and community center care treatment of people who are mentally retarded or are mental cases.

The Senator has spoken from his experience in Kansas. We in New York have made extraordinary progress through the excellent work of Dr. Paul Hoch, our commissioner of mental hygiene, which has resulted in a complete revolution in the administration of our mental hospitals, in a complete revision downward of the needs and in the escalated use of mental hospitals, such as, for example, in the field of narcotic addiction. I am most pleased that the bill as reported reflects the enlightened view that narcotics addiction is a medical, as well as penal problem and may be dealt with as part of a mental health program.

Dr. Hoch has conferred with the consultants of the committee, and he is satisfied that the proposed legislation recognizes new concepts in the subject of mental illness in a most admirable way, and that it will help States which are advanced in their programs, such as is the case in the State of New York.

This is only a part of the program. There are problems of research and there are problems of hospital construction. Also, there are still many patients who must be confined, notwithstanding the admirable thrust of the proposed legislation. However, this is an excellent program. I join with the Senator in expressing my gratification for it.

As I shall be differing with the chairman, Senator HILL, in one apsect of this bill, I should like to say at this time, rather than later, that in his leadership in the health field, of which this is another example of so many milestones and sources of tremendous gratification for those who serve with him, he gives understanding and added support and inspired leadership. I join with many of my colleagues in the Senate who have lauded him today for his leadership in bringing the bill to its present status on the floor. I pay my tribute to him and give recognition to the bill as reflecting a concept of the subject of mental illness that will be helpful, in the light of the pioneering experience in my own State, of our legislature, Governor Rockefeller, and Dr. Hoch, with this concept.

Mr. CARLSON. I very much appreciate the remarks of the distinguished Senator from New York, who has been greatly interested in this field for many years, and for his report on the progress that is being made in New York. I have been familiar with it for some time. I share with him the view that the proposed legislation, as it is approved, will be in conjunction with the splendid State programs, and not a program on top of another program, which I understand is one of the problems of the policy that is involved.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question, so that I may address a question to him or to the chairman of the committee?

Mr. CARLSON. I suggest that the Senator address the question to the chairman. I yield the floor.

Mr. SALTONSTALL. Mr. President, I should like to ask the chairman of the committee a question. I should like to preface it by saying that, like the Senator from New York, I am very much interested in this problem. As Governor of my State, I knew what work was done in our mental hospitals, how we wanted to increase our facilities, and how important it is to help retarded children and young people to have proper training, and to have the teachers that will help the younger people, so that they will not become hospital cases.

At the time I was Governor of Massachusetts, I believe there was a greater amount of activity in the field of mental health than was true of any other State of the Union, with respect to the proportion of people in our hospitals who were receiving mental care.

Mr. HILL. The Senator will recall that in 1955 Congress passed an act establishing the National Mental Health Commission. Dr. Jack Ewalt, Massachusetts Commissioner of Health, was selected to be the director of that study. He was the man more responsible than anyone else for the study that was made.

The purpose of the bill is to carry out in large measure the recommendations of the Commission of which Dr. Ewalt was the leading spirit.

Mr. SALTONSTALL. Fundamentally, the purpose of the bill is to train teachers to stimulate activity among retarded children, and also to assist in hospital construction. My question of the Senator from Alabama is: Does the bill require the Federal Government, with respect to anything it does in this field in a State, to go through the proper State authorities and receive their approval?

Mr. HILL. Certainly. The States would make their plans, and the funds would go to the States. An exception is made in the field of research, in which funds can be granted to universities or schools, such as the Harvard Medical School, to conduct research. But the funds for the construction of community mental health centers would be administered by the States. The funds would go to the States and be administered by the States.

Mr. SALTONSTALL. If a town in Massachusetts—my own town would be too small, so I will take as an example a larger town, such as Brookline or Wellesley—desired to form a center, would the town first have to receive the approval of the State?

Mr. HILL. Yes; it would have to proceed through the State authorities.

Mr. SALTONSTALL. If the State authorities decided that the community was not fitted for the program, in one way or another, the Federal Government could not go over the head of the State government?

Mr. HILL. That is correct; the Federal Government could not go over the head of the State.

Mr. SALTONSTALL. So primarily the bill would provide assistance to the States, to be administered through the States, for mental health activities, in accordance with the methods which are provided in the bill?

Mr. HILL. The Senator is correct.

Mr. SALTONSTALL. I thank the Senator from Alabama for his explanation. We in Massachusetts have been intensely interested in the subject. We have some very able medical people who are taking a great interest in the subject. I am glad that the Senator from Alabama feels that they have been helpful.

Mr. HILL. They have been helpful, just as Dr. Ewalt was most helpful in the great work of establishment of the Mental Health Commission.

Mr. LAUSCHE. Mr. President, will the Senator from Alabama yield for a question?

Mr. HILL. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. In the transcript of the hearings, is there any discussion showing the extent to which receiving hospitals have been established in the various States? By "receiving hospitals" I mean quarters in which staff is provided to enable persons having retarded mentality to receive treatment, without being institutionalized in State or public residential facilities.

Mr. HILL. One of the main purposes of the bill is to provide centers for the mentally retarded and mentally ill, so that such persons may be treated in the centers, so far as possible, and thus be patients under normal living conditions. If possible, they might live in their own homes, with their families, in normal surroundings, and might be treated by psychiatrists in the community, perhaps even by general practitioners who have taken the same course and are familiar with the practice and methods of treatment.

Mr. LAUSCHE. Do the hearings contain any testimony showing the extent to which mental health centers have been established?

Mr. HILL. Yes. Earlier in my remarks I cited what had been done in the State of Georgia, where four such centers have been established. Of some 1,800 patients who went to the centers, only 7 percent, or 126, had subsequently to be transferred to the State mental hospital. In other words, of 1,800 mental patients, 93 percent received their treatment in a center or hospital and did not have to be transferred, as would have been done in the old days, to the State mental hospital.

Mr. LAUSCHE. While I was Governor, nine receiving hospitals were established in Ohio. They were staffed with experts. The patient could go to the hospital each day or could remain for a brief period to be treated, without being institutionalized.

Is there in the hearings—I have not had a chance to study them fully—a tabulation of what has been done by the individual States?

Mr. HILL. There is no overall tabulation showing what has been done by each of the 50 States. However, in the testimony are a number of citations that this practice has been followed by the State of Georgia, or that something else has been done by another State, or another practice followed by another State. But the hearings do not contain an overall tabulation, showing State by State what may have been done in each particular State.

Mr. LAUSCHE. I am not making this statement as a boast, but I know that at the end of 1956, Ohio had nine such centers. The same kind of success that has been achieved in Georgia has also been achieved by the heads of hospitals in Ohio.

Mr. HILL. The Senator has stated that the nine centers in Ohio were established while he was the Governor. I congratulate him on the establishment of those centers. He can be very proud that they were established when he was the head of his State.

Mr. LAUSCHE. I thank the Senator; but that is not the point I am trying to make. The point I wish to make is that there is at present an ability in many States to do this work through their own financing, without having a new, expensive program established by the Federal Government. What is the testimony on the subject of the ability of the States to do this work?

Mr. HILL. There is a considerable amount of testimony to that effect, and it includes a statement by the American Medical Association.

Mr. LAUSCHE. I saw that statement.

Mr. HILL. The testimony is to the effect that there is a need for Federal, State, and local financing—all three—to solve the problem. A considerable amount of such testimony appears throughout the hearings, not only from the American Medical Association, but also from many other organizations and associations, and also a number of individual witnesses who appeared before the committee.

Mr. LAUSCHE. Quite an array of agencies testified in support of the proposal. At the moment, I am looking at page 16 of the report. In the course of 10 years, the program now envisioned would cost a grand total of $848.5 million.

Mr. HILL. That would include funds for the rehabilitation of the mentally retarded and for mental health centers; also grants for the training of teachers of the handicapped, and research and administration for handicapped children.

Today we have a program for the training of these teachers; but this bill extends, and in some respects, expands that program.

Mr. LAUSCHE. For 1964, the first year, the total cost will be $24,500,000, will it?

Mr. HILL. That is correct.

Mr. LAUSCHE. So the beginning will be rather mild. In 1965 the total cost will increase to $77 million; in 1966, $110 million; in 1967, $130 million; and in 1968, $186 million?

Mr. HILL. Yes; and then, as the Senator from Ohio will observe, it will taper down, until, in the 10th year, it will be only $18 million.

Mr. LAUSCHE. How will that happen? I cannot visualize a sudden drop—by half—in the cost, in 1969.

Mr. HILL. But after the centers are built, they will last much longer than 5 or 10 years. In short, once they are built, they will not have to be built again. The last year the Senator from Ohio has mentioned will be the end of that construction period.

Mr. LAUSCHE. So it is anticipated that thereafter the need will drop?

Mr. HILL. That is correct. That is the end of the construction authorized by the bill.

Mr. LAUSCHE. I hope that is the case, but I have grave doubts of it. That would be quite contrary to any experience I have had. According to my experience, once the Federal Government begins to spend, there is never a diminution.

Mr. HILL. I hope my distinguished friend and I will both be here, serving together, to see that drop occur.

Mr. LAUSCHE. I thank the Senator from Alabama.

Mr. HILL. I thank the Senator from Ohio.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Bayh in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment of the Senator from New York will be stated.

The Legislative Clerk. On page 47, at the end of the bill, it is proposed to add the following new section:

> Sec. 408. No part of the funds authorized under this Act shall be paid to any State in which the participants in, or beneficiaries of, the State programs are segregated, or otherwise discriminated against, on account of race, creed, or color.

Mr. JAVITS. Mr. President, I submit the amendment on behalf of myself, Senator Keating, Senator Beall, Senator Scott, and Senator Case.

Mr. President, there is a unique reason for offering this so-called antisegregation amendment to this bill; and before I argue the merits of the measure, I wish to make a brief explanation.

Mr. President, in connection with these matters, I believe one is always faced with a heartbreaking decision, as to whether to offer such an amendment, and especially in this case, inasmuch as we favor this bill so strongly. Heretofore my tendency has been to avoid offering such an amendment if I could avoid doing so; and I have offered very few amendments of this type to other bills, notwithstanding my well-known views on this issue.

I have tried, rather, to obtain assurances from the Government departments that their administration of these laws will be in accordance with the dictates of the Constitution; and when this measure was being reported, I announced to the committee—of which I am a member, and I have sought to do so since then, that I would attempt to obtain such assurances from the Secretary of Health, Education, and Welfare. However, up to this very moment I have not received them, although I have been waiting for them all day. I am not finding fault with him or with anyone else; I am merely stating the fact that no such assurances have been forthcoming. That situation gives me no alternative but to offer this amendment.

The question may be asked, Why is the amendment offered to this bill, although it was not offered to other bills—for example, to the feed grains bill. Well, Mr. President, the amendment happens to be uniquely germane to this bill, because if this program is handled under present practices, in a number of the Southern States there will actually be segregation in connection with the program, since in a number of the Southern States segregation in hospitals is the accepted practice, even though it should not be. Two cases are now in the process of litigation. Both of them are in North Carolina, I believe. In those cases the Attorney General has sought to intervene, or has already intervened, in questioning the practice of segregation in two hospitals—in the Cone Hospital and in the Wesley-Long Hospital, in Greensboro, N.C.

Mr. President, in the law which applies in this situation, there is a peculiar anachronism. The Hill-Burton Act, which provides Federal Government aid for the construction of hospitals, and under which a great many hospitals have been built, actually permits, in so many words, the practice of segregation on the basis of the separate-but-equal-facilities theory—in other words, to the extent of having separate Negro hospitals and separate white hospitals. In that connection, the attempts to end segregation have been frustrated, and they always will be.

Indeed, Mr. President, in his civil rights message to Congress, President Kennedy called attention to the separate-but-equal provisions of the Morrill Land Grant College Acts; but he said nothing whatever about the separate-but-equal provisions, which are so inhumane, in connection with the Hill-Burton Act. However, Mr. President, not only is segregation on the basis of color practiced in hospitals, but sick persons have been denied treatment because they have gone to the wrong hospital—in other words, because a white person has gone to a Negro hospital, or because a Negro has gone to a white hospital; and there is a famous play, to which I referred some time ago,—it is entitled "The Case of Bessie Smith"—which is based on a case in which a Negro woman died because she was shunted from a white hospital to a Negro hospital.

Mr. President, that provision is in the law. It is not a matter of my imagination. The provision is not only in the law but is also in the regulations. I invite the attention of Senators to the fact that the regulations of the Public Health Service allow separate but equal facilities in respect to hospitals. That is the terms of the law under which the Service functions. That is section 53.112 of the PHS regulations.

It seems to me that under such circumstances, when a new program is starting, we should examine that feature. The mental health program is new. It is not something that has been in progress, funds for the continuation of which are being appropriated. It is a brandnew program—intelligent, enlightened on the part of the United States—but completely blind in terms of color.

When Justice Harlan said in his dissent in Plessy against Ferguson in 1896 that the Constitution is colorblind, he could have been referring exactly and specifically to these cases of hospitals. How derelict I—and all of us here—would be in our duty if, at a time when civil rights and race relations are so incendiary, we did not act to correct the evil. Many of us deeply believe that race relations are so incendiary, and violence, frustration, and despair exist because we do not give tongue to every man's grievances. That is what Negroes want. They desire an opportunity to find some forum in which they can have their grievances redressed. I feel that that forum should be the courts. For many years, I have fought for a part III provision.

It now appears to me that many others, including the President, may very well be coming around to the same view. Be that as it may, how could we, with equanimity, pass a bill establishing a new health program, with full knowledge in advance that it would be administered in a segregated way? The pattern of segregation extends not only to the patients in hospitals, but to Negro doctors and nurses as well.

Some time ago I had printed in the RECORD figures which showed that, with relation to the proportion of the white population who are physicians, the Negro population comes up to that number to the extent of one-fifth. In other words, there are one-fifth as many Negro doctors in proportion to the Negro population, as white doctors. Why? Because so many doors are closed to them. I adduced the testimony of medical school deans and others on that score.

The bill deals not only with community health centers but also with staff. We have the right to feel that staffing will not be segregated, and that staffing will not result in discrimination. How can we, circa 1963, knowing full well the absolutely steely-faced attitude with respect to segregation that exists in a number of our Southern States, voluntarily make available to them a new program with new Federal money which we know, when we make the program available, will be segregated?

Mr. President, I cannot see how we could do it. I have no desire to interfere with the proposed legislation. I favor it with the greatest enthusiasm. But in the absence of any acknowledgment as to how it will be administered by those charged with its administration, I do not see how the path of duty leads in any other way but to try to take some precaution in the legislation itself that the Constitution will be observed.

Since I consider the subject of such great interest, I have been browsing through the briefs of the Department of Justice in seeking to intervene in the North Carolina cases with respect to the desegregation of hospitals. It is very interesting to observe what the Department of Justice, this great arm of our Government, says in its own brief. I should like to read it, speaking of the separate-but-equal provision of the Hill-Burton Act:

> First, section 291e(f) of title 42 is, on its face, violative of the Constitution. That our Constitution prohibits the utilization of race as a yardstick in any type of governmental activity is now too well established to be questioned. Racial classifications are "obviously irrelevant and invidious." This principle was succinctly stated by Mr. Justice Harlan, dissenting in *Plessy* v. *Ferguson*, 163 U.S. 537, 559 (1896):
>
> "Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. * * * The law regards man as man, and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved."
>
> Second, the Hill-Burton Act expressly sanctions racial discrimination by State-connected institutions. It is now beyond question that racial discrimination by a State runs afoul of the Constitution since, "for a State to place its authority behind discriminatory treatment based solely on color is indubitably a denial by a State of the equal protection of the laws, in violation of the 14th amendment." Nevertheless, despite this clear principle, under the act, the States are expressly authorized to devise hospital construction programs that provide separate facilities for the races. The State program must be approved by the Surgeon General and he must determine whether the State properly has applied the separate-but-equal formula. In effect, therefore, the Federal Government takes a very direct part in cooperating with the States in the effectuation of a separate-but-equal hospital program. This is State sponsored racial discrimination with a Federal imprimatur.

I am the first to state the reluctance which people like myself feel. We are ardent advocates of the more enlightened approaches to health and problems in other fields. But at one and the same time we are also deeply convinced that segregation in our country is immoral as well as against the Constitution. The program contains within it the seeds of grave danger of a national conflagration. We have already begun to see evidence of it. The situation which will eventuate is freely predicted—and I have predicted it myself on the floor of the Senate for many years.

We will have such despair and frustration that it will lead to outbreaks of violence, not only in the South, but in other places as well.

I ask Senators to think of the material that is available, the tinderbox which is present in the cities of the North—New York, Chicago, Detroit, San Francisco, Philadelphia, and Boston. The least we can do is not to divert our gaze from what is staring us in the face.

It is almost sardonic that we are so ready to debate at the greatest length the debt ceiling or some other issue which is admittedly important, while we sedulously try to put out of our minds and avoid on the Senate floor the fact that the country is burning because 10 percent of its population cannot have changed the status to which it has been sentenced for so many years by the majority in so many sections of the country.

So notwithstanding every effort to have the law amended, it continues to perpetuate the situation. We are asked to establish a brand new program, namely, the mental health program. Yet when it is launched from here, it will be operated on a segregated basis. Before the committee we have shown good faith; before the governmental department involved we have asked some assurance that segregation would not be followed in extending new programs to States that would use them in a manner violative of the Constitution. I do not see how plain decency and common dignity could dictate any other course but to propose the amendment which I have offered, that being the only way, apparently, in which a matter of that character can be reached.

I am well aware of the fact that the majority leader or someone else on the majority side—perhaps someone on the minority side, for all I know—will move to table the amendment. I am well aware of the fact that there is great danger that it may be tabled. But this is not a battle. This is a war. If we do not wage it on the moral and legal side, as people like myself are trying to wage it on the floor of the Senate, including the majority leader, who feels just as I do about it, there comes a time when we must draw a balance of convenience: Will I support the bill at the risk of subversing my conscience, or will I, at long last, call a halt and say, "This is the end. I cannot be bought in this way any more. Let us have a showndown on the issue."

I deeply feel that whatever may happen on the motion to table—I hope that it is defeated, and there is a good prospect that it may be—it is nevertheless one of the steps which must be taken.

The point of view in this case is right because of the provision of the law and because we know what will happen. The bill proposes a new program with new money, which the States do not have now. I think the amendment is not only completely justifiable but demanded.

Senators are faced time and again with this issue: Will Senators continue to vote to table motions of this kind when there is no satisfaction from the Government departments concerned, notwithstanding the protestations of the President that he will not use Federal money and Federal power in order to sustain segregation, which is against the Constitution?

The President has made that point crystal clear. I think he is very sincere about it in his heart. But a policy is not practiced until Government departments actually do so. In the absence of assurance, the Government departments will do it. It leaves us no alternative in a proper case. I have given the particular reasons why in this particular case there is a proper case to move in the manner in which I have moved.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. KEATING. I commend my colleague for the action which he tried to take in the committee and the action he has taken here.

With the passage of this bill we will inaugurate a progressive new program designed to meet the country's needs in the treatment of the mentally ill and the mentally retarded. Community centered facilities will make these professional services available to thousands of our citizens who have until now, been unable to receive the care and treatment they need.

Mental illness and mental retardation, like all sickness know no racial barriers, and make no economic distinctions. Because we want these facilities to be available to all Americans without regard to ability to pay, we have made provision in this bill to insure that indigent patients in need of care and treatment will benefit by its provisions. Because I believe strongly that the color of a man's skin should not be a barrier to his receiving the best possible treatment, and because I am convinced that we are constitutionally prohibited from allocating Federal funds to support segregated facilities of any kind, I am happy to join with the senior Senator from New York in supporting this amendment.

If ever there were a program with respect to which there should be allowed no Federal money for segregated facilities, it is in the field of mental illness and mental health. Mental illness and mental retardation know no racial barriers. To allow Federal funds—taken out of the pockets and pay envelopes of everyone without regard to his race, creed, or color—to be expended for facilities to be operated for the benefit of white citizens only, seems to me to be intolerable.

It is regrettable that assurance could not be obtained from those who will administer this program that it would be administered in a nondiscriminatory manner, but in the absence of any such assurance it is simple, plain justice under the Constitution to pass the amendment. I hope sincerely that a motion to table it will be defeated, but no matter what we do here today, the obligation of those charged with executing the laws to abide by the Constitution will persist and not 1 cent of money spent on this important program should be allowed to be tarnished by any racist or discriminatory standards.

Mr. JAVITS. Mr. President, I am very grateful to my colleague [Mr. KEATING] for his remarks along this line. He has been a stanch advocate, as well as a stanch supporter.

The interesting thing in the civil rights field is how often one is today the leader and tomorrow the follower. My colleague [Mr. KEATING] has his own bills on voting rights and other matters. I have mine. Other Senators who have cosponsored this amendment have theirs. There is so much to be done in this field that there can be no such thing as a leader. We all have the responsibility, and we are all shouldering that responsibility.

I wish to sum up and conclude. I shall ask for the yeas and nays on the motion to table. I have discussed that subject with the majority leader, who has graciously assured me that there will be no problem on that score.

I should like to make it very clear that in presenting this amendment I do not undertake any obligation to present such an amendment with respect to every bill. I have no such idea in mind. I feel that when there is a specific situation as clear as this, which spells out the demand for an approach of this character, it must be made, and the weight of responsibility tips in favor of making it, even in the face of the argument that it would result in jeopardizing the bill.

Especially is that true when the anachronism to which I have referred exists in the law. Apparently there is no way in which it can be taken out of the law because of the blockade in this Chamber—so far, at least—in this session of Congress on civil rights legislation.

Also, I am very well aware that there are problems with respect to rule XXII and with respect to cloture. I am very well aware of the fact that we failed in trying to do anything about changing rule XXII. Whatever may be argued about tactics, the fundamental point was that a majority of the membership of this body could be and was frustrated in respect to an effort to change rule XXII. That action has been made to stick, so far. I emphasize those words "so far."

As there was a revulsion in the country—as there is now, among people who never heard about civil rights and were not concerned about Negroes, but are deeply concerned about public order and public tranquility—I predict that the same thing will happen in Congress if this issue is pressed hard enough. This is one step in the process. All of us will come to a realization of the damaging effect upon our Nation and upon its fabric.

I have not discussed today—it is so well known it almost does not need discussion—how the situation in Birmingham has been utilized to the full, with every note played upon it to damage us in the eyes of the people of the world—in the eyes of the 2 billion people of the countries of Asia and Africa, and of all free countries. It hits hard and it is felt, as an effective punch is felt when it is landed in a boxing match. We had better understand that it will. We are paying a tremendous price economically, morally, constitutionally, and internationally for segregation and its toleration in our country.

I think the struggle must be pressed. I think this is the time to press it. I deeply believe that this body will be aroused. There has been a majority for cloture before. I predict that the next time the question really comes up in a major way—even, perhaps, on the amendment, if the motion to table is defeated—the Senate will vote for cloture on a civil rights measure. Once that is done, the tremendous dam which has held back our country for so long will have been broken.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to my colleague.

Mr. LAUSCHE. I join the Senator from New York in support of the amendment. If local and State governments are to ask the Federal Government for money by way of gift, those governmental units should be prepared to accept the condition that there must be equality of treatment and consideration for all citizens in the management of the facilities which are to be built with Federal money. If people come to the Federal Government asking for aid of the type contemplated under the bill, on the basis that there shall be accorded to all citizens in the United States, whether they come from the wealthy or the poor areas, equality of treatment in the procurement of ministrations to physical deficiencies or to mental deficiencies—if that is the theory under which the moneys are allocated—then it becomes inescapable that from every standpoint equality of treatment should be accorded to every citizen within the country.

I will not subscribe to the proposition that the principle shall be applied in one instance and not in others. If there is to be equality of treatment in every State in the Union on the basis of the right to have Federal moneys expended in treating mental illness, it follows, as the day follows the night, that the same equality of treatment should be accorded, regardless of race, color, or creed.

I commend the Senator from New York for the sponsorship of the amendment, and I will support him on it.

Mr. JAVITS. I thank my colleague.

Mr. MANSFIELD. Mr. President, before I make a motion to table the amendment offered by the distinguished Senator from New York, I wish to say that personally I am in full accord with what he seeks to do, but I also wish to see a bill passed, and I know that if the amendment is not tabled no bill will be passed. I make this not in the form of an explanation, but I state it as a fact.

I move that the amendment of the Senator from New York be tabled; and on that motion I ask unanimous consent that the yeas and nays be ordered.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana? The Chair hears none; and, without objection, the yeas and nays are ordered.

Mr. MANSFIELD. Mr. President, I wish to notify Senators that I shall ask for the yeas and nays on the question of passage of the bill. In the meantime, if I may, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] to lay on the table the amendment of the Senator from New York [Mr. JAVITS]. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. EDMONDSON (when his name was called). On this vote I have a pair with the Junior Senator from Louisiana [Mr. LONG]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. SYMINGTON (when his name was called). On this vote I have a pair with the senior Senator from North Carolina [Mr. ERVIN]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. YOUNG of Ohio (when his name was called). On this vote I have a pair pair with the Senator from Mississippi [Mr. EASTLAND]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The roll call was concluded.

Mr. NELSON (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Minnesota [Mr. MCCARTHY]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from California [Mr. ENGLE], the Senator from North Carolina [Mr. ERVIN], the Senator from Indiana [Mr. HARTKE], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Illinois [Mr. DOUGLAS]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Illinois would vote "nay."

On this vote, the Senator from Oregon [Mrs. NEUBERGER] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Georgia [Mr. TALMADGE] is paired with the Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Georgia would vote "yea," and the Senator from Indiana would vote "nay."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Missouri [Mr. LONG]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from Missouri would vote "nay."

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Maryland [Mr. BEALL], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from New Mexico [Mr. MECHEM], the Senator from Iowa [Mr. MILLER], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Maryland [Mr. BEALL], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from Iowa [Mr. MILLER], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 43, nays 27, as follows:

[No. 97 Leg.]

YEAS—43

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Fulbright
Gore
Gruening
Hayden
Hill
Holland
Humphrey
Jackson
Johnston
Jordan, N.C.
Kefauver
Kennedy
Magnuson
Mansfield
McClellan
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Moss
Muskie
Pell
Ribicoff
Robertson
Russell
Smathers
Sparkman
Stennis
Thurmond
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—27

Aiken
Bennett
Boggs
Carlson
Case
Cotton
Curtis
Dirksen
Dominick
Goldwater
Hart
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Lausche
Mundt
Pearson
Prouty
Proxmire
Randolph
Saltonstall
Scott
Simpson
Smith
Williams, N.J.

NOT VOTING—30

Allott
Beall
Byrd, Va.
Clark
Cooper
Dodd
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Hartke
Inouye
Kuchel
Long, Mo.
Long, La.
McCarthy
McGee
Mechem
Miller
Morton
Nelson
Neuberger
Pastore
Symington
Talmadge
Tower
Young, Ohio

So Mr. MANSFIELD's motion to lay on the table the amendment of Mr. JAVITS was agreed to.

The **PRESIDING OFFICER.** The bill is open to amendment. If no amendment is to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. HUMPHREY. Mr. President, the Senate has before it in S. 1576 a bill that can fairly be described as "a bold new approach" to mental illness. These words of President Kennedy accurately reflect the spirit in which it is proposed to use Federal funds for the construction and staffing of new community mental health centers. The bill, so bright with promise, is aimed at one of the most persistent and most tragic evils in our Nation.

Mental illness is an affliction far more widespread than is commonly realized. It has been estimated that one American in 10 will spend some portion of his life in a mental institution. At present 600,000 people are in institutions for the mentally ill, and the proportion requiring some form of treatment is much higher. Approximately half of the hospital beds in the United States are occupied by mental patients. Many have not left the walls of an institution for 10 years and more; many face the prospect of confinement for life for causes beyond their control. Service and maintenance of the mental ill—often at an abysmally low level—require a direct public outlay of $1.8 billion a year. No one has calculated the costs in welfare and in wasted human resources of mental illness. No one can calculate the personal suffering involved.

These are the available figures. As anyone who has visited a mental institution can testify, they do not—and cannot—convey the tragic impact of actually witnessing human beings who have been robbed of the most distinctive and precious traits of humanity. Yet it is the lack of visibility of mental illness—the fear and superstition, the secrecy and suppression that still surrounds it—that is at the root of our failure as a Nation to launch the same attack on this problem that we have conducted for years on the infirmities of the body.

Why so outmoded a distinction has been so persistently maintained is too complex a matter to take up here. The saddening and sobering fact is that in many instances we have scarcely progressed beyond the Victorian practice of shutting mentally disturbed members of the family up in the garret. Secretary Celebrezze has pointed out that for lack of funds our State mental hospitals have by and large been "institutions for quarantining the mentally ill, not for treating them." And while much progress has been made in recent years, the appalling conditions of quarantine in many institutions is such—as was made clear in testimony before the Labor and Public Welfare Committee—as to make appropriate on their doors the same inscription as appeared above the gate to Dante's Inferno: "Abandon hope, all ye who enter here."

This situation should be intolerable in so wealthy and powerful a nation. It should be regarded as particularly intolerable because a relatively small expenditure in this field can bring such large returns. Two out of three schizophrenics—the largest category of the mentally ill—can be treated and released within 6 months; yet under conditions that prevail today the average stay for schizophrenia is 11 years. Use of modern techniques has made possible in 11 States the discharge of 7 out of 10 schizophrenia patients within 9 months of admittance; yet 45 percent of the inmates of institutions throughout the country have been hospitalized continuously for 10 years or more.

When we reflect that the incidence of mental illness is particularly severe in the early years of life, and that a significant proportion of the remaining victims are among our most gifted and sensitive citizens, we should readily be able to reach agreement to delay no longer in the search for measures to speed the treatment of the mentally ill.

Such measures are contained in the bill before us. The principal section authorizes grants for the construction of comprehensive but flexible treatment centers where physicians, psychiatrists, and other medical specialists can use their varied talents to combat mental illness. Short-term project grants would also be available to cover the costs of building up an initial professional staff to participate in the care and treatment of mental patients. Such community centers, far from being mere quarantine devices to screen the mentally ill from the general public, would offer real hope of mobilizing existing knowledge to combat the illness and discharge the patient. Other sections of the bill provide for meeting the imperative need for improved quality of care in existing State mental institutions and for overcoming the desperate shortage of trained manpower in the field of mental health.

Mr. President, mental illness has no respect for income or social class. It can strike in rural regions as readily as in the city, in the poorest States as well as in the richest. Not one person appeared before the Labor and Public Welfare Committee to deny the necessity for Federal support of a new mental health program. I hope that my colleagues will join me in accepting this clear responsibility. I respectfully urge prompt passage of this measure.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question now is, Shall the bill pass? The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Pennsylvania [Mr. Clark], the Senator from Connecticut [Mr. Dodd], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Ellender], the Senator from California [Mr. Engle], the Senator from North Carolina [Mr. Ervin], the Senator from Indiana [Mr. Hartke], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pastore], the Senator from Virginia [Mr. Robertson], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. Clark], the Senator from Connecticut [Mr. Dodd], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Ellender], the Senator from California [Mr. Engle], the Senator from North Carolina [Mr. Ervin], the Senator from Indiana [Mr. Hartke], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pastore], the Senator from Virginia [Mr. Robertson], and the Senator from Georgia [Mr. Talmadge] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Allott], the Senator from Maryland [Mr. Beall], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Kuchel], the Senator from New Mexico [Mr. Mechem], the Senator from Iowa [Mr. Miller], and the Senator from Texas [Mr. Tower] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. Allott], the Senator from Maryland [Mr. Beall], the Senator from Kentucky [Mr. Cooper], the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Kuchel], the Senator from New Mexico [Mr. Mechem], the Senator from Iowa [Mr. Miller], and the Senator from Kentucky [Mr. Morton] would each vote "yea."

The result was announced—yeas 72, nay 1, as follows:

[No. 98 Leg.]

YEAS—72

Aiken
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cotton
Dirksen
Dominick
Edmondson
Fulbright
Goldwater
Gore
Gruening
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Jackson
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kefauver
Kennedy
Lausche
Magnuson
Mansfield
McClellan
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAY—1

Curtis

NOT VOTING—27

Allott
Beall
Byrd, Va.
Clark
Cooper
Dodd
Douglas
Eastland
Ellender
Engle
Ervin
Fong
Hartke
Inouye
Kuchel
Long, Mo.
Long, La.
McCarthy
McGee
Mechem
Miller
Morton
Neuberger
Pastore
Robertson
Talmadge
Tower

So the bill (S. 1576) was passed.

Mr. HILL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HILL. Mr. President, I ask that the Senate bill, as passed, be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, the action taken today by the Senate in passing the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers is, in my opinion, one of the most important actions taken by any Congress in the history of our country.

This action and the bill itself are based upon the Mental Health Study Act of 1955, which directed the Joint Commission on Mental Illness and Health, under grants administered by the National Institute of Mental Health, to analyze and evaluate the needs and resources of the mentally ill people of America and to make recommendations for the national mental health program.

The report is available, and is based on the recommendations made to the administration under the authorship and sponsorship of the distinguished Senator from Alabama [Mr. Hill].

I ask unanimous consent that immediately prior to the vote on Senate bill 1576 there be printed in the Record a digest of the final report of the Joint Commission on Mental Illness and Health, established under the Mental Health Study Act of 1955.

There being no objection, the digest was ordered to be printed in the Record, as follows:

Action for Mental Health—Digest of Final Report of Joint Commission on Mental Illness and Health

The Mental Health Study Act of 1955 directed the Joint Commission on Mental Illness and Health, under grants administered by the National Institute of Mental Health, to analyze and evaluate the needs and resources of the mentally ill people of America and make recommendations for the national mental health program.

The purpose of this final report is to arrive at a program that would approach adequacy in meeting the needs of the mentally ill—to develop a plan of action, in other words, that would satisfy us that we are doing the best we can toward their recovery.

The latter is not at present the case. We have not been able to do our best for the mentally ill to date, nor have we been able to make it wholly clear what keeps us from doing so. Attempts to provide more humane care for the mentally ill and transform insane asylums into hospitals and clinics true to the healing purpose of medicine have occurred periodically during the last two centuries. While each reform appears to have gained sufficient ground to give its supporters some sense of progress, each has been rather quickly followed by backsliding, loss of professional momentum, and public indifference.

Even if we can find the road to a substantial reduction in the human and economic problems of mental illness, we are obliged to remain in full view of certain intervening observations that provide little cause for hope except as we can dispose of them. We must note, for instance, the curious blindness of the public as a whole and of psychiatry itself to what in reality would be required to fulfill the well publicized demand that millions of mentally ill shall have sufficient help in overcoming the disturbances that destroy their self-respect and social usefulness.

Further, we must rise above our self-preservative functions as members of different professions, social classes, and economic philosophies and illuminate the means of working together out of mutual respect for our fellow man. We each have a responsibility that is common to all—our responsibility as citizens of a democratic nation founded out of faith in the uniqueness, integrity and dignity of human life.

WHY HAS CARE OF THE MENTALLY ILL LAGGED?

The U.S. Congress, in the last 10 years, has given the American public a working demonstration of a new willingness to accept leadership and responsibility in active efforts to help citizens who are threatened by mental illness. The Federal Government's chief exemplifications of this demonstration may be found in the program of the National Institute of Mental Health and the Veterans' Administration. The good example has been followed in the efforts of State legislatures, Governors, and their public health, mental health, and public welfare agencies in many States.

It is tempting to congratulate ourselves on the gains scored—in increased amounts of money spent for mental health research, in the increases in mental health personnel, in the beneficial effects of the new drugs. But the demand for public mental health services is still largely unmet, despite the gains.

One of the most revealing findings of our mental health study is that comparatively few of 277 State hospitals—probably no more than 20 percent—have participated in innovations designed to make them therapeutic, as contrasted to custodial, institutions. Our information leads us to believe that more than half of the patients in most State hospitals receive no active treatment of any kind designed to improve their mental condition. This is the core problem and unfinished business of mental health. Eight of every ten mental hospital patients are in State institutions. These hospitals carry a daily load of more than 540,000 patients, and look after nearly a million in a year's time.

Commonly, a clearly defined, well established public demand and need for a particular health program is sufficient to stimulate aggressive public action toward its support and progressive steps to organize whatever high-quality facilities may be needed. Quick responsiveness in meeting the demand is not characteristic in the mental illness field, however.

Mental illness, commonly regarded as America's No. 1 health problem, ranked fourth in the categorical interests of the National Institutes of Health in 1950, as measured by dollars spent; by 1960, it had risen to second, behind cancer (see table 1). The gains of the voluntary campaign have not been commensurate, however. Voluntary mental health funds ranked eighth at the beginning and seventh at the end of the period, and were eighth in grand total, as shown in table 2.

Over a 10-year period, poliomyelitis had the greatest public appeal, followed by tuberculosis, cancer, heart disease, crippled children, cerebral palsy, muscular dystrophy, and mental health, in that order.

Despite the repeated snakepit exposés and the great amount of attention given to mental illness by the press, surveys have shown that mental illness has had a lower reader impact than has heart disease, cancer, or polio.

Despite the big push in recent years to do something about major mental illness, the average proportion of general State expenditures and of State health expenditures going for the care of mental hospital patients actually declined.

TABLE 1.—*Total appropriations of Congress for major activities of the National Institutes of Health, 1950–61*

[In millions of dollars]

Fiscal year	Cancer	Mental health	Heart	General	Arthritis[1]	Allergy[1]	Neurology[1]
1950	18.9	8.7	10.7	12.0			
1951	20.0	9.5	14.2	14.3			
1952	19.6	10.5	10.0	15.7			
1953	17.9	10.9	12.0	16.6			
1954	20.2	12.1	15.2	4.7	7.0	5.7	4.5
1955	21.7	14.1	16.7	4.7	8.2	6.1	7.6
1956	25.0	18.0	18.9	5.9	10.8	7.8	9.9
1957	48.4	35.1	33.4	12.1	15.9	13.2	18.7
1958	56.4	39.2	35.9	14.0	20.3	17.4	21.3
1959	75.3	52.4	45.6	29.0	31.2	24.0	29.4
1960	91.2	68.1	62.2	46.0	46.9	34.0	41.4
1961	111.0	100.9	86.9	83.9	61.2	44.0	56.6
Total	555.6	379.5	361.7	258.9	201.5	152.2	189.4

[1] Arthritis, allergy and infectious diseases, neurology and blindness became separate categories in 1954.

Source: DHEW–PHS–NIH operating appropriations by activity, 1950 through 1961. From Office of the Director, NIMH.

TABLE 2.—*Total funds raised nationally in 10 leading voluntary health campaigns, 1950–59* [1]

[In millions of dollars

	Polio	Tuberculosis	Cancer	Heart	Crippled children	Cerebral palsy	Muscular dystrophy	Mental health [2]	Arthritis	Multiple sclerosis
1950	30.8	21.0	13.9	4.1	5.8	1.0	(3)	(4)	0.7	0.18
1951	33.5	21.7	14.6	5.5	6.1	2.1	(3)	0.7	1.0	.19
1952	41.4	23.2	16.4	6.7	6.7	4.0	0.26	.6	1.0	.25
1953	51.4	23.8	19.8	8.5	7.7	6.4	.6	[5] .7	1.4	.45
1954	65.0	24.0	21.7	11.3	8.1	8.2	4.0	[5] 1.7	1.5	.8
1955	52.5	24.6	24.4	13.6	8.5	7.5	3.9	2.4	1.8	1.3
1956	51.9	25.8	27.2	17.5	9.8	8.1	3.0	2.6	2.2	2.0
1957	44.0	26.3	29.6	20.5	10.3	8.4	3.7	3.8	2.4	2.3
1958	35.4	26.0	29.7	22.3	10.4	9.2	4.9	4.5	3.0	2.5
1959	[6] 31.3	26.0	[6] 31.0	24.0	10.3	9.5	4.6	[6] 5.5	3.6	(7)
Total	437.2	242.4	228.3	134.0	83.7	64.4	24.96	22.5	18.6	9.97

[1] "Rough" figures supplied by National Information Bureau for (1) National Foundation, (2) National Tuberculosis Association, (3) American Cancer Society, (4) American Heart Association, (5) National Association for Crippled Children and Adults, (6) United Cerebral Palsy Association, (7) Muscular Dystrophy Association of America, (8) National Association for Mental Health, (9) Arthritis and Rheumatism Foundation, (10) National Multiple Sclerosis Society.

[2] Figures for 1951 and 1952 from National Information Bureau, for 1953–1959 from National Association for Mental Health.

[3] No campaign.

[4] Not available, due to merger.

[5] Approximate.

[6] Estimate.

[7] Not available.

TABLE 3.—*Movement of patient population in public mental hospitals, United States, 1956–59*

Item	1956	1957	1958	1959	Percent change		
					1956–57	1957–58	1958–59
All admissions	185,597	194,497	209,503	223,225	4.8	7.7	6.5
First admissions	125,539	129,278	137,061	142,881	3.0	6.0	4.2
Readmissions	60,058	65,219	72,442	80,344	8.6	11.1	10.9
Discharges	133,208	145,116	161,972	175,727	8.9	11.6	8.4
Deaths in hospitals	48,236	46,848	51,294	49,640	−2.9	9.5	−3.2
Resident patients at end of year	551,390	548,626	544,863	542,721	−.5	−.7	−.4
Personnel employed full time at end of year	153,715	162,753	169,438	174,218	5.9	4.1	2.8
Maintenance expenditures:							
Total	$663,280,934	$731,875,462	$805,861,786	$854,354,503	10.3	10.1	6.0
Per patient	$1,194.88	$1,332.31	$1,475.26	$1,577.54	11.5	10.7	6.9

The quality of care given these patients may be judged from the fact that State hospitals spend an average of $4.44 per patient per day compared to $31.16 for community general hospitals and $12 or more per patient day both for tuberculosis and Veterans' Administration psychiatric hospitals. Likewise, State hospitals have the lowest ratio of hospital personnel to patients, 0.32 per patient as compared to 2.1 in community general hospitals.

For the last 4 years, there has been a net decrease in the number of patients living in State hospitals (see table 3). This trend primarily reflected the benefits of tranquilizing drugs, the drugs making it possible to increase the number of patients who can be released from the hospital. However, since the number of patients admitted to these hospitals has continued to climb, the net decrease in the hospitals' population cannot be said to represent a reduction in the mental illness problem. What has occurred is an increase in the turnover and a shift in the whereabouts of mental patients. More are being maintained at home or treated elsewhere.

There are two ways to measure progress: from the standpoint of how far we have come, or from the standpoint of how far we yet have to go. By the first measure, we have made progress. By the second measure, we have little cause for self-congratulation and no cause for relaxation of efforts.

The first and pivotal question in appraising where we now stand and next should go is this: Why have our efforts to provide effective treatment for the mentally ill lagged behind our objectives, behind public demand, and behind attacks on other major health problems?

WITH PROPER TREATMENT, THE SCHIZOPHRENIC PATIENT HAS THREE-IN-FIVE CHANCE OF LEADING A USEFUL LIFE IN THE COMMUNITY

We began with the statement that we have not done as well as we know how for the major mentally ill, in terms of humane and healing care. This is to say that if all or most had the benefit of modern treatment, more patients would recover or show improvement. Palpably, if this assumption is untrue then we have no immediate incentive for greater efforts to reduce lag and accelerate progress.

Actually, the typical patient with schizophrenia or other functional psychosis (so called because no organic cause is known) has a much better outlook than do patients with some of the better known chronic degenerative diseases, such as cancer of the lung or stomach.

Treatment of mental illness stands on two rational pedestals, one social and one medical: humanitarianism and science.

Modern methods of treatment of major mental illness seek to systematize and capitalize on a historic trend away from punishment and toward moral treatment, based on humane consideration for the patient as an individual and member of society. No longer does progressive psychiatry hold with the early dictum that "terror acts powerfully on the body through the medium of the mind, and should be employed in the cure of madness." We do still see residual manifestations of this latter approach in shock treatments.

To moral treatment has been added both psychotherapeutic and sociological insight into how patients may be treated either individually or in groups to bring about solutions of their problems of living with themselves and with others. To psychotherapy and social therapy (the therapeutic community) have been added the tranquilizing drugs, which may be described as "moral treatment in pill form." These drugs quiet the patient and make him more agreeable and easier to work with. In summary of what we know about the treatment of the major mental illnesses which fill our public mental hospitals, we may say:

1. The persistent attitude that schizophrenia is a hopeless, incurable disease requiring the patient to be removed from human society for the rest of his life is baseless.

2. The idea that the patient is totally insane is likewise without foundation. Medical psychology has consistently observed and generally accepts the fact that functional psychosis involves only certain of the components of the personality. The patient is sick in some ways and healthy in others. Rational treatment directs itself toward salvaging the healthy and reducing the sick parts of the mind.

3. Human beings regard loss of liberty, forcible detention, removal from the community, and imprisonment as punishment for wrongdoing; the mentally ill are no exception. It is generally agreed that the typical locked-ward State hospital, centering its interest on the physical rather than the mental welfare of the patient, increases the patient's disability by reinforcing rather than counteracting public pressure to reject the patient from the community. As the pioneer reformer, Clifford Beers, said, "Madmen are too often manmade." The open hospital, with unlocked wards, is one antidote to this disabling process. Another is treatment in mental health clinics of patients not actually requiring hospitalization. Many of the patients in State hospitals do not need to be there.

4. The insistent professional preoccupation with cures presents a blind alley. The present state of our scientific knowledge does not permit psychiatry as yet to formulate exact tests of cure. The outlook for the schizophrenic, the main source of the long-term accumulation of patients in State hospitals, is not poor but good under optimum treatment conditions. He has a one-in-five chance of spontaneous recovery without systematic treatment. Through proper treatment, he has at least a three-in-five and perhaps as much as four-in-five chance of improving sufficiently to lead a useful life in his community.

MANY PEOPLE—INCLUDING PHYSICIANS—FIND IT HARD TO RECOGNIZE PSYCHOLOGICAL ILLNESS AS ILLNESS

The way society handles its mentally ill has been the subject of scandalized attack many times. But, as already implied, repeated exposure of the shameful, dehumanized condition of the mentally sick people who populate the back wards of State hospitals does not arouse the public to seek sweeping humanitarian reforms, let alone stimulate widespread application of modern methods of treatment. Presumably, if we can answer why there has not been a strong public response (as there has been, for example, in the campaigns against tuberculosis, cancer, and heart disease) we then can determine why effective treatment for the mentally ill has lagged.

The answer, according to our analysis in the following pages, is that the mentally ill are singularly lacking in appeal. They tend to disturb or offend other people and, when they do, people generally treat them as disturbers and offenders and, of course, as if they were responsible for their behavior. In contrast, it has been the special view of the mental health professions that people should understand and accept the mentally ill and do something about their plight.

The public has not been greatly moved by this protest. People do feel sorry for the mentally ill, but, in the balance, they do not feel as sorry as they do relieved to have out of the way, persons whose behavior disturbs and offends them. Patients with major mental illness come to be viewed as "impossible people" and mental institutions as places where they are sent when their families and communities "no longer can stand them."

The fact that society tends to reject the mentally ill is, of course, well known; little significance seems to have been attached to it, however. The full reach of the rejection mechanism is little recognized and even denied by some who have learned to overcome it in their own professional relations with persons suffering mental disturbances or disorders.

We can name a number of processes, all of which add up to, or reinforce, the fact that the mentally ill repel more than they appeal. One characteristic of a psychotic is that he becomes a stranger among his own people. Since antiquity mankind has been prone to feel hostility toward the stranger, and this applies equally to any person who behaves strangely. A social system depends on order, and order depends on predictability in the behavior of one's fellows.

Normal persons for the most part want to do what they have to do to get along. The typical psychotic does not. In consequence, society conventionally closes ranks against him. Identified major mental illness carries a stigma that cuts the bonds of human fellowship.

Many other diseases—tuberculosis, syphilis, cancer, for example—have at times stigmatized their victims. But the stigma of a disease recognized to be physical and lethal tends to disappear, or be offset, as it becomes better understood and publicly attacked. The reason, as we analyze it, is not that science has found causes and cures—the causes and cures of cancer and the leading forms of heart disease are still the subject of an intensive search.

Rather, the physically sick person fits society's deep-seated conception of a sick person. Feeling helpless, he turns to others for help and, receiving help, is responsive to it. He evokes sympathy. Commonly, the acutely ill psychotic does not appear to want help or accept help but, quite the reverse, thinks he is not sick and may interpret help as harm. He repels sympathy. He is mad.

This lack of appeal has many dimensions. The rise of State hospitals and their persistence, despite all efforts to reform them, is the most outstanding example. Mental health authorities are in general agreement that society uses these huge institutions as dumping grounds for social rejects, rather than as true hospitals.

A rejection effect may also be detected in the rise of the mental hygiene movement. Its founder, Clifford Beers, as his book "A Mind That Found Itself" clearly reveals, intended the movement to be primarily one of stopping brutal treatment of the mentally ill and converting mental hospitals into humane, healing institutions. It did not become so. Attention became focused on mentally healthy living rather than help for the sick.

The mentally ill's lack of appeal as a public cause has been reflected in a lack of strong leadership and strong organization in the voluntary mental health movement, some State organizations excepted. An organization can hardly develop and mature, as a matter of fact, if followers or members cannot be persuaded in sufficient numbers to identify with the cause at hand. It has been observed that the mentally ill are inherently handicapped in any effort to form a strong public pressure group. Lacking in a reasonable capacity to get along with other people, they find organization behind a leader to be difficult, if not impossible. The friends or relatives are equally immobilized through an aversion to identifying themselves with the mentally ill.

Several studies of public attitudes have shown a major lack of recognition of mental illness as illness, and a predominant tendency toward rejection of both the mental patient and those who treat him. There is a general agreement on these points in contrast to the lack of confirmation often characterizing parallel studies in the mental health field. (It is encouraging to note, however, that these negative attitudes are less among younger and better educated persons than the older and less educated groups.)

The circle of negligence and indifference becomes complete when we recognize that many members of learned professions are likewise prone to turn their back on the core problem of major mental illness.

General practitioners as well as other members of the medical profession have been found in a majority of instances to be both uninformed and unsympathetic when they are confronted with mental illness. The same observation applies, oddly enough, to many psychiatrists in private practice when we narrow discussion to the core problem of severe mental illness. The main concern of the popular psychoanalyst is with neurosis rather than psychosis; this is also true of other types of psychiatrists in private practice. Their major focus is on minor and more easily treatable forms of mental illness. Even mental hospital superintendents themselves, it has been noted, may share the public's stigmatizing attitudes toward mental patients.

In summary, we need to become conscious, at the action level, of two points if we are to overcome the lag in the care of the mentally ill: (1) People find it difficult to think about and recognize psychological illness as illness, or to see sickness as having psychological forms. (2) The major mentally ill as a class lack in appeal, which is to say that they are overburdened with liabilities as persons and as patients.

To explain the first point: Man is prima facie an outward-looking, tool-operating, thing-oriented creature, the man of science not excepted. We use our unique human intelligence principally to think about picturable, tangible, concrete, measurable, recordable things. Recent anthropological and neurological evidence indicates that tools were used by prehistoric apes in the absence of a human brain, and that continued use of tools may have conditioned the way in which the human brain evolved. Also, the interpretation is borne out by the more rapid advancement of the physical and mathematical than of the behavioral and social sciences, and by the fact that the most crucial questions facing mankind today involve psychological and social conduct. In any event, education of the average man appears to favor greater understanding of matter than of mind. Most of us are in this way psychologically handicapped persons, mentally blind to our physical bias.

To elaborate the second point: It is not so much his symptoms themselves that bring the psychotic patient into a mental hospital—many people in the general population have equally strange symptoms—but that his behavior reaches a point where people no longer can stand it. Violence is more the exception than the rule, popular misconceptions to the contrary. It is basically that normal people are disturbed by the patient's refusing to comply with expectations of time and place. Challenged by the problem, the psychiatrist in the hospital nonetheless may find the patient uncooperative—too wearing, too trying, too tiring. Thus the most conscientious and devoted doctor may be forced to turn his back on the patient, completing the circle of rejection.

It should now be clear that one way around the impasse of public and professional attitudes that we appear to have erected would be to emphasize that persons with major mental illness are in certain ways different from the ordinary sick. With such an understanding and agreement, it might then be possible to proceed in the light of fuller reason to adopt more helpful attitudes.

THE MENTALLY ILL USUALLY BEHAVE IRRESPONSIBLY; SOCIETY USUALLY BEHAVES TOWARD THEM THE SAME WAY

It is commonly stated that 1 in 10 is mentally ill or psychologically disturbed. When this estimate is limited to those with severe disorders that are socially disruptive or individually incapacitating, the ratio is perhaps 1 in 100. Society has organized itself and its handling of the 1 in 100 out of primary concern for the 99 who do not disturb their fellow men sufficiently to acquire the mental patient label. This does not mean, however, that we would long hesitate in modifying the system of exiling and thereafter dehumanizing patients whose illness makes them socially unacceptable if we could be shown that a more desirable alternative is available.

The current trend, among more progressive mental health professionals and interested laymen, is to recognize and to pursue alternatives—to demonstrate that negative public attitudes are not insurmountable roadblocks; to show that it is possible to develop and practice friendly and accepting attitudes toward the mentally ill; to show that it is possible to work with them, to treat them as human beings, and get good results. For example, during the last 6 years more than 1,000 volunteer students from Harvard and Radcliffe colleges and Brandeis University have worked regularly with chronic psychotics at Metropolitan State Hospital in Waltham, Mass. They have been active in ward improvement projects and as case aids—without harm to themselves or the patients. On the contrary, there has been a mutual benefit, in the notable improvement of patients and higher motivation of students, some of whom have chosen mental health as their career work. Many other examples of lay volunteers who work with mental patients could be cited.

It is a characteristic of the mentally ill that they behave in an irresponsible manner; it is a characteristic of society that we behave toward them in the same manner. The findings of the various projects undertaken as part of the joint commission's mental health study bear out our belief that this circle of rejection can be broken. Indeed, there are many signs that the process is well under way.

In all categories of service—hospitals, clinics, community agencies, schools, for example—we found a tremendous demand for authoritative information about mental illnesses and for access to available services. Waiting lists are the rule. It is a demand that we have not begun to meet. Only in the meeting of it will we have the opportunity for large-scale demonstration that public attitudes can be improved and mentally troubled persons can be helped.

In our nationwide survey of the American people's views of their own mental health, one in four adults disclosed he at some time had had a psychological problem in which professional help would have been useful. One out of seven actually sought help—mainly for problems involving marriage, personal adjustment, or children. Forty-two percent of those who sought help turned to their clergymen, 29 percent to physicians in general, 18 percent to psychiatrists and psychologists, and 10 perecnt to social agencies and marriage clinics.

More than half of these troubled persons were sure that they had been helped—more in problems they saw as physical or external to them than as psychological or within themselves. But more were helped in making personal adjustments than in solving marital troubles.

The foregoing study together with our studies of community services, churches, and schools indicated the following: While the younger generation and better educated persons have greater recognition of the psychological nature of many of their problems and therefore see the need to deal with them psychologically, the demand for such services is not being met. Indeed, mental health facilities and skills are inadequate wherever one looks, whether to mental or general hospitals, clinics, counseling services, clergymen, family doctors, special rehabilitation services, or elsewhere.

Much information has been disseminated. Many meetings have been held. But the shortage of trained mental health personnel works totally against the purposes of mental health education. Increased mental health education only serves to tax already inadequate mental health services.

The Joint Commission made an intensive study of the demand for and supply of mental health professional manpower—particularly psychiatrists, psychologists, psychiatric nurses, and psychiatric social workers. This study made forcibly clear that the great shortages of manpower in these categories is inextricably related to the shortage of professional manpower in general—teachers, lawyers, physicians, scientists, technologists. And the professional manpower shortage is related to defects in our system of public school and college education. Most importantly, a large part of the Nation's potential brainpower is being lost between high school and college. In fact, only about one-tenth of American youth become college graduates; only one-third of those of outstanding intelligence in high school go on to finish college.

It is of special interest to a national mental health study, we may say in passing, that our culture does not manifest a great respect for the mind. Our minds, the findings indicate, seem to be of small moment to us, whether normal or sick. The critical problem is one of intellectual motivation. What examples do we set? What new challenges do we offer? What spiritual rewards do we offer? What degree of economic security do we provide?

Our manpower study concluded, with frank pessimism, that sufficient professional personnel to eliminate the glaring deficiencies in our care of mental patients will never become available if the present population trend continues without a commensurate increase in the recruitment and training of mental health manpower. The only possibilities for changing this negative outlook for hundreds of thousands of mental hospital patients would require a great change in our social attitudes, and a consequent massive national effort in all areas of education, including large increases in the number of persons engaged in mental health work, or a sharp breakthrough in mental health research.

A SOUND RESEARCH ATTACK ON MENTAL ILLNESS MUST BE MOUNTED ON A LONG-TERM BASE

The demand for professional services for the custody and continuous care of patients with schizophrenia or cerebral arteriosclerosis could be greatly reduced by a major breakthrough in the prevention or treatment of either of these conditions with a biochemical or other technic that could be administered to large numbers by a single therapist. Together, these patients fill the great majority of mental hospital beds.

But even with maximum research support, we cannot count on increased purchasing power in the science market to produce the desired result within a given time. A characteristic of scientific research is that it ultimately produces results of potential benefit to us all, but we cannot predict when the result will come or even that it will be the one we are looking for. There was a lag of 40 years between the time Karl Landsteiner discovered the cause of poliomyelitis and when John Enders' group accomplished the tissue-culture breakthrough that made production of a polio vaccine possible. Sir Alexander Fleming was not looking for a penicillin when he observed its effects, and yet the antibiotics have made more difference in the control of infectious diseases than any other drug in medical history. It was research in anesthesia and motion sickness rather than mental health that brought us the tranquilizing drugs.

Our purpose here is not to be defeatist; only realistic. The enormous task of taking care of mental patients is matched by the enormous research lag in the study of human behavior. Only by making the research possible can we hope to overcome the lag. What we mean is that our total national investment in mental health research—in time, money, men and research and training facilities—simply does not measure up to the need for useful and reliable knowledge that could form the foundation of future progress.

The mental health sciences address themselves to the alleviation of a complex of biological, psychological, and sociological problems that have plagued man through his history; mental health scientists face this task with an incredibly small fund of knowledge about causes and cures. It is a field where much-qualified guesses abound and general agreement is difficult to obtain.

A sound research attack on problems of mental illness and mental health can be mounted on no other base than a long-term one. The prospect of a crash program and a quick breakthrough is not realistic in the absence of a vast increase in basic knowledge. We have the examples in other fields, such as cancer and heart disease, where intensified research has been going on for some years in response to an earlier public focus of effort to solve these health problems. Hopes have been high and have remained so. Yet even in these areas the quick fulfillment of grand objectives is not yet at hand.

We can again illustrate our point via the major advance represented by introduction of the tranquilizing drugs, now used in the treatment of probably one-third of all mental hospital patients. Although these drugs quiet the patients, inspire hopefulness, and make mental hospital employment more interesting and attractive, they do not relieve but rather increase the need for professional experience and skills. The effects of the drugs must be closely watched and evaluated, for they are not without harm. At the same time, they make many more patients accessible to psychotherapy, rehabilitation, and discharge from the hospital. Such drugs actually increase the need for trained therapists and helping personnel.

In making a statement of the aims and strategy for a more effective research effort in the mental health field, certain characteristics of the research enterprise must be taken into account.

One characteristic is the great diversity of persons, sciences, methods and goals involved in mental health research.

Another characteristic is the sharp cleavage in attitudes about basic and applied research: Basic research is defined as any scientific inquiry for the purpose of discovering and generalizing truths about the essence of nature, including man; applied research here refers to studies directed primarily toward the practical problems of preventing mental illness or treating mental patients. This cleavage leads to a neglect of basic research as impractical or unpromising, and to the false assumption that basic research should be done in universities; applied research, in hospitals.

Efforts should be made to increase communication between researchers and practitioners. Their differing interests and training at present lead them in opposing directions. One result is poorly designed or "sloppy" clinical research. Actually, research is a service to practitioners as well as to the patients served.

Our study shows that the mental health research output is concentrated in a relatively small number of major universities and their medical centers. Smaller colleges and State mental hospitals account for an extremely small portion of the total research effort. There should be support for flexible and experimental programs of stimulating research in many different areas and settings.

The mental health sciences are preponderantly dependent on the Federal Government for their financial support, and becoming more so. The greatest single source is the National Institute of Mental Health. The Federal percentage of total support for mental health research in 1958 was 57 percent; the State percentage was 20 percent. The pharmaceutical foundations supplied 17 percent; private foundations and other sources, less than 6 percent. In 1959 and again in 1960, Congress sharply increased its NIMH appropriations.

The above figures adequately demonstrate that Federal Government policies determine the shape, size, direction and soundness of the overall effort in mental health research. Current policy, emphasizing annual grants for specific projects by individual investigators, favors short-term research and applied research, as opposed to the long-term, more fundamental approach needed.

The present effectiveness of our mental health service is seriously limited by large gaps in our scientific knowledge about the fundamentals of mental illness and mental health. Our research recommendations therefore will concern themselves with the particular kinds of support needed to fill the gaps as fast as possible.

SCIENCE AND EDUCATION ARE RESOURCES THAT MUST HAVE ADEQUATE SUPPORT FROM HUMAN SOCIETY, WHETHER PUBLIC OR PRIVATE

The philosophy the Federal Government needs to develop and crystallize is that science and education are resources—like natural resources. They can meet an ends test but not a means test or a time schedule. Science and education operate not for profit but profit everybody; hence, they must have adequate support from human society, whether public or private. The following recommendations are designed to help achieve this:

Recommendations

1. A much larger proportion of total funds for mental health research should be invested in basic research as contrasted with applied research. Only through a large investment in basic research can we hope ultimately to specify the causes and characteristics sufficiently so that we can predict and therefore prevent or cure various forms of mental illness or disordered behavior.

2. Congress and the State legislatures should increasingly favor long-term research in mental health and mental illness as contrasted with short-term projects.

3. Increased emphasis should be placed on, and greater allocations of money be made for, venture, or risk, capital both in the support of persons and of ideas in the mental health research area.

4. The National Institute of Mental Health should make new efforts to invest in, provide for, and hold the young scientist in his career choice. This recommendation would require that more full-time positions be supported for 10-year periods as well as some on the basis of lifetime appointments.

5. Support of program research in established scientific and educational institutions, as initiated by the National Institutes of Health, should be continued and considerably expanded in the field of mental health.

6. The Federal Government should support the establishment of mental health research centers, or research institutes operated in collaboration with educational institutions and training centers, or independently.

7. Some reasonable portion of total mental health research support should be designated as capital investment in building up facilities for research in States or regions where scientific institutions are lacking or less well developed.

8. Diversification should be recognized as the guiding principle in the distribution of Federal research project, program, or institute grants from the standpoint of categories of interest, subject matter of research, and branches of science involved.

THE LAG IN TREATING THE MENTALLY ILL IS REFLECTED IN THE CONTINUED EXISTENCE OF CUSTODIAL CARE HOSPITALS

The patient care portion of our study centers on new patterns in the treatment of the mentally ill in the community and in institutions. These patterns, which together comprise the current trend in care of the mentally ill, involve—

Providing immediate help for the emotionally disturbed.

Extending the care of mental patients into the community via clinics and other agencies.

A broader conception of what constitutes treatment.

Individualizing of patient care in mental hospitals.

The breaking down of barriers between the hospital and the community—in effect, the open hospital movement.

The development of a therapeutic milieu in mental hospitals—social treatment.

Development of aftercare programs concerned with adequately supporting the patient so he can remain in the community or return there.

The practitioners who are developing new treatment programs believe in them and hope that they will result in better care and more effective treatment. The one constant in each new method appears to be the enthusiasm of its proponents, and most probably such enthusiasm transmits itself to patients in beneficial ways.

The salient characteristic of the best available treatment of psychotics, as we now understand it, is that some kind of relationship—psychological or social—takes place between the patient and the helping person. This relationship can be formed by informed laymen working individually or in groups under the guidance of psychiatrists, clinical psychologists, or psychiatric social workers, as well as by these and other classes of mental health workers—for example, nurses, attendants and occupational and recreational therapists.

But programs reflecting newer concepts of treatment are relatively rare and unevenly distributed, with the large majority of State hospitals remaining custodial and punitive in their approach. The thesis of "action for mental health," that the lag in the treatment of the mentally ill reflects a fundamental pattern of social rejection, is nowhere better evidenced than by the continued existence of these "hospitals" that seem to have no defenders but endure despite all attacks.

To achieve better care of patients, the mental hospital needs to be integrated into the community. This means keeping the hospital and its staff in closer touch with all the community's public and private service agencies. It means an end to the hospital's isolation from the community; in isolation, the backward, custodial system may thrive, whereas in the mainstream of community activity, a hospital's shortcomings may come to attention.

The State hospital must cease to be treated as a target for political exploitation. Patronage must end. These hospitals and their logical community extensions—clinics and after-care programs—must be manned in all cases by properly motivated career workers and not by hacks, professional or lay. These workers need to be well trained and well paid; they need the opportunity to do a good job and hence to demonstrate to the public what they can do.

The newer programs do nothing to solve the manpower problem, although they indicate the direction in which a solution may lie. This brings us to recommendations for improved care of the mentally ill.

A NATIONAL MENTAL HEALTH PROGRAM SHOULD AVOID THE RISK OF FALSE PROMISE IN PUBLIC EDUCATION

Recommendations

1. Policy

In the absence of more specific and definitive scientific evidence of the causes of mental illnesses, psychiatry and the allied mental health professions should adopt and practice a broad, liberal philosophy of what constitutes and who can do treatment within the framework of their hospitals, clinics, and other professional service agencies, particularly in relation to persons with psychoses or severe personality or character disorders that incapacitate them for work, family life, and everyday activity. All mental health professions should recognize:

A. That certain kinds of medical, psychiatric, and neurological examinations and treatments must be carried out by or under the immediate direction of psychiatrists, neurologists or other physicians specially trained for these procedures.

B. That psychoanalysis and allied forms of deeply searching and probing "depth psychotherapy" must be practiced only by those with special training, experience, and competence in handling these technics without harm to the patient (namely, by physician trained in psychoanalysis or intensive psychotherapy plus those psychologists or other professional persons who lack a medical education but have an aptitude for, adequate training in, and demonstrable competence in such technics of psychotherapy).

C. That nonmedical mental health workers with aptitude, sound training, practical experience, and demonstrable competence should be permitted to do general, short-term psychotherapy—namely, the treating of persons by objective, permissive, nondirective technics of listening to their troubles and helping them resolve these troubles in an individually insightful and socially useful way. Such therapy, combining some elements of psychiatric treatment, of client counseling, of "someone to tell one's troubles to," and of love for one's fellow man, obviously can be carried out in a variety of settings by institutions, groups and by individuals, but in all cases should be pursued under the auspices of recognized mental health agencies.

2. Recruitment and Training

The mental health professions need to launch a national manpower recruitment and training program, expanding on and extending present efforts and seeking to stimulate the interest of American youth in mental health work as a career. This program should include all categories of mental health personnel. This program should emphasize not only professional training but also short courses and on-the-job training in the subprofessions and upgrading for partially trained persons.

3. Services to Mentally Troubled People

Persons who are emotionally disturbed—that is to say, under psychological stress that they cannot tolerate—should have skilled attention and helpful counseling available to them in their community if the development of more serious mental breakdowns is to be prevented. This is known as secondary prevention, and is concerned with the detection of beginning signs and symptoms of mental illness and their relief; in other words, the earliest possible treatment. In the absence of fully trained psychiatrists, clinical psychologists, psychiatric social workers, and psychiatric nurses, such counseling should be done by persons with some psychological orientation and mental health training and access to expert consultation as needed.

4. Immediate Care of Acutely Disturbed Mental Patients

Immediate professional attention should be provided in the community for persons at the onset of acutely disturbed, socially disruptive, and sometimes personally catastrophic behavior—that is, for persons suffering a major breakdown. The few pilot programs for immediate, or emergency, psychiatric care now in existence should be expanded and extended as rapidly as personnel becomes available.

5. Intensive Treatment of Acutely Ill Mental Patients

A national mental health program should recognize that major mental illness is the core problem and unfinished business of the mental health movement, and that among those with severe mental illnesses the intensive treatment of those with critical and prolonged breakdowns should have first call on fully trained members of the mental health professions. There is a need for expanding treatment of the acutely ill mental patient in all directions, via community mental health clinics, general hospitals, and mental hospitals, as rapidly as psychiatrists, clinical psychologists, psychiatric nurses, psychiatric social workers, and occupational, physical, and other nonmedical therapists become available in the community.

A. Community mental health clinics

Community mental health clinics serving both children and adults, operated as outpatient departments of general or mental hospitals, as part of State or regional systems for mental patient care, or as independent agencies, are a main line of defense in reducing the need of many persons with major mental illness for prolonged or repeated hospitalization. Therefore, a national mental health program should set as an objective one fully staffed full-time mental health clinic available to each 50,000 of population. Greater efforts should be made to induce more psychiatrists in private practice to devote a substantial part of their working hours to community clinic services, both as consultants and as therapists.

B. General hospital psychiatric units

No community general hospital should be regarded as rendering a complete service unless it accepts mental patients for short-term hospitalization and therefore provides a psychiatric unit or psychiatric beds. Every community general hospital of 100 or more beds should make this provision. A hospital with such facilities should be regarded as an integral part of a total system of mental patient services in its region.

It is the consensus of the mental health study that definitive care for patients with major mental illness should be given if possible, or for as long as possible, in a psychiatric unit of a general hospital and then, on a longer term basis, in a specialized mental hospital organized as an intensive psychiatric treatment center.

C. Intensive psychiatric treatment centers

Smaller State hospitals, of 1,000 beds or less and suitably located for regional service, should be converted as rapidly as possible into intensive treatment centers for patients with major mental illness in the acute stages or with a good prospect for improvement or recovery if the illness is more prolonged. All new State hospital construction should be devoted to these smaller intensive treatment centers.

6. Care of Chronic Mental Patients

No further State hospitals of more than 1,000 beds should be built, and not 1 patient should be added to any existing mental hospital already housing 1,000 or more patients. It is recommended that all existing State hospitals of more than 1,000 beds be gradually and progressively converted into centers for the long-term combined care of persons with chronic diseases, including mental illness. This conversion should be completed in the next 10 years.

Special technics are available for the care of the chronically ill and these technics of socialization, relearning, group living, and gradual rehabilitation or social improvement should be expanded and extended to more people, including the aged who are sick and in need of care, through conversion of State mental hospitals into combined chronic disease centers.

It would be necessary to provide the intensive treatment services for the acutely ill, outlined in the preceding section, before large State hospitals could be converted to chronic diseases. It also would be necessary to make certain changes in Federal and State laws.

7. Aftercare, Intermediate Care, and Rehabilitation Services

The objective of modern treatment of persons with major mental illness is to enable the patient to maintain himself in the community in a normal manner. To do so, it is necessary (1) to save the patient from the debilitating effects of institutionalization as much as possible, (2) if the patient requires hospitalization, to return him to home and community life as soon as possible, and (3) thereafter maintain him in the community as long as possible. Therefore, aftercare and rehabilitation are essential parts of all service to mental patients, and the various methods of achieving rehabilitation should be integrated in all forms of services, among them: day hospitals, night hospitals, aftercare clinics, public health nursing services, foster family care, convalescent nursing homes, rehabilitation centers, work services, and ex-patient groups. We recommend that demonstration programs for day and night hospitals and the more flexible use of mental hospital facilities, both in the treatment of the acute and the chronic patient, be encouraged and augmented through institutional, program, and project grants.

Public information on mental illness

A national mental health program should avoid the risk of false promise in public education for better mental health and focus on the more modest goal of disseminating such information about mental illness as the public needs and wants in order to recognize psychological forms of sickness and to arrive at an informed opinion in its responsibility toward the mentally ill.

It is possible to make certain general recommendations about dissemination of information concerning mental illness aimed at (1) greater public understanding of the mentally ill person and those who care for him, (2) the avoiding of misundertanding in the relations of one professional group with another, and (3) the importance of making sure, in the relations of the mental health professions with the lay public, that others understand what we are driving at.

An important point has been missed in overinsistence that the public recognize that mentally ill persons are sick, the same as if they were physically sick, and should be treated no differently from other sick persons. Mental illness is different from physical illness in the one fundamental aspect that it tends to disturb and repel others rather than evoke their sympathy and desire to help.

A sharper focus in a national program against mental illness might be achieved if the information publicly disseminated capitalized on the aspect in which mental differs from physical illness. Such information should have at least four general objectives:

1. To overcome the general difficulty in thinking and recognizing mental illness as such—that is, a disorder with psychological as well as physiological, emotional as well as organic, social as well as individual causes and effects.

2. To overcome society's many-sided pattern of rejecting the mentally ill, by making it clear that the major mentally ill are singularly lacking in appeal, why this is so, and the need consciously to solve the rejection problem.

3. To make clear what mental illness is like as it occurs in its various forms and is seen in daily life and what the average person's reactions to it are like, as well as to elucidate means of coping with it in casual or in close contact. As an example, the popular stereotype of the "raving maniac" or "beserk madman" as the only kind of person who goes to mental hospitals needs to be dispelled. We have not made it clear to date that such persons (who are wild and out of control) exist, but in a somewhat similar proportion as airplanes that crash in relation to airplanes that land safely.

4. To overcome the pervasive defeatism that stands in the way of effective treatment. While no attempt should be made to gloss over gaps in knowledge of diagnosis and treatment, the fallacies of "total insanity," "hopelessness" and "incurability" should be attacked, and the prospects of recovery or improvement through modern concepts of treatment and rehabilitation emphasized. One aspect of the problem is that hospitalization taking the form of ostracization, incarceration, or punishment increases rather than decreases disability.

Attention is also needed to the manner in which professional persons and groups approach the public, since winning friends and support for care of the mentally ill depends first and foremost on not giving cause for offense. We recommend that the American Psychiatric Association make special efforts to explore, understand and transmit to its members an accurate perception of the public's image of the psychiatrist. Such efforts could pay a great dividend in "education of the public" if the profession were to be educated, perhaps as a part of its formal training, against overvaluing, over-reaching, and overselling itself.

The primary responsibility for preparation of mental health information for dissemination to laymen should rest with laymen who are experts in public education and mass communications and who will work in consultation with mental health experts. But the mental health expert and the educator or mass communications expert have the primary problem of fully communicating with one another before communicating with the public. Too often the basis for discussions among mental health professionals and laymen is the easy assumption on both sides that the other fellow doesn't understand the problem or know what he is talking about.

As a matter of policy, the mental health professions can now assume that the public knows the magnitude if not the nature of the mental illness problem and psychiatry's primary responsibility for care of mental patients. Henceforth the psychiatrist and his teammates should seek ways of sharing this responsibility with others and correcting deficiencies and inadequacies without feeling the need to be overbearing, defensive, seclusive, or evasive. A first principle of honest public relations bears repeating: To win public confidence, first confide in the public.

HOW CAN WE MAKE STATE HOSPITALS IN FACT WHAT THEY NOW ARE IN NAME ONLY—HOSPITALS FOR MENTAL PATIENTS?

Federal, State and local expenditures for public mental patient services should be doubled in the next 5 years—and tripled in the next 10.

Only by this magnitude of expenditure can typical State hospitals be made in fact what they are now in name only—hospitals for mental patients. Only by this magnitude of expenditure can outpatient and former-patient programs be sufficiently extended outside the mental hospital, into the community. It is self-evident that the States for the most part have defaulted on adequate treatment for the mentally ill, and have consistently done so for a century. It is likewise evident that the States cannot afford the kind of money needed to catch up with modern standards of care without revolutionary changes in their tax structure.

Therefore, we recommend that the States and the Federal Government work toward a time when a share of the cost of State and local mental patient services will be borne by the Federal Government, over and above the present and future program of Federal grants-in-aid for research and training. The simple and sufficient reason for this recommendation is that under present tax structure only the Federal Government has the financial resources needed to overcome the lag and to achieve a minimum standard of adequacy. The Federal Government should be prepared to assume a major part of the responsibility for the mentally ill insofar as the States are agreeable to surrendering it.

For convenience, the Veterans' Administration mental hospitals can be taken as financial models of what can be done in the operation of public mental hospitals. Congress and the National Institute of Mental Health, with the assistance of the intervening administrative branches of Government, should develop a Federal subsidy program that will encourage States and local governments to emulate the example set by VA mental hospitals.

Certain principles should be followed in a Federal program of matching grants to States for the care of the mentally ill:

The first principle is that the Federal Government on the one side and State and local governments on the other should share in the costs of services to the mentally ill.

The second principle is that the total Federal share should be arrived at in a series of graduated steps over a period of years, the share being determined each year on the basis of State funds spent in a previous year.

The third principle is that the grants should be awarded according to criteria of merit and incentive to be formulated by an expert advisory committee appointed by the National Institute of Mental Health.

In arriving at a formula, such an expert committee would establish conditions affecting various portions of the available grant, including the following:

1. Bring about any necessary changes in the laws of the State to make professionally acceptable treatment as well as custody a requirement in mental hospitalization, to differentiate between need of treatment and need of institutionalization, and to provide treatment without hospitalizaion.

2. Bring about any necessary changes in laws of the State to make voluntary admission the preferred method and court commitment the exceptional method of placing patients in a mental hospital or other treatment facilities.

3. Accept any and all persons requiring treatment and/or hospitalization on the same basis as persons holding legal residence within the State.

4. Revise laws of the State governing medical responsibility for the patient to distinguish between administrative responsibility for his welfare and safekeeping and responsibility for professional care of the patient.

5. Institute suitable differentiation between administrative structure and professional personnel requirements for (1) State mental institutions intended primarily as intensive treatment centers (i.e., true hospitals), and (2) facilities for humane and progressive care of various classes of chronically ill or disabled, among them the aged.

6. Establish State mental health agencies with well-defined powers and sufficient authority to assume overall responsibility for the State's services to the mentally ill, and to coordinate State and local community health services.

7. Make reasonable efforts to operate open mental hospitals as mental health centers; i.e., as a part of an integrated community service with emphasis on outpatient and aftercare facilities as well as inpatient services.

8. Establish in selected State mental hospitals and community mental health programs, training for mental health workers, ranging in scope, as appropriate, from professional training in psychiatry through all professional and subprofessional levels, including the on-the-job training of attendants and volunteers. Since each mental health center cannot undertake all forms of teaching activity, consideration here must be given to a variety of programs and total effort. States should be required ultimately to spend 2½ percent of State mental patient service funds for training.

9. Establish in selected State mental hospitals and community mental health programs scientific research programs appropriate to the facility, the opportunities for well designed research, and the research talent and experience of staff members. States should be required ultimately to spend 2½ percent of State mental patient service funds for research.

10. Encourage county, town and municipal tax participation in the public mental health services of the State as a means of obtaining Federal funds matched against local mental health appropriations.

11. Agree that no money will be spent to build mental hospitals of more than 1,000 beds, or to add a single patient to mental hospitals presently having 1,000 or more patients.

Our proposal would encourage local responsibility of a degree that has not existed since the State hospital system was founded, while at the same time recognizing that the combined State-local responsibility cannot be fulfilled by the means at hand.

Table 4 provides a hypothetical example of how a Federal-state-local matching program incorporating the suggested merit and incentive features might work. We have assumed for ease of illustration that the States will soon reach an expenditure of $1 billion a year for mental patient care (in 1959 the figure was $854 million). We also have assumed that such a program can induce local tax participation to the extent of $60 million after a 5-year period and $250 million after a 10-year period.

Our proposal is the first one in American history that attempts to encompass the total problem of public support of mental health services and to make minimum standards of adequate care financially possible.

The outstanding characteristics of mental illness as a public health problem are its staggering size, the present limitations in our methods of treatment, and the peculiar nature of mental illness that differentiates its victims from those with other diseases or disabilities. It would follow that any national program against mental illness adopted by Congress and the States must be scaled to the size of the problem, imaginative in the course it pursues, and energetic in overcoming both psychological and economic resistance to progress in this direction. We have sought to acquit our assignment in full recognition of these facts and judgments.

TABLE 4.—*Hypothetical costs to Federal, State, and local governments of doubling expenditures for public mental patient care in 5 years and tripling costs in 10 years under proposed matching plan*

[In billions of dollars]

Year	State expenditure	Federal grants without local participation	Total	Loca participation to extent of—	Federal grants for local participation	Grand total
1	1.0	0.1	1.1			1.1
2	1.0	.2	1.2	0.03	0.17	1.4
3	1.0	.3	1.3	.04	.26	1.6
4	1.0	.4	1.4	.05	.35	1.8
5	1.0	.5	1.5	.06	.44	2.0
6	1.0	.6	1.6	.08	.52	2.2
7	1.0	.7	1.7	.10	.60	2.4
8	1.0	.8	1.8	.15	.65	2.6
9	1.0	.9	1.9	.20	.70	2.8
10	1.0	1.0	2.0	.25	.75	3.0

Notes on implementation

The function of the joint commission has been that of a study group. We have made a study and from it drawn recommendations for a national mental health program. This completes our job.

It is easy, however, to visualize the next two steps, and even a third. The first is the formation of public opinion for or against the program we propose. The second is the formation of legislative opinion pro or con. The third, and one which we urge the Congress to take immediately, is the formation of a committee of consultants who would concern themselves with standards and requirements for implementation of our program and with the kinds of enabling legislation that will be needed. Eventually, we can see that a comparable expert committee, forming an effective channel of communication between the legislature and the mental health professions, will be needed in every State.

In the matter of establishing priorities as they relate to the broad areas of patient care, recruitment, professional education, and research in mental health, we would sound a note of caution. Solution of the mental health problem can and already does pursue two courses. One course is to make better use of the knowledge and experience in the treatment of mental illness that we already have massed, the knowledge on which the broader concepts of treatment in this report are based. Another course is to intensify the search for new knowledge in the hope of mastering the terrain of unknowns to be traversed, and of finding bypasses or more direct routes resulting in preventive measures or treatment methods that are faster working and better adapted to mass application.

The question is not which course to pursue more intensively. In medicine, professional services, education and research move together insofar as they center on or relate to patients. Indeed, it is impossible to separate the patients who must be cared for from the persons who must be trained to care for them, and it is impossible to separate either patients or professional personnel from the search for new knowledge that is of vital concern to both.

Indeed, we can see only one matter that takes priority over all others in the program we propose and that is to obtain vastly increased sums of money for its support. Without adequate financial resources, we cannot take care of patients, we cannot educate professional personnel for public service, and we cannot pursue the basic knowledge needed for the prevention and cure of mental illness.

Mr. YARBOROUGH. Mr. President, the field of mental health has been one of the fields of medicine in which the slowest progress has been made; but now the Congress has an opportunity to make real progress in it. Senate bill 1576, as reported by the distinguished chairman of the committee, the senior Senator from Alabama [Mr. HILL], is the most forward-looking mental health legislation ever to come before the Senate of the United States for passage.

Its three separate sections, title I, for the construction of research centers for mentally retarded, and title II, for the construction and staffing of mental health centers, and section III, for the training of teachers of mentally retarded and handicapped children, strike three blows at the antiquity and indifference of many of the attitudes of the past toward the mentally ill.

The provisions in title II for the construction and staffing of local mental health centers and the outpatient care provisions will result in the proper treatment and recovery of countless tens of thousands of Americans whose mental illness will be cured in its incipience. Many thousands will be cured before their mental illness ever reaches a grave stage.

Mr. President, the fine message on this question by President Kennedy was the spark that ignited thorough but speedy hearings by the committee and early consideration by the Senate. I congratulate the President of the United States on his fine and effective leadership in this field. This is a landmark bill in the health of our people. I ask unanimous consent that the President's message to the Congress be printed in full at this point in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES RELATIVE TO MENTAL ILLNESS AND MENTAL RETARDATION

To the Congress of the United States:

It is my intention to send shortly to the Congress a message pertaining to this Nation's most urgent needs in the area of health improvement. But two health problems—because they are of such critical size and tragic impact, and because their susceptibility to public action is so much greater than the attention they have received—are deserving of a wholly new national approach and a separate message to the Congress. These twin problems are mental illness and mental retardation.

From the earliest days of the Public Health Service to the latest research of the National Institutes of Health, the Federal Government has recognized its responsibilities to assist, stimulate, and channel public energies in attacking health problems. Infectious epidemics are now largely under control. Most of the major diseases of the body are beginning to give ground in man's increasing struggle to find their cause and cure. But the public understanding, treatment, and prevention of mental disabilities have not made comparable progress since the earliest days of modern history.

Yet mental illness and mental retardation are among our most critical health problems. They occur more frequently, affect more people, require more prolonged treatment, cause more suffering by the families of the afflicted, waste more of our human resources, and constitute more financial drain upon both the Public Treasury and the personal finances of the individual families than any other single condition.

There are now about 800,000 such patients in this Nation's institutions—600,000 for mental illness and over 200,000 for mental retardation. Every year nearly 1,500,000 people receive treatment in institutions for the mentally ill and mentally retarded. Most of them are confined and compressed within an antiquated, vastly overcrowded, chain of custodial State institutions. The average amount expended on their care is only $4 a day—too little to do much good for the individual, but too much if measured in terms of efficient use of our mental health dollars. In some States the average is less than $2 a day.

The total cost to the taxpayers is over $2.4 billion a year in direct public outlays for services—about $1.8 billion for mental illness and $600 million for mental retardation. Indirect public outlays, in welfare costs and in the waste of human resources, are even higher. But the anguish suffered both by those afflicted and by their families transcends financial statistics—particularly in view of the fact that both mental illness and mental retardation strike so often in childhood, leading in most cases to a lifetime of disablement for the patient and a lifetime of hardship for his family.

This situation has been tolerated far too long. It has troubled our national conscience—but only as a problem unpleasant to mention, easy to postpone, and despairing of solution. The Federal Government, despite the nationwide impact of the problem, has largely left the solutions up to the States. The States have depended on custodial hospitals and homes. Many such hospitals and homes have been shamefully understaffed, overcrowded, unpleasant institutions from which death too often provided the only firm hope of release.

The time has come for a bold new approach. New medical, scientific, and social tools and insights are now available. A series of comprehensive studies initiated by the Congress, the executive branch, and interested private groups have been completed and all point in the same direction.

Governments at every level—Federal, State, and local—private foundations and individual citizens must all face up to their responsibilities in this area. Our attack must be focused on three major objectives:

First, we must seek out the causes of mental illness and of mental retardation and eradicate them. Here, more than in any other area, "an ounce of prevention is worth more than a pound of cure." For prevention is far more desirable for all concerned. It is far more economical and it is far more likely to be successful. Prevention will require both selected specific programs directed especially at known causes, and the general strengthening of our fundamental community, social welfare, and educational programs which can do much to eliminate or correct the harsh environmental conditions which often are associated with mental retardation and mental illness. The proposals contained in my earlier message to the Congress on education and those which will be contained in a later message I will send on the Nation's health will also help achieve this objective.

Second, we must strengthen the underlying resources of knowledge and, above all, of skilled manpower which are necessary to mount and sustain our attack on mental disability for many years to come. Personnel from many of the same professions serve both the mentally ill and the mentally retarded. We must increase our existing training programs and launch new ones, for our efforts cannot succeed unless we increase by severalfold in the next decade the number of professional and subprofessional personnel who work in these fields. My proposals on the health professions and aid for higher education are essential to this goal, and both the proposed youth employment program and a national service corps can be of immense help. We must also expand our research efforts if we are to learn more about how to prevent and treat the crippling or malfunction of the mind.

Third, we must strengthen and improve the programs and facilities serving the mentally ill and the mentally retarded. The emphasis should be upon timely and intensive diagnosis, treatment, training, and rehabilitation so that the mentally afflicted can be cured or their functions restored to the extent possible. Services to both the mentally ill and to the mentally retarded must be community based and provide a range of services to meet community needs.

It is with these objectives in mind that I am proposing a new approach to mental illness and to mental retardation. This approach is designed, in large measure, to use Federal resources to stimulate State, local, and private action. When carried out, reliance on the cold mercy of custodial isolation will be supplanted by the open warmth of community concern and capability. Emphasis on prevention, treatment, and rehabilitation will be substituted for a desultory interest in confining patients in an institution to wither away.

In an effort to hold domestic expenditures down in a period of tax reduction, I have postponed new programs and reduced added expenditures in all areas when that could be done. But we cannot afford to postpone any longer a reversal in our approach to mental afflictions. For too long the shabby treatment of the many millions of the mentally disabled in custodial institutions and many millions more now in communities needing help has been justified on grounds of inadequate funds, further studies, and future promises. We can procrastinate no more. The national mental health program and the national program to combat mental retardation herein proposed warrant prompt congressional attention.

I. A NATIONAL PROGRAM FOR MENTAL HEALTH

I propose a national mental health program to assist in the inauguration of a wholly new emphasis and approach to care for the mentally ill. This approach relies primarily upon the new knowledge and new drugs acquired and developed in recent years which make it possible for most of the mentally ill to be successfully and quickly treated in their own communities and returned to a useful place in society.

These breakthroughs have rendered obsolete the traditional methods of treatment which imposed upon the mentally ill a social quarantine, a prolonged or permanent confinement in huge, unhappy mental hospitals, where they were out of sight and forgotten. I am not unappreciative of the efforts undertaken by many States to improve conditions in these hospitals, or the dedicated work of many hospital staff members. But their task has been staggering and the results too often dismal, as the comprehensive study by the Joint Commission on Mental Illness and Health pointed out in 1961. Some States have at times been forced to crowd 5,000, 10,000, or even 15,000 people into one large understaffed institution. Imposed largely for reasons of economy, such practices were costly in human terms, as well as in a real economic sense. The following statistics are illustrative:

Nearly one-fifth of the 279 State mental institutions are fire and health hazards; three-fourths of them were opened prior to World War I.

Nearly half of the 530,000 patients in our State mental hospitals are in institutions with over 3,000 patients, where individual care and consideration are almost impossible.

Many of these institutions have less than half the professional staff required—with less than 1 psychiatrist for every 360 patients.

Forty-five percent of their inmates have been hospitalized continuously for 10 years or more.

But there are hopeful signs. In recent years the increasing trend toward higher and higher concentrations in these institutions has been reversed—by the use of new drugs, by the increasing public awareness of the nature of mental illness, and by a trend toward the provision of community facilities, including psychiatric beds in general hospitals, day-care centers, and outpatient psychiatric clinics. Community general hospitals in 1961 treated and discharged as cured more than 200,000 psychiatric patients.

I am convinced that, if we apply our medical knowledge and social insights fully, all but a small portion of the mentally ill can eventually achieve a wholesome and constructive social adjustment. It has been demonstrated that two out of three schizophrenics—our largest category of mentally ill—can be treated and released within 6 months, but under the conditions that prevail today the average stay for schizophrenia is 11 years. In 11 States, by the use of modern techniques, 7 out of every 10 schizophrenia patients admitted were discharged within 9 months. In one instance, where a State hospital deliberately sought an alternative to hospitalization in those patients about to be admitted, it was able to treat successfully in the community 50 percent of them. It is clear that a concerted national attack on mental disorders is now both possible and practical.

If we launch a broad new mental health program now, it will be possible within a decade or two to reduce the number of patients now under custodial care by 50 percent or more. Many more mentally ill can be helped to remain in their own homes without hardship to themselves or their families. Those who are hospitalized can be helped to return to their own communities. All but a small proportion can be restored to useful life. We can spare them and their families much of the misery which mental illness now entails. We can save public funds and we can conserve our manpower resources.

1. Comprehensive community mental health centers

Central to a new mental health program is comprehensive community care. Merely pouring Federal funds into a continuation of the outmoded type of institutional care which now prevails would make little difference. We need a new type of health facility, one which will return mental health care to the mainstream of American medicine, and at the same time upgrade mental health services. I recommend, therefore, that the Congress (1) authorize grants to the States for the construction of comprehensive community mental health centers, beginning in fiscal year 1965, with the Federal Government providing 45 to 75 percent of the project cost; (2) authorize short-term project grants for the initial staffing costs of comprehensive community mental health centers, with the Federal Government providing up to 75 percent of the cost in the early months, on a gradually declining basis, terminating such support for a project within slightly over 4 years; and (3) to facilitate the preparation of community plans for these new facilities as a necessary preliminary to any construction or staffing assistance, appropriate $4.2 million for planning grants under the National Institute of Mental Health. These planning funds, which would be in addition to a similar amount appropriated for fiscal year 1963, have been included in my proposed 1964 budget.

While the essential concept of the comprehensive community mental health center is new, the separate elements, which would be combined in it are presently found in many communities: diagnostic and evaluation services, emergency psychiatric units, outpatient services, inpatient services, day and night care, foster home care, rehabilitation, consultative services to other community agencies, and mental health information and education.

These centers will focus community resources and provide better community facilities for all aspects of mental health care. Prevention as well as treatment will be a major activity. Located in the patient's own environment and community, the center would make possible a better understanding of his needs, a more cordial atmosphere for his recovery, and a continuum of treatment. As his needs change, the patient could move without delay or difficulty to different services—from diagnosis, to cure, to rehabilitation—without need to transfer to different institutions located in different communities.

A comprehensive community mental health center in receipt of Federal aid may be sponsored through a variety of local organizational arrangements. Construction can follow the successful Hill-Burton pattern, under which the Federal Government matches public or voluntary nonprofit funds. Ideally, the center could be located at an appropriate community general hospital, many of which already have psychiatric units. In such instances, additional services and facilities could be added—either all at once or in several stages—to fill out the comprehensive program. In some instances, an existing outpatient psychiatric clinic might form the nucleus of such a center, its work expanded and integrated with other services in the community. Centers could also function effectively under a variety of other auspices: as affiliates of State mental hospitals, under State or local governments, or under voluntary nonprofit sponsorship.

Private physicians, including general practitioners, psychiatrists, and other medical specialists, would all be able to participate directly and cooperatively in the work of the center. For the first time, a large proportion of our private practitioners will have the opportunity to treat their patients in a mental health facility served by an auxiliary professional staff that is directly and quickly available for outpatient and inpatient care.

While these centers will be primarily designed to serve the mental health needs of the community, the mentally retarded should not be excluded from these centers if emotional problems exist. They should also offer the services of special therapists and consultation services to parents, school systems, health departments, and other public and private agencies concerned with mental retardation.

The services provided by these centers should be financed in the same way as other medical and hospital costs. At one time, this was not feasible in the case of mental illness, where prognosis almost invariably called for long and often permanent courses of treatment. But tranquilizers and new therapeutic methods now permit mental illness to be treated successfully in a very high proportion of cases within relatively short periods of time—weeks or months, rather than years.

Consequently, individual fees for services, individual and group insurance, other third-party payments, voluntary and private contributions, and State and local aid can now better bear the continuing burden of these costs to the individual patient after these services are established. Long-range Federal subsidies for operating costs are neither necessary nor desirable. Nevertheless, because this is a new and expensive undertaking for most communities, temporary Federal aid to help them meet the initial burden of establishing and placing centers in operation is desirable. Such assistance would be stimulatory in purpose, granted on a declining basis and terminated in a few years.

The success of this pattern of local and private financing will depend in large part upon the development of appropriate arrangements for health insurance, particularly in the private sector of our economy. Recent studies have indicated that mental health care—particularly the cost of diagnosis and short-term therapy, which would be major components of service in the new centers—is insurable at a moderate cost.

I have directed the Secretary of Health, Education, and Welfare, to explore steps for encouraging and stimulating the expansion of private voluntary health insurance to include mental health care. I have also initiated a review of existing Federal programs, such as the health benefits programs for Federal personnel, to determine whether further measures may be necessary and desirable to increase their provisions for mental health care.

These comprehensive community mental health centers should become operational at the earliest feasible date. I recommend that we make a major demonstration effort in the early years of the program to be expanded to all major communities as the necessary manpower and facilities became available.

It is to be hoped that within a few years the combination of increased mental health insurance coverage, added State and local support, and the redirection of State resources from State mental institutions will help achieve our goal of having community-centered mental health services readily accessible to all.

2. Improved care in State mental institutions

Until the community mental health center program develops fully, it is imperative that the quality of care in existing State mental institutions be improved. By strengthening their therapeutic services, by becoming open institutions serving their local communities, many such institutions can perform a valuable transitional role. The Federal Government can assist materially by encouraging State mental institutions to undertake intensive demonstration and pilot projects, to improve the quality of care, and to provide inservice training for personnel manning these institutions.

This should be done through special grants for demonstration projects for inpatient care and inservice training. I recommend that $10 million be appropriated for such purposes.

3. Research and manpower

Although we embark on a major national action program for mental health there is still much more we need to know. We must not relax our effort to push back the frontiers of knowledge in basic and applied research into the mental processes, in therapy, and in other phases of research with a bearing upon mental illness. More needs to be done also to translate research findings into improved practices. I recommend an expansion of clinical, laboratory, and field research in mental illness and mental health.

Availability of trained manpower is a major factor in the determination of how fast we can expand our research and expand our new action program in the mental field. At the present manpower shortages exist in virtually all of the key professional and auxiliary personnel categories—psychiatrists, clinical psychologists, social workers and psychiatric nurses. To achieve success, the current supply of professional manpower in these fields must be sharply increased—from about 45,000 in 1960 to approximately 85,000 by 1970. To help move toward this goal I recommend the appropriation of $66 million for training of personnel, an increase of $17 million over the current fiscal year.

I have, in addition, directed that the Manpower Development and Training Act be used to assist in the training of psychiatric aids, and other auxiliary personnel for employment in mental institutions and community centers.

Success of these specialized training programs, however, requires that they be undergirded by basic training programs. It is essential to the success of our new national mental health program that Congress enact legislation authorizing aid to train more physicians and related health personnel. I will discuss this measure at greater lengths in the message on health which I will send to the Congress shortly.

II. A NATIONAL PROGRAM TO COMBAT MENTAL RETARDATION

Mental retardation stems from many causes. It can result from mongolism, birth injury or infection, or any of a host of conditions that cause a faulty or arrested development of intelligence to such an extent that the individual's ability to learn and to adapt to the demands of society is impaired. Once the damage is done, lifetime incapacity is likely. With early detection, suitable care and training, however, a significant improvement in social ability and in personal adjustment and achievement can be achieved.

The care and treatment of mental retardation, and research into its causes and cure, have—as in the case of mental illness—been too long neglected. Mental retardation ranks as a major national health, social and economic problem. It strikes our most precious asset—our children. It disables 10 times as many people as diabetes, 20 times as many as tuberculosis, 25 times as many as muscular dystrophy, and 600 times as many as infantile paralysis. About 400,000 children are so retarded they require constant care or supervision; more than 200,000 of these are in residential institutions. There are between 5 and 6 million mentally retarded children and adults—an estimated 3 percent of the population. Yet, despite these grim statistics, and despite an admirable effort by private voluntary associations, until a decade ago not a single State health department offered any special community services for the mentally retarded or their families.

States and local communities spend $300 million a year for residential treatment of the mentally retarded, and another $250 million for special education, welfare, rehabilitation, and other benefits and services. The Federal Government will this year obligate $37 million for research, training, and special services for the retarded and about three times as much for their income maintenance. But these efforts are fragmented and inadequate.

Mental retardation strikes children without regard for class, creed, or economic level. Each year sees an estimated 126,000 new cases. But it hits more often—and harder—at the underprivileged and the poor; and most often of all—and most severely—in city tenements and rural slums where there are heavy concentrations of families with poor education and low income.

There are very significant variations in the impact of the incidence of mental retardation. Draft rejections for mental deficiency during World War II were 14 times as heavy in States with low incomes as in others. In some slum areas 10 to 30 percent of the school-age children are mentally retarded, while in the very same cities more prosperous neighborhoods have only 1 or 2 percent retarded.

There is every reason to believe that we stand on the threshold of major advances in this field. Medical knowledge can now identify precise causes of retardation in 15 to 20 percent of the cases. This itself is a major advance. Those identified are usually cases in which there are severe organic injuries or gross brain damage from disease. Severe cases of mental retardation of this type are naturally more evenly spread throughout the population than mild retardation; but even here poor families suffer disproportionately. In most of the mild cases, although specific physical and neurological defects are usually not diagnosable with present biomedical techniques, research is rapidly adding to our knowledge of specific causes: German measles during the first 3 months of pregnancy, Rh blood factor incompatibility in newborn infants, lead poisoning of infants, faulty body chemistry in such diseases as phenylketonuria and galactosemia, and many others.

Many of the specific causes of mental retardation are still obscure. Socio-economic and medical evidence gathered by a panel which I appointed in 1961, however, shows a major causative role for adverse social, economic, and cultural factors. Families who are deprived of the basic necessities of life, opportunity, and motivation have a high proportion of the Nation's retarded children. Unfavorable health factors clearly play a major role. Lack of prenatal and postnatal health care, in particular, leads to the birth of brain-damaged children or to an inadequate physical and neurological development. Areas of high infant mortality are often the same areas with a high incidence of mental retardation. Studies have shown that women lacking prenatal care have a much higher likelihood of having mentally retarded children. Deprivation of a child's opportunities for learning slows development in slum and distressed areas. Genetic, hereditary, and other biomedical factors also play a major part in the causes of mental retardation.

The American people, acting through their Government where necessary, have an obligation to prevent mental retardation, whenever possible, and to ameliorate it when it is present. I am, therefore, recommending action on a comprehensive program to attack this affliction. The only feasible program with a hope for success must not only aim at the specific causes and the control of mental retardation but seek solutions to the broader problems of our society with which mental retardation is so intimately related.

The panel which I appointed reported that, with present knowledge, at least half and hopefully more than half, of all mental retardation cases can be prevented through this kind of broad spectrum attack, aimed at both the specific causes which medical science has identified, and at the broader adverse social, economic, and cultural conditions with which incidence of mental retardation is so heavily correlated. At the same time research must go ahead in all these categories, calling upon the best efforts of many types of scientists, from the geneticist to the sociologist.

The fact that mental retardation ordinarily exists from birth or early childhood, the highly specialized medical, psychological, and educational evaluations which are required, and the complex and unique social, educational, and vocational lifetime needs of the retarded individual, all require that there be developed a comprehensive approach to this specific problem.

1. Prevention

Prevention should be given the highest priority in this effort. Our general health, education, welfare, and urban renewal programs will make a major contribution in overcoming adverse social and economic conditions. More adequate medical care, nutrition, housing, and educational opportunities can reduce mental retardation to the low incidence which has been achieved in some other nations. The recommendations for strengthening American education which I have made to the Congress in my message on education will contribute toward this objective as well the proposals contained in my forthcoming health message.

Now programs for comprehensive maternity and infant care and for the improvement of our educational services are also needed. Particular attention should be directed toward the development of such services for slum and distressed areas. Among expectant mothers who do not receive prenatal care, more than 20 percent of all births are premature—two or three times the rate of prematurity among those who do receive adequate care. Premature infants have two or three times as many physical defects and 50 percent more illnesses than full-term infants. The smallest premature babies are 10 times more likely to be mentally retarded.

All of these statistics point to the direct relationship between lack of prenatal care and mental retardation. Poverty and medical indigency are at the root of most of this problem. An estimated 35 percent of the mothers in cities over 100,000 population are medically indigent. In 138 large cities of the country an estimated 455,000 women each year lack resources to pay for adequate health care during pregnancy and following birth. Between 20 and 60 percent of the mothers receiving care in public hospitals in some large cities receive inadequate or no prenatal care—and mental retardation is more prevalent in these areas.

Our existing State and Federal child health programs, though playing a useful and necessary role, do not provide the needed comprehensive care for this high-risk group. To enable the States and localities to move ahead more rapidly in combating mental retardation and other childhood disabilities through the new therapeutic measures being developed by medical science, I am recommending:

(a) A new 5-year program of project grants to stimulate State and local health departments to plan, initiate, and develop comprehensive maternity and child health care service programs, helping primarily families in this high-risk group who are otherwise unable to pay for needed medical care. These grants would be used to provide medical care, hospital care, and additional nursing services, and to expand the number of prenatal clinics. Prenatal and post partum care would be more accessible to mothers. I recommend that the initial appropriation for this purpose be $5 million, allocated on a project basis, rising to an annual appropriation of $30 million by the third year.

(b) Doubling the existing $25 million annual authorization for Federal grants for maternal and child health, a significant portion of which will be used for the mentally retarded.

(c) Doubling over a period of 7 years the present $25 million annual authorization for Federal grants for crippled children's services.

Cultural and educational deprivation resulting in mental retardation can also be prevented. Studies have demonstrated that large numbers of children in urban and rural slums, including preschool children, lack the stimulus necessary for proper development in their intelligence. Even when there is no organic impairment, prolonged neglect, and a lack of stimulus and opportunity for learning can result in the failure of young minds to develop. Other studies have shown that, if proper opportunities for learning are provided early enough, many of these deprived children can and will learn and achieve as much as children from more favored neighborhoods. This self-perpetuating intellectual blight should not be allowed to continue.

In my recent message on education, I recommended that at least 10 percent of the proposed aid for elementary and secondary education be committed by the States to special project grants designed to stimulate and make possible the improvement of educational opportunities particularly in slum and distressed areas, both urban and rural. I again urge special consideration by the Congress for this proposal. It will not only help improve educational quality and provide equal opportunity in areas which need assistance; it will also serve humanity by helping prevent mental retardation among the children in such culturally deprived areas.

2. Community services

As in the case of mental illnesses, there is also a desperate need for community facilities and services for the mentally retarded. We must move from the outmoded use of distant custodial institutions to the concept of community-centered agencies that will provide a coordinated range of timely diagnostic, health, educational, training, rehabilitation, employment, welfare, and legal protection services. For those retarded children or adults who cannot be maintained at home by their own families, a new pattern of institutional services is needed.

The key to the development of this comprehensive new approach toward services for the mentally retarded is twofold. First, there must be public understanding and community planning to meet all problems. Second, there must be made available a continuum of services covering the entire range of needs. States and communities need to appraise their needs and resources, review current programs, and undertake preliminary actions leading to comprehensive State and community approaches to these objectives. To stimulate public awareness and the development of comprehensive plans, I recommend legislation to establish a program of special project grants to the States for financing State reviews of needs and programs in the field of mental retardation.

A total of $2 million is recommended for this purpose. Grants will be awarded on a selective basis to State agencies presenting acceptable proposals for this broad interdisciplinary planning activity. The purpose of these grants is to provide for every State an opportunity to begin to develop a comprehensive, integrated program to meet all the needs of the retarded. Additional support for planning health-related facilities and services will be available from the expanding planning grant program for the Public Health Service which I will recommend in my forthcoming message on health.

To assist the States and local communities to construct the facilities which these surveys justify and plan, I recommend that the Congress authorize matching grants for the construction of public and other nonprofit facilities, including centers for the comprehensive treatment, training, and care of the mentally retarded. Every community should be encouraged to include provision for meeting the health requirements of retarded individuals in planning its broader health services and facilities.

Because care of the mentally retarded has traditionally been isolated from centers of medical and nursing education, it is particularly important to develop facilities which will increase the role of highly qualified universities in the improvement and provision of services and the training of specialized personnel. Among the various types of facilities for which grants would be authorized, the legislation I am proposing will permit grants of Federal funds for the construction of facilities for (1) inpatient clinical units as an integral part of university-associated hospitals in which specialists on mental retardation would serve; (2) outpatient diagnostic, evaluation, and treatment clinics associated with such hospitals, including facilities for special training; and (3) satellite clinics in outlying cities and counties for provision of services to the retarded through existing State and local community programs, including those financed by the Children's Bureau, in which universities will participate. Grants of $5 million a year will be provided for these purposes within the total authorizations for facilities in 1965 and this will be increased to $10 million in subsequent years.

Such clinical and teaching facilities will provide superior care for the retarded and will also augment teaching and training facilities for specialists in mental retardation, including physicians, nurses, psychologists, social workers, and speech and other therapists. Funds for operation of such facilities would come from State, local, and private sources. Other existing or proposed programs of the Children's Bureau, of the Public Health Service, of the Office of Education, and of the Department of Labor can provide additional resources for demonstration purposes and for training personnel.

A full-scale attack on mental retardation also requires an expansion of special education, training, and rehabilitation services. Largely due to the lack of qualified teachers, college instructors, directors, and supervisors, only about one-fourth of the 1,250,000 retarded children of school age now have access to special education. During the past 4 years, with Federal support, there has been some improvement in the training of leadership personnel. However, teachers of handicapped children, including the mentally retarded, are still woefully insufficient in number and training. As I pointed out in the message on education, legislation is needed to increase the output of college instructors and classroom teachers for handicapped children.

I am asking the Office of Education to place a new emphasis on research in the learning process, expedite the application of research findings to teaching methods for the mentally retarded, support studies on improvement of curriculums, develop teaching aids, and stimulate the training of special teachers.

Vocational training, youth employment, and vocational rehabilitation programs can all help release the untapped potentialities of mentally retarded individuals. This requires expansion and improvement of our vocational education programs, as already recommended; and, in a subsequent message, I will present proposals for needed youth employment programs.

Currently rehabilitation services can only be provided to disabled individuals for whom, at the outset, a vocational potential can be definitely established. This requirement frequently excludes the mentally retarded from the vocational rehabilitation program. I recommend legislation to permit rehabilitation services to be provided to a mentally retarded person for up to 18 months, to determine whether he has sufficient potential to be rehabilitated vocationally. I also recommend legislation establishing a new program to help public and private nonprofit organizations to construct, equip, and staff rehabilitation facilities and workshops, making particular provision for the mentally retarded.

State institutions for the mentally retarded are badly underfinanced, understaffed, and overcrowded. The standard of care is in most instances so grossly deficient as to shock the conscience of all who see them.

I recommend the appropriation under existing law of project grants to State institutions for the mentally retarded, with an initial appropriation of $5 million to be increased in subsequent years to a level of at least $10 million. Such grants would be awarded, upon presentation of a plan meeting criteria established by the Secretary of Health, Education, and Welfare, to State institutions undertaking to upgrade the quality of residential services through demonstration, research, and pilot projects designed to improve the quality of care in such institutions and to provide impetus to inservice training and the education of professional personnel.

3. Research

Our single greatest challenge in this area is still the discovery of the causes and treatment of mental retardation. To do this we must expand our resources for the pursuit and application of scientific knowledge related to this problem. This will require the training of medical, behavioral, and other professional specialists to staff a growing effort. The new National Institute of Child Health and Human Development which was authorized by the 87th Congress is already embarked on this task.

To provide an additional focus for research into the complex mysteries of mental retardation, I recommend legislation to authorize the establishment of centers for research in human development, including the training of scientific personnel. Funds for 3 such centers are included in the 1964 budget; ultimately 10 centers for clinical, laboratory, behavioral, and social science research should be established. The importance of these problems justifies the talents of our best minds. No single discipline or science holds the answer. These centers must, therefore, be established on an interdisciplinary basis.

Similarly, in order to foster the further development of new techniques for the improvement of child health, I am also recommending new research authority to the Children's Bureau for research in maternal and child health and crippled children's services.

But, once again, the shortage of professional manpower seriously compromises both research and service efforts. The insufficient numbers of medical and nursing training centers now available too often lack a clinical focus on the problems of mental retardation comparable to the psychiatric teaching services relating to care of the mentally ill.

We as a Nation have long neglected the mentally ill and the mentally retarded. This neglect must end, if our Nation is to live up to its own standards of compassion and dignity and achieve the maximum use of its manpower.

This tradition of neglect must be replaced by forceful and far-reaching programs carried out at all levels of government, by private individuals and by State and local agencies in every part of the Union.

We must act—to bestow the full benefits of our society on those who suffer from mental disabilities; to prevent the occurrence of mental illness and mental retardation wherever and whenever possible; to provide for early diagnosis and continuous and comprehensive care, in the community, of those suffering from these disorders; to stimulate improvements in the level of care given the mentally disabled in our State and private institutions, and to reorient those programs to a community-centered approach; to reduce, over a number of years, and by hundreds of thousands, the persons confined to these institutions; to retain in and return to the community the mentally ill and mentally retarded, and there to restore and revitalize their lives through better health programs and strengthened educational and rehabilitation services; and to reinforce the will and capacity of our communities to meet these problems, in order that the communities, in turn, can reinforce the will and capacity of individuals and individual families.

We must promote—to the best of our ability and by all possible and appropriate means—the mental and physical health of all our citizens.

To achieve these important ends, I urge that the Congress favorably act upon the foregoing recommendations.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 5, 1963.*

Mr. YARBOROUGH. Mr. President, having participated as a member of the Committee on Labor and Public Welfare, and also as a member of its Subcommittee on Public Health, in the hearings on this measure, I desire to commend the chairman of the full committee, who also is chairman of the Health Subcommittee, the able and distinguished senior Senator from Alabama [Mr. HILL], for the very comprehensive hearings, which cover hundreds of pages, and for the full and fair opportunity provided to all who desired to appear before the committee and present their views.

For many years the Senator from Alabama has been a leader in the public health field. The esteem in which he is held and his able leadership all contributed to the taking of early action by the Senate on this bill.

I think the Senate is to be commended for passing the bill in 1 day. As one of the coauthors of the bill and as one who has been interested for many years in this field, I think the Senate has done itself proud today.

Mr. President, in my judgment, the one who is regarded as the greatest Governor of the State of Texas was James S. Hogg, popularly known as Jim Hogg. His son inherited a great fortune which his father built up after he left the Governor's office. When the son died, he created the Hogg Foundation. It was set up on the University of Texas campus on the recommendation of many people some decades ago to help lead in the treatment of the mentally ill, because it was a field that at that time was largely vacant. That institution has had a great influence in my State. I worked with them a decade ago, aiding in some public campaigns to help stimulate interest among the people for the necessity for more adequate treatment of this great problem. For those of us who have worked on this problem for some years, it is a matter of great encouragement to be on the floor of the Senate today to be privileged to vote for such a forward looking measure. I again congratulate the leadership on its success in such an important field.

PUBLIC DEBT CEILING

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 167, H.R. 6009, and that it be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H.R. 6009) to provide for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Finance, with an amendment, on page 2, line 1, after the word "on", to strike out "August 31, 1963" and insert "June 30, 1964."

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, if the distinguished majority leader is in a position to tell us, may Senators be informed of the schedule for the remainder of the week?

Mr. MANSFIELD. Mr. President, I hope that what I am about to say in response to the question asked by the distinguished minority leader will be taken in the proper spirit.

As the Senate knows, the pending business is the public debt increase bill. It is anticipated that action on that bill will be finished tomorrow. After that, it is proposed to take up H.R. 5279, a bill making appropriations for the Department of the Interior and related agencies. If those two bills are passed by tomorrow night, it is the intention of the leadership to have the Senate go over until Friday, at which time a pro forma meeting will be held; and then to have the Senate go over from Friday until the following Tuesday.

TRIBUTE TO IRVING SHEMELD

Mr. COTTON. Mr. President, in these days of massive and innumerable Federal Government programs, projects, and handouts, we seldom hear public officials urging their fellow citizens to do anything for themselves.

But occasionally a man blessed with commonsense comes along and suggests that if a community has a problem its own citizens ought to roll up their shirtsleeves and tackle it.

From reading the fine report in the Derry, N.H., News of May 23, 1963, I would assume that Irving Shemeld, chairman of the Derry Board of Selectmen, is just such a man. I believe his excellent address before the Kiwanis Club deserves widespread attention and consideration by community leaders throughout the country and, therefore, ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SHEMELD OUTLINES CRISIS FACING MAIN STREET, URGES SUPPORT

In a freewheeling, 2-hour address before the Derry Kiwanis Club Monday night, Selectman Irving Shemeld, speaking for the board and himself, cut loose with one of the most incisive analysis of the problems and prospects facing Derry that longtime residents later were freely admitting they had ever heard.

During the marathon talk, which held an audience of local businessmen more than 1 hour past their accustomed deadline, Shemeld addressed himself to a wide range of problems that are he said, seriously worrying the three selectmen of this community. The speaker singled out as problem number one at the present time, the question of what can be done about the cellar holes which mark the burned sites of the Odd Fellows-Godin block which went up in an early morning fire on February 26 of this winter.

"This community could have a beautiful shopping center there right in the middle of our town. With appropriate architectural design and large, roomy parking areas behind, such a modern center could bring new life into the heart of our town and be a source of community pride," said the speaker. "But when our leading businessmen talk about building new businesses on the perimeter of town, it's time for us to get our hackles up and ask some questions. Why do they want to vacate the center of Derry?"

EXPLORE URBAN RENEWAL AID

Selectman Shemeld reported that the board had been exploring the feasibility of securing Federal funds through the urban renewal program, or some other source, to assist in purchasing and developing the property. Reporting on his recent discussions in Washington with three Members of the New Hampshire congressional delegation, he told his Kiwanis audience that he had found the Representatives sympathetic and willing to help. During supplementary talks with the new city planner in Manchester, James Minnock, local officials were told that urban renewal funds would only be available to assist in restoring an area that shows at least 20-percent blight. Edifices destroyed by fire are not regarded as blighted areas.

Minnock did tell the board that enough pieces of property might be put together in the Odd Fellows-Godin area to make up a 20-percent blighted section which then would be eligible for Federal support in rehabilitation. If such a course is explored, Shemeld said that a local group of citizens would have to put up about $1,000 for the preparation of a master plan for the area; he predicted that this might take as long as 2 years and no less than 1½ years before such funds might become available.

"The board of selectmen feel that there are possibly two philosophies which we might choose from in tackling this problem. We might take up the concept of President Lincoln that the Federal Government should only do those things that are impossible for local communities to do for themselves. Or, we might follow the philosophy that leaves to the Federal Government those things that we are unwilling, though quite able, to do for ourselves," said Shemeld.

FREE ENTERPRISE CAN DO IT

"We feel that, if the businessmen here really want to do it on a free enterprise basis, then it can be done" Shemeld suggested to the businessmen in his audience, as well as to the businessmen in the community not present, that they explore the possibility of pooling local resources and examine the possibility of purchasing the property in the whole block. "It probably could be done for $40,000 to $50,000," he said. The speaker offered the services of the town government to assist in any way that might be appropriate and useful.

"I submit. Are there 10 or more businessmen in town who will put up $5,000 each? It has been done by other communities, and for the benefit of their own business as well as for the benefit of the community. We'd like to know what the pulse of this community is on the question," the speaker reported for the board of selectmen. He left little doubt in the minds of his audience that the board is not optimistic about the present prospects for developing the two large cellar holes that mark the center of Derry's shopping center these days. As Shemeld put it, "the combination of the fire holes we now have in the center of town and the erection of stores and shopping centers on the perimeter of town certainly does not offer very satisfactory prospects for this community."

SEEKS BUSINESS LEADERSHIP

The speaker told the Kiwanians that in early April he had invited a group of local businessmen to meet with him in an effort to explore what they might do about the problem. He said that he had been discouraged when several "reacted in horror that I might be suggesting they should meet over plans to profit on the town's disasters." However, Irving Shemeld told his audience that he expects to invite others to meet with him in another exploratory session soon. "If our leaders are opposed to doing this job themselves, then we'll have to bring in the Government to do it for us. But I wonder," concluded the speaker, "how concerned should we expect our representatives in Washington to be with our problem if we living here are not concerned enough to get up and do something about it."

Businessmen in the audience have been giving the Shemeld talk before the Derry Kiwanis Club Monday night, a good deal of thought and discussion this week. As several told the Derry News subsequently, "something definitely has got to be done. Those cellar holes are an ugly sight right here in the center of town and most business in the area is suffering as a result."

MEMORIAL DAY

Mr. **COTTON**. Mr. President, on Thursday of this week the entire Nation will pause in solemn tribute to those who have laid down their lives that our country might remain free.

Perhaps the most significant observance, of the countless number to be held among our 50 sovereign States and in American hearts throughout the world, will be at the Cathedral of the Pines in Rindge, N.H. On this occasion, ground will be broken for the erection of a memorial bell tower, intended as a national war memorial for American women whose lives were sacrificed in the service of our country during periods of war. The true importance of these ceremonies of dedication is found in the fact that no such memorial exists in our country at the present time. This bell tower will recognize those valiant women who gave up their lives in our armed services; the women of the Red Cross and the Ursaline Sisters, who were killed on the battlefields; the entertainers who died in the effort to boost the morale of our fighting forces; the canteen workers; women war correspondents; the Sallies; the pioneer women who sacrificed their lives defending their homes while their men were answering their country's call; and last, but hardly least, those women who were killed in defense plants while preparing the sinews of war for our combat forces.

It is my understanding that the President of the United States has authorized the laying of a wreath in his name at these solemn ceremonies and all our Governors will be represented by floral offerings, placed on the altar of the Nation for the war dead of their respective States. In addition, tributes will be read from former President Eisenhower and from Gen. Douglas MacArthur. General Gruenther will present a flag on behalf of the American Red Cross and it is my understanding that the Government of France will present a similar tribute. The Cathedral of the Pines is a nonsectarian place of worship, at which all faiths and creeds are welcome, and distinguished members of the clergy will take part in the observance. This will be true of many others as well, of all walks of life.

This Memorial Day will be a historic one indeed. I know that the hearts of all Americans will be in Rindge, N.H., at the Cathedral of the Pines on Thursday, as we pay well-deserved honor to the patriotic women who made the ultimate sacrifice for their country.

THE STATES HAVE CARRIED MOST OF THE BURDEN IN THE FIGHT AGAINST MENTAL ILLNESS AND RETARDATION

Mr. **WILLIAMS** of New Jersey. Mr. President, the bill before us today (S. 1576) essentially provides for a matching-fund program between the States and the Federal Government in the construction of mental health centers.

This is, in a sense, a Hill-Burton type program for small mental health and retardation hospital units.

The reasons for a program with Federal assistance is the revolution this country is undergoing in the care of the mentally ill. Concepts of treatment and care have changed radically in the past few years, calling for new types of community-based hospital facilities.

In order to quickly get under construction these new community based treatment centers a special financial impetus is needed. It is generally agreed that Federal matching money provides the best impetus in crash program.

This was true with the interstate highway program and it will be true with the revolutionary new treatment centers for the mentally ill.

However, this is not to say that the States themselves have not done a mammoth job in fighting retardation and mental illness.

They have.

Over the years, the States and counties have borne by far the heaviest financial burden in the United States in caring for the mentally ill.

In the last 10 years, the States have spent almost $12 billion fighting mental illness and retardation.

This is well over a billion dollars a year.

And there is no intention on the part of the States to reduce this effort. In fact, the efforts of the States are increasing by heavy percentages each year.

What the States need now is a financial boost to get quickly into existence the new community center treatment concept, where the mentally ill are treated and cared for within a bus-fare of home and family.

So that there will be no mistaking the monumental effort made by the States in the last 10 years fighting mental illness, I would like to have printed in the RECORD two charts which show the amounts spent by the States, covering capital and operating expenses and the expenditures per capita for all types of mental disorders.

Mr. President, I ask unanimous consent that two charts showing the enormous State expenditures fighting mental illness and retardation be entered in the

RECORD at this point. The charts are entitled: "Total State-by-State Expenditures on Mental Illness and Retardation," "What Have the States Themselves Done to Combat Mental Illness and Retardation in the Last Ten Years? (A summary)."

There being no objection, the charts were ordered to be printed in the RECORD, as follows:

Total State-by-State expenditures on mental illness and retardation (last 10 years)

State	10-year expenditure	Per capita for the 10-year-period
Alabama	$82, 366, 063	$27. 74
Alaska	12, 151, 692	[1] 56. 00
Arizona [2]	[3] 32, 051, 931	27. 10
Arkansas	57, 822, 918	32. 11
California	1, 125, 150, 377	78. 84
Colorado	153, 676, 437	91. 91
Connecticut	306, 421, 176	120. 22
Delaware [2]	[3] 43, 903, 342	108. 66
Florida	179, 631, 611	41. 99
Georgia	47, 052, 006	[4] 11. 91
Hawaii	15. 366. 429	[4] 25. 31
Idaho [2]	[3] 27, 459, 572	43. 05
Illinois [2]	[3] 732, 383, 688	77. 10
Indiana	260, 027, 308	58. 65
Iowa [2]	[3] 121, 130, 669	44. 78
Kansas	189, 114, 929	91. 36
Kentucky	87, 296, 174	29. 33
Louisiana [2]	[3] 109, 248, 051	35. 72
Maine	67, 980, 309	62. 54
Maryland	209, 332, 945	74. 75
Massachusetts	569, 039, 464	116. 07
Michigan	614, 312, 574	83. 27
Minnesota	279, 173, 923	85. 53
Mississippi	66, 784, 327	39. 03
Missouri	225, 164, 862	54. 63
Montana	36, 208, 398	55. 52
Nebraska	94, 188, 778	68. 04
Nevada	10, 222, 513	39. 62
New Hampshire	55, 650, 904	95. 13
New Jersey	541, 347, 357	96. 09
New Mexico [2]	[3] 22, 792, 600	26. 14
New York	2, 056, 942, 107	125. 57
North Carolina	224, 629, 775	51. 59
North Dakota	37, 451, 183	59. 92
Ohio	584, 557, 544	62. 84
Oklahoma	97, 580, 117	43. 22
Oregon	137, 305, 648	78. 95
Pennsylvania	786, 964, 199	71. 83
Rhode Island	72, 757, 642	84. 40
South Carolina	89, 636, 296	39. 43
South Dakota	33, 197, 851	48. 82
Tennessee	101, 919, 246	29. 50
Texas	287, 451, 843	31. 75
Utah [2]	[3] 29, 440, 430	34. 43
Vermont	33, 142, 509	86. 54
Virginia	201, 407, 142	54. 96
Washington	188, 731, 127	70. 50
West Virginia	58, 485, 641	31. 42
Wisconsin	313, 320, 481	82. 34
Wyoming [2]	[3] 22, 550, 830	69. 81

[1] Data on this State cover only 5 years.

[2] Estimated: Data on these 9 States are still being compiled. The figures appearing on this chart were assembled from statistics furnished by the Council of State Governments and the National Institute of Mental Health. The estimates are probably low.

[3] Estimated.

[4] Data on these 2 States cover only 3 years.

NOTE.—All of the above data were furnished by the States to the National Association of State Mental Health Program Directors, 1025 Connecticut Ave. NW., Washington, D.C., with the exception of the figures on States marked with (2).

WHAT HAVE THE STATES THEMSELVES DONE TO COMBAT MENTAL ILLNESS AND RETARDATION IN THE LAST 10 YEARS?

Mr. WILLIAMS of New Jersey. Mr. President, following is an analysis in summary form of expenditures by the States in fighting mental illness and retardation. The data was furnished to the National Association of State Mental Health Program Directors by 41 States, covering a period of the last 10 years.

This summary shows how much the States spent on capital improvements versus operating costs and the proportions spent fighting mental illness and mental retardation. A more detailed chart, prepared by the State Directors Association follows this and shows the breakdown in each category State by State for the 41 States reporting:

Total expenditures (41 States reporting) (all mental disorders)	$10, 590, 963, 823
Mental illness (39 States):	
A. Capital expenditures	1, 026, 270, 962
B. Operating expenditures	6, 440, 587, 061
C. Data from States where no separation was made between capital and operating expenditures (2 States)	210, 673, 932
Total	7, 677, 531, 961
Retardation (40 States):	
A. Capital expenditures	374, 031, 504
B. Operating expenditures	1, 765, 033, 316
C. Data from States where no separation was made between capital and operating expenditures (1 State)	44, 313, 152
Total	2, 183, 377, 972
Data from States where no separation was made between mental illness and retardation expenditures (4 States)	730, 053, 890

BUREAU OF MINES AND OFFICE OF COAL RESEARCH

Mr. RANDOLPH. Mr. President, our Appropriations Committee has reported, for action by this body, a realistic version of the Interior Department and related agencies appropriation bill, 1964 (H.R. 5279). I believe this is an especially pertinent evaluation with respect to committee recommendations for the Bureau of Mines and the Office of Coal Research. These two units of the Department of the Interior are working in areas of activity which have long been of special interest and importance to those of us who represent West Virginia.

The coal economy is a vital element of our total economic structure. The welfare and the safety of citizens who toil in the coal mines and on the coal-carrying railroads of our State are constantly before us as considerations of paramount concern. Hence, it is natural that the Bureau of Mines and the Office of Coal Research are instrumentalities which we believe should be adequately financed. I urge the acceptance of the amendments recommended by the Appropriations Committee—funds aggregating $29,926,500 for the Bureau of Mines, and $6,575,000 for the Office of Coal Research.

I urge especially the inclusion of amendments offered in committee by my diligent colleague, ROBERT C. BYRD, adding funds for Project Gasoline and Project Bootstrap within the Office of Coal Research.

In these instances, the more adequate funding recommended by the Senate Committee would enhance the furtherance of research in two especially vital and critical areas—coal and oil shale to liquid fuels and gasification of coal.

When a Member of the House of Representatives during the decades of the 1930's and 1940's, I served as a member of the Committee on Mines and Mining, and as chairman of its Subcommittee on Coal. And, during that period, I represented a West Virginia district which embraced not only very substantial coal mining operations but, also, the county in which the West Virginia University is located. These factors and the experiences which stemmed from them afforded an insight into and a knowledge of the need for increased investigative activities in the areas of coal mine safety and mining methods, as well as for expanded research in the areas of developing new products, new uses, and new markets for coal.

In 1944, in association with our late colleague, Senator Joseph P. O'Mahoney, of Wyoming, and with the conditions of World War II bearing heavily on the energy supplies, needs, and future of our country, I engaged in a special study of this problem. The Senator from Wyoming joined me in reviewing the Bureau of Mines reports on the modest amount of research on synthetic liquid fuels conducted during the period 1925–29 on oil from oil shale—and for the periods 1928–30 and 1937–44 on oil from coal. We determined that there was a very real need for a much enlarged program. We coauthored and sponsored the Synthetic Liquid Fuels Act of 1944. It was passed, approved and became Public Law 290 of the 78th Congress on April 5, 1944.

The March 3, 1944, United States News reported the passage of the act in an article entitled "Gasoline of the Future: Synthetic Fuel From Coal and Shale as a Prospective Reserve—Government's $30 Million Program To Aid Industry in Developing Substitutes."

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks excerpts from that article.

There being no objection, the excerpts from the article were ordered to be printed in the RECORD, as follows:

[From the United States News, Mar. 3, 1944]

GASOLINE OF THE FUTURE: SYNTHETIC FUEL FROM COAL AND SHALE AS A PROSPECTIVE RESERVE—GOVERNMENT'S $30 MILLION PROGRAM TO AID INDUSTRY IN DEVELOPING SUBSTITUTES

An intensive search now is planned for new domestic sources of gasoline for use in the event that present reserves of crude oil disappear during the years ahead.

The idea is that the search should be financed by the Federal Government. Legislation authorizing the appropriation of $30 million has been approved by Congress. The House passed a bill sponsored by Representative RANDOLPH, Democrat, of West Virginia. This measure was accepted by the Senate as a substitute for a similar bill introduced by Senator O'MAHONEY, Democrat, of Wyoming.

With this money, the Bureau of Mines will set out to find the best methods of producing synthetic gasoline. The Bureau will explore the possibilities of extracting oil from shale, from coal and from natural gas. It also may investigate the feasibility of obtaining gasoline from oil sands and from farm products. Two or three demonstration plants will be built. One probably will be placed near the coal fields of the East and another near the shale deposits of the Rockies. These plants will be more than laboratories, will operate on a scale large enough to provide industry with economic and scientific knowledge on commercial production.

Maximum capacity of the plants will be 1,000 barrels a day.

An effort will be made to quiet any fear that now exists that the country may be caught short when its domestic reserves of oil are used up. Congress is determined that this country shall not repeat the error it made in rubber by waiting for a crisis before developing a synthetic industry.

Vast resources are present in the United States from which to develop a synthetic fuel industry as large or larger than the $15 billion petroleum industry. Some of the known sources of synthetic oil are these:

Coal: It is estimated that the United States has enough coal to provide both synthetic oil and coal for more than 1,000 years at present rates of consumption. Conversion of coal to oil is more costly than the process of converting from other products, but the process also is more highly developed. Coal can be expected to provide the bulk of the oil of the future, after natural supplies are exhausted, because it is present in such great abundance.

Shale: Oil shale deposits in Colorado, Utah, and Wyoming would yield an estimated 92 billion barrels of oil, a 65-year supply at the present rate of consumption. Shale is less expensive to convert than coal, but to produce satisfactory motor and aviation oil from shale probably will require more experimental work than in the case of coal.

Natural gas: Here is a source of synthetic gasoline that would offer the easiest and cheapest substitute if the supply were inexhaustible. It is cheaper to process and lends itself better to conversion, but the supply is limited. An extensive conversion industry is not likely to develop since natural gas is an important resource in itself and is not as plentiful as coal and shale.

Oil sands: Biggest known deposits of crude oil in the world are the tar sands of northern Canada. These deposits could yield 100 billion to 250 billion barrels of oil. But they are remote and production and transportation costs would be high. Oil sands of Utah and other less explored areas of the United States also might yield an oil supply that would last several years.

Of these sources of synthetic oil, coal and shale offer the best possibilities. Now the question arises as to how much more the consumer might have to pay at some future time for synthetic gasoline than he now pays for gasoline from petroleum.

Automobile users would have to pay considerably more for synthetic gasoline than they now pay for gas from crude oil unless production costs are reduced materially. However, Congress did not intend that the experiments create a cheaper and better gasoline. It merely believed that the country should insure itself against the day when natural oil supplies are exhausted.

That brings up the question of why Congress is disturbed over the oil supply. The reasons are these:

This country is heading into a serious oil shortage unless large new fields are discovered. The present annual rate of crude oil production is about 1,500 million barrels and the known reserve supply of oil is around 20 billion barrels. Production and consumption have been exceeding new discoveries for the last 5 years. The industry and the Government agree that present proved reserves will provide only a 13- or 14-year supply of oil at present rates of consumption.

Rather extensive experiments already have been carried on by the Bureau of Mines in making oil from coal. We have learned much from Germany, where synthetic oil provides more than half the military fuel. We also have learned from Great Britain. Twenty years were required by Germany to develop a synthetic oil industry, but it is believed that we can do the preliminary work for developing such an industry in 4 or 5 years.

The test tube stage is past. The $30-million program authorized by Congress goes into the stage of commercial production. The knowledge learned in the demonstration plants will be available to all in private industry who wish to use it, and will not be used to put the Government in competition with business.

Mr. RANDOLPH. For 11 years, the Bureau of Mines carried on extensive investigations of this program to establish methods for producing synthetic liquid fuels from coal, oil shale, and other substances.

The basic act in 1944 authorized appropriations of $30 million. An amendment on March 15, 1948, extended the work from 5 to 8 years and increased the authorization from $30 to $60 million. On September 22, 1950, a second amendment extended the work from 8 to 11 years and further increased the authorization from $60 million to $87,600,000.

Actually appropriated from the $87.6 million authorized was $85,179,730, and over the 11-year period of the synthetic liquid fuels program actual expenditures amounted to approximately $82 million.

In 1959, the U.S. Department of the Interior published Bureau of Mines Report of Investigations 5506, entitled: "The Bureau of Mines Synthetic Liquid Fuels Program, 1944–55; Part I—Oil From Coal." It is a significant publication of the background for and developments under the synthetic liquid fuels from coal program from its 1944 inception until the act expired in April 1955. Since the latter date, research on synthetic liquid fuels has continued as a part of the regular Bureau of Mines investigations on coal and on oil shale. It points out that the major subjects of coal research studied under the program were gasification, gas purification, coal hydrogenation, and Fisher-Tropsch synthesis, all of which are stages of processes in which coal is virtually completely converted to fluid fuels, such as gasoline and oils. Carbonization of coal was not included in the program under the O'Mahoney-Randolph Act because its major product is coke, and the liquids produced are essentially byproducts.

Gasification of coal and purification of the gas produced have been studied at Morgantown, W. Va., for many years—at first in space made available in West Virginia University buildings. Early in 1946, in the early phases of the program under the Synthetic Liquid Fuels Act of 1944, facilities for coal preparation were installed there. Also, a laboratory-scale gasifier was constructed, and laboratory studies were started on sulfur compounds present in gases made from coal. A new Bureau of Mines Appalachian experiment station, 5 miles north of Morgantown, was erected between 1952 and 1954.

Over the years there have been material advances in non-government research, which, together with the Bureau of Mines activities, have resulted in a considerable body of data being made available to indicate real progress toward economically feasible and possibly competitive liquification and gasification of coal.

The Office of Coal Research in the Department of the Interior has since been added as a vital and important clearing house for, and monitor of, a modern research program. Perhaps there is need for refinement in the relationships between and the missions of the Bureau of Mines and the Office of Coal Research, and I am sure these will evolve as experiences show the way toward clarification. There must be a patient and joint effort by the administrators and the appropriate committees of the Congress to correct errors as they are uncovered. But it is to be hoped that there will not be a punishing retardation of the whole program of important and vital research that seeks to enhance our national growth through broadening knowledge of and uses for such of our fossil fuels as coal, oil shale, and lignite.

We have been authorizing and appropriating more, in recent years, for research and development in the field of atomic power than has been authorized and appropriated in the 20th century for these fossil fuels. I anticipate having more to say on this subject in the near future.

Mr. President, it would be helpful and conducive to a better understanding of the need for carrying on coal and other fossil fuels research in the coal and oil shale to oil and gasoline and the coal to gas areas if we were to have before us some of the important background material available on the subjects. I request unanimous consent, therefore, to have printed in the RECORD what the Interior Department referred to in a letter to me on July 16, 1962, as a summary accounting for the funds appropriated and expending during the life of the Synthetic Liquid Fuels Act, and a review of the Bureau of Mines accomplishments under that authorization, together with a brief discussion of the current research programs in synthetic fuels from coal and oil shale.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

BUREAU OF MINES SYNTHETIC LIQUID FUELS PROGRAM

FUNDS INVOLVED

Authorized:	
April 5, 1944	$30,000,000
March 15, 1948	30,000,000
September 22, 1950	27,600,000
Total	$87,600,000

The amount appropriated was $85,179,730 and about $82,000,000 was expended during the 11 years of the synthetic liquid fuels program.

Expended:	
Coal research and development	$27,871,067
Coal demonstration plants	32,272,964
Oil-shale research and development	5,143,132
Oil-shale mining and demonstration plants	16,820,017

The coal-to-oil laboratory in Bruceton, Pa., cost $3.5 million and the one in Morgantown, W. Va., cost $3 million. The cost of hydrogenation and Fischer-Tropsch demonstration plants at Louisiana, Mo., were $10 million and $5 million respectively. The oil-shale research laboratory at Laramie, Wyo., was $750,000 and the oil-shale demonstration plant at Rifle, Colo., was $8 million. The balance of the funds, about $52 million, was expended on personnel, materials, and maintenance incidental to the operation of the plants and in pursuance of research work.

Breakdown of funds expended by specific activity

Coal:	
Hydrogenation demonstration plant	$17,632,904
Fischer-Tropsch demonstration plant	14,640,060
Hydrogenation research	10,127,756
Fischer-Tropsch research	8,245,676
Gasification research	8,093,570
Underground gasification	1,404,065
Subtotal	60,144,031
Oil shale:	
Oil-shale mine	2,821,549
Oil-shale demonstration plant	13,998,468
Oil-shale research	5,143,132
Subtotal	21,963,149
Total	82,103,180

COAL HYDROGENATION AND FISCHER-TROPSCH PROGRAMS

Under the Synthetic Liquid Fuels Act

At the Louisiana, Mo., coal demonstration plants, the suitability of American-made equipment and the amenability to hydrogenation of eastern high-volatile bituminous and western noncaking coals were demonstrated for the Bergius-I.G. Farben high-pressure process. A number of processing and engineering developments were made, such as in construction of reactors, coal-paste preheater, pumps, solids separation, process flow piping, values and instrumentation.

In the Fischer-Tropsch synthesis, American equipment was also demonstrated. Bituminous coal was successfully gasified by two processes, and a method for synthesizing gasoline by a Bureau-developed process was tested. Cost data were obtained for both the hydrogenation and synthesis processes from which it was possible to make valid cost estimates. These were made by the Bureau of Mines and verified by industry.

Concurrently, at the Bureau's Bruceton and Morgantown laboratories, research and development work were conducted to facilitate operation of the demonstration plants and to improve processes. It was established that the synthesis of gasoline and chemicals could be conducted more efficiently under pressures of 300 to 400 pounds per square inch, and a method was developed for gasifying caking bituminous coal with oxygen and steam under pressure. Gasification under the required pressure effected considerable savings by eliminating compression of the gas. Cost estimates made by the Bureau and industry showed that these improvements resulted in reduction in cost estimates and operation for both the hydrogenation and Fischer-Tropsch. Greatly improved catalysts for the Fischer-Tropsch synthesis led to the development of the hot gas recycle process, a process which the Germans had been unable to perfect. The hot carbonate process for synthesis gas purification was a development during this time, which since then has gained wide acceptance by industry in this country and abroad. Fused nitrided iron catalyst was shown to yield a high percentage of oxygenated chemical, predominantly alcohols, which when blended with the produced gasoline yielded a high octane gasoline which did not require addition of lead or further processing. In hydrogenation, the production of heavy fuel oils was demonstrated in a pilot plant at pressures as low as 1,500 pounds per square inch using a cheap iron catalyst. The hydrogenation of dry coal, an innovation in processing, was initiated and tested.

At Gorgas, Ala., experiments were conducted on underground coal gasification. It was demonstrated that gasifying coal underground through prepared mine passages was definitely an uneconomic route because of the expense involved in preparing the passages and the low quality gas produced. Electrolinking-carbonization of a gasification path between two electrodes inserted into the coal seam from the ground surface proved more efficient. Initial tests were made using the petroleum industry developed technique of hydraulic fracturing whereby the coal seam was fractured by injection of sand-containing oil into the seam from the surface for preparation of the coal for gasification. This technique showed promise and was investigated until 1958, when it was shown that this process also was too costly.

The value of the total effort on coal is difficult to determine. Aside from obtaining the required engineering and process information for deriving the cost data, considerable improvements were made, although insufficient to make either hydrogenation or synthesis of gasoline and chemicals from coal competitive with the petroleum industry at the time. It is believed that much interest and effort were stimulated in both the coal and the petroleum industries. As a result, this research continues in both industries for processes for upgrading coal and heavy petroleum residues, which are akin to the process work done by the Bureau of Mines. Expenditures of the American people for petroleum fuels are so vast that any savings made possible in the synthesis of liquid fuels from coal will amount to extremely large sums when the time comes that we have to use coal as the source of liquid fuels for this Nation. Knowledge of the processes was accumulated during the time of the program, and a survey of potential areas suitable for synthetic fuels plants of all types was made. In case of an emergency, should the need arise for producing synthetic fuels, this knowledge having been made available to industry should prove of immense benefit.

Present Bureau of Mines work on coal

Since the synthetic liquid fuels program under the O'Mahoney-Randolph Act ended, the Bureau of Mines under its Organic Act has continued research and development on conversion of coal to liquid and gaseous fuels. The emphasis has been placed on production of a substitute pipeline gas, as it is felt that the need for a synthetic gas is more imminent than the need for a liquid fuel.

Research and development on coal gasification has been continued to produce the gas needed for hydrogenation and synthesis of either liquid or gaseous fuels. At the Bureau of Mines Morgantown (W. Va.) Coal Research Center, the application of nuclear heat for gasification of coal is an effort that has been underway for the past 7 years. At the Bureau's Grand Forks laboratory, a Lurgi type gasifier in which the ash is removed as molten slag shows promise of a more efficient method for gasification of noncaking coals and chars obtained from our eastern bituminous coals. At the Bureau of Mines Bruceton and Pittsburgh laboratories, in Pennsylvania, studies are underway to develop methods of pretreating caking coals so that they may be gasified in the Lurgi gasifier without precarbonizing.

The gasification step is approximately 40 to 75 percent of the cost of producing a liquid or gaseous fuel by hydrogenation and synthesis, respectively. Coal is a major portion of the gasification cost, and the Bureau is actively working on the reduction of mining costs by mining coal hydraulically.

Pilot-plant studies continued for production of liquid fuels both by hydrogenation and synthesis. Hydrogenation of coal, at 2,000 pounds per square inch, to light oils suitable for conversion to gasoline or for use as a turbine or jet fuel was demonstrated using both molybdenum and iron catalysts. Jet fuels suitable for supersonic planes were made from low-temperature tar distillate, and work is in progress to determine the quality of such fuels made from the low pressure hydrogenation light oil. Further work was done to develop and demonstrate the suitability of the Bureau-developed lathe-turning catalyst in the hot gas recycle process for the synthesis of gasoline. A process for hydrocracking of hydrogenation oil to pipeline gas and aromatic chemicals is now under investigation. Other processes under investigation and development for production of fuels and chemicals which would lead to increased utilization of our eastern coals are the direct conversion of coals to chemicals, such as hydrogen cyanide, acetylene, carbon black, etc.

Although the work is mainly directed towards the production of high-B.t.u. gas, the processes for gaseous and for liquid fuels are closely related, and should the process developments for production of synthetic gas indicate suitability for production of liquid fuels, they will be investigated for that purpose.

Bureau of Mines Report of Investigations 5506, "The Bureau of Mines Synthetic Liquid Fuels Program, 1944–55, Part I.—Oil From Coal," summarizes the Bureau's accomplishments under the Synthetic Liquid Fuels Act in the coal-to-oil program and presents yearly allocations of appropriations by activity.

OIL-SHALE MINING AND PROCESSING PROGRAM

At the Rifle, Colo., mine a low-cost mining method was developed, which would make possible the production of large volumes of oil shale by a technique that has been described as underground quarrying. The outstanding features of this mining method were high production per man shift, a high degree of mechanization, and a minimal waste of shale in the mining process.

The oil-shale plant developments made significant progress in low-cost methods for crushing, classification, and handling the oil-shale rock in preparation for the retorting processes. In retorting, developments were conducted on several methods, out of which was evolved the high throughput gas-combustion retorting process. This retort would handle the average grade of shale as mined and gave a high recovery of oil without requiring cooling water, which is an extremely important point of consideration in the water-scarce oil-shale areas of the West. Three sizes of plants were built, in order to carry on an orderly evolution of processes development that would reduce the very costly mistakes almost universally encountered when too rapid scaleup is attempted.

The initial shakedown runs on the latest retort had not been completed, nor had the process parameters been well defined at the time operations were halted at Rifle in 1955 and the installation placed in standby.

The developed refining processes made possible the production from shale oil of automotive regular gasoline and high quality diesel fuel, asphalt, and residual fuel. A number of byproduct materials, such as the very useful commodities sulfur, wax, ammonia, coke, and tar acids and bases also could be produced by the shale-oil refinery. A method also was developed for altering the oil moderately to make it possible to pump it in crude oil pipelines without wax deposition, so that shale oil could be moved in the Nation's pipeline network to refining centers.

Functionally, the oil-shale development and demonstration work at Rifle, Colo., was mining the oil shale, retorting the mined and crushed shale to extract the shale oil, and refining this crude oil into finished products. Substantial progress was made in all phases of mining and processing technology. Upon this work were based cost estimates of large-scale projected operations, such as would be required by a commercial oil-shale industrial enterprise. These estimates, which had the concurrence of industry, showed for example, that shale-oil gasoline could be produced at prices, which were within 2 or 3 cents a gallon of being competitive with similar products of like quality from petroleum.

Since that time, almost 10 years ago, products, processes, and technology have changed so drastically that an updating of the cost estimates to current prices would not be appropriate. To be meaningful, a present day oil-shale estimate would require new data from engineering development work, especially in the plant processes of retorting and refining. This work also would require a continuation of the program of supporting laboratory research, constantly, to supply new scientific data needed for development and information to accompany such engineering applications as they proceed.

Concurrently a comprehensive oil-shale laboratory research program was initiated and carried on at Laramie, Wyo. This laboratory research at Laramie has been a continuing program.

Present Bureau of Mines work on oil shale

As was mentioned previously, in the ensuing years since 1956 when the Rifle, Colo., demonstration plant activities were recessed and placed in standby, there has been a continuing program of oil-shale research in the laboratory at Laramie, Wyo. These laboratory studies have been carried out, particularly to determine the physical and chemical characteristics and properties of the oil shale and shale oil. Involved in this research are the rock itself, its contained kerogen (the organic matter from which oil is obtained), and shale oil and its contained materials, as well as the many products that can be made from it. Such studies constitute an immense scientific field, and only a small portion of it as yet has been covered. In the technology of processing and utilization, several areas of work have received initial studies in the laboratory and bench-scale experimentation has been carried out.

Areas of promise are those concerned with upgrading shale oils by techniques of hydrogenation, reforming, and various catalytic methods. High-temperature entrained solids retorting also has indicated promise for improved products, especially for chemical materials and premium-type fuels. This entrained solids method also is applicable and utilizes oil-shale dusts and fine particles that are troublesome or impossible to handle in most retorts.

Sound engineering technology has been developed in mining, crushing, retorting, and refining. These, together were approaching possible commercial feasibility levels in the early 1950's. Since that time the industrial technology, product quality, and other factors have advanced in the petroleum and process industries, while the work in the oil-shale mine and plant have been idle. The groundwork for an oil-shale industry had advanced to the point of approaching economic levels at the time of cessation of the work at Rifle. With the passage of time, however, the results of this research become more obsolete.

Resource studies have been carried out to provide greater data on the oil-shale resources by a continuing program of assaying many samples of oil shale from many sources, which include cores taken from wells drilled by oil companies in the oil-shale regions for petroleum and gas. The results of this work have added immeasurably to delineating the extent and quality of the Nation's oil-shale resources. Other research studies, such as the use of bacteria as a possible method of treatment for oil shale, application of methods to apply in situ combustion for producing shale oil or for gasification, are undergoing investigations.

The Bureau of Mines appropriation for its laboratory oil-shale research program being conducted at Laramie, Wyo., was $751,000 for fiscal year 1962. Maintenance and standby at Rifle, Colo., have costs on an average of about $100,000 per year.

Numerous publications in the form of reports, technical papers, and bulletins were made during the time of the large-scale oil-shale operations. Annual reports also were made by the Secretary of the Interior to the Congress each year in accordance with the requirements of the O'Mahoney-Randolph Synthetic Liquid Fuels Act. Because of the diversity of the science and technology of the different parts of the work, publications were written concurrently on the separate phases of the work as it progressed rather than as a combined whole.

MAINTENANCE OF PEACE IN THE MIDDLE EAST

Mr. HART. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a thoughtful editorial published in the Washington Post of May 19. The Senate will recall that some days ago, under the leadership of the distinguished majority whip, the senior Senator from Minnesota [Mr. HUMPHREY], there was submitted Senate Resolution 135, which was cosponsored by Senator GRUENING, Senator CLARK, Senator MCCARTHY, Senator MORSE, and myself. It expresses the concern that thoughtful Americans continue to have in regard to the tightening tensions in the Middle East. The excellent editorial published in the Washington Post comments upon the resolution. Because it suggests the desirability of prompt action by the Senate on the resolution, I feel that a reading of the editorial will be helpful to the Members of this body, as well as to the public generally.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STRATEGIES FOR PEACE

How can the United States help to maintain the peace in the Middle East? This is a question on which Americans of good will can reasonably differ, and small wonder that so many different proposals are offered. President Kennedy at his last news conference said the very minimum that needs to be said. He stressed again U.S. support for "the security of both Israel and her neighbors." He deplored the arms race and the threat of force, and pledged that in the event "of aggression, or preparation for aggression, whether direct or indirect" we would take "appropriate action" on our own and through the United Nations.

Some Americans would have the country do far more than that. They are urging bilateral guarantees of Israel's present borders in order to make clear that an attack on Israel would trigger our intervention. But the trouble is that this would be taking sides in a way that could prejudice chances for achieving what most Americans want—an honorable settlement of Arab-Israel differences.

It ought to be emphasized that the blame for not reaching a settlement does not lie solely with President Nasser or Arab stubbornness. Last year Dr. Joseph E. Johnson, a special U.S. representative on the Palestine Conciliation Commission, presented a credible plan for settling the Arab refuge problem—the vexing question that underlies so much of the conflict. The proposal was scarcely born before Israeli Foreign Minister Golda Meir condemned it as part of a plot to ruin Israel by fifth column means.

Yet if the Israelis sometimes have been unreasonable, the Arab States, at least in their official policy, have been fanatic. In no other area of the world has a group of nations sworn the extermination of a tiny neighboring country. Though Arab leaders speak more moderately in private, each is afraid of seeming soft on Israel in public. Thus, in a sense they are captives of their own propaganda, and it is this circumstance that could lead to a tragic collision.

The dogmatism of Arab policy, and the poison that emanates from clandestine radio stations, have led some Americans to argue that the United States should hand Mr. Nasser an ultimatum; call off the attacks or forfeit American economic aid. This is the counsel of impatience, and all recent history testifies to the folly of such tactics. No self-respecting leader can bow to threats; the last time an American statesman used a bludgeon, Mr. Nasser seized the Suez Canal. And aside from pragmatic objection, there is dubious morality in playing politics with the empty bellies of those receiving what we call food for peace.

Yet at the other extreme there are American diplomats so afraid of Mr. Nasser's displeasure that they are reluctant to risk influence by using it. It is surely the ultimate of absurdity to contend that a country helping both Arab States and Israel should be condemned to impotence as the region drifts closer to a war nobody really wants.

Our economic aid to Mr. Nasser does not give us the right to dictate. It does give us the right to protest against inflammatory secret broadcasts beamed at Jordan. And it does give us the opportunity to seek an agreement aimed at ending an arms race that our assistance is helping to subsidize. A group of Democratic Senators, led by Mr. HUMPHREY, has introduced a resolution urging the Government to grasp that opportunity.

Mr. HUMPHREY maintains that no new pacts or guarantees are necessary to make American intentions clear. He would have the Government reaffirm the Tripartite Declaration of May 1950, which commits this country, Great Britain and France to take action within and without the U.N. if any state threatens or uses force in violation of the Arab-Israeli armistice agreement. Then he would make the objective of our policy the creation of a denuclearized, missile-free area in the Middle East with the safeguards of international inspection. It would be salubrious if this were the Voice of America as well as that of a handful of Senators.

BIRTHDAY GREETINGS TO SENATOR HUMPHREY

Mr. MANSFIELD. Mr. President, this is a momentous occasion in more ways than one. Not only has the Senate today passed a bill which will be a milestone in the progress of our Nation, but hardly less important is the birthday of the deputy leader on the Democratic side. I take this occasion to extend to him my best wishes, my great respect, and my deep admiration for him as a man and as a Senator, and to assure him that I wish that what is happening today will occur for many decades to come. He has been a real asset to his State, his country, and, incidentally, to the party. We love him. We esteem him. We wish him everything of the best in the years ahead.

Mr. HUMPHREY. I am most grateful to the majority leader.

The PRESIDING OFFICER (Mr. BAYH in the chair). The Chair would like to ask the Senator from Minnesota if he would like to have "happy birthday" recorded in the RECORD.

Mr. HUMPHREY. Not on this occasion.

Mr. YARBOROUGH. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I do not have the floor. The Senator from Minnesota has the floor.

Mr. HUMPHREY. I am happy to yield to the Senator from Texas if he will be careful in what he says.

Mr. YARBOROUGH. I will be very careful, since the distinguished assistant leaders has apparently reached that point, along with Jack Benny, when he is about to reach the age of 39 and remain there permanently. With the admonition from our distinguished, affable, capable, and eloquent assistant leader on this side of the aisle, I will merely say that we all join in extending the good wishes that the majority leader has given to him. As the majority leader mentioned, we hope that the years will rest as lightly upon him as they do on certain other people in the country who admit on the radio they have not yet passed their 39th birthday yet.

Mr. HUMPHREY. I thank the Senator from Texas. These words of encouragement will undoubtedly increase the span of life; if not the span, at least the enthusiasm of life.

THE FACTS OF ANTIDUMPING

Mr. HUMPHREY. Mr. President, last month I introduced on behalf of myself, the Senator from Pennsylvania [Mr. SCOTT], and 25 other Senators a bill—S. 1318—to amend the Antidumping Act of 1921. Over the past several weeks there have appeared several editorials that display an apparent misunderstanding about the purpose and procedures of this law.

I refer specifically to two editorials that appeared in the Washington Post dealing with the Portland cement dumping case and the steel dumping cases. Mr. President, I ask unanimous consent that the editorials of April 23, 1963, and May 13, 1963, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 23, 1963]

THE CEMENT DUMPING CASE

The Dominican Republic has never occupied a prominent place in the world production of Portland cement (it has only one plant), but her position has been incongruously elevated by a majority of the U.S. Tariff Commission in an Antidumping Act decision which could endanger the efforts to reduce free world tariffs at the round of preliminary negotiations scheduled to begin next month.

The Antidumping Act of 1921 provides relief for domestic industries when they are injured by imports that are dumped or sold at discriminatory prices which are at less than fair value. Charges of dumping are first lodged with the Treasury Department, and if the Tariff Commission finds that injury is being inflicted, the importer is compelled to pay a penalty duty equivalent to the difference between the dumping price and fair value.

In this case five of the Tariff Commissioners ruled that the cement producers in the New York metropolitan area are likely to suffer injuries as a result of imports from the Dominican Republic. But Chairman Ben Dorfman, in a trenchant dissent, points out that the Dominican sales at below fair value "were equivalent to less than one-third of a percent of the total shipments of mills that supplied the New York area in 1962." And he notes that prices in the New York area are now below the level at which the Dominican cement was sold because domestic production has been augmented by the addition of a new, automated mill with an annual capacity of 10 million barrels.

The majority decision was handed down despite assurances from the Dominican company, which is principally owned and controlled by the Government, that its capacity in the foreseeable future will be completely utilized by home consumption and the Caribbean markets. But the decision has implications that extend far beyond a gratuitous affront to the Dominicans. The law firm which represented the American cement mills is also representing several of the major producers of steel in an antidumping action against imports of wire rods and wire products from Belgium, Luxembourg, and West Germany. And there is a presumption, however unjustified, that it will again be successful.

If the cement decision is allowed to stand, the participants in the forthcoming round of tariff negotiations may become convinced that this country will ultimately revert to the discredited, protectionist policies which have inhibited international trade in the past. But President Kennedy has the power to reverse it, and he should act without delay.

[From the Washington Post, May 13, 1963]

THE STEEL DUMPING CASES

The outcome of the antidumping cases against the fabricators of wire rod and other steel products in Belgium, Luxembourg, and West Germany will have a profound impact upon trade between the countries of the free world.

Seven large domestic steel producers have charged that steel products from Western Europe are being dumped or sold at less than fair value in the United States. Under the provisions of the Antidumping Act of 1921, the Tariff Commission must determine whether a significant injury to the domestic industry is likely to result, and its decision cannot be reversed by Presidential action.

Although the Tariff Commission is concerned principally with the likelihood of injury to the domestic industry from the importation of products which comprise about 1½ percent of its total output, the question of what constitutes fair value in these cases raises some significant issues.

There can be no doubt that the European mills are exporting at prices which are below those charged in their home markets, but there is much force to the contention that the relevant prices in these cases are those charged by the Japanese mills. And the Treasury has recently rejected the charge that Japanese steel rods are being dumped. If the Japanese mills are permitted free access to the American market, there can be little reasonable justification for excluding the Western Europeans.

Wire rods, which are used in the production of fencing, nails, and other products, are sold on an open price basis. Profit margins are low, and until recently the major domestic producers raised few objections when the independent fabricators took advantage of the low prices offered by foreign mills. Their motives in bringing antidumping charges at this time are somewhat obscure, for if they are successful in excluding Western European rods from the U.S. market, they would still be faced with keen price competition from the independent electric mills which have been opened up along the eastern seaboard.

Whatever the motives of the American producers in lodging the antidumping charges, there can be no doubt that a favorable decision by the Tariff Commission would seriously weaken the bargaining position of the United States in the forthcoming Kennedy round of tariff negotiations. The high authority of the European Coal and Steel Community is concerned over the protectionist implications of the Antidumping Act procedures, and the influential Handelsblatt of Dusseldorf, in a front page editorial, reminds American industry that it, too, is vulnerable to charges of dumping.

"The West German Government, to set the record straight, has the legal power to impose antidumping tariffs. Bonn, however, has not made use of these tools, although particularly low prices for American products have repeatedly disturbed the German market. We have only to remind one of the imported U.S. polyethylene which was offered at prices 40 percent below those asked on the American market. Another example is the well-protected U.S. lead and zinc industry which has sold products in the Federal Republic at prices 30 percent lower than on the American market. In no instance, however, did Bonn make any attempt to make foreign competition more difficult."

Statements such as this should make it perfectly clear that any attempt to eliminate international competition by means of the inflexible Antidumping Act procedures will invite retaliations that can only work to the disadvantage of the free world.

Mr. HUMPHREY. I do not intend to discuss the merits of these pending actions. In both cases the Department of the Treasury determined that dumping of portland cement and certain steel products had taken place; that is, had been sold in this country at prices below those charged to buyers in their domestic markets. In the cement case, the Tariff Commission subsequently determined that New York cement producers were likely to suffer injury from the dumped imports and directed the Treasury Department to assess an appropriate dumping duty to prevent such injury. The steel products case is currently pending before the Tariff Commission for a determination whether domestic steel producers have been injured or are likely to be injured by the dumped steel imports. What I have to say today does not involve the merits of these specific cases.

I am, however, disturbed by the apparent lack of understanding displayed in these editorials toward the objectives of the Antidumping Act itself. In the editorial of May 13, the Post asserts that "any attempt to eliminate international competition by means of the inflexible Antidumping Act procedures will invite retaliations that can only work to the disadvantage of the free world." The April 23 editorial refers to the operation of the Antidumping Act as an example of the "discredited, protectionist policies which have inhibited international trade in the past."

Certainly my vigorous advocacy of expansionist trade policies is a matter of public record. I was a strong and outspoken supporter of President Kennedy's Trade Expansion Act of 1962 and I view a mutual reduction of tariffs among the Western nations as absolutely essential to the longrun economic prosperity and political solidarity of the free world. But I also believe it is essential that every nation be willing to abide by basic ground rules of international trade. One of these rules is not to sell large quantities of surplus merchandise in a country at prices below those charged in home markets if such sales will injure domestic producers.

Antidumping Acts exist in virtually every major trading country in the free world. They are expressly authorized by the 1947 General Agreement on Tariffs and Trade, the so-called GATT. In fact, Antidumping Acts of many countries are much more stringent than ours and prohibit dumping without regard to the injury it causes.

Mr. President, I ask unanimous consent that a memorandum setting forth the operation of Antidumping Acts in other countries be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. It will be seen from this memorandum that other countries apply far more stringent controls in regard to dumping than the United States. For example, Switzerland, Austria, Spain, Turkey, Brazil, and Great Britain, among other countries, can impose dumping duties without reaching a prior determination that injury has occurred or is likely to occur to a specific domestic industry. By comparison, our antidumping statute provides that after the Treasury Department has determined that imported goods are being sold at less than fair value, the Tariff Commission must further find that "an industry in the United States is being or is likely to be injured" before dumping duties can be imposed. Bear in mind that the Tariff Commission is under no obligation to find injury; if no injury is found the foreign producer can continue to sell surplus merchandise without payment of dumping duties. To this Senator these regulations do not qualify as the "inflexible" procedures criticized by the Post editorial writers.

It appears to me that the editorials were primarily theoretical rather than being based upon an actual observation of the laws and the facts that relate to those laws.

Moreover, foreign nations—Great Britain and Japan, in particular—have reportedly entered into unofficial "cartel" arrangements with the object of dividing up world steel markets and preventing uncontrolled price competition. Great Britain has reached a "gentleman's agreement" with the European Coal and Steel Community not to undercut each other's prices in each other's markets. It has also been reported that Japan and the ECSC have reached unofficial agreements in regard to the exporting of certain products, that is, small diameter pipe, with particular emphasis on the American market. According to the Engineering News Record of April 18, 1963, this agreement "fixes price floors, limits tonnages and divides the U.S. market geographically. The Europeans will sell in the East, as far west as Chicago and the gulf region, while Japanese will sell in the western half of the United States." Needless to say, such informal "cartel" agreements would never be countenanced by our Department of Justice. But this informal practice among other nations clearly reflects their concern over ruinous dumping of surplus merchandise in each other's home markets.

In short, whether by official statute or decree or by unofficial agreements, other nations of the free world sanction procedures to protect their domestic industries and markets from dumping of surplus products. To the extent that the Post editorials conveyed the impression that the U.S. Antidumping Act represented a unique trade practice unknown to our Western partners, they were grossly misleading. In fact, dumping is an internationally recognized unfair trade practice and action taken against dumping should be and is taken without regard to attempts to encourage and expand fair international trade.

Of course, our Antidumping Act does not prevent foreign manufacturers from selling in this country at prices below those charged by American producers. What the act does prevent is wholesale dumping of surplus merchandise on the American market at prices below those the foreign manufacturer charges in his home market. I have always maintained that American manufacturers were fully capable of meeting legitimate foreign competition, but no domestic producer should be expected to withstand the long-term effects of irresponsible dumping actions by foreign competitors.

The danger of dumping is particularly grave in relation to foreign trade practices of Communist nations. With highly centralized economies under firm political control, the Soviet Union and the East European satellites have sought to disrupt international trade relations by dumping particular products such as aluminum, bicycles, cement, and potash. We must have effective weapons to counter such Communist attempts to destroy selected markets in the free economies of the Western nations.

As I noted on April 11 when I introduced S. 1318, the proposed amendment does not alter the philosophy or purpose of the Antidumping Act in any way. Rather, it seeks to make the act more effective in achieving its original purpose in light of existing conditions and practices of international trade. Mr. President, I ask unanimous consent that a summary of the provisions of S. 1318 be printed in the Record at this point.

There being no objection, the summary was ordered to be printed in the Record, as follows:

SUMMARY OF S. 1318—AMENDMENT TO ANTIDUMPING ACT OF 1921

First. Treasury's proceedings in cement dumping cases have averaged 17 months, and one took more than 3 years. Uncertainties caused by such delay hurt importers and foreign manufacturers as much as American industry. In 1954 Congress limited the Tariff Commission's investigations to 3 months. The amendment imposes a limitation of 6 months on Treasury's proceedings; however, an escape valve is available permitting additional time when needed.

Second. Congress amended the Antidumping Act in 1958 to require Treasury and the Commission to state reasons for their findings. The proposed amendment further specifies the content of Treasury's opinions in order to carry out the intent of Congress.

Third. American manufacturers, as well as importers, presently have little opportunity to participate in Treasury's proceedings. The amendment would require Treasury to issue proposed findings, prior to its final determinations, for the parties' reaction. This is analogous to the standards contained in the Administrative Procedure Act of 1946.

Fourth. The Administrative Procedure Act also provides that all agencies' actions can be reviewed by courts, but there is confusion as to whether courts can review the Treasury's findings in antidumping cases. The amendment would make clear that judicial review is available.

Fifth. Some importers have attempted to evade the act by creating dummy foreign export corporations. One provision plugs this loophole.

Sixth. Dumping from Communist countries not only injures American industry, but prevents manufacturers in friendly countries from selling in the United States. The present act is ineffective in preventing dumping from Communist countries, which can control their home prices by state fiat. The amendment will help solve this problem.

Seventh. Other provisions deal with the problem of importers, exporters, and foreign manufacturers who refuse to provide the Treasury Department with pricing information, or who file false information. The present act is ineffective in this regard.

Eighth. To enable the Tariff Commission to make more meaningful investigations of injury to American industry, it is proposed that the Treasury Department aggregate complaints regarding the dumping of the same class of merchandise. Treasury now sends cases to the Commission on a country-by-country basis.

Ninth. A final provision provides that when Treasury calculates price differentials it can consider the quantity discounts foreign manufacturers give American importers only if the discounts are justified by the foreign manufacturer's reduced costs, similar to the quantity discount provisions applicable to U.S. manufacturers under the Robinson-Patman Act.

Mr. HUMPHREY. Mr. President, as I have attempted to indicate, the Antidumping Act in itself does not represent a return to "the discredited, protectionist policies which inhibited international trade in the past." These policies have been discredited and rightly so. I realize, however, that certain U.S. companies or industries might attempt to distort the operation of the Antidumping Act in a fashion that would have a protectionist result. Such activities are most reprehensible; the Treasury Department has full authority to dismiss such actions and should exercise this authority. Recent developments at the GATT meeting in Geneva raise the hopes of the free world that the so-called Kennedy round of tariff negotiations will result in significant tariff reductions. Nothing should be permitted to sacrifice this historic opportunity to implement the Trade Expansion Act of 1962.

However, as I indicated earlier, a properly conceived and administered antidumping statute does not stand in the way of freer international trade. Rather, it is fundamentally a recognition that international trade cannot be conducted without certain ground rules to protect those countries and manufacturers from their more predatory and unscrupulous competitors.

Mr. President, I ask unanimous consent that the Tariff Commission's recent ruling in the Portland cement antidumping case be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit 2.)

EXHIBIT 1

HOW DO OTHER COUNTRIES APPROACH DUMPING

Virtually every economically developed nation in the free world has established some means to prevent dumping. Most nations have an act similar to our Antidumping Act. Some countries, such as Japan and Israel, regulate dumping along with other imports through licensing, quotas, price barriers, or otherwise prohibiting imports. Communist countries are able to regulate their home market prices by state fiat, and thus present special problems in determining dumping. In short, such countries do not need antidumping acts.

How does our act compare with those of other nations? All antidumping acts vary in detail, but it is fair to say that ours is generally one of the most liberal in the world.

The standard for antidumping acts is article VI of the General Agreement on Tariffs and Trade. It begins:

"The contracting parties recognize that dumping, by which products of one country are introduced into the commerce of another country at less than the normal value of the products, is to be condemned if it causes or threatens material injury to an established industry in the territory of a contracting party or materially retards the establishment of a domestic industry."

In the United Kingdom the board of trade performs a similar function as the Treasury and Tariff Commission here. Its criteria for finding dumping is danger to the "national interest, a somewhat broader standard than that of the United States act, and it may "vary duties of customs in such manner as it thinks necessary" to counteract dumping. Other commonwealth countries also use the "public interest" concept: Australia, India, New Zealand, Nyasaland, Rhodesia, and the Union of South Africa. Canada is unique among the commonwealth nations in not requiring an injury finding. All that is required is that the dumped goods be of a class or kind made or produced in substantial quantity in Canada—which has been interpreted as 10 percent or greater.

Most of the major members of the European Common Market have antidumping acts. They are expressly allowed under article 91(1) of the Treaty of Rome. France has one of the most strict antidumping laws, as it allows no adjustment of price for differing conditions of sale. In Belgium there is no Antidumping Act as such, but the same control is achieved by broad powers by which the King can regulate imports "when the vital interests of the country are in peril."

Other European countries have Antidumping Acts similar to our own. Finland, Czechoslovakia, and West Germany have representative antidumping laws. The German Customs Law of 1961, section 21, provides: "The Federal Government is empowered to levy through ordinance antidumpting duties on items which have been determined to be objects of a dumping action and the amount of the duty shall be in the amount of the dumping margin."

In Sweden a material injury must be shown before dumping can be found, but Norway permits a temporary dumping duty to be imposed until an investigation can be made. In Switzerland the Federal Council is authorized to take whatever protective measures are necessary if the economic interests of the country are adversely affected by imports. "Dumping" is presumed for any product sold for 20 percent less than Swiss prices. Austria, likewise, does not require an injury finding.

Spain enacted legislation in 1963 authorizing the Government to impose antidumping duties on merchandise imported at less than "normal" price, which might subject Spanish industry to "unfair competition." A February 1963 Government decree imposed a "compensatory" duty on a variety of steel products ranging from $6.66 to $41 per ton.

In Turkey the Council of Ministers may "impose higher duties and * * * resort to other practices" to prevent dumping, and the Brazilian act is another which makes no reference to injury.

This discussion does not purport to be a thorough review of all the antidumping acts of the world. These examples are sufficient, however, to demonstrate that virtually all nations recognize the evil of dumping, and have laws and practices to deal with it, and to show that the provisions of our act are certainly no more onerous, and are often more liberal, than those of other countries.

RECENT DEVELOPMENTS

Through official action and through private understandings the European countries are now attempting to attack dumping and other low-priced competition in their home markets, especially in steel products. The following discussion outlines recent developments:

I. Government action

Germany: Section 21 of the German customs law of 1961, which went into effect on January 1, 1962, provides that "The Federal Government is empowered to levy through ordinance antidumping duties on items which have been determined to be objects of a dumping action and the amount of the duty shall be in the amount of the dumping margin."

This authority is, of course, quite general and the German Parliament is now considering more detailed proposed legislation on dumping. The Government, in carrying out its authority, has, in fact, been following the procedures which are set out in the proposed legislation. Three investigations have been conducted by the Ministery of Economics.

One case involved polyethylene from the United States. No decision was ever reached, but duties on polyethylene were raised throughout the EEC in retaliation for the U.S.-increased duties on carpets and glass, which presumably made the antidumping question moot.

Another involved textiles from Spain. This was settled to the satisfaction of the Ministry prior to a decision establishing the amount of dumping duties.

The third case is most interesting. The German Cabinet had been investigating charges of dumping by Japanese producers of ferrochrome and ferromanganese throughout the fall of 1962 and, on February 22, 1963, a decision was reached to impose dumping duties on the importation of these products from Japan amounting to 160 dm. per metric ton on ferromanganese and 180 dm. per metric ton on ferrochrome (London Financial Times, Feb. 22, 1963). These duties amounted to roughly 15 percent of the cost, insurance, and freight value of the imports which, when added to the ordinary 7-percent ad valorem duty and 4-percent turnover tax, put a burden of about 25 percent on Japanese imports. This burden, it was reported, would bring the price of the Japanese imports nearly up to German homemarket prices (London Metal Bulletin, Feb. 26, 1963, p. 20). In the meantime, the Japanese producers had been attempting to satisfy the West German Government of their intention not to disturb the German market and at a meeting in February of 1963 they determined to restrict exports to Germany. Immediately after the decision to impose dumping duties was announced, the Japanese made a three-point proposal to West Germany: (1) To suspend all exports of ferroalloys through June 1963; (2) to restrict exports to 100 tons of each alloy per month after July; and (3) to raise the export prices to the level of German homemarket prices.

This proposal was accepted by the German Government, and 1 week after the decision to impose dumping duties, the collection of these duties was "indefinitely postponed" (London Metal Bulletin, Mar. 5, 1963, p. 18; Japan Economic Journal, Mar. 5, 1963). Apparently the Japanese are determined to keep their side of the bargain. Foreign purchasers of Japanese ferroalloys have been urged by the producers not to shift the destination of shipments to West Germany, a practice which had apparently been common in the past. The producers in fact intend to insert clauses of this tenor in their sales contracts (Japan Metal Bulletin, Mar. 16, 1963).

Finally, the "Preparatory Committee" of the "Ferro-Manganese Alloy Steel Cartel" will require exporters to certify and guarantee the final destinations of their ferroalloy exports. A similar measure has been taken by the "Ferro-Chrome Cartel" (Japan Metal Bulletin, Mar. 26, 1963, p. 3).

Spain: At least one country—Spain—took action in 1963 that gives every appearance of a measure to counteract the dumping of steel products by ECSC producers. By a law (Law No. 1/1960, May 1, 1960, published in the Official Bulletin of May 14, 1960), enacted in 1960 the Spanish Government was authorized to impose "antidumping" duties on merchandise imported at less than its "normal" price, which might subject Spanish industry to "unfair competition." Decree 161/1963 (published in the Official Bulletin of Feb. 1, 1963), invoking this power, imposed "compensatory" duties on a whole range of steel products including ingot, plate, coils, shapes, wire rods, bars, strip and wire. These duties ranged from $6.66 per metric ton on ingots, to $41 on certain types of wire.

While the decree imposed a compensatory duty of $16.60 per metric ton on wire rod, this in fact made no change in the duty assessed on this product. By decree 2301/1962 of September 8, 1962, acting on complaints that had been received, the Government had already imposed an identical additional duty on imports of steel wire rods. While the basis for these complaints is not recited in the decree, it is worth noting that the ECSC export price of wire rod, which was between $132 and $140 in January 1960, before the new Spanish customs tariff went into effect in May of that year, had dropped to $105–$107 in January 1961, to $88–$90 in January 1962, and down to $80–$83 in January 1963 (11th General Report on the Activities of the Community, provisional text, table 50 (1963)). The September 1962 date of the decree imposing the additional duty on wire rods suggests that the Spanish producers were seeking protection against these low-priced (and, as the Treasury findings in steel wire rod cases now before the Tariff Commission suggest, dumped) imports.

Austria: Austria enacted a new antidumping ordinance last summer. According to the Department of Commerce's Bureau of International Commerce, the Austrians have in the past given the threat of dumping as reason for not liberalizing their trade policies. The new antidumping legislation is connected with Austria's new policy of liberalizing trade, which will begin to come into effect sometime in 1963.

The antidumping law of June 7, 1962, established an Advisory Council on Dumping, as part of the Ministry of Trade and Reconstruction. The Council is to prepare a list of goods which may be affected by dumping; the list is expected to be completed in the summer of 1963.

France: France enacted antidumping legislation in early 1959. The legislation provides for the levy of dumping duties on merchandise sold in France at prices below the home market price, which causes injury in France. The upper limit of dumping duties is the amount of the dumping margin. According to the Bureau of International Commerce, the French have apparently been quite active in combating dumping, particularly of chemical and petroleum products.

United Kingdom: The United Kingdom has taken antidumping action against chemical products exported by particular firms in Spain, Canada, and the United States.

ECSC: The ECSC has complained to the Japanese Trade Ministry against steel product dumping, and the Trade Ministry has agreed to investigate (London Financial Times, Jan. 12, 1963). It was alleged that the Japanese were selling steel wire rods at $80 per metric ton, delivered—below their home market price (London Metal Bulletin, Jan. 18, 1963); complaints also were made about low-priced sales of hot coils and ferro alloys. Japanese, Soviet, and British sales of steel products had been reportedly running between 15 and 13 percent below ECSC published prices (Business Week, Mar. 30, 1963).

Dumping charges by European steel makers were reportedly made at a meeting on April 5, 1963; the specific products complained against were rebars, light sections, and wire rods (American Metal Market, Mar. 27, 1963). This meeting may well have been the outgrowth of a high authority letter sent to the Council of Ministers asking the appointment of a special commission to investigate whether low-priced sales of steel are the result of dumping (American Metal Market, Jan. 24, 1963). This commission, it has been reported, is studying dumping legislation throughout the community and in other countries, perhaps with a view to ascertaining the effectiveness of such measures (ECSC Daily Bulletin, Nos. 2874, 2875, 2876, Mar. 26, 27, 28, 1963).

Presumably moved by these complaints, the ECSC has taken action. The Council of Ministers has instructed the high authority to ask the British, Japanese, and Austrian Governments to stop their steel producers from dumping into the Common Market, and to study measures to be taken against Soviet imports (American Metal Market, May 6, 1963).

II. Unofficial "cartel" arrangements

European steel producers have not limited themselves to reliance on such official measures as have been described above. At least two informal "cartel" agreements—with Britain, and with Japan—have been made with the object of dividing up world steel markets and preventing price competition.

Great Britain: Complaints about British dumping of steel products in the ECSC began to be heard in the fall of 1962. Specifically, German producers complained of British sales of cold-rolled coils in the Community at $107 per ton f.o.b., as compared with the price of $130 per ton f.o.b. to British purchasers. These British sales were undercutting even the Japanese price of $117 per ton delivered in Europe (American Metal Market, Oct. 4, 1962, Oct. 16, 1962.) It was estimated that the British were also selling flat steel in Europe at 10 percent below European prices, and these sales were criticized by French producers, who met with the British producers apparently to discuss the question of British "dumping" (American Metal Market, Nov. 14, 1962, Nov. 27, 1962). The charges of dumping were denied by the British producers, who suggested that the low-priced sales were made by merchants whose pricing cannot be controlled by the producers (London Financial Times, Dec. 1, 1962).

The U.S. Embassy in London reported to the Bureau of International Commerce in Washington that at a joint meeting of the British Iron and Steel Federation and the Steel Federations of the ECSC in Paris an unpublished "gentleman's agreement" was reached, both sides agreeing not to undercut each other's prices in each other's home markets. The London Metal Bulletin reported on February 19, 1963, that the existence of such agreements had been confirmed by statements of Dr. Hans-Gunther Sohl, president of the German Iron and Steel Federation, and Sir Julian Pode and Sir Richard Summers, important British steel firm officers. The agreement was motivated by the then apparent imminence of Britain's entry into the Common Market. But, as the London Financial Times reported on March 12, 1963, the collapse of Britain's application has not affected the agreement reached in December.

The agreement will remain in force in spite of strong pressures to increase sales of British steel on the European Continent; British mills are working at below three-fourths capacity, and cut-price selling enabled the British to increase their European sales from 271,000 tons in 1961 to 439,000 tons in 1962. But leaders of British industry, the London Times reported on February 27, 1963, believe the agreement "will now be of inestimable value in achieving the medium-term object of preventing 'dumping' until steel demand once again catches up with supply." Continuation of the agreement has been confirmed by Sir Julian Pode, president of the British Iron and Steel Federation (American Metal Market, Apr. 2, 1963). On April 26, 1963, the Wall Street Journal reported that the agreement covers sheet, tinplate, welded steel pipe and wire rods, "all major items in foreign trade." The same story reported that Continental mills had in fact refused to sell billets, wire rod and sheet in Great Britain at prices below the British prices.

Japan: In a speech he made in Bonn on February 14, Dr. Richard Risser, chairman of Neiderrheinische Hutte, one of the big German rod producers and a subsidiary of Thyssen, described the British-German deal as a "gentleman's agreement" and added that a similar agreement had been reached with the Japanese (London Times, Feb. 27, 1963).

More recent reports confirm the cartel agreement with Japan. According to the April 15, 1963, issue of Purchasing Week, a cartel has already been formed covering exports of small diameter pipe, and wire rod is under discussion. The story quotes the general manager of the Foreign Affairs Division of Yawata, one of the big four Japanese producers, as saying: "There have been discussions going on to bring about some sort of cooperation regarding raw materials and the distribution of finished goods. They concern not only the American market, but other areas of keen competition."

This has been denied by French and British spokesmen, but confirmed by Japanese "industry and diplomatic sources in Tokyo."

The details of the agreement show that it will have a profound effect on the U.S. market. The authoritative ECSC Daily Bulletin reported on April 17, 1963, that "An agreement has been reached (among ECSC and Japanese producers) * * * to have a bearing on the course to follow on the export markets and, in particular, on the policy for exports to the United States * * * (and) will thus have a bearing on the conditions at which goods are offered on the U.S. steel market, on products and probably on marketing areas."

According to the Engineering News Record of April 18, 1963, the agreement "fixes price floors, limits tonnages and divides the U.S. market geographically. The Europeans will sell in the east, as far west as Chicago and the Gulf region, while Japanese will sell in the western half of the United States. This generally stipulates sales areas already established."

While European sources have refused to confirm the report one source conceded that such a cartel "would be an exceedingly logical development, but this isn't the sort of thing we'd be apt to publicize."

A Japanese steel industry mission in fact has just visited Europe to continue negotiations toward an understanding "avoiding market disruptions" (American Metal Market, Apr. 30, 1963).

EXHIBIT 2

U.S. TARIFF COMMISSION,
Washington, D.C., April 19, 1963.

TC publication 87 (AA1921-25).

PORTLAND CEMENT FROM THE DOMINICAN REPUBLIC

Determination of likelihood of injury

On January 21, 1963, the U.S. Tariff Commission was advised by the Acting Assistant Secretary of the Treasury that portland cement, other than white, nonstaining portland cement, from the Dominican Republic is being, or is likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended. In accordance with the requirements of section 201(a) of the Antidumping Act (19 U.S.C. 160(a)), the Tariff Commission instituted an investigation to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notice of the institution of the investigation was published in the Federal Register (28 F.R. 882). No public hearing in connection with the investigation was ordered by the Commission, but interested parties were referred to section 208.4 of the Commission's Rules of Practice and Procedure (27 F.R. 12117) which provides that interested parties may, within 15 days after the date of publication of the Commission's notice of investigation in the Federal Register, request that a public hearing be held, stating reasons for the request.

One request for a hearing was filed. However, the Commission noted that a good and sufficient reason for holding a hearing in connection with the investigation had not been advanced as required by section 208.4 of its rules, and, as adequate information was obtained from other sources, no hearing was held.

In arriving at a determination in this case, due consideration was given by the Commission to all written submissions from interested parties and all factual information obtained by the Commission's staff.

On the basis of the investigation, the Commission (Chairman Dorfman dissenting)[1] has determined that an industry in the United States is likely to be injured by reason of the importation of portland cement, other than white, nonstaining portland cement, from the Dominican Republic, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Majority statement of reasons

The imports of portland cement from the Dominican Republic sold at less than fair value were entered largely at the port of New York. The imports entered at that port were marketed almost exclusively in the metropolitan area of New York City. For purposes of this determination this area constitutes a "competitive market area." The domestic plants that have historically supplied portland cement in this competitive area and in recent years have sold substantial quantities of cement there are considered to constitute "an industry" for the purposes of the Antidumping Act.

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[1] The views of Chairman Dorfman follow the statement of reasons of the majority.

The Antidumping Act is designed, not to restrict competition from imports as such, but, by providing appropriate control over sales of imported articles at less than fair value, to bolster the forces supporting a healthy competition within the domestic economy. Competition from abroad, as such, is countenanced under the antidumping legislation. Price competition reflecting improved technology, increased efficiency, and superior types of marketing—each redounding to the benefit of the consuming public and each contributing to the vigor of the national economy—is compatible with the legislation here concerned. None of these virtues, however, are reflected in the price of imports sold at less than fair value. When such imports cause, or are likely to cause, injury to a domestic industry, remedial action is mandatory.

The Dominican producer has the capacity to sell considerably increased quantities of portland cement in the United States and has sufficient motivation to do so. In recent years the Dominican market has provided an outlet sufficient to take only about half of the potential production of that country's cement plant. Even with substantial exports, it has generally operated with considerable excess capacity. Through a form of price discrimination—i.e., through sales at prices below those charged in the home market—but at prices sufficiently high to cover out-of-pocket costs and to make a positive contribution to net return, the Dominican producer can achieve more complete utilization of plant capacity and a lowering of average unit costs. His inducement to attain a level of output approaching full capacity therefore is strong. Consequently, the very substantial market in the New York metropolitan area constitutes a continuing and attractive lure for the Dominican management seeking to expand production and reduce costs. Indeed, the instant case represents the second occasion in which the Treasury Department has advised the Commission that portland cement from the Dominican Republic was being sold in the United States at less than fair value.

Somewhat comparable circumstances cause the domestic producers of cement which customarily supply the New York metropolitan market to be vulnerable to competition from imports sold in the United States at less than fair value. In recent years producers supplying this market have generally operated at about 70 percent of capacity. Not only do sales of imported cement at less than fair value tend to repress prices in that marketing area but it is also difficult for domestic producers to compete therewith inasmuch as the price is based not on lower costs but on discrimination. Domestic manufacturers, moreover, are precluded from making as complete use of their productive facilities as they would be able to do in the absence of such competition. The injury that is likely to be sustained thereby would be reflected in continuing market instability and higher production costs. Because of both legal and economic restraints, however, domestic producers would be unable to increase volume by resort to the same kind of price discrimination.

Little has occurred in recent months to alter the situation that has twice given rise to sales in the United States of Dominican portland cement at less than fair value. The capacity and incentive for making such shipments remain. Domestic producers will be no less vulnerable in the future than they have been to date. In the opinion of the Commission, therefore, the portland cement industry serving the New York metropolitan market is likely to be injured by reason of importation of such cement sold in the United States at less than fair value.

VIEWS OF CHAIRMAN DORFMAN

Like the other Commissioners, I do not find that imports of Dominican cement are causing injury in either of the two major U.S. markets in which such cement has been sold, viz, Metropolitan New York City and Puerto Rico. Also, like them, I do not find that such imports are likely to cause injury to the cement producers in Puerto Rico. However, I do not agree with their conclusion that evidence now before the Commission justifies a finding that imports of Dominican cement "at less than fair value" are likely to cause injury to the domestic producers who sell cement in the Metropolitan New York City area.

It is my view, based on the facts obtained in this investigation, that no industry in the United States is being, or is likely to be injured, or is prevented from being established, by reason of the importation at less than fair value of portland cement from the Dominican Republic. I shall address myself, however, primarily to the issue on which I am in disagreement with the majority.

The sale of imported articles "at less than fair value" is not ipso facto injurious to a domestic industry. Indeed, the Commission only today reported its unanimous finding that such a sale of technical vanillin from Canada neither caused or was likely to cause injury to an industry in the United States. The Antidumping Act was never intended to prevent, or even to deter, imports merely because they are sold at less than fair value. To hold otherwise would be tantamount to contending that the Congress has imposed a useless function on the Commission.

The Commission concluded a previous antidumping investigation concerning portland cement from the Dominican Republic on April 18, 1962. It then unanimously determined that "an industry in the United States is not being, and is not likely to be, injured * * * by reason of the importation of portland cement * * * from the Dominican Republic, sold at less than fair value." The Commission observed further: "The evidence does not indicate any predatory motivation on the part of the importers. Accordingly, there is no sufficient evidence to indicate that a domestic industry is likely to be injured by reason of the importation of portland cement from the Dominican Republic that is sold below its fair value." The Commission noted also that any injury to domestic portland cement plants that have historically supplied the so-called competitive market areas (Metropolitan New York City and Puerto Rico) was "inconsequential."

The sales below fair value of Dominican cement in the New York area that were under review in the aforementioned investigation were equivalent to only a small fraction of 1 percent of the total shipments of domestic mills (to all markets) that supplied the New York area in 1961. They were also equivalent to about 4 percent of the shipments by those mills solely to the New York area; and to about 10 percent of their shipments to the New York area during the period in 1961 when the Dominican cement was imported into that area.

The imports of Dominican cement into the New York area at less than fair value that are the subject of this investigation all entered in 1962. They were equivalent to less than one-third of 1 percent of the total shipments of mills (to all markets) that supplied the New York area in 1962; to less than three-fourths of 1 percent of the shipments of those mills solely to the New York area; and to less than 1½ percent of their shipments to that area during the period in 1962 when the Dominican cement was imported into that area.

In view of the foregoing, it is significant that the Commission unanimously found neither injury, nor the likelihood thereof, arising out of the sales of Dominican cement in the New York area in 1961, whereas the majority now finds "likelihood" of injury in that area.

Following issuance of a Customs Bureau order, effective September 12, 1962, to withhold appraisement of portland cement from the Dominican Republic, there have been no imports of such cement into the New York area. Further, counsel for the New York importer (Triangle Cement Co.) advised the Commission that said "importer has no further interest in importing cement from the Dominican Republic or anywhere else, and the Dominican mill has averred that it has no cement to sell to continental United States and no plans to sell there."

There is no evidence in the Commission's possession to support the position that the most recent imports of Dominican cement into the New York area at less than fair value operated in any appreciable degree either (a) to depress the general price level of domestic cement sold in that area below the level that would have occurred in the absence of such sales or (b) to reduce appreciably the volume of sales of domestic cement in that area. The Triangle Cement Co. marketed the bulk of the cement imported into the Port of New York in 1962; and it sold all of its imported cement, whether from the Dominican Republic (at less than fair value) or from Belgium, West Germany, or Italy (at fair value) at the same price.

The Dominican cement plant which the Commission has had under consideration in the present antidumping investigation is physically the same plant that the Commission had under consideration in its earlier antidumping investigation. That plant, however, is now principally owned and controlled by the new Dominican Government—a government that has given no indication of intent to engage in predatory pricing practices in its sale of cement to the United States.

The Dominican plant is presently being operated below its full capacity, which is estimated at about 1.8 million barrels annually.[2] Counsel who represents the Dominican cement company has submitted a statement from the firm to the effect that it anticipates that increased home consumption plus increased sales to other markets in the Caribbean area will utilize all of the plant's capacity in the foreseeable future. In any event, there is no basis for assuming that the Dominican plant, merely because it has unused capacity, will be under great pressure and temptation to export to the United States cement in such quantities, at prices less than fair value, as to cause injury to U.S. mills. The view that the most likely destination of such exports would be to the New York area is even a less plausible conjecture.

Since the last shipments of Dominican cement entered the port of New York, that port has become one of the least attractive of the major U.S. markets for imported cement. Prices in that area declined sharply early this year, after a new cement plant came into operation in Ravena, N.Y.[3] The price of domestic cement in the New York area is currently below the price at which Dominican cement was sold there last year when it entered at less than fair value. Dominican cement could not now be marketed there except at a still lower price. The price of domestic cement in bulk is now even lower in the New York area than in several other U.S. ports into which foreign cement has entered.

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[2] Based on 3 kilns, 2 of which have an annual capacity of 0.45 million barrels each, and one of which has an annual capacity of 0.9 million barrels. This combination of units enables the plant to operate efficiently at several different levels of output; it is not obliged to operate at its peak capacity in order to maintain high efficiency.

[3] It is a modern automated plant that serves not only the New York metropolitan area but also other Atlantic coast ports from Boston to Fort Lauderdale. Its two giant kilns, with a total capacity of 10 million barrels annually, are the largest ever built in North America.

All of the Dominican cement that was imported into the New York area has been appraised and so may not be subjected to dumping duties. Therefore, the most direct consequence of the majority decision will be the imposition of a heavy dumping duty on the hapless Puerto Rican concern that imported Dominican cement at less than fair value. This assessment will occur notwithstanding that no cement producer in Puerto Rico pressed a claim of injury, or the likelihood thereof, arising out of the imports of the Dominican cement, and notwithstanding that no member of the Commission found in this investigation that such imports resulted in injury or the likelihood thereof to Puerto Rican cement producers. Penalizing the Puerto Rican importer will have no ascertainable effect in deterring future imports of Dominican cement into the New York area.

The foregoing determination and statement of reasons are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended.

By the Commission:

Donn N. Bent,
Secretary.

POSTREFERENDUM LEGISLATION

Mr. HRUSKA. Mr. President, the page in the history of farm legislation covering the Freeman wheat plan has been torn out and discarded. The Freeman-Cochrane supply management theory has been rejected by the American farmer. Its mandatory provisions, strict controls and restrictions, and its obvious purpose to serve as a foundation for a similar plan in other agricultural fields have been repudiated. They have proved to be a fertile source of discussion and speculation. But that is behind us.

Congress now has a mandate, which is to consider and devise an acceptable and workable plan.

With the idea of having before the Congress a concrete proposal as a starting point toward the goal of such a plan, I have joined the senior Senator from Iowa [Mr. Hickenlooper] in the introduction of a bill which deals not only with wheat but with feed grains as well.

I do not consider my sponsorship of that bill as an approval in its entirety or in all of its aspects and provisions. All of us know, however, that in the process of committee hearings and markup of the final version many changes are necessarily made in a bill of this kind. I will willingly abide by the preliminary judgment of the members of the Senate Agriculture and Forestry Committee in this regard. In turn, they will be aided by similar judgment exercised by the members of the House committee.

When the final draft is brought before us for debate, we can make a final judgment. But I join as a sponsor of the bill so that it may serve as a vehicle and foundation for the perfecting of legislation on the subject.

In common with other bills introduced, it embraces these principles: it is a voluntary plan which can be entered into or disregarded by the farmer; it is based upon a land retirement system with those entering the program becoming entitled to benefits payable in kind or in cash for nonproduction of crops and with suitable restrictions as to undue, harmful concentration of retired acres; and it is based upon a market economy for price supports and similar benefits.

FARMERS' DECISION EMPHATIC

The decision of the wheat farmers of America was emphatic. A two-thirds majority favoring the plan was required, but less than 50 percent of the votes were marked "yes." The tally of the 1,144,000 votes cast showed that the "yes" votes failed by 215,000 votes to achieve the two-thirds majority.

This decision of the farmers was not a vote for the so-called "grim alternatives" forecast by champions of the wheat plan in the event of a "no" vote—90 cents wheat, 80 cents corn, $16 cattle, and $12 hogs.

The farmers' vote on May 21 was against the Freeman wheat plan and against the efforts and methods used to force it upon them.

Assertions had been made that there is no other alternative to Freeman's wheat plan and that the resulting ruined market would mean hardship to all farmers and bankruptcy to many of them. Such assertions were a deplorable effort to promote an election with seemingly free choice, but which actually had only one choice. It was said that in rejecting it the farmer would be faced with ruin, with a farm depression which would be felt across the entire nation.

The fact is that there are other acceptable and workable alternatives. The farmers who voted "no" are aware of this. They would also that there is ample time for Congress to carefully study, formulate, and approve such a plan in order to make it apply to the 1964 crop.

The only thing which will prevent such a result will be a vindictive administration, consisting of the President, the Secretary of Agriculture Freeman, and the large majority by which their party controls the Congress.

ADMINISTRATION HAS THE POWER

That administration has the power to disregard the well-being of the Nation by refusing to consider other wheat plans. This would make good their prereferendum threats that the farmer would be ruined if he did not vote "yes."

Such a breach of good faith based upon sore disappointment at rejection of the Freeman wheat plan would not be in keeping with the role of a President who represents all of the people.

For the President and the majority party in Congress to persist in such a course would mean that all farmers—those who voted for the Freeman plan, as well as those who voted against it and those who had no opportunity to vote on it at all—would be consigned to the "grim alternatives" of a ruined market, a general loss of farm income, a farm depression, and financial disaster on a nationwide basis.

Such a course would denote a lack of compassion and sense of justice, which reasonable men do not expect of our President and his leadership of his party in the Congress.

Such a course would be a clear violation of the spirit and the meaning of a real referendum—the opportunity to accept or reject a proposal, with the further opportunity of another fair and reasonable choice if the first one is not elected.

No second, fair choice has been offered yet.

It is the duty of Congress to give the farmer a chance to express himself on an acceptable and workable plan. If he refuses to accept such a proposal, it can be truly said that he prefers the "grim alternatives" which the House majority report, as will be quoted later in my remarks, recites. But not until such a second fair choice has been offered can the farmer be said to have expressed a preference for such "grim alternatives."

THE "GRIM ALTERNATIVES"

The House report—No.180—on H.R. 4997 which was enacted into law last week, urged "passage of this feeds grain bill which will complete the overall grain program which Congress partially approved in the passage of the long-range wheat program as part of the Agricultural Act of 1962."

At page 5 of the report tells the farmer, as well as everybody else, what the farmer's refusal to go along with the administration plan will mean. Here is the language:

> Failure to act positively upon a sound stabilization program for feed grains, to operate along with a related and effective program for wheat, would present grim alternatives.
>
> Corn prices no doubt would fall to around 80 cents a bushel. Prices of other grains would follow corn prices down.
>
> Livestock markets, with unlimited production of cheap feed at depressed prices, would in the long run be demoralized.
>
> The Nation would run the risk of a terrible farm depression that would send a shock wave through the total economy.

Such a statement is quite terrifying. Its substance was summarized by the chairman of the House Agriculture Committee 2 or 3 days before the referendum in a statement in which he told farmers "that if they vote against the administration proposal in Tuesday's wheat referendum, they will be voting for their own ruin."

Other descriptive language seeking to strike terror into referendum voters was widely distributed and publicized. It found its way into the daily Congressional Record at page A2216:

> Furthermore, with an abundance of $1 per bushel wheat, the feed grain prices will be completely demoralized and this will lead directly to lower livestock prices with serious consequences reaching into every area of the livestock-poultry-grain farm segments.

A widely distributed pamphlet, entitled "Wheat Facts" published for State Citizens Wheat Facts Committees has these questions and answers on this same subject:

> Question. Is it true that wheat could go to $1 a bushel or less if the 1964 wheat program were rejected?

Answer. Yes. Overproduction, estimated at 300 million bushels without controls, could push wheat to feed-grain prices.

Question. If there is no wheat program in 1964 and no feed-grain signup in 1964, what would happen to feed-grain and livestock prices?

Answer. Corn would probably fall below 80 cents, wheat around 90 cents, hogs around $12 and cattle about $16.

There were many similar dire threats in recent weeks. Such depressing, fearful and catastrophic voices were heard far, wide, and often.

They told wheat farmers of the penalties awaiting them and their families if they did not vote as they were told to do. These voices of doom were meant to scare, terrify, and intimidate.

The farmers of the Nation proved that they could neither be bought nor scared.

Mr. President, if such dire results come about and such punishment is meted out, it will be a willful, deliberate act on the part of the President of the United States, the Secretary of Agriculture, and the overwhelming majority by which their party controls the Congress.

The Senator from Nebraska, for one, refuses to entertain thoughts that the administration would willfully plunge the Nation into such depths of depression. My respect for the President, and for my colleagues in the Congress as patriotic, well intentioned and sincere, is too high to allow me to believe them capable of such irresponsible and reckless conduct.

It is because of that high respect and good faith which I accord the President and the Congress that I have confidently expressed the view that new legislation will be passed in timely fashion this year. The "monkey" is not on the back of the Senator from Nebraska in that regard, Mr. President, nor on the back of any other Senator who made similar prophecy. It is on the backs of the President, Secretary of Agriculture, and Congress of the administration, because it is they who have the power and the force to either approve such bill into law or to refuse to do so. Should they refuse to do so the farmers of the Nation, those who favored the wheat plan as well as those who voted against it, will be fully and clearly aware as to the presence and place of that proverbial monkey.

CONSTRUCTIVE ALTERNATE

Several bills have already been introduced in both Houses to serve as a basis for constructive and wholesome action.

In deciding on the ultimate legislation to be developed from the several proposals, there should and must be the awareness by the Congress that the mandatory, objectionable, unduly restrictive, and unworkable Freeman-Cochrane approach has been repudiated as national policy.

Hearings and discussions in the House and Senate Agriculture Committees, and debate on the floor, should achieve a result more in keeping with the traditions of the Congress.

A course of earnest and deliberate search for a constructive alternative made in good faith is dictated by decency, fairness, and the national wellbeing. We should not be satisfied with less.

ARE ALTERNATIVES OFFERED TARDILY?

Frequently during the referendum campaign, the question was raised as to why opponents of the Freeman wheat plan did not have a proposal of their own. It was asked repeatedly, why it was that an alternative plan to Freeman's remedy was not advanced so that it could be scrutinized, studied, and compared with the Freeman wheat plan before the vote was taken.

The plain and simple answer is this: The lack of an alternative proposal by Congress was deliberately designed by the advocates of the Freeman wheat plan. They did not want any alternate plan on the ballot. They wanted the ballot to appear with only one choice: The Freeman wheat plan and nothing else. We were expected to ignore that the choice of a farmer's ruin is also a choice we would face.

Here is the history: In its 1962 session the Senate witnessed repeated, determined efforts to have the ballot at the wheat referendum contain two proposals. The first effort was debated and voted upon on May 24. It was rejected by a vote of 53 to 36. It was opposed vigorously by the Democratic Members. Only six Democrats voted in favor of such an alternate plan being on the ballot.

The second effort was made on August 21. It was rejected by a vote of 50 to 29. On that occasion only three Democratic Members voted in favor of an alternate plan on the ballot. Again, except for those three votes, the Democratic administration opposed putting an alternate before the wheat farmers for their consideration.

With such a history we can readily discard any complaint on this point coming from those who favored the Freeman wheat plan.

TRIBUTE TO THE VOTING FARMER

The outcome of the wheat referendum proved the farmer to be one of the few remaining breeds of independent, individual thinkers. Notwithstanding the heavy pressures used by officialdom, of all of its influence and powers, as well as threats and procedures heretofore never applied in such elections, he asserted himself courageously and emphatically.

After all, the farmer has the opportunity to think matters out for himself. He uses it well. He had much at stake in that election. He is a capitalist with considerable investment. He knew that his future would directly and immediately be affected by his decision. He knew that what he can do for his family now and what he can leave them when he is gone would be affected by his vote.

With that type of incentive he took his duty to render wise decision very seriously.

The result of the wheat referendum vote truly showed that the farmer is not one who can be bought or scared when he exercises the privilege and the right to vote. For this alone, he should be honored. But there are many who feel that those who voted in the wheat referendum should receive the gratitude of all farmers, whatever crops they raise.

Without question, had the referendum vote been favorable, a similar supply management concept, theory, or plan would have been attempted for all other forms of farm activity: feed grains, livestock, poultry, dairy, and others.

Last week's vote sets that issue at rest, and properly so. The American farmer is not ready for such a philosophy; nor is the American public.

One can hardly refrain from expressing the earnest hope that the true spirit of the referendum will be honored and observed; that we will proceed to draw legislation and make proper provision for the farmer will be consistent with the action taken in the vote.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, May 28, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate May 27, 1963:

NATIONAL GUARD BUREAU

Maj. Gen. Winston Peabody Wilson, AO398325, a Reserve commissioned officer of the U.S. Air Force, member of the Air National Guard of the United States, to be Chief of the National Guard Bureau for a period of 4 years to date from August 31, 1963, under the provisions of title 10, United States Code, section 3015.

The officers named herein for appointment as Reserve commissioned officers in the U.S. Air Force under the provisions of sections 8218, 8351, and 8392, title 10, United States Code.

To be brigadier general

Col. William H. Clarke, AO649168, Montana Air National Guard.

Col. Homer G. Goebel, AO441737, North Dakota Air National Guard.

Col. Kenneth E. Keene, AO805634, Indiana Air National Guard.

Col. Frederick P. Wenger, AO367842, Ohio Air National Guard.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 27, 1963

The House met at 12 o'clock noon.

Rev. Frank Blackwelder, rector, All Souls Episcopal Church, Washington, D.C., offered the following prayer:

Infinite and imminent Father, come near us as we pray to Thee.

May the Speaker and each Member of the House of Representatives be orbited by Thy energy, Thy inspiration, and Thy vision.

Surround them with the spirit of unity, the aura of strength, and the light of guidance.

Grant that their deliberations and decisions may assist in alleviating and resolving the tensions and strains present in our Nation, our hemisphere, and in the world.

Through Him who came to bring peace and good will, Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 23, 1963, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5207. An act to amend the Foreign Service Building Act, 1926, to authorize additional appropriations, and for other purposes.

THE HOUSE OF REPRESENTATIVES

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, it is a tradition in the older legislative halls of Europe that a new member give his maiden speech within the first 6 months of holding office. After giving his maiden speech he is expected to seat himself back down and say no more for the next 6 years.

I am now rising to give my maiden speech in the House of Representatives. We do not require, thank heavens, that I say no more for the next 6 years. However, I can assure my distinguished colleagues that in the future when necessity compels me to speak I shall be both brief and to that point. I realize full well that the business before this House is of too serious a nature for time consuming speeches.

A new Member in this distinguished Chamber finds many new experiences facing him. No matter where he may have served before as a legislator—there is no equal to the House of Representatives.

I find that my work here is challenging and at the same time stimulating. I am impressed by the caliber of men that lead my party on the floor of the House and I am impressed by the caliber of men that lead the loyal opposition on the floor of the House. I find that the men heading the committees of the House are experienced, capable, and truly devoted to our national interest. You might say, Mr. Speaker, that I find the House of Representatives a mighty impressive place from all aspects.

It is a pity that the public does not better understand our legislative process. Politics, after all, is still the art of compromise. When a bill has passed through the sandtraps and minefields of our legislative system we can fairly assume it is a bill that will benefit the most number of people, and at the same time damage or hurt the least number of people.

I expect as time goes on to learn more of the arts and science of the legislative trade. A Member of this House truly never ceases to learn. Each day brings something new, and each week better equips him to serve his constituents.

There have been newspaper attacks on the lack of progress shown during this session. More bills, some sources feel, should have been acted upon. I invite those members of the newspaper fraternity that have been critical of the House to sit with me on the Banking and Currency Committee, or for that matter on any committee of the House. They will find that where a committee is split or undecided on the merits of a bill, so perhaps is the Nation as a whole split or undecided.

This House, to its everlasting credit, reflects the opinion of the country at large. I share the views of the distinguished Speaker of the House, the gentleman from Massachusetts, the Honorable JOHN MCCORMACK; this House is the greatest legislative body in the world. There is no seat of government that can match it. When a bill is not agreed to speedily we can be sure that a majority of our citizens are not prepared to accept it. This may not be always what I would want, or what another Member would want, but ours is a democratic society and the House is a very democratic legislative body. Such is as it should be. I trust we will never change.

As most of my colleagues are aware, I am a member of the Democratic Party. I am proud of that and make no apology for it. The Democratic Party is the oldest continuing political party in the world, and yet we have one of the youngest Presidents in the world. It shows my party is still young at heart and has many more years of leadership ahead.

I take pride in the fact that I support my party and that I support our President. Naturally, I reserve the right to oppose any programs or policies I believe unsound for my district and our country, but the great truth of the Democratic Party is that most of our programs and policies are both good for my district and good for the country.

In conclusion, Mr. Speaker, let me stress the great privilege and honor that comes with service in this historic Chamber. I believe that only exemplary conduct and the highest moral character can be displayed by a Member of the House of Representatives. Someone once said of the Presidency, "The Office is greater than any man"; the same is true of this House. A new Member has a great tradition to follow. I trust I will be worthy of that tradition.

FEDERAL EMPLOYEES GROUP LIFE INSURANCE

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, on May 16, 1963, I sponsored H.R. 6403, to provide an additional unit of group life insurance of $1,000, or a unit of $2,000, under the Federal employees group life insurance program, which will not be reduced when the employee reaches the age of 65 if then retired, or upon retirement after age 65.

My bill also will permit the Civil Service Commission to adjust the premiums paid by the employees and by the Government so that the combined premium will cover the cost of the new benefits authorized by my bill, as well as the benefits which have been added to the life insurance program since first authorized by Congress in 1954.

Mr. Speaker, this additional insurance is vitally needed by our Federal employees when they reach the critical age of retirement, or age 65. I supported a similar proposal during the 87th Congress which was passed by the Senate and favorably considered by our House Committee on Post Office and Civil Service—House Report No. 2383, accompanying S. 1070, 87th Congress.

However, last year's proposal was vigorously opposed by the administration and we were led to believe that even if the proposal were passed by the Congress, it would not have much chance of being approved by the President.

The principal reason offered by the administration for objecting to this additional life insurance was that existing premiums were not adequate to support even the existing level of benefits and would not, of course, provide any coverage for the new benefits proposed.

The law now requires that employees pay two-thirds of the premium and the Government pay one-third, but the rate for employees may not exceed 25 cents biweekly for each $1,000 of life insurance. The Commission has prescribed the maximum rate permitted under the law of 25 cents for employees and 12½ cents for the Government, making a total of 37½ cents per biweekly pay period for each $1,000 of insurance. Both the Civil Service Commission and the Comptroller General of the United States have reported that a premium rate of approximately 43 cents would be required to cover the current cost of benefits and that the existing rate of only 37½ cents results in an annual $18 million premium deficiency.

Mr. Speaker, I am convinced that the additional units of life insurance are vitally necessary to round out the life insurance program for our Federal employees. I would like to be able to recommend that the employees have this additional benefit without an increase in the rate of the premium. However, if the only way to remove the opposition of the administration to my proposal is to authorize an increase in the rate of the premium, then I believe that an appropriate adjustment in the premium is justified.

While I am not at all convinced of the validity of the arguments by the Civil Service Commission that a time will be reached at some indefinite date in the 1980's when the annual benefit payments will exceed the annual premiums collected, nevertheless, I felt it advisable to propose, as I have in H.R. 6403, authority for the Civil Service Commission to adjust the rate of premium with the hope that the administration will then be able to support enactment of these very desirable additional benefits under the Federal employees group life insurance program.

WHEAT REFERENDUM AND 1964 PROGRAM

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, since the wheat referendum was conducted last Tuesday, there has been considerable speculation as to what happened and some misinformation as to the meaning of the decision. Some financial writers even indicated the change in support level would take place immediately and a large broker even told clients that any increase in production would go into the world market. The fact is that under Public Law 480, we keep wheat for sale at world market prices at all times now to the extent we can do so without violating antidumping agreements and to the extent other countries will let us sell to their importers. Most of the press reports have indicated a lack of awareness that an alternative wheat program for 1964, which is similar to the feed grains program in many respects, was included in the referendum and will under existing law be effective for the 1964 crop. This alternative program supports wheat at a price comparable to the feed grains support price, is voluntary, limits supports to those who stay within an allotment and while it does not require idled acres, it offsets this provision of the feed grains program by permitting the planting of diverted acres to other crops for harvest.

One of the best short summaries of the situation that I have seen is set forth in an editorial in the Des Moines Register which I am having printed in the Record so that others might read it. It is as follows:

Against Wheat Controls

The Nation's wheatgrowers decided emphatically in the referendum Tuesday that they do not want compulsory acreage allotments for the 1964 crop. This is the first time in 13 referendums that wheatgrowers have turned down the so-called marketing quotas which really are compulsory acreage allotments.

Farmers had a clear choice and gave a clear answer. They chose voluntary acreage allotments with a guaranteed price of $1.25 a bushel in preference to compulsory allotments with a price of $2 per bushel for 80 percent of their normal yield and $1.30 for the rest of their production.

This was the first wheat referendum in which small growers (15 acres or less) were eligible to vote. They voted with the understanding that they would have to comply with allotments if the marketing quota vote carried. There was a heavy "no" vote in Midwest States where many farmers grow small acreages of wheat.

However, the decision in this election was not made by the small producers. The commercial wheat producers of the southern Great Plains also turned the program down. Kansas farmers voted 40 percent "yes," Texas 45 percent, and Nebraska 56 percent. Iowa's few growers voted 64 percent "yes," not quite enough to carry.

It takes a two-thirds favorable vote for marketing quotas to go into effect. The national vote was only 48 percent in favor, so there was a simple majority against the program.

It is a good thing that the vote was so decisive. If the commercial wheatgrowers had voted in favor and were outvoted by the sideline growers of the rest of the country, there would have been hard feelings between regions and the proponents of quotas would have been in a position to declare that the election was unfair.

Both sides in this fight should now accept the decision and live with it for at least a year. Under the law there will be another test vote a year from now, and farmers are free to change their minds. However, the impact of the decision against controls will not show up until after the next referendum when the 1964 crop is harvested, since the 1963 crop will be supported at the $2 level. So it may take 2 years before farmers really have the basis for judging whether they like the new freedom from acreage restriction—and from price support.

The Kennedy administration is obligated to live with this decision and not try to make it look bad by releasing excessive amounts of grain into the market. The law prevents wheat from being sold by the Government at less than 105 percent of the support price. However, there is nothing to prevent farmers from selling on the market. And with price support at only $1.25 for the 1964 crop, many farmers undoubtedly will plant more than their allotments and sell their wheat in the market without price support. So prices probably will fall well below $1.25 in 1964–65.

The consequence of this will be a large increase in the supply of wheat fed to livestock. One result may be that corn producers who are in the feed grain program will turn their corn over to the Government for the price support and buy wheat for livestock feed. This could mean a growth in Government corn storage stocks, along with some increase in wheat surpluses. It undoubtedly will mean an expansion of livestock and a decline in livestock prices eventually.

It would be a mistake for Congress to pass new wheat legislation this year with higher price support than the $1.25 alternative which farmers chose. It would be unfair to taxpayers to increase the subsidies for wheatgrowers who decided not to accept production controls. If farmers are not willing to hold production in line, they should take the consequences of a lower price. The Government cannot continue high price supports for unlimited production.

This is what the whole argument was about.

THE PROMISED LAND

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, recent events in the field of equal rights and justice to all Americans merely highlight and forecast the tragic days that most certainly lie ahead if reason and good will and concerted action are not taken to meet the challenge that our Nation faces.

Yesterday's Washington Post points up that there are many enlightened people who can be marshaled into an effective force to help solve the matter of treating all of our country's people alike without discrimination. There can be and there must be an appeal to this group to bind together in every section of this land in a gigantic effort to bring order out of chaos.

Mr. Speaker, I wish to include with my remarks, the Washington Post's May 26, 1963, lead editorial:

The Promised Land

Patience has become an ugly word to many Negroes. Their leaders can no longer use it. And from white leaders it stirs only exasperation. American Negroes have been incredibly patient—waiting for the freedom promised 100 years ago when their emancipation was proclaimed, waiting for the political enfranchisement and civil rights promised when the 14th and 15th amendments to the Constitution were solemnly ratified, waiting for the schooling promised when the Supreme Court recognized nearly a decade back that segregation cannot be equality.

All these years Negroes have waited patiently to cross into the promised land. They are not going to wait quietly any longer. James Baldwin put it very simply: "There's a bill that's been due in this country for a long time. Now, with Birmingham, it's come in and it's got to be paid."

The question is how the bill is to be paid—in rancor and bitterness or in generosity and brotherhood. It is true, of course, that deprivation and denial have made the Negro imperfectly prepared for full participation in democracy. But that is not his fault and can no longer be made a pretext for more denial and deprivation. The country can choose—must choose, for the choice is inescapable—between integration and enmity, between a generous giving of full equality to Negroes or a violent dispute over rights which can no longer be withheld.

That choice by the white community will determine the choice by Negroes between leaders who counsel rational restraint and disciplined striving and respect for the community's best values on the one hand, and leaders who preach hatred and vengefulness on the other. There are no other choices. Negroes can no longer be kept in subjugation. They have liberated themselves. They can be welcomed or rejected; but one way or the other, their bill has got to be paid.

There are ways in which integration can be eased and speeded. The country has indulged in a catastrophic lethargy about this problem over the past decade. The judicial branch of the Government has been left to take the initiative without appropriate assertion of the moral imperatives on the part of Congress, the Executive, or the State governments. Under the Kennedy administration, there have been gestures toward the recognition of Negro aspirations by the appointment of numerous exceptional Negroes to public office; and there has been energetic intervention by the Department of Justice when specific situations got out of hand, but now much more is needed.

Civil rights legislation is now under consideration, and two bills were introduced in the Senate on Thursday by Senators Cooper and Dodd empowering the Attorney General to take action in the courts in behalf of individuals subjected to discrimination in the public schools or in places of public accommodation. This legislation would be useful if it were now in force. Consideration of it at this juncture is a little like consideration of a bill to purchase a fire engine when the town hall is aflame. Nevertheless, it ought to be enacted, and promptly, as an evidence of congressional concern and to put an additional weapon in the Justice Department armory.

But the great need now, we believe, is for dynamic national leadership to tell the country of its crisis and to win public opinion to support the dramatic changes that must take place. All through the South there are men of generosity and vision ready to throw off the shackles that have held the white people as well as the colored people of the area in servitude to an outmoded social order. If it is hard to hear their voices over the raucous bellowings of the Orval Faubuses, the Ross Barnetts, the "Bull" Connors, the George Wallaces, they are beginning, nevertheless, to make themselves heard.

These men, the leaders of business and industry and the professions in a hundred southern cities, are the potential shapers of the South's future. In Little Rock, in Jackson, in Birmingham, in Atlanta—and even in advance of crisis in Raleigh and Charlottesville and Salisbury and many another town—these men have recognized reality despite the posturings of political leaders clinging to an impossible past.

And in the North as well, there are enlightened business and professional men who are well aware that the ghetto slums and the school dropouts and the closed doors of opportunity are a blight upon the whole community, not upon its Negro elements alone. These men can be mobilized, must be mobilized, to meet the most crucial social challenge of the day.

The President of the United States ought to appeal to these men and women all over America for support in a great undertaking. He can enlist the upwelling sense of decency and fairness among ordinary Americans in a crusade to rid this country, once and for all, of the poison of racial discrimination. He can set an example by the use of every power and instrumentality at his command to end discrimination in schools, in housing, in employment, in the right to vote. He must summon his countrymen now, while there is yet time, to the attainment of a peaceful revolution—and the avoidance of such disgraceful disasters as Birmingham.

If all this is done, if there is set before American Negroes not a vague promise of future concessions but a specific assertion of recognized rights at the highest level of political authority, then a little more patience can be exhorted, and the River Jordon can be crossed in harmony and order. This indeed would then become a promised land for all Americans, regardless of color.

STRICT BRITISH POLICY ON RED TRAWLERS CONTRASTS TO OURS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I am advised that a third Russian trawler penetrated U.S. territorial waters late last week. Several Florida fishing captains reported the vessel just off Hillsboro, Fla., at approximately 10:09 a.m., eastern standard time, last Thursday. One captain, reporting the trawler between his boat and the shore, took a sounding of 470-foot depth, indicating his position to be approximately 2½ nautical miles offshore. He then took a sounding of 450 feet at the position of the trawler after she had passed and estimated her position to have been 2⅜ nautical miles offshore. Indications show these depths to be within the 3-mile limit.

However, when the Coast Guard reached the trawler she had headed out to sea and was headed south some 5.5 miles offshore.

Mr. Speaker, the recurrence of Red trawlers entering U.S. coastal waters is becoming highly disturbing. The functions of these vessels may range from commercial fishing to fishing for such valuable intelligence data as the location of sunken vessels. It is known that the submerged wreckage of a hull provides submarines with excellent protection from radar. In any case, their mission is not in the interests of U.S. security.

And the United States is doing little about it. Compare our policies, if there are any, to those of the British. On April 19, the British press reported that British customs officers boarded a Soviet trawler entering British waters, and served her with a writ of attachment, in effect denying her permission to move until further notice.

At the same time, the royal navy was dispatched to protect the fishing rights of British vessels reportedly being crowded by Soviet trawlers in an area some 200 miles beyond the coastal limits of the British Isles.

I have urged that an investigation be held in the Congress to determine the weaknesses in our defense network, and what steps can be instituted to halt these activities. There is real cause for concern here, and I am hopeful that the Congress will realize the urgency of this matter before we allow the Soviets another advantage in this hemisphere.

SOVIETS FLOUT U.N. CHARTER

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, the Soviet Union has flung down one more challenge to civilization. Moscow says it will decide what actions of the United Nations it will finance in the future. The question is, Will the United Nations let the Russians get away with this and allow the Soviets to continue voting in the General Assembly?

The United Nations Charter says any of its members who are delinquent in the payment of their share of the expenses more than 2 years shall have no vote.

Now the Soviet Union has served notice that it will not pay its share of the costs of maintaining order in the Congo and the Middle East. The Soviet Union, what is more, also says it refuses to pay its share of certain other items in the regular United Nations budget. Henceforth, the Russians say they will decide which functions of the United Nations they will support financially and that they will not finance any measure that does not have their explicit approval. As I said, the question is, Can the Soviets get away with this policy and continue as a voting member?

The United Nations Charter provides that—

> The expenses of the organization shall be borne by the members as apportioned by the General Assembly.

Also, as I said, the charter calls for suspension of the voting rights of any member who is more than 2 years in arrears.

Within a few months the Soviet Union will be more than 2 years in arrears. In other words, the time is at hand for a showdown. If efforts to persuade the Soviets to live up to the charter fail then the membership of the General Assembly must stand firm and disenfranchise the delinquent Russians, otherwise the United Nations will stand as a craven Communist-dominated organization which does not deserve the support of any nation, much less the United States.

Mr. Speaker, if this occurs much as I regret to suggest it, the United States should act accordingly and either reconstitute the United Nations without Soviet-bloc nations or withdraw entirely. There cannot be one nation flouting the charter. Thus, mankind faces a rude awakening from a glorious dream of a sometime peaceful world. Events are shaping up, if I may say so, as predicted by me last year when I opposed the legislation to authorize the President, by bond purchase or loan, to provide funds to pay the deficit of the United Nations. I told the House then that the bond purchase would only postpone the issue of the U.S.S.R.'s delinquency. It gives me no pleasure to say today: "I told you so." House Members who disagreed with me last year said the bonds would be paid by regular assessments of all United Nations members and the Soviets would be forced to pay their share when the loan was repaid.

Now, those who took this position and supported the President's request have the truth. The Kremlin only supports the United Nations when the U.N. supports the Kremlin.

Once again the United Nations faces a financial crisis as many of us predicted it would. But far worse, now we witness the flouting of its charter and the abrogation of its solemn covenant by Soviet Ambassador Fedorenko.

Either the United States and the other member nations stand firm and insist that the Soviets lose their vote or in the future we will be sustaining to a broken shattered instrument and impotent organization incapable of any future effective action because the Communists will have a ruble veto power over the General Assembly as it has a veto in the Security Council.

Mr. Speaker, I pray America stands firm.

DUAL COMPENSATION AND EMPLOYMENT: A REEXAMINATION OF THE FEDERAL DOCTRINE

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, there is no disagreement anywhere concerning the fact that existing laws governing civilian employment of retired military personnel and the dual employment of civilians are harmful, obsolete, unfair, confusing, and difficult to administer. Moreover, it is agreed that they cause repeated cases of inadvertent hardship and injustice.

The difficulty lies in obtaining a meeting of minds on the method of correcting the situation. Being aware of the problem, I first introduced a bill in the 83d Congress to simplify and consolidate these laws, but no action was taken by the House Post Office and Civil Service Committee. Since that time I have introduced measures in the 85th, 86th, 87th, and 88th Congress. On February 14, 1963, I introduced H.R. 3816 which would repeal the dual-employment statute and amend the dual-compensation statute. The text of the bill and an analysis of its provisions are set forth later.

Why are the existing laws governing dual employment and dual compensation harmful? They deprive the Government of the services of certain highly trained retired military personnel whose technical skills, often acquired at Government expense, are in short supply and are needed in Federal agencies.

Their obsolete nature is shown by the fact that one law, enacted in 1894, was intended originally as a limitation on combined pension and salary but now serves to bar absolutely certain retired military personnel from nearly all Government employment. These horse-and-buggy-day statutes continue to jog along at the pace of the 19th century. What is needed is resolute action to clear these 40 some statutes off the books and give the Federal Government a simple law that meets the need of the jet age.

These laws are unfair, confusing, and difficult to administer, in that some categories of retired military personnel may not be employed at all; some may be employed subject to a $10,000 limitation on receipt of combined civilian salary and retired pay; and some may be employed by any agency without any limitation on combined compensation.

Further complicating the picture is the fact that it is often difficult to determine into which category an individual falls, leading to many Comptroller General decisions. The problems in administering the laws on civilian employment of retired personnel are further reflected in the introduction each year of private bills to relieve employees of debts owed to the United States and incurred by overpayment of military retired pay or civilian salary. The overpayments result from understandable errors in the interpretation of the 40 separate provisions of law and the 200-plus Comptroller General decisions which seek to interpret this tangle of statutes. There have been so many reversals of the Comptroller General decisions, as well as those of the Court of Claims, that no one has any idea how many decisions have stood, how much time has been wasted, or how much money has been spent.

In 1957, I presented to Congress a legal study entitled "Dual Compensation and Employment: A Reexamination of the Federal Doctrine." At that time, there were, according to the Civil Service Commission, "at least 35 dual employment and dual compensation statutes, the earliest being enacted in 1894, and the most recent in 1954." Since 1957, five additional laws have been enacted which contribute more confusion to the vast snarl of statutes.

Today I am presenting this updated legal study of the problem which was prepared with the assistance of Dr. Freeman W. Sharp, American Law Division, Library of Congress, who also compiled the information on which my earlier study was based. The assistance of Dr. Sharp is gratefully acknowledged. I am presenting it in detail, because I feel that it should be preserved in a public document readily available to the many persons now and in the future who will want to study it.

For the purposes of clarity and reference, this study is sectionalized under the following topical headings: "I. The Problem"; "II. Dual Employment of Military Retirees"; "III. The Federal Doctrine"; "IV. The Common Law and English Background of Officeholding"; "V. American Colonial and Postrevolutionary Ideas"; "VI. The Federal Constitution"; "VII. The Early Federal Period, 1789–1850"; "VIII. The Middle Period, 1850–74; "IX. Restatement and Revision, 1874–1924"; "X. The Test, 1924–62"; and "XI. The Solution, 1963":

DUAL COMPENSATION AND EMPLOYMENT STUDY—COMPILED BY DR. FREEMAN SHARP, AMERICAN LAW DIVISION, LIBRARY OF CONGRESS

I. THE PROBLEM

The shortage of trained personnel, to staff Federal departments and agencies, from typists to atomic scientists, has persisted from the beginning of World War II to the present day, a period of some 15 years. Competition for the services of those available has lead to the lowering of standards and the establishment of all kinds of makeshift devices without apparent effect upon the shortage. This has naturally caused Federal employment officers to eye a possible source of adequately trained personnel beyond their reach due to the laws prohibiting dual employment and dual compensation. In recent years an increasing number of bills have been introduced into the Congress to revise and liberalize those laws so that the Federal Government might obtain the benefit of that potential manpower without the return of the evils which those laws were designed to prevent.

The U.S. Civil Service Commission in a report on dual employment and dual compensation in the Federal service, dated June 1955, has outlined the situation respecting the restrictions (pp. 3–4):

"There are now in effect at least 35 dual employment and dual compensation statutes. The earliest of these was enacted in 1894, the most recent in 1954.

"These statutes are extremely complicated; some are overlapping, some are inconsistent, and a number are no longer realistic in light of present-day economic conditions. No central management agency has responsibility for their administration through policy guidance and regulations.

"This situation results in poor manpower utilization, continuing administrative problems for agencies, and injustices to individuals because of inadvertent errors.

"Because the statutes arbitrarily restrict employment, and are badly out of date, many exceptions are sought. In the absence of any administrative means, such exceptions (sometimes for one individual) are obtained through enactment of additional laws.

"The present dual employment and dual compensation statutes have the following principal effects on the hiring and utilization of Federal employees. In considering the dollar limits discussed, it is important to have in mind that the lowest rate payable under the Classification Act is now more than $1,800 per year. Under Public Law 763, 83d Congress, the lowest Classification Act rate, upon abolishment of the CPC schedule in September 1955, will be at least $2,500 per year. [Today the lowest rate is $2,690.]

"1. A civilian employee cannot hold more than one position at the same time, even while on leave without pay from one of them, if the pay rate for either position is $2,500 per year or more.

"2. When a person does hold two positions, such as two part-time positions, each having a salary of less than $2,500 per year, he cannot receive salary from both positions for the same period of time if the combined annual rate exceeds the rate of $2,000 per year.

"3. The following retired military personnel can hold civilian Government positions and continue to receive their retired pay without any limitations:

"(a) Retired enlisted personnel other than warrant officers;

"(b) Warrant officers who are retired for disability incurred in line of duty; and

"(c) Retired commissioned officers who are retired for disability incurred in combat or caused by an instrumentality of war in time of war.

"4. Commissioned officers and warrant officers who are retired for another reason than disability incurred in line of duty (nondisability retirees) cannot hold a Federal job if either the retired pay to which they are entitled or the salary of the position is $2,500 a year or more. This restriction cannot be avoided by waiving retired pay. An exception exists for Reserve officers retired (on the basis of age and service credits) under title III of Public Law 810, 80th Congress.

"5. Commissioned officers retired for disability, but not for disability incurred in combat or caused by an instrumentality of war in time of war, may hold any Government position and receive the full salary of the position, but they cannot receive their retired pay while receiving the salary if the combined rate would exceed $10,000 a year. If the retired pay exceeds $10,000 a year, the officer may elect to waive the salary and receive only his retired pay. Reserve officers retired under title III of Public Law 810, 80th Congress, are subject to this limitation.

"6. Many agencies which have special or unique problems in connection with dual employment have obtained exceptions to all or certain provisions of the statutes. Examples: Panama Canal Company, Canal Zone government, Post Office Department, Weather Bureau, Department of Agriculture, Census Bureau, Federal Civil Defense Administration, District of Columbia government, International Boundary and Water Commission (Department of State), and Central Intelligence Agency. These exceptions are contained in a number of specific laws and appropriations acts."

* * * * *

II. DUAL CIVILIAN EMPLOYMENT AND MILITARY RETIREES

The contrast in the employment of civilians and employment of military retirees can be gleaned from the civil service report as follows (pp. 9 and 12–13):

"We have not been able to obtain data on numbers of civilian personnel employed in dual capacities, or numbers of applicants found ineligible for or unwilling to take Federal employment because of the dual employment-dual compensation restrictions. This information is not maintained by Federal agencies.

* * * * *

"Dual civilian employment

"Past thinking about changing the restrictions on dual employment of civilians has tended in the direction of arguing for greater freedom to hold more than one Federal job, particularly at the lower salary levels. However, sound personnel management indicates that dual job holding is acceptable practice only if it is consistent with efficiency and economy in Government operations. Such dual employment should be controlled so that it will not be so burdensome as to adversely affect employee efficiency, or be damaging to the employee's mental and physical well-being.

"Except under these circumstances, no employee should be permitted to hold more than one full-time job, or a combination of part-time work equaling more than a full-time job in terms of total hours worked. This is equally true at all salary levels. The rate of an employee's pay should not be a deciding factor in determining whether or not he should be permitted to hold more than one Government job.

"Employment of military retirees

"Civilian office holding by retired military personnel is not the same thing as dual civilian office holding.

"Only in a legal sense does receipt of military retired pay constitute office holding—no double work or conflict or work is involved. The Government's need for hiring retired military personnel generally differs from its need for dual employment of civilians in terms of type of job, salary level, and duration of employment. Military personnel often retire at a relatively early age, and with service-developed special skills. These factors combine to make their Federal civilian employment particularly valuable and feasible. These facts argue for a separate policy governing civilian employment of retired military personnel as distinguished from dual employment of civilian employees.

"The present restrictions on Federal civilian employment of retired military personnel are inconsistent and inequitable and have no relation to the Government's hiring needs. Gradually, various categories of military retirees have been exempted from the original prohibitions and restrictions. All enlisted men, certain commissioned officers, and some warrant officers retired from military service now may be hired for Federal civilian jobs without restriction on receipt of retired pay. At present certain officers retired for age and length of service remain as the only retirees who cannot hold Federal positions if either their retired pay or the salary of the position is $2,500 per year or more. Of the disabled commissioned officers, only those whose disability was not incurred in combat or caused by an instrumentality of war in time of war, are limited to a maximum combined rate of $3,000 per year.

"Tables I and II herewith, illustrate how the major restrictions on employment and compensation apply to the approximately 182,000 personnel on the military retired list as of October 1954:

"TABLE I.—*Federal civilian employment of retired military personnel* [1]

	Percent
"Enlisted personnel, disabled officers, reservists: Can hold Federal civilian job at any salary level	87
"Nondisabled officers: Virtually barred from holding Federal job because of $2,500 prohibition	13
Total	100

"[1] A search, as of May 1963, fails to reveal any later published statistics on a Government-wide basis. This table, according to the Civil Service Commission report, was based upon the 172,000 retired military personnel in civilian employment as of October 1954. It would seem reasonably arguable that changes in the number employed would not, on the average, greatly change the percentage figures.

"TABLE II.—*Compensation of retired military personnel if federally employed*

	Percent
"Enlisted personnel: No limit on combined salary and retired pay	52
"Disability commissioned officers: No limit if disability resulted from combat or instrumentality of war, otherwise $3,000 limit applies [1]	31
"Nondisabled commissioned officers, including reservists: $3,000 limit on combined annual rate of salary and retired pay [1]	17
Total	100"

"[1] The limitation of $3,000 has been increased to $10,000 by the act of Aug. 4, 1955, 69 Stat. 498, 5 U.S.C. sec. 59a, 1958 ed."

III. THE FEDERAL DOCTRINE

The Federal doctrine concerning dual employment and compensation, since it covers both public officers and employees, reaches historically all the way back to the common law.

The basic doctrine is presently stated in two sections of the United States Code, i.e., title 5, sections 58 and 62. Although as stated by the Civil Service Commission, supra, numerous statutes contain exceptions, etc.

Section 58 provides:

"Unless otherwise specifically authorized by law, no money appropriated by any act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum (R.S. par. 1763; May 10, 1916, c. 117, par. 6, 39 Stat. 120; Aug. 29, 1916, c. 417, 39 Stat. 582)"

Section 62 provides:

"No person who holds an office the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars shall be appointed to or hold any other office to which compensation is attached unless specifically authorized thereto by law; but this shall not apply to retired officers of the Army, Navy, Marine Corps, or Coast Guard whenever they may be elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate. Retired enlisted men of the Army, Navy, Marine Corps, or Coast Guard retired for any cause, and retired officers of the Army, Navy, Marine Corps, or Coast Guard who have been retired for injuries received in battle or for injuries or incapacity incurred in line of duty shall not, within the meaning of this section, be construed to hold or to have held an office during such retirement (amended July 30, 1937, c. 545, par. 6, 50 Stat. 549; June 25, 1938, c. 694, 52 Stat. 1194; May 31, 1924, c. 214, 43 Stat. 245; July 31, 1894, c. 174, par. 2, 28 Stat. 205)."

It is the purpose of this report to trace the history of this doctrine and to indicate the practice thereunder as manifested in administrative and judicial decisions.

IV. THE COMMON LAW AND THE ENGLISH BACKGROUND

The common law placed no limit upon the number of offices which a person might hold at the same time provided that no one of them was incompatible with any of the others. The rule was well settled that "if two offices are incompatible, by the acceptance of the latter, the first is relinquished or vacant, even though it should be a superior office, *Milward* v. *Thacher*, 2 T.R. (D and E) 81; *Rex* v. *Pateman*, 2 T.R. (D and E) 777; *In re Dyer*, Dy. 158 b; *Rex* v. *Jones*, 1 B and Ad. 677; and *Rex* v. *Tizzard*, 9 B and C 418. For a detailed discussion of the common law see Mechein: "Public Offices and Officers," 1890, pp. 420–427 and Throop: "Public Officers and Sureties in Official Bonds," 1892, pp. 39–40.

The feudal system of the Middle Ages lay behind the concept of office holding. That system had been both a system of land tenure and a system of government. The tenure was not only applied to land but to many things connected with land including those governmental rights which went with such tenures. When kings desired to secure the performance of governmental functions they did not make a contract with a person to perform them, they granted him a right to perform them on certain terms. The profits of the office were then his. The office was regarded as a piece of property which gave the official certain rights and placed him under certain duties just as land gave the tenant certain rights and placed him under certain duties, *Vaux* v. *Jefferson* (1956), Dyer 144 b. Thus offices might be bought and sold like land.

This conception of the nature of offices and the position of officeholders came naturally to medieval common law because it had a very rudimentary law of contract and a very highly developed law of property in land and rights in land. As might be imagined abuses and corruption crept in. In the 16th and 17th centuries, more modern ideas were beginning but legislation which was passed to give effect to such ideas was ineffectual, see 5, 6 Edward VI, c. 16, sec. 1 (1551–52) and [British] Hist. Mss. Com. 13th report, part V, 17, No. 244 (1690) and same 14th report, part VI, 362 No. 710 (1692–93). With respect to judicial offices, it was not until the beginning of the 19th century that medieval ideas concerning the nature of an office were rooted out of the English judicial system, see detailed discussion of office holding upon which the foregoing is based in Holdsworth: "A History of English Law," volume I, pp. 246–264.

V. AMERICAN COLONIAL AND POST-REVOLUTIONARY IDEAS

When Englishmen moved to their colonies in North America they, of course, took their ideas with them including those with respect to offices. Two forces were at work, however, in the New World, i.e. English precedents and local conditions. From the interplay of these forces new ideas respecting officeholding evolved. The Pennsylvania Charter of 1682 provided that a person should hold only one public office at a time. No other Colony went so far.

Most simply provided that certain offices could not be held simultaneously: Sheriffs could not hold office in the colonial assembly, etc. In some colonies attorneys and clerks of courts were barred. Several, as Virginia, and New Jersey, required persons accepting salaried positions to stand for reelection in order to hold their place in the assembly.

In the Revolutionary period prohibitions respecting multiple officeholding were extended further. The Articles of Confederation (1777) provided that no person, being a delegate (to Congress), shall be capable of holding any office under the United States, for which he, or another for his benefit receives any salary, fees or emolument of any kind (art. V). Although varying in detail, provisions against multiple officeholding became quite general. Most of the new State constitutions had sections requiring the three departments of the government to be kept separate and barring officers of one holding office in another. While the original purpose was probably to prevent encroachment of one department on another, the provisions were interpreted to prevent the simultaneous holding of offices in the different departments. Many States also adopted general provisions against holding two lucrative offices at the same time, see *Doyle* v. *Raleigh*, 89 N.C. 133. All States prohibited holding U.S. and State offices at the same time, see *Ryan* v. *Green*, 13 N.Y. 295. In one form or another, provisions were adopted by most of the new States to prevent incumbents from holding another office during the term of an office to which they had been elected. The most common of these was copied from the U.S. Constitution. For a detailed discussion of officeholding during this period see Miller: "Legal Qualifications for Office in America," 1619–1899, pp. 90, 103–104 and 145–150, upon which the foregoing statement is based.

VI. THE FEDERAL CONSTITUTION

Surprisingly enough the U.S. Constitution contains no prohibition against multiple officeholding with the exception of that in article I, section 6, clause 2:

"No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a Member of either House during his continuance in office."

The lack of a general constitutional prohibition on multiple officeholding opened the door wide. We will see, in the early days of the Federal service, those charged with making decisions respecting multiple officeholding enunciating the principle that the law placed no restrictions on the number of offices held so long as they were not incompatible. Although the Constitution left the door wide open, it did not leave control and correction of such abuses as might occur beyond the powers of the Congress. It provided in article II, section 2, clause 2 that—

"Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the Heads of Departments."

Further, it gave to the Congress the broadest possible control over the disbursement of public moneys (article 1, section 8). That abuses crept into Federal officeholding and that control was needed is evidenced by the series of acts enacted by the Congress and the long series of opinions and decisions by the Attorneys General, the Comptroller General and the courts.

VII. THE EARLY FEDERAL PERIOD, 1789–1850

The early controversies took the form of claims for extra pay for extra duties. Examples of these were Bullus' case (1819) where a naval agent appointed for New York, whose duties were not defined by law, claimed extra compensation for being required to purchase and forward from New York supplies for the lake service (1 Op. Atty. Gen. 302) and Governor Cass' case (1828) where the Governor of Michigan was employed to perform services which did not belong to his duty as Governor. His claim was upheld on the principles of a quantum meruit (2 Op. Atty. Gen. 189). As a result of such claims provisions were included in a series of appropriation bills as follows:

1. The Civil and Diplomatic Expenses Appropriation Act, 1839 (5 Stat. 349, sec. 3):

"That no officer in any branch of the public service, or any other person whose salaries, or whose pay or emoluments is or are fixed by law and regulations, shall receive any extra allowance or compensation in any form whatever for the disbursement of public money, or the performance of any other service, unless the said extra allowance or compensation be authorized by law."

2. The Civil and Diplomatic Expenses Appropriation Act, 1842 [5 Stat. 487 (item no. 200)]:

"That no allowance shall be made, out of any moneys appropriated by this bill, to any clerk or other officer for the discharge of duties, the performance of which belongs to any other clerk or other officer in the same or any other department; and that no allowance shall be made for any extra services whatever, which any clerk or other officer may be required to perform."

3. The Army and Military Academy Appropriation Act, 1842 [5 Stat. 510, sec. 2]:

"That no officer in any branch of the public service, or any other person whose salary, pay, or emoluments, is or are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or any other service or duty whatsoever, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth that it is for such additional pay, extra allowance, or compensation."

4. The Incidental Expenses Appropriation Act, 1842 [Stat. 525, sec. 12]:

"That no allowance or compensation shall be made to any clerk or other officer, by reason of the discharge of duties which belong to any other clerk or officer in the same or any other department; and no allowance or compensation shall be made for any extra services whatever, which any clerk or other officer may be required to perform."

After the enactment of these acts such claims were disallowed. (See 3 Op. Atty. Gen. 422, clerks for selling Indian lands; same, p. 473, "Messengers and Watchmen"; same, p. 621, War Department clerks for business connected with Indian reservations; see also 4 Op. Atty. Gen. 126–128, Navy officers for an exploring expedition; same, p. 138, officers at West Point; same, p. 342, Navy officers for distant duties; same, p. 463, Pension Office clerks for acting as secretary to commissioners appointed to treat with the Indians; and Acting Secretary of State, 5 Op. Atty. Gen. 74.)

This period might be characterized as the extra compensation period. Job descriptions, where they existed, were ill defined and lines of demarcation between them obscure. An officer or employee might find himself responsible for performing many unrelated duties for which he might demand and receive extra compensation. Today, many of the unrelated duties would have constituted separate jobs or offices. Even in that period some did constitute separate jobs or offices to which the officer or employee held separate appointments, see Bullus' case, Governor Cass' case, the Navy Officers' case and the Pension Office Clerks case, cited supra. However, the question of the right of the officer to perform the additional duties or to hold the additional office does not seem to have been questioned in this period. The right to receive extra compensation appears to have been the only question litigated. Congress dealt with the question through the enactment of the appropriation acts of March 31, 1839, May 9, 1842, August 23, 1842, and August 26, 1842, supra. The net effect of the congressional action could be summed up in the words of Attorney General J. Y. Mason in the Pension Office Clerks case (1846), supra, as follows:

"The Executive, under the recent opinions from this office and the judiciary, in the case of the *United States* v. *Eleason's Administrator* (16 Peters.) is required to see that these laws are construed and executed according to the plain intention of Congress. This was to put an end to a practice which had long prevailed of salaried officers receiving compensation, over and above their salaries, for services which were not regarded as within the range of his official duties."

VIII. THE MIDDLE PERIOD, 1850–74

The refusal to allow payment under the guise of extra compensation for what was in effect two offices, squarely pointed up the question of the right to hold two or more offices and to receive pay for each. What appears to have been the first legislative decision specifically on this question occurred as a result of the claims of Richard Rush, then Secretary of the Treasury, for compensation for occasional services performed between the years 1825 and 1829 as Attorney General ad interim by designation of the President during the absence of William Wirt, Attorney General (6 Op. Atty. Gen. 83). The President's authority to so designate Rush was contained in the Acts of May 8, 1792, and February 13, 1795 (1 Stat. 281, sec. 8; 451). In 1850 Congress included an item in the Civil and Diplomatic Appropriation Act, 1851, specifically compensating Rush for the services performed but added a proviso (9 Stat. 542–3) as follows:

"That hereafter the proper accounting officers of the Treasury, or other pay officers of the United States, shall in no case allow any pay to one individual the salaries of two different offices on account of having performed the duties thereof at the same time. But this prohibition shall not extend to the superintendent of the executive buildings."

This proviso would seem on its face to make it clear that, with the exception of executive building superintendents, an individual could not receive salaries for two offices held by him at the same time.

However, Attorney General Crittenden in 1851 held otherwise (5 Op. Atty. Gen. 765). By an act of 1807 (2 Stat. 413, ch. 8), the President had been authorized to survey the coasts of the United States and to employ persons for that purpose. He delegated this power to the Secretary of the Treasury. In 1844 (5 Stat. 660, ch. 37), the Secretary was authorized to sell the maps and charts of such surveys and in March 8, 1850, hired one, Gilbert Rodman, to perform these duties at an annual salary of $400. While so acting Rodman was also a clerk in the Treasury Department at a salary of $1,400 per annum. The opinion of Attorney General Crittenden was that Rodman was entitled to hold both offices and to receive the salary of each. The Attorney General reasoned thusly (5 Op. Atty. Gen. 776, 768):

"The statutes of 3d March, 1839 (V. stat. at large, p. 439, chap. 82, sec. 3d) enacts:

" 'That no officer in any branch of the public service or any other person, whose salaries or whose pay or emoluments, is or are fixed by law and regulations, shall receive any extra allowance or compensation in any form whatever, for the disbursement of public money or the performance of any other service, unless the said extra allowance of compensation be allowed by law.'

"The act approved 23d of August, 1842 (V. stat. at large, p. 510, chap. 183, sec. 2) enacts:

" 'That no officer in any branch of the public service or any other person, whose salary, pay or emoluments, is or are fixed by law or regulation, shall receive any additional pay, extra allowance or compensation in any form whatever, for the disbursement of public money or for any other service or duty whatsoever, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth that it is for such additional pay, extra allowance or compensation.'

"These two sections of the statutes are, in words, nearly the same, in sense and meaning, identical—the latter being only a repetition of the former. The extra allowance or additional pay forbidden by these sections is that exceeding the salary, pay or emoluments, which was fixed by law or by a regulation, officially made by the President or by the head of a department, or by an officer of the Government, having competent authority to make such regulation. At the passage of these acts, there was no law forbidding any person from holding under the Government of the United States, two compatible offices or employment at one and the same time, and receiving the salary and emoluments belonging to each of the offices, whether fixed directly by law, or by a regulation made by a person lawfully authorized to make it. These sections do not forbid it. They are intended to fence against arbitrary extra allowances in each particular case; but do not apply to distinct employments with salaries or compensation affixed to each by law or by regulation.

* * * * *

"The 12th section of the act, approved 26 August 1842 (vol. 5, of stat. at large, p. 525, ch. 202), enacts: 'That no allowance or compensation shall be made to any clerk or other officer, by reason of the discharge of duties which belong to any other clerk or officer in the same or any other Department; and no allowance shall be made for any extra services whatever, which any clerk or other officer may be required to perform.'

"This act does not prohibit the same person from holding two different offices at one and the same time, nor from receiving the compensation fixed, by law or regulation, to both offices, respectively, if he holds both offices, and performs the duties of both. In such case, the officer, so holding the two offices, is not, when officiating each and either, performing the duties of any other officer or clerk; he is performing his own duties, and in receiving the compensation affixed to each, he is receiving pay for his own proper services in his own proper offices respectively, and not pay for the services which should have been performed by any other clerk or officer, nor for extra services, but for the proper services belonging to his respective offices and proper employments.

"The opinion given by Chief Justice Taney, before cited, makes the holding of two offices and performing the duties of both at one and the same time, an exception from the prohibitions of this statute of 26 of August 1842, as well as from the two previous statutes of 23d August 1842, and 3d March 1839; he makes no discrimination between the provisions of the statutes of 23d August and 26th August 1842; but classed them together as the acts of 1842. There is, in truth, no difference in the sense and meaning of the three several acts before quoted.

"Neither does the act of 30 September 1850 (session acts by Little and Brown, ch. 90, pp. 542–543), prohibit the holding of two compatible offices by the same person, or the payment to him of the fixed salary or compensation of each of his offices. That was not the mischief intended to be guarded against: for indeed, it might often happen that it would be most convenient and conductive to public economy, as well as to the public service, to confer two offices on the same person. The provision of the act, last referred to, is in these words: 'That hereafter, the proper accounting officers of the Treasury, or other pay officers, of the United States, shall in no case allow any pay to one individual the salaries of two different offices, on account of having performed the duties thereof at the same time. But this prohibition shall not extend to the superintendents of the executive buildings.'

"The plain meaning of this seems to be that an individual holding one office and receiving its salary, shall, in no case, be allowed to receive also the salary of another office, which he does not hold, simply 'on account of his having performed the duties thereof.'

"The prohibition is against his receiving the salary of an office that he does not hold, and not against his receiving the salaries of two offices, which he does legitimately hold.

"If it had been the intention of Congress to prohibit, in all cases, the holding a plurality of offices, that purpose could have been easily and directly expressed. The language they have used imports no such purpose, but is directed at an object and abuse, distinct and separate.

"The case of Gilbert Rodman does not, according to my view of the subject, come within the prohibitions of any of the above cited statutes."

The following year a provision was included in the Civil and Diplomatic Expenses Appropriation Act, 1853 (act of Aug. 31, 1852, 10 Stat. 100) which provided as follows:

"Sec. 18. *And be it further enacted*, That no person hereafter, who holds or shall hold, any office under the Government of the United States, whose salary or annual compensation shall amount to the sum of $2,500, shall receive compensation for discharging the duties of any other office."

This provision, in identical language, had been included as section 7 in the original appropriation bill reported to the House on February 5, 1852, by the Ways and Means Committee (H.R. 196, 32d Cong., 1st sess., no written report). This provision appears to have passed the House without debate as section 9 of the bill. A brief glimpse, however, of the evils aimed at is afforded by the debate on a somewhat similar proposal to limit a proposed salary increase to only one salary where double salaries were involved. Attorney General Crittenden's opinion of 1851, supra, was also criticized (Congressional Globe, 32d Cong., 1st sess., pp. 2165–2166):

"Mr. Dean. I move the following proviso, by way of amending to the amendment:

"'*Provided*, That this section shall not extend to any person receiving a salary for discharging the duties of more than one office at the same time, or to any person who does not actually discharge the duties of the office for which he receives such salary, or to any person engaged in prosecuting any claim before any of the Departments or Congress; and that in case any paying or accounting officer of the Government shall pay said additional percentage to any such person, it shall be a misdemeanor in the person knowingly paying or receiving such additional percentage, rendering him liable to indictment, and punishment by fine and imprisonment.'

"Mr. Chairman. I am not disposed strongly to resist the proposition of the gentleman from Tennessee [Mr. Gentry], to add to the remuneration of the clerks who are legitimately engaged in the various departments of the Government. I have no doubt there may be instances where that remuneration should be increased, and if the section can be so guarded that the heads of departments and of bureaus cannot further abuse the power now in their hands, I shall vote for it. If I am correctly informed, however, there are individuals now, pets of the heads of departments, who, in the face of laws which have been passed, commencing in 1842, and reenacted year after year since, are receiving the salaries of at least three offices, the duties of none of which they adequately discharge.

"Mr. Gentry. I know the objection which the gentleman states is an objection with many, and, as a consequence, an argument for voting against this additional compensation; but we cannot correct executive abuses. It is our duty to put it in the power of the executive government to do right, and to impeach them if they do wrong.

"Mr. Dean. I want to guard the proposition of the gentleman, so that no head of a department of this Government, or head of an executive bureau, can pay to his sons, nephews, cousins, or favorites, salaries to the amount of $2,000, $3,000, or $4,000 each. By the passage of the gentleman's proposition without a provision of the character I have indicated, we shall increase the salaries of these pets to a greater extent. If there be any proper object for the increase of the salaries, it is to enable those men permanently engaged as clerks in the various departments of the Government in this city with families, to support them with respectability; it is not for the purpose of increasing salaries, but to reward labor adequately, and for that only can I support it.

"Another abuse will be corrected by that proviso, very prevalent, I am informed, in the departments—the allowing of persons to take a clerkship at $4 per day, who hire, for the discharge of its duties, other individuals at $1 per day, while they spend their time around the hotels, the gambling houses, or the lobbies of Congress to press claims through here or smuggling them through the departments. My provision is designed to reach cases of that kind. If there be any, it will prevent their continuance and repetition. If there be none, there will be no harm in the adoption of the amendment. It is intended, also, not only to reach those paying, but those receiving two salaries. There is an express law, passed in 1850, prohibiting any person from receiving two salaries except the Superintendent of Public Buildings. I understand the Attorney General, the law officer of this administration, has given it as his opinion that there is no objection whatever to the giving of a man two salaries. How he could give such an opinion I cannot understand. The Secretary of State and the Attorney General, within the last year, have given their certificate to a man as entitled to $3,000 for doing nothing, or discharging the duties of an office which did not exist, while he was at the same time receiving $2,500 for another office. I desire to have it provided by law that any person who shall receive more than one salary shall be liable to indictment. That is the only way in which the evil can be eradicated. If my amendment be adopted, I am willing, as a temporary expedient, to vote for this or some increase of compensation. I believe the expenses of living have increased here as well as in other places; but still, sir, it will be an unpleasant matter for us to meet our constituents, and to tell them we are voting increased salaries to clerks in Washington, while clerks in the various offices of our counties receive only $500 salary, and yet lay up a portion of that. This amendment should not apply to young men, who have no families, receiving a salary exceeding $1,000 per annum. If that will not support them, I fear their expenses are not such as we should countenance or encourage.

"Mr. Gorman. I am opposed to this amendment. I have had occasion to look into the opinion of the Attorney General upon the subject of paying the officers of the Government, when they perform the duties of two offices. I had occasion in the last few days to present the question before the Second Comptroller of the Treasury, and give my views, humble as they were, at some length. The Second Comptroller decided, as indeed the former Comptroller has decided, that no person, under the existing law, can receive pay in two capacities. He has decided, if a clerk or other officer of the

Government shall perform the duties of any other trade or office, that he cannot thereby get the additional pay. That decision has been made, I say, by the Comptroller, and the Comptroller of the Treasury has overruled, to some extent, the decision of the Attorney General heretofore made. But the Attorney General has not decided the point in the manner in which the gentleman states it. He has decided that an individual cannot draw the pay for two offices; but where a person is in any office, and is detailed to the discharge of other duties not incompatible with the duties of that office, he may receive pay for the duties to which he is detailed."

The salary increase and the limitation passed the House as section 2 of the bill and in fact was enacted with some slight modification as section 2 of the act (see 10 Stat. 97).

The Senate Finance Committee proposed to eliminate the $2,500 double salary limitation which had passed the House as section 9 of the bill. The committee appears to have made no written report. In reading the bill for amendment, the Senate eliminated section 9 and inserted other matter in lieu without debate, (Congressional Globe, p. 2371), thus striking out the $2,500 double salary limitation. A detailed search of the proceedings of the Senate from that point through the adoption of the conference committee report by both Houses (Congressional Globe, 32d Cong., 1st sess., pp. 2371–2477) has failed to reveal exactly how the excluded language reappeared in the bill as approved by the President (10 Stat. 100, sec. 18, supra).

The original copy of the bill as enacted by the two Houses and sent to the President and which was signed by him contains section 18 as set out in the Statutes at Large. It can only be assumed that the conference committee restored the stricken language as section 18 without specifically mentioning it in their report. There seems to have been some pressure upon the conference committee respecting a time deadline which may account for an omission in the conference report due to haste (Congressional Globe, 32d Cong., 1st sess., p. 2472):

"Mr. Houston. I wish to make a report from the committee of conference upon the disagreeing votes of the two Houses upon the civil and diplomatic bill. I will state, in addition to other reasons for desiring to advance that bill as rapidly as possible, that it may be enrolled in time, I understood from one of the Senators upon the committee of conference, a few moments ago, that he had received a line from the President, saying that it would be impossible to look over the bill unless we act hastily upon it; and he made a special request that an expeditious course should be pursued with it. I call the previous question."

The rest of this period was marked by a series of opinions rendered by the Attorney General which guided the disbursing officers of the Government respecting dual office holding and salaries. The first of these was rendered by Attorney General Cushing in Hardin's case on August 18, 1853 (6 Op. Atty. Gen. 80). Hardin held two offices in the Navy Department, one as clerk and the other as superintendent of the southwestern executive building. The question arose concerning his entitlement to the salary increase provided in the act of August 31, 1852, which had been limited therein to one salary for those with more than one office. In the course of his reasoning with respect to the pay raise, Cushing commented on the question of holding two offices and receiving two salaries thus:

"It is observable, on the very surface of the inquiry, that the act of 1852 explicitly assumes that persons exist, within the purview of the act, who hold two separate offices, discharge their distinct duties, and lawfully receive their different salaries. The words are, 'This section shall not extend to more than one salary of any person receiving a salary for discharging the duties of more than one office at the same time.' "

It should be noted that Cushing is referring to the pay raise section of the act (sec. 2) and not to the $2,500 double salary limitation in section 18. It is rather curious that he does not also mention the latter section in connection with this point.

Cushing also considered the Rush proviso in the act of September 30, 1850, supra, but limited its application strictly to situations involving the temporary performance of duties of another office by designation of the President. He then quoted the opinion of Chief Justice Taney of the Supreme Court, then on circuit in the U.S. Circuit Court, District of Maryland, in the case of *U.S.* v. *White,* Fed. Cas. No. 16, 684 (1852). Chief Justice stated that "there is no law which prohibits a person from holding two offices at the same time." Cushing stated that the Chief Justice had expressed this opinion with the acts of 1839, 1842, and 1850 before him as the very subject of consideration. Cushing was obviously right with respect to the acts of 1839 and 1842 respecting extra compensation; however, a reading of *U.S.* v. *White* reveals that the facts do not bear him out with respect to the act of 1850 and the Rush proviso. *U.S.* v. *White* was filed in the circuit court on March 25, 1850, and dealt with matters occurring before that date. The act of 1850 was not enacted until September 30, 1850, and its application to *U.S.* v. *White* would have been ex post facto. Nowhere in the opinion does the Chief Justice refer to the 1850 act and in fact at the outset states that the case is governed by the acts of 1839 and 1842.

Attorney General Crittenden's opinion in the Rodman case, supra, on the question of two salaries and two offices was cited with approval by Cushing who then closed his own opinion by deciding that the salary increase could be applied to only one of Hardin's salaries.

The next opinion which specifically dealt with the question of dual offices appears to be that in Major R. B. Lee's case, 8 Op. Atty. Gen. 352 (1857). Major Lee was treasurer of a board appointed under the Army Appropriation Act of August 31, 1852 (10 Stat. 108) to pass on the claims for supplies furnished to the command of Captain Fremont in California. The board employed a War Department clerk to serve also as its clerk and proposed to compensate him for such service. The question in the case was whether such compensation could be allowed in the accounts of Major Lee. In his opinion, Attorney General Cushing, inquired first whether there was any provision of law which forbade the same person holding two distinct offices. This question was answered by him as follows:

"I am not aware of the existence of any such provision. A clause of the act of September 30, 1850, forbids the allowance to one individual of the salaries of two different offices, on account of having performed the duties thereof at the same time (IX Stat. at Large, p. 542). This provision has been construed by my immediate predecessor (Mr. Crittenden) and also by Chief Justice Taney, as not applying to the present question. It means, that a person, holding one office, shall not receive the salary of another, which he does not hold, but of which he merely performs the duty, by temporary appointment, in place of the proprietor of the office. (See Opinions, vol. v, p. 765; and vol. vi, p. 84.)

"Indeed, more than one of the provisions of statute in question expressly speaks of the same person as holding two distinct offices. (See act of August 31, 1852, s. 2 and s. 18, X Stat. at Large, p. 97 and 100.)"

It should be noted that Mr. Cushing was still in error respecting the opinion of Chief Justice Taney. The rest of his opinion deals with the question of extra allowance and the act of 1842. He reached the conclusion that Major Lee's case involved a separate office under distinct authority, and that the dual salaries might be allowed.

By 1857, Attorney General Cushing had been succeeded by J. S. Black. During Black's incumbency the question arose again in Stackpole's case (9 Op. Atty. Gen. 123). Stackpole was a watchman at the President's House who claimed dual compensation for services as assistant doorkeeper. Attorney General Black considered the questions of extra compensation and dual officeholding, and reviewed the series of statutes enacted by Congress beginning in 1839, including the Rush proviso of 1850 and the $2,500 limitation of 1852. He stated further:

"A consideration and comparison of these acts plainly show that each of them had a specific aim and purpose. The act of March 3, 1839, was designed to put an end to the system of extra allowances and compensation, which, under various pretexts, were claimed by officers and employees for extra services in their respective offices or departments. Going a step further, the act of May 18, 1842, cut off extra pay for performing the duties of any other clerk or officer either in the same or any other department. A blow at the whole system of extra pay and double compensation was then struck by the act of August 23, 1842, by forbidding any extra pay or additional compensation, in any form whatever, to officers or persons having fixed salaries, for any other services whatsoever, unless on specific appropriation, explicitly setting forth that it was for such additional pay. But notwithstanding the comprehensive terms of this act—it having been held in the spring of 1850, by the circuit court of Baltimore, in White's case, that where one officer had performed the duties of two offices at the same time he might claim the salaries of both—the act of September 30, 1850, prohibited the payment of the salaries of two offices to one individual. There still remained, however, another class of officers who were receiving, or claiming, double pay—those; namely, whose salary or compensation was not fixed by law or regulation, but depended upon the amount of service or other contingency. Upon these the act of 1852 operated, by the provision that where the salary or annual compensation of an office amounted, in the aggregate, to $2,500 per annum, no pay for discharging the duties of any other office should be allowed him.

"The whole of this legislation manifests a determined purpose to prevent double compensation in any form, or under any pretext whatsoever. It cannot be denied that the policy which dictated these provisions is founded on just notions of public and private morality. Plurality of offices, and extra allowances to those who hold them, are the vices of a bad government, and have always prevailed to the greatest extent in the worst times. It may be that some officers have performed double duty for which they are justly entitled to additional compensation. In these cases, I do not doubt that proper provision will be made by Congress; but the justice of a claim cannot authorize its payment by the executive while the law forbids it."

With respect to Stackpole, Black noted the exceptions of watchmen and messengers in the act of 1842 and of superintendents of public buildings in the act of 1850. He therefore concluded that Stackpole came within the exceptions. He concluded in general, however—

"That no officer of the Government, having a salary fixed by law, nor no other officer whose compensation amounts to $2,500 per annum, can receive extra pay for any service whatever, whether it be within the line of his duty or outside of it. Nor is it possible for any such officer to receive the salaries of more than one office, no matter under what circumstances he may have performed the duties of more than one."

The next year Black considered the case of a court clerk who had held both the office of clerk of the district court and of the circuit court (9 Op. Atty. Gen. 250). Officers of this class have no fixed salaries but are entitled to retain a percentage of fees and emoluments. It should be pointed out that such offices had not been included in the provisions of the act of 1842 because of separate and distinct provisions enacted in another part of that act with special reference to the judiciary. The provisions in the act of 1842 had been reenacted as section 5 of the act of February 26, 1853 (10 Stat. 165), in substantially the same form:

"No clerk of a district court or clerk of a circuit court shall be allowed by the said secretary to retain of the fees and emoluments of his said office, or in case both of the said clerkships shall be held by the same person of the said offices, for his own personal compensation, over and above the necessary expenses of his office and necessary clerk hire included, also to be audited and allowed by the proper accounting officers of the Treasury, a sum exceeding three thousand five hundred dollars per year for any such district clerk or circuit clerk."

As pointed out by Black, the question of entitlement to the fees and emoluments of offices held at the same time had been settled by Mr. Justice Story in *U.S.* v. *Bassett,* Fed. Cas. No. 14539 (1843). In that case Mr. Justice Story had decided that the defendant who had held two offices in Massachusetts was entitled to retain the maximum compensation which the law would have given if such offices had been held by different persons. In view of the fact that judicial offices appear to be covered by special provisions they need not be considered further unless they should at a future date come under the general provisions.

Chief Justice Taney again came into the picture in the case of *Converse* v. *U.S.,* 62 U.S. 463 (1858). In that case the Collector of Customs had been directed by the Secretary of Treasury to perform extra duties in connection with disbursements for the Lighthouse Service, not only in his own customs district, but throughout the United States. On the death of the customs collector, a claim was brought against his estate for some $17,000, which he had retained as fees for the performance of this service. As Collector of Customs, his salary was fixed. Justice Taney in his opinion stated:

"The just and fair inference from these acts of Congress, taken together, is, that no discretion is left to the head of a department to allow an officer who has a fixed compensation any credit beyond his salary, unless the service he has performed is required by existing laws, and the remuneration for them fixed by law. It was undoubtedly within the power of the department to order this collector, and every other collector in the Union, to purchase the articles required for lighthouse purposes in their respective districts, and to make the necessary disbursements therefor. And for such services he would be entitled to no compensation beyond his salary as collector, if that salary exceeded $2,500."

He then pointed out that the Secretary was not bound to entrust these services to the several collectors, but might require the whole to be performed by a single agent. This was the action actually taken by the Secretary. With respect to this, Judge Taney stated:

"Undoubtedly, Congress have the power to prohibit the Secretary from demanding or receiving of a public officer any service in any other office or capacity, and to prohibit the same person from accepting or executing the duties of any agency for the Government, of any description, while he is in office, and to deny compensation altogether, if the officer chooses to perform the services; or they may require an officer holding an office with a certain salary, however small, to perform any duty directed by the head of the department, however onerous or hazardous, without additional compensation. But the legislative department of the Government have never acted upon such principles, nor is there any law which looks to such a policy, or to such unlimited power in the head of an executive department over its subordinate officers.

"No explanation is given of the principle upon which the $400 additional compensation was allowed. If the services were regarded as extra and additional, and within the prohibition of the law, then he was not entitled to this additional allowance, because his salary exceeded $2,500, and nothing more than the salary fixed ought to have been allowed him. But if they were not within the prohibition, but for services in a different agency, then he was entitled, not merely to $400, but to the commissions fixed by law. This sum could not have been allowed for supplies in his own district, excluding those for other districts, because, as regards his own district, there is an express prohibition as above stated. We, however, express no opinion upon that particular item; and whether it is a proper allowance or not, must be determined by the circuit court, when it hears the evidence at the trial.

"For the reasons above stated, the judgment of the circuit court must be reversed."

The question of dual compensation, was raised again in 1860 in Brown's case, 9 Op. Atty. Gen. 507. Brown, at different periods, held various diplomatic and consular offices in Turkey, including that of dragoman and vice consul. Attorney General Black held that according to the decision in the Converse case, a person holding two compatible offices or employments under the Government is not precluded from receiving the salaries of both by anything in the General Laws prohibiting double compensation. Subsequently Brown was appointed consul-general and in addition discharged the duties of secretary of legation and dragoman. In contrast to the prior situation, where Brown had exercised the duties of several offices to which he had been appointed, Black held that where he had been appointed consul general and merely discharged the duties of secretary of legation and dragoman, without a special appointment thereto, he was not entitled to additional compensation under the $2,500 prohibition in the act of August 31, 1852. Still later, Brown was appointed secretary of legation and dragoman and continued to act as consul general without a regular appointment. Black stated then that he was to receive salary for the two appointments as secretary of legation and dragoman, but not for performing the duties of consul general.

Attorney General Bates, in Whiting's case, 10 Op. Atty. Gen. 435 (1863) attempted to bring some order into the confusion existing by reason of the growth of majority and minority schools of thought respecting dual officeholding and salaries. Whiting had been appointed clerk in the Interior Department, at a salary fixed by law, to deal with matters respecting the act to suppress the slave trade. He was also appointed by the Secretary of the Interior as a clerk to deal with matters relative to Capitol extension and a new dome, at a small salary fixed by the Secretary. The majority school comprised Attorneys General Grundy, 3 Op. 422, ibid., 473; Gilpin, 3 Op. 621; Legare, 4 Op. 126, ibid. 149; Nelson, 4 Op. 432; Mason, 4 Op. 464; Toucey, 5 Op. 74; and Black, 9 Op. 123.

Legare had stated the basic reasoning and conclusion of the majority to the effect:

"The policy of the act of 1839 and several other statutes on analogous subjects is, to deprive the executive department, first, indirectly to raise salaries by extraordinary allowances; and, second, to create pluralities in favor of incumbents in office. Should any necessity arise for either of these deviations from the spirit and practice of our Government, it must be acknowledged by some act of Congress, expressly making provision for them."

Bates also quoted a paragraph from the opinion of Black in Stackpole's case, supra, pointing out that the whole of the legislation manifested a determination to prevent dual compensation in any form or under any pretext whatsoever; that plurality of offices and extra allowances are the vices of a bad government. The minority school of thought was composed of Attorneys General Crittenden (5 Op. 765) and Cushing (8 Op. 325), who concluded that these statutes did not forbid the holding of two distinct offices or appointments by one person; that the prohibitions on extra allowances and additional pay meant extra service pay, or allowance in some office, and not distinct service in separate offices.

Bates applied *Converse* v. *U.S.,* supra, to Whiting's case. He pointed out that the Converse case was not in harmony with the opinions of the majority, but that nevertheless the Court did not go so far in the other direction as Crittenden and Cushing had gone. The Court construed the statutes so as to allow compensation for services in the additional office, only in case such services are required by law and the compensation therefore fixed by law. He stated:

"After reviewing the acts I have cited, the Court say: 'The just and fair inference from these acts of Congress, taken together, is that no discretion is left to the head of a department to allow an officer who has a fixed compensation any credit beyond his salary, unless the service he has performed is required by existing laws, and the remuneration for them fixed by law.'

"This is the latest and most authoritative construction of these statutes, and having been adopted with all the light which the discussions to which I have referred shed upon the subject, I think it should be accepted as the rule for the decision of these frequently recurring and often difficult questions of additional compensation to public officers."

Under this conclusion, Whiting was not entitled to compensation for services in connection with the Capitol extension where the salary had not been fixed by law but by the Secretary.

On the same basis, Bates decided White's case, 10 Op. Atty. Gen. 442. White, a clerk in the General Land Office, had also been appointed Assistant Secretary to sign land patents, by appointment of the President under the act of Congress which did not fix the compensation for such an appointment. He also decided French's case, 10 Atty. Gen. 444, in accordance with the ruling in Whiting's case. On the day following these decisions the question of the offices of register of wills for Washington County and commissioner of police, and the offices of member of the Levy court, commissioner of police, and Collector of Internal Revenue for the District of Columbia were decided favorably to the encumbent. The compensation of these various offices was fixed by law (see 10 Op. Atty. Gen. 446).

In 1868 Evarts, then Attorney General, was called upon to decide the case of Secretary of the Interior Browning, who had been authorized by the President as the head of the Interior Department, to act as Attorney General ad interim under the act of 1863 following the resignation of Attorney General

Stanbery. This, of course, was the Rush proviso situation again, act of September 30, 1850. On examination of the act of February 20, 1863, which authorized the President to make ad interim appointments, Evarts found a very strong implication that Congress intended to make it the official duty of each head of department to perform functions of another executive department when called upon by the President, in the case of a vacancy in the latter office or inability of its chief to discharge his duties. Evarts concluded that independent of the act of September 30, 1850 (the Rush proviso), Secretary Browning was not entitled to receive the salary of the office of Attorney General, but that in any event, the act of September 30, 1850, was a bar to the receipt of such salary.

U.S. v. *Shoemaker,* 7 Wall. 338 (1868) involved the question whether a customs collector could receive extra compensation for duties in connection with the erection of a new Marine hospital and customs house within his own district. Mr. Justice Nelson, in a brief opinion, pointed out that the difficulty was "that there is not only no law providing for compensation, but the collector is forbidden to receive it." (Act of May 7, 1882, sec. 18.) The duties even within his own district fell within the prohibitions of the acts of 1822 and 1839, as interpreted in the Converse case.

Stansbury v. *U.S.*, 8 Wall. 33 (1868). Stansbury, being at the time a clerk in the Department of Interior, was appointed in 1851, by the Secretary of the Interior as an agent to proceed to Europe and to prepare an account of the London Industrial Exposition for that department. During all the time he was engaged in London and subsequently in Washington, a term of 17 months, he drew his pay as a clerk. The Secretary had promised in writing to pay his expenses and to allow him a reasonable compensation for his services. The actual expenses were paid but on his return, a new Secretary having been appointed, the new Secretary declined to pay him anything more. Stansbury then brought suit in the Court of Claims which decided that his claim was barred by the act of August 23, 1842. Mr. Justice Davis, in his opinion pointed out that no authority of law existed for the promise by the Secretary neither was there any appropriation authorized, nor was the Secretary authorized by Congress to create such an agency to perform such service. He thereupon cited section 2 of the act of August 23, 1842, prohibiting extra compensation.

IX. RESTATEMENT AND REVISION. 1874–1924

The various provisions with respect to dual and extra compensation which have been enacted by the Congress starting in 1839 were included in the general revision and publication of the laws in force December 1, 1873, known as the Revised Statutes of the United States. The first edition of the Revised Statutes was approved June 22, 1874. The dual and extra compensation provisions were condensed into sections 1763–1765 as follows:

"SEC. 1763. No person who holds an office, the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars, shall receive compensation for discharging the duties of any other office, unless expressly authorized by law.

"SEC. 1764. No allowance or compensation shall be made to any officer or clerk, by reason of the discharge of duties which belong to any other officer or clerk in the same or any other department; and no allowance or compensation shall be made for any extra services whatever, which any officer or clerk may be required to perform, unless expressly authorized by law.

"SEC. 1765. No officer in any branch of the public service, or any other person whose salary, pay, or emoluments are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or for any other service or duty whatever, unless the same is authorized by law, and the appropriation therefor explicitly states that it is for such additional pay, extra allowance, or compensation."

In *Hall* v. *U.S.*, 91 U.S. 559 (1875), Mr. Justice Clifford touched upon the question of compensation for extra services stating:

"Compensation for extra services, where no certain sum is fixed by law, cannot be allowed by the head of a department to any officer who has by law a fixed or certain compensation for his services in the office he holds, unless such head of a department is thereto authorized by an act of Congress; nor can any compensation for extra services be allowed by the court or jury as a setoff, in a suit brought by the United States against any officer for public money in his hands, unless it appears that the head of the department was authorized by an act of Congress to appoint an agent to perform the extra service, that the compensation to be paid for the service was fixed by law, that the service to be performed had respect to matters wholly outside of the duties appertaining to the office held by the agent, and that the money to pay for the extra services had been appropriated by Congress. *Converse* v. *United States,* 21 How. 470."

One year later, Pierrepont, Attorney General (15 Atty. Gen. 71), ruled that where a special agent of the Post Office Department is in receipt of a fixed compensation and in addition performed the duties of a deputy marshal, he cannot be allowed in respect of such services as marshal anything beyond his actual expenses incurred (see 1765 Rev. Stat.).

The question of retired Army officers holding civil office was considered by Devens, Attorney General in 1877 (see Retired Officer's case, 15 Atty. Gen. 306). Devens ruled that a retired officer does not vacate his commission in the Army by accepting a civil office unless that office is in the diplomatic or consular service, in which case he is considered to have resigned his place in the Army. He pointed out that section 1222, Revised Statutes, forbidding officers to hold civil office, was limited to officers on the active list, and that even the prohibition respecting diplomatic or consular posts under section 1223, Revised Statutes, although applying to both the active and retired lists, did not apply to certain officers excepted under the act of March 3, 1875 (18 Stat. 512, ch. 178) concerning officers wounded in battle. The excepted officers, even though accepting consular and diplomatic posts, would not vacate their commissions thereby. Devens in respect to retired officers in general stated:

"The provisions of the statutes in regard to retired officers direct that they may be assigned to duty at the Soldiers' Home under certain circumstances, and that they shall not be assignable to any other duty (Rev. Stat., sec. 1259). And, further, that they may on their own application be detailed to serve as professors in any college (sec. 1260). It would not, in my opinion, be a legitimate construction of these two sections to say that they prohibit an officer from accepting or being appointed to a purely civil office under the U.S. Government. In the absence of any provision of law forbidding such officers to hold civil offices, especially when these sections are taken in connection with the law that officers upon the active list are (by sec. 1222 of the Revised Statutes) held to have vacated their commissions by the acceptance of any civil office, and that all officers who accept or hold appointments in the diplomatic or consular service are (by sec. 1223) considered as having resigned their places in the Army, with the exception above alluded to, it must be considered that a retired officer is not precluded from holding a civil office under the U.S. Government, unless in the consular or diplomatic service.

"The third question proposed by you is, whether a retired officer is entitled to draw his pay as such and also the salary of any civil office he may hold under the U.S. Government.

"Sections 1763, 1764, and 1765 of the Revised Statutes forbid any person who holds an office, the salary or annual compensation of which amounts to the sum of $2,500, to receive compensation for discharging the duties of any other office, unless expressly authorized by law; they also direct that no allowance or compensation shall be allowed to any officer or clerk by reason of the discharge of duties which belong to any other officer or clerk in the same or any other department, and that no officer in any branch of the public service, or any other person whose salary, pay, or emoluments are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or for any other service or duty whatever, unless the same is authorized by law, and the appropriation therefor explicitly states that it is for such additional pay, extra allowance, or compensation.

"The construction which has been given to these statutes (especially in the case of *Converse* v. *the United States,* 21 How., 463) is that the intent and effect of them is to forbid officers holding one office to receive compensation for the discharge of duties belonging to another, or additional pay, extra allowance, or compensation for such other services or duties where they hold the commission of but a single office, and, by virtue of that office, or in addition to the duties of that office, have assigned to them the duties of another office. According to that decision, however, if an officer holds two distinct commissions, and thus two distinct offices, he may receive the salary for each. The evil intended to be guarded against by these statutes was not so much plurality of offices as it was additional pay or compensation to an officer holding but one office for performing additional duties, or the duties properly belonging to another. If he actually holds two commissions, and does the duties of two distinct offices, he may receive the salary which has been appropriated to each office. Sections 1763, 1764, and 1765, above referred to, are condensations from statutes which were in existence at the time that this decision was made, and in conformity with it I deem it my duty, in answer to your inquiry, to say that a retired officer may draw his pay as such, and may also draw the salary of any civil office which he may hold under the Government, assuming always that the duties of the civil office are performed under and by virtue of a commission appointing him to that office, which he holds in addition to his rank as a retired officer."

On April 14, 1882, the Senate by resolution requested the Judiciary Committee to inform the Senate whether or not a retired U.S. Army officer could rightfully hold a civil office under the Government of the United States (CONGRESSIONAL RECORD, vol. 13, p. 2878). The committee, through its chairman, Mr. Garland, reported in the affirmative (p. 2977) as follows (S. Rept. No. 429, 47th Cong., 1st sess.):

"There is nothing in the Constitution touching the question embraced by the resolution.

"In the Revised Statutes (sec. 1222) any officer of the Army on the active list is prohibited from holding any civil office, whether by election or appointment, and by the same law, if any Army officer on the active list accepts or exercises the functions of a civil office, he shall thereby cease to be an Army officer and his commission as such shall be thereby vacated.

"This is limited to the active list and would clearly imply that an Army officer on the retired list could be a civil officer.

"The next section (1223) provides expressly that any officer of the Army who accepts or holds any appointment in the diplomatic or consular service of the Government shall be considered as having resigned his place in the Army, and it shall be filled as a vacancy. But this disqualification in the diplomatic or consular service was virtually repealed by the act of March 3, 1875, as follows: 'And every such officer now borne on the retired list shall be continued thereon notwithstanding the provisions of section 2, chapter 38, act of March 3, 1863'; and, also, 'and be it also provided, that no retired officer shall be affected by this act who has been retired or may hereafter be retired on the rank held by him at the time of his retirement.' (Rev. Stat., supp., ch. 178, p. 195.)

"Comparing the different statutes on the subject, the committee answer the question in the affirmative."

Devens once again upheld the right to hold two distinct offices and to receive the pay of each in *Riley's* case, 16 Op. Atty. Gen. 7 (1787). He again applied the ruling concerning the performance of extra duties only, which under § 1763, Revised Statutes, would prohibit extra payment in such cases (see *Dinsmore's* case, 16 Op. Atty. Gen. 565).

The case of *U.S.* v. *Converse* (21 How. 463) was confirmed in 1884 in *U.S.* v. *Brindle,* 110 U.S. 688. In that case, Brindle was employed as a receiver of public moneys in the sale of public lands for a district in Kansas, having an annual fixed salary. He was also appointed agent for the sale of Indian trust lands under the treaty of July 17, 1854, 10 Stat. 1048. The Court noted that the duties under the latter statute and treaty were different and not imposed upon Brindle by an office under the Government of the United States. Therefore he held two distinct offices.

The Court stated:

"In *Converse* v. *United States,* 21 How. 463, it was decided that provisions in appropriation acts, like section 18 of the act of August 31, 1852, prohibiting an officer from receiving more than one salary, could not by 'fair interpretation be held to embrace an employment which has no affinity or connection, either in its character or by law or usage, with the line of his official duty, and where the service to be performed is of a different character and for a different place, and the amount of compensation regulated by law' (p. 471). In the present case the employment was for a special service in connection with a special trust assumed by the United States for the benefit of certain Indian tribes, in which express provisions were made for the payment of expenses. In legal effect, the appointment was to an agency for the sale of lands for the Indians, with an implied understanding that a reasonable compensation would be paid for the services rendered. So far as anything appears in the record, the appointment was not made because Brindle was receiver of the land office. The duties to be performed were of a different character and at a different place from those of the land office, and while the exact amount of compensation for this service was not fixed, it was clearly to be inferred that such compensation as the law implies where labor is performed by one at the request of another, that is to say, a reasonable compensation, would be paid. This case comes, therefore, within the rule in *Converse* v. *United States,* and Brindle is not excluded by the act of 1852 from demanding compensation for this service by reason of his being receiver of the land office."

In 1885 Garland, Attorney General, applied the rule in the Converse and Brindle cases to the case of Donovan, 18 Atty. Gen. 303. He held that a clerk in the office of the auditor of the District of Columbia, who was also appointed a referee by the Court of Claims, under the act of June 16, 1880, was entitled to receive the salaries of both offices.

The question was again raised in the Supreme Court in *United States* v. *Saunders,* 120 U.S. 126 (1887). Saunders, a clerk in the office of the President, was also appointed clerk of the Committee on Commerce of the Congress of the United States. The Comptroller refused to pay him the salary of his position as committee clerk. Mr. Justice Miller in his opinion stated:

"We are of opinion that. taking these sections all together, the purpose of this legislation was to prevent a person holding an office or appointment, for which the law provides a definite compensation by way of salary or otherwise, which is intended to cover all the services which, as such officer, he may be called upon to render, from receiving extra compensation, additional allowances, or pay for other services which may be required of him either by act of Congress or by order of the head of his department, or in any other mode, added to or connected with the regular duties of the place which he holds; but that they have no application to the case of two distinct offices, places, or employments, each of which has its own duties and its own compensation which offices may both be held by one person at the same time. In the latter case, he is in the eye of the law two officers, or holds two places or appointments, the functions of which are separate and distinct, and, according to all the decisions, he is in such case entitled to recover the two compensations. In the former case, he performs the added duties under his appointment to a single place, and the statute has provided that he shall receive no additional compensation for the class of duties unless it is so provided by special legislation. The case of *United States* v *Brindle,* 110 U.S. 688, in which an Indian agent received large additional compensation for services connected with the sale of lands belonging to the Indians of his agency, which was affirmed in this court, was upon the ground that these additional services were performed for the benefit of the Indians, and the statute implied the payment of a reasonable compensation for such services. (See also *Converse* v. *The United States,* 21 How. 463)."

Attorney General Garland covered the question again in *Marshal's* case, 19 Op. Atty. Gen. 121 (1888). The marshal had, in addition to his duties as marshal, been appointed an agent under section 5276, Revised Statutes, to bring back a fugitive criminal from a foreign country. Garland pointed out that the construction of the various statutes had been repeatedly passed upon by his predecessors. He reviewed the thinking of the majority school of thought represented by Attorney General Black that the $2,500 limitation prohibited not only the receipt of extra pay, but also the salaries of more than one office, no matter under what circumstances the duties of that office may have been performed and the minority school of thought, represented by Attorney General Crittenden, that none of the acts forbade a person from holding two offices and receiving the salaries thereof, because the prohibition was against his receiving a salary of an office that he did not hold, and not against his receiving a salary of two offices which he did legitimately hold. Garland also reviewed the Supreme Court cases concerned in this general question: *Converse* v. *U.S.,* 21 How. 463 (1858); *Stanbury* v. *U.S.,* 8 Wall. 34 (1868); *U.S.* v. *Shoemaker,* 7 Wall. 338 (1868); *Hall* v. *U.S.,* 91 U.S. 559 (1875); *U.S.* v. *Brindle,* 110 U.S. 688 (1884); and *U.S.* v. *Saunders,* 120 U.S. 126.

The question of retired officers was again reviewed by W. H. H. Miller, Attorney General, in *Major Smith's* case, 19 Op. Atty. Gen. 383 (1889). Major Smith, who held the civilian position in charge of river and harbor work at Wilmington, Del., was appointed from civil life to the position of Major of Engineering in the Army, and thereupon was placed on the retired list of the Army. Miller pointed out that this question had been passed upon by the Senate, the Attorney General and by the courts. He stated:

"The last two questions submitted have substantially been passed upon by the Senate, by this Department, and by the courts before.

"On the 14th of April 1882, the following resolution was submitted to the Senate of the United States:

" '*Resolved,* That the Committee on the Judiciary be instructed to inquire, and report by bill or otherwise, whether or not a retired U.S. Army officer can lawfully hold a civil office under the Government of the United States.'

"It was referred to the Committee on the Judiciary, which, on the 18th, through Mr. Garland, reported to the Senate, 'answering the question in the affirmative.'

"On the 7th of June 1851, a similar question was submitted to Attorney General Crittenden under the statutes of the 3d of March 1839 (5 Stat., 334–349), and of the 23d of August, 1842 (5 Stat., 508–510), from which section 1765, Revised Statutes, was derived. He replied (5 Opin., 768):

" 'The plain meaning of this seems to be that an individual holding one office and receiving its salary shall, in no case, be allowed to receive also the salary of another office, which he does not hold, simply on account of his having performed the duties thereof. The prohibition is against his receiving the salary of an office that he does not hold, and not against his receiving the salaries of two offices which he does legitimately hold.'

"On the 11th of June, 1877, like questions were submitted to Attorney General Devens. In his reply (15 Opin., 306) he considers and interprets all the sections to which you refer, and declares:

" 'Sections 1763, 1764, and 1765, above referred to, and condensations from statutes which were in existence at the time that this decision (*Converse* v. *The United States*) was made, and in conformity with it I deem it my duty, in answer to your inquiry, to say that a retired officer may draw his pay as such, and may also draw the salary of any civil office which he may hold under the Government, assuming always that the duties of the civil office are performed under and by virtue of a commission appointing him to that office which he holds in addition to his rank as a retired officer.'

"This interpretation is sustained by the Court of Claims in *Meigs* v. *United States* (19 C. Cls. R., 497), and by the Supreme Court in *Converse* v. *United States,* 21 How. 464), *United States* v. *Brindle* (10 U.S.R., 688), and *United States* v. *Saunders* (120 U.S.R., 126), in which last case Miller, J., delivering the opinion, declares:

" 'We are of opinion that, taking these sections (1763, 1764, and 1765) all together, the purpose of this legislation was to prevent a person holding an office or appointment, for which the law provides a definite compensation by way of salary or otherwise, which is intended to cover all the services which, as such officer, he may be called upon to render, from receiving extra compensation, additional allowances, or pay for other services which may be required of him either by act of Congress or by order of the head of his department, or in any other mode, added to or connected with the regular duties of the place which he holds; but that they have no application to the case of two distinct offices, places, or employments, each of which has its own duties and its own compensation, which offices may both be held by one person at the same time. In the latter case he is in the eye of the law officers, or hold two places or appointments, the functions of which are separate and distinct, and, according to all the decisions, he is in such case entitled to recover the two compensations.'

"I am of opinion that the above interpretation of sections 1259, 1763, 1764, and 1765, Revised Statutes, to which you refer, is well established alike by reason, precedent, and authority.

"I therefore answer your first inquiry in the affirmative, and your second and third inquiries in the negative."

The year 1894 saw the passage of legislation which appears to have reversed in part the doctrine propounded by the Supreme Court. In the Converse case Attorney General Crittendens' opinion was disallowed to the effect that a person might hold two offices to which he had been legitimately appointed and receive the salary of each. As we have seen, retired military offices had been specifically included within the limits of this doctrine. In 1894 language was attached to the Legislative, Executive, and Judicial Expenses Appropriations Act, 1895, in the form of a rider to section 2 which made it clear that persons holding an office, the salary or annual compensation attached to which amounted to $2,500, were not to be appointed to or hold any other office unless specifically authorized thereto by law.

That this rider applied to retired military officers is implied by the fact that the following was a part thereof:

"But this shall not apply to retired officers of the Army or Navy whenever they may be elected to public office, or whenever the President shall appoint them to office by and with the advice and consent of the Senate."

The Legislative, Executive, and Judicial Expenses Appropriations Act, 1895, had been introduced in the House of Representatives as H.R. 7097 and had been passed. In the Senate, the Senate Committee on Appropriations inserted the rider as the second sentence of Section 2 of the bill. However, the committee did not discuss the matter in its report (Senate Report 506—53d Congress, Second Session). When the Senate considered a bill as reported on July 13, 1894, the following debate took place (CONGRESSIONAL RECORD, vol. 26, p. 7423):

"The next amendment was, in section 2, on page 126, line 10, after the word "each," to insert:

" 'No person who holds an office the salary or annual compensation attached to which amounts to the sum of $2,500 shall be appointed to or hold any other office unless hereafter specially authorized thereto by law; but this shall not apply to retired officers of the Army or Navy whenever they may be elected to public office.'

"Mr. PLATT. I supposed we had a provision of law to the effect that no officer in the Government employ could draw a salary for two offices. Is there not such a law?

"Mr. COCKRELL. There is such a law, but we do not think it covers the case.

"Mr. PLATT. Will the Senator please explain why this amendment is necessary?

"Mr. COCKRELL. This is simply to prohibit in certain classes of cases the payment of double salaries, and yet not to make it an invariable rule in all kinds of cases. There is an exception to be offered to it. The Senator from Iowa has the amendment to the amendment which was prepared for submission. After the words 'public office,' in line 15, to insert: 'or whenever the President may appoint them thereto, by and with the advice and consent of the Senate.'

"Mr. PLATT. Let the amendment to the amendment be read at the desk.

"The PRESIDING OFFICER. The amendment to the amendment will be stated.

"The SECRETARY. After the word 'office,' in line 15, on page 126, it is proposed to insert: 'whenever the President shall appoint them to office by and with the advice and consent of the Senate.'

"The amendment to the amendment was agreed to.

"The amendment as amended was agreed to."

No further debate took place in either House respecting the rider. The conference committee in its report to the Senate stated with respect to the final text of the rider (CONGRESSIONAL RECORD, vol. 26, p. 7844):

"That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the word 'unless' and insert in lieu thereof the following: 'to which compensation is attached, unless specially heretofore or;' and the Senate agree to the same."

With respect to this the conference report in the House states (CONGRESSIONAL RECORD, vol. 26, p. 7856):

"On amendment numbered 186: Instead of the provision proposed by the Senate, prohibiting the holding of two offices by one person, inserts the following: 'No person who holds an office the salary or annual compensation attached to which amounts to the sum of $2,500 shall be appointed to or hold any other office to which compensation is attached unless specially heretofore or hereafter specially authorized thereto by law; but this shall not apply to retired officers of the Army and Navy, whenever they may be elected to public office, or whenever the President shall appoint them to office by and with the advice and consent of the Senate.'

The bill H.R. 7097 with the rider in section 2 as amended was approved by the President on July 31, 1894 (28 Stat. 205).

The final text of section 2 of the act was (the text of the rider is single quoted):

"SEC. 2. That the pay of assistant messengers, firemen, watchmen, laborers, and charwomen provided for in this act, unless otherwise specially stated, shall be as follows: For assistant messengers, firemen, and watchmen, at the rate of seven hundred and twenty dollars per annum each; for laborers, at the rate of six hundred and sixty dollars per annum each, and for charwomen, at the rate of two hundred and forty dollars per annum each. 'No person who holds an office the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars shall be appointed to or hold any other office to which compensation is attached unless specially heretofore or hereafter specially authorized thereto by law; but this shall not apply to retired officers of the Army or Navy whenever they may be elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate.' "

The 1894 Statute was considered by Attorney General Griggs in *Putnam* case, 22 Op. Atty. Gen. 184 (1898). The Honorable William L. Putnam was a U.S. circuit judge who had been appointed as one of the commissioners under the Convention of February 8, 1896, concerning claims growing out of seizures of vessels on the Bering Sea. Griggs considered that, provisions for the appointment of commissioners having been included in the Convention, the office of commissioner was one growing out of the foreign relations of the United States and was not an office comtemplated by article 2, section 2 of the Constitution, which provided for appointments by the President by and with the advice and consent of the Senate, etc.

He concluded that under these circumstances the office of commissioner, not being a constitutional office, was therefore not within the prohibition of section 2 of the act of 1894. Griggs further considered the definition of office in the more popular sense and found that the Supreme Court had indicated that an officer was one whose office included tenure, continuation, emoluments, etc., citing *U.S.* v. *Germaine*, 99 U.S. 510; *U.S.* v. *Mouat*, 124 U.S. 307; *Auffmordt* v. *Hedden*, 137 U.S. 327. He concluded that the office of commissioner being only temporary and for a specific purpose only and having neither tenure, duration, or emoluments, could not be said to be a public office within the prohibition of the 1894 act. He therefore ruled that Judge Putnam could receive both his salary as a circuit court judge and compensation for his work as commissioner under the Convention, notwithstanding the fact that his salary as circuit court judge exceeded $2,500.

Putnam's case appears to have been the first exemption from the prohibition against dual officeholding in the 1894 act. A further exemption was made by Attorney General Bonaparte in *Neill's* case, 26 Op. Atty. Gen. 247 (1907). Commissioner of Labor Charles P. Neill was also appointed a member of the Immigration Commission under the act of February 20, 1907 (34 Stat. 898, 909) to investigate immigration affairs. His salary as Secretary of Labor exceeded $2,500. Bonaparte duly noted the holding of Griggs in the Putnam case. He rested his decision in behalf of Neill on the grounds that the position of member of the immigration commission, being of a temporary nature and for a single specific purpose did not fall within the definition of "public office" as defined by the United States Supreme Court in *U.S.* v. *Hartwell*, 16 Wall. 385, 393; *U.S.* v. *Moore*, 95 U.S. 762, *U.S.* v. *Germaine*, 99 U.S. 511, *Hall* v. *Wisconsin*, 103 U.S. 8, *Auffmordt* v. *Hedden*, 137 U.S. 327, *Opinion of the Judges*, 3 Greenl. (Me.) 461, *Eliason* v. *Coleman*, 86 N.C. 235, and *U.S.* v. *Maurice*, 2 Brock 96. On this basis Bonaparte held that Neill was entitled to hold both offices and receive the salary of both.

In 1916 the question of double salaries reoccurred in the Congress by the enactment of a rider on the Legislative, Executive, and Judicial Appropriations Act, 1917 (39 Stat. 120, sec. 6). That act had been reported in the House by the House Committee on Appropriations as H.R. 12207, 64th Congress, 1st session. As reported and as passed by the House, the bill contained no provisions respecting double salaries. The Senate Appropriations Committee in reporting the bill to the Senate (S. Rept. No. 329, 64th Cong.) included a section 6 in the bill without comment as follows:

"SEC. 6. That no money appropriated by this or any other Act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum, but this shall not apply to retired officers of the Army or Navy whenever they may be elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate."

When the bill was read for amendment on the floor of the Senate the following debate took place (CONGRESSIONAL RECORD, vol. 53, pt. 6, pp. 5731–5732):

"The next amendment was, on page 154, after line 14, to insert as a new section the following:

" 'SEC. 6. That no money appropriated by this or any other act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum, but this shall not apply to retired officers of the Army or Navy whenever they may be elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate.'

"Mr. Lodge, Mr. Swanson, and Mr. Kern addressed the Chair.

"Mr. LODGE. I merely wish to offer an amendment to the amendment. I dare say the Senator from Virginia rose to offer the same amendment I was going to propose.

"Mr. SWANSON. About the Marine Corps?

"Mr. Lodge. To insert, after the word 'Navy,' the words 'Marine Corps.'

"Mr. Swanson. And, in line 20, 'appointed or.'

"Mr. Lodge. 'Appointed or' before 'elected.'

"Mr. Overman. What is the amendment?

"Mr. Lodge. The amendment is to insert, after "retired officers of the Army or Navy,' the words 'or Marine Corps,' and, of course, it ought also be read 'whenever they may be appointed or elected to public office.'

"The Presiding Officer. The proposed amendment will be read.

"The Secretary. On page 154, in section 6, after the word 'Army,' insert a comma and strike out the word 'or'; after the word 'Navy' insert the words 'or Marine Corps'; and, in line 20, before the word 'elected,' insert 'appointed or'; so as to make the section read:

"'Sec. 6. That no money appropriated by this or any other act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum, but this shall not apply to retired officers of the Army, Navy, or Marine Corps whenever they may be appointed or elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate.

"Mr. Martin of Virginia. I think that is a proper amendment.

"The amendment to the amendment was agreed to.

"The amendment as amended was agreed to.

"Mr. Sheppard. Mr. President, I wish, for information, to make an inquiry regarding section 6. As I understand it, the combined amount of salaries that one person may draw has heretofore been limited to $2,500. Am I correct in that?

"Mr. Martin of Virginia. No. The former law was that no clerk who was receiving as much as $2,500 per annum should have any second appointment at all.

"Mr. Sheppard. Why was that amount reduced to $2,000?

"Mr. Martin of Virginia. Because we were informed of abuses in some of the departments; that when they could not raise a clerk's salary—when Congress refused to make the allowance—they would just give him some other place in addition to that which he held.

"Mr. Sheppard. That is entirely satisfactory to me, Mr. President."

As thus adopted the rider passed the Senate. At the conference certain additions were made to the amendment (H. Rept. No. 617, 64th Cong., pp. 6, 7, 12, 13), as follows:

"Amendment No. 229: That the House recede from its disagreement to the amendment of the Senate No. 229, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'Sec. 6. That unless otherwise specially authorized by law no money appropriated by this or any other act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum, but this shall not apply to retired officers of the Army, Navy, or Marine Corps whenever they may be appointed or elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate or to officers and enlisted men of the Organized Militia and Militia in the several States, Territories, and the District of Columbia.

"'And the Senate agree to the same.

* * * * *

"'No. 229: Inserts section 6, proposed by the Senate, prohibiting the payment of more than one salary to any person where the combined salaries exceed $2,000, modified so that the section shall not operate where more than one payment is specially authorized by law, and shall not be effective in the case of officers and enlisted men of the Organized Militia and the Naval Militia of the States, Territories, and the District of Columbia.'"

As thus amended the rider was enacted and became section 6 of the act, supra. Later in the same session the matter was taken up again in the Naval Service Appropriations Act, 1917, (39 Stat. 582), by means of another rider. This act had been reported in the House by the House Committee on Appropriations as H.R. 159457. Here also, the rider was attached in the Senate committee by amendment and without comment. The following occurred on the floor of the Senate (Congressional Record, vol. 53, pt. 11, p. 11025–11026):

"The next amendment was, on page 70, after line 2, to insert:

"Section 6 of an act entitled 'An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, namely:' approved May 10, 1916, is hereby amended so as to read as follows:

"'Sec. 6. That unless otherwise specially authorized by law, no money appropriated by this or any other act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum, but this shall not apply to retired officers or enlisted men of the Army, Navy, Marine Corps, or Coast Guard, or to officers and enlisted men of the Organized Militia and Naval Militia in the several States, Territories, and the District of Columbia: *Provided*, That no such retired officer, officer, or enlisted man shall be denied or deprived of any of his pay, salary, or, compensation as such, or of any other salary or compensation for services heretofore rendered, by reason of any decision or construction of said section 6.'

"Mr. Norris. Mr. President, I should like to inquire of the Senator from Virginia what change is made in section 6 from the law as it exists now?

"Mr. Swanson. The only change is in the proviso.

"Mr. Norris. From the proviso on?

"Mr. Swanson. In the proviso itself. I will state to the Senator that this takes care of Mr. Theall, who is the secretary of the Naval Affairs Committee of the House. We passed a provision that permitted that, and the Comptroller of the Treasury decided that the clerk of a committee was not a public officer, which precluded him from occupying that position. This simply puts a construction there so that the Comptroller of the Treasury can not deprive him of his present position. We had previously passed a law taking care of him, and he decided that the clerk of a committee was not a public officer, and would not pay the salary.

"Mr. Norris. Does this apply to anybody except this official of the House of Representatives?

"Mr. Swanson. To no one, I understand, except this officer.

"Mr. Norris. Why not make a direct reference to the particular person?

"Mr. Lodge. We are amending the statute. You cannot mention him in another statute.

"Mr. Norris. This particular position in the House of Representatives is filled by a retired naval officer. There is another question. If this applies only to an official or employee of the House of Representatives, why did not the House of Representatives put it in?

"Mr. Swanson. I understand that there is another one at the Navy yard. If the Senator will permit me, we amended section 6 so as to enable them to employ a retired officer in the Navy to be clerk of the committee. That was included in the bill. The provision was included in the legislative, executive, and judicial appropriation bill. Having used the words 'public officer,' the Comptroller of the Treasury, I understand, rules that the clerk of the committee is not a public officer, and consequently he cannot receive his salary. The amendment is in the proviso which prevents the Comptroller from giving that interpretation to the law.

"Mr. Lodge. If the Senator will allow me, I may remind him that this ruling was not made until after the bill had left the House.

"Mr. Norris. Even if that be true, this is to give relief to someone in the House, and this is simply, of course, class legislation put on an appropriation bill. I had my attention called to it by a Member of the House, who said that it applied to a large number of retired persons, and I should think it would apply to practically the entire Navy Department. If there is any good reason why one man should be excluded from the operation of the law, I would not have any objection if he was excluded and excluded directly by name or his office or position excluded.

"Mr. Lodge. But the general law expressly provides that the provision about the salaries shall not apply to retired officers and enlisted men. That is the general provision of the statute. The exception is in the proviso, because there is an attempt made to exclude this one man from the general law by the Comptroller by a ruling which, it seems to me, is absurd. Down to the proviso it is the general existing law.

"Mr. Norris. Commencing, then, at line 17, with the proviso, that is the only change made in the existing law?

"Mr. Lodge. It is to enable him, if the Senator will read it, to receive his compensation as provided by law for services heretofore rendered.

"Mr. Norris. Let us see how it reads:

"'*Provided*, That no such retired officer, officer, or enlisted man shall be denied or deprived of any of his pay, salary, or compensation as such, or of any other salary or compensation for services heretofore rendered, by reason of any decision or construction of said section 6.'

"Do I understand that the effect of that will be that this official in the House of Representatives, who seems to be the beneficiary, will get his back pay, but will in the future not be able to get any?

"Mr. Lodge. No; he will get it in the future. It covers both.

"Mr. Norris (reading). Of any of his pay, salary, or compensation as such, or of any other salary or compensation for services heretofore rendered.

"Mr. Lodge. Yes; no such retired officer 'shall be denied or deprived of any of his pay, salary, or compensation as such, or of any other salary or compensation for services heretofore rendered.'

"Mr. Smoot. Mr. President——

"Mr. Norris. I yield to the Senator from Utah.

"Mr. Smoot. The Appropriation Committee of the Senate in reporting the legislative, executive, and judicial appropriation bill for this year inserted section 6 in the bill as follows:

"'That unless otherwise specially authorized by law no money appropriated by this or any other act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum.'

"That is what the committee reported to the Senate. While the bill was under consideration the Senator from Massachusetts [Mr. Lodge] offered an amendment to the committee amendment as follows:

"'But this shall not apply to retired officers of the Army, Navy, or Marine Corps whenever they may be appointed or elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate or to officers and enlisted men of the Organized Militia and Naval Militia in the several States, Territories, and the District of Columbia.'

"That is the way section 6 of the bill finally passed the Senate. I understand of course that this proviso is put in the pending bill to take care of one man in the employ of the House of Representatives. I will say to the Senator that that case was called to the attention of the Appropriations Committee when it first considered the amendment, but the committee at that time did not feel justified in proposing an amendment to take care of one man, but after the Senate adopted the amendment offered by the Senator from Massachusetts it exempted retired officers and enlisted men of the Army and Navy and Marine Corps, and so forth. It develops now that the employee in the House of Representatives referred to is a retired officer, and if that be true he should be exempted under the amendment offered by the Senator from Massachusetts, but under a ruling it is held that no matter whether he is a retired officer or not, holding the position he does with a committee of the House, he is not entitled to the two salaries.

"Mr. Norris. I rather think since we have exempted everybody else from the effect of the law we ought not to hesitate to exempt this one man who is left. I understand the law prohibiting anyone from drawing two salaries, is so amended that it does not apply to anyone except this clerk in the House of Representatives, and this is to let him out also.

"Mr. Smoot. That is the effect of the proviso, but I will say to the Senator——

"Mr. Norris. Why not repeal the law altogether?

"Mr. Swanson. If the Senator will permit me, it was held that the appointment by a committee of Congress, as I understand the ruling of the Comptroller of the Treasury, is not a public officer, and consequently not being a public officer he cannot get the benefit of the exemption that others have. He is a very valuable man, one of the most valuable men in the House of Representatives as far as naval affairs are concerned, and he cannot afford to accept a clerkship in the committee unless this exemption is permitted. This is put in the bill at the request of the chairman of the Naval Committee of the House, who desires to retain the valuable services of this man, and it is made necessary on account of what seems to me to be the foolish ruling of the Comptroller of the Treasury that a clerk of a committee is not a public officer.

"Mr. Norris. I should like to inquire how many men are drawing two salaries now who are not affected by the law.

"Mr. Smoot. I will say to the Senator that at the time the amendment to the legislative, executive, and judicial appropriation bill was being considered in the Committee on Appropriations we undertook to find out just how many there were in the employment of the Government drawing two salaries. We were unable to ascertain the exact number, but I will say to the Senator there were a great many of them, but since the passage of the legislative, executive, and judicial appropriation bill it has done away with all except retired officers, as stated before.

"I will state further to the Senator that the committee found that the practice was growing to such an extent that it decided to pass a law prohibiting it. That is the reason why the committee reported the amendment to the legislative, executive, and judicial appropriation bill.

"Mr. Norris. Yes; but after it was amended it did not apply to anybody.

"Mr. Smoot. Yes; it applied to everybody, with the exception of enlisted men and officers in the Army and Navy, Marine Corps, and Organized Militia and Naval Militia.

"Mr. Norris. How many are there of those? Can the Senator state the number?

"Mr. Lodge. If the Senator will allow me, it has never been attempted to prevent retired officers from accepting private employment. It would be a useless cruelty.

"Mr. Norris. This law does not attempt to do that. We could not pass a law under the Constitution that would be of any validity, probably, that would do that, but we could pass a law that would prevent a man from drawing two salaries from the Government of the United States.

"Mr. Lodge. You could prevent a retired officer from accepting any other emolument in private life.

"Mr. Norris. Nobody wants to do that.

"Mr. Lodge. You could make him forfeit his pay. That has never been done. Officers have always been allowed to accept private employment. Of course, they are always at the orders of the Government.

"Mr. Norris. Can the Senator from Utah answer my question as to how many men were drawing two salaries from the Government and are not drawing it now by reason of the enactment of this law?

"Mr. Smoot. It would be only an estimate, but I will say to the Senator that there must have been something over 50 men who were drawing two salaries who are not doing so today. I do not want to state positively the number, but there were at least that many, and perhaps a great many more.

"Mr. Norris. I do not know that that is material now, because it is in the law anyway, but what was the reason for exempting Army officers and officers of the Marine Corps?

"Mr. Smoot. The reason was this: As to retired officers of the Army, Navy, and Marine Corps, and officers of the Guard, their time belongs to them, and if any department of the Government desires to avail itself of their services, there should be no objection to that. The exemption was adopted so that the Government could avail itself of their services.

"Mr. Norris. Why not the other people who are not retired officers of the Army or Navy?

"Mr. Smoot. The reason is this, because their time is already paid for by the Government, and extra long hours must of necessity interfere with their efficiency in both positions.

"Mr. Weeks. It is the custom to pay certain officers connected with the Government a higher rate of pay on account of the excellence of their service. For instance, the clerk of the Committee on Appropriations of the House of Representatives is paid an annual salary of $5,000 a year as long as he holds that position. It is simply a reward for efficiency. The salary which he receives is a thousand dollars greater than would be the salary of any other man holding that place. The same general principle applies to this case. The clerk of the House Naval Committee is a graduate of the Naval Academy and served in the Marine Corps. He was retired for physical disability, but he is entirely competent to perform the duties of that technical position not only as well but better than almost any other man. Therefore, it has seemed fair that he should receive his retired pay and such salary as the committee gave him. As a matter of fact, he is paid $2,400 as clerk of the committee, and his retired pay is between $1,900 and $2,000, or about $4,300 a year. That is his entire pay from the Government, and it is not a high salary for that particular place, which he fills so acceptably to the House Naval Committee.

"There are three or four other cases which come under this limitation, I understand. There are perhaps three other naval officers who are employed in such a way that they will not receive their salary under the ruling of the Comptroller. In this particular case the salary for the last 2 months which this House employee actually received is being checked up against his retired pay of the Navy, and unless something is done, as proposed in this measure, not only will he in future receive only the retired pay from the Navy, but the actual pay which he has received under the law up to this time will be checked against that retired pay. It seems to me, from my knowledge of the case, there cannot be two sides to the fairness and desirability of adopting the provision which the Committee on Naval Affairs has proposed to the bill.

"The Vice President. The question is on agreeing to the amendment of the committee.

"The amendment was agreed to."

In the conference committee, the House receded from its disagreement to this amendment by the Senate. The amendment was explained by the committee as follows (H. Rept. No. 1099, 64th Cong., p. 23):

"Amendment No. 107: Amends section 6 of the Legislative, Executive, and Judicial Act, approved May 10, 1916, whereby no person who receives more than one salary from the United States when the combined amount of said salaries exceeds the sum of $2,000 per annum shall be paid from any appropriation in that act or any other act, and excludes from the operation of the act retired officers of the Army, Navy, or Marine Corps who were appointed to public office. The Senate amendment excludes retired officers and enlisted men of the Army, Navy, Marine Corps, or Coast Guard, or the officers and enlisted men of the organized Naval Militia in the several States, Territories, and District of Columbia, and further provides that no such retired officer shall be checked in his pay due to any construction of section 6 prior to the passage of this act. And the House recedes."

This amendment constitutes the present text of the Federal doctrine on double salaries United States Code 5: 58. The proviso respecting acceptance of retired officers or enlisted men appears in the United States Code 5: 59. Various other amendments have been made to this act. However, the basic principle of the legislation has not been specifically changed. These amendments took the form of exemptions from the provisions of the act. For instance, United States Code 5: 60 exempted employees of the Library of Congress, who perform special functions in connection with its trust funds, from the provisions of section 58 (see also section 59a). The decisions and opinions on section 58, which have occurred since the 1916 amendment, are concerned with construing its effect and are reviewed below.

No questions concerning dual compensation and dual employment seem to have occurred during the years between the enactment of the 1916 amendment, supra, and 1921. On June 10, 1921, the Congress established the office of Comptroller General who succeeded to the powers and duties theretofore imposed upon the Comptroller of the Treasury as well as the duties of the six auditors in that department. The opinions of the Attorney General gradually ceased to concern themselves with questions of dual employment and compensation and the decisions of the Comptroller General, since he was vitally concerned with the payment of money of the United States in accordance with law, supervened.

Between 1921—the date of appointment of the Comptroller General—and 1924, date of the latest and present text of the law (except for a minor amendment) respecting dual officeholding, the Comptroller General issued a number of decisions as follows:

(1 Compt. Gen. 14, July 13, 1921): "The act of May 10, 1916 (39 Stat., 120), prohibiting the use of any appropriation for payment to the same person of more than on salary from the Government when the combined amount exceeds the sum of $2,000 per annum, is applicable to the funds of the United States Shipping Board Emergency Fleet Corporation; hence an employee of the corpora-

tion may not also receive compensation from the United States Shipping Board when the combined compensation is more than $2,000 per annum."

(1 Compt. Gen. 65, Aug. 11, 1921): "A clerk of U.S. district court may legally be paid as clerk while holding a commission in the Officers' Reserve Corps of the U.S. Army, except for such periods as he may be on active duty as an officer in the Officers' Reserve Corps when he would be prohibited by provisions of section 6 of the act of May 10, 1916, as amended by the act of August 29, 1916, 39 Stat., 582, from receiving compensation as a clerk of court."

(1 Compt. Gen. 219, Oct. 17, 1921): "The employment of a major retired from active duty as special assistant to the Attorney General with compensation attached, and payment to him of that compensation in addition to his retired pay, is prohibited by the act of July 31, 1894, 28 Stat., 205."

This case concerned the desire of the Attorney General to employ Col. E. G. Davis, a retired Army officer, as a special assistant to the Attorney General. The Comptroller General after quoting section 2 of the act of July 31, 1894, to the effect that no "person who holds an office, the salary or annual compensation attached to which amounts to the sum of $2,500 shall be appointed to or hold any office to which compensation is attached, unless specially heretofore or hereafter specially authorized thereto by law; but this shall not apply to retired officers of the Army or Navy whenever they may be elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate" pointed out that the retired Army officers hold office within the meaning of the section unless they fall within the exceptions noted above. The Comptroller General distinguished the case in 36 Court of Claims 39, by pointing out that the compensation allowed there was payable from a discretionary appropriation which had been given to the President for national security and defense and was allowed by the court as not open to question for that reason. He further pointed out that *Geddes* v. *United States,* 38 Court of Claims 428, turned largely upon the construction of another statute and is not decisive of the application of this section of the act of 1894 to retired Army officers. He stated that the prohibition applies to retired officers sought to be appointed to or to hold any office not elective or appointive in the manner prescribed by the statute. He noted that the earlier decisions permitting the appointment of retired Army officers rested upon the conclusion that the element of duration, thought to be one of the essentials to an office, was lacking in such appointments and concluded that it was clear that the proposed appointment of Colonel Davis at a yearly salary and for the purpose indicated would establish duration as one of the incidents of appointment.

With respect to the question of whether Colonel Davis could give up his retired pay and accept only the pay of the office of special assistant to the Attorney General, the Comptroller General pointed out that the U.S. Supreme Court has held that public policy prohibits any attempt by unauthorized agreement with an officer of the United States under guise of a condition or otherwise, to deprive him of the right to pay given by statute (*Glavev* v. *United States,* 182 U.S. 595; *United States* v. *Andrews,* 240 U.S. 90). He concluded that any attempts by the colonel to relinquish his retired pay and restrict himself to the right to compensation as special assistant only would be ineffective for that purpose.

(1 Compt. Gen. 544, Mar. 24, 1922): "The act of May 12, 1917, 40 Stat. 72, granting officers and employees of the United States, who are members of the Officers' Reserve Corps, leave of absence without loss of pay for not exceeding 15 days per year during which ordered to duty with troops or at field exercises or for instruction, together with section 39 of act of June 3, 1916, 39 Stat. 191, bring such employees within the exception to the general prohibition in section 6 of the act of May 10, 1916, as amended, as to the payment of two salaries aggregating more than $2,000 per annum, and they may be paid both their civilian pay and the pay of their rank or grade in the Reserve Corps for the period of such duty or exercises."

(1 Compt. Gen. 571, Apr. 15, 1922): "Retired officers or enlisted men of the Army or Navy are not prohibited by the act of July 31, 1894, 28 Stat. 205, or the act of May 10, 1916, as amended, 39 Stat. 120, 582, from holding a Government position or office, provided neither the retired pay nor the salary attached to the position or office amounts to $2,500, the aggregate of the two being immaterial."

(1 Compt. Gen. 592, Apr. 24, 1962): "The act of July 31, 1894, 28 Stat., 203, appropriating from the costs collected by the clerks of the circuit courts of appeals the amounts necessary for clerk hire and other expenses of the courts bring the employees of such courts within the scope of the act of May 10, 1916, 39 Stat., 582, and they are therefore prohibited from receiving compensation as bailiff of the court and also as clerical assistant when the aggregate of the two salaries exceeds $2,000 per annum."

(1 Comp. Gen. 700, May 25, 1922): "Retired officers or enlisted men of the Army or Navy hold offices with compensation attached within the meaning of the act of July 31, 1894, 28 Stat., 205, and are accordingly prohibited by said act from holding any other office under the Government, except an elective one or one to which appointment is made by and with the advice and consent of the Senate, if either the retired pay or the salary attached to the office or position amounts to $2,500 per annum. 1 Compt. Gen., 571, adhered to."

(2 Compt. Gen. 37, July 22, 1922): "Charges by an assistant surgeon of the Alaskan Engineering Commission for performing autopsies outside of the scope of his official duties are fees and not salary and do not come within the inhibition of the act of May 10, 1916, 39 Stat., 120, as amended; and as the salary of such assistant surgeon is not fixed by law or regulation he is not prohibited from receiving such additional fees by sec. 1765, Revised Statutes."

(2 Compt. Gen. 373, Nov. 16, 1922): "Retired enlisted men of the Army, Navy, or Marine Corps, whose retired pay is not in excess of $2,500 and who have been employed in the Veterans' Bureau at salaries exceeding $2,500 per annum contrary to the act of July 31, 1894, 28 Stat., 205, may be reappointed to positions paying less than $2,500 effective from the date the appointment is actually made and accepted, but such appointments may not be made retroactive to cover the period of service under the prior illegal appointment."

(2 Compt. Gen. 436, Jan. 13, 1923): "Teachers in the night schools of the District of Columbia are paid from funds appropriated by Congress and are accordingly prohibited by the act of May 10, 1916, 39 Stat., 120, as amended by the acts of August 29, 1916, 39 Stat., 582, and October 6, 1917, 40 Stat., 384, from receiving for any one day's work as such teacher any compensation in excess of one three-hundred-and-twelfth of the amount by which $2,000 exceeds the salary they may be receiving from other employment by the Federal Government or by the District of Columbia in any other capacity than as teacher in the public schools."

(2 Compt. Gen. 460, Jan. 27, 1923): "A retired captain of the fire department of the District of Columbia may be employed and paid as watchman at $720 per annum in the Treasury Department while continuing to draw his retirement relief of approximately $78 or $79 per month, provided such duty as watchman is not incompatible with his status on the retired list for the purposes of the act of September 1, 1916, 39 Stat., 720."

(3 Compt. Gen. 24, July 11, 1923): "Teachers of the public schools of the District of Columbia are not in the Federal service and may therefore be employed during school vacation as expert examiners of the Civil Service Commission, the special appropriation for such examiners relieving them from the restrictions of the act of May 10, 1916 as amended, 39 Stat., 120, 582."

(3 Compt. Gen. 116, Sept. 5, 1923): "An employee of the U.S. Tariff Commission having had 15 days military leave as a member of the Officer's Reserve Corps is not entitled to receive his civilian salary, with annual leave, while performing a second period of military service in the same calendar year if the annual rates of the civilian salary and military pay for such second period of military service exceed $2,000 in the aggregate."

(3 Compt. Gen. 260, Oct. 26, 1923): "Employment of the same person as laborer and as clerk at the same time when the combined salaries exceed an aggregate rate of $2,000 per annum is prohibited by the act of May 10, 1916 (39 Stat. 120), it being immaterial that by reason of the intermittent character of the employment the total pay actually received per annum does not amount to $2,000."

During the course of the 68th Congress, 1st session, an amendment was added to section 2 of the act of 1894, which had prohibited the holding of another lucrative office. The Senate bill 2450 containing the amendment provided for the addition of a new sentence at the end of section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, to read as follows:

"Retired enlisted men of the Army, Navy, Marine Corps, or Coast Guard shall not be construed to hold an office within the meaning of this section."

This bill was reported by the Senate Committee on Military Affairs (S. Rept. No. 254, 68th Cong.) passed the House and was reported by the House Committee on Military Affairs (H. Rept. No. 498). The House Committee, in its report, repeated the report of the Senate committee as follows:

"The Committee on Military Affairs, to which was referred the bill (S. 2450) to amend section 2 of the Legislative, Executive, and Judicial Appropriation Act approved July 31, 1894, having considered the same, report thereon favorably with the recommendation that the bill do pass without amendment.

"A similar bill was reported to the Senate by your committee during the 67th Congress and the report accompanying that measure is appended hereto and made a part of this report, as follows:

"'The bill was introduced at the suggestion of representatives of the American Legion, and the purpose of it is explained in the following memorandum presented by them:

"'"The men affected by this bill are about 12 old-time noncommissioned officers, who have been retired as enlisted men for length of service. All of these men are veterans of the Spanish-American War, the Philippine Insurrection, and the World War; two at least are veterans of Indian wars. All served as officers during the World War and returned to their grades as retired enlisted men after the war was over. These bills do not call for any appropriation or expenditure of funds.

"'"It is evident from a study of section 2 of the act of 1894 that Congress had no intention, nor even had in mind including retired enlisted men in the provisions of the act, which provides that no person holding an office with the Government shall hold any other office with compensation over $2,500. The Comptroller General has recently held that a retired enlisted man, as such, holds an office under the Government.

" ' "Due to their ability and fitness in administrative and financial matters, certain of these men have been appointed under congressional and civil service authority to offices of trust in the Veterans' Bureau, Department of Agriculture, and other departments, and have proved to be valuable men. Under the Comptroller's decision they must now suffer a reduction in salary below many others doing similar or less important work.

" ' "It is surely not the intent of Congress or the public that these men who have spent the better part of their lives in the military service should now be discriminated against on account of being retired enlisted men. It is the intent of this bill to rectify this discrepancy and to place these men on an equal footing for employment as other American citizens of equal ability."

" 'A letter requesting the passage of this bill has been received from the Director of the Veterans' Bureau, Colonel Forbes, which is included in this report as follows:

" 'U.S. Veterans' Bureau,
" '*Washington, January 15, 1923.*

" 'Hon. James W. Wadsworth, Jr.
" '*Chairman, Committee on Military Affairs, U.S. Senate, Washington, D.C.*

" 'Dear Senator Wadsworth: I desire to invite your attention to Senate bill 4315, introduced by you and which is now before your committee.

" 'This bill allows retired enlisted men of the Army the same privileges of occupying a Government position or office as those enjoyed by the ordinary citizen. The bill has particular application to a limited number of former noncommissioned officers employed in this Bureau. These men are all of exceptional ability and particularly capable of filling positions of importance in the U.S. Veterans' Bureau because of their experience gained through long service, and it does not seem just that they should be discriminated against because of their service to the country.

" 'I sincerely hope you will find it possible to act favorably with regard to this bill at an early date, in order that the men who have so forcibly demonstrated their devotion to these United States may be treated equitably.

" 'Very truly yours,
" 'C. R. Forbes,
" '*Director.*

" 'Your committee is convinced of the justice of this legislation and urges that it be acted upon by the Senate at an early date.' "

During the course of the floor debate in the Senate, the purpose of S. 2450 was explained as follows (Congressional Record, vol. 65, p. 5131):

"Mr. King. I should like an explanation of that measure.

"Mr. Wadsworth. This bill is here on account of another ruling of the Comptroller General, and I think one of the most extraordinary ones I ever heard of.

"The law provides that a person holding office in or under the Government shall not hold another position under the Government which carries a salary in excess of $2,500 per annum. That needs no explanation.

"There are retired enlisted men of the Army and Navy and Marine Corps who have served 30 years in the service and are retired at three-fourths pay of the grade they occupied on the date of retirement. The Government, in other departments, has employed those men, some of them to the great advantage of the Government on account of their extraordinary training and experience. The Comptroller General comes along and says that a retired enlisted man holds an office as such, a most extraordinary conclusion. This bill states definitely that a retired enlisted man does not hold an office, and, of course, he does not hold an office. His relations to the Government are contractual in nature, that is all. If a retired enlisted man is held to hold an office under the Government, then an active-duty enlisted man must likewise be held to hold an office under the Government. As a matter of fact, we know that when an enlisted man enlists he takes a contract to serve the Government for a fixed period of years. How the Comptroller General or anybody else could say that an enlisted man in the Army or Navy holds an office under the Government passes my comprehension.

"Mr. Fletcher. Does the bill permit a retired enlisted man to draw his three-fourths pay and at the same time draw his salary?

Mr. Wadsworth. Certainly, if he is serving the Government in another capacity. That ought to be the case.

"The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed."

The bill however, was amended on the floor of the House as follows (Congressional Record, volume 65, p. 9137):

"The Clerk read the bill, as follows:

" '*Be it enacted, etc.*, That section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894, is amended by adding at the end thereof a new sentence to read as follows: "Retired enlisted men of the Army, Navy, Marine Corps, or Coast Guard shall not be construed to hold an office within the meaning of this section." '

"Mr. Stephens. Mr. Speaker, I desire to offer the following amendment.

"The Clerk read as follows: Amendment by Mr. Stephens: Strike out all of the printed bill after the word 'follows', in line 6, and insert in lieu therof the following: 'Retired enlisted men of the Army, Navy, Marine Corps, or Coast Guard retired for any cause, and retired officers of the Army, Navy, Marine Corps, or Coast Guard who have been retired for injuries received in battle or for injuries or incapacity incurred in line of duty shall not, within the meaning of this section, be construed to hold or to have held an office during such retirement.'

"The Speaker. The question is on agreeing to the amendment.

"The amendment was agreed to.

"The bill as amended was ordered to be read a third time, was read the third time, and passed."

The amendment of the House was adopted and concurred in by the Senate as follows (Congressional Record, volume 65, p. 9279):

"RETIRED ENLISTED MEN OF THE ARMY

"The Presiding officer laid before the Senate, the amendment of the House of Representatives to the bill (S. 2450) to amend section 2 of the Legislative, Executive, and Judicial Appropriation Act approved July 31, 1894, which was, on page 1, line 6, to strike out all after 'follows:' down to and including 'section', in line 8, and to insert in lieu thereof:

" 'Retired enlisted men of the Army, Navy, Marine Corps, or Coast Guard retired for any cause, and retired officers of the Army, Navy, Marine Corps, or Coast Guard who have been retired for injuries received in battle or for injuries or incapacity incurred in line of duty shall not, within the meaning of this section, be construed to hold or to have held an office during such retirement.'

"Mr. Wadsworth. I move that the Senate concur in the amendment of the House. It relates to the eligibility of persons in a retired status in the military service being employed in the civil service.

"The amendment was concurred in."

It should be noted in connection with the passage of this act that the first argument was that enlisted men do not hold offices under the Government of the United States, but enter into a contract of service. They, herefore, are contractors and not office holders. The conclusion is that the prohibitions of the 1894 act would not and should not apply to enlisted men. The contrary holding by the Comptroller General therefore was incorrect. (See 2 Compt. Gen. 373 supra.) Although this seemed to be the basic theory of the bill, the House amendment in part shifted from this basis to what is obviously an idea of rewarding some officers, i.e., those who have performed extraordinary service and have been retired for injuries received in battle or for injuries or incapacity incurred in line of duty. Only such officers apparently are to be construed as not holding another office during such retirement. All other officers would therefore be presumed to hold an office provided they were retired merely for age.

X. THE TEST, 1924–62

By 1924, the broad principle of prohibiting dual officeholding and double salaries had become generally established in our law. Although the basic principle has not been revised or changed since that date, exceptions have been made to take care of obvious situations.

During this period, the doctrine has been subjected to the test of both depression and total war. In the first decade since 1924, there was a period of prosperity when undoubtedly little attention was paid to the doctrine. Jobs were plentiful, money easy and everybody was on a merry-go-round of prosperity. Then came the depression of 1930 when the idea of "spread the work" was foremost, since unemployment mounted to alarming proportions. The doctrine certainly fitted into that period. The next decade included a long, slow, and painful recovery from the ravages of the depression. This was followed by a period of prosperity accentuated by total war. In the depression period, manpower has been plentiful but jobs scarce. Total war brought the reverse, plenty of jobs but manpower in short supply. The third decade since 1924 found us with the reverse problem still unsolved. The advent of the cold war and the birth of atomic energy have all contributed their part to the continuance of the problem.

During this period a number of opinions and decisions have been rendered by the Attorney General and the Comptroller General of the United States respecting dual employment and compensation in connection with both civilian employees and Armed Forces personnel. While none of the opinions and decisions actually change, by way of interpretation, the basic principles of the doctrine as developed up to 1924, they do represent a refinement of the doctrine, by way of exception, under the stresses of both depression and total war. Digests of the opinions and decisions, divided into two groups, those affecting civilian employees and those affecting Armed Forces personnel, together with legislation proposing reforms, follow:

1. Civilian employees

(Chief, Bureau of Efficiency, Board of Actuaries, Civil Service Retirement Act, 34 Atty. Gen. 490, May 23, 1925): "Chief of the Bureau of Efficiency may be appointed a member of the Board of Actuaries under the Civil Service Retirement Act, to serve without compensation and such appointment will not be in violation of any statute."

(Civilian Army employees, court-martial reports, 5 Compt. Gen. 374, Nov. 23, 1925): "Civilian employees of the Quartermaster Corps of the Army are not entitled to extra compensation for services rendered as court-martial reporters when such extra compensation, combined with their regular salary, exceeds the rate of $2,000 per annum."

(Member of Alaska Legislature, Alaska Railroad employees, 5 Compt. Gen. 806, Apr. 8, 1926): "As the act of August 24, 1912, 37 Stat. 513, prohibits an officer or employee of the United States from being a member of the Alaska Legislature, and the act of July 31, 1894, 28 Stat. 205, prohibits any employee of the United States whose salary amounts to $2,500 per annum from holding any other position to which compensation is attached, an employee of the Alaska Railroad receiving compensation of $2,500 or more per annum vacates his position with the railroad by his election to and taking his seat in the Alaska Legislature."

(National Sesquicentennial Exhibition Commission, 5 Compt. Gen. 891, May 4, 1926): "Under the provisions of the joint resolution of March 15, 1926, 44 Stat. 207, employees of the Government may be paid compensation in addition to their regular compensation for work performed after regular office hours in preparing exhibits for the National Sesquicentennial Exposition, upon the certification as to the necessity for such work, notwithstanding the provisions of section 1765, Revised Statutes, and the act of May 10, 1916, 39 Stat. 120, to the contrary."

(Compensation quarters-in-kind, 6 Comp. Gen. 359, Nov. 20, 1926): "The allowance of quarters-in-kind free of charge, in addition to the fixed rate of compensation specified in the schedule of wages for the regular daytime positions, is prohibited as compensation to employees of the Naval Establishment for duties performed outside of regular working hours, either on the basis that the duties outside regular working hours are separate and distinct from the regular duties of the employees, or on the basis that the duties outside regular work hours are not incompatible with employment in the regular daytime positions, but as extra duties."

(Two positions in same department, 6 Comp. Gen. 435, Jan. 4, 1927): "An employee may not be paid the salary of two separate and distinct positions in the same department or establishment even though the combined salaries thereof do not exceed the rate of $2,000 per annum."

(Department of State, Public Health Service, 6 Comp. Gen. 732, May 11, 1927): "An employee of the Department of State receiving an annual salary is prohibited by sections 1764 and 1765, Revised Statutes, from receiving any extra compensation for services rendered the Public Health Service after office hours where such additional compensation was not fixed in advance by law or regulation."

(Postal service employees, 8 Compt. Gen. 487, Mar. 13, 1929): "Under the provisions of section 1 of the act of March 1, 1929, 45 Stat. 1441, dual employments are authorized when both positions are in the postal Service, regardless of the rates of compensation, provided the total compensation actually paid for all services for any one fiscal year does not exceed $2.000. The act is not applicable to cases where one or both positions are in some other branch of the Government service, 8 Compt. Gen. 262 modified only in so far as postal service employees are concerned."

Postal service employees, 8 Compt. Gen. 578, May 2, 1929):

"A postmaster may not serve as substitute or temporary rural carrier and be paid therefor.

"A postmaster, assistant postmaster, or other postal employee may not enter into contract to carry mail or perform service on a star route.

"A rural carrier may serve as mail messenger and be paid not in excess of $300 for any one year provided his total compensation from postal funds does not exceed $2,000 for any one fiscal year.

"A contractor or subcontractor for star-route service may not be employed as substitute or temporary rural carrier."

(Postal service employees, 8 Compt. Gen. 611, May 18, 1929): "Section 2 of the act of March 1, 1929, 45 Stat. 1442, authorizing the Comptroller General of the United States to relieve postmasters from unlawful payments made by them to 'mail messengers, postal employees, and other employees of the United States employed in post offices' for services in a dual capacity, is not applicable to relieve a postmaster from refunding Government funds he received for carrying a rural route during the absence of the regular carrier."

(Postal service employees, 8 Compt. Gen. 662, June 24, 1929): "A special-delivery messenger may enter into a contract for mail messenger service and receive therefor in excess of $300 in any one year, provided he is the lowest bidder and his total compensation for all services does not exceed $2,000 for any one fiscal year."

(Administrative furlough, 12 Compt. Gen. 76, July 19, 1932):

"In view of the terms of section 1765, Revised Statutes, and the act of July 31, 1894, 28 Stat. 205, a civilian employee of the Government holding a position, the salary attached to which amounts to $2,500 per annum or more, may not be employed in any other position under the Government with compensation attaching during the period of administrative furlough without pay required under the terms of section 216 of the act of June 30, 1932. 47 Stat. 407.

"In view of the terms of section 6 of the act of May 10, 1916, as amended by the act of August 29, 1916, 39 Stat. 582, a civilian employee whose compensation is at a rate less than $2,500 per annum may not be employed in a position under another department or office of the Government during the period of administrative furlough without pay required by section 216 of the act of June 30, 1932, 47 Stat. 407, if the combined rate of compensation under the two positions is in excess of $2,000 per annum."

(Home Owners Loan Corporation and National Recovery Administration employees, 14 Compt. Gen. 822, May 10, 1935): "Dual compensation statutes disqualify for further appointment under the National Housing Act those Federal officers and employees already receiving a rate of compensation under any other statute, including those applicable to the Home Owners' Loan Corporation, and the National Recovery Administration, which, together with the rate proposed to be paid by the Federal Housing Administration would exceed the maximum joint salary rate prescribed by the applicable dual compensation statute to be received in more than one Federal office or position."

(Federal Land Bank appraisers, Farm Credit Administration, 15 Compt. Gen. 184, Sept. 9, 1935):

"The authority contained in the act of May 17, 1935, 49 Stat. 247, making appropriation for the Farm Credit Administration for special reports by personal service without regard to the provisions of any other act; * * * does not authorize the employment of temporary personal services without regard to the statutes relating to dual employment and Federal land-bank appraisers, appointed on a permanent basis with annual salaries in excess of $2,000 per annum, may not, during leave of absence without pay, hold any other permanent or temporary office or position under the administrative appropriation for the Farm Credit Administration.

"Federal land-bank appraisers are 'required by law to be exclusively engaged upon some specific work' within the meaning of section 3, act of May 28, 1896, 29 Stat. 179, and when employed full time on an annual basis may not be temporarily detailed or assigned to other duties."

(Fees from one Department, "per annum" from another, 15 Compt. Gen. 828, Mar. 21, 1936): "The receipt of fees for services rendered a Government Agency while employed by another such Agency on a per annum basis is prohibited by section 2 of the act of July 31, 1894, 28 Stat. 205, but said statute is not for application to reimbursement of traveling expenses incurred on behalf of the Government while so employed."

(Inspectors of hulls, Commerce Department, 16 Compt. Gen. 813, Mar. 5, 1937): "Inspectors of hulls of the Commerce Department may be appointed as deputy collectors of customs for the purpose of issuing 'continuous discharge books' to seamen on merchant vessels of the United States as required by section 3 of the act of June 25, 1936, 49 Stat. 1934, notwithstanding their compensation is in excess of $2,500 per annum, provided the appointments are without compensation."

(Contract fee basis, 16 Compt. Gen. 909, Apr. 1, 1937): "The employment by one Federal agency on a contract fee basis of a person serving under another Government agency in a part-time position on a per annum pay basis is not prohibited by the dual compensation statutes-section 1765, Revised Statutes; section 2, act of July 31, 1894, 28 Stat. 205; and section 6, act of May 10, 1916, as amended by the act of August 29, 1916, 29 Stat. 120, 582, notwithstanding the combined compensation of the two employments exceeds $2,000, or either of them exceeds $2,500 per annum, and a low bid for such contract services on a fee basis may not be rejected because of such other part-time employment, 15 Compt. Gen. 751; id. 828, amplified."

(Alien property custodian employees, 19 Compt. Gen. 751, Feb. 26, 1940): "While the moneys available to the Alien Property Custodian appointed to administer the Trading With the Enemy Act of October 6, 1917, 40 Stat. 411, for the payment of expenses of his office were derived from funds, etc., 'due or belong to an enemy, or ally of enemy,' the position of chief of accounts in his office was nevertheless an 'office' within the meaning of the act of July 31, 1894, 28 Stat. 205, prohibiting appointment of a person holding an 'office' with an annual salary of $2,500 to another 'office' to which compensation is attached unless specially authorized by law. Question whether appointment to said position of employee holding an 'office,' with salary of more than $2,500 per annum, was valid or void because of the said prohibition discussed and determined in favor of its validity, thus requiring refund of salary paid under the first 'office' after the second appointment. Various dual compensation acts—sections 1763, 1764, 1765, Revised Statutes; and acts of July 31, 1894, and May 10, 1916, as amended—discussed."

(Federal Housing Administration employees, 10 Compt. Gen. 926, May 14, 1940): "Compensation payments to a person employed by the Federal Housing Administration during a period of employment under another Government agency need not be questioned as in violation of the Dual Compensation Act of May 10, 1916, as amended, in view of the broad personnel appointment, etc., authority vested in the Federal Housing Administrator by section 1 of the National Housing Act, 48 Stat. 1246."

(Annual salary, fees, 22 Compt. Gen. 312, Oct. 3, 1942): "The employment by one Government agency of a medical adviser on an annual salary basis, who is also employed, whether by contract or otherwise, by another Government agency as a consultant on a fee basis does not constitute a violation of the restriction against the holding of more than one office contained in the act of July 31, 1894, as amended (15 Compt. Gen. 828, modified), nor does such employment constitute a violation of the dual compensation restrictions of section 1765, Revised Statutes, and the act of May 16, 1916, as amended."

(Nurses aids, 23 Compt. Gen. 900, May 27, 1944):

"In the case of full-time Federal employee receiving $2,000 or more per annum, the payment of $1 per annum compensation for services under appointments as nurses' aids outside of their regular hours of work would constitute payment of 'salary' in contravention of the prohibition in the dual compensation statute of May 10, 1916, as amended, against the payment of more than one salary to a person if the combined amount of the salaries exceeds $2,000 per annum.

"The furnishing of subsistence and lodging in kind, when necessary for the benefit of the Government—to full-time Federal employees while they are serving as nurses' aids in Government hospitals outside of their regular hours of work does not constitute 'salary' within the meaning of the prohibition in the act of May 10, 1916, as amended, against the payment of more than one salary to a person if the combined amount of the salaries exceeds $2,000 per annum; nor is it to be regarded as payment of salary or allowances within the meaning of the other dual compensation statutes (secs. 1764 and 1765, Rev. Stat., and the act of July 31, 1894, as amended).

"Part-time or intermittent employment of a regular full time Federal employee as a nurses' aid in a Government hospital does not constitute the 'holding of an office to which compensation is attached' within the meaning of the act of July 31, 1894, as amended, prohibiting persons whose annual compensation in one office amounts to $2,500 or more from holding another office to which compensation is attached.

"A nurses' aid employed in a Government hospital on a part-time or intermittent basis is not an 'officer or clerk' and, therefore, where regularly employed Federal personnel are engaged, outside their regular hours, on a part time or intermittent basis as such nurse's aids, the 'additional services' prohibition in section 1764, Revised Statutes, with respect to officers and clerks has no application.

"Employment of full time Federal employees as nurses' aids in Government hospitals outside of their regular hours of work would not be incompatible with services performed in the regular positions and, hence, would not be in contravention of the additional compensation restrictions of section 1765, Revised Statutes, which have no application in the case of separate and distinct compatible employments.

"The practice of authorizing the payment of compensation at the rate of $1 per annum is unnecessary unless required by some statute or appropriation act other than section 3679. Revised Statutes, as amended, prohibiting the acceptance of voluntary service for the Government, so that the payment of $1 per annum to Federal employees serving as volunteer nurses' aids in Government hospitals outside of their regular hours of work is not required."

(Within-grade salary advance, 24 Compt. Gen. 52, July 19, 1944):

"If there have been met all of the terms and conditions necessary to authorize a within-grade salary advancement under the act of August 1, 1941, in one of the two positions which an employee holds, the advancement may not be delayed or defeated by action of the administrative office or the employee even though such advancement may preclude the employee from remaining in the position because of the operation of the act of July 31, 1894, as amended, prohibiting persons whose annual compensation in one office amounts to $2,500 or more from holding another office to which compensation is attached.

"In view of the provision in the act of July 31, 1894, as amended, prohibiting persons whose annual compensation in one office amounts to $2,500 or more from holding another office to which compensation is attached, the holding by a retired Army officer of a civilian position became invalid on the date the salary attaching to the position equaled $2,500 per annum due to a within-grade salary advancement pursuant to the act of August 1, 1941, and the salary paid to him in such position on and after that date, having been made in direct contravention of law, must be refunded by him."

(State-Federal agricultural extension service employees, 25 Compt. Gen. 868, June 13, 1946): "Federal funds granted to a State under the act of May 8, 1914, for cooperative agriculture extension work, upon being properly receipted for by the State, lose their identity as Federal funds and become funds of the State, and therefore, the concurrent employment by the Federal Government of a State employee paid from such funds need not be regarded as in contravention of the dual compensation and employment statutes (5 United States Code 58, 62, and 69), provided the dual Federal and State employment prohibition of Executive Order No. 9, dated January 17. 1873, is not for application."

(State and Federal positions, 29 Compt. Gen. 277, Dec. 15, 1949 (B-83536)): "The appointment of a full time Federal employee with a salary in excess of $2,500 to a position as part-time administrative assistant in a State National Guard would not result in the holding of more than one office under the Federal Government in violation of the dual employment restrictions of the act of July 31, 1894, as amended, or of the dual compensation limitations of section 1763, Revised Statutes; nor is the latter employment incompatible with the former so as to constitute a violation of the additional compensation prohibitions of section 1765, Revised Statutes."

(Dual offices—leave status, 30 Compt. Gen. 386, Mar. 28, 1951):

"An employee on leave without pay from a Government department may be employed by a Government commission of temporary character without contraventing the act of July 31, 1894, as amended, prohibiting persons whose annual compensation in one office amounts to $2,500 or more from holding another office to which compensation is attached unless specially authorized by law.

"An employee placed in a leave without pay status from one Government agency is not prohibited from employment with another agency by the dual compensation act of May 10, 1916, as amended, which prohibits the receipt of more than one salary of the combined amount of the salaries exceeds $2,000 per annum."

(Double salaries—aggregate rate governs, 30 Compt. Gen. 525, June 26, 1951: "Under the dual compensation act of May 10, 1916, as amended, prohibiting the use of appropriated funds for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum, the aggregate rate of compensation and not the total amount received in any particular year governs the application of the act, so that a person who is in receipt of two salaries covering the same period of time the aggregate rate of which exceeds the sum of $2,000 per annum is required to refund one of the salaries."

(Congressional committee—Government employees, 31 Compt. Gen. 414, Feb. 19, 1952): "An employee on leave without pay from a Government agency may be employed by a temporary Congressional Committee without contravening the act of July 31, 1894, as amended, prohibiting persons whose annual compensation in one office amounts to $2,500 or more from holding another office to which compensation is attached unless specifically authorized by law."

(District of Columbia judges—reemployment, 31 Compt. Gen. 505, Apr. 10, 1952):

"In view of the dual compensation restriction in the act of August 29, 1916, as amended, a judge of the Municipal Court of Appeals of the District of Columbia who receives the retirement salary provided under the act of April 1, 1942, may not in addition thereto receive the compensation attaching to a position or office with the Federal Government nor may he waive the retirement salary for the purpose of accepting said compensation.

"A judge of the Municipal Court of Appeals of the District of Columbia, who receives the retirement salary provided under the act of April 1, 1942, is not prohibited by the dual compensation and employment statutes from accepting compensation as an employee of a State or municipal government or agency having no connection with the Federal or District of Columbia Governments.

"In view of the dual compensation restriction in the act of August 29, 1916, as amended, a judge of the Municipal Court of Appeals of the District of Columbia who receives the retirement salary provided under the act of April 1, 1942, may not in addition thereto receive the compensation of a position or office with a territorial government such as Alaska, the Virgin Islands, Puerto Rico, or Hawaii.

"A judge of the Municipal Court of Appeals of the District of Columbia who receives the retirement salary provided under the act of April 1, 1942, may accept compensation as an employee of an international agency, such as the United Nations, International Bank for Reconstruction and Development of the International Labor Organization, without violating the dual compensation and employment statutes."

(Scholarship and pay, 31 Compt. Gen. 670, June 19, 1952): "An employee who was granted a 1-year leave of absence from his position to accept a scholarship of limited duration, awarded by the Department of State and Board of Foreign Scholarships pursuant to the act of August 1, 1946, and who during the leave of absence received payment for a scrap survey conducted for his agency while drawing an allowance under the scholarship is not to be considered as having violated any of the dual employment or compensation statutes."

(District of Columbia teachers, 33 Compt. Gen. 463, Apr. 16, 1954): "The Dual Compensation Act of 1916, which prohibits the payment of combined salaries to any Government employee at a rate in excess of $2,000 per annum is applicable to District of Columbia schoolteachers, therefore an employee who was employed as a District of Columbia teacher while on annual leave prior to separation from the Government, and whose leave payment and compensation as a teacher exceeded the $2,000 per annum rate, is required to refund one of the salaries received."

(Public Health Service officers, 36 Compt. Gen. 243, Sept. 27, 1956): "Members of the Commissioned Corps of the Public Health Service who are receiving retired pay which amounts to $2,500 or more a year are prohibited by the act of July 31, 1894, 5 U.S.C. 62, from holding any office or position under the Federal Government to which compensation attaches, and the exemption relating to members of the Army, Navy, Air Force, Marine Corps, or Coast Guard who are retired for physical disability is not applicable to officers in the Public Health Service."

(Civilian employees—Dual Compensation—Additional part time, intermittent employments, 37 Compt. Gen. 64, July 31, 1957):

"Under the Dual Compensation Act of May 10, 1916, 5 U.S.C. 58, which prohibits the availability of appropriations for payment to any person receiving more than one salary when the combined amount exceeds $2,000 per annum, the courts have interpreted the word 'salary' as not applying to persons employed on an intermittent basis, and, therefore, intermittent employments are now held to be outside the purview of such prohibition.

"Part-time employments are subject to the Dual Compensation Act of May 10, 1916, 5 U.S.C. 58, which prohibits the availability of appropriations for payment to any person receiving more than one salary when the combined amount exceeds $2,000 per annum.

"The fact that employees are in a leave-without-pay status while employed in other Federal positions does not exempt them from the dual compensation act of May 10, 1916, 5 U.S.C. 58, which prohibits the availability of appropriations for payment to any person receiving more than one salary when the combined amount exceeds $2,000 per annum.

"Although employees hired on part-time basis may not be appointed to other part-time positions when the $2,000 annual salary limitation in the dual compensation act of May 10, 1916, 5 U.S.C. 8, is exceeded, they may serve in intermittent positions; and, likewise, employees hired on an intermittent basis may serve in other intermittent or part-time positions without regard to the 1916 dual compensation act prohibition.

"Forest Service employees, who are employed on a continuous and/or intermittent basis year after year and who work full time during the field season and at the end of the season remain on rolls in a nonpay status, may not during period of full-time employment hold a part-time position if the $2,000 salary limitation in the dual compensation act of May 10, 1916, 5 U.S.C. 58, is exceeded, but during the period outside of the field season they may be considered as in a furlough status and thus the 1916 dual compensation prohibition would not be violated by the holding of a part-time position.

"In view of misunderstanding which has prevailed over the use of the terms 'part time' and 'intermittent' in connection with the dual compensation prohibition in the act of May 10, 1916, 5 U.S.C. 58, recovery of compensation which has been paid in those cases which are not held to be in violation of the statute will not be required."

(Federal Employees Salary Increase Act of 1958—Retroactive increase effect on dual compensation limitation, 38 Compt. Gen. 103, Aug. 4, 1958): "Where a retroactive salary increase payment authorized for classified positions under section 17(a) of the Federal Employees Salary Increase Act of 1958 would cause an employee, who is also in receipt of military retired pay, to be indebted to the United States by reason of increasing the civilian salary and military retired pay beyond the $10,000 dual compensation limitation in 5 U.S.C. 59(a), the effect would be to create an obligation or destroy a vested right of the employee by the retrospective operation of law contrary to the established rule of statutory construction, therefore the retroactive provisions of section 17(a) do not have to be applied in such a situation."

(Civilian employees on military duty—Tariff Commissioner—Dual Office Prohibitions, 38 Compt. Gen. 155, Aug. 26, 1958): "Although 15 days of a 6-week period of active military duty as a reserve officer performed by a member of the Tariff Commission who holds a Presidential appointment, confirmed by the Senate, and who is specifically prohibited under 19 U.S.C. 1330(c) from engaging in any other employment while holding the position of commissioner is specifically authorized under 5 U.S.C. 30r, during the period of military duty in excess of 15 days in one calendar year, the reserve officer is required under 5 U.S.C. 30r(d) to be considered an officer of the United States and since as Commissioner he is not on a fixed leave basis his status for active duty military pay and allowances is too doubtful to permit payment; however, consideration of the service in excess of 15 days as gratuitous service would not preclude receipt of compensation payable as Tariff Commissioner."

(Civilian personnel—Double compensation—Foreign post, etc., allowances, 40 Compt. Gen. 603, Apr. 28, 1961): "In the absence of any indication in the legislative history of the act of July 25, 1958, that the 25-percent tropical differential paid under section 7 of the act to an employee in the Canal Zone, who is also in receipt of military retired pay under 10 U.S.C. 3914, is to be regarded as basic compensation for purposes other than those specifically mentioned in section 9 of the act, the differential should not be included as a part of the employee's compensation in the computation of the $10,000 limitation on civilian salary and retired pay imposed under the dual compensation restriction in section 212 of the Economy Act of 1932, 5 U.S.C. 59a."

(Service credit for civilian retirement, 41 Compt. Gen. 460, Jan. 16, 1962): "To permit a retired member of the uniformed services, who qualified for a civil service retirement annuity for former Members of Congress on the basis of credit for active military service and congressional service, to have the military service excluded from the computation of the annuity in order to receive a reduced annuity and disability retired pay would be to give the Member a double benefit based on the same military service contrary to section 401 of the Civil Service Retirement Act, 5 U.S.C. 2253(b), which precludes a Member who is awarded retired pay on account of military service from having the military service included in establishing entitlement to the annuity, unless the retired pay is received on account of a service-connected disability incurred in combat or caused by an instrumentality of war; therefore, the Member whose disability does not come within either of those two categories may not be paid disability retired pay."

(Waiver, 461 Compt. Gen., Jan. 16, 1962): "A retired member of the uniformed services who when he applied for a civil service retirement annuity based on service as a Member of Congress and on active military service was entitled to receive disability retired pay but who was not eligible for the civilian annuity without the credit for military service must be regarded as actually or constructively waiving or relinquishing his right to receive retired pay in order to receive the larger member annuity.

(Civil Service Commission, 41 Compt. Gen. 461, Jan. 16, 1962): "Although the question of whether a member of the uniformed services entitled to disability retired pay may be paid a reduced civil service retirement annuity for a Member of Congress based only on nonmilitary services when his active military service was added to the congressional service to qualify him for the annuity is not a matter for decision by the Comptroller General of the United States since what constitutes creditable service for the Civil Service Retirement Act is primarily for determination by the Civil Service Commission, the question of the Member's entitlement to retired pay based on military service is for decision by the Comptroller General."

(Compensation: Double—Holding two offices—Civilian position and active military status, 41 Compt. Gen. 476, Jan. 29, 1962):

"Although the dual office prohibition in the act of July 31, 1894, 5 U.S.C. 62, does not preclude a civilian employee from simultaneously holding a commission in the Public Health Service Reserve in an inactive status, when the employee is on active duty as a Public Health Service Reserve officer he is holding an office with compensation attached within the meaning of the 1894 act and, therefore, the act prevents the person from legally holding his civilian position (even though in a leave-without-pay status) while on active duty as a commissioned officer in the Public Health Service Reserve.

"Since the Reserve Corps of the Public Health Service is not a component of the Armed Forces, a commissioned Public Health Service Reserve officer who is also a civilian employee is not entitled to leave of absence for military duty or to the dual office exemption provided for members of reserve components and National Guardsmen by section 29 of the act of August 10, 1956, 5 U.S.C. 30r; therefore, when the employee serves on active duty with pay as a commissioned officer in the Reserve Corps of the Public Health Service he vacates his civilian position and upon return to an inactive Reserve status he must be reappointed to the civilian position, there being no authority to retain him in the civilian position in a leave-without-pay status, or to permit him to waive compensation of the civilian position.

"The term 'other duty' in section 501(b) of the Career Compensation Act of 1949, as amended, 37 U.S.C. 301(b), authorizing additional training or other duty, without pay, for members of Reserve components of the Armed Forces, including the Reserve Corps of the Public Health Service, is interpreted as including 'active duty'; therefore, an employee who serves on active duty as a commissioned officer in the Reserve Corps of the Public Health Service, without pay, does not hold another office to which compensation is attached within the meaning of the dual office prohibition in the act of July 31, 1894, 5 U.S.C. 62, and is not in receipt of more than one salary within the double compensation restriction in the act of May 10, 1916, 5 U.S.C. 58.

"The detail of a civilian employee to the Public Health Service for a brief period (2 weeks), either on a reimbursable or nonreimbursable basis, for such duties as the Public Health Service may specify would not be legally objectionable so long as the employee performs the duties on the same basis that duties would ordinarily be performed by any civilian employee detailed from one department or agency to another under section 601 of the Economy Act of June 30, 1932, 31 U.S.C. 686; however, if the employee were to be 'detailed' to the Public Health Service to perform duties in his status as a commissioned officer of the Reserve Corps of the Public Health Service, he would be regarded as a Reserve officer in an active duty status and could not be considered to be on detail from his civilian position."

2. *Armed Forces personnel*

(Navy officer retired for disability in line of duty, 3 Compt. Gen. p. 1009, June 28, 1924): "Navy officer retired for incapacity incurred in line of duty may be employed in a civil position, not in the Diplomatic or Consular Service, irrespective of the salary thereof, and at the same time received his retired pay from the Navy."

(Army enlisted man on active duty, 5 Compt. 408, Dec. 5, 1925): "Where a retired enlisted man of the Army is detailed to active duty pursuant to law and is in receipt of active duty pay he may not, at the same time, be paid from Federal funds the pay and allowances of any other military office."

(Naval officer on active duty, 5 Compt. Gen. 548, Jan. 29, 1926): "A retired officer of the Navy on active duty, whose salary is in excess of $2,500 per annum is prohibited by the act of July 31, 1894, 28 Stat. 205, from holding another position to which compensation is attached."

(National Guard enlisted men—caretakers, 6 Compt. Gen. 683, Apr. 20, 1927): "The employment of enlisted men of the National Guard in the dual capacity of caretakers of material, animals, and equipment of the National Guard and caretakers of target ranges, and the payment of compensation for both employments, are in violation of the provisions of section 1765, Revised Statutes."

(Emergency officers—Panama Canal, 9 Compt. Gen. 221, Nov. 23, 1929):

"A retired emergency officer who is entitled to retired pay under the act of May 24, 1928, 45 Stat. 735, is not a person 'in military or naval service of the United States' within the meaning of section 4 of the Panama Canal Act of August 24, 1912, 37 Stat. 561.

"The act of May 24, 1928, 45 Stat. 735, is a part of the provisions made for disabled veterans of the World War, and in the construction of statutes imposing disabilities on persons in the military or naval service with respect to employment in the Federal civil service the act of May 24, 1928, should have a construction in keeping with its purpose."

(Army officer—Bureau of the Census, 10 Compt. Gen. 85, Aug. 23, 1930): "The employment under the Census Bureau of a retired officer of the Army, who was retired at his own request after 30 years' service, is in direct contravention of the act of July 31, 1894, 28 Stat. 205, as amended by the act of May 31, 1924, 43 Stat. 245, and is unauthorized."

(Army officer—Commissioner of the District of Columbia, 36 Atty. Gen. 388, Mar. 4 1930): "A retired Army officer, who has the qualifications of citizenship and residence specified in section 2 of the Act of June 11, 1878 (20 Stat. 103), is eligible for appointment of the office of Commissioner of the District of Columbia."

(Military personnel—National Recovery Administration, 13 Compt. Gen. 60, Aug. 30, 1933):

"The National Recovery Administration may employ retired enlisted personnel, who have been retired on enlisted service only, and fix their rates of compensation for such civilian service on the same basis as that for any other officer or employee without restriction other than the value of the services and such employees would be entitled to continue to receive their retired pay.

"The National Recovery Administration may employ retired commissioned and warrant officers of the Army, Navy, Marine Corps, Coast Guard, and Coast and Geodetic Survey, who were retired for injuries incurred in battle or for injuries or incapacity incurred in line of duty, but with the exception of those retired for disability incurred in combat with an enemy of the United States whose rate of compensation for civilian service may be fixed without regard to the restrictions of the dual compensation status, the rate of compensation paid for such civilian service, when combined with the rate of retired pay received, may not exceed $3,000 per annum.

"The National Recovery Administration may employ retired commissioned and warrant officers who were retired for causes other than disability, that is 30 years' service or for age, only if the rate of retired pay and the rate of compensation fixed for the civilian office or position are each less than $2,500 per annum, but under section 212 of the Economy Act the officer or employee in such case could actually receive a combined rate of retired pay and civilian compensation not in excess of $3,000 per annum.

"The National Recovery Administration may not employ retired commissioned and warrant officers who were retired for causes other than disability incurred in line of duty if the rate of either the retired pay or the compensation fixed for the civilian position is $2,500 per annum or more."

(Army and Navy officers (for age) holding temporary positions, 14 Compt. Gen. 68, July 25, 1934): "An officer of the Army, retired after 30 years' service, or an officer of the Navy, retired after 40 years' service, is not prohibited by the act of July 31, 1894, 28 Stat. 205, as amended, from holding a temporary Federal office or position under appointment by the President or the head of a department, notwithstanding his retired pay is at a rate in excess of $2,500 per annum, and if both the retired pay and civilian compensation exceed the rate of $3,000 per annum, he may elect, under the terms of section 212 of the Economy Act, for the period of temporary civilian employment, between his retired pay and the compensation fixed for the temporary civilian office or position."

(Naval officer (for age) Assistant Deputy Commissioner of Internal Revenue, 14 Compt. Gen. 179, Aug. 29, 1934): "Pursuant to the act of July 31, 1894, 28 Stat. 205, the appointment of a retired naval officer, retired for length of service, whose retired pay is in excess of $2,500 per annum, to the position of Assistant Deputy Commissioner, Bureau of Internal Revenue, a permanent fulltime position, was void ad initio, and payment of compensation in the civilian position is not authorized. [Affirmed, 14 Compt. Gen. 289, Oct. 6, 1934]."

(Chief boatswain, Navy, 14 Compt. Gen. 842, May 22, 1935): "A retired chief boatswain of the Navy employed in a civilian office or position whose retired pay is based on longevity, including wartime commissioned service subsequent to retirement, is receiving pay 'for or on account of services as a commissioned officer,' within the meaning of section 212 of the Economy Act of June 30, 1932 (47 Stat. 406), which limits his combined rate of retired and civil pay to $3,000 per annum.

(Navy nurses, 15 Comp. Gen. 74, July 24, 1935): "A retired nurse of the Navy retired for disability is within the inhibition of section 6 of the act of May 10, 1916, as amended by the act of August 29, 1916, 39 Stat. 582, being neither a retired officer nor a retired enlisted man within the express exception to that statute, and accordingly may not be employed in a civilian position with a salary rate which, together with the annual rate of retired pay, would exceed $2,000 per annum."

(Naval Officer, "in line of duty," 39 Atty. Gen. 94, Aug. 17, 1937): "A naval officer retired on account of incapacity incurred in line of duty may be appointed Director of the Bureau of Marine Inspection and Navigation without affecting his right, subject to the limitations in United States Code, title 5, section 59(a), to receive retired pay."

(Officers' Reserve Corps, 39 Atty. Gen. 197, Oct. 26, 1938):

"Section 1222 R.S. does not prohibit appointment of an Army officer on the active list to a civilian office, but acceptance of such office vacates his commission in the Army.

"The section is inapplicable, under circumstances stated, to an officer of the Reserve Corps on leave of absence without pay from active duty with the Army.

"Section 2, act of July 31, 1894, prohibiting the holding of more than one office, is inapplicable where the annual compensation attached to each office amounts to less than $2,500."

(Army warrant officer, reclassification of position, 23 Compt. Gen. 445, Dec. 16, 1943):

"The reclassification of a position, which is finally consummated, from grade CAF–6, $2,300 per annum, to grade CAF–7, $2,600 per annum, may not be regarded as void merely because the incumbent a retired Army warrant officer, is prohibited by the dual compensation statute of July 31, 1894, as amended, from receiving salary in a civilian position at the rate of $2,500 or more per annum, and, therefore, the said retired warrant officer may not be deemed to have continued in grade CAF–6 after the reclassification but, rather, he is required to refund the entire amount of salary paid in grade CAF–7 at the rate of $2,600 per annum (21 Compt. Gen. 38, distinguished).

"A retired Army warrant officer who has been appointed to a civilian position and has received the salary thereof at a rate in excess of $2,500 per annum, in contravention of the dual compensation statute of July 31, 1894, as amended, may not elect to retain the salary of the civilian position and refund his retired pay for the period involved, but, rather, the civilian salary paid must be refunded.

"The words 'salary or annual compensation' as used in the dual compensation statute of July 31, 1894, as amended, which provides that 'no person who holds an office the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars shall be appointed to or hold any other office * * *' refer to basic compensation of $2,500 per annum, which is exclusive of overtime compensation authorized to be paid under the War Overtime Pay Act of 1943."

(Coast Guard officer—Merchant seaman, 24 Compt. Gen. 344, Nov. 3, 1944): "In view of the provisions of section 1(a) of the act of March 24, 1943, excluding seamen employed on vessels owned or operated by the War Shipping Administration for the operation of certain statutes applicable to Federal employees generally, thus indicating a legislative purpose to preserve the private-employee status of such seamen, a retired Coast Guard officer so employed is not to be regarded as within the limitation of section 212 of the act of June 30, 1932, respecting the concurrent payment of retired pay and civilian compensation in an office or position under the U.S. Government."

(Marine Corps officer—U.S. minister, 24 Compt. Gen. 467, Dec. 20, 1944): "Irrespective of the fact that a retired Marine Corps officer may be receiving retired pay 'for disability incurred in combat with an enemy' and, hence, is within the exception to the dual compensation restrictions of section 212 of the act of June 30, 1932, as amended, such retired pay is 'salary' within the meaning of the prohibition in the Department of State Appropriation Act, 1945, against the receipt by ambassadors and ministers of any other salary from the United States, so as to preclude the officer from receiving retired pay while receiving the salary of a U.S. minister."

(Fleet Reserve members, retired enlisted men and warrant officers, 25 Compt. Gen. 521, Jan. 11, 1946):

"In view of the provisions of section 4 of the Naval Reserve Act of 1938, permitting enlisted men transferred to the Fleet Reserve to receive the compensation attached to civilian employment in addition to pay and allowances accruing under said act, the dual compensation provisions of section 212 of the act of June 30, 1932, have no application to prevent such reservists from being paid the retainer pay authorized by said 1938 act in addition to civilian compensation, regardless of the civilian salary rate or whether retainer pay be regarded as 'retired pay' under said section 212 or whether commissioned service was included in computing retainer pay or in determining eligibility for transfer to the Reserve.

"A retired enlisted man of the Navy receiving retired pay on the basis of his enlisted grade is not to be considered as receiving retired pay 'for or on account of services as a commissioned officer' within the meaning of the dual compensation provisions of section 212 of the act of June 30, 1932, solely because service as a commissioned officer or commissioned warrant officer is included in the computation of his length of service for longevity pay and retirement purposes as an enlisted man, irrespective of whether such commissioned service was before or after retirement (12 Compt. Gen. 37; 21 id. 72, distinguished).

"Since retired enlisted men are expressly exempt from the restrictions of the dual compensation and employment statutes (act of May 10, 1916, as amended; act of July 31, 1894, as amended; and section 212 of the act of June 30, 1932—later section being applicable only to retired pay 'for or on account of services as a commissioned officer'), retired enlisted men of the Navy who are in receipt of the retired pay of their enlisted grades may receive the compensation attached to civilian employment and continue to receive their retired pay.

"Since a retired warrant officer may not be regarded as receiving retired pay 'for or on account of services as a commissioned officer' within the meaning of the dual compensation provisions of section 212 of the act of June 30, 1932, such an officer may be employed in a civilian position and accept the compensation attached thereto while in receipt of his retired pay, provided the retired pay and such compensation each is less than the $2,500, per annum maximum contained in the dual employment statute of July 31, 1894, as amended."

(Army officers—Army emergency relief, 26 Compt. Gen. 192, Sept. 16, 1946): "The Army emergency relief, a charitable and benevolent corporation organized for the benefit of personnel of the Army of the United States, which, while directed by War Department officials by virtue of their office and administered, for the most part, by Government personnel, conducts its lawful functions without interference or assistance by the Government, is not an agency of the Government, and, therefore, a retired Army officer may be employed by the Army emergency relief without regard to the dual compensation limitation of section 212 of the act of June 30, 1932, as amended, or the dual employment restriction of section 2 of the act of July 31, 1894, as amended."

(Navy enlisted personnel advanced on retired listed commissioned rank, 26 Compt. Gen. 271, Oct. 28, 1946):

"A retired Navy enlisted man who, as provided by section 10 of the act of July 24, 1941, as amended, is returned to inactive status with the commissioned rank held under a temporary promotion while on active duty after retirement does not hold the 'office' of a retired officer but, rather, continues to hold the 'office' of an enlisted man on the retired list and, therefore, remains within the exception of retired enlisted men from the prohibition in the act of July 31, 1894, as amended, against the appointment to, or the holding of, more than one office.

"Retired Navy enlisted men who, as provided by section 10 of the act of July 24, 1941, as amended, are returned to inactive status with retired pay computed on the pay of the temporary commissioned rank held while on active duty after retirement are to be regarded as in receipt of retired pay 'for or on account of' commissioned service within the meaning of section 212 of the act of June 30, 1932, as amended, so as to be subject to the restriction therein on the combined rate of civilian compensation and retired pay which may be received.

"Navy enlisted men placed on the retired list pursuant to section 8(a) of the act of July 24, 1941, or retired enlisted men advanced thereon pursuant to section 8(b) of said act, with retired pay computed on the pay of the temporary active-duty commissioned rank held at the time of incurrence of physical disability, are to be regarded as in receipt of retired pay 'for or on account of' commissioned service within the meaning of section 212 of the act of June 30, 1932, as amended, so as to be subject to the restriction therein on the combined rate of civilian compensation and retired pay which may be received.

"Enlisted men or retired enlisted men of the Navy who, pursuant to sections 8(a) or 8(b), or section 10, as amended, of the act of July 24, 1941, become entitled to retired pay computed on the pay of their temporary active-duty commissioned rank may not waive computation on such basis and elect to receive retired pay based on enlisted ratings, so as to render themselves exempt from the limitation of section 212 of the act of June 30, 1932, as amended, on the combined rate of civilian compensation and retired pay 'for or on account of' commissioned service which may be received. Statements to the contrary in prior decisions no longer will be followed.

"The restriction of section 212 of the act of June 30, 1932, as amended, against the receipt by retired military, etc., personnel of retired pay at a rate which, when combined with the 'annual rate of compensation' from a civilian position, equals or exceeds $3,000 per annum, has reference to basic civilian compensation, and, therefore, the salary differential payable in certain cases of civilian employment outside the continental United States, being a part of basic compensation, is for inclusion in applying such restriction.

"The monetary allowance for quarters, etc., prescribed for certain civilian employees on duty in foreign countries is not a part of basic compensation to be included in applying the restriction of section 212 of the act of June 30, 1932, as amended, against the receipt by retired military, etc., personnel of retired pay at a rate which, when combined with the 'annual rate of compensation' from a civilian position equals or exceeds $3,000 per annum.

"In the case of a retired Navy enlisted man, employed in a civilian position when recalled to active duty, who, after return to inactive status, becomes entitled under the act of July 24, 1941, as amended, to retired pay computed on the pay of his temporary active-duty commissioned rank, application of the restriction of section 212 of the act of June 30, 1932, as amended, as to concurrent receipt of civilian compensation and retired pay on account of commissioned service does not, constitute an abridgement of his reemployment rights under the Selective Training and Service Act of 1940, as amended—such restriction being operative in respect of retired pay only."

(Reserve officers, 28 Comp. Gen. 361, Dec. 17, 1948):

"The payment of retired pay under title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 to Reserve officers on inactive duty, who also occupy Federal civilian positions the compensation attached to which equals or exceeds $2,500 per annum, need not be regarded as in contravention of the dual employment restriction in the act of July 31, 1894, as amended.

"Commissioned Reserve officers retired under title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, with retired pay computed on the basis of their highest grades, and who also hold civilian positions with the Federal Government, are to be regarded as receiving retired pay 'for or on account of services as a commissioned officer' within the meaning of section 212 of the Economy Act of June 30, 1932, as amended, so as to be prohibited from receiving combined retired pay and civilian compensation in excess of $3,000 per annum.

"A person in receipt of an annuity under the Civil Service Retirement Act of 1930, as amended, on account of Federal civilian service, and who is entitled to be paid retired pay under title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 for military Reserve service, concurrently may receive retired pay under the 1948 act and annuities under the 1930 act as amended."

(Nurses, Armed Forces, 29 Comp. Gen. 80, Aug. 17, 1949):

"Retired members of the Navy Nurse Corps who were placed on the retired list prior to April 16, 1947, the effective date of the Army-Navy Nurses Act of 1947, which granted commissioned officer status to members of the Navy Nurse Corps, do not receive retired pay for or on account of commissioned service within the purview of section 212 of the act of June 30, 1932, as amended, so as to be subject thereunder to the prohibition against the concurrent receipt of civilian compensation and retired pay at a combined rate in excess of $3,000 per annum.

"A member of the Navy Nurse Corps retired under the act of December 3, 1945, without having acquired a commissioned status, and who is receiving retired pay concurrently with civilian compensation in a combined amount in excess of $2,000 per annum—being neither an officer nor an enlisted man—is to be regarded as receiving a 'salary' in her retired status within the meaning of the dual compensation statute of May 10, 1916, as amended, and, therefore such person should be required to refund the salary which she has not elected to retain."

(Fleet admiral, Navy—member of Presidential Commission, 30 Compt. Gen. 371, Mar. 7, 1951): "The receipt of compensation as a member of the President's Commission on Internal Security and Individual Rights concurrently with active duty pay as Fleet Admiral of the Navy would be in contravention of the act of May 10, 1916, as amended, prohibiting payments from appropriated funds to any person receiving more than one salary when the combined amount of the salaries exceeds the sum of $2,000 per annum."

(Commissioned officers—Veterans' Administration, 31 Compt. Gen. 27, Aug. 8, 1951): "The 5-year period in section 2 of the act of August 10, 1946, during which the Administrator of Veterans' Affairs is authorized to employ retired commissioned or warrant officers without loss of their retirement rights is a limitation on the authority to appoint such officers rather than a limitation on the length of their employment, so that retired officers employed pursuant to said act may be continued on the rolls of the Veterans' Administration indefinitely so long as their services are needed, without loss of retirement rights."

(Navy enlisted man advanced on retired list, 31 Compt. Gen. 619, May 29, 1952): "A retired enlisted man of the Navy who is advanced on the retired list, retroactively to the date of his retirement, to commissioned rank pursuant to the provisions of the act of July 24, 1941, as amended, would not be subject to the restrictions of section 212 of the act of June 30, 1932, as amended, prohibiting receipt of civilian compensation and retired pay in excess of a combined rate of $3,000 prior to the date of the order retroactively advancing him on the retired list."

(Compensation—Double—Temporary mail clerk, 35 Compt. Gen. 75, Aug. 5, 1955): "A retired commissioned warrant officer who is employed as a temporary substitute mail clerk in the absence of the regular mail clerk and classified substitutes, at an hourly rate which would aggregate in excess of $3,000 a year had he been employed full time, is not the incumbent of the position except on the days when he actually worked, and on those days he is not entitled to receive retired pay which when combined with the civilian compensation for that day would be in excess of the $3,000 per annum dual compensation limitation in section 212 of the Economy Act of 1932."

(Compensation—Double—Consultants employed under Mutual Security Act of 1954, 35 Compt. Gen. 308, Nov. 29, 1955): "A retired Army officer who was appointed as a consultant at $40 a day with a regular 40-hour, 5-day weekly tour of duty under section 104(e) of the Economic Cooperation Act of 1948 as continued by section 7(c) of the Mutual Security Act of 1952 may be regarded as holding an appointment as a temporary consultant under section 530(a) of the Mutual Security Act of 1954 within the dual employment and compensation exemptions in section 532(a) and consequently such civilian employment does not preclude the concurrent receipt of retired pay and civilian compensation from August 26, 1954, the effective date of the act; however, the 1954 act does not have any retroactive effect so as to authorize concurrent retired and civilian service pay prior thereto."

(Reserve officers, 35 Compt. Gen. 497, Mar. 2, 1956): "Federal civilian officers and employees who have been or may be granted retired pay under title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 and who, prior to January 1, 1953, were members of the Officers' Reserve Corps or National Guard or who, after that date, were members of any of the Reserve components, during the period covered by the payment, may receive retroactive and prospective military retired pay in addition to civilian compensation in accordance with the precedent in *Tanner* v. *United States,* 129 C. Cls. 792, which excluded such reservists from the dual compensation statutes."

(Compensation—Double—Termination of Reserve Corps status, 35 Compt. Gen. 504, Mar. 7, 1956): "The transfer of a member of the Officers' Reserve Corps to the Honorary Reserve in 1948, and to the Army of the United States Retired List on September 1, 1951, pursuant to title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, did not affect or extend the member's Reserve Corps appointment which was made in 1946 and which was terminated by operation of law not later than April 1, 1953, and therefore, retired pay in addition to civilian compensation may be paid only for the period from September 1, 1951, to April 1, 1953."

(ROTC—Leave—Double compensation, 35 Compt. Gen. 531, Mar. 29, 1956): "A Federal employee who is a member of the Reserve Officers' Training Corps is not a member of a reserve component of the armed services to be entitled to military leave to attend a summer training camp, nor is he within the military service exception in the dual compensation statutes, 5 U.S.C. 59, and, therefore, the granting of annual leave to an employee while he is receiving ROTC military pay and allowances, which are paid from appropriated funds, would contravene the dual compensation statutes."

(Fleet Reserve—Dual employment prohibition, 35 Compt. Gen. 657, May 22, 1956): "Members of the Fleet Reserve and the Fleet Marine Corps Reserve who had permanent enlisted status but who have been placed on the retired list on the basis of service in a temporary commissioned grade pursuant to section 2(a) of the act of August 9, 1955, and members placed on the Navy retired list in officer status pursuant to section 6 of the act of February 21, 1946, are no longer in an enlisted status within the exemption in the dual-employment statute of 1894 (5 United States Code 61) and are, therefore, subject to its prohibitory provisions."

(Compensation—Double—Agricultural cooperative employees—36 Compt. Gen. 84, Aug. 6, 1956):

"A retired Naval Reserve officer who is appointed by the Department of Agriculture to a civilian (cooperative) position in the Extension Service at a State university, where he performs Federal functions and is supervised by a Federal official, holds a civilian office or position under the U.S. Government within the meaning of the dual compensation limitations in section 212 of the Economy Act of June 30, 1932, 5 United States Code 59a, even through his civilian salary is paid from State or non-Federal funds.

"The decision that Department of Agriculture cooperative employees (paid by States) hold positions under the U.S. Government within the meaning of the dual compensation limitations of section 212 of the Economy Act of June 30, 1932, 5 United States Code 59a, is tantamount to a changed construction of the law and, therefore, will not be given retroactive application."

(Retired Public Health Service officers—Eligibility for civil service positions, 36 Compt. Gen. 242, Sept. 27, 1956): "Members of the Commissioned Corps of the Public Health Service who are receiving retired pay which amounts to $2,500 or more a year are prohibited by the act of July 31, 1894, 5 U.S.C. 62, from holding any office or position under the Federal Government to which compensation attaches, and the exemption relating to members of the Army, Navy, Air Force, Marine Corps, or Coast Guard who are retired for physical disability is not applicable to officers in the Public Health Service."

(Enlisted members of Fleet Reserve retroactively retired in commissioned grades—Dual compensation refunds, 36 Compt. Gen. 288, Oct. 9, 1956): "Retired enlisted members of the Fleet Reserve and the Fleet Marine Corps Reserve who were held to have been retired in temporary commissioned grades retroactively effective to September 1, 1955, pursuant to section 2(a) of the act of August 9, 1955, 34 U.S.C. 410(a), and, therefore, if holding a position in the Federal Government, subject to the dual office prohibition in the act of July 31, 1894, 5 U.S.C. 62, are not required to make any dual compensation refunds under 5 U.S.C. 59(a), for periods prior to May 23, 1956, the date of decision of the Comptroller General, 35 Comp. Gen. 657, or the date of action effecting the appointment to commissioned grade on the retired list, whichever is later."

(Retired officers holding nonappropriated fund activity positions—Dual office and dual compensation prohibitions, 36 Compt. Gen. 309, Oct. 11, 1956): "Although retired officers of the Armed Forces who are employed by nonappropriated fund activities, such as post exchanges, officers' mess, and employee's cooperative associations, do not hold any 'office' within the meaning of the dual office holding prohibition in the act of July 31, 1894, 5 U.S.C. 62, they do hold an office or position under the Federal Government as the term is used in the dual compensation prohibition of the Economy Act of 1932, 5 U.S.C. 59(a) which precludes the receipt of retired pay and civilian compensation in excess of the maximum fixed therein."

(Contracting with the Government—Enlisted member receiving retired pay as an officer, 36 Compt. Gen. 315, Oct. 12, 1956): "A member of the Navy who is retired under laws relating to enlisted men but who receives retired pay as an officer by reason of a temporary officer appointment under title III of the Officer Personnel Act of 1947, is not an officer within the purview of 34 U.S. Code 883 or 5 U.S. Code 59c, which precludes a retired officer from receiving retired pay when he accepts employment in private industry to sell or negotiate for the sale of his employer's products to one or more of the military services."

(Compensation—Double—Canal Zone government—Retired enlisted member advanced to commissioned rank, 36 Compt. Gen. 503, Jan. 11, 1957):

"A retired enlisted man of the Regular Air Force who has been advanced on the retired list to commissioned rank, and who holds a civilian position with the Canal Zone government, is a person in the military service under the dual compensation provisions of section 82(a) of title 2 of the Canal Zone Code and comes within the purview of the salary deduction exemption in section 82(a) (1) of the Canal Zone Code applicable to enlisted members.

"A Canal Zone government employee who is also a commissioned officer not on active duty in the Air Force Reserve is not considered to be in the military service within the purview of the dual compensation provisions of the Canal Zone Code.

"A retired enlisted man of the Regular Air Force who has been advanced on the retired list to commissioned rank, and who holds a civilian position with the Canal Zone government comes within the purview of the dual compensation exemption in the Canal Zone Code and is not subject to the dual compensation restrictions in the Economy Act of 1932, 5 U.S. Code 59a, and, therefore, the employee may receive retired pay and civilian compensation."

(Dual compensation—Concurrent military retired and civilian service pay, 36 Compt. Gen. 689, Apr. 4, 1957): "A retired military officer, who is employed as a consultant on a 'when actually employed' basis under a civilian employment contract, which limits the hours or days of employment so that the total amount of retired pay plus civilian compensation which possibly could be paid during the year does not exceed the prescribed statutory limitation of $10,000 a year, 5 U.S.C. 59a(b), is not subject to the dual compensation limitation, even though the civilian compensation computed on a full-time yearly basis would exceed the maximum limitation."

(Retired—Employed as consultants, 36 Compt. Gen. 723, Apr. 18, 1957): "A retired Naval officer who is employed as a temporary consultant on a full-time 5-day-week basis is not considered in a nonpay status on Saturdays and Sundays so as to be entitled to receive retired pay; however, in the absence of a provision in the civilian employment contract authorizing compensation for holidays on which no work is performed, the officer is considered in a nonpay status on holiday nonworkdays, falling within the workweek, Monday through Friday, and is entitled to receive retired pay."

(Retired military personnel holding civilian positions—Dual compensation—Waiver of retired pay for veterans' benefits, 36 Compt. Gen. 799, June 6, 1957): "A retired commissioned officer who executes a waiver of retired pay pursuant to 38 U.S.C. 504 in order to receive veterans disability compensation, which is not considered retired pay, has in effect reduced the legally authorized retired pay by the amount of the veterans' compensation, and, therefore, an amount formerly withheld from retired pay to prevent combined retired pay and compensation from a civilian position from exceeding the $10,000 double compensation limitation, 5 U.S.C. 59a, may be paid to the officer from the effective date of the waiver so long as the combined retired pay and civilian compensation do not exceed $10,000."

(Retired Navy officer employed as wharfbuilder—Dual employment, 36 Compt. Gen. 803, June 7, 1957):

"A Navy officer who is retired for length of service under 34 U.S.C. 410b and who is employed by the Navy Department as a wharfbuilder with compensation fixed on an hourly basis holds two offices within the meaning of the prohibition in 5 U.S.C. 62, and, inasmuch as the retired pay and civilian compensation exceed the $2,500 a year limitation, the salary received from the civilian employment must be refunded.

"An individual with permanent enlisted status in the Navy who is retired as an officer under 34 U.S.C. 410b and who by reason of civilian employment is determined to have held two offices contrary to the prohibition in 5 U.S.C. 62 is required to refund the net amount of the civilian compensation received after May 22, 1956, the date of decision of the Comptroller General (35 Comp. Gen. 657) in which it was held that enlisted men retired in officer status were subject to the dual officer prohibition."

(Retired reservists—Compensation—Double, 36 Compt. Gen. 808, June 11, 1957): "Federal civilian officers and employees who have been or may be granted retired pay and who, prior to January 1, 1953, were members of the Officers' Reserve Corps or National Guard or who, after that date, were members of any of the Reserve components, during the period covered by the payment, may receive retroactive and prospective military retired pay in addition to civilian compensation in accordance with the precedent in *Tanner* v. *United States,* 129 C. Cls. 792, which excluded such reservists from the dual compensation statutes. 35 Compt. Gen. 497, modified."

(Dual employment—Retired Regular Army officers appointed as Reserve officer, 37 Compt. Gen. 39, July 22, 1957): "A retired Regular Army officer who is appointed as a Reserve officer in an assigned status is regarded as holding two offices within the meaning of the dual office prohibition in section 2 of the act of July 31, 1894, 5 U.S.C. 62, and the exemption in 5 U.S.C. 30r, refers only to Federal civilian employment of a reservist and is not applicable to a dual military status."

(Arkansas National Guard—Dual employment—Leave status, 37 Compt. Gen. 255, Oct. 17, 1957):

"The military service obligation of Federal employees who are ordered into the active military service of the United States pursuant to Executive Order No. 10730, which federalized the Arkansas National Guard, is not only incompatible with the civilian employment status but is paramount to the civilian service so that the employees do not have a right to elect to receive compensation of the civilian position during the period of military duty.

"Although Federal civilian employees who are ordered into the active military service of the United States pursuant to Executive Order No. 10730, which federalized the Arkansas National Guard, may be carried in a military leave status for 15 calendar days, provided the military leave has not been used previously during the current calendar year, and in an annual leave status to the extent of their accrued annual leave during the period of their active military service, they may not be carried in a leave-without-pay status but must be placed on military furlough or separated, at the option of the agency, in accordance with instructions in chapters L-1-7 and R-6-4 of the Federal Personnel Manual."

(Double compensation—Reserve membership—Coast Guard, 37 Compt. Gen. 297, Nov. 4, 1957): "A member of the Coast Guard Reserve who is placed on the retired list and who, subsequent to the expiration of a 3-year appointment, accepts a civilian position does not continue to be a member of the Coast Guard Reserve after expiration of the period of military service to be regarded as a de jure member of a reserve component exempt from the dual compensation restrictions in 5 U.S.C. 59a."

(Double compensation—Commissioned warrant officers—Tato decision, 37 Compt. Gen. 591, Mar. 7, 1958): "In view of the holding in *Tato* v. *United States*, 136 C. Cls. 651, and *Atkins, et al.* v. *United States*, C. Cls. No. 473-56, decided January 15, 1958, that a commissioned warrant officer is not a 'commissioned officer' within the meaning of that term as used in the dual compensation limitation in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, proper payments of retired pay which may be made administratively on the basis of the Tato and Atkins decisions to retired commissioned warrant officers holding civilian positions will not be questioned by the accounting officers and claims submitted to the General Accounting Office will be settled on the same basis."

(Compensation—Double—Foreign post, etc.—allowances, 37 Compt. Gen. 739, May 8, 1958): "The post salary differential which is payable to employees outside of the continental United States under 5 U.S.C. 118h and Executive Order No. 10000 is not regarded as a part of the basic compensation of the position within the meaning of the dual compensation limitation in 5 U.S.C. 59a, and, therefore, a retired officer of the uniformed services whose retired pay and civilian compensation exceeds the $10,000 dual compensation limitation only when the post differential is included may be paid retired pay and receive the civilian compensation and post differential without violating the dual compensation prohibition."

(Placement on disability retired list—dual compensation, 37 Compt. Gen. 811, June 3, 1958):

"The placing of an Air Force Reserve officer on the temporary disability retired list under orders which advised the officer that his appointment was terminated does not automatically terminate his appointment and the statement in the orders which was not in accordance with any provision of law is not regarded as an administrative act terminating the appointment; therefore, the member who continued to be a de jure member of the Reserves while on the temporary disability retired list and who was employed in a civilian position is exempt from the dual compensation restrictions in 5 U.S.C. 59(a) and may receive retired pay which had been withheld due to the termination of Reserve status.

"A settlement which allowed a member of a Reserve component retroactive retired pay pursuant to a correction of records action placing the member on a temporary disability retired list, but which denied retired pay for a period when the member was employed in a civilian position because settlement was made prior to the decision of the Comptroller General (36 Comp. Gen. 808) extending the rule in the *Tanner* case (129 C. Cls. 792) to bring de jure members of Reserve components who were authorized to receive retired pay under 10 U.S.C. 1036 within the dual compensation exemption in 5 U.S.C. 30r(c), is not a final release under 10 U.S.C. 1552(c) to preclude receipt of retired pay upon a subsequent change in interpretation of the law."

(Military personnel—Record correction, 37 Comp. Gen. 852, June 26, 1958): "An officer in the Army of the United States whose military record was corrected to show that his release from active duty was due to physical disability and that he was entitled to disability retired pay from a date fixed subsequent to the date of release from active duty should not be barred by the release provisions of 5 U.S.C. 191a(c) from receiving disability retired pay from the date of release from active duty to the earliest date for which he received retired pay upon a subsequent interpretation that the date for commencement of retired pay could not be fixed at a date other than the date of release from active duty."

(Detail to a civilian agency—Double compensation, 38 Comp. Gen. 222, Sept. 18, 1958): "An officer of the uniformed services who during a period of temporary additional duty with the Office of International Education, Department of State, received pay and allowances from the military service and compensation from the State Department is to be regarded as a military officer on detail to another agency and is entitled to receive only the pay and allowances from the military service as provided in section 302 of the U.S. Information and Educational Exchange Act of 1948, 22 U.S.C. 1452, and the officer may not retain the additional compensation received from the State Department under either the assignment provisions of the act or the grant provisions of the act or the grant provisions in section 801 of the act, 22 U.S.C. 1471."

(Courts—Judgments—Additional matter not litigated—res judicata, 38 Compt. Gen. 419, Dec. 8, 1958):

"In a suit against the Government for payment for a particular period of time, the plaintiff should seek judgment for all of the amount which might be payable for the period under any and all legal theories and laws bearing on his entitlement and after award and payment of a judgment, the failure of the plaintiff to seek judgment in the original petition under all of the laws applicable to the case precludes favorable consideration of a claim for an additional amount on the basis of another law.

"Payment of a judgment based on a stipulation agreement and providing that acceptance constitutes full settlement of the claim set forth in the petition under which a retired Navy officer sought additional retired pay, based on *Sanders* v. *United States*, 120 C. Cls. 501, is a full and final discharge to the United States of claims and demands arising out of the matters litigated pursuant to 28 U.S.C. 2517 and the failure of the officer to question in petition the applicability of sec. 212 of the Economy Act of 1932, 5 U.S.C. 59a, as in *Tato* v. *United States*, 136 C. Cls. 651, makes a claim for additional retired pay under the Tato decision of such doubtful validity as to preclude favorable action by the General Accounting Office."

(Double compensation—Former Reserve officers—*Warthen* case, 38 Compt. Gen. 741, May 1, 1959):

"The holding in the case of *Henry L. Bowman, et al.* v. *United States*, C. Cls. No. 108-58 (referred to as the Warthen case), which further extended the rule in the Tanner case, 129 C. Cls. 792, to exempt former Reserve officers of Reserve components of the uniformed services as distinguished from de jure Reserve officers from the dual compensation restrictions in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, will be followed in the settlement of similar claims for retired pay under title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 by former Reserve members for periods while they were concurrently employed by the Federal Government; however, pending further litigation of the issue in the *Leonard* case, 136 C. Cls. 686, which deals with a discharged former officer of the Army of the United States entitled to receive disability retired pay under the act of April 3, 1939, 10 U.S.C. 456 (1946 Edition), such claims will not be allowed."

(Military personnel—Retired—Dual compensation limitation—Sec. 212, Economy Act of 1932, 38 Compt. Gen. 774, May 18, 1959):

"In determining the applicability of the dual compensation limitation in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, it is the combined annual rate of civilian compensation and retired pay which controls, irrespective of the number of days of work in the civilian position, and not the total amount of civilian compensation and retired pay received during the year or fraction of a year; therefore, a retired officer who is employed on a 'when actually employed basis' under a contract which limits the hours or days of work but permits the receipt of a total amount of retired pay, plus civilian compensation which exceeds the $3,000 limitation, in effect through August 3, 1955, or the $10,000 limitation, which became effective on August 4, 1955, is required to have his civilian compensation and retired pay reduced under the act.

"An officer who was retired for disability under 34 U.S.C. 417, who was employed on a 'when actually employed basis' under contracts which limited the number of days of employment but which permitted him to receive an amount which, when combined with the retired pay, exceeds the annual rate of $3,000 for 1-year periods during 1952-55 prescribed in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, was not entitled to receive retired pay for the days for which he received civilian compensation; however, for the period after June 30, 1955, when the number of days employment was limited to 90 a year, the civilian compensation when combined with retired pay did not exceed the $10,000 dual compensation limitation effective August 4, 1955, so that neither the civilian compensation nor the retired pay was subject to reduction.

"Under the dual compensation limitation in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, when the retired pay is less than $10,000 a year but the salary rate of the civilian position, plus retired pay, exceeds the $10,000, the full salary of the civilian position is paid, and the deduction to bring the rate of compensation and retired pay within the limitation is made from the retired pay.

"A retired officer whose combined rate of retired pay and civilian compensation during the period of January 5 to May 31, 1958—the period for which civilian employees received a retroactive salary increase under section 17(a) of the Federal Employees Salary Increase Act of 1958, 5 U.S.C. 1113 note—was less than the $10,000 limitation in section

212 of the Economy Act of 1932, 5 U.S.C. 59a, is entitled to have the benefit of the retroactive increase, if the allowance of such increase is to the employee's advantage, taking into consideration any tax adjustment required, with any necessary reduction in retired pay so as not to exceed the $10,000 limitation."

(Concurrent military retired pay and civilian compensation—Reservists, 38 Compt. Gen. 839, June 16, 1959): "A retired Army officer who is in receipt of retired pay prescribed in 10 U.S.C. 1004 for length of service at time of retirement and based on the highest temporary commissioned grade satisfactorily held and who has had his military records corrected to show that he continued to hold an appointment in the Army Reserve after April 1, 1953, when his officers' Reserve Corps commission terminated, may not be regarded as entitled to or in receipt of retired pay 'under the laws relating to the Reserve components of the Armed Forces' within the meaning of that phrase in the dual compensation restriction exemption in the act of July 1, 1947 (now 5 U.S.C. 30r(c)), and, therefore, retired pay withheld while the member was employed in the officers' Open Mess may not be refunded."

(Retired officers—Employment with NATO—Double compensation limitation applicability, 39 Compt. Gen. 126, Aug. 25, 1959): "A regular commissioned officer of the uniformed services who, after retirement for physical disability not incurred in combat or caused by an instrumentality of war, is employed by the Department of State for detail to a position with the North Atlantic Treaty Organization and who receives a salary from the Department of State, which salary subsequently results in a credit to the United States against its share of the expenses, must have the NATO position regarded as an appointive one 'under the U.S. Government' as used in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, which precludes concurrent receipt of retired and civilian pay in excess of $10,000 a year, in view of the conditions of the service and section 532(b) of the Mutual Security Act of 1954, which permits retired military officers to be employed in international organizations but subjects their salary to the double compensation limitation in 5 U.S.C. 59a."

(Dual compensation—Concurrent military retired and civilian service pay—Reserve membership, 39 Compt. Gen. 280, Oct. 9, 1959): "A member of the uniformed services who while serving as a warrant officer is retired for physical disability and receives retired pay based on satisfactory service in grade of lieutenant in the Army of the United States without component, although he held the grade of lieutenant, U.S. Army Reserve, at the time of placement on the temporary disability retired list, is not regarded as receiving retired pay 'under the laws relating to the Reserve components of the Armed Forces' within the meaning of the dual compensation exemption in 5 U.S.C. 30r(c), the pay and allowances in the exemption must be those which are payable to a member of a Reserve component in his capacity as a reservist and be related to the active duty performed."

(Military personnel—Retired—Contracting with the Government—Dual compensation, 39 Compt. Gen. 751, May 5, 1960):

"The conflict-of-interest prohibition in 10 U.S.C. 6112(b) against retired officers of the Regular Navy and Regular Marine Corps receiving payment from the United States while engaged in selling supplies to the Department of the Navy refers to activities in connection with the procurement of property by the Government as distinguished from sales by the Government; therefore, in the absence of any prohibition against retired officers engaging in activities incident to sales by the Government, a retired Marine Corps officer who is an active partner in enterprises engaged in obtaining concessionaire privileges from the Government does not come within the conflict-of-interest prohibition in 10 U.S.C. 6112(b), and payment of retired pay is not prohibited.

"A retired Regular Marine Corps officer who is an active partner in enterprises which hold concession contracts with the Government is not, as a contract concessionaire, regarded as an officer of the United States or as holding a civilian position under the Government so as to be precluded by the 1894 dual office act, 5 U.S.C. 62, or the 1932 dual compensation law, 5 U.S.C. 59a, from receiving retired pay."

(Military personnel—Retired pay—Judgment—res judicata, 39 Compt. Gen. 797, May 31, 1960): "A judgment under which a retired officer of the uniformed services was awarded retired pay under title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 on the basis that such retired pay was exempt from the dual compensation restrictions in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, but which judgment was based on the erroneous assumption and admission that the officer had the required service to qualify for title III retired pay, when in fact he did not, does not afford any basis to sanction current payments of retired pay or to approve payments for any period not covered by the judgment in the absence of a judicial determination of the dispute as to the basic fact or as to the application of the rule of res judicata to such a judgment."

(Dual compensation—Warrant officers—Receipt of retired pay based on warrant officer versus Higher commissioned grade, 39 Compt. Gen. 810, June 3, 1960):

"A retired permanent Regular commissioned warrant officer of the Navy who has his name placed upon the temporary disability retired list in a commissioned officer grade but who, because of entitlement to retired pay computed on the formula most favorable to him, continues to receive temporary disability retired pay based upon his warrant officer grade under formula 4 of 10 U.S.C. 1401 is not receiving retired pay 'for or on account of services as a commissioned officer' as used in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, and, therefore, the dual compensation restriction is not for application.

"A permanent Regular commissioned warrant officer of the Navy who has his name placed upon the temporary disability retired list in a commissioned officer grade because of a higher temporary commission once held and who receives retired pay of that grade does not come within the rule in *Tato* v. *United States*, 136 Ct. Cl. 651, in which it was held that a commissioned warrant officer grade because of a higher temporary commission once held and whose station limitation in section 212 of the Economy Act of 1932, 5 U.S.C. 59a; therefore, the member is subject to the $10,000 per annum dual compensation restriction.

"A retirement of a permanent Regular commissioned warrant officer for a disability of a permanent nature, as distinguished from placement of the member's name on the temporary disability retired list, would not change the application of the dual compensation restriction in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, so that if the retired warrant officer is retired for a permanent disability in a commissioned officer grade because of a higher commission once held but continues to receive retired pay based on the warrant officer grade he is not subject to the dual compensation restriction.

"Warrant officers who are voluntarily retired under 10 U.S.C. 1293, advanced on the retired list to a higher commissioned officer grade, but who continue to receive retired pay based upon the commissioned warrant officer grade, are not receiving retired pay 'for or on account of services as a commissioned officer' as used in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, and, therefore, are not subject to the dual compensation restriction; however, if they receive retired pay based upon the higher commissioned grade, they are subject to the $10,000 per annum dual compensation restriction.

"Since Regular warrant officers of the Army and Air Force are not commissioned officers, the dual compensation rules established for retired warrant officers of the Navy would be for application to the same extent."

(Dual compensation—Retired pay under the act of Apr. 3, 1939—*Palmer* case, 40 Compt. Gen. 136, Aug. 26, 1960):

"The holding in *Palmer* v. *United States*, Ct. Cl. No. 356–358, that a former officer of the Army of the United States, who was retired for physical disability under the act of April 3, 1939, had no status in the Reserve Components of the Armed Forces and that he did not receive his retired pay from laws relating to Reserve Components within the meaning of 10 U.S.C. 371b to exempt him from the dual compensation restrictions in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, is tantamount to a conclusion that the 1939 act is not a law relating to Reserve Components under the rule of *Tanner* v. *United States*, 129 Ct. Cl. 792, and creates doubt as to the propriety of paying retired pay under the 1939 act to reservists and Army of the United States personnel and similar personnel of the Air Force, where such persons are otherwise within the dual compensation restrictions; accordingly, until the position of the court is clarified, further payments of retired pay under the 1939 act during periods of Federal employment should not be made; however, payments made in good faith prior to November 1, 1960, will not be questioned. 35 Compt. Gen. 497; 36 id. 808; 38 id. 741; and other decisions in conflict with this decision are modified.

"A member of the uniformed services who, while serving as a Reserve officer, is retired for physical disability or otherwise and becomes entitled to retired pay by reason of service in a Reserve component, under statutory provisions other than the act of April 3, 1939, as amended, 10 U.S.C. 3687 and 8687, is not subject to the dual compensation restrictions of section 212 of the Economy Act of 1932, 5 U.S.C. 59a, even though his membership in the Officers' Reserve Corps or the National Guard has terminated."

(Binational grantee service—Double compensation and dual office restrictions, 40 Compt. Gen. 158, Sept. 8, 1960): "A retired Army officer receiving retired pay who is employed overseas at a binational center—a private autonomous organization established pursuant to section 203 of the United States Information and Educational Exchange Act of 1948, 22 U.S.C. 1448—under a grant agreement which provides for periodic payments to the grantee but does not contemplate the type of duty usually arising in an employer-employee relationship or reflect the concept to bring the grantees within the statutes applicable to Federal employees does not, by virtue of the grant agreement, hold an office or position prohibited or restricted by the dual compensation and dual office acts, 5 U.S.C. 59a, id. 62, and, since the grant is for the discharge of contractual duties not belonging to an 'officer or clerk' in 5 U.S.C. 69 and is not for 'extra services' for the United States in 5 U.S.C. 70, those prohibitions are not for application so that the officer may receive retired pay concurrently with the grant."

(Dual compensation—Maximum limitation—Annual rate versus amount, 40 Compt. Gen. 193, Sept. 29, 1960): "The rule with respect to the application of the dual compensation restriction in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, that the annual rate of compensation and retired pay in controlling rather than the total amount of combined pay will continue to be followed pending a clarification of the holding in *Schuyler* v. *United States*, Ct. Cl. No. 548–58, January 20, 1960, in which the court authorized a refund of retired pay to a retired Navy officer whose actual combined civilian compensation as a consultant and retired pay based on a particular calendar year was less than $10,000—the limitation in the act—but did not indicate the basis for the selection of a calendar year instead of an employment year and what action would be taken in cases where the combined amount exceeded the limitation."

(Dual offices—Retired military member—Appointment as acting postmaster, 40 Comp. Gen. 614, May 3, 1961): "A Marine Corps officer retired for length of service under 10 U.S.C. 6323, who is appointed by the Postmaster General as an acting postmaster to a vacant postmaster position in a first-class post office for a period not to exceed 6 months, has a temporary position which is one created for a limited period for the accomplishment of a particular purpose and which will cease upon the accomplishment of the purpose—the appointment of a postmaster by the President by and with the advice and consent of the Senate—and the holding of such temporary position, as distinguished from a temporary appointment, is not the holding of an office under the act of July 31, 1894, 5 U.S.C. 62, which precludes any officer who receives salary or annual compensation which amounts to $2,500 from being appointed to another office to which compensation is attached."

(Dual compensation—Retired pay under the act of April 3, 1939—*Watman* case, 40 Comp. Gen. 625, May 18, 1961):

"In the determination of the application of the dual compensation restriction exemption in 5 U.S.C. 30r(c) to members of the uniformed services who were appointed as officers in the Army of the United States without component under the act of September 22, 1941, entitling them to the same rights and benefits as members of the Officers' Reserve Corps, and who were retired for physical disability under the act of April 3, 1939—a law relating to the Officers' Reserve Corps so as to bring them within the dual compensation restriction exemption—their status as members of the Army of the United States at the time of retirement determines their right to come within the exemption in view of the holding in *Watman* v. *United States*, Ct. Cl. No. 189–59, decided March 1, 1961, which overruled *Leonard* v. *United States*, 136 Ct. Cl. 686, and *Palmer* v. *United States*, 139 Ct. Cl. 376, so that continuing membership in a Reserve component is no longer necessary for entitlement to the dual compensation exemption, and retired pay which was discontinued or reduced November 1, 1960, under 40 Comp. Gen. 136 may be adjusted administratively on authority of the *Watman* case (40 Comp. Gen. 136; B–143960, Oct. 17, 1960; B–144183, Oct. 20, 1960; B–144258, Nov. 25, 1960; B–126399, Dec. 20, 1960, modified).

"While members of the uniformed services appointed as officers in the Army of the United States without component, under the act of September 22, 1941, 55 Stat. 129, were granted 'the same rights, privileges, and benefits' as members of the Officers' Reserve Corps, members who are appointed in the Army of the United States without component under section 515(h) of the Officer Personnel Act of 1947 are entitled to those benefits which accrue while serving on active duty so that members appointed under the latter act, as well as under section 515g of the 1947 act and 37 U.S.C. 232(d), would not come within the dual compensation restriction exemption in 5 U.S.C. 30r(c)."

(Warrant officer in Army holding permanent rank in reserve component, 40 Compt. Gen. 660, June 7, 1961): "A warrant officer who, when retired as a nonregular member of the Army, held the permanent rank of chief warrant officer in the Army Reserve, although he had never served on active duty as a reservist at any time but had served under a temporary chief warrant officer appointment authorized pursuant to 10 U.S.C. 3448(c)(2) which accords such temporary officers the same benefits as members of the Army on active duty, is regarded as receiving the retired pay rights under 10 U.S.C. 3448 for Regular Army officers and is not entitled to the benefits for Reserve officers in 5 U.S.C. 30r(c), so that the holding in *Tawes* v. *United States*, Ct. Cl. No. 313–58, permitting members of Reserve components to receive retired pay concurrently with compensation under the Federal Employees' Compensation Act, is not for application and the member may not be paid retired pay withheld while he received compensation for an injury under the Federal Employees Compensation Act."

(Courts—Judgments—Res Judicata-Watman case overruling *Leonard* case, 41 Compt. Gen. 3, July 3, 1961):

"An unvacated or unreversed judgment rendered against a plaintiff on the merits of a controversy is conclusive as to all matters which were decided and which might have been decided, and even though, in a subsequent case involving another plaintiff but similar issues, a judgment is rendered in favor of the plaintiff the first judgment is res judicata so that a claim by the plaintiff in the first case, on the basis of the subsequent holding, must be denied.

"Notwithstanding that the decision in *Leonard* v. *United States*, 136 Ct. Cl. 686, which held that a retired member of the uniformed services was not entitled to an exemption from the dual compensation provisions of section 212 of the Economy Act, 5 U.S.C. 59a, by reason of former membership in the Army of the United States, was overruled as precedent in *Watman* v. *United States*, Ct. Cl. No. 189–59, the judgment in the Leonard case which was not vacated or reversed is conclusive as to all matters which were raised or which could have been raised and, since the statutes on which the plaintiff in the Leonard case bases his retired pay claim were in existence when the petition was filed which resulted in the original decision, the Watman case does not constitute any authority for allowance of the claim for disability retired pay withheld during civilian employment because of the dual compensation restrictions."

(Research fellowship service—Double compensation restrictions, 41 Compt. Gen. 6, July 5, 1961): "A research fellowship with the National Cancer Institute, Public Health Service, the purpose of which is to provide individual support for research training in the basic and clinical sciences in the health science fields with the object of increasing the number of scientists qualified to conduct independent research, does not involve a status which would come under the statutes that control the salaries and pay benefits of Federal employees generally so that a retired Army officer in receipt of disability retirement pay who is awarded such a fellowship does not, by reason of the fellowship, hold an 'office or position' under the United States within the meaning of the dual compensation restrictions of section 212 of the Economy Act of 1932, 5 U.S.C. 59a, and, therefore, payment of full retired pay may be made."

(Compensation—Double—Holding two offices—Retired military officer versus enlisted status, 41 Compt. Gen. 533, Feb. 8, 1962):

"The correction of the military records of a Regular Army warrant officer retired for length of service to show that he was retired as an enlisted member and not as a warrant officer so that his civilian employment at the time he was receiving retired pay is no longer in contravention of the dual office act of July 31, 1894, as amended, 5 U.S.C. 62, which exempts retired enlisted personnel, makes the removal of a debt charge established against the member for the total amount of compensation received under the civilian appointment proper.

"A lump-sum annual leave payment which is due a former civilian employee whose military records were corrected to show retirement in a Regular Army enlisted rather than an officer status so that his civilian employment was no longer contrary to the dual office prohibition in the act of July 31, 1894, 5 U.S.C. 62, as amended, relates to the leave accrued in connection with the civilian employment and not to the Army service and, therefore, payment for the lump-sum leave should be made from funds normally used for such payments upon termination of civilian employment, rather from funds available for amounts due as a result of correction of records under 10 U.S.C. 1552(c).

"Although the correction of the military records of a Regular Army warrant officer retired for length of service to show that the member was retired in an enlisted rather than officer status removed the member's civilian employment from the operation of the dual office prohibition in the act of July 31, 1894, 5 U.S.C. 62, as amended, the member's retired status—by reason of receipt of retired pay 'for or on account of services as a commissioned officer,' and retirement and receipt of retired pay under the laws relating to enlisted men—brings into question the application of the double compensation restriction in section 212 of the Economy Act of 1932, 5 U.S.C. 59a, and since a case involving a similar retired status is now pending in the Court of Claims, no determination as to the applicability of section 212 will be made."

3. *Legislation proposing reforms* (*action thereon as indicated*)

(85th Cong.)

S. 2945. Mr. Wiley (by request); January 9, 1958 (Armed Services): Exempts a retired officer of the armed services, Coast and Geodetic Survey, and Public Health Services, who serves as the manager-custodian of the Japan Locker Fund from the dual-compensation restrictions of present law for 5 years of such service.

H.R. 467. Mr. Smith of Mississippi; January 3, 1957 (Post Office and Civil Service): Limits officers of the uniformed services who have been retired for disability incurred in line of duty and who hold civilian office or employment with the United States to retired pay and civilian pay totaling $6,000 [amending U.S.C. 5:59a].

H.R. 1943. Mr. Hosmer; January 5, 1957 (Post Office and Civil Service): Repeals the dual employment statute and amends the dual compensation statute providing that certain exceptions may be authorized under the regulations of the U.S. Civil Service Commission whenever such exceptions are warranted on the basis of Government employ needs.

H.R. 11744. Mr. Hosmer; March 28, 1958 (Post Office and Civil Service): Repeals the dual compensation statute. Authorizes the Civil Service Commission to make exceptions, under certain conditions, to the provisions of the law which limit to $10,000 the total annual compensation and retired pay that a retired officer occupying a civilian office or position with the Government may receive. Directs the Commission to issue standards and regulations governing such exceptions and to include in its annual report to Congress a statement on the use of this authority [repealing U.S.C. 5:62; amending U.S.C. 5:59a(b)].

(86th Cong.)

S. 771. Mr. Sparkman; January 29, 1959 (Post Office and Civil Service): Limits officers of the uniformed services who have been retired for disability incurred in line of duty and who hold civilian office or employment with the United States to retired pay and civilian pay totaling $6,000 or his election of either, if retired pay exceeds such figure.

S. 1165. Messrs. SPARKMAN and HILL; February 26, 1959 (Armed Services): Authorizes certain commissioned officers to receive up to $3,000 per annum in retired pay plus the full salary of any civilian officer or position under the U.S. Government or the municipal government of the District of Columbia.

H.R. 522. Mr. HOSMER; January 7, 1959 (Post Office and Civil Service): Repeals the dual compensation statute. Authorizes the Civil Service Commission to make exceptions, under certain conditions, to the provisions of the law which limit to $10,000 the total annual compensation and retired pay that a retired officer occupying a civilian office or position with the Government may receive. Directs the Commission to issue standards and regulations governing such exceptions and to include in its annual report to Congress a statement on the use of this authority [repealing U.S.C. 5: 62; amending U.S.C. 5: 59a(b)].

H.R. 657. Mr. Smith of Mississippi; January 7, 1959 (Post Office and Civil Service): Limits officers of the uniformed services who have been retired for disability incurred in line of duty and who hold civilian office or employment with the United States to retired pay and civilian pay totaling $6,000 [amending U.S.C. 5:59a].

H.R. 5080. Mr. RAINS; February 26, 1959 (Post Office and Civil Service): Authorizes certain commissioned officers to receive up to $3,000 per annum in retired pay plus the full salary of any civilian officer or position under the U.S. Government or the municipal government of the District of Columbia.

H.R. 5195. Mr. Foley; March 3, 1959 (Post Office and Civil Service): Exempts from the dual compensation provisions of Federal employment retired members of the Armed Forces who are not on active duty [amending U.S.C. 5:62].

(87th Cong.)

S. 3780. Mr. JAVITS; October 3, 1962 (Post Office and Civil Service):

Dual Compensation Act: Clarifies the law relating to the employment of civilians in more than one position and the civilian employment of retired members of the uniformed services. Provides that the retired member of a uniformed service shall receive the full salary of any civilian office which he holds, but, during the period he holds such office his retired pay shall be reduced to an annual rate of $2,000 plus one-half of the remainder, if any. Provides that the reduction in retirement pay shall not apply if retirement was (1) based on disability incurred in combat or in the line of duty during war, or (2) based on less than 6 years of continuous full-time active service, or (3) to employment of a retired member of a uniformed service on a temporary, part-time, or intermittent basis for the first 30 days of such employment. Further provides that exceptions to the restrictions on retirement pay may be prescribed by the President on the basis of special Government needs which cannot otherwise be readily met.

Prohibits dual compensation for more than one civilian office for more than 40 hours work in any 1 week except as authorized by the Civil Service Commission on determination that services cannot otherwise be readily obtained. These provisions do not apply to compensation on a when-actually-employed basis received from more than one consultant or expert position, as long as such dual compensation is not received for the same hours of the same day, and certain other specified exceptions covering compensation received by District of Columbia teachers, school officials, and custodial employees, certain Weather Bureau employees, and others.

H.R. 308. Mr. BENNETT of Florida; January 3, 1961 (Education and Labor): Permits retired personnel of the military services to receive pay for Federal civilian employment without loss of retirement pay.

H.R. 974. Mr. HOSMER; January 3, 1961 (Post Office and Civil Service): Repeals the dual compensation statute. Authorizes the Civil Service Commission to make exceptions, under certain conditions, to the provisions of the law which limit to $10,000 the total annual compensation and retired pay that a retired officer occupying a civilian office or position with the Government may receive. Directs the Commission to issue standards and regulations governing such exceptions and to include in its annual report to Congress a statement on the use of this authority (repealing U.S.C. 5:62; amending U.S.C. 5:59a(b)).

H.R. 6637. Mr. ST GERMAIN; April 25, 1961 (Post Office and Civil Service): Permits retired warrant, chief warrant, and commissioned warrant officers to hold other compensated public positions or offices.

H.R. 12721. Mr. MURRAY; July 30, 1962 (Post Office and Civil Service): Dual Compensation Act: Clarifies the law relating to the employment of civilians in more than one position and the civilian employment of retired members of the uniformed services. Provides that the retired member of a uniformed service shall receive the full salary of any civilian office which he holds but, during the period he holds such office his retired pay shall be reduced to an annual rate of $2,000 plus one-half the remainder, if any. Provides that the reduction in retirement pay shall not apply if retirement was (1) based on disability incurred in combat or in the line of duty during war, or (2) based on less than 6 years of continuous fulltime active service, or (3) to employment of a retired member of a uniformed service on a temporary, part-time, or intermittent basis for the first 30 days of such employment. Further provides that exceptions to the restrictions on retirement pay may be prescribed by the President on the basis of special Government needs which cannot otherwise be readily met.

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(88th Cong. through April 11, 1963, only)

H.R. 3816. Mr. HOSMER; February 14, 1963 (Post Office and Civil Service): Repeals the dual employment statute. Authorizes the Civil Service Commission to make exceptions, under certain conditions, to the provisions of the law which limit to $10,000 the total annual compensation and retired pay that a retired officer occupying a civilian office or position with the Government may receive. Directs the Commission to issue standards and regulations governing such exceptions and to include in its annual report to Congress a statement on the use of this authority [repealing U.S.C. 5:62; amending U.S.C. 5:59a(b)].

XI. THE SOLUTION, 1963

To date during the 88th Congress, H.R. 3816 is the only bill which has been offered as a solution for the problems and difficulties outlined. It is hoped that the administration may conclude its deliberations on possible alternatives in order that the issue may be considered by the Congress over the full spectrum of investigation it deserves.

The text of H.R. 3816 is as follows:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 212(b) of the Act of June 30, 1932 (47 Stat. 406), as amended (5 U.S.C. 59a(b)), is further amended by inserting immediately before the period at the end thereof the following: ': *And provided further*, That exceptions to the provisions of this section may be authorized by the United States Civil Service Commission whenever such exceptions are warranted on the basis of Government needs. The Commission shall issue standards and regulations governing such exceptions, which may permit such exceptions to be made by a certificate of the appointing officer for not more than thirty days in case of emergency, and shall include in its annual report to the Congress a statement on the use of this authority. In authorizing such exceptions the Civil Service Commission shall give consideration to such factors as (1) occupational shortages, (2) emergency conditions when such employment is necessary for the protection of life or property, or (3) highly specialized requirements for unique or uncommon positions'.

"SEC. 2. The following provisions of law are repealed:

"(1) Section 1763 of the Revised Statutes of the United States, as amended (5 U.S.C. 58).

"(2) Section 6 of the Act of May 10, 1916, as amended (39 Stat. 120; 5 U.S.C. 59).

"(3) The portion of section 6 of the Act of March 3, 1925, as amended, which follows 'page 1106' through 'page 582' (43 Stat. 1108; 5 U.S.C. 60).

"(4) Section 9 of the Act of October 6, 1917 (40 Stat. 384; 5 U.S.C. 61).

"(5) The paragraph which begins 'Section six' on page 823 of volume 40 of the United States Statutes at Large (5 U.S.C. 61).

"(6) The paragraph which begins 'Section 6' on page 1017 of volume 41 of the United States Statutes at Large (5 U.S.C. 61).

"(7) The second sentence of section 2 of the Act of July 31, 1894, as amended (28 Stat. 205; 5 U.S.C. 62).

"(8) Section 7 of the Act of June 3, 1896 (29 Stat. 235; 5 U.S.C. 63).

"(9) The proviso in the paragraph under the heading 'BUREAU OF THE BUDGET' on page 373 of volume 42 of the United States Statutes at Large (5 U.S.C. 64).

"SEC. 3. This Act shall take effect on the first day of the first calendar month which begins more than thirty days after the date of enactment of this Act."

Here is what H.R. 3816 seeks to accomplish:

It amends the statute (5 U.S.C. 59a) prohibiting retired members of the Armed Forces from receiving retired pay when accupying a civilian office or position, appointive or elective, if retired pay plus the annual compensation of their civilian office or position exceeds $10,000 per annum, by adding another proviso to subsection 59a(b). Subsection 59a(b) already excepts from the statute persons whose retired pay plus civilian pay, amounts to less than $10,000 and to regular or emergency commissioned officers retired for disability incurred in combat or caused by an instrumentality of war and incurred in line of duty during war. The bill would add a new proviso which would permit the Civil Service Commission to authorize further exceptions when warranted based upon Government needs. The Commission would be required to issue standards for such exceptions, based on such factors as (1) occupational shortages, (2) emergency conditions when employment is necessary for the protection of life or property, and (3) highly specialized requirements for unique or uncommon positions. Civil service regulations could also permit appointing officers to make 30-day exceptions by certificate. The Commission would be required to report the use of this authority to Congress in its annual report.

The bill also specifically repeals the double compensation and dual employment laws (5 U.S.C. 58, 62) now applicable to everyone in Federal employment together with the exceptions thereto as follows:

1. Revised Statutes 1763 as amended (5 U.S.C. 58), which provides that no appropriated funds shall be available for payment to any person receiving more than one salary when the combined amount of such salaries exceeds $2,000 per annum.

2. Section 6, act of May 10, 1916, as amended (39 Stat. 120; 5 U.S.C. 59), which excepts from the provisions of section 58, supra, retired officers or enlisted men of the Army, Navy, Marine Corps, or Coast Guard and the officers and enlisted men of the organized militia and naval militia in the several States, territories, and the District of Columbia.

3. The portion of section 6 of the act of March 3, 1925, as amended, which follows page 1106 through page 582 (43 Stat. 1108; 5 U.S.C. 60), which excepts from the double salary provisions of section 58, supra, additional salary paid to employees of the Library of Congress who perform special functions for the performance of which funds have been entrusted to the Library of Congress Trust Fund Board, or the Librarian of Congress, or in connection with cooperative undertakings, in which the Library of Congress is engaged.

4. Section 9 of the act of October 6, 1917 (40 Stat. 384; 5 U.S.C. 61), which provides that section 58, supra, shall not apply to District of Columbia public school teachers when employed by any of the executive departments or independent establishments of the United States or to such teachers who are also employed as teachers of night schools and vacation schools, nor to employees of the school garden department of the District of Columbia public schools, nor to employees of the community center department (see item 5, below) of the District of Columbia public schools. Note that these provisions are also set out in District of Columbia Code, 1961 edition, section 31–631 and that the act of July 1, 1942, 56 Stat. 467, chapter 467, brought school custodial employees, when performing required work in school buildings when the school buildings are used for nonrecreational official purposes of any Federal agency or department of the District of Columbia other than the Board of Education, under the exception to section 58, supra. These sections would undoubtedly be repealed, at least by implication by the repeals in item 1 and in this item 4.

5. The paragraph which begins "section six" on page 823 of volume 40 of the U.S. Statutes at Large (5 U.S.C. 61), which is the section excepting from section 58, supra, the employees of the community center department of the public schools of the District of Columbia, see item 4, supra.

6. The paragraph which begins "Section 6" on page 1017 of volume 41 of the U.S. Statutes at Large (5 U.S.C. 61) which is the section excepting from section 58, supra, the employees of the school garden department of the public schools, see item 4, supra.

7. The second sentence of section 2 of the act of July 31, 1894, as amended (28 Stat. 205; 5 U.S.C. 62), which prohibits a person, who holds an office the annual compensation or salary of which is $2,500 or more, from being appointed to or holding any other office to which compensation is attached unless specially authorized by law. Excepts retired officers of the Armed Forces, when elected to or appointed by the President with the advice and consent of the Senate to public office. Also it excepts retired enlisted men of the Armed Forces, retired for any cause, and retired officers thereof, retired for battle injuries or for injuries or incapacity incurred in line of duty.

8. Section 7 of the act of June 3, 1896 (29 Stat. 235; 5 U.S.C. 63) which is the section excepting, from section 62, item 7, supra, retired officers of the Army and Navy employed by Chief of Engineers of the Army in connection with the improvement of rivers and harbors.

9. The proviso in the paragraph under the heading "Bureau of the Budget" on page 373 of volume 42 of the United States Statutes at Large (5 U.S.C. 64) which is the section excepting from section 62, item 7, supra, retired officers of the Armed Forces who may be appointed to offices created by the Budget and Accounting Act of 1921, 42 Stat. 22, section 207 which created the Bureau of the Budget in the Treasury Department and provided for the appointment of a Director and Assistant Director.

The intention of the foregoing appears to be to repeal the double compensation and dual office holding acts (5 U.S.C. 58 and 62) and the exceptions thereto. Presumably, any exceptions to those two acts, not specifically listed, supra, such as 5 U.S.C. 64a and others, if they exist, would be repealed by implication.

The bill, by its terms, would be effective on the first day of the first calendar month beginning more than 30 days after date of enactment.

DR. MARSHAK'S ASSESSMENT OF RUSSIAN SCIENCE

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article by Robert E. Marshak, entitled "Reexamining the Soviet Scientific Challenge."

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I have the honor to have as one of my constituents a distinguished scientist. He is Dr. Robert E. Marshak, chairman of the Department of Physics and Astronomy of the University of Rochester, New York.

Dr. Marshak is eminently respected for his scientific aptitude in the field of nuclear physics. Further, his diplomatic abilities have led to his selection for trips to the Soviet Union and other areas of the world, there to meet with fellow scientists for discussions of common concern. Dr. Marshak has worked for many years to promote the international exchange of nonclassified scientific information.

In fact, it is a pleasure for me to inform my colleagues on this occasion of Dr. Marshak's recent naming as chairman of the National Academy of Sciences Advisory Committee for Eastern Europe. This group has among its responsibilities the negotiation of scientific exchanges between the United States and Russian and Eastern European bloc nations. The Committee works in conjunction with the U.S. Department of State.

The April issue of the Bulletin of the Atomic Scientists contains an article by Dr. Marshak that is deserving of the reading of all of us who legislate in the tense context of the cold war. In "Reexamining the Soviet Scientific Challenge," Dr. Marshak explores the vital distinctions between scientific communities operating in "open" and "closed" societies. He also brings some overdue definition to problems of our own country which tend to inhibit, rather than encourage, the extension of the frontiers of scientific knowledge.

The article follows:

Reexamining the Soviet Scientific Challenge

(By Robert E. Marshak)

On October 4, 1957, the U.S.S.R. hurled its first sputnik into outer space. Since then, the Soviet Union has orbited the first astronaut around the earth, tested nuclear weapons of novel and advanced design, and performed a significant experiment on controlled thermonuclear reactions. This was heady wine for the Russians and led them to proclaim at the 22d Communist Party Congress in November 1961: "It is a point of honor for Soviet scientists to consolidate the advanced branches of knowledge and to take a leading role in world science in all the key fields." Does this mean that the U.S.S.R. has already achieved a decisive scientific and technological supremacy and that we should retire gracefully from the competition with all the consequences this would entail?

To begin with, I should like to note a completely different type of statistic. Measuring time from the first sputnik—a new reference point—six sets of Nobel prizes have been awarded for distinguished research in physics, chemistry, and medicine. Of these 18 prizes, 11 have been won either in whole or in part by Americans and two have been won by Russians. The Nobel prizes are awarded for outstanding discoveries in pure science: if these prizes are taken as a measure of scientific achievement, the United States is far in the lead. I do not personally give great weight to these numbers but I would put this evidence on a par with drawing conclusions about the total spectrum of Soviet applied science from its space successes.

Let us now pose our general question in the form of several related questions. Is the Soviet Union ahead of the United States in applied science at the present time or will it soon forge ahead? Is the United States ahead of the Soviet Union in pure science at the present time and, if so, will the U.S.S.R. soon catch up? Is it possible to do an excellent job in applied science and a poor job in pure science or conversely? If so, what relationship does this have to the structure of American and Soviet societies and the ideological conflict between the two?

On the political level, the United States is an open and reasonably democratic society in contrast to the Soviet Union which is a closed and totalitarian society (less closed and less totalitarian than under Stalin but still in essence a dictatorship with firm controls over its citizens). On the economic level, the United States provides wide latitude for free enterprise and individual initiative, whereas in the Soviet Union all the means of production are in the hands of the Government and teamwork is encouraged and rewarded. In other words, the structure of society in the United States is characterized by openness, freedom, and lack of central control, whereas constraint, coordination, and central direction are some of the qualities which describe Soviet society.

At this point we must distinguish between pure and applied science. Warren Weaver in a 1960 essay entitled "A Great Age for Science" tells us that pure science "is not technology, it is not gadgetry, it is not some mysterious cult, it is not a great mechanical monster. Science is an adventure of the human spirit; it is an essentially artistic enterprise, stimulated largely by curiosity, served largely by disciplined imagination, and based largely on faith in the reasonableness, order, and beauty of the universe of which man is a part." This characterization is a bit flowery and would smack of "bourgeois idealism" to some of my Soviet colleagues. But it correctly emphasizes that a pure scientist derives his chief satisfaction from fashioning a new piece of knowledge just as an artist derives his greatest pleasure from carving a new piece of sculpture. The pure scientist should have complete freedom both to choose the subject matter of his investigations and to draw the conclusions to which they lead, consistent with the laws of logic and nature.

The situation is different in applied science. The applied scientist has a practical goal in mind and attempts to enlarge existing scientific knowledge in rather well-defined ways to achieve this specified human purpose; usually the purpose encompasses the creation of new materials, devices, systems, methods, or processes. In other words, applied science comprises the technological applications of newly discovered scientific knowledge. It is a truism that applied scientists may create new knowledge and that pure scientists, motivated solely by curiosity, may make revolutionary discoveries of the greatest possible practical application. But the point is that applying science to satisfy man's needs automatically involves the society in which this work is done and society may be expected to call the tune. It is not surprising that the conditions most conducive to pure science may differ from those most beneficial for applied science.

The emphasis on private initiative which characterize the American way of life provide a very favorable climate for basic research. In the field of pure science, the freedom of the individual researcher should be maximized and conformity, in the sense of external constraint and control, should be minimized. The pure scientist should not even be expected to contribute to the attainment of well defined goals of the State. As Jerome Wiesner, the chief coordinator of science in the U.S. Government has said: "My job is to keep scientific anarchy working well enough so that people will not try to change it and create a massive department of science."

But the government control and central direction which characterize the Soviet way of life can be very effective in achieving certain well defined objectives of the nation. Once the basic knowledge has been created and a practical goal established, a highly organized team undertaking in applied science becomes both feasible and most likely to succeed. Indeed, from the vantage point of the chief coordinator of science in the Soviet Union, M. D. Keldysh, president of the Soviet Academy of Sciences, there is not much room for pure science as an end in itself. According to Academician Keldysh, "It would appear to be advisable to increase the share of allocations for scientific research and experimental design in proportion to the economic effect derived from the results of this work."

We thus have an interesting contrast. On the one hand we have the chaos in the United States which is ideal for pure scientific endeavor and which must serve as the starting point for the organization and control which are necessary to achieve national objectives in applied science. On the other hand we have the central control of the Soviet system which readily handles national objectives in applied science but which must be loosened up to provide the proper conditions for pure scientific work. The questions we have raised may therefore be rephrased. We expect the Russians to do well in applied science because they can readily set national objectives and mobilize the resources to attain them. Is this true and to what extent may we expect the Russians to make outstanding contributions to pure science? Conversely, we expect Americans to excel in pure science because of their independence and traditional freedom of thought. Is this true? To what extent may we expect individual American scientists and engineers to join into teams which can be assigned well-defined goals in applied science.

SOVIET STRENGTHS AND POTENTIAL

Soviet space triumphs are due to an early and precise delineation of a major national goal in applied science and a most detailed and deliberate organization of the wherewithal to achieve it. When I was in Poland last July, I was told that the Russians have offered the Poles the option of taking over the manufacture of Van de Graaff accelerators for the entire Eastern bloc because the institute formerly assigned this task is now heavily engaged in the manufacture of space equipment. Russian colleagues in other fields of science constantly refer to the extent to which the Soviet space program drains off funds and personnel which might otherwise have been allotted to their programs. The singlemindedness with which the Soviet Government is approaching the space race is truly impressive.

Indeed, we must reckon with other well-defined national goals in applied science which the Soviets have set for themselves during the next decade. Apart from constructing spaceships which will enable men to penetrate into outer space, they propose to achieve the electrification of the entire country, comprehensively mechanize and automate production, develop methods of direct conversion of thermal, nuclear, chemical, and solar energy into electrical power, and solve the problem related to the control of thermonuclear reactions—and these are only a small part of their master blueprint for applied science. It is recognized that some of these goals are short range and may actually be reached during the next decade while others are long range and may only attain preliminary design stages. Coordination of science and technology is to be expedited by official councils consisting of scientists, engineers, and industrial leaders and further encouraged by the public press, scientific and engineering societies, and prize competitions. (More than a year ago, a new and all-embracing state committee on the coordination of research and development was set up in the Soviet Union for the express purpose of developing plans for achieving state goals in applied science.)

The Soviet Union has also taken necessary steps to increase the chances of success for these ambitious plans. It is stepping up the training of engineers (which already exceeds 125,000 per year and is three times as many as in the United States), increasing the output of industrial technicians and aids (which is approaching the quarter-million mark per annum and is probably five times as high as in the United States), coordinating the theoretical and experimental aspects of scientific and engineering training, and in general raising educational standards. Moreover, the Soviet state can set enrollment quotas for each level of education and increase or decrease the flow of certain types of scientific and engineering manpower in accordance with its master plan. It is evident that the Soviet educational system is well designed to train specialists who contribute effectively in applied science. This concentration of effort on applied science constitutes a tremendous challenge and is bound to lead to additional breakthroughs in some of the areas on which the Soviet state has focused its attention.

PURSUIT OF PURE SCIENCE

At the same time, the Soviet Union is establishing more favorable conditions for the pursuit of pure science. The draft program of the 22d Congress of the Soviet Communist Party recognizes that a "high level of development in mathematics, physics, chemistry, and biology is a necessary condition for the advancement and effectiveness of technical, medical, agricultural, and other sciences." The Soviet Union implements this statement of principle by providing large installations needed for such a pure science as high energy physics and by supporting such basic studies as those on the origin of life, metabolism, and heredity. Indeed, since Stalin's death, many of the conditions of scientific freedom which are indispensable for carrying on basic research have been established again to a considerable extent. It appears that the individual research person in the Soviet Union is now relatively free to choose the subject matter of his own research although the strong emphasis on practical applications to achieve state goals may sometimes interfere with this freedom. In addition, the Soviet research person in pure science can usually—but not always—draw the conclusions to which his investigations lead without subjecting them to the requirements of some nonscientific authority.

The situation in the last respect is particularly unpredictable in the biological sciences. There is always the possibility that a powerfully placed and devout Communist like Lysenko will attempt to impose an extrascientific conformity on his scientific colleagues. This is done in two steps: first, a potential Lysenko argues that the philosophical dogma of the Soviet state—dialectical materialism—is capable of deciding what concepts and procedures should be adopted in a given science; then, when the party line has been established, those scientists who attempt to follow the ideas and methods suggested by their own experimental data are penalized for nonconformity. This is an exquisite way to kill a science because it is done so self-righteously.

As we know, under Stalin, some of the biological sciences were badly damaged by overenthusiastic proponents of dialectical materialism although the physical sciences escaped relatively unscathed. During the present era, the biological sciences have returned to a more normal state of operation and the individual research person has recaptured much—but not all—of his lost scientific freedom. The qualification is necessary because it seems that even under Khrushchev, M. M. Dubinin, the foremost representative of classical genetics in the Soviet Union, was given the directorship of a new laboratory of genetics in Siberia but was replaced a year later allegedly on direct orders from the Kremlin. The public exhortation last spring by the distinguished Soviet Physicist Peter Kapitza against the intrusion of Marxist ideology into science (with specific reference to biology) is a good indication that a Lysenko-type interference with natural science is not excluded even at this late date.

The lifeblood of pure science is open communication. The individual Soviet researcher is now free to publish his results, engage freely in scientific criticism, and have a limited number of personal contacts with his colleagues from the West, although it is never certain that even the most distinguished Soviet scientist will be permitted to attend an international conference in a foreign country. But the Soviet Government is slowly recognizing that the quality and sophistication of its pure science is strongly dependent on its fullfledged acceptance of the principle of open communication among scientists of all countries. Thus, while the conditions for outstanding performance in pure science are still far from ideal in the Soviet Union, they are such a vast improvement over those which prevailed during the Stalin era that important, if not spectacular, contributions to pure science are to be expected during the next decade.

Major improvements in the quality of Soviet work in pure science may even be felt by the end of this decade because of certain organizational changes which are being undertaken now by the Soviet Government. They include the decentralization of scientific research in the Soviet Union to a large number of centers stretching as far east as Novosibirsk in Siberia; the initiation of a move to improve the quality of pure scientific research in the Russian universities instead of having the bulk of the research concentrated in the specialized academy institutes; the recent modification of examination procedures for the doctoral degree which requires outside examiners (thus breaking the chain of inferior performance in some of the leading Russian universities); and the recent revision of the mandate to the Academy of Sciences of the U.S.S.R. withdrawing from its jurisdiction most of the applied science institutes.

I am convinced that a great many senior Soviet scientists are well acquainted with the conditions required for highly productive work in pure science and will increase their efforts to shield the younger scientists from external state pressures. A press release last spring quoted the Nobel laureate Igor Tamm as saying: "It often happens that when the faculty recommends a student for a research post, it is claimed that the social activity is insufficient, even if the reason for this is not any lack of political consciousness but rather an absorption in scientific work." The implication is clear: the Soviet state should recognize that science, like art, is a way of life for a talented young person.

AMERICAN STRENGTH AND POTENTIAL

American accomplishments in pure science since the end of World War II have been much more impressive than the Russian contributions, ranging all the way from important discoveries in high energy and solid state physics to major breakthroughs in genetics, biochemistry, and medicine. I think that it is fair to say that only Russian mathematics and theoretical physics are in any way comparable to the quality of similar American research.

The strength of the American position in pure science is due to a combination of fortunate circumstances. The emphasis on individual initiative which characterizes the American way of life provides a very favorable climate for the practice of pure science. Most pure science in the United States is performed in university laboratories where the conditions of intellectual freedom are strongly sustained by a healthy tradition of academic freedom, which we have received from Europe and have passed on a matter of course to the next generation. Academic scientific centers of high standing are so widely dispersed that scientific talent almost anywhere need not languish for lack of encouragement. We have a hospitable attitude toward foreign scientists in staffing our university departments and the foreign scientists have fully justified our confidence by contributing in an essential way to the achievements of pure science in the United States. And our Federal Government provides strong financial support for university research without seriously infringing on the independence and freedom of the individual scientist.

It is therefore not surprising that the recent American record in pure science is so outstanding. Furthermore, there is every reason to expect that our record will continue in the immediate future because, apart from the qualitative superiority of American compared to Soviet basic research at the present time, the quantitative output of pure scientists in both countries is approximately the same.

When we examine American performance in applied science, the picture is much more confused. Applied research is carried on largely in American industrial laboratories and to a lesser extent in Government laboratories. The problem is coordinating the applied science work at the numerous industrial laboratories in order to accomplish important national objectives. During a national emergency, setting up a large Government laboratory which drafts leading scientists and engineers in order to attain a well-defined national goal is both acceptable and workable. During peacetime, or even during a tense period, this is not acceptable and therefore not workable. Some more elaborate and costly mechanism must be set up to coordinate the deliberate chaos which characterizes our free enterprise system and which provides the ideal climate for pure science. One popular mechanism is the nonprofit laboratory which coordinates the applied science and development work of a large number of industrial laboratories. Setting up a national missile laboratory in analogy to the Los Alamos Atomic Bomb Laboratory established during the war has only been partially successful in the form of the Goddard Space Science Center.

We are in a genuine dilemma. How can we reconcile the openness and freedom which are essential for the practice of pure research with the coordination and control which are required for success in applied science undertakings on a grand scale, such as the man-on-the-moon program? Evidently, national planning will be required but in what form and to what extent?

It is clear that our national planning in applied science must start on various levels. We must first establish our national goals in applied science and identify those of short-range importance for the national welfare and security and those of vital importance. The determination of national goals requires the participation of scientists and engineers at the highest level of the decisionmaking process on a permanent basis. It has been pointed out repeatedly that a very high percentage of scientifically and technically trained persons operate at the high administrative levels where decisions are made in the Soviet Union. In the United States there is a severe shortage of top administrators in policymaking positions who can exercise independent scientific and technical judgment. The absence of such people in high Government councils is due to the tremendous salary differential between top administrators in industry and in Government. In an attempt to obtain the scientific and technical advice needed to establish our national goals in applied science, the Government has been compelled to fall back upon part-time consultants who at the same time are eagerly sought and handsomely paid by the industries which seek the development and hardware contracts. The so-called scientific scandals which may be aired during the coming year are an inevitable consequence of the disparity between our normal free enterprise way of doing things and the need of our Government to cope in an organized way with the scientific and technological explosion which is upon us.

RESOLVING THE AMERICAN DILEMMA

I do not wish to leave the impression that nothing has been done to provide our Government with top level scientific advice to help define our national goals in applied science. After the first sputnik was hurled into orbit, President Eisenhower created the Scientific Advisory Committee which has been of invaluable assistance to the executive branch of our Government. In 1958, President Eisenhower set up the Federal Council for Science and Technology which consists of high-ranking officials from the Federal agencies supporting major research and development programs. And more recently, President Kennedy issued an Executive order creating a semi-Cabinet post for his chief science adviser, Jerome Wiesner. The American Federal Council for Science and Technology is the analog of the Soviet State Committee on the Coordination of Research and Development in that both are supported to exercise national planning and policy roles. However, there is one very important difference: the Soviet committee embraces all scientific and technical matters whereas the U.S. council is only concerned with those applied science activities carried on by the Federal Government. The vast private industrial sector is outside the jurisdiction of the council and somehow does not make its proper contribution to the establishment and implementation of national goals.

I know that this is a delicate question but I would suggest that perhaps an industrial council for science and technology might be set up, consisting of some of the leading scientists in industrial research laboratories, which would present its views to the Federal Government, let us say through Mr. Wiesner, on desirable national goals in applied science. By learning to coordinate the advice which is extended to the government, perhaps the industrial laboratories will develop mechanisms for implementing more efficiently within the framework of the free enterprise system the national goals in applied science which are finally selected. In particular, perhaps something can be done to eliminate the wasteful duplication of effort in achieving major national goals.

This duplication is a natural concomitant of the free enterprise system and the competitive spirit which leads to progress on many fronts but it becomes a dangerous luxury when large commitments of scientific and technical manpower are involved. For example, some time ago, NASA announced that the man on the moon program will require several thousand more engineers. We cannot recruit them from the universities, which have a very small number of nonteaching engineers; we can only train them from the beginning or recruit them from industry or other government laboratories. We must do both, and one function which could be performed by an industrial council for science and technology would be to effect a voluntary assignment of quotas of engineers from the different industrial laboratories to NASA in accordance with a mutually agreed-upon plan, so that the national man on the moon program can be achieved as quickly as possible.

Some of our national goals require long-range planning and coordination. In order to educate a sufficient number of scientists, engineers, and technicians who will do the jobs necessary to achieve our national goals in applied science and development, we must provide funds to colleges and universities for enlarging and improving scientific and engineering facilities in the form of buildings, laboratories, and equipment. It is necessary to set up a reasonable number of technical institutes which will train the many students with science aptitudes who, for one reason or another, either do not wish or are unable to undertake a 4-year curriculum; this additional technical manpower will release a sizable number of more highly trained scientists and engineers for responsible positions. It is necessary to figure out ways of making it possible for women to enter more seriously upon scientific and engineering careers in the United States.

Finally, it is necessary to liquidate our Civil War after 100 years. The treatment of Negroes in the South not only deprives the Nation of a substantial reservoir of scientists and engineers, but it also inhibits high intellectual attainment on the part of the white population. Last year, the General Electric Research Laboratory made a survey of the papers published during 1960 in the leading journals of chemistry and physics by all the university, Government, and industrial laboratories in the country. During this entire year, the State of Mississippi, with a population of 2 million, had to its credit not a single paper in chemistry or in physics.

This is to be compared with the moderately sized University of Rochester which published in excess of 100 papers during the same period. Let us recall that the State of Mississippi only accepted token integration after a display of force by Federal troops. I submit that a State which is still so harsh and unyielding in its sociopolitical structure can hardly be expected to make its proper contribution to the achievement of our national goals in applied science, let alone sustain creative contributions in pure science.

TO THE MOON TOGETHER

Despite these many problems, I believe that our undoubted leadership in pure science will continue to be nurtured by the openness, freedom, and free enterprise spirit which characterize our society. Our accomplishments in pure science will provide a vast reservoir of ideas for important achievements in applied science, and our innate good sense and good will lead to a voluntary rational measure of coordination and control in those areas which are indispensable for the achievement of our national objectives in applied science. I believe that the Soviet methods of strict supervision and control will lead to numerous short-range breakthroughs in applied science but that the momentum will not be sustained unless there are also significant advances in their pure science. A great improvement in the quality of these achievements will depend upon their ability to fully establish the conditions of scientific freedom which are essential for highly creative work in pure science.

It is unlikely that the conditions of scientific freedom in the U.S.S.R. will match ours unless there is a substantial opening up of their society on all fronts and this implies the reestablishment of a large measure of political freedom. If the Soviet Government comes to realize—and I believe that the Russian scientists already do—that scientific and political freedom go hand in hand and that it is difficult to guarantee scientific freedom without a major liberalization of Soviet society in all its aspects, there is bound to be a great efflorescence of pure science in the Soviet Union. And if a large measure of political freedom is established in the Soviet Union, it is quite likely that we shall be sending our American astronauts together with their Russian counterparts on joint expeditions to the moon and other celestial objects beyond.

SUGAR PRICES AND FOREIGN LOBBYISTS

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, the folly of having sold American sugar producers down the river in favor of the foreign sugar lobbies is now evidenced in the higher prices American housewives are now paying.

I have pointed out repeatedly in recent years that we should have reversed the unwise policy of increasing the foreign quotas substantially more than domestic quotas, and I have warned that the situation could seriously affect the future supply of this strategic commodity.

It was just last year when I and others pointed out how the foreign lobbyists were sweetening their pockets by millions of dollars, and of the failure of the Departments of State and Agriculture to respond effectively to the problem.

Now is the time for action to protect the American consumer from unreasonably high sugar prices and possible future shortages of this commodity. I note with interest that Republican members of the Agriculture Committee have asked the committee chairman to reopen hearings on the matter. I consider it a most appropriate move under existing circumstances.

This seems to be the opportune time to provide for further expansion of domestic production of sugar. Of course, it should have been done 2 or 3 years ago, so the plants needed to process the sugar could have been in operation by now, and the growers could have had their sugar beets in the ground. Even a green light at this moment will take time before our domestic growers can realize their desire and right to contribute their fair share of our sugar needs.

HOUSE AGRICULTURE COMMITTEE SHOULD INVESTIGATE SUGAR SITUATION

Mr. LANGEN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mrs. MAY. Mr. Speaker, the Department of Agriculture, in a press release last Thursday, May 23, assured the public that sugar supplies will be sufficient to meet all requirements for household, institutional, and industrial use and to provide reasonable stocks of sugar for distributors, users, and ultimate consumers. The purpose behind the Department's press release is to discourage consumers from hoarding sugar during this period of skyrocketing sugar prices. The release states that the national sugar consumption needs are either in hand or in sight, and indicates that the only way a shortage could develop would be for consumers to hoard sugar supplies.

It is good to know that the Department is confident that, barring public hoarding, we will not experience a sugar shortage. I certainly hope that the Department is correct in its assurances of availability of ample supplies. And I wish also to express the hope that consumers will not hoard, because such action is bound to make a critical situation much worse.

As a Representative from a beet sugar producing area, I know that the price rise in sugar would be much more easily accepted by housewives in the State of Washington if they knew our sugar farmers were sharing in the increased prices. I regret to report, however, that the price rise is not being fully reflected in added income to growers of sugarbeets in the State of Washington, and this is what makes the current price situation so difficult for the consumers in my State to understand, much less appreciate.

As everyone knows, the United States leans heavily on foreign nations for its sugar supplies, and if these nations are unable to fulfill their commitments to us, we experience a shortage. There is no other alternative. This is why, Mr. Speaker, it is so imperative that the farmers of our Nation be given full opportunity to produce more of our Nation's consumption requirements. This is why we amended the Sugar Act in 1962 to provide, by law, that domestic producers may provide more sugar to the Nation's sugar bowl. When next the Sugar Act is reviewed by the Congress, I believe we should consider further reductions in our Nation's dependence on foreign sources.

Certainly, had Congress acted 2 years earlier in allowing expansion of the domestic industry, the threat of a temporary shortage would have been materially cushioned because we would have more farmers growing sugarbeets and more factories refining the sugar for distribution to our consumers today.

The Department of Agriculture still has not allocated 95,000 tons to new growers as provided in the Sugar Act Amendments of 1962. This is enough to build and operate two additional sugar-processing mills in the United States. The Department informs me it has no plans to allocate these 95,000 tons for some time to come and that these two mills cannot be in production until 1966. In this connection I would like to point out that last October, during the Department of Agriculture's sugar allocation hearings, I appeared before the Department in support of a request by the Utah-Idaho Sugar Co. for an allocation to produce an additional 32,000 tons at their Moses Lake, Wash., refinery, through an expansion of their existing facilities. Had this request been granted, Mr. Speaker, the American sugar consumer would not be forced to rely quite so heavily on the current Department of Agriculture press release stating that in recent days the Department has received new assurances from foreign countries that they will fulfill their quota commitment.

The Moses Lake, Wash., area is located in the northern part of the Columbia Basin project, and is particularly adapted to the production of sugarbeets, with one of the highest per acre tonnage productions in the United States at 24.7 tons per acre. And this is a new grower area which makes it fully eligible for tonnage allocation by the Department of Agriculture.

The foregoing facts, of course, do not help the immediate situation. But they point up the fact that the appropriate committee in Congress should review the events which have led to the current sugar situation. The House Committee on Agriculture is charged with the sole constitutional and legislative authority to initiate sugar legislation and therefore is the proper forum for such a review. The minority members of the House Agriculture Committee have urged the chairman of our committee to schedule a meeting of the committee to determine the effects of the 1962 amendments to the Sugar Act, the manner in which the act is currently being administered, the facts concerning present sugar supplies in the United States, whether all foreign nations are acting within the spirit of the Sugar Act by making timely deliveries, and whether the Soviet Union through its influence in Cuba is in any manner responsible for current high sugar prices in our country.

We are hopeful, Mr. Speaker, that the chairman will grant our urgent request.

THE LATE ORVIL E. DRYFOOS

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, at 10 o'clock this morning was the funeral service of my constituent and friend, Orvil Dryfoos, publisher and president of the New York Times. Orvil Dryfoos' death at the age of 50 shocked and saddened every New Yorker and every American who treasures standards, integrity, and independence in American journalism. Orvil Dryfoos possessed a heart and mind as wide and as high as the sky, and his devotion to the betterment of mankind had no limit. New York and the Nation mourn the passing of Orvil Dryfoos and remember with grateful thanks the quiet inspiration of his life. The heartfelt sympathies of the thousands who knew him go to his lovely wife and his family.

Mr. Speaker, the obituary that appeared in the New York Times yesterday, May 26, is a beautifully written piece, describing the life of Orvil Dryfoos. It should be read by all who admire the work of a great newspaper and of a great man.

ORVIL E. DRYFOOS DIES AT 50; NEW YORK TIMES PUBLISHER

Orvil E. Dryfoos, president and publisher of the New York Times, died of heart disease shortly after 3 a.m., yesterday in the Harkness Pavilion of the Columbia Presbyterian Medical Center. He was 50 years old.

Mr. Dryfoos entered the hospital on April 15. Two weeks earlier, at the end of the 114-day strike, he had gone to Puerto Rico for a rest. But while there he entered San Jorge Hospital at Santure, near San Juan.

Upon his return to New York, he went directly from the airport to the medical center.

During his final illness he was in good spirits and replied cheerfully to get-well messages. He said he was getting a good rest and hoped to be back on the job soon.

Mr. Dryfoos had had rheumatic heart disease as a young man. He first learned of it when it prevented his acceptance for military service in World War II.

Mr. Dryfoos is survived by his widow, three children, his mother, and two brothers. Mrs. Dryfoos is the former Marian Effie Sulzberger, oldest child of Arthur Hays Sulzberger and Iphigene Ochs Sulzberger. Mr. Dryfoos succeeded Mr. Sulzberger as president and publisher of the Times. Mr. Sulzberger is chairman of the board of the newspaper.

The three Dryfoos children are Jacqueline Hays, born May 8, 1943; Robert Ochs, born November 4, 1944, and Susan Warms, born November 5, 1946.

Mr. Dryfoos lived at 1010 Fifth Avenue, near 81st Street, and at Rock Hill, Stamford, Conn. His mother, the former Florence Levi, now Mrs. Myron G. Lehman, lives at Carlton House. His father, Jack A. Dryfoos, died at the age of 52 in 1937. His brothers are Donald Dryfoos, of 301 East 47th Street, and Hugh Dryfoos, of 969 Park Avenue.

A funeral service will be held at 10 a.m., tomorrow at Temple Emanu-El, Fifth Avenue at 65th Street. The burial will be private. The family has requested that instead of sending flowers, friends make contributions to Dartmouth College, from which Mr. Dryfoos was graduated in 1934.

Mr. Dryfoos took over the duties of publisher of the Times from Mr. Sulzberger on April 25, 1961. He had been president of the New York Times Co. since 1957 and a director since 1954, when he was named vice president.

Beginning in 1943 he served as assistant to the publisher. For a year previously, he was on the Times's local reportorial staff. It was in that capacity that he began newsroom friendships that continued on a first-name basis for the rest of his life.

Mr. Dryfoos brought to his associates a genial disposition and a warm good nature that showed itself in his ready smile. An adjective frequently applied to his appearance was "boyish."

At the same time, he brought to the newspaper a dedication and a steadiness of judgment that met a severe test in the 16-week newspaper strike, the longest and costliest in the industry in this city.

The long negotiations were wearing on those who were to any degree involved. (During a lull, Mr. Dryfoos flew to Puerto Rico for a few days, but he was already feeling the effects of his illness and did not get the rest he had sought.)

An informal, unpretentious man, the publisher kept generally in the background during the tedious and sometimes rancorous talks. Yet he exerted a constant influence toward conciliation and a fair settlement.

He kept in mind the situation of newspapers in a weaker position, whose survival was threatened. There were times when he acted as a peacemaker and was instrumental in persuading negotiators to resume.

MOBILIZED RESOURCES

During the strike, the Times' working personnel dropped from about 5,000 to 900. Mr. Dryfoos and his advisers mobilized the 900 so that the newspaper could continue to publish its international and western editions and maintain its ancillary services as far as possible.

The 72 newspapers in the United States, Canada, and overseas that subscribe to the New York Times News Service were given 20,000 words a night.

The western edition of the Times, printed in Los Angeles since October 1, 1962, continued to receive most of its 80,000 words a day from the New York office.

The western edition had been announced formally by the Times on October 31, 1961, after a year's study of the operation of the international edition, printed in Paris since October 1960.

Dr. Dryfoos had taken a primary role in the groundwork for the western edition; this was one of the major steps taken during his administration as publisher.

The international edition continued to receive an average of 36,000 words a night during the strike. WQXR, the Times' radio station, more than doubled its news broadcast time,

Throughout the long winter of dislocation, Mr. Dryfoos maintained contact with his staff, including those who were not at work. He wrote a letter to employees at their home addresses early in the shutdown. Some of them replied to Mr. Dryfoos to express their appreciation of the tone of the letter.

On March 9, he wrote again, promising "a warm welcome" when the strike was over. And on March 31, when employees finally returned to work, they found a letter reproduced in Mr. Dryfoos' handwriting, beginning: "It's good to see you back at work."

To a friend, he wrote on March 14, when the end of the strike remained in doubt: "Certainly these hundred days have been the most awful I have ever lived through." And, in a scrapbook begun when he was appointed publisher, a reproduction of the Associated Press bulletin announcing the end of the strike, on March 31, lay yesterday at the top of a batch of unmounted material.

Apart from an ability to maintain a personal touch throughout his large organization, Mr. Dryfoos, as publisher, strove to make the Times more readable and more incisive while sacrificing none of the paper's news coverage.

Mr. Dryfoos' first act as publisher, announced on April 25, 1961, was the appointment of John B. Oakes as editor of the editorial page. He kept in close touch with Mr. Oakes on editorial policy.

He also kept abreast of the daily news flow. He usually attended the daily news conference, at which the next morning's newspaper is planned.

The publisher also bore a heavy responsibility for the economic health of the paper. The Times operated on a profit margin so modest that it sometimes astonished men in other lines of business.

While Mr. Dryfoos, like Mr. Sulzberger and Adolph S. Ochs before him, felt that his primary task was to maintain the paper's independence and reliability, he also felt that it was necessary for the institutional strength and growth of the New York Times to improve its profit position. He made that one of his principal aims as publisher.

MARRIED IN 1941

Orvil Eugene Dryfoos joined the Times 6 months after his marriage on July 8, 1941, to the Sulzbergers' daughter. Mr. Sulzberger in 1935 had succeeded his own father-in-law, Mr. Ochs, as publisher.

"I was sensible enough to marry the boss' daughter," Mr. Sulzberger once remarked to Mr. Dryfoos, "and you were, too."

Marriage changed the course of Mr. Dryfoos' career. A sociology major at Dartmouth, he had obtained his Bachelor of Arts degree and then started as a runner in Wall Street. Eventually, he bought a seat on the New York Stock Exchange. Mr. Sulzberger urged him to join the Times.

"I was hesitant about coming in," Mr. Dryfoos once recalled. "I was enjoying my work downtown, and doing fairly well, considering conditions then. When Mr. Sulzberger spoke to me about it, I thought about it for some time before I made my decision."

When, having made his decision, and joined the Times, Mr. Dryfoos was put into the city room. For a year he worked as a cub reporter and once had an unbroken string of 17 night assignments—an ordeal that gave him a lasting distaste for after-dinner speeches.

He also worked as a legman for more experienced reporters. Late in March 1942, he accompanied two of them to an arms plant in Bridgeport, Conn., where an explosion had killed three persons and injured many.

FOUND SATISFACTION

It was an assignment that gave the junior reporter great professional satisfaction, and any reference to it over the next 20 years invariably drew a warm response from Mr. Dryfoos.

As a reporter he never got a byline—an omission he occasionally referred to later with mild regret.

For a while, he was on the make-up desk. Then he was named assistant to Mr. Sulzberger. As an executive observer, he accompanied Times teams to every major party national convention, beginning in 1944.

As an administrator, Mr. Dryfoos made an outstanding record at the Times. He knew how to delegate responsibility and at the same time how to master intricate details himself. But none of his ultimate responsibilities lessened his ease of manner with his staff.

During the late-hour negotiations in the Daily News strike last November that preceded the citywide shutdown, Mr. Dryfoos never failed to chat with his own and other reporters assigned to the meetings.

Orvil Dryfoos was born in New York on November 8, 1912. His father was in the textile business and was treasurer of a paper novelty manufacturing company. The boy was sent to the Horace Mann School, where he was on the soccer, tennis, and swimming teams. He also wrote a sports column called "The Dug Out" for the Horace Mann Record.

HONORARY DEGREE GRANTED

From Horace Mann he went to Dartmouth. In 1957 Dartmouth granted him an honorary master of arts.

Last June he received an honorary doctor of laws degree from Oberlin College.

His first job was with the brokerage firm of Asiel & Co., where he remained for 3 years. In 1937, as a partner in Sydney Lewinson & Co., he purchased a seat on the Exchange. He was an active trader until the end of 1941, and gave up his seat on the Exchange 8 years later.

A sketch of Mr. Dryfoos in the Times of April 26, 1961, on his appointment as publisher, noted that he "is not known as a 'driving' executive, although he can be firm when necessary," and that "he prefers to vest responsibility in competent men and let them carry out the duties to which they have been assigned."

Mr. Ochs, publisher of the Times from 1896 until his death on April 8, 1935, wrote in his will that it was the responsibility of the Times to be "an independent newspaper, entirely fearless, free of ulterior influence, and unselfishly devoted to the public welfare without regard to individual advantage or ambition, the claims of party politics, or the voices of religious or personal prejudice and predilection."

Under that will, Mr. Dryfoos eventually became one of three trustees controlling a majority of the voting stock of the Times. He succeeded Julius Ochs Adler, vice president and general manager, who died on October 3, 1955. The two other trustees were Mr. and Mrs. Sulzberger.

SETS FORTH GOALS

In a personal statement on the editorial page on his first day as publisher, Mr. Dryfoos wrote:

"I pledge that my associates and I will maintain vigilantly the high standards set by our predecessors."

Mr. Dryfoos became president of the company in 1957, and Mr. Sulzberger, remaining as publisher, became board chairman, a new position in the organization. Mr. Sulzberger's retirement as publisher came 4 years later.

Mr. Dryfoos was active in civic, educational, philanthropic and publishing industry programs. He was a trustee of Dartmouth College and a lay trustee of Fordham University. He was a trustee and a member of the executive committee of the Rockefeller Foundation.

He served as a director of the New York Convention and Visitors Bureau, the Hundred Year Association of New York, the Fifth Avenue Association and the New York World's Fair 1964.

In 1963, when he retired as a director of the Bureau of Newspaper Publisher's Association, he was awarded a bronze plaque for distinguished service to the newspaper business.

AIDED RED CROSS

In World War II he was vice chairman of the New York Red Cross Chapter's Blood Donor Committee. This was the forerunner of the peacetime blood donor program.

Mr. Dryfoos was a trustee of the Baron de Hirsch Fund. He belonged to the France-America Society, the American Australian Association, the Pan-American Society of the United States, the Pilgrims and Sigma Delta Chi.

He was a member of Congregation Emanu-El.

His clubs included the Century Country of White Plains, the Dutch Treat and the Century Association of 7 West 43d Street. His suburban address was 1219 Rockrimmon Road, Stamford.

Mr. Dryfoos was president and director of the Interstate Broadcasting Co., Inc. (WQXR), and various Times subsidiaries. He headed the New York Times Foundation, a corporation arranged for charitable purposes, and the New York Times neediest cases fund.

DEFENSE PROCUREMENT COMPETITIVE BIDDING

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, defense procurement takes up more than $30 billion of our staggering $55 billion budget for national defense, and 85 percent of that money is spent without the benefit of full and open competitive bidding.

That is why I have advocated a blue-ribbon, nonpartisan committee with the specialized function of "watchdogging" this vast area of Government expenditure. The FBI and the General Accounting Office do remarkable work, but they enter the field only upon specific complaint or, occasionally, in the course of other business.

For 2 years, Mr. Speaker, I have been standing in this House talking about waste, impropriety, and sometimes corruption in defense procurement. No doubt some Members have noted my remarks with some skepticism or lack of interest, just as many, many Members have endorsed them. To all of these, I commend a real eyeopener—two articles on defense procurement that I believe will raise the hair on the back of your neck and make your blood boil with anger. The articles detail the deep-rooted corruption found by the FBI during an investigation of Army Signal Corps contracting, particularly at Fort Monmouth, N.J. They appeared in the Chicago Daily News, the newspaper which helped crack the Fort Monmouth bribery case which involved the arrest of two top-ranking civilian engineers and a manufacturer's representative on charges of conspiring to fix a $2,400,000 electronics contract for a $48,000 kickback.

Those arrests were followed by an extensive but heretofore unpublicized investigation that these stories describe—an investigation that disclosed what I believe to be one of the most shocking pictures of corrupt military procurement operations uncovered since World War II.

Mr. Speaker, I am inserting these two articles at this point in my remarks, and I want to urge each and every Member to take the time to read them. They could be the most important articles that a Member of Congress, sincerely interested in saving the taxpayers' money, ever studied.

Fort Monmouth—10 Months After Exposé

(In July 1962 FBI agents arrested a manufacturer's representative and two top Army Signal Corps civilian engineers from Fort Monmouth, N.J., on charges of conspiring to fix electronics contracts for cash. Here is the untold story of the extent of corruption uncovered after those arrests and what the Army has—and has not—done, 10 months later to correct it.)

(By Charles Nicodemus)

Fort Monmouth, N.J.—Behind this key electronics installation's placid facade of wide lawns and trim pastel buildings there lay a small but deep-rooted cancer of corruption, the worst found since World War II.

That was the conclusion produced by a massive FBI investigation of Signal Corps contracting begun here last July after the arrest of two top civilian engineers. They were charged with trying to rig a $2.4 million contract for a $48,000 kickback.

Detailed findings of the probe were spelled out for the Army in a long series of FBI investigative reports and two closeout memorandums sent by the Justice Department to the Army Materiel Command in January.

(The Signal Corps was absorbed into the newly created Army Materiel Command and its subordinate Army Electronics Command in August 1962, in an Army reorganization.)

The 5-month nationwide investigation also produced indictments of the two engineers and a manufacturer's representative, and material for three other potential criminal cases. They are still pending before Federal grand juries in Newark, N.J., and Los Angeles, Calif.

Pieced together, these indictments, reports, memorandums, and added material in Justice Department files from related probes reveal a picture indicating that:

Honest employees at Fort Monmouth who suspected what was going on were held in line through manipulation of the personnel system, with rewards for those who kept their mouths shut and penalties for those who asked questions.

Some contracts were rigged for favored firms by using spurious technical excuses to knock out unwanted, low bidders. On other contracts, favored firms were permitted to win awards with unrealistically low bids, then jack their prices up later.

Gratuities to Army personnel were common and ranged from bribes to booze, from free female entertainment to free business trips, as one Justice Department official put it.

However, the Justice Department stresses, at every opportunity, that the deep-rooted corruption found at Fort Monmouth and elsewhere in the Signal Corps directly involves only a relatively small number of employees.

The Department's January close-out memos informed the materiel command—which had been holding off action while the FBI worked—that it could then feel free to move in with any needed administrative action, particularly in 11 specific cases not strong enough to merit full prosecution.

Four months after receipt of the memos, there is a 180-degree difference of opinion—between the AMC and Fort Monmouth's commanding general—as to what, if anything, has been done as a direct result of the arrests, besides firing the engineers involved.

THREE MEN SEIZED FOR ALLEGED BRIBERY

The Daily News will disclose Tuesday the widespread changes quietly put through after the arrests—and the conditions that remain despite the arrests.

Seized July 12 outside a plush Shrewsbury (N.J.) restaurant, after bribes allegedly had been passed in marked money, were:

William Laverick, 49, a 21-year employee who headed the key production engineering department of Fort Monmouth's U.S. Army Signal Materiel Support Agency (USASIMSA).

Harrison Tryon, 48, with 17 years on the job, who headed USASIMSA's maintenance engineering division.

Malcolm Schaefer, 38, a former assistant to Laverick, who quit the corps to become a freelance manufacturer's agent.

They were charged with attempting to shake down a west coast businessman with the promise that he'd get a fat electronics contract if he paid off—or find his low bid disqualified if he didn't.

The businessman, Robert Snoyer, 38, president of the Consad Corp., Manhattan Beach, Calif., told his story to a reporter during a Daily News investigation of defense contracts, and agreed to cooperate with the FBI in breaking the case.

The defendants are now scheduled for trial June 10 in Federal District Court at Newark.

PROBE INVOLVES DOZENS OF AGENTS

Their arrests touched off a probe, involving dozens of agents, at the corps' contracting headquarters in Philadelphia, at Fort Monmouth, the source of all key technical evaluations controlling contract awards and prices, and Pasadena, Calif., then the site of a Signal Corps branch office.

The FBI found that Fort Monmouth's problems centered on a "tight little club," as one Justice Department procurement expert described it. "Members" were several high-ranking civilian officials and a group of favored contractors, mostly from small- and middle-sized firms.

The Signal Corps "club members" did not actually handle contract awards—they didn't have to.

Instead, they provided the crucial technical evaluations that played a key role in determining who would or would not get contracts and what the final price might be once an award was made.

The favored firms responded with a continuing string of gratuities often unrelated to specific contract actions—making their detection particularly difficult.

Here is how the club worked, in the view of the Justice Department:

Companies that were "in" got contracts—even if their capabilities were questionable. Those not "in" were disqualified, if possible, through engineering-staff recommendations saying the unwanted bidders lacked the technical plant facilities or engineering know-how to perform adequately. These recommendations were rarely questioned.

MAJOR CONTRACTORS ESCAPE JUGGLING

Major contractors—such as General Electric, Texas Instruments, General Dynamics, and firms of that caliber—obviously were immune to such maneuvering because of unquestioned competence, but many small businesses, which proliferate in the electronics field, found themselves unable to "crack the ice" at Fort Monmouth and Philadelphia.

Once an "in" company obtained a contract, "engineering changes" in the equipment could be proposed by the Fort Monmouth engineers, or "technical action requests" for changes could be sought by the contractor.

These changes supposedly would be costly and entitle the contractor to ask for—and get—more money out of the Government.

Purchase of spare parts for equipment under contract provided another area for manipulation.

Spare parts could frequently be ordered in quantities influenced primarily by the engineering judgment of Fort Monmouth's club members. The prices paid were often higher than the cost of the parts in the original equipment, guaranteeing more excess profits.

To help favored firms compete for contracts or perform once they were won, club members withdrew useful, or needed documents from one of Fort Monmouth's employees-only technical libraries and mailed them—by the boxload, if necessary—to the contractor.

On other occasions, club members who prepared the list of components to be used in equipment under procurement would specify a component made only by a favored firm. This guaranteed the firm the contract—or assured it of a fat subcontract from the prime manufacturer.

Another club agreement existed on subcontracts, the FBI found.

The involved engineers at Fort Monmouth would arrange a contract for one favored firm—then dictate another favored firm that was to receive key subcontracts.

Inevitably, word on the club's operations leaked out.

Contractors consistently cheated out of awards they appeared to deserve complained bitterly—but only within the industry, not publicly.

They feared that an official protest would land them on a blacklist of troublemakers that would freeze them out of all contracts with the Signal Corps and other Government agencies as well.

Fort Monmouth employees not in the club who noted the unusual procedures, acts of favoritism, and flow of gratuities, were held in line through abuse of the personnel system.

FBI agents found that most workers believed—from experience—that if they protested what they saw, they'd be shifted to other bases; transferred to dirty duty at Fort Monmouth; be ostracized in their office, receive poor vacation schedules and be subjected to other forms of retaliation.

Those who kept their mouths shut, or cooperated, received promotions, choice duty assignments, field trips—and sometimes even shared in the less valuable gratuities.

The arrests, however, broke the dam of pent-up frustration and outrage that had been mounting in dozens of employees for months and years.

FBI arrests embarking on the Fort Monmouth part of the investigation expected to handle the job in a few weeks.

MAJOR EFFORT REQUIRED OF FBI

Instead, the investigation required a major effort on the part of the FBI's Newark office, under special agent Ralph Bachman, and lasted for months.

As one agent put it, "It seemed as if everybody there had a story to tell.

"Of course, some of the complaints were just sour grapes," he conceded. "And some of them came from people with guilty consciences who were trying to show us they hadn't been a part of all this—when they actually had.

"But a lot of our dope came from people who had just been too afraid for their jobs to talk to anyone before—honest, hard working people, which is what 99 percent of them down there are," he declared.

The FBI also had two other main sources of information:

Intensive surveillance of the suspects and their conversations.

A lengthy, detailed description of the accused engineers' method of operation—supplied unwittingly by the suspects themselves during a 3-hour dinner that preceded their arrest.

The defendants didn't find out until the following day that the business partner that Snoyer had brought along to the payoff dinner—where the Monmouth engineers' mentioned other fixed contracts, other personnel involved and other companies helped—was an FBI agent with a blotter-like memory.

Monmouth Cleanup Leaves Loose Ends—Arrests in Kickbacks Fail To Close All the Loopholes

(By Charles Nicodemus)

Washington.—The Army has finally closed the door on corruption at this key communications facility, but it has left most of the windows unlocked.

That's the anomaly found by a reporter during a study of Signal Corps procurement 10 months after two of this base's top civilian engineers were arrested on charges of seeking to rig a $2,400,000 electronics contract for a $48,000 bribe.

That study reveals that the top officers and organizations that formerly ran Fort Monmouth have been quietly turned upside down in some ways—and have been left curiously untouched in others.

New faces dot the landscape at the top and dozens of regulations have been changed or tightened since the arrests, according to Lt. Gen. Frank R. Besson, Jr., in Washington.

He heads the Army Materiel Command (AMC), which absorbed virtually all of the corps' $650 million-a-year purchasing activities in an Army reorganization last August.

But the Daily News also found that:

A third, high-ranking civilian engineer, who escaped arrest by the FBI in the bribery plot only by accident, still fills the key job he held before the arrests last July 12. Besson says his case is still open.

Only a few of the changes have tightened loopholes in the specific regulations and procedure that the Department of Justice charges were perverted by the two accused fixers and their accomplice, a manufacturer's representative.

The accused engineers, William Laverick, 49, and Harrison Tryon, 48, had 38 years' service between them. The freelance manufacturer's agent, Malcolm Schaefer, 38, was a former assistant to Laverick. All are scheduled for trial June 10 in U.S. District Court at Newark, N.J.

What does the Army contend has been the total impact of their arrest, which shook the Signal Corps to its core 10 months ago?

Besson insists a "significant number" of the changes made at Fort Monmouth and elsewhere have resulted "in whole or in part" from the arrests and the massive FBI probe of Signal Corps contracting that followed.

Other changes made were merely the result of the reorganization, which saw virtually all Signal Corps procurement functions absorbed by the AMC's new electronics command, he said.

But Brig. Gen. Stuart S. Hoff, head of Fort Monmouth and the electronics command, told a visiting reporter:

"Candidly, I can't say that any change made here can be attributed directly to last year's arrests."

Hoff said he'd stick to that answer regardless of what anyone in Washington said.

And Col. Roman I. Ulans, head of Fort Monmouth's U.S. Army Electronics Materiel Support Agency (USAEMSA), said:

"The arrests were just like a death in the family. These were two of our top men and everybody was stunned. But before long it was forgotten."

As for the impact of any tighter regulations stemming from the arrests, Ulans said "there has been no impact."

General Besson, informed of Hoff's statement, exploded with:

"My God, Hoff's all wet."

Asked how Gen. Hoff could make such a statement, after Besson for weeks had been outlining reforms supposedly instituted, Besson said—apparently in jest:

"I guess Hoff just hasn't gotten the word yet.

"For Pete's sake," Besson added, "I've been up there to inspect, myself. I know what's going on. And Hoff's been sending reports down here regularly, laying out the changes, chapter and verse."

And just what has been going on at Fort Monmouth and elsewhere in the old Signal Corps procurement setup?

Maj. Gen. Earle F. Cook took over as new chief signal officer in July 1962 with greatly curtailed responsibilities; General Hoff, former head of Signal Corps research and development, was put in as chief of the new electronics command and head of Fort Monmouth; Brig. Gen. Allen T. Stanwix-Hay was made head of the U.S. Army Electronics Material Agency in Philadelphia, the contracting headquarters, and Colonel Ulans was promoted to chief of the USAEMSA.

His key agency, where the arrested engineers worked, prepares contract specifications and makes the crucial technical decisions that help determine what bidders get contracts and what final contract prices will be.

This wholesale turnover of every top position in the old Signal Corps structure was merely coincidental, the Defense Department said, with the organization of the new AMC responsible for several of the changes.

A new director of civilian personnel also was recruited for Fort Monmouth.

General Besson said the director was brought "all the way from Alaska, so we'd be sure he would have no contact with any of the local cliques."

Manipulation of the civilian personnel system had been one way that the alleged fixers at Monmouth had been able to bend lower level employees to their will, the FBI found during its 5-month-long investigation that followed the arrests.

Employees who cooperated with the club of accused fixers and favored contractors were rewarded with promotions, field trips, time off and choice vacation schedules. Those who asked too many questions might be transferred out, refused promotion, assigned undesirable work, or winter vacations.

Under the new regime, Besson said, promotions under the Army merit system have increased 50 percent. Employee grievances have virtually disappeared.

Meaningful use of the system of individual efficiency reports—virtually ignored before the arrests, Besson said—was ordered resumed immediately.

Here are other key administrative measures Besson said have been taken since the arrests, to tighten up on purchasing:

Staff members supplying recommendations to contracting officers—the men who deal directly with manufacturers—must now provide full data backing up their recommendations, not just conclusions. This reduces the possibility of false, baseless recommendations, which permitted "fixes."

Once a technical evaluation has been made of a bidder's plant and personnel, no reevaluation can be made without approval from the top echelons.

This reduces the possibility that a contractor, turned down in one evaluation, might offer inducements to inspectors to get a favorable reevaluation, as the FBI found had been done on occasion.

Minor changes in equipment or method of manufacture, which the contractor might wish to make, can no longer be approved by engineering personnel, but must be okayed by the contracting officer.

This is just one of several directives aimed at cutting the independent power of the engineering staff, of which the arrested men were members, and centralizing contract control in the hands of the man with the ultimate responsibility.

Restrictions on taking outside jobs, with contractors and other firms, and on the receipt of outside income, were reemphasized.

What problems still exist at Fort Monmouth?

FBI testimony at a preliminary hearing in the bribery case last August disclosed that a third package of marked money was prepared for passing to at least one additional Fort Monmouth official on the night of the arrests—but was never used.

The Daily News learned that one high-ranking engineer it was intended for had to cancel out at the last minute from the payoff dinner that preceded the arrests, thus narrowly escaping apprehension.

General Besson said the AMC "cannot, at the moment, do anything about the man."

The intensive FBI investigation after the arrests also turned up repeated allegations that the man who had originally set up the alleged Fort Monmouth bribery ring had—long before the arrests—been transferred to an oversea assignment, where he is currently under investigation by the Justice Department for other purchasing irregularities.

Not until after the Daily News inquired about the man's status did Besson's office send reports on the Fort Monmouth investigation to the man's superiors overseas.

In another case, the Signal Corps turned over to the FBI, in January 1962, details of mass gratuities distributed by one contractor to Signal Corps employees at Fort Monmouth, Philadelphia, and Washington.

The Justice Department inadvertently failed to return the case for 15 months—finally sending it back to the Army for action in April 1963—and the Signal Corps (and later, the AMC) made no effort to resolve the matter with the Justice Department.

No attempt was made to retrieve the case even though the firm involved had a history of trouble, and had even been caught using a copy of an administratively secret Fort Monmouth procurement document during contract negotiations.

(The employee who the corps was certain leaked the document—one of the top engineers at Fort Monmouth's research and development lab—resigned just as the Signal Corps was preparing charges against him).

After the Daily News inquired about the gratuities case in late April, the AMC announced it is referring it immediately to a gratuities board that could fine the contractor, cancel his contracts, or bar him from defense procurement.

Also sent to the AMC for possible administrative action by the Department of Justice were 11 instances of alleged impropriety by Monmouth personnel, in which the FBI could not establish a criminal case.

General Besson said the Army inspector general, who already had checked out 10 of the cases, investigated again and dropped 7 of them because "no proof was available." Four others are still open, he said.

What about other loopholes that the Justice Department charges the accused fixers used to manipulate contracts?

1. No new controls have been set up over the use or withdrawal of materiel by employees from Monmouth's technical libraries.

The defendants are charged with obtaining quantities of such materiel and mailing it by the boxload to a favored firm to assist it in performing on a contract they sought to rig.

2. No new controls have been imposed on the purchase of spare parts for equipment under contract.

The FBI investigation established that the defendant engineers could boost the contract price paid favored firms by recommending purchase from the firms of more spare parts than were needed, at prices higher than the cost of the parts in the original equipment.

3. The power of civilian engineers—such as the men arrested—to recommend engineering changes in equipment under contract has been increased rather than decreased. These changes generally enable the contractor to ask for more money.

A new regulation requires that any time an engineer's suggestion for an engineering change is to be reversed, the superior overruling the recommendation must document his reasons as part of the permanent contract record—making supervisors reluctant to alter engineering recommendations.

4. No new controls have been set up to assure that contracts on which bids have been received will be awarded promptly. This can enable procurement officials to stall off a contract award until a low bidder withdraws an offer to seek other contracts, leaving a favored firm next in line.

Just such a maneuver touched off the Signal Corps contract investigation that led to the Fort Monmouth arrests.

Mr. Speaker, for 2 years I have brought to the attention of the House and the public case after case of defense procurement where apparent "blunders" by someone in authority have cost the taxpayers millions of dollars. I have laid out case after case of noncompetitive sole source procurements channeled to favored firms; cases where the service said there were no drawings to permit competition when, indeed, there were drawings; cases where a contract was hustled to a favored firm to meet an emergency that did not even exist; cases where it was adjudged that only one firm was competent enough to build a piece of equipment, when every manufacturer on the horizon could have done the job; cases where plans were supposedly classified, restricting competition to a few favored firms, when in reality the equipment was not classified and had been obtained under wide-open competition before.

One question threads its way through all the cases I have cited. It is simply this: "Why were all these so-called blunders made?"

Mr. Speaker, if you want to answer that for yourself, read the articles. There you will find it—chapter, page, and verse, just as the FBI and the Justice Department found it.

In the articles you will find rigged contract specifications, tailored to suit one manufacturer; rigged technical evaluations of plant and personnel by which unwanted low bidders are knocked out; engineering changes pushed through after award of a contract to jump the price; spare-parts deals where spares for an equipment are bought in huge quantities at fat prices to help make up profits a manufacturer sacrificed by bidding unrealistically low.

Here, too, you will find manipulation of Government personnel systems, whereby a handful of men in high places are able to wield vast power over a large number of subordinates through a "terror system" that rewarded those who kept their mouths shut and punished anyone who asked questions.

This sorry picture is what the FBI believes prevailed at Fort Monmouth, N.J. I wonder how many other procurement centers have the same sorry mess on their hands? How often would Fort Monmouth be repeated if the FBI moved into other areas on a massive scale as it did in New Jersey? With shocking frequency, I predict, if what I have been uncovering in the last 2 years is any indicator.

There is another lesson to be learned in these articles. It is what the Army has—and has not—done about the Monmouth mess. It is clear that while the brass here in Washington contend wonders have been worked in cleaning up the old system, the top men at Fort Monmouth have an altogether different view.

Changes and reforms have indeed been introduced, but just how many were directed at the problems uncovered by the FBI is not clear. Organization of the Army Materiel Command and its consequent takeover of Signal Corps' procurement, brought in many changes and new faces. The Army, traditionally reluctant to admit that it ever does anything wrong or makes changes as a result of outside criticism, would like to have you and me believe that all changes were made on its own initiative and not as a result of the "Monmouth mess."

Whatever the motivation for the changes to date, it is clear that much more needs to be done. There is no indication, however, that the Army intends to make these changes—unless prodded by Secretary of Defense McNamara or by Congress. There is even evidence—shocking evidence—that several fundamental steps dictated by commonsense were not taken until someone started asking questions—the someone in this case, Mr. Charles Nicodemus, the Chicago Daily News reporter who has done an outstanding job in defense-contracting reporting.

The Department of Justice and the FBI have performed a rare, outstanding service by stepping into a procurement facility and laying it bare, exposing the small but powerful core of rot and corruption that was eating away at the vitals of the installation—and devouring tax dollars appropriated by Congress.

Because of this fine work, because of the courage of a contractor who talked to the FBI, because of the Chicago Daily News efforts, three men will soon go on trial. Their innocence or guilt will be decided by a jury of their fellow men but this should not be the end of the Monmouth mess.

The conditions found at Monmouth are so shocking and their implications so profound that I believe it is incumbent upon Congress to examine this situation closely. We in Congress must enact legislation to guarantee that what happened at Fort Monmouth once does not happen again—at Monmouth or anyplace else.

I suggest that upon the conclusion of the Fort Monmouth conspiracy trials, an appropriate committee of Congress should dig into the entire Monmouth mess to determine what happened, how it happened, why it happened, who was responsible, what has been done about it, and what remains to be done to make sure it does not happen again.

I have introduced legislation in the House, and there is similar legislation in the other body, which I believe will go part of the way toward making sure the Monmouth mess is not repeated. My bill would set up a blue-ribbon, joint congressional watchdog committee to maintain continued surveillance over negotiated defense and space contracts. With this legislation, which I hope to have considered in this session of Congress, we representatives of the people will have a strong tool to unearth and correct problems such as the Monmouth mess. At this moment, no committee or agency of Congress nor of the executive branch, is specifically assigned to this task. Since we are spending over half of our national tax money on defense, I believe it is time we started riding herd on it on a daily basis with detailed inspections, questions and fact-finding sessions.

It is imperative that such a committee as I have designed be formed to make sure that no more messes like Monmouth arise to blacken the record of the military and blacken the eyes of the taxpayer.

ATTACKS UPON THE PRESIDENT

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, as I came into the Chamber today I heard the gentleman from Texas [Mr. ALGER] make one of his almost daily attacks on the President. In this instance he charged the President with withholding information about Cuba, something I think is not true and that the President is not doing, and I just thought it would be appropriate to point out that although the gentleman from Texas [Mr. ALGER] is able to get this statement in the RECORD and then months later quote the CONGRESSIONAL RECORD of such-and-such a date saying that the President was withholding information, this does not necessarily make it so.

THE SUGAR SITUATION

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, the American housewife is getting a "sweet" lesson in what it means to depend upon international trade for her foodstuffs.

The price of sugar has doubled and trebled in the last few weeks and the price of canned fruits and all foods containing sugar must certainly follow shortly. I have long fought against American dependence upon international trade for our agricultural products and supply of food and fiber and I believe this is only another example of what "international dealing" will do to the American market when the internationalists have us at their mercy.

Instead of permitting the American farmer and American sugar industry to supply the domestic market, we first established by law a sugar quota to Cuba equal to 50 percent of the domestic consumption. Then, when Cuba went behind the Iron Curtain we divided that quota among almost every other sugar producing nation in the world. Now we are at the mercy of the world trade and the housewife is paying the bill.

There is no world sugar shortage, but the world sugar interests are putting the squeeze on us to get a better price for their product. You cannot blame them. If we are willing to take production from the American farmer and the American sugar industry and spread it out all over the world, we deserve to get caught in this kind of a squeeze.

The American farmer is screaming for an opportunity to produce something on his acres but instead the Government squeezes down his allotments, rents his acres to take them out of production, and calls this whole stupid process "a subsidy to the farmer."

Beef imports have jumped to 10 percent of the domestic consumption, lamb and pork are only a short way behind. The Secretary of Agriculture wants complete regulation over all agricultural commodities so he can further open our markets to foreign food production.

Sugar is only a taste of what is in store for the American farmer and the American consumer if planned production and planned food supplies are to be the future national policy.

MEXICAN FARM LABOR

Mr. ROSENTHAL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I should like to call to the attention of my colleagues what I consider to be four good reasons for voting against H.R. 5497 when it comes to the floor on Wednesday of this week. This bill would extend Public Law 78, which authorizes importation of farmworkers into the United States from Mexico for the benefit of a very few farms in certain States.

The first reason for voting against this bill is the high and continuing unemployment in the United States. Why should Congress authorize importation of nearly a quarter million foreign workers when rural unemployment is over 7 percent, and American farmworkers are able to earn only about $1,000 per year and can find only about 156 days of work in a year?

The second reason that this is a bad bill is that it would benefit only about 1 percent of the farms—mostly big, corporate operations—and harm many, many family farms that are struggling to survive.

Next, Mr. Speaker, this is an antilabor bill. Farmworkers are not protected by the Fair Labor Standards Act, and very few are benefited by workmen's compensation or unemployment insurance. The Mexican labor import program prevents the free market from determining farm wages by artificially depressing wage rates.

The final reason for defeating H.R. 5497 and wiping Public Law 78 off the books is that representatives of all three major religious faiths oppose its continuation. They call this program immoral, and so do I.

PROVIDING FOR THE REORGANIZATION OF CERTAIN FUNCTIONS RELATING TO THE FRANKLIN D. ROOSEVELT LIBRARY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 117)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and together with accompanying papers referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 1 of 1963, prepared in accordance with the Reorganization Act of 1949, as amended, and providing for the reorganization of certain functions relating to the Franklin D. Roosevelt Library.

The library project was built under authority of the joint resolution of July 18, 1939. It is located on a site in the town of Hyde Park, Dutchess County, N.Y., donated by the late Franklin D. Roosevelt. The library contains historical material donated by him, and other related historical material.

At the present time responsibility for the library is divided as follows:

(1) The Secretary of the Interior is responsible for the care, maintenance, and protection of the buildings and grounds of the library and for the collection of fees for the privilege of visiting and viewing the exhibit rooms or museum portion of the library, exclusive, however, of the function of fixing the amounts of fees charged.

(2) Responsibility for the contents and professional services of the library, and all other responsibility for the library except as indicated above, are vested in the Administrator of General Services.

When the transfer of functions with respect to the Franklin D. Roosevelt Library from the Secretary of the Interior to the Administrator of General Services, as provided for in the reorganization plan transmitted herewith, becomes effective, the Administrator will have complete responsibility for the library, including its buildings, grounds, contents, and services.

Three other Presidential libraries are now entirely under the jurisdiction of the Administrator of General Services (in pursuance of section 507(g) of the Federal Property and Administrative Services Act of 1949, as amended): the Harry S. Truman Library at Independence, Mo., the Herbert Hoover Library at West Branch, Iowa, and the Dwight D. Eisenhower Library at Abilene, Kans. The taking effect of the provisions of the accompanying reorganization plan will place the administration of the Franklin D. Roosevelt Library fully on a common footing with the administration of these three other Presidential libraries.

I am persuaded that the present division of responsibility between the Secretary of the Interior and the Administrator of General Services is not conducive to the most efficient administration of the Franklin D. Roosevelt Library. Reorganization Plan No. 1 of 1963 will apply to this library the preferable pattern of organization existing with respect to other Presidential libraries.

After investigation I have found and hereby declare that each reorganization included in Reorganization Plan No. 1 of 1963 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended.

The taking effect of reorganizations included in the reorganization plan will provide improved organizational arrangements with respect to the administration of the Franklin D. Roosevelt Library. While such arrangements will further the convenient and efficient carrying out of the purposes of the library, it is impracticable to specify or itemize at this time the reductions of expenditures which it is probable will be brought about by such taking effect.

I recommend that the Congress allow the reorganization plan to become effective.

JOHN F. KENNEDY.

THE WHITE HOUSE, *May 27, 1963.*

THE LATE WILLIAM BALLINGER

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, in the sweet memory of time no one served this body with greater loyalty than William Ballinger, our Assistant Sergeant at Arms since 1956. As bearer of the mace the honor of his official duties were conducted with dignity and the precision of time-honored tradition of this body.

He was a veteran of World War I, serving later—in 1935—in various capacities at the Capitol. He also served as a deputy marshal in the District of Columbia for several years in the early fifties.

Of late he had complained of feeling ill although last year he fully recovered from a serious illness.

The House has lost a dedicated servant of its membership whose love of country and protection of its leaders were his life's dedication.

We will miss his genial manner and serious demeanor which added to the prestige of the House and contributed to the decorum of its sittings.

To his loving daughter Mrs. Euline M. Lutes, of Escondido, Calif., we extend our heartfelt condolences.

TFX AIRCRAFT CONTROVERSY

The **SPEAKER.** Under previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 20 minutes.

Mr. GROSS. Mr. Speaker, I desire to bring to the attention of the House of Representatives certain facts concerning the role Deputy Defense Secretary Roswell Gilpatric has played in the TFX aircraft controversy.

I do this for the reason that the greatest number of citizens and taxpayers of this country ought to be made aware of at least some of the unpalatable maneuverings in connection with this $6.5 billion contract award.

In the first place, Gilpatric, in October 1957, brought the General Dynamics business to the law firm of Cravath, Swaine, and Moore because of his relations with Mr. Frank Pace, then head of General Dynamics.

In 1958, 1959, and 1960, Gilpatric was a counsel in the law firm of Cravath, Swaine, and Moore. As such, he handled most of the General Dynamics business. For his convenience, an office was made available to him in the General Dynamics offices.

Among other things, Gilpatric's work during that period involved a major merger problem bringing together General Dynamics and Material Services Corp., the latter firm being headed by Henry Crown, Chicago financier. This vital merger was for the purposes of bringing new money into General Dynamics, and Crown thus became a major figure in the change in top management of the merged corporations.

In January 1961 Gilpatric accepted appointment as Deputy Defense Secretary and "arranged" to turn the General Dynamics account over to Mr. M. T. Moore, of the firm of Cravath, Swaine, and Moore. Mr. Moore served as the counsel for a small committee, the chairman of which was Henry Crown, to name a new head for General Dynamics. The committee dropped Mr. Frank Pace and selected Mr. Roger Lewis, now president of General Dynamics.

As this stage was being set, it becomes increasingly clear that the award of the TFX fighter plane contract, involving $6.5 billion, was highly essential to the future prosperity of the General Dynamics firm. And it becomes just as clear that Gilpatric did not disqualify himself from decisions in connection with that huge contract. As a matter of fact, it becomes equally clear that Gilpatric, as Deputy Defense Secretary, wrote many letters and held many conferences on that subject with Defense Secretary McNamara and others.

In early November of 1962, the Pentagon Source Selection Board made a unanimous recommendation for the Boeing version of the TFX fighter plane. This was based on a proposed price that was more than $100 million less than the General Dynamics version, and a performance evaluation which indicated the Boeing plane was clearly superior to that proposed by General Dynamics.

It is of the utmost significance that this decision was concurred in by Gen. Curtis LeMay, Chief of the Air Force, and Adm. George Anderson, Chief of Naval Operations, the two branches of the Armed Forces most directly and vitally affected, since these services were to be equipped with this new fighter plane.

Late in that same month of November 1962, Defense Secretary McNamara overruled the decision of the Source Selection Board, and announced award of the first phase of the contract to General Dynamics.

The next development came quickly. A preliminary investigation by the McClellan committee disclosed errors in the November 21, 1962, memorandum of alleged justification by which McNamara overruled the recommendation for Boeing. On the basis of these errors, Chairman JOHN L. MCCLELLAN asked the Defense Department to hold up the formal signing of a contract with General Dynamics.

It is significant to point out at this juncture that on December 20, 1962, Attorney Moore, of the law firm of Cravath, Swaine, and Moore, was named a member of the board of directors of General Dynamics.

On December 26, 1962, Gilpatric wrote to Senator MCCLELLAN stating that the Defense Department would not delay the signing of a TFX contract with General Dynamics pending a full investigation by the McClellan committee.

On March 21, 1963, a Member of the Senate made a speech in which he indicated there could be no "conflict of interest" on the part of Gilpatric in the award of the TFX contract. He told the Senate that Gilpatric had served as an adviser for both Boeing and General Dynamics.

But in May 1963, William Allen, president of Boeing, testified under oath before the McClellan committee and asserted that Gilpatric had never served as a lawyer or adviser for Boeing. Allen said Gilpatric had been subpenaed on one occasion as a witness for Boeing. He received travel expenses but no fee whatever.

On May 9, 1963, Roger Harris, vice president and general counsel for General Dynamics, also testified under oath before the McClellan committee and stated that Gilpatric had performed services for General Dynamics in 1958, 1959, and 1960; that Gilpatric "arranged" to turn this business over to Attorney Moore in January 1961. Harris said that General Dynamics had paid, or had been billed for, fees of $300,000 by the firm of Cravath, Swaine, and Moore in the period of 1958 through the first quarter of 1963.

Thus it is indisputable that Gilpatric was associated with a law firm which collected a very substantial fee from a corporation which, as matters now stand, will profit from a $6.5 billion contract—one of the largest single contracts ever awarded by the U.S. Government in peacetime.

In the light of the foregoing, the only way that Gilpatric could clear his skirts of interest and prejudice in favor of General Dynamics, his erstwhile client, would have been to publicly divorce himself of any activity in connection with the contract or resign as Deputy Defense Secretary. Instead, he has admitted that he was probably the source of a series of stories printed in March 1963 that were critical of the McClellan committee investigations. These stories originated at a so-called press briefing and reporters were told to credit them to an unnamed high official in the Pentagon. When first questioned by Senator MCCLELLAN about the source of these stories, Gilpatric denied that he knew the source.

And through it all the role of Defense Secretary McNamara is incredible.

One of the most recent witnesses to appear before the McClellan committee was Comptroller General Joseph Campbell and top members of his staff in the General Accounting Office. Mr. Campbell had been requested by Senator MCCLELLAN to review the cost figures relating to the Boeing bid for production of the TFX fighter plane.

The Comptroller General and members of his staff testified under oath that although they spent an hour with Defense Secretary McNamara in his office in the Pentagon, they were unable to obtain any detailed figure.

They testified that the cost figures upon which the decision was based to give the huge contract to General Dynamics were either in McNamara's head or simply did not exist. They told Senator MCCLELLAN it was impossible to audit figures in someone's head.

In a further effort to provide the Senate Investigating Committee with the cost figures, Comptroller General Campbell sent a team of accountants to Wright-Patterson Air Base at Dayton, Ohio. Here again they found themselves in a dead end street and returned to Washington empty handed. An impenetrable curtain of information and documentation had been drawn by Defense Secretary McNamara or those associated with him.

And a curtain has apparently been drawn on the distinguished naval career of Adm. George W. Anderson who, when summoned to testify before the McClellan committee, forcefully stated his opposition to the TFX contract award to General Dynamics. McNamara promptly announced that Admiral Anderson would not be reappointed as Chief of Naval Operations. At the same time it was announced that General LeMay, Chief of the Air Force, who also testified in opposition to McNamara's TFX project, was given a 1-year extension—in other words he was put on probation for a year by the self-annointed czar in the Pentagon.

Although he joined in the torpedoing of Admiral Anderson, President Kennedy had the effrontery to issue a public statement saying that "he—Admiral Anderson—had served with great distinction during a critical period in the Nation's history."

Having joined in casting a stigma on the career of one of the Nation's top military leaders, the President resorts to a laudatory statement to gloss over a policy of waste instead of efficiency and saving.

Meantime, General Dynamics, preparing to move on the TFX contract, has sent out letters to suppliers and subcontractors throughout the Nation asking them to designate, among other things, the congressional districts in which their plants are located.

Why should General Dynamics, in the distribution of hundreds of millions of dollars in subcontracts, want to know or need to know anything about congressional districts? It ought to be interested only in the ability of a supplier or subcontractor to provide a quality product at a proper price.

Is there involved in the production of this new and enormously expensive fighter plane for the Air Force and Navy—a plane upon which the fate of this Nation may rest—a political gimmick?

Why, I ask again, should General Dynamics, Defense Secretary McNamara, President Kennedy, or anyone else be interested in the congressional district in which a potential supplier or subcontractor is located? This smacks of conflict of interest and it has overtones of political reward.

Why, I also ask, are the taxpayers, their representatives in Congress, and the General Accounting Office not entitled to every scrap of documentation that went into this contract award? Why must they be asked to accept figures, if any, that are being carried around in the head of some individual? This is bad government at best.

Mr. Speaker, the manipulations and maneuverings that have taken place in connection with this huge contract award have not been properly explained to those who are interested in obtaining the facts. I urge the McClellan committee to continue to use every power at its command to expeditiously force into the open the pertinent information that has been denied.

Mr. STINSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. STINSON. I would like to congratulate the gentleman from Iowa for bringing this information concerning Roswell Gilpatric before the House. I have been interested in the subject of the TFX for quite some time, especially since the Boeing Co. is in my congressional district.

We have recently learned that one of the vice presidents of the Grumman Co., the other major recipient of the TFX contract has openly solicited under their letterhead, donations for the Democrat Party in their area in Long Island. I just wondered if there is a possibility that the General Dynamics Co. is now going to be soliciting funds for a political party in the various congressional districts where these subcontractors are located and that this is the reason for this survey? Does the gentleman from Iowa have any information on this possibility?

Mr. GROSS. I have no knowledge of what General Dynamics will do with respect to further engaging in politics. I only want to deal with the facts. I carry no torch for Boeing or for General Dynamics. I want the facts and the American people are entitled to the facts.

Mr. STINSON. I realize that neither of these contractors are in your congressional district.

Mr. GROSS. That is correct.

Mr. STINSON. I think you have done an excellent job in bringing us up to date on this matter.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The time of the gentleman has expired.

ESTABLISHING NATIONAL ADVISORY COUNCIL ON EDUCATION

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. Lindsay] is recognized for 60 minutes.

Mr. LINDSAY. Mr. Speaker, I am today introducing a bill to establish a National Advisory Council on Education. In so doing I am delighted that I am being joined by my distinguished colleagues, the gentlewoman from Oregon [Mrs. Green] who is chairman of the Special Subcommittee on Education of the House Committee on Education and Labor, the gentleman from Massachusetts [Mr. Morse], and the gentleman from Connecticut [Mr. Giaimo]. Each of these Members has today introduced identical bills.

The purpose of the bill is to elevate the status of education in America. By creating a permanent, high-level council which can help bridge the gap between what we know and what we need to accomplish we can improve the quality of our education, bolster its national prestige and instill in the country a sense of urgency on this subject which is sadly lacking today.

The subject of the Federal role in education has become a source of bewilderment and dismay to the American people. It has been caught up in a series of political and religious crossfires which have divided the Nation, and confused by a plethora of proposals that have compounded the problem of establishing meaningful priorities in the field.

More than ever before there is a compelling national need to translate the educational requirements so well charted by so many of our leading thinkers into intelligent and practical programs of action. We need to know what kind of educational programs are most vital to the welfare of America and most essential at this time.

When the American people are confronted with programs on the Federal level for: college aid, impacted areas, extension of the National Defense Education Act, public schools—construction and teachers' salaries—private and parochial schools, youth employment, vocational training, medical and nursing schools, adult illiteracy, quality education, exceptional children, technical education, school libraries, school lunches and a number of others, they might well ask—which of these programs is most needed? Which are of highest national significance? What kind of priorities should be established?

I am sure that we have all noted with approval the success over the years of the President's Science Advisory Committee. The chief reason that the Committee made such a remarkable contribution in the advancement of science and technology in the United States was that it had behind it the status and prestige of the President's office. Later, the Congress transformed it into a permanent Office of Science and Technology, the Congress thereby demonstrating its approval of the Committee's achievements.

Mr. Speaker, we urgently need a council at the Presidential level in the field of education. The subject needs to be elevated in the public mind. It needs to be pulled out of the morass it is in. It is time for a pulling together and a reassessment of where we stand on the subject of education.

The National Advisory Council which would be created by this bill would have a number of special and important functions.

First, it would provide a permanent advisory body of distinguished educators readily available to the President for consultation on means of improving education in the United States. Second, it would focus public attention on the basic need for high standards in education and on the relation of education to all other areas of human endeavor. Third, it would establish areas of priority in education.

The bill provides that the Council will be composed of 13 members appointed by the President and two ex-officio members—the Secretary of Health, Education, and Welfare, and the Commissioner of Education—making a total of 15 members. The members should have a recognized interest in education and should represent varying points of view. Six members shall be from the field of education and seven from the community at large with due regard for representation of different geographical areas of the Nation and business, labor, and professional life. The President designates the Chairman. Each of the 13 Presidentially appointed members shall hold office for a term of 4 years. Five terms of office expire at the close of the second calendar year after the enactment of the act, five at the close of the third, and three at the close of the fourth. The members of the Council will serve without compensation except for travel expenses. The Council shall meet at the call of the President but no less than twice a year.

The bill provides that the Council shall make an annual assessment of the goals, progress, and deficiencies of education in the United States and submit its findings to the President and the Congress. It would recommend legislative proposals to the President that represent the best thinking of leaders in the field. To assist in efforts to improve the quality of American education, it would propose programs of action that can and should be taken by the States. It would act as a high-level center of consultation and communication with Governors, the chief officials of State and local education agencies and heads of institutions of higher learning throughout the country.

The Council will be available as a national sounding board to assist in and coordinate efforts to improve the quality and content of curriculums; to raise standards of scholarship; to formulate means of advancing specially gifted students and to improve the quality of teaching. The Council should be of vital assistance in helping to mobilize community and local efforts to strengthen educational institutions. Through the prestige of the President it should keep public attention focused on the need for improving education in the Nation.

Finally, the Council would be empowered to undertake independent studies which will assist it in discharging its functions. It would be required to transmit to the President, the Secretary of Health, Education, and Welfare, the U.S. Commissioner of Education, the Congress and the American people an annual report of its activities.

We need only look around us and observe the bickering that has accompanied the introduction of each bill on the subject of education to realize the depths of uncertainty that surround the problems of education in the United States today. Our Nation's failure to fix priorities can only mean that we are unable to see clearly what they are.

The evidence for the creation of a National Advisory Council on Education at the Presidential level is overwhelming. The need is urgent and unmistakable. The whole country would greatly benefit from its existence.

I hope that Members of the House will give careful and thoughtful study to this proposal so that it may be acted upon before the close of the 88th Congress.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I will be delighted to yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Speaker, I thank the gentleman from New York.

Mr. Speaker, President Kennedy has said "No task before our Nation is more important than expanding and improving the educational opportunities of all our people." The establishment of a National Advisory Council on Education would do much to focus public attention on the basic needs for higher standards of education, and on the relation of education to all other areas of human endeavor and national progress.

Therefore, I am particularly pleased to have the opportunity to join the distinguished gentleman from New York [Mr. Lindsay] in introducing this legislation today. I congratulate him on the leadership that he has shown and I am also pleased that it has bipartisan support, including sponsorship by Congressman Giaimo, of Connecticut, and Congressman Morse, of Massachusetts. In the Washington Star of December 6, 1959, a very provocative article was written entitled "Need Is for More Prestige—A Council on Education." George Oakes, one of the best informed writers in the education field, was the author of that article. And because of its importance I would like to include it at this point because 4 years later the problems he describes are not solved—but if anything more serious and their solution is even more urgent:

[From the Washington Evening Star, December 6, 1962]

NEED IS FOR MORE PRESTIGE—A COUNCIL ON EDUCATION?

(By George W. Oaks)

Since the passage of the National Defense Education Act in September 1958—a measure designed for specific purposes—broader education legislation has foundered on the rocks of economy, segregation and religion, encouraged by public apathy and some confused thinking.

Yet the problem remains and the basic facts are well known.

A public school enrollment of 36 million children, rising 4 percent a year.

One hundred thirty-five thousand too few classrooms.

Too few qualified teachers serving on too low a pay scale ($4,500 a year average).

In the prevailing public attitude, which Dr. James Bryant Conant describes as lacking a "sense of urgency," many educators believe that the President could take a step that might help bridge the gap between what is being done and what most authorities agree is required.

New York Commissioner of Education James E. Allen, Jr., and Senator JOHN SHERMAN COOPER, Republican, of Kentucky, have proposed recently the creation by the President of a permanent National Advisory Council on Education, somewhat similar in character to the Council of Economic Advisers. Many leaders in education consider that such a top Government group could spur us to raise our national sights on education. Senator COOPER makes the point that this device might make us move faster to translate our national educational requirements—economic, defense and cultural—into action in local school operations.

CONTINUING IMPETUS NEEDED

Although there have been many temporary Presidential committees in recent years which have made significant studies and recommendations, no permanent council of educators and leading citizens exists to give continuing high-level impetus, guidance and direction to a vigorous national educational effort in order to put these ideas into effect.

The addition of another permanent Presidential council to the ever-growing Federal bureaucracy would be justified, in the opinion of its proponents, by the following unique functions it would perform:

1. It would make an annual assessment of the goals, progress, and deficiencies of education in the United States—in our public and private schools, colleges, and universities. Its findings would be submitted to the President and Congress and would be published. For example, it might point out the need to maintain a balanced curriculum in the schools by emphasizing the importance of the humanities as well as increasing study of the sciences. Or it might stress the view held by top educators that raising the level of teaching may be even more essential than the addition of more classrooms.

2. The Council would recommend to the President legislative proposals to be enacted by Congress.

3. The Council would also propose action that could be taken by the States in order to carry out its general recommendations.

4. The Council would act as a high-level body to coordinate all Federal departments and agencies concerned with education.

5. Finally, the Council would utilize the prestige of the White House to keep public attention focused on improving our educational system as an urgent national problem. Leading educational organizations, as well as Government officials, feel the need for national leadership to stimulate public awareness of our educational deficiencies.

ANOTHER GROUP IS AUTHORIZED

Legislation enacted in 1954 authorizes the Secretary of Health, Education, and Welfare to appoint an Education Advisory Committee. There are reports that Secretary Flemming may do so soon. However, such a committee could not command the respect and attention even within the Government itself or throughout the country that would be shown a higher level Presidential Council on Education.

Both Commissioner Allen and Senator COOPER would oppose the establishment of a national curriculum or administrative control over education. But the Senator would expect the Council to work with State and local education officials to raise academic standards and the quality of teaching. In fact, the Council could encourage State education officials to prepare a number of specific plans to improve the curriculum which might stimulate changes by local school boards.

Such a Council would require a membership of 12 to 15, perhaps two-thirds leading citizens with recognized cultural interests representing varying points of view and the remainder educational statesmen like Dr. Conant.

To be effective it is essential that the President be sincerely committed to the principle of a top level group selected not for political reasons but on the basis of understanding of our educational requirements. A Council determined to provide national leadership with genuine White House support could attract the highest caliber membership. It could exert an influence not only on administration policy but on education activities of Government departments and agencies much more successfully than a departmental committee.

WHITE HOUSE GROUP FAVORED

For some time the American Council on Education has favored a White House group that would advise the President on all levels of education. Annual Federal expenditures on higher education alone now run around $2 billion and affect more than 20 departments and agencies. Some observers claim that there is little coordination among these programs and there is now no Federal agency capable of achieving coordination of policies and procedures. Education is somewhat submerged in the Department of Health, Education, and Welfare because the great preponderance of personnel and funds are devoted to its other two activities.

Some proponents of a national advisory council are convinced that its functions would expand as Federal involvement in our educational system increase. They would favor a National Board of Education with supervision over the Office of Education and power to appoint the Commissioner of Education, somewhat similar to the board of regents in New York State.

In any case it might be desirable to place the Office of Education under the Council in order to avoid administrative confusion and to provide necessary staff support.

Although the Office has gained status in recent years and has attracted higher caliber personnel, especially since it was given responsibility for the National Defense Education Act a year ago, it does not rank with an independent agency like the National Science Foundation, also deeply engaged in scientific education. In addition, it is worth noting that its top pay scale is lower than the education departments of several States or even large cities.

Congressman LINDSAY has already outlined the provisions in this bill. He has mentioned several pieces of legislation and has pointed out the desirability of establishing priorities. May I also suggest that in the space age, when so much of the national budget goes to military hardware and the man-on-the-moon project, that it is highly desirable not only to establish the priorities within the field of education but also to clearly establish the priority of education in the national scheme of things. With very little debate this Congress is willing to appropriate more than $50 billion for national defense and around $5 billion for the space program. And yet the success in both of these areas is dependent upon the extent and the quality of our education program in this country. Dr. James Van Allen, of the University of Iowa, has said that our accomplishments in outer space already exceed our scientific competence. Representatives of the National Aeronautics and Space Agency have told our committee that they will need thousands of additional scientists and engineers on the man-on-the-moon project alone. Dr. Terman, the vice president of Stanford University and a member of the President's Panel on Scientific Manpower Needs, has told our committee that there exists a critical shortage of manpower in the engineering, mathematical and physical sciences. He went on to say:

> A manpower shortage exists in the EMP—engineering, mathematical and physical sciences—areas at all levels—bachelor, masters and doctor's degree but is the greatest the higher the level of training. The Space program alone could absorb the entire EMP output of the Nation's universities and colleges during the next few years, with nothing left over to take care of the needs for (a) defense, (b) civil economy and (c) more teachers to handle growing college enrollments.

One of the guiding principles of this administration is that expenditures for education represent an investment in human capital and are a primary factor in economic growth and national security.

Again quoting President Kennedy:

> This Nation is committed to greater investment in economic growth; and recent research has shown that one of the most beneficial of all such investments is education, accounting for some 40 percent of the Nation's growth and productivity in recent years.
>
> It is an investment which yields a substantial return in the higher wages and purchasing power of trained workers, in the new products and techniques which come from skilled minds and in the constant expansion of the Nation's storehouse of useful knowledge.

We must prepare our young people not only for the 20th century, but for the 21st century in which they will live most of their lives. And we must give them the kind of an education that will help them find answers to questions which we cannot even imagine today.

President Eisenhower—even before the first sputnik—said:

> Our schools are more important than our Nike batteries, more necessary than our radar warning sets, and more powerful than the energy of the sun.

President Kennedy has said:

> Our progress as a nation can be no swifter than our progress in education * * * education is at the same time the most profitable investment society can make and the richest reward it can confer.

In another message to the Congress, the President said that a free nation can rise no higher than the standard of excellence set in its schools and colleges. The question can well be asked: "With such national leadership and such bipartisan support why have we failed to make the progress that is so urgently called for?" Secretary Celebrezze of the Department of Health, Education, and Welfare has talked about the million students who drop out of our high schools each year. He has told of the 23 million adults who lead restricted lives because they have less than an elementary education. He has talked of the forced idleness and dependence of able men and women whose skills have been displaced. In this regard, President Kennedy has very poignantly said:

> Ignorance and illiteracy, unskilled workers and school dropouts—these and other failures of our education system breed failures in our social and economic system: unemployment, chronic dependency, a waste of human resources, a loss of productive power and purchasing power—and an increase in tax-supported benefits. * * * The loss of only 1 year's income due to unemployment is more than the total cost of 12 years of education through high school.

In addition to the million dropouts from our high schools, and the adults who have less than a basic education, there are somewhere between 60,000 and 100,000 academically talented high school graduates who do not go on to college each year because of financial need. There have been several State studies and one national study in this regard. I am talking here about extremely capable students—students who have IQ's of 120 or above— students who are properly motivated and have maintained good academic records throughout their high school years. And these studies indicate that these 60,000 to 100,000 students are not now going on to college largely because of financial need. This is a loss that this Nation cannot afford. Someone has said "10 struggling mediocrities do not replace 1 talented individual." And a former President of the University of Wisconsin has stated the case very well:

> A nation that spends four times as much on legalized gambling as on higher education can afford to gamble on every young person who has the ability and wants a higher education.

So, on one side of the national ledger we have a tremendous shortage of teachers, scientists, engineers, ministers, social workers, doctors, and nurses. And on the other side of the national ledger we have this reservoir of unemployed, and by and large unemployable, people because they do not have the education or the training or the skills needed in an age of automation. And apparently, as a matter of national policy, we are willing to pay unemployment compensation benefits, and this Congress has indicated its willingness to pay the costs of manpower retraining, but as yet we have not been willing to give the financial assistance to enable these thousands of students to secure the original training.

We are engaged, whether we like it or not, in a race to the moon. And we are engaged, whether we like it or not, in a competition with the Communist world. Dr. Terman, the vice president of Stanford University and a Member of the President's Committee on Science and Technology, has said:

> The events of the next several decades will probably determine what kind of a world is going to exist for the next 100, or 500, or even a thousand years, just as did the struggle between Rome and Carthage.
>
> Russia came out of World War II with a military technology that was relatively primitive but with an obsession to dominate the world. The Russian leaders recognized that to gain world domination they must achieve supremacy in the technologies contributing to military strength, including space.
>
> In the postwar years, the entire educational system in Russian, from elementary school through high school and university, was reorganized and coordinated in a deliberate, coldblooded, calculated way to produce the engineers and scientists required to maximize Russia's technological strength. It is this planned aggressive program, sustained over a long period of time, that is responsible for there being so many engineering and science graduates in Russia today.
>
> The Russians' success during the past 18 years in improving their position in technology has been frightening. At the end of World War II their electronics was primitive, their airplanes were simple-minded, and they had not even started work on the atomic bomb. Today Russia has sophisticated electronics, such as multibeam microwave radar, it has solid state devices, and large computers. Russia has first-class jet airplanes, and hydrogen and atomic bombs. Russia's ballistic missiles for military and space have reached each new level of achievement both sooner and with bigger payloads than have our missiles.
>
> Although the United States is still ahead in the overall picture, the overwhelming technological gap that existed in 1945 between the defense technology of the United States and that of Russia has been greatly reduced. It could entirely disappear in another 10 or 20 years. It is significant in this connection that the number of engineers and scientists in the Russian labor force is already significantly greater than the number of scientists and engineers in the labor force of the United States, and this superiority will increase with the passage of time.

There is no reason for complacency in this situation.

It seems to me that Dr. Terman also gives additional reason for the establishment of a National Advisory Council on Education when he continues in his speech:

> The present danger to the United States arises from the fact that Russia has a clearly defined goal that it is determined to achieve (its priorities have been established) and from the fact that Russia has for many years had a program for action in effect for developing the manpower required to achieve this goal. In contrast, the efforts we have made to date to strengthen our manpower position in technology and the physical sciences are uncoordinated, lack vigor, and are left largely to chance. If this situation continues, Russia will probably be on top within another one or two decades, at least in military technologies.

It seems to me there is no question about the absolute necessity of making a greater effort in education if we are to maintain our position as the leader of the free world. But if I may enter a word of caution. I hope that in our race to the moon and in all of the programs that place so much emphasis on science and technology that we do not neglect the humanities. We seem today as a nation more willing to accommodate ourselves to the thought of dying together than a willingness to spend the time and the money and the effort that is needed to work out the problems of living together on this planet. We need the Wernher von Brauns, the Van Allens and the Major Coopers but we also need and need desperately the Tom Dooleys and the Albert Schweitzers, and the Frances Kelseys. We must not only build pathways to the stars but bridges of understanding on this earth.

As has been mentioned earlier, we do have the President's Advisory Committee on Science and Technology, and it seems to me that we desperately need a National Advisory Council on Education at the White House level to look at the overall educational needs including science and technology—but not just science and technology. We need to find out what our national goals are, to establish the priorities in education to which Congressman LINDSAY referred.

Kierkegaard has said:

> We live life forward but understand it backward.

I hope that history will not record that we ended up in second place because this Congress and this Nation could not look forward and see that all of our plans and all of our programs and all of our aspirations, nationally, and internationally, will depend upon trained, educated, understanding people. The establishment of a National Advisory Council could certainly provide a body of distinguished educators and private citizens which would be regularly available to the President, to the Secretary of Health, Education, and Welfare, and to the Commissioner of Education for consultation on means of improving the educational system of the United States. And, finally, to once again try to emphasize the urgency, may I quote the British philosopher—Alfred North Whitehead:

> In the conditions of modern life, the rule is absolute—the race which does not value trained intelligence is doomed. Not all your heroism, not all your social charm, not all your wit, not all your victories on land or sea can move back the finger of fate. Today we maintain ourselves. Tomorrow, science will have moved forward yet one more step, and there will be no appeal from the judgment which will then be pronounced on the uneducated.

Mr. LIBONATI. If the gentlewoman from Oregon will yield. In view of the fact that most of the universities and colleges are supported by private and religious institutions and comparatively few, only about 10 percent, are public tax-supported institutions, does the gentlewoman feel that this situation is such that it should at least stimulate the Federal Government to finance in some form those students who are unable to attend the universities, and that appropriate measures should be taken here to permit that? There are some 1,200 universities and colleges supported by religious institutions alone. In no State are there more than two, actually, with the exception of the teachers' colleges, that are supported by the taxpayers' money. I think that would be an interesting phase of the discussion as to another reason why the U.S. Government should support higher education, in view of the fact that the public does not support it to the extent it should, and the ratio is only 10 percent.

Mrs. GREEN of Oregon. I appreciate the comments of my distinguished colleague from Illinois, and I would call his attention to the fact that the House Education and Labor Committee has favorably reported a bill providing Federal funds to all institutions of higher education for the construction of academic facilities. In the United States there are over 2,000 such colleges and universities—only some 720 are public or tax supported. Of the some 1,300 others, about 475 are Protestant church related, about 310 are Catholic church related and I believe 6 are supported by Jewish groups. The other 500 are nonchurch related. All are making a great and significant contribution to our national needs—and in my judgment, should be treated alike in the Federal program.

Mr. LINDSAY. I thank the gentlewoman for her competent and effective contribution to this subject and for her support on this bill. I was delighted that the gentlewoman mentioned the name of George Oakes, one of the leaders in the field of education whose contributions to the study of how we go about elevating the status of education in this country are worth reading by all Members.

Mr. MORSE. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I am delighted to yield to my distinguished colleague, the gentleman from Massachusetts [Mr. MORSE].

Mr. MORSE. I would first like to congratulate the gentleman from New York and the gentlewoman from Oregon for their leadership in this field, and it is my distinct privilege to join these distinguished colleagues, together with the gentleman from Connecticut, in introducing this proposal to establish a National Advisory Council on Education.

As I see it, the enactment of this measure will affirm our belief in the prime importance of education to our national strength and provide a clear indication of congressional support for efforts to improve education at all levels.

The proposed Council, as our colleague described it, consists of 13 members chosen from the fields of education and all areas of business and professional life. The Council will, I am sure, be in a unique position to assess our educational posture and suggest action to be taken by the Congress, by the President, and by State and local educational agencies.

For too long priorities have been totally lacking in the public statements we so frequently hear, deploring our educational problems and proposing a variety of solutions to them. We need to take a realistic look at these problems and make a frank appraisal of what we can achieve in the way of improvement from year to year.

The bipartisan nature of the bill and its sponsorship will, I hope, lay to rest much of the partisan bickering that has too long persisted in this area. We no longer can afford to argue among ourselves while the education and potential achievement of our children and, indeed, the very future of our civilization hang in the balance.

Mr. Speaker, I hope the Members of this body will consider this measure in the spirit in which it is offered as an attempt to inject rational standards and priorities into the dialog on America's educational needs.

I thank my colleague for yielding.

Mr. LINDSAY. I thank the gentleman from Massachusetts.

Mr. Speaker, I ask unanimous consent that the text of the bill that has been introduced today by the gentlewoman from Oregon [Mrs. GREEN], the gentleman from Massachusetts [Mr. MORSE], and the gentleman from Connecticut [Mr. GIAIMO] and by me be spread upon the RECORD at this point.

The SPEAKER pro tempore (Mr. KASTENMEIER). Without objection, it is so ordered.

There was no objection.

The text of the bill is as follows:

H.R. 6595

A bill to amend the Act of July 26, 1954, to establish a National Advisory Council on Education

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Advisory Council on Education Act of 1963."

SEC. 2. The Act entitled "An Act to establish a National Advisory Committee on Education", approved July 26, 1954 (68 Stat. 533), is amended to read as follows:

"That Congress recognizes that education must keep pace with the needs of the future.

"The Congress declares that education at all levels—primary, secondary, college, and graduate—constitutes the bedrock for the economic, social, political, and cultural strength of the Nation.

"The Congress declares that all avenues necessary for the fullest development of a sound, productive, and equitable educational system should be provided.

"The Congress finds that public and private studies since World War II have established the urgent need for improving the extent and the quality of education in the United States. These studies have shown that greater emphasis should be placed on the quality and content of curriculum, on higher standards of scholarship, and on the preparation and effective training of teachers.

"The Congress reaffirms the principle that the States and local communities have the primary responsibility for public education. It is consistent with this principle to provide means for the States to draw upon the experience and abilities of a distinguished body of educators, and to provide for the exchange of information toward improving the quality of education in the United States.

"The Congress also reaffirms that the United States Government has an overall obligation to see to it that education in the United States is the best the world over and that the youth of the Nation are equipped to take on the responsibilities of the future.

"The Congress believes that public attention must be constantly focused on the urgent importance of improving the educational system of the Nation.

"The Congress also reaffirms the historical, continuing role that the United States Government has played in providing opportunities and a climate in which the youth of the Nation may be equipped to assume the challenging and grave responsibilities of the future.

"Therefore, it is the purpose of this Act to establish a permanent National Advisory Council on Education.

"SEC. 2. In order to—

"(1) provide a permanent advisory body of distinguished educators and private citizens which will be regularly available to the President for consultation on means of improving the educational system of the United States,

"(2) focus public attention on the basic need for high standards of education and on the relation of education to all other areas of human endeavor and national progress, and

"(3) establish areas of priority in education, there is hereby established in the Executive Office of the President the National Advisory Council on Education (hereafter in this Act referred to as the 'Council').

"SEC. 3. The Council shall be composed of thirteen members appointed by the President and the Secretary of Health, Education, and Welfare, and the Commissioner of Education, who shall be ex-officio members. A majority of the members shall be prominent citizens with recognized interest in education and representing varying points of view. The President shall designate the chairman from among the thirteen members he appoints. Of the thirteen presidentially-appointed members, six shall be from the field of education and seven from the community at large with due regard for representation of different areas of the Nation and business, labor, and professional life. Each of the thirteen presidentially-appointed members shall hold office for a term of four years, except that—

"(1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and

"(2) the terms of members first taking office after the date of the enactment of the National Advisory Council on Education Act of 1963 shall expire as follows: Five shall expire with the close of the second calendar year which begins after such date of enactment, five shall expire at the close of the third such calendar year, and three at the close of the fourth such calendar year, as designated by the President at the time of the appointment.

"SEC. 4. In addition to the general purposes stated above, the Council shall—

"(1) make an annual assessment of the goals, progress, and deficiencies of education in the United States and submit its findings to the President and the Congress;

"(2) recommend legislative proposals to the President to be enacted by the Congress;

"(3) for the purpose of assisting in efforts to improve the quality of education, suggest action that could be taken by the States and be available for consultation with Governors, the chief officials of State educational agencies, and the heads of institutions of higher education, when requested by them on—

"(A) means of improving the quality and content of curriculums, with emphasis on the humanities, languages, and the sciences;

"(B) means of raising the standards of scholarship expected of students;

"(C) means of advancing specially-gifted students;

"(D) means of improving the quality of teaching;

"(E) means of mobilizing community and local efforts to strengthen educational institutions; and

"(F) other means of raising levels of educational achievement in accordance with national needs;

"(4) undertake such independent studies as shall be necessary to enable it to discharge its functions under this Act;

"(5) transmit to the President, the Secretary of Health, Education, and Welfare, the (United States) Commissioner of Education, and the Congress annually a report of its activities under the provisions of this Act; and

"(6) utilize the prestige of the President to keep public attention focused on improving the educational systems of the Nation.

"Sec. 5. (a) The Council shall meet at the call of the President or the Chairman, but not less often than twice during each calendar year.

"(b) The Council may appoint, without regard to the civil-service laws, consultants and such other personnel as may be necessary to carry out its duties under the provisions of this Act.

"Sec. 6. Members of the Council appointed as such by the President shall receive no compensation for their services, but while away from home or regular places of business while attending conferences or meetings of the Council, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"Sec. 7. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

"Sec. 8. This Act may be cited as the 'National Advisory Council on Education Act'."

Sec. 3. The title of such Act of July 26, 1954, is amended to read as follows: "An Act to establish a National Advisory Council on Education."

GENERAL LEAVE TO EXTEND REMARKS

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent that each of the Members who spoke on this subject today, and all other Members who may be interested, may have permission to extend their remarks at this point in the Record; and, specifically, I ask unanimous consent that the gentleman from Connecticut [Mr. Giaimo] may be permitted to extend his remarks at this point in the Record.

The SPEAKER pro tempore (Mr. Kastenmeier). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GIAIMO. Mr. Speaker, I am privileged once again to join my distinguished colleague, the gentleman from New York, the Honorable John Lindsay, in sponsoring legislation to establish a Presidential Advisory Council on Education. He is to be commended for his leadership in this field.

I am also extremely pleased to once again sponsor legislation affecting education with the distinguished gentlewoman from Oregon [Mrs. Green]. For years, I served on the gentlewoman from Oregon's [Mrs. Green] subcommittee and know her to be one of the most capable and sincere advocates of efforts to solve the crisis in education that this country has ever seen. She has gained a nationwide reputation for expertness, imagination, and practicality that has given to her work the stamp of greatness.

It is also a pleasure to cooperate in this venture with our colleague, the gentleman from Massachusetts [Mr. Morse]. His participation is proof of the bipartisan base of this bill and I am pleased to be working with him on this important and vital problem.

Last year, when the gentleman from New York [Mr. Lindsay] and I introduced similar legislation I said:

> The multiplicity of arguments surrounding the issue of education threatens to obscure and confuse the true magnitude of the problems.

As a member of the House Education and Labor Committee, I had worked for 4 years to secure congressional approval of bills to aid various facets of our educational system. In our work, we encountered every day new and greater problems. Each day the crisis in education worsened and the efforts to meet the crisis bogged down just a little more in the mire of confusion, misunderstanding and often lack of communication. This situation caused the defeat of the badly needed aid to higher education bill. It stalemated any efforts to pass programs for special education, for the training of the handicapped child, and many other education bills.

This is the kind of stalemate that the President's Advisory Council on Education is expected to help resolve. Such a Council would give needed emphasis to the serious problems facing our educational system and our efforts to solve them.

In New England, we have a great tradition—the town meeting. This is a forum for all opinions, all sides of a question. In such a manner, local problems have been solved, the differences resolved. In a similar fashion, the bringing together of such an advisory council would give an opportunity for all to be heard—and for the attention of all to be focused on the great magnitude of this problem. The creation of such a Council would help to bring the entire nature of our educational crisis into perspective and would greatly aid the work of the Congress.

Although I am no longer a member of the Education and Labor Committee, I am still vitally interested in this country's educational needs. I am pleased to sponsor this bill and hope that the necessary congressional approval will be given as soon as possible. Each day that we delay in taking constructive steps to meet the crisis in our education, we do this country and its young people an immense disservice.

Mr. MacGREGOR. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. Mr. Speaker, I rise to heartily congratulate and commend the gentleman from New York [Mr. Lindsay], the gentleman from Massachusetts [Mr. Morse], and their colleagues from Oregon and Connecticut for taking this time in the House of Representatives today. Most assuredly the need for bipartisan support of a National Advisory Council on Education is here.

In my opinion, all of those vitally interested in education in America will have occasion often in the future to look back upon this day and this pioneering effort with deep gratitude for the efforts of our colleagues who have put forth this effort today.

SUBCOMMITTEE NO. 4 OF THE HOUSE COMMITTEE ON SMALL BUSINESS

Mr. EVINS. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 of the House Small Business Committee may be permitted to sit during general debate tomorrow.

Mr. MORSE. Mr. Speaker, I object.

RECENT FTC DEVELOPMENTS

The SPEAKER pro tempore (Mr. Kastenmeier). Under previous order of the House, the gentleman from Texas [Mr. Patman] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, on May 20, 1963, FTC Commissioner Everette MacIntyre made a brilliant address to the Society of Business Advisory Professions, Inc., in New York City, describing the origins and functions of the Federal Trade Commission. He also explained the new trade regulation rule procedures which procedures are designed to inform all concerned of their obligations under the law and to assure equitable treatment in obtaining compliance with the law.

Commissioner MacIntyre also discussed another recent innovation at the FTC, which is its practice of issuing advisory opinions to provide guidelines to help businessmen know how to avoid violations of law.

Because this address is so informative, and of interest to business people and the general public, I am reading it into the Congressional Record:

Recent Federal Trade Commission Developments

(By Everette MacIntyre, Commissioner, Federal Trade Commission)

INTRODUCTION

I have been requested to discuss with you today recent developments at the Federal Trade Commission. Included are such matters as the adoption of procedures for industrywide trade regulation rules and advisory opinions. Also, I have been asked to discuss proposals for voluntary compliance programs and other proposed changes in the Commission's rules. It is helpful to an understanding of a discussion of these matters to have some information responsive to the question, "What is the Federal Trade Commission?"

THE FEDERAL TRADE COMMISSION

Separate statements from different persons through the years have been made which could be regarded as answers to the question "What is the Federal Trade Commission?"

These answers vary widely. Of course all who have any information about the Federal Trade Commission could answer the question with the statement that the Federal Trade Commission is a Federal agency of five Commissioners appointed by the President of the United States, by and with the consent of the Senate. From there, even the views of those who have some information about the Federal Trade Commission vary widely about it and what it does. The expressions of these widely varying views confuse and then compound confusion. It is the responsibility and duty of the Federal Trade Commission to help protect business and the public from unfair acts and practices.

The Federal Trade Commission's principal authority to protect businessmen, consumers, and other members of the public from unfair acts and practices is derived from the Federal Trade Commission Act, as approved in 1914, and as amended in 1938.

The most important part of the Federal Trade Commission Act is set out in section 5(a)(1) of said act and contains only 19 words. Those words are: "Unfair methods of competition in commerce, and unfair or deceptive acts or practices in commerce, are hereby declared unlawful."[1]

The jurisdiction of the Commission originally was based upon injury to competition, actual or potential, and injury to or deception of the public was not of itself sufficient to constitute an offense under the statute. The defect became apparent in the 1930's when the courts set aside a Commission order against false advertising because there had been no showing of competitive injury. This imperfection was remedied by the 1938 amendment, which declared "unfair and deceptive acts and practices in commerce" to be in the same unlawful category as "unfair methods of competition." Since then the Commission has been able to proceed directly to protect consumers and other members of the public while at the same time eradicating competitive methods which unfairly divert trade from the honest to the unscrupulous members of the business community. We should, therefore, keep in mind, then, that the purpose of the Federal Trade Commission is to protect the public by protecting competition. Through its performance of that function the Federal Trade Commission serves as a guardian of our free and competitive enterprise system. We are all familiar with the fact that the concept underlying our public policy for a free and competitive enterprise system calls for free and fair competition.

Unless we accept that concept and acquire a reasonably good understanding of what it means to us in our everyday affairs, we are not likely either to understand or to accept the Federal Trade Commission or what it is doing. Indeed, we will suffer confusion and become confounded as that confusion becomes compounded.

A story coming out of the happenings of World War II will serve to illustrate that point. The story is to the effect that a salesman of war bonds had covered the territory and prospects assigned to him except for a cabin and its occupants located upon a high hill at the edge of his territory. In an effort to cover that portion of his assignment, he found it necessary to park his auto at the foot of the hill and climb the footpath to the top. As he did this and reached the top, his eyes fell upon an unusual sight. There he saw the woman of the house hitching her husband to a plow. The husband, upon sighting the stranger, galloped off around the house, dragging the plow. The woman of the house approached the salesman to inquire about the purpose of his call. The ensuing conversation did not result in a sale of war bonds. As the salesman trudged his way down the hill to his auto, the husband returned from around the rear of the house, dragging the plow.

He asked his wife "What did that fella want?" She replied, "I don't rightly know. It seems that some fella by the name of Hitler went with some girl by the name of Pearl Harbor to some place called Churchill and got into a mess of trouble. This fella now wants us to go their bond."

One thing is clear. There was gross misunderstanding in that case. It is my hope that the few remarks I make here today will help you avoid such gross misunderstanding about the Federal Trade Commission and the recent developments there.

When the Sherman Anti-Trust Act was passed in 1890 it was thought that the language of its provisions was quite definite and sufficiently broad for appropriate regulation of interstate and foreign commerce. Particular basis for that thought is found in the words of the first section of that law to the following effect: "Every contract combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce is hereby declared to be illegal," and the words of section 2 to the effect that "Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding $5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court."

First, proposals were made that the Sherman Act be amended to provide for some exemptions from its application to certain conditions and practices. Those proposals were rejected. Then proposals were made to make the application of the Sherman Act more flexible by making it effective only where trade restraints and monopolistic conditions were found to be unreasonable.

At first the Supreme Court rejected proposals that it make the Sherman Anti-Trust Act indefinite by reading into it an interpretation which would make it applicable only to unreasonable restraint of trade.[2]

Although these proposals were not acted on by the Congress, the law, through the process of judicial interpretation, was made almost as general and broad in its sweep as the common law of England and this country. A part of this development was the decision by the Court in the Standard Oil case.[3]

In that case the "rule of reason" was read into the Sherman Act and that law was, thereby, made to apply only to unreasonable restraints of trade.

The uncertainties inherent in such a situation were aptly described in the opinion of Justice Harlan, a member of the Supreme Court, who participated in the decision in the Standard Oil case.

Justice Harlan pointed out that now the Sherman Act, even though it is a criminal or penal statute, is indefinite and uncertain in its application. He observed that businessmen and others made subject to the act are without guidelines regarding its application to particular situations.

The Federal Trade Commission Act is couched in terms almost as general as those of the Sherman Act and with greater breadth. The Supreme Court has ruled that the words "unfair methods of competition" are not defined by the statute and their exact meaning is in dispute. However, they have held them to be applicable to practices opposed to good morals because characterized by deception, bad faith, or oppression, or as against public policy because of their dangerous tendency unduly to hinder competition or create monopoly.

It is clear that Woodrow Wilson in asking for legislation to create the Federal Trade Commission not only wanted an agency which would have broad power under such general provisions of law to halt unfair methods of competition, but also wished it to act to assist businessmen in better understanding their responsibilities under such law. He made that clear when he stated, in referring to the need for a Federal Trade Commission:

"It is of capital importance that the businessmen of this country should be relieved of all uncertainties of law with regard to their enterprises and investments and a clear path indicated which they can travel without anxiety. It is as important that they should be relieved of embarrassment and set free to prosper as that private monopoly should be destroyed. The ways of action should be thrown wide open."[4]

On September 2, 1916, in his speech of acceptance on renomination to the Presidency, Wilson restated his view of the function of the Commission in the following terms:

"A Trade Commission has been created with powers of guidance and accommodation which have relieved businessmen of unfounded fears and set them upon the road of hopeful and confident enterprise."[5]

"We have created, in the Federal Trade Commission, a means of inquiry and of accommodation in the field of commerce which ought both to coordinate the enterprises of our traders and manufacturers and to remove the barriers of misunderstanding and of a too technical interpretation of the law. The Trade Commission substitutes counsel and accommodation for the harsher processes of legal restraint."[6]

From existing circumstances and our experience, it is clear that public policy will continue to dictate that our antimonopoly laws continue with their broad sweep covering a multitude of unspecified trade practices and conditions. It cannot be expected that the Congress will undertake to specify in new legislation each of the trade practices and conditions likely to fall within the broad sweep of the Sherman Act and the Federal Trade Commission Act. Therefore, businessmen and the public are unlikely to enjoy flexibility, breadth, and certainty under our antimonopoly laws unless there is action from day to day by an administrative law agency such as the Federal Trade Commission, devoted to spelling out and specifying what trade restraints and conditions are unlawful, and aiding in the establishment of guidelines for avoidance of pitfalls leading to violations.

For a substantial period of time the Commission has utilized a trade practice conference procedure for the purpose of informing itself about industrywide practices alleged to be unfair. It has proceeded to utilize that information in formulating statements of what the Commission believed to be applicable as law to the trade practices in question. These statements were designated as "trade practice rules" and were designed to afford guidance to industries and enable them to voluntarily operate in compliance with the interpretations of the law by the Commission and the courts. It was hoped that through such advisary rulemaking procedures there would be voluntary compliance with the acts administered by the Commission.

The Commission's files are replete with information to the effect that in many instances the wide publicity given to the Commission's trade practice rules and its statements of guides, have had a wholesome effect in improving compliance with law. However, the sad fact about the matter is that in a number of very important areas, industrywide practices adverse to the trade generally, and apparently inconsistent with the law, have been continued despite publicity given to the Commission's trade practice rules and guides.

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[1] 38 Stat. 717 (1914), as amended, 52 Stat. 111 (1938), 15 U.S.C. 41 (1958).

[2] *U.S.* v. *Trans-Missouri Freight Association,* 166 U.S. 290 (1897); *U.S.* v. *Joint Traffic Association,* 171 U.S. 505 (1898).

[3] 221 U.S. 1.

[4] "Messages and Papers of the Presidents," vol. XVI, Bureau of National Literature, Inc., pp. 7909–7910.

[5] Ibid., p. 8151.

[6] Ibid., p. 8158.

The trade regulation rule procedure

It is gratifying to report to you that on May 15, 1962 the Federal Trade Commission announced that it had approved and would put into effect on June 1, 1962, a new procedure providing for the establishment of trade regulation rule proceedings.

Under this new procedure the Commission will promulgate rules expressing its experience and judgment, based upon facts of which it has knowledge derived from studies, reports, investigations, hearings, and other proceedings, or within official notice, concerning the substantive requirements of the statutes it administers. The rules thus developed and issued by the Commission may cover all applications of a particular statutory provision and may be nationwide in effect, or they may be limited to particular areas or industries or to particular products or geographical markets as may be appropriate. Following its promulgation and issuance, and where any such rule is relevant to any issue involved in an adjudicative proceeding thereafter instituted, the Commission may rely upon such rule, provided that the respondent shall have been given a fair hearing on the legality and propriety of applying the rule to the issue in his particular case. That is to say that the effective rule would be to take it as the basis for the establishment of a prima facie case with opportunity for the respondent charged with the violation of the rule to defend on the contention and showing that the rule should not be regarded as legally binding and appropriately applicable to the practices which have been challenged as being in violation of the rule.

Of course before the Commission would promulgate and issue rules of this kind under its new rulemaking process, it would give proper notice and afford hearings to all interested parties on any proposed rule. The proceedings may be initiated by the Commission upon its own motion or pursuant to a petition filed by any interested party. Following notice and hearings, the Commission after due consideration of all relevant matters of fact, law, policy and discretion, would proceed to promulgate and issue the rule with a brief general statement of its basis and purpose. It would not become effective until after it has been published in the Federal Register.

In this dynamic and space age it is anticipated that changing conditions are likely to bring about need for revision or repeal of rules. Therefore, the Commission's policy and procedure will provide for amendment, suspension, and repeal of any such rule. In that way the administrative process will serve the needs of the public interest and businessmen from day to day. Rapidly changing conditions emphasize that those needs can be served in no other way.

Inquiry has been made as to the areas suitable for the application of trade regulation rules and whether they would be limited to situations where the courts have sustained the Commission in prior adjudicatory proceedings.

I can see no need for limiting rules to situations where they are supported by Commission orders to cease and desist. A trade regulation rule may be established under this rulemaking procedure by use of facts, knowledge, studies, and expertise of the Commission so long as the rule is well founded. New and novel practices may well be the subject of trade regulation rules. These rules may cover all applications of a particular statutory provision and may be nationwide in effect, or they may be limited to particular areas or industries or to particular products or geographic markets, as may be appropriate.

A proceeding may involve economic or other studies of industry problems in depth. It might apply to a trade area or areas or relate to one facet of the economy on a national basis.

Industry members have indicated that the most appropriate and effective application appeared to be where unfair practices are limited to one or at least a narrow range of unlawful practices and the practices are of concern to the entire industry. The rule would be directed against practices rather than named persons or firms and would be appropriate where many, possibly a hundred or more, concerns would be subject to the rule. This would be especially true where the rule would eliminate the possibility of a multitude of formal proceedings. In no event would the substance of a rule attempt to reach beyond the scope of the applicable statute. The rule may have application to specified unfair methods of competition by designated classes of companies in a designated industry or a specified market. The rules would constitute a more compelling force for law observance. Businessmen would know that a violation would be an invitation to litigation with the Commission.

Under the new supplementary rulemaking procedure, applications have been received from representatives of firms in a number of industries. Our Trade Regulation Rule Division in the Federal Trade Commission's Bureau of Industry Guidance, has under study and consideration proposals for trade regulation proceedings affecting more than a dozen industries.

At this time I am able to report to you that the Commission has announced two hearings on the first proposed rules under this new trade regulation rule procedure which became effective in June 1962.

These two proceedings involve the sewing machine manufacturing industry and the industry engaged in the production of sleeping bags. The objective of these initial undertakings is to formulate proper rules regarding industrywide use of the word "automatic" for describing sewing machines and the use of certain size dimensions for sleeping bags.

These proceedings are designed to inform all concerned of their obligations under the law and assure equitable treatment in obtaining compliance with the law. Any trade regulation rule eventually adopted will be binding upon the entire industry.

Advisory opinion procedure

Another major innovation has been the Commission's decision to issue advisory opinions. This is a very recent development, and many of you may not be aware of it. The decision was long overdue, for if the Commission is to fulfill its purpose of providing guidance to businessmen, what better time is there to provide the guidance than before the law is violated? Previously, advice in the form of opinions was offered only by the Commission's staff and such advice was not binding on the Commission. This made the advice of such limited value to businessmen that few bothered to ask for it. Under our new system, advisory opinions do bind the Commission. And, in the unlikely event that such opinions would have to be changed, sufficient notice would be given before any adversary action would be taken.

Perhaps it is of interest to you to know that more than 100 requests have been made to the Commission for advisory opinions as provided for under this new procedure. These requests have involved proposed courses of action presenting many questions about the application of laws entrusted to the Commission. In each instance where the Commission found it practicable to do so, it rendered an advisory opinion, binding on the Commission, regarding the legality of the proposed course of action under the laws administered by the Commission.

Proposals for voluntary compliance programs

One proposal that leading representatives of manufacturing firms has advanced is for a change in the procedure and practice at the Federal Trade Commission to provide greater opportunity for firms whose practices are questioned to act promptly and voluntarily in bringing themselves into compliance with the law without being made the subject of investigation and litigation. Proposals along this line have been made from time to time over the years. Many of the proposals as made in the past were severely criticized in Congress and elsewhere because they smacked of suggestions that cases which had been developed against law violators be dropped on the promise that the violators would "go and sin no more." Some of the more recent proposals advanced by representatives of leading manufacturing firms have avoided much of the basis for this criticism. Therefore, they were given careful consideration by a number of us at the Federal Trade Commission.

It has been argued that many of the inequities arising from following the case-by-case method of enforcing our Federal trade regulation laws can be avoided and in many instances would be avoided, if the businessmen accused were afforded the opportunity to voluntarily comply with the law before investigation and litigation ensues. It is further argued that a voluntary compliance procedure may substantially reduce the load upon the Commission's staff and in turn enable it to expeditiously dispose of in a proper manner the cases which must be undertaken in the prosecution of formal proceedings.

In view of these circumstances it is believed that we should act to improve our procedures to assist us more effectively in our efforts to persuade businessmen into voluntary compliance with the law. In making this suggestion I am not proposing that we consider changing our policy or procedures to provide for the dropping of antimonopoly cases once they are taken up and have reached the stage where the Commission has undertaken litigation or otherwise has been led to believe that injury in violation of our antimonopoly laws is actually occurring. However, I do believe that there is room for us to move forward and make considerable progress in our effort to persuade businessmen into voluntary compliance with the law without doing violence to policies the Commission has adhered to heretofore. I say that because it is my firm belief that we can make changes in our policy and procedures which will provide a greater opportunity for us to persuade businessmen into voluntary compliance with the law before we are compelled to investigate and litigate cases against them.

These thoughts prompt me to say that I shall urge the Commission to adopt a procedure along these lines designed to promote more effectively voluntary compliance with the law. For the purpose of identification at this time I would describe this suggested procedure as a "preinvestigation conference."

It is believed that if the Federal Trade Commission should approve and put into effect a procedure such as I suggest, business and the public will benefit. It could mark the real beginning of an effective partnership of Government and business in developing a program for voluntary compliance with the law. The end point result would be a greater degree of fairness and far more effectiveness flowing from the application of our Federal trade regulatory laws.

Proposals for delegation of responsibility

A number of proposals have been made that the Federal Trade Commission consider delegating to either one of its members or to members of its staff some of the responsibility Congress entrusted to the Commission under the law.

One of the greatest responsibilities entrusted to the Commission is the issuance of complaints and orders to cease and desist.

The law provides for the Commission to issue a complaint only when it has reason to believe that provisions of the law entrusted to the Commission are being violated.

Recently proposals were advanced that the Commission delegate to the heads of its enforcement bureaus the authority to determine "whether there is reason to believe that a violation has been committed" and to issue complaints subject only to review by the Commission.[7] Such proposal, it is suggested, could be effected pursuant to the provisions of Reorganization Plan No. 4 of 1961. In that connection it must be remembered that Chairman Dixon of the Commission, in testifying before a Senate committee in support of Reorganization Plan No. 4, commented upon the thought that under it the Commission could delegate the authority to issue complaints. He stated:

> "I don't think a majority of the Commission would ever delegate the right to anyone to issue a complaint and *I* would oppose it myself."

I do not believe that any businessman should be made the subject of charges in a complaint unless it has been fully considered and the Commission itself has been led to believe that a violation of law has been or is being committed. However, strange things do happen. A present member of the Federal Trade Commission has been advocating that the Commission delegate to its staff the authority and power to issue complaints.

These proposals that the Commission delegate the authority and responsibility Congress entrusted to the Commission to issue complaints and orders to cease and desist, in my opinion are not proper. The members of the Federal Trade Commission are appointed by the President, with the consent and advice of the Senate. Presumably, they are responsible for their actions. They are in such position that they must answer for the propriety or impropriety of any action they take as members of the Commission. When the Commission makes an error through the action of its members, businessmen are able to point to the members of the Commission as the ones responsible for the error. That is as it should be. Let no member of the Federal Trade Commission be provided with an opportunity to escape criticism for error committed at the Commission by pointing to unspecified members of the Commission's staff and saying, "There is where the error was made."

CONCLUSION

The new policies which have been adopted by the Federal Trade Commission provide businessmen with opportunities never before available. Now, you and other representatives of businessmen are enabled to get together with representatives of your Government for the purpose of exchanging views and eliminating troublesome problems. If businessmen cooperate willingly in such undertakings, the opportunities are for you to become partners, rather than antagonists, in the development of fundamental policies and relationships between Government and business. In this way you are provided a voice in the development of sound trade regulation policies. If businessmen and their representatives evidence statesmanship in taking advantage of these opportunities, pitfalls may be avoided and you may escape the interminable legal processes inherent in the case-by-case approach of adversary litigation in the resolution of trade regulation problems.

I deeply appreciate the opportunity you have provided for me to visit and discuss these problems with you today. I say that because I sincerely believe that the better we understand each other, the better we can work together for the good of business and the public.

HON. FRITZ G. LANHAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. WRIGHT] is recognized for 30 minutes.

Mr. WRIGHT. Mr. Speaker, I am taking this time in order to say a few words in behalf of a very great American and an outstanding native son of my State and district.

Fritz G. Lanham, who served with great distinction in this body for 28 years, is leaving Washington today to return to Texas after 45 years on the Washington scene.

He and his lovely wife, Hazel, will be missed in Washington. But it is fitting that, in the twilight of a distinguished career, he would want to return to the State of his beginnings, the State he served so well, and there enjoy a well-earned reward of old friendships renewed and old scenes revisited.

It is in the spirit of flowers for the living that some of Fritz' friends and former colleagues have thought that it might be appropriate today to devote a few minutes here in this Chamber he has loved so well to speak briefly of a few of his brilliant contributions and to wish him a pleasant trip back and many happy days in the Texas sunshine.

Fritz Lanham is to me the embodiment of that much overly used phrase, "a gentleman and a scholar." In solemn truth, he is both. The gentle manner and the never failing kindly good humor with which he has always greeted the world and his fellow man are matched by the scholarship of a lifelong student.

The son of Sam W. T. Lanham, who was to serve in the Congress and as Governor of Texas, Fritz was born in Weatherford on January 3, 1880. His family came to Washington in 1883 where his father served for the succeeding 10 years in Congress. Fritz attended the public schools in Washington and was graduated in 1897 from Weatherford College, an institution which still has his bachelor's degree framed in the president's office. Later he attended Vanderbilt University and the University of Texas, taking a law degree from that institution.

Educated in the classic sense, Fritz was and is a Greek scholar. During one semester, he taught the courses in Greek at Weatherford College. While a student at the University of Texas, his scholarship and popularity lead his fellow students to name him editor of the Daily Texan. It was during that time that he undertook in a whimsical mood to translate the story of the Trojan Wars into modern and humorous English verse. This popular compendium was published by the Ex-Students Association in 1927 in book form.

While his father was serving in the Congress, Fritz came to Washington and served for a time as his father's assistant. Things were greatly different then. I have talked with Fritz about the pace of events in those early times and have been amazed by the differences which existed. People did not write so many letters, and there was time for a Congressman to devote his energies and efforts to real scholarship. Although the elder Lanham served a congressional district which then comprised almost half the entire State of Texas, Fritz relates that there would be maybe five or six letters daily to be answered.

Fritz came to Congress in April of 1919 and served here until January 19, 1947. After 28 years in this House, a period which spanned two world wars, Fritz voluntarily retired, not seeking reelection.

While in Congress, he served with distinction as chairman of the old Committee on Public Buildings and Grounds, and as ranking member of the Committee on Patents prior to the Reorganization Act.

Always devoted to his native State and its traditions, Fritz frequently would rise on March 2 or April 21 to hold the House spellbound by his accounts of the signing of the Texas Declaration of Independence from Mexico and the Battle of San Jacinto.

Fritz Lanham has been a man always grounded in the noble traditions of the past but in tune with the times, and he has been among the first to look ahead for solutions to problems as they revealed themselves in our economic and social structure.

His compassion was revealed in his sponsorship of bills to bring about emergency relief for the unfortunates who suffered through our great depression of the early 1930's, and in providing Federal assistance to the blind. The Lanham Act speeded up the construction of hospitals under the WPA program, and provided jobs for destitute men.

He saw the storm clouds gathering in the late 1930's and warned his colleagues of the madness of Hitler. He made speeches from the floor of this House in 1940 and 1941 calling attention to the Nazi Bund meetings being held around the country, and expressed his concern over this fanatical movement. He voted for the Draft Extension Act just a few months before Pearl Harbor, on a day when this body passed by but a single vote the legislation that provided the beginnings of the defense machine that led us to victory in World War II.

At the outset of the war, Fritz Lanham was among the first to push for a greater naval shipbuilding program and more appropriations for defense. He was a prime leader in the move to provide housing for defense purposes, at sites where armies trained and defense plants turned out the tools of war. In 1943, with victory still 2 years away, Fritz Lanham looked ahead to sponsor bills providing maternity care for wives of servicemen and to establish a Veterans' Rehabilitation Act. He wanted the Government to permit a grateful Nation to assist returning veterans with their educational, employment, and housing problems. History records that he was successful.

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[7] According to items appearing in the press, this proposal was set forth in "Report on the Internal Organization and Procedure of the Federal Trade Commission," by Carl Auerbach, Staff Director of the Committee on Internal Organization and Procedure of the Federal Trade Commission.

It could well be said that Fritz Lanham helped to change the physical landscape of our Capital City, his own native Texas and many other States.

Serving as a member of the Public Buildings Commission from 1924, he was instrumental in the construction of such public buildings as the Pan American Union Building, the Supreme Court, a House Office Building for the Congress and the George Washington Memorial Parkway and Mount Vernon Memorial Highway.

The public buildings, in the form of veterans' hospitals, post offices, and Federal buildings which were constructed as a result of legislation sponsored by Congressman Lanham, are numerous. At such Texas points as Fort Worth, El Paso, San Antonio, Weatherford, Granbury, Cleburne, Dublin, for example, the people continue to use buildings that will long stand as silent memorials to the care and attention Fritz Lanham gave the needs of Texas.

Fritz Lanham's father was a Confederate war veteran, and the internal strife of the years 1861–65 seemed real and personal to the young Fritz Lanham as he grew up. This personal feeling for those troubled years stayed with Fritz Lanham the man, and he authored bills to permit the donation of cannons used in the War Between the States to many cities in Texas. Those cannons, with the familiar stack of polished cannonballs near at hand, still look out from the courthouse lawns and city hall squares of more than a dozen Texas cities.

In 1943, during World War II, one Member of Congress attacked then President Roosevelt with the claim that his sons were being given assignments remote from combat zones. Elliott Roosevelt, at the time a lieutenant colonel in command of an air reconnaissance group in North Africa sent a letter to Fritz, who represented the district in which Elliott then resided. Fritz rose in the House and read the letter, and when he had finished, Republicans and Democrats alike rose to applaud. This is typical of the spirit of fair play which came to be the Lanham hallmark in Congress.

Always close to his heart has been the Methodist Church, and on 25 separate occasions while he served in the Congress, Fritz was called upon at the congressional adjournment to preach in the First Methodist Church of Fort Worth. It came to be a tradition. Well do I remember one such occasion in 1945 at the end of the war. Fritz Lanham spoke for about 30 minutes, and I did not realize the hush which had fallen over the great sanctuary with its huge crowd until he had finished. Then the mere moving about of the parishioners was like a deafening noise as compared with the stillness which had pervaded the sanctuary while Fritz was speaking.

After leaving Congress, he has continued for the past 16 years to give his time and effort and talents to the promotion of water resources development, particularly in the watershed of the Trinity River of Texas. In that capacity, he has appeared numerous times before congressional committees.

So now that he is returning to his native State for a bit of well-earned rest from the labors and activities of a busy, eventful, and productive life, we in the House take this occasion to wish him well and send with him our cheers and our best and warmest regards.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to my colleague, the distinguished dean of the Texas delegation [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I rise to speak out of respect and admiration—and no little affection—for a remarkable Member of this House of former years, and a distinguished American on the Washington scene. He is one of the grand old men from Texas—former Representative Fritz Garland Lanham, who is about to leave this city here for his home State. Many of us will of course not permit him to be estranged from us by this departure and while we shall see and correspond with him he will nevertheless be missed. For he is easily one of the best educated and courtly gentlemen who through the decades graced this great parliamentary body.

Former Congressman Lanham was born in Weatherford, Tex., in 1880, but he came here to Washington as a boy and attended its public schools, returning to Texas and graduating from Weatherford College in 1897. He did graduate work at Vanderbilt University and in 1900 was graduated from the University of Texas, at Austin. He studied law later at the University of Texas and was admitted to the bar in 1909. In 1917 he was elected to the 66th Congress and was reelected to the 67th and to 12 succeeding Congresses, serving up to January 3, 1947.

This in passing is a capsule story of the career of Congressman Lanham but it hardly tells the story. In Fort Worth, in Weatherford, here in Washington, and subsequently as an adviser on legislative matters, Congressman Lanham improved what I like to call the legislative process. He raised the level of politics not only by the affability and the cultural graces that made his personality so outstanding, but he made life itself pleasanter by his background and the manner in which he employed it to lubricate the machinery of life and legislation. His district, his State, and our country benefited from his veteran service in this House and from the influence always for the public interest that he wielded in his elected office and his private life. I for one will miss his sage counsel and advice here in Washington but I shall miss even more the geographical closeness—now that he is going to Texas—that heretofore put him in such convenient reach. Nevertheless, I know he will enjoy the tranquillity and the friendships of Texas and—along with so many others here who remember him well—I wish him the best that he has earned for himself in a life rich with honor and accomplishment.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to my distinguished colleague, Mr. MAHON.

Mr. MAHON. Mr. Speaker, I feel that my friend from the Fort Worth district has performed a great service by taking note of this significant day when one of the greatest Texans of them all is leaving this Capital City of the Nation and the world, after having been an important figure here for so many years.

Mr. Speaker, when Fritz Lanham was in the Congress he was strictly on the first team. Perhaps this was the golden age of Texas in the House. During his tenure here we had from our State the Speaker of the House, the chairman of the House Judiciary Committee, the chairman of the Committee on Agriculture, the chairman of the Appropriations Committee, and Mr. Lanham himself was the chairman of an important committee. Our State occupied an enviable position in the House of Representatives and Fritz Lanham was a bright and shining light.

Mr. Speaker, Mr. Lanham in my judgment was the most polished orator in the House of Representatives during his service in the House. He was and is a very literate and learned and eloquent man.

It is good to pay tribute to the long record of service in Washington of a man like Fritz Lanham.

Mr. Speaker, I am glad to live in a country which produces men of the quality and stature of Fritz Lanham. Mr. Lanham's success in life can be attributed to his qualities of character, qualities which were blended in him in a most remarkable way. In addition to his qualities of statesmanship he has a quality of humor and good fellowship which makes him a welcomed guest in any group.

Mr. Speaker, I am delighted and pleased to join with the gentleman from Texas [Mr. WRIGHT], the Representative from the Fort Worth District, and other Texans in these words of admiration and esteem for our good friend who leaves Washington for Texas today. May the Lord's blessings be upon him and his charming and lovable wife, Hazel.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to my distinguished colleague, the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, I want to join with the gentleman from Fort Worth [Mr. WRIGHT] in paying tribute to our great friend, Fritz Lanham.

Mr. Speaker, it was my great privilege to serve 10 years in this House with the Honorable Fritz Lanham, who at that time represented the 12th District of Texas. Mr. Lanham's uncle was long a revered citizen of my hometown of Waco. The Lanham family was and is known and respected across our State. His father served in this House and also served for 2 terms as Governor of Texas. Fritz Lanham worked with him as a secretary. It was, therefore, no accident that when he was elected to represent the 12th District he entered upon his duties with probably the greatest background of experience of any Representative that district ever had. Nor did he disappoint his people. He served them with outstanding diligence and ability. At the same time he served the Nation equally well.

When I became a Member of this House, Fritz Lanham was one of the leaders. He served as chairman of the Committee on Public Grounds and Buildings, whose jurisdiction was under the Reorganization Act taken over by the Public Works Committee, on which his present successor, the Honorable JIM WRIGHT, serves with so much distinction.

Fritz was, however, far more than merely 1 of 435 Representatives serving a district. He was, and is, a man of outstanding education, polish, experience, and character. I shall never forget that I thought that the University of Texas passed up the greatest opportunity in its history in not seeking Mr. Lanham as its president. I have never known if he would have accepted this position, but I have always felt that that institution would have been an even greater institution today had it been able to secure his leadership.

Fritz is a man who has the vision of a poet and the eloquence of an orator to transmit his thoughts. At the same time he has the practicality of the classic businessman.

For more than 15 years he has represented business interests here in Washington, and he has done an exceedingly fine job. Fritz understands the necessity of progress, but he realizes that progress must be made in an orderly and a legal manner. He has always defended the great institutions on which our democracy rests. At the same time he has effectively advocated greater educational opportunities for our people. He has served the special needs of his district, but he has never forgotten the broad needs of his country. He has been an effective advocate and he has always been kind, gentle, and generous.

Fritz and his beloved wife, Hazel, have endeared themselves to the people of Washington, where they enjoy the friendship of all who know them. Their reputation here leaves nothing to be desired, and I have heard friends in Washington ask: "Why do they leave?" Mr. Speaker, I cannot tell you why they leave. Fritz Lanham would have appropriate words to express this feeling, but I know why they leave and so does any other Texan. They leave the National Capital to return to their home State while they yet have time to enjoy those friendships and associations which have meant so much over a long span of years and will mean even more during the years to come. Those of us who are working here may say without thinking that we are sorry to see them go, but as one who deeply values their friendship, I am happy to see them go home to Texas. I know they will there enjoy an association that cannot be found elsewhere.

So, Hazel and Fritz, your friends in Washington who are—at least for some part of the years—also your friends in Texas are delighted to welcome you home. We will see you next fall. In the meantime, we wish for you all of the richest rewards of a half century of outstanding work in the Nation's Capital.

Mr. FISHER. Mr. Speaker, will the gentleman yield to me?

Mr. WRIGHT. I yield to my distinguished colleague from Texas [Mr. FISHER].

Mr. FISHER. Mr. Speaker, I wish to associate myself with everything that has been said about our friend, Fritz Lanham. It was my pleasure to serve with him in this body for a number of years and I had a good opportunity to know and observe him during that time. Fritz Lanham during his service here was undoubtedly one of the most affable gentlemen I have ever known. He was able, energetic, and applied the yardstick of true statesmanship to every official act he performed. I have never known a more honorable man.

Even though a very busy man, Fritz was always willing to take time out to do a favor if he felt it was deserved. I will never forget an occasion when he did me a favor that meant very much at the time and which resulted in lasting benefit to an entire community.

Fritz served in this body for 28 years. During that time he contributed substantially to progressive legislation and to the preservation of our institutions. He was essentially a conservative man in his philosophy, and never deviated or yielded to the pressures of the moment from those who were not inspired by purposes consistent with the best interests of good government. It is too bad that we do not have more Members of Congress today dedicated to the preservation of sound government. Fritz Lanham left a record of distinguished service when he decided to retire from Congress several years ago.

I join with my colleagues today in wishing for Fritz and his lovely wife the very best happiness and good health as they leave Washington and return to Texas. We shall miss their presence in Washington.

Mr. BURLESON. Mr. Speaker, will the gentleman yield to me at this point?

Mr. WRIGHT. I yield to my colleague, the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, I have a feeling of presumptuousness in expressing approbation of our beloved and esteemed former colleague, Fritz Lanham. His long record of public service and his exemplary life in all respects are of record and repose in the memory of all those who have had contact with him, and who are aware of his great contribution to our Nation and to the State of Texas.

This being true, there is, however, a fickleness on the part of even the best of friends, who, in their deep preoccupation with problems of the day, are caused to forget and neglect.

Just a few hours ago I saw Fritz Lanham and his lovely wife Hazel depart Washington to return to Texas for retirement. In those moments I felt that, not only were dear personal friends leaving our midst where we have for many years become accustomed to having them, but that a part of Washington itself, and particularly the legislative branch, was being broken off.

Fritz Lanham is one of the last, if not the last, of the "old school." His leaving the active scene of Washington is like a great actor taking his last bow in a dignified but stirring drama, which many of us have viewed with admiration for many years.

Fritz Lanham is one of those rarely gifted individuals who, when a Member of Congress, exhibited the type of leadership which many of us have taken pride in following. He was a politician's politician in the truest sense of the word. In recent years the term "politician" has assumed connotations unfavorable to the true art of political science which the term actually describes. Fritz Lanham was a student of the science of government and had the ability to impart his knowledge of the fundamentals to those about him. He recognized change and was able to meet it in the perspective of the day. His great contribution and leadership during the critical war years are of record. He never lost sight of reality, but at the same time, was implicitly true to the fundamentals. I recall that in one of the first speeches which I ever heard Fritz Lanham make, he reflected the deep philosophy to which he subscribed. In that speech he quoted remarks of Daniel Webster, made in 1832, the tenets of which are as alive today as they were then.

These words were quoted by Fritz Lanham from Daniel Webster, following the turmoil of war years, as a warning against innovations, shortcuts, and expediencies of the day. May we heed these words and many others of such men of stature as Daniel Webster and Fritz Lanham:

> Other misfortunes may be borne, or their effects overcome. If disastrous war should sweep our commerce from the ocean, another generation may renew it; if it exhaust our treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again, and ripen to future harvests. It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these might be rebuilt. But who shall reconstruct the fabric of demolished government? Who shall rear again the well-proportioned columns of constitutional liberty? Who shall frame together the skillful architecture which unites national sovereignty with State rights, individual security, and public prosperity? No, if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful, a melancholy immortality. Bitterer tears, however, will flow over them, than were ever shed over the monuments of Roman or Grecian art; for they will be the remnants of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty.

In the days of his leadership in this House of Representatives, I know his influence was keenly felt by every Member who looked to him for the sound advice and admonitions which he was so able to impart.

I remember well that on the occasions when he appeared before this body to speak, there was hushed attention as he spoke in his inimitable manner. In addition to his other great attributes, there also passes off the political scene one of the greatest orators of our day.

Fritz Lanham's presence in Washington will be missed, but his influence, the inspiration which he gave to those of us who served with him, the appreciation of his statesmanship and devotion, will remain.

I join my other colleagues in the hope that Divine blessings may shine down on Fritz and Hazel in their home in Texas as brightly as the sunshine under which they live. We assure them that the warmth and brightness of their friendship will still reflect all the way back to the Capitol of our Nation, to which they have contributed so very much.

Mr. THORNBERRY. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I will be happy to yield to my colleague [Mr. Thornberry].

Mr. THORNBERRY. Mr. Speaker, I am glad to join with the distinguished gentleman from Texas [Mr. Wright] and my other colleagues from Texas to wish a very happy return to Texas for the Honorable and Mrs. Fritz Lanham. They have chosen to make Austin, my own hometown, their home in Texas. I know they will find many friends and will enjoy themselves immensely.

It was not my privilege to serve in the House with the Honorable Fritz Lanham since he chose to retire voluntarily from distinguished public service in the House 2 years prior to the time I came to Congress. At the same time, as a Texan I already knew of the fine public record he had achieved and of the esteem in which he was held not only by his colleagues in the Congress but by the people of Texas.

Others have already referred in detail to the splendid public service he rendered as a Member of this House not only to the people who chose to elect and reelect him but also to those of the Nation.

I recall that Mr. Rayburn, the late, beloved Speaker thought highly of Mr. and Mrs. Lanham. Mr. Rayburn referred to them often as his beloved friends. I remember him talking about Mr. Lanham as a "sweet" man, as a "correct gentleman"—one who conducted himself properly wherever he appeared.

Mrs. Thornberry, the children, and I consider Fritz and Hazel Lanham as close, good friends. We are delighted that in leaving the Washington scene they have chosen to make their home in Austin. Austin will be a better city because of their presence.

Mr. YOUNG. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I am glad to yield to the gentleman from Texas [Mr. Young].

Mr. YOUNG. Mr. Speaker, I want to thank the gentleman from Texas [Mr. Wright] for making this time available to pay tribute to one of the truly great living Americans. I was not privileged to know the Honorable Fritz Lanham as a colleague when he served in the House. My acquaintance with him has been limited to the period since his service in the House and since my arrival here in Washington.

I want to say that I have never found a more kindly gentleman or a more understanding gentleman, nor one who afforded more pleasure to the people that he knew and who had the privilege of being around him.

It is certainly understandable that the Honorable Fritz Lanham would see fit to favor his home State with some of his time. I want to join my colleagues in the House in expressing my admiration for him.

Mr. ROGERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I will be glad to yield to my distinguished colleague, the gentleman from Texas [Mr. Rogers].

Mr. ROGERS of Texas. I want to commend the gentleman from Tarrant County for getting this time to pay such a due tribute to one of our former Members, and a man who has remained in Washington after he terminated his service in the Congress.

I have known Fritz for many years, and his lovely wife, Hazel. I think it is certainly Washington's loss that these fine people have decided to return home. Fritz was a man whom we would look upon as a true American from every standpoint. He was always so very welcome in my office when he came by to visit about the things that are going on in our country and to reassure me that it was still the great country that it was when he first came to Washington. I think he valued his service in Congress above everything else. He felt that it was an experience that few people had the opportunity to enjoy.

I just hate to see Fritz and Hazel leave but I wish them well, as I know the others do.

Mr. KILGORE. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I am happy to yield to my distinguished colleague [Mr. Kilgore].

Mr. KILGORE. Mr. Speaker, the career of the Honorable Fritz G. Lanham must surely be an inspiration to all Members of this House—and, of course, especially to Texas Members. Even those of us who came here too recently to have served with him as a colleague, have known and benefited not alone from his wise counsel but from his genius for friendship as well. His voice of experience has always been available to guide us. He has made our interests his interests and in doing so, has continued to perform great service for our State ever since his retirement from Congress.

Fritz Lanham and his gracious lady have for these many years been stalwart figures in the "Texas colony" in Washington. They have given Texas welcome to many, many newcomers and have made them feel immediately at home. The Washington scene will not be the same without them. As they go home to Texas, to Austin, they will carry with them the deep regard and the warm good wishes of all who have known them.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I will yield with pleasure to our distinguished Speaker.

Mr. McCORMACK. When I arrived as a new Member of the House, one of the mental giants at that time was Fritz Lanham, of Texas. He had been a Member of the House for some 10 years before I was elected and he served for a number of years after I first came here.

Between Fritz Lanham and me there developed a very close friendship, a friendship which I have always valued and which I shall always treasure.

His service in this body was one constructive in nature. He wielded tremendous influence upon the Members of the House because of his profound knowledge of legislation, particularly legislation that came out of the committee on which he served as chairman in such an outstanding manner.

Since his retirement some years ago, and remaining in Washington, our paths have crossed very frequently. I always enjoy meeting my dear friend Fritz Lanham and I have always felt that I was a better man because of the frequent meetings that we had while he was a Member of the House and after he was a Member of the House.

I understand from the remarks made that he is leaving Washington to go back to his home State, to his homeland. I wish for Fritz and his loved ones every future happiness and success. I am glad to be on the floor to join with my distinguished colleague from Texas in sending a message of deep friendship and profound respect to my friend Fritz Lanham.

Mr. WRIGHT. I thank the Speaker for his contribution.

Mr. KEOGH. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from New York.

Mr. KEOGH. Mr. Speaker, I am delighted to join with my distinguished friend from Texas in paying what I know to be a most deserved tribute to a great American and a distinguished former member of this body, the Honorable Fritz Lanham. As our Speaker has just said, Representative Lanham was a great and good and constructive friend to all the new Members who came here during his distinguished and long service. I am fortunate to be able to say that I was included among them. His advice and counsel over the years have been of immeasurable assistance. Also, Mr. Speaker, I should like to point out that I think an aspect of his dedicated service to the House that perhaps might go a bit unnoticed was the great work he did in the field of patents. His work in that field generally and in the legislative functions of it aided immeasurably the technological advances that were so necessary to the preparation for and the conduct of the great World War II, ending in its successful termination.

I join with our friends here in wishing him many years of health and happiness.

Mr. WRIGHT. I thank the gentleman for his contribution.

Mr. CASEY. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Texas.

Mr. CASEY. I, too, wish to join with my colleagues in paying tribute to a very distinguished Texan and former Member of this House. I did not have the pleasure of knowing Mr. Lanham until I came here as a Member of this body, but you only had to know Fritz a short time to realize he was not only truly a gentleman and a scholar but a great American.

It is men such as Fritz Lanham who served in this body before us that built the foundation and the building blocks upon which we now continue to build. It is people such as Fritz Lanham who by building this strong foundation have enriched this country and contributed to its greatness and by the same token adding to the distinguished honor and history of this great body.

So it is with pleasure that I wish God's blessings upon Fritz and his lovely wife Hazel, in returning to their native State of Texas to enjoy a well-deserved rest.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. THOMPSON] may extend his remarks at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMPSON of Texas. Mr. Speaker, every now and then I have had occasion to introduce someone to Fritz Lanham. I have always said that of all the Members with whom I have served, Fritz was the best loved. I believe this is true; and that in the memory of those who have known him, there will never be a Member of Congress more loved and recalled with deeper affection.

Fritz was always a very effective Representative, serving well and faithfully his country, his State, and his district. His name will always be recalled with gratitude by his neighbors as the man who contributed so much to their prosperity. The fact that he served in the Congress for 28 years, and retired voluntarily, tells an important part of Fritz's life story.

We, who knew him well, have missed him in these halls. We have been glad that he has remained in Washington, and that we have seen him and advised with him from time to time. Now we learn with regret that he is returning to Texas. We do not begrudge him a life in more quiet and peaceful surroundings, but we shall miss the occasional visits we have enjoyed with him. We shall remember him always. Our lives will be richer because we have known him.

Mr. BECKWORTH. Mr. Speaker, it was my privilege to serve a number of years in Congress with Hon. Fritz Lanham. In my opinion he was an ideal legislator in every respect. He was unexcelled in effectiveness and was trusted because he was trustworthy. I join his many friends in expressing my regret Fritz is ill. As he and his good wife, Hazel go to Texas, it is my hope and my prayer that he will rapidly recover his health and that he and Hazel will enjoy much happiness in their native State where they are universally loved and respected.

Mr. TEAGUE of Texas. Mr. Speaker, I rise to pay tribute, along with my Texas colleagues, to the Honorable Fritz Lanham, of Fort Worth, Tex., who served in this body with distinction from 1919 to 1947. Unfortunately, I was not as privileged as some of the Texas delegation to serve along with this illustrious gentleman; but on the fortunate side got to know him quite well during his 16 years with Trinity River Improvement Association which he so ably represented here in Washington.

I think it is entirely fitting that Fritz receive his floral tributes from this great body which he served so well. Fritz was always ready and willing to lend a helping hand, and I know he was of great help to me during my freshman years in the House of Representatives. His advice and wise counsel on matters in which he was well versed were graciously accepted. Mr. Speaker, I know that all in this Congress who were privileged to know Fritz wish he and his lovely wife well in his coming years of a well-earned retirement.

GENERAL LEAVE TO EXTEND

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AN OECD PARLIAMENTARY CONFERENCE COULD HELP BUILD FREE WORLD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, we have entered a period in which the unity of the free world is threatened by new divisive forces in military, political and economic affairs.

Yet at no time in the history of man has unity and cooperation among nations and peoples been more important or promised greater benefits. Developments in communications, transportation, agriculture and industrial production alike offer a rich harvest in better standards of living throughout the free world if the nations—and particularly the powerful developed states—will work together to garner it. At the same time, the growing split between Moscow and Peiping offers the free world the best opportunity in years for effective, cooperative, peaceful action.

The perils of national egotism and attempts at autarchy demand ceaseless efforts to strengthen the humble beginnings of a free world community. We must, therefore, take new steps to promote unity and cooperation. In the fields of trade, aid and payments especially there is much to be done together.

One action which, I believe, would make a significant contribution to the growth of the free world community would be the establishment of a Parliamentary Conference of the members of the Organization for Economic Cooperation and Development.

There are many other steps which need to be taken to strengthen free world unity. But a Parliamentary Conference is one that can be taken now.

WHAT THE OECD DOES

The Organization for Economic Cooperation and Development started life on September 30, 1961. Its 20 members are the United States, Canada, France, Germany, Belgium, the Netherlands, Luxembourg, Italy, United Kingdom, Sweden, Norway, Denmark, Portugal, Austria, Switzerland, Ireland, Iceland, Greece, Turkey, and Spain. Japan is now associated with the OECD as a member of its Development Assistance Committee.

With a little leeway of definition in one or two cases, these comprise the developed countries of the free world.

The OECD is proving a workable forum for joint action by its members in the vital fields of world trade, aid for developing areas, strengthening the international monetary system, and promoting policies designed to foster in each country maximum employment, economic growth, and price stability. A list of OECD's eight permanent committees well indicates the breadth of its international interests: Scientific Affairs, Economics, Trade and Payments, Development, Manpower and Social Affairs, Industry, Agriculture, and Nuclear Energy.

Indeed, the business of OECD is about as broad as the business of the free world, with the single exception of military affairs, which are deliberately excepted from OECD's charter because the organization includes neutrals such as Austria, Sweden, and Switzerland.

But OECD lacks a consultative body made up of parliamentarians from its member countries.

THE EXPLORATORY RESOLUTIONS

OECD's Secretary-General, Thorkil Kristansen, in June 1962 proposed that its member governments convene a Parliamentary Conference.

In order to provide for such a Parliamentary Conference, I have introduced House Concurrent Resolution 425, 87th Congress, on February 19, 1962; and House Concurrent Resolution 87, 88th Congress, on February 7, 1963. These identical resolutions express the sense of Congress that an OECD Parliamentary Conference be established "to be composed of representatives of the parliaments of the member countries who shall meet jointly for discussion of the aims of the Organization and methods of achieving them," and that "the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs shall establish subcommittees for the purpose of jointly exploring with appropriate officials of the U.S. Government, the Organization for Economic Cooperation and Development, and with members of the parliaments of the OECD nations, the desirability and feasibility of establishing an OECD Parliamentary Conference."

The State Department has not issued a report on these resolutions, nor has the House Committee on Foreign Affairs, to which the resolutions have been referred, scheduled hearings on them.

HOW A PARLIAMENTARY CONFERENCE WOULD HELP

An OECD Parliamentary Conference, in which legislators from member nations would meet at least once a year to debate OECD business, and to advise the OECD and its member governments of its deliberations and resolutions, could serve to strengthen OECD and the free world in many ways:

First. By causing national legislators to focus their attention on world problems: National legislators tend to be preoccupied with domestic problems and to consider international problems from a national viewpoint. A Parliamentary Conference would cause legislators to think about international problems and to think about policies to deal with them in terms of their effects in all the member countries.

The legislators' understanding of the problems and needs of other countries would be increased. This increased understanding could be transmitted throughout the parliament to which they belong.

Second. By giving the U.S. Congress an opportunity to participate in the formulation of policies which it may later be asked to approve: While the Cabinet members and Ministers who attend official OECD meetings as delegates from Europe and Canada are almost always members of their nation's legislatures, our delegates are not. Yet programs which the OECD may produce are highly likely to require later congressional approval—a tax cut to accelerate growth, reciprocal tariff-cutting legislation, an international payments agreement, long-term arrangements for sharing international aid. A Parliamentary Conference would enable Members of Congress, in the late Senator Vandenberg's phrase, to participate in the takeoff as well as in the forced landing.

Third. By educating the public in member countries: So far, OECD has tended to operate to a large extent behind closed doors. Even where the sessions are public, they tend to take on a formalized character which dulls public interest. Just as debate in the U.S. Congress can enhance public awareness in this country, so OECD parliamentary debate could do an educational job in the larger constituency.

Fourth. By promoting cooperative action by member governments: The increased understanding of parliamentarians and of the public should result in greater willingness of governments to seek cooperative solutions to OECD problems. But the Parliamentary Conference will be beneficial not only in creating a greater disposition to take mutually advantageous solutions to common problems. It may also be able to formulate the substance of the solutions in the give and take of debate between skilled legislators and politicians. Some current problems to which the imagination, insight and experience of the OECD parliamentarians might be devoted are lagging growth and excessive unemployment in the United States and the United Kingdom, protective practices by the Common Market and others that are endangering expansion of world trade, the unstable and inadequate system of international payments, and the European contribution to development aid. Even if the parliamentarians were not to make any valuable recommendation, their debate might spur the member governments to take appropriate action.

Fifth. By bringing the OECD bureaucracy in touch with elected representatives of the people: Like some other international organizations, the OECD is run by men who are responsible to the electorates of their country only very remotely. Legislators, on the other hand, are reminded of the needs and views of people by the necessity of running for office every so often. The technocrats and bureaucrats will find their work helped by contact with elected officials through the Parliamentary Conference.

HOW TO AVOID DUPLICATION?

A difficult question concerning an OECD Parliamentary Conference is that of duplication. Will not such a Parliamentary Conference merely add another burden to already overworked legislators, particularly American Congressmen? Will not such a Conference merely add to the already costly paraphernalia of international organization?

I believe that a Parliamentary Conference, properly created, can avoid duplication rather than produce duplication.

First, we need to look at the interparliamentary groups which now exist. There are at least nine:

First. The Interparliamentary Union, founded in 1889. Its membership has grown from 9 nations to more than 80 today. Incidentally, it is the only parliamentary group which includes members from both sides of the Iron Curtain, including the United States and the U.S.S.R. It meets annually in the capital of one of its members. Its most recent meeting was in April 1963, at Lausanne, Switzerland. The U.S. group is restricted by law to 18, 9 each from the Senate and the House. The Union's aim is to further better relations through study of international law and organization, reduction of armaments, economic problems, intercultural relations, social questions, and representative government. It is represented on the United Nations Economic and Social Council. An American Republics Branch of the Interparliamentary Union also meets annually, next year in the United States.

Second. Consultative Assembly of the Council of Europe, founded in 1949. Its 16 members are the same as the 20 members of the OECD, less the United States, Canada, Spain, and Portugal. Spain is associated with the Council of Europe for cultural purposes. The other organ of the Council of Europe, the Committee of Ministers, has not achieved much significance. But the Consultative Assembly has become an important forum for debating European questions and obtaining governmental action on agreed conclusions.

The 135 members of the Consultative Assembly are appointed by their national parliaments, rather than directly elected. The Assembly meets once a year at Strasbourg, France, for not more than a month. Recommendations may be made to the Committee of Ministers, or to member countries, by a two-thirds majority of members present. Debate has covered all matters of common interest to the members other than national defense. It has proposed conventions, which have generally been ratified by members, with respect to human rights, social security, patents, coordination of university requirements, extradition, movement of persons, blood bank exchange, television programs, refugee visas.

The Consultative Assembly, by recommendations of April 29, 1960, March 3, 1961, and September 25, 1962, proposed that it become the parliamentary arm of the OECD, with measures to tie in the four OECD members which are not members of the Consultative Assembly—the United States, Canada, Spain, and Portugal. On February 1, 1962, the Consultative Assembly and the OECD agreed that the present 16-member Assembly would debate OECD business, with OECD to cooperate by replying to questions presented by the Assembly. By resolution of January 17, 1963, the Consultative Assembly appointed a delegation empowered to:

> Approach the Committee of Ministers and the Governments of member states in order to persuade these Governments to enter into negotiations with the United States and Canadian Governments with a view to carrying into effect the arrangements proposed by the Assembly; and to establish later, if necessary, direct contacts with the American Congress and the Canadian Parliament with a view to contributing to the conclusion of an agreement and to its practical application.

The Consultative Assembly is hampered because its membership is primarily European rather than free world, and because there is no real organization to which it can attach itself.

Third. Nordic Council, founded in 1953. The 53 members are parliamentarians from Norway, Sweden, Denmark, and Finland.

Fourth. Western European Union Assembly, founded in 1954. This contains 89 delegates from the 7-country Western European Union, consisting of Belgium, the Netherlands, Luxembourg, France, Italy, Germany, and the United Kingdom. Its orientation is largely defense, and it is now practically superseded by NATO and the Council of Europe.

Fifth. NATO Parliamentarians Conference, founded in 1955. This includes 180 delegates from the 15-member NATO—Belgium, the Netherlands, Luxembourg, France, Italy, Germany, the United Kingdom, Denmark, Greece, Iceland, Norway, Turkey, Portugal, the United States, and Canada. This is the only group of parliamentarians acting on an Atlantic basis. It has met annually in Paris since 1955. Its regular working committees give an idea of its range of interest—political, military, scientific and technical, economic, and information. It is quasi-official, meeting at the invitation of the NATO Secretariat, and without formal status. The Atlantic Convention of the 15 NATO nations, an unofficial group of private citizens, in the "Declaration of Paris," January 1962, recommended that the NATO

Parliamentarians Conference be developed into a consultative "Atlantic Assembly." The NATO Parliamentarians Conference, on November 16, 1962, asked its political committee to study the proposal.

It should be noted that the NATO Parliamentarians Conference was first suggested in 1954 by Norwegian and Canadian parliamentarians in order to get NATO action in the economic field. The creation of the OECD in 1961 has tended to supersede most of NATO's economic jurisdiction.

Sixth. Benelux Consultative Parliamentary Council, founded in 1957. This consists of representatives of each of the three members of the Benelux Customs Union: Belgium, the Netherlands, and Luxembourg. It has 49 delegates.

Seventh. European Parliamentary Assembly of the European Economic Community, founded in 1958. Its 142 delegates represent the 6 countries of the EEC—Belgium, the Netherlands, Luxembourg, France, Italy, and Germany. It serves the Coal-Steel Community, the Common Market, and Euratom. Though its members are presently named by the national parliaments, it has been instructed to draw up proposals for direct election. It has the unique power to vote a censure, by a two-thirds majority, of the EEC's Commission, thus causing the Commission to resign. This power, however, has not yet been exercised.

Eighth. Canada-United States Interparliamentary Group, founded in 1959. Its U.S. membership is 24, half from the Senate and half from the House. It meets annually.

Ninth. Mexico-United States Interparliamentary Group, founded in 1960. U.S. membership is 24, half from each body. It meets annually.

Tenth. In addition, the United States sends legislative observers each year to meetings of the British Commonwealth Association of Parliamentarians. Members of the British and Canadian Parliaments meet annually with representatives of the U.S. Congress. Last year a week-long series of meetings between members of the French Chamber of Deputies and U.S. representatives was held in Washington. Informal meetings between United States and West German parliamentarians have also been held several times since 1960.

HOW THE PARLIAMENTARY CONFERENCE WOULD WORK

Out of this welter of organizations emerges the possibility of an OECD Parliamentary Conference which would serve to strengthen the free world without creating duplicating organizations.

Such an OECD Parliamentary Conference might well consist of around 100 delegates, roughly proportioned to the populations of the 20 member countries, with at least 1 delegate from each country. Delegates should all be legislators, selected by their own legislative bodies. Delegates would vote according to their own consciences, rather than by country or bloc. The conference needs but one chamber. Regular annual meetings, in late autumn, of about a week sound right. The Conference would be empowered to debate everything within OECD's competence; to pass resolutions for the attention of OECD and its member countries; to obtain information and reports from the OECD. The OECD Secretariat would be responsible for the Conference's housekeeping. If, on the other hand, its 15 members want to continue the NATO Conference, they could readily provide that their delegations to the OECD Parliamentary Conference constitute themselves NATO parliamentarians for debate on military affairs, directly after the OECD Parliamentary Conference has adjourned.

A further opportunity for avoiding duplication appears in the Canada-United States Interparliamentary Group. This was set up in 1959 because there was then no interparliamentary group such as the proposed OECD Parliamentary Conference. The necessity of the Canada-United States Interparliamentary Group could be reviewed if such an OECD Parliamentary Conference were created.

Thus, as many as three existing parliamentary organizations—the Council of Europe's Consultative Assembly, the NATO Parliamentarians Conference, and the Canada-United States Interparliamentary Group—could be consolidated into one OECD Parliamentary Group.

The remaining interparliamentary groups would still have valid reasons for their existence. The IPU would continue to represent 80 nations, developed and developing. The Mexico-United States Interparliamentary Group would continue its specialized purpose. The European Parliamentary Assembly of the EEC would continue its statutory role.

NARROW REGIONAL GROUPINGS UNION

Finally, we come to the question of the composition of this new parliamentary conference, originally and in the future. A membership from OECD nations seems right for several reasons:

First. The new group will have a much greater chance of success if it is attached to a going organization.

Second. The main areas of concern of the OECD are those that most require international consideration and debate among parliamentarians. The membership of the OECD is, more or less, comprised of the nations most vitally interested in questions of trade, payments, and the granting of aid.

Third. The dangers of a group based upon regionalism are avoided. A regional group, such as an "Atlantic Assembly," is bound to result in exclusions from the organization. These exclusions are sure to appear arbitrary and discriminatory. With an OECD group on the other hand, as nations outside the OECD become developed in their economies and parliamentary institutions they would be able to join and take part in the Parliamentary Conference. For example, Japan, Australia, and New Zealand should be immediate prospects for membership.

Creating a Parliamentary Conference could have an incidental rejuvenating effect on parliamentary institutions throughout the free world. Democratic legislatures everywhere are finding the going rough today, and their members are asking why. An OECD Parliamentary Conference could institutionalize at the international level the ancient parliamentary forms of debate and resolution. And the very act of setting up such a Parliamentary Conference would be the deed of the constituent parliaments themselves.

It is encouraging that the U.S. Congress has already contributed leadership to the search for a parliamentary institution for the free world. Among others, I think of the invaluable contributions of the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the gentleman from Ohio [Mr. HAYS] and the gentleman from New York [Mr. LINDSAY].

Mr. Speaker, the time for measures to help draw the free world together is now. I hope that the Congress will quickly make clear that the United States is ready and willing to join in an OECD Parliamentary Conference of the free world.

POLITICAL FUND RAISING REFORM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. STAEBLER] is recognized for 10 minutes.

Mr. STAEBLER. Mr. Speaker, one of the more difficult problems facing our political parties today is that of encouraging and maintaining broad-based political participation; of building a grassroots understanding and interest among our citizenry in the political process.

There is a correlation between this, I believe, and the widespread concern over reform of political procedures.

You cannot accomplish one without the other.

We in Congress this year have an opportunity to take positive action toward political reform which, in turn, will have the additional benefit of broadening the political base of our parties.

I am referring to the several recommendations of the President's Commission on Campaign Costs which are now before the Congress.

The Commission, a 9-member bipartisan group appointed in 1961 by the President, made 12 unanimous recommendations relative to political party financing and the Presidential campaign.

The main thrust of the Commission's recommendations was that we need to find a positive way to encourage political contributions while recognizing that prohibitions and other regulations are not adequate.

Four of the Commission's recommendations have been introduced in Congress.

Two are proposals to suspend the equal time broadcasting requirements for Presidential candidates and to appropriate Federal money to cover preinauguration expenses of the President-elect.

The remaining two, sent to Congress April 30 by President Kennedy, would step up the reporting requirements in political fund raising and give tax benefits to campaign contributors to encourage broader citizen participation in political financing.

The President has proposed that an individual be allowed to take an income tax credit of 50 percent of his contributions up to a maximum of $10 annually.

An alternative benefit, which would be available for larger contributors, would allow deduction of up to $500 for political contributions.

In his letter of transmittal the President said:

> Our present system of financing political campaigns is deficient in that it does not insure that candidates, or the parties they represent, will have sufficient funds to provide adequate exposure to the electorate, and it has not effectively encouraged small contributions from a very large number of individuals.

The President made the further point that his proposal would reduce the candidates' dependency on the large contributor, a dependency which is at the least unhealthy.

Such a shift of power from a small number of large contributors to a large number of small contributors would be welcome. It would lessen the danger of corruption.

It would increase the responsiveness of the party and the responsibility of the party to a larger public.

Encouraging a larger number of small contributors means encouraging interest and participation by a larger number of people.

A person who contributes becomes much more attached to political development and is much more likely to take part in politics personally.

The national committees of both parties recognize this.

About a third of our States presently are utilizing paid memberships with small annual dues, as a device to build the party's base and wider interest.

The reform proposals before us now should not be taken lightly, for they are of vital concern to our political institutions.

There are two broad choices open to those who are interested in political reform.

One alternative follows the road of regulation and increased control. We have already traveled some distance in this direction, but not far enough to be effective.

The other alternative is to work for improvement in politics by encouraging good practices and procedures. In campaign financing this means the encouragement of more small and moderate contributions.

It means an increase in the number of contributors and the removal of the hazards that arise from the dependence on a few large contributors.

Neither of the two great political parties is satisfied with present fundraising procedures.

If there is any candidate for public office who is satisfied with the manner in which his campaign funds are raised, I have not met him.

Political fundraising is the target of widespread criticism alike from those who take part in politics and those who stand on the sidelines and comment.

We have an opportunity to take action to improve our fundraising machinery. We should act this year because it is difficult to make changes during a presidential election year.

The President's Commission, of which I was honored to be a member, included individuals who have actively engaged in fundraising for the two parties.

Its chairman was Alexander Heard, now chancellor of Vanderbilt University, and the country's foremost authority on money in politics.

In their report to the President, Mr. Heard and the members made the point that a chronic difficulty in maintaining adequate support of political parties long has been "the lurking suspicion that contributing to political parties is somehow a shoddy business."

The proposals now before Congress would do much to help change this image.

At the same time they would help to promote active and widespread participation.

This, after all, is the key to successful democracy.

RUSSIA FIGURES TO STARVE THE U.N.

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, recent events indicate the Soviets are up to their old tricks of fomenting difficulty in the U.N. This is a clear extension of their behavior pattern to use that body to suit their purposes, quite in contrast to our apparent policy of completely subverting American interests to some vague international concept.

The latest Russian manipulations are effectively described and exposed by an editorial in the Chicago Daily News of Friday, May 24, which in view of its timely interest, I place into the RECORD at this point:

RUSSIA FIGURES TO STARVE THE U.N.

> The United Nations is in sorry shape financially, and Russia couldn't be more pleased. Trouble here, as elsewhere, offers the Soviets another opportunity to lean on the wrecking bar.
>
> Henceforth, the Soviet delegate announced, Russia will refuse to pay its share of any U.N. expenses "unlawfully" voted by the General Assembly. In free translation, this means that Russia will pay only what it pleases when it pleases toward U.N. expenses, and nothing at all toward the huge deficit incurred by U.N. peace forces in the Congo, the Middle East, and Korea.
>
> Although Russia and the other Communist countries had already refused to pay toward the Congo operation, the new doctrine is broader. It worsens the financial crisis this special U.N. session was called to solve. The squeeze is intensified by France's refusal to share the Congo costs and the reluctance of some others among the 111-member nations to pay a fair share of anything.
>
> Last year's decision by the World Court upholding the legality of peacekeeping assessments has thus far had no effect on the delinquencies. That showdown won't come until next year, when Russia's right to a U.N. vote can be called into question.
>
> The United States has served notice it will not continue to pay for more than its fair share of U.N. expenses. Russia's new edict will put that resolution to a stern test—and there is small doubt that Russia intended it that way.
>
> Without access to extra funds from the United States, the United Nations could be restricted to performing only those functions of which Russia approves. The Russian notice amounts to the exercise of a financial veto in the General Assembly to match the legal veto in the Security Council.
>
> Nevertheless, we hope the administration sticks to its guns and pays only what it is legally and morally obligated to pay. There is no other way of ascertaining the future of the United Nations. For it has no future without the continued faith of its members, demonstrated by their willingness to carry a fair share of the load.

THAT STEEL MILL AGAIN

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the Foreign Affairs Committee of the House is proceeding steadily on hearings relative to the foreign aid legislative authorization for fiscal 1964. One of the controversial items in our international financial manipulations is the administration-supported request for a low-interest loan of over one-half billion dollars to build a Government-owned and operated steel plant in India. The criticism stems from the socialistic nature of this operation and its direct repudiation of our economic principles. The subject is most dramatically discussed by the Chicago Sun-Times in an editorial of May 25, calling attention to the Clay committee guidelines in this field. This editorial is extremely timely since the issue will soon be before us and the House will have an opportunity to strike a blow for free enterprise against socialism. The editorial follows:

THAT STEEL MILL AGAIN

> In a year when all foreign aid is under the microscope of public attention the administration seems determined to ignore the sound recommendations of the Clay report and extend to India the largest single loan ever made for any one project.
>
> In a report to President Kennedy on March 22 a special foreign aid study committee headed by Gen. Lucius D. Clay made note of the fact that the U.S. foreign aid program needed some substantial tightening up and sharpened objectives in terms of our national interests. The report takes note of the great value of "properly conceived and administered" foreign aid programs and it also notes, in passing, that "we are indeed attempting too much for too many—a higher quality and reduced quantity of our diffuse aid effort in certain countries could accomplish more."
>
> The Clay committee set down careful guidelines for foreign aid spending. Among these is one guide that is drawing much fire from the free thinkers in Washington. It is as follows:
>
> "We believe the United States should not aid a foreign government in projects establishing government-owned industrial and commercial enterprises which compete with existing private endeavors. While we realize that in aiding foreign countries we cannot insist upon the establishment of our own

economic system, despite its remarkable success and progress, we should not extend aid which is inconsistent with our beliefs, democratic tradition, and knowledge of economic organization and consequences. Moreover, the observation of countless instances of politically operated, heavily subsidized, and carefully protected inefficient state enterprises in less-developed countries makes us gravely doubt the value of such undertakings in the economic lives of these nations."

India has requested an initial loan of $512 million to build a government owned and operated steel plant at Bokaro, a request we have commented on in previous editorials.

The administration is greatly in favor of granting this loan—despite the fact that the conditions fly in the face of the recommendations of the Clay report. The economic hazards have been commented on fully—suffice it to say that a nonpartisan committee of steel experts submitted a report on the feasibility of this proposed steel mill that bristled with doubts.

Broadly speaking, the opposite of private enterprise and individual capitalism is state ownership, state production, and state distribution. Or, if you will, Marxism. This is precisely the status of the proposed steel mill in India.

The present Ambassador to India, J. Kenneth Galbraith, and the Ambassador-to-be to India, Chester Bowles, both advocate the granting of this loan under this concept of state ownership and operation. The administration is in accord with their thinking and is doing all it can to allay the fears of India that the loan might not come through. As previously noted on this page the Congress cannot stop the President from granting the loan—but it can take action to limit all aid to India to this one loan, a measure India would greatly fear.

The argument advanced by Chester Bowles that India is short of steel is specious; our own steel capacity is not extended, nor is the steel capacity of the free world countries where the free enterprise is working.

It would be far better to loan the necessary money to India so she could buy steel in the free world market than to endorse, with dollars, a philosophy dedicated to the overthrow of our own way of life.

WOOL IMPORT CRISIS

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, wool imports continue to rise. Jobs are being lost. In spite of repeated assurances to the contrary by President Kennedy nothing is being done to stabilize wool imports as was done for cotton textiles in 1961.

The accute problem now faced by woolen textile plants is well stated by Fulton Rindge, Jr., who spoke recently before Senator Pastore's special subcommittee. The temporary shutdown of two of his plants should be noted. Actual and announced liquidations of woolen and worsted mills—25 in 10 States since January 1, 1962—are more dramatic and make the headlines. But partial shutdowns and temporary closings are just as tough on the workers and communities. They must live in the shadow of constant and frustrating uncertainty and fear created by the threat of ultimate liquidation and economic catastrophy.

Mr. Rindge's statement is as follows:

My name is Fulton Rindge, Jr. I am chairman of the Wool Manufacturers Council of the Northern Textile Association. I am also chief executive officer of three woolen textile plants in Ware, Mass., and one plant in Rochester, N.H., with total employees in excess of 1,000 people.

During the period from early December through late January, two of these plants were closed. The decision to reopen was based in part by a promise made by the President in late January to you and five other Senators, that something would be done to minimize the disruptive effects that imported fabrics have caused in the woolen and worsted marketplace. As of this time, I can see that nothing has been done by our Government to fulfill this promise. I, therefore, question our decision in having reopened these plants. As the statistics presented to you indicate, imports are consuming a larger and larger share of our market. They have not only cost us many customers, but generally have tended to depress prices on the fabrics we are currently selling.

I have in my possession cloth from Italy which would be impossible for us to make and label properly for anywhere near the landed price for this product. This is just one of many examples of the cheap imported fabrics that are flooding the New York market.

I hope you can bring about action on the President's program promptly and before it is too late.

ESTABLISHING CENTRAL INFORMATION AGENCY REGARDING THE LEVELS OF STRONTIUM 90 AND IODINE 131

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANGEN. Mr. Speaker, the 1963 Minnesota Legislature, by resolution, is calling our attention to a pertinent problem facing that great State and other States across the Nation. I herewith submit that resolution for your careful consideration:

Resolution 6

Resolution memorializing Congress to establish a Central Information Agency regarding the levels of strontium 90 and iodine 131

Whereas, atomic testing has made the levels of strontium 90 and iodine 131 a matter of national concern; and

Whereas, the possible effect of large amounts of strontium 90 and iodine 131 on children and expectant mothers makes it imperative that a source of information on such matters be established to furnish such information to farmers, doctors, and others concerned with the problem; and

Whereas there is evidence that many Minnesota farmers received information different from that received by farmers in our neighboring States during 1962, which resulted in Minnesota farmers going to considerable expense to supply dry food for their milk producing cattle, while the same was not requested of farmers in neighboring States: Now, therefore, be it

Resolved by the Legislature of the State of Minnesota, That a Central Information Agency established by the Federal Government to furnish information regarding the levels of strontium 90 and iodine 131, be designated as the sole authority to establish standards for fallout and other radio-contaminants of the environment as they relate to health and safety, without singling out the word "milk" in the terminology: Be it further

Resolved, That the Secretary of State send copies of this resolution to the President of the United States, the Secretary of Health, Education, and Welfare, the Secretary of Agriculture, and all Members of the Minnesota congressional delegation to Congress.

L. L. Duxburgh,
Speaker of the House of Representatives.
A. W. Keith,
President of the Senate.
G. H. Leahy,
Chief Clerk, House of Representatives.

Approved May 6, 1963.

Karl F. Rolvaag,
Governor of the State of Minnesota.

Filed May 6, 1963.

Joseph L. Donovan,
Secretary of the State of Minnesota.

UNEMPLOYMENT IN THE IRON ORE INDUSTRY IN MINNESOTA

Mr. MORSE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANGEN. Mr. Speaker, the 1963 Minnesota Legislature has passed a resolution relating to unemployment in the iron ore industry in that great State. It is a worthy resolution and I hope every Member of Congress will study it carefully. It is as follows:

Resolution 7

Resolution memorializing the Congress of the United States to end the causes of unemployment in the iron ore industry in the State of Minnesota

Whereas imports of iron ore produced in areas outside the United States are supplanting in U.S. markets ore produced in mines located in the United States, resulting in the unemployment of American iron miners;

Whereas sale by integrated steel companies of iron ore mined by them in foreign countries, and not needed for their steel production, supplants ore produced by American independent, nonintegrated ore producers, endangering the survival in business of such independent producers, and further resulting in unemployment of American iron miners;

Whereas agencies of the Federal Government have been giving financial assistance to development of iron ore mining in areas outside the United States, further resulting in unemployment of American iron miners;

Whereas shipping rates add to the cost of marketing Minnesota iron ore, which may affect unemployment of American iron miners;

Whereas the widespread unemployment of American iron miners, and the hardship such unemployment raises, requires immediate Federal action: Therefore, be it

Resolved by the Legislature of the State of Minnesota, That the Congress of the United States is requested to take all necessary steps to stop the further unemployment of American iron miners, including:

1. Restricting importation of foreign ores, in a manner similar to restrictions now imposed on foreign petroleum, to a level which would supplement but not supplant domestic production in U.S. markets;

2. Preventing integrated steel companies from selling their excess incremental iron ore mined in foreign countries;

3. Ending financial assistance by agencies of the Federal Government for development of iron mining in foreign countries;

4. Determining the effect of transportation rates on the sale of Minnesota iron ore; be it further

Resolved, That the Secretary of State be instructed to transmit copies of this resolution to the President of the Senate, the Speaker of the House of Representatives, and to each Member of Congress from this State.

L. W. Duxburgh,
Speaker of the House of Representatives.
A. W. Keith,
President of the Senate.

Approved May 16, 1963.

Karl F. Rolvaag,
Governor of the State of Minnesota.

Filed May 16, 1963.

Joseph L. Donovan,
Secretary of the State of Minnesota.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Reuss, for 30 minutes, today; and to revise and extend his remarks.

Mr. Staebler, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Rogers of Colorado and to include a statement.

Mr. Hutchinson.

Mr. Anderson.

Mr. Burkhalter and to include extraneous matter.

Mr. Byrnes of Wisconsin and to include extraneous matter.

(The following Members (at the request of Mr. Morse) and to include extraneous matter:)

Mr. Alger.

Mr. Fino.

Mr. Fulton of Pennsylvania in two instances.

Mr. Pelly.

(The following Members (at the request of Mr. Libonati) and to include extraneous matter:)

Mr. St. Onge in two instances.

Mr. Chelf in two instances.

Mr. Monagan.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 45 minutes p.m.) the House adjourned until tomorrow, Tuesday, May 28, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

851. A communication from the President of the United States, transmitting the report of the National Capital Transportation Agency entitled "Recommendations for Transportation in the National Capital Region," and its "Summary Report on the Transit Development Program," and a draft of a proposed bill entitled "A bill to authorize the prosecution of a transit development program for the National Capital region"; to the Committee on the District of Columbia.

852. A letter from the Secretary of the Air Force, transmitting draft of a proposed bill entitled "A bill to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel"; to the Committee on Armed Services.

853. A letter from the Director, Federal Mediation and Conciliation Service, transmitting the 15th Annual Report of the Federal Mediation and Conciliation Service for the fiscal year ending June 30, 1962; to the Committee on Education and Labor.

854. A letter from the Comptroller General of the United States, transmitting a report on the audit of the custodianship functions of the Office of the Treasurer of the United States, Treasury Department, for the fiscal year ended June 30, 1962; to the Committee on Government Operations.

855. A letter from the Chairman, Federal Power Commission, transmitting a draft of a proposed bill entitled "A bill to amend section 12 of the Natural Gas Act with respect to the issuance of securities for the construction, acquisition, or operation of pipeline facilities"; to the Committee on Interstate and Foreign Commerce.

856. A letter from the executive director, Reserve Officers Association of the United States, transmitting the audit report of the Reserve Officers Association as of March 31, 1963, pursuant to Public Law 595, 81st Congress; to the Committee on the Judiciary.

857. A letter from the Attorney General, transmitting a report relating to the award of the Young American Medals for Bravery and Service for 1961, pursuant to 64 Stat. 397–398; to the Committee on the Judiciary.

858. A letter from the Attorney General, transmitting the annual report of the Attorney General of the United States for the fiscal year ended June 30, 1962; to the Committee on the Judiciary.

859. A letter from the Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of this Department on the activities of the Administration under the Merchant Ship Sales Act of 1946, for the period ending March 31, 1963; to the Committee on Merchant Marine and Fisheries.

860. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill entitled "A bill to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable direct loans made to veterans under chapter 37, title 38, United States Code"; to the Committee on Veterans' Affairs.

861. A letter from the Chairman, U.S. Tariff Commission, transmitting the sixth supplemental report on the tariff classification study made under the provisions of the Tariff Classification Act of 1962; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON: Committee on Armed Services. H.R. 6500. A bill to authorize certain construction at military installation, and for other purposes; without amendment (Rept. No. 345). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASHMORE: Committee on the Judiciary. H.R. 5907. A bill to amend section 1825 of title 28 of the United States Code to authorize the payment of witness' fees in habeas corpus cases and in proceedings to vacate sentence under section 2255 of title 28, for persons who are authorized to proceed in forma pauperis; with amendment (Rept. No. 346). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 2876. A bill to repeal the Inland Waterways Corporation Act; without amendment (Rept. No. 347). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2207. A bill for the relief of Francesco Di Giacomo; without amendment (Rept. No. 348). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H.R. 2789. A bill for the relief of Wilhelmina Ginteburg Schleifer; with amendment (Rept. No. 349). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 6101. A bill for the relief of Arminda P. Viseu; without amendment (Rept. No. 350). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LINDSAY:

H.R. 6595. A bill to amend the act of July 26, 1954, to establish a National Advisory Council on Education; to the Committee on Education and Labor.

By Mrs. GREEN of Oregon:

H.R. 6596. A bill to amend the act of July 26, 1954, to establish a National Advisory Council on Education; to the Committee on Education and Labor.

By Mr. GIAIMO:

H.R. 6597. A bill to amend the act of July 26, 1954, to establish a National Advisory Council on Education; to the Committee on Education and Labor.

By Mr. MORSE:

H.R. 6598. A bill to amend the act of July 26, 1954, to establish a National Advisory Council on Education; to the Committee on Education and Labor.

By Mr. VINSON:

H.R. 6599. A bill to amend title II of the Social Security Act to provide that a child's entitlement to child's insurance benefits shall continue despite his adoption by a great-aunt or great-uncle, the same as it would if he were adopted by a stepparent, grandparent, aunt, or uncle; to the Committee on Ways and Means.

H.R. 6600. A bill to amend title 10, United States Code, with respect to the appointment of the members of the Joint Chiefs of Staff; to the Committee on Armed Services.

By Mr. ASPINALL:

H.R. 6601. A bill to authorize the Secretary of Agriculture to sell certain land in Grand Junction, Colo., and for other purposes; to the Committee on Agriculture.

By Mr. BATES:

H.R. 6602. A bill to amend paragraph 1537(b) of the Tariff Act of 1930 with respect to certain footwear; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 6603. A bill to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; to the Committee on Government Operations.

By Mr. BOGGS:

H.R. 6604. A bill to amend the Federal Trade Commission Act to prohibit the use of the term "mahogany" in connection with woods and other products which are not in fact mahogany; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT:

H.R. 6605. A bill to amend the Library Services Act to increase the Federal assistance for the improvement of public libraries; to the Committee on Education and Labor.

By Mr. EVINS:

H.R. 6606. A bill to amend the Internal Revenue Code of 1954 with respect to the manufacturers excise tax on mechanical lighters for cigarettes, cigars, and pipes; to the Committee on Ways and Means.

H.R. 6607. A bill to amend the Internal Revenue Code of 1954 to provide more equitable rates for the manufacturers excise tax on mechanical lighters for cigarettes, cigars, and pipes; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 6608. A bill to amend section 102 of the Foreign Assistance Act of 1961 to provide that increases in armaments beyond those necessary for defensive purposes shall be taken into account in determining eligibility of foreign countries for assistance from the United States; to the Committee on Foreign Affairs.

H.R. 6609. A bill to amend section 102 of the Foreign Assistance Act of 1961 to provide that increases in armaments beyond those necessary for defensive purposes or possession of weapons of aggression shall be taken into account in determining eligibility of foreign countries for assistance from the United States; to the Committee on Foreign Affairs.

H.R. 6610. A bill to amend section 102 of the Foreign Assistance Act of 1961 to provide that production of or obtaining weapons of aggression shall result in discontinuance of assistance from the United States; to the Committee on Foreign Affairs.

By Mr. HÉBERT:

H.R. 6611. A bill to amend title 10, United States Code, relating to the nomination and selection of candidates for appointment to the Military and Air Force Academies; to the Committee on Armed Services.

By Mr. HOSMER:

H.R. 6612. A bill to provide for continuity and support of study, research, and development of programs for peaceful uses in science, commerce, and other activities related to Antarctica, which shall include, but shall not be limited to, gathering, evaluating, correlating, and dispersing of information and knowledge obtained from exploration, research, and other mediums relating to weather, communications, travel, and other areas of information; also to coordinate Antarctic activities among those agencies of the U.S. Government and private institutions interested in or concerned directly with the promotion, advancement, increase, and diffusion of knowledge of the Antarctic; and to direct and administer U.S. Antarctic programs in the national interest; to the Committee on Interior and Insular Affairs.

By Mr. LESINSKI:

H.R. 6613. A bill to provide for the issuance of a postage stamp in honor of the life and contributions of Henry Ford; to the Committee on Post Office and Civil Service.

By Mr. MILLER of New York:

H.R. 6614. A bill to amend section 1014 of title 18 of the United States Code and for other purposes; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 6615. A bill to amend paragraph 1537(b) of the Tariff Act of 1930 with respect to certain footwear; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 6616. A bill to provide that a nuclear powered submarine shall be named U.S.S. *Haym Salomon;* to the Committee on Armed Services.

By Mr. SCHWENGEL:

H.R. 6617. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

H.R. 6618. A bill to prohibit discrimination in labor union membership and employment in the District of Columbia because of race, religion, color, sex, national origin, or ancestry; to the Committee on the District of Columbia.

By Mr. TAFT:

H.R. 6619. A bill to prohibit discrimination in labor union membership and employment in the District of Columbia because of race, religion, color, sex, national origin, or ancestry; to the Committee on the District of Columbia.

By Mr. THOMPSON of Texas:

H.R. 6620. A bill to permit the State of Texas to obtain social security coverage, under its State agreement entered into pursuant to section 218 of the Social Security Act, for State and local policemen; to the Committee on Ways and Means.

By Mr. TUPPER:

H.R. 6621. A bill relating to domestically produced fishery products; to the Committee on Agriculture.

By Mr. WYMAN:

H.R. 6622. A bill to amend the Soil Conservation and Domestic Allotment Act to prevent the Commodity Credit Corporation from discriminating against any area of the country in the sale or delivery of feed grains; to the Committee on Agriculture.

H.R. 6623. A bill to amend section 6 of the act of April 22, 1908, relating to the liability of railroads to their employees, with respect to certain injunctive powers of State courts; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.J. Res. 452. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. REIFEL:

H.J. Res. 453. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TAFT:

H.J. Res. 454. Joint resolution to prohibit the Secretary of Agriculture from requiring loyalty pledges of farmer-elected agricultural stabilization and conservation committeemen; to the Committee on Agriculture.

By Mr. KYL:

H. Res. 370. Resolution creating a standing Committee on Small Business in the House of Representatives, and to grant it full authority in certain legislative matters; to the Committee on Rules.

By Mr. YOUNGER:

H. Res. 371. Resolution to create a Select Committee on Fiscal Organization and Procedures of the Congress; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mrs. GREEN of Oregon: Memorial on Pacific Northwest Regional Water Research Laboratory; to the Committee on Appropriations.

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to approve the coinage of a 50-cent piece commemorative of the Gettysburg Address; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to establishment of a Federal veterans hospital in the San Diego area; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States to amend the Agricultural Adjustment Act of 1938, as amended, to include coffee under the parity payment program; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to the need for a deep-water harbor near Barbers Point, Oahu; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to the utilization of Puunene Airport or other locations on Maui for military purposes; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to requesting the enactment of a Fair Employment Practices Act dealing with discriminatory practices in respect to employment; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to requesting Congress to take action toward enactment of equal pay for equal work for women legislation; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States to enact legislation authorizing the Veterans' Administration to contract with any Hawaii hospital on an island where there is no Federal hospital for the hospitalization of veterans resident of the island; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States relative to requesting the elimination of Federal taxes upon passenger transportation between islands of the State of Hawaii; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Hawaii, memorializing the President and the Congress of the United States to consider the possibility of granting tax credit and other tax incentives to employers who hire persons for the purpose of retraining them; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Louisiana, memorializing the President and the Congress of the United States relative to the sovereignty of the United States, and to express legislative opposition to certain actions by the State Department and executive branch of the Federal Government; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United States relative to recommending full development of electric power potential of Passamaquoddy Bay and Upper St. John River; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States relative to incorporating or chartering the

Italian American War Veterans of the United States, Inc.; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Nevada, memorializing the President and the Congress of the United States relative to amending to statutes governing the jurisdiction of the Federal courts to prevent interference by such courts with the right of States to apportion the members of the legislatures; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Nevada, memorializing the President and the Congress of the United States relative to requesting the Federal Bureau of Public Roads of the Department of the Interior to participate in the widening of U.S. 395, in the city of Reno between Arroyo Street and Liberty Street; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States relative to requesting Congress to enact legislation providing for a White House Conference on Education in 1965; to the Committee on Education and Labor.

Also, memorial of the Legislature of the Territory of Guam, memorializing the President and the Congress of the United States relative to requesting the Congress to amend the immigration laws of the United States to permit fewer restrictions on travel for the people of the Northern Marianas Islands between the various islands thereof and Guam; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 6624. A bill for the relief of Mrs. Concetta Foto Napoli, Salvatore Napoli, Antonina Napoli and Michela Napoli; to the Committee on the Judiciary.

By Mr. CLAUSEN:

H.R. 6625. A bill for the relief of Debra Grohs; to the Committee on the Judiciary.

H.R. 6626. A bill for the relief of Mariuccia Italia; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 6627. A bill for the relief of Ladisiau Deutsch; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 6628. A bill for the relief of Dr. Henry H. Cohan; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 6629. A bill for the relief of Alexandros Gatseopoulos; to the Committee on the Judiciary.

By Mr. SHIPLEY:

H.R. 6630. A bill for the relief of Walter B. Johnson; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 6631. A bill for the relief of Arthur N. Wells; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

140. By Mr. NORBLAD: Petition of Miss Cora E. Jagger and others of Oregon, urging the preservation of the Monroe Doctrine; to the Committee on Foreign Affairs.

141. By the SPEAKER: Petition of Richard W. Dickenson, county counsel, Stockton, Calif., urging adoption of Senate bill 1275, relating to Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

142. Also, petition of J. E. Flores, and others, Veterans of World War I of the U.S.A. Inc., Montezuma Barracks No. 615, Taos, N. Mex., relative to supporting passage of H.R. 2332, relating to payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

Government Lotteries of Austria, Belgium, and Bulgaria

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, May 27, 1963

Mr. FINO. Mr. Speaker, out of the 77 foreign countries which operate government-run lotteries, Austria, Belgium, and Bulgaria are three nations which also appreciate the revenues derived from regulated and controlled gambling.

Austria profits not only from its lotteries but from football and horseracing pools as well. In 1962, the total gross receipts of the several gambling operations came to almost $14 million. The net income to the Austrian Government amounted to about $4½ million.

Belgium is a small but smart country which derives a tremendous benefit from its government operated lottery. Last year, it took in almost $17½ million in gross receipts—an increase of over $2 million from the previous year. The net income came to $6 million, also an increase over the 1961 profits. These profits were earmarked for the Brussels International Exhibition and the Belgian Social Welfare Fund.

Bulgaria, although a Communist country, recognizes and capitalizes on the normal human urge to gamble. Last year, the gross receipts from its lottery came to over $7,700,000 of which 50 percent was given in prizes and the other half was turned over to the government treasury.

Mr. Speaker, when will we profit from the example of Austria and these other nations which recognize that the urge to gamble is universal and should be regulated and controlled? A national lottery in the United States can easily pump over $10 billion a year in new income to our Treasury which can be used to cut our taxes and reduce our national debt. When are we going to be as smart as these foreign countries and face up to the fiscal facts of life? Why not follow the lead taken by New Hampshire? What are we waiting for?

Mrs. Rex Andrews of Burbank, Calif., Receives Woman of the Year Award

EXTENSION OF REMARKS
OF
HON. EVERETT G. BURKHALTER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 27, 1963

Mr. BURKHALTER. Mr. Speaker, under leave to extend my remarks in the RECORD I would like to honor Mrs. Rex Andrews, of Burbank, Calif., who was given the Woman of the Year Award, being selected from nine outstanding nominees. This award is made annually by the Burbank Women's Council.

Grace Andrews is the wife of Rex Andrews, who happens to be Burbank's outstanding chief of police. The Andrews have two sons: Lee Lewis is attending junior college and the older son, Rex Elwyn, is in the U.S. Navy, serving aboard the U.S.S. *Buck*.

Mrs. Andrews was a registered nurse and her family and community have been the fortunate recipients of this skill and knowledge. Burbank, because of her service, is a better place to live and especially so for the handicapped and underprivileged as well as for her friends and associates.

The endless work of coordinating diverse community projects in Burbank is participated in by 39 women's organizations. Four categories in which the winner must be outstanding were established by the council in selecting their Woman of the Year: First, homemaking; second, civic achievements; third, religious activities; and fourth, social welfare.

Grace Andrews has given of her time and energy to the community in many, many more ways than those officially recognized in this award. She was cofounder and past president of Lelani chapter of the Childrens' Home Society and is now past president of the American Society of Community Visiting Nurses, after having served two terms as president. She also served as president of the Burbank Senior High School PTA and was State chairman of the PTA Founder's Day Committee. Two years were spent as finance chairman of the John Muir School PTA; chairman, Home Service Committee of the American Red Cross, Burbank chapter; recording secretary and Junior Women's Club sponsor for the Burbank Women's Club; member of the board of directors of the Burbank Symphony Association and in addition many, many of her hours have been given gladly to the Burbank police clinic.

It is because such women as Mrs. Rex Andrews have given unselfishly of their time and talents, throughout the Nation, that others are inspired with pride and security in our land and the American way of life. I believe that such noble and unselfish giving of one's self in service and leadership should be heralded throughout our land and it is for this reason that I cite Mrs. Andrews' accomplishments today. I consider it a privilege and honor that Mrs. Rex Andrews is one of my constituents.

We salute you, Mrs. Rex Andrews, and are grateful for your past achievements and extend you our best wishes for the achievements that will be yours in the future because of your unstinting efforts and determination to make Burbank a better place in which to rear one's family.

Interior Secretary Udall Commissions "Albatross IV"

EXTENSION OF REMARKS

OF

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Monday, May 27, 1963

Mr. MAGNUSON. Mr. President, Secretary of the Interior Stewart L. Udall, on May 9, commissioned at Woods Hole, Mass., the Bureau of Commercial Fisheries' first 1,000-ton oceanographic research vessel—*Albatross IV*.

It is my hope, and one in which I am sure many of my colleagues share, that the commissioning of this fine ship will mark a new era in U.S. fisheries research, and that similar ships will be constructed for the North Pacific, Central Pacific, South Atlantic, and Gulf.

Other nations have larger fishery research ships than *Albatross IV*, among them Japan and the U.S.S.R., but I doubt that any of these foreign vessels is more expertly designed or better equipped for exploring and studying the living resources of the seas.

Prior to the commissioning of *Albatross IV* the Bureau of Commercial Fisheries had only three vessels of 500 tons or over, the largest 760 tons, but none of these ships was designed for research. Two were naval auxiliary craft left over from World War II, and the third was a pre-war vessel.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF SECRETARY OF THE INTERIOR STEWART L. UDALL AT THE COMMISSIONING OF THE OCEANOGRAPHIC RESEARCH VESSEL, THE "ALBATROSS IV," WOODS HOLE, MASS., MAY 9, 1963

We are commissioning a new vessel, the *Albatross*, the fourth in an illustrious line of this name since 1882. The first *Albatross* was unique and modern for its day—being the first oceanographic research vessel of any consequence constructed in the world. Its two successors were converted vessels. The ship before us, however, is one of the best equipped for this specific purpose by the Federal Government since the first *Albatross*.

We have a new *Albatross*—but we need a fleet of them. For despite our pioneering efforts over 80 years ago, our Nation still thinks of the oceans principally as highways. Today, we approach the sea with a new concept:

The ocean is the newest and last frontier of the world.

I would hazard a guess that we know more about the stars and the space above us than we do about the water—and the land beneath it—covering more than two-thirds of this planet.

The mysteries of the sea have always captivated the daring and imagination of Americans. Our history and our literature are replete with the rich traditions of our sea people. Herman Melville said "these sea hermits conquered the watery world like so many Alexanders."

Today, we need new sea adventurers to provide fresh volumes revealing man's relation to the ocean. We need new scientific Alexanders sailing to record these revelations.

President Kennedy made this quite clear in his historic message to Congress on natural resources.

He said, "The sea around us represents one of our most important but least understood and almost wholly undeveloped areas for extending our natural resource base."

And, he added, "This administration intends to give concerted attention to our whole national effort in the basic and applied research of oceanography."

Our national interest in oceanographic research has until recently been either sporadic or dormant. We are in many respects living in the Middle Ages in our knowledge of the world's sea spaces. We have made a start by identifying our problems—the important initial step—and we have made progress in charting a course of scientific investigation to obtain answers to these problems. We know, for example—

That the resources of the sea are almost illimitable, but some are in serious danger of depletion and require improved conservation programs.

That the shoreline of the United States is changing and becoming increasingly more polluted, thereby threatening many fish and other marine species which spawn or spend their early life close to shore.

That great expanses of ocean, and the floor beneath it, are unknown and uncharted.

That our research efforts are too concentrated on immediate problems, important as these are.

That we are woefully ignorant, in many respects, of the ecology of the oceans and their shorelines.

That our knowledge of the genetics of the creatures of the sea lags far behind similar knowledge of the animals and plants of the land.

That the full and imaginative uses of marine products, such as fish protein concentrate, are still largely to be discovered.

That the ocean contains many dissolved minerals which we do not know how to recover economically with few exceptions; further, only in the case of petroleum have we made any significant progress in utilizing the resources under the floor of the ocean.

That the technology of harnessing the energy of the oceans is in its infancy.

The Kennedy administration has started to work on some of these problems—and the *Albatross* will, as its predecessors, make important contributions. Other work is also in progress.

The Department of the Interior has constructed new laboratories; new research projects are underway to develop new oceanographic equipment; international probing of the sea frontiers are planned or underway; a fellowship program in marine science will help alleviate the severe shortage of young scientists.

A National Fisheries Center with oceanarium facilities—as recommended by the National Academy of Science—is being located in Washington; ecological studies of fish and shorelines are in progress; a cooperative program to study the geology and hydrology of the Atlantic Continental Shelf has been initiated with a similar Pacific study planned; and research has been expanded on fish protein concentrate, a product which not only can provide a rich protein diet for the hungry one-third of the world but also bring significant employment opportunities to the American fisheries industry.

We hear much of the peaceful uses of space and of the atom, but we should—I feel—place the peaceful uses of the sea on a similar parity in the scale of our national thinking. The secrets of the sea are another challenge in the understanding of ourselves. In the sea, man has an opportunity to reforge his links with the past and to plan his relationship with the future.

It is a mark of progress that we can dispatch questing ships such as the *Albatross* into new areas of exploration. As one of Britain's great physicians once observed:

"That man can interrogate as well as observe nature was a lesson slowly learned in his evolution."

May good fortune follow the *Albatross* as it probes and unravels the limits of man's current knowledge.

Report on Results of Fifth Connecticut District Questionnaire

EXTENSION OF REMARKS

OF

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. MONAGAN. Mr. Speaker, I have completed the tabulation of the returns on my 1963 questionnaire and at this time I wish to make my report on this cross-section sampling of fifth district, Connecticut, opinion on important issues which currently are confronting the Congress and the administration.

In March 1963, I started the distribution by mail of the questionnaires in which I requested yes or no answers on 16 legislative and policy matters. The questionnaires were mailed to residents of my district who have at various times corresponded with me to express views on legislative and policy matters. Subsequently, I received requests for additional questionnaires from persons who learned of the survey through newspaper, radio, and television publicity. It is therefore not a scientifically calculated sampling.

From the approximately 12,000 questionnaires distributed, I have received 2,110 returns or about 18 percent. This is the third consecutive year in which I have gone to the electorate for advice and I am gratified that in each case the returns on questionnaires have approximated 18 percent. This constancy of returns is highly gratifying to me, but not surprising in view of the awareness and responsible interest in the problems of government which I know to exist in my district. In addition to the 2,110 questionnaires, I have also received many letters from constituents who supplemented the yes or no form with explanations and expanded expressions of opinion. I found these of particular interest for I realize that it is virtually impossible to express opinion on many of these issues with a simple yes or no.

I have prepared and distributed my questionnaire during the past 3 years as a means of obtaining a sample of opinion. This tabulation of returns and the many letters I have received will be of great value to me in the consideration of the problems before us. They do provide a very helpful guidance, but I want to make it clear, as I have in my report on the previous questionnaires, that I do not consider this a mandate in any sense and I shall continue to exercise my own best judgment on legislative questions as they arise.

We have often heard it said that the voters of America do not take a proper interest in their Government and in its problems and responsibilities. I can assure the House, on the basis of my experience, this cannot be said about Connecticut's fifth district.

The summary of returns shows that 50 percent or more of those participating in the poll would support—

First. A naval blockade of Cuba.

Second. Federal aid for public elementary school construction.

Third. A tax cut accompanied by budgetary reductions.

Fourth. Funds for the foreign aid program—economic.

Fifth. Establishment of a Youth Conservation Corps.

Sixth. Compulsory arbitration of national labor disputes, such as dock strikes.

Seventh. Standardized packaging and labeling of consumer products enforced by Federal regulations.

Eighth. Extra $1,200 income tax exemption for parents of students enrolled in schools of higher education.

Ninth. A one-time reopening of the national service life insurance program to eligible veterans.

Tenth. Establishment of a Domestic Service Corps.

Issues listed in my questionnaire and which would be opposed by 50 percent or more of those participating include the following:

First. Withdrawal of the United States from the United Nations.

Second. U.S. aid, under Presidential discretion, to Poland and Yugoslavia.

Third. Invasion of Cuba.

Fourth. Abolition of the Un-American Activities Committee.

Fifth. Reduction of the military budget for the next fiscal year.

Sixth. Federal aid for public teachers' salaries.

Seventh. Federal aid for parochial as well as public schools.

A less than 50-percent margin of support or opposition was demonstrated in the balloting on the following proposals:

First. Funds for the foreign aid program—military.

Second. A program of medical care for the aged, whether under social security exclusively; under social security with option for private health insurance; or under the existing Federal-State—Kerr-Mills—program.

Third. Establishment of a Department of Urban Affairs at Cabinet level.

I am convinced that the increasing interest in Government affairs is fully reflected in the increasing numbers participating each year in my questionnaire poll. In 1961, I distributed 7,350 and received 1,375 returns. In 1962, I distributed 10,000 questionnaires and received 1,795 in return. As I have stated, in 1963 the questionnaire went to 12,000 constituents and I received 2,110 returns.

I want to point out to you that the questionnaire forms were not printed at Government expense and that those who returned them provided their own postage. I was very pleased, too, with the large number of individual requests I received for questionnaire forms after initial mailing had been completed. In other instances there were requests from organizations and clubs for 50 to 100 questionnaires and I was pleased that the Women's Republican Club of Bridgewater, Conn.—population 1,000—requested 550 copies for distribution to every home in the town of Bridgewater. A number of Bridgewater residents had received the questionnaire in the initial mailing.

A tally chart showing the questions asked and the replies received, in numbers and percentages, follows:

Results of questionnaire, May 1963, John S. Monagan, 5th District, Connecticut

	Yes		No		Undecided	
	Total	Percent	Total	Percent	Total	Percent
Do you favor—						
(1) Withdrawal of the United States from the U.N.?	332	16	1,619	76	159	8
(2) U.S. aid under Presidential direction to—						
(*a*) Poland?	757	36	1,135	54	218	10
(*b*) Yugoslavia?	678	32	1,182	56	250	12
(3) Funds for foreign aid program—						
(*a*) Military?	917	43	875	42	318	15
(*b*) Economic?	1,457	69	427	20	236	11
(4) Action against Cuba—						
(*a*) By naval blockade?	1,348	64	524	25	238	11
(*b*) By invasion?	370	17	1,278	61	462	22
(5) A Domestic Service Corps?	1,060	50	749	36	301	14
(6) A Youth Conservation Corps?	1,476	70	449	21	185	9
(7) Federal aid to education—						
(*a*) For public elementary school construction?	1,246	59	659	31	205	10
(*b*) For public teachers' salaries?	763	36	1,067	51	280	13
(*c*) For parochial as well as public schools?	864	41	1,086	51	160	8
(8) A $12,000,000,000 tax cut spread over 3 years—						
(*a*) Without regard to budget reduction?	393	19	1,090	51	627	30
(*b*) With budgetary reductions?	1,579	75	237	11	294	14
(9) Reduction of the military budget in the next fiscal year?	792	38	1,074	51	244	11
(10) A program of medical care for the aged—						
(*a*) Under social security exclusively?	604	28	1,025	49	481	23
(*b*) Under social security with option for private health insurance?	849	40	745	35	516	25
(*c*) Under a Federal-State (Kerr-Mills) program?	675	32	740	35	695	33
(11) Abolition of the House Un-American Activities Committee?	556	26	1,341	63	213	11
(12) Establishment of a Department of Urban Affairs at Cabinet level?	905	43	1,016	48	189	9
(13) A 1-time reopening of the national service life insurance program to eligible veterans?	1,172	55	652	31	286	14
(14) Extra $1,200 income tax exemption for parents of students enrolled in schools of higher education?	1,616	76	369	18	125	6
(15) Compulsory arbitration of national labor disputes, such as dock strikes?	1,635	78	409	19	66	3
(16) Standardized packaging and labeling of consumer products enforced by Federal regulation?	1,655	78	329	16	126	6

An Excellent Community Service

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. ST. ONGE. Mr. Speaker, problems of health and welfare are assuming a role of increasing importance in many of our communities. Both individuals and communities are faced with these problems, and very often they do not know where to turn for help or a solution.

I have just received a very interesting booklet which could serve as a guide for other communities to emulate. It is a comprehensive directory of health and welfare resources in a five-town area in my district of eastern Connecticut, which was prepared by the local chapter of League of Women Voters. The five towns where these services are listed for the benefit of all who may need them are my hometown of Putnam and the neighboring towns Eastford, Pomfret, Thompson, and Woodstock.

The directory, which lists 87 different health and welfare agencies in the area, is the result of 2 years of research by the League of Women Voters of Putnam. Over 140 different groups, organizations and agencies were studied for possible inclusion in the directory. League workers conducted personal interviews, correspondence and contacts by telephone in an effort to obtain full information on these agencies, their functions, and their services.

Among those included, to list only a few, are agencies which help the blind, the mentally retarded, the alcoholics, the dependent children, the mentally and physically sick, the unmarried mothers, the aged, the unemployed, the disabled, the emotionally disturbed, and others. There are the agencies working in the field of adoption of children, the nursing homes for the elderly, the ambulance services, the cancer clinics, the children's centers, the hospitals, the juvenile courts and family relations courts, the schools for vocational rehabilitation, the family counseling services, the consumer protection services, the religious groups and veterans organizations which perform certain social functions in the community, the

State and local welfare agencies, and others.

All in all, the 61-page directory renders a great public service and fills an important need. It is a guide for the whole community, but should prove to be of special significance to doctors, lawyers, ministers, priests, schools, libraries, social workers, community leaders, and others.

The directory was prepared by a committee of the league headed by Mrs. Eli Kogos and Mrs. John Gould as cochairmen, assisted by Mrs. George Child, and the following committee members: Mrs David Bates, Mrs. Peter Santos, Mrs. Carl Jacobson, Mrs. James Johnston, Mrs. Louis Edman, Mrs. Edward Bernier, Mrs. Richard Woodcock, Mrs. Benton Blair, Mrs. Oscar Richards, Mrs. Jerry Adams, Mrs. Eric Olander, and Mrs. Rodney Snedeker. Mrs. Benton Blair of East Woodstock is the president of the league.

The League of Women Voters of the Putnam area, and the ladies of the committee listed above, deserve special tribute for a job well done. They have rendered a great service to their community, and this should serve as an example to other communities. I congratulate them for their high public spirit and for their efforts to help their fellow men in these trying times.

A United Fight Needed To Obtain Protection for American Fishermen

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. PELLY. Mr. Speaker, the newly formed organization called National Fishermen and Wives, Inc., might well take up as their first major project the problem of the Ecuadoran Navy's unlawful interference with American fishing boats 7 miles offshore.

The Ecuadorans, of course, claim jurisdiction 200 miles offshore and have forced U.S. fishing boats to pay tribute for the privilege of fishing in international waters. I am glad to hear the American fishermen concerned have rebelled at this form of piracy on the high seas.

The U.S. Government at one time paid the fines of American fishermen. I do not know if they still do or not, but I would hope our State Department has abandoned ransoming our fish boats. Our Government should never have paid blackmail.

Mr. Speaker, the fishing industry of America should adopt a policy that an attack on one fisherman by anyone, anywhere, is an attack on all, and the National Fishermen and Wives, Inc. is the ideal organization to take up this fight involving southern California fishermen. It may be an Alaska or a Florida fisherman who needs protection next. So let those whose livelihood comes from the sea whether it be New England, the Gulf of Mexico, or in the Pacific Ocean—wherever it is—band together and demand protection for each segment of their industry.

Mr. Speaker, I call on the Representatives in Congress of coastal States to join in requesting our State Department to do something other than cooperate in some craven scheme to buy off another Nation's illegal actions against our fishing fleet.

On April 9, 1963, the Association of Wives of Commercial Fishermen in Seattle was formed. When their husbands are away at sea, the women will fight discrimination and unjustified actions detrimental to the industry.

I hope these wives and their new organization will take immediate steps to help their California brothers. A united fight to obtain State Department protection for America's fishermen is certainly needed.

Mr. Speaker, I am today writing to Assistant Secretary of State Alexis Johnson expressing my views and asking to be kept fully advised as to this international blackmail scheme against American citizens.

The following is the text of this letter:

> CONGRESS OF THE UNITED STATES,
> HOUSE OF REPRESENTATIVES,
> *Washington, D.C., May 27, 1963.*
>
> Hon. ALEXIS JOHNSON,
> *Assistant Secretary of State, Department of State, Washington, D.C.*
>
> DEAR SIR: With great concern I read the May 26 news dispatch describing an incident of two San Diego tuna fishing boats being held at gunpoint by the Ecuadoran Navy for operating 7 miles off its coast.
>
> Kindly keep me fully informed as to what action the U.S. Department of State takes with regard to this situation.
>
> Meanwhile, I wish to strongly protest any policy acquiescence by our Government in regard to Ecuadoran claims of a 200-mile territorial sea. It is absolutely essential to stand on our rights unless the 3 mile limit is changed by international convention.
>
> Our fishing industry is entitled to protection and every man who earns his livelihood from the sea has a constitutional right to call on his Government to punish piracies and felonies committed on the high seas and offenses against the law of nations.
>
> Respectfully yours,
> THOMAS M. PELLY,
> *Representative in Congress.*

Vote Record

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. FULTON of Pennsylvania. Mr. Speaker, on May 14, 1963, I was at Cape Canaveral on my duties as a member of the House Science and Astronautics Committee.

On rollcall No. 45 on May 14, 1963, on House bill 5517, supplemental appropriation bill for fiscal 1963, motion to adopt the conference report, I would have voted "No."

On rollcall No. 46 on May 14, 1963, on House bill 5517, supplemental appropriations bill for fiscal 1963, motion ordering previous question on amendment to the Senate Philippine war claims rider, I would have voted "No."

On rollcall No. 48 on May 14, 1963, on House Resolution 340, I would have voted "No."

Do We Now Have a Duplicate System of Government?

EXTENSION OF REMARKS

OF

HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. HUTCHINSON. Mr. Speaker, with the broad expansion of Federal power we are now experiencing, the role of the States in our system is rapidly changing. In widening areas of governmental activity, the States are finding their own choices of action restricted by Federal law.

The doctrine of supremacy of Federal law was not destructive of our States so long as the area of Federal activity was limited to those powers enumerated in the Constitution. Recent constitutional interpretations have so broadened the scope of Federal power as to raise this question: Has our dual system of government become a duplicate system?

On May 23, I addressed a radio audience broadcast from Detroit on that question as follows:

> In this country, we have a dual system of government. There are two governments serving each of us. On the one hand, the government of our State—on the other hand, the Government of the United States of America.
>
> In the beginning, these governments were not intended to duplicate each other. The great residue of governmental power was intended to remain with the State.
>
> The Government of the United States was intended to exercise jurisdiction over relations with foreign governments and to control domestic affairs in a very limited list of activities which were enumerated in the Constitution of the United States.
>
> During the first century and a half of our national history, the Government of the United States was a government far away. Most of the law which affected the ordinary citizen was enacted by his State, and it was the State government, rather than the Federal Government, with which he dealt, so there was no duplication of governmental service.
>
> Today, however, all that seems to have changed. Phrases in the Constitution of the United States which originally were intended to restrict the Federal power have, in this generation, been reinterpreted in ways which appear to vest power in the Federal Government, rather than deny that power. The result is that the Congress of the United States is enacting laws covering every facet of social, political and economic life.
>
> In the assumption that it has a complete legislative authority, the Congress of the United States is acting like a State legislature—and the role of the States in our system is being rapidly reduced.
>
> If the people of the States desire to retain and preserve an effective role for the States

in our system, they must without delay reassert the power of State government in its proper function.

If the present trend continues, the States will soon find themselves without power to make final decision in any issue.

When the Congress enacts a law, that law takes precedence over the law of the State if the two laws conflict. As the scope of Federal control broadens and extends over matters traditionally left to the States, the States find their own areas of activity narrowed and restricted. More frequently a State finds that it cannot solve a problem as it would choose, but must conform with Federal law.

Relatively few people are aware of the extent to which this Federal control is reaching into every decision of State government.

The State cannot exercise its own will. More and more, its activity is being directed from the Federal Government.

Certainly, this is not what was originally intended in our governmental system. If the people of this generation want to reduce the States to practical nonentities, that is, of course, their privilege. But they should be aware that these basic changes in the fabric of our system are being made and the basic question should be debated so that they will know what they are losing.

This revolutionary change in the place of the States in our governmental system results not only from the intrusion of superior Federal power into those matters of concern traditionally supposed to be vested in the States, but there is also an attack to undermine the control which the State has always had over its own political subdivisions.

Since World War II, Federal programs have been devised which deal directly between the Federal Government and the cities and villages within a State. The State government is bypassed in the program so that the cities deal directly with Federal agencies—and a certain uniformity of urban activity throughout the country is achieved, with the States which created those municipalities simply standing by on the sidelines.

The device of Federal grants-in-aid to one State or municipal activity after another has proved a very effective weapon in the hands of those who are engaged in centralizing our governmental system.

When Federal money is used in a program, then, of course, that program must conform to Federal standards. And Federal control always follows Federal grants-in-aid.

Sometimes these controls are not unreasonable or objectionable in any way—except that they do, in every case, transfer the power of decision out of the local or State level of government into the Federal system.

Before coming to Congress I was for many years a member of our State legislature. As a State legislator, I was concerned with problems of education, labor, the regulation of trades and business, conservation, agriculture, law enforcement, public health, mental health, social welfare, civil rights, and the problem of financing those activities.

As a Member of Congress, I find I am engaged in dealing with the same problems, in the same fields of activity. I say truthfully that the Congress is occupying its time on matters which used to be left to the States. In fact, the Congress is making decisions in some instances which used to be left to city councils. In addition, we are here also attempting to handle problems of traditional and undoubted national concern as well as problems worldwide in scope.

The Congress has not only taken power of decisionmaking from the States and vested it in the Federal departments—it has likewise surrendered over to the executive some of its own constitutional powers.

This process of delegation of congressional powers, proliferated throughout the governmental system, together with the onrush of power from the States to the central government, is greatly changing the governmental system which was our national heritage.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of May 25, 1963:

IT'S YOUR CHOICE

The individual citizen's rights and responsibilities are being overlooked or forgotten by our Federal Government leaders at this time. The radical-liberals including the President, his advisers, and his congressional leaders are chiefly responsible for the cataclysmic results in the destruction of our free society. Perhaps it is necessary to remember or restate these rights and responsibilities.

The individual's right is self-determination, through free choice, free will, accountable to his Maker, for his life and what he does with it. Government of, by, and for people is for the purpose of making secure this right of self-determination, and it follows that the Bill of Rights recognizes human rights and the Declaration of Independence proclaims these as God-given.

Individual responsibilities are quite simply stated, too. The individual is responsible for providing himself and his family. Beyond this, he is not responsible for others by manmade law. It is worth remembering, however, that man is charged by his spiritual concepts—whether he be Protestant, Catholic, or Jew to care for his fellow man, but as an individual. Charity is not the enforced distribution of money and property by Government tax backed up by jail and punishment.

The Federal Government is not a charitable institution, nor is society through Government, responsible for people's welfare. Here as I see it is the basic fallacy of many who inject Government into charity. Charity, caring for others, is voluntary and an individual responsibility, and is not the area for Government. Nor is there any right of the individual to be cared for by Government, as today's liberal-radicals declare.

That is why Government cannot constitutionally feed, clothe, house, provide jobs, medical care, or the basic necessities. That is why our people suffer so in burdensome tax and regimentation when Government tries to provide security against life's hazards. Government, in assuming as its role the need for providing life's necessities through tax and redistribution, is destroying capitalism and the republican form of Government at the same time it undermines and weakens the moral fiber of our people. Natural incentives are being replaced by Government assurances and mandates, but the Government has nothing until it takes away from people—and it taxes always with punishment to force people to perform. The President's "Democratic socialism" as spelled out by chief architect and adviser Schlesinger and exemplified by J. F. K. legislation, is clear now for all to see. So before they are gone and forgotten I wanted to remember once again the individuals' rights and responsibilities as our forefathers and their Constitution saw them.

Communism, socialism, fascism, or other government-enforced "isms" can never beat capitalism with its private and free society for the simple reason that every person will work harder for self and loved ones than for government—quite elementary, and quite disregarded by both President Kennedy and Mr. Khrushchev, interestingly enough. Both communism and the New Frontier's big Government philosophy are based on disbelief and lack of trust in people; that people cannot be trusted to run their own lives; that people are not responsible if left alone; that self-determination is wrong and must be replaced by Government order backed up by force.

Today in the United States we see the President ready to use Federal troops to enforce Federal law as he interprets it. In Dallas today if there is an example of segregation in housing, FHA, use of facilities, public or private, or any other violation of Federal law or Constitution as determined to be a violation by the President, he then could send Federal troops to enforce the law as he construes it. This is the Birmingham story in its larger implication. This concept bypasses the courts, Federal marshals, State sovereignty and law, local law enforcement and individual property and moral rights.

This Nation is entering a new era, but is a logical progression from the New Deal and Fair Deal, the full flowering of the liberals' free hand in Congress and Government since the 1930's. Having transferred the power from Congress to the Chief Executive, via the Supreme Court, we now have a President assuming the dictatorial power that is his. The people now can see it, if they will, and agree or disagree as they must. America could still save herself.

FARMERS MADE A CHOICE

In spite of 30 years of Federal domination and subsidy, the wheat farmers have voted to remain free. After one of the most massive propaganda campaigns (paid for by taxes) ever conducted to sell the farmers on giving up a free agriculture in favor of tight Federal controls and handouts, the Kennedy administration was soundly beaten in the referendum. This action is a direct repudiation of the Kennedy-Freeman planned economy theories. It is an encouraging sign that American farmers are ready and willing to lead the way back to the sound American principles of private enterprise upon which the strength of this Nation is founded.

ALGER REMARKS IN THE HOUSE THIS WEEK ON PERTINENT ISSUES

The proposed "hot line" between the White House and the Kremlin poses serious dangers. There is grave concern among many in this country who fear the Kennedy administration may be coming to secret understanding with the Soviets. There have been many developments in these first years of the Kennedy administration to lead us to believe that if outright promises were not made, at least some understandings were reached which have cost the United States loss of prestige and have strengthened the Soviet position in the world. Starting with the Berlin wall—it went up shortly after the first Kennedy-Khrushchev summit meeting without objection by the President. We witnessed the buildup of Soviet military strength in Cuba and after token removal of missiles and troops, none of which have actually been proved, the administration announced removal of our bases in Greece and Turkey. The President had previously denied that any such move was contemplated just as he is now denying any intention to give up Guantanamo. When the President announced our intention to prevent Cuban exiles from freeing their homeland, he was lauded by Castro for accepting the first of the Communist demands. Just this week, in Moscow, Khrushchev reminds the world of the other Communist demands upon the

United States, warning that we must accept them, including the removal of our base at Guantanamo. With the apparent understandings which have been reached as a part of the program of accommodation without the easy access of communication, I dread to think what could happen and what agreements could be reached in confidential conversations over a direct line between the President and the Soviet dictator. Because of these facts I believe we should prevent any hot line communications between Washington and Moscow.

It now appears the administration is softening up the country for an agreement with the Kadar government of Hungary. Congress and the American people should prevent the President from taking this move to further accommodate the Soviet Union. Peace can never be bought at the expense of honor. To recognize the Kadar government now would be an act of extreme dishonor.

A Nuclear Submarine in Honor of Haym Salomon

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. ST. ONGE. Mr. Speaker, I am today introducing a bill which provides that a nuclear-powered submarine to be constructed at Groton, Conn., shall be named the U.S.S. *Haym Salomon*. This name shall be given to the first such submarine to be commissioned in the U.S. Navy after enactment of my bill.

Haym Salomon, in whose honor I propose the submarine be named, was the well-known financier of the Revolutionary War period who was imprisoned by the British and sentenced to death for his support of the American cause for independence. He succeeded in escaping and, despite his gravely impaired health, he continued to support the Revolutionary cause by his devoted service and the sacrifice of his personal fortune.

We have had a number of our nuclear-powered submarines named after heroes of the Revolutionary and post-Revolutionary period in our history. Among them are: George Washington, Ethan Allen, Patrick Henry, Nathan Hale, Alexander Hamilton, John Adams, James Monroe, Lafayette, and possibly others. I believe that Haym Salomon, a great American patriot, should be similarly honored. This suggestion came to me from the Jewish War Veterans at Groton, Conn., and I am in full accord with it.

The story of Haym Salomon is a very interesting one. There is a whole literature about him, but it will suffice to relate a few brief facts about this man taken from the Dictionary of American Biography, volume XVI, and other sources.

Haym Salomon is described as a merchant, a banker, and a Revolutionary financier. He was born in 1740 in Lissa, Poland, of Portuguese Jewish ancestry. He traveled widely and was proficient in several foreign languages. At the age of 32 he had come to England, and from there proceeded to New York where he established himself as a broker and shippers' agent. Shortly thereafter he threw in his lot with those fighting for the cause of American independence.

After the British had occupied New York, they arrested Salomon on September 22, 1776, and incarcerated him as a spy for the Revolutionary Forces. They later assigned him as an interpreter for the Hessian General Heister, but in this capacity Salomon sought to induce some of the Hessian soldiers to desert. He was later paroled and resumed his business activities. On January 2, 1777, he married Rachel Franks, the daughter of a prominent Jewish merchant, Moses B. Franks.

In August 1778, Salomon was again arrested by the British and charged with being an accomplice in a plot to destroy British ships and warehouses in New York. He was found guilty and sentenced to death, but succeeded in escaping. Two weeks later he arrived in Philadelphia where he addressed a memorial to the Continental Congress setting forth his services to the American cause. He then established himself in Philadelphia as a dealer in securities. In time the business prospered and Salomon became the leading broker in the city and one of the largest depositors in the Bank of North America.

Among those who sought and obtained financial assistance from him were Robert Morris, the Superintendent of Finance; General Washington; James Madison; General Miflin; General Steuben; James Monroe, and many others. Upon the urgent request of General Washington, Salomon helped stave off a mutiny in the Colonial Army by raising a timely loan. He similarly helped finance Lafayette's army. He served as paymaster-general for the French forces in America, and also was named as sole broker for the Office of Finance and was successful in negotiating loans for the Colonies from France and Holland.

Original checks and vouchers presented later to Congress showed that at the time of his death on January 8, 1785, at the age of 45, he was owed nearly $700,000 by the U.S. Government which he advanced over the years for various purposes. The Dictionary of American Biography states as follows about Haym Salomon's financial assistance to the Government:

> These liberal advances in specie and equally liberal investments in Revolutionary paper furnish a singularly outstanding example of unselfish devotion to the American cause, particularly when it is remembered that the family was left practically penniless at his death.

Salomon suffered heavy financial reverses after the Revolutionary War. His sudden death in 1785 was attributed to worries over his financial losses and to the impairment of his health resulting from his imprisonment by the British during the war. He left a wife and four young children. Despite several attempts to obtain a settlement of the family claim against the Government, his heirs were never repaid any of the funds he advanced. One of his sons, Haym M. Salomon, served as captain of the 1st Infantry Brigade, U.S. Army, during the War of 1812.

Mr. Speaker, how different would have been the fate and destiny of this Nation if there had been no Haym Salomon to help raise the necessary funds for Washington to fight the war for our independence? Today, in the perspective of time, it is all history; but it is history which we should not forget. One way of remembering is to keep the memory of these patriots of yesterday alive in our own generation. Naming a nuclear submarine in honor of Haym Salomon would be a tribute to a great patriot who helped forge the destiny of our Nation nearly two centuries ago. I urge all my colleagues in the Congress to support my bill.

Louis F. Koenig: Civic Leader and Outstanding Pittsburgh Business Executive

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. FULTON of Pennsylvania. Mr. Speaker, we in western Pennsylvania are proud of our local citizen, Louis F. Koenig, chairman of the board of Duquesne Brewing Co., Pittsburgh, Pa., and his remarkable business career spanning six decades—a career that set a rare and outstanding example. In Louis F. Koenig were combined the sterling qualities of character that made him a man eminently successful in the business world, and a tireless worker for far-reaching improvements in his community.

When we consider the scope of the role that Lou Koenig played in Duquesne Brewing Co.'s rise to a position of leadership in the brewing industry, it is truly amazing that he found so much time to devote to the welfare of his fellow man. The fine modern plant, good working conditions, and hundreds of loyal employees and their families attest to Lou Koenig's years of building, years of leadership, and years of service.

He began in 1903 as secretary to the secretary of Duquesne Brewing Co. He worked up through the ranks rapidly. His first high administrative position was the responsibility as vice president in charge of finance. He was elected president and chairman of the board in 1941. He resigned as president in 1954 but retained his position as chairman of the board until his untimely demise, which occurred on May 3, 1963.

Throughout this busy life, Louis F. Koenig found the time to contribute to the community where Duquesne Brewing Co. still makes its headquarters, Pittsburgh's South Side.

During the 1930's he was a director of the South Side Advancement Association, a volunteer group of businessmen which served the community by initiating and following to completion a vast series of valuable public improvement projects.

Lou Koenig also realized the necessity for improved and expanded medical care long before most Americans had begun to concern themselves with the increasing medical needs of a growing populace. In 1928, he became a director of South Side Hospital, a position of service he held until his death. He also served as cochairman of the hospital's building campaign, resulting in the fine present institution—the South Side Hospital.

In the loss of Louis F. Koenig, Pittsburgh's South Side, as well as the entire city, lost a stanch and constructive citizen who cannot be replaced. The benefits to human existence he helped create will continue to flourish and remain as perpetual tribute to him.

As a lifetime friend and admirer of Lou Koenig, as well as the Congressman representing a large part of the southern portions of Pittsburgh and Allegheny County, I am calling this dedicated life of Lou Koenig and his fine accomplishments to the attention of the U.S. Congress and the American people as a permanent memorial.

David Hall Awarded Handicapped American of the Year Trophy in Washington Ceremony

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. BYRNES of Wisconsin. Mr. Speaker, I have previously called the attention of the House to a most remarkable and outstanding young man from my district, Mr. David Hall, of Green Bay, Wis., who was named Handicapped American of the Year by the President's Committee on Employment of the Handicapped.

On May 9, I had the pleasure of attending an inspiring ceremony here in Washington during which Mr. Hall was presented with this award. From a tape recording of the ceremony, I have had written transcripts made of Mr. Larry Le Sueur's tribute to David Hall, President Kennedy's speech, and Mr. Hall's acceptance remarks and I would like to include these as part of my remarks:

A TRIBUTE TO COURAGE OF DAVID HALL

(By Larry Le Sueur)

Mr. President, David, Mr. Freeman, members of the committee, distinguished guests. It's an honor and a privilege to address the members of the President's Committee on Employment of the Handicapped. It's a very great honor to talk to people who are devoting themselves to benefiting those who are less fortunate than themselves. And it is a very great privilege for one who has been a war correspondent and then a peace correspondent, and now a member of the U.S. Information Agency to address such people as General Maas, who has done so much in the defense of this country.

There are still things confronting this country which make us look to our defenses, of course. But I think there are other things that our opposition may not try again, and I am reminded of a man I heard about this very week, who presented himself, of all things, to a theatrical agent and said, "Sir, I have a great act. I wish you'd put me on." The theatrical agent said, "Well, what is it?" He said, "Well, I can go to the top of the Washington Monument and I can jump off and land in a small bucket of sand." The theatrical agent said, "If you can do that just once, I'll hire you." So the man went down to the Washington Monument, left his bucket of sand at the bottom and he leaped off and he landed right in the bucket, got out, dusted himself off, and the theatrical agent was dancing with joy and he said, "Do you know what I'm going to do for you? I'm going to hire you at $100 a week for 10 weeks." Well the man shook his head and said, "Gee, I don't think so." He said, "Well, I'll tell you what I'm going to do. I'm going to double that. I'll make it $200 a week for 20 weeks." The man said, "I * * * I don't think so." He said, "Listen, I'll tell you what I'm going to do for you. I'm going to give you $1,000 a week and a year's contract." The fellow still shook his head and said, "No, I don't think so." The agent said, "I don't understand you. What do you want? I have never given anybody a year's contract before." So, the man looked at him and said, "Well, to tell you the truth, I just don't think I want to try that again."

Well, I hope that's the way our potential enemies may feel. I know I would if I were in their situation.

But you know that it's sometimes the way in life that things that we wish to avoid most just happen to us, unfortunately. Now, what happened to David Hall could happen to any of us, or to any of our children. David was a robust, carefree, 19-year-old. He crammed every moment of his life into a whirlwind of activity. He played tennis, he skied, he worked summers on the railroad. He was a typical teenager.

Then one beautiful morning in July 1955, he got up early in his home in Green Bay, Wis., to join a friend on a vacation trip to northern Michigan. They were young men —so of course they traveled fast. And then it happened. Their car brushed another vehicle, and David Hall hurtled from the open convertible, and came to rest by the roadside—his neck broken; his body, of course, paralyzed. David's whole way of life had come to an end.

What would you have done in that situation? What would I have done? Given up, perhaps? Submerged ourselves in a life of endless self-pity?

Or would we have managed to find within ourselves some of the spirit—some of the heart—that has brought David Hall back to this rough, tough work-a-day-world, to become a man and a self-supporting citizen, dedicated to the task of helping others.

David Hall's story is a story of challenge and response, a story of courage that matches those of more famous men—of Franklin D. Roosevelt, who fought his way back from crippling polio—or that of our own John F. Kennedy, who overcame a crippling back injury to rise to the Presidency of this great Nation. It is the story of the Helen Kellers and the Beethovens and the blind Miltons—of all those men and women throughout the ages—the famous and the less well known—who, by rising above severe physical handicaps, achieved true greatness.

At first David was totaly paralyzed from his neck down, so he began that long tough battle to regain some use of his body, and after more than 2 years—and after some 800 pain-racked days—of physical therapy treatments, and four operations on his hands, he came home to Green Bay a winner. But it was only a partial victory, of course. He could move his arms, his hands, and his shoulders—but of course David would never walk again.

It was easy for him to feel sorry for himself. But David Hall quietly assessed his remaining abilities. He had lost the use of his legs—but his mind was as keen as ever. His hands had lost much of their power—but his voice was strong and clear, and he may have lost the boundless energy of a teenager—but he had gained the mature understanding of a man. He realized that he had everything he needed to work for a living—and to do his bit for humanity.

I'll tell you the story of how David Hall found his new mission in life.

During his long months in hospitals, one thought had obsessed this young man. He had become profoundly aware of a statistic. "Every 22 seconds," he remembered reading, "someone like me smashes up on the highway."

And as he watched the seconds tick by on his bedside clock, David imagined first one and then another tragedy—three a minute—180 in an hour. Whenever he heard the sound of ambulance sirens, he thought, "What wouldn't those people give for the chance to relive the moment that changed their lives? If they only had another chance."

And then the idea came to him. And after all most of the great things in life start as an idea, don't they? "What if I were to tell the story of my experience to others—not for sympathy but as a warning—as a reminder. Perhaps it would slow the ticking of that clock—perhaps it would still the angry wail of some of those sirens."

And, thus was born what we call "The David Hall Story"—the dramatic recounting of his accident. Now David really had something to live for—a mission in life to help save other lives.

As a carefree, able-bodied teenager—David had not been interested very much in acting or orating. But just 2 years ago David took the stage for the first time—to tell his friends his story in Green Bay, Wis., and since then, he's done 80 repeat performances—making his simple plea to men, woman, and teenagers throughout Wisconsin and Michigan. More than 50,000 people have heard him relate his story in person—and many more have heard him of course over radio and television—and sometimes they've heard of David Hall's experience in a most important place—behind the wheels of their cars—perhaps it has slowed the ticking of that clock.

But David Hall's dedication to the cause of his fellowmen is not limited to his story. David works. He is a supervisor in what is called a sheltered workshop—where men and women with physical handicaps or mental impairments learn some kind of a useful trade. His own achievements in overcoming his severe disability—and his cheerful manner—are an inspiration to those he is leading back to self-sufficiency, and that is the greatest boon, we all realize, that a person can enjoy. The enthusiasm of this disabled young man is a daily reminder to Wisconsin and Michigan employers that in General Maas' own words "it's a man's ability—not his disability—that counts on the job."

Because David Hall refused to give up, because he refused to wail in self-pity, he has helped to save some lives and he has helped make a better life for others. The task which he has undertaken is a very important one—with effects that may be felt far in the future.

We will never know, of course, how many accidents David Hall has prevented or how many lives David Hall has saved. But his community and his State have already felt the impact of his one-man war against the Nation's No. 1 disabler, maiming on the highway. And David Hall has just begun to fight for others. And that's why we today pay tribute to a young man of courage—to David L. Hall of Green Bay, Wis., the "Handicapped American of the Year."

Remarks of President Kennedy Before Annual Meeting of President's Committee on Employment of the Handicapped

Mr. Gleason, General Maas, Mr. Hall, Mr. Fay, Mr. Macy, Mr. Freeman, distinguished guests, ladies and gentlemen, I want to express my very great appreciation to all of you who work in this most important and deserving field, the employers, the members of the Federal Government who have concerned themselves with this problem, Mr. Gleason, Mr. Macy, the Armed Forces, the AFL–CIO, Mr. Freeman, who has worked very tirelessly in this matter, members of the President's Committee who devoted a good deal of their time, and also to all those across the country.

One of the impressive things that I have seen as I have traveled across the country—I remember going into the MacDonald Aviation Co. in St. Louis, Mo., which has been one of our most progressive employers in hiring those who are mentally handicapped and who have been among the most useful employees of the company; others in Long Island; others stretching across this country; employers who have gone to great pains to bring into their establishments disabled men and women who then are able to make a living not because of the support of others, but by their own efforts which have contributed to their rehabilitation, and to organized labor in this country, the AFL–CIO, who have worked with the unions, encouraging the unions to bring men and women in to make it easy for them to be hired.

This is the kind of work which comes not from the top down, but from the inside out. We are hiring today at the White House a young man who is handicapped, to work on the grounds at the White House, and I am hopeful that people all across the country in the next year will make a special effort to bring into their lives in one way or another, by assisting, by hiring, by working with men and women who are handicapped, either physically handicapped or mentally handicapped. This is an area in which in recent months and years we have made a particular effort. We are making a particular effort in the National Government this year to bring up to date and really move ahead in the whole treatment of those who are mentally retarded and mentally disabled, as well as our efforts among those who are physically disabled.

As I said before, I see no reason why this very rich country of ours should have 3 out of 100 of our children mentally retarded, mentally disabled, while Sweden, which is not any more prosperous than we are, but is more concerned, perhaps, than we have been, has only 1 out of 100.

So this effort which we are all making in the Government, in the cities, in the States, in the employers, in the unions, this great cooperative effort to make a part of our community, a part of our country, a part of our lives for those who have been less fortunate, is deserving of the best you have.

I want to congratulate all of you for doing something about it, not merely talking about it. All the problems that this country has could be solved in a whole variety of ways if all of our citizens would just pick one project and give their time to it, whether it is helping those who are mentally or physically retarded, whether it is helping young boys and girls who are in difficulty with the law, whether it is entertaining foreign students, whether it is holding out a hand to one group or another. This can be done much better by our citizens than by the National Government.

I want to express my commendation to one group of our society here today who are doing something about it and who deserve the appreciation not of the country, because they deserve that, but I think that most of all they get the satisfaction themselves of recognizing that the obligations of citizenship, pride in their country, makes them want to look out beyond their own lives.

So I am delighted to be here today. I congratulate you all. We pay a special tribute to David Hall. I can imagine nothing more worthwhile than what he is doing. I have some personal knowledge of what has happened to people in automobile accidents. If they would have some recognition of how long is the difficulty, the time they saved, they would realize, is very unimportant. So that we are glad to honor him and we admire him. There are a lot of acts of courage which are done in the flash of the moment, but the most commendable and admirable acts of courage are those which go on day in, day out, month in, month out, year in, and year out. He has shown it, many of you have shown it, the general has shown it, and I am glad to be among those who live it.

Thank you very much.

Remarks of David Hall, of Green Bay, Wis., the Handicapped American of the Year

Thank you very much, Mr. President.

Chairman Maas, Vice Chairman Freeman, distinguished guests, and ladies and gentlemen: First, I would like to express my sincere appreciation to the President's Committee for this award, which I understand was made by the Sheltered Workshop of the Curative Workshop of Green Bay, Wis., by our own handicapped people. I would also like to thank the President's Committee Department of Rehabilitation, and the Green Bay Workshop in its rehabilitation program for providing the basic facilities and the opportunities. I think when talking about the handicapped, we can use a well-known expression which is, the handicapped do not ask what the community can do for them, but what, if given the opportunity, the handicapped can do for the community.

I sincerely believe that if given the opportunity, the handicapped will go far and succeed.

I would like to extend to my parents my grateful appreciation. Believe, me, I would not be here today if it were not for their understanding and their help. I would like to simply say to all of you a simple thank you. I know these are small words, but I hope you understand my feeling behind them.

I again thank you very much, and God bless all of you.

Malaise on the Hill

EXTENSION OF REMARKS

OF

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. ANDERSON. Mr. Speaker, in a recent "Letter to the Editor," one of our colleagues, the gentleman from Ohio [Mr. MOSHER], has expressed some cogent and well-reasoned opinions on the general subject of the present "Congressional Slowdown." I commend his thoughtful observations to, I hope, an even wider audience.

His basic premise, if I understand it correctly, is that Congress ought to recapture its initiative to legislate. Tailor-made bills which flow in never-ending profusion from the other end of Pennsylvania Avenue are often consigned to unmarked graves in the legislative graveyard. This is true in part, I believe, because the technicians in the executive branch are insulated to a considerable degree from the flood of mail and visitors from "back home" that constitute a basic part of every legislator's daily routine.

Members of Congress who have been sent here to legislate ought to take the lead in reasserting their constitutional prerogative to do just that very thing. The executive branch has certainly not suddenly become the sole repository of creativity. Congress ought to give top priority to the task of originating laws rather than merely reviewing the proposals of the executive. I agree with Congressman MOSHER that the results could be quite dramatic.

The article follows:

Malaise on the Hill

This letter is prompted by your May 19 feature, by Richard L. Lyons, concerning suggested reforms which might make the U.S. House of Representatives a more effective legislative body.

Most critics of the Congress today seem to measure its faults only by the extent to which the House fails to approve President Kennedy's legislative proposals. I doubt that is the most significant measure, but let's accept it momentarily—for the sake of argument.

Would the administration's program move much faster if the usually suggested reforms—cut the Rules Committee power; modify the seniority system; limit the tenure and power of committee chairman—were now in effect? I doubt it.

I suspect a major reason why the House hesitates to approve the President's bills is the simple fact that most of the Democratic representatives—who now hold control of the House by a large margin—simply don't much care.

Does their apathy toward the New Frontier legislation merely reflect public apathy? Or does it stem in part from the deep division within their own ranks, between North and South? Those, and other factors are part of the equation.

But I suspect a more fundamental cause of apathy is a lack of feeling among Democratic members that the Administration's program is also their program. They lack a sense of authorship, of proprietary interest, and therefore they show no enthusiastic allegiance to it—no sense of pride, enthusiasm and push.

Is that not because it is the executive branch which firmly holds the initiative in legislative matters? Practically all the important proposals given serious consideration are written in or near the White House, and then are handed over (handed down?) to the Congress. Congressional sponsorship is only nominal.

That is a perverted relationship, it seems to me.

Perhaps the "reform" most needed is some sort of dramatic act of independence by the House (and especially by the majority Members), some rebellious, inventive, positive act by which the House would rekindle its self-respect and self-assurance—its virility.

That act would require majority party leadership with the courage and imagination to ignore or reject the White House programs and say, "No, we've got some ideas of our own."

If the House could develop fresh approaches to the Nation's problems—in contrast to the Administration's warmed over New Deal—then there might quickly develop enthusiastic, prideful support, sense of initiative and participation, and legislative drive. In the face of such drive, the organizational hurdles usually blamed for congressional inaction would quickly be surmounted.

Is not action the best cure for inaction? Nothing succeeds like success, and all that sort of thing. I suggest an immediate and important opportunity for healthy revolution, an act of independence, is in the Ways and Means Committee—the possibility of some original tax-cut legislation quite unlike the Administration's proposals.

Genuine "Made on Capitol Hill" programs, rather than those stamped all over with the "J. F. K." brand, might be voted in the House with a whoop and holler—in sharp contrast with today's malaise of moans and sighs.

CHARLES A. MOSHER,
Representative, 13th District, Ohio.
WASHINGTON.

What the United States Has Done and Is Doing for Refugees—Address by Hon. Francis E. Walter

EXTENSION OF REMARKS
OF
HON. FRANK CHELF
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Monday, May 27, 1963

Mr. CHELF. Mr. Speaker, under the leave granted me, I wish to insert into the RECORD the text of an address prepared by the distinguished gentleman from Pennsylvania, Mr. WALTER, chairman of the Subcommittee on Immigration and Nationality of the Committee on Judiciary, on which I have the honor to serve. The address was delivered for Mr. WALTER at the annual dinner of the Philanthropic Fund, American Council of Judaism, by one of Mr. WALTER's closest friends, Judge J. Cullen Ganey of the U.S. Circuit Court of Appeals, Philadelphia, Pa.

The text of Mr. WALTER's address is as follows:

WHAT THE UNITED STATES HAS DONE AND IS DOING FOR REFUGEES

(By Hon. FRANCIS E. WALTER)

Mr. Chairman, ladies, and gentlemen, it is most gratifying for me to be able to respond to the invitation of your distinguished president, my dear friend, Mr. Henry S. Moyer, and present to this gathering not a speech, in fact, but a report on what the United States has done for refugees since that problem in all its magnitude and perplexity appeared before us in the aftermath of World War II.

It is particularly gratifying for me to speak on this subject as it was my voluntarily assumed task to undertake in the Congress of the United States to sponsor and pilot through the tortuous legislative route practically all of the legislation under which the United States accepted leadership in finding the solution of this problem.

When Mr. Moyer requested that I speak to you and outlined to me the scope and the framework of my address, I realized the very important and unique approach which your organization takes to the refugee problem and to the whole field of humanitarian endeavors.

It has been my experience that, for too long now, the critics of America's immigration policy have stressed the inadequacy of our effort rather than our unprecedented achievements. Never in history has a nation done more than the United States for victims of war and oppression. However, I feel obliged to say, the American Council for Judaism Philanthropic Fund is not among those who stress criticism, or who improperly suggest a lack of interest by the United States in assisting the refugees.

Mr. Moyer, in his wisdom, asked me for a balance sheet of our great achievements and I shall submit it to you tonight. It is a record of which all Americans may be proud. It is the product of their own sacrifices to bring it into being.

THE AFTERMATH OF WORLD WAR II

When the victorious armies of the Allies in World War II broke the back of the Nazi beast and occupied the heartland of Hitler's domain, they stepped into the appalling, overwhelmingly complex situation created by the uprooting of over 11 million human beings by Hitler's war machine and the Communist conquests in Eastern Europe.

It was my painful duty and unforgettably tragic experience to enter with our soldiers the gates of the most infamous concentration camps just liberated by our military might. I saw the ghastly looking inmates of the camps. I saw the people who miraculously escaped the gas chambers, and I saw the emaciated and hungry slave laborers. It was at that particular moment that I decided to do all that was in my power in order to assist these people on their return voyage to life.

Fortunately, there were people in the United States who had shown foresight by establishing, long before the invasion of Germany, an organization designed to provide immediate assistance—the United Nations Relief and Rehabilitation Administration (UNRRA), later succeeded by another agency planned well ahead of time, the International Refugee Organization (IRO).

The monumental task of assisting the mass of humanity to be fed, clothed, repatriated, or integrated in the economies of the countries of asylum, or to be resettled in countries which offered them opportunities to start a new life, fell first upon the Allied armies, then upon UNRRA and then upon the IRO.

THE UNITED STATES LED THE EFFORT

The United States assumed leadership in all of those areas of activity without the slightest delay.

In 1945 and 1946, for direct feeding of displaced persons by the U.S. Army in Europe, prior to the establishment of IRO, the United States spent $200 million. In the same period of time for assistance through UNRRA we spent $29 million. In addition to that, for resettlement activity prior to the establishment of IRO, the United States spent an additional $2 million. Thus, even before the international assistance machinery got started, the United States outlay amounted to $231 million.

The great effort undertaken by the International Refugee Organization (IRO) cost the U.S. taxpayers an additional sum of $237 million expended in the years 1947 to 1952.

THE UNITED STATES OPENS ITS DOORS

The United States was similarly in the lead with its initiative to offer hospitality to the refugees. The guns were hardly silent when, on December 22, 1945, President Truman, awaiting the enactment of special legislation, issued a directive which gave preference to displaced persons and refugees within the framework of the then existing immigration laws. The result was that 42,000 refugees entered the United States under this directive before the Congress finished its work on the Displaced Persons Act enacted in June of 1948.

When we succeeded in amending and extending the original act, in 1950, the doors of the United States were indeed thrown wide open and 405,000 displaced persons, refugees and expellees found new homes and a new life in our country. The administration of that law cost the United States $19 million between 1948 and 1952, when the principal parts of both special laws expired.

ICEM TAKES OVER FROM IRO

By the end of 1951, the great task had, however, been only partially completed. We realized then that with the expiration of IRO, which was scheduled for the end of that year, the problem of refugees required an additional effort in order to successfully resolve their resettlement, rehabilitation, and integration.

At our initiative 16 nations convened in Brussels and created the Intergovernmental Committee for European Migration (ICEM), an organization which is still active, continuing IRO's work of moving refugees overseas from Europe and providing resettlement and employment opportunities for Europe's unemployed work force.

Since the erection of ICEM, which by now has moved over 1,200,000 people, who otherwise would not have been moved, the United States has contributed $48 million to that part of the operational and administration funds which financed the resettlement of over half a million refugees.

FEEDING THE HUNGRY

The moving of refugees to new places of abode was not the only field of refugee assistance in which this country engaged. In the years 1950 to 1962, under the refugee feeding program authorized by the Congress, the U.S. unilateral action cost $120 million. Two simultaneously operated programs, assistance to Korean refugees and assistance to refugees from Palestine, cost the United States $382 million, of which $290 million went for U.S. contribution to the assistance of the Palestine refugees.

CONGRESS OPENS THE DOORS AGAIN

The Congress was not inactive while the last of the statutorily determined number of displaced persons were still landing on our shores.

The Refugee Relief Act of 1953 was the third of the series of legislative enactments under which the doors to the United States were kept open. As a result, an additional 190,000 refugees entered the United States while the number of war orphans entering this country passed the 6,000 mark.

The advent of the emergency caused by the mass exodus of Hungarian refugees streaming into Austria and Yugoslavia after the brutal crushing of the Hungarian uprising in 1956 by the Soviet panzer fist did not catch the United States unprepared.

The Immigration and Nationality Act, enacted in 1952, has a provision stemming from our past experiences. The law provides the chief law enforcement officer of our country, the Attorney General of the United States, with a permanent instrumentality permitting him to cope with emergencies that might arise in these troubled times. The "parole" provision of the so-called Walter-McCarran Act opened the door to 38,000 Hungarian refugees. The financing of the program necessitated the expenditure of $33 million.

This was in addition to expenditures exceeding $57 million incurred by the United States in operating still another unilateral program of assistance to refugees known as the U.S. Escapee Program (USEP). Further, in addition to that, we spent $11 million between 1959 and 1962 for support of activities of the United Nations High Commissioner for Refugees and $90 million were spent between 1954 and 1958, for assistance to refugees from North Vietnam.

At the present time, the "parole" provision of the Immigration and Nationality Act serves to admit a number of Chinese refugees from Hong Kong who have close relatives in the United States. In May of 1962, when the influx of Chinese refugees into the British Crown Colony of Hong Kong suddenly increased, President Kennedy instructed the Attorney General of the United States to resort again to this provision of the law and to admit for emergency reasons a then undetermined number of Chinese refugees. We know now that approximately 12,000 Chinese refugees will be admitted to the United States by the end of the current year under the program administered jointly by consular officers in Hong Kong and the Immigration and Naturalization Service. This proves again that a permanent instrumentality for taking care of unforeseen refugee situations is available to the executive branch of this Government.

REFUGEES ENTERING UNDER QUOTAS

In reviewing the numbers illustrating the size of the U.S. special immigration programs for refugees, one must bear in mind the fact that refugees also entered this country under the permanent, general immigration law, although this class of immigrants does not necessarily bear the label of displaced persons and refugees. The most reliable figures relative to this category indicate that close to 150,000 quota immigrants would be classifiable as displaced persons or refugees.

ONE MILLION REFUGEES ADMITTED—$1.3 BILLION SPENT

By mid-1957, the last beneficiaries of the Refugee Relief Act of 1953 found safe haven and new opportunities amongst us.

The Congress decided then that the expiration of the 1953 law ought not to foreclose the opportunities of an additional number of refugees to enter this country so as to fill the entire allocation provided by the 1953 act. A new law, which I had the privilege of sponsoring jointly with the then Senator from Massachusetts, John F. Kennedy, passed in September of 1957. It authorized the continuation of the movement of refugees to this country and made it possible for approximately 19,000 persons to enter the United States, not only from Europe but also from the general area of the Middle East, where persecution on religious grounds began to rear its ugly head after the emergence of certain new states and nations.

It is estimated by the statisticians of the Immigration and Naturalization Service that the total number of refugees who entered the United States under permanent and special legislation since the end of World War II is very near the 1 million mark, possibly exceeding it slightly. With additional expenditures for the assistance to the Algerian refugees, the refugees from Cuba now in this country, and assistance to refugees in Laos, the total amount of direct U.S. financial contributions to refugee assistance programs amounts to—in precise figures—$1,344,465,131.

It is important to keep in mind that this staggering amount of money represents only and exclusively the governmental contributions, contributions coming directly from the American taxpayers via the U.S. Treasury. It does not include 1 cent of moneys contributed through private voluntary organizations or private citizens. The latter amount defies evaluation, of course.

THE PRESENT SITUATION

What is the present situation?

The number of bona fide refugees entering Western Europe has been reduced to a mere trickle. Joint efforts undertaken by the community of nations banded together under U.S. leadership in ICEM and supporting the United Nations High Commissioner for Refugees, stimulated by the World Refugee Year, have contributed to a rapid liquidation of the last remaining refugee camps.

The improvement of the economic situation in Western Europe was an important factor further contributing to the integration of those refugees who could be employed in the countries of first asylum.

Joint efforts of several nations, including the United States, have provided for the establishment of welfare institutions giving care, maintenance, and recreation to the unresettleable hard core of refugees, to the aged, sick, blind, or crippled.

For the refugees who succeeded in leaving behind them the misery and oppression of the lands under Communist rule, the United States has provided legal means of entering this country by the enactment of Public Law 86–648, the so-called Fair Share Act, under which an average of 6,000 people enter the United States annually since June 1960. Under the same law victims of religious persecution prevalent in certain countries of the Middle East are also admitted in the United States as refugees.

Last year, in June 1962, with the support of my colleagues in the Congress, I succeeded in obtaining an indefinite extension of the Fair Share Act, administered humanely and diligently by the Immigration and Naturalization Service, acting through its officers stationed in Western Europe as well as in countries bordering elsewhere on the Middle East and the Iron Curtain.

With this law on our statute books and with the permanent authority of granting parole, the Attorney General of the United States is equipped to handle the present refugee situation and to face any unforeseen emergency. It is my firm belief that no large-scale refugee immigration programs are necessary at this time and it is rather fortunate that this finding can be made at a time when the domestic unemployment situation in the United States does not warrant any enlargement of the scope of the programs now in operation.

This is precisely why I, for one, do not believe that anyone advocating the admission of 50,000 refugees annually, as envisaged in certain legislative proposals, is acting realistically, sincerely, and in good faith. We simply could not find refugees in that number even if we were to institute a special search for them by beating the bushes in an internationally organized battue.

As long as the generous American people are satisfied that the deserving refugee is now adequately assisted in finding his way to freedom, safety, and new opportunities in this and other countries, I do not believe that our constituents would authorize us to enact that type of a legislation which, in all frankness, would be nothing but an exercise in futility.

It is good to know that we may have your wholehearted support when—never closing our eyes and hearts to human misery—we continue on the road of sound humanitarianism, keeping the best interest of our beloved country first and foremost in our minds.

Disabled American Veterans Rehabilitation Service

EXTENSION OF REMARKS

OF

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1963

Mr. ROGERS of Colorado. Mr. Speaker, my attention has recently been attracted to the unusual record of effective rehabilitation services extended to America's disabled defenders and their dependents, without any charge to them, by the Disabled American Veterans.

I am very pleased to note that at its national convention in Atlantic City the Disabled American Veterans elected one of my constituents, Peter L. Dye, as national commander. Mr. Dye is an assistant attorney general for the State of Colorado and is a member of the Murphy-Borelli chapter in Denver. He has served as department commander of the State and as chapter commander. He has been a junior vice commander of the national organization and has served on its national finance committee prior to becoming national commander.

The Disabled American Veterans was formed in 1920 and chartered by a special act of Congress in 1932 under the name Disabled American Veterans. The DAV extends freely much needed personalized services of innumerable types to thousands of distressed disabled veterans and their dependents each year. This service is performed by the organization through its nationwide setup of fulltime national service officers.

During the last 10 years the staff of national service officers have reviewed 2,407,720 claims folders, have made 1,025,090 appearances before Veterans' Administration adjudication bodies, have obtained 670,172 favorable decisions which included 30,066 service connections, 164,250 compensation increases and 180,040 pension awards. In addition, as pointed out in the CONGRESSIONAL RECORD for April 3, 1958, by the Honorable LEE METCALF, of Montana, now in the U.S. Senate:

> Thousands of claimants have been given pertinent, helpful advice, not measurable or recorded in the monthly reports submitted by each national service officer to the national director.

Veterans benefits are not automatically granted but the veteran must file his claim for consideration by Veterans' Administration Rating Boards. As stated in the CONGRESSIONAL RECORD of February 21, 1958, by the Honorable Charles E. Potter, of Michigan:

> Governmental benefits for handicapped war veterans are not automatically awarded. More claims have been denied than granted by the U.S. Veterans' Administration. Expert advice from an experienced service officer, who knows what is required, under many complicated laws, to justify favorable decisions by the Veterans' Administration, is sorely needed by the average disabled veteran as to his claims for service connection, disability compensation, hospitalization, medical treatment, prosthetic appliances, vocational training, etc. Scores of thousands of disillusioned disabled veterans are thus assisted each year in the proper preparation and presentation of their worthy claims for various governmental benefits legally available under only certain circumstances. Because it must act as judge and jury, in effect, in deciding whether evidence submitted is sufficient proof of entitlement, the U.S. Veterans' Administration recognizes that the accredited service officers of service organizations can and do thus perform a very valuable service and therefore furnishes office space to them and the authority to look through official claims folders.

According to a statement in the CONGRESSIONAL RECORD for January 1, 1961, by the gentleman from Texas, OLIN E. TEAGUE, chairman of the House Committee on Veterans Affairs:

> Each day thousands of veterans with tens of thousands of questions each a possible

> claim for veterans benefits turn to the Disabled American Veterans service officers for advice and assistance. If it were not for these capable and experienced men, who are themselves all disabled veterans, the Veterans' Administration would be forced to provide a great number of additional personnel to deal with this added influx of daily visitors and, of course, at great additional cost to the U.S. taxpayer.

Moreover as stated in the official RECORD for April 27, 1959, by the gentleman from Massachusetts, SILVIO O. CONTE:

> Most of these service disabled veterans have probably assumed that the Disabled American Veterans has been getting some kind of financial help from the Government although no Federal money has ever been appropriated to the DAV.

The vital importance of such personalized service is reflected in a remark that appears in the CONGRESSIONAL RECORD back on July 17, 1941, by the Honorable Homer T. Bone, of Washington, who said:

> Americans who help to provide security for America's disabled defenders thereby help to provide security for America.

Former Congressman Lawrence Curtis, of Massachusetts, who himself lost a leg during World War I, declared that:

> Americans who are grateful for the sacrifice of America's disabled defenders of parts of their bodies or their health, will generously support the vitally important service program so effectively operated by the Disabled American Veterans.

With all the statements above quoted I heartily agree. It is very interesting to learn that since its formation 43 years ago DAV, notwithstanding its restrictive membership requirements, has nevertheless maintained the largest staff of full-time national service officers of any of the congressionally chartered organizations. Following World War II the field staff of the Disabled American Veterans was greatly expanded. With the cooperation of the Veterans' Administration which assisted in providing a 2-year course of vocational training, some 400 physically disabled veterans of World War II became full-time DAV national service officers. This expansion was financed primarily out of the net income derived from the very unique idento-tag, or miniature license tag project, owned and operated by the DAV without any promotional fees of any kind being paid to anyone.

I was astounded to learn that since 1942 nearly 2 million sets of lost keys have been returned to their owners because of the attached idento-tags. This was without regard as to whether the Disabled American Veterans had ever received any donations from these owners. However, there have been an increasing number of States which validate their license plates for more than 1 year. This has resulted in diminishing returns and has unfortunately resulted in diminished financial reserves. Nevertheless the DAV has continued its determination to provide its invaluable service in all of our Nation's 50 States.

Other sources of income have been developed although by no means sufficiently fast. Among these sources are bequests in wills, special trust agreements, direct donations from benefited veterans and their dependents, which incidentally comprise only a small percentage, and from contributions by socially minded Americans as to which, incidentally, income tax deductions are applicable up to 20 percent of each individual donor's annual net income.

An increasing number of corporations have also been making property donations to the Disabled American Veterans, as to which they are entitled to claim income tax deductions up to 5 percent of their respective annual adjusted gross incomes, with a 2-year carryover. Such property donations have included outmoded or unused furniture, equipment, machinery, materials, buildings and land—based on their market value, according to authentic appraisals furnished through the DAV without cost or obligation for the cooperating corporations—and including diverse types of surplus inventories at their currently listed prices. Such disposable property donations frequently turn out to be financially advantageous for the Disabled American Veterans. Sometimes increased employment opportunities for disabled employables result.

Income tax deductions for the donating corporations are frequently preferable as compared with the continued payment of personal and/or real estate taxes, insurance premiums, guard fees, and so forth, in continuing to hold such unused properties. Also taken into consideration is the valuable space otherwise rentable and the time and talent of busy officers required to sell his disposable properties as well as the additional income tax that might thereby be entailed. Such corporations, thus cooperating with the Disabled American Veterans as well as other charitable and educational institutions by their varied property donations deserve the gratitude of all concerned.

By supporting the Disabled American Veterans these individuals and corporations support one of the great benefits of a free Nation and that is to insure its Nation's defenders a life of security and dignity notwithstanding disablement that may have been incurred during the mortal battles fought in the course of preservation of our free institutions.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 28, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Isaiah 40: 29: *He giveth power to the faint and to them that have no might He increaseth strength.*

Almighty God, we are praying especially for our Nation's chosen leaders, who, in these crucial and perilous times, are bearing tremendous responsibilities.

Bless them with the cardinal virtues and gifts of faith, courage, and wisdom as they strive to make a worthy contribution to the peace of the world.

Create in us the spirit of the Pilgrim Fathers, who embarked on stormy waters and gave us the rich heritage of a freedom and democracy purchased and made sacred by their struggles and sacrifices.

Grant that we may have the deep feelings of concern and compassion for all whose every day is beset by fearful premonition and whose minds and hearts are in danger of being broken by life's tragedies and tribulations.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 261. An act to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris;

S. 572. An act to amend section 201(a)(3) of the Federal Property and Administrative Services Act (40 U.S.C. 481(a)(3)), and for other purposes;

S. 814. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended;

S. 876. An act to authorize the Administrator of General Services to convey certain land in Prince Georges County, Md., to the American National Red Cross;

S. 1576. An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes; and

S. Con. Res. 43. Concurrent resolution authorizing the printing of additional copies of part 1 and part 2 of the 1963 hearings of the Joint Committee on Atomic Energy on the "Development, Growth, and State of the Atomic Energy Industry."

APPROPRIATIONS FOR TREASURY AND POST OFFICE DEPARTMENTS, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES FOR FISCAL YEAR 1964, AND FOR OTHER PURPOSES

Mr. GARY. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight, May 28, 1963, to file a conference report on the bill, H.R. 5366, making appropriations for the Treasury and the Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year 1964, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

POULTRY HEARINGS BEFORE THE COMMITTEE ON AGRICULTURE

Mr. HAGAN of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HAGAN of Georgia. Mr. Speaker, as chairman of the newly created Poultry Subcommittee of the House Committee on Agriculture, I take pleasure in announcing that on tomorrow Secretary of Agriculture Orville L. Freeman will testify at the first meeting of this newly created subcommittee on conditions and problems of the poultry industry; that is, tomorrow, Wednesday, May 29, and his testimony is expected to deal specifically with the difficulty of delivering poultry into the European Common Market area.

Mr. Speaker, the Secretary will be the only witness at this 1-day hearing, and no other legislation will be taken up at that time. The hearing will open at 10 a.m. in the Committee on Agriculture, room 1310, New House Office Building, and as chairman of the subcommittee I would like to extend a special invitation to all Members of the House, particularly those Members representing the poultry-producing districts and States.

Mr. Speaker, Secretary Freeman, I think will have some important information to give this committee and the poultry industry tomorrow on the eve of the beginning of further negotiations with the ministers of the European Common Market.

The loss of our poultry markets in the European Common Market area is of vital interest to the poultry industry of the United States. I think that many Members of both the House and Senate will want to be on hand to hear what Secretary Freeman has to say with respect to this situation and our country's policy in relation thereto.

Chairman HAROLD D. COOLEY of the Committee on Agriculture, upon announcing the creation of the Poultry Subcommittee, said:

> The poultry industry has become so important in the Nation's economy that its welfare and prosperity should have the undivided attention of a special subcommittee of our Committee on Agriculture.

Members of the subcommittee, in addition to Chairman HAGAN, are Representatives THOMAS G. ABERNETHY, of Mississippi; WATKINS M. ABBITT, of Virginia; ROBERT L. LEGGETT, of California; JAMES H. MORRISON, of Louisiana; PAUL B. DAGUE, of Pennsylvania; CLIFFORD G. MCINTIRE, of Maine; and CATHERINE MAY, of Washington.

Mr. Speaker, we request and especially invite each and every interested Member of the House to be there.

ARMENIAN INDEPENDENCE DAY

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, of all the world's peoples who have maintained their faith, integrity of culture and aspirations, the people of Armenia most surely deserve first rank. Their determination to survive through the ages in the face of powerful and brutal forces determined upon their annihilation is truly remarkable.

Today, May 28, 1963, is the 45th anniversary of one of the outstanding events in the long fight of the Armenian people for survival—it is Armenian Independence Day. On this day in 1918, the Armenian people arose out of five centuries of servitude, oppression, and massacre, turned upon their oppressors, and, as a friend of the United States and its allies in World War I, defeated our then enemy, Turkey, in battle, thus creating the Independent Republic of Armenia.

This resolute action was of inestimable benefit to the United States and its allies and undoubtedly saved many of our lives, for the Armenian stand barred the determined drive of Turco-German forces bent on securing the oil of Baku for the Central Powers on the European front, where the American Armies stood. It also established a democratic government allied to the West, which was quickly recognized by the United States.

It is to our shame that in 1920 we permitted this fledging friend, surrounded by enemies, to become the first victim of Soviet military aggression in the pattern of Communist imperialism which subsequently swallowed other nations and has led to most of our troubles today. Perhaps a resolute stand then, as we later stood in Korea, and as we are standing today in Berlin and in Vietnam, could have discouraged such Communist aggression and would have been decisive in containing communism and in changing the course of world history.

The history of the Armenian people is traced back seven centuries before Christ. In ancient times the nation enjoyed glorious status as an empire, but, situated at the crossroads of civilization, it was repeatedly invaded and overrun by the mighty forces of Rome and Persia, locked in death struggles for supremacy. Through subsequent centuries Armenia alternated between periods of national unity and oppression by Arab or Turkish conquerors, but for 2,600 years has preserved its faith, its ethnic integrity and its deeply rooted aspirations for statehood, independence and freedom.

The extreme sufferings of the Armenian people under brutal determination to destroy them are without parallel in history. Literally millions were killed in repeated massacres. No small part of the motivation for these efforts to annihilate the Armenians as a race arose from the fact that they constituted an island of Christianity in a hostile sea of Islamic rulers. Clinging tenaciously to their faith from the most ancient Christian times, the Armenians fought with Christian Europe against Islam through the Crusades. Even as the martyrs, Armenians have chosen to die rather than to renounce their spiritual principles.

In the past half century, half the Armenian nation has been killed in massacres, and a great many of the remaining people have escaped with their lives only through flight, tragic migrations which have separated families and left thousands in abject poverty and suffering, continued persecution in unfriendly surroundings. Many more have been swallowed in the fake Communist "republic" of Armenia, again suffering the persecution of atheist masters and the oppression of Soviet might. The tragedy of these valiant people continues.

In another sense, the tragedy of Armenia has enriched the world, for the dispersion of the Armenian people through the Western nations and, notably here in the United States, has added a noble and steadfast thread of culture to the fabric of our national life. These are fine, hard-working, patriotic, and loyal people with a heritage of faith and endurance, a pattern of survival we need and welcome. Ironic as it may seem, Armenia has given the world a heritage its motherland has not been able to realize permanently.

It is fitting, I think, that I rise today to pay tribute to the Armenian people, for I represent the city of Fresno and Fresno County, Calif., where it has been our great good fortune to have many Armenians settle, and where they and their sons and daughters into the third and fourth generation contribute to our culture, our community life and welfare and our rich agricultural economy. In speaking to you today, I am speaking also to them and to their kinsmen and friends scattered through our country and the nations of the world. To them, on behalf of my community and Nation, I want to express our gratitude.

Let us then pause for this moment in America's affairs to pay tribute to a noble sister people, to recognize and commend and support the realization of their national purposes, to commemorate Armenian Independence Day, and to express a welcome and a "well done" to those many persons of Armenian ancestry who are an important part of our own national life.

Mr. McINTIRE. Mr. Speaker, on this day which commemorates the 45th anniversary of Armenian independence, I want to join with my colleagues and the freedom-loving peoples across the world in paying tribute to this small country in the far southeast corner of Eastern Europe.

Fired with patriotism like only people who have lost their liberty can be, the meager Armenian forces fought their way to freedom against overwhelming odds and established a climate for the proclamation of a free and democratic Armenian Republic on May 28, 1918.

Although Armenian independence was short lived, her victory as well as her ultimate defeat can be a lesson to the free world. The words of Yeghise

Charentz, a foremost modern Armenian poet of this century, are a reminder and an inspiration to his countrymen: "O, Armenian people, your salvation is in your collective strength." But these words can also serve as a message to all men who value freedom—the only salvation of the free world is in its collective strength.

Mr. TUPPER. Mr. Speaker, May 28 marks the 45th anniversary of the founding of the Armenian Independent Republic, the first victim of Soviet expansion.

Many Americans of Armenian ancestry have been active in the movement to establish a special House Committee on Captive Nations, believing that such a committee could explore the true nature of the problems involved in relation to the security of the free world. Certainly all Americans of whatever extraction join them in the hope that freedom will again be restored to the Armenian nation.

I think my colleagues in the House will be interested in a speech prepared by a member of the Maine State Legislature, Hon. Herman der Sahagian of Belgrade, Maine, for delivery today in the Maine House of Representatives:

I am distributing this to bring to mind the heroism of the people from whom I proudly derive my parentage—the Armenian nation. You will forgive me for doing this because during these days our Armenian-American neighbors nationwide are commemorating the 45th anniversary of the founding of the Armenian Independent Republic on May 28, 1918, and are taking inspiration from that event for the grim struggle of reliberation which again faces these brave people.

To peer back into history in this regard would be instructive.

In 1915, exploited, abused and persecuted, the Armenian nation, chattels of the Ottoman Turk from 1375, were dealt what was meant to be a final blow by their oppressors. In perhaps the fiercest genocidal operation mankind has seen, the Turks systematically put the Armenians to the sword, sacrificing more than 1,500,000 innocent victims to their militant gods.

But the nation that suffered this terrible blow which destroyed almost overnight the flower of the nation refused to curl up and die and here is the story from which we take hope, instruction and inspiration.

In 1917, Germany's ally, Turkey, was in a grim war for survival against the armies of Tsarist Russia. With the Russian Army were Armenian contingents recruited from all over the world—young men who had returned to the parental homeland to requite a measure of revenge for what the Turk had done to their compatriots.

When the Communist revolution erupted in Russia, Lenin, leader of the victorious Bolsheviki, immediately withdrew the Russian military units from all fronts. In Turkey the vast strategic Caucasian front, of such enormous interest to the Allied powers which had been lately joined by the United States, was denuded of Russian contingents.

The Armenian units however refused to disband. Led by the great Dashnakstakan party, the anti-Communist Armenian Revolutionary Federation, these units were molded into a hard-hitting, well-led army. Although enormously outnumbered by the Turco-German force that faced it, the Armenian Army skillfully waged a withdrawal of attrition until on May 20–28, in a series of battles fought in eastern Armenia and on terms dictated by the tactical prowess of the American forces, the Turkish Army was thrown into a final and precipitous rout.

The Armenian nation, having defeated its age-old enemy on the honorable field of battle, immediately declared itself a free and sovereign nation thus giving Armenia its first native free civil government since 1375.

If the mighty battles in eastern Armenia fought by David against Goliath are not sufficiently instructive and inspirational what then can we say for the astonishing fact that here was a nation, which in 1915 had lost more than a quarter of its whole, that rebounded from the shadow of the grave to field an army and but 3 short years later met its enemy and defeated him so thoroughly as to constrain the Turk to be the first of all nations to recognize the independence of Armenia.

Often, when I recall the glorious achievement of May 28, 1918, I ask myself why is it that there are some people in these mighty United States who are so craven as to indicate some fear of the Soviet. I ask my distinguished colleagues to note that the event of the establishment of the Independent Republic of Armenia was not without its direct impact on the safety and security of the free world and on the ultimate victory of the United States and its Allies in World War I.

Early in that war, well aware of the strategic importance of the Armenian front as well as the priceless natural resources which would be made available to the central powers should that area fall to their forces, Germany dispatched to Turkey one of the most brilliant of its Prussian generals, Liman von Sanders, to lead the Turkish forces to the gates of the Caucasus. The Turkish Army, led by its German officers, would have achieved its objectives if the young Armenian manhood had withdrawn from the front along with the Russians in 1917. Instead, in defeating the Turks, the Armenians (referred to by President Wilson as the "Little Ally" of the Allies) prevented the Turks from seizing the oil fields of Baku, an event which, in the testimony of Generals Ludendorff and Von Sanders as well as such Allied leaders as Clemenceau, Generals Haig and Allenby and General Pershing, prevented needed petroleum from reaching the Kaiser's armies in Europe thus materially shortening the war and ensuring the Allied victory in that great conflict.

It distresses me to report, however, that the free Armenian state, which was almost immediately recognized by the United States, 2 years later was to fall the first victim of Soviet Communist aggression. The Red army destroyed the sovereignty of mighty little Armenia as the Western Powers twiddled their thumbs and tried to straighten out their little family quarrels. The sum total of this shortsightedness is that Armenia, instead of being a strong and resolute ally of the West facing the Soviet Union, is today a part of that Soviet Union, fettered, chained, restless and in bondage—one of the tragic group of "captive nations" of communism.

Mr. COLLIER. Mr. Speaker, in the years during which World War I was fought, the world experienced a series of chaotic and disruptive upheavals. The two decisive events which most affected the people of Eastern Europe and the Near East were the Russian Revolution and the dismemberment of the Ottoman Empire. From the ruins of these two colossi there arose numerous states composed of national and ethnic groups, long held in servitude and subjection. Armenia was one of these nations to declare its sovereignty and independence, not only from Russian rule, but also from Turkish domination; for the Armenian homeland embraced an area partially located in Turkey, partially in Russia.

The Armenians' claim to this region near the Black Sea and Mount Ararat of Biblical renown was justifiable, since the first of their race had settled here 600 years before Christ. Throughout its turbulent history, this ancient kingdom played the role of the buffer state. When the nation converted to Christianity during the fourth century, its people became the logical intermediaries of commerce between Moslem East and Christian West. From their trading, the people developed a country described by travelers as a "smiling land." During its golden age under the Bagratid dynasty, Ani, the capital, was considered an architectural jewel, with massive walls, palace, and vaulted cathedral. The ending of this glory was swift, however. Overrun by barbarian tribes from Central Asia, Armenia sank into obscurity, a name remembered and recorded only in histories.

However, the Armenian people lived on in their homeland. Upon their glorious past, their traditions, religion, and their aspirations, they built the new Armenian Republic of the 20th century. On May 28, 1918, its council declared their homeland to be free and sovereign and looked to the world to recognize their claims. The chaotic war years which afforded them independence, though, also brought about their downfall. This shortlived nation struggled valiantly against the encroaching Turkish and Russian military might, but to no avail. During the peace conferences following the war, Armenian representatives had appealed for recognition to the world community and by the 1920 Treaty of Sevres, recognition for an Armenian state was granted. But before the provisions of the treaty could be fulfilled, Armenia had fallen. By December of 1920, the government capitulated to the inevitable. Once again Armenia became a name, this time, though, not to be forgotten.

During the preceding centuries, Armenians had migrated by the thousands along the trade streams of the world to establish business communities. In every commercial center, be it Hong Kong, Calcutta, London, or Buenos Aires, their presence is felt and respected. It is through these migrants that the spirit of liberty for their homeland has been kept alive.

Sympathy in the United States for an Armenian nation has grown steadily through the years. President Woodrow Wilson, at the Versailles conference, appealed strongly for an independent State and exerted much effort to realize this hope. His plans, unfortunately, bore no lasting result. The approximate 150,000 Armenian community in the United States, however, has continued to foster interest and sympathy for their cause. We who have been raised to believe in the principle of self-determination must recognize the plight of their relatives and friends who remain behind the Iron Curtain in the old homeland and who continue to hope that one day their nation will be free again. As Armenians everywhere celebrate the 45th anniversary of the founding of the independent Republic of Armenia, let us join with them in this commemoration and extend to them the wish that their homeland may once more join the world community as a sovereign and free republic.

Mr. McCORMACK. Mr. Speaker, throughout history, one cannot deny the importance of the Armenian in world civilizations. A vizier of Egypt or chief minister of the Ottoman Empire, an architect of Istanbul or a philanthropist of New York, the people of this distinctive race have left a most favorable impact. They have a distinctive way of thinking; sound and constructive.

This way of thinking originated when Armenia was once an indispendable buffer state between the Byzantine and Persian empires and remained so throughout its turbulent history. During the early period of its existence as an important Christian nation, it was regarded as one of the most enlightened kingdoms of Asia. Ani, the capital, with its vaulted cathedral and double walls, was looked upon as an architectural jewel. Yet, because of its strategic location between the Black and Caspian Seas, its existence was always precarious. When the Seljuks overran the kingdom in the 11th century, it became, thereafter a province or satrapy of Persia, Turkey, or Russia, depending upon treaties and military prowess.

The Armenian people, though, lived with the hope of once more being able to govern themselves. The advent of World War I and the subsequent deterioration of the Ottoman Empire and the fall of the Russian Czar enabled those living in the area designated as Armenia to establish on May 28, 1918, an independent Republic. To these people who had suffered massacres and mass deportations, this proclamation seemed to be their salvation.

During the peace conference following the World War, Woodrow Wilson took an active part in the establishment of this small but proud country. There was present an Armenian representative to voice his opinion with regard to his nation. Furthermore, by the Treaty of Sevres, Armenia was recognized as a free and independent state.

Unfortunately, the Republic was short lived. In September 1920, the Turks attacked and took what they claimed was rightfully theirs, Russia followed suit in December of that year, overrunning what was not governed by the Turks. Turkish Armenia was incorporated directly into the state while Russian Armenia became a part of the Transcaucasian Soviet Federated Socialist Republic, later joining the U.S.S.R. as a constituent Republic.

The Armenians who remain in Russia continue to press for autonomy. While their prospects at present are slim, their hopes are high. The 750,000 Armenians who live abroad help to keep alive the spirit of an independent homeland by celebrating the establishment of the Republic on May 28. We in America who believe in the principle of self-determination for national groups, honor the Armenians by commemorating this important date and extend to them the hope that soon their homeland will have a government of their own choice. A government of law in accordance with their history and culture.

Mr. PHILBIN. I am highly privileged, Mr. Speaker, to support my distinguished colleagues in this fitting tribute to mark the 45th anniversary of Armenian independence day.

The strong, hard working, and brave peoples of Armenia have for centuries shown their determination to maintain a separate entity in spite of foreign control over their territory, even their very lives. Romans, Persians, Turks, Russians, all have marched through the rough terrain of the Armenian mountains, have pillaged its rich agricultural valleys, but have been unable to keep down the fierce and independent spirit of the Armenian peoples.

Let me say that it is with great pleasure that I join with my friends and colleagues in the House in praising the loyalty and courage of this great people. The Armenian people have been fighting the battle for freedom for centuries with great tenacity and courage.

Forty-five years ago this day, as the great war in Europe was drawing to its close, opportunity came for the Armenian peoples to achieve that greatest of all political rights, independence. The suzerain power over the Armenians, Turkey, was being defeated in battle by the allies of Western Europe, and the other powerful neighbor, Russia, was reeling under revolution. Acting quickly and with determination, the Armenian peasant army three times fought off a demoralized Turkish force, and with their eventual victory, declared themselves independent on May 28, 1918.

Never, I believe, have the obstacles facing any new country been as great as those facing the Armenians during that war time May in 1918. Yet, nothing daunted, the leaders of the Patriotic Movement started a government going, in spite of a lack of funds, lack of trained public servants, no capital city, and the destruction of war all around.

The slowly emerging government received impetus from American Relief Fund aid, and from the positive support from Armenian communities throughout the world, as well as the arrival of government employees, artisans, teachers, laborers, Armenians by birth of background—they came to contribute their talents to the creation of an Armenian homeland. Within a year after its founding, a stable nation was slowly emerging. However, it was to be an unfortunate fact of history that, even with the Treaty of Sevres in August 1920, which established the legitimacy of the Republic, this independence could not be preserved.

Strength began to return to the two powerful nations surrounding Armenia—Russia and Turkey. Both had undergone revolutions that had increased their determination to regain territory lost during the war period. First, the Turkish armies, then the Soviet armies marched into weakly defended Armenia, soon bringing the downfall of the new country.

Liberty loving and devoted to the pursuits of peace, this noble people became the victims of unwarranted aggression and tyranny. First, it had been the Turks and now it was the Soviets who terrorized and ravished the Armenian nation. The exploits of the Armenian people against these cruel, overwhelming enemies were and are among the brightest in the annals of mankind's age-old battle against tyranny, oppression and dictatorship.

Let it be known that their fight was not in vain. The first victims of Soviet imperialism, the heroic resistance of the Armenian people to foreign domination has been an inspiration to all. In fact, the Armenian nation furnished the first instance when an outraged people rebelled against the chains of slavery and the yoke of Soviet tyranny. It was on February 18, 1921, that the citizens and peasants of little Armenia rose in revolt and drove the Communists out of the country to restore their former democratic republic. However, with the return of overwhelming Communist forces in August, 1921, Armenian resistance came to an end.

But, Mr. Speaker, there has never been an end to the hopes and dreams of the Armenian people for independence. Let us today assure the Armenian patriots, both behind the iron curtain and in the free world, of our continued support in their efforts to see again, soon, a free and independent Armenian homeland.

It is appropriate today that we should pledge to all small nations suffering under the yoke of tyranny and oppression our unyielding determination to restore freedom to these unhappy lands. In these tributes by the House today, let it be known by the great historic Armenian people and all oppressed peoples the fight for freedom is our fight because it is the fight for liberty, democracy, justice, morality, and human decency. It is the fight for every precious value of the free world and the free way of life.

So, today, in the name of freedom, let us reiterate our loyalty to the sacred cause of liberty. Let us express our determination that Armenia will be liberated from the oppressor so that she may take her place among free nations of the world.

Mr. FARBSTEIN. Mr. Speaker, the Armenians are one of the oldest people in the ancient Near East and in known history. They can trace their national origin some 3,000 years. In their ancient homeland, the traditional Garden of Eden nestled under the towering Mount Ararat, they maintained their independence centuries before the discovery of America. And when Asiatic invaders put an end to their national independence, they managed to maintain their communal and spiritual independence wherever they happened to be. In the meantime Armenia was ravaged, ruined and divided among its conquerors. During that time Armenians lived under alien regimes in their homeland but kept alive the hope of regaining their ancient freedom. In the course of centuries they endured all kinds of hardships and suffered a great deal. Early in World War I wholesale massacres perpetrated by the Turks came perilously close to exterminating them. At the end of that war, however, the surviving Armenians proclaimed their national independence.

That was on May 28, 1918. That proclamation signified the rebirth of a nation which had lost its independence more than 500 years earlier. The President of the United States, Woodrow Wilson, undertook to draw the boundaries of the new state, and at the time that seemed a good omen. But neither his official act nor all the good wishes of the world could save the new state from its foes. Late in 1920 it was attacked by Turkish nationalists and Russian Communists, and its fate was sealed early in December of that year. Since then, for more than 42 years, Armenia has been part of the Soviet Union, and the Armenians have been lost in that veritable prison of nationalities. Today, on the 45th anniversary celebration of Armenian Independence Day, we all hope that the Armenian people again attain their goal and live in peace in their historic homeland.

Mr. PRICE. Mr. Speaker, today marks the 45th anniversary of Armenian Independence Day.

The Armenian Republic, created on May 28, 1918, was within the short time of 2 years the first victim of Soviet military aggression.

By 1920, the Armenian Republic had made great strides. It had established a popular government through a national democratic election—the first of its kind ever held in Asia Minor. A healthy economy and excellent future national prospects were developing when the tentacles of the Communist forces began to engulf the new nation. The country was taken over and has remained since under the Red yoke.

Armenian Americans today celebrate Armenian Independence Day, in order to remind the world of the heroism of their forebears, and to bring hope and comfort to their compatriots who are suffering restively the heavy bonds of Communist tyranny.

Mr. HALPERN. Mr. Speaker, out of war and its devastation comes hope for a better future, with peace and freedom in which a nation can grow. For a few brief months, after years of oppressive domination from outside influences, the people of Armenia believed that out of the horror of the First World War might come their opportunity for peace in which to develop as an independent nation.

Rule over the area in which the Armenians lived was divided between Russia and Turkey, both of which fought as enemies during the 1914–18 war. Each of these nations tried to gain support of the Armenian people for their cause, but without success. The resultant slaughter of these brave people, who refused to be forced to war, galvanized resistance among the Armenians to any further foreign domination.

The fortunes of war turned, as Russia was overtaken by revolution and Turkey met continuing defeat at the hands of Allied armies, further weakening the crumbling government of the "sick man of Europe." Taking advantage of this weakness in both of their powerful neighbors, the liberty-loving Armenians rose up against their persecutors. They fought off three Turkish armies, and, with their victory, declared an independent Armenia on May 28, 1918. The country had no capital, no civil service, no money in the treasury, but there was a will and determination to succeed.

The first enemy to face the new state was famine, as refugees poured into the little country, looking for peace and rescue from the fighting going on around them. Thanks to expeditious aid from the American Relief Association, and other charitable organizations, the suffering was alleviated, and stabilizing influences began to exert themselves in the country. From all over the world those of Armenian birth and background returned to their homeland to lend a hand in the nation's development. Their efforts as well as the efforts of their leaders of the independence movement within the country, brought order out of chaos, giving to the country a stable government within 1 year of its founding. Diplomatic representatives were exchanged and an efficient government was in operation.

It was not until 2 years after their declaration of independence that the sovereignty of the country was recognized, by the Treaty of Sevres of August 1920. However, it is a sad fact of history that this treaty was never enforced. In both Turkey and Russia there had been revolutions that had overthrown weak governments, one through force by communism, the other through defeat in war. First, rejuvenated Turkey was determined to regain her lost Armenian provinces and, when under Mustafa Kemel, known to history as Kemel Ataturk, her armies invaded old Turkish Armenia they met with success. To this defeat of Armenian aspirations Soviet Russia added the final blow by recovering Russian Armenia through force of arms. The former allied powers of Europe were unable and unwilling to come to the aid of the Armenians—their short-lived independence died, mixed with the blood of heroic resistance fighters, on December 2, 1920.

Yet, again I say, that out of war and destruction comes hope. The Armenian people of the world have not given up this quality of hope for the eventual freedom of their beloved country and peoples. We in this country join in this hope and today remember the brave Armenian peoples under foreign domination in their homeland, and their continuing struggle for the political freedom in the determination of their own destiny.

Mr. BOLAND. Mr. Speaker, the Armenians have been among the most persecuted of all peoples throughout known history, and they have suffered most in their historic homeland under conquering alien oppressors. They had lost their national independence more than a century before Columbus discovered America, and most of them had been living in dispersion for many centuries. Their native land was divided among their three neighbors—the Ottoman Turks, the Persians, and the Russians. In suffering under the domination of all these powers they hoped to find their national salvation. During all that time they steadfastly clung to their national traditions: their Christian faith, their native language, and their aspirations. The more they were oppressed, the more firmly they were resolved to cling to these ideals, and hoped that someday their freedom would come. And at last that day came at the end of the First World War, though only after a terrible carnage that almost cost them their national existence.

During that war most of the Armenians in the Asiatic provinces of the Ottoman Empire—in historic Armenia—were deported and massacred. In this holocaust, about 1 million Armenians lost their lives, and several hundred thousands of the survivors escaped to the Caucasus, the northern part of Armenia. There they felt free. They took their destiny into their hands and proclaimed their national independence. That was on May 28, 1918.

At the time the country was still waging war against the Turks, and its population consisted mostly of refugees. Under such difficult circumstances, the independence of the new state was most precarious. In the midst of insurmountable difficulties the leaders of the new state struggled hard and managed to carry on for more than 2 years. But the rising Turkish nationalist state and Soviet Russia were both determined to annihilate it. Late in the fall of 1920 the Armenian Republic was attacked both by the Turks and the Soviet forces. In a few weeks it was overrun, and by early December the Armenian Republic was divided between the two, and its independence came to an end. That was more than 42 years ago.

Today there is the Soviet Socialist Armenian Republic within the Soviet Union, and that is the only shadow left of the short-lived independent Armenian Republic. But the Armenian people there, detesting Communist totalitarian dictatorship, pray for the day when that regime will be overthrown and they can regain their freedom. We all join them in that prayer on the 45th anniversary of the Armenian Independence Day.

Mr. DERWINSKI. Mr. Speaker, on May 28, 1918, the people of Armenia proclaimed their independence from Soviet and Turkish domination and united their forces in an attempt to maintain a free Armenia. The fortunes of war, the indifference of World War I Allied Powers and their statesmen prevented the Armenian people from achieving this goal.

As we commemorate the 45th anniversary of Armenian Independence Day, we find it especially appropriate in view of recent developments within the Soviet Union.

Recently, the Soviet Armenian press has acknowledged the consolidation of the Communist Parties of the three Republics of the Caucasian district into a single bureau centered in Baku, Soviet Azerbaijan.

The April 26 issue of the Yerevan publication Krakan Tert in a three-page article calling for a vigorous struggle against all affectations of nationalism in the Transcaucasian Soviet-held states, acknowledges the establishment of the Transcaucasian Bureau of the Communist Party of the U.S.S.R. to supervise party work in Soviet Armenia and Soviet Georgia.

The article screamed that all efforts must be made to kill all manifestations of national spirit in the Republics, and that these efforts must be channeled into the language and racial fields in the interests of Leninist internationalism.

It also called for an outright war on the remnants of religion and the creation of atheism as a universal truth.

It is known that the new party bureau, the establishment of which wrests from Armenian hands even the modicum of responsibilities hitherto held in reference to party work in Soviet Armenia, is headed by a Russian from Moscow, a G. N. Bochkarev, formerly a petty official in the capital city of the Russian empire.

Consolidation of the trans-Caucasian parties is another step forward in the continuing Soviet drive to destroy nation identities in the Soviet Union, and to russify the empire.

It is clear, Mr. Speaker, that the Armenian people are suffering under as great oppression today under Soviet misrule as they have at any time in their centuries of subjugation to various foreign dominations.

It is especially important to note that Americans of Armenian extraction have been particularly vigorous in urging the creation of a special House Committee on the Captive Nations, recognizing the practical contribution such a committee would make to exposing Soviet colonialism over Armenia and neighboring countries in the Soviet Union.

I salute the brave Armenian people on this anniversary of their independence and urge them to maintain their faith and hope in the legitimate restoration of independence and freedom to the Armenian people.

Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks on the subject of Armenian Independence Day at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SUBCOMMITTEE OF HOUSE SMALL BUSINESS COMMITTEE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that a subcommittee of the House Small Business Committee have permission to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DISCHARGE PETITION ON MEDICARE

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, I have today taken what I consider a step to insure the processes of democracy for the U.S. House of Representatives. I have filed a discharge petition to bring up for a vote the bill to provide hospital care for the aged through the social security system.

This is a bigger question than whether or not the hospital care bill should be enacted. The question is whether or not the duly elected representatives of the people of the United States should have the right to vote on one of the dominant issues of our times.

I waited for 2 years in the 87th Congress and 5 months during the current 88th Congress for the matter to be brought to the floor. I do not feel that I can in good conscience wait any longer. If a majority of my colleagues join me in signing my discharge petition, the measure must come up for a vote so that the Members of the House of Representatives can record their votes.

What I have done cannot help me politically. Having won in 1962 by a comfortable majority, it is no doubt wiser from a political point of view to content myself with shaking hands and doing favors for my constituents. I did not, however, run for Congress in order to do the politic thing. I ran because I passionately am committed to the concept of democracy, and I believe that I am strengthening democracy in America by my action.

I believe that advocates and opponents of the measure alike should be willing to sign the petition so that they can stand up and be counted on this bill.

URGENT NEED FOR CIVIL RIGHTS BILL—CELLER COUNTERS POWELL

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, we are facing a crisis in Negro-white relations. The civil rights struggle is coming to a head—a tragic head. Birmingham and Oxford are symptomatic of the dangers we face unless we act and take control of the freedom movement, which is getting into the hands of extremists.

Patience is finite. Negroes have waited long. Smoldering flames are shooting forth in parts of our fair land.

Token relief and pseudomeasures of reform will not stem a rising tide of wrath among 20 million. The present rate of change is too slow. This freedom movement is being led by a new type of Negro. He is better educated, he now has more money and more political power than heretofore. He will use these assets to secure his rights.

Negro emancipation has reached a point where every white citizen must search his conscience and ask, "What am I doing to bring justice to the Negro?" The answer is mainly in the negative.

Our colleague, ADAM CLAYTON POWELL, with unbecoming language said "the white man is scared." The white man is far from scared. He is however, becoming aroused from his apathy and seeing some of the errors of his inaction. He is realizing that relief is not fast enough.

We must immediately address ourselves to passing constructive legislation. Civil rights hearings are now proceeding before the Subcommittee of the House Judiciary Committee. They started May 8. They will definitely terminate June 13. Those seeking to testify must do so before that date. Otherwise, their statements will only be received for insertion in the record.

I shall brook no delays. I hope to present a committee bill directly after June 13 because I believe that time is of the essence.

PUBLIC LAW 78

Mr. ROSENTHAL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, defeat of H.R. 5497 should by no means be a partisan matter. Members of both parties should think twice about routinely approving the sixth extension of Public Law 78, which is a temporary statute that is apparently about as temporary as some of these temporary Government buildings that blight the Washington landscape.

Regardless of party, Members should consider very carefully the extent to which the great State of California, which is the principal beneficiary of Public Law 78, actually is in need of this traffic in human beings.

Consider for a moment, if you will, the manifest prosperity of the State of California. It surpasses my State of New York in retail trade. Almost twice as many new homes were built last year in California as in New York, and California led in all construction activity. California has more Federal employees than any other State—even more than there are here in the District of Columbia, the seat of the Government.

California gets about one-fourth of the prime defense contracts, in dollar value, as well as 25 percent of the space program. It gets more than 40 percent of the Federal research and development funds.

The value of farm production in California exceeds that of any other State. It is almost three-quarters of a billion dollars ahead of the great State of Iowa, its nearest competitor in terms of value of annual farm output. And what sustains this enormous farm productivity, this tremendous and commendable prosperity throughout the California economy? Can it actually be the indentured foreign labor, as we are told? Must the State that in many, many ways is the most prosperous in the Nation depend upon imported workers?

Secretary of Labor Wirtz testified before the Committee on Agriculture to the effect that 127,000 Mexican laborers had been imported into California under this statute last year, at a time when 395,000 American citizens in that State were unemployed. Now, would it not increase California's prosperity even further to let this law expire and give these jobs to Californians? Would it not increase the prosperity of all the other States that are using imported labor to let this law die, and increase the number of jobs for American workers, and cut the number on the unemployment rolls and the relief rolls? Is this not a way to expand prosperity without spending a cent of tax funds?

At this point in the RECORD I include a copy of a letter I have received from the Reverend James L. Vizzard, S.J., director of the Washington office of the National Catholic Rural Life Conference; and a copy of another letter received from Rev. Cameron P. Hall, executive director of the National Council of the Churches of Christ in the U.S.A., together with a copy of a resolution adopted in February of 1960 by the general board of the National Council of the Churches of Christ in the U.S.A. regarding the importation of agricultural workers from Mexico into these United States. These letters are in absolute opposition to the continuation of this Mexican farm labor program, and the views contained therein are representative of many of the major religious groups in our country:

NATIONAL CATHOLIC RURAL LIFE CONFERENCE,
Washington, D. C., May 24, 1963.

Hon. BENJAMIN S. ROSENTHAL,
House of Representatives,
Washington, D.C.

DEAR MR. ROSENTHAL: You undoubtedly know that for many years the National Catholic Rural Life Conference and many other national Catholic organizations have been urging that this Nation finally face up to the requirements of justice and decency in dealing with the urgent human needs of migratory farmworkers.

One of the most important factors contributing to the persistent underemployment and poverty of our citizen workers has been the importation each year of hundreds of thousands of Mexican citizens brought here for seasonal farmwork under Public Law 78.

There may have been periods—during wartime for instance—when braceros were needed to work our fields and pick our crops. But today when countless numbers of our own citizens find farm jobs few and far between, when the average migrant finds less than 130 days of work a year for a yearly income of less than $1,000, it seems incredible that we should continue to import masses of directly competing workers from Mexico.

The National Catholic Rural Life Conference, therefore, pleads most earnestly with you to vote against the proposed 2-year extension. Your "No" vote on H.R. 5479, which is soon to come to the floor, will be a vote to remove one of the most intolerable injustices against the poorest of American citizens.

I hope that we can count on you.

Very sincerely yours,
REV. JAMES L. VIZZARD, S. J.

NATIONAL COUNCIL OF THE
CHURCHES OF CHRIST IN THE U.S.A.,
New York, N.Y., May 27, 1963.

Hon. BENJAMIN S. ROSENTHAL,
House of Representatives,
Washington, D.C.

DEAR MR. ROSENTHAL: I enclose a statement of the General Board of the National Council of Churches entitled, "Resolution Regarding the Future of the Mexican Agricultural Worker Importation Program (Public Law 78, 82d Cong.)."

This resolution, adopted in February 1960, reflects the long experience of the National Council of Churches through its ministry to migrants. This led us to the conviction that the Mexican farmworker importation program, introduced as a wartime emergency measure and continued year after year long after the emergency had ceased, should be gradually eliminated during a specified phaseout period.

Since that time the widespread introduction of mechanization has resulted in an automatic phaseout process in which the number of braceros brought into the country has decreased each year. This fact, together with the widespread and increasing unemployment among both farm and other workers in this country, has reenforced the conviction that the importation program should not be again extended.

I am sending this to you for your information on a matter of public interest before the Congress at this time. We believe you will be interested to know of the principles relating to this issue adopted by this body of men and women from our churches and the accompanying brief statement of reasons therefor.

Sincerely yours,
CAMERON P. HALL.

RESOLUTION REGARDING THE FUTURE OF THE MEXICAN AGRICULTURAL WORKER IMPORTATION PROGRAM (PUBLIC LAW 78, 82D CONG.) ADOPTED BY THE GENERAL BOARD OF THE NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE UNITED STATES OF AMERICA, FEBRUARY 25, 1960

Whereas Public Law 78 (82d Cong.) providing for the importation of agricultural workers from the Republic of Mexico will expire on June 30, 1961, unless extended by Congress; and

Whereas the present practice of our Government in authorizing the importation of Mexican nationals for agricultural labor in the United States involves human and ethical issues of grave concern to the conscience of Christian people; namely, (a) the importation program has injurious effects on the family and community life both of the Mexican nationals who are imported and of the domestic workers who, because of the presence of Mexican nationals, are deprived of employment or find it necessary to migrate in search of employment; (b) importation tends to produce a labor surplus thereby depressing wages and labor standards for domestic agricultural workers; and even if the United States has failed to make the necessary adjustments to enable all farmers to secure an equitable share of the national income there is no moral justification for perpetuation of substandard wages for agricultural labor; and

Whereas the general board of the National Council of Churches has, from time to time, adopted policy positions which are relevant to this situation:[1] Therefore be it

Resolved, That the general board of the National Council of the Churches of Christ in the United States of America is opposed to the extension of Public Law 78 (82d Cong.) in its present form; but, to avoid hardships on employers and workers who have come to rely on this program, we approve the extension of the farm labor importation program (Public Law 78) in amended form for a temporary period with a specific date of final termination with definite provisions for annual reductions in volume written into the act;

Furthermore, even for this period of transition, we recommend that amendments be adopted designed to bring about the following improvements in the legislation: (a) Limitation of the program to temporary labor shortage situations and to unskilled, nonmachine jobs; (b) assurance that diligent efforts have been made by both employers and the Bureau of Employment Security of the Department of Labor to recruit domestic labor at a wage adequate for health and welfare before any certification of need for Mexican nationals is made by the Department; (c) removal of the "certification of need" procedures as fully as possible from undue local pressure by growers; (d) determination of prevailing wage rates for Mexican nationals by the Department of Labor at a level that will not depress wages which might be offered to domestic workers or prevent their seeking such employment; (e) inclusion in the law of specific provisions with respect to promulgation of rules and regulations by the Secretary of Labor which will insure observance of the intent of the law; and adequate provision for enforcement including authorization of sufficient inspection and enforcement personnel, and appropriate penalties for violations; (f) establishment of an appeal procedure available to growers or workers where findings of violation are made; be it further

Resolved, That in taking this position we recognize that certain other aspects of our national policy are intertwined with the operation of the Mexican importation program and that we recognize that a responsible policy which provides for early termination of that program must also come to grips with the following related issues: (a) The necessity of providing adequate enforcement of the immigration laws on the Mexican border to prevent resurgence of the vast influx of so-called "wetbacks" of a few years ago and strict interpretation of the provisions of the immigration laws so as to prevent circumvention of the termination of the Mexican importation program; (b) the readiness of the U.S. Government to develop, with the Mexican Government, such programs of economic and technical aid as may be required at least to offset any injury the Mexican economy may suffer from the termination of the Mexican importation program; be it further

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[1] Pertinent national council statements: (a) "We believe that churches should support measures intended to provide more effective utilization of domestic seasonal labor; the importation of foreign workers only when necessary to supplement the domestic labor supply, with adequate provision made for their welfare; the discouragement of the practices of importing foreign workers from economically depressed areas as a means of their rehabilitation, with emphasis instead on the encouragement of efforts such as the point 4 program"; (b) "a violation of the Christian concept of justice exists in the fact that wageworkers in agriculture are denied most of the legal and economic protections long accorded to wageworkers in industry." ("Ethical Goals for Agricultural Policy," statement by the general board, June 4, 1958.)

Resolved, That the general board authorize representatives of the National Council of Churches to testify at hearings in respect to Public Law 78 (82d Cong.) along lines indicated above.

TERM OF OFFICE OF JOINT CHIEFS OF STAFF

Mr. **ARENDS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **ARENDS**. Mr. Speaker, yesterday the chairman of our Committee on Armed Services the gentleman from Georgia [Mr. VINSON] introduced a bill—H.R. 6600—to fix the term of office at 4 years for all the Joint Chiefs of Staff.

As ranking minority member of the committee I am today introducing an identical measure. My purpose is to show the unanimity on our committee as to the importance of our Joint Chiefs of Staff, responsible for our military plans and strategy, being able to express independent judgment on military matters without having to be concerned over his reappointment.

Existing law authorizes appointments up to a period of 4 years, except for the Commandant of the Marine Corps who must be appointed for 4 years. By fixing the term at 4 years we will have the benefit of the experience of each senior military member of his service that arises from continuity of service on the Joint Chiefs of Staff as the overall military planning body. We will also better insure against civilian dictation on matters strictly military. With a fixed 4 year term, with no right of reappointment, a Secretary of Defense will be less able to force his will on the Joint Chiefs of Staff and they will be less reluctant to express themselves frankly when so requested by our Committee on Armed Services, as well as our other committees of the Congress.

It must be borne in mind that under the Constitution the primary responsibility for the size, kind, and nature of national defense we shall have is vested in the Congress—not in the Secretary of Defense, not even in the President. It is accordingly of primary importance that the Congress be able to obtain from our chief military planners their frank and honest opinions without any coercion or fear of their military future from any Secretary of Defense.

With a fixed 4-year term, it will no longer be possible for a Secretary of Defense to place a "cloud" on a military officer's distinguished career by preventing his reappointment if the senior officer should not endorse the Secretary's views.

Of course, the members of the Joint Chiefs of Staff can at any time be replaced by the President. They serve at his pleasure. This is as it should be. He is Commander in Chief. Such drastic action as replacement by the President would inevitably be subject to the closest scrutiny by the Congress and the people. The reasons for the replacement would more or less automatically be laid bare when the Senate has before it the question of confirmation of the new appointee of the President.

I believe this proposed amendment to our National Security Act will strengthen our Joint Chiefs of Staff system as an independent body of our best military minds on whose judgment we should rely if we are to maintain national defense superiority. Of course, no law will be satisfactory unless it is administered in accordance with the intent of Congress. I am not at all sure the present Secretary of Defense cares what Congress intends. He and his civilian aids presume to know all the answers, military as well as economic.

NEWTON N. MINOW

Mr. **HARRIS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include two editorials.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. **HARRIS**. Mr. Speaker, it is traditional when public servants leave public office to include in the public record a statement regarding the achievements during their terms of office. It is with a mixture of regret and gratification that I am rising today in the well of the House to bid goodby and Godspeed to a very eminent public servant who is leaving public office on June 1, Mr. Newton N. Minow, Chairman of the Federal Communications Commission.

Mr. Minow assumed office on March 2, 1961, and thus has served slightly more than 2 years in that important office. Upon assuming office, Mr. Minow gave a speech which catapulated him into the public limelight. In that speech he characterized television as a "vast wasteland."

Being an astute public servant Mr. Minow understood that a public problem cannot be solved until the public recognizes it as such. The "vast wasteland" speech succeeded in calling to the attention of the American people a vast public problem which to a large extent is still with us.

However, if a public problem is recognized as a problem by the public, we are one step closer to the solution of the problem, and I think Mr. Minow is owed a debt of gratitude by the American people for helping our democracy to identify an important public problem.

Many persons have labeled Mr. Minow a controversial person. No doubt he has created controversy or as I rather would describe it—he has brought about a dialog which still continues on how broadcasters are to perform in the public interest as required by the Communications Act.

As chairman of the Committee on Interstate and Foreign Commerce, I and other members of our committee have had ample opportunity to observe Mr. Minow in action. Far from being given to controversy we have found Mr. Minow most cooperative in working for solutions of difficult and complex issues in the field of communications. Mr. Minow has helped to make the task of our committee of legislating in the field a great deal easier than it would have been without his cooperative attitude.

Mr. Minow's achievements as Chairman of the Federal Communications Commission have been acknowledged widely by the daily press, and it is my privilege of including as a part of my remarks two examples of such acknowledgements.

On behalf of the members of the Committee on Interstate and Foreign Commerce, I would like to wish Mr. Minow Godspeed and success in his future endeavors. I, personally, regret that for reasons of his own he was unable to continue in public office. I am sure he will be missed. However, in saying goodby to Mr. Minow I want to welcome his successor, Mr. E. William Henry, and I want to express a hope that he will carry on the good work performed by Mr. Minow during his tenure in office.

[From the Washington (D.C.) Post, May 16, 1963]

MR. MINOW'S RATING

The story is told that after he had sworn in Newton Minow, President Kennedy said in an earnest aside, "Newt, we expect you to do something about getting better television shows." The record discloses that Mr. Minow has done just about everything the laws allow to encourage a change of scenery on the screen that he called "a vast wasteland." In his 2 years as chairman of the Federal Communications Commission, Mr. Minow has made the quality of broadcasting a national issue. This will surely guarantee him a high rating for service on a scale more exacting than that employed by Trendex.

A gifted controversialist, Mr. Minow showed a zest for combat and a skill with phrases that forced broadcasters to reconsider their responsibilities to the public. The laws do not permit the FCC to act as a censor, but they do not prevent the chairman from speaking his mind. Mr. Minow left no doubts about his views on the dreary programs and caterwauling commercials that constitute so much of TV's "Bland Old Opera."

How much effect did his campaign have on broadcasting? Opinions differ. Defensive industry spokesmen insist that the increase in public service programs antedated Mr. Minow's arrival in Washington, and they note wryly that TV's most popular show is now "The Beverly Hillbillies." Yet there is no doubt that Mr. Minow's hectoring prodded an industry too often bemused by size of audience and magniture of profit; if there was an existing tendency to improve TV, the chairman's repeated salvos accelerated the pace.

In concrete terms, Mr. Minor did succeed in freeing channel 13 in New York for educational purposes, and the station may yet become the flagship of a national educational network. His advocacy before Congress helped win passage for bills creating the Telstar Corp., providing Federal help for educational stations, and requiring set manufacturers to build all-channel receivers beginning on June 1, 1964. Under his chairmanship, the FCC authorized tests of pay

TV, tightened up reviewing procedures for license renewals, and for the first time moved effectively into regulation of interstate telephone rates—the new $1 long-distance rate is a product of his efforts.

This record sets an exacting standard for the new FCC chairman, E. William Henry, a young Commissioner who also appears to believe in energetic leadership. "The idol of majority approval," Mr. Henry said recently, "must not be worshiped by the networks to the complete exclusion of the public's need for variety and the creative artist's need for an outlet for his talents." Under Chairman Henry, and fortified by the antitrust background of Lee Loevinger, who has left the Justice Department to fill the vacancy on the FCC, the Commission should be faithful to its ultimate sponsor—the American public.

[From the Little Rock (Ark.) Gazette, May 16, 1963]

MINOW TAKES THE LAST STAGE FROM TOMBSTONE

It may be truly said of anyone having anything to do with the production of an encyclopedia that his work is never done. To Newton Minow, however, his new connection with the Britannica may take on some of the aspects of a rest cure when he looks back upon his tour as FCC Chairman, a labor which, seriously entered into, is roughly comparable to that of Sisyphus, with some overtones of Hercules in Augean stables.

Mr. Minow came to the Commission more than 2 years ago with his widely quoted description of commercial TV broadcasting as a "vast wasteland." Is the wasteland today any less vast for his brief passage? The safest sort of nonanswer would be to speculate upon what things would be like if Mr. Minow had never made the scene, or had brought to his task the attitude of a timeserver rather than that of goad and gadfly.

Our own summary judgment is that network informational programs are the best ever, a development for which the retiring FCC Chairman can claim some indirect credit.

For the rest of it, though, the programing panorama is as evocative of "Death Valley Days" as ever, with perhaps even more weathered jawbones in view. Indeed, one of Mr. Minow's troubles was that he was never sure from day to day that the next skull he picked up wouldn't be his own. The broadcasters didn't "get" Newton Minow; he had the full support of the Kennedy administration all the way, and the choice of a successor, the young Memphis lawyer, E. William Henry, is proof enough that the administration hasn't given up on its determination to do something about radio and TV broadcasting. But what the broadcasting industry can do, by exerting unremitting pressure, is to make it that much easier for a man to decide to leave public service for the Encyclopaedia Britannica at four or five times his present rate of pay.

The big question Mr. Minow will leave behind him is not whether he personally did enough to raise the broacasting industry's cultural and ethical standards. He certainly did all he could. The question, rather, is whether much of anything can be done about raising the broadcasting industry's standards, given the existing system under which so-called entertainment programs are conceived and spanked into life, if only as a necessary prelude to infanticide.

Commerce Committee Chairman OREN HARRIS, of Arkansas, has done valuable work in exposing some of the more obvious TV and radio rating services. But once these flaws have been exposed, where do we go from there? If the rating services did not exist, the industry would be forced to invent them again, for where else would the networks and agencies turn to avoid the necessity of making their own decisions as to quality and taste or to blame the rest of us for their own lack of taste and judgment?

Newton Minow will leave the TV scene at the hight of the age of the "spin-off," a form of parthenogenesis by which one "Beverly Hillbillies" this season becomes two such series the next and perhaps three or four the season after that, until, finally, our stomach—if not our brains—can stand no more.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I want to compliment the gentleman from Arkansas for bringing to the attention of this House the departure of Newton N. Minow as Chairman of the Federal Communications Commission. There is no Member of this Congress who knows more about Federal communication problems than the gentleman who just spoke in the well of the House.

I join with him in this tribute to Mr. Minow as he leaves the FCC and goes back to private life. Heading almost any agency of this vast Federal Government is a difficult task but it is infinitely more difficult when that agency touches the pulse and feelings of so many people across our land. Newton Minow met the challenge and he met it with courage and determination. He stirred to the depths the great broadcasting industry; and it is my judgment that this fantastic communication medium is the better for Chairman Minow's words and deeds. He, indeed, has been a good and a great public servant and President Kennedy can take pride in his appointment and the service he rendered. I give my own congratulations to him and I add my sincere wish that the future will be as exciting as the past and that his gracious wife, Jo, and his lovely children and Newton Minow will have many, many years of happiness, health, and prosperity as they leave the official Washington scene.

THE LATE ORVIL E. DRYFOOS

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, in the death of Orvil E. Dryfoos, I have lost a friend whom I have known since our student days at Dartmouth College. I have always been aware of his purposefulness and of his devotion to the causes which he thought worthwhile.

In particular, as an alumnus of Dartmouth College, I take this opportunity to pay tribute to his long and devoted service to that historic institution.

James Reston, the distinguished columnist of the New York Times who gave the eulogy at Orvil Dryfoos' funeral, has eloquently summed up the character and achievements of our friend, and I insert Mr. Reston's eulogy herewith as a permanent tribute to Orvil E. Dryfoos:

A EULOGY FOR ORVIL DRYFOOS

The death of Orvil Dryfoos was blamed on heart failure, but that, obviously, could not have been the reason. Orv Dryfoos' heart never failed him or anybody else. Ask the reporters on the Times. It was steady as the stars. Ask anybody in this company of friends. It was faithful and kind. Ask his beloved wife and family. No matter what the doctors say, they cannot blame his heart.

In the spiritual sense, his heart was not a failure but his greatest success. He had room in it for every joy and everybody else's joy. This was the thing that set him apart—this warmness and purity of spirit, this considerateness of his mother, whom he telephoned every day; of his wife and children, of his colleagues and competitors. And this uncorrupted heart, broken or no, is what is likely to be remembered of him in this great city and at Dartmouth, his other home.

FRIENDS, NOT SPEECHES

The obit writers had a hard weekend with Orv because they kept hunting for him in the files and of course he wasn't there. He didn't make speeches, he made friends. The last time I saw him, he was breathing hard but still worrying about everybody else's worries and insisting that everybody get a good rest after the long strike.

Most of the time, it is the heart that governs understanding, and understanding was his special quality. He not only understood human frailty and almost preferred it. He understood the sensitive pride and combative instincts of reporters and editors, which is not easy. He even understood the anxieties of the printers during the time of our troubles.

Throughout the whole ghastly period, when he wore his life away, he was again worrying about other people, this time about those who were on the street with no work and those who were in the office with too much work. He was running the office by day and often negotiating far into the night. Even when his heart began to rebel and the doctors put him on digitalis to regulate it, nobody knew what was going on but his family.

AND NEVER CAME BACK

When the strike was over he finally slipped away to the hospital and never came back.

This quality of concern for others is vital to the tradition of the Times. A newspaper is a very special kind of partnership. The main ingredients are not newsprint ink and advertising, but the more volatile human ingredients of blood, brains, pride, and courage. This is why understanding is so important at the top, and why Adolph Ochs, Arthur Sulzberger and Orvil Dryfoos, having understanding, were so good at it. For they saw a newspaper, as Edmund Burke saw a nation, not only as a partnership of the living, but as a partnership "between those who are living, those who are dead, and those who are to be born."

There should be some consolation for us all, believer and unbeliever alike, in this thought. Orvil Dryfoos had this special sense of trusteeship to a marked degree. He thought of himself, as his father-in-law did before him, as one of a team working for an ideal larger than himself, of carrying on for a time something he devoutly believed to be important. And he not only carried it higher up the hill, but expanded its influence across the continent and planted a new edition of the Times beyond the Rockies. Thus, he achieved his ideal much more than most men are able to do, and remains a part of an institution that will go on as long as men are faithful to its ideals.

THEY MUST CARRY ON

I never thought much of the family joke that Arthur Sulzberger and Orvil Dryfoos "married the New York Times." The women they married were so much better than any newspaper. Besides, it was the women who married them, and what is important now, bore them the children who must carry on.

Their fathers have given them a good lead. It is summed up for me in a quote from Robert Burns. He said "whatever mitigates the woes or increases the happiness of others—this is my criterion of goodness. And whatever injures society at large, or any individual in it—this is my measure of iniquity."

Orvil Dryfoos lived by this noble ideal, but knew that ideals, and traditions, are not self-enforcing. Sombody must decide, in the newspaper business. In no other institution are so many choices offered every day of the year. In no other craft are there so many men with so many diverse ideas on so many subjects, about which so much can be said. But the tyranny of the deadline is always present, and while most of these decisions are made on the desk, the big ones have to be made at the top.

MAN OF BIG DECISIONS

Here, Orvil Dryfoos was equal to his duty. I will always remember him in the city room on election night of 1960 when he was the first to sense that we had gone out on a limb for Kennedy too early and insisted that we reconsider. And again, in 1961, when we were on the point of reporting a premature invasion of Cuba, his courteous questions and wise judgment held us back.

He had his weaknesses, like all of us, but usually they sprang from the more amiable qualities of the human spirit. To hurt a colleague was an agony for him, and in this savage generation, when men decide, other men often get hurt. But he could make up his mind. He suffered, but he acted.

Perhaps the simplest thing to say about him—and I believe I speak for my colleagues in this—is that the more we knew him, the more we respected him. He was a gentleman. He was faithful to a noble tradition, to the family from which he came, and to the great family he joined and loved.

Martin Buber once said "if we could hang all our sorrows on pegs, and were allowed to choose those we liked best, everyone of us would take back his own, for all the rest would seem more difficult to bear."

Let us, then, honor Orvil Dryfoos with remembrance rather than with tears. For his children will never be able to cry as much as he has made them laugh.

PERMISSION TO ADDRESS THE HOUSE

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HAYS. Reserving the right to object, Mr. Speaker, I do so to ask the gentleman a question. Yesterday the gentleman in a 1-minute speech made an attack on the President which I felt was unwarranted as a matter of opinion. I got up and said so. Then later the gentleman took his remarks out of the RECORD; at least, they did not appear. Is the gentleman going to leave in the RECORD the remarks he is going to make today?

Mr. ALGER. The gentleman assures the gentleman from Ohio that the remarks will be in the RECORD. I forgot them. I left them out because I wanted to use the summary of the Senate Preparedness Committee, which was in my office and since the gentleman has brought it up, I will include in the body of the RECORD today.

Mr. Speaker, I ask unanimous consent that the remarks which I failed to put in the RECORD yesterday, which I forgot, not my secretary, appear in the body of the RECORD today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The remarks referred to are as follows:

PRESIDENT WITHHOLDS INFORMATION PUTTING U.S. SECURITY IN DANGER

Mr. ALGER. Mr. Speaker, the Soviet military buildup in Cuba poses a serious threat to the security of the United States. In withholding information from the people, the President is not fully protecting the United States from this military threat, and is misleading the trusting American people.

We now have the authority of a bipartisan committee of the U.S. Senate which reports new military moves in Cuba by the Soviet Union and charges that no apparent effort to get the Russian troops out of Cuba or the instigation of any move on the part of the United States for practical inspection to insure against new missile bases in Cuba.

Here is the summary of the findings of the bipartisan committee—Committee on Armed Services of the U.S. Senate—on the Cuban military buildup:

SUMMARY OF THREAT ARISING FROM SOVIET PRESENCE IN CUBA

Our summary of the threat and potential threat which the Soviet presence in Cuba presents to the Americas is as follows:

1. Cuba is an advanced Soviet base for subversive, revolutionary, and agitational activities in the Western Hemisphere and affords the opportunity to export agents, funds, arms, ammunition, and propaganda throughout Latin America.

2. Assuming without deciding that all strategic weapons have been withdrawn, there is the ever-present possibility of the stealthy reintroduction of strategic missiles and other offensive weapons, using the Soviet forces still in Cuba as camouflage and security for the activity.

3. Cuba serves as an advance intelligence base for the U.S.S.R.

4. The potential exists to establish electronic warfare capabilities based on Cuba.

5. The vital Panama Canal could be the target for sneak raids originating from Cuba.

6. Potentially, Cuba is a base from which the Soviets could interdict our vital air and sea lanes. It can now be used for the air, sea, and electronic surveillance of our military activities in the southeast United States and the Caribbean.

7. Cuba's airfields could serve as recovery airbases for planes launched against the United States from the Soviet Union.

8. Advanced Soviet submarine bases could be established in Cuban ports with very little effort.

9. The continued presence of the Soviets in Cuba could require a further reorientation of the U.S. air defenses.

10. Cuba provides a base for the training of agents from other Latin American countries in subversive, revolutionary, agitational, and sabotage techniques.

11. The very presence of the Soviets in Cuba affects adversely our Nation's image and prestige. Our friends abroad will understandably doubt our ability to meet and defeat the forces of communism thousands of miles across the ocean if we prove unable to cope with the Communist threat at our very doorstep.

A consideration of all these matters serves to emphasize the gravity of the threat to our national security which Cuba now represents.

Mr. Speaker, these are serious charges and I do not see how the President can ignore the military danger to our Nation. I cannot understand a Commander in Chief who, in withholding information from the people misleads them into a sense of false security. President Kennedy is assuming for himself a grave and dangerous responsibility in such actions. As the Soviet net tightens in this hemisphere and the military threat to our own land becomes greater, he alone must be held responsible.

It will not be enough for the President to say later that he misjudged the Soviet intention. His remorse after the Soviet military might is loosed upon the United States will hardly be sufficient to atone for a war which can be prevented if he takes immediate and forceful action now.

Mr. President, I call upon you to trust the American people with the facts. They are your strength, not the timid advisers who, in their eagerness to accommodate the Soviet Union, weaken the strength and security of the United States. As a Member of Congress of the United States and in the name of the people of the Fifth District of Texas who have given me the responsibility of being their voice in Congress, I call upon you to stop this suicidal course of accommodation of the enemy and take all necessary steps now to end the military threat to the United States by reimposing at once the Monroe Doctrine, halting all shipments of strategic material to Cuba, and setting a time and date for the complete removal of all Russian troops and missiles from Cuba.

Mr. President, the sacred oath you took to defend the United States against all its enemies, precludes the present course you are following which seems to express more concern for the accommodation of the Soviet Union than in the protection of our own land.

For a report on the findings of the subcommittee of the other body as to the military threat from Cuba, I refer you to the following column by David Lawrence in the Washington Evening Star of May 20:

CUBA HELD MAJOR THREAT TO UNITED STATES—SENATE GROUP'S REPORT EXPLORES DANGER OF RED ATTACK FROM ISLAND

(By David Lawrence)

The greatest danger to the security of the United States today is in Cuba. There is enough Soviet military strength remaining on the island to launch an attack on this country.

Yet the American people are being led to believe that Soviet military strength in Cuba is negligible and that an attack is as unthinkable as the missile buildup last year was supposed to be.

This was the reasoning used by Government agencies here in the autumn of 1962 to minimize the meaning of the Soviet troop movement and of the preliminary steps for the setting up of missile bases.

The most important official document on the Cuban situation has received only passing attention in the last 11 days from the American people. No announcement has been made of what the Kennedy administration intends to do about the facts that have just been disclosed. There are no signs that the Soviet Government is being prodded to get its troops, technicians, and military equipment out of Cuba, or that any demand is being made to permit on-the-spot inspection in order to find out whether any missiles are still concealed inside the island.

The latest word to the American people about the gravity of the Cuban situation comes not from Republican critics trying to make a political issue but from a subcommittee of the Committee on Armed Services of the U.S. Senate headed by a Democratic chairman, Senator JOHN STENNIS, of Mississippi. All seven members—four Democrats and three Republicans—signed the unanimous report. It tells the unvarnished truth about what has happened and points out a lesson for the future. Here are some extracts from the report, dated May 9, which was written after hearing for many weeks secret testimony given by the intelligence agencies of the Government, civilian and military:

"While a reasonably competent job was done in acquiring and collecting intelligence information and data, in retrospect it appears that several substantial errors were made by the intelligence agencies in the evaluation of the information and data which was accumulated.

"Even though the intelligence community believes that all (strategic missiles) have been withdrawn, it is of the greatest urgency to determine whether or not strategic missiles are now concealed in Cuba. The criticality of this is illustrated by the fact that, assuming maximum readiness at preselected sites, with all equipment prelocated, the Soviet mobile medium-range—1,100 miles—missiles could be made operational in a matter of hours.

"Some other sources—primarily refugee and exile groups—estimate that as many as 40,000 Soviets are now in Cuba. Bearing in mind the lack of hard evidence on the question and the substantial underestimation of last fall, we conclude that no one in official U.S. circles can tell with any real degree of confidence, how many Russians are now in Cuba and we are of the opinion that the official 17,500 estimate is perhaps a minimum figure.

"The evidence is overwhelming that Castro is supporting, spurring, aiding, and abetting Communist revolutionary and subversive movements throughout the Western Hemisphere and that such activities present a grave and ominous threat to the peace and security of the Americas.

"It is agreed that ironclad assurance of the complete absence of Soviet strategic missiles in Cuba can come only as a result of thorough, penetrating, onsite inspection by reliable observers.

"The importance of making every effort to ascertain the truth with respect to this matter cannot be overemphasized. The criticality of it can best be illustrated by the fact that the testimony established that, upon the assumption that all missiles and associated equipment and the necessary personnel were readily available near preselected sites in a state of complete readiness, mobile medium-range missiles could be made operational in a matter of hours. Thus, if these missiles and their associated equipment remain in Cuba, the danger is clear and obvious.

"Assuming without deciding that all strategic weapons have been withdrawn, there is the ever-present possibility of the stealthy reintroduction of strategic missiles and other offensive weapons, using the Soviet forces still in Cuba as camouflage and security for the activity.

"Potentially, Cuba is a base from which the Soviets could interdict our vital air and sea lanes. It can now be used for the air, sea, and electronic surveillance of our military activities in the Southeast United States and the Caribbean.

"Cuba's airfields could serve as recovery air bases for planes launched against the United States from the Soviet Union."

This means that the range of certain Soviet military planes has been increased substantially. They need fly only one way in a surprise attack, drop bombs on the United States and land in Cuba.

Yet in the last few weeks nothing has been done to insist upon onsite inspection in Cuba by the United Nations or by any other agency. The Kennedy administration has retreated on this point, and only an informed public opinion in the United States and throughout the world can bring about an advance—to verify what has actually happened.

Mr. ALGER. Now, Mr. Speaker, I renew my request to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALGER. I would like to announce to the membership that when the special orders are in order I have a 60-minute special order. I invite all those present and anyone else interested to be present here, as I intend to discuss capitalism, U.S. sovereignty, and the republican form of government, and at the same time answer to the best of my ability the attacks levied recently on the floor of this House against the Americans for Constitutional Action. I invite my colleagues to be present.

FRANKLIN D. ROOSEVELT MEMORIAL LIBRARY

Mr. MEADER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, yesterday the President sent up to the Congress, Reorganization Plan 1 of 1963 which would transfer certain housekeeping functions with respect to the Franklin D. Roosevelt Library at Hyde Park from the Department of the Interior to the General Services Administration.

I have introduced today two measures—one a joint resolution to accelerate the effective date of that plan providing that it would take effect 10 days after the adoption of the joint resolution and, second, a bill which incorporates the provisions of the plan.

This morning I appeared before the Committee on Rules in opposition to the extension of the Reorganization Act for 2 years which has been reported favorably by the House Committee on Government Operations, and I intend in the special order that has been granted to me for today to discuss the propriety of the Congress taking action at this time to extend the Reorganization Act.

THE LATE ORVIL E. DRYFOOS, PRESIDENT AND PUBLISHER OF THE NEW YORK TIMES

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I rise with sadness in my heart over the death of a friend and colleague early Saturday morning, Orvil E. Dryfoos, president and publisher of the New York Times.

Those of us on the Herald Tribune, who had the privilege of working with him, knew him as a man of humility, a man who had a deep concern for people, and a man whose warmth of heart was evident for all to see.

Orvil Dryfoos served in the great tradition of the New York Times, in the tradition of Adolph Ochs. He worked in close association with Arthur Sulzberger. He recognized the vital importance of the news and the importance of fair and full coverage. He extended the coverage of the New York Times and of its European edition. He started publication of its western edition. Above all, he recognized that the foundation stone of our democracy rests on an enlightened and fully informed public opinion.

I would like to offer my condolences to his family and to the members of the New York Times. In the extension of my remarks I include the eloquent, simple, and moving eulogy of James Reston, chief of the Washington bureau of the New York Times which was delivered yesterday morning at the funeral services of Orvil Dryfoos at Temple Emanu-El.

[From the New York (N.Y.) Times, May 28, 1963]

TEXT OF EULOGY OF ORVIL E. DRYFOOS DELIVERED BY JAMES RESTON

REMARKS ON A FRIEND

The death of Orvil Dryfoos was blamed on heart failure, but that obviously could not have been the reason. Orv Dryfoos' heart never failed him or anybody else—ask the reporters on the Times. It was steady as the stars—ask anybody in this company of friends. It was faithful as the tides—ask his beloved wife and family. No matter what the doctors say, they cannot blame his heart.

In the spiritual sense, his heart was not a failure, but his greatest success. He had room in it for every joy and everybody else's joy. This was the thing that set him apart—this warmness and purity of spirit, this considerateness, of his mother, whom he telephoned every day, of his wife and children, of his colleagues and competitors. And this uncorrupted heart, broken or no, is what is likely to be remembered of him in this great city and at Dartmouth, his other home.

The obit writers had a hard weekend with Orv because they kept hunting for him in the files and, of course, he wasn't there. He didn't make speeches, he made friends. The last time I saw him, he was breathing hard but still worrying about everybody else's worries and insisting that everybody get a good rest after the long strike.

Most of the time, it is the heart that governs understanding, and understanding was his special quality. He not only understood human frailty but almost preferred it. He understood the sensitive pride and combative instincts of reporters and editors, which is not easy. He even understood the anxieties of the printers during the time of our troubles.

NEWSPAPER A PARTNERSHIP

Throughout that whole ghastly period, when he wore his life away, he was again worrying about other people, this time about those who were on the street with no work, and those who were in the office with too much work. He was running the office by day and often negotiating far into the night. Even when his heart began to rebel and the doctors put him on digitalis to regulate it, nobody knew what was going on but his family. When the strike was over, he finally slipped away to the hospital and never came back.

This quality of concern for others is vital to the tradition of the Times. A "newspaper is a very special kind of partnership. The main ingredients are not newsprint, ink, and advertising, but the more volatile human ingredients of blood, brains, pride, and courage."

This is why understanding is so important at the top, and why Adolph Ochs, Arthur Sulzberger, and Orvil Dryfoos, having understanding, were so good at it. For they saw a newspaper, as Edmund Burke saw a nation, not only as a partnership of the living, but as a partnership "between those who are living, those who are dead, and those who are to be born."

There should be some consolation for us all, believer and unbeliever alike, in this thought. Orvil Dryfoos had this special sense of trusteeship to a marked degree. He thought of himself, as his father-in-law did before him, as one of a team working for an ideal larger than himself, of carrying on for a time something he devotedly believed to be important. And he not only carried it higher up the hill, but expanded its influence across the continent and planted a new edition of the Times beyond the Rockies. Thus he achieved his ideal much more than most men are able to do, and remains a part of an institution that will go on as long as men are faithful to its ideals.

I never thought much of the family joke that Arthur Sulzberger and Orvil Dryfoos "married the New York Times." The women they married were so much better than any newspaper. Besides, it was the women who married them, and what is important now, bore them the children who must carry on.

Their fathers have given them a good lead. It is summed up for them—and I ask the children to remember it—in a quote from Robert Burns. He said: "Whatever mitigates the woes or increases the happiness of others—this is my criterion of goodness. And whatever injures society at large, or any individual in it—this is my measure of iniquity."

PERCEPTIVE JUDGMENT

Orvil Dryfoos lived by this noble ideal, but knew that ideals and traditions are not self-enforcing. Somebody must decide in the newspaper business. In no other institution are so many choices offered every day of the year. In no other craft are there so many men with so many diverse ideas on so many subjects, about which so much can be said. But the tyranny of the deadline is always present, and while most of these decisions are made on the desk, the big ones have to be made at the top.

Here Orvil Dryfoos was equal to his duty. I will always remember him in the city room on election night of 1960 when he was first to sense that we had gone out on a limb for Kennedy too early and insisted that we reconsider. And again in 1961 when we were on the point of reporting a premature invasion of Cuba his courteous questions and wise judgment held us back.

He had his weaknesses, like all of us, but usually they sprang from the more amiable qualities of the human spirit. To hurt a colleague was an agony for him, and in this savage generation, when men decide, other men often get hurt. But he could make up his mind. He suffered, but he acted.

Perhaps the simplest thing to say about him—and I believe I speak for my colleagues in this—is that the more we knew him, the more we respected him. He was a gentleman. He was faithful to a noble tradition, to the family from which he came, and to the great family he joined and loved.

Martin Buber once said: "If we could hang all our sorrows on pegs, and were allowed to choose those we liked best, every one of us would take back his own, for all the rest would seem more difficult to bear."

Let us then honor Orvil Dryfoos with remembrance rather than with tears. For his children will never be able to cry as much as he has made them laugh.

[From the New York (N.Y.) Herald Tribune, May 26, 1963]

Leader of Journalism Passes

The newspaper community of New York City—indeed, of the whole Nation—will mourn the death of Orvil Dryfoos, president and publisher of the New York Times. He had brought youth and vigor to the management of a great institution, as well as the finest traits of fairness, generosity and devotion to the goals of a free press.

The responsibilities he assumed when he took over the direction of the Times 6 years ago were onerous, and he bore them manfully. His qualities of mind and spirit were equal to the challenge, and gave every promise of even broader leadership, not only for his own newspaper but for American journalism in general.

The Herald Tribune extends its deep sympathy to its neighbor, the Times, and especially to the family of Mr. Dryfoos, on their loss. It is one which we share, for it breaks professional and personal associations that were cherished, and deprives the press of a figure in whom every newspaperman could take pride.

[From the New York (N.Y.) Post, May 27, 1963]

Orvil E. Dryfoos

(By Dorothy Schiff)

Orvil Dryfoos, the publisher of the New York Times, was the most unselfish, friendliest, least pretentious of all who met so endlessly last winter during the newspaper strike.

Sensitive to the feelings of others, he was quick to praise and slow to criticize. He remained good-humored and optimistic no matter how trying and exhausting the circumstances. Himself without guile, he always looked for the best in the rest of us and tried to make peace when there was no peace.

He was the nicest person I knew and I share the grief of his family and friends at his premature passing.

[From the New York (N.Y.) Times, May 26, 1963]

A Quiet Leader

The sorrow that today grips acutely every single member of the New York Times organization and has spread itself throughout the world of journalism and beyond is no mere formal tribute to the president and publisher of this newspaper.

It expresses the personal shock and grief of the men and women who worked with Orvil Dryfoos, who admired him, and who loved him for his kindness, his modesty, his integrity and—that most intangible and valuable gift of all—his quality of quiet leadership.

In his more than two decades of intimate association with the Times, Orvil E. Dryfoos had achieved his extraordinary stature through sheer strength of character, through soundness of judgment, through an innate gentleness and pervasive feeling for his fellow man, and through an unfaltering sense of responsibility which conveyed itself to his associates with vigor but without trace of pomp or ostentation. Orvil Dryfoos embodied the highest principles of his profession; and time and again he proved his readiness to carry out those principles no matter what the cost.

When his colleagues talk about him in the corridors of the Times today, and in fact wherever newspapermen gather, one will hear him spoken of as "a fine guy," a "thoughtful person," and "understanding boss." He was all of that but far more than that: a warm and friendly personality, with a most engaging sense of humor; but beneath his genial exterior there was a sensitive understanding of human nature, coupled with the priceless ability to evoke the deepest kind of loyalty from his associates.

It seems incredible that he is taken from us at the age of 50. He had everything to live for; and we at the Times looked forward to many years of his effective leadership—just how effective few people outside the Times could possibly have realized. We shall miss Orvil Dryfoos personally; we shall miss him professionally. To his family, his associates of the Times can only say that he was one of us, too. We loved him, we admired him, and we will treasure his memory.

WHAT IS THE ADMINISTRATION DOING IN CIVIL RIGHTS?

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, just a moment ago our distinguished colleague, the gentleman from New York, the chairman of the House Committee on the Judiciary, stated that the problem of race relations are assuming critical proportions in the United States of America. He said that an accusing finger is being pointed at the Congress for lack of action on legislation. He quite properly reminded the House that since May 8 hearings on civil rights have been held by the House Committee on the Judiciary and that Members who wish to be heard better appear within the next few days. He said that a bill would be reported out promptly. Yet, today, not a single spokesman of the administration has yet appeared before the House Committee on the Judiciary to testify. In fact, the Attorney General has twice adjourned scheduled appearances. And this is the number one matter today before the country. The administration was late in coming up with a message and a bill. It was pretty thin when it did come up, but even then one would think there would be some interest in supporting it.

The other day the President said in a press conference that there is no statute which enables the Federal Government to invoke the protections of the Bill of Rights for individuals in Birmingham and elsewhere, and yet the administration has never asked Congress for such a statute. I am referring of course to title III. I find it surprising and disturbing.

PERRY SESQUICENTENNIAL, 1963

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WEAVER. Mr. Speaker, on the eve of a celebration of importance and significance to all Americans, I invite the attention of my colleagues and all Americans interested in the events of history which have made this country the independent democracy that it is. Tomorrow in Erie, Pa., within the 24th Congressional District which I represent, begins the summer-long celebration of the Battle of Lake Erie and the building of Perry's fleet in Erie Harbor.

Many events are being scheduled for this celebration and the major theme of the observance is not one of victory over the vanquished but the 150 years of peace between two great nations—the United States and Canada.

Our neighbor to the north, Canada, is joining in our celebration, and it is my hope that many people will travel to Erie to participate in this observance and the events which have been scheduled for the summer months, as described in the following announcement and program:

Perry Sesquicentennial News

Coming at a time when the Western World is still searching for roads to a lasting peace, it is significant that a group of public-spirited citizens in Erie, Pa., with full support of the entire community, are mapping out a commemorative prorgam which is of high international consequence.

One hundred and fifty years of peaceful boundaries between the United States and Canada is their byword. Their vehicle is the occasion of the 150th anniversary of the building of Perry's fleet and the Battle of Lake Erie.

One of the most courageous chapters in American history was forged when the country was 36 years young; a time of suffering—growing pains caused by the need for expanded territories.

On the heels of the Colonies' Revolutionary War victory, came swift awareness that the real fight for independence was yet to be resolved. Smarting under the insults and conspiracies against their young Nation from the continent, a group of young legislators known as the War Hawks convinced President Madison to declare a state of war between the United States and the United Kingdom. One June 18, 1812, the House and Senate, by majority vote, affirmed the President's decision.

The War of 1812 became the standard bearer for a dedicated cause—a cause in which a young Nation reasserted her determination for independence and gave final notice to all that she was a free and sovereign nation.

The most significant engagement of this War of 1812, and certainly on record as one of the greatest of all naval victories, was the Battle of Lake Erie, the results of which brought control of the Great Lakes to the Americans. Commanded by the young, astute naval commodore, Oliver Hazard Perry, the 3-hour battle took place off Put-in-Bay, Ohio, near Sandusky. But behind this brief engagement lies a journal of vision, confidence, courage, and sheer determination unsurpassed in our Nation's history.

The foresight of maritime Capt. Daniel Dobbins in choosing Erie as the site for construction of Perry's fleet set the stage for this decisive victory. And the story behind the fleet's construction is itself packed with tense drama and human interest. Erie will commemorate the fleet's construction and the Battle of Lake Erie with a series of events beginning May 29 and concluding September 10, 1963.

"However," emphatically states Sumner H. Nichols, general chairman of the Perry Sesquicentennial Committee, "although this marks an anniversary of a major victory, we are placing importance on the fact that this victory set the stage for the establishment of peaceful boundaries between two countries. We will develop various activities to focus attention upon this historic fact. No one can doubt but that these unpatrolled borders between our two countries are unprecedented in world history."

Consequently, the Erie group feels that it can be of great service to the country and to the interests of international good will if it can develop major programs of participation highlighting the peaceful borders theme.

In a recent statement to local media, Chairman Nichols said, "We sincerely believe that our neighbors to the north of us are kindred spirits. Obviously we recognize their right to maintain their national identity as we wish to maintain ours. This does not preclude, however, a continuance of peaceful, productive, and constructive association between our two countries. We are too closely linked culturally, economically, and socially to deny the individuality of this friendly alliance."

Realizing the potential of this development, particularly in view of current strained diplomatic relations between the two countries, a delegation of the Perry Sesquicentennial Committee recently journeyed to Washington. There they had an appointment with the No. 3 man in the State Department, Under Secretary of State for Political Affairs, Hon. George McGhee. McGhee was delighted with the plans of the Erie group and gave them his full support and advice. Cementing this support, he turned over to them, as liaison man, Mr. Wharton D. Hubbard of the Canadian Affairs Desk, U.S. State Department, who brought the committee to a meeting with Department of Defense officials to coordinate military participation between the two countries. Two days later, the delegation returned to Erie with promise of intensified Federal support and assistance in developing a celebration of international scope. Joint United States-Canada participation will be realized mainly through cultural and military programs. Appropriately enough, the opening day of the Perry Sesquicentennial will also see the maiden voyage of a ferry boat between Erie and Port Dover, Ontario.

The Perry Sesquicentennial celebration will be the Nation's largest in 1963—in terms of scope, program, duration, and purpose. It will commence on May 29 with Governor Scranton, as chief executive of the Commonwealth, hosting many distinguished guests. Congressman James D. Weaver is chairman of the opening days festivities and recently announced that in addition to Governor Scranton, the Governors of four other States have been invited. At the time of this release, acceptances have been received from Gov. James Rhoads, of Ohio, and Gov. John Chaffee, of Rhode Island. Acceptance from two other Governors are pending.

Additionally, nationally known TV stars are presently committed for the opening, as well as nationally syndicated columnists.

The Commonwealth of Pennsylvania in late 1962 appropriated $80,000 to install rigging and hull repair to the reconstructed brig *Niagara*, Perry's victory flagship, now on display at the foot of State Street in Erie.

Highlighting some of the summer festivities will be a gigantic, yet appropriate, parade on Memorial Day, May 30.

On the evening of the opening day a premiere performance of an outdoor historical drama "From These Shores," will be presented at Academy Stadium. The Governors of five States will attend the opening performances, as well as other notable dignitaries. The production will be presented nightly May 29 through June 8; July 3 through 13; and August 7 through 17. The outdoor spectacular will be professionally produced and directed, having a cast of more than 800 people, all in authentic historical costume against a scenic panoramic backdrop of 300 feet in width. The 90-minute drama will be concluded each evening with a spectacular fireworks display.

Other activities have been scheduled throughout the summer including specially designated weeks, such as: All Nations Week, Industry Week, Ladies Week, Youth Activities Week, Sports Week, and a schedule of military participation as follows: June 28, 29, 30, U.S. Coast Guard Week; July 1–7, U.S. Air Force Week; July 8–14, U.S. Army Week; July 15–21, U.S. Marine Corps Week; July 22–28, U.S. Navy Week; July 28–August 4, Space Age Week.

The American Horse Show Association sanctioned horse show will be held at Academy Stadium on July 26, 27, and 28. Scottish games featuring pipes and drums bands from Canada will be featured July 19 and 20. An invitation has been sent to the Royal Canadian Mounted Police to bring in their world-renowned exhibition team in connection with the horse show. All military services are being requested to bring in static display and mobile units pertinent to their particular weeks activities. Cultural activities will be carried out throughout the scope of the celebration; art shows, concerts, displays, exhibitions, etc. The Perry Sesquicentennial Committee earlier this year commissioned Mr. Louis Mennini, of the Eastman Orchestra at Rochester, N.Y., to compose a major symphony as a tribute to the sesquicentennial year. This original work will be presented by the Erie Philharmonic in concert on September 8 and 9.

A visit between President John F. Kennedy and the Prime Minister of Canada is strongly hoped for. The President has requested three alternate dates for his appearance in Erie, and the committee has been given indications that this meeting will receive every consideration.

The concluding event of the spectacular year will be a pyrotechnic reenactment of the Battle of Lake Erie. This unusual fireworks display will be produced aboard barges afloat in Misery Bay.

It is the intention of the Perry Sesquicentennial Committee to make this commemorative celebration one long to be remembered throughout the United States. The place to be in 1963 is Erie.

PRESESQUICENTENNIAL PROGRAM (MAY 1-28)

Date	Time	Event	Location
May 1-5		Fraternal social clubs bowling tournament	
May 4		Erepa Grotto "Big Sing"	Gannon Auditorium.
May 5		Bridge tournament	Bridge-O-Ree, 2007 West 12th.
		Dog show, all-breed sanction match and obedience trial	Marine Armory, 2001 West 12th.
May 10		Wesleyville PTA festival	
May 16		Nurses assembly	Hamot Hospital.
		American Legion Auxiliary 11, card party and styles	
May 17		High school golf	Downing.
May 17-18		Erie civic ballet	Tech Memorial.
May 22		Sam Snead golf	
	7 p.m.	Folk dancers, 2-hour show, children of St. Mary's	Gannon Auditorium.
May 24		Garden mart	Central Mall.
	12 m.	Tribute to Perry Sesquicentennial	
May 24-26		Wayne District Sesquicentennial Camporee	
		National Secretaries' Association convention	Holiday Inn.
May 25-30		Wesleyville American Legion spring carnival	Firemen's Field, Buffalo Rd.
May 29	3 p.m.	Band concert by Marching Angels Drum and Bugle Corps from Sarnia, Ontario.	Perry Sq.
	3:30 p.m.	Opening ceremonies (official opening of Perry Sq. Village). General chairman, Sumner H. Nichols; Mayor Charles B. Williamson; Gov. William W. Scranton; Jack Paar.	Do.
	4 p.m.	Dignitaries motorcade to Dobbins Landing, thence to Niagara	North on State St. and return.
	4:30 p.m.	Governor's reception	Erie Club.
	5:30 p.m.	Dignitaries special assembly	Do.
	6 p.m.	Predinner program, honored guests	Gannon Dining Hall.
	6:30 p.m.	Dinner	Do.
	8 p.m.	After-dinner program; speaker, Jack Paar	Do.
	8:30 p.m.	Dignitaries motorcade to Academy Stadium	
	8:45 p.m.	Presentation of honored guests	Academy Stadium.
	9 p.m.	Prespectacle queen coronation, Miss Perry Sesquicentennial, is presented by Jack Paar; crowned by Gov. William Scranton.	Do.
	9:15 p.m.	Premiere performance of "From These Shores," dramatic outdoor historical spectacle. Cast of 800 presents living history.	Do.
	11 p.m.	Gov. William W. Scranton turns on lights of Perry Monument	Dobbins Landing.
	All day	Sesquicentennial Gay-Way amusement rides	Perry Sq.

PROGRAM OPENING SESQUICENTENNIAL (MAY 29-JUNE 2)

Date	Time	Event	Location
May 29 to June 8	All day	Sesquicentennial Gay-Way amusement rides	Perry Square.
May 29		Sesquicentennial eve dance, Knights of St. John members	
May 30	10 a.m.	Parade, 6th and Cherry to State; south on State to stadium; memorial services in stadium.	
	8:30 p.m.	Prespectacle performance	Academy Stadium.
	9 p.m.	2d performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Do.
	2 p.m.	Pennsylvania Nurses' Association	Masonic Temple.
	4 p.m.	Tea	Do.
May 31	8:30 p.m.	Prespectacle performance, choristers of the Danish Club	Academy Stadium.
	9 p.m.	3d performance "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks display reenactment of the Battle of Lake Erie.	
	All day	Sesquicentennial Costume Day throughout county	
	9 p.m.	Captains mast, Kangaroo Kourt	Pioneer Village.
		(Probable) city track meet	Academy Stadium.
June 1	1 p.m.	Historical tours, Wednesdays and Saturdays 1 to 4. Leave sesquicentennial headquarters. Tour will include customshouse, Niagara, Perry Memorial House, Anthony Wayne Blockhouse, lighthouse, Perry Monument on peninsula. Lecturing guide abroad, 3 hours. Terminate Pioneer Village. Information, call headquarters, 723 State St., GL 3-6061.	
		High school tennis	Erie Tennis Club.
		All-nations folk dance	Waldameer.
		Oil City-Franklin Day	
	8:30 p.m.	Prespectacle performance, Junior Philharmonic Orchestra	Academy Stadium.
	9 p.m.	4th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	
June 2	All day	Old Fashion Day	Garden Heights Baptist Church.
June 2-30		2 Erie artists—Exhibits Joseph Iacovetta and Ken Koplin, all month, Opening day tea, 2:30 to 4:30.	Art Center, 336 West 6th.
June 5	8:30 p.m.	Prespectacle performance, North Star Swedish Dancers, Polish National Alliance Dancers. 5th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Academy Stadium.
	6:30 p.m.	Erie Racing Pigeon Club	West Erie Plaza.
June 6	9:30 a.m. to 4 p.m.	Thursday, Junior League of Erie Historical Home Pilgrimage. Leave Erie Club, 504 Peach St. Tickets, $3; includes ticket, 1813 box lunch, brochure, and tour aid. Scenic bus, capacity, 40; tickets at headquarters or Mrs. David Lund, Gl 4-7885.	
	8:30 p.m.	Prespectacle performance Children of St. Mary Folk Dancers	Academy Stadium.
	9 p.m.	6th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	
June 7	8:30 p.m.	Prespectacle performance, the Merry Measures Ladies Chorus, Brookside Folksters.	Do.
	9 p.m.	7th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	
		Sesqui Costume Day throughout county	
	9 p.m.	Captain's Mast—Kangaroo Kourt	Pioneer Village.
		Hammermill Day, sailors versus Batavia	Ainsworth Field.
June 8		Corry-Union City Day	
		Flowertime ball, orchestra of Maynard Ferguson	Rainbow Gardens.
	9:30 a.m.	SS *North American* boat trip to Canada, arrive Port Burwell at 12:30, 3-hour stay; return to Erie by 6 p.m.	
	9 to 5 p.m.	Parochial grade school track and swimming championship	Tech Memorial.
	1 p.m.	Historical tour; bus leaves sesquicentennial headquarters, 3 hours, terminates at Pioneer Village.	
	8:30 p.m.	Prespectacle performance Symphonic Singers of Obed L. Grender	Academy Stadium.
	9 p.m.	8th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	
June 8-9	10 a.m. to 2 p.m.	Erie open sailboat races, Bantam, Snipe, Thistle	Star Erie Yacht Club.
		Rough-N-Ready Rodeo	

ALL NATIONS WEEK (JUNE 9-15)

Date	Time	Event	Location
June 9	**Afternoon**	**Latin America fiesta**	Perry Square.
June 10	**After 5 p.m.**	**Greek Assumption Orthodox Church, group sale of pastries; arts and crafts in costume.**	Do.
June 11	6:30 p.m.	Erie County Historical Society, spring meeting; speaker, Dr. Raymond Bell.	
June 12	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leaves sesquicentennial headquarters.
	After 4 p.m.	Swedish dance group, folk dancers; pastry sale in costume	Perry Square.
June 13		Polish National Alliance, folk dancing, bake sale, arts and crafts in costume.	Do.
June 14	10 a.m. to 9 p.m.	Rose show	Boston Store.
	All day	Sesquicentennial Costume Day	
	Evening	Zem Zem German Band, tentative German bake sale	Perry Square.
	8 p.m.	Captains Mast	Kangaroo Kourt, Pioneer Village.
	8:15 p.m.	Civil Air Patrol, variety show	Strong Vincent Auditorium.
June 15	9:30 a.m. to 6 p.m.	SS *North American*, boat trip to Port Burwell, Canada, and return	
	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
		Ukranian group, food sale, arts and crafts	Perry Square.
		Reenactment of a supply wagon trek from Pittsburgh to Erie. Arrive at Erie June 22. Stops at Butler, Grove City, Franklin, Oil City, Titusville, Meadville, Waterford. Ceremonies at each community.	
June 15 to Sept. 10		Art exhibit by Erie trained artists who have received national recognition.	Public library.

OUTDOOR WEEK (JUNE 16-23)

June 16-22		Outdoor Writers Association, expect 1,500	Beachcomber.
June 16	9 a.m. to 6 p.m.	Erie Kennel Club dog show, 57th annual all breed dog show and obedience trial.	
June 19	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leaves sesquicentennial headquarters.
June 19-27		High school baseball playoffs	Ainsworth Field.
June 20	6:30 p.m.	Women's Council of Erie Real Estate, dinner dance	Kahkwa Club.
June 20-22		Shrine circus, afternoon and evening	Academy Stadium.
	6 p.m.	St. Benedict's festival, games, lunch, etc	
June 21-22		29th Legion District Convention	Girard, Pa.
June 21	All day	Sesquicentennial Costume Day throughout county	
	9 p.m.	Captain's Mast	Kangaroo Kourt, Pioneer Village.
June 21-23	All day	Scuba diving, Blue Dolphin Skin Divers dive for relics and treasures	Misery Bay.
June 22		Arrival of sesquicentennial wagon caravan	
	9:30 a.m. to 6 p.m.	SS *North American* boat trip to Port Burwell, Canada, and return	
	1 p.m.	Historical tour, 3-hour tour, terminates at Pioneer Village	Leave sesquicentennial headquarters.
June 23	10 a.m. and 1 p.m.	4-H "open" horse show	Fairview, Pa.
		Doubleheader baseball game, Cleveland versus Chicago	Cleveland, Ohio.

COAST GUARD WEEK (JUNE 24-30)

June 24 to Aug. 23		Playground	Booker T. Washington Center, 16th and German.
June 26		Children's Day	Waldameer.
	1 p.m.	Historical tour, 3 hours—terminates at Pioneer Village	Leaves sesquicentennial headquarters.
June 27-30		Our Lady of Peace summer festival	2401 West 38th.
June 28	All day	Sesquicentennial Costume Day, throughout county	
	9 p.m.	Captain's Mast	Kangaroo Kourt, Pioneer Village.
June 29	9:30 a.m. to 6 p.m.	SS *North American* boat trip to Port Burwell, Canada, and return	
	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leaves sesquicentennial headquarters.
		Harmony Fair, square dancing, games, barbecue, etc	Waldameer.

AIR FORCE WEEK (JULY 1-7)

July 1-12		YWCA day camp	Waterworks cabin on peninsula.
July 2		Dance	Waldameer.
		Street dance	Columbus.
July 3	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leaves sesquicentennial headquarters.
	8:30 p.m.	Prespectacle performance	Academy Stadium.
	9 p.m.	9th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history, climaxed by a fireworks reenactment of the Battle of Lake Erie.	
July 3-6		St. Jude's sesquicentennial festival	School grounds, ½ mile east of peninsula.
July 4		Glenwood baseball	
	8:30 p.m.	Prespectacle performance, Longs School of Dance	Academy Stadium.
	9 p.m.	10th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	
		Boys' baseball all-star game	Niagara Field, 41st and Old FrenchRd.
July 4-7		50th Annual Convention of Polish Baptists, United States and Canada	
July 5-7		Track and field event (by Polish Falcons)	Academy Stadium.
July 5	8:30 p.m.	Prespectacle performance, Commodore Perry Barber Shop Quartet, 40 men.	Do.
	9 p.m.	11th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Do.
	All day	Sesquicentennial Costume Day throughout county	
	9 p.m.	Captain's Mast	Kangaroo Kourt, Pioneer Village.
July 6	9:30 a.m. to 6 p.m.	SS *North American* boat trip to Port Burwell, Canada, and return	
	1 p.m.	Historical tour, 3 hours—terminates at Pioneer Village	Leaves sesquicentennial headquarters.

TITUSVILLE DAY (JULY 6)

July 6	8:30 p.m., 9 p.m.	Prespectacle performance. 12th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Academy Stadium.
July 7-31		Contemporary exhibits, all month, opening day tea, 2:30 to 4:30 p.m.	Art Center, 338 West 6th.

ARMY WEEK (JULY 8-14)

Date	Time	Event	Location
July 8-14		Erie Sailors Baseball Week, called Perry Sesquicentennial Week	Ainsworth Field.
July 9		Dance	Waldameer.
July 10-12	12:30 to 9 a.m.	Pennsylvania School Food Service Association	Lawrence & Gannon.
July 10	1 p.m.	Historical tour, 3-hour tour, terminates at Pioneer Village	Leave sesquicentennial headquarters.
	8:30 a.m.	Prespectacle performance, Osiecki Brothers Accordion Band	Academy Stadium.
	9 p.m.	13th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Do.
July 11	2 p.m.	St. Vincent's annual garden party	Rainbow Gardens.
	9:30 a.m. to 4 p.m.	Thursday, Junior League of Erie Historical Home Pilgrimage. Leave Erie Club, 504 Peach St. Tickets $3; includes 1813 box lunch, ticket, brochure, and tour aid. Scenic bus; capacity, 40. Tickets at sesquicentennial headquarters or Mrs. David Lund, GL 4-7885.	
	8:30 p.m.	Prespectacle performance. 14th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Academy Stadium.
July 12	All day	Sesquicentennial Costume Day throughout county	
	9 p.m.	Captain's Mast	Kangaroo Kourt, Pioneer Village.
July 12-14	7 to 11 p.m.	Holy Trinity parish festival	
July 11-13		Old fashion bargain days	
July 12	8:30 p.m.	Prespectacle performance	Academy Stadium.
	9 p.m.	15th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of "The Battle of Lake Erie."	Do.
July 13	9:30 a.m. to 6 p.m.	SS *North American* boat trip to Canada (Port Burwell) and return	
	1:30 p.m.	Soap Box Derby	
		Italian Week Celebration Dance	Waldameer.
	1 p.m.	Historical tour, 3 hours—terminates Pioneer Village	Leave sesquicentennial headquarters.

MEADVILLE DAY (JULY 13)

July 13	8:30 p.m.	Prespectacle performance, Goya Greek Dancers, Our Lady of Peace Dancers.	Academy Stadium.
	9 p.m.	16th performance, "From These Shores." Spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	
July 14-17		Veterans of World War I department convention—July 13 spectacle for veterans—Sightseeing bus, fishing on Lake Erie.	
July 14	1 p.m. to 5 p.m.	Villa Maria College alumni lawn social and baby contest	

MARINE WEEK (JULY 15-21)

July 15-21		Perry Sesquicentennial tennis tournament	Erie Tennis Club, 5201 Zuck Rd.
July 16		Dance (tentative)	Waldameer.
July 17	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leaves sesquicentennial headquarters.
July 19	8 p.m.	Scottish games, Canadian-United States Pipe and Drum Corps competition.	Academy Stadium.
	All day	Sesquicentennial Costume Day throughout county	
	9 p.m.	Captain's Mast	Kangaroo Kourt, Pioneer Village.
July 19-21	2 p.m.	Arrival of Canadian vessel H.M.C.S. *Nootka* (DDE-213) at port of Erie; Canadian Navy vessel to remain in Erie through July 21; depart 2 p.m.	
July 20	1:30 p.m. and 8 p.m.	Scottish games (advance sale of evening tickets after June 1)	Academy Stadium.
	9:30 a.m. to 6 p.m.	SS *North American* boat trip to Port Burwell, Canada, and return	
	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
	10 a.m.	Military parade	
	9 p.m.	Military ball	Waldameer.
July 21		Skeet shoot	Erie Skeet Club.
		Italian Week picnic	
	9 a.m. to 6 p.m.	Radio Control Club of Erie model airplanes	Fairview Airport.
July 21-24		State Pharmaceutical Association State convention	

NAVY WEEK (JULY 22-28)

July 23		Street dance	16th and Holland.
		Dance	Waldameer.
July 24	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
July 25-27		McKean Hose Company bazaar	
July 26	7:30 p.m.	Sesquicentennial	Academy Stadium.
July 27	1 p.m.	Erie annual benefit horse show	Do.
	7:30 p.m.	Royal Canadian Mounted Police	Do.
July 28	1 p.m. 7:30 p.m.	Variety of exhibition (musical rides at performance—all 5)	Do.
	All day	Sesquicentennial Costume Day throughout county	
	9 p.m.	Captain's mast	Kangaroo Kourt, Pioneer Village.
July 27	9:30 a.m. to 6 p.m.	SS *North American* boat trip to Port Burwell and return	
	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.

SPACE AGE WEEK (JULY 29 TO AUG. 4)

July 28 to Aug. 4		NASA (National Aeronautics and Space Administration), exhibits and displays throughout week at Gannon and Playhouse.	
July 30		Dance	Waldameer.
July 31	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
July 31 to Aug. 3		Perry highway bazaar	
Aug. 1		Polish Day	Waldameer.
Aug. 2	All day	Perry Sesquicentennial Costume Day throughout county	
	9 p.m.	Captain's Mast	Kangaroo Kourt, Pioneer Village.
Aug. 3	9:30 a.m. to 6 p.m.	SS *North American* boat trip to Port Burwell, Canada, and return	
	1 p.m.	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
Aug. 4		International picnic	St. Barnabas, East Lake Rd.
Aug. 4-31		Erie landscape exhibits, all month, opening day tea, 2:30 to 4:30 p.m.	Art Center, 338 West 6th.

LADIES' WEEK (AUG. 4-10)

Date	Time	Event	Location
Aug. 6		Dance	Waldameer.
		Street dance	41st and Sunset.
Aug. 7	1 p.m	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
	8:30 p.m	Prespectacle performance, Church of the Covenant, handbell choir	Academy Stadium.
	9 p.m	17th performance, "From These Shores," spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	
Aug. 8	9:30 a.m. to 4 p.m	Thursday—Junior League of Erie historical home pilgrimage. Leave Erie Club, 504 Peach St., tickets $3; includes 1813 box lunch, ticket, brochure, and tour aid. Scenic bus capacity, 40. Tickets at sesquicentennial headquarters or Mrs. David Lund, GL 4-7885.	
	8:30 p.m	Prespectacle performance, Church of the Covenant, handbell choir	Do.
	9 p.m	18th performance, "From These Shores," spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Do.
Aug. 9	All day	Sesquicentennial Costume Day throughout county	
	9 p.m	Captain's Mast	Kangaroo Kourt, Pioneer Village.
	8:30 p.m	Prespectacle performance, Siebenburger Singing Society and Booker T. Washington.	Academy Stadium.
	9 p.m	19th performance, "From These Shores," spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake erie.	Do.
Aug. 10	9:30 a.m. to 6 p.m	SS *North American* boat trip to Port Burwell, Canada, and return	
	1 p.m	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
		Sesquicentennial beard contest; final judging of Commodores of the Brush.	
		Career girls luncheon	Lawrence.
		Ashtabula-Conneaut Day	
	8:30 p.m	Prespectacle performance Rocking Squares	Academy Stadium.
	9 p.m	20th performance, "From These Shores," spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Do.
Aug. 11		Polish Day	Waldameer.
		INDUSTRY WEEK (AUG. 12-18)	
Aug. 13		Dance	Waldameer.
Aug. 14	1 p.m	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
		Chestnut Pool swimming meet	
	8:30 p.m	Prespectacle performance, Osiecki Brothers Accordion Band	Academy Stadium.
	9 p.m	21st performance, "From These Shores," spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Do.
Aug. 15	8:30 p.m	Prespectacle performance, St. Benedicts Folklanders	Do.
	9 p.m	22d performance, "From These Shores," spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Do.
Aug. 16		Bike derby	
	All day	Sesquicentennial Costume Day throughout county	
	9 p.m	Captain's Mast	Kangaroo Kourt, Pioneer Village.
	8:30 p.m	Prespectacle performance, Erie Commodores, Jim Steinbaugh, director.	Academy Stadium.
	9 p.m	23d performance, "From These Shores," spectacular outdoor historical drama. Cast of 800 presents living history climaxed by a fireworks reenactment of the Battle of Lake Erie.	Do.
Aug. 17		Physical Fitness Day	
		Industry parade	
	9:30 a.m. to 6 p.m	SS *North American* boat trip to Port Burwell, and return	
	1 p.m	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
		Physical Fitness Day	
		Jamestown, N.Y., Day	
	8:30 p.m	Prespectacle performance	Academy Stadium.
	9 p.m	24th performance, "From These Shores," spectacular outdoor living history. Cast of 800, climaxed by a fireworks reenactment of the Battle of Lake Erie.	Do.
		PIONEER AND HOMECOMING WEEK (AUG. 19-25)	
Aug. 19-23		Hole-in-one golf tournament	
Aug. 20		Dance	Waldameer.
Aug. 21	1 p.m	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
Aug. 23	All day	Sesquicentennial Costume Day throughout county	
	9 p.m	Captain's Mast	Kangaroo Kourt, Pioneer Village.
Aug. 24	9:30 a.m. to 6 p.m	SS *North American* boat trip to Port Burwell, Canada, and return	
	1 p.m	Historical tour, 3 hours, terminates at Pioneer Village	Leave sesquicentennial headquarters.
Aug. 24-25		Gem City Gun Club (pistol shoot)	Station and Depot Rds.
		Mallory sailboat races	Erie Yacht Club.
Aug. 25-31		City tennis tournament	
Aug. 27		Dance	Waldameer.
Aug. 28	1 p.m	Historical tour, 3 hours—terminates at Pioneer Village	Leave sesquicentennial headquarters.
Aug. 30	All Day	Sesquicentennial Costume Day throughout county	
	9 p.m	Captain's Mast	Kangaroo Kourt, Pioneer Village.
Aug. 31	9:30 a.m 6 p.m	SS *North American* boat trip to Port Burwell, Canada, and return	
	1 p.m	Historical tour, 3 hours—terminates at Pioneer Village	Leave sesquicentennial headquarters.
	Saturdays and Sundays	Erie men's and Erie women's golf, 5 Erie courses	
Sept. 2		All-star football game	Academy Stadium.
Sept. 7-8	8:30 p.m	World premier of a symphony by Louis Menninni, Erie Philharmonic Orchestra, James Sample, music director, (black tie). Tickets $3.50, $2.50, $1. 1020 Baldwin Bldg., or 723 State.	Tech Memorial Auditorium.
Sept. 9-11	11 a.m. to 10 p.m	YWCA antiques show	
Sept. 10		The Battle of Lake Erie reenactment Presque Isle Peninsula shore points. The Rogers Co. uses professionally designed fireworks treatment. Will portray battle. Scenes will be mounted on barges afloat in the lake	

THE WHEAT REFERENDUM

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, Kennedy intelligence on the wheat referendum was no better than Kennedy intelligence on the Communist buildup last year in Cuba.

According to a national magazine, President Kennedy called Agriculture Secretary Freeman after the wheat votes were in and asked coldly, "What happened?"

Secretary Freeman's reported reply, "I don't know."

Obviously, Mr. Kennedy and Mr. Freeman had both expected an affirmative vote. Certainly they did not expect the overwhelming "no" vote on the mandatory bushel-acre control scheme.

They and their top advisers were duped by their own massive propaganda. They used the hard sell on farmers to such an extent they sold themselves a myth.

THE MONMOUTH MESS

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, the "Monmouth mess" is still not solved. A procurement is underway at the Army Electronics Materiel Agency that is a farce, a fake, and a sham. Unless it is stopped and unless the procurement is forced out into the open, the taxpayer is going to have his throat cut just a little more. The procurement of which I speak is so typical of many. The Army says it has no plans for industry to use in bidding, but I will prove here today that it does have plans and should cancel its present proposal.

Mr. Speaker, the Army Electronics Materiel Agency issued a request for proposal on May 21, 1963. It is for a gyromagnetic compass test set called the AN/ASM61. There are plans to buy up to 240 of these sets.

Only Winslow Electronics, Inc., Asbury Park, N.J., a previous builder of this equipment has been asked to bid this time. As a matter of fact the Army goes even further to state that plans or drawings relating to this procurement are either not available or are insufficient to provide all necessary manufacturing and construction details.

Mr. Speaker, this document came into my office as a result of information furnished me through the courtesy of the Defense Appropriations Subcommittee and also as a result of work done by the House Government Operations Committee's Subcommittee on Freedom of Information. I received it early this week and immediately contacted Army Liaison in the Pentagon where Colonel Sage assured me of fast action. I asked for copies of past contracts for this equipment. Frankly, I wanted to know if there are drawings.

You will be shocked to learn, as I was, that on page 2 of contract No. DA 36-039-SC-88261, signed June 28, 1961, there is an item that requires delivery of manufacturing drawings for this equipment. The price paid for what are termed "a complete set of manufacturer's drawings" was $1,000. You will also be interested to learn that this test set is the former TS-1086 test set that dates all the way back to 1952.

Think of it. Equipment that is 11 years old and some paper shuffler in Philadelphia wants industry to believe there are still no drawings for it.

Mr. Speaker, there are drawings for the AN/ASM 61. They were bought and paid for. They must be placed out in the open for industry to see and this procurement must be placed on a competitive basis. The opening date for this proposal is June 10. In the interests of economy that date should be set back at least a month, competition should be induced and this Congress should investigate and demand a full explanation of such conduct by Army procurement officials.

COMMITTEE ON RULES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the committee may have until midnight tonight to file certain privileged reports.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL DYNAMICS CORP.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, on yesterday the gentleman from Iowa in a special order stated that the General Dynamics company in Fort Worth had written some letters to certain subcontractors asking in what congressional districts they were located. He seemed to feel that there might be some undisclosed impropriety in such an inquiry and asked to know how and why such a thing could happen.

There is nothing sinister or diabolical about this, if it did happen. It seems a matter of relative unimportance. Surely it would be within the right of anyone to ask such a question of another. But in order that the gentleman may be informed, I personally asked officials of this company to identify for me the congressional districts in which some of their major subcontractors were located. If any such inquiries were made, they probably were made in response to this request of mine. I made the request for two reasons: First, in order that I may have a picture of the geographical scope of these contracts.

Some of the Members may recall that about 2 or 3 years ago I wrote to a number of them explaining to them the part which certain companies in their respective districts were playing in another major weapons system, the B-58. It was amazing to me to discover at that time that the first tier subcontractors, numbering more than 4,000, on that complete weapons system, were located in 40 different States.

Secondly, in order that I might, as I did at that time, advise my colleagues of the part that some of their companies in their respective areas and districts were playing in this all-important new weapons system. I was anxious to learn where the main subcontractors were located. These are the reasons I inquired of company officials for this information. If subsequently any inquiries were made of such subcontractors concerning the districts in which they were located, I feel sure this was done in response to my request. I see absolutely nothing improper about it. There was certainly nothing sinister about it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I will if I have time remaining.

Mr. GROSS. Why did not the gentleman do the writing?

The **SPEAKER.** The time of the gentleman from Texas has expired.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. May I ask the gentleman why he did not write and send the letters?

Mr. WRIGHT. The reason for that is that I did not know the identity of the subcontractors.

Mr. GROSS. You could have gotten them from the company, could you not, if they were willing to accede to your wishes?

Mr. WRIGHT. If the gentleman will permit, I think I can answer the question more fully. I did not know the identity of the subcontractors. Presumably I could have gotten some names and addresses from the company, unless that information should happen to be of a privileged nature. I would be glad to write such people, although of course I do not have the time in my office nor the manpower to devote to writing to an extremely long list. I did not know whether many of the subcontractors had been selected or not. I asked them if they could identify to me some of the larger subcontractors, because I thought it would be a matter of interest to the Members of Congress that firms in their districts had the privilege of playing a part in such a vital national defense weapons system. The gentleman may recall, as I am sure others on the floor will now recall, that about 2 years ago I did write to them and explain to them for their interest the part that some of their important firms were playing in another weapons system program that was under the general direction of this same company. If there were a big new national weapons system contributing to the defense of our country and there were subcontractors in my district, I would like to know about it. I would appreciate one of my colleagues informing me about it. I see nothing wrong with that. I think it was a service to my colleagues. It seems to me that folks are pretty hard up for something to complain about to find fault with it. It seems innocent enough to me. I do not apologize for it.

Mr. GROSS. No one is asking you to apologize for whatever you do, but I think it is entirely beyond reason that General Dynamics asks for the congressional districts in which the suppliers and the subcontractors are located.

I repeat and reemphasize what I said yesterday, that General Dynamics, in sending out questionnaires to suppliers and subcontractors, should be interested only in whether they could supply a quality product at a reasonable price. And it seems to me that the "folks" at General Dynamics are hard up for political information when they insist upon mixing the identification of Members of Congress with potential suppliers and subcontractors.

SPECIAL ORDER VACATED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the special order granted to the gentleman from South Carolina [Mr. HEMPHILL] for today be vacated.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

WE MUST FIGHT THE RED LINE HARDER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend at this point in the RECORD an article by former President Harry S. Truman.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

[From the Washington Post, May 26, 1963]

WE MUST FIGHT THE RED LINE HARDER

(By Harry S. Truman)

INDEPENDENCE, MO., May 25.—It has been apparent for a long time that we are not doing well in our farflung operations to reach the minds of the people in the Communist-occupied countries. We are even having our share of troubles in convincing certain elements among our close neighbors. We have been at this business of trying to make ourselves understood and believed since the end of World War II. We must not deceive ourselves—we have made very little headway. We have not communicated in any appreciable measure our concept of human society—what we stand for—and why we are irrevocably dedicated to the principle that all men are entitled to their freedom, and equality of opportunity for a decent life.

Now, I am not too concerned about those governments who are fence sitters by choice. They are the "neutralists" who regard themselves above the contest. They, I suspect, are deferring their decision until they are sure of the final outcome.

What is it that we are saying to the captive people that is wrong? Or what is it that we are doing and saying that is not quite right? Whatever is the case—it is apparent that we are not getting through to the Communist-infested areas and their self-styled neutralists.

MARSHALL'S DISILLUSIONMENT

Indeed, I well recall the discouraging report I received from Gen. George Marshall on his return from his conferences in Europe when he was appointed Secretary of State. His visits include a stop in Moscow. He concluded his report with these words:

"Mr. President, what are we going to do? What can we do? They simply don't and won't believe us—nothing I said made the slightest difference or impression on them."

I told the general that I fully realized what we were up against but that we had no choice but to keep on trying, no matter how it tried our patience and our energies—that we had to find some way to overcome the barrier and do everything possible to prevent a world war III. This is how I felt about it then, and how I feel about it now.

These Communist operations are being managed by hard-core professionals. They are crafty organizers—and highly skilled propagandists in the field of exploiting human misery. They find no market in the United States. We don't buy crooks—diplomatic or otherwise.

NEW KIND OF WARFARE

The free world has so far not been able to match them in skill and effectiveness. For we are confronted with a totally new kind of approach in subverting people's minds, and we of the West are not experienced in this kind of business. In fact, it is a new kind of warfare, and we have yet to learn how to deal with it. Up to now, it has been difficult for the free people to grasp the full impact of this Communist intrusion on civilization. There are many good and valid reasons for this. For one thing, we believe in intellectual honesty and it is a tradition with us that we keep our agreements.

This is not a simple problem that can be solved by passing resolutions—or for that matter by daring and rash acts either. Rather it, I believe, calls for a peaceful arrangement and the acceptance of a distasteful situation to the free world. It is not too difficult for us to try to get along with systems differing from ours. We have always done it—and we are prepared to keep on trying to extend a peaceful hand to all nations who prefer living under a government of their own choosing.

People ask me, what shall we do about it? Is there anything we can do? Or must we abandon ourselves to the tide of history and let it run its course?

That we cannot do. We must meet the situation with which we are faced. We must try to give the world our viewpoint in simple language that all can understand. It can be done and we must do it.

OUR OWN REVOLUTION

Here is one important part of our past history that should not be too hard for others to understand. When our Declaration of Independence and the Constitution were written they were revolutionary documents. But they were revolutionary in a very unusual sense. Many revolutions are simply a resort to force and violence to impose a new despotism upon the people. But our declaration and revolution were for a very different purpose—their chief aim was to make despotism impossible.

We are fortunate in having a flexible, adaptable and forward-looking Constitution to guide us and to protect us. It is a most remarkable document, for it not only profited from the experience of the past—but it brilliantly anticipated the future. Our Constitution is not just a matter of containing the right words. There are other constitutions that may read as well as ours. For example, the Constitution of the Soviet Union contains some strong, eloquent, and meaningful words and phrases, which proclaim that Soviet citizens are guaranteed freedom of speech, freedom of press, and freedom of assembly, guarantee of equality, freedom of religion, the right to work, rest, and leisure. I wonder what would happen to the average Soviet citizen who tried to exercise some of these rights. But citizens in other parts of the world live under illusions which cannot stand the light of day.

U.N. "OUR BEST HOPE"

I sometimes get the feeling, on one of my walks, that governments by and large continue to be preoccupied with matters of special interest to their own countries, without regard to the larger interest of all nations and the whole world. More and more the United Nations is being used as a forum for propaganda, instead of the world platform for the preservation of peace, for which it was established. Some of the delegates to the United Nations talk and act like mechanical men, mouthing the recordings of their governments, which impress the rest of us as senseless and futile. They breed and spread confusion. They tend to incite conflict and division, while at the same time they profess their yearning for peace. The United Nations is our best hope for an organized peace—and these obstructionist delegates should think twice before they disrupt its function and misuse it for their own nationalistic purposes.

We labored hard, and supported in every way we could the establishment of a United Nations Organization with authority. Our motive was simple and urgent. We wanted peace—we wanted to be done with war, if that were possible. We wanted a United Nations capable of enforcing the peace. Unfortunately, this was prevented. Yet we saw how in several troublesome local explosive situations, the U.N. performed its peacemaking influence—when the U.N. was armed with the required military police force to put down warmaking potentials in their inceptions.

RUSSIAN NONSENSE

One hears from people returning from Russia—describing the friendly disposition of the Russian people toward the American tourists—and of their seemingly genuine profession of wanting and hoping for peace—but they are given to such statements as this: "We want peace—only your Kennedy wants war." What is that kind of nonsense? It could only come out of a closed society with a controlled press, radio and television, and where the people simply echo the ideas that their government drills into them. Such patent falsehoods can only produce anxieties and fears in the Russian people who had suffered enormous sacrifices in millions of dead and casualties in the last war. And one wonders, to what purpose are they still being tormented by the war-scare propaganda being put out by the men in the Kremlin? But dictatorships are like that—they thrive on fear and it has been thus throughout history.

When the Russian people are reared on that kind of diabolical lunacy, how can we hope to achieve any kind of progress in the important area of putting an end to the armament race and our hope of eventual disarmament? The men in the Kremlin cannot be too serious in wanting an end to the arms race. If they were acting in good faith there would be an end to the arms race.

In our past we had quite a few experiences with witch hunts. There were times when even the Government itself had fallen victim to hysteria and taken repressive measures against freedom of the press, freedom of speech and assembly. The Catholic and Jewish religions and their people were slandered and shamefully abused.

There were also the "know-nothings," anti-Catholic, anti-Masonic, the alien and Sedition laws, the Ku Klux Klan, and other movements that flared up and then faded in the light of free exposure. Some may recall the A. Mitchell Palmer raids as more recent examples of hysteria. We deplore and are outraged by such primitive behavior, but the point we shall remember is that we never had good reason to fear them.

HISTORICAL THROWBACK

Then, too, we are currently experiencing renewed disturbances in certain areas of our Nation on the question of civil rights. Strife in this field of human relations is a throwback to the period in our history which we like to think is well behind us. But, some politicians, bigots, zealots and demagogs have always managed to stir up trouble. Ignorance, prejudices and fear are preventing a solution from being evolved by men of good will and good sense on both sides. If only the hotheads and the bullheads could have been knocked together, we would have long ago put the civil rights issue with its basic constitutional guarantees in force—with the energies of the community directed toward improving the lot of all citizens regardless of race, creed, or origin.

There is no room for any kind of "apartheid" in this country—and we have an obligation to provide the world with an example of conduct that befits a leading power among the free nations. The course of freedom is damaged at home and abroad when a great country yields to hysteria.

In the last year of my administration I had occasion to speak on commencement day to Howard University and I concluded with these remarks:

> "There are those who have said that this is America's century, but we want it to be more than that—we want it to be 'humanity's century.' If all the people of the world, including the people of the Soviet Union, could know and appreciate this fact, lasting peace and universal justice would not be a dream. They would be a reality."

We shall continue to hope and work for that kind of a world.

POPE JOHN XXIII

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I am sure the entire world is saddened and deeply grieved by the great personal crisis which Pope John XXIII is experiencing. The medical reports from the Vatican do not seem at all hopeful. I am sure that I speak for the vast number of my constituents; yes, I think I speak for all of the constituents in my district in calling upon all men of good will of all religious faiths to join in prayer that his Holiness may be restored to his health.

Mr. Speaker, Pope John has brought to this world a unique and dedicated approach to the solution of the problems that have beset mankind. In his two most recent encyclicals he has certainly created an atmosphere in which men of good will of all religious beliefs can work more closely together.

Mr. Speaker, I believe that today there is greater understanding among the religions of the world and a greater understanding than ever before simply because this very humble man has had the courage and the determination to set forth certain principles, recognizing the shortcomings of all of us as mortal beings and urging us to work together.

Mr. Speaker, in the Pope's most recent encyclical in his great plea for the world to find a way of resolving its problems without the destruction of nuclear holocaust, it is my opinion that he has won the love and admiration and respect of men of all religious faiths, and those of no religious faith.

So today, during his great personal crisis, I hope that this man who has inspired mankind will be able to share the prayers of men of good faith of all religions throughout the world.

THE 45TH ANNIVERSARY OF ARMENIAN INDEPENDENCE DAY

Mr. STAEBLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STAEBLER. Mr. Speaker, exactly 45 years ago today, on May 28, 1918, the Armenian nation rose up to create the Independent Republic of Armenia.

After the defeat of the Kingdom of Little Armenia in 1375, the Armenian people suffered uninterruptedly under the cruel regime of the Ottoman Empire. However, even this period of unmitigated servitude and domination failed to crush the people's spirit and their determination to fight for freedom and a better future.

In 1915, taking advantage of the chaos of World War I, the Turkish Government then in power decided to settle the "Armenian problem" once and forever by exterminating the entire Armenian people. Once aware of Turkish intentions, the Armenian nation took up arms and defended itself in an heroic struggle against overwhelming odds.

Their inspired resistance and eventual victory had more than minor significance to Americans. Armenia's forces played a crucial role in blocking Turko-German attempts to gain control of the oil of the Baku fields of Asia Minor, which the Central Powers had hoped to supply to their armies on the European front. In addition, Armenia's spectacular defeat of the Turkish army in May 1918, led to the establishment in Asia Minor, for the first time in history, of a stable, democratic government allied to the West.

Unfortunately, 2 short years later, the independent Republic of Armenia fell prey to the forces of Soviet imperialism.

We are paying tribute to this 45th anniversary of Armenian Independence Day in order to remind the world of the heroism of the Armenian people, and to give hope to all those who are presently forced to bear the oppressive burden of Red tyranny.

I join with all Americans of Armenian ancestry in observing the anniversary of Armenian Independence Day with the conviction that it will serve as a moment of inspiration for all peoples engaged in the fierce fight for freedom throughout the world.

AD HOC COMMITTEE ON RESEARCH RETRIEVAL

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the ad hoc Committee on Research Retrieval be permitted to sit this afternoon during general debate in the event the House is in session.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

ATTACKS ON AMERICANS FOR CONSTITUTIONAL ACTION

The **SPEAKER.** Under previous order of the House, the gentleman from Texas [Mr. ALGER] is recognized for 60 minutes.

Mr. ALGER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, recently the Americans for Constitutional Action were attacked on the floor of this House. I was not present. I have had the opportunity to read what was said.

Mr. Speaker, I suppose after being here 9 years I should not have been surprised or shocked at anything because, of course, in the good, hearty debate and exchange of frank views one can hear most anything, and on the floor of this House we are pretty well protected, of course, even from irresponsible statements. But today I would like to present as I see it what the Americans for Constitutional Action stand for and identify myself rather proudly with their principles. I believe their principles pretty well speak for themselves. In that vein, therefore, I would like to start by reading what the Americans for Constitutional Action consider themselves to be:

> Americans for Constitutional Action is a nonpartisan, nonprofit, nationwide political action organization which is dedicated to these theses:
>
> First, that the Constitution of the United States as originally conceived provides a sound foundation upon which the structure of our free social order has been erected and, second, if we are to preserve that social order in America it is imperative that we protect its foundation against erosion or destruction.
>
> To this end, ACA has undertaken to help elect to the Senate and House of Representatives of the United States individuals who by their actions have proved their allegiance to the original spirit and principles of the Constitution.
>
> ACA believes that if a significant number of such dedicated and determined——

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. ALGER. No, I do not yield at this time.

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. ALGER. I thank the gentleman.

The **SPEAKER.** The Chair will count. [After counting.] Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 55]

Abbitt
Andrews
Aspinall
Auchincloss
Baker
Barry
Battin
Becker
Bennett, Mich.
Bolling
Bow
Bray
Brock
Brotzman
Brown, Calif.
Burton
Cahill
Cameron
Cannon
Chelf
Clancy
Collier
Cooley
Daniels
Davis, Ga.
Davis, Tenn.
Dent
Denton
Derounian
Devine
Diggs
Dorn
Dowdy
Downing
Dwyer
Everett
Fallon
Farbstein
Finnegan
Fisher
Flood
Flynt
Fogarty
Forrester
Fountain
Frelinghuysen
Fulton, Tenn.
Fuqua
Glenn
Gonzalez
Grabowski
Grant
Gray
Gubser
Hagen, Calif.
Halpern
Hanna
Hansen
Harsha
Hawkins
Healey
Hébert
Hechler
Hemphill
Henderson
Hoffman
Holifield
Horan
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jones, Ala.
Jones, Mo.
Kee
Kilgore
King, N.Y.
Kluczynski
Laird
Landrum
Lesinski
Long, La.
McCulloch
McIntire
McLoskey
McMillan
Macdonald
Martin, Mass.
Martin, Nebr.
May
Michel
Miller, Calif.
Morton
Moss
Natcher
Nedzi
Nygaard
O'Konski
Osmers
Pepper
Perkins
Pilcher
Powell
Purcell
Rains
Randall
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Ryan, Mich.
St Germain
Schadeberg
Schenck
Scott
Secrest
Selden
Shelley
Sheppard
Short
Sibal
Smith, Calif.
Snyder
Stubblefield
Taft
Tuck
Van Pelt
Waggonner
Wallhauser
Walter
Watts
Wharton
White
Wilson, Bob
Wilson, Charles H.

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 303 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ATTACKS ON AMERICANS FOR CONSTITUTIONAL ACTION

Mr. ALGER. Mr. Speaker, I think it is well for the membership to realize that the point of order was called by the gentleman from Ohio [Mr. HAYS], and we remember that when the gentleman from California made his presentation he refused to yield to a number of Republicans who asked for recognition. No Republican at that time made the point of order that was made here today. However, I repeat publicly, I thank the gentleman and I trust the membership will find something of substance in what I have to say. I am endeavoring to present what the ACA stands for, and I had virtually completed the principal points:

> Americans for Constitutional Action is a nonpartisan, nonprofit, nationwide political action organization which is dedicated to these theses:
>
> First, that the Constitution of the United States as originally conceived provides a sound foundation upon which the structure of our free social order has been erected, and, second, if we are to preserve that social order in America it is imperative that we protect its foundation against erosion or destruction.
>
> To this end ACA has undertaken to help elect to the Senate and House of Representatives of the United States individuals who, by their actions, have proved their allegiance to the original spirit and principles of the Constitution.
>
> Many important and vocal elements among our people have subscribed to the thesis enunciated by the prominent Swedish socialists, Gunnar Myrdal, who was cited favorably by our Supreme Court, that "The Constitution of the United States is impractical and unsuited to modern conditions." They have supported measures designed to weaken and nullify many of the Constitution's provisions. Unfortunately, their efforts have been successful, in part at least. Their ends have been accomplished, first, by tortuous legislative, executive and judicial interpretations of the "general welfare" and "commerce" clauses and the various amendments of the Constitution;
>
> Second, by an ill-advised constitutional amendment (the 16th—the graduated Income Tax), which confers upon Congress the power to confiscate all of the income from private property and all of the fruits of the individual citizen's labor, without limitation;
>
> Third, by judicial decisions of questionable jurisdiction, rationalized by the so-called new social doctrine:
>
> Fourth, by abdication by Congress of its constitutional authorities and responsibilities in favor of an all-powerful Chief Executive; and
>
> Fifth, by bribery of the sovereign States with "handouts" from the Federal Government which are financed by tax extortions from the States' own citizens. Concurrently, the States are required to sanction an ever-increasing surrender of power to the Government centralized in Washington.

Mr. Speaker, I continue from the preamble of the Americans for Constitutional Action:

> In evaluating the effectiveness of our Constitution as a political instrument designed to provide a "government of laws, not of men," it is pertinent to recall the statement of the great British Prime Minister, William E. Gladstone, in 1878. He said "the American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man."

With that lofty authority as to what constitutes an ideal of the constitutional outlook on government set forth by the Americans for Constitutional Action, I will take my stand. I shall now read what the ACA-index endeavors to do:

> The purpose of the ACA index is to inform the people of the United States with respect to the probable effects of important legislative measures on the preservation of the basic values of our Constitution and, most importantly, the actual voting performances of all Senators and Representatives in support of or in opposition to those measures. This gives the voters a basis for choosing those legislators whom they wish to support.
>
> ACA believes that the basic values of the Constitution consist of, first, the concept of natural or God-given rights of the individual (individual liberty), second, a government with powers strictly limited by a written Constitution and, third, a free, competitive market economy.

Now, Mr. Speaker, I shall read the seven indexes, one major and six subsidiary, which are used as the guidelines for the selection of the legislative votes in the bodies of Congress:

> 1. The ACA consistency index (for safeguarding the God-given dignity of the individual and promoting sound economic growth by strengthening constitutional government; against "group morality" and a socialized economy through centralization of power).
>
> 2. For sound money and against inflation (for a sound dollar and fiscal integrity; against inflationary forces).
>
> 3. For the private, competitive market and against government interference (for protecting the individual's freedom of choice and a competitive market; against government price fixing and controls).
>
> 4. For local self-government and against central government intervention (for the citizen's right to be let alone; against national government intervention in local government and private affairs).
>
> 5. For private ownership and against government ownership (for private ownership and control of the means of production and distribution; against the unfair competition of government with private competitive enterprise).
>
> 6. For individual liberty and against coercion (for protecting individual rights and responsibilities; against coercion of individuals through government sanctions).
>
> 7. National sovereignty (for strengthening national sovereignty).

Mr. Speaker, my concern rests in the fact that I unabashedly am seeking to preserve three things, the most constructive theses I know, in order to maintain the society which I inherited and which, God willing, we will preserve and pass on to our children. These three concepts are first, capitalism; the profit motive, unapologetic, unashamedly a capitalist; secondly, preserving the sovereignty of the United States; and, thirdly, preserving the republic form of government.

Therefore, necessarily, since I am for capitalism, I am against socialism and, because I am for U.S. sovereignty I am against one-world government. Thirdly, because I am for the Republic within a democracy with checks and balances, I am against government centralization and coercion—indeed, what I choose to call the dictatorship, which I see fast engulfing our country. Yes, I am extreme; I am extremely constitutional in my outlook and, while I may join with my liberal friends on occasion, as they well know, on the floor of this House, I am for these principles I have stated, and I shall be extremely sensitive when the Constitution is in jeopardy.

So, I am an extremist, even though I have not been tabbed one. I hope they tab me, because that is what I am.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I will not yield and I will state to the House——

Mr. HAYS. If the gentleman refuses to yield, I make the point of order that a quorum is not present.

CALL OF THE HOUSE

The SPEAKER pro tempore. The Chair will count. [After counting.] Ninety-five Members are present, not a quorum.

Mr. HARRIS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 56]

Abbitt
Andrews
Ashley
Aspinall
Auchincloss
Ayres
Barrett
Battin
Becker
Bennett, Mich.
Boggs
Boland
Bolling
Bow
Bray
Brock
Brotzman
Brown, Calif.
Buckley
Burkhalter
Burton

Byrne, Pa.
Cahill
Celler
Chelf
Clancy
Collier
Cooley
Daniels
Davis, Ga.
Davis, Tenn.
Dent
Denton
Derounian
Devine
Diggs
Dorn
Dowdy
Downing
Duncan
Dwyer
Everett
Fallon
Farbstein
Fascell
Flood
Flynt
Fogarty
Forrester
Fountain
Frelinghuysen
Fulton, Tenn.
Fuqua
Garmatz
Glenn
Gonzalez
Grabowski
Grant
Gray
Green, Pa.
Griffin
Gubser
Hagen, Calif.
Hanna
Hansen
Harsha
Hawkins
Healey
Hébert
Hechler
Hemphill
Henderson
Hoffman
Holifield
Horan
Hull
Hutchinson
Ichord
Jarman
Joelson
Jones, Mo.
Kee
Keogh
Kilburn
Kilgore
King, N.Y.
Kirwan
Kluczynski
Laird
Landrum
Lankford
Latta
Lesinski
Long, Md.
McCulloch
McIntire
McLoskey
McMillan
Macdonald
Mailliard
Marsh
Martin, Mass.
Martin, Nebr.
May
Michel
Miller, Calif.
Montoya
Morton
Moss
Natcher
Nedzi
Nix
Nygaard
O'Konski
Osmers
Pepper
Perkins
Pilcher
Powell
Purcell
Rains
Randall
Roberts, Ala.
Roberts, Tex.
Ryan, Mich.
St. George
St Germain
Schenck
Scott
Secrest
Selden
Shelley
Sheppard
Short
Sibal
Smith, Calif.
Snyder
Staebler
Staggers
Stratton
Stubblefield
Taft
Tuck
Van Pelt
Waggonner
Wallhauser
Walter
Watts
Wharton
White
Whitten
Widnall
Wilson, Bob
Wilson,
  Charles H.

The **SPEAKER** pro tempore. On this rollcall 282 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ATTACKS ON AMERICANS FOR CONSTITUTIONAL ACTION

Mr. ALGER. Mr. Speaker, I trust the membership understands the circumstances for the point of order. I want to repeat my format today will be to speak for 15 or 20 minutes, or longer, if I choose, in order to present my basic statement and then I shall gladly yield. If this will not do it, we will have other special orders and I will keep asking for special orders until we get the message through. Therefore, I will not yield until I have finished my basic statement and then I will be glad to yield to Members on both sides of the aisle and I will then, of course, yield to Members in the order of recognition as I choose.

Mr. Speaker, I have presented to the membership, to the best of my ability, the views of the Americans for Constitutional Action. These principles, I think, are clearly understood. However, since I was interrupted by the rollcall, I was going to go through them once again because I intend to lay the groundwork for the position that I take so that my colleagues who may respectfully disagree with me can do so, knowing whereof I have spoken so they can take issue with me.

Mr. Speaker, I shall reread the seven indexes, the one major and six subsidiary indexes, which constitutes the basis on which the ACA makes an index of the voting record of each of the Members of Congress, which is their privilege to do, and to agree or disagree, as we like. I must assume that those who respectfully, and with every right, disagree with the Members of the House who, like myself, believe rather constitutionally in interpreting the legislation before us, must assume that the liberals have their own organizations, and I have observed for quite some time that the Americans for Democratic Action is a group that primarily embodies those Members of this House and elsewhere who believe in the libral construction of the Constitution and of legislation confronting us.

Having presented the background of the principles of the ACA I would like now to present from different publications the best definitions I can find, and the most fair, because I would not purposely distort under any circumstances, and certainly not in the interest of debate, the views of the ADA. These members who share those views have every right to their views, although I may certainly disagree, as I do.

As I understand what the ADA stands for—I want to read several of the statements which are the substance of the ADA doctrine.

The ADA believes:

> That it is possible for a police state to be obedient to the popular will; that the apparatus of such a state can be so affected by benevolence that it can produce—through such coercive measures as compulsory union membership, enforced fraternization, a confiscatory share-the-wealth tax system and a strong centralized bureaucracy—a guaranteed annual wage for everybody, complete freedom from fear, want and anxiety for all, and total economic welfare from the cradle to the grave for the entire populace.

Paul Appleby in Big Democracy says:

> Nothing can be decentralized properly which has not first been centralized. The basic essential is national controllability.

I believe this is what the ADA believes in controlled centralization. Anyway, in pushing toward its goal, whatever the ADA stands for—and I will accept language to amend what I have said, if I have not stated it correctly—these are the legislative goals of the ADA:

1. The Brannan plan.
2. Compulsory health insurance.
3. Federal price, wage, and rent controls.
4. Repeal of the Taft-Hartley Act.
5. Compulsory union membership.
6. Giving the Executive power to modify rates of taxes and expenditures to meet changing conditions.
7. Abolition of seniority rule in granting committee chairmanships in Congress.
8. Unilateral cessation of nuclear bomb testing.
9. Placing the major responsibility for financing public education on the Federal Government rather than on local districts and States.

In the conduct of our foreign affairs the ADA has made the following suggestions:

1. Relief aid to Communist China.
2. Diplomatic recognition of Communist China.
3. Admission of Communist China to the U.N.
4. No aid to Franco.
5. Exclusion of Spain from the U.N.
6. U.S. acquiescence to world government.
7. Ratification of the U.N. Convention on genocide.
8. Support of the International Labor Organization and UNESCO which have been the object of unjustified attack.

The ADA World says this:

> If ADA has had any short range liability, it has been its insistence on political integrity.

I found that rather interesting.

Then the ADA World, in April 1950, said:

> We favor ample economic aid to Yugoslavia without political considerations.

These are some of the things for which the ADA stands. If one analyzes the liberal movement, and as implicit in the ADA, I would say that we would go one step further knowing that some of the attitude of the ADA is motivated, if sincerely, by the liberals, because they disagree with strict constitutional principles of government.

And so we can move on to quote the Socialist platform.

Here in my hand is the platform of the ADA. Here is the Socialist platform. And here is the Communist platform—that is, of the American Communist Party.

I studied these together and I will put in the Record at this point the issues of domestic policy, social ownership of property, foreign policy and disarmament.

And, interestingly enough, the ADA views seem to be either lifted from or to paraphrase the Socialist pamphlet which, in turn, seems to be a digest of the Communist pamphlet. I simply mention this because those Members who believe in the liberal, the radical liberal philosophy of big Federal Government, can say that they do not agree with me and I will respect that point of view.

On the other hand, I think it is clear that nobody should hide behind the tag of conservative when they are actually liberal and try to muddy the water, to confuse the public.

Take, for example, the subject of taxation. Here is what the ADA says on page 19 of their booklet:

> Government has the further obligation to foster a fair and just economy, by apportioning taxes according to ability to pay, using its powers to correct inequities; to help farmers and farm laborers to obtain an adequate income; to assure workers the right to organize democratically and bargain collectively; to provide competitive business a fair opportunity for growth and profit, free from monopolistic barriers and constraints; and to regulate those large-scale industries which are natural monopolies.

The ADA believes in taxation according to ability to pay.

The Socialist platform says:

> Steeply increased inheritance taxes and income taxes on the higher incomes and estates of both corporations and individuals.

The Communist Party platform says:

> From each according to his ability, to each according to his need.

Again, those liberals who believe in this type of taxation, the ADA, the Socialists, and the Communists, so far as they agree, with them I disagree, and the ACA disagrees. I think at this point we can have a very interesting debate. In any event, for my part, I say that type of interpretation of government's role is unconstitutional.

ADA	SOCIALIST	COMMUNIST
Domestic policy	*Domestic policy*	*Domestic policy*
1. Page 19: "By security we mean the social and economic guarantees to assure at least a minimum standard of living for all members of our population, especially the most defenseless—the children, the aging, the sick, the indigent. To this end we favor the steady improvement of our systems of social insurance and other social and economic measures looking toward the elimination of poverty. Where local and private initiative are not sufficient, the National Government must initiate programs, including Federal contributions where necessary for education, health and housing, to which the people of the world's richest nation are entitled."	1. Socialist platform 1932: Unemployment and labor legislation. "1. A Federal appropriation of $5 billion for immediate relief for those in need to supplement State and local appropriations. "2. A Federal appropriation of $5 billion for public works and roads, reforestation, slum clearance, and decent homes for the workers, by Federal Government, States and cities." (These when the budget was $4,659 million.) "6. A compulsory system of unemployment compensation with adequate benefits, based on contributions by the Government and by employers. "8. Health and maternity insurance. "11. Government aid to farmers and small homeowners to protect them against mortgage foreclosures and moratorium on sales for non-payment of taxes by destitute farmers and unemployed workers." *Constitutional changes* "6. The passage of Socialist Party's proposed worker's rights amendment to the Constitution empowering Congress to establish national systems of unemployment, health and accident insurance and old age pensions, to abolish child labor, establish and take over enterprises in manufacture, commerce, transportation, banking, public utilities, and other business and industries to be owned and operated by the Government, and generally for the social and economic welfare of the workers of the United States.	1. Platform of 1954 page 17, "The Government has the responsibility to guarantee jobs and living standards."
2. Page 20, ADA booklet: "The highest priorities of our public needs, along with national security, include domestic public investment in facilities and services related to the general welfare and investment in oversea economic and social development which will advance the cause of human progress under freedom."	2. Platform of 1932. *Social ownership* "1. Public ownership and democratic control of mines, forests, oil, and power resources; public utilities dealing with light and power, transportation and communication, and of all other basic industries."	2. Pages 28–29: "Modern industrial production under capitalism is a vast social process, but it is operated for the private enrichment of the few who own and not for the good of the many who produce. It is this contradiction that socialism will resolve because in a Socialist society, the industries will be the property of the whole people, and the product of industry will go to the whole people in the form of continually rising living standards. Socialism alone would utilize to the fullest the immense scientific and technical know-how of the American people, including atomic energy. It would forever end the scourge of economic crisis, unemployment, national and racial oppression, fascism and war. It would build a land of peace and plenty, of knowledge and culture, of freedom and opportunity for all."
3. ADA, page 19: "Government has the further obligation to foster a fair and just economy, by apportioning taxes according to ability to pay, using its powers to correct inequities; to help farmers and farm laborers to obtain an adequate income; to assure workers the right to organize democratically and bargain collectively; to provide competitive business a fair opportunity for growth and profit, free from monopolistic barriers and constraints; and to regulate those large-scale industries which are natural monopolies."	3. Taxation. 1. Steeply increased inheritance taxes and income taxes on the higher incomes and estates of both corporations and and individuals.	3. Communism. From each according to his ability, to each according to his need.—Marx.
4. Foreign policy. China ADA urges immediate initiation, together with our allies, of negotiations toward diplomatic recognition of the Peiping regime and its accreditation to the U.N. as the Government of China, not as gestures of moral approval of its past actions but as means of establishing the normal channels of international communication. Such steps would increase our access to information on Chinese affairs and the possibility of affecting Chinese foreign policy. The admission of China to the U.N. should be linked to the condition that the inhabitants of Formosa shall themselves democratically decide whether they shall be admitted to the U.N. as an independent nation or shall rejoin mainland China. Recognition of Communist China and its accreditation to the U.N. do not mean abandonment of Formosa. Until a U.N. solution is reached, the U.S. treaty pledge to	4. Foreign policy—International relations. The recognition of the Soviet Union and the encouragement of trade and industrial relations with that country. The withdrawal of U.S. military and naval forces from China and the relinquishment of American extraterritorial privileges.	4. Foreign policy, page 30: "We deny that the Soviet Union, People's China or any country led and ruled by working people threatens our country or could threaten our country." Page 19: "To ease world tensions and restore the United Nations as an instrument of world pleace, we propose: A return to President Roosevelt's policy of big power negotiation and agreement. This must include the admission of People's China, the established government and effective government of the great Chinese Nation to the U.N. and its recognition by the United States."

ADA *Domestic policy*	SOCIALIST *Social ownership*	COMMUNIST *Domestic policy*
defend Formosa should remain unaltered, with the explicit understanding that this pledge does not include the defense of Quemoy and Matsu. We should press for immediate and democratic elections by the inhabitants of Formosa. U.S. military aid should be limited to only such forces as are necessary to its defense. We urge the removal of all passport barriers preventing travel by Americans to China (as has already been done in the case of journalists) in order that U.S. relations with it may evolve through full and informed public debate. The United States should undertake as soon as possible a humanitarian program to make surplus food available to relieve famine in China. We further urge the lifting of barriers to trade, in recognition of the fact that trade builds understanding and our economic isolation from China's 650 million people has achieved little.		
5. Disarmament. In view of the slaughter and destruction experienced in so-called conventional wars and of the difficulty of preventing a conventional war, once started, from developing into a nuclear war, our aim must be nothing less than the ultimate complete abolition of the means of waging war of any kind. We welcome the establishment of the U.S. Arms Control and Disarmament Agency. In staffing this agency, the emphasis should be on people who have a record of a dedication to disarmament rather than on those reconciled to a continuation of a modified armaments race. This agency should be more adequately financed and concerned with developing bold, vigorous, and new insights to the problems of negotiations for peace and disarmament. We urge more research into the political and economic consequences of disarmament rather than the almost exclusive concentration on technical aspects. We urge in addition a greatly increased appropriation for the specific purpose of public education to create a favorable climate for disarmament. We support the U.S. "Program for General and Complete Disarmament in a Peaceful World" and the Report of the 1962 United Nations Committee of Experts on the feasibility of a changeover to peace economies. No nuclear negotiations or treaties can be meaningful without the participation of all nations who now have or will have in the near future nuclear weapon capability. All measures should be taken to assure that all those who stand on the nuclear threshold, including the French and Peiping Governments, accept and be bound by the conclusions of such negotiations. We suggest that our Government give consideration to unilateral initiatives which might improve the atmosphere for multilateral disarmament negotiations.	5. Disarmament. The reduction of armaments, leading to the goal of total disarmament by international agreement, if possible; but, if that is not possible, by setting an example ourselves. Soldiers, sailors, and workers unemployed by reason of disarmament to be absorbed, where desired, in a program of public works, to be financed in part by the savings due to disarmament. The abolition of conscription, of military training camps, and the Reserve Officers' Training Corps.	5. Disarmament. An end to the arms race and to the policy of encircling the globe with U.S. military bases. What is needed is a world ban on the use of all atomic weapons and an agreement for a drastic reduction in all types of armaments.

Having pointed out a few of the things I disapprove of in this liberal philosophy involved in the ADA, Socialist, and Communist outlook on the problems we have, I would like to tell you that so far as I understand the pattern unrolling before me, Arthur Schlesinger is a man who believes he has the answer. His answer is democratic socialism. I have here his statement, "The Future of Socialism," written in 1947. Asked if he would change it he said:

> No, I believe now what I said then.

Again, I will put it in the RECORD. I will not use it for the purpose of debate but I want you to understand what he said. He points out:

> The Socialist state is thus worse than the capitalist state because it is more inclusive in its coverage and more unlimited in its power.

He said capitalism is bad but he said unlimited socialism is bad, worse than capitalism. Then he proceeds to explain what he called democratic socialism, and showing this is what we need and this is the future of our country.

He says:

> If socialism, that is, the ownership by the state of all significant means of production, is to preserve democracy, it must be brought about step by step in a way which will not disrupt the fabric of custom, law, and mutual confidence upon which personal rights depend.

Then he went on to talk about gradualism of changeover without disrupting the fabric we have of freedom:

> The Marxists enormously overestimated the political courage and will of the capitalists.

Then he says, and to a degree I must say every once in a while I think he is partly right because of the lack of courage of businessmen; but I do not think capitalism is wrong. At this point I disagree. He says:

> There seems no inherent obstacle to the gradual advance of socialism in the United States through a series of New Deals.

He goes on to point out what the ADA is for and what I know the Socialists and Communists are for on the other hand. I know what the ACA stands for. We are entirely against this ADA reasoning.

Then he says something I think quite significant.

> The recipe for retaining liberty is, not rationalization, but muddling through—a secret long known to the British who, as D. W. Brogan has put it, "change anything except the appearance of things."

What Mr. Schlesinger is suggesting is that in the changeover to democratic socialism we do not change the appearance of things but we gradually socialize our country. Those who believe in that, let them say so. I know the ADA believes in it.

He says:

> I happen to believe socialism, not capitalism, is the answer.

Then he goes on to describe the process of backing our country into socialism. Then he says:

> The death wish of the capitalists; the betrayal of the intellectuals; and the counterrevolution of the Soviet Union figure in this effort.

Then he says:

> In so doing it may destroy the possibility of a peaceful transition to socialism. In its panic—

Meaning the business community of America—

> it may yield to the most ruthless blackmailer—externally to the Soviet Union, internally to any political gangster promising security—and thereby dissipate the Nation's capacity to control its process of change.
>
> Experience has shown the middle classes allow themselves to be plundered quite easily.

Now, friends, I see Mr. Schlesinger's democratic socialism now becoming the fabric of the New Frontier, and when I say that, my colleagues, I know that many Members of the Congress on both sides of the aisle would not subscribe to democratic socialism.

But I do not believe, no matter how right Mr. Schlesinger may think he is, that democratic socialism is better than capitalism, although the New Frontier so considers it.

Now I am back where I started. I believe in capitalism and in U.S. sovereignty and not in one-worldism. I believe in a Republic as the form of government and not in some big dictatorial bureaucracy out of Washington. At this point the constitutionalists or conservatives, if you like—and the liberals heartily disagree, I know many of us do. But the liberals believe and no doubt the gentleman who launched the attack against the ACA believes that big government can do things for private enterprise which traditionally under our system have been done privately without government.

THE FUTURE OF SOCIALISM, III—THE PERSPECTIVE NOW

(By Arthur M. Schlesinger, Jr.)

The Soviet experience has put the century-old debate between capitalism and socialism in a useful new perspective. Before the First World War, the case against socialism was generally made in terms of efficiency, the case against capitalism in terms of morality; that is, socialism was conceded to be good in principle but not to work; capitalism was conceded to work but not to be good in principle. After the Second War we see a reverse tendency, a disposition to admit the inefficiency of capitalism and justify it as providing the margin on which liberty and democracy may subsist; a disposition to believe that the very efficiency of socialist management necessarily squeezes out freedom. After all which system has more successfully dehumanized the worker, fettered the working class, and extinguished personal and political liberty?

The very shift in polemics suggests that both arguments have indulged in what Whitehead has called the fallacy of misplaced concreteness—the error of mistaking abstractions for concrete realities. The fact probably is that a great many of the criticisms urged against the abstractions "capitalism" and "socialism" alike are actually the deficits, not of a particular system of ownership, but of industrial organization and the postindustrial state whatever the system of ownership. Industry and government are the basic evils; they institutionalize the pride and the greed, the sadism and the masochism, the ecstasy in power and the ecstasy in submission, which are the abiding causes of the troubles of the world.

In this light anarchism becomes the only faith for a moral man. Organization is man's solution to his sense of guilt. The very fact of organization attenuates personal moral responsibility; and, as organization becomes more elaborate and comprehensive, it becomes increasingly the instrumentality through which moral man indulges his natural desire to commit immoral deeds. "A crime which would press heavily on the conscience of one man, becomes quite endurable when divided among many." The state is only the climax of secular organizations—that "semihuman tiger or ox, stalking over the earth," Thoreau called it, "with its heart taken out and the top of its brain shot away"—and the totalitarian state concentrates in itself all the evil of organization by annihilating all the gaps and rivalries which make for freedom in a more loosely organized society.

The Socialist state is thus worse than the capitalist state because it is more inclusive in its coverage and more unlimited in its power. Organization corrupts; total organization corrupts totally. The Socialist state justifies itself on the ground that the concentration of power is necessary to do good; but it has never solved the problem of how you insure that power bestowed to do good will not be employed to do harm, especially when you remove all obstacles to its exercise. Soviet socialism has the added disadvantage that it was born in violence. The emotions of revolution in an industrial age can no more be localized than the emotions of modern war itself. Violence breeds its special hatreds and aggressions, which twist the normal hatreds of society into new and ugly forms. The habit of violence is hard to abandon, especially when it has worked in the past. A revolutionary elite always has the wistful conviction, based on experience, that it is easier to dispose of opposition by firing squads than by arguments.

The trouble with anarchism is, not at all that it is wrong, but that it is irrelevant. It may have its values as a mystique, but it is nonsense as a way of meeting the explosive problems of an atomic age. Its overt expressions, such as conscientious objection in times of war, tend to be morally vulgar and intellectually contemptible. Industrial organization and the postindustrial state are here to stay. The problem is not how to escape them but how to master them—or, more probably, how to live with them.

IS DEMOCRATIC SOCIALISM POSSIBLE?

Neither communism, with its despotism, nor capitalism, with its instability, nor fascism, with its combination of the two, provide attractive solutions to the problem of how to live with modern industry and the modern state. Is there another possibility? Has non-Communist, libertarian socialism a future? Abstracting the question for a moment from current political actualities, one must answer that there is no inherent reason why democratic socialism should not be possible.

If socialism (i.e., the ownership by the state of all significant means of production) is to preserve democracy, it must be brought about step by step in a way which will not disrupt the fabric of custom, law, and mutual confidence upon which personal rights depend. That is, the transition must be piecemeal; it must be parliamentary; it must respect civil liberties and due process of law. Socialism by such means used to seem fantastic to the hard-eyed melodramatists of the Leninist persuasion; but even Stalin is reported to have told Harold Laski recently that it might be possible.

The classical argument against gradualism was that the capitalist ruling class would resort to violence rather than surrender its prerogatives. Here, as elsewhere, the Marxists enormously overestimated the political courage and will of the capitalists. In fact, in the countries where capitalism really triumphed, it has yielded with far better grace (that is, displayed far more cowardice) than the Marxist schema predicted. The British experience is illuminating in this respect, and the American experience not uninstructive. There is no sign in either nation that the capitalists are putting up a really determined fight. Liberal alarmists who feel that the clamor of a political campaign or the agitation of hired lobbyists constitutes a determined fight should read the history of Germany. In the United States an industrialist who turned a machinegun on a picket line woud be disowned by the rest of the business community; in Britain he would be sent to an insane asylum. Fascism arises in countries like Germany and Italy, Spain and Argentina, where the bourgeois triumph was never complete enough to eradicate other elements who believe in what the bourgeoisie fears more than anything else—violence, and who then used violence to "protect" the bourgeoisie.

There seems no inherent obstacle to the gradual advance of socialism in the United States through a series of new deals. In 1933, Frances Perkins has reported, the coal operators pleaded with the Government to nationalize the mines. They offered to sell "to the Government at any price fixed by the Government. Anything so we can get out of it." The Government was not ready to take over the coal mines in 1933, as it was not ready to take over the banks, as it was not ready to keep the railroads in 1919. But the New Deal greatly enlarged the reserves of trained personnel; the mobilization of industry during the war provided more experience; and the next depression will certainly mean a vast expansion in Government ownership and control. The private owners will not only acquiesce in this, in characteristic capitalist panic, they will demand it.

Government ownership and control can take many forms. The independent public corporation, in the manner of TVA, is one;

State and municipal ownership can exist alongside Federal ownership; the techniques of the cooperatives can be expanded; even the resources of regulation have not been fully tapped. The more varieties of ownership the better: liberty gets more fresh air and sunlight through the interstices of a diversified society than through the close-knit grip of collectivism. The recipe for retaining liberty is, not rationalization, but muddling through—a secret long known to the British who, as D. W. Brogan has put it, "change anything except the appearance of things."

Socialism, then, appears quite practicable within this frame of reference, as a long-term proposition. Its gradual advance might well preserve order and law, keep enough internal checks and discontinuities to guarantee a measure of freedom, and evolve new and real forms for the expression of democracy. The active agents in effecting the transition will probably be, not the working class, but some combination of lawyers, business and labor managers, politicians, and intellectuals, in the manner of the first New Deal, or of the Labor government in Britain.

But we must return this question to the actualities from which, up to now, it has been abstracted. The process of backing into socialism in the contemporary world is not so simple as it sounds. Too many forces are working, some wittingly, some not, to obstruct that process. They can be discussed under three heads: the death wish of the capitalists; the betrayal of the intellectuals; and the counterrevolution of the Soviet Union.

THE DEATH WISH OF THE CAPITALISTS

Marxist folklore, we have seen, has always overrated the bourgeoisie. The capitalists have certainly been great organizers of production and, in this process, great exploiters of the downtrodden. But their confidence, intelligence, and ruthlessness have always dwindled as they got farther away from the factory or countinghouse. They have constituted a plutocracy, not an aristocracy. They have never been, in the political sense, an effective governing class.

A plutocracy is trained to think in terms of business dealings and not of war, in terms of security and not of honor, in terms of class and not of nation. With their power dependent on the continued convertibility of pieces of paper, they dread anything which might upset the fragile conventions of economic society. They lack the instinct, energy, and courage to govern. The shift which saved Britain in 1940 suggests some of the contrasts. Chamberlain reflected the sentiments of the business community—the longing for quiet, the hatred of violence, the terror of social upheaval. Churchill's instincts were those of an imperial aristocracy—bold, vigorous, somewhat contemptuous of trade, with power founded, not on finance, but on land, tradition, and sense of nationality. "There is something to be said for government by a great aristocracy which has furnished leaders to the nation in peace and war for generations," Theodore Roosevelt once observed; "even a Democrat like myself must admit this. But there is absolutely nothing to be said for government by a plutocracy, for government by men, very powerful in certain lines and gifted with the money touch, but with ideals which in their essence are merely those of so many glorified pawnbrokers."

The bourgeoisie consequently has always had to turn for protection to some nonbourgeois group. Without such protection, as Schumpeter puts it, it is "unable not only to lead its nation but even to take care of its particular class interest. Which amounts to saying that it needs a master." In England the business classes have had the aristocracy, and now the Socialists, to protect them. In America when the chips were down the businessmen have always been bailed out by the radical democracy, often under aristocratic leadership; the Jeffersons, Jacksons, Lincolns, Wilsons, Roosevelts.

This normal political incompetence of the capitalists has recently been exaggerated by a gradual disappearance of the capitalist energies themselves: it is this combination which justifies the term "death wish." Not only does the bourgeoisie lack the skill to protect itself; it is increasingly lacking in the will to protect itself. The capitalist system, in effect, has killed its own interest in survival. The rise of big business, the development of mass protection and mass organization, have slowly taken the guts out of the idea of property. The spread of rationalism has set in motion a skepticism which holds no social authority sacred. Capitalism at once has strengthened the economic centralization and loosened the moral bonds of society. The result is a profound instability which invites collectivism as a means of restoring social discipline. As Schumpeter puts it, capitalism "socializes the bourgeois mind." Eventually the roots of capitalist motivation will wither away.

Even in America, the capitalist fatherland, the death wish of the business community appears to go beyond the normal limits of political incompetence and geographical security. After the First World War, Trotsky predicted that American capitalism would now make its stunning debut on the world stage. Instead, American capitalism crept back into bed and pulled the covers over its face. It responded to the challenge of nazism by founding the America First Committee. It responded to the opportunities opened up by the Second World War by rushing to dismantle the instrumentalities of American military and economic influence in the name of balancing the budget.

The foreign policy of the business community is characteristically one of cowardice rationalized in terms of high morality. The great refusal to take on the Russians today is perfectly typical. That doyen of American capitalists, Joseph P. Kennedy, recently argued that the United States should not seek to resist the spread of communism. Indeed, it should "permit communism to have its trial outside the Soviet Union if that shall be the fate or will of certain peoples. In most of these countries a few years will demonstrate the inability of communism to achieve its promises, while through this period the disillusioned experimenters will be observing the benefits of the American way of life, and most of them will seek to emulate it." On this ground, Kennedy has opposed all foreign loans from the British loan on.

We are confronted today with the picture of New Dealers trying to launch a positive foreign policy over the vigorous protests of the business groups which that policy will protect. Fearing change, fearing swift action because it might portend change, lacking confidence and resolution, subject to spasms of panic and hysteria, the American business community is too irresponsible to work steadily for the national interest, or even for its narrow class interests. At least the English business community has been persuaded by experience that it should accede to the political leadership of the aristocracy or, more recently, of the Socialists—of any group which will govern. But the American business community continues to resist the radical democracy, like a drowning man threshing out at his rescuer.

In so doing, it may destroy the possibility of a peaceful transition to socialism. In its panic it may yield to the most ruthless blackmailer—externally to the Soviet Union, internally to any political gangster promising security—and thereby dissipate the Nation's capacity to control its process of change. "Experience shows that the middle classes allow themselves to be plundered quite easily," Sorel wrote, "provided a little pressure is brought to bear, and that they are intimidated by the fear of revolution." This growing capitalist irresponsibility is the symptom of the death wish: it is Samson in the temple.

THE BETRAYAL OF THE INTELLECTUALS

Official liberalism was the product of the enlightenment, cross-fertilized with such things as unitarianism, science, bourgeois complacency, and a belief in progress. It dispensed with the absurd Christian myths of sin and damnation and believed that what shortcomings man might have were to be redeemed, not by Jesus on the cross, but by the benevolent unfolding of history. Tolerance, free inquiry, and technology, operating in the framework of human perfectibility, would in the end create a heaven on earth, a goal accounted much more sensible and wholesome than a heaven in heaven.

This rejection of the dark and subterranean forces in human nature acquired a kind of protective coloration in a century of peace and prosperity, like the 19th. Insight into evil became the property of a few disreputable aesthetes and a few obstinate Christians. But the rationalists were betrayed by their own god in the 20th century when history went back on them and unleashed the terror. Freud, Kierkegaard, Sorel, Nietzsche had charted patterns of depravity while the sun of optimism was high in the sky. As it sank, practical men, like Hitler, Stalin, Mussolini, transformed depravity into a way of life.

Much more than a generation divides the liberals who denied evil from those who accept it. The word "evil" is here a designation, not an explanation; but, whether you use the vocabulary of religion or psychoanalysis or antirationalism, whether you invoke Augustine or Freud or Pareto, there are moody and destructive impulses in man of which official liberalism has taken no serious account. Louis Jaffe recently wrote of Justice Brandeis, "One felt that nothing in his system prepared Brandeis for Hitler." Brandeis was among the more realistic of his generation: how much more unprepared were the readers of the liberal weeklies, the great thinkers who sought to combat nazism by peace strikes, the Oxford oath, and unilateral disarmament.

The type of the official liberal today is the fellow traveler or the fellow traveler of the fellow traveler; see the columns of the New Republic and the Nation. For the most chivalrous reasons they cannot believe that ugly facts underlie fair words; however, they look at it, for example, the U.S.S.R. keeps coming through as a kind of enlarged Brook Farm community. Nothing in their system has prepared them for Stalin. The official liberal differs from the Communist, who knows what he is doing. He differs from the New Dealer, who has learned some of the facts of life from the exercise of responsibility and is consequently deeply hostile to the Communist. The official liberal runs interference for the Communist with a system of intellectual evasion and subterfuge that results directly from a desperate attempt to square a superficial and optimistic creed with a bitter century.

Many contemporary radicals have rejected these sunny meditations. Silone, Koestler, Malraux, Niebuhr, Orwell, Dos Passos, Hemingway, Macdonald; the very names suggest a range of perceptions and anxieties unknown to the columns of the New Republic. In this new version, man becomes aspiring, and more frustrated, more hallowed, at once greater and more pitiable, more and more doomed. This image stands up better in the century of Buchenwald. But the men who are possessed by it are still under official malediction as tired liberals, Judases, and apostles of disillusion.

If you believe man to be essentially good, you commit yourself to the endless task of explaining why he does not always behave that way. A simple way out is to affirm that, in spite of appearances to the contrary, he really is performing the good. In the course of this solution the liberal intellectual generates myths which he comes to prefer to actualities, especially if the actualities are uncomfortable (as they usually are). The addiction to myth is of course increased by the fact that the liberal has denied himself such traditional outlets for credulity as religion.

The susceptibility to wishfulness, the need for the sustaining myth, the disbelief in man's urge to destroy—all combine to reduce the capacity for critical judgment which the intellectual's detachment from social loyalties should confer upon him. This is the real trahison des clercs. Instead of contributing clarity, logic, and rigorous insistence on facts, the liberal intellectual has been more and more devoting his ingenuity to laminating his favorite myths. He has failed wretchedly to live up to his obligation to provide intellectual leadership.

One myth, to which the liberal has clung in the face of experience with the imperturbable ardor of an early Christian, is the mystique of the proletariat. This myth given its classical form by Marx, himself so characteristically a bourgeois intellectual, states that the action of the working class will overthrow capitalist tyranny and establish by temporary dictatorship a classless society. Its appeal lies partly in the intellectual's sense of guilt over living pleasantly by his wits instead of unpleasantly by his hands, partly in the intellectual's somewhat feminine fascination with the rude and muscular power of the proletariat, partly in the intellectual's desire to compensate for his own sense of alienation by immersing himself in the broad maternal expanse of the masses. Worship of the proletariat becomes a perfect fulfillment for the frustrations of the intellectual.

Of course, this is not the whole story. There was considerable prima facie support for the myth. The beginnings of trade union organization at one time may have promised a serious future for an organized proletariat. But there is no point in keeping up the pretense a century later. The trade union movement is as clearly indigenous to the capitalist system as the corporation itself, and it has no particular meaning apart from that system. In a Socialist society its functions are radically transformed: it becomes, not a free labor movement, but a labor front. Even in England, as Sir Walter Citrine remarked on joining the Coal Board, strikes can no longer be trade union instruments in a nationalized industry. Unions inevitably become organs for disciplining the workers, not for representing them.

Indeed, the whole conception of the proletariat as an agency of change is meaningless. The technical necessity for organization instantly set in motion a tendency toward oligarchy; separate interests arise between leadership and rank and file; and a working class committee after a short time will stand for, not the working class, but its own bureaucratic instinct for survival.

Moreover, workers as a mass have rarely had the impulses attributed to them by Marxism. They too often believe in patriotism or religion, or read comic strips, go to movies, play slot machines and patronize taxi dance halls; in one way or another, they try to cure their discontent by narcotics rather than by surgery. Thus they are rarely swept by the proper mass emotions. The general strike is, in principle, the most potent weapon in the world, but it always remains potent in principle. The great moment for the general strike was perhaps 1914; but, even had Jaures survived, the working classes would have succumbed to the bugle, the flag, and the military parade. Marx recognized that many workers were not Marxists and so invented a classification called the Lumpen-proletariat in which were dumped those who did not live up to theory. Lenin recognized this too and so invented a disciplined party which, announcing itself the only true representative of the proletariat, ruthlessly shot down dissenters. No country has more spectacularly abandoned a belief in the working class than the U.S.S.R.

For these various reasons, the mystique of the working class has faded somewhat since the First World War. In its place has arisen a new mystique, more radiant and palpable, and exercising the same fascinations of power and guilt: the mystique of the U.S.S.R. Each success of the Soviet Union has conferred new delights on those possessed of the need for prostration and frightened of the responsibilities of decision. In a world which makes very little sense, these emotions are natural enough, but surrender to them destroys the capacity for clear intellectual leadership which ought to be the liberal's function in the world. In an exact sense, Soviet Russia has become the opiate of the intellectuals.

THE COUNTERREVOLUTION OF THE SOVIET UNION

The capitalist deathwish and the liberal treachery are more or less unconscious obstacles to a tranquil passage to socialism. The role of the Soviet Union, on the other hand, is highly intelligent, purposeful, and determined. The U.S.S.R. perceives clearly that the most deadly foe of communism is not the reactionary, whose blind folly will only speed the disintegration of his own society, the serious enemy is really the radical democrat who proposes to solve the problems of unemployment and want without enslaving the masses and setting up a police state.

So long as Churchill lived in Downing Street, Moscow knew that Britain offered no competition in the struggle for Europe. But the victory of the Labor Party in the summer of 1945 brought new hope to all the people of Europe who still had freedom of political expression. It signalized an alternative to Moscow which promised the same economic advantages—and with political liberty in place of the NKVD. It was at this point that the U.S.S.R. stepped up its attack on the Socialist parties and began its concerted policy of hammering at the weak points, strategic and ideological, of the already crumbling British Empire.

The Communist war against the Second International has been a brilliant success. The Social Democratic parties of Europe have remained steadfast in their traditions of caution, feebleness, and inactivity. They appear to be doomed today, because the working class does not trust their determination to carry out reforms, and the middle class does not trust their determination to resist communism. When the Communists do succeed in finally absorbing or destroying the Socialists, they will have virtually attained their objective of destroying the center and reducing the alternatives to the red and the black. The crime of the U.S.S.R. against the world is its determination to make experiments in libertarian socialism impossible.

What are the motives of the Soviet campaign against the West? "The trouble with Russia," Schumpeter has observed with considerable truth, "is not that she is Socialist but that she is Russia." If the Romanovs had pushed through industrialization and ridden out its political consequences, Russia would be confronting the world with much the same immediate problems of expansion—with the same thrusts into Western Europe, the Mediterranean, the Middle East, and China. But Czarist Russia would not have been able to multiply its national strength with the tremendous political weapon of communism.

The exception makes a good deal of difference. Imperial Russia could be dealt with like Imperial Germany; its objectives would have been inherently limited by the clash of one nationalism with another. But nazism gave Germany a potent ideological weapon, and communism is infinitely more exportable than nazism. As a social faith, it can penetrate to every corner of the world and rally its fifth columns wherever injustice and poverty exist. Communism gives Russian expansionism its warhead. On a prearranged signal, the Russian drive can explode internally in every country on the globe.

Russian national objectives are limited; Communist international objectives are not. Experience has shown that a nation can sustain unlimited objectives for only a limited time. The fervor of a crusade wears a people out; after a time the country relapses from the messiah business into its national routine. The problem is to prevent the Soviet Union from breaking out of the reservation during its period of messianic intoxication.

THE ROLE OF THE ARMED TRUCE

British policy under Chamberlain presents a model of how not to undertake a campaign of containment. The United States is faced with the same situation today, only the geographical margins of tolerance are greater with the U.S.S.R. than they ever were with Germany. Reduced to its fundamentals, the American problem is to arrange the equilibrium of forces in the world so that, at every given moment of decision, the Soviet general staff will decide against aggressions that might provoke a general war on the ground that they present too great a military risk. At the same time, the United States must not succumb to demands for an anti-Soviet crusade nor permit reactionaries in the buffer states to precipitate conflicts in defense of their own obsolete prerogatives. Fascism has receded, but it has not disappeared.

The United States must maintain a precarious balance between a complete readiness to repel Soviet aggression beyond a certain limit and complete determination to demonstrate within this limit no aggressive U.S. intentions toward the U.S.S.R. It must commit itself, economically, politically, and militarily, to the maintenance of this balance over a long period. Given sufficient time, the Soviet internal tempo will slow down. The ruling class will become less risk minded, more security minded. Greater vested interests will develop in the existing order; Russia itself will begin to fear the revolutionary tendencies which modern war trails in its wake. The squabbles between the Gallicans and the ultramontanes will dilute the ardor of national Communist parties; they too will develop stakes in an existing national order, if only in order to hold on to a mass following. At the same time, U.S. backing to the parties of the non-Communist left and U.S. support for vast programs of economic reconstruction may go far toward removing the conditions of want, hunger, and economic insecurity which are constant invitations to Soviet expansion.

Can the United States conceive and initiate so subtle a policy? Though the secret has been kept pretty much from the readers of the liberal press, the State Department has been proceeding for some time somewhat along these lines. Both Byrnes and Marshall have perceived the essential need—to be firm without being rancorous, to check Soviet expansion without making unlimited commitments to an anti-Soviet crusade, to invoke power to counter power without engaging in senseless intimidation, to encourage the growth of the democratic left. The performance has often fallen below the conception; but the direction has been correct. Men like Ben Cohen, Dean Acheson, Charles Bohlen have tried to work out details and whip up support for this admittedly risky program.

It is risky. It may at any moment tumble over into the ideological crusade. In addition, its proponents must combat the deathwish of the capitalists, as exemplified by Mr. Kennedy, and the befuddlement of the fellow travelers, as exemplified by Mr. Wallace, both of whom unite in opposing a policy of resistance to Soviet expansion. The triumph of either the Kennedy or the Wallace views, if there is much difference between them, would mean the triumph of the radical expansionists in the Politburo, for it would remove all present obstacles to the Soviet conquest of Europe.

But can the United States embark on any program of resistance to Soviet expansion without itself moving toward fascism? There is certainly a shortrun tendency in critical situations toward reliance on reactionaries as counter to Communists, because they are the only people who can match violence with violence. In a divided land like China or Greece the non-Communist left, men who believe in debate and civil liberties, cannot stand up for long against men, whether of the extreme right or of the extreme left, who believe in rifles.

But over the long term the United States cannot develop a dependence on the right, if only because the right is a bad practical investment. A program of containment requires a ring of stable and satisfied countries around Russia—countries whose internal well-being provides a first line of defense against Communist penetration. At this stage in the world's history, the right cannot provide such governments. The very logic of events may force even a rightwing government in this country to support leftwing governments abroad, just as the Truman government is entertaining the thought of giving Greece the New Deal it has driven out of Washington. Far from leading to fascism at home, a program of containment may after a certain period lead to greater power for American labor. Just as it was necessary to bribe the business community to take part in the struggle against fascism, so it may be necessary to bribe the labor movement to take part in a struggle against communism. Whatever else may be said about a "permanent war economy," at least wages are high, employment is full, and the economy is relatively stable and productive.

All this presupposes, of course, that Marshall has not only the ability to develop his policy but also the backing to carry it out. The backing, rather than the policy itself, presents the serious question. A democracy is politically unreliable at best; the American democracy is notoriously unreliable on all questions of maintaining a continuous foreign policy. Between the irresponsibility of the capitalists, the confusion of the intellectuals, and the impotence of the working class, there may arise a state of irresolution which produces a political vacuum; and a political vacuum inevitably attracts activists—gangsters, terrorists, and totalitarians.

At this point the responsibility of the intellectual becomes manifest. Someone must serve as the custodian of honesty and clarity in a turbulent and stricken society. Someone must restore a serious sense of the value of facts, of the integrity of reason, of devotion to truth. Someone must provide intellectual leadership. As capitalism crumbles through the world, we know that any path which can preserve peace and freedom is narrow and hazardous. Our instruments must be as precise as possible, our analysis as dispassionate, our conclusions as honest and objective as we can make them. One false step may plunge the world into atomic war or deliver it into totalitarian darkness.

The intellectual must not be deflected from his responsibility by inherited dogma. It is clear today that Marx's method was often better than his own application of it. Experience is a better master than any sacred text. The experience of a century has shown that neither the capitalists nor the workers are so tough and purposeful as Marx anticipated; that their mutual bewilderment and inertia leave the way open for some other group to serve as the instrument of change; that when the politician-manager-intellectual type—the New Dealer—is intelligent and decisive, he can get society to move just fast enough for it to escape breaking up under the weight of its own contradictions; but that, when no one provides intellectual leadership within the frame of gradualism, then the professional revolutionist will fill the vacuum and establish a harder and more ruthless regime than the decadent one he displaces; and that the Communist revolutionist is winning out over the Fascist and is today in alliance with an expanding world power which will bring every kind of external pressure to block the movement toward democratic socialism.

These seem to me the actualities of the day. If their acceptance means discarding Marx, let us by all means discard Marx. Too much leftwing political thinking is a form of scholasticism. We must make our own prognosis. If you say that the intellectual is a frail reed upon which to lean, you are probably guilty of understatement. But at least serious thinking is his job. Let him work at it for a time. He is more likely to escape from his confusion than the capitalist from his irresponsibility or the worker from his impotence. Serious intellectual direction may give our politics a cogency and a firmness which will maintain the equilibrium of forces and avert the war with Russia. If we can avoid this war, if we can contain the counterrevolution of the U.S.S.R. within clearly marked limits, we have a good chance to test the possibilities of a peaceful transition into a not undemocratic socialism. But, if our leadership and determination falter, neither democracy, socialism, nor anything else will have any more of a future than Hiroshima or Nagasaki.

So let me conclude now, since I was interrupted by a quorum call, by reading to you what was earlier involved: The ACA index.

Now if there is anything wrong with these seven principles, then I can be read right out of the Congress. But on this I take my stand.

First, the ACA consistency index—for safeguarding the God-given dignity of the individual and promoting sound economic growth by strengthening constitutional government.

The argument is between socialism as against capitalism and a question of the root morality of a socialistic economy through centralization.

I say to you, my friends, the New Frontier, and this is what I am against, if I understand the English language, is not for the protection of the God-given dignity of the individual or our individual rights.

Second, and at this time I compliment the ACA for standing for all these things, but, secondly, the ACA is for sound money and against inflation. I call the New Frontier inflationary and for big spending and planned deficits and all the rest of that fuzzy economic thinking which is for inflation and against the sound dollar. I take my stand there, as does the ACA.

Third, I am for the traditional competitive market as against Government interference. I am for a competitive market and, therefore, I am against Government price fixing and controls.

Again I know the liberals and the ADA'ers want Government price fixing and controls. We can have our debate on that. But, I think the American people are not on their side. We will find out—I realize that, but the only way that this matter can be clearly faced is to stand up for a free competitive market as does the ACA, and I take my hat off to them on that.

Fourth, I am for local self-government as against Central Government intervention. I am for all of us being left alone and for the citizen's right to be left alone. I am against National Government intervention in local and private affairs and in the affairs of local governments. So is the ACA. We are together on that.

Fifth, I am for ownership. I am for private ownership as against Government ownership. I am for private ownership and control as a means of production and distribution. Now the ADA'ers and, of course, the Socialists and the Communists are not for private control of the means of production and distribution and private ownership.

I am against unfair competition by the Government. I am for private competitive enterprise and so is the ACA. This is a matter, being for private ownership, which is what I am for and so is the ACA and I applaud them on that point.

The ACA is for individual liberty and against coercion. I do not want to be pushed around and I do not know of any American citizen who does, whether it be by means of a local ordinance or be through the development of another Federal law. Although, of course, we are so far from home that we find it very easy to put over Federal laws on our people.

But I am for individual liberty and against Federal coercion, and so is ACA.

Finally, I am for U.S. national sovereignty and not for one-world government. Those people who are for one-world government—again I say we can have a very healthy debate on this question with them.

My colleagues, the ACA has been criticized on these seven points. I happen to believe the ACA is right. I think the time has come to present the American people an opportunity to make a choice—if not right here today. I suspect from the attention that is being given to this debate and the attention that was given to this debate and the attention that was given to this matter last week when the original charges were made, might cause the people to wake up and make a choice if we can give them the opportunity to make a choice.

So, therefore, I say to my colleagues, I believe the ACA is right. Mind you, now, there are those who would like to criticize the ACA through some other organization, for example, the Birch Society or some other fraternal or religious group. Others can do that if they like, but I have been talking solely about the ACA.

I have not gone into an examination, of course, of the record of some of the people that the gentleman from California castigated as having been contributors. I think we can do that at the proper time. But I think it is clear that the ACA stands for principles that most constitutionalists observe and ones to which I subscribe.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Ohio.

Mr. HAYS. The question I have wanted to ask the gentleman all day has to do with the ACA. This brochure they put out from time to time says certain Members because they vote a certain way are against the Constitution. Who decides what legislation is against the Constitution and what is for it?

Mr. ALGER. Even as COPE, the AFL–CIO, or every American citizen, every group as a matter of fact, can decide and set up its own yardstick. The ACA has yardsticks which the gentleman may not like. He may like COPE, AFL–CIO, with whom he is affiliated——

Mr. HAYS. I will do my own affiliating. I am not affiliated with either of them.

I do not question a group that puts out a brochure that a Member has voted with me or a Member has voted against me or a Member has voted the way I believe or not, and has voted for or against an organization. But this organization is different. They say that Member "X" has voted against the Constitution. My question is, Who decides what is against the Constitution and what is for it? I think that is a fair question.

Mr. ALGER. The members of the ACA decide on their construction of the Constitution, as does every Member of this House and every American citizen.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from California.

Mr. TEAGUE of California. I think it might be pertinent to point out that the ACA makes this statement:

> The awards announced here do not imply that the recipient is in complete agreement with all the principles supported by Americans for Constitutional Action; nor does it imply any commitment to support those principles in the future. The Americans for Constitutional Action does not and will not impugn either the patriotism or the probity of those legislators who do not agree with its views.

Let me say that I by no means have a 100-percent record in this organization. I voted for foreign aid, I voted for the U.N. bond issue, for college construction, and other issues with which this organization does not agree. But it seems to me appropriate to recognize that it is a responsible, conservative organization which does not demand 100 percent obedience to its views.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Ohio.

Mr. HAYS. I am not quarreling with anybody getting an award from the ACA. I think the statement the gentleman has read is fine. The question still remains in my mind: How can any organization arrogate unto itself to say that a Member's vote is for liberty or not for liberty? As one Republican stated: "I was for liberty 60 percent of the time. I wonder where I was the other 40 percent."

Mr. ALGER. The gentleman has established that it is a nonpartisan organization, which is the way it ought to be.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, I want to compliment the gentleman for taking the floor at this time and conducting a debate on this very important issue.

I was distressed to read in the CONGRESSIONAL RECORD an attack on the members of the organization, rather than the issues and the principles for which it stood.

The reason I intervene at this point and ask the gentleman to yield is: I have been concerned, as I think many of our colleagues have been, over a period of years with the development of various voting guides. I think the first one I saw came out through the Americans for Democratic Action around 1948. The PAC voting guide came out about the same time. Probably it is a healthy thing for various organizations, whether they be these, the American Farm Bureau, that has a voting guide, and others, to come out with these guides. Of course, as I understand it, they are expressing their own viewpoints and their evaluation of the issues that come before the Congress.

I have failed to do some homework I assigned myself for this Congress, but I hope to do it. I have collected the ADA guide, also, now, the Americans for Constitutional Action guide, and others. I have been studying them because I want to bring out the techniques used by these and various other organizations in publicizing to the public, particularly during election time, what their criteria are. The one group I praised the most for being fair, according to my standards of fairness, in setting out their guidelines, was the Americans for Constitutional Action. They devoted a lot of effort in the beginning to explain how they compiled that record, not whether they were right or wrong, whether they disagreed or agreed that on what they said was a right vote, but they wanted the reader to realize what the principles were that they were using as a guide.

I have felt that many voting guides actually have taken strange votes out of context—for instance, the COPE technique, if you are not for this, you are against humanity, as opposed to what has been suggested here, that the ACA says if you do not agree with us, you are not for liberty. If anybody were to interpret their voting guide and there was a basis for this conclusion, I would join in criticising this; because, of course, it should not be put on the basis if you do not agree with us, you are against liberty or you are not for the Constitution.

My concluding remarks are these. One of the most interesting things in voting guides is that we have a record vote on about 100 items each Congress—it averages a little less than that—and the various organizations that put out a voting guide will select 12 or 14 out of the 100 votes cast and use that as criteria. One of the important things is, Why do they select these 12? Is there any significance to the selection of these 12 out of 100, and what sort of a pattern does that give us to understand what their economic and political philosophy is? Yes, I think the ACA and the ADA seem to present two almost divergent voting guides in economic and political philosophy.

Incidentally, I was very happy to be listed by the ACA as one who voted conservative. I thought I was conservative, but sometimes I wonder, on some of the issues. But, that is wholly incidental. I certainly was interested in the fact that one of my newspaper people from the St. Louis Post-Dispatch, which tends to think in its editorial policy along the line of the Americans for Democratic Action, should take the occasion to call me and ask me whether I was going to accept an award from the ACA. I said:

> Well, why are you calling me on this? I have been wanting to discuss with you some of the issues before this Congress, such as the debt limitation, tax bill, and some of these major economic issues. Why have you people chosen to call me on the subject of whether I would accept an award from the ACA?

I said that I happened to have read the CONGRESSIONAL RECORD where the ACA was attacked, and the question was primarily ad hominum, not on issues. What comes to mind, because this was a well planned attack, I might say a lot of research has gone behind it, is the next step to be taken. It was, of course, that anyone who would accept any such award therefore, would be for the ACA or someone in the John Birch Society. I think the Gerald L. K. Smith crowd said something nice about the John Birch Society. So, we have had an ad hominum approach instead of discussing the issues of what these organizations stand for. I might say I am not a member of this group, and I daresay very few of my colleagues are members of these various groups that put out voting guides whether or not by coincidence we happen to agree with their philosophy. If the philosophy is as expressed by ACA, and the gentleman read it accurately, I think I agree with it, but there are certain features of it that I disagree with rather basically.

Mr. ALGER. I thank the gentleman. I would like to rejoin by saying that I agree with the gentleman, and so that we will be utterly fair, I do not stand here or now or at any time as saying that these legislative issues are absolutely accurate as to the chosen legislation. I will put in the RECORD at this point the six points that ACA uses, where they even try to wash out so-called party votes and the other reasons, I will put in the RECORD at this point the yardsticks they use for picking the issues.

In arriving at the final decision on a specific piece of legislation, the following considerations are carefully weighed:

First. Every effort is made to identify the decisive vote on the measure. This is not necessarily the vote on final passage nor the vote on adoption of a conference report. It may well be the vote on a motion to recommit. In general, only the decisive vote on a specific measure is tabulated.

Second. The total money value of the authorization and/or the appropriation and their probable effect on the stability of our currency.

Third. The initiation, continuance, or extension of spending or control programs into areas clearly reserved for the States, or for individuals, by the provisions of the Constitution.

Fourth. The political and/or economic effects of continuance of temporary emergency programs after the emergency has passed.

Fifth. The ultimate effect of measures which may affect the maintenance of a balance of power between the executive, legislative, and judicial branches of Government.

Sixth. So-called party votes, that is, those which are palpably politically partisan and do not involve fundamental issues. These are excluded from the tabulation.

Mr. Speaker, I want to say further—and I thank the gentleman from Missouri for his remarks—that I, too, am not a member of these groups. However, when we see this guilt by association—and that seems to be the situation here because the conversation on the floor the other day seems to be about another group, the John Birch Society. I am not a member of the John Birch Society; but I must say that if you judge groups by their enemies and opponents they must be pretty fine people.

However, Mr. Speaker, I am not here to talk about other fraternal or religious organizations. Perhaps some of the Members of the House belong to various organizations and have made contributions to them.

Mr. Speaker, I tried to present what I think the ACA is attempting to do and identify myself with their principles and I maintain my right at any time to do this. There was this vote the other day where I found myself voting with the more liberal Members of the House on an amendment to the Internal Security Act. Who knows? This may be wrapped around my neck by the ACA, and that is their privilege. But in my own way I am attempting to be impartial by voting my convictions.

Mr. UTT. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from California.

Mr. UTT. Mr. Speaker, I was somewhat amazed at the concern exhibited by the Democrats over the circulation of an ACA rating index. I have had the COPE index and the ADA index in my district for the last 12 or 14 years and it has not given me any concern that I was rated zero in that report. I do not think the fact that I was rated zero makes me a bad Congressman.

On the other hand, Mr. Speaker, I have had ratings of 97 percent or 98 percent with the ACA and I do not think that necessarily makes me a good Congressman because each of those selected issues are in a specific area of legislation. For me to say that it was because of my high rating in the ACA index that I received a big vote is inaccurate.

Mr. Speaker, my good friend and colleague, the gentleman from California, Mr. HOLIFIELD, made mention of the fact that in his district he won by 30,000 votes and he thought that was because he had a low rating with the ACA. I could come back and say that in my district I have a zero rating with the COPE and a 98 percent rating with ACA, and I won in my district by 85,000 votes. I could not attribute that to either one of those ratings.

Mr. Speaker, I have been greatly concerned in the last few days about this sudden attack on the floor of the other body, as well as the attack that was made here last week by my own colleagues, and I began to wonder why. Where did this come from? Then my good friend, my colleague, the gentleman from Indiana [Mr. BRADEMAS] cited the book "The Far Right," written by Bernard Eismann and Mr. Janson. The gentleman from Indiana quoted a little bit from that book. However, permit me to quote a little bit from the book. I thought it must be a pretty good book and so I went right down to Brentano's and I bought it.

So, beginning on page 227, I want to read a little bit from that book:

> In the fall of 1961 Walter Reuther, president of the United Auto Workers Union and a vice president of the AFL–CIO, discussed the matter with Attorney General Robert Kennedy and promised to write a memorandum for him. That memo, a 24-page blueprint for action against the extremists, was submitted to the Justice Department on December 19, 1961. It had been prepared by Reuther's deputy, his brother Victor, who said in an accompanying note: "We are hopeful that this memo may have some value to you in focusing attention upon possible administration policies and programs to combat the radical right." The Reuther brothers wrote that five areas needed immediate attention—

Now, Mr. Speaker, one must remember that this Victor Reuther is a man who spent some time in Soviet Russia and wrote home some communications, one of which was telling friends to continue the fight for the Soviet America.

Mr. Speaker, here is the chief adviser of the Justice Department speaking on how to handle the extreme right, or at least the right wing. However, they have introduced the adjective "radical." Everyone knows that the word "radical" is not good in the hearing of the American people. If they can add that word "radical" to the word "right," they then have besmirched the word "right." That is used continually through this book. The first recommendation of the brothers Reuther was that "the radical right within the Armed Forces presents an immediate and special problem requiring immediate and special measures."

> Under this heading Reuther recommended that Secretary McNamara investigate the extent of radical right influence in the military himself. The memo recalled the Army's refusal to accept a resignation General Walker submitted in 1959 when he charged that a fifth column was working in the American Military Establishment. It continued: "* * * it also appears to have been widespread pressure from rightwing generals and admirals in the Pentagon which brought about the recall to duty of Gen. James Van Fleet. It is common knowledge that General Van Fleet has himself been a member of the extreme wing (board member of For America, endorser of the Florida Coalition of Patriotic Societies, board of advisers of H. L. Hunt's Life Lines) * * *. All that the recall has accomplished is to embarrass the administration's Ambassador to the United Nations." Van Fleet, Army consultant on guerrilla warfare, blamed Ambassador Adlai E. Stevenson for the U.S. failure to provide air support in the Bay of Pigs invasion and said he would have fired him.

That is why they did not want General Van Fleet back—because he jumped on Adlai Stevenson for the failure at the Bay of Pigs and demanded that General Van Fleet be fired. Had I been President of the United States I would not have fired Adlai Stevenson because I would not have hired him in the first place.

> 2. "The radical right and the Attorney General's subversive list" was dealt with next.
>
> "The Attorney General's list of subversive organizations is lending aid and comfort to the radical right. Although the radical right poses a far greater danger to the success of this country in its battle against international communism than does the domestic Communist movement, the latter has been branded subversive by the Government and the former not * * *. The list today is almost like a Good Housekeeping seal for the radical right * * * and as long as it exists it should not remain one-sided and permitted to work in favor of the radical right."
>
> "It might be advisable," continued the memo, "for the Attorney General to announce at this time that he is going to investigate one or more of these organizations with a view to determining whether charges will be filed and hearings held on the question of listing one or more of these organizations. The mere act of indicating that an investigation will be made will certainly bring home to many people something they have never considered—the subversive character of these organizations and their similarity to listed groups on the left."
>
> One specific proposal was that FBI agents infiltrate ultraright organizations to determine if their actions could be classified as subversive.
>
> 3. "The flow of big money to the radical right should be dammed to the extent possible."
>
> The proposal:
>
> "As funds are a source of power to the radical right, action to dam up these funds may be the quickest way to turn the tide now running in their favor." The memorandum suggested that tax exemptions be carefully checked, that lists of major donors to the far right be made public, and that the Federal Communications Commission check radio and television stations carrying far right propaganda but listing their programs as religious, news analysis, or public service. It said that "Know Your Enemy," a 5-minute 6-day-a-week radio program on WEAM, Washington, would be a good place to start. The program's commentator had said that "Gus Hall of the Communist Party had a plan for staffing the Kennedy administration with his followers and that it was already working successfully."
>
> Before the memorandum was submitted, the Internal Revenue Service had begun a review of organizations incorporated as tax-exempt religious or educational groups to determine whether any were dispensing political propaganda.

The memorandum also suggested:

4. "The administration should take steps to end the Minutemen."

5. "The domestic Communist problem should be put in proper perspective for the American people, thus exposing the basic fallacy of the radical right."

In this section Reuther made a point that had long concerned the liberals.

"The Director of the FBI, Mr. Hoover, even though he made an admirable recent statement concerning the radical right, exaggerates the domestic Communist menace at every turn and contributes to the public's frame of mind upon which the radical right feeds. Assistant Attorney General J. Walter Yeagley, who continues in charge of internal security matters, has always maximized the domestic Communist menace. There is no need of a further effort to dramatize the Communist issue. The need now is to rein in those who have created the unreasoned fear of the domestic Communist movement in the minds of American people and slowly to develop a more rational attitude toward the strength of this movement. Without forbidding dissenting officials from expressing a contrary viewpoint (and thus evoking charges of muzzling Hoover, etc.), any effort to take a more realistic view by leaders of this administration would probably cause most of the administration officials to fall into line and even some legislators might be affected thereby. Fifteen years of overstating a problem cannot be reversed overnight, but thoughtful handling can reduce tensions and misconceptions in this area too."

In a note accompanying the memorandum, Walter Reuther wrote "This is not a problem that can be swept under a rug. The administration can no more combat the radical right by being 'tough on domestic communism' or appeasing radical right generals than the Republican administration was able to fight McCarthyism by its own excesses in this area. It is very late in the day to start dealing with these problems, but it will never get any earlier."

No formal action was taken on the suggestions, although the document was read by key members of the administration and circulated to sympathetic Congressmen. The Defense Department opposed political probes in the armed services. Calls for a congressional investigation of the activities of the far right were rejected.

J. Edgar Hoover, whose book "Masters of Deceit" has been a favorite of anti-Communists, counseled self-restraint among rightists in the weeks after the President's speeches. In 1962 he made his views on the far right even clearer. Writing in the Journal of the American Bar Association, the Nation's No. 1 G-man congratulated the legal group for the approach it had taken compared with that of the Hargises and Welches. He said: "Just because the Communists have no respect for law and order does not mean that we should retaliate in kind. Cries for legal shortcuts, vigilante methods and less reliance on legal processes, though based on the most patriotic motives, are most shortsighted. Emotional outbursts, extravagant name-calling, gross exaggerations hinder our efforts. We must be very careful with our facts and not brand as a Communist any individual whose opinion may be different from our own. Today far too many self-styled experts on communism are plying the highways of America giving erroneous and distorted information. This causes hysteria, false alarms, misplaced apprehension."

Hoover praised the Bar Association's efforts to foster "high level, dignified, objective seminars on communism through the cooperation of local bar associations throughout the country."

At about this time Senator GOLDWATER, while defending the general membership of the Birch Society, told a joint Washington meeting of the Harvard, Yale, and Princeton clubs:

"Conservatives must beat off the idiots that are always attracted to a movement in its beginnings. The idiots are being drawn toward the conservative movement now just as they were attracted to liberalism in the 1930's. There are always people who will go off on a tangent if they don't think their ideas are being carried out to the letter. I mean any group that goes to extremes. I'm a member of the American Legion and I can remember when it practiced some of the things we object to in the John Birch Society. My chief objection to the John Birch Society is its leader. He is intemperate and unwise. I wish he would step out so the fine, responsible people who are members could take charge."

But tens of thousands still believe in the far right gospel and still slip dimes and dollars into envelopes addressed to Robert Welch, Billy James Hargis, and other far right organizers. This had been anticipated in the Reuther memorandum: "As the radical right cannot be wished away or ignored, likewise its demise is not something that can be readily accomplished. The struggle against the radical right is a long-term affair: total victory over the radical right is no more possible than total victory over the Communists. What are needed are deliberate administration policies and programs to contain the radical right from further expansion and in the long run reduce it to its historical role of the impotent lunatic fringe."

This was followed by a footnote: "Private agencies can do much to identify and expose the radical right. Indeed, in the long run the extent of participation by private agencies in this struggle is more likely to determine its outcome than anything the Government can do. The press, TV, church, labor, civic, political and other groups whose constitutional freedom is directly involved must carry the prime burden in this struggle."

But private action to counteract the extreme right frequently has been weak. A Hollywood rally in support of the United Nations and free speech found few supporters. One movie star was quoted as saying, "I don't want to get involved in anything more controversial than a charity for crippled children." Some were intimidated by the bombing of the homes of two California ministers who had spoken out. Others who preached good sense from their pulpits, and there were some in every part of the country, were victims of middle-of-the-night telephone threats.

When liberals and liberal organizations did speak up, in print or on the podium, they usually limited themselves to attacking the evils of extremist tactics. They made little effort to slake the obvious thirst of the American public for information about the Communists and communism. They continued to leave this important task to rightists, who filled the vacuum with a distorted picture.

The debate on the philosophy of the ultraconservatives continued, however. Among their most aggressive opponents have been the clergy. The general council of the United Presbyterian Church assailed extremist tactics. Methodists were warned by Bishop Everett W. Palmer of Seattle of a "frightening likeness between certain anti-Communist movements now in vogue across America and events which transpired in Germany and Italy prior to the rise of the Nazi and Fascist regimes." The National Catholic Welfare Conference issued an 88-page booklet attacking rightwing militants for fomenting what it termed "a virulent form of disunity that is dangerously weakening the Nation." In the booklet Father John F. Cronin, assistant director of the conference's social action department, said he was "convinced that three-fourths of these extremist groups are making a financial racket of the right against communism * * *. They're in it for money." The National Council of the Episcopal Church urged Episcopalians to examine the "motivations and methods of those who profit from the business of attacking the churches."

But the profiteers are formidable adversaries. They have had time to lay the groundwork. Their torrent of "documentation for members and prospective followers continues unremittingly. Much of this flock now knows that all criticism of them is part of a plot to soften them up for the Communist takeover. As a woman member of a Chicago chapter of the John Birch Society remarked, "They are really doing a job on us. Some people won't even talk to me any more. They think I'm crazy." She knows she isn't. The newsletters and pamphlets she reads and the tape recordings she hears at the monthly meetings tell her she is right and the "duped" are wrong.

If you will read the RECORD of last Monday you will find how Members very carefully listed the subscribers to the Americans for Constitutional Action and to the For America, and to the Birch Society, and to some of the other organizations. Then it says:

> The domestic Communist problem should be put in its proper perspective for the American people, thus exposing the basic fallacy of the radical right.

In their book, of course, Mr. J. Edgar Hoover is quoted in one place. Let me quote what he said in an address to all enforcement officials on March 1, 1960:

> It is indeed appalling that some members of our society continue to deplore and criticize those who stress the Communist danger. What these misguided "authorities" fail to realize is that the Communist Party, U.S.A., is an integral part of international communism * * *. Public indifference to this threat is tantamount to national suicide. Lethargy leads only to disaster.

The memo goes on to lay out a blueprint for the destruction of the anti-anti-Communists in accordance with the memorandum issued in Moscow in December 1960 when Gus Hall came back to this country with instructions stating that his first job was to destroy the anti-anti-Communists. Here in this book we have that blueprint worked out and in the 24-page booklet submitted by Mr. Walter Reuther and Mr. Victor Reuther is the actual blueprint. I recommend if you can get it and if it is not classified and absolutely top secret, you should get that 24-page booklet on suicide and read it because here they say they distributed it to members of the administration and certain friendly Congressmen who would probably carry on the battle in the legislative Halls.

There you have it, gentlemen—the reason for the sudden attack on the floor of the other body and by my colleagues on this floor. It was an attack on what they call the radical right, which I call the conservative right. Of course, they try to equate it with the Birch Society and some mention was made of some of the articles of the Birch Society. I ask unanimous consent to extend at this point an article by the Reverend Francis E. Fenton, a Catholic priest in Connecticut. He is a member of the John Birch Society, and has been for years. He ends up by saying, "I do not hesitate to reply: Join the John Birch Society."

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The article referred to follows:

A CATHOLIC PRIEST COMMENTS ON THE JOHN BIRCH SOCIETY

(By Rev. Francis E. Fenton)

While the John Birch Society is a mere 4 years of age at this writing—December 1962—it is doubtful if, in the relatively short history of this great land of ours, any individual or organization in America has been more consistently attacked or maligned than has this society and its founder, Mr. Robert Welch. As a Catholic priest who has been a member of the society for some 3 years now and is well acquainted with its structure, operations and objectives, I feel that perhaps I can make some worthwhile contribution to the cause of truth and justice by expressing some of my sentiments and convictions in respect to the John Birch Society.

The John Birch Society may be described as an organization of informed, dedicated, religiously-motivated Americans of all nationalities and creeds banded together for the purpose of executing, under competent direction, a concrete program of education, and action toward the ultimate goal of less centralized, more limited government, more personal responsibility and a better world. Because of the nature and power of the atheistic world Communist conspiracy however, and its clear determination to enslave all mankind (a determination from which it has never wavered and the realization of which becomes more and more apparent), the immediate objective of the John Birch Society from its inception has, of necessity, been the containment, the conquest and the elimination of the Communist menance and the grave threat it presents to America and all humanity. Communism, then, or, more accurately, the Communist conspiracy and the many factors and conditions and organizations which aid and abet its progress are the immediate primary targets of the John Birch Society and will continue to be until, please God, that diabolical monstrosity is destroyed.

The program of the society is a twofold one, education and action. The education, without which it is impossible intelligently and, therefore, effectively to counteract the enemy, is of course, a continuing process and consists mainly in the reading of numerous recommended books and other publications the total impact of which is an evermore comprehensive understanding of such subjects as America's history and form of government, the free enterprise system and the part of personal initiative, individual responsibility and the principle of subsidiarity in the notable success of that system, the nature, tactics, aims and accomplishments of the Communist conspiracy over the past four decades, the nature of Socialism, etc. A proper and adequate grasp of the overall picture results in an ever-deepening concern to do one's part to counteract the various evils of which the avid and persistent reader has become more and more acutely aware. The action program of the society follows logically and may, in general, he said to be twofold: one, getting one's fellow-citizens to become similarly well informed; the other, the fulfillment of the series of projects by the members as listed and described in the monthly bulletin of the society. Based on the adage: "In unity there is strength" the faithful execution of the various, specific projects each month by a united and dedicated membership produces results which, in terms of influence and effectiveness, could not otherwise be obtained. Although it has been made unmistakably clear many times in the publications of the John Birch Society, it is well to note again that no member is ever obliged to carry out any action or project the fulfillment of which would be contrary to his conscience. Personally, I have never seen any project listed in the monthly bulletins over a period of 3 years whose execution would have violated the dictates of my conscience.

Such, then, is a brief summation of the essentials of the organization, objectives and program of the John Birch Society, the details of which are given in the numerous publications of the society. Having read just about all of these publications, having met hundreds of the society's members (a more commendable body of exemplary Americans one could not find, I feel sure, in any other secular organization in the land) and being well acquainted with many of them and having observed and participated in the activities of the society for quite some time, I have been, and remain, at a total loss to comprehend how any patriotic American or group of Americans would want to damage or destroy the John Birch Society or to discredit its widely-respected founder. Yet such has been the objective, on a large scale for about a year and a half, on the part of innumerable individuals, groups and publications from coast to coast. Such sustained, widespread and, in many cases, bitter attacks may well be without parallel in the annals of American history.

Certainly the Communist conspiracy, thoroughly committed, as it is, to the conquest of America and the enslavement of her citizens by whatever means necessary to accomplish that purpose, has never been given anything resembling such treatment by the various segments of the communications media with a few notable exceptions.

Other notorious organizations, some of whose stated objectives are not likely to further the well-being of this country, are not only not criticized, much less attacked, by some of the same communications media but are rather treated with much courtesy and respect and quite favorably publicized. But the John Birch Society, in many instances, has not been treated with even elementary fairness, a society which numbers among its council and endorsers and members many of our Nation's most respected citizens. Why?

The answer to this question varies according to the particular individual or group launching the attack, but I have never read any criticism of the John Birch Society or its principles or tactics or aims, regardless of the source of the criticism, which has impressed me or caused me to question either the society or my membership in it. The Communists and their conscious supporters have severely and constantly maligned and attempted to discredit and destroy the John Birch Society, but no comment is necessary in this case. Indeed, it is to the great credit of the society that the Communist press and propaganda have seldom, if ever, been more bitter and vitriolic in their opposition to, and denunciation of any other organization.

As for the attacks by the advocates of socialism and more and more centralized government and by the one worlders and by the liberals in general, I have read nothing to date from even the most sincere of these which appeared to me to be a substantial and well-founded criticism. Nor was the Catholic press a mere observer in all this. Quite the contrary: numerous Catholic papers and magazines saw fit to criticize and attack, some of them severely, both the John Birch Society and Mr. Welch. Here again I can only say, in all honesty, that I have read nothing in the Catholic press from the beginning which would cause me to change my thinking one iota on the soundness of the John Birch Society and Catholic membership in it. Indeed, as I have often previously stated, many of the Catholics whom I know as members of the society are among the finest it has been my good fortune to meet. These people, many of them too with extensive Catholic schooling, see in the John Birch Society, as do I, under God and together with the spiritual and moral force of their faith, the best hope and promise for the security and survival of America and the liberation of our enslaved fellow men throughout the world.

There are many Catholics who realize the ever-increasing threat to them and to America posed by the Communist conspiracy, who see in the John Birch Society an effective means of counteracting that conspiracy and, in the process, of exercising the virtue of patriotism and who would become members of the society—but who hesitate to do so because of the notion that it is, or may be, forbidden to them. This notion is completely erroneous. The Catholic Church has taken no position nor made any statement either for or against the John Birch Society. Nor is there anything in the organization or laws or objectives of the society contrary to Catholic faith or morals. I state this after 3 years of close contact with the society and its operations. Indeed, to any hard-core American patriot, Catholic or non-Catholic, who asks what he can do, in addition to prayer and the observance of the moral law of God, most effectively to aid in the crucial battle against the diabolical menace of atheistic communism, I do not hesitate to reply: Join the John Birch Society.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman.

Mr. ROGERS of Colorado. Do I understand that the ratings of Americans for Constitutional Action are determined by the votes taken in the House of Representatives?

Mr. ALGER. The rating is on legislative issues upon which we vote.

Mr. ROGERS of Colorado. Yes.

Mr. ALGER. But, of course, the yardsticks are laid down by the ACA as to how they would judge the votes.

Mr. ROGERS of Colorado. You, in your main speech here, started out to talk about liberalism, socialism, and communism.

I wonder if the ACA considers social security an attack on the Constitution of the United States.

Mr. ALGER. The ACA is what I started to talk about. I can assure the gentleman that what I tried to do, if he had been here to hear me——

Mr. ROGERS of Colorado. I have been here all the time.

Mr. ALGER. It was to relate the ADA to the Communist platform, that I have with me, and the Socialists. I am not saying Members who vote that way are Socialists or Communists.

Mr. ROGERS of Colorado. Yes, but the gentleman did point out liberals and Socialists and Communists, and then proceeded to defend the organization.

Mr. ALGER. What organization do you mean, the ACA?

Mr. ROGERS of Colorado. Yes.

Mr. ALGER. I was interrupted several times. First I gave the ACA principles. I have been working from them ever since. I do not know that the gentleman was here.

Mr. ROGERS of Colorado. Let us talk about principles. I asked the gentleman a question about social security. When

I first heard of social security I heard it was socialism pure and simple. I want to know if the gentleman considers that as socialistic.

Mr. ALGER. I would say to the gentleman that I happen to know and have in the handwriting of Mr. Bob Myers, the chief actuary, the fact that social security is actuarily out of balance $298 billions. I am for fiscal responsibility, which means we need to balance the budget of social security. Therefore, if the gentleman is asking this Member, and this has nothing to do with the ACA, where I stand, I say that until we balance the budget instead of passing it on to unborn generations I oppose social security.

Mr. ROGERS of Colorado. Does the gentleman realize that social security is a separate trust fund?

Mr. ALGER. I can only assume that the gentleman does not understand that the $22 billion in that separate trust fund has been spent. There are only I O U's remaining, and it is further in the hole by $298 billion.

Mr. ROGERS of Colorado. The I O U's are obligations.

Mr. ALGER. $320 billion against $22 billion is what we are talking about. Is the gentleman intending to debate social security? This has nothing to do with the ACA.

Mr. ROGERS of Colorado. The gentleman approaches this first by saying liberalism, socialism, and communism. Which does he consider liberal?

Mr. ALGER. I gave the gentleman a part of it. I gave him the ACA program. The gentleman obviously did not hear me. The Brannan plan, the compulsory health insurance, the price and wage control, repeal of the Taft-Hartley Act, and compulsory union membership—I do not know whether the gentleman supports them, but these are issues I would disagree with, and which are liberal, of the ADA.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Florida.

Mr. HALEY. What the gentleman from Texas was really trying to do, he merely quoted as he understood it the objectives of certain organizations. He laid them side by side and they pretty well balanced out. That is about what the gentleman from Texas was doing. In regard to who does what and how you judge your standing or how these people at ACA arrive at the percentage of whether you support the Constitution or not, I think the record speaks for itself. I think the gentleman from Texas is doing a great service in coming here and debating, and freely and openly letting people know what he is going to discuss, not coming in here on the side, so to speak, and attacking the Members of Congress because some organization wanted to honor those men by presenting them with an award. I think the record speaks for itself. I think that this organization judges you on the basis of the votes you cast here in the House of Representatives. I think the gentleman from Texas will agree with me on this. I believe that by that method of informing the people of America how their Representatives are voting here on the floor of the Congress and not what they are saying when they are running for reelection, I think that is where the shoes begin to pinch.

I believe that this organization, the Americans for Constitutional Action, is enlightening the people on some things by publicly analyzing voting records and this is the reason why some of my liberal colleagues are squealing now.

Mr. ALGER. I thank the gentleman.

Mr. HALEY. Mr. Speaker, will the gentleman yield further?

Mr. ALGER. I yield to the gentleman.

Mr. HALEY. With respect to these various organizations, the ADA and COPE and so forth, they are the first people who begin to yell when you try to prove guilt by association. Yet, on the floor of this House last week, a group of people were trying to tie one organization with another one. Now I do not know who all of the members of the ACA are, but I will say this. You cannot find any place where they attack any one individual. If the liberals are going to do these things and try to prove guilt by association, let them get on a platform without the cloak of immunity that they have in this House and make charges against the patriotism and against the loyalty of these men. I think that is only fair. I say, if that is what the liberals want to do, go out and do it but do not wrap this cloak of immunity around you here. Go out where you can be called to account for your remarks and make these charges.

Mr. ALGER. I thank the gentleman. I would like to respond to the gentleman's remarks to this extent so that my colleagues will understand. Since many may not have had time to read the statement to which I am endeavoring to make a rebuttal. The charge was made in this RECORD Monday that Members like me are doing the devil's work and that I am a member of a lunatic fringe—you see—this debate has gone up to this point, without name calling and with that type of appellation. I do not need to engage in that and I shall not. I am just trying to remind the membership though, as the gentleman from Florida just pointed out, that we could have gone into this thing a lot more thoroughly and, indeed, I think we should and I think it might be interesting to follow this debate further with other special orders.

Mr. FOREMAN. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman.

Mr. FOREMAN. Mr. Speaker, I would like to commend the gentleman from Texas [Mr. ALGER] for bringing what you have here today before the House, as to what the ACA actually does stand for. Referring to the remarks of the gentleman from Florida with reference to so-called guilt by association, I would like to make just a few remarks.

Mr. Speaker, in a recent attack upon the Americans for Constitutional Action—ACA—and conservatives in general, both Democrats and Republicans, a Member of this otherwise reasonable and responsible body said, to the effect, that some of the members and supporters of the John Birch Society are also supporters of ACA; therefore he concluded that ACA money is John Birch money and that ACA aims and goals are John Birch aims and goals. This type of reasoning is quite typical of the leftist, ADA groups. I know good Democrats, good Baptists, and Catholics and others who support the John Birch Society and/or the ACA, but this does not bring about the conclusion therefore that all Democrats, Baptists, and Catholics are John Birchers, or that Democrat, Baptist, or Catholic money or aims or goals are also John Birch money or aims or goals. I am not now, nor have I ever been, a member of the John Birch Society, but I do know a good number of fine, responsible citizens who are either members or supporters of the John Birch Society. I know a good number of fine responsible citizens who are Democrats and who are Baptists. I also know some Democrats, Baptists, Catholics, John Birchers who are somewhat radical, in my opinion, in their thinking, but I do not therefore conclude that all Democrats, Baptists, Catholics, and John Birchers are "nuts." I point this out only because I believe some of the conclusions reached by a Member of this body last week are very unreasonable and unfair.

I would also like to, at this time, commend the weekly newspaper, Human Events, which recently came under attack.

In reporting the news, Human Events aims for accurate presentation of the facts. It interprets events from the viewpoint of the Founding Fathers, who believed in limited constitutional government, local self-government, private enterprise and individual freedom. They believe those principles will preserve freedom in America. They report on various national activities and programs vitally affecting the lines and freedom of our citizens and they report the news on members of both parties, Democrats and Republicans alike.

If the gentleman from California who speaks so disparagingly and derogatorily of this newspaper does not approve or like the news and activities reported by Human Events, maybe it is because the gentleman finds such facts and truths embarrassing, not only to himself politically, but also the leftist view he represents and espouses. I would suggest that if in the future he continues to find that this fine publication writes of activities which he disapproves, that the gentleman from California do one of two things: either stop reading Human Events, or get his leftist supporters to take a more responsible, conservative, and constructive approach toward solving the problems of this Nation and assist in preserving our free enterprise system of capitalism, rather than trying to replace it with a regimented welfare state of socialism, thus attaining more favorable mention in this good newspaper, Human Events.

There is a goodly number of we conservatives, both Democrats and Republicans, who believe that an all-knowing, all-providing, all-powerful Federal Government is contrary to the basic philosophy of our American way of life. We believe that any government big enough to give you everything you want is big enough to take everything you have.

I think that the American people are beginning to recognize some of these things; and, as the gentleman from Florida pointed out, organizations like the ACA are beginning to put the shoe and the squeeze on some of the gentlemen who go back to their districts and talk one way and come up here and vote another way.

I join those folks who are concerned and in fact alarmed at the radical extremist organizations in this country. Particularly the leftist, pacifist Americans for Democratic Action, the ADA, concerns and alarms me in their continued work for and support of a socialist America. I believe that the pink-fingered politicians and the lily-livered diplomats of the radical left pose a far greater threat to our freedom today than the so-called extreme right organizations.

Mr. ALGER. I thank the gentleman from Texas. That was as fine a summary of what he believes in as I have heard, and it is a view I am pleased to share.

I would like to call to the attention of my colleagues the supplement put out by this Human Events and an article entitled, "The Truth About the ADA." Many men are discussed in this. It is either right or wrong, and it ought to be the subject of debate here.

Today I have related my views around what I believe, capitalism and U.S. sovereignty. I have also discussed the Republican form of government. All three are under attack by the so-called liberals, who have been in power for some 30 years, yet now they are attacking the radical right when all the time they have had control. I do not know why they are so nervous except the fact that their programs have failed.

I have been pointing out that the evils of this administration are nothing new. They are simply New Deal programs that never succeeded.

CONSERVATIVES WHO REALLY AREN'T

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I include an excellent editorial from the May 18, 1963, editions of the Eugene, Oreg., Register-Guard. The editorial directs attention of the readers of this newspaper to the admirable speech recently made by Senator Thomas Kuchel on the subject of the "Frightful Right."

Conservatives Who Really Aren't

Senator Thomas Kuchel, California Republican, has been getting a lot of mileage out of a speech he made in the Senate the first of the month. He should. It was an excellent speech in which the Senator talked about the hate groups and fear mongers who write about 10 percent of the mail he receives. He used the word "paranoia," a term that designates a mental disorder characterized by delusions of persecution and, likely, delusions of one's own greatness.

And "paranoia" is just the word to describe some of these fringe area rightwingers who go around spreading rumors, stirring up needless hatreds, scaring the daylights out of the witless, and, not incidentally, collecting pots and pots of money. Everywhere they see a plot. They warn against the faceless "they."

However, it is not all paranoia. Much of it is simple lack of confidence. Those to whom the hatemongers appeal have little faith in the resilience of the America they boast of loving. Out of one side of their mouths, they speak ecstatically about this great land of ours and its great free people. Out of the other side, they imply that Americans are a bunch of saps who will buy any oddball ideology that comes along—including theirs.

They fear what they do not understand. Leaders of the cult are usually well educated, often quite persuasive. But the mob that follows, like the mob that followed the Nazis, is usually uneducated, ill equipped to detect the tortured logic that the leaders advance. Almost without exception, they huddle in little groups—"we" against "they." They see nothing ludicrous about their demand to repeal the income tax law and increase military spending. They see nothing amusing in their demand to get back to constitutional principles and to impeach Chief Justice Warren, hobble the Supreme Court, and elimate the Bill of Rights. They don't even laugh when the people who spoke of the Korean war as "Mr. Truman's war" and as a "useless war" now cry for an invasion of Cuba, a showdown with Russia, and an end to peaceful coexistence. They do not think it odd that a speaker who fears all sorts of conspiracies will demand that the civilian President keep his hand out of military affairs.

One thing that worries Senator Kuchel is that these people have adopted, and corrupted, the honorable name "conservative." Far from being conservatives, they are radicals, advocating sweeping changes in the established American system. The Billy Hargis and General Walker types who roam the land ask not that we return to basic principles, but that we bend our national policy to meet a situation that longer exists, if it ever did.

America has survived their kind before, rejecting the know nothings of pre-Civil War times and the McCarthys of post-World War II times. Yet they are always with us, sometimes vocal, sometimes waiting in the wings. It is a mark of American strength that they have never really made any progress. This should be reassuring to those people themselves. But it won't be, because they couldn't see the humor in it.

EXTENSION OF THE REORGANIZATION ACT

The SPEAKER pro tempore (Mr. Albert). Under previous order of the House, the gentleman from Michigan [Mr. Meader] is recognized for 15 minutes.

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, the Rules Committee this morning granted a 2-hour open rule on H.R. 3496, reported out of the Government Operations Committee, to extend for 2 years the Reorganization Act under which the President is empowered to send up reorganization plans which, if within 60 days after the receipt of those plans by the Congress neither House of the Congress by a majority vote has disapproved the plans, become law.

I opposed this extension of the Reorganization Act before the Rules Committee, and I appeared before the House Government Operations Committee which had hearings on April 9 and April 30, 1963, to testify against H.R. 3496, to extend the Reorganization Act until June 1965. I have filed additional views in the committee report together with Committee Colleagues Stinson and McClory which I hope Members will have a chance to study before they vote on this bill.

Let us make no mistake about it. The reorganization power that we grant to the President is legislative power. Any reforms improving the operations of the executive branch of the Government which do not affect or modify existing law, can be ordered by the President without sending any plans to Congress. It is only when he wants to change statutes—when he wants to pass legislation, in effect—that he sends up a reorganization plan.

Now, I say that we in the Congress should be jealous of our legislative power and not lightly or frivolously transfer it to the executive.

Mr. Speaker, I have voted on many occasions in the past to grant reorganization power to the executive. I voted 2 years ago to grant this power to President Kennedy. I thought, having won the election on a platform that he had presented to the country, he ought to have flexibility and authority to reestablish the executive branch of which he became the head so as to carry out his program. And, I would support an extension of the plan now if a case were made that the President would use that power to eliminate duplication, abolish obsolete functions, and reduce waste and mismanagement in the executive branch of the Government.

But, Mr. Speaker, I say to you that the administration has made no case. The only administration witness Harold Seidman, of the Bureau of the Budget, appeared before the House Government Operations Committee on April 9 of this year and described the operation of the act, but he produced nothing whatsoever to indicate that there were any reforms needed, that there were any reforms under consideration, or that there was any need for this power at this time. In fact, my colleague, the gentleman from Illinois [Mr. Anderson], a member of the subcommittee, asked him if the administration had any plans in mind, and he said none had been discussed with the President.

Yesterday, Monday, May 27, only 5 days before the expiration of this act on June 1, the President sent up his first plan this year, Reorganization Plan No. 1 of 1963.

What does this plan do? It transfers from the Department of the Interior certain housekeeping, maintenance, and operation responsibilities with respect to the Franklin D. Roosevelt Library to the General Services Administration. I think that is probably all right; in fact, when Congress passed the act establishing the Franklin D. Roosevelt Library in 1939, that is exactly where we put this housekeeping function—with the Archivist of the United States. Subsequently the Archivist and the Public Buildings Administration were covered into the General Services Administration where they are presently, and if there had not been a change made in 1946, Reorganization Plan No. 1 of 1963, transferring functions would be wholly unnecessary.

How did that change come about? President Truman sent up Reorganization Plan No. 3 of 1946, and in the section of the plan that related to the Department of the Interior it vested in the Department of the Interior these housekeeping responsibilities, including collecting a charge of 25 cents admission fee to the Franklin D. Roosevelt Library Museum.

I think this is a meritorious proposal and therefore today I have introduced two measures by which this transfer of functions can be accomplished without resorting to the reorganization act.

One is a joint resolution which provides that upon its adoption the provisions of the plan would take effect in 10 days. The second, I incorporated in a bill the substance of the provisions of the reorganization plan.

I suggest that we can act by legislation more rapidly than we can by reorganization plans, and at the moment I see nothing whatever undesirable about these transfers. Such a bill or joint resolution could be expeditiously considered by committee and probably would pass on the Consent Calendar.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Ohio.

Mr. HAYS. The gentleman is saying, in effect, as I get it—and for once I read one of these reorganization plans which had been sent up, and this one was fairly short—the gentleman thinks it ought to be done but he differs about the method of doing it; is that right?

Mr. MEADER. That is true; that is exactly right.

Mr. HAYS. If the gentleman will yield further, I have a great deal of respect for the gentleman's views on these matters but, personally, I do not care how they do it, but it seems to me that it ought to be done in all respects in the same way.

Mr. MEADER. The point I want to make is simply this: Legislation by reorganization plan is an unusual way to legislate. I think the gentleman, if the gentleman will read my testimony and my additional views, will also be satisfied that this method of legislating raises many problems, it being an anomaly in the legislative process.

Mr. Speaker, I think the sending up of this plan was wholly unnecessary and I suggest it was sent up as it was yesterday when the Committee on Rules was meeting this morning on an extension of the act only for the purpose of showing that the President wanted to use this power and use it for the purposes for which the act was originally enacted; that is, to consolidate or transfer functions for greater economy and efficiency.

But the record for the past 2 years—and I think the gentleman from Ohio will have to agree with me on this—has been that the President has not used the reorganization power for the purpose of improving the structure of the Government.

Mr. Speaker, instead, the seven plans that he sent up in the 1st session of the 87th Congress all dealt with regulatory commissions and had the effect of enhancing and augmenting the power of those commissions and contributing to greater political control from the executive branch of the Government by removing the checks and limitations which Congress had intentionally imposed upon those regulatory commissions when we created those commissions and vested in them a vast concentration of power; namely, the executive, judicial, and legislative powers of this Government. We created boards and commissions whose members were required to be confirmed by the Senate. We provided limited terms. We provided bipartisanship.

The effect of the plans sent up by this administration was to transfer to the majority of the board the power to delegate authority to subordinates in the agency, not subject to scrutiny by the Senate, with unlimited tenure in office and, largely unaccountable to the Congress. The plans permitted the chairman of the board to make assignments weakening the minority check upon the action of the majority on the board and limited the right of appeal of a person or company subject to regulation by the board.

Mr. Speaker, the reorganizing power was used to increase the power of these administrative tribunals—by removing restrictions and limitations imposed intentionally by Congress to forestall abuse of power. I say that the Reorganization Act was never passed for that purpose.

It was passed for the purpose of eliminating duplication and consolidating functions, thereby cutting down on the number of people in the bureauacy and otherwise improve the efficiency and economy of the Government.

Mr. Speaker, the first seven plans had nothing to do with that. Two plans were submitted in the 2d session of the 87th Congress. One would have created a Department of Urban Affairs. This plan was defeated by a vote of 264 to 150. The other plan created the Office of Science and Technology in the Executive Office of the President. None of those nine plans, in my judgment, were a proper exercise of the President's power under the Reorganization Act.

Mr. Speaker, I say when the administration comes up here and asks us to give it some of our legislative power, they first ought to have a case and, second, in the light of the abuse of the power in the past 2 years, we ought to have adequate assurance it will not be abused in the future.

Mr. HAYS. Mr. Speaker, will the gentleman yield further?

Mr. MEADER. I yield further to the gentleman from Ohio.

Mr. HAYS. I do not want to debate with the gentleman about all of the reorganization plans, because the gentleman sits on that particular committee and obviously he knows more about them than I do. But I hope the gentleman will excuse me for being a little skeptical about commissions, boards, studies, and so on. I am chairman of the subcommittee of the Committee on Foreign Affairs on State Department personnel and foreign operations. Every 2 or 3 years—usually about 2 or 3 years—they have a committee to study the reorganization of the State Department. My experience has been that whatever the previous committee recommended, such parts of it as went into effect, the new committee recommends that we throw it out and go back to the old system. It is just like a pendulum. At this point when one of those reports comes up to me—and about the fourth one is on my desk now—I say to the gentleman, and hope the gentleman will excuse me, that I am a little skeptical about all of these committee studies.

However, to get back to this particular plan, the gentleman thinks this ought to be done, but the question is, How do we do it; is that right?

Mr. MEADER. Yes. I think it is a very unimportant matter. Since 1946 the janitorial services, and so forth, at the Franklin D. Roosevelt Library, have been provided through the Interior Department. Now we are going to have the General Services Administration take care of the problem.

Mr. HAYS. If the gentleman will yield further, is not that the way it is usually done?

Mr. MEADER. It is a picayunish matter. I think it was sent up here only for the purpose of demonstrating that the President needed this power and was going to consolidate functions. I say if this is the best reorganization plan they can scrape up now in the executive branch they must not have much need for the power.

Reorganization Plan No. 1 of 1963, sent up Monday, May 27, 1963, only 5 days before the expiration of the Reorganization Act, is patently a last-minute attempt to prove that the reorganizing power is needed and that at least in this instance, it will be used to consolidate functions by transferring certain housekeeping responsibilities with respect to the Franklin D. Roosevelt Library from the Department of the Interior to the General Services Administration.

It is ironic that the only effect of Reorganization Plan No. 1 of 1963 is to undo what was done by Reorganization Plan No. 3 of 1946, and return to the Archives and its present parent, the General Services Administration, functions vested in the Archivist by the act of July 18, 1939, which established the Franklin D. Roosevelt Library at Hyde Park, Dutchess County, N.Y. The functions concerned are described in Reorganization Plan No. 3 of May 16, 1946, in part IV, section 401, as follows:

PART IV. DEPARTMENT OF THE INTERIOR

SEC. 401. CERTAIN FUNCTIONS WITH RESPECT TO THE FRANKLIN D. ROOSEVELT LI-

BRARY.—The following functions are hereby transferred to the Secretary of the Interior and shall be performed, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate:

(a) The functions of the Commissioner of Public Buildings, under section 208 of the Act of July 18, 1939, 53 Stat. 1062, with respect to the care, maintenance, and protection of the buildings and grounds of the Franklin D. Roosevelt Library.

(b) The functions of the Archivist of the United States, under Section 207 of the said Act, with respect to the collection of fees from persons visiting and viewing the exhibit rooms or museum portion of said Library, excluding the fixing of charges to be collected but including the making of all other regulations with respect to such collection. (Any funds derived from such fees shall be paid, held, administered, and expended in consonance with the proviso in said Section 207.)

In the limited time since the submission of Reorganization Plan No. 1 of 1963, I have attempted to find out what might have motivated the submission of this plan other than to demonstrate the need for continuing the reorganizing power in the President. A search of the CONGRESSIONAL RECORD fails to reveal any message from the President urging this earth-shaking reform, nor any bills introduced or discussion on the floors of the Congress, and such casual inquiries as I have been able to make from colleagues from New York failed to disclose any awareness of the existence of this problem, nor has a search of the Periodical Index revealed any public statements indicating the urgency of any such reform, nor apparently any significant knowledge that any problem existed.

It is reaching pretty far in the barrel to send up reorganization plans to transfer housekeeping functions and the collection of 25-cent fees from the Department of Interior to General Services Administration as proof that the legislative power we have vested in the President to streamline the bureaucracy needs to be continued.

This transfer of functions, on the surface at least, appears at the worst to be innocuous and at the best, to be desirable elimination of duplication and overlapping.

I have introduced a joint resolution to provide that Reorganization Plan No. 1 of 1963 take effect 10 days after the enactment of the joint resolution. If this plan is desirable, it would seem to me to be important that the change take place before the end of the fiscal year. This could occur if Congress acts promptly on my resolution.

This would not occur, however, if the Congress were to take no action whatever and permit the reorganization plan to become effective 60 days after its submission to the Congress, which would be nearly 1 month after the commencement of fiscal year 1964.

Instead of establishing the need for the reorganizing power to be continued in the President, Reorganization Plan No. 1 of 1963, because of its inconsequential character, seems to me to prove that there are no present reforms of sufficient merit contemplated by the administration which would justify the Congress in continuing to grant its legislative power to the Executive at the present time.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman.

Mr. McCLORY. Mr. Speaker, I want to associate myself with the remarks of the gentleman, except with respect to the recommendation that he makes as to the merits of this proposed reorganization plan. I have today introduced a resolution of disapproval of Reorganization Plan No. 1 of 1963. The reason for filing this resolution was to set in motion the provisions of the Reorganization Act of 1949 in order that the House Committee on Government Operations may be able to have hearings on the merits of this proposal.

These are limited functions which are proposed to be transferred from the Secretary of the Interior to the Administrator of General Services. This may be a meritorious plan or it may not be. I think, on the other hand, it is something that could be handled through the usual legislative method by presenting a bill and having it acted upon by the Congress, after hearings by the appropriate committee of the Congress. I do not want to indicate my position one way or another on the merits of this proposed plan by the resolution that I filed, but I do want to indicate that the Congress should exercise its authority to have a hearing before a committee.

I think further that the purpose of this resolution will be served by indicating opposition to the extension of the Reorganization Act of 1949. I think the Reorganization Act served a very useful purpose at the time we had the Hoover Commission and other commissions recommendations for promoting efficiency and economy in our Government. I think that function has now been served and I think the act should be permitted to terminate by its own terms. If this Reorganization Plan No. 1 of 1963 has merit, we can handle it in the usual legislative way. I do not favor the extension of this extraordinary power, nor do I favor the Congress delegating any of its authority or any of its prerogatives to the Executive.

My position in opposing this plan and filing a resolution of disapproval is to indicate my opposition to this surrender of legislative authority by the Congress to the executive branch.

Mr. MEADER. I thank the gentleman.

Mr. Speaker, the reorganizing power is an unusual power granted for temporary periods by the Congress to the President for a specific purpose. It is a bad way to legislate in general because it circumvents the committees normally having jurisdiction over the subject matter of the plan, and gives Congress no opportunity to perfect the plan by amendment, even for the purpose of correcting a typographical error.

Plans 1, 2, 3, and 4 of 1961, dealing with SEC, FCC, CAB, and FTC, respectively, if they had been bills, would have been referred to the House Committee on Interstate and Foreign Commerce. Reorganization Plan No. 5, NLRB, if it had been a bill, would have been referred to the Committee on Education and Labor. Reorganization Plan No. 6 of 1961, relating to the Federal Home Loan Bank Board, would have been referred to the House Committee on Banking and Currency; and Reorganization Plan No. 7 of 1961, for reorganization of maritime functions, if it had been a bill, would have been referred to the House Committee on Merchant Marine and Fisheries.

This points up the manner in which reorganization plans multiply jurisdictional conflicts between committees of the House, which are bad enough with respect to bills and resolutions.

The committee system, which is so necessary for informed and wise legislation in our complicated society, is based upon the development of an expertise in the membership and staff of the committee, a familiarity with the problems in the area of the committee's legislative jurisdiction, and has a unique and important function in the formulation and development of congressional policies.

The reference of a proposed reform or change in these fields to the Committee on Government Operations, which cannot be expert in all fields, by the submission of the proposal through a reorganization plan:

First. Deprives the Congress of the expert knowledge and familiarity of the appropriate legislative committee and its staff with respect to the subject in question;

Second. Permits the Executive to circumvent the legislative committee and its legislative policy;

Third. Because of the limited time for study—10 days by the Government Operations Committee—prevents the acquisition by the committee through hearings and otherwise of the best available knowledge on the subject through witnesses having special information bearing upon the wisdom of the proposal; and,

Fourth. Because of the nature of the proceedings for considering reorganization plans, forecloses any modification, amendment, or perfection of the proposal, which can be done through ordinary legislative processes and procedures.

In general, therefore, legislating by reorganization plan confuses the regular legislative process, raises serious questions of interpretation and is a curious growth on the body of our law. It permits the thwarting of congressional policy by an aggressive bureaucracy and leads to superficial and inexpert congressional consideration of national policies by bypassing committees having expert knowledge and familiarity with problems in a particular legislative area.

Until the administration is able to make a showing of a clear and present need for this extraordinary legislative power, the undersigned oppose its continuation. The exercise of the power in the past 2 years has clearly demonstrated that it is subject to abuse and gives ample grounds for the belief that it may well be abused by the administration in the future. The Congress permitted the reorganization power to lapse during the

Eisenhower administration and at previous times. It would always be in a position to grant this power upon a showing that there was a need for its exercise in line with the purpose for which reorganization power was originally granted by the Congress.

The SPEAKER pro tempore. The time of the gentleman from Michigan [Mr. MEADER] has expired.

SUGAR PRICES AND SUPPLY

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Missouri [Mrs. SULLIVAN] is recognized for 10 minutes.

Mrs. SULLIVAN. Mr. Speaker, in view of the widespread interest among Members of Congress in the study now underway by the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency into sugar prices and supply, I think it might be helpful to present at this time some of the background facts in the situation.

We have scheduled hearings to begin next week—on Wednesday, June 5. Our opening witnesses will be from the Department of Agriculture. Subsequent witnesses will represent all levels of the sugar industry, from producers through users.

The price of sugar has soared since the start of the year, both on the world market and here in the United States. There is a world shortage in relation to demand, largely because of crop disasters in Cuba resulting from the application of Communist theory to the realities of sugar production. We buy no Cuban sugar, but the availability of Cuban sugar, or lack of it, certainly influences the world supply and thus the world price.

But here in the United States, all evidence points to the fact that we have all of the sugar we need—and the commitment for delivery in the near future of sufficient additional supplies to give us a total for this year of far more sugar than we have ever consumed.

Mr. Speaker, I do not want to prejudge or guess as to what our subcommittee will find in its study, but apparently there is, if not speculative hoarding and manipulation, at least, a great deal of advance buying of sugar by large users—and, perhaps, also by housewives—advance buying, let us say, against further price increases. The result is that such excessive advance purchasing is in turn causing excessive price rises. So my advice, for what it may be worth, is for consumers and purchasers to buy only what they need—for if the trend of the last few days continues, the sugar price is coming down.

Futures prices have gone down the daily maximum on the New York Coffee and Sugar Exchange in recent days, and spot prices also went down.

Mr. Speaker, the quotations for Thursday, Friday, and yesterday are as follows—and I call attention to the story they tell of what is, at least for a moment, a falling sugar market; with October 1964 futures going at only at $8.90:

Sugar quotations, New York Coffee & Sugar Exchange—Summary for May 23, 1963

	Today				Previous closings		
	Open	High	Low	Close	Yesterday	Week ago	Month ago
Contract No. 7 (D., bulk, duty paid) lots 748:							
July	13.95	13.96	13.46	13.46	13.46	11.98a	8.78/80
September	13.75	13.78	13.28	13.28a	13.28b	11.85b	8.73b
November	13.68	13.70	13.20	13.20a	13.20	11.55	8.64b
March	13.25	13.29	12.79	12.79a	12.80	11.17/20	8.09
May	13.06	13.09	12.59	12.59a	12.61	11.05n	7.96n
July	12.95	12.97	12.47	12.47a	12.50	10.95n	----------
September	12.78	12.79	12.29	12.29a	12.30	10.85n	----------
Contract No. 8 (world lots 2,098:)	*11:30 a.m.*						
July	13.45	13.45	12.95	12.95a	12.95b	11.18b	7.78/80
September	12.98	12.98	12.48	12.48a	12.48b	10.85b	7.71/5
October	12.82	12.82	12.32	12.32a	12.32b	10.67b	7.62/5
March	12.26	12.33	11.83	11.83	11.83b	10.22b	7.08/10
May	12.08	12.16	11.66	11.66a	11.66b	9.97b	6.92b
July	----------	12.01	11.55	11.51a	11.55b	9.75b	6.83b
September	----------	11.72	11.22	11.21a	11.23	9.40b	6.76b

Price quotations	May 23	May 22	Week previous to date shown	Month previous to date shown
Raw sugar:				
No. 7, bulk, duty paid, United States	13.20	13.20	11.50	8.75
No. 8, world	12.60	12.60	10.75	7.80
No. 9, world (including beet)	----------	----------	----------	----------
Refined sugar:				
Cane (New York basis)	16.30	15.05	14.30	11.10
Cane (Chicago-west)	16.50	14.75	14.00	9.70
Beet (Chicago-west)	----------	13.25	12.00	9.50
Beet (eastern)	----------	13.00	12.00	9.60
Beet (Pacific coast)	15.25	13.50	12.00	9.70
United Kingdom, London, raw sugar, c.i.f.	12.62	12.12	10.56	8.12

Raw sugar quotations, New York Coffee & Sugar Exchange—Summary for May 24, 1963

	Today				Previous closings		
	Open	High	Low	Close	Yesterday	Week ago	Month ago
Contract No. 7 (domestic, bulk, duty paid) lots 119:							
July	12.96a	----------	----------	12.96a	13.46	12.15b	8.80
September	12.78	12.78	12.78	12.78a	13.28a	11.80/91	8.74a
November	12.70	12.70	12.70	12.70a	13.20a	11.75/6	8.65a
March	12.29	12.29	12.29	12.29a	12.79a	11.38	8.10a
May	12.09a	----------	----------	12.09a	12.59a	11.25a	8.00a
July	11.97a	----------	----------	11.97a	12.47a	11.23a	----------
September	11.79a	----------	----------	11.79a	12.29a	11.10	----------
Contract No. 8 (world) lots 113:							
July	12.45	12.45	12.45	12.45a	12.95a	11.45/8	7.70/2
September	11.98	11.98	11.98	11.98a	12.48a	10.98/11.00	7.64/6
October	11.82	11.82	11.82	11.82a	12.32a	10.82/3	7.57/8
March	11.33	11.33	11.33	11.33a	11.83	10.33/9	7.05
May	11.16	11.16	11.16	11.16a	11.66a	10.16	6.90b
July	11.01	11.01	11.01	11.01a	11.51a	10.05a	6.82b
September	10.72	----------	----------	10.72a	11.21a	9.73	6.75b

Raw sugar quotation, New York Coffee & Sugar Exchange—Summary for May 24, 1963—Continued

Price quotations	May 24	May 23	Week previous to date shown	Month previous to date shown
Raw sugar:				
No. 7, bulk, duty paid, United States	12.70	13.20	12.05	8.80
No. 8, world	12.10	12.60	11.10	7.80
No. 9, world (including beet)				
Refined sugar:				
Cane (New York basis)	16.80	16.30	14.30	11.10
Cane (Chicago-west)	16.50	16.50	14.00	9.70
Beet (Chicago-west)			12.00	9.50
Beet (eastern)			12.00	9.60
Beet (Pacific coast)	15.25	15.25	13.50	9.70
C.i.f., United Kingdom, London, raw sugar	12.62	12.62	11.25	8.19

Raw sugar quotations, New York Coffee & Sugar Exchange—Summary for May 27, 1963

	Today				Previous closings		
	Open	High	Low	Close	Yesterday	Week ago	Month ago
Contract No. 7 (domestic bulk, duty paid) lots 109:	*1:35 p.m.*						
July	12.46a			12.46a	12.96a	12.58	9.00b
September	12.28	12.28	12.28	12.28a	12.78a	12.30b	8.96
November	12.20a			12.20a	12.70a	12.23	8.81
March	11.79a			11.79a	12.29a	11.80n	8.40b
May	11.59a			11.59a	12.09a	11.61n	8.25n
July	11.47a			11.47a	11.97a	11.50b	8.00n
September	11.29a			11.29a	11.79a	11.30n	
Contract No. 8 (world) lots 187:							
July	11.95a			12.95a	12.45a	11.95b	8.00–8
September	11.48a	11.48	11.48	11.48a	11.98a	11.48b	7.98–8.00
October	11.32	11.32	11.32	11.32a	11.82a	11.32b	7.84b
March	10.83	10.83	10.83	10.83a	11.33a	10.83b	7.30–3
May	10.66a	10.66	10.66	10.66a	11.16a	10.66b	7.15
July	10.51a			10.51a	11.01a	10.55n	7.10
September	10.22	10.22	10.22	10.22a	10.72a	10.23b	7.00
October		8.90	8.85	8.90			

Price quotations	May 27	May 24	Week previous to date shown	Month previous to date shown
Raw sugar:				
No. 7, bulk, duty paid, United States	11.80	12.70	12.30	9.05
No. 8, world	11.60	12.10	11.60	8.00
No. 9, world (including beet)				
Refined sugar:				
Cane (New York basis)	16.30	16.30	15.05	11.60
Cane (Chicago-west)	16.50	16.50	14.75	9.70
Beet (Chicago-west)	13.25	13.25	13.25	9.50
Beet (eastern)	13.35	13.35	13.00	9.60
Beet (Pacific coast)	15.25	15.25	13.50	9.70
United Kingdom, London, raw sugar c.i.f.	12.37	12.62	11.44	8.19

SUPPLIES ON HAND AND GUARANTEED

Mr. Speaker, in preparation for our hearings, Chairman PATMAN of the Committee on Banking and Currency and I, as subcommittee chairman, have asked the Department of Agriculture to obtain all of the material necessary to give us a complete report on the current status of, and future outlook for, sugar supplies and prices. Since much of this information, we were told, would have to come from oversea sources, and would take until early next week to put into usable form, we reluctantly agreed to wait until the Department was ready to proceed. Perhaps we should have insisted the Department go on, ready-or-not, but I think the results will justify the short delay.

In the meantime, Under Secretary Charles S. Murphy has today provided me with a letter and report giving the latest information on sugar supplies. I think this is an extremely useful document in showing that we now have more sugar on hand than a year ago this time—with so-called invisible inventories—stocks held by wholesalers, retailers, and industrial users—up 250 percent over a year ago, at 1 million tons compared to 400,000 tons last year at this time.

So, Mr. Speaker, no housewife should be fooled into buying extra quantities of sugar at high prices on the false assumption that it is scarce. It is not scarce at all.

QUOTAS AND PERFORMANCE

One of the tables in the material, table II, shows how each country with a basic quota has been performing so far this year. It will be noted that a number of them have substantial deficits in the sugar sold to us under their basic quotas, but have sold us very substantial volumes of sugar under the so-called global quota.

Argentina, for instance, has only provided 9,000 of the 20,000 tons in its basic quota, but has shipped us or committed to ship us 217,000 tons under the global quota—so we are getting 10 times more sugar from Argentina this year than its basic quota, but it still has 11,000 tons to go to fill its basic quota, and has promised that this will be fulfilled.

The promise and performance, if you could call it that, of each country with a basic quota can be seen from table II of the material from the Under Secretary.

Table III gives a month-by-month breakdown of actual deliveries and prospective imports for 1963.

LETTER FROM UNDER SECRETARY MURPHY

Mr. Speaker, I submit at this point the full text of the letter and report I received today from the Honorable Charles S. Murphy, Under Secretary of Agriculture, in response to requests made by Chairman PATMAN and me at conferences earlier this week as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., May 28, 1963.

HON. LEONOR K. SULLIVAN,
Chairman, Subcommittee on Consumer Affairs, House of Representatives

DEAR MRS. SULLIVAN: There is enclosed a statement on 1963 sugar supplies for the United States, prepared in accordance with the request you made of us during our conference with you and Congressman PATMAN on May 27.

You will observe that supplies already assured to this country amount to 10,287,000 tons or more than 500,000 tons in excess of the record domestic distribution of 9,754,000 tons in 1962.

Our sugar supplies are made available under several domestic and foreign quotas.

Quotas for our domestic areas amount to 5,700,000 tons.

The foreign quotas approximate 4,700,000 tons. These consist of (a) basic country quotas established under the Sugar Act for specific foreign countries, (b) the quota reserved for Cuba and now reallocated on a global basis to countries having the ability to supply the sugar, and (c) deficits resulting from determinations that certain countries or areas will be unable to fill all or part of their quotas, which are reallocated to the Republic of the Philippines and to exporting countries of the Western Hemisphere that are able to supply the sugar.

Of the basic foreign country quotas totaling 2,498,000 tons, the importation of 1,118,000 tons was assured by actual quota charges by May 23. The Department has now received replies from inquiries sent out to foreign countries giving assurances that they will send substantially all of the remaining country quota sugar in accordance with the schedule of arrivals shown in the attached table III.

Of the 473,000 tons to be reallocated as a result of deficit determinations, all but 101,000 tons has been assured through actual quota charges and the assurances given by the Republic of the Philippines. We have reasonable expectations that a large part of the remaining 101,000 tons will be offered after harvests get underway.

The global quota of 1,725,000 tons was substantially all filled by the close of business Thursday, May 23. Thus we have assurance that more than ample supplies will be available to meet all requirements for consumption and industrial usage and to permit a further material increase in stocks. Since this fact became known Friday morning it is reasonable to believe that it was a major factor in bringing about the price declines on Friday and yesterday which resulted in the domestic spot price falling in those 2 days by $1.40 per 100 pounds.

We are looking forward to working with your subcommittee in its efforts to bring out the facts about the sugar situation. Such information should go far in correcting the price and distribution excesses of recent weeks.

Sincerely yours,

CHARLES S. MURPHY,
Under Secretary.

SUGAR SUPPLIES FOR UNITED STATES, 1963

Sugar supplies assured to this country by foreign suppliers and available from domestic areas in 1963 total 10,287,000 tons or more than 500,000 tons in excess of the record domestic distribution of 9,754,000 tons in 1962.

Of the global quota of 1,725,000 tons less than 2,000 tons remained unallocated (or charged) to quota at the close of business May 23.

Of the deficit reallocations totaling 473,000 tons, 320,000 tons have been charged to quota and the Republic of the Philippines has given assurances that it would fill the 52,000 tons it had been reallocated. There remains, therefore, 101,000 tons to be reallocated to Western Hemisphere countries.

Adjusted marketing quotas for the domestic area total 5,703,000 tons. These are shown in table I.

TABLE I.—*Adjusted quotas for domestic producing areas*

[Short tons, raw value]

Domestic beet sugar	2, 698, 590
Mainland cane sugar	1, 009, 873
Hawaii	1, 110, 000
Puerto Rico	870, 000
Virgin Islands	15, 000
Total	5, 703, 463

Foreign supplies now assured total 4,584,000 tons of which 3,161,000 tons have been charged to quotas and 1,423,000 tons have been assured as a result of inquiries sent to the foreign supplying countries. Data on quotas, quota charges and total U.S. imports by countries of origin are shown in table II.

Virtually all sugar to be imported under the global quota of 1,725,000 tons has been charged to the quota, thus assuring importation by November 15. It is anticipated that some of this sugar will be imported at an earlier date than shown in table III.

Of the reallocations of deficits totaling 473,000 tons, 67.7 percent will be imported by October. When the additional 52,000 tons promised by the Republic of the Philippines is charged, such charges will amount to 78.6 percent of the deficit declarations.

Of the basic foreign country quotas totaling 2,498,000 tons, 1,118,000 tons or 45 percent had been charged by the close of business May 23 for importation not later than July. To obtain information on the remaining 1,380,000 tons or 55 percent, inquiries were sent to all foreign supplying countries asking for the extent and time of their additional shipments. The replies covered substantially all of the remaining basic quotas and the recent deficit reallocation of 52,000 tons to the Republic of the Philippines. The arrival time of sugar by months under the several quotas in accordance with quota charges made to date and indicated arrival time of additional supplies are shown in table III.

Visible inventories of sugar (stocks held by refiners, beet processors, and importers) at the end of April amounted to 1,621,000 tons, or approximately 83,000 tons less than at the end of April 1962. Invisible inventories (stocks held by wholesalers, retailers, and industrial users) are believed, on the basis of distribution data since last fall, to approximate 1 million tons or to be around 600,000 tons larger than they were a year ago.

TABLE II.—*Sugar quotas for foreign countries and indicated additional offerings, calendar year 1963, and charges to quotas by countries c.o.b., May 23, 1963*

Country	Basic country quotas, short tons, raw value	Charges to—			Total quota charges	Indicated additional offerings	Total prospective import
		Basic	Deficit reallocations thousand short tons, raw value	Global quota			
Philippines	1, 050, 000	523	106		628	579	1, 208
Dominican Republic	336, 243	86	37	202	326	275	601
Peru	206, 243	50		212	262	256	418
Mexico	206, 243	191	116	22	329	15	344
Brazil	195, 793	0		281	281	196	477
British West Indies	98, 050	78	46		123	43	166
Australia	43, 339	11		175	186	33	218
Republic of China	38, 114	38		36	74	0	74
French West Indies	32, 581	15		66	81	(1)	81
Colombia	32, 581	0		46	46	33	78
Nicaragua	27, 048	14		15	29	19	48
Costa Rica	27, 048	19		10	29	(1)	29
Ecuador	27, 048	0		28	29	27	55
India	21, 823	20		102	122	0	122
Haiti	21, 823	15	7	12	34	(1)	34
Guatemala	21, 823	20	6	19	46	(1)	46
South Africa	21, 823	0		111	111	22	133
Argentina	20, 000	9		217	226	11	237
Panama	16, 290	12			12	5	16
El Salvador	11, 065	10	2	7	19	(1)	19
Paraguay	10, 758	0			0	0	0
British Honduras	10, 758	0			0	0	0
Fiji Islands	10, 758	0		24	24	11	35
Ireland	10, 000	5			5	(1)	5
Belgium	182			8	8	0	8
France				24	24		24
Réunion				11	11	0	11
Southern Rhodesia				11	11		11
Mauritius				67	67		67
Turkey				7	7		7
Venezuela				12	12		12
Total	2, 497, 434	1, 118	320	1, 723	3, 161	1, 423	4, 584
Quota balance		1, 380	153	2			
Total charges plus balances		2, 498	[2] 473	1, 725			

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[1] No report.

[2] Total quota deficits: Republic of Philippines, 157,618; Western Hemisphere countries, 315,827.

TABLE III.—*Charges to calendar year 1963 sugar quotas and indicated additional arrivals from foreign countries by month of expected arrival, c.o.b., May 23, 1963*

[Thousand short tons, raw value]

Month of expected arrival [1]	Quantities charges to—			Total quota charges	Indicated additional arrivals	Total prospective imports
	Basic quotas	Deficit reallocations	Global quota			
January	58	0	121	179	--------	179
February	169	0	169	338	--------	338
March	245	2	120	367	--------	367
April	255	45	152	452	--------	452
May	215	124	147	486	--------	486
June	125	12	91	228	152	380
July	51	34	84	169	177	346
August	--------	50	105	155	233	388
September	--------	37	289	326	259	585
October	--------	16	167	183	319	502
November	--------	--------	278	278	217	495
December	--------	--------	--------	--------	66	66
Total prospective imports	1,118	320	1,723	3,161	1,423	4,584
Quota balances [2]	1,380	153	2	1,535	--------	--------
Total quotas	2,498	473	1,725	4,696	--------	--------

[1] Imports may be earlier than indicated.

[2] Prospective importations within such balances are included in indicated additional arrivals.

LEGISLATIVE PROGRAM FOR MAY 29

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I take this time to announce to the House that the leadership has programed for tomorrow House Resolution 368, that was introduced on May 23d by our colleague, the gentleman from California [Mr. ROOSEVELT] and which I understand has been reported by the Committee on Rules. This resolution will be included as part of the program for tomorrow in addition to the program already announced.

AMERICAN-FLAG FISHING VESSELS

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, American-flag fishing vessels have been subjected to a series of indignities in recent years, in the course of their efforts to fish on high seas off the west coast of Latin America. The most recent harassment has occurred some 15 miles off Ecuador. Two San Diego-based tuna boats—the *Ranger* and the *White Star*—have been 3 days under detention by an armed vessel of the Ecuadorean Government. Twenty-one other U.S. boats, 20 of them out of San Diego, are also on the scene, determined to protect the *Ranger* and the *White Star* from molestation. The situation is dangerous.

I have today introduced a bill to strengthen the hand of our State Department in this matter. It would empower and direct the President of the United States to impose an embargo against fisheries imports from any nation adjudged to be harassing or interfering with American-flag vessels on the high seas.

MARITIME COMMISSION DECISION ATTACKED

Mr. MOSHER. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. PELLY. Mr. Speaker, last week the junior Senator from Alaska viciously attacked the Federal Maritime Commission, the Alaska Steamship Co. with headquarters in Seattle, and, by reference, the present administration, because of a decision in a maritime freight rate proceeding. The attack was noteworthy, at once for its vigor and error, and likewise for a venomous indulgence in personalities, singling out the careers of each Maritime Commissioner. The fact is that the Federal Maritime Commission after prolonged and careful investigation has found certain rate increases, which were made over 3 years ago, just and reasonable.

The 3½-year delay in reaching a decision was properly criticized by the Senator, but his extravagant description of the effect of this increase and of the effect of ocean freight rates in general on the economy of Alaska is not borne out by the facts. The cost of living in the Alaska Railbelt or more populous part of Alaska has actually gone down in the past 5 years as compared to other U.S. areas, according to University of Alaska surveys.

It is significant that not one commercial shipper or individual businessman saw fit to protest the rate increase because they recognize it as justified. Their position is well stated in this editorial comment from Jessen's Weekly, a Fairbanks, Alaska newspaper:

> We're glad to hear that the Alaska Steamship Co. freight rate hike of 2 years ago has been okayed. The Alaska Steamship has been a target for politicians for decades, as has also been the big cannery interests. And the same goes for the big truck carriers bringing freight to Alaska from the outside. Just about everything else has advanced in price, except raw gold, so why not freight rates?

The chief objection to the rate increase came from the State of Alaska administration, actively encouraged by the Senator. It would appear that the Senator is venting his personal spleen on his own party and administration because they dared disagree with him.

A PROPOSAL TO JUNK THE REPUBLIC

Mr. MOSHER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, many Members of the House and, I assume, the Senate, were mildly surprised at the recent statements by the junior Senator from Arkansas, suggesting we eliminate the constitutional check and balance system in favor of an all-powerful Executive. The association of the senior Senator from Pennsylvania in this thesis is less surprising.

Naturally their absurd thesis deserves public commentary and I feel the Chicago Tribune, in its editorial this morning, most effectively dealt with the subject. Assuming there will be widespread discussion and controversy as a result of this proposal, I place the Tribune editorial in the RECORD as a practical and logical counterbalance to the senatorial duel:

A PROPOSAL TO JUNK THE REPUBLIC

> Never before in our history would a politician in the position of Senator J. WILLIAM FULBRIGHT, of Arkansas, have dared suggest, as the Senator has, that we scrap our constitutional system of checks and balances and make it impossible for Congress to thwart the President's plans. He would have been instantly, almost universally, and

justifiably denounced as a traitor to the principles upon which this Republic was founded.

Yet such is precisely the proposal now made by Mr. FULBRIGHT, chairman of the Senate Foreign Relations Committee, and another Democrat, Senator JOSEPH CLARK, of Pennsylvania, in a pamphlet issued by the Center for the Study of Democratic Institutions under the suggestive title "The Elite and the Electorate."

"The foreign policy powers of Congress under the Constitution," Mr. FULBRIGHT complains, "enable it to implement, modify, or thwart the President's proposals. * * * The defects of Congress as an institution reflect the defects of classical democratic thought."

Defects? Maybe there are defects in Congress, but where have the most dangerous mistakes been made? Who fumbled the Bay of Pigs invasion by pulling off air cover? Who tells us that we must allow the Government to manage our news? Certainly not Congress; these mistakes can be blamed solely on the executive branch of the Government, whose powers Mr. FULBRIGHT would increase.

Indeed Mr. FULBRIGHT himself is for managed news. "Public opinion," he says, "must be educated and led. * * * This is preeminently a task for Presidential leadership."

The Constitution, in Mr. FULBRIGHT's opinion, is hopelessly outdated. "Government by the people is possible, but highly improbable." Which means, we suppose, that the Revolutionary and Civil Wars were fought in vain, and that the Gettysburg Address can be relegated to the file of historical trivia. The electorate are incapable, through their representatives in Congress, of running the country; their duties must be handed over to the elite, who, we suppose, inhabit the west wing of the White House and the executive departments.

Congressmen are too susceptible to pressure groups, according to Mr. FULBRIGHT. "Too often, decisions of principle are postponed or neglected, and opportunities lost. * * * The source of this malady is the diffusion of authority between the executive and legislative branches."

Does Mr. FULBRIGHT suggest that employees of the executive departments are immune to pressure? Does he prefer the risk of bad decisions made by Executive fiat to the chance that good programs may occasionally be delayed by Congress? Does he forget that Congress is there as much to prevent bad programs as to enact good ones?

In the past, we repeat, Mr. FULBRIGHT would not have dared make such suggestions. But now we're on a New Frontier, where the President can casually dismiss the Constitution as something "written under entirely different conditions," and where Ambassador Stevenson can deplore old-fashioned patriotism as an obstacle to the hegemony of the United Nations.

And a leading member of the Kennedy team asks us to junk our heritage and substitute the volatile sort of autocracy which General de Gaulle has imposed in France. We're asked to submit to the sort of one-man rule which exists under Mayor Daley in Chicago, where crooked elections are the order of the day.

Let us not forget that this is the same Mr. FULBRIGHT who accused President Eisenhower of muzzling the generals, inhibiting free speech, and usurping the powers of Congress. What better evidence is there that his latest proposal is designed not simply to subordinate Congress to the President, but to subordinate all opposition, and indeed the whole electorate, to the will of a clique which presumptuously regards itself as the "elite"?

PORTSMOUTH NAVAL SHIPYARD

Mr. MOSHER. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TUPPER. Mr. Speaker, following every tragedy involving the loss of many lives, there are inevitably attempts made to prematurely place the blame on someone or something. Sensationalism based on the wildest type of conjecture and imagination often highlight this kind of disaster. Such was the case in the loss of the nuclear submarine *Thresher* on April 10 of this year with 129 men aboard.

The builder of the *Thresher*, the Portsmouth Naval Shipyard, of Kittery, Maine, has been blamed directly and by innuendo for a multitude of alleged deficiencies in construction and equipment, despite the fact that not an ounce of evidence to support the charges has been established.

Critics of the Portsmouth Naval Shipyard preferred to overlook the excellent reputation of the yard and its highly skilled and conscientious personnel. These impatient critics, in their desire for a scapegoat, chose to ignore the fact that this famed Maine shipyard has built 130 submarines, the latest of which is the nuclear attack submarine *Jack*, and these subs have received the highest praise from the U.S. Navy.

The official inquiry into the loss of the *Thresher* during a deep test dive in the Atlantic is about to end. It is my understanding that at the end of this week the Navy will have finished taking evidence and will commence consideration of the facts presented. In all likelihood it will still be some time before the findings will be made public.

I would not attempt to speculate what the conclusions may be. I would be very surprised, however, if the inquiry produces any charge of malfeasance or misfeasance on the part of the dedicated work force at the Portsmouth Naval Shipyard, where each man is keenly aware of his responsibility for top workmanship.

It is most unfortunate that four men most intimately acquainted with supervision of construction of the *Thresher* were on board the submarine when she went down.

The design and construction of subsurface vessels is a science that is improving each time a new vessel is launched. The brave men who make up the crews of these submarines volunteer for this hazardous duty that is so vital to the security of this Nation.

Every effort must be made to determine what the known facts surrounding the *Thresher's* loss tend to prove. It would be very valuable if the naval bathyscaph the *Trieste* is able to locate the submarine in the 8,000 feet of water and at least photograph the hull.

It is indeed unfortunate that there have been so many adverse reflections cast on the work of many loyal shipyard workers at the Portsmouth Naval Shipyard.

I sincerely hope and believe the official findings will undo the damage done by some of the injudicious comments that have been made.

THE HOWARDS IN AFRICA

Mr. MOSHER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HORTON. Mr. Speaker, a distinguished journalist from my congressional district and his wife, Mr. and Mrs. Horace G. Howard, recently toured 11 African countries as members of a 5-week National Editorial Association study mission.

Upon their return to Newark, N.Y., Mr. and Mrs. Howard wrote a series of articles describing their visits to Senegal, Nigeria, Liberia, Angola, Congo, South Africa, Tanganyika, Zanzibar, Kenya, Ethiopia, and Egypt. These articles were published in Mr. Howard's outstanding newspaper, the Newark Courier-Gazette.

The publication of this series of stories on the Howard's reaction to present-day conditions in the African nations they visited has contributed significantly to public understanding. As both old and new countries in Africa assume an increasingly important role in world affairs, it is vital that we in the United States have an increasing awareness of the political, economic, and social conditions which combine to characterize these nations.

While it is not possible, because of space limitations, to share with my colleagues all of the articles written by Mr. and Mrs. Howard, I would like to offer Mr. Howard's summary story, which appeared in the Newark Courier-Gazette on May 16.

PUBLISHER HOPEFUL OF SUCCESS FOR NEW AFRICAN STATES

The National Editorial Association Study Mission visited 11 countries in its 5-week tour of Africa. The 58 U.S. editors and their wives who made the trip, met a lot of leaders, saw much, read a lot, and gained much information from U.S. personnel working in those countries.

This hardly makes one an authority on Africa, but perhaps it will justify these few personal observations.

The first question people ask is, are the natives ready for self government?

NOT READY FOR RULE

Obviously they are not. The Government leaders in most countries are keen, well educated, and articulate. One of the dangers is that nearly all the few educated make their way at once into the Government service. Some of these countries may end up an oligarchy of brains, which may or may not be benevolent, and who may be reluctant to ever relinquish their advantages.

Beyond these few are the vast masses of the illiterate.

In most of the countries we toured, virtually no natives (meaning blacks) outside Government service, have reached positions of much responsibility or administrative rank. We found this true even in the hotels, on the Firestone rubber plantation, and in the mines of several countries where Negroes for many years have comprised the working force.

FEW RESPONSIBILITIES

The Negro, in my opinion, is "a most happy fella." The equatorial climate is favorable for his comfort and subsistence living without much effort. His simple existence has few of the annoying requirements and stresses of modern living. The great bulk of them have neither the inherited urge, tradition, or education that spark ambition and hard work. There are significant exceptions, we know, and as a race their capabilities are as great as those of any people.

It does no good to Ellenderize on their readiness for independence or self-rule. Most of them already have it. Few peoples on earth were ready for freedom when they got it, and some of them do not know what to do with it now.

CHANCE TO SUCCEED

The masses are never quite ready for liberty, and are better off to remain as they are, in the judgment of the more favored few. Many argued the American Negro was better off as a slave than free. Just what advantages the blacks of Africa might have had by continuing under colonial rule indefinitely are certainly not apparent from their progress in several hundred years in Angola and South Africa.

The main question is, Will the new nations be able to make a go of it? I believe they will. To what degree, only the future can tell. Judging from Liberia and Ethiopia, I would say the new nations, which have had the benefit of some colonial training, will do better.

This does not mean there will not be terrific growing pains. This does not mean there will not be outbreaks, sectional strife, and clashes between African tribes and nations. Such troubles were common to all countries and all continents. In Africa especially it will be difficult for the tribal people to learn a higher allegiance to the state, and to honor imaginary boundaries over which they are accustomed to roam at will.

AFRICANS FRIENDLY

But I do not look for such excesses as the French Revolution or our own War Between the States, unless conditions get completely out of hand some day in Angola or South Africa.

There will also be exploitation and graft. Long established nations still have them.

I was considerably impressed by the leaders of the new African countries. Their dedication and ability augurs well for their countries. There are a few hotheads, a few opportunists; but fewer than you would expect under the circumstances.

The native peoples, almost everywhere, were genuinely friendly. I believe it characteristic. The history of the continent does not indicate the tribes were particularly warlike. There were small tribal fracases, and the inevitable clashes of mass emigration. But to my knowledge there were no warlike nations or alinement of nations that resorted to pillage and slaughter as a way of life.

A MAN IS A MAN

Such difficulties as occur should be largely local, and the United Nations has shown some indication it is able to control these.

Now a word about Angola and South Africa, which are special cases. I look for the natives to press for more recognition in both these countries. I don't mean the "look at all I am doing for you" kind of recognition, which both countries are pushing belatedly at an accelerated pace.

It means just as much to a black man to say "I am free" as it does to a white man. We fail to realize how white men have reacted, and would react, in the Negroes' position. Ultimately, only equality in every respect with the white man will satisfy the black man, be it in America or Africa.

The Afrikaners in the Republic of South Africa must be blind to reality. Nowhere on earth has a minority prevailed indefinitely over the majority. Even the Irish took over Boston. The Dutch themselves (who are trying to enforce separateness in South Africa) took control of South Africa away from the English by a slight edge in population. What can they hope for in this day and age with their blacks outnumbering the whites 15 to 1?

APARTHEID IMMORAL

The system of apartheid is degrading both to the Negro and the white. It is the antithesis of Western man's whole concept of equality and the sacredness of the individual. English South Africans reject it, and many of the Dutch Afrikaners are finding it increasingly more difficult to live with conscientiously.

Angola, of course, approaches the problem differently. They advocate, and to a considerable extent, practice "togetherness." But whether directed from Portugal or by Portuguese Angolans, such togetherness means little unless the natives who greatly outnumber them ultimately agree to the terms. This is the angle the Portuguese should be working on, not criticism of the U.N. and the United States, and trying to convince the world how goody-goody they are.

What about U.S. aid to African countries?

It makes you proud (or sick) to be an American, to see the millions of dollars we are spending annually in every country. Most of us are proud of it, I am sure, but have the uneasy feeling Uncle Sam is being a bit too profligate. The type and extent of aid programs should be kept under constant scrutiny and study.

NEW IMAGE NEEDED

The nations of Africa desperately need help. We should give them help—not subsidize them. Everything we do should be directed toward getting them to become viable on their own. And while we are pouring out millions to a country there is no reason we should be timid about insisting that it keep its own financial house in order. Why should we extend millions on essentials for a country while it spends millions of its own money on extravagances and nonessentials?

I wish there was some way we might get rid of the "image" our aid has been allowed to acquire. So many in Africa seem to have the impression that we are helping them only to benefit ourselves; that we are forced to give aid in order to keep out Communist aid and influence.

We can go broke giving blackmail aid. Blackmail never accomplishes anything. It merely begets more blackmail, saps our own strength, and breeds the contempt of the recipient.

PEACE CORPS "TOPS"

The Peace Corps type of image is the one to project. Here is a genuine manifestation of the desire of people to help people. This kind of help makes friends. Airports and roads, vital as they are, will never be seen or used by most of the present generations.

We met and talked with a number of the Peace Corps youngsters. A finer and more capable bunch of kids you'll not find anywhere on earth.

I hope nobody gets to fooling around with the Peace Corps. It should be kept as it is and not develop into some "CCC" or "paid for aid" organization. Of all our African projects this is the one that gets the widest and greatest praise everywhere. It is also filling one of the greatest needs—that of educating the youngsters. These are the parents of tomorrow who will see to it that their children get educational opportunities and better ones.

MUST HELP THEMSELVES

African countries can use virtually every type of help. Basic of course, besides education, are technical assistance of all kind, roads, bridges, power installations, water and sewage systems. Most African countries have only one or two basic crops and exportable products. Other crops and industries must be found. Skills and trades must be encouraged and taught to provide greater opportunities for the masses in the native quarters of the cities and those living at subsistence agricultural levels throughout the country. Medical services and instruction are imperative.

A great deal of financial priming and effort will be required. America should rightfully provide conspicuous help. Aside from practical and altruistic reasons, many nations of the world, in a sense, owe a debt to Africa because of their exploitation of African people in one way or another down through the years.

But the greatest service we can give the African countries is to get them on a "do it yourself" basis just as rapidly as possible. This is the only real path to the progress and "independence" they seek.

The many aid agencies should not be allowed to acquire such power and influence that they can expand and spend beyond reason, and perpetuate themselves beyond need. Gradual withdrawal of assistance should begin at the earliest possible juncture. Except for a basic cadre, most of the foreign aid agencies should work in Africa to put themselves out of business as soon as possible.

WOOL IMPORT CRISIS

Mr. MOSHER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as I pointed out yesterday wool imports continue to rise. Jobs are being lost. It would almost appear that the Kennedy administration is deliberately creating new distressed areas.

Yesterday I spoke about the problem of temporary shutdowns and partial closing of wool manufacturing plants. Today I would like to present facts and figures supporting my reference yesterday to the 25 actual and announced liquidations of woolen and worsted mills since January 1, 1962, to the present.

A good presentation of the statistics creating the wool import crisis was made by William F. Sullivan, president, Northern Textile Association before the Pastore committee on May 22, 1963. Mr. Sullivan's statement traces the background of the problem and his facts and figures are a graphic portrayal of why mills are closing and unemployment is increasing. Because of the importance of this problem to countless people and communities Mr. Sullivan's statement follows:

STATEMENT OF WILLIAM F. SULLIVAN, PRESIDENT NORTHERN TEXTILE ASSOCIATION, BEFORE THE TEXTILE SUBCOMMITTEE OF THE COMMITTEE OF INTERSTATE AND FOREIGN COMMERCE OF THE U.S. SENATE

Mr. Rindge and I are here to review the worsening situation which has taken place in the wool textile sector since hearings were last held before your committee in January 1962. At that time, we warned, "The moderate overall decline (of wool textile imports) in 1961 is only temporary and offers no excuse for not implementing the President's program in full" and that "a resurgence of imports to alltime high levels may be expected."

This forecast has been fulfilled far beyond our fears.

Since the end of 1961, U.S. imports of wool manufacturers have risen at a sharper rate of increase for a more sustained period at higher levels than at any other time in history of the industry.

This uninterrupted climb has resulted in new alltime highs being reached with each successive 12-month period.

Starting at 84,200,000 square yards equivalent for the 12 months ending January 31, 1962, imports rose above the previous alltime high by June and have continued sharply upward to the present time.

U.S. general imports of wool manufactures for selected periods

[Millions of square yards]

12-month period ending:	
1962:	
January	84.2
February	86.4
March	91.1
April	95.3
May	105.1
June	112.7
July	119.8
August	128.3
September	137.1
October	144.1
November	147.9
December	150.5
1st quarter, 1963:	
January	150,8
February	155.7
March	160.7

The latest period for which data is available, 12 months ending March 1963, is 90 percent greater than the calendar 1961 total.

If this rate of imports continues, imports will total over 200 million square yards equivalent by the end of this year, or 135 percent above 1961.

In the first quarter 1963, imports totaled 35 million square yards equivalent, 41 percent greater than the first quarter 1962 total.

	Millions of square yards			Percent change	
	1961	1962	1963	1962-63	1961-63
January	8.1	7.1	7.3	+3	−9
February	4.0	6.8	11.2	+65	+180
March	6.0	11.1	16.7	+50	+178
Total	18.1	25.0	35.2	+41	+94

The sharp rise in the first quarter 1963 is all the more unusual because of the east coast dock strike which did not end until January 23 and its effects were felt throughout February and part of March.

Imports in March 1963 set an alltime monthly high record. It is significant that this level was reached at this time rather than in the summer and early fall months which are normally by far the heaviest import months of the year.

All segments of the wool textile industry have been affected:

	Millions of square yards				Percent increase calendar 1961 to year end March 1963
	Calendar 1961	Fiscal year 1962	Calendar 1962	Year end March 1963	
Tops	6.4	11.4	11.8	14.0	+119
Yarn	9.2	13.9	19.5	19.9	+116
Fabrics	38.2	52.1	67.1	73.3	+92
Knit Goods	19.6	23.4	29.9	31.5	+61
Woven apparel	8.7	9.9	20.0	19.8	+128
Total	84.8	112.7	150.9	160.7	+90

Italy has more than doubled her shipments of wool textiles to this country from 1961 to the latest 12-month period.[1] Japanese imports have increased by 91 percent. Hong Kong shipments, although still relatively small, have increased more than four times. United Kingdom imports have increased 20 percent.

	Calendar 1961	Percent of total	Fiscal year 1962	Percent of total	Calendar 1962	Percent of total	Year end Mar. 1962	Percent of total
	Millions of square yards		*Millions of square yards*		*Millions of square yards*		*Millions of square yards*	
Japan	20.1	24	25.4	23	34.7	23	38.3	24
Italy	24.7	29	38.3	34	51.1	34	54.6	34
United Kingdom	19.1	22	23.1	20	24.3	16	23.0	14
Hong Kong	2.0	2	2.4	2	8.8	6	9.1	6
France	3.4	4	5.7	5	7.3	5	6.8	4
Uruguay	2.5	3	4.0	4	5.5	4	6.4	4
All other	13.1	15	13.8	12	19.0	13	22.5	14
Total	84.9	100	112.7	100	150.7	100	160.7	100

The impact on the domestic wool textile industry of this uninterrupted and massive flow of imports is being reflected in closed mills, lost jobs, curtailed production, declining equipment, and stagnant prices.

From January 1962 to April 1963, 25 wool textile mills in 10 States have liquidated, resulting in the loss of over 5,000 jobs. Other mills are either shutdown temporarily or are operating on short time with many additional workers left jobless.

(For list of mills, see exhibit 1.)

U.S. production of wool fabrics in the first 3 months of this year totals 74,700,000 linear yards, down 7 percent from the same period last year. The ratio of inventories to unfilled orders, a measure which reflects future business activity, has climbed steadily since the middle of 1962.

Equipment in place continues to decline. Looms in U.S. woolen and worsted mills dropped 8 percent from the end of 1961 to the end of 1962, the latest period for which data is available. Spindles in place are estimated to have declined by a similar percentage.

The wholesale price index for woolens and worsted is currently at the level of its 1957-59 base.

As imports continue upward, the disruption now being experienced in the domestic industry will accelerate, resulting in a greater number of closed mills and lost jobs. The effect of back-to-back recordbreaking years of wool textile imports has saturated and will continue to saturate and depress the markets for these goods for a long period of time.

These conditions prevail at a time of high level of general business activity. This industry suffers along with all others when a downturn in the business cycle comes. Faced with the current market situation caused by imports, wool textile mills will liquidate at an unprecedented rate when a downturn in general business comes.

The question naturally comes to mind as to how and why this situation has been permitted to develop at a time when there is a national policy announced by the President in effect which was intended to prevent just such an occurrence. Part of this policy (contained in the May 2, 1961, textile program) is being implemented for cotton textiles and other parts of the program are also moving ahead.

The wool sector of the textile industry has for many years been the most critical because of the relatively higher level of imports and disruption, greater unemployment and mill closings, and a severe loss of exports. Nevertheless, this sector is again feeling the severe effects of an even more rapidly rising level of imports from an increasing number of sources.

The last 12 to 16 months have been a dismal period of inaction and frustration for both those in the industry and those in the Congress who have been anxious to see the President's program carried out. Immediately following the hearings of this committee on January 15 and 16 of last year, 34 Senators wrote to the President on January 23, pointing out that no action had been initiated for wool or other noncotton manufacturers and urging that such omissions be corrected promptly. Special assistant to the President, Mr. Lawrence F. O'Brien, in a letter to these Senators, acknowledged that the program announced on May 2, 1961, included wool and manmade fibers and stated that after the conclusion of the long-term cotton textile arrangement, "the problems of the wool and manmade fibers industry will certainly be attacked."

The President, on February 26, following the conclusion of the long-term cotton arrangement, wrote to Congressman CARL VINSON saying: "I have also requested the departments involved to implement my program for the wool, manmade fiber, and silk divisions of the industry. Almost all of the points in the program, announced on May 2, 1961, apply equally to each of these."

Wool textile imports continued to rise month by month above 1961 levels, and conversations were held but no action was taken.

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[1] Including imports via Virgin Islands.

On May 10, 1962, speaking to the annual meeting of the National Association of Wool Manufacturers, Assistant Secretary of Commerce, Hickman Price, who was in charge of these matters, announced that the President's Cabinet Textile Committee had appointed a three-man ad hoc committee to consider and report upon, as rapidly as possible, those parts of the President's seven-point program relating to textile products manufactured from fibers other than cotton.

On June 8, 1962, however, one of the members of the ad hoc committee, Assistant Secretary of State for Economic Affairs Johnson, was reported in the press as saying that he knew of no commitments of the administration to take any action on wool or synthetic fabrics and that he and other members of the ad hoc committee were trying to work out a method of analyzing the situation (Daily News Record, June 8, 1962).

On June 27, 1962, the President, aware of the rising level of imports of wool textiles, said in another letter to Congressman VINSON:

"With regard to textile products manufactured from fibers other than cotton, imports are being carefully scrutinized monthly. If a rising trend of imports above present levels affects adversely domestic industry, such measures will be taken as may be necessary to prevent deterioration in the imports/domestic consumption relationship."

No action has been forthcoming. On July 3, 1962, at the national Governors' conference in Hershey, Pa., a resolution was adopted "that the Governors urge further development and complete implementation of international arrangements on trade in cotton, wool, synthetic, and silk fiber textile products with due regard for the impact on American industry and agriculture."

As July wore on, it became obvious that the situation regarding imports of wool textiles was deteriorating rapidly. On August 7, the Deputy Special Counsel to the President, Mr. Feldman, writing to Edwin Wilkinson, president of the National Association of Wool Manufacturers, had the following to say:

"As you know, the President, under his seven-point program for textiles, announced May 2, 1961, has expressed his concern about the importation of all textiles, including those made of wool and manmade fibers, and indicated his determination to take steps to deal effectively with these imports. This concern of the President and his determination to see that these imports do not exceed reasonable levels, continue unchanged, and are the subject of planning and consideration now underway in this Government.

"Limitation of textile imports to prevent market disruption is an essential element of administration policy. We intend to implement this policy with regard to all textiles, and particularly to prevent market disruption such as would result from an increase over current levels of imports."

On August 10, representatives of all branches of the textile industry met with 26 Senators and with the representatives of an additional 30 Senators and Mr. Lawrence F. O'Brien. The lack of action on wool and manmade fiber textiles was stressed. The import situation was becoming worse. Immediate action was urged.

On August 31, 1962, the New York Times said that the chairman of this committee and the group of Senators, including the other members of the committee, had "a heart-to-heart" talk with the President and came away "comforted."

The fall months wore on, and still no affirmative action was taken in spite of rising levels of imports which exceeded even the pessimistic estimates made by the industry and labor in August and September.

A meeting of the Wool Study Group was held in London in December 1962 at which it was disclosed for the first time to American labor and industry representatives that the State Department had no intention of pressing then or in the future for an international wool textile agreement similar to the Geneva cotton textile arrangements, but preferred to give consideration to the matter of "selective tariff adjustments" in the "Kennedy round" of negotiations under the Trade Expansion Act. This would be done only after Tariff Commission hearings on an item-by-item basis.

Such an approach is obviously useless, contrary to the textile program and commitments of the President, and was rejected by industry and labor and members of Congress who had studied and pursued this matter. Further conferences indicated that this approach has been dropped, but as imports continue to rise, no further action has been taken.

Even in the absence of a textile program, it is fair to say that no nation in the world would continue to permit the liquidation of one of its vital industries.

The procedures before the Office of Emergency Planning initiated by the industry in May of 1961, provide the appropriate avenue for implementation of the program. The outcome of the OEP case is within the control of the administration, and a favorable finding would place the United States in a position of strength to negotiate proper agreements or act in its own self-interest.

Last week in Geneva, the largest textile conference ever held took place at the international labor office. Governments, industry, and labor had equal representation. Following 2 weeks of careful discussion, a resolution was adopted which, after recognizing the importance of developing and industrial countries alike and of expanding trade, the Textiles Committee insisted that countries trading in textile products should insure fair labor standards for textile workers. Further noting the long-term cotton arrangement, the Textiles Committee resolved "to draw the attention of the contracting parties to GATT and of other international organizations concerned to the social consequences of measures affecting international trade in textile products, and to invite them to examine the possibility of studying and applying agreements designed to avoid the disruption of textile markets, which would adversely affect the employment and the standard of living of textile workers."

There is an awareness on the part of many nations of the serious consequences of unrestrained imports of textiles. The export of unemployment and misery from one country to another will not solve world problems.

Unfortunately, the U.S. Government repsentatives did not vote in favor of this resolution, although its presentation offered an opportunity to bring about a better understanding of the President's textile program. U.S. industry and labor delegates, as well as a majority of others, voted in favor of the resolution.

EXHIBIT 1

Woolen and worsted mill liquidations—Actual and announced—Jan. 1, 1962, to present

	Employees
Connecticut:	
Cyril Johnson Woolen Co., Inc., Stafford Springs, Conn	250
Princeton Knitting Mills, Watertown, Conn	500
Grosvenordale Woolen Mills, Inc., North Grosvenordale, Conn	30
Total	780
Massachusetts:	
A. D. Ellis Mills, Inc., Monson, Mass	250
Ames Textile Corp., Sutton's Mills Division, Andover, Mass	200
J. P. Stevens & Co., Inc., Marland Mill, Andover, Mass	450
Essex Woolen Mills, Essex, Mass	50
Total	950
Michigan: Yale Woolen Mills, Yale, Mich	350
New Jersey: Samuel Hird & Co., Clifton, N.J	140
New York:	
Faith Mills, Averill Park, N.Y	160
French-American-British Woolens Corp., Newburgh, N.Y	300
Total	460
Pennsylvania:	
Ferdinand W. Mostertz & Son, Inc., Philadelphia, Pa	275
Franklin Worsted Co., Philadelphia, Pa	75
Jonathan Ring & Co., Philadelphia, Pa	100
Shamokin Woolen Mills, Shamokin, Pa	100
Yorkshire Worsted Mills Inc., Lenni, Pa	220
Total	770
Rhode Island:	
Bonin Spinning Co., Woonsocket, R.I	350
Burlington Industries, Inc., Sidney Blumenthal Co., plant, Valley Falls, R.I	225
Crown Worsted Co., Providence, R.I	175
Paragon Worsted Co., Providence, R.I	350
Stillwater Worsted, Harrisville, R.I	250
Yorkshire Worsted Mills, Inc., Woonsocket, R.I	130
Total	1,485
South Carolina: Mackie Spinning Co	75
Virginia: Charlottesville Woolen Mills, Charlottesville, Va	200
Wisconsin:	
Chippewa Falls Woolen Co., Chippewa Falls, Wis	150
Rock River Woolen Mills, Janesville, Wis	200
Total	350
Grand total (10 States—25 mills)	5,560

Source: Trade Press news releases.

U.S. BALANCE OF TRADE IN TEXTILE MANUFACTURES

The U.S. balance of trade in textile manufactures has deteriorated to the extent that imports of textile manufactures in 1962 are estimated to exceed exports of such goods by $542 million. This unfavorable balance of trade in textiles is all the more striking since in 1947 the balance of trade in these goods was a surplus of $1.1 billion. Hence, the net loss in the U.S. balance of trade has been $1.6 billion as shown on following page.

U.S. general imports of wool manufactures by selected broad groups, calendar 1961 and calendar 1962

[Millions of square yards]

	Calendar 1961	Calendar 1962	Percent change, 1961–62
Tops	6.4	11.8	+84
Yarns	9.2	19.5	+112
Fabrics, total	38.2	66.7	+75
Not over $1.25/lb	6.6	9.4	+42
Over $1.25, not over $2	1.3	1.5	+15
Over $2, not over $4	16.6	21.1	+27
Over $4, not over $6	9.6	14.8	+54
Over $6/lb	3.6	5.0	+39
"Braided" and "showerproof" cloth	--------	[1] 14.3	--------
Pile, tap., uph., and bill	.6	.7	+17
Blkts., robes, and str. rugs	.4	.5	+25
Knit goods	19.6	29.9	+53
Woven apparel	8.7	20.0	+130
Misc., including felt	2.2	1.7	−23
Grand total	84.8	150.7	+78

[1] December 1962 Virgin Islands imports estimated.

Source: U.S. Department of Commerce, Extract of Bureau of the Census Report T.Q. 2201.

U.S. general imports of wool manufactures by selected broad groups, January–March 1962 and 1963

[Millions of square yards]

	3 months January–March 1962	3 months January–March 1963	Percent change, 1962–63
Tops	4.1	6.3	+54
Yarns	4.3	4.8	+12
Fabrics, total	12.1	18.3	+51
Not over $1.25/lb	.6	.4	−33
Over $1.25, not over $2	.3	.2	−33
Over $2, not over $4	4.3	6.1	+42
Over $4, not over $6	2.6	4.3	+65
Over $6/lb	1.3	1.3	--------
"Braided" and "showerproof" cloth	2.8	5.8	+107
Pile, tap., uph., and bill	.2	.1	−50
Blkts., robes, and str. rugs	.1	.1	--------
Knit goods	2.6	4.2	+62
Woven apparel	1.4	1.2	−14
Misc., including felt	.4	.2	−50
Grand total	25.0	35.2	+41

Source: U.S. Department of Commerce, Extract of Bureau of the Census Report T.Q. 2201.

U.S. balance of trade in textile manufactures,[1] 1947–62 [2]

[In millions of dollars]

Year	Imports	Exports	Balance of trade
1947	252	$1,356	+1,104
1950	374	457	+83
1951	442	704	+262
1952	439	584	+145
1953	398	539	+141
1954	382	517	+135
1955	487	497	+10
1956	575	501	−74
1957	565	522	−43
1958	566	464	−102
1959	744	465	−279
1960	857	483	−374
1961	843	479	−364
1962 [3]	997	455	−542

[1] Includes semimanufactures and manufactures of cotton, wool, manmade fibers, flax, hemp, ramie, jute, hard fibers, and miscellaneous fibers and imports from the Virgin Islands of "showerproofed" wool cloth. Excludes noils, waste, rags, shoddy, mungo, sliver, manmade fiber staple, tow, top, monofilaments, filament yarn, tire cord, and tire fabric.

[2] Data for years 1948 and 1949 not available.

[3] Estimated by Northern Textile Association.

Source: U.S. Department of Commerce, Bureau of Foreign Commerce.

ESTABLISHMENT OF NATIONAL CEMETERY IN THE STATE OF RHODE ISLAND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the bill I am introducing today would direct the Secretary of the Army to establish a national cemetery in the State of Rhode Island.

It is unfortunate that Rhode Island, one of the Thirteen Original Colonies, and a State which has been called upon to sacrifice innumerable young men in the wars of our country, does not have a national cemetery within its borders.

This has long been a cause of concern to the members of the Rhode Island General Assembly and numerous other persons in my State. The measure I am presenting to the House today is intended to recognize the great contributions made by Rhode Island servicemen through the establishment of a national cemetery in our State.

It is my earnest hope that this legislation will be favorably considered by the Congress.

RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, at the last session of the Rhode Island General Assembly, legislation was enacted which amended the Rhode Island Turnpike Authority Act of 1956.

The new measure made three main changes in the Turnpike Authority Act.

First. The Jamestown Bridge was substantially eliminated from the jurisdiction of the authority and it becomes toll free when its present outstanding bonds are retired.

Second. It authorizes extension of tolls on the Mount Hope Bridge at the retirement of the present outstanding bonds to pay the cost of bonds for the construction of the Newport-Jamestown Bridge and also to pay for repair, maintenance, and operation of the Mount Hope Bridge and for engineering and other preliminary expenses of the Newport-Jamestown Bridge prior to the issuing of its construction bonds.

Third. The authority is allowed to lease the Newport-Jamestown Bridge and the Mount Hope Bridge to the State of Rhode Island on a yearly basis only at a rental sufficient to satisfy bond requirements for the construction of the Newport-Jamestown Bridge.

Since some question exists as to whether on not present Federal law permitting combining of the Mount Hope and Newport-Jamestown Bridges for finance purposes is legally sufficient in light of the new Rhode Island amendment, I am introducing this measure to eliminate any possible difficulty in the future. I ask that it be favorable acted upon by the Congress.

AMENDMENT TO FOREIGN ASSISTANCE ACT

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I have today introduced an amendment to our Foreign Assistance Act of 1961 in support of a similar amendment by my friend and colleague, the Honorable SEYMOUR HALPERN.

Together we feel that this Government once and for all should clearly express to the world that while we may be willing to financially assist any deserving state, we are certainly not willing to see our funds used in a way inimical to the best interests of the people of this country. We are specifically not willing to see our aid used by countries in such a way that they can turn their own resources to the purchase of military equipment from the Sino-Soviet bloc. We are just as unwilling to watch—in direct contradiction to expressed U.S. policy—the proliferation of missile weapons systems which can be nothing else but a menace to world peace and a threat to the security of those many other nations we also aid.

How can we, in good conscience, watch U.S. dollars being utilized subtly to subvert the very framework of other U.S. policies? We know that certain nations are buying aggressive military materiel with some of the money they save on economic development—economic development which we are supporting with U.S. dollars. This sort of thing has got to be stopped. It must be stopped if we are to believe we are in full control of our own foreign policy, and not hoodwinked by some shrewd manipulators who feed on both sides of the international street.

Since foreign assistance must be predicated on a balanced economic program where our dollars and efforts will go furthest to provide the necessary lift to these developing economies, there can be no room—and no reason—for funds diverted for military purposes. Either these nations want to help themselves to the limits of their ability or they want to milk us for what they can get.

This Nation has time and again stood for the principle that disarmament is necessary, and possible, and can be accomplished with certain well-known safeguards. But by the same token, we cannot sponsor or seemingly sponsor through our foreign assistance something that smacks of everything our disarmament efforts oppose. We are not talking about defense weaponry; we are not talking about rifles or pistols; we are talking about aggressive, meancing ballistic missiles. The use of these weapons, as complicated as they are costly; as dangerous as they are lethal, are not in consonance with the policy of this Government. They cast their long shadows across international borders and stagger the imagination as to what they might do to upset the present balance in the area. When in position on launching pads, when armed with warheads, and when ready to be fired, we will be sorry for what we have helped to do.

This amendment, in sum, states the strong opposition of this Congress to any wrongful use of financial assistance; we are not infringing on the President's right to conduct our foreign policy; we are simply insisting that the funds we provide be consistently and fully used in the total best interests of the people of this country.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FOUNTAIN (at the request of Mr. WHITENER), for May 28, 1963, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MEADER, for 15 minutes, today.

Mrs. SULLIVAN (at the request of Mr. ALBERT), for 10 minutes, today; to revise and extend her remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HUDDLESTON in four instances and to include extraneous matter.

(The following Members (at the request of Mr. MOSHER) and to include extraneous matter:)

Mr. ROBISON.

Mr. FRELINGHUYSEN.

Mr. MORSE.

(The following Members (at the request of Mr. HARRIS) and to include extraneous matter:)

Mr. SHELLEY.

Mr. WICKERSHAM.

Mr. MULTER.

Mr. MURPHY of New York.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 261. An act to authorize the conveyance of certain lands in Harris County, Tex., to the State of Texas or the county of Harris; to the Committee on Government Operations.

S. 572. An act to amend section 201(a)(3) of the Federal Property and Administrative Services Act (40 U.S.C. 481(a)(3)), and for other purposes; to the Committee on Government Operations.

S. 814. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended; to the Committee on Government Operations.

S. 876. An act to authorize the Administrator of General Services to convey certain land in Prince Georges County, Md., to the American National Red Cross; to the Committee on Government Operations.

S. 1576. An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. Con. Res. 43. Concurrent resolution authorizing the printing of additional copies of part 1 and part 2 of the 1963 hearings of the Joint Committee on Atomic Energy on the "Development, Growth, and State of the Atomic Energy Industry"; to the Committee on House Administration.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5389. An act to repeal certain legislation relating to the purchase of silver, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 5389. An act to repeal certain legislation relating to the purchase of silver, and for other purposes.

ADJOURNMENT

Mr. HARRIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 29, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

862. A communication from the President of the United States, transmitting an amendment to the budget for fiscal year 1964 in the amount of $881,374 for the legislative branch (H. Doc. No. 118); to the Committee on Appropriations and ordered to be printed.

863. A letter from the Comptroller General of the United States, transmitting a report on the review of the installation of the automatic data processing system at Hines, Ill., Department of Veterans Benefits, Veterans' Administration; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Rules. House Resolution 368. Resolution authorizing the Speaker to appoint delegates and alternates to attend the International Labor Organization Conference in Geneva; without amendment (Rept. No. 351). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 373. Resolution for consideration of H.R. 3496, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965; without amendment (Rept. No. 352). Referred to the House Calendar.

Mr. GARY: Committee of Conference. H.R. 5366. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1964, and for other purposes (Rept. No. 353). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARENDS:

H.R. 6632. A bill to amend title 10, United States Code, with respect to the appointment of members of the Joint Chiefs of Staff; to the Committee on Armed Services.

By Mr. BROYHILL of Virginia:

H.R. 6633. A bill to authorize the prosecution of a transit development program for the National Capital region; to the Committee on the District of Columbia.

By Mr. BURKE:

H.R. 6634. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Affairs.

By Mr. COLLIER:

H.R. 6635. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. DAGUE:

H.R. 6636. A bill to amend the Packers and Stockyards Act, 1921, to provide that marketing agencies acting in good faith shall not be liable for selling livestock mortgaged under the Bankhead-Jones Farm Tenant Act until the Secretary has exhausted his civil remedies against the mortgagor; to the Committee on Agriculture.

By Mr. FOGARTY:

H.R. 6637. A bill authorizing the Rhode Island Turnpike and Bridge Authority to impose tolls for the use of the bridge across Mount Hope Bay between the towns of Bristol and Portsmouth, in Rhode Island; to the Committee on Public Works.

By Mr. GILL:

H.R. 6638. A bill to amend the Area Redevelopment Act to clarify the areas which may be designated as redevelopment areas; to the Committee on Banking and Currency.

By Mr. HEALEY:

H.R. 6639. A bill to extend for 4 years the Commission on Civil Rights as an agency in the executive branch of the Government, to broaden the scope of the duties of the Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 6640. A bill to amend the Life Insurance Company Act of the District of Columbia (48 Stat. 1145) approved June 19, 1934, as amended; to the Committee on the District of Columbia.

By Mr. MEADER:

H.R. 6641. A bill to transfer certain functions of the Secretary of the Interior with respect to the Franklin D. Roosevelt Library to the Administrator of General Services; to the Committee on Government Operations.

By Mr. ROOSEVELT:

H.R. 6642. A bill to provide that the Government of the United States shall furnish no aid or assistance to any foreign nation or citizen thereof in carrying out any activity under which American citizens will be discriminated against; to the Committee on Foreign Affairs.

H.R. 6643. A bill to amend section 102 of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

By Mr. ROSENTHAL:

H.R. 6644. A bill to amend the National Housing Act to fix the premium for the insurance of cooperative housing mortgages at the minimum permissible level (one-fourth of 1 percent per annum); to the Committee on Banking and Currency.

By Mr. ROSTENKOWSKI:

H.R. 6645. A bill to provide for the issuance of a special postage stamp in commemoration of the 175th anniversary of the establishment of the customs service, and of customs employees killed in enforcing the customs laws; to the Committee on Post Office and Civil Service.

By Mr. ROYBAL:

H.R. 6646. A bill to provide for the presentation by the United States to the people of Mexico of a monument commemorating the independence of Mexico, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ST GERMAIN:

H.R. 6647. A bill to provide for the establishment of a national cemetery in the State of Rhode Island; to the Committee on Interior and Insular Affairs.

H.R. 6648. A bill authorizing the Rhode Island Turnpike and Bridge Authority to impose tolls for the use of the bridge across Mount Hope Bay between the towns of Bristol and Portsmouth, in Rhode Island; to the Committee on Public Works.

By Mr. SICKLES:

H.R. 6649. A bill to extend for one additional year certain of the temporary provisions of Public Laws 815 and 874, 81st Congress, relating to the construction and maintenance and operation of public schools in federally impacted areas, and for other purposes; to the Committee on Education and Labor.

By Mr. SILER:

H.R. 6650. A bill to amend title II of the Social Security Act to provide that a woman who is otherwise qualified may receive widow's insurance benefits without regard to her age if her income is less than $1,200 a year; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 6651. A bill to provide for a study and report to the Congress concerning the establishment of a National Space Museum; to the Committee on Science and Astronautics.

By Mr. TEAGUE of Texas (by request):

H.R. 6652. A bill to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable direct loans made to veterans under chapter 37, title 38, United States Code; to the Committee on Veterans Affairs.

By Mr. THOMAS:

H.R. 6653. A bill to amend section 210 of title 23 of the United States Code to authorize the Secretary of Commerce to construct certain access roads to space facilities; to the Committee on Public Works.

By Mr. THOMPSON of Texas:

H.R. 6654. A bill to amend section 210 of title 23 of the United States Code to authorize the Secretary of Commerce to construct access roads to space facilities; to the Committee on Public Works.

By Mr. VAN DEERLIN:

H.R. 6655. A bill to create four judicial districts for the State of California, to provide for the appointment of four additional district judges for the State of California, and for other purposes; to the Committee on the Judiciary.

H.R. 6656. A bill to authorize the President of the United States to place an embargo on certain fish and fish products; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 6657. A bill to establish the Federal Housing Administration as an independent agency in the executive branch of the Government; to the Committee on Banking and Currency.

By Mr. BARING:

H.R. 6658. A bill to amend sections 162 and 274 of the Internal Revenue Code of 1954 relating to the deductibility of certain business entertainment, etc., expenses; to the Committee on Ways and Means.

By Mr. BUCKLEY:

H.R. 6659. A bill to amend the National Cultural Center Act to extend for an additional 3 years the period during which construction funds must be received and to increase the number of general trustees; to the Committee on Public Works.

By Mr. HALPERN:

H.R. 6660. A bill to provide that the Government of the United States shall furnish no aid or assistance to any foreign nation or citizen thereof in carrying out any activity under which American citizens will be discriminated against; to the Committee on Foreign Affairs.

By Mr. LLOYD:

H.R. 6661. A bill to adjust wheat and feed grain production, to establish a cropland retirement program, and for other purposes; to the Committee on Agriculture.

By Mr. VAN DEERLIN:

H.R. 6662. A bill to amend chapter 35 of title 38, United States Code, to provide educational assistance to children of certain seriously disabled veterans; to the Committee on Veterans' Affairs.

By Mr. MEADER:

H.J. Res. 455. Joint resolution providing that Reorganization Plan No. 1 of 1963 shall take effect 10 days after the date of the enactment of this joint resolution; to the Committee on Government Operations.

By Mr. FULTON of Pennsylvania:

H.J. Res. 456. Joint resolution to authorize and require the U.S. National Commission for UNESCO to submit an annual report concerning its activities, programs, and proceedings; to the Committee on Foreign Affairs.

By Mr. McCLORY:

H. Res. 372. Resolution disapproving the Reorganization Plan No. 1 of 1963; to the Committee on Government Operations.

MEMORIALS

Under clause 4 of rule XXII,

Mr. TUPPER presented a memorial of the State of Maine Legislature recommending full development of electric power potential of Passamaquoddy Bay and Upper St. John River; which was referred to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FOGARTY:

H.R. 6663. A bill for the relief of Louis C. Wheeler; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 6664. A bill for the relief of Mrs. Maria Arvas Antonopoulos; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 6665. A bill for the relief of Krystyna Rytel; to the Committee on the Judiciary.

H.R. 6666. A bill for the relief of Maria Pacini; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 6667. A bill to confer authority upon the Secretary of the Army to pay certain claims of Ottinger Brothers; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

143. The SPEAKER presented a petition of Mrs. F. Burt Hulting, national corresponding secretary, National Society Daughters of the American-Colonists, San Francisco, Calif., relative to the ringing of Fourth of July freedom bells, etc., which was referred to the Committee on the Judiciary.

SENATE

TUESDAY, MAY 28, 1963

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most merciful God, Father of all who dwell upon the earth, Thou knowest our necessity before we ask, and our ignorance, limitations, and fallible judgment in asking. Have compassion, we beseech Thee, upon our infirmity; strengthen us in all noble impulses; and daily increase in us the spirit of wisdom and understanding, the spirit of counsel and true godliness. Dowered with privileges and with the stewardship of power as no other nation, may our high estate be to us as Thy call to put willing hands of help under the weak and exploited, that through the potent ministry of this Nation, where the people rule, all peoples of the earth may be aided in their quest for more abundant life. We ask it in the name of the One whose life is the light of men. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceeding of Monday, May 27, 1963, was dispensed with.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 5389) to repeal certain legislation relating to the purchase of silver, and for other purposes, and it was signed by the President pro tempore.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

William J. Crockett, of Nebraska, to be a Deputy Under Secretary of State; and

Robert C. Strong, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Iraq.

The PRESIDENT pro tempore. If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

U.S. COAST GUARD

The Chief Clerk read the nomination of Capt. Albert J. Carpenter, U.S. Coast Guard, for promotion to the permanent rank of rear admiral in the U.S. Coast Guard.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Finance Committee may be authorized to meet during the session of the Senate this morning.

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, let me ask what the Finance Committee will be considering. The Senate has the debt-ceiling bill before it this morning, and I do not know for what the Finance Committee would be meeting. If the Finance Committee has any business which it wishes to attend to I may withdraw my objection; but I should like to know the purpose of the request.

Mr. TALMADGE. Mr. President, I think I can throw some light on this matter. This morning, I was informed that the Finance Committee will meet tomorrow to hear the Under Secretary of Agriculture, Mr. Charles Murphy, testify about the sugar situation.

Mr. WILLIAMS of Delaware. But the Finance Committee is not meeting today to consider the sugar situation, is it?

Mr. MANSFIELD. No. The Finance Committee wishes to meet to consider the tax bill.

Mr. WILLIAMS of Delaware. The tax bill?

Mr. MANSFIELD. Yes. If the Senator from Delaware wishes to object, that is perfectly all right; but I am bound to make the request.

Mr. WILLIAMS of Delaware. But the bill to increase the debt ceiling is the pending business of the Senate; and as members of the Finance Committee we shall have to be in the Senate Chamber; moreover, the Finance Committee does not have any tax bill before it.

Mr. MANSFIELD. That is correct. This is a sudden development. I do not know what will come of it. I understood that the Senator would be consulted.

Mr. WILLIAMS of Delaware. I always like to go along with the wishes of the majority leader, but I do not know what sort of tax bill the committee would have before it at a meeting this morning. The Senate has the debt-ceiling bill before it now.

Mr. MANSFIELD. Yes, that bill is before the Senate.

Mr. WILLIAMS of Delaware. The Finance Committee reported that bill to the Senate. What is wrong with it?

Mr. MANSFIELD. I wish the Senator from Delaware would not ask me that question. If he wishes to object, that will be all right with me.

Mr. WILLIAMS of Delaware. Mr. President, I should like to know what the Finance Committee would consider at a meeting this morning. Last week our committee reported the debt-ceiling bill, which is now the pending business before the Senate.

Mr. MANSFIELD. The debt-ceiling bill would continue to be the pending business; it would not be withdrawn. I make this request, and I hope it will be agreed to. But if there is objection, that will be all right with me.

Mr. WILLIAMS of Delaware. Mr. President, in the absence of knowledge of what the Finance Committee would be considering and inasmuch as the debt-ceiling bill is now before the Senate I shall have to object. I do not see how members of the Finance Committee can be in two places at the same time; this is new procedure to me.

Mr. MANSFIELD. That is correct; it is new.

Mr. WILLIAMS of Delaware. So I am puzzled by such a request.

Mr. DIRKSEN. Mr. President, I shall contact the chairman of the Finance Committee. But momentarily I register objection.

The PRESIDENT pro tempore. Objection is heard.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Fiscal Affairs Subcommittee of the Committee on the District of Columbia may meet during the session of the Senate today.

Mr. DIRKSEN. I have been asked to interpose objection.

The PRESIDENT pro tempore. Objection is heard.

Mr. DOMINICK subsequently said: Mr. President, earlier today objection was made to the holding of a meeting, during the Senate session of the Senate today, of the Fiscal Affairs Subcommittee of the Committee on the District of Columbia. That objection should be withdrawn. I renew the unanimous-consent request that the subcommittee may be authorized to meet during the session of the Senate in a joint subcommittee meeting, pending action by the Senate on the floor.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Rivers and Harbors and Flood Control Subcommittee of the Committee on Public Works may meet during the session of the Senate today.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the Foreign Relations Committee may meet during the session of the Senate today.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Internal Security Subcommittee of the Committee on the Judiciary be permitted to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, reserving the right to object, I ask my able friend if this request has been cleared with the minority.

Mr. LONG of Louisiana. I do not know. This permission was requested by Mr. ARENDS for the Senator from Mississippi [Mr. EASTLAND].

Yes; I am informed it has been cleared by the leadership on the Republican side.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Improvement of Active Duty Promotion Opportunity of Certain Air Force Officers

A letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to improve the active duty promotion opportunity of Air Force officers from the grade of major to the grade of lieutenant colonel (with an accompanying paper); to the Committee on Armed Services.

Report on Transactions Under Merchant Ship Sales Act of 1946

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration on the activities and transactions under the Merchant Ship Sales Act of 1946, from January 1, 1963, through March 31, 1963 (with an accompanying report); to the Committee on Commerce.

Amendment of Section 12 of Natural Gas Act

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 12 of the Natural Gas Act with respect to the issuance of securities for the construction, acquisition or operation of pipeline facilities (with an accompanying paper); to the Committee on Commerce.

Supplemental Report of Tariff Classification Study

A letter from the Chairman, U.S. Tariff Commission, Washington, D.C., transmitting, pursuant to law, the sixth supplemental report on the Tariff Classification Study, dated May 23, 1963 (with an accompanying report); to the Committee on Finance.

Audit Report on Custodianship Functions, Office of the Treasurer of the United States

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on custodianship functions, Office of the Treasurer of the United States, Treasury Department, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Installation of Automatic Data Processing System at Hines, Ill., Department of Veterans' Benefits

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of installation of automatic data processing system at Hines, Ill., Department of Veterans' Benefits, Veterans' Administration, dated May 1963 (with an accompanying report); to the Committee on Government Operations.

Report of the Attorney General of the United States

A letter from the Attorney General, transmitting, pursuant to law, his report, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on the Judiciary.

Report on Award of Young American Medals for Bravery and Service for 1961

A letter from the Attorney General, reporting, pursuant to law, on the award of the Young American Medals for Bravery and Service for 1961; to the Committee on the Judiciary.

Amendment of National Cultural Center Act, To Extend the Termination Date and To Enlarge the Board of Trustees

A letter from the Chairman, the National Cultural Center, Washington, D.C., transmitting a draft of proposed legislation to amend the National Cultural Center Act to extend the termination date, contained therein, and to enlarge the Board of Trustees (with accompanying papers); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Banking and Currency:

"Senate Joint Resolution 24

"Joint resolution relative to memorializing Congress to approve the coinage of a 50-cent piece commemorative of the Gettysburg Address

"Whereas H.R. 1611 introduced January 10, 1963, in Congress by Representative George Goodling of Pennsylvania, is drafted to authorize the coinage of 50-cent pieces in commemoration of the 100th anniversary of the delivery of Lincoln's immortal address at Gettysburg and is now pending before the House of Representatives; and

"Whereas 100 years ago on November 19, 1863, thousands of Americans gathered at Gettysburg to witness appropriate ceremonies in connection with the dedication of a portion of a great battlefield of the American Civil War, 1861–1865, as a national cemetery to receive the remains of the gallant men who fell in battle in defense of their country and homeland; and

"Whereas President Abraham Lincoln on that date delivered a few appropriate remarks which have come down to us as a noble address revered throughout the world as one of mankind's great utterances stressing that freedom and sacrifice are eternally inseparable; and

"Whereas during the present centennial of the great American Civil War, it is entirely fitting that a coin should be minted by the United States of America to commemorate the centenary of the Gettysburg Address; and

"Whereas the California Civil War Centennial Commission is dedicated to the observance of the centennial in California of the great War Between the States and events related thereto and the commission has endorsed the subject matter of H.R. 1611, and likewise the Sacramento Civil War Round Table, a study and discussion group devoted to the history and background of the Civil War, has also endorsed the coinage of the commemorative coin above mentioned; and

"Whereas the attainment of the coinage of a 50-cent piece linked to the Gettysburg Address will further the observance in California in 1963 of the great historic significance of Gettysburg; Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby memorializes the Congress of the United States to enact appropriate legislation approving the subject matter and contents of H.R. 1611 at the earliest possible opportunity and designed to approve the coinage of a 50-cent or other piece commemorative of the 100th anniversary of the delivery of the address at Gettysburg and the dedication of the national cemetery in that locality; and be it further

"Resolved, That the secretary of the senate transmit copies of the resolution to the President and the Vice President of the United States respectively, the Speaker of the House of Representatives, each Senator and Representative from California in the Congress of the United States, the Honorable Edmund G. Brown, Governor of the State of California, the Governor of the State of Pennsylvania, the Chairman of the California Civil War Centennial Commission, the Sacramento Civil War Round Table, and the Executive Director of the United States Civil War Centennial Commission."

A joint resolution of the Legislature of the State of California; to the Committee on Commerce:

"Assembly Joint Resolution 39

"Joint resolution relative to the food for peace program

"Whereas fishery products are one of the finest sources of healthful nutritious protein so essential to the growth and well-being of all people; and

"Whereas the United States has, through the food for peace program, undertaken to aid in the obtaining of an adequate supply of food for the hundreds of thousands of people throughout the world so vitally in need of such food; and

"Whereas the use of domestically produced fishery products for this program would, in addition to making this essential food available to these people, materially aid the food for peace program, undertaken to the U.S. fishery industry in its program of expanding its markets, which is necessary if the industry is to progress in its battle for survival against foreign competition; and

"Whereas the development and progress of our domestic fishing industry is important not only because of its beneficial effect on the economic well-being of a large number of our citizens who are connected with the industry but also because it can substantially aid in the proper conservation and utilization of the fishery resource, for although many foreign fishermen ignore sound conservation practices and are subject to no conservation laws this is not true of our fishermen, who are subject to many restrictive laws enacted to preserve and protect the fisheries involved; and

"Whereas there are presently two bills before Congress, S. 702 and H.R. 3965, which would authorize the procurement and distribution of domestically produced fishery products under the food for peace program: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Congress of the United States is requested to enact legislation, such as S. 702 or H.R. 3965, to authorize the use of domestically produced fishery products under the food for peace program; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"Assembly Joint Resolution 32

"Joint resolution relative to establishment of a Federal veterans hospital in the San Diego area

"Whereas it has come to the attention of the members of the Legislature of the State of California that the Federal Government is considering the establishment of a 500-bed veterans hospital in southern California; and

"Whereas San Diego County has a climate suitable to the well-being of convalescent patients, as they are able to be out of doors in healthful sunshine throughout the year to enjoy whatever outdoor activities their health permits; and

"Whereas the desirability of San Diego County's climate and the wealth of its available spectator and participating recreational activities are attested to by the high percentage of retired military personnel who have chosen to make their homes in the area; and

"Whereas the San Diego area is one of the more progressive communities in the State, is kept at a stable and temperate climate by the bay on its west boundary; and

"Whereas San Diegans have lived amicably with the large number of military personnel stationed in the area for many years and would welcome patients and staff from a veterans hospital to the community: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to provide for establishing a veterans hospital in the San Diego area; and be it further

"*Resolved,* That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Administrator of Veterans' Affairs."

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"SENATE JOINT RESOLUTION 21

"Joint resolution relative to flood control

"Whereas serious floods occurred in the vicinity of Chester, Plumas County, and elsewhere in California during October 1962 and January 1963 and at previous times; and

"Whereas these floods produced a great damage to public and private property, including roads, bridges, buildings, commercial establishments, and farms; and

"Whereas this legislature, pursuant to the recommendation of the Governor, enacted chapter 81 of the statutes of 1963 to reappropriate funds, as an emergency measure, to be used by local public agencies in the repair and rehabilitation of damage caused by said floods; and

"Whereas the Corps of Engineers, U.S. Army, has been authorized to undertake a survey of flood conditions in the vicinity of Chester, Plumas County, and the California Water Commission has recommended that an appropriation of $15,000 be sought in the current session of Congress to initiate said survey; and

"Whereas article 3 of chapter 1 of part 6, division 6, of the California Water Code declares it to be the policy of the State to participate jointly with the Federal Government in levee and channel improvement projects authorized by the Congress and the legislature to the extent of the costs of lands, easements, rights-of-way needed for such projects; and

"Whereas section 12585 of the water code, being a part of said article 3, chapter 1, part 6 of division 6, specifically provides:

"'In the event that the Congress after September 22, 1951, authorizes and approves projects, wherein financial assistance is required of local agencies of this State by the Federal Government, similar to provisions of Public Law 534, 78th Congress, 2d session, and such projects are recommended for State assistance by the department and approved by the legislature, including all projects adopted and authorized by the State for which no appropriations or allocations have been made, it is the intention of the legislature that it will be the policy of the State to pay the costs of local cooperation required by the acts of Congress, except that such costs shall be limited to the costs of all lands, easements and rights of way necessary for the construction of such projects'; and

"Whereas the aforesaid policy has been implemented repeatedly by prior sessions of the legislature and will be implemented during the current session of the legislature with respect to levee and channel projects heretofore authorized by the Congress and the legislature; and

"Whereas there is no present reason to believe that the well established policy heretofore carried out by the State of California in regard to such projects will not continue to be followed; and

"Whereas there is an urgent need to initiate and complete at the earliest possible date a flood control survey of streams in the vicinity of Chester, Plumas County: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That this legislature urges the Congress to appropriate $15,000 for use during fiscal year 1963–64 in the initiation of the authorized survey in the vicinity of Chester, Plumas County, so that a feasible flood control plan can be developed at the earliest possible date by the U.S. Army Corps of Engineers aimed at eliminating the flood problem in the vicinity of Chester, Plumas County; and be it further

"*Resolved,* That this legislature anticipates that in the event the Corps of Engineers recommends to the Congress the construction of economically justified levee and channel improvements in the vicinity of Chester, Plumas County, as a result of its authorized survey, such a project will be authorized for State participation under the general policies set forth in article 3, chapter 1, part 6 of division 6 of the water code and the legislature will thereafter make appropriations for the acquisition by the State of lands, easements, rights-of-way and utility relocations as in the case of similar projects in the past, provided, that in no event shall such lands, easements and rights-of-way be acquired and utilities be relocated until a local agency of government agrees to operate and maintain the project works when completed and hold and save the United States and the State of California free and harmless from any claims for damages due to the operation of the works; and be it further

"*Resolved,* That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in Congress, and to the Secretary of the Army."

A joint resolution of the Legislature of the State of Nevada; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION 14

"Joint resolution memorializing the Congress of the United States to amend the statutes governing the jurisdiction of the Federal courts to prevent interference by such courts with the right of the States to apportion the members of the legislature

"Whereas pursuant to the decision of the Supreme Court of the United States in *Baker* v. *Carr*, 369 U.S. 186 (1962), the Federal courts have assumed jurisdiction in cases brought to determine the validity of the apportionment of members of State legislatures; and

"Whereas it is the belief of the members of the 52d session of the Legislature of the State of Nevada that the jurisdictional statute upon which the court relied, in part, in its decision was never intended by the Congress to permit Federal interference with the right of the States to apportion the members of their legislatures; and

"Whereas the right of the people of each of the States to govern themselves has been endangered by Federal intervention in this area: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of Nevada, jointly,* That the Legislature of the State of Nevada hereby respectfully memorializes the Congress of the United States to amend 28 U.S.C. sec. 1343(3), 28 U.S.C.A. sec. 1343(3), and any other statutes which it may find necessary, and to enact any new statutes which it may find necessary, to remove expressly the subject of apportionment of State legislatures from the jurisdiction of the Federal courts; and be it further

"*Resolved,* That certified copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the Vice President of the United States, the Speaker of the House of Representatives, and each member of the Nevada congressional delegation.

"Passed by the senate March 18, 1963.

"——— ———,
"*President of the Senate.*
"LESLIE H. ARMSTRONG,
"*Secretary of the Senate.*

"Passed by the assembly March 21, 1963.

"L. E. TYSON,
"*Speaker of the Assembly.*
"NATHAN T. HURST,
"*Chief Clerk of the Assembly.*
"GRANT SAWYER,
"*Governor of the State of Nevada.*"

A joint resolution of the Legislature of the State of Nevada; to the Committee on Public Works:

"ASSEMBLY JOINT RESOLUTION 9

"Joint resolution memorializing the Federal Bureau of Public Roads of the Department of the Interior to participate in the widening of U.S. 395, in the City of Reno between Arroyo Street and Liberty Street

"Whereas there lies in Washoe County that portion of U.S. Highway 395 North, State Route 3, more familiarly known as South Virginia Street, located in the City of Reno, State of Nevada, and

"Whereas this highway is a primary route and the main north-south artery serving the City of Reno, the northwestern sector of Nevada, and is the gateway to many of the recreational and commercial areas of the western sector of the United States; and

"Whereas this highway presently carries more than its capacity of traffic and is a bottleneck for the commerce of this growing area of the Nation; and

"Whereas the reconstruction of this highway by widening it to provide four lanes and space for on-the-street parking and thereby a safer and freer flow of traffic will be of great benefit to the City of Reno, the County of Washoe, the State of Nevada, and the western section of the United States; now therefore, be it

"*Resolved by the Assembly and Senate of the State of Nevada, jointly,* That the Federal Bureau of Public Roads of the Department of the Interior is hereby memorialized, because of the special and extenuating circumstances, to participate, to the fullest permissible extent, in the widening and reconstruction of that portion of U.S. Highway number 395 North, State Route 3, known as South Virginia Street, in the City of Reno, County of Washoe, State of Nevada, from present Arroyo Street north to present Liberty Street, and be it further

"*Resolved,* That certified copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the Vice President of the United States, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation, the Secretary of Commerce, and the Federal Highway Administrator in the Bureau of Public Roads.

"Passed by the assembly March 25, 1963.

"——— ———,
"Speaker of the Assembly.
"NATHAN T. HURST,
"Chief Clerk of the Assembly.

"Passed by the senate March 29, 1963.

"PAUL LASALT,
"President of the Senate.
"LEOLA H. ARMSTRONG,
"Secretary of the Senate.
"GRANT SAWYER,
"Governor of the State of Nevada."

A concurrent resolution of the Legislature of the State of New Jersey; to the Committee on the Judiciary:

"SENATE CONCURRENT RESOLUTION 15

"Concurrent resolution memorializing the Congress of the United States to incorporate or charter the Italian American War Veterans of the United States, Inc.

"Resolved by the Senate of the State of New Jersey (the General Assembly concurring),

"1. The Congress of the United States is hereby respectfully memorialized to enact appropriate legislation to incorporate or charter the organization known as the Italian American War Veterans of the United States, Inc.

"2. The secretary of the senate is hereby directed to cause properly authenticated copies of this concurrent resolution to be forwarded to the presiding officers of each branch of the Congress and to each of the Senators and the Members of the Congress from this State.

"Attest:

"HENRY H. PATTERSON,
"Secretary of the Senate."

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Foreign Relations:

"HOUSE CONCURRENT RESOLUTION 61

"Concurrent resolution relative to the sovereignty of the United States, and to express legislative opposition to certain actions by the State Department and executive branch of the Federal Government

"Whereas publication No. 7277 of the State Department of the United States, entitled 'Program for General and Complete Disarmament in a Peaceful World,' and the publication of the U.S. Disarmament Agency, entitled "Blue Print for the Peace Race," both contain measures for the disarmament and surrender of the United States to a United Nations peace force; and

"Whereas the programs of these agencies outline steps to be taken to create a powerful international military force under the United Nations, capable of launching a Katanga-type action against any nation; and

"Whereas these objectives are incorporated in proposals offered by representatives of the United States at Geneva in the form of a treaty to be entered into between the Government of the United States and the Government of the Soviet Union; and

"Whereas the treaty proposed in the outline 'would enter into force, upon the signature and ratification of the United States of America, the Union of Soviet Socialist Republics and such other states as might agree'; and

"Whereas this treaty is no more enforceable against the Communists than any of the hundreds of treaties they have made cynically and have broken at will in the past; and

"Whereas this treaty does not in any way insure world disarmament but instead amounts to total surrender of the national sovereignty of the United States to the United Nations, wherein the Communists have great influence and power, they being sworn dedicated enemies of this Nation and every principle on which it was founded; and

"Whereas, the duty to provide for the defense of the United States is the direct responsibility of the U.S. Congress, as provided in article 1, section 8, clause 12 of the Constitution of the United States: Therefore be it

"Resolved by the House of Representatives of the Legislature of Louisiana (the Senate concurring), That the members of the Legislature of Louisiana in session assembled and acting in their capacity as the duly elected representatives of the citizens of Louisiana, do hereby express strong opposition to the threat to the people which is inherent in the publications of the State Department of the United States and the U.S. Disarmament Agency, which publications propose that authorization be granted to the President or the Federal Government to negotiate for the surrender of the sovereignty of these United States to the United Nations; be it further

"Resolved, That the Members of the Louisiana delegation in Congress are hereby urged and requested to petition the entire U.S. Congress to repudiate any proposals which have been or which may be made to compromise the sovereignty of the United States and to vigorously oppose, as unconstitutional, any such treaty, if negotiated, and if entered into, to employ every available means to provide for the defense of the citizens of this State and of the United States of America; be it further

"Resolved, That the Members of the Louisiana delegation in Congress are hereby further urged and requested to petition the U.S. Congress to launch an immediate investigation into the surrender phase of U.S. policy, including the role of the State Department in formulating that policy; be it further

"Resolved, That a copy of this resolution shall be transmitted to the President of the United States, to the Presiding Officer of each of the two Houses of the U.S. Congress, and to each Member of the Louisiana delegation in Congress; be it further

"Resolved, That the Members of the Louisiana delegation in Congress are urged and requested to take such steps as are necessary to bring the views of the people of the State of Louisiana to the attention of the Congress and to have this resolution read into the CONGRESSIONAL RECORD.

"——— ———,
"Speaker of the House of Representatives.

"——— ———,
"Lieutenant Governor and President of the Senate."

A resolution of the House of Representatives of the State of Washington; to the Committee on Labor and Public Welfare:

"Whereas President Dwight D. Eisenhower in his state of the Union message, January 7, 1954, called for a White House Conference on Education; and

"Whereas this unprecedented citizen study of elementary and secondary school needs, involving more than a half million American people in local, county, regional, and State conferences and 2,000 participants in the White House Conference, held November 28–December 1, 1955, demonstrated a desire and capacity to meet the major problems facing American education; and

"Whereas the traditional decennial White House Conferences on Children and Youth having played an extraordinary role in mobilizing public and professional opinion for more effective work with children and youth, there is a parallel need for a continuing process for the solving of problems in and improvement of education; and

"Whereas during these intervening years since the first White House Conference on Education in 1955, the problems of education have been multiplying with our expanding technology, the impact of automation upon employment and the intensity of the cold war; and

"Whereas there is immediate need for focus on such problems as identification of potential high school dropouts and preventative programs, noncollege-bound and nonvocational youth, community colleges, the gifted, the handicapped, the impact of instructional technology such as instructional television and programed learning, increased research for improvement in education, and the relation of education to the achievement of national goals; and

"Whereas education is a priority concern in the minds of the public who recognize that the future of our Nation depends upon how well we provide an education for all children and youth: Now, therefore, be it

"Resolved by the house of representatives, That this body respectfully request that the President of the United States consider the need for another White House Conference on Education and that he consider requesting that the Congress enact legislation providing for such a Conference on Education for 1965, the decennial anniversary of the first such conference; and be it further

"Resolved, That this body respectfully request Congress to enact the necessary legislation for such a conference; and be it further

"Resolved, That copies of this resolution be immediately transmitted by the chief clerk of the house of representatives to the Honorable John F. Kennedy, President of the United States, the President of the U.S. Senate, the Speaker of the House of Representatives, and to each Senator and Representative from the State of Washington.

"Attest:

"S. R. HOLCOMB,
"Chief Clerk,
"House of Representatives."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Agriculture and Forestry:

"HOUSE CONCURRENT RESOLUTION 66

"Whereas the Congress of the United States has passed numerous legislative measures assisting farmers in the production of specific agricultural commodities; and

"Whereas such assistance and support through programs authorized by the Agricultural Adjustment Act of 1938, as amended, is necessary for the Kona coffee industry in the State of Hawaii; and

"Whereas such support would be a great stimulus to the coffee industry in the State of Hawaii and provide the stability of production which would be of great benefit to the people of Hawaii and of the entire country: Now, therefore, be it

"Resolved by the House of Representatives of the Second State Legislature of the State of Hawaii, regular session of 1963 (the Senate concurring), That the Congress of the United States be and is hereby respectfully requested to enact legislation to include coffee among the basic agricultural commodities assisted and supported by programs under the Agricultural Adjustment Act of 1938, as amended, and to authorize parity payments to coffee growers in the State of Hawaii; and be it further

"Resolved, That certified copies of this concurrent resolution be sent to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, to the Secretary of Agriculture, and to the Hawaii delegation in the U.S. Congress."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Armed Services:

"HOUSE CONCURRENT RESOLUTION 73

"Whereas most of the U.S. military bases in the State of Hawaii are located on the island of Oahu; and

"Whereas it would appear to be advantageous to the defense of the United States and Hawaii for the military installations and personnel to be decentralized and relocated strategically throughout the islands; and

"Whereas one of the prime areas for such relocation is the Puunene Airport site on the island of Maui which consists of over 1,800 acres of State-owned land; and

"Whereas some of the advantages of this site are the vast vacant level stretch of land; the accessibility to modern highways, utilities and other conveniences; the availability of community facilities such as shopping centers, schools and churches; the excellent flying conditions and the proximity, less than a hundred miles, to the island of Oahu: Now, therefore, be it

"*Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, general session of 1963 (the Senate concurring)*, That the Department of Defense be and it is hereby requested to seriously consider relocating certain military installations and personnel from the island of Oahu to the Puunene Airport site or to other locations on the island of Maui; and be it further

"*Resolved,* That a certified copy of this concurrent resolution be forwarded to the President of the United States, President of the U.S. Senate, Speaker of the U.S. House of Representatives, Secretary of Defense, Secretary of the Army, Secretary of the Navy, Secretary of the Air Force, chairmen of the Armed Services Committee of the Senate and of the House of Representatives, and to the Hawaii delegation to the U.S. Congress."

Two concurrent resolutions of the Legislature of the State of Hawaii; to the Committee on Finance:

"HOUSE CONCURRENT RESOLUTION 27

"Whereas the geography of the islands comprising the State of Hawaii dictates that transportation between the several parts of the State be on or over water; and

"Whereas the burden of the Federal transportation tax rests much more heavily upon the residents of the State than upon the residents of the continent in that the people of the State are heavily dependent upon transportation subject to the tax in order to carry on their normal business and social lives: Now, therefore, be it

"*Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, regular session of 1963 (the Senate concurring)*, That the Congress of the United States be and is hereby respectfully requested to eliminate taxes upon passenger transportation between the several islands comprising the State of Hawaii; and be it further

"*Resolved*, That certified copies of this concurrent resolution be sent to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to the Secretary of the Interior, and to the Delegates to Congress from the State of Hawaii."

"SENATE CONCURRENT RESOLUTION 48

"Concurrent resolution requesting the Congress of the United States to consider the possibility of granting tax credit and other tax incentives to employers who hire persons for the purpose of retraining them

"Whereas the problem of retraining workers is one of the most difficult of the problems relating to unemployment in the United States and in the State of Hawaii today; and

"Whereas it would be a great stimulus to the economy of the State of Hawaii and of the United States if employers were to employ persons who need training as certified by the proper agency and to provide on-the-job training and employment for such persons; and

"Whereas employers would be encouraged to employ persons who need retraining and to provide such retraining if said employers were given tax credit and other tax incentives for each such person employed for the purpose of retraining; and

"Whereas such retraining would help immeasurably to solve the problems of structural unemployment in the economy today: Now, therefore, be it

"*Resolved by the Senate of the Second State Legislature of the State of Hawaii, regular session of 1963 (the House concurring)*, That the Congress of the United States be and it hereby is requested to consider the possibility of granting tax credit and other tax incentives to employers who hire persons for the purpose of retraining and making them useful members of the American economy; and be it further

"*Resolved,* That duly certified copies of this Concurrent Resolution be forwarded to the President of the U.S. Senate, to the Speaker of the U.S. House of Representatives, and to Hawaii's delegation in the U.S. Congress."

Two concurrent resolutions of the Legislature of the State of Hawaii; to the Committee on Labor and Public Welfare:

"SENATE CONCURRENT RESOLUTION 31

"Concurrent resolution requesting the Congress of the United States to enact legislation authorizing the Veterans' Administration to contract with any Hawaii hospital on an island where there is no Federal hospital for the hospitalization of veteran residents of the island.

"Whereas the State of Hawaii is geographically unique among the States of the Union, consisting as it does of several major populated islands; and

"Whereas Federal hospital facilities for veterans are available only on the island of Oahu; and

"Whereas veterans who are residents of Hawaii, Kauai, Lanai, Maui, and Molokai and who need and are eligible for hospitalization in a Federal Government hospital must come to the island of Oahu for such hospitalization; and

"Whereas this works a hardship on such veterans by (1) requiring the sick and injured to be transported over water; (2) causing delays in treatment; and (3) separating the patient from his attending physician and his immediate family; and

"Whereas the neighbor islands have local hospitals with sufficient beds to accommodate veterans residing on the islands; and

"Whereas the hospitalization of veterans in neighbor island hospitals would raise the average daily bed occupancy and decrease the average cost per patient-day: Now, therefore, be it

"*Resolved by the Senate of the Second Legislature of the State of Hawaii, regular session of 1963 (the House of Representatives concurring)*, That the Congress of the United States be, and is hereby requested to enact legislation authorizing the Veterans' Administration to enter into contracts with any Hawaii hospital on an island where there is no Federal hospital for the hospitalization of eligible veterans who are residents of the island; and be it further

"*Resolved,* That duly certified copies of this concurrent resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to the Administrator of Veterans' Affairs, and to Hawaii's delegation to the Congress of the United States."

"SENATE CONCURRENT RESOLUTION 64

"Concurrent resolution relating to discriminatory practices in respect to employment

"Whereas the protection of the right of all persons to seek and obtain employment, or membership in a labor organization, without discrimination or abridgment on account of race, sex, age, religion, color, or ancestry is essential to the economic well-being and welfare of the public in our democratic society; and

"Whereas there is need to safeguard the public from the arbitrary actions of employers who refuse to employ or who discharge from employment certain individuals because of race, sex, age, religion, color, or ancestry and fail to select the best qualified persons for such positions in accordance with established and objective occupational qualifications applied equally to all persons: Now, therefore, be it

"*Resolved by the Senate of the Second Legislature of the State of Hawaii, general session of 1963 (the House of Representatives concurring)*, That the Congress of the United States be and is hereby requested to enact a Fair Employment Practices Act making it unlawful employment practice or unlawful discrimination:

"(a) For an employer to refuse to hire or employ or to bar or discharge from employment, any individual because of his race, sex, age, religion, color, or ancestry, provided that an employer may refuse to hire an individual for good cause relating to the ability of the individual to perform the work in question;

"(b) For an employer to discriminate against any individual in compensation or in the terms, conditions, or privileges of employment because of race, sex, age, religion, color, or ancestry;

"(c) For any employer or employment agency to print, circulate, or cause to be printed or circulated any statement, advertisement or publication or to use any form of application for employment or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, sex, religion, color, or ancestry, unless based on a bona fide occupational qualification;

"(d) For any labor organization to exclude or expel from its membership any person or to discriminate in any way against any of its members, employer or employees because of race, sex, age, religion, color, or ancestry;

"(e) For any employer, labor organization, or employment agency to discharge, expel, or otherwise discriminate against any person because he has opposed any practice or because he has filed a complaint, testified, or assisted in any proceeding respecting employment practices and discrimination;

"(f) For any person whether an employer, employee or not, to aid, abet, incite, compel, or coerce the doing of any of these practices, or to attempt to do so; and be it further

"*Resolved,* That copies of this concurrent resolution be forwarded to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to the Members of Hawaii's delegation to the Congress of the United States."

Two concurrent resolutions of the Legislature of the State of Hawaii; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION 39

"Whereas Oahu's rapidly expanding economy and population are both dependent in part upon ocean transport; and

"Whereas at present Oahu is served by only one deepwater harbor; and

"Whereas the area around Barber's Point affords an ideal location for a new deepwater harbor, which would help to intensify the economic development of the leeward area and the entire State of Hawaii: Now, therefore, be it

"*Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, regular session of 1963 (the Senate concurring)*, That the Congress of the United States be and is hereby respectfully requested to appropriate sufficient funds for the construction of a deepwater harbor near Barber's Point upon determination of its feasibility by the study now being conducted by the U.S. Army District, Honolulu, Corps of Engineers; and be it further

"*Resolved*, That duly authenticated copies of this concurrent resolution be forwarded to the Speaker of the House of Representatives and the President of the Senate of the Congress of the United States, and to the members of Hawaii's delegation to the Congress of the United States."

"SENATE CONCURRENT RESOLUTION No. 46

"Concurrent resolution relating to the need for a deepwater harbor near Barber's Point, Oahu

"Whereas Oahu's rapidly expanding economy and population are both dependent in part upon ocean transport; and

"Whereas at present Oahu is served by only one deep-water harbor; and

"Whereas the area around Barber's Point affords an ideal location for a new deepwater harbor, which would help to intensify the economic development of the leeward area and the entire State of Hawaii: Now, therefore, be it

"*Resolved by the Senate of the Second Legislature of the State of Hawaii, regular session of 1963 (the House of Representatives concurring)*, That the Congress of the United States be and is hereby respectfully requested to appropriate sufficient funds for the construction of a deepwater harbor near Barber's Point upon determination of its feasibility by the study now being conducted by the U.S. Army District, Honolulu, Corps of Engineers; and be it further

"*Resolved*, That duly authenticated copies of this concurrent resolution be forwarded to the Speaker of the House of Representatives and the President of the Senate of the Congress of the United States, and to the members of Hawaii's delegation to the Congress of the United States."

A concurrent resolution of the Legislature of the State of Hawaii; ordered to lie on the table:

"HOUSE CONCURRENT RESOLUTION 48

"Whereas the 88th Congress of the United States is presently considering enactment of legislation which would prescribe equal pay rates for equal work and proscribe discriminatory pay rates based on sex for those areas of employment within the jurisdiction of Congress; and

"Whereas the seriousness of problems created by discriminatory pay rate practices is magnified by the fact that women now constitute one-third of the entire working population of our Nation; and

"Whereas enactment of Federal equal pay legislation will serve to encourage parallel legislation by the several States and thus discourage throughout the Nation economic exploitation of women in the work force and encourage a healthy economy in which men workers will not be subject to displacement by women workers who could be employed at lower wage rates; and

"Whereas the legislature of the State of Hawaii takes great pride and satisfaction in the fact that the laws of the State have long provided for equal pay for equal work without regard to the sex, religion or race of the workers: Now, therefore, be it

"*Resolved by the House of Representatives of the Second Legislature of the State of Hawaii, regular session of 1963 (the Senate concurring)*, That the Congress of the United States be and it is hereby requested to take all appropriate action to achieve the enactment of equal pay for equal work legislation; and be it further

"*Resolved*, That duly certified copies of this Concurrent Resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives and to the Members of Hawaii's delegation to the United States Congress."

JOINT RESOLUTION OF OREGON LEGISLATURE

Mr. MORSE. Mr. President, the Honorable Howell Appelling, Jr., secretary of state of the State of Oregon has called to the attention of my colleague, Senator NEUBERGER, and myself, senate joint memorial 2 urging the Congress to enact into law S. 121.

On behalf of Senator NEUBERGER, and myself, I ask that the text of senate joint memorial 2 be set forth at this point in my remarks and that the memorial be referred to the appropriate Senate committee.

For the information of my colleagues I should point out that S. 121 of the 87th Congress is the bill under consideration in the memorial. I also ask unanimous consent that the text of S. 121 of the 87th Congress be set forth in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The joint memorial will be received and appropriately referred; and without objection, the joint memorial and bill will be printed in the RECORD.

The joint memorial was referred to the Committee on Public Works, as follows:

SENATE JOINT MEMORIAL 2

To His Excellency, John F. Kennedy, President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas a question has arisen as to what policy should govern the use of Federal water resources having recreational value; and

Whereas the waters of the coastal ports of Oregon are to a considerable extent within the Federal water resources projects; and

Whereas existing Federal policy takes into consideration industrial development only, and fails to consider recreational development; and

Whereas recreational development and the benefits thereof to the public should be evaluated and charges as an expense thereof should be distinct from other costs of the projects; and

Whereas Senate bill 121 would accomplish these objectives: Now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon:

1. The Congress of the United States is memorialized to enact into law Senate bill 121.

2. The secretary of state shall send a copy of this memorial to the President of the United States, and to each member of the Oregon congressional delegation.

The bill (S. 121) presented by Mr. MORSE is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Water Resources Recreation Act of 1961".

POLICY AND PURPOSE

SEC. 2. It is hereby declared to be the policy of the Congress that full consideration should be given to the recreational purposes that can be served in the formulation, design, construction, and operation of Federal water resources projects hereafter authorized insofar as use for such purpose is compatible with the major purposes for which the project is to be undertaken. Consistent with this policy (1) as an integral part of the planning of any Federal water resources project, there should be included an evaluation of the recreational benefits to be derived therefrom, (2) planning with respect to the development of the recreational potential of any such project (a) should contemplate the coordination of the use of the project area for recreational purposes with the use of existing or planned Federal, State, or local developments in such manner as to achieve maximum net public benefit, and (b) should be carried out jointly with the Secretary of Agriculture if the project is or will be situated within the exterior boundaries of a national forest, and (3) plans with respect to any such project may provide storage and facilities as may be required for recreational use.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "Federal water resources project" means any project involving the development of water resources for purposes of navigation, flood control, reclamation, irrigation, water supply, hydropower, or other purposes which is undertaken by either the Secretary of the Army, acting through the Chief of Engineers, or the Secretary of the Interior, acting through the Bureau of Reclamation.

(2) The term "recreational purposes" means uses from which public recreational benefits may be derived.

(3) The term "recreational benefits" means public benefits of a recreational nature.

APPLICABILITY OF SECTION 4 OF THE FLOOD CONTROL ACT OF DECEMBER 22, 1944

SEC. 4. Except as provided herein, the provisions of this Act are intended to be supplemental to and not in derogation of section 4 of the Flood Control Act of December 22, 1944, as amended (16 U.S.C. 460d), and the provisions of that Act are hereby made expressly applicable to Federal water resources projects of the Department of the Interior as well as the Department of the Army. With respect to any such project of the Department of the Interior, any reference in such section to the Secretary of the Army or the Chief of Engineers shall also be deemed to refer to the Secretary of the Interior.

EVALUATION OF RECREATIONAL BENEFITS

SEC. 5. (a) In addition to such other data as may be prescribed by law, or may be pertinent, there shall be included in any report required to be submitted to the Congress by the Secretary of the Army or the Secretary of the Interior with respect to the development of any Federal water resources project, (1) an evaluation of the annual recreational benefits to be derived therefrom, (2) the annual cost of providing such benefits, including the cost of the additional facilities, if any, to be installed or provided specifically in furtherance of recreational purposes, and (3) the part of the cost of any such project that should be allocated to recreational benefits.

(b) The evaluation of recreational benefits, as provided in this section shall be made by the Secretary of the Army with respect to Corps of Engineers projects or by the Secretary of the Interior with respect to Bureau of Reclamation projects. The President is hereby authorized to prescribe regulations under which each such evaluation shall be made; and the President shall include in said regulations provisions for using in such evaluation of recreational benefits of any project a monetary value of not less than 50 cents per visitor-day of use of that project for recreation.

(c) The total recreational benefit creditable to any project under the foregoing provisions of this section shall in no event exceed the cost of providing comparable water-associated recreation by the least costly alternative means.

ALLOCATION AND FINANCING OF COSTS

Sec. 6. (a) Project costs, including the cost of minimum basic facilities provided pursuant to clause (1) of section 7(a), shall be allocated to the purpose of recreation. Of the costs so allocated not more than 10 per centum of the total cost of any Federal water resources project, including the cost of providing minimum basic facilities pursuant to clause (1) of section 7(a), may be assigned to recreational purposes, except that if the Secretary of the Army or the Secretary of the Interior determines that the recreational benefits to be derived from any such project are needed and that such benefits will have value on a widespread national basis, he may include in any report which is submitted to the Congress with respect to such project a recommendation that a greater amount than 10 per centum of the total cost of the project be assigned to recreational purposes. That part of the total cost of any project assigned to recreational purposes which will result in benefits having value on a widespread or national basis shall be nonreimbursable and nonreturnable: *Provided*, That project costs not so assigned shall be allocated as provided by law.

PROJECT FACILITIES

Sec. 7. (a) In connection with any Federal water resources project, the Secretary of the Army or the Secretary of the Interior is authorized—

(1) to construct, operate, and maintain minimum basic facilities for access to, and for the maintenance of public health and safety and the protection of public property on, lands withdrawn or acquired for the project, and to conserve scenery and natural, historic, and archeologic objects;

(2) to cooperate with interested State and local governmental agencies and others in the investigation and planning of any such project; and

(3) to permit the construction, maintenance, and operation of public park and recreational facilities on project lands.

The minimum basic facilities referred to in clause (1) of this subsection shall be limited to water supplies, sanitary facilities, boat anchorage and launching sites, access roads and parking areas, public camp and picnic sites, overlook stations, clearing of public-use water areas to a reasonable extent, and essential safety measures.

(b) In carrying out the policy and purpose of this Act, as set forth in sections 2 and 4, the Secretary of the Army or the Secretary of the Interior is authorized to permit the construction, maintenance, and operation by non-Federal interests, with preference given to State and local governmental agencies, of such additional facilities as may be necessary or desirable for the full development of any Federal water resources project area for recreational purposes in accordance with the provisions of section 4 of the Flood Control Act of December 22, 1944, as amended (16 U.S.C. 460d).

FISH AND WILDLIFE COORDINATION ACT

Sec. 8. The provisions of this Act are not intended to interfere in any way with operations carried on in accordance with the Fish and Wildlife Coordination Act (16 U.S.C. 661–666c), and no such provision shall be construed to supersede that Act or any of its provisions.

RECLAMATION PROJECT ACT OF 1939

Sec. 9. The second sentence of section 9 (a) of the Reclamation Project Act of 1939, as amended (43 U.S.C. 485h(a)), is amended by striking out "together with any allocation to flood control or navigation made under subsection (b) of this section", and inserting in lieu thereof the following: "together with any allocation (i) to flood control or navigation under subsection (b) of this section, or (ii) to recreational purposes made under the Water Resources Recreation Act of 1960".

PROJECT AREAS WITHIN NATIONAL FORESTS

Sec. 10. (a) Nothing in this Act shall be construed to affect in any way the authority of the Secretary of Agriculture with respect to project areas which are under his jurisdiction.

(b) The authority conferred on the Secretary of the Army and the Secretary of the Interior by sections 4 and 7 of this Act shall be exercised with respect to national forest lands only with the concurrence of the Secretary of Agriculture.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL:

S. 1623. A bill to prescribe a national policy with respect to the determination and disposition of property rights to inventions made in the course of experimental, developmental, and research work conducted under contracts or arrangements with the U.S. Government, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Saltonstall when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 1624. A bill to amend chapter 35, relating to war orphan's educational assistance, of title 38 of the United States Code in order to increase the amount of allowances paid pursuant to such chapter; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD:

S. 1625. A bill for the relief of Sister Nicoletta (Nicoletta Csekey); to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 1626. A bill for the relief of Jack C. Winn, Jr.; to the Committee on the Judiciary.

By Mr. FULBRIGHT (by request):

S. 1627. A bill to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control of Laos (ICC) as provided in article 18 of the Protocol to the Declaration on the Neutrality of Laos; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY (for himself, Mr. Aiken, Mr. Cotton, and Mr. McIntyre):

S. 1628. A bill to consent to an agreement between Hanover School District, New Hampshire, and Norwich Town School District, Vermont, establishing an interstate school district; to the Committee on the Judiciary.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 1629. A bill to revise the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

S. 1630. A bill for the relief of Wah Lee; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 1631. A bill to provide for the construction of recreation facilities in the Belle Fourche Reservoir area, South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. PELL (for himself and Mr. Pastore):

S. 1632. A bill authorizing the Rhode Island Turnpike and Bridge Authority to impose tolls for the use of the bridge across Mount Hope Bay between the towns of Bristol and Portsmouth, in Rhode Island; to the Committee on Public Works.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND:

S. 1633. A bill for the relief of Mrs. Bronislawa A. Benecka; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 1634. A bill for the relief of Teresa Jennie Wu Chien; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 1635. A bill to amend the Internal Revenue Code of 1954 so as to increase to $750 the amount of each personal exemption allowed as a deduction for income tax purposes; to the Committee on Finance.

By Mr. COTTON:

S. 1636. A bill for the relief of Catalina Vera-Pericas; to the Committee on the Judiciary.

By Mr. MORSE:

S. 1637. A bill to amend section 502(a) of the Labor-Management Reporting and Disclosure Act of 1959 so as to provide that bonds required thereunder be for protection against loss by reason of acts of fraud or dishonesty on the part of the individual bonded; and

S. 1638. A bill to make certain additional surety companies eligible, under certain circumstances, to issue surety bonds for purposes of section 502(a) of the Labor-Management Reporting and Disclosure Act of 1959; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Morse when he introduced the above bills, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 1639. A bill for the relief of Sp5. Curtis Melton, Jr.; to the Committee on the Judiciary.

By Mr. BARTLETT (for himself and Mr. Gruening):

S. 1640. A bill for the relief of certain employees of the Alaska Railroad; to the Committee on the Judiciary.

By Mr. PELL (for himself and Mr. Hart):

S. 1641. A bill to provide a statute of limitations with respect to the deportation of aliens lawfully admitted to the United States for permanent residence, and to remove certain distinctions made in the Immigration and Nationality Act between native-born and naturalized citizens; to the Committee on the Judiciary.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA (for himself and Mr. McClellan):

S.J. Res. 84. Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S.J. Res. 85. Joint resolution favoring the display of the U.S. flag at half mast on December 7 (Pearl Harbor Day) of every year; to the Committee on the Judiciary.

(See the remarks of Mr. Dodd when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

AUTHORIZATION FOR CERTAIN FORMER EMPLOYEES OF THE SENATE TO TESTIFY IN A CRIMINAL PROCEEDING

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 149) authorizing certain former employees of the Senate to testify in a criminal proceeding in the U.S. District Court for New Jersey, which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. McClellan, which appears under the heading "Report of a Committee.")

NATIONAL POLICY WITH RESPECT TO DETERMINATION AND DISPOSITION OF CERTAIN PROPERTY RIGHTS

Mr. SALTONSTALL. Mr. President, I introduce, for appropriate reference, a bill to prescribe a uniform patent policy with respect to proprietary rights in and to inventions, discoveries, and improvements realized through Government research and development contracts.

The need for legislation in this vital area is apparent. Twenty years ago, Government research and development contracts were virtually unknown. Since then, Government involvement has increased to such a degree that these contracts have become a major factor in the national economy. This is demonstrated by the fact that during the current fiscal year, the Government will obligate approximately $14.7 billion for research and development.

It is imperative that the participation of the Government in research and development conducted by private concerns be guided by express standards applicable to all departments and agencies of the Government. It is in the national interest that a defined policy exist with respect to proprietary rights arising out of these contracts. Furthermore, sound reason and logic require that these rights be determined by defined public policy considerations which give due recognition to the contributions and efforts of all parties to these contracts. It is for reasons such as these that I have introduced this bill.

The absence of a uniform government patent policy has resulted too often in confusion and uncertainty both within the Government and among private segments of the Nation's economy. A condition such as this requires remedial action. Recognition of the necessity for doing this has been given through various bills introduced in the past to establish such a policy; however, such a bill has yet to be reported out of committee.

My bill provides with certain specific exceptions, that the patent rights of the parties shall be determined at the time when research and development contracts are negotiated. Regardless of how these rights are defined, the Government will always receive an irrevocable, nonexclusive, nontransferable, royalty-free license to any invention developed. In my opinion, this bill insures in a manner consistent with our system of free enterprise the protection of the rights of parties to these contracts.

I believe my bill offers an acceptable basis for the establishment of a uniform government patent policy in the area of research and development contracts.

The PRESIDING OFFICER (Mr. Pell in the chair). The bill will be received and appropriately referred.

The bill (S. 1623) to prescribe a national policy with respect to the determination and disposition of property rights to inventions made in the course of experimental, developmental, and research work conducted under contracts or arrangements with the U.S. Government, and for other purposes, introduced by Mr. Saltonstall, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF CHAPTER 35m, TITLE 38, UNITED STATES CODE, RELATING TO WAR ORPHANS' EDUCATIONAL ASSISTANCE

Mr. RIBICOFF. Mr. President, too often we take for granted the stouthearted officers and men who daily brave great dangers in the defense of freemen.

Once in a while we are dramatically reminded of their cool judgment and selfless devotion. We are reminded of them in the past days by the magnificent performance in space of Major Cooper. And we were reminded of them 7 weeks ago by the tragic loss of the nuclear-powered submarine, the U.S.S. *Thresher*.

When we first learned of this disaster, our hearts went out to the families of the brave officers and men who perished with their ship.

Now I have learned that there is something very specific we can do on behalf of these families. This first came to my attention in a letter from Mr. and Mrs. Manning Harvey, parents of Comdr. John Harvey, skipper of the *Thresher*.

They wrote:

> Thank you so much for your condolences and enclosing the Congressional Record of April 11. We feel we lost a son who made a contribution to our country. Now, do not let our country erect a monumental memorial to those 129 men; instead let our country subsidize the 100-plus children who need education, with a scholarship fund.
>
> We are thankful for America and are left at present with our faith in God and many, many memories of a wonderful son.
>
> Sincerely,
>
> Ann and Manning Harvey,
> *Parents of the Skipper of "Thresher."*

I was deeply moved by this letter. Commander Harvey's parents are absolutely right: We have a responsibility for the education of these children. There are 138 of them—3 over the age of 16.

What opportunities are now available to these *Thresher* children under Government programs? I investigated, and found that, in addition to social security benefits and payments made by the Veterans' Administration, there are several programs for the education of these children.

First, there is the War Orphans Education Assistance Act, which provides $110 a month for 36 months of higher education or certain specialized training.

There are also 30 scholarship programs available to dependents of the active, retired and deceased personnel of the Navy and Marine Corps. Many of these scholarships, however, benefit only one or a few students each year. One of these programs, the Dolphin Scholarship, which provides $420 every year to each of five students, is specifically limited to children of submarine service members.

The Bureau of Naval Personnel, Department of the Navy, Washington, D.C., can give more detailed information.

These benefits, and the loans available under the National Defense Education Act, provide significant help to the *Thresher* families. But after reviewing the benefits, I have come to the conclusion that there is one very important improvement that should be made.

The monthly educational benefit provided by the War Orphans Education Assistance Act was established in 1956. Since then college tuition costs have increased approximately 50 percent. Yet there has been no increase in the monthly payment.

I am therefore introducing today a bill to increase by 50 percent the monthly education allowances under the War Orphans Education Assistance Act. And I want to express my thanks to the parents of Commander Harvey for bringing to my attention the need for this legislation. I hope their eloquent plea will bring a quick response from the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1624) to amend chapter 35, relating to war orphans educational assistance, of title 38 of the United States Code in order to increase the amount of allowances paid pursuant to such chapter, introduced by Mr. Ribicoff, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

TO ENABLE THE UNITED STATES TO CONTRIBUTE ITS SHARE OF THE EXPENSES OF THE INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL IN LAOS—ICC—AS PROVIDED IN ARTICLE 18 OF THE PROTOCOL TO THE DECLARATION ON THE NEUTRALITY OF LAOS

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos—ICC—as provided in article 18 of the protocol to the Declaration on the Neutrality of Laos.

The proposed legislation has been requested by the Secretary of State and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter from the Secretary of State, dated May 20, 1963, in regard to it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1627) to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos—ICC—as provided in article 18 of the protocol to the Declaration on the Neutrality of Laos, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the Department of State such sums as may be necessary from time to time for the payment by the United States of its share of the costs of the operations of the International Commission for Supervision and Control in Laos as provided in Article 18 of the Protocol to the Declaration on the Neutrality of Laos dated July 23, 1962.

The letter presented by Mr. FULBRIGHT is as follows:

MAY 20, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. VICE PRESIDENT: I submit herewith a proposed bill to enable the United States to contribute its share of the expenses of the International Commission for Supervision and Control in Laos (ICC) as provided in article 18 of the protocol to the Declaration on the Neutrality of Laos. The International Control Commission for Laos was reestablished by action of the 1962 Geneva Agreements signed by the United States and 13 other nations on July 23, 1962.

The principal tasks of the International Control Commission for Laos as stated in the protocol are: (1) to supervise and control the withdrawal of foreign military personnel from Laos; (2) to supervise and control the ceasefire in Laos; (3) to investigate cases of illegal introduction of foreign military personnel into Laos; (4) to assist the Government of Laos in cases of illegal introduction of armaments into Laos; and (5) to investigate other possible violations of the provisions of the protocol and the declaration, the most important perhaps being the undertaking by the signatories not to use the territory of Laos as a corridor for interference in the internal affairs of other countries. This article was designed specifically to prohibit North Vietnamese infiltration through Laos into South Vietnam. The Commission is to report these violations to the Cochairmen of the Conference, as well as to report any other information which might assist the cochairmen in carrying out their functions under the protocol.

During the past year, the ICC has played an increasingly important role in thwarting Communist objectives in Laos. Perhaps its most significant contribution to date has been made during the past several weeks when it took a leading role in stopping Pathet Lao attempts to undermine the non-Communist military position in the Plaine des Jarres. Under the leadership of the Indian Chairman, Commission teams were established in the Plaine des Jarres. The presence of the teams undoubtedly helped restore peace and, thus, prevented the situation from deteriorating further. We believe that the Commission will continue to exercise a strongly beneficial influence in Laos and that we should support it in every way possible, and insure through our contributions that it has the means to carry out its responsibilities.

The International Commission for Supervision and Control in Laos was originally established by the 1954 Geneva Accords. It consisted of representatives of three countries: Canada, Poland and India, the latter acting as Chairman.

You may perhaps recall that Laos, although not a major theater of war during the Indochina hostilities of 1946–54, was invaded in that period by Vietnamese Communist forces who allied themselves with the Communist-indoctrinated dissident Lao group known as the Pathet Lao. The Geneva Accords of 1954 provided for a cessation of hostilities in Laos and established an International Control Commission to supervise and control the execution by the parties of the provisions of the accords relating to Laos. For 3 years after the signature of the Geneva Accords of 1954, the Royal Lao Government sought to comply with the terms of the accords, by integrating the Pathet Lao into the national community. The Pathet Lao, however, entrenched in two northern provinces of the country, retained their armed forces intact, and guided and supported by North Vietnam, rejected the Government's efforts until December 1957, when agreements were concluded at Vientiane between the then Prime Minister, Prince Souvanna Phouma, and the Pathet Lao leader, Prince Souphanouvong. Under these agreements the two provinces occupied by the Pathet Lao were transferred to central government control and the Pathet Lao were permitted to form a legitimate political party. Pursuant to the Vientiane agreements Prince Souphanouvong entered the Souvanna government, and a start was made toward integrating the Pathet Lao military units into the royal army. It then appeared that the Geneva Accords as they applied to Laos were well on their way to fulfillment, and in July 1958, at the request of the Royal Lao government, the International Control Commission set up under the accords adjourned and departed from Laos.

The settlement was short-lived, however. In less than a year, the Pathet Lao once again resorted to military action. Aided by growing divisions among non-Communist elements and support from North Vietnam the Pathet Lao embarked upon full-scale civil war. By January 1961, the situation in Laos had become truly explosive and there were widespread fears in the international community that the conflict might soon spread outside Laos. It was under these circumstances that steps were taken by the British and Soviet cochairmen of the 1954 Geneva Conference calling for a ceasefire in Laos, reconvening the old ICC to supervise and control the cease-fire, and convoking the 14-Nation Conference at Geneva for the settlement of the Lao question in May 1961.

The International Control Commission was reconvened in April 1961 on instructions from the cochairmen of the Geneva Conference for the specific purpose of supervising and controlling a cease-fire in Laos. It remained on the ground in Laos for this purpose during the entire course of the negotiations at Geneva. Although its activities were limited because of its restrictive terms of reference, it exercised a generally conciliatory and moderating effect on the situation in Laos.

At the Geneva Conference, new terms of reference were worked out for the Commission. These are embodied in the so-called protocol to the Declaration on the Neutrality of Laos. They provide for the Commission to perform the various functions which are outlined above. I would, however, like to draw your attention to one important aspect of the 1962 agreements. Unlike the 1954 agreements, the Commission can now act on a majority basis in initiating and carrying out investigations. This provision, as recent events have clearly demonstrated, has markedly enhanced the effectiveness of the Commission.

For the performance of these duties, the Commission will, of course, need suitable accommodations and adequate means of communication and transport. The communication and transport equipment must be such as to guarantee the Commission's ability to move quickly around Laos, much of which is almost inaccessible.

Funds for the acquisition of necessary equipment and operating expenses of the Commission and its inspection teams are planned to be met from a central fund. All members of the Conference will contribute to this fund in the percentages specified in article 18 of the protocol. The United States along with the United Kingdom, the Soviet Union, France, and Communist China are to contribute 17.6 percent to the fund. The Governments of Canada, India, and Poland will pay the personal salaries and allowances of their nationals who are members of the Commission, as well as 1 percent of the budgeted costs of the ICC's operations. The remaining members, each of whom will be assessed at the rate of 1.5 percent, are Burma, Cambodia, the Democratic Republic of Vietnam, Laos, the Republic of Vietnam, and Thailand.

It should be noted that U.S. contributions will be required over a period of years. Article 19 of the protocol which deals with the duration of the ICC provides that not later than 3 years after the entry into force of the protocol, or at any earlier time if the Government of Laos so requests, the cochairmen are to present a report to the Conference members for their consideration, the report to contain recommendations on the question of termination of the ICC. Before making the report the cochairmen are to consult with the Government of Laos and the ICC. The final determination as to when the ICC shall terminate is thus left to the members of the Conference. For this reason, the bill has been drafted in the form of a permanent authorization.

A similar communication is being sent to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposal to Congress for its consideration.

Sincerely,

DEAN RUSK.

NORWICH-HANOVER SCHOOL DISTRICT

Mr. PROUTY. Mr. President, I introduce, for appropriate reference, for myself and my colleague, the senior Senator from Vermont [Mr. AIKEN] and the two Senators from New Hampshire [Mr. COTTON and Mr. MCINTYRE], a bill which seeks to grant the consent of Congress to the establishment of an interstate school district between two towns on the border between the States of Vermont and New Hampshire.

Subsequent to the passage of enabling legislation by the legislatures of our two States, the school boards and the people of Norwich and Hanover have worked diligently to adopt an agreement under which this school district may operate in a manner satisfactory to all.

An agreement to this end has been signed. Only consent of the Congress remains to be accomplished in order that what will be known as the Dresden School District may become a functioning unit for the welfare of the people of these two towns in Vermont and New Hampshire.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1628) to consent to an agreement between Hanover School District, New Hampshire, and Norwich Town School District, Vermont, establishing an interstate school district, introduced by Mr. Prouty (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

PROPOSED CONSTRUCTION OF BRIDGE BETWEEN JAMESTOWN AND NEWPORT, R.I.

Mr. PELL. Mr. President, together with my senior colleague, Senator Pastore, I take particular pleasure in introducing a bill that will pave the way toward the building of a bridge between Jamestown and my home city of Newport, R.I.

This is a project that has been very dear and close to the residents of Newport, Portsmouth, and Middletown, on Aquidneck Island, for many years. We believe such a bridge will prove a boon in helping the economic viability of our community, as well as providing great service to travelers going up and down the eastern seaboard. It will establish the necessary link between two portions of our State that will be of mutual benefit to both of them and to the rest of the State.

Bridge building is still vitally needed at some areas on our coast, where often there are no means of transportation at all, or where ferries are still in operation. If vehicle travel along the northeast coast continues to exert ever-increasing pressure, I even envision the day when "steppingstones" of bridges will span the waters between Orient Point, Long Island, and Watch Hill Point, R.I., and Stonington, Conn., areas. But if there is one place where such a bridge is critically needed today, it is across the Jamestown Gap.

I expressly commend Mr. Francis Dwyer, chairman of the Rhode Island Turnpike and Bridge Authority; State Senators Joseph Savage, of Newport, and Thomas H. Levesque, of Portsmouth; and W. Ward Harvey, Esq., of Newport, who in the last month have done an excellent job in a completely bipartisan manner in guiding the State's enabling legislation through the Rhode Island General Assembly.

It is important to note at this time that this legislation will in no way render the Federal Government liable for the expenditure of funds. It merely provides the framework for the collection of tolls on one bridge in the State and the application of these funds to other necessary construction projects. The building of this bridge will be one of these projects.

Mr. President, I ask that the bill be printed in full at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1632) authorizing the Rhode Island Turnpike and Bridge Authority to impose tolls for the use of the bridge across Mount Hope Bay between the towns of Bristol and Portsmouth, in Rhode Island, introduced by Mr. Pell (for himself and Mr. Pastore), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act granting the consent of Congress to the Mount Hope Bridge Company, its successors and assigns, to construct, maintain, and operate a bridge across Mount Hope Bay between the towns of Bristol and Portsmouth, in Rhode Island", approved March 3, 1927 (44 Stat. 1391), is amended by striking out section 3, and inserting in lieu thereof the following new section:

"Sec. 3. That upon title to the bridge which was constructed under the authority of this Act becoming vested in the Rhode Island Turnpike and Bridge Authority, created by chapter 3390, Public Laws of Rhode Island, 1954 (chapter 12 of title 24, General Laws of Rhode Island, 1956) upon the terms and conditions provided for in said chapter 12, as heretofore amended, said authority shall be authorized to fix, charge, and collect tolls for the use of said bridge and to apply the same in accordance with the provisions of said chapter 12, as heretofore amended, and to combine said bridge for financing purposes with any other bridge financed by said authority under the provisions of said chapter 12, as heretofore amended."

AMENDMENT OF BONDING PROVISIONS OF LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. MORSE. Mr. President, I introduce, for appropriate reference, two bills to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959.

It is the purpose of these bills to conform bonding provisions of Landrum-Griffin with those in the Welfare and Pension Plans Disclosure Act amendments adopted last year.

You will recall that the Landrum-Griffin bonding provisions were drafted in the course of the debate on S. 1555. You will also recall that there were a number of parties interested in the bonding proposal and during the heat of that debate, all of them joined to produce in a single night the bonding language that eventually became a part of the law.

It was not until some months after the enactment of Landrum-Griffin that it was discovered that the form of the bond drafted under such difficult conditions during the debate was altogether unknown to the bonding business.

Let me be more precise. Landrum-Griffin specified a bond "for the faithful discharge of duties." This was a concept entirely new to the bonding business. Up to that moment the bond used by fiduciaries were honesty bonds, providing protection against loss by reason of acts of fraud or dishonesty.

This, of course, meant that the surety companies were required to develop a rate structure for the new bond without having experience to guide them. The rates were extremely high for the first year and have been reduced periodically since.

Just 14 months ago the Congress enacted the 1962 amendments to the Welfare and Pension Plans Disclosure Act which provided for the bonding of the administrators, officers, and employees of employee welfare benefit plans and of employee pension plans. The two laws overlap. A sizable number of the plans subject to bonding under Landrum-Griffin were covered by the newly enacted bonding provisions of the Welfare and Pension Plans Disclosure Act. However, by this time we had learned our lesson. The new bonding provisions in the 1962 bill required an honesty bond, providing protection against loss by reason of acts of fraud or dishonesty.

The 1962 law also provided that its provisions would supersede the Landrum-Griffin provisions to the extent that the two overlapped.

It is precisely for this reason that I now offer an amendment to Landrum-Griffin to make it conform to the bonding provisions of the 1962 law.

There is no reason in commonsense or in justice for continuing any distinction between these parallel laws. It is time to correct our error of 1959 by providing for the more practical and more realistic type of honesty bond described in the 1962 action.

My second amendment proposes to correct a second misfire in the bonding provisions of Landrum-Griffin.

As in the case of the amendment which I have just described, I propose to conform the Landrum-Griffin provisions to those of the recently enacted Welfare and Pension Plans Disclosure Act. Landrum-Griffin provides that all bonds which it covers must be issued by a "corporate surety company which is an acceptable surety on Federal bonds under authority granted by the Secretary of the Treasury." This is a rigid and an inflexible provision which enables the bonding companies to decide, in the final analysis, whether an officer or employee of a union may function. Arbitrary refusals by any bonding companies to issue these bonds would, under the literal language of the provision, result in an absolute disqualification of all union officers or employees and would thus have the effect of paralyzing the union.

The comparable problem was faced in the development of the bonding provisions in the Disclosure Act of 1962. The 1962 bonding provisions were made sufficiently flexible to avoid the incongruities contained in Landrum-Griffin. The Secretary of Labor was given authority to exempt any plan from the bonding requirements of the 1962 law if he found that "other bonding arrangements would provide adequate protection of the beneficiaries and participants." It is precisely this kind of flexible authority which is lacking in Landrum-Griffin and which is urgently needed. My second amendment proposes to repair this deficiency by following the procedures and principles specified in the Welfare and Pension Plans Disclosure Act Amendments. As in the case of the 1962 law, the amendment would add the following to the bonding provisions of Landrum-Griffin:

> *Provided, however,* That when in the opinion of the Secretary of Labor a labor organization has made other bonding arrangements which would provide the protection required by this section, he may exempt such labor organization from placing a bond through a surety company holding such grant of authority.

This provision would give the Secretary of Labor broad authority to carry out the objectives of the bonding provision by specifying adequate protection for the funds within the framework, of course, of the policies of the entire act.

Certainly it was never intended that these provisions be used as a basis for destroying or crippling labor unions. Under the amendment which I now offer, the Secretary would have ample power to insist upon the usual bonding arrangements with approved sureties or, in special circumstances such as arbitrary refusals to issue bonds, the Secretary could accept a cash bond or other bonding arrangements with other sureties, such as Lloyd's, which in his judgment, would provide the protection required by this section.

These reforms are long overdue, and it is my hope that they will be given immediate attention by the Senate.

The **PRESIDING OFFICER.** The bills will be received and appropriately referred.

The bills, introduced by Mr. MORSE, were received, read twice by their titles, and referred to the Committee on Labor and Public Welfare, as follows:

> S. 1637. A bill to amend section 502(a) of the Labor-Management Reporting and Disclosure Act of 1959 so as to provide that bonds required thereunder be for protection against loss by reason of acts of fraud or dishonesty on the part of the individual bonded; and
>
> S. 1638. A bill to make certain additional surety companies eligible, under certain circumstances, to issue surety bonds for purposes of section 502(a) of the Labor-Management Reporting and Disclosure Act of 1959.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO CASES WHERE THE PRESIDENT IS UNABLE TO DISCHARGE THE POWERS AND DUTIES OF HIS OFFICE

Mr. HRUSKA. Mr. President, on behalf of the Senator from Arkansas [Mr. MCCLELLAN] and myself, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution to correct the pressing problem of Presidential disability.

It is my understanding that the distinguished chairman of the Constitutional Amendments Subcommittee [Mr. KEFAUVER] intends to hold hearings in the near future on Senate Joint Resolution 28 and Senate Joint Resolution 35, which pertain to this subject. The instant joint resolution is introduced today in order that it can be considered by the subcommittee along with them.

While this joint resolution is similar to Senate Joint Resolution 35, it differs in one important respect. In delegating the power to the Congress to enact an appropriate method to determine Presidential disability, the amendment requires that whatever method is adopted adhere to the coequal character of the three branches of Government. In other words, the procedure devised by the Congress for determining the commencement and termination of a disability must be compatible with the doctrine of a separation of powers so as to prevent the domination of one branch over another

Because of the many diverse methods proposed for determining disability and the practical impossibility of agreeing upon any one at this time, the adoption of this amendment, it is believed, would be a sensible first step toward clarifying the situation which possibly itself might lead toward a solution both legally sound and politically feasible.

Mr. President, I ask unanimous consent that the text of the joint resolution may be printed in the RECORD.

The **PRESIDING OFFICER.** The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 84) proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office, introduced by Mr. HRUSKA (for himself and Mr. MCCLELLAN), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress.
>
> "ARTICLE —
>
> "SECTION 1. If the President dies, resigns, or is removed from office, the Vice President shall become President for the remainder of the term to which the President was elected.
>
> "SEC. 2. If the President becomes unable for any reason to discharge the powers and duties of his office, they shall devolve upon the Vice President, who shall then act as President until the disability of the President be removed, or the term of office of the President shall expire. Congress shall have the power to establish a procedure to determine the inability of the President to discharge the powers and duties of his office; but such procedure must be compatible with the maintenance of the three distinct departments of government, the legislative, the executive, and the judicial and the preservation of the checks and balances between the coordinate branches. Congress shall provide by law, for the case of the removal, death, resignation, or inability of both the President and Vice President, declaring what officer shall then act as President; and such officer shall act accordingly, until the inability be removed, or the expiration of the term for which both officers had been elected.
>
> "SEC. 3. Article II, section 1, paragraph 6 is hereby repealed."

FLYING OF THE FLAG AT HALF STAFF ON EACH PEARL HARBOR DAY ON ALL PUBLIC PLACES

Mr. DODD. Mr. President, a few weeks ago I had the good fortune to speak at the Black Rock School in Bridgeport, Conn. I was invited to speak there by one of the teachers, James J. Curiale, who has developed an approach to the teaching of history and the fostering of good citizenship that has attracted wide interest and has resulted in three awards from the Freedoms Foundation at Valley Forge.

Mr. Curiale has asked me, in behalf of his students, to introduce a joint resolution providing that on each Pearl Harbor Day flags on all public places will be flown at half staff in remembrance of those who have given their lives in defense of this country and as a reminder of the many sacrifices that must be made in defense of freedom.

I think that this would be an extraordinarily appropriate way to commemorate Pearl Harbor Day and I am happy to introduce this joint resolution of the students of the Black Rock School in the hope that it will receive favorable consideration by the Senate and the House.

I ask unanimous consent that the text of the joint resolution be printed at this point.

The **PRESIDING OFFICER.** The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 85) favoring the display of the U.S. flag at half mast on December 7 (Pearl Harbor Day) of every year, introduced by Mr. DODD, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

> Whereas many American lives were lost at Pearl Harbor on December 7, 1941; and
>
> Whereas this great sacrifice was made in the defense of liberty and for the protection of the free people of the United States and the world; and
>
> Whereas in today's turbulent world, with the evil hand of communism attempting to envelope the free peoples of the world, it is necessary to keep the memory of their sacrifice ever present in the minds of all so that we may always be aware of the unending struggle to protect man's freedom: Therefore be it
>
> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress of the United States request the President to order the display of the U.S. flag at half staff on Pearl Harbor Day, December 7, and each year henceforward, in remembrance of those brave men who gave their lives at Pearl Harbor in defense of their country and also in recognition of the many sacrifices that must be made in the cause of freedom.

EXTENSION OF TIME FOR SENATE BILLS 1590 AND 1591 TO REMAIN AT DESK FOR ADDITIONAL COSPONSORS

Mr. COOPER. Mr. President, I ask unanimous consent that Senate bill 1590, and Senate bill 1591, introduced on May 23 by the senior Senator from Connecticut [Mr. DODD] and myself, lie at the desk until the conclusion of business on Friday, June 7, so that other Senators desiring to join in the bills may become cosponsors.

At this time, 31 Senators have become sponsors of S. 1590, which authorizes the Attorney General to initiate suits, in the name of the United States and at its expense, to enforce the equal rights of all citizens to attend public schools without discrimination. Thirty-two Senators have so far become sponsors of S. 1591, entitled the "Public Accommodations Act of 1963," which would prohibit discrimination in certain businesses licensed by the States or their subdivisions and which hold themselves out for public patronage.

Senator Dodd and I are pleased that the following Senators have already joined as cosponsors of both S. 1590 and S. 1591; Mr. Anderson, Mr. Bayh, Mr. Beall, Mr. Case, Mr. Douglas, Mr. Fong, Mr. Gruening, Mr. Hartke, Mr. Humphrey, Mr. Inouye, Mr. Javits, Mr. Keating, Mr. Kuchel, Mr. Long of Missouri, Mr. McCarthy, Mr. Metcalf, Mr. Morton, Mr. Moss, Mr. Nelson, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Symington, and Mr. Williams of New Jersey. In addition, Senator Allott has joined the school desegregation bill, S. 1590, and Senators Boggs and Morse have joined the public accommodations bill, S. 1591.

The PRESIDING OFFICER. Without objection, the bills will remain at the desk, as requested by the Senator from Kentucky.

NOTICE OF POSTPONEMENT OF HEARING ON NOMINATION OF FRANK KOWALSKI TO BE A MEMBER OF THE SUBVERSIVE ACTIVITIES CONTROL BOARD

Mr. JOHNSTON. Mr. President, on behalf of the Committee on the Judiciary, this is to give notice that the public hearing scheduled for Tuesday, June 4, 1963, at 10:30 a.m., in room 2228 New Senate Office Building, before the Subcommittee to Investigate the Administration of the Internal Security Act and other internal security laws, on the nomination of Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board for term expiring August 9, 1966, has been postponed until further notice.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. COOPER:

Address delivered by Senator George D. Aiken, before the Conference on Cooperatives and the Future, on April 29, 1963.

By Mr. BURDICK:

Address delivered by Senator Hubert Humphrey, before the Conference on Cooperatives and the Future, on May 8, 1963.

By Mr. BENNETT:

Address of Senator A. Willis Robertson, before the Third National Mortgage Conference of the American Bankers Association, Washington, D.C., on May 28, 1963.

By Mr. THURMOND:

Column entitled "Power a Dictator Would Usurp: U.S. Brief on Using Troops in Alabama Would Open up Vast Area of Coercion," written by David Lawrence, published in the Evening Star, Washington (D.C.), on May 27, 1963; and newsletter distributed by him, entitled "On Preserving Order."

ARMENIAN INDEPENDENCE DAY

Mr. SALTONSTALL. Mr. President, on May 28, 1918, just 45 years ago today, the Armenian nation defeated Turkey in battle and proclaimed itself an independent republic. The Armenians had been threatened with total extermination, and they waged a valiant battle to defend their liberty and independence. That victory was highly beneficial to the Allied cause, and provided the opportunity for the establishment of the first democratic government in the eastern Asia Minor region.

The people of Armenia were faced with many problems in their attempt to rebuild their nation following the war. The political situation was chaotic, and the outlook for the establishment of a lasting government did not seem promising. Poverty, famine, and disease were rampant. The fighting had left destruction and ruin in its wake. The Armenians made remarkable strides, however; and within 1 short year they had set up efficient administrative machinery to govern the state, and, with assistance from other nations, in large measure the United States, they were moving rapidly toward the solution of their economic and social problems.

By 1920, however, Armenia had succumbed to Russian military aggression, and became the first nation to fall under the domination of the Soviet regime. For one brief period in 1921 the Armenians fought back, and reestablished their independence. However, a feat of such magnitude needed more than the will and determination of the Armenian people; it required outside assistance. Such assistance was not forthcoming; and by August of 1921, the Soviets had made their control and domination complete.

Throughout much of their history, the Armenian people have been subjected to oppression, slavery, and control by alien forces. Armenians who managed to escape from their native land have proved themselves worthy citizens in the nations in which they have relocated. We in Massachusetts have a notable group of these people, and they have made many fine contributions to our Commonwealth. The Armenians who remain subjected to Red tyranny still maintain their strong, innate belief in liberty and freedom. It is fitting that we join with all people of Armenian descent in looking forward to the day when their homeland may once again number itself among the free and independent states of the world.

Mr. KEATING. Mr. President, it is a pleasant yet somber experience today to join my colleagues in the Senate and the free Armenian people throughout the world in celebrating the 45th anniversary of Armenian independence.

It is a pleasant occasion, in that we rejoice in the memory of this tiny country which was once free and whose people have never lost that great spirit to regain the liberties they once enjoyed. The courageous Armenians remain silently dedicated to their lost privileges in the hope that one day they will be revived.

Yet today is a very somber and sobering occasion when one recalls that the history of freedom in Armenia was so short-lived. After centuries of rule by foreign powers—the Ottoman Turks, the Persians, and the Russians—the Armenian people established a free republic on May 28, 1918. Yet the price of freedom was a stiff one: the war had devastated Armenian property and had taken a heavy toll of Armenian lives.

After their gallant efforts to attain independence and then to retain these liberties, the Armenians once again lost their freedom after a bitter clash with the Turkish state and Soviet Russia. Now the dark cloud of Soviet tyranny looms low over this small country. Armenian property is being exploited by Soviet imperialists and the people are silenced and subject wholly to the dictates of the Kremlin.

Mr. President, the Armenians have never lost sight of their national goal. On this independence day, let us as Americans join with the free Armenians throughout the world in their pledge to the liberty of their kinsmen in this captive nation. National independence for all people now suffering under the yoke of Communist oppression must not merely be an ideal but a goal that will and must be recognized if the cause of freedom is to survive in this world.

Mr. JAVITS. Mr. President, the 45th anniversary of Armenian Independence Day which is being celebrated this year on May 28 commemorates the establishment of the Republic of Armenia in 1918. After 500 years of servitude and persecution, the Armenian people established for the first time in the eastern Asia Minor region a stable democratic government allied to the West, and it was quickly recognized by the United States and the other Western Powers.

Armenian independence from Turkey and Russia, however, was shortlived. In 1920 the Armenian Republic became the first victim of Soviet military aggression, the Red armies quickly overrunning the country in the same manner that they conquered the Baltic countries later that year.

I feel privileged to be able to join Armenian Americans throughout the Nation who are celebrating this memorable anniversary in order to keep fresh the memory of the heroism of the Armenian fighters of World War I, and to help bring hope and comfort to their compatriots today who are keeping alive the flame of liberty in spite of Soviet tyranny and harsh restrictions.

Mr. PROXMIRE. Mr. President, today marks the 45th anniversary of Armenian independence. On this date 45 years ago the Armenian National Council declared Armenia an independent nation. This infant republic was soon aided by free nations the world over. In May of 1920 the first American ship loaded with 2,000 tons of flour arrived in Batum followed a week later by another ship bearing 10,000 more tons.

American Armenians raised $2 million to aid in the rebuilding of their fatherland. Presently, there was a homecoming of Armenians from every part of the globe bringing with them the materials and knowhow to transform their country's industrial, agricultural and intellectual climate.

The life of the burgeoning nation was cruelly terminated by the Communists when the Red Army invaded Armenia and made her subject to the U.S.S.R. Despite a revolt in December of 1920, which constituted the only instance in Soviet history when an outraged people rebelled and restored its independence until the Hungarian uprising, the return of overwhelming Communist forces resulted in the final Sovietization of Armenia.

Today we join with Armenian Americans in celebrating this anniversary as a reminder to the world of the heroism of this small nation in her struggle against the tyranny of her Communist oppressors. We can be proud of such Armenian Americans as playwright and author, William Saroyan, football coach Ara Parseghian, movie producer Rouben Mamoulian, and restaurateur George Mardikian who has resettled so many of his countrymen from the Middle East in Western democratic countries. We can also reaffirm to all Armenians suffering under the bonds of Red oppression our belief in the traditions which they so courageously established in their homeland in 1918 and our determination that some day in the not too distant future Democracy will triumph over totalitarianism in Armenia. I am sure that when this day arrives Armenians will participate in a second homecoming which will dwarf the first and once again establish Armenia as a bastion of democratic ideals.

Mr. KENNEDY. Mr. President, today marks the 45th anniversary of the establishment of the independent Republic of Armenia. This day in 1918 was a momentous event in the history of the Armenian people.

The freedom-loving Armenian people have a tradition of independence extending back to the earliest pages of recorded history, and their fiercely independent nature is legendary. After many years of foreign domination, the Republic of Armenia was established in 1918, fulfilling the aspirations of all Armenians for freedom.

On December 2, 1920, this free state became one of the first victims of Communist aggression. Even then, the Armenian people rose up against the Communist tyranny. In the February Revolt of 1921, these brave citizens not only drove the Communists out of their country but reestablished their Republic. Finally, however, this rejection of Communist rule was suppressed by the overwhelming weight of Soviet military forces.

The meaning of Armenian Independence Day has not been forgotten. Americans know the significance of the birthday of a free nation, and the birth and tragic death of the Republic of Armenia has a special significance. I am confident that all Americans join in the hope for liberty for Armenia, and I believe that the observance of this occasion will keep that hope alive and strong.

Mr. WILLIAMS of New Jersey. Mr. President, the late President Wilson is remembered for many of his lofty and noble ideals. He is also honored for his statesmanlike utterances and solemn declarations. Even today he occupies a warm place in the hearts of suppressed and downtrodden peoples, who, in the uneven course of their history, have lost their freedom and live under the abominable regimes of hated alien conquerors. When these people heard Wilson's declaration of the inalienable right of national self-determination during World War I, they all found in him the true champion of their national cause. The Armenian people in particular consider Wilson as a kind of patron saint of their national cause, for they attained their freedom in 1918 only after Wilson's unmistakably clear declarations on elemental human rights.

Armenians lost their national political independence many centuries ago. To be exact, from the year 1071 to 1918 Armenia was under its conquerors, and of course freedom and national independence were denied to the Armenian people during all that time. Yet during these centuries, whether suffering under cruel tyrannies at home or enduring many hardships in dispersion, Armenians never lost sight of their national goal. Through the sustained efforts of their persevering leaders this goal was kept before their eyes. And the lesson they mastered in the school of adversity was not forgotten. They learned to appreciate the real value of national freedom and therefore worked more fervently for its attainment.

It is unfortunate that the eventual attainment of this freedom had to be accomplished at the stunning cost of more than 1 million Armenian dead in the Turkish massacres and deportations of the First World War. Yet so sweet seemed the reward, and so noble the ideal behind that reward that even such terrifying sacrifices were not made grudgingly. And on May 28 of 1918, when Armenians proclaimed their national independence and founded the Armenian Republic in the northeastern part of historic Armenia, all past miseries and sufferings seemed, for the moment, to have vanished. Such was the joy and gladness evoked by that memorable and historic event.

Today in celebrating the 45th anniversary of that event we think of the electrifying days of November 1918, followed by the disturbing sequel of interwar years. Armenian independence, regained after the lapse of some 800 years, was lost again in the fall of 1920. In December of that year it was crushed by the combination of Turkish nationalist and Russian Communist forces.

Since then Armenia has been under Soviet rule and of course the Armenian people are not allowed to celebrate their independence day there. But we in the free world and particularly in this great Republic can celebrate that anniversary, joining the people of Armenia in spirit, in the firm belief that the forces of darkness and tyranny cannot permanently choke off the spirit of freedom among the Armenian people.

Mr. SCOTT. Mr. President, today is the 45th anniversary of Armenian Independence Day. It was on May 28, 1918, that that valiant people, after 500 years of servitude, turned on their oppressors and created the independent Republic of Armenia.

Their success, unfortunately, was short-lived, for in 1920 Armenia became the first victim of Soviet military aggression.

All of us should join with our many fellow Americans of Armenian descent in commemorating this day, not only to honor the heroes of 1918, but to bring hope to those now suffering the brutal bonds of Red tyranny.

CIVIL DEFENSE IN PORTLAND, OREG.

Mr. YOUNG of Ohio. Mr. President, it was startling to read in today's newspapers that, following the decision of the city council of Portland, Oreg., by a vote of 4 to 1, to abolish that city's civil defense program as of next July 1, on the ground that the civil defense shelter program would be useless in a nuclear war. Federal Civil Defense officials now seek to win Portland back into the national civil defense program from which the city last week withdrew. The vote in the city council was almost unanimous. The mayor of that city cast the one vote to the contrary.

Assistant Secretary of Defense for Civil Defense Steuart L. Pittman telegraphed the city council of Portland, Oreg., that he would come to Portland, if necessary, to state the case for civil defense. In other words, he desires to use his persuasive powers to interfere with home rule and local self-government in an effort to persuade the city council of Portland, Oreg., to readopt a defeatist attitude—and it is a defeatist attitude to continue to vote millions and millions of dollars of taxpayers' money for holes in the ground called fallout shelters. Gen. John Medaris has said that he thought such a program was useless and "would convert our people into a horde of rabbits scurrying for warrens where they would cower helplessly while awaiting the coming of a conqueror." I recall that the same persuasive tactics now proposed for Portland by Assistant Secretary of Defense for Civil Defense Pittman were once tried upon me.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. YOUNG of Ohio. Assistant Secretary of Defense for Civil Defense Pittman has had excellent training in the art of persuasion. He was a successful attorney at law in Washington, D.C., before he was made an authority on civil defense matters. Also he has been connected with the AID program, where he presumably acquired the necessary training, skill, and experience in giving away millions of dollars of our tax money.

I recall that when Frank Ellis was named Director of the Office of Civil and Defense Mobilization the same process of argumentation and persuasion was undertaken. I was entertained by Mr. Ellis, a very fine gentleman who is now a judge of the U.S. courts. At that time two lieutenant generals, with charts and other information, spent almost 2 hours in what is called a briefing, trying to convince me that there should be a fallout shelter program and that millions of dollars should be spent upon it.

In order to have an effective shelter program it was estimated that the expenditure required would be $20 to $200 billion. They tried to persuade me that we ought to have such a program, even though our allies, England and France, had no such program.

I assure Senators that it was not too difficult for a humble person like myself—one who has been a private in our Armed Forces and never rose higher than lieutenant colonel—to be persuaded by lieutenant generals with charts, until I found, upon questioning them, that they really did not know as much about the shelter program as I did, and that they did not realize that the advance of science would make utterly useless next year a fallout shelter program that might be of some effect this year.

I am sure that the withdrawal of Portland from the civil defense program will be the first of many withdrawals as State and local officials throughout the country come to learn that civil defense has been a huge boondoggle, already costing the taxpayers of our country over $1,300 million. As properly stated by Portland City Commissioner Stanley W. Earl, the civil defense shelter program would create a sense of false security. There is no falling back on a fallout shelter.

He is an elected official. It seems to me that appointive Federal officials are presumptuous in trying to persuade Portland officials against their will and against their judgment to reverse a decision which they in their wisdom have adopted.

Mr. President, we in America believe, or should believe, in home rule and local self-government. The city council of Portland, Oreg., led by City Commissioner Stanley Earl, has decreed that civil defense with 11 full-time employees sitting around waiting for the bomb to drop is futile, wasteful, and worthless. The city council action will definitely end the federally financed fallout shelter program on next July 1. I pay tribute to those city fathers for their wisdom and commonsense. They deserve praise for their action to end a program that would be utterly useless in a nuclear war were one to be waged against us by the Soviet Union. Such a war seems remote indeed so long as we maintain our tremendous air and missile power and capability.

We have the power, as Khrushchev and other Communist leaders know, to annihilate and utterly destroy by our almost instant retaliation every airfield within the Soviet Union, every missile base with such missiles as have not already been fired, and 100 Russian cities. The facts are, we could not only sustain a surprise attack, although we suffered heavily, but we could sustain any attacks immediately following and still send our missiles of death and destruction and our air power to hit on target all missile and airbases, industrial complexes, and cities, in the Soviet Union.

Communist dictators respect and fear our strength. The power of our Armed Forces is and has been our best defense. Surely the defense of our civilians is a major factor in the defense of our country. Let us, however, follow the example of the city fathers of Portland, Oreg. The commonsense and intelligence of Americans in all walks of life call for an end to the defeatist psychology engendered and promulgated by those political appointees occupying civil defense offices in our cities, States, and in the Nation.

Commissioner Earl stated most intelligently and truthfully that "the civil defense shelter program creates a sense of false security." He said, "since the hydrogen bomb has been developed, civil defense shelters are useless."

It is noteworthy that at the height of the Cuban crisis last year the people of Portland voted down a $75,000 a year tax to support the city's civil defense agency.

Assistant Secretary of Defense Pittman has been placed in an awkward position. The fact is that he is scheduled today to go before the Armed Services Subcommittee of the other body and plead for another $175 million appropriation, which he will claim is necessary to meet shelter, ventilation, and other deficiencies.

I want the people of my country to know the facts—the truth. I want them to know that a civil defense fallout shelter program to be at all effective and to provide real protection would cost our taxpayers at least $100 billion. It would seem such a vast expenditure is unthinkable. If such a program of fallout shelters is really thought to be insurance, then the premium of so many billions of dollars is so outrageously exorbitant that serious-minded, thoughtful persons not intent on holding down jobs and feeding at the public trough would repudiate such an expenditure. Furthermore, who knows, in view of the rapid advance of science, that there would be any justification for such an expenditure in 1, 2, or 3 years.

As an example of squandering of taxpayers' money in one city alone, I refer to the statement made at the council meeting at Portland, Oreg., that the local civil defense agency there has $1 million in equipment on hand. Much of this equipment is obsolete. Much of it should not have been purchased in the first place. Furthermore, the 11 full-time officials and employees occupy a $650,000 headquarters and spend money taken from local taxpayers—$110,000 was requested this year—in addition to Federal money handed over under authority of Assistant Secretary for Civil Defense Pittman.

Again congratulating the city officials of Portland, I commend them also for the proposal sponsored by Commissioner Earl. Following the time Portland citizens rejected a $75,000 special levy for the civil defense agency, he said he was proposing a disaster relief program whereby but a fraction of approximately $110,000 sought for civil defense for the coming year would be appropriated and that police, fire, health, and other regular city departments would furnish leadership as they always have when some disaster of nature such as windstorm destruction, fires, and floods threaten communities. Furthermore, various media such as newspapers, radio, and television are available to be used for instruction on emergency procedures.

Mr. President, the actions of authorities in Portland, Oreg., is merely another indication that the patience of American citizens has been exhausted and that there is a feeling of outrage throughout the country over communities' squandering of huge sums of taxpayers' money on civil defense. Civil defense officials in the Federal Government in Washington are in the forefront of those making these expenditures. Let us hope that Assistant Secretary for Civil Defense Pittman meets a rebuff in Portland, and that commonsense prevails over persuasion, scare words, and the dangling of Federal funds held in front of city and State officials for useless civil defense shelter programs.

DEATH OF LOUIS LIPSKY

Mr. KEATING. Mr. President, yesterday the American Zionist movement lost one of its most distinguished elder statemen and foremost leaders with the death of Louis Lipsky.

Mr. Lipsky was born in my home city of Rochester, and those of us who have followed his career have developed through the years an ever-increasing respect and admiration for him as an individual and for the magnificent job he did in furthering a cause he held so dear to his heart. He gave of his vast energy and wonderful talent unstintingly to help his fellow men, and his death is a great loss to his State and his Nation.

He served at various times as president of the Zionist Organization of America; as chairman of the Palestine Foundation Fund, of the United Palestine Appeal, of the American Zionist Conference, of the American Zionist Council, and of the Central Committee of the World Jewish Congress; and as vice president of the American Jewish Congress.

I extend my most sincere condolences to his bereaved loved ones and join in the thousands of his friends who mourn his death.

ISRAEL'S 15TH BIRTHDAY

Mr. KEATING. Mr. President, on April 29 the people of Israel celebrated their 15th birthday. On that day, people throughout the country, in fact the world, paused and reflected upon the amazing growth of this dynamic and young Republic.

Israel's heritage has contributed significantly to the progress of mankind. Her varied and numerous contributions in the fields of education, science, art, literature, and music have increased and enriched the knowledge and culture of the world. But perhaps more important is the spectacular example Israel has set as a showcase for representative government. Since her aspirations for liberty and justice were realized only a little more than 15 years ago, Israel's growth and progress have been magnificent in the eyes of the free world. For the very reasons that a spirit of freedom pervades the land and that Israel's ultimate aspirations and ideals are so intertwined with our own, the United States must not adopt a shortsighted policy and neglect the very trying problems facing this young Republic today. The United States must continue to make every effort to sustain the security Israel has so valiantly sought—security now threatened by new outbursts of Arab militarism and belligerence.

Mr. President, on the occasion of her 15th anniversary, a very sensitive and wonderful tribute was paid to Israel by Rabbi Julius Kerman of Temple Hesed Abraham in Jamestown, N.Y. Rabbi Kerman's address expresses both the hope and the confidence Israel has for her future.

Mr. President, I ask unanimous consent that following my remarks the text of this address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ISRAEL'S 15TH BIRTHDAY AND THE WORLD'S MORAL NATURE

Monday, April 29, was Israel's 15th birthday. Again we review Israel's accomplishments in the various fields of endeavor. Its most outstanding achievement is in the field of statecraft. Israel is an outpost of democracy in the Near East, an area ruled by unstable totalitarian governments.

Israel's progress in the 15 years of its existence is amazing. Beginning with a population of 650,000, it now exceeds 2 million. In 15 years small Israel absorbed more than a million immigrants. More than half of these newcomers came from Arab lands in Asia and in North Africa; there were almost as many of them as the number of Arabs who fled Palestine when the six Arab states attacked newly-born Israel. The Jews from the Arab lands came to Israel destitute; they had been robbed of all their possessions; some had even been stripped of clothing. Israel rehabilitated them, taught them trades, and made useful citizens of them. The several Arab states with vast, unpopulated areas and huge oil income, could have easily and profitably absorbed the Arab refugees.

The truth is that the underpopulated Arab states, Syria and Iraq, treated the Palestinian refugees as inferior Arabs, as undesirables, and barred them from their countries. Egypt likewise, fed them hate-propaganda instead of bread. The refugees in the Gaza Strip were—and still are—kept out of Egypt proper. The Arab world is not in the least interested in the welfare of their brother refugees; they only exploit the refugee situation, which they created and which they perpetuate, as a weapon against Israel. Their representatives at the U.N. shed crocodile tears over the Arab property left behind in Israel, for which the Israeli Government offered payment, but they never mention the property which the Jews were compelled to leave behind in Arab lands. Their mentality is similar to that of the proverbial Hottentot: "If I steal your cow, that is good; if you steal my cow, that is bad." It is a serious question calling for serious, unbiased study as to who lost more property, the Jews or the Arabs?

Israel's progress in the 15 years is the result of hard work and careful planning. Of all the changes one sees in Israel, the people themselves are the most interesting. Former city dwellers who were barred from contact with the soil by centuries of discrimination, have become successful farmers. Fifteen years ago Israel did not have enough food for its small population. Now, with its population more than trebled, Israel has an overabundance of food, even a surplus for export. Hard work and scientific skill have yielded these results.

Israel's cooperative villages are now objects of study and imitation by many nations, Asian, African, and even European. Indian groups have been living in Israeli kibbutzim, learning their methods of agriculture, yet Prime Minister Nehru, intimidated by the Arabs, refuses to recognize Israel diplomatically.

A linguistic miracle was performed in Israel. The immigrants came from 80 different countries, bringing 80 different languages, and dialects, but the revival of Hebrew enabled the fusing of the heterogeneous elements into one nation. India similarly suffers from a multiplicity of languages and dialects, creating political difficulties and complications, and even strife. India, therefore, is very much interested in Israel's linguistic experience. A professor from the Hebrew University was invited to lecture in Indian universities on the revival of Hebrew; but Nehru still behaves as if Israel were nonexistent.

Israeli educators, technicians, and advisers can be met in many lands, new and old. All this is done modestly, quietly, and without fanfare. Israel has neither money nor skills to spare, but, when a new nation, or even an old one, asks for help, Israel does its best to oblige.

Israel looks into the future with hope and confidence. Success has not turned the heads of its leaders. They crave no power. They cherish no expansionist dreams. They plot no aggressive moves against their neighbors. They want peace. There is much work to be done in their small land; there is much wasteland to be reclaimed, on which many more Jews in need of homes and freedom, can be settled. Israel and its leaders prefer the book to the sword.

But they are aware of grave dangers ahead. Their offer of peace has been steadfastly refused by their Arab neighbors. They have heard Nasser of Egypt threaten again and again that he would destroy Israel, wipe it off the face of the earth, drive it into the sea.

Israel's leaders understand Col. Nasser's hysterical vindictiveness: their small novice army had defeated him twice. The memory of those defeats is very bitter to a military person who nourishes grandiose ambitions of uniting all Arab nations, of becoming a modern Saladin, and of heading the world's third great power. Israel is watching with alarm how the paper-hero of the Nile is being built up for his dream role by the great powers. The U.S. showers money and surplus food on him. That money helps Nasser pay foreign scientists, particularly Germans, to build rockets and manufacture atomic bombs for him. Soviet Russia has been stocking Egypt and all other Arab lands for a long time with modern weapons.

It is a moot question whether Nasser is using German scientists and technicians, or West Germany is using Nasser for its own ends. West Germany may be experimenting in Egypt with weapons it is not allowed to build at home. The German Government's claim that it cannot legally restrain its scientists from working for a foreign government, is a hypocritical posture. West German factories supply parts to Egyptian factories. Germany has in that manner evaded treaty obligations after the First World War, and may now be doing it again.

Israel's alarm at these German-built rockets, bombs, and planes in the hands of trigger-happy Nasser, does not disturb the Germans who have not yet been de-Hitlerized. Hitler is dead, but Hitlerism is still alive.

Thousands and thousands of Israel's citizens have vivid recollections of German brutality of the Hitler era; they know that many former Nazis fill high offices in present-day Germany; they know also that many Nazi criminals—officers of the army, physicians, and scientists—have found refuge in Egypt. Their presence and activities in Egypt should disturb the whole world.

There is a quadruple race to win Nasser's favor. The United States and Soviet Russia wish to keep each other out of the Middle East. Germany is pursuing its own dark ends. Switzerland, too, is in this race. Its role and objective are not so clear. It may be that it wishes to hold on to the many millions of dollars in its banks, whose owners perished in the Nazi crematoria. There is a Swiss law against revealing the names of depositors. But it is immoral for the Swiss bankers to hold on to that money. There may be heirs. But, if there are no heirs, surely Jewish philanthropic institutions and the State of Israel are entitled to those funds: they cared—and are still caring—for Nazi victims. Switzerland's role in the dark days of Hitlerism was far from commendable: it turned many fugitives back to Germany. Now it is not in a hurry to change or amend the law against revealing the names of the dead depositors. The motives are not noble. One suspects that greed places Switzerland in Nasser's camp.

Mr. Averell Harriman's rationalization for the State Department, that it is useless to pressure the German Government to recall its scientists, because they would be replaced immediately by Soviet scientists, is as lacking candor as the German Government's argument that it has no control over the activities of its citizens. But should the United States help Nasser pay the salaries of the foreign scientists? The arming of Egypt may lead to more disastrous results even than the Cuban affair.

We cannot argue with Soviet Russia. Like the Nazis, they would not hesitate to help destroy Israel to win the Arabs' favor. Such bourgeois words as pity, humanitarianism, and morality, are not to be found in the Communist dictionary. Anything that promotes their end, is just and good. The Kremlin hates Israel because it is a successful democracy and also because it influences the new nations toward democracy. But the State Department has not repudiated religion, morality, humanitarianism, and democracy. These are the very ideals to which our State Department pays homage. From time to time we denounce atheism and totalitarianism. We have a right to ask on what moral grounds does our State Department help Nasser spread his brand of totalitarianism? In Egypt we are not competing with Russia, but cooperating with Russia to build up Nasser. I hope that my fears will prove unfounded, but it may come to pass that the efforts of the several rival powers will help Nasser become the ruler of all Araby; then he will thumb his nose at all his backers, and a new Hitler will emerge.

Our statesmen should be reminded of the biblical proverb: "The wise man's eyes are in his head." (Ecclesiastes 2: 14.) The meaning, no doubt, is that the wise man foresees all possible results of the act he undertakes. Surely Neville Chamberlain did not foresee all the results of the Munich Pact which he signed in 1938. Stalin and Molotov did not foresee all the possible results of the nonaggression pact they signed

with Nazi Germany in August 1939. Recent catastrophic experience should teach our American policymakers to be very cautious.

THE CIVIL RIGHTS COMMISSION

Mr. KEATING. Mr. President, I ask unanimous consent to have printed in the RECORD two fine editorials—one from the New York Times and one from the Washington Post and Times-Herald—urging that the Civil Rights Commission be made a permanent agency rather than having its life extended for relatively short periods of time.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, May 27, 1963]

Civil Rights Commission

The Civil Rights Commission has served as "a national civil rights clearinghouse providing information, advice, and technical assistance to any requesting agency, private or public." The definition of its task is President Kennedy's.

For more than 5 years the Commission has fulfilled its statutory mandate, investigating deprivations of voting rights and denials of equal protection of the laws in education, employment, housing, and the administration of justice. Now the administration asks that the Commission's life be extended 4 years. We agree with some Republicans who would make it a permanent agency.

The Civil Rights Commission deserves a separate, and at least equal, standing in the Federal Government with the Civil Rights Division of the Justice Department. One is engaged in major and continuing studies with valid powers of investigation and persuasion; the other is charged with enforcement of the law. Both can and should work hand-in-hand to carry out the decisions of the courts. Both are essential in the struggles, moral and legal, that still lie ahead in the field of civil rights.

[From the Washington Post, May 28, 1963]

Civil Rights Pilot

It is a testimonial to the forthrightness and efficacy with which the Civil Rights Commission has carried forward its different mission that there are those on Capitol Hill who would like to demolish it. They would also, for the most part, like to demolish civil rights. The Commission has operated in this area as an indefatigable jogger of the national conscience and as a trail blazer for those who would completely eradicate from American life every form of discrimination based upon race or ancestry.

The Commission's lease on life comes to an end on September 30. It has been a short lease because Congress has been unwilling to grant it extensions for more than 2 years at a time since it was established in 1957. President Kennedy has now asked for an extension of at least 4 years. It is perfectly plain that the Commission will be needed for a great deal longer than this; it ought to be given permanent status to help it hold a staff together and do its work efficiently.

Under extremely tough-minded and realistic Commissioners and a staff director, Berl Bernhard, of exceptional drive and devotion, the Civil Rights Commission has won the confidence of Negro leaders and has rendered invaluable public service in exposing the inequities to which Negroes are subjected. It has a vital job to perform in coordinating the civil rights efforts of all organizations, public and private, Federal and local, and in focusing attention on dangerous trouble spots. The most important work of this valuable agency lies ahead of it.

Mr. KEATING. Mr. President, this proposal is embodied in a bill which has been introduced by the distinguished Senator from Massachusetts [Mr. SALTONSTALL] and cosponsored by a number of his colleagues in the Senate.

The Subcommittee on Constitutional Rights of the Committee on the Judiciary has been holding hearings on this subject. In those hearings the viewpoint has been presented that the Commission should be made permanent.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. KEATING. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, the Senator from New York may proceed for 1 additional minute.

Mr. KEATING. Mr. President, making the Commission a permanent agency will prevent the harassment and obstruction with which it is confronted after every request for its extension. It is clear that problems of race relations will be with us for a long time, and that they must be dealt with on a continuous basis. Terminating the life of the Commission will not eliminate the problems with which it has been dealing. These problems cannot be ducked. The rational processes of factfinding, followed by legislation, is certainly the manner in which responsible Members of Congress, I am sure, feel the problems should be handled. Factfinding, as an adjunct of the legislative process, is an arduous and difficult task, as every Senator knows. An agency such as the Civil Rights Commission can render in the future, as it has in the past, the expert guidance needed to cope with these issues. Of course the Commission could be terminated at any time we no longer have the problem of discrimination. So long as we have this problem, however, it would be a grave mistake to require the Commission to labor in an atmosphere of uncertainty as to its future life.

DIMINISHING SUPPLY OF PETROLEUM

Mr. MONRONEY. Mr. President, all of us are aware of the vital importance of the oil and gas industry to the future economic and military security of our country and of the free world.

We have all been impressed in recent months with the growing importance of oil as a major factor in the cold war. The rapid growth of Soviet oil production is a stern and menacing reality. We can no more avoid this new threat to our national economic and military welfare than could Major Cooper ignore the warning light that his automatic controls had failed. We have to face up to ominous statistics which show that the crude oil reserves of the United States, in relationship to consumption, have declined for the past 10 years. Discovery of petroleum to maintain reserves is placed at $70 billion.

These facts and figures were summarized last week in the monthly newsletter on petroleum from the Chase Manhattan Bank. This is a reliable and authoritative review and commentary on a very serious situation, and merits our closest study. Therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the facts and figures were ordered to be printed in the RECORD, as follows:

No Time To Let Up

There was recently an announcement which ought to have been a matter of widespread interest, for it related importantly to this Nation's future well-being. But it's a reasonably safe assumption that the news went virtually unnoticed outside the petroleum industry. We are referring to the report which once each year provides the latest official measurement of the Nation's underground petroleum reserves.

Contained in the report is the information that our crude oil reserve position suffered a sharp decline in 1962. The ratio of reserves to consumption fell by 6 percent, and for the tenth year in a row we consumed more oil than we found. The rate at which the Nation's consumption of liquid petroleum is growing requires that additions to crude oil reserves each year must exceed consumption by 20 percent if we are to maintain a constant ratio of reserves to consumption. But in 1962 we failed to find that much—indeed we found little more than half as much as we consumed. The results in 1962 are sobering enough but when they are added to the postwar trend there is cause for greater concern. Not since 1949 have we found enough oil to prevent a decline in the reserves to consumption ratio.

There is evidence that a great deal of unwarranted complacency has been generated in recent years by an apparent oversupply of oil. But the oversupply is in producibility and deliverability—not in reserves. A city, despite a shortage of water in its reservoir, could create a temporary oversupply by providing water mains and related facilities in excess of actual needs. But the only truly meaningful measurement, for the longer term, is the actual amount of water in the reservoir. And so it is with petroleum. We should guard against being lulled into a false sense of security by our excess capacity to produce and deliver oil to market.

Almost from the beginning of the domestic petroleum industry's 104-year history there have been predictions of an impending shortage of oil. Fortunately, they did not come to pass, largely because of technological progress. The earlier estimates were authoritative and soundly based when they were made; they reflected the technical knowledge of the time. To cite only one example, it is now possible to drill to a depth of almost 5 miles, but in earlier times a few hundred feet was the limit. Had the means of exceeding that depth not been developed, a major portion of our reserves would never have been found, and we would indeed have run short of oil long ago.

Today, concern about the Nation's future supply of petroleum—both oil and gas—is based not upon the industry's physical ability to find it, but rather upon its financial ability to conduct an adequate search. Between 1950 and 1960 the industry spent for the purpose of finding and developing petroleum hydrocarbon reserves in this country a total of $44 billion. Yet, despite this mighty effort, the reserves to consumption ratio fell steadily. A financial incentive sufficient to achieve better results apparently did not exist. And we might well wonder if the incentive will be great enough in the future. The costs of finding new reserves have risen substantially and there are many indications that they will continue to mount. Our domestic requirements for all petroleum hydrocarbons seem likely to increase at an average rate of 4 percent a year between 1960 and 1970. To meet these requirements, and prevent any further erosion of the reserves to consumption ratio, the industry would have to find 50 percent more crude oil than it discovered in the preceding decade. And the same is true for natural gas. The indicated cost of such an undertaking is staggering—probably as much as $70 billion.

The earlier predictions of shortage served a useful purpose in that they alerted both the industry and the U.S. Government to the need for a broadened search, in foreign countries as well as at home. Following the First World War the Government encouraged the industry to extend its operations to foreign areas in both hemispheres, and lent its active support where necessary. The gradually evolving system of financial regulations under which the industry was allowed to operate contributed importantly to the incentive to internationalize the search for petroleum. And the Government's farsighted attitude in this respect helped the industry to achieve the necessary capital formation. Had the regulations been more restrictive, the industry's efforts necessarily would have been limited and, as a consequence, so would this Nation's access to reserves abroad. As it is, more than half of the reserves outside the United States have been found by, and are available to, American-owned companies—an element of great strength, not only to this country, but also to the rest of the free world. In addition to supplementing our domestic resources, the industry has brought the benefits of petroleum to the far corners of the earth, and through its operations has provided substantial revenues to the governments of developing nations—factors which have doubtless furthered our foreign trade relations, and lessened the burden of direct aid.

The industry's ability to satisfy fully the petroleum needs of this Nation and much of the rest of the world reflects to an important degree its freedom to mobilize capital. Funds generated from operations in Oklahoma, for example, could be used to finance exploration in Texas, and vice versa. The search for petroleum abroad by American companies was financed initially, and is still being financed in part, with capital generated in the United States. And the essential heavy investment in transportation, refining, and marketing facilities throughout the world has also been made possible by the industry's freedom to mobilize capital. Had the individual States, the U.S. Government, or governments abroad impeded the management of capital, the industry's growth would have been retarded—to the detriment of this Nation and others as well.

Because the overall financial incentive and political climate were sufficiently favorable for most of the past, the petroleum industry saw fit to spend huge sums of money to expand operations abroad. For the period 1950 to 1960 alone it spent as much as $38 billion. As a result, there now exists outside the United States a plentiful supply of petroleum—both in terms of reserves and deliverability. The known reserves are several times larger than this Nation's. But this condition, while favorable, is also dangerous because it gives rise to complacency—and we cannot afford such an attitude. The indicated requirements for the future are tremendous—the free world will probably consume between 1960 and 1970 alone over half of its presently reported reserves, and the task of replenishment will be formidable indeed.

But finding the reserves will be only part of the industry's task—there is also the need for dispersal. In these uneasy days of almost perpetual international conflict it is considered prudent to have industrial, transportation, and military resources as widespread as possible. For the same reason it is important that our petroleum resources also be widely dispersed. It is possible that a major producing area could be rendered completely inoperative by military action, and it is therefore vitally important that as many alternate sources as possible be available. Our defense effort is wholly dependent upon the availability of petroleum—both from a military and civilian standpoint. And in the event of another war it would be impossible to ration petroleum to the extent it was during World War II—our economy is so much more dependent upon it now.

As it has in the past, the attitude of government will play an important role in determining the adequacy and location of petroleum reserves in the future. By its record, the petroleum industry has demonstrated its ability to meet all requirements if there is a sufficient financial incentive, and if it is not hampered by actions of government. But we also have evidence of what can happen when these conditions are lacking. We have witnessed the steady decline of the reserves to consumption ratio in the United States—where the industry's rate of return on investment has been in a downtrend. Moreover, industry components exhibit a growing desire to purchase existing reserves rather than explore for more; and the interest in diversification into nonpetroleum activities has never been greater. While these developments have been taking shape, some elements of government, in contrast to the earlier encouragement and support, have hindered the industry's efforts. The normal balance of supply and demand has been upset by a steadfast refusal to allow an adequate price for natural gas. There have been persistent attacks on the depletion allowance, and most recently proposed changes in the tax laws which among other things would have the effect of discouraging the exploratory and development activities of American petroleum companies both here and abroad. All these actions impair the industry's ability to achieve adequate capital formation, and thereby its ability to satisfy our growing petroleum needs.

This Nation can ill afford to discourage in any manner the continuing search for petroleum anywhere in the free world. There is abundant evidence that we will need for ourselves and our friends abroad all that we now have and can reasonably hope to find. To take our current availability too much for granted could prove to be a grave mistake.

GEORGE TODT RECEIVES FREEDOMS FOUNDATION AWARD

Mr. MUNDT. Mr. President, from time to time I have noticed in the pages of the Congressional Record reprints of newspaper columns written for the Los Angeles Herald-Examiner by hard-hitting, clear-thinking George Todt, of Los Angeles, Calif. George Todt is an American journalist of the old school who believes in letting the chips fall where they may and who has the courage to write what his convictions dictate.

It is good to know, therefore, that at the annual Freedoms Awards ceremonies this year, George Todt was singled out for a special award known as the Special Freedom Leadership Award. It was conveyed upon Mr. Todt not for any single column or speech but because of the cumulative impact of his steady output of columns devoted to defending our American heritage against Marxist socialism in any form and to the preservation of our free enterprise system which has brought greater opportunities to more people than any other political-economic system in the history of the world. Both in 1959 and in 1960 George Todt received from Freedoms Foundation awards for columns which he had written but the 1963 Special Freedom Leadership Award was bestowed upon him for the consistency and the effectiveness of his strident voice and pen in support of our cherished American constitutional concepts.

I ask, Mr. President, that newspaper stories of this award, together with some typical columns written by George Todt, be printed in the body of the Record at this point as a part of my remarks.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Herald-Examiner Staffers Win Freedom Foundation Awards

Three Los Angeles Herald-Examiner staff members were named recipients of honors and awards today by Freedoms Foundation of Valley Forge, Pa.

George Todt, columnist, was honored with a Special Freedom Leadership Award "for his continuing fight against deceit and dullness of socialistic communism and for his continued teaching, through editorials, of the spirit and greatness of our spiritually based constitutional Republic with its democratic methods."

Karl Hubenthal, Herald-Examiner cartoonist, won $100 and the Distinguished Service Award for his cartoon, "Blazed Trail."

Herald-Examiner art director John P. Maloney was given the George Washington Honor Medal Award for his cartoon, "Freedom's Arsenal."

Freedoms Foundation announced these among the more than 900 citizens, organizations and schools throughout the United States to be honored in the foundation's annual national and school awards.

DISNEY CITED

Walt Disney, movie and TV producer, was named winner of the Foundation's highest award for "his educational wisdom, patriotic dedication and creative leadership in communicating the hope and aspirations of our free society."

Todt was presented as one of the Nation's top five "patriots whose deeds merit the applause of all who cherish the highest standards of patriotic citizenship for God and country."

Other top winners include Arch N. Booth, executive director of the U.S. Chamber of Commerce; Dr. Walter Kerr of Tyler, Tex., director of the Youth Crusade for God and Freedom; Christian Sanderson, violinist, of Chadds Ford, Pa., and Dr. Perry E. Gresham, president of Bethany (W. Va.) College.

Gen. Douglas MacArthur was honored for an address on "duty, honor, and country."

[From the Los Angeles Herald-Examiner, Feb. 14, 1963]

SAR Names George Todt to Position

Herald-Examiner Columnist George Todt has just been appointed a member of the Independence Day Observance Committee of the National Society of the Sons of the American Revolution according to Harry F. Morse, chairman, in Washington, D.C.

Todt has accepted the post occupied last year by Harold Schutte, 1961 California SAR president, who was State chairman of the Independence Day observance committee.

The columnist was local chairman of the patriotic event and named many prominent members of the mass communications media to his committee here.

The newsman was also named recently to the important Americanism and National Sovereignty Committee of the National Society of the SAR after the death of Attorney

Aaron Sargent, of San Francisco, former State president and national chancellor general of the patriotic organization.

Todt is presently serving on the State SAR board of managers and is a former president of the Pasadena chapter of Los Angeles County.

[From the Los Angeles Herald-Examiner, Feb. 17, 1963]

Legion Honors Todt of Herald-Examiner

La Canada Post No. 606, American Legion, recently presented the American Legion Citation for Meritorious Service to Herald-Examiner columnist George Todt.

The award read:

"For meritorious service and loyal cooperation, George Todt, of the Los Angeles Herald-Examiner, is awarded this citation in recognition thereof by La Canada Post 606, Department of California, the American Legion."

Post Commander James B. Hoge commended the columnist for his long service to the cause of freedom in his activities as a columnist, speaker, and television commentator.

"This was the first time the La Canada Post has made this type of award," Hoge said.

"We consider Todt's column one of the most effective weapons used by an American to fight tyranny and the Communist attacks on human freedom.

"It is with special pride that we award this honor to a fellow American Legionnaire, since Todt is a member of of Hollywood Post 43."

In response, Todt thanked the veterans and accepted the citation on behalf of the entire staff of the Herald-Examiner.

"It's a good patriotic newspaper," said the columnist. "We're all in this fight together. Let's win it."

[From column of July 4, 1962]

Be Grateful to Him

(By George Todt)

"Oh! say, does that star-spangled banner yet wave,
O'er the land of the free and the home of the brave." (Francis Scott Key, "The Star-Spangled Banner.")

The American Declaration of Independence from Great Britain was signed by 55 patriots 186 years ago today.

"And for the support of this Declaration," stated its concluding words, "with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor."

The Declaration of Independence was one of the great documents of human liberty which has enabled mankind to progress increasingly from the darkness of bondage into freedom.

It must be read in entirety to catch a glimpse of its deeper meaning and true significance. But there are four or five lines near the opening which have always thrilled me:

LIFE—LIBERTY

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. * * *"

The simple nobility of such immortal truths should not be lost upon us. Genius is simplicity. These words, just quoted, might well serve as a correct yardstick of measurement for the entire human race in any truly enlightened period of time upon our planet.

GOD THE FATHER

We may note the striking identification of the signers of the Declaration of Independence with Almighty God, referred to as Divine Providence and the Creator in the document.

Included among these 55 American patriots were such luminaries as Thomas Jefferson, John Adams, Benjamin Franklin, Samuel Adams, Robert Morris, Richard Henry Lee, Benjamin Harrison, Edward Rutledge, Button Gwinnett, George Ross, Samuel Chase, Roger Sherman, George Clymer, James Wilson and George Read.

A half dozen of these men—Franklin, Sherman, Morris, Clymer, Wilson and Read—also affixed their "Founding Father" signatures to the Constitution of the United States some 11 years later.

A serious student of the Declaration of Independence and the Constitution cannot read our treasured libertarian instruments without knowing that the Americans who wrote them had a firm, deep-rooted belief in God—and spent much time in soul-searching prayer to Him.

BE GRATEFUL

Why quibble about matters such as these? Who is so benighted as to assume that man is his own supreme architect of destiny? Where is the fool who says "There is no God"?

Man is something more than merely a package of of chemicals blended together in what atheists must imagine to be the supreme accident—or joke—in our universe.

Human beings are capable of reason, can think for themselves.

Let's be proud of our heritage of freedom here in America.

Let's fly our flag today in gratitude for our Republic.

Let's be grateful to Him Who gave us these blessings for our country.

[From column of Sept. 12, 1962]

Duty, Honor, Country

(By George Todt)

"Duty, honor, country." (Motto of U.S. Military Academy at West Point.)

Recently General of the Army Douglas MacArthur was honored by the President of the United States. As usual the "Old Soldier" had some wonderful thoughts for us in the lengthening shadows of his twilight years. He has always been a great American.

But in my own mind, I saw him at West Point earlier in the year when he addressed the Corps of Cadets while he received the coveted Thayer Award. How definitive of patriotism were his words.

This marvelous address was given on May 12 and published in entirety on May 20 in the National Observer. It may also be found in the June 20 issue of the daily CONGRESSIONAL RECORD, commencing on page A4669. Every concerned citizen, every student should read it.

MORE THAN WORDS

Here are a few pertinent extracts from General MacArthur:

"Duty, honor, country. Those three hallowed words reverently dictate what you ought to be, what you can be, what you will be. They are your rallying point to build courage when courage seems to fail, to regain faith when there seems little cause for faith, to create hope when hope becomes forlorn. * * *

"The unbelievers will say they are but words, but a slogan, but a flamboyant phrase. Every pedant, every demagog, every cynic, every hypocrit, every troublemaker, and, I am sorry to say, some others of an entirely different character, will try to downgrade them even to the extent of mockery and ridicule.

THEY BUILD, BUILD

"But these are some of the things they build. They build your basic character. They mold you for your future roles as custodians of the Nation's defense. They make you strong enough to know when you are weak, and brave enough to face yourself when you are afraid.

"They teach you to be proud and unbending in honest failure, but humble and gentle in success; not to substitute words for actions, nor to seek the path of comfort, but to face the stress and spur of difficulty and challenge; to learn to stand up in the storm, but to have compassion on those who fall; to master yourself before you seek to master others; to have a heart that is clean, a goal that is high; to learn to laugh, yet never forget how to weep; to reach into the future, yet never neglect the past; to be serious, yet never to take yourself too seriously; to be modest so that you will remember the simplicity of true greatness; the open mind of true wisdom, the meekness of true strength.

SPRING OF LIFE

"They give you a temperate will, a quality of imagination, a vigor of the emotions, a freshness of the deep springs of life, a temperamental predominance of courage over timidity, an appetite for adventure over love of ease.

"Your guidepost stands out like a tenfold beacon in the night: Duty, honor, country."

[From column of July 8, 1962]

Freedom Academy

(By George Todt)

"Want, the mistress of invention." Susanna Centlivre, "The Busy Body."

Aroused citizens of the Southland, centering in Orange County, have commenced a giant, bi-partisan grassroots drive to gain needed support for a proposed U.S. Freedom Academy.

It will specialize in psychopolitical warfare studies—which is a good idea.

Approximately 70 percent of the American people favor establishment of such an academy, according to a recent Gallup poll.

The Communist warlords outspend us on psychopolitical warfare and propaganda by as much as 50 to 1. Can we turn the tables on them?

"In the theater of the cold war," said Senator KARL E. MUNDT, Republican, of South Dakota, to his Senate colleagues recently, "we still operate with far too many amateurs who have the desire to win—but who lack completely the needed training and background with which to succeed."

MUNDT and 11 of his colleagues in the Senate—6 Democrats and 5 other Republicans of differing idealogies—have banded together to cosponsor Senate bill 822, which is badly needed.

It proposes an agency independent of the Department of State, to be known as the Freedom Commission and Freedom Academy, which will be carefully designed to accomplish five basic objectives:

To provide the public with greater understanding of communism, especially Communist conflict technique, and the nature of the global struggle.

To show the private citizen how he can participate in the global struggle in a sustained and systematic manner.

To help policymakers and cold war agency personnel at many levels to understand communism, again with special emphasis on Communist conflict technique.

To assure that policymakers and those who advise them must understand the full range of measures potentially available to us in the public and private sectors to meet the entire Communist attack—and to work systematically toward our national objectives.

To train agency personnel at all levels to implement this sophisticated strategy.

MUNDT'S cosponsors of S. 822 are: PAUL DOUGLAS, BARRY GOLDWATER, GEORGE SMATHERS, HIRAM FONG, WILLIAM PROXMIRE, JACK MILLER, THOMAS DODD, CLIFFORD P. CASE, JOHN M. BUTLER, BOURKE B. HICKENLOOPER and KENNETH B. KEATING.

The wide divergence of political philosophies demonstrated by these names indicates that this is a needed area wherein we are cooperating wisely and well in the national interest.

The militant Reds are ahead of us now in psychopolitical warfare techniques.

But the construction of this proposed Freedom Academy could help turn the tide in our favor.

Its cost would be negligible compared to the possible results.

Let's get behind it.

[From Column of Sept. 18, 1962]

CALLING MR. K'S BLUFF

(By George Todt)

"Beware of Greeks bearing gifts." (Ancient proverb.)

Will Khrushchev, the rocket-rattler, go to war with us over Cuba? Can a tree dance? Shall the cow jump over the moon?

This international bully and bluff once again is pursuing the only tactics available to him on the world stage. He cannot beat us in war and he knows it. So he is using his malicious propaganda to frighten civilian populations into bringing internal pressure on their governments to accommodate the wily Reds.

I have just returned from a fresh visit to the headquarters of the Strategic Air Command of the U.S. Air Force, located at Offutt AFB, Omaha, Nebr.

The orientation and briefing I received there enables me to know considerably more about our capabilities than, say, Fabian philosophers, Nobel Prize winners in biology or even certain Hollywood TV stars.

A BIG BLUFF

Knowing what I do, the recent scare headlines via Mr. K. in Moscow did not chill my blood. Rather, they drew a smile. For him.

This clever little bluff would get clobbered if he might have the courage to pull the trigger against the United States—which he does not have today—and he gave himself away only recently.

At the very moment he was loosing his rocket-rattling statements about going to the "brink of nuclear war" with us if we attempted to get rid of his Communist worm, Castro, he carefully sent President Kennedy a gift.

As he ranted against us so belligerently, he simultaneously took out insurance by putting five cases of the best Russian wines aboard a fast jet to Washington for J.F.K. to sample at his leisure. Catch on?

Which is Moscow's way of saying, "We don't really mean it."

However, as the Red warlords utter their chauvinistic nonsense—which makes little sense to our military professionals—they manage to make hay in other areas where it counts.

By hurling their taunts, and actually going too far in the process, they score propaganda successes with weak-kneed people everywhere at our expense. The latter consider us doomed or cowards.

We are in danger of losing someday by outright default.

If we do not have the intestinal fortitude to stand up to the aggressor when we have overwhelming military might on our side, who can expect us to be brave if he might surpass us in strength someday?

STAND UP

Every time Mr. K. makes his outlandish warmongering plays against us with no proper rejoinder from our leaders—what is the end result?

It only makes stronger the appeal of the "better Red than dead" surrender clique—the most effective allies the Kremlin has today.

If our leaders do what is correct against Khrushchev, they would call his monumental bluff today. Put him quickly in his place.

He cannot fight, will not fight today over Castro's Cuba.

Why run away from him with our tail between our legs?

[From column of Sept. 9, 1962]

THE NIXON SMEAR

(By George Todt)

"I believe the first test of a truly great man is his humility" (John Ruskin).

The character assassination tactics employed against Richard Nixon by a great many ultraliberal smear artists is disgusting to large segments of voters who might not otherwise be stimulated—Democrat and Republican alike.

No man alive is perfect, neither you nor I, and Nixon likely has a fair share of routine defects.

But he is most certainly a far cry from the overzealous, overimaginative, and overdoctored reports we sometimes hear about him.

He is constantly accused of taking the "low road" in politics. As a matter of fact, it may be doubted if anyone in political life is more diligent in his pursuit of correct behavior and ethics.

Of course, his more hysterical enemies will not agree with such a statement. But I have found these supercharged with emotion types difficult to pin down for valid assessments of Nixon.

As a rule, they just don't like him and let it go at that. Is this enough?

Actually, the man must be viewed with reason and temperance. When this is done by those who are fair and know him best, he emerges as a tremendous character when judged by any honest yardstick.

This is the American who stood up to bloody Nikita Khrushchev in the shadows of the Kremlin and preached the doctrine of "free agency of man" to the ruthless murderer of millions of his own Ukrainian people.

This is the man who took an almost worthless job of Vice President of the United States and accomplished a greater amount of work therein than a fair share of actual Presidents may have done before.

This is the man who, no matter what his position—even when separated once or twice by a flickering heartbeat from the mightiest office in the world—never forgot his humility as a down to earth American citizen.

Neither did he flinch nor quail when he and his marvelous wife, Pat, were beset by Communist-inspired thugs and mobs in South America. Both Nixons demonstrated the coolest courage possible under the adverse circumstances. Characteristically, they later played it down.

Nixon is as decent, forbearing, and clean as any politician I have met. Yet his opponents hit him with everything but the kitchen sink—including guilt by association and vicious rumors.

Patently false charges are hurled against him indiscriminately with the design of confusing Joe Doakes, who may not know the truth.

The idea is to create a diversion—get our eye off the ball.

Let's judge Nixon by his outstanding record in the past.

Let's support his fight for free enterprise against Fabian socialism and the ADA.

Let's have an end to adolescent name calling and yellow politics in California. Americans judge a man by what he does—not the dirty names hurled at him by his enemies.

[From column of Oct. 18, 1962]

"STRAUSSING" A POINT

(By George Todt)

"The Soviets have undoubtedly increased their firepower." Adm. Lewis L. Strauss, "Men and Decisions."

Not long ago I was the guest of my friend, Rabbi Edgar F. Magnin, at the beautiful Wilshire Boulevard Temple in Los Angeles, having come to listen to a great American I have long admired for his vast intelligence and unassuming modesty—Adm. Lewis L. Strauss, former head of the Atomic Energy Commission during the previous administration.

This was the first lecture of the 1962 series at the temple forum, chairmaned by Dr. Magnin and moderated by Rabbi Maxwell H. Dubin. It was a masterpiece of lucidity and reason. I was thrilled.

Strauss was formerly a personal secretary to ex-President Herbert C. Hoover, Sr., with whom he has maintained a close friendship over the years, and possesses the same kind of toughminded, solid intellect.

DEVELOPED HYDROGEN

This is the man who, along with Dr. Edward Teller, realistically insisted we develop our own hydrogen weapon to deter the predatory and aggressive Soviet Union.

This great American patriot was never taken in by Red lies or fraudulent deceit. He counseled strength for us at all times, never appeasement of any kind. Had we listened to him more than his myopic critics, the United States might not be in such a precarious position now.

The admiral has recently authored a new book called "Men and Decisions" (Doubleday & Co., Garden City, N.Y., $6.95) which ought to be "must" reading for those concerned about our threatening cold war today.

In his chapter on "Nuclear Tests, Fallout, and World Opinion," Strauss points out correctly that the Soviet Union has increased her relative firepower at our gullible expense—during the so-called moratorium.

Our opponents in the Kremlin cheated on us from the beginning. Those experts who told us there was relatively little to be gained by further testing were shown to have been dreadfully wrong. For the Reds came up eventually with bigger and better bangs than we now possess.

A story in the unusually reliable U.S. News & World Report on page 52 of the October 22 issue describes how Russia presently is pushing her lead in terror weapons. She is building "statebuster" giant bombs.

Informed experts have indicated the ultimate Soviet aim is to destroy America with a single salvo of giant bombs. How shall we react to this menace?

INSURE SAFETY

As is invariably the case, we learned, to our sorrow, that the atheistic—and thereby completely amoral—Soviet leadership had taken us for a nuclear test suspension ride. What did we do?

"President Eisenhower," writes Strauss, "his patience worn thin, had reached the decision that, our freedom to test having been resumed, we should no longer delay actual testing, though not in the atmosphere. Had the result of the 1960 election been otherwise, we would have done so at once, since Mr. (Richard M.) Nixon was in accord with this policy.

"In the circumstances, however, the President did not feel it appropriate to confront his successor with a decision which would have tied his hands after he took office."

Strauss' conclusion: World opinion is nebulous; our job is to insure the safety of the United States.

Freedom Documents

(By George Todt)

"For the support of this declaration, with firm reliance on the protection of the Divine Providence, we mutually pledge to each other, our lives, our fortunes, and our sacred honor." (Declaration of Independence.)

Not long ago I attended an outstanding Documents of Freedom luncheon in Los Angeles that was both instructive and interesting to me.

The sponsoring organization, called Freedom Documents Foundation, is a nonprofit nonpolitical, nonsectarian group whose president is Dan R. Coletti. Founder is listed as Dr. Anthony Butkovich. Offices are located at 8693 Wilshire Boulevard in Beverly Hills.

Some of the men and women who have been outstanding in their support of this organization: George R. Hearst, Jr., Norman Chandler, Walter Knott, Samuel Goldwyn, Patrick Frawley, Y. Frank Freeman, Allen Schaak, John R. Inderrieden, George H. Rudd, Conrad Hilton, Edward S. Shattuck, Paul Williams, Vinnie Simpson, Frances Smith, Marian Buckler, Ivy Baker Priest Stevens, and Harold J. Smith.

THE OBJECTIVE

Others include five of the most prominent educators in the Southland—the Very Reverend Charles S. Casasa, S.J., president of Loyola University, Dr. Arthur Coons, president of Occidental College, Dr. Franklin D. Murphy, president of U.C.L.A., Dr. Paul S. Smith, president of Whittier College, and Dr. Norman Topping, president of U.S.C.

The objective of the F.D.F. is to place "Freedom Documents Brochure" in every requesting hand free of charge.

This handsomely embossed brochure contains the Declaration of Independence, the Constitution, the Bill of Rights, the Monroe Doctrine, the Gettysburg Address, and the Star-Spangled Banner.

It is hoped to put 7 million of these brochures into hands that request them the first year of operation—25 million in 3 years.

SEVEN MILLION A YEAR

Those who desire a brochure may request it by writing or phoning the Freedom Documents Foundation. There is no charge.

In order to sustain this worthwhile program, contributions are asked from industry, individuals, and private sources that can afford it. Also other foundations and organizations.

Distribution of the brochures will be accomplished through industry to employees, schools to students, clubs to members, and professional people to clients. Individuals will give to friends.

In these times of dread and doubt, this wholesome drive to restore our patriotic ideals comes at a needed hour. Let's help it.

NOT HOT AIR

The master of ceremonies at the luncheon was affable George Murphy, whose quiet but effective patriotism I have long admired.

"People are worried about some of the past bad judgments of the last 15 years," said Murphy. "The United Nations has just opened in New York—and I am afraid its news is going to be as dismal as before."

After a brilliant address by Mrs. Ivy Baker Priest Stevens, George Murphy and I discussed his quotation. We agreed that the U.N. has received too much of the credit for deterring World War III—when the lion's share of the credit ought to go to the great Strategic Air Command.

It's air power—not the power of hot air—that has preserved us.

CONSERVATION AND DEVELOPMENT OF LAND AND WATER

Mr. McGOVERN. Mr. President, on January 16, 1963, the South Dakota Reclamation and Water Development Association held its silver anniversary conference at Pierre, S. Dak. The conference was cosponsored by the South Dakota Soil and Water Conservation Committee, the South Dakota Water Resources Commission, and the Oahe Conservancy Subdistrict, and had as its theme "Hats Off to the Past; Coats Off to the Future; Life Begins at 25."

This conference represented a high point in cooperation for resource conservation and development in South Dakota. This point was made well by Donald A. Williams, Administrator of the U.S. Soil Conservation Service and a native South Dakotan, when he addressed the conference. Said Mr. Williams:

> Today more and more people realize that city conservation problems and farm conservation problems are not separate and distinct problems. They are so interrelated that one can scarcely tell where a rural conservation problem leaves off and an urban conservation problem begins.

Mr. Williams also described new tools for resource development which are provided in the 1962 Food and Agriculture Act enacted by the 87th Congress.

Mr. President, I ask unanimous consent that the full text of Administrator Williams' address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

UNSCRAMBLING THE OMELET

(Address by D. A. Williams, Administrator, Soil Conservation Service, U.S. Department of Agriculture, at meeting of South Dakota Reclamation and Water Development Association, Pierre, S. Dak., January 16, 1963)

It's always good to come home to South Dakota. And it's a special pleasure to help you observe the silver anniversary of your organization and to share the luncheon platform with Dean Bentley, of South Dakota State College, my alma mater.

I like your theme, first called to my attention in a letter from your secretary, Ray Lund. There's a world of meaning in "Hats Off to the Past; Coats Off to the Future; Life Begins at 25." So much meaning, in fact, that it could be the subject of a series of meetings, not just one, or the text for a series of sermons. The title of this talk, "Unscrambling the Omelet," although I'm not positive what it means, was selected by the inventive Ray Lund also.

As many of you know, the year just ended was also the 25th anniversary of the soil conservation district movement, which began in 1937. Your organization and soil conservation districts have much in common. Your accomplishments during the past quarter century are many and significant. But you rightly prefer to salute the past rather than dwell on it, and to take off your coats for the much bigger and even more important job that lies ahead.

I would remind you of another anniversary in the year just ended—the 100th anniversary of the U.S. Department of Agriculture. Here, too, we cannot afford to dwell on the accomplishments of a century, great as they are. Rather, we must stir ourselves to cope with tremendous new challenges brought about by our magnificent technological advances, rapidly expanding population, increasing urbanization, and shifting land use patterns—all of which combine to place new and competing demands on our remaining land and water resources, which are the very foundation of our economy and our standard of living.

Our land and water resources are vital national assets. How we conserve, develop, and manage these natural resources will affect our economic growth, the strength of our Nation, and our long-run status in world affairs.

I'm pleased to note that joining your organization this year in sponsoring this meeting are the South Dakota Soil and Water Conservation Committee, the South Dakota Water Resources Commission, and the Oahe Conservancy Subdistrict. This is highly significant. It indicates you are fully aware of the fact that the basic resources of land and water serve all the people of the Nation. It indicates you thoroughly understand that land and water problems are of increasing concern to both farm and nonfarm people. It indicates you realize that carefully planned programs to satisfy both rural and urban needs are essential.

The interrelationship between farm and nonfarm interests in resource conservation, although a truism from the beginning, has come to be recognized only in recent years.

Less than 30 years ago, when our present-day soil and water conservation program began, it won public acceptance because a majority of the people believed it to be necessary and desirable.

Soil and water conservation technical and other assistance on farm and ranch lands quickly won the overwhelming support of farmers and ranchers.

The problems were problems they could see, problems that affected their operations. And corrective measures, when applied, provided visible and almost immediate tangible benefits to them.

Urban people and their legislative representatives supported the so-called farm soil and water conservation program for perhaps the same reasons they support other public programs: that they benefited a segment of our society. But the truth is, not many city people or their representatives really understood that they themselves were also beneficiaries.

By the same token, reclamation and flood control and public power projects generally found their greatest support among the city people and business and industrial leaders. They could identify themselves with these projects readily. They could see great advantages through business and industrial growth resulting from water storage, flood control, and power development. Agriculture's identification with these types of conservation projects was nowhere nearly as complete as it was with soil and water conservation activities such as those carried on through soil and water conservation districts.

Today, as you are demonstrating so well here, more and more people realize that city conservation problems and farm conservation problems are not separate and distinct problems. They are so interrelated that one can scarcely tell where a rural conservation problem leaves off and an urban conservation problem begins.

We know that just about all of our water falls on the land, for less than 2 percent of the Nation's total area is in lakes or streams, and that three-fourths of this land on which all our rain and snow falls is in private ownership and 60 percent is in farms and ranches. Management, use, manipulation, and development of our water resource, therefore, begins largely on the privately owned lands.

This is the water that grows our crops, provide much of our power. This is the water that carries away soil through surface runoff, that sweeps into streams and lakes where it creates additional conservation problems. This is the water that serves our cities and our industries. This is the water that floods our valleys and our towns and cities. This is the water that provides all our water-based recreation, our fishing, boating, and swimming. This is the water that provides much of our power. This is the water that feeds our navigable streams.

What more evidence do we need to prove that land and water go hand in hand? That no piece of land is an island, apart from all the land? That no cloudburst or snowstorm is restricted in its effect to the area in which it occurs? Our growing awareness of the interlocking, interdependence of land and water resources and of rural and urban interests in developing and protecting those resources has come about, I think, in several almost simultaneous phases.

One of these is the greatly increasing nonagricultural use of land to provide space for our expanding population in which to live, to work, and to play. These new users of land almost immediately become involved with firsthand conservation responsibilities. The developer of a housing area, the builder of a factory, and proprietor of a golf course—in fact, every land user in city, suburb or rural area—is and must be concerned with the soils and the water behavior at his particular site.

More widespread understanding of the watershed approach is another reason for our improved attitude toward orderly development and management of our renewable natural resources.

Like every other country, the United States is physically a nation of watersheds. Our longest rivers and their tributaries drain large areas. These areas are usually called river basins or drainage basins. Each major river basin is divided into several lesser watersheds, and each of these, in turn, is subdivided progressively into smaller and smaller watersheds down to those where surface waters first begin to collect.

We have come to realize that no two watersheds are exactly alike, that each one is an intricate, complete unit of nature governed by natural principles that men can modify but never abolish or ignore.

We have learned that action taken anywhere in a watershed that affects one resource will inevitably affect other resources. The chains of cause and effect in a watershed are numerous, long, and far reaching We know that efforts to use, conserve, and develop renewable natural resources without regard for watersheds and natural principles are certain to be costly and are likely to fail.

In addition, we have come to realize that our land and water resources can serve present and future needs of all interests only through application of the principle of multiple use. When storing water, for example, wherever feasible we should provide for all possible uses of an irreplaceable site instead of only a single use. Water supply, flood control, recreation, fish and wildlife, industrial development, irrigation—these are a few of the use combinations possible under the multipurpose principle.

Perhaps most important, in the development of our present enlightened attitude, is the conviction that the ideal arrangement for resource development is a cooperative one involving the community, the State, and, where necessary, the Federal Government.

This three-way partnership has been successfully demonstrated for 25 years in soil conservation districts. Here the State provides legislation, some funds, and the guidance of a State committee. Here the local people themselves organize for conservation work, select their own unpaid leaders, develop their own program. Here the Federal Government, when asked, provides technical assistance through the Soil Conservation Service, and various other kinds of assistance, education, cost-sharing, and credit through other programs.

The soil conservation district belongs to the local people. They run the show. State and Federal agencies help them carry out their program.

These same principles are the heart of the small watershed program, which was authorized by the Congress in 1954 as the Watershed Protection and Flood Prevention Act. This provides that a watershed project must be initiated by a legally responsible local organization, which is responsible for developing a work plan, carrying it out, and operating and maintaining the project when completed. The local organization must share in the cost. The Federal Government through the Soil Conservation Service provides technical, cost-sharing and credit assistance.

I would say that today we are better prepared to tackle our renewable natural resource problems than at any time in our history. This is so because we have developed a better public understanding of how to do the job, as I have tried to outline.

This is so because we have progressive State and Federal legislative tools and programs that provide for coordinated, long-range planning involving every segment and interest of our society.

South Dakota's legislators have provided you with tools designed to fit many conservation needs and objectives, and combinations of needs and objectives.

You have a soil conservation districts law and 67 active districts operating under that law. You have provided for watershed districts, which can be organized under the wing, at the beginning, of soil conservation district supervisors but thereafter operate independently.

A more recent legislative tool is the Conservancy Act, which provides for conservancy subdistricts. These subdistricts, which can cover larger areas than other special-purpose districts, have some authorities not granted in other legislative acts—authorities that can contribute greatly to coordinated resource development programs generated by soil conservation districts, watershed districts, and irrigation and drainage districts.

A splendid example of land and water resource planning on a long-range, multiple-purpose, coordinated basis is the cooperative study just being launched in the James River Basin and the Missouri River eastern tributaries that are in the Oahe conservancy subdistrict.

This broad water resources study, which is scheduled for intensive effort in the 1963, 1964, and 1965 fiscal years, is just being launched by the U.S. Department of Agriculture cooperating with the South Dakota Water Resources Commission and the Oahe conservancy subdistrict. The Soil Conservation Service, Economic Research Service, and Forest Service are the USDA agencies involved. The planning party to conduct the study is now being set up under Mr. Steve Kortan's direction.

The objectives of the cooperative study are:

1. To inventory the problems associated with water and related resources and how these might be solved through a coordinated program for land and water resource development under existing authorities, and also point out the need for additional authorities.

2. To document information regarding multiple use of water and land resources and management that will provide a basis for a more effective means of coordinating USDA programs for watershed protection, flood prevention, agricultural water management, and national forest administration, with related activities of local, State, and other Federal agencies.

3. To prepare information that will provide a means for pursuing feasible projects under the Watershed Protection and Flood Prevention Act, as amended.

Principal features of the study will include the following:

1. Soil resources. This will include an appraisal of the hazards of soil uses under various types of management.

2. Present and future land use. This will include an inventory of the ways to improve land management, including land treatment practices and conversion of land to other uses.

3. Flood damage. This will be recorded by stream for specified watersheds as caused by overflow, ponding, sedimentation, scour and streambank erosion.

4. Drought damage. Its impact on the area.

5. Present and past use of surface water. This will include management of surface waters, stream flows, drainage from agricultural lands, water storage, and water rights.

6. Ground water conditions. As they relate to irrigation water return flow, drainage, recharge, and availability of ground water supplies.

7. Proposed use of Missouri River water for irrigation projects now planned. This will include improvements in present irrigation on individual farms and use of water for projects now planned.

8. Industrial and municipal use of water. This will include present use and availability of small watershed supplies for industries and municipalities.

9. Recreational facilities. This will include the kinds and extent of proposed recreational areas in small watersheds and on individual farms.

10. Economic effect of the possible solutions in the basin and tributary areas, the State, Missouri Basin, and the Nation.

This study can pave the way, it seems to me, for significant and far-reaching resource developments that will have tremendous impact on the future of South Dakota. It can result in improvement of water supplies for agriculture and industry. It can result in acceleration of small watershed projects and their multiple purpose benefits of flood prevention, agricultural water management, including irrigation, recreation and wildlife, and industrial and municipal water supply.

Looking ahead, it is easy to visualize that conservancy subdistricts, such as your Oahe subdistrict, with their greater authority under State law, can do contracting and carry on operations and maintenance work for several small watershed projects more efficiently and economically than each local organization could do alone. The conservancy subdistricts could well become the focal point for area redevelopment projects and rural areas development.

South Dakota has indeed been alert to its resource legislative needs, and so has the Congress of the United States.

The Department of Agriculture, in the 1962 Food and Agriculture Act, received some new authorities that will be helpful in the James River Basin study and in rural areas development and soil and water conservation work everywhere. I will mention some of them briefly.

The small watershed program, Public Law 566, was amended so it is now possible for the Soil Conservation Service to provide cost-sharing for water-based recreational developments in watershed projects. Funds can be advanced to acquire critical sites for water impoundments. Funds can be advanced to provide municipal and industrial water supply for future use, with repayment by the local organization deferred up to 10 years.

The Congress also authorized changes in the Bankhead-Jones Farm Tenant Act which will permit resource conservation and development projects. When funds are provided, such projects may be established in representative areas of the country. They would, like Public Law 566 projects, be locally initiated and sponsored. They would provide for carrying out a program of land conservation and land use in an area where acceleration of the present conservation activities plus the use of new authorities would provide additional economic opportunities to the people. SCS will have the leadership of this program.

The Congress also authorized a cropland conversion program that provides for long-range land-use adjustment programs at National, State, and county levels. It authorizes, when funds are available, agreements up to 10 years with individual landowners for developing land-use adjustment programs including conversion of presently unneeded or unsuitable croplands to other uses, such as grass or trees. Such long-term agreements with individual farmers and ranchers are to be based on conservation plans developed through soil conservation districts with SCS technical help. This program will be headed by the Agricultural Stabilization and Conservation Service.

Congress provided for technical, cost-sharing, and credit assistance in establishing income-producing recreation enterprises on farm and ranch land.

The other new tool provided by the Congress is a rural renewal program under which projects can be developed locally that are aimed at relieving underemployment, strengthening family farming, and developing natural resources to assure permanence of the economic gains achieved. The program will be handled by the Farmers Home Administration.

Come spring, it will be 28 years since I began my professional career in the Soil Conservation Service, almost immediately after it became a permanent agency of Government. I started as a CCC camp superintendent at Presho, S. Dak., after having worked for the State highway department and doing engineering work for a private company.

Those of us who have worked in this field together for so long have seen the concept of soil and water conservation and land use broaden many times. We have seen many improvements and changes and additions.

But the basic principles have never changed. And I do not think they ever will.

The individual farmer or rancher, in adopting a conservation plan, bases it on an inventory of his land and its capability for use. He chooses his land use by fields. He applies and maintains the treatment and practices required to make each use permanently safe and productive.

A small watershed project, or a conservancy subdistrict program, or a James River Basin study, is largely an extension of a farm or ranch conservation plan, on a larger scale, to a big area of land.

That is oversimplified, to be sure, but in principle I would stand by it. The main point is that most of us are land users in one way or another. When we all understand that each handful of soil, each raindrop, and each piece of land is intimately related one to another; when we are all armed with our present-day conservation know-how—then indeed we will have the true and lasting answers to our natural resource problems.

ALLIANCE FOR PROGRESS FOOD RESOURCES CONFERENCE

Mr. McGOVERN. Mr. President, during the week of May 12–17, a successful, little publicized conference was held in Quito, Ecuador. Its purpose was to generate better understanding and appreciation of the role which food and agriculture can play in raising standards of life in our hemisphere.

My successor as Director of the U.S. food-for-peace program, Mr. Richard Reuter, with the cooperation of AID Director David Bell and Secretary of Agriculture Orville Freeman, arranged for the conference of U.S. agricultural attachés, food for peace, and rural development officers in Latin America and their Washington associates.

Mr. Reuter, who provided brilliant leadership as the Director of CARE for many years, is now applying his great talent effectively in directing the Nation's food-for-peace effort. The Quito Conference is an example of the kind of imaginative, forward-looking efforts he has initiated in utilizing U.S. agricultural abundance and productive know-how as instruments of development and peace.

I ask unanimous consent that the White House press release describing the purpose of the Quito Conference be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
OFFICE OF THE PRESS SECRETARY,
May 4, 1963.

The President announced today that Secretary of Agriculture Orville Freeman; AID Administrator David Bell; the U.S. Coordinator for the Alliance for Progress, Teodoro Moscoso; and the White House Special Assistant for Food for Peace, Richard W. Reuter, will open and attend a 6-day Alliance for Progress Food Resources Conference in Quito, Ecuador, May 12–17.

"U.S. food resources are already making a major contribution to the Alliance for Progress," the President stated. "Mr. Reuter—with the cooperation of the Department of Agriculture and the Agency for International Development—has arranged the Quito Conference to bring together U.S. agricultural attachés and AID Food for Peace and Rural Development officers in Latin America with their Washington counterparts to seek greater and more effective use of U.S. food resources and agricultural technology in Latin American economic and social development programs."

"Our agricultural abundance offers the United States a unique opportunity in history," the President said, "to share our food resources with the hungry of the world, and to share our agricultural productivity know-how with the farmers of the developing countries. In this sharing, U.S. agriculture can be one of the strongest weapons in the struggle of free men for prosperity and security. This is the challenge of our food-for-peace program, and the goal of the Quito Conference."

U.S. food-for-peace programs are currently contributing to the feeding of more than 8 million children of school age in Latin America. Hundreds of thousands of people in Latin America have received emergency food relief following drought or catastrophe. Food for work programs are using U.S. food as supplementary wages. U.S. firms are using Cooley loans of local currencies generated by the sale of Public Law 480 commodities to invest in the future of Latin America. In addition, U.S. food is sold for local currencies which are being used to finance schools, houses, irrigation projects, student exchange programs and a long list of economic development activities in our neighbor republics to the south.

WILL THIS CONGRESS ACT TO END THE CRISIS IN GOLD MINING?

Mr. McGOVERN. Mr. President, I have discussed on several occasions in this session the very great problems facing the gold-mining industry in my State. I have joined in sponsoring new legislation to solve some of these problems. Recently I received from Mr. A. G. Roe, of Canton, S. Dak., an interesting statement bearing on these problems which he prepared with the help of Messrs. Earl and Howard Amundson. I feel that this statement commends itself to the attention of everyone concerned with the future of one of America's vital industries and I therefore ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WILL THIS CONGRESS ACT TO END THE CRISIS IN GOLD MINING?

In the Black Hills of South Dakota, near Deadwood in the Whitewood Canyon, the New Era Mining Co. is installing a floating dredge. The creek gravel will be excavated by a large dragline and will be fed to the dredge at the rate of 200 cubic yards per hour.

The gold in the gravel will be concentrated with mineral jigs installed on the dredge. The depth of the gravel deposit varies from 35 to 85 feet.

Sand and rock products will also be produced as a by-product of the dredging operations. The gold in the gravel has been concentrated by streamflow, and is the result of the disintegration of the gold-bearing mountain upstream from the canyon.

The installation of this machinery has been very costly. The price of gold at $35 per ounce is the same in 1963 as it was in 1934. Based on the 1934 cost index, the price of gold should be $105 per ounce.

No other industry in the country is compelled to sell its product at the price that prevailed on January 31, 1934. Our greatest and most cherished mineral has been plagued with horse-and-buggy prices and the cart is now before the horse. Ninety-five percent of the gold mines are closed due to low prices and our Government must enact legislation to aid our ailing mining industry. The low price of $35 per ounce is a roadblock to the progress of mining and a burden on long-range planning. Production of gold has decreased in the United States, Canada, and Alaska to the smallest amount in 70 years. Gold is a critical material used in space exploration and other vital pursuits.

It is unrealistic to expect gold miners to be able to continue in operation when they can receive only 1934 prices for their product.

Compare the prices of commodities to the present price of gold:

	1934	1962	Percent increase in price
Bread	$0.07	$0.23	201.42
Potatoes	.27	.87	223.70
Coffee	.19	.71	274.70
Chevrolet	625.00	2,700.00	284.00
Electric iron	1.95	7.77	298.45
Calf liver	.17	1.39	717.65

The above prices and percentage increases prove the imbalance.

This is another Congress. It has a new opportunity to take steps to correct the inequities which plague the mining industry.

Under our supposedly free enterprise system, gold is the only commodity compelled to sell at a price established 30 years ago, and compelled to limit its sales to one purchaser, the Government.

Gold has never been unwanted as a medium of exchange and its value is based on sound, logical considerations. Gold has a high exchange value, cannot be counterfeited, will not deteriorate, and is suited for use as a monetary unit. Historically, gold has been the king of all metals. The Government treats silver well; why not gold?

It is interesting to note that there are eight gold-producing States—California, Nevada, Colorado, Utah, Arizona, Montana, Alaska and, of course, South Dakota. In South

Dakota is located the largest gold industry; namely, the Homestake Mine.

Is it not about time the Interior Department viewed gold in the same way it does silver, by stressing its industrial aspects as well as it monetary uses? It might be well if the Treasury and the Interior Departments got together and studied the plight of the gold industry, and also the dwindling gold supply, in order that some equitable solution for our gold mining industry might be found. This is one of the most flagrant injustices of which our Government has been guilty, and the unfortunate fact is that neither the Republicans nor the Democrats have had the vision, enterprise, or interest to try to do something about gold.

The price of silver has been subject to wide fluctuations. The average price in 1915 was 49.7 cents an ounce; 4 years later it rose to $1.11. A 100 years ago silver stood at $1.35 and then began a long-term decline that reached a low of 27.9 cents in 1932. Last month the average price of silver on the New York market was $1.27 and, due to the rise in price, there has been a substantial rise in silver production. In Montana, Arizona, and Idaho, industrial consumption continues to increase and a larger quantity was used in coinage last year. The output in 1962 was estimated at $38.8 million compared with $32.8 in 1961. The Government treats silver well—why not gold?

In 1934 the Congress passed the Silver Purchase Act, directing the Treasury to buy silver until its silver stock equaled one-third the value of the gold stock or until the market price of silver reached $1.29. This provided an important subsidy to domestic silver producers.

On November 28, 1961, President Kennedy directed the Treasury to stop selling silver and to start withdrawing its $5 and $10 silver certificates for replacement by Federal Reserve notes of the same denomination. This directive released silver from a pegged price and put it on a free-market basis. Its price increased immediately.

If an equitable program is brought to the floor of Congress—whether to raise the price of gold, provide a subsidy, or a depletion allowance—it should be supported by our Senators and Representatives, the Secretary of the Treasury, and the entire country. In dealing with gold, we deal with matters that are vital to the welfare of the entire Nation and would provide a great stimulus to the economy.

GOLDEN ANNIVERSARY OF MUTUAL IMPROVEMENT ASSOCIATIONS

Mr. MOSS. Mr. President, in this year marking the 175th anniversary of the Constitution's ratification, I consider it not unseemly to advert to the fact that the preamble sets forth among the major reasons for our nationhood the promotion of "the general welfare."

Congress, of course, can and has acted since its inception to implement that objective, but, in the last analysis, the efficacy of its measures always depended on the degree of cooperation received from honest, law-abiding citizens.

This is no novel doctrine. We are empowered to "provide for the common defense" and have authorized drafting men into the Armed Forces, but should those men refuse to fight, the common defense disintegrates and the power becomes an empty one. Similarly with the establishment of justice, if public support is denied the forces of law and order, how can true justice prevail.

In these halls we have been preoccupied with many matters affecting the general welfare from conservation of natural resources and concern over future water supplies to safer regulations for approving new drugs and questionable practices in food packaging.

On our doorsteps here, in our home States and communities now awaits a far more grave problem—the shocking erosion in the country's most priceless of all resources. I speak of our youth.

As my eminent colleagues are aware, the problem has many aspects—juvenile delinquency, school dropouts, inadequate educational facilities, limited job opportunities, to mention a few, but no listing can minimize the ominous character of the problem.

The Biblical prophet, Joel, wrote:

> Your young men shall dream dreams.

And the men who made our Revolution a success were relatively young men who had dreamt dreams. So, too, was the case of so many men and women who added luster to our national prestige thereafter.

Let us remember, for instance, that great inventive genius, Thomas A. Edison, had the benefit of only 3 months formal schooling. He proved such a slow learner he had to be withdrawn from classes and what education he then received was at home from his mother. Henry Ford's formal schooling ended when he was 15 but the next year found him a machinist apprentice in that city linked with his name, Detroit.

One of our earliest literary lights, Washington Irving, began writing for publication at the age of 19. The noted novelist and historian, James Fenimore Cooper, was expelled from college when 15. Mark Twain began his mastery of words as a printer's apprentice at only 12. The Negro agricultural genius, George Washington Carver, was illiterate until he was 20 when the educational opportunity came his way which started him on his life's work.

At the outset, I spoke of the cooperation of law-abiding citizens as essential aid in furthering national objectives. That takes us away from Washington to State and community levels. The "common defense," for example, has had a better posture because, beside the regular forces, we had in existence the State militias, later the National Guard, composed of freely enlisted personnel. Many battle honors have these units won in the Nation's wars.

Time and again, too, citizens committees have done yeoman's service to reestablish justice by investigating on their own initiative and exposing the corrupt machinations of those who were subverting it for greedy selfish ends. As for promoting the "general welfare" of those they could reach, the work of private organizations or associations has a long and laudable history.

My expressed concern about the youth problem is on the record. Now I would speak to you about a body which has been working on it and with very tangible evidence to show for achievement.

In June there will convene in Salt Lake City some 25,000 youthful leaders of the Mutual Improvement Associations, which have a total membership of approximately 300,000 throughout the United States. The purpose of the gathering is to discuss programs aimed at bettering the lives of Mutual Improvement Association members and thus raise both their standards of citizenship and their ideals as potential future leaders on the American scene. Moral and physical fitness, talent and cultural development, as well as spiritual growth for potential future civic leadership are involved.

Although an auxiliary of the Church of Jesus Christ of Latter-day Saints, Mutual Improvement Association welcomes young people of other religious affiliations to participate in a variety of its activities.

President David O. McKay of the Latter-day Saints Church declares: "the greatest asset of a nation is its children," and he makes that statement without qualification as to the creed they may profess.

The coming Salt Lake City conference, incidentally, will mark the 50th anniversary of the church's decision to sponsor the promotion of Boy Scout membership by youngsters in its congregation. Mormon missioners in Great Britain were so impressed by the potential of the Scout movement, founded there in 1908 to inculcate the essentials of good citizenship, that their reports led church leaders to make this decision in 1913, 3 years after the first pioneer Scout troops began organizing in the United States.

Also a part of the conference will be the Golden Bee Jubilee marking the first 50 years of the famous Beehive program for girls 12 to 13 years of age—counterpart unit within Mutual Improvement Association of the Scout troops for boys.

Mutual Improvement Association may in all honesty be described as a juvenile grassroots product. It began on the initiative of young people interested in developing their own capabilities and sensible of the fact that the exchange of mutual help would facilitate that end. They appear to have been conscious, too, of the valuable stimulus which stems from healthy competition or rivalry and, being children, they provided for due recreation.

In educational terms, we have figures today which reflect some of the dividends that have accrued. In percentage of population, aged 25 years and over, with at least 4 years of high school, Utah is the Union's No. 1 State with 55.8 percent. The national average is 41.1 percent.

For the same population percentage with at least 4 years of college, Utah stands No. 2 with 10.2 percent, trailing first-place Colorado by the narrow margin of one-half of 1 percent. The national average is 7.7 percent.

As for the average number of school years completed by persons 25 or older, Utah can claim No. 1 place again with 12.2 years, as compared with 10.6 for the Nation as a whole.

There is no question in my mind that the appreciation of the worth of knowledge, so basic to the Mutual Improvement Association program, has been greatly instrumental in helping to compile these educational records. Of course, we have some extremely brilliant youngsters at one end of the spectrum and those with very limited gifts at the other. I think being thrown together regularly in association benefits both, and probably has been responsible for enabling more than one poor scholar to keep his or her head above water, so to speak. Children are imitative and also one child may often learn from another something a teacher failed to get him to understand. I am not trying to infer that Mutual Improvement Association might have saved someone like Thomas A. Edison from being a dropout. I do say that for the imitative process to exert its best influence and for child-to-child communication to have really sustained opportunity, we benefit from a regular association of our young people in their own extracurricular programs, particularly when compared with the dubious yield which comes from their daily dispersal after school hours when they are prone to go their own ways routinely.

Among my colleagues here on Capitol Hill I know of no one yet who has regarded the receipt of well-earned commendation and praise as an excuse for flagging in his or her efforts to discharge the responsibilities of office as ably as possible. On the contrary, the reaction invariably has been an intensification of effort to do an abler job. A merited reputation, once recognized, can be a terrific driving force; a sincere individual is rarely content just to live up to it, the urge is to enhance it.

With that thought, I would suggest it would be a most laudable act on the part of this august body to salute the coming Mutual Improvement Association conference for what the organization has accomplished in the past, along with well wishes for the continuing success of its future endeavors to improve the lives of its young members mentally, morally, and physically in the interests of making them tomorrow's better citizens.

Be assured, such an act on our part will not immobilize the Mutual Improvement Association leaders into a complacent lethargy. If anything, it will fire a burning zeal to sally forth as if challenged to outdo anything Mutual Improvement Association already has done. And it may well be that the association's example will spur the formation of other such groups, seeking to emulate its work. A chain reaction of that order could be a boon for our young people across the land, and that we woud welcome.

President Kennedy, in his recent speech at Vanderbilt University, laid great stress on our crying need in these troubled times for educated, responsible citizens.

> An American of this stamp—

He said at one point—

> knows that only an educated and informed people will be a free people—that the ignorance of one voter in a democracy impairs the security of all—and that if we can, as Jefferson put it, "enlighten the people generally, tyranny and oppressions of mind and body will vanish, like evil spirits at the dawn of day."

Mutual Improvement Association is striving to give us such educated, responsible citizens.

Gentlemen, my appreciative thanks for your indulgence.

SOVIET OIL PIPELINE

Mr. SCOTT. Mr. President, at this time I would like to comment further on a topic which I described in some detail on May 23 of this year. At that time I underscored the need for unity among NATO members in relation to their embargo on shipments of oil pipelines to the Soviet Union. Since then, a number of newspapers and journals have carried excellent stories pointing out the importance of this embargo.

One of these articles appeared in the Sunday, May 26, edition of the New York Times. Mr. Seymour Topping, the author, makes one observation that is worth special mention. Describing the Soviet Union's utilization of oil pipelines, he says:

> The plans also include the construction of oil pipelines to Baltic and Black Sea ports that would make Soviet oil more competitive with the products of Western oil companies.

Mr. President, if the embargo on oil pipe is disregarded by some Western nations, and if, as a consequence, quantities of such pipe are sold to the Soviet Union, the Western World would not only enhance the threat to its political security but would contribute to its own economic dislocation as well. These possibilities reveal that a common Western front is indeed imperative.

I ask unanimous consent that Mr. Topping's perceptive article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EMBARGO SLOWS DOWN SOVIET PIPELINE—MOSCOW NEEDS BIG INCH PIPE BUT KHRUSHCHEV FINDS COMFORT IN ALLIED DISSENSION OVER SALE

(By Seymour Topping)

Moscow, May 25.—The construction of a giant sytsem of oil and gas pipelines in Eastern Europe has been slowed by a Western embargo on the export of "big inch" pipe to the Soviet Union.

To expedite completion of the system, which would yield enormous economic and strategic benefits to the Soviet bloc, Moscow had been importing large diameter pipe, most of it 40 inches, from the West and Japan.

After flowing to the Soviet Union for about 3 years, the supply of this pipe abruptly was cut off last year. In November, the council of the North Atlantic Alliance at the request of the United States recommended to member nations and friendly countries that an embargo be imposed on further shipments to the Soviet Union. Large diameter pipe was classified as strategic and as capable of adding to the Soviet military potential.

About a million tons of 40-inch pipe was needed originally for the main trunks of the great pipelines.

DISSENSION CITED

While the Soviet Union still needs more pipe, the Kremlin may now feel that this embargo is not such a misfortune considering all the dissension it has stirred in the West on the question of whether the pipe should be sold to the Soviet Union. Premier Khrushchev recently told Berthold Beitz, general manager of Western Germany's Krupp industrial firms that he did not intend to make any more purchases in the West and that the Russians were content to produce their own pipe.

Sanguine as Mr. Khrushchev appears to be about the Soviet capacity to turn out large diameter pipe as needed, there is little doubt that Moscow would prefer to be able to speed construction through imports.

The issue of whether to sell or not to sell also remains a hot one among the Western Allies. A spokesman of the West German Foreign Office warned this week that if British firms sold pipe to Russians, shipments would not be permitted to pass through West Germany. The controversy has raised questions that are fundamental both to relations among the Western Powers and to future East-West commercial ties. Some of them were discussed in Ottawa this week at the ministerial meeting of the Atlantic Council.

TRADE AGREEMENT

A dispute has been smoldering for years between the United States and some other Western countries, notably Britain, about agreed lists of strategic goods embargoed for shipment to Soviet-bloc countries and Communist China. Hungry for trade, Britain has favored reducing these lists. There is considerable sentiment in business circles in many countries to have the lists confined to goods of obvious military utility.

The United States has managed to hold the line with the argument that the lists of strategic goods cannot be cut substantially as long as the Soviet Union remains dedicated to world communism and the destruction of Western institutions. In an age when the cold war is being fought out with economic and well as military, political, and propaganda weapons, the U.S. definition of "strategic" covers a broad category.

BRITISH VIEW

British officials have argued privately that the present broad nature of embargo may be doing more harm than good. The Western nations need more trade and denying the Russians industrial equipment only encourages them to manufacture it themselves.

The big diameter oil line pipe became a test case in the strategic embargo debate because it fell into a marginal category. It was declared strategic as an afterthought last November. Moscow says that the U.S. recommendation was made because it became obvious that Soviet oil was becoming more competitive on the world markets.

BRITISH COMPETITION

When West Germany, under U.S. prodding, reluctantly canceled Soviet orders for 163,000 tons of pipe, Moscow threatened to sue. The problem came up at this week's Ottawa meeting because the West Germans became concerned that Moscow was negotiating to buy the pipe from British firms. Earlier, the British Government had said that under existing legislation it could not compel British businessmen to heed the NATO recommendation.

Among the nervous onlookers were Italy and Japan, which had agreed to stand by the embargo despite protests from their businessmen who were being teased by Soviet orders.

The uproar stemmed immediately from two Soviet pipeline projects which are well advanced.

One is a 1,500-mile line from Bukhara in Central Asia which is to provide gas for heavy industries in the Ural regions.

The other system is the 2,500-mile Friendship pipeline to link the big oil field near the Volga in the Kuibyshev region with refineries in Czechoslovakia, Hungary, Poland, and East Germany. The line is projected to meet much of the needs of the satellites, especially the big chemical industry under construction in East Germany.

Soviet officials say both lines will be completed in 1963. After the West Germans canceled their contracts, Moscow began constructing new mills and converting others to the production of 40-inch pipe. The program has been spurred by an intensive propaganda campaign calling for greater efforts to defeat imperialist meddlers.

New mills that Moscow reports having put into operation since March are said to be able to produce hundreds of kilometers of pipe a year. This is an indicated capacity of at least 100,000 tons a year. It has seemed reasonably certain that, with or without foreign imports, Moscow would be able to complete the two projects next year at the latest.

FUTURE NEEDS

However, the big inch pipe issue will not be dead then. The Soviet Union has an open-end need for pipe to complete a giant, overall system of oil and gas pipelines extending to every major region of the country. Moscow hopes to convert the economy to one in which oil and natural gas would make up about two-thirds of all fuels consumed. Coal is now the dominant fuel.

The plans also include the construction of oil pipelines to Baltic and Black Sea ports that would make Soviet oil more competitive with the products of Western oil companies. Eventually, a line being constructed to Irkutsk in Siberia might be extended to Nakhodka on the Sea of Japan to provide a Far Eastern outlet.

Moscow has deliberately left unclear how far the projected capacity for the production of large diameter pipe, including the 40-inch type, will go toward meeting these huge requirements.

Soviet propagandists have rejected the U.S. contentions that some of these lines are strategic.

As regards the friendship oil pipeline specifically, U.S. officials hold that this line with its terminus near East Berlin would expedite the delivery of fuel to the Soviet divisions in East Germany, the main Communist force for any assault by conventional forces on Western Europe. It is also seen as an important step toward the economic integration of East Germany into the Soviet bloc, a development that would tend to make German reunification even more remote.

KHRUSHCHEV'S CHALLENGE

U.S. officials have described the gas line from Bukhara as strategic because it would fuel an industrial complex in the Urals that is believed to embrace an important section of the Soviet armaments industry.

Premier Khrushchev recently ridiculed the U.S. arguments by asserting that they in effect made buttons even more strategic than big inch pipe.

"A soldier would not be able to wear pants without buttons because he would have to hold them up with his hands; and what would he then do with his weapons?" Mr. Khrushchev asked.

Buttons or big inch pipe, Mr. Khrushchev left unanswered the underlying question troubling U.S. policymakers. How can you do business with a man who insists publicly that he intends to bury you?

NEBRASKA REA YOUTH TOUR

Mr. CURTIS. Mr. President, for some years the Nebraska Rural Electric Association has sponsored a youth tour to Washington. The group is made up of boys and girls who are the winners of essay contests sponsored by their individual Nebraska rural power systems in cooperation with the Nebraska Rural Electric Association.

It is a privilege to ask unanimous consent that four of these winning essays be printed in the CONGRESSIONAL RECORD. The first is by Judy Kay Walker and is entitled "The Value of Rural Electrification in Our Home and Community." Judy is 16 years of age and a junior at Maywood Public School, Maywood, Nebr. She is sponsored by the McCook Public Power District.

The second essay is by Edwin A. Harlan and is entitled "The Development of Rural Electrification in My Area." Edwin, age 16, is a junior at Beaver City High School, Beaver City, Nebr., and is sponsored by the Twin Valleys Public Power District.

The third essay, written by Lynn C. Davison, bears the title "The Value of Rural Electrification in Our Home and Community." Lynn is sponsored by the Wheatbelt Public Power District. He is a 16-year-old junior, living at Sidney, Nebr., and attending Sunol High School.

The fourth essay likewise bears the title "The Value of Rural Electrification in Our Home and Community," and was written by Larry Pankonin. This contestant is sponsored by the Midwest Electric Membership Corp. He is 18 years old and is a junior at Madrid High School, Madrid, Nebr.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

THE VALUE OF RURAL ELECTRIFICATION IN OUR HOME AND COMMUNITY

(By Judy Kay Walker)

The value of electrification, or the fact that electricity is distributed throughout the rural areas of Nebraska, is almost priceless in the community where I live. I am a resident in the area where electricity is supplied by McCook Public Power District. This community, being a ranching and farming community, requires electricity for a wide and varied number of uses. To mention a few of these, electricity is used for irrigation, drying grain, pumping water, power for shop tools, milking machines, indoor appliances, heating, and lighting.

Lighting. I cannot help but wonder if Thomas Edison was aware of the miracle he produced when he generated the minute amount of electricity which flowed through the tungsten coil to send a small beam of light flowing from his electric light bulb. Through the advancement of electricity and the furthering of Mr. Edison's invention, electric light has become the most convenient and economical form of lighting available in the United States. During George Washington's first Presidential term a birthday party was given for him at the White House. The lighting for the ballroom was furnished by a pompous chandelier. This chandelier, consisting of thousands of candles costing over $500, was the modern form of lighting for that era. Today the same amount of lighting, by means of electricity, can be furnished by a flip of a switch for less than 30 cents.

Not only is electricity convenient and economical in the form of lighting, but it is also used to the fullest extent as a "power-generator" for scores of different appliances.

When the number of farms served by REA and the numerous miles of line in our district are considered, one is inclined to believe that the area served by electricity in the United States must be unknown. In the district where I live there are 1,772 miles of line bringing the spark of prosperity to 1,427 rural farms. This is enough to keep a hundred-watt bulb burning 24 hours every day of the month for almost 499,500 months. This is amazing, but even more so is the fact that the maximum charge for electricity is 10 cents per kilowatt-hour. This is one time in this expensive cost of living index—that the more one uses the cheaper it is—all kilowatt hours over 1,200 may be enjoyed for only 1½ cents per kilowatt hour.

Since REA is used and needed on farms in this region many people depend and rely on the prompt restoration of electricity following a power failure. McCook Public Power District has a crew of capable and reliable linemen. During an electrical storm last July, one of the dairymen of this area experienced a power failure. This occurred after the evening milking had been completed. The McCook Public Power District was notified of the failure immediately. By the following morning, the power in this area had been restored and the dairyman was able to do the morning milking right on schedule with the relied-upon convenience of electric milking machines. This is just one example of the remarkable services available to this district at all times.

Recently many farmers of this community have had new yard lights put up on their farms. These yard lights cast a wider range of light than the average bulb does. They turn on automatically at sundown and cease to burn at dawn.

This community and my home would be beyond my imagination without the conveniences made available through electricity. Electricity is applied in every possible way to make this a modern and prosperous community. As "Willie Wirehand" would say "This community goes all electric."

THE DEVELOPMENT OF RURAL ELECTRIFICATION IN MY AREA

(By Edwin A. Harlan)

On May 11, 1935, the Congress of the United States passed the Rural Electrification Administration Act, and it was shortly afterwards signed into law by the President, Franklin D. Roosevelt. Congress intended that the existing power companies would use Federal funds to build rural lines and electrify rural America.

The act was also to be a relief measure, to ease the unemployment situation. Several attempts were made to interest the power companies in this project, but they were not at all interested. Soon it was discovered that the building of powerlines and doing electrical work should not be relief work. It was then that rural groups were encouraged to organize and form their own electrical distribution districts.

The first attempt at any organization in my area was made by the McCook Public Power District in 1941. They were in the process of organizing and were planning to incorporate a large part of southern Nebraska in their district, but war came and the organization came to a stop.

In 1944 Twin Valleys had its first organization meeting at the request of the late Senator Butler. An organization, Twin Valleys Electric Membership Association, was formed. Twin Valleys Electric Membership Association was soon changed to Twin Valleys Public Power District because Nebraska's laws were unfavorable tax-wise to cooperatives.

Rural electrification, as an infant, had many problems and pitfalls. Mistakes were made nationally as well as locally. Twin Valleys certainly had its share. After much engineering, an application was made to REA for funds with which to build the first lines.

Contracts were being let and lines were being built in a normal way when a devastating flood struck the Medicine Creek watershed. The town of Cambridge was badly flooded and both the Twin Valleys' pole pile and office building went floating down the Republican River. Temporary offices were established at several different locations, before the new building on the present location was erected in 1958.

When rural electrification first came to my area, the average customer's use of electricity was for lights only. As the time passed, the type of load for Twin Valleys changed with many farmers using power appliances.

As the use of electricity increased, the service by Twin Valleys had improved greatly. The lines have been sectionalized and two-way radios are now installed into the system. The services have increased until today very few outages occur. These are of only short duration.

Twin Valleys Public Power District buys its power from the Nebraska Public Power System, a combination of Loup River Public Power District and Platte Valley Public Power and Irrigation Districts. During the years of operation there has been much negotiation and litigation over the wholesale price of power from Nebraska Public Power System. The difference of opinions became so drastic that the 1961 legislature formulated a Nebraska Public Power Committee to make a comprehensive study of public power in Nebraska and to report to the legislature of 1963 their findings and recommendations for improving the Public Power System of Nebraska, the only public power State. To date many bills have been introduced in the 1963 Nebraska Legislature that could, if passed, affect public power in Nebraska.

Rural electrification has done much to lighten farm labor and make the farm a nice place to live. This has been done by helping the people to live better electrically.

The Value of Rural Electrification in Our Home and Community

(By Lynn C. Davison)

Just how valuable is rural electrification to our community? We cannot truly realize its value until we are forced to do without it. Suppose that all electric power in our community were to be cut off for a period of 24 hours. What would be the result?

The first result would be a lack of heat. The next result would be a lack of food. After a few hours food would spoil in refrigerators and freezers, endangering our food supply.

Another result would be no water, since almost all the water we use is pumped by electric pumps.

The farmer would be greatly hindered by the lack of power. His milking machines would not work, he would suffer a death loss of his livestock due to the failure of heat lamps and brooders, and the power tools in his shop would be useless. This, plus the discomforts of his urban counterpart.

Most important, how is rural electrification valuable to me personally? Since I live on a farm, I can give direct testimony of the value of rural electrification. Our farm has four electrically driven irrigation pumps. If it were not for these irrigation pumps, our farm would not produce enough to support our family.

Our farm has an electric milking machine, freeing us from the drudgery of this twice-daily chore. Besides taking less time, milking machines are easier on the cows and are more economical.

After we are through milking, we use an electric cream separator. The livestock get their water from an electric pump.

When our sows farrow, we use electric heat lamps to warm the baby pigs and keep them from under the sow. Our inadequate shop is equipped with only an electric grindstone, but some farm shops have a wide variety of power tools, such as welders, saws, lathes, and drills.

On the farm, electricity enables 1 man to do the work of 20. Electrical feeding systems allow the buying, mixing, and feeding of grains, supplements, and forages in large quantities. Due to his electrical hired man, the farmer saves thousands of dollars by bulk buying.

Better crops, quality and quantity wise, are grown with the use of irrigation. Electric pumps to pump the water for irrigation run economically because the electricity rates decrease as more power is used. The pumps run night and day without checking and there are no costly overhauls.

Our home is typical of this community. It is supplied with pure, clean water by an automatic pump driven by electricity and has an electric water heater, ready to supply us at the turn of the tap.

Without rural electrification, our high standard of living would indeed be affected. Rural electrification provides the power to operate our Nation's farms and is vital to the Nation's economy.

The Value of Rural Electrification in Our Home and Community

(By Larry Pankonin)

When I was 2 years old, we moved to this farm which hadn't been occupied for several years so it wasn't signed up for REA. I can remember mother lighting the lamp with the little mesh bags which crumbled to nothing when touched. The gas iron which she pumped to make hotter, sometimes it took a long time to get started.

Finally in 1949, our farm was energized. It was fun to switch the lights on and off, just to see if they really would light. Stored gifts were unpacked such as: waffle iron, toaster, coffeemaker, lamps, clocks, mixer, iron, heating pad. Many have been added since, such as, skillets, can opener, deep-fat fryer, refrigerator, electric blanket, razors and vacuum sweeper.

A few years ago we got an automatic washer and dryer, which are handy when I dash home from school with dirty football, basketball or track clothes. I can toss them in and wash and dry them real quickly. Then too I'm always thankful for our dishwasher when I draw kitchen duty. Most all homes have television and one or two radios. And as time went on dad got electric tools for the shop. We use our electric welder which saves much time and expense. Our electric saw, grinder, drill, battery charger, soldering iron, air compresser, and extension cords all play a big part in farming. The electric heat lamps saved several litters of pigs for us this winter in 20° below zero weather. Our neighbors use them for their sheep and chickens.

Then there are conveniences that other people in our community enjoy. The combination stock tank that has electric water warmer is really a lifesaver for the stockman. Some of our neighbors enjoy their electric grain dryers and augers. Also at harvest time it's nice to have electricity so the harvesters can use their moisture checkers which saves many trips to the elevators. So many people in our community have deep wells or electric pump jacks and don't have to worry about enough wind to keep up a water supply. Several farmers milk lots of cows with electric milkers and cool the milk in big coolers, others use cream separators. One neighbor has an electric incubator and several have electric ranges, water heaters, and deep freezers.

Rural electrification brings lots of business, employment, and tax revenue to our community. The new REA building, besides serving its purpose as an office for the personnel, makes a pleasant place for group meetings. The service boys and office personnel are always kind and on the job.

We never appreciate electricity until it goes off for a few hours, then we know how much we depend on the "big operation, REA."

THE DEATH OF IATA?

Mr. COTTON. Mr. President, the recent difficulties encountered by American-flag carriers in the airline industry and, for that matter, by our own Government, on the question of international air fares is a matter of serious concern.

It is disturbing indeed that we should be forced to acquiesce to an increase in passenger tariff schedules, in violation of our own economic self-interest, and I ask unanimous consent to have inserted in the Record a penetrating discussion of this problem contained in the May 4 issue of the Economist entitled "The Death of IATA?"

This article points out clearly and with an admirable lack of equivocation, that the International Air Transport Association no longer speaks with an effective voice because "the gulf separating efficient from inefficient airlines—by and large, American airlines for European—is now so wide that they no longer speak a common language." The writer makes the perfectly valid point that American-flag carriers, operating under the stimulus of private initiative, using the same aircraft, bought from the same manufacturers and flown along the same routes, as foreign carriers, manage to operate at a profit, when comparable foreign carriers operate at a loss. He goes on to ask the entirely appropriate question, "How can a satisfactory air tariff be worked out for airlines with such conflicting standards of efficiency?"

We may well take pride in the pioneering efforts of our own flag carriers and the unsurpassed standards of excellence they have achieved. In this regard, the observations contained in this, a foreign publication, are worthy of careful attention.

There being no objection, the discussion was ordered to be printed in the Record, as follows:

The Death of IATA?

In London, on the afternoon of Friday, April 26, the International Air Transport Association died. Even if International Air Transport Association refuses to lie down, it can be from now on only a ghost of its former self. Contrary to popular belief, International Air Transport Association has not been killed by the intransigence of Mr. Alan Boyd, Chairman of the U.S. Civil Aeronautics Board. It died because the gulf separating efficient from inefficient airlines—by and large, American lines from European—is now so wide that they no longer speak a common language. The International Air Transport Association solution, where 92 airlines meet to work out tariffs once a year, presupposes that airlines have a common denominator of business ability. This is no longer so. Some airlines are unable to recover more than a fraction of their costs at fares that leave others with comfortable margins in hand. Last year, the world's airlines are tentatively estimated to have turned an operating loss of about £40 million (1961) into an operating profit of about £20 million (on sales totaling £2½ billion). But within this total, some airlines earned reasonable margins of profit, while others made losses so great that their governments cannot allow the drain to persist unchecked. This is what has killed International Air Transport Association.

What is going to happen now? The International Air Transport Association airlines and their governments have the summer to ponder on it. The 16-government meeting that took place in London last week to debate whether or not air fares on the North Atlantic ought to rise immediately by 5 percent broke up late on Friday evening without reaching agreement, and informal talks continued into this week. Fourteen out of the sixteen governments maintained and still maintain that fares must increase. Two, the United States and Canada, stick doggedly to their view that there is no economic justification whatsoever for permitting an increase. The split is deep, bitter and serious. On the surface, the delegates may have been arguing about a mere £9 13s. on a return ticket costing £173. But they were also, possibly for the first time, challenging the right of the U.S. Government, through its Civil Aeronautics Board, to impose its will on the airlines of other countries by insisting they charge what are—to those airlines—uneconomic fares at which they cannot pay their way. The meeting produced no answer to this. The CAB now regrets most bitterly that it delayed its intervention to prevent the fare increase until the 11th hour, just before the rise was to take effect on April 1, and after it had been approved by nearly all other governments.

This gesture, arbitrarily sweeping aside air tariffs and timetables agreed 5 months earlier by International Air Transport Association and throwing airlines half across the world into confusion, made the CAB appear callous and arrogant; it is never likely to lay itself open to criticism on that score again. But the error of timing is all that the CAB does regret. Mr. Boyd and his team, went home to Washington this week without having conceded so much as a dollar toward the case for higher fares.

The interesting—possibly, the historic—outcome of the talks is that the other governments let him go. They did not capitulate at the last minute and accept a face-saving formula that would have preserved the semblance of amity, even though Mr. Boyd did offer them a formula of sorts. It may not have looked a very generous one. The fare increase had been engineered by leaving fares themselves unchanged but halving the return ticket discount from 10 to 5 percent. The Americans indicated that they would approve this arrangement if the other countries would accept a $10 cut in the single Atlantic fare. A return ticket sold at the new discount would then cost much the same as an old ticket sold at the old rate of discount, and everyone would have been happy—except, perhaps, those airlines who needed the higher revenue and were not going to get it. By refusing to take this way out, the 14 governments have set themselves and Mr. Boyd a pretty puzzle.

The Ministry of Aviation has announced that Britain will introduce higher fares from May 12, in spite of American objections. All airlines flying between the United States and Britain after that date will have to charge these new fares, whatever their nationality, or be refused permission to land. Most of the other governments are expected to make the same kind of announcement, if their nerve holds. And what of the Americans? They do not have to make a positive response for some weeks. The Civil Aeronautics Board has no legal power to control international air fares; it cannot therefore stop Pan American or TWA from charging higher rates if other governments insist (although it will have to take steps to protect them from antitrust action if they do). But the U.S. administration's new aviation policy (explained in a note on p. 434) will change all this. Congress will be asked to pass legislation giving the CAB the same control over international air fares that it now has over domestic ones. This may not take long and when it is law, Mr. Boyd will have to adjudicate on the new, high fares. It is improbable that he would jeopardize his political reputation at home (his is a political agency, as opposed to the government departments with which he deals abroad) by approving them. So it will become possible for the British Government to find itself insisting on higher fares while the American Government insists on lower ones on the same route. Air traffic between their two countries could come to a halt.

Obviously, no one wants to see this happen. But at the London meetings, the irresistible force was given a push that has started it rolling toward the immovable object, and the two might well make contact this summer. It is no use expecting Mr. Boyd to budge. Time, plus a happy piece of chance, is on his side, and he is banking on the reluctant 14 coming round to his suggested $10 fare cut—sooner, rather than later. The key is not held by him, but by Canada.

Canadian air agreements were drafted with foresight and have clauses for dealing with just such situations. In any dispute about international fares, they say, the old ones must stay in force until the dispute is settled. Ministry of Aviation lawyers challenge whether this means what it says. If it does, fares to Canada will stay the same when fares to New York go up in a week's time. Some think this would divert a substantial amount of North Atlantic air traffic to the Canadian route. If that is at all likely, the airlines themselves may refuse to apply higher fares to New York and the opposition will crumble without the CAB having to use its big stick.

It is difficult to see what remains of International Air Transport Association as a fare-fixing forum after this debacle. It took the airlines 3 long, exhausting weeks of bargaining in Arizona to arrive at the fare structure that is now being torn up by governments. International Air Transport Association was brought into being, and has survived up to now despite internal strains and stresses, because however they quarrel among themselves, airlines were united in their common fear of fare negotiation by governments. Now their worst fears have come to pass. For their part, none of the government agencies that took part in last week's London talks are anxious after that experience to take over International Air Transport Association's hot seat. Indeed, their fervent wish is that International Air Transport Association will soon call a fare conference that will obediently proceed to unscramble the broken eggs and cancel out the offending 5-percent fare increase by the end of the summer.

This crisis will blow over, but the real problem that brought the 16 governments together in London will remain unresolved. How can a satisfactory air tariff be worked out for airlines with such conflicting standards of efficiency? All of them use the same aircraft, bought from the same manufacturers and flown along the same routes. Yet Pan American makes a profit across the world even when it sells little more than 4 seats in every 10; BOAC makes a £14 million annual loss. Does this prove a case for a fare cut or for a fare increase? Neither airline is unique: the Civil Aeronautics Board, in arguing against higher fares, could produce numerous examples of airlines making profits. As many cases can be found, mainly from among the industrial leaders of Western Europe, where they are making quite staggering losses.

One subject that will certainly be discussed by governments when they meet again to thrash out a new international air fares policy to replace International Air Transport Association will be how to narrow this gap in performance. It is obvious, looking at the Pan American results, that the huge savings from flying jets have not been passed on to the passengers; the last fare reduction on the North Atlantic took place before the jets entered service. One suggestion that will certainly be made is for direct government subsidies to be paid for operating unprofitable "public interest" routes, so that losses made on these will not have to be spread over an airline's whole operating account. (These public service routes are not a purely European invention: Pan American is under State Department pressure to fly into Casablanca against its better commercial judgment.) But it would be naive to think that this alone will reduce the gap between the costs of the best and worst airlines to tolerable proportions. Before the governments meet again, European governments in particular would be well advised to take a thoughtful look at the way their national airlines are run. One good outcome of the London meetings is that government representatives have been brought face to face with evidence that some of these airlines have really no right to be in business at all.

NEBRASKA REA ESSAY CONTEST

Mr. HRUSKA. Mr. President, it has been my privilege in the past to have printed in the CONGRESSIONAL RECORD the winning entries in the essay contest sponsored by the Nebraska Rural Electric Association.

This year's essays, on the subject of "The Value of Rural Electrification in Our Home and Community," are among the best. The winners will be visiting Washington next week as part of their award.

I ask unanimous consent to have four of the best essays printed in the RECORD, each preceded by brief information about the contestant. The authors are Larraine I. Streiff, of Tryon; Alton Uhlig, of Ansley; Barbara Hadan, of Franklin; and Catherine Lueking, of Holdrege.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

INFORMATION

My name: Lorraine I. Streiff; age, 17; grade, senior; school, McPherson County High School, Tryon, Nebr.; name of father, John A. Streiff, Flats, Nebr.

Contestant sponsored by the Custer Public Power District, Broken Bow, Nebr., in cooperation with the Nebraska Rural Electric Association.

THE VALUE OF RURAL ELECTRIFICATION IN OUR HOME AND COMMUNITY

The purpose of our rural electric system is to bring the ranchers, farmers, residences, and businesses in villages and small towns, the benefits, the privileges, and the conveniences that can be had with no energy other than electricity. Our rural electric system is set up with the mindful purpose of giving maximum service at minimum cost. To this end our rural electric system is dedicated and is fulfilling its obligations.

The value of our rural electric system is something that no measure can evaluate and no mathematician can figure in dollars and cents. It is a value that you feel by knowing that you have this power at your fingertips with the flip of a switch, of seeing the lights come on by merely pulling a chain, pushing a button, or turning a knob. A value you can enjoy in seeing the benefits of labor-saving equipment, tools, and entertainment devices operated by electricity.

From the smalltown store with its modern coolers, air conditioning, freezers, and slicers to the individual who may have his or her joy in a mechanical hobby shop or some automatic gadgets, to the electrical appliances in the home, truly the value and benefits to our community are as varied as the individual.

Part of the value can be measured by the increased comfort of clean electric heat, the entertaining and educational programs received on our electrically operated televisions and radios, seeing our chicks grow up under the warm rays of electric brooders, and our calves and pigs being given a better start under heat lamps.

From foods stored in the freezer, mother cooks well-balanced meals the year round on the electric range aiding in better health and a higher standard of living.

A complete, well installed, electric water system, not only affords hot and cold water at the turn of a knob but also beautifies our homesites by making possible flowers, lawns, and bountiful gardens. These, together with the peace of mind that comes with the knowledge that should a fire start, the water is ready and waiting to help extinguish it and we need not depend on a bucket brigade. This value no mortal can measure.

We wonder if men like William Gilbert or Benjamin Franklin had even the slightest conception of the subsequent benefits our community and we as individuals would someday receive from their experiments.

We feel that the late George W. Norris had an insight into the future when he fathered the Rural Electrification Administration. We wonder if he realized that the fulfillment of the purpose, the unmeasurable value of our rural electric system would be as well managed and as economical as today's system operates. Did he realize the convenience and modernization it would afford to the small towns, the rural communities, and individuals?

Our rural electric system makes it possible for us and those who come after us to share in the convenience, labor-saving devices, entertainment, better nutrition, and peace of mind brought to us in the form of electricity; one of the greatest discoveries since God said, "Let There Be Light."

INFORMATION

My name, Alton Uhlig; age, 17, grade, senior; school, Ansley High School; name of parent, Mrs. Arnold Uhlig, Mason City, Nebr.

Contestant sponsored by the Custer Public Power District, Broken Bow, Nebr., in cooperation with the Nebraska Rural Electric Association.

THE VALUE OF RURAL ELECTRIFICATION IN OUR HOME AND COMMUNITY

The Rural Electrification Administration was created by Executive Order No. 7037, signed by President Franklin D. Roosevelt on May 11, 1935, under authority of the Emergency Relief Appropriation Act of 1935. Senator George Norris from Nebraska and Representative Sam Rayburn from Texas were the main instigators of the Rural Electrification Act.

It was a dark land in 1935. At that time, only 11 percent of America's rural homes had or could get electricity at a price they could afford to pay. In the 25 years from 1935 to 1960, this count had increased to a total of 97 percent.

Before 1935, private power companies refused to extend lines into rural areas. One of the reasons for this was that people said, "Farmers do not want electricity," or "Farmers can't afford electricity." These statements were proved to be false after rural people were offered electric power at reasonable rates.

The main purpose of the rural electric systems is to provide electric power at reasonable rates to farm families. From past experiences of trying to get economical power into rural areas, the farmers decided the best way to do this was to form cooperatives. When the REA Act was passed, Congress provided the President with $100 million for the purpose of making loans to the cooperatives. As of 1960, North Carolina had the largest loan of $4,530,692.62.

The electric power from the local rural electric system is one of the farmer's most valuable assets. It has transformed his methods of operations to a very great extent. He can do more chores faster and with less effort. This gives him more time to do other work or to enjoy some sort of recreational activity, which was once available only to his city cousin.

With the population growing by the thousands every day, the farmer must be able to increase production. "Willie Wirehand," the symbol of rural electric power, is getting more work to do every day. Now we say, "Let Willie do it," instead of Tom, Dick, or Harry. He is on the job 24 hours a day, 7 days a week. He never gets sick, never takes a vacation, and never complains as another common hired man would. Best of all, Willie's labor gets cheaper as he does more work. He feeds the cattle, milks the cows, pumps water, keeps food cool, heats the house, and does an ever-increasing number of jobs.

Economical rural electric power not only benefits the farmers, but also aids many businesses in the city. One banker said the largest check ever written on his bank was issued by the local electric cooperative to the contractor who built its lines. As cities become more crowded, new businesses build up outside of town. Many of them use electric power from the local REA system for lighting and heating purposes. Rural electric companies provide an increasing number of jobs for many people—office workers, servicemen, building contractors, etc.

Rural electricity is truly a growing industry as it serves an ever-increasing number of purposes. It is giving farmers and the people connected with the farmers a new and better way of life by making it more healthful and enjoyable.

INFORMATION

My name, Barbara Hadan; age, 16; grade, junior; school, Franklin High School; name of father, H. F. Hadan, Franklin, Nebr.

Contestant sponsored by the Franklin County Rural Public Power District, Franklin, Nebr., in cooperation with the Nebraska Rural Electric Association.

THE VALUE OF RURAL ELECTRIFICATION IN OUR HOME AND COMMUNITY

Electricity is one of the most wonderful forces placed ready for the service of mankind.

Almost everyone who has ever planted a potato or milked a cow recalls a pet superstition concerning weather, crops, livestock, or people. Some of these are just that—superstitions; others are based squarely on scientific fact. It was a scientific fact when Benjamin Franklin captured fire from the sky and brought it to the ground. Franklin was not content to go on simply by guessing; he put his belief to proof.

One-hundred-two years ago another great man was born. Throughout rural America and especially in Nebraska, Senator George Norris is remembered as coauthor of legislation which led to the creation of the Rural Electrification Administration. Norris was a leader in the Nebraska public power program. He believed that efficient use of Nebraska's abundant water would provide low cost electricity and irrigation water and would create a better standard of living for all Nebraskans.

I was only 2 years old when rural electrification was brought to our community; so I do not know what it was like before we had electricity. But stopping to think what we would be deprived of if it were not for rural electrification, I will have to admit that REA has done much more for our community than I have in the past 15 years that we have grown together. I do know that it is electricity that keeps our community "humming." If it isn't the humming of motors here and there, it is the "humming" of happiness and contentment that electricity brings to a farmstead. The Franklin County Rural Public Power District puts the "spark" in our community and our community puts the "progress" in our county.

From a teenagers viewpoint rural electrification is a must. A few weeks ago REA was off for one evening due to a storm and I didn't get a chance to study my lessons as I should. The result was a poor grade in my studies. If our community would suffer the same reaction, if they were to part with rural electrification, it would be a serious downfall and backset to our community.

Rural electrification is doing more than ever before to help the modern farmer gain more produce, more profit, and more leisure time. It means power for hoisting hay, grinding feed, irrigating crops, and repairing farm machinery. It means heat for brooding chicks, hot and cold running water for modern bathrooms and plenty of light for the house and farm buildings. It means laborsaving kitchens. It means better schools. It means in brief, greater efficiency in agriculture, more pride and self respect, and a much higher standard of living.

I am proud of my home and my community. REA is the one big factor in making it a pleasant and exciting place to live, and for these things "we give thanks."

INFORMATION

My name, Catherine Lueking; age, 17; grade, senior; school, Holdrege High School; name of father, Lawrence Lueking, Atlanta, Nebr.

Contestant sponsored by the Twin Valleys Public Power District, Cambridge, Nebr., in cooperation with the Nebraska Rural Electric Association.

THE DEVELOPMENT OF RURAL ELECTRIFICATION IN MY AREA

When the Rural Electrification Administration was created in 1935, only 10 percent of the farms in the United States were receiving electric power. Today 93 percent of the Nation's farms are electrified. It has been estimated that the average farm family uses electricity in at least 67 ways while increasing the total labor output of the farm.

In the late 1940's when rural electrification was developed in my community, the average farm unit was not equipped with implements and machinery adapted to electricity. Farmers were plagued with hours of back-breaking labor and used hired men as well as family labor to accomplish their tasks. The entire family was required to manage even a moderate agricultural unit. Cows were milked and fed by hand and often even the vital water supply depended upon physical labor. Entertainment was often limited to a battery equipped radio and most social life ceased, by necessity, when the sun went down. Children sat around the lamp on the kitchen table to do their homework.

Today rural electrification means heat, light, and power for the average farmer in my area. With the cost of production at an alltime high, electricity gives low cost, efficient power to the farmer who must increase his output and hold his unit cost as low as possible to meet competition. While electrical power not only increases production, it decreases the labor required in processing agricultural products. Specialized electrical equipment illuminate farmyards, assure an adequate water supply, and automatically alleviate the farmer and his family of many unpleasant duties. At the same time the rural electrification program has added several billion dollars' worth of productive goods to the natural wealth of the United States.

Today rural areas also enjoy the same household conveniences and luxuries offered to their neighbors in the cities. The average farm home is heated and air-conditioned by electricity, the cleanest, handiest, most economical power available to mankind. Electricity has increased the leisure of farm families. Its presence has abolished the once isolated conditions which existed on the farm. The radio and television, adequate lighting for reading and study, and recreational facilities offered by the presence of electricity keep our community well informed and running smoothly.

The use of electrical power has decreased labor, increased output, and improved the standard of living of each farm family in my community for the average of $16.04 per month according to the April edition of the Electric Farmer. As competition becomes keener and production demands increase, farm families become increasingly aware of their dependence upon that silent, unknown, economic power, electricity. It is the means which enables my community to look to a future of improvement and opportunity. Rural electrification stands as one of the many examples of how the Government can help people help themselves.

HUNGARY

Mr. DODD. Mr. President, the reports that the Department of State is planning to establish normal diplomatic relations with the Hungarian puppet regime and that it will henceforth drop its opposition to the accreditation of the Hungarian delegation to the U.N. General Assembly, have gravely disturbed the American people.

As my colleagues will recall, I spoke on this matter on Monday of last week; and, in the colloquy that followed, some half dozen Senators of both parties took the floor to indicate that they were also opposed to any compromise that would close the books on the terrible crime perpetrated by the Red army in Hungary 6 years ago.

As an evidence of the public concern over the proposed revision of policy on the question of Hungary, I ask unanimous consent to have printed into the Record at this point a statement issued on May 20 by Mr. Byron B. Gentry, commander in chief of the Veterans of Foreign Wars of the United States. It is my belief that most of us would share Commander in Chief Gentry's conclusion that we have a "sacred obligation not to forget, and not to forgive, the Government that perpetrated one of history's most hideous crimes against humanity."

There being no objection, the statement was ordered to be printed in the Record, as follows:

"The United States will be placing a belated stamp of approval on one of the cruelest atrocities in history if our Government goes through with reported plans for closer relations with the Communist regime of Hungary," so stated Byron B. Gentry, Pasadena, Calif., commander in chief of the Veterans of Foreign Wars of the United States.

Commander Gentry stated the opposition of the Veterans of Foreign Wars to any softening of the official United States position toward Hungary. Continuing, Commander Gentry said, "The Communist Government of Hungary stands indicted before the world for treachery and cruelty of almost unprecedented scope in its treatment of freedom-loving patriots in the uprising of 1956. The blood of freedom-loving martyrs is not yet dry on the hands of the Communist rulers who shot, tortured, and imprisoned those who yearned for freedom from the Communist chains.

"The Russian and Hungarian leaders who directed the tanks and murderous gunfire against the practically unarmed patriots of Budapest are in positions of power and have been rewarded with higher authority.

"The Government of Hungary is still Communist and is still subservient to the Kremlin."

Continuing, Commander Gentry stated, "if the United States takes any of the reportedly proposed actions, such as full diplomatic recognition, it would be interpreted by anti-Communist freedom-loving peoples throughout the world as condoning the Red reign of terror in Budapest. As the recognized leader of the forces of freedom, the United States cannot, in good conscience, retreat from its position of complete condemnation of the evil acts of the Red Government of Hungary.

Concluding, Commander in Chief Gentry stated, "the Veterans of Foreign Wars, comprising 1,300,000 oversea combat veterans, does not believe that the passage of a few years washes away the blood, hushes the cries of anguish, or erases the record of atrocities committed by the Red masters of Hungary during the uprising for freedom in Budapest. The memory of the countless thousands, who willingly gave their lives in a brave but unsuccessful fight for freedom, imposes upon free peoples everywhere—and certainly upon the United States—the sacred obligation not to forget, and not to forgive, the Government that perpetrated one of history's most hideous crimes against humanity."

AMERICAN MEMORIAL TO THE GALLANT CREW OF THE NUCLEAR SUBMARINE "THRESHER"

Mr. KUCHEL. Mr. President, at the Easter season—for centuries a period of rejoicing over the miracle of the resurrection—scores of American homes were grief-stricken because our Nation's ultramodern and potent undersea weapon, the nuclear submarine *Thresher*, had gone to the bottom of the Atlantic in a depth which precluded any chance of rescue or recovery.

All of those aboard—some 129 devoted, trusting fellow Americans, both service personnel and civilians discharging their tasks with self-abnegation and in committed service to their country—suffered unexpected, tragic death. They gave their lives in performance of duties solely and directly related to the safeguarding of our beloved United States.

They were victims of a most tragic disaster because they had assumed a responsibility to keep the Nation strong. They are heroes just as much as those who were casualties of World War II or in the Korean hostilities or others who have given their lives, as in Laos, in our effort to maintain freedoms around the world.

The sympathy of all Americans went out to the parents, the wives, the children, and other surviving kin. We trust their sorrow has been assuaged by pride in their son's, brother's, husband's willingness to assume any risk required to guarantee a posture of readiness to preserve independence and national honor.

I have just received a moving and touching letter from the parents of one whose young life was snuffed out when the *Thresher* plunged to its eternal resting place in the dark Atlantic waters. I believe it is an inspiration and typifies the determination of our Nation to keep the faith. I am sure it conveys the undaunted spirit of America and for that reason I desire it to have wide circulation, through incorporation in the Congressional Record. I ask unanimous consent to have this communication published at this point as part of my remarks.

There being no objection, the communication was ordered to be printed in the Record, as follows:

Temple City, Calif., *May 17, 1963*.

Senator Thomas H. Kuchel,
U.S. Senate, Washington, D.C.

Dear Senator Kuchel: Your sincere sympathy over the loss of our son, Norman T. Hayes, on the U.S.S. *Thresher*, is greatly appreciated.

Our prayers are with the other families, especially those where children were left fatherless. It is a great sacrifice to make but we pray that the experience of the *Thresher* will make possible findings that will save other lives.

Norman was a true Navy man. He truly loved his country, the Navy and his boat. We were very proud of him and his accomplishments. One regret we have is that he didn't get to complete his qualifications as a submariner, due to the boat being in the yard for such a long period. He worked so hard and long to qualify and would have worn his dolphins with a great deal of pride.

The sympathetic reaction of the people to loss of the *Thresher* and the 129 men aboard has been overwhelming. This is truly a great country. Since the good Lord saw fit to take our son, we are proud it was in the service of such a great Nation.

With gratitude,
Mr. and Mrs. K. M. Hayes.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

PUBLIC DEBT CEILING

Mr. KUCHEL obtained the floor.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. What is the pending business?

The PRESIDING OFFICER. There is no pending business at this moment. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request by the Senator from California? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield to the Senator from Virginia without losing my right to the floor.

Mr. BYRD of Virginia. Has H.R. 6009 been laid before the Senate?

The PRESIDING OFFICER. That is correct.

Mr. BYRD of Virginia. I have a brief statement to make.

The pending bill is H.R. 6009. This is a bill to raise the statutory limit on the Federal debt. I opposed the bill in committee, and I intend to oppose it and vote against it here in the Senate.

In view of my position, and in fairness to all concerned, as chairman of the Finance Committee, I have asked the ranking majority member of the committee, the Senator from Louisiana [Mr. LONG], to manage the bill during its consideration by the Senate.

THE FRIGHT PEDDLERS—II

Mr. KUCHEL. Mr. President, almost 4 weeks ago, I took to the Senate floor in an attempt to drag from the shadows into the clean light of day some of the extraordinary activities and the miserable menace of those whom I termed the fright peddlers.

Today I rise to read into the RECORD and to make available to Americans who desire to pursue it a full report on the reactions and reverberations to that endeavor. And I trust that this second chapter on the fright peddlers will suffice for at least some time to come.

Mr. President, these are hard days for the cause of freedom.

International communism energetically pursues its ugly aim of world domination. It sneers at liberty and at self-government. It abhors the American concept of the dignity of man. It arrogantly believes that time is on its side.

By duplicity and deceit, through stealth and intrigue and subversion, it fanatically labors to subjugate free peoples, to divide the free allies, and to weaken the United States, the leader in the struggle for man's freedom in this somber globe. It is a respecter of strength, if nothing else.

And we—the people of the United States—are eternally dedicated to remain preeminently strong and to keep our freedom, whatever the cost may be.

What a tragedy it is, therefore, that the energies to weaken and to divide our country come, not only from the Communists, but from some of our own people—the fright peddlers and those whom they successfully terrify.

A singular anomaly of American political life is that the extremists, at both ends of the political spectrum, use the same techniques and agitate for almost the same ends, though, presumably, for different reasons.

In my comments earlier this month, I sought specifically to define the fright peddlers, to alert the American people to them and to their ways. I endeavored, point by point, to anatomize some of their most recent hoaxes.

I sought to implore the thousands and thousands of cruelly swindled victims to reappraise their acceptance of the fright peddlers' frauds. I urged them to rejoin the ranks of sound and sensible anti-Communist, pro-Americans, who will always be ready to pay whatever price is necessary to maintain our own liberties and our free way of life. Americans continue to follow the Patrick Henry philosophy.

But we are appalled by the peddlers of fright for paranoia and profit, who sow the seeds of discord and hate against anyone who has the temerity to question or reject their weird and fanciful dogmas.

The response to my May 2 comments, Mr. President, from California and from the Nation, has been, in a word, overwhelming, and, in two words, tremendously heartening.

I have received more than 10,000 letters, cards, and telegrams in response to the speech—and they are still coming in. The response has come from nearly every nook and cranny of our wondrous and wonderful country.

My staff and I make the educated guess that the mail has run about 4 to 1 in favor of my point of view, even if we include the barrage of unsigned epistles sopping with hate or bigotry. The first 500 telegrams ran nearly 10 to 1 in favor.

But the estimate of "pros" and "cons" is not what is really significant, in my opinion.

What really counts, it seems to me, is that so many thousands of Californians, and those from other States, who ordinarily do not write their legislators, have taken the time and effort to tell me of their support, and of their determination that the country we love shall never be taken over by the totalitarian extremists of either right or left.

As an American, I am deeply moved, deeply grateful, and deeply encouraged.

As for the volume of anguished protests, I think it demonstrates that the cancer of extremism in America is by no means trivial—nor in the least benign.

As a lifelong Republican, I am particularly proud of and pleased by the hundreds of communications I have received from those who have bothered to identify themselves as fellow Republicans, and who have expressed renewed will and heart to take on frontally those fright peddlers who are undermining our "Grand Old Party."

But—and this point I want to emphasize most strongly—the problem of the fright peddler is not limited to one political party.

It is almost unbelievable to read in the mail of the intimidation and the fear and the damage wreaked by the fright peddlers who belong to both parties upon Republicans, Democrats, independents, and just plain Americans at the community level—not only in my State but throughout our land.

It would be an impossible chore to recite from all of the mail in response to the speech. But I do want to offer excerpts from a number of letters in order to give my colleagues—and the people of my State and our land—further knowledge of what we confront, and of the encouragement of the people to carry on the battle against the extremists of both the right and the left.

The most typical response I have received is much like the following, from Hawthorne, Calif.:

> I agree this fright peddling is as un-American as communism.

Or, as expressed by constituents in Los Angeles, North Sacramento, San Rafael, and Orinda:

> Thanks * * * as an American, I abhor the lunatic fringe of both the left and the right.

> I am sure most Californians agree, but, as with the ultraliberal leftist, the ultradogmatic rightist is very vocal.

> Usually I am in the silent group, but at this time I had to break out with a rousing red, white, and blue thank you.

And—

> Your nonpartisan speech in the Senate deserves the praise of all those who love their country.

Many of the letters, of course, show concern for the Republican Party. For example:

From Sacramento:

> As a true conservative, I hold my head a little higher today as a result of your good work.

From South Gate:

> You have made me proud to be a Republican. It's about time someone with stature told these loudmouthed minorities where to get off.

From Burbank:

> I have been a Republican for more than 30 years and the rightwingers and Birchers are about to make a Democrat of me.

From Long Beach:

> These rightwing extremists are opposed to the essence of conservatism.

From Santa Barbara:

> As a middle of the road registered Republican, I have been hoping that someone in the party would come out strongly.

From San Francisco:

> As lifelong Republicans, voters since President Hoover's first candidacy, we have been becoming increasingly disturbed by the unrealistic reactionary tendencies of many Republican leaders and the unwholesome parasites attaching to them.

And from Sacramento:

> I am sure that you must know that you have the support and admiration of the majority of Republicans.

Even more important are the views of just plain concerned Americans. I shall cite just three:

From Santa Ana:

> I have never written to a Representative before, so don't quite know the procedure, but all I want to say is thank you * * *. We have lived in Orange County for 4 years and have been completely surrounded by hate and hysteria since we moved here. One begins to feel that this is the attitude of the whole country, which is terrifying. I know your stand will call for a big letter writing campaign by my neighbors. They are so busy protesting or impeaching by mail or telegram that they have no time to read what's going on in the world—granted that it's a little difficult to keep up when you refuse to read the Los Angeles Times, New York Times, Newsweek, Time, etc., as everyone knows they are subversive * * *. This middle of the roader is proud to have you represent her in the Senate.

Or from Belvedere:

> As an independent voter, I have felt an increasing irritation and frustration as I have witnessed the insane, irresponsible, and unintelligible activities of the extreme right

> groups in this country. I know I have not been alone for Republicans and Democrats that I have talked to about it show an increasing concern about them.

And from an executive of a large chamber of commerce in California:

> This tiny minority of fanatics has spread distrust, and in some instances, outright terror, far out of proportion to their numbers * * *. That you are concerned is to your credit. After all, only a handful cheered Hitler in the beginning.

Now, Mr. President, the picture, naturally, has not been entirely roseate.

A great many, although a minority, have written to me in fury and in fear, in intellectual dyspepsia and in dementia, in bluster and in fluster, in anguish and in agony, in violence, in sorrow, in iambic pentameter—and, quite often, in anonymity.

I have even heard, Mr. President, from the Voice from the Seventh Dimension, the Great Kalki, shake-Spoke, Harman the Red Neck and L. M. Tex (All American) Edmunds.

The Voice of the Seventh Dimension, in Millville, Calif., tells me, "Saints of God in which you call crackpots, you haven't see anything yet."

The Great Kalki has indicted me for "high treason and subversion and actively promoting Jewnitarian thus communism."

Harman the Red Neck is not at all happy with me, either, but he is mostly angry at the Birch Society because he feels it is "too middle of the road."

"All American" Edmunds feels "an agitated family of skunks could not have created a greater stench."

And I frankly do not know what shake-Spoke has in mind, other than a vague anticatholicism.

What is truly sad, however, is that, since the speech, I have received more than a hundred letters—and some on the nicest stationery—which are blatantly anti-Semitic, anti-Catholic, or racist.

I shall cite only a few of the blandest ones:

From Redondo Beach:

> You can be read like a book now—anti-Christian.

That one was unsigned, but on a Birch Society post card.

From Long Beach:

> Don't forget, sir, that this country was founded by white, Christian people, and we want our country to remain in the hands of white, Christian people.

Then this writer goes on to tell me again of that celebrated Russian colonel who "has taken over our Army, Navy and Air Force."

From Los Angeles:

> I am a Bircher and you or anyone else that say (sic) I am unpatriotic, un-American, and I am doing the devil's work better than the Communist are a damn liar. I enclose some reading material for your information if you have the guts to read it.

Among the reading material are the usual Cinema Educational Guild tracts of Myron Fagan, the man cited by the California Senate Fact Finding Subcommittee on Un-American Activities in 1961 as purveying "heavy evidences of anti-Semitism" throughout many of his booklets.

From Santa Ana:

> Mr. Fagan is at the top of the list of noble Americans. He and J. Birch Society and G. L. K. Smith tells the truth. That is what is hurting little fellows like you.

And from Chico:

> You seem to condemn those that point out that the Jews control every country in the world * * *. Get wise to yourself * * *. Don't be so hard on the Birchers.

This correspondent also sends me a newspaper-sized, self-styled "patriotic" reprint put out by something called the Christian Educational Association of Union, N.J. It is, to put it exactly, sordid.

Now, 4 weeks ago, I made it plain that I did not consider all extremists to be bigots. I demonstrated that some are. I confessed I did not know how many or what proportion, and added that perhaps very few are.

The resulting mail, however, strongly suggests that more than just a few are.

In fairness, I must also note that I have received some mail from those who say they are close to the Birch Society—very, very few, for one reason or another, ever admit they are members—and have never heard of Gerald L. K. Smith, or his fellow travelers.

But there is no doubt that Gerald L. K. Smith has heard of the John Birch Society. Here, from the latest issue of his the Cross and the Flag, the May 1963 edition, are his precise instructions on how to infiltrate the Birch Society:

> Followers of mine who have access to our literature should attend the John Birch Society meetings in their communities. Do not be aggressive and do not be offensive. Do not do anything to embarrass the Birch leadership, but always have a pocketful of literature and materials which you can hand out to interested people who might want to make a deeper study into the Communist menace.

On the other hand, I have even received a few letters much like the following from a woman in Ventura:

> I am not a member of the Birch Society, but I know some persons who are and have read some of their bulletins * * *. I wonder if the Cinema Educational Guild is not a "pinko" group trying to ruin whatever good, for the American way, that "conservative" people are doing.

Things can even get confusing in the "you are either with us or against us" never-never land of the "extremist-verge."

It is depressing, also, Mr. President, to observe, in the responses to the speech, the very large number of Americans who stubbornly refuse to reject the claptrap which alleges that there are 35,000 Red Chinese troops on the Mexican border, about to invade San Diego, or of the thoroughly peddled fright that thousands of United Nations soldiers were trained in Georgia preparatory to a U.N. takeover of the United States, under command of that Russian colonel.

Hundreds of my constituents continue to believe in the water moccasin hoax, even in the face of the simple truth which I spelled out in the minutest detail 4 weeks ago.

Well, they will just have to remain wedded to the party line, for there is a point beyond which no one can go in attempting to persuade anyone to see the light. We may, however, pray that with the passage of time they may be able with reason, to cast off the frauds which have enmeshed them.

In writing finis to the great water moccasin scare—almost a classic in a case study of peddled fright—I do, however, want to cite two letters in stark contrast.

The first came attached to a note from a constituent. It arrived with the first water moccasin fright mail in late February. The letter was purportedly written by one P. A. Del Valle, president of something called the Defenders of the American Constitution, and national defense chairman of something else called the American Coalition of Patriotic Societies.

This letter stated in part:

> The undersigned is convinced this (water moccasin) * * * signified rehearsals of the U.N. takeover of the United States of America under the disarmament treaty (sic) promulgated under Public Law No. 87-297 * * *. The urgency of this message is obvious. This appears to be a crash program to disarm the United States of America and make us a province of the U.N. May God in His mercy help us prevent this catastrophe!

The last letter on water moccasin that I want to cite arrived just the other day. Its author made no boastful claim of being a patriot. But I submit, Mr. President, he is the true patriot, the real defender of our American way of life. The letter is from a young U.S. Army lieutenant, who happened to take part in the guerrilla and counterguerrilla warfare exercise called water moccasin. This is what he writes:

> I was amazed by the rumors flying about the country concerning the operation * * *. As for the internationalist and Communist tendencies insinuated by your constituents, I have yet to meet a group of gentlemen so devout in their anticommunism as those allied officers. (One hundred twenty-four foreign officers in all were on hand for the U.S. Army military exercise.)
>
> If your sadly misguided constituents could only have had the opportunity to meet our allies, they would realize that their desire is only to maintain their home countries free from the ever-present threat of communism * * *. I will be assigned to Vietnam. I requested this duty, and consider myself to be extremely fortunate to be able to do something about the spread of communism than write fright letters.

There, Mr. President, is a fellow American who is a true patriot. And I salute him. I am sure the country does also.

But to return to the self-proclaimed kind and some more of what they are writing me:

From Santa Ana:

> Who translated your recent speech from Russian into English?

From Long Beach:

> And pooh-pooh to you, too—you, Socialist, you.

Those two, of course, were unsigned.

From North Hollywood:

> You are pink. I might use a stronger word, but I am (believe it or not) trying to restrain myself.

That came from a 17-year-old boy, who tells me he is very active in local politics.

From Bodega Bay:

> You do not sound like a true American * * *. I beg you, sir, please have mercy on Christ's children and your country or else the Communists will overthrow the Government. They are even now working for that through the World Council of Churches. May God help us.

This correspondent identifies herself as a devoted follower of someone called Carl McIntire, a hillbilly huckster of hate, and an unfrocked minister to boot.

Mr. McIntire, by the way, appears on several hundred radio stations every day to harangue, notably, for abolition of the United Nations, and, not at all incidentally, for the abolition of brotherhood.

To give my colleagues, fellow Americans and, possibly, maybe even a deceived follower or two, an idea of what kind of "great patriot" Mr. McIntire is, I cite only two indicators:

First, he was "deposed" by the United Presbyterian Church of America as a minister.

Second, the following is a sample of his wares:

> Rome will sell her secret confessional system for political world power. But actually the Roman Catholic Church becomes a "spy system" * * *. Are not the Roman Catholics in the United States committed to a foreign power and do they not owe "obedience" and "submission" to its head, the Pope?

Since the May 2 speech, Mr. President, I have been hearing from quite a few of Mr. McIntire's followers. They tell me he questions my loyalty. If so, I must tell them that I question his sanity.

And from Thousand Oaks, Calif.:

> Yes, we Birchers are frightened, and we intend to stay frightened * * *. We intend to clean out the Commies and fellow travelers in our Government * * *. And remember, if we lose, and the Communists take over, the collaborators will face the firing squad, right along with the resistors.

Such letters, of course, are not the most fun to receive. But they are not nearly so disturbing as the following letter, which is typical of a lot of the response mail.

From Santa Cruz, in my State:

> I know the Birch Society is not a political party. But a lot of them are Republicans and the Birch Society members who are Democrats think the same way as the Republicans do. It would help to promote party unity to quit smearing the Birch Society. Do we want to lose the next election, too?

Mr. President, I cannot stress my feelings too strongly. I believe in the party of Lincoln. And I adore my country as you do. I want my party and my country to stand together against the Communist danger. Both parties will.

But I cannot and I shall not place the long-term welfare of my country ahead of any alleged short-term and dubious gain for my political party. It is as simple as that.

Moreover, I believe firmly that unity at any price, with those who damn the great Dwight Eisenhower and the late, courageous John Foster Dulles; who would accuse Milton Eisenhower of being a life-long Communist and who want our party to follow in the heritage not of Lincoln but of a self-proclaimed dictator, will mean catastrophe for the Republican Party, or, indeed, for any party.

Some of my correspondents have, in fact, said it much better.

For example, from Modesto, Calif.:

> As a registered and voting Republican for approximately 50 years, I find myself in complete agreement with what you said. The stand you have taken and so ably defended should help tremendously in saving the Republican Party from complete collapse in its influence and usefulness and, what is vastly more important, the Nation itself from falling into the clutches of emotional extremists.

Or, again, from a woman in Monrovia:

> You have said some things that need to be said over and over again by our Republican leaders. Instead of "splitting" our party, I am sure that it will help to restore it to its rightful position as a party of dedicated, thinking men and women.

In my judgment, that goes for the leaders in both parties.

Mr. President, 4 weeks ago, I cited a dozen reasons why I believe the right-wing extremists are not serving the welfare of America, but, in fact, performing a service for the Kremlin. Seldom, incidentally, have any of the anguished referred to these reasons. Almost all have responded blindly, after witnessing only the very first radio or television or newspaper reports.

There may be still another reason. It is, at any rate, suggested in a number of communications I have received from new Americans, who are former Europeans, such as this writer from Berkeley, Calif., who says:

> In my youth I had the occasion to watch, at close range, the growth of the Nazi movement, and its eventual sweep across Europe. I am thoroughly familiar with their mode of operation and their foul, often paranoid mentality. I, for one, will not permit this to happen here, nor am I ready to laugh it off as insignificant. A Hitlerite America would hardly be better than a Communist one and I pledge myself to fight, with equal vigor, against both.

And so shall I.

Or consider this letter from Oakland:

> I lived through 4 years of brutal occupation in my native country, the Netherlands. It is horrible to watch similar tendencies evolve in my new country. It is downright frightful to see politicians of national stature and widely read columnists skirt the issue at hand, avoiding to take issue with this vicious trend in our communities, even flirting with it for the love of votes or readers.

I think many of us sometimes wonder, too, though we do not like to admit it: Can it happen here? Could it? I pray not.

Still another typical missive I must take the time to cite is much like the following, sent in from Lakeside, Calif., unsigned, but on a John Birch Society post card. The message is simple and to the point:

> You lier (sic). Jackman is not on the American Opinion Speakers Bureau. Peddle your filth in Russia.

Indeed, the Rev. Theodore Jackman, himself, denied to newsmen—I have a copy of the newspaper before me—that he was a Birch Society speaker a few hours after I took to the floor of the Senate on May 2.

I quote now from an Associated Press story that appeared in the Washington Star on May 3:

> He (Mr. Jackman) said he had made some speeches in various parts of the country in connection with Operation Water Moccasin III "but as an individual and not as a member of any group." He refused to comment further on Senator KUCHEL's charges.

In fact, according to the newspaper in his hometown, the Greenville, S.C., News, Mr. Jackman "vigorously denied" that he was a spokesman for the American Opinion Speakers Bureau, as I alleged 4 weeks ago.

Now, Mr. President, this is a small point. But, I submit, it is the very kind of evasion and trickery which the Communists have practiced so well over the years—and are still practicing—and which the Birchers and their sympathizers are putting to extensive use.

Mr. Jackman and many of my correspondents say he has had nothing to do with the American Opinion Speakers Bureau.

At this point, I should like to cite two documents, which speak for themselves.

The first is a pertinent sentence from page 4 of the John Birch Society Bulletin of December, 1961. It states:

> We have just this fall established our American Opinion Speakers Bureau, under very able executive management.

The second document, a leaflet from the American Opinion Speakers Bureau, lists "a representative group from our national roster," who are available as speakers to audiences, small or large, anywhere in the country.

And there, very prominent in the list, is the Reverend Theodore Jackman.

Also prominent is the following sort of apologia, which I have detected in a great many letters.

A schoolteacher in northern California told me that one of her pupils, who claims to be a member of the Birch Society, told the class the story of U.N. troops in Georgia waiting to take over the United States.

The teacher later brought a newspaper to class and read my statements describing the story as a hoax.

According to the teacher, the student merely shrugged:

> Oh well, even if it is a lie, it will make people think, and that is what the John Birch Society wants to do.

Just think of it. I do not think Pravda or Herr Joseph Goebbels could have rationalized any better.

Mr. President, the fright peddlers and their followers will, of course, respond again—as they already have responded—that the letters I have selected for airing are not representative at all. And they will say that I have lied, as the woman in Santa Barbara, who wrote to me:

> You say you get 60,000 letters a month. Well, I'm willing to bet that 99 percent of them are against you.

And so, I am now inviting as many members of the press who are interested to accompany me in a few minutes to my office in the Senate Office Building, where they will be free to prowl and plow at will and at random through all the mail and quote whatever they wish.

I ask only that they do not use any of the names of the writers. I hope they will not do so.

This, of course, will not convince the extremists, either. For they are already convinced that the press of our country, with a few tiny exceptions, is in the grip of the monstrous conspiracy, too.

As with the Communists, the fright peddlers and their "I am not a Bircher, but" sympathizers cannot be converted by reason.

But I believe that those upon whom they may attempt to prey in the future can be armed with the truth to combat them.

I think that both of our political parties must meet the fright peddlers head-on, especially at the community level. Furthermore, I think every reasonable, self-respecting American, either in Government or out of Government, has a duty to speak out vigorously, in his church, in his club, in his veteran's organization, in the PTA's, and elsewhere, against those who seek to sow hate and fear among our people and against our institutions.

The overwhelming majority of Americans eternally reject communism. I am confident the same majority will repudiate the fright peddlers and their fellow travelers—if given all the facts. That is another reason why I have taken to the floor again today—to provide the facts.

Finally, Mr. President, I should like to enter into the Record at this point copies of newspaper editorials I have seen on the fright peddlers. Some of the newspapers are conservative. Some are liberal. Many are Republican in general philosophy. Only four editorials which I have seen so far have been unfavorable, and I include them, too. Forty-eight, incidentally, have been favorable.

The favorable editorials are from the Bakersfield Californian, the Contra Costa Times, the El Cajon Valley News, the Garden Grove News, the Glendale News-Press, the Lakewood Enterprise, the Los Angeles Times, the Los Angeles Herald-Examiner, the Madera Tribune, the Oxnard Press-Courier, the Palo Alto Times, the Paradise Post, the Placentia Courier, the Redwood City Tribune, the Riverside Daily Press and Enterprise, the Sacramento Bee, the Sacramento Union, the San Francisco Chronicle, the San Francisco News-Call Bulletin, the San Jose Mercury, the San Jose News, the San Leandro News, the Santa Barbara News-Press, the Stockton Record, the Sunnyvale Standard, the Tulare Advance-Register, the Vallejo Times-Herald, and the Watsonville Register-Pajaronian—all California newspapers.

Also, the Baltimore Evening Sun, the Cleveland Plain Dealer, the Chicago Daily News, the Corpus Christi (Tex.) Caller, the Detroit Free Fress, the Fayetteville Northwest Arkansas Times, the Honolulu Advertiser, the Louisville Courier-Journal, the Milwaukee Journal, the Nashville Tennessean, the New York Herald Tribune, the New York Times, the New York World-Telegram and Sun, the Philadelphia Inquirer, the Portland (Maine) Press-Herald, the Portsmouth (N.H.) Herald, the Salt Lake City Tribune, the Washington Daily News, the Washington Post, and the Watertown (N.Y.) Daily Times—newspapers from every area of our Nation.

And, finally, the Anaheim Bulletin, the Hayward Review, the Richmond (Va.) News-Leader, and the Santa Ana Register.

I request their printing in the Record simply and solely to demonstrate that the overwhelming majority of the free press of America is behind us and is opposed to fright peddlers. A number also describe and debunk some other peddled frights to which I did not allude in my remarks on May 2.

Mr. President, the extremists pose a threat to our country and to both of our political parties. They do their work in shadows. They cannot stand the light of day.

I remind my colleagues—and all Americans—what the sainted Lincoln said to a troubled nation in another time of crisis:

> To sin by silence, when there is a duty to protest, makes cowards of men.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Bakersfield (Calif.) Californian, May 3, 1963]

SENATOR KUCHEL ASSAILS "FRIGHT PEDDLERS"

Pointing out that the United States has enough troublesome and dangerous problems without having its strength and wisdom crippled by baseless rumors, malicious lies and scurrilous accusations, Senator Thomas H. Kuchel, assistant Senate Republican leader and senior Senator from California, has issued a timely and well-founded blast against individuals and groups he describes as "peddlers of fright for paranoia and profit." His denunciation will be welcomed by all sensible and informed Americans who have witnessed with profound disgust and considerable alarm the activities of these groups and have rejected the slander and abuse that have been heaped upon many great and loyal Americans by what Senator Kuchel calls self-styled patriotic organizations which range from the John Birch Society to the adherents of the Gerald L. K. Smith school.

These paranoic circles, he points out, have been responsible for a distressing number of hoaxes which have confused and terrified thousands of persons in California and elsewhere, citing item by item and tracing them to what he called self-styled "I am a better American than you are" organizations. The fanciful but horrific nature of these hoaxes aroused Senator Kuchel to declare that "it is disgusting to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anti-communism. Indeed, the ugly labors they perform are a service to the Kremlin itself."

Senator Kuchel joins many other true Americans in denouncing these hate-peddlers and bigoted groups and individuals, and he observes that "clutching at half-truths and downright falsehoods, the fright peddlers fabricate hoaxes which frighten Americans and divert their attention from the real menace," sowing suspicion and hatred, undermining faith in American Government, institutions and leaders, setting up new racist and religious quarrels and maligning loyal citizens.

He has brought a sound and much-needed warning to the people of this country, and has brought hope and strength to those who have been shocked by this trend and have fought to restore sanity and honesty to public affairs.

His courage and forthrightness, his principles and his fight against extremists, fakers, and despoilers should be an inspiration to all Americans. He has, with this denunciation of extremism and refutation of the wild and paranoic rantings of the fright peddlers, rendered a great service to his country.

[From the Contra Costa Times, May 8, 1963]

KUCHEL'S ATTACK SIGNIFICANT FOR GOP

Senator Thomas H. Kuchel's attack on the Senate floor of rightwing hate groups was significant for a number of reasons.

First, it was one of the most detailed and comprehensive criticisms of these groups yet made by a public official. Added to this was the fact that it came from a Republican. It is the Republicans who can be most effective in battling the rightwing extremists because in the instances where the Birchers have attempted to work through one of our two major parties it is the Republican Party they have chosen.

Kuchel has drawn the battlelines in California. It was significant that on the very day that Kuchel made his speech, Richard Nixon announced he was moving to New York. Nixon was the only man who could have any sort of a hold on both wings of the party, although surely his hold was tenuous.

Kuchel, who must be considered the titular leader of the moderate wing of the party in California, has foreclosed any possibility of working with the Birchers within the party. This may have been the biggest shot in the arm the party has received in a long time. One need only look to Kuchel's smashing victory last year and to the defeats sustained by the party's rightwing candidates to see where the voters stand.

[From the El Cajon (Calif.) Valley News, May 5, 1963]

SENATOR KUCHEL NAILS A FEW LIES

Senator Thomas Kuchel said some words this week which have long needed saying by someone from his side of the political fence.

In a speech on the Senate floor, California's Republican Senator took a good roundhouse swing at those right wing extremists who go around organizing or joining "I am a better American than you are" patriotic societies.

Senator Kuchel said about 10 percent of his mail is from such emotionally disturbed zealots. One of the most annoying characteristics of these zealots, the Senator observed, is that they call anyone a traitor who disagrees with them.

In addition, the zealots are "peddlers of fright for paranoia and profit." They spread hoaxes which have terrified thousands of Californians, causing them to write Senator Kuchel for reassurance.

One hoax about which Senator Kuchel has received many letters had to do with Operation Water Moccasin in Georgia. The letter-writers said they had been told of 16,000 African troops with rings in their noses and ears who were supposed to be participating in the Georgia exercises. Some of the letters also warned of Chinese Communist troops poised along the United States-Mexican border ready to invade this Nation.

When Senator Kuchel wrote in return that there was no truth to the rumors about African or Chinese troops, he was accused of being either ignorant or a traitor.

"It is incredible," the Senator said, "that so many Americans have been so cruelly swindled and have allowed themselves to be so deceitfully duped."

Kuchel told his colleagues he also had received more than 2,000 letters demanding abolition of the Arms Control and Disarmament Agency and repeal of the act creating it, on the ground that it would allow the President to transfer our Armed Forces to the

Secretary of the United Nations Security Council who is assertedly always a Russian.

These assertions are false. The Arms Control Agency neither provides for turning over control of our military forces to the U.N. nor any other foreign authority. Nor is a Russian in control of the Emergency Military Committee of the United Nations Security Council.

When people claiming to be conservatives indulge in such fright peddling, KUCHEL said they "defile the honorable philosophy of conservatism. I have nothing but contempt for the originators of the hoaxes and swindles." They are un-American and "are doing a devil's work far better than Communists could do."

These are strong words. But they come from a man who has the right to use strong words. In his position as a Senator, Mr. KUCHEL is able to know whereof he speaks when he is discussing the nature of military operations in Georgia or the functions and objectives of some Government agency. Furthermore, his words must be given greater weight because he is talking about people who come from his side of the political spectrum. He would not be castigating the extremists unless he felt the people as a whole needed to know the depths to which they are stooping.

If a few more leaders of the Republican Party had the insight and the courage to do as Senator KUCHEL has done in putting the finger on the fright peddlers and the hoaxers, we would not be seeing these silly billboards calling for impeachment of Chief Justice Earl Warren and we would not hear so many good citizens innocently repeating lies about our Government or the United Nations as if they were accepted truths.

[From the Garden Grove (Calif.) News, May 5, 1963]

CRASHING IN FLAMES

U.S. Senator THOMAS KUCHEL, of Anaheim, manned a verbal anti-aircraft-missile launcher last week. When the smoke cleared, political hoaxes were crashing in flames all over the American landscape.

Of course, this does not mean that self-appointed patriots won't build more and attempt to patch the old ones up in the hope they may get in a little more flying time. But California's senior Senator did clear the air for awhile.

KUCHEL let fly at what he called the contemptible slime of fright peddlers in their attempt to blacken the loyalty of former President Dwight Eisenhower.

He also targeted the ludicrous word from high up in the Birch councils that the late former Secretary of State John Foster Dulles was a Communist agent.

He blew huge holes in a current fraud which held that the United States was training foreign troops, including barefoot cannibals, in Georgia as prelude to a U.N. takeover of the whole country. This lighter-than-hot air blimp, according to letters written the Senator, came out of the hanger of a Greenville, S.C., Birch Society spokesman.

Actually, the U.S. Army did have guerrilla training exercises in Georgia and, as is not all uncommon, some 124 officers from 17 foreign countries were there at the invitation of our Government. The arrangements for these military representatives of other nations had nothing to do with the U.N.

KUCHEL declared, "America has enough immediate and deadly enemies, without adding hobgoblins."

We agree.

[From the Glendale (Calif.) News Press, May 8, 1963]

IN MY OPINION

(By Carroll W. Parcher)

Writing from Washington the other day I referred to the volume of work in congressional offices and the stacks of mail which Members of the Congress receive—and answer—daily.

Soon after I left, Senator THOMAS KUCHEL, of California, made a speech in the Senate in which he referred rather pointedly to some of the mail he has been receiving lately. Fright mail, the Senator called it. And from his description it runs in the same pattern as some of the missives we receive around this establishment. This is the way Senator KUCHEL describes it:

"Note carefully the language typical of the fright letter. The writer is convinced, utterly convinced. There is no room for doubt. Of course this is happening, he says. And of course that is happening, he says. Because he knows. And how did he find out? And how, if it is possible, can we reach him with simple truth?"

I don't believe that during the course of his speech TOM answered that question. Probably there is no good answer. At least I've never found one. To the letter writers who know that John Foster Dulles was a Communist agent, or to those who know that Dwight Eisenhower is a stooge for the Communists, or to those who know that the only way the country may be saved is to impeach Earl Warren there isn't much you can reply with any hope of changing minds.

Senator KUCHEL says: "I cheerfully admit that I have, in the past, attempted to reply calmly and factually to fright mail, mustering all the reason and reserve I could summon. Yet I have found, over the years, that this is not quite the answer."

Move over, Senator. So have I. But I'm thankful that the volume of my mail doesn't approximate that of the Senator from California. In his speech to the Senate he said:

"In every day's deluge of mail at my office—which sometimes means as many as 5,000 letters, telegrams, and postcards—there are generally 100 or even 200 which I describe simply as 'fright mail.'

"Most of my colleagues receive such mail and most of them refer to it in much stronger terms. Coming from the most populous State in our Union, California, I think it is safe to say I get as much as anybody.

"It is difficult enough attempting to answer thousands and thousands of letters which seek 15 answers to 15 questions on complicated foreign and domestic policies and issues—and by tomorrow at the latest.

"Many times, the only economically and mechanically feasible way to reply is to send printed statements, which are then often returned in disgust because I have not answered with a long, personal letter."

As I've said before, just the contemplation of 5,000 letters to be answered would send me into an acute attack of the screaming meemies. Or worse. But after Senator KUCHEL has answered his letters, he says that: "The writers will come back a week later, terrified about something else, urgently stating that they do not believe me—and that I am either misinformed, or worse. Sometimes they darkly insinuate that treason has prompted the reply they have received."

I can't say that I'm glad that TOM KUCHEL, and many other Members of the Congress, I'm certain, receive such letters. But on the well-known theory that misery loves company, it's slightly comforting to know that newspaper editors are not the only recipients.

This sort of thing has been going on for quite a while, as Senator KUCHEL undoubtedly knows. The letters have been somewhat different in content, but essentially of the same type. I remember one I got away back in the days of the Roosevelt-Willkie campaign * * * "What has Willkie ever done for the workingman?" The words were all spelled out, too. So the only thing TOM can look forward to is that if he stays in the Senate for a long time, as there is every indication that he will do, the content of the letters may change. But the essential character will remain.

Incidentally, we enjoy getting letters around this shop, and are able to print a good many of them. So I hope the tribe of the writer-inners will not decrease. Only, perhaps, that they won't wax quite so vitriolic in some happier future day.

[From Lakewood (Calif.) Enterprise, May 9, 1963]

THEY ARE DOING THE DEVIL'S WORK

(By Publisher Maurice Harris)

Our Senator, TOM KUCHEL.

It is always good to have one's judgment corroborated. And so, it is with considerable satisfaction we recall the Enterprise endorsing TOM KUCHEL for Senator. Of course, we had much to go on, based on his record and experience in serving his State of California. While he was not always right, there was never any doubt as to his sincerity and dedication to State and to country.

Since mostly bigots and hypocrites are inflexible as to party, we have never been either irrevocably Democrat or Republican, feeling always that the caliber of the man should take precedence, regardless of affiliation.

Last week, it warmed our hearts to hear Senator TOM KUCHEL speak out with such firmness, logic and intelligence on his feelings regarding the hypocrites and crackpots in our midst.

His words conveyed so much more than could any words of ours, we quote them below:

"The curious fact is that the right peddlers, from the simple simpletons to the wretched racists, all claim to be conservatives.

"They defile the honorable philosophy of conservatism with that claim as thoroughly as the Communists defile the honorable philosophy of liberalism.

"I sympathize with some of my constituents who are honestly bewildered and confused by the trash of the rightwing extremists.

"But I have nothing but contempt for the originators of the hoaxes and swindles, from the ludicrous lears of the Birch Society to * * * the several hundred similar self-styled 'patriotic' groups.

"For they are doing the devil's work far better than Communists could do."

Bravo Senator KUCHEL.

May your voice be heard frequently, and your admonishments reflected upon by every freedom-loving American in the world.

[From the Los Angeles Times, May 5, 1963]

DOING THE DEVIL'S WORK

For the first time—and not at all too soon—the U.S. Senate has heard a formal statement about the moral and material damage inflicted on our country by its "deadly dangerous enemies of the far right."

Senator KUCHEL, of California, made the address, which gains force from the fact that he lives in and represents one of the beehives of this far-right activity. Other Senators hear from the crackpots, too, but KUCHEL noted that he comes from the largest State in the Union and quite naturally receives more mail than most of his colleagues. He estimates that 10 percent of his 60,000 monthly letters fall in the category of "fright mail."

The instigators of the scare mail are a "relative handful" of rightwing zealots—members of the John Birch Society, assorted racists, income tax abolitionists, phobic opponents of the United Nations and most of the U.S. Government's formal foreign relationships, plus an even more venomous rag, tag, and bobtail that believe anyone who does not agree with their own queer and puzzling dogmas to the last dot of an "i" is a prima facie Communist.

This poisonous mail convinces KUCHEL that those who inspire it threaten our country quite as gravely as that other sinister small minority, the Communists, and that in the end the fright peddlers serve the Communist cause by creating dissension and hysteria.

The evidence is strong in the Republican Senator's copious quotations from his mail. Typical correspondents engage his attention by saluting him as a traitor becasue he has denied the existence of, or refused to do anything about, the following allegations:

That thousands and thousands of Chinese Communist troops were poised on the Mexican border for an attack on California.

That 44 American or free world leaders are Communist agents. ("The gallant Eisenhower is a favorite taget," KUCHEL says.)

That a U.S. military maneuver in Georgia called Exercise Water Moccasin III was, in fact, a disguised U.N. operation for training African troops on American soil.

That the U.S. Government is trying to put all its Armed Forces under the command of a Russian general.

The reader may wonder where the hate peddlers find people to believe this bilge. KUCHEL's mail is ample testimony that such people are found and do believe—and are ready to denounce their senior Senator as a traitor for doing nothing to make America safe for them.

The immediate damage they do—they and their leaders—is visible all around us. They have seriously injured conservative Republicanism in California by representing themselves as its spokesmen. KUCHEL put it well:

"The curious fact is that the fright peddlers, from the simple simpletons to the wretched racists, all claim to be conservatives.

"They defile the honorable philosophy of conservatism with that claim as thoroughly as the Communists defile the honorable philosophy of liberalism.

"I sympathize with some of my constituents who are honestly bewildered and confused by the trash of the rightwing extremists.

"But I have nothing but contempt for the originators of the hoaxes and swindles, from the ludicrous leaders of the Birch Society to * * * the several hundred similar self-styled patriotic groups.

"For they are doing the Devil's work far better than Communists could do."

The tragic evidence is around us.

[From the Los Angeles Herald Examiner, May 4, 1963]

RIGHT TARGET

Senator THOMAS W. KUCHEL, Republican, of California, has taken a well-aimed swipe at those he terms the "fright peddlers" of the John Birch Society and other far-out splinter groups "who defile the honorable philosophy of conservatism."

We are glad to hear the Senate Republican whip voice these sentiments. They are an eloquent expression of much that has been irking responsible conservatives for some time.

Senator KUCHEL decried such extreme rightwing hoaxes as those asserting that a Russian colonel at the United Nations actually controls the U.S. Armed Forces, that thousands of Chinese Reds are poised in Mexico for an invasion of California, and that the U.N. is training foreign troops in Georgia to take over the United States.

While no one is underestimating the deadliness of the Communist menace, such fantasies are clearly idiotic or irresponsible. The senator is correct in noting it is curious that the fright peddlers, from the simple simpletons to the wretched racists, all claim to be conservatives."

It is sad to say that many patriotic and well-meaning citizens have been deluded into believing these fabrications.

Senator KUCHEL is performing a valuable service to true conservatives and the public in attacking the disseminators of such unconservative, un-American hysteria.

[From the Madera (Calif.) Tribune, May 2, 1963]

THE FRIGHT PEDDLERS

U.S. Senator THOMAS H. KUCHEL today called on cruelly swindled Americans to reappraise the peddlers of fright for paranoia and profit and rejoin the ranks of responsible anti-Communist, pro-Americans.

The Tribune is happy to publish Senator KUCHEL's appeal and to second the motion.

"America has enough immediate and deadly dangerous enemies, without adding hobgoblins," the Senator said. "America can use all the responsible help it can get."

KUCHEL, assistant Senate Republican leader, identified the fright peddlers as hundreds of self-styled patriotic groups, ranging from the Birch Society to the followers of Gerald L. K. Smith.

He said they have been responsible for a number of hoaxes which have terrified thousands of Californians to the point of hysteria, particularly two most recent ones which claim:

The United Nations is training thousands of foreign troops, including barefoot savages, in Georgia, as a prelude to a takeover of the United States.

The United States no longer has an Army, Navy, or Air Force, because the act that created the U.S. Arms Control and Disarmament Agency has turned over our military to a Russian colonel in the United Nations.

In a speech prepared for delivery in the Senate, KUCHEL exposed, step by step, the intertwined frights as hoaxes and traced their origin and perpetuation to a number of self-styled "I am a better American than you are" organizations, including the Birch Society, and even outright anti-Semitic and racist groups.

To document the panic they have produced, KUCHEL quoted from a number of the more than 3,000 hysterical letters and crude leaflets he has received from constituents.

But, he said, the most distressing statistic of all was that only 10 of the letterwriters raised even the slightest doubt or question about the validity of the claims.

"It is distressing and disillusioning to find persons or normal educational attainments—or any educational level—falling hysterically and emotionally, without reservation, for the unadulterated venom spewed by out and out crackpots for paranoia and profit." KUCHEL said.

"It is disgusting to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anti-communism" he added. "Indeed, the ugly labors they perform are a service to the Kremlin itself."

KUCHEL noted that the fright peddlers all call themselves "conservatives," but observed:

"They defile the honorable philosophy of conservatism with that claim as thoroughly as the Communists defile the honorable philosophy of liberalism."

He pointed out that the fright peddlers also have in common "all out, uncompromising, hysterical demands," such as stopping all foreign aid, repealing the income tax, abandoning NATO and removing the United States from the United Nations—"very likely identical to the real hopes of the Kremlin."

(We might note that there are many people who do oppose such things as the U.N. and income taxes but do not belong in the "fright peddler" category.)

KUCHEL, citing evidence—noted also that some followers of racists and bigots have often found new respectable homes in extremist rightwing groups that deny being bigoted.

"Clutching at halftruths and downright falsehoods, the fright peddlers fabricate hoaxes which frighten Americans and divert their attention from the real menace," KUCHEL said.

"They sow suspicion and hatred. They attempt to undermine faith in our Government, its institutions, and leaders. They preach resistance to the laws of our land. They degrade America and Americans and do it as well as—or better than—the Communists do.

"Yet their followers—and even some honest conservatives—continually ask me: 'Why do I keep berating them?' "

KUCHEL noted that about 10 percent of the 60,000 letters, cards, and telegrams he sometimes receives each month fall into the category of fright mail. And he added:

"Can these cruelly swindled victims of the fright peddlers be shocked into a reappraisal of their swindlers and be reclaimed as valuable and effective contributors in the fight against the real enemy?

"I do not know. But I believe it is time such an attempt be made.

"Perhaps I am naive about this. Yet I feel there must be some—and they belong to both political parties—who can be persuaded to join the ranks again of sensible and decent anti-Communist, pro-Americans devoted to defending our Nation against defilement of both the extreme left and extreme right, here and abroad."

[From the Oxnard (Calif.) Press Courier, May 7, 1963]

REPRESENTATIVE TEAGUE AND SENATOR KUCHEL

Congressman TEAGUE performed a timely and patriotic act when he wrote about Senator KUCHEL's forthright speech listing the sins of the John Birch Society.

Mr. TEAGUE is admittedly much more conservative in many aspects of governmental policy than is Senator KUCHEL. But Mr. TEAGUE showed that he is no less concerned than is Senator KUCHEL over the peddling of fright by the Birchers.

The thing that both of them could have said, but failed to do so, is that the first victims of fright are the John Birch members themselves.

They must be scared if they believe what they are saying. They, so far as they make themselves known, are men and women of intellectual standing, often of financial worth, and impelled by patriotic impulses. Yet they are furthering the very contempt of government that they seem to think is being implanted among the people by sinister agents of communism.

Mr. TEAGUE, with Mr. KUCHEL, specifically denounces the Bircher axioms that Chief Justice Earl Warren must be impeached; that repeal of the Federal income tax would be helpful to the Nation; that Communists run the United Nations and a Communist officer could control the Army of the United States; that it was encouraging the Reds for the President to invite Romulo Betancourt of Venezuela to visit this country; or that "international Jewish bankers" run America.

Some of these precepts were taken right out of the book of Adolf Hitler, which led to worldwide war and misery for millions. For it seems to be the habit of the unthinking to fix upon false causes of their troubles.

The pity of it is that young people in our schools, to a limited extent, are beginning to believe these things, and to talk about them, and to borrow the fear that their elders hold and spread.

[From the Palo Alto (Calif.) Times, May 3, 1963]

Kuchel Takes Aim at Extremists

(By Alexander Bodi)

He stood at ease just inside the door of the crowded room, his big frame relaxed. His height and his shock of white hair made him stand out in the room, but you had to take a second look to realize that it was the Chief Justice of the United States in front of you.

Earl Warren had been a guest at a dinner of the American Society of Newspaper Editors, and afterward dropped in at one of those soirees where there's too much alcohol and too much talking and too much standing.

We talked for 5 or 10 minutes. He seemed a bit lonesome, and welcomed the opportunity to chat with another Californian. He talked about his family and his visits to his grandchildren. He mentioned the old days when he was Governor of California. He didn't bring up anything about his current activities in the Supreme Court, nor the virulent attacks which have been made on him by the John Birch Society and southern segregationists.

I broached the matter tentatively.

"The Birchers," he smiled and waved a hand. "They don't bother me a bit. I pay no attention to them."

The matter was closed, and I drifted away, making room for others patiently waiting to talk with him.

Earl Warren can afford to ignore extremist attacks, for he's a big man and his job is an important one. Warren is remote from the fuss and furor of everyday politics, the arena where the ideological fight is going on.

Closer to the battle, politically if not geographically, is Senator Thomas Kuchel. I ran into him at another of the editors' soirees a fortnight ago.

He was concerned about the rightwing grab for power in California's Republican Party. As the highest elected Republican official in California, he feels he should be exerting his influence in State party affairs. Yet Washington is a long distance away, and as Senator his duties require him to be in Congress.

Kuchel apparently resolved the dilemma we talked about 2 weeks ago by deciding to launch his offensive from there. Yesterday he teed off on the fright peddlers of the John Birch Society and other extreme groups.

Kuchel touched on a subject that is of concern to a lot of thoughtful, sincere conservatives. That is that the good people—some the natural community leaders—in their frustration at being out of political power are turning to the leadership of extremist crackpot elements who preach hate under the guise of patriotism.

"It is distressing and disillusioning," Kuchel said, "to find persons of normal educational attainments—or any educational level—falling hysterically and emotionally, without reservation, for the unadulterated venom spewed by out-and-out crackpots for paranoia and profit.

"The self-appointed saviors," he continued, "prey on the fears of Americans in the name of anticommunism and the ugly labors they perform are a service to the Kremlin itself. In the process," he added, "they defile the honorable philosophy of conservatism as thoroughly as the Communists defile the honorable philosophy of liberalism."

Warren has been the prime target of attack by extremist groups ever since the Supreme Court ruled that the black man is entitled to the same educational privileges the white man gets. The attacks on Warren have made some Republican politicians fearful—earlier this year when there was a move to have the Republican congressional delegation give a party for Warren the affair was postponed twice and when it was held only a few showed up.

Kuchel will get some bitter response, no doubt, from people who at the mildest will charge that he's a poor Republican who was elected by a bunch of Democrats. The same Democrats, of course, without whom no California Republican can get elected to State or National office.

[From the Paradise (Calif.) Post, May 10, 1963]

Senator Kuchel Speaks Out Some Truths That Needed Saying

U.S. Senator Thomas H. Kuchel's scorching denunciation last week in the Senate of extreme rightwing hate groups and peddlers of fright voiced some truths that needed to be said by a responsible public official. And the Senator from California, where the hate campaign is particularly virulent, was the right person to say it.

The sort of thing he was talking about goes way beyond the expression of extreme political philosophies. Expression of political ideas, even such extreme ideas as those of the John Birch Society, is not something that should be discouraged.

What should be denounced, and what Kuchel was denouncing, is the flood of filth and hate literature and letters that is being spread in an organized campaign. We do not doubt that a Senator or Congressman gets a great deal of this stuff. Anyone whose name is in the political news gets some of it.

Much of this literature is in printed form. Identical leaflets appear time and again from different sources, mailed out by individuals who follow the party line. Los Angeles is the most frequent place of origin of this type of material; however, it is also being mailed out right here in Paradise. In fact, a small business place here is apparently the deposit and storage place for this kind of literature.

An example of the rabid language of these tracts is: "Kennedy's death trap for United States" * * * "a blueprint of rank treason * * * only impeachment of Kennedy will save our country," * * * "Mongolian troops are to be stationed in Canada, Mexico, and the northern half of the United States, with Russian and Red Chinese troops in the southern half" * * *. "U.S. Government top secret bulletins provide documentary proof that U.N. is planned deathtrap for United States," and so on and on, attempting to prey on the fears of the gullible and the ignorant.

Racial and religious prejudice is a strong component of these hate publications. Examples: "The white man's present insane refusal to recognize the basic importance of race, can only result in his own extinction. He is being exploited and his tax money is used to support and encourage a Negro welfare state * * *. "If you want to be a big shot in America today, you must be a Jew, a Negro, an alien, or a racketeer." Some tracts are strongly anti-Semitic. One goes so far as to urge a boycott of Christmas Seals on the grounds that "anti-Christians" and Jews are listed as officers.

All these hate groups attempt to equate anti-Semitism, racial prejudice, and religious bigotry with patriotism and anti-communism. This is an aspect of the fear campaign that is more insidious than the invention of ridiculous stories that the United Nations is training foreign troops to take over the United States. It is an attempt to intimidate anyone who speaks up against the hate campaign.

"It is distressing and disillusioning," Senator Kuchel said, "to find persons of normal educational attainments, or any educational level, falling hysterically and emotionally, without reservation, for the unadulterated venom spewed by out-and-out crackpots for paranoia and profit.

"It is disgusting to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anticommunism. Indeed, the ugly labors they perform are a service to the Kremlin itself.

"They sow suspicion and hatred. They attempt to undermine faith in our Government, its institutions, and leaders. They preach resistance to the laws of our land. They degrade America and Americans and do it as well as, or better than, the Communists do."

[From the Placentia (Calif.) Courier, May 9, 1963]

We Are Proud of Senator Tom

In this era of fear and frustration, when the role of citizen in the world's most powerful Nation has proven too heavy a burden for some, many grand old words have been taking a semantical beating.

Are all conservatives really conservative? And liberal certainly, if not twisted, has been badly bent.

Out of the long months of wheelspinning which have been part of the usual scene in Washington and Sacramento this rainy winter and spring came some cool, clear words last week which may be the mark of a politician well on the way toward "statesman" status.

In Washington, California's senior Senator, Thomas Kuchel, of Anaheim, and an Orange County native son, pinpointed a topic which has obviously been bothering his colleagues and should be a topic for serious consideration among a wide spectrum of thoughtful Americans.

In reading the speech, and in particular the strong reaction from persons and groups who were carefully not named, we decided that from now on in this label-conscious society of ours today we would identify ourselves as a "Kuchel-Republican."

Quoted below are excerpts from the Senate speech as released last Thursday in Washington:

"U.S. Senator Thomas H. Kuchel has called on cruelly swindled Americans to reappraise the peddlers of fright for paranoia and profit and rejoin the ranks of responsible anti-Communist, pro-Americans.

"America has enough immediate and deadly dangerous enemies, without adding hobgoblins," he said. "America can use all the responsible help it can get."

Kuchel, assistant Senate Republican leader, identified the fright peddlers as hundreds of "self-styled patriotic groups," ranging from the John Birch Society to the followers of Gerald L. K. Smith.

He said they have been responsible for a number of hoaxes which have terrified thousands of Californians to the point of hysteria, particularly two most recent ones which claim:

The United Nations is training thousands of foreign troops including barefoot savages, in Georgia as a prelude to a takeover of the United States.

The United States no longer has an Army, Navy, or Air Force, because the act that created the U.S. Arms Control and Disarmament Agency has turned over our military to a Russian colonel in the United Nations.

To document the panic they produced, Kuchel quoted from a number of the more than 3,000 hysterical letters and crude leaflets he has received from constituents.

But, he said, the most distressing statistic of all was that only 10 of the letterwriters raised even the slightest doubt or question about the validity of the twin claims.

"It is disgusting to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anticommunism," he added. "Indeed the ugly labors they perform are a service to the Kremlin itself."

Kuchel noted that the fright peddlers all call themselves conservatives, but observed:

"They defile the honorable philosophy of conservatism with that claim as thoroughly as the Communists defile the honorable philosophy of liberalism." Senator Thomas H. Kuchel, Republican of California, May 2, 1963.

[From the Redwood City (Calif.) Tribune, May 11, 1963]

GOP Should Try New Approach

Those who read this column with any degree of consistency know that we often have been critical of the Kennedy administration and that in 1960 we supported his opponent for the Presidency.

Therefore, it might be expected that we would be elated by the report of Republican leaders in Congress that public disillusionment with President Kennedy has set in, and that the GOP will capture the Presidency and control of the House in 1964.

As a matter of fact, we do believe that the President, although continuing to enjoy great personal popularity, has suffered greatly by the turn of domestic and international events in the nearly 2½ years that he has been in office. And we have expressed belief that he can be turned out of office after a single term, even though this seemed highly improbable as recently as 2 months ago.

However, what the Republicans need is not merely speculation about the fading Kennedy image, but rather, a strong Republican program and set of candidates which can compete in the vote-getting arena with the powerful monied Kennedy troupe.

What Republicans must have in the 16 months between now and the Republican convention are some strong statements which show just where they stand and where the GOP can do the job better than it is being done by the Kennedy clan.

It needs the type of hard-nosed comments that Senator Thomas Kuchel uttered in rapping the guilt-by-association charges of the John Birchers. It needs cold, analytical statements about carefree Kennedy spending, such as those expressed by Senator Thruston Morton. And it must spend more time developing a strong team for 1964, rather than taking pokes at most of the Republican eligibles.

If Republicans want to regain occupancy of the White House next year they need more than public disillusionment with President Kennedy. The Kennedy record will speak for itself.

The Republicans need to produce evidence that they can do the job better.

[From the Riverside (Calif.) Daily Press, May 4, 1963]

Kuchel on the Fright Peddlers

Periodically Senator Kuchel zeros in on right wing extremists, their follies and their excesses and the dangers they pose. Thursday he loosed his major blast to date. It was directed at what he calls the fright peddlers, accusing them of doing the "devil's work far better than the Communists do."

California's senior Senator is concerned about those who, in the name of patriotism and anticommunism, peddle unreasoned fear and those who fall for it and pass it along to others as gospel truth. Ten percent of the letters he receives, the Senator said is this kind of fright mail. Others can match this figure.

He offered shocking examples from the mail received in his office.

He cited the twisted charges concerning Operation Water Moccasin, an army counter-guerrilla warfare training exercise in Georgia, which had 124 foreign observers. But the fright peddlers put out the story that this was a U.N. plot to take over the United States and that African troops were being trained in Georgia for this specific purpose. (One African country, Liberia, had observers present.) The embellishments on this general theme, listed by Senator Kuchel, literally challenge the imagination.

* * * * *

Senator Kuchel cited also the misinformation concerning the U.S. Arms Control and Disarmament Agency, and the false charges that it means U.S. forces would be turned over to Soviet direction under United Nations auspices. In this connection he did name John Rousselot, the $24,000-a-year anti-Communist of the John Birch Society, also criticized again by Senator Kuchel, as one of the fright peddlers to blame. Mr. Rousselot has been in this county—in Palm Springs and more recently in Elsinore, peddling unreasoned fright, trying to justify his job.

Said Senator Kuchel of Mr. Rousselot:

"When one who was honored to be a Member of Congress for 2 years—even one who writes for an undisguised hate sheet—utters such a cry, there are people who listen and believe."

Senator Kuchel's speech was long on documentation as well as denunciation. It was a healthy effort.

[From the Sacramento (Calif.) Bee, May 6, 1963]

Senator Kuchel Scores Peddlers of Fright

U.S. Senator Thomas H. Kuchel, of California, attempted to reach the conscience of America in his direct attack against self-styled "I am a better American than you are" group by whatever name, persuasion, or extreme boast.

His was a sobering analysis of the witch hunting going on under a dozen guises, all in the name of Americanism. We can hope his words touch the persons who need them.

Telescoped and paraphrased, this is the Kuchel indictment:

Americans are being cruelly swindled by peddlers of fright for paranoia and profit. The real damage is that they divide us when we should be united and divert us from the real challenge from without by creating doubt, neighbor of neighbor, within.

They call themselves conservatives but they defile the honorable philosophy of conservatism as thoroughly as the Communists defile the honorable philosophy of liberalism.

They sow suspicion and hatred. They attempt to undermine faith in the Government, its institutions, its leaders. They preach resistance to law. They degrade America and Americans and do it as well as, or better than, the Communists do. Indeed their "ugly labors" are a "service to the Kremlin itself".

This is something which needed saying on the floor of the U.S. Senate. It will not quiet the "I am a better American than you are" groups but it does expose them.

And it is distressing, as Kuchel found, to discover how easily persuaded many Americans can be to the swindle of the professional haters. In more than 3,000 letters Kuchel has received from his constituents expressing concern over the plot within to turn America over to communism, only 10 of the correspondents raised even the slightest doubt or question about the validity of the claims. Here is a naivete, shocking in its revelation and dangerous in its implication.

Have we so soon forgotten the division bred by McCarthyism and the broken lives it left? Is there so little trust left in law and in the courts, and in the agencies of government charged with our security? Can there really be those who believe, with the acceptance of a child, the wild accusation that Dwight D. Eisenhower, for one, is part of the Communist conspiracy, as he has been charged by extremist accusers?

If one of his stature is to be destroyed, who among the rest of us is safe from the self appointed saviors whether infantile or cunning who prey upon fear with falsehood?

[From the Sacramento (Calif.) Union, May 15, 1963]

Republicanism: Kuchel's or Birchers'?

If any further evidence was necessary as to the insidious and destructively divisive character of the John Birch Society, it is found in the amazing and unwarranted resolution of Monterey County Young Republicans censuring the Senator for his forthright leadership in denouncing the Birchers.

Examine the facts. In his speech, Senator Kuchel had not attacked or criticized Republicans. He had warned of the dangers of an extremist, radical non-Republican organization whose head has vilified such distinguished Americans and Republicans as Gen. Dwight D. Eisenhower, Milton Eisenhower, former Secretaries of State John Foster Dulles, and Christian Herter, and practically every other outstanding Republican of recent years.

Senator Kuchel is a nationally recognized Republican spokesman. He is a leader of the party in the Congress of the United States, is respected by the great majority of responsible personalities of both parties, and he won a magnificent personal endorsement by his overwhelming victory in the last election at a time when most other Republicans were being badly trounced in California.

If anybody has the right to discuss critically a movement which is seeking to infiltrate into the Republican organization, he does. Yet, a young Republican club—whose members were not much out of diapers at a time when he was already upholding the principles of the party and of the Constitution—took upon itself censuring him for exposing a non-Republican subversive movement.

Such temerity would be laughable as ludicrous, excepting for this incident showing how the Birchers gain control of a respectable movement and then use its name to carry on their invidious purposes.

The language of the Monterey Young Republicans—such as characterizing Senator Kuchel's words as "irresponsible and unworthy of being uttered in the Senate"—shows that they are not the utterances of true Republicans. They are the outcries of the Birchers themselves using a Republican organization captured for their un-Republican ends.

The Birchers play well the Communist game of dividing true Americans from each other. While they themselves are not real Republicans (their local paid agent is a registered Democrat) and are against our free institutions, preferring an authoritative, monolithic form of government to our traditional democratic rights under our Republic, they cause disunity among Republicans and other honest anti-Communists.

It should be understood that these observations refer to the leadership of the Birchers, for among their rank-and-file members are many sincere persons who have joined in the mistaken notion that they were affiliating with a genuinely patriotic movement and not one which has proven to be such a peculiarly destructive force.

As between Senator Kuchel and the Birchers, there can be no question as to the Americanism of one and the peculiar fanaticism of the other. Also, we must believe that Senator Kuchel still speaks with more right and authority for the Republicans than those whose actions cause only injurious rifts.

[From the San Francisco Chronicle, May 6, 1963]

Senator Kuchel's Welcome Wrath

Senator Kuchel's magnificiently strong speech in the Senate last week denouncing and exposing the fright peddlers of the extreme right should be remembered in the history of our country as one of the alarm bells of American liberty.

His speech was magnificient, first of all, because it was timely. It was the first public discussion in the Senate of the ghastly flood of "fright peddler" mail with which dismayed Members of the 88th Congress are daily being swamped. It was surgically factual. And it was filled with truly eloquent indignation at the contemptible, lying hysteria which rightwing agitators are peddling for profit among their fearful, duped audiences.

Anyone who believes in the proposition that democratic debate must be based on truthful discussion of the facts underlying public questions must welcome Senator KUCHEL's speech. As Californians, we are proud that we sent such a man to the Senate. The danger of which he warns, while "not as dread or as foreboding" as the Communist danger, is, as he says, "equally offensive and evil to all reasonable, rational, free American citizens."

We are especially glad, also, that this denunciation of rightwing extremism came as the voice of Republican reason, intelligence, and good will. The Republican Party, not only in California, but throughout the country, is suffering from the divisive and contaminating consequences of the tactics of the John Birch Society and other extremist groups. Senator KUCHEL has given his party an unmistakable example of how to clear its image of the Birchist tarnish. The way to disassociate the party from its vicious extremism is for its leaders to speak out, as he has done, not in the mealy-mouth language of political elocution, in which the speaker can point to any one sentence to refute any other sentence he has uttered, but loud and clear and unwaveringly.

* * * * *

We join KUCHEL in his rejoinder of "nuts" to this paranoid nonsense. And we hope to hear from some others in the Senate and Congress of the United States who may have the guts and good sense to stand up and declare themselves.

[From the San Francisco News-Call Bulletin, May 8, 1963]

KUCHEL'S WARNING

Those people and organizations so effectively attacked by Senator THOMAS KUCHEL in his Senate speech last week are not ultraconservative, or conservatives of any kind at all. They are Radicals, with a capital R; their beliefs are a complete denial of the American way.

Said the Senator: "They defile the honorable philosophy of conservatism as thoroughly as the Communists defile the honorable philosophy of liberalism."

Senator KUCHEL's eloquence was not directed at the true conservative, the patriot who takes his stand on the Constitution and American tradition. Rather it was pointed straight at that far-out and noisy fringe whose tactics of lie and distortion are as un-American as those practiced by the Reds.

The Senator is too much of an aware and experienced public servant to derogate the menace of communism in its internal and foreign forms. Certainly that menace is real enough, as an examination of domestic events and a quick glance at the map of the world will confirm.

Truth is the best weapon against communism. Senator KUCHEL is correct when he exposes those who would substitute the big lie for it.

The preservation of American liberties is a battleground on which liberal and conservative alike can stand shoulder to shoulder.

[From the San Jose Mercury, May 6, 1963]

BOGEYMEN UNMASKED

Senator THOMAS H. KUCHEL, Republican, of California, possesses acute clarity of vision and the courage of the convictions his vision occasions.

We suspect this, in large part, explains why he is the Republican Party's best vote-getter in California.

It is, therefore, of particular interest to Californians in general and California Republicans in particular, when Senator KUCHEL assesses the continuing attempts of the radical right to (1) scare the daylights out of the American people and (2) take over the Republican Party.

We are pleased to associate ourselves with Senator KUCHEL's remarks in this regard. In striking at the fright peddlers Senator KUCHEL cited a number of "hoaxes" and "whoppers" the radical right have attempted to palm off on Americans as gospel.

He noted specifically the contention that the U.S. Arms Control and Disarmament Agency has turned—or will turn—over the nation's military establishment to a Russian colonel in the United Nations. This is not only the most silly, it is one of the most persistent of the scare-stories retailed by the indefatigable letterwriters of the far right.

Like Senator KUCHEL, we feel sorry for the fearful who swallow these terror tales whole and regurgitate them from time to time in panic. Also like Senator KUCHEL we have nothing but contempt for the originators of these hoaxes and swindles. As the Senator expressed it:

"The curious fact is that the fright peddlers, from the simple simpletons to the wretched racists, all claim to be conservatives.

"They defile the honorable philosophy of conservatism as thoroughly as the Communists defile the honorable of liberalism. * * * They (the hoaxers) are anything but patriotic. Indeed, a good case can be made that they are unpatriotic and downright un-American. For they are doing a devil's work far better than Communists could do."

To which we say a fervent "amen."

[From the San Jose (Calif.) News, May 4, 1963]

SAVAGES READY TO HIT UNITED STATES—OR ARE THEY?

It's pretty frightening—the thought of those Red Chinese hordes poised just below the Mexican border ready to invade the United States.

We would call for the Army to come rushing to our defense, but we are afraid the commanding officer would turn out to be a Russian colonel.

Or did you read Senator KUCHEL's account of the amazing stories being spread by the radical right?

The senior Senator from California took on the "fright peddlers" the other day.

KUCHEL, the assistant Republican leader in the Senate, said, "What the fright peddlers have handed down to one another, over the years, is a daisy of a whopper, a puerile and evil package of fright calculated to scare the daylights out of decent Americans."

He identified John Rousselot, former Member of Congress and now a paid executive in the John Birch Society, as the dispenser of a story that the U.S. Government wants to put its Armed Forces under the command of a Russian.

Another whopper singled out by KUCHEL has the United Nations training thousands of foreign troops, including "barefoot savages," in Georgia as a prelude to taking over the United States.

The rightwing cannot expect too many people to swallow these stories, but it relies on the "where there's smoke there's fire" technique. KUCHEL is pointing out that there may be nothing more behind this brand of smoke than a smoke-making machine.

The Senator does a service when he calls on genuine conservatives to ignore the extremists and "to join the ranks again of sensible and decent anti-Communist, pro-Americans."

Senator KUCHEL seems to have overlooked the widely distributed story about the U.N. plan to have Irish troops occupy California.

We don't know how the Irish soldiers will get along with the Red Chinese or the barefoot savages. It probably depends on how strong a leader the Russian colonel is. Do you suppose that instead of a swagger stick the colonel will carry a shillelagh?

[From the San Leandro (Calif.) Morning News, May 8, 1963]

A SINCERE AMEN TO SENATOR KUCHEL

California's senior U.S. Senator, THOMAS H. KUCHEL, has added new stature to his distinguished record of political service with his recent exposure of the far-right extremists, whom KUCHEL aptly labeled "fright peddlers."

The liberal Republican leader, in a speech before the Senate, noted that thousands of Californians had been terrified to the point of hysteria by a series of hoaxes conjured up by right wing elements such as John Birch Society members.

Some of the latter claims recited by KUCHEL included charges that:

The United Nations was training thousands of foreign troops including "barefooted Africans" in Georgia as a prelude to a "takeover of the United States."

Under the act that creater the U.S. Arms Control and Disarmament Agency, a Russian colonel in the United Nations would always control American Armed Forces.

Thousands of Chinese Communist troops were "poised on the Mexican border for an attack on California."

"The curious fact," said KUCHEL, "is that the fright peddlers, from the simpletons to the wretched racists, all claim to be conservatives.

"They defile the honorable philosophy of conservatism with that claim as thoroughly as the Communists defile the honorable philosophy of liberalism."

The Senator said he sympathizes with those "taken in as dupes" but has "nothing but contempt for the originators of the hoaxes and swindles."

"They are anything but patriotic," declared KUCHEL. "Indeed, a good case can be made that they are unpatriotic, and downright un-American. For they are doing a devil's work far better than Communists can do."

Republicans, legitimate conservatives and those who believe in truth as a bulwark of democracy owe a sincere "amen" to the courageous senior Senator.

In most convincing fashion, he has unmasked the right wing extremists for what they really are.

There are those in southern Alameda County who have rebelled, snarled and kicked up their heels in rage at TOM KUCHEL's speech. They can be expected now to resort to their standard smear techniques in an effort to discredit the Senator.

In this effort we are certain they will suffer defeat.

Senator KUCHEL is perhaps California's most respected political leader. His smashing victory last fall despite heavy Democratic triumphs in all other major State races indicated he has solid, widespread support from all citizens of this State, regardless of political party affiliation.

And we are sure his support now is even greater.

[From the Santa Barbara (Calif.) News-Press, May 2, 1963]

KUCHEL SCORNS "FRIGHT PEDDLERS"

Senator KUCHEL gave fear-mongering political extremists both barrels in the Senate speech reported on the front page of today's News-Press. His address was a devastating analysis of the mail that pours into his office from the "fright peddlers," as he calls them.

The Senator presented fantastic examples of the abusive Bircher-type correspondence that has become the trademark of the "I am a better American than you are" cult. The favorite word of its members seems to be "treason." Senator KUCHEL said, "I still cannot believe my eyes when I stare at the ugliest word in the American lexicon tossed about in a letter as casually as the 'Dear Senator' salutation which opens it."

After answering some of their lies, the Senator put his finger on the damage these people are doing. "Clutching at half-truths and downright falsehoods," he said, "the fright peddlers fabricate hoaxes, as we have seen, which frighten Americans and divert their attention from the real menace. They sow suspicion and hatred. They attempt to undermine faith in government, its institutions, and its leaders. They preach resistance to the laws of our land. They degrade America and Americans and do it as well as—or better than—the Communists do."

The Senator has performed a distinguished service in his forthright speech. The News-Press commends its words to every American who values truth.

[From the Stockton (Calif.) Record, May 7, 1963]

PRIDE IN SENATOR KUCHEL

California's Senator THOMAS H. KUCHEL scathingly denounced on the floor of the Senate the rightwing extremist groups as "fright peddlers" who are "anything but patriotic."

"It is disgusting," Senator KUCHEL said, "to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anticommunism. Indeed, the ugly labors they perform are a service to the Kremlin, itself. They seek to divide, and too often succeed in dividing, our people far better than any Communist agents could do."

Senator KUCHEL spoke from a position of substantial political strength. He was reelected in November by a solid plurality of 725,000 votes. He is the Republican whip in the Senate. He resides in southern California which is home ground for more than a fair share of the State's crackpot organizations.

In making what probably is the strongest official denunciation yet of hate groups and fright peddlers, the senior California Senator invited attack that surely will be made with all the noise and viciousness that can be mustered by those who place anticommunism ahead of good Americanism.

We are glad this needed speech was made, proud that it was made by a Republican Senator from California.

[From the Sunnyvale (Calif.) Standard, May 3, 1963]

KUCHEL AND "FRIGHT PEDDLERS"

Senator THOMAS H. KUCHEL yesterday aided the cause of responsible conservatism with an attack on the "fright peddlers" who frequently hurt the Republican Party's image.

The senior Senator from California speaks from first-hand experience when he warns legitimate conservatives of the threat from purveyors of hatred and distrust.

He has frequently been the target of harsh criticism in extreme conservative circles because his record strikes some as too progressive.

Yet such attacks obviously have not hurt him with the majority of voters. He has successfully survived a generally unfavorable tide that has seen other State Republican leaders defeated.

His career is proof of the generally prevailing political view that a course of moderation has, in normal circumstances, the greatest appeal for the majority of American voters.

This fact does not silence his critics, but it does lend weight to his words. It helps the country to have a respected conservative leader issue such a warning against extremist groups.

There is genuine need for strongly held conservative viewpoints if the Nation is to maintain its traditional political balance. But such views are harmed by far-out spokesmen who try to usurp the label of conservative.

Senator KUCHEL obviously recognizes the threat implied in allowing the John Birch Society and even more extreme groups to become identified merely as conservatives in the public mind. Such a situation could only damage all real conservatives.

If the Senator's speech yesterday was a political warning to his party, it was also a definite warning to sincere anti-Communists not to be confused and stampeded by the peddlers of hate and suspicion.

Tales of "barefooted Africans" taking over the American countryside and Communist armies massing on the California border are sheer hysteria.

Not only do such fantasies mislead and confuse some well-meaning people, but they distract the country's attention from the real cold war issues and domestic problems facing us.

Such charlatanism deserves rebuke, and we are glad that a leading spokesman for responsible conservatism has seen fit to take a major role in alerting the public.

[From the Tulare (Calif.) Advance-Register, May 3, 1963]

KUCHEL BLOWS THE WHISTLE

Do you think all Americans are as normal and as reasonable as you are?

If so, guess again. It just isn't so. Paranoia and hysteria are rampant in our land and the fright peddlers are taking full advantage of this sorry state of affairs.

Once in a while, fortunately, some courageous soul draws a bead on these people who are like a cancer gnawing away at the heart of America and draws them up short with a ringing denunciation of their activities.

Such an event took place yesterday on the floor of the U.S. Senate when TOM KUCHEL, the able Republican Senator from California, called on cruelly swindled Americans to reappraise the peddlers of fright for paranoia and profit and rejoin the ranks of responsible anti-Communist, pro-Americans.

KUCHEL told his fellow Senators: "America has enough immediate and deadly dangerous enemies, without adding hobgoblins. America can use all the responsible help it can get."

He ripped into the fright peddlers who he described as "hundreds of self-styled patriotic groups" ranging from the John Birch Society to the followers of Gerald L. K. Smith. If a Democrat had said the same things, it is likely that he would have been branded a "Red." But these words, mind you, were spoken on the Senate floor by the Republican Party whip in the upper chamber of the U.S. Congress.

KUCHEL was particularly bitter in his speech about some of the purely fraudulent stories used by the fright peddlers to terrify Americans. These two, for instance:

The United Nations is training thousands of foreign trooops, including barefoot savages, in Georgia, as a prelude to a takeover of the United States.

The United States no longer has an Army, Navy or Air Force because the act that created the U.S. Arms Control and Disarmament Agency has turned over our military to a Russian colonel in the United Nations.

Now, because you're normal and reasonable, you simply can't believe that anyone would swallow stories like those, can you? But they have. Senator KUCHEL said he has received more than 3,000 hysterical letters and crude leaflets from constituents on this subject. And, worst of all, only 10 of those letter writers raised even the slightest doubt of question about the validity of the twin claims.

Thank goodness most Americans haven't been hornswoggled by these extremists who employ the big lie in their untiring efforts to win new converts. And we can all be thankful that we have forthright people like TOM KUCHEL in high public office, ready to blow the whistle on the crackpots who, in his own words, "sow suspicion and hatred * * * attempt to undermine faith in our Government, its institutions and leaders * * * preach resistance to the laws of our land * * * degrade America and Americans and do it as well as—or better than—the Communists do."

[From the Vallejo (Calif.) Times Herald, May 11, 1963]

SOLON HITS HATE MONGERS

Conditions may be far worse than ordinary citizens imagine when usually calm and seriously minded Senator THOMAS H. KUCHEL, Republican, of California, rises in the Senate to denounce the hate, fear, and smear brigade which is flooding his Washington office with 3,000 to 5,000 letters and cards daily. He characterizes them as the "extreme right-wing hate" groups engaged in spewing their "contemptible slime" throughout the country.

It is distasteful to admit that large segments of the hate group are located in California where they engage in "spewing" their ultrasensational fear complex among people who are willing to listen to their doctrine and pass it along. From reading Senator KUCHEL's address, we learn that some of the fearful ones believe the U.N. is training African troops in Georgia, preparatory to taking over the United States, and that a contingent of Red Chinese troops are being trained down in Mexico to destroy this country.

Senator KUCHEL's correspondents are charging him with cowardice and even suggesting treason, for his failure to fall for this dangerous propaganda. Instead of making an effort to learn the facts and spread the truth, they are swallowing this filth hook, line, and sinker, and criticizing those who refuse to go along with their gullibility. As the Senator remarks: "These groups are doing a devil's work far better than Communists could do."

"It is distressing and disillusioning to find persons of normal educational attainments—or any educational level—falling hysterically and emotionally, without reservations, for the unadulterated venom spewed by out-and-out crackpots for paranoid profit."

There is no doubt that crackpots described by the Senator are at large, giving false witness, and frightening the gullible who listen to them.

[From the Watsonville (Calif.) Register-Pajaronian, May 3, 1963]

RADICAL LEFT?—RADICAL RIGHT?—BOTH REPRESENT DANGER

Nothing is so certain to send blood pressures soaring as the question of who should and who shouldn't be permitted to speak on college campuses.

The issue was a hot one again this week. Chancellor Edward W. Strong of the University of California made it that way by observing that if rightwingers were allowed to speak on campuses, then he couldn't see why Communists should be banned.

Strong was taken to task. Couldn't he recognize that the rightist, on one hand, is presumed to be a loyal American whereas the Communist, on the other, is a part of a foreign conspiracy openly dedicated to the overthrow of the American Government?

This is a good point, but it overlooks the fact that there are some hysterical rightwingers who appear just as determined to destroy our Government and its institutions as card-carrying Communists.

Some of these perverters of American principles, who belong to the "I am a better American than you are club," would have you believe the Government is crawling with Reds, that we are the victims of a Communist conspiracy by virtue of our membership in the United Nations, that the income tax is an insidious Communist (sometimes "Jewish" is substituted) plot to destroy the United States, and that if we are to survive, we must impeach or shoot the President, the Chief Justice of the United States, and nearly anyone else with whom they disagree.

As U.S. Senator THOMAS H. KUCHEL said in a Senate speech this week, these self-styled patriots "sow suspicion and hatred. They attempt to undermine faith in our Government, its institutions, and leaders. They preach resistance to the laws of our land. They degrade America and Americans and do it as well as—or better than—the Communists do."

And added KUCHEL, a Republican: "They defile the honorable philosophy of conservatism * * * as thoroughly as the Communists defile the honorable philosophy of liberalism."

So, if a Communist speaker poses a danger to the minds of our university students, the same may be said of the radical rightist. In fact, he may represent even a greater hazard, for it is he who mounts the platform to the strains of "God Bless America," and it is he who spreads his poison as he stands before the American flag for which Americans fought and died.

Nevertheless, the issue centers not on which radical is the more dangerous, but on what limitations, if any, should be placed on representatives of either the far right or left to speak on our campuses.

We realize that the presence of a Gus Hall or a Gerald L. K. Smith on a campus is disturbing and even frightening to good citizens. Yet, if we bar speakers who represent unpopular causes, we run the danger of (1) restricting the open flow of ideas, which in time may choke off traditional academic freedom; (2) enhancing the attractiveness of the very ideas we're trying to suppress; and (3) displaying a singular lack of confidence in the ability of our young people to think for themselves.

Far better to get these despicable ideas out in the open where we can effectively deal with them. Let the universities be tolerant of repugnant speakers of any stripe, just so long as they plainly label them for what they are and what they stand for.

The university, too, has a responsibility to counter speaker with speaker, ideas with ideas, so as to expose students to the broad spectrum of conflict and philosophies of government and men reflected in our political structure.

In the end, we must assure that the voice of the moderates and moderatism prevail. For if we fall into the muck of the extremists, we and our institutions are doomed.

[From the Baltimore (Md.) Evening Sun, May 3, 1963]

KUCHEL'S COMMONSENSE

Senator KUCHEL has the right words for them in his apt phrase "the fright peddlers." They are the publicists, professional and amateur, who dispense drivel to that small part of the American population gullible enough to believe the worst in any imperfect situation. As Senator KUCHEL says, "it is distressing and disillusioning to find persons of normal educational attainments—or any educational level—falling, hysterically and emotionally, for the venom spewed by out-and-out crackpots."

What, exactly, is the kind of nonsense put out by the John Birch Society and other extreme right-wing organizations? The Senator from California is specific. One is the assertion that the head of the U.S. Arms Control Agency is a dictator, not answerable even to the President or Congress, who can dismantle the American Armed Forces and turn them over to the United Nations. Another is the insistence that a Russian is in overall charge of United Nations military operations. A third is the recurrent revelation that President Eisenhower was nothing more than a front man for the Communists. And so on.

Presumably this kind of claptrap is more prevalent in California than elsewhere, for Senator KUCHEL says that 10 percent of his mail reflects such themes, while Maryland's Senators find it less than 5 percent. But the mere fact that circulation of such nonsense goes on is reason enough to bring it out in the open and denounce it. For when improbably wild reports are believed by the most credulous, seeking desperately for oversimplified explanations of why the world doesn't go exactly as they would like it, even the more sensible are affected by the fallout.

Senator KUCHEL has stood consistently not only against the crackpots but against the emotional rightwing of his own Republican party. To say what he has just said reflects neither great courage nor unusual perspicacity. But it does show plain ordinary commonsense, a refreshing commodity we can always use more of.

[From the Cleveland Plain-Dealer, May 4, 1963]

FRIGHT PEDDLERS

Senator THOMAS H. KUCHEL, Republican, of California, hit the nail on the head when he said that rightwing extremists do "Devil's work far better than Communists could do." It is difficult to believe that anyone could believe such fancies as those revealed in some letters to Senator KUCHEL, such as these:

The U.S. Army is training African troops in Georgia in Operation Moccasin to take over the country for the United Nations.

African Negro troops who are cannibals are stationed in Georgia.

Sixteen thousand African soldiers, complete with nose and earrings, currently are in Georgia.

The U.N. plans to place Mongolian and Congolese troops over our dear United States.

Thousands of Chinese Communist troops are in Mexico, poised for an attack on California.

All our Armed Forces will be turned over to a Russian colonel at the United Nations.

The danger of such nonsense, Senator KUCHEL explained, is that "there are people who listen and believe."

Every sane American has a duty to discredit such fantasies whenever he hears them repeated.

[From the Chicago (Ill.) Daily News, May 4, 1963]

THE POISON PEDDLERS

There are in this country some hundreds of persons capable of retailing the most astounding fiction as utter fact. And there are millions, apparently, whose capacity for believing nonsense is almost infinite. When the liars and the gullible get together on matters such as the loyalty of Dwight D. Eisenhower or an alleged Negro plot to take over the United States, the opportunities for destructive mischief are manifest.

The No. 2 Republican in the U.S. Senate, THOMAS H. KUCHEL, of California, ripped into these types in a Senate speech this week, naming names and citing examples of their handiwork.

In the van of the fright brigade he placed Gerald L. K. Smith; Former Representative John H. Rousselot, of California; the John Birch Society; and an outfit by the disarming name of United Societies of Methodist Laymen, Inc., of Austin, Tex.

Among the fables peddled as fact:

The Army is training African troops in Georgia in Operation Moccasin to take over the country for the United Nations. Some of the Africans are cannibals; other wear rings in their noses.

Thousands of Chinese troops are being assembled in Mexico for an assault on California.

On a certain day the Armed Forces of the United States will be turned over to a Russian colonel at the United Nations. (This was borrowed from a Hollywood scenario of a decade ago.)

Forty-four prominent American and allied leaders are secretly Communists; Former President Eisenhower is in league with them.

The U.S. Government is honeycombed with Communists.

KUCHEL said the outpouring of fright mail from the rightwing extremists amounts in his office alone to 6,000 letters a month.

The Senator, who has often run afoul of the fringers in his home State, makes the point that "they defile the honorable philosophy of conservatism * * * as thoroughly as the Communists defile the honorable philosophy of liberalism."

The comparison is apt, we believe. Indeed, the theory has been advanced that there may be a degree of collaboration between the extremists of the right and left. Clearly they share an objective, to create confusion through terror, and a method in the big lie.

[From the Corpus Christi (Tex.) Caller, May 6, 1963]

FEAR PEDDLING DENOUNCED AS A DANGEROUS RACKET

Republican Senator THOMAS H. KUCHEL, of California, Senate minority whip and an enlightened conservative, took the floor recently in righteous indignation to denounce the "fright peddlers, from the simpletons to the wretched racists" who "defile the honorable philosophy of conservatism." It was a timely and courageous address from a man whose constituents number a high proportion of political extremists.

"It is disgusting," KUCHEL said, "to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anticommunism." It is also dangerous.

Senator KUCHEL enumerated some of the preposterous rumors cropping up in what he called his "fright mail": That African savages are being trained in Georgia to help take over the United States for the U.N., that American Armed Forces have been subordinated to a Russian colonel in the U.N., that Chinese Communists are mobilizing in Mexico to attack California, ad nauseam. These are on a par with earlier rumors that a routine mental health program act was setting up concentration camps in Alaska for the "lunatic fringe" and that safe and beneficial fluoridation of municipal water supplies was a Communist plot to poison the Nation.

There are today literally hundreds of professional pamphleteers, scare-sheet publishers, lecturers and miscellaneous agitators in the despicable racket of profiteering on the gullibility and fears of uninformed or emotionally unstable people. The racket is astonishingly simple: Set up a scarecrow and rake in donations to lead the crusade to knock it down. And it generates a para-religious fanaticism that defies reasoned and researched rebuttal.

Senator KUCHEL was unable to prescribe any panacea for this cancer in the American body politic. The only arresting antidote apparent is for responsible statesmen to warn of its danger to national stability and security, and for citizens to develop a healthier skepticism toward irresponsible and unsupported rumors.

[From the Detroit (Mich.) Free Press, May 6, 1963]

THE EXTREMISTS GET A BLASTING

California's Republican Senator THOMAS KUCHEL did a good day's work when he stood up on the Senate floor to denounce "fright peddlers" who circulate preposterous lies with which "to scare the daylights out of decent Americans."

He was talking about the extremists and the sharpsters who make a good thing out of perpetuating the hate literature which has found a ready sale among the gullible.

That the hard-core gullibles will be overtaken with any greater ability to discern the hoaxes advanced by either fanatics or charlatans is not to be supposed. The hard-core gullibles will always be with us. Were it not so, confidence men would starve to death, and they don't.

Nor will the pamphleteers and "organizers" be dissuaded from their work, whether fanatics or charlatans. Both have found that there is good money to be had out of peddling falsehood which slanders fine, dedicated Americans with charges of communism.

However, Senator KUCHEL's forceful attack on them, along with the praise he received from prominent Congress Members in both parties, will make easier the minds of those who subscribe to the idea that "where there is so much smoke there must be some fire"—and don't bother to inquire into the nature of the smudge.

Senator KUCHEL identified it exceedingly well when he said that those responsible for its stenchful smoke "defile the honorable philosophy of conservatism * * * as thoroughly as Reds defile the honorable philosophy of liberalism" and that a good case can be made for the extremists being "unpatriotic and downright un-American."

[From the Northwest Arkansas Times]

HITTING THE HATE PEDDLERS

It took a good deal of political courage for Senator THOMAS H. KUCHEL, of California, to denounce, as he did, self-styled patriotic groups and their unadulterated venom, hoaxes, and lies. Particular courage was demanded, in this case, because in California self-styled groups of which he spoke are numerous and powerful.

The country as a whole owes a debt to Senator KUCHEL. The fright peddlers long have been setting themselves up for just such a roasting, and the California Senator did the job up brown, using language which cannot be interpreted to mean anything but what the speaker intended—a blast at those who imagine our Nation crawling with Communists.

The command of the English language as used by Senator KUCHEL in this instance must be admired. It is distressing and disillusioning to find many educated people falling hysterically and emotionally, without reservation, for the unadulterated venom spewed by out-and-out crackpots for paranoia and profit, he said. That is plain enough for anybody to understand. His remarks in this connection are only too true.

This publication the other day was urged by a telephone caller to support a movement the likes of which the Senator condemned. "Do you know any Communists?" the caller was asked. The reply, "Oh, yes. I know of quite a few." "Then you should inform the FBI." "Oh, I have."

But this was not enough—this citizen was determined to spread the word that Americanism in northwest Arkansas, as in all the rest of the country in which we live, is heavily menaced by an "ism" that is gaining converts at an amazing rate.

Nationally there are thousands of Americans who are being taken in by a campaign of hate and fear. The Senator pointed out "The curious fact is that the fright peddlers, from the simple simpletons to the wretched racists, all claim to be conservatives. They defile the honorable philosophy of conservatism with that claim as thoroughly as the Communists defile the honorable philosophy of liberalism."

The Senator's outburst will, of course, net many replies, and it will provide an opportunity for publicity for some of the men and women who preach the gospel he attacks. But the truths he tells blow a fresh breeze across the country, and his remarks should be welcomed by thinking Americans. The work of the extremists occasions high humor, provides many laughs, and does not seem very serious in many instances. But it is duping a percentage of the American public, convincing numbers that they must look under the bed before retiring lest the Reds get them, and generally kicking up suspicion and fear.

"It is incredible that so many Americans have been so cruelly swindled, and have allowed themselves to be so cruelly duped," Senator KUCHEL asserted, but this development is only too true.

Maybe Americans will stop and think, now that the situation is brought out forcefully and realize that if the Kremlin could have anything it wanted, one of the first orders would be confusion and suspicion among the American people. Doubt in the American system, fear of each other, a feeling that neighbors and friends are opposing the present system of government—all this is close to the Communist heart and helpful to the Communist cause.

The folks who are doing the most to bring about this state of affairs are the very hate peddlers of which Senator KUCHEL speaks.

[From the Honolulu Advertiser, May 15, 1963]

THE SENATOR SAYS "NUTS"

The Birchers and allied extremists have attracted a great deal of attention in the past year with their fearful clap-trap.

Now Senator TOM KUCHEL of California has revealed new dimensions of the super-American movement. It is something which, according to columnist Marquis Childs, has caused considerable talk on Capitol Hill for some months—the flow of hate-and-fear mail to Congress.

Senator KUCHEL, in a Senate speech, estimated that of the 60,000 letters a month pouring into his office roughly 10 percent are from the radical right. They assert that United Nations troops have been training secretly in Georgia to take over the United States that thousands of Chinese Communist troops are poised on the Mexican border, ready to invade, that the Armed Forces are honeycombed with traitors.

The writers of these letters and of pamphlets charge that the U.S. Disarmament Agency is plotting to turn the United States over to Russia.

The Senator, a Republican, said he himself is accused of being pro-Communist or a traitor and that when he replies with the facts on a given issue the answer comes back that, well, at least he is a dupe.

The Senator let the hysteria-mongers have it with both barrels:

"It is disgusting," he said, "to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anti-communism. Indeed, the ugly labors they perform are a service to the Kremlin itself."

To which we say, "Amen."

The Senator said this slander and abuse reveals an essential disloyalty on the part of those who deal in it. They have no confidence either in their fellow Americans or even in the democratic life or its strong appeal to others.

Do they really believe all they say, he asked.

"If they do, the only reasonable reply I can give to them which they will understand is the honorable, 100 percent, red, white, and blue expression: Nuts."

And to that we say "Amen" also.

[From the Louisville (Ky.) Courier-Journal, May 8, 1963]

SENATOR KUCHEL, SORELY TRIED, MADE A REMARKABLE SPEECH

Senator THOMAS KUCHEL smote the far-out right hip and thigh in a remarkable speech in the Senate last week. The California Republican has been sorely tried by Birchites in his home State who are trying to capture the Republican Party machinery. In his successful campaign for reelection last year, Senator KUCHEL attacked the Birch Society and ran his campaign independently even of Richard Nixon. KUCHEL won by a margin of 727,000 while Nixon was losing to Governor Brown by 297,000. Nixon never could bring himself to completely repudiate the Birchites running as Republicans in the general election.

Senator KUCHEL is a political moderate of the kind that seems to be popular in California. Nevertheless, the Senator says that of the 60,000 letters a month that come to him, about 10 percent are in the wild, right-wing category. These writers accuse him of being pro-Communist and a traitor. When he replies, giving the facts of a particular situation, these people respond by saying he is either a dupe or an agent practicing deceit.

The Senator has run out of patience. He told the Senate he is disturbed by the work of professional peddlers of hate and the wide range of crackpots who, through the printed word, radio, and television, spread fantastic charges that have no relation to the truth. These people, he said, are contributing to an atmosphere of growing hysteria. Senator KUCHEL produced samples of his correspondence as well as pamphlets and printed material making fantastic charges that, in the words of the Senator, reflect paranoia.

Among the tales being circulated by the "fright peddlers" are these whoppers: That the U.N. is, or was, training thousands of foreign troops, including barefooted Africans in Georgia, as a prelude to a takeover of the United States; that under the act creating the U.S. Arms Control and Disarmament Agency, a Russian colonel in the U.N. would control U.S. Armed Forces; and that thousands of Chinese Communist troops are poised on the Mexican border for an attack on California.

Senator KUCHEL resents those who are spreading these falsehoods identifying themselves as "conservatives." "The curious fact is," he told the Senate, "that the fright peddlers, from the simple simpletons to the wretched racists, all claim to be conservatives. They defile the honorable philosophy of conservatism with that claim as thoroughly as the Communists defile the honorable philosophy of liberalism."

If the Senator keeps talking that way he may supplant fellow Californian Earl Warren as the No. 1 man on the far-out right's hate list. But how do you impeach a U.S. Senator, especially one who has just won a new 6-year term by a healthy margin?

[From the Milwaukee (Wis.) Journal, May 13, 1963]

FRIGHT PEDDLERS

Two Republican Party leaders have leveled well-timed and considered attacks at the rightwing peddlers of "unadulterated venom," hoaxes and lies.

Senator KUCHEL, Republican, of California, in a well documented speech, told the Senate that the Nation is plagued by "fright mail" and charges of treason in every phase of national life "spewed out by out-and-out crackpots for paranoia and profit."

Governor Hatfield, of Oregon, said in an Arizona speech that Fascists exist in this country now, often supported by rightwing businessmen, and "are a danger to our American ideals." The John Birch Society, he said, has individuals "dangerous to the American way of life."

KUCHEL told the Senate that he gets as many as 60,000 letters a month and as many as 10 percent of these are pure fright mail. They come from persons influenced by "I am a better American than you" organizations. They profess "to see our Government crawling with Communists" and pour spleen on anyone who does not share their "queer and puzzling dogmas."

Charges made in such mail are simply incredible. A current one flooding the Nation is that some 15,000 United Nations troops from 15 nations have been carrying out military operations called Water Moccasin III in Georgia.

These are largely Communist troops, the charge goes, including "pagan, ruthless, brutal, godless savages" from Mongolia and the Congo. They are, it is claimed, about to be turned over to a Russian general to conquer the United States.

What is this fantasy based on? The fact that our Army has been conducting a counterguerrilla exercise with 600 soldiers. The only foreigners involved are a total of 124 observers from Canada, Nationalist China, France, Great Britain, Guatemala, Indonesia, Iran, Italy, Japan, South Korea, Liberia, Pakistan, the Philippines, Spain, Thailand, Turkey, and South Vietnam. The United Nations has nothing to do with the exercise.

Another current charge of the fright peddlers is that thousands of Chinese Communist troops are poised at the Mexican border to invade this country—with the connivance of Americans in high places, of course.

Another charge is that the Arms Control and Disarmament Agency, created by Congress by overwhelming vote, is really a cover for a plot to turn the Armed Forces of the United States over to the Russians. And, as Senator KUCHEL says, "when the charges are disputed, those who make them charge treason."

The California Republican professes seething contempt for the originators of the hoaxes and swindles—including the ludicrous leaders of the John Birch Society. Their goals, he points out, "are identical to the real hopes and aspirations of the Kremlin"—get the United States out of the U.N., end foreign aid, abandon the North Atlantic Treaty Organization, get out of Europe, and all the rest. To all of the hysterical, emotional, and venomous charges KUCHEL replies with "the honorable, 100-percent red, white, and blue expression: 'Nuts'."

Senator KUCHEL has performed a fine public service. As Governor Hatfield puts it, we are being called upon by fanatics "to counsel with our fears rather than with our faith." They do violence to our political system and our ideals. They try to divide our people—and sometimes succeed—just as Communist agents try. America, as Senator KUCHEL says, "has enough immediate and deadly dangerous enemies, without manufacturing hobgoblins."

[From the Nashville (Tenn.) Tennessean, May 4, 1963]

GOP WHIP KUCHEL AIMS A WELL-DESERVED BLAST

The Senate Republican whip, Senator THOMAS KUCHEL of California, has done his party and his country a service with his forthright floor speech in which he charged that right-wing extremists do "devil's work far better than Communists could do."

Senator KUCHEL excoriated what he termed the "fright peddlers" who imagine plots against the country and "see our Government crawling with Communists." He specifically named the John Birch Society, but his indictment was broad enough to include those who wail of "no-win policies" and spread scare stories about Cuba with lies and half-truths as their foundation.

The fright peddlers, Senator KUCHEL said, have in common "all-out, uncompromising hysterical demands" some of which are "very likely identical to the real hopes of the Kremlin." He listed some of these as stopping all foreign aid, abandoning NATO, and removing the United Nations from the United States, among other things.

Among the incredible stupidities bruited about are stories that cannibals are stationed in Georgia in Operation Water Moccasin, whose object is to take over the country for the U.N.; that all our Armed Forces are to be turned over to a Russian colonel at the U.N.; and that Chinese Communist troops are in Mexico, poised to attack California.

"It is disgusting," Senator KUCHEL said, "to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anticommunism."

We live in a time of anxiety, under the shadow of the H-bomb. There are many who are more than willing to exploit our discontents and fears. Wrapping themselves in flags, the superpatriots foment hysteria with hobgoblins and foster frustration with scapegoats. If it's trouble in Cuba or Laos, then it must be the "no-win clique" in the State Department which has allowed this to happen. The insinuation is bald and deliberately aimed at rousing the spirit of vigilantism.

Or, if not the State Department, then surely the U.N. where they are convinced the crafty rascals are plotting our downfall.

Senator KUCHEL is more than a little right when he says these fright peddlers do "Devil's work far better than Communists." Nothing would please the Communist world more than to have us divided and panicky at home, frustrated to the point of blindly striking out, distrustful of our own leadership and willing to wreck the alliance of our friends.

Thank heaven the vast majority of Americans are levelheaded enough to prefer reason to rhetoric, calmness to panic and courageous leadership to demagogs.

"America has enough immediate and deadly enemies without adding hobgoblins," said Senator KUCHEL. He deserves the applause of all who are concerned about their world and the Communist menace but who know that courage, patience and faith will win more battles than blind panic.

[From the New York (N.Y.) Herald, May 4, 1963]

HOBGOBLINS ON THE RIGHT

There are quite a number of John Birchers and others of the extreme right in Senator THOMAS H. KUCHEL'S California backyard. To take them on in open battle as he has done repeatedly calls for political courage of no mean order. But the Republican Senate whip is performing a service not only to his party but to his State and his country by exposing those who, as he put it, "defile the honorable philosophy of conservatism."

The far right, like the far left, generally finds no respectable voices, among the press or public men, to speak for it. As a result, many canards originate in their little hate sheets and their little hate speeches and circulate unchecked. It is amazing with what credulity the wildest stories are accepted by those predisposed to believe them; the tale of cannibal Africans being trained by the United Nations in Georgia to take over the United States could, one would imagine, deceive no one, yet Senator KUCHEL says it is mentioned in many of the "fright letters" he receives.

There is a philosophy of conservatism, and, as Mr. KUCHEL says, it is an honorable one. But it certainly cannot be advanced by stories which sound like a mixture of the late and unlamented Julius Streicher's outpourings with the tales of the Brothers Grimm. Nor will American security be promoted by keeping a wary eye on imaginary Mongol hordes clustering just across the Mexican border. Above all, the wrong that is done to patriotic Americans by such rightwing calumnies represents a threat to the public service and the public order.

This country needs to have its best minds, and all good citizens, trading thoughts openly in the marketplace of ideas. What is damaging are under-the-counter deals, secret connivings, faked goods, and counterfeit intellectual currency. By acting as a kind of better business bureau to police the phony "ideas" of the right, Senator KUCHEL is doing a good, and a needed, job. As he says, the United States has enough dangerous enemies without inventing any hobgoblins.

[From the New York (N.Y.) Times, May 10, 1963]

WHO'S FOR THE CONSTITUTION?

President Kennedy has directed national attention to one of the anomalies in the pressure campaigns conducted by the superpatriots of the radical right. The tendency of these self-appointed defenders of the Constitution, the President noted, is to work ceaselessly for constitutional changes so basic they would upset its essential principles.

Mr. Kennedy was referring specifically to the three States rights amendments, which have already slipped through a score of State legislatures almost without debate. These proposals, as we have previously declared, would subvert the form of government established in 1787 by removing many of the powers of Congress and the Supreme Court. They are indicative of the perils that reside in the extreme right—perils well summarized by Senator KUCHEL, the Republican whip, in a recent speech on the Senate floor.

His theme was that right-wing fright-peddlers were doing "devil's work far better than Communists could do." He charged that those who pander to hate and fear in the name of conservatism "defile the honorable philosophy of conservatism with that claim as thoroughly as the Communists defile the honorable philosophy of liberalism." This is a judgment that will find widespread endorsement among responsible Americans of all political persuasions.

[From the New York (N.Y.) World-Telegram, May 8, 1963]

THE FRIGHT PEDDLERS

Senator KUCHEL, of California, has been reading his mail, as a good Senator should.

And some of what he has read alarms him, with cause. He calls it fright mail—inspired by crazy rumors and allegations deliberately planted by fright peddlers, to use another KUCHEL term.

There is nothing new in this, although the current wave, as illustrated by KUCHEL'S mail, may be more vicious than normal. This country, no less than others, has always had its quota of crackpots, zealots, bigots, dupes and superstitious ninnies.

The John Birch Society and similar outfits were the particular targets of KUCHEL'S indignation, and alarm.

There are no bigots like the super-patriotic type. One of the Senator's complaints was the readiness of these types not only to spread as gospel utterly false charges but their squint-minded habit of yelling Communist at everyone who disagrees with them, or questions one of their far-fetched concoctions.

This tactic, of course, stamps anyone who uses it. In this country, there is still the privilege of disagreement, of skepticism, of making mistakes without being called names.

In delivering on the Senate floor his well-documented scourging of the fright peddlers Kuchel performed a service.

He answered them, that the people may better judge, even though one result certainly will be ashes on his head from these same elements.

What the Senator did not do, wisely, was to demand action against them, punitive or restrictive.

This would be their tactics.

[From the Philadelphia (Pa.) Inquirer]

Senator Kuchel and "Devil's Work"

California's Senator Thomas Kuchel has a rare gift for a telling phrase which he used last week in a Senate speech devoted to the wide world of the far, far right.

His mail (largely from California) informed him, he said, that extremists of the right do "the Devil's work far better than the Communists do * * * fright peddlers who see our Government crawling with Communists."

Senator Kuchel mentioned particularly the widespread idiocy about "African cannibals" training in Georgia to take over the country for the United Nations, which allegedly proposes to put it under the command of a Russian colonel.

Operation Water Moccasin in Georgia has, of course, been devoted to training American GI's in antiguerrilla warfare, something they may badly need to know.

What irritates the Senator most, apparently, is that these fantastic, ignorant eccentrics fancy themselves to be conservatives.

"They defile the honorable philosophy of conservatism with that claim as thoroughly as the Communists defile the honorable philosophy of liberalism," he said.

That is the very point we have made on this page several times in the recent past: By claiming to be the only true-blue Americans, lunatic fringers from both fringes obfuscate and confuse the great, wide middle ground where honest Americans must meet and map out their national needs and choices.

We hope the Senator was heard by all members of this sorry lot, not only those in his own State. He made it abundantly clear that their proudest claim—to exalted patriotism—is a fraud. Moscow would love to see such zealots come to power in America—and try to repeal the 20th century. It would insure a Red 21st.

[From the Portland (Oreg.) Press-Herald, May 9, 1963]

"Fright Peddlers" and Their Ilk Come Under Fire of Senator Kuchel

Since he comes from a State having an over-supply of crackpots, fanatics, and believers in the rightwing line, all the way from the fuzzy-minded to the vicious, it took courage for GOP Senator Thomas H. Kuchel, of California, to assail the John Birchers and other extremists on the Senate floor the other day.

Senator Kuchel, a level-minded conservative, is angry at the groups he named for the fright mail they peddle and encourage, but also because they pose as conservatives and give true conservatives a bad name. It is incredible that people believe the tripe disseminated by the "fright peddlers," but the Senator says it crops up often in his mail—a typical canard the charge that a Russian colonel in the U.N. is the real boss of the U.S. military. Or take this one—the United Nations is training an army of African cannibals in Georgia, and when the time is ripe they will take over the whole country.

The theme of most of this garbage is good old American patriotism, but as a recent study of the fright groups points out, Gerald L. K. Smith is still viciously attacking the Jews, the Manion Forum is hot on the trail of "labor monopolies," the income tax, medicare, and the farm program are the targets of the well-financed Human Events newsletter, while a defrocked pastor of the Presbyterian Church U.S.A., Carl McIntire, whose 20th century "Reformation Hour" is heard on at least two Maine radio stations (we wonder if their proprietors know of his past record) is still trying to destroy the National Council of Churches.

These shrill voices will undoubtedly rise as the presidential campaign nears, and while they have nothing to sell but lies and prejudice and scare-talk, Senator Kuchel wishes they would identify themselves for what they really are.

[From the Portsmouth (N.H. Herald, May 7, 1963]

Broadside at Extremists

Senator Kuchel, of California, the assistant Republican leader in the Senate, has performed a notable public service by excoriating "self-styled patriotic groups" that peddle hate and fear in the name of patriotism, conservatism, Christianity, and anticommunism. What he said in a tough Senate speech should help to further alert the public to the dangers of extremism.

Senator Kuchel laid it on the line. There was eminently good sense in his reminder that "America has enough immediate and deadly enemies without adding hobgoblins." Then he proceeded to describe some of the hoaxes and untruths which comprise these hobgoblins—the claim that the United States is training thousands of foreign troops in Georgia as a step toward a United Nations takeover, the assertion that U.S. forces are under the ultimate control of a Russian officer in the United Nations, the warning that thousands of Chinese Communist troops are on the Mexican border ready to attack California, and so on from one sick charge to another.

Such weird distortions of the truth are not, unfortunately, shrugged off by all Americans. As Kuchel pointed out, even some educated people who ought to know better are "falling hysterically and emotionally, without reservation, for the unadulterated venom spewed by out-and-out crackpots for paranoia and profits."

Strong language? Yes, but strong language is needed. The fact that Senator Kuchel was motivated in part by a desire to free the GOP in California from the taint of the extreme right does not alter the fact that he has contributed ably to public understanding of a nasty problem.

[From the Salt Lake City (Utah) Tribune, May 5, 1963]

The Modern Hydra

The mythical hydra was a nine-headed monster which grew two new heads whenever one was cut off. Last week, Senator Kuchel, of California, took up arms against a modern hydra.

"Fright peddlers" of the extreme right, said Kuchel in a Senate speech, are doing the devil's work far better than the Communists could do." He listed in detail wild rumors, now being spread around the country, whose obvious purpose is to foment distrust and suspicion. Ten percent of the letters he receives each month are in the far-out category, Kuchel declared.

One persistent story is that the Army is training 16,000 African troops in Operation Water Moccasin to take over the country for the United Nations. In fact, "Water Moccasin" was an Army training exercise in counter-guerrilla warfare and the only African on hand was an observer from Liberia.

Another rumor says thousands of Chinese troops are in Mexico preparing to attack California. This is a pure fabrication with not even the hint of a factual starting point.

Still another rumor charges that U.S. Armed Forces will be turned over to a Soviet colonel at the United Nations. This originated from a Hollywood play written during the 1950's.

Kuchel poured deserved scorn on those who spread as well as those who originate such dangerous and foolish stories. He attacked the John Birch Society by name, declaring that such self-styled patriot groups "are anything but patriotic."

Truth is the best weapon against falsehood. Yet as Kuchel has discovered, when he patiently offers the facts to a correspondent, he frequently gets a letter in reply calling him a dupe or even a deliberate agent of deceit.

The modern hydra seems as difficult to defeat as its mythical namesake.

Kuchel, as Republican Senate whip, has the political stature to command attention. He deserves the support of true patriots in combating mischiefmakers, fright peddlers and creators of hysteria.

[From the Washington Daily News, May 4, 1963]

Dear Sir: You Cur—

Senator Kuchel, of California, has been reading his mail, as a good Senator should. And some of what he has read alarms him, with cause. He calls it "fright mail"—inspired by crazy rumors and allegations deliberately planted by "fright peddlers," to use another Kuchel term.

There is nothing new in this, although the current wave, as illustrated by Senator Kuchel's mail, may be more vicious than normal. This country, no less than others, always has had its quota of crackpots, zealots, bigots, dupes and superstitious ninnies.

The John Birch Society, so-called, and similar outfits were the particular—and no doubt appropriate—targets of Senator Kuchel's indignation, and alarm. There are no bigots like the superpatriotic type.

One of the Senator's complaints was the readiness of these types not only to spread as gospel utterly false charges but their squint-minded habit of yelling "Communist" at everyone who disagrees with them, or questions one of their farfetched concoctions.

This tactic, of course, stamps anyone who uses it. We still have the privilege in this country of disagreement, of skepticism, of making mistakes—without being called such names. He whose only rebuttal is libel is a stupe, undeserving of heed.

In delivering on the Senate floor his well-documented scourging of the "fright peddlers" Senator Kuchel performed a service. He answered them, that the people may better judge—even though one result certainly will be more ashes on his head from these same elements.

What the Senator did not do, wisely, in exposing and rebutting these extremists, was to demand action against them, punitive or restrictive. This would be their tactics, but never to be copied by the overwhelming majority of reasonable, moderate people in this country.

[From the Washington (D.C.) Post, May 4, 1963]

"Nuts"

Senator Thomas H. Kuchel lit up the sky with his speech in the Senate on Tuesday about the fright peddlers. The light he shed exposed a peculiarly ugly contemporary danger—the danger, as he put it, "of hate and venom, of slander and abuse, generated by fear and heaped indiscriminately upon many great Americans by * * * zealots in the ranks or clutches of self-styled 'I-am-a-better-American-than-you-are' organizations."

It is especially heartening and helpful to have the exposure come from Senator Kuchel. He knows more about the danger than most. He faced it and triumphantly overcame it in his own State of California where the zealots banded together to oppose his renomination and reelection. They got no compromise or quarter from this healthy, straightforward American. Tom Kuchel demonstrated that the best way to deal with the fright peddlers is to force them into the open and defy them unequivocally.

The Senator cited instance after specific instance of hysterical nonsense spewed forth by men claiming to be superpatriots—men who exploited the anxieties of fellow-Americans by telling them such tall tales as that thousands and thousands of Chinese Communist troops are poised on the Mexican border, that the United Nations is training troops in Georgia to take over the United States, that the Army, Navy, and Air Force are shot through with traitors. "It is disgusting," said Senator Kuchel, "to find self-appointed saviors, whether infantile or cunning, preying profitably and psychotically on the fears of Americans in the name of anticommunism. Indeed, the ugly labors they perform are a service to the Kremlin itself."

The Americans who succumb to the poison of these fright peddlers betray their own essential disloyalty. They betray a complete disloyalty to the democratic process—a lack of confidence in their fellow-Americans; and they betray a complete disloyalty to the American way of life—a lack of confidence in the superior appeal of that way of life to free men. Do they really believe, Senator Kuchel asks, that America is in the grip of a gigantic conspiracy. "If they do, the only reasonable reply I can give to them which they will understand is the honorable, 100 percent, red, white, and blue expression: Nuts."

[From the Watertown (N.Y.) Daily Times, May 3, 1963]

The Fright Peddlers

The Republican Senator from California, Thomas H. Kuchel, has reached the end of his rope in attempting to practice tolerance and talk moderation. So Thursday in the U.S. Senate he attacked vehemently rightwing hate groups whom he described as fright peddlers who are doing "a devil's work far better than Communists could do" in the United States.

The reason that he has become exorcised is because 10 percent of the mail that he receives is coming from extreme rightists who are making all kinds of wild charges based on untruths and fancy. He cited as an example the charge that African Negro troops who are cannibals are stationed in Georgia. Another letter told of 16,000 African soldiers there complete with nose and earrings. Another letter told of the writer's knowing that the United Nations had plans to place Mongolian and Congolese troops within the United States. Senator Kuchel mentioned letters describing thousands of Chinese troops in Mexico poised for an attack on California. And, of course, there was a letter naming various American and allied leaders as Communists, the total number being 44.

Senator Kuchel said that he gets about 60,000 letters a month of which 6,000 are best described as fright mail. The Senator said, "I have nothing but contempt for the originators of the hoaxes and swindles, from the ludicrous leaders of the Birch Society, to any and all of the several hundred similar self-styled patriotic groups. They are anything but patriotic. Indeed a good case could be made that they are unpatriotic and downright un-American."

Senator Kuchel's speech describing these hate letters may seem remote from northern New York, but this newspaper recently has been having an indirect experience with the type of person who may well have been writing to Senator Kuchel.

Last January a mimeographed sheet called the Patriot carried on its first page a paragraph that reads as follows:

"We protest the third practice seizure under the United Nations flag which occurred at Watertown, N.Y., August 20, 1952, and followed the same pattern set in the earlier seizures in California and Texas." (The allegation is that the American flag was taken down from the city hall, the city officials were put in jail, and the United Nations flag put up in its place with martial law proclaimed under the authority of a U.N. military governor.)

In response to the foregoing comment, the Times has received several letters asking for the details of this alleged seizure of the Watertown city government. The answer is always the same. There was no such seizure by the United Nations. Here is what happened. In August of 1952 the military exercise at Camp Drum was arranged. The Aggressor Forces, as they were known, theoretically had captured Watertown and the Defenders were trying to reassert their control over the city. It had nothing to do with the United Nations. Rather it was a typical military exercise devoid of any relationship to the United Nations or one world or anything else that now seems to be so upsetting to these hate groups. This newspaper carried news stories.

There was no elevation of a United Nations flag over the city hall and, if anything, the exercise was a carryover from some of the World War II training manuals that the Army was using in those days. It will be recalled that military government known as Amgot was an important consideration in the winning of World War II, for it was Amgot, short for American Military Government, that took over cities immediately after their capture by American troops. The purpose of this takeover was to restore services to the civilians and reestablish some form of local community pattern, to feed the starving victims of war, to once again introduce police protection, and at the same time eliminate subversives who might be hidden in these communities.

This description of what happened has been mailed out on several occasions to those who mistakenly think that somebody hoisted a U.N. flag at city hall. For awhile we were inclined to pass these letters of inquiry off as odd examples of confusion. They now make sense in terms of Senator Kuchel's speech. Fortunately for us, he is getting the heavy mail while we are getting a few strays. His voice is loud in the Government, ours is a whisper. We welcome his report to the Senate and the people of the United States, as do all citizens of honest, patriotic purpose.

[From the Hayward Review, May 5, 1963]

Answers Please

Senator Thomas Kuchel came out swinging with a chopping ax at the so-called rightwing of American political thought, not the leftwing, mind you, just the rightwing. He called them "peddlers of right for paranoia and profit."

The Senator's talk was strong as he called for all responsible Americans to rejoin the ranks of responsible anti-Communist, pro-Americans.

He asserts there are devious individuals, peddling hoaxes such as claims that:

The United Nations is training thousands of foreign troops, including barefoot savages, in Georgia as a prelude to a takeover of the United States.

We might suggest to Senator Kuchel that he could enlighten some of the possibly misguided by filling a couple of gaps in his speech.

He didn't describe what he considers anti-Communist or pro-American. Maybe he could give his constituents a guide. Up to this point, he hasn't been too vocal on those two points.

And the Senator didn't say in his speech whether the so-called hoax of U.N. troops training in Georgia is true or not.

Senator Kuchel has been closely alined with the forces in Washington who steadfastly contended for many months that there were no Russian troops in Cuba, only a handful of touring Red technicians.

More times than not in this era of stricter management of news from Washington it is difficult, if not impossible, for the homefolks to tell just who is perpetrating what hoax.

Perhaps the Senator will help keep his constituents more enlightened with the facts in the future.

[From the Anaheim (Calif.) Bulletin, May 9, 1963]

On the Fence Again

U.S. Senator Thomas H. Kuchel, Republican from California, just isn't going to give anyone an opportunity to say that he is not riding the fence. In fact he must be the best fence-riding cowboy the West has ever had.

In order to retain his position of love and affection with the Washington Socialists he has climbed the podium to decry that those who would inform the American public of the dangers to our Government are "fright peddlers."

In a speech to a vacant U.S. Senate Chamber, with the exception of the selected news vendors of the New Frontier philosophy, Kuchel has branded those who would inform the public of the Georgia United Nations maneuvers, the Communist takeover of Mexico, and the voting control of Russia in United Nations policymaking, as hysterians.

By his voting record in the U.S. Senate he has continually alined himself with those who would favor "one worldism," soft approach on Cuba, pro-United Nations control of the United States and coexistence with Russia. He has designated his belief in favor of centralized Federal Government control, believes in Federal aid to education, Federal urban renewal programs, Federal subsidized and controlled transportation, and Federal medicare programs.

He dislikes anything that would require a display of strength of character in opposition to the Socialist theorists in control of Government in Washington.

He is the darling of the liberals. He has made numerous trips to Paris to represent the U.S. Government in the Atlantic Community discussions. This body is one that would establish a one-world government of the free nations of the world. A body who would establish courts with supreme jurisdiction over those of the United States and that would require every free nation of the world to transfer all functions of their armed forces and defense to this body. He is in favor of such a body having jurisdiction over the education, health and welfare of every citizen in the United States under such an organization.

At the time of the adoption of the program last year of the Atlantic Community, the planners, including Senator Kuchel, felt it was too far out to present to the general public. It would have to be spoon fed in small doses to them if it was to be accomplished.

There would be no need for the rightist, the conservative or fright peddlers if men like Thomas Kuchel were not intent on stripping the Nation of its freedoms; not intent on depriving the people of their rights and privileges by centralizing all controls into the Federal Government; nor attempting to subvert this Nation into a one-world organization. If men like Kuchel were willing to stand up and face the dangers of Russian aggression rather than placate and compromise with the eventuality of submission through coexistence those who venerate a government as guaranteed by the U.S. Constitution would not be forced to speak out.

Good Americans are not peddlers of fright, Mr. Kuchel.

[From the Richmond News Leader, May 6, 1963]

Simmer Down, Mr. Kuchel

Senator Thomas Kuchel, the ultraliberal from California, delivered himself of a remarkably hysterical speech in the Senate last week. His theme was the far right, the John Birchers, the "fright peddlers," and all the assorted zealots who "see our Government crawling with Communists."

Before he finished the address, Mr. Kuchel was screaming like a silly woman. It was an interesting exhibition of a mind taken over by panic.

Senator, we would say to this nervous Nellie, simmer down. Easy, boy. Easy does it. Things are not so bad.

Here in this office, we get the same "fright mail" that has the Senator so distraught. It is fascinating stuff. One splinter outfit is still hipped on the notion that the Kennedys will pack their political opponents off to a looney bin in Alaska. Another grouping exercises about this guerrilla training exercise in Georgia. Quite a few letters have to do with the Socialist bias of textbooks. The antifluoride people are cheerfully active. Here lately, a new source of alarms has arisen as a consequence of certain contingent "Executive orders" published in the Federal Register on February 20, 1962. The U.N. remains an unceasing concern; a ragtag remnant still wants to impeach Earl Warren.

Now, some of the people who are aroused by some of these things are probably certifiably nuts. But a great many of them are not insane at all; they are as sane as the Senator; saner. And if the gentleman from California wants to perform a public service, instead of merely making noise, he could go off to a quiet room and meditate for a few hours on the reasons why a large number of respectable Americans are filled with a sense of unease.

To be sure, it does seem irrational to imagine that the political foes of a powerful administration might be put out of the way, or successfully stigmatized, by commitment to mental institutions. But let the Senator reflect for awhile upon the case of Ezra Pound, and on the case of General Ted Walker last October.

Has the Senator read the press releases sent out by the Army itself in advance of that "Water Moccasin" exercise in Georgia? We have. They were strangely confusing documents, stemming from an agency of the Government that recently has defended its right to lie to the American people.

Has the Senator given careful study to a number of textbooks in economics and social science? We have. The fact is that many of these books are indeed viciously biased. Does the Senator not agree that at least a debatable question of personal liberty is present in the fluoridation controversy? It seems so to us. As for the curiously unpublicized Executive orders of February 20, 1962, to become operative in the event of atomic war, we ourselves are puzzled. In World War II, the Congress provided by law for prices and rent control, fuel rationing, and the rest. It is disturbing to find sweeping emergency powers simply decreed by Executive order.

It has seemed to us in recent years that a useful service is performed by both ends of the political spectrum. The ultraleftists, in a constant panic over fallout, strontium 90, ban the bombs, and the poor misunderstood rapists, seem to us a far greater danger to the Republic than the Birchers. They are not only soft in the head, but also soft in the spine. Yet their agitation has compelled many of us to think long and hard about thermonuclear war, civil rights, and due process of law. It is a useful work. By the same token, the more agitated flutters of the rightwing have served to draw attention to some very ominous abuses of power, actual or potential, by an intellectual elite that repeatedly has demonstrated its contempt for law and for the commonsense of the people.

We would not willingly suppress any of the crackpots who rattle the office doors with their knocking. Neither those of the right, nor those of the left. Let them pound away. The next knock you hear may come from another Whittaker Chambers. But perhaps that is not the sort of knock the Senator from California has ears to hear.

[From the Santa Ana Register, May 8, 1963]

Kuchel's Fright Peddlers

Apparently Senator Thomas Kuchel has decided to give up on ever regaining the support he once had of the conservative element in California.

Mr. Kuchel in the Senate last week sounded more like Gov. Edmund G. Brown and his cohorts than Brown himself as he talked about "fright peddlers," and urged that "cruelly swindled Americans" be persuaded to "rejoin the ranks again of sensible and decent anti-Communist pro-Americans."

It's no secret that antisocialism advocates around Mr. Kuchel's home county and even in the Republican Party in the rest of the State have become increasingly discouraged with the way Mr. Kuchel has voted with the New Frontier and against conservative principles. Quite a number have criticized Kuchel to his face and in letters. But Mr. Kuchel seems to be enamored of the idea that the Federal Government should subsidize the world from that apparently inexhaustible supply of fiat money.

So he takes the fact that some alarmed Americans have grown upset at what is being done to them by their Government (including Kuchel), then expands some reports about some of those activities in and out of the United States to ludicrous point, then attacks the attackers in the best Pat Brown tradition.

His description of the "fright peddlers from the simple simpletons to the wretched racists," with its alliteration might well have been produced from the typewriter of one of Brown's well-paid publicists.

But the fact is most of Kuchel's attackers have objected principally to his voting record, which has been increasingly in favor of big Government and against the individual. Americans for Conservative Action (ACA) rated Kuchel 50 percent in his vote for conservative constitutional issues in the 88th Congress (1961–62), and 54 percent previously.

The Conservative Society of America (CSA) in its index for 1961 votes recorded Kuchel as 25 percent conservative, with Kuchel voting in favor of such things as Federal unemployment compensation, Federal educational TV, Federal aid to schools, housing and urban renewal, cultural exchange, Federal job retraining, disarmament and foreign aid.

We did a little checking of his 1963 record to see how he was voting this year. Not much legislation has been enacted thus far, but his votes are worth noting.

On S. 6, the subsidy for transportation, which passed the Senate 52–41, Republicans voted, 21 to 9, against the bill. Kuchel was one of the nine Republicans who favored Kennedy's plan. On various amendments proposed by such conservatives as John Tower and Frank Lausche, Kuchel usually voted against the amendments.

On the Youth Conservation Corps bill, Kuchel was one of seven Republicans who voted for the Kennedy boondoggle.

It seems to us the Senator from Anaheim is bearing out the prediction of those who reminded voters last fall that it would make no difference between Kuchel and Richard Richards, his Democratic Party opponent, and that to vote for the lesser of evils was still voting for evil.

Mr. MOSS. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. MOSS. I compliment the Senator from California, the distinguished minority whip of the Senate, for his most excellent speech today, which is a sequel to another courageous speech which he delivered not long ago on the floor of the Senate.

I am not surprised to learn that so many commendatory editorials have been written in response to that speech, for the Senator from California has exemplified the position set forth in the quotation he gave from Abraham Lincoln; the Senator has not remained silent when there is a duty to speak out. I think that duty is incumbent upon other Members of this body.

I rise to call attention to the fact that not all of the hate mail and smear-and-fear mail comes from California, by any means. I think all Senators are plagued with it.

This morning I have brought to the floor four or five letters which I have received, and I should like to read excerpts from them into the Record.

A letter which comes from Provo, Utah, states, in part:

> I have a very hot question for you. Just which side of the conflict are we on? Communism vs. capitalism? I read in the paper where our fleet has been given the command to carry out Castro's orders. These are: "Destroy all opposition to my regime." It seems that now the U.S.S.R. does not have to build their own ships; they merely ask J. F. Kennedy for units of the U.S. fleet and they get what they ask for. I have never before suspected J. F. Kennedy was a traitor to his country.

A letter from Clearfield, Utah, states, in part:

> The only consistent criteria that we can find in our government handling of the situation in which people desire freedom, is that of suppressing that freedom. Not once since World War II have we effectively dedicated and committed ourselves to the cause of freedom, which our administration so ably talks about.
>
> That also includes Korea when MacArthur's immediate superior as U.N. Commander was a Russian Communist. What has been the reason behind all this nefarious action?—our membership in the U.N.

A letter from Salt Lake City states, in one of its paragraphs:

> Further, from what I have read, I consider President Kennedy a traitor to the cause of freedom and to have stabbed the people of Cuba in the back, broken his word, feared the Russian bluff, sold his honor and played the hypocrite in assisting, by default, the left hand establishment of a Communist military base in the Americas by an ineffectual hand slapping of Khrushchev, his buddy.

> Has he not heard of too little and too late or is that his game? I believe the Government is seeking to destroy the peoples' freedom step by step. What about Congresmen's second offices and swimming pools, junkets, free politicking, nepotism, and so forth?

Another letter from Salt Lake City reads, in part, as follows:

> Then there is UNESCO—their recent booklet published with the aid of American tax money entitled "Equality of Rights Between Races and Nationalities in the U.S.S.R." is conclusive proof that UNESCO is and always has been the world-wide propaganda agency of the Soviet.

* * * * *

> It is time to protest, don't you think? Furthermore, the University of Utah has scheduled a program on April 19 and 20 entitled "The Model U.N." They have also requested participation by 63 high schools in our State and assigned a U.N. country to each. This undoubtedly deceitful presentation will be an insult and a disgraceful exhibition of deceit both to the students and the taxpaying public.
>
> Wouldn't it be a far greater thing to replace that program with a pro-America activity?

Of course such letters are virtually endless.

I shall read excerpts from only one more, which I think would be particularly fitting in context with the speech of the Senator from California. Part of this letter reads as follows:

> SALT LAKE CITY, UTAH.
>
> Re "Moss Raps Skousen on Floor of Senate," by Frank Hewlett, S. L. Tribune for March 20, 1963.
>
> Senator FRANK E. MOSS,
> (*Liberal Democrat*),
> *Senate Office Building,*
> *Washington, D.C.*
>
> SIR: I do not use the word "Honorable" in addressing you, because I do not consider any representative of the American people honorable who betrays them by all the unconstitutional acts perpetrated against them by the present Democrat administration. And this applies not only to the J. F. K. administration, but all the recent ones, beginning with J. F. K.'s announced idol, F. D. R., who first recognized the Bolshevik regime in the U.S.S.R. (against their best interests and ours), and who first inaugurated the Marxist graduated income tax which unlawfully redistributes the people's wealth (to suit the powers-that-be) and which tax is gradually reducing our middle class to tax-ridden peons. In poll which I saw, compiled by District of Columbia Committee for Constitutional Action, your name was at the bottom of the list for Americanism.

Then toward the end of the letter, the following appears:

> Let's get with it, Mr. Moss, and quit trying to fool all the American people all the time. At least some of us are able to put two and two together and get four. I haven't read Mr. Skousen's pamphlet; he isn't one of my favorite people, because he doesn't tell all the truth about America's enemies either, but the answer to Skousen's question is an emphatic "yes." And if you don't like the John Birch Society, just whom do you like? The ADL and the communistic ADA? Don't you believe in anticommunism, Socialism, Fabianism, and Red Harvardese at all? Do you believe in the Constitution of the United States of America—or its enemy, the U.N. Charter? I know of very few American Constitution lovers in Washington—beginning with J. F. K.—they regard it as antiquated and outmoded: which is doubtless why they ignore and violate it continually.
>
> And I see where our young immature wet-behind-the-ears Peace Corpsmen are marrying the aborigines in countries where they've been sent to help; also American soldiers are rebuked by superiors for hotly embracing their Vietnamese sweethearts as they "love 'em and leave 'em." All part of the Communist mongrelization plan, which our officials work so hard to promote. And so, some of us say, Hail and Farewell, America, most God-blessed Land: rest in your grave until a nobler breed of men and women arise to redeem thee from thy foes, within and without, men and women worthy of their American heritage.

Letters of that sort that are constantly spawned and come to us deserve the kind of ringing answer that has been given by the senior Senator from California.

Reference was made by the Senator to the American Coalition of Patriotic Societies. Recently, in Salt Lake City, that organization held a dinner in order to make an award. Because the organization was making an award in my native city, I looked up the tenets of the Coalition of Patriotic Societies. Incidentally, they have been printed in the CONGRESSIONAL RECORD. The tenets of the Coalition accord right down the line with the sort of wording that we find in many of the letters that come to us.

In one week in my city four rightwing speakers, speaking in different places, most of them for an admission price, spewed out a constant assault and attack on our country, on our duly constituted authorities, and on the purposes and mode of our Government.

As the Senator from California has pointed out, many of the rightwingers are careful to deny membership in the Birch Society—as though that would make any difference. But whether they carry a card of the John Birch Society or not I do not think is the test. The test is, What is the purpose, the motivation, and the accomplishment of these purveyors of hate?

I gladly join with the senior Senator from California and associate myself with his remarks. I call on all Senators to stand up and speak back to those who would besmirch the honor of our country and who would convey abroad the fear, the hate, and the apprehension that comes over our people.

In recent times I have been able to tell where these meetings have been held in my State by the sudden letterwriting that would originate in a given area. Many people are misled. I believe the Senator has performed a great service for us today, and I thank him for it.

Mr. KUCHEL. Mr. President, I wish first to express my thanks to my able friend and colleague, the junior Senator from Utah [Mr. MOSS]. Beyond that expression I wish to say that he has performed a service in demonstrating that in his State, which is a considerable distance from my own, the purveyors of hate—some for paranoia, some for profit—are agitating. They are present in many States of the American Union. How many I do not know. But the only way that those who are doing the devil's work can be brought to a halt is for the spotlight to be put on them.

I said in my comments, and repeat now, that the problem is not a partisan problem. The fright peddlers belong to both political parties. They seek to weaken each, to bend each to their own views. We have our partisan differences, but Senators and the people of our country are united in their unyielding determination to keep our freedom, including, I must say, the freedom of speech, even when abuse of that freedom may occur.

I salute my friend from Utah across the aisle for his effort in what ought to be a crusade by all people who have the responsibility of leadership in the United States to extirpate the purveyors of the venom and hatred who here and there tragically spring up among the people of our country.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. KUCHEL. I am glad to yield to my able friend, the Senator from New York.

Mr. KEATING. Mr. President, we have just heard an address of the greatest significance by the distinguished Senator from California. Every American ought to benefit from the courageous and determined action of the Senator from California in exposing the tactics and the dangers of the extreme rightwing movement. I sincerely believe that his analysis of the fright peddlers of America, which he has given us on two occasions, will go down in history as a Senate classic.

Our colleague by his remarks today and previously has reinforced the elements of moderation and reason on which the future of our country must be based. The Senator from California has not condemned political unorthodoxy.

He is not criticizing conservative viewpoints. The conservatives, like the liberals, obviously have an importance and place in the American political structure and their views deserve consideration. What the Senator from California has made clear is that the bigots, the hate-mongers, and the so-called superpatriots do not belong in either of our great national political parties. I cannot praise the remarks of the Senator from California too highly. He has performed in the noblest traditions of the Senate, and has rendered a service to the entire country. Today, as always, I am proud to claim him as a friend and a colleague.

Mr. KUCHEL. Mr. President, I am most grateful to my friend and my colleague the able junior Senator from New York. I thank him for his comments.

I remember reading Shirer's book, "The Rise and Fall of the Third Reich." I remember that, in the early days, Corporal Hitler began to amass the rudiments of political power when so-called respectable members of the communities in Germany gave him aid and comfort and helped to finance his fanatical dogmas.

It takes money to spew spleen on the American system and American statesmen, living and dead. I have often wondered from where the money comes.

But there is one way to banish this ugly movement which the able Senator from New York has described; that is by putting the spotlight on it and having men, in and out of public office, speak out against it.

I think the power of the hate-mongers politically reaches its zenith in local elections—in municipal contests, in voting for local school boards, sometimes in voting for Representatives in the Congress of the United States. That is why it is preeminently important for the people—the plain, decent, good citizens of our country to be armed with the truth, to have courage, and to be given encouragement in participating in the elimination of a very ugly menace to our society and to the cause of American union with respect to our dedicated purpose of maintaining our Union strong and free.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MOSS. In this crusade of hate-mongers very often there are those who try to give it the aura of being a religious crusade or a Christian crusade of sorts. This doctrine is as far from Christian brotherhood as anything could be.

In my State of Utah the largest church in membership is the Mormon Church, the Church of Jesus Christ of Latter-day Saints. There are times when some misguided people have tried to drag the church into this matter. I therefore wish to ask unanimous consent to have printed in the Record a statement issued by the presidency of the Church of Jesus Christ of Latter-day Saints concerning the Birch Society, denying either the use of its facilities at any time for meetings of this sort or the right of anyone to indicate that the church had any sympathy at all with the movement; and also a statement from the Salt Lake Tribune of March 21, 1963.

There being no objection, the statements were ordered to be printed in the Record, as follows:

LDS Presidency Issues Stand on Birch Society

The first presidency of the Church of Jesus Christ of Latter-day Saints Thursday issued a formal statement to "correct the false statements and unwarranted assumptions regarding the position allegedly taken by leaders of the church on political questions in general and the John Birch Society in particular."

The statement follows:

"The church recognizes and protects the rights of its members to express their personal political beliefs, but it reserves to itself the right to formulate and proclaim its own doctrine.

"We believe in a two-party system, and all our members are perfectly free to support the party of their choice.

"We deplore the presumption of some politicians, especially officers, coordinators, and members of the John Birch Society, who undertake to aline the church and its leadership with their partisan views.

"We encourage our members to exercise the right of citizenship, to vote according to their own convictions, but no one should seek or pretend to have our approval of their adherence to any extreme ideologies.

"We denounce communism as being anti-Christian, anti-American, and the enemy of freedom, but we think they who pretend to fight it by casting aspersions on our elected officers or other fellow citizens do the anti-Communist cause a great disservice.

"We again urge our bishops, stake presidents, and other officers of the church to refuse all applications for the use of our chapels, cultural halls, or other places for political meetings, money-raising propaganda, or to promote any person's political ambitions."

The statement was signed by President David O. McKay, Henry D. Moyle, and Hugh B. Brown, counselors in the first presidency of the church.

[From the Salt Lake Tribune, Mar. 21, 1963]

Ezra Taft Benson, member of the Council of Twelve Apostles of the Church of Jesus Christ of the Latter-day Saints, was asked if he was a member of the John Birch Society.

Mr. Benson said he is too busy with his church work to join many organizations he would like to support.

"I have stated, as my personal opinion only, that the John Birch Society is the most effective nonchurch organization in our fight against creeping socialism and godless communism."

Mr. JAVITS. Mr. President, the distinguished senior Senator from California [Mr. Kuchel] has served the whole country in an extraordinarily fine way, in view of his experience in his own State, in the two speeches he has now made on what he calls the fright peddlers of the radical right.

For too long our country was deeply concerned with the threat of the radical left—Communists, neo-Communists, Communist-oriented persons, fellow travelers—a concern with which I thoroughly agreed, a concern which I shared, but which, in many quarters served either to obscure or to make opaque the vision with respect to the radical right, which is equally a threat to our freedom, and a subversive threat, having just about the same capabilities in that regard that the Communists have. Indeed, the strange pattern of how these two extremes often meet is one of the most extraordinary things which have come out of the speeches made by the Senator from California.

The anti-Communist struggle must be looked at as an antitotalitarian struggle. It is in that sense that the speeches of the Senator from California have been so useful. They have demonstrated that "it can happen here," and that not only are the Communists pushing, striving, and trying to take over, but, perhaps in a somewhat less radical way, perhaps not so well organized, although I think they are pretty well organized; perhaps not financed by the Government, but certainly financed by a number of misguided individuals who can provide that kind of financing—we are also faced with the dangers of an ignorant or perhaps a calculated, radical right.

I think it has been most helpful to the country to have this pointed out. It is particularly timely at this moment, when we are facing such grave dangers of violence or other acts of desperation which may characterize our terrible mistakes—for which we are paying now—in the field of interracial relationships. At such a time, in the name of law and order, it is so easy to characterize as "Communist" anything which one does not like or which one fears. In such circumstances it is so easy to take extreme positions. In our society we face threats from both the radical left and the radical right. When all the facts are known, it becomes apparent that we face these problems primarily because of the stubborness, the duplicity, the cupidity, and the double dealings which emanate from the Communist society itself; and when a similar presentation of the subversive character of the radical left is not made by such extremists, it is all too easy for them to emphasize their views as members of the radical right.

So, Mr. President, I think the Senator from California [Mr. Kuchel] has rendered a marked service by both the timing and the content of his speeches, and also by giving us the benefit of the editorial comments—both the overwhelmingly great number of commendatory and approving editorials, and also the very small number of disapproving editorials—which his remarks have generated in the press of the country.

Inasmuch as a Member of this body almost necessarily has to be a specialist, almost as a matter of natural selection, I hope very much that the Senator from California [Mr. Kuchel] will be encouraged by the satisfaction to his own conscience and by the public interest displayed, as well as by the approval of his colleagues. I highly approve of his action. I hope he will continue his efforts in this field and will remain a permanent sentinel to warn and to point out the abyss which lies at our very feet while we maintain our struggle against communism, which is so active in many parts of the world.

Mr. CASE. Mr. President, I wish to speak in support of the remarks of the Senator from New York [Mr. Javits] in commending the action of the Senator from California [Mr. Kuchel] for bringing to our attention and to the attention of the country this serious problem.

A little more than a year ago it was my privilege to visit California, together with the junior Senator from Minnesota [Mr. McCarthy], who, with me, spoke at a meeting of persons who were deeply concerned about the radical right in that part of the country. Those who sponsored the meeting said they had the highest regard for the Senator from California [Mr. Kuchel] and for his understanding of the issues involved.

I mention this matter because I think it important to have the country understand, in fairness to the State of California, that it was before his recent reelection, not after it, that his position on this issue became so well known, and that it is not true that it is politically dangerous in California to be as outspoken a supporter of decency as is the Senator from California—although I am sure he did not take this position in any sense because of political motivation. However, it is obvious that it is an advantage politically to be on the right side of issues of this sort in California, as it is elsewhere in the country; and I am very glad that the Senator from California has taken the floor of the Senate to speak on these occasions.

Mr. PELL. Mr. President, I should like to associate myself with the remarks of the Senator from California [Mr.

KUCHEL]. Coming from New England, where we have a smaller quantity of hatemongers than seem to be prevalent in other parts of the country, I realized my blessings as I listened to the thoughts of my colleague. I believe that if there is one way of truly protecting our country from weaknesses from within, it is by ventilating and exposing the diatribes of the hatemongers and letting the people of the country as a whole be aware of what they are doing, so that those who hear an individual hatemonger will not think that he alone is being honored by his attentions.

NAACP SUIT TO ENFORCE CONSTITUTIONAL REDUCTION OF REPRESENTATION OF STATES WHICH DENY THE RIGHT TO VOTE

Mr. KEATING. Mr. President, the Federal Government has fallen far behind in the march toward progress on civil rights.

As a result of the failure to enact meaningful civil rights legislation, we have forced the victims of discrimination to resort more and more to self-help. Those who have insisted upon watering down or obstructing every attempt to provide the Federal Government with the authority it needs to deal effectively with deprivations of constitutional rights cannot complain now that more drastic action is necessary.

A vacuum has been created by the inability or refusal of Congress and the executive branch to respond to the urgent demands of the situation. Ignoring the injustices and inequities which have existed for so many years has only served to aggravate them and develop a greater insistence upon action now.

It was almost 7 years ago when I was a Member of the other body—at that time the ranking minority member of the House Committee on the Judiciary—that a determined effort was made by the chairman and myself and others, to give the Department of Justice authority to initiate suits for preventive relief in all cases involving denials of constitutional rights. We succeeded in maintaining this provision in the 1957 Civil Rights Act which passed the House, only to witness its elimination in the Senate. Those who thought they won a great victory by their successful insistence that this provision be stricken as the price for any action on civil rights bear a heavy responsibility for the crisis in civil rights which has since become evident.

It should be apparent to everyone now that the longer these problems are allowed to exist without solution, the longer resentment against second-class citizenship is allowed to fester without remedy, the longer denials of constitutional rights are condoned without action, the more likely it is that impatience will turn to outrage and demonstration to riots. We must come to our senses before it is too late. I am not suggesting that we act out of fear, but I am pleading that we act out of a new awareness of our obligations to the Constitution, the heritage of freedom we so proudly proclaim, and the understanding of the mood and determination of fellow Americans who have struggled for so many years against intolerance and oppression.

The National Association for the Advancement of Colored People today has initiated a legal action to enforce the provisions of the 14th amendment requiring the reduction of representation of States which deny or abridge the right to vote. I have always been more concerned with removing impediments to the free exercise of the franchise than with reducing the number of Representatives from particular States. But it must be conceded that the Constitution is clear on this point. It says that the basis of representations shall be reduced in States which do not permit qualified citizens to vote. The fact that this provision has not been enforced has not eliminated it from the Constitution, and it continues to have the same force today which it had almost a hundred years ago when it was written into the fundamental law.

We can expect the action of the NAACP to be greeted by the same outbursts which have been vented against other attempts to enforce the provisions of the Constitution. The same cries of States rights which were raised against the school desegregation decision and the State reapportionment cases will be heard. Well, there are such things as States wrongs as well as States rights. How about State responsibilities? After a hundred years, is it not time that the 14th Amendment was enforced either by compliance with its standards or by implementation of its sanctions?

The action of the NAACP would be unnecessary if Congress had taken steps before now to make certain that citizens of the United States were not denied the right to vote. If the Supreme Court now holds that the 14th Amendment has been violated by the unfair apportionment of representatives, can it be fairly said that it is usurping legislative powers? In my judgment the answer is no, because Congress has forfeited the opportunity to act and the Constitution cannot be ignored indefinitely. Let those who would condemn the courts consider the conditions which they have created. In truth, they have forced resort to the courts for the vindication of Constitutional rights by their own successful exploitation of the many devices for blocking legislative action in the Congress. If the anti-civil-rights claims of victory in the past now have a hollow ring, they have no one to blame but themselves.

The suit initiated by the NAACP is of historic significance and is destined to rank with the school desegregation suit and the State reapportionment cases in importance. I commend this organization for pressing its efforts to enforce the Constitution and to give authority to its eloquent commands.

Mr. JAVITS. Mr. President, I wish to call the attention of the Senate to the suit which is being started today by the Legal Defense Fund of the National Association for the Advancement of Colored People to enforce the 14th amendment provision which requires reduction in the congressional representation of any State which denies the right to vote arbitrarily in violation of the Constitution.

The suit signalizes the relative roles of the judiciary and the Congress in the struggle for equality, which is so rapidly coming to a head at this time. In 1945, in *Saunders* v. *Wilkins*, 152 F. 2d 235, a suit brought in Federal court in Virginia to enforce this section of the Constitution because of the disenfranchisement of 60 percent of the voters because of the poll tax, the court stated:

> It is well known that the elective franchise has been limited or denied to citizens in various States of the Union in past years, but no serious attempt has been made by Congress to enforce the mandate of the second section of the 14th amendment, and it is noteworthy that there are no instances in which the courts have attempted to revise the apportionment of Representatives by Congress.

The court dismissed the suit as raising a "political question" which the court could not adjudicate.

Since Congress has continually defaulted on such "political questions" the Supreme Court has been increasingly pressed to resolve them. The Court has accepted the responsibility. In 1961, in the case of Gomillion against Lightfoot, the Court rejected the "political question" rationale which had been used by the district court in Virginia and held the virtually total exclusion of Negro voters from the city limits of Tuskegee, Ala., was a violation of the 15th amendment guarantee against discrimination on grounds of race, creed, or color.

This decision was followed by the Tennessee apportionment case, Baker against Carr, which completely put to rest the "political question" doctrine in regard to apportionment.

Because of this display of understanding of the legal doctrine involved by the Supreme Court, the legislatures of the Nation are now stirring with long overdue action toward reapportionment to reflect the enormous changes in population which have occurred in this century, only a fraction of which had been reflected by the legislatures themselves.

The case now filed by the NAACP legal defense fund is of the same order. Congress has failed to take account of even the unanimous findings of the U.S. Civil Rights Commission in its 1961 report on voting that "substantial numbers of Negro citizens are, or recently have been, denied the right to vote on grounds of race or color in about 100 counties in 8 Southern States" through literacy tests and other qualification tests, arbitrary and discriminatory registration procedures, threats and intimidation, or the fear of retaliation.

The response of the Congress has been rejection of even the mild sixth-grade literacy test bill and passage of only the antipoll tax constitutional amendment, which is still wending its way through State legislatures and which, I believe all agree, is hardly a major step toward eliminating flagrant denials of the right to vote, though I welcome it.

Section 2 of the 14th amendment to the Constitution provides a clear remedy for denial of the right to vote: Reduction of the representation of the State in the

House of Representatives. The NAACP legal defense fund suit lays the ground work for such reduction by ordering the Secretary of Commerce and the Director of the Bureau of the Census to compile the figures as to the denial of the right to vote at the next census and to submit the proper apportionment of Representatives to Congress in accordance with the 14th amendment provision.

Again the issue is clearly posed: Will Congress fulfill its responsibility, or will the courts be required to take the lead?

The NACCP action to which I have referred is now pending in the U.S. District Court for the District of Columbia, with a long list of plaintiffs, and is directed against the Secretary of Commerce and the Director of the Bureau of the Census.

This is a real first, and will be looked at with the greatest of interest by all of us. As one who has fought in the Senate for 7 years for the so-called part III of the Civil Rights Act, granting power to the Attorney General to sue in representative civil rights cases, I welcome very much this initiative of the NAACP. I point out that it represents a direction which, had it been taken sooner, might have prevented the dread national crisis now confronting us, and to which, many of us are determined, there must be brought national attention and national legislation. However, this initiative is most useful and most worthwhile, and I am delighted that the NAACP is taking the initiative, knowing that it will be pushed with vigor and effectiveness, as, indeed, it is the same type of approach which brought about the landmark decision in the Brown against Board of Education school desegregation case in 1954.

THE WHEAT REFERENDUM, THE FARMER, AND THE FARM BUREAU

Mr. McGOVERN. Mr. President, a week ago today the U.S. wheat farmers decided they did not want a certificate plan for the 1964 wheat crop. They rejected a carefully designed program which sought to reduce the burden of surplus stocks and the cost of the farm program while at the same time protecting the income of farmers. Secretary of Agriculture Freeman, one of the most dedicated and able men in public life today, worked long and hard with his department advisers and the Congress to develop a program that would balance the interest of farmers, taxpayers, and consumers.

A major share of credit for the rejection of this plan is being given to the leadership of the American Farm Bureau Federation, which, as we know, led the campagin for a "no" vote in the referendum.

Farm Bureau officials have not been reluctant in accepting this credit, and they should not be. They conducted a vigorous campaign, largely along the negative lines in which they have become increasingly skilled.

There was, however, one positive aspect to the Farm Bureau's effort to achieve a "no" vote. Wheat growers were told, time and time again, by the organization's spokesmen, from President Shuman on down to clerks in county Farm Bureau offices, that if the certificate plan were voted down the Congress would replace it with a new and better and more constructive program for 1964.

This pledge, this promise, was repeated day after day, night after night, despite the fact that the referendum clearly spelled out the alternate program in the event wheat growers rejected the certificate plan.

All through the Farm Bureau's written and spoken pleas for "no" votes, the words "new" and "better" and "constructive" appear in descriptions of the promised legislation.

On May 7, just 2 weeks before the referendum of last Tuesday, President Shuman of the Farm Bureau Federation testified on the new feed grain bill before the Senate Committee on Agriculture and Forestry and devoted a great deal of time to criticism of the proposed certificate plan for wheat.

At that time, as a member of the committee, I specifically asked Mr. Shuman—a man for whom I bear no personal malice and, in fact, one with whom I enjoy cordial personal relations—if he believed new legislation would be passed to give our wheat farmers a better income at less cost to the taxpayers should the referendum fail. He answered with a definite, unqualified "Yes."

Now, this consistent reference of the Farm Bureau to new legislation placed upon the organization responsibility to submit to the Congress a proposal for a new wheat bill.

Within a few days after the referendum, the American Farm Bureau responded to this challenge.

But the response is a pathetic delusion.

It does not uphold the promise contained in the word "new" that was used so liberally in the antireferendum propaganda. It is, in fact, a slightly warmed-over version of the extravagant Farm Bureau land retirement bill that has been floating around the Halls of Congress for years without being taken seriously by the Congress.

It does not uphold the promise contained in the words "better" or "constructive." It, in fact, cuts total farm income and increases very substantially the annual outlay from the Federal Treasury. It cannot be called better no matter what basis of comparison is used.

In reading this proposal, I am reminded of the story of the pastor in a little Midwest town who, after serving his church for 3 years, happened to notice, in thumbing through its records, that he had a far better tenure mark than any of his predecessors. Some had been around as little as a few months; none more than a single year.

Curious, he questioned the senior member of the board of deacons about it. The deacon tried to avoid an explanation but, finally forced to comment on the short terms of former pastors, explained it this way to the preacher:

"The truth is," he said, "that this town has never really wanted a preacher around at all, and you've come the closest."

I believe the truth is the Farm Bureau hierarchy does not want any farm program around at all, and the current revival of its old favorite is about as close as growers could get to that status.

The massive land retirement proposed by the Farm Bureau bill simply calls for idle acres; it is not specifically aimed at the surpluses which are giving the farmers income trouble and giving taxpayers budget trouble.

This shotgun approach, to have any degree of effectiveness in bringing supply and demand for feed grains and wheat into balance, would have to take at least 75 million crop acres out of use in addition to the present conservation reserve and some of them, advises the USDA, would be acres now devoted to foods not in surplus supply, such as soybeans.

The bill emphasizes the retirement of whole farms—which will, once more, bring protests to the Congress from every rural community and chamber of commerce across the rural heart of the country. Deserted farms, rented by the Government, are not markets for the goods and services which the families in towns must sell for their own survival; they are instead a sure blueprint for the creation of ghost towns. Vacant farms mean vacant stores and schools and churches in rural America.

In brief, the Farm Bureau is proposing to spend in 1964 nearly $2 billion for idle acres—hundreds of millions more than was spent for acreage diversion under the 1962 feed grain and wheat programs—and at the same time cause a loss of hundreds of millions of dollars in the already inadequate income of farm families.

The Farm Bureau is proposing that the feed grain program already adopted for 1964 and 1965 by the Congress—a program that has made marked progress toward the goals of higher farm income, reduced surpluses, and lower Government costs—a program that has achieved a high degree of popularity with our farmers—be set aside.

In South Dakota, the wheat growers cast nearly a two-to-one affirmative vote in the wheat referendum. They did not vote for the glittering promise of something better in return for a "no"; they voted to accept the certificate plan for a year in order to test its effectiveness in meeting their own income problems and meeting the Nation's surplus and farm program cost problems.

The certificate plan, however, did not receive in many States the high degree of endorsement given in South Dakota. Obviously, many farmers, including a minority of South Dakotans, voted in response to the implied Farm Bureau pledge that something new, something better, something constructive would be forthcoming.

However, the proposal submitted is not new, it is not better, and is not constructive.

During the past 3 months the voice of the Farm Bureau leadership has been heard on every radio and TV station, in every magazine and newspaper, and at crossroads meetings across the land urging farmers to vote "no."

I suggest that this leadership again take to the air and the press. Let them travel the countryside explaining to wheat and feed grain farmers why they should urge Members of the Congress to vote "yes" on a proposal that idles land and people, cuts farm income, and increases the demands upon the Federal Treasury and the American taxpayer.

Before the Farm Bureau leaders seriously ask the Congress to repeal the voluntary feed grain bill we have enacted and devise a new wheat program let them first explain the full ramifications of their proposed substitutes. Let them sell it, too, to those whom they promised new and better and constructive wheat legislation.

They had faith in their version of the facts in May. Let them demonstrate this faith, then, in June.

I frankly do not know what kind of program the wheat farmers of the Nation want. I do not know what kind of legislative response the Congress will make, if any, at all, to the defeated wheat referendum. I do know on the basis of countless conversations with farmers, merchants, and community leaders across rural America that I could not look these people in the eye or live with my own conscience if I supported the current Farm Bureau proposal.

AWARD PRESENTED TO SENATOR RANDOLPH BY THE NEW YORK STATE COMMISSION FOR THE BLIND

Mr. JAVITS. Mr. President, about 10 days ago the distinguished Senator from West Virginia [Mr. Randolph] and I were due to go to New York, he to receive a plaque on the occasion of the 50th anniversary of the Commission for the Blind of the New York State Department of Social Welfare, and I to make the principal address. Both of us were fogbound due to the closing of the New York airports, which was coincidental with a late evening session of the Senate. Therefore our respective speeches had to be read. The plaque that was to be presented to the Senator from West Virginia reads:

> Presented to the Honorable Jennings Randolph, U.S. Senator, West Virginia, for his outstanding contribution in creating a substantial new economic opportunity for blind persons through legislation bearing his name, and for his consistent devotion to the general welfare which has so enriched the lives of all Americans.

Also included in the citation was the notation that the presentation was made "on the occasion of the 50th Anniversary of the New York State Department of Social Welfare, Commission for the Blind, April 30, 1963."

Mr. President, our colleague has a record of having performed significant services for blind and blinded citizens and handicapped persons generally; and he is honored especially by the blind for his outstanding work in the passage of the Randolph-Sheppard Act authorizing establishment of vending stands operated by blind persons in public buildings.

I believe our colleague's acknowledgement of the award he received from the New York State Commission for the Blind is a significant statement worthy of being brought to the attention of our colleagues.

I request unanimous consent to have the remarks of the senior Senator from West Virginia printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

> This is a deeply moving moment in my life, not alone because of the award which has been generously bestowed, but also because of the vision of nearly 27 years which it brings to mind.
>
> In the past quarter century we have seen momentous changes in the pattern of American life. Not the least significant of these has been the growing sensitivity of our society to the problems of the infirm and afflicted within our midst. We are moving ever closer toward the conviction that the claims of the handicapped are not an appeal for charity but for justice—for the right to live a full and constructive life within the limits of one's own potentialities. This we owe to handicapped persons, not because of the afflictions which set them apart from others, but because of the essential humanness which binds all of us together.
>
> In this regard it is significant to note that throughout the Nation, approximately 75 percent of blind rehabilitants are now placed in competitive employment, and that the type of work selected varies more as a result of the individual's interest and aptitudes than as a result of the presence of blindness.
>
> Through State-Federal vocational rehabilitation services, some 4,712 blind persons were rehabilitated during fiscal 1962. In most instances these persons are now productive, self-sufficient members of the community, making contributions rather than simply being a liability.
>
> Intensive training programs are being offered to members of State vocational staffs to improve their effectiveness in such areas as vending stand supervision, industrial placement, mobility instruction, and home teaching. Comprehensive training of professional staff, plus research and demonstration of training grants are enabling the State vocational rehabilitation agencies to constantly upgrade service offered to the blind.
>
> In the State of New York during fiscal year 1962, 332 blind persons were rehabilitated. The State now has two optical aid centers, one operated by the Industrial Home for the Blind and a second by the New York Association for the Blind. The Industrial Home for the Blind also has established an outstanding facility for the deaf-blind, known as the Anne Sullivan Macy Service, which is rendering invaluable assistance to this often neglected group. The New York Association for the Blind, in addition to its optical aids clinic, conducts a research and demonstration facility providing professional placement to the blind.
>
> The New York State Commission for the Blind, and counterpart organizations in other States throughout the country, have been among the vanguard in educating America to the necessity of lending impetus to programs designed to benefit blinded citizens. Therefore, I gratefully accept this award, not only for myself, but for the many others who have given their hearts and their hands to the noble task of restoring their fellow men and women to a life of greater dignity and self-respect.
>
> To those of you who have committed yourselves to this work, I would leave you with these words of John Galsworthy:
>
> "Restoration is at least as much a matter of spirit as of body * * * to heal the one without the other is impossible. If a man's mind, courage, and interest be enlisted in the cause of his own salvation, healing goes on apace, the sufferer is remade; if not, no mere surgical wonders, no careful nursing, will avail to make a man of him again. * * *
>
> "A niche of usefulness and self-respect exists for every man, however handicapped; but that niche must be found for him. To carry the process of restoration to a point short of this is to leave the cathedral without a spire. To restore him and with him the future of our countries, that is the sacred work."

SOVIET OIL OFFENSIVE

Mr. JAVITS. Mr. President, I wish to call the attention of the Senate to a very important development with respect to the oil offensive pursued by the Soviet Union in Europe, which also came before me as chairman of the Economic Committee of the NATO Parliamentarians Conference.

At the outset, I ask unanimous consent that there be printed as a part of my remarks an article entitled "Eastern Europe Faces Fuel Lag," published in the oversea edition of the New York Times of April 4, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

Eastern Europe Faces Fuel Lag—Study Says Uneven Supply Threatens Industrial Drive

(By Paul Underwood)

Warsaw.—Soviet bloc nations are working out a balance sheet of Eastern Europe's supply and demand for fuels during the next 20 years. Preliminary studies indicate shortages of energy may prove a bottleneck in the area's drive to industrialize.

Estimates show that if development plans are carried out without substantial improvements in efficiency, Eastern Europe outside the Soviet Union will face a combined yearly deficit of 100 million tons of conventional fuels by the 1980's.

Only the Soviet Union will be in a position to meet its fuel energy requirements from home production. However, it is considered unlikely that Moscow would be in a position to satisfy the needs of her Communist-ruled allies.

The question of the area's fuel energy balance is one of the problems now exercising the economic minds of the Council for Mutual Economic Assistance, or Comecon, the bloc's version of a common market.

Comecon's executive committee checked over preliminary estimates at a meeting in Moscow last month and approved plans for the completion of the study. A survey of the situation was published recently by Zycie Gospodarcze, a Polish weekly economic review.

NATURAL FUELS DECLINE

The publication made the following points:

The known reserves of fuels within the Soviet bloc countries taken as a whole are enormous. However, the distribution of these reserves among the individual countries is very uneven. The Soviet Union, which has 70 percent of the population of the bloc and about the same percentage of its total industrial production, enjoys 95 percent of the community's raw material resources.

Not only are the resources of the other countries limited but, with the exception of Poland's coal, reserves of natural fuels are near exhaustion.

If the extraction of oil in Rumania and coal in both Czechoslovakia and East Germany continues to increase at the rate of recent years, "deposits now available will be exhausted within the next 30 to 40 years," the journal declared.

Although Soviet output can be expanded well beyond present levels, Zycie Gospodarcze said the bloc as a whole would have to help finance such an expansion. Otherwise, because of the slow return on such investment, the rate of growth of the Soviet national income would decline.

This again poses a problem, the journal declared. The share of fuel energy investments in the development programs of the bloc countries is already so high that it precludes a substantial increase. Zycie Gospodarcze said some expansion of fuel output within the bloc was feasible and would help reduce the expected deficit of the 1980's. "But we cannot eliminate it," the journal added.

It declared that more hope lay in increasing technical efficiency, in greater use of plastics and other substitutes, and in saving materials.

The journal asserted that the yearly per capita consumption of fuel in Eastern Europe outside the Soviet Union was virtually the same as that of the six countries of the European Common Market—2.9 and 2.7 tons, respectively.

Yet Eastern Europe's industrial output is only a little more than 50 percent as great as that of the Common Market, it added.

One important reason for this, Zycie Gospodarcze said, involved production practices. Eastern bloc machines weigh 15 to 20 percent more than similar Western machines. This means more steel is being used, and, therefore, more energy is being consumed than is necessary. Reducing the excess would enable the bloc to produce more per ton of fuel.

Mr. JAVITS. Mr. President, the article indicates that Eastern Europe has not only become a substantial fuel deficit area, but that if the ambitious industrial plans of the East European bloc are to be carried out, the requirements for Soviet fuels within the bloc will rise sharply.

In view of the serious alarm caused in the United States by the Soviet Union's oil offensive—I use the word "offensive" in the economic sense—since 1955, with which I agree, I asked Secretary of State Rusk and Secretary of the Interior Udall for an immediate appraisal of the current Soviet capabilities to continue to wage an oil offensive against the West, in the light of the developments narrated in the New York Times article to which I have referred, which indicated that the Soviet bloc requirements would themselves take a good part of the oil production of the Soviet Union.

I have now received replies from the Secretary of the Interior and the Secretary of State, and I believe they will be of great interest to the Senate. I ask unanimous consent that they, together with my requests of both Secretaries, be printed at this point in the Record.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

April 18, 1963.

Hon. Stewart L. Udall,
Secretary of the Interior,
Washington, D.C.

Dear Mr. Secretary: It has come to my attention that the Soviet bloc nations are working out a balance sheet of Eastern Europe's supply and demand for fuels during the next 20 years.

Preliminary estimates prepared by Comecon show that if development plans are carried out without substantial improvements in efficiency, Eastern Europe, outside the Soviet Union itself, will face a combined yearly deficit of 100 million tons of conventional fuels by 1980.

Their study asserts that the yearly per capita consumption of fuel in Eastern Europe outside the Soviet Union is virtually the same as that of the six countries of the European Common Market—2.9 and 2.7 tons respectively, although Eastern Europe's industrial output is only a little more than 50 percent as great as that of the Common Market.

It was further pointed out that even though the reserves of fuel in the Soviet Union are presently enormous, the resources of the other East European countries are near exhaustion. If the extraction of oil in Rumania and coal in Czechoslovakia and East Germany continues to increase at the rate of recent years, deposits now available will be exhausted within the next 30 to 40 years, and requirements for Soviet oil within the bloc will rise sharply.

Under the circumstances, the Soviet oil offensive threat might have to be reevaluated. I would very much appreciate having your comments on this matter.

With warm regards,
Sincerely,

Jacob K. Javits,
U.S. Senator.

U.S. Department of the Interior,
Washington, D.C., May 11, 1963.

Hon. Jacob K. Javits,
U.S. Senate, Washington, D.C.

Dear Senator Javits: As promised in my letter to you of April 25, 1963, we have reviewed the supply and demand of fuels in the Soviet Union and Eastern Europe satellites. We have also examined the original source of the information quoted in your letter of April 18, and find the material, although containing some political overtones in favor of the Polish economy, to represent a fairly authoritative statement of the problem facing Soviet bloc nations.

Projections as far as 30 to 40 years forward are highly speculative and subject to wide variation in ideas as to what lies ahead. This is especially true with respect to energy, where developments in the nuclear field conceivably could result in drastic changes in the energy pattern—given the impetus of an economic "breakthrough" versus conventional fuels. Our comments therefore apply only to the relatively near future.

Current estimates show that Eastern Europe (exclusive of the Soviet Union) is now an energy-deficit area and that this status has been reached much earlier than anticipated. To meet the growing energy requirements of East Europe will not be easy for the U.S.S.R. The growth in domestic production of crude oil is being hampered by a lack of equipment suitable for the discovery and development of new fields. At the same time, extraction of coal has fallen well below plan and production of gas has been disappointing. Thus, more petroleum will be required at home to make up for below-plan output of coal and gas. It is probable that for the next several years at least the growth in availability of petroleum may be closely paralleled by a growth in Soviet domestic demand.

There is no doubt that the Soviet Union already has proved oil reserves adequate to support a production level considerably higher than that required to meet anticipated Soviet domestic and East Europe satellite oil demand. The real questions are (1) how fast will these reserves be developed, or new discoveries made productive, (2) how much of the productive capacity thus created will be used for exports to East Europe, Cuba and Communist China, and (3) how much more will be available for export to Western markets.

The answers to these questions are difficult to predict. The solution to the first obviously is a function of capital investment, plus improved efficiency and advanced technology; the second is directly related to Soviet willingness to sacrifice growth in home demand in favor of supplying the satellite nations; the third is primarily governed by polticial decisions.

In the report prepared at my request last October by the National Petroleum Council, it is noted that exports of oil from the Soviet Union to satellite countries of East Europe in 1965 might reach 20 million metric tons (400,000 barrels daily) compared with only 9 million tons (180,000 barrels daily) in 1960. Soviet plans already envisage the delivery of 15 million tons (300,000 barrels daily) to Eastern European satellites through the "Friendship" pipeline system in 1965. An additional 5 million tons (100,000 barrels daily) is presently expected to move into these countries by a combination of tanker deliveries from Black Sea ports and overland means other than pipelines, although the "Friendship" pipeline is capable of being expanded to an ultimate capacity of 35 million tons (700,000 barrels daily) by the addition of pumping stations as needed.

Available evidence does not support the probability of any dramatic upsurge in the export of oil to nonbloc countries from the U.S.S.R., at least through 1965. Nonetheless, continued Soviet effort to increase its tanker fleet, plus construction of pipelines to and expansion of export facilities in the Black Sea area indicate that exports of oil from this source will continue to grow, although at a slower rate than that observed for past years.

In this connection, the National Petroleum Council report referred to above estimated that exports of Soviet oil to Western nations would increase from 565,000 barrels daily in 1961 to almost 1 million barrels daily in 1965. Current evidence, based largely on performance during 1962, when Soviet exports to the free world showed a relatively modest gain over the 1961 level as compared with prior annual increases ranging from 25- to 65 percent, tends to indicate that 1965 exports to the West may be somewhat less than the 1 million barrels daily previously estimated.

Sincerely yours,

Stewart L. Udall,
Secretary of the Interior.

Department of State,
Washington, May 23, 1963.

The Honorable Jacob K. Javits,
U.S. Senate.

Dear Senator Javits: In my letter of April 25, 1963 (acknowledging the receipt of your letter of April 18), I promised that the Department would comment further on the Soviet oil problem as soon as the various departments and agencies of the Government had completed an analysis of the Polish study which you so kindly brought to our attention.

The Department of State has seen Secretary Udall's reply of May 11 to a similar letter addressed to him and has nothing to add to his able statement concerning the facts. The Department is particularly concerned with the imponderables mentioned in his fourth and fifth paragraphs, which read as follows:

"There is no doubt that the Soviet Union already has proved oil reserves adequate to support a production level considerably higher than that required to meet anticipated Soviet domestic and East Europe satellite oil demand. The real questions are (1) How fast will these reserves be developed, or new discoveries made productive? (2) How much of the productive capacity thus created will be used for exports to East Europe, Cuba, and Communist China? and (3) How much more will be available for export to Western markets?

"The answers to these questions are difficult to predict. The solution to the first obviously is a function of capital investment, plus improved efficiency and advanced technology; the second is directly related to Soviet willingness to sacrifice growth in home demand in favor of supplying the satellite nations; the third is primarily governed by political decisions."

In view of the imponderables, the Department plans to maintain present policy and, in cooperation with our friends and allies, to keep the situation under close and continuous study.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

Mr. JAVITS. I believe that Secretary Udall's response, especially, places this problem in a substantially different light than heretofore viewed by most people. According to the latest estimates of the Department of the Interior, the probability of any dramatic upsurge of Soviet oil exports to nonbloc countries within the near future, at least through 1965, is not supported by available evidence. To be sure, exports from the Soviet Union to nonbloc markets can be expected to grow, but at a slower rate than that observed for the past 7 years; namely, 1955 to 1961. The Secretary offers the following evidence to support this view.

First. Exports of Soviet oil to Western nations have remained at roughly the same level in 1961 and 1962; namely, about 565,000 barrels a day. This is contrasted with annual gains in preceding years which ranged between 25 and 65 percent, gains which caused justified alarm in the West. Soviet oil exports increased from 80,000 to 565,000 barrels a day between 1955 and 1961.

Second. Eastern Europe has become an energy deficit area much sooner than expected. The indication is that exports of oil from the Soviet Union to the East European bloc are climbing very rapidly.

Third. Due to the growing energy requirements of the Soviet Union and the high costs, and the disappointing performance of the Soviet coal industry, the availability of Soviet oil for export outside the bloc has evidently been temporarily reduced.

Fourth. Based on the energy requirements of the Soviet bloc in 1962, the Secretary of the Interior believes that the National Petroleum Council's estimates of potential Soviet exports to nonbloc nations of 900,000 to 1 million barrels a day by 1965 is somewhat high.

These conclusions are supported by other authoritative sources, such as those of Edmund K. Faltermayer in the Wall Street Journal of April 22, 1963, and evidence submitted to the Joint Economic Committee during its December 1962 hearings, entitled "Dimensions of Soviet Economic Power."

It is, therefore, evident that the economic capability of the Soviet Union to wage a massive oil offensive has been curtailed, at least for the time being, and that we are entering a new phase of the Soviet oil offensive against the West. I would be the last to argue that the Soviet Union is no longer capable or determined to use its oil resources in a drive directed against selected target countries for political or strategic purposes. The Soviet Union remains committed to power expansion through economic warfare by its own ideology, for which we can find abundant evidence.

We also find that Western European governments are beginning to learn that they pay heavily for depending upon the Soviet Union for their fuel requirements. The experiences of France, Israel, Finland, Greece, Austria, and Iceland, as reported by experts of the Standard Oil Co., of New Jersey, continue to bear witness to this real hazard. The Soviets' objective is to exploit the dependence of Western countries for their essential fuel requirements in order to influence their national policies at a critical period, by threatening to cut off oil, just as it rattles its rockets whenever it is annoyed with the policies of the United States or with some other part of the free world.

I ask unanimous consent to have printed at this point in the RECORD the memorandum of the Standard Oil Co. of New Jersey, to which I have just referred, and also the article written by Edmund K. Faltermayer, published in Wall Street Journal of April 22, 1963.

There being no objection, the memorandum and article were ordered to be printed in the RECORD, as follows:

COMMENTS ON STATEMENT BY YEVGENI GUROV OF SOJUZNEFTEXPORT, FEBRUARY 6, 1963, "DOES SOVIET OIL THREATEN WESTERN MARKETS?"

(Prepared by Standard Oil Co. of New Jersey, C. & P. E. Department, New York, N.Y., March 14, 1963)

On February 6, 1963, Mr. Yevgeni Gurov, chairman of Sojuzneftexport, the U.S.S.R. oil export organization, issued a statement entitled "Does Soviet Oil Threaten Western Markets?" Fundamentally the memorandum sought to show that Soviet oil exports are of a commercial character and that free world countries need have no fear of them. The memorandum discussed Soviet oil pricing, Soviet production and export capabilities, and Soviet oil security to its free world buyers. It concluded that this oil is much like free world oil and holds no security problems for the free world. The purpose of this note is to examine the validity of the Soviet memorandum.

PRICING OF SOVIET OIL

Mr. Gurov seeks to show that during 1960, Soviet oil was sold in capitalist countries at an average discount of 17 percent less than the list price, whereas in the same year free world oil companies sold about 11 percent of Middle East oil production at a 20-percent discount from posted prices. In addition, the memorandum attempts to show that in some specific cases, in sales to Brazil and the United Arab Republic, Soviet prices have been about the same as free world prices. There are a number of deficiencies in Mr. Gurov's statements:

1. The reference to Soviet prices being 17 percent less than the "list" price is curious since such a Soviet list has never been made public and was not previously known to exist. Comparison of Soviet prices with such a "list" would not seem to be a meaningful comparison.

2. It is interesting that Mr. Gurov found it necessary to compare a discount on total Soviet oil sales with a discount in the Middle East which applies, even according to the Soviet figures, to only 11 percent of free world oil production in that area.

3. The important question on price is the amount paid by the customer. Therefore, Soviet oil prices should be compared with free world prices in some of the countries which import substantial quantities of Soviet oil. In Italy, a country which purchases about 22 percent of total Soviet oil exports, the price of delivered Soviet crude is about 30 percent below that of the comparable delivered price of Arabian crude. West German governmental statistics on crude import prices at the German border in 1961 indicate that Soviet crude was imported for 82 cents per barrel (or 32 percent) below the average cost of free world crude imports.

4. Another way of examining Soviet pricing philosophy is to note that the official Soviet statistics contained in the publication "Foreign Trade of the U.S.S.R. for the year 1961" show that the price of Soviet crude sold to free world countries, excluding Cuba, was $1.38 per barrel f.o.b., or only 54 percent of the $2.54 per barrel f.o.b. price charged to the satellites and Cuba. Interestingly enough, if the $1.38 per barrel price to free world consumers was 17 percent less than the Soviet list price in 1961, then the $2.54 average price to the satellites and Cuba indicates that captive customers pay over 150 percent of list price.

5. Average Soviet export prices to the free world do not tell the complete story. Prices are often reduced in specific markets when this is desirable to attain overall Soviet political or economic objectives.

6. Mr. Gurov sought to show that Soviet prices to the UAR were about the same as those of free world oil companies. The Sojuzneft export price of $1.76 per barrel f.o.b. that Mr. Gurov mentions was the initial proposal. However, his statement fails to mention that the Soviet offer was later reduced to $1.58 per barrel and it is believed the sale was made at $1.43 per barrel f.o.b.

7. U.S. oil companies have not sought to persuade the U.S. Government to buy oil from private companies and sell it at a discount in markets where Soviet oil is being delivered. Such a step on the part of the Government would be most undesirable from the oil industry's point of view.

SOVIET OIL EXPORT CAPABILITY

Mr. Gurov states that Soviet oil exports have had the usual commercial growth, not exceeding that registered by other large oil exporting countries. He indicates that the free world need have no fear of the Soviet future export potential, inasmuch as the growth of consumption within the Soviet will use much of the increasing production. The Comecon (Friendship) pipeline is presented as one that will be used to meet the oil requirements of the Soviet bloc countries in Eastern Europe.

It would appear that Mr. Gurov's position is not a correct one. Soviet oil exports have increased at an annual rate of 35 percent per year since 1957 compared with a similar annual rate of 10 percent for the Middle East. As to future export plans, Mr. Gurov's remark seemed quite contrary to his own statement at the 1960 Arab Congress that the Soviet intends to recapture the 19 percent of the Western European oil market which it had in the early 1930's. Such a level of exports to Western Europe would be about 2½ times the current level, and would indicate that it is the Soviet goal to make Western Europe dependent on Soviet oil for a substantial part of the latter's total energy supplies. Mr. Gurov's recent statement is also inconsistent with his earlier statement to the U.S. oil industry delegation to Russia at which time he estimated that Soviet exports might continue to increase from 15 to 20 percent per year.

Tangible evidence of Soviet oil export plans is provided by the capacity of new pipelines, either completed, definitely planned, or under construction, of approximately 1,500,000 barrels per day at Soviet terminals in the Baltic, Central Europe, and the Black Sea. The major tanker building program which the Soviet has under way at the present time and its investments in dredging and other improvements of export facilities, seem to provide a clearer picture of Soviet plans than Mr. Gurov's recent statement depicts.

SECURITY OF SOVIET SUPPLIES

Mr. Gurov seeks to show that about half of the Soviet deliveries of crude and products are now made by long-term contracts and that such contracts guarantee reliable and stable supplies of oil to free world countries.

The demonstrated insecurity of Soviet supplies has already been brought home to several free world governments. In late 1956 Soviet shipments to Israel were cancelled without explanation following the invasion of Suez. On November 28, 1958, Finland found that Soviet exports of oil were cut off for the remainder of the year after Conservatives had been included in the Finnish Cabinet. Largely as a result of an implied Soviet threat to curtail trade, the Conservatives withdrew from the Finnish Cabinet and the Cabinet was forced to resign. In late 1961 the U.S.S.R. refused to deliver 40,000 tons of gasoline and oil which had been ordered by Greece and which were urgently needed. Even within recent months, Austria, Egypt, and Iceland have all found that the Soviet has not delivered promised oil, and have had to call on free world oil companies to supply the deficit. Within the past week, the Soviet Government has halted all coal deliveries to France under its recently signed agreement with France. The move was made to support striking French miners during the current French labor crisis. It is a clear-cut example of Soviet willingness to openly use export trade to shape the national policies of free world countries.

In summary, it appears that Mr. Gurov's effort to have Soviet oil thought of as normal commercial trade is rather unsuccessful. Soviet actions in its oil dealings provide far more conclusive proof as to Soviet motives than does Mr. Gurov's statement. Premier Khrushchev's statement that "We value trade least for economic reasons and most for political purposes" is a more realistic summary of current Soviet oil policies than Mr. Gurov's recent memorandum.

[From the Wall Street Journal, Apr. 22, 1963]

Soviet Oil Push—Vast Production Drive Faces Obstacles but Has Made Big Gains—Russia's Output May Equal United States by Mid-Seventies if Money, Drilling Problems Solved—Shipments to West Soaring

(By Edmund K. Faltermayer)

Baku, U.S.S.R.—Edmund Gaikovich Iskenderov, an oil engineer, works in an office perched on steel pilings 2 miles out in the Caspian Sea, linked to the mainland and several dozen offshore oil wells by trestles.

About the sound of a heavy sea and nearby pumps drawing crude oil from 6,000 feet below the sea's floor, he talks of pushing Russia's oil search further from shore. "We've got a new drilling rig that will operate in water 200 feet deep, twice the depth with present rigs," he declares. "With it we'll explore as much as 90 miles offshore."

None of this would startle U.S. engineers, who have drilled in water as deep as 287 feet. But it demonstrates the enthusiasm behind Russia's highly successful drive to find and produce oil. Since 1950 the U.S.S.R. has displaced Venezuela as the second-ranking oil producer and has been steadily gaining on the first-ranking United States.

RUSSIAN OIL OUTPUT RISES

Russia's daily average oil production rose to 3.7 million barrels last year, about half the U.S. output of 7.3 million barrels. In 1950 Russia produced only 800,000 barrels a day, one-seventh of the U.S. level in that year.

Oil has become a major weapon in the Soviet push for trade with non-Communist countries. Partly through relentless price cutting, Russia boosted sales of oil and oil products to non-Communist nations to an estimated 560,000 barrels a day last year. That was a sevenfold increase from 80,000 in 1955. West Europe now gets 9 percent of its oil imports from the U.S.S.R. compared with less than 2 percent in 1953. Oil accounted for one-fourth of Russia's earnings of free world currencies last year, giving it funds it badly needs to buy advanced industrial equipment in the West. The U.S.S.R. has become a significant competitor of Western oil companies operating in Europe.

Assuming no acceleration in the growth of U.S. oil production and a fulfillment of present Soviet goals, output of Russian oil would move ahead of U.S. production by the mid-1970s. Soviet exports to the West would be likely to rise sharply, too. The National Petroleum Council (NPC), an industry group that advises the U.S. Government, estimates that Soviet shipments to non-Communist countries could rise 60 percent, to some 900,000 barrels a day, just in the next 3 years.

But despite the spectacular gains so far, Russia's path to these goals will be far from easy. Soviet oil production, like output in some of its other basic industries, has shown some recent signs of losing momentum. Annual percentage gains in oil output, for instance, have declined steadily from a postwar record of 19.2 percent in 1955 to 12 percent last year. And while the Kremlin's oil production goal was exceed last year, the 0.5 percent overfulfillment was the smallest so far in the current 7-year plan which runs through 1965.

CAPITAL SHORTAGE A PROBLEM

A major Soviet problem is a general shortage of capital. Last year, Russia's economic planners allotted only 5 percent more investment money to the oil and gas industry than in 1961, one of the smallest annual increases in recent years. For 2 years in a row, the Soviet weekly Economic Gazette recently disclosed, the apportionment of investment funds for the Tartar Autonomous Republic (Tataria), which accounts for 38 percent of Soviet crude oil production, has been reduced instead of increased. Lacking adequate electric power, pipes, storage tanks, and related equipment, oil men in the area have not been able to put all their new wells into operation, the publication said.

For the past 2 years crude production (in Tataria) has increased more as a result of forced extraction from already-drilled wells than from bringing new ones into operation," the Economic Gazette reported. And some fields have failed to fulfill production goals "for the first time in many years," it adds.

Deficiencies show up in other ways. Premier Khrushchev recently disclosed that the nation did not fulfill its production plan for oil-producing equipment in 1962.

The Russians also have experienced an important failure in drilling technology as they have drilled deeper wells in search of oil. Russia uses a "turbodrill," which it claimed as a major development a few years ago, for about 85 percent of its drilling. Wells are drilled by a toothed, circular bit on the end of pipe, which is added in sections as the hole gets deeper. In most U.S. drilling, a motorized "rotary rig" at the surface revolves the drill pipe and bit, boring into the earth much as a carpenter drills into wood.

With the turbodrill, the drill pipe doesn't rotate. The bit is turned by turbine action as liquid mud is pumped down the pipe. This method overcame Russia's problems of making sufficient drill pipe that could withstand the twisting of rotary drilling. But it is understood that the turbodrill's high turning speed rapidly burns out bits as heat increases at lower depths.

TURBODRILL ABANDONED

Thus, Russia has decided to abandon use of the turbodrill below 2,000 meters (6,560 feet). Such wells are relatively shallow by modern standards. U.S. drillers have gone as deep as 25,340 feet.

Western oil specialists say a major part of the problem is that Soviet drill bits are inferior in quality. This gets support from Russians themselves. "Suffice it to say," a Soviet official told a Communist Party gathering late in 1961, "that in Bashkiria (part of the Volga-Urals field north of here) 80 to 100 bits are used in drilling a 2,000-meter well."

If the Russians switch to rotary drilling for deep wells, as seems likely, the Soviets soon may be shopping in the West for drilling pipe and bits, American oilmen say. The United States maintains strict export controls on such items but other Western nations do not.

Russia already is getting a sizable amount of materials and equipment from the West for its oil offensive. According to an NPC study, the U.S.S.R. has placed orders in non-Communist countries for 35 ocean-going tankers. These, plus other vessels now being built in the Soviet bloc and in Yugoslavia, will make the U.S.S.R. self-sufficient in export tankerage by 1965. Russia now charters Western-owned vessels to carry part of its export shipments.

Three Western countries, Italy, West Germany, and Sweden, contracted to supply about 40 percent of the 40-inch pipe the Russians needed to complete the 2,300-mile Friendship pipeline system linking the vast Volga-Urals oilfields with Russia's Eastern European satellites. Since Soviet-bloc steel mills cannot provide enough large-diameter pipe, these contracts, according to the NPC, "breathed new life into the pipeline construction program and averted a delay of far-reaching proportions."

SOME SALES BANNED

Under prodding by the North Atlantic Treaty Organization, West Germany and Italy—but not non-NATO Sweden—recently banned further sales of large-diameter pipe to the U.S.S.R. The new embargoes are not expected to seriously delay completion of the line, scheduled for next year. Further plans call for two branch lines to Baltic ports to permit direct loading of ocean-going tankers. These lines are expected to cut the cost of shipping a barrel of oil across western Russia to 29 cents from $1.05 presently, using rail cars, according to the NPC.

Despite Soviet troubles and efforts by the United States to cut down on technical and other aid from the West, most American oilmen figure Soviet output will continue to grow although perhaps at a slower rate than the Russians forecast. In 1961, according to NPC estimates, the U.S.S.R. had more geophysical field crews seeking oilfields than the entire free world.

Massive exploration already has paid off handsomely. Crude production from the Volga-Urals fields, developed almost from scratch in the postwar period, now represents three-quarters of Soviet output and dwarfs production from the once dominant Baku area. Important recent finds have been made on the Mangyshlak peninsula on the northeastern shore of the Caspian, and at Markovo, in East Siberia. The Russians have glowingly described the Mangyshlak field, still undeveloped, as a multi-million-barrel find, comparable to many in the Middle East.

Russia's proved oil reserves are estimated at 28.5 billion barrels compared with 35.3 billion in the United States. But some geologists guess Russia may have reserves of 200 billion barrels, counting vast areas not yet surveyed.

CASPIAN DRILLING DRIVE

Offshore drilling is being pushed in the Caspian to provide a continuing nearby source of crude for refineries and shipping facilities here at Baku, long a major Russian oil center. Many land wells in the area have played out. About 60 miles offshore in the Caspian, the Soviets have built an entire town on stilts since 1949, calling it Neftyanye Kamni (oil rocks) for rock formations in the area. Workers spend 5-day stints on the 70-odd miles of trestles, commuting on their days off by helicopter and boat from their homes in Baku.

Soviet refining capacity, which has consistently lagged crude output, was to be expanded by some 92 percent in the economic plan which runs through 1965. Although there have been reports that this effort is behind schedule, it is known that 17 new refineries are being built and many more expanded.

At the new Baku oil refinery, built in 1952, Rza Gasanovich Aleev, deputy director, proudly shows a visitor a 156-acre expansion site, where two catalytic cracking towers are rising for use in breaking down crude oil into separate products, such as gasoline and diesel oil. "The tonnage here will approximately double," says Mr. Aleev, "but the value of our production will triple" during the present 7-year plan.

He says the new units will increase the maximum octane of gasoline produced at the refinery to 85 or 86 from the present 72. Russia's refineries have long been deficient in capacity to produce higher-grade gasoline and diesel fuels.

Addition of this type of capacity could help Russia's export effort significantly. Russia has a surplus of gasoline but has had trouble selling it in the West because of its low octane. At that, refined products accounted for 38 percent of its total free world exports of oil and oil products.

To cope with the competition, Western oil companies are underbidding Soviet crude oil prices in some markets. Costs of taking oil out of the ground in Russia vary from 39.6 percent of the national average in Tataria to 217 percent in the Baku area and 331 percent on bleak Sakhalin Island in the Pacific. But on the average, by Soviet reckoning, it costs 65 to 70 cents a barrel. Adding exploration outlays, the cost rises to nearly $1 a barrel, which is about what Mideast oil costs Western companies after Arab governments receive royalties. These oil companies generally have lower transportation costs to Western European markets than do the Russians, although this advantage may diminish when the Friendship pipeline is completed. Most Western oilmen figure the Russians have been subsidizing sales in the West in order to earn foreign exchange.

Mr. JAVITS. Mr. President, I believe that the current breathing spell—and that is all the present lull in the Soviet oil offensive means—should be seized upon to:

First, undertake an immediate review by the Organization for Economic Cooperation and Development, NATO, and/or other suitable bodies to which the U.S. adheres, of the divergent East-West trade policies of the Western nations.

Second, we should use this occasion to enact U.S. legislation to encourage maximum allied cooperation in the application of existing controls on strategic trade with the Soviet bloc; we should give the President flexible authority to conclude special arrangements dealing with East-West trade problems between the United States and other NATO countries; and finally, we should provide the United States with flexible tools to enable us to take the initiative in East-West economic competition.

Third, we should encourage closer cooperation between private business and Government in meeting the problems caused by the politically motivated Soviet economic—including oil—offensive.

In November 1962, the Plenary Session of the NATO Parliamentarians' Conference adopted the recommendation of its Economic Committee, of which I am the Chairman, that the North Atlantic Council review existing arrangements for the coordination of the policies of the member countries of the Alliance on East-West Trade; that member countries should avoid excessive dependence on imports of oil from the Communist countries and should diversify their sources of supply; and that member governments should consult together in the NATO Council to coordinate action within the framework of NATO, with regard to East-West trade in nonstrategic goods.

Through an amendment which I proposed and which was adopted on June 23, 1962, to the Export Control Act of 1949, Congress declared it to be U.S. policy to formulate a unified commercial and trading policy to be observed by free world nations in their dealings with Communist bloc-dominated countries. I am at present awaiting a status report on what has been done by our Government to implement this amendment and shall inform the Senate when I have received this information.

On May 9, 1963, I introduced a package of bills to further encourage closer cooperation among the Western Allies in East-West trade. Thus there is an incentive to act. We have a breathing spell due to the internal needs of the Communist bloc, and it is urgent that we take some action of the kind I have recommended to the Senate.

HEALTH CARE FOR THE AGED

Mr. JAVITS. Mr. President, we have still to meet the challenge presented by the problem of providing for the health care of older people. Hospital costs are continuing to rise and an increasing percentage of our population consisting of Americans 65 years of age and older are being confronted by the problem of paying for the health care they need at a time when their earning power has drastically declined and their incomes are at a low static level. The need for a Federal program paid for on a contributory basis to defray at least the largest part of the cost of the health care will become more acute as more and more Americans live longer, thanks to modern medical advances, while health care costs continue to go up. The bill which I have introduced sets forth certain basic principles of cooperation between the Federal Government and the private sector in dealing with this problem. This is the way in which I believe we can solve this problem in a reasonable and satisfactory manner.

This approach to the problem of health care insurance for the aging is discussed in some detail by Marion B. Folsom, Secretary of Health, Education, and Welfare in the Eisenhower administration and currently director of the Eastman Kodak Co. of Rochester, N.Y. Mr. Folsom is also a member of the National Committee on the Health Care of the Aged which I was instrumental in organizing, has been making a careful study of the entire problem.

I ask unanimous consent to have printed in the RECORD the article written by Mr. Folsom, entitled "How To Pay the Hospital," which is appearing in the Atlantic Monthly, July issue.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW TO PAY THE HOSPITAL

(By Marion B. Folsom)

Medical care for older people will be a lively legislative issue again this year. Actually, there is little or no opposition to assisting older people with their heavy medical expenses. The point of contention is how that assistance should be given.

A dramatic situation, such as the depression of the thirties, which brought about the Social Security Act, is not needed to highlight the growing urgency of some kind of plan for helping older people to pay their medical bills. About 9 percent of all Americans, some 17 million individuals, are over 65 years of age. Both the percentage and the number are increasing. Their need is pressing because of these factors:

1. The rate of long and serious illness is higher among older people than among those under 65.

2. The cost of medical care is going up. Between 1948 and 1962, the increase was 66 percent. During this same period, hospital daily service charges went up 155 percent.

3. Upon retirement, the individual usually suffers a substantial reduction in income.

Thus, more and more people are experiencing increased medical costs at the very time when they are least prepared to meet added expenses.

It is true, of course, that people in retirement have more security now than in the past. Social security benefits, growing payments from private pension plans, and greater personal savings generally enable the retired person to take care of himself in reasonable comfort, as long as he retains good health. But when serious illness strikes him or his wife, the high cost of medical care may quickly exhaust his savings and use up income needed to meet normal living expenses.

Medical expenses are not such a hazard to employed people. Most employers today pay benefits for absence due to sickness and provide group plans for insuring the wage earner and his dependents against hospital, surgical, and, in a growing number of cases, major medical expenses. Altogether, 130 million Americans now participate in hospital-insurance plans and almost as many in surgical-insurance plans. So complete is this coverage by voluntary plans that there has been little agitation for Government health insurance to cover the entire population.

But the situation of retired people is far less favorable than that of the employed. Few group plans continue to cover a man after he retires, and often the higher premium rate under an individual policy is more than he can afford. A recent study by the Department of Health, Education, and Welfare stated that "those with relatively low incomes are likely to have most difficulty in paying large bills and are least likely to have health insurance."

Some employers now provide medical insurance for their retired people, with the company paying part or all of the cost. But such plans are expensive and can be afforded only by well-established companies. So it may be many years before an appreciable number of retired employees will have such protection.

As Secretary of Health, Education, and Welfare, in 1955 I urged employers to include health insurance benefits in their pension plans, with all or some part of the cost being paid by the employer. At the same time I also proposed to insurance companies that they establish a pool or underwriting group on a nationwide basis to experiment with lower cost plans for covering the aged, but nothing came of the suggestion.

Last year in New York State several insurance companies did join in an underwriting arrangement to provide medical insurance for people over 65. Premiums were reduced, but the cost is well above Blue Cross and Blue Shield rates.

The insurance companies naturally have to charge higher premiums for older people because of the higher incidence of long illness in this group. For the same reason, the growing number of older people covered at normal rates by Blue Cross has contributed to the rapid increase in Blue Cross rates. The Michigan Blue Cross lost $18 million during 1962 in its program of caring for 255,000 people over 65. Had it not been for this older group, the organization would have shown a profit of $12.5 million. It is now asking for a substantial increase in premiums from all subscribers.

The need, then, for some kind of nationwide action is generally acknowledged. The question is, What kind of action?

The choice is between the Kerr-Mills plan, a relief system enacted in 1960, or a Federal contributory social-insurance plan. This is the same choice we had back in the thirties when the Social Security Administration was established. Those of us who were active in developing a Federal system for providing financial assistance to the retired agreed that old-age assistance, a relief plan, was necessary to meet the temporary situation. But we also agreed that over the long run a social insurance system, financed by contributions of the employee and employer and providing stated benefits as a matter of right, would be far better, for there are basic objections to old-age assistance.

To begin with, widespread dependence upon relief does not fit well into our American way of life. Furthermore, these relief benefits have not declined as expected. There are still more than 2 million people receiving assistance grants. This has been due in part to the exclusion of certain groups from the contributory system, but even more to the growing leniency of local welfare officials in determining need—especially as the Federal Government has paid a rising percentage of the relief grants. The Federal share, originally set at 50 percent, now exceeds 75 percent in some States. For the country as a whole, the Federal share averages 63 percent and amounts to $1.2 billion a year. Once the formula is set, the Federal Government has no control.

Were it not for the benefits paid under social security, a great many more people would be receiving old-age assistance grants. In that case, an annual cost of perhaps $5 billion would now be charged to general revenue, which is raised mainly by income taxes.

The Kerr-Mills Act set up a joint Federal-State plan under old-age assistance. According to its terms, people who become indigent as a result of illness are eligible for medical relief payments. The qualification tests for the medically indigent are more liberal as to income, property ownership, and responsibility to relatives than the tests for those who now qualify for old-age assistance. Federal grants to the States cover from 50 to 80 percent of these payments, the poorer States receiving a higher percentage. The Federal Government, it will be observed, has no control over the total amount of these grants. In effect, it simply honors the welfare bills submitted by the States, paying them out of general revenue.

If complete reliance for medical care of the aged were placed upon the Kerr-Mills plan, we would probably have the same experience we have had with old-age assistance, as is already evident in States that have adopted the Kerr-Mills plan. The qualification tests would be liberalized and the percentage of older people to qualify would rise steadily—especially in low-income States, which pay only 20 percent of the cost. On the other hand, wealthier States, which pay 50 percent, might tighten too much, leaving many people without the care they need.

As with old-age assistance, the Federal share of the cost comes from general revenue. Before long, the result will be an extra burden of several billion dollars on Federal income taxes.

Another factor to be considered, especially by the medical profession, is that as the cost of the States' share increases, especially in the States paying 50 percent of the cost, the difficulty of obtaining revenue will probably cause these States to exercise close control over doctors' fees and hospital room rates.

But of all the reasons why we should not depend exclusively upon the relief system, I believe the most compelling was eloquently expressed by the Right Reverend Monsignor John O'Grady, secretary of the National Conference of Catholic Charities, when he wrote:

"As a responsible, independent, self-respecting individual in intention, if not in fact, the ordinary citizen hopes Government help, when necessary, will be available to him as a 'right' for at least the more likely hazards he faces, without humiliating or demoralizing conditions such as the periodic investigation of his resources in order to balance them against his needs * * *. Our ordinary citizen also feels that where he contributes to the cost of his protection, or even if his employer contributes on his behalf, he has in some sense earned a 'right' to the benefit. He wants to become a 'partner' in the plan and not just its beneficiary."

Several plans have been proposed to finance medical care for the aged through the social security system. The compromise bipartisan proposal, the Anderson-Javits bill, received the support of almost half of the Senators last year and is coming up for consideration again this year. Under its terms, any person receiving social security benefits would be entitled to certain payments covering hospital and nursing home care. He would be entitled to 90 days of inpatient hospital care after having himself paid $10 a day for the first 9 days. Outpatient hospital diagnostic services would be paid after a deductible amount of $20. The insurance would also cover skilled nursing home services for 180 days following hospitalization, and would pay for 240 home visits by visiting nurses.

This plan would be financed by an additional social security tax on both the employer and employee of one-quarter of 1 percent on the first $5,200 of annual income. The Social Security Administration, with its 612 offices and low cost of administration (2 percent of benefits), could handle the plan at a low cost.

The collections would be placed in a separate trust fund for the payment of benefits, with no adverse effect on the Federal Budget. The same committees in the U.S. Senate and House of Representatives would determine both the level of benefits and the tax rates. As has been the case in the old-age insurance plan, the committees would keep close check on the program.

Under the compromise proposal, however, groups or individuals would have the option to continue their coverage under Blue Cross or insurance company plans after retirement, with the Government paying the cost of the basic protection. Company group-hospitalization plans could be continued with only minor changes, and either the company or the insurance agency would be reimbursed by Social Security for the cost of the basic services. Thus, full advantage would be taken of private agencies.

The bill also provides for those over 65 who are not social security beneficiaries—at present about 3,500,000 people—with the cost to be borne by general revenue. However, over 92 percent of people now reaching retirement age are covered under social security or other governmental retirement systems, physicians being the only large group not under these systems. Thus, the uncovered group in the future would be very small.

In addition to its other advantages, the social security approach is the only proposal that would provide equal treatment for the increasing number of people who move from State to State, especially upon retirement. The relief approach would place a heavy burden on Florida, California, and other States which attract the retired. Also, most newcomers to a State are ineligible for welfare until after a certain period of residence.

There are few objections raised nowadays against social security. Yet there are numerous objections raised against financing a limited hospital-care program under the social security program. Let us examine these criticisms:

1. "It is socialized medicine and will affect the quality of medical care." There is little basis for this charge, as the only doctors affected will be the hospital resident staff—a very small percentage of the Nation's physicians. The individual would have free choice of hospitals, and all accredited hospitals would be eligible. The program would not interfere with the quality of medical care any more than Blue Cross insurance has.

2. "It is a foot in the door to socialized medicine." There is no reason why active workers and their dependents cannot be adequately covered by private agencies. The proposal at hand would be limited to those over 65—a group which will not exceed 10 percent of the population for many years. And even for this group, the provisions for hospitalization would cover only about 40 percent of their medical costs. Private agencies would be given full opportunity to cover the other services for the aged.

3. "It should cover all medical costs for the aged." The concept is to provide only what most persons consider basic coverage, as evidenced by the widespread sale of hospital insurance. It would be up to the individual or his previous employer to provide supplementary protection. Basic coverage under a governmental plan would undoubtedly stimulate supplementary plans, just as social security has stimulated growth in private supplementary pension plans.

4. "Benefits should not be paid to individuals who can well afford to pay for their own medical care." This criticism would apply only to those now retired or soon to retire. It is the basic principle of social insurance that everyone should contribute and everyone should benefit.

5. "The program will result in overutilization of hospitals, and many new ones will have to be constructed." There is already overutilization of general acute hospitals, due in part to widespread sale of hospital insurance. The deductible feature in the proposed plan (which is not contained in Blue Cross plans) would serve as a check on unnecessary use. But if the situation should be aggravated by the governmental plan, our communities might then face up to the growing need for better nursing homes, for extended care facilities, for rehabilitation units, and for more organized home-care plans—all to relieve the expensive general hospitals and to provide suitable care at a lower cost.

6. "I object to a compulsory plan." First, a payroll tax is no more compulsory than an income tax, which is necessary for the relief system. Second, a voluntary system would

not solve the problem, because many people in the low-income group would probably not join the plan, and a disproportionate number of those who would join probably would be those in the poorest health. Insurance people call this "adverse selection."

7. "It will interfere with the private enterprise system—both profit and nonprofit insurance agencies." I firmly believe that, far from interfering, the proposed plan would prove a real boon to these agencies. I do not see how insurance companies can profitably cover older people for medical expense at normal rates. Blue Cross coverage of the aged at the usual rates tends to raise the cost for all other people. The Anderson-Javits proposal, by paying for the basic protection, would relieve these agencies of the most burdensome part of covering older people. The agencies could then offer attractive supplementary plans.

The financial soundness of the social security system has been questioned by its critics on many occasions. It is only natural that similar doubts should be expressed about the financing of a hospital-care plan for the aged to be tied in with social security. I think it is most important that misunderstandings on this point be removed.

As Secretary of Health, Education, and Welfare, I appointed an Advisory Council on Social Security Financing to study all financial aspects of the system. Included were the chief actuary of a large insurance company, a bank president, a former bank superintendent of New York State, and other experts. In their unanimous report to Congress in 1958, they said, "The Council finds that the present method of financing the old-age, survivors, and disability insurance program is sound, practical, and appropriate for this program."

Of other fears expressed in the thirties—that the old-age insurance plan could not be administered efficiently, that the benefits would get out of hand, that the system would interfere with the initiative to save, that insurance companies would be adversely affected—none of these has been borne out.

The system has proved to be a sound plan for providing basic protection for people in their retirement years upon which they and their employers can build. Benefits have been kept reasonable relative to wages; the cost of administration is at the low expense ratio of 2 percent; a contingent reserve fund of close to $20 billion has been accumulated; the system has stimulated the widespread adoption of supplementary employer pension plans; per capita insurance and savings of all types have increased substantially.

Behind every criticism of social insurance, I am sure there is a sincere conviction that the Government is intruding in an area that can be best handled by the individual. It is a good sign when people show concern over any development which seems to them inappropriate within a democratic society. But in the case of hospital care for older people, it is clear that some plan of assistance must be provided; by one method or another, we are going to continue helping older people who cannot pay their medical bills. How can we do this in the fairest possible way?

If we do it by welfare or assistance payments, we must use a means test and we must inevitably discriminate against those judged capable of paying their own way, even though this may mean exhausting their life savings and placing a heavy drain upon their children. The indigent will be helped in every case; the provident unfairly bypassed in many cases.

A plan of social insurance, on the other hand, requires contributions and pays benefits on the same basis in every case. Because of the contributory feature, the individual feels his active participation and is entitled to benefits as a matter of right. What could be more equitable, or more democratic?

In my opinion, the only logical solution to the hardship faced by people over 65 because of rising hospital expenses is a contributory social-insurance plan following the basic principles of the bipartisan Anderson-Javits bill.

CENSUS COMPILATION OF FIGURES ON DENIAL OR ABRIDGEMENT OF THE RIGHT TO VOTE

Mr. CASE. Mr. President, I wish to associate myself with the remarks of the Senator from New York and also with the remarks of other Senators who may have spoken on this subject, in commending the filing of the suit today in the U.S. District Court for the District of Columbia, in an effort to require the Secretary of Commerce and the Director of the Bureau of the Census to compile, in the next decennial census, figures in regard to the denial or abridgement of the right to vote.

For decades, section 2 of the 14th amendment has been—to our shame—a dead letter. The suit filed today in the U.S. District Court for the District of Columbia would restore life to this part of the Constitution.

Section 2 provides that:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

There can be no dispute that the right to vote of many tens of thousands of Americans is denied or abridged. The findings of the Civil Rights Commission are official confirmation of what all of us have known for a long time—namely that the right to vote is denied arbitrarily in many places because of the color of the applicant.

According to the 1959 report of the Civil Rights Commission, there were 158 counties with a majority Negro population located in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Tennessee, Texas, and Virginia. Fifty-one of these counties have 3 percent or less Negro registration. Forty-one others have less than 10 percent Negro registration. Only 11 had more than 30 percent Negro registration, and the remainder had between 10 and 30 percent Negro registration.

In its 1961 report on voting, the Commission again reported substantial deprivation of civil rights in the 21 black-belt counties studied by the Commission.

Said the Commission:

> In 17 of these counties, Negroes, although they constitute a majority of the population, do not vote at all, or do so only in small numbers. The reasons for the failure to vote include fear of economic or physical reprisals, official discrimination, blatant or subtle, and lack of education and motivation. Negroes are not members of white party organizations, white candidates do not court Negro votes nor do they take account of Negro needs. The result is that the white minority governs an all but voiceless Negro majority.

The filing of this suit would not be necessary if the Congress had not failed in its responsibility to protect the voting rights of all our citizens. If it is uncomfortable to be reminded that Congress has not utilized its authority to implement section 2 of the 14th amendment, there is no other place to put the blame, for Congress has allowed itself to be dissuaded, by the threat of filibuster and by actual filibuster, from facing up to a grave national issue.

What we confront is not a southern issue or a local issue. It is national in scope. The plaintiffs in this action represent not only those whose right to vote is denied, but also those in other States whose votes have been debased or diluted by the congressional apportionment which fails to take into account, contrary to the direction of section 2 of the 14th amendment and the equal protection clause of the same amendment, and the due process clause of the 5th amendment, the denial and abridgement of voting rights in certain States. Thus, this group of plaintiffs point out that, were the apportionment based as the Constitution directs, their respective States would be entitled to additional representation in the Congress.

We should not need this suit to prod us to an awareness of our responsibilities. I hope it will be successful. But I believe we should not await its outcome to do what we should long since have done—that is, act to assure that there is a census to carry out the provision of section 2 of the 14th amendment. We do not have to wait for a court decision. We can and should act now.

The Congress of the United States can, and should, play a meaningful role in one of the great struggles of our time—the struggle to realize the objective so clearly set out in the Constitution. As one Member of the Congress, I deeply hope we shall no longer stand aside, but shall undertake the responsibility that is rightfully ours.

Mr. President, if the complaint in this case has not already been printed in the Record, I ask unanimous consent that the complaint in the case of Lampkin and others against Hodges and Scammon, to which I and other Senators have referred, be printed at this point in the Record.

There being no objection, the complaint was ordered to be printed in the Record, as follows:

[In the U.S. District Court for the District of Columbia—Civil Action No. —]

Daisy E. Lampkin et al., Plaintiffs v. Luther Hodges, Secretary of Commerce, U.S. Department of Commerce, Washington, D.C., and Richard M. Scammon, Director of the Bureau of the Census, Department of Commerce, Washington, D.C., Defendants.

COMPLAINT—ACTION FOR DECLARATORY RELIEF

I

A. The jurisdiction of this court is invoked pursuant to 11 District of Columbia Code, section 306. This is an action in equity against officers of the United States, to be found in the District of Columbia for a declaration that they should perform duties owed to:

(1) plaintiff Daisy E. Lampkin, a citizen of the State of Pennsylvania; plaintiffs Nathaniel Denman and Lucille Denman, citizens of the State of Massachusetts; plaintiffs R. Sims Allison, E. Davis Allen, William A. Ross, Ina Boon, Arthur Kennedy, and Pearlie Evans, citizens of the State of Missouri; plaintiffs Maurice Rosenfield and W. N. Daniel, citizens of the State of Illinois; plaintiffs Theodore M. Berry and Charles Lucas, citizens of the State of Ohio; and plaintiffs James H. Garrott and J. Edward Atkinson, citizens of the State of California, by reason of rights secured by section 2 of the 14th amendment to the Constitution of the United States, and by 2 U.S.C., section 6, each of which provides for the reduction of the number of representatives apportioned to any State which denies or abridges the right to vote, and by further reason of rights secured by the equal protection clause of the 14th amendment and the due process clause of the 5th amendment to the Constitution of the United States;

(2) plaintiffs John Lundy, Raymond Harris, Henry Franklin Mason, Nephus Homus Banks, and Dennis Gillus, citizens of the State of Virginia; plaintiffs Laura McGee, Clarence A. Robinson, William McGee, and Milton H. Hancock, citizens of the State of Mississippi; and plaintiff Carole L. Tureaud, a citizen of the State of Louisiana by reason of rights secured by section 2 of the 14th amendment to the Constitution of the United States and by 2 U.S.C., section 6, each of which provides for the reduction of the number of representatives apportioned to any State which denies or abridges the right to vote.

B. The jurisdiction of this court also is invoked pursuant to 28 U.S.C., section 1343 to redress the deprivation under color of State law, statute, ordinance, regulation, custom, and usage of rights, privileges, and immunities secured to all plaintiffs by section 2 of the 14th amendment and 2 U.S.C., section 6, and also secured to those plaintiffs who are citizens of the States of Pennsylvania, Massachusetts, Missouri, Illinois, Ohio, and California by the equal protection clause of the 14th amendment and the due process clause of the 5th amendment to the Constitution of the United States.

II

A. The plaintiffs bring this action on their own behalf and on behalf of all others similarly situated pursuant to rule 23(a)(3) of the Federal Rules of Civil Procedure.

B. There are common questions of law and fact affecting the rights of plaintiff Daisy E. Lampkin of Pennsylvania, plaintiffs Nathaniel Denman and Lucille Denman of Massachusetts, plaintiffs R. Sims Allison, E. Davis Allen, William A. Ross, Ina Boon, Arthur Kennedy, and Pearlie Evans of Missouri, plaintiffs Maurice Rosenfield and W. N. Daniel of Illinois, plaintiffs Theodore M. Berry and Charles Lucas of Ohio, and plaintiffs James H. Garrott and J. Edward Atkinson of California, and all other citizens of their respective States whose votes have been debased or diluted by the congressional apportionment which, contrary to section 2 of the 14th amendment, 2 U.S.C. section 6, the equal protection clause of the 14th amendment and due process clause of the 5th amendment allocates representatives among the States without accounting for the denial and abridgement of the right to vote by some of them as hereinafter set forth.

C. There are common questions of law and fact affecting the rights of plaintiffs John Lundy, Raymond Harris, Henry Franklin Mason, Nephus Homus Banks, and Dennis Gillus of Virginia, plaintiffs Laura McGee, Clarence A. Robinson, William McGee and Milton H. Hancock of Mississippi, and plaintiff Carole L. Tureaud of Louisiana, and all other citizens of their respective States who have had their right to vote denied or abridged and who have a right to be protected by the sanctions of section 2 of the 14th amendment and 2 U.S.C., section 6.

D. The classes which plaintiffs represent are so numerous as to make it impractical to bring them all before this court. A common relief is sought. The interests of said classes are adequately represented by plaintiffs.

III

A. This is an action for a declaratory judgment pursuant to 28 U.S.C. sections 2201 and 2202. There is an actual controversy now existing between the parties to this action as to which plaintiffs seek the judgment of this court. Plaintiffs seek a definition and declaration of the legal rights and relations of the parties with respect to the question:

Whether section 2 of the 14th amendment to the Constitution of the United States; the equal protection clause of the 14th amendment and due process clause of 5th amendment to the Constitution of the United States; 2 U.S.C., section 6; 2 U.S.C., section 2a; and 13 U.S.C., sections 4, 5, 11, 21, 141 require Defendant Hodges and Defendant Scammon to take necessary steps to prepare and to transmit a statement showing the number of representatives to which each State is entitled as required by section 2 of the 14th amendment which provides as follows:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

IV

A. Plaintiff Daisy Lampkin is a citizen of the State of Pennsylvania and of the United States, over 21 years of age. She is, and has been, a duly registered voter for all general elections in the State of Pennsylvania.

B. Plaintiffs Nathaniel Denman and Lucille Denman are citizens of the State of Massachusetts and of the United States, over 21 years of age. They are, and have been, duly registered voters for all general elections in the State of Massachusetts.

C. Plaintiffs R. Sims Allison, E. Davis Allen, William A. Ross, Ina Boon, Arthur Kennedy and Pearlie Evans are citizens of the State of Missouri and the United States, over 21 years of age. They are, and have been, duly registered voters for all general elections in the State of Missouri.

D. Plaintiffs Maurice Rosenfield and W. N. Daniel are citizens of the State of Illinois and of the United States, over 21 years of age. They are, and have been, duly registered voters for all general elections in the State of Illinois.

E. Plaintiffs Theodore M. Berry and Charles Lucas are citizens of the State of Ohio and of the United States, over 21 years of age. They are, and have been, duly registered voters for all general elections in the State of Ohio.

F. Plaintiffs James H. Garrott and J. Edward Atkinson are citizens of the State of California and of the United States, over 21 years of age. They are, and have been, duly registered voters for all general elections in the State of California.

G. Plaintiffs John Lundy, Raymond Harris, Henry Franklin Mason, Nephus Homus Banks and Dennis Gillus are Negro citizens of the State of Virginia and of the United States, over 21 years of age.

(1) Plaintiff John Lundy is and was in 1960 and 1962 in all respects eligible to vote in the State of Virginia except that it requires plaintiff (by the Constitution of Virginia, section 20) to make application to register in his own handwriting which he is unable to do and therefore plaintiff was unable to register to vote in the 1960 and 1962 general elections and will be unable to vote in future general elections in the State of Virginia.

(2) Plaintiff Raymond Harris is and was in 1960 and 1962 in all respects eligible to vote in the State of Virginia except that it requires the payment of a poll tax in order to vote at general elections which plaintiff has not paid in 1963 and therefore plaintiff is unable to vote in the next general election to be held in the State of Virginia.

(3) Plaintiff Henry Franklin Mason is and was in 1960 and 1962 in all respects eligible to vote in the State of Virginia except that it requires plaintiff (by the constitution of Virginia, section 20) to make application to register in his own handwriting which he is unable to do and it requires the payment of a poll tax in order to vote at general elections which plaintiff has not paid and is financially unable to pay and therefore plaintiff was unable to register to vote in the 1960 and 1962 general elections and will be unable to vote in future general elections in the State of Virginia.

(4) Plaintiff Nephus Homus Banks is and was in 1960 and 1962 in all respects eligible to vote in the State of Virginia except that it requires plaintiff (by the constitution of Virginia, section 20) to make application to register in his own handwriting which he is unable to do and therefore plaintiff was unable to register to vote in the 1960 and 1962 general elections and will be unable to vote in future general elections in the State of Virginia.

(5) Plaintiff Dennis Gillus is and was in 1960 and 1962 in all respects eligible to vote in the State of Virginia except that it requires plaintiff (by the constitution of Virginia, section 20) to make application to register in his own handwriting which he is unable to do and the State of Virginia requires the payment of a poll tax in order to vote at general elections which plaintiff has not paid and therefore plaintiff was unable to register to vote in the 1960 and 1962 general elections and will be unable to vote in future general elections in the State of Virginia.

H. Plaintiffs Laura McGee, Clarence A. Robinson, William McGee and Milton H. Hancock are Negro citizens of the State of Mississippi and of the United States, over 21 years of age.

(1) Plaintiff Laura McGee is and was in 1960 and 1962 in all respects eligible to vote in the State of Mississippi except that it requires plaintiff to pass a constitutional interpretation test in order to vote which plaintiff was unable to pass and it requires the payment of a poll tax in order to vote which plaintiff has not paid and therefore plaintiff was unable to register to vote in the 1960 and 1962 general elections and will be unable to vote in future general elections in the State of Mississippi.

(2) Plaintiff Clarence A. Robinson is and was in 1960 and 1962 in all respects eligible to vote in the State of Mississippi except that it requires plaintiff to pass a constitutional interpretation test in order to vote which plaintiff was unable to pass and it requires the payment of a poll tax in order

to vote which plaintiff has not paid and therefore plaintiff was unable to register to vote in the 1960 and 1962 general elections and will be unable to vote in future general elections in the State of Mississippi.

(3) Plaintiff William McGee is and was in 1960 and 1962 in all respects eligible to vote in the State of Mississippi except that it requires plaintiff to pass a constitutional interpretation test in order to vote which plaintiff was unable to pass and it requires the payment of a poll tax in order to vote which plaintiff has not paid and therefore plaintiff was unable to register to vote in the 1960 and 1962 general elections and will be unable to vote in future general elections in the State of Mississippi.

(4) Plaintiff Milton H. Hancock is and was in 1960 and 1962 in all respects eligible to vote in the State of Mississippi except that it requires plaintiff to pass a constitutional interpretation test in order to vote which plaintiff was unable to pass and it requires the payment of a poll tax in order to vote which plaintiff has not paid and therefore plaintiff was unable to register to vote in the 1960 and 1962 general elections and will be unable to vote in future general elections in the State of Mississippi.

(5) The purpose and effect of the constitutional interpretation test, which plaintiffs Laura McGee, Clarence A. Robinson, William McGee, and Milton H. Hancock did not pass is to deny and abridge the right to vote to Negro citizens on the basis of race. The test is administered, and was administered to plaintiffs Laura McGee, Clarence Robinson, William McGee, and Milton Hancock in a different manner to Negroes than to whites.

I. Plaintiff Carole L. Tureaud is a Negro citizen of the State of Louisiana and of the United States, over 21 years of age. She is in all respects eligible to vote in general elections in the State of Louisiana except that her right to vote has been denied and abridged by the requirement of the State of Louisiana that persons seeking to register to vote answer questions on a registration form without error of any kind, the purpose and effect of such requirement being to deny and abridge the right to vote to Negro citizens on the basis of race.

V

A. Defendant Luther Hodges is Secretary of Commerce of the United States and he is to be found in the District of Columbia. He is charged with duties under law to take a decennial census of population of the United States for the purpose of apportioning Representatives in Congress and to report the tabulation of population as required for the apportionment of Representatives to the President of the United States. The Secretary of Commerce has been delegated duties by the President of the United States to compute the number of Representatives in Congress to which each State is entitled. A statement showing the number of Representatives in Congress to which each State is entitled has been and will be prepared under the direction of the Secretary of Commerce and transmitted to the President of the United States.

B. Defendant Richard Scammon is Director of the Bureau of the Census and he is to be found in the District of Columbia. He has been delegated duties by the Secretary of Commerce to take a census of population in each State of the United States every 10 years as required for the apportionment of Representatives in Congress. The basic constitutional and statutory purpose of this census of population is to determine the number of Representatives in Congress to which each State is entitled.

C. Plaintiffs allege that defendant Director of the Bureau of the Census and his predecessors in office have been delegated duties by the Secretary of Commerce to prepare a statement showing the tabulation of population as required for apportionment of Representatives in Congress and the number of Representatives to which each State is entitled under an apportionment by the method known as the method of equal proportions. Plaintiffs allege that the Director of the Bureau of the Census prepares such a statement and transmits same to the President of the United States or to the Secretary of Commerce for transmission to the President of the United States. The only duty of the President of the United States with regard to this statement is to transmit it to the Congress. Upon receipt of this statement by Congress, the number of Representatives to which each State is entitled as reported therein becomes, pursuant to 2 U.S.C., section 2a, the apportionment of Representatives in Congress.

VI

Plaintiff Lampkin on February 28, 1963, wrote to defendant Hodges complaining of the failure of the Department of Commerce to take any action to carry out section 2 of the 14th amendment and the laws of the United States in the face of widespread denial of the right to vote in many Southern States. Plaintiff Lampkin pointed out that the Department of Commerce has not taken any action through the Census Bureau to obtain such information as to disfranchisement as would be necessary to enforce the law in this regard and requested that defendant Hodges advise her whether there is any present intention to take the necessary steps to enforce these provisions.

VII

In reply, plaintiff received a letter dated March 8, 1963, from defendant Scammon which stated:

"This is in reply to your letter of February 28 to Secretary Hodges concerning article 14, section 2 of our Constitution.

"Even though the Constitution provides for certain functions and activities, this does not necessarily insure their being carried out unless Congress gives specific legislative authority. Even then, unless necessary funds are appropriated by Congress for the specific activity, there is no way any Government agency may proceed to carry out the necessary job. As you no doubt know, the funds appropriated to Government agencies are available only to carry out the projects specifically described in the appropriation request.

"I appreciate your interest, and will inform you if there are any proposals concerning article 14, section 2."

VIII

A. The Bureau of the Census last attempted to comply with the requirements of section 2 of the 14th amendment in the census of 1870. Defendants have not taken and do not intend to take any steps to have census enumerators or others at the next decennial census compile figures as to denial and abridgment of the right to vote and defendants have not taken and do not intend to take such steps as may be necessary to prepare and transmit a statement showing the number of Representatives to which each State is entitled on the basis of said figures as required by the Constitution and laws of the United States.

B. It is readily possible for the defendants by means of the census to make inquiries to provide a count of persons who (1) did or did not register at the preceding elections; (2) did or did not vote at the preceding elections; and (3) did not register or vote respectively at preceding elections for specified reasons, including denial and abridgement of the right to vote by the States. Plaintiffs allege on information and belief that modern statistical knowledge and techniques possessed by defendants are adequate to secure the information required with a high degree of reliability and accuracy. Specific questions to be asked and procedures to be employed would not be more complicated than those employed in many inquiries now being conducted by the Bureau of the Census. The results of such inqurles would be as reliable, accurate, and valid as data the Bureau of the Census and the United States now employ and rely upon for many purposes required by law and for other reasons of public importance. In order to insure a high degree of accuracy and reliability, specific questions and procedures to be employed should be developed in accordance with prevailing census techniques (for example, on the basis of pretest operations and sample survey checks for accuracy) well in advance of the actual census period.

IX

A. Defendants have a duty under 2 U.S.C., section 2a; 13 U.S.C., sections 4, 5, 11, 21, 141 and other provisions of law to prepare, compile, and compute a tabulation of population as required for the apportionment of Representatives and to prepare, compile, and compute a statement showing the number of Representatives in Congress to which each State is entitled and to transmit said statement to the President of the United States for the purpose of transmittal to Congress. In so doing, defendants are required by section 2 of the 14th amendment to the Constitution of the United States, the equal protection clause of the 14th amendment and the due process clause of the 5th amendment to the Constitution of the United States and 2 U.S.C., section 6, to take all necessary and proper steps at the next decennial census to compile figures as to denial and abridgement of the right to vote and to prepare, compile, compute, and transmit a statement of the number of Representatives to which each State is entitled based upon denial and abridgment of the right to vote as required by section 2 of the 14th amendment.

B. To the extent, if any, that 2 U.S.C., section 2a; 13 U.S.C., sections 4, 5, 11, 21, 141, and other provisions of law directing defendants to prepare, compile, compute, and transmit a tabulation of population and a statement of the apportionment of Representatives in Congress fail to require defendants to comply with section 2 of the 14th amendment to the Constitution of the United States, and 2 U.S.C., section 6 and the equal protection clause of the 14th amendment and the due process clause of the 5th amendment to this extent said provisions of law directing defendants to prepare, compile, compute, and transmit the apportionment of Representatives in Congress are unconstitutional, null, and void in violation of the Constitution of the United States.

X

A. Defendants have taken no action, and do not intend to take any action, to prepare, compile, compute, and transmit the apportionment of Representatives in Congress consistent with section 2 of the 14th amendment to the Constitution of the United States, 2 U.S.C., section 6, the equal protection clause of the 14th amendment and the due process clause of the 5th amendment.

B. There is overwhelming evidence that denial and abridgement of the right to vote by certain of the States exists to an extent that constitutionally requires loss of Representatives in Congress by those States and a gain of Representatives by other states which do not deny and abridge the right to vote. For example:

(1) Requirements that a poll tax be paid in order to register to vote in Federal and State elections in the States of Alabama, Arkansas, Mississippi, Texas, and Virginia, deny and abridge the right to vote of white and nonwhite persons to such an extent as should result in the loss of Representatives in Congress by these States and proportionate gain by others.

(2) In 1960 in the State of Louisiana approximately 465,556 nonwhites over 21 years of age (69.1 percent of the total), in contrast to approximately 396,108 whites over 21 years of age (27 percent of the total) were not registered to vote. A substantial number of persons not registered to vote in Louisiana were disfranchised by the requirement that they pass a constitutional interpretation test and literacy test to register. Moreover, a substantial number of persons have been disfranchised by arbitrary and discriminatory practices which disfranchise nonwhites. The great difference between the percentage of eligible registered nonwhites and whites compels the conclusion that the requirements for registration are administered with the purpose and effect of disfranchising large numbers of nonwhites.

(3) The U.S. Civil Rights Commission and the Department of Justice have in their custody data which establish conclusively that in every southern State with educational or other requirements for voting numerous white persons vote regardless of their ability to meet these requirements whereas numerous nonwhites are consistently denied and abridged the right to vote by these educational and other requirements.

(4) According to the 1959 report of the U.S. Civil Rights Commission there were 158 counties with a majority Negro population located in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Tennessee, Texas, and Virginia. Fifty-one of these counties have 3 percent or less Negro registration. Forty-one others have less than 10 percent Negro registration. Only 11 had more than 30 percent Negro registration, and the remainder had between 10 and 30 percent Negro registration.

C. Plaintiffs allege that on the basis of statistics, reports and information as to disfranchisement in the hands of defendants and other officers or agents of the United States, as well as reported opinions of U.S. courts, defendants know or should know it is likely and probable that the State of Pennsylvania where Plaintiff Lampkin resides; the State of Massachusetts where Plaintiffs Nathaniel Denman and Lucille Denman reside; the State of Missouri where Plaintiffs Allison, Allen, Ross, Boon, Kennedy and Evans reside; the State of Illinois where Plaintiffs Rosenfield and Daniel reside; the State of Ohio where Plaintiffs Berry and Lucas reside; and the State of California where Plaintiffs Atkinson and Garrott reside, would receive at least one additional Representative in Congress each, and that various other States including the State of Virginia where Plaintiffs Lundy, Harris, Mason, Banks and Gillus reside; the State of Mississippi where Plaintiffs Laura McGee, Robinson, William McGee and Hancock reside; and the State of Louisiana where Plaintiff Tureaud resides, would lose at least one Representative in Congress on the basis of an apportionment which reduces the number of Representatives apportioned to States in accordance with section 2 of the 14th amendment of the Constitution of the United States and 2 United States Code, section 6.

XI

A. The failure of defendants to prepare, compile, compute, and transmit an apportionment which takes into account denial and abridgement of the right to vote violates the rights of plaintiffs in that:

(1) Plaintiffs Lundy, Harris, Mason, Banks and Gillus, citizens of the State of Virginia; Plaintiffs Laura McGee, Robinson, William McGee and Hancock, citizens of the State of Mississippi; and Plaintiff Tureaud, citizen of the State of Louisiana, have the right to receive the protection of the reduction imposed by section 2 of the 14th amendment to the Constitution of the United States and 2 United States Code, section 6, in order to redress and deter denial and abridgment of their right to vote for reasons other than those specified in the amendment;

(2) Plaintiff Lampkin, citizen of the State of Pennsylvania; plaintiffs Nathaniel Denman and Lucille Denman, citizens of the State of Massachusetts; plaintiffs Allison, Allen, Ross, Boon, Kennedy and Evans, citizens of the State of Missouri; plaintiffs Rosenfield and Daniel, citizens of the State of Illinois; plaintiffs Lucas and Berry, citizens of the State of Ohio; and plaintiffs Atkinson and Garrott, citizens of the State of California, have the right secured by section 2 of the 14th amendment to the Constitution of the United States, the equal protection clause of the 14th amendment and the due process clause of the 5th amendment to the Constitution of the United States, and 2 U.S.C. 6, not to have the value of their votes debased and diluted and to have their votes be of approximately equal value as those of voters in States denying and abridging the right to vote and are entitled to invoke the prescribed reduction of section 2 of the 14th amendment to the U.S. Constitution to protect this right.

XII

Plaintiffs are now suffering and will continue to suffer irreparable injury by the maintenance of defendants' policy, practice, and usage as set forth herein, including denial, abridgement, dilution, and debasement of the right to vote. They have no plain, adequate, or complete remedy at law to redress these wrongs and this suit for a declaratory judgment is their only means of securing adequate relief. The pursuit of any other remedy would be futile, inconvenient, and would not offer them substantial relief.

Wherefore, plaintiffs pray this court issue an order declaring that section 2 of the 14th amendment to the Constitution of the United States, 2 U.S.C., section 2a; 2 U.S.C., section 6, the equal protection clause of the 14th amendment and the due process clause of the 5th amendment to the Constitution of the United States; and 13 U.S.C., sections 4, 5, 11, 21, 141, require defendants Director of the Bureau of the Census and Secretary of Commerce to: (1) take all necessary and proper steps to prepare to compile figures as to the denial and abridgment of the right to vote at the next decennial census; (2) prepare, compile, compute, and transmit an apportionment based on said figures in accordance with section 2 of the 14th amendment to the Constitution of the United States and 2 U.S.C., section 6. Should the court determine that 2 U.S.C., section 2a, and 13 U.S.C., sections 4, 5, 11, 21, 141, or any other provisions of law provide for the preparation, compilation, computation, and transmittal of an apportionment in any other manner, plaintiffs pray said provisions be declared unconstitutional, null, and void as in violation of the Constitution of the United States to the extent they direct defendants to prepare, compile, compute, and transmit a tabulation of population for the purposes of apportionment of Representatives in Congress and a statement of the number of Representatives in Congress to which each State is entitled without requiring defendants to comply with the provisions of section 2 of the 14th amendment to the Constitution of the United States and 2 U.S.C., section 6.

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Michael Meltsner,
Attorneys for Plaintiffs.

JAPAN SHOWS THE WAY TOWARD IMPROVEMENT OF RAILROAD SERVICE

Mr. PELL. Mr. President, an article in the Washington Post of Sunday, May 26, by Mr. Bernard Krisher graphically describes construction of the new high-speed railroad between Tokyo and Osaka in Japan.

I believe that this railroad, which Japanese National Railways has scheduled for operation next year, offers a most stimulating example to us as we seek to solve our own complex transportation problems, specifically in the great, urbanized megalopolitan corridor extending between Boston and Washington. In my joint resolution—Senate Joint Resolution 18—of January 17, 1963, I referred to the Japanese line as a practical demonstration of the kind of imaginative thinking we ourselves need. If we are to realize our potentials for economic growth and a dynamic concept of intercommunication, I believe that rapid intercity passenger rail transport is essential.

Mr. President, I ask unanimous consent that this article be printed in the Record. It is especially timely in view of the fact that the Commerce Department has just begun a detailed study of transportation requirements for the Northeast region of our country.

There being no objection, the article was ordered to be printed in the Record, as follows:

Speed of 123 Miles Per Hour on Dream Railroad

(By Bernard Krisher)

Tokyo.—While almost everywhere else in the world railroads are taking a back seat to travel by car or plane, the story is just the opposite in Japan.

One of the most exciting things happening here is the construction of the "dream railroad" linking Tokyo and Osaka over a span of 320 miles.

When the new Tokaido line begins operations late next year—just before the Olympics—it will run 80 of the fastest passenger trains every day, at speeds reaching 123 miles an hour, over the longest stretch of rail without a single crossing. The running time between Japan's two largest cities will be cut from 6½ to 3 hours. This is the same time it now takes to travel by commercial airliner, including the time to and from the airports.

As construction continues full speed along Japan's most heavily populated and industrialized area, history is also being made along a 23-mile stretch of rail at Odawara, 25 miles south of Tokyo, where a shiny ivory and blue prototype of the "Dream Express" goes through tests for speed, air pressure, seat comfort and safety.

Earlier this year a speed record of 158.72 miles per hour was attained, although trains won't exceed 123 miles per hour when operations begin.

Construction of the new line, whose route runs parallel to the old Tokaido line, was necessary because the present load has reached the saturation point. The area served on this route encompasses not only Japan's three largest cities, Tokyo, Osaka, and Nagoya with respective populations of 8.6, 3.1 and 1.7 million residents, but also comprises 40 percent of the nation's population, 70 percent of its industrial output and about 60 percent of the national income.

Furthermore, the area's rate of annual increase continues to outpace the national average. The route carries 25 percent of the Japan National Railway's freight and passenger traffic, yet accounts for only 3 percent of its total operating mileage.

The present line, which boasts every modern improvement, has, however, no more capacity for growth. Trains are so crowded that reserved seats on expresses are invariably sold out the day tickets are placed on sale, 2 weeks ahead. The long lines which form at dawn in front of Tokyo station ticket windows—hours before they open—are reminiscent of opening day at the Met. As many as 260 trains per day, both ways, ranging from superexpress passenger trains to local freight trains are now running on the same tracks.

Despite the urgent necessity for improvement, getting the project started was not easy. Aside from bureaucratic inertia, the greatest physical problem was completion of the new Tanna tunnel—Japan's third longest—begun August 6, 1959. Previous construction of the tunnel on the old line had taken 16 years and completion of the new line depended on how rapidly this tunnel could be built.

When it was finished in only 3 years, utilizing the most advanced engineering techniques, completion of the new line was assured by 1964, a deadline which the JNR could safely aim for by using the Olympics as a magic weapon.

The moving spirit behind construction of the line has been the JNR's 79-year-old recently retired president, Shinji Sogo. The presidency of the JNR has never been an easy one: one president died mysteriously during a labor dispute. Two other presidents, including Sogo's son-in-law, were forced to resign following train disasters.

Sogo, determined to let nothing stand in the way of completion of the new line, found everyone he spoke to in favor of the project, but very pessimistic about the possibility of realization.

"I visited all the cabinet ministers personally," he recalled, "and I also went to see the important members of the (ruling government) Liberal-Democratic Party. I told them of the importance of the railway for the nation. I said it is like an artery for the human body—and this human body is Japan. We cannot grow economically once we have saturated the power of the old line."

One by one, Japan's influential politicians backed Sogo and on April 13, 1959, the transportation minister formally approved construction plans. Things moved fairly rapidly after that. A week later, groundbreaking ceremonies were held at the new Tanna tunnel site and in August construction was begun. In November, 10 intermediate stations were decided on. In January 1960, location of the terminals at Tokyo and Osaka were officially decided and in May 1961, the JNR signed an agreement with the World Bank for an $80 million loan to aid its investment which is expected to top $800 million, including interest.

In August the major items for the construction standards were agreed on. It was decided to utilize standard gage rails, rather than the narrower gage now used in Japan. Two months later routing of the line was decided and last June the test runs on the model section were begun.

Sogo was able to stand up against most political pressures that the line bypass or go through certain favored areas. The only unreasonable concession forced on Sogo was to situate 1 of the 10 express stops at Hajima, only 11 minutes away from the Nagoya station. Hajima, which is near the hometown of Bamboku Ohno, vice president of the Liberal-Democratic Party, has a population of only 41,438 residents.

Acquiring the 105,000 acres necessary for construction of the new Tokaido line was no easy task. While most Japanese wanted their country to build the world's most modern railroad, they preferred that its tracks not go through their property. Many lived on land owned by their families for centuries.

Cemeteries had to be transferred and near the large cities, temples, homes, office buildings, and shops had to be torn down to make way for the new tracks.

Because of the high speed of the trains, rail curvature has been kept to a minimum. The new route is thus about 30 miles shorter than the old one. But it still follows Japan's winding coast. A straight-line route would have required tunneling under Mount Fuji.

According to present plans, the line—which will boost capacity threefold—will be completed by next April and will go into operation in September, following 4 months of tests. Once the new line is in operation, the current Tokaido line will be utilized for short-haul, city-to-city passenger traffic and the bulk of freight traffic.

Because of the speed of the new line, it expects no competition from airlines, but once the new superhighway linking Tokyo and Osaka is completed, possibly by 1965, some traffic will be diverted to the road.

To avoid human error, the trains will be controlled by ATC (automatic train control device) whereby the speed and slowdowns will be automatically regulated through signals sent through the tracks. JNR technicians say the trains could theoretically operate without engineers and may do so someday, but for the time being engineers will stay aboard the bullet-shaped locomotives of the "Dream Express."

TROUBLE IN THE SHOEMAKING AND FISHERIES INDUSTRIES

Mr. PELL. Mr. President, in view of the serious difficulties confronting our shoemaking and fisheries industries throughout New England, I request permission to insert into the Record a most thoughtful and cogent article, written by Mr. Donald R. Larrabee and recently published by the Pawtucket Times, of Rhode Island.

Both industries not only have been traditional bulwarks of New England productivity, but also have important bearing on our national economy. Both are facing financial crisis: The shoe industry because of foreign imports which have increased a full 600 percent since 1955; the fishing industry because of an antiquated fleet which can best be rejuvenated through Federal assistance and thus regain the preeminent position it historically enjoyed.

While I support the general principles just established by our negotiators with the European Economic Community as a means of bolstering free-world cooperation and trade, I note that when "significant disparities" would greatly favor one nation over another, special action should be considered justifiable.

Mr. President, I heartily recommend this article to the attention of us all and ask unanimous consent that it may be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Two Old New England Industries, Shoes and Fishing, Are in Trouble

(By Donald R. Larrabee)

Washington.—Spokesmen for two of New England's old-line industries have left their calling cards with Congress during the past few days. Shoes and fisheries are still in serious trouble.

Foreign competition, both from imports and State-subsidized operations, continues to cloud their economic future and to threaten the jobs of thousands of skilled workers.

While both industries can cite ample statistics to show the heavy increase in imports from low-wage countries and both want the Federal Government to help out, there's a striking contrast in the relief measures being urged upon Congress.

Shoemen are asking for—and relying upon—the traditional approach of quota restrictions on foreign footwear. The fishing industry, having despaired of ever getting effective curbs on foreign fish, has decided it can overcome the competitive disadvantage if Uncle Sam will go more than half way in financing a modern, up-to-date fishing fleet. Bigger and broader subsidies for construction of fishing vessels would revitalize the industry, Congress was told last week.

Both industries are important to the U.S. economy. The shoe industry's problems affect some 260 congressional districts in 38 States. And closely tied to the fate of the domestic fishing industry on both coasts is the Nation's private shipbuilding business, which has not exactly flourished in recent years.

The shoemen are not asking for legislation. They have observed the Kennedy administration's frontal attack on cotton textile imports and can't see any good reason why an international "voluntary" agreement should not be negotiated to control shipments of foreign shoes to this country, both by category of footwear and by country. Such a plan now is in effect for cotton textiles after White House intervention.

Shoe imports last year were 600 percent above the 1955 figure—an increase from 8 million pairs 7 years ago to more than 55 million pairs. At the present rate, the industry expects imports of 125 million pairs in 2 years. Exports have been dropping steadily. The prediction that alarms New England lawmakers most is that, unless the present import trend is reversed, some 47,000 job opportunities in the shoe industry may be lost by 1965.

While the shoe industry is preparing its injury case for the Tariff Commission, the fishing industry no longer talks of tariff barriers against foreign products. If the American fleet can be so strengthened and rebuilt, the industry seems to feel it can become a vigorous competitor and regain its former preeminence among fish-producing nations of the world.

The Senate, at least, seems likely to pass an administration-backed plan under which the industry could obtain Government subsidies covering up to 55 percent of the construction costs of new vessels. This would pretty well make up for the cost advantage available in foreign yards, where large steel vessels can be built for about 50 percent less than in U.S. shipyards.

An old U.S. law requires that domestic fishing vessel owners must have their ships built in the United States if they are to make direct landings of their catch at American ports. The statute was first enacted as a protection to domestic shipyards and there is no serious intention of repealing it.

But it is unquestioned that this added cost of buying fishing vessels in domestic yards has discouraged the industry from a badly needed modernization program and, it is argued, since Government imposes the restriction, it should make up the difference. Foreign nations have been subsidizing their fishing fleets for years.

Interior Department officials put most of the blame for America's slippage as a fish-producing nation on the fact that obsolete vessels are still trying to compete with new, large, and highly efficient ships from Russia, Japan, Canada, and many European nations. They have cited evidence that the limited subsidy program now in effect has stimulated activity in two Maine shipyards which had not built a fishing vessel in 15 years.

Thus, with the prospect of more vessels being produced under the proposed subsidy incentive, Government officials look forward hopefully to a spirited revival of activity in small private shipyards and the preservation of shipbuilding skills that may be sorely needed someday in a national emergency.

GOALS OF OUR FOREIGN POLICY—DEPARTMENT OF STATE BOOK ENTITLED "DEPARTMENT OF STATE—A REPORT TO THE CITIZEN"

Mr. PELL. Mr. President, I would like to call our attention briefly to a book just published by the Department of State entitled "Department of State—A Report to the Citizen."

To me it affirms eloquently the goals of our foreign policy: security through strength; progress through partnership; enlightened aid to the less developed areas of the world; the furthering of international cooperation for a worldwide community based on law; and the attainment of a lasting peace through tireless efforts and perseverance.

The book has been beautifully edited and put together and to my mind is cheap at the Government Printing Office's price of $1.50. It graphically describes our achievements as we work toward these goals. Moreover, I consider it a highly valuable educational document, portraying the Department's operational procedures in each of its complex and varied, yet interrelated fields; and it reveals the Department's innovations in preparing both for routine activity and potential crisis.

As a former Foreign Service officer, I concur with these comments of Mr. Joseph McCaffrey, over station WMAL–TV, on May 19, 1963; and I particularly endorse the viewpoint that this book deserves wide circulation through our schools and libraries.

I ask unanimous consent that Mr. McCaffrey's remarks be printed at this point in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

COMMENTARY BY JOSEPH MCCAFFREY ON WMAL–TV EVENING NEWS PROGRAM, MAY 15, 1963

I want to talk about a book tonight. A book I think everyone should read. It isn't, unfortunately, on the bestseller list. It is a Government document.

This is it. "Department of State" subtitled "A Report to the Citizens." This is an explanation of what the State Department is, who makes up the Department, how the Department operates.

The State Department is, perhaps, the most abused of all the executive departments. When anything happens in the world which isn't to the advantage of the United States, the State Department gets the blame.

As if wiping out the Department and starting all over again would also wipe out the major international problems confronting us in this atomic age.

The fact is that the State Department and its vital role in the compact world of today are not generally understood by the American people. This book contributes to a better understanding.

But as matters now stand, few people will ever see this book—10,000 have been printed by the Government Printing Office to sell at $1.50 each.

What is really needed is for groups interested in international affairs or American government to get together and buy copies of this report to the citizen for junior high school and high school libraries in their communities.

This book deserves a wide circulation. Wider, I am sure than it would normally get, unless, as I mentioned, organizations take it upon themselves to help distribute this book to schools and classrooms.

PUBLIC DEBT CEILING

The Senate resumed the consideration of the bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The PRESIDING OFFICER (Mr. Burdick in the chair). The question is on agreeing to the committee amendment.

Mr. LONG of Louisiana. Mr. President, the bill would raise the national debt limit to $309 billion. The Secretary of the Treasury made his case. It appears in the hearings. He pointed out to the committee that in order to manage our public debt in an orderly way and in an economical fashion the national debt limit would have to go up to $309 billion.

The Senator from Delaware [Mr. Williams] offered an amendment in the committee to extend the debt limit to the end of the fiscal year 1964. The amount would be the same.

I wish to be forthright with the Senate and make clear that although the bill which was passed by the House provided for a mere temporary extension to the end of August, no one is under the impression—and certainly the junior Senator from Louisiana is not; nor does he believe the majority of the Democrats are under the impression—that we can stay within the proposed $309 billion debt limit after August. The predictions are that during the last 3 months of the year, the revenue of the Government will be substantially less than it is during other months. The expenditures would remain constant, with the result that it would be necessary to ask for a further increase in the debt limit next August. I should not desire to give anyone the impression that it would be otherwise.

It did seem to the Senator from Louisiana that, in proposing a debt limit of $309 billion to be continued until the end of the fiscal year, the Senator from Delaware was proposing to the committee that the Secretary of the Treasury be given a little more latitude and a little more leeway than he would have otherwise. However, as a practical matter, it appears in many respects to make no real difference in view of the fact that, based upon the appropriations which the Senate has already made, the rate of expenditures of the Government, and the projected income of the Government, it will be necessary to raise the figure above $309 billion later this year. How much we shall have to raise it, no one can accurately say at the present moment. As Senators well know, the President is requesting a tax reduction bill, which would increase the deficit in the next fiscal year 1964. The junior Senator from Louisiana has not yet decided how he will vote on that bill. He would like to see what the bill looks like if and when the bill comes from the House. That is one thing that will have to be taken into consideration when we say what our debt limit should be during the next fiscal year.

So in many respects it seems to the junior Senator from Louisiana that, while the amendment was meritorious, it was a distinction without a real difference. If the amendment were accepted, the bill would go back to the House. I am informed by various Members of the House that they are having difficulty at this time obtaining a quorum in the House, because a number of Members of Congress have either returned home or are not available in Washington to provide a quorum. A single Member could object to granting a rule or agreeing to the Senate amendment. The whole issue might have to go over to Monday, Tuesday, or Wednesday of next week, when a rule could be granted and a vote taken, in the event there were difficulty in developing a quorum to vote in the House.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. Is the Senator from Louisiana speaking for or against the committee amendment?

Mr. LONG of Louisiana. I am beginning to explain why I propose to vote against the committee amendment.

Mr. WILLIAMS of Delaware. If the Senator will yield further, I hope he will get around to that subject because he supported the amendment in the committee and thought it made a great deal of sense. He was very enthusiastic for it. He is in charge of the bill, which was reported from our committee by a vote of 11 to 2. He was one of its most enthusiastic supporters. I should be interested to hear what happened in the meantime to change his mind.

I should like to ask the following question: As the bill came over from the House the debt limit established would expire on August 31, at which time the debt would return to $285 billion. Does the Senator from Louisiana tell the Senate now that we do not need the extension beyond August 31, or does he think, as he did last Thursday, that we will need at least the $309 billion and that it would make better sense to leave the bill as the committee reported it?

Mr. LONG of Louisiana. I find no fault with the Senator over the amendment. This Senator was of the impression that the distinguished ranking Republican member of the committee was trying to help the Secretary of the Treasury to meet his problems. I do not quarrel with the Senator's good intentions. What I say is that, having the same purpose—wanting to help the Secretary of the Treasury to manage the public debt in an efficient manner and in a manner which he believes would be appropriate—under the circumstances, the junior Senator from Louisiana voted for the amendment of the Senator from Delaware.

What will happen if the bill goes back to the House? I know the Senator has certain commitments from some of the

House leadership, particularly on the Republican side of the aisle.

If the bill is sent back to the House, and if a single Member of the House objects to the procedure of raising the debt limit, that Member can object to a unanimous-consent request, and then the whole question will have to go to the Rules Committee. Then a rule will have to be provided. Again, a single Member of Congress could insist upon a quorum. There might be great difficulty in obtaining a quorum.

In view of the fact that it will be necessary to ask for a further increase in the debt limit in August, anyway, we might as well provide this increase and settle it, even though in many respects the Senator's amendment would help the situation more than the bill which came to us from the House.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McCarthy in the chair). Does the Senator from Louisiana yield to the Senator from Delaware?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. I do not understand why there would not be a quorum in the House. After all, the House is in session as is the Senate. Members of the House are supposed to be present and I venture to say there is a quorum present in the House.

I do not think we should fail to amend any bill in the Senate merely because the House might not approve, nor do I think we should start taking orders from the White House.

The Senate Committee on Finance, in its consideration of the bill, adopted this amendment. The amendment was offered in good faith. I think it is wrong to put the Secretary of the Treasury in a position in which he can sell the bonds and then on August 31 to force him to tell the country and the world that the debt limit is going back to $285 billion, which would mean that on September 1st we would be repudiating about $20 billion or $25 billion of the debt. That would be the height of fiscal irresponsibility. I do not think the Finance Committee, the Senate, or the Secretary of the Treasury should deal with the national debt on a 60-day installment plan.

The Secretary of the Treasury should have this authority for at least a year in advance. I feel that we should put more of the debt on a permanent basis, as discussed with the Senator from New Mexico, but that is beside the point. The very least we can do is to give the Secretary a margin with which to operate for a full 12-month period, so that he will know he can manage the debt.

The Senate will be tied up in August with many other things to consider, but under the suggestion of the Senator from Louisiana, at that time we would be operating under another unnecessary deadline. I hope the Senate will act with a greater degree of responsibility and retain the amendment. I venture to say that there is not a single Member of this body who would not say the debt limit will have to be extended beyond August 31 at least in the amount of $309 billion.

Mr. LONG of Louisiana. Mr. President, I know the distinguished Senator from Delaware is not surprised that I take this position. I discussed it with the distinguished Senator earlier this morning. I told the Senator that I felt it might be necessary to oppose the committee amendment.

So far as the junior Senator from Louisiana is concerned, he is, in one respect, moving to reconsider his vote. As the Senator knows, under the Senate rules when any Senator wishes to move to reconsider, he must have voted with the majority. I voted for the Senator's amendment in the committee, and I am now seeking to have the Senate stay with the House language for the reason that although, in some respects, the Senator's amendment would improve the bill, it also would confront us with the possibility that this Nation would go $600 million over the national debt ceiling on Friday; and then the Secretary would be compelled to manage the national debt in ways the Senator from Delaware would not advocate, in ways which are not good debt management, in ways which would tend to cost the Government rather than to save the Government money.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. We should make this situation very clear. Perhaps the Senator thinks that we can stay within the $309 billion debt limit between now and January 1. I tell the Senator, however, that that will not happen. It will be necessary to ask for a further increase in the debt limit.

I voted to increase the debt limit several times under the administration of President Eisenhower. Though I hope it will not be true, I fear it will be necessary to vote to increase the debt limit more than one more time under President Kennedy. That is a fact of life. I am sorry it is that way.

As the Senator knows, our country is running a deficit this year. I am informed that even if there were a balanced budget, the revenues which are expected to come in during the last 3 months of the fiscal year would be less than required, and it would still be necessary to increase the debt limit.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I should like to have the Senator understand my position. It is my best understanding that the Treasury will not be able to stay within the limit of $309 billion until January 1. It will be necessary to provide an increase, anyway, some time in August.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. I should like to reply to two parts of what the Senator from Louisiana has said.

First, the Senator said that the Secretary would be forced to go over the debt limit by $600 million if the Congress did not act by the end of this week. I disagree with that. The Secretary presented a chart before our committee which showed his projections. He said that he would like to borrow up to $305.6 billion on May 31. That would give him $6.2 billion cash on hand.

All the Secretary would have to do in order to stay within the debt limit, if we did not increase it, would be to use $600 million of his cash balance. Then we would not have to pay interest, and there would still be more than $5 billion in cash left.

Why does the Secretary need $6 billion or $7 billion to "play around with"? I like to have a large balance in my checking account, too, but it often becomes low; and when it does I have to cut down on what I buy.

There is nothing unusual in this instance. No doubt the Senator noticed the Secretary's report, wherein he states that on June 10, even if the debt limit is increased, the Secretary plans to reduce his cash balance down to $3.6 billion, and on the 11th it will be down to $3.4 billion. The Secretary himself confirms the view that he can operate with $3 to $4 billion balance. Why should we raise the debt limit to provide $6 to $6.5 billion cash balance this week?

I think it will be necessary to act before June 25. I agree with the Senator on that point. We agreed in the committee to hold hearings one morning and to report the bill the same day, and I agreed to have the bill considered any time the leadership wanted it considered. I am not trying to delay action. But we should not continuously operate under a "shotgun" approach. I should like to get away from a "shotgun" emergency next August.

Unless we approve this amendment we will face the same situation in August or a situation which is even worse. I repeat that the Secretary does not need to have this action today. If he had needed to have it today it would be evidence of irresponsibility on his part for not having come to the Congress earlier and asked for action. I am becoming tired and somewhat impatient with these continuous emergencies.

I talked with the Secretary and representatives of the Department a couple of months ago, and I told them, "Do not wait until the deadline and then give us 24 hours to act. Give us sufficient time to consider your request."

As to the question of whether the Secretary will need to have an increase beyond $309 billion later, I recognize the Senator's position in that regard. The Secretary himself said that he could not at this time intelligently tell our committee how much of an increase beyond $309 billion he would need until after he knew what Congress would do with respect to the tax bill and what it would do on the appropriations.

The Senator from Louisiana knows full well that the Congress—even the Finance Committee—will not know by August 31, what the Congress is going to do with respect to the tax bill. That is one reason why I say we should extend the $309 billion debt limit beyond that period. Let Congress first take action on the tax bill, so that we can find out what is needed. Then both the Secretary of the Treasury and the Congress would know what would be in the tax bill. We would know what had been provided in the appropriation bills. We could then act more intelligently.

I still say that both the Senator from Louisiana and I were correct when we voted the amendment in the bill the other day. I am sorry the Senator has departed from his own sound position. I respect him nevertheless, and I shall listen with interest to his arguments, though I hope he will not be persuasive with the Senate.

Mr. LONG of Louisiana. Mr. President, I say to my good friend from Delaware that it may very well be that the Senator's amendment will prevail. If the amendment prevails, we will do the best we can with it.

I have voted both with and against the Senator at times. I believe the Senator from Delaware, as much as the Senator from Louisiana, has gone to conference and fought for amendments, whether we agreed or not, because that was the will of the Senate. I am perfectly willing to follow that course. His amendment has much to recommend it.

The Senator wants to give the Secretary a $309 billion debt ceiling, which is $24 billion above the so-called permanent debt ceiling. In my judgment, we are only kidding ourselves when we say that there is a permanent debt ceiling of $285 billion. It will be more than $309 billion.

Even if we accept the Senator's amendment and give the Secretary a $309 billion debt limit for several months longer, still we shall have to face the problem. It will be necessary to hear a request to raise the debt limit, even if the Congress does not pass a tax bill. In other words, we shall still be compelled to consider a raise of the debt limit again some time in August. At that time we shall come nearer to knowing how much the increase required will be.

The Nation has not been as prosperous as we hoped it would be; revenues have not been as large as we hoped they would be, and there has been more unemployment than we had planned—therefore there will be a deficit. Even if we do not have a deficit—because the expenditures are not as much for the last 3 months as for the rest of the year—we shall have to raise the limit some time before the end of the year.

I hope the Senator from Delaware, in offering this proposal of $309 billion, was not under the impression that we were going to be able to stay within that limit during the remainder of the year. I wish that were possible, but it is a forlorn hope. We are going to vote big appropriations for defense and space projects. We are going to vote big money for atomic energy. We are going to vote for foreign aid. I will vote against the aid bill, just as I have been voting against it, but I assume that bill will be passed as it has been passed before. When we vote for such appropriations, the bills will have to be paid.

While the Senator's amendment would, on the face of it, offer us hope that we would stay within the $309 billion limit, I do not think we could.

I do not say the amendment is bad. I voted for the amendment. It has merit. But whom do we think we are kidding? We cannot go back to a limitation of $285 billion at any time soon, and we will find it necessary to vote a further increase.

Mr. WILLIAMS of Delaware. That is the point I am making in support of the amendment. Why stop at August 31 when everybody knows we cannot revert to the $285 billion ceiling. As to how much is going to be needed for the rest of the year we do not know. I am sure the Senator recognizes that the American taxpayers are disgusted with continually rising expenditures. By supporting this amendment we will have an opportunity to show whether we really believe in controlling expenditures. Personally I believe we can cut back some of the expenditures and thereby eliminate the necessity of further borrowings.

I agree with the Senator from Louisiana that if we give the administration all the money requested for spending and all the tax cuts it wants we shall have a bigger debt. We shall probably need a debt ceiling of $350 billion if we try to satisfy all their requests. But I hope Congress will have more sense than to comply with all the new requests coming to Congress from this administration. I do not think we can afford to continue spending money like a drunken sailor nor can we comply with all the requests from the White House.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. Is it not a fact that under present law the debt ceiling is $305 billion?

Mr. LONG of Louisiana. At this moment.

Mr. SMATHERS. According to the tables presented to us by the Secretary of the Treasury, that debt ceiling will be punctured on May 29, when it will go up to $305.2 billion.

Mr. LONG of Louisiana. The Senator is correct.

Mr. SMATHERS. Thereafter, on the next day, will it not go up to $305.6 billion, and thereafter increasingly go up, though at some intervals down, but finally will reach $310 billion in August? If that is true, is it not a fact that if we do not raise the debt limit, and do it in time, the Secretary of the Treasury will not be able to invest some $2 billion in bond security, withholding tax, and other trust funds and thereby cost the Government money?

Mr. LONG of Louisiana. The Senator refers to the old-age and survivors insurance fund, the social security fund, and certain other trust funds. That would be true. I am informed that, if we raise the debt limit at this time, it will provide for better debt management and tend to save the Government money by allowing certain transfers to be made into funds which count against the debt. If the Secretary buys bonds which pay the best interest rate to the old-age and survivors insurance fund, for example, those bonds count against the national debt, and he should buy such bonds, because they would yield better returns than would be the case if the Secretary had to buy securities which do not count against the debt.

Mr. SMATHERS. Mr. President, will the Senator yield so I may read what the Secretary of the Treasury said in answering a question by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and then ask the Senator for a comment? The Senator from Illinois asked:

> Assuming that finally the Congress took a figure, let us say $305 or $306 or $307 billion for a 1-year period and you found yourself in a squeeze. What would the Treasury do in order to keep itself going with that kind of a ceiling?

The Secretary gave a long answer. Finally he got down to a significant part of the answer and said:

> The Secretary of the Treasury is trustee of those trust funds. He is supposed to invest them, but is not told when. The Secretary of the Treasury is also charged, and I think it is his main duty under the Constitution, with preserving the fiscal integrity of the United States and there would then be a conflict between those two duties. It might be that we would not invest the trust funds for a period, until new money is coming in. The trust funds would then lose the interest on those moneys and that would hurt them actuarially. I think later on that would have to be fixed up by an appropriation—

I presume an appropriation by the Congress—

> to replenish the trust funds.
>
> The second area is to do what has been done in the past, which is to delay the payments on bills, salaries, and anything else, grants to States, all the various expenditures.

So, as a practical matter, is it not true that the Secretary of the Treasury needs to have the debt ceiling raised before next Friday if he is to operate in an orderly fashion?

Mr. LONG of Louisiana. Yes. The Senator from Louisiana is convinced of that. The Senator from Delaware has made the point that the Secretary of the Treasury could use his cash balances and draw them down. That is possible. It is conceivable. On the other hand that those balances, which, it has been indicated, in some cases would go as low as $3.6 billion at some times.

Mr. SMATHERS. Will the Senator yield on that point?

Mr. LONG of Louisiana. Yes.

Mr. SMATHERS. On that point, is it not a fact that the Senator from Louisiana questioned the Secretary when he was before the committee and the particular point which is now being suggested by the Senator from Delaware was then suggested, namely, that the cash balances be used, and that the Treasury draw in from banks all over the Nation the amount of cash which the Federal Government has on deposit in such banks? In reply, Secretary Dillon said this:

> The only answer is not to pay the bills, and that I cannot conceive of.
>
> That had to be done literally in 1957 when the debt limit was too low. They simply postponed the bills, and asked defense contractors to carry the bills for from 3 to 6 months. That was done. It was very difficult to owe a lot of people, and finally when the money was available, they were paid with interest. We didn't save any money on it.
>
> Senator LONG. Some time ago we pulled the strings so tight that Bob Anderson had

> to call all his money into a single bank. He couldn't leave the money in the various banks, he had to call it all into a single bank and pay it from that one bank. I believe he also had to do various things that cost the Government money, did he not?
>
> Secretary DILLON. Yes. He had to use a device which raises money for the Government outside the debt limits by putting out some Government agency obligations that are not counted as part of the debt.

And so forth. But is it not a fact that when that money was withdrawn from banks throughout the country, in some way it contributed to the recession of late 1957 and 1958, because money which would otherwise have been available for lending to business communities in those areas of the country was withdrawn from those banks?

Mr. LONG of Louisiana. As the Senator knows, the general Treasury procedure, when it collects money in taxes and other ways, is to leave the money in the banks where it is collected. If it were collected in Florida, the Treasury would leave it in Florida banks. Those banks would therefore have money available to lend in those areas.

It helps the economy there. When the Secretary of the Treasury has the string pulled so tight that he is practically cutting his own chest, the Secretary must pull all that money out of the various States, States like Florida—we in Louisiana have only about $44 million, whereas in some States like New York it amounts to $1 billion—and put it in a central bank so he can keep up with exactly how much he has left in the account from hour to hour.

The Senator from Delaware has made the point that the Secretary proposes to have a rather large cash balance on a particular day. I believe he mentioned $6 billion. The Government spends an average of $2 billion every 5 days. That is enough for only 15 days to work with, even if he has a larger figure. Even then we must assume that everything works the way it is planned it will work. As the Senator from Florida knows, some of these estimates are not borne out.

A contractor may finish a job ahead of time, and may want to be paid for it. He is entitled to be paid for it. Revenue expected to be realized from a particular source might not come in at precisely the time anticipated. Therefore, the Secretary of the Treasury needs a certain amount of flexibility.

I sometimes gain the impression that the distinguished chairman of the committee and some other members of the committee have the feeling that if we could keep the string tight enough, the Secretary of the Treasury would have to go to the Secretary of Defense and other Cabinet officers at a Cabinet meeting and tell them not to spend so much money, and in that way reduce their budget. However, that theory does not seem to work.

The Secretary of Defense may say, "I will save the country from communism, even if we cannot afford it. I want $50 billion."

A Senator may say, "He will need more than $50 billion. We should vote more than that, because we will need the B-70 bombers. We will give him more money."

The Secretary may say, "Even if you give me the extra money, I will not spend it."

The Senator may say, "We will appropriate it, and then find a way of making him spend it."

Congress has done that.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. SMATHERS. It is a trifle ridiculous, it seems to me, to be appropriating money and at the same time not giving the Secretary of the Treasury the opportunity to borrow the money which we are appropriating for defense and space programs and for other vital matters.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I ask Senators to permit me to yield to the Senator from Florida and to give me an opportunity to answer the question of the Senator from Florida. Then I will be happy to yield to other Senators.

I have had the feeling for some time that the proposal might work in the way that has been suggested. There are people who feel this way in good conscience, and I do not blame them for making the proposal. They feel that if we keep the debt ceiling tight enough, the Secretary of the Treasury will have to go to a Cabinet meeting, for example, and say to the other Cabinet officers that they should spend less money. I have had the idea that that might work. However, we never did make use of that plan, and we have never done that to the Secretary of the Treasury. I have concluded that we should give the Secretary of the Treasury enough elbow room so that he can manage the national debt in the best possible way.

Mr. President, we bring a man down from New Jersey, where he has probably made millions of dollars a year, and put him in a job that pays him $25,000 a year, which no doubt does not come anywhere near making it possible for him to meet his expenses. Then we proceed to appropriate $8 billion more than we receive in revenue, and say to him that he ought to find a way not to spend money for defense, space, and public works, old age assistance, and for everything else for which we have appropriated money.

Mr. SMATHERS. The Senator has mentioned the able chairman of the committee. I am sure the Senator agrees that our distinguished chairman has always been completely forthright and honest, and certainly consistent in that, while he has always voted against raising the debt ceiling, he has consistently voted against large appropriations which he felt would cause the debt ceiling to exceed the debt limit we have established.

Mr. LONG of Louisiana. If the distinguished chairman of the Committee on Finance were in a position to insist that the Government be operated in the way that he would like to have it conducted, there would be a surplus every year until the year 2000, and at that time the national debt would have been paid. I fully understand that theory. The chairman has stood for that principle consistently throughout his life. Furthermore, he has voted against programs for which some of us have voted. I have voted for some when I thought they were good expenditures, and when I thought it was a good investment in America, and might help build up America and make us stronger and more prosperous. The chairman of our committee has always taken the attitude that in no year should we spend any more than we raise. I never heard him advocate anything else but that. I admire him for his consistency.

Mr. SMATHERS. If the Senator will yield for another question or two, I will desist, and let other Senators question him. As I understand, the position of the Senator from Louisiana is that he is making his motion because of the realization of a very practical situation which exists in the other body, in that the House is having difficulty getting a quorum in this season of the Memorial Day weekend. Therefore, if Congress does not act by Friday of this week, we are in trouble and, in fact, it will cost the Government of the United States a considerable amount of money, because the Secretary of the Treasury will not have the latitude he needs to invest the trust funds. Therefore, what the Senator from Louisiana is attempting to do in this practical situation is what amounts to an economy course of action, an attempt to save money, and at the same time give to the Treasury Department the elbow room that it needs to manage the public debt of the United States. Is that what the Senator is attempting to do?

Mr. LONG of Louisiana. The Senator is correct. The Secretary would be able to manage the national debt in the way he thinks he should manage it for the next 90 days. Either with the Williams amendment, which the committee adopted and for which I voted, or under the House bill, he would be able to take care of it for the next 90 days.

Neither one would provide the Government the requirements it needs through the first of next year. Therefore, we must later in the year vote to raise the debt limit to take care of the expenditures we have already voted. We must vote to raise the debt limit again no matter whether we take the Williams amendment or whether we take the House bill. When we are told that we will go beyond the debt limit on Friday, and in view of the fact that we might not be able to get a conference together and have the results of the conference agreed to in the two Houses between now and Friday, we ought to go ahead and pass the House bill, because it makes very little difference as far as the problem is concerned.

Mr. SMATHERS. But it would save money to the Treasury.

Mr. LONG of Louisiana. Yes.

Mr. SMATHERS. That is what I want to bring out.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. SMATHERS. Mr. President, I tried to restrain myself at the time the Senator from Delaware was questioning the Senator from Louisiana. I trust the Senator from Delaware will restrain himself now, at least to a partial extent, with his great discipline, until I have finished asking a few more questions of the Senator from Louisiana. Then I will be glad to let the Senator from Delaware proceed.

I should like to come back to the question we were discussing. I note from page 49 of the hearings that the Senator from Nebraska asked the Secretary of the Treasury:

> Senator CURTIS. If there is no reduction in taxes, we will have to go somewhere between $315 billion and $320 billion?

The Secretary said:

> Secretary DILLON. Yes. You can easily figure that one or two different ways, and see why. This year we have a deficit—we have a deficit this year of $8 billion, roughly, take that as the figure. Last year we had a ceiling that was necessary to cover the difficult part of the year on the basis of a balanced budget, it came down later on, but the early part of the year, it was $308 billion. Obviously, this year, starting with the deficit of $8 billion, we need $8 billion more than $308 billion, and that is $316 billion. That is one way of finding an answer.
>
> Another way is to take the figure we had, the highest debt we had during November, December, and March periods, when we were tight, and each case it was something just over $305 billion, or $305.5 billion, add the $8 billion to that and you get something about $313.5 billion and then add provision which we have to have and always have had for some flexibility, which has been some $3 billion, and again you get $316 billion or $316.5 billion. So that is why I say it is somewhere in that area.

It would depend somewhat on appropriations whether it might be slightly higher; but it would be under the $320 billion and over the $315 billion. So even if we adopted the amendment that was offered in the Committee on Finance by the able Senator from Delaware, which would raise the limit to $309 billion to June 30, 1964, it is very evident that we are to exceed that limit prior to that date. In fact, we will be getting in the neighborhood of $320 billion.

Mr. LONG of Louisiana. As a practical matter, if we were to adopt the amendment of the Senator from Delaware and stay with it—and I voted for it in committee—we would probably be able to go for a little while beyond the August 31 date—perhaps 30 days, or 45 days—and still remain within the provisions of the Williams of Delaware amendment.

In that respect, the Senator from Delaware gives the Secretary of the Treasury a little better break than he would otherwise have; but the difficulty is that the debt limit would be broken through between now and the time we might agree to in the Williams amendment, unless we were careful. So we had better leave the Secretary of the Treasury in a position to manage the debt in a responsible fashion.

I think Senators on the committee, both Democrats and Republicans, believe the Secretary is doing the best he can. The bill was reported by the committee with one dissenting vote. If the Senator from Virginia [Mr. BYRD] had wanted to go all out and fight the bill, more Senators would have voted against the bill. I believe every member of the committee except the distinguished chairman voted to report the bill.

Mr. SMATHERS. Even with the amendment offered by the Senator from Delaware, the bill would carry us into the next fiscal year, with a $309 billion ceiling. We would not revert to the permanent ceiling of $285 billion until July 1, 1965. In the light of what the Secretary of the Treasury said, Congress would have to reconsider the debt ceiling before it adjourned this year?

Mr. LONG of Louisiana. When I voted for the committee amendment—and incidentally, I oppose it only after explaining to the ranking Republican member that I felt it necessary to vote against it—the Senator from Delaware objected to the committee meeting; therefore, the committee could not meet while the Senate was in session. The Senator had that privilege; I do not question his right to object. But I met with other Democrats on the committee, including the distinguished chairman, and explained that while I thought I was helping the situation when I voted for the Williams amendment, it appeared that I might have hurt the situation by causing the Treasury to manage the debt in a way which the Secretary would not approve, as the result of a few days delay in passing the bill. I did not feel that we ought to go home for the Memorial Day weekend without having settled the question.

When the Secretary of the Treasury said he was breaking through the ceiling, I did not think we ought to make him do a number of things that he ought not to do, which would be poor business practice, in the hope that we might be able eventually to take care of the situation.

Mr. SMATHERS. I thank the able Senator from Louisiana. I believe he is taking a very sensible position in view of our understanding of the situation in the other body. I believe it would cost the Government money if we delayed action between now and 2 weeks from now. Despite all the arguments to the contrary, it would still cost the Treasury money. If Senators are interested in the economic and orderly operation of the Government, they will vote against the adoption of the committee amendment.

Mr. LONG of Louisiana. Mr. President, I did not know when I voted for the Williams amendment that we would have to ask for another increase in the debt limit, even though we agreed to the Williams amendment. I had entertained some hope in committee that that would not be the case. I am firmly convinced, whether or not we pass a tax reduction bill, that we will be faced with the unpleasant necessity of the Government paying its bills, and confronted with the necessity of having to ask Congress to vote for a higher ceiling than $309 billion. That will be true even if the budget is balanced between now and the end of the year.

I now yield to the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, first I thank the Senator from Louisiana and the Senator from Florida for at least approving my amendment in principle, even though they will not vote for it. Both of them have now said they believe it would be a more responsible position for the committee and the Senate to give the Secretary of the Treasury an increase in the debt limit of $309 billion for the full year, but.

As to the argument of the Senator from Florida that if we do not pass the bill by Saturday night the Treasury will lose money, I have heard that argument before, and I am not in the least concerned by it.

The Secretary of the Treasury has stated that the debt limit would be increased to $305.2 billion, which will be $200 million over the debt limit if the bill be passed today; and by Saturday the amount will be brought up to $600 million above the debt limit. But he has $6.2 billion in cash, and he certainly does not need that much. Why borrow this week when he does not need it?

The Senator from Florida argues that if the bill is not enacted by Saturday night it will cost the Treasury money. I believe that just the reverse is true. Why pay interest on $600 million this week when it is not necessary to do so? The Senator from Florida said that to cut the cash holdings of the Secretary of the Treasury below $6 billion would precipitate a depression by requiring the Secretary to call in money from all over the country. That statement cannot be supported by the Secretary's own statement.

I ask unanimous consent to have printed at this point in the RECORD a report from the Secretary of the Treasury showing the cash balances for the next 3 months.

Mr. LONG of Louisiana. Mr. President, I ask the Senator from Delaware not to insert that report on my time. I should be perfectly willing to have him insert it on his own time.

Mr. WILLIAMS of Delaware. Very well; I shall insert the report in the RECORD later.

According to this report of the Secretary the cash will drop on the 6th of June to $4 billion; on the 9th of June to $3.6 billion; and on the 11th of June to $3.4 billion, or $3 billion less than there would be in the Treasury Saturday night even if we do not pass the bill. Who is saying that a depression will be precipitated in the second week of June because of this decline? I think that is absolutely absurd. The Treasury will not need the money. There are few times when the Treasury has $6 billion in cash. It is not needed this week, and it will not be needed in the early part of June.

If the Secretary of the Treasury is as responsible as he should be he would have known 2 months ago that an increase would be necessary and would have asked for it then instead of waiting until today. I am tired of these requests for an increase immediately or that otherwise the Treasury will go broke.

We want the Secretary of the Treasury to have adequate room in which to maneuver. There is no reason why the bill would not be satisfactory if it were passed as the committee reported it. The ranking minority member of the House Committee on Ways and Means, from Wisconsin, has said that he as one of the conferees will accept it. If the members of the administration's own party will not provide the means to finance our debt beyond August 31 let them accept the blame for such action and not place it on the Senate.

In my opinion it would be a highly irresponsible action on our part not to provide the Secretary with this authority provided under this amendment. I am sick and tired of hearing about these created emergencies. We have enough of them without manufacturing one ourselves.

Mr. LONG of Louisiana. If the Members of the Senator's party in the House of Representatives had their way, I do not believe they would have permitted any increase. I think only one Republican Member of the House voted to pass the increase in the debt limit, which we believe to be necessary.

As the Senator from Delaware knows, there is no real difference between the proposal he is supporting and the action taken by the House, so far as what would happen in the next few days is concerned.

The question is whether we should insist on an amendment which admittedly contains some merit, although it may mean that we will not be able to pass on legislation for some time to come. We should go ahead and pass the House bill, recognizing the small amount of difference.

I suppose I might have taken the attitude which the Senator from Delaware took on occasions when I was offering amendments on Eisenhower debt limit bills. I offered amendments to increase the old age welfare payments, and other amendments in which I had considerable interest. The distinguished chairman of the committee made the point that it was necessary to pass the debt limit bill promptly, and not wait for a week or a month. So I was arguing then in the same way as the Senator from Delaware is arguing now, that the matter was not urgent; that we ought to take time to consider the amendments and insist on the bills going back to conference. So I can understand how the Senator from Delaware feels about his amendment—and there is much to be said for his amendment.

I only say that I fear very much that we shall not have increased the debt limit before Congress goes home over the Memorial Day weekend, and thus the Secretary will be forced to manage the national debt in a way in which he does not wish to manage it and in a way which will cost the Federal Government money, rather than save it money.

Mr. DIRKSEN. But, Mr. President, in all good conscience let me point out how silly the Finance Committee would look, after having reported the bill to the Senate by a vote of 11 to 2, if it were now to accept such an amendment, when the only argument in favor of acceptance of the amendment is a thin assumption that the House conferees, members of the Ways and Means Committee, will not concur in the Senate amendment. How does the Senator from Louisiana know they will not? That is a sheer assumption.

Mr. LONG of Louisiana. I think they will eventually, but I do not think they will concur in it today.

Mr. DIRKSEN. How can the Senator from Louisiana know, until the Senate conferees sit down with the House conferees?

Let us pass the bill in the form in which it came to us from the Finance Committee, and then let us have a conference this afternoon. When the conference report is prepared, we can concur in the conference report, and then can wind up this affair, and that will be the end of it.

But the Senator from Louisiana proceeds on the assumption that the House will not concur in the Senate amendment. I think the Senate amendment will result in a good bill, by providing for a $309 billion debt ceiling effective until January 30, 1964.

Mr. LONG of Louisiana. In my judgment, any Senator who votes for an amendment has a right thereafter to move that the vote by which the amendment was agreed to be reconsidered, if he thinks he might have made a mistake by voting for the amendment, even though it might not have been a great mistake.

Mr. DIRKSEN. Of course, that is true.

Mr. LONG of Louisiana. I believe I speak for eight Democratic members of the committee—a majority of the Democratic members—when I say that we are of the opinion that we would have done better if we had stayed with the language voted by the House. So far as I know, I do not speak for any of the Republican members of the committee; but we could not obtain consent to have a meeting of the committee held during the session of the Senate today, in order to find that out. The distinguished Senator from Delaware objected to the request to permit the committee to meet during the session of the Senate today. I did not make that request; but, as a courtesy, the majority leader requested permission for the Finance Committee to meet during the session of the Senate today, in case the committee wished to hold a meeting. But the Senator from Delaware objected. That was his privilege, and I do not quarrel with him for doing it.

However, I discussed this matter with the Senator, and I told him that I thought we should move to reject the committee amendment. I still think there is much merit in the amendment; and if the Senate tells me to do the best I can in the conference to have the amendment included in the conference report, I shall try to get the House conferees to accept it. But I do not think that would be the wisest course.

I do not think the Finance Committee made a foolish mistake. No one is perfect; but, on the whole the Finance Committee has as little politics in it and makes as few mistakes as any other Senate committee. I think the Finance Committee does a fine job, and I will defend its record against that of any other Senate committee or that of any House committee.

As a member of the committee who heard the testimony there and though we might be able to operate within the $309 billion limit, I now realize that that is a distinction without a difference, because I know we shall not be able to stay within the $309 billion limit until the first of the year; it will have to be raised again.

Mr. DIRKSEN. But the junior Senator from Louisiana admits that the entire argument is based on the assumption that the House conferees will not accept the Senate's version of the bill. That is the whole burden of his argument.

Mr. LONG of Louisiana. It might be impossible to have a conference held before Monday.

Mr. DIRKSEN. That is also a sheer assumption.

Mr. LONG of Louisiana. But that situation could be brought about by only one Member of the House.

I know the Senator from Illinois often can predict with fairly good accuracy what the Republican leadership of the House will do, and those Members are honorable men who keep their word. But the leaders among that group cannot speak for all of the 100-odd Republican Members there; and I know they cannot speak for the Democratic Members. In fact, often the Democratic leaders there cannot speak for all the Democratic Members.

Mr. DIRKSEN. I realize that.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Louisiana yield to the Senator from Delaware?

Mr. LONG of Louisiana. I am prepared to yield the floor, Mr. President; but I yield.

Mr. WILLIAMS of Delaware. The Senator from Louisiana said I objected to the request that the Finance Committee be allowed to meet during the session of the Senate today. It should be pointed out that the reason I took that position was that this bill was already before the Senate, and presumably the members of the Finance Committee should have been on the floor to debate the bill. I did not see the wisdom of holding at that time a meeting of the Finance Committee, to reconsider a bill which had already been reported to the Senate by a vote of 11 to 2 just because the White House said so.

Mr. MANSFIELD. Mr. President, let me say that the one who objected was not the distinguished Senator from Delaware [Mr. WILLIAMS]; it was the majority leader.

Mr. LONG of Louisiana. Mr. President, let me say that this is a good bill, either with the Williams amendment or without it; and I believe we should pass the bill today, and should send it to the President, because I think this matter—and I know I differ with the Senator from Delaware when I say this—should be settled before the Members of Congress return to their homes over the

Memorial Day weekend. The Senator well knows that this entire matter was almost the subject of a complete Donnybrook in the House, and an effort was made to get Members to return from their homes to be present in the House to vote on this bill. In fact, I think one of them had to be brought back from Puerto Rico, and others had to return to Washington from various parts of the country, in order to participate in that vote. Even then, the bill was passed by a margin of only nine votes. So, inasmuch as the matter is highly controversial, there is no way by which we could be sure that no Member of the House would object to the request for unanimous consent. If objection were made, the Secretary of the Treasury would then be forced to manage in ways in which he would prefer not to engage.

Mr. PASTORE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. What will happen if the bill is not passed and is not signed into law by tomorrow night?

Mr. LONG of Louisiana. We are told that then we shall exceed the national debt limit by about $600 million. So, as a practical matter, the Secretary of the Treasury will then begin to draw on his reserves; and funds which should be invested in trust funds will not be invested in them; and the Secretary of the Treasury will have to find various other ways—perhaps by drawing money from the banks across the Nation into a central New York bank—to give him a little more certainty about how much of a cash balance will be on hand at any one time. He will have to take various steps of that sort. There are various ways by which the Secretary can proceed—if he finds that the debt ceiling is about to be exceeded—to manage, if he is forced to do so.

The amendment to which I refer would undertake to extend the $309 billion ceiling to the end of the next fiscal year. I voted for the amendment because at the time it seemed to be a good one. But now I am reliably informed—and I am firmly convinced of it—that we shall have to increase the debt limit again before the end of the year, because during the last 3 months the Government's income has been less than it is during the average month—with the result that the expenditures will greatly exceed the income, even if there were to be a balanced budget.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask that the yeas and nays be ordered on the committee amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I wish to reply briefly to some of the arguments advanced by the Senator from Louisiana. First, I understand his position. I also appreciate the fact that he advised me before he started that he would oppose the amendment and that he was perfectly willing to settle the question in the Senate rather than to go back to the committee. I appreciate his cooperation.

The reason I offered the amendment is that I believe the bill without it is to some degree an act of irresponsibility on the part of the Congress. I am surprised that the Secretary of the Treasury would ever condone or approve extending for a mere 60-day period the debt ceiling whereby he could finance the cost of this Government. Under the bill as it came from the House the debt ceiling would drop from $309 to $285 billion on August 31.

The only way such a reduction could be accomplished would be to pay off in the next 60 or 90 days about $24 to $25 billion of our national debt. No one connected with our Government would say that such a reduction is possible. Therefore, we know we will have to extend the debt limit again in August. Why not extend it to $309 billion now through the full fiscal year and be done with it? Then if, as the Senator from Louisiana and others have pointed out, they want to raise the debt ceiling another $10 to $12 billion before we adjourn, we would at least know more about what we would need at that time than we would on August 31. Neither the tax bill nor the appropriation bills will not be acted upon by that date.

The Secretary of the Treasury said that he could not make an estimate as to what he would need until he found out how much the tax cut would be. Likewise, we will not know what the final action will be on the appropriation bills until later. It will take some time to determine the answers to these questions.

I hope we can provide a debt limit of $309 billion for the full year and that we can cut appropriations, or hold them down to the point where spending will not be increased next year. I should like to see the projected $8 or $10 billion tax cut, which the Secretary wants to finance on borrowed money, defeated.

If those things should occur we could live with a debt limit of $309 billion. The time has come to make the effort. The extra $10 or $12 billion that will be asked for some time later this year, in August or in September, is to finance the increase in the spending for the New Frontier—that is, the increased costs over and above the costs of last year—and to finance the tax cut. I think both of those proposals are unsound. It is unsound to increase spending when there is a deficit. It is unsound to talk about cutting taxes when there is a deficit. That is just so much political propaganda. I do not think anyone would really argue that it makes any sense to borrow money to finance a tax cut.

As to the argument which has been made that if we do not pass the bill tonight the Treasury will lose money, that is "poppycock." We have heard that argument time and time again. Under the existing law the debt ceiling will remain at $305 billion until June 25. Even if we do not act at all it will remain at $305 billion until June 25. On June 25 it will go to $300 billion, and on July 1 it will go to $285 billion.

I agree that we must act before June 25, but we do not have to act this week. The argument that if we do not act this week the Secretary of the Treasury will be $600 million over the ceiling is not correct.

The Secretary has indicated that he would like to increase the debt to $305.6 billion on May 31. That would give him $6.2 billion in cash on hand, and he does not need that much cash on hand. He operates well with less than that. I cite the fact that in the month of June, even assuming the bill is passed, he will be operating on less than $5 billion cash on hand more than half the time. Even by the Secretary's own computation, if the ceiling is $309 billion on the basis of the House bill provision, he will be down to $3.6 billion cash on hand on the 10th of June, and on the 11th of June he will have only $3.4 billion cash on hand. Why could he not operate for the remainder of this week with $5.5 billion cash on hand? That is $2 billion more than he plans to have on hand for the week of June 10.

To say that if we do not pass the bill he would have to borrow another $600 million this week and pay interest on it is silly. Why should he borrow $600 or $800 million when it is not needed?

The Senator from Louisiana had much to say about high interest charges. That would be paying unnecessary interest. The Secretary would have to pay 3 or 4 percent interest, and I see no reason for subsidizing the banking institutions to that extent. If the Secretary does not need the money he should not borrow it this week even if he had a $400 billion debt ceiling. Based on his own computation, he will not need it before June 8. I do agree that based on his computation he would be in a jam if we did not pass the bill by then.

I am not trying to delay the passage of the bill. I told the majority leader earlier that I thought hearings on the bill could be completed in 1 day. They were, and the bill was reported the same day by the committee. I suggested that the bill be considered by the Senate yesterday. I think it would have been wiser, but the bill was put over until today. I do not object to that procedure, but it was not my suggestion that consideration of the bill be postponed until today.

The bill could have been acted on earlier. I think the House would accept our committee suggestion. I think we should at least try.

An argument has been made that if we do not pass the bill today, the Secretary will use some money from trust funds. I wish to make it very clear that if the Secretary of the Treasury should ever dip into the money in the trust funds and start spending it by canceling the bonds and saying, "We will not count it as a part of the national debt," I shall ask for his removal as Secretary of the Treasury; I do not care who holds the position at the time.

I have said much in the Senate about employers who have been withholding income taxes and social security taxes from the pay envelopes of their employees and withholding retirement payments from the pay envelopes of railroad employees and then not sending that money to the Treasury Department. I have said that no employer has a right to consider moneys which are thus withheld a part of his own funds, to spend them for a few days or weeks, and perhaps end up defaulting. I have said that that money belongs to the employees and should be treated as trust funds and sent to the Federal Treasury. The Secretary agreed with that. There are laws which make it a penalty if an employer confiscates the money which belongs to trust funds.

I am amazed to hear anyone suggest that the Secretary of the Treasury resort to the same practice. He is as responsible as any employer for turning that money over to the trust fund. The day that he starts robbing these trust funds and using the money for our regular expenditures I shall ask for his removal as Secretary of the Treasury. I do not care who he is or in what administration he serves. Those funds do not belong to the Government. He has no authority to spend them. Neither do we in the Congress have any authority to do so. We should put a stop to that thought right now.

The argument that the Department intends to use them but a few weeks and then repay with interest is the same old argument used by every embezzler that has ever been caught.

We should give the Secretary some leeway for managing the debt, and I am going to vote for the passage of the bill today; but I will not support him if I ever catch him tinkering with these trust funds. I hate to see the debt ceiling raised. I have supported reductions in appropriations, as have many other Senators. I shall be advocating sometime this afternoon a cut in the next appropriation bill, which the Senate will consider following this particular measure.

The way to hold down the debt ceiling is to hold down the appropriations. I agree with that approach. I only hope that Senators who agree will support that position with their votes. We cannot hold down the debt ceiling if we increase appropriations and then cut taxes.

But I say again that if the Congress in the months to come increases appropriations for all the departments and if the Congress approves the tax cut, we shall have no choice other than to give the Secretary of the Treasury at a later date an increase in the debt ceiling. Those who support increased expenditures and the cutting of taxes will have no choice other than to provide for the Secretary of the Treasury adequate authority whereby to finance the national debt.

I think there is no question that if the administration gets all the money for which it is asking in increased appropriations—by the way, the administration is asking for increased appropriations for every single department of Government, cutting nowhere—if the administration gets all the money that it wants to spend and still gets the tax cut, the Senator from Louisiana will be 100-percent correct when he predicts that the administration will be back to Congress for a $10 or $12 billion increase in the debt ceiling. It probably will not even stop there.

I have never seen an administration that can dream up so many ways to spend money.

If we should provide the administration will all that it indicates it would like to spend and a cut in taxes in addition, the deficit could well double the deficit that has been projected. It could be such as to require a $340 or $350 billion ceiling on the debt before many years.

I hope that a greater degree of responsibility will be shown so that all that money will not be appropriated. Still, that question will have to be considered in the months to come.

The Secretary of the Treasury told our committee that he could not intelligently state how much of a further increase he would need in the debt ceiling this year until he had the answers to these two questions. The first was, "What are you going to do with respect to taxes?" The second was, "What are you going to do with respect to appropriations?"

The answers to those questions will not be determined by the Congress by August. Therefore, why should we put ourselves in a position in August so that we will be again operating in a vacuum unless it be that the administration would find it preferable to conceal the facts from the American people. By putting it all in one package in August it will be necessary either to vote for a $320 billion ceiling or to go back to a ceiling of $285 billion.

Frankly, in my opinion that is what they want. They like emergencies because they think that then Congress will not take the time to examine their requests. Some day they are going to be fooled.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG of Louisiana. Let me say to my good friend that I do not believe he would say that this Senator is trying to conceal anything.

Mr. WILLIAMS of Delaware. No. I referred to the administration.

Mr. LONG of Louisiana. This Senator is not trying to conceal the fact that if Congress votes a tax cut there will be a big deficit. This Senator is not trying to conceal that from anybody; nor is this Senator trying to conceal the fact that, at the present rate of spending money which we have already appropriated, it will be necessary for the administration to ask the Congress to raise the debt ceiling above $309 billion.

Mr. WILLIAMS of Delaware. That is correct if we spend the money.

Mr. LONG of Louisiana. We shall have to look at the appropriation bills and at the tax bill, to see what we should do with them, and to see how much it will be necessary to raise the debt limit. This Senator is not trying to conceal that fact. That is the one big thing the Senator from Louisiana has worried about for some time with regard to the tax bill. I had been against tax bills, on occasion, before they reached the Finance Committee. I found myself voting for tax bills after the Finance Committee got through considering them, especially if my amendments were adopted. Other Senators tend to feel likewise. But we will not know the answer to that question until later.

We ought to face the problem. I am ready to face it now. When we vote on the tax bill, if we vote for any major reduction in taxes, it is going to increase our deficit for a year or two, or perhaps more, by billions of dollars. I do not have to say that to the Senator from Delaware.

Mr. WILLIAMS of Delaware. The Senator is correct. When I said that somebody may be trying to confuse the people, I certainly did not mean the Senator from Louisiana, because I have not heard anybody make a clearer presentation than he has made.

The Senator from Louisiana has made it clear that if Congress is going to authorize increased expenditures, the debt ceiling will have to be raised whether taxes are cut or not. If taxes are also cut the debt ceiling will have to be increased even more. The Senator from Louisiana was very clear on that point. The administration, however, has not admitted this point.

I think we should let the American people know the facts. I think we can do it better by separating these two proposals. Let us raise the ceiling for next year to $309 billion—we know the debt will reach that point—and then wait until we get the appropriation bills, which may be by the end of September. I hope we will have them sooner, but again we may not. We will not know the full answer until action has been completed on the tax bill. The Secretary of the Treasury himself said he did not know how much of a further debt ceiling increase he is going to ask for until he knows the answers to those two questions: First, the appropriations; and, second, the tax cuts.

The basis for my offering the amendment is to protect our debt until June 30, 1964. But, whether it is August, September, or October when we act on the appropriations and the tax cuts the new debt ceiling change could then be offered to cover the increased expenditures and the deficits that will result from the tax cut.

If taxes are cut by $10 billion and spending is increased by $10 billion, there will be a request for a $20 billion increase in the debt ceiling by the Department. I do not think there is any foreseeable end to what can be asked unless Congress sometimes stops and says, "You have had enough." I think the time has come when we should say, "You have spent enough." We should start on this next appropriation bill later today.

What I would like to see is a debt limitation of $309 billion for the full year ending June 30, 1964. This Congress, by its votes on appropriation bills, such as the one the Senate will have before it this afternoon and in later days, could roll back appropriations to what they were last year, and by so doing tell the administration by our votes that we are not going to increase spending next year, and then reject the tax cut. If we did that I think we could come near living within $309 billion next year and there would be no need for a further increase. But it cannot be done if this proposal is not followed.

As evidence that the Secretary of the Treasury would not be embarrassed if the bill were not acted on today but that it could readily go over, even if it went over until next week. I ask unanimous consent to have printed in the RECORD, the Treasury report of its debt and cash balances projected for the next 3 months.

There being no objection, the material was order to be printed in the RECORD, as follows:

Estimated cash balance and debt subject to limit day by day for period May 1–Aug. 31, 1963

[In billions of dollars]

Day	May 1963		June 1963		July 1963		August 1963	
	Cash balance (excluding gold)	Debt subject to limit	Cash balance (excluding gold)	Debt subject to limit	Cash balance (excluding gold)	Debt subject to limit	Cash balance (excluding gold)	Debt subject to limit
April 30	[1] $5.3	[1] $303.4	----	----	----	----	----	----
1	[1] 5.9	[1] 303.4	----	----	$8.1	$305.3	$4.9	$306.4
2	[1] 6.6	[1] 303.5	----	----	7.8	305.3	5.0	306.4
3	[1] 7.1	[1] 303.4	$5.7	$305.6	7.5	305.3	----	----
4	----	----	5.2	305.6	(2)	(2)	----	----
5	----	----	4.8	305.6	7.0	305.2	5.0	306.4
6	[1] 6.7	[1] 303.4	4.3	305.6	----	----	4.5	306.3
7	[1] 6.2	[1] 303.4	4.0	305.6	----	----	4.2	306.3
8	[1] 6.2	[1] 303.4	----	----	6.3	305.2	4.2	306.3
9	[1] 6.4	[1] 303.5	----	----	5.8	305.2	4.2	306.3
10	[1] 6.4	[1] 303.5	3.6	305.6	5.5	305.2	----	----
11	----	----	3.4	305.6	5.3	305.2	----	----
12	----	----	4.5	306.8	5.2	305.2	4.2	306.3
13	[1] 6.5	[1] 303.5	4.5	306.8	----	----	4.2	306.3
14	[1] 6.6	[1] 303.4	4.6	306.8	----	----	4.5	306.3
15	[1] 5.8	[1] 303.0	----	----	5.4	305.7	4.7	306.8
16	[1] 6.2	[1] 303.1	----	----	5.2	305.5	5.1	306.8
17	[1] 6.7	[1] 303.1	4.7	306.8	5.1	305.4	----	----
18	----	----	5.1	306.7	5.0	305.4	----	----
19	----	----	5.8	306.3	6.7	307.2	5.3	306.8
20	[1] 7.1	[1] 303.1	6.9	305.7	----	----	5.7	306.8
21	7.4	303.1	8.0	305.4	----	----	6.0	306.8
22	7.5	303.0	----	----	6.5	307.2	6.2	306.7
23	7.5	304.0	----	----	6.2	307.2	6.3	306.7
24	7.4	304.0	7.7	304.3	6.0	307.3	----	----
25	----	----	7.8	304.2	5.8	307.3	----	----
26	----	----	8.1	304.1	5.7	307.3	6.2	307.7
27	7.0	304.0	8.3	304.0	----	----	6.0	307.7
28	6.6	304.0	8.2	305.3	----	----	5.8	308.6
29	6.4	305.2	----	----	5.5	307.3	5.7	309.4
30	6.4	305.2	----	----	5.4	307.5	7.1	310.0
31	6.2	305.6	----	----	5.4	306.4	----	----

[1] Actual. [2] Holiday.

Mr. WILLIAMS of Delaware. The report shows that even if we should not act on this bill today the Secretary of the Treasury would have $2 billion more cash on hand, even with the debt ceiling of $305 billion, than he is planning to have on hand by June 10.

There is no reason why the taxpayers should be paying interest on that $2 billion for that period. The taxpayers could use this savings.

There have been too many Frontier bureaucrats who have been too free and easy with the taxpayers' money. I do not think there is any limit to what the New Frontier crowd in Washington could spend if we took the reins off. I have never heard of so many wild ideas for spending. I sometimes wonder if they spend their nights dreaming of new ways to spend money. But this $309 billion debt is not imagination. It is a reality, and if only these free spenders would get out of orbit and come back to earth and realize that at some time this debt must be paid.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Is the Senator from Delaware able to tell whether or not the Federal Government is now indebted to the various trust funds that comprise the money that ought to be impounded for the payment of retirement moneys?

Mr. WILLIAMS of Delaware. The trust funds, by law, are invested in Government bonds. It could be argued that the Government has thus spent the money anyway. Those bonds are the same as those the Senator or I would buy. They bear interest, and the important point is that they are counted as a part of the national debt. While those funds are invested in Government bonds they are a part of the debt.

What was suggested here today was that rather than to issue bonds for the trust funds, let the Secretary take the money and spend the funds as though they were a part of the general fund. That would be stealing money which does not belong to the Government. It would be the same as the employer who spent social security or railroad retirement taxes that had been deducted from the employees. Suppose an employer said, "I can spend this money for a while. I will hold it for a few months and spend it for my own use." That money does not belong to him. He has no right to do that. Neither does this money belong to the Secretary of the Treasury of the United States. It belongs to the trust funds.

I would certainly be here objecting very strenuously if the Secretary of the Treasury ever decided he could cancel Government bonds and spend the money as part of the general fund. Heretofore we have criticized employers for similar action.

Mr. LAUSCHE. The Senator has answered the question.

Mr. President, I contemplate voting against the lifting of the debt ceiling to the amount set forth in the bill. I contemplate supporting the Senator from Delaware in the proposal which he has made.

I should like to delineate my reasons for the two judgments which I have reached. In doing so, at the beginning, I wish to read the contents of a letter received by my office from an Ohio citizen on May 23. I am deliberately omitting his name. I think this citizen has set forth the problem with such accuracy and such premonition that what he has written ought to be heeded. He wrote:

> As you may know there is presently a U.S. savings bond drive being promoted throughout industry. The campaign is being carried out by top level corporate management, the president of my company being one.
>
> My personal convictions have always been against continued deficit spending both on domestic and governmental levels. Of course, any money I put into savings bonds makes it easier for the Government to run a deficit. Consequently, it is against my principles to buy savings bonds.
>
> The enclosed article from the May 2, 1963, edition of the Wall Street Journal makes it rather clear to me why it is financially unsound to buy savings bonds.
>
> When I was first approached about buying savings bonds, I declined for the two reasons stated above. I have since been reapproached and told to reexamine my position. Being a salaried employee, I of course recognized my "mistake" and signed up for savings bonds. (My livelihood and advancement is dependent upon the relationship I have with my employer.)
>
> I have the problem of saving and preserving the earning power of those savings for my children's education 16 years hence and for my wife and my retirement in 40 years. With these goals in mind history shows that U.S. savings bonds are not a prudent investment. Consequently, I would like to register a protest against the high pressure sales tactics that are bound to arise when a corporate management's prestige is "on the line" as it is during an industrial savings bond campaign.
>
> I would appreciate your comments on the two following questions.
>
> 1. What are your thoughts on the attached editorial, specifically underlined sections 1, 2, and 3?
>
> 2. What safeguards could be written into any future industrial bond drives to take the pressure off of salaried employees like myself whose personal convictions and financial judgment dictate against the buying of bonds?

I will now read from the editorial in the three respects mentioned by the writer of the letter:

> 1. For the truth of the matter is that our neighbor was defrauded by his Government. So has been every citizen who bought

> such a retirement policy, every person who long ago bought U.S. savings bonds, all the frugal people who for years have "put a little aside" in some bank for their old age.
>
> 2. Nor has this been an accident. For a generation now it has been the deliberate policy of the U.S. Government to depreciate the value of its money.

Especially through its constant deficit operations.

> 3. Just the same, at our neighbor's house the other evening the Secretary of the Treasury in person couldn't have sold a 10-year baby bond, much less a 25-year annuity. For not even he could pledge with a straight face that a decade hence the innocent will not have once again been cheated by their Government.

That brings me to deficit spending. In 26 of the last 33 years we have operated on a deficit basis. While there are times when deficits are inevitable, because of the emergency of war, or other catastrophe, it must be admitted that there are times when deficits ought not to be the basis of operating our Central Government. The deficit this year will be approximately $8 billion. Under the tax-reduction proposal and the Government money spending program, the deficit in fiscal year 1964 will be $10 billion. It is anticipated that the deficit in the 1965 fiscal year will be $10 billion, and $10 billion in 1966.

The people of the country are begging for tax relief. We will give it to them through deficit operations. There is no thought in mind whatever about reducing spending. As we continue to spend more than we take in, it becomes necessary to sell bonds. This citizen from Cuyahoga Falls asks me to advise him on what to do. I have not answered his letter. I have not answered it because I fear telling him the truth. To tell the truth, the advice would be, "The bonds which you buy will not pay you back the money dollar value that you gave for the bonds." That is a most difficult position for a person to occupy. Governor TALMADGE has been through it. Governor CARLSON has been through it, and probably Governor Boggs, also, and Governor BYRD. All of us who were in office during World War II have been through it.

Time and again I went into a factory or into a merchandising store and urged citizens to buy bonds. I said to them, "If your Government falls, everything else will fall, and you will be no worse off. For every dollar you pay for the bonds you will get a dollar back."

It is now 18 years later. The bond for which a dollar of 100 cents producing value was paid in 1942 was paid back at the rate of about 46 cents a dollar. There was some justification for that inflationary and deficit operation during the war. But now we are in peace. Yet we continue to operate on a deficit basis. Can I say to my fellow citizens, "Congress is spending more each year than the money it makes available through taxes. Deficit operations are inevitable. In the next 3 years there will be $30 billion of deficit, but I advise you to buy bonds"? Can I do that honestly?

I make this statement and plea especially to Members of the Senate who have been voting for money-spending programs and causing deficits. How do we answer the question posed by the citizen? We cannot do it and be truthful. I have examined the situation as it prevails, and frankly I begin to wonder: What shall I do in order to insure that my annuity, my savings in the bank, the pensions of the minister and the schoolteacher, and the retirement pay of the ordinary miner and field worker will not be eroded by the callous, cruel conduct of the U.S. Congress and those who are urging the spending of money far in advance of having money available to be spent?

In 1945, when World War II was concluded, the national debt was $268 billion. It is now 18 years later, and the debt limit is up to $303 billion—$35 billion more; although within a period of 20 years after every other war in which our country was engaged the debt incurred in the battles was practically liquidated. We now have the unusual experience that although there was a period of prosperity, the debt was not reduced. It has risen from $268 billion in 1945 to $303 billion in 1963.

Let us consider what has happened in the past several years. On June 30, 1961, the Federal debt was $289 billion; on June 30, 1962, it was $298 billion. Congress raised the limit $10 billion in 1 year. Today it is $303 billion.

On June 30 of this year the debt will be $305 billion; on July 31, $306 billion; on August 31, $310 billion. On August 31 of this fiscal year, the limit will probably rise to $320 billion, without considering the deficit of $10 billion of the next fiscal year and another $10 billion in the following fiscal year being added to the debt.

I respectfully submit that this is not a healthy condition. It is not the manner in which the American husband manages his household. It is not an exemplification of the virtues that were reflected by our ancestors who fought for the establishment of our country.

I have been speaking about the sale of bonds. I have in my hand a book entitled "Fiscal and Monetary Policy." It contains the proceedings of a conference sponsored by the President's Advisory Committee on Labor-Management Policy, held on November 14 and 15 in Washington, D.C. Representatives of labor and management, bankers, college professors, businessmen, sociologists, and economists were in attendance. Approximately 200 persons were in attendance. They finally broke up into roundtable discussions. I shall read a statement made in one roundtable discussion by Dr. Colm, Chief Economist of the National Planning Commission. Dr. Colm reported to the whole body:

> In the afternoon session some members felt that the discussion on monetary policy was almost with the assumption that in order to make a tax reduction effective in terms of economic expansion, it had to be associated with a central bank policy which makes reserves available for the banks to buy some of the bonds. This was vigorously opposed by several members of the group who wanted to insist that any possible deficit should be entirely financed through placement of bonds with private savings.
>
> Towards the end we got a sort of 99 percent agreement—

That sounds quite interesting. Evidently there was an argument about who would buy the bonds. The banker said, "We ought not to buy them unless we are permitted to buy them out of our reserves; and if they were to be bought in that way, the savings bonds would drop in value." I continue to read:

> Toward the end we got a sort of 99 percent agreement when I think the latter group agreed, at least one of them—the other kept quiet—that bank financing might be tolerated, if necessary, as an interim measure if, then, out of the growing gross national product, income, and increased profits, more savings funds would be forthcoming so that in the long run the financing could be shifted entirely to private savings.

Mr. President, one of three situations will prevail. Banks will buy the bonds, if they so choose, not by reason of a relaxation of the reserve requirements, but out of the moneys which they have in liquidity that can be loaned.

Second, the banks could buy bonds if the central bank were to relax the reserve requirements. That would mean endangering the stability of the banks and contributing to inflation.

The third course is for the taxpayer—the ordinary citizen—to buy bonds out of his savings. I shall urge the buying of the bonds eventually; but I shall vote on the floor of the Senate, with all my might, for the adoption of a course that will give some semblance of guarantee that the person who listened to me when I urged the buying of bonds will have a chance to get back dollars of the same value that he paid for the bonds. This purpose can be achieved; and one way to start is by voting against the raising of the debt ceiling.

I have been a Member of the Senate for 6½ years. During that period I have tried to keep the Government operating on a budgetary basis. With other Senators, I have fought against spending money for nonessential purposes; against the Government taking on functions that historically belong to local governments; against the Government entering into functions that have never belonged to Government but always to private enterprise. Frequently I have felt frustrated in the fight. Time and again I have left the Chamber at a time when more spending was being approved or when larger deficits were being fixed. However, finally I find some consolation in the realization that if it were not for the presence on this floor of Senators such as the Senator from Virginia [Mr. BYRD] and others, the condition of the country would be worse than it is.

Mr. President, I will vote against the proposed increase in the debt ceiling. I will vote against it because I believe honesty requires that I do so. I will vote for the amendment of the Senator from Delaware, because I believe that amendment is necessary in order properly to approach this problem.

Those are my views on this subject. I have no hesitancy in proclaiming them. Probably my mail next week will be loaded with letters from those who will say I am opposed to progress. Mr. President, "progress" of the type that has been promulgated is, in truth, only destruction. We may get away with it for a period of time; but the piper will have to be paid. Meanwhile, we attempt to console ourselves and sing and rejoice in the fact that we can spend, not tax, and buy votes in that way—but thinking not at all about the burden we are transferring to the generations to come.

I will not do it. I have been in public life too long to become bankrupt in morality at this time; and I will not follow the arguments of economic advisers who ridicule what is called puritanical morality. Every time I think of the derision that the economic adviser to the administration heaped upon those who believe in puritanical morality, I shudder. I checked on the meaning of that phrase. One has puritanical morality when he adheres with scrupulousness to truth and justice. Yet the economic adviser says to the people of the country, "Cast aside your morality, and proceed in whatever manner you think will be most helpful to you now."

Mr. President, all I can say is, God spare the soul who thinks that way.

In the solitude of the night, when all is quiet, and when one meditates about his service to his fellow men and to his country, and when one thinks about the lives that were given in the wars of our Nation to insure its future life, I can only pray that those who are advocating a policy of spending more, taxing less, and raising the debt ceiling will recognize that they are acting completely in conflict with all that is decent and right in the concept of a decent American.

Mr. SALTONSTALL obtained the floor.

Mr. MAGNUSON. Mr. President, will the Senator from Massachusetts yield to me, to permit me to ask a question of the Senator from Ohio?

Mr. SALTONSTALL. Mr. President, I yield, if I may obtain unanimous consent to do so without losing the floor.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Is there objection? Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I have listened closely to the remarks of the Senator from Ohio [Mr. LAUSCHE] about the terrible morality of the Members of Congress who handle the appropriation bills. During the next few weeks the Senate will be confronted with several appropriation bills—among them, the Interior Department appropriation bill, which will be the next order of business. I wonder whether the Senator from Ohio and other Senators who apparently have some objections to what is being recommended by the Appropriation Committees will come to the Senate Appropriations Committee and tell it just where it should do the various things they have suggested. I know that certain portions of the appropriation bills can be dealt with in the way proposed; but I believe we should view this subject in proper perspective.

Sixty-three cents of each tax dollar goes for military expenditures. I do not know what Members of Congress have voted against the Defense Department appropriation bill.

Mr. LAUSCHE. Mr. President, is the Senator from Washington asking me a question?

Mr. MAGNUSON. Yes; and I am prefacing it in this way: 7½ cents of each tax dollar goes for the Veterans' Administration. I do not know of any Member of Congress who has voted against that appropriation.

Approximately 7¼ cents of each tax dollar is spent for interest on the debt—a subject we are discussing today. That debt is incurred primarily during war periods.

About 3½ cents or 4 cents of each tax dollar is spent for foreign aid.

Those expenditures leave us with about 19½ cents of each tax dollar—or approximately 20 cents—to be devoted to operating the rest of the Government. I would be the last to suggest that we could not make some savings in that part of the budget. But for years I have been handling a $12 billion appropriation bill. My friend the Senator from Colorado [Mr. ALLOTT] and I have worked very hard on the problem. In all these years we have never reported a bill over the amount of the budget; it has always been less than the budget.

Of course it is easy to make statements about how terrible some things are. But I suggest that we should receive some help from other Senators. They should point out to us where cuts could be made.

For example, do Senators wish to have cuts made in the funds appropriated for the Federal Communications Commission, the Interstate Commerce Commission, the Veterans' Administration, or the Space Agency?

I think we do a fairly good job in keeping down the amounts of appropriations; and I believe we should have some help, occasionally, from the Senator from Delaware, for example, who sometimes has suggested to the Appropriations Committee where it could effect savings.

Mr. LAUSCHE. Let me ask what the question of the Senator from Washington is.

Mr. MAGNUSON. My question is as follows: Where does the Senator from Ohio suggest, in particular, that we make such cuts?

Mr. LAUSCHE. To begin with, I would say the committee could make cuts in the appropriations for every division of the Government. For 10 years I was Governor of the State of Ohio; for 4 years I was mayor of Cleveland; and I know what the attitude of public agencies is. They always ask for more than they need. I have observed that although the House votes for cuts—and we have before us now an example of that—the Senate votes to restore the amounts the House has cut; then conferences are held, and from the conferences come further restorations of the cuts.

There is one circumstance which I think exculpates the Appropriation Committees; namely, that once a built-in expenditure is voted, the appropriation is inescapable. But if an end is put to the practice of providing built-in expenditures, the Appropriations Committees can be relieved of a great burden.

However, I repeat that since World War II, our debt has increased $35 billion, and it now appears that it will rise $30 billion more.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. SALTONSTALL. Mr. President, at this time I must attend a committee meeting of very great importance. Before I leave the Chamber, I desire to make a brief statement. When I yielded to the Senator from Washington, I thought he wished to ask a brief question.

Mr. MAGNUSON. Hearings on the independent offices appropriation bill will begin on June 12. At that time will the Senator from Ohio give the committee the benefit of his wisdom and experience as Governor of Ohio and mayor of Cleveland? Will he tell us, in relation to that particular bill, which would be our responsibility, where he would make his proposed cuts? I know that we can make some, but we desire the benefit of the Senator's advice.

Mr. LAUSCHE. I have been a member of a committee of which the Senator from Washington is chairman.

Mr. MAGNUSON. Yes.

Mr. LAUSCHE. Year after year in that committee I have argued in favor of reducing expenses.

Mr. MAGNUSON. That is correct.

Mr. LAUSCHE. On the floor of the Senate I have voted against giveaways and grants, but my votes usually were in the minority. I need not tell the Senator from Washington my views. He has listened to them and he knows what they are.

Mr. MAGNUSON. I know the views of the Senator from Ohio, but I should like him to become specific. I think we would probably accept his advice.

Mr. LAUSCHE. I would, at the very beginning, cut straight across the board. The cut would not have to be large. In the past several years I have felt that our foreign aid program has been too large. I believe that the Federal Government should quit getting into functions that belong to local governments. I believe that we should cease to subsidize private and other industry. The Senator from Washington has been the archexponent of subsidizing the merchant marine. Every year some new bill is before us providing for subsidies sponsored by the promoters of the merchant marine. I do not know how many billions of dollars we have expended in such subsidies. Those are a few ways in which I would begin to cut the budget.

Mr. MAGNUSON. The Senator from Ohio is correct. I have been for the American merchant marine since the law was passed in 1936, and I am still for it.

Mr. SALTONSTALL. Mr. President, I must ask for the regular order. I must proceed, because I have a committee meeting at 2 o'clock. I thought I was yielding for a simple question.

Mr. MAGNUSON. It was a simple question. I am sure the Senator from Ohio will accommodate me.

Mr. LAUSCHE. Yes, I will accommodate the Senator from Washington by a further statement; but I shall not intrude upon the time of the Senator from Massachusetts now.

Mr. SALTONSTALL. Mr. President, as a member of the Appropriations Committee for a great many years, but not as a member of the Finance Committee, although I was a member at one time, I have taken a great interest in budget procedures and in the expenditures and revenue of our country.

I hope that the recommendation of the Finance Committee as reported to the Senate will prevail and that the ceiling of $309 billion will run through the fiscal year 1964. If it has to be increased, then it should be increased when we have a clearer understanding of the tax revenues. It should not be brought up separately at the end of August and be a fluctuating debt limit with several changes from month to month.

In my report to my constituents in Massachusetts on March 14, 1963, I wrote that I considered a review of the debt limit to be the only overall look we in Congress can take of the entire Federal budget. Therefore, we must keep the debt limit close to the actual needs of the Government so that we have an opportunity from time to time to take this look. Until the proposal to establish a Joint Committee on the Budget becomes law, the fact remains that a consideration of the debt limit is the only method we now have available.

In considering the overall debt limit, we must bear in mind that unused authorizations to expend from the public debt, commonly called back-door spending, were $26,944 billion as of the close of the last fiscal year. As of March 31, 1963, it was $27,360 billion.

That is money which goes into the national debt and must be within the debt limit. So we are considering that sum as well as the appropriations and expenditures. We hope that some of this unused authority is never used; for instance, the $5 billion for our stock subscriptions to the International Bank. On the other hand, over $6 billion is for the HHFA. Certainly there is a good possibility that a significant part of this amount may be used.

Congress continues to make new authorizations. During fiscal year 1962, $1,567 billion of new increases in authorizations were granted, and during that fiscal year departments borrowed from the Treasury a net of $2,826 billion. This record established by the present administration leads us to believe that unused authority to borrow from the Treasury will be used if there is clearance available under the debt limit.

As a member of the Appropriations Committee, I have opposed this granting of authority to borrow from the Treasury. I believe we should appropriate instead of borrowing from the Treasury because the authority to borrow is an opportunity to increase our cash deficit, and once granted, Congress loses all review of the timing of such borrowings except when we are considering the statutory debt limit. Furthermore, we all know that there is a major lag in the Federal spending from the time the money is appropriated. These unexpended balances and unfunded contract authorizations can be spent by the administration with some restrictions at any time.

Forecasting the future is difficult. The Bureau of the Budget has its problems with predictions of revenues. Several months ago I placed a summary of the budgetary revenue predictions in the RECORD.

I ask unanimous consent that the summary may be printed in the RECORD at this point in my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Original budget estimates and actuals

[In billions of dollars]

Fiscal year	Receipts			New obligational authority			Expenditures		
	Original budget	Budget review current estimate [1]	Actual	Original budget	Budget review current estimate [1]	Enacted	Original budget	Budget review current estimate [1]	Actual
1946	38.2	36.6	39.6	86.8	(2)	102.3	80.0	82.5	60.3
1947	29.5	37.3	39.7	31.0	(2)	41.1	33.8	39.2	38.9
1948	34.9	38.8	41.4	33.5	(2)	38.7	34.7	34.2	33.0
1949	41.9	37.4	37.7	43.4	(2)	40.8	37.1	39.0	39.5
1950	40.2	37.2	36.4	44.6	(2)	50.2	41.1	42.7	39.5
1951	36.6	(5)	47.5	[4] 40.5	(3)	[4] 84.1	41.8	(3)	44.0
1952	54.4	(5)	61.3	94.4	(2)	92.9	70.4	69.9	65.3
1953	70.1	67.9	64.7	84.3	87.8	80.2	84.6	78.1	74.1
1954	67.8	67.5	64.4	72.9	66.3	62.8	77.6	71.2	67.5
1955	62.4	59.1	60.2	56.3	58.6	57.1	65.4	63.7	64.4
1956	59.7	61.8	67.8	58.6	62.4	63.2	62.1	63.5	66.2
1957	65.0	69.3	70.6	66.3	67.7	70.2	64.6	68.6	69.0
1958	73.1	73.5	68.6	73.3	71.6	76.3	71.2	71.4	71.4
1959	74.0	67.0	67.9	72.5	77.2	81.4	73.6	78.9	80.3
1960	76.4	78.3	77.8	76.8	79.3	79.6	76.3	78.2	76.5
1961	83.3	80.8	77.7	79.4	80.5	86.7	79.1	79.7	81.5
1962	82.3	82.1	81.4	80.9	93.1	(2)	80.9	89.0	87.7

[1] Amounts in these columns are revised estimates contained in the annual review prepared at the end of each session of Congress. The new obligational authority column includes January recommendations, subsequent amendments, and supplementals anticipated for later transmittal.

[2] Not available.

[3] None issued.

[4] Subsequent to the original budget, sizable increases in the military estimates were submitted to the Congress.

[5] No estimate of receipts made in brief review issued.

Mr. SALTONSTALL. Mr. President, I believe that those summary predictions illustrate so clearly the problem Congress and the administration face. At no time in our national budgetary processes are revenues and expenditures closely related except when the Treasury is considering the size of the deficit that it must fund or the size of the surplus which is available to reduce the national debt. It is the responsiliblity of Congress to keep the Federal Government solvent and further authorizations and spending should be related to revenues. For this reason, I feel that the debt limit must be held close to the expected deficit.

Today our cash balance is $7,652 billion. Our Federal debt is just under the statutory limit of $305 billion. By the end of August the Secretary of the Treasury estimates that our cash will be somewhat less than this at $7.1 billion and our debt subject to the limit will be $310 billion. He predicts that the debt and the cash will go up very sharply on the last day of August.

I therefore hope that the Senate will accept the recommendation of the Finance Committee and place the ceiling at $309 billion for the next fiscal year.

A tax bill is anticipated. When we have that bill before us, we will have a better understanding of what the revenues for the next fiscal year of the Government will be. We will then also have a better understanding of what the appropriations and expenditures will be in the next fiscal year, and if there is a further change in the statutory debt limit needed, we will have the background on which to base it. I hope, therefore, that the Finance Committee's recommendation will be adopted.

Mr. WILLIAMS of Delaware. Mr. President, my good friend the Senator from Washington [Mr. MAGNUSON] asked that both the Senator from Ohio and I be specific as to how the Appropriations Committee could save some money. I really appreciate that invitation, and I am delighted to accept his offer. He is correct in his suggestion that we should be specific. I begin by calling attention to a notice which has just come over the United Press wires. I should like to read it. The statement is described as one of the most startling proposals to save money that has ever been discovered by a frontiersman. The man who made the statement has said that it is a radical idea. The statement is as follows:

> The military has come up with a new way to save money. It is called buying only what we need. Assistant Defense Secretary Thomas D. Morris pictured it as a pretty radical program. He told Congress in testimony published today it should cut costs by $1.3 billion a year.

Think of it. An Assistant Secretary of Defense has come forward with what he thinks is a new and radical idea. Now what is this startling new proposal. To buy "only what we need."

I should like to inform the Assistant Secretary of Defense that in Delaware we learned that principle in the first grade of school. It is an insult to the intelligence of the American people for him to come forth now and say that it is a new and radical idea which the frontiersmen have discovered.

Every taxpayer who has had to make his own living and support his family found that out years ago the hard way.

I do not know what is taught at Harvard, but in the first grade of the schools of Delaware the children are taught that the way for a man to save money is to buy only what he needs.

I suppose, though, the President will make a great hero of this man who after all of these years of public service, has just discovered this fundamental principle that "the way to save money is to buy only what you need." That gets back to the point I made before. With a little commonsense in these departments we would have no trouble.

Again I wish to continue being specific, because I appreciate the Senator's invitation. Not long ago the Secretary of Commerce, Mr. Hodges, made a statement in which he said that he had more employees in his department than he knew what to do with, and he wished that somebody would let him alone and let him reduce the number. Since that time he has added about 3,000 more employees than he had. Some suggestion has been made that he put those 3,000 employees to work trying to find out how to get rid of the ones he already had and did not need. There is something which the Senator from Washington can do specifically. The Secretary of Commerce is asking for an additional $150 million next year to add 3,497 more employees to his department. He added 3,000 last year after he made a public statement that he had more than he knew what to do with. Yes, to be specific, I suggest the Senator cut the request back to the number when the Secretary said he did not need more employees. That can save a considerable amount of money. Reduce the number of employees. That is a very simple way to cut spending, and I will not even claim it is a new idea.

I should be delighted to help the Senator from Washington in this regard; let us be specific and start by rolling the expenditures of all agencies back to the point where they do not have more money than they had last year.

That is not a radical proposal. It is nothing new. That would only carry out what the President of the United States promised he was going to do. I am not sure that he was doing anything other than making a political speech, but let us proceed as though he meant what he said. The President, in his state of the Union message on January 14, made this promise to the Congress; I quote:

> I will shortly submit a fiscal 1964 administrative budget which, while allowing for needed rises in defense, space, and fixed interest charges, holds total expenditures for all other purposes below this year's level.

The President also said:

> This requires the reduction or postponement of many desirable programs, the absorption of a large part of last year's Federal pay raise through personnel and other economies, the termination of certain installations and projects, and the substitution in several programs of private for public credit.

The President told the Congress that—with the exception of space, interest charges, and defense—we should hold expenditures to last year's level. To be specific, the way to accomplish that is simply to hold the appropriations to that level.

An appropriation bill is scheduled to come before the Senate this afternoon. That bill would provide $49,399,300 more than was appropriated last year. The way to save $49 million-plus this afternoon is to vote for a motion which I shall make later to send that bill back to the committee with instructions to comply with the President's suggestion and hold expenditures at or below last year's level.

The answer is so simple. It is so easy to be specific; all we have to do is for Members to vote the way we are talking. It does no good merely to talk about economy; let us vote for it. My friend from Washington will have an opportunity this afternoon to be specific. By all means I urge that his committee insist that all agencies do what they should have been doing long ago; namely, buying only what they need. But I am not going to pat a man on the back and call him a hero because he suddenly wakes up to a simple truth known to any first grade child in the State of Delaware or in the State of Washington.

It is a sad commentary on frontier bureaucracy when an Assistant Secretary calls a press conference to tell the world that he has just discovered that the way to save the taxpayers' money is for the Government to buy "only what it needs."

Mr. MAGNUSON. I appreciate what the Senator from Delaware has said. I am sure that all of us appreciate the Senator's recommendations in this regard. The $49 million which is in the Interior Department appropriation bill no doubt covers a number of items which involve certain programs, particularly west of the Mississippi River. I do not think there is much involved for Delaware. Perhaps those items are justifiable. Perhaps they are not.

I make the point—and I insist on making it—that the Appropriations Committee never reports a bill which is over the budget figure. We do not intend to do so, so far as I am concerned.

I am sure the Senator from Colorado [Mr. ALLOTT] agrees with me in that regard. We sit in the committee day after day and week after week. Once in a while we would like to receive the benefit of some advice from Senators who stand on the floor and say, "This is a terrible thing you want to do."

When it comes to the question of voting on passage of an appropriation bill, all Senators vote for passage.

When we are talking about buying for the defense of this country, I think this suggestion is not radical at all. I learned about that in the first grade in school, in Minnesota. That is a good thing to do. That refers to the defense budget.

How many Senators have appeared before the subcommittee of the Appropriations Committee, which deals with the Department of Defense, to object to parts of the Defense Department appropriation bill? I could count them on the fingers of one hand, over the years. However, when the bill comes to the floor Senators stand up to say, "These terrible spenders are the fellows who want to do all these things."

Mr. WILLIAMS of Delaware. Mr. President——

Mr. MAGNUSON. How many times have Senators appeared before my little subcommittee—it is not so little any more—and said, "The Veterans' Administration wants $7 billion. Let us cut in."

Mr. WILLIAMS of Delaware. Mr. President——

Mr. MAGNUSON. I do not know of one. How many have appeared before the committee in connection with items for other agencies? We cut those appropriations. The Senator from Colorado [Mr. ALLOTT] and I cut the personnel figures last year.

But it is a different thing to say that we are going to hold the figure level from year to year. That is not a good basis for proceeding. The country is growing. I am always amazed that every year there is a headline stating, "The Federal budget is bigger this year than it was last year." Of course it is. It will be bigger 10 years from now than it is now.

Mr. WILLIAMS of Delaware. I suggest to the Senator that he should be careful, or he may be ridiculing the President of the United States.

Mr. MAGNUSON. No; I am not.

Mr. WILLIAMS of Delaware. For the Senator's information, I was quoting the words of President Kennedy.

Mr. MAGNUSON. Far be it from me to do so.

Mr. WILLIAMS of Delaware. That is why I wanted to caution the Senator, because I was reading a statement made by the President of the United States. That was not my statement. I was quoting from a speech made by President Kennedy before a joint session of the Congress last January.

Mr. MAGNUSON. That is correct. Some items can be cut down. My plea is that, instead of having broad talk about spending money, we should get down to specifics. We should say, "Do it here" or "Do it there."

The Senator from Delaware has suggested one item. That is helpful. The Senator should come to the committee and tell us about it. The Senator should not wait until the bill reaches the floor and then say, "All these Senators, Republicans and Democrats alike, who have worked day in and day out, week in and week out, and have finally come up with their best judgment, do not know what they are doing."

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the position taken by the Senator from Washington. He knows very well the point I am making.

Mr. MAGNUSON. When there is a final vote on an appropriation bill in the Senate, how many "noes" are there?

Mr. WILLIAMS of Delaware. A vote will be taken this afternoon—wait and see. If the bill is not cut back to the proper level there will be at least one vote against it.

Mr. President, the Senator from Washington knows it is very easy to say that a Senator should not object in the Senate to what the committee does unless he goes before the committee to protest.

There will be a yea-and-nay vote in a few minutes on an amendment which was approved by the Finance Committee. I do not know how the Senator from Washington will vote, but he did not come before our committee and object to the amendment. Therefore, based on his argument he will vote for the amendment. But I respect the Senator's right to vote as he pleases, and I am sure he will extend to other Members the same right.

But I have some more helpful suggestions for my friend from Washington and I am delighted at the opportunity to pass them along.

The President in his campaign in 1960 said that there were already too many Federal employees. Yet the administration has added 129,000 employees since the President has been in office.

Mr. MAGNUSON. Where?

Mr. WILLIAMS of Delaware. Oh, I have a breakdown. Mr. President, I ask unanimous consent that a report of those employees, as furnished by the committee under the chairmanship of the Senator from Virginia, be printed in the RECORD.

There being no objection, the breakdown was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HARRY F. BYRD

(Statement in connection with the monthly report on Federal personnel and pay for December 1960)

Executive agencies of the Federal Government reported civilian employment in the month of December totaling 2,356,720. This was a net decrease of 3,947 compared with employment reported in the preceding month of November.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1961, which began July 1, 1960, follows:

Month	Employment	Increase	Decrease
July 1960	2,382,549	-------	125
August	2,384,933	2,384	-------
September	2,364,636	-------	20,297
October	2,360,534	-------	4,102
November	2,360,667	133	-------
December	2,356,720	-------	3,947
Net decrease for 1st 6 months of fiscal year 1961	----------	-------	25,954

Total Federal employment in civilian agencies for the month of December was 1,324,586, a decrease of 2,568 as compared with the November total of 1,327,154. Total civilian employment in the military agencies in December was 1,032,134, a decrease of 1,379 as compared with 1,033,513 in November.

STATEMENT BY SENATOR HARRY F. BYRD

(Statement in connection with the monthly report on Federal personnel and pay for March 1963)

Executive agencies of the Federal Government reported civilian employment in the month of March totaling 2,485,738 as compared with 2,483,511 in February. This was a net increase of 2,227, including an increase of 2,826 in temporary employment under the public works acceleration program authorized by Public Law 87–658.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1963, which began July 1, 1962, follows:

Month	Employment	Increase	Decrease
July 1962	2,510,950	14,455	----------
August	2,512,199	1,249	----------
September	2,485,324	----------	26,875
October	2,482,982	----------	2,342
November	2,498,312	15,330	----------
December	2,486,628	----------	11,684
January 1963	2,477,940	----------	8,688
February	2,483,511	5,571	----------
March	2,485,738	2,227	----------

Total Federal employment in civilian agencies for the month of March was 1,429,054, an increase of 7,422 as compared with the February total of 1,421,632. Total civilian employment in the military agencies in March was 1,056,684, a decrease of 5,195 as compared with 1,061,879 in February.

Mr. MAGNUSON. I think the Senator will find that most of those increases are in the space program.

Mr. WILLIAMS of Delaware. No; they are not. For example, this year the President is asking in his budget that came to the Congress for an increase in appropriations to provide for 36,492 new employees to be added next year over and above the number of employees last year. That is the budget which was sent to the Congress.

Mr. MAGNUSON. Let us break those figures down, to find out how we could cut something out of the budget.

Mr. WILLIAMS of Delaware. If the Senator from Washington will just be patient I will break the figures down.

Mr. MAGNUSON. Very well.

Mr. WILLIAMS of Delaware. That is, the President is asking to have employees added at the rate of 3,000 a month; 100 every day 7 days to the week; or 4 every hour. What the President is asking for fiscal year 1964, getting down to the figures, is for extra money to add a new employee to the Federal payroll at the rate of one every 15 minutes, 24 hours a day, 7 days a week. I say that he does not need them.

Where would those employees go? 5,315 more employees are requested for the Department of Agriculture.

The President is asking for 3,497 extra employees in the Commerce Department. The Secretary of Commerce said that he did not need as many as he already had.

For the Department of Health, Education, and Welfare the request is for 5,931 more employees next year.

For the Department of Justice, the request is for 765 new employees.

The Department of Labor wants money for 1,293 extra employees.

These are over and above what he had last year, and they have already had 129,000 additional employees in the first 2½ years.

The General Services Administration wants 3,208 additional employees.

The Post Office Department wants 9,650 additional employees. I have not reached the Space Administration. The Senator from Washington thought that most of the new employees were for the Space Administration.

Mr. MAGNUSON. No; I said a great number.

Mr. WILLIAMS of Delaware. To be exact 3,953 are for the Space Administration, or about 10 percent of the total, and the rest are for the various domestic agencies.

Eight hundred and two additional employees are wanted for the Housing and Home Finance Agency.

The Treasury Department wants 4,149 new employees.

The Interior Department wants 3,999 new employees. That bill will be before us later today. Let us see what happens.

Why does the administration want so many new employees? I am not even counting the Defense Department. These are new employees for domestic agencies that the President said were to hold down the costs. If the Congress gives him the money he wants and which the Budget Bureau has requested 36,492 extra employees will be added to the public payroll in the next 12 months.

The President is asking for money to add one new employee every 15 minutes during the entire fiscal year 1964. Remember this is an administration in which the President in his campaign speeches said he had more than he knows what to do with.

Is being specific enough? Let us cut each appropriation back. I offer my recommendations to the committee.

Mr. MAGNUSON. We would like to have the benefit of the Senator's presence.

Mr. WILLIAMS of Delaware. I shall be delighted to let the Senator have the benefit of my presence. I will even bring down a picture to put on the wall if it will encourage him to hold down this spending.

Mr. MAGNUSON. No; the Senator's pictures do not do him justice.

Mr. WILLIAMS of Delaware. I have always felt the same way, but most of my friends think quite the contrary. [Laughter.]

At any rate, I shall be delighted to come before the committee. I will even hold the Senator's hand while he votes if the Senator wants me to do so—anything to promote commonsense in the departments. I welcome the opportunity offered by the Senator from Washington. I am sure he will agree with me that we do not need to add the number of employees suggested by the Budget Bureau.

Mr. MAGNUSON. I may thoroughly agree with the Senator. All members of the committee may agree with him. The only one we have been considering that the Senator has been talking about is the GSA. If the Senator picks out the appropriations he thinks the GSA should not have—the House has probably cut some of the requests—perhaps the Senate committee will cut some. Tell us which ones the Department should not have. We will give the Senator the most sympathetic audience he has ever had.

Mr. WILLIAMS of Delaware. Sympathetic audiences do not save a dollar. We have had sympathetic audiences before.

Mr. MAGNUSON. By sympathetic, I mean we will cut some if necessary.

Mr. WILLIAMS of Delaware. That is better. Congress has been expressing sympathy to the taxpayers for years. If sympathy had a cash value nobody would have to work; everybody would be rich.

Mr. MAGNUSON. Then, I hope the Senator will vote against the Defense Appropriations bill, the Veterans' Administration bill, and the interest on the debt bill, which we are talking about today.

Mr. WILLIAMS of Delaware. No, we are not talking about interest on the debt.

Mr. MAGNUSON. And all the other items that make up 81 percent of the taxes the American people pay. The Senator from Delaware has never voted against them.

Mr. WILLIAMS of Delaware. Oh, yes.

Mr. MAGNUSON. The Senator from Delaware has never voted against them on final passage.

Mr. WILLIAMS of Delaware. Yes, I have, many times. I do not recall just which ones. I have voted against my share of them. I am going to make a motion later this afternoon which I hope the Senator will support; it will be in line with what the President promised in his campaign speeches. I will sit beside the Senator from Washington while he votes if he thinks it will help calm his nerves and enable him to cast an affirmative vote for the American taxpayers. I will do anything in the world to help the Senator from Washington get on the right side.

Mr. MAGNUSON. I will be glad to hold the Senator's hand to help him get on the right side.

Mr. WILLIAMS of Delaware. I do not want to be led astray.

The Senator from Delaware has served on a committee with the Senator from Washington. I enjoyed that service, but I found that we had quite a few disagreements on holding down subsidy costs. But I am always willing to discuss the subject with the Senator from Washington since he has such a gracious way.

Mr. MAGNUSON. The Senator is walking into the shadows now.

Mr. WILLIAMS of Delaware. I would not want to go into the shadows with the Senator from Washington.

Mr. MAGNUSON. The Senator is going far down the road somewhere. The Senator from Delaware and I have had many arguments about the American merchant marine. A law was passed 25 years ago which provided the rules of the game, the appropriations, and the amount of money necessary to keep the merchant marine alive. The Senator from Delaware and I have had many arguments, but never has he shown up with an amendment to amend the act.

Mr. WILLIAMS of Delaware. Oh, yes; I have.

Mr. MAGNUSON. The basic subsidy act?

Mr. WILLIAMS of Delaware. Yes, the Senator from Washington just would not listen.

Mr. MAGNUSON. Which amendments were they?

Mr. WILLIAMS of Delaware. Several amendments to appropriation bills.

Mr. MAGNUSON. The appropriation has to be made by law. I am talking about the basic act.

Mr. WILLIAMS of Delaware. So am I. Once the subsidy has been contracted for, it becomes an obligation. Congress each year decides to what extent the department can commit us to pay these subsidies for the next 12 months. We have voted on that authority in every appropriation bill for the past several years. I have offered amendments to cut it back every year. I do not recall a single time when the Senator from Washington has done so.

Mr. MAGNUSON. I have joined the Senator from Delaware on three or four occasions.

Anyway, I invite the Senator from Delaware to come before our committee with his figures and statistics.

Mr. WILLIAMS of Delaware. I shall be glad to do so. I will even go to dinner with the Senator some time if that will impress upon him the need for economy.

Mr. LONG of Louisiana. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I promised to yield to the Senator from Wyoming [Mr. SIMPSON], but I yield first to the Senator from Louisiana.

Mr. LONG of Louisiana. Did the Senator say he was going to move to recommit the debt limit bill, or another bill?

Mr. WILLIAMS of Delaware. No, not the debt limit bill.

I yield now to the Senator from Wyoming [Mr. SIMPSON].

Mr. SIMPSON. Evidently the Senator from Wyoming was not vocal enough to make himself heard in his request to have the Senator from Delaware yield.

Mr. President, I was not a Member of this body last year, but the RECORD discloses that the 87th Congress was cajoled into making the $308 billion ceiling on the premise that we would have a balanced budget and that the $308 billion was needed only for a seasonal peak. Is that correct?

Mr. WILLIAMS of Delaware. That is correct, and that was the testimony given to our committee. It was claimed that the increase was needed only for a seasonal peak, and that there would be a balanced budget for the full year. The administration did not balance the budget but instead increased the deficit by $8 billion.

Mr. SIMPSON. The $8 billion was an indication that the estimate of last year was sheer nonsense. Is that correct?

Mr. WILLIAMS of Delaware. Yes; or they did not know about what they were talking. But in any event it was unrealistic. They did not live up to their promise. I think if we could hold the debt ceiling at $309 billion here today it would be realistic. Then we should serve notice on the administration that this is it and that they can hold down spending. There is nothing unusual about that formula. The Senator and I have just so much money coming to us. We have to gage our purchases in line with the money we receive. All the argument to the effect that the only alternative to an increase in the debt ceiling is for the Government to default on its obligations is nonsense. There is another alternative—the administration can stop creating so many bills. Let them spend public money just as carefully as they do their own.

Mr. SIMPSON. Does not the Senator believe this would be a mandate to the Treasury Department to live within the debt ceiling through 1964, and to cut out nonessential and extravagant expenditures?

Mr. WILLIAMS of Delaware. It would. My vote this afternoon is going to make clear that that is my intention.

Mr. SIMPSON. I thank the Senator for yielding.

Mr. ALLOTT. Mr. President, on many subjects I agree with the distinguished Senator from Delaware, who has just spoken. I am sorry that I must disagree with him on the issue now pending before the Senate. Probably our purposes are the same, but our methods of accomplishing them are a little different. I intend to vote against the amended bill as it came from the committee, and vote against any increase in the debt ceiling.

I feel privileged to consume a short period of time on the floor of the Senate to talk about appropriations, since the name of the senior Senator from Colorado has been mentioned on the floor during the past hour. I believe a few remarks with respect to appropriations may be appropriate. It is true that the Independent Offices Subcommittee, on which I have the honor to serve as the ranking minority member, with the distinguished chairman, the Senator from Washington [Mr. MAGNUSON], has come forth each year with a bill which was not in excess of the budget. It is not an easy matter to do that. The appropriation bill covers all the Independent Offices and Agencies of Government. It provides for the ICC, the FPC, the FCC, and so on down the line with respect to all the regulatory agencies.

Through all of this we have one common problem which recurs again and again, and that is that the backlog of cases before the regulatory agencies of government constantly increases. Yet we have found that it does no good simply to let it ride.

So far as we can, we have put every pressure upon the regulatory agencies to firm up and key up their procedures and adopt new methods of procedure. This has been done in some instances. However, on the whole probably there is justification for some increase each year in the personnel required. It is very difficult to face this particular problem. To those who would like to help us solve the problem I say that I join my distinguished chairman and invite them to testify in the effort to help solve it. It is one of the most irksome and burdensome problems that we share. However, in respect to other appropriations, I doubt very seriously if any agency can expand itself from a $2 billion agency to a $6 billion agency in 2 years and do an effective job. I doubt if there is any man or any group of men alive who can expand a program that fast and use the money effectively. Yet I have watched the Senate in the past 2 or 3 years, and noticed that anything which has the word "research" in it goes. Let no one believe for a moment that the executive department of this Government has not become wise to that fact. The most simple tabulations and calculations are now called research. If a man wants to find out what is happening in a certain area, an accountant is not put on the job with an adding machine, which is all that is required. It immediately becomes a research project, and this involves at least $200,000, $300,000, or perhaps $200 million, for all I know. Anything that is passed off as research goes.

Yesterday I had an opportunity to talk with one of the most distinguished scientists in the country. He told me what many scientists had told me privately, that research in this country is going downhill in many areas because Congress is providing too much money. He told me how a particular advisory committee of which he is a member in NIH listed projects one by one. He said that if any sense were applied to the appropriations it would be possible to eliminate the worst projects before getting down to the bottom of the list. They have so much money that they must scramble to put it out. This is true not only of NIH, but it is true also of the National Science Foundation and other agencies. I am not one who wants to stop research. I have had a long and abiding interest, particularly in basic research, because I believe that in basic research are to be found true values that will advance our country. Senators, individually, and as a whole, should awaken to the fact that, merely because a group of department people come before us and brand something research, that does not necessarily mean that it is required or will develop into anything. It is pretty hard to find any tangible results, particularly when some of the greatest discoveries of this century have come from countries where governments do not subsidize research to the extent that we do.

We might call a halt to the fantastic Peace Corps. I believe we appropriated $80 million for it, or that is the price tag on it this year. We might call a halt to it until we find out where it is going and what it is going to do. A few thousand letters gathered together by the Peace Corps personnel downtown do not prove that the Peace Corps is a success. We might stop, for example, the old CCC, the local Peace Corps that we have now started and which, I am sorry to say, the Senate has voted to establish. We could do hundreds of things to cut down expenses. We could have thrown the accelerated public works program out the window, where it should have been thrown. In that way we would have saved $900 million on boondoggling.

We could have done the same thing with area redevelopment. If we had done that, Mr. President, we would not have transferred one depressed area of the country to another. Federal employees have been put out all over the country literally hammering communities to take money. I could go through a whole series of examples. The challenge has been made rather loosely that the way to reduce expenditures is to vote to cut appropriations. I will vote to reduce appropriations, but I do not agree with the distinguished Senator from Delaware [Mr. WILLIAMS] when he says that by raising the debt ceiling to $309 billion we will say to the executive department that we are going to make the $309 billion stick in the Senate. We are not. We are never going to make it stick until Members of the Senate, individually and as a group, or at least a majority of them, decide that Government expenditures constitute a threat to the economic health and well-being of this country.

I intend to vote for many cuts. I will vote for some increases. I announce now two increases that I will vote for. I will vote for more money for the B–70 program. I will vote for more money for the supersonic transport, so that the shortsighted people, who cannot see over the horizon but somehow get a clear concept of the moon, will know that we must do something on this earth to keep ahead of people who are here—not only those in orbit. The $309 billion will be raised again next year, and this will be ineffectual in holding it down.

I heard the President's statement in his State of the Union message. I loved the words. I wish I could have found the tune. But the tune is one of maddening irresponsibility. Each day brings more requests for new programs, expanded programs and new boondoggling, which do this country no good and never will.

Mr. CURTIS. Mr. President, it has been said over and over again, in substance, that the bill before the Senate would not control spending. It is not a ceiling on the debt. The debt is created by spending. Spending comes about when we vote authorizations. After we set into motion spending programs, appropriated money, and inaugurated many programs, started new projects, and entered into new fields, increased costs, raised wages, placed more people on the payroll, and have done all these other things, the bills start to roll into the Treasury.

The Treasury must either pay them or not pay them. For the Government to fail to pay its bills could well lead to serious trouble at home and abroad.

The measure before the Senate is not a ceiling on debt. I wish it were. I would like to see a ceiling on spending. I would like to see a constitutional amendment that compelled the Government to live within its means and to retire the debt. But again I say that spending and debts come about because we vote for programs.

I yield to no one in my opposition to the expansion of the Federal Government. I yield to no one in consistently opposing measures that cost money. But all of that has gone by. Now the question is, Shall we let the Secretary of the Treasury borrow enough money to pay the bills? My answer is that if the Treasury will come before us in a forthright manner, without playing politics, without trickery, and without emergency, I shall, much as I do not like to do so, vote to grant the Secretary of the Treasury the authority to borrow more money.

It would be in the best interests of the country. It would call for more orderly financing and more elbow room to manage the national debt, if the action we take were to extend for the full coming fiscal year. The amendment adopted by the Committee on Finance is sound. I do not want anyone to suggest to me that he is for orderly financing and for giving the Secretary of the Treasury elbow room, but vote for a proposal that will send the borrowing ceiling down to $285 billion by the end of August. If the Committee on Finance amendment is defeated, that is what will happen. There will be a debt of something over $305 billion. By our votes, we will be putting a ceiling of $285 billion on the borrowing power. That would not be honest with the people back home. That would not enable the best possible borrowing on the part of the Treasury.

I point out something further. We cannot do much about the bills that will come in the next 2 or 3 months. The spending has taken place. The bills have to be paid. The Armed Forces must be paid. Contractors must be paid. Veterans' hospitals and other services must be continued. We cannot do very much to lessen the spending in the next 2, 3, or 4 months. But we can do something about the spending 5, 6, 7, 8, 9, 10, 11, or 12 months from now. If this measure is passed with the amendment of the Committee on Finance, there will be a borrowing limit of $309 billion. That is enough to operate the Treasury all of the next fiscal year, if the Treasury so chooses.

There are many things that can be done. The Secretary of the Treasury said he would have to go to $315 or $320 billion if all the proposed programs were enacted. Congress does not have to enact them. A project that is expected to be finished in 12 months can be dragged out to 18 months. Congress can refuse to initiate certain projects or programs. Some of the programs should be defeated; the starting dates of others can be delayed.

Many things can be done to curtail spending during the next 6 months. But we are helpless as to the immediate future.

There is no way in which to justify a vote for the bill before the Senate if the amendment of the Committee on Finance is defeated, because we shall be voting deliberately to reduce the borrowing power to $285 billion. We know that that will not work. We know that there will be another crisis. We know that it will be used in the last day or two to boost the debt far above $309 billion, or even $315 billion.

I realize that perhaps nothing that has been said here will influence any votes. I have tried to act responsibly in these matters. For the most part, I have voted to increase the borrowing limit over the years, because it was necessary for the Government to pay its bills. The time to hold down expenditures is when we consider authorizations and appropriations.

However, if the amendment of the Committee on Finance is defeated, it will be a clearcut indication that politics is being played with this issue. It will be a clearcut indication that the people back home—the taxpayers—are being deceived. It will be a clearcut indication that we are being maneuvered into a corner, so that there will be another deadline, another crisis. Then, at the end of August, the proposal will be either to take it or leave it; and what we will get to take will be very high.

So I shall vote to adopt the amendment of the Committee on Finance. It is a good amendment. If it is defeated, those who believe in a higher debt and more spending, those who believe in planned deficits, will have to take the responsibility to deliver the votes to give to the Treasury the power to borrow in order to pay its bills.

I, for one, am disappointed in the Treasury for not supporting the amendment of the Committee on Finance.

Mr. DIRKSEN. Mr. President, when we come to grips with the public debt ceiling, and discussions about appropriations are injected into the debate, I am reminded of the fellow down in Kentucky who had a balky mule. The mule lay down on the pavement and would not budge, notwithstanding all the punishment administered by the very humble owner, including the building of a fire under the mule.

By sheer happenstance, a veterinarian came along. He said, "Sam, what's the matter?"

Sam replied, "I can't do a thing with this mule."

So the veterinarian reached into his case, got out a syringe, and gave the mule a good sticking in the hind quarters. The mule got up and bounded down the street.

Sam looked at his departing mule and said, "Doc, how much was that?"

The veterinarian replied, "Well, I'll charge you only 10 cents."

"Well," Sam said, "Here's 30 cents. Give me two shots, so I can catch the mule."

So the appropriations go up, and the debt ceiling, in proportion to the appropriations, goes higher, and we kick up the debt ceiling. The appropriations and the debt go higher and higher, and higher goes the ceiling.

This is a peripatetic ceiling, so to speak. The debt and the appropriations walk together.

Before 1917, there was no debt ceiling. At that time, in the Second Liberty Loan Act, Congress established a ceiling of, roughly, $11,500 million.

Then it started up. The next ceiling was $45 billion. The next ceiling was $65 billion. Then it went up to $125 billion. In wartime it rose to $210 billion. Then it went up to $260 billion, and then it rose to $300 billion.

It went back to $275 billion; but then it went up, on a temporary basis, to $281 billion. Then it scooted above $300 billion.

It is like the little mule. It takes a couple of shots to catch those expenditures, and up goes the debt ceiling.

Then, Mr. President, we go in for an interesting fiction: We now make a distinction between the permanent debt ceiling and a temporary debt ceiling. We have had nine temporary ceilings and three permanent ceilings in the last 8 years. Then, to outdo ourselves, we have actually had five ceilings in the past 3 months. There was one ceiling on the last day of March. The following morning there was a different ceiling. Then there was still another ceiling, as the chairman of our committee well knows. On June 24, there will be still another ceiling; and on June 30 there will be another ceiling; and if we do not do anything by the 30th of June, there will be still a different ceiling. So we are willing to be "ceilinged" to death, it seems.

However, as everyone knows, a little nonsense is spouted on this floor once in a while. If we wish to hold down the debt limit, the place to do so is in the Appropriations Committees. I listened with great interest to the distinguished Senator from Washington [Mr. Magnuson] speak about having Senators come to the Appropriations Committee and give it the details. I served for 18 years on the House Appropriations Committee and on the Senate Appropriations Committee, and I do not think I am a rank amateur on that subject. But when I was managing the agricultural show, I put a man in the Department of Agriculture; and I went to every bureau head there, and I had them to lunch; and I said to them, "You are to respond to his questions and you are to give him what he requests; otherwise, you will settle with me in the committee room." Mr. President, that got results.

The tragedy is that Senators are so busy that they do not have enough time. Members of the House serve on only one subcommittee, and that is their work during the session. But I say to our very distinguished chairman that once I served on five subcommittees of the Appropriations Committee, and at the same time I served on seven subcommittees of the Judiciary Committee. I do not quite know what I did with my "spare time," I must say. I used to operate "on roller skates."

It is in the Appropriations Committees that the job must be done; and the debt ceiling bill is only an echo of what the Appropriations Committees do.

We cannot put all the blame on the Treasury Department. However, I believe one admonition can be made. The distinguished Senator from Delaware said to the Secretary of the Treasury, several months ago, "Do not come at the last minute." But last week we met under the expert direction of our distinguished friend the Senator from Virginia [Mr. Byrd], and listened carefully to the distinguished Secretary of the Treasury. I sympathize with his problems, and I do not wish to throw any rocks. Frankly, he must have some maneuverability and some flexibility. I do not quite know what the central bankers in Europe would say if we were to slice the funds available to the Secretary of the Treasury so close that the central bankers in Europe would come to the conclusion that Congress had no confidence in the Secretary of the Treasury. Certainly that would be a disaster.

Neither can we reduce his cash balances. He operates in a cash balance area of, let us say, $4,200 million up to $5,700 million. There could arise an eventuality—for, after all, we are on thin ice—so far as the imbalance of payments between our country and other countries is concerned. I do not want the hands of the Secretary of the Treasury to be tied, and I am willing to be reasonable in that connection. Moreover, I do not want him to have to resort to what one might call "phony" financing.

We know that Bob Anderson, the Secretary of the Treasury under President Eisenhower, did that in 1957; he had to go into the market and sell nonguaranteed obligations. But when that is done, the interest rate rises, and the result is to add to the interest on the public debt, which now is over ten thousand million dollars a year.

Mr. President, there may be some who get comfort from saying, "We owe it only to ourselves." Mr. President, we cannot pick up a chunk of cobblestone that has been put down under the highway program and put it on the front porch of a man who holds a Government saving bond, and say to him, "Here is your interest." He wants his interest paid to him in the coin of the realm which he can spend with the butcher or the grocer or at the department store or in paying his income tax to the Government. So the interest must be paid to him in money. The result is that the interest charge rises.

I would not want the Secretary of the Treasury to use some of the cash which must go into trust funds—for example, into such funds as the Railroad Retirement Fund and the Social Security Fund. Congress makes those appropriations out of the general revenues. Suppose the Secretary of the Treasury were to grab several billion dollars and say, "Congress has not gotten around to appropriating this into the social security account; so I will use this cash." Mr. President, if that were done, I would regard it as a public violation of his fiduciary responsibility. So such action is not taken.

Some say, "Go ahead; we have many assets which can be put on the market." But, Mr. President, that would result in a forced sale of assets; and I would not wish that to be done.

So what would the Secretary of the Treasury do? If he were instructed to make a forced sale, that would tipoff the securities market. In order to sell Government bonds, the Secretary of the Treasury has to proceed in the same way that the Singer Sewing Machine Co. or the International Harvester Co. or any other industrial concern in the country proceeds; he has to go into the same market.

Mr. President, what would Members of Congress say about the Secretary of the Treasury if he were so mistaken in judgment as suddenly—overnight—to drop $1 billion worth of assets into the market? Members of Congress would wish to run him out of office. So I do not wish to put the Secretary of the Treasury in that hole.

Frankly, I think the Secretary of the Treasury has done wisely and well in connection with the debt ceiling. He said an increase to $307 billion would be sufficient up to June 30. So we have provided for that. He said that a debt ceiling of $309 would get him out of the fire up to August 31, even though he would nudge through the ceiling a little. But he has a cash cushion to fall back on.

But we went further. We said, "Mr. Secretary, we will make the $309 billion ceiling last, not until August 31, but until June 30, 1964." So he will not be in trouble.

We know he must make a further request; he said he would have to. The appropriation bills have not yet been passed; neither has the tax bill. So how can the Secretary of the Treasury know now what his expenditures column will show on a projected basis and what the debt ceiling will have to be? He may have to say to us, "I must have a debt ceiling of $325 billion." If he said that, I would not be surprised, in view of the way Congress spends money.

Mr. President, the way Congress spends money is certainly a caution. But so long as Congress spends the money, we might just as well take credit for the drought as well as for the rain, because the ceiling is there, and the money is made available by this body and the other body.

The Constitution provides:

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

Congress is the exclusive custodian of the public purse. Let no Member of Congress try to duck his responsibility. It is here. We will not shirk it. I have never tried to duck it. I have defended on the platform every one of my fiscal actions for the past 30 years. I love to confess in public because it is good for the soul. I think people like it.

We have presented a good bill. What kind of hole would we put the distinguished chairman of the committee in if we voted down the bill when it came from the committee by a vote of 13 to 2? The distinguished Senator from Louisiana, who has offered the amendment to remove the new "time" provision, voted for the bill in committee; he so admitted on the floor of the Senate earlier in the day. What kind of hole would the Senator put us in?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. LONG of Louisiana. Does the Senator ask what kind of hole the chairman of the committee would be put in?

Mr. DIRKSEN. The committee.

Mr. LONG of Louisiana. The chairman voted against the bill.

Mr. DIRKSEN. That is all right, but the Senator considers the committee as an entity. Does he deny that that was the vote?

Mr. LONG of Louisiana. I was present and I voted.

Mr. DIRKSEN. Certainly, but I was present and heard the testimony of the Secretary before I had to come to the floor of the Senate for a 12 o'clock meeting of the Senate. Do not pin that on me. I know where I was.

My duty was to be in the Senate Chamber at 12 o'clock. I left the committee at 7 minutes to 12, in time to undertake the duties of the leadership here. But my vote was cast. I was the first to ask the Secretary of the Treasury questions, by the grace and sufferance of our distinguished chairman.

Mr. LONG of Louisiana. I wish to say to my good friend from Illinois, whom I dearly love and admire——

Mr. DIRKSEN. I love my friend dearly, too.

Mr. LONG of Louisiana. I know what it is to prevail on the floor of the Senate. I have had an amendment in which I believed very strongly agreed to. Then I have seen as good a friend as the Senator from Florida [Mr. SMATHERS] walk in and move to reconsider the vote by which my amendment was agreed to, and watch the leadership defeat the amendment after it had been agreed to.

We have had proposals agreed to, and then heard the statement, "I am afraid this will not work out too well. He had better change it."

Even the Senator has changed his mind on occasion.

Mr. DIRKSEN. The only people who do not change their minds are in cemeteries and kindred places. I merely wished to make clear what happened in the committee. By an overwhelming majority vote the bill was reported to the Senate. All I have said is that I believe the Senate ought to sustain its Committee on Finance. Then we shall go to conference on the bill.

I have listened to my friend. I have interposed in his conversation because the whole burden of his argument was that we could not persuade the House to agree. That is an unwarranted assumption. I have been on hundreds of conference committees, first on the other side of the Capitol coming over here, and subsequently on this side going over there. We must assume that we have a record. We have the facts. And there is nothing so stubborn as a fact. We have the facts with us. I think we ought to vote. I am ready to vote.

Mr. LONG of Louisiana. Mr. President, I shall speak only for a moment.

First, I ask unanimous consent to have printed at this point in the RECORD a list of the times the debt limit has been increased. The list appears on page 5 of the report.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Debt limitation under sec. 21 of the 2d Liberty Bond Act, as amended—History of legislation

Sept. 24, 1917:	
40 Stat. 288, sec. 1, authorized bonds in the amount of	[1] $7,538,945,400
40 Stat. 290, sec. 5, authorized certificates of indebtedness (outstanding revolving authority)	[2] 4,000,000,000
Apr. 4, 1918:	
40 Stat. 502, amending sec. 1, increased bond authority to	[1] 12,000,000,000
40 Stat. 504, amending sec. 5, increased authority for certificates outstanding to	[2] 8,000,000,000
July 9, 1918: 40 Stat. 844, amending sec. 1, increased bond authority to	[1] 20,000,000,000
Mar. 3, 1919:	
40 Stat. 1311, amending sec. 5, increased authority for certificates outstanding to	[1] 10,000,000,000
40 Stat. 1309, new sec. 18 added, authorizing notes in the amount of	[1] 7,000,000,000
Nov. 23, 1921: 42 Stat. 321, amending sec. 18, increased note authority to outstanding (establishing revolving authority)	[2] 7,500,000,000
June 17, 1929: 46 Stat. 19, amending sec. 5, authorized bills in lieu of certificates of indebtedness; no change in limitation for the outstanding	[2] 10,000,000,000
Mar. 3, 1931: 46 Stat. 1506, amending sec. 1, increased bond authority to	[1] 28,000,000,000
Jan. 30, 1934: 48 Stat. 343, amending sec. 18, increased authority for notes outstanding to	[2] 10,000,000,000
Feb. 4, 1935:	
49 Stat. 20, amending sec. 1, limited bonds outstanding (establishing revolving authority to)	[2] 25,000,000,000
49 Stat. 21, new sec. 21 added, consolidating authority for certificates and bills (sec. 5) and authority for notes (sec. 18); same aggregate amount outstanding	[2] 20,000,000,000
49 Stat. 21, new sec. 22 added, authorizing U.S. savings bonds within authority of sec. 1.	
May 26, 1938: 52 Stat. 447, amending secs. 1 and 21, consolidating in sec. 21 authority for bonds, certificates of indebtedness, Treasury bills, and notes (outstanding bonds limited to $30,000,000,000). Same aggregate total outstanding	[2] 45,000,000,000
July 20, 1939: 53 Stat. 1071, amending sec. 21, removed limitation on bonds without changing total authorized outstanding of bonds, certificates of indebtedness, bills, and notes	[2] 45,000,000,000
June 25, 1940: 54 Stat. 526, amending sec. 21, adding new paragraph: "(b) In addition to the amount authorized by the preceeding paragraph of this section, any obligations authorized by sections 5 and 18 of this Act, as amended, not to exceed in the aggregate $4,000,000,000 outstanding at any one time, less any retirements made from the special fund made available under section 301 of the Revenue Act of 1940, may be issued under said sections to provide the Treasury with funds to meet any expenditures made, after June 30, 1940, for the national defense, or to reimburse the general fund of the Treasury therefor. Any such obligations so issued shall be designated 'National Defense Series'."	[3] 4,000,000,000
Feb. 19, 1941: 55 Stat. 7, amending sec. 21, limiting face amount of obligations issued under authority of act outstanding at any one time to Eliminates separate authority for $4,000,000,000 of National Defense Series obligations.	[2] 65,000,000,000
Mar. 28, 1942: 56 Stat. 189, amending sec. 21, increased limitation to	[2] 125,000,000,000
Apr. 11, 1943: 57 Stat. 63, amending sec. 21, increased limitation to	[2] 210,000,000,000
June 9, 1944: 58 Stat. 272, amending sec. 21, increased limitation to	[2] 260,000,000,000
Apr. 3, 1945: 59 Stat. 47, amending sec. 21 to read: "The face amount of obligations issued under authority of this Act, and the face amount of obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), shall not exceed in the aggregate $300,000,000,000 outstanding at any one time."	[2] 300,000,000,000
June 26, 1946: 60 Stat. 316, amending sec. 21, adding: "The current redemption value of any obligation issued on a discount basis which is redeemable prior to maturity at the option of the holder thereof shall be considered, for the purposes of this section, to be the face amount of such obligation," and decreasing limitation to	[2] 275,000,000,000
Aug. 28, 1954: 68 Stat. 895, amending sec. 21, effective Aug. 28, 1954, and ending June 30, 1955, temporarily increasing limitation by $6,000,000,000 to	[2] 281,000,000,000
June 30, 1955: 69 Stat. 241, amending Aug. 28, 1954 act by extending until June 30, 1956, increase in limitation to	[2] 281,000,000,000
July 9, 1956: 70 Stat. 519, amending act of Aug. 28, 1954, temporarily increasing limitation by $3,000,000,000 for period beginning July 1, 1956, and ending June 30, 1957, to	[2] 278,000,000,000
Effective July 1, 1957, temporary increase terminates and limitation reverts, under act of June 26, 1946, to	[2] 275,000,000,000
Feb. 26, 1958: 72 Stat. 27, amending sec. 21, effective Feb. 26, 1958, and ending June 30, 1959, temporarily increasing limitation by $5,000,000,000	[2] 280,000,000,000
Sept. 2, 1958: 72 Stat. 1758, amending sec. 21, increasing limitation to $283,000,000,000, which, with temporary increase of Feb. 26, 1958, makes limitation	[2] 288,000,000,000
June 30, 1959: 73 Stat. 156, amending sec. 21, effective June 30, 1959, increasing limitation to $285,000,000,000, which, with temporary increase of Feb. 26, 1958, makes limitation on June 30, 1959	[2] 290,000,000,000
Amending sec. 21, temporarily increasing limitation by $10,000,000,000 for period beginning July 1, 1959, and ending June 30, 1960, which makes limitation beginning July 1, 1959	[2] 295,000,000,000
June 30, 1960: 74 Stat. 290, amending sec. 21, for period beginning on July 1, 1960, and ending June 30, 1961, temporarily increasing limitation by $8,000,000,000	[2] 293,000,000,000
June 30, 1961: 75 Stat. 148, amending sec. 21, for period beginning on July 1, 1961, and ending June 30, 1962, temporarily increasing limitation by $13,000,000,000	[2] 298,000,000,000
Mar. 13, 1962: 76 Stat. 23, amending sec. 21, for period beginning on Mar. 13, 1962, and ending June 30, 1962, temporarily further increasing limitation by $2,000,000,000	[2] 300,000,000,000
Ju'y 1, 1962: 76 Stat. 124, amending sec. 21, for period—	
1. Beginning July 1, 1962, and ending Mar. 31, 1963	[2] 308,000,000,000
2. Beginning Apr. 1, 1963, and ending June 24, 1963	[2] 305,000,000,000
3. Beginning June 25, 1963, and ending June 30, 1963	[2] 300,000,000,000

[1] Limitation on issue.

[2] Limitation on outstanding.

[3] Limitation on issues less retirements.

Mr. LONG of Louisiana. Eleven of the increase in the debt limit were under President Eisenhower.

Sometimes I wonder how we Democrats were ever able to resist the temptation to heap upon Republicans the sort of chastisement we receive when a Democratic President asks for an increase in the debt limit. I wonder how we managed to resist the opportunity to spend several hours making speeches about excessive expenditures under Republicans each time when the debt limit was raised. President Eisenhower asked eight different times for an increase in the debt ceiling limit. During his administration the limit was increased from $275 billion to $298 billion. We had some prosperity during much of that time.

The Senator from Louisiana knows what the Secretary of the Treasury is up against when he tries to do something like that.

We kept the funds so tight that during the Eisenhower administration we would approve a small increase and then drop back to a previous level. The Secretary of the Treasury was compelled to do a number of things he did not wish to do, which cost our Nation a great deal of money. That was not the way in which the debt should be managed.

I ask unanimous consent to have printed in the RECORD at this point a table prepared by the Secretary of the Treasury, Mr. Dillon, which appears on page 24 of the hearings, illustrating some of the things that the Secretary of the Treasury under the Eisenhower administration had to do because we did not give him enough leeway to handle the debt in ways that he felt it should not be handled.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated additional cost of agency borrowing compared with Treasury borrowing

	Agency	Description of issues		Term	Amount	Approximate Treasury borrowing rate	Spread	Estimated additional cost
		Percent			*Millions*	*Percent*	*Percent*	*Million*
Oct. 28, 1953	CCC	2½	Aug. 2, 1954	9 months	$357	1⅞	⅝	$1.7
Dec. 17, 1953	CCC	2¼	do	7½ months	449	1¾	½	1.4
Feb. 2, 1954	CCC	2⅛	do	6 months	351	1⅝	½	.8
Nov. 12, 1954	CCC	1⅝	Aug. 1, 1955	8½ months	1,169	1¼	⅜	3.1
Jan. 20, 1955	FNMA [1]	2½	Jan. 20, 1958	3 years	570	2	½	8.6
Oct. 29, 1957	FNMA [1]	4⅞	June 26, 1958	8 months	802	4⅛	¾	4.0
Jan. 20, 1958	FNMA [1]	3⅝	Aug. 23, 1960	2 years, 7 months.	797	3	⅝	12.9
Total								32.5

[1] Management and liquidation functions.

Source: Office of the Secretary of the Treasury, debt analysis staff, Jan. 16, 1958.

Mr. LONG of Louisiana. Mr. President, the Secretary of the Treasury spelled out very clearly why the bill should become law today. I ask Senators to look on page 25 of the hearings. They will see that he explains the situation. He has money coming in, which money is to be invested in trust funds. When we invest the trust funds, that should be in Government bonds, which are an obligation of the U.S. Government bearing interest. So automatically a debt increase is called for.

Tomorrow the Secretary of the Treasury should invest $1,200 million of money. That money is coming in and should be invested in trust funds. It then becomes a part of the national debt. The Secretary will not be able to do it.

If Senators will look at page 25 of the hearings, they will see that the situation is spelled out clearly. The table appears elsewhere in the hearings. The Secretary makes reference to the table to show that it is his obligation to invest the funds as they come in from withholding taxes, social security taxes, and other Government trust funds. Of course, he will not be able to do so because, unless we raise the debt limit, it will be against the law starting tomorrow for him to invest that money in trust funds.

As I have indicated, I do not know what the House will do. I am told it will have difficulty in developing a quorum if a single House Member wishes to resist the measure. As a practical question, we will have another opportunity to vote on the question of the debt limit some time later this year. Now the Secretary of the Treasury has an obligation to buy Government bonds with trust fund money, which will put us through the debt limit tomorrow. That is why the bill should be passed today. Of course, we do not have to do our duty, but we should.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. The distinguished Senator has said that the Secretary of the Treasury has an obligation to purchase trust fund obligations tomorrow. By what process was that obligation placed upon the Secretary of the Treasury?

Mr. LONG of Louisiana. The Secretary has a fiduciary relationship as the person who manages the withholding receipts that come in. In that capacity he must invest such receipts on behalf of the people who would benefit from the trust fund.

Mr. GORE. That trust and responsibility was placed upon him by an act of Congress, was it not?

Mr. LONG of Louisiana. We created that trust by an act of Congress. If we should not raise the debt ceiling to the limit proposed, we would make it against the law for him to do what Congress requires him to do, which seems rather ridiculous to this Senator.

Mr. President, I hope the amendment will be rejected, because the bill should become law today.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL DEFENSE

Mr. MORSE. Mr. President, this morning I received a telegram from Mr. Steuart L. Pittman, Assistant Secretary of Defense for Civil Defense. An identical telegram was sent to the Governor of the State of Oregon; to Mr. Ben Musa, speaker of the Oregon State Legislature; to my colleague from Oregon [Mrs. NEUBERGER]; and to Representatives in Congress WALTER NORBLAD, AL ULLMAN, EDITH GREEN, and ROBERT B. DUNCAN.

The telegram reads as follows:

> I wish to inform you that I have today sent the following telegram to the Portland City Council:
>
> I understand that the City Council of Portland has taken steps to eliminate those civil defense activities in the city intended to meet wartime disasters. It is the considered judgment of the President and Secretary of Defense that existing fallout shelter space supported by warning and local emergency organization would significantly improve the chances of survival of people in any part of the United States in the event of nuclear attack. Portland is one of several dozen cities fortunate enough to have shielding from fallout radiation adequate to accommodate its entire population. The Federal Government has shipped a large amount of shelter supplies, purchased with funds appropriated by Congress, to nearby Federal warehouses to stock this potential shelter resource and make possible an effective working shelter system in Portland. Your city, fulfilling its part in a joint Federal, State and local undertaking, has already obtained permission from the owners of 203 buildings to accommodate 337,420 people in shelter areas. Your decision to eliminate the activities which could bring this resource for saving lives into actuality is one of profound significance for the people of Portland.
>
> The civil defense program is now an integral part of the total military defense effort. Progress in strengthening this country through military and civilian measures of defense depends on a coherent national effort. I would hope that any decision by

the city council to pursue an independent and inconsistent policy on defense matters would be finalized only after careful study. Therefore I urge that you consider forming a committee of civic leaders to examine the complexities of this problem. I would be glad to meet with such a group in Washington or Portland for the purpose of making available any information we can on the nature of the threat and the validity of defensive measures available to Portland. Our conclusion is simply that nuclear war, while not likely, is a possibility over the years ahead, which we cannot ignore. If it should occur, the chances of Portland being passed up by nuclear explosions but subjected to lethal radiation would be very real. And if this should happen, the failure to organize the effective use of existing shelter space in Portland would mean that a large part of the Portland population would be overexposed to radiation with tragic consequences which could have been avoided at negligible cost and considerable application to a difficult management task by those who run the city affairs.

Pending clarification of Portland's capacity and intention to use the results of the shelter survey and Federal shelter supplies, I have instructed my regional director to hold up all Federal civil defense resources earmarked for the city of Portland. Should you so request, this aid would be restored, but if supplies have been rerouted to other cities, the startup time would take many additional months. Should an emergency arise and the city be unprepared, I would urge that you at least have developed a method for the people of Portland to know which buildings would offer shielding against radiation. Even though such shelters would not be stocked, nor staffed by trained people to manage them and to monitor radiation, and even though the warning system may have deteriorated, chaotic and unplanned use of the protected areas would be better than nothing.

STEUART L. PITTMAN,
Assistant Secretary Defense (Civil Defense).

My reply to Mr. Pittman by letter a few hours ago was as follows:

DEAR MR. SECRETARY: In reply to your wire urging me to support continuation of the civil defense program in Portland, Oreg., and the State of Oregon, I wish to advise you that I find many of the arguments advanced by your Civil Defense Administration to be very unconvincing.

I have been advised this morning that the Oregon State Legislature has voted against appropriation of funds for continuation of the State civil defense program. The action which has been taken in my State by the Portland City Council and the Oregon State Legislature is indicative of increasing suspicion in our country that much of the civil defense program is unrealistic, wasteful and tends to create a false sense of security in case of nuclear war. It also indicates that increasing numbers of people feel that greater efforts should be made in ending nuclear testing, reaching disarmament agreements compatible with national security and doing a better job of protecting our greatest defense weapon; namely, our economy by eliminating huge wastes in the Pentagon Building. In my judgment, scarecrow arguments will not sell civil defense much longer to the American people.

I am sure that the municipal leaders of Portland and the leaders of the State government of Oregon at both the executive and legislative levels would be glad to confer with you, if you requested such a conference. However, I do not think the suggestion contained in your wire that Federal civil defense resources earmarked for Portland might be rerouted to other cities will prove to be very persuasive.

I see the action which has taken place in Oregon to be an indication of the increasing recognition on the part of more and more people that if we get into a nuclear war, we have had it and those who come out of holes in the ground called civil defense shelters will not have much to come out to.

Nevertheless, if the Civil Defense Administration can offer the people of my State and the people of the country as a whole a realistic civil defense program that makes sense, I am sure that fair consideration will be given to it. However, the fact is that much of the civil defense program to date hasn't made sense to many people, including myself.

Last year we had a State disaster in the most catastrophic storm in our history and there was widespread State criticism of the collapse of the civil defense program. If it can't meet the emergency of a storm, it offers little hope for meeting the emergency of a nuclear attack.

Sincerely yours,

WAYNE MORSE.

Mr. President, the city of Portland and the State of Oregon have taken the first steps to remove first the city and then the State from the Federal civil defense program. At the moment, it is still possible that one or both of these actions may be reversed. But in light of the earlier rejection by the voters of Portland of a bond issue for civil defense purposes, it does not appear likely that the decisions of the Portland City Council and the State legislature will be changed.

Certainly the people of Oregon were sadly disillusioned last October 12 about the whole civil defense concept. The devastation visited upon Oregon last Columbus Day by the sudden typhoon which swept in off the Pacific Ocean paralyzed most of it. The disruption of transportation and of services that have come to be a part of our way of life, especially power, was just a taste of what civil defense would be confronted with in the event of a nuclear attack. Yet the civil defense setup on which the people of Oregon and the Nation as a whole have spent a good deal of money, was completely immobile. Not even its communications system, which is alleged to be a major function of civil defense, was brought into operation.

Much was said afterward about whether civil defense was supposed to have functioned during that storm, or whether the entire responsibility in cases of natural disaster lies with other agencies of Government. But that is not a realistic issue, because I do not think there is any evidence that civil defense would have done any better if it had had the sole responsibility. Civil defense was unable to cope with a sudden emergency. And that is the kind of situation it would have to deal with in the case of nuclear attack.

The experience Oregon had with civil defense inadequacy last fall has raised again the whole issue of how useful it is to spend large sums on the program. There is, in my opinion, little purpose in attempting to defend a civilian population against direct nuclear blast. The possibility of constructing blast shelters that would protect a large percentage of the population against both nuclear blast and fallout would probably cost more than the entire defense budget. and even then, the reality of such protection is questionable because of many unknown factors.

A somewhat better case can be made that a large percentage of a population outside the direct blast area can be protected from radiation. But it is only a guess as to how much of the Nation would be targeted. We know that Russia does not plan to use its nuclear weapons primarily against military targets, as does the United States. Their missiles are undoubtedly targeted on population centers, on the theory that since Russia lacks weapons in such large numbers and in such variety of delivery as we have, they have to get the most mileage from them possible, meaning to threaten the greatest number of people. France is constructing its nuclear program on the same theory. A handful of nuclear bombs will go further against large cities than against isolated missile sites. So in any nuclear war, we would have to expect cities like Portland, which have relatively little military value, to be targets, anyway.

But even if a population is threatened only by fallout, the question of how they will survive afterward remains. Civil defense has done little about that. Water supply, sewage, food, and other necessities will all depend upon local supplies for an indefinite period. Animals and vegetation, except for weeds, will be killed by the same radiation from which human beings can be sheltered. Transportation, power, and communications will be nonexistent for an unknown length of time.

The decision of Oregon indicates that a great many people are becoming aware of these problems and are not satisfied with what the present civil defense program is doing about them. I think there is an increasing awareness that avoidance of the disaster itself, in the case of nuclear war, is the only protection for the American people.

As the senior Senator from Oregon, I wish to say to the people of Oregon and the Nation that I have many reservations and great doubts about the effectiveness of the whole civil defense program as it is now planned. I am satisfied great waste is involved in this part of the civil defense program, as is involved in much of the operation of the Pentagon Building.

The Pentagon Building has done a tremendous propaganda job on the American people by putting forth a fear program in connection with the whole civil defense program. It seems to think that if the people can be kept frightened long enough, they can be persuaded to continue to approve the appropriation of great sums of money that, in fact, are wasteful in connection with the defense of the country.

I shall continue to vote for defense dollars that can be justified for the protection of the security of my country, but I am not going to vote for unjustified military expenditures because to do so would weaken the greatest defense weapon the American people have, namely, the economy of this country. If we continue to weaken the economy of this country, irreparable damage will be done to its security.

So I respectfully say the time has come for this administration to reexamine its entire civil defense program. I am proud of the fact that my State, the Portland City Council, and the legislature of my State, have issued the first warning to this administration that it had better take another look at the civil defense program from the standpoint of its efficiency and cost.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. YOUNG of Ohio. I express my admiration for the real and needful public service to the people of Oregon and to all Americans that the distinguished senior Senator from Oregon has today again rendered in this Chamber.

The senior Senator from Oregon has again manifested and demonstrated here that he is one of the truly great and perceptive public servants of our time. I take the floor not only to express my admiration of him, but to express again my congratulations to the officials of the city of Portland and of the State of Oregon, for the fact that they have concluded that the entire civil defense program has proved to be a huge boondoggle costing the American taxpayers, to this good hour, at least $1,300 million, and accomplishing no effective results whatever.

It is a fact, as has been recognized by leaders in the city of Portland and in the State of Oregon, that, in reality, H-bombs and modern missiles and the rapid advance of science have rendered the whole civil defense concept obsolete.

It seems to me that the Assistant Secretary of Defense for Civil Defense deserves the rebuke he has received. Furthermore, he went altogether out of line in trying to sell Federal funds, one might say, to the mayor and City Council of Portland, and in offering to go there and have those patriotic and fine officials, who know the situation in their city and State, reverse their decision.

By the way, Assistant Secretary Pittman was a lawyer. No doubt he was a good lawyer. Also, he had been an AID official in the past. So he has had some practice in throwing American largess around, in the form of the taxpayers' money, throughout the world. As the distinguished senior Senator from Oregon has stated, Federal civil defense officials are engaged in scare tactics. These tactics are deplorable and should cease immediately.

I call attention, in that connection, to a 53-page critical appraisal of the entire fallout shelter plan. The old plan of evacuation of a city such as Washington was abandoned. Now, in a moment of terror, it is proposed that people crawl into holes in the ground or the basements of public buildings, shivering and awaiting the conquering paratroopers. That is a futile and defeatist attitude, and it is extremely doubtful that it will save any lives in event of a nuclear attack. Nowhere in the huge subway system in London is there a shelter sign. There is nothing of that sort in France. There is nothing of that sort in the Soviet Union.

As the distinguished senior Senator from Oregon has said, instead of spending money on an organization which, in my State and others is operated in great part by political hacks, some of them in my own party, if we were to concentrate our efforts on negotiating patiently, despite frustrations and disappointments, for a nuclear test ban treaty with adequate safeguards establishing the Arms Control Agency on a permanent basis, something worthwhile would undoubtedly be accomplished. The lesson of history since the turn of the century shows that an uncontrolled arms race has eventually lead to a world war.

Instead of the politicians in the Defense Department and the big brass in the Pentagon trying to scare people with a shelter program, why do they not listen to prominent scientists who state that the Russians can explode nuclear weapons in the air over cities, instead of at the surface? This could cause the fallout shelters to turn into ovens and cook the people inside of them, just as 60,000 of the people of Hamburg were roasted to death in an hour, when a huge air raid causing firestorms took place in World War II. That raid was infinitesimal in its destructive power compared with the destructive power of one atomic bomb with a 1-megaton yield. Those in the Pentagon altogether disregard the fact that under such circumstances, if our citizens did not burn to death immediately they would probably suffocate because all the oxygen would be consumed in the so-called shelters. Following that there is the even deadlier threat of radioactivity. This is the conclusion of many prominent scientists.

Again I express my commendation and high admiration for a truly great public servant, the senior Senator from Oregon, who has reported a factually correct analysis of the civil defense problem. I am sure that his efforts will go a long way toward saving the taxpayers of our country many millions of dollars.

Mr. MORSE. Mr. President, in closing I thank the Senator from Ohio for his kind remarks. The RECORD should show that for a long time he has been a very precious and biased friend of the senior Senator from Oregon. I do not know of anything more valuable.

However, I am indebted to him, and I believe the American people should be indebted to him because he was the first Senator to carry on a major effort to at least try to bring the civil defense program within the realm of feasibility. That is what is needed in the appropriations for civil defense as we consider them this year. We must make a thoroughgoing examination of every cent for which a request is made.

Mr. CANNON. Mr. President, I have no desire to comment on the remarks of the Senator in connection with the civil defense effort. However, I was interested in his remarks in relation to the Pentagon and the wasteful practices that he claims have been in existence there.

As a member of the Armed Services Committee I know that I and the distinguished chairman and the other members of the committee have long been concerned with possible wasteful practices and with reductions that might be made without affecting the muscle of our defense posture, which of course none of us wants to do.

For example, this year, in the authorization bill we have cut approximately three-quarters of a billion dollars from the amount requested. We believe we did so without affecting the posture of our Defense Establishment. In a short time we shall consider the military construction bill. I notice that the House has cut a considerable amount of money from the amounts requested by the administration.

We intend to take a hard look at it and spend many hours this year, as we did last year and in previous years, in trying to find areas where reductions can be made in this program. Of course, in a program that involves so much money there are bound to be some areas where reductions can be made economically. I say to the Senator that, as a member of the committee, if the Senator has any suggestions to make as to what reductions might be made in areas where we could reduce the authorizations, without endangering our defense posture, I will be happy—and I know the distinguished chairman of the committee and other members join me in saying this—to hear from the Senator at the time we take up the military construction bill and our other military bills.

I know that the Senator will join me in saying that the men and women in our Defense Establishment are highly underpaid, compared, for example, with public servants in the civil service. We hope to hold hearings early in an effort to rectify the situation. I am sure the distinguished Senator would not want us to effect economies at the expense of reductions of pay of these people, when they are entitled to an increase in their pay based on the pay of employees in other branches of the Government.

Again I say that I would be very happy to have Senators submit suggested reductions in any area in which he might feel reductions should be made in order to reduce the tremendous cost that is placed on the backs of our taxpayers.

Mr. MORSE. I thank the Senator. In the first place, his remarks contain a confession that there has been great waste in the recommendations of the Pentagon, as is shown by the economies he states have been made by his committee. I will be happy to join issue with the Armed Services Committee. In my opinion, the committee could cut out 20 percent of the authorization and strengthen the security of our country. I suggest that the committee take a look at our programs involving NATO and other American military activities in Western Europe, and bring to the floor substantial cuts in those programs. I suggest that the committee take a look at the whole military aid program around the world; and I suggest that the Armed Services Committee take the position that it is about time that some of the other free nations of the world assume their share of the cost of defending freedom in connection with military aid around the world.

When we get to the domestic scene, I believe I can go into the defense budget item by item; and I shall be glad to appear before the committee and show specifically where the budget could be cut 20 percent, without jeopardizing the security of the country.

The time has come to look at the propaganda that is put out by the Pentagon and the raids that the Pentagon is making on the Treasury for appropriations which in my opinion are undeserved.

PUBLIC DEBT CEILING

The Senate resumed the consideration of the bill (H.R. 6009) to provide, for the periods ending June 30, 1963, and August 31, 1963, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 2, line 1, to strike out "August 31, 1963" and insert in lieu thereof "June 30, 1964." On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. DIRKSEN. Mr. President, I was on my feet. I was about to interpose a request for a quorum call. However, I withdraw my request and instead desire to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. What is the exact, precise question now before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. The clerk will state the committee amendment.

The LEGISLATIVE CLERK. On page 2, line 1, it is proposed to strike out "August 31, 1963" and insert in lieu thereof "June 30, 1964."

Mr. DIRKSEN. So the Senate is about to vote on the amendment in the bill as it was adopted by the committee and reported to the Senate?

The PRESIDING OFFICER. That is correct.

Mr. SMATHERS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. SMATHERS. If it is desired to vote for the position taken by the House, as advocated by the Senator from Louisiana [Mr. LONG], will the vote be "nay"?

Mr. PASTORE. That is correct.

The PRESIDING OFFICER. A negative vote will restore the language of the House.

Mr. DIRKSEN. So, Mr. President, while neither of these statements is exactly in the nature of a parliamentary inquiry, a "yea" vote would sustain the committee and the committee amendment?

The PRESIDING OFFICER. The Senator is correct. The clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from California [Mr. ENGLE], the Senator from North Carolina [Mr. ERVIN], the Senator from Indiana [Mr. HARTKE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Missouri [Mr. LONG], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I further announce that the Senator from West Virginia [Mr. RANDOLPH] is necessarily absent.

I further announce that, if present and voting, the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], and the Senator from Missouri [Mr. LONG] would each vote "nay."

On this vote, the Senator from West Virginia [Mr. RANDOLPH] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from West Virginia would vote "nay," and the Senator from Mississippi would vote "yea."

On this vote, the Senator from California [Mr. ENGLE] is paired with the Senator from New Mexico [Mr. MECHEM]. If present and voting, the Senator from California would vote "nay," and the Senator from New Mexico would vote "yea."

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Pennsylvania would vote "nay," and the Senator from Iowa would vote "yea."

On this vote, the Senator from Indiana [Mr. HARTKE] is paired with the Senator from Vermont [Mr. PROUTY]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Vermont would vote "yea."

On this vote, the Senator from Tennessee [Mr. KEFAUVER] is paired with the Senator from Hawaii [Mr. FONG]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Hawaii would vote "yea."

On this vote, the Senator from Oregon [Mrs. NEUBERGER] is paired with the Senator from Vermont [Mr. AIKEN]. If present and voting, the Senator from Oregon would vote "nay," and the Senator from Vermont would vote "yea."

Mr. KUCHEL. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Hawaii [Mr. FONG], the Senator from New Mexico [Mr. MECHEM], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

On this vote, the Senator from Vermont [Mr. AIKEN] is paired with the Senator from Oregon [Mrs. NEUBERGER]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Oregon would vote "nay."

On this vote, the Senator from Hawaii [Mr. FONG] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Hawaii would vote "yea" and the Senator from Tennessee would vote "nay."

On this vote, the Senator from New Mexico [Mr. MECHEM] is paired with the Senator from California [Mr. ENGLE]. If present and voting, the Senator from New Mexico would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Indiana would vote "nay."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Pennsylvania [Mr. CLARK]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 38, nays 46, as follows:

[No. 99 Leg.]

YEAS—38

Allott
Beall
Bennett
Boggs
Byrd, Va.
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Dominick
Edmondson
Goldwater
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Kuchel
Lausche
McClellan
Morton
Mundt
Pearson
Proxmire
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—46

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Dodd
Fulbright
Gore
Gruening
Hart
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kennedy
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Moss
Muskie
Nelson
Pastore
Pell
Ribicoff
Smathers
Sparkman
Symington
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—16

Aiken
Clark
Douglas
Eastland
Ellender
Engle
Ervin
Fong
Hartke
Kefauver
Long, Mo.
Mechem
Miller
Neuberger
Prouty
Randolph

So the committee amendment on page 2, line 1, was rejected.

Mr. LONG of Louisiana. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. SMATHERS. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. BYRD of Virginia. Mr. President, on this question, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement of my reasons for voting against the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DEBT LIMIT—STATEMENT BY SENATOR BYRD OF VIRGINIA

The bill (H.R. 6009) now before the Senate would raise the legal limit on Federal debt for the fourth time in 2 years. And the Secretary of the Treasury says the administration will ask for its fifth increase within 90 days.

I opposed this bill in committee. I shall vote against it here. I expect to oppose the next request for another increase—which is already announced as scheduled to be made before the end of August.

In fairness to the administration, as chairman of the Finance Committee, I asked the ranking majority member of the committee, Senator LONG of Louisiana, to manage the pending bill during its consideration in the Senate.

This bill would legalize Federal debt of $307 billion through July 31; and after that, the limit would be temporarily raised to $309 billion for the rest of the coming fiscal year, which ends June 30, 1964.

The permanent statutory limit on the debt is $285 billion. Under the present temporary limit—which expires June 30—the ceiling is now $305 billion, and it will drop to $300 billion on June 25.

On June 30, 1961, the Federal debt was $289 billion.

On June 30 last year it was $298.2 billion. Today the debt is $303 billion.

On June 30 this year, the Secretary of the Treasury says it will be $305.3 billion.

On July 31 the Secretary of the Treasury estimates it will be $306.4 billion.

On August 31, the Secretary of the Treasury estimates it will be $310 billion; and beyond August 31, the Secretary of the Treasury has testified that the administration wants the Congress to legalize a Federal debt of $315 billion to $320 billion for the remainder of the fiscal year.

I am aware of the fact that obligations have been contracted, that the bills are coming due, and they must be paid. I am familiar with the contention that statutory leeway is needed to finance and manage this tremendous debt.

I know also that the administration proposes to increase expenditures and reduce taxes at the same time, despite its admission that the Federal Government would be on a deficit financing basis without tax reduction.

The argument about meeting the bills and the need for management leeway has been made for years. It has become chronic along with continuing increases in Federal expenditures, and with no effort or plan to hold down the public debt.

But the proposal to increase the debt to pay for tax reduction in combination with increased expenditures is something new. This is no 1-year temporary proposition. It opens the door for a policy of planned deficits throughout the foreseeable future.

Spokesmen for the administration, including the President, are unanimous in the view that expenditures should be increased; and they propose cutting taxes for 3 years to an ultimate total of some $10 billion a year.

The Secretary of the Treasury has testified that under proposals already made there would be no reason to expect a balanced budget before fiscal years 1966–67. And he says deficits this year and in the next 2 years will total up to $30 billion: $8 billion-plus in the present year ending next month; $11 billion to $12 billion in the year ending June 30, 1964; and $9 billion or more in the year ending June 30, 1965.

I predict the total deficit for the 3 years will be closer to $35 billion if taxes are reduced and expenditures are increased as proposed. The $6.4 billion deficit last year would run the deficit financing to $40 billion in this administration's 4-year tenure.

In his message of January 18, 1962, the President said the budget would be balanced with a $500 million surplus in the fiscal year now ending. The fact is: the year will close next month with a deficit in excess of $8 billion.

A year ago the Secretary of the Treasury said the Federal debt on June 30 this year would be $294 billion. Now he says it will be more than $305 billion. There will be $9 billion deterioration in the budget position, and $11 billion deterioration in the debt.

In testimony on this bill, the Secretary of the Treasury admitted that, except in World War II and its buildup, there is no series of deficits in the country's history comparable in magnitude to the $30 billion now planned for 3 years.

Total deficits for World War I did not come close; neither did the deficits for the Korean war. The total of all the deficits in the 10 fiscal years 1931–40—which included the depression period—did not reach $30 billion.

The net deficit in 15 years between the end of the World War II and the beginning of the present administration—including the Korean war deficits—totaled $27.6 billion; and that is considerably less than $30 billion for 3 years.

Deficits for national emergencies may be necessary. Temporary deficits resulting from unforeseen circumstances may be tolerated. But to plan deficits for an indefinite period, under conditions existing today, is outright irresponsibility in Federal fiscal affairs.

The contention that planned deficits are needed to eliminate unemployment, and they are safe because the so-called gross national product and the population have gone up along with the Federal debt, is not impressive.

If this theory were valid, we should have run out of people to employ before now. To bloat the gross national product with Federal deficits is not sound progress. Increased population does not reduce Federal debt, and the birth of a child certainly is not license to increase it.

Deficits totaling $40 billion in 4 years probably would raise the Federal debt by almost the same amount. On that basis the debt would be approaching $330 billion by June 30, 1965, and the interest would be approaching $11 billion a year.

The first two requests by this administration to raise the statutory limit on the debt were made for fiscal year 1962. It was contended that the need for them was created by situations which had been originated before its inauguration.

I accepted those requests, reluctantly. But the justification was plausible; and the new administration was promising a balanced budget. On July 25, 1961, the President even said he would ask for increased taxes if rising defense expenditures made it necessary.

I oppose the administration's third request to legalize up to $8 billion more debt during this fiscal year when I began to realize that its budget promises were not being fulfilled, and that it was moving toward planned deficits.

I shall vote against its fourth request today as an expression of my apprehension over the dangerous record the administration has made to date, and in vigorous protest against its admitted adoption of a planned deficit policy for the future.

The House of Representatives passed this bill—with the $309 billion limit expiring August 31—by the narrow margin of nine votes. The vote was 213 to 204. I can understand the anxiety which was clearly indicated by that vote.

Those who oppose the bill hold that there is no national emergency, and no one claims there is. None of the appropriation bills for the coming fiscal year, beginning July 1, has yet been finally enacted. All of them can be cut or vetoed.

If previous appropriations were too high, the Chief Executive—with responsibility to recommend, and power to veto—shares accountability with the Congress; and the executive branch alone must bear responsibility for administration.

The present statutory debt limit has been the law of the land for virtually a year. No effort has been made to comply with it. If bills coming due require borrowing in excess of the legal limit, they were contracted without due regard for the law.

The executive branch and all of its contractors must be presumed to have known the law and its limitation. There is ample administrative authority under other statutes and in the executive powers to control spending by Federal agencies.

Efficient, sympathetic administration could have complied at least with the spirit of the law without imposing hardship, or impairment of essential functions. This would have required: First, elimination of nonessential expenditures; and second, planning and timing the rate of expenditures in the interest of balancing the budget instead of deficit financing.

Under the law this is the primary purpose and function of the Bureau of the Budget as a staff agency for the President. The Bureau has not performed this function lately. And there is no indication that its performance will improve soon.

Instead, the Budget Director, the President's economic advisers, and all of his staff agencies—the Secretary of the Treasury and all of the Cabinet, have joined the President himself in advocating deficit spending in times they describe as good and improving.

If such attitudes as I have described continue and prevail, there is reason to doubt that the Federal budget will ever be brought into balance again. Under such conditions, interest in sound government justifies my vote against this bill.

Increasing the Federal debt with deficit financing in times of relative peace and prosperity cannot go on forever. It has got to be stopped at some point. And whenever it is stopped, fiscal discipline, and perhaps drastic action, will be required.

Now would be better than later. In my judgment the situation will continue to grow worse, as in the past, with more delay and procrastination. I submit, if there were a will to stay within a reasonable debt limit, the administration could find a reasonable way to do it.

A vote for this bill would condone a policy of planned deficits. I oppose it. It would condone nonessential Federal spending which I have consistently opposed. It would further impair confidence, at home and abroad, in the fiscal condition of this country.

For all of the reasons I have cited and others, I cannot support this bill; and because I believe it is right and sound to oppose the bill, I must vote against it.

Mr. HRUSKA. Mr. President, the issue posed by this bill is among the most grave confronting this session of Congress. That issue involves the economic future of our Nation.

H.R. 6009 will authorize an increase in the ceiling on the public debt, which is now $305 billion, up to $307 billion for the period from now to June 30, and to $309 billion thereafter.

This particular bill, however, is merely a stopgap. Administration spokesmen concede that it will take care of their financial problem for only a few months.

It is a temporary expedient. The Secretary of the Treasury tells us candidly that before the end of August he must have authority for yet another increase in the debt.

That is only 3 months away. We have gotten to where we must push the debt ceiling up not just once a year, but every few months.

That August increase will have to be a big one, too. The Secretary cannot tell us how big, but it will be a good deal bigger than this one. He speaks of raising the debt ceiling to some figure between $315 and $320 billion.

I appreciate that changes in the debt are but a reflection of the shifting relationship between our revenues and our expenditures, and that no increases in debt are needed if income is raised up to match the height of the spending, or spending is held down to the level of income. I also recognize that we in Congress will be told that any excess of spending is our own responsibility. We will be told that the money could not have been spent if we had not first appropriated it—appropriated it in some sense, even though some of the obligations went first through a channel other than the Appropriations Committees as I believe they should.

In fact, Secretary Dillon, in his testimony to the Finance Committee, said:

> The debt limit is not, and cannot be made, a substitute for control of expenditures at the decisive stage of the expenditures process—in the decisions on appropriations.

That is part of the story, but it cannot truthfully be called the whole story. The truth is, the debt limit can be made into and used as a substitute for overall appropriations control, if we choose to use it in that manner.

Unfortunately, we appropriate by piecemeal, whereas the Treasury finances in the large. The Treasury receipts, expends, and borrows on an overall basis, whereas we pass on the action programs, which means the spending programs, one by one. Under our procedure of separate appropriation bills covering the various departments of the Government individually, the total spending program of the Government is never brought into focus all at once. This likely is a basic weakness of our appropriation procedure. Be that as it may, it is a fact that on one and only one occasion do we pass on the overall financial status of our Government—when we vote to change, that is to raise, the public debt ceiling.

I regard our financial situation as serious—and our present and proposed courses of action as threats to our economic future—because it seems to me that a new concept has crept into our thinking. We had deficits before—plenty of them—but we never before have had deliberately planned deficits. We have had financial dilemmas before from which, for a time, we could not find our way; but never before did we give up trying.

But now we are off on a new departure. When a deficit approaches, instead of fighting, we are supposed to relax and enjoy it. When the discipline of a balanced budget becomes irksome, instead of straightening our shoulders the better to carry our burdens, we seek out the easy way of evasion or unresisting retreat. That is the financial program we are asked to follow by this administration. And as we yield, step by step, to the temptations of this new departure, each year the deficit is larger than it was the year before, and each year's deficit is added on to all the deficits of all the previous years which, when totaled up, constitute the national debt.

Our deficit for fiscal 1962 was $6.4 billion. Our deficit for fiscal 1963 is now estimated at about $8 billion. For fiscal 1964 it is budgeted at $11.9 billion. Each year it is higher than the year before, and always the increase is due, not to a decline in revenues, but to an increase in expenditures. And each year these deficits go to build up still further the debt we are passing on to our children.

How many of us have paused to peer ahead along the path we are asked to follow? In June of 1929, our debt was $17 billion. By 1941, just before the war, it had increased to $55 billion; by 1946, it was $259 billion. Thereafter, it was reduced in some years, it increased in others; the Korean war boosted it some. At the end of June 1961 it amounted to $289 billion, still at least in the same order of magnitude as the figure we were left with at the end of World War II.

Now, however, we are asked to depart from our previous norms and enter on a course which may well carry us to a new level of debt burden entirely. The deficits we are facing are not a matter of $2 or $3 billion, up or down, each year. These new deficits are planned to be big. This fiscal year 1964 coming up—the year of the proposed tax cut—is also the year of the big spending and the big deficit—$99 billion and $12 billion, respectively.

But this is only the beginning. When can we expect to recover our balance, our equilibrium? No firm forecast is given us by the administration. Some administration spokesmen speak casually of "perhaps 1967." Dr. Arthur Burns, former Chairman of the Council of Economic Advisers, more realistically has pointed out that the national debt will probably go another $75 billion higher during the next 8 years and the budget will not be balanced again until 1972, if we embark on this new course by adopting the President's tax and expenditure programs. Seventy-five billion dollars of debt on top of $307 billion makes $382 billion. Another authority, Maurice Stans, former Director of the Bureau of the Budget, forecasts additional deficits and additions to debt adding up to $100 or $150 billion if the President's expenditure and tax programs are adopted. That would carry the national debt up into the range of $400 to $450 billion.

The factual basis for the statements of Dr. Burns and Mr. Stans would make their conclusions quite inevitable as well as accurate. Consider that the present tax revenue base of $86 billion. With a tax reduction of approximately $10 billion, it would become $76 billion as against a new spending base of $108 billion, the amount requested for new obligational authority by President Kennedy in his fiscal 1964 budget.

Thus we see a $32 billion gap. It is true the receipts may increase as business improves, which we devoutly hope will occur soon. However, it is also true that the actual spending will increase even more than the $108 billion as time goes on. This is because of the built-in spending contained in the budget and being increased almost every week in the session.

Hence the gap cannot be closed sooner than another 10 years.

This points to a fiscal irresponsibility which is deeply disturbing to millions of Americans. Yet it is a philosophy and practice which is being followed by the New Frontier administration blithely and with abandon.

Often we are met with this question: What are the differences between the two major political parties of America? Certainly in the field of fiscal management we find the most vivid and emphatic difference. The Democratic Party considers heavy spending and great deficits as desirable. The Republican position has been one of much greater restraint, refusing to believe that it is a myth that continued large deficits are harmful or that they can on occasion be very desirable.

Mr. President, I shall not belabor the point. Some of these figures seem so fantastic as to be beyond comprehension. Yet they must be believed, because they are true. They are true and they are of fundamental importance. Unless we are willing to cast ourselves adrift entirely from all financial moorings of any kind, we must accept certain financial facts as basic guidelines. In his testimony this year before the Joint Economic Committee, Dr. Burns said further:

> I seriously doubt if we could have a protracted and substantial increase of the Federal debt without exposing our currency, and with it our economy and international prestige, to a very grave risk.

Dr. Burns concluded by saying:

> My belief is that the major problem facing the country at the present time is one of limiting the increase in the public debt.

Mr. President, I agree with that statement and I shall vote on that principle.

Mr. RUSSELL subsequently said: Mr. President, last year, on June 28, when the measure to increase the national debt was before the Senate, the Senator from Virginia [Mr. BYRD] spoke, and I made a very brief statement as to my reasons for voting against the bill. Those reasons apply in every degree to the situation today. I ask unanimous consent that the brief statement to which I have referred may be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Mr. RUSSELL. The principal reason why I shall vote against the proposed legislation is the fact that I attribute a great part of the necessity for increasing the national debt to the fact that we continue to increase our foreign-aid program from year to year. I have consistently voted against any increase in foreign aid; and, therefore, I feel no moral

obligation to support this measure, though I am sure that those who have danced to the foreign-aid tune will now be happy to pay the fiddler. The vast majority of Members of the Senate have voted not only for all the increases in foreign aid, but also for almost every other conceivable program involving huge expenditures which has been brought forward.

I have voted against increases in the foreign-aid program, and I have also voted against a number of other big-spend programs; and if a majority of the Members of the Senate had voted as I did, the budget would have been in balance every year since the Korean war. If the majority of Members of the Senate had voted in the way the distinguished Senator from Virginia (Mr. Byrd) has voted, our national debt would be a great deal less than it is at the present time.

Those who have voted for the spending programs which necessitate the increase in national borrowing will, I am sure, be glad to assume the responsibility that is properly theirs and will take care of the obligations they have incurred—at least to the extent of borrowing money to meet them.

Mr. HICKENLOOPER subsequently said: Mr. President, I voted against the increase in the debt limit on the last vote, not because I think we perhaps do not need the $309 billion limit, because of the force of circumstances, and because of the irresponsible fiscal spending policy that we have seen in effect for the last year or so, but I voted "nay" in protest against the various policies and extravagance of our administration against the total failure to reduce and curtail our expenditures as we should have and to begin some kind of financially sound fiscal policy. I do not question the fact that we must have the money. The only way that I know physically to protest is to vote "nay" and to serve notice that I shall do everything that I can to try to stop the invitation to more extravagance by the Government by constantly increasing the debt limit to meet all of the foolish spending that has been going on. I hope that it can be curtailed, and that at some time we can get back to a fiscally responsible program in government.

Mr. SMATHERS. Mr. President, I should like to add a comment for the able Senator. I am sure the Senator is aware that during the previous administration, in 8 years, we raised the debt ceiling 11 times. The Senator is aware of that, is he not?

Mr. HICKENLOOPER. I am aware of that. I am also aware of the fact that prior to the Eisenhower administration there had been absolutely nothing done on the missile program of this country, and the entire missile program and the billions of dollars that were required to put it into effect had to be provided under the Eisenhower administration. That was the basic cause, the result of the neglect of the previous administration in the whole missile program.

Mr. SMATHERS. I am certain the Senator would be fair and would take cognizance of the fact that if it were not for the defense program—which includes, of course, the missile program and space program—the appropriations which have been made in the past 2 years would actually be substantially less than they were in the preceding 2 years.

Mr. HICKENLOOPER. I am not at all sure of that.

Mr. WILLIAMS of Delaware subsequently said: Mr. President, while I accept the decision of the Senate in connection with the recent bill, I regret that we did not extend to the Secretary of the Treasury borrowing authority for the $309 billion for the full year. We all know he is going to come here in August with another emergency request which he will want acted upon overnight. Under the terms of the bill passed by the Senate, on September 1 the debt will go back to $285 billion. To allow that to happen would mean that we would have repudiated about $20 to $25 billion of our outstanding national debts.

I recognize that he can come down in August again and go through the same stampeding process all over again to extend the ceiling. Certainly it would have been more of an act of fiscal responsibility to have faced the question squarely today and to set the ceiling for the full year. But, as stated, I abide by the decision of the Senate. However, foreseeing that another shotgun emergency will be brought here next August with the Treasury Department saying, "We have got to act on X debt immediately, or we will go bankrupt." Foreseeing that situation I desire to serve notice on the Secretary of the Treasury now that he make his request in plenty of time so that he will not again ask us, as he did this time, to hold hearings in a 2-hour committee session and vote the bill out the same day, steamrollering it through Congress.

Therefore, I am serving this notice on the Secretary of the Treasury, and at the same time I request both the majority leader and the minority leader that before any consent is given for the Finance Committee to meet during a Senate session I be consulted. I am not saying there will be blanket objections. I will try to be reasonable. But we are going to slow down this Boston steamroller, and I am serving notice to that effect now.

This notice goes for their tax bill as well. If they want these measures considered then, get them before our committee in time.

Mr. MANSFIELD. Mr. President, the Senator, of course, has a right to object to committees meeting, and, insofar as it will be possible to do so, his wishes will be observed. I desire to commend him for the considerate way in which he allowed the proposal to be handled today. Speaking personally, I would have been satisfied with either proposal, because I think they were both good. But circumstances being what they were, we were placed in a difficult position.

Mr. WILLIAMS of Delaware. I appreciate the position of the Senator from Montana. I do not want my remarks to be interpreted as a blanket objection, because I have and will continue to try to cooperate. But I do think the Record should be clear that I do not expect the Secretary to come down here, as he did this time, with merely 1 day's notice, have the committee report a bill, and have it passed in 1 day. If the Secretary does not know any more than that about what he will need in the management of the debt we had better get a new Secretary of the Treasury.

Mr. MANSFIELD. I should like to add that I hope that the House will be a little more considerate in the future, too, and we would not receive such bills from our coequal body at the last moment, as we usually seem to do, so far as the Finance Committee is concerned, and we would have a little elbow room.

The PRESIDING OFFICER. The question is, Shall the bill pass? On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Pennsylvania [Mr. Clark], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Ellender], the Senator from California [Mr. Engle], the Senator from North Carolina [Mr. Ervin], the Senator from Indiana [Mr. Hartke], the Senator from Tennessee [Mr. Kefauver], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mrs. Neuberger], are absent on official business.

I further announce that the Senator from West Virginia [Mr. Randolph] is necessarily absent.

I further announce that, if present and voting, the Senator from California [Mr. Engle], the Senator from Indiana [Mr. Hartke], the Senator from Tennessee [Mr. Kefauver], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mrs. Neuberger], and the Senator from West Virginia [Mr. Randolph] would each vote "yea."

On this vote, the Senator from Pennsylvania [Mr. Clark] is paired with the Senator from Mississippi [Mr. Eastland]. If present and voting, the Senator from Pennsylvania would vote "yea" and the Senator from Mississippi would vote "nay."

On this vote, the Senator from Illinois [Mr. Douglas] is paired with the Senator from North Carolina [Mr. Ervin]. If present and voting, the Senator from Illinois would vote "yea" and the Senator from North Carolina would vote "nay."

Mr. KUCHEL. I announce that the Senators from Vermont [Mr. Aiken and Mr. Prouty], the Senator from Hawaii [Mr. Fong], the Senator from New Mexico [Mr. Mechem], and the Senator from Iowa [Mr. Miller] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. Aiken] would vote "yea."

On this vote, the Senator from Hawaii [Mr. Fong] is paired with the Senator from New Mexico [Mr. Mechem]. If present and voting, the Senator from Hawaii would vote "yea" and the Senator from New Mexico would vote "nay."

On this vote, the Senator from Vermont [Mr. Prouty] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Iowa would vote "nay."

The result was announced—yeas 60, nays 24, as follows:

[No. 100 Leg.]

YEAS—60

Anderson
Bartlett
Bayh
Beall
Bible
Boggs

Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Dirksen
Dodd
Fulbright
Gore
Gruening
Hart
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Johnston
Keating
Kennedy
Kuchel
Long. La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Ribicoff
Saltonstall
Scott
Smathers
Smith
Sparkman
Symington
Williams, N.J.
Williams, Del.
Yarborough
Young, Chio

NAYS—24

Allott
Bennett
Byrd, Va.
Cotton
Curtis
Dominick
Edmondson
Goldwater
Hickenlooper
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Mundt
Proxmire
Robertson
Russell
Simpson
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.

NOT VOTING—16

Aiken
Clark
Douglas
Eastland
Ellender
Engle
Ervin
Fong
Hartke
Kefauver
Long, Mo.
Mechem
Miller
Neuberger
Prouty
Randolph

So the bill (H.R. 6009) was passed.

The committee amendment to the title was rejected.

Mr. SMATHERS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1964

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 162, H.R. 5279.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. DIRKSEN. Mr. President——

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield for a moment?

Mr. MANSFIELD. I yield first to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I will withhold my statement if I can obtain immediate recognition before other amendments are offered. I propose to move to recommit the bill.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I should like to ask the majority leader the program for the remainder of the week in the event that action on the Interior Department appropriation bill is completed this evening.

Mr. MANSFIELD. Mr. President, in response to the question raised by my distinguished colleague, the minority leader, I had hoped that it would be possible to finish the pending business, which is the Interior Department appropriation bill, this evening. Then the Senate would go over to Friday, at which time a pro forma session would be held. From Friday the Senate would go over until the following Tuesday. However, I understand that there will be some amendments offered. I am not at all sure that consideration of the Interior Department appropriation bill can be concluded tonight. If not, the Senate will meet tomorrow.

If it must meet tomorrow, I suggest that the hour of meeting be 10 o'clock so that, if possible, consideration of the bill can be finished in a reasonably good time, and thereby give as much leeway as possible to Senators over the Memorial Day weekend.

INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1964

Mr. DIRKSEN. Mr. President, is a consent request pending?

The PRESIDING OFFICER. It is not.

Mr. MANSFIELD. Mr. President, I asked unanimous consent that the bill making appropriations for the Department of the Interior be laid before the Senate, and the request was not granted. I therefore move that the Senate proceed to the consideration of Calendar No. 162, H.R. 5279. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5297) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

PRICE STABILITY ON SUGAR

Mr. FULBRIGHT. Mr. President, one of the purported reasons for the existence of the Sugar Act is price stability.

Over the years, until recently, the price of sugar in the United States has been relatively stable in the sense that it has slowly but constantly increased. As the House Agriculture Committee Special Study on Sugar, 1961, at page 6 says:

> The retail price of sugar since 1947–49 has been free of sharp movements. It has risen somewhat more than retail prices of food generally, mostly because prices to growers of sugar crops have been better maintained than prices of most other farm products.

We all know what has happened in recent months where the increase in New York spots rose from $6.62 on the first of the year to $12.70 on Monday, slightly below the peak price.

The goal of stability of the Sugar Act seems to work only on the upside. During a period of shortage and stress, apparently it fails to perform its function of price stability.

This failure is in spite of the fact that sugar production in this country is undoubtedly the most highly subsidized, protected, and controlled of all farm programs.

Now that the Sugar Act's goal of price stability is a failure, spokesmen for the beneficiaries of the act are contending that the so-called global quota provisions of the 1962 act are somehow responsible. It will be recalled that these provide that part of the former Cuban quota be purchased on a global market basis at world prices, rather than being allocated by the Congress to particular countries. Historically, during periods when the world price is less than the domestic price, this would have enabled the United States to acquire sugar on the world market and, by recapturing the so-called quota premium, provide funds for the Treasury which, at least to some extent, would offset the costs of the sugar program. It was never contended that the consumers would benefit directly but at least as taxpayers, they would have had the benefit of the capture of the quota premium for the Treasury.

This contention, that the global quota provisions of the 1962 act are responsible for the current domestic price situation, is demonstrably false. The Department of Agriculture has advised me that as of April 24:

> One hundred percent of the global quota, which is released on a competitive basis, had been assigned for importation * * * 100 percent of the deficits, which are also reallocated on a competitive basis to Western Hemisphere countries in accordance with the amendment you sponsored, has been committed for importation. In contrast only 38.9 percent of the total of country quotas had been assigned or charged for importation.

The State Department advised me on May 22, as follows:

> It has been alleged, in some quarters, that the 1962 amendments to the Sugar Act, which provided that the former Cuban quota be purchased on a global basis at world prices, have somehow made it more difficult for the United States to fill its needs for foreign sugar and have been a factor in the rapid price increase. However, the facts do not appear to support this view. On the contrary, both during the second half of 1962 and thus far in 1963 the global quota has been the most dependable source of prompt sugar supplies and has worked with great efficiency, whereas country quotas have been undependable as to time and, last year, some were never filled. An illustration of this is provided by a recent action taken by the Department of Agriculture when, in a press release dated April 24, 1963, it announced that the entire global quota of 1,504,341 tons had been committed for importation. In striking contrast, the press release called attention to the fact that, as of that date, only 38.9 percent of the foreign country quotas had been committed for importation. The Department noted that the failure of individual countries to offer their quota sugar more promptly was creating supply problems and that it was considering methods to encourage countries to ship their quota sugar more promptly.

The prime beneficiaries of the Sugar Act, the domestic producers and the quota countries, are those who have not filled their quotas.

The Departments of Agriculture and State both advise me that present high sugar prices result from a tight world sugar supply situation. To quote the Department of Agriculture:

> During the past 18 months the world sugar situation has shifted from one of surplus supplies to one of tight supplies.

This results primarily from the failure of Cuban sugar production and bad weather which has reduced European beet sugar crops substantially. As a result, world stocks on August 31, 1962, were nearly 3 million short tons less than the preceding year and this year, due to a second successive poor harvest in Europe and further declines in European production it is anticipated that world carryover stocks will show another 3-million-ton decline. In the meantime, consumption has been increasing. It is also anticipated that the 1963-64 European sugar crop, to be harvested in the fall, will be another poor crop.

It is my hope that the Finance Committee and the other committees which are investigating the sugar situation might come up with some constructive measures of relief for sugar consumers. In the meantime, however, I believe most strongly that the prime beneficiaries of the Sugar Act, that is the domestic producers and the foreign countries holding quotas, have an obligation of restraint upon their prices and a further obligation to deliver their production as soon as possible.

INTERIOR DEPARTMENTS AND RELATED AGENCIES APPROPRIATIONS, 1964

Mr. DIRKSEN. Mr. President, I desire to offer a motion to recommit.

The PRESIDING OFFICER. The Chair will state to the Senator from Illinois that the Senator from Montana has made a motion to consider the bill. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. DIRKSEN. Mr. President, I wish to give to every Senator who is interested in economy an opportunity to save $49 million. The bill would provide $49 million more than the 1963 appropriations.

The President has indicated repeatedly and very specifically that he would hold the appropriations at the 1963 level. That is all the motion to recommit would accomplish.

I submit the motion to recommit in behalf of myself and the distinguished Senator from Delaware [Mr. WILLIAMS]. It requires no belaboring on my part.

The amount provided by the House was $928,625,200. The bill, as reported to the Senate, provides $43,415,600 less than the budget estimates, but $49,399,300 more than the fiscal year 1963 appropriations.

I know of nothing else I need to say, and on the motion to recommit I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I rise in support of the motion, which I cosponsor with the Senator from Illinois. The motion is in line with what the President told the Congress in the joint session on January 14th that he intended to do with respect to all domestic agencies. I quote the statement made by the President:

> I will shortly submit a fiscal 1964 administrative budget which, while allowing for needed rises in defense, space, and fixed interest charges, holds total expenditures for all other purposes below this year's level.
>
> This requires the reduction or postponement of many desirable programs—the absorption of a large part of last year's Federal pay raise through personnel and other economies—the termination of certain installations and projects—and the substitution in several programs of private for public credit.

The adoption of this motion will save $49,309,300 and will still leave the agency as much as it had last year.

The budget as submitted by the President for the Department of the Interior contains a request for 3,999 new employees more than last year's budget provided. I do not think those employees are needed.

Much has been said by many Senators regretting the necessity for increasing the debt limit. We shall be confronted with that same question in August, as to whether we can sustain a debt limit of $309 billion or whether it will be necessary to provide an additional $10 to $15 billion to cover additional expenditures.

This is the time to answer the question. I certainly hope the motion will be agreed to and that it will be only the forerunner of what will happen to all appropriation bills as they come before the Senate. We should insist on the amounts being held down to the appropriations provided last year for all these Departments.

Mr. MANSFIELD. Mr. President, I express the hope that the Senate will not agree to the motion offered by the distinguished minority leader [Mr. DIRKSEN] and the Senator from Delaware [Mr. WILLIAMS]. I point out, as has the minority leader, that the bill now before the Senate for consideration, having to do with the Department of the Interior and related agencies, would provide $43 million less than the budget request made by the President.

I point out also that this measure was reported unanimously by the Appropriations Committee.

I hope that this meat ax approach will not become a precedent. I hope that the Senate will turn down vigorously the motion of the Senator from Illinois and the Senator from Delaware.

The PRESIDING OFFICER. The motion will be stated for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from Illinois [Mr. DIRKSEN], for himself and the Senator from Delaware [Mr. WILLIAMS], moves that the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes, be recommitted to the Committee on Appropriations with instructions to amend the bill so that the total amount appropriated therein will not exceed the total amount of corresponding appropriations contained in the Department of the Interior and Related Agencies Appropriation Act, 1963, and to report such bill, as so amended, to the Senate at the earliest practicable date.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois, for himself and the Senator from Delaware. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Lousiana [Mr. ELLENDER], the Senator from California [Mr. ENGLE], the Senator from North Carolina [Mr. ERVIN], the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], and the Senator from Tennessee [Mr. KEFAUVER] are absent on official business.

I also announce that the Senator from Missouri [Mr. LONG], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Virginia [Mr. ROBERTSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I further announce that the Senator from West Virginia [Mr. RANDOLPH] is necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Lousiana [Mr. ELLENDER], the Senator from California [Mr. ENGLE], the Senator from North Carolina [Mr. ERVIN], the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Missouri [Mr. LONG], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Virginia [Mr. ROBERTSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Virginia [Mr. BYRD], and the Senator from West Virginia [Mr. RANDOLPH] would each vote "nay."

Mr. KUCHEL. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Hawaii [Mr. FONG], the Senator from New Mexico [Mr. MECHEM], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Kentucky [Mr. MORTON] is detained on official business.

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Hawaii [Mr. FONG]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Hawaii would vote "nay."

The result was announced—yeas 22, nays 56, as follows:

[No. 101 Leg.]

YEAS—22

Beall
Bennett
Carlson
Cooper
Cotton
Curtis

Dirksen
Dodd
Dominick
Goldwater
Hickenlooper
Hruska
Jordan, Idaho
Lausche
McIntyre
Pearson
Proxmire
Scott
Simpson
Thurmond
Tower
Williams, Del.

NAYS—56

Allott
Anderson
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Edmondson
Fulbright
Gruening
Hart
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kennedy
Kuchel
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McNamara
Metcalf
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Pastore
Pell
Ribicoff
Saltonstall
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N Dak.

NOT VOTING—22

Aiken
Byrd, Va.
Clark
Douglas
Eastland
Ellender
Engle
Ervin
Fong
Gore
Hartke
Kefauver
Long, Mo.
Mechem
Miller
Morton
Neuberger
Prouty
Randolph
Robertson
Russell
Young, Ohio

So Mr. DIRKSEN's motion to recommit was rejected.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the committee amendments to H.R. 5279 be agreed to en bloc; that the bill, as so amended, be considered as original text for the purpose of further amendment; and that no points of order against legislation in an appropriation bill be waived.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 10, to strike out "$43,292,500" and insert "$44,652,500".

On page 4, at the beginning of line 7, to strike out "$750,000" and insert "$760,000".

On page 5, line 19, after the word "museums", to strike out "$88,350,000" and insert "$90,381,500", and after the amendment just above stated, to insert a colon and the following proviso: "*Provided,* That not to exceed $477,645 may be available for assistance to the State of South Dakota or any political subdivision thereof for enforcement of State civil or criminal laws within the Indian country in said State where such laws are applicable."

On page 6, line 9, after the word "law", to strike out "$37,239,300" and insert "$38,147,900".

On page 6, line 20, after the word "contract", to strike out "$55,500,000" and insert "$60,448,000", and on page 7, line 10, after the word "Colorado", to insert a colon and the following additional provisos: "*Provided further,* That not to exceed $450,000 shall be for assistance to the Newtown, North Dakota, Public School District Numbered 1, for construction of an addition to the Newtown Public School: *Provided further,* That not to exceed $370,000 shall be for assistance to the Grants, New Mexico, Municipal School District Numbered 3, Valencia County, New Mexico, for construction of an addition to the public high school serving the Pueblos of Laguna and Acoma."

On page 7, line 23, after the word "expended", to insert a colon and the following proviso: "*Provided,* That not to exceed $15,870 shall be available for reimbursing the city of Winslow, Arizona, for the cost of improvements to streets and appurtenant facilities adjoining property under the jurisdiction of the Bureau of Indian Affairs."

On page 8, line 19, after the word "which", to strike out "two hundred and fifty" and insert "two hundred and sixteen", and on page 9, line 1, after the word "over", to strike out "cetrain" and insert "certain".

On page 10, line 6, after the word "Secretary", to insert "except that tribal funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims shall not be further appropriated until a report of the purposes for which the funds are to be used has been submitted to the Senate and House Committees on Interior and Insular Affairs and those purposes either have been approved by resolution of each of said committees or have not been disapproved by resolution of either of said committees within sixty calendar days from the date the report is submitted, not counting days on which either House is not in session because of an adjournment of more than three calendar days to a day certain", and in line 18, after the amendment just above stated, to strike out: "*Provided further,* That the Secretary shall not advance funds (other than for expenses of litigation) derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims, until a report of the purposes for which the funds are to be used has been submitted to the Senate and House Committees on Interior and Insular Affairs and until such report has lain before the committees for sixty days (excluding the time during which either House is in recess for more than three days:"

On page 11, line 19, after the word "Basin", to strike out "$27,068,000" and insert "$27,375,000", and at the beginning of line 20, to strike out "$600,000" and insert "$650,000".

On page 12, line 3, after the word "Service", to strike out "$21,375,000" and insert "$21,758,500", and in line 4, after the word "exceed", to strike out "$180,000" and insert "$187,500".

On page 12, line 14, after the word "exceed", to strike out "$5,300,000" and insert "$6,924,600", and in line 16, after the word "property", to strike out "$32,697,000" and insert "$36,395,200".

On page 13, line 1, after the numerals "203", to strike out "$28,000,000" and insert "$30,100,000", and at the beginning of line 2, to strike out "$250,000" and insert "$528,000".

On page 13, line 14, after the word "offices", to strike out "$2,120,000" and insert "$2,153,500", and in line 15, after the word "exceed", to strike out "$103,000" and insert "$108,000".

On page 13, line 19, after the word "exceed", to strike out "one hundred and fourteen" and insert "one hundred and twenty-four", and in line 21, after the word "vehicles", to insert "of which one hundred and fourteen shall be".

On page 18, line 16, after the word "activities", to strike out "$63,700,000" and insert "$64,808,500".

On page 19, line 22, after the word "substitutes", to strike out "$29,054,000" and insert "$29,926,500", and in line 23, after the word "exceed", to strike out "$700,000" and insert "$746,000".

On page 21, line 17, after "(74 Stat. 337)", to strike out "$3,200,000" and insert "$6,575,000".

On page 22, line 12, after the word "gas", to strike out "$610,000" and insert "$621,000".

On page 23, line 4, after the word "law", to strike out "$17,175,000" and insert "$18,582,500".

On page 23, at the beginning of line 20, to strike out "$1,800,000" and insert "$4,458,000".

On page 24, line 4, after the word "offices", to strike out "$640,000" and insert "$653,000".

On page 24, line 25, after the word "Refuge", to strike out "$29,879,400" and insert "$31,685,400".

On page 25, line 6, after the word "therein", to insert "(including improvements of the county road from Brigham City, Utah, to the headquarters Bear River Migratory Bird Refuge)", and in line 8, after the amendment just above stated, to strike out "$3,678,000" and insert "$5,898,500".

On page 25, line 17, after the word "offices", to strike out "$1,325,000" and insert "$1,359,000".

On page 25, at the beginning of line 21, to strike out "ninety-eight" and insert "one hundred and eight", and at the beginning of line 22, to insert "of which ninety-eight shall be".

On page 27, at the beginning of line 13, to strike out "$4,000,000" and insert "$4,010,000".

On page 27, line 24, after the word "expenses", to strike out "$3,790,000" and insert "$3,983,400".

On page 30, line 18, after the word "lands", to strike out "$143,609,000" and insert "$150,147,000", and in line 23, after the word "than", to strike out "$500,000" and insert "$1,162,000".

On page 31, line 6, after the word "law", to strike out "$23,948,000" and insert "$30,755,000".

On page 31, line 20, after the word "trails", to strike out "$60,000,000" and insert "$66,400,000".

On page 32, line 8, after "(76 Stat. 545-546)", to strike out "$20,000" and insert "$250,000".

One page 33, line 25, after the word "exceed", to strike out "one hundred and twenty-six" and insert "one hundred and forty-six", and on page 34, line 1, after the word "vehicles", to insert "of which one hundred and twenty-six shall be".

On page 35, line 14, after "(5 U.S.C. 55a)", to strike out "$50,000" and insert "$70,000".

On page 36, line 14, after the word "act", to strike out "$58,750,000" and insert "$59,171,500".

One page 37, line 1, after "(42 U.S.C. 2004a)", to strike out "$5,000,000" and insert "$5,676,000".

At the top of page 40, to insert:

"REMODELING OF CIVIL SERVICE COMMISSION BUILDING

"For an additional amount for necessary expenses of preparing plans and specifications for remodeling the Civil Service Commission Building to make it suitable to house certain art galleries of the Smithsonian Institution, as authorized by the Act of March 28, 1958 (72 Stat. 68), including construction and not to exceed $25,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), $5,465,000."

On page 40, after line 17, to insert:

"NATIONAL AIR MUSEUM

"For necessary expenses of preparing plans and specifications for the construction of a suitable building for a National Air Museum for the use of the Smithsonian Institution, as authorized by the Act of September 6, 1958 (20 U.S.C. 77b note), and not to exceed $60,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), $511,000."

Mr. HAYDEN. Mr. President, the committee, as indicated on page 1 of the report, considered budget estimates in the amount of $1,028,509,000, including indefinite appropriations of receipts and requested borrowing authorizations, for the agencies and bureaus of the Department of the Interior and for the related agencies listed on page 2 of the report. Excluded from this bill are the Southeastern Power Administration, the Southwestern Power Administration, the Bonneville Power Administration, and the Bureau of Reclamation.

The committee recommends definite appropriations of $985,093,400 for the programs and activities of these agencies, an increase of $56,468,200 over the amount allowed by the House of Representatives, and a decrease of $43,415,600 under the budget estimates.

The committee recommends the following major increases over the House allowances:

Bureau of Land Management, $1,370,000, which is $2,573,500 less than the budget estimates.

Bureau of Indian Affairs, $7,888,100, which is $281,600 less than the budget estimates.

National Park Service, $6,522,200, which is $7,573,800 less than the budget estimates.

Geological Survey, $1,108,500, which is $3,206,500 less than the budget estimates.

Bureau of Mines, $872,500, which is $7,344,500 less than the budget estimates.

Office of Coal Research, $3,375,000, which is $1,575,000 greater than the budget estimates.

Bureau of Commercial Fisheries, $4,078,500, which is $1,782,500 less than the budget estimates.

Bureau of Sport Fisheries and Wildlife, $4,060,500, which is $1,188,900 greater than the budget estimates.

Forest Service, $19,975,000, which is $6,678,000 greater than the budget estimates.

Smithsonian Institution, $5,976,000, which is $1,661,000 less than the budget estimates.

The committee feels that approval of these increases, as well as the decreases under the budget estimates, will be conducive to attaining the goals sought in accomplishing natural resources and research programs.

Mr. KUCHEL. Mr. President, once again the Senate is indebted to the dean of the Senate, our friend, Carl Hayden, of Arizona. I join with my colleagues in the Senate in congratulating him for guiding through the Senate once again a highly important budget bill. I wish to develop very briefly some legislative history. The committee has changed the amount to be appropriated to the Geological Survey in the field of marine geology and hydrology under the general title of surveys, investigations, and research.

In the House report there appears some language which I regard as regrettable. The House language in part in the report states that the committee has deleted an increase of $481,000 to initiate a new program on the west coast.

My question to the chairman is this: Is it not true that with respect to the money to be appropriated by Congress for the purpose of marine geology and hydrology, it will rest in the sound discretion of the agency involved as to where the money will be spent?

Mr. HAYDEN. The Senator is correct.

Mr. KUCHEL. If the Senator will permit me to do so, I should like to offer for the Record a very interesting series of questions and answers entitled "High Importance of Proposed Study of the Marine Geology and Hydrology of San Francisco Bay, Calif., and Other West Coast Areas by the Geological Survey." I ask unanimous consent that that statement may be printed in the Record at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

High Importance of Proposed Study of the Marine Geology and Hydrology of San Francisco Bay, Calif., and Other West Coast Areas by the Geological Survey

1. What is the impact of marine geology and hydrology upon the west coast?

Geology and hydrology have a greater effect on the growth of communities, development of industry and the welfare of people in the San Francisco Bay area than in any other rapidly expanding area of the United States. Earthquakes, including disastrous earthquakes like that of 1906 which destroyed the city of San Francisco, are common. Landslides and settling of land caused by earthquakes, frequent heavy rains and development result in appreciable damage and occasional castastrophes. Water flowing through the ground and down rivers to the bay, is used by the communities; the amounts and its composition determine its usability and are important factors related to health, recreation, and industry on and around the bay.

The U.S. Geological Survey has long cooperated with the State of California, other governmental agencies, many institutions and industry in investigations of land areas adjacent to the bay. Many of the investigations have led to the shores and floor of the bay where the need for additional geologic and hydrologic knowledge of the bay itself has become apparent and of vital and immediate importance.

2. Why are such studies important?

The water supply, stability of foundations, sources of some construction materials, beaches for recreation, and other factors related to continuing growth of San Francisco Bay communities, for example, are dependent on the distribution and properties of sediments and rocks beneath the floor of the bay, on the relations of fresh and salt water within the bay itself and in sediments beneath the bay, and on the effects within the bay of natural geologic and hydrologic processes and changes in the natural processes imposed by man.

3. What about the filling in of portions of the bay?

Development of industry requires new level land adjacent to the bay and a proposal is now being considered for dredging portions of the bay to obtain material which could be used to fill shallow, swampy areas along the shore. This brings to light several important, and as yet unanswered, questions. Would dredging the bay result in changing bay currents and sites of sedimentation that might in turn result in the destruction of the beach at the Golden Gate Park or increased erosion elsewhere along the shoreline? Would increased submarine slopes caused by dredging increase potential danger during earthquakes or submarine slides that might in turn result in greater loss of life and property to those who live along the shores? What effect would the addition of large quantities of material along the shores have upon the rocks and sediments below? Would the sediments support the added fill and the houses, industrial buildings, and possible nuclear reactor plants that rest on the fill? Or would it begin to settle, as similar fill at San Francisco has done, thereby causing drainage and many other problems? What would happen during earthquakes? What changes might be expected when rain water begins to replace salt water of the fill and sediments below?

4. How are oceanographic studies important to present onshore development?

Steep slopes bounding portions of the bay appear to be desirable sites for homes, apartments and hotels; some are being developed at the present time. But construction modifies the slopes which owe their natural existence to a balance between weathering and erosion by rain and other agents on land and continual marine erosion by waves and currents along the shore. What effect will the change created by man have on the stability of the slopes? Can man control the marine forces and the slopes to assure safety of those who live there, especially during periods of heavy rains and earthquakes when landslides that will carry man's effort into the bay are most apt to occur? These subjects all need study.

5. What about the demand for fresh water?

As the population increases and new industry develops, the demands for fresh water and other resources continue to grow. Can more water be obtained from the ground below, the chief source of water for many communities today? Or will additional pumping cause salt water to enter the underground reservoirs from the bay? The State of California is now working on the problems for a small portion of the bay, but will need vast quantities of additional information before solutions can be obtained.

6. Do west coast industries need this type of information?

Lime used by cement companies, one of the larger construction industries which operate within the bay area, is derived from ancient oyster beds contained within sediments on the floor of the bay. Some of the companies have prospected in detail the areas which they are now developing and have found that their reserves are limited. They are searching for new areas which must be found soon, but are unable to support regional exploration with their limited funds and staff. They need the help that submarine geologic maps provide on the composition of bedrock and superficial deposits, just as mining companies operating on land need similar information to guide their prospecting programs.

Many similar problems face the economy and future long-range development of the San Francisco Bay area. How will wastes and pollutants discharged to the bay from surrounding communities and rivers, including the two longest rivers in California, affect fish and other resources of the bay and the health and welfare of those who live beside the bay? What proportion of sediments and water which carry the waste will move into the Pacific Ocean and how will it be disposed of there? We know much concerning foundation conditions for bridges, ports, and other facilities within small segments of the bay, but what are the conditions elsewhere? Intelligent planning requires adequate information for all parts of the bay.

7. What can be done to provide answers for these many questions?

Systematic studies of the marine geology and hydrology of San Francisco Bay and other areas on the west coast will provide answers to questions of the type posed above. Such studies will of necessity cover a broad range of subjects, such as the effects of mixing of fresh water and salt water, movements of sediments by currents of the bay, analyses of sediments and cores from the floor of the bay, and geophysical investigations of the distribution of rocks beneath the floor. The U.S. Geological Survey with support of existing headquarters and laboratories located at Menlo Park and Sacramento, has unique competence and capacity to accomplish the numerous requirements of an overall study of geologic and hydrologic conditions and processes which exist and operate within the bay and other coastal areas.

The report of the Appropriations Committee in transmitting the Interior bill to the floor of the House of Representatives would preclude the Survey from using appropriated funds in 1964 to initiate any such project on the Pacific coast. Such restrictive language should be removed in the interests of industrial and residential development along the west coast. The important marine geology and hydrology work of the Geological Survey should be permitted along all U.S. shores and not restricted to the east coast.

Mr. KUCHEL. I thank the Senator very much, because as this report, which I have included in the RECORD, demonstrates, there is a crucially important and growing need for suitable studies of marine geology and hydrology, not only in the Bay of San Francisco area, but throughout the west coast. I appreciate the comment of the Senator from Arizona indicating that the decision as to where the money shall be expended for this particular program rests in the discretion of the Department.

Mr. HAYDEN. The Senator is correct.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HRUSKA. Mr. President, Nebraska hunters are becoming more and more concerned with good cause about the declining numbers of ducks. Last year the duck kill in Nebraska declined almost 50 percent from the year before. In 1961, the total duck kill in Nebraska was 180,000, and in 1962 it was only 93,000. There were fewer hunters in 1962 than in 1961, and each hunter on the average shot fewer ducks.

The most critical problem in the conservation of waterfowl is that of maintaining sufficient wet lands for the needs of the birds. The acreage of wetlands has been declining as a result of drainage and filling for agricultural and other purposes. We have made large steps toward the solution of this problem with respect to the wetlands required for wintering and for migration. For some years we have been acquiring lands in this country under the Migratory Bird Conservation Act; this program has now been stepped up under the provisions of Public Law 87-383, passed about 2 years ago.

During the summer nesting period, however, the ducks do best in the area of small marshes or potholes chiefly found in the prairies of the southern parts of Manitoba, Saskatchewan, and Alberta, and in North Dakota, South Dakota, and Minnesota. We can, of course, acquire titles or easements to such of these lands as are located in this country. But ducks do not recognize international boundaries. Most of the birds are produced on the Canadian side of the border, and our Federal land acquisition program, of course, does not apply to the lands in Canada.

This is a glaring weakness in the whole program. The migratory and wintering wetlands will be of little value unless there are adequate breeding grounds for the birds. Ducks Unlimited, a private voluntary organization, has done a magnificant job of providing funds for the construction and development of primary duck breeding areas in Canada. For each of the past 2 years—this year and last year—its board of trustees has provided $600,000 for that purpose. Altogether, Ducks Unlimited has now appropriated $8,750,000 toward this work. However, it is apparent that the need cannot be met fully through voluntary contributions alone. Wetlands are being destroyed every year through drainage and filling. Once that has happened, the possibility of producing ducks on any such lands has been lost forever.

Of course, as a matter of international relations it would not be possible for the U.S. Government to lease or acquire title to lands in Canada without the prior approval of the Canadian Government. Neither would it be feasible for us to appropriate Federal funds for that purpose until we have an agreement with Canada as to how such funds would be expended, the respective shares of the financing, and so forth. As a matter of fact, there is now a statutory prohibition against the expenditure of duck stamp funds for the acquisition of lands outside the United States, and for that reason it would be premature and out of order under the rules to amend this bill by adding an appropriation for the purchase of lands in Canada out of the money in this fund.

I think it is clear that we must first make an agreement with Canada, and that this is a matter of the highest urgency. During the course of the hearings before the House Committee, Secretary Udall stated that a cooperative program with Canada would be very desirable. I have also been in contact with Director Janzen of the Bureau of Sport Fisheries and Wildlife. According to Director Janzen, some progress is being made in negotiations to that end between representatives of the United States and Canada.

I believe such an agreement can be reached, and I intend to press for it very hard. The ducks to be produced in these Canadian breeding areas are of vital interest to our hunters. For that reason, while the initiative must rest with Canada, we should not forego any opportunity to press for early action. It is likely that this country will have to shoulder a share of the joint burden, but, as I stated, action on the Canadian end is absolutely essential for the proposed improvement in conservation of an adequate supply of waterfowl.

Assuming that we are successful in reaching appropriate cooperative agreement with Canada at an early date, and that the law is changed to permit expenditure of our funds through such a cooperative program of acquisition of lands or easements, it is my intention to request appropriation of funds for that purpose. Can the Senator from Arizona give me some assurance of his sympathetic consideration of such an appropriation request?

Mr. HAYDEN. Of course the two nations, it is obvious, must cooperate if the ducks are not to be destroyed. An attempt should be made to reach an agreement with Canada so as to make it possible for the ducks to breed and grow, and so they can fly south at a certain time of the year, and then back, as is customary. That is the way to handle the problem. The two governments must agree. The Migratory Bird Treaty between the United States and Canada is of long standing. I believe it has been in existence since 1917.

Mr. HRUSKA. My question is whether under those circumstances a request for an appropriation would receive sympathetic consideration by the chairman and the committee.

Mr. HAYDEN. It seems to me that there is nothing else to be done under the circumstances, if an agreement is reached between the two nations.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MUNDT. Speaking of ducks, I should like to call to the attention of the Senator from Nebraska, and Senators generally, the fact that we have by no means exhausted the possibility of expanding the breeding and rearing places for ducks in the United States. We have had so-called wetland legislation before us for a long time. It has not been progressing as rapidly as the conservationists of the country would like to see it progress or as the duck hunters would like to see it progress. That is due primarily to the fact that it has been impossible to arrive at an accurate and appropriate basis for reimbursing the counties whose wetlands are acquired.

Mr. HAYDEN. That is the problem.

Mr. MUNDT. Recently, in the Department of the Interior there has been a sharp acceleration toward achieving the same goal by the taking of easements or the leasing of land instead of the purchasing of land. This procedure permits the land to continue to pay taxes and to support local institutions of government, and gives the Federal Government exactly the same authority to utilize and set aside these lands as it would have if it owned the lands.

I call attention to page 19 in the committee report, where we encourage this acceleration, and point out that it is the hope of the committee that the Department will enlarge its use of these programs to replace to the greatest extent possible the fee acquisition of wetlands.

This procedure costs the Government less and it serves the local community better, and at the same time provides more ducks, which the country very badly needs.

Mr. HAYDEN. I thoroughly agree with the statement of the Senator.

Mr. YOUNG of North Dakota. I am encouraged by this, by my friend from South Dakota, coming, as I do, from the State of North Dakota, which is the No. 1 duck propagation State. Unless something is done along these lines to compensate counties and other political subdivisions for lost tax revenue, we in North Dakota would rather have the Government spend the money for wetlands in Canada than in North Dakota.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. GRUENING. Mr. President, my colleague and I would like to call attention to a provision that was deleted in the House. It amounts to $1,111,800. For the first time after its creation, 37 years ago, this national monument, the Glacier Bay National Monument, would have been provided some facilities to make it possible for people to enjoy the scenic wonders of this great national park, even though it is called a monument. It is the second largest in the park system with an area of 2,274,595 acres. It was eliminated in the other body because a visitor count showed that only 1,100 visitors visited it last year. It is amazing that even this figure was achieved, in view of the fact that there were no facilities in the area to accommodate visitors and no roads over which to approach it. It would be quite remarkable that 1,100 people went there. Actually, of course, the number was several times larger than that, and probably not less than 5,000.

I ask unanimous consent to have printed in the RECORD at this point, with the permission of the chairman, a letter from the Superintendent of the National Park Service, pointing out that it is quite impossible to obtain an accurate account of the number of visitors to Glacier Bay National Monument because under procedures adopted in the park system, count is made only of those visitors who come in actual contact with a park ranger. There being only two rangers on duty in this vast monument, the rangers could not possibly find all the visitors who come to the area. Its coastline is over 1,000 miles long. People come in small boats, or in small planes and never saw either of the two rangers in that vast area, and the rangers never saw them. And since there were no accommodations these visitors could not stay. Let me now read the letter which the able monument superintendent L. J. Mitchell wrote in answer to my specific request.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE, SITKA AND GLACIER BAY NATIONAL MONUMENTS,
Juneau, Alaska, May 10, 1963.

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: I am very sorry that I was unable to more fully answer your questions regarding visitor count methods in Glacier Bay National Monument during our recent discussion aboard the M/V *Malaspina.*

Since returning to the office I have had an opportunity to refresh my memory by review of the files and perhaps can give you a more complete picture in this regard.

There has always been difficulty in counting visitors to Glacier Bay National Monument. Its 3,600 square miles of area is covered by two rangers, who obviously can observe only a small percentage of visitors entering the monument. The fact that visitors can enter by boat or float airplane anywhere along about 1,000 miles of coastline is contrasted to most parks and monuments where access is restricted to highway entrances, usually where checking stations are located. There are, of course, no highways making Glacier Bay accessible by car. Under these circumstances the two rangers, judging by the number of boats and aircraft observed in the area, made estimates (always carefully conservative) of the number of visitors to the monument. This method was used until 1959 when a new count method was begun. The last year's count, using this method, was 5,130 visitors.

In 1959 the National Park Service instituted a count method more or less standardized throughout the Service areas. This was devised to provide comparability among parks for purposes of reflecting for each park the size, character, and pattern of workload imposed, and the impact on the park by visitors. Thus, estimates were no longer acceptable. The first year's count under this new system for Glacier Bay was 1,340 visitors.

Present criteria for counting visitors is essentially as follows:

1. Visitors, to be counted, must be ashore or using park facilities when observed by park staff (two rangers). Thus, regardless of the number of boats or aircraft observed on waters within the monument, no count can be made unless the persons aboard are observed ashore.

2. Visitors may be counted only if they directly exert a perceptible workload upon the park staff, or upon facilities.

While we are currently making an attempt to improve the method for this particular area, there are a number of faults that render the above criteria of limited use.

(a) The number of visitors counted is roughly proportionate to the number of staff we are able to keep in the field and upon the mobility of that staff. An ability to keep our rangers mobile increases visitor count. Restriction of travel within the area, which frequently occurs, decreases visitor count. We are satisfied that increase of staff from the present two, to three rangers would show an increase of about 50 percent in visitor count.

(b) Lack of a developed visitor use site within Glacier Bay National Monument provides no incentive for visitors who might be counted to come ashore. For example, during June, July, and August of the first year using the new count method, there were over 4,000 that entered the monument by steamship alone. Yet, during the same 3 months we reported a total of only 514 visitors entering the monument under the new criteria.

(c) The two rangers are kept busy with duties connected with resource management and protection, research, and administrative work, and since these duties require very long workweeks (contributed time for all over 40 hours per week), they have a tendency to overlook the importance of counting visitors, with the result that many are missed.

You asked me specifically about the effect on accessibility of the monument created by the lack of visitor facilities.

It is my personal opinion that visitor accommodations are the key factor in making this area accessible. The entrance to Glacier Bay at Bartlett Cove is 90 miles from Juneau, which is the nearest city where boats, fuel and supplies are available, and the main arm of Glacier Bay is 60 miles in length. Ordinarily a visitor wishing to see Glacier Bay has to charter a boat from Juneau and travel a minimum of 300 miles on a round trip, involving at least 3 days travel to see even a portion of the monument. With no boat fuel available at Glacier Bay, a charter boat must be of the size that can carry its own fuel for a trip of 350 to 400 miles. It becomes obvious at once that only yacht owners, and the better well-to-do visitors can enjoy seeing Glacier Bay.

It has long been apparent that to permit family vacations to Glacier Bay certain facilities would need to be provided. These would be a lodge, where beds, meals, and supplies would be available; a boat which would operate from the lodge at Bartlett Cove into the bay on day cruises; facilities for the sale of boat fuel; and a taxi or bus service between the Gustavus Airfield (10 miles distance), and the lodge.

These facilities would permit visitors to arrive via scheduled air service, stay at the lodge, engage in fishing and hiking locally, and take cruises into the bay. With this in mind we issued a prospectus inviting private business to provide the facilities, but not a single proposal was received because of the record of such small visitation.

Prospective visitors to Glacier Bay have for many years faced a classic chicken and the egg impasse, where facilities could not be built because of the relatively few visitors of record, and where visitation could not increase because of no facilities to accommodate them.

Finally we were successful in being able to budget construction of some rather modest facilities, including a small lodge, a 50 passenger tour boat, and boat fuel facilities, for fiscal year 1964. According to local news media, however, these facilities have been eliminated from the budget by the House Appropriations Committee, for the reason that travel records to this area show only some 1,100 visitors per year.

We have never been able to answer inquiries with encouragement to visit Glacier Bay. We must, in fairness, point out to prospective visitors in effect, that unless they have independent means they should not undertake travel of this area. That to travel beyond Juneau they would have to be independent of any facilities whatever.

Glacier Bay National Monument has been said by many to be the most scenically spectacular of any of the national parks and monuments. Even so, as long as no facilities are provided there only a select few citizens can avail themselves of enjoying it. It will continue to be unavailable to the large number of citizens who inquire, but are discouraged by the difficulty of access.

If facilities were provided, both ship and air transportation companies have expressed interest in making regular stopover service available. Utilization of this outstanding area of the National Park System would contribute much to American culture, and incidentally would contribute substantially to Alaskan economy.

I believe I have discussed the questions you gave me, and I hope adequately.

Representative RIVERS expressed interest on these same questions, and I am taking the liberty of sending a copy to him.

Sincerely yours,

L. J. MITCHELL,
Superintendent.

Mr. GRUENING. It is a great pity, Mr. President, that through a misunderstanding of the special conditions surrounding Glacier Bay National Monument, that this item was totally deleted by the House Appropriations Subcommittee.

For the record it is necessary to explain why this monument has a unique situation.

It is located some 70 miles northwest of Juneau. It is inaccessible except by water and by plane. It is unlike any national parks or monuments in the 48 lower States, to which people can drive in their own automobiles or by bus or by train.

This year came the fruition, however, of an imaginative and courageous effort by the people of Alaska to attempt to meet, in part, the overshadowing problem of roadlessness. This problem exists in Alaska because while Alaska was a territory, a stepchild in the national family—indeed, a colony—it was for 40 years denied inclusion in the Federal aid highway program. From 1916 until 1956 every effort of our able but voteless delegates in the House to include us in the Federal aid highway program was defeated. All this time we were paying all

Federal taxes, and taxation without representation was no less a tyranny in the 20th century than it was in the 18th.

In 1956, when President Eisenhower proposed a throughway system, Alaska suffered further discrimination by being excluded from that program but included in the additional taxation on trucks, tires, trailers, and gas. Only with the coming of statehood have we been finally included in the Federal aid highway program, although not yet in the throughway program. Consequently, Alaska entered the Union in the unique situation, unthinkable in the 48 lower States, by which not merely a few but a majority of its communities cannot be entered or left by either highway or railway.

Starting with statehood, however, the people of Alaska made a tremendous effort to meet this situation. The Governor proposed, the legislature enacted legislation, and the people approved a $23 million bond issue to provide ferries in those parts of Alaska where roads could not be built for physical reasons. This is notably true in southeastern Alaska, which is composed of a rocky, mountainous and precipitous shoreline cut by deep fiords and therefore not traversable by highway, together with an adjacent archipelago of islands. The money which was obtained from the bond issue went to construct three huge ferries, each capable of carrying over 100 cars each, which, beginning this summer, will ply daily up the Inside Passage from Prince Rupert. Toward the upper end of this Inside Passage is Glacier Bay National Monument.

Alaska has thus, by its own efforts and its own cash, supplied additional means of transportation to Glacier Bay previously nonexistent. But the accommodations which have been so long awaited—for the monument was established way back in 1926—have now been denied us for this year. We shall hope that next year a better understanding will enable us to secure approval of this appropriation—an administration-sponsored and budgeted item—which would provide the following needed facilities:

Construction:	
Roads and trails	$217, 500
Lodge building	447, 800
Residence (building for national park services and maintenance personnel)	94, 000
Equipment storage building	54, 000
Materials storage building	18, 000
Boat fueling facilities	12, 000
Cruiser boat for 50 passengers	176, 500
Ground improvement	18, 000
Communications system	11, 000
Water system	200, 000
Sewer system	74, 500
Power system	6, 000
Total proposed construction, fiscal year 1964	1, 111, 800

Glacier Bay has been described as a Venice among national parks. It is crowned by the glory of the Fairweather Range, whose central peak, Mount Fairweather, rises to its full 15,300 feet directly from the sea. Nowhere else under the American flag except in Alaska can the full height of such a mountain be seen.

Elvind T. Scoyen, who retired last year after a lifelong dedicated career in the Park Service, ending up as its Associate Director, used to make it a practice, when asked—as he would be by countless visitors—"Which do you consider the most beautiful of the national parks?" to reply that he could not, in fairness, render an opinion. His official position, he felt precluded showing favoritism. But, on his retirement, he stated categorically his view that Glacier Bay National Monument was the grandest of them all.

I share that view, and I think it will be shared by many who have had a chance to compare and contrast the superlative wonders and varied beauties of our many national parks and monuments.

Mission 66, that constructive program to make our national parks and monuments available and ready for the increasing number of Americans and others who want to go there, has unfortunately not come to Alaska. Beginning last year, I am happy to say, the Park Service did move into Katmai National Monument and built there a 21-mile jeep trail with an observatory at the end, from which the previously inaccessible volcanic phenomena of the Valley of 10,000 Smokes can be seen. We are grateful for this start. But so far, that is all. The accommodations in that Katmai Monument and other facilities have been furnished wholly by the concessionaire, and they are excellent. That has not, however, been deemed possible in Glacier Bay, and after careful study over the years, the Park Service rightly decided that in this one instance, if people were to enjoy its unique splendors, the facilities had to be built by the Federal Government and then leased out to a concessionaire.

While it appears impossible to secure restoration of the appropriation at this time in this bill, I hope this record will help make it possible to obtain this appropriation at the next opportunity.

Mr. HAYDEN. I thank the Senator from Alaska for his statement.

Mr. BARTLETT. Mr. President, I wish to join my colleagues from Alaska and to subscribe to his views concerning the desirability and the need for the construction of tourist facilities at Glacier Bay National Monument. These should be built at the earliest possible time.

In like manner, I support the words of the Senator from California. We all owe a debt to the chairman of the committee who has fashioned another progressive bill for the development of our natural resources. I would include, of course, the Senator from South Dakota [Mr. Mundt], the ranking member of the subcommittee on the other side of the aisle, who has worked on this bill in a manner, both able and fair.

Mr. HAYDEN. It is my sincere hope that in another year this item can be presented to the House committee in such a way that, perhaps, it will not require as much money, but at the same time will enable a substantial start to be made on the work. That is my suggestion to the Senator.

Mr. BARTLETT. Those words from the chairman are comforting. We of Alaska are grateful to the committee for the language that was inserted in the report, directing the Secretary of the Interior to conduct cadastral surveys of land to be transferred to the State of Alaska in the manner intended by the Statehood Act, and not in the manner unilaterally adopted by the Bureau of Land Management, to the detriment of the State of Alaska and in contravention to the will of the Congress.

Mr. HAYDEN. I think I understand the Senator's problem, because we have had it in Arizona for years. It is only by diligence that finally it has become possible to have the work progress; but there still is land to be surveyed.

Mr. BARTLETT. I know that is true of every Western State. As the chairman is so well aware, the Alaska Statehood Act struck out on a novel, and, I thought, responsible approach to the conveyance of Federal lands to the State attaining statehood. The Federal Government would be required to survey the exterior boundaries of tracts of land chosen by the State, with the State being required to perform the interior surveys. Upon the completion of the exterior surveys, the land was to be transferred to the State.

Unfortunately, the Bureau of Land Management indicated it would not survey the lands chosen by the State unless they were in parcels much larger than that provided by the Statehood Act. It is my conviction that the Bureau has no authority to make such a decision. Because of the resulting dispute arising over the Bureau's action the land selection program has been held up and Alaska's economic development slowed.

If title to the 103 million acres of land intended to go to the State of Alaska in the 25-year period designated by the Statehood Act are to be transferred in that time, 4 million acres of land would have to be surveyed every year. However, to date, Alaska having held statehood for a little more than 4 years, the rate of survey has lagged far, far behind. That is why I am especially glad that the committee added $300,000 to the amount provided in the House bill for Alaska cadastral surveys. I sincerely hope that this additional amount will be maintained in conference. I thank the chairman.

Mr. LAUSCHE. Mr. President, I offer the amendment which I send to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 24, line 25, it is proposed to strike out "$31,685,400" and insert in lieu thereof "$31,635,400." Deletion of $50,000 to organize and plan for operation of the national fisheries center and the aquarium.

On page 25, line 8, strike out "$5,898,500" and insert in lieu thereof "$5,638,500." Deletion of $260,000 intended to be used for preliminary design of the national fisheries center and the aquarium.

Mr. MANSFIELD. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. MANSFIELD. Do I correctly understand that the Senator from Ohio intends to ask for the yeas and nays on his amendment?

Mr. LAUSCHE. Yes. Mr. President, on my amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, after consultation with the distinguished Senator from Ohio and the distinguished acting minority leader, I should like to propose a unanimous-consent request to the effect that on the amendment, there be a limitation of debate of 20 minutes, 10 minutes to a side.

The PRESIDING OFFICER. Is there objection to the unanimous-consent proposal of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. LAUSCHE. Mr. President, the purpose of the amendment is to remove from the bill an appropriation of $310,000 which is contemplated to finance the preliminary work for the construction of the fishpond on the Potomac River in Washington. It is anticipated that into the fish aquarium will be placed fish life from the deep sea and, I suppose, elsewhere. Eventually, the cost would be $10 million. The argument is that research work would be done in the aquarium, and that the aquarium would attract to Washington about 3 million men, women, boys, and girls who would avail themselves of the privilege of visiting it. It is contended that it would be the most expensive fishpond in the world; there would be nothing else like it. It is supposed that it would be the center of attraction for all people who are interested in ichthyology.

I remind Senators that a strong argument was made for the construction of the stadium in the District of Columbia. The cost of the stadium was $20 million. In the legislation authorizing the issuance of bonds, Congress obligated the U.S. Government to guarantee the payment of the delinquent interest installments on the principal. A year ago the Government paid $700,000. The District of Columbia bill at this session will include a requirement to pay another $700,000, which will be due this year on interest and principal.

According to one of the newspapers published in Washington, the District of Columbia stadium is a $20 million white elephant. In the very first year of its operation, it became delinquent in the payment of interest and principal. I think that is an example of what will happen with respect to the proposed aquarium. I read from an editorial entitled "$10 Million for Aquarium," published in the Cincinnati Enquirer of last October 17:

> Debt-ridden Uncle Sam, who seems to have more trouble keeping a million in his pocket as he gets older, is about to spend $10 million on an aquarium quite fitting for even a solidly 14 carat goldfish.
>
> Some case has been made out for the expenditure in the name of research to help the ailing fishing industry.
>
> The location of the aquarium, of course, is to be in Washington, the cultural center of the Nation—so the sponsors reminded Congress.

Mr. President, I submit the following information as an accurate status of the bond account in the management of the District of Columbia stadium:

> There were issued $28,800,000 in bonds payable in 1980. Of course, none of the bonds have been retired up to this time.
>
> The interest obligation is $415,800 every 6 months:
>
> First payment, due December 1, 1960, was paid out of stadium fund.
>
> Second payment, due June 1, 1961, was paid out of stadium fund.
>
> Third payment, due December 1, 1961, was paid out of stadium fund.
>
> Fourth payment, due June 1, 1962, the money was borrowed from the Treasury at a rate of 3 percent; there were not sufficient funds in the stadium fund to pay this interest installment.
>
> Fifth payment, due December 1, 1962, was paid out of stadium fund.
>
> Sixth payment, due June 1, 1963; letter is now on way to Treasury asking for loan since there are not sufficient funds in the stadium fund to meet the 1963 interest obligation.
>
> There is no money in the sinking fund.

I submit that Senators who will be running for election in 1964 go back and justify their votes on this measure, if they contemplate improving it. Let them explain to the citizens of their States how they brought this fish bowl within the category and principle of being an essential expenditure for the preservation of our country. I defy an explanation of that question now. How will Senators explain that this is an essential expenditure, one that cannot be delayed?

It is anticipated that the Federal deficit will be $8 billion this year; $10 billion next year if everything moves in the most optimistic and favorable manner; the following year, another $10 billion; and the third year, another $10 billion. It simply cannot be justified.

Mr. President, I hold in my hand a statement which was placed in the Congressional Record by the Senator from Wisconsin [Mr. Proxmire] on September 21, 1962. It shows the cost of construction of the various aquariums in the country and their cost of operation. I ask unanimous consent that the statement be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Proxmire

The spending of $10 million on the proposed aquarium is a double feature extravaganza since (1) no significant need for this aquarium has been established, and (2) there is no excuse for building it at this fantastic cost.

The Senate Public Works Committee, in its report on the aquarium bill, stated: "At a cost of $10 million the center would exceed the cost of any private commercial aquarium now in existence."

To the best of my knowledge, this statement applies to public as well as private aquariums and the cost would exceed any other by several million dollars. Among the major public aquariums in the United States are:

1. Steinhart Aquarium, San Francisco, built in 1923 at a cost of $300,000, according to figures supplied to the Senate Public Works Committee by Steinhart's superintendent-curator. This sum was donated by Ignatz and Sigmund Steinhart. The aquarium is now being entirely reconstructed at a cost of only $750,000.

2. John G. Shedd Aquarium in Chicago, described by its assistant director as "the largest building in the world devoted exclusively to aquarium purposes," built in 1929 at a cost of $4 million, $3 million of which was donated by John G. Shedd, former president and chairman of the board of Marshall Field & Co.

3. The New York Aquarium at Coney Island, built in 1957 by the New York Zoological Society and the city of New York at an initial cost of $1,500,000. Its total cost is estimated to be $6 to $7 million when all construction is completed.

Among the major private aquariums are: 1. Marine Studios at Marineland, Fla., built in 1937 at a cost of $1,500,000; (2) Marineland of the Pacific, Los Angeles, built in 1954 at a cost of $3,500,000; (3) the Seaquarium, Miami, built in 1955 at a cost of $3,250,000.

In comparison with these figures the proposed Washington aquarium would be the costliest fish bath in the country. Apparently the Washington fish will enjoy every advantage of a Fifth Avenue salon except Swedish masseurs.

The estimated annual operating costs and income of this goldplated aquarium are equally out of proportion to other existing aquariums. Figures supplied by the Department of the Interior show the Washington aquarium would cost $800,000 to operate a year. By comparison, Steinhart costs $300,000; Shedd, $250,000 and New York, $200,000. No operating costs were available for the private aquariums.

The prediction for the annual income for the Washington aquarium has been padded beyond all reality. It is predicted to be $1 million, with a proposed admission fee of 50 cents for adults and 25 cents for children. Steinhart Aquarium is free and has no income; Shedd charges 25 cents on Thursdays, Saturdays and Sundays and makes about $75,000 a year; New York charges 90 cents for adults, 45 cents for children and grosses an estimated $120,000; Marine Studios charges adults $2.20, children $1.10 and makes about $1,500,000; Marineland of the Pacific charges adults $2.20, children 70 cents and has an income of about $1,200,000; the Seaquarium, adults $2.20, children, $1.10, and grosses about $1 million.

The Department of the Interior has ballooned its estimate of revenue by assuming a fantastic attendance of 3 million. Top attendance among the other aquariums is 2,300,000 at Steinhart which charges no admission. Of the other aquariums which charge admission top attendance is 1 million with a low of 200,000 at the New York Aquarium and 700,000 at the Shedd Aquarium in Chicago, with populations respectively eight and four times that of Washington.

Mr. LAUSCHE. Mr. President, I also ask Senators to consider the fact that for their States they are asking for the same type of aid that will bring them economic advancement. Senators seek the establishment of projects which will attract visitors there. My query is, Why should it all be done in Washington? Six million visitors already are coming to Washington, D.C. What justification is there in the argument that a $10 million aquarium is needed in the city of Washington, D.C., in order to attract more visitors to this city? There is in contemplation the expansion of what is called the environmental health center. In Cincinnati there is a branch of it—the Taft phase. It is now said that there will be spent approximately $40 million for the purchase of land on which to develop that phase in Washington, D.C.

In short, it is planned to attract more and more people to the city of Washington, D.C.; and it is proposed that $800 million be provided for a mass transportation system for the District of Columbia.

I cannot bring my reasoning to subscribe to the idea of attracting more and more people to the District of Columbia and spending more and more money to accommodate them and to concentrate the population here. It is not sound; and I feel that this part of the bill should be stricken out.

Mr. President, I speak frankly and pointedly when I say that if this item is approved, I believe an issue should be made of it in every State in the Nation.

I yield the floor.

Mr. HAYDEN. Mr. President, the budget estimate which justifies this appropriation reads as follows:

> National Fisheries Center and Aquarium, $260,000: Public Law 87-758 authorizes the Administrator of General Services to plan, construct, and maintain a National Fisheries Center and Aquarium in the District of Columbia for the display of fresh water and marine fishes and other aquatic resources for educational, recreational, cultural, and scientific purposes.
>
> The Aquarium is expected to provide assistance to the people and the fishing industry in understanding conservation and prudent management of an important natural resource; outstanding opportunities for scientific research and education; and recreation for thousands of tourists as well as the inhabitants of the metropolitan area of Washington, D.C.
>
> The estimate is for planning for the construction of the Aquarium, including site investigations, test boring, preliminary designs, and compensation of experts and consultants.

That was the finding of the Bureau of the Budget. That finding was made after the aquarium was authorized for construction by an act of Congress. After having committeed ourselves to this expenditure and after having received a budget estimate for it, I must defend it and ask that the Senate vote for the appropriation.

Mr. LAUSCHE. Mr. President, will the Senator from Montana yield 1 more minute to me?

Mr. MANSFIELD. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I have no argument with the Senator from Arizona [Mr. HAYDEN]; I respect him most deeply. Congress did authorize this project; and inasmuch as the authorization was made, I assume that the funds must be provided. But I think there is still time to repent and to make amends for the mistake which was made a year ago.

Mr. President, I yield back the remainder of the time available to me.

Mr. MANSFIELD. Mr. President, I yield back the remainder of the time under my control.

Mr. HAYDEN. Mr. President, I yield back the remainder of time under my control.

The PRESIDING OFFICER. All remaining time on the amendment of the Senator from Ohio has been yielded back.

The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from California [Mr. ENGLE], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I further announce that the Senator from West Virginia [Mr. RANDOLPH] is necessarily absent.

I further announce that, if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from California [Mr. ENGLE], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], and the Senator from West Virginia [Mr. RANDOLPH] would each vote "nay."

Mr. KUCHEL. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Hawaii [Mr. FONG], the Senator from New Mexico [Mr. MECHEM] and the Senator from Iowa [Mr. MILLER] are necessarily absent.

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Hawaii [Mr. FONG]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Hawaii would vote "nay."

The result was announced—yeas 22, nays 58, as follows:

[No. 102 Leg.]

YEAS—22

Bennett
Byrd, Va.
Case
Cotton
Curtis
Dirksen
Goldwater
Hickenlooper
Hruska
Javits
Jordan, Idaho
Keating
Lausche
Morton
Proxmire
Scott
Simpson
Smith
Talmadge
Thurmond
Tower
Williams, Del.

NAYS—58

Allott
Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Church
Cooper
Dodd
Dominick
Edmondson
Gruening
Hart
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Kuchel
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Ribicoff
Robertson
Saltonstall
Smathers
Sparkman
Stennis
Symington
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—20

Aiken
Clark
Douglas
Eastland
Ellender
Engle
Ervin
Fong
Fulbright
Gore
Hartke
Kefauver
Kennedy
Long, Mo.
Mechem
Miller
Neuberger
Prouty
Randolph
Russell

So Mr. LAUSCHE's amendment was rejected.

Mr. MORSE subsequently said: Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "District of Columbia Leads in Fish Killed by Pollution," published in the Washington Evening Star of May 27, 1963. The article has a bearing upon the desirability of locating a fish research center on bodies of water that are not so polluted as are the Potomac and Anacostia Rivers.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DISTRICT OF COLUMBIA LEADS IN FISH KILLED BY POLLUTION

The District of Columbia had the dubious honor of leading the Nation in number of fish killed by water pollution last year, according to a Public Health Service report released today.

This was due to an exceptionally large kill of 3.2 million fish in the Anacostia on or about September 20. The fish kill was caused by discharge of raw sewage into the river from construction work on the Anacostia Freeway.

The Anacostia kill represented the greatest portion of the 7 million fish killed by water pollution throughout the Nation as reported to the Health Service.

There was one larger kill than that in the Anacostia—37.8 million just outside the harbor entrance at San Diego, Calif. The killing was blamed on a large amount of oil known to be toxic to fish which was dumped into the waters. This was not included in the pollution-caused fish kill report because "its very size would tend to obscure any conclusions that otherwise might be obtained * * * for the rest of the United States," the report said.

The unusual number of fish killed in the Anacostia was "probably due to the chance and coincidental migration downstream of a school of alewives or branch herring," according to the Regional Sanitary Advisory Board.

Fish kills were reported in 38 States and the District, a decrease of 6 from the 45 States reporting kills in 1961. This does not necessarily mean a decrease in pollution but more probably that kills "went unobserved or unreported," the Public Health Service report said.

Mr. MORSE. Mr. President, I voted against the proposal to delay the appropriation for the aquarium, although last year I opposed the authorization of the aquarium. I was opposed to the aquarium. I thought it was a great mistake to authorize it at that time. But the Senate overruled those who opposed it, and the Committee on Appropriations this year, passing upon the subject, fulfilled its responsibility and appropriated the funds necessary to accomplish the will of Congress and of the President. So once the question had been decided substantially, I felt that we must go ahead and build the aquarium, although

I think it is a mistake to locate it in Washington. I believe the article I have just placed in the RECORD is further evidence that it is a mistake. In my opinion the aquarium should have been located on some body of water which is not polluted, such as the Great Lakes, including the Great Lake that washes the State of Ohio, or on some other body of water in any State of our Nation.

However, I desired to make this explanation as to why, although I was an opponent of the aquarium so far as its original authorization was concerned, I voted to proceed to appropriate the money to carry out the judgment of Congress, which was not my judgment.

AUTHORIZATION FOR CERTAIN FORMER SENATE EMPLOYEES TO TESTIFY IN A CRIMINAL PROCEEDING IN THE U.S. DISTRICT COURT FOR NEW JERSEY—REPORT OF A COMMITTEE

Mr. McCLELLAN. Mr. President, from the Committee on Government Operations, I report an original resolution authorizing certain former employees of the Senate to testify in a criminal proceeding in the U.S. District Court for New Jersey. I ask unanimous consent for the present consideration of the resolution.

The **PRESIDING OFFICER.** The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 149), as follows:

Whereas the case of the *United States of America* v. *Anthony Provenzano*, Criminal Action No. 429–60, is pending in the U.S. District Court for the District of New Jersey; and

Whereas Messrs. Robert F. Kennedy, Jerome S. Adlerman, James P. Kelly, and Joseph F. Maher, all of whom are former employees of the Select Committee on Improper Activities in the Labor or Management Field, have been advised by the U.S. Attorney for the District of New Jersey that they will be called as witnesses and directed to bring with them at the aforementioned trial all of their notes, memoranda, workpapers, and records compiled by them in connection with this criminal action; and

Whereas the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, has in its possession, by virtue of Senate Resolution 255, section 5, 86th Congress, the records of the former Senate Select Committee on Improper Activities in the Labor or Management Field; and

Whereas by the privileges of the Senate of the United States no document under the control and in the possession of the Senate of the United States can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession, but by its permission; and

Whereas by the privilege of the Senate and by rule XXX of the Standing Rules of the Senate no document shall be withdrawn from its files except by the order of the Senate; and

Whereas information secured by staff employees of the Senate pursuant to their official duties as employees of the Senate may not be revealed without the consent of the Senate: Therefore be it

Resolved, That Messrs. Robert F. Kennedy, Jerome S. Adlerman, James P. Kelly, and Joseph F. Maher, former employees of the U.S. Senate Select Committee on Improper Activities in the Labor or Management Field, are authorized to appear and testify before the aforementioned court in the aforementioned criminal action, or at any continued and subsequent proceedings thereof, and to take with them and produce such documents and papers called for by proper subpenas before said court where determined by the judge thereof to be material and relevant to the issues before him.

Mr. McCLELLAN. Mr. President, the resolution is requested by the U.S. Attorney for the District of New Jersey in the case of the United States against Anthony Provenzano. The resolution would authorize the Honorable Robert S. Kennedy, Jerome S. Adlerman, James P. Kelly, and Joseph F. Maher, present and former staff members of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, to appear in court and testify on behalf of the Government in that case. I ask that the resolution be agreed to.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the resolution?

There being no objection the resolution was considered and agreed to.

TELSTAR LEGISLATION NOW NEEDS CAREFUL REEVALUATION—THE CONGRESS SHOULD HAVE LOOKED BEFORE IT LEAPED AS 16 SENATORS TRIED VAINLY TO POINT OUT

Mr. GRUENING. Mr. President, last year 16 Senators joined in a vain effort to point out to the American people the myriad dangers involved in the precedent-making establishment of the private corporation for private profit to be known as the Communications Satellite Corp. Those Senators joining in this fight were Senators Bartlett, Burdick, Carroll, Church, Clark, Douglas, Gore, Gruening, Kefauver, Long of Louisiana, McNamara, Morse, Moss, Neuberger, Proxmire, and Yarborough.

This year we again joined in opposing the perversion of the advice and consent provision of the Constitution in using it to advise and consent to the nomination of the corporation's incorporators and members of the Board of Directors. We cited this as but one more instance of the many inconsistencies with which we will be plagued until we undo our hasty action in establishing this private profit-making corporation.

Drew Pearson, the eminent national columnist, performed an outstanding public service in revealing in his column this morning a letter written to the corporation by Gen. David Sarnoff of the Radio Corp. of America discussing the future of the corporation and suggesting various defects in the existing legislation.

Those of us who sought some amendments to the bill establishing this corporation last year said that by placing the development of the satellite system of communications in the hands of a private corporation motivated, as the language of the bill spelled out clearly by profitmaking, we would be delaying the ultimate utilization of such a system. Great expectations were voiced of being able to utilize such a system in reaching the hearts and minds of the peoples of the underdeveloped countries. If such action must now await the obsolescence of existing and developing cables, then we will indeed have to wait a long time before the peoples of the underdeveloped countries can be communicated with in this way.

This, of course, is not new. This was pointed out during the hearings held by the Senate Foreign Relations Committee at the time the original satellite corporation bill was before the Senate.

I reiterate: whether or not Voice of America reaches the peoples of the underdeveloped countries should not depend on whether it is profitable to do so. Our purpose in an enterprise so fraught with such great potentialities for peace, for international understanding, for the dissemination of knowledge and much, much else, should be above the profit motive.

Mr. President, I ask unanimous consent that Drew Pearson's column entitled "Sarnoff Writes on Satellite Corporation" be printed at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. However, rather than insert only Mr. Pearson's partial quotation, I thought it well to secure the letter itself which reveals the things we fought against in the last session of Congress are now coming to pass. Had we not been gagged by cloture before these vital shortcomings could be fully exposed, the present and prospective difficulties might have been obviated. General Sarnoff, chairman of the board of the Radio Corp. of America, who is certainly as knowledgeable in this field as any human being on this earth says the whole enterprise "now needs careful reevaluation." Further on he points out his belief "that the satellite corporation is now confronted more seriously with the question as to when its operations can reasonably become profitable." He says this calls for "fundamental studies." Obviously, we tried to point this out and would have been successful in pointing this out had we not been steamrollered by cloture and motions to lay on the table.

General Sarnoff says he is in favor of private enterprise and thinks this corporation should continue as a private enterprise but he adds he favors private enterprise when it "can furnish the capital and facilities to render the necessary services." Query: Will the Communications Satellite Corp. furnish the capital? Obviously not. It will come to ask Uncle Sam to pick up the tab.

Now that the Congress rushed this legislation through in great haste it will be necessary now to repent—or to repair—at leisure. Perhaps it would be best to recall the whole enterprise and start all over again.

I ask unanimous consent that General Sarnoff's letter also be printed at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the Washington Post, May 28, 1963]

SARNOFF WRITES ON SATELLITE CORPORATION

(By Drew Pearson)

Gen. David Sarnoff, chairman of the Radio Corp. of America and one of the most experienced communications experts in the United States, has thrown a blockbuster into the Communications Satellite Corp. He has written a letter to Leo Welch, chairman of the corporation, raising grave doubts as to whether the satellite is worth developing under the present setup.

Coming from a man who has spent 57 years in communications and who made radio and television a way of life in the United States, the Sarnoff letter has had more effect than a Senate filibuster. If it had been written at the time Senators KEFAUVER, GORE, GRUENING, BURDICK, et al., were fighting against the satellite corporation bill, the bill would not have passed.

The Sarnoff letter so far is confidential. However, this column can reveal that he makes the following points:

Transistorized cables being developed by A.T. & T. will carry double the existing trans-ocean traffic and will handle all TV signals and other traffic for some time to come.

The present telephone and cable companies will not use the satellite because they already have money invested in their own cable facilities. They will not spend extra money to use the satellite.

The most practical solution to the satellite dilemma is to organize one large private company, under Government regulation, to operate all the present cables, all radio circuits, and all future satellite communications.

DOUBTS ABOUT FUTURE

The Sarnoff letter comes at a time when other directors of the satellite corporation, a private company set up by the Kennedy administration, have had growing doubts about their overglamorized establishment.

It also comes at a time when thousands of letters have been received from private investors wanting to know when they can invest in the new company. If the Sarnoff letter and the private view of several directors are any criterion, it will be a long time before the corporation will merit a public stock issue.

The Sarnoff letter was written in reply to an inquiry by Welch, asking for Sarnoff's views. In his unpublished letter, Sarnoff quoted statements by Fred Kappel, head of A.T. & T., and James E. Dingman, vice president of A.T. & T., that new transistorized cables would provide 720 telephone circuits alone, and that "one transistorized cable laid across the North Atlantic could connect areas possessing 90 percent of the world's present telephones."

"One new transistorized cable will have a capacity almost double that of all existing transoceanic cables," Sarnoff wrote, "and Mr. Dingman has expressed the hope that it will permit a lower cost per channel than the present facilities."

Quoting the Rand report that present and planned conventional cable and radio will be adequate to handle international traffic between now and 1965, Sarnoff continued:

"I believe the satellite corporation is now confronted more seriously by the question of when its operations can reasonably be expected to become profitable.

"On the basis of the present state of development in satellite communications 5 to 10 years may pass before any commercial satellite communications system will be able to offer reliable and continuous service on a global scale."

BRITISH COMPETITION

Sarnoff then pointed out that "in nearly all other countries, government monopolies own and operate their communications systems. * * * Presumably the principal foreign countries will utilize their cable facilities to maximum capacity before diverting any substantial amount of traffic to the American satellite corporation and paying for the use of its facilities."

Summarizing his solution to the difficult problem, Sarnoff said in his unpublished letter:

"We should now consider an amendment to the present law which would enable the satellite corporation to acquire, through purchase, the international telephone and telegraph facilities and operations, both present and planned, of all American carriers.

"The enlarged satellite corporation should continue as private enterprise. The new organization should operate as a public utility under appropriate Government regulation."

Sarnoff pointed out that this big communications combine would have the advantage of starting on "an immediate and solid revenue base" since the existing U.S. communications companies did a $160 million international business in 1962 and would be doing $350 million by 1970. Furthermore, this combine could deal with equal strength with foreign governments.

"The British General Post Office and its Commonwealth partners already operate one of the world's most extensive international communications systems. * * * In the absence of a unified U.S. enterprise, the British might well regain the dominant position they occupied in international communications prior to the First World War."

EXHIBIT 2

RADIO CORP. OF AMERICA,
New York, N.Y., April 2, 1963.

Mr. LEO D. WELCH,
Chairman, Communications Satellite Corp., Washington, D.C.

DEAR MR. WELCH: This letter is in response to your request for my views on recent domestic and foreign developments in the field of international communications and their likely effects on the future operations and earnings of the Communications Satellite Corp.

By way of background, I have from the beginning advocated the early establishment of a practical global communications satellite system operating as a private enterprise. For this reason, I welcomed the initiative of the administration and the Congress in establishing the legal foundation for the Communications Satellite Corp.—and I supported the legislation.

I share with your fellow directors a profound desire to see our country lead in the establishment of a practical, reliable, and successful global system of satellite communications under private operation.

RCA Communications, Inc.—a wholly owned subsidiary of the Radio Corp. of America—has applied to the FCC for permission to purchase stock in the Communications Satellite Corp.

RCA Communications, Inc., has provided international communications services for more than 40 years. And the contributions of the RCA organization to space technology include the uniquely successful series of Tiros television weather satellites and the Relay communications satellite built for NASA.

My own experience in communications extends over a period of 57 years.

The satellite corporation is now in the initial planning stage and I appreciate the complex nature of the problems you face. The existence of these problems, of course, should not halt or delay your planning effort.

However, I feel it is important to call attention to recent technical developments which can affect both your own plans and our Nation's policies in the field of international communications. I refer to the new technology of transistorized cables and their possible impact upon satellite communications.

Recently, the American Telephone & Telegraph Co. reported its development of a transistorized submarine cable of vastly increased capacity. This achievement was cited by Mr. Frederick R. Kappel, Chairman of A.T. & T., in a talk on March 18, 1963, before the New York Chamber of Commerce. He said:

"The cables of today are much more effective and capable than those of a few years ago, and the cables of tomorrow will have far greater capabilities than the ones we have now. In fact, we are sure that in a few years their capabilities will fully equal those of satellites. We have a transistorized cable under development at the Bell Laboratories, for example, that will be able to transmit television and the scientists in other countries—I could name two countries—are not sitting on their hands either. They have a similar cable under construction."

In my view, the transistorized cable does not alter the fundamental premise that early development of an operational communications satellite system is vital to our national prestige and to continued U.S. leadership in both communications and space technology.

Nevertheless, a second premise—that the facilities of a global satellite system will be needed to meet the expected growth of commercial demand for oversea communications services beyond 1965—now needs careful reevaluation in terms of the possible effects upon the Satellite Corporation of this latest technological breakthrough.

According to testimony by Mr. James E. Dingman, executive vice president of A.T. & T., before the Senate Subcommittee on Communications on February 18, 1963, the new transistorized cable may be available for commercial use as early as 1966.

This new cable—which reflects great credit upon the scientists and engineers of A.T. & T.—is expected to provide some 720 telephone circuits alone.

One transistorized cable, laid across the North Atlantic, could connect areas possessing nearly 90 percent of all the world's present telephones.

It could furnish, for the first time, sufficient cable bandwidth to transmit transoceanic television signals on a regular basis.

It could provide facilities for every other form of traffic that a satellite can handle—telephone, telegraph, telex, sound broadcasting, facsimile, data processing and any combination of these services.

One new transistorized cable will have a capacity almost double that of all existing transoceanic cables, and Mr. Dingman has expressed the hope that it will permit a lower cost per channel than present facilities.

Because development of the transistorized cable was reported only recently, its potential impact on commercial satellite communications does not appear to have been evaluated.

The latest report on expected growth in international communications was made public in February 1963 by the Rand Corp.—an independent, nonprofit research organization.

The Rand report makes these pertinent points:

It indicates that present and planned conventional cable and radio facilities will be adequate to handle the volume of international traffic expected between now and 1965.

It states that "From 1965 to 1975 we look forward to a normal growth rate of 11.5 percent per year."

It estimates that, between 1965 and 1970, revenues for all U.S. international carriers will increase by $140 million annually.

It assumes that the Satellite Corp. will derive its revenues from the estimated growth in traffic beyond 1965. (This is the same period in which Mr. Dingman hopes the transistorized cable may become available for commercial use.)

It assumes that there will be "no substantial additions to the cable network after 1965. Any such additions would subtract revenues from a satellite system."

Earlier reports by others in this field vary substantially in their growth estimates. None, however, appears to have included transistorized cables in its estimates. This includes the Rand report.

In my judgment, it is likely that all forms of traffic, including television, will be passing through transistorized cables on a regular commercial basis before the Satellite Corp. is ready to provide such services on a global scale.

In view of this possibility, I believe the Satellite Corp. is now confronted more seriously by the question of when its operations can reasonably be expected to become profitable.

This important question presently calls for fundamental studies. Such studies should include estimates of expected traffic, revenues, and facilities; comparative capital investments, maintenance and operating costs of cables versus satellites—and any other relevant factors.

As in any new undertaking, studies of this type would normally lead to the development of a tentative balance sheet and profit and loss statement, based on the best estimates obtainable. A preliminary financial statement in this form, covering the decade immediately ahead, would indicate the amount of money that will have to be raised to establish, maintain and operate the Satellite Corp.

On the basis of the present state of developments in satellite communications, 5 to 10 years may pass before any commercial satellite communications system will be able to offer reliable and continuous service on a global scale. While the Telstar and Relay satellites have provided much valuable knowledge, they are, as yet, only initial experiments. We are far short of the technical reliability that will be essential for a continuously operating commercial satellite system.

There are others who estimate that only 3 to 4 more years are needed to achieve an operating global satellite system. Even if they prove to be right, the commercial questions raised by the introduction of the transistorized cable and the expansion of existing cable facilities will not resolve themselves.

One reason is the structure of international communications service, as it has evolved over the years. Any complete international service—whether cable, radio, or satellite—requires ground stations and domestic distribution networks on both sides of the ocean.

In nearly all other countries, government monopolies own and operate their communications systems and provide those facilities. At least two foreign countries, as Mr. Kappel indicated, already are moving toward transistorized cables. And other countries may follow. Presumably, the principal foreign countries—the largest centers for exchange of international traffic—will utilize their cable facilities to maximum capacity before diverting any substantial amount of traffic to the American Satellite Corp., and paying for the use of its facilities. The foreign governments have, or will have, a large financial stake in the cables reaching the main traffic centers of the world.

It is because the Communications Satellite Corp. faces circumstances without historical precedent that I believe it desirable to search for a firmer financial foundation on which to base this new enterprise.

Last summer in an address before a section of the American Bar Association in San Francisco, I advocated a comprehensive and impartial review of the Nation's overall policy in regard to international communications. Within that framework, I suggested unification of the international facilities and operations of the present U.S. carriers.

Today, in the face of all the implications of the transistorized cable, I feel that we must go beyond the proposal I made in my San Francisco address.

We should now consider an amendment to the present law which would enable the satellite corporation, to acquire through purchase the international telephone and telegraph facilities and operations, both present and planned, of all American carriers.

Unification of all the Nation's international communication facilities and operations—satellites, cables, and radios—would in my opinion assure the satellite corporation's commercial success, best serve our overall national interests, provide the most flexible and economical service to the public, and maintain America's leadership in world communications.

This enlarged satellite corporation should, I believe, continue as a private enterprise. I share the opposition of the vast majority of Americans to Government ownership and operation where private enterprise can furnish the capital and facilities and render the necessary public services. In the vital and sensitive field of communications, I feel it is especially important that the American principle of private ownership be maintained.

The new organization should operate as a public utility under appropriate government regulation. It should be safeguarded by law against any control or domination by any commercial carrier, or other organization, or any combination of them, or by any foreign interest—through stock ownership, directorships, or by any other means.

I believe that the new, unified enterprise could offer these benefits:

1. It could take maximum advantage of modern technology to achieve the most economical and efficient use of radio frequencies, cable facilities and satellites. The historic distinction among the various voice and record services already has been largely obliterated by technological developments. It would offer the user maximum flexibility in the choice of method of communications. The net result would be maximum efficiency at the lowest cost to the public.

2. It would start with an immediate and solid revenue base provided by the traffic of existing U.S. international communications carriers. In 1962, their total revenues were approximately $160 million. By 1970, their annual revenues are expected to reach $350 million, according to the estimates of the Rand Corp.

3. It could deal with equal strength, and on equal terms, with government monopolies in foreign countries. Mutual agreements must be reached with the foreign governments on locations, rates, services, and means of handling traffic. A divided front on the American side, and a unified front on the foreign side, place America at a great disadvantage.

It is pertinent to mention that the British General Post Office and its Commonwealth partners already operate one of the world's most extensive international communications systems. The British are further expanding their worldwide facilities and are reported to be planning transistorized cables. In the absence of a unified U.S. enterprise, the British might well regain the dominant position they occupied in international communications prior to the First World War.

What I propose today is not simply an organizational step to surmount an immediate problem. My proposal recommends a basic strengthening of our Nation's position in the field of international communications. It should therefore be considered within the framework of a broad study aimed at the formulation of an overall national communications policy. This policy should be designed to meet the new developments of our times.

I believe that out of such a program could emerge a strengthened American communications structure—one that would promote the interest of the public, protect those who will invest in the Communications Satellite Corp. and safeguard the employees and stockholders of the present international carriers.

I wish you all success in your new and important undertaking and assure you of the fullest cooperation of the RCA organization with the objectives of the Communications Satellite Corp.

Sincerely,

David Sarnoff.

INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 5279) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

Mr. DODD. Mr. President, I send to the desk an amendment and ask to have it read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. On page 23, line 20, it is proposed to strike out "$4,458,000" and to insert "$5,554,000."

Mr. DODD. Mr. President, I shall be very brief. The purpose of the amendment is to restore construction funds for the expansion of the Shellfish Research Center in Milford, Conn.

The Interior Department, in its budget request, asked for $1,165,000 for design and construction funds to complete the expansion of this vitally needed Center.

The House reduced this request to $70,000 for design only and the Senate Appropriations Committee concurred in the reduction. The basis for the reduction in the House was the new policy of the House Appropriations Committee not to consider fund requests until completed plans and detailed estimates are available for review.

I fear that a policy of this sort, laudable as it is, will cause protracted delays in the construction of many worthwhile projects. The delays in themselves may well have the effect of adding to the eventual cost of many proposed Department of the Interior facilities.

I have been informed by officials of the Bureau of Commercial Fisheries that the reduction of $1,095,000 will retard contruction of the Center for 18 months to 2 years, and the Bureau is most anxious to have the funds restored, so that the project can go forward without further delay. Originally the 87th Congress authorized the sum of $1,325,000 for the entire project and $160,000 was appropriated last year by the Congress for site acquisitions and preparation.

Mr. President, my amendment would provide funds for the expansion of a facility which will benefit many States other than Connecticut. The shellfish research activities at Milford will be a value to all 17 States which border our oceans and their shellfish industries.

All these States, including Connecticut, are faced with decreasing shellfish production because of water pollution and the encroachments of industry and population as well as the effects of outmoded propagation and fishing methods.

The limited pilot studies conducted at Milford have proved most promising and I have been told that if funds are available to expand the facility it will provide research capabilities for the development of methods of artificial propagation of oysters and clams on a commercial scale, by scientific methods which would not be at the mercy of nature or chance.

I most strongly urge that my colleagues from the ocean-bordering States and others join with me in voting for these funds.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. DODD. I am happy to yield to the chairman of the committee.

Mr. HAYDEN. I should like to explain to the Senator that the reason the committee did not allow any money for construction was that the House did not allow it.

Mr. DODD. Yes, I know.

Mr. HAYDEN. The House has a policy that until planning has been done it will not appropriate money for construction. I suggest to the Senator that it would be useless for the Senate to agree to his amendment, because the House will not accept it. Ultimately nothing would be accomplished.

On the other hand, so far as next year is concerned, after the plans have been worked out, certainly we can get the needed money, without question. It is a policy of the House that it does not wish to appropriate money for construction until planning has been done. That is what the Senator is up against.

Mr. DODD. I am grateful to the distinguished Senator from Arizona for his explanation. I am aware of this situation. It seems to me, however, that this is rather dictatorial on the part of the House. The project is underway. Initial funds have been appropriated, and land has been acquired. Now we are told to wait until all the plans are drawn, instead of allowing the work to go ahead. Because of this, I fear it may be a couple of years before we can get started with the actual construction work on this project.

Mr. HAYDEN. The Senate added money last year for the acquisition of lands and initiation of planning.

Mr. DODD. Yes.

Mr. HAYDEN. That was done very properly. We persuaded the House to accept that provision. They are proceeding with planning now. In another year the Senator will have the project approved, I am sure. Frankly, I do not think it would be any advantage to the Senator to have the Senate accept his amendment.

Mr. DODD. As the Senator knows, I have great respect for his judgment in these matters, and I am grateful for his explanation and advice. I know of his good will toward projects like this one, and in view of his assurances I withdraw my amendment. I shall be back next year, on behalf of this fine project, and I hope at that time the full amount for design and construction of the Milford Center will be approved by both the House and the Senate.

Mr. CHURCH. Mr. President, I call the attention of Members of the Senate who are present to the last sentence of the pending bill, which appears on page 5, commencing with line 20:

> *Provided*, That not to exceed $477,645 may be available for assistance to the State of South Dakota or any political subdivision thereof for enforcement of State civil or criminal laws within the Indian country in said State where such laws are applicable.

As chairman of the Subcommittee on Indian Affairs of the Senate Committee on Interior and Insular Affairs, I feel constrained to raise a point of order upon the ground that this is substantive legislation. Before I do so, I wish to offer a few words in explanation.

Several years ago the Congress passed a law permitting States desiring to do so, to assume jurisdiction over civil or criminal affairs of Indians living on reservations within their boundaries.

Not alone the State of South Dakota, but a number of other States, have passed legislation—and I include among that number my own State of Idaho—which, to a greater or lesser degree, assumes State jurisdiction over Indian affairs for criminal or civil matters.

If I am not mistaken the State of Nebraska was the first State to do this. No Federal money was appropriated to the State of Nebraska to pay its cost for the assumption of that jurisdiction.

Nothing, to my knowledge, was contained in the original enactment of the Congress which provided that any State assuming jurisdiction should have the costs of that jurisdiction paid for out of the Federal Treasury.

There is no precedent for this action that I know of. Therefore, I feel that this is not only substantive legislation, but a new departure, which, if enacted for the State of South Dakota, must hereafter be enacted for other States that find themselves in comparable situations.

So this is properly a matter that should come before the Committee on Interior and Insular Affairs. My subcommittee already has plans formulated to look into the whole question relating to the jurisdiction of States over Indian affairs.

Therefore, I feel it would be most unwise to establish a precedent here that imposes a new law which could become binding upon the Congress for many other Western States that have yet to face this question.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. LAUSCHE. What would be the precedent that would be established?

Mr. CHURCH. If this language is not stricken, the precedent that will be established is that, after a State assumes criminal and civil jurisdiction over Indians within its boundaries, it may continue to look to the U.S. Treasury for the payment of costs of administering its laws.

This is a serious question of policy. It ought to be referred to the committee that has jurisdiction in these matters, the Interior Committee of the Senate.

For that reason, and because, in my judgment, this provision constitutes substantive legislation that is not properly a part of an appropriation bill, I raise the point of order.

Mr. MUNDT. Mr. President, the Senator from Idaho is correct when he says that this is legislation in an appropriation bill. It was for that reason that I filed the appropriate notice of 24 hours of my intention to make a motion to suspend the rule. But the Senator from Idaho is not correct when he said this would be establishing a precedent on a particular piece of legislation, in response to the question of the Senator from Ohio, because this does not indicate in any way that the State of South Dakota believes the Federal Government should assume the cost once it has made the transfer of jurisdiction from the Federal Government to the State.

We now face a transitionary period wherein the legislature not being in session, and the law having been passed, the State of South Dakota will take over the jurisdiction, which means henceforth they will have to assume the roughly $500,000 the Federal Government has been spending in this area.

If that legislation becomes final, this bill provides funds only for 1 year, or perhaps part of a year—funds which are necessary for the maintenance of law and order when the State takes over the enforcement of its civil and criminal law.

I quite agree that substantive legislation is needed over the long term. It will be a matter of national policy whether we want the reservations themselves and the States to maintain law and order or whether we will want to continue that in the U.S. Government. I may say that this issue before us is one without much significance because there is a great division of opinion in South Dakota, both among Indians and non-Indians, as to whether the State of South Dakota wants to assume the $500,000 cost.

Consequently, a referendum is being employed, which is a part of our mode of operation in South Dakota. I am advised there are sufficient signatures on the petition, and they probably will be certified. In the event the referendum is filed, then the question becomes moot, because the Federal Government will continue to pay these costs. This language provides a contingency, in the event the referendum is not filed, over the transitionary period, while we move from Federal jurisdiction to State jurisdiction. If the movement is made, it will, of course, result in a saving to the Federal Government of between $400,000 and $500,000 per year.

I do not deny that there is a point of order involved, and I ask for a division, recognizing it takes a 2-to-1 vote to override the point of order.

The PRESIDING OFFICER. The Senator from South Dakota concedes the point of order?

Mr. MUNDT. I concede it.

The PRESIDING OFFICER. The point of order is sustained.

Mr. MUNDT. I move, on the motion I have filed, that we have a division.

The PRESIDING OFFICER. Does the Senator move to suspend the rule?

Mr. MUNDT. Yes. I filed the motion with due notice of 24 hours.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota to suspend the rule. [Putting the question.]

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Will the Chair explain to the Senate the parliamentary significance of the vote?

The PRESIDING OFFICER. A two-thirds vote is required to suspend the rule after the Chair has sustained the point of order that the language is legislation on an appropriation bill.

Mr. MORSE. Is the parliamentary situation such that the question is still debatable?

The PRESIDING OFFICER. A motion to suspend the rule is debatable.

Mr. MORSE. I wish to make a few brief remarks.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I compliment the Senator from Idaho for raising the point, because as the Senator has said, in effect, this is an attempt to obtain favorable legislation for South Dakota to the discriminatory disadvantage of other States that have similar problems. This problem is not peculiar to South Dakota.

It seems to me the Senator from South Dakota, in his own comments, has made clear that time is not of the essence, even with respect to the State of South Dakota. It is not known what the State decision is going to be.

As the Senator from Idaho pointed out, this question should have been considered by the legislative committee; it should not have been brought to the Appropriations Committee. There is no great rush for time. The question can go to the legislative committee. Then we can decide whether or not a legislative policy should be established in this connection. If so, it should not be limited to South Dakota; it should be uniform as to all the States.

Furthermore, supplemental appropriations bills will come before us in due course of time. If some great hardship can be shown resulting to South Dakota and other States with Indian problems, we can cover them in blanket form. I only wish to say to the Senate that I believe it would be unwise to establish this kind of parliamentary procedure in the handling of appropriation bills. If we start such a practice, I do not know how we can close both the doors and windows. I sincerely hope the rule will not be suspended. This item should be eliminated from the bill, and that is what the Senator from Idaho seeks to accomplish.

Mr. CHURCH. Mr. President, I hope the motion to suspend the rule will not carry. This is not a frivolous objection I raise. It is an important question of substantive policy. When the Senator from South Dakota argues that no precedent would be established, that this is merely a 1-year proposal, he overlooks the fact that never before has Congress appropriated money to underwrite the costs of administering civil and criminal laws, once jurisdiction has been assumed by a given State.

Nebraska did this. We never appropriated Federal money to pay the State of Nebraska for administering civil and criminal laws in Indian territory there. The basic question that faces a State when it chooses to assume jurisdiction is the assumption of the financial burden.

If now, without any consideration by the Committee on Interior and Insular Affairs, without any proper hearings at all being held, and without making any inquiry into the situation that faces other Western States, we write into an appropriation bill special language, conceding it to be substantive in character which gives special consideration to South Dakota for the coming year, we are not only creating a precedent, but we are doing so in a most irregular manner. Therefore, I appeal to the Senate to uphold the proper jurisdiction of the Interior and Insular Affairs Committee in this substantive matter. I urge the Senate to vote down the motion of the Senator from South Dakota.

Mr. MORSE. Mr. President, in my own State, with respect to the Warm Springs Indians, the State of Oregon assumes all the cost.

Mr. CHURCH. That is correct. This is but another point that emphasizes the serious departure we would take if we included this proposed substantive language in the appropriation bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. President, I have one other word to say on this subject. There is a difference between this transfer from any transfers which have taken place before. Congress has written a law making this possible. South Dakota is the first State with a large Indian population whose legislature has undertaken to take on this responsibility. There is a big difference in the cost factors between the transfer of several hundred or a thousand Indians and the transfer which involves some 35,000 Indians from being the responsibility of the Federal Government to becoming the responsibility of a single State insofar as law and order is concerned.

I am perfectly willing to rely on a division. I do not intend to ask for a yea-and-nay vote.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Dakota to suspend the rule. A division has been requested.

On a division, the motion was rejected.

Mr. HAYDEN. Mr. President, I have a technical amendment at the desk, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 13, line 24, after the word "year" it is proposed to add the following: "; and purchase of not to exceed one aircraft."

Mr. HAYDEN. The committee approved funds with which to buy a plane, but did not provide an authorization for it. The airplane is necessary for the Park Service in connection with search and rescue work.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

The amendment was agreed to.

Mr. ALLOTT. Mr. President, at this point I should like to make a few remarks about one area in which the pending bill is decidedly deficient. We have heard a great deal from the administration about the development of the great resources of the West. Last fall, on September 27, to be exact, H.R. 5423, a bill to amend the United States Code to authorize the Secretary of the Navy to take possession of the naval oil shale reserves and for other purposes, came before the Senate. This was a matter which had been a long time in resolution. Many people had worked for a long time to try to resolve the no man's land in which the title and control of the oil shale reserves in Colorado were located.

In looking through the RECORD of September 27, I noted that it required approximately 12 or 14 pages to resolve the legislative history of that bill. The distinguished majority leader said:

> I wish to state that in my 10 years here I have never seen as good legislative history as this one developed in connection with any other bill. This is the best legislative history in regard to any bill that has been before us on the floor.

Despite that statement, apparently the Department of the Interior has been dragging its heels toward the point of providing for research at the Rifle Shale Plant in Colorado.

The pending bill, the House bill, and the legislative record would have made it possible for the Bureau of Mines of the Department of the Interior to have reached most or all of the facilities of the Rifle Shale Plant and one or more of the several entities, whether they were corporate or whether they were individual or whether they were educational or eleemosynary, for the purpose of finding ways of extraction of oil from oil shale economically. As a result, the Department of the Interior made certain offers and received four replies to the offers to promote the research project there.

One of these was made by an oil company. All of them were aboveboard. The terms were exposed to the public. One was tentatively accepted. It would have involved the expenditure of $600,000. The Department of the Interior let it be known it would try it, and intended to let this particular contract. But it has not done anything beyond making a formal request to the Bureau of the Budget to get the $600,000. Now the entire matter is in a state of limbo.

I make these remarks primarily for one purpose. I am not going to ask that the Senate adopt an amendment for $600,000, because this has now passed that point. The people who made the offer are considering other methods of procedure, and the appropriation of $600,000 at this point would serve no purpose. I make these remarks for the purpose of calling to the attention of the Senate the fact that for some reason or other the Department of the Interior has particularly avoided going forward in this field.

The time has come when this Nation can no longer afford to ignore the 800 billion barrels of oil available in the high-grade reserves of Colorado, Utah, and Wyoming. I hope that when the Department of the Interior appropriation bill is considered next year, the Department of the Interior will be aware that members of the Committee on Interior and Insular Affairs and other Senators are vitally interested in the development of these reserves, and that we have directed the Secretary of the Interior to move forward in the development of research in connection with oil shale, which would represent the development of one of the greatest single, individual assets the country has.

Mr. HOLLAND. Mr. President, I offer my amendment which is at the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 14, it is proposed to strike out "$6,924,600" and insert in lieu thereof "$7,424,600."

On page 12, line 16, strike out "$36,395,200" and insert "$36,895,200."

Mr. HOLLAND. Mr. President, I ask that both amendments be considered as one, because they would accomplish the same purpose.

The PRESIDING OFFICER. Without objection, the amendments will be considered as one.

Mr. HOLLAND. The amendments would replace in the bill an item left out, at the markup. I was not present at the markup of the bill.

This is a budgeted item to supply $500,000 as the first Federal funds to be supplied for the purchasing of lands in the Everglades National Park.

State and private donors have given 1,291,000 acres to that park. In addition, the State of Florida has contributed $2,000,000 to its acquisition. The Federal Government has never donated a dime, and it is now being asked to spend $500,000 of the authorization of $2 million made in 1958. The need for these funds is particularly critical at this time, for the reasons stated by the Park Service.

Mr. President, I ask unanimous consent to have the statement of the Park Service printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

EXCERPT FROM DEPARTMENT REQUEST FOR RESTORATION OF HOUSE REDUCTION

EVERGLADES NATIONAL PARK, $500,000

A 5,000-acre tract of land which lies within a 22,000-acre area in the vicinity of the Royal Palm State Park cannot be acquired without the consent of the owner when being used for agricultural purposes or lying fallow. The tract is eminently suited for immediate subdivision. The owner has expressed a willingness to negotiate its sale to the United States. The 22,000 acres comprising the so-called "hole-in-the-donut" area are practically surrounded by lands donated to the United States by the Florida Federation of Women's Clubs and the State of Florida. It is astride the main entrance road into the Park where it is desirable to conserve the natural Everglades scenery, open the entire area for public use, and maintain the existing water table which extensive drainage will lower and thereby threaten the basic ecology of the entire area. The 22,000-acre area is either adaptable for immediate subdivision or, as is customary with low lands in southern Florida, can be developed by dug canals with the dredged material spread over the adjoining lands, raising the surface to an elevation suitable for construction of dwellings and business enterprise. The Service has received several requests, or demands, that we acquire private holdings or face the probability of new developments which are undesirable and would increase ultimate cost of the lands.

Another important tract in this area, comprising 4,300 acres and formerly devoted to agricultural purposes was recently acquired through foreclosure proceedings by the Farmers Home Administration. The FHA has agreed to recommend to the Department of Agriculture that this property be reported as excess real property to the General Services Administration so that the National Park Service can accept it by transfer upon payment of the FHA's investment therein. Total investment will approximate $440,000, which is considered less than the market value of the property. In the event the Service is unable to acquire this land, the FHA will advertise and sell it under the authority contained in 7 U.S.C. 1985.

The Dreamland Estates, a subdivision, also in this area, continues to sell house lots on a deferred basis.

The State of Florida's donation of lands and an additional $2 million for purchasing lands and the gifts by other friends of the original park vested title in the United States to all the lands in the original park as it existed prior to the 1958 act. The State of Florida has complied with the exchange provision of the act of July 2, 1958, as a condition precedent to the United States acquiring the remaining lands and waters within the authorized boundaries. This act authorizes an appropriaion of $2 million for the purchase of inholdings. No funds, however, have been appropriated to date for acquiring these lands. It is recommended that the Service be permitted to restore this item to the land acquisition program and that the $500,000 estimated be allowed for this program.

Mr. HAYDEN. Mr. President, the Senate has approved this item in previous years. So far as I am concerned, the amendment is acceptable.

Mr. MUNDT. Mr. President, I was approached on this matter by the Senator from Florida and agreed that I would be willing to let the amendment go to conference.

So far as I am concerned, because the Senator from Florida was not present at the meeting of the full committee, I am willing to accept the amendment and take it to conference.

Mr. HOLLAND. I am very much obliged. Actually, the item is urgently needed for the reasons set forth. I should be glad to go into them in detail; but since I understand the chairman is ready to accept the amendment, I shall not do so.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Florida is agreed to.

Mr. BOGGS. Mr. President, I call up my amendment which is at the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 23, lines 4 and 5, in lieu of "$18,582,500" it is proposed to insert "$18,682,500".

Mr. BOGGS. Mr. President, this is a very simple amendment. It is intended to carry out the authorization in Public Law 87-580, an emergency authorization made late last year to promote the production of oysters by the propagation of disease-resistant strains.

As is well known, in 1957 and following years, a virus afflicted the oyster industry and devastated it. The oyster industry is a multimillion-dollar industry.

Scientists have been diligently working on the problem in the various States involved. The Bureau of Commercial Fisheries of the Department of the Interior now has a plan whereby the Federal Government and the States, working together, believe that in this one-shot action they can propagate a disease-resistant oyster and put the industry back on its feet.

The amendment is offered in the nature of an emergency at this time because the next 3 months—June, July, and August—are very important to this industry and to the research project.

Mr. HAYDEN. Mr. President, the Senator from Delaware makes a convincing argument. The project is authorized by law. I suggest that the amendment be accepted.

Mr. BOGGS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a letter dated May 24, 1963, sent to me by the Bureau of Commercial Fisheries in justification of the amendment. I wish to thank the Senator from Arizona [Mr. HAYDEN] for accepting this amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE, BUREAU OF COMMERCIAL FISHERIES,
Washington, D.C., May 24, 1963.

Hon. JAMES C. BOGGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BOGGS: This is in response to your telephone request of May 23, 1963, for information on our plans for implementation of Public Law 87-580, an act to promote the production of oysters by propagation of disease-resistant strains, and for other purposes.

After enactment of this public law in August 1962, representatives of the Bureau of Commercial Fisheries met with representatives of the States of New Jersey, Delaware, Maryland, and Virginia, to discuss means for implementing the law. At this meeting it was decided that the four States would develop a proposal for the needed research and submit this to the Bureau of Commercial Fisheries for review. The proposal was received in February 1963. We believe this proposal adequately recognizes the types of research needed to develop oysters resistant to the blight (MSX) which decimated stocks in Delaware and lower Chesapeake Bays.

You, of course, realize that Public Law 87-580 was an authorization act and carried no funds to finance this research. The fiscal year 1964 budget request for the Bureau of Commercial Fisheries, now before Congress, contains no funds for this purpose, because the program and justifications were not available when this budget was prepared. No other funds are presently available to us from which cooperative research by the States on the MSX problem could be financed.

We believe the necessary preliminary work has been done and we can implement this act rapidly if funds are made available. The four States have indicated to us that they will have the necessary funds available for their shares when Federal funds are obtained.

The proposed research program would select and concentrate individual oysters which have survived epidemics, breed their progeny, and test their susceptibility to infection. The work would also determine how the parasite is transmitted from oyster to oyster. Armed with this knowledge, State and Federal scientists can help the oyster industry to develop stocks that can survive future epidemics.

This kind of research has been highly successful in the livestock and poultry industries. It is of critical importance that this work get underway immediately, while a sufficient quantity of survivors still remains unharvested. Even a single year's delay will seriously reduce the chances of success. The total estimated cost is $149,000, one-third ($49,000) of which has been pledged by the States.

We hope this information will be useful to you. If we can be of further help please call us.

Sincerely yours,
John L. McHugh,
Acting Director
(For Donald L. McKernan, Director).

The **PRESIDING OFFICER**. Without objection, the amendment is agreed to.

Mr. MORSE. Mr. President, I compliment the chairman and members of the committee on the bill they have brought before the Senate. Both the committee in the House and the committee in the Senate, along with their staffs, gave thorough and intensive reviews to the budget.

The printed record of the Senate hearings—some 1,700 pages—attests to the interest of the Appropriations Committee and the public in adequate funds for the basic conservation work of the Nation.

The statement I make today is also made on behalf of my colleague [Mrs. Neuberger], who is absent from the Senate today on official business.

FOREST SERVICE

I am particularly pleased by the action the committee took on the budget for the Forest Service.

Numerous conservation challenges confront us and they will only be met with adequate programs. I wish to cite just a few examples. Our domestic lumber industry is beset with problems and Forest Service programs are going to spell the difference between success and failure in meeting some of them. The industry is now, and will for some time be, heavily dependent on public timber; therefore, adequate funds for timber sales and roads are essential.

The committee has provided these funds, and I trust their view will prevail when they meet with the House.

Long-range problems of conservation and wood use require research. The bill significantly steps up all types of essential research.

Outdoor recreation needs continue to increase and additional facilities are still vitally needed. The bill meets this challenge.

The committee has accepted the budget estimate where it was realistic, made restorations where needed and provided additional funds where required—all without a substantial increase over the President's estimate.

BUREAU OF LAND MANAGEMENT

On the Bureau of Land Management budget the committee has wisely provided for a continuation of range development work in areas such as Vale.

OREGON AND CALIFORNIA LANDS

For several years there has existed a most beneficial arrangement between the 18 counties of western Oregon and the Federal Government on the Oregon and California lands administered by the Bureau of Land Management.

The act of 1937, which governs the management of these lands, provides, among other things, that three-fourths of the receipts shall be distributed to the counties and one-fourth to the Federal Government. Under this law, after all expenses, the Federal Treasury, since 1950, has earned over $37 million. Oregon's 18 counties have contributed for road, reforestation, and recreation investments, from their share of revenues, almost $51 million, while the Federal Government's cost of operation has been only $27 million, compared to its profit of $37 million. Currently the counties are spending twice as much on these Federal lands as is the Federal Government.

The House committee, by a change in language in the bill, provided that the forestry budget for the Oregon and California lands be reduced by $540,000; and by adding the phrase, "expenses necessary for management, protection, and development of resources and for" to the indefinite appropriation of receipts item "Oregon and California grant lands," it has in effect, asked the counties to pay for some of the extra costs which have developed in harvesting timber blown down by last year's storm.

Historically the counties have contributed one-third of their income or 25 percent of gross receipts for capital investments, such as roads, reforestation and recreational facilities; and the Federal Government has paid the operating expenses, such as timber harvesting, land use, and similar programs. The result has been beneficial to the local and national economy.

I do not wish to detain the Senate now to explain the excellent cooperative local-Federal arrangement that exists and the way these two levels of government have worked to the mutual advantage of the people they serve.

The action taken by the House and accepted by the Senate committee poses a problem, because there was no prior consultation with the counties to obtain their agreement on the allocation of their moneys to timber harvesting.

In the short interval between the time when the House acted and the time when this bill came before the Senate, it has not been possible for the 18 counties to complete their review of the situation and to express a judgment. The Interior Department expressed its concern; and I ask unanimous consent that the appeal of the Department of the Interior before the Senate committee be printed at this point in the Record.

There being no objection, the appeal was ordered to be printed in the Record, as follows:

(3) Forestry: The increase in funds of $522,500 provided in the bill will allow for all increases proposed for the forest management, forest protection, and Alaskan protection programs under the subactivity "Public Domain (excluding Western Oregon)," and for $159,200 of the requested increase of $699,200 for "Western Oregon Lands." However, only 18 of the 66 new positions needed for these programs are available within the House allowance. Restoration of 40 new positions for forestry work in western Oregon and 8 new positions planned for Alaskan fire protection work is requested.

Restoration of $540,000 is required to accomplish the work proposed by this amendment. The House reduction under "Forestry" is for work on the Oregon and California lands, but they propose the work be financed from the appropriation "Oregon and California grant lands." Thus, the entire forestry program has been authorized. While road projects which were planned under the Oregon and California grant lands appropriation, but which were initiated under the accelerated public works programs, have been deleted for the fiscal year 1963 program under the Oregon and California grant lands appropriation, these funds have been applied to other urgent needs—$190,000 is proposed for bridge and reconstruction work on the Nestucca Road where sections were washed out due to the collapse of a dam during heavy rainfall; $350,000 is proposed to grade 6 miles of the Upper Camp Creek Road, which is advantageous to the prompt disposal of blown-down timber.

The imposition of this $540,000 amount for forestry work upon the fiscal year 1964 program under the Oregon and California grant lands fund will adversely affect the overall road construction program. Lower receipts in recent years have led to the deferral of regular road construction work. The further deferral of access road projects in order to finance additional forestry work cannot be recommended.

Regardless of the method of financing finally selected, restoration of the 40 new permanent positions for western Oregon is essential to the conduct of the forest management program in the sale and removal of blown down timber.

BUREAU OF LAND MANAGEMENT

Oregon & California Grant Lands

(House hearings, pp. 151–156)

(Senate hearings, p. 340)

Appropriation, 1963	$7,175,000
Estimate	7,325,000
House allowance	7,325,000
Restoration requested	---------

Page 2, line 15, after the word "For" strike out the following: "expenses necessary for management, protection, and development of resources and for".

House Report

The House report made no statement concerning this language.

Justification

Restoration of the $540,000 for forestry for work on the Oregon and California lands is being requested under the appropriation "Management of lands and resources." Therefore, the above language will not be necessary if restoration under "Management of lands and resources" is approved.

Mr. MORSE. Mr. President, it is my hope that the Secretary of the Interior and the new Director of the Bureau of Land Management, Mr. Charles Stoddard, will be able to meet with the counties, exchange views, and devise a reasonable and proper interim program for this fiscal year.

I also point out that this is a 1-year budget provision and the matter can be examined again next year, after consultation between the Interior Department and the 18 counties—consultation which I believe to be very essential.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. WILLIAMS of Delaware. Mr. President, on page 7, beginning in line 10, the proviso extending down to and including line 18 on the same page; and also on page 7, beginning in line 23, the proviso extending down to and including line 3, on page 8, appear to be legislation. So I make the point of order against both those provisos.

The PRESIDING OFFICER. The Chair sustains the point of order, on the ground that the provisos have not previously been authorized.

Mr. ANDERSON. Mr. President, I understand that the Chair has sustained the point of order raised against the proviso on page 7, beginning in line 10 and ending in line 18.

The PRESIDING OFFICER. That is correct.

Mr. ANDERSON. Mr. President, pursuant to notice given by me several days ago, I now move that paragraph 4 of rule XVI be suspended, so that an amendment to the effect of the proviso will be in order—namely, to insert the language now appearing on page 7 of the bill, beginning in line 10, after the word "Colorado," and ending with the word "Acoma" in line 18.

I recognize the correctness of the point of order, Mr. President. I merely point out that the Laguna Indians have had a great and wonderful windfall: They have been the recipients of the largest amounts of money from the urnanium developments which have been taking place there; and the Acoma Indians have also prospered. The result is that the children of these tribes have been placed in high school for the first time. Heretofore it has been impossible to provide high school facilities for them. The Laguna Indians now have a trust fund in excess of $10 million, although at the moment they do not have sufficient income to make possible the provision of the needed high school facilities. They have been trying to educate their children and have been trying to have the high schools developed there.

In 1959, the Grants, N. Mex., Municipal School District, with the full assistance of the tribal councils of the Laguna and Acoma Pueblos, obtained funds from the Goverment under the authority of Public Law 815 and constructed a junior-senior high school facility on the Laguna Indian Reservation. The facility was modern and up to date, and was designed to house 350 students.

As of March 4, 1963, there were 363 students in the school. It is esimated by school authorities that this will increase to 548 by June 1964. The reason for this increase is because of the addition of a senior class and the location on the reservation of an industrial development.

I point out that these Indians have never known what a senior class in high school was. But now they have these trust funds, and they have hopes of being able to send their children to high school, and also of being able to provide scholarships, as the Navajo Indians have done.

I point out that in the bill there is a similar provision relative to the facilities at Ignacio, Colo. That provision was included in order to make the necessary funds available for the construction of additional classroom facilities there; and this proviso was included by the Senate committee in order to make this necessary provision for the Indian children in the Pueblos of Laguna and Acoma.

This development is strictly an Indian project, and is scheduled to get underway this year. A building is being constructed, and an on-the-job training program has already begun. The result is that a large number of Indians who have been away from the reservation are now returning for employment in this area.

The Indians filed an application with the Department of Health, Education, and Welfare for additional funds under Public Law 815, but the application was disapproved. The tribal officials then tried the Bureau of Indian Affairs, and found that no funds were available there. Therefore, the only solution to the problem seems to me to be an amendment to the Bureau of Indian Affairs appropriation, to include funds for construction of the addition to the Laguna school.

I recognize the correctness of the point of order. I simply point out that this school system has been established in an effort to provide these children with a chance to obtain an education.

The interesting thing is that of the approximately 400 able-bodied men now on the Laguna Pueblo, nearly all of them, with the exception of about 15, are employed by the Anaconda Mines in the development of uranium. So in time these people will be self-sustaining; but at the moment it is necessary to provide this amount, in order that this addition to the school system may be made, so as to provide these children with an opportunity to obtain a high school education.

Therefore, I hope paragraph 4 of rule XVI will be suspended, so that this item may be considered; and if that is done, I hope this item will be approved.

I shall be glad to yield for any questions which the Senator from Delaware may wish to ask.

Mr. WILLIAMS of Delaware. Mr. President, unquestionably there may be much merit to this proposal; but I believe it would be the orderly procedure first to provide the authorization. Therefore, I have made the point of order.

Mr. YOUNG of North Dakota. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. YOUNG of North Dakota. I hope the Senator from Delaware will not insist on the point of order, because there has been pending for several years proposed legislation designed to bring about this development. I tried to obtain an authorization of this appropriation, for the benefit of the education of these Indian children; and these schools are badly needed for their education.

A little later I shall discuss the item for assistance to the community in North Dakota.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the situation; but I feel that the authorization should first be made. Therefore, although I regret the necessity to make the point of order, I do make it and do insist on it.

The PRESIDING OFFICER. The Chair sustains the point of order, on the ground that the project referred to is not authorized.

Mr. ANDERSON. Mr. President, would it be permissible for me to modify my motion to suspend the rule, so as to make possible the consideration of both the New Mexico item and the North Dakota item? Both of these schools are desirable. The Senator from North Dakota and I have explained the need; and I am trying to save time.

The PRESIDING OFFICER. The Senator from New Mexico can thus move to suspend the rule.

Mr. ANDERSON. Then Mr. President, I move that paragraph 4, rule XVI, be suspended, in order to make it in order for the Senate to consider the provision now appearing on page 7, in line 10, beginning with the words *"Provided further,"* and including the following text down to the end of line 18 on the same page.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico. [Putting the question.]

Mr. WILLIAMS of Delaware. Mr. President, on this question, I ask for a division.

The PRESIDING OFFICER. A division has been requested.

Mr. YOUNG of North Dakota. Mr. President, I hope that the motion to suspend the rule will prevail. I should like to say a word about the merit of the proposal. Indian children are educated in the little town of Newtown, N. Dak., who otherwise would have to be educated on the reservation. The Bureau of Indian Affairs would be required to build one additional school, which would be a much more costly undertaking. Schools operated by the Federal Government cost more than those operated by the political subdivisions of the State. The overall cost is higher. It is much better to educate Indian children along with white children in town schools than to keep them on the reservation. There would be a saving of money. The children would be provided with a better education. The white people are perfectly happy to educate the children there. In the case of Newtown they are already educating about 174 children. The school officials have already served notice that they cannot take any more. Unless the Federal Government can help them to build a school, one will have to be built on the reservation. The choice is between keeping the children back on the Indian reservation and building a new school there or helping the city of Newtown to build a new school.

Mr. BURDICK. Mr. President, I associate myself with the remarks of the senior Senator from North Dakota. What he has said is quite true. For example, in 1962–63, out of an enrollment at Newtown of 735, 174 are Indian students. It is estimated that based upon the enrollment projected for 1963–64, they may have to drop 50 Indian pupils from the northern segment of the reservation, 30 pupils from the western segment, and another 25 pupils from the reservation at large. It is certainly more economical to have an integrated school at the present time than to build separate facilities for the Indian students. I hope that the rule will be suspended.

Mr. ANDERSON. Mr. President, I associate myself with what both Senators from North Dakota have said. I point out that Navajo Indian children are being shipped as far as Los Angeles, Phoenix, Tucson, and Bingham, Utah. That is an expensive way of educating children.

We can send high school students to California, if we desire to do so, but it will cost the Government a great deal more money. It is preferable by far to do the simple thing that has been suggested by the Senators from North Dakota.

I hope that the rule will be suspended, and the money appropriated in the bill for the purposes stated.

Mr. WILLIAMS of Delaware. Mr. President, there is much merit to what the Senators have said, but the more orderly process would require authorization to be reported by the appropriate committee, the authorization to be approved by the Congress, rather than having the proposed legislation included in an appropriation bill.

Much as I regret to take the position I do, I hope that the point of order will be sustained, and the rule not suspended. However, if the project were included in a bill introduced in a regular legislative way, I would be inclined to support the measure at the proper time.

Mr. YOUNG of North Dakota. Mr. President, legislation authorizing the school is pending. We have been waiting 2, possibly 3 years, for action on the measure. Meanwhile, it would cost the Federal Government more money to provide poor education for the Indian children than would otherwise be available to them. Such will be the case unless the rule is suspended.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that paragraph 4, rule XVI, be suspended. A division has been requested, and the Senate will proceed to divide.

On a division, the motion was agreed to.

Mr. ANDERSON. Mr. President, I now offer the amendment.

The **PRESIDING OFFICER.** The amendment of the Senator from New Mexico will be stated.

The LEGISLATIVE CLERK. On page 7, line 10, it is proposed to add the following language: "*Provided further,* That not to exceed $450,000 shall be for assistance to the Newtown, North Dakota, Public School District Numbered 1, for construction of an addition to the Newtown Public School: *Provided further,* That not to exceed $370,000 shall be for assistance to the Grants, New Mexico, Municipal School District Numbered 3, Valencia County, New Mexico, for construction of an addition to the public high school serving the Pueblos of Laguna and Acoma."

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from New Mexico.

The amendment was agreed to.

Mr. BYRD of West Virginia. Mr. President, the economic revitalization of my State of West Virginia must come through research programs which will find new uses for the natural resources with which the Mountain State is so richly endowed. With this purpose in mind, I have amended the fiscal year 1964 budget requests of the Office of Coal Research, the U.S. Forest Service, and the Fish and Wildlife Service, to provide these agencies with funds needed for basic research purposes, or for the acceleration and expansion of current research programs.

For example, recently undertaken coal research projects hold hope for an increasingly bright future for coal—a future which also could mean a substantial strengthening of the economy of West Virginia, for "coal" and "West Virginia" are almost synonymous terms.

Within the space of a few years, synthetic gas, produced in West Virginia from the State's tremendous coal reserves, may be heating homes and firing industrial boilers in New England and in the Middle Atlantic States. At about the same time, automobiles may be "tanking up" at filling stations on high octane gasoline made from coal.

These forthcoming new uses for coal can be attributed to scientific breakthroughs in coal technology, spurred in the main by congressional appropriations. I am happy to say, in this respect, that as a member of the Senate Appropriations Subcommittee on the Department of the Interior and Related Agencies, I was successful in advancing two specific coal research efforts—Project Bootstrap and Project Gasoline.

When fiscal year 1963 budget requests of the Office of Coal Research were being considered by the Senate Appropriations Subcommittee on Interior and Related Agencies, I offered an amendment adding $450,000 to enable that Agency to initiate research on "Project Bootstrap." At the same time, I offered an amendment adding $1 million for the purpose of advancing research and to begin the planning and engineering of a pilot plant for "Project Gasoline." Both amendments were adopted.

This year in the same subcommittee, during a review of fiscal year 1964 budget requests, I again amended the appropriation bill to include an additional $1 million with which to accelerate the development work being undertaken on three coal gasification projects. By hastening the research work on these projects, it is entirely possible to combine them, for feasibility testing purposes, with the pilot plant operation being planned for Project Bootstrap. I also urged the subcommittee to restore a $2 million Office of Coal Research budget request, most of which would be for Project Gasoline, and which the House of Representatives had deleted from the fiscal year 1964 appropriation bill.

Mr. President, research on Project Bootstrap centers on extracting the equivalent of natural gas from coal for commercial and domestic home use. Results from benchwork experiments show that the low-cost process involved in the gasification of coal could have commercial application.

Should pilot plant operations of Project Bootstrap prove that coal can be converted to gas at a price which would be competitive with that being paid for natural gas in eastern urban population centers, then large tonnages of coal would have to be mined for such a venture.

By the same token, Project Gasoline, a process which would manufacture high-octane gasoline from coal, could mean a vast new use for this natural resource if pilot plant operations demonstrate commerical feasibility on a competitive basis.

The coal industry is not only the economic backbone of West Virginia, it is also the living sinew of our rail and water transportation systems. If the coal industry can be made to prosper, West Virginia by and large will prosper. The liquification and gasification of coal, if feasible on a large-scale commercial undertaking, could mean that the economy of the Mountain State would go forward in seven-league boots.

Another natural resource with which West Virginia is abundantly blessed is timber. Hardwood forests cover about 90 percent of my State. Through mismanagement, misuse, and neglect, the percentage of good grades of timber suitable for cutting is relatively small.

It is my feeling that all timber is usable. With this in mind, I asked the U.S. Forest Service, back in January of 1961, if a Wood Utilization and Marketing Laboratory could be established in West Virginia. After that agency made a survey of the State, and reviewed the comparable timber resources in other Appalachian areas, I was informed that such a laboratory would be highly useful and that it could make continuing contributions toward advancing the economic potential of the forest products industry of West Virginia and the rest of Appalachia.

Thus, when the fiscal year 1962 Forest Service budget requests were being considered by the Senate Appropriations Subcommittee on Interior and Related Agencies, I added $450,000 with which to initiate planning and construction of a facility at Princeton, W. Va., the site selected by the Forest Service for the Laboratory.

In the short space of its existence, Mr. President, the work of the Princeton Laboratory has indeed been purposeful, and gratifying. As a result of the "missionary" work on the part of the personnel of the Laboratory, 43 new or expanded wood products facilities, representing an investment of more than $11 million, were either put in operation in West Virginia, or were placed under construction, or were in the final stages of planning and financing during 1962. These new facilities will make available more than 5,000 new jobs, and will add about $14 million annually to industrial income in the Mountain State.

These new or expanded facilities include pulp-chip operations, which utilize log slabs, and other wood refuse, as well as those parts of poor quality logs from which good quality bolts have been taken. Pulp-chips are used in the manufacture of particle boards, hardboards, and paper products. It has been estimated that the 11 new pulp-chip facilities in West Virginia will produce about 100,000 tons of chips annually, and that this production will have a value of about $500,000.

Other new facilities, as well as old facilities which have been expanded, are utilizing good quality logs, and good quality bolts taken from poor quality logs, for the manufacture of hardwood flooring, plywood, furniture, and various kinds of wood products for industrial and home use. In all, 10 new wood products manufacturing plants and 5 others which have been expanded will utilize an estimated 100 to 120 million board-feet of lumber and about 50,000 cords of roundwood annually, for a total material value of about $10 million.

This upswing in the utilization of West Virginia's timber resources has proven the value of a rather modest investment on the part of the Federal Government in research, and in providing professional guidance, technical advice, and assistance to industry. Personnel of the Princeton Laboratory are working with many private and Government groups, as well as with individuals, to interest them in the potentials of West Virginia's forest resources.

I cannot overstate the satisfaction which I personally feel with respect to the progress that has already been achieved by the Princeton Laboratory in the short time of its existence. Mindful of these encouraging results, and eager to help effect an acceleration and expansion of important research work being undertaken at the facility, I added $300,000 to the $100,000 which was requested in the fiscal 1964 budget for the laboratory. I feel confident that this small additional sum of money will be repaid tenfold to the Government in the form of taxes from a growing wood products industry throughout Appalachia.

But as we work for an expansion of our wood products industry we must also be conscious of the need for both upgrading and preserving the young growing stock in our forest lands. Unfortunately, years of neglect of those timbered acres has resulted in increasingly heavy tolls by diseases of hardwood timber growing stock. Further neglect could be disastrous. Consequently, after discussing the matter with Forest Service officials, I concluded that an immediate research program in Appalachian region tree diseases is vital.

I am pleased that other members of the Senate Appropriations Subcommittee on Interior and Related Agencies were sympathetic to my proposal that the sum of $31,500 be added to the fiscal year 1964 budget requests of the U.S. Forest Service for preliminary planning of a forestry sciences laboratory, to be constructed at West Virginia University, at Morgantown.

The facility would concern itself with the engineering aspects of logging on steep hillsides, and with the control of soil erosion resulting from logging operations. Additionally, the laboratory would do research work in wildlife habitat, because there is a need to encourage wildlife growth both for fur-bearing purposes and for increasing the use of Appalachia by sportsmen.

Locating the proposed forestry sciences laboratory at West Virginia University would serve a dual purpose. U.S. Forest Service scientists and engineers could advantageously undertake cooperative forestry research programs with the university's agricultural and engineering schools, and at the same time the laboratory would offer excellent opportunities for graduate students to participate in research programs of the U.S. Forest Service.

Our forest lands are a rich natural resource in several respects. Not only do they provide timber for our wood products industry, they also hold great potential for recreational values—for the fishing and hunting sought by sportsmen, and the kinds of attractions sought by tourists: picnicking, hiking, camping, and the like. A good example of this is the 1,641,981-acre Monongahela National Forest, in West Virginia, where planned multiple use has not only resulted in a yearly increase in the allowable cut of good quality timber, but where growing numbers of sportsmen and tourists are finding recreational pursuits of a rewarding nature. Indeed, the Monongahela National Forest is an economic asset of progressive value, contributing to the enrichment of the nine counties included in its acreage, and to my State as well.

Having made an inspection of the Monongahela National Forest, early in February of 1961, and having noted the work done by the U.S. Forest Service in the way of reforestation, conservation, and recreation, I explored with officials of that agency the possibility of extending the forest westward to include areas in eight counties where rugged terrain and submarginal farming have been a cause of long-term chronic and persistent unemployment.

Over a half million acres in parts of Braxton, Fayette, Greenbrier, Lewis, Nicholas, Randolph, Upshur, and Webster Counties would be included in an addition to the Monongahela National Forest, to be known as the Mountaineer unit. During fiscal year 1963 budget reviews of appropriations requested by the U.S. Forest Service, I successfully amended the Interor and related agencies appropriation bill to include $250,000 with which to initiate land purchases for the new unit. The Senate approved my amendment, but in a subsequent Senate-House conference on the appropriation bill, the amendment was deleted. The bill before us again carries my amendment adding $200,000 with which to plan for and initiate the purchase of land for the Mountaineer unit in fiscal year 1964.

I feel certain that under the husbandry of the U.S. Forest Service, the terrain to be encompassed by the new addition to the Monongahela National Forest will become productive. A carefully planned resources renewal program, coupled with a planned development of recreational potentials should contribute to an economic upsurge in the area and bring new monetary returns to local, county, and State governments as well as to the Federal establishment.

The economic possibilities for West Virginia which are inherent in potentials for tourism and recreational pursuits are vast indeed. Millions of Americans live in nearby metropolitan population centers. Some of these people will be attracted to the Mountain State by its breathtaking scenic grandeur; others will want to come to our high country for hunting and fishing both of which are excellent.

The reason hunting and fishing are good in West Virginia is that careful attention has been given to developing natural habitats for game animals and birds and to the stocking of our mountain streams and lakes with species of fish sought by anglers.

The White Sulphur Springs National Fish Hatchery has played an important role in supplying both cold and warm-water species of fish to 27 counties throughout West Virginia. In fact the work of this hatchery in helping to keep our streams and lakes well stocked with fish has contributed to the growing popularity of the Mountain State among sports fishermen.

But the concrete rearing facilities of the White Sulphur Springs Fish Hatchery are approximately 60 years old and in advance stages of deterioration. A program for the replacement of these facilities should have been undertaken many years ago. When the matter was called to my attention earlier this year I immediately ascertained what was required in the way of moneys to rehabilitate this hatchery so that it could continue its excellent services to our West Virginia counties. I was informed that $138,000 would be required for this work.

Therefore, when the Senate Appropriations Subcommittee on Interior and Related Agencies was considering the fiscal year 1964 budget requests of the U.S. Bureau of Fisheries and Wildlife, I amended the appropriation for that agency by adding the needed $138,000 for the White Sulphur Springs Fish Hatchery. At the same time, I also amended the appropriation bill to include $30,000 to establish a fishery management project in the Elkins area of West Virginia.

As I have previously stated, recreational fishing ranks high as a tourist attraction in my State, and there are many opportunities for improving the potential of this sport in West Virginia. The establishment of a fishery management project would concern itself with increasing the potential of this sport. It could do this by developing conservation programs in cooperation with the West Virginia Department of Natural Resources, the U.S. Forest Service, the Soil Conservation Service, and the Area Redevelopment Administration.

In all, restoration of the $2 million for Project Gasoline, and my amendments to the fiscal year 1964 budget requests of the Department of Interior and Related Agencies—the $1 million to accelerate gasification research projects; the $300,000 for the Princeton Wood Products Laboratory; the $31,500 with which to initiate the Forestry Sciences Laboratory at West Virginia University; the $200,000 to begin the development of the mountaineer unit of the Monongahela National Forest; the $138,000 to rehabilitate the White Sulphur Springs National Fish Hatchery; and the $30,000 to initiate the fishery management project at Elkins—will mean $3,699,500 worth of new Federal activity in West Virginia or of interest to West Virginia.

The importance of my amendments to the fiscal year 1964 appropriation bill for the Department of the Interior and Related Agencies lies not so much in the immediate employment opportunities which they may afford to West Virginians, but in what the projects will mean to the Mountain State in the years to come. Each project by itself is of enduring and growing economic value. Together, they hold the hope of a brighter future for the forestry and coal industries in West Virginia and the Nation.

Mr. HUMPHREY. Mr. President, I am most pleased that the Appropriations Committee approved a small $53,400 item to provide two additional resources program field committees in the Office of the Secretary of Interior. While this is a small item, it will bring important benefits in a number of resource areas.

In any given area of the United States the Department of the Interior is engaged in a multitude of field operations affecting not only other projects within the Department but the activities of other Federal departments and State agencies as well. Coordination is essential—as has been shown again and again in our experience with river basin development projects—if the operations of one bureau or agency are not to cancel out the work of the other agencies in the field. Interior's resources program staff was brought into being to supply this coordination. Its varied responsibilities include program planning and provision of specialized advisory staff service on new problems for the Secretary, but the ultimate objective of all its labor is to insure that there will be consistency in the use of our natural resources.

If one looks at a map of Interior's field committee regions, one will see that they now cover a very large portion of the continental United States. In two areas of this country, however, there is no institutionalized coordination of the operations of Interior and other field agencies. One of these areas comprises the entire Southeast; the other includes the western Great Lakes region and the upper Mississippi valley.

Speaking from knowledge of the problems of my home State, I can testify to the great need for regularized communication and cooperation among the agencies with activities in our area. Right now comprehensive river basin planning in the upper Mississippi region has brought in field representatives from several bureaus and offices of the Department of the Interior, and has required constant liaison with the Department of the Army, the Department of Agriculture, and the Department of Health, Education, and Welfare. The rapidly burgeoning responsibilities of the Area Redevelopment Administration have increased the importance of coordinating field operations.

The appropriation is needed to provide for a field committee chairman for each of the two regions, for two secretaries, and for office rent, equipment, travel, and other necessary expenses. It appears in the President's budget estimate for fiscal 1964. Although it was eliminated without specific reference by the House as part of a general cut in personnel expenses, the Appropriations Committee of this body recommends that it be restored. I urge that the Senate approve this item. I express the hope that our distinguished chairman, Senator HAYDEN, will be successful in retaining the item in conference.

Mr. McGEE. Mr. President, I would like to say that the passage today by this body of the Interior appropriations bill will be an event long remembered in Wyoming and the West.

This bill contains many vitally needed projects that will do much to provide us with the firm foundation for growth and development that will be so urgently needed as our area reaches the full development of its potential.

Among the items I should like to mention here is the initial year's appropriation for the Big Horn Basin rehabilitation project. This is a multiuse project which will create in one of the major and most beautiful valleys in my State a program to rehabilitate the vast potential for grazing lands, to create new and scenic recreation areas, to develop roads to serve this beautiful area and to begin the basic soil and water conservation program so necessary to the efficient growth of such an area.

Another item in this bill, Mr. President, provides for the first year's construction program at the Fish Genetics Laboratory near Sundance, Wyo. The sum involved here, $210,000, will provide for initial construction of a laboratory which should do much to apply the science of genetics to the production of game fish. It would not only greatly reduce hatchery costs for all states which now transplant these fish, but will provide more hardy strains to delight the fishermen in Wyoming and the West. And I might add that the fishermen play a large role in the tourist industry in the West.

Another item which will do much for my area of the country is the appropriation of $100,000 for asphalt research at the asphalt laboratory in Laramie, Wyo. Wyoming is one of the prime producers of asphalt and also uses much of this material in its highway program. It is imperative this highway paving material be improved in order to hold down the mounting cost of road construction and maintenance which now face our local and State units of government. Road construction in a state such as mine, where there are sizable extremes in temperature and precipitation, depends a great deal upon a suitable material and if more desirable paving materials can be found, the West, and indeed the entire Nation will benefit.

I would note also that the language of this bill as reported by the committee contains a specific injunction against the condemnation of private land within the boundaries of Grand Teton National Park without the express consent of Congress. This provides protection for the small number of private land owners in the Park who have come to feel that they are being unduly harassed by the Government in an attempt to take over their land.

The projects named here are but a few in this bill, Mr. President, but they illustrate the fact that the Senate has endorsed progress in Wyoming and the West and I am extremely gratified at the passage of this bill.

SPORT FISH RESEARCH FOR THE OAHE RESERVOIR

Mr. McGOVERN. Mr. President, in 1958, while a Member of the other body, I introduced legislation to initiate sport fish research keyed to the kind of large reservoirs which have been developed by the Missouri River dams and similar installations. Senator FULBRIGHT introduced a similar bill in the Senate and though these measures were not enacted by the Congress, subsequent appropriations provided clear authority for the Federal construction agencies to provide for the improvement and development, as well as the protection, of fishery resources in their planning of water development projects. This places an even greater importance on the need for developing methods for managing reservoirs so that their fishery potentials may be realized.

The North Central Reservoir investigations was established by the Bureau in late 1961 to conduct studies on the mainstem reservoirs of the Missouri River. These reservoirs will encompass about 1,100,000 surface acres of water by 1964. Headquarters for this investigation are at Yankton, S. Dak., but field laboratories will be established at other locations. The initial study was confined to the area from Gavins Point Dam to Fort Randall Dam. Oahe Reservoir, by far the largest in the Missouri River complex, will be the next body of water in need of intensive study.

The overall purpose of this investigation is to relate different types of water management in reservoirs to fish populations, both sport and commercial. Ecological conditions, life histories of individual fish species, and the dynamics of the fish populations must be studied. This information will be related to reservoir discharge rates, water level fluctuations, water chemistry and water exchange rates. Eventually, it should be possible to operate reservoirs for greater benefit of sport fishing and to predict how different types of water management will influence the fish populations. Management techniques will be developed to improve fishing.

The Fishery Research Station at Yankton conducted valuable studies which showed that a real danger has developed in the field of fish stocking in these reservoirs. Fish sampling in 1962 on Lewis and Clark Lake, in a total of over 83,000 fish, showed that almost 54 percent belonged to the carp family. If we do not act immediately, this and other of the Missouri Great Lakes will become "carp sanctuaries," completely populated by nonsport fish. It is well known that carp can, by multiplying unchecked, ruin vegetation on lake beds and destroy spawning areas of more desirable fish breeds.

The tremendous Oahe reservoir in central South Dakota will soon store 20 million acre-feet of water—almost equivalent to 1 year's flow of the entire river. At the present time there is no programing for fishery research on this lake. This vast area desperately needs research in fish life to fully develop its potential as a recreation and fishing center for the Midwest.

The Senate Select Committee on National Water Resources of the 86th Congress said that "benefits may accrue to fish and wildlife resources as a result of reservoir construction" and "foremost among these benefits is the tremendous expansion of fishing opportunities which these reservoirs afford."

If we are to expand these fishing opportunities, we must study the fish population of the pools; we must study the reproducing habits and food sources of the fish; we must put biologists to work and have the reports to insure a generous fish population which will attract sport fishermen.

A generous fish population can be an important factor in the promotion of tourism and recreational development.

In 1962, in my State, of a total of 152,301 fishing licenses, tags, permits, and stamps issued, 43,226 were sold to nonresidents—almost 1 in 3. The real potential of fishing as a recreation on the Missouri River reservoirs has only budded. The Bureau of Sport Fisheries and Wildlife estimates that there are 25 million sport fishermen in the United States. We must continue programs of research and biology to develop areas on our reservoirs leading to an expansion of facilities for these anglers.

To me, Mr. President, it is self-evident that starts must be made immediately on the Oahe Reservoir in South Dakota for a research program administered by the Branch of Fishery Research of the Bureau of Sport Fisheries and Wildlife to save this lake from becoming infested and overrun by nonsport fish life.

I am informed by Bureau officials that $150,000 is urgently needed to administer this project and that such sum is not a part of the bill under consideration. For this reason I had intended to offer an amendment to H.R. 5279, the appropriations bill for the Department of the Interior and related agencies for fiscal year 1964, providing such funds. I have decided after consultation with the managers of the pending bill to withhold this amendment because of the certainty that it would not be accepted by the other body at this time. I will renew my efforts in the coming year.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. MUNDT. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On that question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN (when his name was called). On this vote I have a pair with the distinguished Senator from Ohio [Mr. Lausche]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Pennsylvania [Mr. Clark], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Ellender], the Senator from California [Mr. Engle], the Senator from North Carolina [Mr. Ervin], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Indiana [Mr. Hartke], the Senator from Florida [Mr. Smathers], the Senator from Georgia [Mr. Russell], the Senator from Tennessee [Mr. Kefauver], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I further announce that the Senator from West Virginia [Mr. Randolph] is necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. Clark], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Ellender], the Senator from California [Mr. Engle], the Senator from North Carolina [Mr. Ervin], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Indiana [Mr. Hartke], the Senator from Florida [Mr. Smathers], the Senator from Georgia [Mr. Russell], the Senator from Tennessee [Mr. Kefauver], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mrs. Neuberger], and the Senator from West Virginia [Mr. Randolph], would each vote "yea."

Mr. KUCHEL. I announce that the Senators from Vermont [Mr. Aiken and Mr. Prouty], the Senator from Hawaii [Mr. Fong], the Senator from New Mexico [Mr. Mechem], and the Senator from Iowa [Mr. Miller] are necessarily absent.

The Senator from Utah [Mr. Bennett] and the Senator from New York [Mr. Javits] are detained on official business.

If present and voting, the Senators from Vermont [Mr. Aiken and Mr. Prouty], the Senator from Utah [Mr. Bennett], the Senator from Hawaii [Mr. Fong], the Senator from New York [Mr. Javits], the Senator from New Mexico [Mr. Mechem], and the Senator from Iowa [Mr. Miller] would each vote "yea."

The result was announced—yeas 70, nays 4, as follows:

[No. 103 Leg.]

YEAS—70

Allott
Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Curtis
Dodd
Dominick
Edmondson
Fulbright
Goldwater
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Proxmire
Ribicoff
Robertson
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—4

Cotton
Thurmond
Tower
Williams, Del.

NOT VOTING—26

Aiken
Bennett
Byrd, Va.
Clark
Dirksen
Douglas
Eastland
Ellender
Engle
Ervin
Fong
Gore
Gruening
Hartke
Javits
Kefauver
Kennedy
Lausche
Long, Mo.
Mechem
Miller
Neuberger
Prouty
Randolph
Russell
Smathers

So the bill (H.R. 5279) was passed.

Mr. HUMPHREY. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon; and that the

Presiding Officer appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HAYDEN, Mr. RUSSELL, Mr. MCCLELLAN, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. MUNDT, and Mr. YOUNG of North Dakota conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. STENNIS obtained the floor.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. STENNIS. Mr. President, I shall be glad to yield to the Senator from Michigan if I may do so without losing my right to the floor, and I ask unanimous consent that I may do so.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. McNAMARA. I thank the Senator from Mississippi.

EQUAL PAY ACT OF 1963

Mr. McNAMARA. Mr. President, I ask that the Presiding Officer lay before the Senate the House amendments to S. 1409.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1409) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination, which were, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Equal Pay Act of 1963".

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby finds that the existence in industries engaged in commerce or in the production of goods for commerce of wage differentials based on sex—

(1) depresses wages and living standards for employees necessary for their health and efficiency;

(2) prevents the maximum utilization of the available labor resources;

(3) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;

(4) burdens commerce and the free flow of goods in commerce; and

(5) constitutes an unfair method of competition.

(b) It is hereby declared to be the policy of this Act, through exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct the conditions above referred to in such industries.

SEC. 3. Section 6 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. et seq.), is amended by adding thereto a new subsection (d) as follows:

"(d)(1) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees in such establishment at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex: *Provided*, That an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

"(2) No labor organization, or its agents, representing employees of an employer having employees subject to any provisions of this section shall cause or attempt to cause such an employer to discriminate against an employee in violation of paragraph (1) of this subsection.

"(3) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this Act.

"(4) As used in this subsection, the term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."

SEC. 4. The amendments made by this Act shall take effect upon the expiration of one year from the date of its enactment: *Provided*, That in the case of employees covered by a bona fide collective bargaining agreement in effect at least thirty days prior to the date of enactment of this Act, entered into by a labor organization (as defined in section 6(d)(4) of the Fair Labor Standards Act of 1938, as amended), the amendments made by this Act shall take effect upon the termination of such collective bargaining agreement or upon the expiration of two years from the date of enactment of this Act, whichever shall first occur.

And to amend the title so as to read: "An act to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce."

Mr. McNAMARA. Mr. President, at the conclusion of these brief remarks, I shall move that the Senate concur in the House amendments to S. 1409, the Equal Pay Act of 1963.

While there are some problems raised by the House amendments, they are not of such a serious nature as to warrant the further delay which would result from a request for a conference.

However, before making that motion, I do want to discuss several questions which have arisen during congressional deliberation on this bill.

It is most important that the Senate intent be made clear as to language in the bill which is the same in both the Senate and House versions.

For example, a question has been raised as to what degree of discrimination based on sex would result in a violation of this new act.

There has been some discussion that an employer would have to demonstrate a conclusive "pattern of violation."

It is inconceivable that this Congress should write legislation that would permit selective discrimination which, without doubt, would occur mostly against those individuals who are least able to protest.

It is certainly the intent of the Senate that an employer will have violated this act if he discriminates against one employee, just as he will violate it if he discriminates against many.

Under the present Fair Labor Standards Act, an employer must pay all of his employees a minimum wage, he must pay overtime to all of them if they work beyond 40 hours, and he will have to pay all of them a wage rate that does not discriminate on the basis of sex.

Another question that has arisen relates to the burden of proof.

There is no question that under the Fair Labor Standards Act the Secretary must show that an employer has violated the act, and the same will hold true for the enforcement of the new equal pay provision.

This does not mean that the Secretary or the courts must accept a plan or system that has been devised to evade the new provision.

The employer's defense, if it is based on an employer's plan, must be a bona fide one; and the burden of demonstrating the legitimacy of that defense will rest upon the employer.

The discussion that surrounded the congressional consideration of this bill has somewhat clouded the question of the definition of "equal skills, efforts, and responsibilities."

There is a rather lengthy discussion in the Senate Report No. 176 on the methods and procedures which the Department should utilize to determine which jobs do involve equal skills, efforts, and responsibilities.

That report discussion makes it clear that it is not the intent of the Senate that jobs must be identical. Such a conclusion would obviously be ridiculous.

Based on some of the discussion which has taken place, these jobs would not be considered equal because they are not identical, and such a conclusion would be obviously ridiculous.

As is the case with so much legislation enacted by this Congress, the Equal Pay Act of 1963 will have to be interpreted precisely by the Secretary before its enforcement can be effective.

Finally, I would like to point out that we have enacted a desirable addition to the Fair Labor Standards Act, the guarantee of equal pay for equal work, regardless of sex.

There can be no question that the implementation of this new guarantee will thrust an additional burden on the Department of Labor and its Wage and Hour Division, which will administer the new provision.

Unless this Congress intends to make a mockery of its action, obviously additional personnel will be required to administer the new law.

It was pointed out throughout the debate on S. 1409 that no new governmental structure would be needed to enforce this law.

That does not mean that new personnel will not be needed, and I trust that congressional intent is clear on this important subject.

Mr. President, I consider it a privilege to be able to make at this time the motion that will bring to a conclusion legislative fulfillment of the long desired goal of equal pay for equal work, regardless of sex.

I move that the Senate concur in the House amendments to S. 1409.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield to the distinguished Senator, a member of the committee.

Mr. TOWER. I commend the distinguished Senator from Michigan for his efforts in facilitating the passage of this measure. I should like to read into the RECORD some of the debate that occurred in the House of Representatives on this measure on the 23d of May, as it appears in the CONGRESSIONAL RECORD. I quote from what Mr. THOMPSON, from New Jersey, the distinguished chairman of the subcommitttee that considered the measure, said:

> There will not be any capricious or arbitrary action on the part of the Secretary. He cannot communicate with an employer and say "You cease and desist this immediately on the payment of some penalty." The only means by which enforcement is possible under this act, as I said, and I reemphasize it, is before the Federal district court.
>
> Mr. Chairman, it is true that as under the Fair Labor Standards Act if there is a proven discrimination and a determination is made by the Federal district court the guilty party is liable to double damages—liquidated damages—under the existing law.

I should like to subscribe to the statement made by the distinguished Representative from New Jersey, Mr. THOMPSON, because I believe it is in keeping with our English common law system, which holds that no one is guilty until so proven; that the burden of proof of guilt falls on the accuser, and not on the accused.

With that understanding, I yield the floor.

Mr. McNAMARA. I subscribe to the statement made by the Senator from Texas. Certainly, the burden of proof, as it now is, is on the Secretary at the outset. If the Secretary has brought his charge and the employer disagrees with him, the burden of proof would shift to the employer at that point. I think the Senator will agree with that. For 25 years that is how the act has functioned, and we intend no change in that procedure.

Mr. DIRKSEN. Mr. President, if the Senator will yield, I have discussed this question with Senators who normally would have been the conferees on our side had the bill gone to conference. It has also been my privilege and honor to confer with Members of the House who probably would have been the conferees on the minority side. There is a general agreement that the House language is quite preferable to the language contained in the Senate bill. For that reason, I fully subscribe to the motion to concur in the House amendments.

Mr. McNAMARA. I thank the minority leader for his cooperation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan to concur in the House amendments.

The motion was agreed to.

THE AMERICAN LUMBER INDUSTRY

Mr. MORSE. Mr. President, on May 9, I made rather extensive remarks regarding the critical situation facing the domestic lumber industry and its relations with the Canadian lumber industry.

I said then that—

> There is now evidence which suggests that instead of constantly flailing away at the Canadian lumber industry the domestic industry of the United States should join hands with its Canadian counterpart to determine a course of action which will protect and develop markets for lumber.

Since that time President Kennedy has met with Prime Minister Pearson and in my judgment this meeting will produce a new understanding in Canadian and American relations.

On May 24, Mr. Mortimer B. Doyle, executive vice president of the National Lumber Manufacturers Association addressed the Northern Interior Lumbermen's Association at Prince George, British Columbia. I ask unanimous consent that his comments entitled, "Canadian and United States Lumber: The Common Future" be inserted in the RECORD at the conclusion of my remarks as exhibit 1.

Mr. Doyle suggested that the proper course for Canadian and American lumbermen would be to devote their "energies and good will toward the accomplishment of our mutual purposes." Mr. Doyle pledged himself to do so.

In his speech he suggested three positive steps that should be mutually undertaken to improve lumber markets. One was wood promotion, the second was industry standards and the third was grading and grade marking. He stressed the need for Canadian-American cooperation in these activities but his talk also pointed out the domestic difficulties in getting industrywide participation. I assume that the same problem exists in Canada.

On May 22, I received a most thoughtful letter from Mr. Doyle, and I ask unanimous consent that it be printed at the conclusion of my remarks as exhibit 2. One of the concerns he expresses is that the provisions of domestic antitrust laws may pose problems in resolving issues requiring international industry cooperation. I recognize that this may be true. I would hope that the administration would make every reasonable effort to assist in improving international cooperation to develop an expanding and vigorous forest products industry.

If the answers to the problems which exist were easy the solution would have been found long ago, but obviously, they are difficult.

Possibly it could be helpful to have governmental assistance in the form of supervision which would assure uniform grade marking by a method similar to that used for standards for wood and other products.

It might also be that some special action is needed to provide for international cooperation in developing markets abroad and in assuring adequate promotion by all segments of the industry. In many ways the dilemma faced by the lumber industry is analogous to the problems faced by labor unions. Today no lumber company is required to join in a trade promotion effort but it reaps the benefits obtained by those who finance these ventures. In short, there is no union shop in trade promotion in this industry. I point out this significant fact because the lumber trade associations do not represent all who produce lumber.

It is not my purpose today to discuss what needs to be done but rather to urge that the administration move vigorously to develop a working agreement on ways to meet the challenge of promoting the economic welfare of the Nation by assuring that our lumber industry will best serve the national and hemispheric interest.

On May 15 I discussed briefly national strategic trade with Red China and at that time I pointed out that the Northwest once enjoyed trade relations with China which provided a significant market for lumber, wheat, and flour. This is a lost market and perhaps we should consider whether it is a market we should endeavor to serve.

Since my May 9 speech I have received several other letters and I ask unanimous consent that three of these be included at the close of my remarks as exhibits 3, 4, and 5. One is from the National Association of Home Builders, another is from David Winton of the Winton Lumber Co., and the third is from Mr. Corydon Wagner. In addition, I ask unanimous consent that the portion of the May 17 issue of Random Lengths, dealing with the American Lumber Standards Committee be printed at the conclusion of my remarks as exhibit 6.

Mr. Doyle's letter of May 22 indicates that he does not believe Mr. Corydon Wagner speaks for American lumber interests. It is my understanding that Mr. Wagner has substantial interests in both American and Canadian firms, has held high office in several important lumber trade associations, has a lifetime of association with the workings of the industry and is held in high esteem in the industry.

I am well aware that Mr. Wagner has investments in Canada and some may disagree with him, but these are not the important points.

The issue is what course should be charted.

In charting a course we cannot ignore the fact that some one-third of the capital in Canada's forest industries is reputed to be from the United States. The hard fact is that some in other nations, as we have in times past, view as harmful the fact that foreign capital comes into their country. This is not necessarily so. Americans, as people and through their Government, have a responsibility to American capital that goes abroad—and those who invest abroad have a responsibility to their Nation.

Men like Mr. Wagner and Mr. Winton, both long on the National Lumber Manufacturers Association boards, can contribute much. One of the great things they can do is help to translate our domestic concerns into terms Canadians can appreciate and inform us at home of the problems confronting the nations where they have invested. In lumber they can help achieve international cooperation on the three points Mr. Doyle so well covered in his British Columbia address.

It is well to note here that when concern about Canadian lumber imports was first voiced the solution advanced to me by our lumber spokesmen was to curtail Canadian lumber imports by either executive or congressional action. This was the official industry position and this strategy necessarily forced them to take their case before the Tariff Commission.

The climate in Canada, too, at that time seemed to be one which may have led some in the domestic industry to think it unproductive to attempt to resolve the issues on a more amicable and mutual basis.

The Kennedy administration, however, preferred the amicable course then as it does now. The difference is that now there seems to be a better chance that many issues can be settled along the historic patterns of Canadian-American relations—with understanding at the conference table.

We should take advantage of improved circumstances. To my way of thinking the present and foreseeable climate forecasts the real possibility that our two countries and the lumber industry of our two nations can work in better harmony than would have been possible in the recent past. I think we have a responsibility to pursue this course and to hold in abeyance for a reasonable period restrictive lumber import measures which really treat only symptoms.

I would much prefer to see methods devised to achieve bilateral procedures and standards for lumber grading and marking. I would much prefer to see cooperation in serving oversea markets. I would much prefer to see joint participation to finance product promotions. These are the steps which will advance lumber use, create new jobs, promote labor's welfare, protect capital invested and assure adequate profits.

Mr. President, I close by asking unanimous consent that a column written by Peter Edson, entitled "Lumber Import Test," which is distributed to some 700 newspapers by Newspaper Enterprise Services, be printed at the conclusion of my remarks as exhibit 7.

There being no objection, the exhibits were ordered to be printed in the RECORD, as follows:

EXHIBIT 1

CANADIAN AND UNITED STATES LUMBER: THE COMMON FUTURE

(Address by Mortimer B. Doyle, executive vice president, National Lumber Manufacturers Association, before the Northern Interior Lumbermen's Association, Prince George, British Columbia, May 24, 1963)

Gentlemen of the Northern Interior Lumbermen's Association, I come before you today in the interest of amity and opportunity, and I have been moved by the graciousness of your invitation to do so.

The difficulties we have experienced to a marked degree during the past 2 years are not new to Canadian and United States lumbermen.

Lumber, abounding as it does in both our countries, has served as both a bond and a barrier to understanding for over a century.

For myself, I take heart in this historic struggle between free progressive men for both markets and protectionist attitudes.

It is evidence of a vitality and determination inherent among lumbermen.

It may, indeed, be such vitality and determination as can be mobilized to win not a victory for one of us against the other in this commercial struggle, but the greater victory of improved markets for all.

Despite the earnestness of both sides in every trade controversy over these hundred years, and there have been many, there has never been an open rift between our nations; nor has there been any lasting animosity between our respective industries.

Canada did not break off relations with the United States, for instance, in 1864 when my nation canceled the reciprocity treaty so laboriously negotiated by Lord Elgin 10 years earlier to allow Canadian lumber and farm products free entrance to the American market.

Nor did the United States break off relations in the times of Sir John Macdonald who was avowedly a spokesman for a national policy for protection of Canadian industries from American competition.

The Rush-Bagot Treaty, providing us with the longest undefended international border in the world, has never been breached by either party to it. It never will be, I am confident—as I know you are.

An accident of nature or the divine hand of providence, gentlemen, call it what you will, has bound these two nations of ours together inextricably and eternally. Canada and the United States share a destiny and a devotion to basic neighborly principle which no foreign power, no opportunistic domestic government, no transient economic disorder can long set aside.

The natural bonds of geography have been strengthened by the national origins of the predominant portions of our respective populations and, by the common pattern of national development westward as we hewed an orderly, productive civilization out of the wilderness.

We are further bound together by basic cultures, by language, by common national and continental aspirations.

We are free men in a world where freedom is hard bought. We have defended our own freedom and the freedom of each other. We have stood side by side and fought and bled together in two world wars and in Korea. Our women have wept together and comforted one another. Like it or not, we are brothers living under the same roof, fashioned by the same hands, and despite family quarrels which inevitably occur in all families, we will resolve our differences for the good of the entire family, and for the peace of our continental neighborhood.

Although I have already demonstrated the ties of respect and affection and common purpose which bind all Canadians and Americans together, we must recognize that the union between our forest industries makes lumbermen on both sides of the border even closer than most of our fellow citizens.

We share species, we share financing, we share methodology, we share the ambition to succeed and to operate at a profit; we share, to our occasional mutual irritation, I fear, markets for lumber and wood products. As might be expected, it is in the marketplace where our sharing becomes a source of antagonism, of suspicion, and of potential economic warfare. In any free economy the marketplace is, inevitably, the battleground.

And yet, it is in the marketplace where Canadian and United States lumber producers have the principal opportunity to find the means to sustain themselves, and each other, against their common enemies—substitute materials, halfhearted promotional efforts, meaningless and confusing industry standards, inferior lumber produced by opportunistic operators on both sides of the border, those lumbermen who want markets but won't pay the cost of association dues which promote such markets, and increasing inroads on the market we share by producers on other continents.

It has been said of the Irish that they all love to fight so much that when they have no common enemy to fight they will fight each other just for the fun of it. As an Irishman, I am privileged to observe that we have enough Irish in the lumber industry on both sides of the border to satisfy this ethnic trait. I can say as well, however, that we must stop fighting each other for the fun of it and agree that the common enemies I have just enumerated deserve our undivided attention in the marketplace while we work to resolve the differences remaining between us internationally.

I state, unequivocally, that the lumber industry of North America must unite its efforts to keep and expand its present markets in the face of serious opposition or it may well cease, within our lifetimes, to survive as an industry of significance.

Let us examine today our areas of mutual interest so that we can undertake dialogs leading to a mutual course of action which will sponsor cooperation and convert negative energy into positive results of benefit to us all.

It is clear to the U.S. lumber industry that retention and development of North American markets for lumber and wood products depends upon aggressive promotion of those products. It is equally clear that the Canadian industry, with limited markets at home, would naturally look to the nearest available markets for an outlet.

It has been increasingly unclear, however, to our producers why the Canadian industry, while vigorously seeking to satisfy the requirements of what it considers to be its fair share of the U.S. lumber market, has been demonstrably unwilling to assume a collateral fair share of the cost of promoting that market.

More rankling than any single difference between the Canadian and United States lumber industries has been the bafflement of American producers as to how the Canadian industry can sincerely expect to sustain its opportunity for sales in the U.S. market while making only a token contribution to the exploitation of that market while American lumbermen in our national and regional lumber and wood products associations are spending $12 million each year to develop lumber and plywood markets. There are American producers who have become extremely sensitive when they contemplate the loss of sales of their own lumber to Canadian lumber in markets which they have rigorously developed through the investment of thousands of dollars and countless man-hours of talent and energy.

This paradoxical situation may, in fact, be unique in international marketing. In practically every field where Canada and the United States are competitive in markets, whether they be Canadian or American, the normal obligation to promote a given product in a given market is observed. You will note this particularly in the automotive and appliance businesses when a strong Canadian market exists for U.S. products. This is the essence of the private-enterprise system. It should maintain in the lumber industry as well as all others.

Our single greatest stride in the maintenance and extension of the lumber market in the United States has been that we have achieved through the aggressive, authoritative national wood promotion program.

The Canadian Wood Development Council has consistently provided modest financial support to that program over the past 5 years. I certainly do not intend to minimize the significance of that support although you would agree that it is not representative of the volume of lumber moving into the U.S. market. Neither should any of us minimize the value derived from those Canadian dollars invested in our promotion program.

I am sure that both Bob DeGrace and his predecessor as staff head of CWDC would attest that the materials provided for Canadian use by the national wood promotion program have been among the most effective wood promotion advertisements, technical studies, and merchandising aids available in the Dominion.

It is to your industry's great credit, I might add, that at the height of the controversy raging between Canadian and American lumber producers concerning imports, the CWDC not only continued but slightly increased its subscription for wood promotion.

We have had a similar experience with one of our own regional associations, which, while at one time seriously opposed to our program of national standardization, voted unanimously to continue its participation in the wood promotion effort.

It would appear, therefore, that the responsible elements within the lumber industry on both sides of the border recognize that without promotion of our products, regardless of where and by whom manufactured, we will have no markets to dispute about.

We have, then, attained a state of maturity which warrants further exploration of the feasibility of marshaling all of the financial means at our disposal to strengthen our promotion efforts as a means for joint resistance to the market inroads by substitute materials.

We have demonstrated to our international satisfaction that a unified North American lumber industry can undertake positive programs of advertising and merchandising which will revitalize the appeal of our product to the architect, builder, specifier, and ultimate consumer so effectively that our mutual share of the total building materials market will be substantially increased.

That our national wood promotion program is responsive to changing situations and constantly infused with new vitality is evident in the enthusiasm demonstrated by our own industry for the projected advertising approach for 1964 revealed to the committee early this month at its spring meeting.

Our advertising agency and staff have proposed, and the industry has agreed, that 1964 advertisements directed to the consumer and home buying public will take on an entirely new look and incorporate more specific advantages and benefits of lumber and wood products used for residential construction. The suggested new consumer program is soundly based on the following communications ideas: (1) Selling the value of individual homeownership; (2) selling the benefits of owning and living in a home of wood; (3) selling the specific advantages of individual lumber and wood product items that are involved in the construction and livability of a home made of wood.

This concept has been presented to the National Association of Home Builders and has received a most favorable reaction which will enable the lumber industry to merchandise its products and services right down to the local builder activity level.

Based on the theme, "Build or Buy a Home of Wood Now," this program of advertising, described by our agency as "a motion picture in print" will detail the structural, finish and furnishing aspects of a new wood home in such a way as to reveal the integrity, versatility, warmth and beauty of wood as always while buttressing the values of the product as revealed through our growing store of technical information concerning its insulation, acoustical, strength, and quality characteristics.

The staff, the agency, the responsible committee, the entire National Wood Promotion Committee, and the leaders of the industry have demonstrated an enthusiasm for this new advertising approach which surpasses any which I have seen in the 5 years of the promotion program.

We are sustaining the thrust of our marketing program for wood and will be limited in the impact on the market only by the funds at our disposal.

In striving for this case for international understanding which we are building, let us enter wood promotion as exhibit I. Promotion of a product, however, is not enough in this technological age, gentlemen. The product we provide in the marketplace must perform. It must meet and surpass the claims made for competitive materials. It must afford the buyer, specifier, and user maximum simplicity in terminology, ease of understanding and installation, and flexibility and efficiency in design and service if it is to compete on an even footing with engineered items which are rolled, extruded, cast, hammered, or squeezed to sizes, dimensions, and shapes which are predetermined on a computer and measured electronically to assure that they meet industry standards.

Our lumber industry, Canadian and American alike, must adopt standards, grades, and sizes which will win the respect and understanding of every potential user of lumber and wood products.

The U.S. industry took a major step in that direction, May 3 at San Francisco, when, after 3 years of effort and determined adherence to sound engineering principles, the first phase of a grade simplification and standardization program for all domestic softwoods won approval by the American Lumber Standards Committee.

Acceptance of and implementation of this standards program will unquestionably constitute an eternal landmark in the history of our industry. It will mark the day when the lumber industry for the first time can be said to have overcome the advantage which it had consistently provided freely to its competitors.

It is obvious, however, that a good deal needs yet to be done in winning conformity to established standards among producers. We can no longer expect that variations will be adjusted at the building site or modified in the shop. Labor costs prohibit this laziness on our part; building codes and performance standards are rigid in this regard—we, as lumber manufacturers, must comply or fall by the wayside.

If we fail to develop compliance with grade standardization and simplification to a point where we can afford the same assurances to our customers that other products can give, we face either the imposition of arbitrary requirements by Government or other engineering and standards bodies or total rejection in the marketplace. This is a job which we must do for ourselves if we would not have others do it for us.

As the principal suppliers of softwood lumber in the world, and with the forest resources, to sustain us in this position forever, Canada and the United States can certainly develop joint standards for softwood lumber which will be recognized as world standards. And they must stand rigid examination at the job site. Production of items to an accepted world standard should materially enhance development of markets throughout the world for the products from both our vast forests.

Let us introduce industry standards as exhibit 2 in the case for Canadian-American lumber industry cooperation.

Giving substance to any product or standard, however, implies ready identification of quality for the ultimate consumer. This means that items manufactured to conform to rigid standards must be properly identified so that the buyer can rely upon every piece for the intended use. If we are to stand against the giant industries intent upon wresting our traditional markets from us and depriving us of entry to new and developing markets, our industry must undertake, as a matter of policy, to extend both grading and grade marking of our lumber. We all know the homely saying, "One rotten apple can ruin a barrel." It is equally true when applied to one inferior piece of lumber in terms of acceptance of all lumber. If a 2 by 4 or a board is improperly graded, illicitly grade marked, or not graded or marked at all and fails in service, all lumber suffers in the mind of the consumer. It is our responsibility, as just and honorable men, to offer our customers assurances that if they buy graded and grade-marked lumber they will get exactly what they pay for. We must band together to establish ethical practices in grading and grade marking which will oblige opportunistic operators to join us in protecting our customers as well as our industry's reputation for quality products. Proper policing of our grading personnel and grading agencies will pay significant dividends to the entire industry.

I enter grading and grade marking as exhibit 3 in support of the case for international cooperation.

Aggressive promotion, meaningful standards, and quality control will inevitably provide the springboard for consolidation of gains in our present markets and development of new markets both in our continental areas and abroad. Gentlemen, there is truly a renaissance at work for wood throughout the world. In the past several months I have been privileged to visit Western Europe twice, from Scandinavia south to Italy and east to Germany. I have lately returned from Australia where I met lumber and wood products people from the Orient and the Pacific Ocean areas, and your fine BCLMA representative, Cyril Maplethorpe, with whom I enjoyed so many pleasant visits and conversations. In every place I visited and in every conversation, halfway around the world, I found new interest in wood, new determination to reestablish it as the world's premier building material * * * new life, new hope, new interest in tomorrow and the day after. We must organize ourselves, intellectually as well as industrially to exploit these opportunities. If we divert ourselves by indulging in continental strife we will muff our chance to improve our respective national positions and our mutual industrial positions by serving these untapped markets.

It is my contention that by gearing ourselves to face marketing challenges of our times together in a positive, contributive fashion we may dispel the gloom which besets both our countries when we look upon the unhappy spectacle of charges and countercharges concerning the cause and effect of the struggle for a single softwood lumber market.

We are, I fear, both being diverted from the larger task of developing a softwood market in North America which will be of such volume as to tax our total productive capacity.

You are, of course, aware that a number of bills have been introduced in the Congress of the United States designed to alleviate the economic impact of the constantly increasing volume of Canadian softwood lumber exports to the United States. Certain of these bills are being actively pushed; others are not, and the White House informed me only last week that President

Kennedy and Prime Minister Pearson have set up a committee to study the problem. Members of both parties have concerned themselves with the plight of our domestic industry and have offered assurances that corrective legislation is the order of the day.

Our industry has, as you know, been working actively for the passage of certain of these bills. We have, at the same time, been working to counteract the effect of what might be referred to as "legislative fallout." This phenomenon is the spontaneous development of local and State actions related to public issues before the national legislature. It may take the form of State laws restricting articles produced outside its own borders; it may manifest itself in unilateral actions by boards, commissions, county governments, municipal bureaus, and other governmental bodies empowered to act on matters affecting the use of building materials, most of which we, as an association, oppose.

It is readily apparent that while it is relatively simple to initiate legislative action, it is extremely difficult to predict either the course or extent of resulting "legislative fallout." The modification of administrative law, at any level, is an extremely difficult undertaking.

It might be appropriate for some of you at this point to nudge your neighbors and remind them that it is administrative law which lies at the root of many of the problems of the U.S. lumber industry. This has been the contention of many in the Canadian industry.

We cannot deny that a comparison of policies concerning the disposal of public timber in our two countries would certainly substantiate the fact that American lumbermen are victims of administrative laws which do not adversely affect Canadian lumbermen. At the same time I might caution that as governments become increasingly sophisticated, as governments consider what they do, they tend to withdraw from reality and impose new restraints on their people and their industries. It is altogether possible that the struggle being fought for equitable timber policies in the United States today might well be faced in Canada 10 years hence.

As a friend of justice I could not, in good conscience, wish that upon you—but it could happen. If we have won our fight by then, the marketing shoe might be on the other foot.

The delicacy of our own situation with respect to softwood lumber has been heightened by the Columbus Day blowdown in the Pacific Northwest last October.

Our industry has had imposed upon it the burden of salvaging 11.6 billion board feet of timber, a major portion of which would not otherwise have been harvested in 1963, 1964, or 1965. Our Federal Government has already demonstrated its interest in making it possible for the loggers and manufacturers to deal with this additional responsibility efficiently in the interest of reducing further losses through beetle infestation.

If our industry converts these downed trees into lumber it will be necessary to market that lumber promptly to avert further future dislocations in our domestic timber operations, employments, and distribution.

Faced with the prospect of absorbing much of this 11.6 billion board feet into U.S. markets during the next 3 years, in addition to the normal production, it should be obvious that it is going to require a maximum effort on the part of all elements of the industry to achieve a significant increase in the total market so that the total industry will not suffer economic depression. Increasing a market to this extent demands all-out promotion—there is no other way open to us.

Leaders of both Canadian and U.S. lumber interests must come forward to meet their respective obligations to themselves and their fellows—and, I might add, to each other.

It has long been my contention that true leadership is emergent only in time of crisis and controversy. There is a tendency in each of us to sit back in periods of calm and let our leadership qualities atrophy. Those of us who sit thus too long are also the ones who crawl further into our shells when the storms begin. But the true leader, the man who gets things done, responds to challenge and rises to face the onslaught of unpopular positions and critical times. Your industry and mine need such leaders now.

It is because I believe we must communicate if we are to understand each other and approach a satisfactory resolution of our mutual problems that I accepted the invitation to this meeting extended by Bob Gallagher. It will afford us an opportunity to renew our friendships and our quest for responsible talks among our leaders.

I have not commented here upon the Tariff Commission hearing because it would avail little to do so. I will say, however, that our lumber industry interests, both in the United States and Canada, would have been better served had we spent the time, money and energy, expended in that hearing by both sides, in striving toward achievement of effective lumber promotion, meaningful standards, and quality control. Together we spent untold sums to prove that we disagreed as to the effect of Canadian softwood lumber imports on the health of the U.S. industry. Now, we are faced with the necessity of undertaking the discussion at the governmental level once again of solutions to a problem which existed even before the Tariff Commission hearings * * * simply stated it is, "What percentage of the U.S. market can properly be filled by Canadian production without damaging both the domestic industry and the acceptance of lumber in the marketplace?"

If the U.S. industry suffers further damage, gentlemen, it will be unable and unwilling to finance promotion, standardization, product improvement or any of the associated benefits which inevitably follow upon a prosperous, progressive industry which supports industrywide improvements. Denied this effective program before the public, markets will inevitably be surrendered to other materials. The net effect will be that Canadian lumber will face the fight against competitive materials almost alone. Your industry will then be obliged to undertake the programs now supported by our industry with the net effect of substantially increasing your costs. If this happens, our industry will once again be able to compete on an equitable basis. But the damage suffered by the lumber industry in the North American continent will be irreparable.

We will have effectively destroyed our power to compete against steel, aluminum, clay products and other substitutes. I know that no lumber producer either here or at home wants this to happen. The present restraints imposed upon our opportunity to develop more extensive markets must be overcome mutually if we are to survive as an economic force in North America. No problem, however, defies solution if the need for solving it becomes urgent enough.

I am sure you will agree with me that our mutual market development problem is urgent. It can be solved because it must be solved. The principal means toward its solution involves the simple expedient of assuring that a percentage of the sale price on every thousand board feet of lumber produced and sold in North America is applied to product promotion, market development and associated industry technical advancement.

If that seems oversimplification, let me reply that it represents a stated opinion. It is only from stated opinions that discussion can begin.

I sincerely believe that the national wood promotion program and U.S. regional association promotions have proved their worth as a means to arouse a continuing desire among consumers, architects, builders, and other specifiers to become reacquainted with and use lumber and wood products. I believe that when a breakthrough has been achieved it should be exploited to the maximum extent. I believe that the desires and potentialities of Canadian and American lumbermen are not necessarily mutually exclusive. I believe that every lumberman, Canadian and American alike, can in good conscience, devote his energies and good will toward the accomplishment of our mutual purposes. I pledge myself to do so.

And, in so pledging, I would remind you that American children know little of Chippewa, Lundy's Lane, Queenston Heights, or the burning of York. The history of the bloody differences between Canada and the United States has been overshadowed by the history of our genuine friendship over the past century and a half. Can we in this giant North American industry do less than to emulate our historians and set aside the memories of our differences of the past in the interest of the agreements of the present and the future?

I know that together we can resolve existing differences. I know that together we can displace substitute materials in the marketplace. I know that given the means and the will and the sense of common urgency, the Canadian and American softwood lumber industries can achieve the marketing miracle of the century—and make a profit for every responsible lumberman who has the vision and the determination to make it happen.

EXHIBIT 2

NATIONAL LUMBER MANUFACTURERS ASSOCIATION,
Washintgon, D.C., May 22, 1963.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: Your May 2 letter reflects the very careful thought that you have given to not only the problems of the American lumber industry, but to the difficulties confronting the entire wood products industry in the North American Continent.

Beginning with the lumber industry's request of the Secretary of Commerce in March of 1962, we have always felt that the long-term solution of our import problem depended upon mutual agreements of producers of lumber in both Canada and the United States that would satisfy both parties and provide positive results in the common problem of competing with substitute materials for wood. Because you know the frustrations that we met with in dealing directly with the Canadians on this subject, I will not recount the history of efforts over the last 12 months that add up to very little progress in this area. However, I have received an invitation to speak to the Northern Interior Lumbermen's Association in Prince George, British Columbia, on May 24. I anticipate that this will afford an opportunity to at least air some of the difficulties confronting the lumber industry in this country of which our friends in Canada may not be completely aware. Because of the limitations imposed by our domestic antitrust laws, I am sure that you recognize that private discussions dealing with quotas or pricing policies are denied to individuals in the business community. However, I do believe there can be an open and frank expression of viewpoints which could be helpful in obtaining a better understanding.

Because of the comments which you made before the Senate on May 9 it occurs to me that you may have some misconceptions about the efforts of this association on behalf of the American lumber industry. The lumber industry annually expends through this association a little more than $2 million on the various programs designed to improve its competitive position in our economy. Of that sum, 96 percent of our resources are allocated to the promotion and development of markets for lumber in the United States and the improvement of our competitive position with regard to substitute materials.

For an industry comprised of between 20,000 and 40,000 individual producers, this voluntary expenditure of wood promotion funds is one of the finest examples, in my opinion, of the operation of the private enterprise system. Our work with architects, builders and other specifiers of lumber, our consumer advertising program, our work to eliminate unfair fire insurance regulations, our work to remove building code restrictions against the use of lumber and our research and development program to improve the utilization of lumber, are all part of a self help program which is carried on by those lumber producers who are far-sighted and believe that lumber's role in America's future will depend upon lumber's ability to compete successfully with other products. Unfortunately, there are lumber producers who do not want to participate in industry self help promotion programs. For reasons best known to these individuals, perhaps a lack of faith in the future of the lumber industry, none of their monies are spent in the development of the total wood market in this country which we believe to be of benefit to all lumber producers.

Perhaps the most devastating impact of the unfair competition of the Canadian lumber manufacturers is the effect their pricing practices has upon the willingness of U.S. lumber manufacturers to continue to spend hard-earned dollars to improve their product and promote the markets without reasonable opportunity for a return of such expenditures. Those companies which can look forward only to liquidation because of their inability to sell their lumber at a profit in the United States are certainly not going to be willing to waste their resources on wood promotion programs. Those who criticize the American lumber industry for not expending more money in the field of research and development might well ponder this problem.

I noted that you quoted Mr. Corydon Wagner on the question of the reason for the shut-down of one of the mills of the Georgia-Pacific Corp. I am sure that you recognize that Mr. Wagner has his major financial interests in the Canadian lumber industry at this time and, as revealed before the Tariff Commission last October, does not speak for any American lumber producer on this issue. I am sure the industry was surprised to read your use of Mr. Wagner's remarks. Nevertheless, I do believe it is significant that Mr. Robert B. Pamplin, president of Georgia-Pacific Corp., clearly set forth the current complaint of virtually the entire American lumber industry with regard to the pricing practices of Canadian lumber manufacturers who are selling their products in the United States.

Officials of the Georgia-Pacific Corp. also told us that the Canadian problem clearly was one of the reasons they closed the sawmill operation of Booth-Kelly.

The inability of domestic lumber producers to sell their products at a profit in the United States is directly attributable to the fact that Canadian lumber is sold in this country at a price below the cost of manufacture of many domestic lumber producers. I am sure that your investigation of the facts has indicated to you that the financial advantages enjoyed by Canadian producers as a result of currency devaluation, transportation advantages, and stumpage prices, enables Canadian producers to show a healthy profit at the time that our lumber industry is receiving an average annual rate of return on sales of 2.4 percent after taxes, as compared to an average return of 4.8 percent on all manufacturing sales in this country.

It has been my observation that the flight of capital across international boundaries is much easier to accomplish than is the transfer of job opportunities of employees involved in industries affected by import competition.

Kindest personal regards.

Sincerely,

MORTIMER B. DOYLE.

EXHIBIT 3

NATIONAL ASSOCIATION OF HOME BUILDERS,
Washington, D.C., May 23, 1963.

HON. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Please accept our thanks for your kind attention and insertion in the CONGRESSIONAL RECORD of the news stories on our new research house.

We have taken the liberty of reproducing all of the pertinent pages from the CONGRESSIONAL RECORD and mailing copies to our 381 affiliated associations and all our national officers. Six copies of our legislative report and the attached excerpts are enclosed for your use and information. Please let us know if you should desire more copies.

We concur in your judgment that the lumber industry faces increasing and determined competition from other industrial products and processes. This is evident in some of the new materials used in the research house in Rockville, Md. We hope soon to arrange an inspection trip of the research house so that you and other interested Members of Congress may take a look at some of the new uses of metals and plastics as well as improved uses of lumber and wood products.

Sincerely,

JOSEPH B. MCGRATH,
Director, Governmental Affairs.

EXHIBIT 4

THE WINTON CO.,
Minneapolis, Minn., May 20, 1963.

HON. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR MORSE: A report of your speech in the Senate made last Thursday on lumber has just come to my attention. While I have not seen what you said, I am deeply impressed by what I hear about your remarks. They lead me to feel you have put the situation in sound perspective, as you often do.

You made a great point on the competition that lumber gets. A large portion of lumber is used for encasing. Other encasing materials have made important competition for lumber and their production has gone up, up, up. And lumber production has stood still. I am speaking, of course, of plywood, aluminum, gyp board, brick, hardboard such as Masonite, softboard such as Celotex, particle board, as well as concrete, steel, and many others. I don't know what the total of these items used for encasing comes to in square feet, but I would hazard the guess that it is many times the square footage of lumber produced in the United States, and has increased in every case.

Why the increase? Largely because the substitutes for lumber spend large amounts of money in research and on trade promotion, and very little in fighting each other, while lumber spends a great share of its energies in family fights.

I am sure you remember the Walker family from your days in Minneapolis. When old T. B. Walker saw his first barbed wire fence, he reported to his sons, Willis, Clint, Fletcher, and Archie, that he had seen wire with sharp things fastened to it that day. He said, "What in the world is going to happen to our 6-inch fencing lumber?"

Years later Willis said to me, "If it hadn't been for barbed wire fences there wouldn't be a tree big enough to make a 1 by 6 left in the United States today." He then proceeded to tell me there had been a substitute for every lumber use except the baseball bat.

The attached quotation is from Marple's Business Roundup, published in Seattle, dated April 11. I thought you would be interested in seeing the strong position taken by them on the overcut our forests are faced with.

I have sent for a copy of your speech and look forward to reading it with great relish.

One of these days I hope to have a chance to say hello to you when you aren't too busy.

This carries many sincere good wishes to you.

Sincerely,

DAVID WINTON.

"Far and away the fastest growth among the metals is forecast for aluminum. In the second half of the century aluminum will displace copper as the most widely used nonferrous metal. Demand for aluminum is expected to jump more than threefold from 1.6 million tons in 1960 to 5.6 million in 1980, followed by another jump to 14.7 million tons by 2000. Even under the least favorable circumstances, the report concludes, demand will more than double by 1980.

"The report does not single out Alaska but any such growth as is forecast for aluminum is almost certain to see development of Alaska's very substantial hydroelectric resources, such as the Rampart project on the Yukon, for aluminum smelting.

"Gains for aluminum are seen in construction, both for conventional items like doors, windows and trim, and for newer items like framing, paneling, roof trusses, and transmission line towers. Use of aluminum in transportation (trucks, buses, autos, etc.) will expand even faster and become the No. 1 market for this metal.

"In forest products, as in nonferrous metals, demand will outrun available resources. Lumber used in construction fell from 32.5 billion board feet in 1950 to 28.3 billion in 1960; by contrast, consumption is forecast at 46 billion in 1980 and 76 billion in 2000. The curve for western softwood plywood—a product on which few have been bold enough to forecast anywhere near actual growth—goes through the roof. Output rose from 3 billion in 1950 to 8 billion in 1960 (hit 9.5 billion in 1962, Douglas Fir Plywood Association reported last week); now demand is forecast at 27 billion in 1980 and an unbelievable 63 billion in 2000.

"Requirements for paper are seen as sharply higher—doubling by 1980 and doubling again by 2000. Requirements for pulp (mainly for paper) are placed at 25.7 million tons in 1960, 55 million in 1980, and 109 million in 2000.

"Can domestic forests supply the expanding needs of the United States? Definitely not, the report concludes ominously after examining various combinations of supply and growth rates in the West and East. The report sees several consequences:

"Fuller utilization of residues, both of logging and of sawmills and other processing plants; better growing practices; use of more hardwood in place of softwood for pulp; and substitution of other materials, such as brick, concrete, aluminum, glass and plastics in construction, sugar bagasse and other nonwood fibers in pulp, and aluminum foil and plastics in packaging.

"The United States will have to import more, particularly from Canada, which undoubtedly remains the most promising source of supply in the future. New forest resources, notably in South America and Africa, will have to be sought.

"What the report does not say but is obvious for the Pacific Northwest: Ownership of timber and mineral resources will become of increasing value in the years ahead. But there's also the hazard that substitute materials, designed for new mass markets, may make deep inroads on conventional wood products. In broader terms, the forest and mineral resources of the Pacific Northwest cannot sustain growth comparable to that expected for the United States; hence the urgent need for diversification and broadening of the region's industrial base."

EXHIBIT 5

TACOMA, *May 24, 1963*.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Your kind letter of May 14 is much appreciated. I am pleased that my comments on the softwood lumber issue were of value and that they reached you at an appropriate time. Your clear and forceful presentation of this controversial matter on the Senate floor May 9, I understand, is being widely discussed and applauded. My thanks for mailing me the copy of the CONGRESSIONAL RECORD containing your remarks, which I have read with interest.

I am sure that the price-cost squeeze which is being felt in varying degrees by units of the forest products industry, both in lumber and plywood, is due more to evolutionary changes in manufacturing methods and product uses than to any increase in lumber imports. That a day of reckoning was approaching has been evident for some years.

The voluminous detail which you presented indicates that you have been giving much attention and doing considerable research on this subject. As the senior Senator from the leading State in timber wealth and forest industry that might have been expected, but the country as a whole needed just this informed opinion and courageous expression in view of the misconceptions which have been widely publicized.

You have made an invaluable contribution in pointing out the constructive course to follow in solving the problem.

Yours truly,

CORYDON WAGNER.

EXHIBIT 6

MAY 17, 1963.

The recent decision of the American Lumber Standards Committee, recommending a 1½-inch lumber size at 19 percent maximum moisture content, brings the lumber size issue one step nearer a final decision but is, by no means, the final word on this controversy. Interindustry conflicts aside, the final acceptance or rejection of a new set of lumber sizes would rest with an amorphous group known as the "acceptor list" which will take part in a Commerce Department-conducted vote on the question. Considering the controversies which have developed within the industry over the proposals, it is safe to assume the entire wood-making, wood-using industry will be treated to substantial hard-sell pressure in the next few months from all sides, and that the subject will be high on the agendas of industry trade association meetings.

The NLMA, meeting last week in Las Vegas, fully endorsed the program and instructed its staff to devote time and money to its promotion among dealers and users. The basic program was initiated under the auspices of the national more than 2 years ago.

This week, directors of the National Lumber and Building Material Dealers Association (formerly the NRLDA) voted to take a neutral position on a change in standards because there still is such a sharp division of opinion on the proposal at the manufacturer and distributor levels. This decision was reached on a 51 to 37 vote after a heated debate. The retailer representative on the ALS Committee cast one of the two votes opposing adoption of the proposal at the recent San Francisco meeting. The other dissenting vote was cast by the representative of independent grading agencies. As a result of the board action this week, NLBMDA is asking ALS to change the recorded "No" vote of the retailer to one of abstention if this can be done legally. Last November, the NLBMDA board voted "qualified opposition" to the program; this week's rather indefinite action appears to represent a shift in thinking on the board.

Some west coast manufacturers, primarily green lumber producers, are organizing to strengthen their opposition to the present proposal.

In view of all of this, it is extremely important that the industry at large fully understands the procedural steps involved in establishing a new standard:

ALS has appointed an editorial subcommittee to devise the exact wording for a new standard. A first draft of this is expected to be ready for distribution to members of the full committee in early June; committee members will have about 30 days in which to review the wording and either indicate their acceptance or propose changes. The ALS Committee then will have a special meeting in late July or early August at which time the final draft of a recommended standard will be worked out. This final draft will be submitted to the Commodity Standards Division of the Department of Commerce. During this same period, it is expected that a draft also will be presented to the Justice Department for legal review. The Commerce Department also will review the form of the recommendation and may make changes before submitting the recommended new standard to its "acceptor list." This list is made up of manufacturers, traders, dealers, architects, engineers and users of lumber and, in this instance, is expected to cover a wider segment of the lumber and building industries than ever before. The approval of a "substantial majority" of those on the list will be required before a new standard can be promulgated. It appears that the earliest possible date this could be accomplished would be January 1, 1964.

Since there are more dealers and users of lumber than there are manufacturers, this procedure puts the final decision on the question in their hands—probably in as close an approximation of a marketplace test as can be devised. Up to this point, the size standard has been basically a technical question for manufacturers and one which has not been wholly resolved. When it goes before the acceptor list it should stand or fall on the question of whether it really offers an improvement in the merchandising and use of lumber.

EXHIBIT 7

LUMBER IMPORT TEST

(By Peter Edson)

First test for the new era of improved relations between the United States and Canada may come over a proposal now before Congress to require that all U.S. lumber imports be labeled to show country of origin.

This is a hangover from a U.S. Tariff Commission unanimous decision of last February, finding that imports were not injuring the U.S. lumber industry and denying requested relief through increased customs duties. This was the first case heard under the new U.S. Foreign Trade Expansion Act.

Rebuffed here, American lumbermen sought redress in Congress. Over 40 bills have been introduced by Congressmen with lumber interests in their States. They call for import labeling, inclusion of lumber as an agricultural commodity which would entitle it to AAA protection against imports, restrictions on the use of foreign lumber in Federally financed housing and construction projects.

The proposal that has advanced furthest is an amendment to the Tariff Act of 1930, introduced by Senators LEN B. JORDAN (Republican, Idaho), WARREN MAGNUSON (Democrat, Washington), and others. It would include "sawed lumber and wood products" with "new packages of imported articles" which would be required to carry a label showing country of origin. Hearings have been completed before the Senate Finance Committee and a report is expected soon.

But the always original WAYNE MORSE (Democrat, Oregon)—who has consistently supported his State's considerable lumber interests in the past—recently took the floor to question the Jordan-Magnuson approach. He argues that the reported declines in domestic lumber production and employment are not caused by import competition.

He blames a combination of new building materials and a shift from sawed lumber to plywood and other wood products which bring the mills higher prices. Senator MORSE calls for a conference of Northwestern United States and British Columbia lumbermen, who cut from the same Pacific coast forests, to find new markets.

Mortimer B. Doyle, executive vice president of the U.S. National Lumber Manufacturers Association, which originally sponsored the Canadian lumber labeling, is now advocating this same line of cooperation to compete with nonwood materials.

As a member of the Senate Foreign Relations Committee, Senator MORSE goes even beyond this to line up as an internationalist supporting the best possible relations with Canada. In this stand he backs up the Kennedy administration, in which not only the Tariff Commission but also the Departments of State, Treasury and Commerce have opposed lumber import labeling.

Practically all the attention to President Kennedy's Hyannis Port conference with new Canadian Prime Minister Lester B. Pearson was focused on the Dominion's acceptance of U.S. nuclear warheads for mutual defense missiles. But trade, shipping and other economic issues were also discussed. And the desirability of giving Prime Minister Pearson's new government strong support is considered important at this time.

Most of Canada's lumber exports formerly went to the British Isles. But the postwar increase of Russian lumber exports to Western Europe have cut this trade. And the great increase in U.S. construction has created heavy demands.

Nearly 80 percent of Canada's lumber exports—principally softwoods—now come to the United States. Though this is only about 15 per cent of the U.S. lumber use, it is an important U.S. dollar earner for Canada.

Over 40 percent of Canada's exports to the United States are forest products. About the same percentage of the U.S. exports to Canada are iron and steel products. U.S. investments in Canada and U.S. trade with Canada are now larger than they are between the United States and all six European Common Market countries. Even so, Canada has an unfavorable trade balance with the United States of over $1 billion a year.

Curing U.S. lumber imports from Canada would only make this balance worse. Furthermore, according to U.S. lumber dealers, it would increase lumber prices. For this reason it is also opposed by the U.S. National Association of Home Builders.

ALASKA STATUTORY REVISION ACCOMPLISHED

Mr. BARTLETT. Mr. President, much progress has been made by the State of Alaska since our territorial status was heightened to statehood. One of the more outstanding accomplishments has been a total revision of the Alaska statutory law. In territorial days we relied upon a combination of State and Federal law. When statehood arrived the incomplete territorial statutes required a total revision. This has been done in a very careful and deliberate manner by the Alaska Legislative Council with the full cooperation of the executive and judicial branches of the State government and the Alaska Bar Association.

I am personally convinced, Mr. President, that the manner in which the Alaska statutes have been prepared and presented is far superior to that followed in most States and certainly represents an improvement over our own Federal system of statutory revision. The Alaska statute is the law, not just prima facie evidence of the law. With the decimal system of numbering and the use of loose pamphlets for each title, the State will not be forced into the costly practice of a total formal revision every 5 to 10 years.

This accomplishment is very ably described by a leading article in the January 1963 Alaska Law Journal, which is a publication inaugurated this year as the official newspaper of the Alaska Bar Association and the Alaska Supreme Court. I ask that the article, "Alaska Statutes," by Jane F. Asher, reviser of statutes, be printed in the Record along with a list of those primarily responsible for the initiation of the Alaska Law Journal, including the board of governors, the journal board of directors, and the journal staff:

There being no objection, the article was ordered to be printed in the Record, as follows:

ALASKA STATUTES: REVISION OF ALASKA LAW

(By Jane F. Asher, reviser of statutes)

A revision of Alaska law, as found in Alaska Compiled Laws Annotated 1949 and all subsequent session laws through the 1962 legislative session, has been completed. This revision is contained in five volumes, is entitled "Alaska Statutes," and is the result of 5 years of planning and work. There are some differences and many advantages in using the Alaska Statutes as compared with Alaska Compiled Laws Annotated 1949 and the session laws. The purpose of this article is to acquaint you with the format and use of the Alaska Statutes in order that it may be used immediately with maximum efficiency.

BULK FORMAL REVISION

The bulk formal revision of Alaska law which resulted in the Alaska Statutes was a revision of the entire body of statutory law consisting of collecting the laws according to subject matter and arranging them in a logical system of positive law without making substantive changes such as correcting legislative errors, clarifying the law or trying to make it more workable. Specifically, the ends sought were to:

1. Determine what statutes were in effect by eliminating the obsolete, unconstitutional, and unnecessary sections of the law;

2. Organize the live law according to subject matter into a logical classification system of titles, chapters, and sections;

3. Restate the law in clear and simple language with uniformity of expression, capitalization, spelling and punctuation, and with redundancies removed, misspelled words corrected, poor grammar reconstructed, and frequently used and critical terms defined and consistently used; and

4. Establish a numbering system which provides immediate identification and access to the subject matter and which is sufficiently flexible to accommodate future enactments.

FORMAT

The Alaska Statutes is five volumes of looseleaf binders which contain the bound title pamphlets. The first pamphlet in volume 1 includes nonstatutory material such as the table of contents, U.S. Constitution with index, treaties, and conventions, Organic Act, Statehood Act, Presidential statehood proclamation, Omnibus Act, and the Alaska Constitution with index and annotations.

ANNUAL CONTENTS CARD

The annual contents card follows after the first pamphlet. The card shows the date each title pamphlet was published. A new card will be published each year with the cumulative supplement pamphlet and any other pamphlets that are reprinted. If you wish to know when a pamphlet containing a particular title has been reprinted, you look at the annual contents card. If it shows "Title 14—December 1962" you look on the cover page of the pamphlet containing title 14 and if your statutes are current the cover page will have the same date as that listed on the card. This simple method assures the user of the Alaska statutes that he is using the current law.

LAW

The 47 titles of law (such as title 11, criminal law) follow the annual contents card. Each title is in one or more bound pamphlets depending on the size of the title. The maximum size of any pamphlet is 240 numbered pages, and if a title includes material in excess of this figure, the material is divided into more than one pamphlet, each of substantially equal size. Page numbering is by title.

The chapters in a title are listed at the beginning of the title. Articles in a chapter are listed immediately after the chapter title, and the section numbers and titles follow after the article title. If the chapter is not divided into articles the section numbers and titles follow the chapter title. This is the same format used in the Alaska Compiled Laws Annotated 1949.

DECIMAL NUMBERING

The numbering system used in the Alaska statutes is a three-part number separated by decimal points. The first two digits is the title number. Title numbers are consecutive from the number "1" through "47."

The second two digits of the number is the chapter. Most chapters are numbered at intervals of five so that new chapters can be inserted between the existing chapters. However, chapters are numbered at intervals of two, three, or four in those titles which contain 20 or more chapters.

The last three digits of the number is the section number. This portion of the complete number is in most instances numbered at 10-unit interavls which may be divided further at 1-unit intervals. For example: .001, .002; .010, .011, .012; .100, .101, .102, etc.

Under this system the first section in the Alaska Statutes is AS 01.05.010, which is title 1, ch. 5, sec. 10. This numbering system is very similar to that in the Alaska Compiled Laws Annotated 1949 where the first number is sec. 1–1–1, which is title 1, ch. 1, sec. 1. However, the Alaska Statutes system permits the insertion of an almost unlimited number of chapters and sections as well as flexibility in section numbering. Properly spaced numbering with room for expansion also makes it possible to avoid reusing a number if the law in a particular section is repealed or substantively revised. No one can anticipate where growth will come in the law and the more intervals that are left at the beginning the less distortion of the pattern occurs with the passage of time and laws.

INDEX

Each title has an index at the end of the text. The index is one of the most important if not the most important part of the revision. It is a detailed and exhaustive index with adequate cross indexing but with no cross index referring to another one. The index is based not upon the section heading but upon the contents of the section. In addition to the index to each title there is a concordance index which is the last pamphlet in the last volume. The concordance index is used only when you do not know which title index you should use. The concordance index refers you to a particular title rather than to a section. For example if you looked up "Alaska Statutes, amendment" the concordance index would refer you to "Title 1." Then the same designation in the index to title 1 would refer you to AS 01.05.030. The grouping of the law into titles which are for the most part self-explanatory, such as Title 4, Alcoholic Beverages or Title 15, Elections, and frequent use of the Alaska Statutes will almost totally eliminate the need to use the concordance index.

SOURCE OF SECTION

Following the last word of each section the source of the section is cited in parentheses. The citation shows the original source as well as all amendments. If the source of the section is complicated, an additional explanation is found in the reviser's note.

REVISER'S NOTES, ANNOTATIONS, AND REFERENCES

Annotations and collateral references appear at the end of a section. Case notes are prepared from the cases rather than from the headnotes and cover all cases involving Alaska law, such as cases in the U.S. Supreme Court, circuit court of appeals, district court for the territory of Alaska, U.S. district court, and the superior court. Cross-references are added where helpful such as cross-references to the court rules in title 9, Civil Procedure, and title 12 Criminal Procedure. Annotations are prepared to all published opinions of the attorney general since statehood, from January 3, 1959 to June 1962. Collateral references to American Jurisprudence, American Law Reports, and Corpus Juris Secundum are included where appropriate. Reviser's notes and editor's notes cover explanatory material affecting a section and include executive orders of the Governor having the force of law. The executive orders are indexed in the same manner as the law, though they appear only in a note.

TABLES

After the 47 title pamphlets there is a pamphlet containing tables. One table indicates what has happened to each section of Alaska Compiled Laws Annotated 1949 and the subsequent session laws. If a section of law has been repealed, the table will give the repealing citation. If a section is in the Alaska Statutes, the number of the section will be listed. If a section is not in the Alaska Statutes, the table will show it as deleted. There are varied reasons for deletions. The revision contains only general and permanent law so special, local or temporary laws, laws making appropriations, and laws affecting a bond issue or authorizing a bond issue are deleted. In addition laws which are obsolete because of statehood, executed, or held unconstitutional by the State supreme court are also deleted.

There is a second table based on the first Alaska code which was published in 1900, Carters Annotated Alaska Code. The code contains five parts: Part 1—The Penal Code; Part 2—Code of Criminal Procedure; Part 3—The Political Code; Part 4—The Code of Civil Procedure; and Part 5—The Civil Code. The table indicates if a section of Part 1—The Penal Code, and Part 5—The Civil Code, is essentially the same as a section of the Alaska Statutes and the Alaska Statutes section number is listed. Since most of the sections in Carters Annotated Alaska Code were derived from some other State, the derivation of the sections are shown. Finally, the table shows whether or not the State from which a particular section was derived has that law today and if so the section number is listed. For example, AS 09.55.010 is derived from Carters Annotated Alaska Code, part 5, section 32, which was in turn derived from Hills Oregon Code, section 2947, which today is Oregon Revised Statutes section 33.310. By comparing AS 09.55.010 with ORS 33.410 and shepardizing the latter, an attorney can quickly tell if there are any Oregon cases which can be of assistance to him, or he can ascertain if a section of the Alaska Statutes was the same in 1900 so that Alaska cases from that date forward can be researched.

No section of Part 3—The Political Code, exists in today's law. The table has not yet been prepared for Part 2—The Code of Criminal Procedure, and Part 4—The Code of Civil Procedure. This will be completed and included in a cumulative supplement pamphlet. It is hoped that later cumulative supplements can contain annotations to cases on other States which have practically the same law today and from which we derived our law as shown by this table.

ANNUAL CUMULATIVE SUPPLEMENT PAMPHLETS

At the close of each legislative session a cumulative supplement will be prepared which will include all statutory changes, supplemental annotations and collateral references made in all titles in the Alaska Statutes, and amendments or annotations to the Alaska constitution, tables and indexes. If, for examples, titles 1 to 10 are in volume 1, then the cumulative supplement pamphlet for that volume will include changes or additions to items in the first pamphlet (such as to the Alaska constitution) and to the first 10 titles. The cumulative supplement pamphlet for the last volume would cover changes in the titles in that volume as well as tables and the concordance index. The supplement will also contain a table of sections which will reflect which sections have been added, amended, or repealed.

A blue dividing page will separate the material supplementary to one title from the material supplementary to the next title. If a section is added or amended and again amended by a subsequent legislature, this fact will be reflected in the table of sections and the nature of the amendments will be indicated in a note at the end of the section, but the section itself will be written as last amended. Thus, the user of the statutes need look in only two places to find the current law year after year. He looks first in the title pamphlet and then one place in the Annual Cumulative Supplement Pamphlet.

If a section is repealed, the cumulative supplement will indicate this in a reference at the appropriate section number and in the table of sections. When a replacement pamphlet is issued, the repealed sections will be noted in the replacement pamphlet, but not the notation of the section or the repeal citation.

REPLACEMENT PAMPHLETS

A replacement of a title by reprinting the pamphlet or pamphlets containing the title will be made when the supplemental material, including amendments, annotations, collateral references, and notes exceeds one-third of the pages in the original pamphlet or pamphlets of the title. When replacement pamphlets are needed they will be published at the same time as the cumulative supplement and the annual contents card at no additional cost to those purchasing the cumulative supplement.

BINDERS

The binders have two important features. A lever inside the front cover releases the lock and allows the top cover to be lifted up and pamphlets extracted. The top cover does not need to be pushed down against the pamphlets to lock the binder. If extra space is left between the front cover of the binder and the pamphlets the volume will lie flat when open for use.

The binder has a plastic picture insert frame. A card slipped under the plastic indicates the volume number and the material it contains. When expansion is required, an additional binder is used and new cards are inserted indicating the material then contained in the six volumes. Also, if the material in only one volume becomes excessive, the pamphlets can be redistributed between volumes at the time of the publication of the cumulative supplement pamphlet and new cards prepared for insertion in the plastic frames. This simple maneuver allows for expansion of the statute without having to replace all the binders.

EFFECT

Under chapter 16 SLA 1962 (AS 01.05.010 and 01.05.020) the Alaska Statutes were adopted as prima facie evidence of the law of the State and "In all courts, tribunals, and public offices of the State, the matter set out in the Alaska Statutes establishes prima facie the laws of the State of Alaska of general and permanent nature." Chapter 84, SLA 1962 (AS 01.05.030) allows the Alaska Statutes to be cited, amended or repealed after January 1, 1963, and any amendment, including the entire context set out in the amendatory act, shall, as amended, constitute the law. A bill will be introduced in the 1963 session of the legislature to adopt the Alaska Statutes as the law of the State.

LEGISLATION

Formerly, a bill could act upon existing law, as by amending Alaska Compiled Laws Annotated 1949 or a session law, or it could create new law without reference to existing law. The Alaska Statutes, however, codify all general and permanent law, and amendments and additions to and repeals of general and permanent law may be made only by specific reference to the Alaska Statutes. For example: "Section 1. AS 26.15.100 is amended to read:" or "Section 1. AS 26.15 is amended by adding a new section (or new sections) to read:" or "Section 1. AS 26 is amended by adding a new chapter to read:" The section to be amended or the section or sections to be added are then set out.

Legislation which is not of a general and permanent nature has not been affected by the publication of the Alaska Statutes. Bonding laws, appropriation laws, and laws of a local, special or temporary character may therefore be enacted, amended, or repealed without reference to the Alaska Statutes.

The "Manual for Legislative Drafting" published by the Alaska Legislative Council contains sections on legal drafting and clerical drafting which specifically describe legislative drafting methods for the 1963 legislative session.

ERRORS

A bulk formal revision is a monumental task requiring many months of careful work. But regardless of how carefully it is done errors are inevitable in a work of this magnitude. Users of the Alaska Statutes are therefore invited and requested to report errors or suspected errors to the Reviser of Statutes, Alaska Legislative Council, Post Office Box 2199, Juneau, Alaska. Corrective legislation will be introduced immediately so that the Alaska Statutes will become a more perfect product.

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ADDRESS BY SENATOR McINTYRE BEFORE YOUNG DEMOCRATS OF NEW JERSEY

Mr. WILLIAMS of New Jersey. Mr. President, the Young Democrats of New Jersey were fortunate enough to be hosts on May 25 to Senator Thomas J. McIntyre, of New Hampshire. At their annual conference in Atlantic City, the Young Democrats heard Senator McIntyre give a vigorous analysis of some of the problems that face our Nation and other nations today. His comments were timely and welcome, and they show that the Senator from New Hampshire has a keen understanding of the need for the creativity and the initiative to deal with social and economic problems as they arise. His words to the New Jersey Young Democrats should be shared with other citizens; I ask unanimous consent to have the address printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by U.S. Senator Tom McIntyre, Democrat, of New Hampshire, Annual Convention, Young Democratic Club of New Jersey, Atlantic City, N.J., May 25, 1963

My fellow Democrats and friends, I am always particularly pleased to have the opportunity of joining with the Young Democrats on occasions such as this, for having been a Young Democrat once myself, I feel a special bond and a special indebtedness to the Young Democrats.

Since becoming a U.S. Senator, I have—as you may imagine—received many requests to speak at a variety of functions. Most of them I am delighted to accept, when my schedule allows. Frankly, however, I'm a little worried about an appearance I'm to make this Memorial Day observance back in New Hampshire. When I received the invitation, it was worded this way: "The program will include a welcome by the mayor, a concert by the local band, your address and then the firing squad."

I first became a member of the Young Democrats in September of 1936 at Dartmouth College, Hanover, N.H. It was the year of Franklin D. Roosevelt's bid for reelection and I came under the spell of a young man from Kentucky by the name of Bill Clay. Bill was a young orator and a fervent Democrat. Our group was small, about 20 to 25 in number, but what we lacked in size we made up in inspiration. Our president, Bill Clay, got all of us so excited about the qualities and the leadership of F.D.R. that we decided to take our cause into the surrounding hills of Hanover. Up and over the dirt roads of the adjoining towns Lyme, Orford and Enfield and down and around the banks of the Connecticut River we carried our important message. We had no full realization then of what kind of alien territory we were trying to convert. But no group of missionaries ever journeyed into the dark reaches of Africa with more fervor than about a dozen of us Young Democrats. The territory we encountered, while not overly populated, was almost 100 percent Republican. It was the roughest sort of territory for a bunch of political neophytes. In fact, I talked to one old gal who still held the definite opinion that Herbert Hoover was the President of the United States. We couldn't help the local county Democratic candidates because there were none. I don't have to tell you who won the presidential election but privately and secretly, we the Young Democrats of Dartmouth took credit for the fact that New Hampshire in that year of 1936 came over to the Democratic column with its electoral votes.

Last June while attending my 25th reunion at Dartmouth College, I saw Bill Clay for the first time in 25 years. I told him I had a mind to run for the U.S. Senate and Bill, still a Young Democrat at heart, made the first contribution to my campaign.

For many years, New Jersey Democrats, have had ample cause to be proud of their Young Democrats, as you are known as one of the most active and able groups in the country. The Democrats have done well here in New Jersey—men like Bob Meyner, Pete Williams, and now Gov. Dick Hughes have been the result. You the Young Democrats have contributed your share to these well-earned victories. So I salute you as soldiers in the ranks today and leaders of the Democratic Party in New Jersey and in the Nation tomorrow. For certainly this has been true in New Hamshire where the victory was, in many respects, fashioned by an outstanding Young Democrat who rose to become our national committeeman, Mr. William Dunfey, of Hampton, N.H.

As you might suspect, from the fact that we had not until last fall elected a Democratic Governor in 40 years or a Democratic Senator in 30 years, our State organizational strength was to say the least very spotty. It was therefore, a real thrill for me as a candidate to witness a Young Democratic organization come into existence in the city of Portsmouth, N.H., for example. This group, numbering in all about 100, did a truly bangup job. It helped one successful Democratic candidate carry not only the city of Portsmouth, but the strong, hardcore Republican county of Rockingham. Its leadership was centered around three or four young men from the University of New Hampshire and Boston University. Its enthusiasm knew no bounds—its will to win was infectious.

To give you an idea of some of these Young Democrats' activities:

They opened and manned a Main Street headquarters.

Conducted a series of barbecues and raised money for their activities.

Increased their membership by leaps and bounds.

Volunteers on weekends rode trucks all over our State putting out homemade signs.

Organized and led bumper sticker campaigns at supermarkets and trading centers with unbelievable results.

Elected two of their members to the State legislature.

The sincerity and numerous activities of the group drew editorial praise from the local press.

In fact, the whole city was caught up in their enthusiasm. We had about a half dozen other Young Democratic groups in the State, but during the closing days of the campaign I often silently wished that the zeal, optimism, and hard work of the Portsmouth Young Democrats could have been duplicated in every city in New Hampshire. For I truly believe that if this had been true we would have also elected a Democrat to the First Congressional District. I can truthfully say that when you are lucky enough as a candidate to have young men and women working for your candidacy with all the energy that youthful groups can generate, you are a fortunate candidate indeed.

New Hampshire, as you know, is my home State and recently it has been very much in the news. The passage of a State lottery law has raised more than one eyebrow across the Nation.

Let me try to place this law in some form of perspective for you. After years and years of Republican leadership, New Hampshire's tax system remains primitive. We have no general sales tax, no individual or corporate income tax except a negligible tax on interest and dividends. The bulk of State income is raised by excise taxes on such things as cigarettes, alcoholic beverages, parimutual racing, and gasoline. The communities are staggering under heavy property taxes. Our State is 50th, or last, in the Nation in aiding towns and cities with the problems of education. Something had to be done. New Hampshire is a small but honest State. I can think of no better place to conduct this experiment. If it works, I imagine other States will follow. If you look at it in this context, you may be better able to understand how it happened. But make no mistake, the lottery bill became law because of the genuine and overwhelming endorsement of it by the average men and women of New Hampshire. It had strong bipartisan support. Currently in New Hampshire just about everyone is claiming credit for its enactment.

All of us are fortunate that we are members of the Democratic Party, a party which despite the fact that it represents a coalition of many minority groups and of many regional viewpoints is nevertheless the party that has dominated the national scene for the last 30 years. The fact that it dominated this scene has been no accident. It is because our choice as a party was made 30 years ago and our President, John F. Kennedy, has and is keeping us in full pursuit of that choice, the choice of anticipating the future rather than clinging to the fading institutions of the past. The folly of the Republican Party, the fatal defect in its thinking all these years has been its consistent habit of doing its utmost to stop our progress along what Tennyson called "The ringing grooves of change."

The Republican Party's opposition today to the President's program is not particularly effective, but where this opposition deals in the scare headline technique with respect to Cuba and again where it calls for economy in the form of budget slashing and gouging, I will have to admit it does score some miserable, irresponsible points. The prize issue of the conservatives is Cuba. Here, as always, they are debasing the currency of political debate, for as you know, the wages of rightwing hysteria are fear. They take a woefully exaggerated view of the present military danger posed by Cuba, which is a third-rate military power by modern-day standards of defensive capacity against the vehicles of nuclear attack. Constant surveillance has prevented and will continue to prevent any further use of the island as a base for Soviet strategic weapons as a deterrent screen giving Castro any freedom for military movements in the Caribbean. His capacity for overt action and nuclear blackmail was stifled by our prompt action in October, and cannot be regained without a direct reply from the United States.

What should concern us, my friends, is to destroy Castro's capacity for covert subversion, and to replace his regime with one that will restore freedom to Cuba. A series of strong economic counterpressures have caused drastic reductions in trade, until Cuba's trade with the free world today is but 15 percent of what it was in 1960. The annual norm for the Cuban sugar crop has been on the order of 6 to 7 million tons. In 1962 it was 4 million tons. Furthermore, Castro's stock among university-trained people and other Latin American opinion makers has never been so low as it is right now. Yet the weaker Castro becomes, the more shrill are the cries of danger from the ever-vocal right wing.

The principal difficulty in articulating an adequate response to the real threat of Cuba, which is to the rest of the hemisphere rather than to ourselves, has been to make an effective unit out of the differing national interests of Central and South America. We must go further toward harassment of the regime and toward effective quarantine on travel. But unless such action is taken in concert with our allies it increases disunity and widens the breaches through which subversion may enter other lands of the hemisphere. But above all, let us remember that communism will not cease to threaten South America when Castro is gone. The Alliance for Progress offers a permanent solution to what Secretary of Defense McNamara has called the danger of "discouragement, disillusionment, and despair" in this hemisphere.

The problems, including Cuba, with which we deal today are difficult ones. There are rarely easy answers.

For the first time, we as a nation which has historically suffered from a shortage of labor, have had to deal with the problem of chronic unemployment since 1957; the unemployment rate has passed 5 percent in all but 1 month.

For the first time, we as a nation of abundant land and rich resources have had to deal with problems of congested cities, misuse of resources and water, and air pollution. In the 1960's 75 percent of our people live on only 2 percent of our land.

We have passed through a period of nuclear superiority wherein our overwhelming first-strike capability formed the basis of defense policy. We now enter a new and troubling period where neither of the great powers has a clear advantage because each has emplaced missiles in hardened sites which can reply even after a nuclear attack.

Because the programs which we have proposed are new, we are told that they are unneeded. Because they involve the spending of funds, we are told that they are unwise. The prophets of doom and disaster wring their hands and cry of the paternalistic state. They charge that we are coddling the citizen from cradle to grave. They warn that we would destroy that independence and self-reliance upon which America was founded.

In reply I need only ask: Who is the more independent—the unemployed, who hat-in-hand must beg for work where none exists? Or the employed, who through retraining have learned useful skills and secured productive jobs?

Who is the more independent—the elderly citizen who must rely upon public charity to pay the costs of hospital care? Or the citizen who has saved through social security for such an emergency and thus can pay with his own earnings?

Who is the more independent—the consumer who is victimized by false packaging and misleading advertising? Or the consumer who can choose from a variety of goods, secure that he will get that for which he pays, and safe from harmful or damaging merchandise?

I for one—and I think that you as Democrats will agree—feel that these human needs are the proper province for government concern. And we must make sure that these changes represent blessings rather than burdens. If we are to assure this, we must allow ourselves the freedom, and demand of ourselves the creativity and the initiative to deal with social and economic problems as they arise.

As the 1964 campaign gets underway the Presidency is but part of our task. We must also elect another Democratic Congress. In New Jersey this will mean returning to office one of the finest Senators I have had the privilege to know—Senator PETE WILLIAMS. It will also mean sending Democrats to the House of Representatives.

In 1964 the issues will be on our side. Our side will also have the candidates. But this, alone, is not enough. You—the members upon whom our Party depends—must make sure that in addition to the issues and the candidates, we have the organization, the teamwork and the popular voice with which we can win.

We depend on you—the young members of a youthful Party to carry the message of the Democratic program to the people of New Jersey. For the future at which our program aims is your future and that of your children. And the America which we wish to see in that future can only be as strong as our efforts of today.

One fact we know—our candidate for the Presidency has already shown his metal, already proved his calibre, already given us the start we need.

This man—John Fitzgerald Kennedy—will lead the way.

PROPOSED BAN ON ATMOSPHERIC AND UNDERWATER NUCLEAR TESTING

Mr. STENNIS. Mr. President, I have read with a great deal of interest Senate Resolution 148 which was introduced in the Senate by the distinguished Senator from Connecticut [Mr. DODD] and others on May 27. This resolution proposes that the Senate go on record as supporting a renewed U.S. offer to the Soviet Union of an agreement banning all tests that contaminate the atmosphere or the oceans and that, in the event of the rejection of such offer, we commit ourselves unilaterally to a moratorium on such testing.

I recognize that it is the objective of the resolution to bring to bear upon the negotiations in Geneva the prestige and influence of the U.S. Senate in the hope that these so far futile talks might finally succeed in achieving at least one small, faltering step in the direction of slowing the arms race.

I am sympathetic with the objectives which the Senator from Connecticut has in mind. I am not one of those who would oppose any test ban agreement at all times and under all circumstances. I am one, however, who insists that any such agreement be ironclad and be fully adequate to protect our security, safety, and survival. In this crucial area—upon which the very survival of our country might depend—we must be certain, not only beyond all reasonable doubt, but to the exclusion of every reasonable hypothesis of a doubt.

Therefore, as much as I sympathize with the objectives of the Senator from Connecticut and those of my colleagues who joined him in sponsoring the resolution, I must give expression to my conviction that we cannot afford to act in this vital field until we are in full possession of all facts which bear on the question of whether any cessation of atmospheric nuclear testing by us—whether unilaterally or as the result of an agreement—is truly in the national self-interest.

I think that we will all agree that in the past it has been necessary for us to conduct nuclear tests, despite any hazards and disadvantages that might accompany them, for the purpose of insuring that this Nation had at its disposal the means to insure our survival. From atmospheric testing have come all of our major nuclear weapons developments and our knowledge of the means to employ them most effectively in the defense of our country if it should become necessary. For my part I would support an atmospheric nuclear test ban only if I was entirely convinced that there is absolutely no relationship between continued testing by this country and the ability of our retaliatory or second strike forces to survive a surprise nuclear attack.

I am sure that we would all agree that a nuclear test ban would not be in the national interest if we were at a substantial qualitative disadvantage to the Soviets in the field of the development of nuclear weapons. While I do not believe that such a qualitative disadvantage exists it is clear that, if it did exist, a cessation of testing by us might be a prelude to national suicide. It is clear that we need hard and cold facts in this area.

We also need hard and cold facts in the area of nuclear effects, in determining what effect an enemy's nuclear explosions would have upon our ability to survive and respond. If there are real, tangible, and substantial doubts and unresolved questions in this field which cannot be resolved without further atmospheric testing, then, as President Kennedy said on March 2, 1962, "until we measure the effects of actual explosions in the atmosphere under realistic conditions, we will not know precisely how to prepare our future defenses, how best to equip our missiles for penetration of an antimissile system, and whether it is possible to achieve such a system for ourselves."

These are some of the questions which must be asked and answered before the necessary unqualified assurance in this field can be acquired:

Are atmospheric nuclear tests required to provide our Nation with an effective defense against Soviet intercontinental ballistic missiles?

Are atmospheric nuclear tests required to provide our Nation with a certain capability to penetrate a Soviet missile defense employing nuclear warheads?

Are atmospheric nuclear tests required to assure the immunity of our second strike missile systems to a surprise enemy nuclear attack?

Are atmospheric nuclear tests required to develop specialized nuclear warheads to defend our Nation against satellite bombs and other terror weapons with which the free world has been threatened?

President Kennedy in his statement of March 2, 1962, said that, until we have the necessary testing, we cannot be certain how much of our preparation in the field of nuclear weapons "will turn out to be useless: blacked out, paralyzed, or destroyed by the complex effects of a nuclear explosion." Nothing less than certainty in this area will suffice.

That statement was made by the President some time ago, but I am reliably informed that we have not yet completed an evaluation of the tests to which he referred at that time. That evaluation is still in progress and has not been completed and its effect fully determined.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Missouri, who has very extensive knowledge of this complex problem, as well as a very keen interest therein.

Mr. SYMINGTON. Mr. President, I congratulate the able Senator from Mississippi for bringing to the attention of the Senate the fact that he, with great preparation and care, is attempting to obtain the facts with respect to this all-important subject. The future of the United States and the free world could possibly depend upon decisions made in this field.

Has the Senator not been disturbed by some of the detailed technical information which has been presented to the subcommittee in the many days and weeks of hearings by the experts in their particular fields with respect to what could happen to certain aspects of our defense structure if the Soviets were to continue tests in secret and at the same time this country should decide to enter into another moratorium comparable to the 34-month moratorium between 1958 and 1961.

Mr. STENNIS. Based upon the sincere testimony taken under oath, which we have heard from competent witnesses, I am greatly disturbed by the things we have learned with reference to the possibilities—even in some cases probabilities—as to what would be our situation should we be caught short, so to speak. The Senator from Mississippi believes that there must be a thorough consideration of these questions immediately. I believe that a more thorough consideration will bring out the certainties and uncertainties, so that a real evaluation can be made.

Mr. SYMINGTON. I believe that the Senator from Mississippi is performing a great service this evening in making these observations, in his typically quiet and thorough manner.

Mr. STENNIS. I thank the Senator. Unfortunately, most of the testimony that we have received is of the highest security nature, and cannot be published now.

I do nothing more than state the simple truth when I say that the U.S. Senate does not now have full, complete, and unequivocal answers to these fundamental questions. It is easy to ask them; it is difficult to acquire the answers. I, for one, am convinced that the answers must be forthcoming before the Senate commits itself to any course of action, or to any recommendation, on a matter which bears so directly on our ability to survive.

It was for the purpose of acquiring the answers to these and similar questions that the Preparedness Investigating Subcommittee, of which I am privileged to be chairman, last September commenced hearings on our nuclear test ban proposals, one of which was substantially identical to the agreement proposed by Senate Resolution 148. This was rejected out of hand by the Soviets.

The subcommittee resumed its hearings on this matter early this month. The hearings have not been overly publicized partially because we have not sought publicity and partially because the sensitive matters involved made it necessary that they be conducted behind closed doors. Nevertheless, we have made and will make an earnest, determined, and conscientious effort to develop all of the facts and arrive at answers to the many difficult questions which are involved.

As evidence of the scope of the hearing, let me point out that we have thus far received testimony from officials of the Arms Control and Disarmament Agency, from the Department of State, from the Assistant Secretary of Defense for International Security Affairs, from the Air Force Technical Applications Center, and from the Director of Central Intelligence. Before we conclude we will receive further testimony from the Atomic Energy Commission, the Defense Atomic Support Agency, the Joint Chiefs of Staff, the Director of Defense Research and Engineering, the Los Alamos Scientific Laboratory, the Lawrence Radiation Laboratory, other senior officials in the Department of Defense, and eminent members of the scientific community. I believe I am correct in saying that an inquiry of this scope and scale into this subject matter has not previously been undertaken by a congressional committee, directed particularly with reference to a nuclear test ban.

When our investigation has been completed the results will be made available to the Senate and, to the extent permissible by security considerations, to the American people. My only regret is that the sensitive nature of the information will prevent our making public all of the facts which we develop and on which we will base our conclusions and recommendations.

I wish only to add that on this matter of a nuclear test ban the Senate of the United States, in my opinion, has a very special responsibility. We have been assured repeatedly and consistently by the highest officials of the executive branch that any agreement reached with the Soviet Union on this matter would be in the form of a treaty. I sincerely hope that the phraseology of the resolution which was introduced yesterday calling upon the U.S. Government to again offer the Soviet Union an immediate agreement banning atmospheric tests is not subject to any other interpretation. A nuclear test ban in any form is so intimately related to the problem of national survival that there must be a court of last resort responsive to the needs and to the wishes of the people. Where a treaty is involved that court is, by constitutional requirement, the U.S. Senate. I believe that, in passing upon the question, the Senate should have available to it essentially the same body of detailed evidence which is available to the Executive branch in reaching its policy decisions.

We are now in the process of receiving the advice and information which we hope will lead ultimately to informed judgment on the question of whether the proposed nuclear test ban agreement or, indeed, any cessation of nuclear testing is in the national interests. Until that process is completed I believe we should act with caution and with full awareness of the fact that the subject of a nuclear test ban—any nuclear test ban—has serious security implications for the nearly 200 million Americans who rely upon our judgment.

Mr. HUMPHREY. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from Minnesota, who is well versed in this field and has been working in it for some time.

Mr. HUMPHREY. I appreciate the effort of the Senator from Mississippi to give the Senate his very learned and informed presentation on the subject of the resolution submitted yesterday by the distinguished senior Senator from Connecticut [Mr. DODD] and myself, and other Senators.

The resolution was of a very limited nature, as the Senator from Mississippi has pointedly informed us. It relates only to tests in the atmosphere and under water.

I believe I may say without question that there is no doubt as to our ability to direct tests in either the atmosphere or under water. I have yet to hear any testimony that would indicate doubt as to the reliability of being able either to identify or to ascertain tests which take place in the atmosphere or under water.

There is honest disagreement over the efficacy and adequacy of the monitoring and identification system of underground tests; and there is some doubt as to the capacity to identify or monitor or detect tests in outer space.

But the resolution does not pertain to those phases of testing. There are those who feel that a resolution such as the one which has been submitted should not even be offered, because it might weaken the administration's position on the comprehensive test ban. As the Senator from Mississippi and the Senator from Missouri know, the senior Senator from Minnesota has supported a comprehensive test ban as proposed at Geneva. However, I have not supported it without recognizing that some risks were involved.

I have, in my own judgment, agreed with the position of the administration—not only of this administration, but of the previous administration—that the risks in the test ban proposal were less than the risks of continued testing. But that is a question involving an honest difference of opinion.

However, in this situation I do not feel that our national security could be adversely affected, because the resolution provides that there must be a constant state of readiness and alert for our testing facilities; and that there must be no letdown. It further provides that at the first sign of Soviet testing, we would immediately feel free to test, because we would be in a constant state of alert with our testing facilities and would not be subject to the delay which occurred a year ago.

Before the last series of tests, the Senator from Minnesota was concerned over what he believed would be a Soviet breach of faith. I said so in the Senate; and in the month of June—almost a year ago—I wrote to the Chairman of the Atomic Energy Commission and asked the question: Are we prepared or are we making preparations to renew testing in case of a Soviet breach of understanding? I went on to say that I expected that breach to come; that I expected the Soviet might well indulge itself in further testing; and that I hoped we would be prepared promptly. Regrettably, we were not so well prepared as we should have been. There was some delay. I do not know whether that has adversely affected our security position or not; but the fact is that there was a delay.

Half a dozen times I studied the resolution submitted by the Senator from Connecticut before it was presented, because I recognized the delicacy and sensitivity of the issue. We made certain that there would be a ready alert on testing. That is why I feel that the statement of the Senator from Mississippi and the Senator from Missouri are so applicable. I hold both Senators in the highest respect, not only in this instance, but in others, as well.

The Senator from Connecticut and I believe that testing in the atmosphere and underwater is readily detectable and therefore not subject to cheating. The danger in the test ban proposal—if there is a danger—is that the Soviet Union might undertake some clandestine tests which would not be subject to adequate monitoring or adequate identification. If that were the case, we could be in serious jeopardy. We do not want to let ourselves get into that situation.

I shall not prolong the discussion, because what we are doing is really one of the purposes for which the Senate exists. I said so yesterday. It is not so much a question whether we all agree; it is the fact that we bring out issues and state our points of view, based upon all the experience we have.

I know that the Subcommittee on Preparedness, of which the distinguished Senator from Mississippi is the chairman, has been performing a statesmanlike service investigating the whole subject of nuclear tests and the capacity of the U.S. Government or any other government properly to monitor and identify those tests.

Mr. STENNIS. On behalf of all of the members of the committee, I thank the Senator from Minnesota for his compliment.

Mr. HUMPHREY. Such an investigation is required. I believe it is being conducted in the most careful and honorable manner. There has been no fanfare; there has been no effort to gain headlines or to make emotional statements. The work of the subcommittee has been very carefully done, and I believe it is important that the work be done. It is a service to the country.

I am sure the Senator from Mississippi and the Senator from Missouri know, from our private conservations, that I believe the administration's proposals are sound. I do not believe any of them should be accepted carte blanche. I do not believe any of them should be adopted without proper scrutiny.

Furthermore, I believe in the treaty process. We have had a commitment from the President of the United States and from Mr. Foster, the head of the Arms Control Agency, that no test ban agreement would be presented unless it were presented in the form of a treaty. Why should that be? Because of what is taking place now. There are differences of opinion on this question. There are minds in this country that must be brought to bear on the subject. They should be enlisted. Surely that is true in the Senate.

Mr. SYMINGTON. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. SYMINGTON. I do not even say that there are necessarily differences of opinion. I do say that for the first time the whole subject is being packaged to the experts on the staff of the Subcommittee on Preparedness. It is being thoroughly investigated. I would hope that before the facts as developed by the Subcommittee on Preparedness are finally developed, there would not be an expression of opinion by the Senate on this question.

Mr. HUMPHREY. Yes.

Mr. SYMINGTON. In recent days, in the committee of which the distinguished Senator from Mississippi is the chairman, I have been disturbed about some of the testimony that has been given; and I think the testimony should be reviewed before we reach any conclusion in respect to this matter. We seek the truth, and should take our position based upon the truth.

Mr. STENNIS. I thank the Senator from Missouri; and I thank the Senator from Minnesota for his fine statement.

In response, let me say that I believe the most immediate danger in connection with this subject is that we might overlook some material facts and might not obtain the full facts, whereas the Senate should have all the facts, in order to be able to make an enlightened judgment in connection with this matter. That is the purpose of our committee hearings and the investigation; and we shall continue in that direction.

Mr. HUMPHREY. Mr. President, I concur in the statement that we should consider this matter carefully and should not take precipitate action, but should await the report of the Subcommittee on Preparedness.

Mr. STENNIS. Mr. President, I thank the Senator; and I yield the floor.

AMENDMENT OF SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940—INCREASED PROTECTION AGAINST EVICTION OF DEPENDENTS FROM PREMISES RENTED FOR DWELLING PURPOSES

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 172, Senate bill 384.

The motion was agreed to; and the bill (S. 384) to amend the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in order to provide increased protection against eviction of dependents from premises rented for dwelling purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (1) of section 300 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (50 App. U.S.C. 530), is amended by striking out "$80" and inserting in lieu thereof "$135."

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 191), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

EXPLANATION OF THE BILL

This bill amends section 300 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, regarding eviction of dependents of servicemen, drafted or involuntarily called into service, from a rented dwelling place, by increasing the present monthly rental limitation of $80 to a rental limitation of $135 a month.

Because of the rise in the costs of rent since 1940, the $80 per month limitation does not afford today the protection for servicemen and their families intended by the original act. The new monthly rental limitation of $135 takes into account the increased rental costs, as gaged by the Business Consumer Price Index.

HISTORICAL BACKGROUND

The first Soldiers' and Sailors' Civil Relief Act was enacted on March 8, 1918, and provided a $50 per month rental limitation on the rented dwelling under the act. In the Soldiers' and Sailors' Civil Relief Act of 1940, the House report pointed out that the increase to $80 per month for a dwelling place was based upon the difference in the value of the dollar in 1940 as compared to 1918.

PRESENT NEED FOR LEGISLATION

The committee believes that as long as individuals are liable for induction under the Universal Military Training and Service Act, and as long as individuals are subject to involuntary recall to active military duty from military Reserve status, a need exists to bring the dwelling rental value designated in 1940 up to present-day equivalent value.

AGENCY REPORTS

Executive Office of
the President,
Bureau of the Budget,
Washington, D.C., March 12, 1963.

Hon. Lister Hill,
Chairman, Committee on Labor and Public Welfare, Senate Office Building, Washington, D.C.

Dear Mr. Chairman: This will reply to your letter of January 23, 1963, with respect to your request for the comments of this Bureau on S. 384, a bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in order to provide increased protection against eviction of dependents from premises rented for dwelling purposes.

The Bureau of the Budget would have no objection to the enactment of S. 384.

Sincerely yours,
Phillip S. Hughes,
Assistant Director for Legislative Reference.

Department of the
Air Force,
Office of the Secretary,
Washington, D.C., March 12, 1963.

Hon. Lister Hill,
Chairman, Committee on Labor and Public Welfare, U.S. Senate.

Dear Mr. Chairman: Reference is made to your request to the Secretary of Defense for the reviews of the Department of Defense with respect to S. 384, 88th Congress, a bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, in order to provide increased protection against eviction of dependents from premises rented for dwelling purposes. The Secretary of Defense has delegated to the Department of the Air Force the responsibility for expressing the views of the Department of Defense.

The purpose of S. 384 is to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to provide increased protection against eviction of dependents of military personnel from premises rented for dwelling purposes.

Current law provides that where dependents of a person in the military service occupy a dwelling for which the rent does not exceed $80 per month, they are protected from eviction from such dwelling during the period of military service except upon court order. S. 384 would extend this protection to the dependents of servicemen who occupy dwellings for which the rent does not exceed $135 per month. This increase in the maximum rent for which protection is afforded recognizes the increase in current rental prices over those in effect at the time of enactment of the present law. This proposed amendment to the Soldiers' and Sailors' Civil Relief Act would increase the number of service families protected by law. Current law which establishes $80 per month as the maximum rental for which protection is afforded significantly limits the number of families protected.

The Department of the Air Force, on behalf of the Department of Defense, recommends that favorable consideration be given to the enactment of S. 384.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely,
Eugene M. Zuckert.

VETERANS' ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR OF
VETERANS' AFFAIRS,
Washington, D.C., March 12, 1963.

Hon. LISTER HILL,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for a report by the Veterans' Administration on S. 384, 88th Congress.

The bill, if enacted, would increase from $80 to $135 the maximum monthly rental of servicemen's dwellings which are subject to the protective provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (50 App. U.S.C. 530).

At the present time section 300 of such act provides generally that in the absence of judicial consent it shall be a misdemeanor to evict the wife, children, or other dependents of a person in military service from any premises occupied chiefly as a dwelling for which the agreed rent does not exceed $80 per month. No change in this amount has been made since 1940 when the section was originally enacted. The comparable figure in the Soldiers' and Sailors' Civil Relief Act of 1918 was $50 per month.

The Soldiers' and Sailors' Civil Relief Act was designed to afford broad protection to persons while in military service. Except for article IV, relating to the guarantee of certain commercial life insurance premiums, the provisions of the act are not administered by the Veterans' Administration, although our loan assistance activities are sometimes affected if the veteran has reentered the service. Most of the provisions of the act, including section 300, are construed and enforced by the courts in additional cases.

The Department of Defense and the Department of Justice would appear to have considerable interest in the type of legislation proposed by S. 384, and the committee may desire to obtain their comments on the bill. Under the circumstances, the Veterans' Administration defers to the views of those Departments as to the merits of the proposed legislation.

Advice has been received from the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,
J. S. GLEASON, Jr., *Administrator.*

LIBERALIZATION OF CODE PROVISIONS RELATING TO AUTOMOBILES FOR DISABLED COLD WAR VETERANS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 173, Senate bill 449.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 449) to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans, which had been reported from the Committee on Labor and Public Welfare with an amendment, on page 2, after line 3, to strike out: "and for each veteran who suffered the loss or permanent loss of use of one or both feet due to disability incurred in or aggravated by active military, naval, or air service during the induction period, if such disability was incurred or aggravated in line of duty (1) as a direct result of armed conflict, or (2) while the veteran was engaged in extrahazardous service (including such service under conditions simulating war)."

And, in lieu thereof, to insert: "and for each veteran who is suffering from any of the disabilities described in clauses (1), (2), and (3) above as the result of an injury incurred or disease contracted in or aggravated by active military, naval, or air service during the induction period, if the injury was incurred or the disease was contracted in line of duty (1) as a direct result of armed conflict, or (2) while the veteran was engaged in extrahazardous service (including such service under conditions simulating war)."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1901 of title 38, United States Code, is amended—

(1) By striking out clause (3) in subsection (a) and inserting in lieu thereof the following:

"(3) Permanent impairment of vision of both eyes of the following status: Central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye;

and for each veteran who is suffering from any of the disabilities described in clauses (1), (2), and (3) above as the result of an injury incurred or disease contracted in or aggravated by active military, naval, or air service during the induction period, if the injury was incurred or the disease was contracted in line of duty (1) as a direct result of armed conflict, or (2) while the veteran was engaged in extrahazardous service (including such service under conditions simulating war)."

(2) By amending subsection (b) to read as follows:

"(b) For the purposes of this section—

"(1) the term 'World War II' includes in the case of any veteran, any period of continuous service performed by him after December 31, 1946, and before July 26, 1947, if such period began before January 1, 1947; and

"(2) the term 'induction period' means the period beginning on February 1, 1955, and ending on the day before the first day thereafter on which individuals (other than individuals liable for induction by reason of a prior deferment) are no longer liable for induction for training and service into the Armed Forces under the Universal Military Training and Service Act."

SEC. 2. Section 1905 of title 38, United States Code, is amended (1) by striking out at the beginning of the first sentence thereof "The benefits", and inserting in lieu thereof "(a) Except as provided in subsection (b) of this section, the benefits", and (2) by adding at the end thereof a new subsection as follows:

"(b) In the case of any veteran who suffered any of the disabilities specified in section 1901 of this title as the result of service during the induction period and who was discharged or released from active military, naval, or air service before the date of enactment of this subsection, any applicable time limitation contained in subsection (a) of this section which otherwise would have begun to run prior to the date of enactment of this subsection shall not begin to run until that date."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 192), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE BILL

This bill, as amended by the committee, authorizes the Administrator of Veterans' Affairs to make grants toward the purchase of an automobile to certain seriously disabled service-connected veterans of the cold war on the same basis that such grants are now available to seriously disabled veterans of World War II and the Korean conflict under chapter 39, title 38, United States Code. These grants, which would not exceed $1,600, would be available only to a cold war veteran with service-connected disability that has resulted in—

(1) Loss or permanent loss of use of one or both feet;

(2) Loss or permanent loss of use of one or both hands;

(3) Permanent visual impairment to the degree prescribed.

Veterans made eligible for automobile grants by this bill must have suffered one of the indicated disabilities in military service during the period beginning February 1, 1955, and ending on the day before the first day thereafter on which individuals are no longer liable for induction into the Armed Forces under the Universal Military Training and Service Act.

It is noted that the standard contained in the bill has direct precedent in the War Orphans Educational Assistance Act which contains an identical standard in regard to the conditions under which a cold war serviceman must incur death to qualify his child for educational assistance.

The bill contains a savings provision concerning eligible veterans who would be barred from actual receipt of benefits under the bill by reason of the length of time since separation from active service. The basic time limit for the automobile grant is 5 years after the date of the veteran's discharge or release from active service. The Veterans' Administration pointed out that there are some veterans who suffered the requisite disability after January 31, 1955, who have already been discharged from service more than 5 years. To assure that all eligible cold war veterans will be afforded an equitable period of time in which to file for this benefit, this bill amends section 1905 of title 38, United States Code, so as to delay, until the date of enactment of this amendatory act, the start of the running of the time limitation in this section.

Mr. Charles L. Huber, testifying for the Disabled American Veterans, stated that the DAV in convention adopted a resolution asking Congress to grant all wartime benefits to the class of veterans covered by this bill. That organization recommended that the disability provided for by this bill be extended to include the loss or loss of the use of one or both hands, as well as visual impairment to a prescribed degree. The committee concluded that the loss of a hand, a foot, or impairment of vision to the prescribed degree, under requisite conditions in Vietnam today justifies entitlement to this auto grant to the same extent as it did for those same disabilities when suffered during World War II and the Korean conflict. Therefore, the committee adopted the foregoing amendment, by Senator Kennedy, which adds the loss or permanent loss or use of one or both hands, and the permanent visual impairment to the degree prescribed in the bill, under requisite conditions, as disabilities which would warrant the grant.

BACKGROUND OF THE BILL

An automobile or other conveyance was first authorized in 1946 (Public Law 663, 79th Cong.) as a rehabilitative measure and prosthetic aid for World War II veterans who were receiving compensation for the loss or loss of use of one or both legs at or above the ankle. Its price could not exceed $1,600. In 1950 (Public Law 798, 81st Cong.) the law was amended to permit the purchase of cars costing in excess of $1,600, the Government paying that amount and the veteran paying the difference.

After the start of the Korean conflict, the Congress in 1951 (Public Law 187, 82d Cong.) extended the program to Korean conflict veterans and broadened it to include veterans of both periods of service who had suffered the loss or permanent loss of use of one or both hands or permanent impairment to the vision of both eyes to a prescribed degree.

NEED FOR LEGISLATION

The committee believes that the benefit in its recommended bill should now be extended to veterans of the present cold war who suffer the requisite disability in service between January 31, 1955, and the date when individuals are no longer liable for induction under the Universal Military Training and Service Act. These cold war veterans are undergoing compulsory military service and are engaging in duty which is quite comparable to much of the service rendered during the Korean conflict period.

Mr. HUMPHREY. Mr. President, let me say that all these bills have been cleared with both sides.

MEDICAL CARE FOR FISHING BOAT OWNERS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 176, Senate bill 978.

The motion was agreed to; and the bill (S. 978) to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (h) of section 2 of the Public Health Service Act (42 U.S.C. 201(h)) is amended to read as follows:

"(h) The term 'seamen' includes any person employed or self-employed on board in the care, preservation, or navigation of any vessel, or in the service, on board, of those engaged in such care, preservation, or navigation;".

Sec. 2. Section 322(a)(1) of such Act (42 U.S.C. 249(a)(1)) is amended by inserting immediately after the word "employed" the following: "or self-employed".

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report—No. 194—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF BILL

The purpose of S. 978 is to restore to self-employed U.S. fishermen eligibility for medical care in hospitals, outpatient clinics, and other medical facilities of the Public Health Service in the event of illness or injury incurred while engaged in their hazardous but essential occupation.

For 156 years—from 1798 to 1954—such eligibility did exist. The Federal Government during this period rightfully recognized that the fisheries industry is made up largely of fishermen who own fishing craft individually or jointly with other fishermen and who share the same toil and dangers at sea as do those working with them who receive wages.

In times past many employee fishermen aspired to acquire their own vessels and many succeeded in doing so, thus strengthening the American fishing fleet and the fishing industry. One incentive for this was that all were entitled to the same medical or hospital benefits.

An administrative ruling in 1954 differentiated between wage-earning fishermen and their coworkers who held ownership or part ownership in the craft from which they fished. Under this ruling medical benefits formerly enjoyed by all were retained for the former but denied to the self-employed, although both risk the same disabling misfortunes and perils at sea. The ruling arose out of claims for medical care in 1951 by owners of pleasure yachts and by a housewife living aboard a houseboat who was "employed on board in the care, preservation, or navigation" of the vessel to the extent of turning on the navigation lights each evening. It seems obvious that such persons were not intended as beneficiaries of the Public Health Service Act, but the ruling, unfortunately, also had the broad effect of barring the fishermen owners, or part owners, of small fishing vessels to whom such medical and hospital care had traditionally been extended.

Your committee considers that this ruling created an unfortunate inequity which imposes present or potential hardship on perhaps as many as 10,000 industrious and courageous men who in their own or cooperatively owned small craft gain their livelihood and that of their families from the sea, and who supply the Nation with a substantial portion of its high-protein food. S. 978 is designed to correct this inequity.

Enactment of the bill, it is the consensus of your committee, also would contribute an incentive to rehabilitation of a historic but declining industry, an industry which has contributed men and ships in every war fought, both during the colonial period and throughout the Nation's independence.

LEGISLATIVE HISTORY

A similar bill to S. 978 was passed by the Senate in the last Congress but was not brought to a vote in the House. There was an objection to the definition of the term "seaman" in that bill which has been corrected in S. 978.

The bill was introduced in March 1963 by Senator Warren G. Magnuson (chairman of the committee), Senator E. L. (Bob) Bartlett, Senator Henry M. Jackson, and Senator Edward M. Kennedy.

Hearings were held on April 24–25, 1963, before the Subcommittee on Merchant Marine and Fisheries of the Senate Committee on Commerce, Senator Bartlett presiding.

* * * * *

Mr. Boisfeuillet Jones, representing the Department of Health, Education, and Welfare at the hearing, opened his testimony by reading the official report on the bill, which read in part:

"The legislative history of this program suggests that the participation of the Federal Government in providing medical care to merchant seamen rests primarily on a national interest in assuring the effectiveness of the labor force required for an adequate merchant marine.

"A fishing boat owner who performs duties related to the care, preservation, or navigation of a documented vessel of the United States is, in effect, fulfilling the same purpose as the employed seamen on board the vessel. Since such persons are in fact applying their maritime skills, they are essentially adding to the maritime labor force.

"The purpose of the bill is to remove an apparent inequity in present practice by amending the act to include a certain class of seamen who formerly enjoyed the privilege of receiving medical care in Public Health Service hospitals, and not to expand the program in any substantial manner.

"Although statistics are not available on the additional number of persons who would come within the provisions of the law under the present bill, we believe that neither the number nor cost would significantly affect the present program, and that enactment of this bill would pose no serious difficulties for this Department as a provider of services."

Dr. Donald L. McKernan, Director of the Bureau of Commercial Fisheries, told the committee that there are today approximately 123,000 persons engaged in commercial fishing activities. Of this number, he said, 80,000 serve on undocumented boats of limited fishing range and are therefore not eligible for free medical service. About 32,000 serve aboard documented vessels and can be considered presently eligible, Dr. McKernan added, and not more than 10,000 additional fishermen who are owner-operators on documented vessels, including about a thousand who are employed solely as fishermen, will become eligible upon enactment of S. 978.

The BCF Director stressed that owner-fishermen, as other fishermen, are obliged to go to sea, often for long periods, that they may be injured or become ill far from their home port and be obliged to seek medical relief in places "where they are unknown and where there are no facilities for their aid except those which may be furnished by the U.S. Public Health Service."

Compelling arguments for enactment of the bill were presented by Mr. Harold E. Lokken, manager of the Fishing Vessel Owners Association with headquarters in Seattle, Wash.

Members of the association, Mr. Lokken testified, operate approximately 200 vessels engaged in fishing halibut, sablefish, albacore, king crab, shrimp, and bottom fish such as rockfish, sole, and ling cod. The association has members ranging from San Diego, Calif., to Kodiak, Alaska, and fish waters of the Pacific from Mexico to the Bering Sea.

Ten reasons why both self-employed and employee seamen should be equally eligible for Federal medical care benefits as provided in the bill were outlined by Mr. Lokken as follows:

1. The roving nature of the seaman's work requires special consideration. The seaman finds himself often in distant parts of the world where he is out of touch with the medical facilities to which the shore worker has easy access.

2. The hazardous nature of his work merits primary attention. The seaman is often exposed 24 hours a day to exceptional hazards due to extraordinary weather conditions not faced by the shore worker or from which the seaman cannot escape as can the worker on land.

3. The seaman's work is seasonal. This seasonality is often caused by decisions of the U.S. Government. The marine worker is affected to a greater degree by actions of the Government than is his land counterpart.

4. The seafaring industry provides an outpost for the United States of value for military purposes. Seamen are usually the first to provide surveillance for their country in time of crisis.

5. The seafaring industry is of extreme importance to the Nation in times of crisis. It provides trained and experienced personnel for the Navy and merchant marine in wartime.

6. The seafaring industry is characterized by economic insecurity due to its transient

nature and to its seasonal cycles. Again this insecurity is caused in large part by governmental decisions.

7. The Government is dependent upon the maritime industry in so many ways that the Government has a special obligation in the interests of its own security to see to it that the maritime industry is kept in healthy condition at all times.

8. The seamen in our maritime industry literally work elbow to elbow with workers from foreign lands, giving their occupation an international character deserving of the same consideration as that given seamen of other countries by their governments.

9. The maritime industry—and this is especially true of the fishing fleet—serves as an auxiliary to the U.S. Coast Guard and performs many of the tasks carried on by the Government-supported service. Were it not for the vessels of the fishing fleet, the cost of operating the U.S. Coast Guard would be much higher.

10. The maritime industry vastly extends the economic and political influence of the United States into areas where the ordinary protection enjoyed by shore citizens is not found.

Management and labor have taken a unified position in support of the proposed legislation, according to Earl W. Clark, codirector of the Labor-Management Maritime Committee, who submitted a statement in which the American Marine Institute participated.

"This is one of those pleasant times, Mr. Chairman, in which labor and management can jointly support legislation which they feel is in the interest of the merchant marine."

Mr. Clark said he had checked with numerous organizations throughout the country, adding that "there has not been one single objection filed with us on the part of any shipping association, either labor or management."

"This statement," said Mr. Clark, "is supported by three organizations—the American Merchant Marine Institute, which widely covers the steamship industry; the AFL–CIO Maritime Committee, which composes a large body of our seagoing labor in this country and the Labor-Management Maritime Committee, of which I am cochairman, which represents major steamship industries and seagoing labor."

COSTS

Mr. Boisfeuillet Jones, Special Assistant to the Secretary of Health, Education, and Welfare for Health and Medical Affairs, was questioned on the additional financial burden that would be imposed on the Government by restoration of eligibility for Public Health Service care to fishing vessel owners. He stated: "We feel that there will be no significant increase in the financial burden if this group is added as suggested." He cautioned against attempting to anticipate additional costs on a per capita basis because the small number involved would be absorbed into the Public Health Service hospital and medical care system at relatively less cost to the Government. The hospital accommodations already are available, as other witnesses at the hearings pointed out.

Although your committee concurs in Mr. Jones' position that costs cannot be projected accurately on a per capita basis, the committee staff did prepare such an estimate which shows that the maximum increase that could be anticipated by restoring eligibility of fishing boat owners, as set out in S. 978, to Public Health Service medical care is $1,733,210 per annum. The staff estimate, prepared in the form of a table, follows:

Facility	Present seamen load [1]	Additional load	Cost per unit	Total additional annual cost
Inpatient (average daily patient load):				
Public Health Service general hospitals	1,612	139.0	[2] $26.11	$1,325,555
Public Health Service neuropsychiatric hospitals	257	22.0	[2] 10.58	84,272
Non-Federal hospitals	37	−.3	[2] 42.00	4,172
Federal hospitals	43	−.4	[2] 23.00	3,090
Outpatient visits:				
Public Health Service hospitals	265,000	22,636.0	[3] 8.00	171,088
Public Health Service clinics	176,000	15,000.0	[2] 8.00	120,000
Public Health Service offices	33,000	2,635.0	[3] 9.50	25,033
Total cost				1,733,210

[1] Estimated fiscal year 1962 workloads.

[2] Per diem cost.

[3] Cost per outpatient visit.

AMENDMENT OF INLAND AND WESTERN RIVERS RULES CONCERNING ANCHOR LIGHTS AND FOG SIGNALS IN SPECIAL VESSEL ANCHORAGE AREAS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 177, Senate bill 1036.

The motion was agreed to; and the bill (S. 1036) to amend the inland and western rivers rules concerning anchor lights and fog signals required in special anchorage areas, and for other purposes, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That article 11 of section 1 of the Act of June 7, 1897, as amended (33 U.S.C. 180), is further amended to read as follows:

"Art. 11. (a) Except as provided in paragraph (c) of this article, a vessel under one hundred and fifty feet in length when at anchor shall carry forward, where it can best be seen, a white light in a lantern so construed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least two miles.

"(b) Except as provided in paragraph (c) of this article, a vessel of one hundred and fifty feet or upward in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than twenty feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than fifteen feet lower than the forward light, another such light.

"(c) The Secretary of the Army may, after investigation, by rule, regulation, or order, designate such areas as he may deem proper as 'special anchorage areas'; such special anchorage areas may from time to time be changed, or abolished, if after investigation the Secretary of the Army shall deem such change or abolition in the interest of navigation. When anchored within such an area—

"(1) a vessel of not more than sixty-five feet in length shall not be required to carry or exhibit the white light required by this article;

"(2) a barge, canal boat, scow, or other nondescript craft of one hundred and fifty feet or upward in length may carry and exhibit the single white light prescribed by paragraph (a) of this article in lieu of the two white lights prescribed by paragraph (b) of this article; and

"(3) where two or more barges, canal boats, scows, or other nondescript craft are tied together and anchored as a unit, the anchor light prescribed by this article need be displayed only on the vessel having its anchor down."

Sec. 2. Subparagraph (d) of article 15 of section 1 of the Act of June 7, 1897 (33 U.S.C. 191), is amended to read as follows:

"(d) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds, except that the following vessels shall not be required to sound this signal when anchored in a special anchorage area established pursuant to paragraph (c) of article 11:

"(1) a vessel of not more than sixty-five feet in length; and

"(2) a barge, canal boat, scow or other nondescript craft."

Sec. 3. The rule numbered 13 in section 4233 of the Revised Statutes, as amended (33 U.S.C. 322), is further amended to read as follows:

"Rule Numbered 13. (a) Except as provided in paragraph (c) of this rule, a vessel under one hundred and fifty feet in length, when at anchor, shall carry forward, where it can best be seen, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least two miles.

"(b) Except as provided in paragraph (c) of this rule, a vessel of one hundred and fifty feet or upward in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than twenty feet above the hull, one such light, and at or near the stern of the vessel, at such a height that it shall be not less than fifteen feet lower than the forward light, another such light.

"(c) The Secretary of the Army, may, after investigation, by rule, regulation, or order, designate such areas as he may deem proper as 'special anchorage areas'; such special anchorage areas may from time to time be changed, or abolished, if after investigation the Secretary of the Army shall deem such change or abolition in the interests of navigation. When anchored within such an area—

"(1) a vessel of not more than sixty-five feet in length shall not be required to carry or exhibit the white light required by this rule;

"(2) a barge, canal boat, scow, or other nondescript craft of one hundred and fifty feet or upward in length may carry and exhibit the single white light prescribed by paragraph (a) of this rule in lieu of the two white lights prescribed by paragraph (b) of this rule; and

"(3) where two or more barges, canal boats, scows, or other nondescript craft are tied together and anchored as a unit, the anchor light prescribed by this rule need be displayed only on the vessel having its anchor down."

Sec. 4. Subparagraph (d) of rule numbered 15 in section 4233 of the Revised Statutes, as amended (33 U.S.C. 331), is further amended to read as follows:

"(d) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds, except that the following vessels shall not be required to sound this signal when anchored in a special anchorage area established pursuant to paragraph (c) of rule 13:

"(1) a vessel not more than sixty-five feet in length; and

"(2) a barge, canal boat, scow or other nondescript craft."

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 195—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of S. 1036, as stated at the subcommittee hearing by Rear Adm. Oscar C. Rohnke, Chief of the Office of Merchant Marine Safety, U.S. Coast Guard, would be twofold:

(1) To simplify requirements for lights and fog signals for barges when anchored in specifically designated areas; and

(2) To provide for uniformity in requirements for lights on anchored vessels.

There would be no sacrifice of safety, the admiral declared, adding that the changes to be effected would be beneficial to the Coast Guard, the barge owners, and the general public.

Special anchorages are designated by the Corps of Engineers, U.S. Army, as mooring areas for barges, scows, and other such type of crafts. They are apart from the immediate vicinity of navigable channels or fairways, and are clearly marked and publicized. The Coast Guard is the agency whose function it is to enforce the rules of the road on navigable waters of the United States, including the rules requiring lights at night on barges, etc., which are anchored, and rules requiring sound signals to be made by barges anchored during periods of low visibility. These barges and other craft often are unmanned, which makes it difficult for their owners to provide for the required lights and sound signals. This bill would relax these light and sound signals without, it is believed, sacrificing safety.

The question of barge lights was studied by the Western Rivers Panel of the Merchant Marine Council during 1961, and its recommendations were adopted by the council as a proposed change to the statutory rules of the road. The Coast Guard, Rear Admiral Rohnke testified, considers standardization of the rules of the road extremely important, as there are four sets of such rules incorporated into U.S. law. Enactment of this bill, the subcommittee was told, would make the western river rules on anchor lights conform to the inland rules, and bring them into general conformity with the international rules. It would be a step toward making rules of the road the same everywhere.

Under existing provisions of the rules of the road concerning anchor lights and fog signals, vessels anchored in special anchorage areas are required to carry the same lights and sound the same fog signals as vessels anchored elsewhere (except that vessels of 65 feet in length or less are not required to display an anchor light). The western rivers rules differ somewhat from the inland rules requirements. S. 1036 would ease the present requirements as to lights and sound signals under both rules. Individual vessels that anchor in special anchorage areas would be required to carry a single anchor light instead of the two lights where now required; vessels tied together and anchored as a group would be required to show only a single light on the vessel with its anchor down, and all would be relieved of the requirement for sounding a fog signal. Vessels of any type, 65 feet or less in length, would continue to be exempt from all requirements as to lights and under this bill would be exempt from fog signal requirements. Enactment of S. 1036 thus would relieve the barge and towing vessel industry of a burdensome requirement without, all proponents declared, impairing safety of navigation.

No opposition was received by the committee from any source. Letters favorable to enactment were received from many sections of the country.

The Department of the Army, on behalf of the Department of Defense, recommended favorable consideration of the bill.

EXTENSION OF COAST AND GEODETIC SURVEY RELATIONSHIP WITH THE ARMY AND NAVY TO INCLUDE THE AIR FORCE

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 178, Senate bill 583.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 583) to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so that they will apply with similar effect to the Air Force, which had been reported from the Committee on Commerce, with amendments, on page 1, line 3, after "1917", to strike out "chapter 20,"; on page 2, at the beginning of line 15, to strike out "of war," and insert "of war or national emergency,"; and in line 17, after the word "its", to strike out "duties in war," and insert "duties in war or national emergency,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of the Act of May 22, 1917, as amended (33 U.S.C. 855, 858), is amended as follows:

(1) The first paragraph (33 U.S.C. 855) is amended—

(A) by striking out the words "of the Department of the Army, or of the Navy Department," and inserting the words "of a military department" in place thereof;

(B) by striking out the words "of the Department of the Army or Navy Department" and inserting the words "of a military department" in place thereof; and

(C) by striking out the words "Army or Navy" and inserting the words "Army, Navy, or Air Force" in place thereof.

(2) The last paragraph (33 U.S.C. 858) is amended to read as follows:

"The Secretary of Defense and the Secretary of Commerce shall jointly prescribe regulations governing the duties to be performed by the Coast and Geodetic Survey in time of war or national emergency, and for the cooperation of that service with the military departments in time of peace in preparation for its duties in war or national emergency, which regulations shall not be effective unless approved by each of those Secretaries, and included therein may be rules and regulations for making reports and communications between a military department and the Coast and Geodetic Survey."

SEC. 2. Section 10 of the Act of January 19, 1942, chapter 6, as amended (33 U.S.C. 868a), is amended by inserting the words "Air Force," after the word "Navy,".

SEC. 3. Section 1 of the Act of December 3, 1942, chapter 670, as amended (33 U.S.C. 854a–1), is amended—

(1) by amending clause (1) as follows—

(A) by striking out the words "of the Department of the Army or of the Navy Department" and inserting the words "of a military department" in place thereof; and

(B) by striking out the words "Secretary of the Army or the Secretary of the Navy" and inserting the words "Secretary of the military department concerned" in place thereof;

(2) by striking out the words "of the Department of the Army or Navy Department" in clause (2) and inserting the words "of a military department" in place thereof; and

(3) by striking out the words "to the Department of the Army and Navy Department" in clause (3) and inserting the words "to a military department" in place thereof.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 196), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

S. 583 would amend certain provisions of various existing laws which set forth the relationship of the Coast and Geodetic Survey to the Army and Navy in order to apply these provisions with similar effect to the Air Force. Involved are provisions which authorize the transfer of personnel and equipment of the Coast and Geodetic Survey to the Army and Navy in times of emergency, the promotion and replacement of personnel transferred, purchase of commissary and quartermaster supplies, et cetera.

The statement forwarded to the Senate by Assistant Secretary of the Air Force, Joseph S. Imirie, along with the request for introduction of the bill, gives the purpose of the proposed legislation as follows:

"Section 1 of the bill extends the authority of the President, under section 16 of the act of May 22, 1917, chapter 20, as amended (33 U.S.C. 855), to order transfers of vessels, equipment, stations, and personnel of the Coast and Geodetic Survey to the Departments of the Army and Navy in time of national emergency, so as to permit him to order similar transfers to the Department of the Air Force. The section would also amend the act of May 22, 1917 (33 U.S.C. 858), to provide for joint regulations prescribed by the Secretary of Defense (instead of the Secretary of the Army and Secretary of the Navy) with the Secretary of Commerce, thereby placing the responsibility on an executive department level. These joint regulations are to cover the duties to be performed by the Coast and Geodetic Survey in time of war, and provide for the cooperation of that service with the military departments in time of peace in preparation for those wartime duties.

"Section 2 amends section 10 of the Act of January 19, 1942, chapter 6 (33 U.S.C. 868a), to permit commissioned officers, ships' officers, and members of the crews of vessels of the Coast and Geodetic Survey to purchase available commissary and quartermaster supplies from the Air Force at the prices charged officers and enlisted men of the Air Force. Under present law these officers and members of the Coast and Geodetic Survey may purchase commissary and quartermaster supplies from the Army, Navy or Marine Corps, but not from the Air Force.

"Section 3 amends section 1 of the Act of December 3, 1942, chapter 670, as amended (33 U.S.C. 854a–1), which provides for the temporary promotion of certain personnel of the Coast and Geodetic Survey in time of war or national emergency. Specifically, the proposed amendment would confer on the Department of the Air Force the same authority now possessed by the Departments of the Army and Navy to promote, temporarily, commissioned officers of the Coast and Geodetic Survey who are under its jurisdiction. It would also permit temporary promotions of commissioned officers in the service of the Coast and Geodetic Survey to fill vacancies in rank and grades caused by transfer of commissioned officers to the jurisdiction of the Department of the Air Force. This provision parallels that now pertaining to the filling of vacancies caused by transfer of such commissioned officers to the Departments of the Army or Navy.

"In addition, regularly appointed deck officers and junior engineers of the Coast and Geodetic Survey may be temporarily appointed to ensign, but the total of such temporary appointments may not exceed the number of officers transferred to the military departments (instead of to the Departments of the Army and Navy, as at present)."

When the various provisions of law which this bill would amend were enacted, in 1917 and 1942, the Air Force had not been established as a separate military establishment. Despite the lack of formal authority, facilities and personnel of the Coast and Geodetic Survey have been utilized by the Air Force in emergencies, through informal arrangements. However, the formal authority now sought is deemed highly desirable, in order to avoid possible delay and misunderstanding in any future emergencies.

In accordance with the suggestion of the Comptroller General of the United States in his report on the bill, section 1(2) has been amended by adding the words "or national emergency" after the words "in time of war" to conform with the wording of 33 U.S.C. 855.

MEDICAL CARE FOR CERTAIN COAST AND GEODETIC SURVEY RETIRED SHIPS' OFFICERS AND CREWMEMBERS AND DEPENDENTS

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 179, Senate bill 969.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 969) to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crew members and their dependents, and for other purposes, which had been reported from the Committee on Commerce, with amendments, on page 1, at the beginning of line 10, to insert "or on the date of enactment of this Act, whichever is later,"; on page 2, at the beginning of line 4, to strike out "before July 1, 1963." and insert "before July 1, 1963, or on the date of enactment of this Act, whichever is later."; in line 9, after the word "whether", to insert "such ships' officers and members of crew are"; in line 17, after "1963", to insert "or on the date of enactment of this Act, whichever is later,"; in line 21, after "1963", to insert "or on the date of enactment of this Act, whichever is later,"; and in line 25, after the word "or", to strike out "before July 1, 1963." and insert "before July 1, 1963, or on the date of enactment of this Act, whichever is later."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to regulations of the President, retired ships' officers and retired members of the crews of vessels of the Coast and Geodetic Survey shall be entitled to medical, surgical, and dental treatment and hospitalization at facilities of the Public Health Service: *Provided,* That the ships' officer or crew member, (1) was on active duty as a vessel employee of the Coast and Geodetic Survey on July 1, 1963, or on the date of enactment of this Act, whichever is later, and his employment as a vessel employee was continuous from that date until retirement, or (2) was retired as a vessel employee of the Coast and Geodetic Survey on or before July 1, 1963, or on the date of enactment of this Act, whichever is later.

(b) Subject to regulations of the President, dependent members of families (as defined in such regulations) of ships' officers and members of crews of vessels of the Coast and Geodetic Survey, whether such ships' officers and members of crew are on active duty or retired, shall be furnished medical advice and outpatient treatment by the Public Health Service at its hospitals and relief stations and, if suitable accommodations are available, they shall also be furnished hospitalization at hospitals of the Public Health Service: *Provided,* That the ships' officer or crew member (1) was on active duty as a vessel employee of the Coast and Geodetic Survey on July 1, 1963, or on the date of enactment of this Act, whichever is later, and his employment as a vessel employee has been continuous from that time, or (2) was on active duty as a vessel employee of the Coast and Geodetic Survey on July 1, 1963, or on the date of enactment of this Act, whichever is later, and his employment as a vessel employee was continuous from that time until retirement, or (3) was retired as a vessel employee of the Coast and Geodetic Survey on or before July 1, 1963, or on the date of enactment of this Act, whichever is later. When dependent members of families are hospitalized, a per diem charge, at such uniform rate as may be prescribed from time to time for the hospitalization of dependents of members of the uniformed services at hospitals of the uniformed services pursuant to section 1078(a) of title 10, United States Code, shall be made.

(c) The Coast and Geodetic Survey shall furnish proper identification to those persons entitled to medical treatment under the provisions of this Act.

SEC. 2. (a) Section 326(b) of the Public Health Service Act (42 U.S.C. 253(b)) is repealed.

(b) Section 326(c) of the Public Health Service Act (42 U.S.C. 253 (c)) is amended by inserting the words "or Coast and Geodetic Survey" after the words "Coast Guard" both times the words appear in the subsection.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 197), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The bill provides that, subject to regulations of the President, retired ships' officers and retired members of the crews of vessels of the Coast and Geodetic Survey shall be entitled to medical, surgical, and dental treatment, and hospitalization at facilities of the Public Health Service, providing that the officer or crewmember was on active duty as a vessel employee of the Survey on July 1, 1963, or the date of enactment of this act, whichever is later, and such employment was continuous from that date until retirement, or was retired as a vessel employee of the Survey on or before July 1, 1963, or the date of enactment of this act, whichever is later.

Section 1(b) of the bill provides that, subject to regulations of the President, dependent members of families (as defined in such regulations) of ships' officers and members of crews of vessels of the Survey on active duty or retired, shall be furnished medical advice and outpatient treatment by the Public Health Service at its hospitals and relief stations and, if suitable accommodations are available, hospitalization at hospitals of the Public Health Service, provided that such ships' officer or crewmember was on active duty on July 1, 1963, or the date of enactment of this act and continuously since that time or until retirement, or was retired from such employment on or before July 1, 1963, or the date of enactment of this act, whichever is later. In cases of hospitalization of dependent members of families, it is provided that a per diem charge shall be made, at such uniform rate as may be prescribed from time to time with respect to dependent members of the uniformed services at hospitals of the uniformed services pursuant to section 1078(a) of title 10, United States Code.

Section 1(c) of the bill provides that the Coast and Geodetic Survey shall furnish proper identification to those persons entitled to medical treatment under the provisions of this act.

Section 2(a) provides for repeal of section 326(b) of the Public Health Service Act (42 U.S.C. 353(b)), inasmuch as medical care for dependents of vessel employees on active duty on July 1, 1963, or the date of enactment of this act, whichever is later, whose service is continuous since that date, would be provided under section 1(b) of this bill.

Section 2(b) amends section 326(c) of the Public Health Service Act (42 U.S.C. 253(c)) by inserting the words "or Coast and Geodetic Survey" after the words "Coast Guard" both times the words appear in the subsection.

This would authorize the Public Health Service to supply for the Coast and Geodetic Survey the same auxiliary services, including medical examinations for promotion, retirement, etc., as are now available to the Coast Guard, and would give Public Health Service officers aboard Coast and Geodetic Survey vessels authority to render medical aid to crews of fishing vessels as such officers assigned to Coast Guard vessels now enjoy.

REASON FOR THE BILL

When the Public Health Service Act was amended, in 1960 (Public Law 86-415), to provide parity of treatment between members of the various uniformed services, section 5(d) of that law inadvertently repealed the authority for retired Survey vessel employees and their dependents to receive Public Health Service medical care. The 1960 law was intended to affect only members of the uniformed services, and Coast and Geodetic vessel employees are not members of a uniformed service—they are civil service employees. Since 1960 medical care for these retired vessel employees and their dependents has been provided on an annual basis by a provision in the Public Health Service appropriation act.

Restoration of the authority for provision of medical care for these retired vessel employees and their dependents is considered important by the Department of Commerce, because it has been a recruiting inducement much prized by these employees. To permit it to be eliminated now, the Department feels, would be failing to keep faith with these employees who would thereby be saddled with expenses for services which they were told the Government would provide.

The amendments made by the committee would (1) clarify the intent of section 1(b), and (2) assure time to get word to all field stations of the Survey that the repealed medical care provisions would be made available again.

Mr. DIRKSEN. Mr. President, in the case of the first two bills, the minority members wholly concur, and these bills have the unanimous support of the Committee on Labor and Public Welfare.

In the case of the last four bills, these have the unanimous concurrence of the minority members of the Committee on Commerce.

SECOND-CLASS CITIZENSHIP

Mr. PELL. Mr. President, in a speech on February 11, 1963, before the International Institute in Providence, I cited the need for legislation to wipe out the distinction between naturalized and native-born citizens.

Mr. President, on behalf of myself and the Senator from Michigan [Mr. HART], I shall introduce a bill which will help to eradicate these discriminatory laws and will impose a reasonable statute of limitations on deportation proceedings.

My bill would repeal section 352 of the Immigration and Nationality Act—the section that calls for the loss of nationality of any naturalized citizen who lives continuously for a period of 3 years or more in the foreign country of his former nationality or birth. My bill would also disallow any deportation proceeding against an alien lawfully admitted to permanent residence in the United States who has been physically present in this country for a period of not less than 10 years. It would disallow, too, such proceedings if the conduct for which an alien might be deportable occurred more than 10 years prior to the institution of proceedings against him. Finally, my bill would strike out that portion of the act which allows as grounds for revocation of naturalization a person's refusal within a period of 10 years to testify as a witness before a congressional committee concerning his subversive activities if that person is convicted of contempt for such refusal.

The case of Angelika L. Schneider, brought vividly to our attention in an editorial, in the May 28 edition of the Washington Post, entitled "Overly Harsh Penalty," is a striking and dramatic example of the discrimination in our immigration laws—a discrimination which makes second-class citizens of those who are naturalized. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OVERLY HARSH PENALTY

Why should a naturalized citizen be deprived of American citizenship for staying 3 years or more in the country in which he formerly lived? Loss of citizenship is a very severe penalty to apply to one who has committed no offense whatever and has merely chosen to live abroad for a time, doubtless for a very good reason. That penalty has recently been inflicted on Angelika L. Schneider who came to the United States from Germany as a child. She went abroad to study and since 1956 has been living in Cologne with her husband who is a German national.

The decision of a three-judge court that Mrs. Schneider has lost her citizenship seems to be out of key with the reasoning followed by the Supreme Court in several cases in recent years. The Court has ruled that citizens who desert from the Armed Forces in time of war and those who leave the country to avoid military service may not be deprived of their citizenship by way of punishment. Should a citizen who merely lives abroad to avoid a breakup of her family pay a price that was adjudged too high in the case of draft evaders and deserters?

There have been some indications that the Court may overturn its 1958 ruling that a man may be deprived of his citizenship for voting in an election in another country. If the Schneider case is carried to the Supreme Bench, it may be persuaded by the same logic to restore her citizenship. But the primary fault lies with Congress. It has provided by statute, not only that a naturalized citizen will lose his rights in this country by returning to his former home or place of birth for 3 years, but also that continuous residence of a naturalized citizen in any foreign state for 5 years, with certain exceptions, will cost him his citizenship.

Why the unreasonable haste in repudiating citizens who have thought enough of this country to undergo the tedious naturalization process? If a naturalized citizen should indicate an intention to live permanently abroad or should actually stay in another country without returning for, say, 25 years, there would doubtless be good cause for revocation of the previous grant of citizenship. But 3 years or 5 years abroad may be only an interval of convenience without any meaning as to the citizen's basic allegiance. Congress ought to repeal this arbitrary restraint upon naturalized citizens living abroad without waiting for the Supreme Court to pass upon its constitutionality.

Mr. PELL. Mr. President, Mrs. Schneider came to this country as a very young girl. She eventually became a naturalized citizen—a citizenship that she obviously prizes very much. In 1956, while studying abroad, she married a German national, and settled in Cologne. She was denaturalized in 1959, under the provision in our Immigration and Naturalization Act that stipulates a naturalized citizen may not live abroad continuously for more than 3 years, the penalty being loss of citizenship. As I said, Mrs. Schneider obviously prizes her U.S. citizenship because she immediately petitioned the courts for reinstatement. The latest action in her case is the 2-to-1 decision by the U.S. Court of Appeals upholding the denaturalization determination.

The majority opinion makes two points: that such proceedings are a valid exercise of the foreign-relations power, and that there is not in the exercise of this power any violation of the due-process rights of a naturalized citizen, for, as Judge Matthews said, "Due process does not require that all citizens be treated in the same way."

Mr. President, this line of thinking strikes me as being grossly unfair. It freezes into law the inequities of our immigration statutes, even though there is yet the possibility of review by the Supreme Court. In a very vigorous and logically constructed dissent, Judge Fahy pointed out that Mrs. Schneider engaged in no embarrassing activities, as others whose denaturalization was upheld had done. Her only offense, the judge noted, was that "as a young American she met and married a man whom makes his living in Germany."

It is a distressing thing when a citizen of this country is faced with the choice of relinquishing her citizenship or leaving her husband. It is an anathema to the Democratic process and a contradiction whose only raison d'être is that it is there.

The Schneider case dramatically highlights the need for this legislation. I believe it is our duty to set guidelines which the courts can follow, rather than wait for decisional law to mark the framework.

Mr. President, the text of our bill reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title II of the Immigration and Nationality Act is amended by adding at the end thereof the following new section:

"LIMITATION ON DEPORTATION

"SEC. 293. Notwithstanding any other provision of this Act, no alien lawfully admitted to the United States for permanent residence shall, on or after the date of enactment of this section, be deported (1) if such alien has been physically present in the United States for a continuous period of not less than ten years at any time after being lawfully admitted for permanent residence, or (2) if the conduct for which such alien is deportable occurred more than ten years prior to the institution of deportation proceedings against him."

(b) So much of the table of contents of the Immigration and Nationality Act as describes the contents of chapter 9 of title II of such Act is amended by adding at the end thereof the following:

"Sec. 293. Limitation on deportation."

SEC. 2. (a) Subsection (a) of section 340 of the Immigration and Nationality Act is amended by striking out the following: ": *Provided,* That refusal on the part of a naturalized citizen within a period of ten years following his naturalization to testify as a witness in any proceeding before a congressional committee concerning his subversive activities, in a case where such person has been convicted of contempt for such refusal, shall be held to constitute a ground for revocation of such person's naturalization under this subsection as having been procured by concealment of a material fact or by willful misrepresentation".

(b) Subsections (c) and (d) of section 340 of such Act are hereby repealed.

(c) Subsection (f) of section 340 of such Act is amended by striking out the following: "subsections (c) or (d) of this section, or under the provisions of".

(d) Sections 352, 353, and 354 of such Act are hereby repealed.

(e) Section 355 of such Act is amended by striking out "or 352".

SEC. 3. Paragraph (2) of section 350 of the Immigration and Nationality Act is amended by inserting the following immediately before the semicolon: "as such paragraphs existed immediately prior to the date of the enactment of the Immigration and Nationality Amendments Act of 1963".

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1641) to provide a statute of limitations with respect to the deportation of aliens lawfully admitted to the United States for permanent residence, and to remove certain distinctions made in the Immigration and Nationality Act between native-born and naturalized citizens, introduced by Mr. PELL (for himself and Mr. HART), was received, read twice by its title, and referred to the Committee on the Judiciary.

CENSUS COMPILATION OF FIGURES ON DENIAL OR ABRIDGMENT OF THE RIGHT TO VOTE

Mr. HART. Mr. President, I understand that earlier today a brief comment was made on a most unusual civil action which was filed this morning in the United States District Court for the District of Columbia. The action was brought by some 25 individuals who are residents of some 9 States, and is directed against the Secretary of Commerce and the Director of the Bureau of the Census, Department of Commerce. The action highlights, I think, the long road we have yet to follow in order to end denial of the right to vote or the limitations imposed on groups in their efforts to vote. This situation undoubtedly will remain with us for some time as a responsibility to be borne and a problem to be solved, even though—as some of us now hope—this body soon will adopt strengthening amendments to the basic voting rights laws in this country.

Anyone who may be interested in the subject would benefit from a reading of the pleadings filed in the action. Basically, the action cites the constitutional obligation that congressional representation be reduced in those situations in which individuals in a particular State are denied their right to vote. Interestingly, a projection is possible, based upon some of the figures that are contained in the pleading as to what effect the application of the rule sought to be obtained might have upon the composition of the Congress of the United States. The effort is directed toward assuring that the 1970 census and the apportionment of the Congress based upon that census will truly reflect the voice of the persons who in fact are represented and who have an opportunity to participate in the selection of their representatives in the Congress.

At the outset I said that this was an unusual step. I am sure it will be watched with the greatest interest by all of those concerned in the effort to obtain equal protection of the laws, the assurance that the franchise is in fact broadly available, and that the votes of no American shall be diluted by congressional apportionment which fails to account for denial or abridgment of the right to vote.

The energy and the persistence of those who have brought the action will redound to the benefit of the entire Nation as the litigation proceeds.

WIDE SUPPORT FOR NATIONAL ARTS AND CULTURAL DEVELOPMENT ACT

Mr. HUMPHREY. Mr. President, last month I introduced the National Arts and Cultural Development Act that would establish a National Council on the Arts and a National Arts Foundation.

The National Council on the Arts would be situated in the Executive Office of the President and would be composed of 25 members representing various aspects of our artistic and cultural life. The President's Special Consultant on the Arts would serve as Chairman of the Council.

The Council would be charged with the responsibility of recommending ways to maintain and increase the cultural resources of the United States, of proposing methods to encourage private initiative in the arts, of advising and consulting with private and public groups and organizations concerned with the arts, and of conducting research and surveys in the arts.

The National Arts Foundation would be an independent Federal agency under the supervision of a Board of Trustees of 21 members. The Foundation would provide financial support for artistic and cultural activities undertaken by the several States and by private groups. Grants to private groups could not exceed one-half of the total cost of any project or production. A small percentage of the Foundation's funds would be set aside for nonmatching grants in those few cases where all efforts by a private group to raise matching funds had failed. Grants to States or State agencies could never exceed 50 percent of the total budget or cost of a production. The bill authorizes annual appropriations not to exceed $10 million.

I must emphasize that all artistic and cultural activities assisted by the National Arts Foundation would be undertaken by private nonprofit groups demonstrating the highest professional standards and by appropriate State agencies concerned with the arts. The Federal Government would never be directly involved in any of the artistic endeavors that might receive support; the board of trustees could make no suggestions or recommendations as to these private or State cultural activities. Mr. President, I ask unanimous consent that a short summary of S. 1316, the National Arts and Cultural Development Act be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit I.)

Mr. HUMPHREY. At the time this legislation was introduced, I noted that the United States held the dubious distinction of being the only major nation of the world where the Government offers no support, assistance, or encouragement to artistic and cultural activities. In such nations as Great Britain, France, West Germany, Italy, the Netherlands, Austria, and Spain the Government has assumed an active and direct role in support of symphony orchestras, opera, the theater, and the motion pictures. Art has not been stifled or subjugated in these lands and neither would it be in the United States.

Following the introduction of the National Arts and Cultural Development Act, I have received a number of highly gratifying letters. I would like to share portions of them with my colleagues.

L. Quincy Mumford, the Librarian of Congress, writes:

> Both the National Council on the Arts and the National Arts Foundation would serve very useful purposes. The provision for making matching grants to groups and States seems to me an essential step and a proper assumption by the Federal Government of a measure of responsibility for the encouragement of the arts throughout the country with a view to enriching the lives of our citizens.

Allen P. Britton, dean of the University of Michigan School of Music, reinforces my argument about the position of the United States in relation to other countries. He writes:

> To my mind the most important kind of national leadership is artistic rather than militaristic. The United States now ranks last among all civilized nations in the support given artistic affairs by our National Government. Passage of your bill will serve to begin to correct this unhappy state of affairs.

John F. White, president, National Educational Television and Radio Center, writes:

> The National Arts and Cultural Development Act is one of the most important opportunities facing us as Americans, and I assure you of my desire to be helpful in any way possible in furthering its enactment.

Jean Dalrumple, general director, New York City Center Light Opera Company & Drama Company, also writes:

> I read the entire reprint (including all very small print) with enormous interest, and my only comment is that I agree with and applaud every word. How can I be of some active assistance and give some actual support?

William Schuman, president, Lincoln Center for the Performing Arts, writes:

> We at Lincoln Center are encouraged and heartened by your interest in the arts and your desire to develop support through congressional action. Certainly it is of the utmost importance to bring the resources of the Federal Government into more meaningful relationship with the cultural and artistic life of this country.
>
> If we are to reach a 20th century American solution to the problem of financing the arts, it is clear that there should be a balanced collaboration between private giving and governmental support.
>
> Without attempting to express an opinion on the details called for in your proposed legislation, it is certainly a challenging and provocative reminder to the body politic concerning the obligations to the arts.

Walter G. Robinson, president, Minneapolis Society of Fine Arts, emphasizes the importance of including the museum profession in this legislation. He writes:

> I was very pleased to note in reading your remarks and the bill itself that "practicing artists, civic and cultural leaders, members of the museum profession, and others who are professionally engaged in the arts" are included. This is very reassuring to the many thousands who are engaged in the care and development of our art museums and to the millions who enjoy the inspiration provided by the fine arts. On behalf of the trustees of the Minneapolis Society of Fine Arts and the whole community which participates in our activities, may I express our appreciation for the foresighted and profound understanding which you have lent to cultural organization in making this presentation to Congress.

Joseph Papp, producer of the New York Shakespeare Festival, writes about the legislation's one possible weakness, its extremely modest scope:

> I have read your proposed bill thoroughly and please be assured of my unstinting sup-

port on its behalf. While I may quibble with this or that point, I feel that on the whole it is a workable scheme. Though the funds to be allocated are miniscule when placed side by side with the mammoth job to be performed, the acceptance of your bill would be most meaningful.

I find these and many other letters most encouraging. They reflect many of the concerns that initially prompted the preparation of this legislation. An example of the type of nonprofit private enterprise that would warrant support by the National Arts Foundation is the immensely successful Tyrone Guthrie Theater in Minneapolis. I already have commented on this outstanding theatrical venture located some 1,500 miles off Broadway. I believe the Guthrie Theater demonstrates that first-rate theaters can be available throughout the United States. The one ingredient usually lacking in most communities is adequate financial resources. The unusual combination of the generous support of the Ford Foundation, the Walker Foundation, John Cowles, Jr., Sir Tyrone Guthrie, and thousands of Minnesotans brought the Guthrie Theater to Minneapolis. It is not possible to duplicate this combination in every American city; therefore, most cities are totally without legitimate theater.

The National Arts Foundation would supplement existing private sources of funds. Rather than have to bear the entire financial burden for any one artistic or cultural project, the private resources could be matched with a grant from the Foundation, thereby freeing private funds for use in other communities. In fact, I believe the Foundation would serve as an effective stimulus to develop entirely untapped private financial resources.

Mr. President, in order to understand the tremendous impact the Guthrie Theater has had on the cultural life of the Twin Cities, I ask unanimous consent that an excellent article by Howard Taubman, the distinguished drama critic of the New York Times, that appeared in May 19 issues of the Times be printed in the RECORD at the conclusion of my remarks. I also ask unanimous consent that Mr. Taubman's review of Tyrone Guthrie's production of "Hamlet" and a short biography of Tyrone Guthrie be printed at this point in the RECORD.

There being no objection, the article and review were ordered to be printed in the RECORD, as follows:

TAKING CHANCES—NEW MINNEAPOLIS THEATER AND GUTHRIE BEGIN WITH NOVEL PRODUCTIONS

(By Howard Taubman)

Having invested more than $2 million in its brightly hued, attractively asymmetrical Tyrone Guthrie Theater, Minneapolis has staffed it with people from the top. Unlike more modest theatrical ventures, which have nowhere to go but up, Minneapolis may have the problem of keeping up with its glamorous beginning.

For Tyrone Guthrie, the artistic director of the Minnesota Theater Co., resident repertory group organized for the theater that bears his name, is at the summit of his profession. One may differ with him about a production or its details, but one admires the freshness of his attack and the largeness of his vision of theater as an art and a way of life.

The very existence of the new Minneapolis theater owes more than one can guess to Mr. Guthrie, who is becoming a theatrical Johnny Appleseed. His participation was vital to the founding of the Shakespeare Festival in Stratford, Ontario, and his name was an indispensable asset in launching the Guthrie Theater and Minnesota Theater Co.

It would probably be useful to nominate Mr. Guthrie a roving commission of one with instructions to incite other American cities to create their own professional theater companies. But he is committed, one understands, for 3 years to Minneapolis, and no doubt he has a wealth of extracurricular projects on his agenda.

Fortunately, the growth outside New York of self-contained theaters of professional caliber and artistic aspiration is well underway. Next fall Seattle will join the parade at the Playhouse, built for the 1962 fair. A grant of $300,000 from fair profits has been made for the establishment of the stage company, and Stuart Vaughan has been engaged as artistic director.

DEDICATED COMPANIES

In some cities dedicated companies have had to struggle without all the support they deserved. San Francisco has not yet done so well as it should by its Actors Workshop, though there are signs of improvement. Houston has awakened to the value of the Alley Theater and is providing it with a new home. The Arena Stage in Washington achieved an impressive new theater in 1961. The Theater Group in Los Angeles expects to have a house of its own within a few years.

The professional theater beyond New York is growing in importance, and it is eminently desirable that fresh ideas in theater organization, management and production as well as new playwrights and performing talent should be tested in many communities rather than in one city. New York should rejoice at the competition; its preeminence will not be endangered.

On the contrary, New York will gain from decentralization. A large reservoir of talent will be developed. A young, gifted actor like George Grizzard who plays Hamlet one night in Minneapolis and a mime's trifle like the clerk in Molière's "The Miser" the next is bound to widen his range.

If we New Yorkers were less parochial than so many of us are, we would realize that decentralization offers us unexpected opportunities to enhance our theater experience. Why not, for example, a trip to Minneapolis to see what Mr. Guthrie has done with "Hamlet" and Douglas Campbell with "The Miser" and what the former will accomplish later on with Chekhov's "The Three Sisters" and the latter with Arthur Miller's "Death of a Salesman"?

FEW CLASSICS

Considering the size of New York and its role as our theater capital, we cannot be proud of what it offers in the way of theater classics. How many professional "Hamlets" have we had since the end of the war? If my figures are correct, two. One briefly, by the Old Vic; the other, a spirited version, by the Phoenix Theater. As for Molière, we get him—in French—when we are lucky enough to have a visit by the Comédie Francaise. Chekhov has been relegated to off Broadway. And a play like "Death of a Salesman," once it has completed its run, is consigned to limbo.

Mr. Cohen's point is worth discussion. I feel that Mr. Guthrie's modern-dress "Hamlet" goes wildly overboard in details and whole scenes. In the exuberance of its sheer theatricalism it allows itself to be diverted at times from the grand dramatic line of Shakespeare's tragedy. But I do not believe that a traditional "Hamlet" is necessarily the answer for Minneapolis or any public without a backlog of many "Hamlets."

The main thing is that the Minneapolis "Hamlet" keeps one alert throughout the span of its almost uncut 4½ hours. Mr. Guthrie's theatrical imagination is never at rest. He has the daring to elect foolish options. Laertes with a belt and holster over his trenchcoat looks like a spoof of private-eye fiction, and his poking a pearl-handled pistol into Claudius' ribs is a ludicrous cliche of TV and films.

ILLUMINATING INSIGHTS

On the other hand, the Guthrie approach makes for illuminating insights. To show the court at Elsinore in the semiformal and formal garb of modern state—never mind the extravagantly booted, cuirassed and helmeted soldiery—is to stress anew Shakespeare's penetration of the mean aand confused motives of the powerful and their servitors. To rivet the audience's attention during the play within the play on Claudius' reactions and on Hamlet's intense scrutiny of Claudius is to make certain that the drama's turning point is grasped by all.

Any "Hamlet" is the sum of the director's conception and the actors' powers of communication. In Minneapolis the dominant force is Mr. Guthrie. George Grizzard as Hamlet achieves moving moments, and so do Lee Richardson as Claudius, Jessica Tandy as Gertrude, Ellen Geer as Ophelia, John Cromwell as the Player King and Ed Preble as the first gravedigger. Tanya Moiseiwitch's costumes are both riotously colorful and full of pompous protocol. But the imprint of the Guthrie personality is everywhere.

Mr. Campbell, assistant artistic director, has approached "The Miser" with equal freedom. He has staged Molière in the spirit of commedia dell'arte with its mixture of the delicacy of the dance and the exaggeration of slapstick. Moving with the grace and control of a dancer, Hume Cronyn plays Harpagon, the miser, with a marvelous blend of broad farce and cruel human weakness. He is joined by Zoe Caldwell, who plays a raffish matchmaker with earthy humor, in a delightful comic scene.

In "The Miser," as in "Hamlet," the director's viewpoint predominates. Mr. Campbell, of course, is his own man, but surely it is partly Sir Tyrone's merit that "The Miser" could be staged with so much inventive imagination.

Minneapolis has every reason to be pleased with its new theater and company. Whatever one's reservations about the productions, one must applaud their willingness to take chances. If Minneapolis has any worry, it is about the future. What happens when "Johnny Appleseed" Guthrie must be off to the next State or country?

[From the New York Times, May 9, 1963]

THEATER: NEW MINNESOTA PLAYHOUSE—"HAMLET" OPENS CAREER OF THE TYRONE GUTHRIE

(By Howard Taubman)

MINNEAPOLIS, May 8.—What a delightful variation on the popular American theme of civic boosting. The Minneapolis Chamber of Commerce invites you to share its pride in "Hamlet."

How often, do you suppose, do drama critics receive cordial letters of greeting from anyone, let alone chambers of commerce? Rarely, very rarely. The notable thing about the Minneapolis Chamber's proud welcome to a city about to "reach another milestone in becoming an outstanding culture center" is not vainglorious.

The Tyrone Guthrie Theater, which opened here last night, is a cause for celebration. So is the Minnesota Theater Company, the resident repertory troupe, which has been installed in it. So is the repertory for the first 20-week season: "Hamlet," naturally the inaugural drama; Molière's "The

Miser," Checkhov's "The Three Sisters" and Arthur Miller's "Death of a Salesman."

The theater, designed by Ralph Rapson of the University of Minnesota's Department of Architecture, adjoins the Walker Art Center, and faces on open, green space. Its exterior, not quite finished, is a light, graceful blend of glass, wood and concrete.

Inside, it is a gem. The 1,437 seats sweep around the outthrust open stage in an arc of slightly more than 180 degrees. The auditorium walls and ceiling are battleship gray and the seats have gay multicolored upholstery. Shaped like the Shakespearean Festival house in Stratford, Ontario, the Guthrie Theater gives the impression of greater intimacy, because it is smaller.

The stage also resembles the one in Stratford, Ontario. At the rear there are a small balcony supported by pillars and a wall of dark wood, as polished as the stage floor, with a number of doors and windows.

Using this playing space with the virtuosity of a man who loves its freedom, Tyrone Guthrie has staged a vividly theatrical "Hamlet." Its theatricalism is often so vigorously underlined that it tumbles over into flamboyance. This "Hamlet" is by turns startling and ludicrous, illuminating and merely flashy, but never commonplace or dull.

It has pleased Mr. Guthrie's modern court—as he did in previous Shakespearean productions, including an earlier "Hamlet" in London. In Tanya Moiseiwitch's joyously unhibited designs, the place at Elsinore seems to be inhabited by royalty and courtiers who compensate for the modesty of their kingdom's political position by the extravagance of the regalia. Indeed, they look a little like figures in comic opera.

The soldiers on the battlements who first see the ghost of Hamlet's father wear the ankle-length greatcoats of Hussars. Other soldiers wear breastplates over scarlet tunics, high boots and plumed helmets. Claudius, the King, is contemporaneously regal in the daytime in morning coat and Ascot tie and in the evening in white tie, tails, ceremonial sash and decorations.

Polonius is always in formal diplomatic garb. He signs papers distractedly as he gives Laertes the familiar platitudinous counsel. Laertes, off for France, is as sharp as a young man about town in his tan suit and fawn waistcoat. Ophelia comes to see him off, carrying a couple of tennis rackets. And Hamlet soliloquizes on suicide in a snazzy blue smoking jacket.

What is the value of this modern setting? At worst, when Laertes returns from France with a holster conspicuously attached to a belt worn over a trenchcoat, it is silly. When Laertes jabs a pearl-handle pistol into Claudius' ribs, we have a "Hamlet" caricature in the style of a western.

At best the exaggerated modern dress reminds us that "Hamlet," in its ironic comment on venality, stupidity and wild unreason, is enduringly true. For Shakespeare's account of the intrigue in a distant Elsinore does not seem distorted in a modern context.

With his fondness for theatricalism, Mr. Guthrie has filled the stage with movement and effect. The arrival of the players in garish clothes and with their much-traveled luggage is lively and colorful. The play within the play shifts from animation to feverishness, with the spotlights manned by uniformed flunkies turned suddenly to rake the audience.

After the killing of Polonius, Hamlet is tracked down by a posse that uses flashlights eerily. Ophelia's funeral is a somber procession in black coats, veils and open umbrellas. And during the swordplay near the end, when Hamlet seizes Laertes' sword with its envenomed tip, I swear I heard a uniformed courtier exclaim in a fruity English accent, "Most irregular."

There are other excesses, like the melodramatic way in which the skewered Polonius plunges from behind the arras and the dying Claudius falls back, overturning a table. Yet the substance of "Hamlet" is not neglected.

George Grizzard, a pale young and handsome Hamlet, plays with shining intelligence. You never forget that here is a noble prince of shrewdness, wit, and passion. He reads the great soliloquies with the casualness of a modern man, yet he does not cheat the poetry.

Lee Richardson is a tautly energetic Claudius, a worthy adversary for a tragic hero. Jessica Tandy's Gertrude is gentle and confused. Ellen Geer, madly scratching the ground near the end, is an Ophelia who wears her rue with a difference. Robert Pastene is an amusingly stuffy Polonius. Ken Ruta as the ghost, Nicholas Coster as the ardent Laertes, John Cromwell as the Player King, and Ruth Nelson as the Player Queen, deserve mention.

Clayton Corzatte as Osric invites Hamlet to a test of blades with such grossly distorted foppishness that he gets the expected laugh. An able actor, Mr. Corzatte no doubt follows orders. But there are laughs and laughs. Ed Preble, a simple and wise first gravedigger, gets the right kind.

The comedy is typical of this individualistic "Hamlet." You never know from one scene to the next whether you will be surprised for the sake of surprise or genuinely stirred. You will not, however, be indifferent. The chamber of commerce is right, after all, to puff out its chest over Minneapolis' new acquisition.

THE CAST

"Hamlet," a revival of William Shakespeare's tragedy. Staged by Tyrone Guthrie; presented by the Minnesota Theater Co.; production designed by Tanya Moiseiwitsch; music by Herbert Pilhofer; costumes supervised by Ray Diffen; production stage manager, Rex Partington. At the Tyrone Guthrie Theater, Minneapolis.

Horatio	Graham Brown
Marcellus	Paul Ballantyne
Ghost	Ken Ruta
Claudius	Lee Richardson
Gertrude	Jessica Tandy
Laertes	Nicholas Coster
Polonius	Robert Pastene
Hamlet	George Grizzard
Ophelia	Ellen Geer
Rosencrantz	Alfred Rossi
Gildenstern	Michael Levin
Player King	John Cromwell
Player Queen	Ruth Nelson
Osric	Clayton Corzatte
Fortinbras	Claude Woolman
First gravedigger	Ed Preble
Second gravedigger	Ken Ruta

William Tyrone Guthrie—1,000 Miles Off Broadway

A magical ritual, a mirror hung before man, a gold mine for those who seek the poetical, the fanciful, the unusual—this is the meaning of theater to William Tyrone Guthrie.

The founder and director of the Tyrone Guthrie Theater, which opened a 20-week repertory season Tuesday night in Minneapolis, is left unmoved by the realistic style that has dominated the American stage.

As an articulate critic against this style, he has been one of the most hardened advocates of theater-in-the-round and one of the sharpest opponents of the conventional proscenium stage.

The director has also been strongly in favor of repertory theater, far from the traditional stage centers.

"I'm very interested in places that aren't the central marketplaces of theater," he once said. "We all tend to stick around New York, London, and Paris, which are the places for the great press notices."

At the moment he is 1,000 miles from Broadway, opening, for the upper Midwest, the most important cultural event since the first concert by the Minneapolis Symphony 60 years ago.

JOURNEYS TO FRONTIERS

His journey to a new cultural frontier is not surprising. In 1953, he went to Stratford, Ontario, "to give advice" when the Shakespeare Festival was being organized. His productions made the festival internationally famous. Now his work in establishing the first important repertory theater outside New York may alter the furrowed brow of the American theater.

A British subject of Irish and Scottish extraction, Mr. Guthrie was born on July 2, 1900, in Tunbridge Wells, an English village. "I come by the stage quite honestly," he said. "On my mother's side there was a long line of actors and I am a grandson of Tyrone Power (the British actor who died in 1931. He is a cousin of Tyrone Power, the late actor). On my father's side, there was a long line of Scottish Presbyterian ministers."

While he studied at Oxford, his fascination with the theater took form after he was asked to join the dramatic society. Repertory theater and apprenticeship at the British Broadcasting Corp. followed. He began his career as a director in 1926 and by the time he was 33, he had become the youngest director the Old Vic ever had.

His fresh approach to plays and his attention for details punctuate the career of a man who rightfully called his autobiography, "A Life in the Theater" (McGraw-Hill), published in 1959. His experiments have not all met with the critics approval. But he has preferred experiments that do not quite come off—to no experiments at all.

His versatility was demonstrated one season in New York when he staged "The Matchmaker," a farce; "Candide," a comic operetta, and "Troilus and Cressida," a tragedy. Earlier, at the Metropolitan Opera, he had pumped fresh blood into an aging production of "Carmen."

After 40 years in the theater, Mr. Guthrie has learned that "the best plays and the best productions rarely succeeded; and that the greatest successes rarely seemed to me interesting or of lasting value."

The director, who had an honorary LL.D. conferred on him by the Scottish University of St. Andrews, is a 6-footer with shoulders as broad as a French farce. He has the physique with which to frighten actors, but he prefers to persuade them. He was knighted December 30, 1960.

HE SPEAKS, THEY LISTEN

When Mr. Guthrie speaks, everyone listens. For even the most hardened producer knows that his startling flow of the English language is supported by intelligence, honesty, and dedication, traits frequently missing among members of a profession where art is often measured by the weekly box-office receipts.

During rehearsals, he may burst into song to simulate an orchestra. He may bound about the stage in a pair of carpet slippers to show how he wants a battle scene done. If a script calls for drums, he beats out the rhythm on a metal waste basket. He directs every part as if it were the star role. He is almost fanatically demanding in having everything right as he sees it. And he gets his results by dipping into an apparently bottomless well of patience and good humor.

His attire is as careless as his plays are precise. He has wandered about Times Square in clashing jacket and trousers, blue-canvas half sneakers, and no socks. His wife, the former Judith Bretherton, sometimes chases after him with a tie he has forgotten to put on.

The Guthries make their home in Newbliss, Ireland, where they recently began the production of violet plum, bramble jelly, and ginger jam, to help the town's economy.

"One cannot be afraid to be thought a little odd, a little bit of a freak," he said. "I greatly admire people who aren't always asking, 'What will the neighbors say?'"

Mr. HUMPHREY. In closing, Mr. President, I express the sincere hope that we can find time during the 88th Congress to consider this and related legislation most carefully. I am hopeful that it will be possible to hold several days of hearings on the various bills dealing with arts and culture sometime during the first session.

The United States can take pride in its artistic and cultural achievements. But we should also recognize that as a Nation we have just begun to utilize these resources of creative inspiration and pleasure. Congress has a clear responsibility to assist in the process of tapping these resources to the fullest.

Exhibit I

The National Arts and Cultural Development Act—Summary of Principal Provisions

On April 11, 1963, Senator Hubert H. Humphrey, Democrat, of Minnesota, assistant majority leader, introduced S. 1316, the National Arts and Cultural Development Act. The bill contains two titles: title I establishes a National Council on the Arts; title II establishes a National Arts Foundation. A summary of S. 1316 follows:

TITLE I—NATIONAL COUNCIL ON THE ARTS

1. Members: The National Council on the Arts shall be established in the Executive Office of the President. The Council shall be composed of a Chairman and 24 members appointed by the President with the consent of the Senate. There shall be an appropriate distribution of membership among the major art fields. The Special Consultant on the Arts shall serve as Chairman of the Council.

2. Functions: The Council shall perform the following functions: (a) recommend ways to maintain and increase the cultural resources of the United States, (b) propose methods to encourage private initiative in the arts, (c) advise and consult with other public and private bodies, and (d) conduct studies and make recommendations. The Council shall submit an annual report to the President and the Congress.

3. Staff: The Council shall be provided with an executive secretary and a staff to carry out its responsibilities. The Council shall meet at the call of the Special Consultant but at least twice each calendar year. Most of the Council's studies and projects will be undertaken through special panels and committees of professionally qualified persons.

TITLE II—NATIONAL ARTS FOUNDATION

1. Trustees: The National Arts Foundation shall be established as an independent agency in the Executive branch of the Government. A Board of Trustees consisting of 21 members shall formulate general policy and supervise the operation of the Foundation. Trustees shall be appointed by the President with the consent of the Senate.

2. Grants to groups: The Foundation shall conduct a grant-in-aid program to nonprofit professional groups and nonprofit groups meeting professional standards to enable these groups to provide (a) productions and projects of substantial artistic and cultural significance, (b) projects that will encourage and assist artists in the United States, (c) projects that will encourage the appreciation and enjoyment of the arts by our citizens, and (d) other relevant projects including surveys, research, and planning in the arts.

Grants-in-aid shall not exceed 50 percent of the total cost of any production or project except that 20 percent of the total funds allotted to the Foundation will be available for special grants not limited by the matching requirement.

3. Grants to States: The Foundation shall also conduct a grant-in-aid program to assist the States in supporting artistic and cultural projects and productions and in developing projects and productions in the arts in order to furnish programs, facilities, and services in the arts to all the peoples and communities in the States.

Grants to the States shall not exceed 50 percent of the total cost of any project or production.

4. Staff: The President shall also appoint a Director of the Foundation who will serve as principal administrative officer and who will sit as an ex officio trustee. Special panels and committee may be appointed to assist the trustees with respect to their duties of the Foundation.

5. Funds: The act authorizes an appropriation not to exceed $5 million for the fiscal year 1964 and not to exceed $10 million thereafter. The Foundation shall not itself produce or present any project or production.

COMMENDATION TO SENATORS

Mr. HUMPHREY. Mr. President, as this session draws to a close, on behalf of the leadership, I extend thanks and appreciation to the distinguished senior Senator from Alabama [Mr. Hill] for his excellent work in bringing forth from the Committee on Labor and Public Welfare the mental health and mental retardation legislation. I believe it is one of the most significant pieces of legislation adopted by any Congress in this century.

It seems to me that the measure commences a program that could bring great benefits to thousands of people and relieve the anxiety and the heartache of thousands—yes, hundreds of thousands—of families. As I said the other evening, the President of the United States is to be commended for his leadership on this program. And the distinguished Senator from Alabama has again demonstrated for all to see his remarkable capacity for leadership on vital issues of public health, and the whole subject of the healing arts and medical research.

I wish to compliment him and the members of the committee who worked so diligently in processing this important legislation.

I should add a word of compliment to the entire Senate for the expeditious manner in which the legislation was handled.

Today we have had some extraordinarily good work on the part of the Senator from Louisiana [Mr. Long]. He, along with the Senator from Florida [Mr. Smathers], did a fine job on the debt ceiling legislation. I wish to extend the thanks of the leadership also to the distinguished Senator from Delaware [Mr. Williams] for his cooperation in completing action on the legislation today.

There was an issue among us here, an item of controversy, but it was resolved, and the proposed legislation is now on its way to the President for his signature. It was an important measure, and we faced a time limit that necessitated prompt action.

Today there was also action on the appropriations for the Department of the Interior. Again I wish to compliment the able, distinguished and beloved chairman of the committee, the Senator from Arizona [Mr. Hayden], for his splendid work in bringing the appropriation bill to the Senate and for his methodical, efficient and expeditious handling of the appropriation.

Also I wish to compliment the distinguished Senator from South Dakota [Mr. Mundt], the minority member of the committee, for his cooperation in relation to the measure.

I know that pictures cannot be printed in the Congressional Record. But in case there are any doubters among us, I have in my hands a photograph of the distinguished Senator from Arizona [Mr. Hayden] taken in the year 1912. It is not hard to see why he was elected. He must have received the unanimous support of the ladies, because he is a fine looking gentleman. The picture which I hold in my hand reveals those qualities of character which years have made even more precise, understandable, and meaningful to all of those who have known him.

I think we should take a moment to express our appreciation to the Senator from Michigan [Mr. McNamara] for his remarkable achievement in bringing to fruition the equal pay bill. That measure has been before the Congress for 20, 25, or 30 years. At long last we have been able to see it passed and become a public law. It now awaits the signature of the President of the United States. I am sure that the signing of the bill will be a very important and historic occasion.

By his qualities of perseverance, patience and dogged determination, plus legislative skill, the Senator from Michigan has brought the proposal to legislative achievement.

PRAYER FOR POPE JOHN XXIII

Mr. HUMPHREY. Mr. President, the Senate would desire to take note of a very serious situation that faces the entire world. The whole world, Catholic and non-Catholic, turns its heart to Rome in prayer for the life of Pope John 23d.

Since his ascension to the papacy he has given mankind an image and a voice of hope, of fellowship, of humane respect for the value of every life. Old walls that have divided men have fallen before the simple goodness and deep wisdom of Pope John. The Ecumenical Council and his great message, "Peace on Earth," are his monuments; we pray that he may live to leave still other works that testify to the unity of mankind and power of each man for good.

I am confident that the words I have spoken represent the thought, the prayer, the hope, and the will of every Senator—yes, every Member of the Congress—and, indeed, our prayers go out most reverently for the life of this good, gracious, and courageous man. May he be spared, because the world needs him. He has been a great force for good, for peace and for humanity.

SIGNING OF ENROLLED BILLS DURING ADJOURNMENT

Mr. HUMPHREY. Mr. President, I ask unanimous consent that, notwithstanding the adjournment of the Senate today, the Secretary may receive messages from the House of Representatives and the Vice President or the President pro tempore be authorized to sign enrolled bills duly passed by the two Houses and found to be truly enrolled.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL FRIDAY; AND ORDER FOR ADJOURNMENT FROM FRIDAY, MAY 31, 1963, UNTIL TUESDAY, JUNE 4, 1963

Mr. HUMPHREY. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it adjourn to meet at 12 o'clock noon on Friday next; and that immediately after convening on that day the Presiding Officer shall, without the transaction of any business or debate, declare the Senate adjourned until 12 o'clock noon on Tuesday, June 4, 1963.

The PRESIDING OFFICER. Without objection, it is so ordered.

ASSISTANCE TO STATES IN PROVIDING DAY-CARE SERVICES FOR CHILDREN OF MIGRANT AGRICULTURAL WORKERS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 181, S. 522.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 522) to amend the act establishing a Children's Bureau so as to assist States in providing for day-care services for children of migrant agricultural workers.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

That the Act of April 9, 1912 (37 Stat. 79), is amended (1) by redesignating section 5 as section 6, and (2) by adding after section 4 the following new section:

"SEC. 5. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, and each of the two succeeding fiscal years, such sums, not to exceed $750,000 for any year, as may be necessary to enable the Secretary of Health, Education, and Welfare to make grants to public and nonprofit agencies, institutions, and organizations for paying part of the cost of establishing and operating day-care facilities for children of migrant agricultural workers. No grant under this section shall be made for the establishment or operation of any such facility unless the Secretary of Health, Education, and Welfare is satisfied that such facility (including private homes) and its mode of operation will meet any standards established for facilities of this type by the State wherein such facility is, or will be, located.

"(b) In no case shall a State receive Federal financial assistance with respect to the same expenditure under this section and the provisions of part 3 of title V of the Social Security Act.

"(c) As used in this section—

"(1) The term 'migrant agricultural worker' means an individual (A) whose primary employment is agriculture, as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), or performing agricultural labor, as defined in section 3121(g) of the Internal Revenue Code of 1954 (26 U.S.C. 3121(g)), on a seasonal or other temporary basis, and (B) who establishes for the purpose of such employment a temporary residence; and

"(2) The term 'child' means a child who makes his home with his parent or the individual who stands in loco parentis to the child.

"(d) No funds appropriated under subsection (a) shall be payable to any entity for the purpose of establishing or operating within any locality any day-care facility if such entity imposes, as a condition of eligibility for day care for children of migrant agricultural workers, any residence requirement which excludes any otherwise eligible child who is physically present in the locality."

Mr. HUMPHREY. Mr. President, S. 522 will be the pending business when the Senate convenes on Friday next, as well as on Tuesday, June 4.

ADJOURNMENT UNTIL FRIDAY

Mr. HUMPHREY. Mr. President, under the previous order, I move that the Senate stand in adjournment until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 7 o'clock and 20 minutes p.m.) the Senate adjourned, under the previous order, until Friday, May 31, 1963, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 28, 1963:

U.S. COAST GUARD

To be rear admiral

Capt. Albert J. Carpenter, U.S. Coast Guard, for promotion to the permanent rank indicated in the U.S. Coast Guard.

EXTENSIONS OF REMARKS

Pressure To Hire Negroes Undermines Merit System

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1963

Mr. HUDDLESTON. Mr. Speaker, I am most concerned and distressed about repeated reports I am receiving from Birmingham that the Justice Department and the Civil Service Commission are tampering with the merit system.

Within the last few days, I have received reports from workers at the Social Security Administration, the Birmingham Veterans' Administration Hospital, the post office and other Federal agencies in Birmingham that pressure is being put on local agency administrative officers, who are charged with the responsibility of hiring workers under the merit system, to hire Negroes for jobs coming open in their agencies.

Apparently, Mr. Speaker, the Justice Department has influenced the Civil Service Commission to order a step-up in the hiring of Negroes in Federal agencies in Birmingham. Although this has been denied by civil service officials, there has been no explanation of the secret meetings of Civil Service Commission officials and local hiring officers. This action to influence the hiring of a specific group or class of people is plain tampering. It is all the more alarming and distressing because civil service officials are actually participating in the efforts to show favoritism to a specific group of applicants. This undermines the entire concept of the merit system.

I have very strongly and repeatedly protested this pressuring of agencies by the Civil Service Commission. I have asked for a complete investigation and explanation of the Birmingham meetings and the apparent pressures being exerted on Federal Government officials.

Mr. Speaker, it would be unconscionable, and a violation of all ethical standards as an infraction of civil service regulations, if, in the name of equal rights and opportunities, special privileges were granted Negro applicants for positions or promotions.

The 45th Anniversary of Armenian Republic Independence

EXTENSION OF REMARKS

OF

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1963

Mr. ROBISON. Mr. Speaker, Americans of all faiths and national origins again pause this year to celebrate the anniversary of the independence of the Armenian Republic. May 28 marks the 45th anniversary of that declaration, which in turn was a culmination of the legitimate national desires and political aspirations of the Armenian people. Despite initial diplomatic recognition, the Soviet Union, as is its frequent rule, violated the sovereignty of the Armenian state and brought it under the physical control of Moscow.

The continued spirit of the Armenians is such, however, that they have never accepted Soviet domination, and political independence still continues to burn in their hearts.

Freedom-loving Americans everywhere join with Armenians, and with Americans of Armenian origin and parentage, in marking their continued protest against Soviet imperialism.

Staten Island Chapter, American Institute of Architects

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1963

Mr. MURPHY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my address before the Staten Island chapter of the American Institute of Architects on May 20, 1963 at the Meurot Club on Staten Island:

REMARKS OF REPRESENTATIVE JOHN M. MURPHY

My first exposure to the architectural and engineering profession was as a student in engineering in the military topography and graphics classrooms at the U.S. Military Academy wherein I spent many hours at a drawing board, laboring with a T-square and a chisel-pointed pencil, learning the mechanics of the trade.

It equipped me with some insight into the problems and the severe mental training to which this great profession dedicates itself. I further learned that the architectural calling requires great personal integrity and complete dedication to the problems of its industry which are staggering in scope, variety, and complexity. In fact, I feel for this very reason that the future national problems which are growing increasingly more complex will require that the political representatives of the country be enlisted more and more from the professional ranks.

There are many reasons for this, including tremendous additions to the body of human knowledge every year, international and ideological competition, and the magnification of age-old problems by sheer force of numbers as populations explode and concentrate in urban areas. The Federal Government is, to a significant extent, aware of this need for greater intellectual development among the Nation's citizenry as is evidenced by the various aid-to-education programs for the contracting of research and training services of educational institutions in the interest of national welfare and defense, for support of individuals for whom there is special Federal responsibility, for support of schools in areas where Federal activity would result in undue burdens on school services without such support, for support of education in special areas such as vocational education.

In the field of engineering, funds for undergraduates are primarily in the form of payments to veterans enrolled in educational institutions. At the postdoctoral level, the National Institutes of Health, and the National Science Foundation provide fellowships and training grants, and the Department of State provides research grants and grants for university teaching through its Educational Exchange Program. At the graduate level, research fellowships are made available by NIH as well as under the National Defense Education Act. Also the National Science Foundation awards grants for teacher training, research participation, and fellowships at the graduate, as well as the undergraduate level. The Atomic Energy Commission grants awards for special schools and courses, and the Department of Defense, the Treasury, and NASA pay expenses for training military and civilian personnel in educational institutions.

The National Science Foundation also provides funds for summer science training for secondary students. The Department of the Interior conducts mining safety training as an adult education program for mine workmen.

In 1960, $62.4 million of Federal funds were provided for education in the field of engineering for a total of 90,253 students, trainees, both professional and nonacademic, and teachers. These and similar programs by all prospects should remain available for some time to come. Among the forces creating the need for such programs is the vast proliferation of space and missile projects at the Federal level, the many urban renewal and expansion projects at the State and local levels, and the cooperation of Federal and State Governments in public works projects such as the new interstate highway programs. Examples of these right here in Staten Island are the Verrazano-Narrows Bridge and the Gowanus and Clove Lakes Expressways on either side of it which are currently under construction. These as well as the network of Federal-State-aided roads that will also lead to and from the bridge will be part of the National System of Interstate and Defense Highways. The new bridge and its links will probably result in a tripling of Staten Island's present population by 1975 and thus give considerable impetus to urban renewal and area redevelopment projects.

Because of the Verrazano-Narrows Bridge, Staten Island may well have a new deepwater channel extending along its southern and western waterways through to the Arthur Kill, thereby greatly increasing its economic attraction for industry.

The trend to a more populous and dynamic Staten Island is also evidenced by the projected post office building to be constructed on the east side of Manor Road 200 feet north of Victor Boulevard which will be of rectangular design with a modern brick-and-glass facade and have an estimated interior area of over 39,000 square feet.

The shortage of engineers is aggravated by the fact that, while rate of growth in graduate engineering increases (the rate of growth in doctorates of engineering has been triple that in other fields and in master degrees double), there has been a 5-year decline in the number of undergraduate engineering students. In 1962 about 36,000 engineers were graduated from 209 colleges and universities in the United States. This total was 6 percent less than the number of 1961 engineering graduates. The decline apparently will continue unless something is done about it, for the number of freshmen enrolling dropped 2.3 percent last year.

I point out the shortage of engineers and illustrate it by the fact that in the House of Representatives at the present time, the special subcommittee on Federal aid to highways program, in which I am participating, is holding an investigation of the Arizona highway development. The hearings reveal that because of the inadequacy in the staffing of the State Public Works Department, many malpractices existed in construction. This problem does not confine itself to Arizona, but at the present time there are only 10 States which are recognized by the Bureau of Roads as meeting their requirements for properly overseeing the Federal interstate highway program.

The President, in a special message on education sent to Congress on January 29 of this year, proposed "a comprehensive, balanced program to enlarge the Federal Government's investment in the education of its citizens," which was embodied in the proposed National Education Improvement Act of 1963.

The act would provide a program of grants to aid public and private nonprofit institutions in the training of scientific, engineering, and medical technicians in 2-year college-level programs; and a program covering up to 50 percent of costs of constructing, equipping, and operating the necessary academic facilities.

The President also recommends expanding the National Science Foundation program for training institutes for teachers in the natural and social sciences, engineering, and mathematics to provide for upgrading the knowledge and skills of 46,000 teachers. This program is especially important to engineers who have been out of school for many years whose knowledge in this era of rapid scientific advancement has a tendency toward obsolescence. In a recent conference in Chicago on reducing obsolescence of engineering skills, participants said that the gap between engineering generations is most glaring in mathematics. No longer merely a tool for engineering, mathematics is a peculiar and indispensable language of its own. Difficulty with newer mathematics itself often prevents an engineer from keeping up with newly presented papers in his field.

As I have said, in the face of crucial national needs, the Federal Government has a vested interest in the number and quality of engineers in all specialized areas. In 1960, the Federal Government employed 61,000 engineers. NASA, which alone employed some 4,100 in 1960, currently employs about 5,600 and will probably need additional scientists and engineers at a rate of about 1,000 per year for the next 3 or 4 years. In the field of public works various governmental activities draw heavily on the services of both government engineers and private engineering consulting firms. In the past 25 years we have witnessed great progress in the field of highway design and construction in developing plans for the Interstate Highway System.

During the past 13 years since the comprehensive program of slum clearance resulting from the enactment of the Housing Act of 1949, hundreds of Federal agencies have been working with the Federal agencies on urban renewal projects. According to the annual report of the Urban Renewal Administration, which administers the urban planning assistance program authorized by the Housing Act of 1954, as of the end of 1960, 475 communities in 43 States, the District of Columbia, Puerto Rico, and the Virgin Islands had taken advantage of urban renewal aids.

Of special interest to the Nation's architects is, of course, our tremendous urban growth in recent years. Four-fifths of our population increase in the past decade has been in our metropolitan centers: 70 percent of our people now live in urban areas, and even the smaller towns are feeling the impact of growth in their communities. Rapid urbanization will continue in the decades ahead not only in our metropolitan centers but in our small towns as well. It is this need which offers so much challenge and opportunity to architects and city planners. Part of the impetus to solving urban planning and development problems has been and will continue to be provided by the urban planning assistance program. Under the Housing Act of 1961, the Federal share of the total cost of any planning project can be as much as two-thirds rather than the previous one-half. In some localities falling under the provisions of the Area Redevelopment Act of 1961, grants may amount to as much as three-fourths of the planning project cost.

In a recent keynote address, G. Holmes Perkins, dean of the School of Fine Arts at the University of Pennsylvania, said:

"Tomorrow's architect will obviously be involved in urban design. His interest and his acts will impinge upon the landscape, on art, on city planning, on engineering; in fact, upon the total urban environment."

In the same address Dean Perkins went on to describe a new role confronting the architect as he will have to work in ever-closer cooperation with engineers, economists, and sociologists because Government participation and new methods of financing have made possible an enormously enlarged scale of community development. Whereas before the war nine-tenths of our housing was built by operators who built less than 10 houses a year, today the big operator is dominant. Because of these changes it has become vital that the architect understand and guide the financier, the realtor, and the Government official by participating in the decision making at the programing stage. The problems of modern urban planning pose enormous challenges to the talent, education, wisdom, and patience of architects. The role of the architect will be of critical importance, for his success, influence, and creative imagination will determine largely whether we build and inhabit a nightmarish or a beautiful environment.

Race Criterion Introduced on Postal Personnel Form

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1963

Mr. HUDDLESTON. Mr. Speaker, the Post Office Department, at the behest of the Justice Department, has recently circularized to all employees in Birmingham, Ala., requesting certain personnel information. The forms were sent out on May 22, 1962, with an accompanying letter to all postal supervisors telling them to secure the information requested within 24 hours, and no excuses accepted.

The forms asked the postal employee to give his name, his payroll number, his age, his title, his level, his step, college attended—including vocational and business colleges—semester hours, quarter hours, type degree held—if any—and his race.

Mr. Speaker, I have protested this in the strongest possible terms to Post Office Department officials, yet I am unable to secure a reasonable or satisfactory explanation for this. It is my strong feeling that the introduction of this form, asking for the employee's race, is merely part of an effort to promote Negroes in Federal Government positions without regard to long-established promotional procedures.

For years, Mr. Speaker, seniority lists and personnel records of the Post Office Department have been kept without regard to race. I am fearful that the use of this form means the introduction of race as a hiring and promotional criterion.

Here is a copy of the form that was circulated:

U.S. POST OFFICE, BIRMINGHAM, ALA., MAY 22, 1963

Employee's name____________________
Payroll number____________________
Age____________________
Title____________________
Level____________________
Step____________________
College attended, including vocational and business colleges: (Give length of time in attendance if vocational or business college and course of study. If none attended, state none.)____________________
Semester hours____________________
Quarter hours____________________
Type degree held, if any____________________
Race ____________________

Mr. Speaker, this confirms repeated reports I have received about violations of established civil service procedures and efforts to recruit and promote Negro applicants in Federal Government positions.

Armenian Independence Day

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1963

Mr. MULTER. Mr. Speaker, independence day celebrations always evoke a great variety of memories and thoughts, some of which are inevitably saddening while others are inspiring. On such occasions we are apt to reminisce and retrace the steps taken and the sacrifices made in the attainment of national independence. It is particularly fitting that such stocktaking and accounting be undertaken in the case of a people who have worked hard and sacrificed much for the realization of their cherished dream. This applies especially to the celebration of Armenian Independence Day.

The history of the Armenian people in its centuries-old struggle is rather uneven throughout its long course, and today the 45th anniversary of their independence day may well evoke in the minds of many the truly tragic days of World War I, when the Turks almost succeeded in exterminating the entire Armenian nation. These sturdy and steadfast defenders of their freedom and their faith had, for centuries, succeeded in salvaging part of their independence from the endless Asiatic hordes that overran and ravaged their country. Early in modern times, however, they were too weak to withstand the Persian and Turkish onslaughts. So in 1514 their homeland was overrun and divided between these two rivals, the Turks obtaining most of the country and with it most of the Armenians as their subjects. From that year on the modern history of the Armenian people took a new turn, a sad and decisive turn which led exactly 400 years later to the massacre of some 1 million Armenians in 1915.

Fortunately not all Armenians were massacred; many hundreds of thousands escaped to Persia and to Russia. And toward the end of the First World War, when the Russian autocratic regime was overthrown by the Bolsheviks in 1917, Armenians in the Caucasus, uniting with the survivors of the Turkish massacres, asserted their freedom, proclaimed their national independence on May 28, 1918, and founded the Armenian Republic. It is the 45th anniversary of that day which is being celebrated in all Armenian communities throughout the world today, wherever they are permitted to do so.

The new state thus born after the lapse of many centuries, and after the sacrifice of more than 1 million Armenians in one massacre alone, was a weak and very unstable entity, in need of urgent aid from abroad for its survival, and surrounded by many powerful foes. The situation was rendered almost hopeless by the fact that the Armenian state was isolated and cut off from the outside world where its friends, supporters, and sympathizers lived.

Under these circumstances the days of the Armenian Republic were numbered, and only a major miracle on the part of European governments could have saved it from its deadly foes. The hoped-for miracle did not take place, and, after a little more than 2 years' precarious but gallant existence, it went down under the powerful attack of the Turks in the fall of 1920. In this they were aided by the treachery of the Soviet Union. Finally, early in December most of the territory of the Armenian Republic was retained by Turkey while the part that fell to the Soviet Union became today's Soviet Socialist Republic of Armenia. In brief that is the story of the rise of the Armenian Republic in 1918 and its destruction by the combination of Turkish-Soviet forces late in 1920.

But the brief 2-year term of that Republic has left a profound impression in the minds and hearts of the Armenian people. Most important of all, it serves them as a lesson that regardless of the sacrifices made and suffering endured for the attainment of national freedom, the attainment of that supreme goal is worth all these and more. That is why the Armenian people attach particular importance to the anniversary celebration of their Independence Day; it reminds them that there is no easy road to freedom and independence.

Investigation of Veterans' Preference Violation Needed

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1963

Mr. HUDDLESTON. Mr. Speaker, I have been receiving repeated reports of violations of the Veterans' Preference Act in filling Federal Government jobs in Birmingham, Ala. I have, of course, protested to the Civil Service Commission, asking for an immediate investigation of these reports that 10- and 5-point veterans are being passed over in filling positions.

All of this arises from the fact that pressures from high public officials are being exerted on Federal agencies hiring personnel in Birmingham to hire Negro applicants for civil service jobs. I believe that these people who are violating the Civil Service laws and regulations should be punished. Apparently Justice Department officials have influenced the Civil Service Commission personnel to order a step-up in Negro hiring. After a series of secret meetings with Birmingham Federal agency hiring officials, the new drive to hire Negroes was begun. An effort is being made by Justice Department officials to place a Negro applicant in the position of deputy U.S. marshal for the Northern District of Alabama over a qualified 10-point veteran who has been recommended for the position.

Mr. Speaker, actions of this kind lessen the confidence of our people in the fairness in the administration of civil service procedures with their legally based and established veteran preference features. It is unconscionable and a violation of all ethical standards, as well as a reflection of civil service regulations, if, in the name of equal rights and opportunities, special privileges are granted Negro applicants for positions or promotions.

Mr. Speaker, I have brought this to the attention of Mr. James E. Powers, national commander of the American Legion; Mr. Byron B. Gentry, commander in chief of the Veterans of Foreign Wars; and Mr. Peter L. Dye, national commander of the Disabled American Veterans. I have asked that they conduct their own inquiry into the violations.

Armenian Independence Day

EXTENSION OF REMARKS

OF

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1963

Mr. MORSE. Mr. Speaker, many nations have been deprived of their freedom and independence within the past half century. Under such conditions one cannot hope for a real or durable peace. By espousing and championing the cause of self-determination for these nations the United States has become a beacon of hope for these enslaved peoples.

Among nations deprived of their independence are the people of Armenia. Armenia's political independence was lost late in the 14th century, and from then until 1918 Armenians had not known freedom. For more than 500 years their historic homeland was conquered and parceled out among its conquerors—Persians, Russians and Turks. During all that time they suffered much and lost heavily in worldly goods. Often they were subjected to wholesale massacres by the Ottoman Turks. Early in World War I their very existence as a people was threatened in a massacre unprecedented in modern history. One million Armenians lost their lives in that atrocious butchery. But the survivors of these horrors did not lose heart. Early in 1918 in the northeastern part of their homeland, within view of historic Mount Ararat, they proclaimed their national independence on May 28 of that year.

It is the 45th anniversary of that day which is being celebrated today in all Armenian communities where there is freedom to do so. Armenia's independence was supported by the United States, and the Government of this country gave moral and financial assistance to the struggling government of that country at the time. Despite the fact that we tried to help it in every way possible, the course of international events proved fatal to Armenian independence. Late in 1920 most of the country was overrun by the Turks, and the remainder became part of the Soviet Union.

Since then Armenian independence has vanished, but the Armenian people and their sympathetic friends continue to celebrate that independence day in the hope that someday, and perhaps soon, they may regain their independence. I personally and heartily join in the celebration of the Armenian Independence Day.

Report From Washington

EXTENSION OF REMARKS

OF

HON. VICTOR WICKERSHAM

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1963

Mr. WICKERSHAM. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

YOUR CONGRESSMAN, VICTOR WICKERSHAM, REPORTS FROM WASHINGTON

REPUBLICAN SENATOR SPEAKS OUT

It is a rare occasion when I agree 100 percent with anything that a Republican has to say. This month, however, Republican Senator THOMAS H. KUCHEL, of California, made a remarkable speech on the Senate floor.

The Senator's remarks were made to point up the danger of the fright peddlers, groups of individuals that spread slander and abuse, generated by fear and heaped indiscriminately upon many great Americans. Senator KUCHEL referred to these individuals as a "handful of zealots, in the ranks or clutches of self-styled 'I am a better American than you are' organizations." The Senator reported that he received a deluge of mail every day, which he described as fright mail.

I, too, receive this kind of mail. It is disgusting to see relatively intelligent Americans being duped into believing such junk. The fright peddlers are spreading out-and-out lies. Among these are allegations that the United States is training thousands of foreign troops, including barefoot cannibals with rings in their noses, in Georgia, as a step toward takeover of the United States by the United Nations; that the United States no longer has any armed forces because creation of the U.S. Arms Control and Disarmament Agency has turned over its military to a Russian general or colonel in the U.N.; and that thousands of Chinese Communists troops are poised on the Mexican border for an attack on California.

Senator KUCHEL said, "These fright peddlers are doing the Devil's work far better than Communists themselves could do." The Senator is right. No good American, whether Republican or Democrat, can stand by and see these Red dupes do their dirty work in the disguise of an anti-Communist uniform.

If any of my constituents would like a copy of the Senator's speech, they may write to me and I will be glad to send them a copy.

PAY RAISE FOR MILITARY APPROVED IN HOUSE

I was pleased to vote for passage of the military pay raise this month, along with an amendment to recompute the retired pay for those that retired prior to the 1958 pay act. I also supported recomputation in committee. Our military personnel have needed a pay raise for a long time and I am pleased that the bill passed the House.

FOREIGN AID COMES HOME

Avowed opponents of all foreign aid never seem to consider one item worthy of note: Aid given to other countries comes back to the United States in the form of purchases that benefit local contractors, companies, industry, and employment. During January through April of this year, $89,756,577 worth of aid-financed orders went to 43 States in the United States. Oklahoma got $265,454 in orders. More than two-thirds of foreign aid procurement dollars now are spent with American suppliers, as a result of purchase source restrictions in loan and grant agreements. My previous stand on foreign aid remains unchanged: Cut out all foreign aid to Communist countries and eliminate all unnecessary foreign aid as outlined in the recent Clay report.

THREE LARGE LOANS APPROVED

Big news for the economy of Anadarko was made this month with the announcement of approval of a $390,000 Area Redevelopment Administration loan for Sequoyah Mills, Inc., a carpet plant. The plant will manufacture carpet for a five-State area and will employ 180 persons when in full production. Improved telephone service is due at Cheyenne, with the approval this month of a $610,000 REA loan to the Dobson Telephone Co., Cheyenne. A new dial office will also be built at Crawford. A $1 million loan was approved for Southwestern State College by the Community Facilities Administration. It will provide for housing for 286 students.

THE WAR THAT IS NOT A WAR

Amongst my mail this month was a letter from a woman in my district asking why we are fighting in Vietnam and not in Cuba. Much confusion seems to exist on this question and I feel some comment is necessary.

The war in Vietnam is not a war in the sense that we know it, but a special war of overt political action, with American casualties. The aim of our 12,000 troops in Vietnam is not to fight, but to teach others to fight. They have the goal of organizing local native forces to prevent a Communist takeover. This is done, using the concept of the strategic hamlet system. Here is how this works:

Scattered native groups living in the bush country are brought into central locations, where they construct hamlets, or small villages. The villagers are taught to build barbed wire fences around their hamlet and are given instruction in defending themselves against Communist attack. These natives seem to have learned well—of 20 hamlets recently attacked, only one was overrun by the Communists. The idea of protection and consolidation also permits other things to happen. The villagers are taught government; four elections have been held, the first elections in 2,000 years. Education is taught the villagers; the number of school teachers and students has tripled in the past 6 years. Hamlets which were formerly isolated from one another now have communication with each other.

This "war that is not a war" is difficult for the average American to understand. It is most regrettable that 73 Americans have been killed, even though we are acting only as advisers. Most of these casualties were helicopter pilots ferrying Vietnam troops, of which more than 100,000 have been killed. Both military and government leaders say there are signs of progress in Vietnam, in the actual fighting and in the intangibles that go with our actions.

This is the difference between Vietnam and Cuba, according to our military leaders: In Vietnam we are advising the natives how to fight communism, at the request of the local military government. In Cuba, we are on the outside, looking in. Militarily, we can do little in Castro's Cuba without getting into a full-scale war with Russia. What we are doing in Vietnam is closing the door on the Communists before they can get in, not after they have already gained a foothold.

OKLAHOMA ASTRONAUT MAKES GOOD

Astronaut L. Gordon Cooper, a native of Shawnee, certainly put Oklahoma on the map with his successful 22-orbit space flight. The mission proved beyond a doubt that man is the necessary element in space exploration, not a computer. I am looking forward to the day that Astronaut Thomas Stafford of Weatherford makes his trip to the moon. Then I can claim an astronaut from my district, as my good friend from the fourth District, TOM STEED, now can.

WEST POINT AHEAD FOR YOUTHS

Four young men from my district will be attending the U.S. Military Academy at West Point soon. Two of them, Sterling McColgin, of Reydon, and Virgil Stone, of Duncan, won my appointments. George Viney, of Lawton, was appointed by Senator MIKE MONRONEY, and William Brigadier, of Lawton, was appointed by Representative JAMES ROOSEVELT of California.

Remember, I am in Congress to represent and serve you. Anytime I may be of service, just phone, wire, or write.

Cordially your friend,
VICTOR WICKERSHAM,
Member of Congress.

Questionnaire—1963

EXTENSION OF REMARKS
OF
HON. PETER FRELINGHUYSEN, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 28, 1963

Mr. FRELINGHUYSEN. Mr. Speaker, at the beginning of the session I sent out to my constituents over 100,000 questionnaires in an attempt to learn the opinions of those I represent here in Congress. I was heartened by the fact that almost 20,000 people took the time and the trouble to respond.

I released the recapitulation of the results of my questionnaire in February. At that time I noted that of those responding, 63 percent were listed as registered Republicans, 5 percent Democrats, and 32 percent were independents. I now have the breakdown of the responses by party.

The following is the final tabulation with respect to party affiliation and the totals for each question.

Questionnaire, 1963

	Percent			
	Independent	Republican	Democrat	Total
Do you favor—				
(1) Reducing Federal income taxes—				
(*a*) Geared to reduction in Federal expenditures	77	88	58	83
(*b*) Without a reduction in Federal expenditures	16	7	35	11
(*c*) No response (presumably against a tax cut)	7	5	7	6

	Percent		
	Yes	No	No opinion
Do you favor—			
(2) Increasing your social security taxes to finance hospital and nursing home costs for those over 65?			
Independent	42	52	6
Republican	29	63	8
Democrat	67	26	7
Total	35	58	7
(3) Federal aid for construction of—			
(a) Public primary and secondary school facilities?			
Independent	55	37	8
Republican	44	49	7
Democrat	70	21	9
Total	49	43	8
(b) Private primary and secondary school facilities?			
Independent	16	70	14
Republican	9	79	12
Democrat	26	57	17
Total	17	69	14
(c) College academic facilities?			
Independent	48	40	12
Republican	38	50	12
Democrat	56	29	15
Total	42	46	12
(4) Federal aid for public school teachers' salaries?			
Independent	28	66	6
Republican	18	76	6
Democrat	38	54	8
Total	22	72	6
(5) Federal scholarships for higher education?			
Independent	60	34	6
Republican	50	42	8
Democrat	72	23	5
Total	55	38	7
(6) Legislation providing tax credits for parents paying college tuition?			
Independent	69	26	5
Republican	70	25	5
Democrat	70	23	7
Total	70	52	5
(7) Legislation requiring secret ballot of union members before strike can be called?			
Independent	90	4	6
Republican	94	2	4
Democrat	88	6	6
Total	93	3	4
(8) Federal aid for commuter railroads?			
Independent	35	50	15
Republican	41	46	13
Democrat	40	45	15
Total	39	47	14
(9) Creation of a Department of Urban Affairs?			
Independent	27	52	21
Republican	18	62	20
Democrat	43	34	23
Total	22	58	20
(10) Establishment of Domestic Peace Corps?			
Independent	40	45	15
Republican	30	55	15
Democrat	54	31	15
Total	35	50	15
(11) Increased pay for military personnel?			
Independent	43	37	20
Republican	41	38	21
Democrat	48	33	19
Total	42	37	21
(12) Increased pay for Members of Congress?			
Independent	16	64	20
Republican	18	60	22
Democrat	19	62	19
Total	17	62	21

Questionnaire, 1963—Continued

	Percent		
	Yes	No	No opinion
Do you favor—Continued			
13. Optional nondenominational religious activities (prayers, Bible reading, etc.) in public schools?			
Independent	75	17	8
Republican	83	11	6
Democrat	68	21	11
Total	79	14	7
14. A strong United Nations fully supported by all member nations?			
Independent	86	8	6
Republican	84	9	7
Democrat	90	6	4
Total	85	9	6
15. Aid to underdeveloped countries that are—			
(a) Pro-Western?			
Independent	72	16	12
Republican	72	16	12
Democrat	71	15	14
Total	72	16	12
(b) Nonalined (neutral)?			
Independent	35	44	21
Republican	32	45	23
Democrat	41	38	21
Total	34	44	22

	Percent			
	Independent	Republican	Democrat	Total
16(a) Do you prefer the services provided by the Federal Government to—				
Be increased?	15	6	26	10
Be decreased?	44	59	25	53
Remain at present level?	34	28	38	31
No response	7	7	11	6

	Percent		
	Yes	No	No opinion
16(b) If your previous answer favors increased services, are you willing to pay increased Federal taxes to obtain then?			
Independent	71	22	7
Republican	69	23	8
Democrat	20	74	6
Total	63	30	7

	Percent			
	Good	Fair	Poor	No response
17. What is your opinion of the President's record on—				
(a) Domestic matters?				
Independent	27	44	26	3
Republican	11	45	40	4
Democratic	52	35	10	3
Total	18	44	34	4
(b) Foreign affairs?				
Independent	34	38	25	3
Republican	17	43	36	4
Democrat	57	30	9	4
Total	24	41	31	4

On Preserving Order

EXTENSION OF REMARKS

OF

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 28, 1963

Mr. THURMOND. Mr. President, the distinguished and respected columnist, Mr. David Lawrence, has been producing some outstanding columns on the subject of Presidential use of troops or preparation to use troops to force integration of the races. Mr. Lawrence has made it crystal clear that he is concerned about the lack of legal authority which the President had in dispatching troops to Alabama recently, and the potential for exercising dictatorial power to intimidate or force local officials and individuals to conform to the whims and orders of any President.

I only wish, Mr. President, that more of our national writers were as objective and courageous as Mr. Lawrence, in his determination to point out to the American people the dangers involved in using Federal troops for such a purpose. Evidently, to the Supreme Court, which has been indicating its lack of objectivity in decision after decision concerning the South, is so determined to force integration of the races that it will not even consider a challenge by the Governor of a sovereign State to the dispatching of troops by the President into a State for purposes of intervention and possible later use of these troops as an instrument of force against fellow American citizens.

It is therefore refreshing, Mr. President, to find in the Washington press corps, one, among at least several other newsmen, who is willing to sound the call of danger to the American public to make certain that both sides of this conflict are brought to the attention of the people, even though the Supreme Court will not even entertain an argument on the subject.

I ask unanimous consent, Mr. President, that this column by Mr. David Lawrence, entitled, "Power a Dictator Would Usurp: U.S. Brief on Using Troops in Alabama Would Open Up Vast Area of Coercion," and printed in the May 27, 1963, issue of the Evening Star be printed in the CONGRESSIONAL RECORD. I also ask unanimous consent that a newsletter that I distributed on May 20, 1963, on a similar subject, and entitled, "On Preserving Order," be printed in the RECORD.

There being no objection, the column and newsletter were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star,
May 27, 1963]

POWER A DICTATOR WOULD USURP—U.S. BRIEF ON USING TROOPS IN ALABAMA WOULD OPEN UP VAST AREA OF COERCION

(By David Lawrence)

A remarkable brief has just been filed in the Supreme Court of the United States by direction of Attorney General Robert Kennedy. If the argument in it is ever sustained by the high court, the way is opened to a military dictatorship in the United States at any time and for any reason that suits the whim of a President. The provisions of the Constitution which limit a President's power would be swept aside and, for all practical purposes, the Constitution hereafter would be what the President says it is.

The brief was in answer to a petition of Governor Wallace of Alabama asking the Supreme Court to issue an order against the use of Federal troops in Alabama unless requested by the Governor or the legislature, as required by the Constitution.

The Supreme Court today, however, declined to pass on the merits of the argument in the brief and rejected the complaint on the ground that the President had merely taken "purely preparatory measures." But the brief of the Department of Justice will remain in the records as a statement of the basis for future use of Federal troops inside a sovereign State.

The Department of Justice replies that the provision of the Constitution which explicitly says that Federal troops may be used within a State only with the permission of the Governor or the State Legislature is "irrelevant" and that somehow the 14th amendment conferred broad new powers on the President to enforce any law on any subject or to use troops whenever, on the basis of his own judgment of the circumstances, he wishes to use them. The brief, moreover, makes this sweeping claim:

"There is no room for judicial review of a Presidential determination that the conditions stated in section 333 have arisen and require him to take 'such measures as he considers necessary.'"

Section 333 is part of a law originally passed in 1871. It specifically relates only to a failure or refusal by State authorities to permit the "execution of the laws of the United States." President Kennedy has himself publicly stated that, in the recent disturbances in Birmingham, Ala., no Federal law was being violated—nor any court order, either.

The brief brushes aside as secondary the public statements of Alabama officials that they intend to maintain law and order, and adds:

"But the allegations of intent cannot relieve the President of the right and duty to prepare for all contingencies and to make the independent determination required by section 333."

Yet a President's intent, on the other hand—whether it be political or capricious—to prepare to deal with local disturbances whenever he pleases is held by the Department of Justice not even to be subject to judicial review. It is further argued in the brief that section 333 is a blanket authorization to a President to send troops into any State at any time that he himself thinks there may in the future be some intention to violate any law or court order. Section 333, however, doesn't deal with intent at all, but only with actual evidence of law violation or a refusal to enforce a law.

The constitutionality of section 333 itself has never been passed upon by the Supreme Court of the United States. Congress cannot assume the right to proclaim by statute what it wishes to be considered constitutional. Nor can Congress enlarge a President's constitutional powers by means of a law.

The most surprising statement in the brief—and one which would seem to pave the way for a military dictatorship by a President of the United States at any time he wishes to set it up—is as follows:

"We cannot know whether the occasion for invoking the statute (sec. 333) will actually arise. Nor need we examine the precise circumstances which might justify the contemplated intervention. It is sufficiently clear, however, that the prevailing situation in Birmingham may deteriorate in such a way as to require action under section 333."

Yet the law itself doesn't say a President may threaten to use Federal troops or even use them until the circumstances stated in the law have actually arisen.

But what difference would it make what the law says if the Department of Justice is right in claiming that there can be no judicial review of a President's acts?

There is no limit to the powers of coercion that could be applied by a President, whether a liberal or not, by ordering out troops. If the Supreme Court of the United States accepts the reasoning of the Department of Justice, then, even when no Federal law or court order has been violated, a President can mobilize Federal troops and deploy them as he pleases. He could intimidate local authorities and cause certain citizens to make concessions in favor of one group of voters rather than another. Also, a President, under his own concept of Executive power, could apparently choose to enforce that concept by military action irrespective of what is actually specified to the contrary in either the laws of the United States or the Constitution.

ON PRESERVING ORDER

In recent years many of the rights and powers of the States have been usurped altogether or in part by the National Government, through Supreme Court edicts, Executive orders, and by actions of the Congress. This is particularly true in the congressional authorization of grant-in-aid programs which permit the Federal dollar to bring about the desired element of control. Two major powers are still in large part retained by the States, these being in the fields of education and law enforcement. However, those who would centralize all power in Washington have been constantly chipping away at these two vital powers in the past decade.

The major accomplishment forged by the centralizers in the field of education was the Supreme Court's school desegregation decision of 1954. Another major effort to take over the field of education has been the proposed program of general Federal aid to education. However, this drive has been blunted and shows no sign of being revived during the 88th Congress.

In the field of law enforcement, the National Government would have usurped more power had it not been for the strong views expressed by FBI Director J. Edgar Hoover against establishment of a national police force. Within the past few years, however, the centralizers have discovered another tool which can be utilized not only to gain more control over education but also to intrude on the law enforcement prerogatives of State and local governments. This is the tactic of using Federal troops to force compliance with Federal court orders. Last week this tactic was extended one step further by using it as a club to intimidate State and local officers under the threat of the use of Federal troops in Birmingham, Ala.

The idea of using Federal troops in the various States is highly questionable from a legal standpoint, except as provided in article IV, section 4 of the U.S. Constitution, to wit: "on application of the (State) legislature, or of the executive (when the legislature cannot be convened)." * * * The argument against the use of troops to force integration has been made by many eminent legal scholars from both within and without the South. The Congress certainly indicated it had no intention of forcing integration by use of troops when in 1957 it repealed an old reconstruction statute which provided for the use of troops in equal rights cases. The vote in the Senate was 90 to 0.

In the Birmingham difficulties troops were dispatched to the State by the President, without any Federal laws or court orders having been violated. In fact, the President made this clear at a news conference before the troops were sent to Alabama. In addition, the local law enforcement officials have been demonstrating their willingness and capability to maintain law and order in Birmingham in the face of rioting which was initiated by Negro mobs, encouraged by Federal officials and liberal elements outside the South, and then aggravated by the unfortunate bombings.

Clearly, the President has no authority to intervene or threaten to intervene in preserving law and order where no Federal laws or court orders have been violated. The preservation of local law and order is the responsibility of local and State officials. In fact, the dispatching of troops to Alabama only served to further aggravate a tense atmosphere charged with deep-seated feelings.

One Alabama editor, after lunching with the President, sought to excuse the President's action in part by stating that he felt the President was sincere in sending the troops to Alabama. Columnist David Lawrence has asked the appropriate question, however, why troops weren't sent when the rioting was initiated by the mobs. Why, instead, has Martin Luther King been made a court favorite at the White House, even to the extent of receiving Presidential phone calls while in jail in Atlanta and Birmingham for creating domestic troubles? The question can likewise be raised as to why troops haven't been ordered to quell recent domestic racial violence in Chicago, Ill., and Englewood, N.J.

Sincere or not, the President's action in sending troops into Alabama for the purposes stated was both illegal and unwise. The voice of public protest should be heard on this action all across this land, for such an action merely plants the seeds for additional dictatorial actions in all sections of the country.

Sincerely,

STROM THURMOND.

Recent Studies of Our Banking and Financial System

EXTENSION OF REMARKS

OF

HON. WALLACE F. BENNETT

OF UTAH

IN THE SENATE OF THE UNITED STATES

Tuesday, May 28, 1963

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address delivered by the Senator from Virginia [Mr. ROBERTSON], before the Third National Mortgage Conference of the American Bankers Association, at Washington, D.C., on May 28, 1963.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

RECENT STUDIES OF OUR BANKING AND FINANCIAL SYSTEM

(Remarks of Senator A. WILLIS ROBERTSON, Democrat, of Virginia, before the Third National Mortgage Conference of the American Bankers Association, Washington, D.C., May 28, 1963)

It is a great pleasure to be with the 1963 meeting of the Mortgage Bankers Conference here in Washington. As you know, 1963 is a particularly significant anniversary year in banking. This year marks the 100th anniversary of the National Currency Act, now known as the National Bank Act; it is also the 50th anniversary of the Federal Reserve Act and the Senate Banking and Currency Committee. This is, therefore, a good year for taking stock of our financial system. In doing so, we have available the results of a considerable amount of study and discussion that has been going on over the past few years.

BACKGROUND OF RECENT FINANCIAL STUDIES

The reasons for the interest in our financial institutions do not lie in any concern about their security or soundness during the current prosperity and relative stability in the economy. In fact, the recent and current study of our financial system has taken place under conditions that contrast with the beginnings both of the National Bank Act and the Federal Reserve System.

As you know, the National Bank Act was passed after an era marked by banking excesses and speculation, as the State banks grew rapidly in response to the legislative principle of free banking first adopted by New York State in 1836. It was the need for a sound currency and for means to finance the Civil War which led to the passage of the National Currency Act in 1863. Likewise, the recurrent money panics that marked the last half of the 19th century, culminating in the panic of 1907, gave great urgency to the formation of the National Monetary Commission in 1908. And the Federal Reserve Act of 1913, sponsored by my distinguished predecessor in the House and Senate, Carter Glass, was the outcome of recognition stemming from the Commission's study of the need for an adequate system of providing bank reserves and a payments system for a national economy that had become continental in its geopraphic extent and that was entering the arena of world leadership among industrial nations.

It is the great changes in our economy, rather than any present concern over the soundness and stability of our institutions or our currency, that have stimulated recent studies. In the half-century since 1913, we have experienced two world wars and a great depression, and we have seen a gradual equalizing of wealth as we have put the consumer in the driver's seat of the economy in this present automobile age.

During this period the Government has entered many areas of finance, expanding the range and increasing the level of its activities. By the end of fiscal 1961, outstanding direct and guaranteed loans, excluding Government-sponsored, quasi-public programs and excluding the direct and guaranteed loans of the Commodity Credit Corporation, had risen to a total of $94 billion. Moreover, the Government debt has expanded to carry the total to a level that in 1960 was 237 times as great as in 1908, and that gives promise of expanding still more with the $12-billion deficit officially forecast for this fiscal year, if the Congress does not reduce taxes or appropriations.

There have been other significant changes since 1913. One is the growing public recognition of the need for the Government to moderate both inflationary booms and deflationary busts. Another is the rapid rise of financial intermediaries—investment trusts, pension funds, savings and loan associations, and credit unions; and, correspondingly, the relatively slower growth of the commercial banks, which along with investment banks in the nineteenth and early twentieth centuries had been the predominant supplier of capital and credit to our private enterprise economy. Vigorous competition with the commercial banks by other financial intermediaries has stemmed partly from tax advantages of the specialized institutions, partly from the changing financial practices in the consumer-oriented economy, and partly from the aggressive merchandising of services by the specialized institutions.

There is ample precedent for the recent study of our financial machinery and policy, not only in the work of the National Monetary Commission and in the study preceding the Banking Act of 1935, but also in the work in Britain of the Macmillan Committee in the early 1930's and the Radcliffe Committee in 1958–59, both of which carried out exhaustive studies of the British financial system. The first suggestion during the postwar period for a comprehensive review of the U.S. monetary and financial system came in 1948 from the Committee for Economic Development, a private group of 150 leading businessmen and educators.

Other suggestions for studies of money and banking, particularly central banking, were made during the early 1950's. My financial institutions bill of 1957 was intended primarily to bring technical provisions of the Federal banking law into consistency, and although it did not pass the House, it had considerable influence on specific legislative proposals since passed by the Congress.

Beginning with that careful and time-consuming analysis of banking laws in 1956–57, many groups have conducted their reviews of our financial institutions and the functions they should perform. After the study by the Senate Finance Committee in 1957, conducted by my distinguished colleague, Senator HARRY F. BYRD, the private CED in May 1958, appointed its 25-man Commission on Money and Credit—the so-called CMC—made up of leaders from business, finance, labor, agriculture, and education. Some 110 professors worked on the commission's research projects and produced 11,000 pages before the commission submitted its 285-page report, costing $1.3 million, to President Kennedy on June 19, 1961.

In response to the report, President Kennedy in March 1962, appointed three committees composed of heads of Government departments and agencies. The Financial Institutions Committee, chaired by Walter Heller, Chairman of the President's Council of Economic Advisers, and the Federal Credit Programs Committee, chaired by Douglas Dillon, Secretary of the Treasury, have now made their reports, in April and February 1963, respectively. The third committee appointed by the President, on Government welfare and pension programs, need not concern us. In 1962, the Comptroller of the Currency appointed a 24-man committee of bankers to examine the national banking system, and that report is also now published.

RECOMMENDATIONS OF THE STUDIES

The main conclusion emerging from all these studies is that there is no need, to use the CED's words, for "wholesale overhaul of our financial structure." And, as the President's Financial Institutions Committee report goes on, "many of the needed revisions in law and policy identified by the committee are not so urgent as to command the highest priority." In other words, national leaders in private business and education and top officials of the Government's departments having primary responsibility for financial matters see no pressing cause for urgency in enacting drastic legislative proposals to change significantly the financial structure under which our economy is now operating. Indeed, the report of the Committee on Financial Institutions, prepared with the benefit of a review by top Government officials of the earlier study by the Commission on Money and Credit of the CED, had this to say:

"Although numerous improvements are suggested, the report as a whole offers reassurance that our financial system, for the most part, functions soundly and efficiently to promote the growth and stability of our economy and effective employment of our Nation's savings; and that Federal supervision and regulation advances these ends. The Nation is therefore in a position to proceed with improvements after due deliberation rather than, as so often has been true in the past, under the pressure of financial crisis."

I share the view of these private and public groups that there is no urgent need for wholesale legislative changes, and I assure you that the Senate Banking and Currency Committee will give careful consideration to any proposals that come before it on this subject.

A second general conclusion that these studies reflect is that the country has now got a satisfactory set of Government economic objectives and that monetary and debt management tools are adequate to achieve those objectives. In other words, these studies endorse the general principle that the Government should confine its role in the economy to trying to create general conditions that foster economic growth, general monetary stability, and high levels of employment, and that the Government should rely on the forces of corporate and individual initiative and enterprise to assure the continued economic development of the country and the increase in real incomes of its people. I certainly can agree strongly with that conclusion. Even the CMC report, which in general reflects a tone of increasing emphasis and reliance on the Federal Government which I do not agree with, rejects a variety of proposed new devices to regulate credit.

A third general conclusion, so taken for granted by the studies that it is not directly stated, is that the Nation's dual banking system is effective and on balance satisfactory. Carter Glass supported the dual banking system as it had developed from 1863, and the Federal Reserve Act was superimposed upon the dual banking system with no intention to weaken or alter it. Throughout my 30 years in the Congress I have supported the dual banking system, and I am glad to state my support of it today.

Support of the dual banking system also means to me support of the principle of competition in banking. I, of course, recognize that banking is of necessity a regulated industry, because of its vital role in creating the Nation's supply of money, in operating its payments system, and in safeguarding its savings and credit needs. However, I also believe that competition among banks, in a climate of sound monetary and fiscal policy, is valuable to the economy in increased loans and investments, in better service to the public, and in better and more efficient bank management. The key principle that we can never lose sight of is to maintain a proper balance between sound monetary and fiscal policy and effective regulatory practices, on the one hand, and sufficient emphasis on private enterprise and competition in banking and finance on the other. The cautionary tone of the President's Committee on Financial Institutions seems to me to reflect an underlying concern for balance between regulation and enterprise in finance which I can endorse.

SUPERVISORY STRUCTURE AND RELATIONSHIPS

It is primarily in the area of supervisory structure and relationships that most of the recent studies of our financial system have had the most to say and have aroused the most discussion and controversy. The CMC report of the CED, for example, put forward a number of suggestions that would alter the way in which the Federal Reserve System carries out monetary policy. It proposes to deemphasize the voluntary and regional character of the Federal Reserve and would centralize more power in the Federal Reserve Board and make the terms of its Chairman and Vice Chairman coincide with that of the President.

I would vigorously oppose those legislative proposals, as I take it the administration itself has concluded, since its financial institutions committee report makes no reference to the subject. I believe deeply in the soundness of a Federal Reserve System independent of the Treasury. And I believe it would undermine the morale of the Federal Reserve System and make its problem of staffing acute to remove the policymaking function entirely from the regional Federal Reserve banks. I agree with Chairman Martin's position that the genius of the framers of the Federal Reserve Act lies in the creation of regional banks, knit together by a national governing body in Washington rather than in the establishment of a central institution with authoritarian powers.

The President's Financial Institutions Committee—the Heller Committee—was considerably more cautious in its approach to changing the banking system than the CMC report, and I think properly so, considering the fundamental judgment of both committees that our financial institutions require no wholesale restructuring. Its conclusions were not even stated as legislative recommendations but instead as principles to guide legislation.

Positive proposals included a graduated system of reserve requirements for demand deposits for all commercial banks, with Federal Reserve membership remaining voluntary, a reserve requirement for deposits of mutual savings banks and shares of savings and loan associations; a cash liquidity requirement for such institutions; flexible standby authority rather than continuous regulation of interest rate ceilings on time and savings deposits; and an increase in the coverage of deposit and share insurance coupled with additional powers by the Federal Home Loan Bank Board to regulate savings and loan associations. The Senate Banking and Currency Committee will be glad to give any specific legislative proposals on these matters careful consideration at the appropriate time.

Aside from positive proposals, the Financial Institutions Committee's report reflected concern about branching authority, and it called for a comprehensive study of the geographic banking structure as a factual base for constructing sound administrative policy guidelines on new charters, branches, and mergers. The Committee was concerned about preserving competition and avoiding undue concentration of banking resources, yet it asserted that branching limitations in some States may impede competition and provision of banking services. The Committee was concerned about broadening the portfolio investment authority of some of the specialized institutions, but it cautioned against abandoning the concept of asset specialization. And the Committee was concerned about better coordination among supervisory agencies, but it did not recommend any fundamental changes in supervisory relationships within the Federal Government. The Committee, in other words, left us on the fence in setting legislative policy in these areas.

The Committee on Federal Credit Programs—the Dillon Committee—likewise was cautious in recommending changes. It did, however, lay down some principles for Government financial aid. It held that Government credit was justified only to remove credit "gaps" in the private sector, to shift resources into socially desirable areas, and to increase total resource use—assuming other means were not available. It also held that the Government should use guarantees or insurance to private lenders, Government aid to new private institutions, or creation of a Government secondary market, in that order, before it should resort to direct loan programs.

The Committee did urge regular appraisal by the President, perhaps along with the budget review, of Federal credit programs, to see whether they continue to be needed. It emphasized that such programs should supplement, not substitute for, private lending. It recommended coinsurance by the lender for some part of all guaranteed or insured loans. It rejected further tax-exempt loan or guarantee programs. It urged promotion of uniform State law on mortgages to promote a private secondary mortgage market. It urged that direct Government loans should generally be self-supporting. And it called for more reporting by Government so that loan programs could be effectively reviewed. Finally, the Committee set the principle that interest rates charged on Government loan programs should be equal to the rate the Treasury has to pay for its debt. All these judgments by the Dillon Committee seem to me to be generally sound and in our tradition of keeping the Government's role in business supplementary and not competitive.

CONCLUDING REMARKS

Indeed, considering the usefulness of the studies by the President's Committees, I think it is fair to say that they will serve as valuable expressions of principle to guide the Banking and Currency Committees of both sides of the Congress. It does seem, also, that the general tenor of these studies supports the position—which I endorse—that our financial institutions are in good health, and that we should move slowly to accept any sweeping legislative proposals that would disregard the wisdom of many diligent and dedicated men who have come before us and have bequeathed to us a unique and successful competitive financial environment.

Taking a long look at our financial system in this anniversary year of 1963, it seems to me that, whatever the shortcomings and extremes of position the recent studies may reflect, our method of continual questioning and free inquiry is the best protection that we could have to assure the future strength of our financial system. In one sense the entire history of finance in this country has represented a continuous experiment in adapting these institutions bit by bit to the needs of dramatically changing times—from the simple life of the new nation, to the age of enterprise and industrial revolution of the 19th century, onto the 20th century stage of world leadership, and now into the beginning of the age of automation, space exploration, and the struggle for world freedom against Communist tyranny. The recent studies and the legislative proposals stemming from those studies are in the pragmatic tradition of that great American and fellow Virginian, Woodrow Wilson, when he said in the first inaugural address about the new Federal Reserve System:

"We shall deal with our economic system as it is and as it may be modified; not as it might be if we had a clean sheet of paper to write upon; and step by step we shall make it what it should be."

Cooperatives and the Future

EXTENSION OF REMARKS

OF

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Tuesday, May 28, 1963

Mr. COOPER. Mr. President. I ask unanimous consent to have printed in the Congressional Record a speech made by the distinguished senior Senator from Vermont, Senator George D. Aiken, before the National Conference on Cooperatives and the Future, held in Washington, D.C., on April 29, 1963.

Senator Aiken is the ranking Republican member of the Senate Committee on Agriculture and Forestry. In his committee and on the floor of the Senate, Senator Aiken has demonstrated again and again his leadership in support of the cooperative movement.

Senator Aiken is a great farm leader in the Senate, as he is with every subject to which he addresses his experience, wisdom, and rare judgment. I am sure that his address will be of great interest to many persons in our country.

There being no objection, the speech was ordered to be printed in the Record, as follows:

COOPERATIVES AND THE FUTURE

(By Senator George D. Aiken, of Vermont, National Conference on Cooperatives and the Future, Washington, D.C., April 29, 1963)

The three principal functions of cooperatives are buying, selling, and servicing.

These functions are performed for our farm, rural nonfarm, and urban populations.

Cooperation represents the efforts of large numbers of individuals—each of whom by himself would be considered too small to do business and perform services in a manner usually ascribed to big business.

Since coordination of efforts between urban and farm people still leaves much to be desired and since my own experience has been largely with the farm, I shall speak primarily about farm cooperatives tonight.

Ordinarily, a decrease in the number of organizations or in memberships would give little cause for rejoicing or even satisfaction.

Last year—1962—the number of farm cooperatives in the United States dropped off by 2 percent while the total number of memberships decreased 1 percent.

That these losses simply represent the trend toward larger, stronger, and more efficient farms and farm marketing units is indicated by the fact that while the number of memberships and cooperatives both declined the amount of business done showed a gross increase of 3.5 percent over the previous year.

What has happened to farm cooperatives has happened to nearly all segments of industry and commerce and indicates clearly the trend which we must ride and direct if we are to do our part in promoting the growth of the national economy and see to it that farm people share equitably in such growth.

You will note that I did not say we must follow the trend.

To follow is to lag behind and lose both profit and prestige.

The farm cooperative has many times in the past demonstrated its ability to lead and direct.

Proper direction of our economy, particularly our agricultural economy, is now more important than ever.

We have already demonstrated our ability to keep up in front.

The time has come when we have to show determination as well as ability.

To grow strong, cooperatives must be willing to branch out—to merge with other cooperatives in order to become more efficient, and even to go out of business when it strengthens the system as a whole.

Farmers cannot afford to be sentimental about their cooperatives.

They cannot plead for the right to exist on an emotional basis, or ask for special favors just because they are cooperatives.

Cooperatives have grown strong for one great and overriding reason: They have proved their right to exist by competing effectively in the marketplace.

They have provided services to their members where such services would not otherwise have been available.

Great strides have been made in increasing efficiency but, while there have been many cooperative consolidations in the last few years, not enough has been done in this area of development

Is it because we have become too much slaves to commercial habit and established marketing practices or is it just plain sentiment?

Have cooperative members fallen victim to pride of membership, assessing the value of their own cooperative on an emotional basis rather than facing the fact that 2 or 10 or 20 cooperatives, when merged into one strong association, gain important selling and purchasing equality?

The lone cooperative increasingly finds itself in the same position of competitive disadvantage as an independent grocer who is trying to compete against the supermarket.

No great supermarket chain would dream of trying to stand still.

They are always on the watch for new areas that may be developed and new merchandising techniques which promise to extend their business.

However, no supermarket organization would go into a new area without first conducting thorough market research studies of the area under consideration.

So, too, must our cooperatives spend more time and effort on market research and business management.

As never before, they must justify their right to exist by improving their competitive position—not only in local areas but in entire regions.

This means more cooperatives must be willing to go out of business as independent units, for there are still more organizations in the old established fields than are needed—too many for the farmers' own good.

Before the advent of the modern highway and electric lines it was necessary to have cooperative creameries every few miles.

These crossroads plants have now served their purpose and many can be continued only on a luxury basis.

While pride of membership is frequently the very backbone of the cooperative movement, this pride cannot be allowed to interfere with sound business judgment.

Farmers, as a rule, are people of good commonsense who will readily accept a merger proposition that is advanced on the basis that the overall strength of those cooperating will be increased and the prospects for greater dollar income will be improved.

A study conducted by the State of Wisconsin not long ago analyzed the entire cooperative structure in the State and came up with the conclusion that the 319 existing cooperatives could effectively be reduced to only 54 associations.

Larger and stronger cooperatives—with more service branches—can serve the members at lower operating costs.

This is both a challenge and an exceptional opportunity.

In this day of rapid centralization, many small independent cooperatives will necessarily expire while strong cooperative associations will grow and perform additional services to their members.

While the field for marketing, purchasing, and servicing cooperatives has been quite well covered, we should not conclude from this that there can be no broadening of co-op opportunities.

I doubt if we ever reach the point where further development of new cooperatives or new type organizations will be undesirable or unprofitable.

We have as yet scarcely touched the area of production and utilization co-ops.

A new field that is opening up rapidly now is that of harvesting and marketing forest products.

It is a rather sad story that for every dollar a farmer gets for timber stumpage, $17.60 is added before the ultimate user gets the finished product.

This wide spread is due to harvesting, transportation, processing, and marketing costs.

What farmer, however, owning 50 to 100 acres of woodland, can afford $10,000 machines for roadbuilding or harvesting equipment?

What rural community can afford a manufacturing plant on an individual basis?

Fortunately, many rural communities do have small manufacturing plants but many more have not.

The transient purchaser of timber cannot be expected to drag out his harvesting procedure in order to keep the population of a rural community from drying up.

With more cooperative effort modern forestry and less costly processing methods could be practiced—sustained yield and sustained income be anticipated, maximum market prices be enjoyed, byproducts be salvaged and best of all a healthy rural community be perpetuated.

The road lies wide open for an expansion of cooperative farm forestry.

Closely allied with the opportunity for cooperative farm forestry and also capable of being extended to areas where trees are not so plentiful is the great new field of cooperative commercial recreation.

I am not speaking of nonprofit recreation but of programs whereby farmers may unite to not only make a real addition to their income but in many cases to make it possible to continue to operate farms which for the production of crops alone might be uneconomic.

Included in this category we find trail building for riding and hiking, fishing and hunting, wildlife sanctuaries, winter sports development and just plain vacation areas.

With the urban population expanding at a rapid pace and feeling a more proprietary interest in the natural resources of the Nation—with 90 percent of our people desiring and insisting upon outdoor recreation—we should not ignore what is perhaps our most rapidly growing industry.

While this growth is attracting great numbers of individual and corporate promoters the fact remains that in many areas the cooperative method could prove to be the best method of dealing with the situation.

One of the fallacies receiving rather wide distribution these days relates to special privileges which co-ops are supposed to receive under the law.

According to these fallacies all co-ops receive tax benefits not available to others engaged in the same line of business—and low-cost interest rates give rural electric co-ops special advantages over utility corporations.

You and I know that the charge that co-ops receive special tax benefits is a piece of pure fiction.

We know that co-ops pay normal property taxes and if earnings exceed the amount allowable for safe reserves and are not refunded to the members that these earnings are required to pay income taxes.

You and I know, too, that the benefits from the interest rate on loans to REA co-ops are scarcely a drop in the bucket compared with the tax benefits allowed the petroleum interests, the pipeline interests and the electric industry.

You and I know these things but the majority of the people do not.

We know that much of the enormous development of the U.S. economy during the last 20 years has resulted from the extension of REA lines throughout the Nation.

The public at large does not realize that.

The REA is under severe attack today.

Its enemies are making unprecedented profits themselves.

They leave no stone unturned in their continuing quest for monopoly.

They are not willing to live and let live.

Their strength in the Congress is greater than at any time within the last 25 years.

Why am I putting emphasis on the danger to rural electric cooperatives at this time?

Why should a dairy co-op or grain co-op or cotton co-op be disturbed?

It is because if REA co-ops can be weakened, crippled, or destroyed then other kinds of cooperatives will come next.

It is not the REA alone that is under attack.

It is the cooperative system of doing business.

How do we combat the type of attack which REA co-ops are undergoing today?

Mainly by getting the true story before the people at every opportunity.

By operating the co-op organizations so efficiently that all members will be fully aware of the benefits they receive from this means of doing business.

By recognizing that the primary purposes of cooperatives lie in filling unmet needs or in exercising regulatory powers in the economy at large.

By refusing to let co-op organizations be used for purposes only remotely connected with the business for which they are established.

By guarding against discriminatory legislation and keeping Members of Congress fully informed.

Cooperatives cannot expect exemption from antimonopoly laws or any other laws applicable to business in general.

We can expect and should insist upon such legislation as will insure equality of opportunity with other segments of commerce and industry.

We must insist upon nondiscriminatory administration of the law and a hands-off policy on the part of Government officials when farmer cooperatives undertake to strengthen their position by every legal means.

Happily there have been recent indications that the Department of Justice may be modifying what in past years has appeared to be a policy of harassment of farm cooperatives.

What should be the role of the Federal Government in the field of cooperation?

I will say again now as I have said many times in the past that it is the function of Government to furnish the tools with which to operate.

It should not be the function of Government itself to use those tools or to exert management responsibilities over farm cooperatives.

Government can and should carry on research work helpful to cooperatives just as it does for all factors of our economy—and just as it is doing today under the leadership of Dr. Joseph Knapp and his able staff.

It is, of course, the function of Government to enforce laws and regulations on an impartial basis.

The future well-being of agriculture, may I say, does not depend on Government except as government is a servant of the people.

It depends upon farmers themselves, their organizations, their leadership and their management.

The gravest danger to cooperatives will not be found today in the efforts of others to put us out of business or in the desire of any Government officials to control or direct our operations.

It is to be found in the complacency and inertia which has developed within our own organizations.

These culprits, while byproducts of success, can also prove to be our worst enemies.

The agricultural production of the United States is the envy of the world today.

It has been a most potent weapon in the cold war.

There are those who think agriculture is expendable.

We face competition or loss of markets particularly on the international front if these people have their way.

We will need all our power to protect our well-being.

Farm cooperatives are the backbone of our agricultural strength.

We don't need to waste time complaining—we need to plan, to work, and to fight.

We can fight successfully only with a united front—let's fight.

Birmingham Civil Service Violations Protested

EXTENSION OF REMARKS
OF
HON. GEORGE HUDDLESTON, JR.
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 28, 1963

Mr. HUDDLESTON. Mr. Speaker, in the Federal Government's efforts to show favoritism to Negro applicants for civil service jobs in Birmingham recently 76 people on a civil service register were passed over to reach a particular name. Although the applicant was No. 77 on the register, she was offered a position as secretary to the Regional Counsel of the Internal Revenue Service. This applicant was a Negro.

Mr. Speaker, I have repeatedly protested these violations and uses of favoritism in Birmingham to Mr. John W. Macy, Chairman, U.S. Civil Service Commission.

Although the job would represent a promotion for a number of women applicants already employed by the Internal

Revenue Service in Birmingham, the Negro applicant from outside Government service was given the job.

Directions and pressures to hire Negroes for these civil service jobs are coming from high officials here in Washington. Their actions and pressures represent willful violations of civil service rules and procedures. These are not the only violations, Mr. Speaker, but there are others. The civil service merit system is being seriously jeopardized. The pressures being brought to bear on Birmingham Federal agency officials, charged with the responsibility of hiring personnel, to hire Negroes are making a mockery of civil service regulations and procedures.

Mr. Speaker, continuation of the present policies and pressures will result in the complete loss of confidence in the Federal Government merit system hiring.

Although I have been assured that the Civil Service Commission is investigating these complaints, I am not aware that remedial, corrective or punitive action is being taken. I cannot stand idly by, while these violations are being perpetrated in the name of so-called equal rights and opportunities while these actions are, in fact, efforts to show favoritism and preference to a specific group.

Cooperatives and Freedom

EXTENSION OF REMARKS

OF

HON. QUENTIN N. BURDICK

OF NORTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 28, 1963

Mr. BURDICK. Mr. President, on May 8, one of our distinguished colleagues, the Honorable HUBERT H. HUMPHREY, addressed the Conference on Cooperatives and the Future on the subject "Cooperatives and Freedom." The speech deals with the contributions made to our society and our economy by cooperatives in an authoritative and interesting manner. It is truly an outstanding address that deserves a wide audience. Mr. President, I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COOPERATIVES AND FREEDOM: TRANSCRIPT OF ADDRESS BY SENATOR HUBERT H. HUMPHREY, OF MINNESOTA, BEFORE THE CONFERENCE ON COOPERATIVES AND THE FUTURE

Thank you very much, Mr. Hendrickson, Mr. Secretary, and my esteemed colleague from Vermont, Senator GEORGE AIKEN.

I can honestly say that of the many men that I have known in public life, I have never known one who was a more stanch defender, and a more sincere and effective advocate of the cooperative movement—of the farm cooperative—than the Senator from Vermont, Mr. AIKEN. I want to compliment him.

Many things have happened here this evening that are intriguing. Roy Hendrickson introduced Clyde Ellis as the dean of the co-ops in Washington. My gracious. When I came here they were talking about that rambunctious young fellow from Arkansas, Clyde Ellis. Now he's a dean. It's a great honor to be known as "the dean of the co-ops," Clyde. You preside well over your unruly students. I want to compliment you, too.

I am pleased to be on this platform with the Secretary of Agriculture who was Governor of our State of Minnesota. Orville Freeman as Governor of Minnesota didn't take a passive interest in cooperatives. He took an active interest. He promoted them. He urged people to join. He was by word and deed and practice a true cooperator. You have in the Secretary of Agriculture one who pleads your case and cause well and one who lives by the principles that he espouses.

I want to talk to you now about my views on cooperatives and the cooperative movement in the United States—and elsewhere—and what we can do to improve it. If nothing else happened in this meeting than that six of the national federations are meeting together, working together, planning together, and thinking together, this would be a significant accomplishment in its own right.

One of the weaknesses in the past of organizations of cooperatives is that all too often the federations would have their own meetings, and the federations would pursue their own course. They were effective, but not often enough would the federations come together to find a common meeting ground—to find ways and means of cooperating between cooperative federations for the common good and the programs and objectives agreed upon.

The fact that you are here—300 to 400 of you—dedicated by life and by conviction, idealism and practice, to your cooperative organizations and the cooperative principles in itself is a significant accomplishment.

The charges against cooperatives—unfair charges, half truths—gain considerable acceptance by an unknowing public because they get the headlines and because they are cloaked in sensationalism. But like most good things, meetings of this sort, while meaningful to those who are the participants and having long-range good, just simply are not broadcast across the land.

You did not get where you are just by meetings like this. There were days when some of you in this audience met in less lavish surroundings. There were times when you wondered whether you could carry on, if you could find the means, yes, even the courage to carry on. Many a cooperative was started in a country store around a potbellied stove. Many a cooperative was started out of sheer desperation—it had to be started. There was no way to market the product without being exploited, no way to meet the rising costs of production unless you could band together.

Cooperatives as we know them are the result of both idealism and ideals, plus conviction and necessity.

One way that we can measure how well we have been doing is to look at the statistical evidence. Since 1913 cooperatives have marketed, or purchased or been involved in, economic transactions that have gone far beyond the $200 billion mark. That's big business. The net volume of cooperative economic enterprise in fiscal year 1961 was approximately $12½ billion. That's rather big business. I can think of some cooperatives out in our State of Minnesota that started with just a few thousand dollars 25 years ago, and today have assets that run into the millions of dollars.

In Minnesota, we have grain cooperatives. We have our great dairy cooperatives. We have the great Central Exchange. We have the Midland Cooperative. We have the Superior Cooperative in the Duluth-Superior area. We have the Farmers Union GTA. We have many hundreds of elevator cooperatives.

All of these had little beginnings—every one of them. Some of them perished along the way. In a free society this is inevitable and the admonition that has been given here tonight, of strengthening these cooperatives by wiser management, indeed at times, even by closer association, is a good and sound admonition.

But we didn't get where we are because somebody established an edict or because the Government of the United States said, "This is the way it ought to be."

About two-thirds of the dairymen of this country belong to cooperatives. Without cooperatives, America's dairy industry today would be a dead industry. It couldn't possibly survive. We are privileged today to have this great industry because wise men, now and in the past, brought farm producers of this highly skilled, expensive, costly operation known as dairying into the great cooperatives. Today, three-fifths of the fluid milk, 60 percent of the butter, and 75 percent of the nonfat dried milk is handled by dairy cooperatives.

A better measurement is to see what services these cooperatives offer. We ought to tell more people about them, because the cooperative movement needs acceptance as well as just toleration. It needs advocacy as well as an assumption that it will remain.

Consider marketing first. The picture for marketing farm products shows some disarray in spite of the cooperatives, in spite of government and other actions. But if it were not for the cooperatives the marketing of farm products today would be in an unbelievably bad situation.

One of the great needs of the farmers of today is to strengthen their bargaining position. This is something we have to drive home. While we do recognize the spiritual and political importance of individuality, we recognize that a farmer is helpless against some economic forces that affect agriculture and the entire Nation unless he can increase his bargaining position. The only alternative to bargaining is dictation—or destruction. I would hope that farmers would look upon their cooperative as not merely an association but also as a tool to bargain with and a means to improve their strength.

By pooling both the volume of their products and their bargaining power through cooperatives, farmers have proven again and again that they can exert great influence in the marketplace. And besides that, cooperatives help to build new markets and find new outlets for farm products.

The combined resources of many farmers often makes it possible to process and to package, and to sell under nationally known brand names—thereby creating a new demand.

Cooperatives help farmers to establish a high quality and a good reputation for products. There is no substitute for this. Competition today demands a better product, demands better packaging, demands better distribution, demands better merchandising. If cooperatives have one weakness, it is that they refuse to come to grips all too often with the marketing practices which this society requires. That means modern advertising, packaging, selling, and marketing practices.

Cooperatives have also become a potent factor in agricultural export trade. This whole meeting could be devoted to export trade. And no one has done a better job to point out the importance of our exports—for our national economy, for our balance of payments, for our national leadership, for our international position—than the Secretary of Agriculture. If this meeting didn't do anything else but to support the hands of those who are attempting to support America's position of leadership and export markets of agricultural products, it would perform a great service in this city. Let me warn you now: There are powerful forces in Government and outside of Government who are willing to make all sorts of adjustment, politically, diplomatically, and every other way, but are unwilling to take up the cudgel and to fight for a fair and decent opportunity to compete in open markets throughout the world. And if anyone fought this good fight, it was the Secretary of Agriculture when he was at Paris last fall, meeting with ministers of agriculture and finance and others, when he fought the good fight for American farmers and agricultural markets overseas—in the Common Market area.

What is happening to poultry is only a forerunner of what can happen to grains, and what can happen to one product after another. Unless we can do something to declare a halt to this protectionism before it is accepted because we have to have allies, American agriculture is going to suffer. Cooperatives now need to exert their influence before it is too late, not only to build export markets, but to influence the political climate in the Capital, in the Congress, in the State Department.

The American exporter, the American producer, has never faced the kind of competition which he faces today in the Common Market. He has never faced the kind of protectionism which can be established unless we insist that poultry and grains and dairy products, and vegetable oils, and cotton and a host of other products are all a part of NATO, of our expenditures for defense, of our 400,000 troops in Western Europe and of a common policy for the Atlantic Community. We'd better make up our minds to that.

Now we have some new export cooperatives. Right now, for example, the Producers Export Co. has sold millions of bushels of co-op grain abroad since it organized a few years ago. And there is a group of soybean and cottonseed processing cooperatives which is starting a new cooperative to sell abroad as well as at home. Its name is Soy-Cot Sales with headquarters in Houston, Tex. This is good. This is meeting modern needs.

Purchasing cooperatives are well represented here, and also exert a great force for the good of the farmer in supply and distribution. Farmers obtain through these purchasing cooperatives supplies at reduced costs. And they are supplies that are phased-in to the farm operation.

Although cooperatives supply only about one-fifth of the farm market, for the major supplies they handle, their influence on daily prices and quality result in savings to every farmer. This is in an amount to several times the dollar savings shown in their annual audits.

Another contribution of our cooperatives is to help farmers operate their farming enterprises more efficiently—through your journals, through your fieldmen, through the many services which are offered. I might add that these services could well be expanded.

Cooperatives often too prove to be the gadfly that stimulates other businesses to do a better job for farmers. This is no small contribution. Just recently a major company in the United States (a grain company) has offered a firm marketing agreement to growers in its area that guarantees paying growers a cash price above that given by a cooperative in the region. Well, that cooperative has done a service far greater than it will ever show on its books.

Cooperative spokesmen often refer to the yardstick or pace-setting influence on their businesses. You all know instances where the price of a product has shown an immediate increase when farmers first formed a cooperative to market it or the price of farm supplies has dropped when farmers started manufacturing their own through a cooperative—and dropped as much as 30 or 40 percent. This is a common picture.

We often hear about change these days. The acceleration of change in farming and in outside environments in which farmers operate is throwing out a great challenge to our cooperative movement. This is what we have been talking about. And the cooperatives have to face up to that challenge.

All mergers are not bad, not when they modernize and streamline administrative operations, farm services, such as bulk delivery, when farmers need them, or when they are enough to adjust to serving the larger farms with increased specializations.

These are just a few of the changes. I want to emphasize in particular the changes that are required in marketing practices and in administrative organization. What is one of the greatest contributions of the cooperative movement? In our time, as we see it now, it is a contribution to freedom. I don't think there is any doubt about this. The cooperative movement has been an essential factor in the success of the family farm sysem. It has contributed to community life and agricultural progress. Cooperatives are the chief means of preserving this pattern that is so essential to a sound and progressive democracy.

The family farm today must operate, however, in an economic environment that is characterized by bigness. The only way that you can stand up to bigness, unless you want to "corporatize" American agriculture, is through the cooperative. The cooperative is the answer to the bigness that surrounds this entire agriculture operation. The cooperative may be the only answer in many cases if family farming is to continue to exist.

Family farmers, through their cooperatives, represent the true free enterprise system. We ought to make this point manifestly clear. Who is more closely and clearly identified with free enterprise than a landowner, a farm operator, the family farmer, the American farmer? The U.S. Department of Agriculture shows he has about $4 billion of his own money invested in these cooperatives—with no Government money invested.

Cooperatives are, in essence, doing things for themselves. This embodies the basic spirit of our freedom. Cooperatives help preserve our American heritage of a man with an independent spirit who is yet sensible enough to work together with others for his own common good.

I fail to understand why some people today seek to deny farmers and cooperatives the same rights to do what others do without any criticism at all. Other businesses join together to do many things—small grocers and drugstores form buying cooperatives and say it's great. And that they do this to meet the competition of the chain store on a more equal basis.

Newspapers, who are very often critical of cooperatives, get together to hire reporters and collect news on a mutual basis—the Associated Press is an example. Many businesses carry ownership of their product all the way from its raw state to the finished product on the shelf to the customer. This is looked upon as efficiency.

When farmers do this in their cooperatives they are often charged with interference in what they call capitalist free enterprise system. Often the very people who shout the loudest about free enterprise are the ones who seek to deny the farmer the right to try to preserve his own private ownership by using cooperatives to help handle simply another stage, or extension, of his farming business. Who has a better right to market his own product than the farmer? Who has a better right and reason to get his supplies and services as economically and efficiently as possible than a farmer? He has every competitive disadvantage in the bigness of our system. He ought to be able at least to design for his own use some of the advantages that he sees are possible through his cooperative. This is good business.

Cooperatives, as I have said, help build good citizens. They help build leadership. Any country that is going to be a great country and be a continuing democracy must build leadership. Leadership isn't something you get out of a university, or something that you inherit. Leadership essentially comes through experience. In our cooperative movement today we have at least 100,000 farmers who are directors of cooperatives. Among the rural electric cooperatives of this country we have produced hundreds of outstanding leaders, and this is true of every one of your national federations. You have produced men and women who are political leaders, economic leaders, civic leaders, and who can stand up and speak their minds and do it well and cogently. There is no substitute in a free nation for leadership and dignity that comes through experience and conviction.

The recent encyclical issued by Pope John XXIII said:

"The right to private property even of productive goods, also derives from the nature of man. This right, as we have elsewhere declared, is suitable means for safeguarding the dignity of the human person and for the exercise of responsibility in all fields; it strengthens and gives serenity to family life, thereby increasing the peace and prosperity of the state."

Cooperatives are helping safeguard that human dignity and safeguarding the dignity of our world communities by helping farmers retain their independent farming enterprise, or as the encyclical said, "their right to private property even of productive goods."

Cooperatives thus help to build citizens under our system of government by providing them the means of gaining a better standard of living, by increasing knowledge, by encouraging initiative and by making people feel more assurance of being recognized as an active element of our society. For these reasons, a government of the people, a government by the people and for the people for over half a century has seen fit to give encouragement and assistance to cooperatives, through research and educational programs. Moreover, Government has assisted by providing loans to help improve and expand these operations—as early as the days of the farm credit system, the rural electric cooperatives with the REA, and the bank for cooperatives.

I want to warn this audience that every time we seek to hold these programs we have entrenched opposition, new attacks, new means of trying to distract us from the central objective of building a more equitable and a more just society.

The bank for cooperatives did a great job in this country. My own view is that the bank could well have greater capital because the cost of any kind of cooperative endeavor today is far greater than it was when that bank was established. Our friends here from REA know the importance today of adequate capital.

America ought to see to it that through the means of the private cooperative every farmer in America who wants a telephone, for example, can have one if he can pay for it through his cooperative or through whatever other system there may be available.

I'm happy to say that in many other parts of the world this is the case. In the Scandinavian countries, in Britain and Western Europe, in Italy, in Japan and many other countries the cooperative movement has a healthy public support and, of course, has great strength. Behind the Iron Curtain the situation is exactly the opposite.

The Communist state's collective farms are about as far as you can get from our free and independent associations of farmers. If there was ever any kind of a comparison that we could make between two systems, it is not the comparison between steel companies alone, not the comparison between a merchandising system alone. I think the real comparison that makes an indelible impression upon people throughout the world today is the comparison of the farmer and his cooperative in a free country such as ours and the farmer behind the Iron Curtain.

I talked with Mr. Khrushchev a few years ago. We talked a little bit about cooperatives. When he asked me to explain our capitalism, telling me I knew nothing of, as he called it, his socialism, I used our own State of Minnesota as an example. He told me quite frankly that I was ignorant, as he put it, of socialism and I said I didn't mean to be impertinent or impolite because that was not the purpose of my visit, but that I would return the compliment—that he was ignorant of our so-called private enterprise or free enterprise system. He said, "You take 20 minutes on your capitalism and I'll take 20 minutes on my socialism." So he took his time on his socialism and I took our time on what he called "our capitalism" and I explained my own State of Minnesota as best I could.

I pointed out that we had corporations, partnerships, big corporations, little family corporations, stock ownership. We had municipal ownership, we had public ownership, we had private ownership. But I said that above all, we have the greatest system of cooperatives in America, representing thousands of people who have learned how to work together without state dictation and have preserved their dignity, their freedom, their individuality, their private investments, their private property and yet, have pooled their resources—human, financial, and physical, for common purposes and common objectives. I don't know if we convinced him of anything, but I had the better of the argument and I knew it and I found this to be the case in country after country. When I spoke on Radio Moscow I didn't talk with them about their cities, but I talked to them about our cooperatives. I talked to them that way because the radio program went into many collective farms in Russia. I said, "What America is proudest of is the fact that we have been able to bring electricity to the homes of our farmers and to the farms and to the workshops, that we have been able to light up the land, so to speak, with people who own their own REA rural electric facilities, who are their own bosses, who set their own rates, who built their own plants and their own lines and own them. We are proud today that America's agriculture is out of the dark and into the light of modern living."

It seems to me that we had the better of the argument. Unfortunately, however, there are too many people in our own country who lump together cooperatives and collectives, who lump together the cooperator and the Communist.

No greater disservice can be done than to abuse the meaning or to misinterpret or misrepresent the meaning of what we call a cooperative. Our cooperatives are instruments of their owners and users, of the farmers. The collectives are the tools of the state. Where true cooperatives exist freedom is strong and communism is weak. We found this to be the case after World War II in Japan where cooperatives were organized for agricultural services and for fisheries. Today Japan's rural people are true friends of freedom and of the United States.

In many of the emerging countries that you've seen and I've seen, and your representatives are here tonight, people cry out for cooperatives. I returned from Caracas, Venezuela just last Friday, from a meeting of the Inter-American Development Bank. I'm happy to report to this audience that businessmen in Latin America (they were there by the hundreds—farm leaders and bankers) freely and openly said that the only hope in Latin America today to save the campesino from destruction and from infiltration of communism and ultimate collectivization and from Castroism is the cooperative. This is one of the reasons that this Senator, and thank goodness, others, insist that this Government not take a passive attitude on cooperative development.

If our Government in its foreign aid program would be as excited about cooperative development as it is about basic, big, economic development, of big industries where there are too few managers to run them, too few skilled workers to operate them, if we would become as excited about the possibilities of training cooperative leadership, of nourishing the cooperative movement, of helping to establish the Bank for Cooperatives in country after country and an International Bank for Cooperative Financing in Latin America, then we may be able to succeed with freedom in Latin America and prevent it from being destroyed and gobbled up by what seems to be a terrible disease that infiltrates this area. The disease is called Castroism, violence, terrorism and communism. If foreign aid is continued to be poured into these countries without the underpinning of a free trade union movement, of farmers' cooperatives, rural electric cooperatives, credit unions, supply cooperatives, supervised farm credit—if we continue to pour money in without these additional supports we will have wasted our substance. We will fail and freedom will be lost.

You've got to excite yourself about this. Cooperation cannot live as an island unto itself. We need to expand this whole philosophy and to extend it. Let me say to each of the six national federations—you are not fulfilling your responsibilities to this country or to the things in which you believe unless you are willing to dedicate part of your manpower, part of your resources, part of your technical know-how to help other people help themselves as you have been able to help yourselves.

You must share your knowledge and share your experiences and train and educate and organize.

I appeal to you then to make our American cooperative movement the vanguard of Operation Freedom, not only in Latin America, but in Asia, in Africa, and in every other country, to spread the good news around the globe, to spread it to the people behind the Iron Curtain.

We must make this message of cooperation which has enriched our lives a source of enrichment and of inspiration to people who today hunger for inspiration. If we do this, then we can honestly say that cooperation has fulfilled it real destiny.

Cooperatives, while they preserve individuality, are essentially international and are essentially universal. They are related to people everywhere, not just people here.

Thank you very much.

A Celebration in the American Tradition

EXTENSION OF REMARKS

OF

HON. JOHN F. SHELLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 28, 1963

Mr. SHELLEY. Mr. Speaker, on May 19, in San Francisco, the four sons of Mr. Lee Ling were hosts for a banquet which celebrated Mr. Lee Ling's 71st birthday. His friends attended with pride and devotion. They came from all parts of the United States, including the State of Hawaii, from the far reaches of Canada, and even from distant Formosa.

Mr. Speaker, Mr. Lee Ling well deserved this demonstration of respect and affection, as he has deserved through the years the admiration of his fellow citizens of San Francisco. Of humble origins, burdened with privation and debt in their early years, Lee Ling and his wife, his stanch helpmate, Yuk Kang, have weathered life's storms, have achieved independence and success, and have faithfully and enthusiastically served their fellow citizens in many civic, philanthropic, and humane endeavors.

Through their years of hard work together, Mr. Ling and his wife were the proprietors of the Eastern Bakery on Grant Avenue. For decades their efficiency and helpfulness were bywords in the community.

The business acumen which made a success of the bakery business is still actively at work in the enterprises of the Hawaii and San Francisco Investment Co., a busy and prosperous building and development firm which Mr. Ling now serves as vice president.

His civic participation deserves special praise. Each year for many years, and into the present, he has personally solicited donations for the Bay Area United Crusade, the San Francisco Bay area's community chest. He served his beloved Chinatown as chairman of the board of directors of its Chinese Hospital.

The members of his large family were especially proud of him on the occasion of his birthday banquet.

They have always held him in the highest esteem for the honor which his business success, his scrupulous honesty, and his performance of public duty have reflected upon them, but they were also glad to publicly express their gratitude for his service and devotion to them as a president and now an elder of the Lee Family Association.

He has worked and sacrificed for family and community, for city and country, for Chinese and Americans, for the United States and for China. He was a director of Young China, a San Francisco Chinese language newspaper founded by the distinguished Chinese leader, Sun Yat Sen, half a century ago. Mr. Lee has served on the executive committee of the local Kuo Min Tang, and is now on the executive committee of the Chinese Anti-Communist League.

He is currently chairman of the board of the Kin Kuo High School. In the great American tradition of preserving the culture of the country of origin while adapting to the democratic traditions of the country of adoption, this school, the only one of its kind in the United States, teaches its pupils the Chinese language after its public school hours. His devotion to his fellow Chinese Americans is shown in his directorship of the Young Wo District Association of Chinatown.

It is to Mr. Ling's credit and to the credit of the United States, the country which he loves and has served so well, that his industry, his aspiration, his insight, his honesty, his civic pride, and his patriotism have made of him a businessman, a leader, a patriot, and an American worthy of the emulation of his fellow Americans.